

**MINUTES  
ROLLA PLANNING AND ZONING COMMISSION MEETING  
ROLLA CITY HALL COUNCIL CHAMBERS  
TUESDAY, DECEMBER 13, 2022**

**Presiding:** Russell Schmidt, Vice-Chairperson

**Commission Members Present:** Robert Anderson, Monty Jordan, Janece Martin, Russell Schmidt, Kevin Crider, Nathan Chirban

**Commission Members Absent:** None

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, November 15, 2022. A small addition was made by Nathan Chirban before the meeting. **Vice-Chairperson Russell Schmidt approved the minutes as printed and distributed.**

**II. REPORT ON RECENT CITY COUNCIL ACTIONS:**

1. **ZON22-04:** Rezoning from the R-R, Rural Residential district to the C-3, Highway Commercial district at property addressed as 821 Hwy O; SE corner of Hwy O/Lions Club Dr
2. **PUD22-01:** Rezoning from the R-2, Two-family district; C-1, Neighborhood Commercial district; and M-1, Light Manufacturing district to a PUD, Planned Unit Development district at properties addressed as 1000 and 1006 N Oak St; and 204-208 E 11<sup>th</sup> St, Final Development Plan review, and associated Final Plat

**III. OLD BUSINESS:** NONE

**IV. NEW BUSINESS:** NONE

**A motion was made by Monte Shields, seconded by Janece Martin, to nominate Russell Schmidt as the Chairperson. A voice vote showed all in favor.**

**A motion was made by Janece Martin, seconded by Monte Shields, to nominate Monty Jordan as the Vice-Chairperson. A voice vote showed all in favor.**

**V. PUBLIC HEARING:**

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

**Tom Coots** presents the staff report.

**Coots** states the City Council recently approved an ordinance regarding homeless shelters. Council approved to have the overnight shelters be conditional use in C-3 and not permitted in C-2. However, C-3 is proposed to go away. He asks for a suggestion from the Commission.

**Nathan Chirban** asks if the limit of three story structures in the U-R district included a basement. **Coots** states the building codes define a basement, so it would allow for two stories above a basement.

**Schmidt** asks about apartment buildings that have four units but only one door. **Coots** states these types of apartments would have one door that faces the street to look like a house. **Schmidt** asks if the Fire Department was okay with this. **Coots** states he would have to confirm. **Janece Martin** asks if this issue was covered under the fire codes. **Coots** states it is covered, but the fire code cannot be preempted, and he would have to check to see if this requirement is allowed in the fire codes. He mentions the proposed zoning code states these apartments can only have one front door, but it does not preclude the building from having other exits that do not face the street.

**Chirban** asks about the commercial uses that are allowed with conditional use in the U-R district. **Coots** states any conditional use has to go through a public hearing. The commercial use in the U-R district allows for small scale developments. This is defined in the code as any tier one or tier two commercial use that is less than 3,000 square feet in area. Tier one and two uses include offices, banks, restaurants, or small markets.

**Coots** asks if the Commission has any recommendation about the overnight shelters.

**Monty Jordan** asks why the City Council approved the overnight shelters in the C-3 district but not the C-2 district. **Chirban** states that Council had concerns about being too restrictive. **Jordan** suggested the Commission recommend that overnight shelters be conditional in the C-2 district.

**A recommendation was made by Jordan to change the overnight shelters from not permitted to a conditional use in the C-2 district. A voice vote showed the following: Ayes: Anderson, Jordan, Martin, and Crider. Nays: Chirban. The recommendation passes.**

**Schmidt** opens the public hearing.

**Steve Wise**, located at 1503 Holloway, expresses opposition to the proposed zoning code. He states this proposition would not just change the zoning, but the infrastructure of Rolla itself. He asks if a new comprehensive plan is being developed as well. **Martin** states the Ad-Hoc Committee was just charged with updating the zoning codes. The next step would be to develop the comprehensive plan. **Wise** states he thought the plan should come before the zoning rewrite.

**Wise** mentions the Commission should focus on the infrastructure, which looks at issues such as parking, road widths, and water runoff. **Schmidt** states the comprehensive plan deals with these issues.

**Jordan** states rezoning properties does not change the water requirements or the infrastructure. Properties will stay the same until the landowner wishes to develop it. That process would include looking into the infrastructure at that point.

**Martin** states that City Administration felt the Commission should start with updating the zoning codes before starting the comprehensive plan, since the zoning was so outdated. She mentions the zoning codes can still be changed and updated as the comprehensive plan is being developed.

**Wise** asks why the entire code was changing. **Schmidt** states that many issues brought before the Commission are not in compliance with zoning ordinances that are not applicable today. **Wise** asks why changes cannot be made as each case is presented. **Schmidt** states this is how the Commission has been handling these issues. With the changes in the zoning code, it will eliminate the need for each small problem to be brought before them, and make it easier for the citizens of Rolla to develop their properties.

**Tyce Smith** is an attorney representing Jonathan and Janice Dobeinski. They are concerned about their property at 2016 Old St. James Road being rezoned from M-2 to C-2. **Smith** states they submitted a petition in opposition to the rezoning of their property today. He states landowner's have a vested right to protest if 30% of the land is owned by them. Since the entire city is being rezoned at once, he claims this is eliminating his client's right to protest. The property owners are concerned about their property now being a non-conforming use and limiting development.

**Chad Siehr**, located at 802 East 12<sup>th</sup> Street, expressed opposition about the rezoning. He expresses concern about up zoning and increased density. He mentions the City Planner failed to mention the City's intent and **Siehr** claims the zoning rewrite fits into a federal plan. He asks if the City plans to capture federal funding if the plan goes through, and who requested the zoning change.

**Bob Campbell**, residing at 1103 Hess, asks how his properties in the shoe factory addition will be affected. **Schmidt** states they are proposed to be rezoned to the U-R district, which allows for uses such as Single-Family Dwellings or Townhouses.

**Alfred Chapman** is a developer who owns multiple properties in Rolla. He asks for clarification if he can rebuild his property if it is destroyed and still be in under the new zoning regulations. He expresses opposition to the zoning changes.

**Mike Woessner**, located at 1703 North Bishop, expresses concern about restricting R-3 properties and the increasing density. He asks about the square footage limit with commercial developments. He asks if developments would have to come before the Planning and Zoning Commission to get permission to build. He states this is very restrictive.

**Coots** clarifies that the square footage limit is for commercial developments in the C-1 district, which only allows for smaller developments. The C-2 district is not limited in size. **Woessner** states the proposed zoning code is more restrictive than the current one and he does not agree with the blanket zoning. He is worried about the new subdivision requirements, as he claims they are proposed to no longer have cul-de-sacs and must connect to an adjoining development. As a member of the Ad-Hoc Committee, **Woessner** expresses his wishes that the committee convene again to go over these issues.

**Chirban** asks if the committee could rejoin and have another meeting with the proposed changes. **Coots** confirms this is possible. **Martin** expresses concern that some areas of Rolla might not have been represented on the committee. She suggests gaining more feedback with people in the affected areas if the committee rejoins for another meeting.

**Ellen Pearce** resides at 1300 Iowa. She states the Ber Juan/Shuman Park area is three distinct neighborhoods and should not be all zoned the same. She expresses concern about increased density.

**Megan Johnson**, residing at 1601 Broadway, asks about the notice letters sent out to the public. She states there was only about 700 letters sent out, but there are over 2000 properties being affected. **Schmidt** states that several people own multiple properties. **Johnson** asks if everyone that is being affected received a letter. **Schmidt** confirms this.

**Schmidt** extended the public hearing to the January 10<sup>th</sup> meeting.

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

**VII. CITIZEN COMMENTS: NONE**

**Meeting adjourned: 7:18 p.m.**  
**Minutes prepared by: Sarah West**

**NEXT MEETING: Tuesday, January 10, 2023**