

AGENDA

**The City of Rolla
Planning & Zoning Commission
Rolla City Council Chambers, 901 North Elm Street
Tuesday, March 14, 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, January 10, 2023 and February 28, 2023.
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
- 1. SUB22-09:** Final Plat of Blue's Lake #12 and associated vacation of Joan Drive and certain utility easements
 - 2. PUD22-02:** Final PUD Development Plan and rezoning from C-3, Highway Commercial to PUD, Planned Unit Development for an RV park development at 550/650 Joan Drive
- III. NEW BUSINESS:**
- 1. SUB23-01:** Final Plat of RCP Plat No. 2, a minor subdivision to reorganize 3 commercial lots and create 1 additional lot at 2339, 2409, and 2419 N Bishop
- IV. PUBLIC HEARING:**
- 1. ZON22-05:** Rezoning of 1203 S Bishop from the C-2, General Retail district to the C-3, Highway Commercial district (Postponed from Feb 28)
 - 2. ZON23-01:** Rezoning of 1708 Ashwood Dr from the R-1, Single-family district to the R-2, Two-family district (Postponed from Feb 28)
 - 3. ZON23-02:** Rezoning of 605 W 7th and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district (Postponed from Feb 28)
 - 4. ANX23-01:** Annexation into the corporate limits of the City of Rolla and assigning a zoning of C-2, General Retail (Postponed from Feb 28)
- V. OLD BUSINESS:**
- 1. 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
- VI. OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:** **NONE**
- VII. CITIZEN COMMENTS:**

NEXT MEETING DATE:

Tuesday, April 11, 2023

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 10, 2023

Presiding: Russell Schmidt, Chairperson

Commission Members Present: Monty Jordan, Janece Martin, Kevin Crider, Nathan Chirban, Monte Shields

Commission Members Absent: Robert Anderson

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, December 13, 2022. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** NONE
- III. OLD BUSINESS:**
1. **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

Russell Schmidt opens the public hearing.

Kathy Cochran resides at 607 East 12th Street and owns multiple properties in Rolla. She expresses opposition to the UR zoning due to the alley setbacks. She is concerned that the setbacks in the rear alley are too excessive. These setbacks would be taking up more of her property and that area can now only be used for upkeep instead of development. She asks for a definition, in writing, of nonconforming uses. She comments that the residents should be given more notice and information. **Chirban** asks what her properties were currently zoned. **Cochran** states one is R-2 and the other is R-3. **Chirban** asks if they are both being rezoned to the UR district. **Cochran** confirms this.

Carson Plasse resides at 1209 Iowa Street. He asks if the City plans on paving the alleyways. He plans to renovate his property, but if the rezoning happens, the setbacks will make enough of his property nonconforming as to hinder further development. **Schmidt** is unsure if the City plans on paving the alleyways in the future. He asks if this was the only issue Plasse has with the UR zoning. **Plasse** confirms this, and he states he felt the rezoning was unnecessary. Only the setbacks and smaller lot sizes are the only changes to the new zoning district.

Mike Woessner is located at 1703 North Bishop. He was unsure if the Holloway Addition was still being rezoned from R-3 and R-2 to UR. He comments about the lack of information sent out in letters, and implored the Commission to send out detailed letters to all affected property owners.

Alfred Chapman is a developer who owns multiple properties in Rolla. He expresses opposition to the downzoning. **Schmidt** asks about the current zoning of Chapman's properties. **Chapman** states his property had been proposed to be rezoned R-2 to R-1. He is concerned if his property becomes nonconforming and can no longer rebuild if it is damaged to a certain degree. He expresses concern about the lack of information to citizens.

A motion was made by Janece Martin, seconded by Monte Shields, to table the case and keep the public hearing open until the March 14th meeting. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Jordan, Martin and Shields. Nays: None. The motion passes unanimously.

Coots clarifies the question brought up by Woessner. He states as of this point, staff is still planning on rezoning the Holloway Addition to the UR district. A neighborhood meeting is planned to be set up. He mentions the City will have an open house to allow for the public to gain information and express concerns on January 25th and 26th. He also states there will be more letters sent out to citizens.

Martin asks why the Ad-Hoc Committee came up with the UR district. **Coots** states the district is intended for older parts of town that have small lots and are already developed. The current zoning code requires larger lot sizes and setbacks, which hinders development. The new zoning would lower the need to seek variances and allows for small multi-family uses. **Chirban** comments that citizens have presented issues with the new setbacks, but the UR district claims to be less stringent on the setback requirements. **Coots** states what is being proposed is a 20 foot setback from the alley. The idea is to reserve that land for parking as areas get denser. This will only apply to rear setbacks.

IV. NEW BUSINESS:

1. **SUB22-09:** Final Plat of Blue's Lake #12 and associated vacation of Joan Drive and certain utility easements

Coots present the staff report.

A motion was made by Janece Martin, seconded by Monte Shields, to recommend the City Council approve the request with the condition that all comments from the Staff Comment Letter dated January 6, 2023 be resolved prior to final approval. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.

V. PUBLIC HEARING:

1. **PUD22-02:** Final PUD Development Plan and rezoning from C-3, Highway Commercial to PUD, Planned Unit Development for an RV park development at 550/650 Joan Drive

Coots presents the staff report.

Schmidt asks how the new plan differed from the preliminary plan. **Coots** states changes had to be made regarding utilities and the layout had changed and reduced the number of sites. **Crider** asks if the utility issue was at the request of the City or RMU. **Coots** mentions the applicant had originally proposed two dead end water lines. RMU will not accept those, and required it be changed to a looped system to prevent stagnant water possibly backing up into the City water main. The site plan had to be modified to meet this request. **Schmidt** asks if the new plan met RMU's requirements. **Coots** was unsure as no comments have been received from RMU.

Chirban mentions the plan shows a paved entryway that is 50 feet long. He asks if the applicant can change this once the plan is approved. **Coots** states the applicant is restricted to what is approved on the final PUD.

Aaron Espinoza is the current property owner. He states the reason for the revision to the site plan was at RMU's request. He mentions the applicant has had to revise the site plan several times, and does not want to submit a final plan until the City can have a definitive on what the requirements will be. **Schmidt** mentions a final plan will have to be developed before final approval is given from City Council.

Chirban asks about the hardship of delaying the project to give staff more time to review the plans. **Espinoza** states the applicant is wanting to start work on the project as it has been in process for several months. He has revised the site plan and will be losing lots to meet requests, not code requirements, from the City and RMU.

Chirban asks if the property has been closed. **Espinoza** states the investor does not want to purchase the property until this project will be approved. They are also fixing an illegal subdivision of the lot.

Schmidt opens the public hearing. Seeing no questions from the audience or commissioners, he closes the public hearing.

A motion was made by Janece Martin, seconded by Kevin Crider, to recommend the City Council approve the request with the condition that all comments from the Staff Comment Letter dated January 6, 2023 be resolved prior to final approval. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Jordan, Martin, and Shileds. Nays: None. The motion passes unanimously.

VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:

1. Presentation on 2022 activity and planned 2023 Community Development Department goals

VII. CITIZEN COMMENTS:

NONE

Meeting adjourned: 7:00 p.m.

Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, February 14, 2023

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, FEBRUARY 28, 2023

Presiding: Russell Schmidt, Chairperson

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

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

Schmidt opened the meeting and announced that due to not enough members being present to have a quorum, all business is postponed to the March 14, 2023 meeting at 5:30.

Meeting adjourned: 5:31 p.m.
Minutes prepared by: Sarah West

NEXT MEETING: Tuesday, March 14, 2023



Report to:

**Planning and Zoning
Commission**

Case No.: SUB 23-01

Meeting Date: March 14, 2023

Subject: RCP Plat No. 2: A Minor Subdivision to reorganize 3 commercial lots and create 1 additional commercial lot at 2339, 3409, and 3419 N Bishop

Background: The applicant owns a few commercial lots. One of the lots is very large (about 12 acres). The applicant seeks to increase the size of some adjacent properties and sell the remainder.

The remainder, Lot 1, is 7.68 acres and is not proposed to have any road frontage. Commercial lots may be provided access via an access easement. Lot 1 is likely not a developable property due to the slopes. The adjacent property owner who wishes to buy the lot does not intend to develop the property.

Application and Notice:

Applicant/Owner - Randy Clayton Properties, LLC; DW & MM Properties, LLC
Public Notice - <https://www.rollacity.org/agenda.shtml>
City Council Date - March 20, 2023

Property Details:

Current zoning - C-3, Highway Commercial
Current use - Commercial and vacant
Land area - Lot 1: 7.68 acres; Lot 2: 1.20 acres; Lot 3: 1.59 acres; Lot 4: 0.89 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Bishop Ave, a major arterial road; and Lot 1 is proposed to be accessed via an access easement to Bishop Ave.
Sidewalks - Sidewalks are not located adjacent to the property. Sidewalks may be required at the time of redevelopment.
Utilities - The subject property should have access to all needed utilities, although utilities for Lot 1 are proposed to be provided by a utility easement.

Comprehensive Plan: The Comprehensive Plan designates the subject property as being appropriate for Community Commercial uses.

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

Findings:

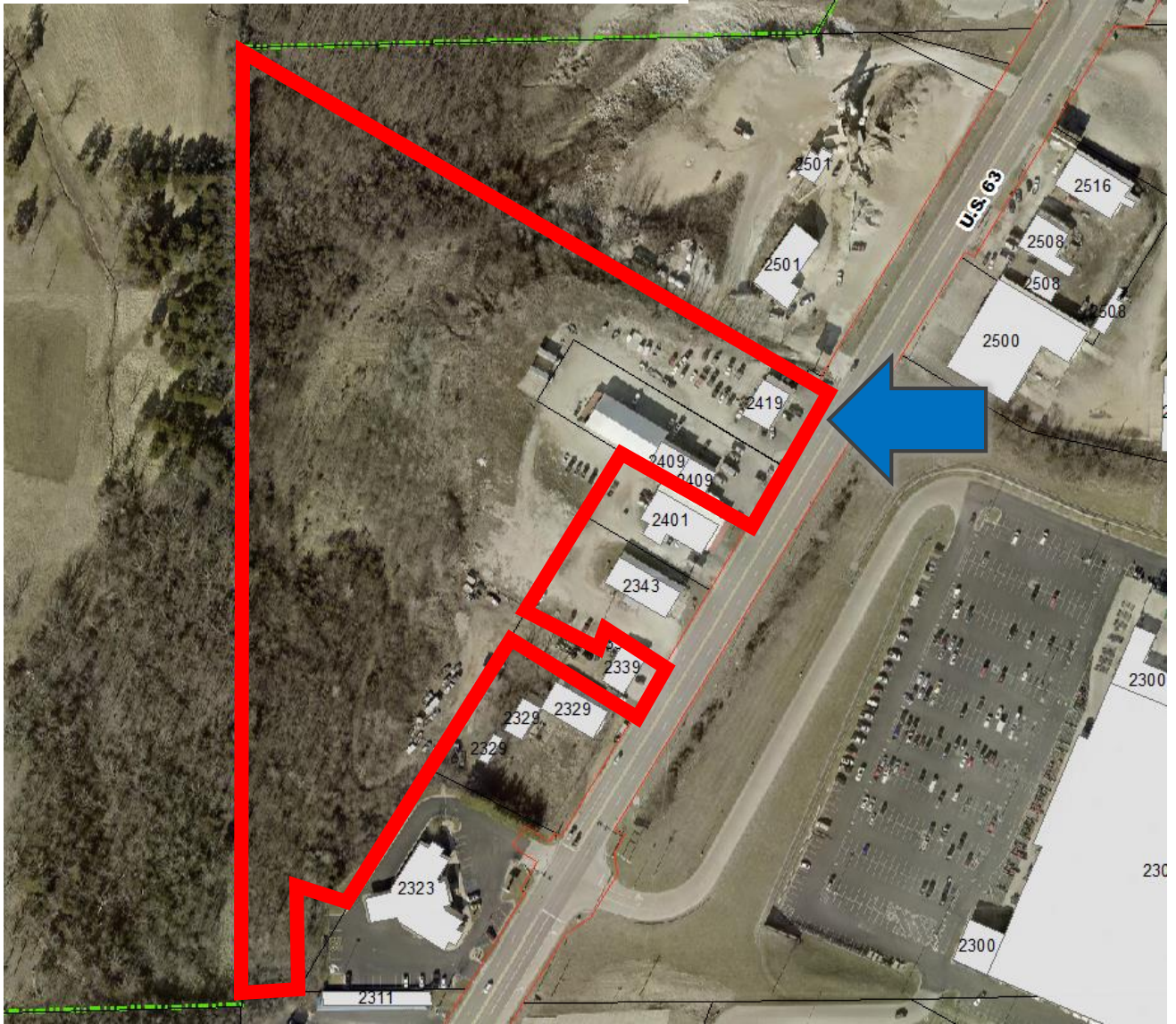
1. The proposed minor subdivision would reorganize 3 commercial lots and create 1 additional commercial lot.
2. Lot 1 has little commercial value due to the steep slopes and limited access.
3. The plat appears to be in compliance with all applicable zoning, subdivision, and other requirements.

Alternatives:

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

Prepared by: Tom Coots, City Planner

Attachments: Area Map, Application, Plat



Project Information:

Case No: SUB23-01
Location: 2339, 2409, 2419 N Bishop
Applicant: Randy Clayton Properties, LLC
Request:
Minor Subdivision to reorganize 3 commercial
lots and create 1 additional commercial 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



SUBDIVISION APPLICATION

Contact Information:

Property Owner:
Randy Clayton Properties
 Name(s)
713 Houston Rd
 Mailing Address
Rolla, mo 65401
 City, State, Zip
573-201-9973 cell
 Phone
RandyClayton31@yahoo.com
 Email

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

2419
2339 N BISHOP
 Property Address/Location

C-2/C-3
 Property Zoning

 Number of existing and new lots proposed

 Name of Subdivision

APPLICATION CHECKLIST:

Applicant Checks Boxes	<input type="checkbox"/>	Completed Application Form	<input type="checkbox"/>
	<input type="checkbox"/>	Agent Letter (If Applicable)	<input type="checkbox"/>
	<input type="checkbox"/>	Filing Fee - \$300 (Major Subdivision); \$100 (Minor Subdivision/Replat); \$350 (Subdivision Variance) + Recording Fee (\$44 or \$69)	<input type="checkbox"/>
	<input type="checkbox"/>	Improvement Plans (Final Plats only; 1 paper copy and pdf version)	<input type="checkbox"/>
	<input type="checkbox"/>	Plat (5 paper copies and pdf version) or Vacation Exhibit	<input type="checkbox"/>
	<input type="checkbox"/>	Letter of Request (Subdivision Variance only)	<input type="checkbox"/>

Applicant Checks Boxes

City Staff Verifies

OFFICE USE ONLY:

Case No: <u>SUB 23-01</u>	DRC Meeting Date: <u>3.7.23</u>	PC Hearing Date: <u>3.14.23</u>
Submission Date: <u>2.22.23</u>	Advertise By: <u>N/A</u>	CC Hearing Date: <u>3.20.23/4.3.23</u>

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):

Applicant/Agent (If Different From Owner)

 _____
Sign Print

_____ Sign Print

_____ Sign Print

_____ Sign Print



Report to:

**Planning and Zoning
Commission**

Case No.: ZON22-05

Meeting Date: March 14, 2023

Subject: Map Amendment (rezoning): 1203 S Bishop from the C-2, General Retail district to the C-3, Highway Commercial district

Background: The applicant seeks to rent out the subject property to a tenant with a landscape supply business. The tenant would sell things like mulch and landscape blocks. The C-2 district does not allow for outdoor storage and display. The C-3 district specifically allows landscape sales as a permitted use.

Application and Notice:

Applicant/Owner - Monte and Teresa Willy
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 - March 20, 2023

Property Details:

Current zoning - C-2, General Retail; proposed to be rezoned to C-3, Highway Commercial
Current use - Vacant (former used car dealership)
Proposed use - Retail landscape supply
Land area - 31,350 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on S Bishop/Hwy 63, a Major Arterial 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 Community Commercial uses.

Discussion: The subject property is located along a major commercial corridor and adjacent to other properties which are zoned C-3. The S Bishop corridor has pockets of areas zoned both C-2 and C-3.

Rezoning Approval Criteria:

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

1. Consistency with the intent of the adopted Comprehensive Plan;
2. Changed or changing conditions in the neighborhood;
3. Compatibility with the uses permitted in the immediate vicinity;
4. Adequacy or availability of utility service and facilities;
5. Impacts on vehicular and pedestrian traffic safety;
6. Correction of an error in the application of this Article;
7. Viability of economic uses of the subject property if the proposed rezoning is denied; and
8. Relevant information submitted at the public hearing.

Findings:

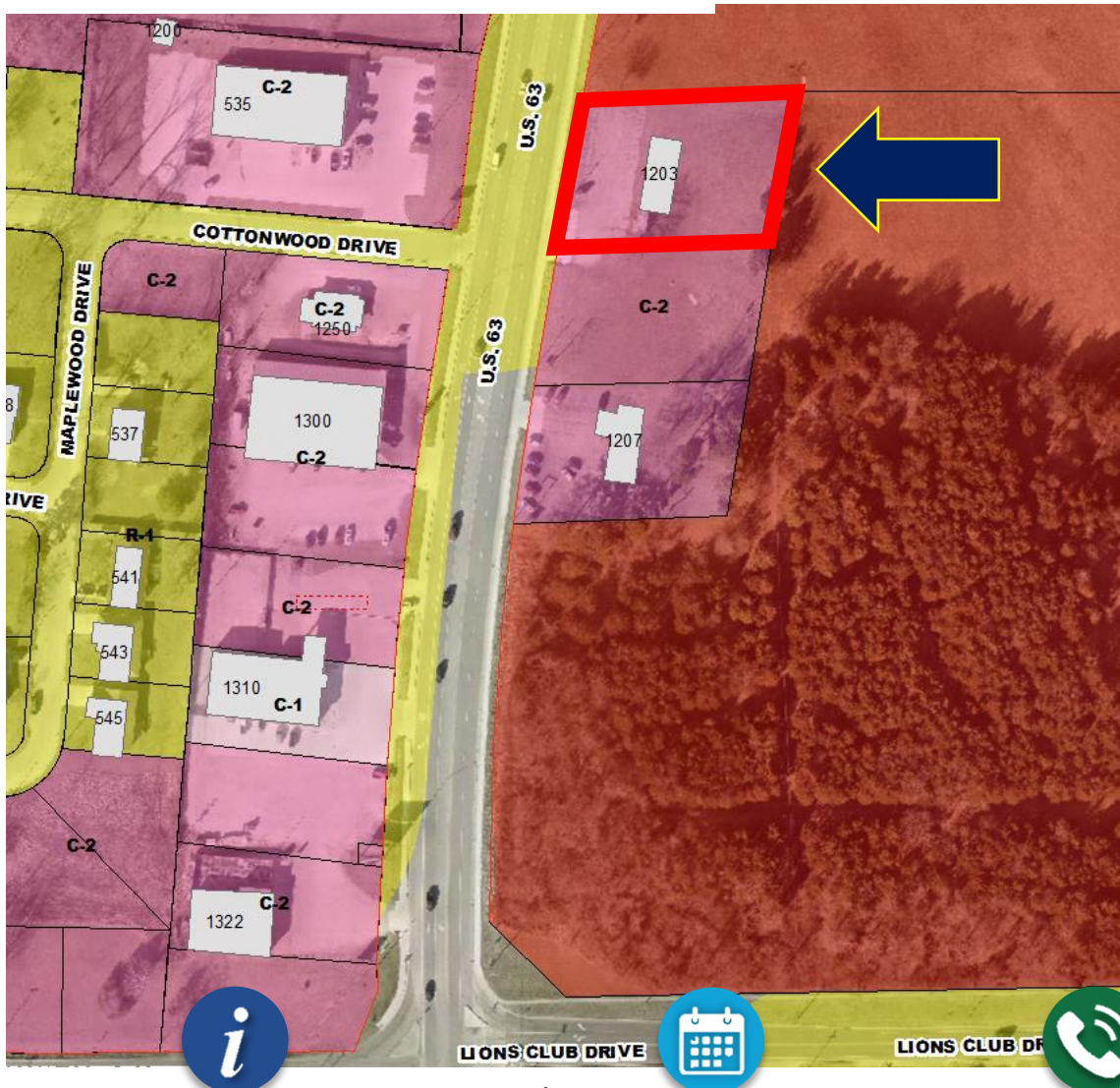
1. The Comprehensive Plan does designate the subject property as being appropriate for Community Commercial uses.
2. The property is located along a major arterial road and is adjacent to property which is zoned C-3, Highway Commercial.
3. The rezoning would allow for the proposed retail landscape supply business.

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 that the proposed map amendment (rezoning) is not an appropriate use for the property and recommend that the City Council deny the request.
3. 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: ZON22-05
 Location: 1203 S Bishop Ave
 Applicant: Monte and Teresa Willy
 Request:
 Rezoning from C-2, General Retail to C-3,
 Highway Commercial

Public Hearings:

Planning and Zoning
 Commission
February 28, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
March 6, 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

A fractional part of the SE1/4 of the SW1/4 of Sec. 14, Twp. 37 N., Rng. 8 W, more particularly described as follows:

Beginning at a point 828 feet north of the intersection of the east right of way line of U.S. Highway 63 and the south line of the SE1/4 of the SW1/4 of Sec. 14, Twp. 37 N., Rng. 8 W. ; thence East 209 feet to a point; thence North 148 feet to a point; thence West 209 feet to a point on the East right of way line of U.S. Highway 63; thence South along the East right of way line of U.S. Highway 63 to the point of beginning.

Except that part conveyed to the State of Missouri acting through the Missouri Highway and Transportation Commission via Warranty Deed dated April 22, 1994, filed May 13, 1994 of record at Document #: 9403012.

Except all legally established roads, highways and easements existing or of record.





pd ce

LAND USE APPLICATION

Contact Information:

Property Owner:

Monte & Teresa Willy

P.O. Box 1348

Rolla, MO 65402

573-578-0245

teresa.willy@protonmail.com

Agent/Applicant (If Different Than Property Owner):

Name

Mailing Address

City, State, Zip

Phone

Email

Property/Request Information:

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

1203 S. Bishop
Property Address/Location

C2 to C3
Property Zoning (Current and Proposed)

landscaping supplier
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes	<input type="checkbox"/>	Completed Application Form	City Staff Verifies
	<input type="checkbox"/>	Agent Letter (If Applicable)	
	<input checked="" type="checkbox"/>	Filing Fee - \$375 (Rezoning/CUP); \$475 (PUD); \$300 (CUP/PUD Amendment); \$62.50 (Annexation for advertisement)	
	<input type="checkbox"/>	Legal Description (Unplatted and Irregular Lots Only)	
	<input type="checkbox"/>	Site Plan (If Applicable)	
	<input type="checkbox"/>	Letter of Request/Project Report (If Applicable)	
		6	
		N/A	
		CAU	
		WJW SEND	
		N/A	
		N/A	

OFFICE USE ONLY:

Case No: 20N 22-05

DRC Meeting Date: 1.3.23

PC Hearing Date: 2.14.23

Submission Date: 12.30.22

Advertise By: 1.26.23

CC Hearing Date: 2.21.23/3.6.23

INFORMATION:

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)

Monte Willy Monte Willy
Sign Print

Sign Print

Teresa Willy Teresa Willy
Sign Print

Sign Print



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-01

Meeting Date: March 14, 2023

Subject: Map Amendment (rezoning): 1708 Ashwood Dr from the R-1, Single-family district to the R-2, Two-family district

Background: The applicant seeks to rezone the property from R-1, Single-family to R-2, Two-family in order to allow for a duplex to be built on the lot. Ashwood Drive has two single-family houses, three duplex structures, two 4-plex buildings, and two 8 unit apartment buildings.

Application and Notice:

Applicant/Owner - Lin Chen of Fe Le Property Management, LLC
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 - March 20, 2023

Property Details:

Current zoning - R-1, Single-family; proposed to be rezoned to R-2, Two-family
Current use - Vacant/undeveloped
Proposed use - Duplex
Land area - About 11,400 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Ashwood Dr, a local street.
Sidewalks - No sidewalks are located adjacent to the property. No sidewalks would be required due to the length of the cul-de-sac.
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, however, other areas on the block are designated for Medium/Low and High Density Residential uses.

Discussion: The subject property is located in an area with a mixture of housing types. R-2 zoning and duplex uses are located across the street. However, the property is also adjacent to other single-family properties. Ideally, the other single-family properties on the street would also be rezoned, rather than just one lot.

Rezoning Approval Criteria:

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

1. Consistency with the intent of the adopted Comprehensive Plan;
2. Changed or changing conditions in the neighborhood;
3. Compatibility with the uses permitted in the immediate vicinity;
4. Adequacy or availability of utility service and facilities;
5. Impacts on vehicular and pedestrian traffic safety;
6. Correction of an error in the application of this Article;
7. Viability of economic uses of the subject property if the proposed rezoning is denied; and
8. Relevant information submitted at the public hearing.

Findings:

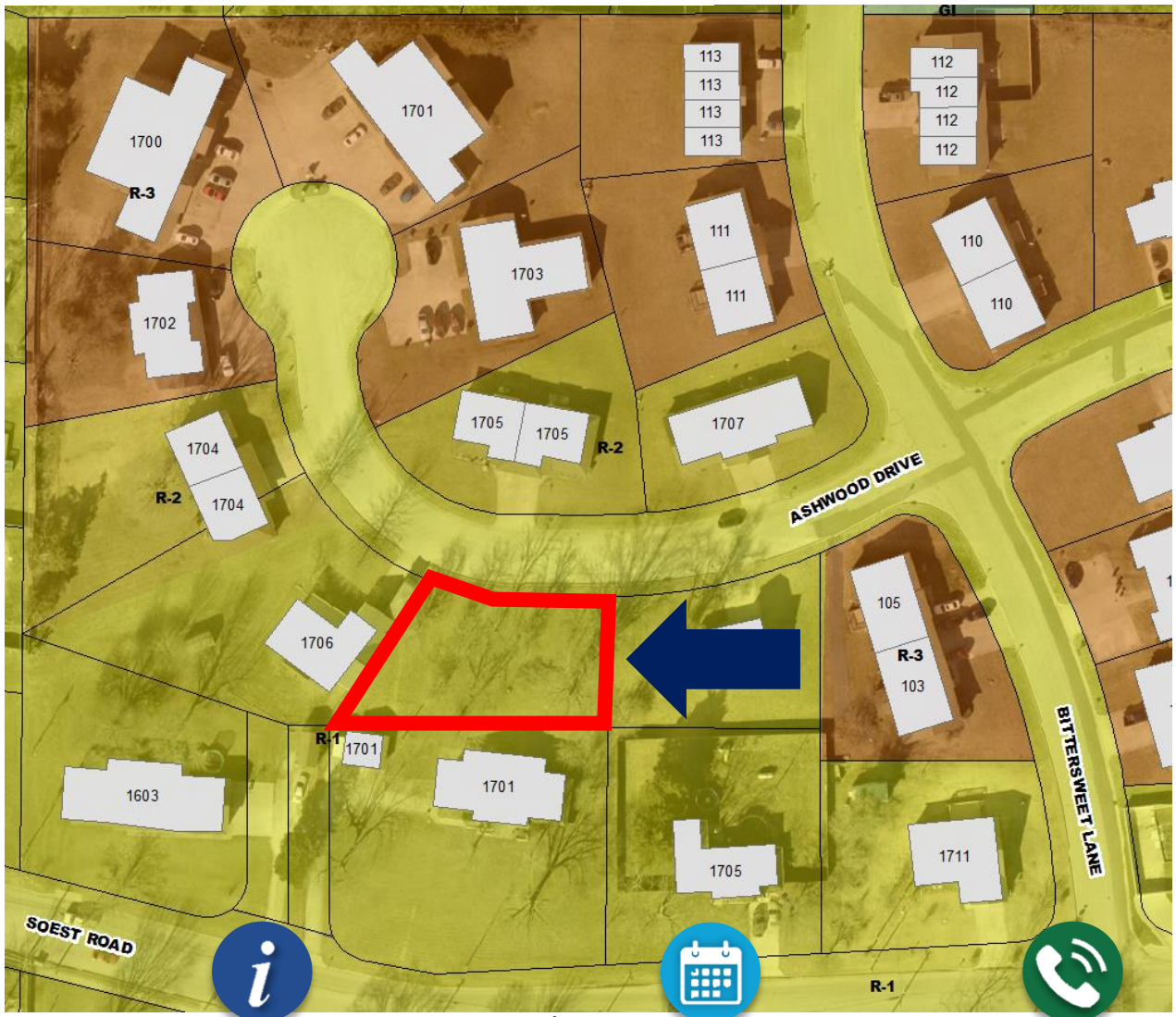
1. The Comprehensive Plan does designate the subject property as being appropriate for Low Density Residential uses, however, other areas on the block are designated for Medium/Low and High Density Residential uses.
2. The property is located in an area with a mixture of R-1, R-2, and R-3 zoning and single-family, two-family and multi-family housing.

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 that the proposed map amendment (rezoning) is not an appropriate use for the property and recommend that the City Council deny the request.
3. 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: ZON23-01
 Location: 1708 Ashwood Drive
 Applicant: Lin Chen of Fe Le Property Management, LLC
 Request:
 Rezoning from R-1, Single-family to R-2, Two-family

Public Hearings:

Planning and Zoning Commission
February 28, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
March 6, 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

Lot 18, Huntington Estates Plat No. 2, Phelps County, Rolla, Missouri



pd ck # 222986



COMMUNITY DEVELOPMENT DEPARTMENT
901 North Elm St
Rolla, MO 65401
P.O. Box 979

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

LAND USE APPLICATION

Contact Information:

Property Owner: (Lin Chen)
Fe Le Property Management LLC
Name(s)
802 Oxford Dr.
Mailing Address
Rolla MO 65401
City, State, Zip
573-578-5888
Phone
sunnylin08@hotmail.com
Email

Agent/Applicant (If Different Than Property Owner):

Name
Mailing Address
City, State, Zip
Phone
Email

Property/Request Information:

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

Lot 18 Huntington Estates Plat No 2
Property Address/Location (1708 Ashwood Drive)

R1
Property Zoning (Current and Proposed)

R2
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes	<input checked="" type="checkbox"/>	Completed Application Form	<input type="checkbox"/>	City Staff Verifies
	<input type="checkbox"/>	Agent Letter (If Applicable)	N/A	
	<input checked="" type="checkbox"/>	Filing Fee - \$375 (Rezoning/CUP); \$475 (PUD); \$300 (CUP/PUD Amendment); \$62.50 (Annexation for advertisement)	375	
	<input type="checkbox"/>	Legal Description (Unplatted and Irregular Lots Only)	N/A	
	<input type="checkbox"/>	Site Plan (If Applicable)	N/A	
	<input type="checkbox"/>	Letter of Request/Project Report (If Applicable)	N/A	

OFFICE USE ONLY:

Case No: 20N23-01 DRC Meeting Date: 1.17.23 PC Hearing Date: 2.14.23
Submission Date: 1.4.23 Advertise By: 1.26.23 CC Hearing Date: 2.21.23/3.6.23

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:

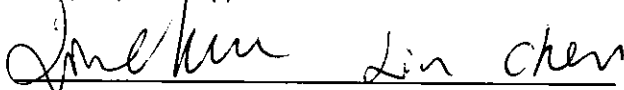
1. Reasons for amending the codes and demonstrating that the request serves the general welfare and preserves the community interest.
2. Proposed modifications with proposed language in underline and language to be removed in ~~striketrough~~.

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

Sign

Print

Sign

Print

Sign

Print



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-02

Meeting Date: March 14, 2023

Subject: Map Amendment (rezoning): 605 W 7th and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district

Background: The applicant seeks to rezone the subject property to allow for a plumbing supply business. The business would need to use a part of the property for outdoor storage. The C-2 district does not allow for outdoor storage. The C-3 district specifically allows builders supply businesses as a permitted use.

Application and Notice:

Applicant - Mike Woessner
Owner - Denny LaBantsching of Denny Properties, LLC and Denny Ford Lincoln Mercury, 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 - March 20, 2023

Property Details:

Current zoning - C-2, General Retail; proposed to be rezoned to C-3, Highway Commercial
Current use - Vacant
Proposed use - Plumbing supply business
Land area - About 28,000 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on 6th Street, 7th Street, and State Street, all local streets.
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 Community Commercial uses.

Discussion: The subject property is located in an area with a mixture of commercial uses. The property is adjacent to other properties which are zoned C-1, Neighborhood Commercial and C-2, General Retail. Properties zoned C-3, Highway Commercial are located in the area, however, these properties generally have frontage on arterial roads.

Rezoning Approval Criteria:

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

1. Consistency with the intent of the adopted Comprehensive Plan;
2. Changed or changing conditions in the neighborhood;
3. Compatibility with the uses permitted in the immediate vicinity;
4. Adequacy or availability of utility service and facilities;
5. Impacts on vehicular and pedestrian traffic safety;
6. Correction of an error in the application of this Article;
7. Viability of economic uses of the subject property if the proposed rezoning is denied; and
8. Relevant information submitted at the public hearing.

Findings:

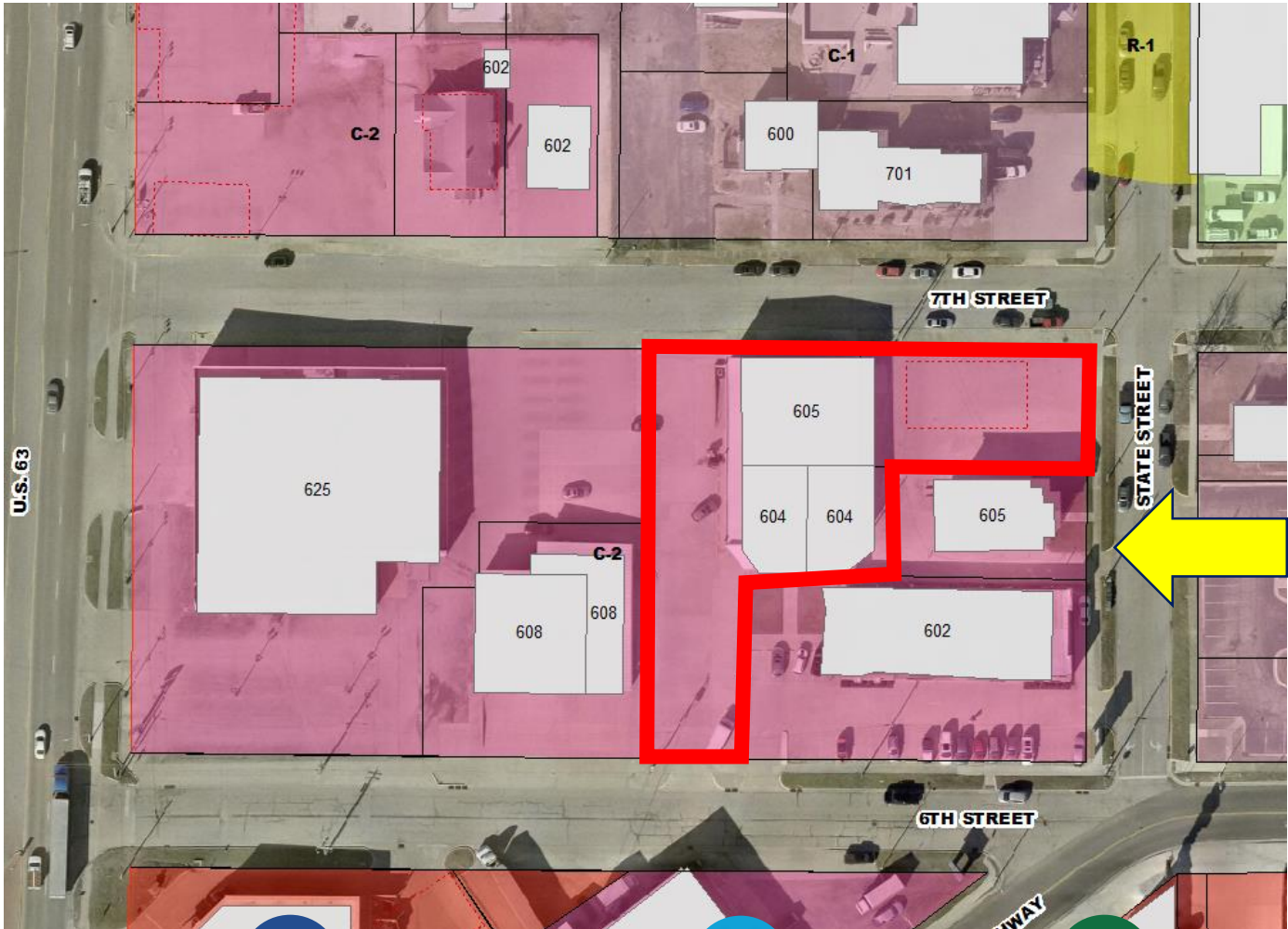
1. The Comprehensive Plan does designate the subject property as being appropriate for Community Commercial uses.
2. The property is located in an area with a mixture of commercial uses.
3. The property is located adjacent to properties which are zoned C-1 and C-2.
4. Properties which are zoned C-3 are in the vicinity, however, these properties generally have frontage on arterial roads.

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 that the proposed map amendment (rezoning) is not an appropriate use for the property and recommend that the City Council deny the request.
3. 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: ZON23-02
 Location: 605 W 7th St.; 605/607 N State St.
 Applicant: Denny Labantschnig of Denny Properties and Denny Lincoln Ford Mercury, Inc.

 Request:
 Rezoning from C-2, General Retail to C-3, Highway Commercial



Public Hearings:

Planning and Zoning Commission
February 28, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
March 6, 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

All of Lot 1 and a fractional part of Lot 4, Block 42 of BISHOP'S ADDITION, and, a fractional part of Lot 2 of COPPERFIELD SUBDIVISION, all in Rolla, Missouri more particularly described as follows: Beginning at the Northwest Corner of Lot 2, Block 42 of said BISHOP'S ADDITION; thence South 89°24'20" East, 247.50 feet along the South right of way of 7th Street to its intersection with the West right of way of State Street; thence South 1°04'50" West, 64.63 feet along said West right of way to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 1999-3448; thence North 88°52'00" West, 114.00 feet along the South line of said Document No. 1999-3448 parcel; thence South 1°07'30" West, 57.00 feet to the North line of Lot 1 of the aforesaid COPPERFIELD SUBDIVISION; thence South 86°33'00" West, 72.96 feet along said North line to the northwest corner of the aforesaid Lot 1 of COPPERFIELD SUBDIVISION; thence South 0°56'00" West, 95.03 feet along the West line of said Lot 1 to the North right of way of 6th Street; thence North 89°06'00" West, 60.19 feet along said North right of way to the southwest corner of the aforesaid Lot 2 of COPPERFIELD SUBDIVISION; thence North 0°11'20" East, 99.68 feet, and, North 1°26'40" East, 120.75 feet, all along the West line of said Lot 2 to the point of beginning.



pd ck # 223143



COMMUNITY DEVELOPMENT DEPARTMENT
901 North Elm St
Rolla, MO 65401
P.O. Box 979

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

LAND USE APPLICATION

Contact Information:

Property Owner:

Denny Properties and Denny Ford Lincoln Mercury, Inc.

Name(s) 708 C N. Bishop Ave.

Mailing Address

Rolla, MO 65401

City, State, Zip

314-330-3555

Phone

dennythecarguy@hotmail.com

Email

Agent/Applicant (If Different Than Property Owner):

Mike Woessner

Name

1703 N. Bishop Ave.

Mailing Address

Rolla, MO 65401

City, State, Zip

573-578-4050

Phone

mike@inv-rel.com

Email

Property/Request Information:

- Request: [X] Rezoning
[] Planned Unit Development
[] Conditional Use Permit
[] Annexation
[] Text Amendment

605 W. 7th Street & 607 N. State Street
Property Address/Location

C-2 to C-3
Property Zoning (Current and Proposed)

Screened outside storage
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes

Checkboxes for application items: Completed Application Form, Agent Letter, Filing Fee, Legal Description, Site Plan, Letter of Request.

- 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)

City Staff Verifies checkboxes: b, N/A, b, will keep, N/A, N/A

City Staff Verifies

OFFICE USE ONLY:

Case No: 20N23-02

DRC Meeting Date: 1.17.23

PC Hearing Date: 2.14.23

Submission Date: 1.11.23

Advertise By: 1.26.23

CC Hearing Date: 2.21.23 / 3.6.23

INFORMATION:

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.
-

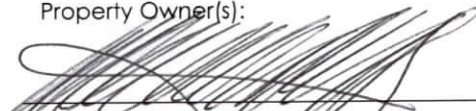
Text Amendment requests must include a letter/report with includes the following:


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):




Sign Print


Sign Print

Applicant/Agent (If Different From Owner)



Sign Print


Sign Print



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-02

Meeting Date: March 14, 2023

Subject: Annexation and Assignment of Zoning: A portion of 13063 Old Wire Outer Rd into the corporate limits of the City of Rolla and assigning a zoning of C-2, General Retail

Background: The applicant seeks to voluntarily be annexed into the city limits. Annexation would allow for access to utilities necessary for development of the property. The applicant also requests that the property be assigned C-2, General Retail zoning at the time of annexation. The C-2 district would allow for the planned use of the property as a proposed hotel.

Application and Notice:

Applicant - Mike Patel c/o Cindy Beger
Owner - James W Hayes and Janice S Hayes Trust
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 - March 20, 2023

Property Details:

Current zoning - Unincorporated Phelps County; proposed to be assigned zoning of C-2, General Retail
Current use - Vacant (former manufactured home sales)
Proposed use - Hotel
Land area - 2.3 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Old Wire Outer Rd and Sally Rd, both Collector streets.
Sidewalks - No sidewalks are located adjacent to the property. Sidewalks would be required to be constructed along Old Wire Outer Rd, unless waived.
Utilities - The subject property should have access to all needed public utilities. The developer will be required to extend the public sewer to the property and extend a waterline across the entire property frontage.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Mixed Commercial uses. The Comprehensive Plan designates the area as being within the Urban Growth Area for the city. The Rolla West Master Plan designates the property as being appropriate to for a "Lifestyle Center," which includes specialty retail and office uses.

Discussion:

The proposed annexation should not impact city budgets or services. The annexation would allow for a development which would generate sales and hotel/motel tax revenues for the city. The proposal was reviewed at the Development Review Meeting and no objections to the annexation were made.

All utilities are located in the area and have capacity to serve the property. The developer will have to extend water and sewer utilities to serve the property. The property should be easily served with all other municipal services.

The subject property is located on the I-44 outer road. The I-44 frontage has developed to include retail and hospitality uses. The north side I-44 frontage is all C-2 zoning. The property is adjacent to the city limits.

Findings:

1. The applicants have submitted applications for voluntary annexation into the corporate limits of the city.
2. The utilities in the area have capacity to serve the property, but the developer will be required to extend sewer and water utilities.
3. The Comprehensive Plan does designate the subject property as being appropriate for Mixed Commercial uses. The Rolla West Master Plan designates the property as being appropriate for "Lifestyle Center" uses.
4. The Comprehensive Plan designates the area as being within the Urban Growth Area for the city.
5. The property is located along the I-44 frontage road and in an area with a mixture of commercial uses.
6. The property is located adjacent to properties which are zoned C-2.

Alternatives:

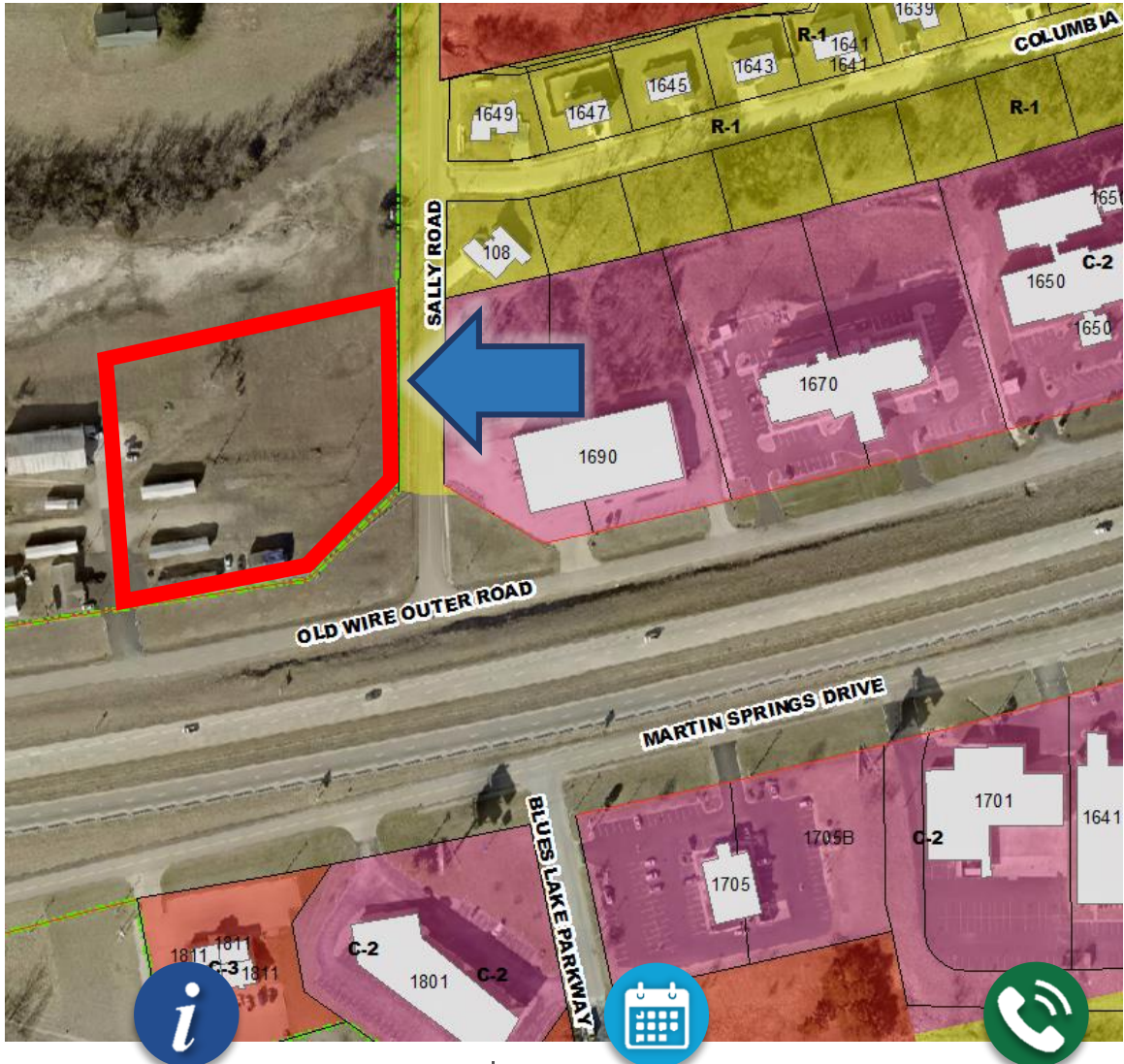
1. Find the request meets the criteria for approval and recommend the City Council approve the request for a map amendment (rezoning) of the subject property.
2. Find that the proposed map amendment (rezoning) is not an appropriate use for the property and recommend that the City Council deny the request.
3. 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: ANX23-01
 Location: 13063 Old Wire Outer Rd
 Applicant: James W Hayes and Janice S Hayes Trust; and Krunal Patel c/o Cindy Beger

Request:
 Annexation into the city limits of the City of Rolla and assigning a zoning C-2, General Retail

Public Hearings:

Planning and Zoning Commission
February 28, 2023
5:30 PM
 City Hall: 1st Floor

City Council
March 6, 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 an Annexation?

An annexation is the changing of the city limits to include additional areas. Once within the corporate limits of the City of Rolla, a property is subject to the laws of the City of Rolla and is eligible for services provided by the City of Rolla.

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.

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 Commission.

What if I Have More Questions?

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

LEGAL DESCRIPTION

A fractional part of the Northeast Quarter of the Southeast Quarter of Section 9, Township 37 North, Range 8 West of the 5th P.M. described as follows:

Commencing at the Northeast Corner of the Northeast Quarter of the Southeast Quarter of said Section 9; thence South 3°06'10" West, 450.07 feet to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 1991-3686, also being a point on the West right of way of Phelps County Road 8110 (Sally Road); thence South 0°03'20" East, 172.96 feet along said West right of way; thence North 89°56'00" West, 30.27 feet; thence South 0°01'30" West, 30.20 feet; thence North 89°31'00" East, 30.31 feet to the aforesaid West right of way of Phelps County Road 8110 (Sally Road); thence South 0°02'50" East, 113.79 feet along said West right of way to the true point of beginning of the hereinafter described tract: Thence continuing South 0°02'50" East, 222.07 feet along said West right of way to its intersection with the North right of way of U.S. Interstate 44; thence South 51°00'50" West, 160.54 feet, and, westerly, 228.76 feet along the arc of a curve, concave northerly with a radius of 12038.70 feet, the chord of which is South 79°33'00" West, 228.76 feet, all along said North right of way; thence North 0°06'10" West, 300.00 feet; thence North 79°33'10" East, 356.00 feet to the true point of beginning. Above described tract contains 2.30 acres, more or less, per plat of survey J-4853, dated January 3, 2023, by CM Archer Group, P.C.



pd ck # 223067



COMMUNITY DEVELOPMENT DEPARTMENT
901 North Elm St
Rolla, MO 65401
P.O. Box 979

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

LAND USE APPLICATION

Contact Information:

Property Owner:

James W Hayes and Janice S Hayes Trust
Name(s)
1627 Columbia Avenue
Mailing Address
Rolla, MO 65401
City, State, Zip
573-578-4050
Phone
mike@inv-rel.com
Email

Agent/Applicant (If Different Than Property Owner):

Krunal Patel C/O Cindy Beger
Name
1703 N Bishop Avenue
Mailing Address
Rolla, MO 65401
City, State, Zip
573-578-2555
Phone
cindy@inv-rel.com
Email

Property/Request Information:

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

13063 Old Wire Outer Road, Rolla, MO
Property Address/Location

n/a and C-2
Property Zoning (Current and Proposed)

hotel
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes	<input type="checkbox"/>	Completed Application Form	<input type="checkbox"/>	City Staff Verifies
	<input type="checkbox"/>	Agent Letter (If Applicable)	<input type="checkbox"/>	
	<input type="checkbox"/>	Filing Fee - \$375 (Rezoning/CUP); \$475 (PUD); \$300 (CUP/PUD Amendment); \$62.50 (Annexation for advertisement)	<input type="checkbox"/>	
	<input type="checkbox"/>	Legal Description (Unplatted and Irregular Lots Only)	<input type="checkbox"/>	
	<input type="checkbox"/>	Site Plan (If Applicable)	<input type="checkbox"/>	
	<input type="checkbox"/>	Letter of Request/Project Report (If Applicable)	<input type="checkbox"/>	

OFFICE USE ONLY:

Case No: ANX 23-01

DRC Meeting Date: 1.17.23

PC Hearing Date: 2.14.23

Submission Date: 1.6.23

Advertise By: 1.26.23

CC Hearing Date: 2.21.23 / 3.6.23

INFORMATION:

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)

James D. Hayes JAMES D. HAYES TTEE
 Sign Print

U. J. Patel KRUNAL J PATEL
 Sign Print

 Sign Print

Cindy Beger Cindy Beger
 Sign Print



Report to:

**Planning and Zoning
Commission**

Case No.: TXT22-03

Meeting Date: March 14, 2023

Subject: Zoning Code Update: Continuation of Public Hearing and Discussion

Background: The proposed changes to the zoning code have been preliminarily presented at the September, October, and November Planning and Zoning Commission meetings to give the Commission ample time to review the proposed changes.

The Commission opened the public hearing at the December 13, 2022 and the January 10, 2023 meetings. The Commission postponed discussions to the March 14, 2023 meeting date to allow for time to conduct open houses and meetings, increase public notice, and allow the Zoning Code Update ad hoc Committee to review the input received and make revisions.

Open Houses were held on January 25 and 26. The January 25 date had to be officially cancelled due to weather, although staff was on hand for those who came. Between the dates, about 40 citizens came to the open house.

A neighborhood meeting was held on February 1 for the area near Ber Juan Park regarding the proposed U-R zoning district. About 10 citizens attended the meeting.

Additional input was received by phone, email, and in person.

The Zoning Code Update ad hoc Committee has met two times since the January Commission meeting. To date, the ad hoc committee has reviewed the input received and reviewed revisions to the proposed zoning code. The revised code is available on the city website. The ad hoc committee has not completed the review of the proposed zoning map. Review should be complete by the April Commission meeting date.

Application and Notice:

Applicant - City of Rolla

Public Notice - Phelps County Focus; Letters mailed to most impacted property owners;
<https://www.rollacity.org/agenda.shtml>

City Council Date - April 3, 2023 (To be postponed until Planning and Zoning Commission completes review)

Discussion:

The proposed zoning codes have been revised based on the input received. The following describes how the code has been revised from the previous version:

Section 42.140: Added a line to clarify when a building permit application will be considered to be abandoned.

Section 42.200 (general): Added definitions and modified uses based on the Overnight Shelter ordinance and guidance received from the Planning and Zoning Commission.

Section 42.203: Several revisions to add and remove definitions as needed, based on changes to the use categories in Section 200.

Section 42.210-224: Several revisions to the use categories. The previous version included use categories which were based on the NAICS book, which classifies every commercial use. The original proposal was found to be too confusing. The ad hoc committee recommended that the commercial uses be simplified. Uses such as "Commercial Use" and "Industrial Use" are used for the majority of all commercial and industrial uses. Districts may allow a "commercial use" with certain restrictions, such as limits to the area of the use and limiting the use to being mostly within a building. The changes should allow for maximum flexibility and simplicity.

Section 42.211: Minimum lot size for lots without access to sewer and water reduced from 3 acres to 2.5 acres. Note: This issue is still under review.

Section 42.212: Reduced the minimum lot size for two-family uses from 9,000 sq. ft. to 7,500 sq. ft. based on input received.

Section 42.213: Reduced the minimum lot size for 1 or 2 units from 4,000 sq. ft. to 2,500 sq. ft. to allow for additional flexibility. Reduced the maximum building height from 3 stories to 2 stories. Added a minimum lot size for multi-family uses. Modified the setback adjacent to alleys. Revised to allow up to 4 dwellings in a multi-family structure by right. Added Civic and Social Organizations. Added mixed-residential uses as a conditional use. All based on input received.

Section 42.214: Changed the name of the district to the R-4, Urban Multi-family district to reduce confusion with the U-R district.

Section 42.221: Increased the area for commercial uses from 10,000 sq. ft. to 12,000 sq. ft. to allow more flexibility. Added additional dwelling units for mixed-residential uses as a conditional use. Added limitations for commercial uses.

Section 42.222: Added limitations for outdoor commercial uses. Added allowance for industrial uses with limitations or as a conditional use.

Section 42.223: Added limitations for outdoor commercial and industrial uses.

Section 42.224: Changed the name of the district to the M, Manufacturing district to avoid confusion between the current and proposed zoning districts. Removed dangerous, etc. uses as a conditional use due to there not being a way to define the use.

Section 42.312: Clarified the residential parking and bicycle parking requirements.

Section 42.345: Revised to include signs in the C-C, Center City district with the requirements for the C-1, Neighborhood Commercial district to allow more appropriate signage in the downtown, based on input received.

Section 42.351: Revised to reduce and/or clarify the design requirements for townhouses, based on input received.

Section 42.363: Revised the driveway spacing, driveway widths, and number of allowed driveways based on input received.

Section 42.457: Inserted section pertaining to Overnight Shelters, based on the recently adopted ordinance.

The proposed zoning map is still being reviewed by the ad hoc committee. The revised map should be ready for the April 11 Commission meeting. Since the map is not ready at this time, it is recommended that the Commission postpone the final discussions until the revised map is ready.

Prepared by:

Tom Coots, City Planner

Attachments:

Draft of proposed Zoning and Subdivision Regulations; "Markup" version of proposed Zoning and Subdivision Regulations