

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

<b>Minutes</b>	<b>7:00 P.M.</b>	<b>Thursday, February 18, 2021</b>
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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	Centralia Township
Michael Poehlman, Secretary	Rock Bridge Township
Gregory Martin	Katy Township
Steve Koirtyohann	Rocky Fork Township
Daniel Mings	Columbia Township

b. Members Present by Phone Conference:

Eric Kurzejeski, Vice Chairperson	Missouri Township
Bill Lloyd	Three Creeks Township
Randal Trecha	Cedar Township
Jeff McCann	County Engineer

c. Members Absent

Rhonda Proctor	Perche Township
Fred Furlong	Bourbon Township

d. Staff Present:

Bill Florea, Director	Thad Yonke, Senior Planner
Uriah Mach, Planner	Cece Riley, Planner
Paula Evans, Staff	

III. Approval of Minutes:

Minutes from the December 17, 2020 meeting were approved as presented by acclamation.

IV. Chairperson Statement

Chairperson Harris read the following statement:

The Boone County Planning & 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. 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 and all persons must wear a face mask and maintain 6-feet of physical distance from each other.

The planning and zoning commission makes recommendations to the county commission on matters dealing with land use. Tonight's agenda includes 2 Final Development Plans and six subdivision plats.

The following procedure will be followed:

The agenda item will be announced, followed by a report from the planning department staff.

The Planning and Zoning Commission will then make a motion to either approve or deny the agenda item. The Commission may approve the plats on a consent agenda.

All items that are recommended approval are forwarded to the County Commission where they will consider the items on Tuesday, March 2<sup>nd</sup>. The county commission meeting scheduled for Tuesday, March 2<sup>nd</sup> will begin at 7:00 p.m. and will convene in this same room. The County Commission hearing will also be held in compliance with the current Public Health Order and will be available by remote attendance.

Chairperson Harris asked the Commissioners attending remotely to state their name before speaking or making a motion.

Chairperson Harris stated he may change the hearing order of the agenda items.

## V. Planned Developments

1. Request by Enrich Investments LLC to approve a Final Development Plan for Shalimar Gardens Plat 1A located at 5175 N Hwy 763, Columbia.

Planner, Uriah Mach gave the following staff report:

The subject property is located at the southwestern corner of Shalimar Drive and Highway 763, is 1.68 acres in size and zoned C-G (General Commercial). Adjacent zoning is: C-G to the north, south, & west, with R-S (Residential Single-Family) to the southwest and the City of Columbia to the east. This property was rezoned from R-S to C-G in 1975 with all the adjacent C-G zoning. The property to the west received a conditional use permit for self-storage mini warehouses in August of 2015. A rezoning request and review plan were approved by the Boone County Commission under order 490-2020 in October of 2020. There is currently a 2920 square foot building on the property. The property scored 76 points on the rating system.

The approved rezoning request sought to rezone this property to M-LP and a approve a Review Plan that includes a 13,510 square foot addition to the existing building, parking, and buffering. A limited number of uses consistent with the M-L zoning district are proposed as Allowed Uses under the approved review plan.

Per Commission order 490-2020, the following conditions were placed on the approval of the review plan:

1. A vegetative buffer shall be installed along Shalimar Drive for purposes of softening the appearance of the property.
2. New construction on the site will maintain an exterior appearance consistent with the existing structures. Approved exterior building finishes and materials include metal panels, wainscot paneling, wood panels, stone/brick ledges, and glass windows.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identifies 3 criteria for approval:

- All the required information is accurately portrayed on the Plan
- The Final Plan conforms to the approved Review Plan

- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan

After a review of the submitted Final Plan, staff confirms that the plan accurately displays all required information and conforms to the approved review plan subject to the following understanding: the vegetative buffering on the northern side of the property will be installed to soften the appearance of the property and the exterior finishes will maintain an appearance consistent with existing structures. As building permits are issued for this property, civil engineering site plans will reflect compliance with the first condition, and exterior elevations and details on materials used will reflect compliance with the second condition.

Staff recommends approval of the final plan.

Commissioner Koirtyohann made and Commissioner Martin seconded a motion to approve the request by Enrich Investments LLC to approve a Final Development Plan for Shalimar Gardens Plat 1A located at 5175 N Hwy 763, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Michael Poehlman – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Jeff McCann – Yes	

Motion to approve the request passes unanimously

2. Request by Special Olympics Missouri to approve a Final Development Plan for Allen’s Ordinary located at 5491 E Bonne Femme Church Rd, Columbia.

Planner, Thad Yonke gave the following staff report:

The subject property is located near Bonne Femme Church Road, where it goes south from Tom Bass Road, west of Highway 63. In December 2020 the Planning and Zoning Commission recommended approval of a rezoning and a M-LP PID Review Plan for the property. The County Commission approved the rezoning and Review Plan, Commission Order 621-2020. The Review Plan was approved with the following conditions :

1. Distillery is to be removed from the list of allowed uses as it has not been shown that this use can be supported by the resources available to the site.
2. A dumpster location be shown on the graphic and the location shall have spill protection to the satisfaction of the Director of Resource Management.
3. Spill protection to the satisfaction of the Director of Resource Management shall be provided for the outdoor storage area.

The Zoning Regulations state that the Commission shall approve a Final Development Plan when it is satisfied that:

- All required information is accurately portrayed on the plan
- The Final Plan conforms to the approved review plan
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Review Plan.

Staff has reviewed the plan. All required information is accurately portrayed, and the plan conforms to the review plan subject to the following understanding: The spill containment areas required to comply with the conditions of approval have been shown diagrammatically on the graphic of the plan. When site development occurs civil engineering plans including stormwater will be required. As part of the civil engineering plans it is

expected that the diagrammatic spill containment area will be designed in detail to show how spill containment is to be achieved. Additionally, information needs to be provided as to how stormwater is handled within the spill containment area and how is the stormwater proposed to be kept isolated from any spillage contained that is occurring at the same time as the stormwater is present.

The conditions imposed by the County Commission have been complied with.

Staff recommends approval.

Commissioners discussed the sewer plan.

Commissioner Koirtyohann made and Chairperson Harris seconded a motion to approve the request by Special Olympics Missouri to approve a Final Development Plan for Allen's Ordinary located at 5491 E Bonne Femme Church Rd, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Michael Poehlman – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Steve Koirtyohann – Yes
Daniel Mings – Yes	Randal Trecha – Yes
Jeff McCann – Yes	

Motion to approve the request passes unanimously

Commissioner Kurzejeski lost connection and disconnected from the meeting.

## VI. Plats

The following five plats were placed on consent agenda:

1. The Estates Plat 2. S10/11-T47N-R13W. A-2. DNT Group, owner and Joanna M. Wilson Trust, owner. Jay Gebhardt, surveyor.

The following staff report was entered into the record:

The overall development of this project is generally located approximately 1000 feet to the east of the City of Columbia, across High Point Lane and ½ mile south of State Route K. The properties making up The Estates are zoned A-2P (Planned Agriculture) that went into effect in July of 2019. The zoning is A-2 to the north, east and west. The zoning immediately adjoining this plat to the east is A-2P and consists of Plat 1 of the development. A-2P (Planned Agriculture) and A-2 are the zonings to the south. This southern A-2P zoning is for Heatherhill Estates, which was finalized in December of 2016.

This is the second phase of the project to be platted to create lots and it contains seven lots and a new public roadway extension. This plat starts at the furthest west portion of the development property and comprises all of the land contained within the development proposals approved Final Plan that was not platted in Plat 1 with the exception that in addition to all the remaining unplatted ground one of the lots contained in Plat 1 is being replatted as part of this phase of development. This proposal covers 40.62-acres of the total development acreage of 54.21-acres. The property is served by Consolidated Public Water Service District #1, Boone Electric, BCFPD, and the BCRSD. Central sewer is required as are Fire Hydrants. A concurrent survey of adjoining property outside of the Final Plan area will be recorded along with the plat. The plat scored 69 points on the point rating system.

Staff recommends approval of the plat.

2. The Elms at Martin Ridge. S16-T47N-R13W. A-2. Stephen & Terry Martin, owners. Kevin Schweikert, surveyor.

The following staff report was entered into the record:

The subject property is located on Smith Hatchery Road, approximately  $\frac{3}{4}$  of a mile south of the city limits of Columbia. The property is approximately 32.5 acres in size and zoned A-2 (Agriculture). The property is zoned A-2 (Agriculture), and has A-2 zoning to the east, with A-1 (Agriculture) zoning to the north, south, and west. This property was rezoned from A-1 to A-2 in October of 2020.

This proposal seeks to divide 5 acres from the parent property and consolidate the remainder into a 27.5-acre survey tract. A boundary survey will be recorded concurrently with the plat to complete the consolidation process.

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

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

Residential development will require the use of an on-site wastewater system as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost/benefit analysis.

There is an accompanying boundary survey, consolidating the remainder of the parent property, to be recorded concurrently with the plat.

The property scored 59 points on the rating system.

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

3. Hunter Hills North. S19-T46N-R12W. A-2. Martin Builders, owner. Christopher Sander, surveyor.

The following staff report was entered into the record:

The subject property is located on State Route M, approximately  $2\frac{1}{2}$  miles to the west of the city limits of Ashland. The parent property is 10.04 acres in size and currently undeveloped. The parent tract was created as part of an administrative survey that divided a 90.21-acre property into several large tracts. This proposal creates two lots, one at 5 acres, the other at 5.04 acres, on the north side of State Route M. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

Both lots will have direct access and frontage on State Route M, a publicly dedicated, publicly maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District. It is served by a 3" waterline that is scheduled to be upgraded to an 8" line.

Wastewater treatment for either of these lots will be handled by an on-site wastewater system, constructed under permit from the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost/benefit analysis requirement.

The property scored 34 points on the rating system.

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

4. Hunter Hills South. S19-T46N-R12W. A-2. Martin Builders, owner. Christopher Sander, surveyor.

The following staff report was entered into the record:

The subject property is located on State Route M, approximately 2 ½ miles to the west of the city limits of Ashland. The parent property is 15.56 acres in size and currently undeveloped. The parent tract was created as part of an administrative survey that divided a 90.21-acre property into several large tracts. This proposal creates three lots, two at 5 acres, the other at 4.93 acres, on the south side of State Route M, near Cedar Tree Lane. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

One of the 5 acre lots will have direct frontage on to State Route M. The other 5-acre lot will have frontage on State Route M and Cedar Tree Lane. The 4.93-acre lot will have frontage on Cedar Tree Lane. Both State Route M and Cedar Tree Lane are publicly dedicated, publicly maintained rights-of-way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District. It is served by a 3” waterline that is scheduled to be upgraded to an 8” line on State Route M and a 3” waterline on Cedar Tree Lane.

Wastewater treatment for either of these lots will be handled by an on-site wastewater system, constructed under permit from the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost/benefit analysis requirement.

The property scored 34 points on the rating system.

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

5. Vedic Gardens. S28-T48N-R12W. A-R. Hindu Temple and Community, owner. Kevin Schweikert, surveyor.

The following staff report was entered into the record:

The subject property is located on E New Haven Rd and S Big Timber Dr, directly abutting the City of Columbia to the South. The property is zoned A-R (Agriculture-Residential) and has A-R zoning surrounding it to the north, west, and east, with R-S (Single Family Residential) zoning approximately 2,000’ to the north, and A-1 (Agriculture) zoning approximately 4,000’ to the east. The property is 8.69 acres in size, with a house and an accessory structure present. The proposal combines two lots, one of which was previously deemed “Not for Development.”

The proposed lot has direct access on E New Haven Rd and frontage on S Big Timber Dr. A note was added upon staff request to denote that no new driveways will be permitted off of New Haven Road. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Public Water Supply District #9, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

The proposed lot has a previously developed on-site wastewater systems, as permitted by the Columbia/Boone County Health Department at the time of original construction. Any further development on this property will require connection to public sewer. Boone County Regional Sewer District has lines to the north-west and north-east of the property and any further development will require connections to central sewer systems, applicants have been made aware. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 83 points on the rating system.

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

Commissioner Martin made and Commissioner Poehlman seconded a motion to approve, as recommended, the items on consent agenda:

All members voted in favor.

Commissioner Kurzejeski rejoined the meeting.

6. Woodlands Plat 6 Preliminary Plat. S27-T48N-R12W. A-R. Techficiency Properties, owner. Kevin Schweikert, surveyor.

Planner, Thad Yonke gave the following staff report:

The subject property is located on the north side of New Haven Road south of the existing termination of Turkey Trail Drive approximately 600 feet west of the intersection of New Haven Road and Rolling Hills Road. The site is directly across New Haven Road from the nearest municipal boundary of the City of Columbia. The property is zoned A-R (agriculture-residential) as is property to the west. Property to the north is mostly zoned A-R with a pocket of A-1 (agriculture). This A-1 zoning wraps around the eastern portion of the property. South of the subject property is inside the City of Columbia and is zoned City-A (agriculture). There are two small pockets of A-1 zoned properties flanking the subject properties frontage onto New Haven Road. The subject site is 52.80-acres and comprises the final phase of the initial buildout of The Woodlands subdivision. The subject property is vacant.

This proposal creates 29 house lots, two common lots and the extension of Turkey Trail Drive and two local public roads. The public roads consist of proposed Acacia Court on the west side of the extension of Turkey Trail Drive and proposed Acacia Loop on the eastern side of the extension. The applicant has requested a waiver to the traffic study requirement.

The property is in Public Water District #9 service area which will provide water to the development. Hydrants will need to be installed at maximum spacings of 500-feet in order to provide fire protection for all lots. The development is 2.7 miles from Boone County Fire protection station #12 and 4.8 miles from station #15. The development will get central sewer service from the BCRSD. The site is in Boone Electric's service area. The property scored 79 points on the rating system.

Staff recommends Approval

Commissioner Martin made and Chairperson Harris seconded a motion to approve, as recommended, The Woodlands Plat 6 Preliminary 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 for James & Martina Pounds to rezone from A1 to A2 at 5449 S Ben Williams Rd was recommended denial, the applicant appealed the decision to the County Commission who upheld the recommendation to deny the request. (The applicant submitted a rezoning request and review plan for A-2P which will be on the March agenda).

The rezoning requests for Special Olympics (Allen's Ordinary) to rezone from C-G to M-LP; Jess & Tammi Bunch to rezone from A-1 to A-2; and the rezoning request by Butch's Investments to rezone from A-1 to M-LP were all approved as recommended.

The plats that went forward to the County Commission were accepted.

## VIII. New Business

Bill Florea reminded the Commission that a work session to discuss proposed Wind Farm Regulations will be held next Thursday, February 25, 2021 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 18<sup>th</sup> day of March 2021