

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, November 16, 2023

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

II. Roll Call:

a. Members Present:

Eric Kurzejeski, Vice Chairperson	Missouri Township
Gregory Martin, Secretary	Katy Township
Steve Koirtyohann	Rocky Fork Township
Rhonda Proctor	Perche Township
Kevin Harvey	Rock Bridge Township
Robert Schrieber	Three Creeks Township
Jeff McCann	County Engineer

b. Attending by Phone

Boyd Harris, Chairperson	Centralia Township
Daniel Mings	Columbia Township
Randal Trecha	Cedar Township
Christy Schnarre	Bourbon Township

c. Staff Present:

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

III. Approval of Minutes

Minutes from the October 19, 2023 meeting were approved as presented by acclamation.

IV. Chairperson Statement

Vice-Chairperson Kurzejeski read the following statement:

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

The Planning and Zoning Commission makes recommendations to the County Commission on matters dealing with land use.

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 make any motion.

The following procedure will be followed:

An audio link is open to members of the public who wish to follow the proceedings. Members of the public who are attending by phone will be muted until the public hearing portion of each request.

Announcement of each agenda item will be followed by a report from the planning department staff. The applicant or the applicant's representative may make a presentation to the commission after the staff report. The commission may request additional information at that time, or later following the public hearing. After the applicant's presentation, the floor will be opened for a public hearing. Those wishing to speak in support of the request will be allowed to speak, then the floor will be given over to those opposed to the request. There may be individuals that neither support nor oppose a request. Those individuals are welcome to address the commission at any time during the public hearing.

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

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

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

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

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, November 28th. Interested parties will again be able to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation.

Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the planning office to see if a request that has been denied has filed an appeal, as there will be no further public notification due to the short time between the hearing tonight and the County Commission hearing. The County Commission hearing scheduled for Tuesday, November 28th will begin at 7:00 p.m. The vote on discretionary items, such as rezonings and conditional use permits, will not be taken on the 28th. After hearing those items, they will be scheduled for a second reading at a future County Commission meeting, likely on Tuesday, December 5th, however the date of the second reading will be announced at the November 28th meeting.

V. Rezoning Requests

1. Request by 7841 Management Inc to rezone from Recreation (REC) to Agriculture (A-2) on 2.85 acres located at 20650 N Hwy 124, Centralia. (Open public hearing)

Planner, Andrew Devereux gave the following staff report:

The subject property is located southeast of the intersection of Highway 124 and East Gano Chance Road. The property is 36.59 acres and split zoned, with Recreation (REC) on the western portion and Agriculture 2 (A-2) on the eastern portion. The surrounding zoning is as follows:

- North, south, west - A-2.
- East - Single Family Residential (R-S).

The existing A-2 zoning is original 1973 zoning. A Conditional Use Permit for an outdoor recreational facility was issued in 1992. County Commission order #332-2002 rezoned approximately 18.94 acres from A-2 to REC. The property currently has a reception hall and outdoor pavilion located within the REC zoned area. An engineered subsurface wastewater system is present that serves the reception hall. A driveway connection onto Highway 124 is present for traffic entering and leaving the property.

Two rezoning requests were submitted by the applicant to modify the existing REC and A-2 zoning. The first request is to rezone a portion of A-2 to REC along the eastern boundary of the existing REC area. The second request is to rezone from REC to A-2 on the northern portion of the existing REC. The applicant has provided a site drawing of the intended development should the rezoning requests be granted. The property will be subdivided into two lots corresponding with the proposed zoning boundary. The REC lot will be 12.70 acres and continue to serve as a reception facility and outdoor pavilion. The A-2 lot will be 21.85 acres and developed into a place of worship, school with incidental playground and sport facilities, and potentially a cemetery.

The Boone County Master Plan designates this area as being suitable for residential land use. The Boone County Master Plan designates a sufficiency of resources test to determine if adequate transportation, utility, and public safety resources are in place to support the change in zoning. Failure to pass the test should result in denial of a request. Passing the test should result in further analysis.

Transportation: The property has direct road frontage onto Highway 124 and East Gano Chance Road. Both roads are publicly maintained roadways; Highway 124 is maintained by MoDOT, East Gano Chance Road is maintained by the Centralia Special Road District.

Utilities: Public Water Supply District #10 provides water service in this area. The water district has indicated to staff that a water study will be needed to determine if an upgrade to existing water infrastructure is needed. Boone

Electric provides power service to the area.

An engineered subsurface wastewater system serves the existing reception hall. The applicant has indicated that the future church and school on the A-2 portion of the property will be served by a public sewer line operated by the City of Centralia. Staff have confirmed with Centralia that they are working with the applicant to secure sewer capacity. Any future expansion of the reception hall, or failure on the existing onsite wastewater system occur, the REC portion of the property will likely be required to connect to central sewer being secured for the place of worship and school.

Public Safety: The property is located within the Boone County Fire Protection District. The nearest station, Station 10, is approximately a mile and a half away.

Zoning Analysis: It is unclear if the sufficiency of resources test is met to support a change in zoning from A-2 to REC. Water line infrastructure may need to be upgraded, and an onsite wastewater system currently serves the reception hall. However, even with a rezoning from A-2 to REC, the proposal will decrease the REC zoned area to 12.70 acres. This decrease in acreage limits both current and future property owner's ability to utilize all permitted uses of a REC zoning district.

For REC to A-2 request, the sufficiency of resource test is met. The property will be downzoned to A-2 which does not permit as intensive land uses under REC zoning. The applicant's ability to construct a place of worship and school will be dependent on meeting regulatory requirements for the building, parking, and securing sanitary sewer. A cemetery will require the applicant to apply for Conditional Use Permit before permission is granted.

The property scored 58 points on the point rating system. Staff notified 9 property owners of the request.

Staff recommends approval of both the A-2 to REC and REC to A-2 rezoning requests.

Present representing the request:

Kyle Miller, Crockett Engineering, 1000 W Nifong Blvd, Columbia

Kyle Miller: We meet all the items as listed in the staff report. We understand there will be a lot of other items that would still be needed. Keep in mind what you saw on the plan is the master plan and things will change.

Commissioner Martin: Is the church currently using the existing building?

Kyle Miller: The existing building is the Knights of Columbus Hall.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Vice-Chairperson Kurzejeski asked if staff heard from any of the neighbors.

Uriah Mach stated staff took one call from someone who was curious about the request, once it was explained the caller did not voice favor or opposition to the request.

Vice-Chairperson Kurzejeski: Once again, the applicants are aware that the next steps will require meeting all the concerns brought up.

Kyle Miller: yes

Commissioner Harvey made, and Commissioner Proctor seconded a motion to approve the request by by 7841 Management Inc to rezone from Recreation (REC) to Agriculture (A-2) on 2.85 acres located at 20650 N Hwy 124, Centralia:

Eric Kurzejeski – Yes
Steve Koirtyohann – Yes
Kevin Harvey – Yes
Jeff McCann – Yes

Greg Martin – Yes
Rhonda Proctor – Yes
Robert Schreiber – Yes

Motion to approve the rezoning request passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, November 28, 2023 at 7:00 PM.

2. Request by 7841 Management Inc to rezone from Agriculture (A-2) to Recreation (REC) on 1.03 acres located at 20650 N Hwy 124, Centralia. (Open public hearing)

See staff report and public hearing under previous request.

Commissioner Schreiber made, and Commissioner McCann seconded a motion to approve the request by 7841 Management Inc to rezone from Agriculture (A-2) to Recreation (REC) on 1.03 acres located at 20650 N Hwy 124, Centralia:

Eric Kurzejeski – Yes	Greg Martin – Yes
Steve Koirtyohann – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeff McCann – Yes	

Motion to approve the rezoning request passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, November 28, 2023 at 7:00 PM.

VI. Planned Developments

1. Request by Great Rivers Council Inc Boy Scouts of America to approve a Final Development Plan for Lot 1 of VH Acres, Plat 2 on 2.43 acres located at 6081 W Van Horn Tavern Rd, Columbia.

The following staff report was entered into the record:

This property is located on the north side of Van Horn Tavern Road at the immediate southeast corner of the intersection of the eastbound ramp for I-70 at the Midway interchange and State Highway UU. The site is about 1500 feet west of the Columbia municipal limits. The property is 2.43-acres in size, and zoned Planned Industrial (M-LP). All the surrounding property is zoned as follows:

- North – (across I-70) Agriculture 2 (A-2) & General Commercial (C-G)
- East – M-LP
- South – Agriculture-Residential (A-R) & Planned Commercial (C-GP)
- West – State Right-of-Way

The zoning to the north and the A-R zoning south are all original 1973 zonings, the planned commercial and planned industrial zonings have been approved and modified over time. The most recent review plan for the subject site prior to the current request was approved in July of 2014 under County Commission Order number 313-2014.

This proposal is to rezone the subject property to allow modification of the existing M-LP plan to allow for the construction of a pavilion shelter-house and refine the parameters of any future additions while clarifying the

uses more clearly that are associated with the use by the Scouting organization that currently uses the property. The current lot is developed with an office building, parking, and landscaping/stormwater features.

The property scored 103 points on the rating system.

The corresponding Rezoning & Review Plan was approved under County Commission Order 574-2023.

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

All the required information is accurately portrayed on the Plan

The Final Plan conforms to the approved Review Plan

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

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

Staff recommends approval of the final plan.

Commissioner Kurzejeski made, and Commissioner Schreiber seconded a motion to approve the request by Great Rivers Council Inc Boy Scouts of America to approve a Final Development Plan for Lot 1 of VH Acres, Plat 2 on 2.43 acres located at 6081 W Van Horn Tavern Rd, Columbia:

Eric Kurzejeski – Yes

Greg Martin – Yes

Steve Koirtyohann – Yes

Rhonda Proctor – Yes

Kevin Harvey – Yes

Robert Schreiber – Yes

Jeff McCann – Yes

Motion to approve the Final Plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, November 28, 2023 at 7:00 PM.

VII. Old Business

1. Update on Commission action

The Conditional Use Permit request by Briley Investments was recommended denial by the Planning & Zoning Commission, the applicants appealed that decision to the County Commission who approved the request with the following conditions.

1. That the duplex be constructed in a manner consistent with the plans submitted with the conditional use permit application, with any changes subject to the approval of the Director of Resource Management.
2. Prior to building permit issuance, a parking and vehicular circulation plan shall be submitted for approval by the Director. There shall be a minimum of three parking spaces for each unit located on the same side of the building as the front door for that unit. Each space shall be accessible without the need to move another vehicle. A turnaround area shall be provided for the unit facing Bearfield Road to enable vehicles to exit the lot, onto Bearfield Road, in a forward direction. Implementation of the plan shall be a condition of occupancy for the building.

3. Prior to building permit issuance, an exterior lighting plan shall be submitted for approval by the Director. The plan shall implement “Dark Sky” principles. Implementation of the plan shall be a condition of building occupancy.
4. Prior to building permit issuance, a stormwater mitigation plan shall be submitted for approval by the Director. The plan shall focus on mitigating the increased runoff from new impervious surfaces such as roof and paved areas and may include techniques such as rain barrel systems, raingardens, and incorporating deep rooted native species in the landscaped areas of the lot.
5. The maximum footprint of the structure, which is defined as the product of the longest two dimensions, each perpendicular to the other, shall not exceed 4,400 square feet. The building as shown on the plans submitted with the application has a maximum footprint of 3,999 square feet.

The Rezoning Request & Review Plan by Great Rivers Council Inc – Boy Scouts of America at 6081 W Van Horn Tavern Road was approved as recommended.

The Rezoning Request, Review Plan and Preliminary Plat by Warren School Properties was recommended denial by the Planning & Zoning Commission, the applicants appealed that decision to the County Commission who approved the rezoning request, review plan and preliminary plat with the following conditions:

1. The plan shows two fire hydrant locations for installation of new hydrants, if the Fire District, the Water District and the Director of Resource Management agree the hydrant requirements can be met with a different hydrant plan, then the Final Plan may reflect such a change approved by all three entities
2. It is recognized that engineered subsurface wastewater systems are proposed and will be the required system if on-site wastewater is used within this development

The Final Development Plans for Como West Storage LLC, Concorde South Lot 9, and Frederick Schmidt were approved as recommended.

The Plat for Heithold Landing Plat 1 was approved as recommended

VIII. New Business

None

IX. Adjourn

Being no further business, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Secretary
Greg Martin, Secretary

Minutes approved on this 21st day of December 2023