

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF MAY 21, 2012

MEMBERS PRESENT: Laura Klusener, Chairperson
Francis DeMott
Gary Falcetto
Tim Kundiger
Connie McGeorge

MEMBERS ABSENT: Ron Close, Vice Chairperson
Mike Creel
Brian Sullivan
Joel VanBecelaere

OTHERS PRESENT: Jeff Bair, City Lorene Hoffman, 1121 E. 126 Hwy., Pittsburg
Christina Lucas, 417 E. Monroe, Pittsburg
Wayne Lucas, 417 E. Madison, Pittsburg
Ernest Milleman, 415 E. Monroe, Pittsburg
Juanita Milleman, 415 E. Monroe, Pittsburg
Gary Milleman, 415 E. Monroe, Pittsburg
Dorothy Riggs, 1104 Cedar Crest Drive, Pittsburg
Mitch Riggs, 414 E. Monroe, Pittsburg
Rodney Riggs, 1104 Cedar Crest Drive, Pittsburg
Mark Turnbull, City of Pittsburg
James Seward, 1202 E. 4th Street, Pittsburg
Kevin Seward, 559 E. 510th Ave., Pittsburg
Jeff and Penny Wood, 315 E. 4th Street, Pittsburg
Todd Kennemer, Asst. Director of Public Works

The Pittsburg Planning and Zoning Commission met on Monday, May 21, 2012, at 7:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Tim Kundiger led the flag salute. Chairperson Laura Klusener called the meeting to order at 7:00 p.m. with five (5) members present.

The first order of business was the approval of the minutes of the meeting of April 23, 2012. Connie McGeorge moved, seconded by Francis DeMott, that the minutes be approved as submitted. Motion carried unanimously.

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The first order of business under Presentation of Requests and Petitions was a PUBLIC HEARING to consider Case No. 12P-03, a request submitted by Kevin Seward to rezone 408 E. Monroe from R-2 Two Family Residential to RP-3 Planned Medium Density Residential to make the property more conducive to building multi-family dwellings on the property. Chairperson Laura Klusener opened the PUBLIC HEARING by stating the request and then asked the applicant to comment on behalf of said request.

Before continuing, Todd Kennemer provided the Commission with an aerial view map showing the property in question.

Kevin Seward was present to speak on behalf of the request and provided the following information. He and his brother, James, own Seward Rentals and want to build one bedroom apartments on the property located at 408 E. Monroe. Each unit would be approximately 600 square feet with only one bedroom and one bathroom. The three buildings would be single story constructed in a "U" shape with two of the buildings to consist of four units and the third building to consist possibly of five units for a total of 12-13 units. The existing structure located on the property will be demolished. Seward Rentals has also purchased the land adjacent to 408 E. Monroe, which is currently zoned RP-3 Planned Medium Density Residential. The proposed units would target college students and young adults without families.

There being no one else to speak in favor of the request, those persons wishing to speak in opposition to the request were then given the opportunity to comment as follows:

Ernest Milleman, 415 E. Monroe, stated that he would oppose the construction of HUD occupied apartments in his block. He stated he was told that three small homes would be constructed on the lots and that the plan now is to construct multi-family housing. Mr. Milleman stated that should Mr. Seward decide to sell the properties, the new owner could convert it to HUD housing. He stated he did not want to see HUD housing or another similar complex, i.e. North Joplin Apartments or Whispering Pines Trailer Court.

Wayne Lucas, 417 E Madison, expressed concern with the number of existing rental properties in the neighborhood that could negatively impact its appearance and possibly the value of their property. He stated there are currently at least two more duplexes and several single family rental houses in the area. Mr. Lucas stated there are several in the area that are vacant and he doesn't see the need for additional rentals, especially in the residential areas, when there are so many usable properties available. He would like to see maybe a 1500 square foot house built on the property that someone could purchase. Mr. Lucas stated that approximately 60% of the homes in Pittsburg are rentals, so he does not see the need for additional rentals.

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Tim Kundiger stated that there was nothing that could be done to prevent the Section 8 or Choice vouchers from being used at this location that could discriminate against people who use this voucher.

Rodney Riggs, 1104 Cedar Crest Drive, owns the house at 414 E. Monroe, which neighbors the property in question. He is in the process of renovating the house and is unsure how an apartment complex would impact his property. While he is opposed to the RP-3 zoning he is not opposed to 2-3 small houses or a small duplex. He is of the understanding that the previous owner sold the property to Seward Rentals under the impression they would build a couple of small houses. Mr. Riggs stated he is unsure if Monroe Street east of Joplin could handle very many more vehicles coming and going. The alley in this area already has a lot of traffic.

There being no one else present to speak in opposition to the request, Chairperson Laura Klusener closed the PUBLIC HEARING to allow for discussion amongst the Commission.

Todd Kennemer took a minute to comment on a few questions the people had regarding the request. He stated that currently 52% of the housing in Pittsburg is rental property. Nothing can prevent the existence of HUD housing and that both HUD and non-HUD houses must meet the same requirements. There are a number of blighted homes in Pittsburg that are not HUD and that the City is currently conducting a program called Operation Clean Sweep to assist in the cleanup of all housing in the City. Mr. Kennemer continued that if this request were approved, there must be a 10-foot setback on the east side of the property and would require fencing. Seward Rentals has purchased the lots located at 408 E. Monroe and 1003 S. Joplin. The vacant lot located on Joplin is already zoned RP-3 Planned Medium Density Residential and adjoins the lot on Monroe that is currently zoned R-2 Two-Family Residential. The change in zoning is being requested for the large lot located on Monroe. The request is being made to extend the RP-3 zoning to match the zoning of the adjoining lot. The Seward's plan to combine the two properties and build the low density properties.

There being no further discussion, the Planning and Zoning Commission then considered the following factors.

1. Character of the neighborhood. This area is located on Joplin Street, three blocks north of the PSU campus. The west side of Joplin Street includes a Laundromat, convenience store/gas station, and vacant lots zoned RP-3 Planned Medium Density Residential. Just south of the vacant lots are apartments. The east side of Joplin Street is zoned R-2 Two-Family Residential and contains a mixture of single family, two-family and multi-family residential, a church and a City water tower.

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2. Zoning and uses of nearby properties. Properties on the east side of Joplin Street, except the one lot that adjoins this property, are zoned R-2. Properties on the west side of Joplin Street, plus the one lot adjoining this lot, are zoned RP-3. Properties located catty-corner from this property are zoned CP-2 Planned General Commercial.
3. Suitability of the subject property for the uses to which it is being considered. The location of this property is suitable for the proposed use.
4. Length of time the subject property has remained vacant as zoned. Property is not vacant. It currently contains a single family residential structure. This structure is to be demolished
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. There should be no effect. There is a mixture of single family, multi-family and commercial land uses in the immediate area.
6. Relative gain to public health, safety, and welfare. Health, safety, and welfare should not be affected.
7. Recommendation of professional staff. APPROVE.
8. Conformance to Master Plan. While the future use of this property is not addressed in the Comprehensive Plan, it does show it to be in an area of mixed uses [currently in place].

Based on the above findings, Tim Kundiger moved, seconded by Gary Falcetto, that the Planning and Zoning Commission forward a recommendation to the Governing Body for **APPROVAL** of the rezoning request. Motion carried unanimously. This recommendation will be presented to the City Commission for their consideration on Tuesday, June 12, 2012.

The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Kevin Seward for the construction of a new apartment complex at 408 E. Monroe.

In reviewing the Plan Approval Checklist, Mr. Kennemer stated the site plan meets all the requirements. He stated a fence would be required on the east property line and that stormwater retention would also need to be reviewed.

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Francis DeMott asked Mr. Seward if he understood the requirements. Mr. Seward stated he completely understood and that he would work with City staff in this regard. He stated that he also understood the neighbor's concerns. Mr. Seward stated there would be no entrance from the alley and that the proposed units would be very similar to the new apartments on South Broadway. All the parking would be in the front with the only entrance coming from Monroe Street.

There being no further discussion, Francis DeMott moved, seconded by Tim Kundiger, to **APPROVE** the site plan pending the drainage control and the fencing being addressed . Motion carried unanimously.

The third order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Jeff Wood for the construction of a new building at 315 E. 4th Street. Mr. Wood stated the new building would be a 60' x 60' structure and would be located on the corner of 4th and Joplin. The existing building would be demolished and then the new building constructed. Mr. Wood was hoping the new building would help with the lack of space he has for his current clientele and future expansions. There are no plans for a loading dock. Mr. Wood has also spoken with Mark Turnbull, the Economic Development Director for the City, seeking grants to offset the cost of paving the parking area. Two new approaches would be constructed, one off Joplin Street and one off 4th Street. Some of the lot would remain gravel, but would not be used for parking.

Mr. Kennemer stated the existing building is 75' x 48' and fills the entire lot. The new building would be the same square footage, but would fit onto the lot extending the alley width from 12 feet to 15 feet. He stated that drainage should not be affected by construction of the new building.

Mr. Kundiger inquired if there were any requirements on the material to be used for the siding on the buildings in this area. Mr. Kennemer indicated there were no requirements at this time.

There being no further discussion, Gary Falcetto moved, seconded by Francis DeMott, to **APPROVE** the site plan as submitted. Motion carried unanimously.

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The fourth order of business under Presentation of Requests and Petitions was the review of a site plan submitted by the Pittsburg Child Care Learning Center, Inc. for the relocation of their playground area and the parking lot located at 502 E. 20th Street. Lorene Hoffman, Director of the Learning Center, was present to speak on behalf of the request. Mrs. Hoffman indicated they would be relocating and in order to make the new facility more conducive to their use they would propose 7 parking spaces along the alley and one space on the west side of the building. She stated the drop off area would be located on the north side so the families would have a safe place to drop off children at the north doors. This would not be parking but a drop off area only. She indicated the maximum number of employees that would be at the facility at one time would be six. Mrs. Hoffman stated they plan to add a toddler playground area as well.

In reviewing the Plan Approval Checklist, Mr. Kennemer stated the property was currently zoned commercial. The building area itself would remain as it was. The only changes to be made are to the current parking area to meet the state requirements for playground areas. The amount of pervious and impervious space would remain the same; they would just be shifted to different locations on the lot. The parking and the alley would be required to be paved. The drop off area would first need to be reviewed and approved by the Traffic Advisory Board. The playground areas are required to be attached to the building.

Mr. DeMott inquired about the type of surface to be used for the play areas. Mrs. Hoffman stated rubber mulch would cover the play areas. Mr. DeMott then inquired where the dumpster area would be located. Mrs. Hoffman stated she thought there would be space to put the dumpster between the screening fence and the alley. Mr. DeMott pointed out that the dumpster area would be required to be screened.

There being no further discussion, Gary Falcetto moved, seconded by Connie McGeorge, to **APPROVE** the site plan pending the approval of the drop off area by the Traffic Advisory Board. Motion carried unanimously.

There being no further business to be discussed, Francis DeMott moved, seconded by Connie McGeorge that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Andrea Holtzman
Administrative Assistant