

AGENDA

**The City of Rolla
Planning & Zoning Commission
Rolla City Council Chambers, 901 North Elm Street
Tuesday, January 10, 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, Vacant, Vacant

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, December 13, 2022.
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** **NONE**
- III. OLD BUSINESS:**
 - 1. TX22-03:** 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
- IV. NEW BUSINESS:**
 - 1. SUB22-09:** Final Plat of Blue's Lake #12 and associated vacation of Joan Drive and certain utility easements
- 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
- VI. OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:**
 - 1.** Presentation on 2022 activity and planned 2023 Community Development Department goals
- VII. CITIZEN COMMENTS:**

NEXT MEETING DATE:

Tuesday, February 14, 2023

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 11th 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 Dobicinski. 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 12th 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 10th 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



Report to:

**Planning and Zoning
Commission**

Case No.: TXT22-03

Meeting Date: January 10, 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 meeting and voted to continue the public hearing to the January meeting to allow for additional input.

Application and Notice:

Applicant - City of Rolla
Public Notice - Phelps County Focus; Letters mailed to many impacted property owners;
<https://www.rollacity.org/agenda.shtml>
City Council Date - Postponed to January 17, 2022; To be postponed if Commission does not make recommendations at the January 10 meeting.

Discussion: Additional discussion and public input is needed before the proposed updates are presented to the City Council. Based on conversations with property owners and input received at the public hearing, the proposed zoning map and zoning codes will be revised for the future meetings.

The Commission is asked to make any suggestions for revisions to the proposed codes and map. After the Commission is comfortable with the proposed text and map, the Commission will need to send recommendations to the City Council for their review and potential adoption.

Prepared by: Tom Coots, City Planner

Attachments: Quick Guide of the proposed changes; Draft of proposed Zoning and Subdivision Regulations; "Markup" version of proposed Zoning and Subdivision Regulations; Proposed Zoning Map



Report to:

**Planning and Zoning
Commission**

Case No.: SUB 22-09

Meeting Date: January 10, 2023

Subject: Blue's Lake Plat #12: A Minor Subdivision to combine three commercial lots and a portion of another lot, and vacate Joan Drive and certain easements, located at 550/650 Joan Dr.

Background: The applicant seeks to develop the property as an RV Park. The plat would combine all the property to be developed into one large lot, vacate unneeded easements and rights-of-way, and dedicate the known easements needed for the RV Park development. The plat is intended to be reviewed concurrently with the PUD Final Development Plan.

Application and Notice:

Applicant - Jaden Gurney
Owner - Aaron Espinoza of the Citizens Bank of Newburg
Public Notice - <https://www.rollacity.org/agenda.shtml>
City Council Date - October 17, 2022

Property Details:

Current zoning - C-3, Highway Commercial – proposed to PUD, Planned Unit Development
Current use - Vacant/undeveloped
Proposed use - RV Park
Land area - 13.72 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Bridge School Rd, a Collector road. Joan Drive, an unbuilt local street, is proposed to be vacated with this plat.
Sidewalks - No sidewalks are located adjacent to the property. Sidewalks are not proposed to be constructed adjacent to the property. Sidewalks may not be needed in this area.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Mixed Commercial and Residential uses. The adopted Rolla West Master Plan designates the property as being appropriate for Office Campus uses.

Discussion: The proposed plat appears to meet all zoning and subdivision requirements. The easements to be vacated are not needed. Additional easements for the proposed development are proposed, however, the final locations of the easements are yet to be determined. The easements will need to be finalized prior to the City Council approval.

Joan Drive is an unbuilt cul-de-sac. The road is not needed for the proposed development.

Findings:

1. The proposed minor subdivision would combine three commercial lots and a portion of another lot into one large lot.
2. The easements and roadway to be vacated are not needed.
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, Blue's Lake Plat #10

pld cash # 222591



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:
CITIZENS BANK OF THE MIDWEST
Name(s)
1515 MARTIN SPRINGS DRIVE
Mailing Address
ROLLA, MO. 65401
City, State, Zip
573-368-2076
Phone
aaron@cbmw.bank
Email

Agent/Applicant (If Different Than Property Owner):
AARON ESPINOZA
Name
1515 MARTIN SPRINGS DRIVE
Mailing Address
ROLLA, MO. 65401
City, State, Zip
573-465-1006
Phone
aaron@cbmw.bank
Email

Property/Request Information:

Request: _____ Sketch Plat
_____ Major Subdivision
_____ Minor Subdivision
 Replat
_____ Subdivision Variance
_____ Vacation of ROW/easement

BRIDGE SCHOOL RD / BLUES LAKE
Property Address/Location

Property Zoning
4 1
Number of existing and new lots proposed
BLUES LAKE PLAT NO. 12
Name of Subdivision

APPLICATION CHECKLIST:

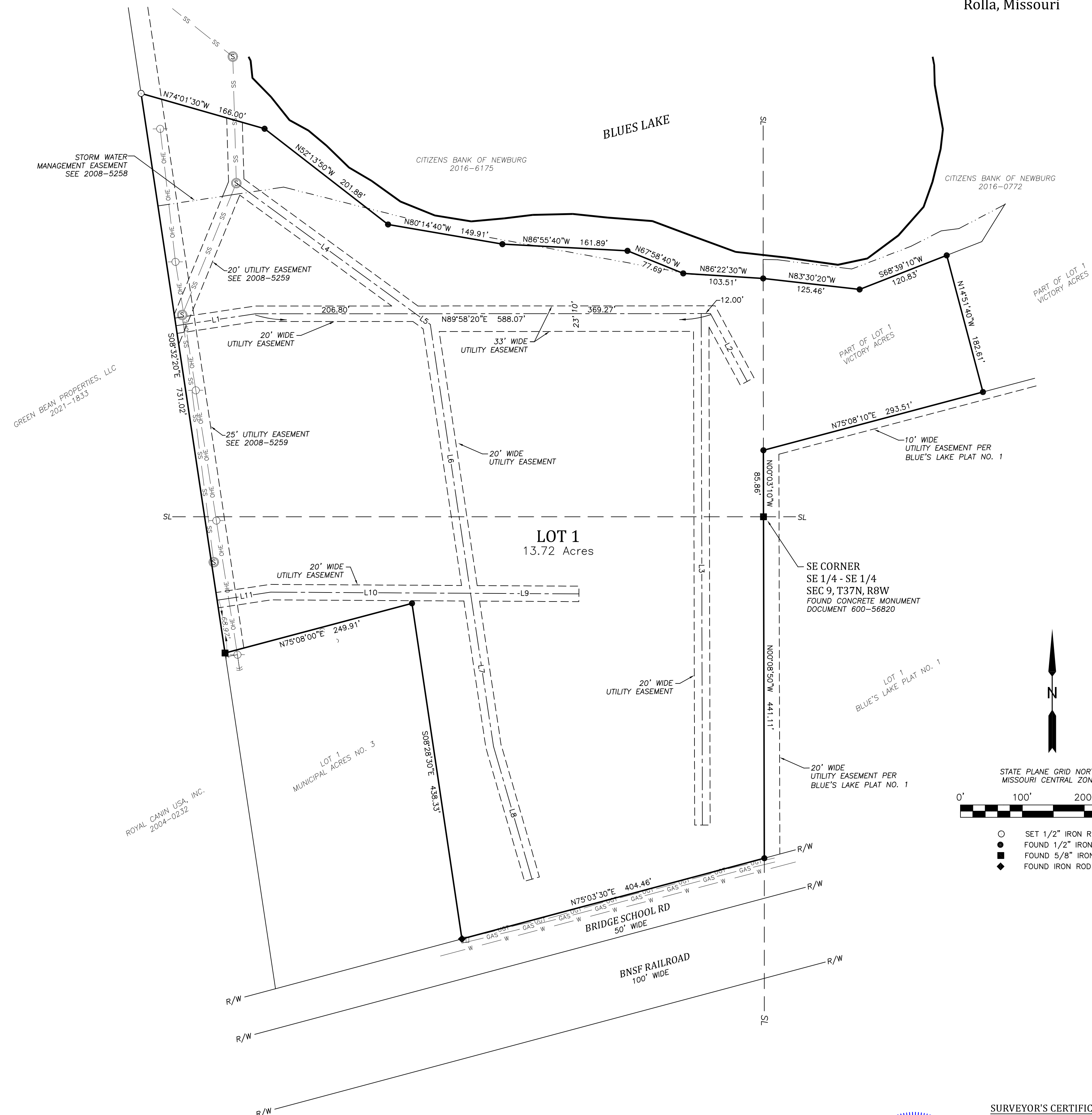
Applicant Checks Boxes	<input type="checkbox"/>	Completed Application Form	<input type="checkbox"/>	6
	<input type="checkbox"/>	Agent Letter (If Applicable)	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Filing Fee - \$300 (Major Subdivision); \$100 (Minor Subdivision/Replat); \$350 (Subdivision Variance) + Recording Fee (\$44 or \$69)	<input type="checkbox"/>	169
	<input type="checkbox"/>	Improvement Plans (Final Plats only; 1 paper copy and pdf version)	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Plat (5 paper copies and pdf version) or Vacation Exhibit	<input type="checkbox"/>	6
	<input type="checkbox"/>	Letter of Request (Subdivision Variance only)	<input type="checkbox"/>	N/A

City Staff Verifies

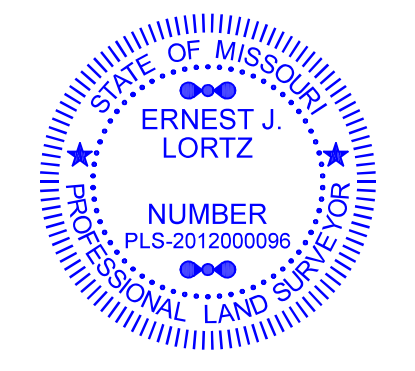
OFFICE USE ONLY:

Case No: SUB 22-09 DRC Meeting Date: 12.20.22 PC Hearing Date: 1.10.23
Submission Date: 12.14.22 Advertise By: N/A CC Hearing Date: 1.17.23 / 2.6.23

Final Plat of
BLUE'S LAKE PLAT NO. 12
 A Resubdivision of Blue's Lake Plat No. 10 and part of Lot 1 of Victory Acres
 Rolla, Missouri



LINE	BEARING	DISTANCE
L1	N81°28'40"E	103.86
L2	S28°23'10"E	99.66
L3	S00°08'00"E	660.79
L4	N5°54'10"W	286.49
L5	S5°54'10"E	23.72
L6	S08°31'20"E	351.07
L7	S08°31'20"E	199.84
L8	S16°09'40"E	178.71
L9	S89°40'10"E	140.01
L10	N89°40'10"W	258.28
L11	S81°28'00"W	69.98



SURVEYOR'S CERTIFICATION
 Know all men by these presents:
 That I, Jason Lortz, do hereby certify that this plat meets Missouri Minimum Standards for Property Boundary Surveys and was prepared under my supervision from actual survey of the land herein described prepared by Lortz Surveying, LLC dated December 13, 2022 and signed by Jason Lortz L.S. No. 2012000096 and that corner monuments and lot corner pins shown herein were placed under the personal supervision of Jason Lortz L.S. No. 2012000096 in accordance with Article II, Chapter 42, of the City Code of Rolla, Missouri.

Jason Lortz 12/13/22
 Jason Lortz Date
 PLS 2012000096

DESCRIPTION
 All that part of the Southeast Quarter of the Southeast Quarter of Section 9, all that part of the Southwest Quarter of the Southwest Quarter of Section 10 and all that part of the Northeast Quarter of the Northeast Quarter of Section 16, all in Township 37 North, Range 8 West of the 5th P.M. described as follows: Beginning at the Southeast corner of the Southeast Quarter of the Southeast Quarter of said Section 9; thence North 00°31'00" West, 85.86 feet along the East line of the Southeast Quarter of the Southeast Quarter; thence North 75°08'10" East, 293.51 feet; thence North 14°51'40" West, 182.61 feet; thence South 68°39'10" West, 120.83 feet; thence North 83°30'20" West, 125.46 feet; thence North 86°22'30" West, 103.51 feet; thence North 67°58'40" West, 77.69 feet; thence North 86°55'40" West, 161.89 feet; thence North 80°14'40" West, 149.91 feet; thence North 52°13'50" West, 201.88 feet; thence North 74°01'30" West, 166.00 feet; thence South 08°32'20" East, 731.02 feet; thence North 75°08'00" East, 249.91 feet; thence South 08°28'30" East, 438.33 feet to the Northerly right of way Bridge School Road (aka Phelps County Road 7000); thence North 75°03'30" East, 404.46 feet along said Northerly right of way to the East line of the Northeast Quarter of the Northeast Quarter of said Section 16; thence North 00°08'50" West, 441.11 feet along said East line to the Point of Beginning. Contains 13.72 acres per Survey No. L-1580 by Lortz Surveying, LLC.

DEDICATION
 Whereas, Aaron C. Espinoza Living Trust dated November 4, 2011, and Citizens Bank of Newburg, therein called ("DEDICATORS") are the owners of the premises described on this plat, and Whereas, DEDICATORS desire to subdivide the land as shown on this plat with said subdivision to be named "BLUE'S LAKE PLAT NO. 12".

DEDICATOR does hereby dedicate to the public use forever all easements shown upon this plat and subdivides the premises shown on this plat so that all of said premises will now be known as "BLUE'S LAKE PLAT NO. 12".
 DEDICATOR does further grant to all political subdivisions and public utilities providing utility services to the land described on this plat the right to install and maintain electrical, sanitary sewer, water, storm water, telephone, cable television, and natural gas lines within and along those places which are designated as utility easements on this plat.

In witness whereof, the DEDICATOR has executed this dedication this ____ day of _____, 2023.
 by: Aaron C. Espinoza, trustee of the Aaron C. Espinoza Living Trust dated November 4, 2011

In witness whereof, the DEDICATOR has executed this dedication this ____ day of _____, 2023.

by: Aaron C. Espinoza, President, Citizens Bank of Newburg

State of Missouri)
 County of Phelps) ss.

On this ____ day of _____, 2023, before me personally appeared Aaron C. Espinoza, Trustee of the Aaron C. Espinoza Living Trust dated November 4, 2011, to me known to be the person described in and who executed the same as their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public My commission expires

State of Missouri)
 County of Phelps) ss.

On this ____ day of _____, 2023, before me personally appeared Aaron C. Espinoza, President of Citizens Bank of Newburg, to me known to be the person described in and who executed the same as their free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public My commission expires

IMPROVEMENT ACCEPTANCE
 Approved subject to construction of improvements in accordance with development plans on file with the City of Rolla, this plat meets current subdivision codes of the City of Rolla.

Steve Hargis, PE Date
 Director of Public Works

Rodney Bourne, General Manager Date
 Rolla Municipal Utilities

Floyd Jernigan Date
 Director of Parks

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 2022 and all prior years.

Faith Barnes Date
 Collector of Revenue
 Phelps County, Missouri

PLANNING AND ZONING APPROVAL

Approved the ____ day of _____, 2023, by the Planning and Zoning Commission of Rolla, Missouri.

Don Brown, Chairman
 Planning and 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 and 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. Magdala, IV Date
 Mayor, City of Rolla

Lorri Thurman Date
 City Clerk

SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

The undersigned owners of the tract of land herein platted 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 platted until the completion of all public improvements appertaining to such lots or until a cash bond equal to the reasonable 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 Article II, Chapter 42 of the City Code of Rolla, Missouri.

RECORDER'S CERTIFICATE

This plat was filed for record in my office on this ____ day of _____, 2023. Plat filed at Cabinet ____ Slide ____

Robin Kordes Date
 Phelps County Recorder

NOTES

1. Type Urban Accuracy Standards.
2. Parent Title Reference: 2014-4638, 2016-2685
3. Field work performed in October 2022.
4. A current title report has not been furnished to the land surveyor by the client, and no investigation has been conducted as to the present status of easements or other restrictive conditions affecting the subject land.

LORTZ SURVEYING
 P.O. Box 707 • 231 W. Commercial Street Lebanon, Missouri 65536
 Phone 417-991-8115 • www.lortzsurveying.com • L.S. 2012028494

Final Plat of
 Blue's Lake Plat No. 12
 Rolla, Missouri

Citizens Bank of Newburg
 Rolla, Missouri

Drawn by: JLL Scale: 1" = 80' Survey No.: L-1580
 Checked by: JLL Date: 12/13/2022

RECEIVED
JAN 14 2013

Final Plat of Blue's Lake Plat No. 10

Being a Major Subdivision in the Fractional Part of SE1/4 SE1/4, Sec. 9 & NE1/4 NE1/4, Sec. 16 all in T37N, R8W; Rolla, Phelps County, Missouri

DEDICATION

WHEREAS, by virtue of a General Warranty Deed dated February 20, 1997 and recorded on February 21, 1997 at Document No. 1997-789 of the Deed Records of Phelps County, Missouri, John F. Dietzmann and Joan D. Dietzmann, husband and wife, became the owners of the land described hereon (and other lands); and
WHEREAS, John F. Dietzmann being the sole owner of all of property shown on this plat now desires to resubdivide the land as shown on this plat, said subdivision to be named "BLUE'S LAKE PLAT NO. 10"; and
NOW, THEREFORE, John F. Dietzmann does hereby dedicate to public use forever all streets, right of ways and easements shown upon this plat.
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 drainage, gas and fiber optic lines within and along those places which are designated as utility easements and which are designated as streets on this plat.

DATED: January 15, 2013
John F. Dietzmann
DEDICATOR

STATE OF MISSOURI)
) SS.
COUNTY OF PHELPS)

On this 15th day of January, 2013 before me appeared John F. Dietzmann, single, surviving spouse of Joan D. Dietzmann, to me known to be the person described in and who executed the same as his free act and deed.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this 15th day of January, 2013.
My Commission Expires: 1-10-2016

Jami Reppond
NOTARY PUBLIC

JAMI REPPOND
Notary Public - Notary Seal
STATE OF MISSOURI
Phelps County
My Commission Expires Jan. 10, 2016
Commission # 1147342

DESCRIPTION

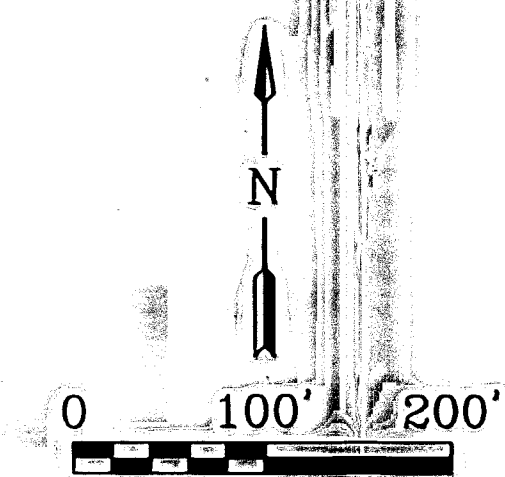
A fractional part of the Southeast Quarter of the Southeast Quarter of Section 9, and, a fractional part of the Northeast Quarter of the Northeast Quarter of Section 16, all in Township 37 North, Range 8 West of the 6th P.M. described as follows: Beginning at the Northeast Corner of the Northeast Quarter of the Northeast Quarter of said Section 16; thence South 0°23'20" West, 441.10 feet along the East line of said Northeast Quarter of the Northeast Quarter to the northerly right of way of Bridge School Road (aka Phelps County Road 7000); thence South 75°34'40" West, 404.00 feet along said northerly right of way to the southeast corner of Lot 1 of Municipal Acres No. 3; thence North 8°00' West, 438.30 feet along the East line of said Lot 1 to its northeast corner; thence South 75°35'50" West, 250.00 feet along the North line of said Lot 1 to the East line of a parcel described in Phelps County Deed Records at Document No. 9507508; thence North 8°00' West, 731.33 feet along said East line and along the East line of a parcel described in Phelps County Deed Records at Document No. 9600665 and along the East line of a parcel described in Phelps County Deed Records at Document No. 9600664; thence South 73°34'40" East, 165.94 feet; thence South 51°37'20" East, 201.94 feet; thence South 79°41'50" East, 149.72 feet; thence South 86°24'20" East, 161.94 feet; thence South 67°28'20" East, 77.75 feet; thence South 85°52' East, 103.66 feet to the East line of the aforesaid Southeast Quarter of the Southeast Quarter of Section 9; thence South 0°27' West, 307.89 feet along said East line to the point of beginning. Above described tract contains 12.58 acres, more or less, per plat of survey J-637, dated January 7, 2013, by Archer-Elgin Surveying and Engineering, LLC.

SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT AS TO THE ISSUANCE OF BUILDING OR CONSTRUCTION PERMITS

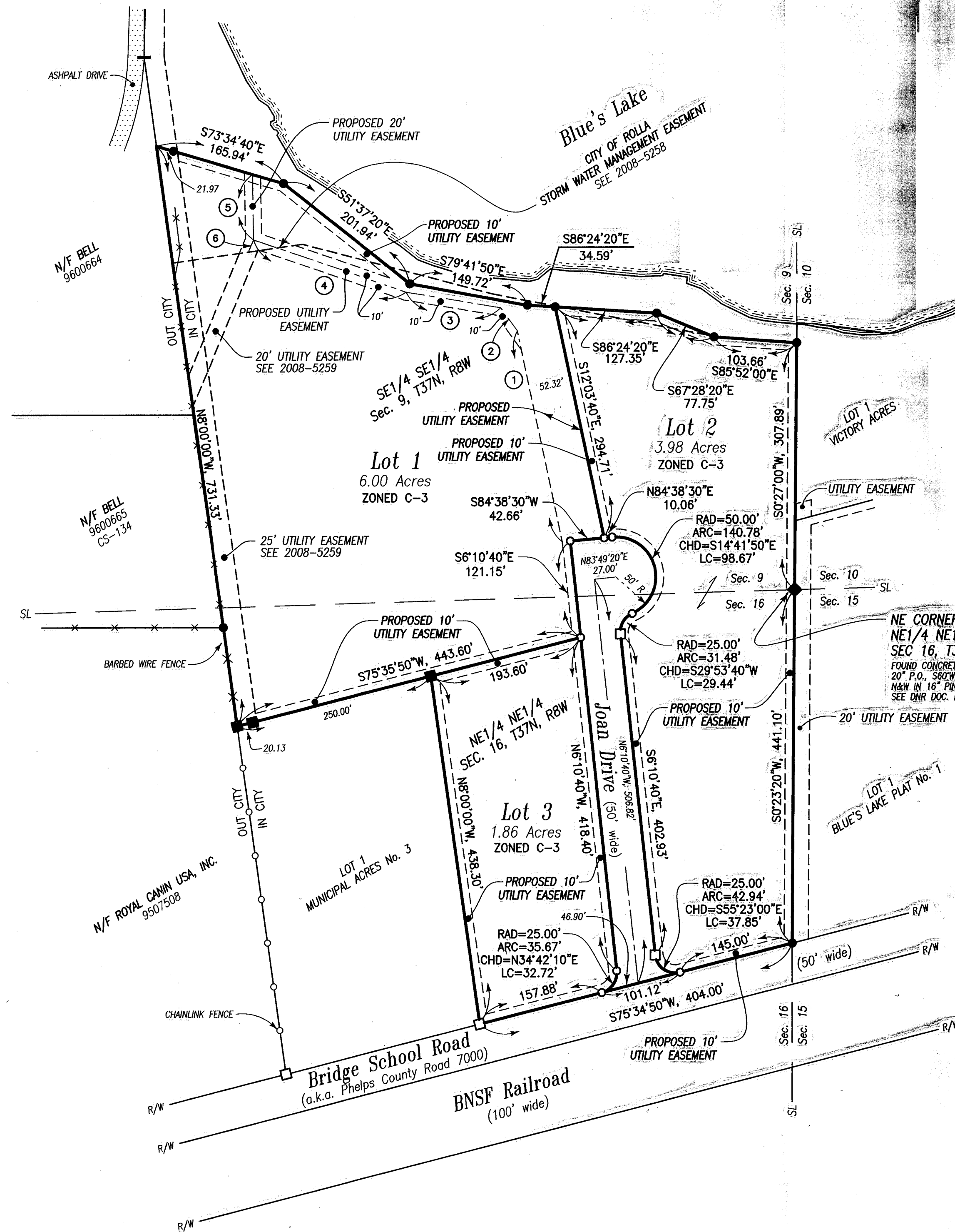
The undersigned owners of the tract of land herein platted do hereby impose upon said property and do hereby make the following restrictive covenant: No construction may be commenced upon the above described property until all necessary building and construction permits have been issued by the City of Rolla, Missouri and that it is understood by the undersigned that no such permits shall be issued for any lots herein platted until the completion of all public improvements appertaining to such lots or until a cash bond equal to the reasonable 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.

I, SYLVESTER FARRIS FURSE, IV, do hereby certify that this plat was prepared under my supervision from an actual survey of the land herein described prepared by Archer-Elgin Surveying and Engineering, LLC, revised January 14, 2013 and signed by Sylvester Furse, L.S. No. 2011017288 and that corner monuments and lot corner pins shown hereon were placed under the personal supervision of Sylvester Furse, L.S. No. 2011017288 in accordance with this article of the City Code of Rolla, Missouri.

No.	Bearing	Distance
1	N12°03'40"W	269.60'
2	N36°10'30"W	35.54'
3	N80°37'30"W	119.96'
4	N71°03'40"W	201.78'
5	N1°05'00"W	81.66'
6	S22°53'10"W	16.51'



- SET 1/2" IRON PIN IN CONCRETE
- FOUND 1/2" IRON PIN IN CONCRETE
- FOUND 1/2" IRON PIN
- SET 1/2" IRON PIN



IMPROVEMENT ACCEPTANCE

Approved subject to construction of improvements in accordance with development plans on file with the City of Rolla. This plat meets current subdivision codes of the City of Rolla.

Steve Hargis 1/10/13
Director of Public Works
Rodney Bourne 1/16/13
General Manager
Rolla Municipal Utilities
Scott Caron 1-16-13
Parks Director

PLANNING & ZONING APPROVAL

Approved this 8 day of January, 2013.
Paul Sigani
Chairman
Planning & Zoning Commission
John Petersen
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.

William S. Jenks Jr. 1/24/2013
Mayor, City of Rolla
Carol Daniels 1-24-2013
City Clerk

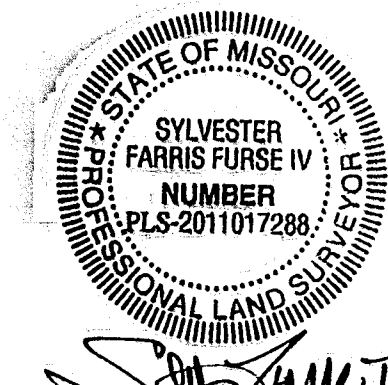
COUNTY & CITY TAX RELEASE

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 2012 and all prior years.

Davis R. Haas 1-24-2013
Collector of Revenue
Phelps County, Missouri

RECORDER'S CERTIFICATE

This plat was filed for record in my office on this 24 day of JANUARY, 2013. Plat filed at Cabinet D, Number 213.
Robin Kordes 1-24-13
Recorder of Deeds
Phelps County, Missouri



2013-0424
RECORDED ON
01/24/2013 11:06:06AM
PAGES: 1
ROBIN KORDES
PHELPS COUNTY RECORDER
ROLLA, MO
EXEMPT
CAB D
Slide 278

NOTES:

- This survey was executed in accordance with the current "Missouri Minimum Standards for Property Boundary Surveys" (20 CSR 2030-16).
- Tract is classified Urban (20 CSR 2030-16.040).
- Date of field work: October, 2011 and October, 2012
- I declare that to the best of my professional knowledge and belief, this plat and survey meets the current "Missouri Minimum Standards for Property Boundary Surveys."
- Tract is zoned C-3, Highway Commercial District.

CM Archer Group, P.C. dba:
ARCHER-ELGIN
engineering surveying architecture
310 East 6th Street
Rolla, Missouri 65401
Phone: 673-364-6382
Fax: 673-364-4782
www.cmarcher.com
www.elginsurvey.com
Archer-Elgin Surveying & Engineering, LLC: E: 2011024038, LS: 2011025471, A: 2012014618
Final Plat of
Blue's Lake Plat No. 10
Rolla, Phelps County, Missouri
Jack Dietzmann
Rolla, Missouri
DRAWN BY: MEP SCALE: 1"=100'
CHKD: SFF DATE: Jan. 7, 2013 SURVEY NO.: J637



Report to:

**Planning and Zoning
Commission**

Case No.: PUD22-02

Meeting Date: January 10, 2023

Subject: PUD, Planned Unit Development Final Development Plan: 550 and 650 Joan Dr.

Background: The applicant seeks to develop the property for an RV Park. The property has been for sale for several years. Part of the property the applicant plans to purchase includes the lake and land which is outside the city limits. The RV Park is proposed on the part of the property which is inside the city limits.

The RV Park use itself is permitted in the current zoning. The PUD seeks to allow the use of gravel parking for the RV spaces and gravel drives throughout the park. The PUD would also allow for clients to stay in one RV space for up to six months. The current ordinances allow for stays of 7 days.

The Preliminary Development Plan was approved by the Commission in November, 2022. Approval of the Preliminary Development Plan is only by the Planning and Zoning Commission, but does bind the city to approval of the following:

- (a) Categories of permitted uses;
- (b) Overall maximum density of residential uses and intensity of non-residential uses;
- (c) General location of vehicular and pedestrian circulation systems;
- (d) General location and extent of public and private open space;
- (e) General location of residential and non-residential land uses; and
- (f) Phasing of development, if appropriate.

The applicant has now submitted the Final Development Plan for review and approval. If approved by the City Council, the property would be rezoned to the PUD, Planned Unit Development district. The applicant has also submitted a minor subdivision plat to be reviewed concurrently.

Application and Notice:

Applicant - Jaden Gurney
Owner - Aaron Espinoza of the Citizens Bank of Newburg
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 - January 17, 2023

Property Details:

Current zoning - C-3, Highway Commercial
Current use - Vacant/undeveloped
Proposed use - RV Park
Land area - About 13 acres to be considered with PUD of a total 30 acre property

Public Facilities/Improvements:

- Streets - The subject property has frontage on Bridge School Rd, a Collector road.
- Sidewalks - No sidewalks are located adjacent to the property. Sidewalks are not proposed to be constructed adjacent to the property. Sidewalks may not be needed in this area.
- Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Mixed Commercial and Residential uses. The adopted Rolla West Master Plan designates the property as being appropriate for Office Campus uses.

Discussion: The RV Park use is permitted in the C-3, Highway Commercial district. The PUD is needed for the gravel parking and drives and for the length of stay for clients. Since the RV Park use itself is permitted by the current zoning, the Planning and Zoning Commission should limit their review to the general layout of the development and the requests for relief from the zoning and city ordinances.

The submitted plans at this time do not appear to include any major changes from the approved Preliminary Development Plans. The applicant is, however, not completely finished with addressing staff comments to the plans. The staff comment letter is attached. The Commission has the option of delaying review or the final voting on the request until such time that the plans have been revised and all comments are addressed, or the Commission could make a recommendation for approval with the condition that all comments are addressed prior to action by the City Council. It is not expected that the outstanding comments will have a material impact to the layout of the project.

Approval Criteria:

The review of the Final Development Plan is limited to determining if the Commission finds there is substantial conformity to the approved Preliminary Development Plan, but can recommend the City Council approve with conditions. Substantial conformity is defined as:

1. No increase of maximum density approved in the Preliminary Development Plan by more than five (5) percent;
2. No increase in the maximum height of any structure by more than five (5) percent,
3. No decrease of more than five (5) percent the area approved for open space or change the general location of such areas;
4. No alteration of the approved traffic circulation elements that would decrease the ability of such elements to function efficiently or adversely affect their relation to surrounding land uses and circulation systems;
5. No significant alteration of the arrangement of land uses within the PUD;
6. No violation of any provision of the codes and ordinances applicable to the proposed PUD; and
7. No significant change from the Preliminary Development Plan in any manner which the Planning and Zoning Commission and City Council shall, based on the stated findings and conclusions, determine to materially alter the development concept for the proposed PUD.

Findings:

1. The Comprehensive Plan designates the property as being appropriate for Mixed Commercial and Residential uses. The adopted Rolla West Master Plan designates the property as being appropriate for Office Campus uses.
2. The property is located in an area with a variety of commercial uses.

3. The property is located in a unique area, with a recreational lake, visibility from I-44, and easy access to I-44.
4. The PUD allows gravel parking and drives and for clients to stay in an RV space for up to 6 months.
5. The review of the Final Development Plan is limited to determining if the plan conforms with the approved Preliminary Development Plan.

Alternatives:

1. Find the request meets the criteria for approval and recommend the City Council approve the Final Development Plan and rezone property to the PUD, Planned Unit Development district.
2. Find the request meets the criteria for approval if certain conditions are met; recommend the City Council approve the Final Development Plan with stated conditions.
3. Find that the request is not in compliance with the approved Preliminary Development Plan and reject the Final Development Plan as submitted.
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: Public Notice Letter, Application, PUD Report, Final Development Plan; Approved Preliminary Development Plan



Project Information:

Case No: PUD22-02
 Location: 550/650 Joan Dr (W Bridge School Rd)
 Applicant: Jaden Gurney
 Request:
 Rezoning from C-3, Highway Commercial to PUD, Planned Unit Development for an RV Park development.



Public Hearings:

Planning and Zoning Commission
January 10, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
January 17, 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 a PUD (Planned Unit Development)?

A PUD (Planned Unit Development) is a special zoning district that may be applied to a property. The approval includes a site plan. Use of the property is limited to the uses approved in the ordinance and site plan.

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 Lot 1 of Victory Acres, Rolla, Missouri more particularly described as follows: Beginning at the Southwest Corner of Lot 1 of said Victory Acres; thence North 0°08'10" West, 221.94 feet along the West line of said Lot 1 to the southwest corner of a parcel described in Phelps County Deed Records at Document No. 2016-0772; thence South 83°31'10" East, 125.51 feet, and, North 68°39'40" East, 120.89 feet, all along the southerly line of said Document No. 2016-0772 parcel; thence South 14°50'30" East, 182.57 feet to the southerly line of the aforesaid Lot 1 of Victory Acres; thence South 75°07'50" West, 292.38 feet along said southerly line to the point of beginning.

And a property described as: A fractional part of the Southeast Quarter of the Southeast of Section 9, and, a fractional part of the Northeast Quarter of the Northeast Quarter of Section 16, all in Township 37 North, Range 8 West of the 5th P.M. described as follows: Beginning at the Northeast Corner of the Northeast Quarter of the Northeast Quarter of said Section 16; thence South 0°23'20" West, 441.10 feet along the East line of said Northeast Quarter of the Northeast Quarter to the northerly right of way of Bridge School Road (aka Phelps County Road 7000); thence South 75°34'50" West, 404.00 feet along said northerly right of way to the southeast corner of Lot 1 of Municipal Acres No. 3; thence North 8°00' West, 438.30 feet along the East line of said Lot 1 to its northeast corner; thence South 75°35'50" West, 250.00 feet along the North line of said Lot 1 to the East line of a parcel described in Phelps County Deed Records at Document No. 9507508; thence North 8°00' West 731.33 feet along said East line and along the East line of a parcel described in Phelps County Deed Records at Document No. 9600665 and along the East line of a parcel described in Phelps County Deed Records at Document No. 960064; thence South 73°34'40" East, 165.94 feet; thence South 51°37'20" East, 201.94 feet; thence South 79°41'50" East, 149.72 feet; thence South 86°24'20" East, 161.94 feet; thence South 67°28'20" East, 77.75 feet; thence South 85°52' East, 103.66 feet to the East line of the aforesaid Southeast Quarter of the Southeast Quarter of Section 9; thence South 0°27' West, 307.89 feet along said East line to the point of beginning.



pd cc

LAND USE APPLICATION

Contact Information:

Property Owner:
Jaden Gurney
 Name(s)
695 W 350 N
 Mailing Address
Saltina, UT 84654
 City, State, Zip
435-979-5299
 Phone
jaden.gurney@yahoo.com
 Email

Agent/Applicant (If Different Than Property Owner):
CITIZENS BANK OF THE MIDWEST / AARON ESPINOZA
 Name
1515 Martin Springs Drive
 Mailing Address
Rolla, MO, 65401
 City, State, Zip
(573) 465-1006
 Phone
aaron@cbmw.bank
 Email

Property/Request Information:

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

South of Blues Lake
 Property Address/Location

Current: C-3 Proposed: PUD
 Property Zoning (Current and Proposed)

RV Park
 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: PUD 22-02 DRC Meeting Date: 10.18.22 PC Hearing Date: 11.15.22
 Submission Date: 10.13.22 Advertise By: 10.20.22 CC Hearing Date:

November 9, 2022

Jaden Gurney
Developer
435-979-5299
Jaden.gurney@yahoo.com

Rolla City:

Please accept this letter as my PUD report for the development of an RV Park located on the southern surrounding land at Blues Lake. This development is designed to be a single phased project with 158 RV Sites. The property is currently owned by Citizens Bank of the Midwest and falls under the C-3 Zoning where I currently have it under contract pending the approval of this project as I have it outlined below.

The park will utilize the existing lake for all storm water drainage. The landscaping for the property will consist of gravel and grass throughout the property. The area at each site that the RV and/or vehicles will park will be graveled. There will be a combination of all graveled sites and some that have grass at the park to give a diversified offering. We want the ability to accommodate the preference of each guest as to whether they prefer grass or all gravel at their site. Many of the trees that currently exist on the property are mature and create a large liability if they were to fall. Many, if not all the trees on the property will be removed to accommodate for the construction. New trees will be replanted to provide additional shade as they mature. We would like to add signage during the construction process and plan to follow the commercial districts.

Gravel roads and parking sites will be built with the proper specs that can hold vehicles of all sizes (Class A Motor Homes, Waste Management Vehicles, Fire Trucks, 5th Wheels, etc.). These gravel parking areas will be available at each building and along each site throughout the property. The office building will not have much of a retail presence because we are in the city which will reduce the quantity of people that park at this building. The only building that will have cars parked will be the main office which will have adequate gravel parking stalls.

These 158 RV Sites will be 30'x70' with individual water, power, and sewer hookups. This infrastructure will all be privately owned and maintained. There will be applicable easements granted for the fire hydrants lines. We plan to vacate Joan Drive and the existing easements and will combine the land into one single plat.

The RV industry has made incredible changes over the last several years. Many of the older parks that were constructed in the 80's and 90's was built to handle 25' pull behind travel trailers. It is now more common to see Class A Coaches and 38 ft 5th wheels that are simply too big to stay at many parks throughout the country. This park will be built and designed to handle the largest of rigs and want to accommodate their length of stay whether it be on a nightly, weekly, or monthly basis. This park will have a full suite offering of 50-amp power

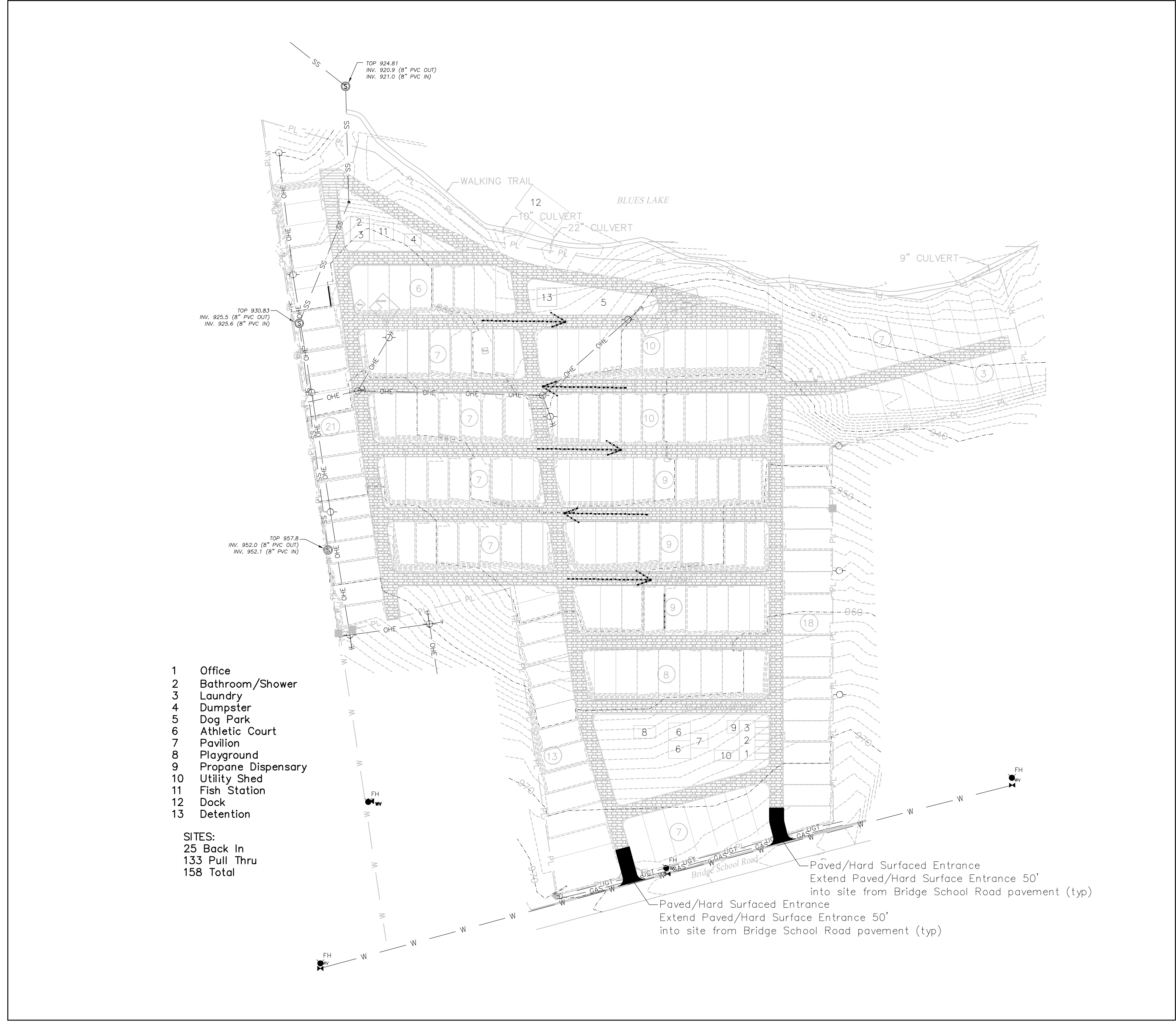
service at each site with a plethora of outside features such as bathroom and shower facilities, dog parks, basketball and pickleball courts, an outdoor pavilion, kids' playground, fishing station, and a small dock on the lake.

I would like my guests to have the ability for them stay in one site for up to 6 months at a time. In other parks that I own, it is common for us to accommodate traveling nurses who sign a contract to work in each area for 4-6 months at a time. Construction workers will spend 6-12 months working on large projects within your city that need to have an extended stay as well. It highly important that the city allows and accommodates this length of stay so individuals, families, retirees, and working-class people can stay and recreate within your city. Allowing this length of stay is critical in how we manage and operate the business.

Your attention and consideration in this project are much appreciated. Please call or email if you have additional questions or concerns.

Regards,

Jaden Gurney

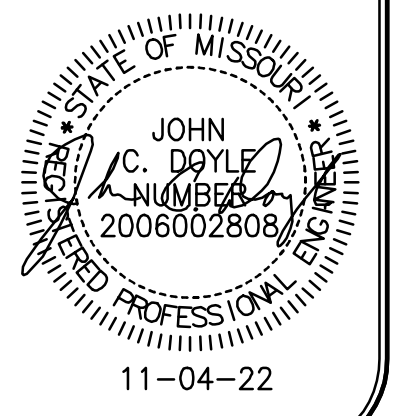


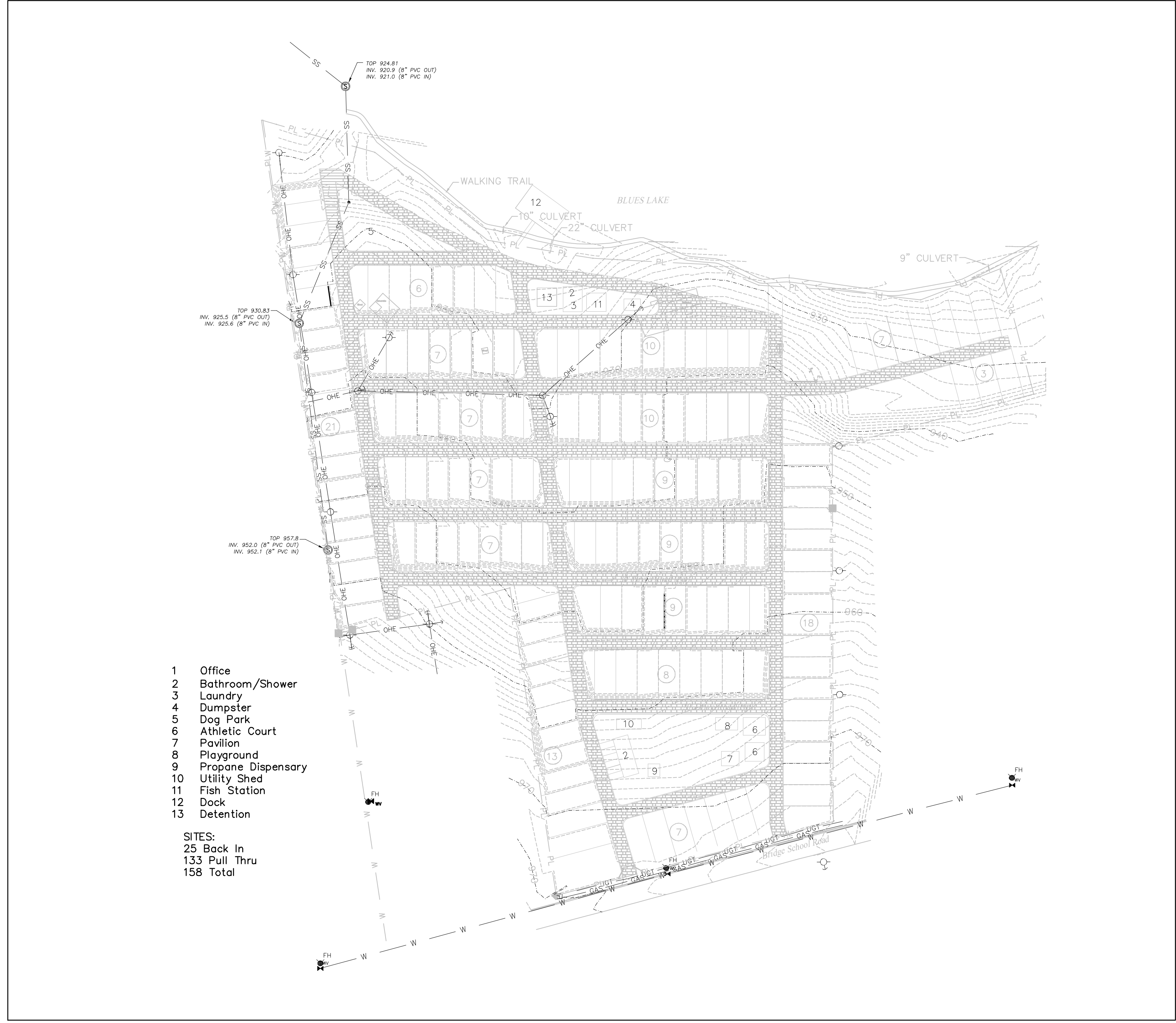
- 1 Office
 - 2 Bathroom/Shower
 - 3 Laundry
 - 4 Dumpster
 - 5 Dog Park
 - 6 Athletic Court
 - 7 Pavilion
 - 8 Playground
 - 9 Propane Dispensary
 - 10 Utility Shed
 - 11 Fish Station
 - 12 Dock
 - 13 Detention
- SITES:
 25 Back In
 133 Pull Thru
 158 Total

ROUTE 66 PREFERRED RV CAMPING - SITE PLAN
 BLUES LAKE DEVELOPMENT
 CITY OF ROLLA, MISSOURI
 BLUES LAKE DEVELOPMENT - ROUTE 66 PREFERRED RV CAMPING
 PROPOSED SITE PLAN
 DRAWING NO. 11/0422
 DATE 11/04/22
 DRAWN BY EIL
 CHECKED BY JCD
 SCALE 1" = 100'

JD-MC Engineering LLC
 Engineering • Land Development
 11222 Chicago Road (P.O. Box 278)
 Dixon, Missouri 65459
 Phone: 373-578-1367 Fax: 373-759-2781

No.	DATE	BY	REVISION





- 1 Office
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 - 3 Laundry
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 CHECKED BY: JCD
 ST-1

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