

**BOONE COUNTY PLANNING & ZONING COMMISSION**

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, April 17, 2003

Chairperson Smith called the meeting to order at 7:00 p.m., with a quorum present. Roll Call was taken by Commissioner Sloan.

Present:	Pat Smith, Chairperson	Perche Township
	Mary Sloan, Secretary	Rocky Fork Township
	Mike Morgan	Bourbon Township
	Carl Freiling	Cedar Township
	Kristen Heitkamp	Katy Township
	Larry Oetting	Rock Bridge Township
	James Brown	Three Creeks Township
	David Mink	Public Works

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Absent:	Michael Caruthers, Vice-Chairman	Centralia Township
	Keith Neese	Columbia Township
	Vacant	Missouri Township

Also present:	Stan Shawver, Director	Bill Florea, Staff
	Paula Evans, Staff	

The minutes of the March 20, 2003 meeting were approved with no corrections. Approved by acclamation.

Chairperson Smith read the procedural statement which stated that 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 rezoning request, two planned developments, and two subdivision plats.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, they are authorized by the Missouri State Statutes to follow their 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 for the rezoning request:

The agenda item will be announced, followed by a report from the Planning Department Staff. At that time, the applicant or their representative may make a presentation to the commission. The Commission may request additional information at that time, or later following the hearing. After the applicant's

presentation, the floor will be opened for anyone wishing to speak in support of the request. We ask that any presentation made to the Commission be to the point.

Please give your name and mailing address when you address the commission. We also request that you sign the sheet on the staff table after you testify.

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. The agenda tonight may not be lengthy and while we wish to extend an opportunity to everyone that wishes to speak, we ask that you not be repetitious with your remarks. We also recognize that many 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 from yours the same respect and consideration you would like yourself.

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 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, April 29, 2003. 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 this meeting and the County Commission hearing. The County Commission hearing scheduled for Tuesday, April 29, 2003 will begin at 7:00 p.m. and will convene in this same room.

## **CONDITIONAL USE PERMITS**

None.

## **REZONING REQUESTS**

1. Request by Jeff Crane Builders, Inc. on behalf of Terminal Leasing, LLC to rezone from C-G (General Commercial) to M-L (Light Industrial) of 2.87 acres, more or less, located at 8651 E. Trade Center Drive, Columbia.

Director, Stan Shawver gave the staff report stating that this tract of land is located 2 ½ miles east of Columbia at the I-70 / Route Z interchange. Access to the site is from Trade Center Drive. The applicant owns lot 1 and 2 of I-70 Trade Center subdivision. The south 1.46 acres of these lots are zoned M-L (Light Industrial). The north 2.87 acres are zoned C-G (General Commercial). Land to the

east of the area included in this request is zoned C-G, as is land to the north. Land to the south and west is zoned M-L. The property is located within Public Water District No. 9. Electric service is provided by Boone Electric Cooperative. All required infrastructure for the requested use is in place. The site is within the Columbia Public School District. Staff notified 11 property owners about this request. I-70 Trade Center subdivision was approved by the Planning Commission in February 1999. The County Commission accepted the plat in September 2000. The master plan designates this area as being suitable for industrial land uses. The requested zoning classification conforms to the master plan. This tract has 71 points on the Point Rating Scale. Staff recommends approval of this request.

Present: Jeff Crane, 1855 S. Rangeline Road, Columbia.

Mr. Crane stated that this property is already zoned commercial and just wanted it all changed to M-L. Mr. Crane owns four lots there the other lots 3 and 4 have been rezoned to M-L and wanted to get all the same zoning.

Open to public hearing.

No one spoke in support of or in opposition to the request.

Closed to public hearing.



Commissioner Freiling made and Commissioner Heitkamp seconded a motion to **approve** the request by Jeff Crane Builders, Inc. on behalf of Terminal Leasing, LLC to rezone from C-G (General Commercial) to M-L (Light Industrial) of 2.87 acres, more or less, located at 8651 E. Trade Center Drive, Columbia.

Pat Smith – Yes

Mike Morgan – Yes

Mary Sloan – Yes

David Mink – Yes

Carl Freiling - Yes

Larry Oetting - Yes

James Brown - Yes

Kristen Heitkamp - Yes

Motion to approve request carried unanimously.

Chairperson Smith informed the applicant that this matter will go before the County Commission at 7:00 p.m., April 29, 2003

## **PLANNED DEVELOPMENTS**

1. Request by Shelter Enterprises, Inc., on behalf of Faircom Corp. to approve a Review Plan for Faircom Professional Office Park on 22 acres located at 6300 W. Sugar Creek Rd., Columbia.

Planner Bill Florea gave the staff report stating that this property is located 2 miles west of Columbia on Sugar Creek Road. This request includes 22 acres of a larger 69-acre tract of land. 16.4 acres of this tract are zoned A-2 and 5.6 acres are zoned M-L. Property to the west is zoned M-L. Property to the south is zoned A-2. To the east is zoned A-2 and A-R. Interstate 70 separates this site from properties to the north.

There are three buildings on the site, one of which contains over 26000 sq. ft. The applicants requested and received preliminary rezoning to M-LP in 1999 as the first step towards correcting an apparent mapping error dating to 1973. The request tonight is to approve a Review Plan for the development. Prior to the adoption of county zoning, this property was the site of an auto salvage operation. An existing land use map prepared at the time the original master plan and zoning map were being prepared shows an auto salvage operation at this site. However, when the zoning map was approved, it included an apparent error in that M-L zoning was bestowed on the property located to the west of the actual salvage site.

A looped driveway will provide access with entrances onto Sugar Creek Drive approximately 700 feet apart. The driveway will cross Henderson Branch and the associated 100-year floodplain at two locations. The Natural Resources Conservation Service has submitted recommendations that if followed, will reduce the impact of the development on Henderson Branch. Comments from NRCS will be incorporated into this report as recommended conditions of approval.

An on-site wastewater system will be used for sewage disposal. The applicant proposed to construct a recirculating sand filter system to replace the existing lagoon.

The Master Plan designates this site as being suitable for residential purposes. Staff notified 26 property owners about this request.

Staff recommends approval of this request subject to the following conditions:

1. Consideration should be given to moving the eastern portion of the access road slightly to the south leaving the existing vegetation on the steeper slopes undisturbed.
2. The existing riparian corridor along Henderson Branch shall be left undisturbed except for the two proposed road crossings and the utility easements as shown on the review plan. The extent of the riparian corridor shall be defined by the 100-year floodplain as shown on the plan. An appropriate note shall be added to the plan.

Present: Tim Reed, Engineering Surveys and Services, 1113 Fay Street, Columbia.

Mr. Reed stated he prepared this plan for Faircom Corporation who has this property under contract to purchase the land from Shelter Enterprises. Faircom Corporation is owned by Ray and Tammy Brown and they write computer software that is in use all over the world. They employ approximately 32 people and they have offices in Italy, Japan, Brazil and their home office is located near the intersection of Forum Boulevard and Chapel Hill Road. They have outgrown their present location and they intend to develop the office park that is shown on the plan. They plan to construct the office building that is located on the east side within a year and relocate their offices to that new building. They will also utilize the existing buildings that are on the site now for some office storage space and some temporary offices also. An office park on this site is an extremely low intensity use and it will be an attractive addition to the interstate 70 corridor. A neighborhood meeting was held on Sunday, April 6 and the plan was discussed with several neighbors. Applicants believe that an office park on this site will be an enhancement to the area. Ray and Tammy Brown are here tonight if the Commission has any questions.

Open to public hearing.

No one spoke in favor of or in opposition to the request.

Closed to public hearing.

Commissioner Freiling asked if there was anything about this site that required the applicants to do something different with this plan that they didn't like.

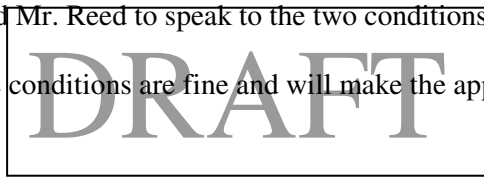
Mr. Reed stated no it is well suited for an office park. The old Mid America Auto Parts building has already leveled off the hill top and applicants have already created a site plan that is not going to move a substantial amount of dirt because it is already well suited for development. Applicants plan to make the flood plain area below an enhancement to the property by keeping it natural.

Chairperson Smith asked if the neighbors had any concerns.

Mr. Reed stated no they were only interested in what was proposed.

Commissioner Mink asked Mr. Reed to speak to the two conditions staff recommended.

Mr. Reed stated that those conditions are fine and will make the appropriate notes and changes on the final plan.



Commissioner Heitkamp stated that she visited the site and believes that an office park would be an addition to the property, when it is finished it will look very nice.

Commissioner Heitkamp made and Commissioner Morgan seconded a motion to **approve** the request by Shelter Enterprises, Inc., on behalf of Faircom Corp. to approve a Review Plan for Faircom Professional Office Park on 22 acres located at 6300 W. Sugar Creek Rd., Columbia with the following conditions:

1. Consideration should be given to moving the eastern portion of the access road slightly to the south leaving the existing vegetation on the steeper slopes undisturbed.
2. The existing riparian corridor along Henderson Branch shall be left undisturbed except for the two proposed road crossings and the utility easements as shown on the review plan. The extent of the riparian corridor shall be defined by the 100-year floodplain as shown on the plan. An appropriate note shall be added to the plan.

Pat Smith – Yes	Carl Freiling - Yes
Mike Morgan – Yes	Larry Oetting - Yes
Mary Sloan – Yes	James Brown - Yes
David Mink – Yes	Kristen Heitkamp - Yes

Motion to approve request carried unanimously.

Chairperson Smith informed the applicant that this matter will go before the County Commission at 7:00 p.m., April 29, 2003

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2. Request by Kevin and Carey Nahler on behalf of Phillip Dierker Landscape Design, LLC to approve a Final Plan for Dierker and Dent Industrial Park on 9.82 acres, more or less, located at 10425 Hardwick Ln., Columbia.

Planner, Bill Florea gave the staff report stating that this property is located on the east side of Highway 63 and west of Hardwick Lane approximately 1200 feet south of the intersection of State Route H and Hardwick Lane, approximately 3/4 of a mile north of the Ashland city limits. The current zoning for the site is A-1 (agriculture) and is an original 1973 zoning. In February 2003 the Planning and Zoning Commission approved a rezoning to Planned Light Industrial (ML-P) but denied the accompanying Review Plan. On appeal the County Commission approved the rezoning and the Review Plan subject to conditions. The rezoning to ML-P will take effect upon approval of this Final Development Plan. The County Commission's approval of the Review Plan included 9 Conditions. Compliance with 5 of the conditions must be documented prior to approval of the Final Plan as follows:

1. That the uses be listed as a note on the face of the review and final plan; these uses are contractor's buildings and storage yards, agricultural activity and retail sales of plant material, landscape and related materials.
  - The allowed uses are listed on the final plan in Note number 15
5. That an engineered stormwater and erosion control plan be acceptable to the NRCS, County Public Works, and Planning Departments which will include a riparian buffer along the creek tributary and relocation of the drive to building 3. The width of the riparian buffer to be worked out with the planning director and will need to be shown on the review and final plans.
  - Engineered stormwater and erosion control plans are shown on the plan and have been approved by NRCS and the County Planning Department. County Public works had no comment on the plan. A riparian corridor approximately 200 feet wide is shown on the plan.
6. No Billboards be allowed on the site.
  - There are no billboards shown on the plan.
7. That the engineered wastewater system be acceptable to the Health Dept. and Director of Planning and that if an acceptable solution cannot be reached the approval of the development is void and will require redesign and resubmittal and approval of a revised review plan
  - Sewage is proposed to be by a sub-surface engineered wastewater system that will be regulated by the Health Department. The Health Department has approved the system design for Buildings 1 and 2. A separate design will need to be submitted and approved before a building permit can be issued for Building 3.
8. That the business signs along highway 63 be eliminated, or that a single business sign limited to ground mounted signs of no larger than 80 square feet with a height no higher than 12 feet to the highest point on the sign, and that the signs not be illuminated in any manner be allowed for the entire site and that such single sign be located at one of the three potential business sign locations.
  - One sign location is shown on the plan near the northwest corner of the property.

The remaining conditions, dealing with parking, landscaping and lighting will are more of an operational nature and enforcement will be continuous.

Staff recommends approval of the Final Development Plan.

Present: Philip Dierker, 311 Rockingham Drive, Columbia.  
Shawn Dent, 1102 Brookdale Ct, Columbia.

Mr. Dierker stated that the staff report covered everything.

Open to public hearing.

Speaking in support of the request:

Ed Holt, 10601 Hardwick Ln., Columbia.

Mr. Holt stated that he owns the property to the south of the site. Mr. Holt stated that he is in the storage business and one of the buildings on the applicants plan is dedicated to storage. Mr. Holt asked if contractors storage is a retail contractors storage or private storage for the business.

Chairperson Smith stated that it is her understanding that the storage is for the business.

Mr. Florea stated that this is his understanding as well but doesn't know if the use is specified.

Mr. Holt stated that other than that the plan is fine.

No one spoke if opposition to the request.

Closed to public hearing.

Commissioner Freiling stated that this is site is visible and asked the applicants to keep the site looking nice.

Commissioner Mink made and Commissioner Morgan seconded a motion to **approve** the request by Kevin and Carey Nahler on behalf of Phillip Dierker Landscape Design, LLC to approve a Final Plan for Dierker and Dent Industrial Park on 9.82 acres, more or less, located at 10425 Hardwick Ln., Columbia.

Pat Smith – Yes

Mike Morgan – Yes

Mary Sloan – Yes

David Mink – Yes

Carl Freiling - Yes

Larry Oetting - Yes

James Brown - Yes

Kristen Heitkamp - Yes

Motion to approve request carried unanimously.

Chairperson Smith informed the applicants that this matter would go before the County Commission at 7:00 p.m., April 29, 2003.

**PLAT REVIEWS**

1. Rose Subdivision. S10-T47N-R13W. A-2. Rick and Kimberly Rose, owners. James V. Patchett, surveyor.

The following staff report was entered in to the record:

The property is located at the end of Lakota Ridge Drive approximately ¼ mile south of the intersection with Route K.

Lot 1 will have frontage on and direct access to Lakota Ridge Drive, a private road. Lot 2 will have access to Lakota Ridge by a private easement over Lot 1. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Consolidated Public Water District Number 1 provides water service to the property. In order to provide water to Lot 2, a main will have to be installed by the developer in accordance with water district standards. An easement will be dedicated across Lot 1 for the purpose of installing a water main. There is water service to Lot 1.

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Boone County Regional Sewer District provides sewer service in this area. There is a public sewer line approximately 200 feet from the property. Therefore, both lots are required to be connected. The sewer main extension must be completed prior to recording the plat.

The property scored 68 points on the rating system.

Staff recommends approval subject to the following condition:

- A sewer main extension shall be designed and installed to the satisfaction of the Boone County Regional Sewer District prior to recording the plat.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve** the plat of Rose Subdivision. S10-T47N-R13W. A-2. Rick and Kimberly Rose, owners. James V. Patchett, surveyor **with the following condition:**

- A sewer main extension shall be designed and installed to the satisfaction of the Boone County Regional Sewer District prior to recording the plat.

Pat Smith – Yes	Carl Freiling - Yes
Mike Morgan – Yes	Larry Oetting - Yes
Mary Sloan – Yes	James Brown - Yes
David Mink – Yes	Kristen Heitkamp - Yes

Motion to approve plat with staff recommendations carries unanimously.

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2. Driskel Heights. S29-T49N-R13W. A-2. Michael and Deanna Tompkins, owners. David Butcher, surveyor.

The following staff report was entered in to the record:

The property is located on the north side of Driskel Road approximately one mile west of Route E.

Both lots have frontage on and access to Driskel Road. Right of way sufficient to provide a 33-foot half width right of way is being dedicated by this plat. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Consolidated Public Water District Number 1 provides water service in this area. There is an 8-inch main along the south side of Driskel Road. This waterline can be tapped for service to each lot.

On-site wastewater systems will be used for sewage disposal. A plan showing a suitable location for a lagoon on each lot has been submitted. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The property scored 49 points on the rating system.

Staff recommends approval of the plat and waiver requests.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve the plat of Driskel Heights. S29-T49N-R13W. A-2. Michael and Deanna Tompkins, owners. David Butcher, surveyor with waiver requests.**

Pat Smith – Yes  
Mike Morgan – Yes  
Mary Sloan – Yes  
David Mink – Yes

Carl Freiling - Yes  
Larry Oetting - Yes  
James Brown - Yes  
Kristen Heitkamp - Yes

Motion to approve plat with staff recommendations carries unanimously.

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## **OLD BUSINESS**

Mr. Shawver informed the Commission of the decisions of the County Commission.

The conditional use permit for a corn maze by Oetting was approved by the County Commission.

The subdivision plats were approved by the County Commission.

## **NEW BUSINESS**

Mr. Shawver welcomed Mr. Oetting and Mr. Brown to the Commission. Mr. Shawver stated that he understands that this afternoon the County Commission appointed someone to represent the Missouri Township.

Chairperson Smith stated that the Planning and Zoning Commission will be meeting with the County Commission to talk about a plan for the 63 corridor. Before that is done the Planning and Zoning Commission will meet an hour before the next work session. The work session will be held on Wednesday, May 7th at 4:30 p.m.

## **ADJOURN**

Being no further business, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

DRAFT

Mary Sloan,  
Secretary

Minutes approved on this 22nd day of May, 2003.