



# PLANNING COMMISSION APRIL REGULAR MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043  
Wednesday, April 19, 2023, at 7:00 PM

---

## MINUTES

### CALL TO ORDER

The regular April meeting of the Lansing Planning Commission was called to order by Chairman Jake Kowalewski at 7:00 p.m.

### ROLL CALL / QUORUM ANNOUNCEMENT-

In attendance were Chairman Jake Kowalewski, Commissioners Brian Payne, Janette Labbee-Holdeman, Jerry Gies, Nancy McDougal, and Mike Suozzo. Chairman Richard Hannon was not present. Chairman Jake Kowalewski noted that there is a quorum present.

### OLD BUSINESS

#### 1. Approval of Minutes, February 15, 2023, Regular Meeting

A motion was made by Commissioner Nancy McDougal to approve the minutes as written and it was seconded by Commissioner Jerry Gies. Commissioners Brian Payne, Janette Labbee-Holdeman and Mike Suozzo abstained. Motion passed 3-0.

### NEW BUSINESS

#### 2. JK Root Final Plat

The Applicant proposes to subdivide parcel 1072500000008000, currently a 1.2 acre parcel with a residential structure, pool, small outbuildings, etc. The Final Plat creates a two (2) lot subdivision. Lot 1 is 38,238 Sq. Ft. (.878 acres) in size, while Lot 2 is 16,227 Sq. Ft. (.373 acres).

The current driveway for 292 W Gilman is on City right-of-way. The City currently retains 60' width of right-of-way, approximately 633' long. The right of way would be used for access off of Gilman Drive if/when the 47.5 acre parcel directly north of the subject property develops. The 47.5-acre parcel is currently on the market and zoned residential. On March 16<sup>th</sup>, 2023, the City Council approved the Preliminary Plat with several notes to add to the Final Plat. The City Council approved the continued, and expanded, usage of City property as a driveway for the two lots proposed by the Final Plat. The property owner and any future owner acknowledge that when/if the roadway is constructed, all lots shall access the new roadway.

Commissioner Nancy McDougal started the discussion by stating that the last time they looked at this, she thought it was four lots. To which Mr. Root replied that it is two pieces of property, but it was platted to where in the future, if the street came through, it would already be platted. Community and Economic Development Director, Josh Gentzler, clarified that it was a preliminary plat prior, so it can be viewed as a phasing for four lots, but the final plat that was submitted, is a two-lot subdivision. In the future it can be divided only if/when the roadway is constructed.

Mr. Gentzler pulled the plat up for viewing and clarification for the members of the Planning Commission, and explained where each lot is. Commissioner Gies asked if the plat dedicates the right of way or if the City Council make that right of way. Mr. Gentzler stated that it will be dedicated with the plat. Commissioner Gies then asked if the City has to deed this to the applicant or sign the plat, since he is part owner. And it was stated that the City will approve the plat with the signature on it and add in the city signature block. Commissioner Labbee-Holdeman expressed her concern for anything to do with easements that is not in writing, and that it's important that it get recorded. Mr. Spickelmier, director of Public Works, was then asked about the 60' right of way, to which he stated that the 60' right of way is standard for residential streets.

Commissioner Gies asked for clarification on an item in the staff report, that the applicant is subject to all applicable City codes within the Municipal Code. However, in this case they are not, due to there being a waiver from City Council. Mr. Gentzler did agree and stated that they have a waiver.

A motion was then made by Commissioner McDougal to recommend approval to the City Council, and it was seconded by Commissioner Suozzo. Motion passed 4-2.

### **3. Towne Center Rezone- Case # 2023-DEV-002-RZ**

The Applicant proposes to rezone a 4.726-acre portion of Lot 1, Lansing Towne Centre, from B-3 to R-4. The Future Land Use Map of the Lansing Comprehensive Plan categorizes this property as Commercial. The property has access to both W Mary Street and W Kay Street. The rezoning, if approved, would allow the applicant to construct an apartment complex which would be categorized as a "Medium Apartment" Use under the **UDO Article 4.03 Permitted Uses**. For a preliminary layout, please see the attached document provided by the applicant. There have been no questions or complaints from City residents concerning this rezoning application.

The public hearing was opened at 7:12 pm.

Mr. Zimmerman, the applicant, introduced himself to the Planning Commission, and stated he is there to answer any questions anyone may have. Mrs. Leebbee-Holdeman asked for clarification on what is considered a 'medium apartment', to which Mr. Gentzler stated that it is terminology from our zoning regulations. It is high density residential development that allows 12-40 units per building in R-4. Commissioner McDougal asked the applicant what it is he wants to build. Mr. Zimmerman explained that they plan to have 50 units, that are 2-3-bedrooms, multifamily, affordable housing. The goal is to have it rezoned by May 4, 2023, for the purpose of tax credits. He went on to explain the amenities, and what each building is. There are topography challenges to the property, but they have worked out those details. He also acknowledged the sewer easement that they have avoided.

Commissioner Gies mentioned that the City owns the parcel, and Mr. Gentzler explained that it will still be maintained as commercial and City property. If the zoning passes and the tax credits are awarded, Mr. Zimmerman will come back with a plat to split the 4.73-acres, as it is currently one lot.

Mr. Rick Ricard, who lives on Hickory Trail, stepped forward and asked for clarification regarding the location. And then asked what the criteria is for higher density residences in an area that was zoned residential. And it was explained to him that it is zoned commercial. He had no other comments.

The public hearing was closed at 7:23 pm.

With no further discussion, Commissioner Labbee-Holdeman made a motion to recommend approval for the rezone from commercial to R-4. Commissioner Gies seconded that motion. The motion passed 6-0.

**NOTICES AND COMMUNICATIONS-** None

**REPORTS - Commission and Staff Members-** None

**ADJOURNMENT-**

Commissioner Mike Suozzo made a motion to adjourn the meeting and the meeting was adjourned by acclamation at 7:24 pm.

Respectfully submitted,

Melissa Baker, Secretary

Reviewed by,

Joshua Gentzler, Community and Economic Development Director