

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF OCTOBER 28, 2013

MEMBERS PRESENT: Brian Sullivan, Vice Chairperson
Francis DeMott
Dave Holloman
Patty Horgan
Tim Kundiger

MEMBERS ABSENT: Ron Close, Chairperson
Connie McGeorge
Wes Streeter
Michael Swartz

OTHERS PRESENT: Jon Adams 5074 Sycamore, Joplin, MO
Jay Byers, 201 E 4th St, Pittsburg
Ed Cook, 903 SW 50th RD, Liberal, MO
Vonnie Corsini, 407 N Broadway, Pittsburg
Carl & Kathy Flora, 521 S 270th St, Pittsburg, KS
Sara Henry, 310 W Park, Pittsburg
Dick Horton, 507 Norris, Pittsburg
Roger & Heather Horton, 311 N Broadway, Pittsburg
Sarah Jensen, 1705 S Olive St, Pittsburg
John Kutz, 4035 Parkview Dr, Pittsburg
Dennis and Leah Posterick, 831 E 510th Ave, Pittsburg
John & Dana Parsons, 119 E. 11th St, Pittsburg
Philip Powell 4550 Gold Finch RD, Joplin, MO
Terri Steele, 4035 Parkview Dr, Pittsburg
Jeff Wilbert, 611 N Catalpa, Pittsburg
Rick Zingre, 1019 Scott, Fort Scott, KS
Troy Graham, Assistant Director of Public Works
Andrea Holtzman, Public Works Administrative Assistant

The Pittsburg Planning and Zoning Commission met on Monday, October 28, 2013, at 7:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Vice Chairperson Brian Sullivan called the meeting to order at 7:01 p.m. with five (5) members present. Patty Horgan led the flag salute.

The first order of business was the approval of the minutes of the meeting of September 23, 2013. In this regard, Patty Horgan 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 the review of a site plan submitted by Zingre' and Associates on behalf of The Pittsburg Farmer's Market for a new Pavilion and parking area to be located at 119 E 11th Street.. Rick Zingre of Zingre and Associates were both present to speak in favor of this request. Mr. Zingre shared the plan is for a new pavilion to be erected at 119 E. 11th Street. Mr. Zingre explained at this time there will be no restrooms at the structure and the structure its self will be basically a shell of a building; having open sides and metal roof. Vendors will back into designated spaces and set up to sell their wares on both the north and south sides of the building. Customers will then walk down the 16 foot isle created by the vendors parking for purchasing.

Tim Kundiger asked if the property is private or City owned.

Mr. Cook stated that the Pittsburg Farmer's Market will own the property as a non-profit organization.

Patty Horgan stated she would like to see some kind of sidewalk or walk way created from Larry Garman Avenue to the pavilion for customers.

Francis DeMott stated that he believed people would use Larry Garman Avenue for parking to the Pittsburg Farmer's Market and asked if the Pittsburg Farmer's Market was comfortable with traffic control around the pavilion.

Mr. Cook stated there are current negotiations in process for the Pittsburg Farmer's Market to use the section of land on the south side of Larry Garman Avenue for extra parking. Mr. Zingre added that traffic would go one way around the pavilion.

Troy Graham stated the area is currently not zoned and would therefore be treated like the surrounding areas as a CP-4, General Business Zone.

There being no further discussion, Francis DeMott moved, seconded by Patty Horgan, that the site plan be **approved** as submitted. Motion carried unanimously.

The second order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Rogers Engineering Inc. on behalf of E-Z-Car Credit for a new building to be located at 3010 North Broadway.

John Adams and Philip Powell were present to speak in favor of this request. Mr. Adams shared the site plan and explained there is current retention at the back of the property and water will drain from curbing and natural drainage.

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Mr. Graham stated there would need to be a buffer on the east side of the lot where there is a residential zone.

Francis DeMott asked if KDOT has approved the driveway off Broadway. Troy Graham indicated KDOT had approved the drive.

There being no further discussion, Tim Kundiger moved seconded by Dave Holloman to approve the site plan as presented. Motion passed unanimously.

The third order of business under Presentation of Requests and Petitions was a PUBLIC HEARING to review an Ordinance establishing a Downtown Overlay District within the CP-4 Central Business District.

Mr. Graham stated the proposed ordinance is creating a Downtown District Overlay over the CP-4, General Business District. Mr. Graham explained there is a similar overlay around Pittsburg State University campus and the mall area. He continued to explain this overlay would allow merchandise and temporary signage to be placed on the sidewalks in front of the businesses during business hours as long as they do not impede pedestrian traffic.

Dave Holloman explained that he would like to see an exact definition of acceptable parameters for sidewalk merchandise. He indicated he felt this could create a safety hazard.

Jay Byers explained the goal is display merchandise in an inviting way as to attract customers and as such he felt business owners would be responsible and place merchandise to allow pedestrian traffic to flow freely.

Tim Kundiger explained that he felt the district is too large and that the size will limit what can be done within the boundaries. He felt a smaller district would be more beneficial. He suggested that a smaller area would allow for things such as a WiFi bubble allowing for free WiFi in the area. He felt that would bring college students to the area.

Brian Sullivan, Vice Chairperson, opened the floor to those present to speak in favor of the overlay district.

John Kutz shared that he is in favor of the overlay. He indicated he has plans to set items out for consumers and referred to old photographs he has seen of Broadway having merchandise out for consumers.

Jeff Wilbert indicated he believes part of his job as the Downtown District Coordinator will be to monitor the placement of merchandise to ensure safety and appeal.

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Sara Henry explained she knows of several businesses that desire to be included in the Overlay District that is in the area of Euclid and in the area of 14th Street and as such she feels that the size of the district is great. She believes that the businesses that fall within the district that choose not to participate should have that right.

Dennis and Leah Posterick of Signet Coffee both stated they were in favor of the overlay. They indicated they had been feeling discouraged before the group of downtown business and property owners began meeting because they are in the southern area of downtown and often got left out. They believe that setting out tables will enhance their business.

There being no one else to speak in favor or against the proposal Vice Chairperson, Brian Sullivan closed the Public Hearing for discussion amongst the Commission.

After a brief discussion reestablishing the concerns for the request of pedestrian safety and overall size of the proposed area, Patty Horgan moved, seconded by Francis DeMott to approve the proposal as written. Motion passed with a four (4) to one (1) vote. Mr. Holloman voted in favor but wished the minutes to reflect that he strongly feels there is a safety concern for pedestrians without exact restrictions being placed on the area allowed for merchandise. Mr. Kundiger voted against the proposal.

There being no further business to be discussed, Francis DeMott moved, seconded by Patty Horgan that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 8:35 p.m.

Respectfully submitted,

Andrea Holtzman
Administrative Assistant