

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

**Minutes**

**7:00 P.M.**

**Thursday, April 15, 2021**

I. Chairperson Harris called the meeting to order at 7:00 p.m. with a quorum.

II. Roll Call:

a. Members Present:

Boyd Harris, Chairperson	Centralia Township
Rhonda Proctor, Acting Secretary	Perche Township
Gregory Martin	Katy Township
Bill Lloyd	Three Creeks Township
Randal Trecha	Cedar Township
Steve Koirtyohann	Rocky Fork Township
Fred Furlong	Bourbon Township
Jeff McCann	County Engineer

b. Members Absent

Eric Kurzejeski, Vice Chairperson	Missouri Township
Michael Poehlman, Secretary	Rock Bridge Township
Daniel Mings	Columbia Township

c. 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 March 18, 2021 meeting were approved as presented 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 one conditional use permit request, two rezoning requests, two planned developments and four plats.

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

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

The following procedure will be followed:

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 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 may be 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, April 27<sup>th</sup>. 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, April 27<sup>th</sup>** will begin at 7:00 p.m. and will convene in this same room. That meeting will also be conducted in compliance with the current Covid-19 health order and may use the same format as this meeting.

## V. Conditional Use Requests

1. Request by Con-Agg Companies LLC on behalf of Mertens Construction for a conditional use permit to extend an existing, previously approved rock quarry on 14 acres located at 2201 W Williams Rd, Sturgeon.

Uriah Mach gave the following staff report:

The subject property is located on Williams Road adjacent to the Riggs quarry operated by Con-Agg Companies. This site is located approximately 7 miles east of Harrisburg, on Williams Road, and about 2 ½ miles the west of U.S. Highway 63. This subject property is 14 acres in size and has a scale house in the southwest corner of the property. The property is adjacent to a quarry operated by the applicant. The conditional use permit for that quarry operation was most recently issued in 1999, but the quarry appears to have been in operation prior to 1973. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

The applicant is requesting a conditional use permit to expand an existing quarry site by adding the subject property to the quarry area. This site will be used for overburden stockpiling. Staff notified 6 property owners about this request. The property scored 28 points on the point rating system.

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

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

If operated in conformance with existing county and state 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.

This conditional use permit allows for expansion of the overburden storage area on the adjacent property. It does not modify the existing conditional use permit on the quarry. Screening to limit the visual impact of this activity on adjacent properties is recommended as a condition to ensure the proposed conditional use will not be injurious to the use and enjoyment of other properties in the vicinity.

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

The use of this site is an activity that is already occurring on the primary quarry site to the east. Screening to limit the visual impact of this activity on adjacent properties is recommended as a condition to ensure the proposed conditional use will not be injurious to the value of other properties in the vicinity.

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

The subject property is located on Williams Road, a publicly maintained roadway. All necessary facilities will be available as they are for the adjacent quarry conditional use permit.

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

The use of this property, to store overburden, is subordinate to the existing quarry. The quarry is a longstanding feature and helps to define the character of this area. The addition of the use proposed by this CUP, as conditioned, will not impede the normal and orderly development in the area.

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

The subject property is located on Williams Road, a publicly maintained roadway. The use of this site for overburden storage should not have any measurable impact to traffic.

(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-2 zoning district.

Zoning Analysis: The applicant is requesting a conditional use permit to provide a supporting use for the conditional use permit on the adjacent quarry property. While the proposed activity is itself not particularly offensive, visual screening to limit its impacts is appropriate in maintaining the existing character of the area.

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

1. That a screening plan be submitted to the Director of Resource Management that screens the property to the west and south, limiting any visual impact of this activity.
2. That the use of this property be limited to the identified use as an overburden storage area. Any modification of that use will require a new conditional use permit.
3. That a 50' setback from property lines for storage of overburden material be established along the west and south.

Present representing the request:

Ryan Sutherland, 13074 Santa Fe Rd, Boonville  
Garth Adkins, Con-Agg, 903 Westwind Dr, Centralia

Garth Adkins: We are looking at adding the 14 acres only for overburden. The house that is shown on the aerial was tore down in spring of 2019. We are only going to use this area to stockpile overburden. It is close to the current mine area it will also open the mine up and give us more room to operate and make things safer for the miners. We won't have high walls straight up and down, we can fence those and not worry

about falling rock. We don't plan on adding access to the property from Williams Road and there will be no more traffic than there already is.

Ryan Sutherland: We are not modifying any of our mining operations, truck traffic, scale, location, road entrances or anything. All we are going to do is pile. When we refer to overburden that means the dirt, clay and some rock that comes off the top of the rock that will be stockpiled in accordance with Missouri Land Reclamation regulations; it will be graded, sloped and seeded.

Chairperson Harris: There will be no spoils from the current operation.

Garth Adkins: No.

Chairperson Harris: Will the property be accessed through the existing operation?

Garth Adkins: Yes. There is currently a road going around the quarry and the road will continue around to access the 14 acres.

Chairperson Harris: Is that the western extent of the quarry property?

Garth Adkins: Yes. We plan to continue the big berm parallel to Williams Road to minimize the eyesore of the quarry.

Chairperson Harris: Will you be using the overburden to construct the berm?

Garth Adkins: Yes.

Commissioner McCann: To confirm, Williams Road will not be used to haul or run equipment?

Garth Adkins: We won't be venturing west from the main quarry gate any further.

Open to public hearing.

No one spoke in favor of the request:

Present with a question:

Irmajean "Jeannie" Walter, 2 McGregor Lane, Columbia

Jeannie Walter: It sounded like they were going to be using this for storage and coming in from the back way to store things. Is that correct? They aren't going to be blasting? If that is what they stated I would like to know if at some point in time they can move beyond that to do blasting in that area or is it limited to just storage until they get further permission?

Bill Florea: There is a condition that limits the use to the storage of stockpiling of the overburden only and no quarry activity.

Jeannie Walter: Could that change?

Bill Florea: Only through another public hearing like this.

Present speaking in opposition:

Dawn Hodge-Branson, 2520 W Williams Rd, Sturgeon

Dawn Branson: I listened to the staff report and some statements were not true. The statement that there would be no impact to the area, no impact to the property value, and no impact to the families that live there are not true.

Closed to public hearing.

Chairperson Harris: To answer Ms. Walter's question, this will only be for the use of storing overburden?

Garth Adkins: Yes. If we paid a bunch of money to move a bunch of dirt on top of the rock we will never go back and get the rock. We have no intention of ever mining that property.

Commissioner Koirtyohann: How high will the berm be?

Garth Adkins: I believe the existing berm is 75 feet from toe to peak. We will probably continue that same contour.

Chairperson Harris: Does the shelf go under the 14 acres or is that the area where the rock is not used.

Garth Adkins: I think we ran into a lot of problems in the past and that is why the original stockpile is where it is. It was deemed not worth their time to go west.

Ryan Sutherland: There are hundreds of thousands of yards of dirt already piled to the west of our pit.

Chairperson Harris: I believe this quarry was started by Russell Dodd. There has been a quarry on this property for well over 50 years, in the neighborhood where people have moved and built.

Ryan Sutherland: Con-Agg acquired the quarry in January 2018 from Merten's Construction, we still operate under their conditional use permit.

Chairperson Harris: Is there blasting every day?

Ryan Sutherland: We do not crush there all the time, we are not crushing there currently we run it intermittently for three or four months and then move out. When we are in there operating we shoot about once a day.

Commissioner Lloyd: (To the audience) For any change it has to come back and there is a record that says they aren't going to do anything further with it. There is some comfort in that.

Commissioner Martin made and Commissioner Koirtyohann seconded a motion to approve the request by Con-Agg Companies LLC on behalf of Mertens Construction for a conditional use permit to extend an existing, previously approved rock quarry on 14 acres located at 2201 W Williams Rd, Sturgeon with the following conditions:

1. That a screening plan be submitted to the Director of Resource Management that screens the property to the west and south, limiting any visual impact of this activity.
2. That the use of this property be limited to the identified use as an overburden storage area. Any modification of that use will require a new conditional use permit.
3. That a 50' setback from property lines for storage of overburden material be established along the west and south.

Boyd Harris – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Fred Furlong – Yes
Randal Trecha – Yes	Jeff McCann – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicants that this request would go to the County Commission on Tuesday, April 27, 2021 and the applicants need to be present for the hearing.

## VI. Rezoning Requests

1. Request by T-Vine Enterprises to rezone from A-2 (agriculture) and R-D (Two-Family Residential) to R-DP (Planned Two-Family Residential) and to approve a review plan on 4.45 acres located at 4650 E Ketterer Rd, Columbia.

Planner, Uriah Mach gave the following staff report:

The subject property is located at the end of Glen Meadows Drive, just south of Ketterer Road. The property is 4.45 acres of a 75.93-acre parent parcel. The subject property is split-zoned R-D (Residential-Duplex) to the east, and A-2 (Agriculture) to the west. There is R-MP (Planned Residential Multi-Family), R-DP (Planned Residential-Duplex), and R-S (Residential Single-Family) to the south, A-2 to the west and north, and A-2 to the east. The A-2 to the east is proposed as R-SP, but the final plan has yet to be filed for this site. This proposal rezones the property to R-DP (Planned Two-Family Residential), proposes 21 lots, and extends Glen Meadows Drive to Ketterer Road.

The property scored 71 points on the rating system.

The Master Plan designates this property as suitable for agriculture and 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. The sufficiency of resources test provides a “gatekeeping” 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: Public Water Supply District 4 provides water service. The subdivision will receive sewer service from the City of Columbia via a sewer main that was constructed for this project. A revised annexation agreement was executed on November 25, 2011. The agreement dictates conditions under which sewer service will be provided to the property. Boone Electric will provide power.

Transportation: A traffic impact analysis was completed in 2000, which identified several offsite road improvements. Those improvements were linked to a development phasing plan so that construction of the improvements would occur concurrently with the phase of the development that created the impact that was being mitigated.

Public Safety Services: The property is approximately 1.5 miles from the Boone County Fire station on Route HH. The water lines in the development will provide the necessary fire flows.

Zoning Analysis:

This phase of the Settlers Ridge completes the connection of Glen Meadows Drive to Ketterer Road. That road connection enhances the transportation network. Scheduled improvements, identified in the traffic impact analysis and triggered by this phase, mitigate traffic impacts attributed to this development. The triggered road improvements that are associated with this phase of the development are to construct an extended right turn lane at the Northeast corner of Route B and Ketterer Road and improve Ketterer Road between North Browns Station Road & Route B to a Major Collector standard with shoulders.

Staff recommends approval of the rezoning request.

Staff recommends approval of the review plan and preliminary plat with the following conditions:

1. The triggered improvements to Ketterer Rd and the intersection of Route B & Ketterer Road are to be completed or bonded prior to submission of the Final Plan and Final Plat.

Present representing the request:

James Jeffries, Allstate Consultants, 3312 LeMone Industrial Dr, Columbia  
Brent Elliott, 3312 LeMone Industrial Dr, Columbia

James Jeffries: We have been working with T-Vine Development for about 20 years on this project. This is an extension of some affordable homes on smaller lots. The development is turning out really nice. Connecting to Ketterer Road will be a plus and the road will be improved. According to the 2016 traffic count, Ketterer Road carries 41 cars per day, that will probably increase. We filed a final plat on Plat 4 which is to the east and it goes along Brown Station Road, the construction plans are ready to go and the plan is to go ahead and get the construction plans for this extension and do it all at the same time.

Chairperson Harris: This is just the next phase in the development.

James Jeffries: Pretty much. We originally had residential lots on one side, regular 75 to 80-foot lots but these smaller lots are working out pretty well.

Chairperson Harris: How many houses will go in here?

James Jeffries: They are only 900 – 1000 square feet homes with a garage; they have shared driveways between the houses. It is something you might see in the downtown area, it works well for people that don't want to maintain a large yard. Some houses will be single-level and the smaller houses will be 2-story.

Commissioner Martin: What improvements will be made to Ketterer Road prior to this? It sounds like the intersection at Ketterer and Route B will be improved.

Uriah Mach: Yes, right-hand turn lanes and Ketterer will be brought up as a major-collector street with shoulders.

Commissioner Koirtyohann: We will have more left hand turns off Ketterer Road onto Route B.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Trecha made and Commissioner Lloyd seconded a motion to approve the request by T-Vine Enterprises to rezone from A-2 (agriculture) and R-D (Two-Family Residential) to R-DP (Planned Two-Family Residential) on 4.45 acres located at 4650 E Ketterer Rd, Columbia.:

Boyd Harris – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Fred Furlong – Yes
Randal Trecha – Yes	Jeff McCann – Yes

Motion to approve the request passes unanimously

Chairperson Harris made and Commissioner McCann seconded a motion to approve a review plan by T-Vine Enterprises on 4.45 acres located at 4650 E Ketterer Rd, Columbia with the following condition:

1. The triggered improvements to Ketterer Rd and the intersection of Route B & Ketterer Road are to be completed or bonded prior to submission of the Final Plan and Final Plat.

Boyd Harris – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Fred Furlong – Yes
Randal Trecha – Yes	Jeff McCann – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicants that this request would go to the County Commission on Tuesday, April 27, 2021 and the applicants need to be present for the hearing.

2. Request by Danny Hill to revise a previously approved review plan for Lot 4, Concorde South Plat 2, zoned M-GP (Planned General Industrial) on 1.82 acres located at 4775 E Meyer Industrial Dr, Columbia.

Planner, Uriah Mach gave the following staff report:

The subject property is 1.82 acres in size and located approximately 1/4 mile south of Columbia, on Meyer Industrial Drive. The property is zoned M-GP(Planned General Industrial). There is M-LP (Planned Light Industrial) & M-L zoning to the north, with M-GP zoning to the east, south and west. The M-LP was rezoned in 2012. The M-GP was also rezoned in 2012. This site's review plan was revised and finalized in late December of 2017. The M-L is original 1973 zoning. The property is currently vacant.

The property is located inside the Columbia school district and the Boone County Fire Protection District. The Master Plan describes this area as being suitable for residential land use. Staff notified 36 property owners about this request.

The applicants are requesting a revision to the current M-GP plan for a sports training/recreation facility. The new proposal is for a substantially smaller building with office and warehouse uses for Elite Orthopedics.

The Boone County Master Plan identifies this area as being suitable for residential land uses. The Boone County Master Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. The sufficiency of resources test provides a “gatekeeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

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

Transportation: The property has direct access on to Meyer Industrial Drive, a publicly-dedicated, publicly-maintained Right of Way.

Public Safety: The property is located in the Boone County Fire Protection District, with the station on Tom Bass Road being closest for service.

Zoning Analysis: This revision of the previously approved plan is appropriate. The allowed use list is reasonable and limited to office and warehouse uses, consistent with the overall area. The proposal meets the requirements of a revised review plan and the desired use is reasonable when considering the overall character of the area.

The property scored 83 points on the rating system.

Staff recommends approval of the revised review plan.

Present representing the request:

John Simon, Simon & Associates, 210 Park Ave, Columbia

John Simon: We have been involved with the project, both the original and the subsequent project.

Commissioner Trecha: This will be used as a sports-training facility?

John Simon: No, the original application was for a sports-training facility; this is for offices for Elite Orthopedic for storage and things.

Chairperson Harris: Will there be much traffic in and out?

John Simon: Very little, I think they have five employees and occasionally a few doctors come in to look at product.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Martin made and Commissioner McCann seconded a motion to approve the request Danny Hill to revise a previously approved review plan for Lot 4, Concorde South Plat 2, zoned M-GP (Planned General Industrial) on 1.82 acres located at 4775 E Meyer Industrial Dr, Columbia:

Boyd Harris – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Fred Furlong – Yes
Randal Trecha – Yes	Jeff McCann – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicants that this request would go to the County Commission on Tuesday, April 27, 2021 and the applicants need to be present for the hearing.

## VII. Planned Developments

1. Request by James Pounds to approve a Final Development Plan on 19.2 acres located at 5449 S Ben Williams Rd, Columbia.

The following staff report was entered into the record:

The subject property is located at the northwest corner of the intersection of Ben Williams Road and Bass Lane, approximately 2 miles to the east of the city limits of Columbia. The parent property is 29.2 acres in size and zoned A-1(Agriculture). The applicant sought a rezoning from A-1(Agriculture) to A-2(Agriculture) in December of 2020 and that request was denied by the Planning & Zoning Commission and the County Commission. The property is surrounded by A-1 zoning, except for a 3.01-acre lot that was rezoned to A-2(Agriculture) in December of 1980.

A rezoning request and review plan were approved by the Boone County Commission under Order 130-2021 in March of 2021. The commission order granted the applicants request to rezone this property to A-2P and approved a Review Plan which would allow subdivision of the property into two lots. The plan shows one lot at 9.16 acres and the other at 8.18 acres.

Per Commission order 130-2021, there were **no** conditions placed on the approval of the review plan

The Boone County Zoning Ordinance, Section 6.2.14 states that the Commission shall approve a Final Development Plan when it is satisfied the following criteria:

- 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, if any, which the County Commission may have imposed on the Final Plan

After reviewing the submitted Final Plan, staff confirms that the plan accurately displays all required information and conforms to the approved Review Plan.

Staff recommends approval of the final plan.

Commissioner Martin made and Chairperson Koirtyohann seconded a motion to approve the final development plan for James Pounds

All members voted in favor by consent.

2. Request by Capital Land Investments to approve a Final Development Plan for Club Car Wash on 7.89 acres located at 1591 E Prathersville Rd, Columbia

The following staff report was entered into the record:

The subject property is located on Prathersville Road, between Prathersville's intersections with Highway 63 and Rangeline/Highway 763, approximately 400 feet from the city limits of Columbia. The property is 7.89 acres in size and zoned M-LP (Planned Light Industrial). This property was rezoned from R-M (Residential Moderate-Density) to M-LP in two stages, with the eastern portion filing a review plan in 1993, and the western portion added under a revised review plan in 1995. The M-LP zoning from 1995 was finalized by the County Commission under order 233-95. There is M-LP zoning to the west, R-M zoning to the east, north, and south, C-G (General Commercial) zoning to the southeast, and M-L (Light Industrial) zoning on the south side of Prathersville Road. The M-LP to the west was created in 2003, the C-G was rezoned in 2018, and the M-L and R-M are original 1973 zonings. The property scored 83 points on the point rating system.

A Revised M-LP Review Plan was approved on this property in March of 2021 under Commission Order 131-2021. That commission order also included the two following conditions:

1. That exterior storage be struck from the list of approved uses.
2. That the landscaped buffer described will be installed prior to the final inspection of the proposed building or within one year of issuance of the land disturbance permit, whichever occurs later.

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 final plan. All information is accurately portrayed on the plan and conforms with the approved review plan. The first condition has been met by striking the exterior storage use. The second condition remains, as it is depending on development activity on the site. Site development will be required to include action to meet the requirements of the second condition.

The conditions set by the review plan approval are either met or will be met as part of the development process.

Staff recommends approval of the final plan with the following condition:

1. That the landscaped buffer described will be installed prior to the final inspection of the proposed building or within one year of issuance of the land disturbance permit, whichever occurs later.

Commissioner Koirtyohann made and Chairperson Harris seconded a motion to approve the final development plan for Capital Land Investments with the following condition:

1. That the landscaped buffer described will be installed prior to the final inspection of the proposed building or within one year of issuance of the land disturbance permit, whichever occurs later.

All members voted in favor by consent.

## VIII. Plats

The following plats were placed on consent agenda:

1. Central Bridge Subdivision Plat 2. S19-T49N-R12W. M-LP. Capital Land Investment LLC, owner. David Borden, surveyor.

The following staff report was entered into the record:

The subject property is located on Prathersville Road, between Prathersville's intersections with Highway 63 and Rangeline/Highway 763, approximately 400 feet from the city limits of Columbia. The property is 7.89 acres in size and zoned M-LP (Planned Light Industrial). This property was rezoned from R-M (Residential Moderate-Density) to M-LP in two stages, with the eastern portion filing a review plan in 1993, and the western portion added under a revised review plan in 1995. The M-LP zoning from 1995 was finalized by the County Commission under order 233-95. There is M-LP zoning to the west, R-M zoning to the east, north, and south, C-G (General Commercial) zoning to the southeast, and M-L (Light Industrial) zoning on the south side of Prathersville Road. The M-LP to the west was created in 2003, the C-G was rezoned in 2018, and the M-L and R-M are original 1973 zonings.

The property scored 83 points on the point rating system.

This proposal consolidates the site into a single platted lot from pieces of two older survey tracts.

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

The property is in the Columbia Water & Light service area, the Boone Electric service area, and the Boone County Fire Protection District.

The property is served with central sewer by the Boone County Regional Sewer District.

Staff recommends approval of the final plat and the requested waiver.

2. Ben Williams Corner. S01-T47N-R12W. A-2P. James & Martina Pounds, owners. Kevin Schweikert, surveyor.

The following staff report was entered into the record:

The subject property located at the northwest corner of the intersection of Ben Williams Road and Bass Lane, approximately 2 miles to the east of the city limits of Columbia. The proposal divides off two lots from the parent parcel. Lot 1 being 9.16 acres and Lot 2 being 8.18 acres. The 10.00 acres remainder will be divided by administrative survey recorded concurrently. There is currently a single-family dwelling and inground pool located on the remainder of the parent tract. This property has a proposed zoning change from A-1 (Agriculture) to A-2P (Planned Urban Agriculture) and is surrounded by A-1 zoning.

The subject property has direct access on Ben Williams Rd and Bass Ln, both publicly maintained roadways. The applicant has submitted a request to waive the traffic study requirement.

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

Any residential development on this site will require the installation of an on-site wastewater treatment system under permit with the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 38 points on the rating system.

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

3. Windy Ridge. S24-T46N-R13W. A-2. Roger & Kathy Kliethermes, owners. Ronald Kliethermes, surveyor.

The following staff report was entered into the record:

The subject property is located on Route M along the northern boundary of the lot, approximately 4 miles southwest of the city limits of Ashland. This proposal divides off 6.13 acres from the parent parcel onto Lot 1, and the remainder is 20.28 acres. There is a house on Lot 1 and an accessory structure present. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

The subject property has direct access on to Route M, publicly maintained roadway. The applicant has submitted a request to waive the traffic study requirement.

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

Lot 1 has a previously developed on-site wastewater system, as permitted by the Columbia/Boone County Health Department at the time of original construction. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 33 points on the rating system.

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

4. Settler's Ridge Plat 5 Preliminary Plat. S09-T49N-R12W. T-Vine Enterprises, owner. James Jeffries, surveyor.

See staff report under rezoning request.

Commissioner Koirtyohann made and Commissioner McCann seconded a motion to approve, as recommended, items on consent agenda

All members voted in favor.

## VII. Old Business

Update on Commission action.

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

The rezoning request for James Pounds from A1 to A2P was approved as recommended. The final development plan was on tonight's agenda.

The rezoning request for Capital Land Investment (Club Car Wash) was approved as recommended. The final development plan was on tonight's agenda.

The request to revise a review plan by Old Hawthorne (WW Commercial) was approved as recommended.

The plats that went forward to the County Commission were also approved.  
(Arrowhead Lake Estates Plat 2-B, D & D Ridge Plat 1 & Jennings Subdivision)

#### VIII. New Business

Bill Florea stated that the Planning and Zoning Commission held their first public hearing to hear comments on Wind Farm Regulations on April 8, 2021. The hearing went well, we heard from both sides and everyone was cordial and polite. The next public hearing will be Tuesday, April 20, 2021 at 6:30 PM at the Harrisburg High School gymnasium. There will be no video or phone conference capability at this location.

#### IX. Adjourn

Being no further business, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Secretary  
Rhonda Proctor, Acting-Secretary

Minutes approved on this 20<sup>th</sup> day of May 2021