Open Citizen Comment Procedure

1) Public Hearings – Any citizen is allowed to ask questions and/or make comments during any public hearing scheduled for a particular issue.

2) “Citizen Communication” – Public comment can be provided on any item on the agenda or on issues affecting the City not on the agenda. Public comments should generally be limited to 3-5 minutes. Citizens are encouraged (but not required) to contact City Administration one week prior to the meeting, preferably in writing, to be placed on the agenda. Doing so provides Council an opportunity to give consideration to the issue/comment.

Rolla City Council Meeting
Monday, December 21, 2015
901 North Elm Street
City Hall Council Chambers
6:30 P.M.

COUNCIL PRAYER
Ministerial Alliance

PLEDGE OF ALLEGIANCE
Councilman Matt Miller

I. PUBLIC HEARINGS
A) Ordinance Approving the Annexation & Zoning of Property Located at 2600 N. Bishop Ave. from NZ (No Zone) to C-3 (Highway Commercial District) Zoning (Kingdom West) - (Community Development Director John Petersen) – First Reading

II. SPECIAL PRESENTATIONS
None.

III. OLD BUSINESS
A) Ordinance Banning the Use of Lead Materials in Public & Private Drinking Water Plumbing – (Public Works Director Steve Hargis; RMU General Manager Rodney Bourne) Final Reading

IV. NEW BUSINESS
A) Ordinance Approving the Minor Subdivision of Lot 6, Cedar Trail Planned Unit Development (PUD), Plat No. 2 –
   (Community Development Director John Petersen) – First Reading
B) Ordinance Approving the Minor Plat of Huffman East No. 1, Consisting of New Lots 1 & 2 - (Community Development Director John Petersen) – First Reading
C) Ordinance Approving the Vacation of a Utility Easement & Reduction of Building Setback Line Along the East Lines of Lots 16 and 17 Lexington Place PUD – (Community Development Director John Petersen) – First Reading

V. CLAIMS and/or FISCAL TRANSACTIONS
None.
VI. MAYOR/CITY COUNCIL COMMENTS
A) Motion Reappointing Mr. Robert Tessaro to the RREC (Rolla Regional Economic Commission) Board of Directors (Dec. 2018) - Motion
B) Motion Appointing Mr. William S. Jenks, III to the RREC (Rolla Regional Economic Commission) Board of Directors to Complete the Unexpired Term of Ms. Candace Connell (Dec. 2016) – Motion

VII. CITIZEN COMMUNICATION
A) Open Citizen Communication

VIII. COMMENTS FOR THE GOOD OF THE ORDER

IX. CLOSED SESSION
Pursuant to RSMo. 610.021, the Rolla City Council will discuss the following in Closed Session: Real Estate.

X. ADJOURNMENT
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development ACTION REQUESTED: Public Hearing
First Reading

ITEM/SUBJECT: A request to annex a 1.91 acre tract (Account #4039), located north of
2600 North Bishop Avenue and zone from NZ (No Zone) to C-3
(Highway Commercial District) Zoning in Rolla, Phelps County,
Missouri. (Kingdom West)

DATE: 12-21-2015

GENERAL INFORMATION

Case # 11-27-15

Applicant(s): Mr. Lawrence West, Jr. 2600 North Bishop Avenue, (Kingdom Kia) Rolla,
Missouri 65401. Phone: (314) 220-8893 Lawrence West@yahoo.com.

Status of Applicant: The applicants own the property on 2585, North Bishop Avenue, Rolla,
Missouri 65401.

Current Zoning/Use: The subject property is currently outside of Rolla’s corporate limits and
therefore is not zoned. (Please review the attached zoning map). The site is currently
undeveloped having been cleared of improvements. Commercial development is considered
highest and best use of this property given the volume of traffic, site visibility and the adjoining
commercial land uses within the area surrounding the subject property.

Proposed Use: The applicant is proposing to rezone the entire property to highway commercial
development.

Tract Size: The subject property has a total site area is 1.91 acres in area.

Surrounding Zoning/ Use:
- North--- No Zone / Vacant
- South--- C-2 zoning / Vacant
- East --- C-2 zoning / Commercial
- West --- NZ/ County right-of-way

Zoning History: There was no recent zoning history for the subject property.

APPLICANTS PROPOSAL: The applicant is requesting approval to annex and zone the
Subject Property.

FINDINGS: The Rolla Planning and Zoning Commission may consider the following factors in
their recommendation to approve or approval with conditions or deny the rezoning request.
1. **Neighborhood character/impact:** This rezoning will not adversely impact the character of the adjoining district because of the existing mixture of commercial, and retail. This rezoning should aid in the re-development of the North Bishop by attracting new investment to the area and by eliminating blight conditions that will boost economic growth.

2. **Consistency with the 2020 Comprehensive Plan Update:** This rezoning is consistent with the Future Land Use Map and the policies of the Rolla 2020 Comprehensive Plan Update that supports the development of commercial development in this area adjacent to Rolla. Development further supports private sector investment to promote revitalization and promote growth in Rolla.

3. **Adequacy of utilities & public services:** All utilities and services are available to the subject property sufficient to support a commercial development of the type and scale proposed.

4. **Impact on streets and parking:** The availability of off-street parking spaces to serve Kingdom Kia car dealership project is an important requirement. City of Rolla parking standards for retail and mercantile establishments require one paved parking space for each 150 sq. ft. of gross floor area used or intended to be used for service to the public. The plans provided by the applicant indicate a net demand of 67 spaces on site based on the parking demand formula. The surrounding streets provide access to the site with adequate capacity to accommodate additional traffic flow generated by this development.

5. **Physical characteristics:** The subject property has no natural features that would adversely impact the proposed redevelopment project.

6. **Suitability for development if rezoned:** The subject property is suitable for commercial development of this type.

**PUBLIC COMMENT / ISSUES:** The proposed annexation and zoning was advertised in the RDN on November 21/22, 2015. Property owners within 185’ were notified by mail. No comments were made and no issues were raised.

**COMMISSION REVIEW AND RECOMMENDATION:** The Planning and Zoning Commission met on December 8, 2015 to consider the approval of the proposed revisions to the Kingdom West. The Commission recommended approval.

**ACTION REQUIRED:** Motion to recommend (approval/approval with conditions or denial) of the request to annex and zone property located north of 2600 North Bishop Avenue. Please list factors you consider important to your recommendation.

**ATTACHMENTS:**
Zoning map/Affidavit of publication
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE ANNEXATION AND ZONING OF PROPERTY AT 2600 NORTH BISHOP AVENUE FROM NZ (NO ZONE) TO C-3 (HIGHWAY COMMERCIAL DISTRICT) ZONING. (KINGDOM WEST).

WHEREAS, an application was duly filed requesting that the 1.91 acre parcel located at 2600 Bishop Avenue be annexed into the corporate boundary of Rolla, Missouri and zoned according to the Basic Zoning ordinance of the City of Rolla, Missouri; and,

WHEREAS, a public notice was duly published on November 24, 2015 in the Rolla Daily News for this annexation and zoning according to law which notice provided that a public hearing would be held at Rolla City Hall, 901 N. Elm, in the City of Rolla, Missouri, on December 21, 2015; and

WHEREAS, the City of Rolla Planning and Zoning Commission met on December 8, 2015, and recommended the City Council approve the annexation and zoning of the subject property as proposed by the applicant, without conditions; and

WHEREAS, the Rolla City Council, during its December 21, 2015, meeting, conducted a public hearing concerning the annexation and zoning and heard the first reading of the subject ordinance;

WHEREAS, after consideration of all the facts, opinions, and evidence offered to the City Council at said hearing by those citizens favoring said change of zoning and by those citizens opposing said change in zoning, the City Council found that the proposed annexation and zoning would promote public health, safety, morals, and the general welfare of the City of Rolla, Missouri, and would be for the best interest of said City;

NOW, THEREFORE, BE IT ORDIAND BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: That the full voluntary annexation procedure (RSMo 71.012) requires a public hearing and City Council determination that the annexation proposal meets the criteria established under Missouri State Statute RSMo 71.012; and

SECTION 2: That the Basic Zoning Ordinance No. 3414, Chapter 42 of the Code of the City of Rolla, Missouri Rolla, Missouri, which said zoning ordinance adopts zoning regulations, use districts, and a zoning map in accordance with the Comprehensive Plan, is hereby amended by changing the zoning classification of the property situated within the City of Rolla Missouri, located at 2600 North Bishop Avenue, from NZ (No Zone) to C-3 (Highway Commercial District) zoning as more particularly described as follows:

All that part of the Northeast Quarter of the Southwest Quarter of Section 36, Township 38 North, Range 8 West of the 5th P.M. described as follows: Commencing at the Northeast Corner of the Northeast Quarter of the Southwest Quarter of said Section 36; thence South 26°18'54" West,
493.21 feet to the Point of Beginning; thence North 69°58'39" West, 488.99 feet to the East right of way of U.S. Highway 63; thence South 14°09'59" West, 201.23 feet and South 02°06'59" East, 101.40 feet all along said East right of way; thence North 89°36'51" East, 449.77 feet to the Northwesterly right of way of U.S. Interstate 44; thence North 22°56'51" East, 18.09 feet and 119.47 feet along the arc of a curve turning to the right with a radius of 2067.08 feet, the chord of said curve bears North 23°45'32" East, 119.45 feet all along said Northwesterly right of way to the Point of Beginning. Contains 2.36 acres.

SECTION 3: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 21st DAY OF DECEMBER 2015.

APPROVED:

________________________
Louis J. Magdits, IV, Mayor

ATTEST:

________________________
Carol L. Daniels, City Clerk

APPROVED AS TO FORM:

________________________
Lance B. Thurman, City Counselor
TO: Rolla Daily News
FROM: John Petersen, Community Development Department
DATE: November 23, 2015
FOR PUBLICATION: November 24, 2015

Please publish the attached public hearing notice in your November 24 2015 addition of the Rolla Daily News. Your proof of publication should be sent to my attention at the City of Rolla, P.O. Box 979, Rolla, Missouri 65402. Please accept the attached check in the amount of $62.50 to cover the publication costs. If you have questions, please contact me at 426-6970. Thank you.

Notice of Public Hearing: A public hearing will be held by the City of Rolla Planning & Zoning Commission on Tuesday, December 8 2015 at 5:30 P.M. at Rolla City Hall, 901 N. Elm. The City Council will hold a public hearing on Monday, December 21, 2015 at 6:30 PM in the Council Chambers to consider the annexation and zoning for a tract located at 2600 North Bishop Avenue from NZ (No Zone) to C-3 (Highway Commercial District) zoning. At this public hearing any interested persons may present evidence regarding the proposed revisions. Any objections to the request should be filed with the Community Development Department of the City of Rolla. For more information, call 573-426-6970.
APPLICATION REQUESTING ANNEXATION INTO THE CITY OF ROLLA, MISSOURI

Submit to:
Community Development Department
PO Box 979 901 North Elm St
Rolla, MO 65402 Rolla, MO 65401
Phone: 573-364-5333 Fax: 573-426-6978

We, the undersigned hereinafter referred to as the Petitioners, for our petition to the City Council of the City of Rolla, Missouri, and allege as follows:

1. That we are the owners or authorized representative of all fee interests of record in the real estate in Phelps County, Missouri, described as follows, to wit:

SEE EXHIBIT A

2. That the said real estate is not now a part of any incorporated municipality.
3. That the said real estate is contiguous to the existing corporate limits of the City of Rolla, Missouri.
4. That we request that the said real estate be annexed to, and be included within the corporate limits of, the City of Rolla, Missouri, as authorized by the provisions of Section 71.012, RSMo.
5. That we request the City Council of the City of Rolla to cause the required notice to be published and to conduct the public hearing required by law and to thereafter adopt an ordinance extending the limits of the City of Rolla to include the above described real estate.

A check for $62.50, payable to the Rolla Daily News for advertising, will be provided when this application is filed.

Lawrence West Sr
Type or print name
Signature

Lawrence West Jr
Type or print name
Signature

Subscribed and sworn before me this 13th day of November in the year 2015.

Claudine F. Smith
Notary Public - Notary Seal
State of Missouri
Commissioned for Crawford County
City Commission Expires: March 28, 2016
Commission Number: 1247683
Notary Public

An Equal Opportunity Employer
APPLICATION FOR REZONING OF REAL ESTATE

Submit to:
Community Development Department
PO Box 979 901 North Elm St
Rolla, MO 65402 Rolla, MO 65401
Phone: 573-364-5333 Fax: 573-426-6978

Applicant’s Name: LAWRENCE, WEST
Address: 2600 N. Bishop Rolla, MO
Phone Number: 573 - 426 - 8100
E-mail address: 
Address of subject property: 2600 N. Bishop Rolla

The undersigned hereby state they are the legal owner(s) or have a financial or contractual interest in the real estate described herein (legal description must be printed below or attached as an exhibit):

Current zoning is: NZ Proposed zoning is: EZ C-3 Current land use is: VACANT Proposed land use is: COMMERCIAL

A check for $62.50, payable to the Rolla Daily News for advertising, will be provided when this application is filed.

Signatures of the owner(s) or those parties with financial or contractual interest in the above described real estates. (All signatures must be notarized.)

Lawrence West Sr
Lawrence West Jr

Subscribed and sworn before me this 13th day of November in the year 2015.

Claudine F. Smith
Notary Public - Notary Seal
State of Missouri
Commissioned for Crawford County
My Commission Expires: March 30, 2016
Commission Number: 12478555

An Equal Opportunity Employer
Request to Annex a 1.91 acre tract (Account # 4039), North of 2600 North Bishop Avenue and Zone from NZ (No Zone) to C-3 (Highway Commercial District) (Kingdom West)
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT HEAD: Steve Hargis ACTION REQUESTED: Ordinance-Final Reading

ITEM/SUBJECT: Ordinance Banning the Use of Lead in Public and Private Drinking Water Plumbing

BUDGET APPROPRIATION (IF APPLICABLE): N/A DATE: 12/21/15

COMMENTARY:

Attached is an ordinance banning the use lead materials in public and private drinking water.

Included is the proposed ordinance and a Summary of the Reduction of Lead in Drinking Water Act along with frequently asked and answered questions.

This ordinance is being required by DNR as part of a recent inspection of the new water system at the Rolla National Airport. The ordinance has been drafted by using the DNR model ordinance and input from the Rolla Municipal Utilities. Rodney Bourn will be in attendance to answer any questions regarding this proposed ordinance. The enacted ordinance is required to be submitted by December 23rd.

In addition we will be required to train additional personnel as a stand-by chief operator. This will require additional testing and licensing by DNR. We will be proposing to DNR to have a least 2 stand-by operators trained and licensed by June 1, 2016. Presently we only have one licensed water operator in our wastewater department.
ORDINANCE NO. ____________

AN ORDINANCE BANNING THE USE OF LEAD MATERIALS IN PUBLIC AND PRIVATE DRINKING WATER PLUMBING.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AS FOLLOWS:

SECTION 1: Lead Ban – General Policy

A. Purpose. The purpose of this ordinance is:

1) To ban the use of lead materials in the public drinking water system and private plumbing connected to the public drinking water system; and

2) To protect city residents from lead contamination in the city's public drinking water system and their own private plumbing systems.

B. Application. This ordinance shall apply to all premises served by the public drinking water system of the city of Rolla, Missouri.

C. Policy. This ordinance will be reasonably interpreted by the water purveyor. It is the purveyor's intent to ban the use of lead based material in the construction or modification of the city's drinking water system or private plumbing connected to the city system. The cooperation of all consumers is required to implement the lead ban.

If, in the judgment of the water purveyor or his authorized representative, lead based materials have been used in new construction or modifications after January 4 2014, due notice shall be given to the consumer. The consumer shall immediately comply by having the lead base materials removed from the plumbing system and replaced with lead free materials. If the lead base materials are not removed from the plumbing system, the water purveyor shall have the right to discontinue water service to the premises.

SECTION 2: Definitions.

A. The following definitions shall apply in the interpretation and enforcement of this ordinance.

1) “Consumer” means the owner or person in control of any premises supplied by or in any manner connected to a public water system;

2) “Lead base materials,” means any material containing lead in excess of the quantities specified in Section II.A.3.

3) “Lead free” means:
   A. In General.
      1) When used with respect to solder and flux, refers to solders and flux containing not more than 0.2 percent (0.2%) lead; and

      2) When used with respect to pipes and pipefittings, refers to pipes and pipefittings containing not more than 0.25 percent (0.25%) lead.

III., A. 2.
B. Calculation.

The weighted average lead content of a pipe, pipe fitting, plumbing fitting, or fixture shall be calculated by using the following formula: For each wetted component, the percentage of lead in the component shall be multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product to arrive at the weighted percentage of lead of the component. The weighted percentage of lead of each wetted component shall be added together, and the sum of these weighted percentages shall constitute the weighted average lead content of the product. The lead content of the material used to produce wetted components shall be used to determine compliance with paragraph (A)(2). For lead content of materials that are provided as a range, the maximum content of the range shall be used.

4) “Public drinking water system” means any publicly or privately owned water system supplying water to the general public which is satisfactory for drinking, culinary and domestic purposes and meets the requirements of the Missouri Department of Natural Resources; and

5) “Water purveyor” means the owner, operator, or individual in responsible charge of a public water system.

6) “Exemptions”
   (A) pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for non-potable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption; or
   (B) toilets, bidets, urinals, fill valves, flush-o-meter valves, tub fillers, fire hydrants, shower valves, service saddles, or water distribution main gate valves that are two inches in diameter or larger.

SECTION 3: Lead Banned from Drinking Water Plumbing

A. No water service connection shall be installed to any premises where lead base materials were used in new construction or modifications of the drinking water plumbing after January 4, 2014.

B. If a premise is found to be in violation of Section III. A., water service shall be discontinued until such time that the drinking water plumbing is lead free.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 21st DAY OF DECEMBER 2015.

APPROVED:

__________________________
      Mayor

ATTEST:

__________________________
      City Clerk

APPROVED AS TO FORM:

__________________________
      City Counselor

III. A. 3.
CITY OF ROLLA  
CITY COUNCIL AGENDA

DEPARTMENT:  Community Development ACTION REQUESTED:  First Reading

ITEM/SUBJECT:  A request to subdivide Lot 6 of the Cedar Trail Planned Unit Development (PUD) Plat No.2 and to vacate portions of an existing utility easement in said Lot 6. This request for the subdivision is to facilitate the development of Lot 9 and 10 apart from the rest of the development. The area to be vacated is portions of a 10 foot wide utility easement which was originally dedicated on the final plat of Zumwalt Planned Unit Development. The purpose of these vacations is to rearrange the units on Lots 9 and 10 to reduce site development costs. The new utility easements (see the attached plat) were recently conveyed to the City to allow RMU lines to be routed out of these areas.

(Cedar Trails LLC)

DATE:  12-21-2015

GENERAL INFORMATION:

Case #: 9-15-15

Applicant(s): Cedar Trails LLC, 1703 N. Bishop, Rolla MO 65401, Phone number 573-364-8111.

Status of Applicant:  The applicant owns the property – All of Lot 2, Cedar Trail Plat No. 3 revised as Lots 9, 10, 11 and 12.

Current Zoning/Use:  The subject property is zoned for the Cedar Trail PUD adopted by Ordinance 3900 on March 2, 2009. The property is currently undeveloped, although the applicant has started to prepare the site to accommodate the construction of the revised Cedar Trail Subdivision.

Proposed Use:  The applicant is proposing to revise the Cedar Trails Subdivision to by renumbering Lot 6 – creating four new Lots (number 9,10,11, and 12) to allow the construction of not more than nine, single story, 4-plex dwelling units representing a building footprint of 2,038 sq. ft. The total living space will be 18,342 sq. ft. The new development will occur on lots 9 and 10. Lot 5 has already been developed with four duplexes.

This request for the subdivision is to facilitate the development of Lot 9,10 and 11 apart from the rest of the development. The purpose of these vacations is to facilitate rearranging the units on Lots 9, 10 and 11 to reduce site development costs. The new utility easement (as shown on the attached plat) were recently conveyed to the City to allow RMU lines to be routed out of these areas.

Location:  The property is located at the northeast corner of Christy Drive and Rolla Street, otherwise known as Lots 6 of the revised Cedar Trails Plat No. 2 Cedar Trails Subdivision.

IV. A. 1.
**Tract Size:** The subject property is 3.75 acres or approximately 71,155.00 square feet. The site has sufficient space to accommodate the proposed 36 dwelling units.

**Development History:** There have been several amendments approved for the Cedar Trails PUD and subdivision. The most recent change was approved for Ordinance # 3900 pertaining to Lot 2.

**PUBLIC COMMENT / ISSUES:** No significant issues were raised by the Planning and Zoning Commission.

**COMMISSION REVIEW AND RECOMMENDATION:** The Planning and Zoning Commission met on December 8, 2015 and voted to recommend approval of the proposed revisions to the Cedar Trails PUD by the City Council.

**ACTION REQUIRED:** Motion to recommend (approval/denial) or approval with conditions with a request to revise the Cedar Trails PUD. Please list factors you consider important to your recommendation.

**ATTACHMENTS:**
Zoning area map
List of property owners
Affidavit of publication
ORDINANCE NO. ____________

AN ORDINANCE APPROVING A MINOR SUBDIVISION OF LOT 6, CEDAR TRAIL PLANNED UNIT DEVELOPMENT (PUD), PLAT NO. 2, ROLLA, MISSOURI. (CEDAR TRAIL PUD).

SECTION 1: That the re-plat of Cedar Trail Subdivision, Plat No. 2, forming a Minor Subdivision consisting of Lots 9, 10, 11, and 12, an addition to Rolla, Missouri, being a minor subdivision in Rolla, Missouri, having been reviewed by the Planning and Zoning Commission and approved by the City Council.

SECTION 2: That the following legal descriptions apply to the vacated easements A, B, and C shown on the Re-plat of Cedar Trail Planned Unit Development, a minor subdivision in Rolla, Missouri.

EASEMENT VACATION PARCEL A
A fractional part of Lot 6 of Final Plat of CEDAR TRAIL PLANNED UNIT DEVELOPMENT PLAT NO. 2, Rolla, Phelps County, Missouri more particularly described as follows: Commencing at the Northwest Corner of Lot 5 of said CEDAR TRAIL PLANNED UNIT DEVELOPMENT PLAT NO. 2; thence North 63°24'40" East, 67.08 feet, and, North 78°04'10" East, 2.98 feet, all along the northerly line of said Lot 5; thence North 2°25'20" West, 5.03 feet to the true point of beginning of the hereinafter described tract: Thence North 0°47'10" West, 64.94 feet; thence North 85°15'50" East, 10.02 feet; thence South 0°47'10" East, 52.06 feet; thence southwesterly, 17.67 feet along the arc of a curve, concave southeasterly with a radius of 16.71 feet, the chord of which is South 35°36'20" West, 16.85 feet to the true point of beginning. Per plat of survey J-1638, dated November 10, 2015, by Archer-Elgin Surveying and Engineering, LLC.

EASEMENT VACATION PARCEL B
A fractional part of Lot 6 of Final Plat of CEDAR TRAIL PLANNED UNIT DEVELOPMENT PLAT NO. 2, Rolla, Phelps County, Missouri more particularly described as follows: Commencing at the Northwest Corner of Lot 5 of said CEDAR TRAIL PLANNED UNIT DEVELOPMENT PLAT NO. 2; thence North 63°24'40" East, 67.08 feet, and, North 78°04'10" East, 2.98 feet, all along the northerly line of said Lot 5; thence North 2°25'20" West, 5.03 feet; thence North 0°47'10" West, 84.99 feet to the true point of beginning of the hereinafter described tract: Thence continuing North 0°47'10" West, 72.05 feet; thence northeasterly, 68.16 feet along the arc of a curve, concave southeasterly with a radius of 88.32 feet, the chord of which is North 21°19'20" East, 66.48 feet; thence South 45°47'10" East, 10.00 feet; thence southwesterly, 60.31 feet along the arc of a curve, concave southeasterly with a radius of 78.32 feet, the chord of which is South 21°16'30" West, 58.83 feet; thence South 0°47'10" East, 71.36 feet; thence South 85°15'50" West, 10.02 feet to the true point of beginning. Per plat of survey J-1638, dated November 10, 2015, by Archer-Elgin Surveying and Engineering, LLC.

IV. A. 3.
EASEMENT VACATION PARCEL C
A fractional part of Lot 6 of Final Plat of CEDAR TRAIL PLANNED UNIT DEVELOPMENT PLAT NO. 2, Rolla, Phelps County, Missouri more particularly described as follows: Commencing at the Northwest Corner of Lot 5 of said CEDAR TRAIL PLANNED UNIT DEVELOPMENT PLAT NO. 2; thence North 63°24'40" East, 67.08 feet, and, North 78°04'10" East, 19.77 feet, all along the northerly line of said Lot 5; thence North 0°47'10" West, 183.71 feet; thence North 44°12'50" East, 71.43 feet to the true point of beginning of the hereinafter described tract: Thence continuing North 44°12'50" East, 17.67 feet; thence westerly, 41.71 feet along the arc of a curve, concave southerly with a radius of 88.32 feet, the chord of which is South 70°01'50" West, 41.32 feet; thence South 45°47'10" East, 10.27 feet; thence easterly, 21.06 feet along the arc of a curve, concave southerly with a radius of 78.32 feet, the chord of which is North 65°48'20" East, 21.00 feet to the true point of beginning. Per plat of survey J-1638, dated November 10, 2015, by Archer-Elgin Surveying and Engineering, LLC.

SECTION 3: That this Ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the plat has been filed with the Phelps County Recorder of Deeds.


APPROVED:

_________________________
Mayor

ATTEST:

_________________________
City Clerk

APPROVED AS TO FORM:

_________________________
City Counselor
New Proposed

1. 8-plex → 12-plex
2. 8-plex → 1-plex

Incept, Not Full Construction

TOTAL UNITS: 106
TOTAL OFF STREET PARKING SPACES PROVIDED: 180
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development ACTION REQUESTED: First Reading

ITEM/SUBJECT: A request to subdivide a 9.31 acre parcel creating Lot 1 (1.85 acre) and Lot 2 (6.80 acre) tract, a Final Plat of Huffman East No. 1 Addition, a Minor Subdivision, being a fractional part of S½ Lot 2 NW ¼, R7W; Rolla, Phelps County, Missouri. (Huffman)

DATE: 12-21-2015

GENERAL INFORMATION:

CASE #: 11-26-15

Applicant(s): Highway Seventy Two LL, Attention: Michelle Huffman, 11600 Highway 72 Rolla, Missouri 65401, 573-364-4242.

Current Zoning/Use: Current zoning is C-2 (General Retail District) zoning which permits a full range of commercial uses that provide community-wide personal and business services, shopping centers, as well as specialty stores which depend upon high visibility, and generate high traffic volumes or cater to the traveling public without a zoning change. The subject property is vacant and used for agricultural purposes.

Proposed Action: The owner has requested that the Planning and Zoning Commission recommend approval of the Huffman East No.1 Addition to the City Council. No specific use has been proposed. The Public Works Department will calculate any fees required for storm water management, including land disturbance fees. The parkland dedication or fee-in-lieu will not be required because this subdivision is commercial, not residential.

Location: The property is located between 1705 through 1805 Highway 72, south of Redeemer Lutheran Church. The property account number (# 12825) can provide additional information at the Phelps County Assessors' office.

Regulatory History: None

FINDINGS:
The Rolla Planning and Zoning Commission may consider the following findings in their decision to recommend approve or denial of the request to approve the re-subdivision.

1. Neighborhood character/impact: No adverse impact is anticipated from projects located in or near the surrounding neighborhood due to the character of most commercial projects. The subject property is zoned C-2 which does not permit residential uses. The area surrounding the development site is largely vacant and not a location suitable for residential use.

\[\text{Initiation Date: } 1.\]
2. **Consistency with the Rolla 2020 Comprehensive Update:** The future Land Use Map found in the Rolla 2020 Comprehensive Plan adopted by the City Council in 2006, depicting the subject property as continuing to be suitable for commercial uses.

3. **Adequacy of utilities & public services:** All public utilities and services are available to the subject property to support the re-subdivision as defined in the attached report. The developer will be required to carry the cost of extending utilities into the site.

4. **Impact on streets and parking:** Adequate space is available to accommodate the additional parking spaces from commercial project. Parking spaces set-a-side for the public shall be paved. The project meets lot coverage limits, setbacks are not a problem for this development proposal.

**PUBLIC COMMENTS / ISSUES**
The proposed re-subdivision has not generated any adverse comments from neighbors.

**CITY ACTION**
The Planning and Zoning Commission met on December 8, 2015 to consider their recommendation to the City Council. The Planning and Zoning Commission voted to recommend approval of the proposed subdivision known as Huffman East No.1. (list any factors you consider important for your decision).

**COMMISSION REVIEW AND RECOMMENDATION:**
It is the opinion of the Staff that this subdivision, if approved, would not cause any negative impacts.

**ATTACHMENTS:**
Area maps
Affidavit of publication
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE MINOR PLAT OF HUFFMAN EAST NO. 1, CONSISTING OF NEW LOTS 1 AND 2. (HUFFMAN EAST NO.1).

SECTION 1: That the proposed plat of Huffman East No.1, forming a minor subdivision consisting of Lot 1 (1.85 acres) and Lot 2 (6.80 acres) an addition to Rolla, Missouri, being a minor subdivision in Rolla, Missouri, having been reviewed by the Planning and Zoning Commission and approved by the City Council.

SECTION 2: That the following legal description applies to the plat of Huffman East No.1 an Addition to Rolla, Missouri this being a minor subdivision in Rolla, Missouri.

DESCRIPTION
A fractional part of the South Half of Lot 2 of the Northwest Quarter of Section 18, Township 37 North, Range 7 West of the 5th P.M. described as follows: Beginning at the Northeast Corner of the South Half of Lot 2 of the Northwest Quarter of said Section 18; thence South 0°01'50" West, 556.65 feet along the East line of said South Half of Lot 2 of the Northwest Quarter to the centerline of an existing sanitary sewer easement described in Phelps County Deed Records at Book 142, Page 156; thence North 84°22' West, 88.02 feet, and, South 75°02'50" West, 483.44 feet, all along said centerline to the current northeasterly right of way of Missouri Highway 72; thence North 49°15'30" West, 391.94 feet along said northeasterly right of way to the southernmost corner of a parcel described in Phelps County Deed Records at Document No. 1993-1448; thence North 53°53' East, 714.85 feet along the southeasterly line of said Document No. 1993-1448 parcel to the North line of the aforesaid South Half of Lot 2 of the Northwest Quarter; thence South 89°04'50" East, 274.48 feet along said North line to the point of beginning. Above described tract contains 8.65 acres, more or less, per plat of survey J-1640, dated November 12, 2015, by Archer-Elgin Surveying and Engineering, LLC.

SECTION 3: That this Ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the revised plat has been filed with the Phelps County Recorder of Deeds.


APPROVED:

ATTEST:

Mayor

City Clerk

APPROVED AS TO FORM:

City Counselor

\[\text{\textcopyright\textsuperscript{\textregistered} 2015} \]
CITY OF ROLLA
CITY COUNCIL AGENDA

DEPARTMENT: Community Development ACTION REQUESTED: First Reading

ITEM/SUBJECT: Request to consider the proposed plat of Lexington Place No.2 and accompanying description depicting a proposed easement vacation and reduction of a building setback line along the east lines of Lots 16 and 17. The easement will establish a 20 foot wide utility easement which was originally dedicated on the final plat of Lexington Place. The purpose of the easement and setback reduction is to allow more building space to situate 2 four-plex building units to be constructed on Lots 16 and 17. (Lexington Place)

DATE: 12-21-2015

GENERAL INFORMATION

CASE #: 11-25-15

APPLICANTS(S)/OWNER(S): John Brown Construction, Inc. 603 KingsHighway, Rolla, Missouri 65401, LLC. (573-364-2787). Rentals@rola-rentals.com

CURRENT ZONING/USE: The property is currently zoned Lexington Place Planned Unit Development (PUD) with 38 four-plex buildings and an office/laundry structure, but not more than one hundred fifty two (152) units. The property is largely developed and consists of 10.19 acres or 443,876 sq. ft. A maximum of one hundred thirty two thousand (132,000 sq. ft.) of gross floor area for residential use.

PROPOSED ZONING/USE: The applicant, John Brown Construction, Inc. is requesting consideration by the Rolla Planning and Zoning Commission to consider the proposed plat of Lexington Place No.2 and accompanying description depicting a proposed easement vacation and reduction of a building setback line along the east lines of Lots 16 and 17. The easement will establish a 20 foot wide utility easement which was originally dedicated on the final plat of Lexington Place. The purpose of the easement and setback reduction is to allow more building space to situate building units on Lots 16 and 17 fronting on Lanes End Road.

LEGAL DESCRIPTION: The following legal description applies to Lots 16 and 17 as fractional parts of Lexington Place No. 2, being part of the Southwest Quarter of the Southeast Quarter of Section 35, Township 38, Range 8 West in Rolla, Missouri,

LOCATION: The Lexington Place PUD is located east of Lexington Place PUD and Lanes End Road. No street addresses have been assigned for lots 16 and 17. The Phelps County account number is 4018 which further defines the location of the subject property.
PUBLIC COMMENT/ISSUES: No significant issues were raised by the Planning and Zoning Commission. All the proposed changes have been made as requested by the Public Works Department and the Rolla Municipal Utilities. All fees will be paid before the request is resolved and submitted to City Council. All required public improvements shall be completed.

COMMISSION REVIEW AND RECOMMENDATION: The Planning and Zoning Commission met on December 8, 2015 and voted to recommend approval of the proposed revisions to the Lexington Place PUD by the City Council.

ACTION REQUIRED: Motion to recommend (approval/denial) or approval with conditions with a request to revise the Lexington Place. Please list factors you consider important to your recommendation. The Planning and Zoning Commission reviewed the request on December 8, 2015 and voted to recommend the revisions to the City Council following this review.
ORDINANCE NO. __________

AN ORDINANCE APPROVING THE VACATION OF A UTILITY EASEMENT BEING A FRACTIONAL PART OF LOTS 16 AND 17 OF THE AMENDED FINAL PLAT OF LEXINGTON PLACE A PLANNED UNIT DEVELOPMENT (PUD) IN ROLLA, MISSOURI. (LEXINGTON PLACE).

SECTION 1: That the re-plat of Lexington Place PUD, forming a Minor Subdivision consisting of Lots 16 and 17, an addition to Rolla, Missouri, being a minor subdivision in Rolla, Missouri, having been reviewed by the Planning and Zoning Commission and approved by the City Council.

SECTION 2: That the following legal description applies to this re-plat of LEXINGTON PLACE Planned Unit Development, an Addition to Rolla, Missouri a minor subdivision in Rolla, Missouri.

UTILITY EASEMENT VACATION
A fractional part of Lots 16 and 17 of the Amended Final Plat of LEXINGTON PLACE, a Planned Unit Development in Rolla, Phelps County, Missouri (Plat Cabinet D, Number 129) more particularly described as follows: Commencing at the Northeast Corner of Lot 17 of said LEXINGTON PLACE; thence South 0°15'10" East, 15.01 feet along the East line of said Lot 17; thence South 88°12'30" West, 10.00 feet to the true point of beginning of the hereinafter described tract: Thence South 88°12'30" West, 10.00 feet; thence South 0°15'10" East, 180.71 feet; thence North 89°44'50" East, 10.00 feet; thence North 0°15'10" West, 180.98 feet to the true point of beginning. Per plat of survey J-1622, dated November 10, 2015, by Archer-Elgin Surveying and Engineering, LLC.

SECTION 3: That this Ordinance shall be in full force and effect from and after the date of its passage and approval. Building permits may not be issued by the Community Development Department until the revised plat has been filed with the Phelps County Recorder of Deeds.

PASSED BY THE CITY COUNCIL OF THE CITY OF ROLLA, MISSOURI AND APPROVED BY THE MAYOR THIS 21st DAY OF DECEMBER 2015.

APPROVED:

__________________________
Mayor

ATTEST:

__________________________
City Clerk

APPROVED AS TO FORM:

__________________________
City Counselor

IV C 3.
November 16, 2015

John Petersen, Director
Community Development Department
City of Rolla
PO Box 979
Rolla, Missouri 65401

Greetings:

For your review and consideration, enclosed find the proposed plat of LEXINGTON PLACE NO. 2 and accompanying description depicting a proposed easement vacation and reduction of the building setback line along the east line ofLots 16 and 17. The easement is a 20-foot utility easement which was originally dedicated on the final plat of LEXINGTON PLACE. The purpose of the easement and setback reduction is to allow the developer more room to situate building units on Lots 16 and 17. There is no proposed change to the boundaries of Lots 16 and 17. This request is being made on behalf of the developer, John Brown Construction.

In addition, the developer is requesting a first and final reading of the ordinance. The developer has the site cleared and wishes to begin construction as soon as possible.

Should you have questions and need anything further, please do not hesitate to contact our office. We await your instructions.

Sincerely,

[Signature]

Sylvester Furse IV, PLS
### RREC Board of Directors

<table>
<thead>
<tr>
<th>Voting Members of the Board</th>
<th>As of Dec. 31’ 2015</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Rolla City Council Appointed</td>
<td>Ben Tipton</td>
<td>Serves through 2017</td>
</tr>
<tr>
<td>2) Rolla City Council Appointed</td>
<td>Robert Tessaro</td>
<td>Term ends 2015, recommending to reappoint</td>
</tr>
<tr>
<td>3) Rolla City Council Appointed</td>
<td>Candace Connell</td>
<td>Re-signs term ending 2016, recommending to appoint Bill Jenks to fill position.</td>
</tr>
<tr>
<td>4) Elected from among Contributing Partners</td>
<td>Ed Clayton</td>
<td>Serves through 2016</td>
</tr>
<tr>
<td>5) Elected from among Contributing Partners</td>
<td>Dusty Cruise</td>
<td>Term ends; Tony Floyd nominated</td>
</tr>
<tr>
<td>6) Elected from among Contributing Partners</td>
<td>Shad Becker</td>
<td>Term ends; Jeff Meadows nominated</td>
</tr>
<tr>
<td>7) Elected from among Contributing Partners</td>
<td>Mike Woessner</td>
<td>Serves through 2016</td>
</tr>
<tr>
<td>8) Elected from among Contributing Partners</td>
<td>Harold Selby</td>
<td>Serves through 2015; nominated for another term</td>
</tr>
<tr>
<td>9) Representative of the City of Rolla</td>
<td>Lou Magdits</td>
<td></td>
</tr>
<tr>
<td>10) Representative of the County</td>
<td>Randy Verkamp</td>
<td></td>
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<tr>
<td>11) Representative of the Rolla Chamber</td>
<td>Stevie Kearse</td>
<td></td>
</tr>
<tr>
<td>12) Representative of the RCDC</td>
<td>Wayne Parry</td>
<td></td>
</tr>
<tr>
<td>13) Representative of Missouri S&amp;T</td>
<td>Keith Strassner</td>
<td></td>
</tr>
</tbody>
</table>

We have staggered terms on all our elected and appointed members as to retain continuity of experience.

Seats 1-3; Appointed by the city council; not limited to funding partners.

Seats 1-8; Serve 3 year terms, with an unlimited number of terms.

Seats 4-8; Nominated by a committee, voted upon by all contributing partners.

Seats 9-13; Representatives are selected by the entity and serve as long as that entity wishes to keep them in that position.