

OFFICIAL MINUTES  
OF THE MEETING OF THE  
PLANNING COMMISSION/BOARD OF ZONING APPEALS  
CITY OF PITTSBURG, KANSAS  
March 22, 2021

A Regular Session of The Planning Commission/Board of Zoning Appeals was held at 5:30 p.m. on Monday, March 22, 2021, in the Pittsburg Law Enforcement Center, 201 North Pine, with the following members present: Chairperson Mike Creel, Martin Dickinson, Laura Klusener, Leah Posterick, Derek Heikes, and Mike Wilber. Vice Chairperson Kyle Michael was not present. Mike Creel led the flag salute.

EXECUTIVE SESSION – On motion of Klusener, seconded by Wilber, The Planning Commission/Board of Zoning Appeals recessed into Executive Session at 5:32 p.m. to discuss matters deemed privileged in the attorney client relationship pursuant to K.S.A. 75-4319(b)(2), to discuss Kansas Open Meetings Act requirements and procedures. Motion carried. Absent: Michael. The Planning Commission/Board of Zoning Appeals reconvened into Regular Session at 5:47 p.m.

APPROVAL OF MINUTES – On motion of Klusener, seconded by Posterick, The Planning Commission/Board of Zoning Appeals approved the minutes of the February 22, 2021, meeting. Motion carried. Absent: Michael.

PUBLIC HEARING – CASE NO. 21-04 – E&J INVESTMENTS – CHANGE IN ZONING FROM R1-A, SINGLE FAMILY RESIDENTIAL TO CP-2, PLANNED GENERAL COMMERCIAL AND RP-3, PLANNED MEDIUM DENSITY – Following Public Hearing, on motion of Wilber, seconded by Heikes, The Planning Commission/Board of Zoning Appeals approved the request submitted by E&J Investments of Pittsburg, Kansas, to change the zoning of the property located on the North side of the 1900 Block of East Centennial from R-1A, Single Family Residential to CP-2, Planned General Commercial and RP-3, Planned Medium Density. Motion carried. Absent: Michael.

Eric Bradshaw with E&J Investments stated that half of the development would be commercial and half would be residential, with the commercial portion zoned as CP-2 and the residential portion zoned as RP-3. Bradshaw stated that Earl's Engineering and Inspection was hired to develop the preliminary plat. Bradshaw specified that the first two phases of the project will be commercial, and that phase three will be residential.

Klusener asked why RP-3 was the chosen zoning for the residential portion of the development.

Bradshaw said that RP-3 would allow for different types of residential lots, including triplexes and apartment complexes, compared to RP-2 which only allows for duplexes.

Creel asked about plans for the streets in the development.

Bradshaw responded and stated that further street development would have to wait until they see how the project is developed. Bradshaw stated that they would not be building the houses, only selling the lots.

Creel asked if this is the first development that has been zoned in this specific combination.

Dexter Neisler, Zoning Administrator, discussed the following Zoning Criteria:

**Character of the neighborhood.** This parcel is currently surrounded by a mix of mostly commercial uses with Via Christi Hospital and Summerfield Apartments directly south of it and undeveloped property to the West of it. The parcel is currently vacant and has not been developed.

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**Zoning and uses of nearby properties.** Zoning in the area contains mostly commercial uses with an area west of it zoned light industrial.

**Suitability of the subject property for the uses to which it is being considered.** The property by default when annexed into the City limits is R-1A. Its currently surrounded by a mix of zoning as stated above.

**Length of time the subject property has remained vacant as zoned.** The property has been vacant since the annexation into City limits and has never been developed.

**The extent to which removal of the restrictions will detrimentally affect the nearby property.** Rezoning the property should not have a detrimental effect to the area. There are other properties located directly adjacent to this property that are zoned commercial.

**Relative gain to public health, safety, & welfare.** Health, safety, & welfare should not be adversely affected by the rezoning of the property.

**Conformance to Master Plan.** The properties around this parcel are currently zoned commercial and light industrial which is in line with the City's Master Plan and is an acceptable use if rezoned.

**Staff Recommendation:** Approve. This area has developed into a commercial area due to its location and close proximity to the intersection of Centennial and Rouse.

PUBLIC HEARING – CASE NO. 21-05 – E&J INVESTMENTS – APPROVAL OF A PRELIMINARY PLAT – Following Public Hearing, on motion of Klusener, seconded by Posterick, The Planning Commission/Board of Zoning Appeals approved the Preliminary Plat submitted by E&J Investments of Pittsburg, Kansas, under the provisions of Article 2 of the Pittsburg Subdivision Regulations. Motion carried. Absent: Michael.

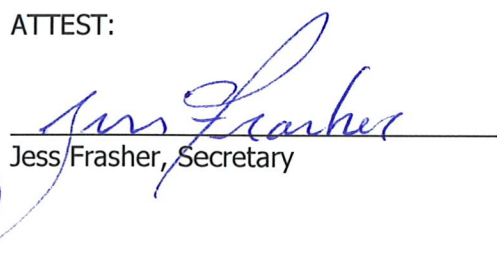
Neisler reviewed and discussed the preliminary plat and preliminary plat check list.

Heikes expressed concerns about frequent flooding on 240<sup>th</sup>, and expressed that the development should utilize curbs with gutters to avoid the issue of flooding.

ADJOURNMENT – On motion of Wilber, seconded by Posterick, the Planning Commission/Board of Zoning Appeals adjourned the meeting at 6:10 p.m. Motion carried. Absent: Michael.

  
Mike Creel, Chairperson

ATTEST:

  
Jess Frasher, Secretary