
AGENDA ITEM

TO: Tim Vandall, City Administrator
FROM: Joshua Gentzler
DATE: April 28, 2023
SUBJECT: Zimmerman Properties Rezone – Lot 1, Lansing Towne Centre

Overview: The Applicant proposes to rezone a 4.726-acre portion of Lot 1, Lansing Towne Centre, from B-3 to R-4. The Future Land Use Map of the Lansing Comprehensive Plan categorizes this property as Commercial. The property has access to both W Mary Street and W Kay Street. The rezoning, if approved, would allow the applicant to construct an apartment complex which would be categorized as a “Medium Apartment” Use under the UDO Article 4.03 Permitted Uses. For a preliminary layout, please see the attached document provided by the applicant.

Policy Consideration: n/a

Financial Consideration: n/a

Action: Staff recommends a motion to adopt Ordinance No. 1094 to amend the City of Lansing Zoning Map.

AGENDA ITEM

Project Facts

Applicant

Jeff Beckler
Zimmerman Properties

Owner

City of Lansing

Address

00000 Centre Drive

Property ID

106-24-0-40-08-001.03

Zoning

B-3 (Regional Business District)

Future Land Use

Commercial

Land

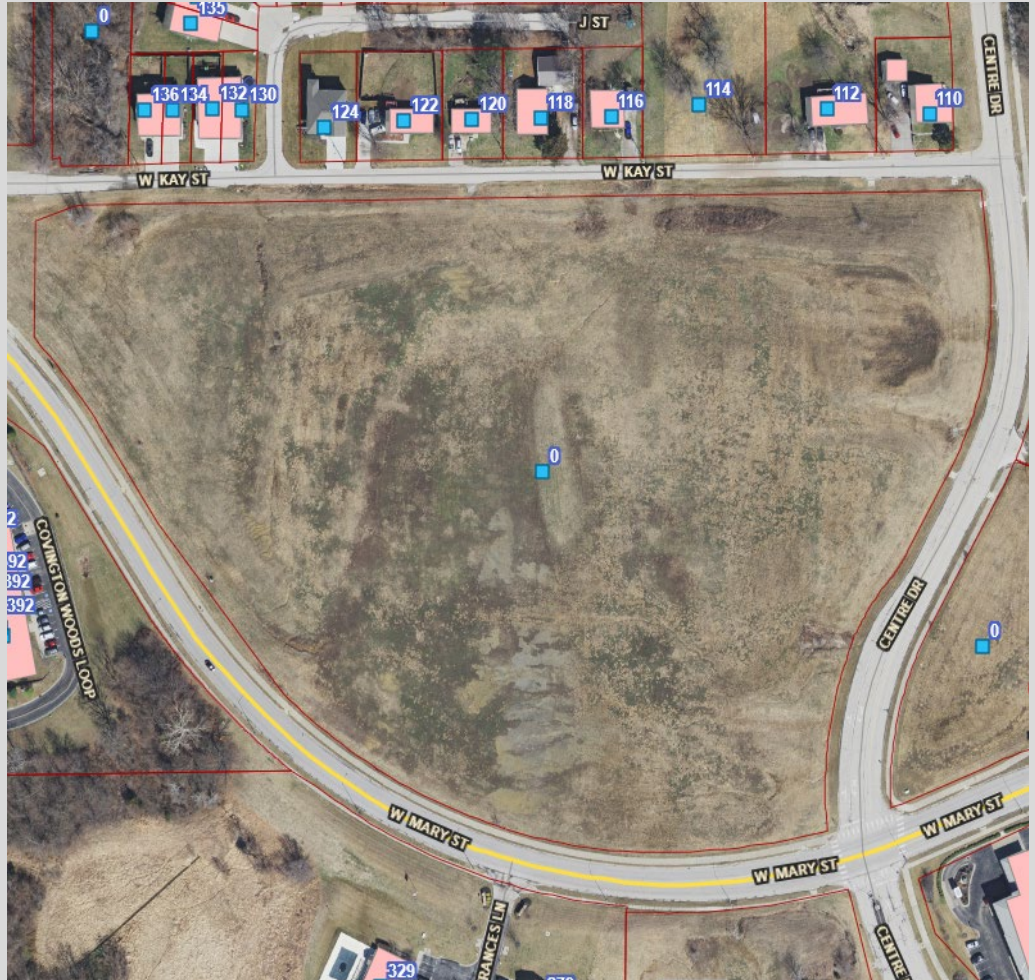
205,883 SF (4.73 acres)

Building

Existing: N/A
Proposed: N/A

Requested Approvals

Rezoning



Project Summary

Summary

The Applicant proposes to rezone a 4.726-acre portion of Lot 1, Lansing Towne Centre, from B-3 to R-4. The Future Land Use Map of the Lansing Comprehensive Plan categorizes this property as Commercial. The property has access to both W Mary Street and W Kay Street. The rezoning, if approved, would allow the applicant to construct an apartment complex which would be categorized as a “Medium Apartment” Use under the **UDO Article 4.03 Permitted Uses**. For a preliminary layout, please see the attached document provided by the applicant.

There have been no questions or complaints from City residents concerning this rezoning application.

Legal Description

See attachment for full legal description.

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.

Factors to Be Considered

The following factors are to be considered by the Planning Commission and the City Council when approving or disapproving this Rezone request:		
	Met	Not Met
1. Character of the neighborhood <i>Density: Surrounding parcels range in size from 0.1 acres to 24.2 acres in size.</i> <i>The average size of parcel is 3.0 acres in size.</i> <i>The surrounding residential properties average 5.5 Dwelling Units per Acre.</i> <i>The proposed development would</i> <i>Character: The neighborhood consists of Multi-family, Civic/Institutional, Retail, and Commercial uses.</i>	✓	
2. Zoning and uses of nearby property <i>Adjacent Uses: Commercial, Institutional, Single-Family Residential, Multifamily Residential</i> <i>Adjacent Zoning: A-1, R-3, R-4, B-3, PUD</i>	✓	
3. Suitability of the Property for the uses to which it has been restricted <i>The Property is suitable for the land uses restricted by B-3 zoning.</i>		✓
4. Extent to which removal of the restrictions will detrimentally affect nearby property <i>Nearby properties are unlikely to be detrimentally affected if the current zoning were to remain in place</i>	✓	
5. Length of time the property has been vacant as zoned <i>Vacant: <input checked="" type="checkbox"/> - Property has been vacant since 2009.</i> <i>Not Vacant: <input type="checkbox"/></i>		
6. Relative gain to economic development, public health, safety and welfare <i>The requested rezoning application does have the potential to impact economic development, public health, safety or welfare.</i> <i>In the event of the approval of the rezoning, this will allow the applicant to develop an apartment complex on the property which will contribute to the economic development of the city via the addition of households within the City limits.</i>	✓	
7. Conformance to the Comprehensive Plan <i>Future Land Use Map Category: Commercial</i> <i>Comprehensive Implementation Strategy (Article 6): The proposed use is not compatible with the future land use designation.</i>		✓

Acknowledgments

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

- Joshua Gentzler – Director, Community & Economic Development
- Michael Spickelmier, P.E. – Director, Public Works / City Engineer
- Anthony Zell, MBA – Director, Wastewater

Staff Comments

The applicant is requesting a rezoning from B-3 – Regional Business District to R-4 – Multi-Family Residential. The applicant is submitting this request on behalf of the City of Lansing, to develop a portion of the Lansing Towne Centre subdivision. The applicant has proposed to rezone and then divide a 4.726-acre portion of Lot 1 to enable the construction of a 50-unit Apartment Community.

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 approval of Case No. 2023-DEV-002, Zimmerman Properties Rezoning – Lot 1, Lansing Towne Centre, at 00000 W Mary Street.

Action Options

1. Approve Case No. 2023-DEV-002; or
2. Deny Case No. 2023-DEV-002; or
3. Remand Case No. 2023-DEV-002 to the Planning Commission; or
4. Continue the public hearing to another date, time and place.

Attachments

1. Ordinance
2. Legal Description and drawing
3. Zoning Map
4. Future Land Use Map
5. Preliminary property development layout

ORDINANCE NO. 1094

**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 April 19, 2022, 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 Centre Dr. within the city limits of the City of Lansing, County of Leavenworth, State of Kansas, legally described as follows:

LEGAL DESCRIPTION:

A tract of land in the Northwest Quarter of Section 24, Township 9 South, Range 22 East of the 6th P.M., City of Lansing, Leavenworth County, Kansas, more fully described as follows:

THE WESTERN 4.726 ACRES OF LOT 1, LANSING TOWNE CENTRE, A SUBDIVISION IN THE CITY OF LANSING, LEAVENWORTH COUNTY, KANSAS, RECORDED IN DOCUMENT #2008P00022 AT THE REGISTER OF DEEDS OFFICE IN LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN MOST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF WEST KAY STREET AS NOW ESTABLISHED; THENCE NORTH 87°02'20" EAST ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 460.08 FEET TO A POINT; THENCE SOUTH 03°18'19" EAST, A DISTANCE OF 297.16 FEET TO A POINT; THENCE SOUTH 16°59'54" WEST, A DISTANCE OF 129.64 FEET TO A POINT; THENCE SOUTH 55°23'50" WEST, A DISTANCE OF 231.36 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, SAID POINT ALSO BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF WEST MARTY STREET AS NOW ESTABLISHED; THENCE NORTH 39°56'39" WEST ON THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 221.54 FEET TO A POINT; THENCE NORTH 34°34'26" WEST CONTINUING ON SAID SOUTHWESTERLY LINE, A DISTANCE OF 128.71 FEET TO A POINT; THENCE ON A CURVE TO THE LEFT CONTINUING ON SAID SOUTHWESTERLY LINE, HAVING A RADIUS OF 686.17 FEET, A DELTA ANGLE OF 10°51'03" AND AN ARC LENGTH OF 129.95 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE NORTH 01°46'43" WEST ON SAID WEST LINE, A DISTANCE OF 130.87 FEET TO A POINT; THENCE ON A CURVE TO THE RIGHT CONTINUING ON SAID WEST LINE, HAVING A RADIUS OF 232.47 FEET, A DELTA ANGLE OF 11°39'44" AND AN ARC LENGTH OF 47.32 FEET TO A POINT; THENCE NORTH 73°58'15" EAST CONTINUING ON SAID WEST LINE, A DISTANCE OF 11.50 FEET TO A POINT; THENCE NORTH 16°01'45" WEST CONTINUING ON SAID WEST LINE, A DISTANCE OF 1.53 FEET TO THE POINT OF BEGINNING. CONTAINS 205,883 SQUARE FEET OR 4.726 ACRES 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.

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 May, 2023.

Anthony R. McNeill, Mayor

ATTEST

Tish Sims, City Clerk

(Seal)

APPROVED AS TO FORM:

Gregory C. Robinson, City Attorney

Publication Date: _____

Published: The Leavenworth Times

DESCRIPTION:

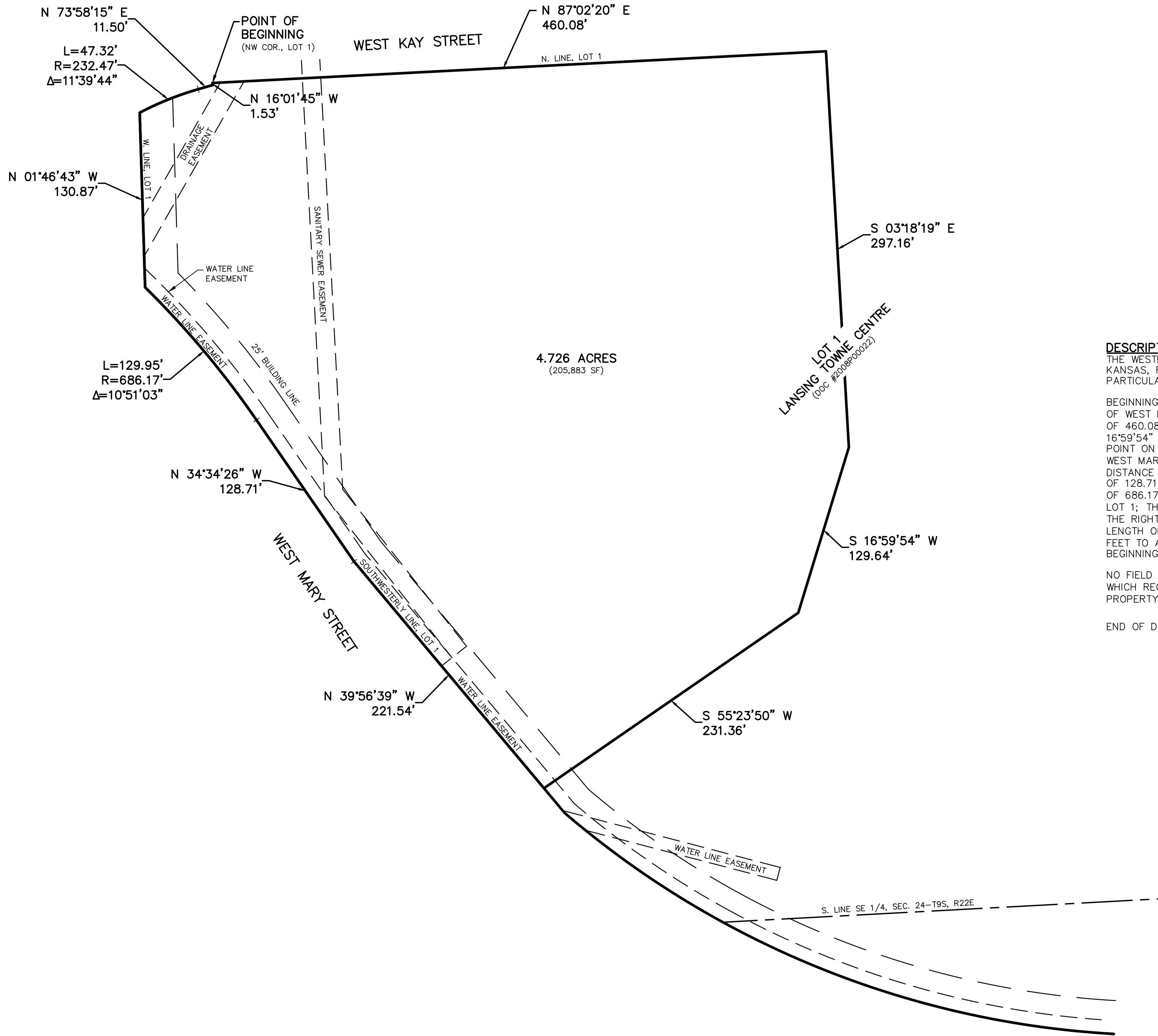
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NO FIELD WORK WAS PERFORMED AT THIS TIME AND THIS DESCRIPTION DOES NOT MEET THE REQUIREMENTS OF K.S.A. 19-1434, WHICH REQUIRES A SURVEY TO BE FILED WHEN CREATING A NEW PARCEL OR DESCRIPTION FOR THE TRANSFER OF REAL PROPERTY.

END OF DESCRIPTION

ZONING DESCRIPTION EXHIBIT
LANSING, LEAVENWORTH COUNTY, KANSAS



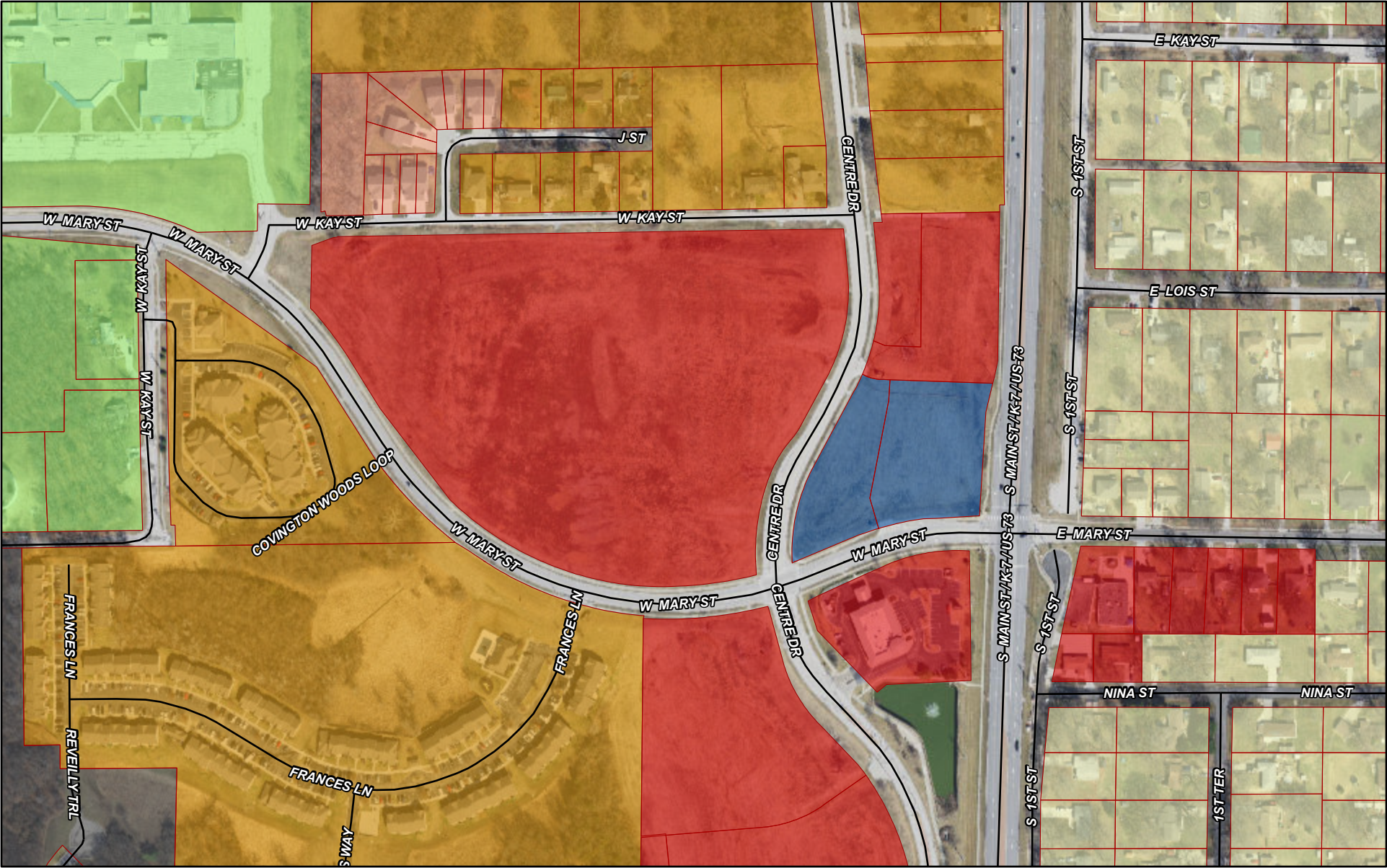
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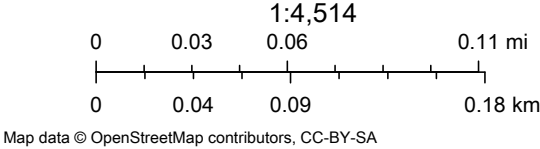
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END OF DESCRIPTION

2023-DEV-002 Zoning Aerial



April 28, 2023



Urban Growth Management Area



City Boundary



Parcels



Future Land Use

Future Land Use

- Airport
- Business Park/Light Industrial
- Civic
- Proposed from Civic to Single Family Residential
- Commercial
- High Density
- Proposed from High Density to Single Family Residential
- Medium Density
- Mixed Use
- Office
- Open Space Agriculture
- Parks
- Proposed from Parks to Single Family Residential
- Rural Residential
- Single-Family Residential

