

# PLANNING COMMISSION/BOARD OF ZONING APPEALS

## MINUTES OF THE MEETING OF June 25, 2018

### MEMBERS PRESENT:

Laura Klusener, Chairperson  
Patty Horgan, Vice Chairperson  
Mike Creel  
Francis DeMott  
Bob Gilmore  
Mike Wilber

### MEMBERS ABSENT:

Kyle Michael

### OTHERS PRESENT:

Jan Allai, 1521 Hampton RD, Pittsburg, KS  
David Blessent, 622 E 546<sup>th</sup> AVE, Pittsburg, KS  
Wayne Bockelman, 320 S. Catalpa, Pittsburg, KS  
Jeff and Cheryl Brooks, 1533 Hampton RD, Pittsburg, KS  
Jessica Crager, 1506 Bitner Court, Pittsburg, KS  
Craig and Becky Chronister, 1106 Imperial Drive, Pittsburg, KS  
Gerry Dennett, 1315 Woodland, Pittsburg, KS  
Martin Dupslaff, 2204 S. Homer ST, Pittsburg, KS  
Steve & Kathy Gariglietti, 1302 Bitner Drive, Pittsburg, KS  
Marybeth Grimes, 1508 Imperial Circle, Pittsburg, KS  
Kristen Humphrey, 1501 Bitner Place, Pittsburg, KS  
Nicole and Tatiana Kamepello, 1212 Bitner DR, Pittsburg, KS,  
Keith Kloster, 1509 Bitner Place, Pittsburg, KS  
Doug and Andrea Linder, 1534 Hampton RD, Pittsburg, KS  
Larry & Tam Miller, 1209 Imperial Drive, Pittsburg, KS  
Chuck Munsell, 2411 N. Walnut, Pittsburg, KS  
Jennifer Neisler,  
Sara Newport, 1213 Bitner Drive, Pittsburg, KS  
Shannon Nicklaus, 1306 Franklin Road, Pittsburg, KS  
Will Palmer, 1502 Imperial, Pittsburg, KS  
Chuck and Rita Rickel, 1402 E. Quincy, Pittsburg, KS  
David Rua, 1210 Imperial DR, Pittsburg, KS  
William and Sharon Strenth, 1515 Hampton RD, Pittsburg, KS  
Joel and Piper Stewart, 411 W. Washington, Pittsburg, KS  
Dennis Yoder, 1211 Bitner DR, Pittsburg, KS  
Mick Vena, 16898 Highland Ridge Drive, Lock Lloyd, MO, 64012  
Jason Wolff, 1185 West 3050 South, Ogden, UT, 84401  
Cameron Alden, Director of Brittan Brenner, Assistant City Planner  
Quentin Holmes, Director of Community Development and Housing  
Dexter Neisler, Building Official  
Andrea Holtzman, Administrative Support Assistant I

The Pittsburg Planning and Zoning Commission met on Monday, June 25, 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.

The first order of business was the approval of the minutes from May 21, 2018. Patty Horgan moved to approve the minutes as submitted. Mike Creel 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 Jason Dickman of PEC on behalf of Jolly Fox for the new construction of a brewery to be located at 301 South Broadway.

Joel Stewart was present to speak on behalf of this request. This will be a 5000 square foot building located at the corner of Broadway and Euclid. Mr. Stewart reviewed the site plan in detail with the Board. He explained there will be an area for 20-30 people to be seated outside. The outside area will be fenced so no one may exit the area with alcohol. He explained his goal is to brew 600 gallons of beer a day. The signage plan is still not completed but will be submitted as soon as it available.

Dexter Neisler explained there are no requirements for parking and the drainage is pre-existing. Alley improvements are not required but could be considered.

Bob Gilmore asked what type of food would be served. Mr. Stewart indicated chicken sandwiches, nachos and burgers. He hopes to limit the items to around 6 items. Lunch will not be provided. The hours will be open around 3:00 p.m. to 10:00 p.m. The main focus of the business is the distribution of the beer.

Dexter Neisler indicated there needs to be screening for the house to the east since parking will be in the back. Traffic flow will increase through the alley therefore, the City would request to improve the alley.

Bob Gilmore asked if there will be a required grease trap. Dexter Neisler indicated that will be required and will be reviewed during the building permit review.

Bob Gilmore indicated the alley should be paved.

There being no further discussion, Bob Gilmore moved to approve the site plan contingent on the screening being provided and the alley being improved. Mike Creel seconded the request. This motion passed unanimously.

The second order of business under Presentation of Requests and Petitions was the review of the preliminary and 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 of Pittsburg to be located in the area South of Bitner Addition and North of Centennial Drive.

Dexter Neisler stated the City would recommend the plat be approved contingent on the rezoning being approved.

Mickey Vena was present to speak in favor of the request. Primary entrance off Centennial and will connect to Bitner Addition. This will be a 3 Phase project.

Bob Gilmore asked if there were any changes in the proposed plan from the last meeting. Mr. Vena indicated he would like to move the 25 foot set back to the required 30 foot set back. Therefore a variance would not be required.

Mr. Vena indicated the new road will be asphalt and will tie into Bitner Place and will have a lot of curves and angles and a divided median all to assist with traffic keeping a slow speed through the Addition. Each phase will take approximately 3-5 years. The houses are going to be prices between \$200,000.00-\$250,000.00. They will be a minimum of 1600 square foot houses. All homes in the area will be required to have a 3 car garage. Mr. Vena explained he has had a couple of people interested in building already.

Bob Gilmore mentioned the additions south of the hospital are all R1-B with the exception of Woodgate Addition which is R1-A.

Chairperson, Laura Klusener opened the floor to the public wishing to speak against the plat.

William Strenth, 1515 Hampton, shared his concern with the density of the houses proposed being too much for Pittsburg. He indicated there was no notice sent out to the property owners for the last meeting. The final plat was illegible during the last meeting. The preliminary was not yet completed at the May 29<sup>th</sup> according to the Developer. The agenda for tonight's meeting wasn't posted until after 10AM this morning. If the houses don't sell at the prices requested they could become HUD homes. The average cost of the lot is going to be \$50,000.00 which doesn't leave a lot of room for a fancy house. He shared concerns about storm water and the degrading of Bitner Addition. He feels there is no transparency and the area residence don't trust the City. He believes people want more land and less taxes. He indicated he was told during the last meeting that the City has no ordinances regarding Stormwater. He asked if a drainage study has been completed. He believes the property is in the flood zone. He indicated flooding is very concerning to the area residents.

Jeff Brooks, 1533 Hampton Road indicated he indicated he was told the property was annexed in as a R1-A. His research indicated lots don't sell and the homes decrease in size. He believes a covenant needs to be signed guaranteeing the houses will remain the house sizes.

Keith Kloster, 1509 Bitner Place, indicated the Board was concerned about lights shining into a single house with the site plan approval reviewed previously and the traffic increase and he is upset because the Board does not seem upset with the increase of traffic the lights shining on his house.

Nicole Kanepello, 1212 Bitner Drive, indicated she and her family moved to the neighborhood for peace and the neighborhood should not be commercialized. Without

the quality of life in this area neighborhood her life would have been very different. She also feels there has been a lack of transparency regarding the area.

Cameron indicated during Phase Two detention work will be completed. The water will flow to the east.

Mike Creel asked if the two subdivisions are required to connect. Dexter indicated connection is required according to ordinances for safety.

Bob indicated two roads in Bitner Addition are not currently cul-de-sacs were constructed to be able to connect to a future addition in the proposed area.

Patty Horgan asked Mr. Vena if the lot sizes can be expanded and less houses. Mr. Vena indicated there will be curbs and gutters, sidewalks and pools constructed in the addition so the cost will be higher. He is working on flood control. Mr. Vena indicated there are no guarantees in construction.

Mike asked if they will have spec homes. Mick indicated they will construct 4 model homes for people to walk through as spec homes are being constructed.

Bob Gilmore asked if water taps will be waived. Mr. Vena indicated he has not asked for a waiver.

There being no further questions, Mike Creel moved to recommend approval of the preliminary and final plat to the Governing Body contingent on the approval of zoning. Bob Gilmore seconded recommendation. This motion passed unanimously.

The third order of business under Presentation of Request and Petitions was a request submitted by Mick Vena on behalf of P & L Development to review a request for a Variance for front yard setback from 30' to 25' from the front property lines; and review a request to amend the zoning of the platted area from R1-A, Single Family Residential to R1B, Single Family Residential, to the South of Bitner Addition and North of Centennial Drive.

Mr. Vena was present to speak in favor of the request. Mr. Vena reiterated the variance is no longer being requested. The Chairperson indicated the variance will be stricken from the request and the Planning Commission/Board of Zoning Appeals would simply be reviewing the request to rezone the area.

Chairperson, Laura Kluesenr opened the Public Hearing and asked if there was anyone to speak against the request.

Mr. Strenth of 1515 Hampton, again approached the microphone and podium and indicated he believes he is wasting his time as the Commission has not listened to any concerns. He stated the retention would not be able to be constructed.

Kristen Humphry, Bitner Place, concerned about the traffic increase. She asked to deny the request so the number of homes would not be allowed.

There being no further comments from the Public, Chairperson Laura Klusener closed the Public Hearing.

Bob Gilmore indicated he believes the Board has listened carefully and has reviewed what is best for the entire City and not just one area. He believes the development is positive addition to the City. He indicated he has researched the proposal and he believes the new addition will be a positive growth. He hopes Mr. Vena will review the traffic and make any necessary adjustments possible.

Patty Horgan indicated these houses will pay property taxes.

There being no further discussion, Chairperson, Laura Klusener closed the Public Hearing for discussion amongst the Board.

There being no further discussion amongst the Board, Patty Horgan moved to recommend approval of the rezoning to the Governing Body. Mike Creel seconded the motion. The motion passed unanimously. This request will be reviewed by the Governing Body on July 10, 2018.

There being no further business, Bob Gilmore moved and Francis DeMott seconded to adjourn the meeting at 6:40 p.m. This motion passed unanimously.

Respectfully Submitted,  
Andrea Holtzman  
Administrative Support Assistant I