

# BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER  
ROOM 214, 801 E. WALNUT ST, COLUMBIA, MISSOURI  
(573) 886-4330

Minutes

7:00 P.M.

Thursday, October 17, 2024

## I. CALL TO ORDER

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

## II. ROLL CALL:

### a. Members Present:

Boyd Harris, Chairperson	Centralia Township
Eric Kurzejeski, Vice Chairperson	Missouri Township
Gregory Martin, Secretary	Katy Township
Steve Koirtyohann	Rocky Fork Township
Randall Trecha	Cedar Township
Rhonda Proctor	Perche Township
Kevin Harvey	Rock Bridge Township
Jeffrey Ehimuh	Columbia Township
Jeff McCann	County Engineer

### b. Attending by Phone:

Robert Schrieber	Three Creeks Township
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### c. Absent

Christy Schnarre	Bourbon Township
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### d. Staff Present:

Bill Florea, Director	Thad Yonke, Senior Planner
Andrew Devereux, Planner	Roy Kroeger, Onsite Wastewater Coordinator
Paula Evans, Staff	Nicki Rinehart, Stormwater Coordinator
Tracy Read, Building Inspector	

## III. APPROVAL OF MINUTES

Minutes from the September 19, 2024 meeting were approved as presented by acclamation.

## IV. CHAIRPERSON STATEMENT

Chairperson Harris gave the following statement:

The October 17, 2024 meeting of the Planning and Zoning Commission is now called to order.

Notice of this meeting has been posted in accordance with State and local laws.

The Boone County Planning and Zoning Commission is an advisory commission to the County Commission and makes recommendations on matters dealing with land use. The commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission may follow Robert's Rules of Order or its own by-laws. The by-laws provide that all members of the commission, including the chairperson, enjoy full privileges of the floor and may debate, vote upon, or make any motion.

The following procedure will be followed:

Announcement of each agenda item will be followed by a report from the planning department staff. After the staff report, the applicant or their representative may make a presentation to the Commission. Then, 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. Individuals that neither support nor oppose a request may 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. We ask that you please not be repetitious with your remarks. The Chairperson may implement time limits per speaker at any time during the meeting. Some issues can be quite emotional but please be considerate of everyone and refrain from applause, cheers, or other signs of support or displeasure.

Please give your name and mailing address when you address the commission and sign the sheet on the table after you testify. We ask that you turn off or silence your cell phones; for those waiting in the hall, please be considerate of the meeting taking place and keep conversations to a minimum. Those attending the meeting by phone, please mute your phone until it is your time to speak during the public comment portion of the meeting.

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 the public hearing is closed no further comments will be permitted from the audience unless requested by the Commission. The applicant will 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 a motion will be made for a recommendation to the County Commission.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, November 12, 2024 at 7:00 PM. Interested parties will be able to comment on the requests at that time. The vote on discretionary items, such as rezonings and conditional use permits will not be taken at that hearing; those items will be scheduled for a second reading at a future hearing, the date of the second reading will be announced at the meeting on the 12th. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to do so.

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. There will be no further public notification due to the short time between the hearing tonight and the County Commission hearing.

The Boone County Zoning and Subdivision Regulations are hereby made a part of the record of these proceedings.

## **V. CONDITIONAL USE PERMIT REQUESTS**

**1. Request by Little Bay Farm & Michele Jackson Trust for a conditional use permit for an equine boarding facility and indoor riding arena Agriculture (A-1) zoning district on 91.55 acres located at 3900 S Ben Williams Rd, Columbia. (open public hearing)**

Planner, Andrew Devereux gave the following staff report:

The subject properties are located off South Ben Williams Road, approximately 660 feet north of the intersection of S Ben Williams Road and E Rosadene Lane. The property is zoned Agriculture 1 (A-1) and is surrounded by A-1 zoning on all sides. The zoning is original 1973 zoning.

The Conditional Use Permit request encompasses all 41.55 acres owned by Little Bay Farm LLC and 10 acres currently owned by the Michele Jackson Trust. The proposal is to construct a 44-stall horse boarding facility with indoor riding area on the 10-acre property currently owned by the Jackson Trust. The applicant has indicated that the building will be constructed with 24 horse stalls for the initial operation with future expansion to 44 horse stalls. The 41.55 acres owned by Little Bay Farms LLC will be used as additional riding and horse exercising area as well as hay fields to produce feed for the animals. The applicant has requested that the hours of operation for the facility range from 7 AM to 10 PM.

The subject properties are currently undeveloped. The application indicates that should the Conditional Use Permit be approved by the Planning and Zoning and County Commissions, the applicant will purchase the ten acres from the Jackson Trust.

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.

Equine boarding facilities have the potential to create negative offsite impacts such as odor from animal waste and traffic to and from the site. If developed in compliance with current County regulations and with appropriate conditions as part of approval of the conditional use permit, this proposal can meet this criterion for approval.

- (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.

Surrounding properties are either large lot residential, undeveloped open space, or used for agricultural activity. If operated with appropriate conditions, impacts to surrounding property owners should be minimal.

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

Similar horse boarding and training facilities have been approved under the conditional use permit process in Agriculture zoned districts. There is no evidence that approval of this type of land use or their continued operation impairs property values.

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

The applicant has indicated that they are currently working with design consultants to design a building and ensure all associated infrastructure will be present on site. Outdoor lighting will be installed for security and accessibility purposes. Any light generated by the facility should be inward facing and downward to minimize light pollution onto neighboring properties.

No public sanitary sewer is available to serve the property. Domestic waste will require the use of an engineered onsite wastewater system. The applicant indicated that animal waste will be stored and composted on site to utilize as fertilizer for hay fields. The application submittal does not include an area identified to store and compost the waste.

Section 14 D. (7) of the Zoning Ordinance states that “lots utilized as Equine Boarding Facilities, Animal Training Facilities or Riding Schools shall not require a dust free surface unless specifically required by the terms of a Conditional Use Permit.” Staff review of previous conditional use permits, related to equine land uses, demonstrates a customary practice to not require dust free material for parking and drive surfaces.

In this case the applicant has identified that no more than 44 stalls will be constructed for the facility, limiting the number of horses on site. The applicant has also indicated that no other activity than the boarding and exercising of animals will occur on the property. Based on the limitations, requiring dust free material for all parking and drive be dust free may not be appropriate in this case.

- (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.

All surrounding properties are zoned A-1. Similar types of development such as barns and riding areas are common in this zoning district. Construction of a horse boarding facility is unlikely to prevent normal and orderly development of the surrounding properties.

- (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 applicant has indicated that they will secure an access easement from the Jackson Trust for site access to S Ben Williams Road, a publicly maintained road. The applicant has indicated that they believe the increase in traffic on the road would be minimal and not enough to increase congestion on the road. With appropriate condition that limits the scale of the operation, traffic impacts should be minimal.

- (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.

This proposal can, in all other respects, conform to the applicable regulations of the zoning district in which it is located.

Zoning analysis: This Conditional Use Permit is a request for an equine boarding facility and indoor riding area located within an A-1 zoning district. Horses are a common feature of a rural lifestyle. However, concentration of these animals above the maximum permitted use of 6 horses may create conditions that are harmful to the wellbeing of the animals and have negative impacts to surrounding property owners.

This request can meet all the criteria for approval of a conditional use permit if appropriate conditions are applied. If operated in a manner consistent with county regulations and conditions imposed by Planning and Zoning and County Commissions, impacts to neighboring properties should be minimal.

The proposal scored 34 points on the point rating system. Staff notified 16 property owners about this request.

Staff recommends approval of the Conditional Use Permit for an equine boarding facility with the following conditions:

1. The equine boarding facility is designed by a design professional licensed to practice in the State of Missouri.
2. An engineered subsurface wastewater system is utilized for all domestic, or human, wastewater and be installed before occupancy of the equine boarding facility is granted.
3. All outdoor lighting shall be inward and downward facing.
4. Parking spaces required under Section 14 of the Zoning Ordinance shall be installed before occupancy of the equine boarding facility is granted.
5. An animal waste plan, developed in accordance with industry best practices, shall be submitted to the Director of Resource Management concurrent to an application for a building permit to construct the facility. The animal waste plan must identify an area designated for composting.
6. The maximum number of horses on the properties will be 44.
7. Hours of operation will be 7 AM to 10 PM.

Present representing the request:

Andrew McCarney, owner, 800 Gray Oak Dr, Columbia

Andrew McCarney: The staff report covered everything pretty well. During the application process there was a little bit of confusion because the intention was to have the entire 91.5 acres included in the conditional use permit; the 51-acre parcel will also be included. I think the confusion came when I said I would buy the 10-acre parcel so we could build. The rest of the 50 acres is under a lease agreement with future plans to build.

Our initial plans are to build a 24-stall barn, fully enclosed with an attached indoor arena. We asked for 44-stalls in order to add additional stalls in the future so I didn't have to come back through the process again in case we had a huge waiting list. Initially it is just 24-stalls and a 200 x 80 indoor arena.

Right now, Columbia only has a few equine facilities in the area, one just shut down – not for financial reasons – which has caused a lot of people to not have a place to board their horse. I have heard of people traveling 30-45 minutes just because there is nothing in the Columbia area available. There is a facility not too far from this site and she currently has about 50-horses boarding and she said her waiting list has never been longer so there is definitely a need for this.

There was something mentioned in the staff report regarding the wellbeing of the horses, the horses are going to have 90-acres to graze. They will be outside all day and then come in at night. All of the stalls are going to have runs on the back so the horses can go outside when they want to; if the weather is bad, we can shut the doors so they are warm inside. I can't think of any other facilities in the area that are going to have a heated barn with an attached indoor arena, it would allow them to ride in the winter and in the rain.

Chairperson Harris asked staff about the acreage included in the request.

Thad Yonke: Public notice was based on the perimeter of both tracts.

Commissioner Harvey: Are the applicants okay with the conditions?

Andrew McCarney: I just realized that I misspoke, I said we had plans to build on the 50-acres and that is not correct; we have plans to purchase it but it will all remain pasture. I believe the conditions are acceptable. I've had a few meetings with staff and none of the conditions are a surprise to me.

Commissioner Kurzejeski: The staff report indicated that the application was for boarding and exercise. Do the applicants plan any type of events or riding lessons? In the past we have had some issues where there has been congestion on county roads with trucks with horse trailers. Are the applicants just doing boarding and riding?

Andrew McCarney: Exercising will consist of just letting the horses out in the pasture; we currently have no plans to do any events. We definitely don't want to do lessons. I think our clientele are going to be more on the competitive aspects of horses; they will all be seasoned riders that are serious about what they are doing and know what they are doing. We don't have plans to do any training or lessons.

Chairperson Harris: The applicants are going to purchase the 10-acres and that is where the new facilities are going to go. The thing that concerns me is that the drawing that is in our packet there will be a private driveway coming back to the new barn. What is the access to the new barn?

Andrew McCarney: It would be that property. We would get an easement from the trust. There is already an access to the 40-acres to the north.

Chairperson Harris: Does the north end of the 10-acres tie into an existing access point on the north parcel?

Andrew McCarney: No, the driveway that is constructed by the pond, we don't have any plans to connect the two. We would like the barn to have its own, separate entrance.

Commissioner Kurzejeski: Does the access stem just serve this property or does it also serve the piece to the south?

Andrew McCarney: It is just that 50-acres.

Chairperson Harris: There was discussion in the staff report about not having a requirement for dust-free surface and that is fine. What are the specifications for the drive as far as width and surfacing and is it going to be adequate for emergency services?

Andrew McCarney: It will be at least a two-lane width. A lot of these people are going to have trailers, it will be wide enough.

Chairperson Harris: The applicant will have to pay close attention to the lighting condition (condition 3) so as not to upset the neighbors.

Commissioner Proctor: Is the stem going to be a problem?

Thad Yonke: The stem will not be able to be part of the 10-acre tract; it will have to stay with the larger tract.

Commissioner Harvey: Will the road width be part of the building permit review?

Bill Florea: There will be fire code applicability on the building, so yes, it will have to meet a minimum width and will have to support a 50,000-pound vehicle.

Andrew McCarney: I spoke with Gale Blomenkamp with the Fire District; we are so early in this process that we don't have blueprints from the architect yet so it is difficult to get anything pinned down.

Commissioner Koirtyohann: How big is the arena going to be?

Andrew McCarney: About 200 x 75.

Open to public hearing.

No one spoke in favor of the request.

Present, speaking in opposition:

Dee Dokken, 804 Again St, Columbia

Dee Dokken: I am concerned about more facilities for horses because that means more horses using Cedar Creek trail. I think it would be better if we weren't encouraging overusing the trails and causing stream erosion.

Closed to public hearing.

Andrew McCarney: This barn is going to be English sport focused; we don't have trail riders. The closest they will get to trail riding is maybe riding on the horse when they are going around the pasture.

Commissioner Harvey made, and Commissioner Trecha seconded a motion to approve the request by Little Bay Farm & Michele Jackson Trust for a conditional use permit for an equine boarding facility and indoor riding arena Agriculture (A-1) zoning district on 91.55 acres located at 3900 S Ben Williams Rd, Columbia, with the following conditions:

1. The equine boarding facility is designed by a design professional licensed to practice in the State of Missouri.
2. An engineered subsurface wastewater system is utilized for all domestic, or human, wastewater and be installed before occupancy of the equine boarding facility is granted.
3. All outdoor lighting shall be inward and downward facing.
4. Parking spaces required under Section 14 of the Zoning Ordinance shall be installed before occupancy of the equine boarding facility is granted.
5. An animal waste plan, developed in accordance with industry best practices, shall be submitted to the Director of Resource Management concurrent to an application for a building permit to construct the facility. The animal waste plan must identify an area designated for composting.
6. The maximum number of horses on the properties will be 44.
7. Hours of operation will be 7 AM to 10 PM.

Boyd Harris – Yes  
Greg Martin – Yes  
Randal Trecha – Yes  
Kevin Harvey – Yes  
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes  
Steve Koirtyohann – Yes  
Rhonda Proctor – Yes  
Robert Schreiber – Yes  
Jeff McCann – Yes

Motion to approve the conditional use permit request passes unanimously

Chairperson Harris stated that these requests would go before the County Commission on Thursday, November 12, 2024 at 7:00 PM.

**2. Request by Branch Towers on behalf of Drake Maupin LLC for a conditional use permit for a 280' transmission facility on 232.53 acres located at 10900 E Rob Cook Rd, Centralia. (open public hearing)**

Planner, Andrew Devereux gave the following staff report:

The subject property is located near the intersection of State Route Z and Rob Cook Road, approximately 6 miles east of the city limits of Columbia. The tax parcel is 70.50 acres in size and currently zoned A-1 (Agriculture) and is surrounded by A-1 zoning. This is all original 1973 zoning. This tax parcel is part of a 232-acre tract. The property is currently vacant, it scored 17 points on the point rating system. Branch Towers is applying for a conditional use permit for a 280' guyed communications tower.

A description of the lease area site has been submitted by the applicant in the application materials. The lease area for the tower is 3,600 square feet out of the 232-acre parent tract with easement areas for the guy supports and an access/utility easement to serve the tower. The proposal for a transmission facility is for a 280' monopole tower and lightning rod, three guy wire supports and support facilities. The applicants have met the submission requirements identified for a conditional use permit for a transmission facility

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.

If operated in conformance with existing regulations, this use should not be injurious to the use & enjoyment of other property in the immediate vicinity for purposes already permitted by the regulations. This tower is of a height that lighting will be required per Federal Aviation Administration regulations at the midpoint and the top of the tower. Public testimony may be indicative as to whether this criterion can be met.

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

The application meets this criterion as per the zoning ordinance Section 15B section 4, subsection (e). However, this is a purely technical analysis as constructed by the regulations. 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 use has limited needs with respect to utility infrastructure and so the site has adequate facilities to support the proposal.

(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 placement of this facility 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.

The proposed use is a minimal traffic generator and should not hinder traffic or cause congestion on public streets.

(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. Public necessity has been discussed by the Federal Telecommunications Act of 1997 to allow for widest dissemination of wireless communication services.

Zoning Analysis: This conditional use permit application meets the standards established by the Boone County Zoning Ordinance for a transmission facility.

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

1. All tower lighting shall be red unless prohibited by Federal Regulations.

Present representing the request:

Troy Williams, 7335 S Lewis Ave #300, Tulsa, OK

Troy Williams: This was a government project put out to many people to bid to provide wireless communication services in rural areas in Missouri. Our company got 10-sites awarded to us, there are two in Boone County. We are also doing two additional sites in a rural area for connectivity so there isn't a gap. It is an unmanned facility; once it is permitted it takes about 30-45 days to build. Then about once every two months they will come out and inspect the site.

We are only fencing a 50 x 50 area around the compound even though we did a 60 x 60 because we maintain the weeds and grass. This is all farmland, there is a lot of heavy equipment so we put it back off the road so they could get all their farming in and do as little a footprint on the property itself.

The FAA requires any tower over 200-feet to be lit; the requirement we received from the FAA approval was white light during the day and red at dusk and evening; it is a dim red light, the white light flashes and during the day it doesn't affect you but at night the red is a dim pulse. The staff report mentioned a 280-foot monopole, but it is actually a guyed tower.

There is little to no coverage in this area, the first carrier is going to be T-Mobile and I am doing sites for AT & T and Verizon so hopefully we will get a second and third carrier on this tower soon. The tower is structurally designed for four carriers so we can always enhance that if another carrier comes to the market. It will provide cellular, data, broadband and Wi-Fi and 911 services for emergency.

Chairperson Harris: Is this one of those requests that the State mandates?

Troy Williams: State and Federal. It is very rural out there and I talked to a couple of people and no one really got back with me but I did speak with Lindell Perry, it took a little bit but we worked everything out.

Chairperson Harris: Will access to the tower site be a gravel road?

Troy Williams: Yes, it will be gravel with crushed rock to keep it packed in and we will maintain that road as well. There is a power pole about 50-feet from the entrance and we will bring power from there and there is Socket fiber that runs down Rob Cook Road.

Open to public hearing.

No one spoke in favor of the request.

Present, speaking in opposition to the request:

Dave Schuab, 11400 E Zaring Rd Columbia.

Dave Schuab: I just wish it wasn't in my backyard.

Chairperson Harris: Do you live nearby?

Dave Schuab: Yes, I am on Zaring Road.

Closed to public hearing.

Commissioner Trecha: Do we have to resolve the issue of lighting? One of the conditions was red light only.

Chairperson Harris: It also says unless prohibited by Federal regulations. The FAA is going to trump anything that the Commission will prescribe.

Bill Florea: Correct, that is why the condition is written the way it was so they are not in conflict with the Federal regulations but if there is no conflict they will do as the Commission wishes.

Chairperson Harris: The applicant is bound by the FAA as to what the lighting can be.

Troy Williams: We are bound by the FAA and FCC. On the FAA approval they came back with dual-mode lighting. We would much rather just do red because costs are double for dual-mode. I am going to ask them again because it will save us.

Commissioner Ehimuh: How dim are the lights? Do they blink in intervals?

Troy Williams: Yes. During the day you really don't notice them, the red light at night is dim, it is not a flash it is just a pulse and not very fast.

Commissioner Schrieber made, and Commissioner Proctor seconded a motion to approve the request by Branch Towers on behalf of Drake Maupin LLC for a conditional use permit for a 280' transmission facility on 232.53 acres located at 10900 E Rob Cook Rd, Centralia, with the following conditions:

1. All tower lighting shall be red unless prohibited by Federal Regulations.

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the conditional use permit request passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Thursday, November 12, 2024 at 7:00 PM.

## VI. REZONING REQUESTS

### 1. Request by Refaat Mefrakis & Corban Ali Fadiah to rezone from Planned General Commercial (C-GP) to Planned Single-Family Residential (R-SP) and to approve a review plan for The Haven at Newtown on 0.2 acres located at 6725 S New Town Ave, Columbia. (open public hearing)

Planner, Andrew Devereux gave the following staff report:

The subject property is located off S Newtown Avenue, between W Three Trees Lane and W Center Street. A strip of property measuring 22' by 82' across W Three Trees Lane is also part of this request. The proposal is to rezone from Planned General Commercial (C-GP) to Planned Residential Single Family (R-SP) and utilize the density of the planned area to construct three single family attached dwellings. The surrounding zoning is as follows:

- North, across Route K, R-SP
- East, C-GP
- South, R-SP and C-GP
- West, R-SP

The subject property was rezoned from Agriculture 2 (A-2) to C-GP under County Commission order #339-98. The original planned development for Newtown included two planned areas designated as “A” and “B”. Area A is between Coneflower Avenue and Newtown Avenue with both attached and detached single family homes zoned R-SP. Area B is east of Newtown Avenue and west of Coneflower and flanked Area A on either side and zoned C-GP. Area A included two commercial lots at the intersection of Center Street and New Town Avenue identified as lots C-2 and C-3. Both commercial lots were limited to uses of the Neighborhood Commercial (C-N) districts, with up to two residential apartments per commercial lot. While residential development occurred with Area A, neither of the commercial lots identified as C-2 and C-3 on the original Newtown plan developed. The current owners of lot C-2 have requested a change in zoning from C-GP to R-SP and utilize remaining density of the planned area to construct three single family attached dwellings. Four additional parking spaces will be installed on the strip of property across from W Three Trees Lane.

The Boone County Master Plan designates this area as being suitable for residential land uses. The 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 resources are in place to support a 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 within Consolidated Water Supply District #1. The Water District has indicated that sufficient flows are available to support both residential use and fire flows. Boone Electric Cooperative provides power service. Both Boone Electric and Consolidated Water have indicated that service lines located within the portion of property across Three Trees Lane may need to be relocated depending on the grading of the property.

The Boone County Regional Sewer District provides sanitary sewer service in the area. The Sewer District has indicated that capacity for property exists at the South Route K facility for the three proposed single-family dwellings.

Transportation: The property has direct access onto Newtown Avenue, a publicly maintained roadway. County engineering staff have evaluated the proposed single access for the development onto Newtown Avenue and have indicated there is adequate spacing for driveway access. The applicant has proposed four additional off-street parking spaces along the strip of property across W Three Trees Lane. The original development plan utilized this strip of property for off street parking requirements for the proposed commercial development. Utilization of this strip for parking for the current proposal of residential development is unusual but is in line with the intended development of the property.

Public Safety: The Boone County Fire Protection District provides fire protection. The nearest station, Station 8, is approximately 1.9 miles away.

Zoning Analysis: This request is to modify an existing planned development and change the use from commercial to residential. After review of the proposed review plan and rezoning request, this proposal does meet the sufficiency of resources test. A change from C-GP to R-SP will match the neighboring zoning districts and provide a similar pattern of single family attached development present in the area.

The property scored 70 points on the rating system. Staff notified 118 property owners regarding this request.

Staff recommends approval of the review plan and rezoning request with the following acknowledgments:

1. The applicant will work with utility providers to determine if existing underground utility lines shown on the plan must be relocated before paving of the parking spaces along W Three Trees Lane.
2. Occupancy of the residential structures will be contingent on installation of the four parking spaces identified off W Three Trees Lane.

Present representing the request:

Jay Gebhardt, A Civil Group, 3401 W Broadway Business Park Ct, #105, Columbia  
Refaat Mefrakis, 7351 E New Haven Rd, Columbia

Jay Gebhardt stated he had nothing to add unless the Commission had questions.

Commissioner Trecha: Are these one or two-story?

Jay Gebhardt: They are townhomes so they are two story; they will have a garage and one entrance onto New Town Drive.

Commissioner Ehimuh: Will the homes match the other homes in the area?

Jay Gebhardt: There is a mixture of homes in the neighborhood from single-family to two-family attached; these will be three-family attached homes.

Chairperson Harris: Will these be rentals?

Jay Gebhardt: Yes.

Commissioner Kurzejeski: Will there be any defined crosswalks on Three Trees?

Jay Gebhardt: There are no plans for that, there is a sidewalk along New Town; Three Trees is really an alley instead of a street.

Commissioner Koirtyohann: How many bedrooms?

Refaat Mefrakis: They are three-bedroom.

Commissioner Koirtyohann: It looks like there will be eight parking spaces total?

Refaat Mefrakis: Yes. It should meet the requirements by the county.

Thad Yonke: We don't allow them to count the space in front of the garage; that doesn't mean that people won't park there.

Commissioner Koirtyohann: Odds are it is going to be students which means it will probably be three vehicles per unit.

Thad Yonke: One space on the other side of the road and one space in the garage is the two required and then, theoretically, you have one more space if they park in front of the garage.

Jay Gebhardt: The original NewTown plan counted on-street parking. What we are doing is a lot less intense. Parking was always intended on New Town Drive as part of the development.

The applicants presented a picture of the proposed townhouse. (attached to end of minutes)

Chairperson Harris: Does the land area to the south get into the stream buffer the way it is contoured or is it just excess yard?

Jay Gebhardt: It is just excess yard. Because of where we were required to put the driveway on New Town it forced the units to the north part of the lot. The south part of the lot will be lawn.

Commissioner Ehimuh: Will the area be fenced?

Refaat Mefrakis: I don't think so; it will be open area, it will have a continuation of the sidewalk as well.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Trecha made, and Commissioner Kurzejeski seconded a motion to approve the request by Refaat Mefrakis & Corban Ali Fadijah to rezone from Planned General Commercial (C-GP) to Planned Single-Family Residential (R-SP) on 0.2 acres located at 6725 S New Town Ave, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the rezoning request passes unanimously

Chairperson Harris made, and Commissioner Harvey seconded a motion to approve the request by Refaat Mefrakis & Corban Ali Fadiah to approve a review plan for The Haven at Newtown on 0.2 acres located at 6725 S New Town Ave, Columbia, with the following conditions:

1. The applicant will work with utility providers to determine if existing underground utility lines shown on the plan must be relocated before paving of the parking spaces along W Three Trees Lane.
2. Occupancy of the residential structures will be contingent on installation of the four parking spaces identified off W Three Trees Lane.

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the review plan passes unanimously

Chairperson Harris stated that these requests would go before the County Commission on Thursday, November 12, 2024 at 7:00 PM.

**2. Request by CKL Property Management LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Light Industrial (M-LP) and to approve a review plan for 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia. (open public hearing)**

Senior Planner, Thad Yonke gave the following staff report:

The subject property is located at the immediate eastern corner of the intersection of Sunny Vale Dr and I-70 Drive SE. The overall property is 4.10-acres in size and comprises Lots 125, 126, 127 of Sunrise Estates Subdivision as recorded in the Boone County Recorder of Deeds Book 7, Page 46. The eastern half of the property, Lots 125 & 126 are zoned Planned Commercial (C-GP) with allowed uses limited to only a display lot or parking lot. This rezoning was from the Residential Single-Family (R-S) zoning that predominates the neighborhood and occurred in 2011. The western half of the property is zoned General Commercial (C-G) and is a 1973 original zoning as are all the following:

- North – (Across I-70) Agriculture 2 (A-2)
- East – R-S
- South – Residential Moderate Density (R-M) & R-S
- West – R-S

The property contains a commercial building originally built in the 1960's and a non-conforming Billboard. The property obtained a conditioned variance from the Boone County Board of Adjustment (BOA) for the encroachment of the existing building into the required 25-foot perimeter setback. The variance is conditioned with the "As-Is-Where-Is" provision.

The proposal is to rezone the entire property to Planned Industrial (M-LP) to allow a Landscaping Contractor's office and supply yard for a portion of the site and an Insulation Contractor's office and warehouse for the other. In addition to these uses, the proposed allowed uses list includes office building, retail store, and lumber yard amongst others.

This proposal is an intensification of the use of the property and while staff can support the request, that is contingent upon infrastructure upgrades. Previous efforts to intensify use of the property were limited due to inadequate infrastructure. The reason the current C-GP zoning is so restricted is that it lacked commercial fire flows at that time. That condition persists today.

The remodeling of the building and division into suites will require an Architect to do plans and an evaluation of the building which will need to meet current commercial building codes through a remodeling permit. While served currently by public central sewer, we have been informed that the legal division of the commercial building into a space to serve multiple businesses will trigger a development agreement between the property owner and the Boone County Regional Sewer District (BCRSD). Stormwater detention is proposed to be provided by the existing detention basin and system from the previous commercial development. That system, which was not fully implemented, will now need completion as part of this proposal.

The Boone County Master Plan identifies this area as being suitable for residential land uses, but also acknowledges that where changes are proposed to commercial or industrial uses this should be done as a planned rezoning such as proposed here. The 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. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The property is in Public Water Supply District #9. The Water District has indicated that the water infrastructure is insufficient to support commercial or industrial uses or fire flows. The district has indicated that a water line will need to be extended, as shown on the plan, from across I-70 to provide commercial fire flow.

Boone Electric Cooperative provides service to the site and area. The Boone County Fire Protection District (BCFPD) has indicated that the project will need to meet commercial fire flows and likely require a sprinkler system. Wastewater service will be from Boone County Regional Sewer District (BCRSD) but, as mentioned previously, the multiple business redevelopment of the site will require a development agreement. Additionally, there may be some system improvements that likely will be at the developer's expense that need to be finalized. The Stormwater plan and improvements required of the previous approved plan were not fully implemented and will need to be completed with this redevelopment.

Transportation: The property has direct access to two publicly maintained roadways. The site currently has four driveway connections: one on Sunny Vale Dr. with the other three on I-70 Drive SE. The Missouri Department of Transportation (MoDot) has requested that the westernmost entrance be eliminated as part of this redevelopment as it is too close to the intersection of Sunny Vale Dr. and I-70 Drive SE. This would leave two connections to the outer road and one from Sunny Vale Dr. County Design & Construction/Engineering has also commented that this westernmost entrance on the outer roadway is too close to the intersection to meet County standards and requests the elimination of the entrance as part of the redevelopment approval.

Public Safety: The property is in the Boone County Fire Protection District with the closest station being Station 1 at 2.5 miles away by roadway across I-70.

Zoning Analysis: This proposal is to intensify the uses of the property to those from the Industrial categories as opposed to the commercial and limited commercial uses currently allowed. This is appropriate for the property as long as adequate infrastructure is in place. The property scored 70 points on the rating system.

With the proposed conditions the proposal will meet the sufficiency of services test and will not be out of character with the area.

Staff recommends approval of the rezoning request and review plan subject to the following condition:

1. All agreements and documentation related to the provision of sewer service be completed to the satisfaction of the BCRSD and the Director of Resource Management prior to submission of the Final Development Plan.
2. That it is recognized that additional hydrant/water improvements are required as part of the approval and must be worked out to the satisfaction of Water District 9, BCFPD and the Director of Resource Management.
3. The westernmost entrance onto I-70 Drive SE must be removed in cooperation with MoDot & Boone County Design & Construction to the satisfaction of the Director of Resource Management.
4. Submit a detailed Landscaping Plan that includes species, size, and provisions to replace dead vegetation for the proposed screening along the 6-foot security fence along I-70 Drive SE that is acceptable to the Director of Resource Management prior to submission of the Final Plan.
5. Some landscaping/plantings be proposed as part of the Landscaping Plan for the area between the building south wall and the adjoining R-M property to the south to increase neighborhood compatibility. This plan shall include species, size, and provisions to replace dead vegetation that is acceptable to the Director of Resource Management prior to submission of the Final Plan.
6. The Stormwater controls for the site are required to be installed and completed in compliance with the plans previously approved for the site and must be implemented to the satisfaction of the Director of Resource Management.

Present representing the request:

Benjamin Ross, Engineering Surveys & Services, 1113 Fay St, Columbia  
Josh Lange, owner, 7400 I-70 Drive SE, Columbia  
Rick DeLargg, SiteOne, 1049 Parkwood Ct

The applicants gave a power point presentation which is attached at the end of these minutes.

Benjamin Ross: The applicant purchased the property in 2023 and has been working to make improvements ever since. The previous owner stored semi-trucks and other broken-down vehicles. There is quite a bit of light industrial zoning to the east of this property and there is other commercial zoned property along the outer road to the east and west.

The two general commercial zoned properties to the west were rezoned, the one in 2021 is a commercial building that was used for commercial purposes since 1938. The property next door to that one was zoned residential for a long time and they wanted to rezone to commercial in 2023. Both of those requests failed the sufficiency of resources tests but the zoning was approved. There was only a 2.5-inch diameter water main across the front but neither of them were requesting a new building. The applicants are also not requesting a new building under this proposal.



As the staff report mentioned, the parking lot and display is the only thing allowed in the existing C-GP zoning of this property. The previous tenant was recreational vehicles sales and they had RV's parked on the lot. The proposed tenant is SiteOne Landscape supply. They are a wholesale landscaper and have over 700 stores nationwide. The applicants are not proposing any new buildings, any new building would have to come back for Commission approval.

SiteOne's existing location in Chesterfield has fenced in outside storage with screening on the fence and that is proposed for this project as well. There will be a small office, a wholesale warehouse, fenced outdoor storage and general warehouse use.

There will be two tenants in the building; the existing building will have a firewall down the middle and the eastern half will be SiteOne and the western half will be Walsh Insulation Services, which is one of the businesses owned by the applicant. They will have a small office for accounting and payroll processing and most of the building is warehouse. They do large, commercial HVAC work, their clients include the University of Missouri. They don't make any product here; they just store their products and take them to the construction site. The proposed allowed uses are shown on the review plan and are restricting the uses that the applicants need.

One of the fences at another SiteOne location is chainlink with plastic slats through them for visual screening. The slats also have a security component because it is harder to climb a fence with those slats on it.

I do want to talk about the western driveway, it connects to a MoDOT outer road and we recognize that MoDOT can order us to close that driveway at any time; I will talk more about that later. The eastern side of the site will predominately be outdoor storage, the county previously approved some stormwater design that the applicant will have to bring to current standard. We are planning to pave, everything that is gravel today will be paved with a dust-free surface.

The staff report mentioned our unanimous approval from the Board of Adjustment for the 25-foot yard setback. The existing building was built in the 1960's and it's 6-8 feet off the property line. The western driveway has been there since the 1960's, it serves the loading docks on the west side of the building. MoDOT has an access management guideline for how close the driveway can be to the side street and it is too close, but it has been there for 60 years. I had to ask about that because there is a difference between asking and requiring. MoDOT said it would be nice if we closed it, they aren't requiring us to close the driveway and I specifically talked to Trent Brooks who is the Central District Traffic Engineer and I asked him if we have to close it and he said no. MoDOT very rarely forces you to close a driveway and if it is a problem they would take us to court and get a court order and force us to close it, but he said it is not really a problem now. MoDOT is not forcing us to close this driveway.

Every now and then the applicants get large trucks that come to their sites to drop off materials and those trucks could potentially be forced to make a multi-point turning movement on the residential street to get in or maybe drive around the block through the neighborhood to come in and back into the loading docks on the west side of the building. If MoDOT is requiring this to be closed, we would not support the condition to close the driveway. Some of the benefits of that particular road is that there are no driveways on the far side so you don't have conflicting turning events or conflict points from vehicles coming and going from the other side of the road. (The applicant showed an aerial photo from 2002 and pointed out there are semi-trucks at the loading docks).

Semi-trucks have been going to this site since the 1960's; the route they may take if the western driveway is closed is to come down Sun Valley through the neighborhood up to Sunny Vale and back into the western loading dock. The applicants feel this is worse than keeping the driveway that has been there for 60 years.

To provide some history on the site, an aerial from 1962 shows nothing out there, I-70 was only two lanes at the time, no homes were built, and the subdivision plat included this large commercial lot. The 1968 aerial photo shows the current building, the homes were all built and there were very few trees; it was a brand new neighborhood and I-70 was four lanes. This building has been part of the neighborhood since the very beginning, it is part of the culture of the neighborhood.

I-70 is widening to six lanes in a few years and these single-family homes will be 120-feet from a six-lane highway. We have privacy fences along the side. As far as utilities, sewer is great but the water is bad; the neighborhood does not have sufficient water, the apartment buildings to the south don't have sprinklers, there is a 4-inch water main with a small fire hydrant. There is an 8-inch diameter line across I-70, if we had to, we could run a line across I-70 and connect to that but it is very expensive to do.

We have an idea that can help us avoid running the line across I-70; the architect has designed a footprint and floorplan inside the existing building to install some firewalls to divide up the inside of the building into areas less than 12,000 square feet. The material that the insulation contractor stores is fire-proof insulation so it is not going to catch on fire. The other materials for SiteOne are also classified as S-2 storage, it is not hazardous. By fire code, sprinklers are not required for this building after they build these fire walls. Our applicant would like to do that instead of putting in an expensive water main they don't need.

Some of the questions from the Board of Adjustment were the hours of operation, noise and vehicles coming and going. I looked at Camping World's hours as compared to the previous use; the RV dealers are open until 7:00 PM and open on Saturday and Sunday's; comparing that to the current owner of the building they are strictly Monday-Friday 7:00 AM – 5:00 PM, then SiteOne hours are typically 7:00 AM – 4:00 PM and in the winter time they reduce those hours and on Saturday's they are open until noon and closed on Sunday. The proposed hours of operation compared to the previous use are less so they should be less impactful to the neighborhood. No new buildings are requested.

Commissioner Kurzejeski: Is the lighting on the building something that could be modified to be less obtrusive to the neighborhood?

Josh Lange: We don't have a lot of exterior lighting that isn't more security lighting that is on the power poles or the billboard itself. The lighting attached to our building is off at all times at night when we aren't there.

Commissioner Kurzejeski: The access off east Sunny Vale Drive, if you kept the western entrance off I-70 Drive SE would you propose to close that entrance on Sunny Vale and not use it?

Benjamin Ross: No, we would keep both; the 60-year old building is so close to the property corner and the road that I think we need both driveways to get vehicles in and out of there. It is a lot easier to pull in and back up to the loading dock through the current western driveway than to come in and do a 180-degree turn and then back in.

Josh Lange: I have seen a lot of trucks come out of the Sunny Vale side as they try to head east and make that turn, even when they are in the west lane that road cuts so far back too it, I've seen them almost tip their tractor trailers over trying to turn out of Sunny Vale on to the road because it is narrow.

Benjamin Ross: You can see on the aerial photo how much more narrow the public road is compared to the driveway.

Chairperson Harris: I think that almost goes to provide credence in Commissioner Kurzejeski's question that maybe there would be wisdom in closing that and eliminating that potential hazard if the western driveway is

that big of a deal. From the County's perspective, is that a toss up of MoDOT whether that gets closed, what is staff's position?

Commissioner McCann: It was pointed out that the driveway does not meet the county's spacing standard but I-70 Drive is a MoDOT controlled road so they control the access.

Commissioner Trecha: Do the trucks take it out to I-70?

Josh Lange: That is our preference, they are not our truck drivers so you can tell someone to go one way but they may not listen. We try to tell everyone to go out to I-70 Drive location because it is wider. Even when the truckers are swinging into the west lane or the entrance lane into Sunny Vale, if they are going east it is a very hard turn and they are going to be swinging further out into the westbound lane on I-70 Drive. Our drive is probably 60-foot wide so they can take a wider turn to be less intrusive.

Commissioner Ehimuh: Will there be some signage around there indicating a truck entrance?

Josh Lange: There is not currently, I am not opposed to it but that has been the existing condition and how it has been operated.

Commissioner Harvey: How many trucks do you get daily or weekly?

Josh Lange: We get a box truck almost daily; a tractor trailer is not a common occurrence on the west side for Walsh Insulation; a SiteOne representative can speak to his business. We might get a tractor trailer once a month but there are a lot of tractor trailers that will pull in our entrance because they missed where they were supposed to go just to use the lot to turn around. I would say on average, once a month for tractor trailers and once a day, Monday through Friday for a box truck.

Rick DeLargg: We get a tractor trailer either once a week or once every two weeks on the side of the property that we would be occupying; there would be no issue to get it in, we would back it in and unload it. We operate in far tighter areas than this with no problem. The branch they showed in Chesterfield is about the same size but it is a different shape, it is tighter in and out but we manage it on a regular basis without any issues.

Commissioner Kurzejeski: It looked like your Chesterfield store had outside displays of granite and decorative rock, do you envision the same type of material display at this site for sales outside rather than storage?

Rick DeLargg: Yes, there would be both. Typically, we have hardscape material in the yard and stacked neatly; we would have limited bin locations here, we don't need a ton of bulk material. We don't process or mix any products on site, they are just scooped and loaded onto trailers. We won't be doing any bulk delivery out of this site; we would have one flatbed truck that would deliver material out of the location.

Commissioner Ehimuh: Will there be trees planted in the green area?

Benjamin Ross: The existing gravel is close to the property line so we would not be planting there at all. We intend to do a screen fence and not a bunch of landscaping out there along I-70.

Commissioner Ehimuh: With I-70 widening there could be more dust with the construction; trees could mitigate that.

Benjamin Ross: On our site we have to have dust-free pavement everywhere so there won't be dust coming off our site. Once MoDOT is done with the construction there shouldn't be too much dust from the highway.

The widening consists of filling in the median so they aren't really widening on the private property side, they are paving two lanes in the middle.

Open to public hearing.

Present speaking in favor of the request:

Bryan Allison, 7400 Sundown Ct, Columbia

Bryan Allison: I own the property just south of this site and have lived there for about 30 years. I found out that Mr. Lange purchased the property late last year and I worked for a mechanical contractor and have known him through his company. Mr. Lange has been good to work with and has done a great job with his company.

I am not familiar with the proposed uses on the property but I have witnessed firsthand what can be done with the lot as it is currently zoned; my concerns with this is that the previous owner used the property as storage lot for wrecked vehicles, scrap metal, salvage trucks, trailers, broken down equipment and the lot was typically not well kept and was unpleasant to look at. I am not against the proposed rezoning; I am hopeful that this will be a change for the better and I feel they will follow through.

The previous owner didn't follow through with some of the things they were supposed to do. There is currently a fence on the south side of the property on the north side of the creek but it sounds like there is a proposed fence to be there, we would like to see that fence repaired and updated with something more secure, more privacy and to help with noise. I have discussed some of my concerns with Mr. Lange and we are agreeable on everything.

I don't know if there can be a condition about the fence to provide more privacy and help with noise that is generated from the site. I think the dust-free surface was supposed to be done by the previous owner, it was only half-way done. If it does get paved there is concern with the runoff but it sounds like there is a plan for that. I didn't know if there was any noise restriction associated with this type of zoning when it is near a residential neighborhood, I don't anticipate a large amount of noise over there but I know the previous owner had a paint booth in there and had a dust or paint collection system outside that had extremely loud noise and ran all day and sometimes in to the evening. I don't anticipate that being a problem here, but it was nuisance to the neighbors.

Since Mr. Lange and his team moved in, there hasn't been any issues with noise or working hours. I looked up the hours of operation on their website and that goes back to helping with the noise. I spoke with some of the neighbors and they also had concerns about noise and traffic, one had a concern about property values. Additional concerns were security and dust from moving equipment and materials around; the fencing should help with that. One of the biggest concerns from the neighbors, one who I believe emailed the Commission, is that the conditions agreed upon will be followed.

My hope is that the rezoning, if approved, will include improvements to benefit the surrounding neighbors as well as the applicants. With regard to the western driveway, Sunny Vale is a tight turn and I have had trailers pull in and out of there and it is tight for a semi to pull in and out of there; what the applicant is saying is right, trucks do struggle getting out onto the road. The lighting currently there is not a problem at all; I would welcome anything that lights up the area and keeps it more safe and secure.

No one spoke in opposition the request.

Staff informed the Commission that an email was received from Kathryn Jensen with questions and concerns.

Chairperson Harris entered the email into the record and summarized that Ms. Jensen questions what the applicants propose to do with the property, what part of the lot will be paved, where will the runoff go and how much dust will be on the non-paved portion? Chairperson Harris stated a lot of that information is available on the plan, there is or will be a detention facility to handle the runoff. There was a question about noise and that has been addressed. Additional concerns were what guarantee do adjacent property owners have in that what is supposed to be done, gets done. Chairperson Harris stated that is the benefit to a planned zoning, you are limited pretty quickly to what you can do and if you don't there is recourse. There was a question about property values; Chairperson Harris stated that is beyond the scope of this hearing. There was also a question about what the lot will look like as opposed to how it looked previously; Chairperson Harris stated that was also addressed. Chairperson Harris stated the only thing for the applicant to address is how much of the lot will be paved.

Benjamin Ross: All of the gravel will be converted to dust-free. There is a stormwater plan that was previously approved under the previous owner because they were supposed to pave all of that but they didn't. The stormwater plan is already approved to handle the runoff; runoff will go through three different basins and there is supposed to be a water quality unit, then the water runs into a small creek directly behind the building to the west. To put landscaping there would be landscaping the creek which would be hard to maintain and the applicants would not support that condition either. There is a culvert right next to the building and a creek on the back side of the building.

Commissioner Kurzejeski: There are conditions that staff has recommended, one is the western driveway and I don't know if we have resolved that at this point. Will that still be a staff condition?

Thad Yonke: Staff received an official comment from MoDOT requesting that it be closed. We have not received anything else from MoDOT saying different. It also doesn't meet the county requirements so that is the reason for the condition. A truck can't make a mistake going in there if it is a closed entrance. If panel trucks are the predominant use then we aren't worried about it. If there is a reason to keep it open staff will entertain discussion but the information we received does not compel that. The fact that it has been there for 60 years is not a valid or relevant discussion point. Similarly, the division of the building into tenant spaces is one of the things that Boone County Fire has indicated requires this to meet fire code and that means fire protection with the hydrants so there is a mandatory requirement that they bring the water line across. It is not discretionary.

Commissioner Kurzejeski: It seems there are some major things that aren't clear; if we make a recommendation to approve with the conditions, I am not sure the applicants agree with the conditions.

Thad Yonke: They don't necessarily have to agree with them.

Chairperson Harris: I agree with the point just made regarding MoDOT's position; it seems given the width of Sunny Vale and the fact that it is carrying residential traffic I can almost buy an argument to close that entry and use the one.

Thad Yonke: We might be willing to go along with that but that is not what was proposed by the applicant or MoDOT or any of the traffic engineers.

Chairperson Harris: When it comes back to the fire flow protection with the fire-proof walls and insulation; that it fine with those two uses but the plan lists lumberyard and building materials as an allowed use. Fire-proof building or not, lumber is going to burn and that is one of the things I am having trouble with is, given the proposed uses, if something goes wrong it is a loss, there is no ability to mitigate.

Thad Yonke: Part of the issue is with the uses they've proposed. The other thing you have to remember is just because it is just these two particular contractors, this is a request for two different uses, it is not necessarily for these two particular contractors. It could be different contractors without having to come back before the Commission. Fireproof materials that they are storing does not have any real relevance to the discussion. It is a matter of the building and the buildings being used more intensively and the water and the fire district saying it has gotten away with being a non-compliant situation for commercial use long enough and this is the time to bring it up to standards.

Chairperson Harris: That is not the Commission's call, that is someone else's call that we can't overrule.

Thad Yonke: Staffs condition on that is pointing out the consistency with what the Fire District has told us; the architect has not submitted plans for staff review to see if they will be required to sprinkle the building or not; that is not really relevant at this point and it is certainly not relevant to whether they have to bring the water across for a fire hydrant because that is still part of the fire code.

Chairperson Harris: I realize that is a very expensive proposition but if it catches on fire it is a very expensive proposition too.

Thad Yonke: Everything up to this point has been trying to intensify the use of this property without the proper infrastructure. The applicants are trying to intensify the use and modify the building; now is the time for infrastructure to come into compliance. With regard to the landscaping plan, if we see a landscaping plan, there is vegetation to the back of the building so if that is a channel that vegetation is not shown on the plan, our desire to have a vegetation plan shows how that would work. They could show us that they don't believe vegetation will work or that there is a channel there but you can see the vegetation on the aerial so it is not an unreasonable request that they show us how they intend to soften or make it compatible with the rest of the neighborhood.

Chairperson Harris: The plan shows three, fairly sizable detention basins, which they would need for that much impervious surface, but by the time you build those in, most of the vegetation will be gone.

Thad Yonke: The plan indicates there is a vegetative buffer. That means if it is not there they have to put in; there is also a 6-foot privacy fence marked on the plan in the location where Mr. Allison asked them to put a fence so staff is confused as to whether there is supposed to be an existing privacy fence there now why he would want a fence there if there is already a fence there.

Josh Lange: There was a storm that came through earlier this year and some of the trees fell down on to Mr. Allison's property and damaged the fence. The fence is still there but there are sections of it down; it just needs to be repaired. Also, I believe Mr. Allison was probably talking about having a taller fence or something that may control sound.

Commissioner Kurzejeski mentioned the eastern detention basin. (unclear on recording)

Thad Yonke: If they propose the landscaping plan as part of the condition, they could make some modifications to that if it is acceptable to the Director.

Commissioner Kurzejeski: What I am thinking is that the applicants are not in agreement with conditions 2, 3 and 5 so I don't know whether it is worth our time to approve this with the conditions.

Benjamin Ross: We would like a decision either way tonight. We haven't submitted architectural plans yet because we don't have the zoning; we have to get the zoning approved before we can submit a plan. The architect tells us the building does not need sprinklers; this is an architect that has been around for a long

time and he knows what he is talking about. We need to follow the fire code and we are doing that, but we can do that without building a \$280,000 water line that we don't need to meet code.

Thad Yonke: The Fire District comment was clear.

Benjamin Ross: The Fire District has not seen the plans.

Chairperson Harris: That may be a flaw in your presentation on something this significant to not have involved the Fire District in a pre-hearing situation; maybe they should have been consulted first.

Benjamin Ross: We need to follow the code, we are committing to following the code.

Thad Yonke: This is a discretionary action and the Commission has legislative authority to be able to impose whether or not that is mandatory. Just because it is a requirement of the fire code or even the Fire District believes it should be.

Bill Florea: Even if you back off the fire code issue, the rezoning requires a sufficiency of resources test and it fails that test. In order to justify the zoning that piece of infrastructure has to be present.

Josh Lange: The previous owner went through a similar rezoning process and they tried to make him bring a fire main down and to suppress the existing building when it was a 26,000 square foot building and he was using oil burners in there and there was a body shop, it had tires and vats of oil and they did not require him to do that. My question is why is that now kicked down to me and my responsibility when the previous owner didn't do it? The original intent of his building was heating and air conditioning contractor and plumbing supply which is basically what we are asking for it to be zoned as now.

Thad Yonke: The building was altered without a building permit, so the conditions under which the previous owner occupied the building don't count as having any status. When the previous owner was using it for a single occupancy the Fire District didn't feel they had the ability to do that. Now that the building is being altered for two tenant spaces the Fire District has indicated that this is the time to bring the building into compliance.

Steve McMillen, Architect

Steve McMillen: I thought you might have some questions for me. We are breaking up the building with two-hour firewalls, 90-minute doors, under 12,000 square foot which is allowed in the code for S-2 warehouse storage occupancy, which is what we are doing. I will work with Mr. Blomenkamp in showing him where and what is being stored, what the height is, the aisle widths, where the exits are; I work with him all the time.

The way the code is written is if you break up your building with two-hour firewalls and you keep the storage area under 12,000 square feet, which is what our petitions are, you run your walls up to the deck, seal it off and you have effectively made separate buildings and that is what we have done. We actually have four of those walls inside this building. Insulation is on one side which is not combustible, the other side is supposed to be landscape products so those are S-2, low-hazard storage.

Commissioner Trecha: There is a question of not meeting the sufficiency of resources test; does that include sprinkling the building or is there a deficiency that can take a sprinkler system off the table?

Bill Florea: It is not the sprinkler system it is the water infrastructure. The ability to have a fire hydrant there that has flow capable of meeting the commercial fire flow requirements.

Commissioner Trecha: If the water line came across; do we accept the architect's notion that it doesn't have to be sprinkled?

Bill Florea: I don't know that one way or the other; that is not pertinent to the zoning question.

Commissioner Trecha: The main question here is the deficiency that exists with water flow.

Bill Florea: Correct.

Commissioner Harvey: I think what we are discussing is two separate issues. Mr. McMillen is referring to the building code and if it needs to be sprinkled or not and the actual deficiency is there isn't enough water flow to feed a fire hydrant in this area.

Bill Florea: That is correct. We can't address the issues with the building code because we don't have building plans; it is premature to have that discussion here, that is a discussion between the architect and the Building Code Officials.

Commissioner Kurzejeski: I wouldn't care to approve a request with these major discrepancies that are unresolved. I would think about either tabling the request or denying it.

Commissioner Harvey: If this request is denied the applicants have to wait a year to reapply?

Bill Florea: Correct.

Thad Yonke: Assuming that the County Commission denies it as well.

Chairperson Harris: It seems to me that there are some things that should have been addressed at the concept review stage. The wisdom would be for the applicants to ask for this request to be tabled tonight so that some things can be ironed out and the applicants can come back next month because there are some major issues that should have been resolved before we got to this meeting. The fire suppression on the building is different than the fire flow of available water supply but they are still connected and they should have been addressed a little better.

Benjamin Ross: The applicants would like to table the request.

Commissioner Harvey made, and Commissioner Kurzejeski seconded a motion to table the request by CKL Property Management LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Light Industrial (M-LP) and to approve a review plan at 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to table the requests passes unanimously

Chairperson Harris informed the applicants that these requests would come back to the Planning & Zoning Commission on Thursday, November 21, 2024 at 7:00 PM. Since the public hearing for this request has already taken place, there will not be another public hearing at the November 21<sup>st</sup> meeting.



**NOTE: Rezoning items 3 & 4 were heard together with a combined staff report:**

- 3. Request by Moore Bunton Properties LLC to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) and to approve a review plan and preliminary plat for Hallsville Industrial on 36.61 acres located at 5500 E Parks Ln, Hallsville. (open public hearing)**
- 4. Request by Route B Independent Church to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) and to approve a review plan and preliminary plat for Hallsville Industrial on 15.09 acres located at 11700 N Rt B, Hallsville. (open public hearing)**

Planner, Thad Yonke gave the following staff report:

The property is located at the immediate southeastern corner of the intersection of State Route B and Parks Ln. The zoning is Agriculture 2 (A-2) as is all the surrounding zoning. These zonings are all original 1973 zonings. This request is to rezone the approximately 51.81-acres to Planned Industrial (M-LP) and to create a railroad oriented industrial freight facility on the 36.4-acre proposed Lot 1, a place of worship with allowable expansion on proposed Lot 2 which is the site of the existing church, and proposed Lot 3 will be for a Boone County Regional Sewer District (BCRSD) facility to serve the entire development with public sewer. While there are other uses listed in the allowed uses section, they are generally in keeping with the same kind of intensity and expected impacts as a truck terminal or railroad freight facility. The area sought to be rezoned is currently the site of the existing church and its corresponding private wastewater lagoons.

The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a “gate-keeping” function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources typically used for this analysis can generally be broken down into three categories, Utilities, Transportation, and Public Safety Services.

**Utilities:**

The site is in Water District 4 and there is a water tower 1200 feet to the south of the property and a 5-inch watermain on the property now. It will be up to the developer to pay to have water improvements made to support the site proposal with both proper water for fire protection as well as general use. Boone Electric Cooperative provides service to the site and area depending upon the demand for the proposal, the developer might have to make improvements, or at a minimum, pay for electrical upgrades. The site is in the Boone County Fire Protection District (BCFPD) and two points of entry are required for the site; this will be discussed in more detail under the transportation section. The development is proposed to be served by a new BCRSD drip irrigation sewage treatment facility that will be installed by the developer on Lot 3. The design of the sewage collector system will have to be designed to meet the BCRSD standards. The system will provide public sewer service to both the church on proposed Lot 2 and the freight facility on proposed Lot 1. Alternatively, the BCRSD has a long-term desire to provide a collector sewer main northward up Route B to connect several of their existing facilities and provide additional capacity from their Rocky Fork plant. Development on the site will be required to comply with the Boone County Stormwater Regulations.

**Transportation:**

The property has frontage on both State Route B and Parks Ln. The proposal would like to take access from each roadway. The proposal should have both connections in order to meet the required remote two points of access. However, the property has no access rights for State Route B as the Missouri Department of

Transportation (MoDOT) purchased the access rights from the property. MoDOT has indicated that regaining access rights to Route B may be difficult and can't be considered a given condition.

Route B is the most direct connection corridor from Columbia to Hallsville to Centralia and as such MoDOT has secured a wide Right-of-Way (ROW) corridor of around 200 feet or greater all the way from where the 4 to 5 lane roadway drops to 2-lanes at Browns Station Rd in Columbia all the way through the proposed site area to just south of Cedar Gate subdivision. This ROW allows for significant future improvement to Route B.

The applicants will seek to regain some access rights in order to use Route B as their primary access point. The applicants hope to use Parks Ln as a secondary access point but only as an emergency-only gated access point. It should be noted that Staff does not consider a gated connection to be a second access point. While it does provide emergency access, the purpose of requiring two access points is to disperse traffic more freely onto the public road network.

A Traffic Impact Study (TIS) has been provided for the proposal. The TIS identifies that both left turn and right turn lanes will be required along Route B at the primary entry route whether the turn lanes are located at a repurchased direct connection on Route B or at the intersection of Route B & Parks Ln. The plan shows the turn lanes at both locations on the graphic of the review plan, but it should be understood that the applicant intends this to be an either/or option not a proposal to construct the turn lanes at both. Similarly, the applicant shows Parks Ln being improved to a commercial/industrial county standard, but they are only proposing this if Parks Ln becomes the primary access to the site. Note #15 is supposed to reflect this but it is still improperly worded.

Regardless of whether Parks Ln becomes the primary access or not, Design and Construction /County Engineering have noted that Parks Ln is not constructed to the County Commercial/Industrial standard. The rezoning is the triggering condition for this non-compliance and even as a potential emergency-only access, the County is concerned that Parks Ln will be unduly damaged by both heavy trucks and emergency services in its current state and that improvement should be part of the development approval.

The original TIS does not reflect all the land uses listed under the allowed uses section of the plan. The supplemental traffic letters were supposed to address this deficiency and did to a point, however, the most recent clarification letter from the traffic consultant states that a railroad spur tracks truck terminal and a moving, transfer, or storage use can't be evaluated without more specifics to know if they would generate more or less traffic than the warehouse use evaluated by the study; this is problematic because these are arguably the primary targeted uses of the site and they remain unaddressed by the TIS.

Public Safety Services: The site is within 2.5 road miles of County Fire Station 3 on State Route B Hallsville.

#### Zoning Analysis:

The Master Plan designates this property for agriculture and rural residential use. The proposed use is not consistent with that designation. However, the Master Plan does indicate that where new commercial or industrial areas are proposed, such areas should be located where infrastructure to support the uses exists or can readily be installed.

The subject property is in the Urban Services Area as defined by the County Land Use Regulations. The location of the property being directly between a state road and rail line at an intersection of the major state road and county road is however, a relatively unique set of features with respect to the suitability of the proposed primary use. Having a water tower nearby also boosts the suitability of the site to have the proper

infrastructure for more intensive use. This is especially true when these improvements can support commercial or industrial fire flows.

The mechanisms that are best suited to ensure that impacts related to the changes in zoning are addressed, come from using the planned versions of the appropriate zoning districts; this current proposal is a planned industrial development. While the proposal does fundamentally change the character of the area. Staff believes the scale of the proposal makes it not a spot-zoning but rather an evolution based upon the increase in area infrastructure and unique features supportive of the primary proposed use.

The Master Plan does discuss preserving existing character, but it also addresses the need to provide economic stability to the tax base and provide employment centers that create jobs. We have received letters of support for the proposal from the Hallsville School District and Regional Economic Development Inc, (REDI) that are excited to see the potential for additional jobs for the Hallsville area and increases in tax revenue generated to support schools and other public needs. These employment centers are to be located where the infrastructure can support them, and this location appears to be a possible candidate to be one of the few that can.

We have also received a number of written comments in opposition to the request that are concerned with a change in the character of the area and the possible negative impacts created by the proposed development. Most concerns are related to traffic on Route B. Another concern is with what the increase in the train traffic there could be and the possible lengthening of trains with additional cars and potentially blocking or just creating greater conflicts at road/rail crossings.

The request does seem to meet the sufficiency of resources test for service availability or potential availability. However, there may still need to be some coordination work with utility providers and some of the specific traffic concerns have not been addressed.

Approval of this request will set the stage to change the character of the area, but by using the planned zoning tools available under the County Zoning Ordinance, conditions can be placed upon the request to minimize impacts to the immediate area. When looking for a location to establish an employment center between Hallsville and Columbia, this site seems well suited under the criteria provided by the Master Plan.

Staff notified 13 property owners about this request. The property scored 71 points on the rating system.

Staff recommends approval of the rezoning and review plan subject to the following conditions and sub-conditions:

#### Prior to Final Plan

1. A lighting plan requiring exterior lighting to be shielded and oriented inward and downward-lighting to minimize glare and light trespass be prepared by a qualified engineer to include an explanation of how the light will be contained on site and be focused inward and downward. Such plan is to be created to the satisfaction of the Director of Resource Management. All exterior lighting shall be built and maintained in accordance with the approved plan.
2. A Landscaping buffering plan to address impacts to the property owners to the north and east and south shall be created to the satisfaction of the Director of Resource Management.
3. That only façade signage on the Route B side of the building be lighted.
4. Parks Ln improvement to a commercial /industrial road standard be required as part of the development, prior to final plan approval.
5. Because it is likely to take quite a while to clarify the Route B access situation and it is unlikely the property can be seriously marketed to freight developers until the access issue is resolved, we propose

the Review Plan be approved with a five-year window as opposed to the standard two-year deadline for getting a Final Plan approved.

6. Note #15 needs to be clarified on the Final Plan to reflect the improvements that will be required at Parks Ln based upon approval conditions within the wording to be crafted to the satisfaction of the Director of Resource Management.
7. An amended traffic study, evaluating the railroad spur tracks truck terminal and a moving, transfer, or storage use, be conducted to assess the impact and see that it is not greater than that of the other uses proposed in the TIS. If it is, then a new review plan/rezoning process will be required before those uses can be utilized.

Present, representing the request:

Larry Moore, 15220 N Rte U, Hallsville

Larry Moore: Jim and Barb Bunton and my wife and I formed Moore Bunton LLC and purchased this 50-acres which included the church property in order to build a new church. We have been members of this church for 50-years. The Methodist Organization told us we needed 15 acres to build a church and they wanted it on a major thoroughfare. We have held this acreage for over 20-years to protect the appearance and operations of the church. We have turned down several ideas for development, mostly residential and mostly what we considered sub-standard.

One of the big issues with residential is the rail line, a lot of people don't want to live right next to a railroad. Due to it's location near the railroad, we were informed that any residential would be low income housing and we didn't want that. We were approached in 2020 by Norfolk Southern Railroad through COLT and REDI and asked if we could make this a rail site. We looked into it and the advantages were that this land is a relatively narrow strip; due to it being a narrow strip it looked like some type of industrial use would be the best use for the property.

Planned Light Industrial zoning seemed like a good long-term protection for our church, if we put in a subdivision then someone has to enforce the subdivision ordinances, if we put in planned zoning the county would enforce the regulations and make sure everything is done right, built right and that any changes are appropriate. Our goal from the beginning, and still is, to protect the church.

An attractive industrial development would be a big benefit to our rapidly growing school system. The Hallsville School area is the biggest in the county and it is growing like crazy and we need this type of project to increase bonding capacity and increase the tax base to support the school. Norfolk Southern engineers designed this site plan; it shows a 250,000 square foot building and our hope is the building will have an appearance similar to 3M and Schneider Electric, this building is smaller than either of those and provides some different types of uses than those do but our goal is to have something there that is attractive and complements the look of the church. We are hoping that planned zoning will help us in the long term in protecting the church.

At this point we do not have an end user in mind. The good thing about planned zoning is you have a plan that you have to adhere to and it gives you a place to start; the bad thing about planned zoning is until you have the zoning you can't market the property to an end user so it is a Catch 22. We realize that we will be coming back at different times for modifications. The buildings to be constructed here may be smaller than 250,000 square feet but our plan is to have them within that envelope where the building is shown; it might be two or three buildings, we don't know until we find the end user but it wouldn't exceed 250,000 square feet and it would be inside the area designated on the plan.

We had a concept review and all the department heads of the County were there and all enthusiastically endorsed our project. The Fire Chief said that we have to have another access point; we have not nailed down with MoDOT as to where our access will be, we will be going back to MoDOT to get approval, they have

tentatively approved our project for access but until we come in with a plan they will not nail it down and give us a permit to build the access.

The Fire Chief said we had to have the remote access point and he suggested a gate that is only accessible to emergency vehicles. When we find an end user they may want to do both ways and they may want to develop Parks Lane to help with flow, depending on the amount of flow they have. Any time you have economic development it creates traffic, MoDOT doesn't seem to want to talk about that because they have the ability to make Route B four lanes anytime they want; they have the right-of-way and all they have to do is make it four lanes whenever they want and at some point they anticipate making it four or five lanes up to Hallsville.

While we will be creating more traffic, as any development would do, we understand from MoDOT that Route B can handle it at this point and our traffic engineer has worked diligently with MoDOT to come up with our traffic study and everyone seems to think it will work until they decide to do something else. We have an assurance from MoDOT that we would qualify, that is not a permit. REDI and the other city departments are encouraging development. I have been a member of REDI since it was started back in the 1970's and I have been helping with economic development at all levels since that point. I think this is a site that would be a good one for economic development; we can create jobs here, we think Norfolk Southern has a proposed end user but they won't tell us who it is or how they are going to do it until they get ready to do it and this is the first step.

The Boone County Sewer District had assured me at the concept review that the sewer would be in by the end of 2024 but they aren't going to make it so we are going to have to put in a temporary drip system which we will hook into their sewer, depending on how long it takes us to get the MoDOT access and how long it takes to find an end user and get everything designed. We have assured them that we would be glad to contribute the cost of this temporary sewer to a new sewer line. The church has voted and have joined us in this rezoning for a couple of reasons. They may want to build on to their church, they like the idea of a planned zoning and they want to get rid of their lagoon. Lagoons are hard for churches to maintain and they would like to be on the county sewer and that is where we are all headed.

I heard there was a question about how many additional trains and trucks there would be and we can't answer that at this point, we have to get the preliminary zoning done and market the property and find an end user and then come back to the Commission if we need to with those answers. Tabling it for a month or two will not help us; it may take us two years to market this property, we don't know. In any sale of the site we will insist on an attractive development that will complement the appearance of our church and we will record deed restrictions to protect the churches appearance; that is our primary concern and is indicated by the fact that we have held on to this property for 20 years.

Commissioner Koirtyohann: What do you anticipate the benefit to the school district?

Larry Moore: We would anticipate this to be at least a \$30,000,000 operation. Commercial activities and commercial buildings in the county are assessed at 32%. The schools bonding capacity is based on 15% of assessed valuation, so as much as \$3,000,000 - \$4,000,000 of additional bonding capacity for the school, currently the school's bonding capacity is \$9,000,000 and they are considering a \$5,500,000 bond issue right now, if they had this they would be able to bond one to three million more depending on how the whole thing works out. In addition, they would receive the majority of the property tax on the \$30,000,000 property which would create several hundred-thousand dollars a year for the school. The applicants have had multiple terms on the School Board, we've also been members of the Hallsville Board of Alderman and I have been the Chairman of the Hallsville Planning & Zoning Commission for about 15-years. We are very much invested in the neighborhood, our reputations are on the line, both in our church and in our community. We are going to insist that a potential buyer meet all of our requirements to make this a complement to our church.

Chairperson Harris: Let's say Norfolk is behind this and lets face the fact that the COLT line probably isn't the most stellar railbed in the country, is that still on the City of Columbia to maintain that line or is Norfolk going

to take that back over and upgrade it? I had a number of contacts concerned about all of those backwoods crossings.

Larry Moore: We have had multiple meetings with COLT and they tell us that the long-term viability of the COLT Railroad is probably one or two good customers short of being guaranteed. If they had one or two good customers they could guarantee long-term viability and therefore have long-term maintenance. I was in a meeting three weeks ago with some outside investors who are buying short line railroads around the country and they are very interested in buying the COLT Railroad, at least the operational side of it, and maintaining it. They have done this in 30 other sites around the country. The answer is, if we had a couple more good customers on the COLT it would be there forever.

Chairperson Harris: What does this facility offer that the current COLT Transload can't offer?

Larry Moore: The current COLT Transload is an 80,000 square foot facility and it is full and can't handle any more capacity. The majority of the stuff in there is steel handled for the big steel operation, Hitachi, in Jefferson City. A big portion of the rest of it is rolls of newspaper which comes in by rail. The biggest customer on the rail right now is lumber.

Chairperson Harris: Even if Norfolk is behind it, it is still going to be a COLT line and they are going to be switching off the main line so it is still going to be the COLT Railroad going forward and not a Norfolk line.

Larry Moore: That is my understanding. Obviously I have no control over that.

Chairperson Harris: At some point there has to have been some discussions of volume and traffic, both rail and trucks. You aren't looking at a project like this thinking we are going to bring in three trucks a day.

Larry Moore: No, it is going to be a fairly high volume, we don't know until we know who the user is. It is a 250,000 square foot building, there may be a couple of customers there, we don't know. It is obviously going to increase traffic on Route B and hopefully increase traffic on the railroad, that is the whole idea so the railroad is sustainable. The COLT has been on the verge of failure since it started but it has always been a question of viability for the COLT Railroad, but they feel that with a little more volume they can sustain it.

Chairperson Harris: What happens to this plan if MoDOT decides not to play ball? MoDOT does have the infrastructure and they have everything in place to do it and it is almost a "if you build it they will come" scenario. MoDOT is probably not going to touch that highway until they are forced to; this may be the card that forces their hand. That is an unknown but what happens if MoDOT decides they aren't going to give access? Park Lane can't handle it.

Larry Moore: Our traffic engineer has indicated that. If we don't get the primary access to Route B, I think they will go ahead and give us an emergency access out that way which satisfies the Fire Department. Then we would have to turn and take everything out on Parks Lane and at that point our end user would have to develop Parks Lane and develop the right/left turn activity there but the visibility there is not as good as where we have it. Based on our discussions with them, MoDOT would rather have the access on the straight part of the highway than put additional strain on the Parks Lane intersection.

Chairperson Harris: The line of sight is a lot better on the south end than it is in the middle of the curve.

Larry Moore: That is exactly why it is where it is.

Chairperson Harris: Even if the primary accesses had to be swapped, the configuration on the site would probably still remain the same. I thought it was interesting that no vegetation was proposed along the south side of the church.

Larry Moore: The reason is we don't know if we will need that four acres of theirs. If we have to put in a drip system it will be owned by the sewer district and we may want to do something along there. At this point it is a little premature to draw it because we don't know if that is going to go with the rest of the property or not and we don't know what the timetable on the county sewer is.

Chairperson Harris: If this were developed as proposed on the drawing how many employees day to day would be in there?

Larry Moore: I have no idea, we have parking spaces for 149.

Chairperson Harris: Would it be 7:00 AM – 4:00 PM or around the clock operation?

Larry Moore: Obviously those are going to be negotiating points that the applicants will enter into when we reach an agreement with an end user on what the building is going to look like, what the access is, and the lighting. We would anticipate this not being a 24-hour, seven day a week operation, I don't think we would approve a sale of that type. The applicants don't have to do this deal if it is not the right deal; if it is not the right deal for us and our church we aren't doing it and our 100+ members trust us to do that.

Chairperson Harris: Some of the comments I have seen is that Hallsville needed new retail spaces and new restaurants, the reality of it is that those things only come with the employment that comes from a development such as this. People need to figure out and understand that while the thing I may want, I may have to go along with something else that I am not in favor of.

Larry Moore: The same thing is true of the roads. Once the traffic flow is identified our engineer can tell us what the roads have to be and MoDOT would then be involved; you don't just go build roads in the middle of nowhere, you build them where they are needed.

Chairperson Harris: Have the traffic engineers identified any numbers at all with the traffic count?

Larry Moore: I don't understand traffic engineering, they have obviously taken traffic counts into consideration and looked at the uses and taken the worse uses as far as traffic flow is concerned and built those into the system. They don't just go out and do these traffic studies, they work hand-in-hand with MoDOT and MoDOT has endorsed our traffic study.

Chairperson Harris: Have they given any indication of the anticipated increase in traffic?

Larry Moore: No. Their modeling doesn't really mean anything at this point until we identify an end user. If the end user doesn't meet the traffic plan then he is out.

Commissioner Harvey: Many of our emailed comments were about the traffic volume that is already on Route B and adding to that. If we did approve the zoning change now with condition 7 that an amended traffic study be done with the final purchaser, if they don't come up with something that is going to work with Route B and where it is at that time we have the ability to refuse the final plan.

Bill Florea: Yes. The traffic study was not able to generate numbers based on the rail facility because there wasn't enough detail, they based it on warehousing because that is another use that is proposed here. If they get a user and they come to build the rail facility they will redo that traffic study with those numbers calculating what that traffic impact will be and that will come back to the Commission before they can utilize that use on the site.

Larry Moore: If you ask anyone that goes down Route B during the 5:00 PM rush it seems like Route B is at capacity; it is nowhere near capacity. Going through the town of Hallsville, the last traffic study was 12,000 cars per day; that is a road designed for way more than that. One reason we don't have a McDonalds in Hallsville is because we don't have 20,000 cars per day which is what they require. The applicants have worked at length in trying to attract businesses to Hallsville for the last several years, but right now, according to MoDOT, Route B is nowhere near capacity.

Commissioner Trecha: What did the traffic engineers study? They just said 250,000 square foot warehouse has a certain capacity to move freight in and out and they extrapolated that to the number of semi-trucks.

Bill Florea: Semi trucks and passenger vehicles for employees.

Commissioner Trecha: So, that was their projection, it wasn't really a study.

Larry Moore: They looked at the allowed uses and they know which allowed uses on that list create the most traffic and the one that created the most traffic is the model they used.

Commissioner Trecha: A warehouse?

Larry Moore: It is more of a manufacturing facility. I know with that list of uses they projected the use that would create the most traffic and that is what was used in the traffic study.

Bill Florea: I am not sure that is accurate, because they specifically said the railroad spur tracks and truck terminal was not evaluated for this and it could be more impactive because they don't know what level of activity is going to be associated with that.

Commissioner Koirtyohann: How tall is the building?

Larry Moore: We don't know until we find a user.

Bill Florea: The maximum height in M-L zoning is 45-feet; the zoning regulations also allow height to increase by one foot for each additional foot over the required setbacks, if your setback is 20-feet and your maximum building height is 45-feet, then if you setback 21-feet you can build it 46-feet. And so on up to 100-feet which would require a conditional use permit, there are limitations on how you can take advantage of that. Through the planned zoning you can put limits on the height of the building.

Commissioner Koirtyohann: What did Midway's building end up being?

Bill Florea: It was probably 45-feet.

Open to public hearing.

No one spoke in favor of the request.

Present, speaking in opposition:

Stefan Knudsen, 5713 E Parks Ln, Columbia

Stefan Knudsen: It is important to view the impact of this site more than just for the immediate neighbors. A lot of the concerns we are hearing from the Commission and the community are the 21 mile stretch between Centralia and Columbia on Route B. After reading the traffic study it would appear that it doesn't have a comprehensive study of the traffic on Route B; the traffic study was a one-day study conducted in October 2022



and the purpose was limited to whether people could turn in and out of this facility safely, the line of sight was expressly excluded from the opinion of the engineers and that would need to be a further topic of discussion.

They pointed out the nature of Parks Lane and the line of sight problems there. They measured at the entrance point, at peak hours it was at level C which is 78% of capacity and sometimes at level B which is in excess of that. The comment was made that those levels were appropriate for urban or suburban areas, this is a rural area. This is not a comprehensive study of this thoroughfare.

The crash study was taken at the intersection of Parks Lane and Route B, there were three accidents over a four-year period and were minor in nature but that is not a study of the traffic. As discussed before, it does not take in to account the traffic or impact of the rail and warehouse. They took an assumption based on a manual that plugged in the warehouse, or whatever use it was, because we don't have an end user. The conventional wisdom is to get an end user, find what they want to do with the property, and then study that impact. The staff report reflects a fundamental change in the nature of the area.

Chairperson Harris mentioned the backwoods crossings, I did a google earth look and there are about two dozen maybe. There was no rail impact study done on this facility, the facility is designed for trans loading operations. I don't know how anyone would know what the impact is and that is an essential part of the discussion. I sent an email asking for hours of operation and use limitations, for breaking up design elements, nonreflective metallic building materials so there isn't a large white building reflecting light, and none of that is in the current plan.

The reason staff thought this was not spot zoning was because of the several conditions in place that would minimize the impact. Some of the things that were discussed as intentions of the applicants are not in the plan and I think they should be. I applaud the intention to protect the church but I didn't hear any discussions about protecting the neighbors.

Commissioner Harvey: Did Mr. Knudsen attend, or were you part of any of the Master Plan procedures for the past year?

Stefan Knudsen: No.

Commissioner Harvey: That was for the whole county and this area was brought up as part of an industrial development.

Also speaking in opposition:

April Sweezer, 12000 N Nicole Dr, Hallsville

April Sweezer: My concerns are noise, I have lived on my property for 27 years and I have livestock; it has gotten louder over the years. This is an agricultural place where people have hobby farms, the farmers rent the land up and down Route B for crops. I have mixed emotions about how this is going to adjust residential making it commercial.

The neighbors living there are already dealing with the railroad; people already don't like a railroad; you can hear it go through every day. Route B is terrible and needs to be fixed, there is a high volume of semi-trucks that goes through; it hasn't been maintained anyway and we are going to have the extra going in and out. Route B is not the area for this. There is no sight distance on Parks Lane, when you go on up, there are residences right there and you are going to put access in? They are going to hear that all day. There is a listing in Mexico for exactly what this is going to be for sale now, they can take it there. This is a rural area and if we don't protect our agriculture, who is going to?

Tim Waller, 11150 N Route B, Hallsville  
Angela Waller, 11150 N Route B, Hallsville

Tim Waller: We own the property to the south of where this is going to happen.

Angela Waller: Where MoDOT wants to put that from the Route B entrance is where our property ends.

Tim Waller: Our mother-in-law has been rear ended twice coming from the north turning left into the driveway.

Angela Waller: Turning left into our driveway is always a harrowing experience. We have lived there 30-years and I have been in the Hallsville area for 50-years so I have seen the progression and I am well acquainted with the applicants work through the years. The traffic study that was done was done from 8:00 AM to 9:00 AM and 4:00 PM to 5:00PM. Traffic on Route B never stops, there are lulls now that the stop light was installed at the Hallsville 4-way stop, but it is not uncommon 3 or 4 minutes to just pull out of our driveway not even at peak times of traffic. My mother sat at her dining room table and counted the cars going by and in 10 minutes over 300 cars went by. Traffic doesn't start settling down in the evening until about 7:00 PM.

Tim Waller: This is also a bus route for the Hallsville School District; when our kids were in school we had to park across the road to let the kids get on the bus.

Angela Waller: Because the busses would not stop on the east side of Route B because it was too dangerous. I do agree that Hallsville needs more businesses.

Tim Waller: I think there are a lot of unknowns with this, I don't know what it will do with my property values. They show the brush line across there that is supposedly going to shield the area from our house and it is practically a row of dead oak trees; it is not what I would call a barrier of any kind. We are familiar with the letter that Mr. Knudsen sent to the Commission and we have identical concerns. There has been a lot of planning going in on this and we just heard about it on Monday of this week.

Also speaking in opposition:

Matt Praiswater, 12090 N Route B, Hallsville

Matt Praiswater: I want to echo everyone else's concerns about the traffic and the unknown of what it is going to do to the area. This is an area surrounded by agriculture.

Also speaking in opposition:

James Nelson, 10950 N Route B, Hallsville

James Nelson: I don't want to look out my front porch and see a big building. I pull a truck and trailer every day and I have to wait about 18 minutes every morning to get out of my driveway. I have been hit twice turning into my driveway. I don't want industrial zoning, it should be put by Mid-City, they have rail access.

Also speaking in opposition:

Joe Haynes, 11035 Audrain Rd 946, Centralia

Joe Haynes: My concern is also traffic; Route B is extremely busy and I think it is a bad idea to add a bunch of semi-trucks on that road.

Also speaking in opposition:

Lori Knudsen, 5713 Parks Ln, Hallsville

Lori Knudsen: I will add that I have small children and there are direct impacts on our family with it being 10's of yards from not only the rail and the spur, but the access point at Parks Lane and our driveway and the potential to get blocked in. We are concerned about hazardous materials being transported and stored in that location. One of the reasons people have been moving to Hallsville and the reason it is growing is because it is agriculture in nature and that is the character of the community. I understand the need for the taxes for the school but if there is a significant safety concern or a change in the character of the community that isn't worth it to me.

Closed to public hearing.

Staff received several emails in support and opposition to this request, those emails were forwarded to the Planning & Zoning Commission prior to this hearing. These emails are included at the end of these minutes.

Larry Moore: You can't have industrial development without traffic; it will generate traffic. Whether Route B is adequate is not something I can deal with, it is the state's issue. At some point they intend to make it four-lane, at the very least those concerned should put together a petition asking it to be done now. Hopefully when Route B is four-lane it handles their concerns; it seems like the traffic on Route B is the key issue. From the applicant's standpoint, there are limited uses for this type of property right next to the railroad and between the railroad and Route B. We looked at doing subdivisions which also creates traffic issues; we feel this is the highest and best use of the property and the county overseeing the management and future development of it is the safest for everyone.

Commissioner Kurzejeski: Was there any effort to engage the neighbors that live in the area?

Larry Moore: We talked to most people that we could get in contact with; some we couldn't get in contact with. Several people indicated that they would rather it stay a field but obviously it is not going to stay a field forever and I would anticipate commercial development from here all the way into Hallsville at some point, hopefully, because Hallsville needs it.

Commissioner Proctor: It took me about 10 minutes today to go through this; the Commission takes this very seriously, we take emails and comments seriously, we have all been on this Commission for a long time.

The railroad was incorporated in 1857, that is 167 years ago and included this rail line. 157 years ago, it was completed on October 29, 1867 and that was because of the civil war. 1987 was when Norfolk Southern proposed to abandon the rail in Columbia and Columbia purchased the rail, that was 37 years ago.

Boone County has a Master Plan that is 28 years old, in it, it says Boone County does not have a passenger rail service, the nearest Amtrak station is in Jefferson City; local freight services provided by the Columbia Terminal Railroad (COLT). This line, owned and operated by the City of Columbia, runs between Columbia and Centralia. Railroad freight service to and from Boone County is a long track operated by the Norfolk Southern Corporation and the Gateway Western Railroad, this service is through Centralia. Then I went to COLT and I picked up what their impact study was, it shows this area as being very vital to freight.

Commissioner Harvey and I are on the Master Plan Committee that is being redone and we have been doing it for 1½ years of our lives that we have been working on this plan with a room full of other people, you name it and that demographic is being represented. They have held public meetings, open houses, we have been to every community, it has been on the radio and in the newspaper and on TV. The committee has been begging people to give input on this plan and we haven't gotten a lot back. That area is designated for freight.

I called today to ask when Wheeler's Wind Subdivision was done, that was 30 years ago so the County zoning was implemented in 1973; all I could find was two lots in that subdivision, those houses came after the railroad. You knew the railroad was there so saying to us that you are concerned that the railroad is going to make a lot of noise, yes, it probably is; saying that the area is residential is really not true because it isn't, it came after the railroad.

I have a concern about what is being put out there; if you keep it agricultural you can have a feed lot there now. By making it planned they have to conform to what is on the application so there is more of a constraint on what they have to do. We understand Route B is busy but that is a MoDOT situation; I can't vote tonight to say that MoDOT has to improve the road because they don't fall under the Commission's jurisdiction. When the Commission votes we are putting these conditions on the plan and they will have to come back to the Commission with more traffic studies because they will know by that time what the end user will be. Why is the community not participating in the Master Plan process, if that is not what you want then participate in those things.

Commissioner Koirtyohann: I was on the Hallsville School Board for 17 years and every year going through a budget was terrible because we have a huge district and minimal commercial property and it was all left to the residents. I know the applicants have done an extreme amount of stuff for Hallsville and there is going to have to be a certain degree of trust and it might not be everything that everyone wants, but overall it would be a better plan to have something in there that is going to produce revenue. I also drive Route B every day and I hate it.

Chairperson Harris: The solution to Route B may not be the oppositions progress; it may be the involvement of the stakeholders and their elected representatives to reign down on MoDOT to the point that someone at MoDOT finally realizes that Route B is a problem. The applicant did the right thing in bringing forward a plan, they constrained themselves from the get-go rather than asking for open zoning. There are a number of conditions and the applicants still have a hill to climb and they are aware of that, but to some degree the applicants can't begin to answer the questions until the Commission takes action.

Commissioner Schrieber made a motion to approve the rezoning request, Commissioner Koirtyohann seconded the motion.

Discussion:

Commissioner Trecha: There was an issue with the second entrance being locked or gated and they need two remote access points; gated is not one of those, correct?

Bill Florea: Gated can provide emergency access.

Commissioner Trecha: But that is not counted as a second entrance.

Chairperson Harris: The purpose of the second entrance is for emergency access.

Bill Florea: It is; there is an argument to be made that having two access points also minimizes the impact on the transportation system by being able to disseminate the traffic to different locations on the public road system.

Commissioner Trecha: In these conditions we didn't address the fact that it has to be two open access points.

Bill Florea: No, we didn't.

Commissioner Harvey: That is something that would have to be addressed on the final plan isn't it?

Bill Florea: No, the final plan is ministerial so any conditions have to be made at this point.

Chairperson Harris: I think the concern is covered in condition 7 of an amended traffic study which may overhaul the plan as far as the traffic and access points go.

Bill Florea: As Mr. Moore stated, the applicants are comfortable in saying that they will have to come back to amend this plan before development occurs and the Commission can look at the more detailed study of how the development is proposed and the traffic engineers can make a more thorough analysis of how that will impact the road system. Primarily what they will be looking at are the points of access, not general traffic on Route B.

Commissioner Trecha: Condition 7 provides for an amended traffic study but it doesn't require two.

Bill Florea: No, it doesn't.

Chairperson Harris: But the results of the traffic study may impact what is required.

Commissioner Trecha: Whether there is traffic on Route B or not, that is a second issue. I bring this point up to ask whoever made the motion to consider that it has to be a requirement that has to be addressed, two access points, because a lot of traffic, trucks, and employees, there is a reason there is a requirement for two access points.

Chairperson Harris: That is more applicable to the plan than to the rezoning request.

Bill Florea: That would be a condition on the review plan; the motion on the table is just for the rezoning. This could be brought up in the discussion of the review plan.

Commissioner Schrieber made, and Commissioner Koirtyohann seconded a motion to approve the requests by Moore Bunton Properties LLC and Route B Independent Church to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) on 36.61 acres located at 5500 E Parks Ln. and 11700 N Route B, Hallsville:

Boyd Harris – Yes	Eric Kurzejeski – NO
Greg Martin – NO	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the rezoning request passes 8 YES 2 NO

Commissioner Kurzejeski wished to explain his vote stating that it appears a lot of work went into this request, but the applicants didn't seem to take a structured approach to ensure that they met with all of the neighbors. It would be a much better plan if the applicants spoke with all of the neighbors and tried to address some of their concerns. Commissioner Martin echoed Commissioner Kurzejeski's comment.

Commissioner Kurzejeski asked for clarification on condition 4 stating that the applicant indicated that upgrading Parks Lane was dependent on who the end user is. The condition doesn't seem to be negotiable.

Bill Florea: That is the intent of the condition; whether it is permanent access or an emergency access there is going to be impact to Parks Lake and it is not developed to a standard that can handle heavy loads.

Commissioner Schrieber made, and Commissioner Proctor seconded a motion to approve the requests by Moore Bunton Properties LLC and Route B Independent Church to approve a review plan and preliminary plat for Hallsville Industrial on 36.61 acres located at 5500 E Parks Ln. and 11700 N Route B, Hallsville, with the following conditions:

1. A lighting plan requiring exterior lighting to be shielded and oriented inward and downward-lighting to minimize glare and light trespass be prepared by a qualified engineer to include an explanation of how the light will be contained on site and be focused inward and downward. Such plan is to be created to the satisfaction of the Director of Resource Management. All exterior lighting shall be built and maintained in accordance with the approved plan.
2. A Landscaping buffering plan to address impacts to the property owners to the north and east and south shall be created to the satisfaction of the Director of Resource Management.
3. That only façade signage on the Route B side of the building be lighted.
4. Parks Ln improvement to a commercial /industrial road standard be required as part of the development, prior to final plan approval.
5. Because it is likely to take quite a while to clarify the Route B access situation and it is unlikely the property can be seriously marketed to freight developers until the access issue is resolved, we propose the Review Plan be approved with a five-year window as opposed to the standard two-year deadline for getting a Final Plan approved.
6. Note #15 needs to be clarified on the Final Plan to reflect the improvements that will be required at Parks Ln based upon approval conditions within the wording to be crafted to the satisfaction of the Director of Resource Management.
7. An amended traffic study, evaluating the railroad spur tracks truck terminal and a moving, transfer, or storage use, be conducted to assess the impact and see that it is not greater than that of the other uses proposed in the TIS. If it is, then a new review plan/rezoning process will be required before those uses can be utilized.

Boyd Harris – Yes  
Greg Martin – Yes  
Randal Trecha – Yes  
Kevin Harvey – Yes  
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes  
Steve Koirtyohann – Yes  
Rhonda Proctor – Yes  
Robert Schreiber – Yes  
Jeff McCann – Yes

Motion to approve the review plan passes unanimously

Chairperson Harris stated that these requests would go before the County Commission on Thursday, November 12, 2024 at 7:00 PM.

## **VII. PLANNED DEVELOPMENTS**

**Items 1 & 2 were placed on consent agenda.**

- 1. Request by Perry Luetkemeyer to approve a Final Development Plan for Locust Grove Subdivision Plat 3 PRD in the pending Planned Agriculture (A-2P) zoning district on 9.94 acres located at 2675 N Locust Grove Church Rd, Columbia.**

The following staff report was entered into the record:

The subject property is located approximately 500-feet west of Locust Grove Church Road and is accessed by a private drive serving several lots. The subject property is in the Midway area approximately 500-feet

Northwest of the intersection of Locust Grove Church Road and Henderson Road. The applicant is seeking to finalize the rezoning of 9.94-acres from Residential Single Family (R-S) to Planned Agriculture 2 (A-2P). The approval of this Final Plan will finalize the rezoning. The Review Plan and rezoning were approved by the County Commission on August 8<sup>th</sup>, 2023 by Commission Order 345-2023 with the same conditions as recommended by the Planning & Zoning Commission. The conditions are as follows:

1. Prior to submission of the Final Plan, the shed that is in the perimeter setback must be removed.
2. The existing lagoon must be properly closed when the new compliant lagoon is given final approval. The new lagoon must receive approval of its Final Inspection prior to the Final Plat being submitted for approval.
3. All construction is required to be outside of the type 2 stream buffer. The streambuffer is to remain undisturbed except for the work to properly close the existing lagoon, which encroaches into the stream buffer. This closure work must be conducted in compliance with a closure plan approved by the Director of Resource Management. The closure plan shall be designed to impact the stream buffer to the least extent possible.
4. The new lagoon is sized for five bedrooms. In this proposal, it only serves the home on Lot IA. The 27'x40' shed/accessory structure is not proposed to have plumbing.
5. The installation of the upgraded waterlines and Fire Hydrant will be required prior to any Final Plat being presented to the County Commission.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval and 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 revised review plan. The plan indicates the shed has been moved. The plan indicates that the old lagoon has been relocated; verification will be required prior to processing of the Final Plat. The as built location of the new lagoon is shown on the plan and is outside the stream buffer.

We have correspondence from Consolidated Public Water District #1 that the water infrastructure and hydrant have been installed and are acceptable. At this point, the Final Development Plan is in compliance with the conditions established by Commission Order 345-2023.

Staff recommends approval.

**2. Request by Butch's Investments to approve Primary and Alternative Final Development Plans for Butch's Investments 163 in the Planned Light Industrial (M-LP) zoning district on 13.49 acres located at 7180 S Cadet Ct., Columbia.**

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 building present on Lot 4. The subject property is 13.49 acres in size and zoned Planned Light Industrial (M-LP). The surrounding zoning is as follows:

- South - Agriculture 1(A-1)
- East – A-1
- Northwest – A-1
- West - Planned Recreation (REC-P)
- North - M-LP

The subject property was part of an M-LP rezoning and review plan in September of 2020. That request was denied by the Planning & Zoning Commission. The 2020 request was revised and reapplied as 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 plan was revised with a design that included two configurations. That proposal was approved under County Commission order number 360-2022. A new revision, retained the dual configuration, but trading building area between lots 3 & 4, was approved under County Commission order number 226-2024 in May of 2024.

That Review Plan identified a new building on Lot 4. This building does not alter the sewer requirements or parking requirements as it takes square footage from the building envelope on Lot 3 and transfers it to Lot 4 as a new building. This loss of developable square footage from Lot 3 is translated onto both designs for Lot 3, as is the presence of the new Lot 4 building. As the developable square footage remains the same, no additional parking areas are required.

This final development plan confirms the changes approved in the review plan under order 226-2024.

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 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

The approval of the review plan had the following condition:

1. All agreements and documentation related to the provision of sewer service be completed to the satisfaction of the BCRSD and the Director of Resource Management prior to submission of the Final Development Plan.

Staff has received documentation from the Boone County Regional Sewer District indicating approval of the final plan.

Staff review of the final plan shows that it meets these criteria for approval.

Commissioner Harvey made, and Commissioner Kurzejeski seconded a motion to approve the Final Development Plans on consent agenda:



Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the Final Development Plans passes unanimously

Chairperson Harris stated that these requests would go before the County Commission on Thursday, November 12, 2024 at 7:00 PM.

## VIII. PLATS

### **Plats 1 & 2 were placed on consent agenda**

#### **1. Sunrise Estates Block 13. R-S. S12-T48N-R12W. Sue Porter, owner. Jay Gebhardt, surveyor.**

The following staff report was entered into the record:

The subject property is located on Sunrise Court, west of the right-of-way for Sunnybrook Lane in the Sunrise Estates development. It is approximately 500 feet east of the city limits of Columbia. There is an existing house present on the property. This proposal consolidates the tentatively approved vacated right-of-way for Sunnybrook Lane to the east of the property into the subject lot. The property is zoned Residential Single-Family (R-S) and is surrounded by R-S zoning. This is all original 1973 zoning.

The subject property is located on Sunrise Court, a publicly dedicated and publicly maintained road. There are no additional lots proposed on this plat, only expansion of the existing lot. The applicant has submitted a request to waive the traffic study requirement. In this case, approval of the request is reasonable given the lack of additional residential units.

The subject property is located in Public Water Service District #9 with service on the property. Boone Electric provides electrical service to the site. The property is in the Boone County Fire Protection District.

The subject property has central sewer service from the Boone County Regional Sewer District.

This property and the right-of-way for Sunnybrook Lane were tentatively approved by commission order 186-2024 to be vacated and allow replatting which will only go into effect when this replat is recorded. The vacation request for Sunnybrook Lane included a letter from the property owner to the east refusing any interest in the vacated right-of-way for Sunnybrook Lane.

The property scored 80 points on the rating system.

Staff recommends approval of the plat and granting the requested waiver to the traffic study requirement.

#### **2. BerkleyBlaire Ridge Plat 1. A-2. S22-T50N-R13W. Hiamp Company LLC, owner. Derek Forbis, surveyor.**

The following staff report was entered into the record:

The subject property is located off North Old Number 7, approximately a quarter of a mile south of the intersection of West Wilbur Lane and North Old Number 7. The property is zoned Agriculture 2 (A-2) and is surrounded by A-2 zoning on all sides. The property is currently undeveloped. The proposal is to create a two-lot minor plat with 4.39 and 4.33 acre lots. Two corresponding administrative surveys were submitted concurrent to this plat to subdivide the remainder of the parent parcel into 10-acre tracts.

The subject property has frontage along and direct access to North Old Number 7, a publicly maintained roadway. The applicant has not submitted a waiver from the traffic study requirement. However, creation of a two-lot minor plat is unlikely to have a major impact on existing transportation resources. Granting of a waiver to the traffic study is appropriate in this case.

The property is located within Consolidated Water Supply District #1 service area. Boone Electric provides power service in the area. The Boone County Fire Protection District provides fire protection. The nearest station, station 7, is approximately 2.5 miles away.

The applicant has submitted an onsite wastewater plan showing intended lagoon locations for future residential development. Staff have reviewed the onsite wastewater plan and the intended lagoon locations are compliant with setback and slope requirements for lagoons. The applicants have not submitted a waiver from the sewer cost benefit requirement. However, no publicly maintained sewer system is nearby. Waiver to the sewer cost benefit analysis requirement is appropriate.

The property scored 37 points on the rating system

Staff recommends approval of the plat and granting of waivers.

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

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the plats passes unanimously

Chairperson Harris stated that plats eligible to go before the County Commission will do so on Thursday, November 12, 2024 at 7:00 PM.

## **IX. OLD BUSINESS**

### **1. Update on Commission action**

Director, Bill Florea updated the Commission on the actions of the County Commission:

The conditional use permit by MuddyMo Landing was approved as recommended.

The rezoning request by DF Clark & Sons, Marsh Commercial, was tabled by the applicants per their request.

The final development plan for MBK Investments, RockBridge Business Park was approved as recommended.

The following plats were approved and accepted:

- Scrivners Pointe
- Worthley Subdivision Plat 1
- Wilbert Lane Subdivision
- Settlers Ridge Plat 7

## **X. NEW BUSINESS**

### **1. Proposed Revisions to Boone County Zoning Regulations, Section 28, Stormwater Ordinance**

Bill Florea asked the Commission if they were ready to move forward with public hearings on the proposed revisions.

Chairperson Harris asked if anyone had issues with the proposed changes that need to be discussed.

Bill Florea stated that the temporary abeyance section has already been adopted and does not have any proposed changes, so that is not something we are talking about here. If there were changes proposed to that section it would have to go through the Zoning Regulations amendment process because they can't make any changes to it at this time as it is not proposed to be changed.

Commissioner Schrieber asked if there had been any changes made to the draft since they were last reviewed?

Bill Florea stated no.

The Commission indicated they were ready to move forward with public hearings.

## **XI. ADJOURN**

Being no further business, the meeting was adjourned at 10:53 p.m.

Respectfully submitted,

Secretary  
Greg Martin, Secretary

Minutes approved on this 21<sup>st</sup> day of November, 2024

Presented by:  
Mefrakis/Fadiah  
(NewTown)  
10/17/24



Power

Point

Presented by:

CKL Properties

10/17/24


# 7400 I-70 Drive Southeast Rezoning Request to M-LP Boone County Planning & Zoning Commission October 17, 2024





# Boone County Assessor Parcel Map

Purchased in 2023 by Applicant: CKL Property Management LLC



## Parcel Information Viewer


Parcel Number, Owner's Name, or Property Address:

[Zoom to Neighborhood](#) [Zoom to Location](#) [Print](#) [Link](#) [Map Legend](#) [Help](#)

**1731512010360001**


<b>Owner</b>	CKL PROPERTY MANAGEMENT LLC
<b>Address</b>	10925 E VEMERS FORD RD
<b>City, State, Zip</b>	COLUMBIA, MO 65201
<b>School</b>	COLUMBIA (C1)
<b>Legal</b>	SUNRISE ESTATES
<b>Description</b>	LOTS 125, 126 & 127
<b>Deeded Acreage</b>	4.10
<b>Parcel</b>	17-315-12-01-036.00 01

**Full Real Estate Summary**  
Click plus icon above to view full real estate summary



11/6/2018 6:42:16 AM

Parcel Data Current as of: 8/24/2024  
Information Retrieved: 9/24/2024 5:12 PM CDT



100 ft

1731512010360001

10925 E VEMERS FORD RD

COLUMBIA, MO 65201

COLUMBIA (C1)

SUNRISE ESTATES

LOTS 125, 126 & 127

4.10

17-315-12-01-036.00 01

Full Real Estate Summary

Click plus icon above to view full real estate summary

11/6/2018 6:42:16 AM

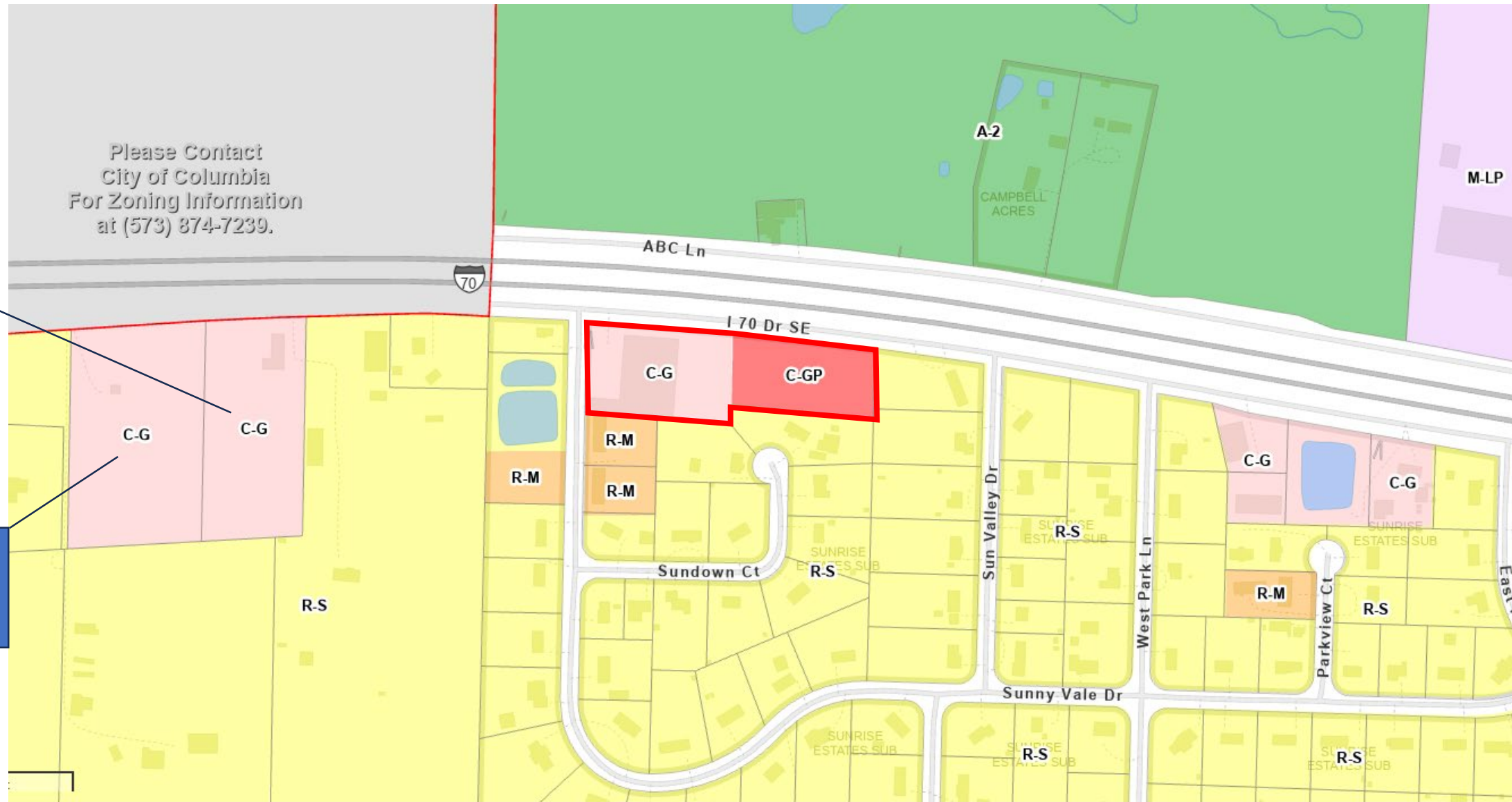
Parcel Data Current as of: 8/24/2024  
Information Retrieved: 9/24/2024 5:12 PM CDT



[illegible]

REGIONAL ECONOMIC OPPORTUNITY AREA

# Boone County Zoning Map



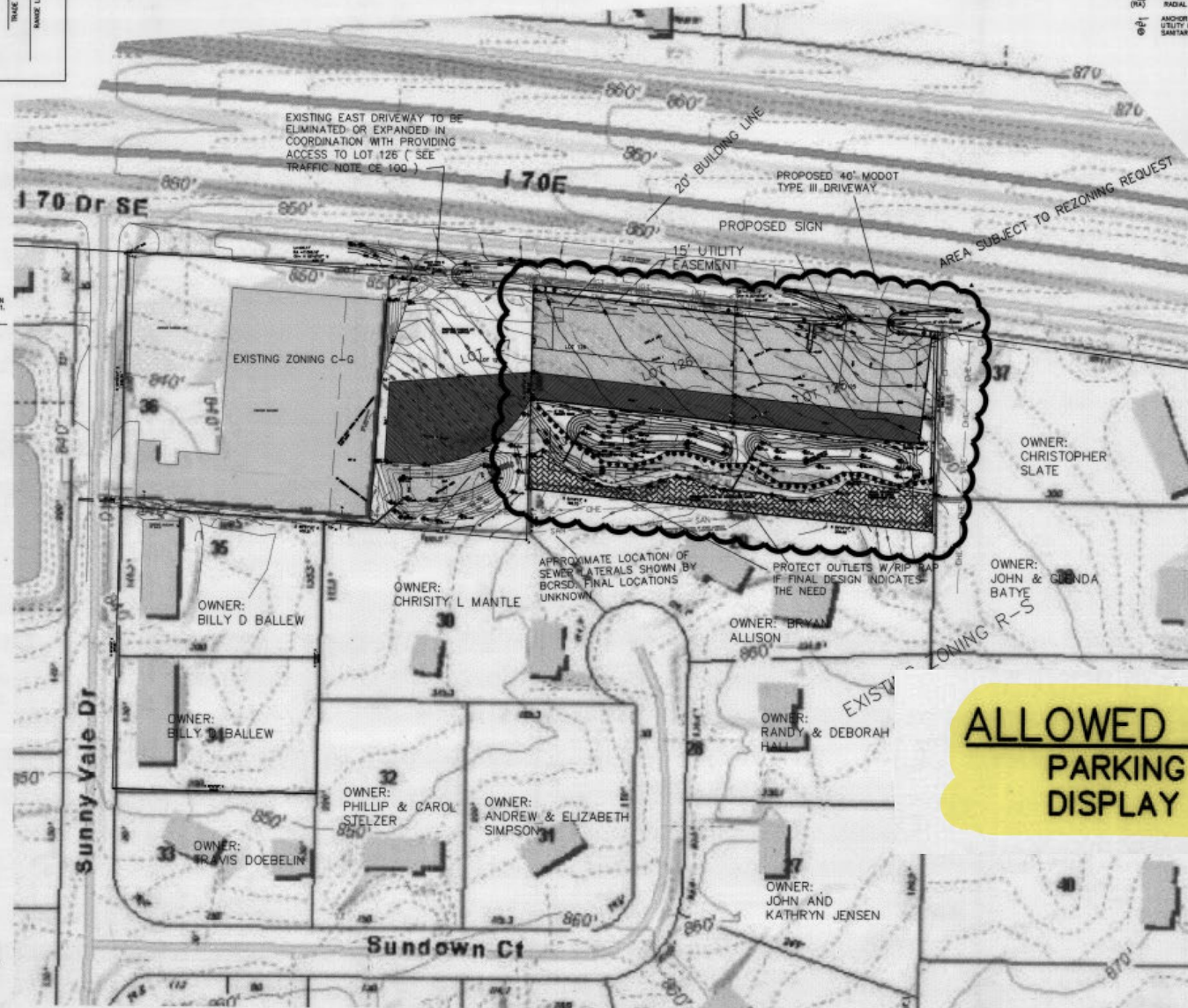
Rezoned to  
Commercial  
in 2021

Rezoned to  
Commercial  
in 2023



# 7400 I-70 DRIVE SOUTHEAST

CG-P FINAL PLAN  
FOR LOTS 125 & 126  
OF SUNRISE ESTATES SUBDIVISION



- LEGEND
- F FOUND 5/8" ROD WITH CAP
  - LS 1/8" 2400 OR CAP BRUSH AND ASSOC. LINES UNLESS OTHERWISE NOTED
  - S SET 5/8" ROD WITH CAP
  - PM PERMANENT MONUMENT
  - RA RIGHT-OF-WAY
  - L LINE
  - CH CHORD
  - M MEASURED
  - PC OVER HEAD ELECTRIC
  - USE UNDER GROUND ELECTRIC
  - UGFO UNDER GROUND TELEPHONE
  - WATER LINE
  - FOUND RIGHT-OF-WAY MARKER
  - (RA) RADIAL LINE
  - ANCHOR
  - UTILITY POLE
  - SANITARY SENDER MARKER

## LEGAL DESCRIPTION

A TRACT LOCATED IN SECTION 12, TOWNSHIP 43 NORTH, RANGE 12 WEST, BOONE COUNTY MISSOURI, BEING LOTS 125 AND 126 OF A RE-PLAT OF SUNRISE ESTATES AS SHOWN IN PLAT BOOK 7 PAGE 48 OF THE BOONE COUNTY RECORDS.

## SIGNAGE NOTE

A SINGLE DIRECTIONAL (ENTRANCE/EXIT) SIGN SHALL BE LOCATED AT EACH PROPOSED ENTRANCE. PROPOSED SIGNS SHALL BE DOUBLE SIDED AND NOT EXCEED 50 SQ. FT. PER SIDE. SIGNS SHALL MEET BOONE COUNTY SIGN REGULATIONS APPROXIMATE LOCATIONS ARE SHOWN.

## LIGHTING NOTE

DUK TO SAVE LIGHTS SHALL BE INSTALLED ON EXISTING POWER POLES TO PROVIDE LIGHTING FOR LOTS 125 AND 126. LIGHTING SHALL BE DIRECTED INWARD AND DOWNWARD TO PREVENT LIGHT FROM LEAVING THE PROPERTY.

## ALLOWED USES FOR LOTS 125 AND 126

PARKING LOT

DISPLAY LOT

## NARRATIVE

UPON CONCEPT REVIEW IT WAS DETERMINED THAT LOTS 125 AND 126 DO NOT HAVE THE RECOMMENDED 1.000 GPM OF WATER SUPPLY TO SUPPORT NEW DEVELOPMENT OF COMMERCIAL STRUCTURES AT THIS TIME. THE PROPOSED ZONING PLAN WOULD ALLOW ONLY PARKING/DISPLAY LOTS WITH NO PERMANENT OR TEMPORARY COMMERCIAL STRUCTURES TO BE ALLOWED UNTIL WATER SYSTEM IMPROVEMENTS ARE INSTALLED TO ACHIEVE 1.000 GPM AND A NEW PLANNED ZONING APPLICATION IS PROCESSED WITH DETAILED PLAN FOR PUBLIC COMMENT AND APPROVAL.

## BUILDING HEIGHT

PHASE 1 NOT APPLICABLE NO PERMANENT STRUCTURES ARE ALLOWED.

## EXISTING UTILITIES

SEWER AVAILABLE TO SITE BY BOONE COUNTY REGIONAL SEWER DISTRICT  
WATER AVAILABLE TO SITE BY PUBLIC WATER DISTRICT #1  
GAS UNCONFINED

ELECTRIC AVAILABLE TO SITE PROVIDED BY BOONE ELECTRIC COOPERATIVE.

## FLOOD PLAIN STATEMENT

NO FLOOD PLAIN EXITS AS SHOWN BY FINAL COMMUNITY PANEL NUMBER 280103235 D DATED MARCH 17, 2011.

## TRAFFIC/ROADWAY ACCESS

LOT 125 AND 126 ARE ACCESSIBLE OFF OF MODOT MAINTAINED ROADWAYS WITH ACCESS EACH DIRECTION TO I-70 INTERCHANGES. NO TRAFFIC STUDY IS PROPOSED WITH THE PROPOSED PARKING LOT USE. A TOTAL OF 3 DRIVEWAYS ARE PROPOSED WHICH WILL REQUIRE THE ELIMINATION OR EXPANSION OF THE EXISTING EAST DRIVEWAY TO PROVIDE ACCESS TO LOT 126.

BRUSH AND ASSOCIATES, INC.

CONSULTING ENGINEERS AND LAND SURVEYORS  
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201  
PHONE: (314) 442-3110 FAX: (314) 442-4851  
www.brushandassociates.com

OVERALL SITE PLAN  
I-70 DRIVE SOUTHEAST

BOONE COUNTY MISSOURI

ALLOWED USES FOR LOTS 125 AND 126  
PARKING LOT  
DISPLAY LOT



RECEIVED AND ACCEPTED BY BOONE COUNTY COMMISSION  
DATE: 03/15/2011 BY: [Signature]  
PRESIDENT COMMISSIONER  
COUNTY CLERK: [Signature]

APPROVED BY THE BOONE COUNTY PLANNING AND ZONING COMMISSION  
DATE: 03/15/2011 BY: [Signature]  
CHAIRPERSON

DATE	03/15/2011
SCALE	1"=50'
JOB NUMBER	JK 7400
CE 100	



# Previous Approved Use

## Parking Lot for Recreational Vehicle Sales



2019 Timeframe

# Proposed Use

Proposed Tenant for Eastern Half of Building: SiteOne Landscape Supply



Uses:  
Office  
Wholesale Warehouse  
Fenced Outdoor Storage  
Warehouse

SiteOne's Chesterfield, Missouri Facility  
(No new buildings proposed with this  
rezoning.)





# Proposed Use

Current Tenant for Western Half of Building: Walsh Insulation Services



Uses:

Office

Warehouse

# Proposed Allowed Uses

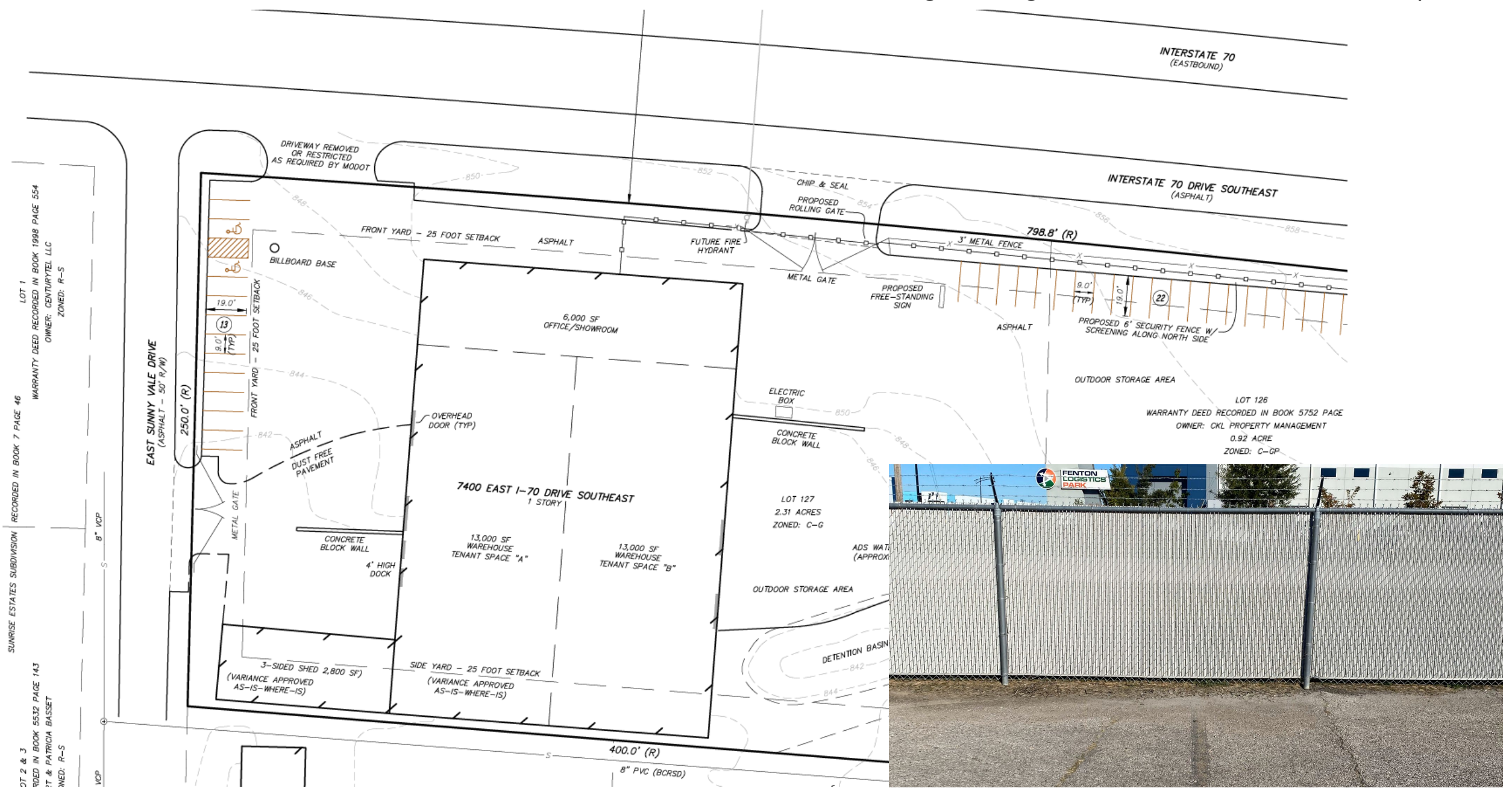
## ***ALLOWED USES***

---

1. *OFFICE OR OFFICE BUILDING.*
2. *RETAIL STORE PROVIDED THAT IN CONNECTION WITH WHICH THERE SHALL BE NO SLAUGHTER OF ANIMALS OR POULTRY, NOR COMMERCIAL FISH CLEANING AND PROCESSING ON THE PREMISES.*
3. *DISPLAY AND SALESROOM.*
4. *LUMBERYARD AND BUILDING MATERIALS.*
5. *WHOLESALE ESTABLISHMENT OR WAREHOUSE IN A COMPLETELY ENCLOSED BUILDING.*
6. *WHOLESALE MERCHANDISING OR STORAGE WAREHOUSES AND FENCED OUTDOOR STORAGE AREAS.*
7. *CONTRACTOR'S BUILDINGS AND STORAGE PLANTS.*

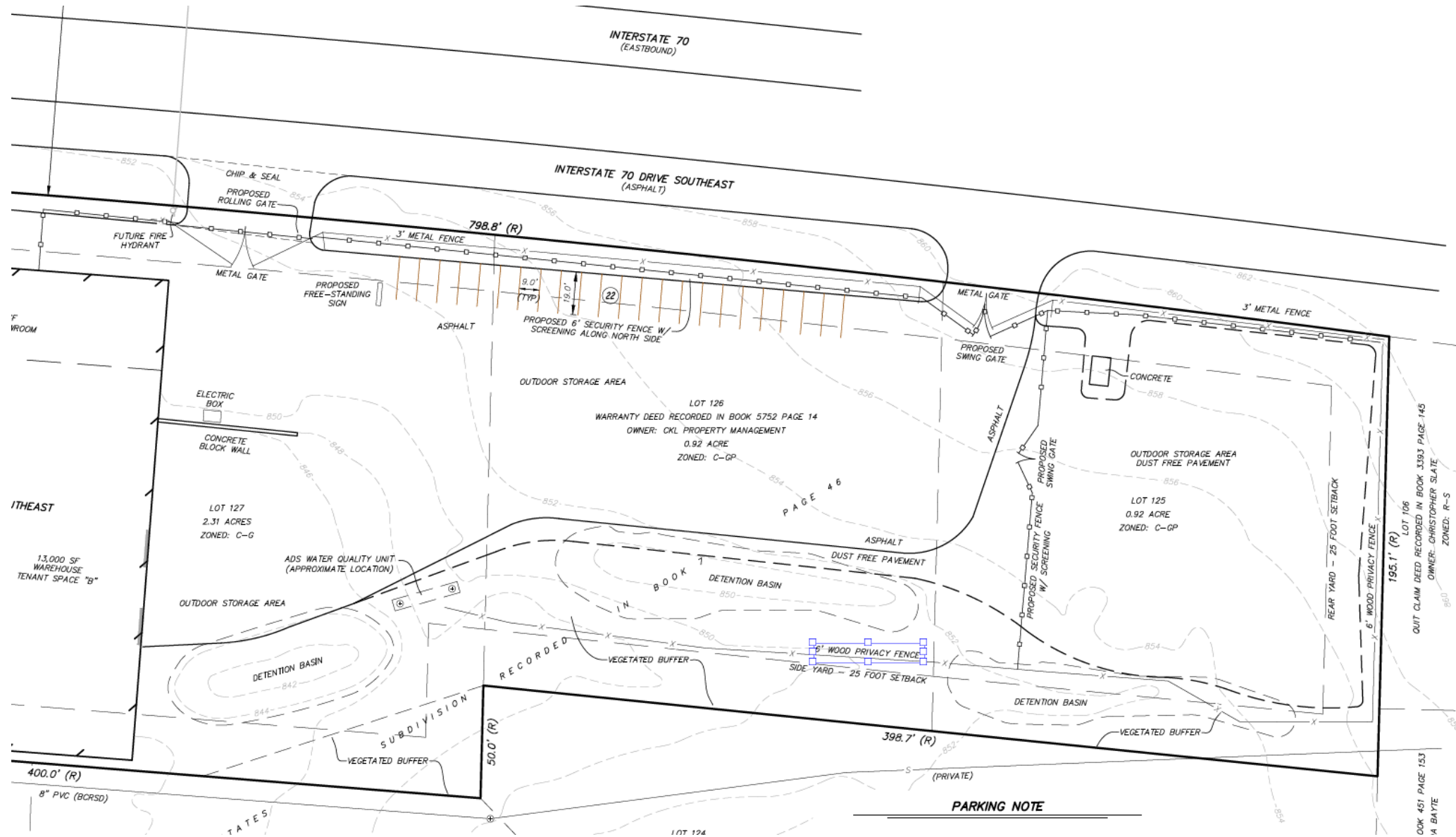
*NOTE: LABELED AREAS ON PLAN ARE EXAMPLES ONLY AND OTHER USES LISTED ARE ONLY ALLOWED AS THEY FIT THE PROVIDED PARKING AND SITE DESIGN.*

Existing Building to be Divided into Two Tenant Spaces





## Eastern portion of site to be Fenced Outdoor Storage



Existing Building is Approximately 8 feet from South Property Line  
 Variance Approved for 25-foot building setback required for future M-LP rezoning

Office use only  
 Case # 006-00

# NOTICE OF APPLICATION TO THE BOARD OF ADJUSTMENT

ONE FORM PER VARIANCE REQUEST

\$185.00 Non-Refundable Application Fee

Submit forms to:

Board of Adjustment, Attn: Secretary, Board of Adjustment, 801 E Walnut St, Rm 315, Columbia, MO 65201

SUBJECT: Notice of application in regard to the following described property located in Boone County, Missouri:

17 - 315 - 12 - 01 - 036 - 0001 LOTS 125, 126 & 127 Sunrise Estates  
 \*Tax Parcel Number \*Legal description (attach separate form if necessary)  
 and known, or to be known as 7400 I-70 Drive Southeast Columbia, MO 65201  
 \*street or route \*City, Zip Code

\*Notice is hereby given that I/we the property owner apply to the Board of Adjustment, Boone County, Missouri for a variance from ☒ Zoning ☐ Subdivision Regulations Section(s) 6.9.1 25 foot setback  
 (use separate form for each requested variance)

\*Reason for request (attach a separate sheet if needed): The existing building, constructed in the 1960s, is closer than 25 feet to the property line.

Type and location of building the variance is requested for, if applicable. (May be indicated on survey or aerial photograph – attach copy)

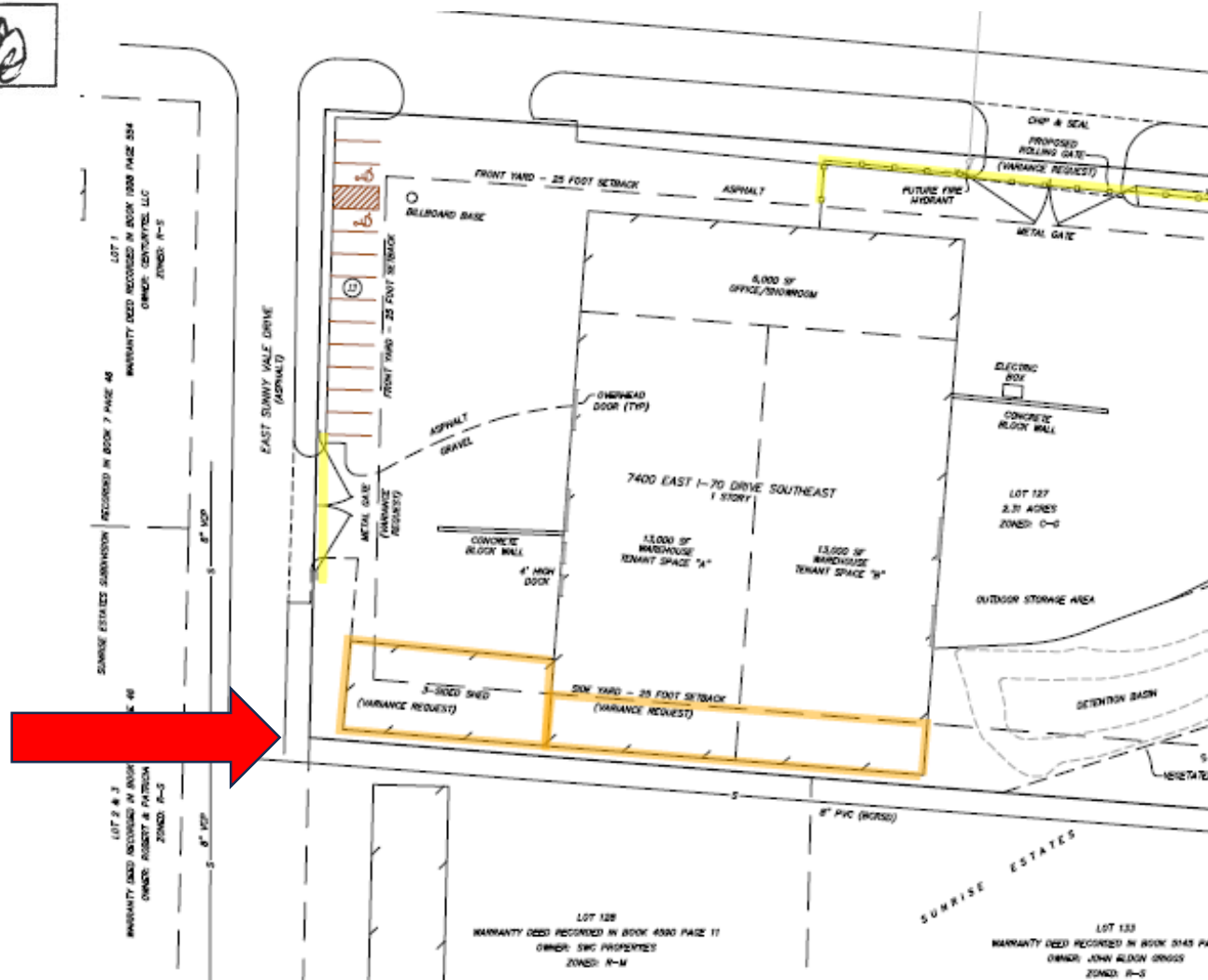
See attached drawing

\*Current zoning: C-G \*Current use of the property: warehouse (non-conforming use)

Proposed use if different from above: warehouse and outside storage (requesting M-LP zoning)

Authority to grant said permission is given to the Board of Adjustment by Section 15C, Boone County Zoning Regulations. If the Board of Adjustment grants permission as requested, there will still be substantial compliance with the Zoning Regulations. the spirit of the Zoning Regulations will be observed. public safety and welfare will be

Proposed rezoning to M-LP (Planned Light Industrial)  
 to allow existing warehouse use and outside storage



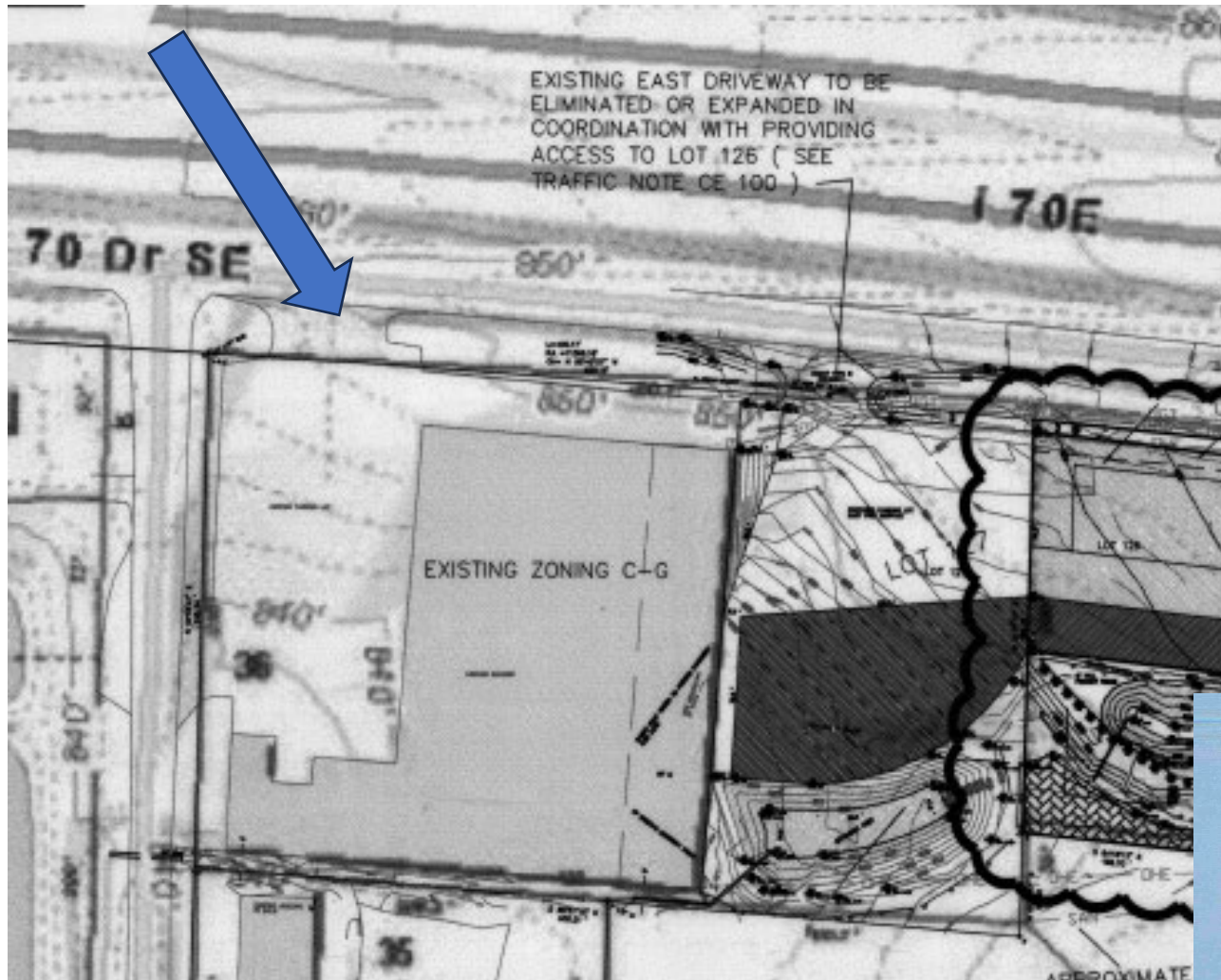
# Western Driveway

Serves loading docks on west side of building

MoDOT's Access Management Policy since 2005

Allowed to remain as part of 2011  
Planned District Approval

MoDOT NOT requiring the driveway to be closed  
now



MISSOURI DEPARTMENT OF TRANSPORTATION  
ACCESS MANAGEMENT  
GUIDELINES

May 1, 2005



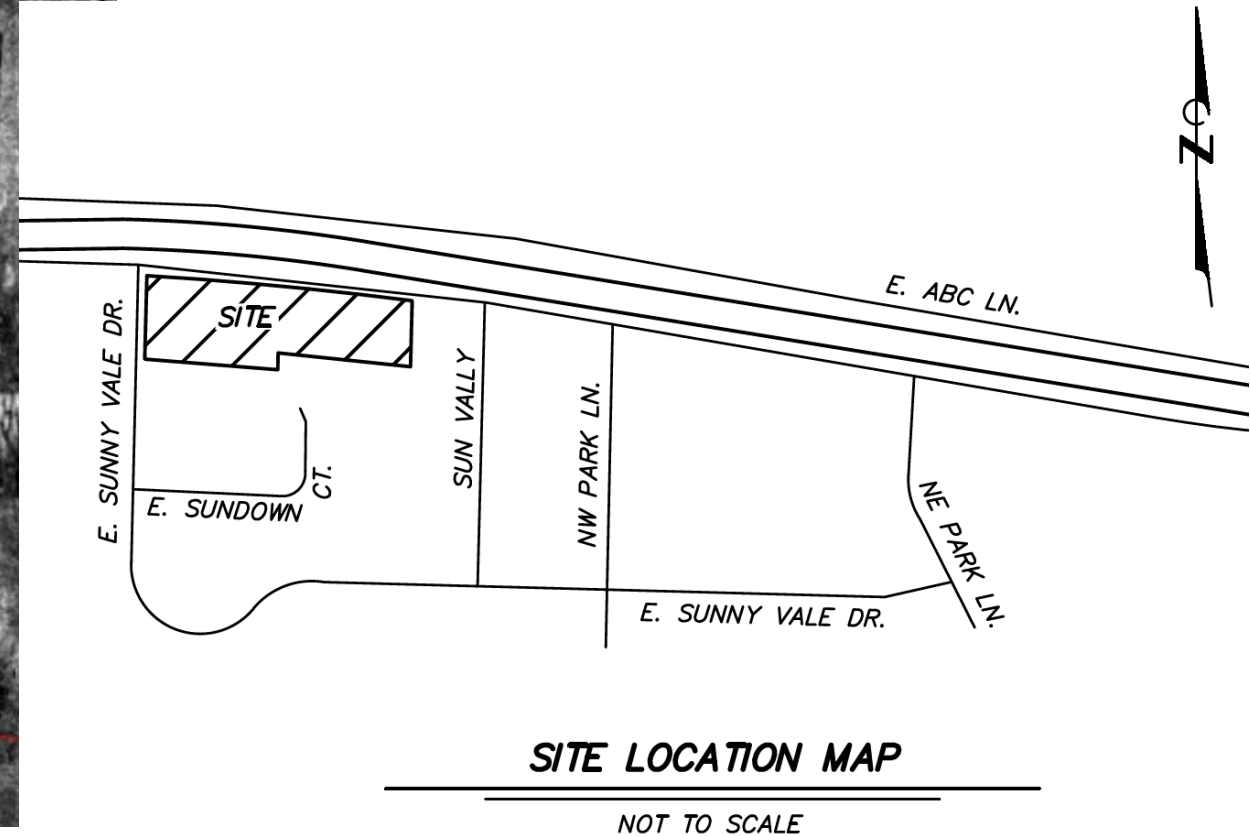


2002 Aerial Photo

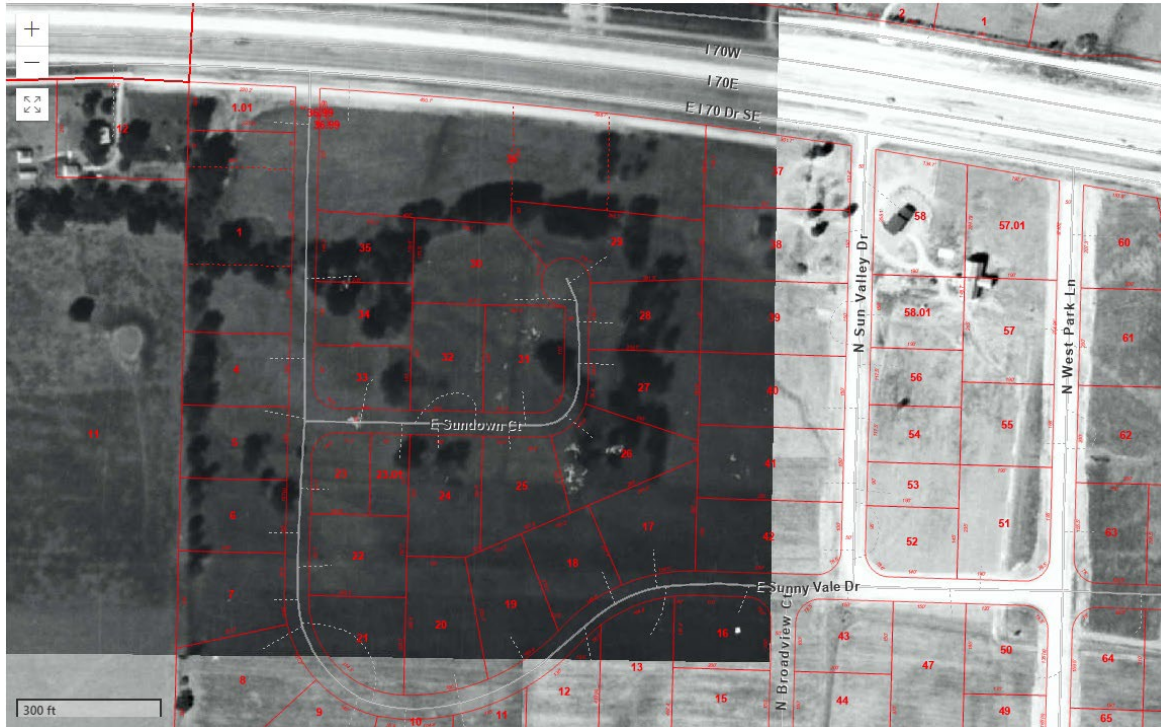
# Western Driveway

Semitrucks parked at loading docks

Alternate Route to Loading Docks is through the neighborhood from the south.



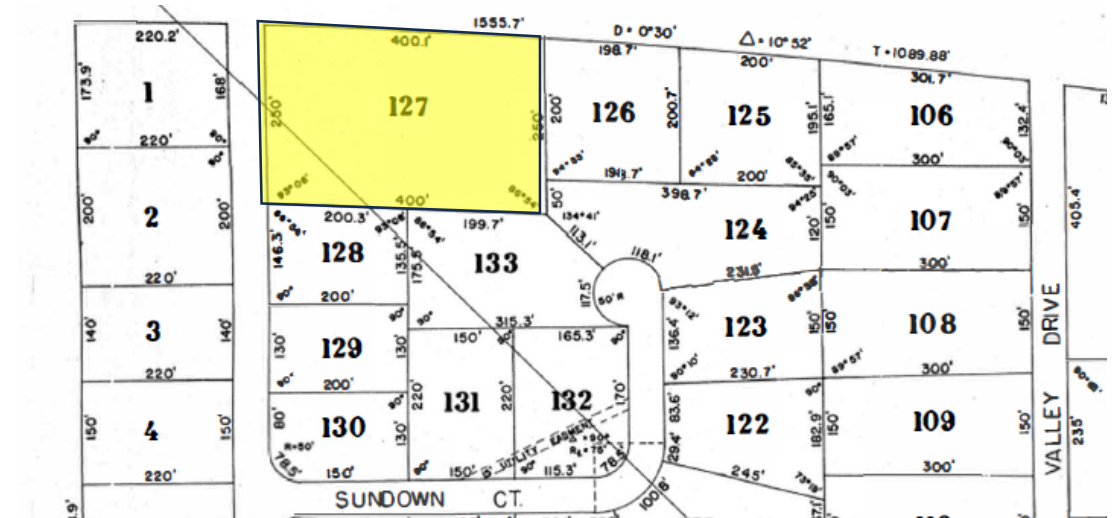
Commercial Property was developed with Neighborhood



1962 Boone County Assessor Aerial Photo

Interstate 70 is only 2 lanes.

No homes built yet.



Subdivision Plat 1964

Note Large Commercial Lot 127



Commercial Property was developed with Neighborhood



1968 Aerial Photo

7400 I-70 Dr. Southeast  
Commercial building and homes  
constructed at the same time.

Interstate 70 is now 4 lanes





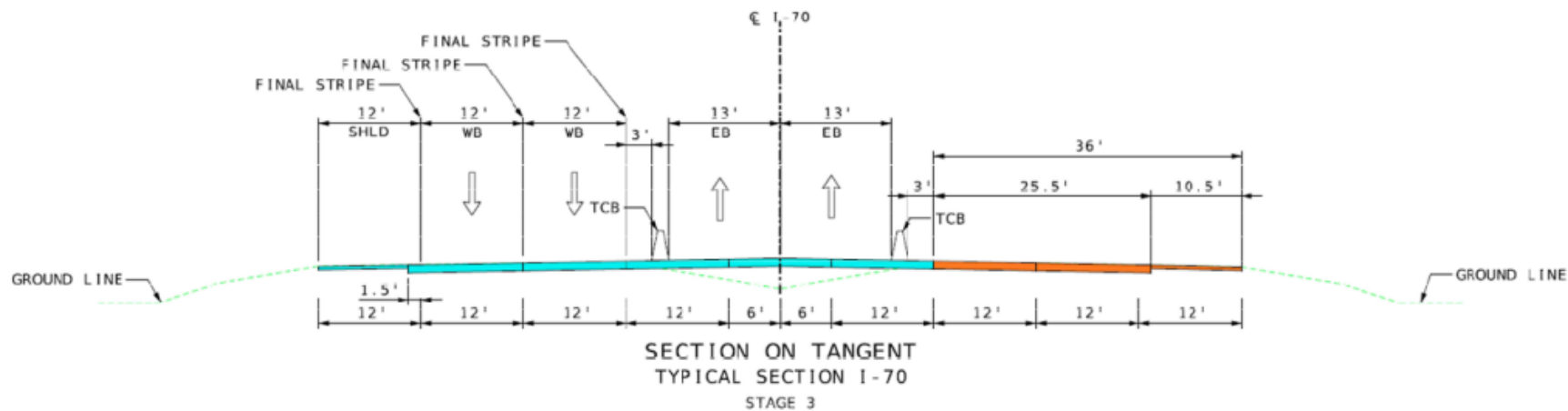
Commercial Property was developed  
with Neighborhood

2023 Aerial Photo

Existing Privacy Fences along east and  
south property lines to remain.

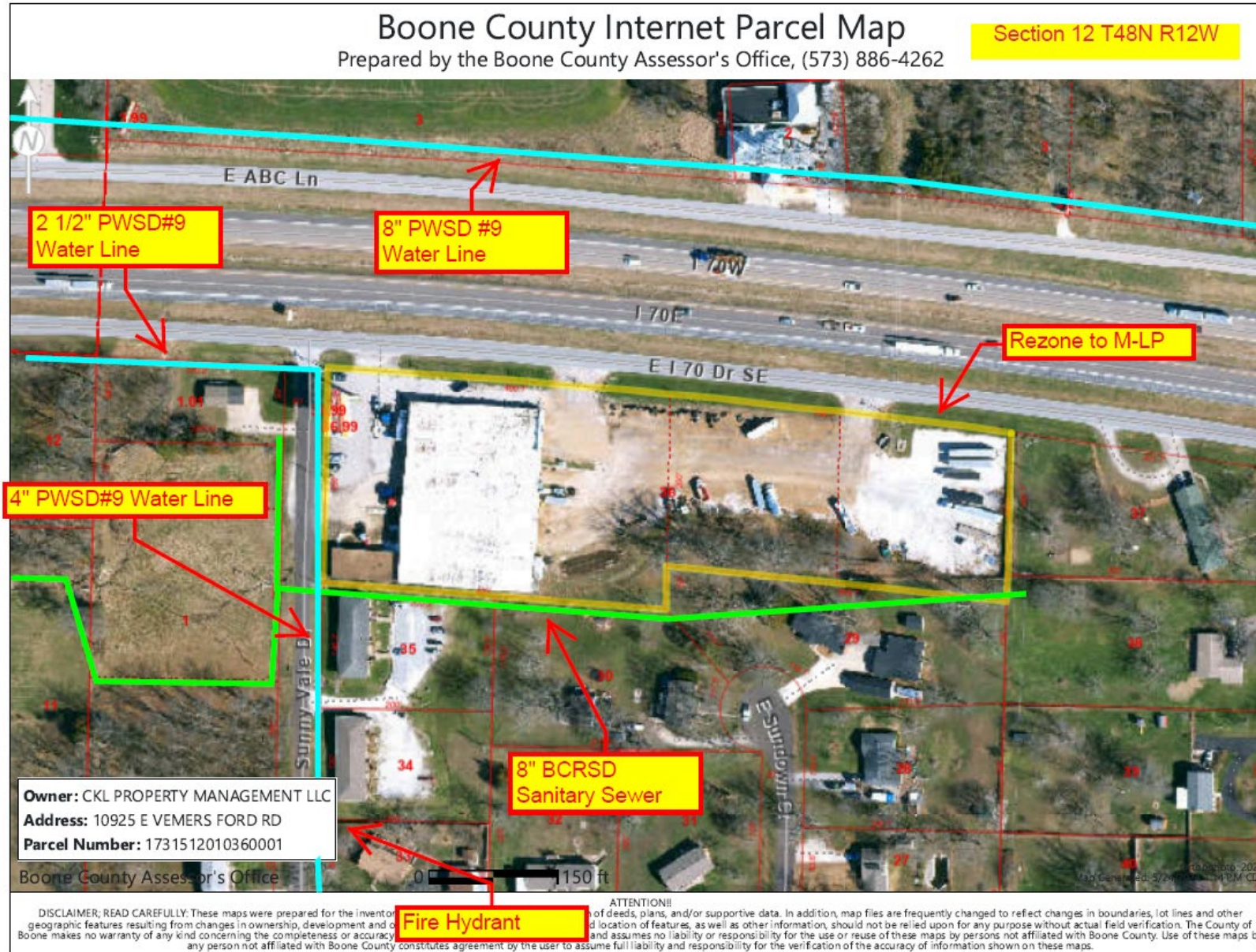
Truck parking by previous owner

Soon - Interstate 70 will be 6 lanes





# Utility Services in the Area



8-inch BCRSD public sewer on south side of property

8-inch PWSD#9 water on north side of I-70





## RV Dealership in Columbia, MO

● Open until 7:00 pm today

8877 Interstate 70 Dr NE  
Columbia, MO 65202  
[Get Directions](#)

(866) 405-0786  
[✉ Email Us](#)

## RV Dealership

**Mon-Fri** 9:00 AM-7:00 PM

**Sat** 9:00 AM-6:00 PM

**Sun** 11:00 AM-5:00 PM

# Hours of Operation

West Half of Building:  
Walsh Insulation Services

Monday – Friday 7:00 am to 5:00 pm

East Half of Building and Outdoor Storage:  
SiteOne Landscape Services

Monday	7:00 a.m.- 4:00 p.m.
Tuesday	7:00 a.m.- 4:00 p.m.
Wednesday	7:00 a.m.- 4:00 p.m.
Thursday	7:00 a.m.- 4:00 p.m.
Friday	7:00 a.m.- 4:00 p.m.
Saturday	8:00 a.m.- 12:00 p.m.
Sunday	Closed

# Questions?







# Western Driveway



## ENGINEERING POLICY GUIDE

[Main Page](#)

[100 General](#)

[136 LPA Policy](#)

[200 Geometrics](#)

[300 Bases](#)

[400 Flexible Pavement](#)

[500 Rigid Pavement](#)

[600 Incidental  
Construction](#)

[700 Structures and  
Hydraulics](#)

[800 Roadside  
Development](#)

[900 Traffic Control](#)

[1000 Materials](#)

[1100 Maintenance  
Materials](#)

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## Category:940 Access Management

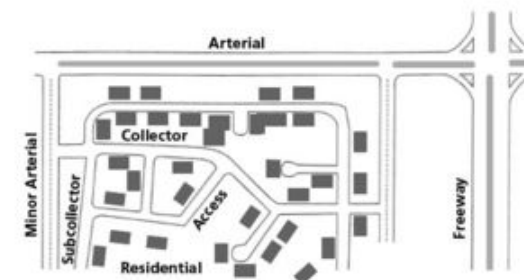
[? Help](#)



Roadways must provide efficient and safe access to homes and businesses. This concept is the foundation of any successful access management effort. Economic prosperity for businesses of all sizes is dependent upon the appropriate level of access and is an important consideration in determining where access should be restricted and/or limited.

Local and lower-volume routes provide access to homes and businesses while higher-volume arterial routes like interstates and major highways are needed to serve longer, higher-speed travel. The more traffic on a roadway, the more essential access management becomes. Properly managed access provides access to homes and businesses while still improving roadway safety and traffic operations and protecting the taxpayers' investment in roadways.

In order to be successful in managing access, MoDOT must work to gain the cooperation and support of affected communities, business owners, and the public. Flexibility, good judgment, negotiation and compromise will be necessary to determine the right solution for each location.



Email Received:  
CKL Property Mgmt

## Paula Evans

---

**From:** kjensen65201 <kjensen65201@yahoo.com>  
**Sent:** Thursday, October 17, 2024 1:20 PM  
**To:** resmgt  
**Subject:** Request by CKL Property Management LLC To Rezone 4.1 Acres at 7400 I-70 Drive SE, Columbia

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Hello Boyd Harris, Chairperson:

I own property at 7360 E Sundown Ct, within 1000 ft of proposed rezoning. I have several questions and concerns:

1. What specifically does the owner of 7400 I-70 Drive SE propose to use this property to do? Please provide as much detail as possible.
2. Will part of the lot be paved?
3. Where will rain water run-off from paved area be directed?
4. How much dust will be created on non-paved portion of lot?
5. How much, what kind of noise will be generated by activities on this property? The previous business regularly produced VERY UNPLEASANT noise that I could hear inside my home!
6. What guarantee do we have as adjacent property owners that what we are promised will be done ACTUALLY is done? Again, several promises and assurances made by previous owner of that property did NOT materialize!
7. What impact on property values are projected for adjacent properties?
8. What will the lot look like to the public? Previously, wrecked vehicles were parked on that lot, making a very tacky appearance.

Thank you for your attention to my questions and concerns.

Sincerely,

Kathryn (Kathy) Jensen  
kjensen65201@yahoo.com  
(573) 365-6014 (cell)

Sent from my T-Mobile 5G Device

# Moore Buntton Hallsville Church: (Hallsville Industrial)

Larry Moore Talking Points

Submitted by: Larry Moore

10/17/24



EXHIBIT: Moore talking points  
REQUEST: Moore Bunton -  
Church  
DATE: 10/17/24

MOORE BUNTON, LLC  
JIM AND BARB BUNTON , LARRY AND KAREN MOORE  
ROUTE B RAIL SITE ANALYSIS

PURCHASED 50 ACRES FROM BOB AND JAN DARBY IN 2001.  
SOLD 15 ACRES TO HALLSVILLE UNITED METHODIST CHURCH FOR NEW CHURCH  
CONSTRUCTED OUR BEAUTIFUL NEW CHURCH

HELD THE REMAINING 35 ACRES(MORE OR LESS) SINCE THAT TIME TO PROTECT  
THE CHURCH APPEARANCE AND OPERATIONS

TURNED DOWN SEVERAL IDEAS TO DEVELOP THE 35 ACRES AS RESIDENTIAL  
MAINLY DUE TO OBSTACLES IN CONTROLLING RESIDENTIAL DEVELOPMENT

WE WERE APPROACHED BY REDI IN ABOUT 2020 AT THE REQUEST OF COLT RR AND  
NORFORK AND SOUTHERN RR TO CONSIDER THIS AS POTENTIAL RAIL SITE

AFTER CONSIDERATION WE REACHED THE FOLLOWING CONCLUSIONS:

- 1 WITH THE LAND LOCATED IN A RELATIVELY NARROW STRIP BETWEEN  
THE RAILROAD AND ROUTE B, SOME TYPE OF INDUSTRIAL USE WOULD  
BE THE BEST USE OF THE LAND.
- 2 PLANNED LIGHT INDUSTRIAL ZONING PROVIDED A GOOD LONG-TERM  
PROTECTION FOR OUR CHURCH SINCE ANY CHANGES TO THE PLAN WOULD  
REQUIRE APPROVAL BY THE COUNTY ZONING PROCESS
- 3 AN ATTRACTIVE INDUSTRIAL DEVELOPMENT WOULD BE A BIG BENEFIT TO  
OUR RAPIDLY GROWING SCHOOL SYSTEM BOTH IN INCREASED BONDING  
CAPACITY AND ANNUAL PROPERTY TAX REVENUE.

AT THAT POINT, NORFORK AND SOUTHERN RR ENGINEERS DESIGNED THE SITE PLAN  
WHICH IS THE BASIS FOR THIS REZONING REQUEST.  
IT SEEMS TO US THAT THEY HAD A POTENTIAL PURCHASER IN MIND,  
BUT, OF COURSE, IT WOULD BE PREMATURE TO DISCLOSE THAT INFORMATION  
TO US UNTIL PRELIMINARY ZONING IS OBTAINED.

WE , THEN, SCHEDULED A CONCEPT REVIEW WITH REPRESENTATIVES OF ALL COUNTY  
DEPARTMENTS. ALL ENTHUSIASTICALLY ENDORSED THE PROJECT.  
AT THIS CONCEPT REVIEW, THE FIRE CHIEF POINTED OUT THAT WE HAD  
ADEQUATE WATER SOURCES FOR THE REQUIRED BUILDING SPRINKLER  
SYSTEM AND THAT , DUE TO THE DISTANCE INVOLVED, WE WOULD NEED AN ACCESS  
TO PARKS LANE FOR EMERGENCY VEHICLES, ONLY.

AT THAT POINT, WE DISCUSSED THE PROJECT WITH MODOT AND RECEIVED AN ASSURANCE THAT WE COULD BE GRANTED A DRIVEWAY ACCESS TO ROUTE B SUBJECT TO THE COMPLETION OF AN "IN DEPTH" TRAFFIC STUDY.

WE THEN ENAGAGED A TRAFFIC ENGINEER WHO CONDUCTED THE APPROPRIATE STUDY UNDER MODOT SUPERVISION. THE STUDY HAS SUBSEQUENTLY BEEN APPROVED BY MODOT AND BOONE COUNTY ENGINEERS.

MODOT IS NOT CONCERNED WITH INCREASED TRAFFIC ON ROUTE B ,PARTIALLY BECAUSE THEY HAVE PURCHASED THE NECESSARY RIGHT OF WAY TO MAKE ROUTE B A FOUR LANE ROAD AT THE APPROPRIATE TIME IN THE FUTURE.

REDI AND THE OTHER CITY DEPARTMENTS ARE ENCOURAGING THE DEVELOPMENT OF OUR SITE TO PROMOTE ECONOMIC DEVELOPMENT AND JOB CREATION IN THE AREA.

THE COLT AND NORFORK AND SOLUTHERN RAILROADS ARE ENCOURAGING THE DEVELOPMENT OF OUR SITE TO HELP ENSURE THE LONGTERM VIABILITY OF THE COLT RAILROAD OPERATIONS. FROM THEIR PERSPECTIVES, OUR SITE LOCATED BETWEEN THE RAIL LINE AND ROUTE B IS IDEAL FOR A FUTURE RAIL BUSINESS PARTNER.

THE BOONE COUNTY SEWER DISTRICT HAD PLANNED TO HAVE EXTENDED GRAVITY SEWER TO OUR SITE BY THE END OF 2024, BUT NOW THEY DO NOT ANTICIPATE HAVING THE SEWER COMPLETED BY THEN, SO WE ,MIGHT NEED TO RELY ON AN ON-SITE SYSTEM UNTIL IT IS DONE.

OUR CHURCH, NOW CALLED "PARK LANE COMMUNITY CHURCH" IS JOINING US IN THIS REZONING REQUEST AND THEY PLAN TO HAVE THEIR SEWER LAGOON REMOVED AND REPLACED BY OUR ON-SITE SEWER SYSTEM WHJICH WILL ULTIMATELY BE REPACED BY THE BOONE COUNTY SEWER LINE.

OBVIOUSLY THIS IS A PRELIMINARY REZONING REQUEST TO ALLOW US TO MARKET THE SITE TO POTENTIAL DEVELOPERS. MODIFICATIONS TO THE PLAN WILL LIKELY BE NECESSARY WHEN A PURCHASER/END-USER IS IDENTIFIED.

#### **IN ANY SALE OF THE SITE**

WE WILL INSIST ON AN ATTRACTIVE DEVELOPMENT WHICH WILL COMPLEMENT THE APPEARANCE OF OUR CHURCH AND WE WILL RECORD DEED RESTRICTIONS TO PROTECT OUR BEAUTIFUL CHURCH'S APPEARANCE AND OPERATIONS.

1967 GRADUATED MU , B.S.ACCOUNTING  
 1967 MISSOURI ARMY NATIONAL GUARD 6 YEARS  
 1967 WILLIAMS KEEPERS  
 1967 PRICE WATERHOUSE & CO.  
 1971 THE HAROLD E.JOHNSON COMPANIES-  
 CFO ALL COMPANIES  
 PRIMARY NEGOTIATER FOR ALL BUSINESSES  
 PERSONNEL MANAGER FOR ALL BUSINESSES  
 ACCOUNTING MANAGER ALLCOMPANIES  
 REAL ESTATE MANAGER ALL OPERATIONS  
 CASH MANAGER ALL COMPANIES  
 TAX MANAGER ALL COMPANIES  
 SETTLED SEVEN ENTITIES , SEVEN YEARS EACH IN APELLATE DIVISION OF IRS  
 SUED WILLIAMS KEEPERS FOR MALPRACTICE-PERSONAL HOLDING COMPANY ISSUE  
  
 INSURANCE MANAGER ALL COMPANIES  
 CEO-MANAGER  
 NUWAY LUMBER  
 COLUMBIA SUPPLY CO  
 MISSOURI BUILDERS SUPPLY CO(READY-MIX BOONVILLE)  
  
 MANAGE ALL LAWSUITS, ZONING ACTIVITIES, AND GOVERNMENTAL RELATIONS  
  
 SERVED ON COMMITTIES TO DEVELOP ZONING AND SUBDIVISION REGULATIONS FOR ALL  
 OF BOONE COUNTY  
 PARTICIPATED IN DEVELOPING INITIAL ZONING FOR ALL PROPERTIES IN BOONE COUNTY  
 AFTER ZONING LAW PASSED  
  
 1980 DEVELOPED HEJ PERSONAL ESTATE PLAN  
 REORGANIZED ALL BUSINESSES AND COMMERCIAL REAL ESTATE  
 FORMED "THE HAROLD E. JOHNSON COMPANIES, INC."  
 USING ERNIE FLIESCHER (TAX ATTORNEY WITH STINSON MAG FIRM)  
  
 1986 WESTLAKE HARDWARE-  
 CONTROLLER  
 ASST. TO PRESIDENT-TROUBLE SHOOTER 77 STORES  
 ASST. TO PRESIDENT-NEGOTIATOR (BUYING STORES)  
  
 THREE TERMS HALLSILLE BOARD OF EDUCATION  
  
 1988 PRESENT THE HAROLD E.JOHNSON COMPANIES-  
 RETURNED AS VICE PRESIDENT AND GENERAL MANAGER OF ALL ACTIVITIES  
  
 1994 PRESIDENT, CEO, CHAIRMAN OF BOARD OF DIRECTORS, CORPORATE SECRETARY  
 OF THE HAROLD E. JOHNSON COMPANIES, INC  
  
 PLANNED, DEVELOPED, AND SOLD OVER 2000 RESIDENTIAL BUILDING LOTS IN COLUMBIA  
 DEVELOPED NUMEROUS COMMERCIAL AND RETAIL PROPERTIES  
 OWN AND LEASE NUMEROUS COMMERCIAL PROPERTIES IN COLUMBIA,MO, SPRINGFIELD ,MO, AND ROGERS, AR  
 SPRINGFIELD, MO, AND ROGERS , ARK.  
  
 1997 FORMED CON-AGG OF MISSOURI, LLC OPERATING THE FOLLOWING BUSINESS  
 AS CO-CEO WITH BILLY SAPP FOR 12 YEARS:  
 - COLUMBIA READY-MIX  
 - BOONE QUARRIES  
 - SUB-TERRA UNDERGROUND WAREHOUSES  
 MANAGED ALL LAWSUITS, ZONING ACTIVITIES, AND GOVERNMENTAL RELATIONS  
 MANAGED ALL HUMAN RESOURCE FUNCTIONS AND RESPONSIBILITIES  
 SAFETY DIRECTOR FOR ALL ACTIVITIES  
 MANAGED ALL UNION ACTIVITIES

2006	TREASURER OF COLUMBIA CHAMBER OF COMMERCE
2007	REGIONAL ECONOMIC DEVELOPMENT , INC -BOARD OF DIRECTORS
2008	CHAIR OF COLUMBIA CHAMBER OF COMMERCE
2007	ONE TERM HALLSVILLE BOARD OF ALDERMEN
2001	HALLSVILLE PLANNING AND ZONING (ABOUT 20 YEARS)
2002	HALLSVILLE BOARD OF ADJUSTMENTS (ABOUT 18 YEARS)
	BURGERS' SMOKEHOUSE (CALIFORNIA, MO) OUTSIDE MEMBER OF BOARD OF DIRECTORS-SIX YEARS
2010	<p>SOLD CON-AGG ,LLC INCLUDING:</p> <p>ALL QUARRY , SAND PLANT, AND READY-MIX REAL ESTATE SITES</p> <p>BOONE QUARRIES BUSINESSES</p> <p>COLUMBIA READY MIX BUSINESSES</p> <p>UNDERGROUND WAREHOUSE AND RECORD STORAGE BUSINESSES</p> <p>RECEIVED NUMEROUS COMMERIAL PROPERTIES IN SECTION 1031 EXCHANGES</p>
2019	<p>COACHED YOUTH BASEBALL AND BASKETBALL TEAMS FOR OVER 60 YEARS</p> <p>3 &amp; 2 BASEBALL LEAGUE SPORTSMANSHIP AWARD(KANSAS CITY AREA)</p>
PRESENT	<p>CEO</p> <p>• THE HAROLD E. JOHNSON COMPANIES,INC</p> <p>• OWN AND LEASE NUMEROUS COMMERCIAL PROPERTIES IN COLUMBIA,MO, SPRINGFIELD ,MO, AND ROGERS, AR</p> <p>• AS WELL AS 26 RESIDENTIAL APPARTMENTS IN COLUMBIA.</p>

Emails  
Received  
In Favor:

Moore-Buntton  
Hallsville Indep Church  
(Hallsville Industrial)  
10/17/24



# HALLSVILLE SCHOOL DISTRICT

411 E. HIGHWAY 124  
HALLSVILLE, MO 65255  
PHONE (573) 696-5512  
FAX (573) 696-1605

TYLER WALKER  
SUPERINTENDENT OF SCHOOLS  
TWALKER@HALLSVILLE.ORG

Dear Boone County Commissioners,

I am writing to express my strong support for allowing a new business to acquire the land south of Park Lane Community Church within the Hallsville School District for the purpose of developing new industrial facilities and business opportunities. This project has the potential to bring significant economic benefits to our community, including increased tax revenue for our local school district.

The proposed development would create numerous high-quality jobs for local residents, attracting skilled workers and their families to our area. This influx of new residents would help grow our population and expand our tax base. Most importantly, the increased property and business tax revenue generated by this project would provide a much-needed boost to funding for our public schools.

Hallsville School District's current assessed valuation is not high enough to bond the amount necessary for the district to keep up with current growth projections. This would be an opportunity for our district to increase its AV and bond larger amounts to fund necessary projects. The additional tax revenue from this industrial development could help fund critical educational programs, reduce class sizes, upgrade technology and facilities, and potentially even be used to fund salary increases. Investing in our schools is one of the best ways we can secure a bright future for the next generation in Boone County.

Beyond the direct financial impact, this project would also create valuable opportunities for our students. The presence of a major industrial employer could facilitate internships, apprenticeships, and other career development programs to help prepare our young people for in-demand jobs right here in our community.

I urge you to give favorable consideration to this business venture. This would be welcomed growth for our schools and community. By supporting responsible industrial development, we can strengthen our local economy while generating much-needed resources to invest in quality education for all students in our county.

Thank you for your time and attention to this important matter. I appreciate your service to our community and your commitment to making decisions that benefit all residents.

Sincerely,

Tyler Walker  
Hallsville Schools  
Superintendent



September 16, 2024

Kip Kendrick, Presiding Commissioner  
County of Boone  
801 E. Walnut Street  
Columbia, MO 65201

Dear Commissioner Kendrick:

The goal of the Columbia Chamber of Commerce is to create opportunities for businesses to succeed. One of the many ways that we accomplish this is by supporting opportunities to put in place infrastructure that attracts businesses and offers businesses the ability to grow and expand in our region. To be successful we must have appropriately zoned industrial sites.

Moore Bunton Properties LLC has submitted a request to rezone 36.61 acres that are located at 5500 E. Parks Lane in Hallsville from Agriculture to Planned Light Industrial. This property is adjacent to both Route B and the COLT Railroad. There is a lack of available, properly zoned, rail served industrial land in Boone County. Supporting this request gives Boone County the opportunity to attract companies that are in need of industrial land that is rail served.

The Columbia Chamber of Commerce is in support of the rezoning request to Planned Light Industrial to help attract future businesses. Thank you for your consideration. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt McCormick', with a stylized flourish at the end.

Matt McCormick, IOM CCE  
President  
Columbia Chamber of Commerce



**Regional Economic Development Inc.**

September 12, 2024

Kip Kendrick, Presiding Commissioner  
County of Boone  
801 E. Walnut Street  
Columbia, MO 65201

Dear Commissioner Kendrick:

As the Economic Development organization for Columbia and Boone County, the mission of Regional Economic Development Inc. (REDI) is to assist in the creation of quality job opportunities that support upward economic mobility for the residents of Columbia and Boone County. One of our three main goals is to attract new businesses and quality jobs that enhance the area's economy and community. An important component for the attraction program is the availability of appropriately zoned industrial sites for a variety of employers. Having properly zoned sites with infrastructure in place has enabled REDI to assist in the attraction of projects such as American Outdoor Brands, Aurora Organic Dairy, and Principe Italia.

Moore Bunton Properties LLC has submitted a request to rezone 36.61 acres that are located at 5500 E. Parks Lane in Hallsville from Agriculture to Planned Light Industrial. This property is unique in that it is adjacent to both Route B and the COLT Railroad. There is a lack of available, properly zoned, rail served industrial land in Boone County, and this site would make a great addition to the industrial site inventory that REDI markets. The Missouri Partnership, the statewide business recruitment organization for the State of Missouri, indicates that approximately 20% of their attraction projects in prior years have been looking for sites with rail access. This property has the acreage and the rail proximity to attract new rail served employers to the site. Additionally, this site falls within the Hallsville School District, and there are currently very few industrial site opportunities in the Hallsville area.

For these reasons, REDI is supportive of this rezoning request by Moore Bunton Properties LLC to rezone their property to Planned Light Industrial. Thank you for your consideration, and please do not hesitate to contact me at (573) 449-3051 or via email at [THoien@HawthornBank.com](mailto:THoien@HawthornBank.com).

Sincerely,

Todd Hoen, Chair  
REDI Board of Directors



Emails  
Received  
In Opposition:

Moore-Buntton  
Hallsville Indep Church  
(Hallsville Industrial)

10/17/24

## Paula Evans

---

**From:** Chelsea Strodman <cstrodman@gmail.com>  
**Sent:** Wednesday, October 16, 2024 8:50 PM  
**To:** resmgt  
**Subject:** Rail to 18 wheeler facility

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Hello,

I recently learned of the proposal to build a rail to 18 wheeler facility near Park Lane.

I would like to request this proposal be declined at this time. Rt B is not equipped to handle this increase of 18wheeler traffic and likewise the railroad crossing are not currently managed well enough to provide a safe crossing opportunity for vehicle and pedestrian with an increase of train travel. This business opportunity needs to have much more information shared publicly and much more research done prior to approving such a drastic change for the community.

As a local resident I request do not approve.

Thank you for your consideration in this matter.

Chelsea Ebner

## Paula Evans

---

**From:** Caleb and Sarah Moore <stuckcsm@yahoo.com>  
**Sent:** Thursday, October 17, 2024 8:50 AM  
**To:** resmgt  
**Subject:** Proposed industrial warehouse along Route B

CAUTION: This email originated outside of boonecountymo.org. ONLY use links and attachments which are familiar.

Dear Planning and Zoning Committee,

Good morning! My name is Sarah Moore, and I have been a lifelong resident of Boone county. I grew up in Columbia, but have resided in Hallsville for the past 19 years. I was notified of this proposal to build a 6 acre industrial warehouse facility along route B just yesterday. I was also advised that individuals are being told that traffic concerns are not a compelling reason to halt this proposal. Frankly, traffic concerns are the absolute most compelling reason not to build this facility along Route B, among other concerns.

Having grown up in Columbia, I have seen the bumper stickers that read, "Pray for me...I drive Route B!" For the past 19 years that we have lived in Hallsville, we have sat in traffic because of and read news reports of horrific accidents on this road, many of which have been fatal. It is a well-known fact that Route B is one of the most dangerous roads to drive on in Boone County. My family drives Route B almost daily, and we are so grateful every time we make it home safely. School buses also drive this road during the school year, and one was involved in a wreck along Route B just this year. It's true, the city of Hallsville could use some additional businesses, but an industrial warehouse that would increase the presence of humongous semis along a two-lane country road is not one of them.

The current infrastructure of Route B is not adequate for the number of semis that would not only be driving on the road, but entering and exiting the road at that intersection, especially at the proposed times that traffic would be highest. This would, without a doubt, increase the number of severe wrecks with possible fatalities along an already dangerous road. It's treacherous enough driving on our local highways with semis where there are concrete barriers between opposite bound lanes, which, according to a fatal wreck on I-70 earlier this year, did not keep a semi from crossing over. There is only a 5 mph speed limit difference between where that wreck happened on I-70 and where the proposed industrial warehouse would be built, and there are no concrete barriers along Route B or other safety measures present.

The fact of the matter is, Route B is a heavily trafficked road because of the cities and residential areas that lie around and to the north of this area, and there are already a high number of accidents each year that occur on this road. It simply cannot handle the extra traffic of semis and the increased risk of collisions that this industrial warehouse would create. Not to mention the loss of agricultural zoned land that is becoming in short supply.

Let's find a safer spot to build this 6 acre industrial warehouse in Boone County because along Route B would just not be prudent. The city of Hallsville needs businesses that offer good and services, not increased traffic and fatality accidents.

Thank you for your time and consideration!

Sincerely,  
Sarah Moore



## Paula Evans

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**From:** Staci Mains <srmcam07@gmail.com>  
**Sent:** Wednesday, October 16, 2024 9:58 PM  
**To:** resmgt  
**Subject:** Rt B industrial proposal

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Boone County zoning,

It has of course come to Hallsville residents attention, the proposal of rezoning a section of real estate to industrial on the south side of Hallsville, on Route B. We residents are always looking out for the best interest of our community and want to welcome commerce and retail. Hallsville takes pride in our school district. It is the base of our community, employs a large number of our local residents and draws others to our community. We are growing at an exponential rate. The proposal to annex not only viable farmland, but an area that could bring lucrative commerce, retail and job opportunities to Hallsville, into an 18 wheeler industrial park, is asinine. This will not bring job opportunities, an increase in local revenue, positive growth or a safe environment for our community.

Route B has never been a well maintained road. The proposal to add increased traffic on a semi-rural road that commutes many citizens from smaller surrounding communities, farm equipment and of course, our children on busses to and from school and to sporting events, is a total neglect for the safety and welfare of your county tax paying citizens. This will lower property value for those who have farmland and residences close to this area. The assumption that residents want the increased, traffic, light pollution, chemical and diesel fuel pollution and the threat of a more transient population coming into our community is again another set of reasons this proposal should be reevaluated.

We as citizens support a commercial/ retail and residential zoning for this area. Industrial zoning would not be beneficial for the progress and betterment of Boone County as it was stated in the county-wide survey sent to your citizens. The survey stated that the abundance of green space that could be utilized for the betterment of all of Boone County should be up for citizens benefit and say in its use. This, is a land-grab that has zero benefit to your northern Boone County citizens. It's an endangerment. It's been said that traffic concern alone will not be enough to stop this proposal from going through. The lack of infrastructure, police presence, proper road signage and traffic accommodations should be high on the list of reasons this is a poor use of this property.

Please reconsider the proposal. Commercial/ retail pad sites are and much more lucrative investment for the residents of Hallsville.

Regards,

Concerned Hallsville Resident



## Paula Evans

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**From:** Stefan Knudsen <knudsen.stefan@gmail.com>  
**Sent:** Thursday, October 17, 2024 10:55 AM  
**To:** Thaddeus Yonke; Bill Florea; resmgt; Lori Knudsen  
**Subject:** Re: Letter Re: Hallsville Industrial PID  
**Attachments:** Knudsen Letter (V3) to BCRM 10-17-24.pdf

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Gentlemen, please find attached my letter setting out our positions and concerns with the site. I would like to request that you consider these as you draft your report. Kindly forward to the Planning & Zoning Commission and the County Commission as part of the record.

Thank you for your assistance in this process.

Stefan and Lori Knudsen  
5713 E Parks Lane

On Thu, Oct 17, 2024 at 8:02 AM Stefan Knudsen <[knudsen.stefan@gmail.com](mailto:knudsen.stefan@gmail.com)> wrote:

I have discovered an error — I cite a news article from the wrong district. Can I please correct shortly and re-submit? Will do so ASAP.

On Wed, Oct 16, 2024 at 8:47 PM Stefan Knudsen <[knudsen.stefan@gmail.com](mailto:knudsen.stefan@gmail.com)> wrote:

Gentlemen, I **sincerely apologize** for the confusion, but **THIS** is the updated version of our letter (attached). The file states "V2". In the previous email I re-sent the same file. So sorry for the mix-up. Will you kindly replace the other(s) with this copy? Please feel free to contact me if you have any questions.

Thanks,  
Stefan

On Wed, Oct 16, 2024 at 8:39 PM Stefan Knudsen <[knudsen.stefan@gmail.com](mailto:knudsen.stefan@gmail.com)> wrote:

Dear Thaddeus and Bill,

Please find attached an AMENDED AND RESTATED letter from my wife and I on the same subject. Could you please replace my previous letter with this version for your review, the P&Z Commission's review, and if necessary the record for the Boone County Commission?

Thank you for your attention.

Lori and Stefan

----- Forwarded message -----

From: **Stefan Knudsen** <[knudsen.stefan@gmail.com](mailto:knudsen.stefan@gmail.com)>

Date: Wed, Oct 16, 2024 at 3:05 PM

Subject: Letter Re: Hallsville Industrial PID

To: Thaddeus Yonke <[TYonke@boonecountymo.org](mailto:TYonke@boonecountymo.org)>, Bill Florea <[bflorea@boonecountymo.org](mailto:bflorea@boonecountymo.org)>,

<[RESMGT@boonecountymo.org](mailto:RESMGT@boonecountymo.org)>

Cc: Lori Knudsen <[lorijaneknudsen@gmail.com](mailto:lorijaneknudsen@gmail.com)>

Dear Thaddeus and Bill,

Please find attached a letter from my wife and I regarding the application for rezoning at Hallsville (Parks Lane/Route B) requested by Bunton Moore Properties and the Route B Independent Church.

It was drafted rather quickly, so if there are any questions or clarifications that I can assist with, please feel free to contact me day or night at: 573-256-9797

I (along with several other neighbors) plan to attend the meeting tomorrow.

Can you please forward this letter to the P&Z Commissioners? I hope to articulate my points, but don't know how much time I will have.

Thank you very much for your assistance in the process thus far.

Kind Regards,  
Stefan & Lori Knudsen  
5713 E Parks Lane

October 17, 2024

Sent via email to: [TYonke@boonecountymo.org](mailto:TYonke@boonecountymo.org)  
Boone County Resource Management  
Planning Division  
Attn: Thaddeus Yonke, AICP, Senior Planner  
801 E. Walnut  
Columbia, MO 65201

**Re: Rezoning Request for Hallsville PID site (A-2 to M-LP) near Route B/Parks Lane**

Dear Mr. Yonke,

Thank you for your and Mr. Florea's discussions with me and hearing my concerns regarding the above-referenced application for re-zoning. I have had further discussion with your office and, after further review and consideration, I would like to ask that you kindly review this corrected and restated letter (please disregard all letters previously sent) and that it be further shared with all members of the Planning & Zoning Commission and added to the record for the County Commission if these proceedings continue further.

As a preliminary point, my wife and I live on Parks Lane with our children. Our place consists of farmland, timber, pasture, a barn, and corral. Our property is situated along and adjacent to virtually the entire East boundary of the intended site of the plan referenced above. Our house is directly across from where the spur and railyard would be located. We have lived there for nearly 4 years and have enjoyed it tremendously. We have noticed that many other residents are buying lots and building homes that retain much of the rural farm and timber "feel." These characteristics are a key part of what makes our neighborhood unique and desirable.

The intended site plan, unfortunately, represents a drastic departure from the character of the area and constitutes an instance of "spot zoning" for Industrial use. Without the end user being known or disclosed, it is impossible to be precise, therefore we would ask the Commission to consider scenarios of the greatest possible impact in the absence of more concrete information (i.e., will the site handle hazardous materials?).

To build such a site would greatly disrupt and otherwise impact the site's immediate neighbors and the broader community with a host of costs and risks—some of which have not been studied or considered and are therefore completely unknown.

I. The End User is **unknown**, therefore the application is premature should be denied; and if known this should be disclosed and their operations considered.

This application should be denied because the end user is unknown, and therefore it is impossible to obtain a complete understanding of the site's impact on the immediate neighbors and broader community. Furthermore, the range of uses (approved and conditional) is an array of storage and manufacturing. The Applicants have not shown any reason why rushing the process by proposing uses first before knowing the end user is necessary. It leaves both the community, the Planning & Zoning Commission, and if necessary, the County Commission without vital information to assess the impact. This must mean that we should assume the site will have the maximum impact conceivable under the site plan in terms of sound, light, odor, safety, disruption, etc. for the immediate neighbors and the broader community.

Absent a compelling reason to rush the process, this alone supports denial. Instead, have the Applicants find a buyer (or, if they have a buyer, to disclose the end user) who will engage with the neighbors and the County on their exact plans so that a more precise assessment can take place. Why not this approach? How does this prejudice the Applicants? And if the intended buyer is known, this should be disclosed immediately to give all parties the best information. Given the profound change in the nature of the land use there is all the more reason that care, caution, and precision should be applied.

II. The application should be denied because it amounts to “**spot zoning**” of an **industrial site**, which means there is no phase down in zones between the most intensive use (Industrial) and the least intensive uses (A-2).

The zoning designation of the immediate neighbors of the site (and much of the community for miles in every direction) is **A-2, which is agricultural use with emphasis on residential**. To approve an Industrial development with no “step down” in terms of zoning buffers would amount to spot zoning due to the clash of the current (and historic) use relative to industrial uses. This is not a reasonable approach to land use and would come with a heavy impact to all neighbors in terms of **light, noise, odor, safety, etc.** The elements of a large facility would **impact livestock and wildlife** and there would be an **undeniable negative impact to the property values** of the neighboring properties if the site were to be built.

Some might argue that the site plan's use should be anticipated, or that it is not a clear example of spot-zoning because the residents live near a rail line that is close to a highway. This argument, however, is weak and unsupported when viewed in the context of the rail, the nature of Route B, and the site plan.

First, to live near a **short line railroad** is not the same thing as living next to a main line of a railroad. It further does not mean that one should expect the installation of a recycling center, warehouse, wholesale establishment, mini-storage, or manufacturing. The history of the COLT as a slow speed, low use railroad is well known. It was nearly abandoned in 1987 and only avoid this fate by purchase by the City of Columbia. The argument that this is not “spot zoning” would more persuasive if our property were on a main line, but as it is, the

definition fits given its historically low volume and close proximity to many homes—which would not happen on a main line. Based upon COLT data and the Economic Impact Study (referenced below) it averages 25 cars per week (1,300 cars per year). **This should not be materially increased**, nor should landowners anticipate a material increase. If the end user cannot operate with such limited rail service then they should not be able to build the site.

Furthermore, Route B is **not** a primary state highway or other four lane/divided highway thoroughfare, but rather a **two-lane Route, i.e., “Supplemental Route,”** of the state of Missouri. All one needs to do is examine the **five-lane roadway** that is designed to actually support the industrial parks further South on Route B/Paris Road near State Highway 63 to see the sort of road that supports industrial development. To expect that our immediate neighboring property could be zoned Industrial without any step down or zoning buffer is not reasonable and nonetheless meets the definition of “spot zoning,” which is clearly and universally disfavored in land use contexts.

This does not mean we are **categorically opposed** to all development. In fact, we would welcome some commercial development (restaurants, shops, etc.). As Hallsville residents, we wish there was more commerce close by (instead of driving 10-20 miles for meals, supplies, entertainment, etc.). But such business activities are typically limited to normal working hours and would carry a far less intensive use than what the Applicants have proposed. Additionally, to adopt a precedent of erratic or unpredictable zoning designations would make it very difficult for sellers and buyers to accurately value land. By this logic, anyone on the 21 miles of the COLT and/or anywhere near a two-lane paved should be forewarned that their neighbor can request zoning to an industrial site next door.

Even with the plan conditions that attempt to limit light, noise, odor, etc., **the clash of uses would still be extreme**. The rail yard (not the existing track, but the spurs/staging yard) would be less than 100 yards from our front porch, bedrooms, and our living room. There are **27 stalls for staging semi-trucks** under the plan (please note, one railcar is equal to 4 semi-trucks by volume) and the noise, light and safety risks of such use would impact our farm and home. There is no limitation in the plan on hours of operation, cars unloaded, etc. and the use expressly include 18-wheel semi-trucks as a primary means of operation. If Parks Lane is made the primary access (discussed below) who knows how many trucks would be using this short road, which is our only ingress and egress to our property. As semi-trucks drive through and around the site, they will flash powerful headlamps into our house.

This clash of uses is not responsible and would profoundly impact the use and enjoyment of property for all neighbors and without question negatively impact the value of same.

- III. The **safety risks of rail crossings are unknown** for the Columbia, Hallsville, and Centralia communities because they **have not been studied**; these safety concerns should be studied and considered before any such rezoning.



The only thing that is clear about the site is that it is designed to increase rail traffic, but to what extent is anyone's guess. I count over two dozen rail crossings along the COLT from Columbia to Centralia. The majority of these crossings are **uncontrolled and have minimal (and sometimes zero) signage**. Several appear to be farm crossings between fields, which carries additional risks.

What will this cost the community in stop/wait times. Will the site require rail transportation of **hazardous materials or chemicals**, and if so, is the structural integrity of the railroad suited to handle such risks? What is the risk of derailment and a release? These questions are unknown, but they deserve to be understood and considered before opening the gate to the array of uses set out in the plan. Unlike many sites, the impact of increased rail use—and specifically rail crossings—makes **the impact of the site extend the full 21 miles** beyond the site. This is another instance where knowing an end user would help all parties better assess the impact, risk, and prudence of a given site plan.

I reviewed the economic impact study of the COLT and have heard colloquially that it needs “one more good customer” to be “viable.” As a city operation/utility, I don't know what it means to be “viable,” but I would ask that this site not be viewed as a solution in search of a problem. I am in favor of the continued operation of the COLT at or near its current level of traffic, but if the benefits of the COLT are enjoyed by Columbia and the greater Boone County area there ought to be a subsidy or other form of support to support it by the broader community rather than a small number of individuals who neighbor the intended site and live in the COLT corridor. Furthermore, the COLT recently received a **\$3.2 million federal grant** to support the COLT, which will serve to further support this rail line.<sup>1</sup>

#### IV. Traffic Study & Highway Safety Concerns.

Because the actual end user is unknown the Traffic Study dated May 31, 2023, is based 100% of **assumptions**. **Furthermore, is inadequate, narrow in scope, outdated, and does not focus on the current capacity of Route B or safety concerns of Route B travelers.** Rather, the traffic study focuses on whether a turn lane and/or traffic signals are necessary depending on how access is configured.

Per page 5 of the Study, despite being dated May of 2023, the traffic study measured **one day of traffic**: October 27, 2022.

Furthermore, the scope of work and purpose of the study was, essentially, to determine whether a turning lane or stop light would be required in the event the proposed site was built (see p. 2 of the Study). This study of one day's traffic, now **2 years old**, did not study safety generally or give an opinion on Route B's safety as a rural road. The Study further adds that Level C saturation (70-80%) is normally considered for highway design, but that Level D is acceptable for “**urban and suburban areas**.” Route B at the site is **rural**, not urban or suburban. I would add that, as a small family farm operation, it is difficult to find customer

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<sup>1</sup> [Federal grant provides funds to revitalize COLT Railroad, city hopes to increase usage | Mid-Missouri News | komu.com](https://www.komu.com/news/federal-grant-provides-funds-to-revitalize-colt-railroad-city-hopes-to-increase-usage/)

harvesters who are willing to harvest and haul our crops and the reasons cited is a safety concern with bringing farm machinery on Route B due to its current state of heavy traffic for a two-lane road.

I would kindly ask the BCRM team to interpret the traffic study as it regards capacity, but I would only add that, as one who travels on Route B multiple times per week, routing so much semi traffic that north on Route B (which presumably goes south to 63 and/or I-70, this will impact the entire Route B corridor. The unique use of this site is that it is **specifically intended for semi-truck traffic**, which carries more safety risks. The site also sits on a **convex curve** with limiting sight lines, further exacerbating safety risks. The Traffic Study **reserves its opinion regarding sight lines** (p. 7), saying that it was not studied in the field because the exact location of the drive is unknown. As a daily traveler of Route B, the convex nature of Parks Lane/site location make a left turn very dangerous—one must use the utmost caution when doing so. And this was not even studied.

Even with pure assumptions, at peak hours the site would put 29 semi-trucks turning (predominantly South, or left) at peak hours, and an additional 81 non semi-truck trips also at peak hours.

It is reasonable to assume that, given these factors, adding more traffic from the site **will result in more accidents** and place an increased burden on law enforcement and first responders at a time when these resources are already stretched thin. At what point is Route B at (or above) an acceptable capacity? Accidents and fatalities are a matter of record on Route B/Paris Road and are happening too often. A more complete study of the safety and capacity of Route B should be conducted, not one that is limited on turning lanes and traffic signals.

It is either not studied, or is not clear, whether the current driving surface is at or over capacity (or would be made so by the site). This is vitally important for the Commission to consider. There is capacity for MODOT to improve and build up Route B., but there is no current plan to do so. To build this site, which will have the effect of further overburdening Route B, and without a guarantee that MODOT will make improvements to the Route B corridor is not responsible and will impose serious risks that impact the greater community.

V. Once Re-zoned as Industrial, the path to heavier use becomes more likely as sewer becomes available.

The present limitation of uses is primarily due to the site's limited sewer infrastructure. This limited water use, however, may be a temporary limitation as I am informed that there is an effort to run public sewer north along Route B, which would eventually service this site. If re-zoned as industrial, and with full water and sewer, then this opens up nearly the entire category of industrial, including heavy water use (e.g., food, chemical, and metal manufacturing) again, all along agriculture and residential properties.

In other words, the jump from agriculture to industrial—if granted—is a larger leap than the leap from the limited use Industrial to full blown “Light Industrial” and all its

categories. My concern is that if this site is rezoned as requested then it very well could proceed down a path of use that clashes even more with its historic and neighbors' uses.

#### VI. Request for Denial - Conclusion

There are just too many unknowns and the site has too great a potential to profoundly impact immediate neighbors and a great number of other residents between Columbia and Centralia.

Without knowing the end user it is impossible to adequately evaluate the impacts it will have on to neighbors and the community, thus the Application is premature. I would urge the Planning & Zoning Commission to see the request for what it is—"spot zoning"—and deny this request because of the clear clash of uses without any step down in zoning.

The Traffic Study is limited and too narrow for the Commission to evaluate the safety of Route B at present, before the addition of traffic from the site. I would urge the Commission to hear the concerns of residents who are reaching out about safety.

I understand that the Applicants are limited in options for development (e.g., residential subdivision) given the site's limited sewer capacity and are thus resorting to uses that are available to them. But to zone the site as industrial, and if sewer were to be made available in the near future, the full range of Industrial uses—including high water uses, like food manufacturing—could occur. This should be unthinkable for the current site given the surrounding areas.

Hallsville needs small business—restaurants, shops, and other services—that residents want, but currently have to drive some distance to obtain. These developments would keep commerce local, which benefits everyone in the community. It is my understanding that the Applicants are marketing the site property at a high value, consistent for industrial. I don't have objections with generating a return on an investment per se, but when doing so means pushing significant costs onto (i.e., negative "impacts") in many of ways—some of which have not even been studied—I must respectfully ask that such an effort be halted.

We saved up to buy a home in Boone County with the dream of giving our kids a peaceful farm life where we can enjoy a variety of outdoor activities. Many others have as well. I am asking the County Resource Management Team, the Planning & Zoning Commission, and if necessary, the County Commission to serve as gatekeepers of a development plan that is premature and not in keeping with responsible land use policy because it would result in a profound impact to the immediate area and broader community.

Accordingly, my wife and I would like to request that BCRM makes a **recommendation to deny** the Application, that the Planning & Zoning Commission **deny** the application, and that, if necessary, the Boone County Commission **deny** the rezoning application; **or, at the very least, study further the impacts of the site** as suggested above.

VII. Additional Conditions & Requirements if the Application and Review Plan are Approved by the Planning & Zoning Commission.

If Boone County Resource Management and the Planning & Zoning Commission approve the Application, now or in the future, I would respectfully request the following be required conditions and modifications to the site plan and development:

1. Two (2) Access Points & Improvement of Parks Lane for Heavy Loads.

- i. The Applicants should not cut corners with safety and instead comply with **fire code and prudent development practices**. Fire code and guidance requires two points of access—primary and emergency. Depending on MODOT access to Route B, the Applicants should make an access to **Route B and Parks Lane**. This is per the NFPA (fire code) and best practices. To fail to adhere to this endangers workers and customers of the site. One access is not sufficient.
- ii. The present intention is for Parks Lane to be an emergency lane, and thus the Applicants do not wish to improve or develop it sufficiently to handle traffic for its use or first responders. Our request is that the Applicant or end user **upgrade Parks Lane** to an industrial grade road regardless of whether it is deemed “primary” or “secondary/emergency access.” Heavy traffic from fire and other first responders can damage or render impassable this road (which is old and of minimal maintenance). This should be developed **the same as if it was the primary access**. Especially if the end user uses the access for reasons other than emergency, which is certainly a possibility. Parks Lane is our **sole ingress and egress** to our home. If damaged or impassable, we would have no access, including access with emergency/first responders. End user to install turn/passing lanes on Route B. Require stop sign before entering Parks Lane.

2. Natural barrier (Landscaping and Vegetative borders). We would request the Applicant or end user create landscaping and vegetative barrier designed to minimize view, sound, light, and other impacts. This should be installed at the following locations:

- i. along **North** boundary (Whitehead), East of church drive,
- ii. along **100% of the East boundary**, which borders our home (a border 100% of the length of the property, on the site property, and on the East side of the COLT line on our property
- iii. along **100% of the South border** (Waller's); and
- iv. along the West boundary where the site is visible from grade on Rte. B.

Where not interfering, a landscaped berm to elevate trees to assist with blocking the view of the site. The types and species of trees to include a mix of evergreen and deciduous trees as determined by parties, but the intent is that they shall be of a height and character so as designed to block as much view and noise as possible. Location shall be on Owner/end user's property. If approved, it will be crucial to screen and provide a barrier as much as possible for owners and wildlife habitat.

3. Limit Hours of Operation: Owner/end user hours of business operations **limited** to 8:00 a.m. to 5:00 p.m., Monday-Friday, and in observance of all federal holidays. This will ensure that neighbors and residents can enjoy breaks from the impacts of industrial activities similar to how they could prior to the site being built. **The County has required this of other industrial sites**, so this is not setting new precedent. Such limitations are reasonable and need to be adopted.
4. Building materials & Low-impact Design. Shall be made of **non-reflective material** (e.g., non-metallic, brick, or other environmentally friendly, high quality materials, such as textured and colored concrete panels, or materials with similar properties) and **neutral colors** (brown, green, etc.) to blend into background. It being understood that a giant building unlike anything within several miles constitutes an impact to neighbors. Building to also include **design elements** to "break up" the mass of the building to avoid the appearance of a single, solitary mass. i.e., not simply one or two large rectangles/squares.
5. Single story & maximum height of 35 feet. Single story building of no more than **35 feet**—which is the maximum height of A-2—or whatever the minimum height is safely required for an internal crane to transload, whichever is lower. Anything higher and it will tower above the landscape and dominate the skyline. There is no need to approve an overbuilt building, and without knowing the end user, we don't know that anything higher is needed.
6. Maximum total square footage: 83,000 maximum square feet limit, which is **identical** in size to the existing COLT transload facility located at Peabody Road in the industrial park several miles South of the intended site. The rationale for the smaller size being due to the stark nature of the clash between existing A-2 and M-LP.
7. One (1) Spur, 20 car maximum: Reduce the spurs from **two (2) to one (1)**, or **reconfigure** for end user needs. Without knowing the end user, we have no way of knowing if this is less than adequate for the site's needs, however, it appears consistent with the COLT's current transloading facility in the industrial park.

The site could have a detached section and have not shown a need for two (2) full spurs. One instead of two full spurs would lessen the impact of the site.

8. Railcar Capacity/Put Through to current levels: according to the COLT's Economic Impact Analysis, the current projection is for the rail line to handle **1,300 cars per year (25 per week)**. We request a that the **BRCS make a request of the COLT**, that limits the number cars that is consistent with this limit due to public safety and impact.

9. Lighting & Signage:

- i. Given the height of the building, light pollution is one of the greatest impacts. We request a condition that requires a **light plan** be submitted for approval.
  - ii. In addition to closed, downward facing, we request a condition that requires a lighting engineer to verify that the lighting at the site does not exceed the maximum standards for site security, does not produce glare, under the current standards. Care must be taken for lighting pollution to the East, South, and North.
  - iii. Regarding signage, request a condition that **façade lighting can be placed only face on the Route B face (generally, West)**.
10. 24 Months to Submit a Final Plan: If the review plan is approved, we would request an deadline to submit the final plan of **24 months**, which is the standard and default rule. The rationale is:
- i. Hallsville continues to grow such that a new traffic study (by then 4 years old) should be considered, as well as taking into account any impacts on neighbors and the community that have changed since approval;
  - ii. With such a drastic change in the area, landowners (and potential buyers) should not be left waiting for years to know whether the site will impact land values;
  - iii. The Applicants are not prejudiced because they may petition for an extension and if they show good reason I have no doubt the Commission will be reasonable.

Given these points, and those expressed above, 24 months is appropriate and will provide needed oversight.

11. Move Certain Uses to "Conditional": Again, without knowing the end user, we don't know if these are needed. Therefore, the uses with the **greatest impact** should be placed to "Conditional," requiring additional Planning & Zoning approval: recycling; mini storage; and moving, transfer, or storage plants.



If the re-zoning request is granted, please amend the site plan to include these and other reasonable protections for the neighbors that would lessen the impact of the site.

Thank you very much for your attention and consideration of our concerns and positions on the above-referenced application for re-zoning.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Stefan & Lori', is enclosed within a rectangular box.

---

Stefan & Lori Knudsen, Parks Lane Residents

cc:

Bill Florea, AICP, Director-BCRM via email: [BFlorea@boonecountymmo.org](mailto:BFlorea@boonecountymmo.org)

[RESMGT@BOONECOUNTYMO.ORG](mailto:RESMGT@BOONECOUNTYMO.ORG)

Boone County Planning & Zoning Commission

October 17, 2024

Sent via email to: [TYonke@boonecountymo.org](mailto:TYonke@boonecountymo.org)  
Boone County Resource Management  
Planning Division  
Attn: Thaddeus Yonke, AICP, Senior Planner  
801 E. Walnut  
Columbia, MO 65201

**Re: Rezoning Request for Hallsville PID site (A-2 to M-LP) near Route B/Parks Lane**

Dear Mr. Yonke,

Thank you for your and Mr. Florea's discussions with me and hearing my concerns regarding the above-referenced application for re-zoning. I have had further discussion with your office and, after further review and consideration, I would like to ask that you kindly review this corrected and restated letter (please disregard all letters previously sent) and that it be further shared with all members of the Planning & Zoning Commission and added to the record for the County Commission if these proceedings continue further.

As a preliminary point, my wife and I live on Parks Lane with our children. Our place consists of farmland, timber, pasture, a barn, and corral. Our property is situated along and adjacent to virtually the entire East boundary of the intended site of the plan referenced above. Our house is directly across from where the spur and railyard would be located. We have lived there for nearly 4 years and have enjoyed it tremendously. We have noticed that many other residents are buying lots and building homes that retain much of the rural farm and timber "feel." These characteristics are a key part of what makes our neighborhood unique and desirable.

The intended site plan, unfortunately, represents a drastic departure from the character of the area and constitutes an instance of "spot zoning" for Industrial use. Without the end user being known or disclosed, it is impossible to be precise, therefore we would ask the Commission to consider scenarios of the greatest possible impact in the absence of more concrete information (i.e., will the site handle hazardous materials?).

To build such a site would greatly disrupt and otherwise impact the site's immediate neighbors and the broader community with a host of costs and risks—some of which have not been studied or considered and are therefore completely unknown.

I. The End User is **unknown**, therefore the application is premature should be denied; and if known this should be disclosed and their operations considered.

This application should be denied because the end user is unknown, and therefore it is impossible to obtain a complete understanding of the site's impact on the immediate neighbors and broader community. Furthermore, the range of uses (approved and conditional) is an array of storage and manufacturing. The Applicants have not shown any reason why rushing the process by proposing uses first before knowing the end user is necessary. It leaves both the community, the Planning & Zoning Commission, and if necessary, the County Commission without vital information to assess the impact. This must mean that we should assume the site will have the maximum impact conceivable under the site plan in terms of sound, light, odor, safety, disruption, etc. for the immediate neighbors and the broader community.

Absent a compelling reason to rush the process, this alone supports denial. Instead, have the Applicants find a buyer (or, if they have a buyer, to disclose the end user) who will engage with the neighbors and the County on their exact plans so that a more precise assessment can take place. Why not this approach? How does this prejudice the Applicants? And if the intended buyer is known, this should be disclosed immediately to give all parties the best information. Given the profound change in the nature of the land use there is all the more reason that care, caution, and precision should be applied.

II. The application should be denied because it amounts to “**spot zoning**” of an **industrial site**, which means there is no phase down in zones between the most intensive use (Industrial) and the least intensive uses (A-2).

The zoning designation of the immediate neighbors of the site (and much of the community for miles in every direction) is **A-2, which is agricultural use with emphasis on residential**. To approve an Industrial development with no “step down” in terms of zoning buffers would amount to spot zoning due to the clash of the current (and historic) use relative to industrial uses. This is not a reasonable approach to land use and would come with a heavy impact to all neighbors in terms of **light, noise, odor, safety, etc.** The elements of a large facility would **impact livestock and wildlife** and there would be an **undeniable negative impact to the property values** of the neighboring properties if the site were to be built.

Some might argue that the site plan's use should be anticipated, or that it is not a clear example of spot-zoning because the residents live near a rail line that is close to a highway. This argument, however, is weak and unsupported when viewed in the context of the rail, the nature of Route B, and the site plan.

First, to live near a **short line railroad** is not the same thing as living next to a main line of a railroad. It further does not mean that one should expect the installation of a recycling center, warehouse, wholesale establishment, mini-storage, or manufacturing. The history of the COLT as a slow speed, low use railroad is well known. It was nearly abandoned in 1987 and only avoid this fate by purchase by the City of Columbia. The argument that this is not “spot zoning” would more persuasive if our property were on a main line, but as it is, the

definition fits given its historically low volume and close proximity to many homes—which would not happen on a main line. Based upon COLT data and the Economic Impact Study (referenced below) it averages 25 cars per week (1,300 cars per year). **This should not be materially increased**, nor should landowners anticipate a material increase. If the end user cannot operate with such limited rail service then they should not be able to build the site.

Furthermore, Route B is **not** a primary state highway or other four lane/divided highway thoroughfare, but rather a **two-lane Route, i.e., “Supplemental Route,”** of the state of Missouri. All one needs to do is examine the **five-lane roadway** that is designed to actually support the industrial parks further South on Route B/Paris Road near State Highway 63 to see the sort of road that supports industrial development. To expect that our immediate neighboring property could be zoned Industrial without any step down or zoning buffer is not reasonable and nonetheless meets the definition of “spot zoning,” which is clearly and universally disfavored in land use contexts.

This does not mean we are **categorically opposed** to all development. In fact, we would welcome some commercial development (restaurants, shops, etc.). As Hallsville residents, we wish there was more commerce close by (instead of driving 10-20 miles for meals, supplies, entertainment, etc.). But such business activities are typically limited to normal working hours and would carry a far less intensive use than what the Applicants have proposed. Additionally, to adopt a precedent of erratic or unpredictable zoning designations would make it very difficult for sellers and buyers to accurately value land. By this logic, anyone on the 21 miles of the COLT and/or anywhere near a two-lane paved should be forewarned that their neighbor can request zoning to an industrial site next door.

Even with the plan conditions that attempt to limit light, noise, odor, etc., **the clash of uses would still be extreme**. The rail yard (not the existing track, but the spurs/staging yard) would be less than 100 yards from our front porch, bedrooms, and our living room. There are **27 stalls for staging semi-trucks** under the plan (please note, one railcar is equal to 4 semi-trucks by volume) and the noise, light and safety risks of such use would impact our farm and home. There is no limitation in the plan on hours of operation, cars unloaded, etc. and the use expressly include 18-wheel semi-trucks as a primary means of operation. If Parks Lane is made the primary access (discussed below) who knows how many trucks would be using this short road, which is our only ingress and egress to our property. As semi-trucks drive through and around the site, they will flash powerful headlamps into our house.

This clash of uses is not responsible and would profoundly impact the use and enjoyment of property for all neighbors and without question negatively impact the value of same.

- III. The **safety risks of rail crossings are unknown** for the Columbia, Hallsville, and Centralia communities because they **have not been studied**; these safety concerns should be studied and considered before any such rezoning.

The only thing that is clear about the site is that it is designed to increase rail traffic, but to what extent is anyone's guess. I count over two dozen rail crossings along the COLT from Columbia to Centralia. The majority of these crossings are **uncontrolled and have minimal (and sometimes zero) signage**. Several appear to be farm crossings between fields, which carries additional risks.

What will this cost the community in stop/wait times. Will the site require rail transportation of **hazardous materials or chemicals**, and if so, is the structural integrity of the railroad suited to handle such risks? What is the risk of derailment and a release? These questions are unknown, but they deserve to be understood and considered before opening the gate to the array of uses set out in the plan. Unlike many sites, the impact of increased rail use—and specifically rail crossings—makes **the impact of the site extend the full 21 miles** beyond the site. This is another instance where knowing an end user would help all parties better assess the impact, risk, and prudence of a given site plan.

I reviewed the economic impact study of the COLT and have heard colloquially that it needs “one more good customer” to be “viable.” As a city operation/utility, I don't know what it means to be “viable,” but I would ask that this site not be viewed as a solution in search of a problem. I am in favor of the continued operation of the COLT at or near its current level of traffic, but if the benefits of the COLT are enjoyed by Columbia and the greater Boone County area there ought to be a subsidy or other form of support to support it by the broader community rather than a small number of individuals who neighbor the intended site and live in the COLT corridor. Furthermore, the COLT recently received **a \$3.2 million federal grant** to support the COLT, which will serve to further support this rail line.<sup>1</sup>

#### IV. Traffic Study & Highway Safety Concerns.

Because the actual end user is unknown the Traffic Study dated May 31, 2023, is based 100% of **assumptions. Furthermore, is inadequate, narrow in scope, outdated, and does not focus on the current capacity of Route B or safety concerns of Route B travelers.** Rather, the traffic study focuses on whether a turn lane and/or traffic signals are necessary depending on how access is configured.

Per page 5 of the Study, despite being dated May of 2023, the traffic study measured **one day of traffic**: October 27, 2022.

Furthermore, the scope of work and purpose of the study was, essentially, to determine whether a turning lane or stop light would be required in the event the proposed site was built (see p. 2 of the Study). This study of one day's traffic, now **2 years old**, did not study safety generally or give an opinion on Route B's safety as a rural road. The Study further adds that Level C saturation (70-80%) is normally considered for highway design, but that Level D is acceptable for **“urban and suburban areas.”** Route B at the site is **rural**, not urban or suburban. I would add that, as a small family farm operation, it is difficult to find customer

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<sup>1</sup> [Federal grant provides funds to revitalize COLT Railroad, city hopes to increase usage | Mid-Missouri News | komu.com](https://www.komu.com/news/federal-grant-provides-funds-to-revitalize-colt-railroad-city-hopes-to-increase-usage/)

harvesters who are willing to harvest and haul our crops and the reasons cited is a safety concern with bringing farm machinery on Route B due to its current state of heavy traffic for a two-lane road.

I would kindly ask the BCRM team to interpret the traffic study as it regards capacity, but I would only add that, as one who travels on Route B multiple times per week, routing so much semi traffic that north on Route B (which presumably goes south to 63 and/or I-70, this will impact the entire Route B corridor. The unique use of this site is that it is **specifically intended for semi-truck traffic**, which carries more safety risks. The site also sits on a **convex curve** with limiting sight lines, further exacerbating safety risks. The Traffic Study **reserves its opinion regarding sight lines** (p. 7), saying that it was not studied in the field because the exact location of the drive is unknown. As a daily traveler of Route B, the convex nature of Parks Lane/site location make a left turn very dangerous—one must use the utmost caution when doing so. And this was not even studied.

Even with pure assumptions, at peak hours the site would put 29 semi-trucks turning (predominantly South, or left) at peak hours, and an additional 81 non semi-truck trips also at peak hours.

It is reasonable to assume that, given these factors, adding more traffic from the site **will result in more accidents** and place an increased burden on law enforcement and first responders at a time when these resources are already stretched thin. At what point is Route B at (or above) an acceptable capacity? Accidents and fatalities are a matter of record on Route B/Paris Road and are happening too often. A more complete study of the safety and capacity of Route B should be conducted, not one that is limited on turning lanes and traffic signals.

It is either not studied, or is not clear, whether the current driving surface is at or over capacity (or would be made so by the site). This is vitally important for the Commission to consider. There is capacity for MODOT to improve and build up Route B., but there is no current plan to do so. To build this site, which will have the effect of further overburdening Route B, and without a guarantee that MODOT will make improvements to the Route B corridor is not responsible and will impose serious risks that impact the greater community.

V. Once Re-zoned as Industrial, the path to heavier use becomes more likely as sewer becomes available.

The present limitation of uses is primarily due to the site's limited sewer infrastructure. This limited water use, however, may be a temporary limitation as I am informed that there is an effort to run public sewer north along Route B, which would eventually service this site. If re-zoned as industrial, and with full water and sewer, then this opens up nearly the entire category of industrial, including heavy water use (e.g., food, chemical, and metal manufacturing) again, all along agriculture and residential properties.

In other words, the jump from agriculture to industrial—if granted—is a larger leap than the leap from the limited use Industrial to full blown “Light Industrial” and all its



categories. My concern is that if this site is rezoned as requested then it very well could proceed down a path of use that clashes even more with its historic and neighbors' uses.

#### VI. Request for Denial - Conclusion

There are just too many unknowns and the site has too great a potential to profoundly impact immediate neighbors and a great number of other residents between Columbia and Centralia.

Without knowing the end user it is impossible to adequately evaluate the impacts it will have on to neighbors and the community, thus the Application is premature. I would urge the Planning & Zoning Commission to see the request for what it is—"spot zoning"—and deny this request because of the clear clash of uses without any step down in zoning.

The Traffic Study is limited and too narrow for the Commission to evaluate the safety of Route B at present, before the addition of traffic from the site. I would urge the Commission to hear the concerns of residents who are reaching out about safety.

I understand that the Applicants are limited in options for development (e.g., residential subdivision) given the site's limited sewer capacity and are thus resorting to uses that are available to them. But to zone the site as industrial, and if sewer were to be made available in the near future, the full range of Industrial uses—including high water uses, like food manufacturing—could occur. This should be unthinkable for the current site given the surrounding areas.

Hallsville needs small business—restaurants, shops, and other services—that residents want, but currently have to drive some distance to obtain. These developments would keep commerce local, which benefits everyone in the community. It is my understanding that the Applicants are marketing the site property at a high value, consistent for industrial. I don't have objections with generating a return on an investment per se, but when doing so means pushing significant costs onto (i.e., negative "impacts") in many of ways—some of which have not even been studied—I must respectfully ask that such an effort be halted.

We saved up to buy a home in Boone County with the dream of giving our kids a peaceful farm life where we can enjoy a variety of outdoor activities. Many others have as well. I am asking the County Resource Management Team, the Planning & Zoning Commission, and if necessary, the County Commission to serve as gatekeepers of a development plan that is premature and not in keeping with responsible land use policy because it would result in a profound impact to the immediate area and broader community.

Accordingly, my wife and I would like to request that BCRM makes a **recommendation to deny** the Application, that the Planning & Zoning Commission **deny** the application, and that, if necessary, the Boone County Commission **deny** the rezoning application; **or, at the very least, study further the impacts of the site** as suggested above.

VII. Additional Conditions & Requirements if the Application and Review Plan are Approved by the Planning & Zoning Commission.

If Boone County Resource Management and the Planning & Zoning Commission approve the Application, now or in the future, I would respectfully request the following be required conditions and modifications to the site plan and development:

1. Two (2) Access Points & Improvement of Parks Lane for Heavy Loads.

- i. The Applicants should not cut corners with safety and instead comply with **fire code and prudent development practices**. Fire code and guidance requires two points of access—primary and emergency. Depending on MODOT access to Route B, the Applicants should make an access to **Route B and Parks Lane**. This is per the NFPA (fire code) and best practices. To fail to adhere to this endangers workers and customers of the site. One access is not sufficient.
- ii. The present intention is for Parks Lane to be an emergency lane, and thus the Applicants do not wish to improve or develop it sufficiently to handle traffic for its use or first responders. Our request is that the Applicant or end user **upgrade Parks Lane** to an industrial grade road regardless of whether it is deemed “primary” or “secondary/emergency access.” Heavy traffic from fire and other first responders can damage or render impassable this road (which is old and of minimal maintenance). This should be developed **the same as if it was the primary access**. Especially if the end user uses the access for reasons other than emergency, which is certainly a possibility. Parks Lane is our **sole ingress and egress** to our home. If damaged or impassable, we would have no access, including access with emergency/first responders. End user to install turn/passing lanes on Route B. Require stop sign before entering Parks Lane.

2. Natural barrier (Landscaping and Vegetative borders). We would request the Applicant or end user create landscaping and vegetative barrier designed to minimize view, sound, light, and other impacts. This should be installed at the following locations:

- i. along **North** boundary (Whitehead), East of church drive,
- ii. along **100% of the East boundary**, which borders our home (a border 100% of the length of the property, on the site property, and on the East side of the COLT line on our property
- iii. along **100% of the South border** (Waller's); and
- iv. along the West boundary where the site is visible from grade on Rte. B.

Where not interfering, a landscaped berm to elevate trees to assist with blocking the view of the site. The types and species of trees to include a mix of evergreen and deciduous trees as determined by parties, but the intent is that they shall be of a height and character so as designed to block as much view and noise as possible. Location shall be on Owner/end user's property. If approved, it will be crucial to screen and provide a barrier as much as possible for owners and wildlife habitat.

3. Limit Hours of Operation: Owner/end user hours of business operations **limited** to 8:00 a.m. to 5:00 p.m., Monday-Friday, and in observance of all federal holidays. This will ensure that neighbors and residents can enjoy breaks from the impacts of industrial activities similar to how they could prior to the site being built. **The County has required this of other industrial sites**, so this is not setting new precedent. Such limitations are reasonable and need to be adopted.
4. Building materials & Low-impact Design. Shall be made of **non-reflective material** (e.g., non-metallic, brick, or other environmentally friendly, high quality materials, such as textured and colored concrete panels, or materials with similar properties) and **neutral colors** (brown, green, etc.) to blend into background. It being understood that a giant building unlike anything within several miles constitutes an impact to neighbors. Building to also include **design elements** to “break up” the mass of the building to avoid the appearance of a single, solitary mass. i.e., not simply one or two large rectangles/squares.
5. Single story & maximum height of 35 feet. Single story building of no more than **35 feet**—which is the maximum height of A-2—or whatever the minimum height is safely required for an internal crane to transload, whichever is lower. Anything higher and it will tower above the landscape and dominate the skyline. There is no need to approve an overbuilt building, and without knowing the end user, we don't know that anything higher is needed.
6. Maximum total square footage: 83,000 maximum square feet limit, which is **identical** in size to the existing COLT transload facility located at Peabody Road in the industrial park several miles South of the intended site. The rationale for the smaller size being due to the stark nature of the clash between existing A-2 and M-LP.
7. One (1) Spur, 20 car maximum: Reduce the spurs from **two (2) to one (1)**, or **reconfigure** for end user needs. Without knowing the end user, we have no way of knowing if this is less than adequate for the site's needs, however, it appears consistent with the COLT's current transloading facility in the industrial park.

The site could have a detached section and have not shown a need for two (2) full spurs. One instead of two full spurs would lessen the impact of the site.

8. Railcar Capacity/Put Through to current levels: according to the COLT's Economic Impact Analysis, the current projection is for the rail line to handle **1,300 cars per year (25 per week)**. We request a that the **BRCS make a request of the COLT**, that limits the number cars that is consistent with this limit due to public safety and impact.

9. Lighting & Signage:

- i. Given the height of the building, light pollution is one of the greatest impacts. We request a condition that requires a **light plan** be submitted for approval.
  - ii. In addition to closed, downward facing, we request a condition that requires a lighting engineer to verify that the lighting at the site does not exceed the maximum standards for site security, does not produce glare, under the current standards. Care must be taken for lighting pollution to the East, South, and North.
  - iii. Regarding signage, request a condition that **façade lighting can be placed only face on the Route B face (generally, West)**.
10. 24 Months to Submit a Final Plan: If the review plan is approved, we would request an deadline to submit the final plan of **24 months**, which is the standard and default rule. The rationale is:
- i. Hallsville continues to grow such that a new traffic study (by then 4 years old) should be considered, as well as taking into account any impacts on neighbors and the community that have changed since approval;
  - ii. With such a drastic change in the area, landowners (and potential buyers) should not be left waiting for years to know whether the site will impact land values;
  - iii. The Applicants are not prejudiced because they may petition for an extension and if they show good reason I have no doubt the Commission will be reasonable.

Given these points, and those expressed above, 24 months is appropriate and will provide needed oversight.

11. Move Certain Uses to "Conditional": Again, without knowing the end user, we don't know if these are needed. Therefore, the uses with the **greatest impact** should be placed to "Conditional," requiring additional Planning & Zoning approval: recycling; mini storage; and moving, transfer, or storage plants.

If the re-zoning request is granted, please amend the site plan to include these and other reasonable protections for the neighbors that would lessen the impact of the site.

Thank you very much for your attention and consideration of our concerns and positions on the above-referenced application for re-zoning.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Stefan & Lori', is enclosed within a rectangular box.

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Stefan & Lori Knudsen, Parks Lane Residents

cc:

Bill Florea, AICP, Director-BCRM via email: [BFlorea@boonecountymmo.org](mailto:BFlorea@boonecountymmo.org)

[RESMGT@BOONECOUNTYMO.ORG](mailto:RESMGT@BOONECOUNTYMO.ORG)

Boone County Planning & Zoning Commission

## Paula Evans

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**From:** Danny Hardin <hardinriv@aol.com>  
**Sent:** Wednesday, October 16, 2024 4:37 PM  
**To:** resmgt  
**Subject:** Parks Lane Industrial zoning

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

To Whom It May Concern:

Why are the commuters that travel Route B daily just hearing about this zoning request the day before the scheduled vote. Route B is entirely too busy of a 2-lane road to put this much additional truck traffic. This business should be put closer to highway 63 interchange. I urge you to vote no on this request.

Thanks

Danny Hardin



## Paula Evans

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**From:** Gary Riedel <g.riedel44@gmail.com>  
**Sent:** Wednesday, October 16, 2024 9:16 AM  
**To:** resmgt  
**Subject:** Industrial zoning at Park Lane

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Dear Planning and Zoning Commission,

My name is Gary Riedel, I'm a long time northern Boone County Farmer. I and my wife travel route B multiple times a week and have since I was a commuting student at MU from 1962-1966. Route B is extremely busy and has numerous accidents with the current traffic load. Adding scores of semi-trucks to the mix will certainly increase the congestion and also the accident rate. Frankly route B is not equipped to handle this volume of heavy truck traffic and this proposal will bring more problems than prosperity to Boone County! It's an ill advised and poorly thought out plan. I urge you to vote no on this proposal!! Thank you for your consideration!

Gary and Carol Riedel

## Paula Evans

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**From:** Stefan Knudsen <knudsen.stefan@gmail.com>  
**Sent:** Wednesday, October 16, 2024 3:06 PM  
**To:** Thaddeus Yonke; Bill Florea; resmgt  
**Cc:** Lori Knudsen  
**Subject:** Letter Re: Hallsville Industrial PID  
**Attachments:** Knudsen Ltr 10-16-24 Boone County Resource Management.pdf

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Dear Thaddeus and Bill,

Please find attached a letter from my wife and I regarding the application for rezoning at Hallsville (Parks Lane/Route B) requested by Bunton Moore Properties and the Route B Independent Church.

It was drafted rather quickly, so if there are any questions or clarifications that I can assist with, please feel free to contact me day or night at: 573-256-9797

I (along with several other neighbors) plan to attend the meeting tomorrow.

Can you please forward this letter to the P&Z Commissioners? I hope to articulate my points, but don't know how much time I will have.

Thank you very much for your assistance in the process thus far.

Kind Regards,  
Stefan & Lori Knudsen  
5713 E Parks Lane

October 16, 2024

Sent via email to: [TYonke@boonecountymo.org](mailto:TYonke@boonecountymo.org)  
Boone County Resource Management  
Planning Division  
Attn: Thaddeus Yonke, AICP, Senior Planner  
801 E. Walnut  
Columbia, MO 65201

Re: Rezoning request for Hallsville Industrial PID site (Route B/Parks Lane)

Dear Mr. Yonke,

Thank you for meeting with me and hearing my concerns regarding the above-referenced application for rezoning. I would like to ask that this letter be shared with all members of the Planning & Zoning Commission.

As a preliminary point, my wife and I live on Parks Lane with our children at our home, which consists of farmland, timber, and pasture. We are situated along and adjacent to virtually the entire East boundary of the intended site of the plan referenced above. We have lived there for nearly 4 years and have enjoyed it tremendously. We have noticed that many other residents are buying lots and building homes that retain much of the rural farm and timber “feel.” These characteristics are a key part of what makes our neighborhood unique and desirable.

The intended site plan, unfortunately, represents a drastic departure from the character of the area and constitute a clear instance of “Spot Zoning.” To build such a site would greatly disrupt and otherwise impact the site’s immediate neighbors and the broader community with a host of costs and risks—some of which have not been studied or considered and therefore are completely unknown.

- I. Approval of the application is premature and therefore should be denied because the end user is unknown, even speculative.

This application should be denied because the end user is completely unknown, and therefore the impact on immediate neighbors and community. Furthermore, the range of uses (approved and conditional) is a broad array of storage and manufacturing. The Applicants have not shown any reason why rushing the process by proposing an array of unique uses is necessary. It leaves both the community, the planning and zoning board, and the County Commission without any vital information necessary to assess the impact, which means one must therefore assume the greatest potential impact in terms of sound, light, odor, and safety

for the neighbors and the community. Absent a compelling reason to rush the process, this reason alone supports denial.

I would suggest that the more conventional process be followed—let the Applicants find a buyer who will then buyer engage with the neighbors and the County on their intended plans so that a more precise assessment can take place. Why not? How does this prejudice the Applicants? Given the drastic change in the nature of the land use (from its current use and surrounding areas, discussed further below) all the more reason that care, caution, and precision should be applied.

- II. The application should be denied because it amounts to “spot zoning” of an industrial site, which means there is no phase down or step down in zones between the most intensive use (Industrial) and the least intensive uses (agriculture and residential).

The zoning of the immediate neighbors of the site and, for miles in every direction, the zoning of the broader community consists of agricultural and residential uses. To approve a “spot sone” approach to Industrial development would permit a drastic change in use and a clash in its current use. There is absolutely no “step down” in zoning from industrial uses to the agricultural/residential uses of the immediate neighbors. This is not a reasonable approach to land use and would come with a heavy impact to all neighbors in terms of light, noise, odor, and safety. These elements further impact livestock and wildlife. There would also be an undeniable negative impact to the property values of the neighboring properties were they to suddenly become adjacent to an industrial site.

Some might argue that the site plan’s use should be anticipated when residents live near a rail line. This argument, however, is wrong and misguided. First, to live near a railroad track does not indicate that a **warehouse, mini-storage, or manufacturing** is a likelihood. Again, the subject site and all surrounding property are zoned agriculture or residential. To expect that our immediate neighboring property could be zoned Industrial without any step down or zoning buffer is not reasonable.

When we moved to the neighborhood in 2021, near Route B, we would not have been surprised to learn the Applicants wanted to develop (or sell to developers) land residential or even light commercial purposes. Indeed, in the last three years there have been many new homes built in the areas surrounding our property. We are **not categorically opposed** to development, and would even welcome some commercial development (restaurants, shops, etc.). As Hallsville residents, we wish there was more available close by in terms of local commerce (instead of driving 10-20 miles for meals, supplies, entertainment, etc.). But these business activities are typically limited to normal working hours and would carry a far less intensive use than what the Applicants have proposed. Additionally, to adopt a precedent of erratic or unpredictable zoning designations would make it very difficult for sellers and buyers to accurately value land.

Second, the current use of the COLT—which has remained consistent for many years—is extremely light use for a rail service. From what I can tell, it consists of 1-3 three round

trips from Columbia to Centralia each week, and with trains of 3-10 cars. Even with the conditions that limit light, etc., the clash of uses would be extreme. There are **27 stalls for staging semi-trucks under the plan** (please note, one railcar is equal to 4 semi-trucks by volume) and the noise, light and safety risks of such use would impact our farm and home. There is no limitation in the plan on hours of operation, cars unloaded, etc. the use would expressly include 18-wheel semi-trucks as a primary means of operation. If Parks Lane is made the primary access (discussed below) who knows how many trucks would be using this short road, which is our only ingress and egress to our property. Lastly, the rail yard (not the track, but the spur and staging yard) would be less than 100 yards from our front porch, our children's bedrooms, and our living room. This clash of uses is not responsible and would profoundly impact our use and enjoyment of our property and without question impact resale value and future uses.

III. The rail crossing **safety risks** to the Columbia-Hallsville-Centralia communities have **not been studied and therefore are unknown**; these safety concerns should be studied and considered before any such site is built.

The only thing known about the site is that it will increase rail traffic. Beyond that, it is anyone's guess. By my count, there are over two dozen rail crossings from Columbia to Centralia. Many of these crossings are uncontrolled and have minimal or no signage. Several appear to be farm crossings between fields, which carries additional risks. Will the site require rail transportation of hazardous materials or chemicals, and if so, should a survey be performed on the integrity of the rail to assess the risk of derailment or spill/release? These questions are a complete unknown, but they deserve to be understood before opening the gate to the array of uses set out in the plan.

This is another instance where the Applicants would find an end user to take a conventional approach by presenting an actual plan development, then all County representatives, neighbors, and the broader community would, would be able to better assess the impact, risk, and prudence of a given site plan.

According to the COLT website, the rail is rated to run at 25 mph. It does not appear to presently run at these speeds. I reviewed the economic impact study of the COLT and have heard colloquially that it needs "one more good customer" to be viable. As a city operation/utility, don't know what it means to be "viable," I would ask that this site not be viewed as a solution in search of a problem. I am in favor of the continued viability of the COLT, at or near its current level of traffic, but if the benefits of the COLT are enjoyed by Columbia and the greater Boone County area there ought to be a subsidy or other form of support to support it by the broader community rather than a small number of individuals who neighbor the intended site and live in the COLT corridor.

IV. Highway Traffic Concerns.

The traffic study speaks for itself, but I would only add that, as one who travels on Route B multiple times per week, routing so much semi traffic that north on Route B (which presumably goes south to 63 and/or I-70, this will impact the entire Route B corridor. The unique use of this site is that it is **specifically intended for semi-truck traffic**, which carries

more safety risks. The site also sits on a convex curve and limiting sight lines, further exacerbating safety risks. All of these factors will result in more accidents and place an increased burden on law enforcement and first responders at a time when these resources are already stretched thin.

V. What about the school system's tax benefits?

The Applicants may point out that this development will result in significant property tax receipts, which will benefit schools and the community. This is true, however, it would also be **true of any other development** at this site, as well as any industrial development at a site more appropriate for such use. Furthermore, according to the CFO of the Hallsville school district, the school is presently over-funded as it is.

We are not opposed to all development, simply opposing a spot-zoned industrial site next to agricultural and residential areas. The industrial zone may be the owners best, most expeditious path to realizing a return on their investment, but that does not mean it is the best thing for the community. There may be one or more sites near Hallsville that are ripe for industrial development and that make more sense than this location—a focus should be on those sites instead of approving the first of its kind in the area.

According to Mary Brown, Chief Financial Officer for Hallsville Independent Schools, the FY2024-25 school budget passed was **planned deficit** budget to spend down a previously accumulated fund balance and passed a **property tax decrease**, because the school had a surplus. Ms. Brown stated, “Again, this is a **planned deficit in order to spend down that fund balance that has accumulated because of excess state funding we’ve received**,” explained Brown. “We can only pass a budget to cover the expenses for our current year’s debt in that fund.”<sup>1</sup> The school is adequately funded by the development and commerce in the surrounding areas; i.e., it cannot be fairly said that the school “needs” this industrial site to fund its school system.

VI. Once Re-zoned as Industrial, the path to heavier use becomes more likely as sewer becomes available.

The present limitation of uses is primarily due to the site’s limited sewer infrastructure. This limited water use, however, may be a temporary limitation as I am informed that there is an effort to run public sewer north along Route B, which would eventually service this site. If re-zoned as industrial, and with full water and sewer, then this opens up nearly the entire category of industrial, including heavy water use (e.g., food, chemical, and metal manufacturing) again, all along agriculture and residential properties.

In other words, the jump from agriculture to industrial—if granted—is a larger leap than the leap from the limited use Industrial to full blown “Light Industrial” and all its

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<sup>1</sup> The Marshall News Messenger, September 1, 2024 [Hallsville ISD approves deficit budget, decreased tax rate | School News | marshallnewsmessenger.com](https://marshallnewsmessenger.com/news/hallsville-isd-approves-deficit-budget-decreased-tax-rate/), by Nicholas Osborn.



categories. My concern is that if this site is rezoned as requested then it very well could proceed down a path of use that clashes even more with its historic and neighbors' uses.

#### VII. Request for Denial - Conclusion

Without knowing the end user, the Application is premature. I would urge the Planning & Zoning Commission to reject spot zoning—especially where there is no step down and instead clashes with the current (and historic use). The site proposed is not the right place for an Industrial site, or at least not without known what the impacts will be to the neighbors and wider community. It is notable that none of the Applicants make their homes next to the intended site, and while one of the Applicants—a church—will see use by members on Sunday morning, this is minimal in comparison to those who live and make their home around the boundary of the site. It is further notable that the church is positioned at the furthest point distant from site operations.

There may be better places for such a facility given the COLT's proximity to Highway 63, I-70, etc., and those should be explored. Hallsville needs small business, restaurants, shops, services that Hallsville residents need (that they currently need to drive to Columbia). This is the kind of development that would keep business local benefiting everyone in the community.

We saved for years to buy a home in Boone County with the dream of giving our kids a peaceful farm life where we can enjoy a variety of outdoor activities. I know many others who have done the same--this is part of the charm and appeal of living in Boone County! I am asking the County Resource Management Team, the Planning & Zoning Board, and if necessary, the County Commission to serve as gatekeepers of development that would result in a deep and profound disruption to this way of life especially when compared with the current and historic use of the site property and its neighbors. Accordingly, my wife and I would like to **request that BCRM makes a recommendation to deny the Application** and that **Planning & Zoning Board deny the application.**

#### VIII. Additional conditions if the Application is Approved by the Planning & Zoning Board.

If Boone County Resource Management and the Planning & Zoning Board approve the Application, now or in the future, I would respectfully request the following be required conditions and modifications to the site plan and development:

##### 1. **Two (2) points of access & improve Parks Lane.**


- i. The Applicants should not cut corners with safety and instead comply with fire code and prudent development. Fire code and guidance requires two points of access—primary and emergency. Depending on MODOT access to Route B, the Applicants should either make an access on **both** Route B and Parks Lane. This is per the NFPA (fire code) and

best practices. To fail to adhere to this endangers workers and customers of the site. One access is not sufficient.

- ii. The present intention is for Parks Lane to be an emergency lane, and thus the Applicants do not wish to develop it sufficiently. Our request, however, is for the end user to build an industrial grade road consistent with Boon County Resource Management recommendations, regardless of whether it becomes primary or secondary/emergency access for the site. Heavy traffic from fire and other first responders can damage this road (which is minimal maintenance) and should be developed same as if it was the primary access. Parks Lane is our **sole ingress and egress** to our home. If damaged or impassable we would have no access, including access with emergency/first responders. End user to install turn/passing lanes on Route B. Require stop sign before entering Parks Lane.
2. **Green barrier/screen.** Would request the Applicant, or end user, create a green barrier/screen along North (south of church), East (100% of border, both on East and West side of COLT), and South (100%), and West (where visible from Rte. B). Types and species of trees to include a mix of evergreen and deciduous trees as determined by parties. Location shall be on Owner/end user's property.
3. **Hours of operation:** Owner/end user limited to: 8:00 a.m. to 5:00 p.m., Monday-Friday, and observance of federal holidays.
4. **Building materials, Design.** Shall be made of non-reflective material (e.g., brick or similar) and neutral colors (brown, green, etc.) to blend into background. To also include design elements to break up the mass of the building, i.e., not simply one large rectangle/square.
5. **Maximum height:** 30 feet. Anything more and it will tower above the landscape and dominate the skyline.
6. **Maximum total square footage:** 100,000 maximum total aggregate sq. feet. This is larger than the existing COLT transload facility, which is 83,000 sq. feet according to the COLT website.
7. **Lighting & Signage:** No exterior lights or signage (other than required by regulations) to the South, North, or East.
8. **Prohibit Several Uses with the Greatest Impact.** Prohibit mini-storage; manufacturing and assembly; recycling; and moving, transfer, or storage plants.

Thank you very much for your attention and consideration of our concerns and positions on the above-referenced application for re-zoning.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Stefan Knudsen', is positioned above a horizontal line.

Stefan Knudsen, Parks Lane Resident

cc:

Bill Florea, AICP, Director-BCRM via email: [BFlorea@boonecountymo.org](mailto:BFlorea@boonecountymo.org)

[RESMGT@BOONECOUNTYMO.ORG](mailto:RESMGT@BOONECOUNTYMO.ORG)

## Paula Evans

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**From:** MaryLou Ingram <MaryLou.Ingram@ConstructConnect.com>  
**Sent:** Thursday, September 12, 2024 8:06 AM  
**To:** resmgt  
**Subject:** Inquiry / Planning and zoning department

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Hello: this is MaryLou with Construct Connect. I am reaching out regarding two items on the Sept 19<sup>th</sup> planning agenda. [Planning & Zoning Commission Agenda \(showmeboone.com\)](https://showmeboone.com)

2. Request by Moore Bunton Properties LLC to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) and to approve a review plan for Hallsville Industrial on 36.61 acres located at 5500 E Parks Ln, Hallsville. (open public hearing)

3. Request by Route B Independent Church to rezone from Agriculture (A-2) to Planned Light Industrial (M-LP) and to approve a review plan for Hallsville Industrial on 15.09 acres located at 11700 N Rte B, Hallsville. (open public hearing)  
*When I open the two links attached, it seems that they are the same project, except at two different addresses? Both requests state the building is 250,000 sqft with a rail spur.*

*Is that an error or are there two separate buildings planned at each address?*

Thank you!

**MaryLou Ingram**

Content Specialist

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p: 513-458-5936



## Paula Evans

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**From:** Heidi Haynes <heidihaynes5@gmail.com>  
**Sent:** Wednesday, October 16, 2024 11:02 AM  
**To:** resmgt  
**Subject:** Industrial Zoning at Parks Lane

**CAUTION:** This email originated outside of [boonecountymo.org](https://boonecountymo.org). ONLY use links and attachments which are familiar.

Dear Planning and Zoning,

My name is Heidi Haynes and I am a resident of rural Centralia. As parents of two girls and active members in our Columbia-based church, my family travels Route B multiple times a week, oftentimes multiple times a day. I am very concerned about the proposed industrial zoning on Parks Lane. Traffic on Route B is already at max capacity. Rezoning Parks Lane to allow industry will only increase traffic of not only regular commuters, but also semis, drastically increasing traffic flow and decreasing safety.

In addition to traffic and safety concerns, this is not the kind of business development that Hallsville needs. We are not opposed to development, but let's plan for small businesses with goods and services that will keep our money local.

This particular land is also currently zone agriculture. Growing up in a farm family and now being married to a farmer, I know the important role that agriculture and farmers play in feeding not only our country, but also the world. Reducing farmland reduces the amount of food available to our nation and others. This is not something to be taken lightly.

Considering the negative impacts that this rezoning will have on the life of many, I ask you to vote no on this proposal.

Thank you for your time,

Heidi Haynes

## Paula Evans

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**From:** Kacey Doyle Buckman <kmd2m2@gmail.com>  
**Sent:** Wednesday, October 16, 2024 12:58 PM  
**To:** resmgt  
**Subject:** Please deny Request to REZONE the farmland around Parks Lane Church to INDUSTRIAL

**CAUTION:** This email originated outside of **boonecountymo.org**. ONLY use links and attachments which are familiar.

Hello,

I am reaching out as a daily traveller on this road and a resident of Boone County to urge you to dent this request. This road is over-full already, prone to accidents, and this increase in traffic will pose a danger to all travellers on the road. Please do not allow this rezone to happen.

Thank you,  
Kacey Buckman