

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF SEPTEMBER 26, 2011

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

MEMBERS ABSENT: Ron Close

OTHERS PRESENT: Sandra Barnes, 314 W. 10th Street, Pittsburg
Kyle Burgess, 302 E 4th Ste E, Pittsburg, KS
Sondra Collins, 1541 E 473rd Road, Bolivar, MO
Debbie Gepford, 518 W. Martin, Pittsburg
Eddie Gepford, 518 W. Martin, Pittsburg, KS
Brian Jones, 1509 Vine, Pittsburg, KS
Aaron McConnell, 822 N Broadway, Pittsburg, KS
Todd Kennemer, Asst. Director of Public Works
Andrea Turner, Administrative Assistant

The Pittsburg Planning and Zoning Commission met on Monday, September 26, 2011, at 7:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Brian Sullivan led the flag salute. Chairperson Connie McGeorge called the meeting to order at 7:00 p.m. with eight (8) members present.

The first order of business was the approval of the minutes of the meeting of July 25, 2011. Joel VanBecelaere moved, seconded by Frank Slapar, 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. 11P-07, a request submitted by Aaron McConnell for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a sports and recreational activity facility at 304 W. 11th Street. Chairperson Connie McGeorge opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. Aaron McConnell was present to speak on behalf of this request. He stated he intends to open the facility to all athletes with the focus being on speed and agility training.

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Laura Klusener asked if Mr. McConnell was already in the building. Mr. McConnell stated renovations have already begun and there have been people in the building.

Connie McGeorge asked what ages would be able to utilize the facility. Mr. McConnell stated that the speed and agility training would be open to all ages 7 years of age and older.

Those speaking either in favor of or in opposition to the request were then given the opportunity to comment as follows:

Sandra Barnes, 314 W. 10th Street, stated although she did not wish to speak against the request necessarily she did want further information as to the exact location of this facility in comparison to her property. Todd Kennemer referred to a map providing the location of the proposed facility and explained the building was formerly occupied by McNally's Manufacturing. Ms. Barnes thanked the Commission and Mr. Kennemer for clarifying the building was an existing building and not a new structure and the location of the building.

There being no further discussion, Chairperson Connie McGeorge 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. Industrial on the north and east sides; residential on the south and west sides; property to the west is vacant.
2. Zoning and uses of nearby properties. Properties to the north and to the east are zoned IP-3 Planned Heavy Industrial and consist of the City of Pittsburg Public Works yard and McNally's Manufacturing (large vacant industrial facility). Properties on the south side of 11th Street and to the west of the subject property are zoned R-1C Single Family Residential. The 400 Block of W. 11th Street is vacant on both sides and the street ends at the back of the YMCA.
3. Suitability of the subject property for the uses to which it is being considered. A very large building is needed for the proposed use and this particular building is well suited for this use. The number of people on site at one time, including instructors, is to be around 25. This type of use will serve well as a buffer between residential and heavy industrial uses.
4. Length of time the subject property has remained vacant as zoned. The building has been vacant (lightly used) for the past 7 years...maybe longer.

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5. The extent to which removal of the restrictions will detrimentally affect the nearby property. None.
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. The zoning remains unchanged.

Based on the above findings, Joel VanBecelaere moved, seconded by Francis DeMott, that the Planning and Zoning Commission forward a recommendation to the Governing Body for **APPROVAL** of this Conditional Use request. Motion carried unanimously. This recommendation will be presented to the City Commission for their consideration on Tuesday, October 11, 2011.

The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Aaron McConnell for a sports and recreational activity facility at 304 W. 11th Street. Aaron McConnell was present to speak on behalf of this request and provided the information as stated above.

Todd Kennemer explained Mr. McConnell's plan to have a wrestling mat, weight lifting equipment and turf for training. Mr. Kennemer provided pictures showing the inside of the building so the Commission could see the size of the building.

In reviewing the Plan Approval Checklist, Mr. Kennemer stated that the site plan meetings the plan approval checklist with the exception of the paving requirements, however, he recommends waiving the requirement for the parking lot to allow for it to remain gravel.

Joel VanBecelaere moved, seconded by Mike Creel, to approve the site plan and waive the requirement for parking lot to be paved thus allowing it to remain gravel due to its close proximity to industrially supported properties. Motion carried unanimously.

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The third order of business under Presentation of Requests and Petitions was a **PUBLIC HEARING** to consider Case No. 11P-08, a request submitted by Kyle Burgess for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a dance and cheer studio at 701 E. Washington Street. Chairperson Connie McGeorge opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. Kyle Burgess was present to represent this request. Mr. Burgess explained to the Commission this was the old National Mills Building and that he wished to have a dance and cheer studio in the building. He stated the existing business, The Cheer Pit, has outgrown its current facility and needs the extra space this facility will allow. Both The Cheer Pit and the former Jodi Phillips Dance Studio will share this space.

Connie McGeorge inquired about the hours of operation for the facility. Mr. Burgess stated he believed the hours of operation would be 4:00 p.m. to 9:00 p.m.

There being no one present to speak either in favor of or in opposition to the request, Chairperson Connie McGeorge 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. Industrial.
2. Zoning and uses of nearby properties. This property is adjacent to IP-2 Planned Medium Industrial zoning on 3 sides. IP-3 Planned Heavy Industrial zoning is to the north (Dickey Clay).
3. Suitability of the subject property for the uses to which it is being considered. The facility is suited for a dance/cheer studio. The building is not isolated, but is approximately 300 feet to its nearest neighboring building.
4. Length of time the subject property has remained vacant as zoned. A portion of this facility (± 5500 square feet in the SE corner of the building) is being used as a call center for Pizza Hut.
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. None.
6. Relative gain to public health, safety, & welfare. HS&W of the public will not be affected.

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7. Recommendation of professional staff. APPROVE

8. Conformance to Master Plan. The zoning remains unchanged.

Based on the above findings, Laura Klusener moved, seconded by Joel VanBecelaere, that the Planning and Zoning Commission forward a recommendation to the Governing Body for **APPROVAL** of this Conditional Use request. Motion carried unanimously. This recommendation will be presented to the City Commission for their consideration on Tuesday, October 11, 2011.

The fourth order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Kyle Burgess. Kyle Burgess was present to represent speak in behalf of this request and provided information as stated above.

Todd Kennemer explained Mr. Burgess's plan for a dance and cheer studio in the former National Mills building. He stated both of these businesses need a big space with high ceilings.

In reviewing the Plan Approval Checklist, Mr. Kennemer stated he felt this building was a good fit for these businesses and recommended approval of the site plan.

There being no further discussion, Gary Falcetto moved, seconded by Mike Creel, to **APPROVE** the site plan. Motion passed unanimously.

The fifth order of business under Presentation of Requests and Petitions was a PUBLIC HEARING to consider Case No. 11P-09, a request submitted William and Sondra Collins to rezone 702 and 704 N. Elm from CP-2 Planned General Commercial to RP-4 Planned Apartment House District to make the property more conducive to building multi-family dwellings on the property. Chairperson Connie McGeorge opened the **PUBLIC HEARING** by stating the request and then asked the applicant to comment on behalf of said request. Sondra Collins was present to represent this request. Mrs. Collins stated she wants to build two separate duplexes on this property where the former house has been torn down. She stated parking would be off the alley and there would be no garage or carports with these duplexes.

Mike Creel asked if the alley would be paved. Todd Kennemer stated the alley would not be required to be paved so the plan is to leave the alley as it is.

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Those speaking either in favor of or in opposition to the request were then given the opportunity to comment as follows:

Debbie Gepford, 518 W. Martin, stated although she did not wish to speak against this request necessarily she did want further information concerning her own property that is next door to the subject property. Ms. Gepford explained her property is currently zoned CP-2 Planned General Commercial and eventually she would like to open her own salon in the structure located on the property. She questioned whether her property was also going to be rezoned. She also expressed concern about the placement of the proposed duplexes to her existing structure.

Todd Kennemer stated there would be at least fifteen (15) feet between the proposed duplexes and Ms. Gepford's existing property. Mr. Kennemer also assured her that her property would not have a zoning change, noting this zoning change request was only for the properties addressed as 702 and 704 N. Elm. After Mr. Kennemer explained the zoning would not change for Mrs. Gepford's property, Ms. Gepford thanked the Commission for their time and seated herself.

There being no further discussion, Chairperson Connie McGeorge 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. This area is a blend of single-family, two-family, commercial, and institutional (church, courthouse) uses.
2. Zoning and uses of nearby properties. This is a corner lot(s). The adjoining property on the north, 50' in width, is zoned CP-2 Planned General Commercial but contains a residence; the remaining northern portion of the block is zoned R-2 Two-Family Residential and contains a church and parking area. Property on the east is zoned CP-2 and houses a wallpaper business, The 311 Club, and a residence. Properties across the street on the south and southwest are zoned CP-2 and CP-4 Planned Central Business, and houses mixed uses such as the Crawford County Judicial Center–Pittsburg branch, one and two family residential, a parking lot, and a [recently demolished] church. On the west is R-2 zoning which contains single family houses converted to 2 to 3 apartment units, and the US post office.
3. Suitability of the subject property for the uses to which it is being considered. Duplexes will blend in well with the existing mixed uses of the neighborhood.

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4. Length of time the subject property has remained vacant as zoned. Approximately 3 years. The property was previously occupied by a dilapidated residential structure that has been razed.
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. None.
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. The Master Plan shows this area to be Residential Use.

Based on the above findings, Gary Falchetto moved, seconded by Frank Slapar, 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 Tuesday, October 11, 2011.

UNDER OLD BUSINESS, Joel VanBecelaere asked Todd Kennemer if there had been any further information concerning the landscaping ordinance from Henry Menghini. Mr. Kennemer stated at this time Mr. Menghini is still reviewing the proposal. Mr. VanBecelaere asked if Mr. Kennemer would speak with Mr. Menghini and see where this proposal currently stands. Mr. Kennemer agreed.

There being no further business to be discussed, Joel VanBecelaere moved, seconded by Brian Sullivan, that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Andrea Turner
Administrative Assistant