
AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

OLD BUSINESS

- [1.](#) Approval of Minutes

AUDIENCE PARTICIPATION

PRESENTATIONS

NEW BUSINESS

- [2.](#) Ordinance No. 1062 - UDO Text Amendment (Apiaries)
- [3.](#) Ordinance No. 1066 - Vacation of Right-of-Way
- [4.](#) Ordinance No. 1067 - UDO Text Amendment (Peripheral Street Fees)
- [5.](#) Final Plat - Richardson Replat
- [6.](#) Family Eye Care Site Plan (Informational)

REPORTS - City Attorney, City Administrator, Department Heads, Councilmembers

PROCLAMATIONS

OTHER ITEMS OF INTEREST

ADJOURNMENT

Regular meetings are held on the first and third Thursday of each month. For information on how to view prior meetings, please visit our website at <https://www.lansingks.org>. Any person wishing to address the City Council, simply proceed to the microphone in front of the dais after the agenda item has been introduced and wait to be recognized by the Mayor. When called upon, please begin by stating your name and address. A time designated "Audience Participation" is listed on the agenda for any matter that does not appear on this agenda. The Mayor will call for audience participation. Please be aware that the City Council and staff may not have had advance notice of your topic and that the City Council may not be able to provide a decision at the meeting. If you require any special assistance, please notify the City Clerk prior to the meeting.

AGENDA ITEM

TO: Tim Vandall, City Administrator
THRU: Sarah Bodensteiner, City Clerk
FROM: Shantel Scrogin, Assistant City Clerk
DATE: July 21, 2021
SUBJECT: Approval of Minutes

The Regular Meeting Minutes of July 15, 2021 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes of July 15, 2021, as presented.

AGENDA ITEM

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
July 15, 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 and Don Studnicka

Ward 3: Jesse Garvey and Kerry Brungardt

Ward 4: Ron Dixon and Gregg Buehler

Councilmembers Absent:

OLD BUSINESS:

Approval of Minutes: Councilmember Garvey moved to approve the Regular Meeting Minutes of July 1, 2021, as presented. Councilmember Kirby seconded the motion. The motion was approved with Councilmember Brungardt, Studnicka and Buehler abstaining.

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:**

Ordinance No. 1063 – Sewer and Trash Disposal Assessments: Councilmember Buehler moved to adopt Ordinance No. 1063 for assessment of delinquent sewer and trash bills. Councilmember Dixon seconded the motion.

- Councilmember Trinkle stated yes, I have a question. Maybe some of these houses are abandoned and they are still charged correct.
 - Finance Director Beth Sanford responded if there is no one in there, no. If there is no one living there, we close the account.
 - Councilmember Trinkle asked what is the procedure, say they are kicked out or whatever, that automatically shuts them off and they don't have to worry about paying sewer then or does the sewer still get charged.
 - Finance Director Beth Sanford replied no, typically we get a list from Lan-Del that will tell us when accounts are closed or if there is no water usage on the yearly report. Then we don't have an active account there so we're not billing for sewer.
 - Councilmember Trinkle stated so the active water account is the way it is.
 - Finance Director Beth Sanford stated and if we would miss somebody, we send out delinquencies. They would get a bill every month obviously and we also send delinquency notices out quarterly so they should be aware of getting billed if they are not supposed to be.
 - Councilmember Brungardt stated this is the way we've done it the past three years, four or five years.
 - Finance Director Beth Sanford responded for years and years.
 - Councilmember Trinkle asked but that is the thing if there is water on the property or there is not water.
 - Finance Director Beth Sanford responded right, yeah.

Ordinance No. 1064 – Weed Removal Assessments: Councilmember Trinkle moved to adopt Ordinance No. 1064 for assessment of delinquent fees for weed removal. Councilmember Buehler seconded the motion.

- Councilmember Trinkle stated I have another question.
 - Mayor McNeill stated yes, please.
 - Councilmember Trinkle asked on the weeds, Matt this is probably for you, if the house is in foreclosure, we keep going up and mowing the grass, we are charging who?
 - Community & Economic Development Director Matthew Schmitz replied so we charge whoever the current property owner is. So, if the home is in foreclosure, it would go back to whoever is on the property at the time we perform the service.
 - Councilmember Trinkle asked that will be kind of hard on a couple of them but say if they are no longer alive, are deceased, you don't know who owns it and there is no record and trying to figure out who owns it. That just adds more to the problem in the end. So, we still go ahead and take care of the weeds and stuff in that location.
 - Community & Economic Development Director Matthew Schmitz responded right.
 - Mayor McNeill asked and when they sell the house.
 - Community & Economic Development Director Matthew Schmitz replied generally when the property sells is when we recoup those funds.
 - Councilmember Brungardt Matt stated we've done this for a while.
 - Community & Economic Development Director Matthew Schmitz responded yeah.
 - Councilmember Trinkle asked but say this goes on for a year, is this going to get the person that buys the house.
 - Community & Economic Development Director Matthew Schmitz replied it wouldn't hit the purchaser, it would hit the seller. For instance, take your example you had if someone passes away, anytime property is sold, money collected from the sale of that property goes back into that estate. So, our funds pay for what we've expended to come out of that estate. It wouldn't hit the buyer; it would hit the seller.
 - Councilmember Trinkle asked but if there is nothing there, it is very possible that would be another cost above them buying a house, back taxes only they would have to pay it to clear the title, right.
 - Community & Economic Development Director Matthew Schmitz replied anytime a property is sold, any assessments are the sellers responsibility. That is part of the title work process. As somebody who has been through it, I can tell you it's the seller who pays it.
 - Councilmember Trinkle stated I'm following. It's still a process you have to figure out who is who to get charged.
 - Councilmember Garvey stated somebody's name is on the deed. That is what it boils down to.
 - Community & Economic Development Director Matthew Schmitz responded right.
 - Councilmember Garvey stated somebody's name is on that deed.

- City Attorney Greg Robinson stated Mr. Trinkle the only money you can potentially miss is that if you do this ordinance today and they go out and cut the grass fifteen times between now and next year, we may not be able to capture that unless we were doing this more often. That is the only thing you can miss because once it is filed, nobody can transfer that property without us getting paid.
 - Councilmember Trinkle stated that is what I am saying, after fifteen, twenty times they cut the grass and then it finally comes to where the city, whoever wants to buy it comes to a deal, they're still going to be charged for that lawn mowing fee. That is just going to be another assessment along with the sewer even though they don't know who's it was the whole time they were mowing the grass. Somebody is going to pay that grass.
 - City Attorney Greg Robinson responded those are the property owners.
 - Councilmember Brungardt asked and again for clarification Beth, how much, what percent do we get on this.
 - Finance Director Beth Sanford replied we typically collect 100% on this.
 - Councilmember Brungardt sated well, it's obviously working.
 - Finance Director Beth Sanford responded yeah.
 - Councilmember Brungardt stated thank you.
 - Mayor McNeill asked any other discussion on this one.

The motion was unanimously approved.

Design Services for McIntyre Interceptor Sewer Extension – City Project 21-04:

Councilmember Brungardt moved to approve the scope and services from George Butler Associates for design engineer services for the McIntyre Interceptor Sewer Project, City Project 21-04, in an amount not to exceed \$501,480.00. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Storm Sewer Project – 4-H and Valley: Councilmember Buehler moved to authorize the Public Works Department to solicit a proposal from SMH Consultants for the 4-H and Valley Drive Storm Sewer Project. Councilmember Garvey seconded the motion.

- Councilmember Trinkle asked is this the one we repaired before.
 - City Administrator Tim Vandall replied we haven't repaired this one since I've been here.
 - Councilmember Garvey stated you're talking about the one at 147th Street. This is on Valley.
 - Councilmember Trinkle stated there was one down off of Cottonwood I thought.
 - Public Works Director Mike Spickelmier responded Southfork.
 - Councilmember Trinkle asked that is not this one?
 - City Administrator Tim Vandall responded nope. That one is on our list to improve in the next twelve months probably but that is at Southfork. This is at Stonecrest subdivision.
 - Councilmember Trinkle replied I just haven't heard Southfork in a while. I was thinking we got it fixed.
 - Public Works Director Mike Spickelmier stated we'll be discussing it at a future meeting.

- Councilmember Kirby asked you do have a list where these metal culvert pipes are, correct. So, we kind of know where they're at.
 - Public Works Director Mike Spickelmier asked the ones that are currently rusted out.
 - Councilmember Kirby replied no there is one here, one there.
 - Public Works Director Mike Spickelmier responded we're actually in the process of completely redoing our inventory and putting it in the GIS system and evaluating the condition of those. We're using some of the information that we've had in the past archive that was delivered to us and we are creating a database so we can forecast these a little more effectively.
 - Councilmember Kirby stated but we know where they're at now. I think at one time it was kind of well we think we do.
 - Public Works Director Mike Spickelmier responded we have been diligently improving that database as we go.
 - Councilmember Trinkle asked are we going to put something different than the galvanized back.
 - Public Works Director Mike Spickelmier replied yes, my intention would be to replace this with concrete per our city street standard so that we will hopefully never have to do this again.
 - Councilmember Brungardt stated Mike I have a question, and this is just, you need to educate me, so, in the meantime you said you are going to do something in interim. I'm just curious, what is that?
 - Public Works Director Mike Spickelmier replied we've already gone down there with bags of Sakrete and tried to patch some holes. We are looking at potentially doing a flowable fill bottom. We're discussing this with some contractors and some concrete companies. Just something, the last thing we want is a big hole and have to close the road unexpectedly. To our advantage, we do have 54" pipe in reserve if we absolutely had to make an emergency repair.
 - Councilmember Brungardt stated thank you.
 - Mayor McNeill asked any other questions or discussion.

Ordinance No. 1065 – Rezone Request 24725 147th Street and Portion of 00000 147th Street:

Executive Session – Economic Development: Councilmember Brungardt moved to recess into executive session to discuss an employee's performance pursuant to the non-elected personnel matter exception K.S.A. 75-4319(b)(1) for 45 minutes, beginning at 7:17 PM and returning to the Council Chambers at 8:02 PM. Councilmember Buehler seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to return to open session at 8:02 PM. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Councilmember Buehler moved to authorize the mayor to sign Addendum No. 5 to the City Administrator's Contract and provide a financial incentive based on the results of the performance evaluation. Councilmember Kirby seconded the motion. 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 Tim Vandall had nothing to report.

Governing Body: Councilmember Trinkle has been asked by some senior groups to see if there is anyone that can offer services such as painting to help clean up the Harvey House in Leavenworth and older museums that have been neglected. They are looking for volunteers of service. He also congratulated Tim.

Councilmember Kirby stated great job to everyone involved in running the city. It starts at the top and we have a great group of people. It starts with great leadership, not only Tim but Department Heads too. All that were involved in the 4th of July Independence Day celebration, his hat off to everybody.

Councilmember Majure stated great job on the 4th of July event. He saw a lot of our people there and it was a five-star, class act event. He hopes we continue to do that every year. He congratulated Tim on his success in the last year. It's meant a lot to us and the city.

Councilmember Garvey thanked Tim for everything he does and leading the team. He has put together a great team of people. Independence Day was a great time and a big success. There was only one negative comment on Facebook and that was getting on the bus to get out. He thinks the community loved it especially coming out of the last year.

Councilmember Buehler stated he heard great things about the event, and everyone works hard. He congratulated Tim on the positive changes he has made in his six years here and as previous Councilmembers mentioned, he has put together a great team. It makes the Councils job easier. He added a fun fact, on this day in 2006, Twitter was founded.

Councilmember Dixon dittoed the comments on the 4th of July. He congratulated Tim and stated it is a pleasure to work with him.

Councilmember Brungardt agrees with what everyone has said to Tim and told him to enjoy a well-deserved vacation.

Councilmember Studnicka thanked Tim and told him to enjoy vacation. Covid numbers are on the rise again, so he encouraged everyone to get vaccinated as well as eligible school aged children, so we don't have the same problems in school as last year.

ADJOURNMENT:

Councilmember Studnicka moved to adjourn. Councilmember Brungardt seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:09 p.m.

ATTEST:

Mayor, Anthony R. McNeill

City Clerk, Sarah Bodensteiner, CMC

AGENDA ITEM

TO: Tim Vandall, City Administrator
 FROM: Matthew R. Schmitz, Director, Community & Economic Development
 DATE: August 5, 2021
 SUBJECT: Ordinance No. 1062: An Ordinance amending the Unified Development Ordinance, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby) of the City of Lansing, Kansas

Explanation: At the June 3rd City Council meeting, the Council asked for the Planning Commission to consider adding a buffer requirement to properties more than five (5) acres that were outlined in the original proposed amendment to the UDO. 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 A-1 or a conditional use. Given the large lot size generally found in A-1, Staff feels it reasonable to revise this in the UDO, with some restriction based on acreage.

A public hearing for this amendment to the UDO was held at the Planning Commission meeting on May 19, 2021. No public comments were received during the public hearing. A copy of the meeting minutes is included for review from the most recent review of this item by the Planning Commission at their July 21st meeting. Planning Commission motioned to approve this text amendment – adding that hives may not be placed within 200 feet of any existing structure that is not owned by the owner of the hives – after brief discussion with Staff by a vote of 6-1.

Adoption of this ordinance will modify Table 4-2: Permitted Uses as follows:

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Apiaries (Hobby)*	■*	C	C								

And add on Page 4-17 of the UDO the following below Apiaries (Hobby):

*Allowed on property larger than 5 acres but hives must not be located within two hundred (200) feet of any existing structure not owned by the owner of the hives, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

Policy Considerations: This proposed amendment to the UDO would make Agriculture zoning more consistent with the already passed use for Apiaries in Residential zoning areas.

Action: Motion to approve, override via a 2/3 majority vote, or remand to the Planning Commission with information on requested modifications, Ordinance No. 1062 amending the Unified Development Ordinance, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby).

AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, AS ADOPTED BY REFERENCE.

WHEREAS, the Planning Commission of the city of Lansing has recommended to amend the adopted Unified Development Ordinance, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby). The official Unified Development Ordinance is adopted by reference in Lansing City Code, Section 17-101; and,

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held by the Planning Commission on May 19, 2021, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

SECTION 1. Unified Development Ordinance, Table 4-2: Permitted Uses on Page 4-2, section Agriculture, item Apiaries (Hobby) is hereby amended to be as follows:

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Apiaries (Hobby)*	■*	C	C								

Additionally, on Page 4-17 – the following language shall be added below Apiaries (Hobby):

*Allowed on property larger than 5 acres but hives must not be located within two hundred (200) feet of any existing structure not owned by the owner of the hives, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

SECTION 2. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

PASSED AND APPROVED by the governing body of the city of Lansing, Kansas, this 5th day of August, 2021.

ATTEST

Anthony R. McNeill, Mayor

Sarah Bodensteiner, CMC, City Clerk

(SEAL)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____
Published: The Leavenworth Times

CITY Agenda Item 2. SING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1062: An Ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas.

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

Ordinance No. 1062 Summary:

On August 5, 2021, the City of Lansing, Kansas, adopted Ordinance No. 1062, an ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas, Table 4-2: Permitted Uses on Page 4-9, section Agriculture, item Apiaries (Hobby). A complete copy of this ordinance is available at www.lansingsks.org or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: August 5, 2021

Gregory C. Robinson, City Attorney



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	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Apiaries (Hobby)*	■*	C	C								

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.



PLANNING COMMISSION JULY REGULAR MEETING

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

MINUTES

CALL TO ORDER- The regular July 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 Ron Barry, Vice-Chairman Jake Kowalewski, Commissioners Amy Baker, Nancy McDougal, Jerry Gies, Mike Suozzo, and Richard Hannon. Chairman Ron Barry noted there was a quorum present.

OLD BUSINESS

1. Approval of Minutes, June 16, 2021, Regular Meeting

Motion by Mrs. McDougal to approve and seconded by Mrs. Baker to approve the meeting minutes – motion passed 7-0

2. Approval of Minutes, June 23, 2021, Special Meeting

Motion by Mr. Kowalewski to approve and seconded by Mr. Suozzo to approve the meeting minutes – motion passed 7-0

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.

Mr. Schmitz stated that the memo was incorrect at the June meeting, so we are talking again about parcels that are more than five (5) acres and whether or not the planning commission wants to put a buffer on those. Based on the discussion tonight, Staff will take it to City council. Mr. Barry stated that, in summary, the city council asked the planning commission to look at the parcels zoned A-1 larger than five (5) acres. Mr. Schmitz stated that there are not very many parcels that are larger than five (5) acres and are zoned A-1. Mrs. McDougal, then asked why we will dictate where a larger bee owner puts their hives. Mr. Schmitz said the desire of the City Council is to provide some kind of protection for neighbors. Mr. Barry stated that 16 feet is nothing compared to the distance a bee can travel (related to the side setbacks required in A-1 district), and that doesn't seem logical for a large piece of land. Mr. Schmitz mentioned that we could write it in such a way that it can't be within 100 feet of any surrounding structure not owned by those who have the hives.

Mr. Hannon motioned to restrict it no closer than 200 feet from an existing structure other than their own. Mr. Suozzo seconded it. Motion passed 6-1.

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.

Mr. Barry opened the public hearing at 7:14 pm.

AGENDA ITEM

TO: Tim Vandall, City Administrator

FROM: Matthew R. Schmitz, Director, Community & Economic Development 

DATE: August 5, 2021

SUBJECT: Ord. 1066 - Vacation of Right-of-Way over a portion of ground adjacent to Lot 2B,
Midtown Court Subdivision, 2nd Plat (400 Block of Santa Fe Dr.)

Explanation: The property on the east side of Lot 2B (400 Block of Santa Fe Dr.) is a small rectangular piece of property (Exhibit attached). The property owner for Lot 2B, Greenamyre Rentals Inc., has requested that the City vacate this abandoned Railroad Right-of-Way to allow for a potential future project.

The property adjacent to this requested vacation was recently purchased by Greenamyre Rentals Inc. for future development. There is an exhibit showing the surveyed area to be vacated, an ordinance, and an aerial exhibit from Leavenworth County GIS that shows the area to be vacated highlighted for your review. **The area to be vacated is 0.77 acres.** If this requested vacation is approved, the adjacent lot would increase from 1.10 acres to 1.87 acres. This is because when property that is established as Right-of-Way is abandoned, it must return to the property or parcel that it was original taken or purchased from. After the vacation, the abandoned area would take on the zoning (currently B-3 – Regional Business District) of the lot that it was vacated to, resulting in a 1.87-acre parcel zoned as B-3.

Staff is supportive of the reduction in Right-of-Way at this location to allow for future development of the lot.

Policy Considerations: None.

Action: Approve Ordinance No. 1066, an ordinance vacating Right-of-Way over a portion of ground adjacent to Lot 2B, Midtown Court Subdivision, 2nd Plat.

AGENDA ITEM

AN ORDINANCE VACATING RIGHT-OF-WAY OVER A PORTION OF LOT 2B, MIDTOWN COURT SUBDIVISION, 2ND PLAT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

SECTION 1. The right-of-way areas herein described below are being vacated for the purpose of reducing the right-of-way areas on the property. There are no utilities nor drainage facilities occupying or needing to occupy the right-of-way described below. The current right-of-way described below is therefore no longer required for its intended purposes.

Pursuant to K.S.A. 14-423, be it ordained by the Governing Body of the City of Lansing, Kansas, that the following described drainage easement be vacated:

A tract of land in the Northwest Quarter of Section 19, Township 9 South, Range 23 East and being a portion of the Atchison, Topeka and Santa Fe Railroad Right-of-way as shown on the Map of Santa Fe Subdivision and now permanently abandoned per Declaration of Abandonment as filed in Book 669, Page 1081 of the Register of Deeds office, all being in Leavenworth County, Kansas, being more particularly described as follows:

Commencing at the Southeast Corner of Lot 2B, Midtown Court Subdivision, a subdivision in Leavenworth County, Kansas; thence N 26°33'04" E along the East line of said Lot 2B, a distance of 220.83 feet; thence Northeasterly continuing along the East line of said Lot 2B along a curve to the left having an initial tangent bearing of N 26°34'07" E, a radius of 1957.30 feet, a delta angle of 03°58'20", and an arc length of 135.70 feet to Northeast corner of said Lot 2B; thence S 68°29'00" E, a distance of 88.51 feet to the West right-of-way line of Santa Fe Drive as now established and as shown on the plats of Santa Fe Subdivision, Jer-Dan Corners Subdivision, and Lansing Light Industrial Park, all subdivisions in Leavenworth County, Kansas; thence Southwesterly along said West right-of-way along a curve to the right and being 55.0 feet West of and parallel with the West lines of Lot 3, said Jer-Dan Corners Subdivision and Lot 1 and Lot 2, said Lansing Light Industrial Park, said curve having an initial tangent bearing of S 21°31'00" W, a radius of 3270.00 feet, a delta angle of 04°45'10", and an arc length distance of 271.25 feet; thence S 26°16'09" W continuing along said West right-of-way being 55.0 feet West of and parallel with the West lines of Lot 3, said Jer-Dan Corners Subdivision and Lot 1 and Lot 2, said Lansing Light Industrial Park, a distance of 93.31 feet to a point on the North line of Lot 2, Fairlane Commercial Development, a subdivision in Leavenworth County, Kansas; thence N 63°27'11" W along the North line of said Lot 2, Fairlane Commercial Development, a distance of 96.54 feet to the Point of Beginning, and containing 33,722.0 Sq. Ft., more or less.

SECTION 2. That this ordinance shall become effective thirty (30) days after the publication thereof, unless one or more interested parties files a written protest in the Office of the City Clerk of the City of Lansing, Kansas, before the expiration of such time.

PASSED AND APPROVED by the governing body of the City of Lansing, County of Leavenworth, State of Kansas, this 5th day of August 2021.

Anthony R. McNeill, Mayor

ATTEST

Sarah Bodensteiner, CMC, City Clerk

(SEAL)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____

Published: The Leavenworth Times

CITY OF LANSING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

**Ordinance No. 1066: An Ordinance Vacating Right-of-Way over a portion of lot 2B, Midtown Court
Subdivision, 2nd Plat.**

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

Ordinance No. 1066 Summary:

On August 5, 2021, the City of Lansing, Kansas, adopted Ordinance No. 1066, an ordinance vacating Right-of-Way over a portion of lot 2B, Midtown Court Subdivision, 2nd Plat. A complete copy of this ordinance is available at www.lansingsks.org or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: August 5, 2021

Gregory C. Robinson, City Attorney



2500 S. 2nd St.
Leavenworth, KS 66048

(913) 651-9717
www.Greenamyre.com

TO: Matthew Schmitz, City of Lansing

FROM: Jeremy Greenamyre, Greenamyre Rentals, Inc.

DATE: July 13, 2021

SUBJECT: ROW vacation

Per our conversation, we request the vacation of the right of way as clarified in the attached legal description and illustration. We request that his land is vacated at no additional cost beyond our in-house costs for surveying, document preparation and legal fees. If you have any questions, I can be reached at (913) 828-4440, jeremy@greenamyre.com

2019.060.004
07/07/2020
Lansing Hospitality, LLC

Exhibit A

A tract of land in the Northwest Quarter of Section 19, Township 9 South, Range 23 East and being a portion of the Atchison, Topeka and Santa Fe Railroad Right-of-way as shown on the Map of Santa Fe Subdivision and now permanently abandoned per Declaration of Abandonment as filed in Book 669, Page 1081 of the Register of Deeds office, all being in Leavenworth County, Kansas, being more particularly described as follows:

Commencing at the Southeast Corner of Lot 2B, Midtown Court Subdivision, a subdivision in Leavenworth County, Kansas; thence N 26°33'04" E along the East line of said Lot 2B, a distance of 220.83 feet; thence Northeasterly continuing along the East line of said Lot 2B along a curve to the left having an initial tangent bearing of N 26°34'07" E, a radius of 1957.30 feet, a delta angle of 03°58'20", and an arc length of 135.70 feet to Northeast corner of said Lot 2B; thence S 68°29'00" E, a distance of 88.51 feet to the West right-of-way line of Santa Fe Drive as now established and as shown on the plats of Santa Fe Subdivision, Jer-Dan Corners Subdivision, and Lansing Light Industrial Park, all subdivisions in Leavenworth County, Kansas; thence Southwesterly along said West right-of-way along a curve to the right and being 55.0 feet West of and parallel with the West lines of Lot 3, said Jer-Dan Corners Subdivision and Lot 1 and Lot 2, said Lansing Light Industrial Park, said curve having an initial tangent bearing of S 21°31'00" W, a radius of 3270.00 feet, a delta angle of 04°45'10", and an arc length distance of 271.25 feet; thence S 26°16'09" W continuing along said West right-of-way being 55.0 feet West of and parallel with the West lines of Lot 3, said Jer-Dan Corners Subdivision and Lot 1 and Lot 2, said Lansing Light Industrial Park, a distance of 93.31 feet to a point on the North line of Lot 2, Fairlane Commercial Development, a subdivision in Leavenworth County, Kansas; thence N 63°27'11" W along the North line of said Lot 2, Fairlane Commercial Development, a distance of 96.54 feet to the Point of Beginning, and containing 33,722.0 Sq. Ft., more or less.

NOTE:
 THE PURPOSE OF THIS EXHIBIT IS ONLY FOR THE REPRESENTATION OF THE PROPOSED
 R/W VACATION SHOWN HEREON. THIS EXHIBIT DOES NOT CONSTITUTE A BOUNDARY
 SURVEY.



(33,722.03 Sq. Ft.)

Part of Block 6,
 Santa Fe Subdivision

NORTHEAST CORNER
 OF MIDTOWN COURT
 SUBDIVISION, 2ND PLAT

Lot 2A
 Midtown Court
 Subdivision, 2nd Plat

EAST LINE OF MIDTOWN
 COURT SUBDIVISION,
 2ND PLAT

ITB = N26°34'07"E
 R = 1957.30'
 L = 135.70'

S68°29'00"E
 88.51'

ITB = S21°31'00"W
 R = 3270.00'
 L = 271.25'

Declaration of Railroad Abandonment
 Book 669, Page 1086
 (Filed Aug. 28, 1992)

Original East Lines
 of Midtown Court Subdivision

Lot 2B
 Midtown Court
 Subdivision, 2nd Plat

POINT OF BEGINNING
 SOUTHEAST CORNER OF
 MIDTOWN COURT
 SUBDIVISION, 2ND PLAT

N26°33'04"E
 220.83'

N63°27'11"W
 96.54'

Lot 2
 Fairlane Commercial
 Development

E SANTA FE DRIVE

EDGE OF EXISTING
 ASPHALT ROAD

Lot 3
 Jer-Dan
 Corners Subdivision

Lot 1
 Lansing Light Industrial Park

Lot 2 Lansing Light
 Industrial Park



0 20



SCALE: 1" = 20'

PAGE 2 OF 2

EXHIBIT A
 Lansing Hospitality, LLC



McAFEE HENDERSON SOLUTIONS, INC.

Civil Engineering ♦ Land Surveying

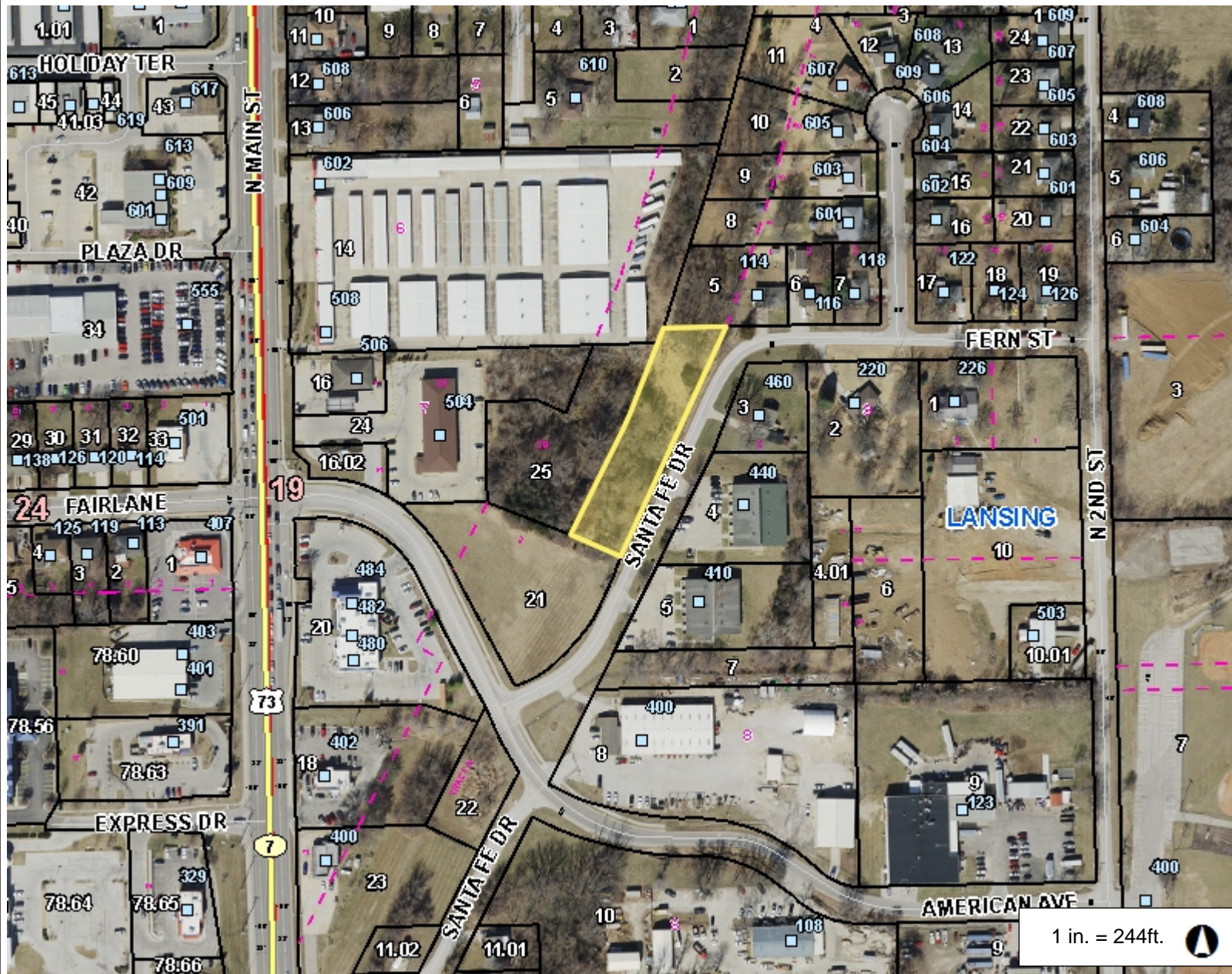
15700 College Blvd, Suite 202 Lenexa, KS 66219

Ph: (913) 888-4647 Fax: (913) 390-9865

www.mhs-eng.com

Overall Map

Agenda Item 3.



Legend

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

1 in. = 244ft.



488.8 0 244.38 488.8 Feet

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

Notes

Approximate area to be vacated.

AGENDA ITEM

TO: Tim Vandall, City Administrator

FROM: Matthew R. Schmitz, Director, Community & Economic Development 

DATE: August 5, 2021

SUBJECT: Ordinance No. 1067: An Ordinance amending the Unified Development Ordinance, Section 3.04 Required Improvements, Item H. Peripheral Street Improvements on Page 3-21 of the City of Lansing, Kansas

Explanation: During the May 27th City Council Work Session, staff presented and asked for discussion with the Council regarding the required improvements outlined in the Unified Development Ordinance (UDO), specifically the required Peripheral Street Improvements and the fees outlined in the UDO pursuant to this section.

During this discussion, Council appeared amicable to removal of these required fees from the UDO to reduce the costs for developers who may be interested in developing properties in the city. There is also the recent court case (Heartland Association Inc. v. City of Mission) that calls into question whether the city can legally require these fees.

A public hearing for this amendment to the UDO was held at the Planning Commission meeting on July 21, 2021. No public comments for or against were received during the public hearing. A copy of the meeting minutes is included for review. Planning Commission motioned to approve this text amendment after brief discussion with Staff by a vote of 7-0.

Adoption of this ordinance will modify Section 3.04 Required Improvements, Item H. Peripheral Street Improvements to read as follows:

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.

Policy Considerations: This proposed amendment to the UDO would bring the city into alignment with other communities.

Action: Motion to approve, override via a 2/3 majority vote, or remand to the Planning Commission with information on requested modifications, Ordinance No. 1067 amending the Unified Development Ordinance, Section 3.04 Required Improvements, Item H. Peripheral Street Improvements on Page 3-21.

AGENDA ITEM

AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, AS ADOPTED BY REFERENCE.

WHEREAS, the Planning Commission of the city of Lansing has recommended to amend the adopted Unified Development Ordinance, Section 3.04 Required Improvements, Item H. Peripheral Street Improvements on Page 3-21. The official Unified Development Ordinance is adopted by reference in Lansing City Code, Section 17-101; and,

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held by the Planning Commission on July 21, 2021, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

SECTION 1. Unified Development Ordinance, Section 3.04 Required Improvements, Item H. Peripheral Street Improvements on Page 3-21 is hereby amended to be as follows:

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.

SECTION 2. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

PASSED AND APPROVED by the governing body of the city of Lansing, Kansas, this 5th day of August, 2021.

Anthony R. McNeill, Mayor

ATTEST

Sarah Bodensteiner, CMC, City Clerk

(SEAL)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____

Published: The Leavenworth Times

CITY Agenda Item 4. SING
FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE

Ordinance No. 1067: An Ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas.

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

Ordinance No. 1067 Summary:

On August 5, 2021, the City of Lansing, Kansas, adopted Ordinance No. 1062, an ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas, Section 3.04 Required Improvements, Item H. Peripheral Street Improvements on Page 3-21. A complete copy of this ordinance is available at www.lansingks.org or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: August 5, 2021

Gregory C. Robinson, City Attorney

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.



PLANNING COMMISSION JULY REGULAR MEETING

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

MINUTES

CALL TO ORDER- The regular July 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 Ron Barry, Vice-Chairman Jake Kowalewski, Commissioners Amy Baker, Nancy McDougal, Jerry Gies, Mike Suozzo, and Richard Hannon. Chairman Ron Barry noted there was a quorum present.

OLD BUSINESS

1. Approval of Minutes, June 16, 2021, Regular Meeting

Motion by Mrs. McDougal to approve and seconded by Mrs. Baker to approve the meeting minutes – motion passed 7-0

2. Approval of Minutes, June 23, 2021, Special Meeting

Motion by Mr. Kowalewski to approve and seconded by Mr. Suozzo to approve the meeting minutes – motion passed 7-0

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.*

Mr. Schmitz stated that the memo was incorrect at the June meeting, so we are talking again about parcels that are more than five (5) acres and whether or not the planning commission wants to put a buffer on those. Based on the discussion tonight, Staff will take it to City council. Mr. Barry stated that, in summary, the city council asked the planning commission to look at the parcels zoned A-1 larger than five (5) acres. Mr. Schmitz stated that there are not very many parcels that are larger than five (5) acres and are zoned A-1. Mrs. McDougal, then asked why we will dictate where a larger bee owner puts their hives. Mr. Schmitz said the desire of the City Council is to provide some kind of protection for neighbors. Mr. Barry stated that 16 feet is nothing compared to the distance a bee can travel (related to the side setbacks required in A-1 district), and that doesn't seem logical for a large piece of land. Mr. Schmitz mentioned that we could write it in such a way that it can't be within 100 feet of any surrounding structure not owned by those who have the hives.

Mr. Hannon motioned to restrict it no closer than 200 feet from an existing structure other than their own. Mr. Suozzo seconded it. Motion passed 6-1.

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.

Mr. Barry opened the public hearing at 7:14 pm.

Mr. Roger Aberle from Hiawatha, KS – Real Estate Agent for the property at 147th and 4-H road. Mr. Aberle was just wanting to be here to learn. He stated that he has no opinions, just wanted to listen, and get an idea of how these things work.

Mr. Barry closed the public hearing at 7:16 pm.

Mr. Geis needed clarification regarding that the applicant will waive the right to protest and asked if that is something that stays with the property, or when its sold, will it no longer be applicable. Mr. Schmitz stated it would only be applicable to the applicant. Mr. Schmitz stated that generally, the way the benefit district works, it's always better to do a road project before there is a development there. Mr. Geis stated that when you develop the benefit district, no one has a say in the matter, unless they protest.

Mr. Schmitz stated that the city can do benefit districts for any city owned infrastructure, but Lansing has never done peripheral roads. The major benefit to doing this for the city is that we can bond it and spread the payments over 20 or 25 years, and we have a dedicated source of income for that bond, which keeps the bond rates lower.

Mr. Geis made a motion that we send a recommendation for approval based upon the language in the report, Mr. Kowalewski seconded it. Motion passed 7-0.

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.

Mrs. McDougal inquired about the alley that used to be there and asked if it is being vacated, and Mr. Schmitz stated that it is already vacated.

Mr. Geis made a motion that it is approved subject to the conditions in the staff report, being that it gets signed before being sent to city council. Mrs. McDougal seconded it. Motion passed 7-0.

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.

Mr. Barry outlined the steps for the site plan if it is approved by the planning commission. The applicant will need to resubmit a completed site plan based on the items in the staff report. Once Staff receives the updated Site Plan, Staff would then review building plans, and issue a building permit, after review of the revised site plan.

Mr. Geis was asking if there was a storm inlet in the low area. Mr. Schmitz stated that the basin will be owned and maintained by the city.

Mr. David Lutgen – 1554 Elm St in Basehor KS, is the civil engineer on the project. Regarding the curb, he stated they moved the curb far enough North so that it was all on the applicant's property. There is a 5-foot gap on the South side and there will be a curb inlet that future development to the south can tie into. Mr. Schmitz stated that there is additional grading work needing to be done on the south, but that property owner has agreed to allow a temporary construction easement to facilitate the project.

Mr. Barry inquired about the fire hydrants/access and if its already there. Mr. Schmitz stated that there is already water access in town center.

Mr. Geis motioned to approve, subject to the corrections being made per the staff report. Mr. Kowalewski seconded it. Motion passed 7-0.

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Matthew R. Schmitz, Director, Community & Economic Development
DATE: August 5, 2021
SUBJECT: Final Plat – Richardson Replat



Explanation: 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.

The final plat has been updated to reflect the conditions listed in the Staff Report and now meets the requirements of the checklist, with the exception of final signatures for each required signatory. Those signatures will be obtained before the plat can be filed with Leavenworth County Register of Deeds.

The staff report, revised final plat, the checklist, and minutes excerpt from the July 21st Planning Commission meeting are attached for review.

The Planning Commission voted to recommend approval of this final plat application with a 7-0 vote.

Action: Staff recommends a motion to approve the final plat for Richardson Replat.

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.
 - 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.

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.

RICHARDSON REPLAT

A Replat of 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, City of Lansing,
Leavenworth County, Kansas.
FINAL PLAT

PREPARED FOR:
Russell L. & Audeana M. Connell
600 Beth Drive
Lansing, KS 66043
PID # 094-18-0-30-02-014
Chad M. & Christina N. Clark
605 Carol Street
Lansing, KS 66043
PID # 094-18-0-30-02-015

DESCRIPTION:
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 part of Block D, TOWN OF RICHARDSON, City of Lansing, Leavenworth County, Kansas, as written by Joseph A. Herring 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 90.00 feet to the Northeast corner of said Lot 18; thence South 01 degrees 23'18" East for a distance of 124.97 feet to the Southeast corner of said Lot 18; thence South 88 degrees 28'21" West for a distance of 326.73 feet along the North right of way line 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 285.44 feet along the South right of way line of Beth Street as it exists today to the point of beginning.
Together with and subject to covenants, restrictions, and easements of record.
Said property contains 1.84 Acres, more or less.
Error of Closure - 1" - .292302

CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: RICHARDSON REPLAT.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E) or "Drainage Easement" (D/E).

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of RICHARDSON REPLAT, have set our hands this _____ day of _____, 2021

Russell L. Connell
Audeana M. Connell

Chad M. Clark
Christina N. Clark

NOTARY CERTIFICATE:
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 executed the foregoing 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.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2021, before me, a notary public in and for said County and State came Chad M. Clark and Christina N. Clark, husband and wife, to me personally known to be the same persons who executed the foregoing 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.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
This Plat of RICHARDSON REPLAT has been submitted and approved by the Lansing Planning Commission this _____ day of _____, 2021.

Chairman - Ron Barry
Secretary - Melissa Barker

This Plat approved by the City Council of Lansing, Kansas, this _____ day of _____, 2021.

Mayor - Anthony R. McNeill
Attest: City Clerk - Sarah Bodensteiner

Director of Public Works - Michael Spickelmier, P.E.
Director of Community & Economic Development
Matthew R. Schmitz, MPA

City Attorney - Gregory Robinson

I hereby certify, as the County Treasurer of Leavenworth County, Kansas, that all taxes and special assessments due and payable on the foregoing subdivision have been paid on this _____ day of _____, 2021.

Leavenworth County Treasurer - Janice VanParys

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.

LEAVENWORTH COUNTY SURVEY REVIEWER
Michael J. Bogina, KS PS-1655

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2021 at _____ o'clock ____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois Mashburn

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 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 _____, 2021.

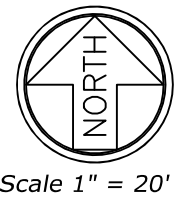
BY:
Joseph A. Herring, KS PS # 1296



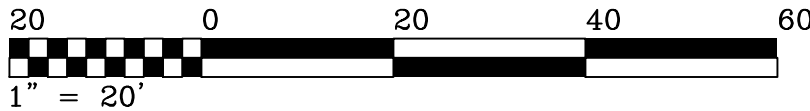
LEGEND:
● - 1/2" Rebar Set with Cap No.1296
○ - 1/2" Rebar Found, unless otherwise noted.
□ - Concrete Base to be Set around Monument
△ - PK Nail Found in Place
() - Record / Deeded Distance
U/E - Utility Easement
L/E - Landscape Easement

ZONING:
PUD - Planned Unit Development

NOTES:
1) This survey does not show ownership.
2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
3) All recorded and measured distances are the same, unless otherwise noted.
4) Error of Closure - 1" - .34616
5) Basis of Bearing - KS SPC North Zone 1501, North Line of Plat
6) Monument Origin Unknown, unless otherwise noted.
7) Benchmark - NAVD88
Project Benchmark (BM) - Center of Cul-de-sac - 879.6'
8) Reference Surveys:
TOWN OF RICHARDSON recorded July 25, 1900
DCW - D.C.White Survey S-14 #60 dated 1990
LTH - L.T.Hahn Survey dated 2018
9) Subject to Covenants, Restrictions, and Easements of Record.



Job # K-21-1418
April 14, 2021 Rev. 7/21/21
J. Herring, Inc. (dba)
HERRING
SURVEYING
& COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@leamcash.com



**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 APPLICATION 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Applicant agrees to submit an original with all final revisions in both paper and electronic format to the Community and Economic Development Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Material is submitted at least fourteen (14) days prior to Planning Commission meeting at which it is desired to be considered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Original copy contains names and locations for duly acknowledged and notarized signatures of the owner(s) of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Final Plat is drawn at scale of at least 1" = 200'	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Size of sheet on which final plat is prepared is at least 36 inches by 24 inches. If more than one sheet required, all are same size and index map is provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. FINAL PLAT CONTAINS:			
A. Name of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
B. Location, including section, township, range, county and state	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
C. Location and description of existing monuments or benchmarks.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D. Location of lots and blocks with dimensions in feet and decimals of feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
F. Clear numbering for all lots.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
G. Clear numbering or lettering.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
H. Locations, widths and names of all streets and alleys to be dedicated. (If applicable)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I. Boundaries and descriptions of any areas other than streets to be dedicated or reserved for public use. (If applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. Minimum area and associated minimum elevation for the building on each lot (building site). (If requested by Planning Commission)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Final Plat Checklist

Page 2

		<u>YES</u>	<u>NO</u>	<u>N/A</u>
K.	Building setback lines along all streets, with dimensions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
L.	Name, signature, seal of licensed engineer or registered land surveyor preparing plat.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
M.	Scale of plat, (shown graphically) date of prep and north point.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
N.	Statement dedicating all easements, streets, alleys and all other public areas not previously dedicated.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8.	A copy of any restrictive covenants applicable to the subdivision is provided. (If applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 are intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors, tenants and servants.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
C.	Certificate of responsibility by registered land surveyor preparing final map, accompanied by seal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
D.	Certificate(s) signed by City Clerk and County Treasurer that all taxes and special assessments due and payable have been paid.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
E.	Notary acknowledgement in form shown in Subdivision Regulation (Pg. 10).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
F.	Endorsement by Planning Commission in form shown in Subdivision Regulations (Pg. 10).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
G.	Public use acceptance by Governing Body in form shown in Subdivision Regulation (Pg. 10, 11).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Mr. Roger Aberle from Hiawatha, KS – Real Estate Agent for the property at 147th and 4-H road. Mr. Aberle was just wanting to be here to learn. He stated that he has no opinions, just wanted to listen, and get an idea of how these things work.

Mr. Barry closed the public hearing at 7:16 pm.

Mr. Geis needed clarification regarding that the applicant will waive the right to protest and asked if that is something that stays with the property, or when its sold, will it no longer be applicable. Mr. Schmitz stated it would only be applicable to the applicant. Mr. Schmitz stated that generally, the way the benefit district works, it's always better to do a road project before there is a development there. Mr. Geis stated that when you develop the benefit district, no one has a say in the matter, unless they protest.

Mr. Schmitz stated that the city can do benefit districts for any city owned infrastructure, but Lansing has never done peripheral roads. The major benefit to doing this for the city is that we can bond it and spread the payments over 20 or 25 years, and we have a dedicated source of income for that bond, which keeps the bond rates lower.

Mr. Geis made a motion that we send a recommendation for approval based upon the language in the report, Mr. Kowalewski seconded it. Motion passed 7-0.

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.

Mrs. McDougal inquired about the alley that used to be there and asked if it is being vacated, and Mr. Schmitz stated that it is already vacated.

Mr. Geis made a motion that it is approved subject to the conditions in the staff report, being that it gets signed before being sent to city council. Mrs. McDougal seconded it. Motion passed 7-0.

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.

Mr. Barry outlined the steps for the site plan if it is approved by the planning commission. The applicant will need to resubmit a completed site plan based on the items in the staff report. Once Staff receives the updated Site Plan, Staff would then review building plans, and issue a building permit, after review of the revised site plan.

Mr. Geis was asking if there was a storm inlet in the low area. Mr. Schmitz stated that the basin will be owned and maintained by the city.

Mr. David Lutgen – 1554 Elm St in Basehor KS, is the civil engineer on the project. Regarding the curb, he stated they moved the curb far enough North so that it was all on the applicant's property. There is a 5-foot gap on the South side and there will be a curb inlet that future development to the south can tie into. Mr. Schmitz stated that there is additional grading work needing to be done on the south, but that property owner has agreed to allow a temporary construction easement to facilitate the project.

Mr. Barry inquired about the fire hydrants/access and if its already there. Mr. Schmitz stated that there is already water access in town center.

Mr. Geis motioned to approve, subject to the corrections being made per the staff report. Mr. Kowalewski seconded it. Motion passed 7-0.

AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Matthew R. Schmitz, Director, Community & Economic Development
DATE: August 5, 2021
SUBJECT: Family Eye Care Site Plan (Information Only) – 301 Centre Dr.

MRS

Explanation: Family Eye Care presented a Site Plan for Lot 2, Lansing Towne Centre, 2nd Plat which was approved at the Planning Commission on July 21st by a 7-0 vote. There are revisions needed to the Site Plan, but Staff wanted to provide information to the Council on the concept and approved Site Plan. The Planning Commission approved the plan subject to those revisions being completed before any building permit could be issued.

The Staff Report, Site Plan with City Comments, Preliminary building plans, and meeting minutes have been attached for reference.

Policy Considerations: None.

Action: None – Information Item only.

AGENDA ITEM

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

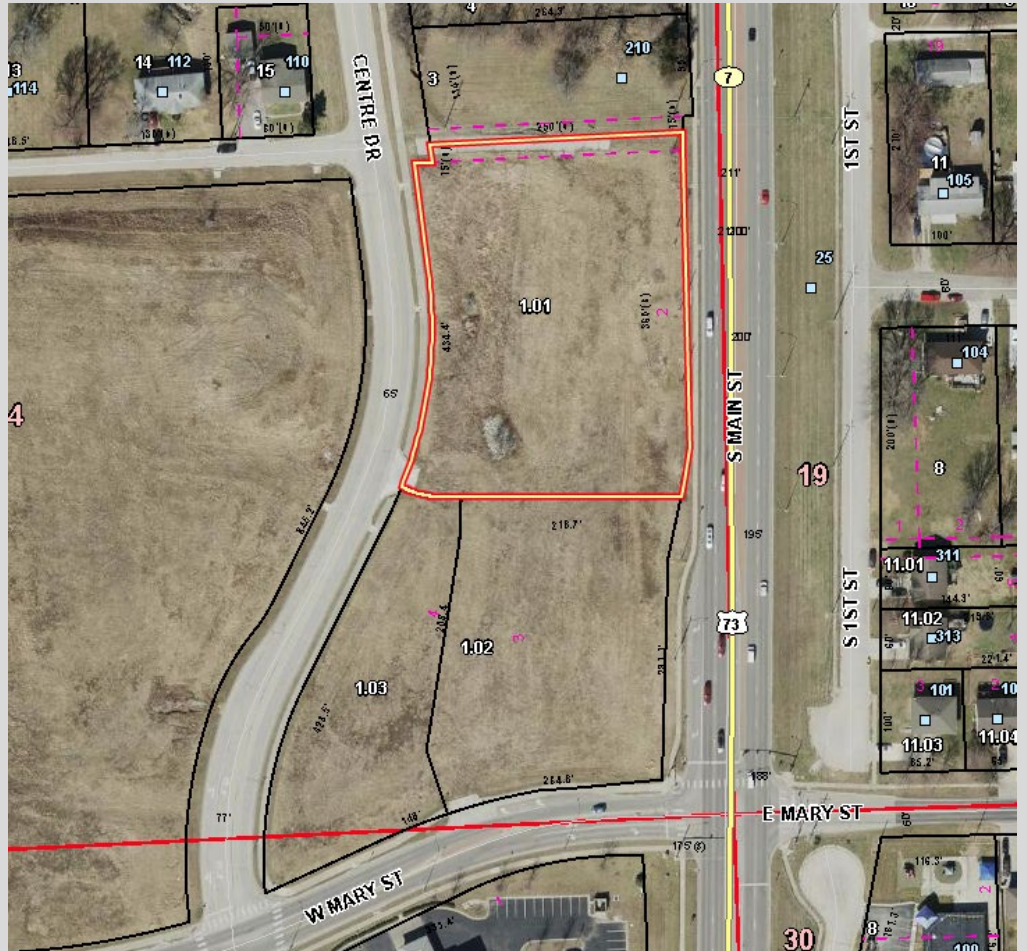
91,497.77 SF (2.10 acres)

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:

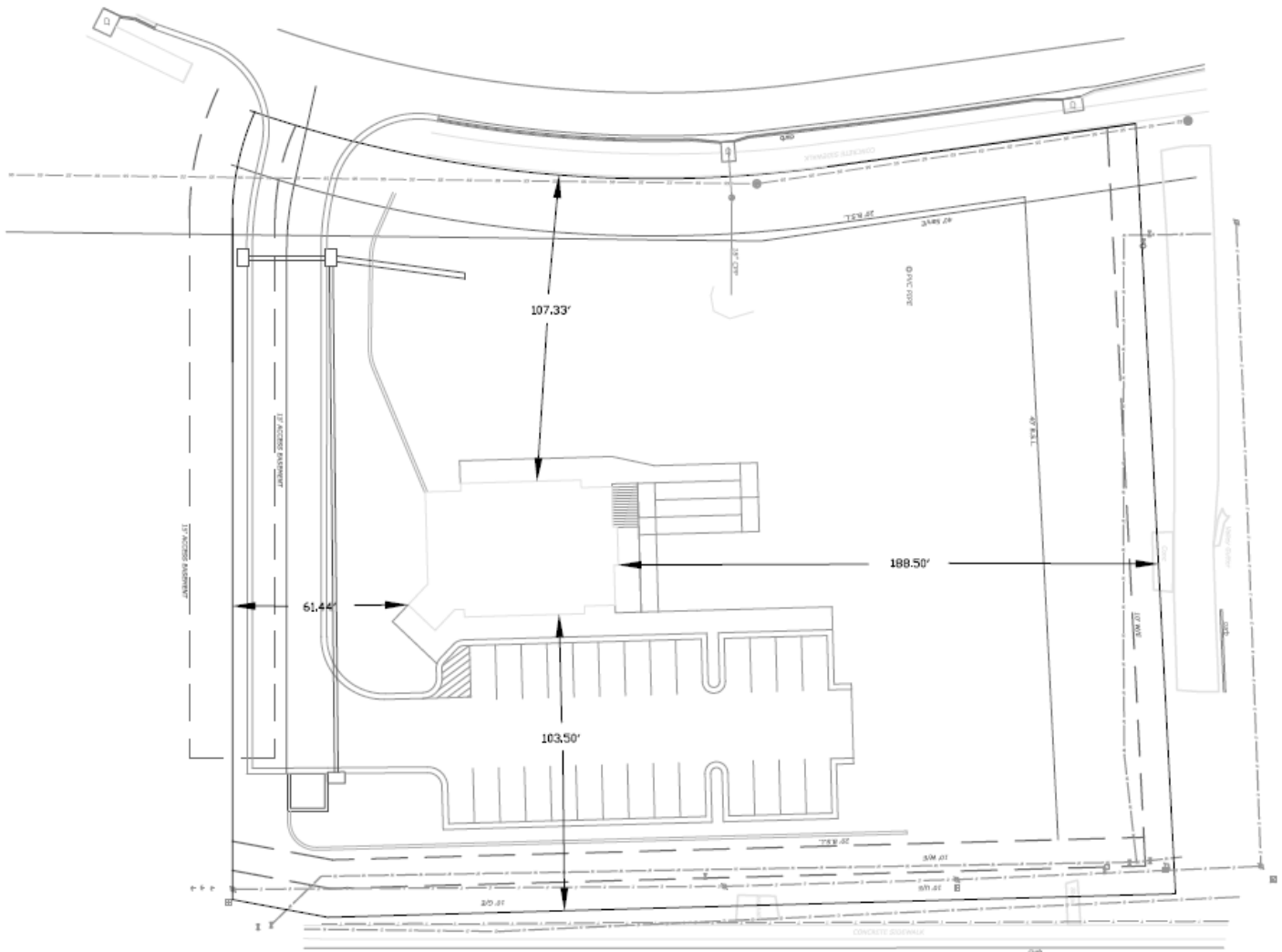
- There are no sewer taps on the line segment that crosses this property, so they will need to install a new factory tee with strongback phernco's per the City's specifications. This specification, SD 30-4, will be provided to the Engineer upon request.

Sewer in the area:



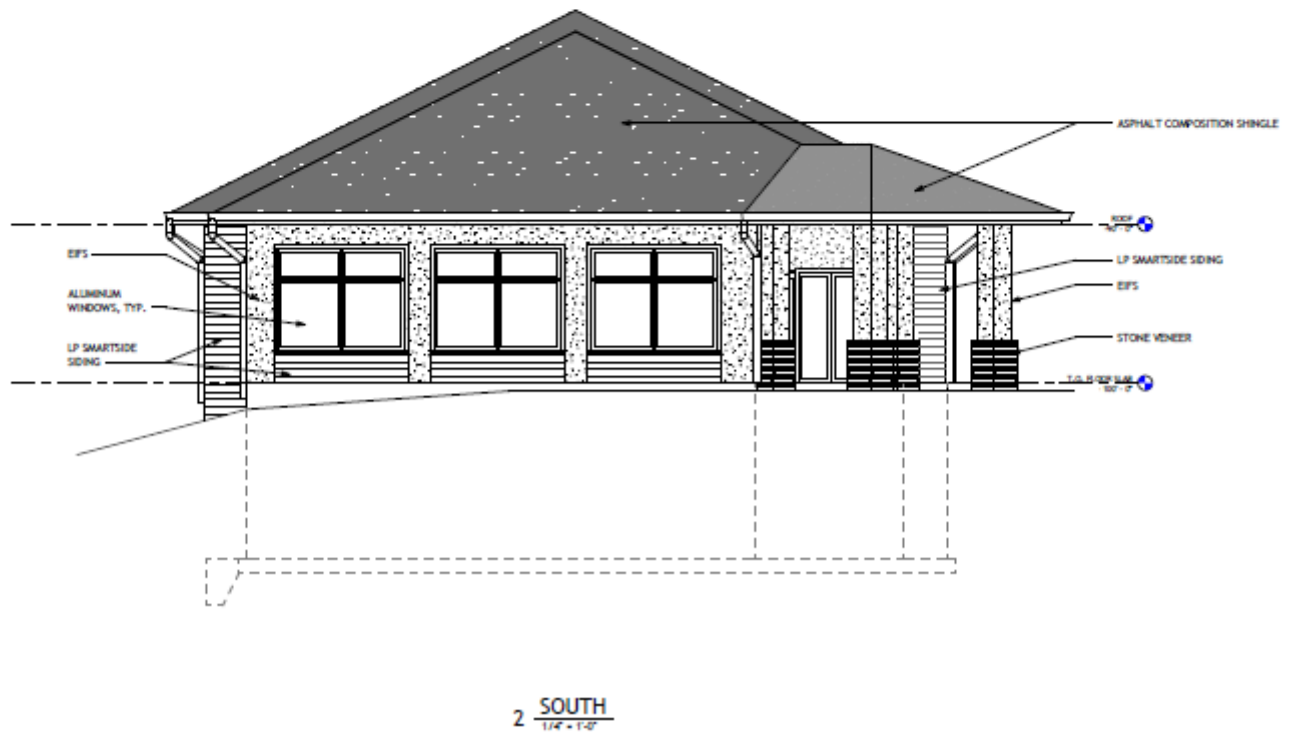
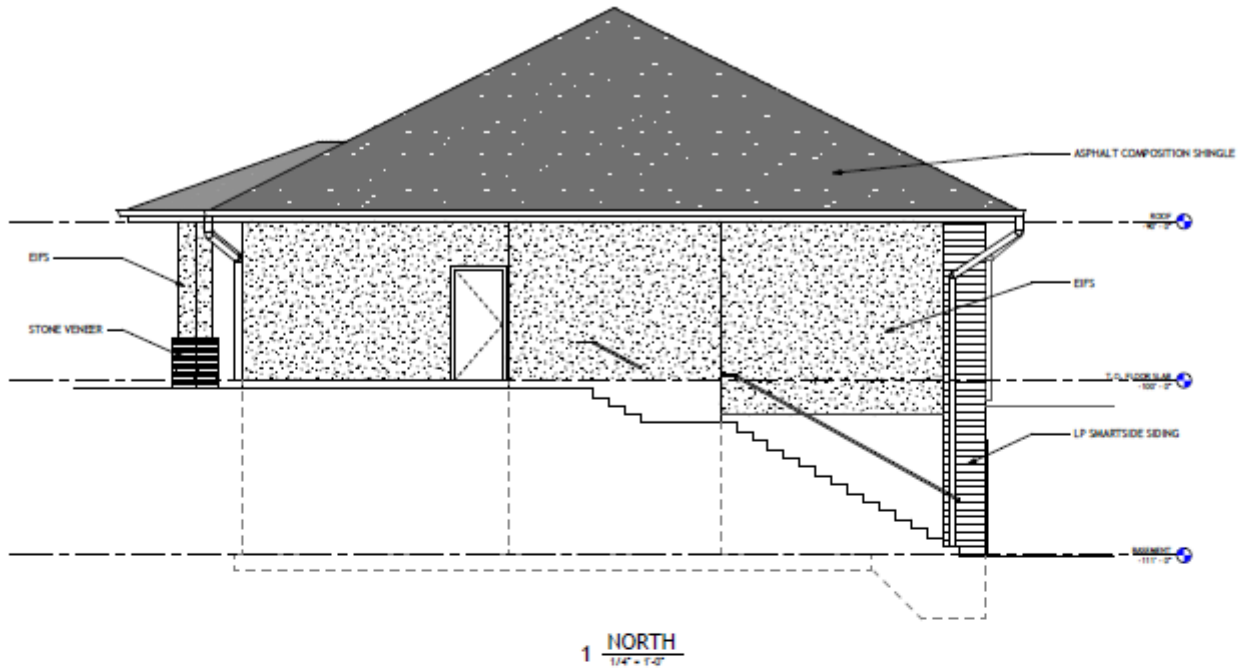
Building Site Plan

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 By	Date on Document
1	Title Sheet	DL	None Shown
2	Existing Conditions	DL	None Shown
3	Demolition Plan	DL	None Shown
4	Site Plan (Misabeled 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

STATE OF KANSAS
LANSING KANSAS
LANSING FAMILY EYE CENTER

Sheet Index

1. Title Sheet
2. Existing Conditions
3. Demolition Plan
4. Site Plan
5. Site Dimensions
6. Access Road
7. Grading Plan
8. Storm Sewer Plan & Profile
9. ADA Ramp
10. Retaining Wall East
11. Retaining Wall West
12. Landscaping Plan
13. Utilities
14. Details
15. Details

Where are the detail sheets?

UTILITY COMPANIES

Kansas One-Call 1-800-DIG-SAFE

Sanitary Sewer – City of Lansing

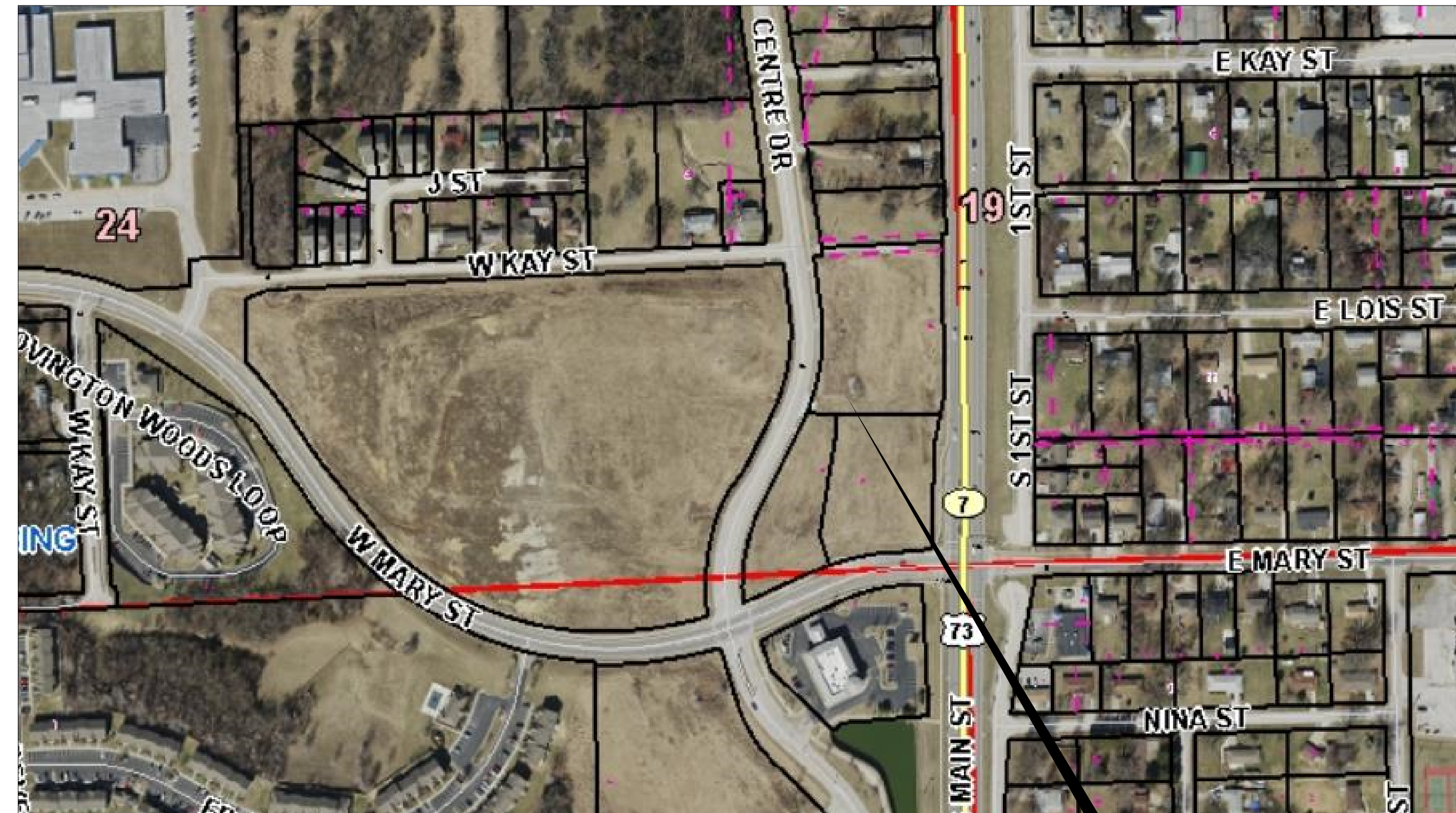
Water – Landel

Electricity – Evergy

Natural Gas – Kansas Gas Service

Phone - AT&T

Storm Sewer - City of Lansing



PROJECT LOCATION



Owner:

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

Engineer: David Lutgen
15554 Elm Street
Basehor, KS 66007

Signed Sealed Set?

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 unloading areas as applicable.
- Add callout for current and proposed zoning

Released For Construction

Date _____

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

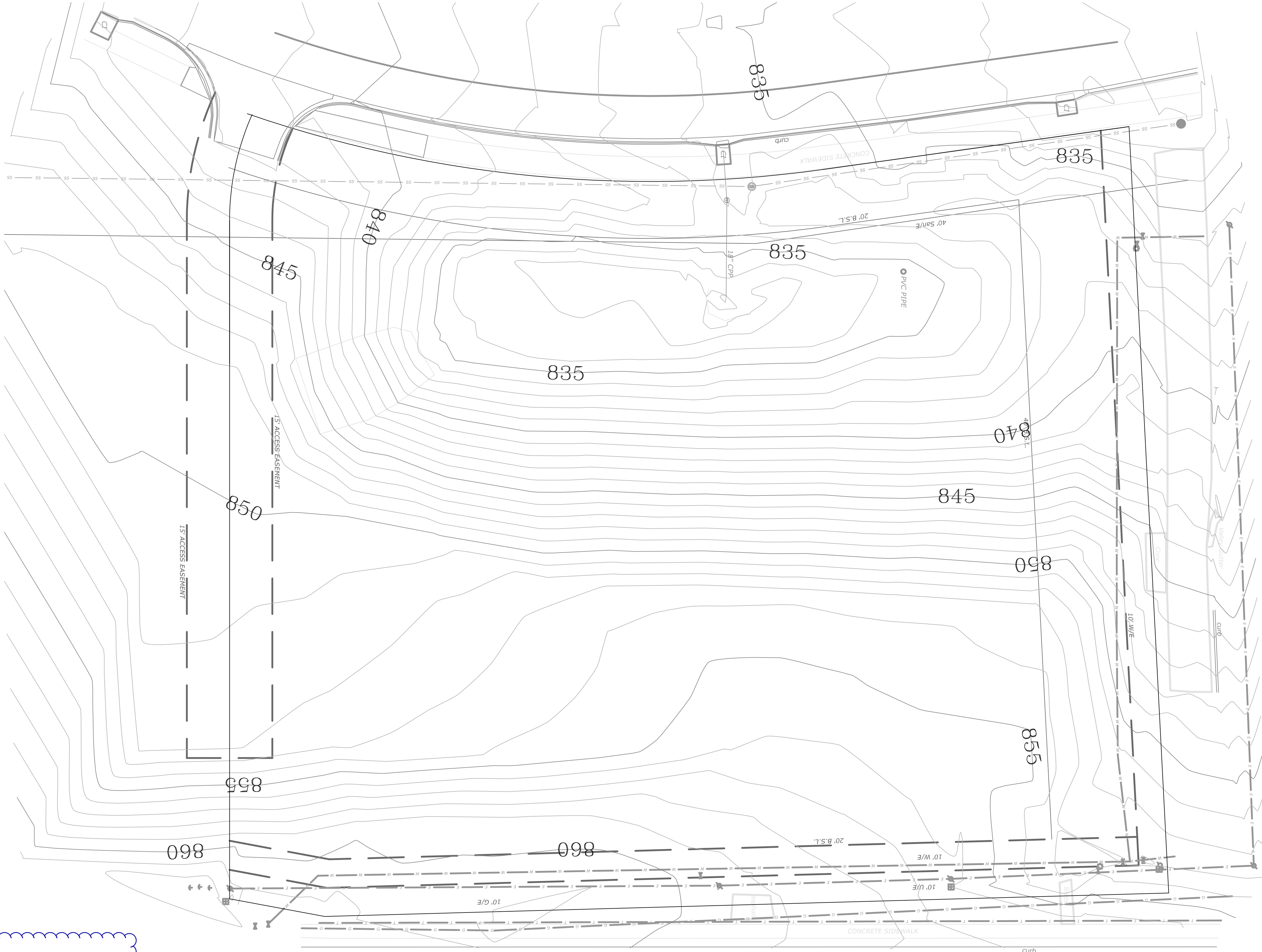
07/15/2021 10:02:44 AM
By mschmitz

LANISING FAMILY EYE CENTER

TITLE SHEET

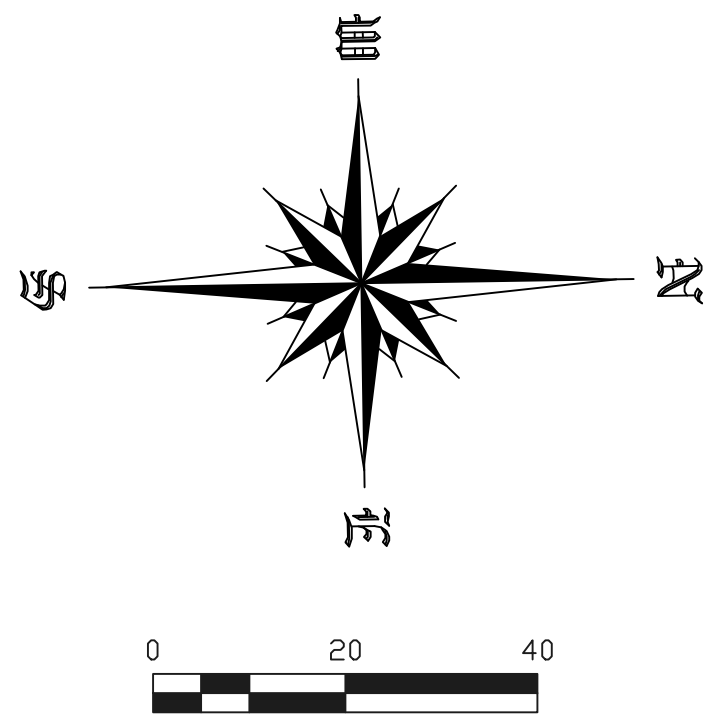
SHEET NO.

1 OF 15

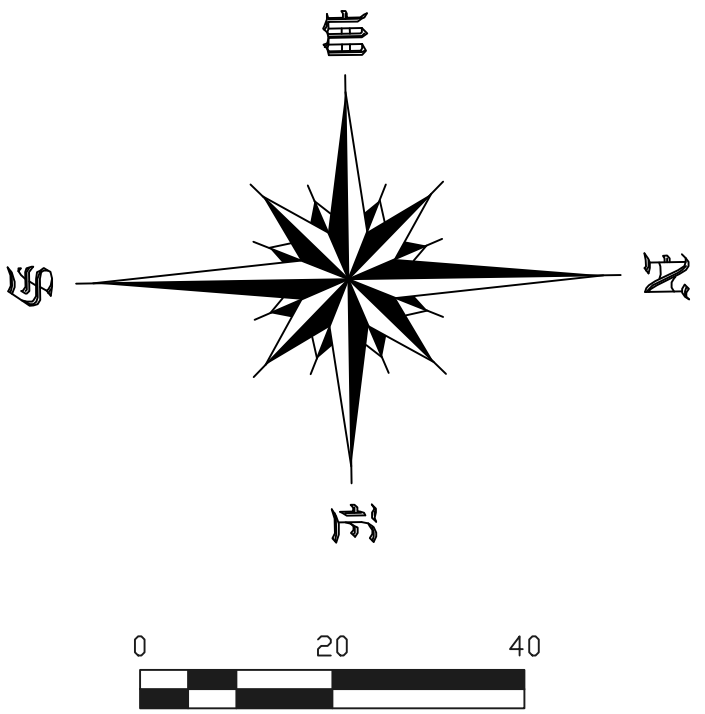
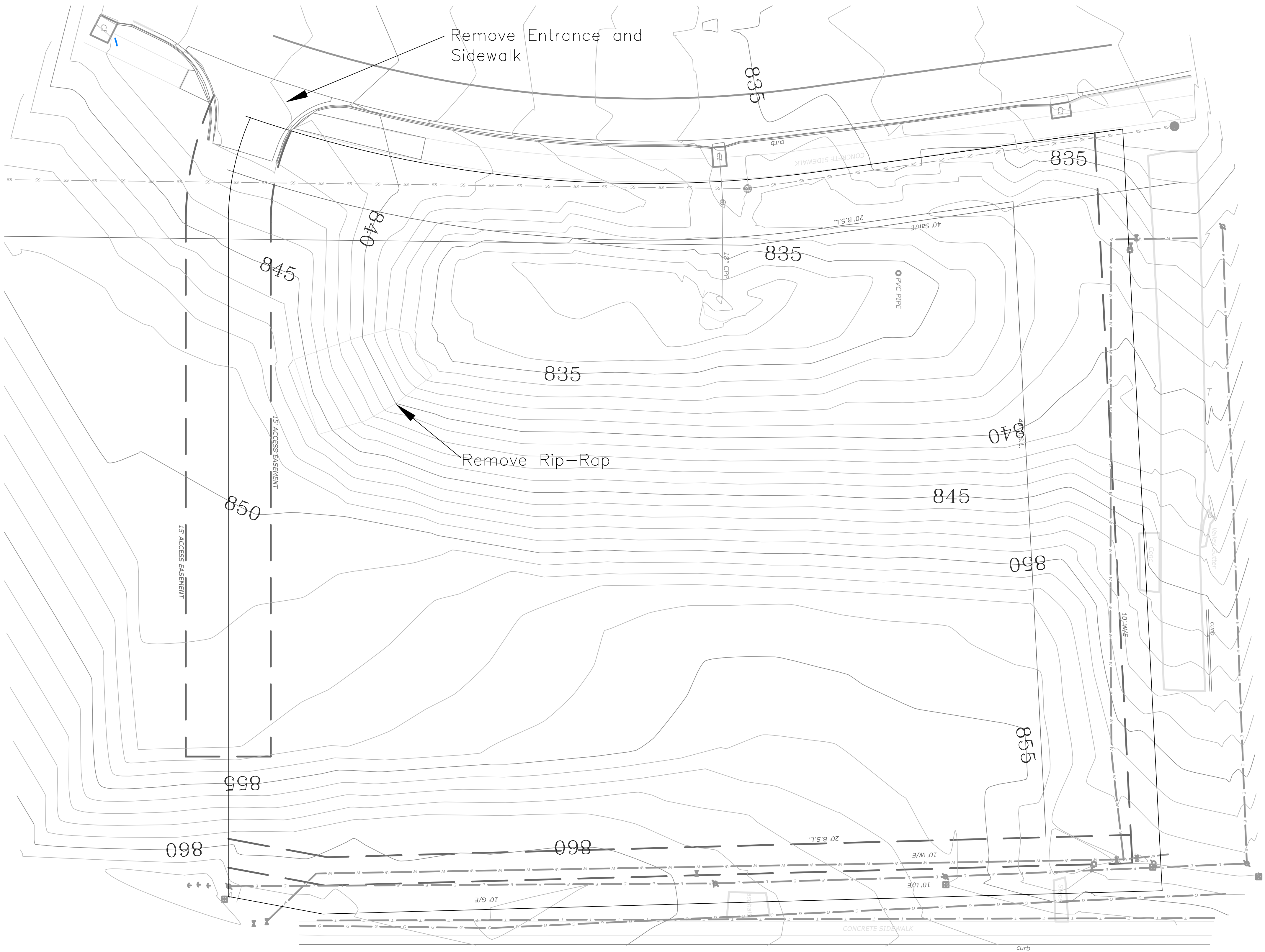


Add following items:

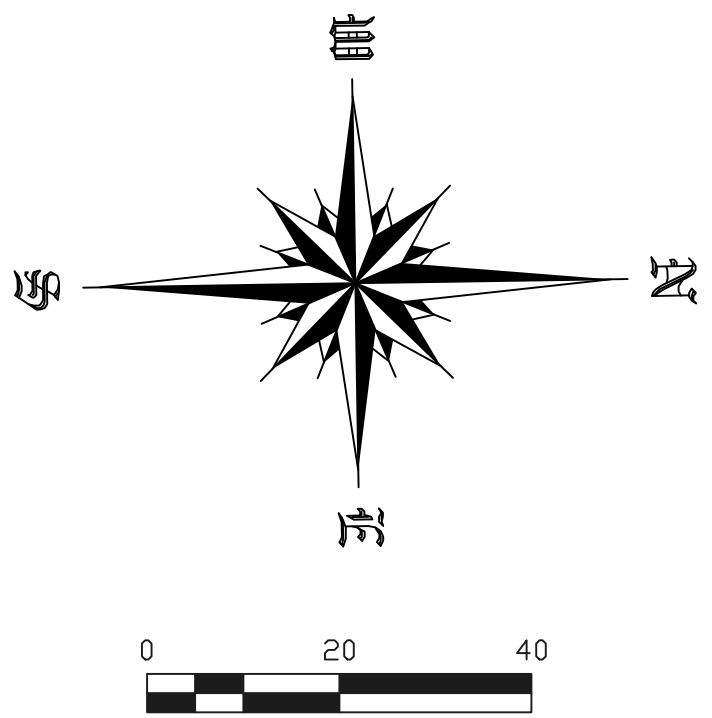
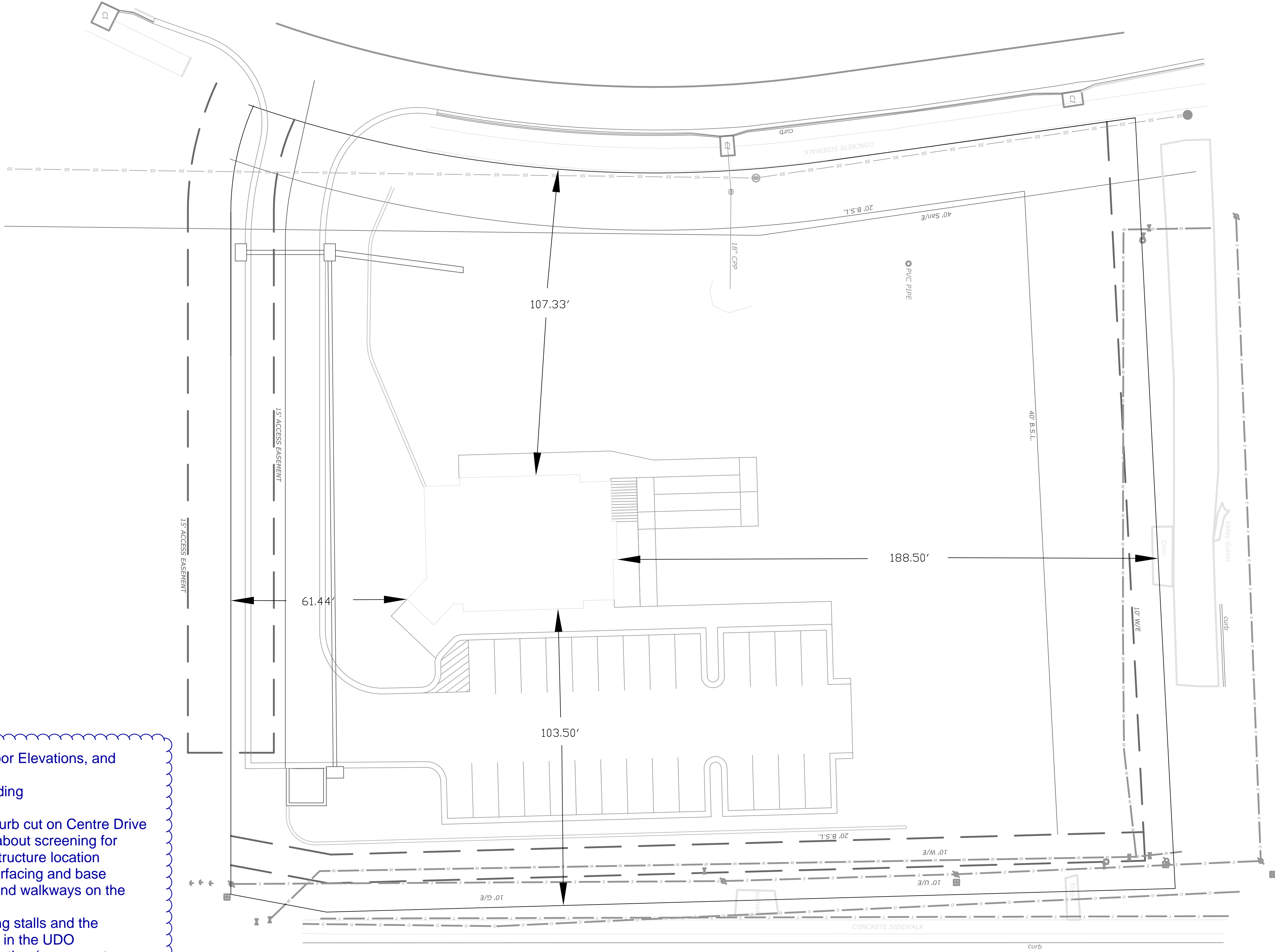
- Labels for all existing lot lines, easements, and right of -way as well as dimensions for all items



SHEET NO. 2 OF 15	LANSING FAMILY EYE CENTER	Designed By _____ Drawn By _____ Checked By _____ Issue Date: _____ Job No. _____	5 _____ 4 _____ 3 _____ 2 _____ 1 _____	NO. _____ DATE _____ REVISIONS _____ BY _____ APP'D _____
	EXISTING CONDITIONS			



LANSING FAMILY EYE CENTER		Designed By	5	
		Drawn By	4	
		Checked By	3	
		Issue Date	2	
		Job No.	1	
DEMOLITION PLAN		NO.	DATE	REVISIONS
		BY		
		APP'D		
SHEET NO.		3 OF 15		



- Add square footage, Finish Floor Elevations, and number of stories to this sheet
- Add overall dimensions of building
- Add entrance point call outs
- Add dimensions of proposed curb cut on Centre Drive
- Add dimensions / information about screening for trash structure and label trash structure location
- Add notes about the type of surfacing and base course for all parking, loading, and walkways on the site.
- Add number of provided parking stalls and the required parking stalls as stated in the UDO
- Add add proposed signage location (monument signage, on-site signage, etc.)
- Add signage plan for building itself
- Add site lighting to this sheet, and ensure that it meets the requirements of the UDO (Section 6.05 - Outdoor Lighting)

LANDSCAPING PLAN

LANDSCAPING PLAN

DESIGNED BY _____

DRAWN BY _____

CHECKED BY _____

ISSUE DATE: _____

JOB NO. _____

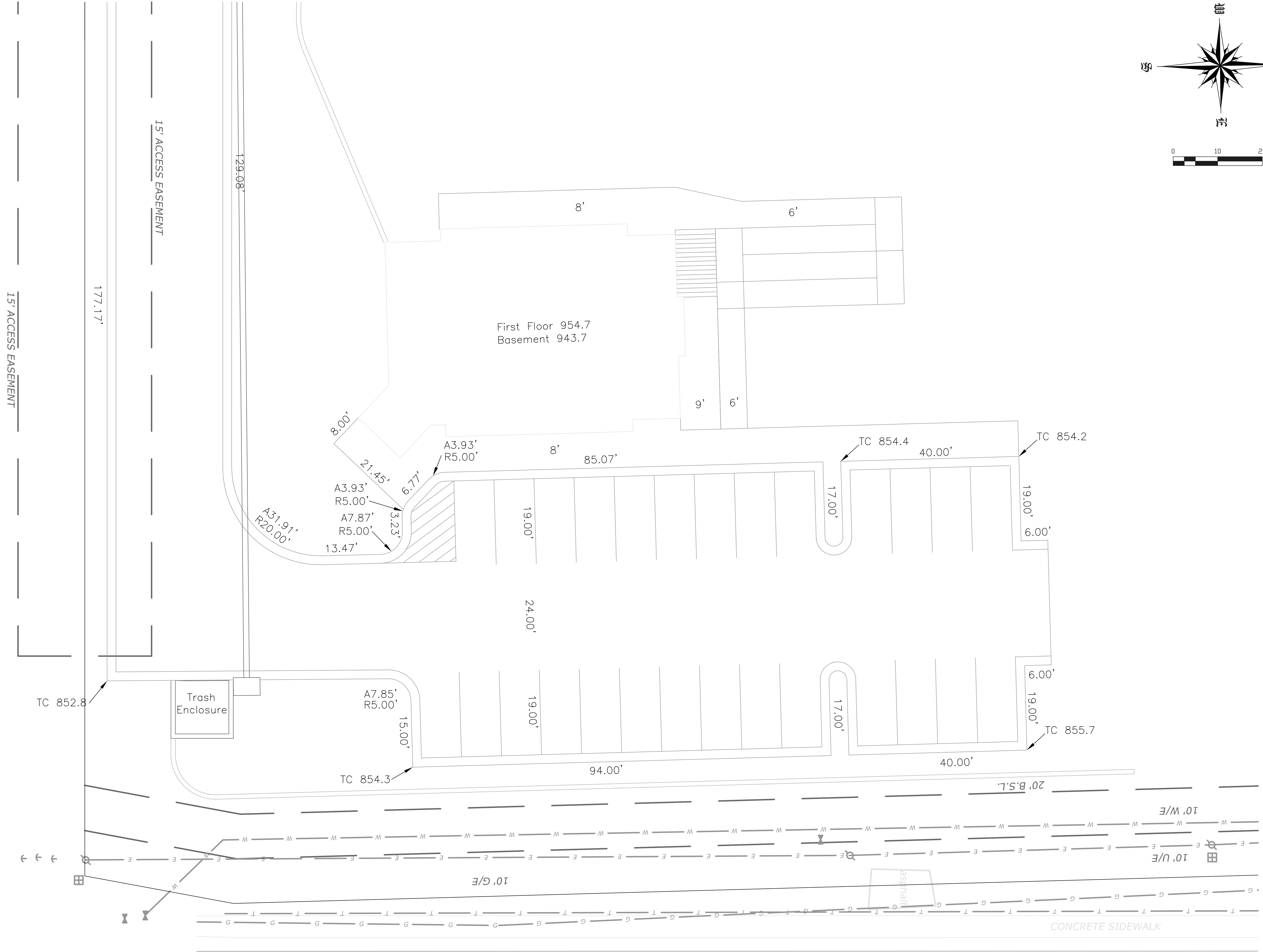
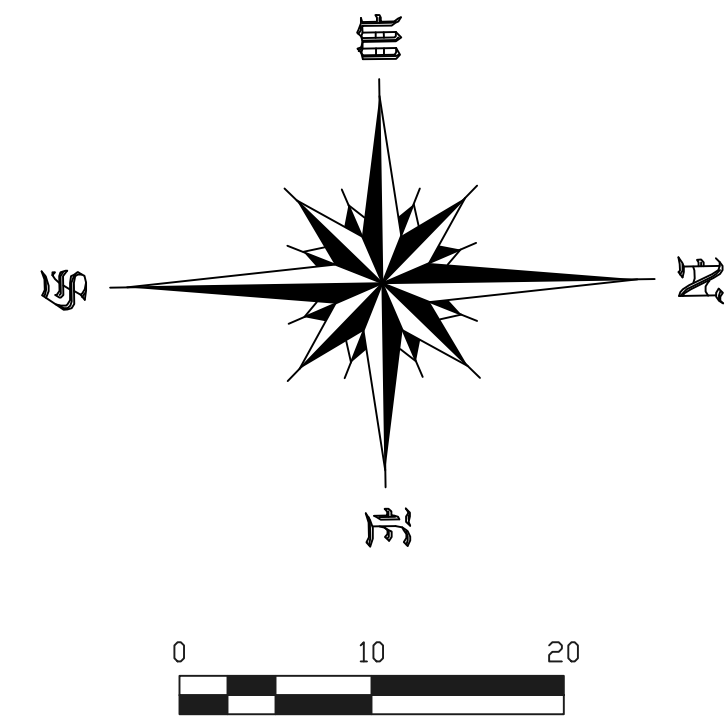
SHEET NO. 4 OF 15

NO. _____ DATE: _____

REVISIONS _____

BY _____

APPROD _____

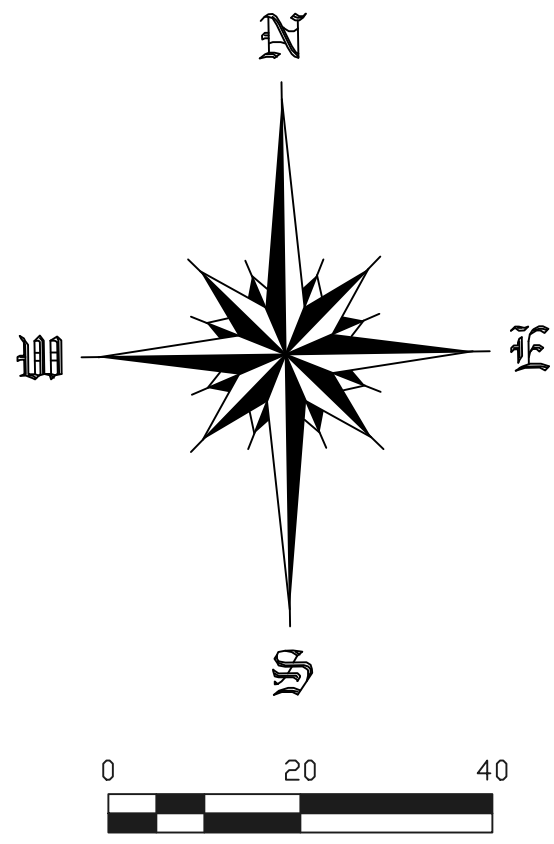
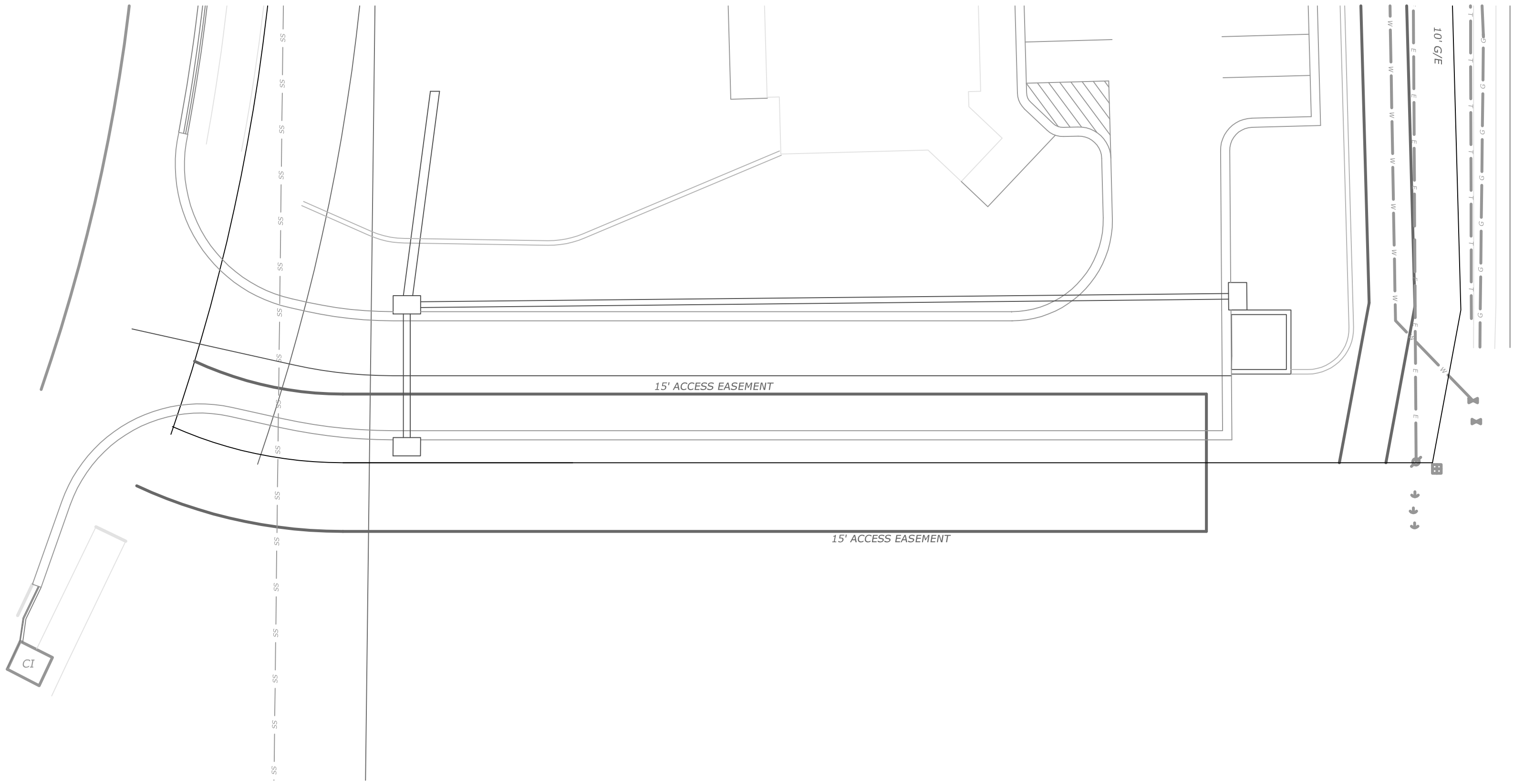
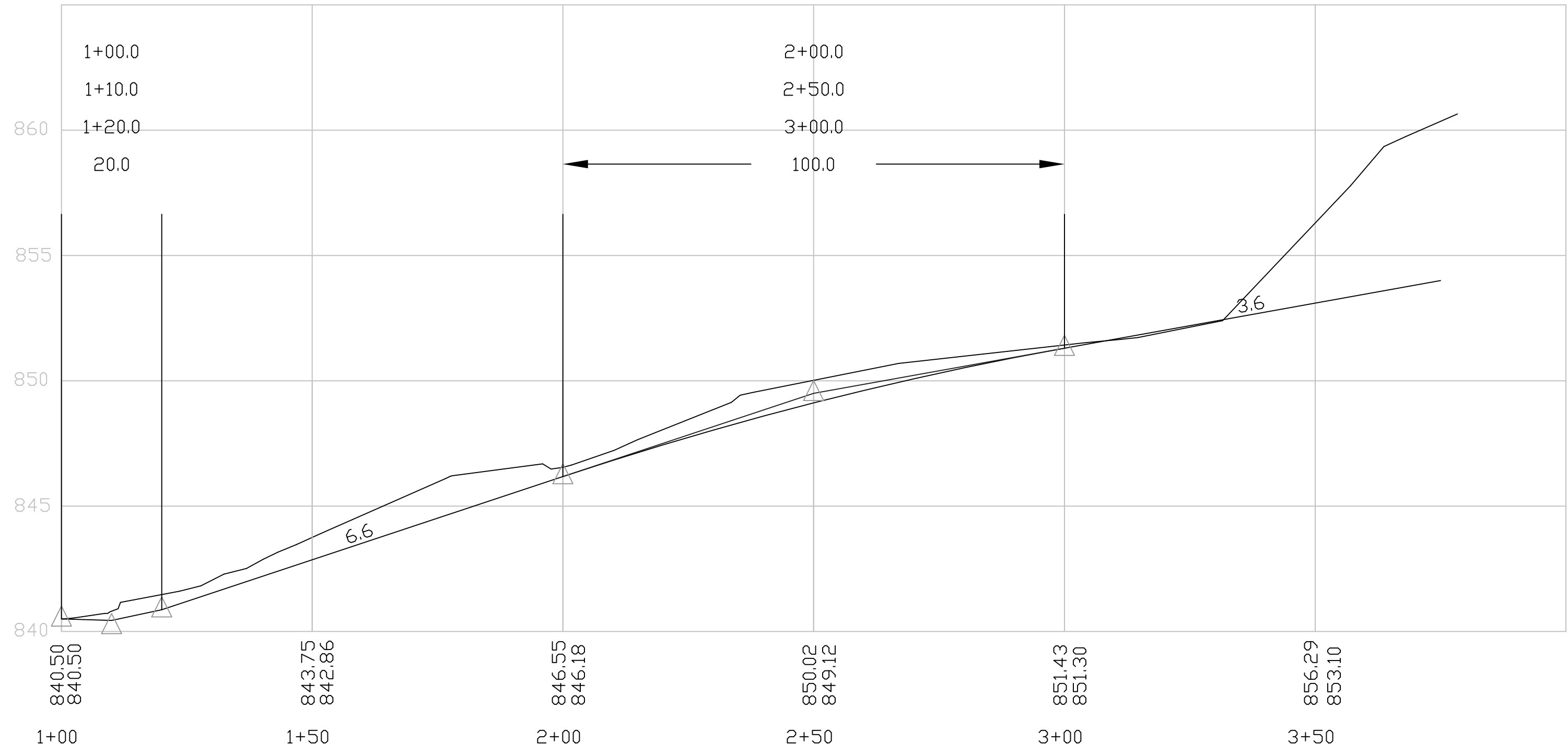


Designed By _____	3	
Drawn By _____	3	
Checked By _____	2	
Issue Date: _____	1	
Job No. _____	NO. DATE	REVISIONS
		BY APP'D

LANSING FAMILY EYE CENTER

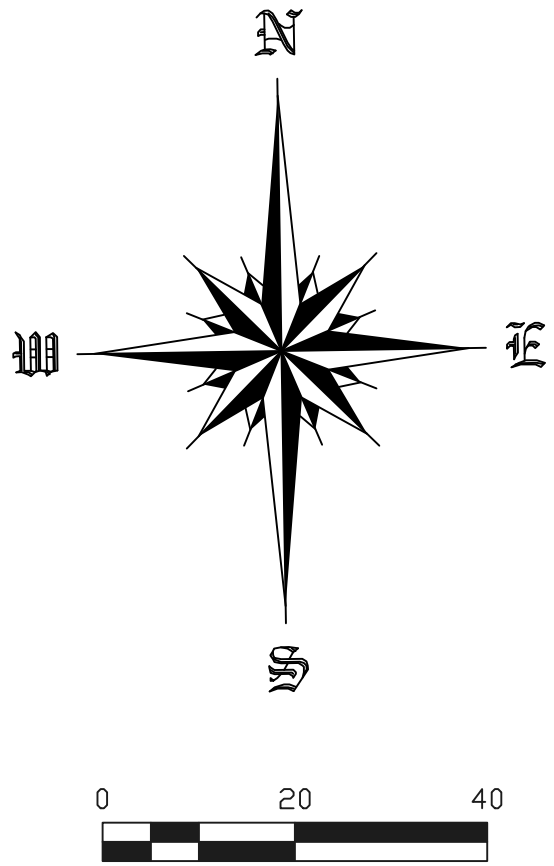
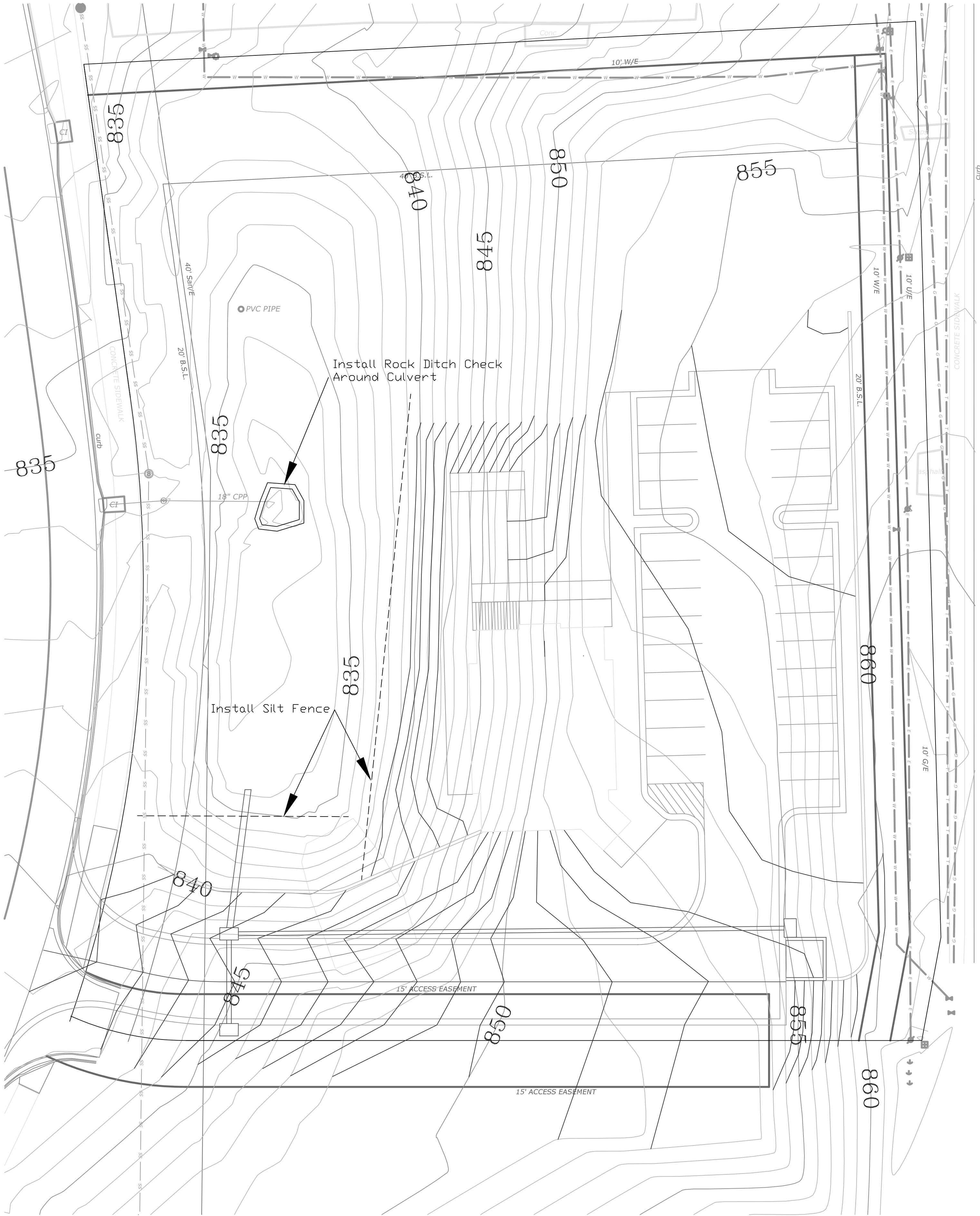
SITE DIMENSIONS

SHEET NO.
5 OF 15

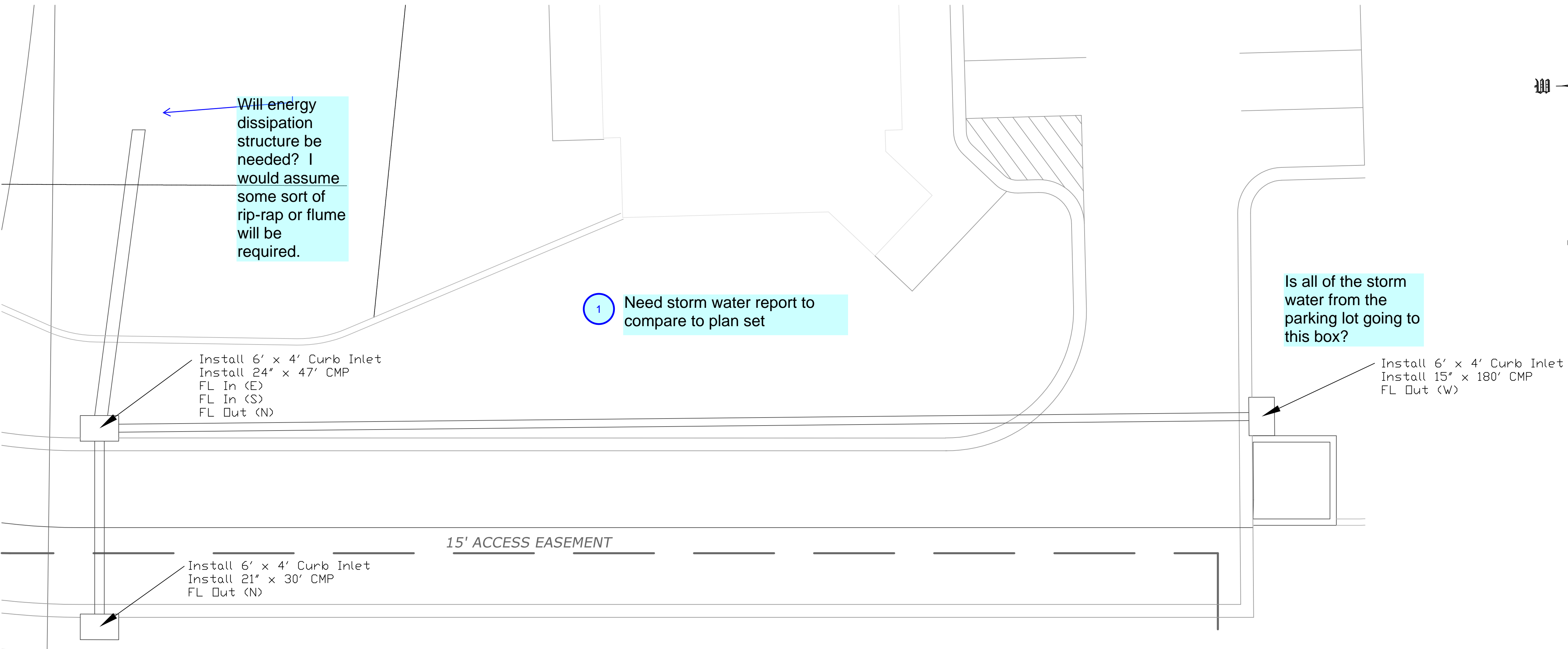
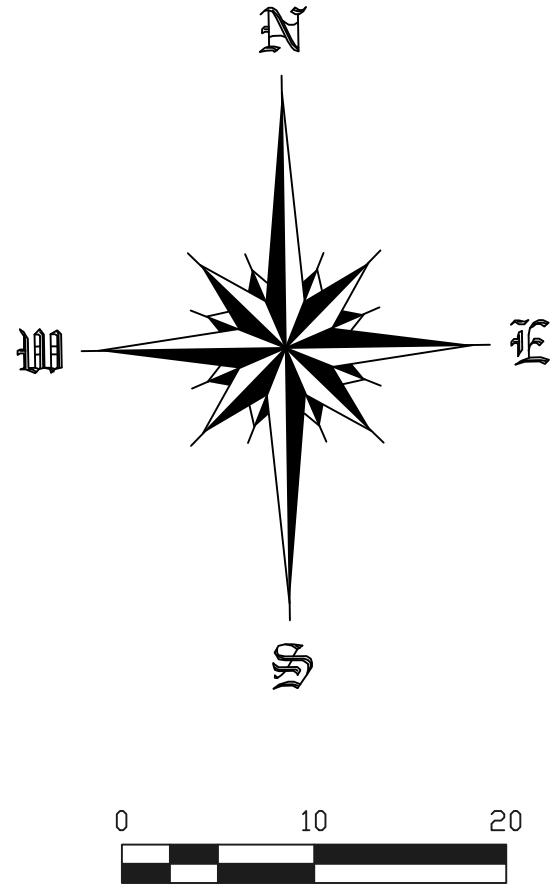


SHEET NO. 6 OF 15		LANSING FEC ACCESS ROAD		Designed By: _____	5	REVISIONS		BY	APP'D
				Drawn By: _____	4				
				Checked By: _____	3				
				Issue Date: _____	2				
				Job No. _____	1				
					NO.	DATE			

- Add contour labels that are more appropriately sized so that plan can be read more easily.
- Add dimensions for parking lot and sufficient spot elevations to the plan to demonstrate proper drainage of the parking lot / etc.

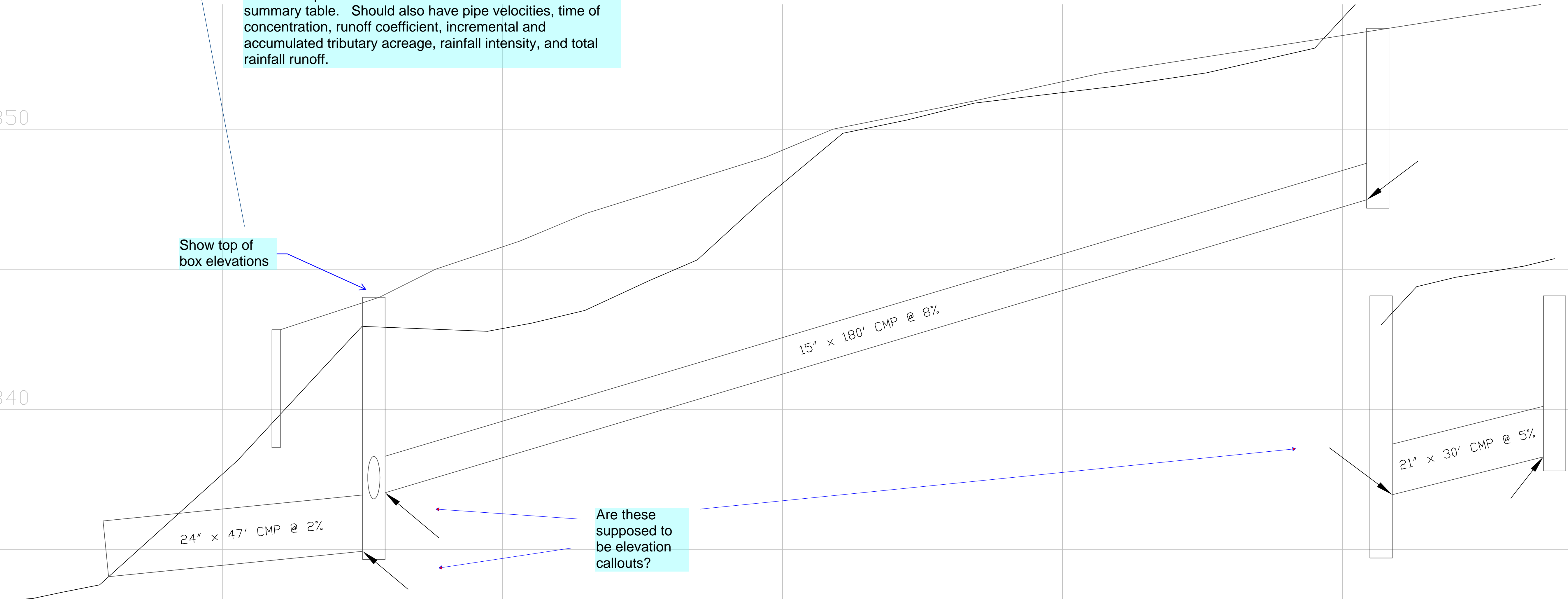


SHEET NO. 7 of 15	LANSING FEC GRADING PLAN		Designed By	5	REVISIONS	BY	APP'D
			Drawn By	4			
			Checked By	3			
			Issue Date	2			
			Job No	1			



Per Tech Spec: Plans should include a calculation summary table. Should also have pipe velocities, time of concentration, runoff coefficient, incremental and accumulated tributary acreage, rainfall intensity, and total rainfall runoff.

Show top of box elevations



DESIGNED BY	DRAWN BY	CHECKED BY	ISSUE DATE	NO.	DATE	REVISIONS	BY	APP'D
5	4	3	2	1				

LANSING FEC	
STORM SEWER PLAN & PROFILE	

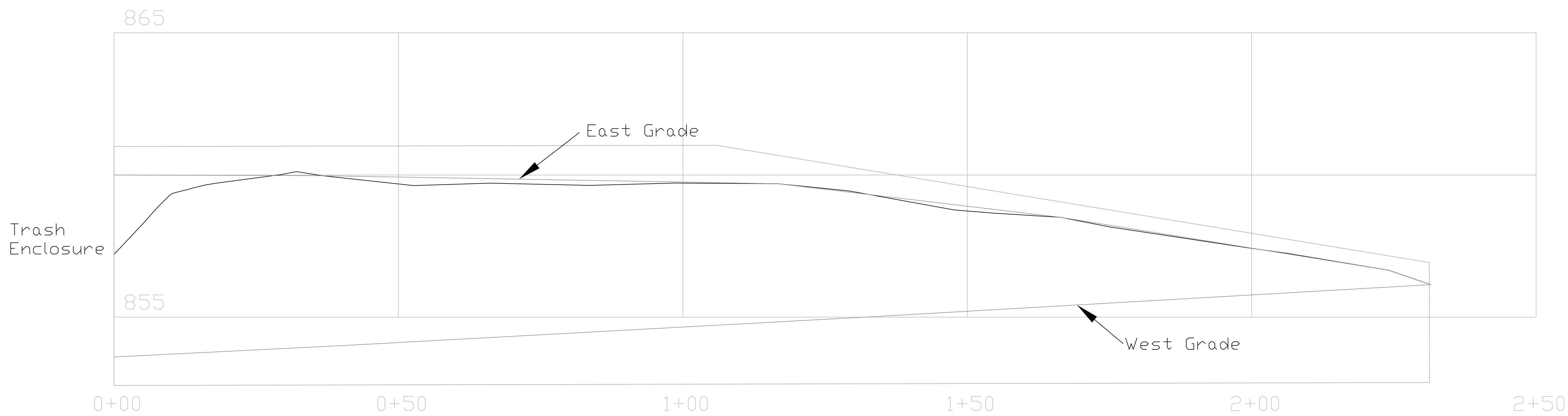
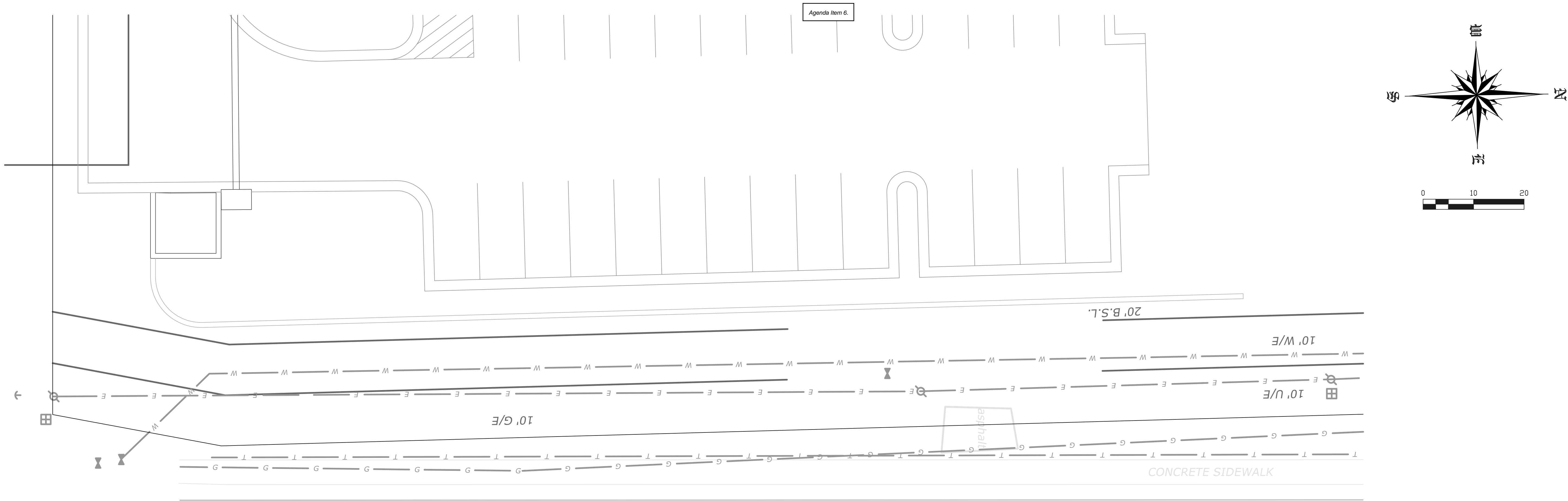
SHEET NO.
8 OF 15

Designed By	3			
Drawn By	4			
Checked By	3			
Issue Date	2			
Job No.	1			
	NO.	DATE	REVISIONS	BY
				APPRO'D

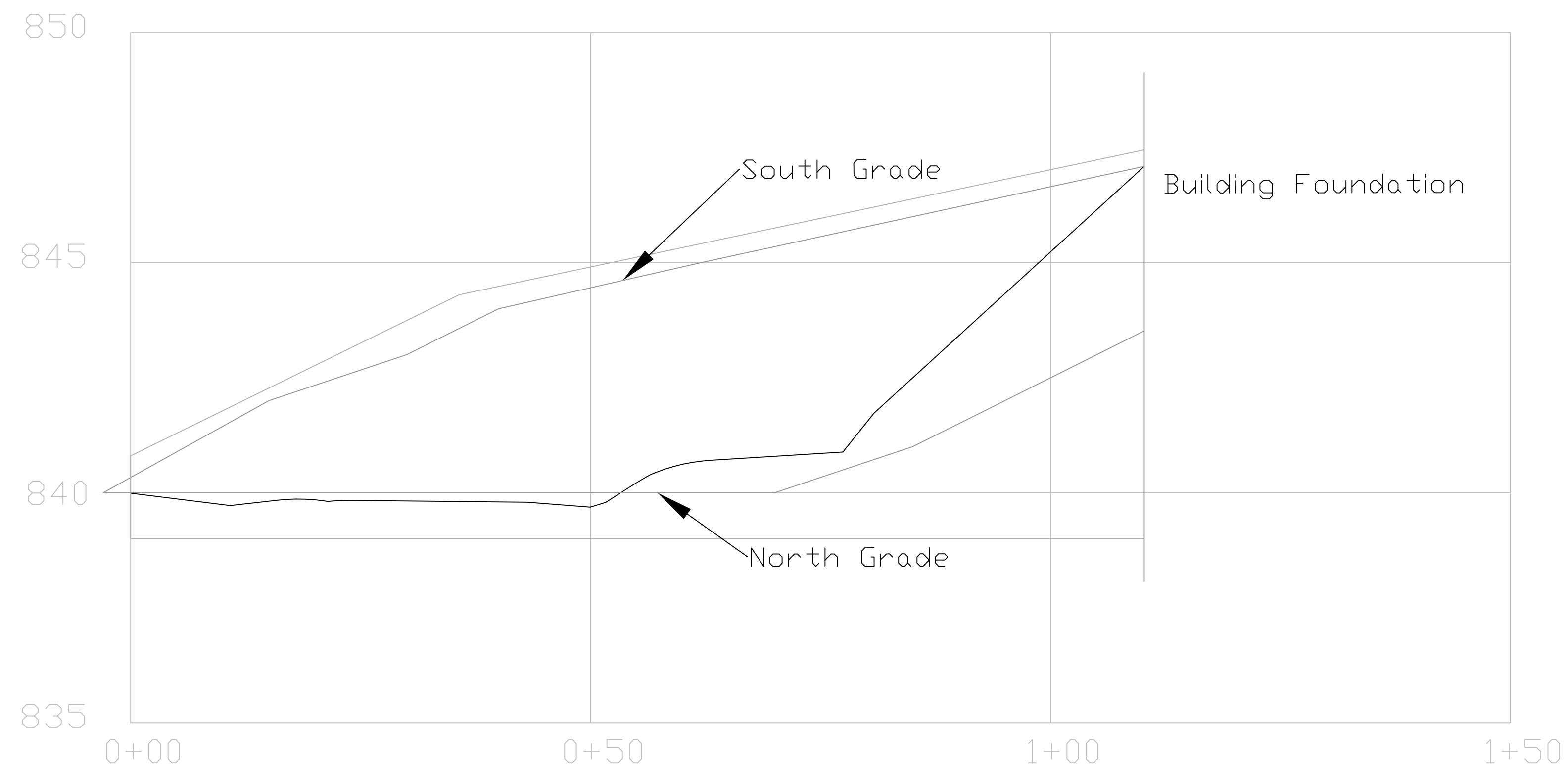
LANSING FEC

ADA RAMP

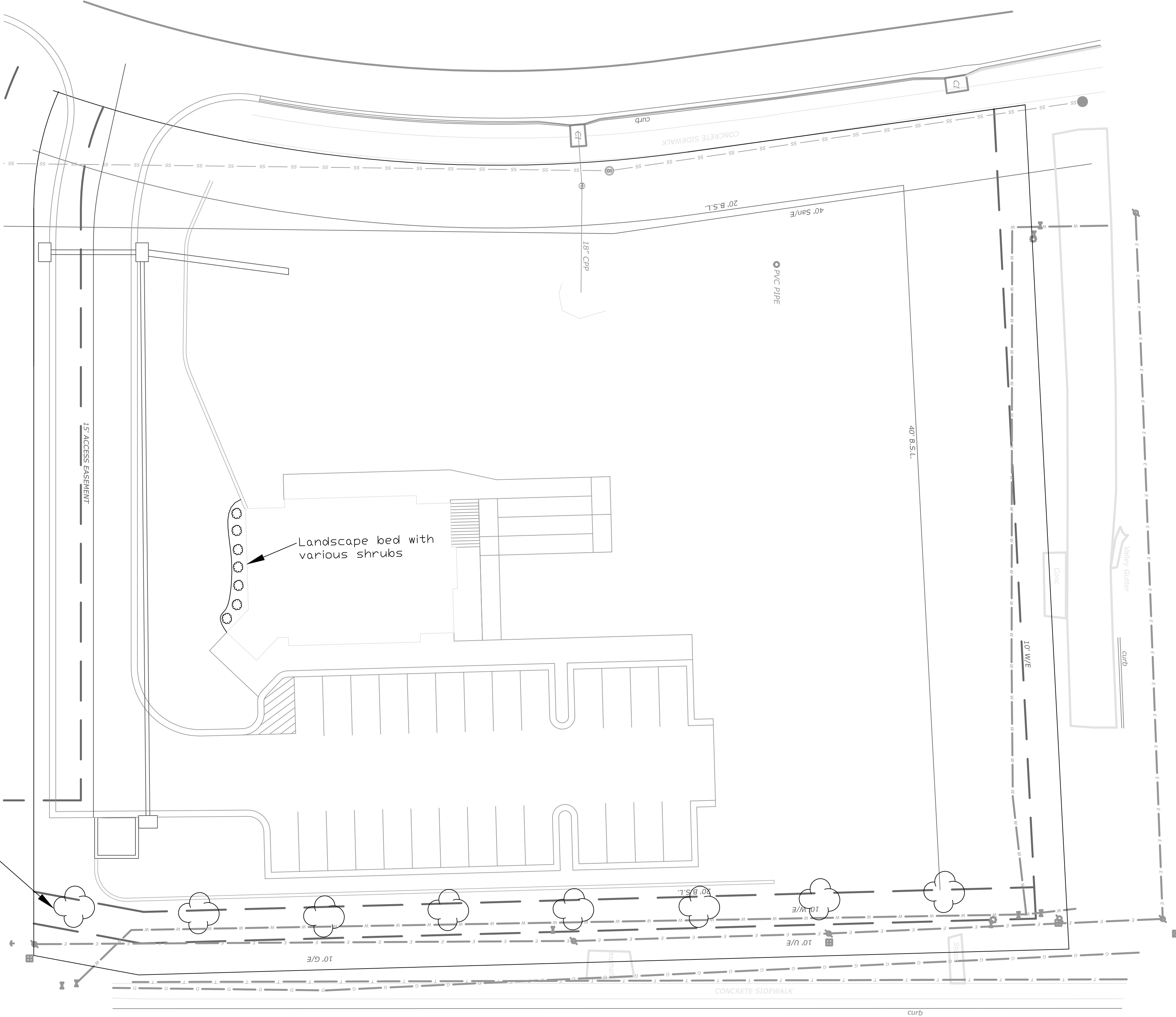
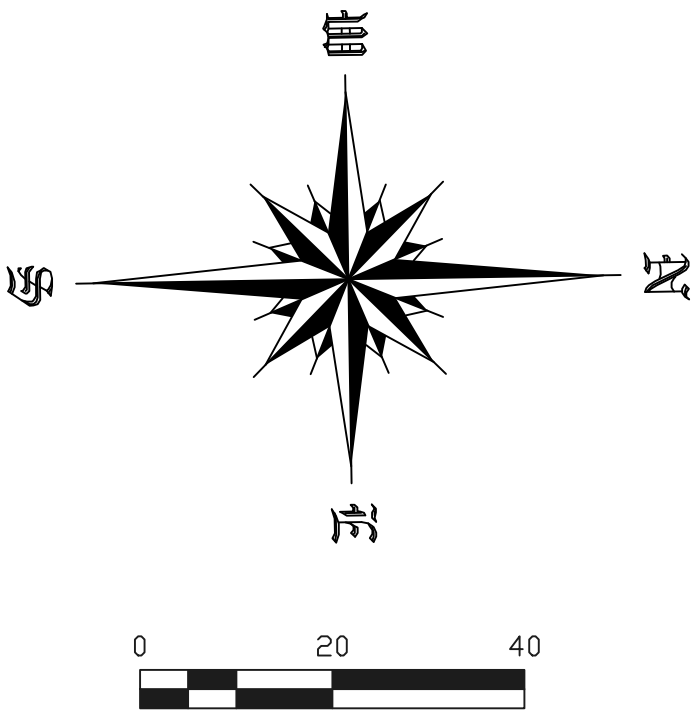
SHEET NO.
9 OF 15



SHEET NO. 10 OF 15	LANSING FEC	RETAINING WALL EAST	DESIGNED BY _____		5				
			DRAWN BY _____		4				
			CHECKED BY _____		3				
			ISSUE DATE: _____		2				
			JOB NO. _____		1				
			NO.	DATE		REVISIONS		BY	APP'D

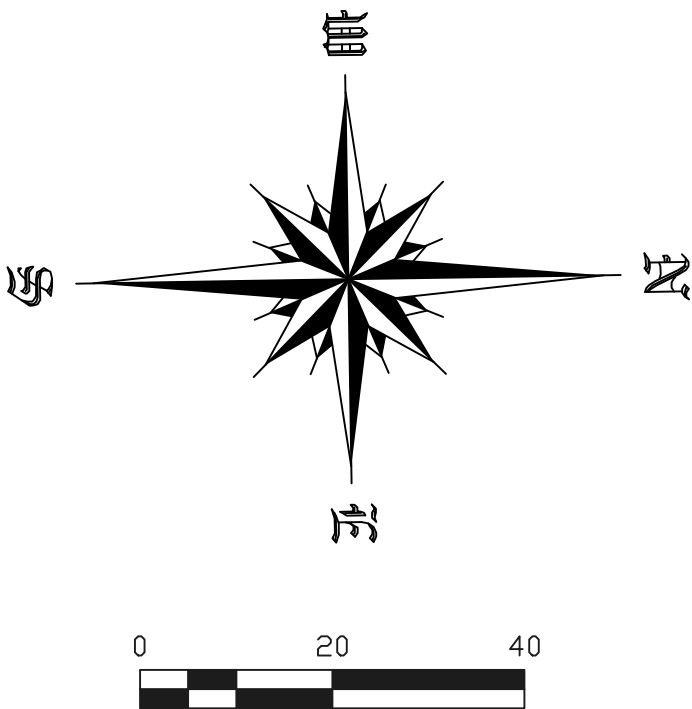


SHEET NO. 11 OF 15		LANSING FEC		RETAINING WALL WEST		5													
								Designed By				4							
								Drawn By				3							
								Checked By				2							
								Issue Date:				1							
								Job No.				NO.		DATE		REVISIONS		BY APP'D	



- Add boundary for detention basin (approx)
- Review the UDO regarding landscaping requirements to ensure compliance, specifically Page 6-2, Table 6-1 Plant Requirements.

SHEET NO. 12 of 15	LANSING FEC LANDSCAPING PLAN		Designed By	5	NO.	DATE	REVISIONS	BY	APP'D
			Drawn By	4					
			Checked By	3					
			Issue Date	2					
			Job No.	1					



- san. sewer system
- water supply system
- gas supply system
- electric supply system
- telecommunications system
- storm drainage system

LANGING FAMILY EYE CENTER

UTILITIES PLAN

BIDDING / PERMITTING SET - DATE

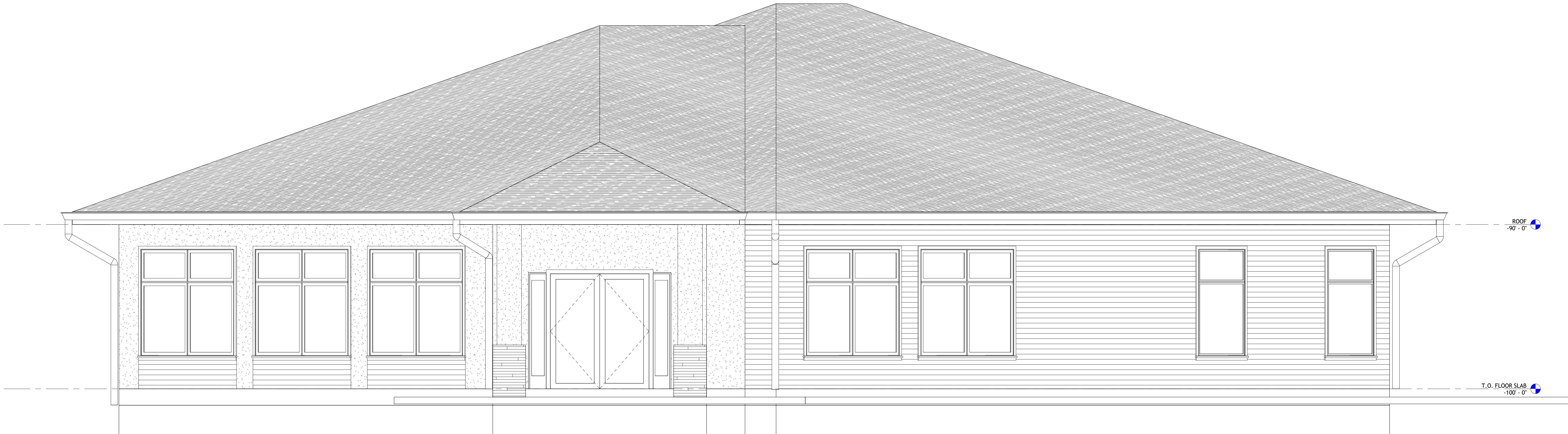
FAMILY EYECARE CENTER

ADDRESS

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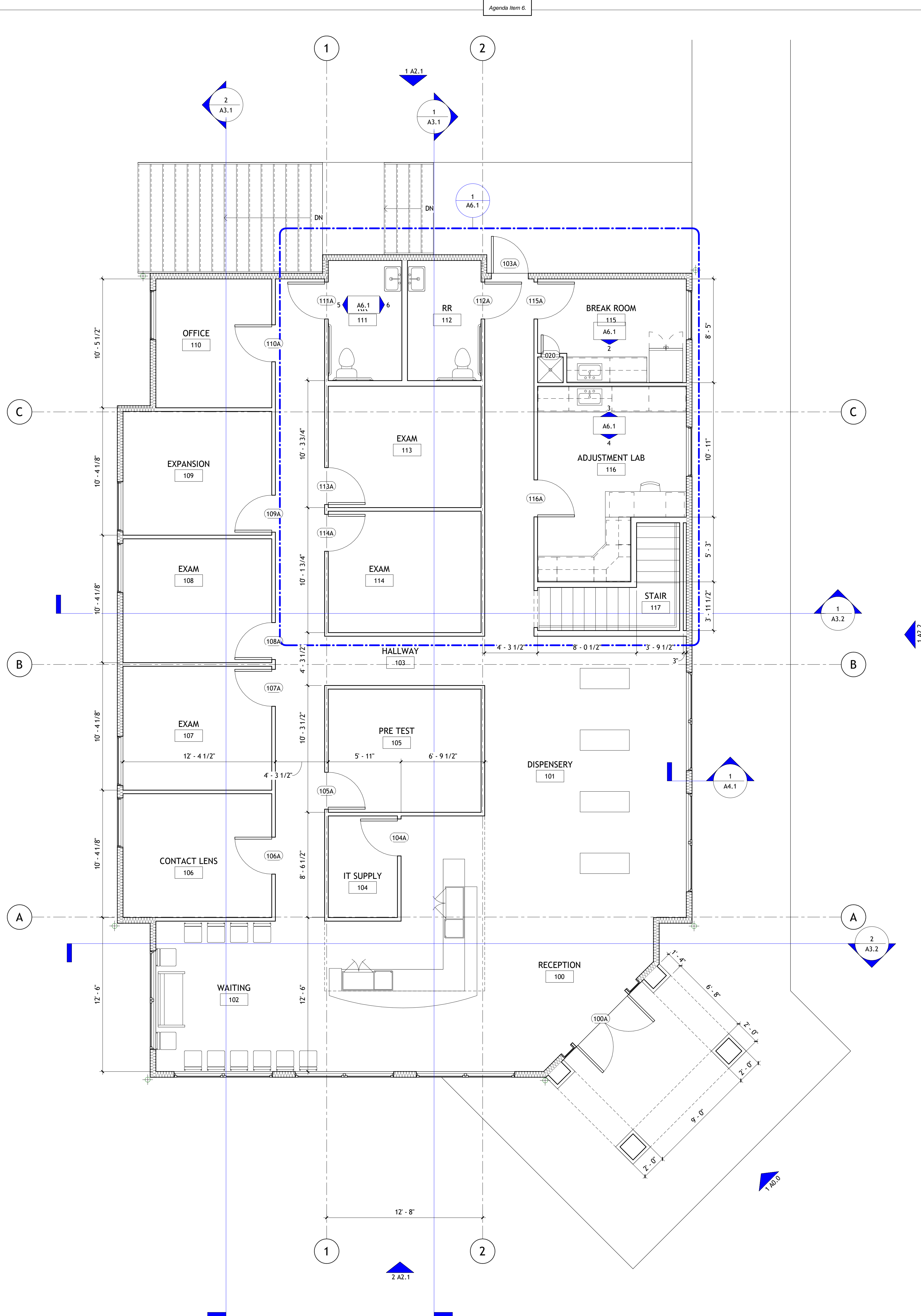
1 FRONT
3/8" = 1'-0"

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1 FIRST FLOOR PLAN
1/4" = 1'-0"

PROJECT:	FAMILY EYECARE CENTER		
	SHEET TITLE: FIRST FLOOR PLAN		
DATE:	04/19/2019	PROJECT NUMBER:	21016.00
DRAWN BY:	WNB	LOCATION:	ADDRESS
REVISIONS			
NO.	DESCRIPTION	PERMIT/BIDDING SET	
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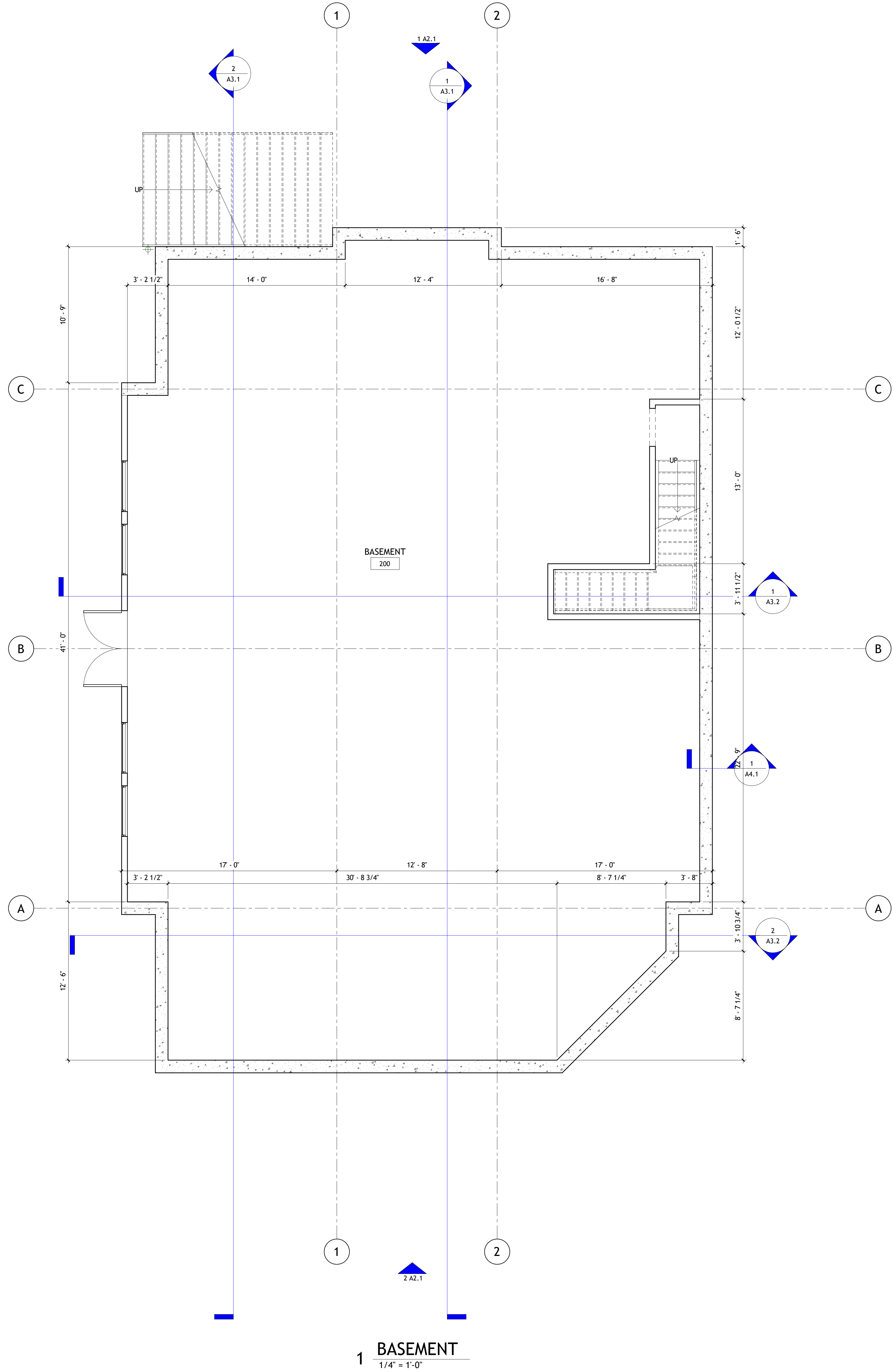
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PROJECT:	FAMILY EYECARE CENTER	
	NO. /0/	
SHEET TITLE:	BASEMENT FLOOR PLAN	
	DATE: 04/19/2019 PROJECT NUMBER: 21016.00	
DRAWN BY:	WNB	LOCATION: ADDRESS

Sheet Number



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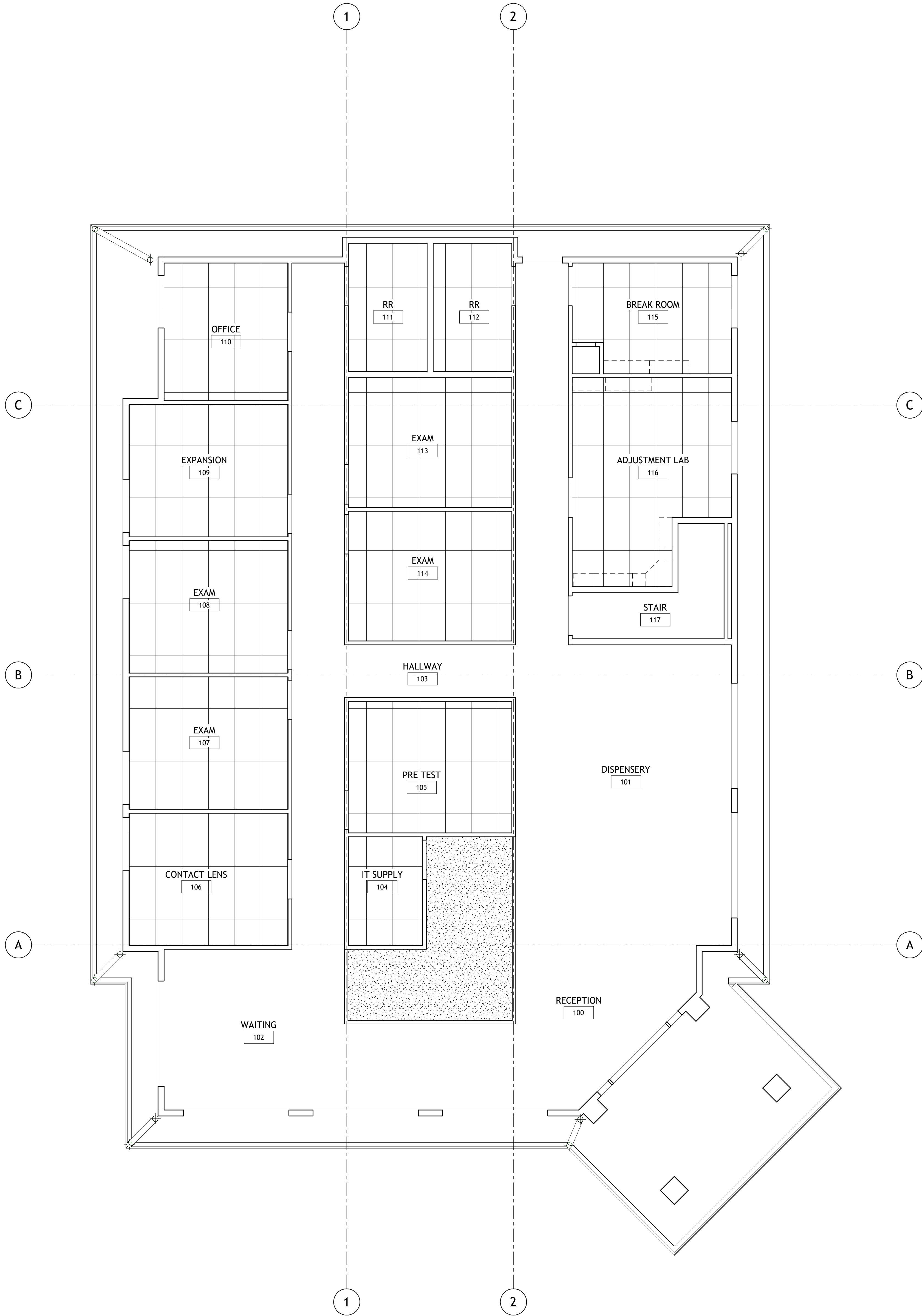
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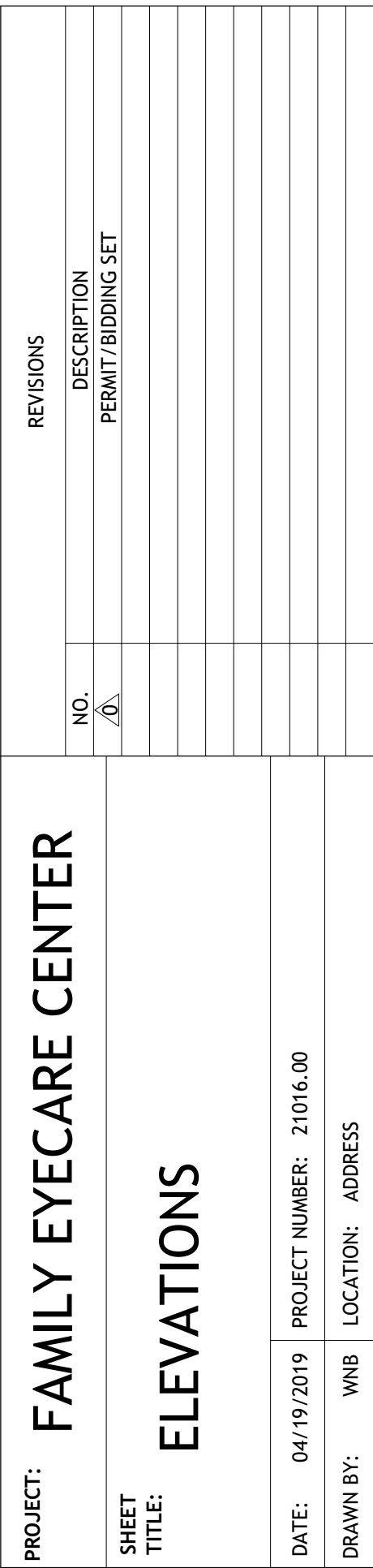
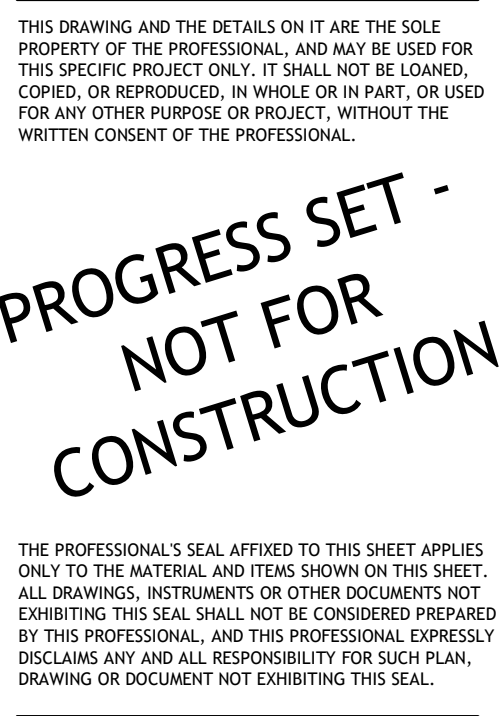
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	REFLECTED CEILING PLANS		
	DATE:	04/19/2019	PROJECT NUMBER: 21016.00
	DRAWN BY:	WNB	LOCATION: ADDRESS
SHEET TITLE:			
REVISIONS	NO.	DESCRIPTION	
	01	PERMIT/BIDDING SET	

Sheet Number

Agenda Item 6:



1 FIRST FLOOR REFLECTED CEILING PLAN
1/4" = 1'-0"





1 EAST
1/4" = 1'-0"



2 WEST
1/4" = 1'-0"

PROGRESS SET -
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CONSTRUCTION

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REVISIONS	NO.	DESCRIPTION	DATE	BY	CHECKED	PROJECT	SHEET	TITLE	DATE	PROJECT NUMBER	WNS	LOCATION	ADDRESS
		PERMIT/BIDDING SET											
PROJECT: FAMILY EYECARE CENTER													
SHEET TITLE: ELEVATIONS													
DATE: 04/19/2019 PROJECT NUMBER: 21016.00													
DRAWN BY: WNS LOCATION: ADDRESS													

Sheet Number

Mr. Roger Aberle from Hiawatha, KS – Real Estate Agent for the property at 147th and 4-H road. Mr. Aberle was just wanting to be here to learn. He stated that he has no opinions, just wanted to listen, and get an idea of how these things work.

Mr. Barry closed the public hearing at 7:16 pm.

Mr. Geis needed clarification regarding that the applicant will waive the right to protest and asked if that is something that stays with the property, or when its sold, will it no longer be applicable. Mr. Schmitz stated it would only be applicable to the applicant. Mr. Schmitz stated that generally, the way the benefit district works, it's always better to do a road project before there is a development there. Mr. Geis stated that when you develop the benefit district, no one has a say in the matter, unless they protest.

Mr. Schmitz stated that the city can do benefit districts for any city owned infrastructure, but Lansing has never done peripheral roads. The major benefit to doing this for the city is that we can bond it and spread the payments over 20 or 25 years, and we have a dedicated source of income for that bond, which keeps the bond rates lower.

Mr. Geis made a motion that we send a recommendation for approval based upon the language in the report, Mr. Kowalewski seconded it. Motion passed 7-0.

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.

Mrs. McDougal inquired about the alley that used to be there and asked if it is being vacated, and Mr. Schmitz stated that it is already vacated.

Mr. Geis made a motion that it is approved subject to the conditions in the staff report, being that it gets signed before being sent to city council. Mrs. McDougal seconded it. Motion passed 7-0.

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.

Mr. Barry outlined the steps for the site plan if it is approved by the planning commission. The applicant will need to resubmit a completed site plan based on the items in the staff report. Once Staff receives the updated Site Plan, Staff would then review building plans, and issue a building permit, after review of the revised site plan.

Mr. Geis was asking if there was a storm inlet in the low area. Mr. Schmitz stated that the basin will be owned and maintained by the city.

Mr. David Lutgen – 1554 Elm St in Basehor KS, is the civil engineer on the project. Regarding the curb, he stated they moved the curb far enough North so that it was all on the applicant's property. There is a 5-foot gap on the South side and there will be a curb inlet that future development to the south can tie into. Mr. Schmitz stated that there is additional grading work needing to be done on the south, but that property owner has agreed to allow a temporary construction easement to facilitate the project.

Mr. Barry inquired about the fire hydrants/access and if its already there. Mr. Schmitz stated that there is already water access in town center.

Mr. Geis motioned to approve, subject to the corrections being made per the staff report. Mr. Kowalewski seconded it. Motion passed 7-0.