

Call to Order - The regular monthly meeting of the Lansing Planning Commission was called to order by Vice-Chairman Jake Kowalewski at 7:00 p.m. Also in attendance were Chairman Nancy McDougal and Amy Baker. Chairman Ron Barry joined after the meeting began via ZOOM, and Commissioner Jerry Gies joined via ZOOM before the meeting began. Vice-Chairman Jake Kowalewski noted there was a quorum present.

Approval of Minutes – December 16th, 2020, Regular Meeting – Commissioner Nancy McDougal made a motion to approve the minutes of the December 16th, 2020, meeting, seconded by Commissioner Amy Baker. The motion passed unanimously.

Old Business: - None

New Business:

- 1. Rezoning Application Case # RZ-2021-1: 00000 Centre Drive, Lansing, Kansas**
Application submitted by City of Lansing, property owner. This application is to rezone the subject parcels from PUD Planned Unit Development to B-3 Regional Business District.

Vice-Chairman Jake Kowalewski opened the public hearing at 7:03 p.m.

Dennis and Pat Charest, residents who live at 1 Pulley Hill, Lansing, KS asked what kind of businesses are expected to come under the potential B-3 rezoning. Vice-Chairman Kowalewski stated the type of businesses are unknown at this time, this is an administrative action establishing what businesses can come in, and he asked Community and Economic Development Director Matthew Schmitz for further clarification. Mr. Schmitz answered that B-3 districts allow a variety of businesses that range from big box stores to fast food restaurants. Mr. Schmitz further stated that there is a business development agreement in place for the entire 41-acre property as well as an adjacent property owner (Tom Dobski, proprietor of Leavenworth's McDonalds) for the NW quadrant located at K-7 & West Mary. Within this agreement, there are businesses that would be direct competitors of Mr. Dobski (and McDonalds), that would not be allowed.

Mr. Charest then asked if the City still planned to terrace the hill? Mr. Schmitz answered that "it would depend on what type of site plan was submitted (site plans/engineering plans are required to be submitted to the Planning Commission according to the guidelines set forth in the UDO that was adopted in 2019) and what type of development would take place. Regarding your concern, the west side of the property between West Mary and 4-H is steep, so there will have to be a design plan to terrace or install a wall to make that work."

Mr. Charest stated that he and his wife have lived in their home for roughly 28 years, own quite a bit of surrounding land, and are concerned primarily with safety and privacy. Mrs. Charest asked if there is a restriction on the size of building being built and Mr. Schmitz said he believes it's 3 stories based on fire code and Commissioner Jerry Gies confirmed 3 stories and/or 45' based off the ordinance he was reading from.

Mr. Charest asked if any offers have been put on the table at this point and Mr. Schmitz answered "no, not at this time." Mr. Charest then asked for clarification on the 8 parcels that

are open and whether that means 8 businesses could potentially move in. Mr. Schmitz stated it really depends on what is submitted and whether property lines would need to be adjusted to make development plans work. Mrs. Charest asked if notifications would be sent out to surrounding home/landowners when a new development is being considered and Mr. Schmitz stated that they would receive the same type of notice in the mail that they received for this rezone.

Mary Ryan, lifelong resident who lives at 128 West Kansas St, Lansing, KS said that she has been impacted by the development of Centre Drive and has been happy for the last 10 years since nothing has been built. Ms. Ryan stated initially she was concerned with drainage issues when homes were torn down and land was graded, that she was told would not be an issue but then became an issue and flooded homes on West Kay Street. The problem was fixed, but feels it was a temporary fix and if something were to be built and cement poured, it would create drainage issues again. Ms. Ryan is now concerned about the additional amount of traffic that might develop on Centre Drive, as it is currently a frequented road. Ms. Ryan asked that the future is taken into consideration when the Planning Commission begins reviewing business applications, as she feels potential issues were overlooked in the past that impacted nearby residents. Ms. Ryan asked if the term mixed use dwellings, which is listed under B-3 zoning, would be considered apartments and she is afraid if so, this would cause dense population in a small area. Vice-Chairman Kowalewski reassured her that the City as property owners will make advantageous decisions that benefit the City and mixed dwellings is probably not at the top of the list. Ms. Ryan asked how the City obtained the property as she thought it was privately owned and Vice-Chairman Kowalewski answered that the City purchased the property (unsure of why the seller sold it) for a financially great deal and were able to capitalize on the market. Ms. Ryan also noted that the space could be used for public open spaces, which is currently being done by dog walkers and such, and she feels the City should keep that in mind as well. Ms. Ryan said Lansing has a need for accessible open public spaces and/or parks and would like to see Lansing utilize this space for something of that nature.

Ms. Ryan questioned the next step of this rezoning process after tonight's meeting regarding plats and site plans and if approval needs to come from City Council. Mr. Schmitz answered that rezoning actions move on to City Council approval. He went on to further say that site plans are approved by the Planning Commission and do not need approval from the Council. Both processes still require public notification. There is a 14-day protest period that citizens can address their concerns with the City Council and the City Council can decide whether to approve the rezone request.

Ms. Ryan then asked for clarification regarding why the City wants to rezone from a PUD to a B-3 and what the advantage would be. Vice-Chairman Kowalewski answered it is to benefit the economy and widen the scale for what type of businesses would be developed. Mr. Schmitz added that it makes the property more marketable to developers. Ms. Ryan asked for a direct answer on whether apartment complexes would be developed, and Mr. Schmitz answered it is possible but highly improbable that the City would choose that avenue.

Mrs. Charest asked if any additional side streets would be added. Vice-Chairman Kowalewski answered that tonight's topic is the rezoning of the property and until something is developed, there is no answer on what if any, additional accessibility would be needed.

Craig Gephart, resident at 310 W. Olive St., Lansing, KS stated he would caution the Commission using the term improbable regarding apartments, because he has seen in the past where the City used that term regarding HUD housing and within 2 weeks of a developer going to the State, HUD housing is now Lansing Heights near him. Mr. Gephart said unfortunately there was no push back from the Council, after the public was told this would not be done. Mr. Gephart said he would like to see a development for this area that not only benefits the City, but Lansing residents as well. Mr. Gephart said he supports the idea of retail, but not of apartments/condominiums that can create a new set of problems from a high concentration of people living in one area. Mr. Gephart would like to see fencing and/or protection provided to the current residents in the area. Also, he would like to see erosion/drainage potentials addressed, lighting issues addressed, noise etc. Mr. Gephart would also like to see vegetation in the area to help beautify the City and Vice-Chairman stated this has been addressed in the ordinance to ensure the appropriate trees and vegetation are planted that are beneficial to the City. Mr. Gephart ended with a plea to the Commission to put the current residents in the area at the forefront of the decision-making process to ensure whatever is developed is mutually beneficial and not detrimental to the residents.

Vice-Chairman Kowalewski closed the public hearing at 7:25 p.m.

Vice-Chairman Kowalewski asked for a motion to approve the checklist as a finding of fact for the Rezoning application for 00000 Centre Drive, Lansing, Kansas. Commissioner Nancy McDougal made the motion seconded by Chairman Ron Barry. The motion passes 5-0.

Vice-Chairman Kowalewski asked for a motion to recommend approval, approve with conditions, or recommend disapproval to the Governing Body the Rezoning Application for City of Lansing, KS. Commissioner Jerry Gies made the motion seconded by Commissioner Nancy McDougal. The motion passes with 4-1 with Chairman Barry abstaining.

2. Final Plat Application Case # SDFP-2021-1: 1022 E. Mary St, Lansing, Kansas

Application submitted by Mark Linaweaver Trust, property owner. This application is for a final plat consisting of 3 lots and approximately 98.67 acres. The property is currently zoned R-2 Single-Unit Residential District.

Commissioner Nancy McDougal made a motion to approve the checklist as a finding of fact seconded by Commissioner Gies recommending approval subject to conditions as outlined in the staff report. The motion passes 5-0.

3. Final Plat Application Case # SDFP-2021-2: 811 4-H Road, Lansing, Kansas

Application submitted by Lyle and Mary Chadwell Trust, property owners. This application is for a final plat consisting of 4 lots and approximately 154.6 acres. The property is currently zoned A-1 Agricultural District.

Mr. Schmitz asked for clarification from the Commission on the staff report comment regarding access along Gilman Rd for Lots 3 and 4. Harland Russell, with George Butler Associates (GBA), 9801 Renner Boulevard, Ste. 300, Lenexa, KS 66219, introduced himself as the plat preparer and said he asked the question to the staff earlier today and was told the restriction was on the

fact that Gilman Rd. is a collector road and one wouldn't want to have driveway access off a collector road. Mr. Russell further stated the idea would be if Gilman were to be developed in the future, there might be consideration for Lots 2 and 3 to front Gilman Rd and potentially house residential homes. Mr. Russell stated the current intent is not to have them developed but to re plat them as part of the Rock Creek development that is to the South. Mr. Russell would like to see some flexibility in today's thoughts towards the future. Commissioner Gies stated he does not feel the Chadwell's should have any say in the future access of this property because they will no longer be owners of the property. Mr. Russell stated he agrees with Mr. Gies' statement today, however if the re plat never occurs with Rock Creek to the South, then you face the potential of having two buildable lots that would be taxable entities on home sites. Commissioner Gies answered if that happens, then the future homeowners at that time can address their concerns with the City then. Mr. Russell agreed and stated it is nothing of a concern in the present moment.

Mary Chadwell, property owner, stated she agreed also with Commissioner Gies. Public Works Director Michael Spickelmier also added that the intent is to never have rear access to any residential lot, especially off a collector street. Mr. Russell agreed. Ms. Chadwell said at this time there is no need for access off Gilman Rd for those 2 lots and made note that Lot 2 could be accessed from Rock Creek Estates from Canyon Lane and Mr. Schmitz confirmed.

Vice-Chairman Jake Kowalewski asked for a motion to approve, approve with conditions, or disapprove the Final Plat application for Lyle and Mary Chadwell Trust. Commissioner Nancy McDougal made a motion to approve with conditions that the access issues as outlined in the staff report be addressed seconded by Commissioner Amy Baker. The motion passes 5-0.

4. Final Plat Application Case # SDFP-2021-3: 00000 Reagan Drive, Lansing, Kansas

Application submitted by Greenamyre Rentals Inc, property owners. This application is for a final plat consisting of 5 lots and approximately 10.81 acres. The property is currently zoned R-3 Mixed-Density Neighborhood.

Commissioner Gies asked Mr. Schmitz if the sub street North of Lot 4 would go away and Mr. Schmitz answered that in the preliminary plat that area was not shown as right-of-way but was corrected in the final plat to show right-of-way and there is no intention of building anything for public improvement today, it is just to establish right-of-way for the future. Commissioner Gies asked if there would have to be a front yard setback (25') as opposed to 12' as listed on the North side of Lot 4 and Mr. Schmitz agreed since it is a corner lot. Mr. Schmitz added that whatever may develop would need to face Reagan Drive. Jeremy Greenamyre representing Greenamyre Rentals, 2500 S. 2nd Street in Leavenworth, Kansas stated that Lot 4's intention would be uniform to the rest of the cul-de-sac.

Vice-Chairman Kowalewski asked for a motion to approve, approve with conditions, or disapprove the Final Plat application for Greenamyre Rentals, Inc. Commissioner Gies made a motion to recommend approval to City Council with modification as outlined for Lot 4 seconded by Chairman Barry. The motion passes 5-0.

Lansing Planning Commission
Regular Meeting
January 20th, 2021

Notices and Communications- None

Reports - Commission and Staff Members – Mr. Schmitz noted that there was a motion for the City Council to appoint Michael Spickelmier as City Engineer in the next City Council meeting.

Adjournment- Commissioner Nancy McDougal made a motion to adjourn. Commissioner Amy Baker seconded it and it passed by acclamation. The meeting adjourned at 7:47 p.m.

Respectfully submitted,

Debra Warner, Secretary

Reviewed by,

Matthew R. Schmitz, Community and Economic Development Director

