

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF NOVEMBER 26, 2012

MEMBERS PRESENT: Laura Klusener, Chairperson
Francis DeMott
Dave Holloman
Tim Kundiger
Connie McGeorge
Brian Sullivan

MEMBERS ABSENT: Ron Close, Vice Chairperson
Gary Falcetto
Wes Streeter

OTHERS PRESENT: Al Brokob, 605 E. Antelope, Girard, KS
Matt Brokob, 110 S Williams, Girard, KS
Brian Coomes, 104 S Pine, Pittsburg
Jack Coomes, 1139 S 220th Street, Pittsburg
Roland Dalrymple, 10 Timberlake Rd, Pittsburg
Chris Harris, 201 S. Joplin, Pittsburg
Michael Heckert, 1010 S. Catalpa, Pittsburg
Mike and Laylee Mayerske, 203 Ash, Frontenac, KS
Matthew O'Brien, 701 Osage, Pittsburg
Jon and Bonnie Schwenker, 1144 S 220th Street, Pittsburg
Nate and Mindy Stahl, 110 E. Oak, Arma, KS
Dustin Wilson, 618 E 596th Street, Pittsburg
William A. Beasley, Director of Public Works
Troy Graham, Assistant Director of Public Works
Andrea Holtzman, Administrative Assistant of Public Works

The Pittsburg Planning and Zoning Commission met on Monday, November 26, 2012, at 7:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Francis DeMott led the flag salute. Chairperson Laura Klusener called the meeting to order at 7:00 p.m. with six (6) members present.

The first order of business was the approval of the minutes of the meeting of October 22, 2012. In this regard, Francis DeMott moved, seconded by Tim Kundiger, 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 a request submitted by the City of Pittsburg for a **Conditional Use** under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow the installation of a radio tower located at 1920 S. Olive. Bill Beasley spoke on behalf of the request. He indicated the City would like to relocate the top 75 feet of the tower that was once located at 1st and Locust when the new tower was erected. The City would like to relocate the top of the old tower to the Wastewater Treatment Plant, which will be used as a communications tower and as a primary link between the Water Treatment Plant and the Wastewater Treatment Plant. The City is hoping to relocate this section of the tower behind the Administration Building at the Wastewater Treatment Plant.

There being no one present to speak in opposition to the request, Chairperson Laura Klusener closed the **PUBLIC HEARING** to allow for discussion amongst the Commission. There being no discussion, the Planning and Zoning Commission then considered the following factors:

1. Character of the neighborhood. This is a municipal utility.
2. Zoning and uses of nearby properties. Property is on the west side of US 69 Bypass and is a "no zone". The property on the east side of US 69 Bypass is residential.
3. Suitability of the subject property for the uses to which it is being considered. This property has been the Wastewater Treatment Plant for over 30 years.
4. Length of time the subject property has remained vacant as zoned. Property is not vacant.
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. This request will not change the existing use.
6. Relative gain to public health, safety, & welfare. The tower will provide a communications link to other utility sites.
7. Recommendation of professional staff. APPROVE
8. Conformance to Master Plan. This is not applicable.

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Based on the above findings, Tim Kundiger 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, December 11, 2012.

The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by the Knights of Columbus for a new building to be constructed at 1104 N Joplin. Dustin Wilson was present to speak on favor of the request. Mr. Beasley reminded the Commission that this site plan was reviewed at an earlier meeting; however, the Commission requested it come back before them when more information was available. He also reminded the Commission that the railroad has deeded the property to the Knights of Columbus. The parking lot has been moved from the east of the proposed building to the south side of the structure. This is also the portion of the site the Knights of Columbus will need to maintain in case the railroad ever reopens a spur at this location.

Mr. Wilson added that the entrance to the proposed structure was also relocated from the north of said structure to the south.

In reviewing the Plan Approval Checklist, Mr. Beasley stated screening was not required as it did not adjoin residential property. He stated that since the landscaping ordinance has now been adopted this particular case would be affected by said ordinance; however, this site plan was reviewed prior to the adoption of the ordinance and since it was tabled staff feels the landscaping ordinance should not apply.

Tim Kundiger stated there have been enough changes to the site plan that he feels the ordinance should apply.

Mr. Wilson stated these drawings were well underway before the adoption of the landscape ordinance being adopted in October.

Connie McGeorge stated that by looking at the site plan she felt there would be plenty of room for landscaping.

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Francis DeMott inquired if there were any plans for any type of landscaping. Mr. Wilson stated that he believed the areas between the building and the parking lot that would be difficult to mow would probably be rocked in and have some bushes and plants located in those areas. He stated at this time there was no solid plan.

Mr. Kundiger reiterated that since they were planning on doing some landscaping anyway he felt the ordinance should go ahead and apply.

Mr. Wilson asked how much this would affect the current plan.

Mr. Beasley stated that according to the ordinance, an ornamental or shade tree would need to be provided somewhere on the site and yard landscaping along the front of the building and parking lot would also need to be provided. He also stated that there would not be a requirement for screening and that the amount of trees, shrubs or green space was based upon the number of parking spaces provided in the parking lot.

Tim Kundiger moved, seconded by Connie McGeorge, that the site plan be **approved** contingent upon an approved plan to meet the requirements of the landscape ordinance being submitted when they are ready to pave the parking lot. Motion carried unanimously.

After some brief discussion concerning the landscape ordinance and its requirements, Mr. Kundiger requested to rescind his motion. He then moved that the site plan be **approved** to allow for construction of the building and that the Knights of Columbus work with City staff to approve the landscaping. This motion was seconded by Francis DeMott. Motion carried unanimously.

The third order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Matt Brokob for the construction of a new duplex located at 123 and 125 E. Carlton. Mr. Brokob stated there were four structures that were recently demolished and that he would like to build two duplexes on the lots. He stated they would be one story duplexes with three bedrooms and two bathrooms. Mr. Brokob stated there would be a total of 12 parking stalls provided for parking.

In reviewing the Plan Approval Checklist, Mr. Beasley stated the original plan did not show the proposed contours; however, they have since been provided and are sufficient. Everything else appears to be in compliance.

There being no further discussion, Francis DeMott moved, seconded by Connie McGeorge, that the site plan be **approved** 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 Kevin Watt for the construction of a 4-unit townhouse at 2006 S. Joplin. Nathan Stahl was present on behalf of Kevin Watt to speak on behalf of the site plan. Mr. Stahl stated the plan was to demolish the building formerly known as Marty's Deli and to build a two story apartment complex with four units having two bedrooms each.

In reviewing the Plan Approval Checklist, Mr. Beasley stated that if the site plan is to be approved it would need to be contingent upon the Board of Zoning Appeal's approval of variances in front yard setbacks off of Miller Street and English Street and a variance in the lot coverage.

Brian Sullivan asked if some of the existing pavement would be turned back into green space. Mr. Stahl stated that some of the space currently paved would be turned back into green space.

There being no further discussion, Tim Kundiger moved, seconded by Francis DeMott, that the site plan be **approved** as submitted contingent upon the Board of Zoning Appeals approval of the necessary variances. Motion carried unanimously.

The fifth order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Jon Schwenker for a new ice machine to be located at 2402 N. Broadway. Mr. Schwenker stated the plan is to install an ice house in the existing parking lot where the former CP Communications building was located.

Laura Klusener inquired if the current building would be demolished. Mr. Schwenker stated the plan was to demolish the current structure and to use the existing slab for the ice house. He indicated the existing utilities would also be used as much as possible.

Mr Beasley stated a new water service and a new sewer connection would need to be established.

Laura Klusener inquired about the time line for the demolition of the existing building. Mr. Beasley stated the owner of the building was in the process of getting the proper permits for the demolition.

There being no further discussion Gary Falcetto moved, seconded by Connie McGeorge, to **approve** the site plan as submitted. Motion passed unanimously.

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The sixth order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Mike Heckert of Heckert Auto for the construction of a new garage at 2510 N. Rouse. Mr. Heckert stated he would be using the building for storage only. He stated there would be nothing stored outside, everything would be kept inside the building.

Mr. Beasley stated the property was previously owned by the City and that one of the conditions of the sale was that a fence be constructed around the facility to protect the vehicles and the property.

Mrs. Klusener inquired if there would be a sewer connection. Mr. Beasley stated that since the building would be used strictly for storage there was no need for sewer.

There being no further discussion, Tim Kundiger moved, seconded by Brian Sullivan, to **approve** the site plan as submitted. Motion passed unanimously.

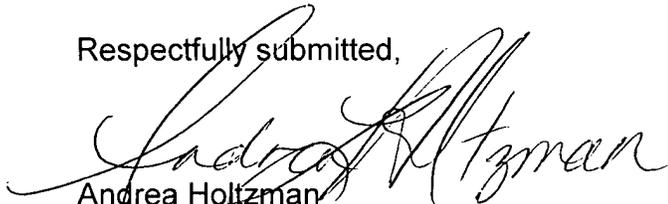
The seventh order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Chris Harris of CDL Electric for a Billboard LED Message Sign to be located at 897 E. 4th Street. Mr. Harris indicated the sign would two sided and that the light would automatically dim at night to make sure there would be no disruption of traffic.

In reviewing the Plan Approval Checklist, Mr. Beasley stated the sign is classified as a billboard sign with single pole construction and would need to set 30 feet from the front yard setback.

There being no further discussion, Francis DeMott moved, seconded by Connie McGeorge, to **approve** the site plan as submitted. Motion passed unanimously.

There being no further business to be discussed, Connie McGeorge moved, seconded by Francis DeMott that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 8:10 p.m.

Respectfully submitted,



Andrea Holtzman
Administrative Assistant