

BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER
ROOM 214, 801 E. WALNUT ST, COLUMBIA, MISSOURI
(573) 886-4330

Minutes

7:00 P.M.

Thursday, November 21, 2024

I. CALL TO ORDER

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
Eric Kurzejeski, Vice Chairperson	Missouri Township
Gregory Martin, Secretary	Katy Township
Steve Koirtyohann	Rocky Fork Township
Randall Trecha (arrived 7:02)	Cedar Township
Rhonda Proctor	Perche Township
Kevin Harvey	Rock Bridge Township
Jeffrey Ehimuh	Columbia Township
Christy Schnarre	Bourbon Township
Jeff McCann	County Engineer

b. Attending by Phone:

Robert Schrieber	Three Creeks Township
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c. Staff Present:

Bill Florea, Director	Thad Yonke, Senior Planner
Uriah Mach, Planner	Andrew Devereux, Planner
Paula Evans, Staff	

III. APPROVAL OF MINUTES

Minutes from the October 17, 2024 meeting were approved as presented by acclamation.

IV. CHAIRPERSON STATEMENT

Chairperson Harris gave the following statement:

The November 21, 2024 meeting of the Planning and Zoning Commission is now called to order.

The Boone County Planning & 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 Final Development Plan, two subdivision plats and a rezoning request that was tabled at the October meeting. The public hearing for the rezoning request took place at the October meeting, therefore, no additional public hearing will take place for this request this evening unless granted by the Commission.

The following procedure will be followed:

The agenda item will be announced, followed by a report from the planning department staff. The Planning and Zoning Commission will then make a motion to either approve or deny the agenda item. The Commission may approve items on a consent agenda.

All items that are recommended approval are forwarded to the County Commission. They will conduct a public hearing on eligible items on Tuesday, December 10th at 7:00 PM in this room.

V. PLANNED DEVELOPMENTS

1. **Request by Refaat Mefrakis & Ali Fadiah to approve a Final Development Plan for The Haven at Newtown in the pending Planned Single-Family Residential (R-SP) zoning district on 0.2 acres located at 6725 S New Town Ave, Columbia.**

The following staff report was entered into the record:

The subject property is located off S Newtown Avenue, between W Three Trees Lane and W Center Street. A strip of property measuring 22' by 82' across W Three Trees Lane is also part of this request. The proposal is to rezone from Planned General Commercial (C-GP) to Planned Residential Single Family (R-SP) and utilize the density of the planned area to construct three single family attached dwellings. The surrounding zoning is as follows:

- North, across Route K, R-SP
- East, C-GP
- South, R-SP and C-GP
- West, R-SP

The subject property was rezoned from Agriculture 2 (A-2) to C-GP under County Commission order #339-98. The original planned development for Newtown included two planned areas designated as "A" and "B". Area A is between Coneflower Avenue and Newtown Avenue with both attached and detached single family homes zoned R-SP. Area B is east of Newtown Avenue and west of Coneflower and flanked Area A on either side and zoned C-GP. Area A included two commercial lots at the intersection of Center Street and New Town Avenue identified as lots C-2 and C-3. Both commercial lots were limited to uses of the Neighborhood Commercial (C-N) districts, with up to two residential apartments per commercial lot. While residential development occurred with Area A, neither of the commercial lots identified as C-2 and C-3 on the original Newtown plan developed. The current owners of lot C-2 submitted a request to change the zoning from C-GP to R-SP and utilize remaining density of the planned area to construct three single family attached dwellings. Four additional parking spaces will be installed on the strip of property across from W Three Trees Lane. The review plan for the change in zoning was approved under County Commission order 548-2024.

This final development plan confirms the changes approved in the review plan under County Commission order 548-2024.

The property scored 70 points on the point rating system.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

1. All the required information is accurately portrayed on the Plan
2. The Final Plan conforms to the approved Review Plan
3. The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan

Approval of the review plan had the following conditions:

1. The applicant will work with utility providers to determine if existing underground utility lines shown on the plan must be relocated before paving of the parking spaces along W Three Trees Lane.
2. Occupancy of the residential structures will be contingent on installation of the four parking spaces identified off W Three Trees Lane.

The conditions placed upon the review plan will be enforced at the time of the project's construction and inspections.

Staff review of the final plan shows that it meets these criteria for approval.

Commissioner Harvey made, and Commissioner Koirtyohann seconded a motion to approve the request by Refaat Mefrakis & Ali Fadijah for a Final Development Plan for The Haven at NewTown in the pending Planned Single-Family Residential (R-SP) zoning district on 0.2 acres located at 6725 S New Town Ave, Columbia Final Development Plan:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Christy Schnarre – Yes	Jeffrey Ehimuh – Yes
Jeff McCann – Yes	

Motion to approve the Final Development Plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, December 10, 2024 at 7:00 PM.

VI. PLATS

Plats 1 & 2 were placed on consent agenda

1. Robbins Subdivision. A-2. S5-T50N-R11W. Jason Robbins, owner. Don Bormann, surveyor.

The following staff report was entered into the record:

The subject property is located off of E Roberts Lane, approximately ½ mile east of the intersection of E Roberts Lane and N Davis Drive. The property is 9.19 acres in size and zoned Agriculture 2 (A-2). The surrounding zoning is as follows:

- North, East, and West – A-2
- South, Agriculture-Residential (A-R)

A dwelling, several accessory structures, and an onsite wastewater lagoon are present on the property. The proposal is to replat the existing one lot subdivision of CAB subdivision and replat the remaining acreage into a two-lot minor plat.

The subject property has direct access onto E Roberts Lane, a publicly maintained road. The applicants have not submitted a written request for a waiver from the traffic study requirement. However, a two-lot minor plat is unlikely to have a major impact on existing transportation resources. Waiver of a traffic study requirement is appropriate in this case.

The subject property is located within Public Water Supply District 4. Boone Electric provides power service in this area. Boone County Fire Protection District provides fire protection in the area. The nearest station, station 3, is approximately 5.4 miles away.

An onsite wastewater lagoon serves the existing dwelling. An onsite wastewater lagoon plan was submitted showing a compliant location for a lagoon on the undeveloped lot. The applicants have not submitted a waiver from the sewer cost benefit analysis. However, no sanitary sewer is available nearby. A two-lot minor plat is unlikely to justify the creation of a public sanitary sewer system. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

The one lot minor plat CAB Subdivision was tentatively approved for vacation under County Commission order 545-2024 with the condition that the property is replatted. Vacation to go into effect with the recording of this plat.

The property scored 21 points on the rating system

Staff recommends approval of the plat and granting of waivers.

2. Dove Point Estates Plat 1. A-2P. S9-T47N-R13W. Jehovah-Jireh Trust, owner. David Borden, surveyor.

The following staff report was entered into the record:

The subject property is located on the north side of State Route K, west of Arrowhead Lake Drive's connection with State Route K. The subject property is 36.24 acres in size and zoned Planned Agriculture-2 (A-2P). The surrounding zoning is as follows:

- North – A-2P
- South – City of Columbia
- East – A-2P
- West – A-2P & Agriculture (A-2)

The property scored 74 points on the point rating system. The property has an A-2P review plan and preliminary plat approved by the County Commission on March 28th, 2017 under order 155-2017, with the following conditions:

1. Revision of the Phasing Plan to create three phases of development. Phase 1 will remain the same, covering lots 1-5 and C-1. Phase 2 will cover lots 10-14. Phase 3 will cover lots 6-9.
2. The proposed design for the private road to serve Phases 2 & 3 will require approval of the Director of Boone County Resource Management and the Boone County Fire Protection District.

- a. Plans for construction of the road will be required to be submitted for approval prior to construction.
 - b. Road construction may be phased but shall be complete prior to recording any final plat containing lots to be served by the private road.
 - c. The road shall, at a minimum, consist of a 20-foot wide paved surface and be capable of supporting a 50,000-pound vehicle.
 - d. Where fire hydrants are located adjacent to the road the width shall be increased to 26-feet for a distance of 20-feet on both sides of the hydrant.
 - e. Maximum grade of the road shall not exceed 12.5%, contingent upon approval by the Director of Resource Management and Boone County Fire Protection District.
3. Prior to Final Plan approval the developer shall provide verification of sewer service from the City of Columbia and Boone County Regional Sewer District for each lot in the development.
4. Prior to Final Plan approval the developer shall provide documentation from Consolidated Water that adequate volume and flow is available to the property to provide for fire protection requirements.
5. Fire hydrants shall be installed prior to final plat approval at each phase of development. The location of the hydrants shall be approved by the Director, Boone County Fire Protection District, and Consolidated Water.
6. The list of Allowed Uses shall be revised on the Final Plan to exclude uses that are inconsistent with the proposed restrictive covenants; e.g. Kennel or Hobby Kennel, Water Tower, Sewage Lagoon or Mechanical Treatment Plant where not approved by County Subdivision Regulations, Public Park, Place of Worship, and Family Day Care Home and Group Day Care Home.
7. Lot 5 shall be adjusted to meet the minimum lot depth requirement of 250-feet.

The final plan completed the A-2P rezoning process and was approved on 30 May 2017 under commission order 251-2017.

This final plat executes two undeveloped phases of the approved plan, creating nine lots for development.

The lots have access to State Route K via private access easements. The applicant has submitted a request to waive the traffic study requirement.

The property is served by Consolidated Public Water Service District #1 for water service, Boone Electric for electrical service, and is located in the Boone County Fire Protection District.

The property is served by the Boone County Regional Sewer District for central wastewater treatment.

Staff recommends approval of the Final Plat for Dove Point Estates Plat No. 1.

Commissioner Koirtyohann made, and Commissioner Proctor seconded a motion to approve the plats on consent agenda as recommended:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Christy Schnarre – Yes	Jeffrey Ehimuh – Yes
Jeff McCann – Yes	

Motion to approve the plats passes unanimously

Chairperson Harris stated that plats eligible to go before the County Commission will do so on Tuesday, December 10, 2024 at 7:00 PM.

VII. OLD BUSINESS

1. **Request by CKL Property Management LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Light Industrial (M-LP) and to approve a review plan for 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia.** (Tabled from October 17, 2024 meeting)

Commissioner Kurzejeski made, and Chairperson Harris seconded a motion to remove from the table the request by CKL Property Management LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Light Industrial (M-LP) and to approve a review plan at 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia:

All members voted in favor, none opposed.

The following staff report, testimony and public comments from the October 17, 2024 Planning & Zoning Commission meeting were entered into the record:

Senior Planner, Thad Yonke gave the following staff report:

The subject property is located at the immediate eastern corner of the intersection of Sunny Vale Dr and I-70 Drive SE. The overall property is 4.10-acres in size and comprises Lots 125, 126, 127 of Sunrise Estates Subdivision as recorded in the Boone County Recorder of Deeds Book 7, Page 46. The eastern half of the property, Lots 125 & 126 are zoned Planned Commercial (C-GP) with allowed uses limited to only a display lot or parking lot. This rezoning was from the Residential Single-Family (R-S) zoning that predominates the neighborhood and occurred in 2011. The western half of the property is zoned General Commercial (C-G) and is a 1973 original zoning as are all the following:

- North – (Across I-70) Agriculture 2 (A-2)
- East – R-S
- South – Residential Moderate Density (R-M) & R-S
- West – R-S

The property contains a commercial building originally built in the 1960's and a non-conforming Billboard. The property obtained a conditioned variance from the Boone County Board of Adjustment (BOA) for the encroachment of the existing building into the required 25-foot perimeter setback. The variance is conditioned with the "As-Is-Where-Is" provision.

The proposal is to rezone the entire property to Planned Industrial (M-LP) to allow a Landscaping Contractor's office and supply yard for a portion of the site and an Insulation Contractor's office and warehouse for the other. In addition to these uses, the proposed allowed uses list includes office building, retail store, and lumber yard amongst others.

This proposal is an intensification of the use of the property and while staff can support the request, that is contingent upon infrastructure upgrades. Previous efforts to intensify use of the property were limited due to inadequate infrastructure. The reason the current C-GP zoning is so restricted is that it lacked commercial fire flows at that time. That condition persists today.

The remodeling of the building and division into suites will require an Architect to do plans and an evaluation of the building which will need to meet current commercial building codes through a remodeling permit. While served currently by public central sewer, we have been informed that the legal division of the commercial building into a space to serve multiple businesses will trigger a development agreement between the property owner and the Boone County Regional Sewer District (BCRSD). Stormwater detention is proposed to be provided by the existing detention basin and system from the previous commercial development. That system, which was not fully implemented, will now need completion as part of this proposal.

The Boone County Master Plan identifies this area as being suitable for residential land uses, but also acknowledges that where changes are proposed to commercial or industrial uses this should be done as a planned rezoning such as proposed here. The Master Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The property is in Public Water Supply District #9. The Water District has indicated that the water infrastructure is insufficient to support commercial or industrial uses or fire flows. The district has indicated that a water line will need to be extended, as shown on the plan, from across I-70 to provide commercial fire flow.

Boone Electric Cooperative provides service to the site and area. The Boone County Fire Protection District (BCFPD) has indicated that the project will need to meet commercial fire flows and likely require a sprinkler system. Wastewater service will be from Boone County Regional Sewer District (BCRSD) but, as mentioned previously, the multiple business redevelopment of the site will require a development agreement. Additionally, there may be some system improvements that likely will be at the developer's expense that need to be finalized. The Stormwater plan and improvements required of the previous approved plan were not fully implemented and will need to be completed with this redevelopment.

Transportation: The property has direct access to two publicly maintained roadways. The site currently has four driveway connections: one on Sunny Vale Dr. with the other three on I-70 Drive SE. The Missouri Department of Transportation (MoDot) has requested that the westernmost entrance be eliminated as part of this redevelopment as it is too close to the intersection of Sunny Vale Dr. and I-70 Drive SE. This would leave two connections to the outer road and one from Sunny Vale Dr. County Design & Construction/Engineering has also commented that this westernmost entrance on the outer roadway is too close to the intersection to meet County standards and requests the elimination of the entrance as part of the redevelopment approval.

Public Safety: The property is in the Boone County Fire Protection District with the closest station being Station 1 at 2.5 miles away by roadway across I-70.

Zoning Analysis: This proposal is to intensify the uses of the property to those from the Industrial categories as opposed to the commercial and limited commercial uses currently allowed. This is appropriate for the property as long as adequate infrastructure is in place. The property scored 70 points on the rating system.

With the proposed conditions the proposal will meet the sufficiency of services test and will not be out of character with the area.

Staff recommends approval of the rezoning request and review plan subject to the following condition:

1. All agreements and documentation related to the provision of sewer service be completed to the satisfaction of the BCRSD and the Director of Resource Management prior to submission of the Final Development Plan.

2. That it is recognized that additional hydrant/water improvements are required as part of the approval and must be worked out to the satisfaction of Water District 9, BCFPD and the Director of Resource Management.
3. The westernmost entrance onto I-70 Drive SE must be removed in cooperation with MoDot & Boone County Design & Construction to the satisfaction of the Director of Resource Management.
4. Submit a detailed Landscaping Plan that includes species, size, and provisions to replace dead vegetation for the proposed screening along the 6-foot security fence along I-70 Drive SE that is acceptable to the Director of Resource Management prior to submission of the Final Plan.
5. Some landscaping/plantings be proposed as part of the Landscaping Plan for the area between the building south wall and the adjoining R-M property to the south to increase neighborhood compatibility. This plan shall include species, size, and provisions to replace dead vegetation that is acceptable to the Director of Resource Management prior to submission of the Final Plan.
6. The Stormwater controls for the site are required to be installed and completed in compliance with the plans previously approved for the site and must be implemented to the satisfaction of the Director of Resource Management.

Present representing the request:

Benjamin Ross, Engineering Surveys & Services, 1113 Fay St, Columbia
Josh Lange, owner, 7400 I-70 Drive SE, Columbia
Rick DeLargg, SiteOne, 1049 Parkwood Ct

(NOTE: A power point presentation was presented at the November meeting which is attached at the end of these minutes. The October presentation is available in the October meeting minutes located on the Resource Management website.)

Benjamin Ross: The applicant purchased the property in 2023 and has been working to make improvements ever since. The previous owner stored semi-trucks and other broken-down vehicles. There is quite a bit of light industrial zoning to the east of this property and there is other commercial zoned property along the outer road to the east and west.

The two general commercial zoned properties to the west were rezoned, the one in 2021 is a commercial building that was used for commercial purposes since 1938. The property next door to that one was zoned residential for a long time and they wanted to rezone to commercial in 2023. Both of those requests failed the sufficiency of resources tests but the zoning was approved. There was only a 2.5-inch diameter water main across the front but neither of them were requesting a new building. The applicants are also not requesting a new building under this proposal.

As the staff report mentioned, the parking lot and display is the only thing allowed in the existing C-GP zoning of this property. The previous tenant was recreational vehicles sales and they had RV's parked on the lot. The proposed tenant is SiteOne Landscape supply. They are a wholesale landscaper and have over 700 stores nationwide. The applicants are not proposing any new buildings, any new building would have to come back for Commission approval.

SiteOne's existing location in Chesterfield has fenced in outside storage with screening on the fence and that is proposed for this project as well. There will be a small office, a wholesale warehouse, fenced outdoor storage and general warehouse use.

There will be two tenants in the building; the existing building will have a firewall down the middle and the eastern half will be SiteOne and the western half will be Walsh Insulation Services, which is one of the businesses owned by the applicant. They will have a small office for accounting and payroll processing and most of the building is warehouse. They do large, commercial HVAC work, their clients include the

University of Missouri. They don't make any product here; they just store their products and take them to the construction site. The proposed allowed uses are shown on the review plan and are restricting the uses that the applicants need.

One of the fences at another SiteOne location is chain-link with plastic slats through them for visual screening. The slats also have a security component because it is harder to climb a fence with those slats on it.

I do want to talk about the western driveway, it connects to a MoDOT outer road and we recognize that MoDOT can order us to close that driveway at any time; I will talk more about that later. The eastern side of the site will predominately be outdoor storage, the county previously approved some stormwater design that the applicant will have to bring to current standard. We are planning to pave, everything that is gravel today will be paved with a dust-free surface.

The staff report mentioned our unanimous approval from the Board of Adjustment for the 25-foot yard setback. The existing building was built in the 1960's and it's 6-8 feet off the property line. The western driveway has been there since the 1960's, it serves the loading docks on the west side of the building. MoDOT has an access management guideline for how close the driveway can be to the side street and it is too close, but it has been there for 60 years. I had to ask about that because there is a difference between asking and requiring. MoDOT said it would be nice if we closed it, they aren't requiring us to close the driveway and I specifically talked to Trent Brooks who is the Central District Traffic Engineer and I asked him if we have to close it and he said no. MoDOT very rarely forces you to close a driveway and if it is a problem they would take us to court and get a court order and force us to close it, but he said it is not really a problem now. MoDOT is not forcing us to close this driveway.

Every now and then the applicants get large trucks that come to their sites to drop off materials and those trucks could potentially be forced to make a multi-point turning movement on the residential street to get in or maybe drive around the block through the neighborhood to come in and back into the loading docks on the west side of the building. If MoDOT is requiring this to be closed, we would not support the condition to close the driveway. Some of the benefits of that particular road is that there are no driveways on the far side so you don't have conflicting turning events or conflict points from vehicles coming and going from the other side of the road. (The applicant showed an aerial photo from 2002 and pointed out there are semi-trucks at the loading docks).

Semi-trucks have been going to this site since the 1960's; the route they may take if the western driveway is closed is to come down Sun Valley through the neighborhood up to Sunny Vale and back into the western loading dock. The applicants feel this is worse than keeping the driveway that has been there for 60 years. To provide some history on the site, an aerial from 1962 shows nothing out there, I-70 was only two lanes at the time, no homes were built, and the subdivision plat included this large commercial lot. The 1968 aerial photo shows the current building, the homes were all built and there were very few trees; it was a brand new neighborhood and I-70 was four lanes. This building has been part of the neighborhood since the very beginning, it is part of the culture of the neighborhood.

I-70 is widening to six lanes in a few years and these single-family homes will be 120-feet from a six-lane highway. We have privacy fences along the side. As far as utilities, sewer is great but the water is bad; the neighborhood does not have sufficient water, the apartment buildings to the south don't have sprinklers, there is a 4-inch water main with a small fire hydrant. There is an 8-inch diameter line across I-70, if we had to, we could run a line across I-70 and connect to that but it is very expensive to do.

We have an idea that can help us avoid running the line across I-70; the architect has designed a footprint and floorplan inside the existing building to install some firewalls to divide up the inside of the building into areas less than 12,000 square feet. The material that the insulation contractor stores is fire-proof insulation so

it is not going to catch on fire. The other materials for SiteOne are also classified as S-2 storage, it is not hazardous. By fire code, sprinklers are not required for this building after they build these fire walls. Our applicant would like to do that instead of putting in an expensive water main they don't need.

Some of the questions from the Board of Adjustment were the hours of operation, noise and vehicles coming and going. I looked at Camping World's hours as compared to the previous use; the RV dealers are open until 7:00 PM and open on Saturday and Sunday's; comparing that to the current owner of the building they are strictly Monday-Friday 7:00 AM – 5:00 PM, then SiteOne hours are typically 7:00 AM – 4:00 PM and in the winter time they reduce those hours and on Saturday's they are open until noon and closed on Sunday. The proposed hours of operation compared to the previous use are less so they should be less impactful to the neighborhood. No new buildings are requested.

Commissioner Kurzejeski: Is the lighting on the building something that could be modified to be less obtrusive to the neighborhood?

Josh Lange: We don't have a lot of exterior lighting that isn't more security lighting that is on the power poles or the billboard itself. The lighting attached to our building is off at all times at night when we aren't there.

Commissioner Kurzejeski: The access off east Sunny Vale Drive, if you kept the western entrance off I-70 Drive SE would you propose to close that entrance on Sunny Vale and not use it?

Benjamin Ross: No, we would keep both; the 60-year old building is so close to the property corner and the road that I think we need both driveways to get vehicles in and out of there. It is a lot easier to pull in and back up to the loading dock through the current western driveway than to come in and do a 180-degree turn and then back in.

Josh Lange: I have seen a lot of trucks come out of the Sunny Vale side as they try to head east and make that turn, even when they are in the west lane that road cuts so far back too it, I've seen them almost tip their tractor trailers over trying to turn out of Sunny Vale on to the road because it is narrow.

Benjamin Ross: You can see on the aerial photo how much more narrow the public road is compared to the driveway.

Chairperson Harris: I think that almost goes to provide credence in Commissioner Kurzejeski's question that maybe there would be wisdom in closing that and eliminating that potential hazard if the western driveway is that big of a deal. From the County's perspective, is that a toss-up of MoDOT whether that gets closed, what is staff's position?

Commissioner McCann: It was pointed out that the driveway does not meet the county's spacing standard but I-70 Drive is a MoDOT controlled road so they control the access.

Commissioner Trecha: Do the trucks take it out to I-70?

Josh Lange: That is our preference, they are not our truck drivers so you can tell someone to go one way but they may not listen. We try to tell everyone to go out to I-70 Drive location because it is wider. Even when the truckers are swinging into the west lane or the entrance lane into Sunny Vale, if they are going east it is a very hard turn and they are going to be swinging further out into the westbound lane on I-70 Drive. Our drive is probably 60-foot wide so they can take a wider turn to be less intrusive.

Commissioner Ehimuh: Will there be some signage around there indicating a truck entrance?

Josh Lange: There is not currently, I am not opposed to it but that has been the existing condition and how it has been operated.

Commissioner Harvey: How many trucks do you get daily or weekly?

Josh Lange: We get a box truck almost daily; a tractor trailer is not a common occurrence on the west side for Walsh Insulation; a SiteOne representative can speak to his business. We might get a tractor trailer once a month but there are a lot of tractor trailers that will pull in our entrance because they missed where they were supposed to go just to use the lot to turn around. I would say on average, once a month for tractor trailers and once a day, Monday through Friday for a box truck.

Rick DeLargg: We get a tractor trailer either once a week or once every two weeks on the side of the property that we would be occupying; there would be no issue to get it in, we would back it in and unload it. We operate in far tighter areas than this with no problem. The branch they showed in Chesterfield is about the same size but it is a different shape, it is tighter in and out but we manage it on a regular basis without any issues.

Commissioner Kurzejeski: It looked like your Chesterfield store had outside displays of granite and decorative rock, do you envision the same type of material display at this site for sales outside rather than storage?

Rick DeLargg: Yes, there would be both. Typically, we have hardscape material in the yard and stacked neatly; we would have limited bin locations here, we don't need a ton of bulk material. We don't process or mix any products on site, they are just scooped and loaded onto trailers. We won't be doing any bulk delivery out of this site; we would have one flatbed truck that would deliver material out of the location.

Commissioner Ehimuh: Will there be trees planted in the green area?

Benjamin Ross: The existing gravel is close to the property line so we would not be planting there at all. We intend to do a screen fence and not a bunch of landscaping out there along I-70.

Commissioner Ehimuh: With I-70 widening there could be more dust with the construction; trees could mitigate that.

Benjamin Ross: On our site we have to have dust-free pavement everywhere so there won't be dust coming off our site. Once MoDOT is done with the construction there shouldn't be too much dust from the highway. The widening consists of filling in the median so they aren't really widening on the private property side, they are paving two lanes in the middle.

Open to public hearing.

Present speaking in favor of the request:

Bryan Allison, 7400 Sundown Ct, Columbia

Bryan Allison: I own the property just south of this site and have lived there for about 30 years. I found out that Mr. Lange purchased the property late last year and I worked for a mechanical contractor and have known him through his company. Mr. Lange has been good to work with and has done a great job with his company.

I am not familiar with the proposed uses on the property but I have witnessed firsthand what can be done with the lot as it is currently zoned; my concerns with this is that the previous owner used the property as

storage lot for wrecked vehicles, scrap metal, salvage trucks, trailers, broken down equipment and the lot was typically not well kept and was unpleasant to look at. I am not against the proposed rezoning; I am hopeful that this will be a change for the better and I feel they will follow through.

The previous owner didn't follow through with some of the things they were supposed to do. There is currently a fence on the south side of the property on the north side of the creek but it sounds like there is a proposed fence to be there, we would like to see that fence repaired and updated with something more secure, more privacy and to help with noise. I have discussed some of my concerns with Mr. Lange and we are agreeable on everything.

I don't know if there can be a condition about the fence to provide more privacy and help with noise that is generated from the site. I think the dust-free surface was supposed to be done by the previous owner, it was only half-way done. If it does get paved there is concern with the runoff but it sounds like there is a plan for that. I didn't know if there was any noise restriction associated with this type of zoning when it is near a residential neighborhood, I don't anticipate a large amount of noise over there but I know the previous owner had a paint booth in there and had a dust or paint collection system outside that had extremely loud noise and ran all day and sometimes in to the evening. I don't anticipate that being a problem here, but it was nuisance to the neighbors.

Since Mr. Lange and his team moved in, there hasn't been any issues with noise or working hours. I looked up the hours of operation on their website and that goes back to helping with the noise. I spoke with some of the neighbors and they also had concerns about noise and traffic, one had a concern about property values. Additional concerns were security and dust from moving equipment and materials around; the fencing should help with that. One of the biggest concerns from the neighbors, one who I believe emailed the Commission, is that the conditions agreed upon will be followed.

My hope is that the rezoning, if approved, will include improvements to benefit the surrounding neighbors as well as the applicants. With regard to the western driveway, Sunny Vale is a tight turn and I have had trailers pull in and out of there and it is tight for a semi to pull in and out of there; what the applicant is saying is right, trucks do struggle getting out onto the road. The lighting currently there is not a problem at all; I would welcome anything that lights up the area and keeps it more safe and secure.

No one spoke in opposition the request.

Staff informed the Commission that an email was received from Kathryn Jensen with questions and concerns.

Chairperson Harris entered the email into the record and summarized that Ms. Jensen questions what the applicants propose to do with the property, what part of the lot will be paved, where will the runoff go and how much dust will be on the non-paved portion? Chairperson Harris stated a lot of that information is available on the plan, there is or will be a detention facility to handle the runoff. There was a question about noise and that has been addressed. Additional concerns were what guarantee do adjacent property owners have in that what is supposed to be done, gets done. Chairperson Harris stated that is the benefit to a planned zoning, you are limited pretty quickly to what you can do and if you don't there is recourse. There was a question about property values; Chairperson Harris stated that is beyond the scope of this hearing. There was also a question about what the lot will look like as opposed to how it looked previously; Chairperson Harris stated that was also addressed. Chairperson Harris stated the only thing for the applicant to address is how much of the lot will be paved.

Benjamin Ross: All of the gravel will be converted to dust-free. There is a stormwater plan that was previously approved under the previous owner because they were supposed to pave all of that but they didn't. The stormwater plan is already approved to handle the runoff; runoff will go through three different

basins and there is supposed to be a water quality unit, then the water runs into a small creek directly behind the building to the west. To put landscaping there would be landscaping the creek which would be hard to maintain and the applicants would not support that condition either. There is a culvert right next to the building and a creek on the back side of the building.

Commissioner Kurzejeski: There are conditions that staff has recommended, one is the western driveway and I don't know if we have resolved that at this point. Will that still be a staff condition?

Thad Yonke: Staff received an official comment from MoDOT requesting that it be closed. We have not received anything else from MoDOT saying different. It also doesn't meet the county requirements so that is the reason for the condition. A truck can't make a mistake going in there if it is a closed entrance. If panel trucks are the predominant use then we aren't worried about it. If there is a reason to keep it open staff will entertain discussion but the information we received does not compel that. The fact that it has been there for 60 years is not a valid or relevant discussion point. Similarly, the division of the building into tenant spaces is one of the things that Boone County Fire has indicated requires this to meet fire code and that means fire protection with the hydrants so there is a mandatory requirement that they bring the water line across. It is not discretionary.

Commissioner Kurzejeski: It seems there are some major things that aren't clear; if we make a recommendation to approve with the conditions, I am not sure the applicants agree with the conditions.

Thad Yonke: They don't necessarily have to agree with them.

Chairperson Harris: I agree with the point just made regarding MoDOT's position; it seems given the width of Sunny Vale and the fact that it is carrying residential traffic I can almost buy an argument to close that entry and use the one.

Thad Yonke: We might be willing to go along with that but that is not what was proposed by the applicant or MoDOT or any of the traffic engineers.

Chairperson Harris: When it comes back to the fire flow protection with the fire-proof walls and insulation; that is fine with those two uses but the plan lists lumberyard and building materials as an allowed use. Fire-proof building or not, lumber is going to burn and that is one of the things I am having trouble with is, given the proposed uses, if something goes wrong it is a loss, there is no ability to mitigate.

Thad Yonke: Part of the issue is with the uses they've proposed. The other thing you have to remember is just because it is just these two particular contractors, this is a request for two different uses, it is not necessarily for these two particular contractors. It could be different contractors without having to come back before the Commission. Fireproof materials that they are storing does not have any real relevance to the discussion. It is a matter of the building and the buildings being used more intensively and the water and the fire district saying it has gotten away with being a non-compliant situation for commercial use long enough and this is the time to bring it up to standards.

Chairperson Harris: That is not the Commission's call, that is someone else's call that we can't overrule.

Thad Yonke: Staff's condition on that is pointing out the consistency with what the Fire District has told us; the architect has not submitted plans for staff review to see if they will be required to sprinkle the building or not; that is not really relevant at this point and it is certainly not relevant to whether they have to bring the water across for a fire hydrant because that is still part of the fire code.

Chairperson Harris: I realize that is a very expensive proposition but if it catches on fire it is a very expensive proposition too.

Thad Yonke: Everything up to this point has been trying to intensify the use of this property without the proper infrastructure. The applicants are trying to intensify the use and modify the building; now is the time for infrastructure to come into compliance. With regard to the landscaping plan, if we see a landscaping plan, there is vegetation to the back of the building so if that is a channel that vegetation is not shown on the plan, our desire to have a vegetation plan shows how that would work. They could show us that they don't believe vegetation will work or that there is a channel there but you can see the vegetation on the aerial so it is not an unreasonable request that they show us how they intend to soften or make it compatible with the rest of the neighborhood.

Chairperson Harris: The plan shows three, fairly sizable detention basins, which they would need for that much impervious surface, but by the time you build those in, most of the vegetation will be gone.

Thad Yonke: The plan indicates there is a vegetative buffer. That means if it is not there they have to put in; there is also a 6-foot privacy fence marked on the plan in the location where Mr. Allison asked them to put a fence so staff is confused as to whether there is supposed to be an existing privacy fence there now why he would want a fence there if there is already a fence there.

Josh Lange: There was a storm that came through earlier this year and some of the trees fell down on to Mr. Allison's property and damaged the fence. The fence is still there but there are sections of it down; it just needs to be repaired. Also, I believe Mr. Allison was probably talking about having a taller fence or something that may control sound.

Commissioner Kurzejeski mentioned the eastern detention basin. (unclear on recording)

Thad Yonke: If they propose the landscaping plan as part of the condition, they could make some modifications to that if it is acceptable to the Director.

Commissioner Kurzejeski: What I am thinking is that the applicants are not in agreement with conditions 2, 3 and 5 so I don't know whether it is worth our time to approve this with the conditions.

Benjamin Ross: We would like a decision either way tonight. We haven't submitted architectural plans yet because we don't have the zoning; we have to get the zoning approved before we can submit a plan. The architect tells us the building does not need sprinklers; this is an architect that has been around for a long time and he knows what he is talking about. We need to follow the fire code and we are doing that, but we can do that without building a \$280,000 water line that we don't need to meet code.

Thad Yonke: The Fire District comment was clear.

Benjamin Ross: The Fire District has not seen the plans.

Chairperson Harris: That may be a flaw in your presentation on something this significant to not have involved the Fire District in a pre-hearing situation; maybe they should have been consulted first.

Benjamin Ross: We need to follow the code, we are committing to following the code.

Thad Yonke: This is a discretionary action and the Commission has legislative authority to be able to impose whether or not that is mandatory. Just because it is a requirement of the fire code or even the Fire District believes it should be.

Bill Florea: Even if you back off the fire code issue, the rezoning requires a sufficiency of resources test and it fails that test. In order to justify the zoning that piece of infrastructure has to be present.

Josh Lange: The previous owner went through a similar rezoning process and they tried to make him bring a fire main down and to suppress the existing building when it was a 26,000 square foot building and he was using oil burners in there and there was a body shop, it had tires and vats of oil and they did not require him to do that. My question is why is that now kicked down to me and my responsibility when the previous owner didn't do it? The original intent of his building was heating and air conditioning contractor and plumbing supply which is basically what we are asking for it to be zoned as now.

Thad Yonke: The building was altered without a building permit, so the conditions under which the previous owner occupied the building don't count as having any status. When the previous owner was using it for a single occupancy the Fire District didn't feel they had the ability to do that. Now that the building is being altered for two tenant spaces the Fire District has indicated that this is the time to bring the building into compliance.

Steve McMillen, Architect

Steve McMillen: I thought you might have some questions for me. We are breaking up the building with two-hour firewalls, 90-minute doors, under 12,000 square foot which is allowed in the code for S-2 warehouse storage occupancy, which is what we are doing. I will work with Mr. Blomenkamp in showing him where and what is being stored, what the height is, the aisle widths, where the exits are; I work with him all the time.

The way the code is written is if you break up your building with two-hour firewalls and you keep the storage area under 12,000 square feet, which is what our petitions are, you run your walls up to the deck, seal it off and you have effectively made separate buildings and that is what we have done. We actually have four of those walls inside this building. Insulation is on one side which is not combustible, the other side is supposed to be landscape products so those are S-2, low-hazard storage.

Commissioner Trecha: There is a question of not meeting the sufficiency of resources test; does that include sprinkling the building or is there a deficiency that can take a sprinkler system off the table?

Bill Florea: It is not the sprinkler system it is the water infrastructure. The ability to have a fire hydrant there that has flow capable of meeting the commercial fire flow requirements.

Commissioner Trecha: If the water line came across; do we accept the architect's notion that it doesn't have to be sprinkled?

Bill Florea: I don't know that one way or the other; that is not pertinent to the zoning question.

Commissioner Trecha: The main question here is the deficiency that exists with water flow.

Bill Florea: Correct.

Commissioner Harvey: I think what we are discussing is two separate issues. Mr. McMillen is referring to the building code and if it needs to be sprinkled or not and the actual deficiency is there isn't enough water flow to feed a fire hydrant in this area.

Bill Florea: That is correct. We can't address the issues with the building code because we don't have building plans; it is premature to have that discussion here, that is a discussion between the architect and the Building Code Officials.

Commissioner Kurzejeski: I wouldn't care to approve a request with these major discrepancies that are unresolved. I would think about either tabling the request or denying it.

Commissioner Harvey: If this request is denied the applicants have to wait a year to reapply?

Bill Florea: Correct.

Thad Yonke: Assuming that the County Commission denies it as well.

Chairperson Harris: It seems to me that there are some things that should have been addressed at the concept review stage. The wisdom would be for the applicants to ask for this request to be tabled tonight so that some things can be ironed out and the applicants can come back next month because there are some major issues that should have been resolved before we got to this meeting. The fire suppression on the building is different than the fire flow of available water supply but they are still connected and they should have been addressed a little better.

Benjamin Ross: The applicants would like to table the request.

Commissioner Harvey made, and Commissioner Kurzejeski seconded a motion to table the request by CKL Property Management LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Light Industrial (M-LP) and to approve a review plan at 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to table the requests passes unanimously

*End of October 17, 2024 record.

Chairperson Harris: There were a number of questions when the applicants were here last month, and I understand from staff that some of it may have been addressed. Is there a follow-up staff report?

Thad Yonke: Staff does not change the staff report after the public hearing is closed. There were some discussions with the engineers and the applicant; staff agreed that Condition 5 regarding the landscaping could be dropped as problematic. Condition 1 regarding the sewer, I don't believe the applicants had any issues with.

The conditions that seemed to be the most problematic for the applicants were conditions 2 & 3. Condition 2 - That it is recognized that additional hydrant/water improvements are required as part of the approval and must be worked out to the satisfaction of Water District 9, BCFPD and the Director of Resource Management. In this instance I believe the applicants have some information that they discussed with Assistant Fire Chief, Gale Blomenkamp, where they worked out some things with him. That is related to the fire code and to the building issue which is a later stage from the rezoning. We are talking about meeting the sufficiency of resources test for the intensification of the use; that is why staff is saying the condition is still valid. The applicants are looking at it from the point of view of the Fire Protection District and there is some information; the applicants believe they got enough information, but staff believes for sufficiency of resources it needs to be there.

Condition 3 - The westernmost entrance onto I-70 Drive SE must be removed in cooperation with MoDOT & Boone County Design & Construction to the satisfaction of the Director of Resource Management. This was proposed by staff because MoDOT asked for it, they didn't require it to be done but they said they would like to see this entrance closed. The only information that staff was presented in their discussions with the applicant was an email that they received from Trent Brooks with MoDOT, that again said they would like to see it closed, there hasn't been anything presented to staff directly that would make our opinion change.

I suggested to the applicants that they present information as to why they believe that entrance needed to be there for the circulation and deliveries, and they asked if they could show that evidence tonight. Regarding condition 4, the applicants mentioned they would put some smaller plantings along the fence; I informed them to tell us what those species are and what they plan to do if they die; that is essentially what the landscaping plan would do. Condition 6 is that they have to keep the existing stormwater BMPs in good shape. What it comes down to is proposed conditions 2 & 3.

Present representing the request this evening:

Benjamin Ross, Engineering Surveys & Services, 1113 Fay St, Columbia

Rick DeLargg, 1049 Parkwatch Dr, Ballwin, MO

Jose Caldera, Attorney representing the applicants, 111 S 9th Street, Columbia

The applicants presented a power point presentation which is attached at the end of these minutes.

Benjamin Ross: The applicants are not asking for a new building as part of this request, it is a 60-year old building and any new building would have to come back before the Commission. From the sufficiency of resources, that is part of the planning process, there is also a secondary step for the building permitting and I want to remind the commission that just to the west of our site there are two pieces of property that were rezoned; one in 2019 and the other in 2021 and the staff report on both of those properties failed the sufficiency of resources test but the Planning & Zoning Commission approved them and the County Commission approved them.

Both of those properties have no water, that is the same issue we have, they have a 2.5" diameter watermain across their frontage, one property is vacant and the eastern one has a building that has been there since the 1940's. Our property has a 60-year old building. What is the sufficiency of resources test sufficient for? We aren't asking for a new building, so it is sufficient for the existing building.

We reached out to the fire department, there is a 4-inch diameter watermain that serves the domestic water, the bathrooms work fine; there is no water for commercial fire protection. You all don't do fire code permitting, that is the fire district and we reached out to Mr. Blomenkamp and we sent him the building footprint and explained that there isn't enough fire flow and he told us the fire code says that is fine but now you have to submit other options or methods to make it safer. So, we submitted the firewall in the building, the fire alarm system to give early access to the fire department so they come quicker. We have agreed not to let anyone sleep in the building overnight and no gasoline vehicles parked inside the building.

Mr. Blomenkamp sent an email (slide 5 – copy of email) outlining what we need to do to meet the fire code. This lets our project move forward. When you think of the sufficiency of resources, it's a site that is not going to have a new building, it is sufficient for what is there and the Fire Chief is saying it is sufficient and with the other improvements we are proposing it is going to meet the fire code. Once we get the zoning approved, we will be able to ask for a building permit to build the firewalls and install the fire alarm so hopefully that satisfies the Commission.

The second issue is the western driveway. Trent Brooks, the MoDOT Central District traffic engineer, told me that in a perfect world they would like to have that western driveway removed but I asked him if MoDOT required it or are they asking. He said they are just asking. I quizzed him on that and asked if MoDOT could require it and he said yes, if MoDOT wanted the driveway closed we would close it ourselves or force you to close it and they are not doing that.

I followed up with an email (slide #14) and he said (unintelligible) and my notes are highlighted “MoDOT is not requiring this driveway to be closed”, and we talked about the 60-year old building, it has four loading docks on the west side. The building is built right on the property line to the south, which would normally not happen. For the first 50-years it had a lagoon system and it still doesn’t have good water and it also has a driveway that is closer than you normally build a modern driveway.

If we closed the western driveway, one option would be for the trucks to drive around the block and come through the residential neighborhood. I spoke with Thad this morning and he suggested showing some slides from our computer system that model the truck turning movement. On the following slides, the light blue lines are the roads; slide 16 shows a truck with a 53-foot trailer driving westbound on the south outer road. This property is a turn-around for trucks that don’t come to our store, but they are turning around in our parking lot. We do get trucks that size a few times a month and you can see how much wider our western driveway is than the existing road to the west.

When the big semi-trucks pull in, they use almost the entire width of the driveway. Slide 17 shows a truck pulling into the public roadway onto Sunny Vale and it goes over the grass, there is a culvert and a ditch right there; this big truck cannot pull into Sunny Vale without driving over the culvert and the ditch. We heard from the neighbor next to us at the October meeting who has an RV and he has trouble pulling his RV out of that road because his trailer runs off into the ditch. Slide 18 shows a smaller semi-truck with only a 40-foot trailer and it can pull into the existing driveway that has been there for 60-years and uses quite a bit of the driveway and it can swing in and back into the loading dock. The same truck on the public road would be driving on the wrong side of the road and then swing out into opposing traffic and cutting across the ditch.

We think the existing driveway is really important. Slide 19 shows the smaller semi-truck, which we get several times a month, and if we cut off our western driveway you would have to make them pull into the public road and cut across the culvert and driving through the ditch and then they would have to pull down past the driveway that we have off Sunny Vale Drive and back up into the loading dock, so we will be blocking the public road the entire time we are doing this. The bottom red arrow on the slide shows how we are driving through the neighbor’s front yard to get our truck to back up into the loading dock. This is a 60-year old building, it has loading docks close to the public street and the wide driveway has been working for a long time. MoDOT is not forcing it to be closed and the applicants would like to keep it open. There is a sufficiency of resource test that I know county staff has to apply but it is sufficient for this building, the applicants aren’t asking for a new building and the fire department is happy with our proposed safety improvements and we would like to keep the western driveway just to keep the public road less encumbered by the few trucks that we do get.

Commissioner Kurzejeski: Would you keep the western most entrance to the public street open so you would have truck traffic going both ways at times?

Benjamin Ross: I think some of the trucks would still pull in the western driveway off the outer road and the front end would stick out of the driveway as they back in. We think we need both.

Commissioner Kurzejeski: Regarding Mr. Blumenkamp’s email, the last part of the sentence says as long as the building is under the same ownership and purpose.

Benjamin Ross: Yes, that is basically the “as is-where is” waiver. We aren’t going to tear the building down and build a 6-story hotel and get away with no waterline.

Commissioner Kurzejeski: But the building can sell to someone who then triggers a required waterline?

Benjamin Ross: Yes. If the building changes ownership all deals are off with the fire department. As long as it is this property owner with the proposed uses; once we submit the actual plans for a permit this is what Mr. Blomenkamp says he would do. They can agree to waive the waterline extension under I-70 and commercial fire flows.

Commissioner Kurzejeski: If we approve the rezoning request, we don’t have any authority over another M-LP with a different owner.

Thad Yonke: If the Commission approves this it is an intensification of the use of the site. It is going to light industrial uses for contractor’s lots and buildings. It is going to have two contracting companies as occupants, one on each side. Those two contractors could switch out to be different contractors and it will never come back to the Commission and there is nothing in the building permit that will ever trigger any of that. That is just something that the fire district is offering up somehow to do that. It is completely outside of any of the regulatory processes that we have. That is one of the reasons that staff sees this as sufficiency of resources test is not because that building is there, it is because it is being intensified in use. Under the building code it is actually considered a new building once they make modifications because it has to meet current building codes, not 60-year old building codes. While that perspective is there, the reality is that the uses that are being proposed are what is triggering the recommendation on the sufficiency of resources because it is an intensification of use.

Chairperson Harris: The properties to the west, does staff recall or did they look into why we approved the rezonings? What were those uses?

Thad Yonke: Every one of the properties are going to be a different animal on its own. If it is just because the building was there, I think one of them was non-conforming, they actually had a non-conforming use status that was already confirmed. They were not necessarily intensifying their use and staff recommended denial because they didn’t have the proper infrastructure. Staff cannot say why the Commission approved those rezonings.

Chairperson Harris: The problem with the letter from Mr. Blomenkamp is that it simply allows the applicants to do what got them into the situation they are in now. All this letter is, is a punt the can, it gets the applicants off the hook and leaves the next guy or the county hanging; it doesn’t fix anything.

Benjamin Ross: The letter shows we are meeting the fire code.

Chairperson Harris: This letter basically circumvents the fire code at the Assistant Chief’s hands. Slide 19 is the slide shown when Mr. Ross said there would be smaller semis several times per month. At the October meeting, when the semis were discussed, the comment was made that there wouldn’t be very many of these, it would mostly be box trucks into the west parking lot. Will there be several of these smaller trucks every month or mostly box trucks?

Benjamin Ross: I recall the testimony was, unrelated semis pull in to the parking lot to turn around because they are lost; that happens I don’t know how many times but more often than his own delivery trucks which are mostly panel trucks but they also get semi-trucks several times per month.

Bill Florea: The minutes reflect that Josh Lange said, “I would say on average once a month for tractor trailers and once a day Monday through Friday for box trucks”.

Chairperson Harris: Can you offer some sort of mitigation or some way, if that driveway gets left open, you are telling me you are leaving it open mostly to accommodate people who are lost. Can you come up with some sort of plan to deter those trucks to keep them out of your parking lot and develop your own traffic flow plan with signage that trucks need to go out one way or come in a certain way?

Benjamin Ross: I like the idea of a gate; we will keep the gate closed until we know trucks are coming. That way the lost trucks will keep going down the road.

Jose Caldera: They will still turn down that street though.

Benjamin Ross: A big truck probably won't because they will think they will go off in the ditch; they might just drive on down to the next entrance on I-70.

Bill Florea: Mr. Caldera, did you notify the County Counselor's Office that you would be attending this meeting.

Jose Caldera: I did not. Is that something the County Counselor requires?

Bill Florea: The County Counselor is our representative so it would be courteous.

Chairperson Harris: For the applicant's own truck traffic, is the area between the building and the blue line in front of the building – up on the top on the curve between I-70 Drive Southeast and the building.

Benjamin Ross: That is the edge of the pavement.

Chairperson Harris: Is there sufficient room for your truck traffic to come in the east driveway and circle in front of the building and circle back out?

Benjamin Ross: Some trucks can do that, but they are planning to have another fence and the eastern half building tenant doesn't want the neighbors trucks driving through in front of their office.

Commissioner Martin: What are the requirements from the state highway down that road into Sunrise Estates, how big of a driveway can they open up on that street? Can that be opened all the way up to almost I-70 Drive? How wide can that driveway be off Sunny Vale? Can it go up to the state right of way or is there some rule that they can't have a driveway that is 100-feet wide.

Jeff McCann: Under the county regulations there is a minimum spacing between the radius of the corner and the first leg of the driveway.

Commissioner Martin: Are there restrictions on the width of the driveway?

Jeff McCann: There is a maximum on the commercial driveway, but I don't know it off the top of my head.

Commissioner Martin: That is an option, to use that road and widen their own driveway entrance to bring trucks sweeping in rather than making a sharp turn.

Commissioner Trecha: Is Commissioner Martin proposing the gated entrance be made larger?

Commissioner Martin: Yes.

Commissioner Trecha: Is there any option to reduce that island in size to accommodate the large sweep of a semi-truck?

Commissioner McCann: That would be up to MoDOT to allow that.

Chairperson Harris: Is the building in use now?

Benjamin Ross: Yes, Josh Lange is the property owner and he owns Walsh Insulation, he is using it now. The proposed tenant of the east part of the building is here tonight.

Chairperson Harris: If a semi-truck comes in today and manages to get himself backed up to that dock, how does he typically exit the property?

Benjamin Ross: We have a picture of that where they can drive out the west driveway.

Chairperson Harris: That is assuming the truck has come in the west driveway, pulled out the west gate, crossways Sunny Vale and backed up to the dock.

Benjamin Ross: Correct. They cannot go out Sunny Vale without running over the ditch and driving on the wrong side of the road.

Commissioner Proctor: Has there been any outreach to anyone about the I-70 project as far as having them help you? They are going to be redoing I-70 can you not get that incorporated and have cost-sharing?

Benjamin Ross: We would love that. We have a slide of the improve I-70 work, they are paving the grass median between I-70, it is my understanding that they aren't doing anything on the outer road.

Commissioner Proctor: Right but coming across while they have everything torn up you wouldn't have quite as much to do.

Benjamin Ross: MoDOT is keeping two lanes of traffic open each direction so we would still be required to bore from right of way to right of way. We estimate that cost around \$300,000 if we get a good bid.

Commissioner Proctor: Have you talked to the water district at all?

Benjamin Ross: We have. The water district has no money to help with this at all; they don't have a provision to where some future user would help pay for it. The City of Columbia has that provision, but Water District 9 doesn't. Roger Ballew with Water District 9 was at our concept review meeting and I quizzed him on that, and he said they didn't have money to help. The City of Columbia is boring under I-70 by Highway 63 and they used to get 4 or 5 bids for stuff like that, they got 2 bids this time. One bid was from Emery Sapp & Sons for over one million dollars to bore under I-70. The second bid was over \$230,000 and that was for a sewer and not a high-pressure water line. I wonder if we can get a bid for our estimate of around \$300,000; it might be much higher.

Chairperson Harris: If we approve the rezoning it runs with the property and the next guy that comes along takes it in the circumstance that it is in, the next guy that comes along puts something in there that's incredibly volatile.

Thad Yonke: With a use that complies with the list of allowed uses on the plan they will not come back before the Commission. Also, the commercial/industrial driveway width maximum is 40-feet.

Commissioner Martin: These buildings will be inspected annually by the fire district. If they come under new ownership it would be flagged on the County's website as not being the same company that was there before and that would prompt a fire inspection.

Benjamin Ross: I agree; Mr. Blomenkamp's letter says it has to be the same ownership and purpose or else they will revoke the occupancy permit.

Chairperson Harris: What will be in the building on the east side?

Rick DeLargg: I work for SiteOne Landscape Supply and we are the proposed tenant for the east side of the building. We are the largest wholesale landscape supply business in North America; we operate 700 branches. I have 13 branches that would be very similar to this one that I would manage. The uses will be PVC irrigation pipe and fittings, turf and fertilizer for golf courses and lawn care businesses, those are the main things we store inside. Outside it would be concrete and natural stone, hardscape material, bulk stone and mulch. There would be some very low, non-flammable pesticides and herbicides; there would be liquid and powders stored indoors.

Chairperson Harris: What is the estimate amount of the fertilizer products that will be stored inside?

Rick DeLargg: It comes on 2000-pound pallets and about 25-35 of those.

Chairperson Harris: That would be 60,000-70,000 pounds of fertilizer products. Would the types vary, or would they all be the same thing?

Rick DeLargg: Within the same range, the same standard urea-based products so they could be anywhere from 10% nitrogen to 46%. We don't sell or use any of the ones with ammonium nitrate and those types that are dangerous.

Chairperson Harris: If there is a fire, 50,000 to 60,000 pounds of fertilizer products wouldn't be dangerous?

Rick DeLargg: No, I don't know how it fits in; we have included all the information of what we would store to the fire department. We have 700 branches and we do the exact same thing at all of them. If they are over a certain amount, I know they have to be sprinkled but most of our warehouses are of this size or larger.

Chairperson Harris: Do the other warehouses have adequate fire protection?

Rick DeLargg: All of them; we go through these processes on a regular basis. We always have fire departments out doing their checks and we follow whatever the codes are.

Chairperson Harris: You are comfortable with the situation where you probably don't have adequate fire protection to protect your product?

Rick DeLargg: I would just go with what the fire department says is adequate; they are the experts.

Commissioner Proctor: I don't get the impression that they are saying it is adequate; I think they are saying it is okay as it is right now. I only see certain parts of the email highlighted and the other parts weren't. When you read the whole thing it says, "based on what was presented". What we are hearing from Resource Management is that it is not adequate.

Chairperson Harris: The email strikes me as a little "we'll go along to get along but don't come crying when the building burns down". I think the letter is a long way from saying that there is adequate fire protection there. If you are going to be sitting on that many pounds of fertilizer that could potentially burn and be nasty

fire protection may be a big deal. The problem here is that the applicants acquired a property that someone punted the can before and didn't play by the rules and the applicants are requesting the Commission allow them to do the same and dump the problem on to the next owner. The fire protection is a big problem, the road is a big problem; I could probably swallow the driveway if the applicants could offer up some sort of idea on how to keep trucks that don't belong to the applicants from being in their parking lot. I am not sure that a gate is a solution because opening and closing it and remembering when a truck is coming.

Commissioner Proctor: The applicant who owns the property is currently operating his business out of it. Will the owner have to do anything with the building as it is now?

Thad Yonke: It is an M-L use, so it really needs to have a rezoning to M-L which is not the current use because it is a contractor's lot and building.

Commissioner Proctor: So, no matter what, the owner has to do this rezoning regardless of whether there is a tenant.

Thad Yonke: To be compliant with the zoning ordinance, yes.

Chairperson Harris: Truck traffic coming in the east entrance is not palatable to the applicant?

Rick DeLargg: No, since we will be storing product outdoors, we typically fence the yards for security purposes. Also, that drive aisle through there is very tight, I don't think you could safely get a tractor trailer through there. We have tractor trailers that get in and out of our branches; we will get 1-2 tractor trailers a week and we won't have an issue on the east side at all because of the way it is set up but I've worked with a lot of trucking companies to figure out how to get trucks in and out; that would not be a great way to do it. Bringing them in on the west side, it seems like the safest way to bring a truck in; it doesn't affect me at all. I get the code and it is what they would like to see, are there a lot of accidents at this intersection? It seems like it has been operating like this for a long time, closing it makes for a higher incidence of potential accidents. Are we solving a problem that doesn't exist?

Chairperson Harris: How wide is the west driveway?

Benjamin Ross: About 50-feet.

Chairperson Harris: What is the distance between the building and the west property line?

Benjamin Ross: It is about 90-feet.

Chairperson Harris: Most of your truck traffic is going to be coming from the center driveway or the east?

Rick DeLargg: They would enter in the driveway you can see (referencing the aerial) and they would exit the one that is just off the screen.

Benjamin Ross: There are three driveways.

Thad Yonke: The traffic circulation for that side is shown on the plan.

Chairperson Harris: Is there any way to be creative in the area where the detention basins are to make them big and deep enough for capacity to make some supplemental source of water for fire protection?

Thad Yonke: I don't believe the fire district uses dry hydrants anymore.

Commissioner Martin: No, they don't.

Commissioner Trecha: If this is approved, there is no stop between the next person coming in doing what they want in the building; there is no regulatory entity that will decide that it is possible.

Thad Yonke: If they submit a building permit to make modifications to the building to make it usable as the office and storage for a contractor, if another contractor comes in that is different, that is not a change of use. Once the occupancy is issued for that use as a contractor's lot, that wouldn't change. There is no trigger on our end. If the fire district has its own mechanisms that they are using for inspections I don't know, we can't speak to that. Our occupancy doesn't have the have the ability to pull it.

Commissioner Martin: Currently we have someone doing fire inspections on commercial structures; they are wanting to expand that to increase the number. Unless we are notified by someone that it has changed, because the fire department goes and asks to see the system and reviews everything with staff what was agreed upon and it is not being met then we can shut it down for fire code violations at that point.

Commissioner Trecha: There is nothing we could attach to this application that would require notification.

Commissioner Martin: I don't believe there is.

Thad Yonke: That would not be typical for us to require a change based solely on ownership.

Commissioner Martin: We could add that. If they notify the fire district that would spawn an inspection in the system. What I read from Mr. Blomenkamp's letter that if the building catches on fire and insurance asks, we are going to say it was not compliant, we were allowing use of it but we said it wasn't compliant with everything necessary.

Commissioner Ehimuh: Is there a firewall in the building?

Bill Florea: Not currently; they want to add a firewall between the two separate uses to avoid having to sprinkle the building.

Benjamin Ross: It is a proposed firewall in the middle of the existing warehouse. The north end of the building is office space now and there is a big open area; we are proposing to make the open area smaller with firewalls and make it to where sprinklers are not required by fire code. In rural Boone County there are lots of areas that do not have adequate fire protection.

Thad Yonke: Typically, those aren't in commercial or industrial areas.

Chairperson Harris: There are several projects we've denied because of that very reason.

Commissioner Ehimuh: Where is the nearest fire station? I don't know how fast they would be able to get there.

Commissioner Martin: They are probably within a mile or two.

Chairperson Harris: Even if they get there quickly they put a hose on a fire hydrant and collapse the pipe and when you are out of water, you are out of water, it doesn't matter how fast you get to the fire.

Thad Yonke: Station 1 is 2.5 miles away.

Chairperson Harris: Didn't the previous owner have some of the same requirements and just failed to comply?

Thad Yonke: He wasn't compliant with much of the requirements, both building and zoning.

Bill Florea: But he didn't change the zoning of the building, he only changed the zoning of the two eastern lots in order to be able to use those as part of his operation; that is why there is split zoning on the property, he didn't want to touch the zoning on the building. I don't remember exactly why but likely because of this same issue.

Thad Yonke: He was limited to no buildings or structures to be proposed on the far end because it didn't have the fire protection.

Chairperson Harris: Can the Commission amend the proposed conditions?

Thad Yonke: Yes.

Chairperson Harris: The problem is if we approve this, for whatever reason, part of our task is to protect the stakeholders of the county and sometimes we have to protect them from themselves. If we go along with the letter from the fire district the next guy comes along and blindly walks into it, we just leave the door open for the next guy to get hurt.

Commissioner Ehimuh: If someone wanted to tear down that building to create a hotel would that be something that would have to be rezoned again?

Thad Yonke: It would have to come back through the process because that is not one of the allowed uses on the plan and the building is not shown.

Chairperson Harris: Mr. Lange's business is coming and going primarily through the west driveway?

Benjamin Ross: I believe so. They have a few office staff in the front part, and they store materials until they take them to job sites; most of their work is done at a job site.

Chairperson Harris: There are vehicles of all sizes in and out of there all day in the west driveway.

Benjamin Ross: I think so.

Jose Caldera asked to make a statement.

Chairperson Harris asked staff that if the applicant is going to have counsel present then our counsel should have been notified.

Bill Florea: The Commission has the right to have representation.

Jose Caldera: For purposes of the record, where does it say that? This is a public hearing.

Commissioner Harvey: It is not a public hearing.

Jose Caldera: This isn't a public hearing?

Thad Yonke: The public hearing portion has been closed.

Chairperson Harris: I think it was very clear that the public hearing was closed, and this is just the applicants time to speak. That said, I will extend the courtesy to hear out Mr. Caldera briefly.

Jose Caldera: There is a lot of discussion going on about the fire code; I understand Chairperson Harris' point about punting the ball down the road. Typically, looking at the fire code, my understanding is that the fire chief has the discretion to agree on an alternative that would off-set requirements for increased water flow. In this situation there seems to be some question about the intent behind the agreement to our proposed alternative, but ultimately, he agrees to those proposed alternatives.

With that said, the analysis about the fire code usually comes at the later stage. The Commission is clearly having some thoughtful and meaningful discussion about what to do here but I think it is important to understand our position from the fire chief's response was that he is exercising a discretion that he has under the code which is to accept an alternative approach. I would encourage the Commission to not impugn intent one way or the other and just take the words as they are, which to me is, that we have proposed the alternative to the water flow issue and it will work for the fire chief.

Commissioner Harvey: My concern with that argument is that if there is fire flow to the site in general, if it goes to a hydrant or a fire protection system inside the building, that is for the building code guys to decide. We are here for the property and for the zoning of the property where it is, how it is and with what is in place now. We see plans come in front of us all the time where waterlines and sewer lines are modified because the infrastructure isn't there. We see this come in front of us with roadways and approaches being changed and turn lanes being added at the owner's expense because the infrastructure isn't there and it is not safe the way it currently is.

With a 4-inch water line going to this, we aren't just looking at this property, we are looking at the surrounding areas as well. We have denied other properties because they don't have a sufficient roadway to get in. Waterflow getting to this site to supply a fire truck is just as important. I was not on this Commission for those other decisions, so this is not the same Commission that was here over the last few years. If the building was going to stay as it is I can see a reason to support it but the building is changing, the firewalls and how the building is split up doesn't have anything to do with how much water gets to the site and to me, that is the biggest point that we are here and because of that I move that we deny the request.

Commissioner Harvey made, and Commissioner Koirtyohann seconded a motion to deny the request by CKL Property Management LLC to rezone from General Commercial (C-G) and Planned General Commercial (C-GP) to Planned Light Industrial (M-LP) at 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – NO
Greg Martin – NO	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Christy Schnarre – Yes	Jeffrey Ehimuh – Yes
Jeff McCann – Yes	

Motion to deny the rezoning request passes 9 YES 2 NO

Chairperson Harris made, and Commissioner Kurzejeski seconded a motion to deny the request by CKL Property Management LLC to approve a review plan at 7400 East I-70 Southeast, on 4.1 acres located at 7400 I-70 Drive SE, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Rhonda Proctor – Yes
Kevin Harvey – Yes	Robert Schreiber – Yes
Christy Schnarre – Yes	Jeffrey Ehimuh – Yes
Jeff McCann – Yes	

Motion to deny the review plan passes unanimously

Chairperson Harris informed the applicants that if they wished to appeal these decisions to the County Commission then an appeal form will need to be filed within three working days.

2. Update on Commission action

Director, Bill Florea updated the Commission on the actions of the County Commission:

The conditional use permit request by Little Bay Farm & Michele Jackson Trust for an equine boarding facility and indoor riding arena was approved with the recommended conditions.

The conditional use permit request by Branch Towers on behalf of Drake Maupin LLC for a 280-foot transmission facility was approved with the recommended conditions.

The request by Refaat Mefrakis & Corban Ali Fadiah (New Town) to rezone from C-GP to R-SP and approve a Review Plan for The Haven at NewTown was approved as recommended.

The request by Moore Bunton Properties LLC & Route B Independent Church to rezone from A-2 to M-LP and to approve a Review Plan for Hallsville Industrial was approved as recommended.

The Final Development Plans for Perry Luetkemeyer/Locust Grove Subdivision Plat 3 and Butch's Investments were approved as recommended.

The following plats were approved and accepted:

- Sunrise Estates Block 13
- BerkleyBlair Ridge Plat 1

VIII. NEW BUSINESS

1. Proposed Revisions to Boone County Zoning Regulations, Section 28, Stormwater Ordinance

Director Florea informed the Commission that public hearings have been scheduled for the following dates:

- Tuesday, December 3rd, Centralia City Council Chambers at 6:30 PM;
- Wednesday, December 4th, Southern Boone Schools Central Board Room at 6:30 PM;
- Thursday, December 19th, at the regular Planning & Zoning Commission Meeting at 7:00 PM.

At least one P & Z Commissioner must attend each hearing.

IX. ADJOURN

Being no further business, the meeting was adjourned at 8:31 p.m.

Respectfully submitted,

Secretary
Greg Martin, Secretary

Minutes approved on this 19th day of December, 2024

7400 I-70 Drive Southeast Rezoning Request to M-LP Boone County Planning & Zoning Commission November 21, 2024



Purchased in 2023 by Applicant: CKL Property Management LLC



Parcel Information Viewer

Parcel Number, Owner's Name, or Property Address:

[Zoom to Neighborhood](#)
[Zoom to Location](#)

[Print](#)
[Link](#)
[Map Legend](#)
[Help](#)

1731512010360001



Owner CKL PROPERTY MANAGEMENT LLC

Address 10925 E VEMERS FORD RD

City, State, Zip COLUMBIA, MO 65201

School COLUMBIA (C1)

Legal SUNRISE ESTATES

Description LOTS 125, 126 & 127

Deeded Acreage 4.10

Parcel 17-315-12-01-036.00 01

Full Real Estate Summary

Click plus icon above to view full real estate summary



Parcel Data Current as of: 8/24/2024
Information Retrieved: 9/24/2024 5:12 PM CDT

+

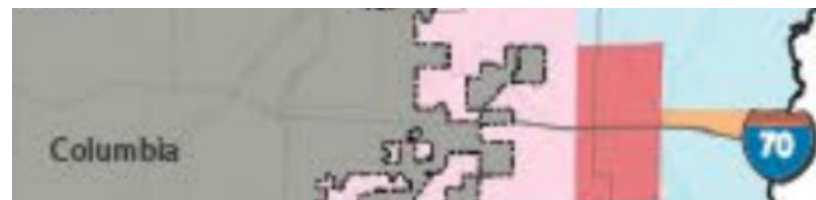
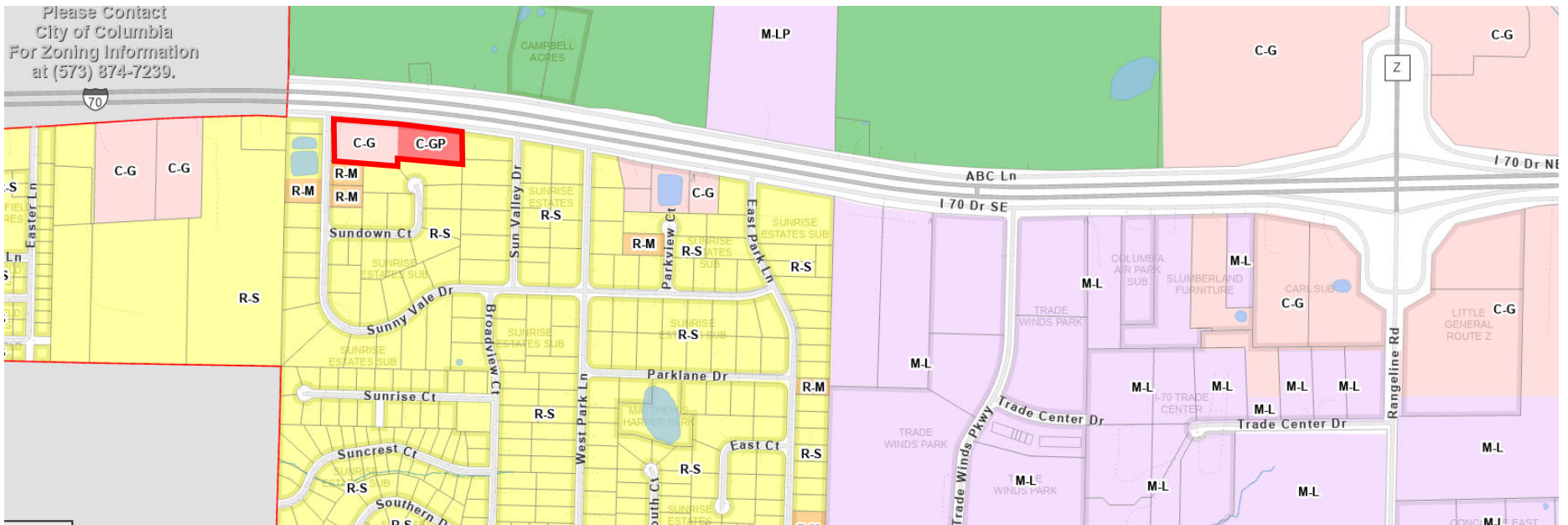
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Show Layer List

Boone County Zoning Map



GROWTH AREAS

- LOCAL COMMUNITY PLANNING DISTRICT
- UNINCORPORATED VILLAGE NODE
- REGIONAL ECONOMIC OPPORTUNITY AREA

Boone County Zoning Map

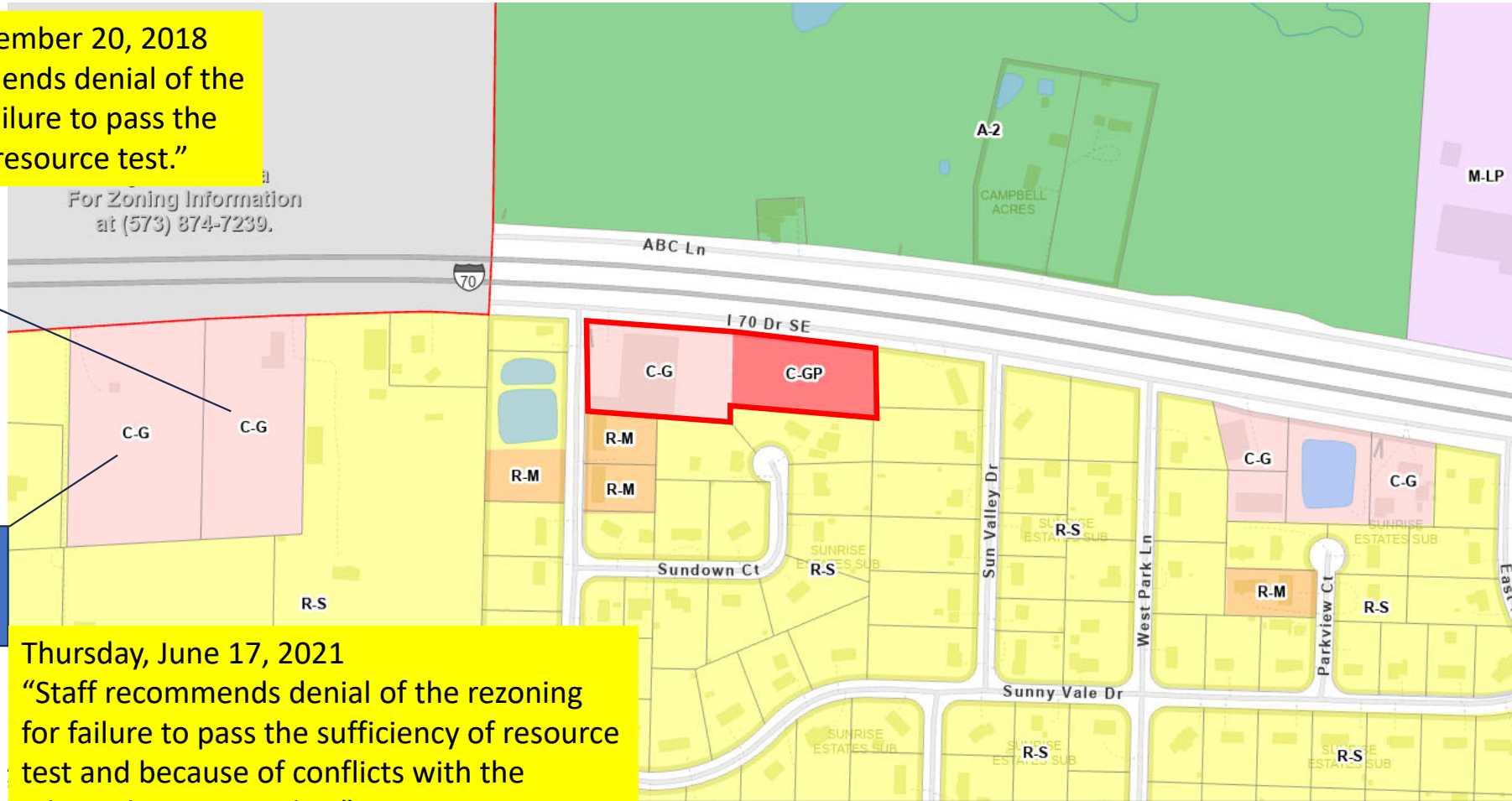
Thursday, December 20, 2018
“Staff recommends denial of the rezoning for failure to pass the sufficiency of resource test.”

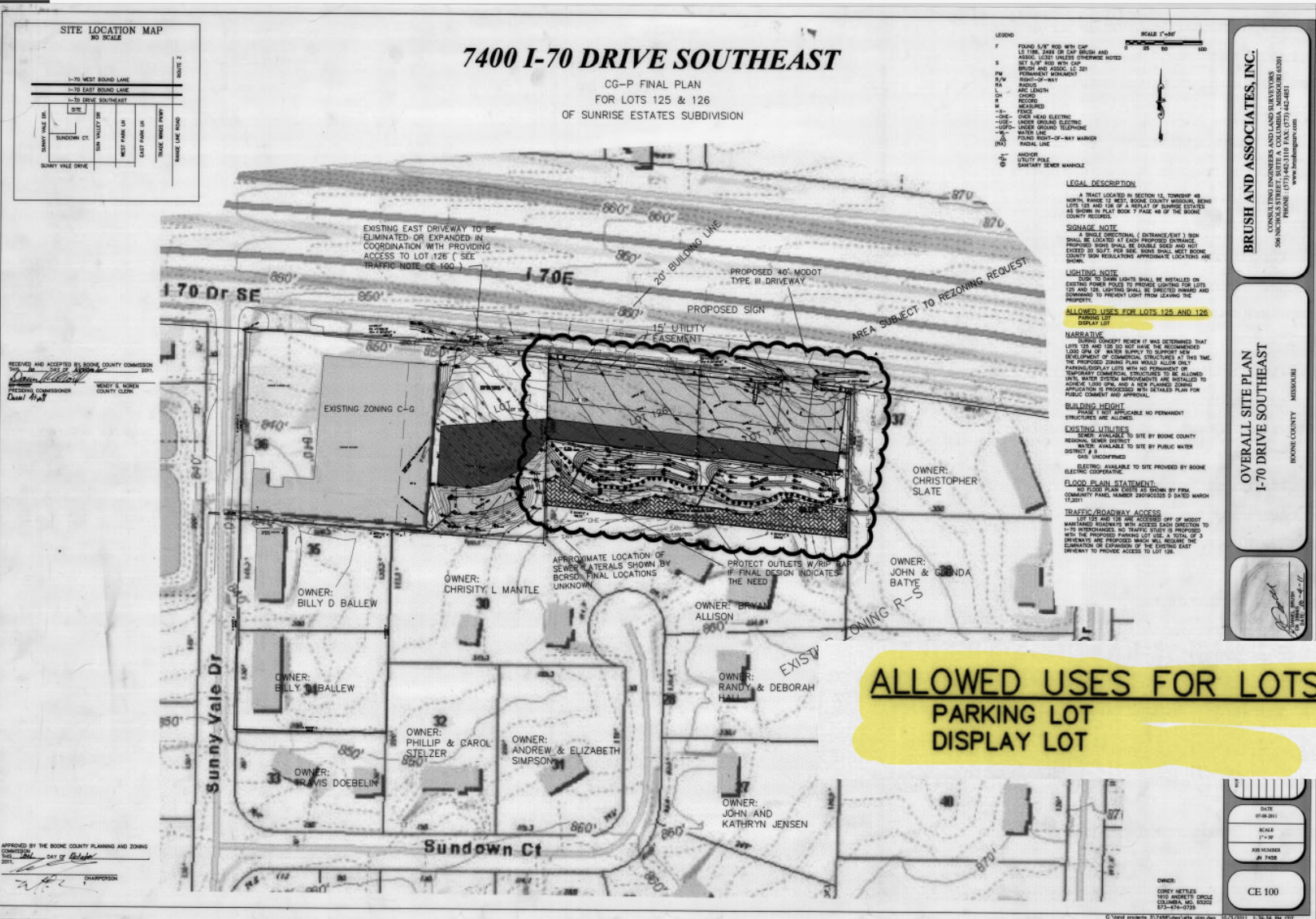
Rezoned to
Commercial
in 2019

For Zoning Information
at (573) 874-7239.

Rezoned to
Commercial
in 2021

Thursday, June 17, 2021
“Staff recommends denial of the rezoning for failure to pass the sufficiency of resource test and because of conflicts with the adopted East Area Plan.”





Current
CG-P Plan
Approved
In 2011

Previous Approved Use

Parking Lot for Recreational Vehicle Sales



2019 Timeframe

Proposed Use

Proposed Tenant for Eastern Half of Building: SiteOne Landscape Supply



Uses:
Office
Wholesale Warehouse
Fenced Outdoor Storage
Warehouse

SiteOne's Chesterfield, Missouri Facility
(No new buildings proposed with this
rezoning.)



Proposed Use

Current Tenant for Western Half of Building: Walsh Insulation Services



Uses:

Office

Warehouse

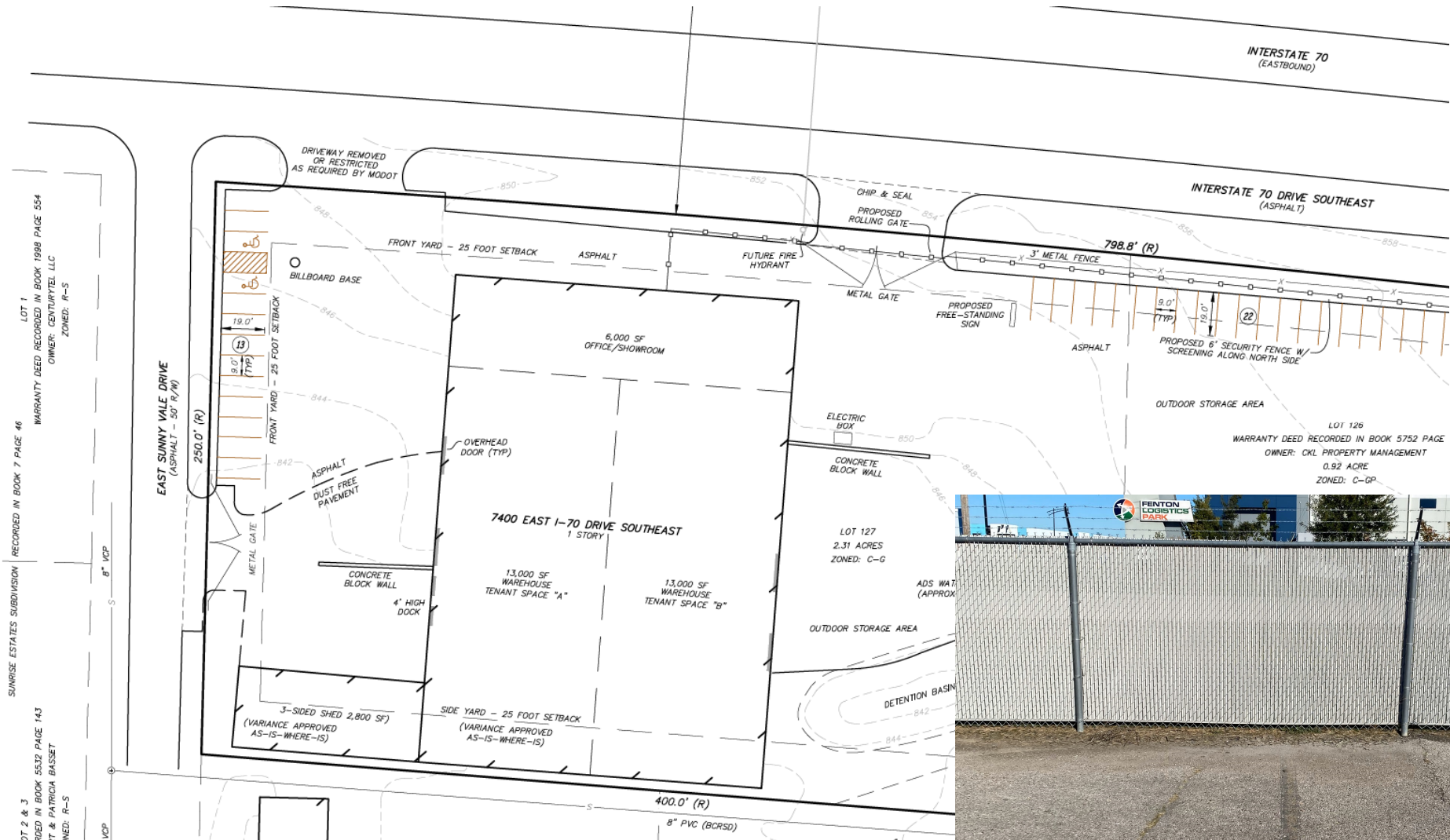
Proposed Allowed Uses

ALLOWED USES

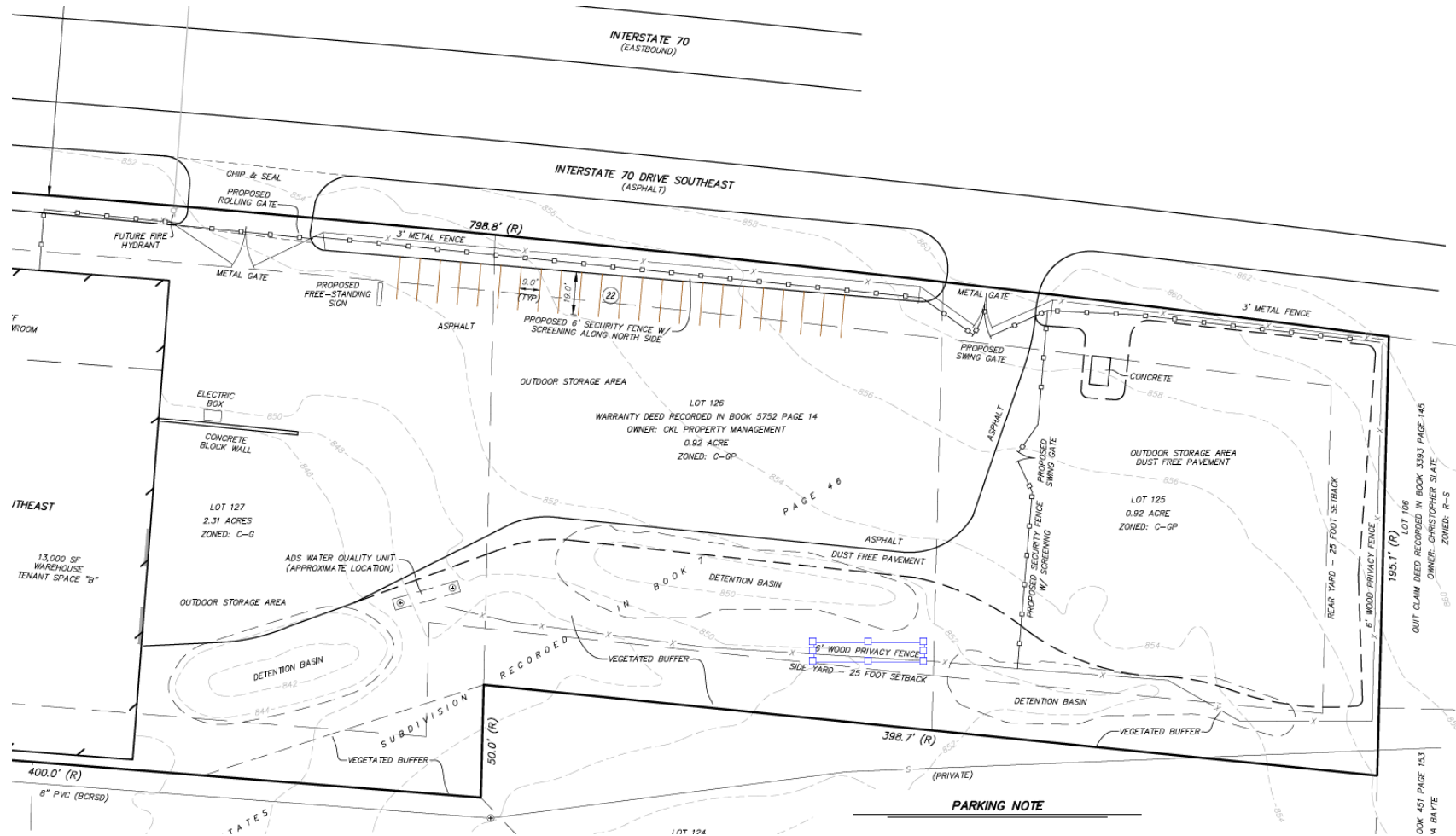
1. OFFICE OR OFFICE BUILDING.
2. RETAIL STORE PROVIDED THAT IN CONNECTION WITH WHICH THERE SHALL BE NO SLAUGHTER OF ANIMALS OR POULTRY, NOR COMMERCIAL FISH CLEANING AND PROCESSING ON THE PREMISES.
3. DISPLAY AND SALESROOM.
4. ~~LUMBERYARD~~ AND BUILDING MATERIALS.
5. WHOLESALE ESTABLISHMENT OR WAREHOUSE IN A COMPLETELY ENCLOSED BUILDING.
6. WHOLESALE MERCHANDISING OR STORAGE WAREHOUSES AND FENCED OUTDOOR STORAGE AREAS.
7. CONTRACTOR'S BUILDINGS AND STORAGE PLANTS.

NOTE: LABELED AREAS ON PLAN ARE EXAMPLES ONLY AND OTHER USES LISTED ARE ONLY ALLOWED AS THEY FIT THE PROVIDED PARKING AND SITE DESIGN.

Existing Building to be Divided into Two Tenant Spaces



Eastern portion of site to be Fenced Outdoor Storage



Existing Building is Approximately 8 feet from South Property Line
Variance Approved for 25-foot building setback required for future M-LP rezoning

Office use only
Case # 006

NOTICE OF APPLICATION TO THE BOARD OF ADJUSTMENT
ONE FORM PER VARIANCE REQUEST
\$185.00 Non-Refundable Application Fee

Submit forms to:
Board of Adjustment, Attn: Secretary, Board of Adjustment, 801 E Walnut St, Rm 315, Columbia, MO 65201

SUBJECT: Notice of application in regard to the following described property located in Boone County, Missouri:

17 - 315 - 12 - 01 - 036 - 0001 LOTS 125, 126 & 127 Sunrise Estates
*Tax Parcel Number *legal description (attach separate form if necessary)
and known, or to be known as 7400 I-70 Drive Southeast Columbia, MO 65201
*street or route *City, Zip Code

*Notice is hereby given that I/we the property owner apply to the Board of Adjustment, Boone County, Missouri for a variance from ☒ Zoning ☐ Subdivision Regulations Section(s) 6.9.1 25 foot setback
(use separate form for each requested variance)

*Reason for request (attach a separate sheet if needed): The existing building, constructed in the 1960s, is closer than 25 feet to the property line.

Type and location of building the variance is requested for, if applicable. (May be indicated on survey or aerial photograph – attach copy)

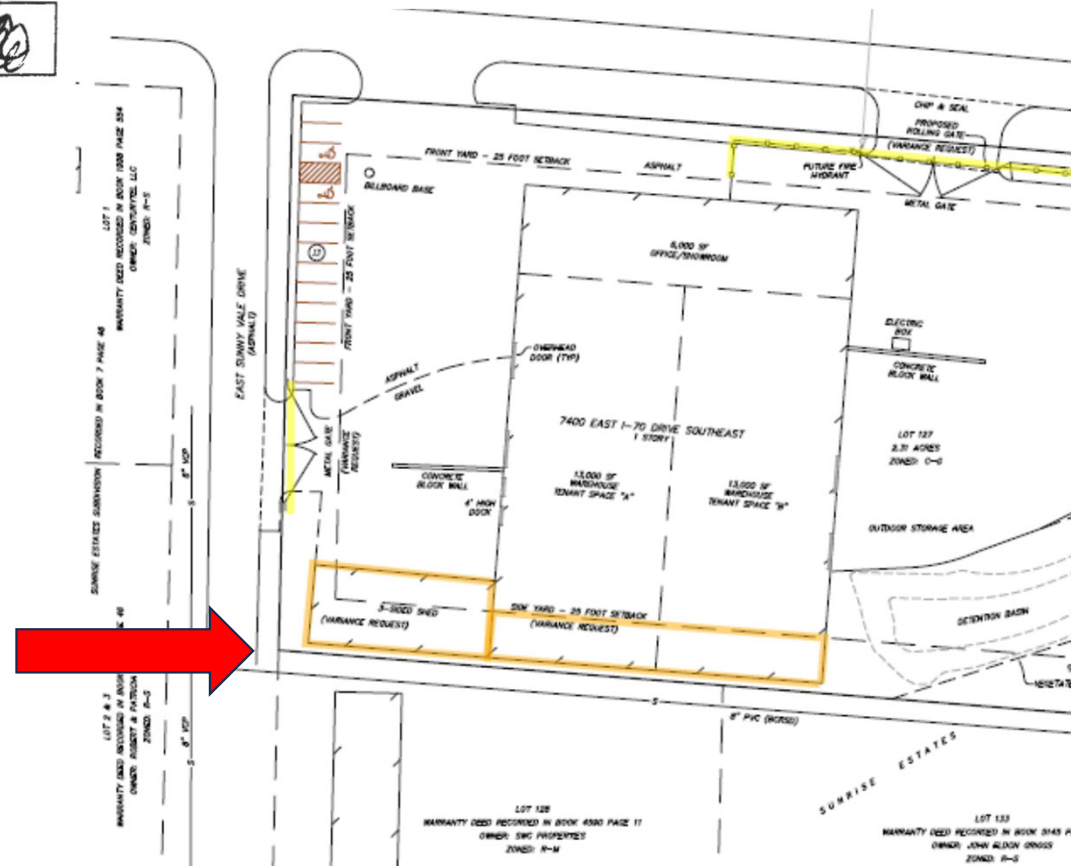
See attached drawing

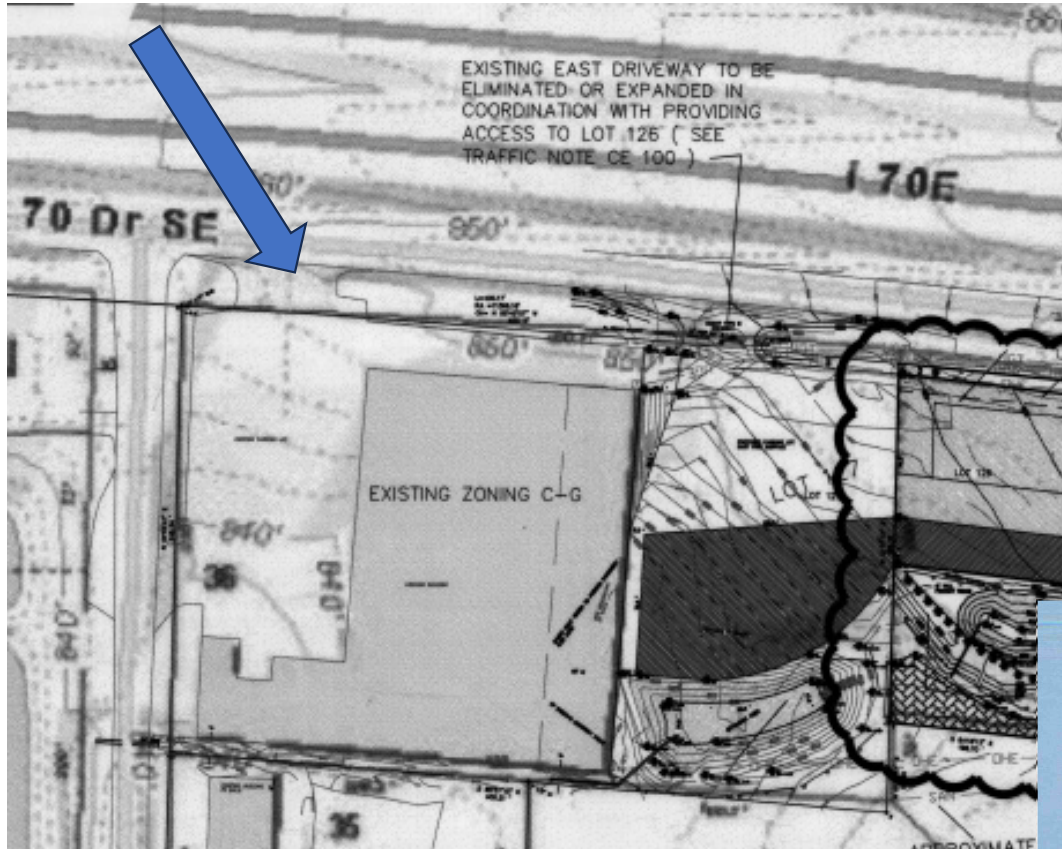
*Current zoning: C-G *Current use of the property: warehouse (non-conforming use)

Proposed use if different from above: warehouse and outside storage (requesting M-LP zoning)

Authority to grant said permission is given to the Board of Adjustment by Section 15C, Boone County Zoning Regulations. If the Board of Adjustment grants permission as requested, there will still be substantial compliance with the Zoning Regulations. the spirit of the Zoning Regulations will be observed. public safety and welfare will be

Proposed rezoning to M-LP (Planned Light Industrial)
to allow existing warehouse use and outside storage





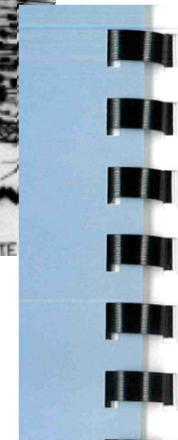
Western Driveway

Serves loading docks on west side of building

MoDOT's Access Management Policy since 2005

Allowed to remain as part of 2011
Planned District Approval

MoDOT NOT requiring the driveway to be closed
now



MISSOURI DEPARTMENT OF TRANSPORTATION
ACCESS MANAGEMENT
GUIDELINES

May 1, 2005

From: Trent Brooks <Trent.Brooks@modot.mo.gov>
Sent: Monday, October 28, 2024 10:45 AM
To: Benjamin Ross
Subject: RE: 7400 I-70 Drive SE - Westernmost driveway discussion

Western Driveway

External Sender: Do not click links or attachments unless you know they are safe.

Ben, in general **your notes below** and the statement I sent the county **are correct**. MoDOT would like to see the drive removed.

I am not sure statement #3 is correct as I do not believe a court order is needed to close a drive. I know a court order is not needed to restrict movements at a drive.

Let me know if you have additional questions.

Thanks,

Trent Brooks, P.E.
MoDOT Central District Traffic Engineer
Phone – 573-751-7692
trent.brooks@modot.mo.gov

My client recognizes that I-70 Drive Southeast is MoDOT right-of-way and MoDOT could remove this driveway anytime MoDOT likes. During our conversation, I understood you to say:

1. **MoDOT is not requiring this driveway be closed.**
2. In your experience MoDOT rarely, if ever, requires a driveway to be closed outside a permit application or MoDOT right-of-way acquisition action.
3. **If MoDOT thought a driveway was a problem, MoDOT could get a court order to close a driveway.**
4. We discussed the existing loading docks on the west side of the 60 year old building and the possible unintended consequence of large semi-trucks driving through the adjacent neighborhood streets to access the loading docks, if the western driveway was closed. **You thought that would not be ideal.**

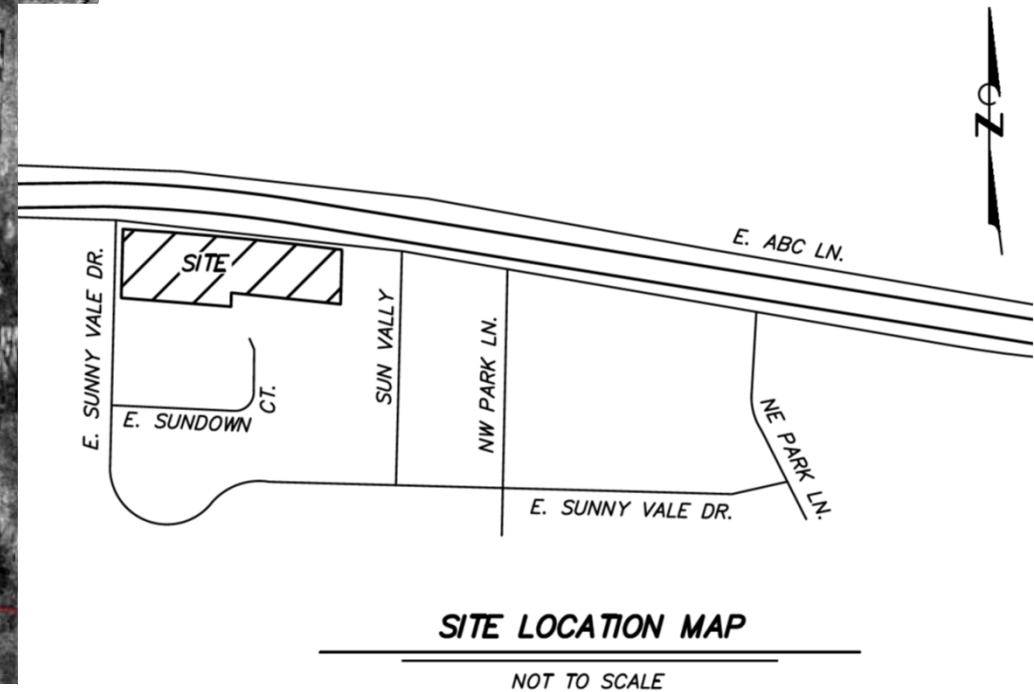


2002 Aerial Photo

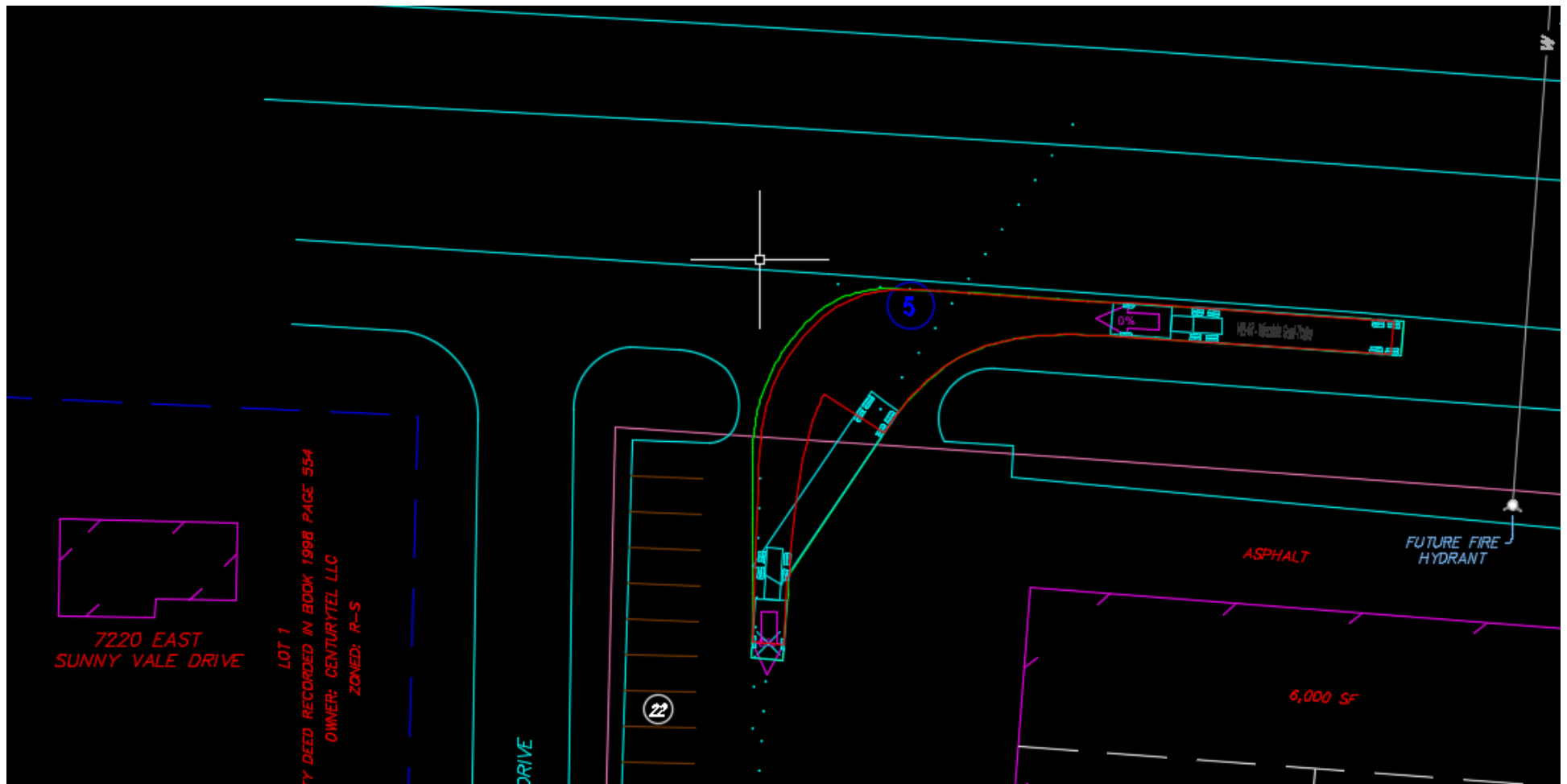
Western Driveway

Semitrucks parked at loading docks

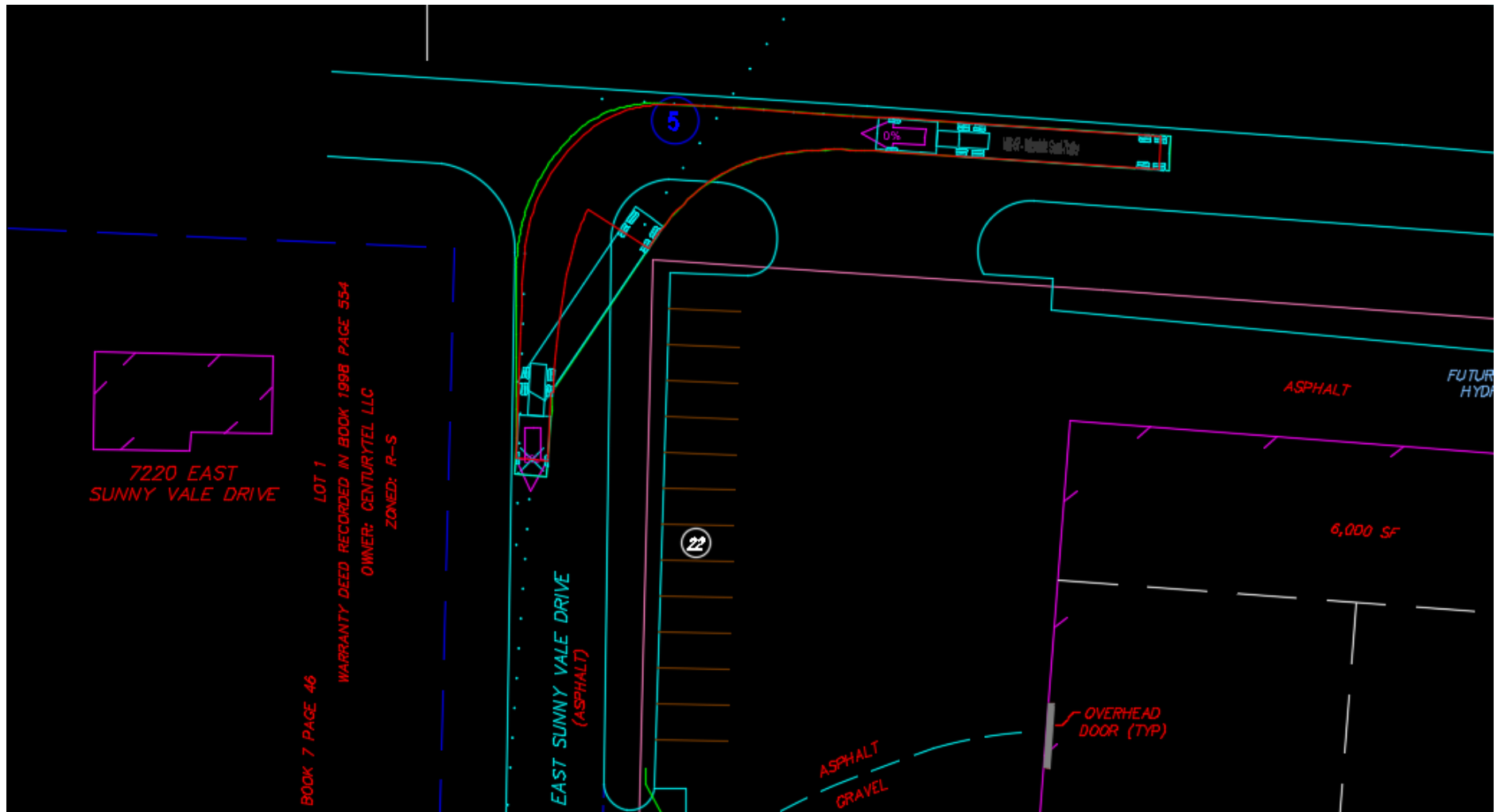
Alternate Route to Loading Docks is through the neighborhood from the south.



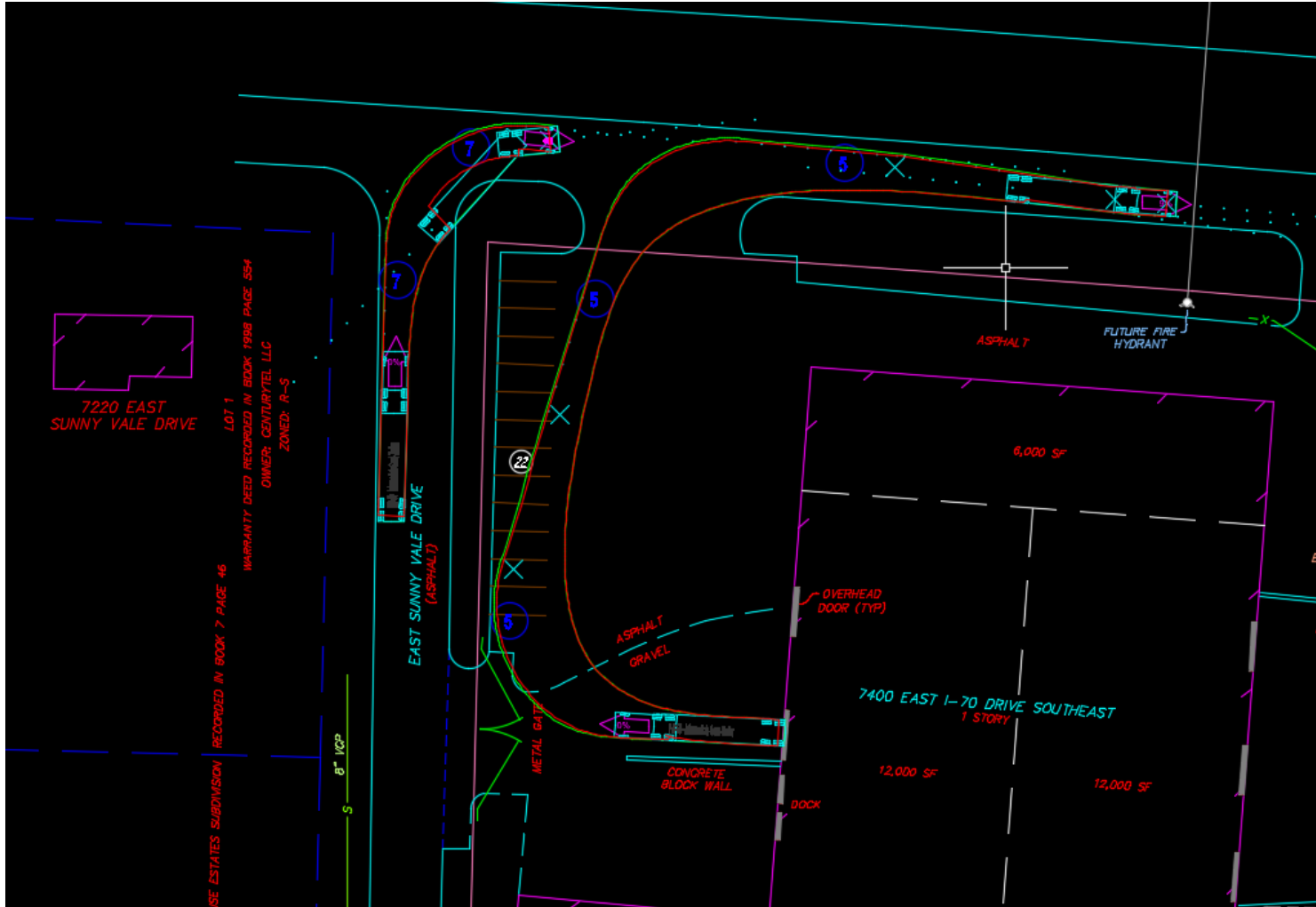
Western Driveway



Western Driveway



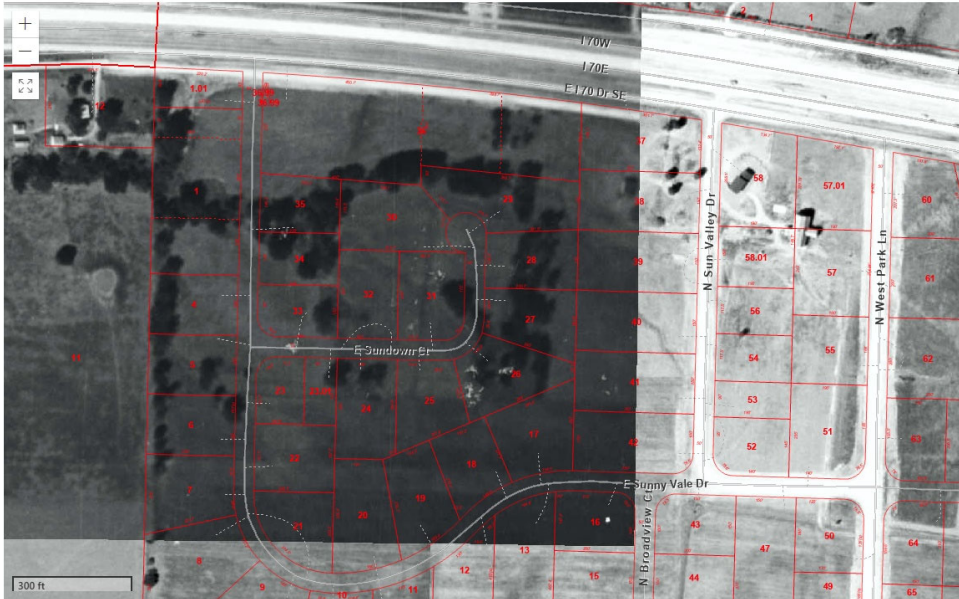
Western Driveway





Western Driveway

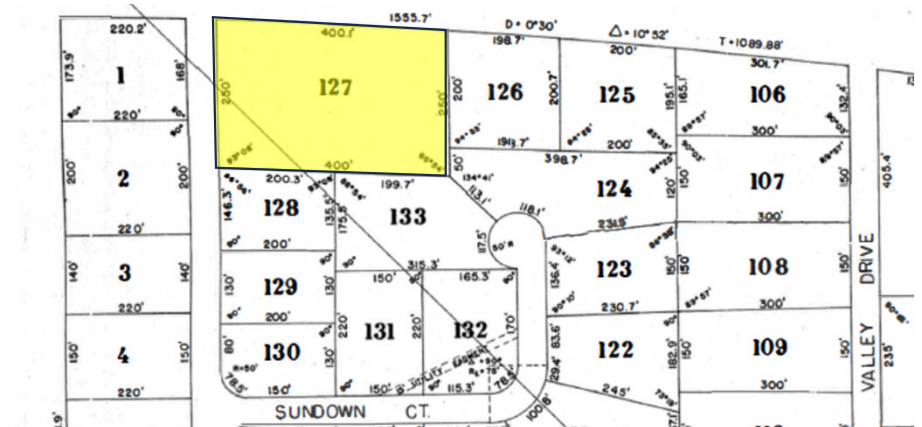
Commercial Property was developed with Neighborhood



1962 Boone County Assessor Aerial Photo

Interstate 70 is only 2 lanes.

No homes built yet.



Subdivision Plat 1964

Note Large Commercial Lot 127

Commercial Property was developed with Neighborhood



1968 Aerial Photo

7400 I-70 Dr. Southeast
Commercial building and homes
constructed at the same time.

Interstate 70 is now 4 lanes



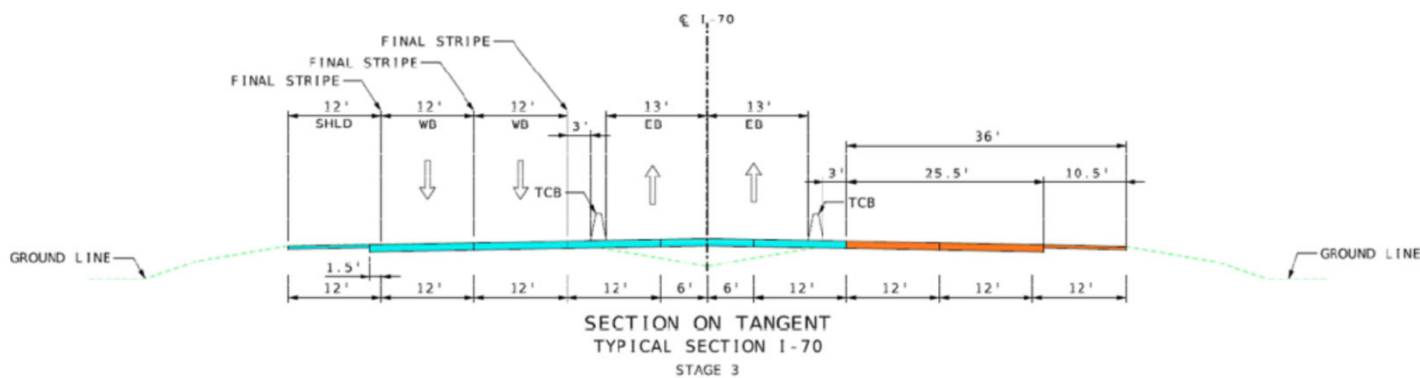
Commercial Property was developed
with Neighborhood

2023 Aerial Photo

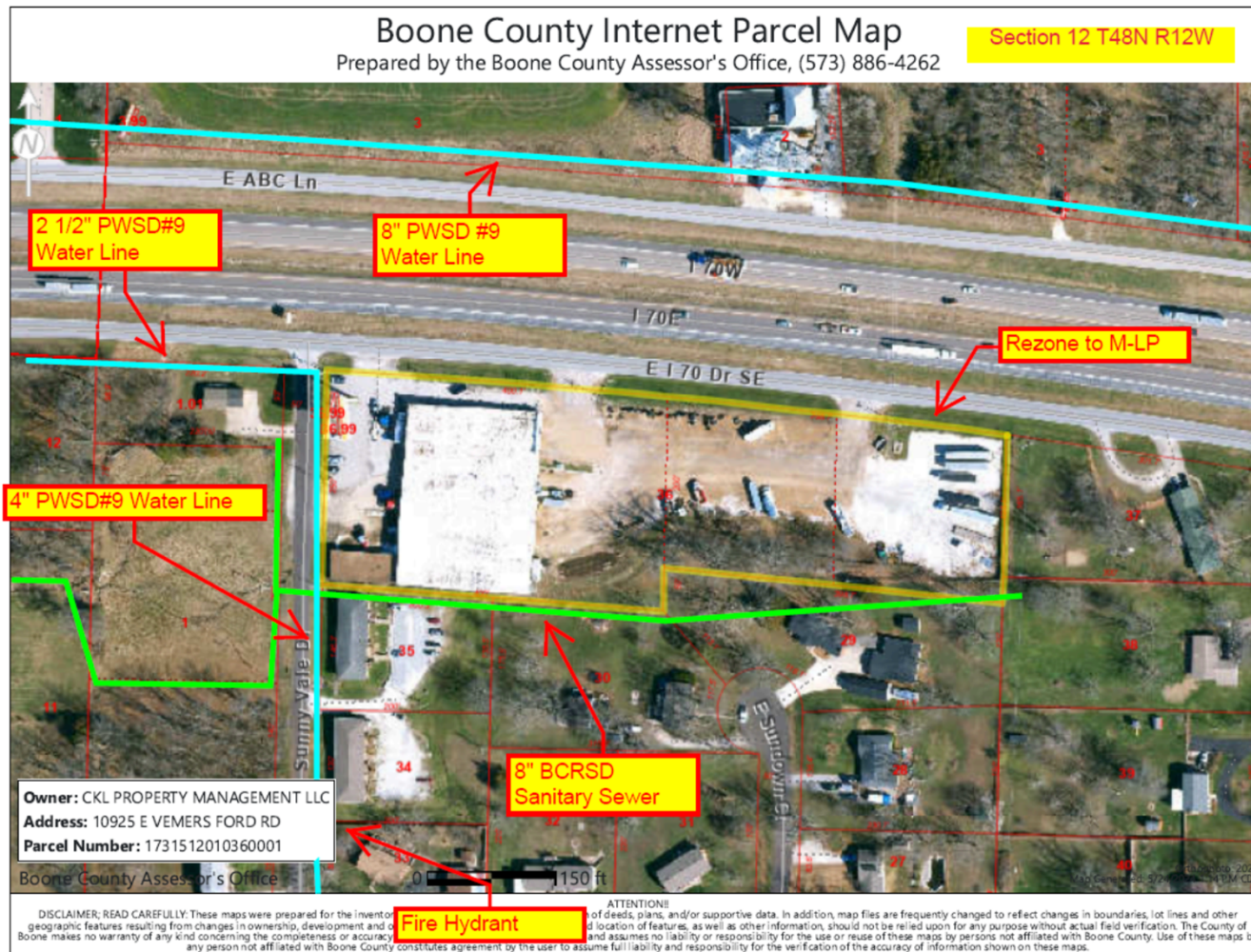
Existing Privacy Fences along east and
south property lines to remain.

Truck parking by previous owner

Soon - Interstate 70 will be 6 lanes



Utility Services in the Area

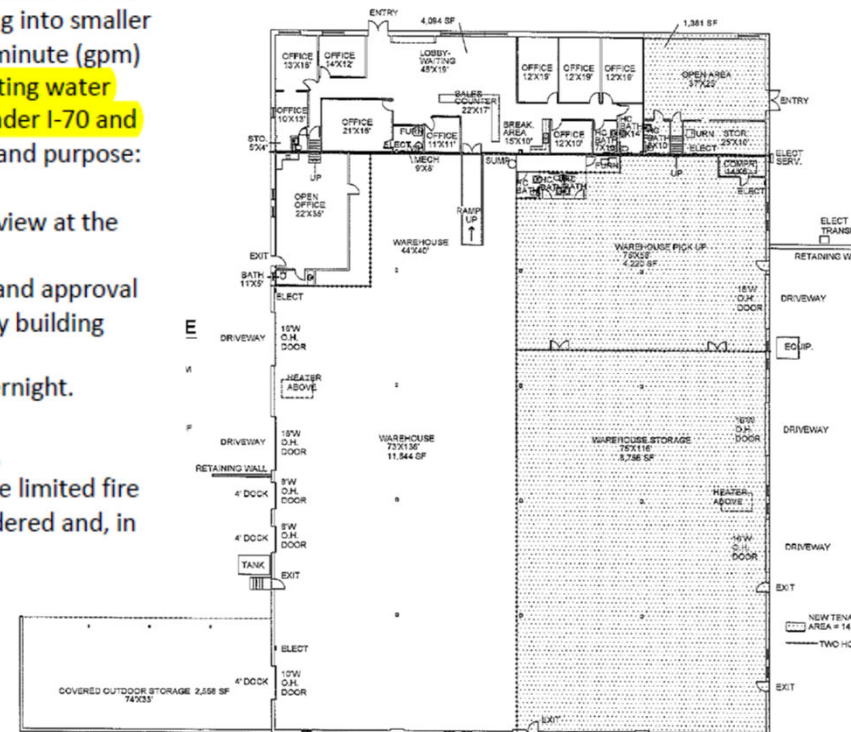


8-inch BCRSD public sewer on south side of property

8-inch PWSD#9 water on north
side of I-70

Fire Code Compliance with Interior Firewalls

Fire Sprinklers are Not Required per Code



RV Dealership in Columbia, MO

● Open until 7:00 pm today

8877 Interstate 70 Dr NE
Columbia, MO 65202
[Get Directions](#)

(866) 405-0786
[✉ Email Us](#)

RV Dealership

Mon-Fri 9:00 AM-7:00 PM

Sat 9:00 AM-6:00 PM

Sun 11:00 AM-5:00 PM

Hours of Operation

West Half of Building:
Walsh Insulation Services

Monday – Friday 7:00 am to 5:00 pm

East Half of Building and Outdoor Storage:
SiteOne Landscape Services

Monday	7:00 a.m.- 4:00 p.m.
Tuesday	7:00 a.m.- 4:00 p.m.
Wednesday	7:00 a.m.- 4:00 p.m.
Thursday	7:00 a.m.- 4:00 p.m.
Friday	7:00 a.m.- 4:00 p.m.
Saturday	8:00 a.m.- 12:00 p.m.
Sunday	Closed

Questions?

