

BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, November 16, 2006

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

Present:	Pat Smith, Chairperson	Perche Township
	Russell Duker, Vice Chairperson	Missouri Township
	Boyd Harris, Secretary	Centralia Township
	Carl Freiling	Cedar Township
	Mike Morgan	Bourbon Township
	Larry Oetting	Three Creeks Township
	Michael Morrison	Columbia Township
	Paul Zullo	Rock Bridge Township
	John Schloot	Rocky Fork Township
	David Mink	Public Works

Absent:	Vacant Seat	Katy Township
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Also present:	Stan Shawver, Director	Thad Yonke, Staff
	Uriah Mach, Staff	Paula Evans, Staff
	Bill Florea, Staff	

The minutes of the October 19, 2006 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, a final development plan, and four subdivision plats.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, it is authorized by the Missouri State Statutes to follow its own by-laws. The by-laws provide that all members of the Commission, including the Chairperson, enjoy full privileges of the floor. The Chairperson may debate, vote upon or even make any motion.

The following procedure will be followed:

The agenda item will be announced, followed by a report from the Planning Department staff. At that time, the applicant or the applicant's representative may make a presentation to the Commission. The Commission may request additional information at that time, or later following the 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 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 who wishes to speak, we ask that you not be repetitious with your remarks. We also recognize that some issues can be quite emotional. In that regard we ask that you refrain from applause, cheers, or other signs of support or displeasure. Please afford those with a different point of view than yours the same respect and consideration you would like yourself.

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, November 28th. Interested parties will again have the opportunity to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation. Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the Planning Office to see if a request that has been denied has filed an appeal as there will be no further public notification due to the short time between the hearing tonight and the County Commission Hearing. The County Commission hearing scheduled for Tuesday, November 28th will begin at 7:00 p.m. and will convene in this same room.

Chairperson Smith asked if there were any questions about how the meeting will be conducted.

CONDITIONAL USE PERMITS

None Submitted.

REZONING REQUESTS

1. Request by Barbara and Dennis Cramer to rezone from A-2 (Agriculture) to C-GP (Planned Commercial) and to approve a Review Plan for **Route B Greenhouse** on 2.62 acres, more or less, located at 5475 E. Parks Lane, Columbia.

Planner Uriah Mach gave the staff report stating that the site is located at the intersection of Parks Lane and Route B to the northeast. The parent tract is 19.92 acres, currently zoned A-2 (Agriculture). It has A-2 zoning on all sides. The A-2 is original 1973 zoning. Currently, there is a single-family dwelling, two sheds, a greenhouse, and a partially completed agricultural structure on the property. This site is located in the Boone Electric Service area, Public Water District #4's service area, and in the Hallsville R-4 School District. It scored 41 points on the point rating system.

The applicants are requesting a rezoning to C-GP (Planned General Commercial) for 2.7 acres. This rezoning is being sought to expand the operations of the existing greenhouse, which is operating under the limitations of agricultural activity in the current A-2 zoning. Staff notified 15 property owners about this request.

The Master Plan designates this area as useful for rural residential and agricultural land use. The Master Plan also identifies a "sufficiency of resources" test for determining whether there are sufficient resources available for the needs of the proposal.

The resources necessary to serve the proposed development can be broken down into 3 general categories; utilities, transportation, and public safety services.

Utilities: Public water is provided by Public Water Service District #4. The existing infrastructure is capable of providing domestic water service and fire protection. The Boone County Fire Protection District will require fire hydrants. Boone Electric can provide sufficient electrical service to the site. Wastewater needs for the property need to be assessed to meet the uses identified on the review plan. A wastewater plan needs to be submitted to the City/County Health Department.

Transportation: The site has access onto State Route B via Parks Lane. Parks Lane is a chip-seal road that is capable of supporting the existing traffic off of Route B, but will need to be upgraded to support commercial traffic.

Public Safety: The nearest fire station is in Hallsville, approximately two miles north along State Route B. The existing road network provides ready access for emergency service providers. In rezoning from A-2 to C-GP, the presence of properly located fire suppression equipment and compliance with the fire code on the property would be appropriate for this change.

Based on existing zoning, current land use of surrounding property, the sufficiency of resources test, and the suggestion of the master plan that this site is useful for rural residential and agricultural land uses, staff recommends approval of this request with the following conditions to be met prior to the approval of the final plan:

1. That one parking space on the plan be identified as a loading space and be solely used as such.
2. That Parks Lane be improved to a standard as determined by Boone County Public Works.
3. All present and proposed structures in the area being rezoned shall meet the standards of the commercial building code as set by Boone County Planning & Building Inspection.
4. A wastewater plan shall be submitted to and approved by the City/County Health department.
5. All requirements of the Boone County Fire Protection District and the fire code shall be met.
6. No exterior storage will be permitted on the site.
7. All exterior lighting will be focused inward and downward to prevent light from leaving the site.
8. A landscaping/buffering plan for the property shall be submitted to the Director of Planning & Building Inspection for approval.

9. Signs shall be limited to a single freestanding sign, with a height maximum of 20 feet above street grade and area shall be limited to 32 square feet.

Present: Barbara Cramer, 5475 E. Parks Ln., Hallsville.

Ms. Cramer stated she would like a definition of what the line of thinking is on the landscaping buffer; the purpose for that and the improvements on Parks Lane. After the construction is done even if this is approved it would be commercial property but it is still going to be car traffic going in there. It is not going to be large traffic. There are dump trucks going in there now for construction but after the construction is done then the applicants won't be responsible for heavy equipment going in there.

Mr. Mach stated staff was approached by the adjoining property owners and it was requested and considered that some sort of vegetative buffer would be installed on the south side so people coming in or out of the church or the southern properties to the south wouldn't have to see what is up there because there is a severe elevation difference between the two. That seemed like a reasonable request. The Commission has required screening on other commercial properties when they are adjacent to or across from residential properties. The improvements on Parks Lane are primarily directed at the fact that this level of commercial property is in excess of what is currently there. Staff has received complaints about the condition of Parks Lane which was recently resurfaced. Staff's interest is insuring that Parks Lane remains an effective road and doesn't end up costing taxpayers money to resurface it frequently. The commercial level of use of the subject tract, while it may be solely car traffic, there will be an increased load of traffic on Parks Lane. With the zoning being requested, any level of retail could result, so there is the propensity to deal with supply trucks and or larger vehicles coming to and from the site. That is the basis for improvements to Parks Lane. The standard of improvement will have to be worked out with Public Works.

Ms. Cramer stated the primary reason for the damage to the road is it has a bad sub-grade under the chip seal. If you have a good base underneath it chip seal is going to hold up. The applicant's trucks have been going in and out, they have been of legal weight. The damage that is on the road now when they re-chip/sealed it this summer that was within about 3 days before the applicants started putting up their last greenhouses. Had the applicants known that they were going to do the work on the road the applicants could have let them know that they were ready to start bringing in equipment for construction of the other greenhouses. Unfortunately the road was damaged considerably right after that. The applicants did only about 1/3 of the damage that is there now. The day the damage was mostly done was the day the City of Columbia and Boone Quarries brought in several loads of rock to the Colt RR. Even with the amount of car traffic once the sub-grade is brought up and it is resealed there shouldn't be a problem with it. All the time the applicants have been doing their construction to try to be as conscientious as they can be. The applicants have kept a large roller up there and everyday at the end of the day when the applicants trucks had been in there they would take the roller down the road and roll it to keep it as level as possible and as compacted as possible. The applicants feel they have done all they can do at this point in the middle of their construction to keep the road as well as they can at this point.

Chairperson Smith stated that is the kind of thing that the applicants can work out with Boone County Public Works. Tonight the Commission is considering the rezoning request.

Commissioner Mink stated the road was originally chip-sealed at the expense of the church next door. It was done 2 or 3 years ago then it was done again this summer. Chip-seal isn't really designed to carry much traffic so the damage the applicant is describing is what would be expected from having truck traffic. We would probably need to look at some higher type of pavement and better sub-grade. What portion is a fair amount as an off-site improvement will have to be determined.

Commissioner Schloot asked the applicant if there will be any truck traffic at all in and out of there.

Ms. Cramer stated if there were there may occasionally be one of the applicant's dump trucks coming in to load something in or out but still they would be of legal weight. There will be a load of potting soil brought in. There could be a tractor trailer coming in but it wouldn't be fully loaded; either potting soil or a delivery truck to deliver plastic pots and things like that. But it wouldn't be any more than what a dump truck would be as far as weight per axle.

Commissioner Duker asked how many dump trucks the applicants have.

Ms. Cramer stated the applicants have an asphalt company too so they have 3 dump trucks but when they are working up there it is just the one. When they were bringing the rocks in that they stockpiled then there were several trips. After the construction is done then the dump trucks won't be in there other than to load something.

Commissioner Harris stated where this requirement is coming from is just as it was incumbent upon the church to upgrade that gravel road to a standard that the county deemed was as adequate quality to support car traffic they were generating at the church, it is equally incumbent on a developer to be responsible for the infrastructure and the adjacent roads as the zoning changes to deal with access. While the applicant knows what their intentions are once the zoning is changed to this potentially higher traffic zoning, if the applicant were to sell the property and someone else came in to do something else the infrastructure has to be commensurate with the zoning of the adjacent property. This has been a precedent for years in any development.

Ms. Cramer asked if Public Works proposed for that road to be asphalted, would it be at the applicant's expense to asphalt that road down to their driveway.

Chairperson Smith stated it would be worked out.

Commissioner Mink stated it is probably what would be required but as far as the applicant's portion of the total cost as an off-site improvement for the development that would have to be determined and that would include involvement with the County Commission.

Ms. Cramer asked if the land that is down the road which is slated for subdivision when it gets developed - then is the applicant building a road for the subdivision?

Chairperson Smith stated no.

Commissioner Freiling stated if the applicants can't work out an agreement with the County the applicants can opt not to rezone their property. If road improvement it is a condition of approval of the rezoning and you can't or don't want to do it, then you don't have to have your land rezoned; the applicant can continue operating their business the way they have been. The County Commission tries to be sensible and fair in their arrangements.

Ms. Cramer stated she didn't know that the church had paid for the original chip seal until last summer. The applicants would be glad to share their portion of it.

Commissioner Mink stated normally on a commercial development the road regulations are quite stringent for a commercial road. Since this is an existing road, Public Works can probably work

something out with the applicants; perhaps some sort of a lesser standard than the maximum standard. As far as the thickness we would have to follow County standards.

Commissioner Oetting asked the applicant what additional items they want to sell that they can't sell now.

Ms. Cramer stated the applicants can't sell anything in a printed package. They can't sell a bag of potting soil; they can sell a huge mound of dirt but can't sell a bag of potting soil. They can't sell a pot by itself but she can take a pot, put potting soil in it and put a plant in it and sell it as a unit. People come in and they want to make a nice planter, but they have to go somewhere else to buy the planter and potting soil. The customers ask why they can't buy these items from the applicant. Customers want mulch which the applicants can't sell because they can't produce it on the property. The applicants want to sell mulch, potting soil, pots, small garden hand tools, paving stones, landscaping timbers, anything that it would take to complete a landscaping project in a yard. The applicants want to be a one-stop shop. The applicants can't sell fertilizers. If the applicants are sending the customer to Wal-Mart or another store then why wouldn't they buy their plants there instead of from the applicants?

Commissioner Oetting stated under the "permitted uses" on the Review Plan it states "farm implement sales and repair and feed store"; do the applicants plan to sell farm implements?

Ms. Cramer stated she doesn't at this point it was just put in there because it goes along with agriculture. That is not the plan as of now.

Commissioner Oetting stated if the applicant did sell these items they would be brought in on semi's with heavy loads.

Ms. Cramer stated yes; but the applicants don't plan on selling feed.

Commissioner Oetting stated someone could come in later and do these things.

Ms. Cramer stated being that it is related to agriculture that is why it is listed as a use. Ms. Cramer stated she doesn't plan to sell these things.

Mr. Mach stated the current use on the greenhouse with the existing zoning is limited to plants that are raised on the property for sale. Anything beyond that is why we are here for general commercial zoning. The issues with the road; it is about mitigating the previous damage that is done; we can't really do anything about what is in the past. The purpose is to make the road and property suitable for commercial use as outlined on the review plan and to meet that sufficiency of resources test. If the road is not capable of supporting the commercial uses as described on the plan this should not be approved. If the applicants can't meet that condition then it shouldn't be considered.

Ms. Cramer stated the applicants have no problem with what needs to be done with the road as long as it is financially feasible. If it is going to take \$100,000, the cost has to be figured in to this to see if it is practical to do this. The other thing is the buffering so that the church doesn't have to look at the greenhouse.

Mr. Yonke stated the applicant has a parking lot that has potential lighting and retail uses so you have a retail parking lot that can be approved on the plan. If the applicants sell the property it can be used for any form of a regular retail use. The buffering and screening is there for the parking lot and for all the potential uses that are listed on the plan. The plan has to stand on its own with all of the uses; not just the

uses the applicants want but all the uses proposed have to be able to be accommodated by the plan and by the conditions.

Ms. Cramer stated she needs a definition of what this buffering is going to entail; if it is going to be a line of trees that is going to seal this off then that creates a problem for the applicant because that location was chosen for visibility. If you are heading north on Route B before you get to the church you can see over the church's front area and you can see the greenhouse. If the applicants have to plant trees to where that can't be seen then that cuts down on visibility from the highway. Ms. Cramer stated she has people come in from Hannibal and Palmyra; they were driving past and saw the greenhouse and stopped. If there was a line of trees to where that wouldn't be seen then that is cutting down on the applicant's sales. That is why the applicants chose that location. They wanted somewhere on Route B that was visible.

Chairperson Smith stated the applicants chose that location for what is going on there right now but the applicant is asking the Commission to change it.

Mr. Yonke stated if the applicant's consultant had proposed a landscaping plan prior to this then we would know exactly what we were talking about but since no buffering and landscaping plan was included we still have it open and it has to be a negotiated thing between the applicant, their consultant and the Planning Department.

Mr. Mach stated the business involves horticulture and landscaping materials, surely the applicant should be able to find a someone to help with the plan.

Ms. Cramer stated she would be concerned how much visibility that would cut down for the business.

Mr. Yonke stated it is intended to cut down some because it is a spot commercial zoning in an area that is otherwise not commercial. The buffering is to make it compatible with the surrounding properties.

Open to public hearing.

Present to speak in support of the request:

Larry Moore, 15520 N. Route U, Hallsville.

Mr. Moore stated he is here to represent his property that he owns jointly with Mr. Bunton across Parks Lane. Mr. Moore also represents the Hallsville Methodist Church which is south of the subject site. Mr. Moore stated when they started to look for a place to put the church they had difficulty finding a spot. Mr. Bunton and Mr. Moore purchased 50 acres from the Darby's. They gave 15 acres to the church. When Mr. Darby sold the remaining 35 acres there were deed restrictions placed on it that restricted it to single family residential use. At some point in time their property will be developed as single family residential.

Mr. Moore stated he and Mr. Bunton spoke with staff about concerns they had. Mr. Moore stated he is generally in favor of this proposal, but they do have questions and they want to emphasize a couple of things that are in the restrictions. As far as the uses themselves are concerned Mr. Moore has no problems with the commercial uses of selling plants and the accessories that go with plants and those types of things as long as the property is kept looking nice. The idea of implement sales and repair makes him nervous and that is why he requested a couple of these conditions, such as no exterior storage. What Mr. Moore was concerned about was if later on this property was sold and someone decided to put in an implement sales and service would they line up used equipment along that grassy area between the

parking lot and Parks Lane and would there be used equipment sitting around all the time waiting to be worked on in the repair shop. Condition number 6 says no exterior storage - does that mean that all the equipment would be kept inside the building? If that is the interpretation then Mr. Moore doesn't have a problem with it. Once this property is zoned planned commercial it could change hands. There is concern about feed sales but they would hope it doesn't mean feed silos like the MFA grain elevator. If we are only talking about sacks of feed with everything stored inside the building then Mr. Moore doesn't have a problem with that.

Mr. Moore stated as far as the landscaping and buffering plan what he is mainly concerned about is not so much screening as that area between the parking lot and Parks Lane being nicely landscaped so it looks nice as opposed to a place to store and display merchandise. After talking to staff they indicated they will scrutinize the landscaping plan pretty carefully and that could be a result of that. If that is the case that solves the problem. As far as the upgrading of Parks Lane to a commercial road status as far as the church is concerned the church hopes they don't have to pay anything additional for that upgrade. It was somewhat of a hardship for them to come up with the money to do the initial work that they did; they were happy to do it because they knew they were generating traffic and knew it was their responsibility.

Mr. Moore stated with the conditions proposed by the staff, he has no problem with the request.

No one spoke in opposition to the request.

Closed to public hearing.

Commissioner Duker asked staff if the "no exterior storage" condition means that the applicants can't park their vehicles outside if they have an implement sales and repair shop.

Mr. Yonke stated they would have to be inside; no exterior storage.

Commissioner Oetting asked about the implement sales you can't store all the implements inside.

Mr. Yonke stated the plan does not show any exterior storage so that there cannot be any exterior storage, of materials, equipment or implements without revising the plan.

Mr. Mach stated any modification would require a revised plan from the applicant and they would have to go before the Commission again.

Commissioner Freiling stated that sounded appropriate because if the applicants were coming in for an equipment dealership the Commission would be looking at this very differently.

Ms. Cramer asked if she could store bulk mulch outside.

Mr. Mach stated the plan does not show exterior storage for any use.

Mr. Mach stated the applicants have the open air arbor structure shown. Technically that qualifies as a storage space if the applicants were to assemble the structure there to serve that purpose for storage of mulch in an open air environment; under the County's arbor definition the applicants would be able to store the mulch there. Otherwise the applicant would need to identify the exterior storage site on the plans and then it can be allowed as such. Previous plans have had plans with exterior storage identified and allowed as shown on the plan.

Mr. Yonke stated the condition of no exterior storage was developed specifically to prohibit having stocked goods outside and using the entire area as a display. That was why the condition was placed on there. Just because the applicant requests it doesn't mean that if it is approved this way that the provision will be approved.

Mr. Mach stated the recommendation would be to construct a building that would serve as storage; something similar to the arbor, a framed structure that is basically a frame and a roof. This would require a revision of the review plan.

(recording tape malfunction)

Ms. Cramer stated the whole purpose for this; and it is not for implement sales or repairs Ms. Cramer doesn't know how that even got on the plan, it wasn't her idea to put it in there. You don't store mulch in a greenhouse. Ms. Cramer stated she would have to revise the plan if she can't store the mulch outside; that was one of the reasons for the rezoning request.

Commissioner Freiling stated exterior storage causes a visual impact on neighboring properties. The applicant wants to run a commercial business in a residential area. Some degree of change is fine in a residential area; although a greenhouse business is a neighborhood friendly use this is still spot zoning and it doesn't mean the site is appropriate for this proposed use.

Commissioner Mink stated that there is no landscaping shown on the plan; if there is some area shown on the plan for proposed exterior storage it gives the neighbors a chance to say it is okay.

Ms. Cramer stated she wants the property to look nice.

Commissioner Mink stated Ms. Cramer keep the property looking nice but it doesn't mean the next property owner will.

Chairperson Smith stated the plan doesn't show the applicants intent.

Commissioner Duker stated that this is spot zoning and asked if this is even an appropriate use for this area.

Commissioner Schloot stated that he understands what the applicant is trying to do but if this rezoning is approved this will be commercial property and you have to have a commercial road to support the zoning. Commissioner Schloot stated he wished Ms. Cramer would have gotten with Public Works prior to this meeting to discuss the road issue.

Mr. Yonke stated if the plan before the Commission is not what the applicant really wants the applicant can choose to table the request and have her engineer revise the plan and come back before the Commission with a different request. If the Commission does happen to approve this request with the review plan tonight the plan does not show any outside storage. The Commission can only look at the plan as it was submitted; they can either choose to vote on the request or table it themselves while they wait for additional information.

Ms. Cramer asked if garden tillers would fall under the definition of implement sales; the applicants may wish to do that in the future.

Mr. Mach stated yes; that would be considered implement sales.

Chairperson Smith informed Ms. Cramer that the Commission can make a decision now to either approve or deny the request or the applicant can choose to table the request.

Mr. Shawver stated if the applicant wished to change the plan she should withdraw the request; you really shouldn't table the request if you are going to change the plan because it is really a different request.

Ms. Cramer asked if this would be heard again at the December meeting.

Mr. Yonke explained that the applicants engineer needs to get the new plan and rezoning request in before the next deadline which is November 27th to be heard at the December meeting.

Request withdrawn by applicant

PLANNED DEVELOPMENTS

1. Request by Anthony Holmes and Sharon Hageman to approve a Final Development Plan for *Maximum Media* Planned Commercial Development on 5.27 acres, more or less, located at 4700 W. Gibbs Rd, Columbia.

Planner, Bill Florea gave the staff report stating the property is located on Gibbs Road approximately 500-feet north of the intersection with I-70 Drive NW. It is currently occupied by a structure that was built as a single family dwelling but is currently being used as a duplex. The purchaser proposes to convert the basement to office space and operate a graphic design company. The upper floor will remain residential. In July 2006, the Planning and Zoning Commission recommended denial of this request. The applicant appealed the recommendation to the County Commission who approved the rezoning request and review plan with the following 5 conditions:

1. The upper floors of the structure shall remain in residential use.
2. The proposed uses shall be relabeled as ALLOWED USES on the review plan.
3. No additional structures can be built on the site and the current structure cannot be enlarged until fire flow is available to the property.
4. Since the applicant did not propose any freestanding signs, no such signs are allowed.
5. Hours of operation are 7:30 A.M. to 5:30 P.M.
 - The conditions have either been met or are printed on the Final Plan
 - All required information is accurately portrayed on the plan
 - The final plan conforms to the approved review plan

Staff recommends approval of the rezoning and Final Development Plan.

Present: Dan Brush 506 Nichols, Columbia.

Mr. Brush stated he would be happy to answer any questions.

Open to public hearing.

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

Closed to public hearing.

Commissioner Mink made and Commissioner Morgan seconded a motion to **approve** the request by Anthony Holmes and Sharon Hageman to approve a Final Development Plan for **Maximum Media** Planned Commercial Development on 5.27 acres, more or less, located at 4700 W. Gibbs Rd, Columbia:

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

Motion to approve the request carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on November 28, 2006 and the applicants need to be present for the hearing.

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PLAT REVIEWS

1. Gray. S23-T50N-R14W. A-2. Nathan King, owner. J. Daniel Brush, surveyor.

The following staff report was entered in to the record:

The property is located approximately 700 feet to the east of State Route J and Gray Road, two miles south of Harrisburg. The plat creates two lots at 3.09 acres, and 2.57 acres. The remaining 50 acres is being divided by a concurrent administrative survey. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is original 1973 zoning.

Both of the lots have direct access onto Gray Road to the north. 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 Supply District #1. Fire protection will be provided by Boone County Fire Protection District. Electrical service is provided to the existing house by Boone Electric.

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

The property scored 40 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers with the following condition:

1. That a wastewater plan be submitted to and approved by the City/County Health Department.

Commissioner Freiling made and Commissioner Morrison seconded a motion to **approve** Gray, S23-T50N-R14W, A-2, Nathan King, owner. J. Daniel Brush, surveyor **with waiver requests and the following condition:**

1. That a wastewater plan be submitted to and approved by the City/County Health Department.

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

Motion to approve request carries unanimously.

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2. Firepond. S13-T47N-R13W. A-2. Wayne and Donna Guariglia Trust, owners. Michael L. Klassing, surveyor.

The following staff report was entered in to the record:

The property is located approximately ½ mile to the east of State Route N, near Pierpont. The plat creates two lots at 6.30 acres, and 5.04 acres. The remainder parcel is being divided by a concurrent administrative survey. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is original 1973 zoning.

Lot 1 has direct access onto High Point Lane to the north. Lot 2 has access via a private drive and utility easement onto High Point Lane. 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 Supply District #1. Fire protection will be provided by Boone County Fire Protection District. Electrical service is provided to the existing house by Boone Electric.

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

The property scored 67 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers with the following condition:

1. That a wastewater plan be submitted to and approved by the City/County Health Department.

Commissioner Freiling made and Commissioner Morrison seconded a motion to **approve** Firepond. S13-T47N-R13W. A-2. Wayne and Donna Guariglia Trust, owners. Michael L. Klassing, surveyor **with wavier requests and the following condition:**

1. That a wastewater plan be submitted to and approved by the City/County Health Department.

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

Motion to approve request carries unanimously.

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3. Wilhoit. S6-T49N-R13W. A-R. John S, Sr. and Margaret E. Wilhoit, owners. Ronald G. Lueck, surveyor.

The following staff report was entered in to the record:

This two lot plat is located on the south side of St. Charles Road approximately 1000 feet east of the intersection of State Route Z and St. Charles Rd. The municipal limits of the City of Columbia are approximately two miles west of the site and the border with Callaway County is approximately two miles to the east. The 17.53 acre parent parcel is zoned A-R (agriculture-residential) as is all the surrounding zoning and these are all the original 1973 zonings. The property is currently the site of a single family dwelling located on proposed lot 1 and two metal outbuildings, one on each proposed lot. Sewage treatment will be provided by on-site wastewater systems. Any new on-site wastewater system must meet all County Health Department requirements. The site is in Water District 9 service area. 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 49 points on the point rating scale.

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

Commissioner Freiling made and Commissioner Morrison seconded a motion to **approve** Wilhoit. S6-T49N-R13W. A-R. John S, Sr. and Margaret E. Wilhoit, owners. Ronald G. Lueck, surveyor **with waiver requests:**

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

Motion to approve request carries unanimously.

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4. Rim Rock Estates Plat 1. S24-T49N-R14W. A-2. Mike Tompkins Construction LLC, owner. David L. Butcher, surveyor.

The following staff report was entered in to the record:

The property is located to the southwest of the intersection of Hatton Chapel and Locust Grove Church roads. The plat creates three lots at 2.91 acres, 3.00 acres, and 3.10 acres. These lots are being divided from an earlier administrative survey lot of 29.86 acres, and the remainder of lot is being divided by a concurrent administrative survey. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is original 1973 zoning.

All of the lots have direct access onto Locust Grove Church to the west. 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 Supply District #1. Fire protection will be provided by Boone County Fire Protection District. Electrical service is provided to the existing house by Boone Electric.

There are no structures on this property currently. The lots' wastewater needs will be served by engineered systems or that will be designed with the approval of the City/County Health Department. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The property scored 16 points on the rating system.

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

Commissioner Freiling made and Commissioner Morrison seconded a motion to **approve Rim Rock Estates Plat 1. S24-T49N-R14W. A-2. Mike Tompkins Construction LLC, owner. David L. Butcher, surveyor with waiver requests.**

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

Motion to approve request carries unanimously.

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OLD BUSINESS

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

The conditional use permit for the temporary and permanent towers for Boone County Baseball were approved as recommended.

The rezoning request for Farnen was recommended denial by the Planning and Zoning Commission the applicants appealed to the County Commission and they approved the request.

The rezoning request for Hargis was recommended denial by the Planning and Zoning Commission the applicants did not appeal the decision.

The planned development for High Point Development was approved as recommended.

The planned development by Bobcat was approved as recommended.

The revision of the subdivision regulations section 1.5.10 was approved by the Planning and Zoning Commission and moved forward to the County Commission. The County Commission held a public hearing and adopted the change.

NEW BUSINESS

None.

ADJOURN

Being no further business, the meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Boyd Harris,
Secretary

Minutes approved on this 21st day of December, 2006.