

TERM OF COMMISSION: July Session of the May Adjourned Term

PLACE OF MEETING: Boone County Government Center Commission Chambers

PRESENT WERE: Presiding Commissioner Don Stamper
District I Commissioner Karen M. Miller
District II Commissioner Linda Vogt
County Counsel John Patton
Deputy County Clerk Melanie Stapleton

The regular meeting of the County Commission was called to order by Commissioner Stamper at 7:00p.m.

Commissioner Stamper stated that the primary purpose of this meeting was to discuss planning and zoning issues. He stated that the format for the meeting would be as follows: staff report, comments from applicant or agent of applicant, public hearing, rebuttal by applicant or agent of applicant, discussion of the commission. He also asked that all those giving comments should state their name and address for the public record and state if they were present in support of or opposition to the issue.

Subject: Request by George Godas to approve a revised Review Plan for Godas Leatherwood Center located at 1601 W Rte K, Columbia

Stan Shawver gave staff report as follows:

This 5.16-acre tract is currently zoned R-S. The adjacent zoning is R-S and R-M. The request is to revise the Review Plan that was approved in December 1993. The site is located approximately ½ mile south of Columbia at the intersection of Old Plank Rd and Interstate Rte K.

There are two small structures on the property the proposed use is a convenience store and other commercial uses. The masterplan designates this site as suitable for residential land uses. The original zoning on the property is R-S. In 1993, the applicant submitted a rezoning request and Review Plan for planned commercial development.

The rezoning request was approved as was the plan, however the final development plan was never submitted. Under County zoning regulations, zoning does not change until a final development plan is approved, consequently the property is still zoned R-S. One of the conditions of the original review plan had specific time limits for completion. For example the two small structures had to be removed in 40 months. The time deadline has since expired. The property has not been rezoned, thus the applicant has submitted a revised Review Plan.

The Planning and Zoning Commission held a hearing on July 15th on the request. Mr. Schneider was present and made a very good presentation to the P & Z Commission. A public hearing was held, however no testimony was given in favor or opposition to the request.

The Planning and Zoning Commission made a recommendation to approve the [revised] Review Plan (with a number of conditions) and to change the zoning.

Commissioner Stamper asked if a public hearing was required on this request.

Stan Shawver stated that a public hearing is required.

Commissioner Stamper asked the applicant if he had anything to add.

Commissioner Stamper convened a public hearing on the request.

Commissioner Stamper called for public comment three times.

There was no one that wished to speak.

Commissioner Stamper closed the public hearing.

Commissioner Miller moved to approve the request by George Godas on the revised Review Plan for Godas Leatherwood Center located at 1601 W Rte K, Columbia with the following conditions:

- A multi-use plat be submitted with any final development plan and the Sewer District approve the sewer proposal
- A Guaranty of Capacity be secured by this development/developer
- Entrances onto Old Plank Rd be approved by Boone County Public Works and be designed and located to the standards of Boone County Public Works
- Some form of documented approval for the location of entrances on State Rte K is provided for (at the latest) at the submission of the final development plan.
- Landscaping plan, Erosion control, Stormwater plan, and traffic analysis each acceptable to this Commission be required to be submitted with any final plan
- Since all uses of the C-G have been specifically requested, those uses that are conditional uses be required to obtain conditional use permits
- All Utility easements be provided after consultation with the appropriate Utility providers

And authorize the Presiding Commissioner to sign the revised Review Plan.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 260-99**

Subject: Request by Harold and Wanda Cunningham to approve a Final Development Plan for Ponderosa Planned Industrial Development located at 5495 S Ponderosa St., Columbia

Stan Shawver gave staff report as follows:

This property is located on Ponderosa Street, off of the west side of 63 south, immediately south of Prairie Meadows Estates and north of Williams Brother's tank farm. The final plan shows Lot 2 of Ponderosa Subdivision and contains 4.55 acres. The current zoning on this tract is split between R-S (Residential Single Family) and C-G (General Commercial). Property to the south-southeast, the site of the tank farm, is zoned M-L (Light Industrial) backed up by a strip of C-G. To the south of the subject property the land is zoned R-S. Land to the west, which includes Prairie Meadow Estates, is zoned R-M (Residential Moderate Density). Adjacent land to the north is zoned C-G and R-S. The land to the north across Highway 63 is zoned A-1 (Agriculture). These are all original 1973 zonings. A review plan and tentative rezoning of this property to M-L was approved with conditions in June of 1999. When a final development plan is approved the zoning will go into effect. This property is currently the site of a roof truss manufacturing business, this use is currently a zoning violation, and with approval of this final plan the approval will bring the use closer to being in compliance with the use provisions of the zoning ordinance. This site is split between the Columbia Public South and the New Haven R-2 School Districts. Water is provided by Consolidated Public Water District No. 1. Boone Electric provides electric service. The final plan shows a single tract with 2 structures on it. Sewer service is proposed to be from an on-site commercial wastewater system, which will need to be approved by DNR. DNR approval should be required prior to any additional permits being issued for the property. Fire hydrants and flows will be required to meet fire district approval. The use of this property will be limited to the truss manufacture since that is all the applicant has requested, had other or

alternative uses been desired the applicant would have had to request them. Any change in use will require a new review and final plan. The proposal rates 55 points on the point rating scale.

Commissioner Miller moved to approve the final development plan for Ponderosa Planned Industrial Development located at 5495 S Ponderosa St, Columbia and authorize the Presiding Commissioner to sign the plan.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 261-99**

Subject: Request by Craig and Michelle Simon to approve a Final Development Plan for Tower Industrial Park, Lot 5, located at 1715 E Prathersville Rd., Columbia

Stan Shawver stated that this site is located on Prathersville Rd. He stated that the Planning and Zoning Commission reviewed and approved the request. He stated the zoning would take effect upon the signature of the Commission on the final development plan.

Commissioner Miller moved to approve the Final Development Plan for Tower Industrial Park, Lot 5, located at 1715 E Prathersville Rd., Columbia and authorize the change in zoning.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 262-99**

Subject: Callahan Meadows. A-2. S36-T50N-R14W. Marvin and Carolyn Benthall, owners. Brian D. Dollar, surveyor.

Stan Shawver that this property is located in northern Boone County. He stated that the property is zoned A-2. He stated the Planning and Zoning Commission approved the request.

Commissioner Vogt moved to receive and accept Callahan Meadows, a minor plat and authorize the Presiding Commissioner to sign the plat.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 263-99**

Subject: Van Arsdale Subdivision. A-2. S9-T50N-R13W. Robert and Shannon Van Arsdale, owners. Donald E. Bormann, surveyor.

Stan Shawver stated that this is a two-lot subdivision located on Hwy 124. He stated that the property is zoned A-2. He stated that the Planning and Zoning Commission approved the request.

Commissioner Vogt moved to receive and accept Van Arsdale Subdivision, a minor plat and authorize the Presiding Commissioner to sign the plat.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 264-99**

Subject: Award bid 15-11MAY99 Boone County Maintenance Workshop Bldg

Karen Miller stated that this bid would expire soon and therefore it had to be awarded very quickly. She stated that the Auditor asked that the bid be awarded with the notice to proceed contingent upon the approval of the budget amendment for the Juvenile Accountability Incentive Block Grant.

Commissioner Miller moved to award bid number 15-11MAY99 as follows:

FOR	TO
Boone County Maintenance Workshop Bldg	Synercon Construction Company

Said bid is awarded per the attached recommendation of the Purchasing Department and the Presiding Commissioner is hereby authorized to sign the contract documents.

It is further ordered that the notice to proceed be contingent upon approval of the budget amendment for the Juvenile Accountability Incentive Block Grant.

Commissioner Vogt seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 265-99**

Subject: GIS License Agreement

This item was tabled until the next Commission meeting.

Commissioner Reports

Commissioner Stamper

Commissioner Stamper submitted for the public record a Public Notice For Federal Register Notice Announcing Proposed New Nationwide Permits.

Commissioner Stamper stated that he received a document in June concerning the Transportation Enhancement Funds Program. He stated that he shared the information with Frank Abart, Director of Public Works.

Commissioner Vogt stated that she would also like to have a copy of the information regarding the TEFP to include in her letter to the mayor of Hallsville.

Commissioner Vogt

Commissioner Vogt reported on the public record that she was appointed to the Boone County Senior Services Board for a 2-yr term starting August 20, 1999.

Commissioner Miller

Commissioner Miller gave no reports.

Public Comment

John Patton, County Counsel stated that he needed a motion to authorize the Presiding Commissioner to sign the Deed and closing documents on August 3rd [1999] for the sale of Pinnacles Park.

Commissioner Vogt moved to authorize the Presiding Commissioner to sign the Closing Documents and Deed for the sale of Pinnacles Park on Tuesday, August 3rd, 1999.

Commissioner Miller seconded the motion.

There was no discussion.

The motion passed 3-0. **Order 265A-99**

The meeting was adjourned at 7:30pm.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner