

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, August 15, 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
Carl Freiling	Cedar Township
Gregory Martin	Katy Township
Bill Lloyd	Three Creeks Township
Rhonda Proctor	Perche Township
Steve Koirtyohann	Rocky Fork Township
Jeff McCann	County Engineer

b. Members Absent:

Eric Kurzejeski, Vice Chairperson	Missouri Township
Fred Furlong	Bourbon Township
Vacant Seat	Columbia 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 July 18, 2019 meeting were approved by acclamation.

IV. Chairperson Statement

The following Chairperson statement was entered 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 two rezoning requests, a revised Review Plan for a Planned Development and one subdivision plat.

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 or silence 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, August 27th. 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 Tuesday, August 27th will begin at 7:00 p.m. and will convene in this same room.

V. Rezoning Requests

1. Request by Charles V. Melloway to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan on 31.81 acres, more or less, located at 9611 E Hwy OO, Hallsville.

Present, representing the request:

Kevin Schweikert, Brush & Associates, 506 Nichols St, Columbia

Prior to the staff report and public hearing Mr. Schweikert asked that this request be tabled so that the applicants could work out some issues with staff.

Commissioner Koirtyohann made and Commissioner Martin seconded a motion to **table** the request by Charles V. Melloway to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan on 31.81 acres, more or less, located at 9611 E Hwy OO, Hallsville:

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

Motion to table the request passes unanimously

2. Request by Lawrence and Mildred Clark to rezone from C-G (General Commercial) to A-2 (Agriculture) on Tract 1 of 6.46 acres; and, from A-2 (Agriculture) to C-G (General Commercial) on **Tract 2** of 2.55 acres, located at 950 N Rte O, Rocheport.

Planner Bill Florea gave the following staff report:

The property is located at the intersection of I-70 and Route O, approximately 4.5 miles west of Columbia. The current zoning is G-G and A-2, which is the original zoning. Adjacent zoning to the north is C-G, east, south and west is A-2

The 16.97-acre tract is occupied by a Transmission Facility.

This request is composed of two separate rezonings. The request for Tract 1 is to rezone 6.46 acres from C-G to A-2 for the purpose of constructing a single-family dwelling. The request for Tract 2 is to rezone 2.55 acres from A-2 to C-G. The application does not specify a proposed use for Tract 2. Both rezonings have been combined into one staff report for efficiency. However, each rezoning will require a separate action.

The Master Plan designates this property as suitable for rural residential land use. The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. 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 used for this analysis can generally be broken down into three categories, Utilities, Transportation, and Public Safety Services.

Utilities: Consolidated Water provides water service to the property. There is a fire hydrant on Alexander, approximately one-half mile from the subject property, that provides commercial fire flow. A water study would be required to determine whether fire flow could be provided to this property and what infrastructure improvements would be necessary.

There is no public sewer available.

Boone Electric provides power.

Transportation: Both tracts are a portion of a single lot of record that has frontage on and direct access to Route O. If a land division is desired for the construction of a dwelling on Tract 1, an access easement may be required.

Public Safety Services: The property is within 5 miles of the Boone County Fire Protection District stations in Rocheport and Midway.

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations.

Zoning Analysis:

The Master Plan designates Tract 1 as suitable for commercial land use. The proposed use is not consistent with the Master Plan. However, except for the establishment of the trucking company over 25 years ago, there has been no demand for commercial use in this area. Fire flow is potentially available however, there is no central sewer available in this area. Tract 1 is topographically separated from the remainder of the commercially zoned land. Rezoning this tract to A-2 is a refinement of the Master Plan designation for this area and leaves adequate area for the contemplated commercial node.

Tract 2 is designated as suitable for agriculture/rural residential use. The proposed request is not consistent with the Master Plan. The request would situate commercial zoning adjacent to existing rural residential land uses that have developed in compliance with the Master Plan designation.

Staff notified 17 property owners about this request. The property scored 41 points on the rating system.

Staff recommends:

Approval of the rezoning from C-G to A-2 for Tract 1

Denial of the rezoning from A-2 to C-G for Tract 2.

Present representing the request:

David Butcher, Crockett Engineering, 1000 W Nifong, Columbia
Larry Clark, 10950 W Hwy 40, Rocheport

David Butcher: Mr. Clark's daughter would like to build a house on the property proposed to be rezoned A-2; it will need to be rezoned because you can't build a house in C-G zoning. In rezoning from C-G to A-2, Mr. Clark is losing a lot of value with regards to the commercial zoning. We were hoping to mitigate that loss by rezoning the front portion of the property to the south to C-G. We want to trade the commercial zoning in the back for the commercial zoning in the front and the net loss of the commercial would be about 3.5 acres; the applicants are not asking for an even exchange. One of the benefits is that this will clearly define a commercial node from property line to property line so he could sell the frontage of his property. Another benefit is that it is contiguous and fits with the other commercial properties in the

area. It is not a large volume of commercial property so it is just an exchange of one piece of the land for the other so he can build a house.

Commissioner Lloyd: Is there a specific use for the property to be rezoned to C-G?

David Butcher: Not at this time. It is basically being set aside for the future just like the rest of his commercial property. When I first called Planning and Zoning, staff was concerned that the applicant would give up the commercial node so that made me think of this. I think there is some validity to it even though staff didn't support it.

Commissioner Poehlman: The primary reason for the rezoning is to build a house?

David Butcher: Yes.

Chairperson Harris: How will the house be accessed?

David Butcher: Through the existing driveway; we will plat the property in some fashion either through a survey or plat and make sure there is a driveway.

Chairperson Harris: The driveway is currently serving the tower on the property?

David Butcher: Yes. You would come in on that drive and turn left to go to the house. I know that staff doesn't support this exchange of property but I will say that this is the only time that he will be able to rezone the frontage if he wanted to with any real valid reason without having to come to planned. This is the opportunity to ask so I feel it is appropriate that we clean up the frontage and make it commercial.

Chairperson Harris: There is a pretty heavy, existing vegetated barrier along the south line.

David Butcher: Yes; there is a pretty good tree line there. I am not saying you can't see the houses to the south but you will probably only see them in the winter time.

Open to public hearing.

No one spoke in favor of the request.

Present, speaking in opposition to the request:

Barry Estabrooks, 10351 W Kings Ln, Rocheport

Barry Estabrooks: I live at the property directly to the south of the site. I am opposed to the rezoning. I believe the existing A-2 zoning provides a great barrier from the commercial zoning. I moved there in 1988. I am not against all rezoning, before the initial building of the Clark trucks facility, Mr. Clark came to my house and I told him I had no objection to the trucking facility I just feel that at this time there is no need for that C-G to be butting up against our residential area. If they are building a house they have the A-2 land where it belongs. I feel that if they had that C-G zoning it is going to affect my property value. The tree line that was mentioned is just stuff that has grown up and it can be taken out at any time then I will have a problem if it is zoned C-G. We don't have any idea what will be there. Rezoning that piece to C-G doesn't make sense at this time; it is possible for the applicant to come back at a later time and apply for that at a more appropriate time when all of the C-G property around there is utilized. With the large tracts of empty C-G land, after that land is developed then he can come back and ask for the rezoning. I just don't believe this is the appropriate time.

Also speaking in opposition:

David Pittman: 10250 W Kings Ln, Rocheport

David Pittman: I have lived in the area since 1985. I don't see a problem with the applicant building a house but zoning tract 2 to commercial would put it right next to us. He could have more commercial frontage on Route O, but now instead of trucks coming in and out 1/3 of a mile from us they will be coming out 75 yards from our Kings Lane driveway. Having commercial next to residential could be a difficulty in the value of our homes. I don't see the need to put the commercial zoning right next to us. The tree line on the south property line are just scrub trees, this isn't a forest that is between the properties.

Closed to public hearing.

David Butcher: Mr. Clark has entertained a lot of commercial buyers in the past and there hasn't been a lot of interest out here due to the fact that there is no sewer or water. I understand the neighbor's concerns, however this is a place-holder zoning. There is an interchange, this will be prime someday for commercial zoning if the utility infrastructure will come to us. If you take away all of the frontage that will likely diminish quickly, this is a great way to maintain that highway frontage along the state road so if there is a commercial user that is willing to invest in the infrastructure that interchange can be used to its fullest potential. The A-2 zoning that close to the interchange is somewhat surprising anyway. I think it would be better valued for everyone if we could keep the commercial node.

Commissioner Freiling: One of the things this Commission does is to allow rational growth but to also protect neighbors from unnecessary change. Without knowing what that commercial use may be and the fact that is going next to residents that have lived there for a long time it is hard to change to a larger uncertainty.

Commissioner Poehlman made and Commissioner Koirtyohann seconded a motion to **approve** the request by Lawrence and Mildred Clark to rezone from C-G (General Commercial) to A-2 (Agriculture) on **Tract 1** of 6.46 acres located at 950 N Rte O, Rocheport:

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

Motion to approve the request passes unanimously

Tract 2 discussion:

Chairperson Harris: I heard the neighbor's concerns, on the other hand, I see the wisdom in the exchange in zoning because we are reducing the acreage of commercial zoning. We are looking at whether it is an appropriate use of land, it doesn't seem to be that much of a transgression and to me it is an appropriate use of land in that place. The commercial zoning already abuts residential zoning but for a few hundred feet.

Commissioner Harris made and Commissioner Koirtyohann seconded a motion to **approve** the request by Lawrence and Mildred Clark to rezone from A-2 (Agriculture) to C-G (General Commercial) on **Tract 2** of 2.55 acres, located at 950 N Rte O, Rocheport:

Boyd Harris – Yes	Carl Freiling – NO
Michael Poehlman – NO	Greg Martin – NO
Bill Lloyd – NO	Rhonda Proctor – NO

Steve Koirtyohann – NO Jeff McCann – NO

Motion to approve the request does not pass 1 YES 7 NO

Commissioner Martin made and Commissioner Freiling seconded a motion to **deny** the request by Lawrence and Mildred Clark to rezone from A-2 (Agriculture) to C-G (General Commercial) on Tract 2 of 2.55 acres, located at 950 N Rte O, Rocheport:

Boyd Harris – NO Carl Freiling – Yes
Michael Poehlman – Yes Greg Martin – Yes
Bill Lloyd – Yes Rhonda Proctor – Yes
Steve Koirtyohann – Yes Jeff McCann – Yes

Motion to deny the request passes 7 YES 1 NO

VI. Planned Developments

1. Request by the Martha L. Straub Trust to approve a Revised Review Plan for Martha’s Grove Planned Development on 20 acres, more or less, located at 6330 S Hummingbird Ln, Columbia.

Planner Thad Yonke gave the following staff report:

The property is located within one mile south of the general Columbia municipal limits on the north side of Bonne Femme Church Road approximately ½ mile from the intersection of Tom Bass Road and Bonne Femme Church Road. The zoning is R-SP (planned residential single family) with the most recent Final Plan for the existing development approved in 2008. Zoning to the east is R-M (residential moderate density) done in 1983 and A-1. Zoning to the south and west is A-1. Zoning to the north is M-GP (planned general industrial) which was rezoned in 2012. The A-1 zonings are original 1973 zonings. The request is to revise the existing development plan. The new proposal is also a revised preliminary plat. The existing plan is for 40 total units contained on 20 two-unit lots. The new proposal is to allow for a total of 41 units. The new proposal is for 33 single family detached lots along with eight of the original units that are contained in four existing buildings that resemble duplexes. The development will also use private streets and contain two common lots.

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 development is proposed to be served with sewer by the BCRSD with a finite amount of sewer capacity secured and available for this development. The design of the sewage collector system will have to be designed to meet the BCRSD standards.

Consolidated Public Water District # 1 provides water in the area and some water services already installed for the previously approved development consist of 12-inch and 6-inch waterlines. Additional water infrastructure is needed to support this development proposal and will be at the expense of the developer.

Fire hydrants and public water is required for the proposed development. There may need to be some upgrades or relocations of waterlines that will need to be coordinated and will be at the developer's expense.

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

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations. The property is considered environmentally sensitive as it is in the Bonne Femme Watershed Plan area.

Transportation:

The property has frontage on Bonne Femme Church Road which is designated as a collector roadway on the CATSO Major Thoroughfare Plan and the actual house lots will be accessed off Hummingbird Lane which is a private roadway. The proposed revision only increases the density of the development by one unit over what was already approved for the property. No direct driveway access to Bonne Femme Church Road will be allowed from any of the proposed lots.

Public Safety Services: The site is within 0.9 road miles of County Fire Station 15 on Tom Bass Road.

Zoning Analysis:

The Master Plan designates this property for residential use. The proposed use is consistent with that designation. The proposed design is just over two units per acre which is closer to the equivalent density of an A-R zoning district than R-S. The maximum density possible to propose under an R-SP would be six units per acre. The limitation in this case is the availability of central sewer. The proposal is essentially at one third of the theoretical maximum density possible to have been proposed under the zoning sought if more sewer was available. The proposed 33 three-bedroom units and 5 two-bedroom units may in the BCRSD opinion exceed the secured and available sewer capacity and there may need to be additional lots restricted to two-bedrooms only. The property is considered environmentally sensitive as it is in the Bonne Femme Watershed Plan area.

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. While the existing land use and zoning of the area is mixed in terms of density and lot size, the proposal is substantially the same as the already approved plan. The Master Plan anticipates this area to be suitable for smaller lot sizes and hence zoning changes, this suitability is dependent upon upgrades to infrastructure to support higher densities.

Staff notified 24 property owners about this request. The property scored 52 points on the rating system.

Staff recommends approval of the rezoning with the following conditions

1. The issues related to sewer capacity shall be worked out to the satisfaction of the BCRSD and the Director of Resource Management prior to submission of a Final Plan:
 - Number of lots limited to two-bedroom units
 - The specific designation and indication of all lots that have the two-bedroom limitation be noted and shown on the Final Plan.

Present representing the request:

David Butcher, Crockett Engineering, 1000 W Nifong, Columbia

Tracy Arey, 5217 S Cowan Rd, Columbia

David Butcher presented a smaller version of the revised review plan.

David Butcher: We are not changing this plan significantly from what was originally proposed. Mr. Arey does not want to continue to service the rest of the homes with gas; there is a gas easement in place and gas runs along the backs of all of these lots; that infrastructure is in the way for what we want to do so we want to pull it out of there. In doing so we are going to allow the existing units that currently have gas continue to have it, we are just going to sever the gas connection and the remainder will be all electric. These are duplex style homes, or single family attached homes, this development could have worked if Mr. Straub would have been able to continue funding it himself. We intend to bring in cottage-style homes around 25 to 30 foot wide units with a front porch. The landscaping requirements require some bushes in the front and trees will be planted. There will probably be a replat coming through later where we will change the lots because in its current layout it would require single family attached homes to make it work. Phase 2 was originally a more traditional development with a cul-de-sac but Mr. Arey agreed to build what was proposed to be built the first time. The infrastructure is pretty much all in place but we will have to do some utility extensions in Phase 2. In today's buyers market the banks aren't lending 30 year fixed rate mortgages, the government will not back the loan. In order for a USDA or FHA buyer you have to have a single family home on a lot of its own and not attached to someone else's; there are banks that will loan on single family attached but you can't get affordable houses that way. We just want to change the style of the houses from duplex style to single family detached.

Commissioner Freiling: Due to sewer restrictions you are looking at smaller, two bedroom homes.

David Butcher: Correct, there would be no four bedrooms; it would all be two or three bedroom. The reason we haven't come to terms with the sewer is that it requires a bit more sewer for single family detached houses than it does for a single family attached. As we reduce the units we ended up with a shortage of 20 gallons. Tom Ratermann has to take that request to the Sewer Board and get the additional gallons approved. I think it is likely that 20 additional gallons isn't going to break the bank. If the 20 gallons is a problem we do not have any problem backing one more unit down to a two bedroom unit.

Commissioner Freiling: Affordable housing has become increasingly more difficult. A lot of the reason for that isn't just the house size but the lot size. If a development like this finds a market this might set a pattern.

Commissioner Martin: Each house has off street parking; do they have two parking spots each?

David Butcher: Yes.

Commissioner Martin: There are emergency fire access roads listed, are they in place now?

David Butcher: Yes. The one to the east is gravel the one to the west is grass paved.

Chairperson Harris: Are those utility easements running through the common space?

David Butcher: Yes, and they are all in place.

Chairperson Harris: Regardless of the complexity of the project the question is to make the houses single family instead of duplexes.

David Butcher: Correct, there is a sewage pump station on the south side that pumps the sewer through here, this sewer capacity is assigned to this property. Mr. Straub has invested a lot of time and money into building the sewer and water; the public utilities are waiting for someone to use them.

Thad Yonke: There is no more additional capacity available in that plant. This capacity is already secured.

Commissioner Lloyd asked staff to explain the condition.

Thad Yonke: The amount of wastewater is gallon based and the development has secured a certain number of gallons. Under the original development that is what was expected to be needed for 40 units of the duplex types, so 20 buildings and that is what was secured. When the applicants came back, because it was secured, not for the number of units but for a gallon total when you convert that into single family detached instead of attached the engineering has a different value that goes in and that is one of the reasons they were able to do 41 units instead of 40 and believe they could do it within the sewer capacity they've already secured. That means that some of the units are going to have to be smaller units because whether it has two or three bedrooms changes the number of gallons. Because they haven't worked that out with the sewer district and there is a fixed amount of sewer available that is why we had the condition so they can work it out without having to come back through this process.

David Butcher: Mr. Arey agreed to specifically identify each unit. The applicants are okay with the condition.

Commissioner Lloyd: What will the square footage of the homes be?

Tracy Arey: Minimum 1000 square feet with a garage. Most will run 1200 to 1300 square foot.

Commissioner Lloyd: The idea is to sell the homes and not rent?

Tracy Arey: I am selling the lots to builders for them to build.

Chairperson Harris: My question is, is it appropriate to change the plan from the original version of duplex style housing to single family detached homes.

Tracy Arey: I think you see a lot of subdivisions that start with duplex style properties in front and then move into homes; you see that a lot in Columbia.

David Butcher: These are not duplexes, they are single family attached homes.

Open to public hearing.

Present, speaking in favor of the request:

Gary Straub, 1904 Holly Ave, Columbia

Gary Straub: I started this development and it was a long process. The environment was my main concern because it is in the Bonne Femme Watershed. The fact that the applicants are willing to finish this close to what my vision was I find great. The correct term for these homes are townhomes, they have two separate interior walls and also two separate sewers and I am questioning why they are trying to cut down the sewer. We paid for 40, three bedroom homes and I would like to know why they want to cut them down to two bedroom homes because of the sewer. The sewer district over-sold the capacity available to another development. I don't think you should restrict the applicant to a certain number of two bedroom homes because of the sewer because I bought and paid for the sewer. All these houses have their own separate

sewer lines. These types of developments started out in California where the homes are clustered together surrounded by green space.

No one spoke in opposition.

Closed to public hearing.

David Butcher: I don't know the exact number but the calculations for single family attached is something like 500 – 600 gallons, individual are 350 each so when you separate them like that the number of gallons required for each one of those goes up but Mr. Straub stated he paid for each one of those units to have that many gallons so there should be that many gallons available but under the particular calculations once you split them apart you need more gallons.

Commissioner Martin: This is a sewer board issue if they approve it they can make all of them have three bedrooms.

Thad Yonke: They purchased a certain number of gallons so it comes back to how the sewer district does their allocation based on standard engineering principals and they are going to be the ones to decide that.

Commissioner Martin made and Commissioner Proctor seconded a motion to **approve** the request by the Martha L. Straub Trust to approve a Revised Review Plan for Martha's Grove Planned Development on 20 acres, more or less, located at 6330 S Hummingbird Ln, Columbia with the following condition:

1. The issues related to sewer capacity shall be worked out to the satisfaction of the BCRSD and the Director of Resource Management prior to submission of a Final Plan:
 - Number of lots limited to two-bedroom units
 - The specific designation and indication of all lots that have the two-bedroom limitation be noted and shown on the Final Plan.

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

Motion to approve the request passes unanimously

VII. Plats

1. Nursery Heights Plat 5. S9-T47-R13W. R-S. Nursery Heights Development Group LLC, owner. Jay Gebhardt, surveyor.

The following staff report was entered into the record:

The subject property is located on the east side of Nursery Road approximately 700 feet south of the intersection of State Route K and Nursery Road.

This proposal is set to create the fifth phase of the Nursery Heights development. This phase creates 18 building lots.

This phase includes an approximate 700-foot extension of Snapdragon Drive, which upon completion, will be dedicated to the public. All lots have frontage on and direct access to Snapdragon Drive.

Consolidated Public Water Supply District #1 will be providing water service to this development. Boone Electric Cooperative will provide electrical service to this development. The property is located in the Boone County Fire Protection District.

Wastewater will be handled by a connection to the Boone County Regional Sewer District facility to the east.

The property scored 68 points on the rating system.

Staff recommends approval of the plat.

Commissioner Lloyd made and Commissioner Koirtyohann seconded a motion to approve Nursery Heights Plat 5:

All members voted in favor.

VIII. Old Business

Update on Commission action.

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

The rezoning request and review plan by Fred Overton was approved as recommended. Commission Orders 312/313-2019.

Plats Hagans Ridge, Golf Plat 3, Bax Point, Beckville, Wolfie Acres, Country Paradise, and Pauley Acres Plat 2 were approved. Commission Order 314-2019

IX. Adjourn

Being no further business the meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Secretary
Michael Poehlman

Minutes approved on this 19th day of September, 2019