

AGENDA

**The City of Rolla
Planning & Zoning Commission
Rolla City Council Chambers, 901 North Elm Street
Tuesday, February 14, 2023 at 5:30 PM**

Commission Members:

**Chairman Russell Schmidt, Vice-Chairman Monty Jordan, Secretary-Treasurer Robert Anderson,
Nathan Chirban, Kevin Crider, Janece Martin, Monte Shields, Steve Davis, Vacant**

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, January 10, 2023.
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** **NONE**
- III. OLD BUSINESS:**
- 1. TXT22-03:** Re-adoption and revisions to Chapter 42 (Planning and Zoning) of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning districts; and Amendments to sections pertaining to land use and zoning in Chapters 15, 20, 28, 29, 39, 40, and 41 of the City of Rolla Ordinances
Tabled to March 14, 2023 Meeting
- IV. NEW BUSINESS:** **NONE**
- V. PUBLIC HEARING:**
- 1. ZON22-05:** Rezoning of 1203 S Bishop from the C-2, General Retail district to the C-3, Highway Commercial district
 - 2. ZON23-01:** Rezoning of 1708 Ashwood Dr from the R-1, Single-family district to the R-2, Two-family district
 - 3. ZON23-02:** Rezoning of 605 W 7th and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district
 - 4. ANX23-01:** Annexation into the corporate limits of the City of Rolla and assigning a zoning of C-2, General Retail
- VI. OTHER BUSINESS/REPORTS FROM THE CHAIRPERSON, COMMITTEE, OR STAFF:** **NONE**
- VII. CITIZEN COMMENTS:**

NEXT MEETING DATE:

Tuesday, March 14, 2023

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, JANUARY 10, 2023

Presiding: Russell Schmidt, Chairperson

Commission Members Present: Monty Jordan, Janece Martin, Kevin Crider, Nathan Chirban, Monte Shields

Commission Members Absent: Robert Anderson

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, December 13, 2022. **Chairperson Russell Schmidt approved the minutes as printed and distributed.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** NONE
- III. OLD BUSINESS:**
1. **TXT22-03:** Re-adoption and revisions to Chapter 42 (Planning and Zoning) of the City of Rolla Ordinances for a complete overhaul of the zoning and subdivision codes; Re-adoption of the Zoning Map with necessary revisions for corrections and to account for changes to the zoning codes and zoning districts; and Amendments to sections pertaining to land use and zoning in Chapters 15, 20, 28, 29, 39, 40, and 41 of the City of Rolla Ordinances

Russell Schmidt opens the public hearing.

Kathy Cochran resides at 607 East 12th Street and owns multiple properties in Rolla. She expresses opposition to the UR zoning due to the alley setbacks. She is concerned that the setbacks in the rear alley are too excessive. These setbacks would be taking up more of her property and that area can now only be used for upkeep instead of development. She asks for a definition, in writing, of nonconforming uses. She comments that the residents should be given more notice and information. **Chirban** asks what her properties were currently zoned. **Cochran** states one is R-2 and the other is R-3. **Chirban** asks if they are both being rezoned to the UR district. **Cochran** confirms this.

Carson Plasse resides at 1209 Iowa Street. He asks if the City plans on paving the alleyways. He plans to renovate his property, but if the rezoning happens, the setbacks will make enough of his property nonconforming as to hinder further development. **Schmidt** is unsure if the City plans on paving the alleyways in the future. He asks if this was the only issue Plasse has with the UR zoning. **Plasse** confirms this, and he states he felt the rezoning was unnecessary. Only the setbacks and smaller lot sizes are the only changes to the new zoning district.

Mike Woessner is located at 1703 North Bishop. He was unsure if the Holloway Addition was still being rezoned from R-3 and R-2 to UR. He comments about the lack of information sent out in letters, and implored the Commission to send out detailed letters to all affected property owners.

Alfred Chapman is a developer who owns multiple properties in Rolla. He expresses opposition to the downzoning. **Schmidt** asks about the current zoning of Chapman's properties. **Chapman** states his property had been proposed to be rezoned R-2 to R-1. He is concerned if his property becomes nonconforming and can no longer rebuild if it is damaged to a certain degree. He expresses concern about the lack of information to citizens.

A motion was made by Janece Martin, seconded by Monte Shields, to table the case and keep the public hearing open until the March 14th meeting. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Jordan, Martin and Shields. Nays: None. The motion passes unanimously.

Coots clarifies the question brought up by Woessner. He states as of this point, staff is still planning on rezoning the Holloway Addition to the UR district. A neighborhood meeting is planned to be set up. He mentions the City will have an open house to allow for the public to gain information and express concerns on January 25th and 26th. He also states there will be more letters sent out to citizens.

Martin asks why the Ad-Hoc Committee came up with the UR district. **Coots** states the district is intended for older parts of town that have small lots and are already developed. The current zoning code requires larger lot sizes and setbacks, which hinders development. The new zoning would lower the need to seek variances and allows for small multi-family uses. **Chirban** comments that citizens have presented issues with the new setbacks, but the UR district claims to be less stringent on the setback requirements. **Coots** states what is being proposed is a 20 foot setback from the alley. The idea is to reserve that land for parking as areas get denser. This will only apply to rear setbacks.

IV. NEW BUSINESS:

1. **SUB22-09:** Final Plat of Blue's Lake #12 and associated vacation of Joan Drive and certain utility easements

Coots present the staff report.

A motion was made by Janece Martin, seconded by Monte Shields, to recommend the City Council approve the request with the condition that all comments from the Staff Comment Letter dated January 6, 2023 be resolved prior to final approval. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Jordan, Martin, and Shields. Nays: None. The motion passes unanimously.

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

Coots presents the staff report.

Schmidt asks how the new plan differed from the preliminary plan. **Coots** states changes had to be made regarding utilities and the layout had changed and reduced the number of sites. **Crider** asks if the utility issue was at the request of the City or RMU. **Coots** mentions the applicant had originally proposed two dead end water lines. RMU will not accept those, and required it be changed to a looped system to prevent stagnant water possibly backing up into the City water main. The site plan had to be modified to meet this request. **Schmidt** asks if the new plan met RMU's requirements. **Coots** was unsure as no comments have been received from RMU.

Chirban mentions the plan shows a paved entryway that is 50 feet long. He asks if the applicant can change this once the plan is approved. **Coots** states the applicant is restricted to what is approved on the final PUD.

Aaron Espinoza is the current property owner. He states the reason for the revision to the site plan was at RMU's request. He mentions the applicant has had to revise the site plan several times, and does not want to submit a final plan until the City can have a definitive on what the requirements will be. **Schmidt** mentions a final plan will have to be developed before final approval is given from City Council.

Chirban asks about the hardship of delaying the project to give staff more time to review the plans. **Espinoza** states the applicant is wanting to start work on the project as it has been in process for several months. He has revised the site plan and will be losing lots to meet requests, not code requirements, from the City and RMU.

Chirban asks if the property has been closed. **Espinoza** states the investor does not want to purchase the property until this project will be approved. They are also fixing an illegal subdivision of the lot.

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

A motion was made by Janece Martin, seconded by Kevin Crider, to recommend the City Council approve the request with the condition that all comments from the Staff Comment Letter dated January 6, 2023 be resolved prior to final approval. A roll call vote on the motion showed the following: Ayes: Chirban, Crider, Jordan, Martin, and Shileds. Nays: None. The motion passes unanimously.

VI. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:

1. Presentation on 2022 activity and planned 2023 Community Development Department goals

VII. CITIZEN COMMENTS:

NONE

Meeting adjourned: 7:00 p.m.

Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, February 14, 2023



Report to:

**Planning and Zoning
Commission**

Case No.: ZON22-05

Meeting Date: February 14, 2023

Subject: Map Amendment (rezoning): 1203 S Bishop from the C-2, General Retail district to the C-3, Highway Commercial district

Background: The applicant seeks to rent out the subject property to a tenant with a landscape supply business. The tenant would sell things like mulch and landscape blocks. The C-2 district does not allow for outdoor storage and display. The C-3 district specifically allows landscape sales as a permitted use.

Application and Notice:

Applicant/Owner - Monte and Teresa Willy
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 - February 21, 2023

Property Details:

Current zoning - C-2, General Retail; proposed to be rezoned to C-3, Highway Commercial
Current use - Vacant (former used car dealership)
Proposed use - Retail landscape supply
Land area - 31,350 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on S Bishop/Hwy 63, a Major Arterial road.
Sidewalks - Sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed public utilities.

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

Discussion: The subject property is located along a major commercial corridor and adjacent to other properties which are zoned C-3. The S Bishop corridor has pockets of areas zoned both C-2 and C-3.

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:

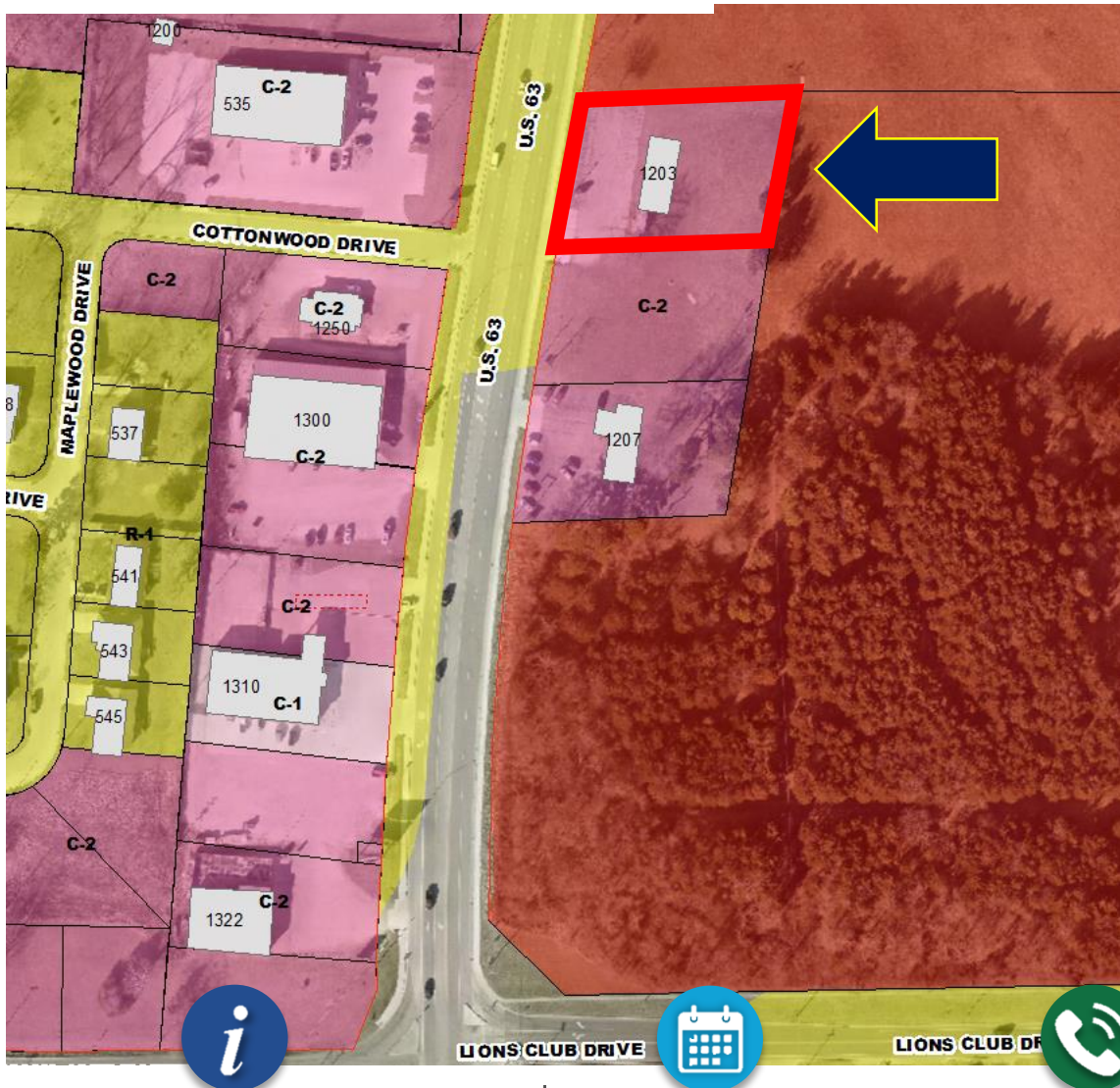
1. The Comprehensive Plan does designate the subject property as being appropriate for Community Commercial uses.
2. The property is located along a major arterial road and is adjacent to property which is zoned C-3, Highway Commercial.
3. The rezoning would allow for the proposed retail landscape supply business.

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



Project Information:

Case No: ZON22-05
 Location: 1203 S Bishop Ave
 Applicant: Monte and Teresa Willy
 Request:
 Rezoning from C-2, General Retail to C-3,
 Highway Commercial

Public Hearings:

Planning and Zoning
 Commission
February 14, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
February 21, 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



pd ce

LAND USE APPLICATION

Contact Information:

Property Owner:

Monte & Teresa Willy

P.O. Box 1348

Rolla, MO 65402

573-578-0245

teresa.willy@protonmail.com

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

1203 S. Bishop

C2 to C3

landscaping supplier

APPLICATION CHECKLIST:

Applicant Checks Boxes

-
-
-
-
-
-

- Completed Application Form
- 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)
- Site Plan (If Applicable)
- Letter of Request/Project Report (If Applicable)

- 6
- N/A
- CAU
- WV SEND
- N/A
- N/A

City Staff Verifies

OFFICE USE ONLY:

Case No: 20N 22-05

DRC Meeting Date: 1.3.23

PC Hearing Date: 2.14.23

Submission Date: 12.30.22

Advertise By: 1.26.23

CC Hearing Date: 2.21.23/3.6.23

INFORMATION:

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)

Monte Willy Monte Willy
Sign Print

Sign Print

Teresa Willy Teresa Willy
Sign Print

Sign Print



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-01

Meeting Date: February 14, 2023

Subject: Map Amendment (rezoning): 1708 Ashwood Dr from the R-1, Single-family district to the R-2, Two-family district

Background: The applicant seeks to rezone the property from R-1, Single-family to R-2, Two-family in order to allow for a duplex to be built on the lot. Ashwood Drive has two single-family houses, three duplex structures, two 4-plex buildings, and two 8 unit apartment buildings.

Application and Notice:

Applicant/Owner - Lin Chen of Fe Le Property Managemen, 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 - February 21, 2023

Property Details:

Current zoning - R-1, Single-family; proposed to be rezoned to R-2, Two-family
Current use - Vacant/undeveloped
Proposed use - Duplex
Land area - About 11,400 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on Ashwood Dr, a local street.
Sidewalks - No sidewalks are located adjacent to the property. No sidewalks would be required due to the length of the cul-de-sac.
Utilities - The subject property should have access to all needed public utilities.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Low Density Residential uses, however, other areas on the block are designated for Medium/Low and High Density Residential uses.

Discussion: The subject property is located in an area with a mixture of housing types. R-2 zoning and duplex uses are located across the street. However, the property is also adjacent to other single-family properties. Ideally, the other single-family properties on the street would also be rezoned, rather than just one lot.

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:

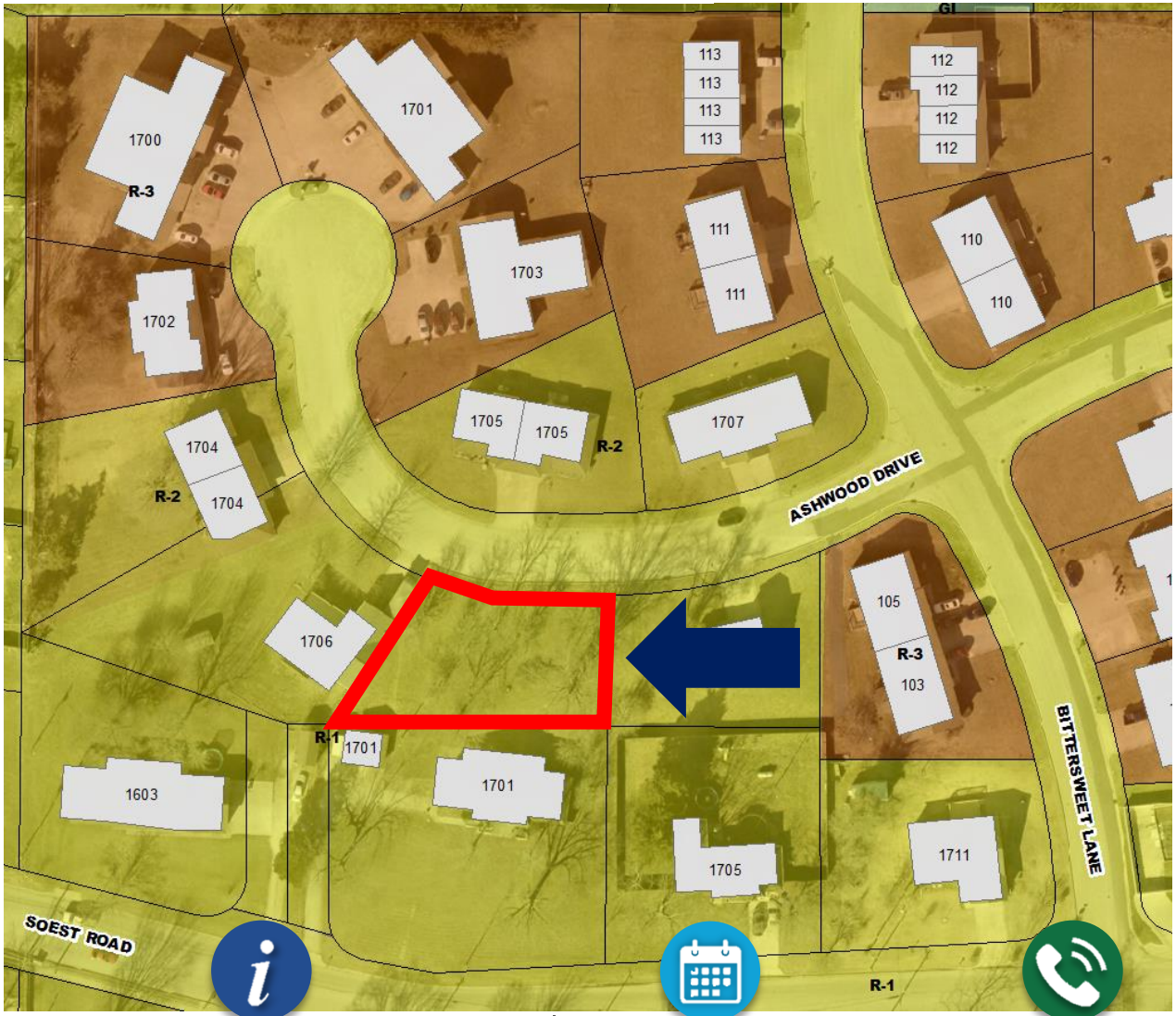
1. The Comprehensive Plan does designate the subject property as being appropriate for Low Density Residential uses, however, other areas on the block are designated for Medium/Low and High Density Residential uses.
2. The property is located in an area with a mixture of R-1, R-2, and R-3 zoning and single-family, two-family and multi-family housing.

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



Project Information:

Case No: ZON23-01
 Location: 1708 Ashwood Drive
 Applicant: Lin Chen of Fe Le Property Management, LLC
 Request:
 Rezoning from R-1, Single-family to R-2, Two-family

Public Hearings:

Planning and Zoning Commission
February 14, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
February 21, 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

pd ck # 222986



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: (Lin Chen)
Fe Le Property Management LLC
Name(s)
802 Oxford Dr.
Mailing Address
Rolla MO 65401
City, State, Zip
573-578-5888
Phone
sunnylin08@hotmail.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

Lot 18 Huntington Estates Plat No 2
Property Address/Location (1708 Ashwood Drive)

R1
Property Zoning (Current and Proposed)

R2
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes	<input checked="" type="checkbox"/>	Completed Application Form	<input type="checkbox"/>	City Staff Verifies	
	<input 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"/>		375
	<input type="checkbox"/>	Legal Description (Unplatted and Irregular Lots Only)	<input type="checkbox"/>		N/A
	<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"/>		N/A

OFFICE USE ONLY:

Case No: 20N23-01 DRC Meeting Date: 1.17.23 PC Hearing Date: 2.14.23
Submission Date: 1.4.23 Advertise By: 1.26.23 CC Hearing Date: 2.21.23/3.6.23

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.

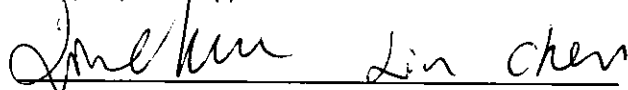
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2. Proposed modifications with proposed language in underline and language to be removed in ~~striketrough~~.

Acknowledgement and Authorization:

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Property Owner(s):



Sign

Print

Applicant/Agent (If Different From Owner)

Sign

Print

Sign

Print

Sign

Print



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-02

Meeting Date: February 14, 2023

Subject: Map Amendment (rezoning): 605 W 7th and 605/607 N State from the C-2, General Retail district to the C-3, Highway Commercial district

Background: The applicant seeks to rezone the subject property to allow for a plumbing supply business. The business would need to use a part of the property for outdoor storage. The C-2 district does not allow for outdoor storage. The C-3 district specifically allows builders supply businesses as a permitted use.

Application and Notice:

Applicant - Mike Woessner
Owner - Denny LaBantsching of Denny Properties, LLC and Denny Ford Lincoln Mercury, Inc.
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 - February 21, 2023

Property Details:

Current zoning - C-2, General Retail; proposed to be rezoned to C-3, Highway Commercial
Current use - Vacant
Proposed use - Plumbing supply business
Land area - About 28,000 Sq. Ft.

Public Facilities/Improvements:

Streets - The subject property has frontage on 6th Street, 7th Street, and State Street, all local streets.
Sidewalks - Sidewalks are located adjacent to the property.
Utilities - The subject property should have access to all needed public utilities.

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

Discussion: The subject property is located in an area with a mixture of commercial uses. The property is adjacent to other properties which are zoned C-1, Neighborhood Commercial and C-2, General Retail. Properties zoned C-3, Highway Commercial are located in the area, however, these properties generally have frontage on arterial roads.

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:

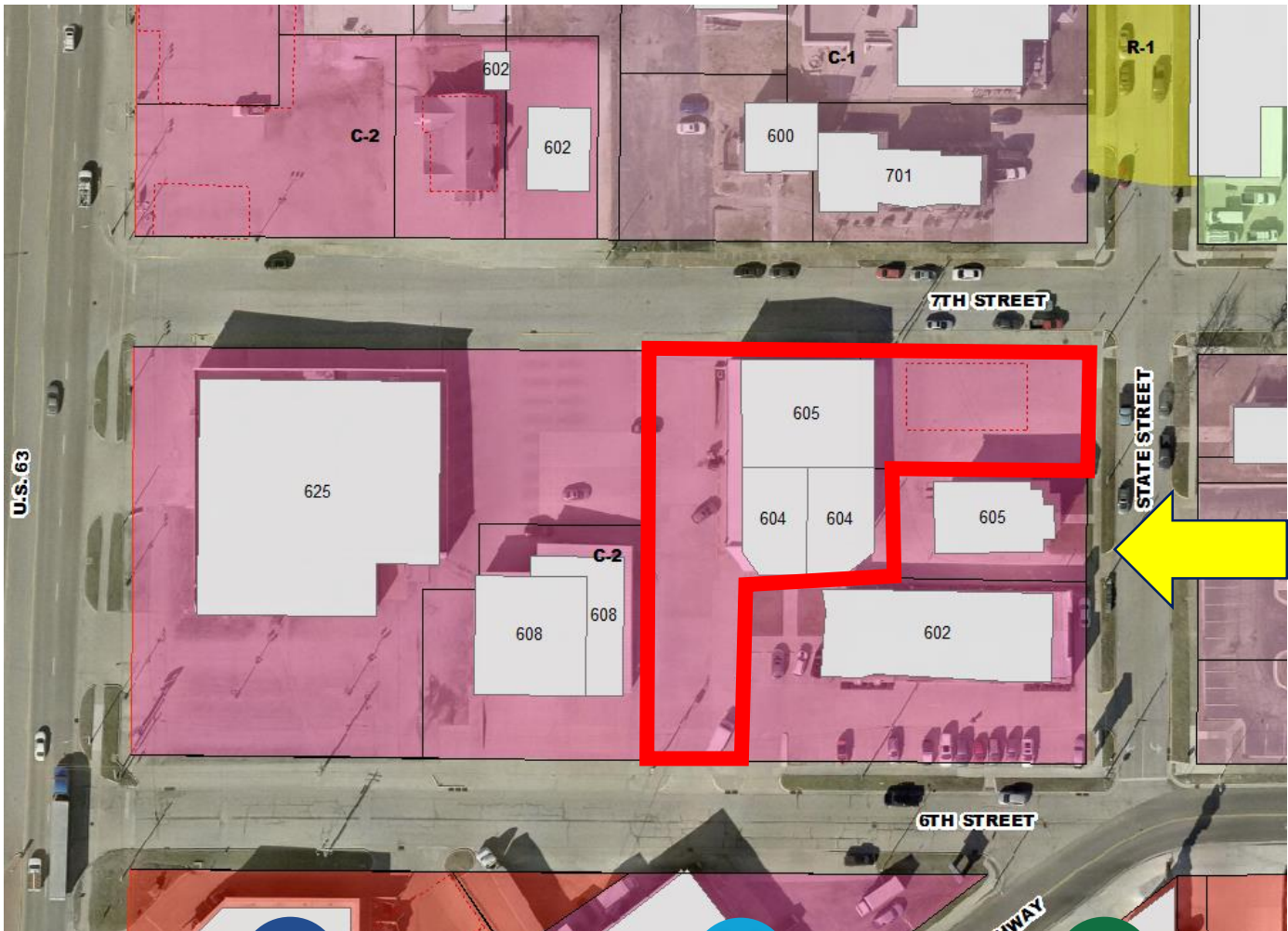
1. The Comprehensive Plan does designate the subject property as being appropriate for Community Commercial uses.
2. The property is located in an area with a mixture of commercial uses.
3. The property is located adjacent to properties which are zoned C-1 and C-2.
4. Properties which are zoned C-3 are in the vicinity, however, these properties generally have frontage on arterial roads.

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



Project Information:

Case No: ZON23-02
 Location: 605 W 7th St.; 605/607 N State St.
 Applicant: Denny Labantschnig of Denny Properties and Denny Lincoln Ford Mercury, Inc.
 Request:
 Rezoning from C-2, General Retail to C-3, Highway Commercial



Public Hearings:

Planning and Zoning Commission
February 14, 2023
5:30 PM
 City Hall: 1st Floor

 City Council
February 21, 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

pd ck # 223143



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:

Denny Properties and Denny Ford Lincoln Mercury, Inc.

Name(s) 708 C N. Bishop Ave.
Mailing Address
Rolla, MO 65401
City, State, Zip
314-330-3555
Phone
dennythecarguy@hotmail.com
Email

Agent/Applicant (If Different Than Property Owner):

Mike Woessner
Name
1703 N. Bishop Ave.
Mailing Address
Rolla, MO 65401
City, State, Zip
573-578-4050
Phone
mike@inv-rel.com
Email

Property/Request Information:

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

605 W. 7th Street & 607 N. State Street
Property Address/Location

C-2 to C-3
Property Zoning (Current and Proposed)

Screened outside storage
Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

Applicant Checks Boxes

- Completed Application Form
- 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)
- Site Plan (If Applicable)
- Letter of Request/Project Report (If Applicable)

N/A

 will keep
 N/A
 N/A

City Staff Verifies

OFFICE USE ONLY:

Case No: 20N23-02

DRC Meeting Date: 1.17.23

PC Hearing Date: 2.14.23

Submission Date: 1.11.23

Advertise By: 1.26.23

CC Hearing Date: 2.21.23 / 3.6.23



Report to:

**Planning and Zoning
Commission**

Case No.: ZON23-02

Meeting Date: February 14, 2023

Subject: Annexation and Assignment of Zoning: A portion of 13063 Old Wire Outer Rd into the corporate limits of the City of Rolla and assigning a zoning of C-2, General Retail

Background: The applicant seeks to voluntarily be annexed into the city limits. Annexation would allow for access to utilities necessary for development of the property. The applicant also requests that the property be assigned C-2, General Retail zoning at the time of annexation. The C-2 district would allow for the planned use of the property as a proposed hotel.

Application and Notice:

Applicant - Mike Patel c/o Cindy Beger
Owner - James W Hayes and Janice S Hayes Trust
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 - February 21, 2023

Property Details:

Current zoning - Unincorporated Phelps County; proposed to be assigned zoning of C-2, General Retail
Current use - Vacant (former manufactured home sales)
Proposed use - Hotel
Land area - 2.3 acres

Public Facilities/Improvements:

Streets - The subject property has frontage on Old Wire Outer Rd and Sally Rd, both Collector streets.
Sidewalks - No sidewalks are located adjacent to the property. Sidewalks would be required to be constructed along Old Wire Outer Rd, unless waived.
Utilities - The subject property should have access to all needed public utilities. The developer will be required to extend the public sewer to the property and extend a waterline across the entire property frontage.

Comprehensive Plan: The Comprehensive Plan designates the property as being appropriate for Mixed Commercial uses. The Comprehensive Plan designates the area as being within the Urban Growth Area for the city. The Rolla West Master Plan designates the property as being appropriate to for a "Lifestyle Center," which includes specialty retail and office uses.

Discussion:

The proposed annexation should not impact city budgets or services. The annexation would allow for a development which would generate sales and hotel/motel tax revenues for the city. The proposal was reviewed at the Development Review Meeting and no objections to the annexation were made.

All utilities are located in the area and have capacity to serve the property. The developer will have to extend water and sewer utilities to serve the property. The property should be easily served with all other municipal services.

The subject property is located on the I-44 outer road. The I-44 frontage has developed to include retail and hospitality uses. The north side I-44 frontage is all C-2 zoning. The property is adjacent to the city limits.

Findings:

1. The applicants have submitted applications for voluntary annexation into the corporate limits of the city.
2. The utilities in the area have capacity to serve the property, but the developer will be required to extend sewer and water utilities.
3. The Comprehensive Plan does designate the subject property as being appropriate for Mixed Commercial uses. The Rolla West Master Plan designates the property as being appropriate for "Lifestyle Center" uses.
4. The Comprehensive Plan designates the area as being within the Urban Growth Area for the city.
5. The property is located along the I-44 frontage road and in an area with a mixture of commercial uses.
6. The property is located adjacent to properties which are zoned C-2.

Alternatives:

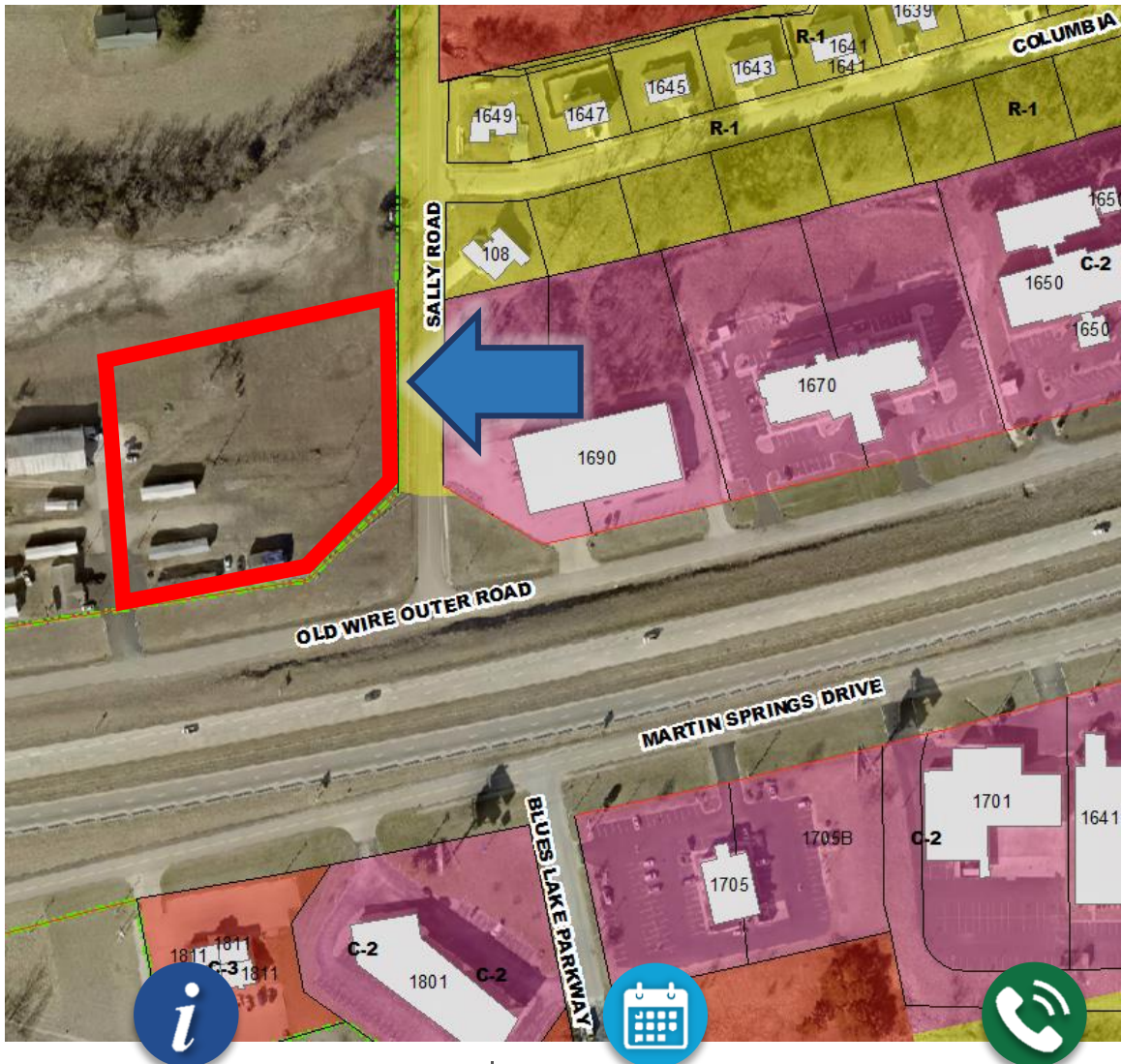
1. Find the request meets the criteria for approval and recommend the City Council approve the request for a map amendment (rezoning) of the subject property.
2. Find that the proposed map amendment (rezoning) is not an appropriate use for the property and recommend that the City Council deny the request.
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



Project Information:

Case No: ANX23-01
 Location: 13063 Old Wire Outer Rd
 Applicant: James W Hayes and Janice S Hayes Trust; and Krunal Patel c/o Cindy Beger

Request:

Annexation into the city limits of the City of Rolla and assigning a zoning C-2, General Retail

Public Hearings:

Planning and Zoning Commission

**February 14, 2023
 5:30 PM**

City Hall: 1st Floor

City Council

**February 21, 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 an Annexation?

An annexation is the changing of the city limits to include additional areas. Once within the corporate limits of the City of Rolla, a property is subject to the laws of the City of Rolla and is eligible for services provided by the City of Rolla.

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.

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 Commission.

What if I Have More Questions?

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

LEGAL DESCRIPTION

A fractional part of the Northeast Quarter of the Southeast Quarter of Section 9, Township 37 North, Range 8 West of the 5th P.M. described as follows:

Commencing at the Northeast Corner of the Northeast Quarter of the Southeast Quarter of said Section 9; thence South 3°06'10" West, 450.07 feet to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 1991-3686, also being a point on the West right of way of Phelps County Road 8110 (Sally Road); thence South 0°03'20" East, 172.96 feet along said West right of way; thence North 89°56'00" West, 30.27 feet; thence South 0°01'30" West, 30.20 feet; thence North 89°31'00" East, 30.31 feet to the aforesaid West right of way of Phelps County Road 8110 (Sally Road); thence South 0°02'50" East, 113.79 feet along said West right of way to the true point of beginning of the hereinafter described tract: Thence continuing South 0°02'50" East, 222.07 feet along said West right of way to its intersection with the North right of way of U.S. Interstate 44; thence South 51°00'50" West, 160.54 feet, and, westerly, 228.76 feet along the arc of a curve, concave northerly with a radius of 12038.70 feet, the chord of which is South 79°33'00" West, 228.76 feet, all along said North right of way; thence North 0°06'10" West, 300.00 feet; thence North 79°33'10" East, 356.00 feet to the true point of beginning. Above described tract contains 2.30 acres, more or less, per plat of survey J-4853, dated January 3, 2023, by CM Archer Group, P.C.



pd ck # 223067



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LAND USE APPLICATION

Contact Information:

Property Owner:

James W Hayes and Janice S Hayes Trust
Name(s)
1627 Columbia Avenue
Mailing Address
Rolla, MO 65401
City, State, Zip
573-578-4050
Phone
mike@inv-rel.com
Email

Agent/Applicant (If Different Than Property Owner):

Krunal Patel C/O Cindy Beger
Name
1703 N Bishop Avenue
Mailing Address
Rolla, MO 65401
City, State, Zip
573-578-2555
Phone
cindy@inv-rel.com
Email

Property/Request Information:

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

13063 Old Wire Outer Road, Rolla, MO
Property Address/Location

n/a and C-2
Property Zoning (Current and Proposed)

hotel
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: ANX 23-01

DRC Meeting Date: 1.17.23

PC Hearing Date: 2.14.23

Submission Date: 1.6.23

Advertise By: 1.26.23

CC Hearing Date: 2.21.23 / 3.6.23

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)

James D. Hayes JAMES D. HAYES TTEE
Sign Print

U. J. Patel KRUNAL J PATEL
Sign Print

Sign Print

Cindy Beger Cindy Beger
Sign Print