

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
June 8, 2023

Case Number 156-2023

A request by Crockett Engineering (agent), on behalf of Earth Vision LLC (owner), for approval of a one-lot final plat of A (Agricultural) zoned property to be known as Earth Vision, Plat No. 1. The approximately 11.24-acre subject site is located 550' west of the intersection of Mexico Gravel Road and Ballenger Lane, and includes the address 4608 Mexico Gravel Road.

MS. GEUEA JONES: May we please have a staff report.

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends approval of the final minor plat to be known as Earth Vision, Plat No. 1, subject to technical corrections.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any outside contact with parties to this case, please disclose so now. Seeing none. Any questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. I'm going to take this opportunity because we have a stream buffer in here, and this may be -- we may not know the answer. It's maybe a question for Legal and may eventually be a question for staff. Given the Supreme Court's recent ruling on rolling back some of the EPA wetlands protections, do we anticipate any changes to roll downhill to us?

MS. THOMPSON: I don't have an answer for you on that currently.

MR. MACMANN: I didn't know. I figured you did not, and I -- it hasn't shaken out yet. I kind of wanted to get that out.

MS. THOMPSON: But I will certainly keep you updated on that.

MR. MACMANN: All right. Jurisdiction, mostly, because that's what -- if I understand the ruling, mostly it curtailed some of the jurisdiction, but we'll approach that fun later. Thank you for the indulgement, Madam Chair. I just wanted to take that opportunity.

MS. GEUEA JONES: Thank you, Commissioner MacMann. Any other questions for staff? Seeing none. I will now open the floor to public hearing.

PUBLIC HEARING OPENED

MS. GEUEA JONES: Please come forward.

MR. CROCKETT: Members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Again, a one lot final plat for this property, just to bring it into legal lot status, and I don't have a

formal presentation. To answer your question -- not to answer, but to give my opinion, Mr. MacMann, on that, it is a legal matter. The Corps regulation on the waterway, I don't think has any bearing on the City ordinance with regards to stream buffer. While they both reference similar type streams, I think that the stream buffer is very specific on what it does and doesn't regulate, and I don't think that that would have any bearing. Just if the -- if the Corps doesn't regulate a waterway, it doesn't mean that the City would relinquish stream buffer rights to that piece of property. So in our business, we're going straight ahead as if the Code -- the City ordinance is a City ordinance and we're going to abide by it as it is, and that's how it would be shown on the plat, and that's how we are doing it, so --

MR. MACMANN: Thank you, Mr. -- may I?

MS. GEUEA JONES: Please.

MR. MACMANN: Thank you, Mr. Crockett. It's the flow of authority top to bottom which concerns me. I appreciate what you just said, and given the interesting development nature of politics in the last 15 years --

MR. CROCKETT: It's always something new. Right?

MR. MACMANN: Yeah. Always something new. Thank you, Mr. Crockett.

MR. CROCKETT: Appreciate it. Thank you.

MS. GEUEA JONES: Thank you, Commissioner MacMann. Thank you, Mr. Crockett. Oh, sorry. Any other questions, before you run off? Seeing none. Thank you, Mr. Crockett. Any other public comment on this case? Seeing none.

PUBLIC HEARING CLOSED

MS. GEUEA JONES: Going to Commissioner comment. Any Commissioner comment on this case number? Seeing none. I would entertain a motion if someone wanted to make one. Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. In the matter of Case 156-2023, Earth Vision Plat No. 1, final plat, with technical corrections, I move to approve.

MS. LOE: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Loe. Is there any discussion on the motion? Seeing none. May we please have a roll call?

MS. LOE: Yes, Madam Chair. Case 165-23 -- or sorry. I'm just off on all my numbers today.

MS. GEUEA JONES: You're okay.

MS. LOE: It's Thursday.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Wilson, Ms. Loe, Mr. Dunn, Mr. MacMann, Ms. Geuea Jones, Ms. Placier, Mr. Ford. Motion carries 7-0.

MS. LOE: Seven for, none against. The motion carries.

MS. GEUEA JONES: Thank you. Are there any other motions on that case number? Seeing none. That recommendation will be forwarded to City Council.