

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, September 15, 2022
----------------	------------------	-------------------------------------

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
Eric Kurzejeski, Vice Chairperson	Missouri Township
Steve Koirtyohann	Rocky Fork Township
Daniel Mings	Columbia Township
Kevin Harvey	Rock Bridge Township
Jeff McCann	County Engineer

b. Members Absent

Gregory Martin, Secretary	Katy Township
Bill Lloyd	Three Creeks Township
Fred Furlong	Bourbon Township
Randal Trecha	Cedar Township
Rhonda Proctor	Perche Township

c. Staff Present:

Bill Florea, Director	Thad Yonke, Senior Planner
Uriah Mach, Planner	Andrew Devereux, Planner
Paula Evans, Staff	

III. Approval of Minutes

Minutes from the August 18, 2022 meeting were approved as presented by acclamation.

IV. Chairperson Statement

The following statement was entered into the record:

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.

The planning and zoning commission makes recommendations to the county commission on matters dealing with land use.

Please note that the Boone County Zoning Regulations and Subdivision Regulations are considered to be a part of the record of these proceedings.

The following procedure will be followed:

This meeting is being conducted in compliance with County Commission order 443-2021 which recommends all persons who have not completed their COVID-19 vaccination process, and who are 10 years of age or older, continue to wear a face mask in any public areas of the Government Center.

We will follow a partial virtual format. Several Commissioners are present in the Chambers. Additional 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. Members of the public who are attending by phone will be muted.

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.

Items that are recommended approval are forwarded to the County Commission where they will consider the items on Tuesday, September 27th. The County Commission meeting scheduled for Tuesday, September 27th will begin at 7:00 p.m. and will convene in this same room.

V. Planned Developments

1. Request by Uptown Investments to approve a Final Development Plan for The Cedars on 65.5 acres located at 2350 N Whitewater & 2480 N Slickrock Dr, Columbia (Pending A-RP zoning)

The following staff report was entered into the record:

This property adjoins the municipal limits of the City of Columbia to the west and is located approximately 1000 feet north of the intersection of St. Charles Road and Whitewater Drive. The property is in the Hinkson Creek Watershed. The current property consists of two parcels. One parcel is 36.30-acre and the other 29.20-acre. The current zoning of the subject property is A-2 (Agriculture) which is the original zoning. Property to the west is in the City of Columbia and is the site of Battle High School and a city park, to the north the zoning is an original A-2, to the east R-SP (planned residential single family) rezoned in 2014, and to the south A-RP (planned agriculture-residential) rezoned in 1999. The approved rezoning and review plan shows 52 residential lots with seven common lots and one not-for-development transfer to an adjoining lot. The rezoning and review plan was approved by the County Commission in August 2022 under order 412-2022. The property scored 78 points on the rating system.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 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

Three conditions were placed on this plan under County Commission order 412-2022:

1. Draft covenants and provisions for maintenance of the common lots must be provided reviewed and approved prior to any submission of any Final Plats for this development.
2. The sidewalk/pedestrian facilities are a specific provision of this plan and are required regardless of lot size.
3. The transportation per lot fee of \$2990 or other amount set by the County Commission will be paid with the submission of each Final Plat of the development.

After review, staff found that the proposal meets the criteria for a Final Plan. The conditions have specific triggers that will come with the platting process.

Staff recommends approval of the Final Plan.

Chairperson Harris made, and Commissioner Harvey seconded a motion to approve the request by Uptown Investments to approve a Final Development Plan for The Cedars on 65.5 acres located at 2350 N Whitewater & 2480 N Slickrock Dr, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Steve Koirtyohann – Yes	Daniel Mings – Yes
Kevin Harvey – Yes	Jeff McCann – Yes

Motion to approve the Final Development Plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, September 27, 2022 at 7:00 PM.

2. Request by Butch’s Investments to approve a Final Development Plan for Butch’s Investments 163 on 22.08 acres located at 5450 E Highway 163, Columbia. (Pending M-LP zoning)

The following staff report was entered into the record:

The subject property is located on Route 163, approximately 1300 feet west of US Highway 63, approximately 1 mile south of the city limits of Columbia. The property currently has an existing accessory building present. The subject property is 22.09 acres in size and zoned A-1 (Agriculture) and has a pending M-LP (Planned Light Industrial) rezoning. There is A-1 property to the south, east, and northwest, REC-P (Planned Recreation) to the west, and M-L (Light Industrial) zoning to the north and northeast.

In 2016, the subject property and the adjacent 10.04-acre tract to the east were part of a Planned Light Industrial (M-LP) rezoning request that was denied by the Planning & Zoning Commission. The subject property then proposed for a M-LP (Planned Light Industrial) rezoning in September of 2020. That request was denied by the Planning & Zoning Commission. The subject property submitted a new rezoning request and review plan for the December 2020 agenda, and it was approved under County Commission order number 623B-2020. Then in 2022, the subject property had a revised review plan submitted that included two design options. The new proposal was approved under County Commission order number 360-2022. The subject property is in the Bonne Femme Watershed, a studied environmentally sensitive area, and the Devil’s Icebox recharge area. The property scored 55 points on the rating system.

The applicant has submitted a final plan for the proposal. This final plan locks in the previously approved rezoning and allows the property to be divided and developed in a manner consistent with the approved review plan.

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

1. All the required information is accurately portrayed on the Plan
2. The Final Plan conforms to the approved Review Plan

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

After review of the submitted Final Plan, staff has found that the plan meets these three criteria and is ready for approval by the Planning & Zoning Commission.

Staff recommends approval of the final plan.

Commissioner Harvey made, and Commissioner McCann seconded a motion to approve the request by Butch's Investments to approve a Final Development Plan for Butch's Investments 163 on 22.08 acres located at 5450 E Highway 163, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Steve Koirtyohann – Yes	Daniel Mings – Yes
Kevin Harvey – Yes	Jeff McCann – Yes

Motion to approve the Final Development Plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, September 27, 2022 at 7:00 PM.

VI. Plats

The following plats were placed on consent agenda:

1. Schotte Lane Subdivision. A-2. S6-T48N-R13W. Leeta Dell Cunningham Family Revocable Trust, owner. Kevin Schweikert, surveyor.

The subject property is located at the intersection of Schotte Lane and West Jacobs Lane, just over a mile away from the municipal boundaries of the City of Columbia. The proposal seeks to create a 5.03-acre one lot subdivision from a parent parcel of 80 acres. The proposed subdivision lot is zoned A-2 and surrounded by A-2 zoning to the south, east, and north across West Jacobs Lane. Single Family Residential R-S zoning and Moderate Density Residential R-M zoning is present to the west of the proposed lot on the other side of north Schotte Lane. The A-2 zoning is original 1973 zoning. The R-S and R-M zoning was a rezoning action approved in 1976 under County Commission Order 76-14.

The proposed subdivision lot has direct access onto Schotte Lane and West Jacobs Lane. No driveway access exists to serve the proposed lot. The plat dedicates Right of Way along both Schotte Lane and West Jacobs Lane. The applicant has submitted a written request to waive the traffic study requirement.

Consolidated Water provides water service for the area. A 2-inch water main is currently present on the property. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection. The nearest station, Station 9, is just under a mile away.

The applicant proposes utilizing an onsite wastewater lagoon that will be permitted by the Director of Resource Management. The applicant has submitted a written request to waive the sewer cost/benefit analysis requirement.

The property scored 44 points on the rating system.

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

2. Baumgartner Subdivision. A-2. S12-T49N-R14W. Steven & Elizabeth Baumgartner & Eric & Kristen Taylor, owners. Kevin Schweikert, surveyor.

The subject property is located off of north Nature Lane, about 5 miles to the northwest of the boundary of the City of Columbia. The property is located within a A-2 zoning district and surrounded by A-2 zoning on all sides. The A-2 zoning is original 1973 zoning. The proposal is to create a 2.50-acre lot after right of way dedication out of a parent parcel of 43.88 acres. An existing residential dwelling and barn are present on the property and reside on the land proposed to be subdivided.

The proposed subdivision lot has road frontage along north Nature Lane, a Boone County maintained roadway. The subdivision plat shows a dedication of road right of way equal to 33' halfwidth. A driveway off north Nature lane currently serves the existing house. The applicant has provided a written request to receive a waiver from the traffic study requirement.

Consolidated Water provides water service for the area. An existing 6-inch water line is present along north Nature Lane. Boone Electric provides electric for the area. The Boone County Fire Protection District provides fire protection. The nearest station, Station 13, is about 3 and a half miles away.

An existing conventional septic system serves the house. The proposal also included a wastewater plan to show where a potential lagoon would go on the property should the septic system fail or need replacements. The applicant has provided a written request to receive a waiver from the sewer cost benefit analysis.

The applicant received a variance for the existing house within the 50' building setback for the A-2 zoning district under case number 2022-005 from the Board of Adjustment with a "as is, where is" condition.

The property scored 30 points on the rating system.

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

3. Stone Estates Plat 1. A-2. S34-T50N-R14W. Megan Stone & Gregory Morton, owners. Jay Gebhardt, surveyor.

The subject property is located on Sweringen Road, approximately 900 feet to the east of the intersection of Sweringen Road, State Route J, and Conrad Road. The parent parcel is 19.64 acres in size with a house and accessory buildings present on the property. The property is zoned A-2(Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

The proposed plat divides the parent parcel into one 8.55-acre lot and a 10.54-acre lot (containing the existing home and accessory buildings).

Both proposed lots have direct road frontage on to Sweringen Road, a publicly dedicated and publicly maintained right-of-way. The applicant has requested a waiver to the traffic study requirement.

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

The existing house has an on-site wastewater system and any development of the smaller lot will require an on-site system built under permit with Boone County. The applicant has submitted a request to waive the wastewater cost-benefit analysis requirement.

The property scored 41 points on the rating system.

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

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

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 & review plan for Robert Kilgore/CoMo West Storage was approved as recommended.

The rezoning request for Boone Development was approved as recommended.

The rezoning request & review plan by DF Clark & Sons (Marsh Commercial) was recommended approval; the item went before the County Commission who denied the request.

The rezoning request & review plan by Uptown Investments (The Cedars) was approved as recommended.

The plats for Liddell & Davis Plat 2, Westbrook Drive Plat 1, Via Subdivision, Lone Wolf Point, and Willow Creek Plat 2 were approved.

VIII. New Business

1. Solar Regulations

Director, Bill Florea stated that the final draft was given to the Commission. If there are no questions or discussion on the draft, then the next step is to schedule public hearings if the Commission believes they are ready to take the draft to public hearing. Three public hearings are required; one will take place during the regular Planning and Zoning Commission meeting, one in the north part of the county and one in the south part of the county. Staff will schedule these and inform the Commission of the dates.

2. Subdivision Regulations Update

Director, Bill Florea stated that staff previously sent the document “Key Changes to the Subdivision Regulations – Narrative” to the Commission. Mr. Florea stated that there were still items that decisions needed to be made on but due to the fact that we have new Commissioners and that it has been quite a while since this process was last discussed, staff will do a quick refresher of some sections. Mr. Florea highlighted the sections that staff believes should be reviewed and asked that the Commission again review the Narrative and let staff know if they would like to review any additional sections.

IX. Adjourn

Being no further business, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Secretary
Erik Kurzejeski, Acting-Secretary

Minutes approved on this 20th day of October 2022