



AGENDA

Planning & Zoning Commission
Rolla City Council Chambers, 1st Floor
901 North Elm Street
August 11th, 2020, 5:30 P.M.

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, May 12th, 2020.
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
- 1. ZON20-02:** Rezoning from the C-1, Neighborhood Commercial District to the C-2, General Retail District at a property located at 1800 East Highway 72. **Approved by City Council on June 1st, 2020.**
- III. PUBLIC HEARING:**
- IV. NEW BUSINESS:**
- 1. Westside Marketplace, SUB2020-02:** A request for a minor subdivision to reorganize one platted lot and an unplatted property into two platted lots located at 10120 County Road (Sally Road).
- V.**
- VI. OLD BUSINESS:** **NONE**
- VII. REPORT FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:** **NONE**
- .
- VIII. OTHER BUSINESS / CITIZEN COMMENTS:** **NONE**
- NEXT MEETING DATE:** **September 8th, 2020**



Report to:

**Planning and Zoning
Commission**

Case No.: SUB 20-02

Meeting Date: August 11, 2020

Subject: Westside Marketplace 2: a minor subdivision to reorganize one platted lot and an unplatted property into two platted lots located at 10120 County Rd 8110 (Sally Rd)

Background: The City of Rolla has engaged in a contract to sell two small parcels of land to the co-applicant, Stephen Dunaway. The small parcels add up to 0.71 acres, from a platted lot owned by the City of Rolla. The sale would “square up” Mr. Dunaway’s property.

Mr. Dunaway’s property is not within the corporate limits of the City of Rolla. The resulting Lot 2 would be a combination of the two parcels and Mr. Dunaway’s property. Lot 2 would be one platted lot, but divided by zoning and the corporate limits. However, as the two parcels are not practical for building or as stand-alone lots due to the slopes, the unusual situation should not cause complications.

Application and Notice:

Applicant/Owner - City of Rolla and Stephen and Carla Dunaway
Public Notice - Information available on city website
City Council Date - August 17, 2020

Property Details:

Current zoning - C-3, Highway Commercial and unincorporated Phelps County
Current use - residential/undeveloped
Proposed use - No development proposed
Land area - Lot 1: 19.75 acres; Lot 2: 2.96 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Sally Rd, a collector street; and Westside Drive, a local street.
Sidewalks - No sidewalks exist on either street frontages.
Utilities - Lot 1 should have access to all needed public utilities, however, Lot 2 is not served by the City of Rolla at this time.
Drainage - Drainage will be reviewed at the time of development.

Comprehensive Plan: The Comprehensive Plan designates the subject property as being appropriate for commercial and residential mixed uses.

Discussion: The proposed plat appears to meet all requirements. RMU and Public Works staff did request additional utility easements along the Lot 2 Sally Rd frontage to match existing easements and be prepared for future needs. At this time, the co-applicant has declined to grant the easement, as his property is not within the city limits, served by city utilities, and only included in the plat so the two parcels could be combined into his existing property.

The situation is unusual, as a platted lot will be created that is partially inside the city limits and partially outside the city limits. Annexation or de-annexation may be appropriate in the future if any development on Lot 2 is proposed which would cross the corporate limits line.

Findings:

1. The proposed minor subdivision would reorganize properties and result in platted two lots.
2. Lot 2 would be only partially within the city limits.
3. The plat appears to be in compliance with all applicable zoning, subdivision, and other requirements.

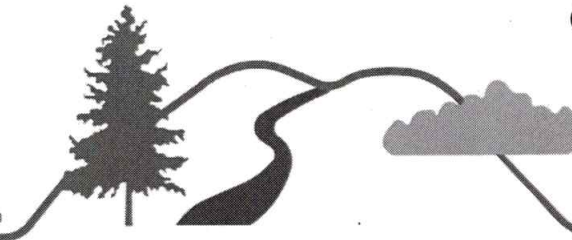
Alternatives:

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

Prepared by: Tom Coots, City Planner

Date of Preparation: August 5, 2020

Attachments: Application, Plat



SUBDIVISION APPLICATION

Contact Information:

Property Owner:

Name(s) Stephen L. & Carla J. Dunaway

Mailing Address 10120 County Road 8110

City, State, Zip Rolla MO 65401

Phone 573.201.7450

Email dun475@gmail.com

Agent/Applicant (If Different Than Property Owner):

Name

Mailing Address

City, State, Zip

Phone

Email

Property/Request Information:

Request: _____ Sketch Plat
_____ Major Subdivision
 Minor Subdivision
_____ Replat
_____ Subdivision Variance
_____ Vacation of ROW/easement

10120 COUNTY RD 8110 (SALLY RD)
Property Address/Location

N/A / C-2
Property Zoning

2 2
Number of existing and new lots proposed

WESTSIDE MARKETPLACE II
Name of Subdivision

APPLICATION CHECKLIST:

Applicant Checks Boxes

Completed Application Form

Agent Letter (If Applicable)

Filing Fee - \$300 (Major Subdivision); \$100 (Minor Subdivision/Replat);
\$350 (Subdivision Variance) + Recording Fee (\$44 or \$69)

Improvement Plans (Final Plats only; 1 paper copy and pdf version)

Plat (5 paper copies and pdf version) or Vacation Exhibit

Letter of Request (Subdivision Variance only)

N/A

N/A

N/A

0

N/A

City Staff Verifies

OFFICE USE ONLY:

Case No: SUB 20-02

DRC Meeting Date: 7/16/16

PC Hearing Date: 8/17

Submission Date: 6/15/20

Advertise By:

CC Hearing Date: 8/17/9/8

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

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

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

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

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

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

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

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

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

Acknowledgement and Authorization:


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

Property Owner(s):

 Stephen Dunaway

Sign

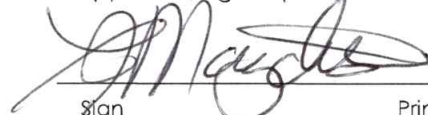
Print

 Carla Dunaway
Carla Dunaway

Sign

Print

Applicant/Agent (If Different From Owner)



Sign

Print

Louis G. Magdi TS

Sign

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WESTSIDE MARKETPLACE 2

RESUBDIVISION OF LOT-2 OF WESTSIDE MARKERPLACE

A RESUBDIVISION OF RAILROAD LOT 94 AND A FRACTIONAL PART OF RAILROAD LOTS 93 AND 95 AND PART OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 37 NORTH, RANGE 8 WEST, IN THE CITY OF ROLLA, COUNTY OF PHELPS, STATE OF MISSOURI

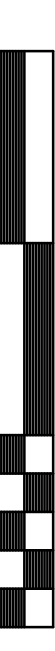
SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREIN PLATTED DO HEREBY IMPOSE UPON SAID PROPERTY AND DO HEREBY MAKE THE FOLLOWING RESTRICTIVE COVENANT: NO CONSTRUCTION MAY BE COMMENCED UPON THE ABOVE DESCRIBED PROPERTY UNTIL ALL NECESSARY BUILDING AND CONSTRUCTION PERMITS HAVE BEEN ISSUED BY THE CITY OF ROLLA, MISSOURI AND THAT IT IS UNDERSTOOD BY THE UNDERSIGNED THAT NO SUCH PERMITS SHALL BE ISSUED FOR ANY LOTS HEREIN PLATTED UNTIL THE COMPLETION OF ALL PUBLIC IMPROVEMENTS APPERTAINING TO SUCH LOTS OR UNTIL A CASH BOND EQUAL TO THE REASONABLE COSTS OF COMPLETING SUCH PUBLIC IMPROVEMENTS HAS BEEN RECEIVED AND APPROVED BY THE CITY OF ROLLA, MISSOURI. THE ABOVE MENTIONED PUBLIC IMPROVEMENTS SHALL BE COMPLETED PURSUANT TO THE AGREEMENT BETWEEN THE UNDERSIGNED AND THE CITY OF ROLLA, MISSOURI FOR THE COMPLETION OF SUCH IMPROVEMENTS AS REQUIRED BY ARTICLE II, CHAPTER 42, OF THE CITY CODE OF ROLLA, MISSOURI.

LINE	BEARING	DISTANCE
1	N 88°04'28" W	28.03
2	N 88°04'28" W	83.99
3	S 88°30'44" W	157.51
4	N 88°04'28" W	209.38
5	N 88°04'28" W	209.38
6	S 77°09'35" W	177.16
7	S 77°10'50" W	31.71
8	S 77°32'12" W	5.12

LEGEND

- ◇ RAILROAD SPIKE
- 1/2" IRON PIN LS-1682
- 1/2" IRON PIN LS-2425
- 5/8" IRON PIN LS-216641
- 1/2" IRON PIN LS-201017288
- ⊕ CHISELED CROSS IN SIDEWALK
- SET 1/2" IRON PIN WITH 000369 CAP
- PROPERTY LINE
- SECTION LINE
- 1/4 1/4 SECTION LINE
- 1/4 1/4 SECTION LINE



SCALE: 1" = 100'
MISSOURI STATE PLANE GRID NORTH
CENTRAL ZONE
BY GPS OBSERVATION

C-3 ZONING - HIGHWAY COMMERCIAL
MINIMUM SETBACK DIMENSIONS

FRONT YARD: 10 FEET MEASURED FROM THE FRONT LOT LINE
REAR YARD: 10 FEET MEASURED FROM THE REAR LOT LINE
SIDE YARD: 0 FEET MEASURED FROM THE SIDE LOT LINE

PLANNING & ZONING APPROVAL
APPROVED THIS _____ DAY OF _____ 2020.

DON BROWN, CHAIRMAN
PLANNING & ZONING COMMISSION

STEVE FLOWERS
COMMUNITY DEVELOPMENT DIRECTOR

IMPROVEMENT ACCEPTANCE
APPROVED SUBJECT TO CONSTRUCTION OF IMPROVEMENTS IN ACCORDANCE WITH DEVELOPMENT PLANS ON FILE WITH THE CITY OF ROLLA. THIS PLAT MEETS CURRENT SUBDIVISION CODES OF THE CITY OF ROLLA.

STEVE HARGIS, P.E.
DIRECTOR OF PUBLIC WORKS

RODNEY BOURNE, GENERAL MANAGER
ROLLA MUNICIPAL UTILITIES

FLOYD JERNIGAN, PARKS DIRECTOR
CITY OF ROLLA

KNOW ALL MEN BY THESE PRESENTS:
____ SURVEYOR'S DECLARATION

THAT I, TERRIS L. CATES, PROFESSIONAL LAND SURVEYOR, P.L.S. No. 2008000715, DO HEREBY CERTIFY THAT THIS PLAT MEETS MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AND WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED. RECORDS BY INTEGRITY ENGINEERING, INC. DATED 07/31/2020, REFLECT THE LOCATION OF ALL CORNER MARKERS, MONUMENTS AND LOT CORNER PINS AS SHOWN HEREIN WERE PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH ARTICLE II, CHAPTER 42, OF THE CITY CODE OF ROLLA, MISSOURI.

TERRIS L. CATES P.L.S. No. 2008000715
DATE: _____

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: OTHER LAND-USE REGULATIONS AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

2. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" (20 CSR 2030-16 and 2 CSR 90-60).

3. TRACT IS CLASSIFIED URBAN (20 CSR 2030-16.040 AND 2 CSR 90-60.040).

4. DATE OF FIELD WORK: MAY 18, 2020.

5. BEARINGS AND DISTANCES SHOWN ARE MEASURED AND RECORDED.

6. ONLY THE RECORD DOCUMENTS NOTED HEREON WERE PROVIDED TO A DISCOVERED BY SURVEYOR. NO ABSTRACT NOR OTHER RECORD TITLE DOCUMENTATION WAS PROVIDED SURVEYOR.

7. THIS PLAT DOES NOT REPRESENT AN "ALTA/ACSM LAND TITLE SURVEY".

8. NO STATEMENT IS MADE CONCERNING SUBSURFACE CONDITIONS, OR THE EXISTENCE OR NONEXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR UTILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED IN THIS SURVEY.

OWNERS

JOHN BUTZ, CITY ADMINISTRATOR
CITY OF ROLLA

STEPHEN L. DUNAWAY

CARLA J. DUNAWAY

COUNTY AND CITY TAX RELEASE
I, HEREBY CERTIFY THAT ALL PROPERTY TAXES LEVIED BY THE COUNTY OF PHELPS AND THE CITY OF ROLLA AGAINST THE REAL ESTATES DESCRIBED ON THIS PLAT HAVE BEEN PAID IN FULL FOR 2019 AND ALL PRIOR YEARS.

FAITH BARNES, COLLECTOR OF REVENUE
PHELPS COUNTY, MISSOURI

RECORDER'S CERTIFICATE
THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS _____ DAY OF _____ 2020.
PLAT WAS FILED AT CABINET _____ NUMBER _____

ROBIN KORDRES, RECORDER OF DEEDS
PHELPS COUNTY, MISSOURI

LOUIS J. MAGDIS IV, MAYOR
CITY OF ROLLA

CAROL DANIELS, CITY CLERK
CITY OF ROLLA

ACKNOWLEDGEMENT OF APPROVAL BY CITY COUNCIL

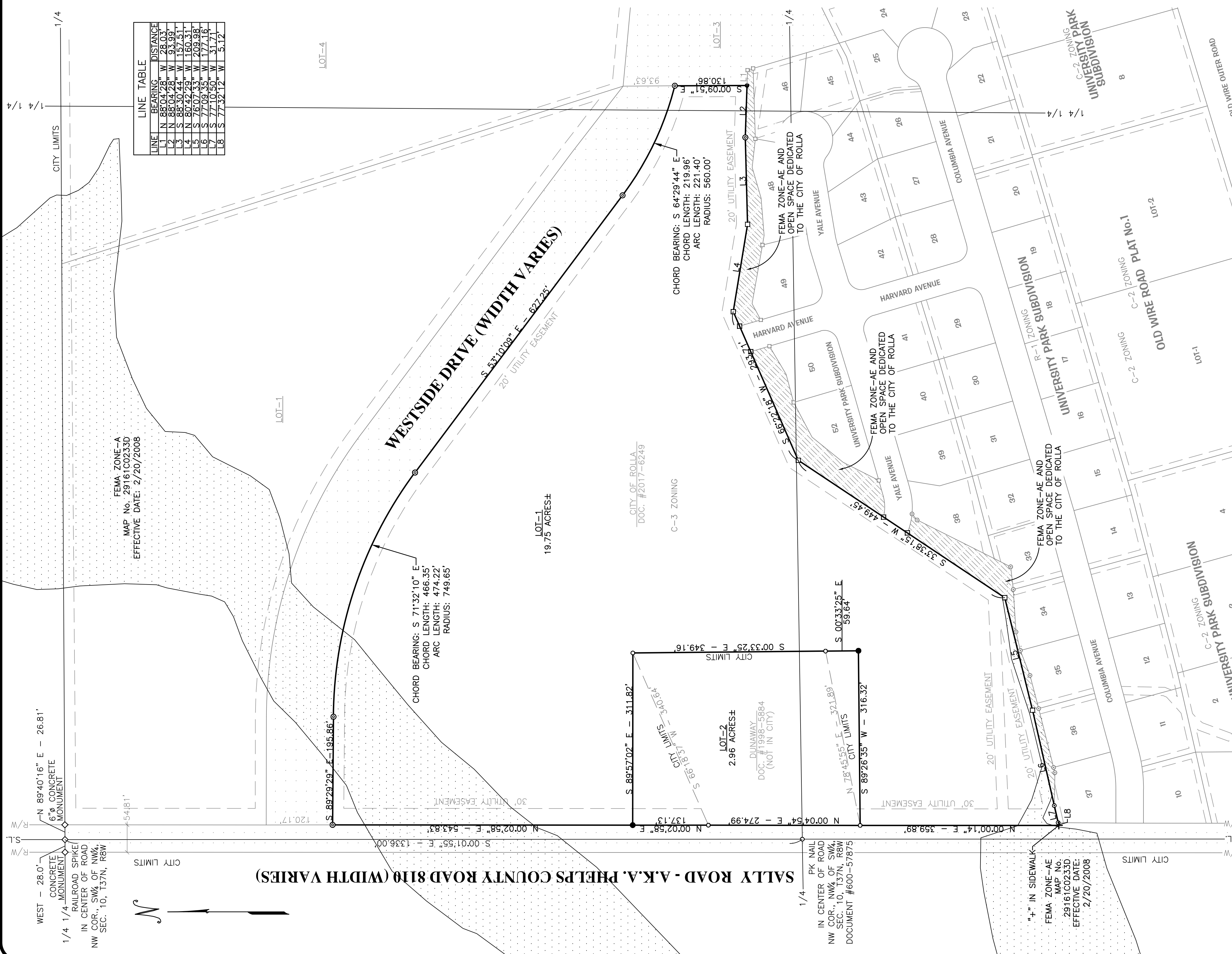
THIS IS TO ACKNOWLEDGE THAT THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI HAS, BY ORDINANCE DULY ADOPTED, APPROVED THIS PLAT AND HAS AUTHORIZED THE SAME TO BE FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF DEEDS, PHELPS COUNTY, MISSOURI.

ATTEST:
LOUIS J. MAGDIS IV, MAYOR
CITY OF ROLLA

CAROL DANIELS, CITY CLERK
CITY OF ROLLA

PROPERTY DESCRIPTION: (LOT-1 & LOT-2 COMBINED)

A FRACTIONAL PART OF THE NORTHWEST QUARTER (NW¼) AND THE SOUTHWEST QUARTER (SW¼) OF SECTION 10, TOWNSHIP 37 NORTH, RANGE 8 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN PHELPS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: A FRACTIONAL PART OF LOT 2 OF WESTSIDE MARKERPLACE SUBDIVISION; AN ADDITIONAL PART OF PHELPS COUNTY, BEGINNING AT A CORNER MARKER, BEING A 1/2" IRON PIN, BEARING S 88°04'28" W, 28.03 FEET TO THE SOUTHWEST CORNER OF WESTSIDE MARKETPLACE LOT 2, AND ON THE EAST RIGHT-OF-WAY OF SALLY ROAD (A.K.A. PHELPS COUNTY ROAD 8110), THE POINT OF BEGINNING OF THE HEREMFTER DESCRIBED TRACT; THENCE NORTH 0°00'14" EAST, 359.89 FEET TO A 1/2" IRON PIN; THENCE NORTH 0°04'54" EAST, 274.99 FEET TO A 1/2" IRON PIN; THENCE NORTH 0°02'58" EAST, 137.13 FEET TO A 1/2" IRON PIN; THENCE NORTH 0°02'58" EAST, 543.83 FEET TO A 1/2" IRON PIN AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF SALLY ROAD AND THE SOUTH RIGHT-OF-WAY OF WESTSIDE DRIVE; THENCE LEAVING THE EAST RIGHT-OF-WAY OF SALLY ROAD AND FOLLOWING ALONG THE SOUTH RIGHT-OF-WAY OF WESTSIDE DRIVE, SOUTH 89°29'29" EAST, 195.86 FEET TO A 1/2" IRON PIN; THENCE ALONG A CURVE TO THE RIGHT WITH A CHORD BEARING OF SOUTH 71°32'10" EAST, A CHORD LENGTH OF 465.35 FEET, AN ARC LENGTH OF 474.22 FEET, AND A RADIUS OF 749.65 FEET TO A 1/2" IRON PIN; THENCE SOUTH 53°10'09" EAST, 627.25 FEET TO A 1/2" IRON PIN; THENCE ALONG A CURVE TO THE LEFT WITH A CHORD BEARING OF SOUTH 64°29'44" EAST, A CHORD LENGTH OF 219.96 FEET, AN ARC LENGTH OF 221.40 FEET, AND A RADIUS OF 560.00 FEET TO A 1/2" IRON PIN ON THE SOUTH RIGHT-OF-WAY OF WESTSIDE DRIVE; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY, SOUTH 0°09'51" EAST, 130.86 FEET TO A 1/2" IRON PIN; THENCE NORTH 88°04'28" WEST, 93.99 FEET TO A 1/2" IRON PIN; THENCE SOUTH 88°30'44" WEST, 157.51 FEET TO A 1/2" IRON PIN; THENCE NORTH 80°42'29" WEST, 160.31 FEET TO A 1/2" IRON PIN; THENCE SOUTH 66°22'18" WEST, 293.71 FEET TO A 1/2" IRON PIN; THENCE SOUTH 33°38'15" WEST, 449.45 FEET TO A 1/2" IRON PIN; THENCE SOUTH 76°07'33" WEST, 209.98 FEET TO A 1/2" IRON PIN; THENCE SOUTH 77°09'35" WEST, 177.15 FEET TO A 1/2" IRON PIN; THENCE SOUTH 77°10'50" WEST, 31.71 FEET TO A 1/2" IRON PIN; THENCE SOUTH 77°32'12" WEST, 5.12 FEET BACK TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 22.71 ACRES, MORE OR LESS, PER SURVEY PLAT I-0820 BY INTEGRITY ENGINEERING, INC. DATED JUNE 4, 2020 AND IS SUBJECT TO SALLY ROAD (A.K.A. PHELPS COUNTY ROAD 8110), WESTSIDE DRIVE, AND ANY OTHER EASEMENTS, RESTRICTIONS, RESERVATIONS, AND COVENANTS EXISTING AND/OR RECORDED.



REVISIONS BY:	

Integrity Engineering, Inc.
P.O. Box 100 / 1714 East 10th St.
Rolla, Missouri 65402-7654-01
Phone: (573) 341-1200
Fax: (573) 341-1200
Email: info@integrityeng.com
Website: integrityeng.com
Missouri Certificates of Authority
Engineering: 003369
Surveying: 003369
Architecture: 0333

PROJECT FOR:
CITY OF ROLLA
ROLLA, MISSOURI

MINOR SUBDIVISION
RESUBDIVISION OF LOT-2 WESTSIDE MARKETPLACE
Rolla, Missouri



DRAWN BY: ABB
CHECKED BY: TLC
DATE: JULY 31, 2020
SCALE: 1" = 100'
JOB: CITY OF ROLLA
FILE: I-0820_WestsideMarketPlat.dwg
SHEET
I-0820
SHEET 1 OF 1 SHEETS