

AGENDA

**The City of Rolla
Planning & Zoning Commission
Rolla City Council Chambers, 901 North Elm Street
Tuesday, December 14, 2021 at 5:30 PM**

Commission Members: Chairperson Don Brown, Russell Schmidt, Walter Bowe, Robert Anderson, Lister Florence, Jr., Kevin Crider, Janece Martin, Monte Shields, Steven Shields

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, November 9, 2021.

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

- ZON21-10, 305 S Oak St/304 S Olive St:** Rezoning from the C-1, Neighborhood Commercial district to the C-2, General Retail district.
- ZON21-11, 306 N Walnut St:** Rezoning from the R-1, Single-family district to the R-3, Multi-family district.

III. OLD BUSINESS: **NONE**

IV. PUBLIC HEARING:

- ZON21-12, 602 N Cedar/ 407 E 6th St/603 N Walnut:** Rezoning from the C-2, General Retail District to the C-1, Neighborhood Commercial district, and rezoning from the R-3, Multi-family district to the C-1, Neighborhood Commercial district.
- ZON21-13, 4120 State Route V/4122 State Route V:** Rezoning from the R-2, Two-family district to the M-2, Heavy Manufacturing district.

V. NEW BUSINESS:

- SUB21-08, Subway Subdivision #2:** A Minor Subdivision Final Plat to relocate a property line between two commercial lots.

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

VII. CITIZEN COMMENTS:

NEXT MEETING DATE: **Tuesday, January 11, 2022**

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, NOVEMBER 9th, 2021

- Presiding:** Don Brown, Chairperson
- Commission Members Present:** Robert Anderson, Walter Bowe, Lister Florence Jr., Janece Martin, Russell Schmidt, Monte Shields, Steven Shields, Kevin Crider
- Commission Members Absent:** None
- City Officials in Attendance:** Tom Coots, *City Planner*, Sarah West, *Administrative Assistant*, Steve Flowers, *Community Development Director*
- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, October 12th, 2021. **Chairperson Don Brown approved the minutes as printed and distributed.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
1. **ZON21-06: 438 W Little Oaks Rd:** Rezoning from the C-2, General Retail district to the RMH, Residential Manufactured Home district.
 2. **ZON21-07: 1879 Longview Ln:** Rezoning from the R-R, Rural Residential district to the R-1, Single-family district.
 3. **ZON21-08: RCDC:** Rezoning from the M-2, Heavy Manufacturing district to the C-3, Highway Commercial district.
 4. **ZON21-09: Ozark Rivers Chapter of National Audubon Society:** Rezoning from the R-1, Single-family district to the GI, Government and Institutional district.
 5. **SUB21-05: Parker Addition:** Minor subdivision to reorganize two platted lots in the R-1, Single-family district.
- III. OLD BUSINESS:** NONE
- IV. PUBLIC HEARING:**
1. **ZON21-10, 305 S Oak St/304 S Olive St:** Rezoning from the C-1, Neighborhood Commercial district to the C-2, General Retail district.

Tom Coots presents the staff report.

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

A motion was made by Martin, seconded by Monte Shields, to recommend approval to the City Council for the subject property to be rezoned from C-1, Neighborhood Commercial district to the C-2, General Retail district. A roll call vote on the motion showed the following: Ayes: Anderson, Bowe, Florence, Martin, Schmidt, Monte Shields, Steven Shields, Kevin Crider. Nays: None. The motion passes unanimously.

2. **ZON21-11, 306 N Walnut St:** Rezoning from the R-1, Single-family district to the R-3, Multi-family district.

Coots presents the staff report.

Brown mentions he rents the garage adjacent to the subject property and confirms the property was used an apartment.

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

A motion was made by Florence, seconded by Monte Shields, to recommend approval to the City Council for the subject property to be rezoned from R-1, Single-family district to the R-3, Multi-family district. A roll call vote on the motion showed the following: Ayes: Anderson, Bowe, Florence, Martin, Schmidt, Monte Shields, Steven Shields, Kevin Crider. Nays: None. The motion passes unanimously.

V. NEW BUSINESS: NONE

VII. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:

1. Presentation of new public notice signage.

VII. CITIZEN COMMENTS: NONE

Meeting adjourned: 5:44 p.m.

Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, December 14, 2021



Report to:

**Planning and Zoning
Commission**

Case No.: ZON21-12

Meeting Date: December 14, 2021

Subject: Map Amendment (rezoning): 602 N Cedar; 407 E 6th; and 603 N Walnut from the R-3, Multi-family district and the C-2, General Retail district to the C-1, Neighborhood Commercial district.

Background: The applicant has acquired three properties which together are the south half of the block. Four residential buildings are located on the property. Part of the property is zoned C-2, General Retail. Part of the property is zoned R-3, Multi-family. Zoning to C-1, Neighborhood Commercial would allow for the intended use and bring the entire property under one zoning district. The applicant intends to redevelop the property for a professional office space use.

The property is also within the Rolla Arts and Entertainment Overlay District. The overlay district applies restrictions and allowances on top of the underlying zoning. The uses allowed in the proposed C-1 district are allowed in addition to the arts and entertainment oriented uses allowed by the overlay. The overlay district also imposes more restrictive signage standards.

Application and Notice:

Applicant/Owner - William Moorkamp of WGM Rentals, 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 - December 20, 2021

Property Details:

Current zoning - R-3, Multi-family and C-2, General Retail to C-1, Neighborhood Commercial
Current use - Residential
Proposed use - Commercial
Land area - 29,500 sq. ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on 6th Street, a Collector street; and on Cedar Street and Walnut Street, both local streets.
Sidewalks - Sidewalks are located adjacent to the property on all sides.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Medium and High Density Residential uses.

Discussion: The property has frontage on a collector street and is located directly across the street from Benton Square, a redeveloped multi-tenant commercial building. The property is within the Arts and Entertainment Overlay, which allows many types of commercial uses. A well-designed professional office building should be compatible with the area.

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 Medium and High Density Residential uses.
2. The property is located within the Rolla Arts and Entertainment Overlay district.
3. The applicant owns the entire south half of the block.
4. Part of the property is zoned C-2, which does allow for the intended use; Request would downzone that area.
5. The property is near other professional office/retail uses.

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, Letter of Request



Project Information:

Case No: ZON21-12
 Location: 602 N Cedar St; 407 E 6th St; and 603 N Walnut St
 Applicant: WGM Rentals, LLC
 Request: Rezoning from the C-2, General Retail and the R-3, Multi-family districts to the C-1, Neighborhood Commercial district.



Public Hearings:

Planning and Zoning Commission
December 14, 2021
5:30 PM
 City Hall: 1st Floor

 City Council
December 20, 2021
6:30 PM
 City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
 tcoots@rollacity.org

 (573) 426-6974
 901 North Elm Street
 City Hall: 2nd Floor
 8:00 – 5:00 P.M.
 Monday - Friday



Who and What is the Planning and Zoning Commission?

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

What is a Rezoning (Map Amendment)?

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

What is Zoning?

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

How Will This Impact My Property?

Each case is different. Adjacent properties are more likely to be impacted. Please contact the Community Development Office at (573) 426-6974 if you have any questions.

What If I Have Concerns About the Proposal?

If you have any concerns or comments, please try to attend the meeting. You may learn details about the project at the meeting. You will be given an opportunity to ask questions or make comments.

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

What If I Cannot Attend the Meeting?

Please try to attend the meeting if you have any questions or concerns. However, if you are unable to attend the meeting, you may provide written comments by letter or email. These comments will be presented to the Board.

What If I Have More Questions?

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

LEGAL DESCRIPTION

Lots 5-8, Block 63, Country Addition to Rolla, City of Rolla, Phelps County, Missouri.



Nov 9th

p/check

Rec. no: 213570

City of ROLLA



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:

WGM Rentals LLC

Name(s)

PO Box 121

Mailing Address

Rolla MO 65402

City, State, Zip

(513) 578-7465

Phone

moorkampb@gmail.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

602 N cedar, 407 E 6th St, 603 N Walnut
Property Address/Location

C2 → C1 R3 → C1

Property Zoning (Current and Proposed)

Office building
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes

Completed Application Form

N/A

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)

N/A

Site Plan (If Applicable)

Letter of Request/Project Report (If Applicable)

b

N/A

b

b

N/A

b

City Staff Verifies

OFFICE USE ONLY:

Case No: 20N21-12

DRC Meeting Date: 11.16.21

PC Hearing Date: 12.14.21

Submission Date: 11.9.21

Advertise By: 11.18.21

CC Hearing Date: 12.20.21 / 1.3.22

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

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

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

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

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

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

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

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

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

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

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

Acknowledgement and Authorization:

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

Property Owner(s):

Applicant/Agent (If Different From Owner)

Sign

Print

Sign

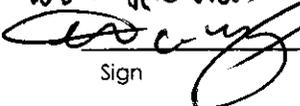
Print

Sign

Print

Sign

Print

WGM Rentals LLC by
 William G Moorhamp

November 8th, 2021

To Whom it May Concern,

We are requesting re-zoning of the properties located at 602 N Cedar St, 407 E 6th St, and 603 N Walnut St. 602 N Cedar is currently zoned as C2, 407 E 6th St is zoned R3, 603 N Walnut is zoned R3. We are requesting that 602 N Cedar to be changed from C2 to C1. We are also requesting that 407 E 6th St and 603 N Walnut St be changed from R3 to C1. Zoning of C1 is in line with the current businesses in the area.

The proposed use of the property will be professional office space and would fit in with the neighborhood's existing businesses which include Mi Serenity, Benton Square businesses, Archer-Elgin Engineering, and Orval Reeves Gallery. We feel that this zoning change would provide for an economically viable use of the property and would enhance the esthetics of the proposed properties.

Thank you for your consideration.

Sincerely,



Report to:

**Planning and Zoning
Commission**

Case No.: ZON21-13

Meeting Date: December 14, 2021

Subject: Map Amendment (rezoning): 4120 and 4122 State Hwy V from the R-2, Two-family district to the M-2, Heavy Manufacturing district.

Background: The applicant, RCDC – Rolla Community Development Corporation, intends to purchase the subject property. RCDC acquires and markets properties for industrial development as a part of the economic development efforts for the city. RCDC intends to purchase the property and then market the property for industrial development.

Application and Notice:

Applicant/Owner - Matt Williams of Rolla Community Development Corporation, RCDC
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 - December 20, 2021

Property Details:

Current zoning - R-2, Two-family to M-2, Heavy Manufacturing
Current use - Residential
Proposed use - Industrial
Land area - 5.3 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on State Hwy V, a Collector street.
Sidewalks - No sidewalks are located adjacent to the property. Sidewalks would not be required if the property is developed.
Utilities - The subject property should have access to all needed public utilities, however, some utilities may need to be extended or improved.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Industrial uses.

Discussion: The property is adjacent to industrial uses. The Comprehensive Plan indicates the property is appropriate for industrial uses. The industrial park has a limited remaining supply of flat, developable land for industrial uses.

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:

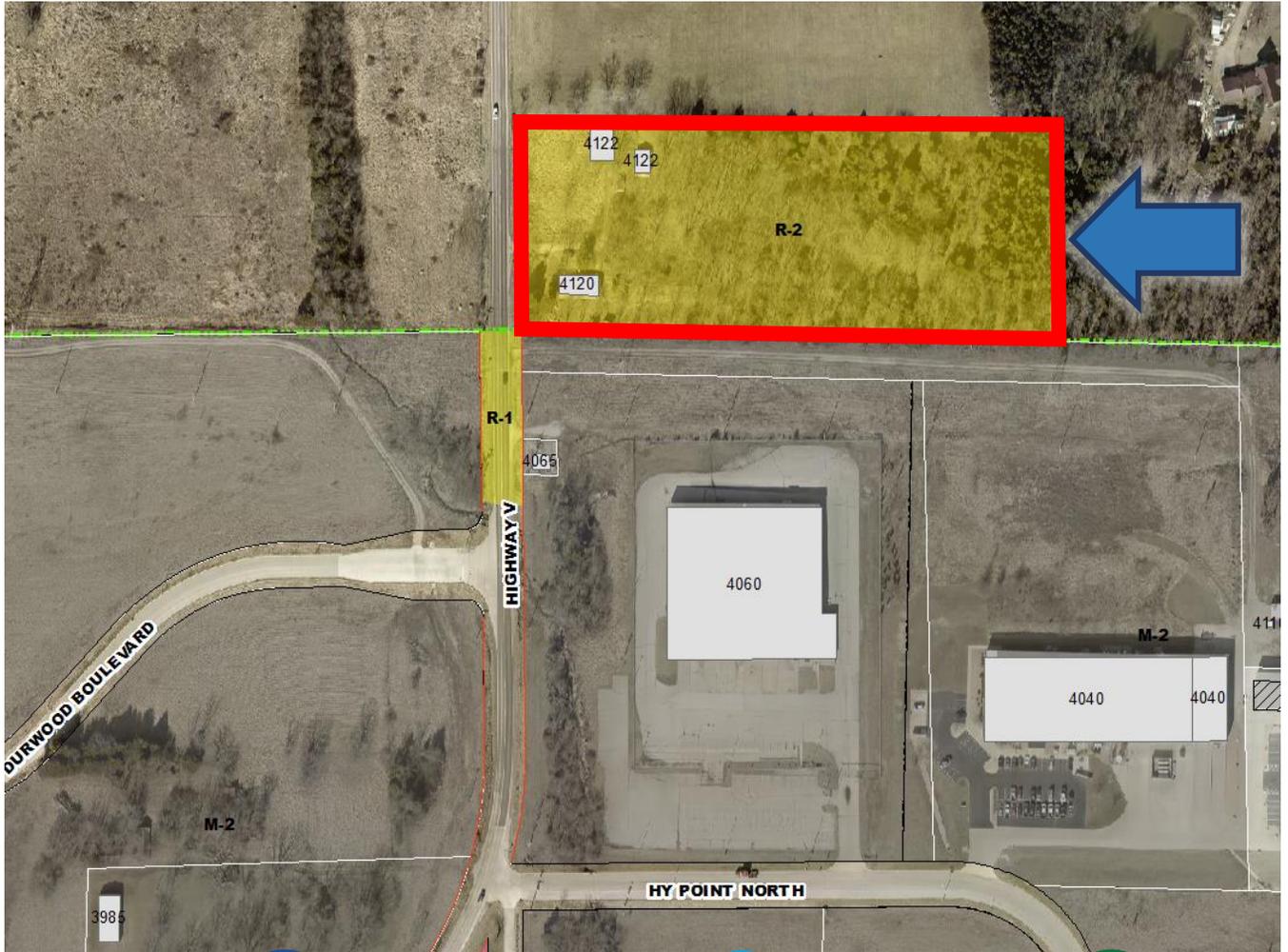
1. The Comprehensive Plan does designate the subject property as being appropriate for Industrial uses.
2. RCDC works to acquire and market property for industrial development as an economic development strategy for the city.
3. The existing industrial part has limited remaining supply of prime industrial property.

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, Letter of Request



Project Information:

Case No: ZON21-13
 Location: 4120 and 4122 Hwy V
 Applicant: RCDC
 Request:

Rezoning from the R-2, Two-family district to the M-2, Heavy Manufacturing district.



Public Hearings:

Planning and Zoning
 Commission

December 14, 2021
5:30 PM

City Hall: 1st Floor

City Council

December 20, 2021
6:30 PM

City Hall: 1st Floor



For More Information Contact:

Tom Coots, City Planner
 tcoots@rollacity.org

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How Will This Impact My Property?

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What If I Have Concerns About the Proposal?

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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 that part of the NW ¼ of the NW ¼ of Sec. 29, Twp. 38 N. Rng. 7 W in Phelps County, Missouri, described as follows:

Commencing at the SW corner of the NW ¼ of the NW ¼ of said Sec. 29; thence S. 88 degrees 28 minutes E., 32.26 ft. along the S. line of said quarter quarter to the true point of beginning of the tract hereinafter described on the E. right of way of Phelps County Rt. V; thence N. 0 degrees 02 minutes E. 300.0 ft along said E. right of way to the S. line of a 50 foot road; thence S. 88 degrees 28 minutes E., 726.0 ft along said S. road line; thence S. 0 degrees 02 minutes W., 300.0 ft to the S. line of said quarter quarter; thence N. 88 degrees 28 minutes W., 726.01 ft along said S. line to the true point of beginning.

Above tract contains 5.0 acres +/- . As per survey by R.L. Elgin, dated Jan. 19, 1977, recorded

In Phelps County Surveyor's Records Book "G", page S-3445.



Rec: 213633



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:
 Name(s) Anna E. Mathiasly Trust
 Mailing Address 1100 N. Elm Street
Rolla, Mo 65401
 City, State, Zip
 Phone 720-935-7276
 Email 10818 Crooke Drive
Parker, CO 80134

Agent/Applicant (If Different Than Property Owner):
 Name Rolla Community Development Corp
 Mailing Address 15435 County rd 7230
Rolla, Mo 65401
 City, State, Zip 573 465 0387
 Phone Mattredc@FJMail.com
 Email

Property/Request Information:

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

4120/4122 State Route V
 Property Address/Location
R2 -> M-2
 Property Zoning (Current and Proposed)
Industrial use
 Proposed Development/Project/Amendment
Addition to HighPoint Industrial park

APPLICATION CHECKLIST:

Applicant Checks Boxes	<input checked="" type="checkbox"/>	Completed Application Form	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	Agent Letter (If Applicable)	<input type="checkbox"/>
	<input checked="" 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"/> WILL SEND
	<input type="checkbox"/>	Site Plan (If Applicable)	<input type="checkbox"/> N/A
	<input type="checkbox"/>	Letter of Request/Project Report (If Applicable)	<input type="checkbox"/> WILL SEND

City Staff Verifies

OFFICE USE ONLY:

Case No: 2021-13 DRC Meeting Date: 11.16.21 PC Hearing Date: 12.14.21
 Submission Date: 11.12.21 Advertise By: 11.17.21 CC Hearing Date: 12.20.21 / 1.3.21



November 22, 2021

City of Rolla
Planning & Zoning Board
901 N. Elm Street
Rolla, MO 65401

Greetings:

Rolla Community Development Corporation (RCDC), a private non-profit which develops HyPoint and HyPoint West Industrial Parks, has contracted to purchase the Anna Mattingly Trust tract, approximately five acres located at 4120/4122 Highway V. This five acre tract borders HyPoint Industrial Park along its north boundary, due north of the old Fed-Ex facility.

The tract currently contains two abandoned structures and is vacant. It is relatively flat ground and would make a useful addition to HyPoint to be made available for industrial development. The property is currently zoned R-2. RCDC's contract to purchase the property is contingent on the property being rezoned to M-2 for industrial use. RCDC is requesting the Rolla Planning and Zoning Board and the Rolla City Council consider approval of our request for rezoning so that we may close the purchase of the Mattingly tract and add it to HyPoint as available for industrial development.

Thank you for your consideration in the matter.

Yours truly,

A handwritten signature in blue ink, appearing to read "Matthew Z. Williams", is written over a light blue horizontal line.

Matthew Z. Williams
RCDC President



Report to:

**Planning and Zoning
Commission**

Case No.: SUB 21-08

Meeting Date: December 14, 2021

Subject: Subway Subdivision No. 2: a Minor Subdivision Final Plat to relocate a property line between two commercial lots

Background: The applicant intends to develop the lot south of the Subway. To make the lot more developable, the applicant is seeking to shift the lot line between the two lots to the north. Lot 2A is greatly impacted by floodplain and drainage easements. Moving the lot line would increase the developable area.

Application and Notice:

Applicant/Owner - Sue Banholzer of Banholzer Investments, Inc
Public Notice - <https://www.rollacity.org/agenda.shtml>
City Council Date - December 20, 2021

Property Details:

Current zoning - C-2, General Retail
Current use - Restaurant/Undeveloped
Land area - 2 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Forum Rd and 10th Street, both Major Arterial streets.
Sidewalks - Sidewalks are located along the frontage of the property on Forum Rd.
Utilities - The subject property should have access to all needed utilities.

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

Discussion: The proposed plat appears to meet all zoning and subdivision requirements. No additional easements are proposed to be dedicated with the plat.

Findings:

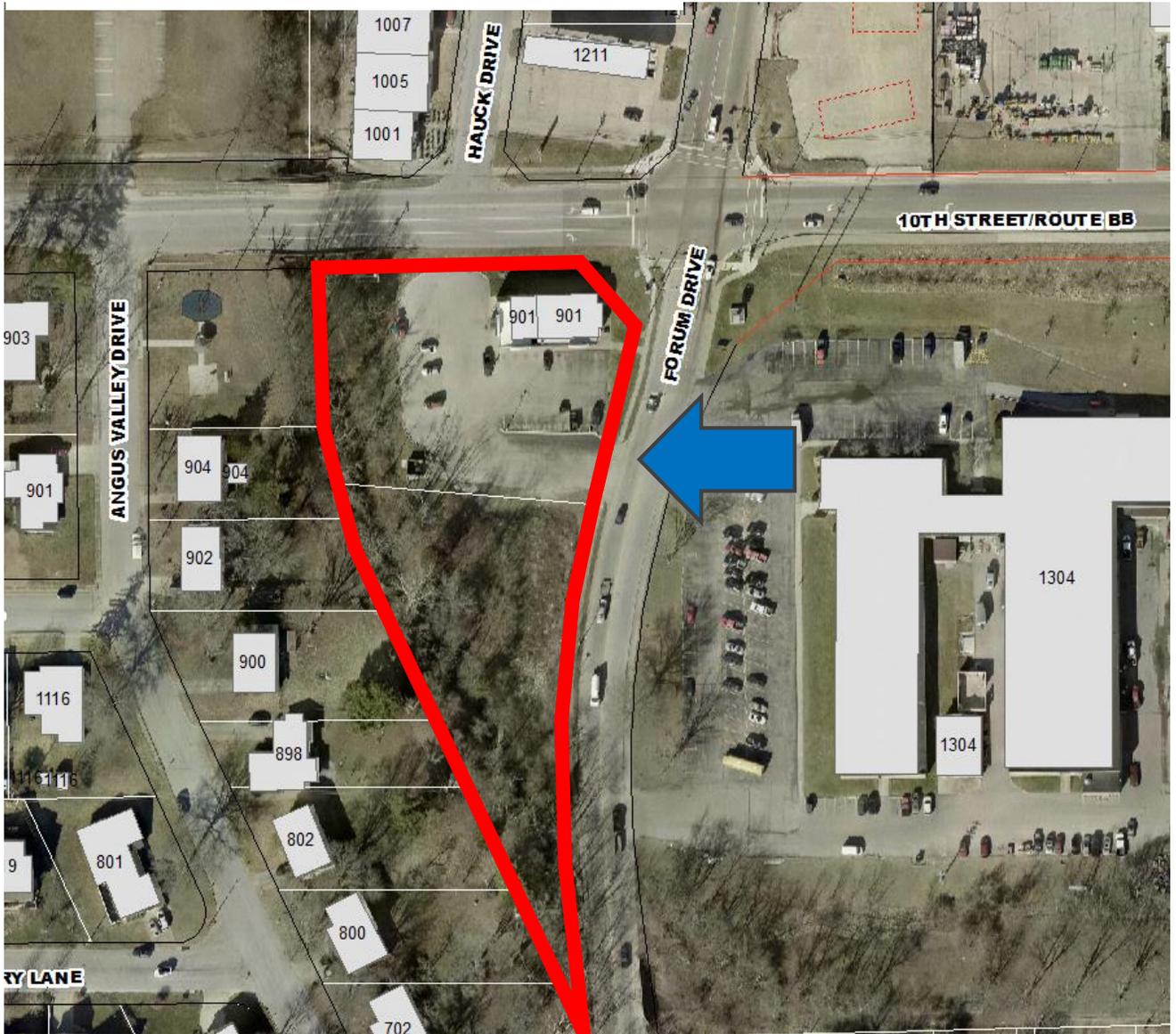
1. The proposed minor subdivision would adjust the lot line between two commercial lots.
2. The proposed minor subdivision would increase the developable area for the undeveloped lot, which is impacted by floodplain and drainage easements.
3. The plat appears to be in compliance with all applicable zoning, 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: Application, Area Map, Plat



Project Information:

Case No: SUB21-08
Location: 901 Forum Drive
Applicant: Banholzer Investments Inc
Request:
Minor Subdivision to realign two commercial lots



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



Rec: 213652

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

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

SUBDIVISION APPLICATION

Contact Information:

Property Owner:

Banholzer Investments Inc
 Name(s)
 PO Box 265
 Mailing Address
 Rolla, MO 65402
 City, State, Zip
 636-448-5501
 Phone
 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

901 Soest Road
 Property Address/Location
 C-2 General Retail District
 Property Zoning
 2 2
 Number of existing and new lots proposed
 SUBWAY SUBDIVISION NO. 2
 Name of Subdivision

APPLICATION CHECKLIST:

Applicant Checks Boxes

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

City Staff Verifies

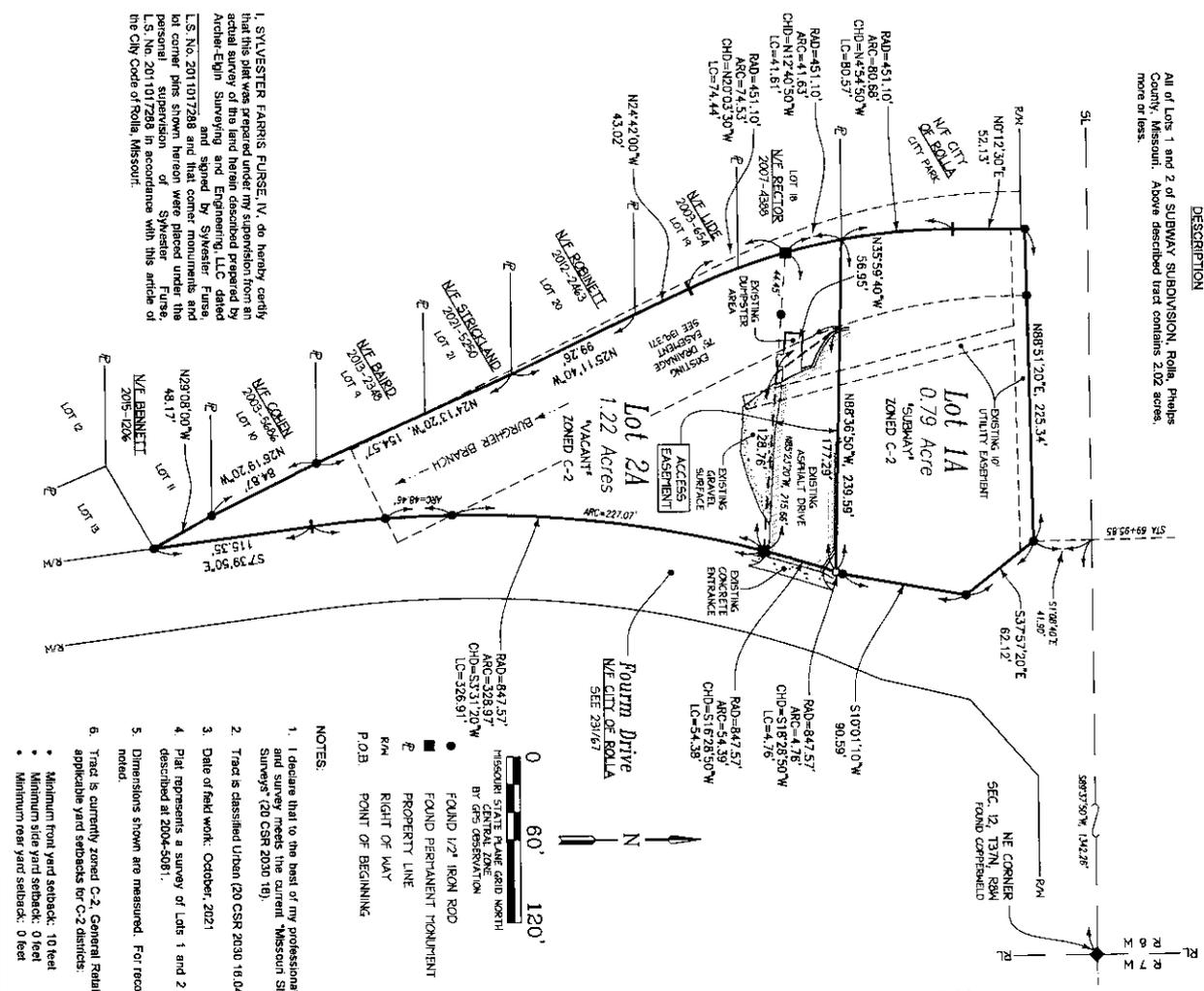
OFFICE USE ONLY:

Case No: SUB21-08 DRC Meeting Date: 11.16.21 PC Hearing Date: 12.14.21
 Submission Date: 11.12.21 Advertise By: _____ CC Hearing Date: 12.20.21 / 1.3.21

Final Plat of Subway Subdivision No. 2

Being a Resubdivision of SUBWAY SUBDIVISION Rolla, Missouri

DESCRIPTION
All of Lots 1 and 2 of SUBWAY SUBDIVISION, Rolla, Phelps County, Missouri. Above described tract contains 2.02 acres, more or less.



SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE USE AND CONSTRUCTION PERMITS

The undersigned owners of the tract of land herein plat do hereby impose upon said property, and do hereby make the following restrictive covenant. No construction may be commenced upon the above described property until all necessary building and construction permits have been issued by the City of Rolla, Missouri and that it is understood by the undersigned that no such permits shall be issued for any lots herein plat until the completion of all public improvements pertaining to the costs of completing such public improvements has been received and approved by the City of Rolla, Missouri. The above mentioned public improvements shall be completed pursuant to the agreement between the undersigned and the City of Rolla, Missouri for the completion of such improvements as required by this article of the City Code of Rolla, Missouri.

IMPROVEMENT ACCEPTANCE

Approved subject to completion of improvements in accordance with subdivision plans on file with the City of Rolla. This plat made current subdivision copies of the City of Rolla.

Steve Hargis, PE
Director of Public Works

Reedey Bourne, PE
General Manager
Rolla Municipal Utilities

Floyd Jamison
Parks Director

Approved this ___ day of _____, 2022

PLANNING & ZONING APPROVAL

Glen Brown, Chairman
Planning & Zoning Commission

Steve Flowers
Community Development Director

ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL

This is to acknowledge that the City Council of the City of Rolla, Missouri has, by ordinance duly adopted, approved this plat and has authorized the same to be filed for record in the Office of the Recorder of Deeds, Phelps County, Missouri.

Louis J. Maguire IV
Mayor, City of Rolla

Attest:
Lain Thurman
City Clerk

NOTES:

1. I declare that to the best of my professional knowledge and belief, this plat and survey meets the current Missouri Standards for Property Boundary Surveys' (20 CSR 2030.18).
2. Tract is classified Urban (20 CSR 2030.18 D4D).
3. Date of field work, October, 2021
4. Plat represents a survey of Lots 1 and 2 of SUBWAY SUBDIVISION AS described at 2004-5081.
5. Dimensions shown are measured. For record dimensions, see documents(s) noted.
6. Tract is currently zoned C-2, General Retail District. The following are the applicable yard setbacks for C-2 districts:
 - Minimum front yard setback: 10 feet
 - Minimum side yard setback: 0 feet
 - Minimum rear yard setback: 0 feet

REVISIONS

NO.	DATE	DESCRIPTION
1	11-16-21	Final Plat of
2	11-16-21	Subway Subdivision No. 2
3	11-16-21	Rolla, Phelps County, Missouri
4	11-16-21	Banholzer Investments, Inc.

P.O. Box 265, Rolla, Missouri 65402

Nov. 12, 2021

J4030

DEDICATION

Banholzer Investments Inc hereby certifies that they are the owner of the property described and shown herein, which property is located within the subdivision jurisdiction of the City of Rolla, that they have caused the property to be plat as shown herein and that said property shall be shown herein as a part of SUBWAY SUBDIVISION NO. 2. The owner hereby design the plan of subdivision.

Dedicator does further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, gas and fiber optic lines within and along those utility easements which are created by virtue of this plat.

DATED: _____

BANHOLZER INVESTMENTS, INC.

By: Sue Banholzer, President

Attest: Mark Banholzer, Secretary

COUNTY & CITY TAX RELEASE

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2021 and the prior years.

F. Ann Barnes
Clerk of Revenue
Phelps County, Missouri

RECORDERS CERTIFICATE

This plat was filed for record in my office on this ___ day of _____, 2022. Plat filed at Chamber: ___ Number: ___

Robin Kordeck
Recorder of Deeds
Phelps County, Missouri

NOTARY PUBLIC

On the _____ day of _____, 2021, before me appeared Sue Banholzer, President of Banholzer Investments, Inc., the President of Banholzer Investments, Inc., and that said instrument was signed and sealed on behalf of said corporation, and I acknowledged said instrument to be the free act and deed of said corporation. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this ___ day of _____.

My Commission Expires: _____

ARCHER-ELGIN

310 East 8th Street
Rolla, Missouri 65401
Phone: 636-364-4472
www.archer-elgin.com

Final Plat of
SUBWAY SUBDIVISION NO. 2
Rolla, Phelps County, Missouri
Banholzer Investments, Inc.

Nov. 12, 2021

J4030