

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, March 2, 2020
6:00 PM

CALL TO ORDER:

Commissioners Present

Mike Burke
Claude Wiedower
Linda Bohnsack
Chris Murphy
Jay Byrne
John Karrasch

Commissioners Absent

Sherry Hines Whitson

City Staff Present

Julie Hurley
Michelle Baragary

Acting Chairman Karrasch called the meeting to order at 6:10 p.m. and noted a quorum was present.

APPROVAL OF MINUTES: December 2, 2019

Acting Chairman Karrasch asked for comments or a motion on the minutes presented for approval: December 2, 2019. Mr. Byrne moved to accept the minutes as presented, seconded by Ms. Bohnsack. The minutes were approved by a vote of 6-0.

APPROVAL OF MINUTES: January 6, 2020

Acting Chairman Karrasch asked for comments or a motion on the minutes presented for approval: January 6, 2020. Mr. Burke moved to accept the minutes as presented, seconded by Mr. Murphy. The minutes were approved by a vote of 6-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. ELECTION OF OFFICERS

Selection of board members to hold the position of Chairperson and Vice Chairperson for the Planning Commission.

Acting Chairman Karrasch called for nomination for the Chairman and Vice Chairman positions. Mike Burke volunteered for Chairman and Claude Wiedower volunteered for Vice Chairman. Chris Murphy moved to accept the nominations as stated, seconded by Mr. Byrne and approved by a vote of 6-0.

2. 2020-02 TXT – TEXT AMENDMENTS

Review proposed text amendments to the adopted Development Regulations.

Acting Chairman Karrasch called for the staff report.

Planning Director Julie Hurley stated the Development Regulations were adopted by the City Commission in June 2016 after a year-long comprehensive update process. Through the daily use of the Regulations by staff, several minor items have arisen that may necessitate possible updating. This process is not uncommon, and it is anticipated that an annual review of the Development Regulations will be performed in order to ensure that they remain up to date and comprehensive. The following sections have been identified for update:

- **Section 2.02; Platting**

Language should set forth procedure for “Administrative Plat” process to be used only in applications for simple lot splits or lot combinations. Any other platting activity should follow Minor Subdivision or Major Subdivision procedures.

The Administrative Plats are only intended to be for a single split resulting in two separate lots or a combination of two separate lots resulting in one lot.

- **Section 4.03; Property Development Standards**

Commercial and Industrial zoning districts should be allowed higher maximum lot coverage requirement than residential districts, subject to stormwater quality and quantity considerations for each individual project.

In the commercial zoning districts and industrial zoning districts, the maximum lot coverage would be increased to 80%, subject to stormwater quality and quantity requirements determined by the Public Works Department.

- **Section 4.03; Property Development Standards**

Clarify language stipulating that no accessory structures shall be located forward of the main building line or in the required side yard setback.

- **Section 4.04; Use Standards**

Clarify language to specify that accessory structure regulations refer to Amateur Radio Towers; Commercial Radio Towers are addressed in a separate Article of Development Regulations. Clarify setback requirements for Amateur Radio Towers.

- **Section 4.04; Use Standards**

Update regulations for Agriculture Buildings to allow for larger buildings on larger lot sizes. The proposed building increase would be two percent of the size of the lot (this is based on the square footage of the lot).

Commissioners would like *this is based on the square footage of the lot* to be included in the Development Regulations.

Ms. Hurley will get some information on a maximum size for the building.

- **Section 4.04; Use Standards**

Per direction of the City Commission, add language to allow for keeping of Apiaries in residential districts.

Commissioners showed concern about neighboring property owners not being notified.

Ms. Hurley will look into a notification requirement or possible special use requirement and bring some options to the next Planning Commission meeting.

- **Section 4.04; Use Standards**

Clarify language regarding Prohibited Accessory Uses, proposed language to be removed creates confusion for residents and staff.

Headings to be removed “Large Vehicles or Trailers” and “Dismantled Objects”

- **Section 4.04; Use Standards**

Remove requirement that no separate outside entrance is allowed for home occupations. Provide provision for accessory structures to be used for home occupations with issuance of a Special Use Permit.

- **Section 6.08; Fences**

Modify setback requirement for solid fences installed on corner lots to allow for the fence to be placed at 50% of the existing setback from the house to the property line.

Ms. Hurley stated she will bring some better language to the next meeting.

- **Section 8.11; Signs Permitted in Commercial and Industrial Districts**

Correct maximum size allowance for attached signs in the CBD and OBD zoning districts, numbers were inadvertently transposed in last update.

The correct maximum size is 150 sqft for CDB and 96 sqft for OBD.

- **Article 12; Definitions**

Add definitions for “Adult Day Center” and “Agriculture Accessory Building”.

- **Appendix A; Use Table**

-“Live/Work Dwellings” allowed use in commercial zoning districts

-Add use type for “Adult Day Center”

-“Home Day Care, 6 or less children” allowed by-right in all districts

- “Home Day Care, 7 or more children” allowed with SUP in residential districts
- Modify use of “Kennel” to be allowed only in GBD, I-1 and I-2 districts
- “Apiaries” allowed in all residential zoning districts

Commissioners thought the Adult Day Center may be something they may want to review and require a special use permit rather than it being a permitted use by right.

Difference between the Adult Day Center and a Child Care Center in a residential area is that a Child Care Center is someone’s home; the owner of the daycare lives there. The owner of an Adult Day Center does not live there. The difference between a school and an Adult Day Center is that the Adult Day Center is an independent business.

Commissioners would like to look into a special use permit required for apiaries in residential districts.

ACTION/OPTIONS:

No formal action required at this time. Upon conclusion of discussion by Planning Commission, a public hearing will be set for the proposed text amendments at the next regularly scheduled Planning Commission meeting, as provided for in section 2.01 of the Development Regulations.

Ms. Hurley stated the Planning Commission will meet in April.

With no further business, Acting Chairman Karrasch called for a motion to adjourn. Mr. Byrne moved adjourn, seconded by Mr. Burke and approved by a vote of 6-0.

The meeting adjourned at 6:41 p.m.

JH/mb