

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

Minutes

7:00 P.M.

Thursday, August 17, 2017

I. Secretary Kurzejeski called the meeting to order at 7:00 p.m., with a quorum present.

II. Roll Call:

a. Members Present:

Paul Prevo, Vice-Chairperson
Eric Kurzejeski, Secretary
Gregory Martin
Michael Poehlman
Loyd Wilson
Bill Lloyd
Rhonda Proctor
Jeff McCann

Rocky Fork Township (arrived 7:05)
Missouri Township
Katy Township
Rock Bridge Township
Columbia Township
Three Creeks Township (arrived 7:20)
Perche Township
County Engineer

b. Members Absent:

Boyd Harris, Chairperson
Carl Freiling
Vacant Seat

Centralia Township
Cedar Township
Bourbon Township

c. Staff Present:

Stan Shawver, Director
Bill Florea, Senior Planner

Uriah Mach, Planner
Paula Evans, Staff

III. Approval of Minutes:

Minutes from the July 20, 2017 meeting were approved by acclamation.

IV. Chairperson Statement

Secretary Kurzejeski read the following procedural statement:

The Boone County Planning and Zoning Commission is an advisory commission to the County Commission. The commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission makes recommendations to the County Commission on matters dealing with land use. Tonight's agenda includes one conditional use permit, two rezoning requests, a final development plan and four subdivision plats.

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

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

The following procedure will be followed:

The agenda item will be announced, followed by a report from the planning department staff. At that time, the applicant or the applicant's representative may make a presentation to the commission. The commission may request additional information at that time, or later following the public hearing. After the applicant's presentation, the floor will be opened for a public hearing to allow anyone wishing to speak in support of the request. We ask that any presentation made to the commission be to the point.

Next, the floor will be given over to those who may be opposed to the request. Direct all comments or questions to the commission and please restrict your comments to the matter under discussion. Please be considerate of everyone here. We ask that you please not be repetitious with your remarks. We also recognize that some issues can be quite emotional. In that regard we ask that you refrain from applause, cheers, or other signs of support or displeasure. Please afford those with a different point of view than yours the same respect and consideration you would like yourself.

There may be individuals that neither support nor oppose a particular request. Those individuals are welcome to address the commission at any time during the public hearing portion of the request.

Please give your name and mailing address when you address the commission. Please sign the sheet on the table after you testify. Also, we ask that you turn off your cell phones.

Any materials that are presented to the commission, such as photographs, written statements or other materials will become a part of the record for these proceedings. If you would like to recover original material, please see the staff during regular business hours after they have had an opportunity to make a copy of your submission.

After those opposed to the request have had a chance to speak, the applicant will have an opportunity to respond to the concerns of those opposed to the request. Next the staff will be given an opportunity for any additional comments, as appropriate. The public hearing will then be closed and no further comments will be permitted from the audience or the applicant unless requested by the commission. The commission will then discuss the matter and may ask questions of anyone present during the discussion. Finally, a motion will be made to either recommend the approval or denial of the request to the county commission. Please note that the Boone County Zoning Regulations and Subdivision Regulations are considered to be a part of the record of these proceedings.

All recommendations for approval are forwarded to the county Commission. They will conduct another public hearing on Tuesday, August 29th. Interested parties will again have the opportunity to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation. Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the planning office to see if a request that has been denied has filed an appeal, as there will be no further public notification due to the short time between the hearing tonight and the County Commission hearing. The County Commission hearing scheduled for Tuesday, August 29th will begin at 7:00 p.m. and will convene in this same room.

V. Conditional Use Permits

1. Request by Katie Patterson on behalf of John G Grone Family LLC for an Equine Boarding and Training facility and Outdoor Recreational Facility on 36.12 acres located at 1801 N Route Z, Columbia.

Uriah Mach gave the following staff report:

The subject property is 36.12 acres located approximately 1/2 mile east of Columbia, on State Route Z. The property is zoned A-1 (Agriculture). There is A-1 zoning to the north and south, with A-2 (Agriculture) zoning to the west and M-L (Light Industrial) zoning to the east across State Route Z. The M-L was rezoned from A-1 in 2009. The A-1 & A-2 are original 1973 zonings. There is an existing house with several barns scattered around the property.

The applicants are requesting a conditional use permit to operate an equine boarding and training facility for more than six animals on a 10-acre tract and an outdoor recreation facility. This property has been operating as an equine boarding and training facility for up to six animals for quite some time and the applicants are seeking to expand their level of service.

The property is located inside the Columbia school district and the Boone County Fire Protection District. The Master Plan describes this area as being suitable for residential land use. Staff notified 20 property owners about this request.

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.

The proposed equine facility conditional use is an expansion of the existing activity on site. If expanded in compliance with current county regulations, that request should meet this criterion. The vagueness of the private outdoor recreation facility prevents it from being evaluated in regards to this criterion, which therefore fails to meet this criteria due to the lack of evaluatable information.

(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 compliance with current county regulation, the equine facility use should not be injurious to the use and enjoyment of other property in the immediate vicinity. The outdoor recreation facility use may need conditions identifying hours of operation to meet this criterion or other conditions to mitigate negative aspects. Other uses of that type have needed such conditions.

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

The existing equine facility use has gone unremarked within the existing character of the surrounding area. Expansion of that facility should not impair or diminish property values. The outdoor recreation facility use may need conditions to limit the potential for intrusive activity as other similar uses have required and without sufficient detail provided fails to meet these criteria.

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

All necessary facilities will be available to this property. This criterion can be met by this request.

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

The surrounding properties either already have developed or are developing in a manner consistent with the character of the area. This criterion can be met by this request.

(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.

An additional access point to the property will likely limit any traffic impacts on the site. The Missouri Department of Transportation should be contacted to locate a suitable location to best serve the use on the property.

(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 the regulations of the A-1 zoning district.

Zoning Analysis: This proposal is an expansion of an existing permitted use. With sufficient improvements, the expanded equine boarding, animal training, and riding school uses can be approved on this site with reasonable consideration. The outdoor recreation facility lacks sufficient detail to meet criteria for any of the seven tests and therefore should be denied.

Staff recommends approval of the conditional use permit for an equine boarding & training facility for more than six animals on a 10-acre tract with the following condition:

1. The number of horses on the property be limited to no more than thirty (30).

Staff recommends denial of the private outdoor recreation facility request.

Present representing the request:

Katie Patterson, 1801 N Route Z, Columbia

Katie Patterson: Glen Acres Farm has been in the family since the 1940's, my grandfather started this farm as a horse training facility and it has been passed down through the family. We have always boarded horses here and didn't know we needed a conditional use permit to do that. We are fine with under 30 horses that has been proposed by staff. I believe staff mentioned that there was something that didn't comply with the criteria.

Thad Yonke: The outdoor recreational facility.

Katie Patterson: We are fine with that, we are here to get our conditional use permit for the equine boarding facility. We try to do that at the highest level of responsibility and use the best safety practices to keep the horses and community around us safe. We have 77 years of history in doing that.

Ms. Patterson addressed each conditional use permit criteria as follows:

- 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.*
Glen Acres Farm will not endanger public health, safety and comfort because we have a large area of over 36 acres designed to keep our horses safe, off roadways with considerable separation from neighbors. We provide a service to the community to allow them to keep their horses on the proper amount of acreage instead of in their back yards. We feel that it is in our favor that we have 77 years of history of not endangering the public, health, safety and comfort.
- 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.*
The property to the north and south is owned by my uncles, it has always been a horse boarding facility so they love that idea and are very comfortable with it. Our neighbors to the east are the new Smith and Wesson facility; we feel like they will be good neighbors and because we keep our property very neat and tidy they will probably be fine with us continuing the way we are. To the west is wooded area. Outside of that there are neighbors who have been there for a very long time and we feel they would be comfortable with us continuing what we are doing.
- C. *The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.*
We believe it will go unchanged, the property values may be improved. Most of Route Z consists of farms but it is mainly beautiful land accompanied by beautiful homes and we think the farm fits in to that. We are the first property you see when you get off I-70 and we think the horses and historic farm house represent Route Z and the community well.
- D. *All necessary facilities will be available, including, but not limited to, utilities, roads, road access and drainage.*
Glen Acres has the necessary facilities to run an operational horse boarding facility. We have a large double driveway and a large turning radius in our driveway so trucks or horse trailers can turn around. We have the same utilities as everybody else in the area, Water District 9, Boone Electric, and Ameren. We run a septic and lagoon system and it has always done great for what we've needed. Route Z has large shoulders to catch drainage, we have never had problems with drainage at the farm.
- 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.*
We feel that Smith and Wesson purchasing the property across the road and developing it shows that we won't impede anything and that progress is coming to the area. My uncles that own the north and south properties are thinking about developing there.
- 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.*
We don't feel that we are going to hinder traffic, we have maybe 10 cars at max that go in and out of the farm on a daily basis so you won't see a lot of traffic there.
- 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.*
We are here today because we didn't realize we needed a conditional use permit to have a boarding facility and we want to make sure we are doing everything we are supposed to. There are so few places you can board your horse and our niche market, even though the request says training facility at this time we don't do a lot of training, we board people's horses who live in the city. We don't do lessons

and training, we kept it in there so if anything grew or changed we would have that ability but our niche market is just boarding. We don't feel that has slowed down, the need has just increased, we very rarely market and run at full capacity.

Commissioner Lloyd arrived.

Commissioner Poehlman: How many horses are the applicants boarding now?

Katie Patterson: We have 13.

Commissioner Poehlman: What is the most the applicants have had at one time?

Katie Patterson: Probably about 17.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Lloyd: Can the applicants touch on the outdoor recreational facility again?

Katie Patterson: We have stricken that from the request. We are just focused on getting the conditional use permit for the equine boarding and training facility.

Commissioner Wilson made and Commissioner Poehlman seconded a motion to **approve** the request by Katie Patterson on behalf of John G Grone Family LLC for an Equine Boarding and Training facility and to **deny** the request for an Outdoor Recreational Facility on 36.12 acres located at 1801 N Route Z, Columbia **with the following conditions:**

1. The number of horses on the property be limited to no more than thirty (30).

Eric Kurzejeski – Yes

Paul Prevo – Yes

Greg Martin – Yes

Michael Poehlman – Yes

Lloyd Wilson – Yes

Bill Lloyd - Yes

Jeff McCann – Yes

Rhonda Proctor – Yes

Motion to approve the equine boarding and training facility and to deny the outdoor recreational facility passes unanimously.

Secretary Kurzejeski informed the applicant that this request would go before the County Commission on August 29, 2017 and the applicant needs to be present at the hearing.

VI. Rezoning

1. Request by the James-Mary Coats Trust to rezone from R-S (Residential Single-Family) to A-2 (Agriculture) on 11 acres, more or less, located at 10500 S Rt. N, Columbia.

Uriah Mach gave the following staff report:

The subject property is located on State Highway N, approximately 5 miles south of Columbia, near Sapp. The subject property is approximately 36 acres in size and split zoned A-2 (Agriculture) & R-S (Residential Single-Family). The R-S portion is approximately 11 acres in size. The property has A-2 zoning to the north, south, and east, with R-S to the west. This is all original 1973 zoning. There is a vacant house on this property, along with several accessory structures.

This proposal is seeking to rezone the R-S zoned portion to A-2 in order to allow the applicant to apply for a conditional use permit. The conditional use permit will be for a small animal boarding and day-care facility.

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

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

Transportation: The property has direct access on to State Highway N, a publicly-dedicated, publicly-maintained right-of-way.

Public Safety: The property is located in the Southern Boone County Fire Protection District, with the station in Ashland being closest for service.

Zoning Analysis: Downzoning this property to A-2 is a reasonable request. While the existing R-S was placed at this location to facilitate development of Sapp, that development never arrived. While the property is currently zoned for higher density it is reasonable to presume that lower density can be served. At this time, resources more accurately support the A-2 level of development.

Staff recommends approval of the request.

Present representing the request:

Mary Coats 1412 Hemlock Ct, Columbia

Mary Coats: I have owned the property for about eight years it has been in our family for around 100 years. My dream is to bring the family farm back to life so we are looking at remodeling the farm house. We want to obtain a conditional use permit later on to build a small boarding and daycare facility for small animals, just dogs and cats. I started the in home care last year and people are loving that but they ask for boarding services.

Commissioner Wilson: Is R-S the original zoning?

Uriah Mach: Yes. It was originally established as an R-S block around the community of Sapp.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Poehlman made and Commissioner Prevo seconded a motion to **approve the request by the James-Mary Coats Trust to rezone from R-S (Residential Single-Family) to A-2 (Agriculture) on 11 acres, more or less, located at 10500 S Rt. N, Columbia:**

Eric Kurzejeski – Yes	Paul Prevo – Yes
Greg Martin – Yes	Michael Poehlman – Yes
Loyd Wilson – Yes	Bill Lloyd - Yes
Jeff McCann – Yes	Rhonda Proctor – Yes

Motion to approve the request passes unanimously.

Secretary Kurzejeski informed the applicant that this request would go before the County Commission on August 29, 2017 and the applicant needs to be present at the hearing.

2. Request by Deborah and Dennis Vollrath Trust to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 9.99 acres, more or less, located at 7370 S Bennett Dr., Columbia.

Uriah Mach gave the following staff report:

The subject property is located on Bennett Drive, approximately 1 mile to the east of the village of Pierpont, and one mile south of the City of Columbia. The subject property is 9.99 acres in size. It currently has a house and several accessory structures present on the property. The property is zoned A-1(Agriculture) and is surrounded by A-1 zoning. This is all original 1973 zoning.

This proposal is a request to rezone the subject property from A-1 to A-2. The owner has stated an intent to execute a family transfer. The proposed zoning will allow division of the lot into at least two lots.

The parcel is in the Greater Bonne Femme Watershed and Devil’s Icebox recharge area, an environmentally sensitive area. There appear to be several sinkholes on the property. The Bonne Femme Watershed Plan, adopted by the Boone County Commission in 2007, contains recommendations for land use decision making in the Greater Bonne Femme Watershed.

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

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

Transportation: The property has direct access on to Bennett Drive, a publicly-dedicated, publicly-maintained right of way.

Public Safety: The property is located in the Southern Boone County Fire Protection District, with the station in Ashland being closest for service.

Zoning Analysis: The Bonne Femme Watershed Plan contains two sets of Goals and Recommendations that apply to this proposal:

- **Goal:** Conserve recharge and karst areas with special protections.
Recommendation: New sanitary sewers should be limited to no-discharge systems
- **Goal:** Ensure that certain areas maintain special protections while maintaining the economics of urbanization.
Recommendation: Zoning regulations will reflect the sensitivity of the watershed. This will allow for economic growth while protecting sensitive subwatersheds

Since this is a straight rezoning request conditions cannot be attached to require a no-discharge sanitary sewer. The second goal indicates that the more restrictive A-1 zoning should be left in place due to the environmental sensitivity of this area. The proposal fails to meet either of the applicable recommendations of the Bonne Femme Plan.

The dominant land use pattern surrounding this parcel is 10-acre or larger lots which is characteristic of the A-1 zoning district. There is no pressure for higher density development in the form of infrastructure improvements or similar justification. In light of this lack of development pressure, the site being located in an environmentally sensitive area, and lack of compliance with Goals and Recommendations contained in the Bonne Femme Watershed Plan, we cannot support this request.

Staff recommends denial of the request.

Present representing the request:

David Butcher, Crockett Engineering, 1000 W Nifong, Bldg 1, Columbia

David Butcher: I am here because I made a mistake and I hope the Commission will bail me out. The applicants asked me to prepare a family transfer survey on their property; they live on the north portion, there is a house with a barn and they have a pond that separates the open field in the south part. They wanted a line in between them and do a family transfer for their son on the south part. In doing my work I came to the realization that it was zoned A-1. I thought it was A-2 because the tract of land was already less than 10 acres and the survey reflected such. I checked the zoning and saw that A-2 was nearby. I know the state park is there and the sensitivity of the area. If the Commission approves this to A-2 zoning the maximum number that could be put on the property is one more house other than the one I am requesting. While it may not meet all the criteria for more urban style living I think one more house is not really that scary of a proposition. Mr. & Mrs. Vollrath can't assure you that they won't put a lagoon on this property but they have already told me that they don't intend to. They have already contracted with Seth Paul to help them install a system. All you have is my testimony and my word. I tried to get ahold of the applicants earlier, I forgot to inform them of this meeting. I am trying to clean up my own mistakes.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Lloyd: With A-2 zoning the Commission does not have the ability to place restrictions on this?

Bill Florea: No, Commission can only place restrictions on planned zoning districts.

Commissioner Wilson: How close is the nearest A-2?

Bill Florea: It looks to be 1000 feet to the south.

David Butcher: Just to the north of this property is the Strawberry Hills Farm.

Commissioner Poehlman: Staff's concern was the sensitivity of the area?

Bill Florea: That is correct, we went through a planning process in this watershed with a stakeholders group and they developed a set of recommendations, those are the recommendations that apply to this property. It is in a sensitive area because it is in the recharge area for Devils Ice Box Cave.

David Butcher: The applicants are invested in this area and they are well aware of that and have no intention of violating the sensitivity of the area, they probably respect it more than most people do.

Commissioner McCann: Would an A-2P request allow a requirement for an engineered sewer system?

Bill Florea: Yes.

David Butcher: The A-2P was an expensive proposition to accommodate and we can only put three houses on the entire property anyway so I didn't figure it was too dangerous of a request to ask for A-2.

Commissioner Poehlman: The detriment is they wouldn't be able to do the family transfer and build an additional house?

David Butcher: Right, the applicant's son wouldn't be able to live there, they would have to find another place for him.

Commissioner Martin made and Commissioner Poehlman seconded a motion to **deny** the request by Deborah and Dennis Vollrath Trust to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 9.99 acres, more or less, located at 7370 S Bennett Dr., Columbia:

Eric Kurzejeski – Yes
Greg Martin – Yes
Lloyd Wilson – Yes
Jeff McCann – Yes

Paul Prevo – Yes
Michael Poehlman – Yes
Bill Lloyd - Yes
Rhonda Proctor – Yes

Motion to deny the request passes unanimously.

Secretary Kurzejeski informed the applicant that if he wished to appeal this decision to the County Commission an appeal form would need to be filed with the Resource Management Department within three working days.

VII. Planned Developments

1. Request by RRJK LLC to approve a Final Development Plan for Reeves Development on 90 acres, more or less, located at 7601 N Rte Z, Columbia.

The subject property is located on Route Z, south of State Route HH, near Murray. This site is approximately 4 ½ miles to the east of the city limits of Columbia. The subject property consists approximately 200 acres is zoned A-1(Agriculture). The property is undeveloped. There is A-1 zoning to the north, south, east, and west, with C-G(General Commercial) zoning to the northeast. This rezoning and review plan were initially approved by the County Commission on August 1st, 2017.

This planned rezoning request identifies 90 acres of the 200 acres for rezoning to A-1P(Planned Agriculture). The review plan utilizes the density of the 90 acres to create seven 5 acre lots, one 5.74-acre lot, and a large 49.26 acre lot.

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

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

Transportation: The property has direct access on to State Highway HH and State Route Z, both publicly-dedicated, publicly-maintained rights-of-way.

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

Zoning Analysis: This proposal is a reasonable use of the planned rezoning process. Existing infrastructure can support the proposed development and the planned district allows for smaller lots as long as the 1 lot per 10 acres density is not exceeded.

The property scored 36 points on the rating system.

Staff recommends approval of the final plan.

The request by RRJK LLC was approved by consent. All members voted in favor, none opposed.

VIII. Plats

The following items were placed on consent agenda:

1. Nursery Heights Plat 2. S9-T47N-R13W. R-S. Nursery Heights Development Group LLC, owner. Jay Gebhardt, surveyor.

The subject properties, which abut Boones Pointe subdivision and University Estates subdivision, are located on the east side of Nursery Road approximately 700 feet south of the intersection of State Route K and Nursery Road. The northern property line of the subject property is the municipal limit line for the City of Columbia. The subject properties consist of approximately 37.62 acres that is zoned R-S (Residential Single Family) and was rezoned from A-2(Agriculture) in August of 2016. The remaining 2.74 acres is zoned A-2 to support an existing cell tower. Property to the east, which is University Estates subdivision, is zoned R-S (Residential Single Family). Property to the south and west is zoned A-1 (Agriculture). All these are original 1973 zonings. The property to the west has a tentative approval for rezoning to A-2P (Planned Agriculture) but said zoning will not go into effect until a Final Development Plan for the property is approved. Property to the north, which is Boones Pointe subdivision, was originally zoned A-2 but was annexed into the City Limits of Columbia and given R-1 zoning. The R-1 is the equivalent of the county R-S designation.

This proposal is set to create the second phase of the Nursery Heights development. This phase creates 25 developable lots.

Nursery Road, Posey Lane, and Sapling Court are publicly-dedicated, publicly-maintained right of ways that is being improved (in the case of Nursery Road) or constructed by this development. Posey Lane and Sapling Court are new public roads being constructed in this phase. A traffic study was submitted with the preliminary plat for this development.

Consolidated Public Water Supply District #1 will be providing water service to this development. Boone Electric Cooperative will provide electrical service to this development. The property is located in the Boone County Fire Protection District.

Wastewater will be handled by a connection to the Boone County Regional Sewer District facility to the east.

The property scored 68 points on the rating system.

Staff recommends approval of the plat.

2. Otten. SS8-T49N-R11W. A-2. Samuel and Chelsea Otten, owners. Kevin M. Schweikert, surveyor.

The subject property is located at the southwest corner of the intersection of State Highway HH and Ballew Road, approximately 4 miles to the northeast of the City of Columbia and less than 1 mile to the west of Murry. The subject property consists of one 8-acre tract. There is a house present on the property. The property is zoned A-2(Agriculture) with A-2(Agriculture) zoning to the north, and A-1(Agriculture) zoning to the south, east, and west. This property and the property to the north's A-2 zoning was rezoned on the Boone County Commission's August 1, 2017 agenda. The other zoning is all original 1973 zoning.

This plat divides the subject property into two lots, one at 3.04 acres, the other at 3.00 acres. Approval of this plat will complete the action begun by rezoning the property and allow new building permits on the property.

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

The property has direct access on to State Highway HH and Ballew Road, both publicly-dedicated, publicly-maintained rights-of-way.

The property is located in the Boone County Fire Protection District, with the station in Hallsville being closest for service.

The property scored 49 points on the point rating system.

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

3. Reeves. S8-T49N-R11W. A-1P. RRJK LLC, owner. Kevin M. Schweikert, surveyor.

The subject property is located on Route Z, south of State Route HH, near Murray. This site is approximately 4 ½ miles to the east of the city limits of Columbia. The subject property consists approximately 200 acres is zoned A-1(Agriculture). 90 acres of this property were rezoned to A-1P on the July agenda. The property is undeveloped. There is A-1 zoning to the north, south, east, and west, with C-G(General Commercial) zoning to the northeast. This rezoning and review plan were initially approved by the County Commission on August 1st, 2017. This plat creates the eight smaller lots identified on the review and final plans.

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

The property has direct access on to State Highway HH and State Route Z, both publicly-dedicated, publicly-maintained rights-of-way. The applicant has submitted a request to waive the traffic study requirement.

On-site wastewater is proposed for these lots, as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request for a waiver to the wastewater cost/benefit analysis requirement.

The property is located in the Boone County Fire Protection District, with the station in Hallsville being closest for service.

The property scored 36 points on the rating system.

Staff recommends approval of the final plan.

4. Rokes Bend Plat 2. S20-T47N-R13W. A-2. Tompkins Homes and Development Inc., owner. David W. Borden, surveyor.

The subject property is located on Woodie Proctor Road, approximately two miles south of the City of Columbia. The property is composed of two parent tracts, one at 12 acres and the other at 18.43 acres. Both are currently vacant. This proposal divides the smaller tract into into three lots, at 4.68, 3.46, and 2.85 acres in size, and the larger into two lots, one at 9.08 acres, the other at 9 acres. The subject property is zoned A-2(Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

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

The subject property is located in the Consolidated Public Water Service District #1 service area, the Boone Electric service area, and the Boone County Fire Protection District. Fire hydrants will be required to serve these five lots and the three lots created by Rokes Bend Subdivision Plat Number 1.

The applicants are proposing on-site wastewater systems as approved by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the waste-water cost-benefit analysis requirement.

The property scored 49 points on the rating system.

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

Commissioner Prevo made and Commissioner Martin seconded a motion to approve as recommended the items on consent agenda and place the staff reports in to the record.

All members voted in favor, none opposed.

IX. Old Business

1. Update on Commission action.

Director, Stan Shawver updated the Commission on the actions taken by the County Commission as follows:

The conditional use permit request for a daycare by Real Estate Investment LLC was recommended denial, the applicants did not appeal to the County Commission.

The rezoning request by Bassett Construction for R-S to R-M was recommended denial, the applicants appealed to the County Commission and upheld the recommendation.

The rezoning request by Bassett Construction for R-S to C-G was approved as recommended.

The rezoning and review plan for RRJK LLC was approved as recommended and their final plan and plat was before the Planning and Zoning Commission tonight.

2. Update on Subdivision Regulation comments.

Staff has completed their review of the comments; the staff is reviewing them further and identifying what issues are outstanding. Once that is done it will be brought back to the Planning and Zoning Commission and the stakeholders for review.

X. New Business

None.

XI. Adjourn

Being no further business the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Secretary
Eric Kurzejeski

Minutes approved on this 21st day of September, 2017