



CITY OF LANSING
Council Chambers
800 1st Terrace
Lansing, KS 66043

COUNCIL AGENDA
Regular Meeting
Thursday, March 4, 2021
7:00 P.M.

WELCOME TO YOUR CITY COUNCIL MEETING

Regular meetings are held on the first and third Thursday of each month at 7 pm and are televised on Cable Television Channel 2 on Monday 7 pm, Tuesday 10 am & 7 pm, Friday 5 pm, Saturday 1 pm and Sunday 7 pm.

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.

- ***In order to adhere to social distancing and limiting large gatherings of people to mitigate the spread of COVID-19, the Lansing City Meeting will not be open to the public. In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed live via YouTube at www.lansingks.org/live and will be available for viewing on Spectrum Cable Channel 2 the following day.***
- ***Want to comment during Audience Participation?***
 - ***Submit your comment to Cityclerk@lansingks.org no later than 6:00 p.m. on March 3rd.***
- ***Questions on agenda items will be read during discussion on that topic.***
 - ***Submit your question to Cityclerk@lansingks.org no later than 6:00 pm on March 3rd.***

Call To Order

Pledge of Allegiance

Roll Call

OLD BUSINESS:

1. Approval of Minutes

NEW BUSINESS:

Audience Participation

Presentations

Council Consideration of Agenda Items:

2. Ordinance No. 1055 – Rezone Request 00000 N. Main Street
3. Preliminary Plat – Santa Fe Townhomes

Reports:

City Attorney, City Administrator, Department Heads, Councilmembers




Proclamations:

- Flood Safety Awareness Week

Other Items of Interest

Adjournment

AGENDA ITEM

TO: Tim Vandall, City Administrator 
THRU: Sarah Bodensteiner, City Clerk 
FROM: Shantel Scrogin, Assistant City Clerk 
DATE: February 23, 2021
SUBJECT: Approval of Minutes

The Regular Meeting Minutes for February 18, 2021 are enclosed for your review.

Action: Staff recommends a motion to approve the Regular Meeting Minutes for February 18, 2021, as presented.

CITY OF LANSING

CITY COUNCIL MEETING

REGULAR MEETING MINUTES
February 18, 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: Don Studnicka and Marcus Majure

Ward 3: Jesse Garvey

Ward 4: Ron Dixon and Gregg Buehler

Councilmembers Absent: Kerry Brungardt

Councilmembers were present via Zoom video conference with Councilmember Kirby joining at 7:02pm.

OLD BUSINESS:

Approval of Minutes: Councilmember Studnicka moved to approve the Regular Meeting Minutes of February 4, as presented. Councilmember Garvey seconded the motion. The motion was unanimously approved.

Audience Participation: Mayor McNeill called for audience participation and there was none.

Presentations: Leavenworth County Eastern Gateway Project Presentation – Leavenworth County Commissioners Mike Smith and Jeff Culbertson along with Bill Noll, the Leavenworth County Public Works Director, presented the Council with a video of the proposed plan of connecting Leavenworth/Lansing via a bridge across the Missouri River and tying into the intersection of I-435 and Highway 152. Leavenworth County Commissioner Jeff Culbertson stated this idea was brought up about 20 years ago with little to no interest. Cities and counties are open to the idea now along with Kansas and Missouri looking into infrastructure projects as well as public/private sector joint ventures. A drone company was hired to fly the proposed path. It starts at the intersection of Eisenhower where QuikTrip is located, heading east to connect to Highway 152. The drone shows starting in Lansing, you can connect to Highway 152 in 6 minutes, be at the airport in about 8 mins and at Zona Rosa in about 10 mins. Leavenworth County Commissioner Mike Smith stated they aren't asking for money right now. They wanted to give a visual concept of the plan and see if this is something we can work on together and move forward with it. Leavenworth County Public Works Director Bill Noll let the Council know there are additional exit points being considered so that not all of the traffic will come out at the same location in Lansing. There are two primary routes each with a cost estimate. The southern route allows for the additional exits mentioned and it has the lower cost. The southern route is in the flood plain but not in the floodway, so some requirements don't have to be met. Due to this, the roadway will not need to be elevated or a bridge structure which will cost less money.

- Councilmember Studnicka asked what is the advantage to having the public sector involved in funding this project.
 - Leavenworth County Public Works Director Bill Noll replied currently there is not a federal funding source we can apply for. It would have to part of a legislative package in the future for federal government funding. Private sector investment is the quickest means to complete a project like this. The involvement of a private sector, we'd be looking at a 7–8-year timeframe where the public sector it could be 10-20 years if there is the right funding source for it.
 - Councilmember Garvey asked how does the private sector get their money back.
 - Leavenworth County Public Works Director Bill Noll responded that would be reimbursement from tolling which is paid by traffic.
- Councilmember Majure asked if they believed they would get push back from Leavenworth about potential growth.

- Leavenworth County Commissioner Jeff Culbertson replied that is some of the hesitation I have gotten so far. Some within the City of Leavenworth are afraid of losing Centennial Bridge and that Lansing would outgrow Leavenworth.
 - Councilmember Majure asked if that traffic would help bring businesses into the Business Development Centers in both Lansing and Leavenworth.
 - Leavenworth County Commissioner Jeff Culbertson stated that is front and center. LCDRC and the Port Authority have the most to gain from this project. It makes their product viable. This would fix a lot of problems. It would fix our connectivity to north Kansas City. The key to growth is making everything accessible.
 - Leavenworth County Commissioner Mike Smith reminded the Council Main Street turned into four lanes and immediately after the fifth lane was added, development started.
- Councilmember Garvey asked would the private sector be responsible for the maintenance of the roadway.
 - Leavenworth County Public Works Director Bill Noll replied that is something that would be considered at a later date but KDOT and MDOT would weigh in heavily on that discussion.

COUNCIL CONSIDERATION OF AGENDA ITEMS:

Road Maintenance Agreement – Lansing and Leavenworth County: Councilmember Buehler moved to approve the agreement for Road Maintenance Responsibilities between Lansing and Leavenworth County. Councilmember Trinkle seconded the motion. The motion was unanimously approved.

Fence Request – 630 Hillcrest Circle: Councilmember Buehler moved to approve the fence request for 630 Hillcrest Circle. Councilmember Garvey seconded the motion.

- Councilmember Studnicka stated one question. How about angle of site, line of distance, is that going to be prohibited on that one side.
 - Building Inspector Rebecca Savidge stated no I went out and inspected that. Richard and I measured it and it's not within the site triangle.
 - Councilmember Studnicka replied ok, thank you.
 - Councilmember Garvey stated shouldn't be much traffic there anyway with it being a cul de sac and dead end.
 - Councilmember Studnicka replied good point.

The motion was unanimously approved.

9G/9H Sanitary Sewer Interceptor Final Report: Councilmember Buehler moved to accept the 9G/9H Sanitary Sewer Inceptor report as presented. Councilmember Kirby seconded the motion.

- Councilmember Majure stated so the last thing you said there Mayor was this is basically going on the shelf to not be developed until development occurs in those areas. That's the way I understand it right.
 - City Administrator Tim Vandall replied yes.
 - Mayor McNeill responded that's correct.
 - Councilmember Majure stated thank you.
- Mayor McNeill stated Don.
 - Councilmember Studnicka stated just a comment for Tony. I've talked with Tony on this before. I think as development starts out there, we pull this off the shelf, we might have to go initially with the lift station option until we get enough development for the gravity feed in order to be able to feed properly to our wastewater treatment plant. Am I on the right track with that.
 - Wastewater Utility Director Tony Zell responded yes, you are correct. The pump station would be a stop gap measure that could be implemented to provide the other service to the 146 acres but if you look at page 13 of the report, there is twelve hundred acres that would be served by the gravity sewer. Whereas a pump station would only be able to handle 150 of those acres. As we got into the weeds

with the study, we started looking at cost per acre to service just McIntyre property as well as the entire water shed. The gravity sewer is a more costly option. We would need about 60-65 acres to develop at one time in the area. To make the gravity sewer viable option, to make that our first choice. We have no idea what that development is going to look like other than we want to be ready for it if it does occur.

- Councilmember Studnicka replied that answers my question. Thank you, Tony.
 - Wastewater Utility Director Tony Zell stated you bet.

The motion was unanimously approved.

- Wastewater Utility Director Tony Zell stated we'll keep you updated as we learn more and as we get further down the road, some more decisions will have to get made. We at least got the study out of the way. Now we know what we are looking at going forward. Thank you.

REPORTS:

City Attorney: City Attorney Greg Robinson had nothing to report.

City Administrator: City Administrator Tim Vandall let the Council know the Port Authority, Leavenworth County and some cities in Leavenworth County have been talking about doing a joint traffic study to outline some major projects and transportation improvements. We expect to be asked to participate and it looks like our contribution could be around \$30,000 or so. We have been asked to be part of the selection committee for that as well. City Administrator Tim Vandall added the idea of working with another entity on the Sanitary Sewer Interceptor Final Report to get the area ready for when development comes. We could reach out to the Port Authority or LCDC to work together. The design for that sewer line would make that whole property development ready. We could get the ball rolling on design and then still wait until something is ready before constructing it.

- Councilmember Studnicka thought it sounds good to reach out to Port Authority. He asked if it would help to reach out the large property owners out there to see what their future plans are.
 - City Administrator Tim Vandall replied he could reach out to some of the property owners along that corridor.
- Councilmember Majure asked if we are tracking that anyone is developing the McIntyre Properties LLC land off Gilman soon.
 - City Administrator Tim Vandall responded there is nothing imminent at this time. Mr. Reilly and Mr. Schimke both own some land out there. The goal here is just to get the project shovel ready so when someone is ready to build, we aren't waiting 6-9 months for an engineering study.
 - Mayor McNeill stated the intent is to get areas ready and designed in areas we know will get developed.
 - Councilmember Studnicka reminded everyone to not forget about Sherwood Forest that we own and don't forget about Rock Creek Loop which will connect into that once we provide sewer.

City Administrator Tim Vandall finished his report that cities around us have implemented compensation studies recently. The City did ours in 2017 but it's obsolete with so many around us implementing theirs right after ours. We do want to remain competitive with public safety wages. He asked the Council if they were open for staff to do a comp. study on just the police department.

- Councilmember Buehler thinks it is a good idea. We lose police officers to the south of us so if we can do something to keep it competitive and keep them here then it's a great idea.
 - Councilmember Studnicka stated go for it.
 - Councilmember Kirby stated him, and Don have asked for it on more than one occasion and it's a great idea.

Department Heads: Department Heads had nothing to report.

Governing Body: Councilmember Garvey thanked the snow removal crew for all their hard work the last couple of weeks. He stated he attended the Planning Commission meeting, and they passed the rezoning request from Greenamyre Rentals. It was zoned as commercial and it is now residential. He is concerned

with having too many rental properties in Lansing. People move to Lansing from Leavenworth because they are flooded with rental properties. We have a month to think about how we're going to look out for Lansing homeowners or line the pockets of others.

Councilmember Buehler agreed with Jesse on the great job the snow crew does. There is a significant difference in road conditions once you get to Eisenhower. He thanked the County Commissioners for coming to the meeting with the presentation. This has been talked about for a long time so it's good to see it on the shelf and if we can get a partnership going, it'll be a benefit to the city. He provided a fun fact, on this day in 1930, Clyde Tombaugh discovered Pluto.

Councilmember Dixon let everyone know the First Missionary Baptist Church is the oldest Baptist church in the state of Kansas. Some of the earliest members were buffalo soldiers. Due to a long history with the military, normally the first weekend of March there is a big military service/celebration but due to COVID they haven't been able to last year or this year. Everyone is invited next year.

Councilmember Studnicka thanked the County Commissioners on the Highway 152 presentation. It has been talked about for a long time. He thanked Tony for his work on the sewer system. He told everyone to get their shots when they can.

Councilmember Trinkle asked Tony to further explain closing the road on Connie Street for sewer work.

- Wastewater Utility Director Tony Zell stated the road is going to be closed from Connie Street to just west of the work by that creek. There will still be access to the trailer park and their homes. There will not be any thru traffic to cut through.

Councilmember Trinkle continued by thanking the street crew for a job well done again. He finished by stating we can come together and make the connection to Highway 152 happen. It's been talked about for a long time now and it's a good idea.

Councilmember Kirby also thanked the road crews for doing a great job every time hands down. He echoed Councilmember Studnicka on getting the vaccine. Everybody wants normal again and it looks like the way to get back to normal is to get the vaccine. Keep wearing your mask, wash your hands and social distancing.

Councilmember Majure asked Tim if there was any information on interest at Towne Center.

- City Administrator Tim Vandall replied there has been some interest from smaller entities. An architect engineer looked at the larger parcel and there might be a design for that coming to the Towne Center committee soon.

Councilmember Majure gave kudos to the road crew and first responders for their work. He stated he is on board for the Eastern Gateway Project. It's growth and that's exciting. He also agreed with Councilmember Garvey on the concern of the amount of rentals Lansing has. He finished by telling Tony great job on the sewer project.

Mayor McNeill stated the concerns brought up from Councilmember Garvey and Majure about the balance of rental properties can be addressed at a future work session. What we don't want is a bunch of vacant rental properties but there does need to be a balance.

- City Administrator Tim Vandall replied we can do a housing evaluation/study. The one Councilmember Garvey mentioned is coming up at the next Council meeting.

ADJOURNMENT:



Councilmember Majure moved to adjourn. Councilmember Studnicka seconded the motion. The motion was unanimously approved. The meeting was adjourned at 8:01 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: March 4, 2021
SUBJECT: Ordinance No. 1055: An Ordinance to rezone 00000 N. Main St. from B-3 Regional Business District to R-4 Multi-Family Residential District

Explanation: Greenamyre Rentals Inc., owner of property at 00000 N. Main St., has applied to rezone the subject property from B-3 Regional Business District to R-4 Multi-Family Residential District. This rezoning, if approved, will allow the property owners to develop additional multi-family housing in this area.

The property affected by this rezone is a portion of what was the Econo Lodge property. When the property was split, it retained its B-3 zoning, and now needs to be rezoned to match the area to the south. This rezoning action would also apply to old railroad right-of-way that abuts the parcel on the eastern side between the subject parcel and Santa Fe Drive. The applicant is requesting the parcels be rezoned to R-4 to accommodate a future residential project.

Please refer to the attached checklist and staff report for detailed analysis of the application.

As of the date of this memo, staff received feedback from one resident during the Planning Commission meeting (minutes attached) and from one resident that resides within 200' of the proposed rezoning on Feb. 25, 2021. The feedback from the residents was that they were not in favor of the project, and they indicated that they may submit a letter to be read during public comment about this item.

The Planning Commission, at its February 17, 2021 meeting, voted to recommend approval of the rezone, with a 7-0 vote. The minutes from that meeting, the rezoning checklist, and the staff report (including a map of the property) are included for your review.

Policy Considerations: None.

Action: Approve, approve with conditions, remand back to Planning Commission, or deny with a super majority vote of the governing body Ordinance No. 1055: An Ordinance to rezone 00000 N. Main St. from B-3 Regional Business District to R-4 Multi-Family Residential District.

ORDINANCE NO. 1055

AN ORDINANCE GRANTING A CHANGE OF ZONING TO CERTAIN PROPERTY WITHIN THE CITY OF LANSING, KANSAS.

WHEREAS, the Planning Commission of the City of Lansing has recommended to rezone particular real estate property within the City of Lansing, Kansas; and

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held on February 17, 2021, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas; and

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

Section 1. Change of Land Uses. The land uses for the following property currently addressed as 00000 N Main St. within the city limits of the City of Lansing, County of Leavenworth, State of Kansas, legally described as follows:

LEGAL DESCRIPTION:

Lot 2B, Midtown Court Subdivision, 2nd Plat, a subdivision plat in the City of Lansing, Leavenworth County, Kansas

And

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, JerDan 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.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

All in Leavenworth County, Kansas, less any part taken or used for road; presently zoned as "B-3" Regional Business District is hereby changed to "R-4" Multi-Family Residential District; and

Section 2. Amend Zoning District Map. That upon the taking effect of this ordinance, the above zoning change shall be entered and shown on the Zoning District Map, and said official zoning map shall be and is hereby reincorporated as a part of the Zoning Ordinance as amended.

Section 3. Effective Date. This ordinance shall take effect and be enforced from and after its passage, approval, and publication in the official city newspaper, as provided by law.

PASSED AND APPROVED by the governing body of the City of Lansing, Kansas, this 4th day of March, 2021.

Mayor, Anthony R. McNeill

ATTEST

City Clerk, Sarah Bodensteiner, CMC

(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. 1055: An Ordinance Granting a Change of Zoning to Certain Property Within 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. 1055 Summary:

On March 4, 2021, the City of Lansing, Kansas, adopted Ordinance No. 1055, an ordinance granting a change of zoning to certain property within the City of Lansing, Kansas. 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: March 4, 2021

Gregory C. Robinson, City Attorney

REZONING CHECKLIST

Checklist Completed by: Matthew R. Schmitz

Case No. RZ-2021-2

Date Filed: December 15, 2020

Date Advertised: January 27, 2021

Date Notices Sent: January 25, 2021

Public Hearing Date: February 17, 2021

MRS

APPLICANT: Greenamyre Rentals, Inc.

LOCATION OF PROPERTY: 00000 N. Main St., Lansing, KS

PRESENT ZONING: B-3

REQUESTED ZONING: R-4

PRESENT USE OF PROPERTY: Undeveloped empty ground

SURROUNDING LAND USE AND ZONING:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Regional Business District (Northwest), Suburban Residential District (Northeast)	B-3, R-1
South	Multi-Family Residential	R-4
East	Light Industrial District	I-1
West	Regional Business District	B-3

CHARACTER OF THE NEIGHBORHOOD: The area is well developed on all sides, with Businesses located to the north (Storage Facility) and west (Econolodge Hotel). The area to the east is zoned as Light Industrial but has Apartment homes constructed on the properties. To the south is empty developable ground.

NEAREST EQUIVALENT ZONING:

LOCATION: South

CURRENT USE: Empty developable ground

RELATIONSHIP TO EXISTING ZONING PATTERN:

- 1. Would proposed change create a small, isolated district unrelated to surrounding districts?** No
- 2. Are there substantial reasons why the property cannot be used in accord with existing zoning?** Yes **If yes, explain:** The applicant intends to construct townhomes in this area on the property to the south that is currently zoned R-4. He would like to extend that project to the north to increase the scale of the project, onto the subject property.
- 3. Are there adequate sites for the proposed use in areas already properly zoned?** Not in close proximity to this area. **If yes, where?** _____

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. **Consistent with Development Policies?** The Comprehensive Plan shows this parcel as Commercial, so this request is not consistent with the Comprehensive Plan.
2. **Consistent with Future Land Use Map?** No. The Future Land Use Map shows this area as Commercial, which it is currently zoned for.
3. **Are Public Facilities adequate?** Yes. All utilities are present and in the area.

TRAFFIC CONDITIONS:

1. **Street(s) with Access to Property:** Fairlane and Santa Fe Dr.
2. **Classification of Street(s):**
Arterial _____ Collector _____ Local X
3. **Right of Way Width:** 60' on Fairlane - 55' currently, proposed to be 60' with submitted preliminary plat for Santa Fe Dr.
4. **Will turning movements caused by the proposed use create an undue traffic hazard?** No
5. **Comments on Traffic:** Traffic in the area will be slightly increased with future development on this property, but there are no concerns about traffic due to this request.

SHOULD PLATTING OR REPLATTING BE REQUIRED TO PROVIDE FOR:

1. **Appropriately Sized Lots?** Platting is underway, although not specifically required to accommodate this zoning modification.
2. **Properly Sized Street Right of Way?** The existing Right of Way along Santa Fe is larger than required. The submitted preliminary plat under separate consideration reduces the width of the ROW to accommodate the planned future development.
3. **Drainage Easements?** Drainage easements are not currently shown for the future project but will be considered under the submitted preliminary plat.
4. **Utility Easements:**
 - Electricity?** There are easements in the area, but additional may be needed via the platting process.
 - Gas?** There are easements in the area, but additional may be needed via the platting process.
 - Sewers?** There are easements in the area, but additional may be needed via the platting process.
 - Water?** There are easements in the area, but additional may be needed via the platting process.
5. **Additional Comments:** N/A

UNIQUE CHARACTERISTICS OF PROPERTY IN QUESTION: None

ADDITIONAL COMMENTS: Rezoning of this property to accommodate this development is not unusual but should be noted by requesting that the Future Land Use Map be updated to reflect this modification, should this be approved by the Planning Commission.

Project Facts

Applicant

Greenamyre Rentals Inc.

Address

00000 N. Main St.

Property ID

094-19-0-20-03-025.00-0

Zoning

B-3 Regional Business District

Future Land Use

Commercial

Land

48,704.62 SF (1.12 acres)

Requested Approvals

Rezoning



Summary

Greenamyre Rentals Inc., owner of property at 00000 Main St., has applied to rezone the subject property from B-3 Regional Business District to R-4 Multi-Family Residential District. This rezoning, if approved, will allow the property owners to develop additional multi-family housing in this area. A preliminary plat is also on the Agenda for this subject property as well as property to the south.

A public hearing notice was published in the *Leavenworth Times* on January 27, 2021, and the notice was mailed to property owners within 200 feet of the subject property on January 25, 2021.

Discussion points from Checklist

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

Complaints / Questions

There have been no residents contact the City on behalf of this rezoning application.

Acknowledgments

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

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

Notice of City Codes

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

Recommendation

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

Call to Order - The regular monthly meeting of the Lansing Planning Commission was called to order by Chairman Ron Barry (via ZOOM) at 7:00 p.m. Also via ZOOM were Commissioner Jerry Gies and Mike Suozzo. In attendance were Commissioners Amy Baker, Nancy McDougal, Richard Hannon, and Vice-Chairman Jake Kowalewski. Chairman Barry noted there was a quorum present.

Approval of Minutes – January 20th, 2021, Regular Meeting – Vice-Chairman Jake Kowalewski made a motion to approve the minutes of the January 20th, 2021, meeting, seconded by Commissioner Jerry Gies. The motion passed 6-1 with Commissioner Mike Suozzo abstaining.

Old Business: None

New Business:

1. Rezoning Application Case # RZ-2021-2: 00000 N. Main St., Lansing, Kansas

Application submitted by Greenamyre Rentals, Inc., property owner. This application is to rezone the subject parcel from B-3 Regional Business District to R-4 Multi-Family Residential District.

Chairman Barry opened the public hearing at 7:03 p.m.

Jeremy Greenamyre (via ZOOM) representing Greenamyre Rentals, 2500 S. 2nd Street in Leavenworth, Kansas, wanted to give a back story on this request. Mr. Greenamyre mentioned KDOT's enhancement project along K-7 around 2003-2004 that included a 3-acre parcel that Greenamyre Rentals owned at the corner of Fairlane and K-7. "Part of KDOT's project extended Fairlane all the way to Santa Fe Drive, which bisected our parcel and created two pieces of ground. One piece is the corner where IHOP is currently, which we sold in 2009, and the other is the North side of Fairlane which at the time was zoned B-3. The property had set almost 20 years undeveloped. We rezoned it to multi-family use and during this time we saw the undeveloped land behind Econo Lodge as well, which we were able to purchase and are looking to extend this area into the current zoning and replat everything into a single parcel."

Jesse Garvey, resident at 123 Oakbrook Ct., Lansing, KS, stated he is speaking on behalf of himself and several other residents who are opposed to rental areas in Lansing. They feel that there are too many rental properties currently in Lansing and that these properties bring home values down. Mr. Garvey stated he feels developers only care about the buildings they put up and do not put consideration into the surrounding homes and homeowners, and he feels the new dwellings are not constructed well to sustain years to come. Mr. Garvey also noted in Mr. Schmitz's (Community and Economic Development Director) report, that Mr. Schmitz stated this proposed rezone does not fit the comprehensive plan which is intended for commercial use. Mr. Garvey states "you're basically going against yourselves and the long-range plan which states this should be commercial use, just so you can accommodate this developer. If more people knew about this, I am sure they would be opposed as well."

Chairman Barry closed the public hearing at 7:09 p.m. This opens-up the 14-day protest period.

Chairman Barry asked Mr. Schmitz if any time land is rezoned, the official future land use map gets updated and Mr. Schmitz confirmed that the Planning Commission makes sure this happens.

Chairman Barry asked for a motion to approve the checklist as a finding of fact for the Rezoning application for 00000 N. Main St., Lansing, Kansas.

Vice-Chairman Jake Kowalewski made a motion to approve as a finding of fact seconded by Commissioner Mike Suozzo. Motion passes 7-0.

Chairman Barry asked for a motion to recommend approval, approve with conditions, or recommend disapproval to the Governing Body the Rezoning Application for Greenamyre Rentals.

Commissioner Mike Suozzo recommended approval seconded by Vice-Chairman Kowalewski. The motion passes 7-0.

Mr. Schmitz noted this will go before the City Council on March 4th, 2021.

2. Preliminary Plat Application Case # SDPP-2021-1: 00000 N. Main St. / 00000 Fairlane, Lansing, Kansas

Application submitted by Greenamyre Rentals, Inc., property owner. This application is for a preliminary plat consisting of 1 lot and approximately 3.11 acres. The property is currently zoned B-3 Regional Business District and R-4 Multi-Family Residential District, is made up of two lots, and is related to Item 1 on this Agenda.

Chairman Barry asked if this plat is contingent on the City Council's approval of the rezoning and Mr. Schmitz answered that "that's correct, however, you could still replat it without the rezoning approval, they just wouldn't be able to use the back East of that property which could complicate things." Mr. Barry clarified, "so you are saying we can address this now or wait until a final decision is made or we can approve it with the condition that the rezoning is approved by the City Council." Mr. Schmitz answered "Correct. If the Planning Commission approves the Prelim. Plat this evening, the final plat would come in March which occurs after the City Council reviews the rezoning. If the City Council were to deny the rezoning on the first meeting in March, the applicant can pull the final plat from the March Planning Commission meeting."

Commissioner Jerry Gies stated the applicant "could still want a one lot subdivision if the zoning doesn't occur, which would allow flexibility for how the land is used in the future and he could use the administrative plat process to create parcels that are more in line with potential buyers." Mr. Schmitz answered "the administrative plat is what was used to split the land behind Econo Lodge so that parcel would not be allowed to be split by an administrative plat. If it goes through a full platting process through the Planning Commission and City Council, then it is possible to do another admin. plat on that piece of land. The whole point of an admin. plat is to make it a speedier process to do a simple modification to a piece of property. It is not ideal for a property owner to circle through a repetitive platting process."

Vice-Chairman Jake Kowalewski asked if Mr. Greenamyre was able to address storm water concerns noted by City Engineer Michael Spickelmier. Matt Henderson, with McAfee Henderson Solutions, 15700 College Blvd, Suite 202, Lenexa, KS, representing Greenamyre answered that "the City Engineer's concerns align with our concerns and will be addressed when a technical analysis is performed in the next stage of platting and we have a scheduled meeting to meet on site in the near future."

Commissioner Gies asked what year storm had to be addressed and Mr. Spickelmier answered that they will do a full 10, 25 and 100 year analysis and make sure the current plan that was adopted in 2007 is still in compliance.

Chairman Barry asked for a motion to approve, approve with conditions, or disapprove the Preliminary Plat application for Greenamyre Rentals.

Commissioner Jerry Gies made a motion to approve the preliminary plat with conditions that the storm water concerns that are presented in the staff report be addressed, seconded by Commissioner Nancy McDougal. Motion passes 6-1, with Chairman Barry voting no.

3. Meeting date modification – March Planning Commission

Due to the Director being out of town during the regularly scheduled March meeting, and the meeting occurring on March 17th (St. Patrick's Day), staff is requesting the meeting be moved back one day, to Tuesday, March 16th, at 7:00 p.m.

Commissioner Nancy McDougal made a motion to approve seconded by Vice-Chairman Jake Kowalewski. Motion passes 7-0.

Notices and Communications - None

Reports-Commission and Staff Members - Mr. Schmitz introduced Mr. Richard Hannon as the newest Planning Commission member.

Adjournment - Commissioner Nancy McDougal made a motion to adjourn. Commissioner Amy Baker seconded it and it passed by acclamation. The meeting adjourned at 7:28 p.m.

Respectfully submitted,



Debra Warner, Secretary

Reviewed by,

Matthew R. Schmitz, Community and Economic Development Director



AGENDA ITEM

TO: Tim Vandall, City Administrator 
FROM: Matthew R. Schmitz, Director, Community & Economic Development 
DATE: March 4, 2021
SUBJECT: Santa Fe Townhomes Preliminary Plat

Explanation: The attached preliminary plat was reviewed by the Planning Commission at the Feb. 17, 2021 meeting. It was approved by a 6-1 vote, with Chairman Barry voting no.

This is an informational item, and no action is required or requested from the council by Staff. The final plat, after review and recommendation from the Planning Commission will come to a future City Council meeting.

Policy Considerations: None.

Action: None required or requested, this is for information only.

Reviewed By WW Dept
02/04/2021 10:56:46 AM
By T Zell

Reviewed By CED
No Comments
02/11/2021 3:37:53 PM
By MRS, CED Director

Preliminary Plat of

SANTA FE TOWNHOMES

A Replat of part of Lot 2, Fairlane Commercial Development & part of Lot 2B Midtown Court Subdivision, 2nd Plat & part of Abandoned Railroad of Santa Fe Subdivision, all being a part of the Northwest Quarter of Section 19, Township 9 South, Range 23 East City of Lansing, Leavenworth County, Kansas

LEGAL DESCRIPTION:

A tract of land being part of Lot 2, Fairlane Commercial Development, a part of Lot 2B Midtown Court Subdivision, 2ND Plat, and a part of Abandoned Railroad of Santa Fe Subdivision, all being a part of the Northwest Quarter of Section 19, Township 9 South, Range 23 East of the 6th P.M. in the City of Lansing, Leavenworth County, Kansas and being more particularly described as follows:

Beginning at the Northeast corner of Lot 2A, Midtown Court Subdivision, 2ND Plat, a subdivision recorded as plat Document 2020P00013 at the Register of Deeds office of Leavenworth County, said point also being the Northwest Corner of Lot 2B, said Midtown Court Subdivision, 2ND Plat; thence continuing N 88°45'25" E, a distance of 118.22 feet to the Northeast Corner of said Lot 2B; said point also being the Northwest corner of Parcel 2 as described in a Kansas Quit Claim Deed recorded as Document number 2020R09745 at the Register of Deeds office of Leavenworth County; 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 83.31 feet to a point on the North line of Lot 2, Fairlane Commercial Development, a subdivision recorded as plat Document 2009P00010 at the Register of Deeds office of Leavenworth County; thence N 63°27'11" W along the North line of said Lot 2, Fairlane Commercial Development, a distance of 13.82 feet to the Northeast Corner of said Lot 2, said point also being on the West line of Santa Fe Drive as now established per said plat of Fairlane Commercial Development; thence S 25°31'50" W along the West right-of-way line of said Santa Fe Drive as now established, a distance of 107.72 feet to a point of curvature; thence Southwesterly along said West right-of-way along a curve to the left having an initial tangent bearing of S 24°55'38" W, a radius of 165.13 feet, a delta angle of 40°33'19", and an arc length of 115.44 feet; thence S 64°22'59" W along said West right-of-way, a distance of 57.50 to the West line of said Lot 2, Fairlane Commercial Development, said line also being the East line of Fairlane Street as now established; thence N 25°37'02" W along the West line of said Lot 2, a distance of 232.74 feet to a point of curvature; thence Northwesterly along said West line of said Lot 2, Fairlane Commercial Development, a subdivision recorded as plat Document 2009P00010 at the Register of Deeds office of Leavenworth County, said curve having an initial tangent bearing of N 25°37'02" W, a radius of 230.13 feet, a delta angle of 29°20'58", and an arc length of 117.88 feet to the Southeast corner of a portion of a Permanent Right-of-Way Grant as recorded in a document recorded in Book 835, Page 448 at the Register of Deeds office of Leavenworth County, said point also being the South-most Southwest Corner of said Lot 2A, said Midtown Court Subdivision, 2ND Plat; thence N 88°30'24" E along the South line of Lot 2A and in common with the North line of said Lot 2, Fairlane Commercial Development, a distance of 152.75 feet to an inflection point in the South line of said Lot 2A and the North line of said Lot 2, Fairlane Commercial Development; thence S 63°27'11" W along said South line of said Lot 2A, a distance of 3.05 feet to the Southeast Corner of said Lot 2A in common with the Southwest Corner of said Lot 2B, said Midtown Court Subdivision, 2ND Plat; thence N 01°04'45" W along the West line of said Lot 2B, a distance of 162.94 feet; thence N 88°30'53" E along the West line of said Lot 2B, a distance of 77.92 feet to a point on the East line of Lot 2, Midtown Court Subdivision; thence S 63°07'28" E along the West line of said Lot 2B, a distance of 50.04 feet; thence N 20°22'03" E along the West line of said Lot 2B, a distance of 121.48 feet, to the Point of Beginning, containing 135,481.22 Sq. Ft.

NOTES:

1. DATE OF SURVEY: FIELD SURVEY WAS PERFORMED MAY 5, 2020.
2. BASIS OF BEARINGS: NORTH LINE OF MIDTOWN COURT, 2ND PLAT, BEING N 88°45'25" E. NAD83 KANSAS STATE PLANE COORDINATE SYSTEM - NORTH ZONE - GRID NORTH.
3. ALL VALUES ARE AS DEEDED & MEASURED UNLESS OTHERWISE NOTED.
4. FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED ON FLOOD INSURANCE RATE MAP NUMBER 20103001446, EFFECTIVE DATE: JULY 16, 2015, PANEL 144 OF 425 IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN). FLOOD INFORMATION IS SUBJECT TO CHANGE.
5. PROJECT BENCHMARK: CHISELED SQUARE ON TOP OF CONCRETE CURB AT SOUTHWEST CORNER OF PARKING LOT OF 504 N MAIN ST. ELEVATION: 833.78 - NAVD 88 VERTICAL DATUM.
6. SANITARY SEWER SERVICE TO BE PROVIDED BY CITY OF LANSING.
7. PUBLIC WATER SERVICE PROVIDED BY LANDEL WATER.
8. ALL INTERNAL STREETS SHALL BE CONSTRUCTED TO THE CITY OF LANSING STANDARDS.
9. SEDIMENT WILL BE CONTROLLED DURING ALL GRADING AND CONSTRUCTION PHASES OF DEVELOPMENT.

REFERENCES:

1. PLAT OF MIDTOWN COURT SUBDIVISION, 2ND PLAT, DOC. NO. 2020P00013
2. PLAT OF MIDTOWN COURT SUBDIVISION, BOOK 11, PAGE 36.
3. PLAT OF FAIRLANE COMMERCIAL DEVELOPMENT, DOC. NO. 2009P00010, BOOK 26, PAGE 79
4. PLAT OF SANTA FE SUBDIVISION
5. TITLE COMMITMENT PROVIDED BY:
FILE NUMBERS: T00014487
EFFECTIVE THROUGH: FEBRUARY 5, 2020 @ 8:00 A.M.
KANSAS SECURED TITLE, INC. - LEAVENWORTH
360 SANTA FE STREET
LEAVENWORTH, KANSAS 66048

GENERAL SITE DATA:

GROSS AREA: 135,481 SQ. FT. - 3.11 ACRES
EXISTING ZONING:
LOT 2B, MIDTOWN COURT AND REMAINDER
B-3 - REGIONAL BUSINESS DISTRICT
MINIMUM LOT SIZE = 10,000 S.F.
MINIMUM LOT WIDTH = 60 FEET
MINIMUM SETBACKS:
FRONT: 30 FEET
SIDE: 0 FEET
REAR: 20 FEET

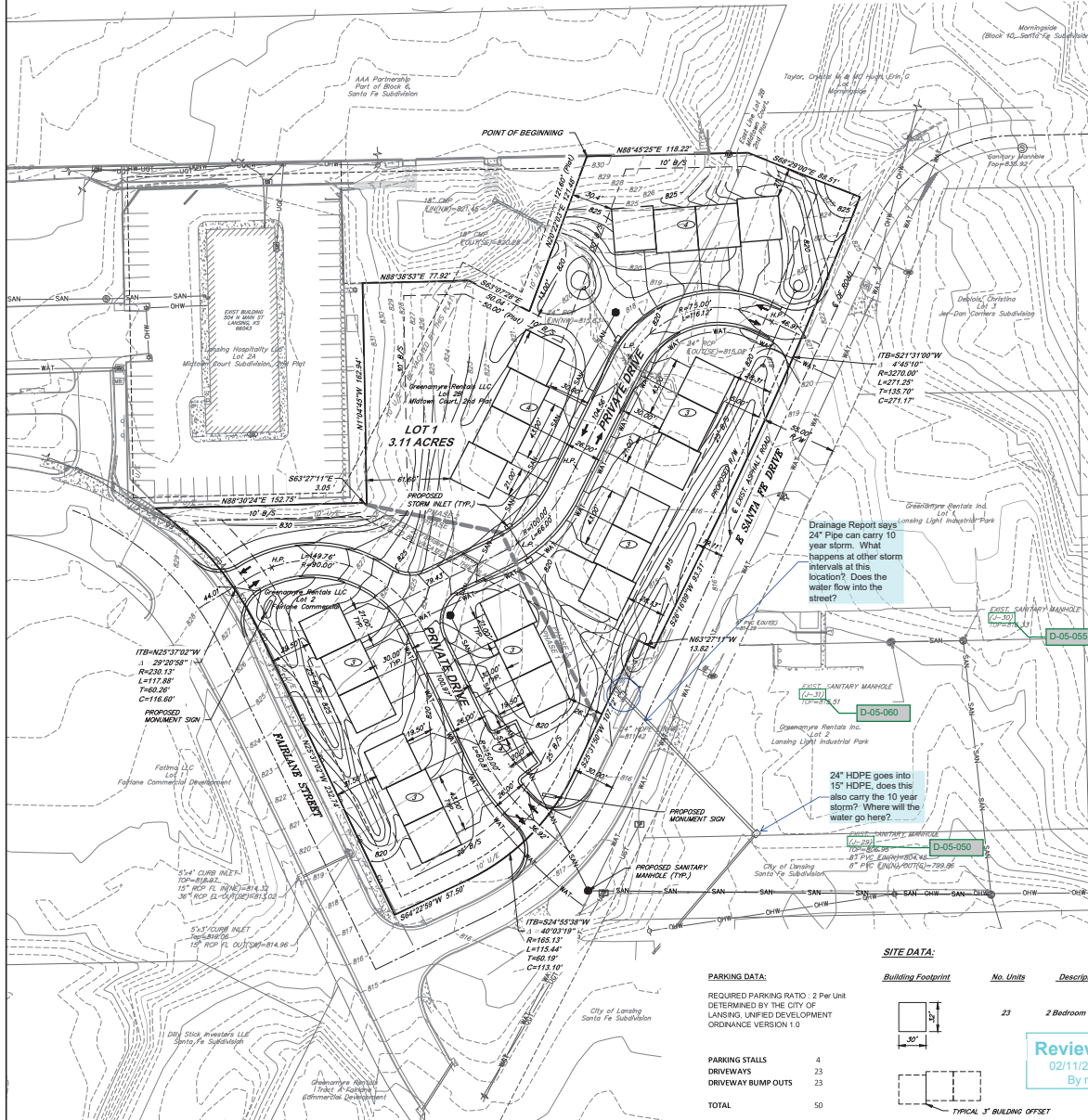
PROPOSED ZONING:
R-4 - MULTI-FAMILY RESIDENTIAL DISTRICT
MINIMUM LOT SIZE = 10,000 S.F.
MINIMUM LOT WIDTH = 60 FEET
MINIMUM SETBACKS:
FRONT: 25 FEET
SIDE: 10 FEET
REAR: 30 FEET

OWNER / DEVELOPER:
GREENMARE RENTALS, INC.
2500 S 2ND STREET
LEAVENWORTH, KS 66048



McAfee HENDERSON SOLUTIONS, INC.
Civil Engineering & Land Surveying
1901 Blue Bell Blvd. Suite 100
PO Box 1000
Leavenworth, KS 66048
(913) 884-4447 Fax: (913) 350-4955
www.mhsinc.com

Project No.: 2015.001.001 Date: 11/2020



PARKING DATA:

REQUIRED PARKING RATIO: 2 Per Unit
DETERMINED BY THE CITY OF
LANSING, UNIFIED DEVELOPMENT
ORDINANCE VERSION 1.0

PARKING STALLS 4
DRIVEWAYS 23
DRIVEWAY BUMP OUTS 23
TOTAL 50

SITE DATA:

Building Footprint	No. Units	Description
	23	2 Bedroom 1 Bath Unit

Reviewed By PW
02/11/2021 3:14:06 PM
By mspickelmier



Flood Safety Awareness Week

Proclamation

WHEREAS, Flood Safety Awareness Week is an opportunity to raise awareness about the importance of preparing for and understanding flooding, and to encourage all citizens to better prepare their homes, businesses, and communities for the upcoming flood season; and

WHEREAS, the Kansas Hazard Mitigation Plan identifies flooding as one of the costliest types of natural disaster in Kansas, in terms of lives lost, injuries, and property damage; and

WHEREAS, floods threaten people, homes, and other property in every county in Kansas; and can happen anytime, anywhere, and without warning; and damage from a flood is not normally covered under a standard homeowners policy; and

WHEREAS, spring and summer flooding in 2013, 2015, and 2016 saw five flood deaths in Kansas and widespread flooding across the State; and

WHEREAS, Governor Laura Kelly has signed a proclamation declaring the week of March 1st-5th, 2021 to be Flood Safety Awareness Week in Kansas

WHEREAS, the National Oceanic and Atmosphere Administration's National Weather Service will initiate Spring Seasonal Weather Awareness on March 1, 2021:

NOW THEREFORE, I, Anthony R. McNeill, Mayor of the city of Lansing, Kansas, do hereby recognize March 1-5, 2021, as

Flood Safety Awareness Week

in the city of Lansing, Kansas, and urge all citizens to recognize this observance and review their flood preparedness.

In Witness Whereof, I have hereunto set my hand this 4th day of March, in the year Two Thousand Twenty-one.

Mayor, Anthony R. McNeill

City Clerk, Sarah Bodensteiner, CMC