

# PLANNING AND ZONING COMMISSION

## MINUTES OF THE MEETING OF MAY 19, 2014

**MEMBERS PRESENT:** Ron Close  
Bob Gilmore  
Dave Holloman  
Patty Horgan  
Wes Streeter  
Michael Swartz  
Earl Ward

**MEMBERS ABSENT:** Brian Sullivan, Chairperson  
Tim Kundiger, Vice Chairperson

**OTHERS PRESENT:** Bruce and Donna Bartelli, 408 Ridgewood, Frontenac, KS  
Bud and Peggy Benelli, 501 E 28<sup>th</sup> St., Pittsburg, KS  
Anna Brown, 709 N. Walnut, Pittsburg, KS  
Lane Brown, 709 N. Walnut, Pittsburg, KS  
Roger Brown, 709 N. Walnut, Pittsburg, KS  
Tanner Brown, 709 N. Walnut, Pittsburg, KS  
Tristian and Sheila Bush, 2311 Cleveland Ave., Pittsburg, KS  
Jackie and Ronda Coltrane, 2595 NW Coal Valley RD, Cherokee, KS  
Lila Cox, 415 W 7<sup>th</sup> Street, Pittsburg, KS  
Doug and Kathy Ewing, 123 W. Monroe, Pittsburg, KS  
Nikki Hall, 414 N. Warren, Pittsburg, KS  
Chris Harris, 902 N. Broadway, Pittsburg, KS  
Sara Henry, 310 W. Park, Pittsburg, KS  
Lorraine Hobson 620 W. Martin St., Pittsburg, KS  
Bruce Jameson, 650 E 530<sup>th</sup> Ave., Pittsburg, KS  
Randy, Mary and Alex Jones, 407 N. Military, Mulberry, KS  
Linda Keeley, 9977 SE Short LN, Galena, KS  
John Keyes, 523 E. 8<sup>th</sup> St., Pittsburg, KS  
Barbara McWilliams, 802 N. Locust, Pittsburg, KS  
Denise Morris, 465 N. HWY 69, Arma, KS  
John Paschetti, 962 S 260<sup>th</sup> St, Pittsburg, KS  
Ashley Reeves, 108 E. Plum St., Arma, KS  
Dan Rodebough, 594 E 400 HWY, Pittsburg, KS  
Rosemary Ryan, 2504 N. Joplin, Pittsburg, KS  
Devin Scroggins, 508 W 4<sup>th</sup> St., Pittsburg, KS  
Bailey and Patty Sherman, 207 S. West St., Arma, KS  
Jasyn Smith, 8241 SE Boone LN, Baxter Springs, KS  
Jeff Wilbert 611 N. Catalpa, Pittsburg, KS  
Leroy and Linon Wilson, 705 N Locust, Pittsburg, KS  
Russell Wilson, 10053 Co/P 213 Webb City, MO  
Troy Graham, Assistant Director of Public Works  
Andrea Holtzman, Public Works Administrative Assistant

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The Pittsburg Planning and Zoning Commission met on Monday, May 19, 2014 at 6:00 p.m., in the Municipal Court Room of the Law Enforcement Center. Chairperson, Brian Sullivan and Vice Chairperson Tim Kundiger were both absent. In lieu of their absence, Ron Close led the meeting. Mr. Close called the meeting to order at 6:00 p.m. with six (6) members present. Patty Horgan led the flag salute.

**The first order of business was the approval of the minutes of the meeting of April 28, 2014.** In this regard, Bob Gilmore moved, seconded by Earl Ward, 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 number 14P-02: A request submitted by Roger Brown of Life Changers Church International, LLC, for a Conditional Use under the provisions of Article 30 of the Pittsburg Zoning Ordinance to allow a church to be located at 706 N Broadway.**

Troy Graham explained that any church wanting to open within the City limits need to get a conditional use. Roger Brown, Pastor, was present to speak in favor of this request. He explained they are currently opened at 706 North Locust. They have purchased the property from Ryan's Cleaners and would like to move the block west of their current location.

Bud Benelli, 501 E 28<sup>th</sup>, stated he owns the building across the street from 706 North Locust. Has no objections and would like to see the building full however, would not like to see a bar there and felt there is no need for another bank in the downtown area.

Randy Jones, 407 N. Military, Mulberry, Kansas, feels that the church would be a positive addition to any neighborhood. He feels that Mr. Brown going through the proper channels to establish the church is a step in the right direction. Feels this addition will add to the revenue with all the people attending since there will be more people in the downtown area on Sundays and Thursdays.

Rosemary Ryan, 2504 N. Joplin Street, stated that she is in agreement with the church going into the building.

Sarah Henry, 310 W. Park, is the director of the Stilwell Hotel, across the street. She indicated she did not object to the church occupying the building but is concerned about the already limited parking and would like the church to be aware of the issue and be mindful of the residents of the Stilwell.

Ron Henry asked how many spaces are reserved for the Stilwell. She was not sure of the exact number but guessed that there may be approximately 20.

Mike Swartz asked if the parking behind Otto's would be open again. Mrs. Henry explained that would be open once the basement project is completed.

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Jackson Coltrane, feels the benefit regarding parking would be the big part of the

Ashely Reeves, 108 East Plum Street, Arma, Kansas, stated she has attended the church since August of last year. She feels the children of the church would benefit from the bigger building.

Tanner Brown, 709 North Walnut, Youth Pastor, feels the bigger building will be a huge benefit. The current building is confined and restricts the opportunities for the church.

Troy Graham read the letter that was presented from Mr. Smith regarding the rezoning. This letter is attached and should be considered as part of the minutes from.

Troy also read a letter from Mr. Milton of Jock's Nitch regarding the concern that Broadway should be restricted to retail. This letter is also attached and should be considered as part of the minutes.

Closed the floor to those wanting to speak against the proposal and opened the floor to anyone who wanted to speak in favor of this request.

There being no one to speak against the request the Ron Close closed the Public Hearing for the Commission to consider the following eight factors.

1. Character of the neighborhood. The property is located in downtown Pittsburg on North Broadway in an area, which is mostly commercial properties and currently contains other churches.
2. Zoning and uses of nearby properties. The zoning of this area is CP-4 which is Planned Central Business District. This zoning is the least restrictive of all the commercially zoned areas.
3. Suitability of the subject property for the uses to which it is being considered. The properties surrounding this structure are commercial in nature. Like other churches in Pittsburg, this church will be located next to other commercial properties in the downtown area.
4. Length of time the subject property has remained vacant as zoned. Property is not vacant and was a dry cleaning business up until recently.
5. The extent to which removal of the restrictions will detrimentally affect the nearby property. The effect should be minimal with this conditional use since there are other churches in our downtown area currently.
6. Relative gain to public health, safety, & welfare. Health, Safety, & Wellness should not be affected.
7. Recommendation of professional staff. APPROVE

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8. Conformance to Master Plan. While the master plan does not cover every specific use for an area, a church will function similar to a commercial property and will have auto and pedestrian traffic like other businesses in the area. CP-4 zoning does not require off street parking for a property's patrons and/or customers.

Troy Graham added that is against City Code to have a liquor store within 200 feet of a church; however it is not unlawful for a bar to be within that distance.

Ron Close asked how the signs will be addressed. Troy Graham stated this is still in the works and Chris Harris, CDL was present to speak regarding the signage.

Chris Harris explained the signage being planned will be a non-illuminating sign of Life Changers Church in a similar size as the existing sign.

Earl Ward asked if the front door will continue to face 7th Street and Pastor Brown indicated the door would stay where it is.

Bob Gilmore asked if the overhead doors be removed and sealed.

Roger explained he has been in contact with Tim Bell, the overhead doors will remain there but in the future they may be removed.

Bob Gilmore asked if the building was sprinkled. Mr. Brown explained Tim Bell has stated at this time it will not be needed. As of now the occupancy limit is 300 for Sunday morning from approximately 10:30 a.m. until 12:30 p.m. They will also be occupying the building on Thursday evenings between 7:00 p.m. until 8:30 p.m. Mr. Brown also explained they are planning to have 25 parking spaces restriped and available on the premises.

The Commission having no further comment, Dave Holloman moved, seconded by Wes Streeter, that the Planning and Zoning Commission forward a recommendation to the Governing Body for **approval**, of the Conditional Use. Motion carried unanimously. This recommendation will be presented to the City Commission for their consideration during a **PUBLIC HEARING** on June 10<sup>th</sup>, 2014.

There being no further business to be discussed, Earl Ward moved, seconded by Patty Horgan that the meeting adjourn. Motion carried unanimously and the meeting adjourned at 6:33 p.m.

Respectfully submitted,



Andrea Holtzman  
Public Works Administrative Assistant

**Jock's Nitch Inc.  
523 N. Broadway  
Pittsburg, KS. 66762  
(620) 231-3552  
(620) 231-3514 FAX**

**May 19<sup>th</sup>, 2014**

**Troy Graham  
Brian Sullivan  
Pittsburg Planning and Zoning**

**Dear Troy and Brian:**

**I was planning to attend the meeting tonight but I had a problem come up at my store in Topeka today and I will not be back in Pittsburg on time for the meeting tonight.**

**I would like to include my written comments for your commission meeting tonight. I am all for church and religion, but I strongly believe that on Broadway in downtown Pittsburg should be for commerce.**

**I appreciate you giving me the opportunity to voice my opinion. I own properties at 621 & 523 N Broadway.**

**Sincerely,**

**Phil Minton  
President  
Jock's Nitch Inc.**