

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF SEPTEMBER 28, 2015

MEMBERS PRESENT: Tim Kundiger, Chairperson
Dave Holloman, Vice Chairperson
Bob Gilmore
Patty Horgan
Earl Ward

MEMBERS ABSENT: Ron Close
Francis DeMott
Brian Sullivan
Michael Swartz

OTHERS PRESENT: Jim Askins, 2401 Knollview, Pittsburg, KS
Nicole Lakey, 609 E 28th, Pittsburg, KS
C.E. & Sally Starkweather, 622 E Jackson, Pittsburg, KS
Charles & Linda Starkweather, Pittsburg, KS
Cameron Alden, Director of Public Works
Troy Graham, Assistant Director of Public Works
Andrea Holtzman, Administrative Assistant, Public Works

The Pittsburg Planning and Zoning Commission met on Monday, September 28, 2015, at 6:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Chairperson, Tim Kundiger called the meeting to order at 6:00 p.m. with five (5) members present. Mr. Kundiger led the flag salute.

The first order of business was approval of the minutes of the meeting of August 24, 2015. In this regard, Bob Gilmore moved, seconded by Patty Horgan that the minutes be approved with changes as follows: Page 3 paragraph 3 should read "windows" not "widows" and Craig "Wilbert" not "Wilber". This motion carried unanimously.

The first order of business under Presentation of Requests and Petitions was the Consideration of a request submitted by Miller's, Inc. to vacate an alley in the 600 Block of East Jackson Street described as "all that alley located between Lots 1 through 11 and Lots 12 through 22, all located in block 2 of Bonview Addition to City of Pittsburg, Crawford County, Kansas". This is the alley located between Jackson Street and the vacated Madison Street and it runs from Homer Street to Stilwell Street.

Troy Graham explained all the property on both sides of the alley will now be owned by Miller's Professional Imaging. Miller's is now in the process of purchasing the last two properties at the east end of this street. The alley will need to remain as a utility easement left for utilities.

Jim Askins explained Miller's is still waiting for closings on these properties

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Mr. Graham explained the Commission needs to recommend to the Governing Body either approval or disapproval of this request and then on October 13th, the Governing Body will have a Public Hearing to consider the request.

Mr. Askins explained Miller's currently has no plans for the property. He indicated that if the owners of the property on the corner back out of the sale he still plans on deeding back the portion of the alley the property owner uses to access their drive way.

Tim Kundiger shared he had concerns about approving the request since the properties were not actually owned yet by Miller's and closing has not been completed.

Sally Starkweather, 622 E Jackson, was present to speak against the request. She stated she isn't happy with the way Miller's has laid out their property. She owns the home across the street from the property Miller's is seeking to own. She stated she owns a daycare that she runs out of her home. She indicated she felt the parking lot is unsightly. Mrs. Starkweather indicated Miller's had promised her that trees and a fence would be blocking the parking lot from the front view of her home. She claims her business is now subjected to a huge parking lot. She wants a fence placed even if the alley is vacated.

Commissioners explained to Mrs. Starkweather that she will need to go to the Public Hearing on October 13th to share her concerns about the fence.

There being no further questions or discussion from the Commission, Bob Gilmore moved to recommend the Governing Body approve the vacation with the contingency Miller's closes on the properties. Dave Holloman seconded this motion. This motion passed with a 5 affirmative to 1 opposed vote with Tim Kundiger voting against the vacation request.

The second order of business under Presentation of Requests and Petitions was a Public Hearing to hear Case No. 15P-06: A request submitted by Charles Watson, for a Conditional Use Permit under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow chickens to be housed at his residence located at 1017 East 4th Street.

Troy Graham explained the land in question is less than one acre and would require a Conditional Use Permit to house chickens on this property. The property in question is zoned CP-2. The property east of Mr. Watson's home is owned by the City and will not have any development. There were several letters from surrounding neighbors in favor of the Watsons having chickens.

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Mr. Watson, 1017 E 4th, shared he has had the chickens for approximately 4 years. He has covered the area and enclosed the area in which the chickens are housed.

Earl Ward asked why Mr. Watson keeps the chickens. Mr. Watson said they are really just pets however he and his wife do eat the eggs. Mr. Ward shared he feels the area is kept very clean and is sufficient for the number of chickens he has currently.

Mr. Watson indicated he doesn't want any more chickens.

Nicole Lakey, 609 E 28th, shared the chickens have become part of Mr. Watson's family and give Mr. Watson something to do with his time.

Troy Graham explained every situation is different. If Mr. Watson sells the property or if the property changes ownership for any reason, if a Conditional Use is approved, it would no longer be valid.

There being no further questions and no other discussion amongst the Commission, Earl Ward moved and Bob Gilmore seconded to approve the request as submitted. This motion passed unanimously.

Under Old Business, Commission members discussed the need for updating the ordinance in regards to parking regulations and landscaping ordinance regarding RP-3 and RP-4 and a time line for construction to begin within a year of Commission approval of projects. Mr. Graham explained he has not had time to do the research since he has been back. He will be getting something together and will bring a draft to the next meeting.

Under New Business, Troy Graham explained that AT&T had been approved for a Conditional Use. Mr. Graham explained that AT&T was going to put a cell tower and a communication hut at 410 E Quincy. AT&T has decided not to put in a communication hut at the site location but Craw-Kan has decided to build one instead. Dave Holloman would like to have some regulations on these huts since they are being installed all over town. Mr. Graham said Craw-Kan will be screening the building. Commission was in agreement.

Tim Kundiger asked if there was an attendance policy for the Planning and Zoning. Mr. Graham indicated that if the Commission wanted to create an attendance policy that would need to be changed in the by-laws. Dave Holloman felt that if someone can't make most of the meetings the seat should be relinquished to someone else.

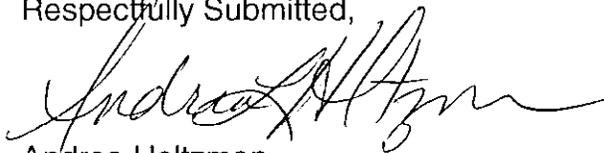
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Tim Kundiger asked if the Planning and Zoning Commission and the Board of Zoning Appeals could be combined. Mr. Graham indicated he would look into the possibility of combining them and will look into how other Cities' were organized.

Patty Horgan asked if there was something the City could do about some of the structures on Broadway that are unsightly. Cameron Alden explained the Public Works Department's Building Services Division and Codes Enforcement Division handle these complaints. He explained the Divisions are working very hard to create good relationships with owners and get them to comply with the codes. There have been several personnel changes in both divisions but he reassured the Commission they are working very hard to take care of this matter.

There being no further business, Bob Gilmore moved and Patty Horgan seconded to adjourn at 7:34 p.m. This motion passed unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrea Holtzman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Andrea Holtzman
Administrative Assistant to Public Works