AGENDA
The Rolla Planning & Zoning Commission Meeting
Rolla City Council Chambers, 901 North Elm Street
February 9th, 2021, 5:30 P.M.

I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on January 12th, 2021.

II. REPORT ON RECENT CITY COUNCIL ACTIONS:

1. SUB20-03 Dalton’s Division: A request for a minor subdivision to reorganize two platted lots into two differently oriented residential lots located at 809/811 Black Street. This request was approved by City Council on January 19th, 2021.

2. SUB20-04, Outer Road Park: A request for a minor subdivision to subdivide a platted lot into two commercial lots located at 1600 Old Wire Outer Road. This request was approved by City Council on January 19th, 2021.

III. OLD BUSINESS: NONE

IV. PUBLIC HEARING:

1. CUP21-01, 4060 HyPoint North: Conditional Use Permit to allow an “Arsenals and Munitions Storage” use in the M-2, Heavy Manufacturing District at 4060 HyPoint North.

V. NEW BUSINESS:

1. Discussion regarding updates to the Major Thoroughfare Plan and the University Ave realignment.

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

VII. CITIZEN COMMENTS: NONE

NEXT MEETING DATE: March 9th, 2021
I. APPROVE MINUTES: Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, November 10th, 2020. Chairperson Don Brown approved the minutes as printed and distributed.

II. REPORT ON RECENT CITY COUNCIL ACTIONS: NONE

III. OLD BUSINESS: NONE

IV. PUBLIC HEARING:

1. SUB2020-03, Dalton’s Division: A request for a minor subdivision to reorganize two platted lots into two differently oriented lots located at 809/811 Black Street.

Tom Coots explains that the minor subdivision request is intended to divide one lot located on the corner of Black Street and Walker Avenue into two reorganized, platted lots. The lot is located in the R-3 Multi-Family District. Two buildings currently exist on the lot and will be on separate lots once replatted as they are currently on the property line.

Brown asked if there were any questions from commissioners. Jody Eberly asked Coots to clarify issues with the sewer line access.

Coots explained that the sewer line is actually on Walker Avenue and that a private easement will have to be established and recorded with the deed.

Brown asked for any questions from the commissioners or the audience. Seeing none, Brown entertained a motion for a roll call vote.

A motion was made by Russ Schmidt, seconded by Monte Shields to approve the request for a minor subdivision to reorganize two platted lots into two differently oriented lots located at 809/811 Black Street. A roll call vote on the motion showed the following:

2. SUB2020-04, Outer Road Park: A request for a minor subdivision to subdivide a platted lot into two commercial lots located at 1600 Old Wire Outer Road.

Coots explains that the lot is currently zoned C-2 and is located in the General Retail District. The applicant would like to purchase the property, which currently hosts mini storage shed units and redevelop it, but wants to be sure that this location can be subdivided into two separate lots first. The lot is located at 1600 Old Outer Wire Road near Menards and the Westside Shopping Center. The applicant plans to fill the front half, and leave the back half of the property undeveloped due to issues with rough terrain and ground levels.

Brown asked if there were any questions from commissioners. Eberly asked if some storage buildings will be on both of the lots after is it subdivided. Walte Bowe asked if the plan is to keep the storage units. Coots explains that the sheds will not be crossing any proposed property lines and that the existing buildings would be removed if the property is redeveloped, as planned. Russell Schmidt asked if there were any issues accessing Outer Wire Road. Coots explains that the road is owned by MoDot. The applicant has been in communication with MoDot. The property may not have access to Westside Drive or Westside Connector, which is also adjacent.

Brown asked for any questions from the commissioners or the audience. Seeing none, Brown entertained a motion for a roll call vote.

A motion was made by Monte Shields, seconded by Janece Martin to approve the request for a minor subdivision to subdivide a platted lot into two commercial lots located at 1600 Old Wire Road. A roll call vote on the motion showed the following: Ayes: Bowe, Crider, Eberly, Martin, Monte Shields, Steven Shields and Schmidt. Nays: None. Absent: Anderson. The motion passes unanimously.

V. NEW BUSINESS: NONE

VII. OTHER BUSINESS / REPORTS FROM COMMITTEE OR STAFF:

VII. CITIZEN COMMENTS: NONE

Meeting adjourned: 5:51 p.m.
Minutes prepared by: Madelyn Brown

NEXT MEETING: February 10th, 2020
PLANNING & ZONING COMMISSION ACTION  
January 12th, 2021  

The motion passes / fails to recommend to the City Council to approve / deny a request for a minor subdivision to reorganize two platted lots into two differently oriented residential lots located at 809/811 Black Street.

MOTION: Russell Schmidt  
SECOND: Monte Shields

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PLANNING & ZONING COMMISSION ACTION  
January 12th, 2021

The motion passes / fails to recommend to the City Council to approve / deny a request for a minor subdivision to subdivide a platted lot into two commercial lots located at 1600 Old Wire Outer Road.

MOTION: monte shields
SECOND: janece martin

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Meeting Date: February 9, 2021

Subject: Conditional Use Permit (CUP) to allow an “Arsenals and Munitions Storage” use in the M-2, Heavy Manufacturing District at 4060 Hy-Point North

Background: The applicant currently operates from a location in Grand Forks, North Dakota. The applicant seeks to expand their guns and ammunition wholesale distribution business to a more central location in the country to reduce shipping time. The applicant has selected the former FedEx building as a suitable location, being near I-44, centrally located, fire sprinkled, and meeting their other needs. The applicant does not engage in retail sales, manufacture any products, or store explosive materials. The business is primarily conducted online to provide wholesale goods to retailers.

The former FedEx building has been listed for sale for about 4 years.

Application and Notice:
Applicant - Eric Jensen of Second Amendment Wholesale
Owner - Ryan Buchanan of ECapital MO Industrial I LLC
Public Notice - Letters mailed to property owners within 300 feet; Legal ad in the Rolla Daily News; signage posted on the property; information available on city website
City Council Date - February 16, 2021

Property Details:
Current zoning - M-2, Heavy Manufacturing
Proposed use - Wholesale gun and ammunition (Arsenals and Munitions Storage and Manufacture)
Land area - About 8.7 acres
Building area - About 50,000 sq. ft.

Public Facilities/Improvements:
Streets - The subject property has frontage on Hy-Point North and on State Hwy V, both local streets. The existing driveway is from Hy-Point North.
Sidewalks - There are no existing sidewalks in the area.
Utilities - The property is already served by all needed utilities.
Drainage - Additional detention may be needed if the facility is ever expanded.

Comprehensive Plan: The Comprehensive Plan indicates that the subject property is appropriate for industrial uses.
Discussion: The zoning code does seem to classify the proposed use as “Arsenals and Munitions Storage and Manufacture”. The intent seems to be that such uses can include the storage of explosive and dangerous materials. However, the applicant does not plan to use the property for any storage of explosives or manufacture any goods. In reality, the site will operate similar to a warehouse, with trucks bringing goods to and from the site.

Given the scale of the operation, it may be reasonable to assume that the level of traffic will be much less than the traffic generated from the former FedEx use. The applicant states that the site would employ upwards of 30 people in total. Retail sales are not proposed.

The building does have a dry fire suppression system. The system should be adequate for the proposed use, including the storage of ammunition. Bullets, etc. are not explosive or volatile. In extreme heat bullets simply “pop” rather than shoot or cause an explosion. The premises will be subject to inspection by the Rolla Fire Department.

The applicant states that the site will be protected by various security measures including cameras and alarms. The site is already secured by a security fence.

The subject property is zoned M-2, Heavy Manufacturing and is surrounded by zoned M-2. The nearest residence is located over 300 feet from the building.

If the Conditional Use Permit is approved, the following conditions are recommended as conditions of approval:
1. The Conditional Use Permit is granted only to Second Amendment Wholesale and any subsidiary organizations
2. Any expansion of the facilities will require approval of an amended Conditional Use Permit.
3. The Conditional Use Permit is limited to permitting the storage, distribution, transfer, wholesale, etc. of firearms, ammunition, and accessory products. No on-site retail sales is permitted without approval of an amended Conditional Use Permit.
4. A copy of all required ATF licenses must be submitted for the files.
5. Security fencing and systems must be maintained for the duration of the use.

Findings:
1. A Conditional Use Permit is required for the proposed firearms and ammunition wholesale business on the property located in the M-2, Heavy Manufacturing district.
2. The proposed use would be only for wholesale and associated warehousing and distribution. No manufacture or retail sales is proposed.
3. No explosive materials is proposed to be stored on the property. The proposed ammunition storage is not considered to be dangerous.
4. The existing building does have a dry fire suppression system.
5. The existing building has been listed for sale for about 4 years.
Alternatives:

1. Accept staff findings and recommend the City Council approve the request with the conditions suggested in the staff report.
2. Recommend that the City Council approve the request with additional or modified conditions.
3. Find that the proposed request is not an appropriate use for the property 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
Date of Preparation: February 4, 2021
Attachments: Application, Public Notice Letter, Letter of Request
Public Notice

Project Information:
- Case No: CUP 21-01
- Location: 4060 Hy-Point North
- Applicant: 2nd Amendment Wholesale

Request:
CUP to allow an Arsenals and Munitions Storage use in the M-2, Heavy Manufacturing District

Public Hearings:
- Planning and Zoning Commission
  - February 9, 2021
  - 5:30 PM
  - City Hall: 1st Floor
- City Council
  - February 16, 2021
  - 6:30 PM
  - City Hall: 1st Floor

For More Information Contact:
Tom Coots, City Planner
- tcoots@rollacity.org
- (573) 426-6974
- 901 North Elm Street
  - City Hall: 2nd Floor
  - 8:00 – 5:00 P.M.
  - Monday - Friday
Who and What is the Planning and Zoning Commission?

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

What is a Conditional Use Permit (CUP)?

A Conditional Use Permit is a request for a special use in a zoning district which requires additional review. The Planning and Zoning Commission may recommend conditions which the applicant must continue to meet for as long they own the property.

What is Zoning?

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

How Will This Impact My Property?

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

What If I Have Concerns About the Proposal?

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

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

What If I Cannot Attend the Meeting?

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

What If I Have More Questions?

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

LEGAL DESCRIPTION

Land situated in the State of Missouri, County of Phelps, described as follows:

All of Lot 1 of Hy-Point Industrial Park North Plat No. 2, Rolla, Missouri, except lands described in Corporation Warranty Deed recorded in the Phelps County Records as Document Number 2004-4999.
LAND USE APPLICATION

Contact Information:

Property Owner: SELLER
Ryan Buchman - ECapital MO Industrial I LLC

Name(s)
1751 River Run, Suite 400

Mailing Address
Fort Worth, TX 76107

City, State, Zip
817.345.6808

Phone
ryan@ecapitalalus.com

Email

Agent/Applicant (If Different Than Property Owner):
BUYER
Eric Jensen

Name
2800 N Washington St

Mailing Address
Grand Forks, ND 58203

City, State, Zip
701-330-3444 (cell)

Phone
eric@2ndamendmentwholesale.com

Email

Property/Request Information:

Request:

- Rezoning
- Planned Unit Development
- Conditional Use Permit
- Annexation
- Text Amendment

Property Address/Location

4060 Hy-Point North Dr, Rolla, Mo 65401

M-2 (Heavy Industrial Zone)

Property Zoning (Current and Proposed)

Arsenals and munitions storage - Wholesale B2B Distribution

Proposed Development/Project/Amendment

APPLICATION CHECKLIST:

- 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)

OFFICE USE ONLY:

Case No:
DRC Meeting Date:

Submission Date:
Advertise By:

PC Hearing Date:
CC Hearing Date:
Rezonings (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):
(see enclosed authorization letter) Ryan Buchman

Applicant/Agent (If Different From Owner)

[Signature]
Date

[Signature]

[Signature]
January 14, 2021

2nd Amendment Wholesale Inc.
2856 N Washington St.
Grand Forks, ND 58203

To City of Rolla Community Development Department,

This letter is the “Letter of Request” for a Conditional Use Permit for the warehouse located at 4060 Hy-Point North Dr, Rolla, MO 65401. Our company has over 30 employees and we are in need of a larger warehouse. Unfortunately, there were no suitable options available in our hometown of Grand Forks, ND and our search for a new warehouse which led us to viewing a warehouse in Rolla, MO on Wednesday, January 13th, 2021.

The business we intend to operate out of the aforementioned address is a wholesale distribution business that sells only to other businesses (B2B only). Product is received from manufacturers, warehoused temporarily then sold & shipped out in smaller increments to legally licensed Federal Firearms Licence retailers (FFL dealers) across the United States. We have a current & valid Type 08 FFL “Importer of Firearms Other Than Destructive Devices” issued by the ATF for our current warehouse in North Dakota. We would acquire the exact same FFL type at the above warehouse address, should this permit be granted & building sale completed.

The specific product type stored will be as follows: firearms and related accessories, ammunition (completed cartridges) and various sporting goods items. Please note that we do not sell or store “powder” or “blackpowder” or other raw materials for reloading ammunition at this time nor do we have plans to do so in the future. It is worth noting that the shipments we receive, specifically ammunition, do not result in long-term storage in our warehouse. Ammunition that delivers to our warehouse is shipped out shortly thereafter.

Lastly, exterior and interior building security is of uppermost importance to our company due to the products we distribute. Should we end up moving our business to Rolla, we would plan to install a comprehensive security system with dozens of security cameras as well as motion detectors, glass breaks and door breach alarms.

At this present time, this potential building purchase is contingent upon a Conditional Use Permit being issued that specifically approves of arsenals and munitions being stored at the premise address. Should you have any questions or require clarifications or additional information please contact me directly.

Sincerely,

Eric Jensen
CEO
Phone: 1-855-434-2486
Mobile: 701-330-3444
Fax: 1-855-808-9697
Email: eric@2ndamendmentwholesale.com
Meeting Date: February 9, 2021

Subject: Discussion regarding updates to the Major Thoroughfare Plan and the University Ave realignment

Background: At the November 10, 2020 Planning and Zoning Commission meeting information regarding the proposed University Drive realignment was presented. The Commission instructed staff to return with construction plans to review and comment on and an update to the Major Thoroughfare Plan to formally recognize the change to the street network.

Public Notice: No notice has been provided at this time. If the Commission decides to advance the update notice will be provided in the local newspaper.

City Council Date - To be determined.

Comprehensive Plan: The Comprehensive Plan was adopted in 2000 and updated in 2005. The Comprehensive Plan did include a Major Thoroughfare Plan. The Rolla West Master Plan was adopted as an element of the Comprehensive Plan in 2006. The Rolla West Master Plan included several proposed streets and roads which impacted the road network. The Major Thoroughfare Plan was revised in 2008.

The proposed update would address several differences between the adopted Major Thoroughfare Plan and the adopted Rolla West Master Plan, changes caused by the completion of major road projects, and other projects which are being planned, such as the University Drive realignment.

Discussion: The proposed updates to the Major Thoroughfare Plan are fairly minor, but would bring the plan closer to reality. Road projects are required to adhere to the adopted Major Thoroughfare Plan unless specifically approved by the Planning and Zoning Commission and City Council.

The updated plan includes several modifications from the last adopted plan. The Commission is asked to accept or reject each proposed change. The Commission also has the option of recommending other changes, such as changing the street classification of certain streets, changing the location of proposed streets, and changing the classifications to bring the plan more into compliance with MoDOT classifications. Alternatively, other more major changes may be deferred until the Comprehensive Plan is revised, as is planned within the next few years.
The Comprehensive Plan and MoDOT do not define the different road classifications. Generally, the higher the volume, the greater the classification. I-44 is an Interstate highway, which is a classification itself.

The major state highways or US highways, which carry higher traffic volumes are generally classified as “Arterials” or “Principal Arterials” and “Minor Arterials”. These roads generally require two or more lanes in each direction and sometimes a turning lane in urban areas. MoDOT classifies Hwy 63 as a Principal Arterial road due to the traffic levels.

MoDOT classifies most of the other arterial roads in Rolla identified on the Major Thoroughfare Plan as “Minor Arterials”. A Minor Arterial will generally only require one lane in each direction and sometimes turning lanes in urban areas.

MoDOT also divides “Collector” roads into “Major Collectors” and “Minor Collectors”. A collector generally directs local traffic to the arterial roads or provides an alternative, yet slower, means to travel across a city. Collector roads are designed to carry less traffic than an arterial road.

Finally, local streets provide local access to properties. They carry the least traffic. A local street will generally be much slower to travel a significant distance, as the local streets usually yield to the collector and arterial street traffic through stop signs and traffic signals.

In addition to classifying existing roadways, a Major Thoroughfare Plan will also designate any needed collector and arterial roads that are planned to be built in the future.

The proposed Major Thoroughfare Plan contains the following changes which may be modified or rejected by the Commission:

1. Realigning University Drive to intersect with Bishop Ave near 12th Street and removing the current alignment.
2. Incorporating the proposed roads and classifications from the adopted Rolla West Master Plan, including an extension of Westside Drive, realignments to Old Wire Outer Road, changes to the proposed interchange at I-44 and Gaddy Rd, the addition of Mercy Parkway and a proposed street as collector roads, an outer road on the north side of I-44 to connect Westside Drive and State Hwy E, and an outer road on the north side of I-44 to connect White Columns Rd and Vichy Rd. The Commission may wish to review the road classifications and remove the proposed road through the Mercy hospital site.
3. Changes to the alignments of Bridge School Rd, Hwy 72, Kingshighway, and Fairgrounds Rd as a result of the Hwy 72 extension project.
4. A crossing of I-44 at 10th Street to connect to a future outer road.
5. Changes at Salem Ave and 6th Street impacting 5th Street, Walnut Street, and Maple Street based on a completed road project.
6. Changes at Walnut Street and Bishop Ave impacting Cedar Street based on a completed road project.
7. Extending Hwy V as a collector to city limits.
8. Other changes such as the Hwy 63 bypass and any new proposed roads should be deferred to be discussed when the Comprehensive Plan is revised.

Draft drawings of the roadway design are also presented for review. The Commission is asked to provide any comments and suggestions about the design.

Findings:
1. An update to the plan is needed due to the University Drive realignment project.
2. Adopting a revised and updated Major Thoroughfare Plan is needed to address other planned projects and correct the plan based on completed projects or changed conditions.
3. The Major Thoroughfare Plan is an important part of the adopted Comprehensive Plan.

Alternatives:
1. Direct staff to prepare public notice and a resolution for the Planning and Zoning Commission to formally approval of the amendment to the City Council. Any needed changes discussed at the meeting will be incorporated into a revised document.
2. Find that the proposed update is not needed. Staff will prepare a resolution pertaining only to the University Drive realignment for the Commission to recommend approval to the City Council.

Prepared by: Tom Coots, City Planner
Date of Preparation: February 4, 2021
Attachments: Draft Major Thoroughfare Plan Map, MoDOT Rolla Major Thoroughfares, University Drive Plan, Draft University Addition Plat