

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, April 18, 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
Gregory Martin	Katy Township
Bill Lloyd (arrived 7:01)	Three Creeks Township
Loyd Wilson	Columbia Township
Rhonda Proctor	Perche Township
Steve Koirtyohann	Rocky Fork Township
Jeff McCann	County Engineer

b. Members Absent:

Carl Freiling, Vice Chairperson	Cedar Township
Eric Kurzejeski	Missouri Township
Fred Furlong	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 March 21, 2019 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris read the following procedural statement:

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 rezoning request and four 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, April 30th. 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 planning 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 Wednesday, Tuesday, April 30th will begin at 7:00 p.m. and will convene in this same room.

V. Rezoning Requests

1. Request by New Field LLC to rezone from C-GP (Planned General Commercial) to R-DP (Planned Two-Family Residential) and approve a Revised Review Plan for NewTown Lot C1 on 1.51 acres, more or less, located at 6855 S Coneflower Ave., Columbia. -Rezone -Review Plan

Planner, Thad Yonke gave the following staff report:

The property is located 6855 S. Coneflower Ave, Columbia. The zoning is C-GP with a limit to the C-N uses. The most recent revision to the plan was approved in 2001. Adjacent property is zoned as follows:

- North – R-SP
- South – A-2
- East – R-SP
- West – A-2 then City Zoning across High Pointe Lane

The request is to rezone the approximately 1.52-acres which corresponds to Lot C-1 of Newtown Subdivision Final Plat Block 5. The existing approved C-GP plan shows some commercial buildings. The rezoning request and new plan proposes 12 residential units in three buildings and no commercial space. The area sought to be rezoned is currently vacant.

The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a “gate-keeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources typically used for this analysis can generally be broken down into three categories, Utilities, Transportation, and Public Safety Services.

Utilities:

The area proposed for rezoning is proposed to be served by the BCRSD sewer facility that was already designated to serve the lot when commercial development was anticipated. The BCRSD has earmarked capacity for twelve 2-bedroom unit dwellings.

Consolidated Public Water District # 1 provides water in the area and there may need to be some upgrades or relocations that will need to be coordinated and will be at the developer’s expense.

Boone Electric currently serves the area and has facilities that will need to be re-worked and/or relocated at the developer’s expense.

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations. There is some designated Floodplain on the property, but the proposed development is not proposed to encroach on the 100-year Floodplain.

Transportation:

The property has frontage on both State Route K and Coneflower Avenue but only has access to Coneflower. Both roads are hard surface publicly maintained roadways.

Public Safety Services: The site is within two road miles of the Boone County Fire Protection District Station on Rte. K station near Rock Bridge Elementary.

Zoning Analysis:

The Master Plan designates this property for residential use. The proposed use is consistent with that designation.

The request does meet the sufficiency of resources test for service availability or potential availability. However, there may still need to be some coordination work with utility providers. The central sewer provision has not changed and the BCRSD has earmarked capacity for twelve 2-bedroom at most dwelling units this capacity still must be formally acquired from the BCRSD. Twelve residential units that are limited to 2-bedroom maximum should not generate any more traffic than the previously approved commercial buildings. The residential use is surrounded by other residential uses with the only real difference amongst all the residential uses being variation in lot sizes. The proposal appears to be compatible with the area.

Staff notified 80 property owners about this request. The property scored 66 points on the rating system.

Staff recommends approval of the rezoning with the recognition that issues with the utilities will have to be worked out prior to approval of the Final Plan.

Present representing the request:

Cody Darr, A Civil Group, 3401 Broadway Business Park Ct, Columbia

Cody Darr stated he had no comments but was here to answer any questions.

Chairperson Harris: Are the applicants okay with the requirements listed in the staff report regarding sewer connections and other utilities?

Cody Darr: Yes. We have been in discussions with them. The developer is willing to do everything that is required.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Chairperson Harris: According to the traffic analysis this development actually reduces potential traffic that what there would have been with the previous zoning.

Thad Yonke: It won't be more traffic than the potential under the C-GP zoning.

Commissioner Lloyd made and Commissioner Martin seconded a motion to **approve** the request by New Field LLC to rezone from C-GP (Planned General Commercial) to R-DP (Planned Two-Family Residential) on 1.51 acres, more or less, located at 6855 S Coneflower Ave:

Boyd Harris – Yes
Greg Martin – Yes
Bill Lloyd – Yes
Steve Koirtyohann – Yes

Michael Poehlman – Yes
Lloyd Wilson – Yes
Rhonda Proctor – Yes
Jeff McCann – Yes

Motion to approve the request passes unanimously.

Commissioner Wilson made and Commissioner Lloyd seconded a motion to **approve** the request by New Field LLC to approve a Revised Review Plan for NewTown Lot C1 on 1.51 acres, more or less, located at 6855 S Coneflower Ave., Columbia with the recognition that issues with the utilities will have to be worked out prior to approval of the Final Plan:

Boyd Harris – Yes	Michael Poehlman – Yes
Greg Martin – Yes	Loyd Wilson – Yes
Bill Lloyd – Yes	Rhonda Proctor – 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 April 30, 2019 and the applicant needs to be present at the hearing.

VII. Plats

Plats 1 - 3 were placed on consent agenda:

1. Creekland Estates. S1-T49N-R13W. Jonathon and Monica Hansman, owners. David W. Borden, surveyor.

The following staff report was entered into the record:

The property is located on the east side of Creekland Drive, approximately one-half mile south of Peabody Road. There is an existing single-family residence on proposed Lot 1.

All lots have frontage on and direct access to north Creekland Drive. Right of way sufficient to provide a 33' half width is being dedicated by this plat. The applicant has requested a waiver of the requirement to provide a traffic study.

Consolidated Water provides water service in this area. There is an existing 1.5-inch waterline along the east side of Creekland Drive. The residence on Lot 1 has water service. A water study would be necessary to determine whether service can be provided to Lots 2 and 3.

On site systems will be used for sewage disposal. There is an existing lagoon on proposed Lot 1. The applicant has requested a waiver to the requirement to provide a wastewater cost benefit analysis.

The property scored 19 points on the rating system.

Staff recommends approval of the plat and waiver requests.

2. Owl Hollow. S13-T47N-R12W. Nancy Lee Boon, A-2. Nancy Lee Boon, owner. Anthony Derboven, surveyor.

The following staff report was entered into the record:

The subject property is located on State Route N, to the west of the intersection of Pierpont Meadows Road and State Route N, approximately 2 miles south of the City of Columbia. The subject property is 21.31 acres in size and zoned A-2(Agriculture). The property is surrounded by A-2(Agriculture zoning. This is all original 1973 zoning. The proposal divides the property into two lots, one at 6.10 acres and the other at 15.21 acres. The 15.21 acre lot has an existing house present on the property.

Both lots have direct access on to State Route N, a publicly-dedicated, publicly-maintained right of way. There is one existing access point to Route N, any new driveways will require a permit from Missouri Department of Transportation. The applicant has submitted a request to waive the traffic study requirement.

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

The existing house is on an on-site wastewater system. Any new residences will require an on-site wastewater treatment system as permitted by the Columbia/Boone County Health Department.

The property scored 61 points on the rating system.

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

3. Max Hollow. S19-T50N-R11W. A-2. Tuff Luck LLC, owner. Steven R. Prococtr, surveyor.

The following staff report was entered into the record:

The subject property is located at the southeastern corner of the intersection of State Route OO and Elkin Road, approximately ½ mile to the southeast of Hallsville. The parent parcel is 10 acres in size, with a house under construction and an existing accessory structure present. This proposal divides the property into two lots, one at 2.53 acres in size, the other at 6.71 acres in size. The property is zoned A-2 (Agriculture), with A-2 zoning to the south, east, and northeast, with A-R (Agriculture-Residential) zoning to the north, west, and southwest. This is all original 1973 zoning.

Lot 1 has an existing access on to State Route OO. Lot 2 has access to State Route OO and Elkin Road. State Route OO and Elkin Road are both 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 Public Water Service District #4, the Boone County Fire Protection District, and the Boone Electric Cooperative Service area.

The house under construction and any dwelling constructed on Lot 2 will require an on-site wastewater system as regulated by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The existing accessory structure on Lot 1 must be removed prior to County Commission approval of the plat. It is placed closer to the front property line than the primary structure.

The property scored 66 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers with the following condition:

1. That the existing accessory structure located on Lot 1 must be removed prior to County Commission approval of the plat.

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

Boyd Harris – Yes	Michael Poehlman – Yes
Greg Martin – Yes	Loyd Wilson – Yes
Bill Lloyd – Yes	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Jeff McCann – Yes

Motion to approve the items on consent agenda passes unanimously.

4. Bellaridge. Preliminary plat. S34-T46N-R12W. A-R. Gary Fisher Family Trust, owner. Steven R. Proctor, surveyor.

Bill Florea gave the following staff report:

The property is located at the north, west and south quadrants of the intersection of State Route A and Old 63, approximately 1.5 miles south of the Ashland City Limits. The zoning is A-R, which is the original zoning. Adjacent property is zoned as follows:

North A-2 and A-R
West A-2
South A-R
West A-R

There is an existing single-family dwelling on proposed Lot 3. An Administrative Survey is proposed, in conjunction with this plat, to create a 12.28-acre tract. A 31.66-acre remainder tract will be left when platting and the administrative survey are complete.

All proposed lots have frontage on and access to a publicly maintained road. Right of way sufficient to provide a 33-foot half width will be dedicated for E. Arnold Lane on the final plat. No new right of way is required to be dedicated for State Route A and Old 63 since sufficient right of way exists.

The property is in the Consolidated Water service area. The district has a 12-inch waterline along the east side Old 63 capable of providing domestic service and fire protection. Hydrants will need to be installed at maximum spacings of 500-feet in order to provide fire protection for Lots 2, 3,4,5, and 6.

A 4-inch main can provide water service to Lot 1, however it is not capable of providing fire flow. Improvements to that main are required to meet the 500 gallon per minute flow requirement. The District states a water study must be conducted, at developer's expense, to determine upgrades that are necessary to provide fire protection for Lot 1.

There is a 4-inch main along Old Route A that will need to be upgraded in order to provide fire protection to Lots 7-10. The District states that a water study must be conducted, at the developer's expense, to determine the extent of those improvements.

On-site wastewater systems are proposed for sewage disposal. A cost benefit analysis was provided by the developer. The study found the cost of providing centralized collection and treatment was approximately twice the cost of on-site systems.

Stormwater management compliance requires a minimum of five trees must be planted on each lot.

The proposal scored 58 points on the rating system.

Staff recommends approval of the preliminary plat with the following conditions:

1. The developer must work with Consolidated Water to fund a water study to determine system improvements necessary to provide fire protection for Lots 1 and 7-10.
2. Prior to final plat approval, the developer shall provide for the installation of all system improvements necessary to provide fire protection to all lots within the subdivision.
3. The developer shall provide a plan showing a location for an on-site wastewater system on each lot. Said plan shall be submitted for approval with the final plat.

Chairperson Harris: The staff report stated that because of the stormwater it was going to require five trees planted per lot?

Bill Florea: Correct.

Chairperson Harris: There is no specificity as to how big the trees have to be?

Bill Florea: There is an existing standard for that. 1½” caliper.

Commissioner Wilson made and Commissioner Koirtyohann seconded a motion to approve Bellaridge preliminary plat with the following staff conditions:

1. The developer must work with Consolidated Water to fund a water study to determine system improvements necessary to provide fire protection for Lots 1 and 7-10.
2. Prior to final plat approval, the developer shall provide for the installation of all system improvements necessary to provide fire protection to all lots within the subdivision.
3. The developer shall provide a plan showing a location for an on-site wastewater system on each lot. Said plan shall be submitted for approval with the final plat.

Boyd Harris – Yes	Michael Poehlman – Yes
Greg Martin – Yes	Loyd Wilson – Yes
Bill Lloyd – Abstain	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Jeff McCann – Yes

Motion to approve Bellaridge preliminary plat passes: 7 YES 1 ABSTAIN

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 by RCS & VMS Revocable Trust and Shy Rentals LLC for Boone Development was tabled by the Planning and Zoning Commission. The applicants asked for the request to be tabled until the May 2019 meeting. The applicants weren't able to resolve their access issue, they also have a plat vacation which is due to be heard on April 30, 2019 by the County Commission. If they don't work out their issues the rezoning won't be back in May.

The plats for Harvest Hills, Oberlin Valley Plat 5, Pierpont Meadows Plat 2, Golden Star Estates, Caruthers, and Old Number 7 were accepted. Commission Order 94-2019.

Regarding the wind farms; at the work session last week Mr. Shawver had mentioned that the County Commission had asked the Energy & Environment Commission to provide some assistance. They are meeting on Tuesday, April 23, 2019 and they will decide whether they want to participate. We have a work session on Wednesday, April 24, 2019. Mr. Shawver is going to try to contact the Chairperson and ask if they want to come and interface with the P & Z Commission on the April 23rd meeting or wait until the work session on April 30th.

Mr. Shawver informed the Commission that if anyone from the Energy & Environment Commission contacts them to have them go through Staff instead.

The next scheduled work session for proposed Wind Farm regulations is Tuesday, April 30, 2019 at 5:30 PM

IX. Adjourn

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

Respectfully submitted,

Secretary
Michael Poehlman

Minutes approved on this 16th day of May, 2019