

**AGENDA**

**The City of Rolla  
Planning & Zoning Commission  
Rolla City Council Chambers, 901 North Elm Street  
Tuesday, April 13<sup>th</sup>, 2021**

**Commission Members: Chairperson Don Brown, Russell Schmidt, Walte Bowe, Robert Anderson, Jody Eberly, Kevin Crider, Janece Martin, Monte Shields, Steven Shields**

**I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on March 9, 2021.

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

**1. SUB21-01 DCM Holdings:** A minor subdivision to reorganize portions of two platted subdivisions into two commercial lots located at 608 W. 6<sup>th</sup> Street and 623 W. 7<sup>th</sup> Street. **The first ordinance reading was conducted by City Council on April 5<sup>th</sup>, 2021. The second reading is being postponed until revised plat is received.**

**2. Major Thoroughfare Plan Resolution:** Resolution for an amendment to the Major Thoroughfare Plan for the University Avenue realignment. **This request was approved by City Council on March 15, 2021.**

**III. OLD BUSINESS:** **NONE**

**IV. PUBLIC HEARING** **NONE**

**1. ZON21-01:** Rezoning for a property located at 512 East 18<sup>th</sup> Street from M-2, Heavy Manufacturing to C-3, Highway Commercial.

**V. NEW BUSINESS** **NONE**

**1. SUB20-01, Drury Development Addition:** Final Plat for Minor Subdivision to subdivide property located at 2004/2006 N Bishop into two commercial lots.

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

**VII. CITIZEN COMMENTS:**

**NEXT MEETING DATE:**

**Tuesday, May 11<sup>th</sup>, 2021**

**MINUTES**  
**ROLLA PLANNING AND ZONING COMMISSION MEETING**  
**ROLLA CITY HALL COUNCIL CHAMBERS**  
**TUESDAY, MARCH 9<sup>th</sup>, 2021**

**Presiding:** Don Brown, Chairperson

**Commission Members Present:** Russell Schmidt, Walte Bowe, Janece Martin, Kevin Crider, Steven Shields

**Commission Members Absent:** Robert Anderson, Jody Eberly, Monte Shields

**City Officials in Attendance:** Tom Coots, *City Planner*, Madelyn Brown, *Administrative Assistant*, Steve Flowers, *Community Development Director/Building Codes*, Darin Pryor, *Engineering*

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, February 9<sup>th</sup>, 2021. **Chairperson Don Brown approved the minutes as printed and distributed.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:**
- 1. CUP21-01, 4060 HyPoint North:** A request for a conditional use permit to allow an “Arsenals and Munitions Storage” use in the M-2, Heavy Manufacturing District at 4060 HyPoint North. **This request was approved by City Council on February 15<sup>th</sup>, 2021.**
- III. NEW BUSINESS:**
- 1. SUB21-01; DCM Holdings:** A request for a minor subdivision to reorganize two platted subdivisions into two commercial lots located at 608 West 8<sup>th</sup> Street and 623 West 7<sup>th</sup> Street.
- Tom Coots** explains that there are two buildings that exist in the area, the larger building is currently unoccupied but formerly a Ford dealership and the smaller building houses a fitness gym. The minor subdivision request would combine several platted lots, a portion of a lot, and a former alley, and create two commercial lots. This would allow for the existing buildings to be sold on separate lots. The lots are currently zoned as C-2, General Retail District. Small adjustments will be needed to the survey prior to recording, but all else appears to comply.
- Russ Schmidt** asks if the sign located on the plan facing the north sign is existing. **Coots** confirms that the sign is existing. Steven Shields asks what the concrete wall is intended for. The Surveyor confirms that it is just a 4x4 monument that is used as a marker.
- Don Brown** asked if there were any further questions from commissioners.

Seeing none, **Brown** entertained a motion.

*A motion was made by Janice Martin, seconded by Steven Shields to recommend approval of the request for a minor subdivision to reorganize portions of two platted subdivisions into two commercial lots located at 608 West 6<sup>th</sup> Street and 625 West 7<sup>th</sup> Street. A roll call vote on the motion showed the following: Ayes: **Bowe, Martin, Schmidt, Steven Shields, Crider.** Nays: **None.** Absent: **Anderson, Eberly, Monte Shields.** The motion passes unanimously.*

#### IV. PUBLIC HEARING:

**1. Major Thoroughfare Plan Resolution:** Amendment to the Major Thoroughfare Plan for the University Drive realignment.

Prior to the introduction of the item, **Don Brown** asked for motion to appoint **Walte Bowe** as the Secretary of the Planning and Zoning Commission. The proposed resolution requiring the signature of both the Chairperson and the Secretary and the previously appointed secretary, **Robert Anderson**, having been absent from the meeting.

**Coots** explains that the Major Thoroughfare Plan component of the Comprehensive plan developed in 2000, updated in 2005. The Rolla West Plan was added as an element in 2006. There was discussion at the previous Planning and Zoning Commission about the direction that should be taken when revising the Major Thoroughfare Plan. Since then, it was decided that it would be best to focus on the University Drive alignment and save any other changes for another time.

In 2015, the TDD Move Rolla Transportation plan was introduced, which was responsible for the recent Highway 72 extension and pedestrian bridge. The University Drive realignment will shift south to the proposed alignment. The proposed amendment would also change the status of University Drive from a collector road to an arterial road to better match the function of the proposed road.

In order for the University Drive realignment project to commence, the Major Thoroughfare Plan must be amended. Bids for the project have already been opened and may soon be accepted, so the next step is getting approval to amend the plan.

**Brown** asks if the commissioners have any questions for **Coots or Darin Pryor**. Seeing none, **Brown** opens the Public Hearing. There were no questions or comments from the audience. **Brown** closes the Public Hearing and entertains a motion.

*A motion was made by Russ Schmidt, seconded by Janece Martin, to adopt a resolution to approve the Major Thoroughfare Plan and recommend that the City Council also approve the amendment. A roll call vote on the motion showed the following: Ayes: **Bowe, Martin, Schmidt, Steven Shields, Crider.** Nays: **None.** Absent: **Anderson, Eberly,***

**Monte Shields. The motion passes unanimously. The resolution was signed by Brown and Bowe.**

**V. OLD BUSINESS: NONE**

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

**VII. CITIZEN COMMENTS: NONE**

**Meeting adjourned: 5:53 p.m.**

**Minutes prepared by: Madelyn Brown**

**NEXT MEETING:**

**April 13<sup>th</sup>, 2020**



Report to:

**Planning and Zoning  
Commission**

Case No.: ZON21-01

**Meeting Date:** April 13, 2021

**Subject:** Map Amendment (rezoning): 512 E 18<sup>th</sup> Street from the M-2, Heavy Manufacturing district to the C-3, Highway Commercial district

**Background:** The applicant leases the property and has sub-leased the property for commercial uses. However, at that time the sub-leaser was informed that the commercial use would require a rezoning to be able to continue. That particular use ceased operations a few months ago.

The applicant seeks to use the building for an indoor batting cage and baseball training facility. The facility is not planned to be open to the public at this time, rather, a team or group would rent the entire facility for exclusive use or would have exclusive access at certain times or days.

The property is currently served by a partially paved driveway and parking area. Ordinarily, a change in use would require that the parking and paving be paved. In this case, the applicant has verified that the area is mostly paved but partially covered in gravel to fill potholes.

**Application and Notice:**

Applicant - Andrew Almany  
Owner - Patricia Ransdall  
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 - April 19, 2020

**Property Details:**

Current zoning - M-2, Heavy Manufacturing to C-3, Highway Commercial  
Current use - Vacant  
Proposed use - Indoor batting cages and baseball training  
Land area - About 28,000 sq. ft.

**Public Facilities/Improvements:**

Streets - The subject property has frontage on 18<sup>th</sup> Street, an arterial road.  
Sidewalks - No sidewalks are currently located adjacent to the subject property. Sidewalks may be required if the property is re-developed.  
Utilities - The subject property should have access to all needed public utilities.  
Drainage - The property is already fully developed.

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

**Discussion:** The subject property is located in an area in transition from more manufacturing and industrial uses to more commercial uses. The area used to be more isolated, but 18<sup>th</sup> Street/Walnut now connects across the railroad tracks. With the additional visibility, the area was designated as appropriate for commercial uses in the 2000/2005 Comprehensive Plan – a departure from the previous plans. Three other formerly industrial properties have been rezoned to allow for commercial uses.

The industrial zoning allows for many uses which would not be compatible near the adjacent residential areas. Commercial zoning would allow for a transition to more compatible and expected uses for the area. Ideally, the entire area south of 18<sup>th</sup> Street and most areas west of the railroad tracks would be rezoned from the M-2 zoning.

The requested C-3, Highway Commercial zoning would allow for the planned batting cage use. The C-2, General Retail district would also allow for the proposed use in addition to further limiting the commercial uses allowed.

**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 requested commercial zoning is consistent with the Comprehensive Plan.
2. Other properties in the area have been zoned to the C-3 district from industrial zoning.
3. Industrial zoning allows for incompatible uses for the area; Commercial zoning would allow for more compatible and expected uses.
4. The subject property is part of a larger area which should also be considered for rezoning from the M-2 district.

**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 some form of commercial zoning meets the criteria for approval and recommend the City Council approve the request for a map amendment (rezoning) of the subject property to the C-2, General Retail or C-1, Neighborhood Commercial districts.
3. Find that the proposed map amendment (rezoning) 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

**Attachments:** Public Notice Letter, Application, Letter of Request

**LAND USE APPLICATION**

**Contact Information:**

Property Owner:  
 Patricia Randall  
 Name(s)  
 503 Wildwood Lane  
 Mailing Address  
 Waynesville MO 65583  
 City, State, Zip  
 573-528-4161  
 Phone  
 bpransd1@earthlink.net  
 Email

Agent/Applicant (If Different Than Property Owner):  
 Andrew Albany  
 Name  
 1203 Aztec Ct.  
 Mailing Address  
 St James, MO 65401  
 City, State, Zip  
 314-435-0157  
 Phone  
 almany7@gmail.com  
 Email

**Property/Request Information:**

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

512 E. 18th St., Rolla, MO 65401  
 Property Address/Location

Current - M-2 Proposed: C-3  
 Property Zoning (Current and Proposed)

Batting Cages + Training Facility  
 Proposed Development/Project/Amendment

**APPLICATION CHECKLIST:**

<b>Applicant Checks Boxes</b>	<input checked="" type="checkbox"/>	Completed Application Form	<b>City Staff Verifies</b>
	<input type="checkbox"/>	Agent Letter (If Applicable)	
	<input checked="" type="checkbox"/>	Filing Fee - \$375 (Rezoning/CUP); \$475 (PUD); \$300 (CUP/PUD Amendment); \$62.50 (Annexation for advertisement)	
	<input type="checkbox"/>	Legal Description (Unplatted and Irregular Lots Only)	
	<input type="checkbox"/>	Site Plan (If Applicable)	
	<input type="checkbox"/>	Letter of Request/Project Report (If Applicable)	
			<input checked="" type="checkbox"/> <input type="checkbox"/> NEED <input type="checkbox"/> CAN <input checked="" type="checkbox"/> <input type="checkbox"/> N/A <input type="checkbox"/> NEED

**OFFICE USE ONLY:**

Case No: 2021-01      DRC Meeting Date: 3.16.21      PC Hearing Date: 4.13.21  
 Submission Date: 3.3.21      Advertise By: 3.18.21      CC Hearing Date: 4.19.21 / 5.3.21

## 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.

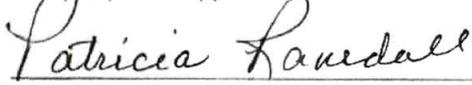
**Text Amendment** requests must include a letter/report with includes the following:

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):



Sign

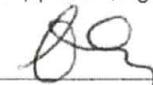
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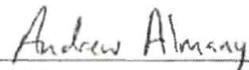
Sign

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Applicant/Agent (If Different From Owner)



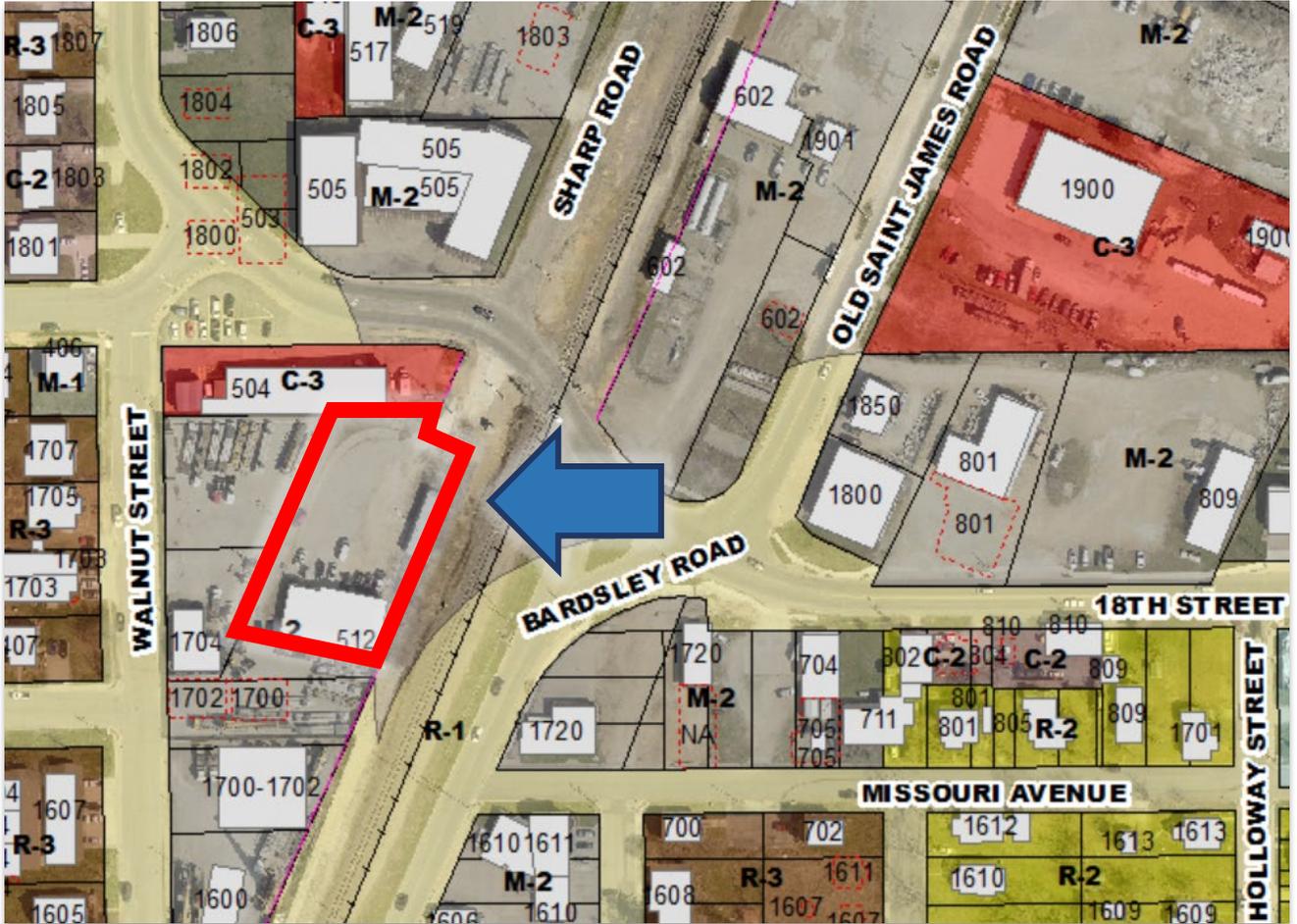
Sign



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Sign

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**Project Information:**

Case No: ZON21-01  
 Location: 512 E 18<sup>th</sup> Street  
 Applicant: Patricia Ransdall  
 c/o Andrew Almany

Request:  
 Rezoning from the M-2, Heavy Manufacturing district to the C-3, Highway Commercial district



**Public Hearings:**

Planning and Zoning Commission  
**April 13, 2021**  
**5:30 PM**  
 City Hall: 1<sup>st</sup> Floor

City Council  
**April 19, 2021**  
**6:30 PM**  
 City Hall: 1<sup>st</sup> Floor



**For More Information Contact:**

Tom Coots, City Planner  
 tcoots@rollacity.org

(573) 426-6974  
 901 North Elm Street  
 City Hall: 2<sup>nd</sup> Floor  
 8:00 – 5:00 P.M.  
 Monday - Friday



**Who and What is the Planning and Zoning Commission?**

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

**What is a Rezoning (Map Amendment)?**

A Rezoning is a request to change the zoning of a property from one zoning district to another. Usually a rezoning would allow for a property to be used differently than in the past, or may allow for development or redevelopment.

**What is 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**

All that part of the Northwest Quarter of the Southwest Quarter of Section 1, Township 37 North, Range 8 West of 5th P.M. in Rolla, Missouri, described as follows: Commencing at the Southeast corner of Block 15, Schuman's Addition to Rolla, Missouri; thence North 89 degrees -33' - 20" East, 107.4 feet along the North line of 17th Street extended to the true point of beginning of the tract hereinafter described: thence continuing North 89 degrees - 33' - 20" East, 141.27 feet along the North line of 17th Street extended to the West right-of-way of Burlington-Northern Railroad; thence North 23 degrees - 21' - 40" East, 217.45 feet along said West right of way; thence North 66 degrees - 38' - 20" West, 40.0 feet along the South right-of-way of Old St. Louis-Springfield Road; thence North 23 degrees - 21' - 40" East, 27.3 feet along the West right-of-way of Old St. Louis-Springfield Road' thence South 89 degrees - 32' - 40" West, 97.67 feet; thence South 23 degrees - 20' - 40" West, 262.32 feet to the true point of beginning. Above tract contains .75 acres +/-.

Less and except the following:

A fractional part of the Northwest Quarter of the Southwest Quarter of Section 1, Township 37 North, Range 8 West of the 5th P.M. described as follows: Commencing at the Southeast Corner of Block 15 of Schuman's Addition, Rolla, Missouri; thence North 89 degrees - 12' - 50" East, 107.53 feet to the southeast corner of a parcel described in Phelps County Deed Records at Document No. 2007-4856, the true point of beginning of the hereinafter described tract: Thence North 22 degrees - 52' - 50" East, 45.35 feet along the easterly line of said Document No. 2007-4856 parcel; thence South 77 degrees - 41' - 50" East, 131.38 feet to the westerly right of way of the Burlington Northern-Santa Fe Railroad; thence South 22 degrees - 51' - 10" West, 12.29 feet along said westerly right of way to the northeast corner of a parcel described in Phelps County Deed Records at Document No. 2007-5448; thence South 89 degrees - 00' West, 141.24 feet along the North line of said Document No. 2007-5448 parcel to the true point of beginning. Above described tract contains 0.09 acre, more or less, per plat of survey J-1074, revised April 16, 2014, by Archer-Elgin Surveying and Engineering, LLC.





March 4, 2021

Letter of Intent: 512 E. 18<sup>th</sup> Street

To Whom It May Concern:

512 E. 18<sup>th</sup> street is a 28,749 square foot lot with a 4,000 square foot lot manufactured steel building on the lot. Our intent for the building is to provide a baseball/softball hitting facility for both local members of the city of Rolla and to also bring in individuals outside of Rolla as well.

The training facility will host 3 operational batting cages and will operate 24/7 via key code access. The building will have minimal staffing and will be monitored 24/7 by Central Dispatch here in Rolla, MO. The business will be managed by Three-Two Enterprises, LLC.

Our goal for this project is to not only supply a much-needed facility to the members of the community but to also strong business to the City of Rolla.

Sincerely,

Andrew Almany & Duane Spurgin



Report to:

**Planning and Zoning  
Commission**

Case No.: SUB 20-01

**Meeting Date:** April 13, 2021

**Subject:** Drury Development Addition: Final Plat for Minor Subdivision to subdivide property located at 2004/2006 N Bishop into two commercial lots.

**Background:** The subject property is currently one large tract with several commercial uses on the same property. Currently, a restaurant, motel, telecommunications towers, and billboard are located on the property. The applicant seeks to subdivide the property into two commercial lots, with the restaurant on one lot, and the motel and other uses on the other lot so they can be sold separately. The lots may then be redeveloped or further developed.

The property is zoned C-2, General Retail as well as M-2, Heavy Manufacturing. There may be a need for rezoning portions of the property depending on how it is redeveloped.

**Application and Notice:**

Applicant/Owner- Graham Ruopp (Drury Development Corporation)  
Public Notice - Information available on city website  
City Council Date - April 19, 2021

**Property Details:**

Current zoning - C-2, General Retail and M-2, Heavy Manufacturing  
Current use - Commercial (Steak and Shake restaurant and Pear Tree Inn motel)  
Proposed use - Not disclosed  
Land area - Lot 1: 1.74 acres; Lot 2: 6.81 acres

**Public Facilities/Improvements:**

Streets - The subject property has frontage on Bishop Ave, an arterial road.  
Sidewalks - Sidewalks are not located adjacent to the property. Sidewalks may be required if the property is redeveloped.  
Utilities - The subject property should have access to all needed utilities.  
Drainage - Drainage will be reviewed at the time of development, if redeveloped.

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

**Discussion:** The proposed plat appears to meet all zoning and subdivision requirements. Lot 2 would not have frontage on Bishop Ave, but would be accessed through an access easement. Commercial lots are not required to have road frontage. The plat will allow for the existing buildings to be sold on separate lots. The plat would also grant several easements that were needed for existing utilities.

**Findings:**

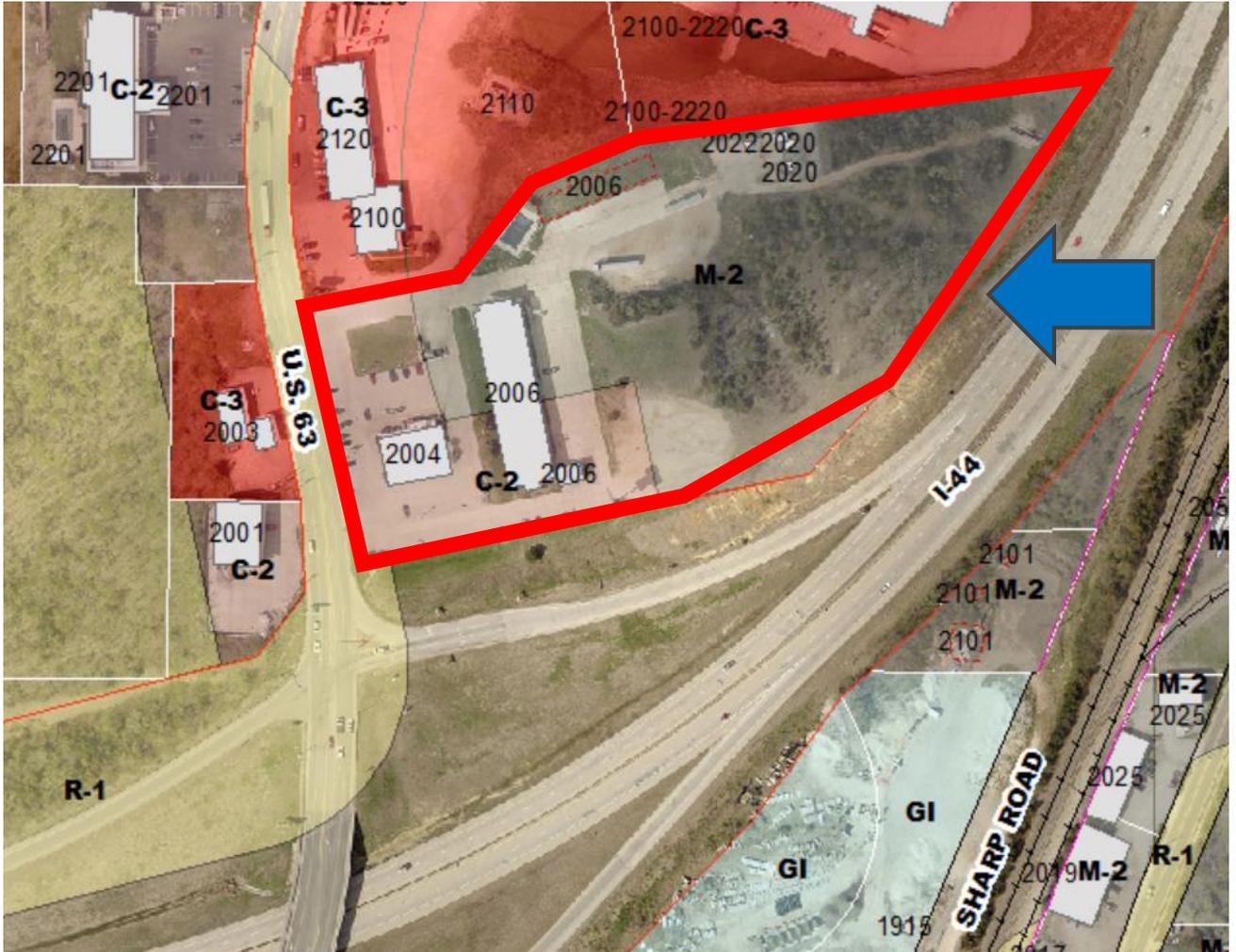
1. The proposed minor subdivision would create two commercial lots.
2. The subdivision will allow for the existing buildings to be sold on separate lots and may allow for further development or redevelopment.
3. The plat appears to be in compliance with all applicable zoning, subdivision, and other requirements.

**Alternatives:**

1. Find the request meets all applicable requirements and recommend the City Council approve the request.
2. Find that the request does not meet all applicable requirements and recommend that the City Council deny the request.
3. Find that the request could meet all applicable requirements with the imposition of reasonable conditions and recommend that the City Council conditionally approve the request.
4. Find that additional information and discussion is needed prior to making a recommendation and table the request to a certain date.

**Prepared by:** Tom Coots, City Planner

**Attachments:** Application, Plat, Area Map



**Project Information:**

Case No: SUB20-01  
 Location: 2004/2006 N Bishop  
 Applicant: Drury Development Corporation  
 Request:  
 Minor Subdivision to create two commercial lots



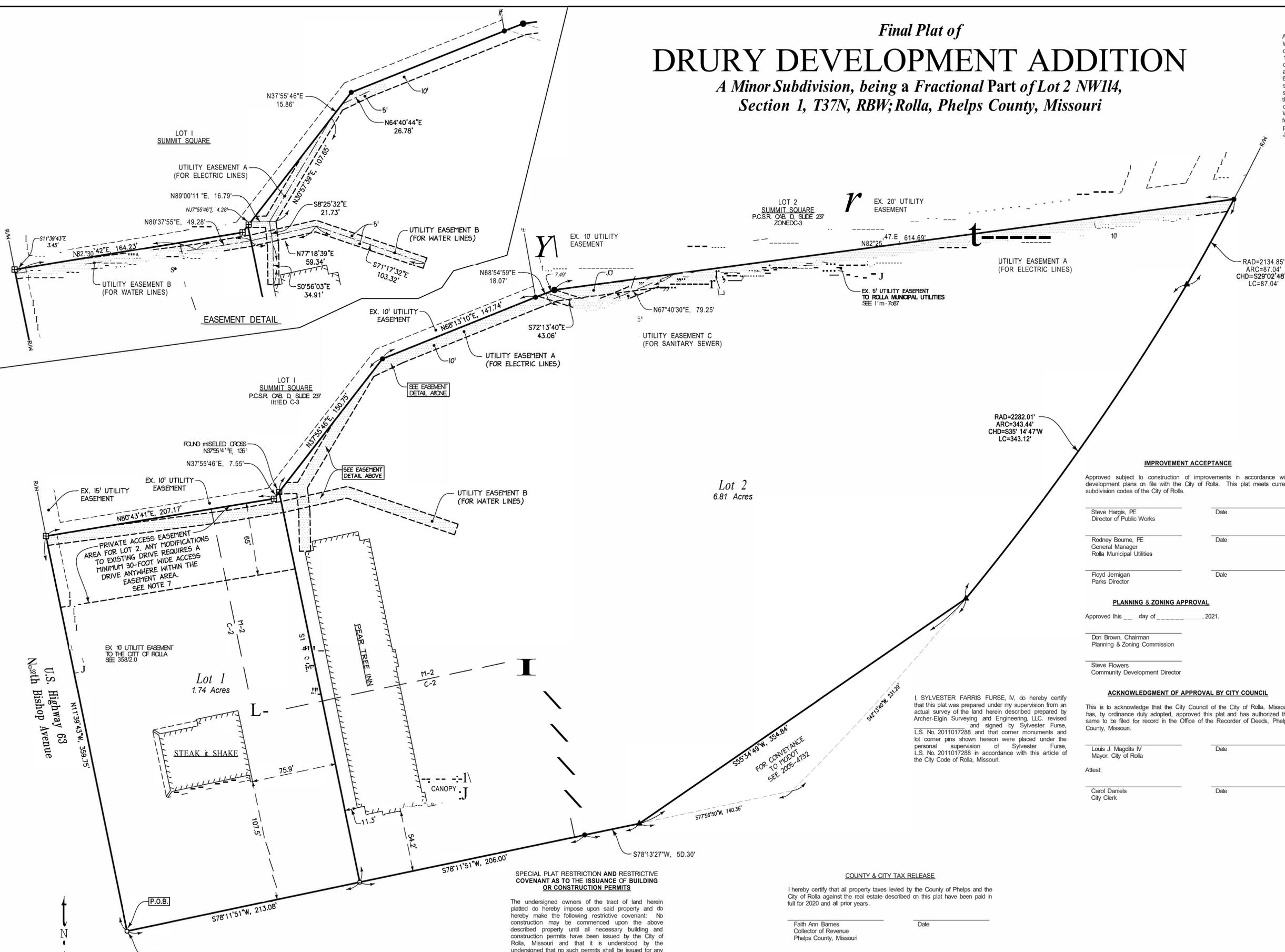
**For More Information Contact:**

Tom Coots, City Planner  
[tcoots@rollacity.org](mailto:tcoots@rollacity.org)

(573) 426-6974  
 901 North Elm Street  
 City Hall: 2<sup>nd</sup> Floor  
 8:00 – 5:00 P.M.  
 Monday - Friday

# Final Plat of DRURY DEVELOPMENT ADDITION

## A Minor Subdivision, being a Fractional Part of Lot 2 NW1/4, Section 1, T37N, RBW; Rolla, Phelps County, Missouri



**DESCRIPTION**

A fractional part of Lot 2 of the Northwest Quarter of Section 1, Township 37' North, Range 8 West of the 8th P.M. described as follows: Beginning at the intersection of the East right of way of U.S. Highway 63 and the northwesterly right of way of U.S. Interstate 44; thence North 11°39'43" West, 359.75 feet along said East right of way of U.S. Highway 63 to the southwest corner of Lot 1 of SUMMIT SQUARE, Rolla, Missouri; thence North 80°43'4" East, 207.17 feet, and North 37°55'46" East, 158.30 feet, and North 68°13'10" East, 147.74 feet, and North 68°54'59" East, 18.07 feet, and North 82°25'47" East, 614.69 feet, all along the southerly line of said SUMMIT SQUARE to the aforesaid northwesterly right of way of U.S. Interstate 44; thence southerly, 87.04 feet along the arc of a curve, concave westerly with a radius of 2134.85 feet, the chord of which is South 29°02'48" West, 87.04 feet, and, southerly, 343.44 feet along the arc of a curve, concave westerly with a radius of 2282.01 feet, the chord of which is South 35°04'47" West, 343.12 feet, and, South 55°34'49" West, 354.84 feet, and, South 78°13'27" West, 50.30 feet, and, South 78°11'51" West, 419.07 feet, all along said northwesterly right of way to the point of beginning. Above described tract contains 8.55 acres, more or less, per plat of survey J-3122, dated April 8, 2020, by CM Archer Group, P.C.

**DEDICATION**

Drury Development Corporation hereby certifies that it is the owner of the property described and shown hereon, which property is located within the subdivision jurisdiction of the City of Rolla, that it has caused this property to be platted as shown hereon and that said property shall be known and designated as "DRURY DEVELOPMENT ADDITION." The owner hereby freely adopts this plan of subdivision.

Dedicators do further grant to all political subdivisions and public and franchised utility companies providing utility services to the land described on this plat the right to install and maintain electrical, water, telephone, cable television, sanitary sewer, storm sewer, gas and fiber optic lines within and along Utility Easements A, B, and C designated as such on this plat and which are created by virtue of this plat. The Private Access Easement noted hereon is not dedicated as a public easement but is to be granted to the owner of Lot 2.

DATED: \_\_\_\_\_, 2021 Drury Development Corporation

Mark Kohl  
Vice President

DEDICATOR

STATE OF MISSOURI } SS.  
COUNTY OF \_\_\_\_\_ }

On this \_\_\_ day of \_\_\_ 2021 before me appeared Mark Kohl, Vice-President of Drury Development Corporation, to me known to be the person described in and who executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the county and state aforesaid, this \_\_\_ day of \_\_\_\_\_ 2021.

My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC

**SPECIAL PLAT RESTRICTION AND RESTRICTIVE COVENANT REGARDING STORM WATER DESIGN**

The owners of the tract of land herein platted, and, who have signed and executed this plat, hereby impose upon said property and do hereby make the following restrictive covenant: The future design and development of storm water detention and structures pertaining to Lot 2 shown hereon will take into consideration the storm water run-off which flows onto said Lot 2 from Lot 1 shown hereon. The above mentioned storm water improvements shall be completed as required by the City Code of Rolla, Missouri and pursuant to any applicable agreements between the undersigned and the City of Rolla, Missouri for the completion of such improvements.

**IMPROVEMENT ACCEPTANCE**

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

Steve Hargis, PE Director of Public Works	Date _____
Rodney Bourne, PE General Manager Rolla Municipal Utilities	Date _____
Floyd Jernigan Parks Director	Date _____

**PLANNING & ZONING APPROVAL**

Approved this \_\_\_ day of \_\_\_\_\_, 2021.

Don Brown, Chairman Planning & Zoning Commission	Date _____
Steve Flowers Community Development Director	Date _____

**ACKNOWLEDGMENT OF APPROVAL BY CITY COUNCIL**

This is to acknowledge that the City Council of the City of Rolla, Missouri has, by ordinance duly adopted, approved this plat and has authorized the same to be filed for record in the Office of the Recorder of Deeds, Phelps County, Missouri.

Louis J. Magdits IV Mayor, City of Rolla	Date _____
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Attest:

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

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

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

**COUNTY & CITY TAX RELEASE**

I hereby certify that all property taxes levied by the County of Phelps and the City of Rolla against the real estate described on this plat have been paid in full for 2020 and all prior years.

Faith Ann Barnes Collector of Revenue Phelps County, Missouri	Date _____
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**RECORDER'S CERTIFICATE**

This plat was filed for record in my office on this \_\_\_ day of \_\_\_ 2021. Plat filed at Cabinet \_\_\_ , Number \_\_\_ .

Robin Kordes Recorder of Deeds Phelps County, Missouri	Date _____
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**Legend**

○	SET 112" IRON ROD	EX.	"EXISTING"
●	FOUND 112" IRON ROD	R/W	RIGHT OF WAY
○	FOUND 518" IRON ROD	#	PROPERTY LINE
⊕	CHISELED CROSS	P.O.B.	POINT OF BEGINNING
...	FOUND R/W MARKER		

MISSOURI STATE PLANE GRID NORTH  
CENTRAL ZONE  
BY OBSERVATION

0 40' 80'

ARCMtR t (in)  
engineering surveying architecture

Rolla, Missouri 65401  
Phone: 573-364-6362  
Fax: 573-364-4782  
www.archerelgin.com

DRURY DEVELOPMENT ADDITION  
Rolla, Phelps County, Missouri  
Drury Development Corporation  
13075 Manchester Rd, Ste 200, St. Louis MO 63131  
April 8, 2020

J3122