

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

**Minutes**

**7:00 P.M.**

**Thursday, April 15, 2010**

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

II. Roll Call:

a. Members Present:

Boyd Harris, Chairperson	Centralia Township
Carl Freiling, Vice-Chairperson	Cedar Township
Eric Kurzejewski	Missouri Township
Paul Prevo	Rocky Fork Township
Mike Morrison	Columbia Township, Acting-Secretary
Gregory Martin	Katy Township
Derin Campbell	Public Works

b. Members Absent:

Paul Zullo	Rock Bridge Township
Brian Dollar	Bourbon Township
Larry Oetting	Three Creeks Township
Vacant Seat	Perche Township

c. Staff Present:

Stan Shawver, Director	Uriah Mach, Planner
Bill Florea, Senior Planner	Paula Evans, Staff

III. Approval of Minutes:

Minutes from the March 18, 2010 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris read the following procedural statement:

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 and one planned development.

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 short and 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 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. Also, we ask that you please turn off your cell phones.

After those opposed to the request have had a chance to speak the applicant will have an opportunity to respond to the concerns of those opposed to the request. Next the staff will be given an opportunity for any additional comments, as appropriate. The public hearing will then be closed and no further comments will be permitted from the audience or the applicant unless requested by the Commission. The Commission will then discuss the matter and may ask questions of anyone present during discussion. Finally, a motion will be made to either recommend the approval or denial of the request to the County Commission. Please note that the Boone County Zoning Regulations and Subdivision Regulations are considered to be a part of the record of these proceedings.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, April 27, 2010. Interested parties will again have the opportunity to comment on the request 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, April 27, 2010 will begin at 7:00 p.m. and will convene in this same room.

V. Conditional Use Permits

None

VI. Rezoning Requests

1. Request by VH Properties LLC to rezone from C-GP (Planned Commercial) to M-LP (Planned Industrial) on 4.23 acres, more or less, located at 6006 W. Van Horn Tavern Road, Columbia.

The following staff report was given by Planner, Uriah Mach.

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 rezoning from C-GP (planned commercial) to M-LP (planned industrial) is 4.23 acres. The remainder of the area shown for revision is comprised of three additional parcels that have all been rezoned at some point previously to M-LP. The entire area under the proposed revised review plan is 21.51 acres total including the property proposed for rezoning. The current zoning of the 4.23 acres is C-GP and this portion of the property is flanked on the east and west by property zoned M-LP which was rezoned previously from C-GP (planned commercial). Property to the north across I-70 is zoned part A-2 (agriculture) and part A-R (agriculture-residential). 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 M-LP and C-GP are original 1973 zonings.

The site of the rezoning is currently the location of a single building formerly used by the Columbia Public Schools as a maintenance facility. This structure is proposed to be removed and replaced by a new building. 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 developers cost. Sewer is currently provided by an on-site wastewater system, however, this is a temporary situation since the BCRSD has a facility within the overall revised plan for the Campus and the new building will be required to hook up to the public sewer. The PID Plan proposes possible expansion areas of two other buildings on the campus. The primary purpose of this plan revision is to unify the various portions of the development that have been submitted individually over time and unify them under a single plan. The perimeter setback will shift from the boundaries of each individual plan to the overall perimeter of the campus. The list of Allowed Uses is the same as approved previously and the property already has been granted a CUP for the manufacture or assembly of metal or fiberglass products: such as firearms for the Battenfeld and Midway Arms buildings identified on the current plan. 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 20 property owners concerning this request.

Staff recommends approval of the rezoning subject to the following recognition. (same as last version):

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, representing request:

Matt Kriete, Engineering Surveys & Services, 1113 Fay St, Columbia.  
Denny Stephenson, 5885 Van Horn Tavern Rd., Columbia.

Matt Kriete: The staff report gave a pretty good summary of the application. The plan has the addition of the former CPS property and the building as well as combining the two separate ML-P plans in to a single ML-P plan and rezoning to provide a consistent zoning across the campus.

Open to public hearing

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Kurzejeski made and Commissioner Prevo seconded a motion to **approve** the request by VH Properties LLC to rezone from C-GP (Planned Commercial) to M-LP (Planned Industrial) on 4.23 acres, more or less, located at 6006 W. Van Horn Tavern Road, Columbia.

Boyd Harris – Yes  
Gregory Martin – Yes  
Eric Kurzejeski – Yes  
Derin Campbell – Yes

Carl Freiling – Yes  
Michael Morrison – Yes  
Paul Prevo – Yes

Motion to approve the request carries unanimously.

Chairperson Harris informed the applicants that this request would go before the County Commission on April 27, 2010 and the applicants need to be present for the hearing.

## VII. Planned Developments

1. Request by VH Properties LLC to approve a revised Review Plan for the Midway USA Campus on 21.51 acres, more or less, located on the north side of Van Horn Tavern Road, Columbia.

See staff report under rezoning requests.

Commissioner Prevo made and Commissioner Martin seconded a motion to **approve** the request by VH Properties LLC to approve a revised Review Plan for the Midway USA Campus on 21.51 acres, more or less, located on the north side of Van Horn Tavern Road, Columbia **with 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.

Boyd Harris – Yes  
Gregory Martin – Yes  
Eric Kurzejeski – Yes  
Derin Campbell – Yes

Carl Freiling – Yes  
Michael Morrison – Yes  
Paul Prevo – Yes

Motion to approve the request carries unanimously.

Chairperson Harris informed the applicants that these requests would go before the County Commission on April 27, 2010 and the applicants need to be present for the hearing.

VIII. Plats

None.

IX. Old Business

1. Update on County Commission Action

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

The conditional use permit request by Campbell was recommended approval. The applicants did not show up for the County Commission meeting and the County Commission tabled the request.

The rezoning request for McKenzie was recommended denial; the applicant appealed to the County Commission and they approved the rezoning request for 4.57 acres but it has to be platted and surveyed.

The rezoning request for Stauffer was recommended approval; the County Commission upheld that recommendation.

X. New Business

Mr. Shawver informed the Commission that the next work session will be on May 13<sup>th</sup>. County Counsel C.J. Dykhouse will be there to answer questions.

XI. Adjourn

Being no further business the meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Secretary  
Michael Morrison, Acting-Secretary

Minutes approved on this 20<sup>th</sup> day of May, 2010