

PLANNING COMMISSION JULY REGULAR MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043 Wednesday, July 21, 2021 at 7:00 PM

AGENDA

CALL TO ORDER

ROLL CALL / QUORUM ANNOUNCEMENT

OLD BUSINESS

- 1. Approval of Minutes, June 16, 2021, Regular Meeting
- 2. Approval of Minutes, June 23, 2021, Special Meeting
- 3. Remanded from City Council UDO Text Amendment Apiaries (Hobby)

Revision to use table to add Apiaries (Hobby) as an allowed use for parcels zoned A-1 that are larger than five (5) acres, and add a conditional use allowance for parcels zoned A-1 that are less than five (5) acres. Council asked Planning Commission to consider adding a buffer requirement to properties **more** than five (5) acres in size. Staff presented this incorrectly at the June 16th Planning Commission meeting as less than five (5) acres.

NEW BUSINESS

4. UDO Text Amendment - Peripheral Street Improvements

Revision to section 3.04 Required Improvements, Item H. to replace this section with updated language that removes the requirement for the applicant to build or pay for peripheral street improvements during the platting process. The presentation that was discussed with the City Council during the May Work Session is included for background.

5. Final Plat Application Case # SDFP-2021-3

Application submitted by Russell L. & Audeana M. Connell, owners of property at 600 Beth St. and 00000 Beth St., and Chad & Christina Clark, owners of property at 605 Carol St. This application is for a final plat consisting of 5 lots and approximately 1.84 acres. The property is currently zoned as R-2 Single-Family Residential District, is made up of multiple lots and a tract which are part of the original Town of Richardson Plat.

6. Site Plan Application Case # SP-2021-1

Application submitted by Jonathan Reddell of Family Eyecare Center. This application is for approval of a site plan to construct a two-story (2,700 S.F.) medical/office facility in the Town Center Development.

NOTICES AND COMMUNICATIONS

REPORTS - Commission and Staff Members

- Commission Members
- Director, Community & Economic Development
- Director, Public Works / City Engineer
- Director, Wastewater Utility
- Building Inspector, Community & Economic Development

ADJOURNMENT

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PLANNING COMMISSION JUNE REGULAR MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043 Wednesday, June 16, 2021 at 7:00 PM

MINUTES

CALL TO ORDER- - The regular June meeting of the Lansing Planning Commission was called to order by Chairman Barry at 7:00 p.m.

ROLL CALL / QUORUM ANNOUNCEMENT- In attendance were Chairman Barry, Vice-Chairman Jake Kowalewski, Commissioners Nancy McDougal, and Jerry Gies. Chairman Barry noted there was a quorum present.

OLD BUSINESS

1. Approval of Minutes, May 19, 2021, Regular Meeting

Motion by Mrs. McDougal and seconded by Mr. Kowalewski to approve the meeting minutes – motion passed 4-0.

2. Remanded from City Council - UDO Text Amendment - Apiaries (Hobby)

Revision to the use table to add Apiaries (Hobby) as an allowed use for parcels zoned A1 that are larger than 5 acres and add a conditional use allowance for parcels zoned A1 that are less than 5 acres. Council asked Planning Commission to consider adding a buffer requirement to properties less than 5 acres in size.

Mrs. McDougal stated that they would need to submit a conditional use permit to be reviewed anyways and asked why there is a need to but in a buffer zone when each one would be looked at each scenario. Chairman Barry stated that by leaving it to this body, with the conditional use permit, they can judge each one individually and can be adjusted per property. And that gives flexibility for each one. If the buffer zone were there, the only option we would have, would be to approve or disapprove the conditional use permit because we would be restricted by the public.

Mr. Schmitz stated that generally in ag zoning is an acre or larger lots. Chairman Barry stated that he tried to connect with his representative that had the most concern but failed to get in touch. In the past there was a motion that was objected because it was too close. Mr. Gies stated that something that bothers him is that it should be 50 feet away in all conditions, weather its 5 acres, or 30 acres. Mr. Schmitz stated that generally if its more than 5 acres, those parcels are large enough that the house is not necessarily right next to the edge of the property.

Chairman Barry would like to leave it as it is written, and that gives us flexibility, to be more or less restrictive, depending on the situation. Chairman Barry would like to make a motion to refer the action back to the city council as written, with the explanation that our desire is to be able to judge each case and have the flexibility to put a buffer zone of whatever size needed, based on each individual case.

Mr. Schmitz stated its important to remember that this body could make a recommendation to the counsel, and then approve or disapprove it. Conditional use permits are at the discretion of this body. And that there are safeguards are in place.

Chairman Barry stated that the amount of agricultural properties has decreased within our city limits. Mr. Schmitz mentioned the potential that the body could do a rezoning to change ag properties that are now more residential. Chairman repeated his motion to refer the action back to the city council as written, with the explanation that our desire is to be able to judge each case and have the flexibility to put a buffer zone of whatever size needed, based on each individual case. Motion passes 4-0. Mr. Schmitz stated that when he writes the memo that will go to the city council, he will explain what all the safeguards are that are related to conditional use permits.

NEW BUSINESS

3. Preliminary Plat Application Case # SDPP-2021-2

Application submitted by Russell L. & Audeana M. Connell, owners of property at 600 Beth St. and 00000 Beth St., and Chad & Christina Clark, owners of property at 605 Carol St. This application is for a preliminary plat consisting of 2 lots and approximately 1.84 acres. The property is currently zoned as R-2 Single-Family Residential District, is made up of multiple lots and a tract which are part of the original Town of Richardson Plat.

Mr. Schmitz stated that there are actually 5 lots, not 2 according to the memo and agenda. He explained that Mr. Connells intention is to have the lots be developable lots, to possibly build homes on them.

The plat included has notes questioning if we want to vacate and add drainage. Chairman Barry stated that the sewer is already there. Chairman Barry made a motion to approve the preliminary plat as written. Mrs. McDougal moved to approve; Mr. Geis seconded it. Motion passes 4-0.

NOTICES AND COMMUNICATIONS-

Mr. Schmitz - We meet Wednesday the 23rd, for a special meeting. July 3rd is the Independence Day event.

REPORTS - Commission and Staff Members

None

ADJOURNMENT- Ms. McDougal made motion to adjourn, Mr. Geis seconded. Meeting adjourned by acclimation at 7:33 pm.

Respectfully submitted,

Melissa Baker, Secretary

Reviewed by,

Matthew R. Schmitz, Community and Economic Development Director

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PLANNING COMMISSION JUNE 23RD SPECIAL MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043 Wednesday, June 23, 2021 at 7:00 PM

MINUTES

CALL TO ORDER- The special meeting of the Lansing Planning Commission was called to order by Vice-Chairman Jake Kowalewski at 7:00 p.m.

ROLL CALL / QUORUM ANNOUNCEMENT- In attendance were Vice-Chairman Jake Kowalewski, Commissioners Nancy McDougal, Richard Hannon, Mike Suozzo and Jerry Gies. Vice-Chairman Jake Kowalewski noted there was a quorum present.

OLD BUSINESS- None

NEW BUSINESS

1. Rezoning Application - Case # RZ-2021-4

Application submitted by Joseph Herring, Authorized Agent for William & Stacy Driscoll and Larry & Tamara Watts, property owners. This application is to rezone the Driscoll parcel (RR-2.5 - County Design) to R-2 Single-Unit Residential and a portion of the Watts parcel (A-1 Agricultural District) to R-2 Single-Unit Residential.

Vice-Chairman Jake Kowalewski opened the public hearing at 7:01 pm

Ron Barry at 805 Cottonwood Dr. expressed concerns of rezoning the wooded area. The storm water runs into his backyard. His concern is that by adding more properties, are we considering the runoff into his back yard before rezoning. Before properties were even there, the water would wash out his back yard. There is only 13 feet from the storm drain to the property. He presented it once before to the city, and he personally had to invest in landscaping to be redone for himself and his neighbor. Additionally, one of the properties is to have an access at the end of the street. So, there are concerns for the amount of traffic coming through as well.

Jill Barnabee at 4650 147th St. Understands Mr. Barry's concerns for flooding. However, she is all for it. She feels it would give it purpose and would be great for traffic. It would be a great benefit to the city and make it look nicer.

Lakresha McBride- Asked for clarification as to where the properties would be. Regarding her home, construction is a concern of hers, and possible damage to her home. She recalled when the high school was built, and that the blasting and construction affected their home. She asked that being so close to the floodplain, how would affect her home and the value of her home. Mr. Kowalewski confirmed that it would not affect her home and that the only concern she should have involving construction would be the workers going to and from the site. She is unsure if she is for or against it, but just had concerns regarding construction.

Joe Herring at 315 N 5th St. Understands concerns of the neighbors regarding the storm drain. Confirmed that we are not rezoning the back portion. Mr. Herring does not believe that this development would create additional drainage issues for Mr. Barry. Mr. Herring clarified that the back property, Lot 3, would not be rezoned as part of this, and that Lot 3 would allow for the construction of a single-family home on the property without needing to be rezoned. Mr. Schmitz confirmed this was correct.

Vice-Chairman Kowalewski closed the public hearing at 7:24 pm. Commissioner McDougal pointed out that much of the property is in the flood plain, so water likely is already an issue before any development would have occurred here. City Attorney Robinson pointed out that building in the flood plain is not allowed. Commissioner Hannon asked for clarification that tonight's meeting was only

Agenda Item 2.

pertinent to Lot 1 and 2 on the exhibit attached. Vice-Chairman Kowalewski confirmed that was the case

Vice-Chairman Kowalewski asked for a motion to approve with conditions or disapprove the rezoning request. Mrs. McDougal made a motion to approve the requested rezoning item. Mike Suozzo seconded. Motion passed 5-0.

REPORTS- Commission and Staff Members

NOTICES AND COMMUNICATIONS

Nothing to report.

ADJOURNMENT Commissioner Mike Suozzo motioned to adjourn. Commissioner Richard Hannon seconded it. Time of Adjournment is 7:28 p.m.

Respectfully submitted,

Melissa Baker, Secretary

Reviewed by,

Matthew R. Schmitz, Community and Economic Development Director

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Planning Commission Staff Report July 21, 2021

Remanded from City Council – UDO Text Amendment – Apiaries (Hobby)

Summary

During the June Planning Commission meeting, this item was presented to consider adding a buffer zone to property five (5) acres or **less** as requested by the City Council. The Planning Commission at that time voted to send back to the City Council the original item due to tracts less than five (5) needing a conditional use permit. When reviewing the discussion of the Planning Commission meeting, preparing to take this item to Council, the Director realized that it had been presented to the Planning Commission incorrectly as the Council was referring to properties **more** than five (5) acres rather than less. Staff apologizes for this error.

At the City Council meeting on June 3rd, the City Council considered this item originally heard at the May Planning Commission meeting. The City Council asked for the Planning Commission to consider adding a buffer requirement to the properties **more** than five (5) acres that were outlined in the original proposed amendment to the UDO. Staff is presenting an updated item based on this feedback for the Planning Commission to consider. The unapproved meeting minutes from the City Council meeting are included for Planning Commission's review, as well as the meeting minutes from the June Planning Commission.

Originally, Staff was contacted by a resident who lives on an approximately 25-acre parcel on 147th Street (zoned A1) asking about having an apiary (bees) on his property. Apiaries (Hobby) is currently not shown in the Unified Development Ordinance (UDO) as an approved use for A1 or a conditional use. Given the large lot size generally found in A1, Staff feels it reasonable to revise this in the UDO, with some restriction based on acreage, including the requested buffer from City Council.

Staff is recommending that Apiaries (Hobby) be allowed in A1 for parcels larger than five (5) acres with a buffer requirement of fifty feet (50') from any property line, to allow for separation from neighboring property owners, etc., and Conditional for parcels smaller than 5 acres to allow for restrictions as may be appropriate on a case-by-case basis. This would be shown in the Table 4-2: Permitted Uses as follows:

Table 4-2: Permitted Uses		R1	R2	R3	R4	R5	B1	B2	В3	l1	12
Apiaries (Hobby)*		С	С								

Also, on Page 4-17 – add the following below Apiaries (Hobby):

*Allowed on property larger than five (5) acres with a buffer requirement of fifty feet (50') from any property line, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

It is important to note, that on properties larger than 5 acres, this use would be allowed without review, subject to the restrictions outlined above. Given the larger acreage sizes of these properties, Staff feels this should be an allowed use without oversight by the City, however notification of surrounding property owners would be prudent on lots less than five acres in size.

Acknowledgments

The following City of Lansing staff members reviewed this project and provided information for this report:

Matthew R. Schmitz, M.P.A. – Director, Community & Economic Development

Recommendation

Staff recommends that the Planning Commission recommend approval of this item to the City Council or recommend approval with modification of the buffer requirement distance.

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
June 3, 2021

Call To Order:

The regular meeting of the Lansing City Council was called to order by Mayor McNeill at 7:00 p.m.

Roll Call:

Mayor McNeill called the roll and indicated which Councilmembers were in attendance.

Councilmembers Present:

Ward 1: Gene Kirby and Dave Trinkle

Ward 2: Marcus Majure

Ward 3: Jesse Garvey and Kerry Brungardt Ward 4: Ron Dixon and Gregg Buehler

Councilmembers Absent: Don Studnicka

OLD BUSINESS:

Approval of Minutes: Councilmember Garvey moved to approve the Regular Meeting Minutes of May 20, 2021, as presented. Councilmember Dixon seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor McNeill called for audience participation on an item not on the agenda and there was none.

Presentations

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Temporary Special Event Permit – Lansing Independence Days Event: Councilmember Kirby moved to approve the Temporary Special Event Permit and authorize Embrace the Grape of Kansas LLC to sell beer, wine, and alcoholic beverages at the Lansing Independence Days Event. Councilmember Buehler seconded the motion.

- Councilmember Buehler stated I just have a question. I know they initially said Leavenworth County
 didn't have anybody and you were going to go see if one of the local bars could do it. Did they
 come back and say no.
 - City Clerk Sarah Bodensteiner responded they did not, but they have to have a caterer's license. There is some time and cost into that so with this timing it didn't quite fall into place. So, I have had that discussion and that may be something we can do in the future.
 - Councilmember Buehler replied ok I was just curious because we talked about it last time.
 - City Clerk Sarah Bodensteiner responded absolutely.
 - o Councilmember Buehler stated thank you.
- Councilmember Dixon asked question, has alcohol been sold in the past at the 4th of July.
 - Mayor McNeill replied yes. Go ahead Tim.
 - City Administrator Tim Vandall responded I believe it has been sold at Lansing Days before. I'm not positive about 4th of July. I know we kind of merged Lansing Days with the fireworks so that is why were thinking about doing this. Is that your understanding as well Sarah.
 - City Clerk Sarah Bodensteiner replied correct.
- Councilmember Majure stated I got a question. It says to be sold out of a truck. Are they going to have more than one or two people doing it. Are we going to have a line that's a hundred to two hundred people back trying to get a red Solo cup here. What are they selling. Cups, cans, or bottles.
 - City Clerk Sarah Bodensteiner replied so they have a list of things they provided to Matt and I, just a mockup of what they were thinking. Obviously, it hasn't been finalized but this is what their company does on a regular basis. They cater weddings, they do large events so this is not something that they are underprepared for. We gave them an idea of what we were thinking attendance could be so they will have the appropriate staff on hand to handle the need.
- Councilmember Trinkle asked our PD will still be somewhat involved in this too.

- City Clerk Sarah Bodensteiner replied correct.
 - City Administrator Tim Vandall replied ves.
 - Councilmember Trinkle asked like they always have been.
 - City Administrator Tim Vandall replied yes.

The motion was unanimously approved.

Approval of Bid – K-7 & Eisenhower Traffic Signal Poles: Councilmember Buehler moved to approve and award the bid for Traffic Signal Poles and Equipment to Gades Sales Company, Inc., in an amount not to exceed \$81,406.00. Councilmember Kirby seconded the motion.

- Councilmember Trinkle asked is that just our half of the total.
 - Public Work Director Mike Spickelmier responded the cost of the poles is by the formula that has been signed by the Kansas Department of Transportation and the MOU between Leavenworth and Lansing. The cost for Lansing is approximately \$10,854.68 for this particular part.
 - Councilmember Trinkle asked I mean we're not going to argue over who is putting the pole on who's property or anything.
 - Public Work Director Mike Spickelmier replied no.
 - Councilmember Trinkle stated we don't know where everything is going to go.
 - Public Work Director Mike Spickelmier responded yes.
 - Councilmember Trinkle stated it's all a gentleman's agreement.
 - Public Work Director Mike Spickelmier responded well it's more so than that. It's a formal agreement between the cities and the State.

The motion was unanimously approved.

Fence Request – 412 Caraway Place: Councilmember Brungardt moved to approve the fence request for 412 Caraway Place. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Ordinance No. 1062 - UDO Text Amendment - Apiaries: Councilmember Buehler moved to approve and adopt Ordinance No. 1062. Councilmember Kirby seconded the motion.

- Councilmember Majure stated I have a question.
 - Mayor McNeill stated go ahead Marcus.
 - Councilmember Majure asked we're talking about acreage of five acres or more, we would not need to come in requesting permission. The question though is, is there anything out there that prohibits me from having five acres, but I put my bees right up next to his fence line or his property line where maybe his house or his dwellings are. Is there anything like that. Is there any discussion about that or we just say, you got five acres or more you can put bees where you want them. That's the one thing I'd be concerned about. We've never done it before. I'm just asking.
 - Councilmember Garvey asked you're talking about having a buffer in between the property line and the bees.
 - Councilmember Majure responded yeah, because that is the one thing, anything greater than five acres, I can put it. Now I've got Marcus against Jesse with my bees all over his property line. He's got dogs, horses, you know what I'm saying. That would not be good.
 - City Administrator Tim Vandall replied I'm not sure if that came up during the Planning Commission discussion.

- Councilmember Majure responded I didn't read it in the discussion.
 - Councilmember Garvey responded I didn't see anything about that.
 - City Administrator Tim Vandall stated I know where it came up how this started. It was a property that was in city limits, but it was twenty acres. I know that gentleman reached out to us. We were trying to think of some number where, obviously it would make sense for someone with twenty acres to be able to put bees on their property especially if they are on the fringe of the city. But I'm not sure if they discussed if there is some type of buffer. I don't know if, I guess they are not permanent so it wouldn't be a setback. The way it would a shed or something like that.
 - Mayor McNeill stated we'd have to look at where in the city do we have adjoining acreages that it would apply to.
- Councilmember Garvey asked how many acres was the property off of west Mary. Remember the guy who wanted the apiary. Was it three?
- City Administrator Tim Vandall replied no, that one was quite a bit. I would bet that is over five.
- Councilmember Garvey asked you think.
- City Attorney Greg Robinson stated I think it has something to do with the property being in the flood plain.
- Councilmember Garvey responded yeah it did.
- City Administrator Tim Vandall stated I think this one was on 147th.
 - Councilmember Majure responded yeah, this one is on 147th.
 - City Administrator Tim Vandall stated I don't have the answer to your question if there is some type of buffer they discussed or anything like that.
 - Councilmember Brungardt stated that was good guestion and I'll give an example. My brother and sister-in-law were wanting to build a house and they are running, its out in the County, and they are running into an issue like this. They're having to redo their thinking of where they want their house because of something like this.
 - Mayor McNeill asked do we want to table it and ask the question.
 - City Administrator Tim Vandall replied yeah, I think we can table it.
 - Mayor McNeill stated have Matt relook at it.
 - Councilmember Garvey asked who seconded that.
 - City Clerk Sarah Bodensteiner replied Gene did.
 - Councilmember Kirby stated I withdraw.
 - Councilmember Buehler stated I withdraw my motion.

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Councilmember Buehler moved to table Ordinance No. 1062 and go back to the Planning Commission to ask if a buffer distance between properties is needed or suggest there be one. The motion was unanimously approved.

REPORTS:

Department Heads: Department Heads had nothing to report. **City Attorney:** City Attorney Greg Robinson had nothing to report. **City Administrator:** City Administrator had nothing to report.

Governing Body: Councilmember Garvey went to Club Car Wash and will be buying a membership

there. They do a great job there. Harbor Freight is moving along so progress on that.

Councilmember Buehler provided a fun fact, on this day, Ed White crew member of Gemini 4, performed the first American space walk in 1965.

Councilmember Trinkle asked about the congestion of cars at 7th St and Eisenhower. There has been a couple of wrecks due to the parking on the corner. The neighbors are restless again with the situation.

- Mayor McNeil asked if we could do the same as we did on Holiday. Can a firetruck get through it.
 - o Councilmember Trinkle replied a fire truck would not have gotten through last night.
 - Mayor McNeill stated we'll look into it.

Councilmember Kirby stated he has been to Club Car Wash and now has two memberships there. They do a really good job.

Councilmember Majure thanked Tim and staff for working hard on bringing in the new businesses. It's exciting in Lansing!

ADJOURNMENT:

Councilmember Majure moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 7:15 p.m.

ATTEST:	Mayor, Anthony R. McNeill
City Clerk, Sarah Bodensteiner, CMC	

Agenda Item 4.



Planning Commission Staff Report July 21, 2021

UDO Text Amendment – Peripheral Street Improvements

Summary

During the May 27th City Council Work Session, staff presented information and asked for discussion with the Council regarding the required improvements outlined in the Unified Development Ordinance (UDO), specifically the required Peripheral Street Improvements, as well as potential development incentives that Staff could offer to developers who are interested in building in Lansing.

During this discussion, the City Council appeared agreeable to removing the requirement of Peripheral Street Improvements to reduce costs for developers who may be interested in developing properties. There is also a recent court case (Heartland Association Inc. v. City of Mission) that calls into question whether the city can legally require these fees. City Attorney Robinson will be available at the meeting to address this item should the Planning Commission have questions regarding the legalities of these fees.

This item is the first step in modifying the UDO to accommodate the removal of the Peripheral Street Fees from the city's development requirements.

The presentation presented to the Council during the May 27th Work Session is attached for the Planning Commission to review.

This revision to the UDO would be the first step in shifting towards benefit districts for perimeter streets rather than burdening the developer with the entire construction cost up front.

Public notice for this item was published in the Leavenworth Times on June 29, 2021.

If this item is approved by the Planning Commission, staff will bring forward to the Council for approval the replacement of the following section from the UDO (Page 3-21):

Current version:

3.04 Required Improvements

- H. **Peripheral Street Improvements.** The applicant shall be responsible for one-half of all peripheral streets which may border the subdivision. The applicant's responsibility shall be limited to the dedication of one-half of the recommended rights-of-way as described in these subdivision regulations. The applicant shall dedicate and build its portion of the improvement or put money for the cost of its portion of the improvement into escrow and waive the right to protest any future benefit district for the improvement.
 - 1. Money in Lieu. In lieu of the actual construction of proposed perimeter streets prior to the filing of the plat, the Governing Body may at its option, accept cash or a cashier's check into an escrow account for general street improvements, in an amount that will guarantee one-half of the construction costs, as determined by the City Engineer and Public Works Director, of the perimeter streets.

Proposed version:

3.04 Required Improvements

H. **Peripheral Street Improvements.** The applicant shall be responsible for dedication of one-half of the recommended rights-of-way as described in these subdivision regulations on all peripheral streets which may border the subdivision. The applicant shall waive the right to protest any future benefit district for improvements to the peripheral streets which may border the subdivision.

Acknowledgments

The following City of Lansing staff members reviewed this project and provided information for this report:

Matthew R. Schmitz, M.P.A. – Director, Community & Economic Development

Recommendation

Staff recommends that the Planning Commission recommend approval of this item to the City Council.



Peripheral (Perimeter) Street Fees & Development Incentives

Council Work Session May 27th, 2021

Peripheral Street Fees



- Currently Required by UDO Peripheral Street Fees

 Unified Development Ordinance (UDO), Section

 3.04, Item H.
- Due to recent court case (Heartland Apartment Association Inc. v. City of Mission)

 — Director and City Attorney believe that Peripheral Street Fees are now very difficult, if not impossible, to collect.

K.S.A. 12-194 — Excise Taxes



- 12-194 allows cities to charge excise taxes that were on the books prior to 2006
- After 2006, increases in existing excise taxes must be approved by a public vote
- Lansing implemented Peripheral Street Fees via Ordinance 578 – November 2nd, 1995
- Lansing updated Peripheral Street Fees via Ordinance 642 – August 6th, 1998

Comparison Cities



- Cities contacted:
 - Olathe*
 - Overland Park
 - Leavenworth
 - Shawnee
 - Merriam
 - Basehor*
- Olathe charges fees similar to Peripheral Street
 Fees, although they refer to them as Excise Taxes
- Basehor does have a Transportation Excise Fee -\$0.09 per sq. ft. – part of Platting process

Other considerations



- Olathe and Basehor both had square footage (excise taxes) fees in place before 2006 when K.S.A. 12-194 was enacted.
- Overland Park noted that when a traffic signal is required via Traffic Analysis, the signal is the responsibility of the developer to install
- Many cities in Johnson County utilize benefit districts, whether it's 100% funded by the benefit district or 50% BD / 50% City, to fund arterial and above roadway construction when residential developments are constructed

Building Permit Fees



Lansing

- Building Permit Fee \$1,164.50
- Electrical fee \$150.00
- Mechanical (HVAC) fee \$60.00
- Plumbing fee \$75.00
- Driveway fee \$15.00
- Sidewalk fee \$15.00
- Sewer hookup fee \$3,000.00
- Total fees \$4,479.50
- Parkland fee \$400 per lot

Basehor

- Building Permit Fee \$1,637.25
- Electrical fee \$130.00
- Mechanical (HVAC) fee \$95.00
- Plumbing fee \$160.00
- Sewer hookup fee \$3,450.00

- Total fees \$5,472.25
- Parkland fee \$200 per lot

*All fees based on \$250,000 construction value

Options



- Change to per lot fee
 - Discussed in August 2019 \$1,000 per lot
 - This would be similar to Basehor, who averages \$1,500 for their Transportation Excise Fee
- Removal of Perimeter Street Fees altogether
 - Due to previously discussed court case, perhaps removing is best?
- Clarification that if no public streets are being constructed, then no fees for perimeter street fees are due the city (i.e. Homestead Acres)

Example



- Ryan Property on 4-H Road
 - Current Fees (Based on Collector for 4-H and Minor Arterial for DeSoto Road)
 - 4-H Road section Approx. 2,674 ft. frontage (with sidewalks)
 - Total fees \$510,734.00
 - DeSoto Road section Approx. 2,638 ft. frontage (with sidewalks)
 - Total fees \$598,826.00
 - Gilman Road section Approx. 2,659 ft. frontage (with sidewalks)
 - Total fees \$507,895.74
 - Total Fee for this property \$1,617,429 in solely peripheral street fees
 - \$1,000 per lot structure
 - Assuming roughly 250 lots on the property, \$250,000 in fees for peripheral street fees
 - Basehor fee @ \$0.09 per sq. ft would be approx. \$600,000 for the same development (minus public spaces)



Potential Incentives

Benefit Districts



- Sewer Benefit District
 - Potential to spread the costs of sewer improvements for a subdivision or other property over the development.
 - Benefit to developer, but increase in yearly fees for potential homeowners as with all benefit districts
- Road Benefit District
 - Potential to spread the costs of road improvements over adjacent properties
 - Could replace Perimeter Street Fees
 - Has the greatest benefit on large parcels where ground has not been developed, but the City desires to promote development (DeSoto Road / 147th South of 4-H).

Possible Incentives



- Straight Waiving of Fees to promote development
 - Building permit fees
 - Sewer connection fees
- Could be structured as a program with a timeline (for the next 18 months, etc.)
- Could add requirements to the developer in return for waiving fees
 - i.e. Require 20% of the lots to be opened up to any builder rather than the developer themselves

ARP Funds?



- ARP funds could be used to assist with sewer construction for potential developments. (we expect that we would have roughly \$1.2M to use towards this).
- ARP funds need to be spent by 2024.
- Ideas on how to contact potential developers about offering assistance for sewer construction related to potential developments?



Questions / Thoughts?



Planning Commission Staff Report July 21, 2021

Subdivision Case SDFP-2021-3 600 Beth St. – 00000 Beth St. – 605 Carol St.

Project Facts

Applicant

Russell & Audeana Connell Chad & Christina Clark

Address

600 Beth St. 00000 Beth St. 605 Carol St.

Property ID

094-18-0-30-02-014.00-0 094-18-0-30-02-013.00-0 094-18-0-30-02-015.00-0

Zoning

R-2 Single-Unit Residential District

Future Land Use

Single Family Residential

Land

80,045 SF (1.84 acres)

Requested Approvals

Final Plat



Summary

Russell L. & Audeana M. Connell, owners of property at 600 Beth St. and 00000 Beth St., and Chad & Christina Clark, owners of property at 605 Carol St., have applied for approval of a final plat for the Richardson Replat subdivision, which will replat Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and part of Tract D, Block 14, Town of Richardson. This final plat, if approved, will allow the property owners to complete the platting process and file a Final Plat with Leavenworth County Register of Deeds, which will subdivide approximately 1.84 acres allowing for the potential future construction of four residential homes along Beth St., and the extension of the Clark's current property at 605 Carol to the west. No modification of zoning is being requested in association with this final plat, and no modification of existing right of way is included in this replat.

Discussion points from Checklist

The checklist was reviewed and completed by the Director of Community & Economic Development. Items marked no are discussed below:

- Item 4 The copy presented to staff for review does not include signature blocks for the Clark's.
- > Item 7.K. There are no building setback lines shown on the plat. These will need to be added before the city signs the plat.
- Item 7.L. There is no seal on the submitted plat, this will need to be added before the city signs the plat.
- > Item 7.N. There is no statement dedicating all easements, streets, alleys, and all other public areas not previously dedicated. This will need to be added before the city signs the plat.
- ➤ Item 9.D. There is no place for the City Clerk or the County Treasurer to sign the plat. This will need to be added before the city signs the plat.
- ➤ Item 9.F. There is no place for the Planning Commission to endorse the plat. This will need to be added before the city can sign the plat.
- ➤ Item 9.G. There is no place for the Governing Body to accept public uses shown on the plat. This will need to be added before the city can sign the plat.

Community & Economic Development / Public Works / Wastewater / City Engineer Comments

Comments on this final plat from the preliminary plat process have been addressed. Additional comments redlined on the plat have been identified and can be addressed before the plat is signed by the Chairman of the Planning Commission either before or after approval by the City Council.

Final plats are a refined version of the preliminary plat that presents proposed ownership and development patterns, as well as the specific location of public facilities and public property based on detailed designs. After approval of the preliminary plat, the applicant may submit a final plat for all or portions of the preliminary plat area for consideration at the next scheduled Planning Commission meeting. A final plat must be reviewed by staff and brought before the Planning Commission for approval, approval with conditions, or denial.

Community & Economic Development Review (from Article 2.02-E of the UDO):

- The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.
 - o The final plat appears to be consistent with the approved preliminary plat.
- The construction plans for any utilities, infrastructure or public facilities meet all technical specifications.
 - No construction plans related to any utilities, infrastructure, or public facilities have been reviewed as no construction is planned at this time.
- The phasing and timing of public improvements ensures construction and performance guarantees.
 - No construction plans or phasing plans were provided at this time, as no construction is planned.
- Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.
 - The final plat does not deviate from the approved preliminary plat.
- The recommendations of professional staff, or any other public entity asked to officially review the plat.
 - Based on substantial compliance with the approved preliminary plat, and subject to the review of any technical drawings or legal review, Staff from Community & Economic Development find this proposed final plat acceptable, subject to revisions noted in this report.

Planning Commission 7/21/2021

Public Works / City Engineer:

The drainage easement shown on the plat should be extended along Lot 4's southeastern corner to provide appropriate access in the future. This is shown on the accompanying drawing included in the packet.

Wastewater:

Wastewater reviewed the final plat and had no comments.

Acknowledgments

The following City of Lansing staff members reviewed this project and provided information for this report:

- Matthew R. Schmitz, MPA Director, Community & Economic Development
- Michael Spickelmier, P.E. Director, Public Works / City Engineer
- Anthony Zell, MBA Director, Wastewater
- Abby Kinney Planning Consultant, Gould Evans

Notice of City Codes

The Applicant is subject to all applicable City codes within the Municipal Code – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable Federal, State, and local laws.

Recommendation

Staff recommends that the Planning Commission approve the Final Plat and recommend to the City Council approval of this final plat, with the condition of modification of the plat to rectify the items outlined herein.

APPLICATION FOR FINAL PLAT

		Subdivision No Date Filed
•	Name of Subdivision RICHARDSON REPLAT	
Ι.	General Location BETH AND 7TH STREET	
II.	Name of Property Owner (s) RUSSELL & AUDEANA	CONNELL / CHAD & CHRISTINA CLAR
	Address 600 BETH DRIVE / 605 CAROL STREET	Phone N/A
V.	Name of agent (if applicable) JOE HERRING / HERRING	RING SURVEYING COMPANY
	Address 315 NORTH 5TH STREET, LEAVENWORTH	Phone 913-651-3858
⁷ .	Date of Preliminary Plat approval JUNE 16, 2021	
Ί.	I. How will installation of improvements be guarantee	ed? NO IMPROVEMENTS
	Agent (if app	plicable)
	**************************************	**********
	pplication Received On: June 25, 2021	(Month, Day, Year)
	pplication Received by: Matthew R. Schmitz	<u> </u>
	mount of Fee Paid: \$300.00	
lanı	anning Commission Action	
	Conditions, if any:	
iove	overning Body Action	
	Accepted dedications Rejected	
	Date:	

AFFIDAVIT AFFIDAVIT
STATE OF BANSAS) §
COUNTY OF LEAVENWENTA)
Comes now Russell Ly Audetus M County, of lawful age and having been first duly sworn on my oath state that:
 That I am (the) (a) lawful and/or equitable owner of the real estate described in the attached application.
 To the best of my knowledge and belief, the following individuals are the only other individuals other than the affiant which have a legal or equitable ownership interest in the property described in the attached application.
3. List of property owners and addresses: Kussell L. Cowel 18312 Fischer Addresses 18312 Fischer 1840 Us 66
Auchesur M. Court 18312 Fisenhouse Ach K Leaven March 18312 Figenhouse Ach K Leavenworth
 I certify and affirm that on the date of the application only the above individuals or entities have a legal or equitable ownership interest in the property involved in this application.
FURTHER AFFIANT SAYETH NOT. Busell & Connell audeana M. Connell
STATE OF Kansas)
COUNTY OF heavenworth) §
BE IT REMEMBERED that on this
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above mentioned. Notary Public
My Appointment Expires: 7-23-22 ROXANNE R. GLASGOW Notary Public - State of Kansas My Appt. Expires 7-23-22

AGENT AUTHORIZATION

STATE OF KAUSAS
COUNTY OF LEAVENWORTH
We, Ausself L. Court and Audesus M. Court being duly sworn, do hereby depose and say that we are the owners of said property involved in this petition and that the following agent is authorized to represent us as it relates to this petition.
Authorized Agent: Joe Hearing
Signed and entered into this day of,
Signed Lonnel Signed Signed
Subscribed and sworn to before me on this
SONYA MURPHY Notary Public - State of Kansas My Appt. Expires Notary Public
My Commission Expires 7 25 2025

<u>AFFIDAVIT</u>
COUNTY OF Leaven worth
Comes now <u>Chadt Christina Clark</u> , of lawful age and having been first duly sworn on my oath state that:
 That I am (the) (a) lawful and/or equitable owner of the real estate described in the attached application.
 To the best of my knowledge and belief, the following individuals are the only other individuals other than the affiant which have a legal or equitable ownership interest in the property described in the attached application.
3. List of property owners and addresses:
Chad and Christina Clark
605 € Corol St., Lansing, KS 66043
4. I certify and affirm that on the date of the application only the above individuals or entities have a legal or equitable ownership interest in the property involved in this application.
FURTHER AFFIANT SAYETH NOT. (Scal Wat + Wrishe Clark
STATE OF WUSSOUN)
STATE OF WUSSOUND) COUNTY OF BUCHANOW)
BE IT REMEMBERED that on this 24 day of June, 2021, that before me, the undersigned, a Notary Public, in and for the State and County aforesaid, came Chat Chasha Clark, who is personally known to me to be the person who executed the foregoing instrument of writing and such person duly acknowledged execution of same.
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above mentioned.
My Appointment Expires: 5 12 2023 Notary Public V Kac. Jo Hoover Commission # 19215205 Buchanan County Of MISSION Expires

AGENT AUTHORIZATION

STATE OF Kansas
COUNTY OF Leaven worth
We, Chad Clork and Christian Clark, being duly sworn, do hereby depose and say that we are the owners of said property involved in this petition and that the following agent is authorized to represent us as it relates to this petition.
Authorized Agent: Chacule and Character Kyu
Signed and entered into this 29th day of June 2021 Signed Signed
Subscribed and sworn to before me on this 29 rd day of JUNL
Notary Public
My Commission Expires 511212023



CHECKLIST FOR COMPLETENESS

OF

APPLICATION FOR PLANNING COMMISSION REVIEW AND APPROVAL

OF

FINAL PLAT

FOR

RICHARDSON REPLAT (Name of Subdivision)

Matthew R. Schmitz
Person Completing Checklist

7-16-2021 **Date**

COMPLETION OF THIS CHECKLIST IN NO WAY CONSTITUTES AN EVALUATION OF THE MERITS OR ACCURACY OF THE PLANS, DESIGN OR ENGINEERING OF THE FINAL PLAT. THIS STEP IS INTENDED ONLY AS AN ADMINISTRATIVE REVIEW OF THE COMPLETENESS OF THE <u>APPLICATION</u> FOR APPROVAL BEFORE IT UNDERGOES STAFF EXAMINATION BY THE CITY ENGINEER FOR HIS RECOMMENDATION TO THE PLANNING COMMISSION.

FINAL PLAT CHECKLIST

			<u>YES</u>	<u>NO</u>	<u>N/A</u>
1.	Preliminary Plat has been approved.				
2.	Applic in both Econo				
3.		al is submitted at least fourteen (14) days prior to Planning hission meeting at which it is desired to be considered.	\boxtimes		
4.	_	al copy contains names and locations for duly acknowledged otarized signatures of the owner(s) of the property.		\boxtimes	
5.	Final F	Plat is drawn at scale of at least 1" = 200'	\boxtimes		
6.	by 24	f sheet on which final plat is prepared is at least 36 inches inches. If more than one sheet required, all are same size dex map is provided.			
7.	FINAL	PLAT CONTAINS:			
	A.	Name of Subdivision			
	B.	Location, including section, township, range, county and state	\boxtimes		
	C.	Location and description of existing monuments or benchmarks.	\boxtimes		
	D.	Location of lots and blocks with dimensions in feet and decimals of feet	\boxtimes		
	E.	Location of alley, street and highway rights-of-way, parks and other features including radii on curves with dimensions in feet and decimals of feet.			
	F.	Clear numbering for all lots.			
	G.	Clear numbering or lettering.			
	H.	Locations, widths and names of all streets and alleys to be dedicated. (If applicable)	\boxtimes		
	l.	Boundaries and descriptions of any areas other than streets to be dedicated or reserved for public use. (If applicable)			\boxtimes
	J.	Minimum area and associated minimum elevation for the building on each lot (building site). (If requested by Planning Commission)			\boxtimes

Final Page		necklist	<u>YES</u>	<u>NO</u>	N/A
	K.	Building setback lines along all streets, with dimensions			
	L.	Name, signature, seal of licensed engineer or registered land surveyor preparing plat.		\boxtimes	
	M.	Scale of plat, (shown graphically) date of prep and north point.	\boxtimes		
	N.	Statement dedicating all easements, streets, alleys and all other public areas not previously dedicated.		\boxtimes	
8.	•	by of any restrictive covenants applicable to the subdivision vided. (If applicable)			
9.	Required certifications/acknowledgements are present:				
	A.	Certificate signed and acknowledged by all parties having any record, title or interest in the land subdivided, and consenting to the preparation and recording of said subdivision map.	\boxtimes		
	B.	Certificate (as above) dedicating or reserving all parcels of land shown on the final plat and intended for any public or private use including easements, and those parcels which intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors, tenants and servants.	are		
	C.	Certificate of responsibility by registered land surveyor preparing final map, accompanied by seal.	\boxtimes		
	D.	Certificate(s) signed by City Clerk and County Treasurer that all taxes and special assessments due and payable habeen paid.	ave	\boxtimes	
	E.	Notary acknowledgement in form shown in Subdivision Regulation (Pg. 10).	\boxtimes		
	F.	Endorsement by Planning Commission in form shown in Subdivision Regulations (Pg. 10).		\boxtimes	
	G.	Public use acceptance by Governing Body in form shown in Subdivision Regulation (Pg. 10, 11).			

- Add approval signature block for Planning Commission including Chairman - Ron RICHARDSON REPLAT Barry, Secretary - Melissa Baker. N 88°28'40" E 90.00' - Add approval signature block for City Council - including Mayor - Anthony R. A Replat of Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, McNeill, Attest block for City Clerk, Sarah Bodensteiner, Director of Public Works / City Engineer - Michael Spickelmier, P.E., City Attorney - Gregory Robinson and Part of Tract D, Block 14, Town of Richardson, City of Lansing, - Add attestation regarding property taxes with signature block for Janice Van Leavenworth County, Kansas. Parys, Leavenworth County Treasurer FINAL PLAT - Refer to example Plat provided to Surveyor - Add Building Setback lines along all streets with dimensions according to zoning PREPARED FOR: Chad M. & Christina N. Clark - Add dedication of easement statement (refer to example plat) Russell L. & Audeana M. Connell 600 Beth Drive 605 Carol Street BETH (60') STREET Lansing, KS 66043 PID # 094-18-0-30-02-014 PID # 094-18-0-30-02-015 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, that part of the vacated alley, Block 14, and Block D, TOWN OF RICHARDSON, City of Lansing, Leavenworth County, Kansas, as written by Joseph A. Herring N 88°28'40" E 285.44' S. Right of way PS-1296 dated June 24, 2021, more fully described as follows: Beginning at the Northeast corner of said Lot 4; thence South 01 degrees 23'18" East for a distance of 139.00 feet; thence North 88 degrees 28'40" East for a distance of 88.83 feet to the Northeast corner of said Lot 1; thence South 01 degrees 23'18" East for a distance of 124.97 feet to the Southeast corner of said Lot 1; thence South 88 degrees 28'21" West for a distance of 326.73 feet along the North right of way of Carol Street as it exists today; thence North 11 degrees 50'48" West for a distance of 268.34 feet along the Easterly line of vacated railroad; thence North 88 degrees 28'40" East for a distance of 285.79 feet along the South right of way of Beth Street as it exists today to the Together with and subject to covenants, restrictions, and easements of recorded. Said property contains 1.84 Acres, more or less. Error of Closure - 1: 292302 LOT 3 LOTI4 LOT 2 LOT 1 Be it known to all men that I, the undersigned owners of the above described property, have caused for the same to be surveyed and platted as a minor subdivision under the name of "PROGRESS REPLAT" and have caused the same to be subdivided into lot(s) as shown and fully defined on this plat. IN TESTIMONY WHEREOF, Add signature block We, the undersigned proprietor has hereunto subscribed its hand. for Clarks Extend Drainage Easement to edge of Russell L. Connell lot for access Be it remembered that on this _____ day of _____ 2021, before me, a notary public in and for said County and State came Russell L. Connell and Audeana M. Connell, husband and wife, to me personally known to be the same persons who _____<u>14' Alley</u>____ executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written. 14' Vacated Alley NOTARY PUBLIC_ N 88°28'40" E 352.34' My Commission Expires: COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR APPROVAL: I, the Director of Community & Economic Development for the City of Lansing, do hereby approve the administrative plat shown hereon this _____ day of __ Director of Community & Economic Development I hereby certify this plat meets the requirements of KSA-58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only. LOT 5 LEAVENWORTH COUNTY SURVEY REVIEWER Michael J. Bogina, KS PS-1655 REGISTER OF DEED CERTIFICATE: Filed for Record as Document No. _, 2021 at _____ o'clock __M in the Office of the Register of Deeds of Leavenworth County, Kansas, Register of Deeds - TerriLois Mashburn S 88°28'21" W 326.73' SURVEYOR'S CERTIFICATE: I, the undersigned, do hereby certify that I am a professional surveyor in the State of Kansas with experience and proficiency in land surveying, that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of the City of Lansing, Kansas have been complied with in the preparation of this plat, that this survey conforms to the Kansas CAROL (60') STREET Minimum Standards for Boundary Surveys, and that all monument shown hereon actually exist and their positions are correctly shown to the best of my knowledge and belief. The field work was completed on CITY OF LANSING Joseph A. Herring, KS PS # 1296 ZONING: LEGEND: 1) This survey does not show ownership. PUD - Planned Unit Development • - 1/2" Rebar Set with Cap No.1296 2) All distances are calculated from measurements or measured this survey, - 1/2" Rebar Found, unless otherwise noted. unless otherwise noted. 3) All recorded and measured distances are the same, - Concrete Base to be Set around Monument unless otherwise noted. \triangle - PK Nail Found in Place 4) Error of Closure - 1:34616 () - Record / Deeded Distance 5) Basis of Bearing - KS SPC North Zone 1501, North Line of Plat U/E - Utility Easement 6) Monument Origin Unknown, unless otherwise noted. 7) Benchmark - NAVD88 L/E - Landscape Easement Scale 1" = 20' Project Benchmark (BM) - Center of Cul-de-sac - 879.6' 8) Reference Surveys: TOWN OF RICHARDSON Job # K-21-1418 DGW - D.G.White Survey S-14 #60 dated 1990 Reviewed By CED April 14, 2021 LTH - L.T.Hahn Survey dated 2018 J.Herring, Inc. (dba) TERRING 9) Subject to Covenants, Restrictions, and Easements of Record. 07/16/2021 11:41:23 AM By mschmitz M OMPANY NOT TO SCALE 315 North 5th Street, Leav., KS 66048 Ph. 913.651.3858 Fax 913.674.5381 Email - survey@teamcash.com

What is this line?

Reviewed By WW Dept

No Comments

06/28/2021 10:50:34 AM

By T Zell

LOT 18

LOT 18



Planning Commission Staff Report July 21, 2021

Site Plan Case SP-2021-1 Family Eyecare Center 301 Centre Dr. (West Kay & Centre Drive Vicinity)

Project Facts

Applicant

Wagner Construction Mr. Jeff Wagner

Address

301 Centre Dr. (West Kay & Centre Drive)

Property ID

106-24-0-40-07-001.01-0

Zoning

B-3 - Regional Business District

Future Land Use

Commercial

Land

91,497.77 SF (2.10 acres)

Building

Existing: N/A
Proposed: 2,700 SF

Requested Approvals

Site Plan



Project Summary

The Applicant proposes to construct a two-story (2,700 S.F.) medical/office facility. The project consists of full site development as this is a greenfield site, and no existing pavement or buildings exist on the property. The plan includes reconfiguration / reconstruction of the site's preconstructed driveway entrance, and construction of the internal drive that connects the proposed parking lot with Centre Drive. Approval of this Site Plan would authorize the applicant to apply for a building permit on the property, subject to any conditions added during the approval process at the Planning Commission meeting.

An overall site plan, and preliminary building plans, are attached to this report.

The timeline of the project, should this application be approved, is to proceed to construction as quickly as possible. Family Eyecare Center would like to be open on this site as soon as possible.

Summary of Open Items

Staff identified the following open items that require further discussion at the Planning Commission meeting. Please see the remainder of this report for more information on each open item.

Community & Economic Development Department

1. Outstanding items from the Site Plan Review are noted in the body of the report below.

Public Works Department & City Engineer

1. Stormwater items as noted in body of report below.

Wastewater Department

1. Wastewater items as noted in body of report below.

Open Items – Community & Economic Development Department

Site Plan Application items

The Community & Economic Development Director, and staff from Gould Evans, have reviewed the site plan for conformance with the site plan requirements as outlined in the Unified Development Ordinance (UDO), as well as the Site Plan Application, and found the following items of concern:

The Director reviewed this site plan application for the following:

- 1. In general, any site plan in compliance with all requirements of this code shall be approved.
 - The preliminary drawings submitted are in compliance with standards outlined in Table 4-1 General Development Standards. The preliminary drawings demonstrate a "Buffer" frontage type as indicated in Article 5.03 Commercial Design Standards: Table 5-5. Completion of the Landscape Plan and Access and Parking Plan should consider adopting design recommendations outlined in Section 5.05 and shall be in compliance with the requirements of Articles 6 and 7.
 - The Landscape Plan is considered to be incomplete. A Landscape Plan should be submitted by the applicant that demonstrates compliance with Article 6 Site & Landscape Requirements, and the planting requirements in Table 6-1, addressing planting plan for applicable frontage area, foundation perimeter, parking areas, and buffer areas. A Landscape Plan should also include demonstration of compliance for all applicable outdoor lighting and buffer / screening standards.
 - The Access and Parking Plan is considered to be incomplete. The current site plan does not indicate construction of any sidewalk connections required per Section 7.02 C Sidewalks. In addition, the demolition plan proposes reconstruction of the existing drive entrance, which would remove the existing sidewalk along Centre Drive. None of the submitted plans appear to show reconstruction of the sidewalk along Center Drive to ensure a contiguous walkway.
 - The site plan demonstrates compliance with parking standards in Table 7-5, which requires 1 parking space per 100 s.f. of floor area, however labels should be added as noted on the plans to more clearly show this.
- 2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
 - The site is capable of accommodating the buildings, proposed use, access and other site design elements
 required by the code and will not negatively impact the function and design of rights-of-way or adjacent
 property.
 - The site appears to be capable of accommodating the proposed development based on the Unified Development Code. An official review of building feasibility regarding drainage and grading plans is included in the Public Works section of this report.
 - The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.

- The proposed building and parking arrangement orients the building away from the public realm Centre Drive. However, the backside / west façade appears to demonstrate consistent quality of materials and transparency. The back side also includes a secondary service / basement entrance and stairs that connect to the main entrance, which is oriented on the east building face toward the parking lot. The completion of an access plan indicating where sidewalks might be located to connect the site to the public sidewalks along Centre Drive will determine whether the site arrangement demonstrates good planning practices.
- The architecture and building design use quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.
 - The proposed architectural style and building materials appear to be appropriate for the site, which is located in the broader context of the future Towne Center. The preliminary drawings appear to fulfill the standards outlined in Article 5.03 Commercial Design Standards.
- The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features, or site design elements.
 - The proposed development is the first project of the northern portion of a broader planning context for the City to establish its Towne Center. The nearest completed development project is the Exchange Bank and Trust Lansing Branch located south of W. Mary Street. The proposed project appears to be compatible with this previous project.
- Whether any additional site-specific conditions are necessary to meet the intent and design objectives
 of any of the applicable development standards.
 - The Landscape Plan and Access and Parking Plan are considered to be incomplete.
- 3. The application meets the criteria for all other reviews needed to build the project as proposed.
 - Official review is underway by other appropriate City Departments, including Public Works and Wastewater. Fulfillment of all criteria as outlined in the UDO will be required before a building permit can be issued for this project.
- 4. The recommendations of professional staff.
 - At this time, the application is considered to be incomplete due to lack of information showing
 compliance with landscaping requirements, sidewalk access and circulation, and missing information
 that is required on the site plan per the application. All the missing items have been identified and
 labeled on the plans for the applicant to correct.

The site plan does not show the current zoning, but the site is zoned as B-3 – Regional Business District per the Lansing Zoning Map.

There is a trash enclosure shown on the site, with screening, although the details of how this will be constructed were not included in the plans.

The plan shows removal of sidewalk along Centre Drive but does not give clarity on how the sidewalk will be replaced. Additionally, there does not seem to be a plan for connecting the site to the public sidewalk along Centre Drive, and that will need to be added.

There are additional items that are missing from the plans, that are required as shown on the Site Plan Application, that will need to be added before this Site Plan can be officially approved. The Planning Council can approve the Site Plan subject to the addition of these items.

Open Items - Public Works Department

Site Plan Application items

The Public Works Director / City Engineer has reviewed the site plan for conformance with City requirements and found the items missing from the submittal. Those items have been noted on the attached plans and will require additional information before the Public Works Director / City Engineer will sign off on the plans.

Open Items – Wastewater Department

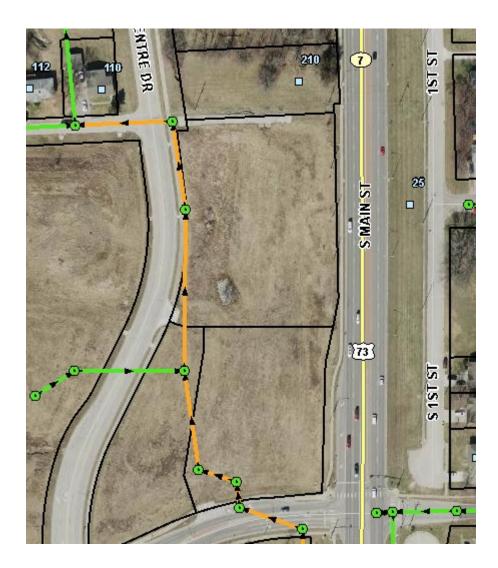
Site Plan Application items

The Wastewater Director has reviewed the site plan and found minor items that need to be addressed, as shown on sheet 13 of the submitted plans.

Items of reference that the Director found include the following:

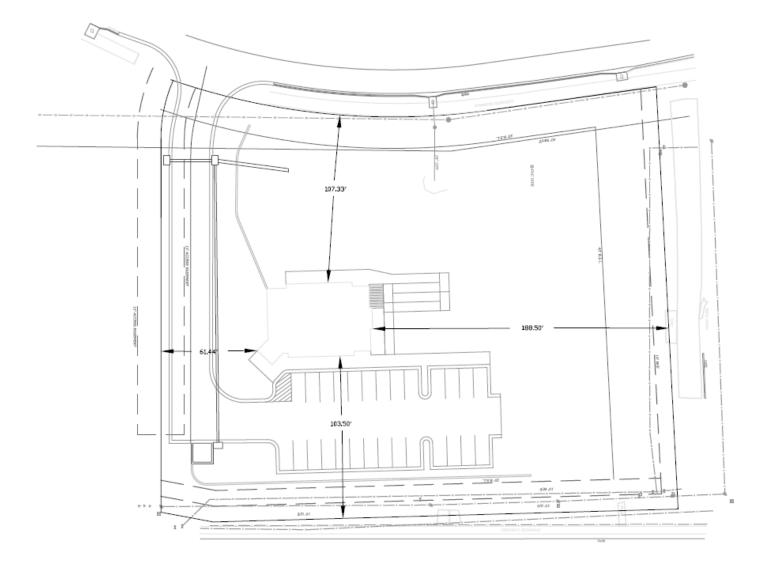
• There are no sewer taps on the line segment that crosses this property, so they will need to install a new factory tee with strongback phernco's per the City's specifications. This specification, SD 30-4, will been provided to the Engineer upon request.

Sewer in the area:



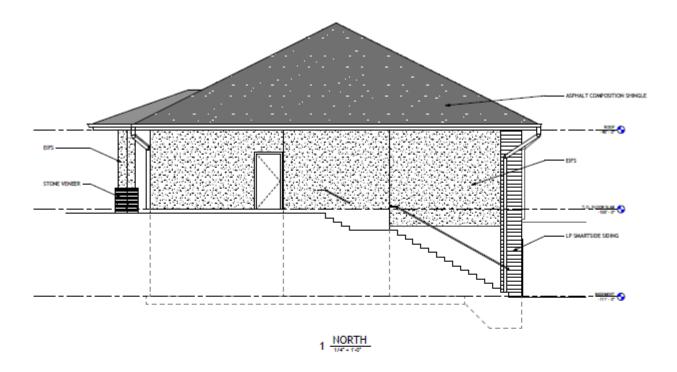
Building Site Plan

Below is the building Site Plan that shows the location of the building on the lot:



Building Elevations

Below are the building elevations:









Acknowledgments

The following City of Lansing staff members and consultants reviewed this project and provided information for this report:

- Matthew R. Schmitz Director, Community & Economic Development
- Michael Spickelmier, P.E Director, Public Works / City Engineer
- Anthony Zell Director, Wastewater
- Abby Kinney Planning Consultant, Gould Evans

Notice of City Codes

The Applicant is subject to all applicable City codes within the Municipal Code – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable Federal, State, and local laws.

Recommendation

Staff recommends approval of Project # SP-2021-01, Site Plan for Family Eyecare Center at 301 Centre Dr., subject to the following conditions:

- 1. Outstanding items listed in this Staff Report from Department Heads must be addressed; and
- 2. Stormwater items outlined herein must be corrected and accounted for; and
- 3. All plans must be resubmitted with corrections as shown in this staff report and accompanying markups.

List of Reviewed Plans

Sheet #	Title	Submitted	Date on	
		Ву	Document	
1	Title Sheet	DL	None Shown	
2	Existing Conditions	DL	None Shown	
3	Demolition Plan	DL	None Shown	
4	Site Plan (Mislabeled as Landscaping Plan)	DL	None Shown	
5	Site Dimensions	DL	None Shown	
6	Access Road	DL	None Shown	
7	Grading Plan	DL	None Shown	
8	Storm Sewer Plan & Profile	DL	None Shown	
9	ADA Ramp	DL	None Shown	
10	Retaining Wall East	DL	None Shown	
11	Retaining Wall West	DL	None Shown	
12	Landscaping Plan	DL	None Shown	
13	Utilities Plan	DL	None Shown	
A0.0	Cover Sheet	WNB	04/19/2019	
A1.1	First Floor Plan	WNB	04/19/2019	
A1.2	Basement Floor Plan	WNB	04/19/2019	
A1.3	Reflected Ceiling Plan	WNB	04/19/2019	
A2.1	Elevations	WNB	04/19/2019	
A2.2	Elevations	WNB	04/19/2019	

DL David Lutgen - Engineer

WNB WNB Architects



Site Plan Application

Community & Economic Development Dept. 730 First Ter. Suite 2
Lansing, KS 66043
(913) 727-5488 • (913) 351-3618 FAX

PROJECT NAME FAMILY EYE CARE CENTER	PROJECT NAMEFAMILY EYE CARE CENTER						
ADDRESS OR VICINITY WEST KAY & CENTRE DRIVE	ADDRESS OR VICINITY WEST KAY & CENTRE DRIVE						
PROPOSED USE GENERAL BUSINESS							
CURRENT ZONING B-3 Regional Business District							
LEGAL DESCRIPTION LOT 2, LANSING TOWN CENT	LEGAL DESCRIPTION LOT 2, LANSING TOWN CENTER 2ND						
REAL ESTATE PARCEL NUMBER 106-24-0-40-07-	-001.01						
PROPERTY SIZE 1.95 ACRES							
APPLICATION FEE \$150							
APPLICANT/DEVELOPER NAME_ WAGNER CONSTRUCTIONCONTACT JEFF WAGNER							
ADDRESS 4517 SHRINE PARK ROAD	CONTACT						
그는 그	STATE_KSZIP66048						
PHONE913-683-0122							
OWNER NAMEREDDELL HOLDINGS, LLC	CONTACT JONATHAN REDDELL						
ADDRESS2301 10TH AVENUE							
CITY LEAVENWORTH	STATE_KS ZIP_ 66048						
PHONE	EMAIL jreddell@feclv.com						
ARCHITECT/ENGINEER NAME_DAVID LUTGEN	CONTACT						
ADDRESS15554 ELM STREET	66007						
CITYBASEHOR PHONE913-683-2864							
APPLICANT/OWNER SIGNATURE Outes	DATE 4 26/21						
APPLICANT/OWNER (printed name) Jonathan Readell							
PLANNING COMMISSION MEETING DATE May 19th, 2021 DECISION (circle) Approve or Deny							

Sheet Index

- Title Sheet
- Existing Conditions
- Demolition Plan
- Site Plan
- Site Dimensions
- Access Road
- Grading Plan
- Storm Sewer Plan & Profile
- ADA Ramp
- Retaining Wall East
- Retaining Wall West
- Landscaping Plan
- Utilities
- Details
- Details

Where are the detail sheets?

UTILITY COMPANIES

Kansas One-Call 1-800-DIG-SAFE

Sanitary Sewer — City of Lansing

Water — Landel

Electricity — Evergy

Natural Gas — Kansas Gas Service

Phone - AT&T

Storm Sewer - City of Lansing

Add following items:

- Legal Description
- Date of preparation
- Name and address of owner of record
- Phone numbers for Surveyor and Engineer
- Add typical elevations of all proposed structures to this set, including building materials.

- Add traffic flow pattern sheet showing entrances / exits, loading and

- Add callout for current and proposed zoning

STATE OF KANSAS LANSING KANSAS LANSING FAMILY EYE CENTER

Reviewed By WW Dept 06/29/2021 11:00:13 AM By T Zell

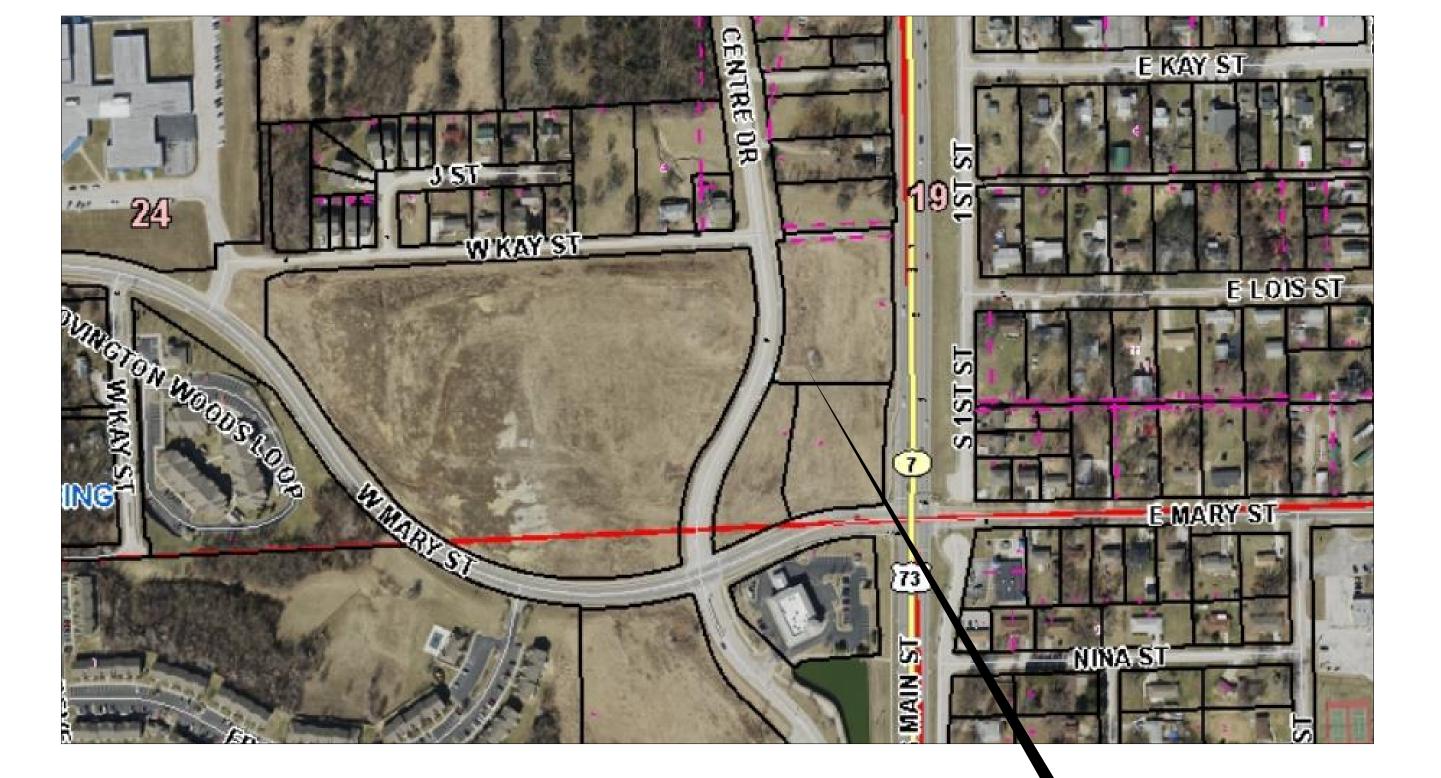
Reviewed By PW

07/09/2021 9:56:08 AM By mspickelmier

NOTE: Plans have been reviewed. Supplemental information has been provided via separate email. All required information will need to be included on final copy before any PW approval/signature and prior to building permit issuance.

Reviewed By CED

07/15/2021 10:02:44 AM By mschmitz



Owner:

Surveyor: Herring Surveying 315 N. 5th Street Leavenworth, KS 66048

Engineer: David Lutgen 15554 Elm Street

Basehor, KS 66007

Signed Sealed

Released For Construction

PROJECT LOCATION

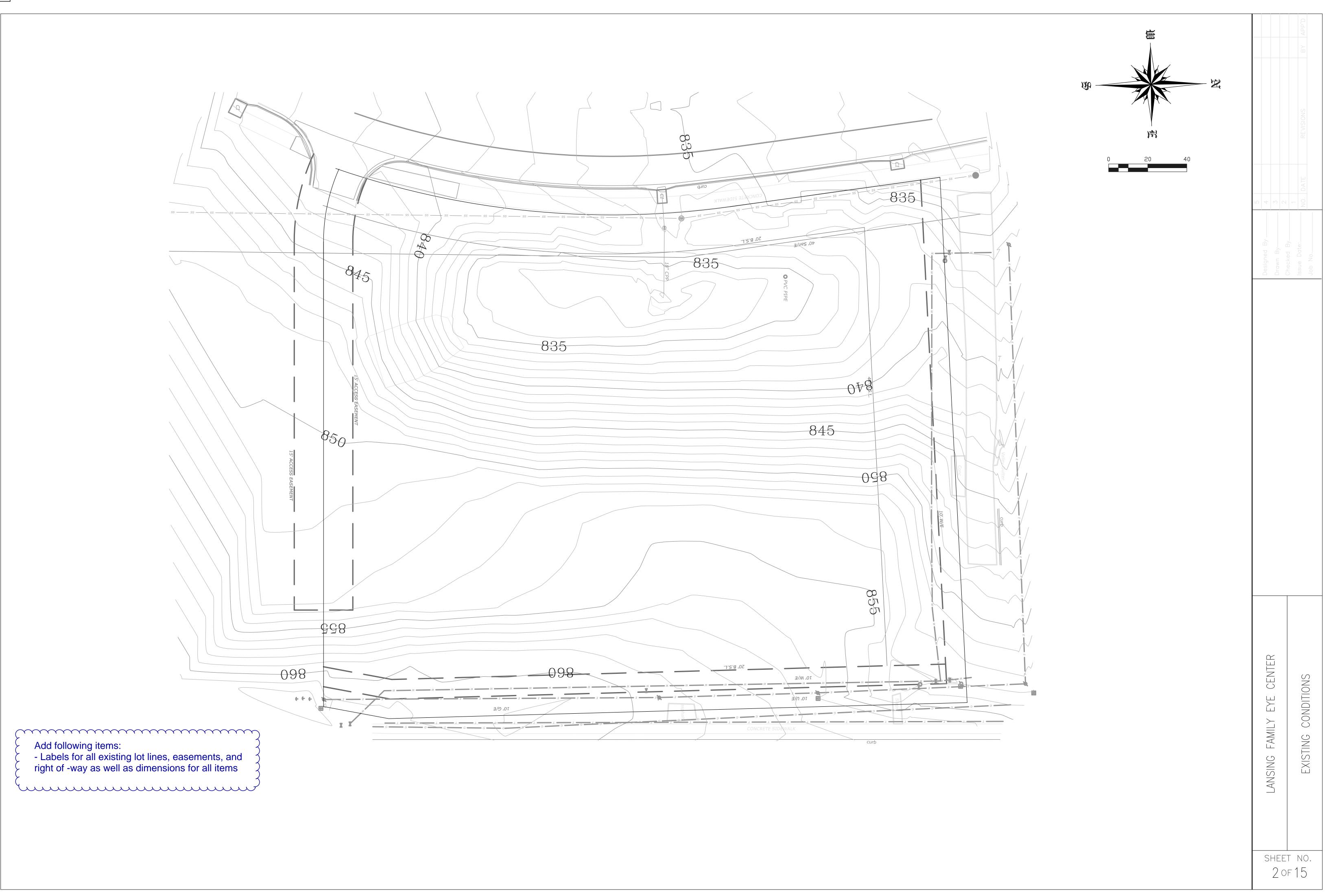
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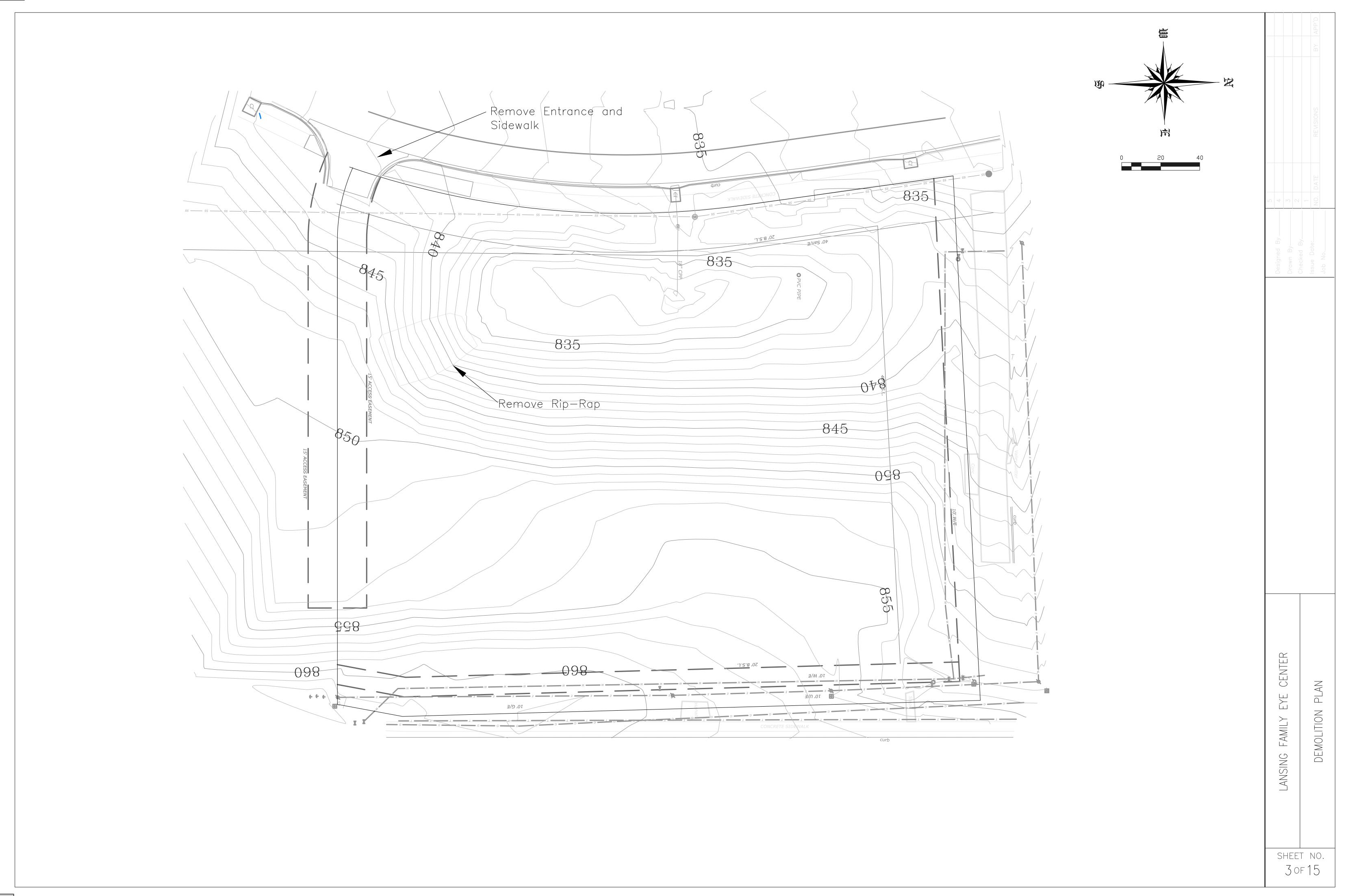
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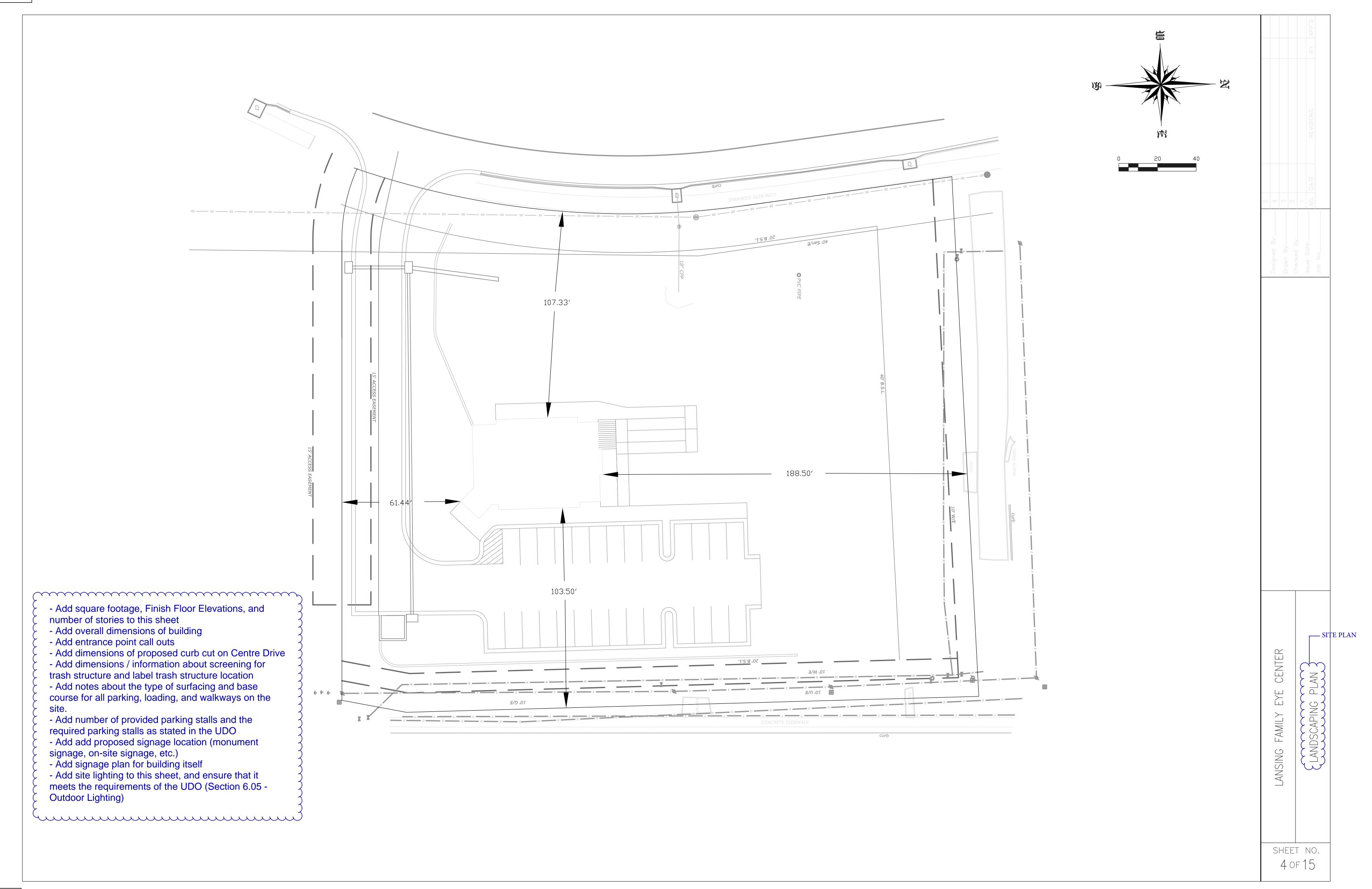
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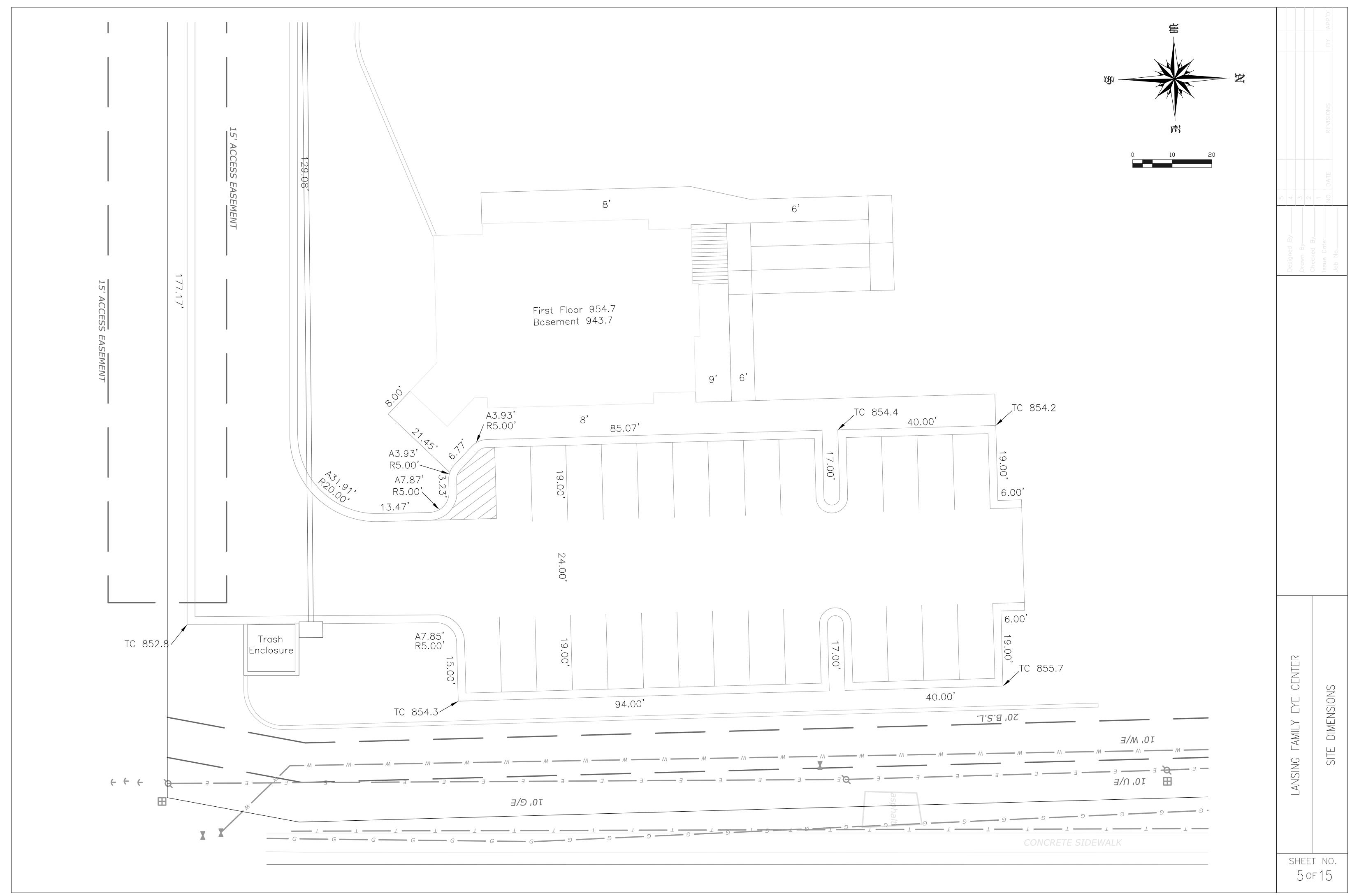
ANSING

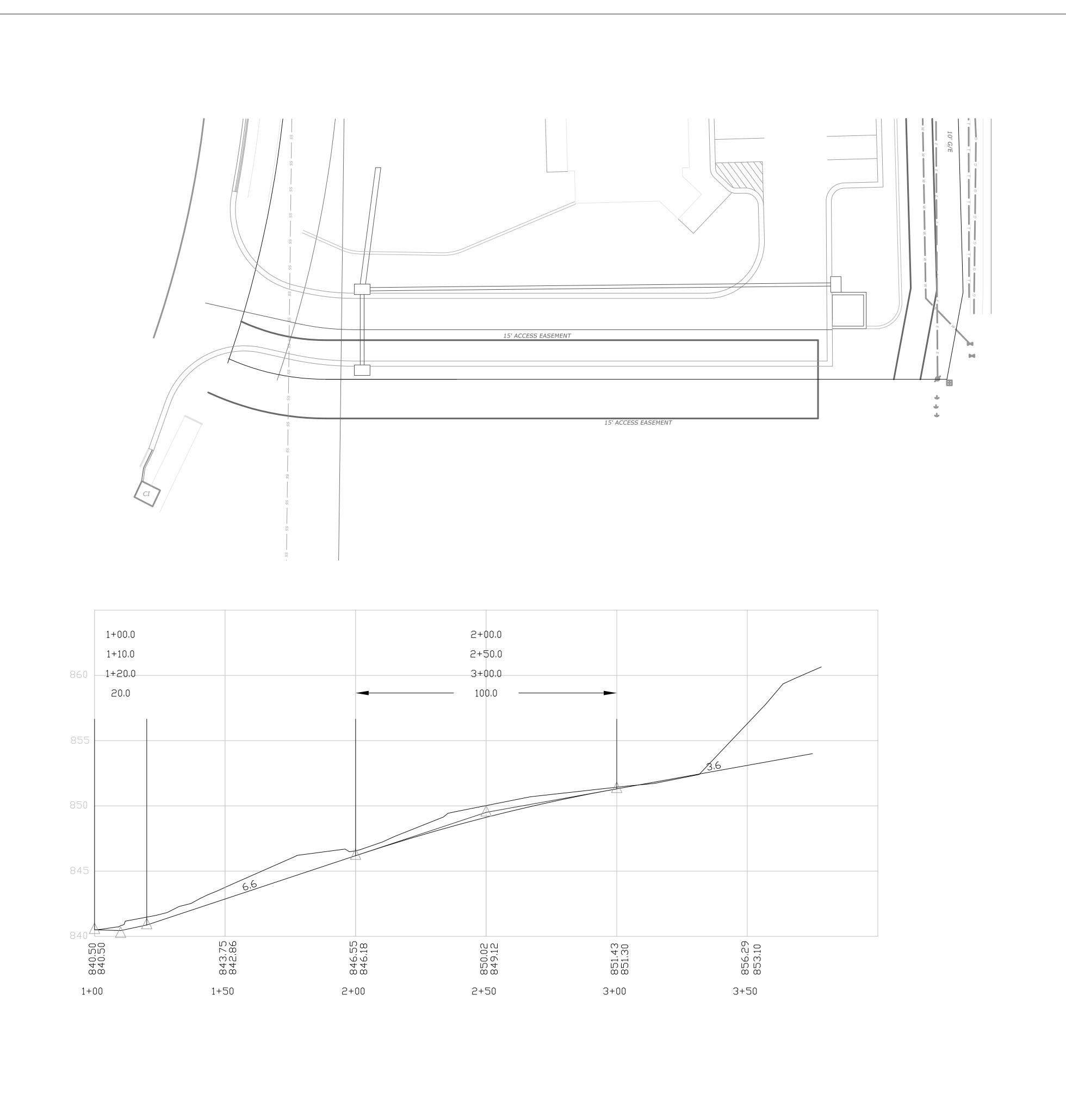
unloading areas as applicable.

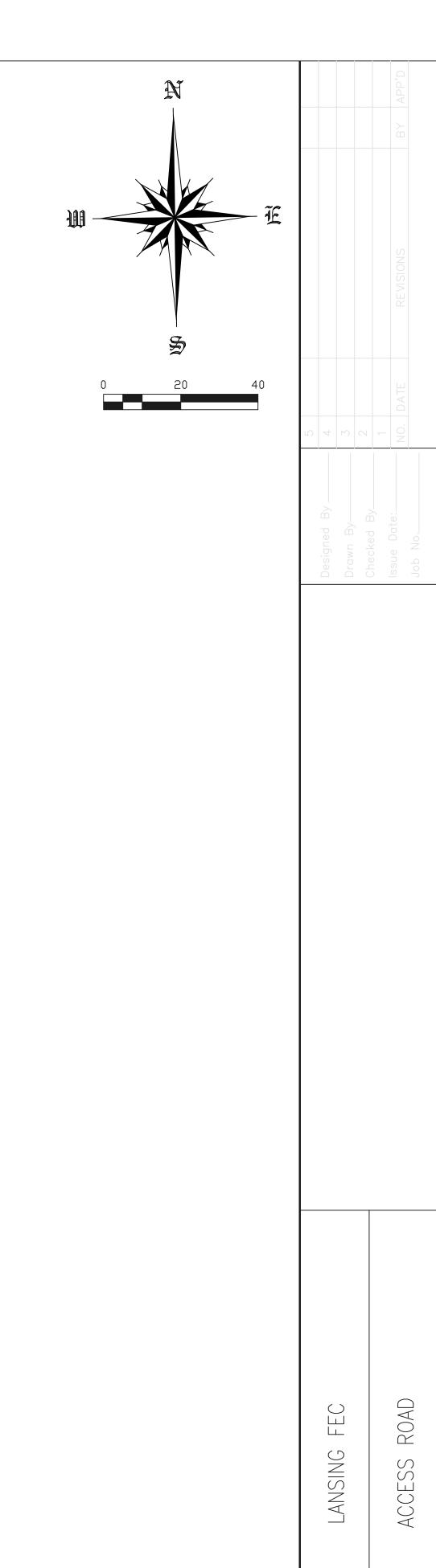




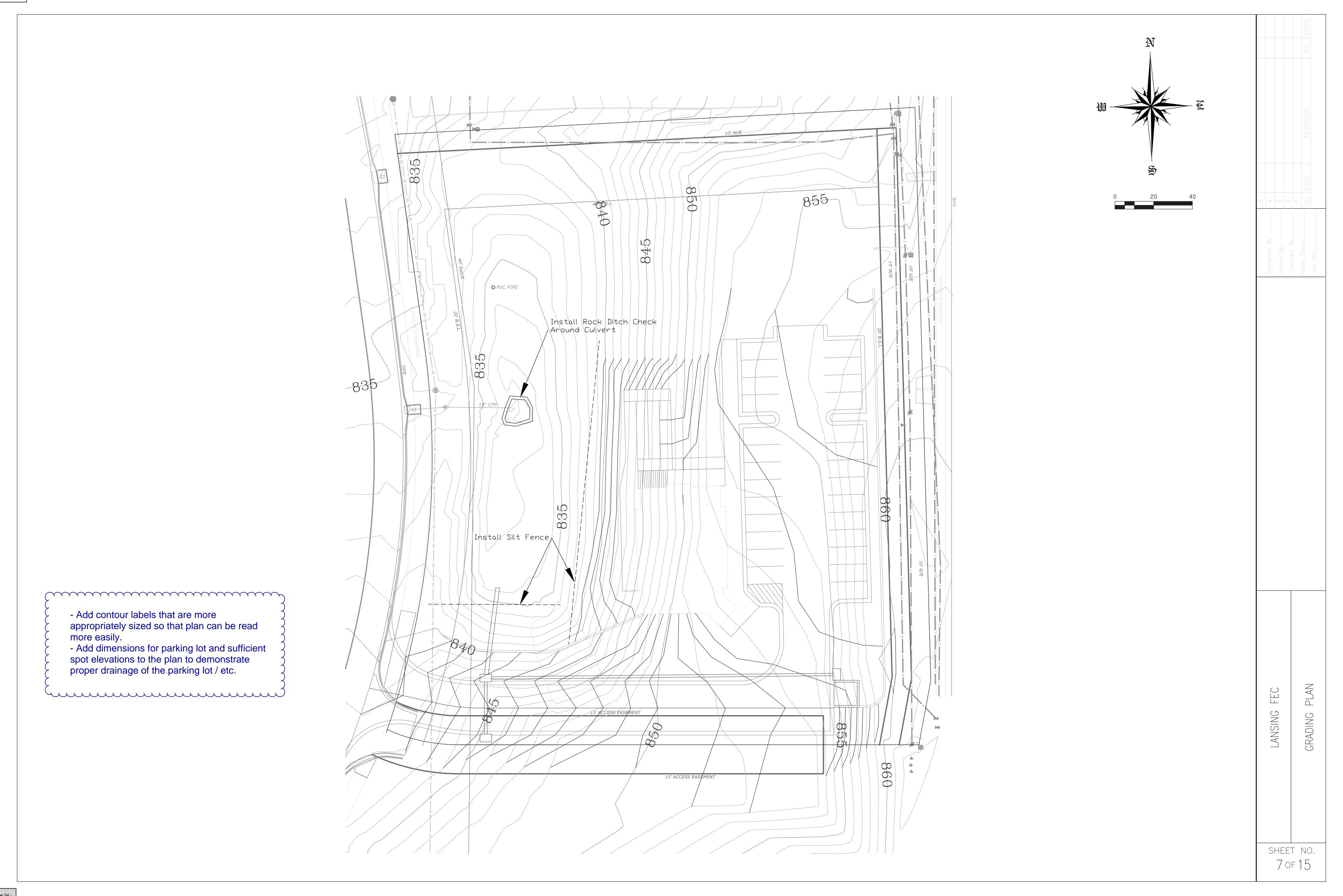


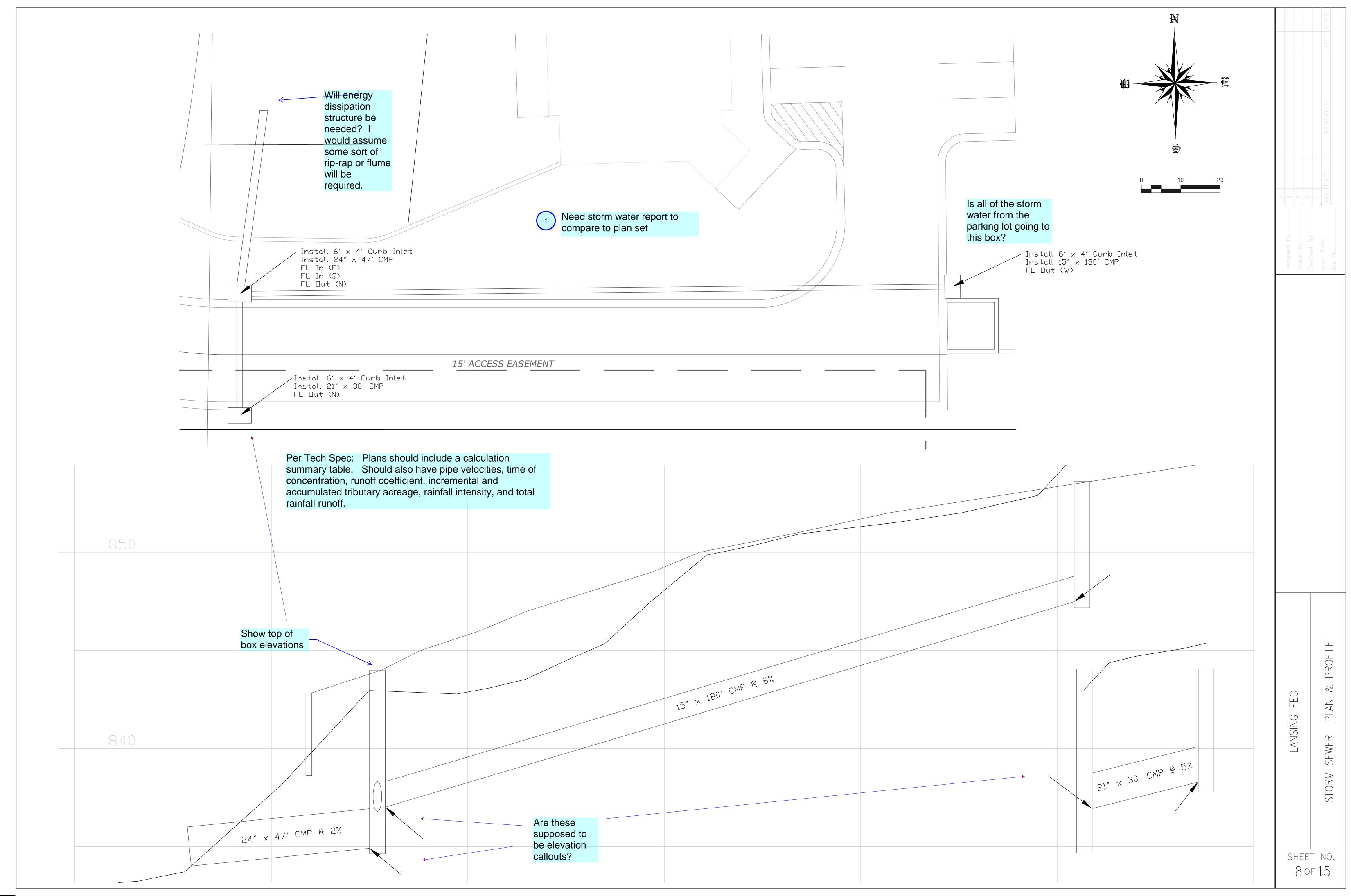


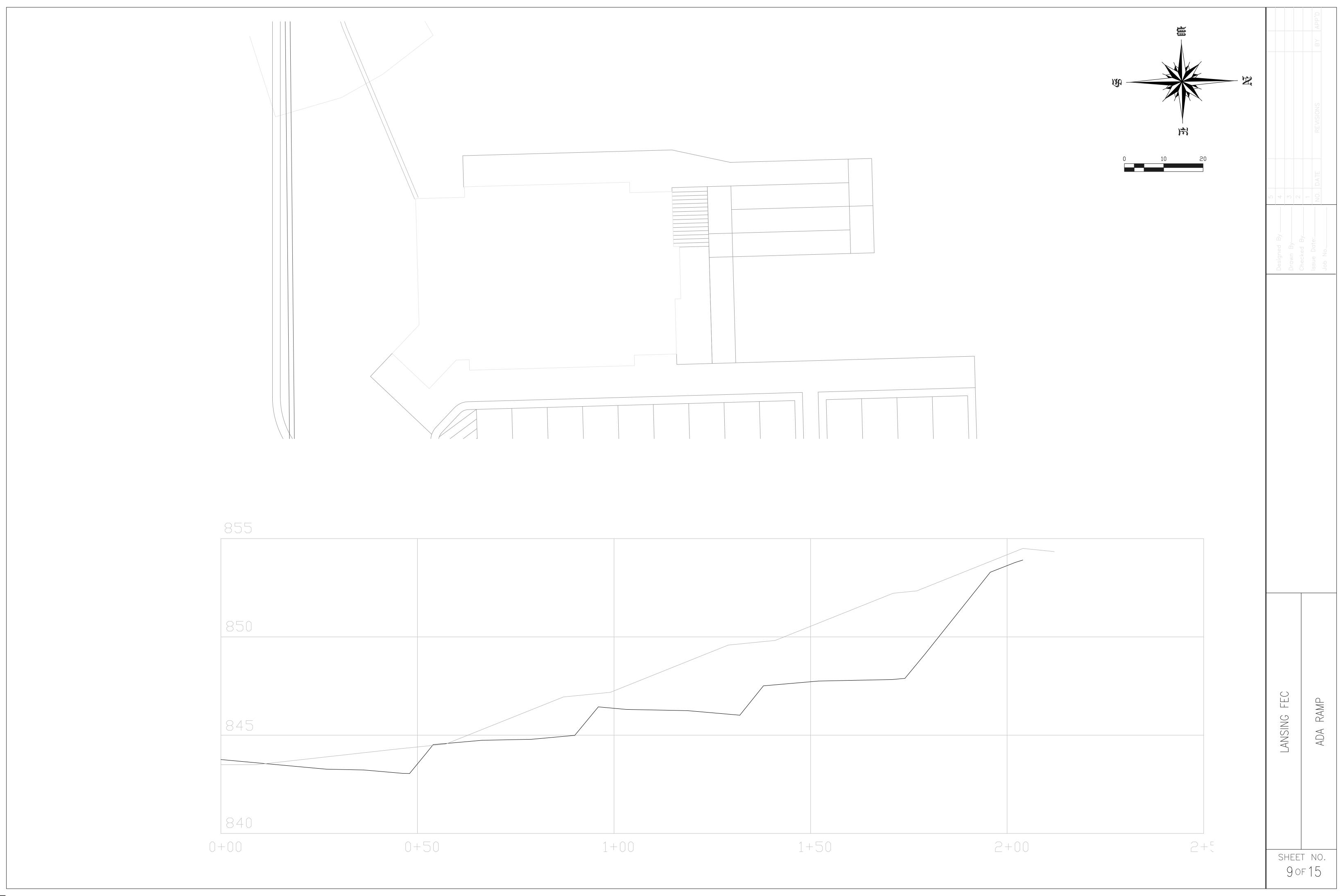


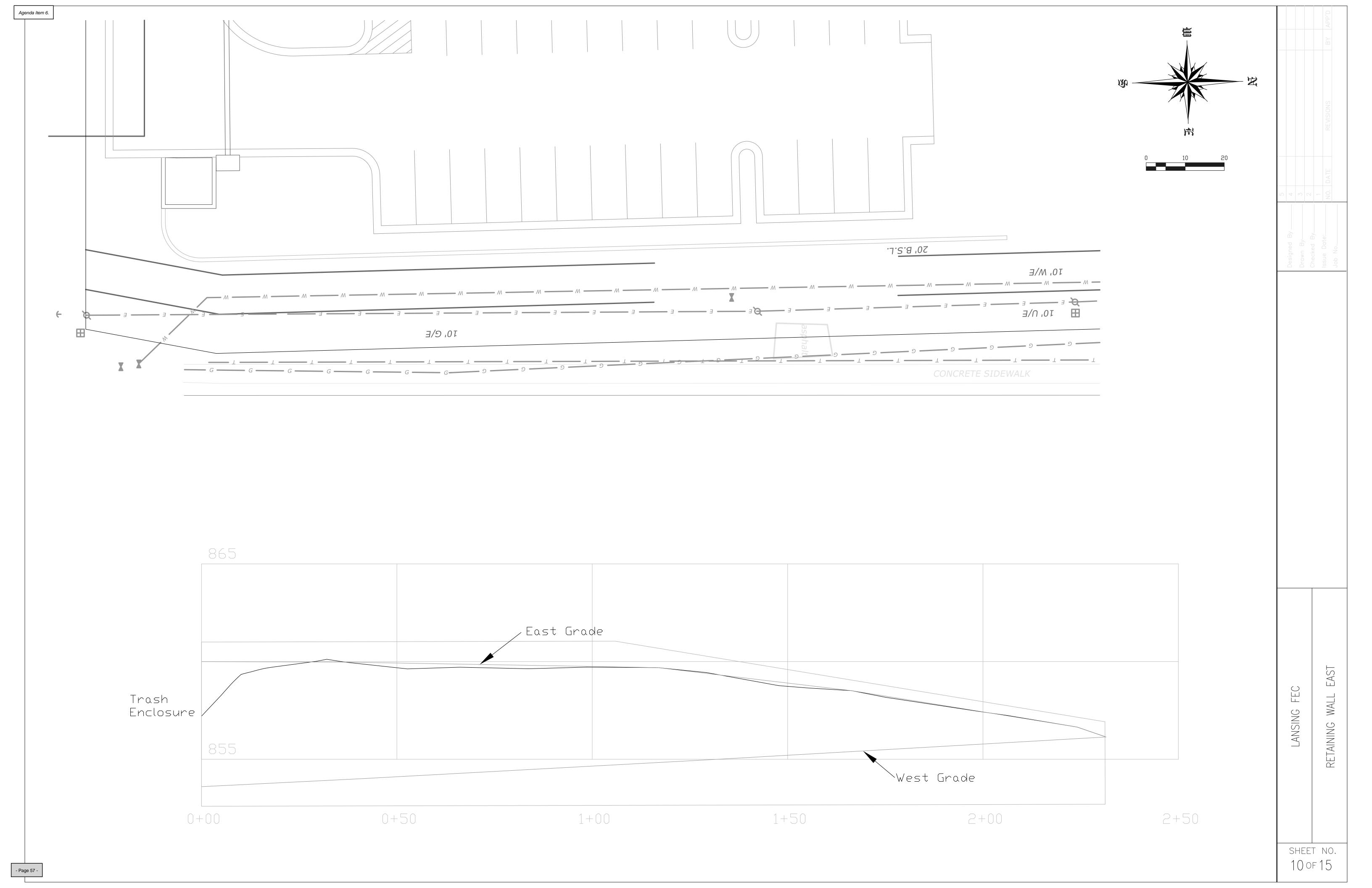


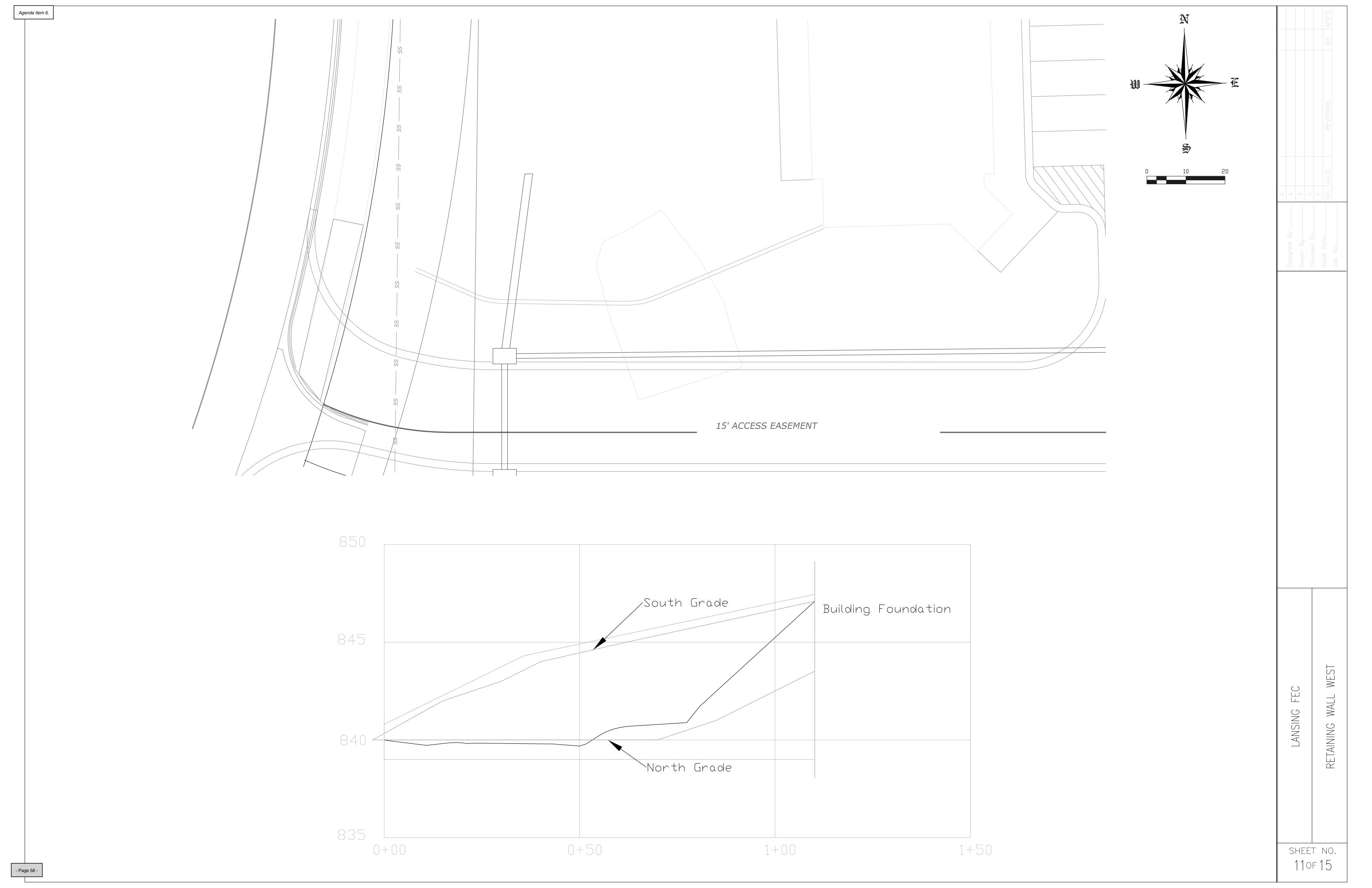
SHEET NO. 6 of 15

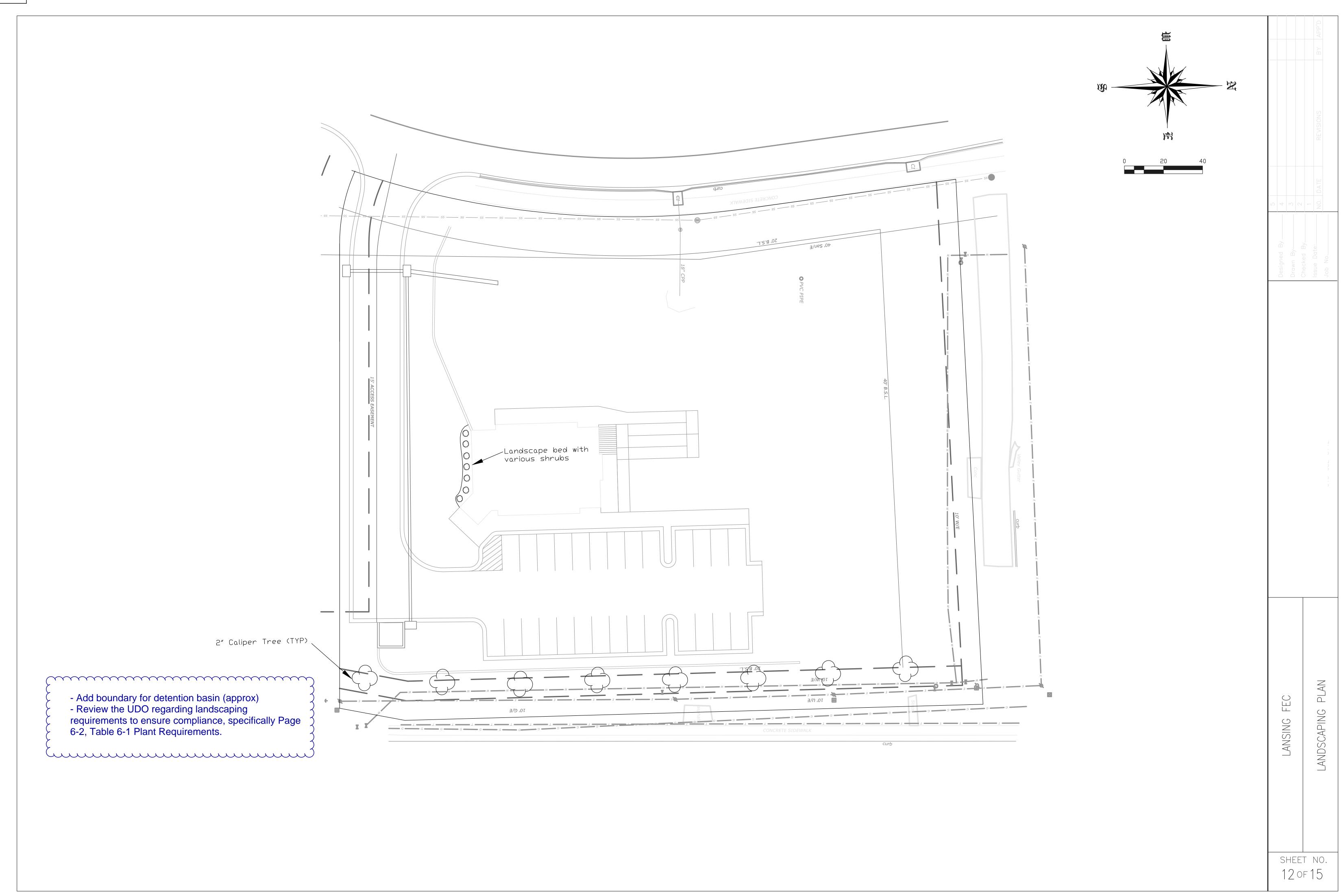


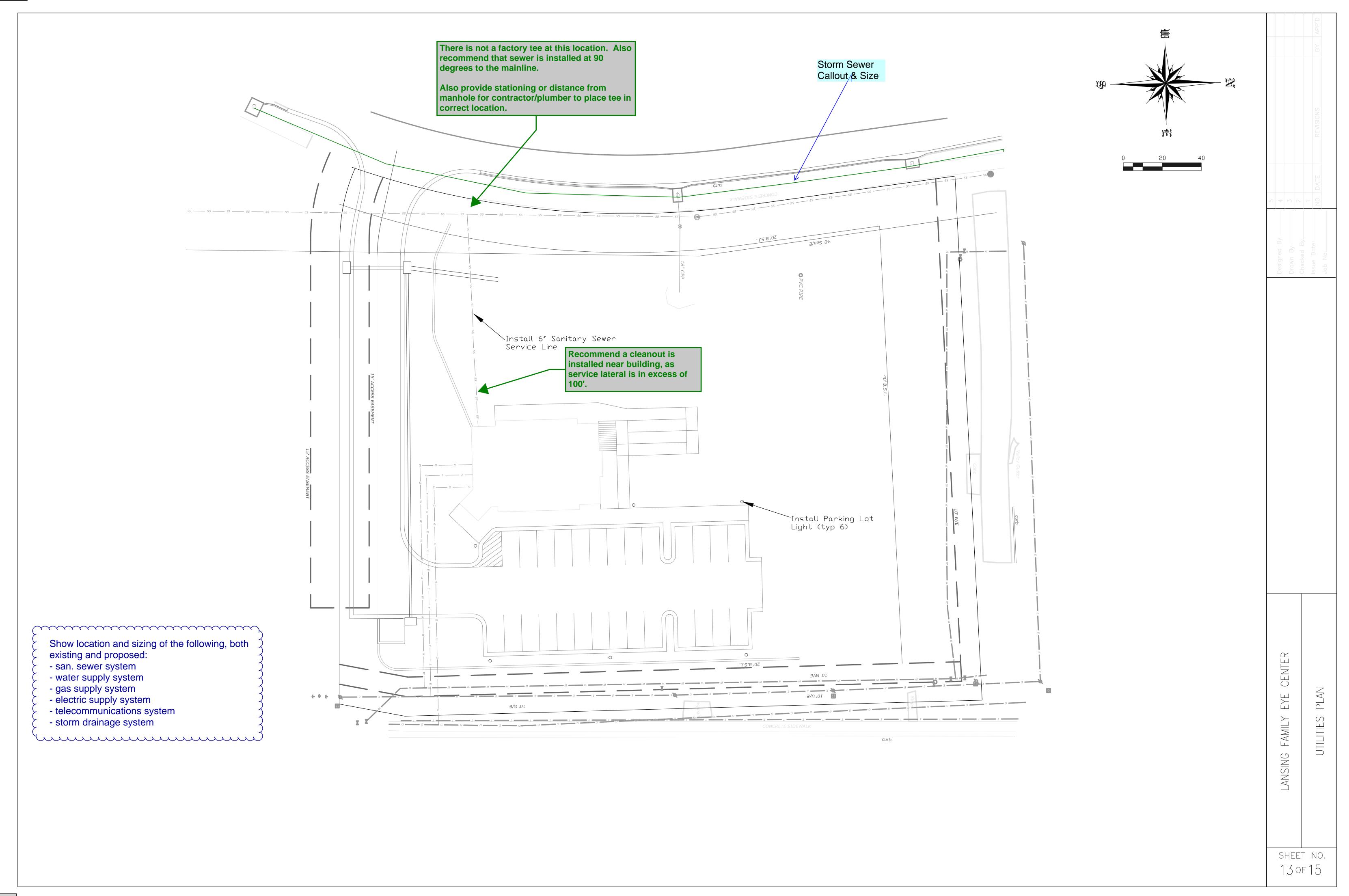








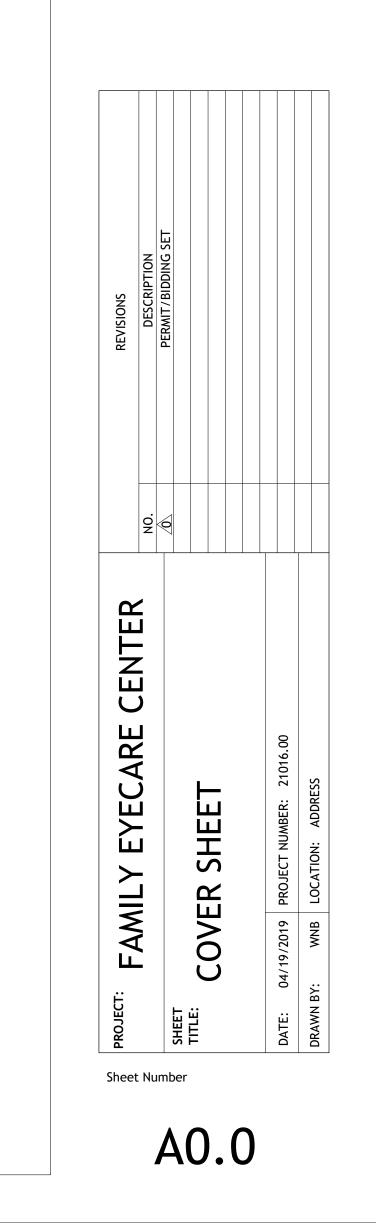




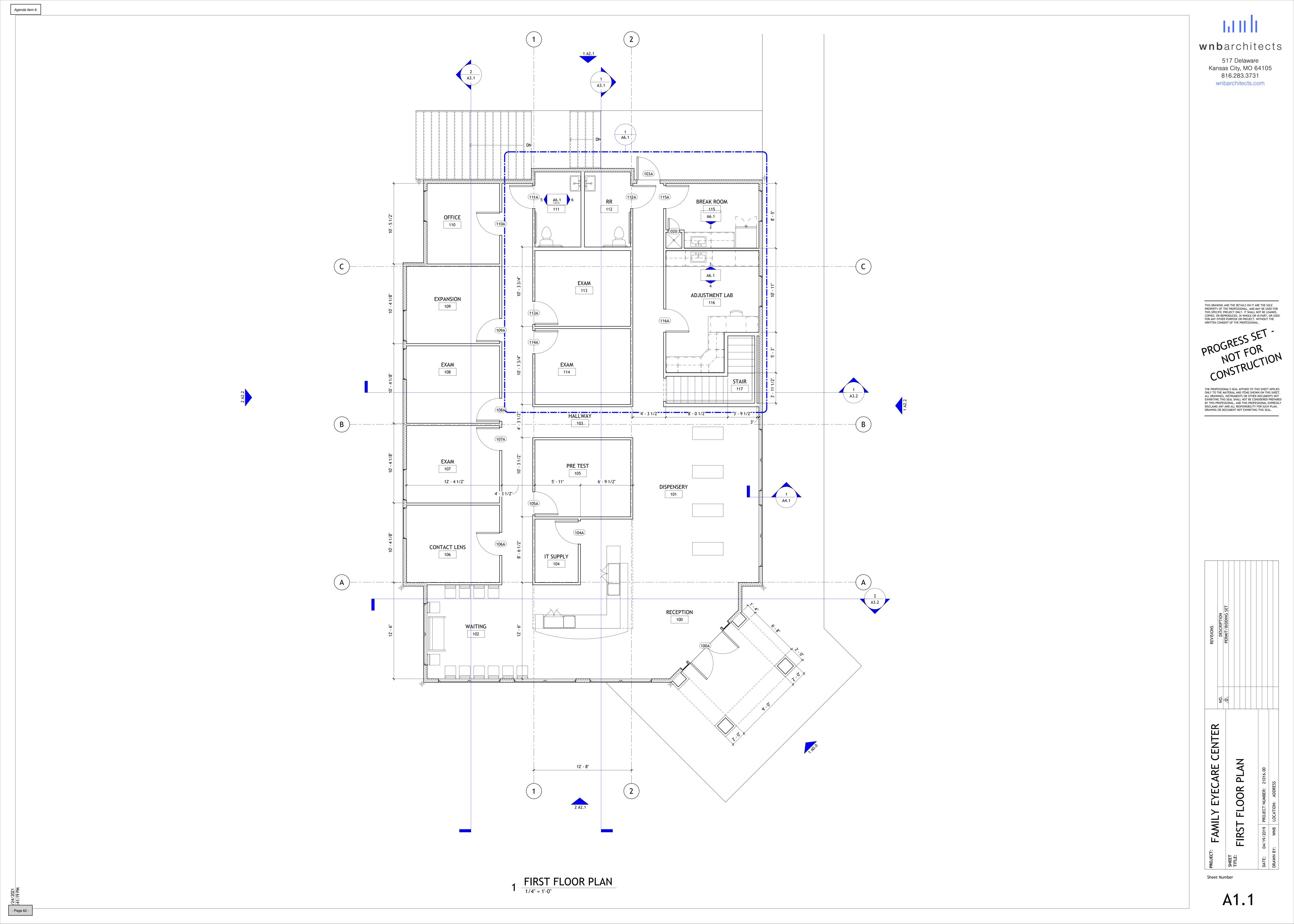
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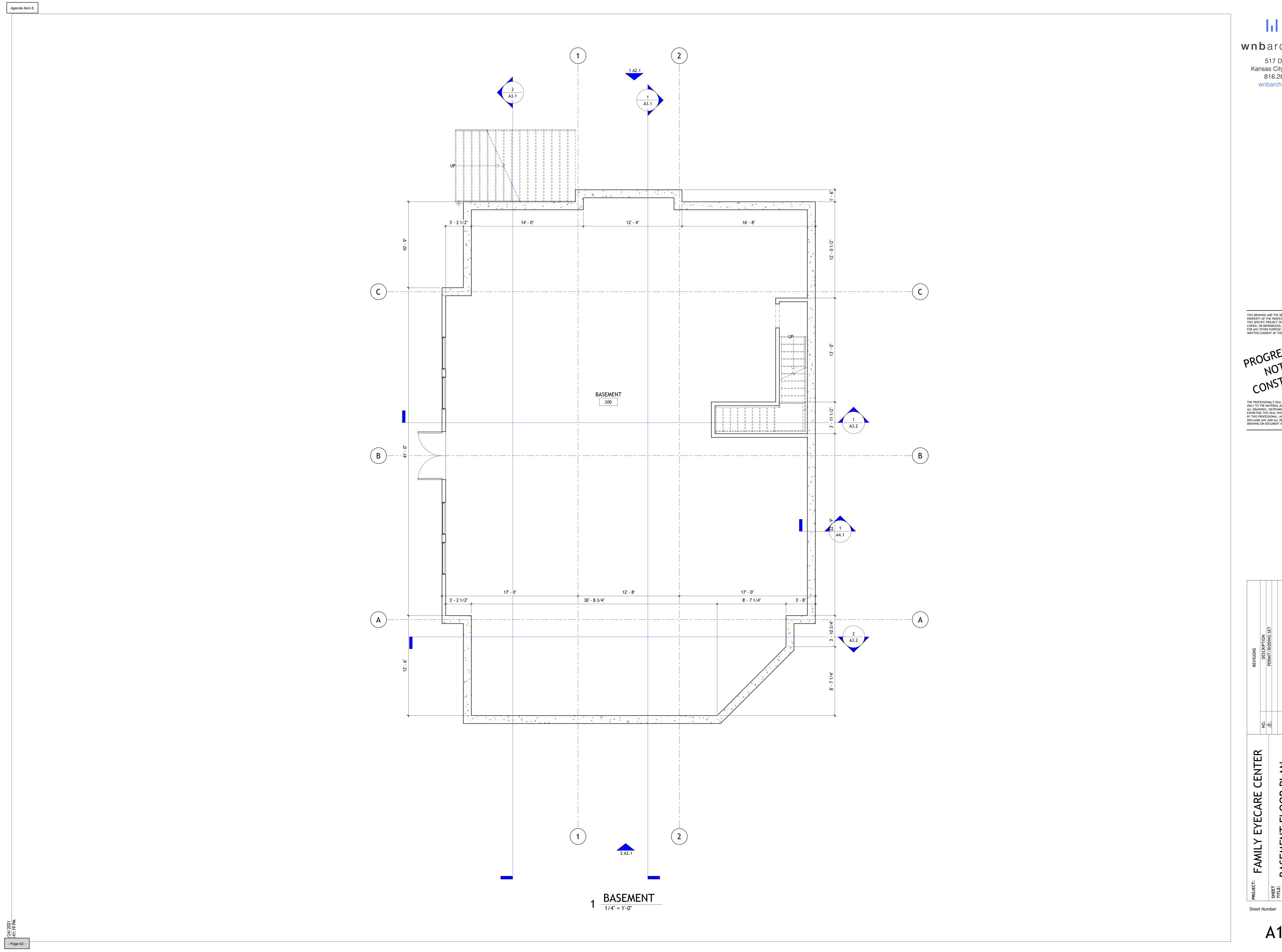






T.O. <u>FLOOR SLAB</u> -100' - 0"



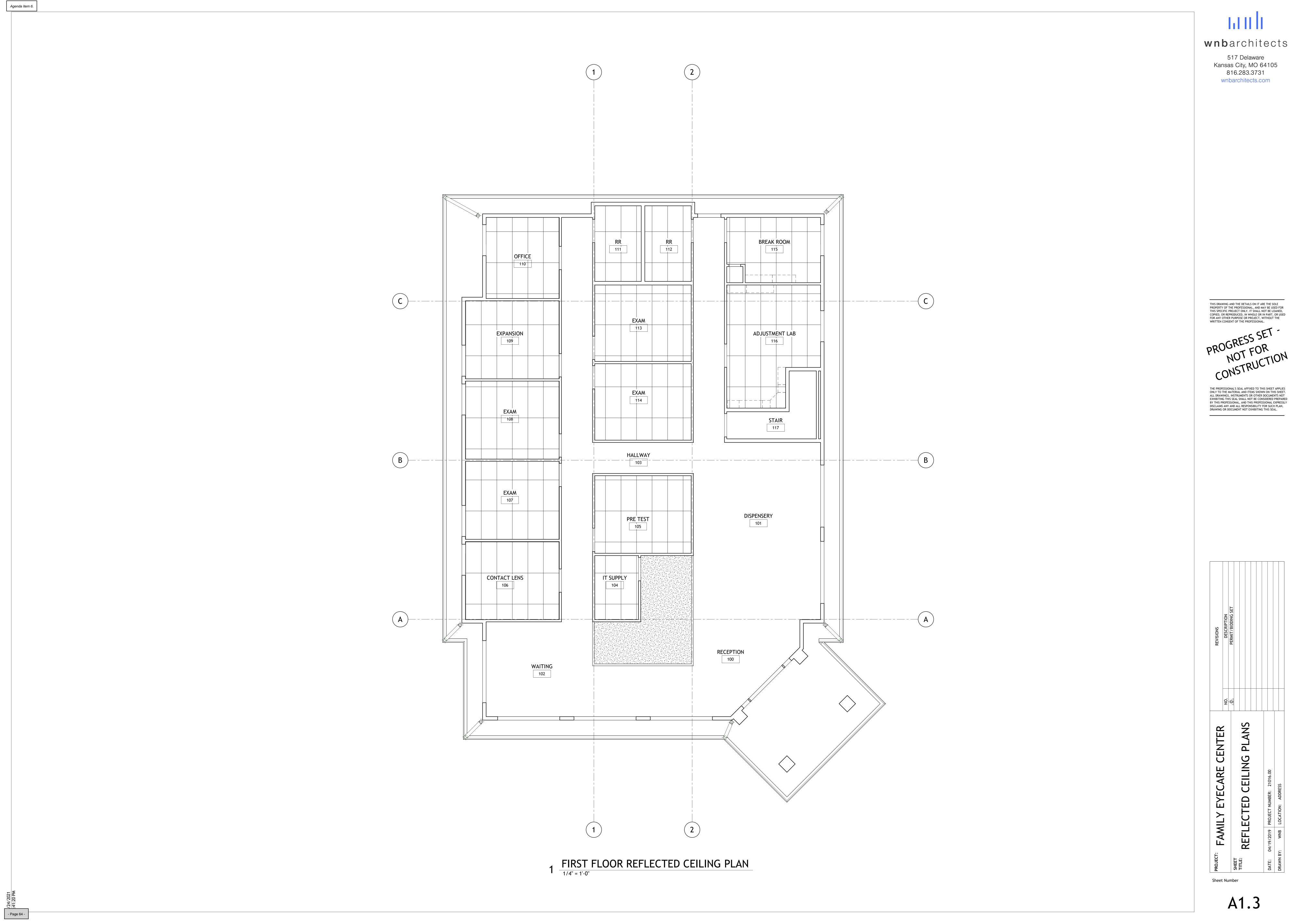


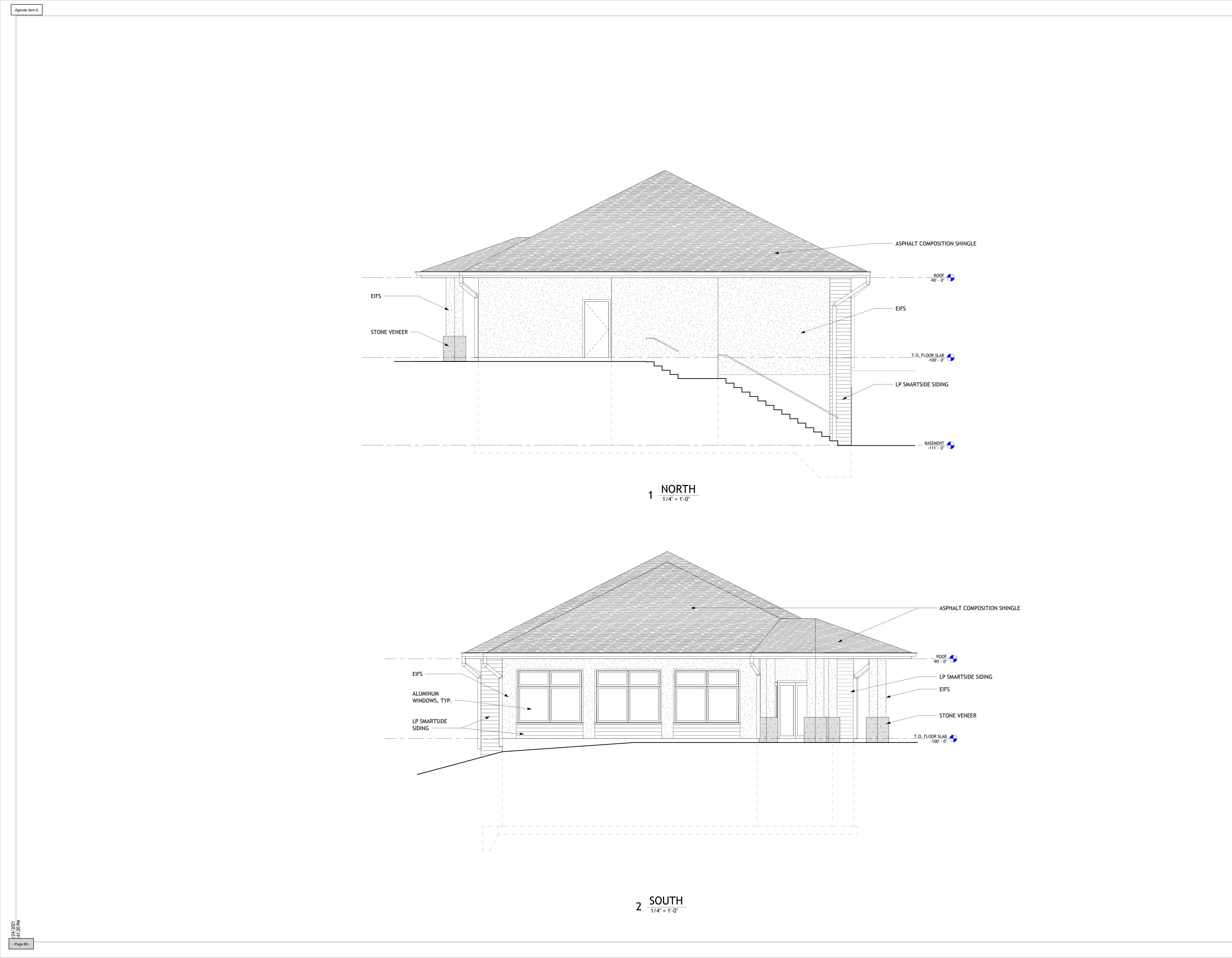
wnbarchitects

517 Delaware Kansas City, MO 64105 816.283.3731 wnbarchitects.com

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A1.2





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Kansas City, MO 64105
816.283.3731

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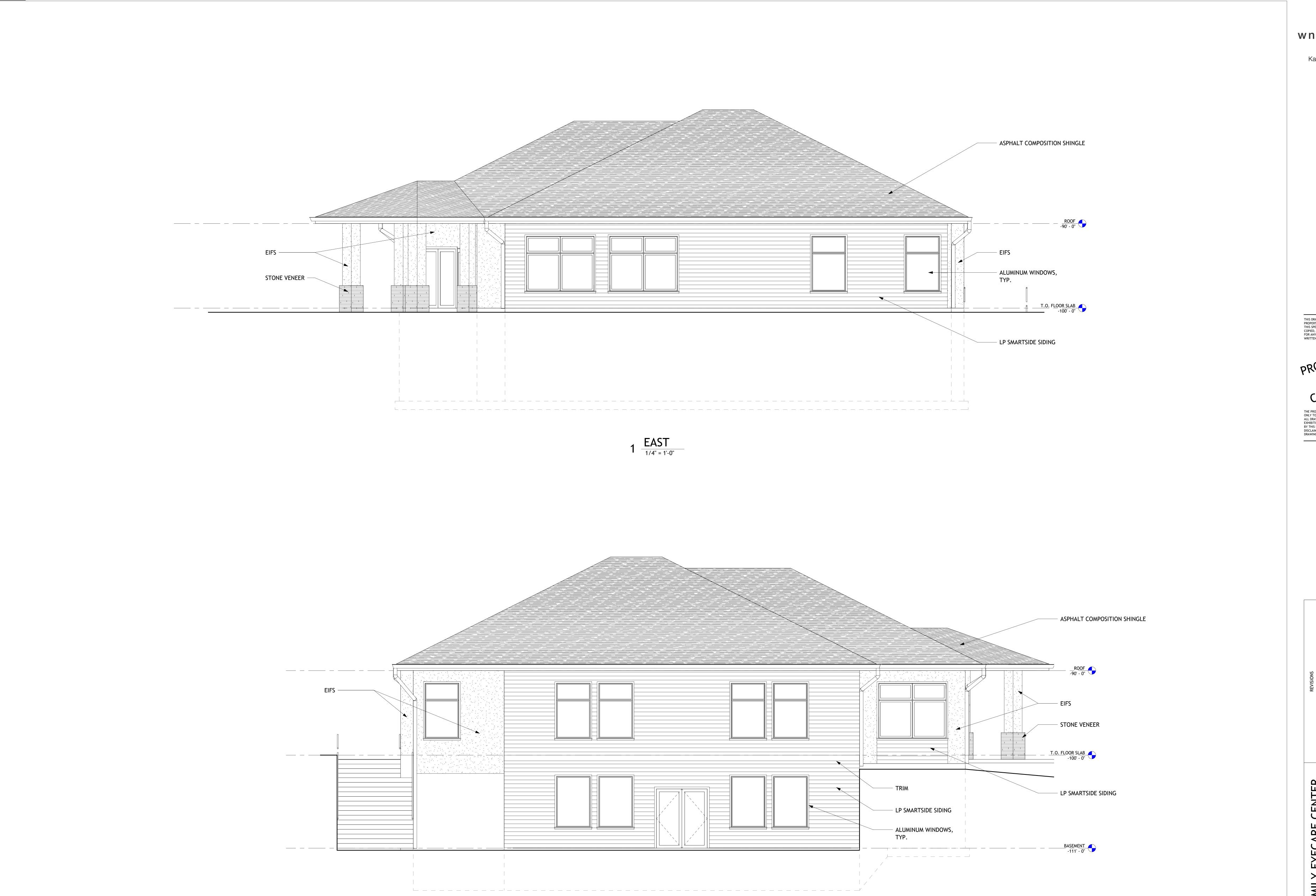
CENTER

NO.

DESCRIPTION

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eet Number

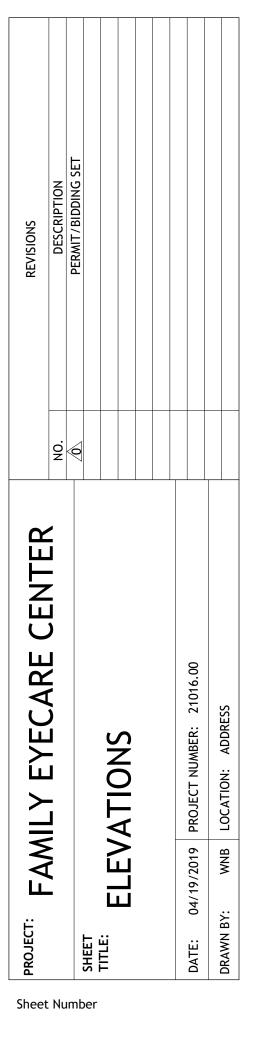


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A22