

Please Note: The Council Meeting will be conducted at Rolla City Hall but physical participation will be limited per CDC guidelines. Citizens are encouraged to watch the proceedings live on Fidelity Cable Channel 16 or through the Fidelity YouTube link at <https://www.youtube.com/channel/UCffrfbYSQqtuhOAVkCCyieA>

COUNCIL PRAYER
Ministerial Alliance

AGENDA OF THE ROLLA CITY COUNCIL
Monday, October 17th, 2022; 6:30 P.M.
City Hall Council Chambers
901 North Elm Street

PRESIDING: MAYOR LOUIS J. MAGDITS, IV

COUNCIL ROLL: MORIAH RENAUD, TERRY HIGGINS, MEGAN JOHNSON, NATHAN CHIRBAN, LISTER B. FLORENCE, JR., MATTHEW FRIDLEY, JAIED HALL, ROBERT KESSINGER, CAROLYN BOLIN, STANLEY MAYBERRY, VICTORIA STEEN, AND TINA BALCH

PLEDGE OF ALLEGIANCE
Councilman Nathan Chirban

I. PUBLIC HEARINGS –

A. **Public Hearing and Ordinance** to allow the vacation of a portion of an alley between 11th, 11th, Cedar, and Maple Streets. (City Planner Tom Coots) **First Reading**

II. OLD BUSINESS –

A. **Ordinance** amending Chapter 18 of the Rolla City code pertaining to Environmental Service Fees. (Environmental Services Director Brady Wilson) **Final Reading**

B. **Ordinance** approving a License Agreement with GRACE to modify building canopy over City Right of Way. (Public Works Director Steve Hargis) **Final Reading**

C. **Ordinance** regarding Text Amendment pertaining to Overnight Shelters. (City Planner Tom Coots) **First reading**

III. NEW BUSINESS –

A. **Ordinance** to allow a Minor Subdivision to combine two residential lots at 3 Lewis Lane. (City Planner Tom Coots) **First Reading**

IV. CLAIMS and/or FISCAL TRANSACTIONS –

A. **Motion** to approve the purchase of a 2022 F550 Ford Super Duty Chassis. (Fire Chief Ron Smith)

V. CITIZEN COMMUNICATION

VI. MAYOR/CITY COUNCIL COMMENTS

VII. COMMENTS FOR THE GOOD OF THE ORDER

VIII. CLOSED SESSION – Closed Session per RSMo 610.021 – NONE

IX. ADJOURNMENT -



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Public Hearing/First Reading
(Final Reading Requested)

SUBJECT: Vacation of a portion of an alley between 10th, 11th, Cedar, and Maple Streets

(VAC22-03)

MEETING DATE: October 17, 2022

Application and Notice:

Applicant/Owner - Anne and Scott McClay; and Minh Nhut Nguyen of Wynn Wynn, LLC
Public Notice - Letters mailed to impacted property owners; Legal ad in the Phelps County Focus;
<https://www.rollacity.org/agenda.shtml>

Background: The applicants seek to vacate 80 feet of an alley adjacent to their properties. The alley is not built and not used in the area to be vacated. The eastern portion of the alley was previously vacated.

Property Details:

Land area - Approximately 1,120 sq. ft. to be vacated

Public Facilities/Improvements:

Utilities - Communications utilities are located in the alley. An easement will be retained.

Comprehensive Plan: The Comprehensive Plan does not provide guidance on street/alley vacations. Generally, alleys may be vacated where they are found to not be needed for access.

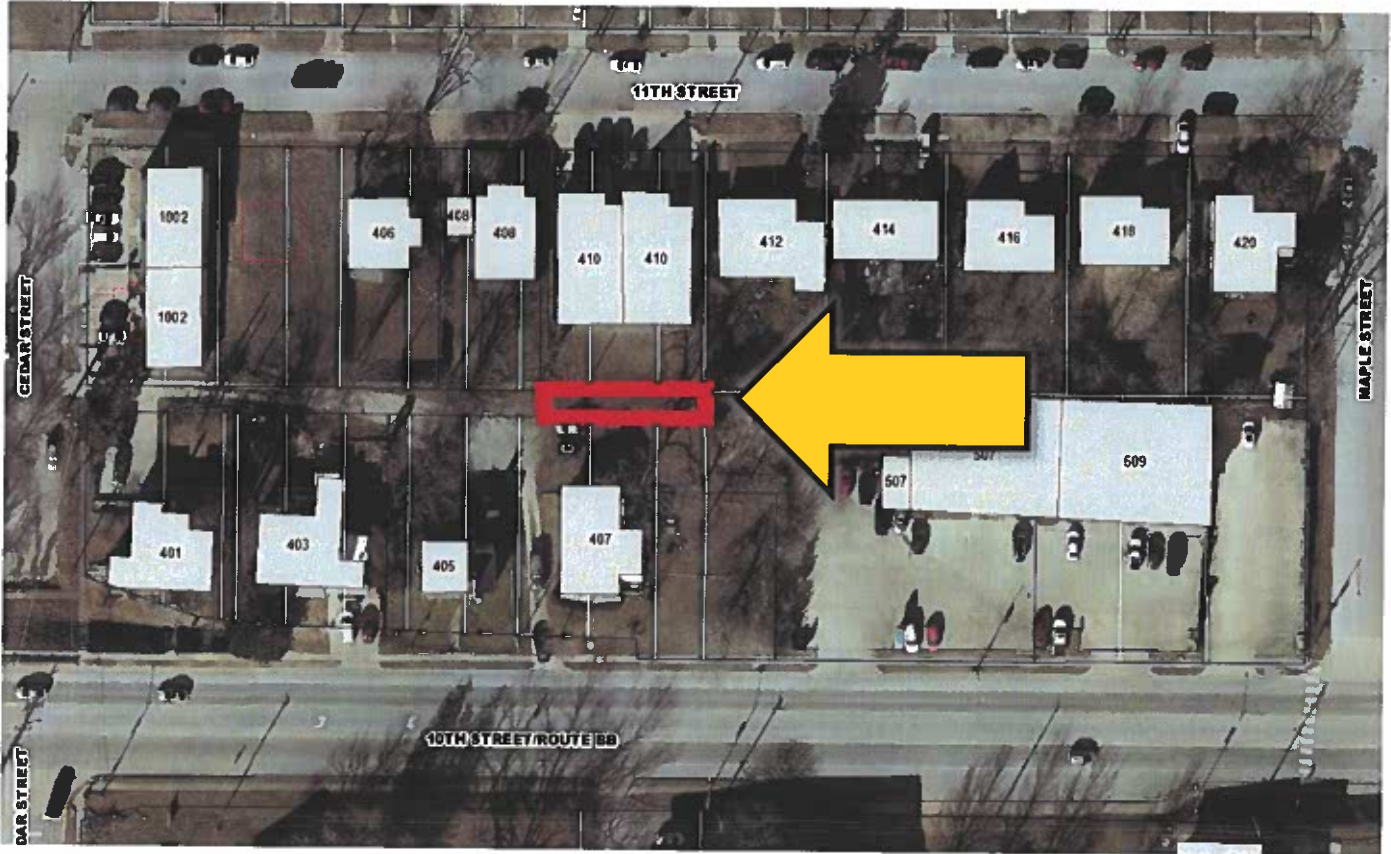
Discussion: With the eastern portion of the alley already having been vacated, and with the subject portion of the alley not being in use, the alley does not seem to have any public use. The area will be maintained as an easement for the existing utilities.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on October 11, 2022 and voted 6-0 to recommend approval of the request.

Prepared by: Tom Coots, City Planner

Attachments: Exhibit; Public Notice; Ordinance; Request for Final Reading



Project Information:

Case No: VAC22-03
 Location: Adjacent to 407 E 10th and
 410 E 11th Street
 Applicant: Anne and Scott McClay
 and Mihn Nhut Nguyen
 Request:
 Vacation of a portion of alley between
 10th, 11th, Cedar, and Maple Streets

Public Hearings:

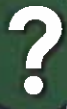
Planning Commission
October 11, 2022
5:30 PM
 City Hall: 1st Floor

 City Council
October 17, 2022
6:30 PM
 City Hall: 1st Floor

For More Information Contact:

Tom Cools, City Planner
tcools@rollacity.org

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



FREQUENTLY ASKED QUESTIONS

What is a Vacation?

A vacation is an application to vacate (or remove) all or a portion of a right-of-way adjacent to a property or an easement on a property. The right-of-way or easement must be found to no longer serve any current or future purpose.

What is a Right-of-Way?

In the context of a vacation application, a right-of-way refers to the area which has been dedicated to the City – usually for a public street. An easement is a portion of land that has granted the City the right to use a private property for some public purpose – usually for utilities, drainage, or access.

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting to learn details about the project. You will be given an opportunity to ask questions or make comments regarding the case.

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

Please contact the Community Development Office if you have any additional questions.

LEGAL DESCRIPTION

A fractional part of a 14 foot alley in Block 102 of EASTON ADDITION, Rolla, Missouri being more particularly described as follows: Beginning at the Northeast Corner of Lot 10, Block 102 of said EASTON ADDITION; thence West, 80 feet along the North line of said Lot 10 and along the North line of Lots 8 and 9, Block 102 of EASTON ADDITION; thence North, 14 feet to a point on the South line of Lot 13 of said Block 102 of EASTON ADDITION; thence East, 80 feet along said South line and along the South line of Lots 12 and 11 of said Block 102 of EASTON ADDITION to the southeast corner of said Lot 11; thence South, 14 feet to the point of beginning.

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE VACATION OF A PORTION OF AN ALLEY BETWEEN 10TH, 11TH, CEDAR, AND MAPLE STREETS

(VAC22-03)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: The location of the rights-of-way to be vacated are shown on the attached exhibit.

SECTION 2: The said area to be vacated is more particularly described as follows:

A fractional part of a 14-foot alley in Block 102 of EASTON ADDITION, Rolla, Missouri being more particularly described as follows: Beginning at the Northeast Corner of Lot 10, Block 102 of said EASTON ADDITION; thence West, 80 feet along the North line of said Lot 10 and along the North line of Lots 8 and 9, Block 102 of EASTON ADDITION; thence North, 14 feet to a point on the South line of Lot 13 of said Block 102 of EASTON ADDITION; thence East, 80 feet along said South line and along the South line of Lots 12 and 11 of said Block 102 of EASTON ADDITION to the southeast corner of said Lot 11; thence South, 14 feet to the point of beginning.

SECTION 3: The area to be vacated as described in this ordinance shall be retained as a utility easement.

SECTION 4: Pursuant to State Statutes, the ownership of the property to be vacated is to revert to the property owners on each side of the alley.

SECTION 5: That this Ordinance shall be in full force and effect after the its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 17TH DAY OF OCTOBER, 2022.

APPROVED:

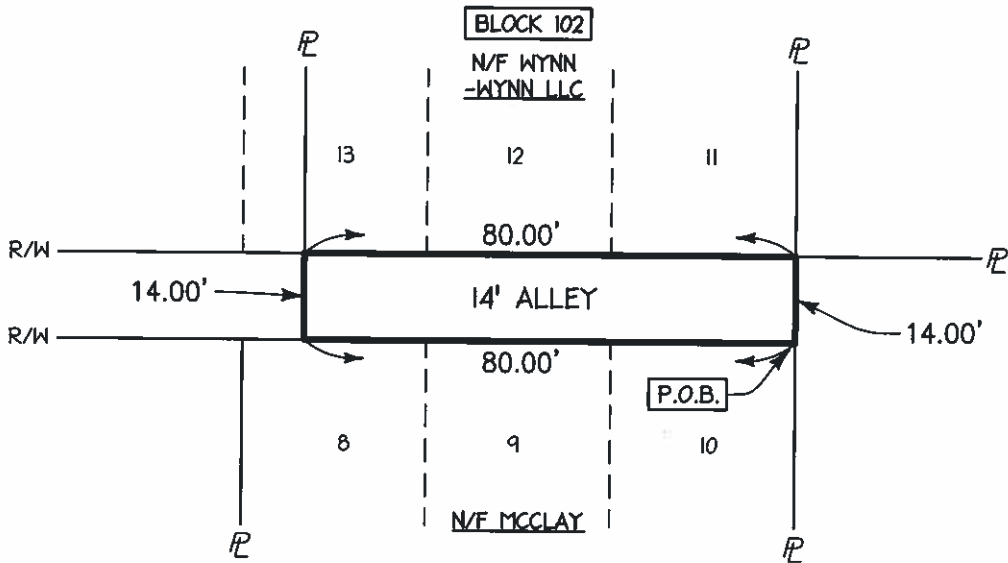
ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor



SCALE: 1"=30'

Exhibit "A"



CM Archer Group, P.C. dba
ARCHER-ELGIN
 engineering ■ surveying ■ architecture
 Corporate Authority:
 CM Archer Group, P.C.: E: 2003023612, LS: 2004017577-D
 Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, LS: 2011025471, A-2012014618
 180 East 6th Street, Rolla, Missouri 65401 ■ Phone: 573-364-6362 Fax: 573-364-1782 ■ www.archer-elgin.com ■ www.elginsurvey.com

Alley Vacation
 Block 102, EASTON ADDITION
 Rolla, Missouri

DATE:	Aug. 31, 2022
DESIGNED BY:	SFF
DRAWN BY:	MEP
PROJECT NO.:	J4709

September 19, 2022

Tom Coots
City Planner
901 N Elm Street
Rolla, MO 65401

Mr Coots,

My husband and I in cooperation with the adjacent property owner, Minh Nhut Nguyen, are in the process of vacating the alley located between our properties in Block 102 of Easton Addition. We have previously submitted the required legal description and exhibit drawing.

It is our understanding that the vacation will be submitted to the Planning and Zoning Commission at the October 11, 2022 meeting. Pending approval by P&Z, the matter will be taken to City Council Public Hearing on October 17, 2022.

We would like to formally request that first and second reading be conducted at the October 17, 2022 meeting. We had previously purchased a portable garage that we cannot place on our property in the desired location until the alley is vacated. The company that sold us the garage has very graciously agreed to store the building on the lot until we are able to have it delivered, but this of course means they are not free to move in new units to sell and a potential loss in revenue on their part.

In addition, waiting for the second reading at a separate council meeting means that we would now be looking at November for a delivery date on the garage and this of course means the possibility of inclement weather.

We very respectfully ask for first and second reading at the October 17th, 2022 meeting. Please let me know if you need any further information from me. And as always, thank you for your assistance thus far.

Sincerely,


Anne McClay

CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Brady Wilson

ACTION: Ordinance-Final Reading

ITEM/SUBJECT: Rate/Fee Increase Proposal

BUDGET APPROPRIATION: NA

DATE: October 17, 2022

COMMENTARY:

The last increase in fees for waste collection services provided by the Environmental Services Department was implemented in January of 2019. That increase in both residential and commercial services was typically 5-10%, depending on the service. Since that time, there have been significant increases in the costs of operations. The cost of trucks, fuel, manpower, and equipment (carts and dumpsters) have all increased dramatically. Due to rising operating costs and significant capital expenses, the Environmental Services Department has operated with a deficit budget the last couple of years. In order to avoid depleting the Fund further, it is necessary to increase revenue.

The FY2022-23 budget includes a \$.50/month increase for residential service and a 5% increase for commercial/dumpster services. A copy of the proposed changes and accompanying ordinance are attached. The suggested effective date of the proposed increases is November 1, 2022.

ITEM _____

Residential Rates

	<u>Current:</u>	<u>Proposed:</u>
90-gallon:	\$15.25/month	\$15.75/month
35-gallon:	\$12.75/month	\$13.25/month
Bags for extras:	\$1.00 each	No change
Bulk waste stickers:	\$5.00 each	No change

Commercial Rates

	<u>Current (monthly):</u>	<u>Proposed (monthly):</u>
90-gallon cart:	1/week - \$ 15.25	\$ 15.75
1 cubic-yard:	1/week - \$ 42.40	\$ 44.50
	2/week - \$ 84.80	\$ 89.00
	3/week - \$127.20	\$133.50
	4/week - \$169.60	\$178.00
	5/week - \$212.00	\$222.50
	Extra - \$ 25.00	\$ 26.25/empty
2 cubic-yard:	1/week - \$ 66.50	\$ 70.00
	2/week - \$133.00	\$140.00
	3/week - \$199.50	\$210.00
	4/week - \$266.00	\$280.00
	5/week - \$332.50	\$350.00
	Extra - \$ 30.00	\$ 31.50/empty
4 cubic-yard:	1/week - \$112.40	\$118.00
	2/week - \$224.80	\$236.00
	3/week - \$337.20	\$354.00
	4/week - \$449.60	\$472.00
	5/week - \$562.00	\$590.00
	Extra - \$ 40.00	\$ 42.00/empty
6 cubic-yard:	1/week - \$159.40	\$167.50
	2/week - \$318.80	\$335.00
	3/week - \$478.20	\$502.50
	4/week - \$637.60	\$670.00
	5/week - \$797.00	\$837.50
	Extra - \$ 50.00	\$ 52.50/empty
Container swap fee:	\$25.00	\$ 30.00 (each time)

Construction/Demolition Dumpsters

	<u>Current:</u>	<u>Proposed:</u>
Daily Rental:	\$5.00/day (Mon.-Fri.)	\$5.25/day (Mon.-Fri.)
Relocation Fee:	\$50.00	\$52.50
Transport Fee:	\$2.50/mile	\$2.60/mile
(This fee is charged when waste is required to be direct-hauled to the landfill.)		
Roll-off Boxes:		
Pull Charge:	\$100.00	\$105.00 (Minimum of one pull/box/mo.)
Rear-load Dumpsters:		
4 cubic-yard:	\$80.00/empty	\$84.00/empty
6 cubic-yard:	\$110.00/empty	\$115.50/empty
Compactors:		
Pull Charge:	\$115.00 (single handling)	\$120.00/empty
	\$130.00 (double handling)	\$136.50/empty

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTION 18-16 (a), AND SECTION 18-25 OF THE GENERAL ORDINANCES OF THE CITY OF ROLLA, MISSOURI KNOWN AS THE CODE OF THE CITY OF ROLLA, MISSOURI, AND ENACTING NEW SECTIONS IN LIEU THEREOF PERTAINING TO RESIDENTIAL AND COMMERCIAL REFUSE DISPOSAL AND COLLECTION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

Section 1: That Section 18-16 (a) of the Code of the City of Rolla, Missouri, is hereby repealed and a new section enacted in lieu thereof as follows:

Sec. 18-16. Service charge rates for residential refuse collection.

- (a) Each residential refuse customer shall pay to the City a service charge of \$13.25 per month for the weekly collection of the contents of each 35-gallon container, all acceptable yard wastes in biodegradable bags, and all specified recyclables. Each residential refuse customer shall pay to the City a service charge of \$15.75 per month for the weekly collection of the contents of each 90-gallon container, and all acceptable yard wastes in biodegradable bags (in season).
- (b) For those occasions when a residence has extra household refuse beyond what will fit in the City-provided refuse container, the City may sell special bags to be used for the additional refuse. The rate to be charged will be \$1.00 for each of these bags with a capacity of approximately 30 gallons. These bags are intended to be used only for “extra” or “overflow” refuse and to occasionally augment the regular weekly collection of waste and are not to be used in lieu of the City-provided container used for regular weekly collection. These bags should be placed near the refuse cart for the regularly scheduled weekly collection.

Section 2: That Section 18-25 of the Code of the City of Rolla, Missouri, is hereby repealed and a new section enacted in lieu thereof as follows:

Sec. 18-25. Service charge rates for commercial refuse collection.

Each commercial refuse customer shall pay to the city a service charge for collection as follows:

- (a) Each commercial refuse customer shall subscribe to one of the following service levels and pay monthly to the City the following service charge(s) for the corresponding container and frequency of service:

One (1) cubic yard container	
1 service per week	\$ 44.50/month

2 services per week	\$ 89.00/month
3 services per week	\$133.50/month
4 services per week	\$178.00/month
5 services per week	\$222.50/month

There will be a \$26.25 charge for any additional service request.

Two (2) cubic yard container

1 service per week	\$ 70.00/month
2 services per week	\$140.00/month
3 services per week	\$210.00/month
4 services per week	\$280.00/month
5 services per week	\$350.00/month

There will be a \$31.50 charge for any additional service request.

Four (4) cubic yard container

1 service per week	\$118.00/month
2 services per week	\$236.00/month
3 services per week	\$354.00/month
4 services per week	\$472.00/month
5 services per week	\$590.00/month

There will be a \$42.00 charge for any additional service request.

Six (6) cubic yard container

1 service per week	\$167.50/month
2 services per week	\$335.00/month
3 services per week	\$502.50/month
4 services per week	\$670.00/month
5 services per week	\$837.50/month

There will be a \$52.50 charge for any additional service request.

The initial container requested will be delivered at no extra charge. However, there will be a \$25.00 fee for changing container sizes after the initial delivery.

(b) Each commercial refuse customer shall pay to the City a service charge of \$15.75 per month for collection of one (1) 90-gallon roll-out container once per week.

(c) Customers utilizing the City’s construction/demolition container service shall pay to the City a rental charge of \$5.25 per day (Monday through Friday) plus a charge of \$105.00 per pull plus appropriate landfill or transfer station tipping fees for each open top roll-off container. There shall be a minimum of one pull charged per month per box.

(d) Each customer shall pay to the City, a rental charge of \$5.25 per day (Monday through Friday) for use of each 4-yard container, plus a charge of \$84.00 each time a 4-yard container is emptied, and, each customer shall pay to the City, a rental charge of \$5.25 per day (Monday through Friday) for use of each 6-yard container, plus a charge of \$115.50 each time a 6-yard container is emptied. There shall be a minimum of one empty service charged per box per month.

(e) Each customer shall pay to the City a service charge of \$120.00 per pull for standard compactor units, and \$136.50 per pull for compactor units requiring double handling to turn the unit around, plus appropriate landfill or transfer station fees for each hydraulically operated roll-off compactor.

(f) Each customer requesting to have the City haul regulated waste shall pay the established container fees as specified in Section 18-25 herein as well as all other applicable disposal fees in addition to a \$2.60 per mile transportation fee.

(g) Each customer shall pay to the City a fee of \$52.50 to have a roll-off or construction/demolition container relocated at the customer’s request.

Section 3: That this ordinance shall be in full force and effect with the billing on or after November 1, 2022.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 17th DAY OF OCTOBER 2022.

APPROVED:

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT HEAD: Steve Hargis

ACTION REQUESTED: Ordinance Final Reading

ITEM/SUBJECT: License Agreement with

BUDGET APPROPRIATION (IF APPLICABLE)

DATE: 10/17/2022

COMMENTARY:

Attached is a proposed License Agreement to allow the Greater Rolla Area Charitable Enterprise (GRACE) to make modifications to a canopy covering loading docks.

GRACE applied for a building permit to replace the roof on the canopy at 601 North Elm. After a survey it was discovered that the canopy is partially in City Right of Way.

We are proposing that GRACE be granted to operate and maintain this canopy in City Right of Way under a license agreement. GRACE is planning on replacing the roof and some minor structural upgrades. This agreement can be terminated with 30 days' notice by the City.

Staff recommends approval.

ITEM NO. _____

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ROLLA, MISSOURI TO EXECUTE IN BEHALF OF THE CITY OF ROLLA, MISSOURI A CERTAIN LICENSE AGREEMENT WITH THE GREATER ROLLA AREA CHARITABLE ENTERPRISE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AS FOLLOWS:

Section 1: That the Mayor of the City of Rolla, Missouri is hereby authorized and directed to execute on behalf of the City of Rolla, Missouri a certain License Agreement with the Greater Rolla Area Charitable Enterprise to operate and maintain a canopy in the city's right of way of Elm Street, a copy of said License Agreement being attached hereto and marked Exhibit "A".

Section 2: This ordinance will be full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 17TH DAY OF OCTOBER 2022.

APPROVED:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY COUNSELOR

ELM STREET (60')

EXISTING OVERHEAD CANOPY

PROPERTY BOUNDARY

EXISTING G.R.A.C.E. BUILDING

C/L RAILROAD

PROPERTY BOUNDARY

PROPERTY BOUNDARY

SIXTH STREET (60')



NO.	DATE	BY	CHKD.
1	08/11/2022	J. M. [unclear]	[unclear]
2	08/11/2022	[unclear]	[unclear]
3	08/11/2022	[unclear]	[unclear]
4	08/11/2022	[unclear]	[unclear]
5	08/11/2022	[unclear]	[unclear]
6	08/11/2022	[unclear]	[unclear]
7	08/11/2022	[unclear]	[unclear]
8	08/11/2022	[unclear]	[unclear]
9	08/11/2022	[unclear]	[unclear]
10	08/11/2022	[unclear]	[unclear]

NO.	DESCRIPTION	DATE
1	ISSUE DATE: 8-11-2022	
2		
3		
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5		
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CANOPY REPLACEMENT FOR G.R.A.C.E.
601 N. ELM STREET, ROLLA, MO
ROW PLAN

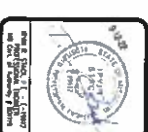


Exhibit A

GRANT OF LICENSE BY THE CITY ROLLA

This is a license to allow Greater Rolla Area Charitable Enterprise (GRACE) at 601 North Elm Street, Rolla, Missouri, to utilize certain City-owned property described herein for the following purposes:

To improve and maintain an existing canopy within the right of way of Elm Street adjacent 601 North Elm Street. If the canopy is structurally damaged and the repair is more than 50 percent of the value it must be removed.

In consideration of the payment of the sum of One Dollar, paid to the City of Rolla, the City of Rolla does hereby grant GRACE. the use of the below described property for the purpose set out above subject to the following terms and conditions:

- 1) The City property to be used is described as follows:
 - A) **To improve and maintain an existing canopy within the right of way of Elm Street adjacent 601 North Elm Street. If the canopy is structurally damaged and the repair is more than 50 percent of the value it must be removed. See attached Exhibit A for location.**
- 2) Licensee accepts the above described property as is and agrees to keep said property in good repair to prevent any change in condition or prevent any dangerous condition or unattractive nuisance from developing.
- 3) Licensee shall not sublet the properties described herein or any part thereof or assign use of the right of ingress and egress to said property to any person or persons or in any way allow any other usage of said property unless described herein without the written consent of the City of Rolla.
- 4) The term of this license shall begin October 17th, 2022 and shall be terminable upon thirty (30) days notice to licensee unless the City of Rolla shall declare same an emergency and in that case the City of Rolla may obtain possession of said property and cause the use herein set out to cease.
- 5) Licensee shall be required to provide a Certificate of Liability Insurance for \$1,000,000 (One Million Dollars) to protect the City of Rolla and further shall require that the City of Rolla be listed as co-insured on any policy held by licensee. The licensee shall hold the City harmless from any incident or accident arising out of the use or operations specified herein.
- 6) This license is not an easement, shall not be considered an easement, and this document may not be recorded in the recorder of deeds' office in any county in the State of Missouri or anywhere else. This is a license and, therefore, a limited grant, **not** running with the land and giving no rights other than those set out herein in the properties described herein.

Dated and signed this 17th day of October, 2022.

Louis J. Magdits IV, Mayor

Attest:

Lorri Thurman, City Clerk



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: Discussion/First Reading

SUBJECT: Text Amendment: Sections 42-141 Definitions; Division 5, R-3, Multi-family districts; Division 7, C-O, Office districts; Division 9, C-2, General Retail districts; Division 10, C-3 Highway Commercial districts; Division 11, CC, Center-City districts; 42-233 Reserved; 42-234 Residential Group Homes; 42-225 and 42-226 Reserved, pertaining to Overnight Shelters and related uses.

(TXT22-01)

MEETING DATE: October 17, 2022

Application and Notice:

Applicant - City of Rolla

Public Notice - Legal ad in the Phelps County Focus; <https://www.rollacity.org/agenda.shtml>

Background:

The current zoning ordinance does not contemplate overnight shelters or related uses. Rolla does currently have a few organizations what may be considered to be an overnight shelter or a related use. Lacking clear direction on how to regulate the use, staff had difficulty with how to approach the uses. Consequently City Council authorized the drafting of a text amendment to bring some definition and structure to the issue of homeless shelters.

The proposed text amendment should bring some clarity as to how to regulate these uses. The text amendment defines the uses, permits the uses in certain zoning district by-right or with approval of a conditional use permit, and imposes some requirements for how the uses operate.

The desire for clearer regulations is related to the general increase in homelessness and related issues in Rolla. While the changes have been brought on by the recent desire for the Rolla Mission to relocate and/or increase their services, review should consider that other organizations may seek to provide such services.

The City Council conducted a public hearing to receive input at the June 20, 2022 meeting and at the July 5, 2022 meeting. The Council tabled further discussions to allow for time to consider the proposal. The Council directed staff in closed session on July 18, 2022 to make some revisions to the proposed text amendment and create a draft ordinance for further discussion.

The City Council reviewed the revised proposed text amendments and a draft of an ordinance at the August 15, 2022 meeting. The City Council held additional public hearings at the September 6 and September 19 City Council meetings.

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a public hearing on June 14, 2022 and voted 6-0 to recommend that the original proposed text amendment not be approved by the City Council. No proposed amendments were offered. The Commission has not been asked to review the revised draft.

Action

City Council can amend the proposed text; or can postpone action for further consideration; conduct the first reading of the ordinance; or take no action at this time.

Prepared by:

Tom Coots, City Planner

Attachments:

Proposed Text Amendment; Map of Allowed Zones and Buffers; Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 42, ARTICLE III OF THE CITY OF ROLLA ORDINANCES OF THE CITY OF ROLLA, MISSOURI REGARDING EMERGENCY SHELTERS, OVERNIGHT SHELTERS, SOUP KITCHENS, AND TRANSITIONAL HOUSING.

WHEREAS, provisions for shelters and other related uses or structures are not clearly indicated in the adopted zoning codes.

WHEREAS, such shelters uses may cause impacts to surrounding properties and use public safety services.

WHEREAS, the Rolla Planning and Zoning Commission did hold a public hearing following the provision of public notice pursuant to Section 42-143 and applicable state statutes; and

WHEREAS, the Rolla City Council did hold a public hearing(s); and

WHEREAS, based on the information received, including comments from the public, reports from city staff, the Rolla City Council did find that the requested action is in the best interest of the city:

NOW, THEREFORE, IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: Section 42-141 “Definitions,” is hereby amended to add the following definitions:

Overnight Shelter: A facility, building, or property where overnight housing services are provided temporarily to persons impacted by temporary or chronic homelessness, at no cost or at a charge that is less than the full cost of providing the services, whether or not other related services are provided at the location. Such use shall not include any of the following:

- (a) Residential group homes;
- (b) Temporary lodging for families of patients, or patients themselves, of state-licensed health facilities within Phelps County;
- (c) University or educational institution residence halls;
- (d) Fraternity or sorority houses;
- (e) State and city licensed nursing homes and day care centers;
- (f) Foster homes licensed under Chapter 210, RSMo;
- (g) Hospitals, mental institutions, residential care facility or institution that is licensed by the State of Missouri under Chapters 197, 198, and 630, RSMo.;
- (h) Emergency shelters related to relocation and are available during or after a fire or natural disaster for a limited duration;
- (i) Food pantries and distribution
- (j) Hotels, motels, boarding houses, and other similar forms of lodging

Domestic Violence Shelter: Temporary residential facility with the primary purpose of housing survivors of domestic violence and/or sexual violence and their families or household members at no cost or at a charge that is less than the full cost of providing services; and/or as defined by the Missouri Coalition Against Domestic and Sexual Violence. A domestic violence shelter is a form of an overnight shelter which is subject to different operational requirements due to the special nature of the use.

Transitional housing: Non-emergency temporary housing with supportive services for a length of stay of typically more than six months to individuals and families experiencing homelessness or transitioning into permanent housing from an overnight shelter, domestic violence shelter, drug/alcohol rehabilitation, or from incarceration with the goal of interim stability and support to successfully move to and maintain permanent housing. Transitional housing includes multi-family or dormitory style housing arrangements and does not include housing which meets the definition of a single-family dwelling or group home.

Soup kitchen: An establishment where meals are provided to a person or persons at no cost or at a charge that is less than the full cost of providing same and that the provision of such meals and related services is the principal service of the establishment, whether or not additional services are provided. A soup kitchen is differentiated from a restaurant or food service establishment by providing services for no cost or for less than the cost of providing the services and provision of related social services. A soup kitchen does not include the provision of an overnight shelter, temporarily or otherwise.

SECTION 2: Division 5 “R-3, Multi-family District” is hereby amended to add “Conditional Uses” as Section 42-177.2 and renumber accordingly. Section 42-177.2 and Section 42-177.3 are to be revised as needed to read as follows:

Sec. 42-177.2. Conditional Uses.

In accordance with Division 16 of this Article and with the issuance of a Conditional Use Permit, the following uses are permitted in the R-3 zoning district.

1. Transitional Housing
2. Overnight Shelters

Sec. 42-177.3 Area Requirements.

Minimum size of lot:

- Area: 7,500 square feet plus 1,500 square feet for each dwelling unit in excess of two (2) dwelling units.

Maximum Number of Bedrooms Permitted: 8 Bedrooms per unit.

Maximum number of occupants per dwelling unit: Eight (8), except for incorporated fraternities, sororities, and clubs, and overnight shelters.

Lot frontage: 75 feet at front lot line.

Width: 75 feet at building line.

Maximum percentage of lot that may be occupied by buildings:

- All buildings: 40 percent.

Minimum open space per lot:

- Not less than twenty five (25) percent of the total lot area shall be devoted to open space including required yards and buffer yards. Open space shall not include areas covered by buildings, structures, parking areas, driveways, side walk, patio, accessory structures and internal streets. Open space shall contain living ground cover such as grass, plants, shrubs or trees. Decorative landscaping materials, such as rock, bark, and mulch are also permitted.
- No open space shall be required on a lot if existing buildings and structures are replaced with new buildings and structures using the same floor area, provided a building permit for replacement is applied for within one (1) year after the existing buildings are removed. In addition, no open space is required if an existing use expands operations or is established in existing floor area that previously was unfinished or not otherwise available for occupancy.

Maximum height of buildings:

- Four stories and sixty-four feet.

Minimum setback dimensions:

- Front yard: 25 feet from the front lot line.
- Each side yard: 5 feet measured from side lot line.
- Rear yard: 10 feet from the rear property line.

SECTION 3: Division 7 “C-O, Office District” is hereby amended to add “transitional housing and overnight shelters” to Section 42-183.1, line 1 as an excluded use.

SECTION 4: Division 9 “C-2, General Commercial District” is hereby amended to add “Soup Kitchens” to Section 42-189.2 as a Conditional Use.

SECTION 5: Division 10 “C-3, Highway Commercial District”, is hereby amended to add “soup kitchens” to Section 42-192.1, line 1 as an excluded use.

SECTION 6: Division 10 “C-3, Highway Commercial District”, is hereby amended to add “Overnight Shelters and Soup Kitchens” to Section 42-192.2, as Conditional Uses.

SECTION 7: Division 11 “CC, Center City District”, Section 42-194.1, line 1 is hereby amended to add “soup kitchens and overnight shelters” as excluded uses.

SECTION 8: Division 11 “CC, Center City District” is hereby amended to add “Conditional Uses” as Section 42-192.2 and renumber accordingly. Section 42-192.2 and Section 42-192.3 are to be revised as needed to read as follows:

Sec. 42-192.2. Conditional Uses.

In accordance with Division 16 of this Article and with the issuance of a Conditional Use Permit, the following uses are permitted in the C-C zoning district.

1. Overnight Shelters
2. Transitional Housing
3. Soup Kitchens

Sec. 42.194.3. Area Requirements.

Minimum size of lot: No minimum

Maximum number of occupants per dwelling unit: Eight (8), except for incorporated fraternities, sororities, and clubs, and overnight shelters.

Lot frontage: No minimum

Width: No minimum.

Maximum percentage of lot that may be occupied by building footprint: 100 percent.

Maximum height of buildings: No maximum

Minimum setback dimensions:

- (a) Front yard: None
- (b) Each side yard: None
- (c) Rear yard: None

Minimum parking requirements: None, except for new construction where sufficient land area exists to allow the provision of adequate parking consistent with the requirements of this Article.

SECTION 9: Division 12 “M-1 Light Manufacturing District”, Section 42-196.1, line 1 is hereby amended to add “transitional housing” and “soup kitchens” as an excluded use.

SECTION 10: Section 42-224 “Residential Group Homes” is to be renumbered as Section 42-223.

SECTION 11: Section 42-224 “Overnight Shelter Uses.” is hereby established as follows:

These Overnight Shelter requirements are intended to help mitigate the impacts of an overnight shelter use on public safety services and surrounding properties. Such facilities should generally be located such that clients will have access to jobs, counseling, and other resources for assistance. Any Overnight Shelter use, except shelters which meet the definition of a domestic violence shelter, must adhere to the standards established by the Missouri Interagency Council on Homelessness, the Missouri Balance of State Continuum of Care, and any state and federal requirements as well as the distance requirements established below, or must meet the following requirements:

1. No individual or family shall reside in an overnight shelter for more than 30 days without entering into case management to obtain housing. Generally, clients are not expected to reside on the premises for more than 6 months without demonstrating extenuating circumstances.
2. A written operations plan must be submitted and approved by the Chief of Police and Community Development Director. The plan must include the following information: contact information for key staff, floorplan, security and exterior lighting plan, health and safety protocols, occupancy policies, intake procedures and tracking outcomes, and an outreach plan for surrounding property owners and residents.
3. A log of each person receiving temporary housing must be kept, including the person’s name, last place of residence, and a photo of the person and/or their government issued identification. Such logs are to be submitted to the Rolla Police Department upon request.
4. The operator must conduct a background check on the MO Sex Offender Registry and MO Casenet before any person may reside at the property overnight.
5. Any facility providing overnight shelter services must be located a minimum of 1,000 feet from any other property operating an overnight shelter facility.
6. Unless specifically permitted as a family or youth shelter, overnight shelters must be located a minimum of 500 feet from any school, playground, or daycare, as measured from the closest point of the shelter facility to the closest point of such school, playground, or daycare.
7. The operator must enforce a policy of prohibiting alcohol or illegal drug use on the property.
8. Security cameras are required at a minimum to film any persons using the building entrances, exits and outdoor assembly areas. Such recordings shall be maintained for at least 72 hours and made available for law enforcement if a crime is alleged or committed.
9. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements.
10. The operator of such facility must allow the City Administrator, or designee, access to monitor the operation for compliance with the city codes, any conditions of approval, and any other directives to mitigate impact to surrounding properties. If the director finds any deficiencies, the director must notify the operator and provide 30 days to bring the operation into compliance (unless a life-safety condition exists in which immediate action is required). If the operator fails to correct the deficiencies, the Community Development Director is authorized to terminate the conditional use permit or occupancy permit. The operator may appeal the termination to the City Council.
11. An initial inspection fee of \$300 must be submitted prior to commencing operations and an annual inspection fee of \$100 must be submitted annually thereafter.

SECTION 12: Section 42-224.1 “Domestic Violence Shelter Uses.” is hereby established as follows:

These Domestic Violence Shelter requirements are intended to help mitigate the impacts of a domestic violence shelter use on public safety services and surrounding properties. Any overnight shelter which meets the definition of a domestic violence shelter use must adhere to the standards established by the Missouri Coalition Against Domestic and Sexual Violence and any other state or federal requirements, or must meet the following requirements:

1. No individual or family shall reside in an overnight shelter for more than 30 days without entering into case management to obtain housing. Generally, clients are not expected to reside on the premises for more than 6 months without demonstrating extenuating circumstances.
2. Prior to commencing operation, the operator must submit the following to the Chief of Police and Fire Chief: contact information for key staff, floorplan, and occupancy policies.
3. The operator must conduct a background check on the MO Sex Offender Registry and MO Casenet before any person may reside at the property overnight.
4. The operator must enforce a policy of prohibiting alcohol or illegal drug use on the property.
5. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements.
6. The operator of such facility must allow the City Administrator, or designee, access to monitor the operation for compliance with the city codes, any conditions of approval, and any other directives to mitigate impact to surrounding properties. If the director finds any deficiencies, the director must notify the operator and provide 30 days to bring the operation into compliance (unless a life-safety condition exists in which immediate action is required). If the operator fails to correct the deficiencies, the Community Development Director is authorized to terminate the conditional use permit or occupancy permit. The operator may appeal the termination to the City Council.
7. Such shelters are required to maintain confidentiality for their residents.
8. An initial inspection fee of \$300 must be submitted prior to commencing operations and an annual inspection fee of \$100 must be submitted annually thereafter.

SECTION 13: Section 42-225 “Soup Kitchen Uses.” is hereby established as follows:

These Soup Kitchen Use requirements are intended to help mitigate the impacts of a soup kitchen use. Such facilities should generally be located such that clients will have easy access by transit or walking. Any Soup Kitchen use must adhere to the following requirements:

1. A written operations plan must be submitted and approved by the Chief of Police and Community Development Director. The plan must include the following information: contact information for key staff, floorplan, security and exterior lighting plan, health and safety protocols, occupancy policies, and outreach plan for surrounding property owners and residents.
2. The operator must enforce a policy of prohibiting alcohol or illegal drug use on the property.
3. Security cameras are required at a minimum to film any persons using the building entrances.
4. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements.
5. The operator of such facility must allow the City Administrator, or designee, access to monitor the operation for compliance with the city codes, any conditions of approval, and any other directives to mitigate impact to surrounding properties. If the director finds any deficiencies, the director must notify the operator and allow 30 days to bring the operation into compliance. If the operator fails to correct the deficiencies, the director is authorized to terminate the conditional use permit or occupancy permit. The operator may appeal the termination to the City Council.

SECTION 14: Section 42-226 “Transitional Housing Uses.” is hereby established as follows:

Such facilities must be located a minimum of 500 feet from another transitional housing facility located on a separate property.

SECTION 15. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 16. This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS ___ DAY OF _____ 2022.

APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

Proposed Shelter Zoning Code Amendments

(Note: underlined text is proposed new language; ~~struck text~~ is to be removed; text in RED are the latest revisions for October 2022 Draft; older revisions are black again)

Sec. 42-141. Definitions.

Words found in the text or tables of this Article shall be interpreted in accordance with the provisions set forth in this Section. Where words have not been defined, the standard dictionary definition shall prevail. The following terms are hereby defined:

Overnight Shelter: A facility, building, or property where overnight housing services are provided temporarily to persons impacted by temporary or chronic homelessness, at no cost or at a charge that is less than the full cost of providing the services, whether or not other related services are provided at the location. Such use shall not include any of the following:

- (a) Residential group homes;
- (b) Temporary lodging for families of patients, or patients themselves, of state-licensed health facilities within Phelps County;
- (c) University or educational institution residence halls;
- (d) Fraternity or sorority houses;
- (e) State and city licensed nursing homes and day care centers;
- (f) Foster homes licensed under Chapter 210, RSMo;
- (g) Hospitals, mental institutions, residential care facility or institution that is licensed by the State of Missouri under Chapters 197, 198, and 630, RSMo.;
- (h) Emergency shelters related to relocation and are available during or after a fire or natural disaster for a limited duration;
- (i) Food pantries and distribution
- (j) Hotels, motels, boarding houses, and other similar forms of lodging

Domestic Violence Shelter: Temporary residential facility with the primary purpose of housing survivors of domestic violence and/or sexual violence and their families or household members at no cost or at a charge that is less than the full cost of providing services; and/or as defined by the Missouri Coalition Against Domestic and Sexual Violence. A domestic violence shelter is a form of an overnight shelter which is subject to different operational requirements due to the special nature of the use.

Transitional housing: Non-emergency temporary housing with supportive services for a length of stay of typically more than six months to individuals and families experiencing homelessness or transitioning into permanent housing from an overnight shelter, domestic violence shelter, drug/alcohol rehabilitation, or from incarceration with the goal of interim stability and support to successfully move to and maintain permanent housing. Transitional housing includes multi-family or dormitory style housing arrangements and does not include housing which meets the definition of a single-family dwelling or group home.

Soup kitchen: An establishment where meals are provided to a person or persons at no cost or at a charge that is less than the full cost of providing same and that the provision of such meals and related services is the principal service of the establishment, whether or not additional services are provided. A

soup kitchen is differentiated from a restaurant or food service establishment by providing services for no cost or for less than the cost of providing the services and provision of related social services. A soup kitchen does not include the provision of an overnight shelter, temporarily or otherwise.

	Zoning District					
	R-3, Multi- family	C-2 General Retail	C-3, Highway Commercial	C-C Center City	M-1, Light Mfg	M-2, Heavy Mfg
Overnight Shelter	C	X	C	C	P	P
Transitional Housing	C	X	X	C	X	X
Soup Kitchen	X	C	C	C	X	X
<i>P - Permitted by-right</i>		<i>X - Not Permitted</i>		<i>C - Conditional Use</i>		

DIVISION 5. "R-3" MULTI-FAMILY DISTRICT

Sec. 42-177. Purpose of the Multi-family District.

The R-3 Multi Family District is intended to support apartment type development at a maximum density of twenty six (26) dwelling units per acre. Developments of this intensity should be established adjacent to and with vehicular access from collector or higher classified streets. Traffic circulation should be designed to minimize the impact on adjoining residential neighborhoods.

Sec. 42-177.1. Uses Permitted.

1. Uses and conditional uses permitted in any of the foregoing R-1 or R-2 Districts.
2. Boarding, rooming, and lodging houses.
3. Child care centers.
4. Multi-Family dwellings and apartment houses, including efficiency apartments.
5. Private parking areas.
6. Private clubs, lodges, fraternities, sororities, and dormitories.
7. Private schools and academies.
8. Trailers and mobile homes located in the R-3 Multi-Family District at the date this Article is enacted shall not be considered as non-conforming uses.

Sec. 42-177.2. Conditional Uses.

In accordance with Division 16 of this Article and with the issuance of a Conditional Use Permit, the following uses are permitted in the R-3 zoning district.

1. Transitional Housing
2. Overnight Shelters

Sec. 42-177.3 ~~42-177.2~~ Area Requirements.

Minimum size of lot:

- Area: 7,500 square feet plus 1,500 square feet for each dwelling unit in excess of two (2) dwelling units.

Maximum Number of Bedrooms Permitted: 8 Bedrooms per unit.

Maximum number of occupants per dwelling unit: Eight (8), except for incorporated fraternities, sororities, and clubs, and overnight shelters.

Lot frontage: 75 feet at front lot line.

Width: 75 feet at building line.

Maximum percentage of lot that may be occupied by buildings:

- All buildings: 40 percent.

Minimum open space per lot:

- Not less than twenty five (25) percent of the total lot area shall be devoted to open space including required yards and buffer yards. Open space shall not include areas covered by buildings, structures, parking areas, driveways, side walk, patio, accessory structures and internal streets. Open space shall contain living ground cover such as grass, plants, shrubs or trees. Decorative landscaping materials, such as rock, bark, and mulch are also permitted.
- No open space shall be required on a lot if existing buildings and structures are replaced with new buildings and structures using the same floor area, provided a building permit for

replacement is applied for within one (1) year after the existing buildings are removed. In addition, no open space is required if an existing use expands operations or is established in existing floor area that previously was unfinished or not otherwise available for occupancy.

Maximum height of buildings:

- Four stories and sixty-four feet.

Minimum setback dimensions:

- Front yard: 25 feet from the front lot line.
- Each side yard: 5 feet measured from side lot line.
- Rear yard: 10 feet from the rear property line.

Sec. ~~42-177.4~~ ~~42-177.3~~ Separation and Access to Buildings.

All new development on parcels zoned R-3 Multi-Family District shall provide a minimum distance between all residential buildings of twelve (12) feet. All required driveways and parking areas shall be provided with a permanent dust-free paved surface and shall be constructed with curbs and gutters. Driveways shall be a minimum of sixteen (16) feet in width and no parking shall be allowed in the driveways. Driveways and buildings shall be located on the parcel in such a manner as to provide safe and convenient access for solid waste pick-up and emergency vehicles.

Sec. ~~42-177.5~~ ~~42-177.4~~ Buffer-Yard Requirements.

Whenever any development in an R-3 Multi-Family District is located adjacent to an R-1 Single Family District, a buffer-yard shall be provided in accordance with Section 42-230.6 and meeting the width and landscaping standards for a "Buffer-Yard A".

Sec. ~~42-177.6~~ ~~42-177.5~~ Site Plan Required.

All rezoning requests for R-3 Multi-Family District zoning for parcels one (1) acre in size or greater shall be accompanied by a site plan prepared in accordance with Sec. 42-234.1 (b) of the Planning and Zoning Code.

DIVISION 7. "C-O" OFFICE DISTRICT

Sec. 42-183. Purpose of the Office District.

The C-O District is designed to be a restrictive district for low intensity office or professional uses to allow their location near any residential district without creating an adverse effect.

Sec. 42-183.1. Uses Permitted.

1. All uses and conditional uses permitted in any residential district, excluding veterinarian services, animal hospitals, customary agricultural activities, and transitional housing, overnight shelters.
2. Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including but not limited to:
 - a. Accountant, appraiser, architects, brokers, engineers, insurance agents, interior decorators, landscape architects, lawyers, realtors, travel agency and similar types of professional uses.
 - b. Artists, sculptors, photographers.
 - c. Authors, writers, composers.
 - d. Physicians, dentists, chiropractors, or other licensed medical practitioners, excluding facilities where significant diagnostic or out patient surgery is performed as normally associated with a clinic or hospital.
 - e. Teachers of private lessons in art, music or dance.
 - f. Museums, libraries, galleries and exhibit halls.
 - g. Administrative offices of a single organization or by a single professional organization or society.

DIVISION 9. "C-2" GENERAL RETAIL DISTRICT

Sec. 42-189. Purpose of the General Retail District.

This District is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops which depend upon high visibility, generate high traffic volumes or cater to the traveling public. The District is also intended for on-site production of hand crafted items in conjunction with retail sales. No un-screened outside display of merchandise is permitted, except where indicated. Commercial uses permitted in this District are generally required to conduct business activities indoors. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets.

Sec. 42-189.1. Uses Permitted.

- (1) Any use or conditional uses permitted in the foregoing C-1 District, including existing single-family and two-family residential uses.
- (2) Any conditional use permitted in the R-R District.
- (3) Athletic clubs.
- (4) Auto repair, body and paint shops, radiator repair.
- (5) Auto laundries or car/truck wash establishments.
- (6) Automobile sales and service, including tire sales, and rental of new or used vehicles (outside display permitted).
- (7) Automobile service stations or garages, including sales of petroleum products.
- (8) Automobile parts and accessory stores, including installation and repair.
- (9) Boat and marine sales and service.
- (10) Bowling alleys.
- (11) Cold storage and self or mini-storage facilities.
- (12) Drive-in, pick-up, and drive-through restaurants.
- (13) Funeral homes, excluding crematoriums.
- (14) Furniture and/or appliance stores (new and used), sales and service, including rentals.
- (15) Heating and air-conditioning sales and service, including customized sheet metal fabrication as an accessory activity.
- (16) Hotels and motels, and hotel apartments.
- (17) Medical equipment and supplies sales and rental.
- (18) Medical Marijuana Dispensary Facility.
- (19) Miniature golf courses and driving ranges.
- (20) Monument sales, retail dealers (outside display permitted).
- (21) Parking garages, commercial.
- (22) Pest control services.
- (23) Pet shops, animal hospitals, clinics and kennels.
- (24) Plumbing shops.
- (25) Printing, publishing, book binding, and photo-processing, including drive-through facilities.
- (26) Produce market, retail (outside display permitted).
- (27) Radio-TV. repair shops.
- (28) Recreation vehicle or mobile home sales or service (outside storage permitted).
- (29) Restaurant, on-site sales and consumption of alcoholic beverages permitted.

- (30) Retail stores and other shops for custom work or making of articles to be sold at retail on the premises.
- (31) Retail establishments which provide supplies and/or services primarily to commercial and industrial customers, such as janitorial services, packaging and shipping service, locksmith services, lithographing and engraving, and blueprinting businesses.
- (32) Recording studios.
- (33) Second hand goods store and pawn shops.
- (34) Second hand or used car sales yard, not including wrecking and repairing (outside display permitted).
- (35) Skating rinks, swimming pools, gymnasiums, commercial.
- (36) Sporting goods sales.
- (37) Store and restaurant fixture sales.
- (38) Taxi and limousine transportation services.
- (39) Reserved. (Ord. 4470, §2)
- (40) Theaters, motion picture and performing arts.
- (41) Tobacco product sales.
- (42) Water, bottled, sales.
- (43) Video game arcades.
- (44) Seasonal businesses; such as fireworks stands, Christmas tree lots, snow cone vendors, and similar outlets that are temporary uses.

Sec. 42-189.2. Conditional uses that may be permitted by the Planning and Zoning Commission and the City Council in accordance with Section 42-234.

- (1) Bars, cocktail lounges, and night clubs (including dance halls).
- (2) Billiard or pool halls.
- (3) Convenience stores, with or without gas pumps.
- (4) Package liquor stores.
- (5) Cabinet or carpentry shop.
- (6) Advertising services (sign shop).
- (7) Laboratories, offices and other facilities.
- (8) Medical Marijuana Testing Facility.
- (9) Soup Kitchens.

DIVISION 10. "C-3" HIGHWAY COMMERCIAL DISTRICT

Sec. 42-192. Purpose of the Highway Commercial District.

This District is intended for business uses which provide essential commercial services and support activities of community and regional significance that require high visibility and may have higher environmental impacts in terms of noise, dust, glare, etc. which may make them incompatible with office or some retail uses. This District is also intended for businesses that combine wholesale, retail, and light manufacturing (assembly) functions on site. Merchandise may be displayed outside without screening. This District is also intended to function as a transition between industrial development and strictly commercial development.

Sec. 42-192.1. Uses Permitted.

1. Any use or conditional uses permitted in any of the foregoing C 1 or C 2 Districts, except Soup Kitchens.
2. Agriculture implements sales and service, agri businesses.
3. Sexually oriented businesses, as defined in Chapter 29 of the Rolla City Code, provided such uses are prohibited within the area circumscribed by a circle which has a radius of seven hundred fifty (750) feet, as measured by a straight line drawn from the lot line of any proposed sexually oriented business, to any residential zoning district, school, park, or church.
4. Auction sales, flea markets and swap meets, permanent location; livestock sales not permitted
5. Archery and firearms ranges, commercial.
6. Battery shops, sales and service.
7. Builder's supply and lumber yards.
8. Bus stations.
9. Bottling plants.
10. Carpet cleaning.
11. Contractor's equipment, sales and service
12. Commercial laundry, dry cleaning, linen and towel or diaper supply service
13. Crematoriums
14. Dairy supply dealers
15. Dry ice storage.
16. Engine and transmission repair and rebuilding.
17. Electrical equipment repairs, sales and parts distribution.
18. Feed stores, no manufacturing or grinding or mixing of feed.
19. Frozen food lockers.
20. Glass and mirror sales.
21. Landscape company, sales and service.
22. Magazine and newspaper, printing and distribution agency.
23. Road machinery, heavy equipment and tools, sales and rental service.
24. Storage warehouses and baggage transfers.
25. Tire repair and recapping
26. Tattoo and/or body piercing parlors, palm reading, and fortune telling establishments.
27. Wholesale operations, sales office/warehouse combination.

Sec. 42-192.2. Conditional Uses.

In accordance with Division 16 of this Article and with the issuance of a Conditional Use Permit, the following uses are permitted in the C-3 zoning district.

1. Advertising services
2. Bus terminals, maintenance shops
3. Cabinet or carpentry shops
4. Canvas goods shops, tents and awnings, manufacture, sales and rental
5. Concrete batching or transit mix plant (temporary use only)
6. Irrigation sales and services
7. Laboratories, offices and other facilities for research, basic and applied
8. Private utilities
9. Produce markets, wholesale.
10. Medical Marijuana-Infused Products Facility
11. Overnight Shelters
12. Soup Kitchens

DIVISION 11. "CC" CENTER CITY DISTRICT

Sec. 42-194. Purpose of the Center City District.

The CC District is intended to be a mixed-use district that accommodates a variety of residential and commercial uses. It is intended to address the unique character of Rolla's traditional Central Business District, an area that developed early in the City's history, generally encompassing both sides of Rolla and Pine Streets between 6th and 12th Streets, and does not display the features of modern suburban development. This district is designed to support the transition that must occur if the CBD is to experience revitalization.

Sec. 42-194.1. Uses Permitted.

- (1) Any use or conditional uses permitted in the foregoing GI and C-3 Districts, except trailers or mobile homes, soup kitchens, and overnight shelters.
- (2) Accessory structures and uses, in accordance with Section 42-204.
- (3) Accessory residential uses, either to the rear or above the first floor of a building used for permitted business activities.
- (4) Medical Marijuana Dispensary Facility.

Sec. 42-192.2. Conditional Uses.

In accordance with Division 16 of this Article and with the issuance of a Conditional Use Permit, the following uses are permitted in the C-C zoning district.

1. Overnight Shelters
2. Transitional Housing
3. Soup Kitchens

Sec. 42.194.3 ~~42-194.2~~. Area Requirements.

Minimum size of lot: No minimum

Maximum number of occupants per dwelling unit: Eight (8), except for incorporated fraternities, sororities, and clubs, and overnight shelters.

Lot frontage: No minimum

Width: No minimum.

Maximum percentage of lot that may be occupied by building footprint: 100 percent.

Maximum height of buildings: No maximum

Minimum setback dimensions:

- (a) Front yard: None
- (b) Each side yard: None
- (c) Rear yard: None

Minimum parking requirements: None, except for new construction where sufficient land area exists to allow the provision of adequate parking consistent with the requirements of this Article.

DIVISION 12. "M-1" LIGHT MANUFACTURING DISTRICT

Sec. 42-196. Purpose of the Light Manufacturing District

This District is intended to allow industrial operations and activities that do not create applicable nuisances or hazards. Industrial operations and activities are permitted as long as they do not have an adverse impact on neighboring properties resulting from dust, fumes, noxious odors, glare, vibration, or other atmospheric influence. M-1 light manufacturing activities are generally conducted inside a building, although related outdoor storage and display is permitted.

Sec. 42-196.1 Uses Permitted.

- (1) All of the uses listed under Section 42-192.1, except for item "1" ("item 1". Any use or conditional uses permitted in any of the foregoing C 1 or C 2 Districts.), and except transitional housing and soup kitchens.
- (2) Advertising services (sign shop)
- (3) Agri-businesses.
- (4) Asphalt storage.
- (5) Blacksmithing.
- (6) Broom manufacturing.
- (7) Builders supply, hardware and lumberyards.
- (8) Bus terminals, maintenance shops.
- (9) Cabinet or carpentry shops.
- (10) Candle manufacturing.
- (11) Canvas goods shops, tents and awnings, manufacture, sales and rental.
- (12) Carpet cleaning.
- (13) Child care centers.
- (14) Clothing, footwear, and leather goods manufacturing.
- (15) Cold storage plants.
- (16) Concrete batching or transit mix plant (temporary use only).
- (17) Construction materials manufacturing and storage.
- (18) Heavy machinery, including diesel engine, repairs.
- (19) Egg storage, candling or processing plants.
- (20) Electronic component manufacture and assembly.
- (21) Food products processing, storage, and distribution (except uses listed under the M-2 District).
- (22) Freight terminals.
- (23) Furniture packing and crating.
- (24) Hatchery, fish or fowl.
- (25) Ice manufacturing.
- (26) Insulation applicator.
- (27) Irrigation sales and service.
- (28) Laboratories, offices and other facilities for research, basic and applied.
- (29) Live stock sales.
- (30) Lumber mills and storage.
- (31) Machine shops.
- (32) Mattress and bedding manufacturer and renovator.

- (33) Magazine and newspaper printing.
- (34) Monument manufacture.
- (35) Motor freight terminals and depots.
- (36) Oil well equipment service, supply and storage.
- (37) Pharmaceutical manufacture.
- (38) Paper products manufacturing.
- (39) Plastic processing and converting.
- (40) Prefabricated house manufacture.
- (41) Printing, publishing, book binding.
- (42) Private utilities.
- (43) Produce markets, wholesale.
- (44) Sash and door manufacturing.
- (45) Seed storage and warehousing.
- (46) Sheet metal workshops.
- (47) Spray painting.
- (48) Store and restaurant fixture manufacturing.
- (49) Storage of baling or rags.
- (50) Textile manufacturing.
- (51) Welding shops, industrial equipment and supply sales.
- (52) Wholesale operations, sales office/warehouse combination.
- (53) Accessory structures and uses, in accordance with Section 42- 204.
- (54) Medical Marijuana Cultivation Facility; Medical Marijuana-Infused Products Facility.

DIVISION 13. "M-2" HEAVY MANUFACTURING DISTRICT

Sec. 42-198. Purpose of the Heavy Manufacturing District

This District is intended for heavy industrial uses and other uses not otherwise provided for in the light manufacturing district. The intensity of uses permitted in this District makes it necessary to separate it from residential districts wherever possible with good accessibility provided to rail and highways.

Sec. 42-198.1. Uses Permitted.

- (1) Any use permitted in the M-1 light manufacturing district.
- (2) Aluminum manufacture.
- (3) Asphalt manufacture or refining.
- (4) Blast furnaces.
- (5) Boiler making, repairing and boiler works.
- (6) Brick, tile, pottery or terra cotta manufacturing.
- (7) Canning or preserving manufacture.
- (8) Celluloid or similar cellulose material manufacture.
- (9) Cement, lime, gypsum or plaster manufacturing.
- (10) Central power or lighting plant.
- (11) Concrete products manufacturing.

- (12) Cooperage works.
- (13) Corrugated metal manufacture.
- (14) Cotton baling, compressing or ginning.
- (15) Cotton storage, open.
- (16) Cotton seed products manufacturing.
- (17) Curing, tanning or storage of hides.
- (18) Die casting manufacture.
- (19) Distillation of bones, coal or wood.
- (20) Dye stuff manufacture.
- (21) Electroplating.
- (22) Emery cloth and sandpaper manufacture.
- (23) Fat rendering.
- (24) Feed grinding and processing.
- (25) Fertilizer manufacture.
- (26) Flour mills.
- (27) Forge plants, foundry or smelter.
- (28) Galvanizing.
- (29) Glue or gelatin manufacture.
- (30) Match manufacture.
- (31) Milling, custom.
- (32) Oil cloth and linoleum manufacture.
- (33) Paint manufacture.
- (34) Paper and rag processing and storage.
- (35) Paving plants.
- (36) Railroad roundhouse, shops, and yards.
- (37) Refrigerator manufacture.
- (38) Rubber products manufacture or treatment.
- (39) Salt works.
- (40) Sand blasting.
- (41) Septic tank service.
- (42) Shoe polish manufacture.
- (43) Soap manufacture.
- (44) Soda and compound manufacture.
- (45) Steel fabrication plants.
- (46) Stone cutting.
- (47) Tank manufacture.
- (48) Reserved. (Ord. 4470, §2)
- (49) Tile roofing manufacture.
- (50) Wool pulling or scouring.
- (51) Yeast plants.

Sec. 42-198.2. Conditional uses that may be permitted by the Planning and Zoning Commission and the City Council in accordance with Section 42-231.

1. Arsenals and munitions storage or manufacture.
2. Manufacture and bulk storage of flammable liquids or gases for wholesale, subject to the provisions of the National Fire Codes.
3. Scrap or salvage yards, including automobile wrecking or salvage yards.
4. Bleaching powder or chlorine manufacture.
5. Hazardous chemical manufacture, creosote treatment or manufacture, disinfectant and insecticide manufacture, poisonous gases, tar distillation, acid and ammonia production .
6. Coal yards, oil compounding, barreling or reclamation plants.
7. Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous substances from off-site sources and radioactive substances.
8. Permanent storage or disposal of hazardous substances (as defined under the Federal Resource Conservation and Recovery Act, Subpart D, 40 C.F.R. 261.30; 261.31; 261.32; 261.33), industrial and municipal sludge.
9. Processing, reprocessing and storage of PCB containing oils.
10. Quarries and mining operations.
11. Landfill operations, including waste compacting and incineration.
12. Mixing plant-paving materials.
13. Asphalt manufacture/refining.

~~Sec. 42-223. Reserved.~~

Sec. ~~42-223~~ 42-224. Residential Group Homes - Purpose.

Residential group homes for eight (8) or fewer unrelated mentally or physically handicapped persons that may include up to two (2) house parents or guardians when:

1. The structure, building, landscaping, fencing, etc. for the residential group home suits the character of the immediate neighborhood.
2. There are no other residential group homes within fifteen hundred (1,500) feet.
3. No sign identifying the residential group home exceeds four (4) square feet in area.
4. Signs may not be illuminated and must be attached to the residential group home.
5. There are no more than two (2) residents per bedroom.

Sec. 42-224 Overnight Shelter Uses.

These Overnight Shelter requirements are intended to help mitigate the impacts of an overnight shelter use on public safety services and surrounding properties. Such facilities should generally be located such that clients will have access to jobs, counseling, and other resources for assistance. Any Overnight Shelter use, except shelters which meet the definition of a domestic violence shelter, must adhere to the standards established by the Missouri Interagency Council on Homelessness, the Missouri Balance of State Continuum of Care, and any state and federal requirements as well as the distance requirements established below, or must meet the following requirements:

1. No individual or family shall reside in an overnight shelter for more than 30 days without entering into case management to obtain housing. Generally, clients are not expected to reside on the premises for more than 6 months without demonstrating extenuating circumstances.
2. A written operations plan must be submitted and approved by the Chief of Police and Community Development Director. The plan must include the following information: contact information for key staff, floorplan, security and exterior lighting plan, health and safety protocols, occupancy policies, intake procedures and tracking outcomes, and an outreach plan for surrounding property owners and residents.
3. A log of each person receiving temporary housing must be kept, including the person's name, last place of residence, and a photo of the person and/or their government issued identification. Such logs are to be submitted to the Rolla Police Department upon request.
4. The operator must conduct a background check on the MO Sex Offender Registry and MO Casenet before any person may reside at the property overnight.
5. Any facility providing overnight shelter services must be located a minimum of 1,000 feet from any other property operating an overnight shelter facility.
6. Unless specifically permitted as a family or youth shelter, overnight shelters must be located a minimum of 500 feet from any school, playground, or daycare, as measured from the closest point of the shelter facility to the closest point of such school, playground, or daycare.
7. The operator must enforce a policy of prohibiting alcohol or illegal drug use on the property.
8. Security cameras are required at a minimum to film any persons using the building entrances, exits and outdoor assembly areas. Such recordings shall be maintained for at least 72 hours and made available for law enforcement if a crime is alleged or committed.
9. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements.
10. The operator of such facility must allow the City Administrator, or designee, access to monitor the operation for compliance with the city codes, any conditions of approval, and any other directives to mitigate impact to surrounding properties. If the director finds any deficiencies, the director must notify the operator and provide 30 days to bring the operation into compliance (unless a life-safety condition exists in which immediate action is required). If the operator fails to correct the deficiencies, the Community Development Director is authorized to terminate the conditional use permit or occupancy permit. The operator may appeal the termination to the City Council.
11. An initial inspection fee of \$300 must be submitted prior to commencing operations and an annual inspection fee of \$100 must be submitted annually thereafter.

Sec. 42-224.1 Domestic Violence Shelter Uses.

These Domestic Violence Shelter requirements are intended to help mitigate the impacts of a domestic violence shelter use on public safety services and surrounding properties. Any overnight shelter which meets the definition of a domestic violence shelter use must adhere to the standards established by the Missouri Coalition Against Domestic and Sexual Violence and any other state or federal requirements, or must meet the following requirements:

1. No individual or family shall reside in an overnight shelter for more than 30 days without entering into case management to obtain housing. Generally, clients are not expected to reside on the premises for more than 6 months without demonstrating extenuating circumstances.
2. Prior to commencing operation, the operator must submit the following to the Chief of Police and Fire Chief: contact information for key staff, floorplan, and occupancy policies.
3. The operator must conduct a background check on the MO Sex Offender Registry and MO Casenet before any person may reside at the property overnight.
4. The operator must enforce a policy of prohibiting alcohol or illegal drug use on the property.
5. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements.
6. The operator of such facility must allow the City Administrator, or designee, access to monitor the operation for compliance with the city codes, any conditions of approval, and any other directives to mitigate impact to surrounding properties. If the director finds any deficiencies, the director must notify the operator and provide 30 days to bring the operation into compliance (unless a life-safety condition exists in which immediate action is required). If the operator fails to correct the deficiencies, the Community Development Director is authorized to terminate the conditional use permit or occupancy permit. The operator may appeal the termination to the City Council.
7. Such shelters are required to maintain confidentiality for their residents.
8. An initial inspection fee of \$300 must be submitted prior to commencing operations and an annual inspection fee of \$100 must be submitted annually thereafter.

Sec 42-225 Soup Kitchen Uses to 42-226. Reserved.

These Soup Kitchen Use requirements are intended to help mitigate the impacts of a soup kitchen use. Such facilities should generally be located such that clients will have easy access by transit or walking.

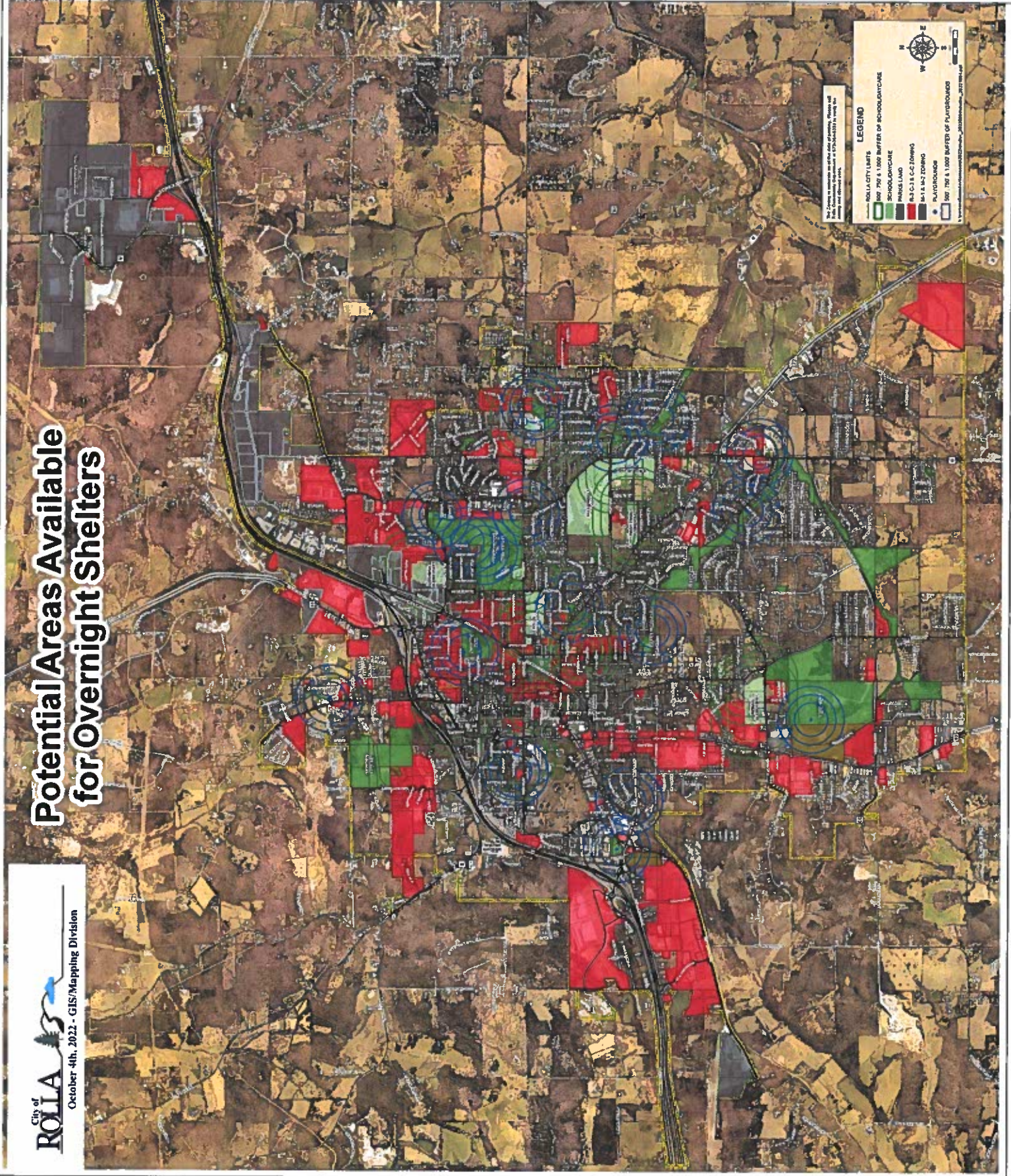
Any Soup Kitchen Use use must adhere to the following requirements:

1. A written operations plan must be submitted and approved by the Chief of Police and Community Development Director. The plan must include the following information: contact information for key staff, floorplan, security and exterior lighting plan, health and safety protocols, occupancy policies, and outreach plan for surrounding property owners and residents.
2. The operator must enforce a policy of prohibiting alcohol or illegal drug use on the property.
3. Security cameras are required at a minimum to film any persons using the building entrances.
4. Adequate off-street parking for employees, volunteers, and any residents with vehicles must be provided or made available through written agreements.
5. The operator of such facility must allow the City Administrator, or designee, access to monitor the operation for compliance with the city codes, any conditions of approval, and any other directives to mitigate impact to surrounding properties. If the director finds any deficiencies, the director must notify the operator and allow 30 days to bring the operation into compliance. If the operator fails to correct the deficiencies, the director is authorized to terminate the conditional use permit or occupancy permit. The operator may appeal the termination to the City Council.

Sec. 42-226. Transitional Housing Uses.

Such facilities must be located a minimum of 500 feet from another transitional housing facility located on a separate property.

Potential Areas Available for Overnight Shelters



Rolla, Missouri
City of Rolla
GIS/Mapping Division
10/4/2022

LEGEND

- ROLLA CITY LIMITS
- 500' TO 750' BUFFER OF SCHOOLS/PLAYGROUNDS
- 750' TO 1000' BUFFER OF SCHOOLS/PLAYGROUNDS
- 1000' TO 1500' BUFFER OF SCHOOLS/PLAYGROUNDS
- SCHOOL ZONE
- SCHOOL LAND
- SCHOOL (K-12)
- SCHOOL (K-5)
- PLAYGROUND

North Arrow

Scale: 1" = 100'



**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPARTMENT: Community Development

ACTION REQUESTED: First Reading

SUBJECT: Frueh Addition: A Minor Subdivision to combine two residential lots at 3 Lewis Lane.

(SUB22-08)

MEETING DATE: October 17, 2022

Application and Notice:

Applicant/Owner - Robert and Martha Frueh of the Frueh Trust
Public Notice - <https://www.rollacity.org/agenda.shtml>

Background: The applicant has purchased the subject property with the intention of redeveloping the property for a multi-family development. The subject property was previously on the Abandoned Building Registry following several years of being vacant.

Property Details:

Current zoning - R-3, Multi-family
Current use - Multi-family Residential
Land area - Lot 1: 1.69 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Bardsley Rd, a major arterial road; and is accessed via Lewis Lane, a private drive.
Sidewalks - Sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed utilities, although utilities for adjacent lots do cross the subject property.

Comprehensive Plan: The Comprehensive Plan designates the subject property as being appropriate for Medium/High Density residential uses.

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

Planning and Zoning Commission Recommendation:

The Rolla Planning and Zoning Commission conducted a meeting on October 11, 2022 and voted 6-0 to recommend approval of the request.

Prepared by: Tom Coots, City Planner

Attachments: Area Map, Plat, Ordinance

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE MINOR SUBDIVISION FINAL PLAT OF FRUEH ADDITION.

(SUB 22-08)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: An ordinance approving the Minor Subdivision Final Plat of Frueh Addition, a subdivision in City of Rolla, Phelps County, Missouri through the subdivision process.

SECTION 2: That this ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the plat has been filed with the Phelps County Recorder of Deeds.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI, AND APPROVED BY THE MAYOR THIS 7th DAY OF NOVEMBER, 2022.

APPROVED:

Mayor

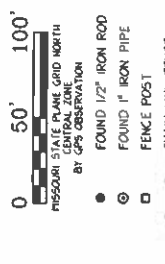
ATTEST:

City Clerk

APPROVED AS TO FORM:

City Counselor

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 by Sylvester Furse, L.S. No. 2011017288 and that corner monuments and lot corner monuments hereon were placed under the personal supervision of Sylvester Furse, L.S. No. 2011017288 in accordance with this article of the City Code of Rolla, Missouri.



- FOUND 1/2" IRON ROD
- ⊙ FOUND 1" IRON PIPE
- CHAIN LINK FENCE
- HOOD FENCE
- PROPERTY LINE
- RIGHT-OF-WAY
- FORMER LOT NUMBER
- *EXISTING*
- P.O.B. POINT OF BEGINNING

INTERSECTION OF EAST R/W OF BARDELEY AND SOUTH LINE OF LOT 4



Final Plat of FRUEH ADDITION Being a Lot Consolidation of Lots 1, 2 and Part of Lewis Lane of RESUBDIVISION OF LEWIS ADDITION Rolla, Phelps County, Missouri

IMPROVEMENT ACCEPTANCE

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

Sylvester Furse, PE
Director of Public Works
Date _____
Rodney Bouris, PE
General Manager
Rolla Municipal Utilities
Date _____
Floyd Arrogan
Parks Director
Date _____

PLANNING & ZONING APPROVAL

Approved this _____ day of _____, 2022
Don Blawie, Chairman
Planning & Zoning Commission
Steve Flowers
Interim Community Development Director
Date _____

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 Recorder to file for record in the Office of the Recorder of Deeds, Phelps County, Missouri.

Louis J. Magdas IV
Mayor, City of Rolla
Date _____
Liam Thurman
City Clerk
Date _____

COUNTY & CITY TAX RELEASE

I hereby certify that all property taxes levied by the City 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.

Fresh Ann Barnes
Collector of Revenue
Phelps County, Missouri
Date _____

RECORDER'S CERTIFICATE

This plat was filed for record in my office on this _____ day of _____, 2022. Plat filed at Cabinet _____ Number _____.

Rohan Kordek
Recorder of Deeds
Phelps County, Missouri
Date _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

The Robert E. and Martha A. Frueh Trust dated May 9, 2006 hereby certifies that it is the owner of the property described and shown hereon, which property is located within the subdivision jurisdiction of the City of Rolla, that it has caused this property to be platted as shown hereon and that said property shall be brown and white plat. **DEDICATION:** The Robert E. and Martha A. Frueh Trust dated May 9, 2006 hereby dedicates to the City of Rolla, Missouri, the property shown hereon for public use. 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 other lines within and along those places which are designated as utility easements on this plat.

DATED _____, 2022
THE ROBERT E. AND MARTHA A. FRUEH TRUST DATED MAY 9, 2006
By Robert E. Frueh, Trustee
By Martha A. Frueh, Trustee

On this _____ day of _____, 2022 before me appeared Robert E. Frueh and Martha A. Frueh, to me personally known, who, being by me duly sworn did say that they are trustees of The Robert E. and Martha A. Frueh Trust dated May 9, 2006 and that said instrument was signed in behalf of said trust by authority of its trustees, and said Robert E. Frueh and Martha A. Frueh acknowledged said instrument to be the free act and deed of said Robert E. Frueh and Martha A. Frueh. I have read the instrument and in TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this _____ day of _____, 2022.
My Commission Expires _____

NOTARY PUBLIC

NOTES:

1. Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: (a) easements, rights or interests in land which were visible at the time of making of this survey; (b) building setbacks; (c) zoning or other subdivision restrictions, zoning or other land-use regulations, and any other facts which an accurate and current title search may disclose.
2. I declare that to the best of my professional knowledge and belief, this plat and survey conform to the current Missouri Standards for Property Boundary Surveys (20 CSR 203.0-16).
3. Tract is classified Urban (20 CSR 203.0-16 040).
4. Date of field work: August 10, 2022
5. Plat represents a survey of lands described at 2022-3542.
6. The tract shown on this plat does not lie within a Flood Hazard Area according to the applicable Flood Boundary and Floodway Map, published by the U.S. Department of Housing and Urban Development, Federal Insurance Administration. See FEMA Flood Map No. 25101C0254D, effect date 2/20/2009.
7. Dimensions shown are measured. For record dimensions, see document(s) noted.
8. Lot is zoned R-3, Multi-Family Residential District.

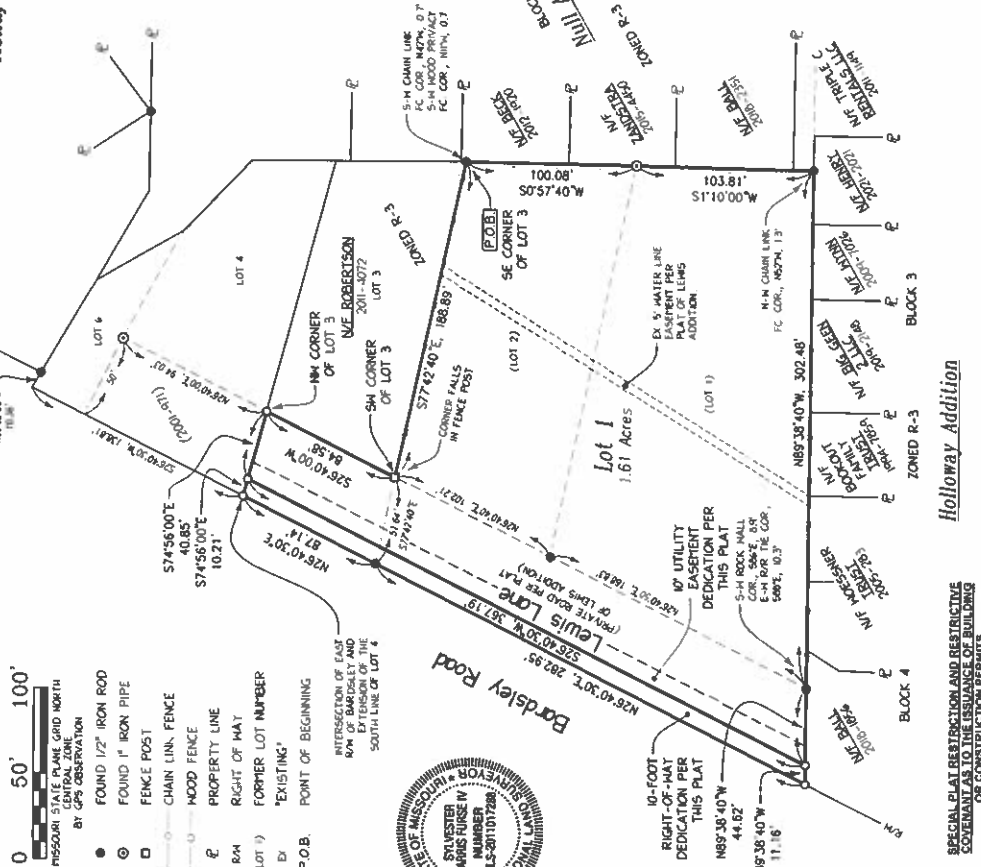
ARCHER-ELGIN
Surveying & Engineering, P.C.
310 East 6th Street
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Phone: 636-364-6822
Fax: 636-364-6822
www.archer-elgin.com

CM Archer Group, P.C. aka:
310 East 6th Street
Rolla, Missouri 65401
Phone: 636-364-6822
Fax: 636-364-6822
www.archer-eglin.com

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	8/10/22	SFF	Final Plat of

FRUEH ADDITION
Rolla, Phelps County, Missouri
Frueh Trust
11725 County Road 8070, Rolla, Missouri 65401
SHEET NO. 1-507
DATE: Aug. 26, 2022
J4667



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

The undersigned owners of the tract of land herein platted do hereby certify that they and No. _____ hereby make the following restrictive covenant: 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. It is understood by the undersigned that no such building or construction shall be commenced until the completion of all public improvements appurtenant 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 within the time frame set forth in the restrictive covenant. The undersigned and the City of Rolla, Missouri, agree that the City of Rolla, Missouri, shall be responsible for the completion of such improvements as required by this article of the City Code of Rolla, Missouri.

Holloway Addition

A fractional part of Lots 1 and 2, and a fractional part of Lewis Lane, all in RESUBDIVISION OF LEWIS ADDITION, Rolla, Missouri more particularly described as follows: Beginning at the Southeast Corner of Lot 3 of said RESUBDIVISION OF LEWIS ADDITION thence South 75° 40' 00" West 103.81 feet to a 1/2" iron pipe, thence along the East line of said RESUBDIVISION OF LEWIS ADDITION to the North 10° 00' 00" West line of said Lewis Lane, thence North 89° 36' 40" West 350.26 feet along said North line and an extension to the eastery right of way of Bardsley Road, thence North 25° 40' 30" East 370.09 feet along said easterly right of way to its intersection with the extension of the South line of Lot 4 of RESUBDIVISION OF LEWIS ADDITION, thence South 77° 27' 40" East 240.53 feet along said South line and its extension to the West line of said Lot 3, thence North 77° 27' 40" East 84.58 feet along the South line of said Lot 3 to the point of beginning. Above described tract contains 1.89 acres, more or less, per plat of survey J-4667, dated August 26, 2022, by CM Archer Group, P.C.



Project Information:

Case No: SUB22-08
Location: 3 Lewis Lane
Applicant: Robert Frueh
Request:

Minor Subdivision to combine residential lots
into one lot



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

**CITY OF ROLLA
CITY COUNCIL AGENDA**

DEPT. HEAD: Ron Smith, Fire Chief **ACTION REQUESTED:** Motion

ITEM/SUBJECT: 2022 Super Duty Chassis for Air Truck

BUDGET APPROPRIATION: \$90,000 **DATE:** October 17, 2022

The City of Rolla Fire & Rescue was budgeted \$90,000 to purchase a new 2022 Super Duty Chassis vehicle to replace a 1998 Chevy Air Truck. Due to supply chain issues, we were unable to locate a vehicle through direct purchase or government bid pricing.

On October 7, 2022 the department located a F-550 Super Duty Chassis through Honeyman Ford of Seneca Kansas. The original fire department which ordered the truck was not able to complete the purchase due to fiscal constraints.

This vehicle meets the specifications set by the Fire Department. The pricing of \$51,240 is comparable to the Mo State Bid pricing in 2022.

Due to the supply chain issues the Rolla Fire Department needed to secure the vehicle through a purchase order issued prior to this city council meeting which was authorized as an emergency purchase by Mr. Butz.

This purchase will allow the department to remain within the budget allocation as outlined below: F-550 Super Duty Chassis - \$51, 240, Custom Made Bed - \$30,000, Emergency Lighting & Decals - \$8,500. Anticipated total cost of Air Truck - \$89,740.

City Administration and Fire Administration is requesting the ratification of the purchase of a 2022 F550 Ford Super Duty Chassis from Honeyman Ford of Seneca, KS. The 1998 Chevy chassis would be surplus through GovDeals or Purple Wave.



ITEM NO. _____

