

PLANNING AND ZONING COMMISSION

MINUTES OF THE MEETING OF MAY 21, 2018

MEMBERS PRESENT: Laura Klusener, Vice Chairperson
Patty Horgan, Chairperson
Francis DeMott
Bob Gilmore
Kyle Michael
Mike Wilber

MEMBERS ABSENT: Mike Creel

OTHERS PRESENT: Jan Allai, 1521 Hampton RD
Seven & Kristi Bitner, 1508 Bitner Court
Wayne Bockelman, 320 S. Catalpa
Bill Brooks, 1206 Imperial Drive
Jeff & Cheryl Brooks, 1533 Hampton RD
Mallorie Buck, 1215 Bitner Drive
Craig & Becky Chronister, 1106 Imperial Drive
Brian Coomes, 306 N Broadway STE 175
Jessica Crager, 1506 Bitner Court
Gerry Dennett, 1514 Woodland Drive
Steve & Vickie DuVall, 1217 Bitner Drive
Pete Earles, 115 W. Iron Ave, Salina, KS 67401
Jeff Elliott, 1207 Imperial Drive
April Garetson, 5929 Fashion Point DR, STE 501, S. Ogden, UT 84403
Steve & Kathy Gariglietti, 1302 Bitner Drive
Marybeth Grimes, 1508 Imperial Circle
Kristen Humphrey, 1501 Bitner Place
Keith Kloster, 1509 Bitner Place
Steve Lewis, 702 S Main, Joplin, MO
Doug & Andrea Linder, 1534 Hampton RD
Larry & Tam Miller, 1209 Imperial Drive
Chuck Munsell, 2411 N. Walnut
Sara Newport, 1213 Bitner Drive
Shannon & Becky Nicklaus, 1306 Franklin Road
Scott Norman, 1501 Bitner Place
Ira Palmer, 1502 Imperial
George Patemi, 1506 York RD
Chris Pross, 1212 E Quincy
Tim Ross, 7945 Hayek Drive, Lincoln, NE
Sharon Strenth, 1515 Hampton RD
Dick & Marilyn Tindle, 1401 Bitner Place
Mick Vena, 16898 Highland Ridge Drive, Lock Lloyd, MO, 64012
Jason Wolff, 1185 West 3050 South, Ogden, UT, 84401
Cameron Alden, Director of Public Works
Becky Gray, Director of Community Development & Housing
Dexter Neisler, Zoning Administrator
Andrea Holtzman, Administrative Support Assistant I

The Pittsburg Planning and Zoning Commission met on Monday, May 21, 2018, at 5:30 p.m., in the Municipal Court Room of the Law Enforcement Center. Chairperson, Laura Klusener called the meeting to order at 5:30 p.m. with six (6) members present. Chairperson, Laura Klusener opened the meeting and led the flag salute.

Chairperson, Laura Klusener, announced Item 5.4 on the agenda will not be held tonight.

The second order of business was the approval of the minutes from April 23, 2018. Mike Wilber moved approve the minutes as submitted. Bob Gilmore seconded the motion. This motion passed unanimously.

The first order of business under Presentation of Requests and Petitions was the review of a site plan submitted by Clint Evans of NSPJ Architects for the new construction of a sorority house to be located at 2102 South Broadway.

Mr. Evans was present to speak on behalf of the request. Mr. Evans indicated the existing structure is to be demolished, and the new structure will be a two story over basement. There will be a possibility of twenty beds with a parking lot.

Dexter Neisler indicated they will be building in same site and the parking will be expanding to the east onto property already owned by the Sorority.

Mr. Evans indicated the projected completion date is not set at this time but should be the fall of 2019.

There being no further discussion, Bob Gilmore moved to approve the site plan as submitted. Francis DeMott seconded the request. This motion passed unanimously.

The second order of business under Presentation of Requests and Petitions was a Public Hearing to review Case Number 18-01, a request submitted by NKS Restaurants LC on behalf of Burger King for a variance in CP-2, Planned General Commercial District, sign regulations of 10 feet from the roadway line to allow a sign to be constructed 2 feet from the property line on property located at 2723 North Broadway.

Due to no one being present at the time, this request was called, Bob Gilmore moved to table to item until the next meeting. Francis DeMott seconded the motion and the motion passed unanimously.

The third order of business under Presentation of Requests and Petitions was the review of a Final Plat submitted by Steve Lewis of Olsson Associates of All-Quip Addition located in the 2800 Block of North Broadway. Mr. Lewis was present to speak in favor of the request.

Cameron Alden explained the North Walnut extension would connect 28th and 29th Streets. As part of the project, KDHE is remediating contaminated soil under the roadway similar to the W. 28th Street project.

Francis DeMott moved to approve the plat as submitted. Mike Wilber seconded this motion. The motion passed unanimously. This plat is tentatively scheduled to go before the Governing Body on June 12, 2018.

The fourth order of business under Presentation of Requests and Petitions was the review of a final plat under the provisions of Article 2-105 of the Pittsburg Subdivision Regulations submitted by Mick Vena on behalf of P & L Development to allow a new plat for Silverback Landing to Pittsburg to be located in the area South of Bitner Addition and North of Centennial Drive. Mick Vena was present to speak on behalf of the request.

Mick Vena, 16898 Highland Ridge Drive, explained this would be a three- Phase project just south of Bitner Addition. There will be an entrance off Centennial and would connect the new addition to Bitner Addition. The homes in the addition would be 1800-2000 square foot homes. The first phase of the project will cover 52 homes located in the southern area of the addition. Phase 2 will include a pool and be in the center of the addition. Phase 3 will be the remainder and would consist of larger lots. The road will have a center median. Mr. Vena explained he will use local contractors as much as possible and will sub out as much as he can, however, if no one is interested he will do the work himself. The portion of the subdivision that is currently in the flood plain has also been factored into the development plan as green space.

Bob Gilmore pointed out the development will begin in the South.

Mr. Alden explained the road would go out for bid as a City project. Once the developments gets deeper north roads will be constructed.

Mick Vena explained, due to safety, the road would be constructed from Centennial north to connect to Bitner Addition. However, there is a possibility for an emergency gate to be installed until the development is substantially completed to assist with keeping construction vehicles out of Bitner Addition and to cut down on through traffic. Mr. Vena explained it could take approximately four months for streets to be constructed and houses should be livable within a year of starting construction. After 75% of lots sold from phase one, phase two will begin. Sidewalks will be included throughout the sub-division on one side of street.

Bob Gilmore asked if there would be regulations where utilities go. Mr. Vena explained utilities would be in front of the houses to assist with conservation of trees and landscape. All utilities will be on the same side in same easement and the sanitary sewer will be not be tied to Bitner Addition.

There being no further discussion from the board, Chairperson, Laura Klusener opened the floor to those wishing to speak against the request.

Steve Duvall, 1217 Bitner Drive, indicated he was glad he came and heard the plan. He has a concern that Bitner Addition has no sidewalks. Pedestrians walk the neighborhood

and with the increase in traffic this new addition will bring he asked if something could be done for sidewalks in his neighborhood. Dexter Neisler indicated there is a sidewalk program that could assist in the area. He will communicate with Cameron regarding the possibility of reviewing the issue. Mr. Alden indicated he is willing to set down with group from neighborhood to discuss sidewalk program.

Becky Gray, Director of Community Development and Housing for the City of Pittsburg, indicated there would be a 10-foot wide trail that will tie into the PSU trail from the new addition and will connect to Bitner Addition for Pedestrians as well.

William Strenth, 1515 Hampton, declared the South entrance road to Silverback Landing is a flood plain and as such, the army core of engineers is required to review the construction.

Becky Gray indicated the engineers working on this project have worked with Kansas Department of Health and Environment (KDH&E). KDH&E has indicated there is a Broad Head Skink that lives in the area and therefore the area will require mitigation of any deadfall be left in place when a tree is removed.

Mr. Strenth indicated the area in questions has only 50 buildable acres and as such there are too many lots being proposed. He voiced concern with zoning citing if zoning is lower than R-1A, the Bitner taxes will be adversely affected. He also asked what the plan for Storm water placement would be.

Pete Earles of Earles Engineering, 105 W. 7th Street, Pittsburg, KS, indicated the intention is to widen creek and make pools for detention on the south side of the plat. He also indicated the appropriate water permits are in place with the State.

George Paterni, 1506 York Road, expressed concern with future traffic in the area after construction. Mr. Paterni explained the roads in Bitner are only a lane and a half and as such, increased traffic could cause a safety hazard. He also indicated the existing traffic at Quincy and Rouse backing up after school and drivers are speeding through Bitner Addition to avoid the intersection.

Cameron Alden indicated a traffic signal is being designed and should be installed by the end of the year at the intersection of Quincy and Rouse.

Shannon Nicklaus, 1306 Franklin Road, indicated east bound traffic backs up on Quincy He expressed concerns about placing a stop light at the intersection citing he believed this would increase traffic through the addition. Mr. Nicklaus also asked if the plat was approved, would the zoning be approved later.

Dexter Neisler indicated the plat could be approved contingent on variance and zoning. The area is being requested as a zone R1-A not R1-B.

Keith Kloster, 1509 Bitner Place, explained the proposed entrance connecting Bitner Addition and the requested plat will be near his house. He expressed concerns for the pedestrian traffic. Mr. Kloster requested the Commission table the request until next month.

Steve Bitner, 1508 Bitner Court, explained when the development began he spoke with Ms. Gray. He described Mick is a man of integrity and believes he will be a good fit for the area. Mr. Bitner announced that anyone can come in develop and he believes Mick will do a good job. He asked the Commission to find the best alternatives to get in and out of Silverback Landing.

Bob Gilmore indicated York Road would remain a dead end.

Mick Vena indicated the street would be widened at Hampton and Bitner Drive as part of phase 2.

Dick Tindel, 1401 Bitner Place, asked if there could be two Roads off Centennial.

Mick will work with City to review the issues and come up with the best solution.

Becky Gray indicated studies have shown this type of housing is in demand and her studies show population doubles during the day with a large portion of the population making over \$90,000.00. This portion of the population are willing to purchase houses just like the ones Mick is preparing to provide.

Bob Gilmore asked if the connection between the plat and Bitner Addition would be made at Hampton RD. Mr. Vena indicated it does not have to.

Bob Gilmore indicated he believes street improvements need to be completed in Phase 1.

Cameron Alden indicated the connection being made to Bitner Addition during Phase 1 would have access only in emergency and he reminded the Board and the public of the possibility of emergency gates as Mr. Vena had mentioned earlier.

Scott Norman, 1501 Bitner Place, had concerns the area in question holds a lot of water and thinks the roads in Bitner Addition are not wide enough and will need to be widened.

Doug Linder, 1534 Hampton Road asked what size of houses are being constructed. Mr. Vena indicated the houses would be approximately 1800-2000 square feet.

Kathy Gariglietti, 1302 Bitner Drive inquired as to how far south the new development would be from Bitner Addition. Mr. Vena answered that the new addition will begin approximately 40 feet from southern most line of Bitner Addition. Mrs. Gariglietti asked if trucks would be going through the area this summer.

Mr. Vena indicated it is his belief that the area closest to Bitner will not be developed for approximately 8 years and there would be 15 foot tree preservation easement between the new development and Bitner Addition.

Steve DuVall, 1217 Bitner Drive asked if there could be a second entrance from Centennial or somewhere else. Mick Vena indicated that for safety reasons, traffic motion needs to be continuous.

There being no further comments from the public, Chairperson, Laura Klusener closed the public hearing portion of the meeting.

After a brief discussion amongst the Board, Bob Gilmore tabled request until next month until a larger copy of plat is available after rezoning. Francis DeMott seconded the motion. The motion carried unanimously.

Bob Gilmore wanted it known that he is definitely not against this development project he is only hoping to make sure everyone is on the same page and the best plan is made for all involved.

At this time, Tim Ross, 7945 Hayek Drive Lincoln NE on behalf of Burger King indicated he was in fact present but had just shown up later than anticipated.

Chairperson, Laura Kluesener, decided to hear second order of business under Presentation of Requests and Petitions was a Public Hearing to review Case Number 18-01, a request submitted by NKS Restaurants LC on behalf of Burger King for a variance in CP-2, Planned General Commercial District, sign regulations of 10 feet from the roadway line to allow a sign to be constructed 2 feet from the property line on property located at 2723 North Broadway.

Dexter Neisler indicated there are power lines in the way hindering the sign from being placed the required 15 feet from the property line.

There being no further questions, Bob Gilmore moved to approve variance as submitted. Francis DeMott seconded recommendation.

There being no further business, Francis DeMott moved and Bob Gilmore seconded to adjourn the meeting at 6:56 p.m. This motion passed unanimously.

Respectfully Submitted,
Andrea Holtzman
Administrative Support Assistant I