

MINUTES
ROLLA PLANNING AND ZONING COMMISSION MEETING
ROLLA CITY HALL COUNCIL CHAMBERS
TUESDAY, JUNE 14, 2022

Presiding: Don Brown, Chairperson

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

Commission Members Absent: Lister Florence Jr.

- I. APPROVE MINUTES:** Review of the Minutes from the Planning and Zoning Commission meeting held on Tuesday, May 10, 2022. Chairperson Don Brown approved the minutes as printed and distributed.
- II. REPORT ON RECENT CITY COUNCIL ACTIONS:** NONE
- III. OLD BUSINESS:** NONE
- IV. NEW BUSINESS:**

- 1. SUB22-05, Wolfe's Corner:** Minor Subdivision to combine two residential lots into one lot in the R-1, Single-family Residential district at 1220 Devonshire Ln.

Tom Coots presents the staff report.

A motion was made by Janece Martin, seconded by Monte Shields, to recommend approval to the City Council to combine two residential lots into one lot in the R-1, Single-family Residential district. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Shields. Nays: None. The motion passes unanimously.

- 2. SUB22-06, University Fraternity Subdivision No. 3:** Minor Subdivision to combine six university-owned lots into one lot and vacate certain easements; located in the GI, Government and Institutional district on Fraternity Drive.

Coots presents the staff report.

A motion was made by Russell Schmidt, seconded by Monty Jordan, to recommend approval to the City Council to combine six university-owned lots into one lot and vacate certain easements; located in the GI, Government and Institutional district. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Shields. Nays: None. The motion passes unanimously.

V. PUBLIC HEARING:

1. **ZON22-02, Car Mart:** Rezoning (map amendment) from the C-1, Neighborhood Commercial district to the C-2, General Retail district at 1306 Hwy 72 East.

Coots presents the staff report.

Russell Schmidt asks if the existing buffer can be kept for the adjacent R-1 and R-3 districts. **Coots** states that he suggested that the applicant keep and add on to the existing buffer. **Don Brown** asks if a fence is required. **Coots** no.

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

A motion was made by Monte Shields, seconded by Kevin Crider, to recommend approval to the City Council to rezone the subject property from the C-1, Neighborhood Commercial district to the C-2, General Retail district. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Shields. Nays: None. The motion passes unanimously.

2. **VAC22-01, Curators of the University of Missouri:** Vacation of the remainder of Spring Street, north of 13th Street; a portion of 13th Street, between Spring Street and Bishop Avenue; and the remainder of an alley between Spring Street and Bishop Ave and 13th Street and University Dr.

Coots presents the staff report.

Robert Anderson asks how the apartments at 708 East 13th Street will get access. **Coots** states the university recently purchased the property and the access will be through the parking lot.

Brown asks if these additions will change the plat that was recently approved. **Coots** no.

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

A motion was made by Monty Jordan, seconded by Janece Martin, to recommend approval to the City Council to vacate the remainder of Spring Street, north of 13th Street; a portion of 13th Street, between Spring Street and Bishop Avenue; and the remainder of an alley between Spring Street and Bishop Avenue and 13th Street and University Drive. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Shields. Nays: None. The motion passes unanimously.

3. VAC22-02, Curators of the University of Missouri: Vacation of State Street north of 11th Street.

Coots presents the staff report.

Jordan asks if the fire department was okay with the vacation. **Coots** yes, the fire department and university are working together to assure access is provided.

Schmidt asks how to keep vehicles off the sidewalk that would be built. **Coots** states locking bollards will be in place.

Jordan asks if the fire department was fine with backing out of the vacated street since it was the only access point. **Coots** states he was unsure how far fire needed access, but generally 150 feet is OK.

Brown asks if it is possible to have access from the other direction. **Coots** states he is unsure since he has not seen a final plan.

Brown asks if once the road is vacated it becomes the university's responsibility and not the City's. **Coots** confirms this.

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

A motion was made by Russell Schmidt, seconded by Monte Shields, to recommend approval to City Council to vacate State Street north of 11th Street. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Shields. Nays: None. The motion passes unanimously.

4. TXT22-01, Homeless Shelters and related uses: Text Amendments to Sections 42.141, Definition; 42.177, R-3 Multi-family district; 42.189, General Retail districts; 42.192, Highway Commercial districts; 42.194, Center-City districts; 42.196, Light Manufacturing districts; 42.223, Reserved; 42.224, Residential Group Homes; 42.225 and 42.226, Reserved.

Coots presents the staff report.

Anderson asks what the Rolla Mission would be defined as in the proposed amendment. **Coots** states it would be an overnight shelter based upon their current services.

Jordan asks if the City's legal staff had examined the text amendment. **Coots** states the City's legal staff determined this amendment was close to the City's limits of authority.

Janece Martin states under sec. 42-141 of the proposed amendment, an emergency shelter, overnight shelter and soup kitchen are all permitted by-right in the C-3 district. However, in sec. 42-192.1, none of those uses are listed. **Coots** states this is because the

C-1 and C-2 districts state those uses, and the C-3 district includes the previous uses. **Martin** states the C-1 district section is not included. **Coots** confirms that there seems to be an error.

Martin asks if an overnight shelter could be denied in one district and then reapply under a different district. **Coots** states that anyone can ask for a rezoning of a property.

Martin asks if the proposed amendment has been cross-checked with Missouri statues to see if it is applicable. She also asks if a comprehensive committee helped come up with the proposed amendment. **Coots** states there was no committee, but the public hearings are intended to help to gather public input.

Brown opens the public hearing.

Lela Webbemeyer, residing at 14990 County Road 5190, spoke about the impact the proposed amendment will have on the business owners. She states the definitions are too broad and need more parameters. She states the proposed amendment needs more thought, definition, and a narrower scope or potentially be detrimental to Rolla.

Ashley Brooks, residing at 38 Johnson Drive, is the executive director of the Rolla Mission. She states the proposed amendment will only increase the number of homeless and duration they are homeless. This will also limit any organization wishing to help. She suggested both the emergency and overnight shelter definitions be the same, and read: any facility in which the primary purpose is to provide a temporary shelter for the homeless in general; or specific populations of homeless and which does not require occupants to sign leases or occupancy agreements.

She also proposes eliminating the 180 day time limit, and replacing it with text that reads: no individual or family shall reside in an emergency shelter for more than 30 consecutive days without entering into case management to obtain housing. She expresses concern about the vague and discriminatory language in the proposed amendment and wishes it to be removed.

Mr. Jansen residing at 11501 County Road 5180, mentions how city planning can infringe upon private individual liberties. He expresses concern that this ordinance overregulates where homeless shelters can go.

Steven Leevey, residing at 219 Beamer Lane in Cuba, mentions legal issues with the proposed amendment.

Ann Murphy, residing at 1801 Independence, spoke in opposition to the proposed ordinance.

Dale Wands, PO Box 977, Rolla. He expresses concerns about more outsiders coming into the Rolla area. He states the priority should be the Rolla residents, businesses and landlords.

Mary-Sue Sanchez, residing at 15020 Co Rd 8450, is concerned about the influx of homeless and the impact it will have on Rolla.

Matt Farrar, residing at 1502 Forum Drive, implores the Commission to consider the City residents.

Felicia Richards, residing at 563 Basswood Drive, is concerned about the language of the proposed amendment and its impact on the businesses and livelihood of Rolla residents.

Brown, seeing no further questions from the audience or commissioners, closes the public hearing.

Schmidt comments that the proposed ordinance does not take care of the situation.

Mayor Lou Magdits comments he was unsure the community has discussed the issue enough to come to a conclusion.

A motion was made by Russell Schmidt, seconded by Monty Jordan, to recommend the City Council not approve the proposed text amendment in its current form due to inadequacies, inconsistencies, and vagueness. A roll call vote on the motion showed the following: Ayes: Anderson, Crider, Jordan, Martin, Schmidt, and Shields. Nays: None. The motion passes unanimously.

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

VII. CITIZEN COMMENTS:

Neno Esparza, a Rolla resident, is concerned that the rights of the homeless will be infringed upon.

Meeting adjourned: 7:34 p.m.

Minutes prepared by: Sarah West

NEXT MEETING:

Tuesday, July 12, 2022