AGENDA

The City of Rolla
Planning & Zoning Commission
Rolla City Council Chambers, 901 North Elm Street
Tuesday, March 15, 2022 at 5:30 PM

Commission Members:

Chairperson Don Brown, Vice-Chairperson Russell Schmidt, Secretary-Treasurer Robert Anderson, Walter Bowe, Lister Florence, Jr., Kevin Crider, Janece Martin, Monte Shields

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning

Commission meeting held on Tuesday, February 15, 2022.

- II. REPORT ON RECENT CITY COUNCIL ACTIONS:
 - 1. <u>SUB22-01, Davis Addition:</u> A Minor Subdivision Final Plat to combine 3 commercial lots into one lot. *Approved by City Council at March 7, 2022 meeting.*
- III. OLD BUSINESS:
 - 1. <u>SUB21-07, Ridgeview Christian Church Plat 1:</u> A Minor Subdivision Final Plat to combine several lots into one lot and vacate the rights-of-way of Walker Ave and Ridgeview Rd adjacent to the property. **Applicant has requested to be tabled to the April 12, 2022 meeting.**
- IV. PUBLIC HEARING:
 - 1. <u>SUB22-03, Bradley Addition:</u> A Minor Subdivision Final Plat to combine several lots into 3 lots; dedicate rights-of-way for 13th Street and Tim Bradley Way; and vacate portions of the rights-of-way of Spring Avenue, 13th Street, and an alley between Poole Ave, Spring Ave, 13th Street, and University Dr. **Applicant has requested to be postponed to the April 12, 2022 meeting.**
- V. NEW BUSINESS:
 - 1. <u>SUB22-02</u>, <u>Jordan Subdivision #2</u>: A Minor Subdivision Final Plat to reorganize 3 commercial lots into 2 lots.
- VI. OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:

NONE

VII. CITIZEN COMMENTS:

NEXT MEETING DATE:

Tuesday, April 12, 2022

MINUTES ROLLA PLANNING AND ZONING COMMISSION MEETING ROLLA CITY HALL COUNCIL CHAMBERS **TUESDAY, FEBRUARY 15, 2022**

Presiding: Don Brown, Chairperson

Commission Members Present: Walter Bowe, Lister Florence Jr., Janece Martin, Russell

Schmidt, Kevin Crider

Commission Members Absent: Robert Anderson, Monte Shields

I. **OTHER BUSINESS:**

1. Election of Chairperson, Vice-Chairperson, and Secretary/Treasurer

A motion was made by Walter Bowe, seconded by Janece Martin, to vote for all three officials at once. The motion passes unanimously. A motion was made by Janece Martin, seconded by Walter Bowe to keep the current officials in office. Don Brown, Chairperson, Russell Schmidt, Vice-Chairperson, and Robert Anderson. Secretary/Treasurer. The motion passes unanimously.

2. Announcement: Steven Shields term expired, did not seek re-appointment

II. **APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning

> Commission meeting held on Tuesday, December 15, 2021. Chairperson Don Brown approved the minutes as

printed and distributed.

III. REPORT ON RECENT CITY COUNCIL ACTIONS:

- 1. CUP21-02, Cellective Solutions, LLC: Conditional Use Permit (CUP) to allow a Wireless Communications Facility not permitted by Section 42-400 or 42-401. Denied by City Council at Dec 20, 2021 meeting.
- 2. ZON21-12, 602 N Cedar/407 E 6th St/603 N Walnut: Rezoning from the C-2, General Retail District to the C-1, Neighborhood Commercial District, and rezoning from the R-3, Multi-family District to the C-1, Neighborhood Commercial District. Approved by the City Council at Jan 3, 2022 meeting.
- 3. ZON21-13, 4120 State Route V/4122 State Route V: Rezoning from the R-2, Two-family District to the M-2, Heavy Manufacturing District. Approved by City Council at Jan 3, 2022 meeting.
- 4. SUB21-08, Subway Subdivision #2: A Minor Subdivision Final Plat to relocate a property line between two commercial lots. Approved by City Council at Jan 3, 2022 meeting – plat recorded.

IV. OLD BUSINESS: NONE

V. PUBLIC HEARING:

1. <u>SUB21-07, Ridgeview Christian Church Plat 1:</u> A Minor Subdivision Final Plat to combine several lots into one lot and vacate the rights-of-way of Walker Ave and Ridgeview Rd adjacent to the property.

Tom Coots presents the staff report.

Russell Schmidt asks if it is possible to have C-O and R-1 zoning on one lot. **Coots** confirms this is possible. **Schmidt** ask how the road right-of-way would be maintained. **Coots** states the proposed vacation will add a public access easement, so the City would still perform basic maintenance on the roadway.

Brown asks if it is possible to collect compensation for the vacated area from the applicant. **Coots** states that it is not possible with a vacation because the property was given to the City. Property which the City buys and then sells does go through the City Council and a sales price can be collected. For example, the applicant asked to purchase the property south of Ridgeview Road, but City Council declined to sell.

Brown asks if letters were sent out to surrounding areas. **Coots** confirms letters were sent out to any property within 300 feet of the proposed vacation. **Brown** also states he would like to see reports from Emergency and Law Enforcement departments as well as additional public outreach.

Martin asks what the zoning would be for the combined lots, since several lots are zoned R-1, but the church building is zoned C-O. Coots states the current zoning will not change. Martin asks if the one lot can have two separate zonings. Coots confirms this to be true.

Brown opens the public hearing.

Bryan Harrington is a representative of Allstate Consultants, located at 3312 LeMone Industrial Blvd in Columbia, Missouri. He stated since this case may have a big impact on the City, they were trying to reach a compromise before any major plans were made.

Craig Stevens, residing at 734 Oak Knoll Road, is the Chairman of the Elders for the Ridgeview Church. He expresses concern about the safety issues having pedestrians cross the street.

Seeing no more questions from the audience, **Brown** closes the public hearing.

Darin Pryor, an engineer from Public Works, gave the traffic counts for Ridgeview Road and Adrian Avenue. He states that Adrian should be able to handle any increase in traffic if Walker and Ridgeview were to be closed to traffic.

Schmidt asks if the vacation is granted, what changes would be evident to Walker Avenue. **Pryor** states that no changes will be evident at this time; it will still appear as a City street.

Florence asks for clarification about liability issues if the vacation is granted. **Pryor** states that once the property is vacated, it may be the property owner's responsibility. He states it would only be the City's responsibility to make the road safe and passable for emergency vehicles.

Schmidt asks if any additional signage would be needed. **Pryor** did not believe any was needed.

Bowe asked if the reasoning behind the applicant not applying for a rezoning was due to not being far into their plans. **Coots** states a rezoning would not be necessary unless an addition to the church was planned that conflicted with current height or setbacks restrictions.

A motion was made by Lister Florence, seconded by Kevin Crider, to table the subdivision case to the March 15 meeting. A roll call vote on the motion showed the following: Ayes: Bowe, Florence, Martin, and Crider. Nays: Schmidt. The motion passes.

VI. NEW BUSINESS:

1. <u>SUB22-01, Davis Addition:</u> A Minor Subdivision Final Plat to combine 3 commercial lots into one lot.

Coots presents the staff report.

Brown asks if the property is buildable since the lot is in the floodplain. **Coots** states the applicant is aware of the potential floodplain issues and the lot cannot be built upon until and unless the applicant demonstrates they meet the city requirements.

A motion was made by Russell Schmidt, seconded by Janece Martin, to recommend approval to the City Council to combine three commercial lots into one. A roll call vote on the motion showed the following: Ayes: Bowe, Florence, Martin, Schmidt, and Crider. Nays: None. The motion passes unanimously.

VII. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:

1. Presentation on 2020/2021 activity and planned 2022 Community Development Department goals

VIII. CITIZEN COMMENTS:

NONE

Meeting adjourned: 6:25 p.m. Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, March 15, 2022



Report to:

Planning and Zoning Commission

Case No.: SUB 22-02

Meeting Date: March 15, 2022

Subject: Jordan Subdivision #2: a Minor Subdivision Final Plat to reorganize three commercial lots

into two lots.

Background: One of the applicants, JC Land Investments, LLC, sold Lot 3 and part of Lot 2 to the other

applicant, 3 Springs Holding, LLC last year. JC Land Investments, LLC retained the

remainder of the property and is currently under contract to sell the remainder to another party. However, the subdivision of Lot 2 and reorganization of the lot lines should have been reviewed and approved by the Planning and Zoning Commission and City Council. Until a subdivision plat is approved and recorded to address the situation, building permits

may be withheld for both properties.

The new Lot 1 is developed as a self-storage use. The new Lot 2 is currently under contract for sale to the Rolla Mission, which is separately pursuing zoning approval for their use.

Application and Notice:

Applicant/Owner - John Jordan of JC Land Investments, LLC; and Brett Bruner of 3 Springs Holding, LLC

Public Notice - https://www.rollacity.org/agenda.shtml

City Council Date - March 21, 2022

Property Details:

Current zoning - C-2, General Retail

Current use - Commercial

Land area - Lot 1: 1.89 acres; Lot 2: 1.14 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Hwy 72, a Major Arterial road; and frontage on

Hartville Rd, a local street.

Sidewalks - Sidewalks are not located along the frontage of the property.

Utilities - The subject property should have access to all needed utilities.

Comprehensive Plan: The Comprehensive Plan designates the subject property as being appropriate for

Community Commercial uses.

Discussion: The proposed plat appears to meet all zoning and subdivision requirements. Approval of

the plat would correct the subdivision issue from when Lot 2 was split.

Findings:

1. The proposed minor subdivision would reorganize three commercial lots into two lots.

2. The plat appears to be in compliance with all applicable zoning, subdivision, and other requirements.

Alternatives:

- 1. Find the request meets all applicable requirements and recommend the City Council approve the request.
- 2. Find that the request could meet all applicable requirements with the imposition of reasonable conditions and recommend that the City Council conditionally approve the request.
- 3. Find that the request does not meet all applicable requirements and recommend that the City Council deny the request.
- 4. Find that additional information and discussion is needed prior to making a recommendation and table the request to a certain date.

Prepared by: Tom Coots, City Planner
Attachments: Area Map, Application, Plat







Project Information:

Case No: SUB22-02

Location: 1342/1344 S Bishop Ave and 1400

Hartville Rd

Applicant: JC Land Investments, LLC and

3 Springs Holding, LLC

Request:

Minor Subdivision to reorganize 3 commercial

lots into 2 lots



For More Information Contact:

Tom Coots, City Planner tcoots@rollacity.org

(573) 426-6974 901 North Elm Street City Hall: 2nd Floor 8:00 – 5:00 P.M. Monday - Friday



COMMUNITY DEVELOPMENT DEPARTMENT 901 North Elm St Rolla, MO 65401

P.O. Box 979

www.rollacity.org/comdev 573-364-5333

SUBDIVISION APPLICATION

| Contact Information: | Property/Request Information: |
|---|--|
| Property Owner: 3 Springs Holding, LLC | Request: Sketch Plat |
| Name(s) PO BOX 540 | Major Subdivision |
| Mailing Address Rolla, MO 65402 | X Minor Subdivision Replat |
| City, State, Zip | Subdivision Variance |
| Phone | Vacation of ROW/easement |
| Email | 1344 S Bishop Avenue |
| Agent/Applicant (If Different Than Property Owner): | Property Address/Location |
| Jared Jordan, Home Sweet MO Properties | C-2 General Retail District |
| Name 10300 State Route BB | Property Zoning |
| Mailing Address Rolla, MO 65401 | 3 2 |
| City, State, Zip 573-308-5933 | Number of existing and new lots proposed |
| Phone jordanrealty573@outlook.com | JORDAN SUBDIVISION NO. 2 |
| Email | Name of Subdivision |

APPLICATION CHECKLIST:

| D | Completed Application Form | 0 |
|-------------------|--|-------------------|
| Applican | Agent Letter (If Applicable) | N/A S |
| cant Checks Boxes | Filing Fee - \$300 (Major Subdivision); \$100 (Minor Subdivision/Replat); \$350 (Subdivision Variance) + Recording Fee (\$44 or \$69) (169) Improvement Plans (Final Plats only; 1 paper copy and pdf version) Plat (5 paper copies and pdf version) or Vacation Exhibit Letter of Request (Subdivision Variance only) | bly Staff Verifie |

OFFICE USE ONLY:

Case No: 508 22-03

DRC Meeting Date: 3.1.93

PC Hearing Date: 3.15.01

Submission Date: 2 16.32

Advertise By:

CC Hearing Date: 3.21.22/4.4.22

INFORMATION:

(Optional) Sketch Plats must include the following information (Section 42-32.1):

- 1. Proposed subdivision name, contact information for property owner, north arrow, scale, date.
- 2. Location map, general dimensions of property lines, existing easements, ROW's, buildings, cemeteries, watercourses, flood areas, contours, ect.
- 3. Name, location, dimensions of existing streets; name, width, classification or proposed streets and alleys.
- 4. Existing utilities and stormwater management facilities on and adjacent to property.
- 5. Location, dimensions, and configuration of proposed lots.
- 6. Location and general layout of proposed water and sewer lines.

Preliminary Plats must include the following information (Section 42-32.2):

- 1. Legal description and boundary line.
- 2. Name and location of adjoining existing subdivisions, streets, ROW widths, alleys, property lines, ect.
- 3. Proposed streets with width, centerline, grade, length; dimensions of easements and alleys, ect.
- 4. Existing property lines, buildings, and utilities.
- 5. Arrangement, location, dimensions of proposed lots with area, line bearings, angles, and setbacks.
- 6. Location, dimensions, and area of land to be dedicated or reserved for common ownership.
- 7. Contour lines, water courses, ravines, culverts, bridges, ponds, ect.
- 8. Proposed sewer lines, storm sewer lines, drainage facilities, bridges, ect. and easements

Final Plats must include the following information (Section 42-32.3):

- 1. Items shown on Preliminary Plat except contours, land features, street grades, and utilities.
- 2. Plat restrictions and restrictive covenants regarding building permits.
- 3. Dedication deeding for easements, streets, alleys, parkland, ect.
- 4. Access limitation and improvement acceptance notes.
- 5. Planning and Zoning Commission and City Council approval.
- 6. City and County tax release.
- 7. Surveyors and Recorders Certificate.

Note: A Major Subdivision must include a Preliminary Plat. A Major Subdivision is a subdivision which creates (5) or more lots and/or requires the extension of streets.

Vacations of rights-of-way or easements must include a Vacation Exhibit which shows property lines, buildings, utilities or public infrastructure within 30 feet of the area to be vacated. Property lines and building locations must be based on a survey. Utility locations may be from field observations, GIS, utility companies, and/or field markings.

Acknowledgement and Authorization:

The owner(s) understand and agree that the application will be placed on hold until a complete application and all required items on the checklist are received. The owner(s) understand and agree to permitting employees of the City of Rolla to enter the subject property for purposes of posting a yard sign(s), retrieving the yard sign(s), taking photographs of the property/building(s), and investigating the property for pertinent information related to the request. Should ownership of the property change after the application is submitted, authorization is required from the new owner to continue with the review of the request, or the request will be withdrawn from consideration. The undersigned understands that refunds may be provided if the request is withdrawn prior to the Planning Commission hearing, less any costs already incurred.

| Property Owner(s):// | John Jordan | Applicant/Agent (If Differe | nt From Owner) |
|----------------------|-------------|-----------------------------|----------------|
| Sign | Print | Sign | Print |
| Sign | Print | Sign | Print |

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| Property Owi | ner(s): | Applicant/Ager | t (If Different From Owner) | |
|--------------|--------------|----------------|-----------------------------|--|
| 755 | Brett Bruner | | | |
| Sign | Print | Sign | Print | |
| Sign | Print | Sign | Print | |

Final Plat of

JORDAN SUBDIVISION NO. 2

Being a Resubdivision of JORDAN SUBDIVISION; Rolla, Phelps County, Missouri

SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

The undersigned owners of the tract of land herein platted do hereby impose upon said property and do

hereby make the following restrictive covenant: No

construction may be commenced upon the above

described property until all necessary building and

construction permits have been issued by the City of

Rolla, Missouri and that it is understood by the

undersigned that no such permits shall be issued for any

lots herein platted until the completion of all public

improvements appertaining to such lots or until a cash

bond equal to the reasonable costs of completing such

public improvements has been received and approved

by the City of Rolla, Missouri. The above mentioned

public improvements shall be completed pursuant to the

agreement between the undersigned and the City of

Rolla, Missouri for the completion of such improvements

as required by this article of the City Code of Rolla,

I, SYLVESTER FARRIS FURSE, IV, do hereby certify

that this plat was prepared under my supervision from an

actual survey of the land herein described prepared by

Archer-Elgin Surveying and Engineering, LLC dated

L.S. No. 2011017288 and that corner monuments and

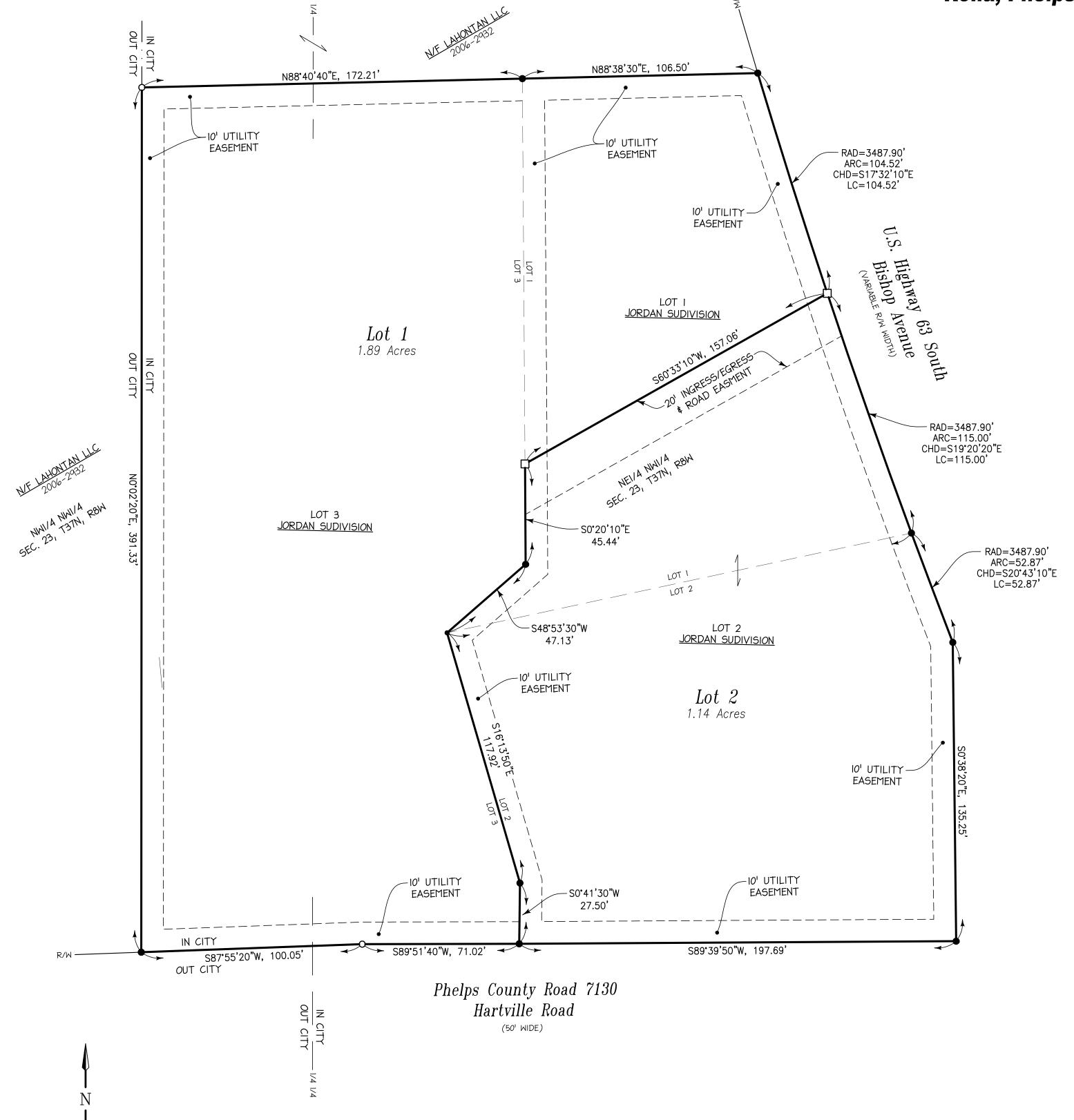
lot corner pins shown hereon were placed under the

L.S. No. 2011017288 in accordance with this article of

personal supervision of Sylvester Furse,

the City Code of Rolla, Missouri.

and signed by Sylvester Furse,



MISSOURI STATE PLANE GRID NORTH

CENTRAL ZONE BY GPS OBSERVATION

SET 1/2" IRON ROD

FOUND 1/2" IRON ROD

FOUND 1/2" IRON PIPE

SET PERMANENT MONUMENT

FOUND PK NAIL

RIGHT OF WAY

PROPERTY LINE

DESCRIPTION

All of Lots 1, 2 and 3 of JORDAN SUBDIVISION, Rolla, Phelps County, Missouri. Above described tract contains 3.03 acres, more or less.

IMPROVEMENT ACCEPTANCE

Approved subject to construction of improvements in accordance with development plans on file with the City of Rolla. This plat meets current subdivision codes of the City of Rolla.

| Steve Hargis, PE Director of Public Works | Date |
|---|------|
| Rodney Bourne, PE General Manager Rolla Municipal Utilities | Date |
| Floyd Jernigan Parks Director | Date |

PLANNING & ZONING APPROVAL

Don Brown, Chairman
Planning & Zoning Commission

Steve Flowers
Community Development Director

ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL

This is to acknowledge that the City Council of the City of Rolla, Missouri has, by ordinance duly adopted, approved this plat and has authorized the same to be filed for record in the Office of the Recorder of Deeds, Phelps County Missouri

| Mayor, City of Rolla | Date | |
|-----------------------------|------|---|
| Attest: | | |
| Lorri Thurman City Clerk | Date | _ |

COUNTY & CITY TAX RELEASE

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2021 and all prior years.

| Faith Ann Barnes | Date |
|-------------------------|------|
| Collector of Revenue | |
| Phelps County, Missouri | |
| • | |

2022. Plat filed at Cabinet _____, Number ____.

DEDICATION

3 Springs Holding, LLC hereby certify that they are the owner of the property described and shown hereon as "Lot 1", which property is located within the subdivision regulation jurisdiction of the City of Rolla; that they have caused this property to be platted as shown hereon; and that said property shall be known and designated as "JORDAN SUBDIVISION NO. 2." The owner hereby freely adopts this plan of subdivision

Dedicator does further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, gas and fiber optic lines within and along those utility easements which are created by virtue of this plat.

DATED:

3 SPRINGS HOLDING, LLC

Brett Bruner, Member

STATE OF MISSOURI)) SS.
COUNTY OF PHELPS)

On this _____ day of _____, before me appeared Brett Bruner, a member of 3 Springs Holding, LLC, to me personally known, who, being by me duly sworn did say: That Brett Bruner is a member of 3 Springs Holding, LLC, and that said instrument was signed and sealed on behalf of said corporation, and duly acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this _____ day of _____.

My Commission Expires: _____

NOTARY PUBLIC

DEDICATION

JC Land Investments, LLC hereby certify that they are the owner of the property described and shown hereon as "Lot 2", which property is located within the subdivision regulation jurisdiction of the City of Rolla; that they have caused this property to be platted as shown hereon; and that said property shall be known and designated as "JORDAN SUBDIVISION NO. 2." The owner hereby freely adopts this plan of subdivision.

Dedicator does further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, gas and fiber optic lines within and along those utility easements which are created by virtue of this plat.

DATED:

JC LAND INVESTMENTS, LLC

John W. Jordan, Member

STATE OF MISSOURI)) SS.
COUNTY OF PHELPS)

On this _____ day of _____, before me appeared John W. Jordan, a member of JC Land Investments, LLC, LLC, to me personally known, who, being by me duly sworn did say: That John W. Jordan is a member of JC Land Investments, LLC, and that said instrument was signed and sealed on behalf of said corporation, and duly acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this ____ day of ____.

My Commission Expires: ____

NOTARY PUBLIC

NOTES:

- I declare that to the best of my professional knowledge and belief, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030 16).
- 2. Tract is classified Urban (20 CSR 2030 16.040).
- 3. Date of field work: October, 2021
- 4. Plat represents a resurvey of Lots 1, 2 and 3 of JORDAN.
- 5. Dimensions shown are measured. For record dimensions, see document(s)
- 6. Tract is currently zoned C-2, General Retail District.

CM Archer Group, P.C. dba:

TARCHER - ELGIN

engineering surveying architecture

Corporate Authority:

CM Archer Group, P.C.: E: 2003023612-D, LS: 2004017577-D, A-2016017179

Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, LS: 2011025471, A-2012014618

REVISIONS

Final Plat of

JORDAN SUBDIVISION NO. 2

Rolla, Phelps County, Missouri

John Jordan

1344 S. Bishop Ave.; Rolla, Missouri 65401

- This plat was filed for record in my office on this ____ day of _____,
- Robin Kordes Recorder of Deeds Phelps County, Missouri