

AGENDA

**The City of Rolla
Planning & Zoning Commission
City Council Chambers, 1st Floor
901 North Elm Street
Tuesday, September 19, 2023 at 5:30 PM**

Commission Members:

Chairman Russell Schmidt, Vice-Chairman Monty Jordan, Secretary-Treasurer Robert Anderson, Nathan Chirban, Kevin Crider, Janece Martin, Monte Shields, Steve Davis, Vacant

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, September 12 and September 19, 2023
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
- SUB23-03:** Final Plat of Deer Crossing East VI, a Minor Subdivision to subdivide one lot into three residential lots at 511 Christy Drive
 - ZON23-06:** Rezoning from the C-1, Neighborhood Commercial district to the C-3, Highway Commercial district at 708 N Main Street
 - TXT22-03:** Re-adoption and revisions to Chapter 42 (Planning and Zoning) of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning districts; and Amendments to sections pertaining to land use and zoning in Chapters 15, 20, 28, 29, 39, 40, and 41 of the City of Rolla Ordinances
- III. NEW BUSINESS:** **NONE**
- IV. PUBLIC HEARING:**
- ZON23-07:** Rezoning 726 Salem Ave from the R-1, Suburban Residential district to the C-2, General Commercial district
- V. OLD BUSINESS:** **NONE**
- VI. OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:**
- Board of Adjustment member alternate appointment by City Council
- VII. CITIZEN COMMENTS:**

NEXT MEETING DATE:

Tuesday, November 14, 2023

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 12, 2023

Presiding: Russell Schmidt, Chairperson

Commission Members Present: Monty Jordan, Kevin Crider, Monte Shields,

Commission Members Absent: Steve Davis, Janece Martin, Nathan Chirban,
Robert Anderson

Due to insufficient members being present for a quorum, the Commission will hold a special call meeting for all business scheduled, at a date not yet determined.

Meeting adjourned: 5:42 p.m.
Minutes prepared by: Sarah West

NEXT MEETING: Tuesday, October 10, 2023

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 19, 2023

Presiding: Russell Schmidt, Chairperson

Commission Members Present: Monty Jordan, Janece Martin, Nathan Chirban, Robert Anderson, Monte Shields

Commission Members Absent: Kevin Crider, Steve Davis

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, August 15, 2023. Chairperson Russell Schmidt approved the minutes as printed and distributed.

II. REPORT ON RECENT CITY COUNCIL ACTIONS: NONE

III. NEW BUSINESS:

1. **SUB23-03:** Final Plat of Deer Crossing East VI, a Minor Subdivision to subdivide one lot into three residential lots at 511 Christy Drive

Coots presents the staff report.

Schmidt the driveway for the current house is going to be off of Southview? Coots for now the driveway is coming off of Christy Drive with an access easement and for the time being this is what they will be using.

Schmidt do you think that all the comments from the comment letters will be done before the City Council meeting? Coots confirms this, since they are requesting a first and final reading at the meeting we can't go forward with this until we have the revised plans.

Chirban is the list of items part of the RMU letter? Coots confirms it is the RMU letter as well as the other letter.

A motion was made by Monte Shields, seconded by Bob Anderson, to recommend approval to City Council to subdivide one residential lot into three lots at 511 Christy Drive. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Jordan, Martin and Shields. Nays: None. The motion passes unanimously.

IV. PUBLIC HEARING: NONE

- V. OLD BUSINESS: NONE
- VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF: NONE
- VII. CITIZEN COMMENTS: NONE

Meeting adjourned: 5:40 p.m.
Minutes prepared by: Cindy Brown

NEXT MEETING: Tuesday, October 10, 2023



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-07

Meeting Date: October 10, 2023

Subject: Map Amendment (rezoning): 726 Salem Ave from the R-1, Suburban Residential district to the C-2, General Commercial district

Background: The applicant has purchased the subject property and the adjacent commercial property. The commercial property was formerly a printing business. The applicant is a non-profit serving disabled persons. The commercial building is planned to be remodeled to serve the organization's needs. As a part of the project, the parking lot is proposed to be enlarged and a driveway would connect to Salem Avenue. A portion of the parking expansion would be on the residential lot. The lot is proposed to be rezoned to allow for the parking expansion. The applicant does not intend to demolish the existing house, and plans to continue to use the house as a rental unit.

Application and Notice:

Applicant/Owner - Paula Delong, Executive Director of Choices for People Center for Citizens with Disabilities, Inc.
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Phelps County Focus; signage posted on the property; <https://www.rollacity.org/agenda.shtml>
City Council Date - October 16, 2023

Property Details:

Current zoning - R-1, Suburban Residential to be rezoned to C-2, General Commercial
Current use - Single-family house
Proposed use - Residential and commercial
Land area - About 15,100 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Salem Avenue, a Collector road.
Sidewalks - Sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Low Density Residential uses.

Discussion: The subject property is located on Salem Avenue adjacent to a commercial property. The applicant only needs to use a portion of the property for the proposed parking lot and driveway. Rezoning only a portion of the property may be an option to ensure that the entire lot could not be redeveloped for commercial uses, if there is concern about removal of the residential uses along Salem Avenue. Another option could be to consider rezoning to the C-1, Neighborhood Commercial district to restrict the future potential uses for the subject property, being directly adjacent to a residential area.

Rezoning Approval Criteria:

A rezoning application must be reviewed to ensure that the following criteria are considered:

1. Whether the proposed zoning district classification is consistent with the intent of the Rolla Comprehensive Plan;
2. Whether there are any changed or changing conditions in the neighborhood affected that make the proposed rezoning necessary or desirable from an overall community development perspective;
3. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity;
4. Whether a reasonably viable economic use of the subject property will be precluded if the proposed rezoning is denied creating an economic hardship; and
5. Relevant information submitted at the public hearing.

Findings:

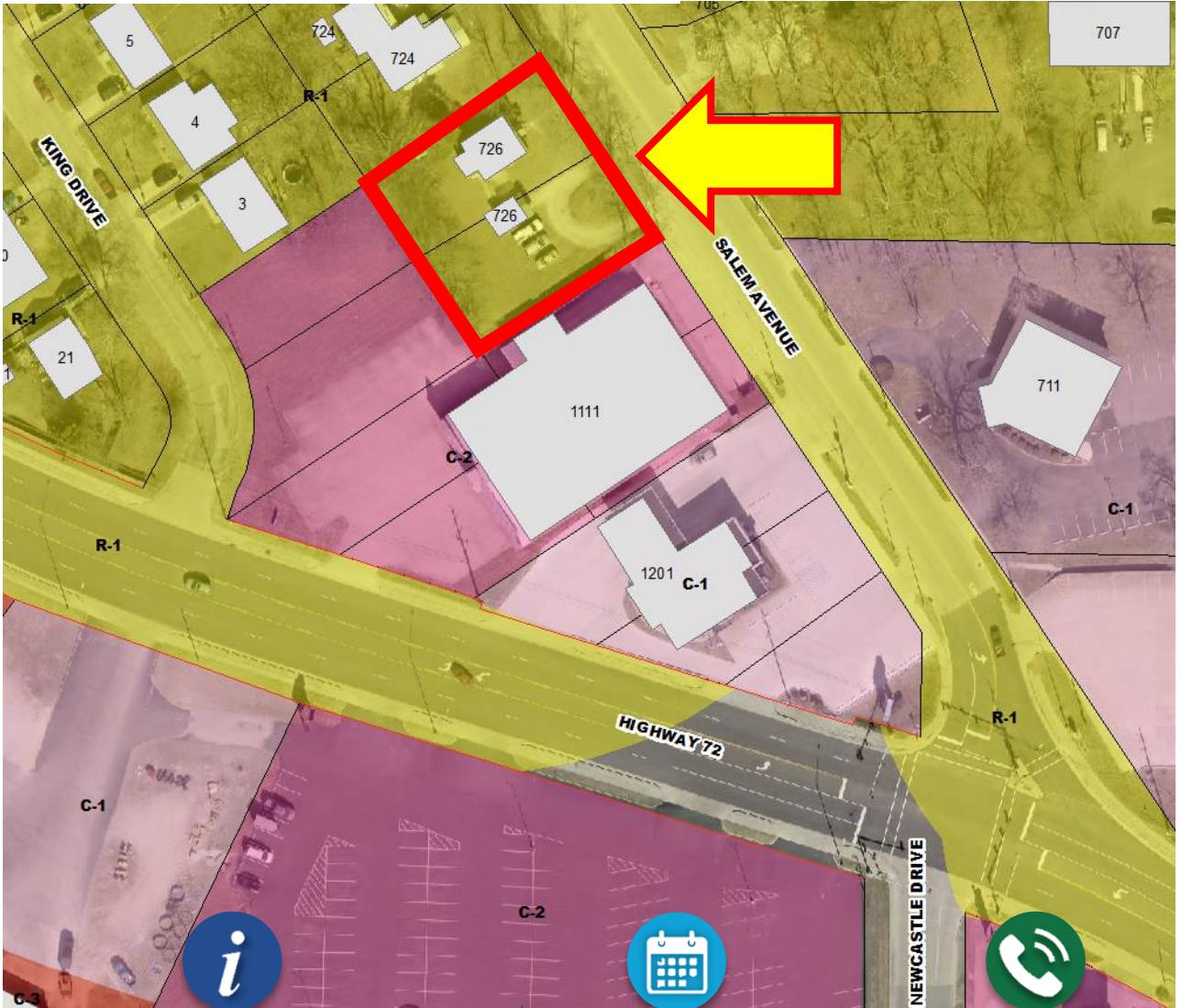
1. The Comprehensive Plan does designate the subject property as being appropriate for Low-density residential uses.
2. Commercial zoning is needed to allow for expansion of the parking lot.
3. The subject property is located adjacent to property which is zoned C-2, General Commercial.
4. The subject property is also directly adjacent to a residential area.

Alternatives:

1. Find the request meets the criteria for approval and recommend the City Council approve the request for a map amendment (rezoning) of the subject property.
2. Find the request meets the criteria for approval and recommend the City Council approve the request for a map amendment (rezoning) of a portion of the subject property.
3. Find the request could meet the criteria for approval and recommend the City Council consider a map amendment (rezoning) of the subject property to the C-1, Neighborhood Commercial district.
4. Find that the proposed map amendment (rezoning) is not an appropriate use for the property and recommend that the City Council deny the request.
5. 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: Public Notice Letter; Application



Project Information:

Case No: ZON23-07
 Location: 726 Salem Ave
 Applicant: Choices for People
 Request:
 Rezoning from R-1, Suburban Residential to the C-2, General Commercial district

Public Hearings:

Planning and Zoning Commission
October 10, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
October 16, 2023
6:30 PM
 City Hall: 1st Floor

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



Who and What is the Planning and Zoning Commission?

The Planning and Zoning Commission is an appointed group of citizens from Rolla who are charged with hearing and deciding land use applications, such as zoning and subdivisions. The Commission takes testimony and makes a recommendation to the City Council.

What is a Rezoning (Map Amendment)?

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

What is Zoning?

The City of Rolla has adopted zoning regulations that divide the city into separate areas that allow for specified uses of property. For example, generally only residential uses are allowed in residential zones; commercial uses in commercial zones; etc..

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. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

You do have the right to gather signatures for a petition. If a petition is received by 30% of the land owners (by land area) within 185 feet of the subject property, such request would require approval of 2/3 of the City Councilors. Please contact the Community Development Office for a property owner list.

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

Lots 11 and 12, Kings Addition to Rolla, Phelps County, Missouri



LAND USE APPLICATION

Contact Information:

Property Owner:

Choices for People

Name(s)

Mailing Address

1815 Forum Drive

City, State, Zip

Rolla, MO 65401

Phone

(573) 364-7444

Email

director@choicesforpeople.org

Agent/Applicant (If Different Than Property Owner):

Terris L. Cates

Name

Integrity Engineering, Inc.

Mailing Address

1714 E. 10th St.

City, State, Zip

Rolla, MO 65401

Phone

(573) 341-2100

Email

terris@integrityeng.com

Property/Request Information:

Request: Rezoning
 Planned Unit Development
 Conditional Use Permit
 Annexation
 Text Amendment

726 SALEM AVE, ROLLA

Property Address/Location

Current: R-1; Proposed: C-2

Property Zoning (Current and Proposed)

Choices for People bus parking

Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes

Completed Application Form

Agent Letter (If Applicable)

Filing Fee - \$375 (Rezoning/CUP); \$475 (PUD); \$300 (CUP/PUD Amendment);
\$62.50 (Annexation for advertisement)

Legal Description (Unplatted and Irregular Lots Only)

Site Plan (If Applicable)

Letter of Request/Project Report (If Applicable)

 N/A

 375

 N/A

 N/A

 N/A

City Staff Verifies

OFFICE USE ONLY:

Case No: 20N23-07

DRC Meeting Date: 9.19.23

PC Hearing Date: 10.10.23

Submission Date: 9.14.23

Advertise By: 9.21.23

CC Hearing Date: 10.16.23 / 11.6.23

I N F O R M A T I O N :

Rezoning (Map Amendments) are *reviewed* to meet the following criteria:

1. Consistency with the intent of the Rolla Comprehensive Plan.
2. Changed or changing conditions in the neighborhood.
3. Compatibility with other properties in the immediate vicinity.
4. Adequacy of utility service and facilities.
5. Impact on vehicular and pedestrian traffic safety.
6. Correction of an error in the application of the zoning regulations.
7. Viability of economic use of the subject property if rezoning is denied.
8. Relevant information received at the public hearing.

PUD's (Planned Unit Developments) are *reviewed* to meet the following goals:

1. Implementation of the Rolla Comprehensive Plan.
2. Efficient use of land to protect/preserve natural features of the land.
3. Harmonious and coherent site and building design to create a sense of place.
4. Direction of development to existing or proposed transportation and utility facilities.

CUP's (Conditional Use Permits) are *reviewed* to meet the following standards:

1. Compliance with zoning district regulations.
2. Impact to traffic or pedestrian safety and mitigation.
3. Not dominating the immediate neighborhood.
4. Provision of adequate parking facilities.
5. Adequacy of utilities and drainage facilities.
6. Compatibility with surrounding vicinity.

Annexation requests must include a *notarized* petition that includes the following statements:

1. That the all property owners or agents have signed the application.
2. That the property is not part of any incorporated municipality and is contiguous to the city of Rolla limits.
3. That the applicants request to be annexed as authorized by RSMo. Section 71.012.

Text Amendment requests must include a letter/report with includes the following:

1. Reasons for amending the codes and demonstrating that the request serves the general welfare and preserves the community interest.
2. Proposed modifications with proposed language in underline and language to be removed in ~~strikethrough~~.

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.

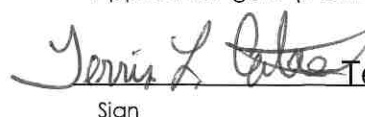
Property Owner(s):

Applicant/Agent (If Different From Owner)



Sign Print

Paula Delong, Exec. Director



Sign Print

Terris L. Cates, Engineer

Sign

Print

Sign

Print