

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, February 21, 2019

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
Michael Poehlman, Secretary	Rock Bridge Township
Eric Kurzejeski	Missouri Township
Bill Lloyd	Three Creeks Township
Steve Koirtyohann	Rocky Fork Township
Jeff McCann	County Engineer

b. Members Absent:

Carl Freiling, Vice Chairperson	Cedar Township
Gregory Martin	Katy Township
Loyd Wilson	Columbia Township
Rhonda Proctor	Perche Township
Vacant Seat	Bourbon Township

c. Staff Present:

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

III. Approval of Minutes:

Minutes from the December 20, 2018 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris entered the following procedural statement into the record:

The Boone County Planning and Zoning Commission is an advisory commission to the County Commission. The commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission makes recommendations to the County Commission on matters dealing with land use. Tonight's agenda includes one conditional use permit and six subdivision plats.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, it is authorized by the Missouri state statutes to follow its own by-laws. The by-laws provide that all members

of the commission, including the chairperson, enjoy full privileges of the floor. The chairperson may debate, vote upon or even make any motion.

The following procedure will be followed:

The agenda item will be announced, followed by a report from the planning department staff. At that time, the applicant or the applicant's representative may make a presentation to the commission. The commission may request additional information at that time, or later following the public hearing. After the applicant's presentation, the floor will be opened for a public hearing to allow anyone wishing to speak in support of the request. We ask that any presentation made to the commission be to the point.

Next, the floor will be given over to those who may be opposed to the request. Direct all comments or questions to the commission and please restrict your comments to the matter under discussion. Please be considerate of everyone here. We ask that you please not be repetitious with your remarks. We also recognize that some issues can be quite emotional. In that regard we ask that you refrain from applause, cheers, or other signs of support or displeasure. Please afford those with a different point of view than yours the same respect and consideration you would like yourself.

There may be individuals that neither support nor oppose a particular request. Those individuals are welcome to address the commission at any time during the public hearing portion of the request.

Please give your name and mailing address when you address the commission. When you address the commission please speak directly into the microphone so that your remarks are properly recorded. Please sign the sheet on the table after you testify. Also, we ask that you turn off your cell phones.

Any materials that are presented to the commission, such as photographs, written statements or other materials will become a part of the record for these proceedings. If you would like to recover original material, please see the staff during regular business hours after they have had an opportunity to make a copy of your submission.

After those opposed to the request have had a chance to speak, the applicant will have an opportunity to respond to the concerns of those opposed to the request. Next the staff will be given an opportunity for any additional comments, as appropriate. The public hearing will then be closed and no further comments will be permitted from the audience or the applicant unless requested by the commission. The commission will then discuss the matter and may ask questions of anyone present during the discussion. Finally, a motion will be made to either recommend the approval or denial of the request to the county commission. Please note that the Boone County Zoning Regulations and Subdivision Regulations are considered to be a part of the record of these proceedings.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, March 5th. Interested parties will again have the opportunity to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation. Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the Resource Management office to see if a request that has been denied has filed an appeal, as there will be no further public notification due to the short time between the hearing tonight and the County Commission hearing. The County Commission hearing scheduled for Tuesday, March 5th will begin at 7:00 p.m. and will convene in this same room.

V. Conditional Use Permits

1. Request by Boone Development Inc. for a permit to allow warehousing on 3.0 acres located at 5401 & 5413 N Hwy 763, Columbia.

Planner Thad Yonke gave the following staff report:

The subject property is located along the south side of a private access easement which comes off the west side of Highway 763. The property is 3-acres in size and zoned C-G (general commercial) as is property to the south, east, and north. Property to the west is zoned R-S (residential single-family). This is all original 1973 zoning. There are two existing buildings on the property.

The applicant is requesting a Conditional Use Permit for warehouse in a completely enclosed building. The existing buildings were built before building code adoption and will need remodeling permits to bring them into compliance as commercial buildings. Storage outside of the enclosed buildings is not allowed under either the C-G zoning nor under the conditional use permit that is sought.

The following criteria are the standards for approval of a conditional use permit, followed by staff analysis of how this application may meet those standards. Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners.

(a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

If operated in conformance with existing local regulations and appropriate permit conditions, this use should not be detrimental to, or endanger the public health, safety, comfort, or general welfare. A remodeling permit and stormwater review will be required.

(b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

The existing structures have been a fixture in the neighborhood for decades and the required remodeling permits will look at any safety aspects that would impact surrounding property owners. The existing parking lot, loading, and drive lanes will be required to be dust-free hard surface to a minimum of chip-seal. Appropriate stormwater design will be part of the site plans required. The applicant's testimony, along with that of the public, may be indicative as to whether this criterion is met.

(c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

If operated in conformance with existing county regulations, the use should comply with this criterion. Public testimony may be indicative as to whether this criterion is met.

(d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access, and drainage.

The existing structures have been a fixture in the neighborhood for decades and the required remodeling permits will look at any safety aspects that would impact surrounding property owners. The existing parking lot, loading, and drive lanes will be required to be dust-free hard surface to a minimum of chip-seal. Appropriate stormwater design will be part of the site plans required. The access easement that is in use for this property requires users to maintain the private access roadway. The existing larger structure

has public sewer service provided by the Boone County Regional Sewer District (BCRSD). The smaller building to the southwest does not have approved sewer service and will only be useable as storage upon completion of its required remodeling permit unless appropriate connections are made under BCRSD approval. The property should have access to water for fire protection and additional hydrants may be required as determined through the building permit process. All necessary facilities will be available to serve the needs of this conditional use permit.

(e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

The establishment of this conditional use permit will not impede the normal and orderly development and improvement of surrounding properties. The CUP sought will legitimize uses that have occurred on the property as part of the existing character of the neighborhood for decades. The required remodeling and permitting associated with this CUP will require any improvements needed for compliance which will only enhance the surrounding neighborhood. The use is located on long-standing existing lots, further development of the area will likely require new subdivision and road construction that will have a much greater impact than this CUP.

(f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

The proposed conditional use permit is a minimal traffic generator and should not hinder the flow of traffic or result in traffic congestion on the public streets. The property appears to already have access and some obligation to maintain the private access used by the property.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal conforms to or will be required to conform to other applicable regulations of the C-G zoning district.

Zoning analysis: The existing buildings have been part of the neighborhood fabric for decades. The use of the building is consistent with other commercial uses in the area. The requirement that all storage of materials be inside entirely enclosed buildings will limit impacts to the neighboring residential zoned property. The required improvements to the parking and circulation for the property should address any stormwater issues. The intensification of the use of the property with the construction of additional buildings or additions could present an issue with respect to the use of the private drive. The existing private drive is not up to the standards expected for a new commercial or industrial roadway for either public or private use. However, the access has been a fixture of the area at its current level of construction and use for a long time. Should intensification of the subject property be increased by building additional structures, then improvement of the access easement roadway surface would be warranted. Compliance with the zoning regulation Section 14 Off Street Parking and Loading Regulations requires the parking lots to be at a minimum level of improvement equivalent to a chip seal surface. This includes all drive and access lanes to the public street. In this case it seems reasonable to phase the improvement requirement for the access drive that is found in the off-site easement by deferring the improvement of the off-site private access easement until such time as new buildings are proposed for the site. Any proposed new buildings will require full compliance with all codes and infrastructure requirements.

Staff recommends approval subject to the following recognitions/conditions:

1. That it is recognized that commercial remodeling permits for the existing buildings will be required to be obtained and followed to bring the buildings into compliance for the uses for which they are going to be utilized.
2. That it is recognized that the smaller building will only be allowed to be used for storage/warehousing until it is properly remodeled in such a way and is approved by BCRSD for sewer connection.
3. That it is recognized that the smaller building must remain in the same ownership as the larger structure until such time as it has connection to the BCRSD sewer because the sewer facilities found in the main building are being considered the required restroom facilities for the smaller building.
4. That it is recognized that the required parking, driving and loading lanes for the two existing buildings that are contained within the property of the three subject lots is required to meet the dust-free standard and is already a requirement for the use of the property.
5. Any new buildings or building additions for the property will require improvement to the existing access easement to comply with a dust-free standard and may require a multi-use plat.

Present representing the request:

Daniel Beckett, Smith Lewis LLC, 111 S Ninth St, Columbia
Tyler Singleton, Applicants Agent, 460 Bandon Dunes Ct, Columbia

Dan Beckett: Boone Development Incorporated is the owner of three parcels of real estate located at 5401 & 5413 N Highway 763, Columbia, consisting of approximately three acres and two buildings. Boone Development purchased this property in late December 2018. We are requesting a conditional use permit so the applicant can use the property for warehouse purposes as well as for other permitted uses under the regulations. The property is accessible via a private gravel drive off of Highway 763 that serves this property and the adjacent properties to the east and west. The applicant has an easement off the private road for ingress and egress purposes and the road is owned by Kanco LLC which is a separate entity than the applicant and is not under common ownership. The subject property is zoned general commercial and there are current tenants of the property who are utilizing the space for storage in conjunction with their perspective businesses for office use. Those tenants operate a welding business and a contracting business.

(The applicant presented an exhibit, marked as "Exhibit A" which is attached to the end of these minutes).

Dan Beckett explained the exhibit:

Page 1 shows the subject property outlined in black.

Dan Beckett: The existing zoning to the east, north and south of the property is also zoned general commercial. Central Missouri Auto Body operates the auto body and collision repair business immediately to the east. There is a large commercial tract to the north which remains undeveloped. The building to the west is zoned R-S, residential and a large portion of that tract remains undeveloped as well.

Page 2 shows the primary building and ancillary building on the property. The existing building consists of approximately 7200 square feet. It is the intent of the applicant to allocate 5600 square feet to warehouse and 1600 square feet to office use.

Page 3 is the existing floor plan of the main building on the property.

Page 4 is a picture of the north side of the building. It has two garage bay doors and on the left is the office serving the building. There is a paved parking lot on the north side.

Page 5 is a picture of the east side of the building which has one bay garage door.

Page 6 is an additional picture of the east side of the building.

Page 7 is a picture of the south side of the building which has three garage bay doors.

Page 8 is another view of the south side and also shows the ancillary structure to the left. The ancillary building is currently used for storage space.

Page 9 is a picture of the west side of the building; there are not garage bay doors on that side but there is an exterior door.

Page 10 is another view of the west side.

Page 11 is a view to the east; it shows the back side of the auto body shop.

Page 12 is a view to the north which shows the view of the undeveloped tract to the north.

Page 13 is a picture of the auto body shop.

Page 14 is a view from Highway 763 showing the auto body shop property.

Page 15 is a large commercial tract which is also undeveloped.

Dan Beckett: The subject property has been used for commercial activity for the last several decades including the storage of construction materials. The character of the area and the neighborhood is compatible with warehouse use and permitting the property for warehouse use will not be detrimental to or endanger the public health, safety, comfort or general welfare nor will it be injurious to the use and enjoyment of the surrounding properties. Permitting this use will satisfy a public necessity as there is a need for additional warehouse space in this part of Columbia. Given the commercial nature of the area granting this conditional use permit for Boone Development will not substantially diminish nor impair values of existing properties in the area. If the conditional use is granted all necessary facilities and infrastructure are available to serve the existing buildings and improvements on the property. Granting this conditional use permit to Boone Development will not impede orderly development and improvement of the surrounding properties nor will it hinder the flow of traffic or result in congestion of the public streets in the vicinity of this property. The conditional use permit conforms in all other respects to the regulations applicable to general commercial zoning districts. The staff report stated that the applicant was going to be required to apply for and obtain a commercial remodel permit. The applicant doesn't intend on doing any remodeling at this time or expanding or enlarging the existing improvements so the applicants don't believe that this condition on approving the permit is necessary. The applicants also ask that the Commission also consider allowing the applicant to postpone or delay chip-sealing or paving the parking area and the drives until the private roadway to the north that serves the subject property, as well as the surrounding properties, is improved and paved or until the property to the north is developed. The applicants have concerns that the drive may be damaged during the construction of the private roadway.

Commissioner Lloyd: What is the appropriate zoning for this use?

Thad Yonke: If it was not a conditional use permit it would be light industrial (M-L).

Commissioner Lloyd: What would be the reason for not seeking that zoning rather than applying for a conditional use permit?

Thad Yonke: While I can't speak to that directly there is no other M-L zoning in this immediate vicinity; this is already zoned C-G so they don't have to justify the zoning, they merely have to justify the conditional use permit which is allowed in the district if it can meet conditions.

Chairperson Harris: Are the applicants looking at reconfiguring the existing interior design now or leaving it how it is?

Tyler Singleton: We do not intend to reconfigure the interior. The existing floor plan where the walls are will be left exactly like that and we will do no renovations or remodeling inside.

Chairperson Harris: There are existing businesses operating there every day now?

Tyler Singleton: Yes, there is a flooring contractor and there is a welder and they have both been there for a few years.

Commissioner Poehlman: They are going to stay there?

Tyler Singleton: Yes. That is why the site plan that Crockett drew up has nine spaces.

Chairperson Harris: On page 3 of Exhibit A, the interior floor plan, is that just the way someone drew that or is there some degree of separation between those units? Is there any fire barrier between those units? Especially with a welder in there.

Tyler Singleton: It is a wall, there is no degree of separation in there.

Chairperson Harris: No firewall or anything surrounding the welder shop?

Tyler Singleton: Not that I know of. I have some pictures of the inside I could pull up. The welder is in unit C.

Chairperson Harris: Is it just a gravel parking lot now?

Thad Yonke: I believe the main parking lot in front of the building is indicated as asphalt.

Tyler Singleton: That is correct.

Chairperson Harris: But not all of it is hard surface.

Tyler Singleton: It is gravel around back; to the east and to the back.

Chairperson Harris: What is in the small building?

Tyler Singleton: It is just storage.

Chairperson Harris: The intent is just to go forward? I thought I heard or read somewhere that there was going to be a limitation on anything outside?

Thad Yonke: Outside storage is not allowed in this zoning district, neither is a welding shop for that matter. Supplies for welding would be part of the storage but a welding shop is not an allowed use in a C-G zoning district, it is an M-L use.

Tyler Singleton: That is a tenant of the previous owner.

Thad Yonke: That is not a legal use in that zoning district.

Chairperson Harris: According to the picture it looks like there is some asphalt to the north. Is that the area we are talking about requiring chip-seal or the whole periphery?

Thad Yonke: Everywhere they have loading bays, doors and drive lanes is required now to be chip-sealed. It had never been legally allowed to be as gravel. That is not really a condition that is being placed it is a recognition that it is already required for the existing building as it is today.

Chairperson Harris: So it is not in compliance.

Chairperson Harris: The road on the north is not owned by Boone Development but there is an easement which allows the applicant to use the easement. The applicants request to delay or circumvent one of the conditional use requirements and pin that back to when/if ever a gravel road gets developed to city or county standards.

Tyler Singleton: Yes.

Commissioner Poehlman: Will the applicants be able to get a building permit if they don't bring everything else into compliance?

Thad Yonke: The building permit is required because we have never been in the building, it doesn't have an occupancy permit for the uses that are in it currently. It doesn't necessarily meet the safety codes. That is why there is a requirement for the building for continued occupancy to have some form of building permit taken out which would be a remodeling permit. I don't know how extensive it will be but they will look at the life/safety issues that are required for the building.

Commissioner Poehlman: What about the presence of the welding shop and the fact that it is not chip-sealed?

Thad Yonke: That would need to be addressed.

Dan Beckett: If it is the Commission's decision to move forward with the conditions the applicants still want to move forward.

Open to public hearing.

No one spoke in favor of the request.

Present with questions:

Carol Miller, owner, Central Missouri Auto Body, 5353 N Hwy 763, Columbia

Carol Miller: I listened to what was proposed and one question that I have is the private drive that is going through I thought I heard someone say it was going to turn into a gravel. I thought gravel could not be allowed but once there is any kind of development it has to be a dust-free surface.

Chairperson Harris: That may have been a misstatement on my part in thinking it was a gravel road and it may be just a low quality road but it would have to be better than gravel.

Carol Miller: Right now it is horrible, it is not gravel. It was my understanding that any kind of development in the county would have to be dust-free. We just put in an addition so we were required to put in quite a bit of chip-seal.

Chairperson Harris: That is an element of what the Commission is looking at this evening.

Thad Yonke: Her comment was correct, that is the requirement. I don't believe we required Central Missouri Auto Body to improve the outside part of the road.

Carol Miller: No.

Thad Yonke: Only the part that was on their own property.

Carol Miller: Correct. The reason I am here is with new development going on and listening to what is being said it doesn't sound like the applicants are changing it too much so I don't know what will be required. But once development starts happening how, where and who is responsible for that road? It is a private drive, are the private owners required to upgrade it to chip-seal?

Stan Shawver: If the applicants do any additional expansion they will have to improve their internal drive and they have to improve that now just to use it; it has to be at least chip-seal. Any development that takes place beyond that like if they start subdividing property to the north, whoever that developer is will have to improve that private road as an off site improvement; it will have to be built to a public standard.

Carol Miller: So only if the property to the north gets developed.

Stan Shawver: To the north or the vacant property to the west.

Thad Yonke: If the applicants wanted additional buildings on their site that would intensify they would be required to improve the private road.

No one spoke in opposition to the request.

Closed to public hearing.

Chairperson Harris: The road to the north is a private access easement which is owned by the people to the north and there is likely no maintenance agreement attached to it.

Thad Yonke: Other than the actual easement itself says that all the people using it are responsible for maintaining it.

Chairperson Harris: Which apparently isn't happening.

Thad Yonke: It doesn't say to what level they are responsible to maintain it but using it basically means you have to maintain it. It also gives any of the users the right to improve it but none of the other users can object to someone improving it. That is one of the reasons we said we recommend deferring improvement of the offsite part of the lane until such time as intensification. As the owner indicated we did not make Central Missouri Auto Body do any of the offsite improvements at the time they were adding on and remodeling; we deferred improvement of that road for them as well and we are recommending the same thing for this applicant.

Commissioner Poehlman: While it may seem crazy that we require them to make that dust free around the building while not the main driveway it is still a requirement and it has been and it is what we ask of everyone else.

Chairperson Harris: While that condition extends a certain degree of forbearance to the private access easement there is no way we can grant any forbearance on chip and seal around the building when the adjacent property owner has been held to the correct standard and this one is out of compliance the way it is under the existing regulations.

Thad Yonke: That isn't under the Commission's purview, if they wanted relief from that it would be more likely they'd have to go to the Board of Adjustment and argue why they don't have to comply with that part of the regulations.

Chairperson Harris: Staff has recommended approval of the request with conditions, condition one requires a remodeling permit.

Thad Yonke: That isn't really a condition it is a recognition that the building does not currently have an occupancy permit for any of the uses in it and was not built to the codes for the uses. If it is being used for storage units it is not even being used legally; if it has a welding unit in it we will have to deal with that as a zoning violation.

Chairperson Harris: I wanted to make sure we were all on the same page and understand the complexity. Condition four comes back to the same point that it is a current requirement that is out of compliance.

Thad Yonke: That is to make sure that everyone is aware these things are issues that will have to be dealt with. What we have found in the past is when we don't call attention to that through a condition that is more of a recognition what ends up happening is after the conditional use permit gets approved and the applicant comes back in to talk to us suddenly they say they didn't know that was part of the requirements. We put the applicants on notice by having it in the record that those are issues they have to deal with anyway so everyone knows up front.

Chairperson Harris: Condition five if additional buildings are built the access and dust free surface and potential of a different plat may be necessary.

Thad Yonke: Correct, all of that would be intensification and it would kick in all of the procedures that go with all of that. The only difference being at that point would be deferring of the roadway is probably not appropriate at that point.

Chairperson Harris: Would the conditional use apply to the uses that are there now but if any of that changes it is a whole new ballgame.

Thad Yonke: If you come in for a building permit for a C-G use that doesn't require the conditional use permit but you want a new building out there you are still going to have to do the chip and seal and we are going to look at the existing roadway access for that intensification and the applicants would be required to do that upgrade at that time.

Commissioner Koirtyohann: In reality you are taking something that has been out of your control and now you are doing it right and bringing it into compliance.

Thad Yonke: We want to work with them to try to get it into better control; we don't see it as an extensive remodeling permit it is just life safety issues are going to have to be looked at.

Commissioner Lloyd: The applicants are not planning to do anything different with the building right now?

Tyler Singleton: No. Besides solely use some of the space for warehousing.

Commissioner Lloyd: That doesn't require any change to the interior?

Tyler Singleton: No. Todd Technical Solutions and the welder were month to month tenants when we acquired the property. Todd Technical Solutions is going to sell the welders stuff and take some of his business, they do PC repair and simple data recovery but they are also assuming some of his business so I don't know if they will be performing any type of welding activities. The old owner said the sheetrock behind there is 5/8, I don't know if that is to code.

Thad Yonke: That is the requirement for the building permit for the building inspectors to check and we can work all of that out.

Chairperson Harris: Whether you are welding or not if you have the place full of acetylene and oxygen it can still be a life safety issue.

Tyler Singleton: That is a correction for the record it may not a welding business.

Thad Yonke: We will get all of that worked out through the permitting process.

Chairperson Harris: The request is reasonable, the deferral of the offsite improvements on the easement is reasonable but the fact still remains that there are some problems within the property that have to be addressed that will have to come into compliance with the current code no matter what happens.

Chairperson Harris asked the applicants if they were clear on that.

Tyler Singleton stated yes.

Dan Beckett: Is this in respect to obtaining a repair permit?

Thad Yonke: Yes, this will allow us to go in and look at the buildings and inform the applicants of any necessary improvements. The Fire Marshal will probably be with our inspector as well. We aren't looking for extensive repairs we are looking for the life safety that was never done on the building when it was occupied and the use changed.

Chairperson Harris: The parking that the applicants requested a deferral on, given the standard we held the adjacent property owner to, there is really no way to grant a deferral. It is out of compliance with the existing standard as it is.

Thad Yonke: Staff will work with the applicant on the site plan to determine what areas need to be dust free.

Commissioner Koirtyohann made and Commissioner Lloyd seconded a motion to **approve** the request by Boone Development Inc. for a permit to allow warehousing on 3.0 acres located at 5401 & 5413 N Hwy 763, Columbia with the following staff recommendations:

1. That it is recognized that commercial remodeling permits for the existing buildings will be required to be obtained and followed to bring the buildings into compliance for the uses for which they are going to be utilized.
2. That it is recognized that the smaller building will only be allowed to be used for storage/warehousing until it is properly remodeled in such a way and is approved by BCRSD for sewer connection.
3. That it is recognized that the smaller building must remain in the same ownership as the larger structure until such time as it has connection to the BCRSD sewer because the sewer facilities found in the main building are being considered the required restroom facilities for the smaller building.
4. That it is recognized that the required parking, driving and loading lanes for the two existing buildings that are contained within the property of the three subject lots is required to meet the dust-free standard and is already a requirement for the use of the property.
5. Any new buildings or building additions for the property will require improvement to the existing access easement to comply with a dust-free standard and may require a multi-use plat.

Boyd Harris – Yes	Michael Poehlman – Yes
Eric Kurzejeski – Yes	Bill Lloyd – Yes
Steve Koirtyohann – Yes	Jeff McCann – Yes

Motion to approve the request passes unanimously.

Chairperson Harris informed the applicant that this request would go before the County Commission on March 5, 2019 and the applicant needs to be present at the hearing.

VII. Plats

The following items were placed on consent agenda:

1. Harvest Hills. S26-T50N-R14W. A-2. Ann and Jack King, owners. Curtis E. Basinger, surveyor.

The subject property is located to the west of the intersection of Callahan Creek and Trimble Road, approximately 4 ¼ miles to the south of Harrisburg. The subject property is 20.7 acres in size and zoned A-2 (Agriculture). The subject property is surrounded by A-2 zoning. This is all original 1973 zoning. The proposed plat creates a 5.80 acre lot, a 5.79 acre lot, and a 8.20 acre lot. All three lots are undeveloped.

All three lots have direct access on to Callahan Creek Road, and Lot 3 has access on to Trimble Road. The applicant has requested a waiver to the traffic study requirement.

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

The subject property will be using on-site wastewater systems as permitted by the Columbia/Boone County Health Department. The applicant has requested a waiver to the wastewater cost-benefit analysis.

The property scored 39 points on the rating system.

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

2. Oberlin Valley Plat 5. S35-T49N-R13W. R-S. J. Patrick and Barbara Fitzgerald, owners. Jay Gebhardt, surveyor.

The subject property is located at the southwest corner of the intersection of Obermiller Road and Oberlin Valley Drive. The property is zoned R-S and is occupied by a single-family residence.

The existing home on Lot 501 will continue to use the driveway connection to Obermiller Road. Lot 502 will have direct frontage and access to Oberlin Valley Drive.

Boone County Regional Sewer District provides sewer service to both lots.

This is a replat of Lots 3 and 4 of Oberlin Valley Plat 2. Permission to vacate a replat was granted by County Commission 523-2018.

The property scored 76 points on the rating system.

Staff recommends approval of the plat and waiver requests.

3. Pierpont Meadows Plat 2. S12-T47N-R12W. A-2. Nicholas and Stephanie Golda, owners. Jay Gebhardt, surveyor.

The subject property is located on the south side of Pierpont Meadows Road, approximately 650 feet southeast of Route N. The property is zoned A-2, and is occupied by a single-family residence and a detached garage.

The lot will continue to have direct access on to Pierpont Meadows Road. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

An on-site wastewater treatment system provides sewage treatment. The applicant has requested a waiver to the requirement to provide a wastewater cost benefit analysis.

This is a replat of Lot 9 of Pierpont Meadows Subdivision. Approval to vacate and replat was granted by County Commission Order 2-2019.

The property scored 43 points on the rating system.

Staff recommends approval of the plat and waiver requests.

4. Golden Star Estates. S26-T47N-R13W. A-2. Waldo-Goldie Crane Trust, owner. Kevin M. Schweikert, surveyor.

The subject property is located at the intersection of Woodie Proctor Road and State Route N. The parent parcel is approximately 4 miles south of the City of Columbia, and 3 miles southwest of the Village of Pierpont. The property is 72.2 acres in size and is proposed to be divided into two platted lots of 6.66 acres and 9.58 acres, and four administrative survey tracts. The property is currently undeveloped, and zoned A-2 (Agriculture) and R-S (Residential Single-Family). There is A-2 zoning to the north, west, east, and south, and R-S zoning to the north and south.

The platted lots will both have access on to State Route N, and Lot 1 will also have access on to Woodie Proctor Road. Both roads are publicly-dedicated, publicly-maintained rights-of-way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District.

The plat indicates that wastewater treatment for any homes on this property will be done using an on-site wastewater treatment system, as permitted by the Columbia/Boone County Health Department.

The administrative survey resolving the remainder of this property will be recorded concurrently with the plat.

The property scored 51 points on the rating system.

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

5. Caruthers. S34T49N-R14W. A-2. Mariea, Earl and Jeffrey Caruthers, owners. Kevin M. Schweikert, surveyor.

The subject property is located on Boothe Lane, just east of Boothe's intersection with Bridlespur, approximately 5 miles northwest of the City of Columbia. The property is approximately 15 acres in size and zoned A-2 (Agriculture). This property was rezoned from A-1 (Agriculture) to A-2 (Agriculture) in 2000. The plat proposes to reconfigure the property into two lots at 6 acres and 7.56 acres. There is currently a house on each lot and accessory structures on the 7.56 acre tract.

The subject property has direct access on to Boothe Lane, a publicly-dedicated, publicly-maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

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

The existing houses on the property are served by on-site wastewater treatment systems. Any changes will be regulated by the Columbia/Boone County Health Department.

The property scored 33 points on the rating system.

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

6. Old Number 7. S26T50N-R13W. A-2. Tina Long, owner. Kevin M. Schweikert, surveyor.

The subject property is located approximately 6 2/3 miles to the north of the City of Columbia on Old Number 7. The subject property is 17 acres in size. The proposed subdivision plat creates a 7.05 acre tract and an accompanying administrative survey resolves the remaining 10.01 acres. There is currently a house and 2 accessory buildings on the platted lot. The house was identified as being too close to Old Number 7 to meet setback requirements. The Boone County Board of Adjustment granted a variance for its location under case #2018-013 with the as-is/where-is condition. The subject property is zoned A-2(Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

The subject property has direct access on to Old Number 7, a publicly-dedicated, publicly-maintained right of way. The applicant has submitted a request to waive the traffic-study requirement.

The subject property is served by Consolidated Public Water Service District #1, the Boone Electric Cooperative, and Boone County Fire Protection District for water, electricity, and fire protection services.

The existing house has an on-site wastewater system, as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost/benefit analysis.

The property scored 41 points on the rating system.

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

Commissioner Kurzejeski made and Commissioner Harris seconded a motion to approve the items on consent agenda with staff recommendations:

Boyd Harris – Yes	Michael Poehlman – Yes
Eric Kurzejeski – Yes	Bill Lloyd – Yes
Steve Koirtyohann – Yes	Jeff McCann – Yes

Motion to approve the items on consent agenda passes unanimously.

VIII. Old Business

1. Update on Commission action.

Director, Stan Shawver updated the Commission on the actions taken by the County Commission as follows:

The rezoning request for Crown Diversified Industries was approved as recommended. Commission Order 1-2019.

The rezoning request by 3101 S Olivet LLC was recommended denial by the Planning and Zoning Commission. The applicant appealed to the County Commission and requested that the request not be heard until the March 5, 2019 meeting.

The final development plan by Omkara for Godas Leatherwood Center was approved. Commission Order 4-2019

The plats for Lenze Estates and Drake Ridge were accepted. Commission Order 5-2019.

IX. New Business

None.

X. Adjourn

Being no further business the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Secretary
Michael Poehlman

Minutes approved on this 21st day of March, 2019