

# PLANNING AND ZONING COMMISSION

## MINUTES OF THE MEETING OF May 23, 2016

**MEMBERS PRESENT:** Patty Horgan, Chairperson  
Bob Gilmore, Vice Chairperson  
Ron Close  
Mike Creel  
Francis DeMott  
Dave Holloman  
Laura Klusener  
Earl Ward

**MEMBERS ABSENT:** Tim Kundiger

**OTHERS PRESENT:** Cameron Alden, Director of Public Works  
Andrea Holtzman, Administrative Assistant, Public Works

The Pittsburg Planning and Zoning Commission met on Monday, May 23, 2016, at 5:30 p.m., in the Municipal Court Room of the Law Enforcement Center. Chairperson, Patty Horgan called the meeting to order at 5:30 p.m. with eight (8) members present. New member, Laura Klusener led the flag salute.

The first order of business was the approval of the minutes from April 25, 2016. Earl Ward moved seconded by Mike Creel to approve the minutes as submitted. This motion passed with a vote of seven affirmative and Bob Gilmore abstaining his vote due to his absence from that meeting.

The first order of business under Presentation of Requests and Petitions was a Public Hearing to consider Case No. 16P-04, a request submitted by the City of Pittsburg discuss the creation of Article 41, Planned Unit Development "PUD", to the City of Pittsburg's Zoning Ordinance.

Cameron Alden explained that the PUD would allow developers to present a development plan that could be utilized in any of the current existing zoning districts to the Planning and Zoning Commission for approval. A Planned Unit Development (PUD) process is used to maximize the land resources available within a zoning district. Planned Unit Development allows for residential, commercial, industrial or other land uses or any combination thereof to be authorized in a flexible manner so as to achieve the goals of the municipal comprehensive plan. The PUD development plan can include items such as varying lot sizes, setbacks, land uses, etc. which are established by the developer and the Planning and Zoning Commission.

Chairperson, Patty Horgan, opened the Public Hearing to anyone in favor of the changes. There being no one present to speak in favor of the request, Chairperson Horgan opened the floor to anyone in opposition. There being no one to speak in opposition Chairperson Horgan closed the Public Hearing.

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Mike Creel explained these developments have been seen in several cities.

There being no further questions or discussion from the Commission, Bob Gilmore moved to approve the request. Laura Klusener seconded the motion and the motion passed unanimously.

The second order of business under Presentation of Requests and Petitions was a Public Hearing to consider Case No. 16P-05, a request submitted by the City of Pittsburg discuss amendments to Article 23, Plan Approval Guidelines, of the City of Pittsburg's Zoning Ordinance.

Cameron Alden explained the majority of the changes were highlighted in red in the packet of information Commissioners were given for the meeting.

The amendments to the this article pertain to addressing the addition of the Planned Unit Development as well reducing the time restriction from 3 years to 1 year before developers must resubmit to the Commission plans that have been approved if the construction has not started within the defined time restriction.

Chairperson, Patty Horgan, opened the Public Hearing to anyone in favor of the changes. There being no one present to speak in favor of the request, Chairperson Horgan opened the floor to anyone in opposition. There being no one to speak in opposition Chairperson Horgan closed the Public Hearing.

There being no further questions or discussion from the Commission, Francis DeMott moved to approve the request. Mike Creel seconded the motion. This motion passed unanimously.

The third order of business under Presentation of Requests and Petitions was a Public Hearing to consider Case No. 16P-06, a request submitted by the City of Pittsburg to discuss amendments to Article 30, Supplementary Use Regulations Conditional Uses Accessory Uses, of the City of Pittsburg's Zoning Ordinance.

Mr. Alden explained the changes proposed were trying to define what material would be permissible to use as fencing.

Chairperson, Patty Horgan, opened the Public Hearing to anyone in favor of the changes. There being no one present to speak in favor of the request, Chairperson Horgan opened the floor to anyone in opposition. There being no one to speak in opposition Chairperson Horgan closed the Public Hearing.

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There being no further questions or discussion from the Commission, Bob Gilmore moved to approve the request. Dave Holloman seconded the motion. This motion passed unanimously.

The fourth order of business was the Review of a site plan submitted by Sam Malinowsky of Kaw Valley Engineering on behalf of Jimmy's Egg for the construction of a new restaurant to be located at 3103 N. Broadway.

Cameron Alden explained the building would be constructed near the Home Depot, between Aldi and the Subway store. When the area was developed there was a detention area located to the northeast of Home Depot.

Cameron Alden read through the site plan check list and introduced Sam Malinowsky who was present to speak in favor of the request and was available to answer any questions.

Sam Malinowsky explained the company is hoping to begin construction around the first part of July.

There being no further questions from the Commission, Laura Klusener moved seconded by Earl Ward to approve the site plan as submitted. This motion passed unanimously.

Under New Business Cameron Alden explained Troy Graham is working on the combining the Board of Zoning Appeals and the Planning and Zoning Commission and will bring that before the Planning and Zoning Commission.

Patty Horgan requested looking at a possible attendance policy for the Board.

There being no further business, Bob Gilmore moved and Francis DeMott seconded to adjourn the meeting at 6:00 p.m. This motion passed unanimously.

Respectfully Submitted,

Andrea Holtzman  
Administrative Assistant to Public Works