

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 18, 2013

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
Mike Morrison, Secretary	Columbia Township
Eric Kurzejeski	Missouri Township
Gregory Martin	Katy Township
Kevin Murphy	Perche Township
Michael Poehlman	Rock Bridge Township
Brian Dollar	Bourbon Township
Paul Prevo	Rocky Fork Township
Larry Oetting	Three Creeks Township

b. Members Absent:

Derin Campbell	County Engineer
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c. Staff Present:

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

III. Approval of Minutes:

Minutes from the March 21, 2013 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 rezoning request, a revised development review plan and one subdivision plat.

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. Please sign the sheet on the table after you testify. Also, we ask that you 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. 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, April 30th. 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, April 30th, will begin at 7:00 p.m. and will convene in this same room.

V. Conditional Use Permits

None

VI. Rezoning

1. Request by Big Sky Investments LLC to rezone from R-S (Single Family Residential) to M-LP (Planned Light Industrial) on 5.95 acres, more or less, located at 7105 W Henderson Rd., Columbia.

Planner Uriah Mach gave the following staff report:

The subject property is located on Henderson Road, northwest of the Highway 40/Interstate 70 interchange. Big Sky Investments LLC is seeking to revise an existing M-LP (Planned Light Industrial) review plan that covers 2.51 acres, by adding approximately 6 acres of R-S zoned property, which will be rezoned to M-LP, and expand the scope of the plan to cover the M-LP zoned Mid Am Commercial & Tiger Ice properties. This rezoning has a concurrent minor subdivision plat that will create an 8.48 acre lot for the entire property being rezoned, and an administrative survey covering the remainder property. This property was originally rezoned from R-S (Residential Single-Family) in June of 2004 and revised in November of 2008, and July of 2011. It has original R-S zoning to the north & east, M-LP to the west, and original C-G (General Commercial) to the south. The M-LP to the southwest was rezoned in November of 2003 and the review plan was revised in June of 2005, and the M-LP directly to the west was rezoned to M-LP in 2002 and its review plan was revised in July of 2007.

The purpose of this planned rezoning is to allow for a new building on the Ivy Ridge property and to permit the storage bunkers on the west side of the property to remain in their current location.

The Master Plan designates this property as suitable for 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: The area being brought under this review plan is served by Consolidated Public Water District #1 & Boone Electric Cooperative. This rezoning will not noticeably increase demand on available public utilities. There are existing hydrants on the property, and they are sufficient to meet the requirements of the Boone County Fire Protection District. Each individual property is currently served by an on-site wastewater system. Future development of the plan area and the surrounding area may justify the development of some form of centralized wastewater service; however at this time that threshold has not been reached.

Transportation: Access to this property is via Henderson Road. The rezoning will not increase traffic to this site. The plan does identify a future roadway area along the east side of the property. As the remainder of the Ivy Ridge property develops, the limitations of the current access and the use of Ivy Lane for potential access will become more apparent. Construction of a public road along the east side of the property will allow for optimal use of the remainder of the property, so reservation of that space is reasonable.

Public Safety: The Boone County Fire Protection District operates a station approximately 350 feet from this property. The rezoning will not increase the current public safety needs of the property.

Zoning Analysis: This rezoning request is consolidating a substantial area of planned industrial space under one plan. This consolidation removes the internal setbacks of the properties involved, freeing up previously unusable property and resolving the setback violations of the Ivy Ridge property. This plan succeeds in achieving those goals and sets a reasonable outline for the future development of the properties involved.

Staff recommends approval of the request.

Present representing the request:

Dan Brush, 506 Nichols St., Columbia

Kevin Schweikert, 506 Nichols St., Columbia

Dan Brush: The staff report covered most of the information. The purpose of the plan is to move the internal setbacks that were done as each one of those ML-P's were developed on their own and also to remove some of the screening requirements on the Tiger Ice facility because they are no longer necessary with the requested rezoning. The proposal for the additional ground is to use it for storage of nursery stock with the intention some time in the future of building a 10,000 square foot building.

Commissioner Murphy: The future 10,000 square foot building is not showing any parking or drives; will this plan have to be modified?

Uriah Mach: They have set an envelope in the ML-P area for it the current parking will sufficiently cover it as marked on the plan. What they currently have marked as parking on their plan will meet the needs of the future building; they are currently over-served.

Commissioner Murphy: What about the access drive?

Uriah Mach: From what the plan indicates, it all goes out on Henderson Road. Part of the reason we wanted the space reserved for future public road along the eastern property line is to preserve for right of way to access Ivy Lane.

Commissioner Murphy: The plan mentions that ten trees are required and I only see five on the plan.

Uriah Mach: That is for after they construct their 10,000 square foot building.

Commissioner Murphy: Would screening be required from the residential zoning?

Uriah Mach: That is the theory; at this point this area seems to be growing industrially we would probably ask that screening be done along the eastern property line where the roadway will be or along Ivy Lane, either seems to be a reasonable request. We left that to the discretion of Big Sky Investments.

Commissioner Murphy: On the future building it says "see note three and four" regarding the future 10,000 square foot building; I think that should be "see note seven and eight".

Uriah Mach: Staff has an updated copy with the correct verbiage; it was discussed at the work session.

Commissioner Harris: Where is the proposed right of way?

Uriah Mach pointed out on the map the proposed location.

Commissioner Harris: Does Big Sky Investments own all of that.

Uriah Mach: Yes.

Commissioner Harris: So we are only rezoning a portion of their holdings.

Uriah Mach: Yes.

Open to public hearing

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Murphy made and Commissioner Martin seconded a motion to approve the request by Big Sky Investments LLC to rezone from R-S (Single Family Residential) to M-LP (Planned Light Industrial) on 5.95 acres, more or less, located at 7105 W Henderson Rd., Columbia.

Boyd Harris – Yes

Carl Freiling – Yes

Gregory Martin – Yes

Michael Morrison – Yes

Brian Dollar – Yes

Larry Oetting – Yes

Paul Prevo – Yes

Michael Poehlman – Yes

Eric Kurzejeski – Yes

Kevin Murphy – Yes

Motion to approve the request passes unanimously.

Chairperson Harris informed the applicant that this request would go before the County Commission on April 30, 2013 and the applicant needs to be present at the hearing.

VII. Planned Developments

1. Request by MD & B LLC and Big Sky Investments LLC to revise previously approved Review Plans for Tiger Ice, Mid Am Commercial Acres and Ivy Ridge Planned Developments and consolidate them into one plan on 17.35 acres, more or less, located at 7171 W Henderson Road, Columbia.

See staff report, discussion, and public hearing under rezoning requests.

Commissioner Murphy made and Commissioner Prevo seconded a motion to approve a request by MD & B LLC and Big Sky Investments LLC to revise previously approved Review Plans for Tiger Ice, Mid Am Commercial Acres and Ivy Ridge Planned Developments and consolidate them into one plan on 17.35 acres, more or less, located at 7171 W Henderson Road, Columbia.

Boyd Harris – Yes

Carl Freiling – Yes

Gregory Martin – Yes	Michael Morrison – Yes
Brian Dollar – Yes	Larry Oetting – Yes
Paul Prevo – Yes	Michael Poehlman – Yes
Eric Kurzejeski – Yes	Kevin Murphy – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicant that this request would go before the County Commission on April 30, 2013 and the applicant needs to be present at the hearing.

VIII. Plats

1. Ivy Ridge Plat 2. S1-T48N-R14W. M-LP. Bigsky Investments LLC, owner. J. Daniel Brush, surveyor.

The subject property is located on Henderson Road, northwest of the Highway 40/Interstate 70 interchange. It is currently 2.51 acres, zoned M-LP, and is being expanded to 8.48 acres. The remainder of the property will be configured by a concurrently filed administrative survey. The property is undergoing a M-LP review plan revision and rezoning to expand the M-LP zoning to cover the entire proposed lot, much as it did in November of 2008, and July of 2011. This property was originally rezoned from R-S (Residential Single-Family) in June of 2004. It has original R-S zoning to the north & east, M-LP to the west, and original C-G (General Commercial) to the south. The M-LP to the southwest was rezoned in November of 2003 and the review plan was revised in June of 2005, and the M-LP directly to the west was rezoned to M-LP in 2002 and its review plan was revised in July of 2007.

This property has an existing access on to Henderson Road, and this subdivision is not expected to increase access needs beyond those currently identified. The applicant has requested a waiver to the traffic study requirement.

This property is served by Consolidated Public Water Service District #1 for water service, Boone Electric Cooperative for electric service, and the Boone County Fire Protection District. These needs are adequately provided for in the current configuration of the property and are sufficient for the new configuration of the property.

An existing on-site wastewater system serves this property. There will be no need for additional capacity after this land division. The applicant has requested a waiver to the central wastewater cost-benefit analysis.

The property scored 63 points on the rating system.

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

Commissioner Murphy made and Commissioner Kurzejeski seconded a motion to Ivy Ridge Plat 2.

Boyd Harris – Yes	Carl Freiling – Yes
Gregory Martin – Yes	Michael Morrison – Yes
Brian Dollar – Yes	Larry Oetting – Yes
Paul Prevo – Yes	Michael Poehlman – Yes
Eric Kurzejeski – Yes	Kevin Murphy – Yes

Motion to approve the plat passes unanimously

IX. Old Business

1. Update on County Commission Action.

Stan Shawver updated the Commission as follows:

The conditional use permit for Elizabeth Peters was approved as recommended.
The rezoning request for Rangeline Investments was approved as recommended.

X. New Business

Commissioner Freiling stated he emailed his thoughts on the proposed changes to private road standards and asked that the Commissioners read it and add comments.

Commissioner Poehlman asked the status of the proposed subdivision regulations.

Commissioner Freiling stated there is a meeting with the County Commission on Monday; most of the proposed changes are language cleanup. Both staff and County Commissioners have been open-minded about looking at things. It hasn't really involved public comment at this stage but people are more than welcome to come to the work sessions.

Thad Yonke stated the purpose of the Monday meeting is to finish up the review of the public comments that have already been made; we are going through those comments line by line. After that is finished staff hopes to get some direction.

Commissioner Harris stated that they are going line by line though every one of the comments made by the public. So every one of the public's concerns have been addressed; it has been a thorough process.

XI. Adjourn

Being no further business the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Secretary
Michael Morrison

Minutes approved on this 16th day of May, 2013