

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 15th, 2020

- Presiding:** Don Brown, Chairperson
- Commission Members Present:** Russell Schmidt, Janece Martin, Jody Eberly, Kevin Crider, Steven Shields
- Commission Members Absent:** Robert Anderson, Walte Bowe, Monte Shields
- City Officials in Attendance:** Steve Flowers, *Community Development Director*, Tom Coots, *City Planner*, Kathleen McMeen, *Codes & Zoning Inspector*
- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, August 11th, 2020. **Chairperson Don Brown approved the minutes as printed and distributed with corrections.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
1. **SUB2020-02, Westside Marketplace** – A request for a minor subdivision to reorganize one platted lot and an unplatted property into two platted lots located at 10120 County Road 8110 (Sally Road). **On August 17, 2020 the City Council conducted the final reading of this ordinance and approved it.**
- III. OLD BUSINESS:** NONE
- IV. NEW BUSINESS:** NONE
- V. PUBLIC HEARING:**
1. **ZON2020-03, Nicholas Frost:** A request for rezoning from R-R Rural Residential District to the C-3, Highway Commercial District (Part of property is currently zoned as M-2)
- Tom Coots** presents the case by explaining that the property at 124 West Lion’s Club Drive and is zoned both R-R Rural Residential, and M-2 Heavy Manufacturing. The applicant owns a landscaping supply business, which provides a special blend of soil and is requesting to rezone the R-R portion of his property to C-3, Highway Commercial District, to allow for proposed use. The business would allow for customers to purchase a truckload of the soil, and potentially operate a small greenhouse in the future. There would be stockpiling of the soil to the east of the shop building in the R-R Rural Residential portion of the parcel. To allow for this, this would require that portion to be rezoned.

Currently, the majority of the surrounding area is rural residential, or open and undeveloped. There are several commercial use areas along Lion's Club Drive with the Lion's Club Park separating the residential and commercial areas. The FLUM indicates that the property would be appropriate for neighborhood commercial use, and some type of commercial use is consistent with the comprehensive plan in regards to the street type and surrounding uses.

Chairperson **Don Brown** asked for questions or comments from the Commissioners. **Jody Eberly** asked if 112 and 114 had any impact on the ability to access the building. **Coots** clarified that there is a driveway that is hard to see on the map, and that there is an easement that provides access to the building. **Coots** added that rezoning the property would not have any effect on the access.

Eberly asked if the possible sale of pesticides or herbicides would affect the landscaping requirements or the surrounding residents. **Coots** mentioned that one neighbor called to express concern over possible manure stockpiling, but M-2 zoning would allow for the sale of pesticides and fertilizers.

Russ Schmidt asked if the owner would have to build some sort of barrier or distance between properties if they rezone to C-3. **Coots** explained that there are trees on the existing property line, and ideally, they could be preserved and used as part of the buffer. If future development occurs, they would have to meet landscaping requirements. **Schmidt** pointed out that family owns the property to the North, but to the East of the building, resides other residents. Sometimes a huge commercial grinder will have to come to prepare the mulch. What kind of sound and visual barrier would be required at the property line in this case? **Coots** explained that it would be more beneficial for a sound barrier to closer to the object that is making sound, than further away by the property line.

Brown wanted to confirm that the rezoning was from R-R to C-3. **Coots** confirmed that the rezoning was from R-R to C-3. **Eberly** asked if the M-2 portion was being rezoned to C-3. **Coots** explained that it was not part of the applicant's request, but that the Board could decide to recommend that the M-2 portion be rezoned as well.

Brown asked for any questions or comments from the Commissioners. Seeing none, **Brown** opened the Public Hearing.

Nicholas Frost, Applicant, 124 West Lion's Club Drive. **Frost** clarified that he is against the selling of chemicals and pesticides. There would be no production of pesticides or herbicides. The company only sells certified organic material, and will not be producing any on site. The mulch is purchased out of Fulton and delivered to their address. He is open to the idea of rezoning the M-2 portion to C-3. He wanted to point out that there is also a small garden to grow small scale items at the local Farmer's Market.

Brown asked for any other persons wishing to speak. Seeing none, **Brown** closed the Public Hearing.

Steven Shields suggested that it would be wise to rezone the M-2 portion to C-3 now rather than later. **Eberly** agreed and said that it would be cleaner if the entire property was zoned under C-3, instead of mixed zoning. **Eberly** made a motion to find that the request meets the criteria for approval and recommend that the City Council approve the request to rezone from R-R to C-3 and to rezone the portion of the property zoned M-2 to C-3. **Shields** seconded the motion.

A motion was made by Jody Eberly, seconded by Steven Shields to find that the request meets the criteria for approval and recommend that the City Council approve the request to rezone a property located at 124 West Lion's Club Drive from R-R, Rural Residential District to C-3, Highway Commercial District and to rezone the portion of the property zoned M-2, Heavy Manufacturing District to C-3, Highway Commercial. A roll call vote on the motion showed the following: Ayes: Crider, Eberly, Martin, Steven Shields and Schmidt. Nays: None. Absent: Anderson, Bowe, Monte Shields. The motion passes unanimously.

VII. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF: NONE

Brown asked for any questions or comments from committee or staff.

VII. CITIZEN COMMENTS: NONE

Brown asked for any questions or comments from citizens. Seeing none, the meeting was adjourned.

Meeting adjourned: 5:57 p.m.

Minutes prepared by: Madelyn Brown

NEXT MEETING:

Tuesday, October 13th, 2020