

**BOONE COUNTY PLANNING & ZONING COMMISSION**  
BOONE COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS  
801 E. WALNUT, COLUMBIA, MISSOURI  
(573) 886-4330

**Minutes**

**7:00 P.M.**

**Thursday, December 15, 2016**

I. Chairperson Harris called the meeting to order at 7:00 p.m., with a quorum present.

II. Roll Call:

a. Members Present:

|                              |                       |
|------------------------------|-----------------------|
| Boyd Harris, Chairperson     | Centralia Township    |
| Paul Prevo, Vice-Chairperson | Rocky Fork Township   |
| Eric Kurzejeski, Secretary   | Missouri Township     |
| Carl Freiling                | Cedar Township        |
| Gregory Martin               | Katy Township         |
| Michael Poehlman             | Rock Bridge Township  |
| Bill Lloyd                   | Three Creeks Township |
| Rhonda Lightfoot             | Perche Township       |
| Derin Campbell               | County Engineer       |

b. Members Absent:

|             |                   |
|-------------|-------------------|
| Loyd Wilson | Columbia Township |
| Vacant Seat | Bourbon Township  |

c. Staff Present:

|                             |                     |
|-----------------------------|---------------------|
| Stan Shawver, Director      | Uriah Mach, Planner |
| Bill Florea, Senior Planner | Paula Evans, Staff  |
| Thad Yonke, Senior Planner  |                     |

III. Approval of Minutes:

Minutes from the November 17, 2016 meeting were approved by acclamation.

IV. Planned Developments

1. Request by Ralph and Mary Ann Gates to approve a Final Development Plan for Gates South Home on 10.89 acres, more or less, located at 11105 E Mexico Gravel Rd., Columbia.

The following staff report was entered into the record:

The parent property is located at the northwestern corner of the intersection of Mexico Gravel Road and Glendale Drive. The subject property is located approximately 750 feet west of the intersection. The site is approximately 3 miles east of the city limits of Columbia. The parent property is 156.17 acres in size

and zoned A-1 (Agriculture). The subject property contains a home, garage, and an on-site wastewater lagoon and is surrounded by A-1 zoning. This is all original 1973 zoning. This property was rezoned and had a review plan approved on November 1<sup>st</sup>, 2016.

The applicant is seeking to finalize the approved rezoning of a 10.89 acre portion of the property to A-1P (Planned Agriculture). The rezoning will create a 4.51 acre not-for-development agriculture area containing and existing pond and a 6.38 acre lot for subdivision and development that contains the existing structures. After approval, the applicant will execute a family transfer to complete the subdivision process.

The Boone County Master Plan has indicated that this property is suitable for rural residential and agricultural land uses. The Master Plan also designates a sufficiency of resources test for the approval of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning.

Utilities: The subject property is located in Public Water Service District #9, who has domestic flows available to the parent property. Boone Electric can provide electrical service and an on-site system inspected by the Columbia/Boone County Health Department will provide wastewater treatment.

Transportation: The property is located on Mexico Gravel Rd, which is a publicly maintained roadway.

Public Safety: The property is located in the Boone County Fire Protection District, who maintains a station near Lake of the Woods, approximately 3 miles to the west.

Zoning Analysis: This request is a classic example of the advantages of planned A-1 over A-2 rezoning requests. It allows for smaller lots, but preserves the overall density of the area. The applicant will be transferring the proposed Lot 1 by Family Transfer once the zoning goes into effect. The proposal should be large enough that it can accommodate a formal Right-of-Way acquisition for Mexico Gravel Rd should it be needed.

The property scored 38 points on the rating system

Staff recommends approval of the final plan.

Commissioner Martin made and Commissioner Loyd seconded a motion to **approve** the request by Ralph and Mary Ann Gates to approve a Final Development Plan for Gates South Home on 10.89 acres, more or less, located at 11105 E Mexico Gravel Rd., Columbia:

All members voted in favor, none opposed. Motion passes.

2. Request by Beacon Street Properties to approve a Final Development Plan for Heather Hills Estates on 70.04 acres, more or less, located at 7770 S High Point Lane, Columbia.

Bill Florea gave the following staff report:

The property is located on the east side of High Point Lane approximately one-half mile south of Route K. The zoning is A-2, which is the original zoning.

On October 20, 2016 the Planning and Zoning Commission made a recommendation to approve a rezoning to A-2P and an accompanying Review Plan with no conditions.

The County Commission approved the rezoning and Review Plan November 1, 2016 with no conditions.

The plan meets the requirements for a Final Plan.

Approval of the final plan will result in establishing permanent A-2P zoning for the property.

Staff recommends approval of the final plan.

Commissioner Freiling made and Commissioner Loyd seconded a motion to **approve** the request by Beacon Street Properties to approve a Final Development Plan for Heather Hills Estates on 70.04 acres, more or less, located at 7770 S High Point Lane, Columbia:

All members voted in favor, none opposed. Motion passes.

## V. Plats

The following items were placed on consent agenda:

1. Wheeler's Ridge. S25-T48N-R14W. A-2. Lyle and Jeanne Wheeler, owners. Steven R. Proctor, surveyor

The following staff report was entered into the record:

The subject property is located off Nebo Cemetery Road, approximately  $\frac{3}{4}$  of a mile to the west of the city of Columbia. The parent parcel is 77 acres in size and zoned A-2(Agriculture). This proposal divides a 5.78 acre lot from the 77 acres. The proposed lot has a house under construction and a proposed lagoon to support the house. The surrounding property will be reconsolidated with a survey after approval of the plat, as the proposed configuration may orphan a portion of the property without proper subdivision.

The new lot will have access to Nebo Cemetery Road via a private ingress/egress access easement across the surrounding property. The applicant has requested a waiver to the traffic study requirement.

The subject lot is located in Consolidated Public Water District #1, Boone Electric Cooperative, and the Boone County Fire Protection District.

The house under construction is proposed to use an on-site wastewater system as permitted by the Columbia/Boone County Health Department. The applicant has requested a waiver to the wastewater cost-benefit analysis requirement.

A follow-up survey consolidating the orphan remainder of the parent tract with the surrounding property will be required prior to recording the plat.

The property scored 38 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

Commissioner Prevo made and Commissioner Loyd seconded a motion to approve Wheeler's Ridge. A-2. Lyle and Jeanne Wheeler, owners. Steven R. Proctor, surveyor

All members voted in favor, none opposed.

## VI. Old Business

1. Recommendation on the re-adoption of Sections 1 – 27 of the Boone County Zoning Ordinance (including revised Flood Insurance Rate Maps -FIRM) and the Boone County Stormwater Ordinance.

Stan Shawver stated the FEMA has reissued the flood plain maps. Boone County has had flood plain regulations since 1983 and they were updated in 2011. This revision is part of the lower Missouri study. The proposed maps uses all the terrain data and incorporates it with the digital images. In publishing the maps there were a certain number of property owners who were affected; approximately 25 property owners moved out of the flood plain and 28 went in to the flood plain. Resource Management contacted all of those property owners by mail advising them of the change and the department received a hand-full of phone calls. There were no challenges filed with FEMA. We are under directive to adopt the maps by April 19, 2017. This is not something that Boone County has any choice in. For people to be eligible to purchase flood insurance Boone County has to participate in this program. There is no change to the regulations, only the flood plain maps have changed.

Commissioner Prevo made and Commissioner Lightfoot seconded a motion to re-adopt Sections 1 – 27 of the Boone County Zoning Ordinance (including revised Flood Insurance Rate Maps - FIRM) and the Boone County Stormwater Ordinance.

All members voted in favor, none opposed. Motion passes.

2. Update on Commission action.

Stan Shawver updated the Commission as follows:

The Planning and Zoning Commission recommended denial of the rezoning request for Route Z LLC (Compass Health), the applicants appealed that decision to the County Commission who upheld the recommendation for denial.

The Phillips Final Development Plan was approved as recommended.

There were two subdivision plats, Delmar estates subdivision has not gone to the County Commission yet because they have to build infrastructure.

## VII. New Business

### 1. Proposed revision to Subdivision Regulations.

The Planning and Zoning Commission has been holding work sessions to review the proposed changes. They have completed that process so there will be no recommendation this evening.

Stan Shawver asked for suggested dates and times to hold another work session. With the upcoming holidays the earliest date would be January 5<sup>th</sup>. Commission Chambers is already reserved for a work session on January 12<sup>th</sup>.

A majority of Commissioners agreed to meet at 3:30 pm on January 12<sup>th</sup> in Commission Chambers for another work session. An additional date was set for January 19<sup>th</sup> at 3:30 pm in case there needs to be an additional work session.

Chairperson Harris stated that those work sessions are open to the public.

### 2. Public Comment

Don Bormann stated the proposed subdivision regulations have just come to his attention and that they weren't available on the county's website until today and only after he called. Mr. Bormann stated he had a lot of problems with the proposed changes which include the County needing to sign off on all surveys in Boone County, Mr. Bormann believes this to include surveys inside the city limits. Mr. Bormann also had issue with retracement surveys.

Gene Basinger stated he hasn't seen the regulations and didn't know anything about them until he saw it in the newspaper and called the county and was told they weren't available. Mr. Basinger stated the citizens of Boone County should have a chance to come before this body and say what they do or don't like about these regulations. Mr. Basinger stated he realizes the county doesn't have to advertise but what you don't have to do and what is right isn't always the same thing. The citizens of Boone County should have a chance to comment. Mr. Basinger stated he never knew anything about the meetings and was told not to show up because he wasn't welcome.

Chairperson Harris asked Mr. Bormann and Mr. Basinger to keep in mind that this process started over three years ago with stakeholder meetings and meetings with the County Commission and with staff. The past two years there have been meetings every week with staff, surveyors, builders, and developers. Those meetings were open to the public; there is nothing hidden or veiled about this. The notices have been published as prescribed, no one was given special invitation and no one was precluded. Nothing has been

accepted or set yet and there are at least one or two work sessions that are open to the public and open for comment.

Mr. Basinger stated he has not seen any notices about work sessions like the one held tonight. I didn't know when the meetings were when they were working on these regulations. Mr. Basinger stated he has been working under these regulations longer than anyone else in the room yet no one invited him to do anything but was told he wasn't invited. Mr. Basinger stated that when he met with County Commissioner Thompson a few years ago she said everyone would be invited to the meetings but he has not heard anything from her about it.

Chairperson Harris stated there are a couple more work sessions coming up. The regulations are on the website and anyone interested should look them over and make some notes so we can have a clear and cognizant discussion.

VIII. Adjourn

Being no further business the meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Secretary  
Eric Kurzejeski

Minutes approved on this 16<sup>th</sup> day of February, 2017