

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, February 7, 2022
6:00 PM

CALL TO ORDER:

Commissioners Present

Claude Wiedower
Sherry Hines Whitson
Bill Waugh
Donald Homan
Chris Murphy

Commissioners Absent

James Diggs
Joe Burks

City Staff Present

Julie Hurley
Michelle Baragary

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

APPROVAL OF MINUTES: October 4, 2021

Chairman Wiedower asked for comments or a motion on the minutes presented for approval: October 4, 2021. Mr. Waugh moved to approve the minutes as presented, seconded by Ms. Whitson and approved by a vote of 5-0.

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.

Ms. Whitson suggested keeping the status quo. Chairman Wiedower for a motion. Mr. Homan moved to maintain the status quo, seconded by Mr. Murphy and approved by a vote of 5-0. Mr. Wiedower and Mr. Burks remain Chairman and Vice Chairman, respectively.

2. REVIEW BYLAWS

Review proposed revisions to the bylaws.

Planning Director Julie Hurley stated there are two proposed changes to the bylaws. First is Article III, Section 1; change "...shall meet monthly on the first Monday of the month..." to "...shall meet monthly, on an as needed basis on the first Monday of the month...". Second is Article VI, Section 3; change "The Commission shall review each January..." to "The Commission shall review annually...".

Chairman Wiedower asked for comments or a motion on the proposed revisions to the bylaws. Mr. Murphy moved to accept the proposed changes, seconded by Ms. Whitson and approved by a vote of 5-0.

3. 2022-03 SUB – 2604 S. 2ND AVENUE

Consider a preliminary plat for 2nd Avenue Estates.

Chairman Wiedower called for the staff report.

Planning Director Julie Hurley stated she will be discussing the preliminary plat and final plat together since it is one project. There will need to be two separate motions; one for the preliminary plat and one for the final plat.

Julie Hurley stated the subject property is owned by Greenamyre Rentals, Inc., plat prepared by McAfee Henderson Solutions. The applicant is requesting approval of a 3 lot preliminary plat for 2nd Avenue Estates residential development, located at 2604 S. 2nd Avenue. The subject property is 5.05 acres in size, and is occupied by one single family home. The site consists of one existing lot and is zoned PUD, Planned Unit Development. The proposed plat consists of 3 lots and 1 tract, with accompanying Right of Way for Vilas Circle.

The property was zoned from R1-6, High Density Single Family Residential to PUD in 2003 to accommodate the development of age-restricted townhomes, with a layout largely similar to what is intended to be built at this time. The proposed site plan is included in this packet for information purposes only, and is not subject to Planning Commission review and approval. The proposed project is being developed as a Low Income Housing Tax Credit (LIHTC) project, as approved by the State of Kansas.

The plat was discussed at the January 13, 2022 Development Review Committee meeting. Items related to the stormwater, parking, and circulation were discussed. All items discussed will be addressed prior to issuance of building permits and do not require modification to the plat as submitted.

Staff recommends approval of the 2nd Avenue Estates Preliminary Plat.

ACTION/OPTIONS:

- **Approve the preliminary plat**
- **Deny the preliminary plat**
- **Table the issue for additional information/consideration**

Chairman Wiedower called for questions from commissioners about the staff report.

Mr. Homan asked what the applicant intends to do with Lot 3.

Ms. Hurley responded the dashed lines in Lot 3 represents future development of similar duplex units; but at this time the applicant only plans on developing Lots 1 and 2.

Mr. Homan how many units will be developed.

Ms. Hurley responded 18 duplex units for a total of 36 units.

Mr. Claude asked for clarification that the role of the Planning Commission is to recommend approval, recommend disapproval or table the issue for additional information; and staff needs the Planning Commissioners final approval to send the item to the City Commissioners.

Ms. Hurley stated the Planning Commission will either approve or disapprove the preliminary and final plat. The Planning Commission's approval of the final plat is the final approval. The City Commission does not approve the plat. The City Commission will accept the dedication of the right-of-way.

With no further questions/discussion, Chairman Wiedower called for a motion. Mr. Waugh moved to approve Case No. 2022-03 SUB 2nd Avenue Estates preliminary plat as presented, seconded by Mr. Murphy and passed by a roll call vote 5-0.

4. 2022-02 SUB – 2604 S. 2ND AVENUE

Consider a final plat for 2nd Avenue Estates.

(Below is the policy report for 2022-02 SUB – 2604 S. 2nd Avenue Estates. Discussion for the preliminary and final plat is captured under Case No. 2022-03 SUB above. Each item has its own motion).

Julie Hurley stated the subject property is owned by Greenamyre Rentals, Inc., plat prepared by McAfee Henderson Solutions. The applicant is requesting approval of a 3 lot preliminary plat for 2nd Avenue Estates residential development, located at 2604 S. 2nd Avenue. The subject property is 5.05 acres in size, and is occupied by one single family home. The site consists of one existing lot and is zoned PUD, Planned Unit Development. The proposed plat consists of 3 lots and 1 tract, with accompanying Right of Way for Vilas Circle.

The property was zoned from R1-6, High Density Single Family Residential to PUD in 2003 to accommodate the development of age-restricted townhomes, with a layout largely similar to what is intended to be built at this time. The proposed site plan is included in this packet for information purposes only, and is not subject to Planning Commission review and approval. The proposed project is being developed as a Low Income Housing Tax Credit (LIHTC) project, as approved by the State of Kansas.

The plat was discussed at the January 13, 2022 Development Review Committee meeting. Items related to the stormwater, parking, and circulation were discussed. All items discussed will be addressed prior to issuance of building permits and do not require modification to the plat as submitted.

Staff recommends approval of the 2nd Avenue Estates Final Plat.

ACTION/OPTIONS:

- **Approve the preliminary plat**
- **Deny the preliminary plat**
- **Table the issue for additional information/consideration**

Chairman Wiedower asked if there are any further questions on the final plat.

Mr. Homan asked about the parking.

Mr. Hurley stated parking is not part of the consideration for the plat but rather part of the site development plan. Parking was one of the items staff had discussed with the applicant at the Development Review Committee meeting. Staff would expect to see those issues addressed at the time of building permit.

With no further questions/discussion, Chairman Wiedower called for a motion. Ms. Whitson moved to approve Case No. 2022-02 SUB 2nd Avenue Estates final plat as presented, seconded by Mr. Waugh and passed by a roll call vote 5-0.

Mr. Homan asked if the Planning Commission will review a plat with parking and how much parking would be required.

Ms. Hurley responded that is not part of the Planning Commission. The subject property was rezoned to PUD back in 2003. The current proposal meets what was approved as part of the 2003 rezoning so the Planning Commission is not looking at that again but rather just reviewing the plat.

Mr. Homan asked if the City Commissioners would review the parking requirements.

Ms. Hurley responded in the negative stating that is all a staff level review.

Ms. Hurley stated there is one item on the agenda for the March 7th meeting.

With no other business, Chairman Wiedower adjourned the meeting at 6:15 p.m.

Minutes taken by Administrative Assistant Michelle Baragary.