

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, APRIL 12, 2022

Presiding: Don Brown, Chairperson

Commission Members Present: Robert Anderson, Janece Martin, Russell Schmidt, Monte Shields, Kevin Crider

Commission Members Absent: Lister Florence Jr.

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, March 15, 2022. **Chairperson Don Brown approved the minutes as printed and distributed.**
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** NONE
- III. OLD BUSINESS:**

- 1. SUB21-07, Ridgeview Christian Church Plat 1:** A Minor Subdivision Final Plat to combine several lots into one lot and vacate the rights-of-way of Walker Ave and Ridgeview Rd adjacent to the property. **Applicant has requested to be tabled to the May 10, 2022 meeting.**

A motion was made by Russell Schmidt, seconded by Monte Shields, to approve the applicant's request to table the case to the May 10 meeting. A voice vote showed all in favor.

IV. PUBLIC HEARING:

- 1. SUB22-03,Bradley Addition:** A Minor Subdivision Final Plat to combine several lots into 3 lots; dedicate rights-of-way for 13th Street and Tim Bradley Way; and vacate portions of the rights-of-way of Spring Avenue, 13th Street, and an alley between Poole Ave, Spring Ave, 13th Street, and University Dr.

Tom Coots presents the staff report. **Russell Schmidt** asks if Dairy Queen will be affected by this change. **Coots** states the Dairy Queen property is not in the affected area of the proposed subdivision.

Don Brown asks what will happen to University Drive, and how will people have access to the parking lot that is currently off University Drive. **Coots** states 13th street will remain open temporarily for access to the parking lot. University Drive is planned to be

vacated after the new road is constructed and then the road would become university property.

Shields asks why the road is changing to Tim Bradley Way. **Coots** states the name change came from a major donor for the project.

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

A motion was made by Monte Shields, seconded by Kevin Crider, to recommend approval to City Council to combine several lots into 3 lots; dedicate rights-of-way for 13th Street and Tim Bradley Way; and vacate portions of the rights-of-way of Spring Avenue, 13th Street, and an alley between Poole Ave, Spring Ave, 13th Street, and University Dr. A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Schmidt, Shields, and Crider. Nays: None. The motion passes unanimously.

2. **ZON22-01, Collective Solutions:** A rezoning (map amendment) from the C-3, Highway Commercial district to the M-1, Light Manufacturing district at 1898 Old Saint James Rd.

Coots presents the staff report.

Kevin Crider asks if the M-2, Heavy Manufacturing District has a height limit. **Coots** states it does not. **Crider** asks why the change in rezoning to M-1, Light Manufacturing District, instead of going back to the original zoning of M-2, Heavy Manufacturing District. **Coots** states the M-2, Heavy Manufacturing District, allows for more industrial uses that would not be suited nor as safe to have so close to town.

Don Brown opens the public hearing.

Russell Been is a representative from Collective Solutions, located at 340 Marshall Rd, Valley Park, MO 63088. He states they are rezoning only a portion of the lot at the subject property so the auto repair shop on the lot can stay open.

Schmidt asks for clarification regarding City Council's approval. **Been** states City Council has two conditions of approval proposed. One is that a rezoning is approved to allow for the height of the cell tower, and the other is that they request a relief of setback from the Board of Adjustment.

Zach Buchheit, is a representative for SBA Communications located at 7700 Forsyth Boulevard Suite 1100, St. Louis, MO 63105. He states City Council has not approved anything yet, but instead approved a motion that rescinds the resolution to deny the Conditional Use Permit.

Buchheit states he believes there are key defects with this rezoning application. He hands out copies of the excerpts of the Zoning Ordinances to commissioners. He states the minimum area in order to rezone is 10,000 square feet as stated in City of Rolla Codes in Sec. 42-196.3. The subject lease area falls short of that minimum requirement.

Buchheit also references City of Rolla Codes, in Sec. 42-230.6, which gives the requirements for landscaping and buffer yards when rezoning from C-3, Highway Commercial District to M-1, Light Manufacturing District. He mentions the importance of these requirements since these are dissimilar districts. **Buchheit** also mentions he felt this process was rushed.

Buchheit states that the application for the rezoning appears to have been submitted too late for the Commission to review the request at this meeting.

Russell Been spoke again to this issue. He requested that the Commission grant the application with the condition that they get the extra space needed to meet the 10,000 square feet requirement, as well as a condition to have a written letter from the auto shop owner on the existing C-3 lot, stating he would waive the buffer yard requirement.

Seeing no more questions from the audience or commissioners, **Brown** closes the public hearing.

Monte Shields asks if the Commission can make the conditions of approval the same that Mr. Been mentioned. **Coots** states on the south side of the subject property there is no buffer requirement since another industrial district is adjacent. On the northern side, since there is no intent to subdivide the property, there will be no requirement of buffer yards for property that is only being leased.

A motion was made by Monte Shields to recommend approval to City Council with the condition that the subject property is granted the extra square footage to meet the minimum requirements.

Coots states that since the land is only being leased, the minimum lot size does not apply for a rezoning.

The existing motion made by Monte Shields was changed to recommend approval to City Council to approve a rezoning (map amendment) from the C-3, Highway Commercial district to the M-1, Light Manufacturing district at 1898 Old Saint James Rd. This was seconded by Russell Schmidt. A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Schmidt, Shields, and Crider. Nays: None. The motion passes unanimously.

V. NEW BUSINESS:

1. **SUB22-04, Replat of Lots 2 and 3 Happy Jack's:** A Minor Subdivision Final Plat to reorganize 2 residential lots.

Coots presents the staff report. **Shields** asks why the request was made. **Coots** states that the applicant wishes to build behind the house on 400 Lariat Lane. Since two houses cannot be built on the same lot in the R-1, Single Family District, the applicant is requesting to reorganize the lots so they can build where they are wanting.

A motion was made by Russell Schmidt, seconded by Janece Martin, to recommend approval to City Council to reorganize 2 residential lots. A roll call vote on the motion showed the following: Ayes: Anderson, Martin, Schmidt, Shields, and Crider. Nays: None. The motion passes unanimously.

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

VII. CITIZEN COMMENTS: NONE

**Meeting adjourned: 6:07 p.m.
Minutes prepared by: Sarah West**

NEXT MEETING: Tuesday, May 10, 2022