

**BOONE COUNTY PLANNING & ZONING COMMISSION**

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, December 15, 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	Perche Township
	Mary Sloan, Vice-Chairperson	Rocky Fork Township
	Carl Freiling	Cedar Township
	Larry Oetting	Three Creeks Township
	Mike Morgan	Bourbon Township
	Boyd Harris	Centralia Township
	Russell Duker	Missouri Township
	Michael Morrison	Columbia Township
	Paul Zullo	Rock Bridge Township
	David Mink	Public Works
Absent:	Kristen Heitkamp, Secretary	Katy Township
Also present:	Thad Yonke, Staff	Uriah Mach, Staff
	Bill Florea, Staff	Chris Crane, Staff

The minutes of the November 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.

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, two planned developments, and five 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.

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, December 27, 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, December 27, 2005 will begin at 7:00 p.m. and will convene in this same room.

## **CONDITIONAL USE PERMITS**

1. Request by Dennis and Nancy Palmer to allow self-storage units on 1.99 acres located at 3660 S Scott's Blvd., Columbia.

Planner, Thad Yonke gave the staff report stating that this property is located on the east side of Scott Blvd at the immediate northeast corner of where the MKT trail intersects with Scott Blvd. The property adjoins the municipal limits of the city of Columbia along the south property line of the subject tract. The property is considered zoned C-GP (planned general commercial) with a limitation of the permitted uses of the C-N (neighborhood commercial) zoning district. The actual rezoning request approved in 1980 that rezoned the property from its original 1973 zoning of R-S (single family residential) is indicated to be C-NP (planned neighborhood commercial). C-NP zoning districts are no longer a zoning classification under the current zoning ordinance and were effectively merged into the C-GP under a previous revision to the zoning ordinance. The property to the west across Scott Blvd and all the adjoining property north of the proposal is R-M (moderate density residential). The property to the east and south has been annexed into the municipal limits of Columbia. Property to the southwest across Scott Blvd is zoned A-R (agriculture-residential). All the surrounding county zonings are original 1973 zonings. There are currently two existing structures on the site that are serving as the offices for coastal electric. The proposed CUP is to allow up to 7 additional buildings to be constructed on the property to be used as mini-storage warehouses with the total square feet of the buildings not to exceed 23,500. Since this

property is a planned zoning district a revised review and final plan will have to be applied for and approved in addition to the approval of the CUP. There is some regulated 100-year floodplain on the property in an area where some of the buildings and parking/access drive areas are proposed. These floodplain issues will need to be addressed prior to allowing construction of this portion of the development. This site lies within the Columbia Public School District. The site is in Consolidated Public Water District #1. The site is in the Boone County Fire Protection District and fire requirements will be up to the fire district. Electric service will be provided by Boone Electric Cooperative. There is a city sewer main on the property, however, the proposal is that the new structures will not have wastewater service and the sanitary sewer for the entire site will not change from what is in effect now. The master plan designates this area as being suitable for residential land uses, it should be noted that a form of planned commercial zoning already applies to this site. Staff notified 109 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.

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.

A form of planned commercial zoning already applies to the property; the requested conditional use is of a scale that it is expected to predominately be utilized by the surrounding neighborhoods and by itself should not be injurious.

- (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 if proper facilities are provided.

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

The site is located along a major north south roadway designated as a Major Arterial on the Major Thoroughfare Plan. It is anticipated that the traffic use of this site will be from traffic already in the area and already using the road. Since this development will also require a revised review and final plan a detailed stormwater plan/proposal is required for consideration with these revised plans. The wastewater system serves everything that is to be served on the site. At least one fire hydrant will likely 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. The areas surrounding the proposal are either primarily already developed or publicly owned floodplain property; additional development in the area is really redevelopment and the current proposal should not impede or be detrimental to redevelopment or to the area in general.

(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 is along a high volume Major Arterial roadway and the volume of traffic generated should not hinder traffic flow in the area as this is already a major transportation corridor. Any possible impacts will be required to be addressed with the required revision of the review and final plan.

(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 for the conditional use conforms to other applicable regulations of the C-G zoning district.

Staff supports this request and recommends approval subject to the following 6 conditions:

1. That it is recognized that a revised review and revised final plan are required in addition to approval of the conditional use permit for the development to actually be allowed and that these plan revisions require going through the rezoning process.
2. All driveway, loading, and parking areas are to be dust free (minimum chip and seal). This is already a standard for the property.
3. Since this will also be required to meet the planned development requirements of a 20 ft. perimeter setback. Drives and landscaping can be in the perimeter setback area.
4. Lighting is oriented inward and downward so as to minimize light leaving the site.
5. Comply with all site requirements of the Boone County Fire Protection District.
6. Comply with all requirements of the building code.

Present: Bill Crockett, Crockett Engineering, 2608 N. Stadium Blvd, Columbia.  
Dennis Palmer, 4703 Garden Brook Ct., Columbia.

Mr. Crockett stated the staff report is accurate and the applicants concur with the majority of it. Mr. Crockett stated he will not take issue with any part of it. The property was developed in the 1970's. It consisted primarily as a coin operated laundry, a small convenience store and a car wash. The property was sold several times through the 1980's. Mr. Crockett stated he did a boundary survey for the small business administration in 1988 on this very tract. The condition of the buildings at that time had deteriorated quite a bit but not to the extent that they did later on. Mr. Crockett did another survey in the late 1990's on a foreclosure issue; by that time the car wash had been damaged by fire and the laundry had been boarded up. There was no use of that other than storage. Numerous articles such as hypodermic syringes and other illicit items were observed on, around, and in the car wash area. The Palmers purchased this property in early 2002 and immediately began a clean up operation. The majority of the property was fenced to prevent the cut through foot traffic from Bethany Drive area to the MKT Trail. The Palmers have spent thousands of dollars to upgrade the property for their business which is

Coastal Electric. With this application the applicants submitted several pictures of the site. These pictures represent the conditions on the site and adjacent to the site.

Mr. Crockett stated that the requested use will not be detrimental to the public health, safety, comfort, or general welfare of the community. This is due to the current zoning that is on the site and the fact that the site has been greatly improved in the past two or four years. The conditional use will not be injurious to the immediate vicinity. It will actually provide an added service to the surrounding neighborhood. It will not impair or diminish property values in the immediate area. By the work already accomplished by the Palmer's the property values have been enhanced in the general area. All necessary utilities and infrastructure is in place for the proposed conditional use. Only a minor amount of electricity will be needed and sufficient water to provide fire protection will also be needed. Both of these utilities are available on the site. The conditional use will not impede the development of the surrounding areas since it is already developed. As the staff report stated some of it had been redeveloped; some of the areas immediately across the street have been completely gutted and remodeled. They were in a pretty sad condition six or eight months ago. The requested conditional use is a very light traffic generator. The property fronts on Scott Boulevard which is a major arterial traffic corridor in western Columbia. A large number of users of the facilities proposed will likely already be residents along Scott Boulevard. The conditional use will conform to the applicable regulations for the C-G zoning district.

Mr. Crockett stated that a revised review and revised final plan will be prepared if the conditional use is granted. The requirements of the rezoning process will be followed like any other plan. All driveway, loading, and parking areas will have a dust free surface. It will be an asphalt surface not chip and seal. All perimeter setbacks on the planned zoned area will be at least 20 feet. On the plan the applicants show some that are 25 feet. Some of the driveways will encroach in to this setback; where the driveways are not in the setback, landscaping will occur. All lighting will be oriented inward and downward. The requirements of the Boone County Fire Protection District will be complied with. The applicants have a fire station within 1000 feet. The building code requirements will absolutely be adhered to.

Mr. Crockett stated that Mrs. Palmer made personal contact with a number of the neighbors that are within the 1000 feet. Mr. Crockett stated he believed there were 109 owners in that area. Mr. Crockett read a letter from Mrs. Palmer which stated "I apologize for not being able to be present this evening for the meeting. As I conveyed to you there are a total of 161 parcels identified. The Katy Lake neighbors included 38 parcels and I spoke to representatives of 39 other parcels. Almost 80 of the 109 were contacted. Comments were all very positive concerning our conditional use permit. Just about everyone indicated that they appreciated the phone contact. The majority of the comments were relative to our permanency in the area and the upkeep of our property and that they were appreciative of that and anything that we could do to improve upon the area. They were very much in favor of the conditional use. It was evident in all the conversations that everyone wanted anything that could enhance their area as an area was improving slowly but surely. Rental owners indicated that this storage facility would lend itself well to their properties. There was one comment made from the Spring Creek area which is across Hinkson Creek south of Hinkson Creek. It is in the City but it is a good 1000 feet, nearly 1000 feet away. We just caught the rears of about four lots. And they wanted to be sure that the lighting was not a problem and I assured them that lighting would not be a problem or an issue. The resident was comfortable with that response and appreciated the call. Out of all the phone conversations held only one person asked about the layout of the buildings and building heights. I conveyed to that person that we had a drawing here in our office as well as at the Boone County Planning Office and they were certainly welcome to stop by and review the drawing at their convenience. Nancy Palmer."

Mr. Crockett stated he also has a letter from the Katy Lake Homeowners Association; it is dated December 12, 2005. It is addressed to the Boone County Planning Commission, subject Dennis and

Nancy Palmer conditional use permit request. “Dear Commission members, the Katy Lake Homeowners Association wishes to confirm that it properly received notification from the Planning and Zoning Commission of the request by Dennis and Nancy Palmer for a conditional use permit to erect and operate a storage unit facility on their property just off of Scott Boulevard and adjacent to their current business known as Coastal Electric Inc. The Board of Directors at its regularly scheduled meeting on Wednesday, December 7, 2005 voted in favor of supporting the Palmer request. We urge the Commission’s approval. Respectively W. Keith McLaughlin, President.”

Mr. Crockett stated that either through the homeowners association through their work or through direct contact the applicants contacted almost 80 of the 109 owners in the area. They were invited to come to the Coastal Electric office and no one has come yet. A photo of the building being proposed is being passed around. The site lends itself well to this use; the staff is correct in that there is a small area in the flood plain, not the flood way, that will require some filling. The applicants are aware of that and will address it in proper fashion.

Commissioner Sloan asked if there was going to be an on-site manager.

Mr. Crockett stated there will not be an on-site, 24-hour a day manager. The facility will be fenced with a security fence and locked. Access will be a card key and it will only be available to be accessed certain hours of the day.

Commissioner Harris asked staff if the line drawn on the map would indicate that the line that staff drew would include the existing building. The application says there is no building but on the picture there are obviously buildings.

Mr. Yonke stated there are two existing structures which are the offices that Coastal Electric is currently using. The additional seven buildings would be built behind that. The Commission will see this again if the conditional use permit is approved then the applicants have to bring back a final plan which will pin down some of those issues a little bit more. It was felt that it was better to go for a conditional use permit first because it was less to produce because if the conditional use permit was not approved there is no point in going doing all the review plan and final plans.

Mr. Crockett stated the area for the conditional use does not include the entire Palmer tract. The front buildings, Coastal Electric, are not on the area that the conditional use permit was requested. Consequently the description the Commission has does not have any buildings on it; the Palmer tract has two buildings on it.

Open to public hearing.

No one spoke in favor of the request.

Present speaking in opposition to the request.

John Fennell, 3807 Deerfoot Way, Columbia.

Mr. Fennell stated he lives across from the site. Mr. Fennell stated the questions he had about the request is not necessarily in opposition. This particular site now has two buildings on it and the applicants are going to add seven more buildings. Mr. Fennell stated he hasn’t seen the plans yet but the site is bordered to housing right next door then there is the public land that sits right on it and you are adding seven buildings to what is clearly a park area to the back. The other question is the issue of lighting; the

planners seemed to have addressed this but it is hard to know what that means, where these seven buildings will be located on the property; the property is rather dense. Is there any guarantee that the lighting will be downward and unobtrusive because the area itself is a rather quiet area along Scott Boulevard. Scott Boulevard may not be quiet but all the surrounding areas are.

Mr. Fennell was shown a plan of the proposed development.

Mr. Fennell stated that it goes very deep in to the lot itself back in to the flood plain that is there now. Mr. Fennell asked if these were going to be two-story buildings.

Mr. Yonke stated they are limited to the 23,500 square feet of area for building. If a building was done as a two-story building it would count towards that square footage.

Mr. Fennell stated there is no design plans.

Mr. Yonke stated there is a drawing that shows the typical building. When you get to the review and final plan stage at that point conditions can limit those buildings to single story. Basically the applicants would show what they are intending to build. It can be locked in at the review and final plan stages. It is very rare that you have multiple story storage structures.

Mr. Fennell stated that there is a security fence around the area but what will the fence be made of; will it be a solid fence?

Mr. Yonke stated those are issues that can be specified at the review and final plan stage.

Mr. Fennell stated he believes it is possible that this area is a growing area and to protect the rest of the neighbors there you may want to think about using a solid fence surrounding this area to protect the neighbors which are directly next door and all of the properties which will back up next to us across the flood plain. From what Mr. Fennell has seen there has not been a lot of thought done with some of the planning. There are a lot of design issues; some thought needs to be taken with this kind of request.

Commissioner Sloan stated at this point the Commission is voting on whether or not to allow the applicants to do that. Mr. Fennell may talk with Mr. Palmer and discuss those concerns with him before he submits his review and final plan. Right now the Commission can't stipulate anything; that is not the purpose of this hearing.

Mr. Fennell stated he believed that part of the problem is that things happen in stages and the design is not taken in to consideration or it is taken in to consideration too late.

Chairperson Smith stated the applicants have to come back twice at which time the Commission can alter the plan.

Closed to public hearing.

Mr. Crockett stated the concerns that were expressed by Mr. Fennell are premature. However the applicants can respond to some of them in a positive fashion. The security fence will not be a closed fence; the applicants wouldn't mind it being a solid fence in some areas to shield off some of the adjoining properties but that is not the situation and the applicants don't want to inject that at this point. Mr. Crockett stated he did touch on the gated area; it is not going to be a 24-hour operation it will be

closed certain hours of the day. The applicants will disclose those hours at a later time with the later plans.

Mr. Crockett stated that those who remember that area prior to the year 2000 know it was not a pretty scene. In order for the Palmer's to feel safe on their property after they purchased it and started cleaning it up they worked with the Sheriff's department and established a sub-station in their building for their officers. Just recently the Palmers had some material stolen from their site by individuals walking down the trail cutting through the chain-link fence and carrying it off. That is the kind of area the applicants have been dealing with that they are cleaning up. The applicants will try to address the issues that Mr. Fennell has if he will contact the Palmer's at their office the applicants will discuss those issues.

Mr. Palmer stated the applicants will have a standard security fence for storage units. Typically it is a Victorian style vertical fence with points on the top that stands roughly about 8-foot in height. It is usually made of steel whereas the fencing the applicants have now is aluminum. That would all have to be changed out. The proposed fence is a nice looking fence and it has to be durable to keep people from getting in but at the same time it is a very aesthetic well built fence and lends itself to making an area look good. There would be matching electric gates that would open upon someone coming in and inserting a card into the card reader. Mr. Palmer asked that Mr. Fennell come by the applicant's office. These plans are basically to get through this process to see if it would even be feasible to get a conditional use permit.

Mr. Fennell stated that the applicants have stated that they are an electric company and therefore they are sensitive to lighting but the lighting there right now is not very sensitive; they are not pointing downward. Have the applicants thought about the lighting they will use?

Mr. Palmer stated yes; the focal point of how the lights are pointed and how you have the shields made from the factory to where their focal point will be and you can get them just about any way you want.

Commissioner Duker stated he believes Mr. Crockett did a great job of presenting this request and preparing for it. Commissioner Duker stated he believes this is a great idea; the property has really been cleaned up.

Commissioner Sloan informed Mr. Fennell that if he had seen the property five years ago he would have been appalled; it has gone through quite a metamorphosis. What the applicants are proposing to do and with his reputation the neighbors probably won't have any complaints when it is done.

Commissioner Mink stated the improvements the applicants made are first class. Commissioner Mink stated he appreciates that.

Commissioner Mink made and Commissioner Duker seconded a motion to **approve** the request by Dennis and Nancy Palmer to allow self-storage units on 1.99 acres located at 3660 S Scott's Blvd., Columbia **with the following conditions:**

1. That it is recognized that a revised review and revised final plan are required in addition to approval of the conditional use permit for the development to actually be allowed and that these plan revisions require going through the rezoning process.
2. All driveway, loading, and parking areas are to be dust free (minimum chip and seal). This is already a standard for the property.
3. Since this will also be required to meet the planned development requirements of a 20 ft. perimeter setback. Drives and landscaping can be in the perimeter setback area.

4. Lighting is oriented inward and downward so as to minimize light leaving the site.
5. Comply with all site requirements of the Boone County Fire Protection District.
6. Comply with all requirements of the building code.

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on Tuesday, December 27, 2005. Applicants need to be present

## **REZONING REQUESTS**

None.

## **PLANNED DEVELOPMENTS**

1. Request by Tom and Judy Butcher to revise an approved Review Plan for Mid-Am Commercial Acres on 3.0 acres, located at 7125 W Henderson Rd., Columbia.

Planner, Bill Florea gave the staff report stating the property is located on the north side of Henderson Road, approximately 1/8-mile west of the intersection with U.S. 40. A rezoning from R-S, Single Family Residential to ML-P, Planned Light Industrial was approved in June 2003. A review plan was approved in November of 2003. A revised review plan was approved in June 2005. That plan allowed the owner to shift the location of the building to 43-feet west of the location shown on the original review plan and eliminate a landscaped buffer. The current revision is to allow the location of a freestanding pedestal sign on the property.

The original and first revised plan allowed only for façade sign. The owner would like to add a freestanding pedestal sign. The proposed sign meets the county sign regulations for size and location.

The property scored 75 points on the rating system.

Staff recommends approval of the review plan.

Present: Tom Butcher, 2504 Hillshire, Columbia.

Mr. Butcher stated the applicants would like to put a masonry and brick base out front and apply a sign to it for the name of our company and sit it in front of the warehouse.

Chairperson Smith asked what other changes there were besides the sign.

Mr. Butcher stated that is it.

Chairperson Smith stated the applicants just want to add a sign.

Open to public hearing.

No one spoke regarding this request.

Closed to public hearing.

Commissioner Sloan made and Commissioner Duker seconded a motion to **approve** the request by Tom and Judy Butcher to revise an approved Review Plan for Mid-Am Commercial Acres on 3.0 acres, located at 7125 W Henderson Rd., Columbia:

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on Tuesday, December 27, 2005. Applicants need to be present

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2. Request by Gilpin – Sells LLC on behalf of Bobcat of St. Louis to approve a Final Development Plan for Bobcat of St. Louis Planned Commercial Development, located at 6989 I-70 Drive NE, Columbia.

Planner, Thad Yonke gave the staff report stating the property is located at 6989 I-70 Drive N.E., approximately 4 miles east of Columbia. The 36.94 acre tract was originally zoned A-R. In 1994 17.12 acres was rezoned to Recreation REC, the remaining 19.82 acres retained the original A-R zoning. The golf driving range was allowed by conditional use permit in 1989. In January 2005 the north 29.44 acres of the property was rezoned to RS-P and the south 7.5 acres was rezoned to CG-P. A final development plan and preliminary plat was also approved showing 88-residential lots and 2-commercial lots. On November 29<sup>th</sup> of this year the County Commission approved a revised review plan that replaces the previously approved review and final plans. The current application is for a final plan for the recently approved revised review plan. When the County Commission approves a review plan in a different form than P&Z recommends the corresponding Final Plan must formally come back to P&Z for a compliance review. This compliance review centers on meeting whatever conditions of approval and issues specifically left open that were tied to the approval of the review plan. The approved review plan shows three lots. Lot 1, which is 7.96 acres in area, is proposed to be developed with a commercial building not to exceed 30,000 square feet. Lot 2 currently zoned CG-P will remain vacant and Lot 3 is shown as vacant. The conditions of approval are:

1. The developer shall coordinate planning and construction of wastewater treatment facilities with the Boone County Regional Sewer District.
2. Change the note indicating the size of the freestanding sign to reflect the maximum sign size of 80-square feet.
3. Change the note indicating the number of entrance/exit signs to reflect that the maximum number of such signs is one.

4. Change the Parking Calculations note to be compliant the requirements of the zoning regulations and revise the site plan to show the required number of parking spaces.

Coordination of wastewater service is something that will be required to be signed off on by the sewer district during the actual construction and preconstruction phase of the development so there is nothing to verify at this time.

Verify that the two sign notes have been corrected with respect as to sign size and number so as to comply with the sign portion of the zoning ordinance and to comply with approval conditions 2 and 3.

Verify that there are 100 parking spaces since this is what is required by the worst case use proposed at the largest size allowed as currently approved. It must be demonstrated that the site can accommodate the maximum parking.

If the proposed final plan has met these conditions and shows all the required information from the review plan then it can be approved, otherwise it can't be approved.

Present: Bill Crockett, 2608 Stadium, Columbia.

Mr. Crockett stated he concurs with the staff report. In regard to the first condition; that will be addressed and it will be taken care of through the Boone County Regional Sewer District. Since there is no real planning for a sewer facility in that area as of this date the initial sewage facilities will be handled by onsite situation until such time as a regional sewage plant is in the area then the connection will be made by this facility to eliminate the onsite. There is absolutely no problem. The note has been changed to indicate that the maximum square footage of 80 foot on the sign is accommodated. There has been a note added to the plan that limits the entrance/exit signs to one. The parking has been laid out and are shown as phantom parking spaces. The area generates more parking area than is necessary to meet the worst case scenario. The applicants have addressed the conditions; they have been added on the plan.

Open to public hearing.

No one spoke regarding the request.

Closed to public hearing.

Mr. Yonke stated that staff looked at the revised drawing and concur that it seems to meet the requirements.

Commissioner Duker asked where the onsite sewer system was going to go.

Mr. Crockett stated there has been no selected site at this point. Some of that is because there has been discussion about a regional sewer plant by the Boone County Regional Sewer District but there is no site selected. The applicants don't want to go to the wrong end; they want to get all the information they can. It will be onsite and it will be eliminated once public sewer is available.

Commissioner Duker stated one thing that concerns him about the onsite system is that there are going to be a lot of extra heavy equipment running around out there being tested, moved and located. There needs to be a special site.

Mr. Crockett stated there are vacant areas adjacent to it.

Mr. Yonke stated if the Commission wants to stipulate on the construction drawings they have to show where all that stuff is that can be worked out with the sewer district. The sewer district is going to be reviewing it too even though it is onsite because it has to fit in to their overall plan.

Commissioner Morgan asked what the plans are for the cemetery.

Mr. Crockett stated the cemetery will be preserved.

Commissioner Harris made and Commissioner Morgan seconded a motion to **approve** the request by Gilpin – Sells LLC on behalf of Bobcat of St. Louis to approve a Final Development Plan for Bobcat of St. Louis Planned Commercial Development, located at 6989 I-70 Drive NE, Columbia.

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on Tuesday, December 27, 2005. Applicants need to be present.

## **PLAT REVIEWS**

1. McMenamy. S20-T49N-R13W. A-2. James and Patricia McMenamy, owners. J. Daniel Brush, surveyor.

Planner, Uriah Mach gave the staff report stating that the property is located approximately 1 and ½ miles northwest of the city of Columbia, along State Route E. It consists of three lots, with areas of 3.33 acres, 4.13 acres, and 3.00 acres, respectively. The property is zoned A-2 (Agriculture), and is surrounded by A-2 zoning.

All three lots have direct access to State Route E. This plat is dedicating an additional 3' of right of way to State Route E. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to these lots will be provided by Consolidated Public Water Service District #1. Electrical service will be provided by the Boone Electric Cooperative. Fire protection will be provided by the Boone County Fire Protection District.

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

On Lot 1, there is a shed that is the sole structure on the lot. Under the zoning ordinance, unless a lot has an area of 5 acres or more, an accessory structure cannot exist without a primary structure. This structure must be removed in order for the plat to meet the requirements of the regulations.

The property scored 48 points on the rating system.

Staff recommends approval of the plat with the requested waivers, with the following condition

1. That the plat will not be recorded until the shed on Lot 1 is removed.

No one was present to represent the plat.

Mr. Mach stated he visited the site yesterday afternoon; the destruction of the shed has begun. It currently still has a full load of poles up so it can be reassembled.

Commissioner Mink made and Commissioner Morrison seconded a motion to **approve McMenemy Subdivsion with the following condition:**

- That the plat will not be recorded until the shed on Lot 1 is removed.

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

\* \* \* \* \*

2. Prairie Meadows Estates Plat 8. S3-T47N-R12W. R & L Properties and Development, Inc., owner. Ronald G. Lueck, surveyor.

The following staff report was entered in to the record:

This 3 lot final plat is located on the west side of the Outer Road along Highway 63 South at the immediate southwest corner of the intersection of Meadow Lark Lane and the west Outer Road of Highway 63 South. The site is adjacent to the municipal limits of the City of Columbia across Highway 63. The area being subdivided contains 1.95-acres. The portion of the property of proposed Lots 71 and 72 is zoned R-M (moderate density residential) while the portion of the property proposed as Lot 73 is zoned C-G (general commercial). Property to the north, northwest, and west is zoned R-M, property to the immediate south is zoned M-LP, and property to the east across Highway 63 is zoned A-1 (agriculture). These are all the original 1973 zonings, except the M-LP, which was rezoned in 1999. The property is currently the site of a billboard on proposed Lot 73 while proposed Lots 71 and 72 are currently vacant. The property is currently comprised of illegally divided remnants left out of the platting process by the surrounding development. A previous plat to create two lots from this area was approved by this Commission but hasn't been finalized and is being replaced by this current proposal. The site is in Consolidated Water District #1 and a 6" waterline runs along Meadow Lark Lane but stops at the south line of proposed Lot 71. Fire hydrants are required not by the type of plat but rather for this development by the type of use. Hydrants and any associated waterline upgrades are required to be installed at the developer's expense. The site is in the Boone County Fire Protection District and Columbia School District. The site is in the Boone Electric Service area. Central sewage treatment is required and is proposed to be from a connection to an existing BCRSD central system that is being upgraded and which

serves the rest of the neighborhood. A traffic analysis waiver has also been requested. Staff concurs with the granting of this waiver. This plat has 78 points on the point rating scale.

Staff recommends approval along with the granting of the waivers for traffic analysis subject to the following 2 conditions:

1. That the water issues be resolved to the satisfaction of the planning director prior to recording.
2. That it be recognized that no bonding of infrastructure is allowed for this plat, as the engineered cost estimate was not submitted along with the initial submittal as required to allow possible bonding.

No one present to represent the plat.

Commissioner Harris made and Commissioner Mink seconded a motion to **approve** Prairie Meadows Estates Plat 8 **with waiver requests and the following conditions:**

- That the water issues be resolved to the satisfaction of the planning director prior to recording.
- That it be recognized that no bonding of infrastructure is allowed for this plat, as the engineered cost estimate was not submitted along with the initial submittal as required to allow possible bonding.

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

\* \* \* \* \*

3. Lazar. S11T47N-R13W. A-2. Meir and D. Gail Lazar, owners. James V. Patchett, surveyor.

The following staff report was entered in to the record:

The property is located approximately ½ mile south of the city limits of Columbia, south of the intersection of Lakota Ridge Lane and Buffalo Ridge Road. It consists of two lots, one at 5.28 acres, and the other at 30.55 acres. The property is zoned A-2(Agriculture), and has R-S (Residential-Single Family) zoning to the north, and A-2 to the east, south, and west.

Lot 2 has direct access to Lakota Ridge Lane and Lot 1 has direct access to Lakota Ridge and Buffalo Ridge Road. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to these tracts is provided by Consolidated Public Water Service District #1 and electrical service is provided by Boone Electric Cooperative. Fire protection is provided by the Boone County Fire Protection District.

Wastewater service is provided by the Boone County Regional Sewer District. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

This plat was created to resolve building setback issues on the accessory structure under construction on the western part of Lot 1. With the recording of this plat, those issues will be dealt with.

The property scored 68 points on the rating system.

Staff recommends approval of the plat and the requested waivers.

No one present to represent the plat.

Commissioner Harris made and Commissioner Mink seconded a motion to **approve Lazar subdivision with waiver requests:**

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

\* \* \* \* \*

4. James. S27-T50N-R12W. A-2. George James, owner. James V. Patchett, surveyor.

The property is located approximately 2 and ½ miles southwest of Hallsville, along State Route B. It is being divided into two lots, one at 5.03 acres, and the other at 5.00 acres. The property is zoned A-2 (Agriculture) and has A-2 zoning to the north, west, and south, with C-G zoning to the east.

Lot 1 has direct access on to State Route B. Lot 2 has access via a 30’ driveway easement along the northern boundary of Lot 1. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to this property is provided by Public Water Service District #4. Electrical service is provided by the Boone Electric Cooperative. Fire protection is provided by the Boone County Fire Protection District.

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

The property scored 36 points on the rating system.

Staff recommends approval of the plat and the requested waivers.

No one present to represent the plat.

Commissioner Harris made and Commissioner Mink seconded a motion to **approve James Subdivision with waiver requests:**

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

\* \* \* \* \*

5. Michele’s Corner. S19-T49N-R12W. A-2. Kirby McKenzie Construction, Inc., owner. Curtis E. Basinger, surveyor.

The following staff report was entered in to the record:

The property is located at the intersection of Liddell Lane and Dusty Rhodes Lane, approximately 2 miles east of Columbia. It consists of two lots of 3.35 acres and 5.74 acres, respectively. The property is zoned A-2 (Agriculture), and has A-1 zoning to the north, east, and south, with A-2 zoning to the west.

Both lots have direct access to Liddell Lane, and the plat is dedicating 33 feet of right-of-way to it. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to the property is provided by Columbia Water & Light. Electrical service to the property is provided by Boone Electric Cooperative.

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

The property scored 25 points on the rating system.

Staff recommends approval of the plat and the requested waivers.

No one present to represent the plat.

Commissioner Harris made and Commissioner Mink seconded a motion to **approve** Michele’s Corner **with waiver requests**:

Pat Smith - Yes	Mary Sloan – Yes
Larry Oetting – Yes	Carl Freiling – Yes
Mike Morgan – Yes	Paul Zullo – Yes
Russ Duker – Yes	Boyd Harris – Yes
Michael Morrison – Yes	David Mink – Yes

Motion to approve request carries unanimously.

\* \* \* \* \*

## **OLD BUSINESS**

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

Mr. Shawver stated that the McKenzie rezoning request was denied by the Planning and Zoning Commission. The applicants appealed to the County Commission who approved the request by a 2 – 1 vote.

The Bobcat, Gilpin-Sells request was denied by the Planning and Zoning Commission in October. The applicants appealed to the County Commission and met on November 29, 2005. The County Commission approved the request which is why the applicants came before the Planning and Zoning Commission tonight with a review plan.

The plats were acted on as recommended by the Planning and Zoning Commission.

Commissioner Morgan asked staff what happened to the Keller rezoning request. Mr. Mach stated the request was withdrawn by the applicants on December 2.

Commissioner Morgan asked what that request consisted of. Mr. Mach stated it was an R-S rezoning to C-G zoning more or less to bring a zoning violation in to compliance with existing regulations. The applicant had been operating an auto repair business in the R-S zoning.

## **NEW BUSINESS**

Commissioner Sloan stated she thought she had one more year on the Commission but she received a letter stating that her tenure is up. Commissioner Sloan stated she will not re-apply as she has been on the Commission for 10 years and it has been one of the most enjoyable things she has ever done. Despite the late hours and bumpy roads it has been a great ride. Commissioner Sloan thanked staff for their hard work.

Chairperson Smith stated that Commissioner Sloan will be missed.

## **ADJOURN**

Being no further business, the meeting was adjourned at 8:07 p.m.

Respectfully submitted,

Mary Sloan,  
Vice-Chairperson

Minutes approved on this 16th day of February, 2006.