

# PLANNING AND ZONING COMMISSION

## MINUTES OF THE MEETING OF AUGUST 23, 2010

**MEMBERS PRESENT:** Joel VanBecelaere, Chairperson  
Connie McGeorge, Vice Chairperson  
Mike Creel  
Roland Dalrymple  
Francis DeMott  
Gary Falcetto  
Laura Kluesner  
Frank Slaper  
Brian Sullivan

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Ruth Lemon, 110 East Carlton, Pittsburg  
Tony Sanchez (Representing JD Fisher)  
Ralph McGeorge, 2301 N. Rouse, Pittsburg  
Todd Kennemer, Assistant Director of Public Works

The Pittsburg Planning and Zoning Commission met on Monday, August 23, 2010, at 7:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Chairperson Joel VanBecelaere led the flag salute and then called the meeting to order at 7:00 p.m. with all nine (9) members present.

**The first order of business was the approval of the minutes of the meeting of July 26, 2010.** Roland Dalrymple moved, seconded by Connie McGeorge 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. 10P-6, a request submitted by J.D. Fisher dba Health A Lifestyle to rezone the 2000 Block of East Centennial from CP-1 Planned Neighborhood Commercial and RP-3 Planned Medium Density Residential to CP-2 Planned General Commercial.** Chairperson Joel VanBecelaere opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. The applicant was represented by Mr. Tony Sanchez who stated that it will be a two story health club and gymnasium building featuring work out rooms, weights, a masseur, health drinks and supplements. Eventually a swimming pool will be added. It will be an "upper end" health and workout business with memberships only.

Todd Kennemer (pointing to map) stated that the business will be located on the parcel currently zoned CP-1 Neighborhood Commercial that fronts on Centennial Street, with

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parking in the rear of the building which is the parcel currently zoned RP-3 Medium Density Residential. The applicant is requesting to zone both parcels to CP-2 General Commercial.

There was no one present to speak in opposition to the request; therefore, Chairperson Joel VanBecelaere closed the **PUBLIC HEARING** to allow for discussion amongst the Commission. The Planning and Zoning Commission then considered the following factors:

1. Character of the neighborhood. The neighborhood is pretty isolated at this point in time. It lies on Centennial just east of the railroad tracks and consists of a nursing home, an apartment complex, and some commercial business. The commercial businesses are located in one building as you enter the drive to the apartment complex.
2. Zoning and uses of nearby properties. This property is at the edge of the city limits and is bounded on the north and east by vacant agricultural property located outside of the city limits, in Crawford County. The lot directly to the west is a nursing home and is zoned CP-1. The Summerfield apartments and vacant land, all zoned RP-3, lie next to the vacant lots on the south and to the west.
3. Suitability of the subject property for the uses to which it is being considered. Because it is located on Centennial, a 4-lane arterial, and next to a large apartment complex, CP-2 would be the highest and best use of this land. The building is to be located along Centennial with parking located on the south of the building.
4. Length of time the subject property has remained vacant as zoned. The land has been vacant as zoned since it was annexed and platted around 1996.
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. None. Surrounding property is zoned CP-1 or RP-3; both are for a more intense use.
6. Relative gain to public health, safety, & welfare. HS&W of the public will not be affected.
7. Recommendation of professional staff. APPROVE
8. Conformance to Master Plan. Although this particular property is not addressed by the Comprehensive Plan, it adjoins property designated as Commercial and Multi Family use in the Plan.

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Laura Kluesner inquired if the zoning of the property is changed to CP-2, what other types of businesses could locate on the property. Todd Kennemer stated that CP-2 zoning is for General Commercial; a "Wal-Mart" type store is allowed in CP-2 zoning. CP-2 zoning also allows those uses in CP-1 Neighborhood Commercial and CP-O Commercial Office zoning, such as a pharmacy or offices. The size of the property and required parking will help regulate the size of what could locate here. The property is located on Centennial, a 4-lane arterial [which tapers back into a 2 lane street from the city limits to approximately 200 feet east].

Roland Dalrymple stated that it is good to see a new business locating in Pittsburg.

Based on the above findings, Mike Creel moved, seconded by Connie McGeorge, that the Planning and Zoning Commission forward a recommendation to the Governing Body for **APPROVAL** of this change of zoning request. Motion carried unanimously. This recommendation will be presented to the City Commission for their consideration on September 14, 2010.

**The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Lane Brandt for the construction of an addition to his existing store located at 605 W. 4<sup>th</sup> Street.** Mr. Brandt was unable to attend the meeting. At Mr. Brandt's request Todd Kennemer presented the case. Mr. Kennemer stated the location is a former carpet store on W. 4<sup>th</sup> Street. Since the request is for a storage building at the rear of the building, there will be no additional square footage added for customers. Compared to other standard city blocks, this property may need some exceptions because there is a [portions] vacated railroad right-of-way running diagonally through it. The property is zoned CP-2 General Commercial.

After reviewing the site plans the following was noted:

1. Proposed contours: The site map shows one elevation line going through the property. How high is the building going to be compared to the finished floor of the existing building?
2. Drainage Controls: The south 65 feet of the property is an abandoned railroad. A culvert is to be installed in the old railroad ditch to accept drainage.
3. Outdoor lighting is not shown.
4. Finished floor elevation not shown.
5. There is a request to allow the building to be set 12-inches from the eastern property line, to align with the existing building.

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Mr. Kennemer stated the existing building sits 1-foot off of the eastern property line. Current regulations call for a 10-foot side yard setback requirement. M. Brandt is requesting the 10-foot setback requirement be modified to a 5-foot setback in this case, per Section 23-101 of the Zoning Codes. The adjustment is reasonable and will not be detrimental to the public welfare and interests of the community in that a 5-foot setback is used in residential districts.

After reviewing the information, the Planning and Zoning Commission felt that more information was needed before any decisions could be made regarding an addition to the building. Based on the above findings, Mike Creel moved, seconded by Laura Kluesner, that the Planning and Zoning Commission **TABLE** this site plan review until next month when the owner can be present to answer questions. Motion carried unanimously.

Under **OTHER BUSINESS**, Todd Kennemer stated that there is one case to go before the Board of Zoning Appeals on September 13, 2010. Dillon's Grocery Store wants to install a small gas station along Broadway in front of the grocery store.

Under **OLD BUSINESS**, there was no old business.

There being no other business, Connie McGeorge moved, seconded by Frank Slaper, to adjourn. Motion carried unanimously and the meeting adjourned at 7:30 p.m.

The next Planning and Zoning Commission meeting is scheduled for September 27, 2010.

Respectfully submitted,



Todd Kennemer  
Assistant Director of Public Works