

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, August 19, 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
Paul Prevo	Rocky Fork Township
Mike Morrison	Columbia Township, Acting-Secretary
Gregory Martin	Katy Township
Brian Dollar	Bourbon Township
Eric Kurzejeski	Missouri Township
Kevin Murphy	Perche Township
Michael Poehlman	Rock Bridge Township
Derin Campbell	Public Works

b. Members Absent:

Carl Freiling, Vice-Chairperson	Cedar Township
Larry Oetting	Three Creeks Township

c. Staff Present:

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

III. Approval of Minutes:

Minutes from the July 15, 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 a two rezoning requests for planned developments and two 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 public hearing. After the applicant's presentation, the floor will be opened for a public hearing to allow anyone wishing to speak in support of the request. We ask that any presentation made to the commission be to the point.

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.

There may be individuals that neither support nor oppose a particular request. Those individuals are welcome to address the commission at any time during the public hearing portion of the request.

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

Any materials that are presented to the commission, such as photographs, written statements or other materials will become a part of the record for these proceedings. In that regard, if you would like to recover original material, please see the staff during regular business hours after they have had an opportunity to make a copy of your submission.

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 the 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, August 31st. 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, August 31st, 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 S. Diane Heuer to rezone 2.90 acres C-GP (Planned Commercial) and 1.79 acres A-2 (Agriculture) to M-LP (Planned Industrial) and to approve a Review Plan on a total of 4.69 acres, more or less, located at 16827 N. Old Hwy 63 North, Sturgeon.

Planner, Uriah Mach gave the following staff report:

The subject property is located on Old Highway 63 North, approximately six miles to the west of Hallsville, just south of the intersection of Bill Lawrence Road and Breedlove with Highway 63. The applicant requests the rezoning of 4.68 acres of property to M-LP (Planned Light Industrial). The subject tract is currently split-zoned, with 2.89 acres zoned C-GP (Planned General Commercial), and 1.79 acres zoned A-2 (Agriculture). The original use of the property was for a horse stable operation, but upon purchase by the applicant, the current use as an insulation business was put into place. The C-GP was created in May of 1997 by the current applicant to legitimize the insulation business. The plan was partially revised in June of 2004 to include the office, but that revision was never finalized.

The applicant now wishes to construct a new rig storage building on the western side of the property. The proposed building would cross the western property line of the current platted lot, but that lot has been vacated, and is expected to be replatted after the approval of this rezoning request and review plan. The current C-GP zoning of the property was granted in 1997 as a best-fit for the use. Since that time, the use has expanded, and it is now considered more appropriate to be zoned M-LP.

Currently, there is an office structure and four warehouse storage structures on the site. A fifth structure is proposed by this plan on the west side of the property. The applicant has requested the following uses: contractor's lot & storage barns, agricultural activity, wholesale establishment or warehouse (including self-storage mini-warehouses), office building, display and salesroom, and retail store. The proposal scored 25 points on the point rating system.

The Master Plan designates this property as suitable for agricultural and rural residential land uses. 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: This property is served by a Public Water Service District #10 2" line for water, Boone Electric Cooperative for electrical service, and will use an on-site wastewater system regulated by the Columbia/Boone County Health Department.

Transportation: This property has direct access on to Old Highway 63 North, a county-maintained road.

Public Safety: The property is in the Boone County Fire Protection District. The closest fire stations are located approximately 6 miles from this site in Hallsville or Sturgeon.

Zoning Analysis: The current proposal is the most appropriate step to expand existing activity on this site. The phasing plan for paving the required parking spaces and drive access is satisfactory to the planning department and the applicant and the expansion of the area being rezoned provides for a substantial amount of property to allow for future development. Had this site been a greenfield development, the zoning proposed would be completely inappropriate. However, as an expansion of an approved zoning, this request is appropriate. Staff's only issue is with the retail store, office building, and display & showroom uses listed. The current site is insufficiently served by utilities to function as any of those uses standing alone. However, as accessory uses to the contractor's lot & storage yard, wholesale establishment (including self-storage mini-warehouses), and agricultural activity, they are acceptable.

Staff recommends approval of this request with the following conditions:

1. That the retail store, office building, and display & showroom uses be noted as accessory or incidental to the other approved uses and not be expanded beyond current levels.
2. That any development/construction on this property be in compliance with the requirements of the Boone County Fire Protection District.

Present, representing request:

Diane Heuer, 16821 N. Old Highway 63, Sturgeon

Diane Heuer: All we are trying to do is put up a 104-foot long warehouse because we have five trucks that have had to sit outside in the winter time for the past three years. We have had to heat them from the outside because as things have progressed trucks have gotten taller and they will not go through the doors of our original warehouse. The insulation loaded in the trucks must be kept warm. We rezoned when we put the office in, not realizing we weren't already zoned. When they platted that out in 1997, they came 106 feet off of one of the warehouses. I really wanted two warehouses. We have less employees now than we did in 2004. All I am trying to do is get a heated warehouse to put the trucks in.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Murphy made and Commissioner Dollar seconded a motion to **approve** the request by S. Diane Heuer to rezone 2.90 acres C-GP and 1.79 acres A-2 to M-LP on a total of 4.69 acres, more or less, located at 16827 N. Old Hwy 63 North, Sturgeon.

Boyd Harris – Yes

Gregory Martin – Yes

Michael Morrison – Yes

Eric Kurzejeski – Yes

Brian Dollar – Yes

Michael Poehlman – Yes

Paul Prevo – Yes

Kevin Murphy – Yes

Derin Campbell – Yes

Motion to approve the request carries unanimously.

Chairperson Harris: Is the detention wetland and berm existing or proposed?

Uriah Mach: It is proposed. Brush and Associates have submitted designs to Public Works for review as part of the pre-construction meeting.

Commissioner Prevo made and Commissioner Kurzejeski seconded a motion to **approve** the request by S. Diane Heuer for a Review Plan on a total of 4.69 acres, more or less, located at 16827 N. Old Hwy 63 North, Sturgeon **with the following conditions:**

1. That the retail store, office building, and display & showroom uses be noted as accessory or incidental to the other approved uses and not be expanded beyond current levels.
2. That any development/construction on this property be in compliance with the requirements of the Boone County Fire Protection District.

Boyd Harris – Yes

Gregory Martin – Yes

Michael Morrison – Yes

Eric Kurzejeski – Yes

Brian Dollar – Yes

Michael Poehlman – Yes

Paul Prevo – Yes

Kevin Murphy – Yes

Derin Campbell – Yes

Motion to approve the request carries unanimously

Chairperson Harris informed the applicant that these requests would go before the County Commission on August 31, 2010 and the applicant needs to be present for the hearing.

2. Request by David and Kimberly Westhoff to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan on 18.02 acres, located at 15900 S. Hawkins Rd., Ashland.

Planner, Uriah Mach gave the following staff report:

The subject property is located on Hawkins Road, south of State Route Y, approximately 2 ½ miles to the east of Ashland. The applicant is requesting a rezoning from A-1 (Agriculture) to A-2P (Planned Agriculture) for purposes of dividing the property. The subject property is approximately 18 acres in size, and the proposed plan will allow it to be split into two tracts, one at 9.28 acres, and the other at 8.75 acres in size. The surrounding properties are all zoned A-1, and it is all original 1973 zoning.

Currently, there is a house, shed, and barn located on this property. If the rezoning and review plan are approved, a minor subdivision plat will follow with the final plan. That plat will create the two lots, with the house and shed on the larger lot, and the barn on the smaller lot. The property scored 32 points on the rating system.

The Master Plan designates this property as suitable for agricultural and rural residential land uses. 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: This property is served by a Consolidated Public Water Service District #1 three inch line for water, Boone Electric Cooperative for electrical service, and uses an on-site wastewater system regulated by the Columbia/Boone County Health Department for the existing house, and a house on the new lot will also use an on-site system.

Transportation: This property has direct access to Hawkins Road, a county-maintained road.

Public Safety: The property is in the Southern Boone County Fire Protection District. The closest fire station is approximately three miles to the west in Ashland.

Zoning Analysis: This proposal allows the applicant to create a new lot while still preserving the overall feel of the surrounding properties. While the A-1 zoning has a 10 acre minimum lot size, many lots along Hawkins Road, which are zoned A-1, are in the 5 to 8 acre range in size. The property immediately to the north of the subject tract is 3 acres in size, and the properties immediately opposite the subject tract range in size from 5 acres to nearly 7 acres. This rezoning is consistent with many of the lot sizes along Hawkins Road.

Staff recommends approval of this request.

Present representing request:

Steve Proctor, Surveyor, 7001 W. Stidham Rd., Harrisburg
David Westhoff, 15900 S. Hawkins Rd., Ashland

David Westhoff: I have lived at the property for several years now. It is a little over 18 acres and we would like to split it in half; that is why we are requesting A-2P. There are about three major ravines on the property and it is pretty rocky soil which makes it difficult for agricultural use. There are two building sites on the property, it already has the water and electric meters at the proposed site. I thought it would be a good idea to split the property; it is contiguous with the surrounding property. There were two homes on that property for several years up until two years ago.

Chairperson Harris: There were two dwellings on the 18 acres when Mr. Westhoff bought the property?

David Westhoff: When I bought the property there was one home that was already on there and then I built my new home.

Chairperson Harris: The other house was torn down?

David Westhoff: Yes.

Steve Proctor: I had thought the property was zoned A-2 just because of the lot sizes in the area.

Open to public hearing.

No on spoke in support of the request.

Present, speaking in opposition:

Michael Wilson, 16200 S. Hawkins Rd., Ashland

Michael Wilson: I wish to express my concerns regarding the rezoning. As I understand the applicant wishes to subdivide the 18 acres in to two parcels. He indicated to me in a phone conversation that his intention is to have a 10 acre tract with his current residence and leave the eight acres for further development with one single family residence. If this is the intention of this rezoning request I am not opposed. However, I believe that if the rezoning were allowed it would open up further development of smaller tracts along Hawkins Road. I purchased my property because I enjoy the rural setting and I believe that further development of smaller tracts will impact the rural nature of the surrounding properties. Concerning the lots that are already there that are smaller, they were grandfathered in when this was zoned A-1. I feel the existing smaller tracts don't have an impact on this request.

Michael Wilson: I have a letter from one of the neighbors, Larry Marshall that I would like to read in to the record.

Chairperson Harris: The Commission has received a copy of that letter; Mr. Wilson can read it in to the record.

Michael Wilson read the following in to the record: (original copy of letter is on file with the Planning Department).

My wife and I would like to state our opposition to the Westhoff's rezoning request located at 15900 S. Hawkins Road, Ashland, MO 65010. We are neighbors and have no ill feelings toward them.

The reason we moved out of the city was for more privacy and space. We understood from the realtor that no one would be able to build a house on less than 10 acres. We were happy with that.

We oppose the change primarily because we are content with the current number of houses in and around our location. There are other properties with smaller tracts in the area, but these were approved before the Westhoff's purchased their property. After a similar proposal a number of years back, we were told by the commission there would be no more houses built on less than 10 acres in our area. Mr. and Mrs. Westhoff knew this when they purchased the property and built their home.

The Westhoff's now want an exception. Their request is for 9 acres but when it is all said and done, will probably be more like 8.6 – 8.7 acres. If their plan is approved, they and others could again request rezoning for building on 2 – 3 acre tracts. It has been my experience when exceptions are made it opens the door for future requests for changes in zoning. Their plan leaves it open for new development and we don't want that to happen. Therefore we oppose the rezoning request.

Commissioner Martin: (to staff) can you explain the "planned" part of this rezoning request?

Uriah Mach: When you request a rezoning to a planned district a design professional, such as a surveyor, lays out a drawing of the property. That drawing is binding; any revision to that drawing requires the applicant to come back through this same public process. It allows the public to come forward and speak in opposition to it again where they can bring up concerns and point out that they were in opposition to it previously. In terms of rezoning this is one of the ways that rights of neighboring property owners is

probably best protected by planning and zoning. Once that plan is approved by the County Commission that is binding unless the applicant goes through this process again in which case the property owners would again be notified.

Commissioner Poehlman: Any kind of changes that might come forth in the future for any of the other lots would have to follow this exact same procedure?

Uriah Mach: They would be given the option just as the applicant was. If they wish to subdivide smaller than 10 acres they would come to our office and ask how to do it. We offer them two choices. First they can do a straight rezoning request, which is going from straight A-1 to straight A-2; if they decide to do that, once they get the zoning they can do whatever they want within the allowable minimum acreage for that zoning. 15 acres of A-2 can create as many as six lots, however there would be no public process on that, they would just go through the platting process which does not have a public hearing. The other option is to do what the applicant did in this case, which is a planned request in which case there is a public hearing item on there for the review plan which lays out how the property is designed; the design that is approved is binding. The plat will follow the design of the plan the applicant presents and if it doesn't it will not be approved.

Commissioner Martin: The Commission prefers to see the protection offered by a planned district. The Commission understands that the neighbors bought land in the county and want to live on a larger piece. We also understand that sometimes people have slightly more than they need and this allows the Commission to let the property owners create a planned district.

Commissioner Murphy: (to staff) If the applicants deviate from this plan would they have to come back before the Commission?

Uriah Mach: Yes.

Commissioner Murphy: This plan does not show a house location on the second tract.

Uriah Mach: When it comes to single family residential, staff does not try to dictate where that structure ends up. On commercial or industrial property we do have the applicants identify where the structures will be located.

Also present speaking in opposition:

Rick Harmon, 15825 S. Hawkins Rd., Ashland

Rick Harmon: The way I understand it, the property will be split in two lots and he will not be able to split it more than that without coming back before the Commission and notifying the neighbors.

Uriah Mach: That is correct; it will go through this same process.

Rick Harmon: What can the applicant build there? Will it be strictly residential or can it be a business?

Uriah Mach: It is agricultural, which is essentially the same as what is out there now except it is smaller lot sizes. Anything that he can do now is all he will be able to do after the rezoning takes affect.

Rick Harmon: No business or warehouses?

Uriah Mach: No, the closest you can come to a business is a home occupation.

(Uriah Mach read the permitted and conditional uses of the A-1 and A-2 zoning districts)

Rick Harmon: What about the utilities, is there plenty of water pressure?

Uriah Mach: There is currently a 3-inch water line that serves the area that runs on the west side of the road, which is sufficient for domestic flow for an additional house.

Rick Harmon: Is the applicant placing anything on the property besides a single family dwelling?

Also present speaking in opposition:

Renata Maiorino, 16201 S. Hawkins Rd., Ashland.

Renata Maiorino: I purchased my property in 1975 I was 31 years old and I wanted privacy then and now as a 60 year old person, I would still like that privacy. I have been to rezoning meetings before and the last one that I came to the Commissioners said they would not make any changes. I really believed that and then I got this letter and now I am confused. I don't understand how they say something and now it can be changed. I agree with Mr. Wilson, I feel that 10 acre tracts are fine.

Closed to public hearing.

Chairperson Harris: There was a question as far as the plans; if the rezoning is approved the applicant will divide the property the way the review plan indicates.

David Westhoff: It will be residential only; no business. I am adjacent to the property in question and I am very much concerned about what goes in there. I would like to assure my neighbors that I have no intention of doing anything else because it will have a bearing on my property.

Commissioner Murphy: The Commission understands the concerns of the neighbors opposed to this but we are not far off from 10 acres. There are several lots out there that are well under these limits.

Chairperson Harris: When did the applicant buy the property?

David Westhoff: 1999 or 2000; the home was built in 2002.

Chairperson Harris: There was an existing home there and the applicant built another home so there were two homes there. Now one of those is gone and the applicant wants to divide the property in a fashion so that there would be no more than two homes in the future. In reality, other than dividing the property, we aren't going to change anything that hasn't already been done.

David Westhoff: There was no opposition when I built the second home.

Commissioner Murphy: Where will the second home be located?

David Westhoff: Just south of the new home.

Commissioner Dollar: Both of these lots are pretty close to 10 acres; this tract is just a little shy of making two tens. Visually, if you drove down the road and there were two houses on these lots you really

wouldn't be able to tell them from a 10 acre piece just by looking at the land. It is hard to make a case that there is much difference as far as the effect on the neighborhood. It seems like everyone is concerned about smaller tracts; that is the real concern. There is no way the applicant is going to be able to cut three acre pieces out of this land. This rezoning and this plan will result in one new house. A generalized rezoning to A-2 would allow three acre pieces, but this doesn't; all you can do is create these two pieces and one other house.

Commissioner Martin made and Commissioner Poehlman seconded a motion to **approve** the request by David and Kimberly Westhoff to rezone from A-1 to A-2P on 18.02 acres, located at 15900 S. Hawkins Rd., Ashland.

Boyd Harris – Yes	Gregory Martin – Yes
Michael Morrison – Yes	Eric Kurzejeski – Yes
Brian Dollar – Yes	Michael Poehlman – Yes
Paul Prevo – Yes	Kevin Murphy – Yes
Derin Campbell – Yes	

Motion to approve the request carries unanimously.

Commissioner Murphy made and Commissioner Dollar seconded a motion to **approve** the request by David and Kimberly Westhoff for a Review Plan on 18.02 acres, located at 15900 S. Hawkins Rd., Ashland.

Boyd Harris – Yes	Gregory Martin – Yes
Michael Morrison – Yes	Eric Kurzejeski – Yes
Brian Dollar – Yes	Michael Poehlman – Yes
Paul Prevo – Yes	Kevin Murphy – Yes
Derin Campbell – Yes	

Motion to approve the request carries unanimously.

Chairperson Harris informed the applicants that these requests would go before the County Commission on August 31, 2010 and the applicant needs to be present for the hearing.

VII. Planned Developments

None

VIII. Plats

1. Grandview Plat 3. S15-T50N-R12W. A-2. GW Developers LLC, owner. David T. Butcher, surveyor.

The following staff report was entered in to the record:

The subject tract is located a on the west side of Frink Road, south of Highway 124, west of Hallsville. This plat divides the remainder of the parent parcel that Grandview Plat No. 1 and Grandview Plat No. 2

were split off of in April of 2009 and July of 2009. Grandview Plat No. 1 created three lots of approximately 5 acres each, and Grandview Plat No. 2 created four lots, three of which are five acres each and the final lot at 7.85 acres. The remainder tract of 20.34 acres is split into four tracts of approximately 5 acres each. The property is zoned A-2 (Agriculture), and has A-2 zoning to the north and west, A-1 (Agriculture) zoning to the south, and the city of Hallsville to the east. This is all original 1973 zoning.

The four new lots are all accessed via a private drive easement created under Grandview Plat No. 2. The applicant has requested a waiver to the traffic study requirement.

Public Water Service District #4 will be providing water service to these lots in an easement extending off of Frink Road. Fire hydrants will be installed to serve the lots created by this plat, Grandview Plat No. 1 and Grandview Plat No. 2 to the satisfaction of the Boone County Fire Protection District. Fire protection will be provided by the Boone County Fire Protection District.

The applicant has submitted a cost-benefit analysis for the use of on-site wastewater to these lots. Given that information and the distance to reach available central sewer, on-site systems will be used for this development.

The property has a regulated type II stream running from the northwest corner of lot seven, through lots eight, nine, and ten, and leaving the property via the northeastern corner of lot eleven. The required stream buffer has been identified on the plat.

The property scored 60 points on the rating system.

Staff recommends approval of the plat and the requested waiver.

No one was present to represent the plat.

Chairperson Harris: The road to the property meets standards?

Uriah Mach: It is a private drive extending back to serve the four lots. The county has no standards for that. It has been made clear to staff that the County Commission has had increasing dissatisfaction with the private drive process and that may be something that will be revised.

Chairperson Harris: The bottom line is right now there is not a lot we can do.

Uriah Mach: That is correct.

Commissioner Campbell: The layout of the plat is such that the road can never become a public road.

Chairperson Harris: The road is 50-foot?

Uriah Mach: Yes, that has become a new trend at some design firms.

Chairperson Harris: Is it adequate for emergency services?

Uriah Mach: That is generally considered acceptable by emergency services.

Commissioner Dollar made and Commissioner Kurzejeski seconded a motion to **approve Grandview Plat 3 with waiver:**

Boyd Harris – Yes	Gregory Martin – Yes
Michael Morrison – Yes	Eric Kurzejeski – Yes
Brian Dollar – Yes	Michael Poehlman – Yes
Paul Prevo – Yes	Kevin Murphy – Yes
Derin Campbell – NO	

Motion to approve the plat passes 8 YES 1 NO

2. Somerset Village preliminary plat. S1-T48N-R12W. R-S / A-2. St. Charles Road Development Company LLC, owner. Neal R. Slattery, surveyor.

Commissioner Murphy recused himself from the hearing and exited the room.

The following staff report was entered in to the record:

This property is located northeast of Columbia and shares the western and northern boundary of the property acquired by Columbia Public Schools for a new High School. The property has frontage on the north side of St. Charles Rd. approximately 3900 feet northeast of the intersection of Golf Blvd. and St. Charles Rd. The subject property is situated approximately 2000 feet north of the nearest municipal limit of Columbia. The property of this request is zoned predominantly A-2 (agriculture) with a small portion of R-S (residential-single family) along the St. Charles Rd. frontage. Property to the south across the St. Charles Rd. frontage is also zoned R-S, as is the property to the west of the site comprised of the golf course owned by the City of Columbia. The property north of the golf course but west of the site is zoned A-2 as is all the property to the north. Property to the east is zoned A-2 and was part of the Copper Creek A-RP request, and while some of that request was rezoned to A-RP the portion that adjoins the subject tract was part of the project for which a final plan was never filed and the review plan has expired.

The CPS High School property is zoned A-2. All the zoning of the adjoining tracts are original 1973 zonings. The applicant is proposing a preliminary plat of a major plat for the 155.90 acres that will include the creation of a public arterial road, a public collector roadway and five large lots and one moderate sized lot. It should be recognized that the main purpose of this preliminary plat is to establish the concept by which a final plat containing the first portion of this development can be created. This first portion will contain a section of the public roads, two of the large lots, and the moderate lot. The moderate lot is intended to be transferred to the CPS to be added to the High School complex while the two large lots will have to come back through the planning processes before they will be eligible for anything more than one house on proposed lot 102 or two houses on proposed lot 101. These large lots are being created as holding tracts that are anticipated to be proposed for further subdivision and rezoning requests at some point in the future. The first phase to be final platted will comprise proposed lots 101, 102, 103 and the associated roadway to facilitate the current needs in order to develop the High School.

The second phase proposed is for lot 201 and the third phase proposed as lots 301 & 302. It is anticipated that these later two phases will be proposed for modification when specific uses are conceived for their development. During review for these proposed changes, all the additional information such as traffic studies and CATSO roadways will be looked at to see what is required. The preliminary platting of the entire property will not be considered to vest phase two and three from being required to be modified to provide adequate infrastructure such as additional public roadways.

The site is currently vacant and lies within the Columbia Public School District. The site is in Public Water District #9 and there is a 12 inch waterline along St. Charles Rd. At a minimum, additional waterline will need to be installed in conjunction with the portion of Alder Falls Avenue and Tabor Drive that is proposed in phase one. It would be prudent, if more intensive development is intended to be proposed in the future, to build the larger capacity with the first phase rather than having to come back and upsize a line that is already in service. The site is in the Boone County Fire Protection District and fire requirements will be up to the fire district; however, if the property comes under a pre-annexation agreement with the City of Columbia, it will be subject to both standards and will have to meet the greater of the two. Electric service will be provided by Boone Electric Cooperative. Wastewater service is currently proposed to be from on-site systems regulated by the health department.

Since the lots proposed are really only larger chunks of vacant property intended for more intensive development proposals in the future, on-site wastewater seems reasonable. This conclusion is supported since each tract proposed is only eligible for one or two single family dwellings at most. It seems unlikely that any construction will actually occur prior to some additional new request. This site will eventually be proposed to be provided by a sewer main extension that is being brought to the area to serve the new high school by city of Columbia. A condition is recommended that if central sewer becomes available prior to any construction on the lots contained in any final plats of property contained in this preliminary plat, then central sewer extension or connection will be required. Please be aware that the BCRSD has commented that an agreement exists between the District and the City of Columbia that would require annexation or pre-annexation agreements when central sewer service is required or desired for lots 101,102,103. The master plan designates this area as being suitable for residential land uses. The request is consistent with the master plan. The plat scored 73 on the point rating system.

Staff recommends approval of the request and granting of the waivers subject to the following conditions:

1. That it is recognized that final plats based upon this preliminary plat may be required to provide additional analysis and information and may even be required to go through the process to obtain approval of a new preliminary plat if anything more intensive is proposed than one or two houses for any individual lot.
2. That the extension and construction of Alder Falls Avenue will be required within either phase two or phase three.
3. That it is recognized that construction cost estimates for all infrastructure requirements associated with the phased final plats must be submitted with the final plat in order to keep the option to bond improvements open. If the improvements are not bonded as part of the phased final plat, then the final plat can't be recorded until all infrastructure is installed, inspected and approved. No property can change hands until the final plat is recorded.

No one was present to represent the plat.

Chairperson Harris: On the north end of Alder Falls is there no reason to have any turn around area up there at this point?

Thad Yonke: In a meeting earlier today the Fire District will work with the road construction plans to make sure whatever kind of turn around they want gets put there. It has been debated whether or not a temporary turn around would just become a nuisance if it is a temporary, gravel cul-de-sac or if the fire district might be better served by a few additional feet of pavement.

Chairperson Harris: Is lot 201 down the road for development or is that the piece that may go to the school?

Thad Yonke: The piece that is intended to go to the school is lot 103.

Commissioner Martin made and Commissioner Dollar seconded a motion to **approve** Somerset Village preliminary plat with waiver requests and the following conditions:

1. That it is recognized that final plats based upon this preliminary plat may be required to provide additional analysis and information and may even be required to go through the process to obtain approval of a new preliminary plat if anything more intensive is proposed than one or two houses for any individual lot.
2. That the extension and construction of Alder Falls Avenue will be required within either phase two or phase three.
3. That it is recognized that construction cost estimates for all infrastructure requirements associated with the phased final plats must be submitted with the final plat in order to keep the option to bond improvements open. If the improvements are not bonded as part of the phased final plat, then the final plat can't be recorded until all infrastructure is installed, inspected and approved. No property can change hands until the final plat is recorded.

Boyd Harris – Yes

Gregory Martin – Yes

Michael Morrison – Yes

Eric Kurzejeski – Yes

Brian Dollar – Yes

Michael Poehlman – Yes

Paul Prevo – Yes

Derin Campbell – Yes

Motion to approve the plat passes unanimously

IX. Old Business

1. Update on County Commission Action

Bailey Acres and VH Acres went forward to the County Commission.

X. New Business

1. East Area Plan

Stan Shawver: I believe next months work session is the quarterly meeting with the County Commission. The East Area Plan had a work session tonight.

Thad Yonke: We had three of our members present for the work session and have had that kind of representation most of the time. There will be additional work sessions every Thursday from now through the end of September. The Commissioners can come to those work sessions but let staff know because on certain dates, food is provided so we need a head count. We are hoping to have that plan wrapped up and finished by the end of that time frame.

2. Discussion

Commissioner Dollar: Is it necessary for Commissioners to leave the room when they recuse themselves from discussion?

Stan Shawver: County Counselor C.J. Dykhouse stressed the importance of being up front and explaining initially what your involvement is and that you would not be participating. Historically, Commissioner Freiling has had the most involvement with requests and what he does to remove any question is leave the room. He needs to be up front; he doesn't have to leave the room but it is probably the best.

Chairperson Harris: It is just one of those things that if you leave the room no one can have any question of your involvement.

3. American Planning Association Annual Conference

Uriah Mach: The Missouri State chapter of the American Planning Association will be having its annual conference here in Columbia on October 6 – 8, 2010. There is a pretty good slate of presentations and Planning Commissioners are entitled to a reduced rate to attend all three days.

XI. Adjourn

Being no further business the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Secretary
Michael Morrison

Minutes approved on this 16th day of September, 2010