

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF JULY 27, 2009

MEMBERS PRESENT: Roland Dalrymple, Chairperson
Mike Creel
Francis DeMott
Gary Falcetto
Laura Klusener
Connie McGeorge
Frank Slapar

MEMBERS ABSENT: Joel VanBecelaere, Vice Chairperson
Earl Ward

OTHERS PRESENT: Rick Schroeder, 5700 State Line Road, Joplin, MO
Paul Lemert, 1057 S. Hwy. 69, Pittsburg
Ralph McGeorge, 2301 North Rouse, Pittsburg
Ruth Lemon, 110 East Carlton, Pittsburg
Todd Kennemer, Assistant Director of Public Works

The Pittsburg Planning and Zoning Commission met on Monday, July 27, 2009, at 7:00 p.m., in the Municipal Courtroom of the Law Enforcement Center, 201 North Pine. Chairperson Roland Dalrymple called the meeting to order at 7:00 p.m. with seven (7) members present.

The first order of business was the approval of the minutes of the meeting of June 22, 2009. Connie McGeorge moved, seconded by Mike Creel, that the minutes be approved as submitted. Motion carried unanimously.

The first order of business under Presentation of Requests and Petitions was a PUBLIC HEARING to consider Case No. 09P-2, a request submitted by Ralph F. Schroeder to rezone the 2700 Block of North Walnut from CP-2 Planned General Commercial to RP-3 Planned Medium Density Residential. Chairperson Roland Dalrymple opened the request by stating the request and then asked the applicant to comment on behalf of said request. Rick Schroeder was present on behalf of the applicant. This is the final phase of the senior housing development. They are proposing 44 units, 40 one-bedroom units and 4 two-bedroom units. The buildings will be one story and constructed of brick with covered porches. Each unit will be furnished with a washer/dryer, dishwasher and central heat and air.

There was no one present to speak either in favor of or in opposition to the request; therefore, Chairperson Roland Dalrymple closed the **PUBLIC HEARING** to allow for discussion amongst the Commission.

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The Planning and Zoning Commission then considered the following factors:

1. The character of the neighborhood.

Multi-family residential to the south, vacant to the north and west. Commercial development to the east fronts on Broadway, the back of this property adjoins the back of the commercial.

2. The zoning and uses of property nearby.

RP-3 Planned Medium Density Residential to the south and CP-2 Planned General Commercial (vacant) to the north, east and west. Commercial development to the east fronts on Broadway, the back of this property adjoins the back of the commercial properties facing Broadway.

3. The suitability of the subject property for the uses to which is has been restricted.

This property is not really suitable for commercial development in that access is limited to Walnut Street. You must travel through a residential area and through the existing multi-family development to get to it.

4. The length of time the property has remained vacant as zoned.

The property is vacant and undeveloped.

5. The extent to which removal of the restrictions (to rezone to a less restrictive classification) will detrimentally affect nearby property.

No detrimental effect.

6. The relative gain to the public health, safety and welfare (HSW) by the destruction of the value of the property being considered for rezoning as compared to the hardship imposed upon the individual landowner, which may occur if favorable consideration is not given to the request.

No affect on health, safety and welfare and no hardship on land owner regardless if the zoning is changed or not.

7. Recommendation of professional staff.

Approve the request.

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8. The conformance of the requested change to the Comprehensive Plan.

This property is not addressed in the future land use map of the Comprehensive Plan. It is shown as vacant land.

Based on the above findings, Gary Falchetto moved, seconded by Francis DeMott, that the Planning and Zoning Commission forward a recommendation to the Governing Body for **approval** of this rezoning request. Motion carried unanimously. This recommendation will be presented to the City Commission for their consideration on August 11, 2009.

The second order of business under Presentation of Requests and Petitions will be the review of a site plan submitted by Stockade Brands, Inc., 1057 S. Hwy. 69, for the construction of a 20' x 100' addition to the storage warehouse. Paul Lemert of Stockade Brands presented the site plan and construction plans for the 20' x 100' building addition. He stated the building is an addition to an existing warehouse and is to be used for storage of plastic sorghum tubs. It is approximately ninety (90) feet from the west property line; there will be no plumbing or outside lighting; no additional signage; and no additional employees.

In reviewing the Plan Approval Checklist, Todd Kennemer stated that this is a very simple addition to an existing building and it meets all the requirements of the site plan checklist. It is a 35-acre site zoned "IP-3" Planned Heavy Industrial. He also stated that since there are to be no new employees that the parking requirements should be waived. Mr. Kennemer pointed out that the location for the addition is now located inside the 100-year floodzone (as of April 16, 2009). The base flood elevation (BFE) is 884 feet and the finished floor elevation of the addition is 890.9 feet. The building location (and practically all 35 acres) is well above the BFE and is in compliance with the city's floodzone regulations. An elevation certificate with surveyors seal has been submitted and Stockade is in the process of obtaining a Letter of Map Revision (LOMR) per FEMA regulations.

Crawford County Commissioner, Mr. Ralph McGeorge, addressed the Board explaining that the State of Kansas is contesting the new FEMA floodzone maps of Crawford County. The State is claiming that the new floodzone boundaries are flawed because they were made from a hydrology study and not from actual surveying. He said the current boundaries and floodzone regulations adopted April 16th, 2009 are in effect; however, the State is also petitioning for reimbursement from FEMA to those entities (such as Stockade Brands) affected by the new floodzone regulations but are in reality not located inside of a floodzone.

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Based on the above findings, Francis DeMott moved, seconded by Mike Creel, that the Planning and Zoning Commission **approve** this site plan with the requirement that it complies with the current floodzone regulations. Motion carried unanimously.

Under Other Business was discussion of the meeting time for the Planning and Zoning Commission. After some discussion, it was decided to keep the meeting time at 7:00 p.m. as it better served the public.

The next Planning and Zoning Commission meeting is scheduled for August 24, 2009.

There being no other business, Francis DeMott moved, seconded by Connie McGeorge, that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 7:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Todd Kennemer". The signature is written in black ink and is positioned above the typed name and title.

Todd Kennemer
Assistant Director of Public Works