

# PLANNING AND ZONING COMMISSION

## MINUTES OF THE MEETING OF AUGUST 19, 2013

**MEMBERS PRESENT:** Ron Close, Chairperson  
Brian Sullivan, Vice Chairperson  
Dave Holloman  
Patty Horgan  
Tim Kundiger  
Connie McGeorge  
Wes Streeter  
Michael Swartz

**MEMBERS ABSENT:** Francis DeMott

**OTHERS PRESENT:** James Huebner, 1135 E 540<sup>th</sup> Ave, Pittsburg  
Ralph McGeorge, 827 E 23<sup>rd</sup> St, Pittsburg  
Cody Sexton, 811 E 3<sup>rd</sup> St, Joplin, MO  
Troy Graham, Assistant Director of Public Works  
Andrea Holtzman, Public Works Administrative Assistant

The Pittsburg Planning and Zoning Commission met on Monday, August 19, 2013, at 7:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Chairperson Ron Close called the meeting to order at 7:00 p.m. with eight (8) members present. Michael Swartz led the flag salute.

**The first order of business was the approval of the minutes of the meeting of July 22, 2013.** In this regard, Dave Holloman moved, seconded by Patty Horgan, that the minutes be approved as submitted. Motion carried unanimously.

**The first order of business under Presentation of Requests and Petitions was the consideration of a request submitted by James Huebner to vacate the alley in the 700 Block of West 4th Street described as beginning at the Southwest Corner of Lot 19, thence North 15 feet, thence East 37 feet, thence South 14.25 feet, thence West 37 feet, to the point of beginning in Joplin Addition to Pittsburg, Crawford County, Kansas.** Mr. Huebner indicated that in 1932 the City of Pittsburg bought a portion of property in the 700 Block of West 4<sup>th</sup> Street, however, over the years the Lot 19 changed owners with Mr. Huebner owning this property currently. Recently an assessment of this property was completed and it revealed that when the property was platted the south 15 feet was platted incorrectly. The deed reflects that the City owns the south 15 feet of the property, however, all of the recent owners have paid taxes on the same section of property that currently supports a garage. Mr. Huebner stated that he would like the City to officially vacate this portion of the property as he is wishing to sell the property and needs the deed to correctly reflect the City's property and his property.

**PLANNING AND ZONING COMMISSION  
MINUTES OF AUGUST 19, 2013  
PAGE TWO**

After a brief discussion among the Commission, Connie McGeorge moved, seconded by Wes Streeter, to recommend to the Governing Body approval of the vacation request. This recommendation will be presented to the Governing Body for their consideration during a Public Hearing scheduled for September 10, 2013. Motion carried unanimously.

**The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Anderson Engineering, Inc. on behalf of Pinamonti Wellness Center for the expansion of the current facility located at 1014 Mt. Carmel Place.** Cody Sexton of Anderson Engineering was present to speak on behalf of the applicant. Mr. Sexton explained that Dr. Pinamonti wishes to add onto the west side of the existing building to allow for the expansion of his current services.

Troy Graham stated that the subject property is located in a CP-O Planned Commercial Office District and is completely surrounded by other medical offices. He explained they are proposing to completely rid of the cul-de-sac in the area and add a hammer head turn for entering and exiting.

Ron Close inquired if there had been an environmental study to determine if mining had occurred in this area. Mr. Sexton responded there had indeed been such studies done and that they revealed there was no mining in the area.

Michael Swartz inquired about post construction drainage. Mr. Sexton explained that the water would drain the same as it does currently, to the ditch that runs north and south just south of the property.

Michael Swartz inquired if there would be any opportunity for future development west of the property. Mr. Graham responded that this area is located in a flood plain, so the likelihood of it developing is minimal.

Dave Holloman expressed concern for how the proposed development would affect traffic on Rouse Street. Brian Sullivan added that he felt some of the entrances/exits in the area needed to be closed because to eliminate confusion during the high traffic times.

Mr. Swartz inquired if there was a maximum or minimum distance from the ADA ramps to the entrance. At this time Mr. Graham indicated he was unsure if there were minimum requirements and would need to search that out.

Tim Kundiger inquired where the dumpster would be placed. Mr. Sexton responded that the dumpsters would remain where they are currently located.

**PLANNING AND ZONING COMMISSION  
MINUTES OF AUGUST 19, 2013  
PAGE THREE**

Ron Close inquired if the plans included a basement in the new structure. Mr. Sexton responded that the proposed structure would consist of two stories; the top would basically be a track with space in the middle with pools located on the main floor. Each story would be self-contained and the basement would be just below the pools to allow for maintenance only.

Ron Close stated that the site plan does not show any plans for lighting or signage, which would need to be a contingency when approving or disapproving the site plan.

There being no further discussion, Wes Streeter moved, seconded by Connie McGeorge, that the site plan be **approved** as submitted contingent upon the City approving plans for lighting and signage. Motion carried unanimously.

Mr. Holloman requested that it be noted he voted yes based on the information provided, however, he has concerns about the lack of parking deficiency and for proposed drainage.

Under Old Business, Tim Kundiger inquired about the construction going on at 25<sup>th</sup> and Broadway and if the City had followed up since construction started. He stated that specifically the truck turning radius needed to be verified. Mr. Kundiger expressed concern that there was not enough room for trucks to turn as had been requested by the Planning and Zoning Commission in reviewing the site plan.

Connie McGeorge asked for an update on the Conditional Use for Liberty Baptist Church. Mr. Graham indicated the Church is currently looking at other building options as the current building plan did not meet required standards at this time.

Dave Holloman reminded the Commission that he still feels the City should do a review of the current zoning of the City to make sure the zones are current with the direction the City is developing.

Patty Horgan expressed concern over deadlines set for people who come before the Commission, specifically noting that the landscaping for the duplex on Joplin has still not been completed.

**PLANNING AND ZONING COMMISSION  
MINUTES OF AUGUST 19, 2013  
PAGE FOUR**

Under New Business, Jay Byers, Director of Innovation, addressed the Commission. He presented two draft ordinances for a new Downtown Overlay District and a Downtown Advisory Committee in an effort to get more activities in the downtown area. A group made up of several different area downtown business owners has been meeting periodically for the purpose of trying to organize and bring more activities to the downtown area. Mr. Byers presented a draft proposal for an ordinance to create a Downtown Overlay District, which is similar to the PSU Overlay District around the PSU Campus. The Downtown Overlay District would be from 14<sup>th</sup> Street to Euclid Street and from Pine Street to Elm Street. Mr. Byers indicated this would be in a predominately CP-4 Planned Central Business District and would allow for such things as the ability to put merchandise and outdoor furniture outside on the sidewalks. The second ordinance would be the formation of a Downtown Advisory Committee. Mr. Byers stated this Committee would have 4 stated goals, to review plans before they go before the Planning and Zoning Commission and issue a recommendation to the Commission, to review the Special Event Permit requests in the proposed Downtown Overlay District, act as an advisory committee to new businesses and general questions for the public regarding to the Downtown Area, and finally to act as a sounding board for any issues that might arise in the area.

Mike Swartz inquired if all the merchants in the Downtown Overlay District have been contacted to express their thoughts on the proposals. Mr. Byers indicated that he believed an attempt has been made to reach the majority if not all the owners at this time, however, he has not personally heard from every owner or merchant in the proposed Downtown Overlay District.

Mr. Swartz inquired if there would be any major changes in the zoning around 14<sup>th</sup> Street for Pepsi Cola Bottling Co. and the warehouse that he owns. Mr. Graham explained that the overlay would not change the zoning for the area.

Tim Kundiger expressed a concern for the people who live in the area that is going to be affected. He explained there have been some complaints in regards to the noise ordinance not being followed and inquired if this overlay would affect the current noise ordinance. Mr. Graham explained the noise ordinance would be a completely separate issue and would not be directly affected by the overlay. In the future, it may need to be reviewed, but it would be done so completely separate from the overlay proposal.

Mr. Holloman expressed concern about the wording of the proposal, noting specifically the word "retail" in Section 1 Line 7 be removed as it is too restrictive. He would also recommend that a member of the existing Planning and Zoning Commission serve on the proposed Committee.

**PLANNING AND ZONING COMMISSION  
MINUTES OF AUGUST 19, 2013  
PAGE FIVE**

Mike Swartz expressed concern that the proposed Committee might be adding another level of bureaucracy for potential businesses and as such cause a lack of interest.

Mr. Kundiger stated that it seemed having this new Committee review plans for potential businesses is creating an unnecessary step as they will not have the power to approve or deny any plans and will only be making suggestions and recommendations.

Mr. Holloman indicated that he liked the concept but didn't really like another level of hoops to jump through for potential businesses.

Mr. Byers thanked the Commission for their input and recommendations and expressed he would be working with City Officials and the group of merchants and owners in the downtown area and would revise the ordinance and bring it before the Commission once prepared.

There being no further business to be discussed, Connie McGeorge moved, seconded by Mike Swartz that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 9:20 p.m.

Respectfully submitted,

Andrea Holtzman  
Administrative Assistant