

AGENDA

CALL TO ORDER

ROLL CALL / QUORUM ANNOUNCEMENT

OLD BUSINESS

1. Approval of Minutes, September 15, 2021, Regular Meeting

NEW BUSINESS

2. **Rezoning Application Case # RZ-2021-4 00000 Centre Dr. (NW Corner W. Mary St. & Centre Drive)**

Application submitted by City of Lansing, owner of property at 00000 Centre Dr. This application is for a rezoning of a 14.50-acre tract at the Northwest corner of W. Mary St. and Centre Dr. The property is currently zoned as B-3 Regional Business District, and the request if approved will rezone the property to R-4 Multi-Family Residential District.

- 3. Election of Chairman of the Lansing Planning Commission**

Due to the resignation of Ron Barry, a new chairman needs to be appointed. Should the Vice-Chairman be appointed to this position, an appointment for the Vice Chairman position will also need to be made.

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

For information on how to view prior meetings, please visit our website at <https://www.lansingks.org>. If you require any special assistance, please notify the Community and Economic Development Director prior to the meeting.



PLANNING COMMISSION SEPTEMBER REGULAR MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043
Wednesday, September 15, 2021 at 7:00 PM

MINUTES

CALL TO ORDER- The regular September 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 Amy Baker, Nancy McDougal, Jerry Gies, and Richard Hannon. Jake Kowalewski noted there was a quorum present.

OLD BUSINESS

1. Approval of Minutes - July 21, 2021, Regular Meeting

Motion by Mrs. McDougal to approve and seconded by Mrs. Baker to approve the meeting minutes – motion passed 5-0.

NEW BUSINESS

2. **Final Plat Application Case # SDFP-2021-3a**

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. **Vacation of the original Alley has been added to the Plat, hence the need for an additional review.**

Mr. Gies started the meeting by asking how the plat is different now compared to what it was previously. Mr. Schmitz replied that on the original drawing that the planning commission had approved, it showed the 14-foot alley vacated by others or something similar to that affect. It was stated that the drawing now shows the original alley/vacated plat, and that the filing of this plat will vacate that area. Originally there was a belief that the alley had already been vacated. When the surveyor took it to the county for review, the county stated that they wanted to see a copy of the document. However, the document was unable to be located. Mr. Gies then asked if it would be automatically vacated by replating. Mr. Schmitz stated that anytime you add/remove property to a city, the council must approve it. When they originally approved it, it was their understanding that it was already vacant, which it wasn't. Therefore, it needed to be brought back to the planning commission again for approval.

Commissioner Jerry Gies made a motion to approve the final plat application for Russell L. & Audeana M. Connell and Chad and Christina Clark. Commissioner Nancy McDougal seconded the motion. Motion passed 5-0.

NOTICES AND COMMUNICATIONS- Mr. Schmitz sent an email regarding a webinar and encouraged anyone on the planning commission to register and attend. The annual volunteer dinner will possibly be cancelled.

REPORTS - Commission and Staff Members

Mr. Jerry Gies discussed sanitary issues along Main St. The planning commission and Mr. Schmitz then discussed the possible development of various areas and discussed the locations of sewers within those areas.

ADJOURNMENT- - Mr. Geis made motion to adjourn, Mrs. McDougal seconded. Meeting was adjourned.

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Respectfully submitted,

Melissa Baker, Secretary

Reviewed by,

Matthew R. Schmitz, Community and Economic Development Director



Planning Commission Staff Report

November 17, 2021

Rezone Case RZ-2021-4

00000 Centre Drive (Northwest Corner W. Mary St. & Centre Drive)

Project Facts

Applicant

CITY OF LANSING

Address

00000 Centre Drive

Property ID

106-24-0-40-08-001.03-0

Zoning

B-3 Regional Business District

Future Land Use

Commercial

Land

632,146.12 SF (14.50 acres)

Requested Approvals

Rezoning



Summary

City of Lansing, applicant, has applied to rezone the subject property from B-3 Regional Business District to R-4 Multi-Family Residential District. This rezoning, if approved, will allow for development of a future multi-family project on the subject property. A site plan for the property will be submitted in the near future, if the rezoning is approved.

A public hearing notice was published in the *Leavenworth Times* on October 26, 2021, and the notice was mailed to property owners within 200 feet of the subject property on February 22, 2021.

Discussion points from Checklist

The checklist was reviewed and completed by the Director of Community & Economic Development. There are no concerns marked as outstanding, and the application is in order.

Complaints / Questions

As of the date of preparation of this Staff Report, there has been one resident who contacted the city on behalf of this rezoning application. The resident asked questions about the property but did not have a yes or no feeling towards the rezoning.

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

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 recommend approval of this rezoning request to the City Council.

REZONING CHECKLIST

Checklist Completed by: Matthew R. Schmitz
Case No. RZ-2021-4
Date Filed: October 18, 2021
Date Advertised: October 26, 2021
Date Notices Sent: October 25, 2021
Public Hearing Date: November 17, 2021

APPLICANT: City of Lansing

LOCATION OF PROPERTY: 00000 Centre Dr. (Northwest corner of W. Mary St. & Centre Drive)

PRESENT ZONING: B-3

REQUESTED ZONING: R-4

PRESENT USE OF PROPERTY: Platted undeveloped ground

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Multi-Family Residential District / Mixed Density Neighborhood District (Mix of duplex and single-family homes)	R-4 / R-3
South	Multi Family Residential District / Regional Business District (Lansing Heights / Undeveloped ground)	R-4 / B-3
East	Planned Unit Development / Regional Business District (Undeveloped ground)	PUD / B-3
West	Multi-Family Residential District (Covington Woods)	R-4

CHARACTER OF THE NEIGHBORHOOD: The area is partially developed, with multi-family and single-family residential on the north, empty ground to the east, empty ground and Lansing Heights (apartment homes) to the south, and Covington Woods (apartment homes) to the west.

NEAREST EQUIVALENT ZONING:

LOCATION: South / West

CURRENT USE: Lansing Heights / Covington Woods

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts? No

2. Are there substantial reasons why the property cannot be used in accord with existing zoning? Yes **If yes, explain:** The applicant has been in discussions with a developer who would like to develop multi-family residential on the property (Luxury Apartments). The current zoning would not allow for this type of development on this property.

3. Are there adequate sites for the proposed use in areas already properly zoned? Not in close proximity to this area. **If yes, where?** _____

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? The proposed future use of the property does not align with the Future Land Use Map, but staff believes this type of development would align with development policies if this rezoning is approved, and the construction of the building will require the development and acceptance of a Site Plan to comply with Development Policies.

2. Consistent with Future Land Use Map? No. The Future Land Use Map shows this property as Commercial, but staff feels a strong multi-family development here would help to anchor the area and provide additional users for potential future commercial growth in the area.

3. Are Public Facilities adequate? Yes. All utilities are present and in the area.

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Centre Dr. / W. Mary St. / Kay St.

2. Classification of Street(s):

Arterial _____ Collector X Local X

3. Right of Way Width: Platted ROW width for Centre Dr. and W. Mary St. are adequate. Additional ROW may be needed along Kay St. to improve the existing street in this area.

4. Will turning movements caused by the proposed use create an undue traffic hazard? No

5. Comments on Traffic: Traffic in the area would likely increase with the planned future project, but a traffic study would need to be done with that project at the time that they move forward. Additionally, there are plans to improve Kay St. with the potential future project, to assist with the concerns about traffic in this area.

SHOULD PLATTING OR REPLATTING BE REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? No.

2. Properly Sized Street Right of Way? No.

3. Drainage Easements? No.

4. Utility Easements:

Electricity? No.

Gas? No.
Sewers? No.
Water? No.

5. Additional Comments: N/A

UNIQUE CHARACTERISTICS OF PROPERTY IN QUESTION: None

ADDITIONAL COMMENTS: None

APPLICATION FOR REZONING

This is an application for change of the zoning map.

AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

- I. Name of applicant or applicants (owner[s] and/or their agent[s]). All owners of all property requested to be rezoned must be listed on this form.

A. Applicant/Owner Lansing City

Address 800 1st Terrace, Lansing, KS 66043 Phone 913-727-3233

Agent (if applicable) _____

Address _____ Phone _____

(use separate sheet if necessary for additional owners/applicants)

- II. The applicant hereby requests a change of zone from B-3 zoning district to R-4 zoning district for property legally described as (use either metes and bounds or subdivision/block/lot description):

Lot 1, Lansing Towne Center Plat, Lansing, KS, Leavenworth County, KS

(SEE ATTACHED MAP)

Real Estate Tax Number 106-24-0-40-08-001.03-0

- III. This property is located in : Section 24 Township 09 Range 22

The general location is (use appropriate section):

A. Street Address: _____

B. At the _____ (NW, NE, SW, SE) corner of _____
(street) and _____ (street) or,


C. On the W (N, S, E, W) side of Centre Dr (street)
between W. Mary St (street) and W. Kay St. (street).

- IV. I request this change in zoning for the following reasons (do not include reference to proposed uses):

Rezoning to allow for future project

(additional sheets may be used if necessary)

- V. I (We), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (We) realize that this application cannot be processed unless it is completely filled in, is accompanied by an ownership list as required in the instruction sheet, and is accompanied by the appropriate fee.


Owner

Owner

By _____
Authorized Agent (if applicable)

By _____
Authorized Agent (if applicable)

OFFICE USE ONLY:

- VI. Application received on: October 18, 2021 (month, day, year)
Application received by: Matthew R. Schmitz, Director
Amount of fee paid: \$0 - City application

- VII. Planning Commission Recommendation: _____
Date: _____
Reasons for recommendation: _____

- VIII. Protest Petition filed? _____ Percent of land: _____ %

- IX. Governing Body: _____
Date: _____ Vote: _____
If approved, Ordinance No.: _____ Date of Final Reading _____

AFFIDAVIT

STATE OF Kansas)
) §
 COUNTY OF Leavenworth)

Comes now Anthony R. McNeill (Mayor), of lawful age and having been first duly sworn on my oath state that:

1. That I am (the) (a) lawful and/or equitable owner of the real estate described in the attached application.

2. We, Lansing City and _____ being duly sworn, depose and say that we are the owners of said property involved in this petition and that the foregoing signatures, statements, and answers herein contained in the information herewith submitted, are in all respects true and correct to the best of our knowledge and belief.

3. 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.

4. List of property owners and addresses:

Lansing City, 800 1st Terrace, Lansing, KS 66043

5. 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.

Anthony R McNeill
 /s/

STATE OF Kansas)
) §
 COUNTY OF Leavenworth)

BE IT REMEMBERED that on this 18th day of October, 2020, that before me, the undersigned, a Notary Public, in and for the State and County aforesaid, came Anthony R. McNeill, 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.

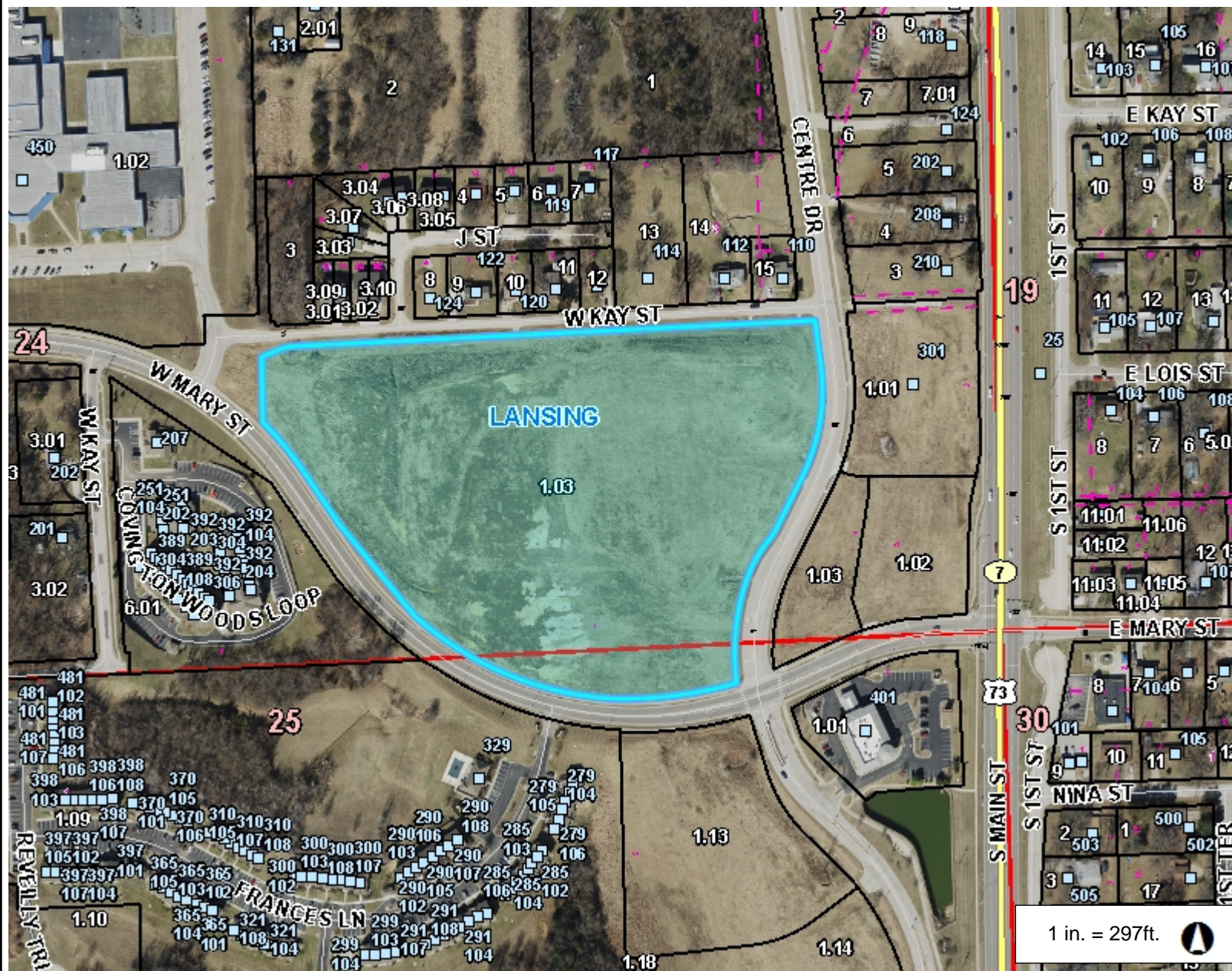
IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above mentioned.

[Signature]
 Notary Public














My Appointment Expires: 8/23/2025



Leavenworth County, KS



Legend

-  Address Point
-  Parcel Number
-  Lot Line
-  Parcel
-  City Limit Line
-  Major Road
-  <all other values>
-  70
-  Road
-  Railroad
-  Section
-  Section Boundaries
-  County Boundary

Notes

594.8	0	297.39	594.8 Feet
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This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION