

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, July 21, 2016

I. 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
Paul Prevo, Vice-Chairperson	Rocky Fork Township
Eric Kurzejeski, Secretary	Missouri Township
Gregory Martin	Katy Township
Michael Poehlman	Rock Bridge Township
Loyd Wilson	Columbia Township
Bill Lloyd	Three Creeks Township
Rhonda Lightfoot	Perche Township

b. Members Absent:

Carl Freiling	Cedar Township
Derin Campbell	County Engineer
Vacant Seat	Bourbon Township

c. Staff Present:

Stan Shawver, Director	Uriah Mach, Planner
Thad Yonke, Senior Planner	Paula Evans, Staff

III. Approval of Minutes:

Minutes from the June 16, 2016 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris 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 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 Wednesday, August 3rd. 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 Wednesday, August 3rd will begin at 7:00 p.m. and will convene in this same room.

V. Conditional Use Permits

1. Request by Ri-Mor Topsoil LLC for a permit for topsoil management, harvesting, conditioning and stockpiling on 52.5 acres, more or less, located at 5353 W Cunningham Dr., Columbia.

Planner Uriah Mach gave the following staff report:

This site is located west of Columbia off of the east end of Cunningham Drive, west of Perche Creek. The property is zoned A-2, which is the original zoning. Adjacent land to the east, under the same ownership, has an approved Review Plan for and tentative rezoning to ML-P and a Conditional Use Permit for Topsoil Management, Conditioning, Harvesting and Stockpiling. A Final Plan has not been approved for the ML-P. The adjacent land not owned by the developer is zoned as follows:

- North A-2
- East A-1
- South A-2
- West A-2

The 52.5 acre site is within the 100-year floodplain of Perche Creek. The site is mostly level and bordered by agricultural/floodplain land and bluffs to the west and Perche Creek to the east. The character of the area is described as agricultural with low density residential on the bluffs to the west and east. A rezoning of 106.54 acres to A-1 and 20.75 acres to ML-P with a Review Plan was approved in March 2016 on land across Perche Creek to the east. The master plan designates this site as being suitable for residential land uses.

The request is to allow removal, conditioning and export of topsoil. This use has been ongoing at this location for several years. Topsoil will be removed from a portion of the site each year and stockpiled for sale. The operator may utilize equipment such as agricultural tractors, scrapers, bull dozers, loaders, dump trucks and a topsoil screener. Agricultural operations will continue on the site, and will not be subject to the limitations of a conditional use permit (if granted). Truck traffic leaving the site will enter Cunningham Drive at the southern end of the property, then proceed west to the intersection with US 40 across from the Midway Truck Stop. Both roads used to access the site are maintained by Missouri Department of Transportation (MoDot). Trucks owned and operated by Ri- Mor and 4 or 5 other companies currently haul from the site.

Potential externalities that could result from the use include noise from equipment and traffic and mud/debris on the road caused by trucks hauling soil from the site. With proper conditioning and operation those impacts can be minimized.

The application must meet the criteria for issuance of a conditional use permit. Those criteria are addressed 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.

Externalities such as noise, dust and exhaust fumes should not impact the public due to the isolated nature of the project site. Conditions of approval requiring dust control on the access road should adequately address

the possibility of dust related impacts. Noise will be mitigated by the elevation difference between the project site and nearby residential areas and limited hours of operation.

(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.

Activities in the area that are already permitted include agricultural and residential uses. Much of the project activity will be similar in nature to the agricultural uses that have been occurring on the property for several decades. For example, topsoil removal utilizes mechanical scrapers which will sound like a farm tractor from a distance. The noise will occur over a longer period of time however, because the topsoil removal occurs between harvest and planting.

The limited hours of operation will confine the likely impacts to hours when most homeowners are at work or school. However, topography and conditions of approval will provide additional mitigation of impacts. Previous conditional use permits of this type have been approved with limited hours of operation on the weekend beyond what is proposed on this request. Due to the pre-existing activity and lack of complaints about that activity, broader conditions have been proposed.

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

Due to the limited nature of the potential offsite impacts and the proposed conditions of approval it is unlikely that the use will result in diminished or impaired property values in the area.

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

The proposed use does not require any public utilities. The proposed use will utilize W Cunningham Drive and US 40 for access. Both roads are maintained by the State and should be able to sustain the truck traffic generated from this use.

(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.

Property to the east has an approved Conditional Use Permit for the same use that was granted in June 2016 after being rezoned to A-1 in January 2016. A portion of the same property has an approved ML-P Review Plan.

Property that is adjacent to the north and west is in the Perche Creek Floodplain and in agricultural use.

The closest residential areas are located approximately equidistant to the east and west. Both areas are separated from the site by distance and elevation.

This should provide adequate screening of the topsoil operation from nearby residential uses and any undeveloped 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 anticipates approximately 20 to 30 truck trips per day. Averaging 30 trips over the 12 hour per day operating window yields an hourly traffic count of 2.5 trucks per hour. This will not result in traffic congestion on area roads.

(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.

Conditions of approval address the need to obtain a Land Disturbance permit and comply with the Stream Buffer Regulations. All other applicable regulations are likewise enforceable.

Staff notified 23 property owners about this request.

Staff recommends approval subject to the following conditions:

1. Hours of operation shall be limited to
 - Monday through Saturday 7 AM to 7 PM
 - No operation Sunday
 - No operation on New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day
2. A land disturbance permit shall be acquired prior to any earth moving on the site. The permit shall specifically identify the portion of the site where topsoil is to be removed on an annual basis.
3. When the topsoil removal site is adjacent to Perche Creek the stream buffer shall be staked so as to prevent removal of soil from within the stream buffer.
4. The operator shall employ the use of management practices to prevent mud, dirt or debris from being deposited on public roads to the satisfaction of the Director of Resource Management.
5. The operator shall maintain the access road in a dust free condition to the satisfaction of the Director of Resource Management.

Present representing the request:

Jay Gebhardt, A Civil Group, 3401 Broadway Business Park Ct., Ste 105, Columbia
Mel Smarr, 2801 Old Hwy 63 South, Columbia

Jay Gebhardt: This request is similar to the conditional use permit that was requested to the east. This site has been in operation since the Smarr's purchased it in 1997. The Smarr's were unaware that they were required to have a conditional use permit until they purchased another farm about a year ago and asked about doing topsoil mining. As part of an ongoing process the applicants have been applying for the conditional use permits for their operations. The applicants accept the proposed staff conditions. The road that leads to this site is a MoDOT road and it is not in the best of conditions but it is a state maintained road all the way to the applicant's entrance.

Open to public hearing.

Chairperson Harris asked three times if anyone wanted to speak in favor of the request.

No one spoke in favor of the request.

Present speaking in opposition:

Geoffrey Pease, 1418 N Country Shire Dr, Columbia

Geoffrey Pease: I am representing the Country Shire Homeowners Association. I have been there since 2008 and have never seen anything come across regarding Ri-Mor's operation. We do not feel that the infrastructure supports the business. The road is a mine field of pot holes and elevated road conditions, cars are bottoming out and it has been that way since I lived there. The county will come in and do some patchwork, some of our folks have talked to the county and they say they will come in do patchwork but we aren't going to fix the road the way it needs to be fixed because of the trucks running up and down it. We don't want to begrudge a business from making some money but the road conditions are very dangerous; these are big trucks going down this road. My daughter was run off the road by one of these big trucks not too long ago. We feel that safety is a very serious issue. We have a very nice neighborhood there and we feel this road is diminishing our property values.

Mr. Pease was informed that the state maintains the road.

Geoffrey Pease: It all seems to be on the north side of the road. The trucks are very heavy and they are leaving and exiting our road. That is our only access into our subdivision and it is a mine field.

Fred Hinshaw, 1420 N Country Shire Dr, Columbia

Fred Hinshaw: When you look at the criteria for a conditional use permit safety is an issue. As far as enjoyment of our property is concerned it has been affected by this business. They haven't been taking dirt out of there since 1997; it's only been 4 or 5 years that they have been taking dirt out of there. Under what authority are they presently operating this business? Is it a permitted use under A-1 or do they currently have a conditional use permit? It has affected property values. Commissioner Martin lives in our area and he comes by there every day and probably has a good view of the traffic. Anyone that is looking at property there is going to be eyeballing this business; it is not that far from our subdivision. Elevation helps a little bit but the dust moves in to our area. There are at least 3 or 4 items as to the criteria that do affect us. Another issue is traffic. You can't say it necessarily congests the entrance it does add to the safety issue and there isn't a lot of sight clearance and it is narrow and it isn't easy when you are meeting these trucks. Most of these criteria need to be looked at and studied. The Commission needs to look at it out there because some of you are not familiar with it. There are 15 lots in Country Shire and we are all in agreement of the negative impact of this proposal.

Roy English, 1413 Country Shire Dr, Columbia

Roy English: There are families that live in the subdivision with children and there are two school busses that come out there and when the busses have to meet the trucks on the road it is a problem. I have made several calls to MoDOT concerning the damage that is being done to the road and they have made repairs but the repairs are not always adequate. There is a culvert that runs under the road and at one point the south end of it was getting close to being bottomed out. They finally came out and fixed it but it is starting to dip again. There are so many bad areas on that road now you almost can't stay on your side of the road and not expect to hit 3 or 4 pot holes. Just to the east of the subdivision over the hill there are two homes and I know the noise has to be much worse for them. Even though they are going to move it from the bottom of the hill to the top it is going to be right on the curve that is coming off highway 40 and that is a major concern. When those trucks pass each other side by side there is not much room for error and they get right over to the edge. I agree with the comments regarding property values.

Annette Greenlee, 1402 N Country Shire Dr, Columbia

Annette Greenlee: When I am in my yard in the day time I can hear the truck traffic and it is more than 2.3 trucks per hour. In the mornings it is sometimes 3 or 4 trucks in a row; one of them threw a rock and broke my windshield. They drive down the middle of the road and I have to move to the edge of the road. This morning I noticed that in addition to a normal size dump truck they had one of those gigantic ones that is twice as long. I don't see how that truck could make the curve; if one of them ever gets stuck there we can't get out.

Pat Hutchinson, 1419 Country Shire Dr, Columbia

Pat Hutchinson: Having raised three children in the area my only concern is the safety. My three kids would walk down the road and sit on the rock and watch the cars go by on I-70. This is a narrow blacktop road and it has no shoulders. That is the fear I have of the trucks. There are a lot of families here with children and it is dangerous, even if we had shoulders on that road it would help otherwise you go over to the south and you are rolling down the hill to I-70, it is that high. The dirt trucks don't really care much about getting over too far.

Roy English (speaking again): When I moved there in 1999 it was called North Country Shire, the sign has been changed to Country Shire, the "N" is no longer there. I would like to find out how that change took place and what it is supposed to be called.

Chairperson Harris: That is a question that should be directed to Resource Management during regular business hours.

Chairperson Harris asked three more times if anyone else wished to speak in opposition to the request.

No one else requested an opportunity to address the Commission.

Closed to public hearing.

Jay Gebhardt: The applicants understand the neighbor's concerns; the road is not being taken care of by MoDOT. Having said that I think the infrastructure is adequate for this use. Ri-Mor started this operation in 1997 so it has been 19 years. There haven't been any complaints about this operation, if there had been complaints the issue of not having a conditional use permit would have come up sooner. I would like to try to reassure the neighbors that this is not a free for all where anyone can bring their dump truck in and get loaded. This is for Mel's (Smarr) business and there are a few other people that he has an agreement with that can load their trucks; it is a very controlled situation as far as who comes and goes and they are all professional drivers. The applicants would like to join with the neighbors and petition MoDot to fix the road; we would be happy to join with them to address the issue but we don't think this is something that should prevent the conditional use permit but we would pledge our support in trying to get MoDOT's attention to this matter. We believe that we meet the seven criteria set out for the Planning and Zoning Commission to recommend approval. The Smarr's are the type of people who would address any complaints had they been received. The dust issue is something that is addressed in the conditions; they have to maintain a dust free surface. The site is east of the residences and since the prevailing winds come from the west we feel that the people to the east would actually get more of the dust. The idea that the road is too narrow, I know it has potholes but this is a 24 foot wide state road and it is wide enough for two trucks to pass safely. The applicants have had 44 loads this week in four days. Those loads occurred in differing amounts every day with an average of 10 to 11 loads per day.

Jay Gebhardt asked Mr. Smarr if there was a bigger truck as mentioned in previous testimony.

Mel Smarr: We did get a semi load of compost delivered.

Jay Gebhardt: If we were having 100 trips a day I would understand the safety concerns. This is very low impact. Because this operation has been in place for almost 19 years any appraiser would look at this as an existing condition and would have already taken that in to account when appraising a property. The applicants would like to assure the neighborhood that the owners are good operators and if there are complaints or issues they will address them if they can.

Commissioner Wilson: What is the speed limit on the road?

Mel Smarr: 40 mhp.

Commissioner Kurzejeski: If there was demand could the applicants do 100 trips per day?

Mel Smarr: It would be a strain; I can't screen that much dirt.

Commissioner Kurzejeski: Have you ever had that type of demand?

Mel Smarr: No. The biggest was 40 to 45; the good thing about this is we have the other properties as well. We are going to rest this farm for a few years.

Commissioner Kurzejeski: Have you ever contacted MoDOT about the road over the years?

Mel Smarr: As far as the condition, no. We have contacted them about gravel and they have provided some gravel. They did replace the culvert but there are some pot holes they need to address.

Chairperson Harris: The applicants acquired the property in 1997.

Mel Smarr: We have been in business since 1997.

Chairperson Harris: When do you start operation on this property?

Mel Smarr: 2001.

Chairperson Harris: Was the road in the same kind of condition then?

Mel Smarr: We have the same pot holes.

Chairperson Harris: I spent some time in the neighborhood before the meeting and visited with a neighbor, looked around the neighborhood up and down Earthland Road and County Shire Drive and paid particular attention to the road coming out. I understand the concerns about the truck traffic. As someone who spends a fair amount of time in a semi on a county highway I would venture that the guys coming in and out of the site are more than conscience of the oncoming traffic. When you are sitting behind the wheel of one of those big trucks there is an overwhelming urge to self preservation and you don't want it out on the edge of that road. Yes, they may crowd the line at times. The thing I have a little difficulty understanding is the applicants started screening in 2001 and we are halfway through 2016 and this is the first time that anyone saw fit to be concerned about the operation. I understand the neighborhood's concerns and the concern with the road. Do the applicants have any issues with the proposed conditions?

Jay Gebhardt: No.

Chairperson Harris: Are the operation hours and days the same as at other sites or did Saturday get limited on hours?

Uriah Mach: Saturday was limited to 8:00 am to 3:00 pm at the other sites.

Chairperson Harris: Is there that much business on Saturdays?

Mel Smarr: We do have customers on Saturday, we had two last Saturday.

Jay Gebhardt: The applicants would like hours at 7:00 am so the drivers can get loaded and be at their deliveries by 8:00 am.

An audience member wished to make a comment before the vote.

Chairperson Harris: In the opening comments I laid out the procedure for the hearing and I asked at least three times if there were anyone else who wished to speak. I don't think I am being unfair to adhering to protocol.

Another audience member wished to ask a question.

Chairperson Harris: Not even a question, I asked three times if anyone else had anything to say.

Audience member: The question just came up relating to what was just said.

Chairperson Harris: I don't mean to be difficult but if I change my position I open the door for a landslide. I am going to maintain the decorum and follow the announced protocol.

Commissioner Loyd made and Commissioner Wilson seconded a motion to **approve** the request by Ri-Mor Topsoil LLC for a permit for topsoil management, harvesting, conditioning and stockpiling on 52.5 acres, more or less, located at 5353 W Cunningham Dr., Columbia **with the following conditions:**

1. Hours of operation shall be limited to
 - Monday through Saturday 7 AM to 7 PM
 - No operation Sunday
 - No operation on New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day
2. A land disturbance permit shall be acquired prior to any earth moving on the site. The permit shall specifically identify the portion of the site where topsoil is to be removed on an annual basis.
3. When the topsoil removal site is adjacent to Perche Creek the stream buffer shall be staked so as to prevent removal of soil from within the stream buffer.
4. The operator shall employ the use of management practices to prevent mud, dirt or debris from being deposited on public roads to the satisfaction of the Director of Resource Management.
5. The operator shall maintain the access road in a dust free condition to the satisfaction of the Director of Resource Management.

Boyd Harris – Yes	Paul Prevo – NO
Eric Kurzejeski – Yes	Greg Martin – NO
Michael Poehlman – Yes	Bill Lloyd - Yes
Loyd Wilson – Yes	Rhonda Lightfoot – NO

Motion to approve the request passes 5 YES 3 NO

Chairperson Harris informed the applicant that this request would go before the County Commission on Wednesday, August 3, 2016 and the applicant needs to be present at the hearing.

VI. Rezoning

None

VII. Planned Developments

None

VIII. Plats

The following items were placed on consent agenda:

1. Hailey Ridge Meadows. S2-T50N-R12W. A-2. Jason Karrick and Kellie Dickenson, owners. Steven R. Proctor, surveyor.

The following staff report was entered in to the record:

The subject property is located on Willet Road, approximately 1 mile to the north of Hallsville. This property is one tract of a two tract administrative survey. The proposal is to divide the property into two lots, one at 5.44 acres and the other at 4.22 acres in size. The property has a house and lagoon on lot 1, with lot 2 undeveloped except for a fence along the southern property line. The property is zoned A-2 (Agriculture), and is surrounded by A-2 zoning. This is original 1973 zoning.

The proposed lots have direct access on to Willet 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 Public Water Service District #4 for water service, the Boone Electric Cooperative service area for electrical service, and the Boone County Fire Protection District.

The existing house on Lot 1 has an on-site wastewater system. Lot 2 will also use on-site wastewater as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost/benefit analysis.

The property scored 38 points on the rating system.

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

2. Rokes Bend, Plat No. 1. S22-T47N-R13W. A-2. Tompkins Homes and Development, Inc., owner. David T. Butcher, surveyor.

The following staff report was entered in to the record:

The subject property is located on Woodie Proctor Road, approximately two miles south of the City of Columbia. The property is approximately 10.37 acres in size and is currently vacant. This proposal divides the property into three lots, at 3.14, 3.11, and 3.46 acres in size. 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.

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.

3. Eagle Heights, Plat No. 1. S2-T49N-R12W. A-2. Jeanie M. Morrison, owner. David T. Butcher, surveyor.

The following staff report was entered in to the record:

The subject property is located on Spiva Crossing Road, approximately 2 miles north of the City of Columbia. The property is approximately 15 acres in size. The property is currently vacant. The proposed plat subdivides the property into three lots, each approximately 5 acres in size. The property is zoned A-2(Agriculture) and is surrounded by A-2 zoning. This is all original 1973 zoning.

All three lots have direct access on to Spiva Crossing 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 Public Water Service District #4, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

The applicant proposes on-site wastewater treatment for these lots. A plan has been submitted showing how on-site wastewater can meet the Columbia/Boone County Health Department's setback requirements. The applicant has submitted a request to waive the waste-water cost-benefit analysis requirement.

The property scored 45 points on the rating system.

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

4. Valley Spring Plat 3. S13-T48N-R14W. A-2 Hereth Properties LLC, owner. Kevin M. Schweikert, surveyor.

The following staff report was entered in to the record:

The subject property is located on State Route UU, south of Interstate 70, approximately 1 mile to the west of the City of Columbia. The parent parcel is 165 acres in size and this plat divides three lots from that piece of ground. The lots are 5.23, 6.48 and 6.48 acres in size. The westernmost of the 6.48 acre lots has two barns present on the property. The property is zoned A-2(Agriculture) and is surrounded by A-2 zoning.

Lot 1 has direct access on to State Route UU, a publicly-dedicated, publicly-maintained right-of-way. Lots 2 & 3 have access to State Route UU via a private access easement. The applicant has submitted a request to waive the traffic study requirement.

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

On-site wastewater is proposed for this property. Wastewater systems will be 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 scored 60 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 County Commission Action.

Stan Shawver updated the Commission as follows:

The conditional use permit for Keeven Columbia was approved with a change on one of the conditions changing the Saturday operations to 7:00 am to 3:00 pm.

The rezoning request for Baker was denied by the Planning and Zoning Commission, the applicants did not appeal to the County Commission.

The rezoning request for 3WT LLC was recommended approval by the Planning and Zoning Commission, that has not proceeded to the County Commission, the applicants are still working to resolve the sewer issue.

The final development plan for EDK - Bobcat was approved.

X. New Business

1. Annual Election of Officers.

Commissioner Wilson nominated and Commissioner Poehlman seconded Commissioner Harris for Chairperson.

All members voted in favor, none opposed.

Commissioner Wilson nominated and Commissioner Poehlman seconded Commissioner Prevo for Vice-Chairperson.

All members voted in favor, none opposed.

Commissioner Wilson nominated and Commissioner Poehlman seconded Commissioner Kurzejeski for Secretary.

All members voted in favor, none opposed.

XI. Adjourn

Being no further business the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Secretary
Eric Kurzejeski

Minutes approved on this 18th day of August, 2016