

BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, April 21, 2005

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

Present: Pat Smith, Chairperson
Kristen Heitkamp, Secretary
Russell Duker
Carl Freiling
Larry Oetting
Don Abell

Perche Township
Katy Township
Missouri Township
Cedar Township
Three Creeks Township
Public Works

Absent: Mary Sloan, Vice-Chairperson
Mike Morgan
Rob Brown
Vacant Seat
Vacant Seat

Rocky Fork Township
Bourbon Township
Rock Bridge Township
Centralia Township
Columbia Township

Also present: Stan Shawver, Director
Thad Yonke, Staff
Bill Florea, Staff

Uriah Mach, Staff
Paula Evans, Staff

The minutes of the March 17, 2005 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 or his representative.

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 request, one planned development and seven plat reviews.

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:

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 any 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.

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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, May 3, 2005. 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, May 3, 2005 will begin at 7:00 p.m. and will convene in this same room.

Chairperson Smith informed the audience that one of the Planning and Zoning Commissioners has asked not to be involved in the rezoning request. He will recuse himself from that request due to a conflict of interest and at that time that will leave us without a quorum for that request. If that is the case we will not be able to act upon that request tonight. Chairperson Smith stated that she would like to amend the agenda slightly so that the rezoning request will be the last request heard tonight. Perhaps one of the other Commissioners will show up, which will give us a quorum for that application.

CONDITIONAL USE PERMITS

1. Request by Mary Petsel and Joseph Carrone for a permit to allow self storage units to be placed on 4.28 acres located at 6500 W. Henderson Rd., Columbia.

Planner, Thad Yonke gave the staff report stating that this property is located west of Columbia in the Midway area. The property is situated between Highway 40 and Henderson Rd. The property is zoned C-G (General Commercial). Property to the north is zoned C-GP and M-LP. To the east, property is zoned C-G. Land to the south and west is zoned A-R. There is a mobile home on the property and a

permanent structure that pre-dates zoning. The applicant received a permit in 2001 to build four self-storage units on the site. This request is to allow up to 11 additional storage units. This site lies within the Columbia Public School District. Domestic water service is not required for the proposed land use. Electric service will be provided by Boone Electric Cooperative. The master plan designates this area as being suitable for residential land uses, though it should be noted that commercial zoning applies to this site. The original zoning for this site is C-G. In 1988, a request was denied that would have permitted a truck terminal to be placed on this property. Staff notified 28 property owners about this request.

As a CUP the proposal must meet the following criteria from the zoning ordinance to be eligible for approval.

- (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.

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Staff has no reason to believe that the proposed use will be detrimental to the public health, safety, comfort or general welfare if operated in conformance with existing county regulations.

- (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.

The applicant has previously been approved for four storage units. Staff is not aware that the use has impacted other property owners in the area.

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

There is no indication that the proposed use will have a negative effect on property values.

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

The site has access to Henderson Road, a county maintained road. There is a lagoon on the site that serves the mobile home. From the site plan the applicants submitted, it appears that there will be at least one building located in what is the drainage area from the lagoon. The proposed use will not require domestic water; however, at least one fire hydrant will be required by the Boone County Fire Protection District.

- (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.

The proposed use will not impede the development of the surrounding area.

- (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 proposed use should not hinder traffic flow in the area.

(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.

The proposal conforms to other applicable regulations of the C-G zoning district.

Staff supports this request and recommends approval with the following 8 conditions:

1. No access is permitted to Hwy 40 from the site.
2. Any new access points on Henderson Road must be approved by the Public Works Department.
3. All driveway, loading, and parking areas are to be dust free (minimum chip and seal).
4. A landscaping buffer and buffering plan acceptable to the planning department be submitted and approved and that such an approved landscaping plan is binding and that all planting and buffering is maintained in good condition at all times. Any planting materials that die or are not providing proper buffering will be replaced no later than the next growing season with plantings that will provide the required buffering equivalent.
5. Lighting is oriented inward and downward so as to minimize light leaving the site.
6. Modify plans so that drainage, both sanitary and storm water is not affected.
7. Comply with all site requirements of the Boone County Fire Protection District.
8. Comply with all requirements of the building code.

Present: Mary Petsel, 6846 N. Bell Road, Columbia.
Joe Carrone, 3251 W. Wilcox Road, Columbia.

Chairperson Smith asked the applicants if they had anything to add to the staff report.

Ms. Petsel stated no.

Commissioner Abell asked how the applicants plan to address any overflow out of the lagoon when it is surrounded by pavement. Will piping be provided?

Ms. Petsel stated that there is a natural drainage area through there that we have to make allowances for. That water drainage will not be impaired by the plan. Brush and Associates did put one building in what is actually the middle of the ditch that the applicants will not be able to build.

Chairperson Smith asked the applicants if they had any problems with the staff conditions.

Ms. Petsel stated no.

Open to public hearing.

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

Closed to public hearing.

Commissioner Heitkamp stated that she was at the site today. Commissioner Heitkamp asked staff if the landscaping was going to be on the perimeter of the property, or just along Highway 40?

Mr. Yonke stated that it should be on the perimeter of the property.

Commissioner Heitkamp asked the applicants if they understood that they would be required to landscape along Highway 40 as well as Henderson Road.

Ms. Petsel stated yes.

Commissioner Heitkamp asked what lighting the applicants planned to have.

Mr. Carrone stated that Boone County (Boone Electric cooperative) does their lighting now. They have dusk to dawn lights.

Chairperson Smith asked the applicants if they planned to add any additional lighting.

Mr. Carrone stated that the applicants had put lighting in before and had bug problems. Overhead lights work a lot better.

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Chairperson Smith asked if the applicants were going to use the lighting that is already there.

Mr. Carrone stated that they would probably have Boone Electric add more dusk to dawn lights as more buildings are built.

Commissioner Heitkamp asked what the hours of operation will be.

Ms. Petsel stated 8:00 a.m. to 5:00p.m., but the public will have 24-hour access to the property.

Commissioner Duker asked what building the lagoon serves.

Ms. Petsel stated there is a trailer there.

Commissioner Duker asked if it was a residence.

Ms. Petsel stated yes.

Commissioner Heitkamp asked if the overflow goes in to the ditch. Has there been groundwork done to the ditch?

Ms. Petsel stated that they have done some ground work but the applicants have never had any overflow. A berm was put around it so the only water that goes in it is from the rain and from the building itself so there is no surface water draining in there so it doesn't run over.

Commissioner Heitkamp asked if the applicants were going to go with the Boone Electric dusk to dawn lights?

Ms. Petsel stated yes.

Mr. Carrone stated exterior lighting would be dusk to dawn lights.

Ms. Petsel stated that every time a new building is added, more overhead lights will be added.

Commissioner Heitkamp stated that according to the proposed conditions, the lighting must be oriented inward and downward so as to minimize the light leaving the site. Commissioner Heitkamp stated that

she has met with the neighbors along there and they have complained about the lighting at different commercial places on Henderson Road where we required them to have lighting directed inward and downward. Commissioner Heitkamp stated that she is not sure that dusk to dawn lights directs lights inward and downward. If you add additional dusk to dawn lights you may have as much light as the golf course. Have the applicants thought about that?

Mr. Carrone stated not really.

Ms. Petsel stated that she is not really sure what inward and downward means.

Chairperson Smith stated that it is a placement. It has to do with the placement so the light doesn't go everywhere; so that it is directed more down towards the ground; that light isn't bleeding away from the property.

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Commissioner Heitkamp asked if the Commission could require different lighting than Boone County dusk to dawn lights.

Mr. Yonke stated that if you require inward and downward then the applicants will have to have lighting that is inward and downward. If the Boone Electric standard dusk to dawn lights shines everywhere, which they do, and Boone Electric is not willing to put a shade or some other way to do that then they will have to have an alternate lighting source.

Chairperson Smith asked if a shade would do it.

Mr. Yonke stated maybe. We would have to see on the lighting plan that the engineer would do.

Commissioner Heitkamp stated that when the applicants submit their plan to the Planning Department, their lighting will have to be inward and downward.

Ms. Petsel stated she understood that.

Commissioner Heitkamp asked the applicants what they planned for signs.

Mr. Carrone stated that the signs already exist.

Commissioner Heitkamp asked if they were on Henderson Road.

Mr. Carrone stated that there is a sign off the Highway easement on Highway 40.

Commissioner Heitkamp asked staff if that complies with the sign ordinance.

Mr. Yonke stated that it was pre-existing at the time the sign ordinance went to in effect.

Commissioner Heitkamp stated that Boone County has a new sign ordinance that restricts the applicants to one sign.

Mr. Yonke stated that the sign ordinance restricted them to one sign "per frontage."

Commissioner Heitkamp asked where the frontage is.

Mr. Yonke stated that the applicants have frontage on the Highway 40 and on Henderson Road.

Mr. Yonke asked the applicants if they were planning on putting any additional signs there.

Mr. Carrone stated no.

Mr. Yonke stated that if the applicants just use the signage that is there then the applicants could make the argument that the sign is non-conforming if they registered the sign with the County. Any additional signage would have to meet the regulations.

Commissioner Heitkamp stated that if the applicants wished to add any additional signs there are regulations in place for that.

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Commissioner Heitkamp asked what kind of landscaping the applicants are planning.

Mr. Carrone stated that he would do whatever it takes; he is in the lawn care business.

Commissioner Duker stated that lagoons are discharging systems by nature. They are designed to go in one side and out the other. Commissioner Duker is having difficulty with the lagoon going across the chip/seal surface and people walking back and forth.

Ms. Petsel stated that it doesn't go through the chip and seal. Ms. Petsel explained the locations of the lagoon, a large ditch, and the chip seal surface.

Commissioner Duker asked if it was designed to go between two buildings.

Mr. Carrone stated it is designed to go parallel with the two buildings.

Ms. Petsel showed the location of the lagoon and drainage area on the plan.

Commissioner Duker asked that when people come in and park will they have to walk through sewage?

Ms. Petsel stated no.

Commissioner Duker asked if the applicants lived in the mobile home.

Mr. Carrone stated no; it is rental property.

Commissioner Duker asked if the lagoon was fenced.

Mr. Carrone stated yes.

Ms. Petsel stated that the trailer is a future building site.

Commissioner Heitkamp asked if the trailer is for residential use.

Mr. Carrone stated yes; it is residential.

Mr. Yonke stated that it is a rental.

Mr. Carrone stated that the applicants just rent the lot, not the trailer.

Commissioner Duker asked if that was a compatible use.

Mr. Yonke stated that technically speaking the trailer can only legally be there as a watch person if it wasn't already there. Since this wasn't rezoned to C-G it was already being utilized for residential, which is non-conforming, Boone County doesn't allow residential units in commercial zoning unless it is non-conforming. There is that aspect of it which gets a little complicated, however, as a conditional use permit, the Commission can add or subtract conditions that the applicants be required to remove, in lieu of the substantial improvement.

Commissioner Duker stated that he didn't have a problem with the mobile home, just the lagoon. Is there a way that a condition could be added that the existing lagoon has to meet Boone County standards as far as the discharge is concerned?

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Mr. Yonke stated that the Commission can require that the applicants seek an upgrade permit from the health department at which point they would have to meet current requirements.

Commissioner Duker stated that his fear is the lagoon will discharge across the parking lot.

Ms. Petsel stated that it doesn't discharge across the chip and seal.

Mr. Carrone stated that the chip seal is 10 feet above where the lagoon is.

Commissioner Heitkamp stated that it sounds like the lagoon is a problem; have the applicants thought about just getting rid of the lagoon and the trailer and putting self storage units at that site?

Mr. Carrone stated that there is rental property there now.

Commissioner Heitkamp stated that if the lagoon were to overflow it would go in to the ditch and go under Highway 40 and go in to the creek.

Commissioner Duker stated yes; it is allowed to do that.

Mr. Yonke stated that when the first conditional use permit was issued for four buildings there was an existing rental mobile home on the property at that time. It was allowed to remain; the Commission didn't make an issue of it. Now, since there is an intensification of the use of the property, it is transitioning from that non-conforming use to a conditional use the Commission could require some kind of abatement of the mobile home; it is reasonable when considering the approval for the expanded use.

Commissioner Duker stated that as long as it is not going on the parking lot he doesn't have a problem with it; that storage unit will probably be more profitable than a mobile home lot anyway and it will eventually go away.

Mr. Yonke informed the Commission that staff received no phone calls.

Commissioner Duker stated that as long as the lagoon is lower than the parking lot he doesn't have an issue with it.

Commissioner Heitkamp made and Commissioner Oetting seconded a motion to **approve** the request by Mary Petsel and Joseph Carrone for a permit to allow self storage units to be placed on 4.28 acres located at 6500 W. Henderson Rd., Columbia **with the following conditions:**

1. No access is permitted to Hwy 40 from the site.
2. Any new access points on Henderson Road must be approved by the Public Works Department.
3. All driveway, loading, and parking areas are to be dust free (minimum chip and seal).
4. A landscaping buffer and buffering plan acceptable to the planning department be submitted and approved and that such an approved landscaping plan is binding and that all planting and buffering is maintained in good condition at all times. Any planting materials that die or are not providing proper buffering will be replaced no later than the next growing season with plantings that will provide the required buffering equivalent.
5. Lighting is oriented inward and downward so as to minimize light leaving the site.
6. Modify plans so that drainage, both sanitary and storm water is not affected.
7. Comply with all site requirements of the Boone County Fire Protection District.
8. Comply with all requirements of the building code.

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Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

Motion to approve the request carries. 6 YES 0 NO

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PLAT REVIEWS

1. Homestead. S7-T47-R11. A-1. Ferd and Marian Lightner, owners. James V. Patchett, surveyor.

The following staff report was entered in to the record:

The property is located on the south side of David Allen Road, North of Route AB, approximately 3.2 miles from the city limits of Columbia. It consists of one 10 acre lot, and is zoned A-1.

The lot has frontage on David Allen Road. Right of way sufficient to provide a 33-foot half-width right of way is dedicated by this plat. The applicant has submitted a request to waive the requirement for a traffic analysis.

Consolidated Public Water District #1 provides water services to the property.

On-site systems will be used for wastewater disposal. This applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The lot is a stem lot, and meets the criteria as such. This was done to facilitate estate planning for the property owner, as the lot lines separate two dwellings.

The property scored 34 points on the rating system.

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

Commissioner Heitkamp made and Commissioner Duker seconded a motion to **approve Homestead with waiver requests:**

Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

Motion to approve request carries unanimously.

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2. Southfork of the Grindstone Plat 1 **DRAFT** C-GP GM Columbia Properties, LLC owner. James R. Jeffries, surveyor.

The following staff report was entered in to the record:

This proposal is for a final plat of one phase of a larger planned development. A revised review plan for a planned commercial development was approved in December of 2004. The current proposal contains 3 lots and a portion of road ROW upon which a new public road is being constructed. Only proposed lot 1 will be able to have a building permit issued since it is the only portion of the development with an approved final development plan. This property is located approximately 1/2 mile east of the Columbia municipal limits on the south side of State Highway WW. The plat contains 7.96-acres out of the approximately 38-acres retained when the bulk of the original area of the proposal was sold. The 3.68-acres of Lot 1 has C-GP (planned commercial) zoning that went into effect with the signing of the final plan. With the exception of proposed Lot 1, the entire subject tract is zoned R-S (Single Family Residential). Zoning to the north across WW is A-R (agriculture-residential) and to the east the zoning is A-1 (agriculture). These are original 1973 zonings. A site is not actually rezoned until a review plan and a final plan have been approved by the Commission so Lots 2 & 3 are still zoned R-S. The only use proposed for Lot 1 is private club or lodge. This property is located within the Boone Electric service area, the Columbia School District, and the Boone County Fire Protection District. Water service is provided by Public Water District No.9. Sewer is proposed to be from a central system to be operated by the BCRSD. The details of sewer service have yet to be finalized. A traffic study has been presented for the previous submission. Any traffic impacts from this current proposal, since it is of a limited nature, will be deferred to the overall development. Fire hydrants and public water improvements will have to be made prior to any occupancy of any building. Stormwater runoff is a concern with the development. The post development runoff shall not exceed the peak pre-development runoff. This site has 74 points on the point rating system. Staff notified 36 property owners about this request.

Staff recommends approval of the Final Plat with 2 conditions:

1. It is recognized that Lot 1 will be the only lot for which a use is approved and a building permit can be issued.
2. That the lots are not created until the plat is recorded and the plat can't be recorded until all required infrastructure is constructed, inspected, approved and ready for acceptance.

Commissioner Heitkamp made and Commissioner Duker seconded a motion to **approve Southfork of the Grindstone Plat 1 with waiver requests and the following conditions:**

1. It is recognized that Lot 1 will be the only lot for which a use is approved and a building permit can be issued.

- 2. That the lots are not created until the plat is recorded and the plat can't be recorded until all required infrastructure is constructed, inspected, approved and ready for acceptance.

Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

Motion to approve request carries unanimously.

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- 3. Horse Fair. S20-T-49-R12. R-S, Deborah Booker, owner. Nathanael Kohl, surveyor.

The following staff report was entered in to the record:

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This 3-lot minor plat is located on the north and west side of Oakland Gravel Road as it turns from an east-west to a north-south road on the east side of Willow Brook Subdivision approximately 2000 feet east of the intersection of Alfalfa Drive and Oakland Gravel Road. The site is approximately 1/2 mile north of the municipal limits of the City of Columbia. The area being subdivided contains 27.63-acres out of an approximately 50-acre parent parcel. The property is zoned R-S (residential single family) as is all the surrounding property to the east, south, and west. Zoning to the north is A-R (agriculture residential) and A-2 (agriculture). All surrounding zonings are the original 1973 zonings except the A-R which was rezoned from A-2 in conjunction with the development of Haystack Acres. The property contained within the area of the proposed plat is vacant. Sewage treatment will be provided by on-site wastewater systems or connection to the city and an appropriate wastewater plan is in the file. Any on-site wastewater systems must meet all County Health Department requirements. The site is in the city water service area, but water district 4 has lines that can serve individual meters for the new lots. Fire hydrants are not required for minor plats containing less than 4 lots, as is the case here. The site is in the Columbia School District. A waiver from traffic analysis and a waiver of cost-benefit analysis for central sewage have been requested. Staff concurs with the granting of these waivers. The site is in the Boone County Fire Protection District and Boone Electric Service areas. This plat has 68 points on the point rating scale.

Staff recommends approval along with the granting of the waiver requests.

Commissioner Heitkamp made and Commissioner Duker seconded a motion to **approve** Horse Fair with waiver requests:

Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

Motion to approve request carries unanimously.

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- 4. Country Day Plat 2. S6-T47N-R12W. Anthony and Barbara Davis, owners. J. Daniel Brush, surveyor.

The following staff report was entered in to the record:

The property is located south of Gans road, west of the intersection of Gans and Bearfield roads. It is located approximately 3/4 of a mile from the city limits of Columbia and is zoned A-2.

The property has no frontage on Gans road, but has access on a 50' private road and utility easement that passes through Lots 1 & 4 of Country Day subdivision plat 1 to the north. The applicant has submitted a request to waive the requirement for a traffic analysis.

Consolidate Public Water District #1 would provide water service to the property. To provide service, they require a 6" water line extension to the water meter on the tract, as well as a district 20' wide waterline easement for the extension. The easement has been provided and is shown on a detail area on the plat.

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Lagoon placement requirements regarding setbacks are met as shown on the plat. This applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

An administrative survey covering the tracts to the west of this plat has been submitted and is in the process of being concurrently recorded with the subdivision plat.

The property scored 54 points on the rating system.

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

Commissioner Heitkamp made and Commissioner Duker seconded a motion to approve Country Day Plat 2 with waiver requests:

- | | |
|------------------------|---------------------|
| Pat Smith - Yes | Larry Oetting – Yes |
| Carl Freiling – Yes | Russ Duker – Yes |
| Kristen Heitkamp – Yes | Don Abell – Yes |

Motion to approve request carries unanimously.

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5. Concorde South preliminary plat. S3-T47-R12. C-G. Robert M. Lemone Revocable Trust, owner. David T. Butcher, surveyor.

The following staff report was entered in to the record:

The property is located on Ponderosa Street approximately 300-feet south of the Boone County Public Works Building. The property is currently zoned C-G. The proposal includes platting one lot consisting of 5.75 acres and construction of 565 feet of new public roadway.

The lot will have frontage on Ponderosa Street and frontage on and access to Meyer Industrial Drive, a new public road being built as part of this development. Ponderosa is within the right of way for U.S. 63 which has an existing half-width of 175-feet. Therefore, no additional right of way will be dedicated. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

The property is in the service area of Consolidated Public Water District Number 1. In order to provide commercial level fire flow the water district needs to complete two projects; a 1,000,000 gallon elevated

storage tank at Route 163 and the Airport to Trimble water line extension. Both projects should be complete by December 2005. The final plat cannot be recorded until fire flow can be provided.

Sewer service is provided by Boone County Regional Sewer District. A new force main is being constructed from the Martha's Grove development to the Prairie Meadows Treatment Facility that can be tapped for service.

The developer will have to obtain a utility easement by separate document from the adjoining landowner to the south adjacent to Meyer Industrial Drive.

The property scored 83 points on the rating system.

Staff recommends approval of the plat subject to the following conditions:

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1. Prior to final plat approval the developer must demonstrate that the needed fire flow is available at the property.
2. The developer shall provide a minimum 10-foot wide utility easement along the south side of Meyer Industrial Drive from U.S. 63 to the terminus of Meyer Industrial Drive.

Commissioner Heitkamp made and Commissioner Duker seconded a motion to **approve Concorde South preliminary plat with the following conditions:**

1. Prior to final plat approval the developer must demonstrate that the needed fire flow is available at the property.
2. The developer shall provide a minimum 10-foot wide utility easement along the south side of Meyer Industrial Drive from U.S. 63 to the terminus of Meyer Industrial Drive.

Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

Motion to approve request carries unanimously.

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6. Bearfield Valley Plat 2. S31-T48-R12. A-2. John and Priscilla Blakemore, owner. Bill R. Crockett, surveyor.

The following staff report was entered in to the record:

This 2 lot re-plat is located on the west side of Bearfield Road approximately 920 feet north of the intersection of Gans Road and Bearfield Road. The site is across Bearfield Road from the municipal limits of the City of Columbia. The area being subdivided contains 11.98-acres. The property is zoned A-2 (agriculture) as is all the surrounding property to the north, west, and south. Property to the east across Bearfield Road is zoned A-1 (agriculture). These are all the original 1973 zonings. The property is currently the site of one house and a garage contained on proposed Lot 4b. The site is in Consolidated Water District #1 but in an area under a service area agreement to be served by the city. Fire hydrants are not required for minor plats containing less than 4 lots, as is the case here. The site is in the Boone County Fire Protection District and Columbia School District. The site is in the Boone Electric Service area. Sewage treatment will most likely be from on-site sewage systems that will have to meet Health

department regulations. A waiver for cost benefit analysis for on-site vs. central wastewater systems has been requested. A traffic analysis waiver has also been requested. Staff concurs with the granting of these waivers. This plat has 65 points on the point rating scale.

Staff recommends approval along with the granting of the waiver requests.

Commissioner Heitkamp made and Commissioner Duker seconded a motion to **approve** Bearfield Valley Plat 2 **with waiver requests**:

Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

DRAFT

Motion to approve request carries unanimously.

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7. Bearfield Valley Plat 3. S31-T48-R12. A-2. Carl R. Landrum Trust, owner. Bill R. Crockett, surveyor.

The following staff report was entered in to the record:

This 2 lot re-plat is located on the west side of Bearfield Road approximately 920 feet north of the intersection of Gans Road and Bearfield Road. The site is across Bearfield Road from the municipal limits of the City of Columbia. The area being subdivided contains 11.98-acres. The property is zoned A-2 (agriculture) as is all the surrounding property to the north, west, and south. Property to the east across Bearfield Road is zoned A-1 (agriculture). These are all the original 1973 zonings. The property is currently the site of one house and a garage contained on proposed Lot 4b. The site is in Consolidated Water District #1 but in an area under a service area agreement to be served by the city. Fire hydrants are not required for minor plats containing less than 4 lots, as is the case here. The site is in the Boone County Fire Protection District and Columbia School District. The site is in the Boone Electric Service area. Sewage treatment will most likely be from on-site sewage systems that will have to meet Health department regulations. A waiver for cost benefit analysis for on-site vs. central wastewater systems has been requested. A traffic analysis waiver has also been requested. Staff concurs with the granting of these waivers. This plat has 65 points on the point rating scale.

Staff recommends approval along with the granting of the waiver requests.

Commissioner Freiling made and Commissioner Heitkamp seconded a motion to **approve** Bearfield Valley Plat 3 **with waiver requests**:

Pat Smith - Yes	Larry Oetting – Yes
Carl Freiling – Yes	Russ Duker – Yes
Kristen Heitkamp – Yes	Don Abell – Yes

Motion to approve request carries unanimously.

* * * * *

REZONING REQUESTS

1. Request by United Developers, LLC on behalf of Miller Properties, LLC to rezone from A-2 (Agriculture) to R-SP (Planned Single Family Residential) of 108.32 acres, more or less, and from A-2 to C-GP (Planned Commercial) of 5.75 acres, more or less, and to approve a Review Plan and Preliminary Plat for Shadowridge Estates Planned Development, located at 3445 E Route M, Ashland.

Commissioner Oetting stated that he would have to recuse himself from the proceedings for this request.

Chairperson Smith stated that since Commissioner Oetting recused himself this leaves us without a quorum to hear this request. According to Roberts Rules of Order the Commission can not have a public hearing and we can not move forward on this request. This request will automatically be moved to the May 19, 2005 meeting.

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Chairperson Smith apologized to the audience that came to speak on this request. Staff will re-notify people within 1000 feet of this request regarding the new meeting date. Chairperson Smith informed the audience if they did not receive notification about this meeting, they will not receive notification about the May meeting.

OLD BUSINESS

Mr. Shawver updated the Planning and Zoning Commission of the decisions made by the County Commission.

The conditional use permit request by APAC was recommended denial by the Planning and Zoning Commission. The applicants appealed this decision to the County Commission and they over turned the Planning and Zoning Commissions recommendation.

The conditional use permit request by Weil/Cingular Wireless was recommended denial by the Planning and Zoning Commission. The applicants appealed this decision to the County Commission and they over turned the Planning and Zoning Commissions recommendation.

The plat was approved as recommended.

NEW BUSINESS

Proposed revision of Section 10. A. of Zoning Regulations

Mr. Shawver handed out form outlining a proposed change to the setback regulations. The County Commission asked staff to look in to revising the setback regulations. Mr. Shawver stated that the Planning and Zoning Commission could discuss this change at the next work session. After the discussion public hearings could be set up.

The County Commission has asked that in light of what has taken place east of town on Highway WW; it appears that the Sapp property will be annexed. The Commission has asked that the Planning and Zoning Commission, as a body, look at the surrounding zoning in anticipation of receiving other rezoning requests and familiarize themselves with the area.

ADJOURN

Being no further business, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Kristen Heitkamp,
Secretary

Minutes approved on this 19th day of May, 2005.

DRAFT