

**AGENDA**

**The City of Rolla  
Planning & Zoning Commission  
Rolla City Council Chambers, 901 North Elm Street  
Tuesday, April 11, 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, March 14, 2023
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
- 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)
  - 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)
  - ZON23-02:** Rezoning of 605 W 7<sup>th</sup> and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district (Postponed from Feb 28)
  - 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)
  - 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
- III. NEW BUSINESS:** **NONE**
- IV. PUBLIC HEARING:** **NONE**
- V. OLD BUSINESS:**
- 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, May 9, 2023**

**MINUTES  
ROLLA PLANNING AND ZONING COMMISSION MEETING  
ROLLA CITY HALL COUNCIL CHAMBERS  
TUESDAY, MARCH 14, 2023**

**Presiding:** Russell Schmidt, Chairperson

**Commission Members Present:** Robert Anderson, Monty Jordan, Janece Martin, Kevin Crider, Nathan Chirban, Monte Shields, Steve Davis

**Commission Members Absent:** None

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, January 10, 2023 and February 28, 2023. **Chairperson Russell Schmidt called for a voice vote to approve the minutes as printed and distributed.**

**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

**Tom Coots** presents the staff report. **Schmidt** asks if the access/utility easement shown on the site plan will be recorded. **Coots** confirms this.

**A motion was made by Janece Martin, seconded by Monte Shields, to recommend the City Council approve the request to reorganize 3 commercial lots and create 1 additional lot at the subject property. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Davis, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.**

**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)

**Coots** presents the staff report. **Jordan** asks about the uses for the C-3 district. **Coots** states that the C-3 allows for many uses. Any use the applicant has previously discussed will be allowed.

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

**Chirban** asks if notices are sent to neighboring businesses. **Coots** confirms that letters are sent to anyone who owns property within 300 feet.

**A motion was made by Monte Shields, seconded by Kevin Crider, to recommend the City Council approve the request to rezone the subject property from C-2 to C-3. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Davis, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.**

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)

**Coots** presents the staff report.

**Chirban** asks if all comments from the public are brought before the Commission. **Coots** recommends citizens come to the meeting or provide their comments in writing to be submitted before the Commission. He states simply summarizing concerns might not be fair to either party.

**Martin** comments that on the staff report it recommends that other Single Family properties in that subdivision be rezoned as well. **Coots** states he suggested to the applicant that it might help their case. **Martin** asks if any other properties decided to rezone. **Coots** states there were no other applicants. **Schmidt** states he had an individual ask questions about the rezoning.

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

**A motion was made by Monty Jordan, seconded by Monte Shields, to recommend the City Council approve the request to rezone the subject property from R-1 to R-2. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Davis, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.**

3. **ZON23-02:** Rezoning of 605 W 7<sup>th</sup> and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district (Postponed from Feb 28)

**Coots** presents the staff report.

**Schmidt** opens the public hearing.

**Mike Woessner**, located at 1703 North Bishop, represents the property owner. He states the applicant has a 7,000 square foot warehouse that they are trying to lease out. They have lost two potential businesses because the zoning does not allow for that use. **Schmidt** asks if it is three structures or one building. **Woessner** confirms it is one building.

**Schmidt** closes the public hearing.

**A motion was made by Nathan Chirban, seconded by Steve Davis, to recommend the City Council approve the request to rezone the subject property from C-2 to C-3. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Davis, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.**

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)

**Coots** present the staff report.

**Schmidt** asks if the applicant is required to have multiple entrances to the property. **Coots** states the code does not require that for a commercial use like a hotel under a certain size. **Schmidt** asks what type of uses could be allowed on the property. **Coots** states some uses are not allowed in the zoning district they are requesting, and there are certain setbacks and requirements to meet.

**Chirban** asks if there is a downside to the City for an annexation. **Coots** states with this property there is not because it is a commercial use that will bring taxes.

**Schmidt** opens the public hearing.

**Woessner** states Marriott hotels are under contract to go there. This will be the first extended stay hotel in Rolla.

**Schmidt** closes the public hearing.

**A motion was made by Nathan Chirban, seconded by Monty Jordan, to recommend the City Council approve the request to annex the subject property into the City with a C-2 zoning. A roll call vote on the motion showed the following: Ayes: Anderson, Chirban, Crider, Davis, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.**

## 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

**Coots** presents the staff report.

**Schmidt** opens the public hearing.

**Brock Johnson**, residing at 13 Redbud Lane, asks what the final zoning will be after combining the C-2 and C-3 districts. **Chirban** confirms it will be C-2. **Johnson** asks how many properties will be affected by this rezoning, both positively and negatively. **Schmidt** states they have no

way to tell since each property is different and each has their own special circumstances. **Johnson** expresses concerns about property values decreasing with the rezoning.

**Johnson** recommends more than letters be sent to the public. **Schmidt** mentions there have been many open forums and public hearings giving citizens opportunities to speak and voice concerns.

**Johnson** asks what the main goal of the zoning map changes is. **Coots** states one goal is to apply the new zoning districts to areas of the City. Another goal is to remove certain districts that are deemed unnecessary and rezone them to another district. This proposed zoning map will also correct errors with the current zoning map.

**Johnson** asks if the City of Rolla has any urbanized zoning. **Martin** states there is none. **Johnson** asks if the City will be gaining any grants from adopting urbanized zones. He expresses opposition to the rezoning rewrite.

**Dane Crutcher**, residing at 1296 Highway O, states he does not know the changes may impact his property. He expresses opposition to his property being rezoned so he can keep the current uses. He wishes to see the final zoning map.

**Dale Wands**, residing at 606 Penny Lane, expresses concerns about the proposed zoning code and how it will affect properties. He asks about how properties will fit into the new C-2 zoning since C-3 is proposed to be removed. He expressed concern about how the overnight shelters are treated in the proposed zoning code, since the City Council did not originally approve them to be allowed in the C-2 district. He advised the commission to have more information and outreach to the public.

**Schmidt** states the Commission is trying to get as much public input as possible. **Wands** asks what caused the zoning changes and worried that grants would be obtained if properties are zoned a certain way. **Schmidt** states that he is not aware of any.

**Schmidt** postpones the public hearing to the April 11 meeting.

**VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF: NONE**

**VII. CITIZEN COMMENTS: NONE**

**Meeting adjourned: 6:42 p.m.**  
**Minutes prepared by: Sarah West**

**NEXT MEETING: Tuesday, April 11, 2023**



Report to:

**Planning and Zoning  
Commission**

Case No.: TXT22-03

**Meeting Date:** April 11, 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, January 10, 2023 meeting, and the March 14, 2023 meeting.

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 three 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 ad hoc committee has completed the review of the proposed zoning map. The revised code is available on the city website.

**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 17, 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:

Various Sections: Corrected errors and omissions. Revised to clarify all numbers with both text and numeral.

Section 42.203: Revised definition for Outdoor Use for clarity and based on how the use has been revised in the zoning district sections.

Section 42.212: Added clarifications for Townhouse uses based on input received.

Section 42.213: Added clarifications for Townhouse uses. Revised Civic and Social Organizations based on input received.

Section 214: Added clarifications for Townhouse uses. Revised Civic and Social Organizations based on input received.

Section 42.222: Revised to clarify how an Outdoor Use may be approved in locations without access to arterial or collector roads.

Section 42.501: Added a definition for "street jog" for clarity.

The proposed zoning map has also been revised based on input received and discussions with the Zoning Code Review ad-hoc Committee.

**Prepared by:**

Tom Coots, City Planner

**Attachments:**

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