

BOONE COUNTY PLANNING & ZONING COMMISSION
BOONE COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS
801 E. WALNUT ST., COLUMBIA, MO.
(573) 886-4330

Minutes

7:00 P.M.

Thursday, September 20, 2007

I. Chairperson Smith called the meeting to order at 7:00 p.m., with a quorum present.

II. Roll Call:

a. Members Present:

Pat Smith, Chairperson	Perche Township
Boyd Harris, Secretary	Centralia Township
Mike Morgan	Bourbon Township
Patricia Fowler	Missouri Township
Larry Oetting	Three Creeks Township
Carl Freiling	Cedar Township
John Schloot	Rocky Fork Township
Gregory Martin	Katy Township
Paul Zullo	Rock Bridge Township
David Mink	Public Works

b. Members Absent:

Michael Morrison	Columbia Township
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c. Staff Present:

Stan Shawver, Director	Uriah Mach, Planner
Thad Yonke, Senior Planner	Christina Crane

III. Approval of Minutes:
Minutes from the August 16, 2007 meeting were approved by acclamation.

IV. Chairperson Statement:

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 a revised review plan for a planned development, a final development plan for a planned development and six 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 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 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. We ask that you please 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, October 2nd. 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 have been denied will not proceed to the County Commission unless the applicant files an appeal form within three 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, October 2nd 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.

V. Rezoning Requests

None.

VI. Planned Developments

1. Request by Larry and Brenda Potterfield to revise an approved Review Plan for Boone West Planned Industrial Development on 14.28 acres, located at 5875 W Van Horn Tavern Rd., Columbia.

Planner, Thad Yonke gave the staff report stating this property is located on the north side of Van Horn Tavern Road and is bounded on the north by I-70, approximately 1000 feet west of the intersection with U.S. 40. The site is about 1 mile west of the Columbia municipal limits. The area proposed for revision is comprised of two parcels containing 14.28-acres total. The current zoning of the entire property is M-LP (planned industrial) which was rezoned from C-GP (planned commercial). Property to the north across I-70 is zoned part A-2 and part A-R. Property to the east and south is zoned A-R and property to the west is zoned C-GP. All of the zonings with the exception of the C-GP are original 1973 zonings. The site is currently the location of two large commercial/industrial buildings. The 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 Consolidated Public Water District No.1. Hydrants are required for commercial structures such as that shown on the plan and any upgrade to waterlines to meet required fire flow will be at the developer's cost. Sewer is an on-site commercial wastewater system under DNR authority. The revised Review Plan proposes expansion areas for both buildings. The only change between the currently approved plan and this revision is that the expansion areas have been made larger than was proposed on the previous version. The list of Allowed Uses is the same and the property already has been granted a CUP for the manufacture or assembly of metal or fiberglass products: such as firearms. The Master Plan designates this area as suitable for commercial land use. The Master Plan promotes the use of Planned Districts as a means to establish new commercial and industrial areas. The property scored 80 points on the rating system. Staff notified 18 property owners concerning this request. Since this proposal is virtually identical to the approved version except for somewhat larger areas for the building additions, staff recommends approval subject to the following condition:

1. The fire lanes and fire protection requirements must satisfy the BCFPD on any building expansion and any waterline relocation must be made in conjunction with the water district at the developer's expense.

Present: Matt Kriete, Engineering Surveys & Services, 1113 Fay St., Columbia.

Mr. Kriete stated the staff report explained everything and the applicants will answer any questions.

Chairperson Smith asked if the applicants have any response to the proposed condition.

Mr. Kriete stated no. The applicants have already met with the Boone County Fire District and they have been working on what they need to do for them. The applicants have also met with the water district and are working on their requirements as well.

Commissioner Harris stated he assumes the gas pipeline easement shown on the plan is not in use since it shows it runs under an existing building and under the sewage treatment facility.

Mr. Kriete stated that is correct. The gas pipeline was relocated to the west along the west property line. They plan to have the gas line easement vacated.

Open to public hearing.

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

Closed to public hearing.

Commissioner Freiling made and Commissioner Schloot seconded a motion to **approve** a request by Larry and Brenda Potterfield to revise an approved Review Plan for Boone West Planned Industrial Development on 14.28 acres, located at 5875 W Van Horn Tavern Rd., Columbia **with one condition:**

1. The fire lanes and fire protection requirements must satisfy the BCFPD on any building expansion and any waterline relocation must be made in conjunction with the water district at the developer's expense.

Pat Smith - Yes

Carl Freiling – Yes

Larry Oetting – Yes

Gregory Martin – Yes

David Mink – Yes

Boyd Harris – Yes

Mike Morgan – Yes

Paul Zullo – Yes

John Schloot – Yes

Patricia Fowler – Yes

Motion to approve the request carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on October 2, 2007 and the applicants need to be present.



2. Request by George Godas to approve a Final Development Plan for Godas Leatherwood Center on 3.83 acres, located at 1601 W Rte. K, Columbia.

Planner, Thad Yonke gave the staff report stating that this proposal is for a Final Development Plan for Godas Leatherwood Center. With completion of this plan the zoning of the property will change to C-GP (Planned Commercial). The property is located immediately east of the intersection of Old Plank Road and State Route K just north of where Maple Meadows Drive comes off State Route K. The site is located approximately 500' south of the Columbia City Limits. The property is currently zoned R-S (Single-Family Residential) which is the original 1973 zoning. The reason that this Final Plan is coming back for a formal hearing is that the County Commission changed a condition from what was recommended by the Planning and Zoning Commission. Under the regulations any change by the County Commission requires the formal process for the corresponding Final Plan. The current proposed final plan contains the 3.83 acres of the lot which is the area to be developed. The multi-use plat associated with this development has been approved and recorded. Fire hydrants will be required and will have to meet fire & water district approvals. The actual requirements depend upon the actual size, uses, and construction methods proposed for the structures. Sewer service is proposed to be from the BCRSD Cedarbrook/Leatherwood Hills facility. There is available capacity at this facility that must be secured and this capacity is on a first come first serve basis. It is our understanding that a contractual agreement exists between the developer and the BCRSD to provide sewer capacity. The sewer infrastructure will have to be installed, inspected and approved prior to any building permit being issued for this site. Similarly, all water and fire hydrant infrastructure required for the development must be installed prior to any building permit actually being issued. The driveway connections to State Route K have been looked at by the Missouri Department of Transportation and no objection was raised. The proposal rates 81 points on the point rating scale. Staff notified 104 property owners of this request. The plan complies with the conditions placed upon the review plan so long as it is recognized that no building permits will be issued for the site until all required infrastructure is installed and approved.

Staff recommends approval.

Present: Bill Crockett, 2608 N. Stadium Boulevard, Columbia.

Mr. Crockett stated he had no additions or changes to the staff report; it has covered the situation very well.

Open to public hearing.

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

Closed to public hearing.

Commissioner Schloot made and Commissioner Morgan seconded a motion to **approve** a request by George Godas to approve a Final Development Plan for Godas Leatherwood Center on 3.83 acres, located at 1601 W Rte. K, Columbia.

Pat Smith - Yes

Boyd Harris – Yes

Carl Freiling – Yes

Mike Morgan – Yes

Larry Oetting – Yes

Paul Zullo – Yes

Gregory Martin – Yes

John Schloot – Yes

David Mink – Yes

Patricia Fowler – Yes

Motion to approve the request carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on October 2, 2007 and the applicants need to be present.

VII. Plats

1. Trade Winds Park Plat 2. S12-T48N-R12W. M-L. I-70 LLC, owner. David T. Butcher, surveyor.

The following staff report was entered in to the record.

This 3 lot plat is the second phase of the overall development and is immediately south of Plat 1. The plat also creates the extension of Trade Wind Parkway from its current termination all the way to connect with Richland Road. The development is located on the north side of Richland Road at the immediately north of the intersection of Trade Winds Parkway and Richland Road approximately 1400 feet west of the Route Z interchange on I-70. The site is approximately 1 mile northeast of the municipal limits of the City of Columbia. The area being subdivided contains 109.76-acres. The property contained in this proposal is zoned M-L (light-industrial) with a small portion of R-S (residential single family). Property to the north is zoned M-L as is property adjoining to the east, property south across Richland Road is zoned A-1 (agriculture), and property to the west of the subject property is zoned R-S and R-M. All these zonings are the original 1973 zonings. The property is currently vacant. Sewage treatment is will be provided by a central BCRSD facility. On-site treatment is prohibited. The site is in Public Water District #9. Fire hydrants and watermain extensions are required. The site is in the Columbia School District. Direct access to Richland Road is not allowed. The site is in the Boone County Fire Protection District and Boone Electric Service areas. This plat has 74 points on the point rating scale. The primary purpose of this plat is to get the

remainder of the Trade Winds Parkway in while lots 5 & 6 are large lots for redevelopment. This redevelopment must be in compliance with the approved preliminary plat including the addition of new public roadways within lot 5. This property is subject to an agreement for pre-annexation that requires the development to meet city standards and review prior to approval from the County Commission. Engineered cost estimates for infrastructure have been provided so the possibility of bonding the infrastructure other than water/ hydrant requirements is possible to pursue. Staff would like to clarify that minor alterations/corrections may be needed prior to the plat going to County Commission to comply with both City and County Regulations.

Staff recommends approval subject to the following conditions:

1. That it is understood that modifications to the plat may be required to comply with both the City & County Regulations and that a sign-off from the city prior to recording will be needed.
2. That this plat must work out the sewer and road placement issue to the satisfaction of the Director of Planning, BCPW, & BCRSD.
3. Appropriate cross references to existing easements be placed upon the graphic.
4. That it is recognized that the existing preliminary plat is still expected to represent the re-platting of the larger lots into smaller ones.

Commissioner Martin made and Commissioner Mink seconded a motion to **approve** Trade Winds Park Plat 2 **with the following conditions:**

1. That it is understood that modifications to the plat may be required to comply with both the City & County Regulations and that a sign-off from the city prior to recording will be needed.
2. That this plat must work out the sewer and road placement issue to the satisfaction of the Director of Planning, BCPW, & BCRSD.
3. Appropriate cross references to existing easements be placed upon the graphic.
4. That it is recognized that the existing preliminary plat is still expected to represent the re-platting of the larger lots into smaller ones.

Pat Smith - Yes

Carl Freiling – Yes

Larry Oetting – Yes

Gregory Martin – Yes

David Mink – Yes

Boyd Harris – Yes

Mike Morgan – Yes

Paul Zullo – Yes

John Schloot – Yes

Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



2. Southfork of the Grindstone Plat 2. S16-T48N-R12W. C-G. 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 the second 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 1 lot that will need to be further subdivided in the future to comply with the approved plan.

Portions of two new road ROWs will need to be dedicated in the future and will also need to be included in any replat. The lot included in this plat is essentially a holding lot that will allow for a change in ownership of a portion of the development since no building permit can be issued for this proposed lot at this time. The proposed use of this lot under the current plan is vacant so any proposal will require a revised review plan to come back through the process. 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 8.47-acres out of the approximately 38-acres retained when the bulk of the original area of the proposal was sold. The current zoning for the property is R-S (Single Family Residential) with a pending C-GP (planned commercial) zoning that will go into effect with the signing of the final plan. Zoning to the north across WW is A-R (agriculture-residential) and to the east the zoning is C-GP, to the west R-M (residential moderate density), and to the south R-S. These zonings are original 1973 zonings except for the C-GP. A site is not actually rezoned until a review plan and a final plan have been approved and finalized. 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 will be deferred to a future submission since the current use is vacant; when a use for the property other than vacant is proposed then impacts will be assessed. Fire hydrants and public water improvements will have to be made prior to any occupancy of any building even though no buildings can be built at this time. This site has 74 points on the point rating system.

Staff recommends approval of the Final Plat with the recognition 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 Martin made and Commissioner Mink seconded a motion to **approve** Southfork of the Grindstone Plat 2.

Pat Smith - Yes
Carl Freiling – Yes
Larry Oetting – Yes
Gregory Martin – Yes
David Mink – Yes

Boyd Harris – Yes
Mike Morgan – Yes
Paul Zullo – Yes
John Schloot – Yes
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



3. Sidoniah Smith Acres Plat 1. S5-T48BN-R14W. A-2. Kenneth L. Pennington and Misti Knight, owners. Curtis E. Basinger, surveyor.

The following staff report was entered in to the record:

The property is located on the south side of State Route 240 and east of Shady Hill Lane. The zoning is A-2. The purpose of the plat is to incorporate a strip of land that is vacated right of way, into the original lot.

The lot has frontage on and access to US 240. There is no right of way being dedicated by this plat. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

The property is within the service area of Consolidated Public Water Supply District Number 1.

The property is served by an existing on-site wastewater system.

The property scored 43 points on the rating system.

Staff recommends approval of the plat and waiver request.

Commissioner Martin made and Commissioner Mink seconded a motion to **approve** Sidoniah Smith Acres Plat 1 with waiver request.

Pat Smith - Yes
Carl Freiling – Yes
Larry Oetting – Yes
Gregory Martin – Yes
David Mink – Yes

Boyd Harris – Yes
Mike Morgan – Yes
Paul Zullo – Yes
John Schloot – Yes
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



4. Yanis Estates Plat 2. S15-T47N-R13W. A-2. Osama Yanis, owner. Jay Gebhardt, surveyor.

The following staff report was entered in to the record:

This 3-lot minor plat is located on the east side of High Point Lane approximately 5000 ft south of the intersection of State Route K and High Point Lane. The site is approximately 1/2 mile south of the municipal limits of the City of Columbia. The area being subdivided contains approximately 26-acres. The property is zoned A-2 (agriculture) as is all the surrounding property and these are all original 1973 zonings. The property contained within the area of the proposed plat has a home, outbuilding and wastewater lagoon on proposed lot 2. Sewage treatment will be provided by on-site wastewater systems and a plan is available in the file. Any on-site wastewater systems must meet all County Health Department requirements. The site is in the consolidated public water district #1. 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. The plat dedicates 33' of right-of-way to High Point Lane. Lots 2 and 3 are accessed by a private easement which has already been created. A private access easement can be used to serve these lots because all the lots are 5 acres or larger. This plat has 61 points on the point rating scale.

Staff recommends approval along with the granting of the waiver requests

Commissioner Martin made and Commissioner Mink seconded a motion to **approve Yanis Estates Plat 2 with waiver requests**

Pat Smith - Yes	Boyd Harris – Yes
Carl Freiling – Yes	Mike Morgan – Yes
Larry Oetting – Yes	Paul Zullo – Yes
Gregory Martin – Yes	John Schloot – Yes
David Mink – Yes	Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



5. Hidden Valley Estates Block 2. S23-T45N-R12W. GEM Property LLC, owner. Steven R. Proctor, surveyor.

The following staff report was entered in to the record:

The property is located on the south side of Claysville Road approximately 2000-feet west of Highway 63

Both lots have frontage on and direct access to Claysville 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 to provide a traffic analysis.

The property is in the service area of Consolidated Public Water Supply District Number 1.

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

The existing house is location with in the front setback area. Right of way dedications for this plat will exacerbate that condition. The Boone County Board of Adjustment granted a variance to allow the house to remain in its current location (BOA Case Number 2007-003).

The property scored 16 points on the rating system.

Staff recommends approval of the plat and waiver requests.

Commissioner Martin made and Commissioner Mink seconded a motion to **approve Hidden Valley Estates Block 2 with waiver requests**.

Pat Smith - Yes	Boyd Harris – Yes
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Carl Freiling – Yes
Larry Oetting – Yes
Gregory Martin – Yes
David Mink – Yes

Mike Morgan – Yes
Paul Zullo – Yes
John Schloot – Yes
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



6. Rosenfelder. S3-T51N-R11W. A-1P. Adam and Kimberly Rosenfelder, owners. Donald E. Bormann, surveyor.

The following staff report was entered in to the record:

The property is on the east side of Jefferson Street approximately $\frac{3}{4}$ of a mile north of the Centralia city limits. The property is zoned A1-P. The plat conforms to the final development plan.

Both lots have frontage on and access to Jefferson Street; Lot 1 has an existing driveway. Additional right of way, sufficient to provide a 33-foot half-width right of way is dedicated by the plat. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

The property is within the service area of Public Water Supply District Number 10.

There is an existing wastewater system on Lot 1. Lot 2 is not developable under the terms of the planned development. Therefore, a wastewater plan is not required for that lot.

The right of way dedication by this plat causes the existing house to be within the 50-foot front setback. The Boone County Board of Adjustment (Case Number 2007-004) granted a variance to allow the house to remain at its current location

The property scored 41 points on the rating system.

Staff recommends approval of the plat and waiver request.

Commissioner Martin made and Commissioner Mink seconded a motion to **approve Rosenfelder with waiver request.**

Pat Smith - Yes
Carl Freiling – Yes
Larry Oetting – Yes
Gregory Martin – Yes
David Mink – Yes

Boyd Harris – Yes
Mike Morgan – Yes
Paul Zullo – Yes
John Schloot – Yes
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



V. Old Business

Update on County Commission Decisions

Director, Stan Shawver stated the request for Rosenfelder was approved as recommended. The plats for Hidden Valley Estates and Martha's Grove plat 1 were approved as well.

VI. New Business

Mr. Shawver stated he sent out invitations for the planning training workshop next Thursday night.



Chairperson Smith stated at the work session last week with the County Commission; all three Commissioners indicated that the County Planning and Zoning Commission should meet with the City Planning and Zoning Commission. Chairperson Smith stated she would try to get the Commission Chambers reserved for late October or early November for a joint meeting with the City Planning and Zoning Commission.

VII. Adjourn

Being no further business the meeting was adjourned at 7:23 p.m.

Respectfully submitted,

Boyd Harris
Secretary

Minutes approved on this 18th day of October, 2007