

**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, June 18, 2020**

I. Chairperson Harris called the meeting to order at 7:00 p.m. with a quorum attending in person and by phone conference.

II. Roll Call:

a. Members Present:

Boyd Harris, Chairperson  
Michael Poehlman, Secretary  
Eric Kurzejeski, Vice Chairperson  
Gregory Martin  
Rhonda Proctor  
Steve Koirtyohann  
Jeff McCann

Centralia Township  
Rock Bridge Township  
Missouri Township  
Katy Township  
Perche Township  
Rocky Fork Township  
County Engineer

b. Members Present by Phone Conference:

Bill Lloyd

Three Creeks Township

c. Members Absent:

Fred Furlong  
Daniel Mings  
Vacant Seat

Bourbon Township  
Columbia Township  
Cedar Township

d. Staff Present:

Bill Florea, Director  
Uriah Mach, Planner

Thad Yonke, Senior Planner  
Paula Evans, Staff

III. Approval of Minutes:

Minutes from the June 18, 2020 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris read the following 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 two conditional use permit requests, one rezoning request 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:

This meeting is being conducted in compliance with the current Public Health Order regarding the Covid-19 pandemic. Occupancy of the Commission Chambers is limited to 50% occupancy provided all persons wear a face mask and maintain 6-feet of physical distance from each other.

We will follow a partial virtual format. Several Commissioners are present in the Chambers. A number of other Commissioners are attending the meeting through an audio link. The audio link is open to members of the public who wish to follow the proceedings.

If necessary, there will be a staff member in the Lobby who will meter access to the Chambers. Members of the public, who wish to testify, will be allowed in as space allows. Individuals may be asked to exit the Chambers when their testimony is complete in order to make space for another. The public will be rotated through until all who wish to testify have had an opportunity to do so.

When the Commission has voted on any agenda item, the applicant may be asked to exit the Chambers to make room for the next applicant.

Announcement of each agenda item will be followed by a report from the planning department staff. The applicant or the applicant's representative may make a presentation to the commission after the staff report. 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. Those wishing to speak in support of the request will be allowed to speak, then the floor will be given over to those opposed to the request. There may be individuals that neither support nor oppose a request. Those individuals are welcome to address the commission at any time during the public hearing.

Please direct all comments or questions to the commission, be concise and 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.

Please give your name and mailing address when you address the commission. 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 those opposed to the request have had a chance to speak the public hearing will be closed and no further comments will be permitted from the audience unless requested by the Commission. The applicant will then have an opportunity to respond to any concerns expressed during the public hearing. Next the staff will be given an opportunity for any additional comments. 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, July 28. Interested parties will again be able 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, July 28 will begin at 7:00 p.m. and will convene in this same room. That meeting will also be conducted in compliance with Health Order Number 2020-06C using the same format as this meeting.

Commissioners attending by audio link: please state your name for the record when you begin speaking.

#### V. Conditional Use Permits

1. Request by Ann McGruder and Jeff Bridges for an Equine Boarding and Training facility in the A-1 zoning district on 19.26 acres located at 11605 E Barnes Chapel Rd, Columbia. (Applicant's email to table request received 7/13/20)

Bill Florea informed the Commission that staff received a request from the applicant to table the request.

Commissioner Kurzejeski made and Commissioner Martin seconded a motion to table the request by Ann McGruder and Jeff Bridges for an Equine Boarding and Training facility in the A-1 zoning district on 19.26 acres located at 11605 E Barnes Chapel Rd, Columbia:

Motion to table the request passes unanimously by acclamation

2. Request by E. Dale & Patricia Layos on behalf of Katina Anderson for an Equine Boarding and Training facility in the A-1 zoning district on 18.27 acres located at 8101 E Hwy WW, Columbia.

Planner Uriah Mach gave the following staff report:

The subject property is located on State Highway WW, approximately 1 mile to the east of the city limits of Columbia. The property is 18.27 acres in size and currently zoned A-1 (Agriculture) and is surrounded by A-1 zoning. This is all original 1973 zoning. The property currently has a house, a row of covered stalls, and a horse barn on the property. Anderson Equestrian Center is applying for a conditional use permit to operate a riding school & boarding/training facility.

The applicant is seeking a conditional use permit to operate a riding school on this property. Per the application materials, Anderson Equestrian Center seeks to provide the community with American Riding

Instructors Association(ARIA) certified riding instruction by a master educator with extensive special services experience.

Discussion with the applicant has indicated that most lessons will be in the late afternoon/early evening and group lessons will typically not exceed 3 students. The application includes a proposal for three additional structures on the property, a riding arena, a machine shed, and a shop. Of these proposed structures, the shop building is not proposed as part of the riding school/boarding use.

Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners. As a conditional use permit, the proposal must meet the following criteria from the zoning ordinance to be eligible for approval:

(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 county regulations, the use should comply with this criterion.

(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.

Hours of operation and using maintenance practices to avoid injury to the use and enjoyment of surrounding property (manure handling and dust control) should allow this use to comply with this criterion.

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

Like the previous criterion, hours of operation and maintenance practices could contribute to perceived property value impacts. Public testimony may better reflect any impacts on property values.

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

The property has infrastructure sufficient to serve the initial level of activity described in the conditional use permit. As the desired improvements are constructed, supporting infrastructure, in the form of some dust-free paving and fire protection, will be required. Water and fire protection can be met with some improvements to connect to a 12" water main on the south side of State Route WW as required.

(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.

This area is zoned A-1, with residential uses limited to 10-acre tracts or larger. The approval of this conditional use permit should not impede the normal and orderly development of the surrounding property.

(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.

This use will generate traffic beyond what is expected for residential land use. The level of activity is insufficient to overload State Route WW, however improvements to the driveway should be done in a manner consistent with expansion of activity on site.

(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 other applicable regulations of the A-1 zoning district, particularly since no land division is proposed.

Zoning Analysis: This request is not out of character with activity in this area. Equine activity beyond simple ownership, such as boarding or riding instruction, can create negative off-site impacts. A conditional use permit allows for conditions to be placed on such activities.

This request is located on a major roadway, State Route WW, and has access to public water for future fire protection requirements with a 12" main on the south side of State Route WW. Proximity to such elements of public infrastructure allow for future improvements to be built with necessary support. This site is located in the Columbia/Boone County East Area Plan. The East Area Plan designates this area as suitable for rural land uses.

Staff recommends approval of this conditional use permit with the following conditions:

- a) The number of horses boarded at this facility shall be limited to 12. This number does not include horses owned by the operators. Expansion of the boarding space will require the services of a design professional to design the structure.
- b) Hours of operation of the riding school shall be limited to 12:00 noon to 7:15 PM, Monday through Friday. On the weekend, the riding school will be limited to daytime hours only (6:00AM to 9:00PM Central Daylight Time, April through August & 6:00AM to 7:00PM Central Standard Time, November through March).
- c) When the proposed covered riding arena is constructed a dust control plan shall be implemented addressing the approach to WW and first 100' of the driveway off of Highway WW. The plan shall require a dust-free standard which may include the regular use of magnesium chloride or other dust control measures.
- d) When the proposed covered riding arena is constructed, a sufficient number of dust-free parking spaces, minimum chip & seal, as necessary to comply with the Americans with Disabilities Act shall be constructed as part of the project.
- e) A waste handling plan shall be submitted to the Director of Resource Management to ensure waste material shall be disposed of in an appropriate manner so as to create no impact to adjacent properties.

Present representing the request:

John & Katina Anderson, 1691 Welsh Ln, Fulton.  
Business Address, 8101 E Hwy WW, Columbia

The applicants made a power point presentation.

Katina Anderson: I am an owner and instructor for Anderson Equestrian Center. We have been in operation for six years, we moved from our previous location in Callaway County to Boone County in early spring. I am a certified instructor with the American Riding Instructors Association since 2011, they have a pretty rigorous process to get certified. I am also a certified K-12 Special Education teacher and taught in Fulton Public Schools for seven years, I also worked as the Educational Diagnostician and have a master's degree in Educational Administration.

John Anderson: I have worked at the Columbia Police Department for sixteen years and I am certified by the Brotherhood of the Working Farriers Association to be able to shoe horses and care for them.

Katina Anderson: The reason we are requesting a conditional use permit is to be able to continue to offer a safe, fun and educational environment. We feel that these are skills that help the students in life such as problem solving and responsibility.

John Anderson: 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. Approval of a conditional use permit will not affect the public welfare. The property will be monitored and maintained for elimination of potential safety issues. An efficient manure removal procedure is in place. Manure will be loaded directly onto a trailer that holds 30 cubic yards of material. It will be hauled off site for proper disposal. I custom built a trailer to get it out of there, we have a place in a different county that we sell it to and have an ongoing deal with them so manure is never going to be more than what is on the trailer.

Katina Anderson: The conditional use permit will not be injurious to the use and enjoyment of the other property in the immediate vicinity for the purposes already permitted by these regulations. As the property sits, the barn and riding ring are behind the house. They are difficult to see from the roadway and are obstructed from view of the neighbors by trees. The topographical nature of the property contains any potential noise from instruction as the barn sits down in a valley. I think this is beneficial for the neighbors, the way it is positioned you really can't see the horse barn from the road or from the other properties. We do not plan to have any commercial traffic like busses or anything like that as all students arrive and depart in personally owned vehicles. Most students receive private instruction and one vehicle arrives at a time and generally departs before the next student arrives. When small groups are taught they are no larger than three students at a time. Many of these are siblings or close friends who carpool.

John Anderson: The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood. The property as we received it was in disrepair and overgrowth. We have been working to restore it to a functional and appealing property. It is a solid barn now. By providing a service for healthy, safe outdoor activity, we can help boost property values and benefit the local community.

Katina Anderson: All necessary facilities will be available including, but not limited to, utilities, roads, road access and drainage. The property has a well-established driveway that is wide enough for two cars to pass side by side. The driveway leads to a circle drive in front of the barn and has supported a dump truck carrying 27 tons of gravel. Ambulance, fire trucks and utility trucks can access the property. Existing drainage and run-off follows the natural flow of the land to the back of the property and enters the creek bordering the property line. There is no concern about run off flowing to the neighboring properties. The water district has informed us that the nearest fire hydrant is at Blackthorn and Hwy WW which is located 300 yards from the door of the barn. It is a large main that runs 75-85 psi head pressure and is more than adequate to supply any fire district needs.

John Anderson: 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 property surrounding us is well established family farms or personally owned properties not suitable for future development. If neighboring development were to occur, due to the topographical layout and low traffic flow of our site, it would not be burdensome to future development.

Katina Anderson: 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 property is located on State Highway WW which is a well maintained, safe highway. The property enters Hwy WW at a location with great visibility in both directions. On any given day there will only be personally owned vehicles entering and exiting. Students are taught lessons Monday – Thursday from 4:00 PM to 7:15 PM and Saturdays 8:30 AM – 3:00 PM. Students have a minimal impact on traffic

flow. We have five boarders right now, they have the ability to visit their horses between the hours of 8:00 AM to 8:00 PM. Out of our current boarders, two of them only come on weekend mornings, one comes twice a week in the afternoon and the other lives out of state so the boarders have a minimal impact on traffic. 8:00 AM to 8:00 PM are our official hours of operation, that is when we answer the phone and meet with clients, before and after these hours the gates are locked so there is no traffic then.

John Anderson: 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 permit. We are currently in compliance with the regulations for the conditional use permit. Upon acquiring a building permit in order to construct/enclose the outdoor arena, all requirements will be met including adding hard surface parking for handicap access, approval from architects and building inspectors and regular application of magnesium chloride to the main access driveway and riding arena. We currently have two clients with special needs who take lessons and they have never had an issue with parking; we have a big concrete pad up front so if they want they can get out on the pad and since we have such low traffic and such a big driveway you can go around them so it is not really an issue with them at the moment. I know once we put the arena up we are going to be required to have more handicapped hard surface and we will do that but I want to be able to have it appealing and be as useful as possible to them. If I put the handicapped parking spots where they are currently then once I put the arena up it won't be in the optimal spot to provide the best use for anyone who might use it. When they put the barn up they just followed the contour of the ground so they put fences up and it is not flat or appealing. Once we do the arena we are going to pull all of those old fences out and put new ones in and do some contouring to smooth the ground and the handicap spaces would be in a more prime location to provide better service.

Commissioner Poehlman: How did staff arrive at 12 horses?

Uriah Mach: I had a conversation with the applicants this afternoon, they are currently under the permitted boarding level of six horses and I asked Mrs. Anderson what her high number is and she stated 25. I thought that was quite a bit so I split the difference. 12 seemed reasonable with their current level of use as far as boarding, if in the future the applicants come close to exceeding that number they can come back and ask to increase it. If they have been good stewards of the property they shouldn't have a problem getting approved.

Katina Anderson: I was told to estimate high so that is what I did.

John Anderson: 25 is a high number.

Open to public hearing.

Present speaking in support of the request:

Patricia Layos, property owner, 7999 Bausch Rd, New Tripoli, PA

Patricia Layos: I am currently a teacher in Redding, PA and we have purchased the subject property in Boone County. Ms. Anderson has had this dream since she was five years old after she took her first riding lesson. She worked at the barns so she could afford lessons and worked the horse shows so she could afford the show fees. She spent every moment she could in the barn so she could learn all she needed about horses from the ground up and she learned what she wanted her life's work to be which is teaching others about horses, riding and responsibility. She attended William Woods University in Equestrian Science on a full 4-year scholarship and she double-majored in Special Education and graduated with honors and continued her schooling to get her masters in Education. Ms. Anderson has spent her life getting ready to open an equestrian center. The applicants have been operating a riding facility in Callaway County, they were renting the property but the owner kept taking back more and more of the land to build

a cell tower and a recreational house on the property that the applicants were renting and it became clear that they couldn't have their expansion on that property. They needed to move the center and at that time that my husband and I were looking for a house in Boone County so we purchased the subject property. To handle a property of that size on our own wasn't an option so we offered the barn and the land to the Andersons. This isn't a haphazard idea of wanting a horse stable, this is a culmination of a life-long dream.

No one spoke in opposition.

Closed to public hearing.

Commissioner Proctor: The applicants currently live in Fulton, will they continue to live there?

John Anderson: Yes.

Commissioner Proctor: Who will live in the house?

Katina Anderson: My parents.

Commissioner Proctor: The number of horses to be boarded in the facility will be limited to twelve. The applicants already have five boarded but that doesn't include the number of horses owned by the applicants, how many do the applicants own?

Katina Anderson: Six.

Commissioner Proctor: So there are already eleven horses on the property with the ones boarded and the ones the applicants own.

Katina Anderson: Yes.

John Anderson: There are 21 stalls.

Commissioner Proctor: The proposed covered riding area is just going to be covered and not enclosed?

Katina Anderson: It will have sides.

John Anderson: We want to put some large doors on it. It is a covering for inclement weather so they can take lessons in the snow and rain.

Commissioner Proctor: Will there be outside lights around the riding arena?

John Anderson: There are two there now but we have never used them, we never got them working. The poles are extremely high and they were fixed right on top of the barn, they don't even work.

Commissioner Proctor: I was just wondering about white noise of the lights going to the neighbors.

John Anderson: From where the barn is and where the road is you can't even see them from the neighboring areas, it is kind of in a hole and there is a creek that follows along the back which is a heavily wooded area. Both of the neighbors that are immediately to the east and west are horse owners themselves and they are supportive.

Commissioner Proctor: The property analysis on the report indicates that there was an illegal division of the property. How has that been rectified or is rectified?

Uriah Mach: That is something that I have not run down, we are still determining the origination of this tract. The legal description has some questions to it but I have not yet run that down.

Thad Yonke: The remedy would be surveying the property.

Uriah Mach: This was determined early on when we first started speaking with the applicants in March 2020. The legal description had some discrepancies and we couldn't figure out how the property to the west was created because it is so much smaller than everything else around it. We aren't certain where the description came from. There is an easy solution, both tracts are over 10 acres in size so an administrative survey would solve all of that; it is a very simple survey process to get done. The research is incomplete to determine it one way or the other, if that survey has been made of record that will resolve the problem. If it was done in conjunction with a title report it is entirely possible that someone is sitting on an unrecorded survey of this property which would solve the problem.

Patricia Layos: We purchased the property last summer and had it surveyed, this was never mentioned.

Commissioner Proctor: Are they going to need a fire suppression system inside the covered arena?

Uriah Mach: There are solutions within the building code for that, they do have water that is approximately 300 yards away of substantial size, that is a call for an architect and the building inspection department to make when they evaluate the covered riding arena space.

John Anderson: We were told it is the second highest rating they have for water pressure.

Commissioner Kurzejeski: Under item A the hours of operation of the riding school does not pertain to the boarding?

Uriah Mach: That is correct.

Commissioner Poehlman: If the applicants wanted to put up a sign would there be any requirements they need to follow?

Uriah Mach: Agriculture and residential zoning districts do permit signs for uses that are permitted in the district, I believe it tops out at 30 square feet, any such structure would be obligated to comply with the setback requirements and require a building permit. Most signs for uses of this type have not exceeded much more than a 4 x 6 sign that is near the entrance. That is something the applicants can do under the current regulations with a permit.

John Anderson: We wouldn't imagine anything that big.

Uriah Mach: Signs are permitted but there are regulations to limit the size.

Commissioner McCann: On condition A where it says expansion of the boarding space will require the services of a design professional to design the structure, that is expansion of the boarding space and the covered riding arena?

Uriah Mach: The covered riding arena, given the size of it, will require a design professional in any case, that will be mandatory. An architect will be involved because it will be considered a commercial structure at that time, that is current practice. If the Commission wishes to amend that condition staff doesn't have a problem with that just to make it absolutely clear.

John Anderson: We will follow best practices. We aren't a fly-by-night deal, we are trying to make something we can be proud of and parents can bring their kids to and say we are doing everything the way we need to. I am trying to build something that we would want to send our kids to.

Chairperson Harris: At the least this could be a conforming lot but the west lot may not be.

Uriah Mach: That is the question. From hearing from Mrs. Layos I am inclined to believe that someone is sitting on a survey that hasn't been recorded or brought forward to our office but I couldn't say for certain without doing more research.

Thad Yonke: They would have been required to do an administrative survey if it was created after 1995. We haven't been able to determine how this was done, the solution, if it turned out to be worse-case, would be to get a surveyor do an administrative survey of the two tracts.

Commissioner Koirtyohann made and Commissioner Martin seconded a motion to **approve** the request by E. Dale & Patricia Layos on behalf of Katina Anderson for an Equine Boarding and Training facility in the A-1 zoning district on 18.27 acres located at 8101 E Hwy WW, Columbia with the following conditions:

- a) The number of horses boarded at this facility shall be limited to 12. This number does not include horses owned by the operators. Expansion of the boarding space will require the services of a design professional to design the structure.
- b) Hours of operation of the riding school shall be limited to 12:00 noon to 7:15 PM, Monday through Friday. On the weekend, the riding school will be limited to daytime hours only (6:00AM to 9:00PM Central Daylight Time, April through August & 6:00AM to 7:00PM Central Standard Time, November through March).
- c) When the proposed covered riding arena is constructed a dust control plan shall be implemented addressing the approach to WW and first 100' of the driveway off of Highway WW. The plan shall require a dust-free standard which may include the regular use of magnesium chloride or other dust control measures.
- d) When the proposed covered riding arena is constructed, a sufficient number of dust-free parking spaces, minimum chip & seal, as necessary to comply with the Americans with Disabilities Act shall be constructed as part of the project.
- e) A waste handling plan shall be submitted to the Director of Resource Management to ensure waste material shall be disposed of in an appropriate manner so as to create no impact to adjacent properties.

Boyd Harris – Yes  
Michael Poehlman – Yes  
Bill Lloyd – Yes  
Steve Koirtyohann – Yes

Eric Kurzejeski – Yes  
Greg Martin – Yes  
Rhonda Proctor – Yes  
Jeff McCann – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicants that this request would move forward to the County Commission on Tuesday, July 28, 2020 at 7:00 pm and the applicants will need to be present.

## VI. Rezoning Requests

1. Request by Bruce and Kathleen Maier to revise a previously approved Review Plan for Lot C-4 of Newtown Subdivision, Block 4 on 1.35 acres located at 1850 W Rte K, Columbia.

Planner, Thad Yonke gave the following staff report:

This property is located 1300 feet east of the Cascades Subdivision, which is the nearest Columbia municipal limit. The subject property is situated along the south side of State Route K. A review plan for the total 22.76-acre New Town development was approved by the County Commission on March 31st, 1998. A final plan for a 16.83-acre portion of the property was approved in July of 1998. This comprised primarily the residential portion of the development. A final development plan for the 5.93-acre commercial component was approved in December of 1999. A revised Final Plan for the predominantly commercial portion of the development was approved in October of 2001 and is currently the governing plan. This plan showed a maximum of 13,460 square feet of building footprint in a maximum of three buildings with uses limited to the permitted C-N (neighborhood commercial uses) with Conditional Uses required to get additional conditional use approval. The access point to the lot was fixed on Center Street and there were no signs proposed for the development. The current proposal limits the use further to only retail sales. The proposal shows a maximum of a 9100 square foot building footprint as a single-story building. A freestanding monument sign is proposed for the eastern portion of the lot. Property to the north, across Route K is zoned R-S (residential single family) and R-SP (planned residential). Immediately west and west/southwest of this revised review plan are the two C-GP zoned lots of the predominately residential portion of the New Town development. The property to the south across Center Street is also zoned C-GP. Property to the east is zoned R-M (residential moderate density). The area contained within this revised review plan is 1.2-acres and is solely comprised of Lot C-4 of New Town subdivision Block 4. This area is served by Consolidated Public Water District No. 1. There is an 8-inch waterline on the property along Route K. Sidewalks and Fire hydrants are required for this development. Hydrants will need to meet Fire District requirements with the nearest BCFPD station, Station 8, being 2.0 road miles away. The development will be within the Columbia Public School District. Sewer service is to be from a BCRSD facility that serves the development and sewer service has been secured. This site has 81 points on the point rating system. Access to the site is fixed and no access is allowed at any other location on the lot. Since the use is allowed under both the existing and the new proposal, traffic impact can be reasonably expected to be equivalent or less than that which is already approved under the current plan due to the reduction of the maximum floor area. Building elevations have been provided to show the materials of the proposed construction. The development has minimum quality material standards that essentially require masonry or higher. The proposal indicates masonry for the majority of the four walls of the building. Any site lighting should be oriented inward and downward to minimize glare and light trespass off the property. The reason for the plan revision is to be allowed to have the freestanding monument sign.

Staff recommends approval subject to the following conditions:

1. The building construction materials are to meet a quality minimum of masonry.
2. All lighting on the property is required to be shielded or oriented in such a manner as to minimize glare or light trespass off the property.
3. That it is recognized that the Director of Resource Management can approve minor alterations in the approved plan administratively if the Director believes that the change is not substantive. Determination of whether a proposed change is substantive is solely the discretion of the Director.

Present representing the request:

Cullen Bruckerhoff, 103 Elm St, Washington, MO

Cullen Bruckerhoff: I am here on behalf of the property owners and Dollar General. The Dollar General retail use meets the current plan requirements and the approval requirements, we worked closely with the staff members to revise the site plan multiple times and the reason for the revised plan is due to the addition of a monument sign on the property. The proposed building is 3400 square feet less than what is currently approved so it is not as built out as what was initially proposed.

Chairperson Harris: The access is going to be off of Center Street but there is no access to Route KK on the west end?

Thad Yonke: Newtown Avenue connects to Route K and Center Street connects to Route K already but no direct access for the lot is allowed off of it because of those two intersections, that is part of what limits the ability to have any other access because it is too close to intersections of public streets.

Commissioner Poehlman: I was out there today and I was on Center Street and pulled onto Route K, right now the lot is kind of raised up, there is a berm there, is that going to be cut down?

Cullen Bruckerhoff: Yes. It will be brought down lower to allow the truck that goes in there to back up to the loading area on the west side of the building.

Commissioner Kurzejeski: Are the applicants in agreement with the conditions?

Cullen Bruckerhoff: Yes.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Kurzejeski made and Commissioner Koirtyohann seconded a motion to approve the request by Bruce and Kathleen Maier to revise a previously approved Review Plan for Lot C-4 of Newtown Subdivision, Block 4 on 1.35 acres located at 1850 W Rte K, Columbia with the following conditions:

1. The building construction materials are to meet a quality minimum of masonry.
2. All lighting on the property is required to be shielded or oriented in such a manner as to minimize glare or light trespass off the property.
3. That it is recognized that the Director of Resource Management can approve minor alterations in the approved plan administratively if the Director believes that the change is not substantive. Determination of whether a proposed change is substantive is solely the discretion of the Director.

Boyd Harris – Yes

Eric Kurzejeski – 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

Chairperson Harris informed the applicant that this request would move forward to the County Commission on Tuesday, July 28, 2020 at 7:00 pm and the applicants will need to be present.

## VII. Plats

1. Bower Estates. S36-T50N-R12W. A-2. Christopher and Ashley Bower, owners. Curtis Basinger, surveyor.

The following staff report was entered into the record:

The subject property is located between Columbia and Hallsville, approximately 5 miles north and south of each city, respectively. The property is located on Hague Road, 1200 feet south of its connection to Mount Zion Church Road, east of Route B. The property is 21.08 acres in size. This proposal divides it into three lots, two of them at 7.57 acres in size, and the last being 5 acres in size. The 5-acre lot has a house and several outbuildings present. The property is zoned A-2(Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

All three lots have direct access on to Hague Road, a publicly dedicated, publicly maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

The property is located in Public Water Service District #4, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

There is an existing on-site wastewater system for the house on lot 3. That system is actually located on lot 2. Successful relocation of that system will be required prior to County Commission approval of the plat.

The property scored 30 points on the rating system.

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

- a) That the existing on-site wastewater system be relocated in compliance with the proposed plat design prior to County Commission approval of the plat.

Commissioner Martin made and Commissioner McCann seconded a motion to approve Bower Estates with the following condition and to insert the staff reports into the record:

- a) That the existing on-site wastewater system be relocated in compliance with the proposed plat design prior to County Commission approval of the plat.

All members voted in favor.

## VII. Old Business

1. Update on Commission action.

Bill Florea updated the Commission of the decisions of the County Commission as follows:

The rezoning request by Virginia Dooley to rezone from C-GP to R-S at 4558 W Gibbs Road was recommended approval by the Planning and Zoning Commission, the County Commission upheld that recommendation.

The plats for: Bellaridge SD Plat 3, Champetra Lake North Section Two Replat, and B & B Subdivision were approved as recommended.

VIII. New Business

1. Annual Election of Officers

Chairperson Harris turned the meeting over to Bill Florea who opened the floor for nominations for Chairperson.

Commissioner Martin nominated and Commissioner Kurzejeski seconded Commission Harris to serve as Chairperson.

No other nominations were made

All members voted in favor of Commissioner Harris to serve as Chairperson.

Chairperson Harris opened the floor for nominations for Vice-Chairperson

Commissioner Koirtyohann nominated and Chairperson Harris seconded Commissioner Kurzejeski to serve as Vice-Chairperson.

No other nominations were made

All members voted in favor of Commissioner Kurzejeski to serve as Vice-Chairperson.

Chairperson Harris opened the floor for nominations for Secretary

Commissioner Koirtyohann nominated and Commissioner McCann seconded Commissioner Poehlman to serve as Secretary.

No other nominations were made.

All members voted in favor of Commissioner Poehlman to serve as Secretary.

2. Review of Bylaws

Bill Florea: It has been quite a while since we have updated the bylaws that the Planning and Zoning Commission operates under.

Chairperson Harris: It doesn't hurt for any Commission to take a look at those now and then.

Bill Florea: Paula will send them out to the Commission and if you have any comments or changes you want to see within the next two weeks you could get them back to us and we will go through them and do some housekeeping updates that are necessary and bring them back to the Commission at the August meeting.

IX. Adjourn

Being no further business the meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Secretary  
Michael Poehlman

Minutes approved on this 20<sup>th</sup> day of August, 2020

DRAFT