

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

CALL TO ORDER:

Commissioners Present

Claude Wiedower
Linda Bohnsack
James Diggs
Joseph Burks
Chris Murphy
Sherry Hines Whitson

Commissioners Absent

Mike Burke

City Staff Present

Jackie Porter
Michelle Baragary

Claude Wiedower, Joseph Burks, Chris Murphy, Jackie Porter and Michelle Baragary were present in the commission chambers. James Diggs, Sherry Hines Whitson and Linda Bohnsack participated via GoToMeeting. Mike Burke was absent.

Vice Chairman Wiedower called the meeting to order at 6:00 p.m. and noted a quorum was present.

APPROVAL OF MINUTES: July 13, 2020

Vice Chairman Wiedower asked for comments or a motion on the minutes presented for approval: July 13, 2020. Joseph Burks and James Diggs recused themselves, as they were not at the July meeting. Vice Chairman Wiedower tabled the item for the next meeting as there were not enough commissioners to vote.

APPROVAL OF MINUTES: September 14, 2020

Vice Chairman Wiedower asked for comments or a motion on the minutes presented for approval: September 14, 2020. Mr. Burks moved to approve the minutes as presented, seconded by Ms. Whitson and approved by a vote of 6-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. 2020-32 SUB – FORT GATE MARKETPLACE FINAL PLAT

Consider a final plat for the Fort Gate Marketplace subdivision.

Vice Chairman Wiedower called for the staff report.

City Planner Jackie Porter stated the subject property is owned by Fort Gate Properties, LLC, plat prepared by Renaissance Infrastructure Consulting. The applicant is requesting approval of 2.072 acres, 2 lot and 1 tract plat for the Fort Gate Marketplace commercial development. The property is zoned GBD, General Business District, and is currently vacant. The site was previously occupied by the Armed Forces Band, which was recently demolished.

The plat includes dedication of necessary utility easements, as well as the vacation of a portion of 6th Street. The remainder of the 6th Street Right-of Way between Metropolitan Avenue and Cheyenne Street will be vacated by separate instrument, and is scheduled to be considered by the City Commission on October 13, 2020. The applicant intends to redevelop the property with an Armed Forces ATM on Tract A (already in place), a convenience store, and a fast food restaurant.

The Project Plan to establish the North Gateway Redevelopment District for this project was reviewed by the Planning Commission for conformance with the Comprehensive Plan in November 2019, and approved by the City Commission.

The preliminary plat was approved by the Planning Commission at the May 5, 2020 Planning Commission meeting. Pending action by the Planning Commission, the City Commission will review the plat to accept land dedicated for public purposes in the form of utility easements.

Staff recommends approval of the Fort Gate Marketplace, First Plat.

ACTION/OPTIONS:

- Approve the Final Plat
- Deny the Final Plat
- Table the issue for additional information/consideration.

Vice Chairman Wiedower called for discussion among the commissioners.

Mr. Murphy asked for clarification of the location of this specific plat.

Ms. Porter stated it is everything between Metropolitan & Cheyenne and between N. 7th Street & N. 6th Street except the southeast corner.

With no one wishing to speak, Vice Chairman called for a motion. Mr. Burks moved to approve the Fort Gate Marketplace, First Plat, Final Plat, seconded by Ms. Whitson and approved by a vote of 6-0.

2. 2020-33 – SUP – 611 MIAMI STREET

Conduct a public hearing for Case No. 2020-33 SUP – 611 Miami Street. The applicant is requesting a Special Use Permit to allow a two-family dwelling in the R1-6 zoning district, located at 611 Miami Street. Two-family dwellings are allowed in the R1-6 zoning district with the approval of a Special Use Permit.

Vice Chairman Wiedower called for the staff report.

City Planner Jackie Porter stated the applicant, Joseph McKee, is requesting a Special Use Permit to allow a two-family dwelling in the R1-6 zoning district, located at 611 Miami. Two-family dwellings are allowed in the R1-6 zoning district with the approval of a Special Use Permit.

Mr. McKee is in the process of renovating the inside of the 1,908 square foot single-family dwelling to sustain an additional unit to create a two-family dwelling. Staff was made aware of the renovation project by the Building Inspections Department in August 2020.

COMMISSION FINDINGS

The Commission may recommend issuance of a special use permit whenever it finds that:

1. The proposed special use complies with all applicable provisions of this ordinance.

Staff believes that this application complies with all provisions of City of Leavenworth Development Regulations.

2. The proposed special use at the specified location will contribute to and promote the economic development, welfare or convenience of the public.

The property fills a need in the community by providing a two-family housing option.

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

Staff does not feel that the proposed use will cause any substantial injury to the value of other property in the neighborhood.

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

No new structures. The property owner is renovating the interior of the house. This will not impact the development and use of neighboring property.

Notification was sent to property owners within 200' of the subject property, as required by Kansas Statute. Since notifications were mailed, staff has received no comments or inquiries.

STAFF RECOMMENDATION:

Staff recommends approval of the Special Use Permit request based on the analysis and findings included herein.

ACTION/OPTIONS:

- Motion, based upon findings as stated and conditions as presented, to recommend approval to the City Commission
- Motion, to recommend denial to the City Commission

- Table the issue for additional information/consideration

Vice Chairman Wiedower stated staff forwarded an email from the applicant to the commissioners about the renovations at 611 Miami Street. The email stated “with a good portion of the walls already exposed to studs and with the amount of space that’s available it makes the most sense to turn 611 Miami into a duplex. It had a large two car garage that can also be split up so that two single people can park their cars separately and safely. There are also a few other duplexes right next door that will make this duplex fit right in”.

Vice Chairman Wiedower called for discussion among the commissioners about the staff report.

Ms. Bohnsack asked what size each unit will be.

The applicant, Joseph McKee, responded each unit will be approximately 1,200 sqft.

Ms. Bohnsack noted the minimum size permitted is 800 sqft.

Mr. Burks asked for clarification on the unit size. The policy report states the dwelling is currently 1,900 sqft and Mr. McKee stated each unit will be approximately 1,200 sqft.

Mr. McKee stated he will need to verify the size but believes one unit is 1,100 sqft and the other unit is 800 sqft.

Mr. Wiedower believes the project is in harmony with the surrounding area and there is a great need for affordable two-family residences in Leavenworth.

Vice Chairman Wiedower opened the public hearing. With no one wishing to speak, Vice Chairman Wiedower closed the public hearing.

Vice Chairman Wiedower called for discussion among the commissioners or a motion. Mr. Murphy moved to recommend approval of the Special Use Permit at 611 Miami to the City Commission based upon findings as stated, seconded by Mr. Burks and approved by a vote of 6-0.

With no other business, Vice Chairman Wiedower called for a motion to adjourn. Mr. Burks moved to adjourn, seconded by Mr. Murphy and approved by a vote of 6-0.

The meeting adjourned at 6:49 p.m.

JP/mb