

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF OCTOBER 25, 2010

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

OTHERS PRESENT: Stuart Owsley, 816 E. Jefferson, Pittsburg
Rick Pfeiffer, Crawford County Mental Health, Pittsburg
John Lair, Crawford County Mental Health, Pittsburg
Merle Lair, Crawford County Mental Health, Pittsburg
Joshua Wright, address unknown
Bruce Remsberg, PEC, 902 S. Broadway, Pittsburg
Ruth Lemon, 110 East Carlton, Pittsburg
Todd Kennemer, Assistant Director of Public Works

The Pittsburg Planning and Zoning Commission met on Monday, October 25, 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 September 27, 2010. Chairman Joel VanBecelaere pointed out that a portion of the minutes was missing. Todd Kennemer advised that he would investigate to find out what was missing and present correct copies of the minutes at the next meeting. The Board unanimously voted to **TABLE** the minutes until the next meeting.

The first order of business under Presentation of Requests and Petitions was a PUBLIC HEARING to consider Case No. 10P-8, a request submitted by Mr. Scott Saia to rezone a portion of the 3000 Block of North Joplin R1-B "Single Family Residential" to RP-3 "Planned Medium Density Residential District" in order to build apartments (16 to 20) units for senior citizens aged 62 and above. Chairperson Joel VanBecelaere opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. Todd Kennemer stated that he had called the applicant, Mr. Saia, earlier in the week to remind him of the meeting. Mr. Saia advised that he decided not to pursue this particular project and requested it be withdrawn. The Board voted unanimously to withdraw this request per the applicant's request.

**PLANNING AND ZONING COMMISSION
MINUTES OF OCTOBER 25, 2010
PAGE TWO**

The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Professional Engineering Consultants (PEC) on behalf of Dillon Real Estate Company to allow the construction of a 5-island fuel facility with canopy at Dillon's Grocery Store at 2600 N. Broadway. Bruce Remsberg, of PEC, spoke on behalf of Dillon's. Dillon's Grocery Store is building a 5-island gas station with small kiosk in their parking lot. There will be no sales other than gasoline. A couple of water lines are to be moved and a new electrical service is being installed to service the new kiosk and pumps.

This item was presented to the Board of Zoning Appeals (B/ZA) on September 13, 2010. The B/ZA granted a variance on the number of required parking spaces (of the grocery store) in order to allow construction of this gas station. The grocery store had a surplus of parking under the regulation in effect at the time of its construction. When the zoning regulations changed, requirements for grocery store parking doubled; the store went from an excess of 52 spaces to a deficit of 48 spaces. Pittsburg's grocery store parking requirement is one of the highest parking space requirements in the U.S. One space per 300 square feet is somewhat common. The gas station would be allowed if parking requirements were one space per 300 square feet, so the B/ZA approved the request.

Gary Falcetto inquired if the station's tanks met the requirements of underground storage. Todd Kennemer stated they do meet the requirements. He stated that underground fuel tanks must meet federal and state requirements of EPA and KDHE before they are installed. Bruce Remsberg stated there are pretty extensive requirements on the fuel tanks to make sure they are tied down, properly installed and monitored, etc.

Mike Creel inquired if the kiosk was going to be manned and if it would have a restroom. Bruce Remsberg stated it would be manned and that there would be no restroom.

Joel VanBecelaere inquired if the station met the setback requirements. Todd Kennemer stated that it would meet the setback requirements.

After reviewing the site plan and general discussion, Laura Klusener moved, seconded by Connie McGeorge, to **approve** the site plan. Motion carried unanimously.

**PLANNING AND ZONING COMMISSION
MINUTES OF OCTOBER 25, 2010
PAGE THREE**

The third order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Drafting and Design Unlimited on behalf of Crawford County Mental Health for the construction of a 52' x 40' building to be utilized as a shelter building at the northwest corner of 4th and Elm Street. Richard Pfeiffer, Executive Administrator of Community Mental Health Center (CMHC), spoke on behalf of the project. He stated that the property is the site of an old gas station/ mechanic shop that has been cleaned up by CMHC; the building, some old cars and a school bus have been removed. This childcare center takes care of about 60 children and CMHC wants to build a storm shelter on the site that meets FEMA standards.

Laura Klusener inquired if the building would be used for anything other than a storm shelter. Mr. Pfeiffer stated its only use would be a storm shelter. He also stated that for the protection of the children, the shelter would not be open to the public. A similar structure has been constructed at the old Mt. Carmel campus. Mr. Pfeiffer stated that it would take some time to get enough money for construction.

In reviewing the Plan Approval Checklist, Todd Kennemer stated there are a few questions regarding the site plan. The property is zoned CP-4 Planned Central Business District and does not require parking; however, if parking is installed, it must meet current standards. Since the property adjoins State Highway K-126 (4th Street), anything done must also be approved by KDOT. This means one (if not both) entrance from 4th Street will need to be closed. Since the site also has access from Elm Street on the east and an alley on the west, KDOT may require the use of the alley as an entrance from 4th Street. Also, the distance from the Elm Street entrance to the first parking lot as shown is 21 feet. Parking standards for Pittsburg require at least 24 feet. The billboard in the parking lot will also need to be addressed. The "billboard lease" is not due to expire until December 2013. There are cars parking on the existing grassy area on the west side of the sign. Although this is shown as separate ownership, it is owned by the same childcare facility. Parking in a commercial area is not allowed on unpaved, grassy areas. This too would need to be addressed. Mr. Kennemer also questioned exterior lighting for the building. Mr. Pfeiffer stated they would comply with the lighting requirements. Mr. Pfeiffer stated that construction probably would not start in the wintertime unless there were some warm days for pouring concrete. Mr. Kennemer requested that the site plan be tabled until the previously stated issues were addressed.

**PLANNING AND ZONING COMMISSION
MINUTES OF OCTOBER 25, 2010
PAGE FOUR**

Mike Creel inquired if any storm shelter companies had been contacted regarding construction with their product. Mr. Pfeiffer stated they contacted *Twister Safe* but their product was about three times the cost. Other questions were asked about the trash dumpster. Mr. Pfeiffer stated there are dumpsters serving the existing building. This building is a storm shelter and is to be unoccupied except during a storm.

After general discussion regarding the site and KDHE and KDOT, Mike Creel moved, seconded by Gary Falcetto, to **approve** the site plan as submitted with the condition that CMHC works with Todd regarding the KDOT requirements and those requirements brought forward in the meeting. Motion carried unanimously.

The forth order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Stuart Owsley & Associates on behalf of Lindburg Pharmacy to widen the existing parking lot and add an additional lane to the existing drive-through facility located at 909 E. Centennial. Brian Sullivan stated that since this was his pharmacy, as a Commission member he would need to be excused from the discussion so as not to create a conflict of interest. Stuart Owsley spoke for the applicant. Mr. Owsley stated the site plan was drawn up a few years ago to widen the parking lot to the west by seven (7) feet, thus allowing another lane for drive-through service. The only change to the existing building and awning would be the addition of an "automated tube similar to the drive-up tubes at the banks". Nothing else is to be done to the building and no new parking spaces are to be added. Edge of the parking would now be five (5) feet from the right-of-way line. Two light poles (belonging to the pharmacy) would also need to be moved to the west. Plans also include replacing asphalt/concrete in the driveway to improve drainage and general appearance.

Joel VanBecelaere inquired about the transformer shown at the west side of the property. Todd Kennemer stated the transformer is located inside the right-of-way, at least five (5) feet from the edge of the parking lot. The transformer is to remain undisturbed.

In reviewing the Plan Approval Checklist, Todd Kennemer stated that the proposed project meets all applicable items. Some of the items on the checklist are not relevant to this situation since the owner is not adding to or changing the existing building. Increased runoff is negligible and will be addressed by the existing on-site drainage.

After general discussion and review of the site plan, Gary Falcetto moved, seconded by Connie McGeorge, to **approve** the site plan. Motion was unanimously approved.

**PLANNING AND ZONING COMMISSION
MINUTES OF OCTOBER 25, 2010
PAGE FIVE**

UNDER OTHER BUSINESS, Joel VanBecelaere asked about the regulations regarding signage and billboards. Todd Kennemer stated the proposed new regulations are ready but need some finishing work on the new electronic sign regulations. He can present them at the next meeting.

Mr. VanBecelaere also inquired if the parking regulations need to be addressed. Todd Kennemer stated that Pittsburg has the highest parking requirements for grocery stores that he has seen. Comparisons were made with other cities with lower parking requirements. Pittsburg also has double the requirements of industrial parking than other cities as well.

Mr. Kennemer also advised the Commission that the terms of three of its members would expire December 31, 2010. Connie McGeorge and Gary Falcetto would be completing their first terms and are eligible to serve second terms. Roland Dalrymple would be completing his second term and is not eligible for reappointment. Mr. Kennemer stated that if any of the Commission members knew of anyone who would like to serve on the Commission to have them submit their names to the City Clerk.

There being no other business, Connie McGeorge moved, seconded by Mike Creel, that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 7:50 p.m.

The next Planning and Zoning Commission meeting is scheduled for November 22, 2010.

Respectfully submitted,



Todd Kennemer
Assistant Director of Public Works