

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for the Regular Meeting of 5:30 P.M., Wednesday, November 10, 2021
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048
www.leavenworthcounty.gov

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes**
5. **Secretary's Report**
6. **Administrative Business**
7. **Declarations: (if necessary)**
 - A. Declarations of receipt of communications by Planning Commissioners
 - B. Disclosure of ex-parte communications for each hearing item
 - C. Declarations of abstention from specific agenda items by a Commissioner
8. **Approval of Agenda**
9. **Consent Agenda**
 - A. **Case DEV-21-136/137 Haines Corner Farm 1963**

Consideration of a Preliminary and Final Plat – Haines Corner Farm 1963 on the following described property: A tract of land in the Southwest Quarter of the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.
Also known as 19678 199th Street (PID 147-35-0-00-00-018.00)
 - B. **Case DEV-21-140/141 Kitty Hawk Estates**

Consideration of a Preliminary and Final Plat – Kitty Hawk Estates on the following described property: A tract of land in the North Fifty (50) acres of the Fractional NW ¼ of Section 6, Township 12 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.
Also known as 18749 Stillwell Road (PID 233-06-0-00-00-003.01 & 233-06-0-00-00-003.00)
 - C. **Case DEV-21-142/143 Burr Oaks Estates *Continued to December 8th PC Meeting***

Consideration of a Preliminary and Final Plat – Burr Oaks Estates on the following described property: A tract of land in the Southeast Quarter of Section 9, Township 10 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.
Also known as 16762 Evans Rd (PID: 182-09-0-00-00-015.00)
 - D. **Case DEV-21-164 High Prairie Pointe South *Continued December 8th PC Meeting***

Consideration of a Preliminary and Final Plat – High Prairie Pointe South on the following described property: A tract of land in the Southeast Quarter of Section 15, Township 12 South, Range 20 East of the 6th P.M. in Leavenworth County, Kansas.
Also known as 25800 Linwood Road (PID: 215-15-0-00-00-022.00)

10. Regular Agenda

A. Case DEV-21-130 Vacation Pierce Division Lot 7

Consideration of an application for a Vacation of a Public Drainage Easement. The Vacation request is for the following described property: Lot 7 of Pierce Division in Leavenworth County, Kansas.

Also known as 00000 Stillwell Road (PID: 188-33-0-00-00-024.06)

B. Case DEV-21-161/162 Grey's Corner

Consideration of a Preliminary and Final Plat – Grey's Corner on the following described property: A tract of land in the south ½ of the southwest ¼ of Section 33, Township 9 South, Range 22 East, more fully described as follows: Beginning at the southwest corner of said southwest ¼, thence north 00 degrees 00'00" east for a distance of 330.74 feet along the west line of said southwest ¼, thence north 89 degrees 14' 43" east for a distance of 662.76, then south 00 degree 00' 57" west for a distance of 331.02 feet to the south line of said southwest ¼, thence south 89 degrees 16' 10" west for a distance of 662.67 feet along said south line to the point of beginning, in Leavenworth County, Kansas.

Also known as 24450 171st Street (PID: 108-33-0-00-00-016.09)

C. Case DEV-21-163 Harman Farms Replat

Consideration of a replat of lots within the Harman Farms Subdivision. The Replat request is for the following described property: Lots 6, 7, & 8 of Harman Farms in Leavenworth County, Kansas.

Also known as 22398 Honey Creek Road & 00000 Honey Creek Road (PID: 194-20-0-00-00-001.06, 194-20-0-00-00-001.07, & 194-20-0-00-00-001.08)

D. Case DEV-21-160 (Forever Fencing)

Consideration of an application for a Special Use Permit for a Contractor's Yard on the following described property: A tract of land in the Northwest Quarter of Section 27, Township 10 South, Range 20 East of the 6th P.M, in Leavenworth County, Kansas.

Also known as 25701 Donahoo Road (PID: 138-27-0-00-00-003.00)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

E. Case DEV-21-165 (CW Lawns)

Consideration of an application for a Special Use Permit for a Landscaping, Lawn Care, Lawn Maintenance, Snow Removal, and Related Business on the following described property: A tract of land in the Southeast corner of the Southeast Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M, in Leavenworth County, Kansas.

Also known as 24619 163rd Street (PID: 108-33-0-00-00-025.00)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

F. Case DEV-21-148 (Rezone Request RR-5 to RR-2.5)

Consideration of a rezone request from RR-5 Zoning District to the RR-2.5 Zoning District on a tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., in Leavenworth County, Kansas.

Also known as 00000 246th Street (PID: 216-13-0-00-00-022.00)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

G. Case DEV-21-155 (Rezone Request from B-2 to B-3)

Consideration of a rezone request from B-2 Zoning District to the B-3 Zoning District of Lot 3, Block 2, Hill Estates, in Leavenworth County, Kansas.

Also known as 17800 State Avenue (PID: 183-05-0-00-00-014.05)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Upcoming meeting dates:

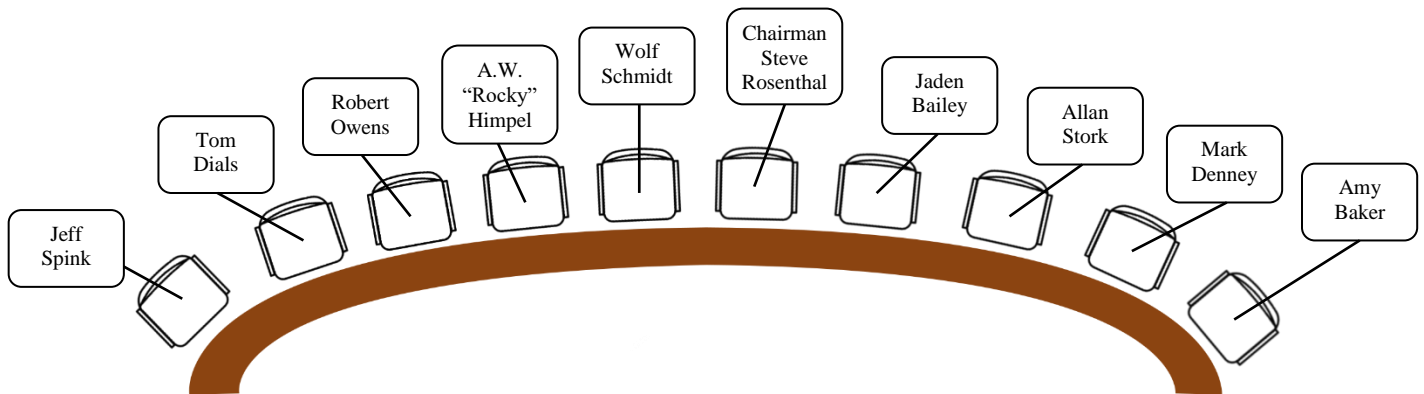
- **Wednesday, November 17, 2021, 10:45 AM**
Joint Work Session with BOCC – Comprehensive Plan
- **Wednesday, December 8, 2021, 5:30 PM**
Regularly Scheduled Meeting

For More Information

If you have any questions or need to make special arrangements for a meeting, please call or stop by the Planning and Zoning Department.

Contact Stephanie Sloop – 913-684-0465

Planning Commission Seating Chart 2021



Leavenworth County Planning Commission

Case Map
November 10th, 2021
Created: 11/4/2021

Legend

- RR-2.5
- RR-5
- B-1; B-2; B-3
- I-1; I-2; I-3
- PUD; R-1; R-1(15); R-1(43); R-2

DEV-21-161&162
Prelim & Final Plats
Grey's Corner

DEV-21-165
Special Use Permit
CW Lawns

DEV-21-160
Special Use Permit
Forever Fencing

DEV-21-136 & 137
Prelim & Final Plat
Haines Corner Farm 1963

DEV-21-142 & 143
Prelim & Final Plat
Burr Oak Estates

DEV-21-163
Replat
Harman Farms Replat

DEV-21-140 & 141
Prelim & Final Plat
Kitty Hawk Estates

DEV-21-155
Rezoning Mollett
RR-5 to RR-2.5

DEV-21-148
Rezoning Groves
B-2 to B-3

DEV-21-130
Vacation
Lot 7 Pierce Division

DEV-21-164
Prelim Plat
High Prairie Pointe South



**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
October 13, 2021**

The full recorded meeting can be found on the County's YouTube channel.

Meeting called to order at 5:30 pm

Pledge of Allegiance

Oath of Office New Members

Members present: Steve Rosenthal, Mark Denney, Jeff Spink, Amy Baker, Allan Stork, Wolf Schmidt, Tom Dials, Robert Owens, and Jaden Bailey

Members absent: Rocky Himpel

Staff present: Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, Joshua Gentzler-Planner, David Van Parys-Senior County Counselor

Administrative Business:

Amy Allison presented a summary of the By-laws to the Planning Commission. Ms. Allison also went over language that was approved in the Resolution for the make-up of the Planning Commission and how it tied into the by-laws.

Commissioner Stork made a motion to adopt the By-Laws. Commissioner Schmidt seconded that motion.

ROLL CALL VOTE - Motion to approve passed, 8/0 (1 absent)

Minutes:

Commissioner Schmidt made a motion to approve the September Minutes. Commissioner Baker seconded that motion.

ROLL CALL VOTE - Motion to approve passed, 8/0 (1 absent)

Secretary's Report:

Amy Allison gave the secretary's report, going over the consent agenda and regular agenda.

Commissioner Bailey made a declaration that he was approached on Johnson Corner Plat. He stated that it would not influence how he voted on the matter.

Chairman Rosenthal made a declaration that he is the applicant/agent for one of the cases and that he was going to step down for the meeting. Commissioner Denney would act as Chairman in his absence.

Commissioner Dials made a motion to approve the agenda. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE - Motion to approve passed, 7/0 (1 absent)

Case DEV-21-093 Dusselier Boat Storage

Re-consideration of an application for a Special Use Permit for a Boat Storage Facility. The Special Use Permit request is for the following described property: A tract of land in the Southwest Quarter of Section 29, Township 11 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 15829 174th Street (PID: 189-29-0-00-00-010.01)

Amy Allison went over the history of this request. At the Board of County Commissioner's September 1 Meeting, after reviewing this case, there was a recommendation of approval that did not pass. After that motion

did not pass there was a motion made to send this request back to the Planning Commission for reconsideration of the factors. They did not specify which factors to look at but did leave it up to this board to reconsider if the Planning Commission desired to do so.

County Counselor let the Commission know that to open the public hearing it would be required to table this to a later date in order to make public notifications.

Commissioners discussed reconsideration. It was decided by the commission that without new information and not being able to open the public comment they did not feel there was anything to reconsider.

Based on no new information presented, Commissioner Schmidt made a motion to not change the recommendation of denial. Commissioner Baker seconded the motion.

ROLL CALL VOTE Motion passed, 7/0 (1 absent)

The Board of County Commissioners will consider this item no earlier than **October 27, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

Case DEV-21-144/145 Redford Addition

Consideration of a Preliminary and Final Plat – Redford Addition on the following described property: A tract of land in the Southwest Quarter of Section 16, Township 8 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.

Also known as 16669 Santa Fe Trail (PID: 075-16-0-00-03-003.00)

Amy Allison presented the facts and findings for the above request, stating that staff's recommendation was approval.

Chairman Denney asked the applicant if they wished to speak.

The Planning Commissioners discussed the request with staff answering questions.

Chairman Denney said with no further discussion he would accept a motion.

Commissioner Schmidt made a motion to approve DEV-21-144/145. Commissioner Dials seconded the motion.

ROLL CALL VOTE - Motion to approve passed, 7/0 (1 absent)

The Board of County Commissioners will consider this item no earlier than **October 27, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

Case DEV-21-131 Kraemer & Sons

Consideration of an application for a Special Use Permit for a Contractor's Yard. The Special Use Permit request is for the following described property: The South half of the North Half of the Southeast Quarter of the Northeast Quarter of Section 24, Township 10 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 21655 187th Street (PID: 146-24-0-00-00-013.02)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Amy Allison presented the facts and findings for the above request. Ms. Allison explained that because the request does not match the future land use map that staff's recommendation of this request was denial.

Chairman Denney asked the applicant if they wished to speak. Mr. Kraemer came forward to answer questions about the request and to explain the nature of his request.

Chairman Denney asked if there was anyone that wished to speak in support of the request. Several residents and representatives from the water districts came forward to speak in support of this request. Chairman

Denney asked if there was anyone wishing to speak in opposition. Chairman Denney closed the public portion of the hearing and asked if there was further discussion.

The Commission discussed that while this use does not match the Comprehensive Plan, it is a service that is vital to have in the community. Chairman Denney stated that the definition of this request was a Special Use Permit, and this does fall into that. Chairman Denney said if there was no further discussion he would accept a motion.

Commissioner Dials made a motion to approve DEV-21-131, with the conditions proposed by staff. Commissioner Bailey seconded the motion.

ROLL CALL VOTE - Motion to approved passed, 7/0 (1 absent)

The Board of County Commissioners will consider this item no earlier than **November 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

Any person wishing to file a protest petition must contact the Planning & Zoning Office. Protest petitions must be filed with Leavenworth County within two weeks of this meeting.

Case DEV-21-133 Seymour Rezoning

Consideration of an application for a rezoning request from the RR-2.5 zoning district to the B-3 zoning district of the following described property: A tract of land in the North ½ of the East ½ of the NE 1/4 of Section 13, Township 10 South, Range 22 East of the 6th PM, Leavenworth County.

Also known as 00000 139th Street (PID: 156-13-0-00-00-001.00)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Amy Allison presented the facts and findings for the above request. Ms. Allison let the Commission know that staff supported the approval of this request.

Chairman Denney asked the applicant if they wished to speak. Mr. Steven Rosenthal explained the nature of this request.

Chairman Denney asked if there was anyone that wished to speak in support of the request. Chairman Denney asked if there was anyone wishing to speak in opposition. Several residents came forward to speak in opposition of the request. Chairman Denney closed the public portion of the hearing and asked if there was further discussion.

Chairman Denney said if there was no further discussion he would accept a motion.

Commissioner Schmidt made a motion to approve DEV-21-133. Commissioner Owens seconded the motion.

ROLL CALL VOTE - Motion to approve passed, 5/2 (1 absent)

Commissioner Bailey and Commissioner Spink voted no stating without a plan of what was going to go there they didn't support the request.

The Board of County Commissioners will consider this item no earlier than **November 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

Any person wishing to file a protest petition must contact the Planning & Zoning Office. Protest petitions must be filed with Leavenworth County within two weeks of this meeting.

Planning Commission adjourned and reconvened as the Board of Zoning Appeals.

Members present: Mark Denney, Jeff Spink, Amy Baker, Allan Stork, Tom Dials, Robert Owens, and Jaden Bailey

Case DEV-21-123

Consideration of a request for a Variance from the Leavenworth County Zoning and Subdivision Regulations under Article 5, Section 4.6 which requires a maximum allowed lot coverage of 2.5% for accessory building and structures.

Also known as 25013 164th Street (PID: 108-33-0-00-00-006.09)

*****Public Hearing Required*****

*****Public Comment limited to three minutes per person*****

Joshua Gentzler presented the facts and findings for the above changes to the Zoning Regulations.

Members of the Board of Zoning Appeals asked for clarification on parts of the amendment. Discussion was had amongst Staff, County Counselor, and the board regarding the amendment and enforcement of the amendment.

Chairman Denney opened the public hearing portion of the hearing and asked if there was anyone that wished to speak in support of the request. Chairman Denney asked if there was anyone wishing to speak in opposition. Chairman Denney closed the public portion of the hearing and asked if there was further discussion.

Commissioner Owens made a motion to approve DEV-21-123 stating that he felt that the application meets criteria A - E, Commissioner Dials seconded the motion.

ROLL CALL VOTE - Motion to approve failed, 3/4

Board Members Baker, Stork, Bailey, and Denney voted no. All citing that they did not feel it fit the criteria State Statue has outlined that it must fit.

Board of Zoning Appeals adjourned at 8:02 PM

*****Consent Agenda*****
Case No. DEV-21-136/137
Haines Corner Farm 1963
Preliminary and Final Plat

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Charles W Haines
19678 199th Street
Tonganoxie, KS 66086

Agent: Herring Surveying Company
Joe Herring
315 N 5th Street
Leavenworth, KS 66048

Legal Description: A tract of land in the Southwest Quarter of the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M, in Leavenworth County, Kansas.

Parcel Size: ± 29 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Mixed Residential land use category.

Parcel ID No.: 147-35-0-00-00-018.00

Planner: Amy Allison

REPORT:

Request

The applicant is requesting a Preliminary and Final Plat for a five (5) lot subdivision.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 120 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0225G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Stranger FD
Water: RWD #9
Electric: FreeState

Access/Streets

The property is accessed by Parallel Road and 199th Street. Parallel Road is a County Local road with a gravel surface ± 24' wide. 199th Street is a County Local road with a gravel surface ± 20' wide.

Agency Comments

See attached comments – Email – Lauren Anderson – Public Works, October 19, 2021 and October 26, 2021
See attached comments – Email – Rural Water District 9, September 7, 2021
See attached comments – Email – Amanda Tarwater – Electric utility, September 13, 2021

Findings

1. The proposed subdivision is consistent with the zoning district of RR 5; Rural Residential Zoning 5-acre minimum size parcels and meets the lot-depth to lot-width ratio of 3.5:1 or 4:1, have the minimum frontage of 300', Minimum lot size of 5 acres.
2. The property is not within a sewer district boundary or is within 660 feet of the incorporated limits of a municipality; therefore, a waiver to the requirement of allowing private septic systems is supported by staff. A private sewage disposal permit may be issued per Leavenworth County Sanitary Code requirements.
3. At time of development, fire hydrants shall be required if necessary infrastructure is available.
4. The proposed subdivision is in accordance with the Comprehensive Plan.

Subdivision Classification

This is classified as a Class "C" Subdivision. According to the Leavenworth County Zoning & Subdivision regulations, a Class "C" Subdivision is any subdivision in which all the lots lie within the Rural Growth Area of Leavenworth County.

Staff is supportive of a waiver of the requirement to connect to a sanitary system as sanitary sewers are not located within 660' of the subdivision (See Finding #2).

Staff Comments

The applicant is requesting the approval of a five (5) lot subdivision located to the northeast of the Parallel Rd and 199th Street intersection. The zoning of the property and the immediate area is RR-5. Properties to the South are zoned RR-2.5. The property is currently one parcel with an existing house and accessory structures. All structures will be located on Lot 3 and will remain in compliance with the Zoning Regulations.

The lots will range in size from 5.69 acres to 6.84 acres. All lots will meet the minimum zoning & subdivision standards.

Staff is supportive of the request as proposed and recommends approval of the development.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-21-136/137, Preliminary and Final Plat for Haines Corner Farm 1963, with the following conditions:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. A waiver for the use of private septic systems within this subdivision is granted with this approval.
4. At time of development, fire hydrants shall be required if necessary infrastructure is available.
5. After approval of this subdivision by the Board of County Commission, all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

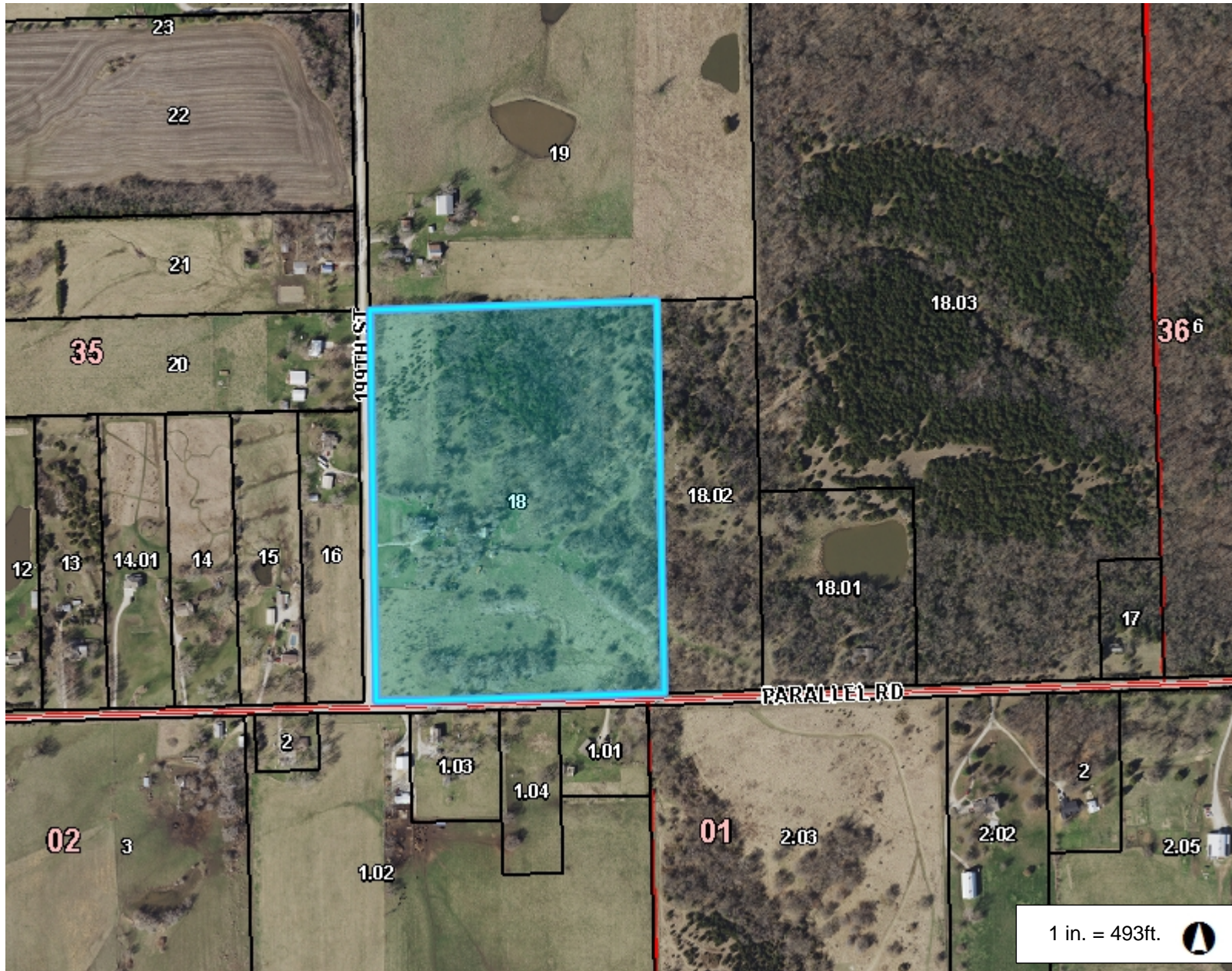
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-136/137, Preliminary and Final Plat for Haines Corner Farm 1963, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-21-136/137, Preliminary and Final Plat for Haines Corner Farm 1963, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place;

ATTACHMENTS:

Aerial Map
Memorandums
Drainage Report
Preliminary and Final Plat

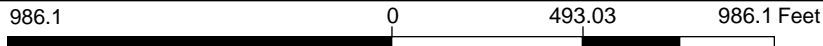
DEV-21-136 & 137 Haines Corner Farm 1963



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Special Development District
 - SDD Area 1
 - SDD Area 2

1 in. = 493ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Tuesday, October 19, 2021 10:14 AM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; 019-2831
Subject: RE: Haines Prelim Plat Revision

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I reviewed the revised PP with no further comments.

Thanks,

Mitch Pleak

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Monday, October 18, 2021 4:25 PM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: Haines Prelim Plat Revision

Lauren and Mitch,

I don't know how this one got past me but Joe did submit a revised Preliminary Plat, see attached.

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Tuesday, October 26, 2021 5:42 PM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; 019-2831
Subject: RE: Haines Drainage Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I have reviewed the revised drainage report with no further comments.

Thanks,

Mitch Pleak

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, October 26, 2021 9:45 AM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: FW: Haines Drainage Comments

Lauren and Mitch,

See attached.

Amy

From: David Lutgen <dlutgen72@gmail.com>
Sent: Monday, October 25, 2021 5:59 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Joe Herring <herringsurveying@outlook.com>; Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: Re: Haines Drainage Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

All,

Revised drainage report is attached.

Thanks

David Lutgen

On Mon, Oct 18, 2021 at 4:26 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Afternoon Joe and David,

Please find the comments for the Haines Drainage Report submitted on Oct 13, 2021 attached.

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

HAINES CORNER FARM 1963

A Minor Subdivision in the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th R.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
 Charles W. Haines
 1625 South Vista
 Topeka, KS 66606
 PGP # 147-338-04-00-018

PROPERTY DESCRIPTION:
 A plat of land in the Southeast Quarter of the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th R.M., Leavenworth County, Kansas, as shown by Chapter 4, Section 19-2701 on July 11, 2022, and more fully described as follows: Beginning at the Southwest corner of said Southeast Quarter, thence North 01 degree 21'27" West for a distance of 133.95 feet along the West line of said Southeast Quarter, thence South 89 degree 27'27" East for a distance of 930.21 feet, thence South 02 degree 23'04" East for a distance of 321.62 feet to the South line of said Southeast Quarter, thence South 89 degree 41'22" West for a distance of 933.32 feet along said South line to the point of beginning, together with and subject to covenants, easements and restrictions of record. Said property contains 30.12 acres, more or less.
 Date of Closure: 11-28-2022

CERTIFICATION AND DEDICATION:
 The undersigned proffers certify that all bases of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: HAINES CORNER FARM 1963.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, public and utility lines and any other form of public utility now and hereafter used for the public use, under and along the stripes marked "Utility Easement" (U.E.).

"Drainage Easements" or "D.E." shown on this plat are hereby dedicated for the purpose of constructing, using, maintaining and improving a sewer, storm water, drainage ditch, or other drainage facility or tributary connection, including similar facilities, and appurtenant thereto, including the right to maintain, repair and replace the drainage facility and for any reconstructive and future expansion of such facility together with the right of access for the same, as hereby dedicated for public use. Drainage Easements shall be last user of obstructions that impair the strength or stability with the use and/or maintenance of drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots abutting said Easements as indicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

As Testimony whereof, I, the undersigned certifier of HAINES CORNER FARM 1963, have set our hands this _____ day of _____, 2021.

Charles W. Haines

NOTARY CERTIFICATE:
 Be it remembered that on this _____ day of _____, 2021, before me, a notary public in and for said County and State of Kansas, Charles W. Haines, a single person, do personally appear to be the same person who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
 My Commission Expires: _____ (S&S)

APPROVALS:
 File with Leavenworth County Planning Commission, do hereby approve the foregoing plat of HAINES CORNER FARM 1963 this _____ day of _____, 2021.

Secretary: _____ Chairman: _____
 Kayla A. Lutz Steven Rasmussen

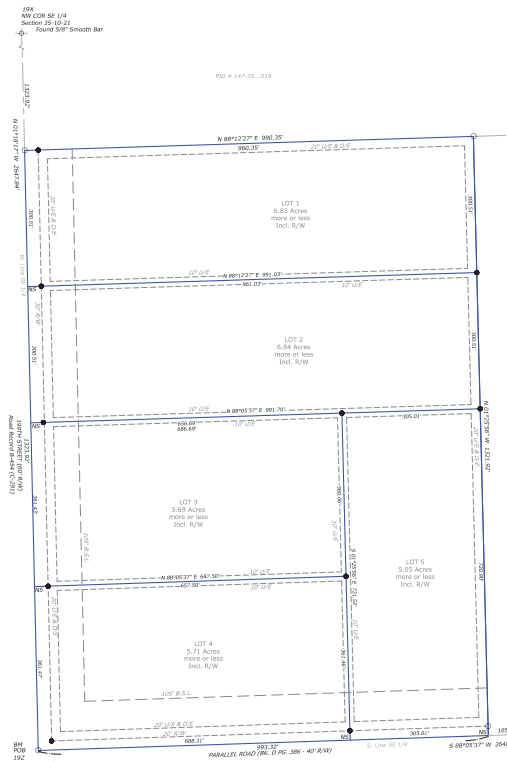
COUNTY ENGINEER'S APPROVAL:
 The County Engineer of said county is hereby approving the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

COUNTY COMMISSIONER APPROVAL:
 We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of HAINES CORNER FARM 1963, this _____ day of _____, 2021.

Chairman: _____ County Clerk: _____
 Michael Smith Adam J. Amer (seal)

REGISTER OF DEEDS CERTIFICATE:
 Filed for Record as Document No. _____ on this _____ day of _____, 2021 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds: TomLisa G. Ashburn



RESTRICTIONS:
 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulations otherwise.
 2) An Engineering Waste Disposal System may be required due to soil and conditions.
 3) Erosion and sediment control measures shall be used when developing and constructing ditches and other structures. Re-vegetation of all disturbed areas shall be completed within 60 days after final grading.
 4) Lots 2-5 are subject to the current Access Management Policy.
 5) All of plat restrictions.

ZONING:
 R1 5 - Rural Residential 5

NOTES:
 2) This survey does not show township.
 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 3) All recorded and proposed distances are the same.
 4) Error of Closure - See Error of Closure Calculations.
 5) Scale of Bearing - 45 DCM North Zone 1821.
 6) South Line Southeast Quarter.
 7) Monument Ditch (elevation, unless otherwise noted).
 7) Natural Area - Environmental Line.
 8) Road Right-of-Way - See Survey.
 9) Boundary - All/Other.
 10) SW Corner SE Quarter - Elevation - 822.0 ft.
 11) Easements of an easement holder or third party referenced in this instrument.
 12) Utility Companies -
 - Water - WEP 9
 - Electric - FREE STATE
 - Gas - Energy/Equinox Gas
 - Gas - Property/ Natural Gas
 13) Reference Leavenworth Title of Kansas, Inc., Case Number 43341 entered August 23, 2021.
 14) Property is not in a Special Flood Hazard Area per FEMA Flood Map 17027CZ01C dated July 16, 2015.
 15) All side yard setbacks - 5' (Acres - 15)
 All rear yard setbacks - 40' (Acres - 15)
 16) Distances to and of structures, if any, are +/- 1'.
 17) Easements do not necessarily denote the boundary as shown herein.
 18) Fence Lines do not necessarily denote the boundary line for the property.
 19) Reference Survey:
 Recorded Plat of WATLEY FARMS Doc. # 301200009
 (SW) - A Surveying Survey Doc. 20126500, 20126502, 2025081
 (NE) - A Surveying Survey Doc. 20126500, 20126502, 2025081
 (SE) - R. B. Dill Survey Doc. 20122627



I hereby certify this plat meets the requirements of KSA 58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.
 Reviewed 2021 09 27. No Comments
 Planner: Ryan R. Phillips
 Leavenworth County Survey Reviewer



Scale 1" = 100'

2025 © R 2025 HERRING SURVEYING & PLANNING COMPANY

2025 AUGUST 21, 2021 2025 2024/22

100 0 100 200 300
 1" = 100'



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June thru August 2021 and this map or plat is correct to the best of my knowledge.
 Joseph A. Herring
 PS # 1226

Summary of Comments on HAINES 1963 FINAL 24x36LS

Page: 1

☰ Number: 1 Author: mjbogina Subject: Typewritten Text Date: 9/27/2021 6:08:17 PM

Reviewed 2021.09.27. No Comments.

Allison, Amy

From: Rural Water District 9 lvrwd9 <lvrwd9@gmail.com>
Sent: Tuesday, September 7, 2021 8:31 AM
To: Allison, Amy
Subject: Re: DEV-21-136 & 137 Preliminary and Final Plat – Haines Corner Farm 1963

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Rural Water District #9 sees no issues in the property at 19678 199th being split into 5 lots. RWD9 can supply water to the properties.

On Fri, Sep 3, 2021 at 10:50 AM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Haines Corner Farm 1963 located at 19678 199th Street. The proposal is to create 5 lots. The property is zoned RR-5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, September 9, 2021.

If you have any questions or need additional information, please contact me at (913) 684-5757 or at AAllison@LeavenworthCounty.org.

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.684.5757

--

Thanks,



Karen Armstrong
District Manager
913-845-3571

Allison, Amy

From: Amanda Tarwater <amanda.holloway@freestate.coop>
Sent: Monday, September 13, 2021 11:40 AM
To: Allison, Amy
Subject: Re: DEV-21-136 & 137 Preliminary and Final Plat – Haines Corner Farm 1963

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

FreeState Electric has no objection to this request.

Thank you,

Amanda Tarwater
Member Accounts Coordinator



1-800-794-1989 | www.freestate.coop

From: "Allison, Amy" <AAllison@leavenworthcounty.gov>
Date: Friday, September 3, 2021 at 10:50 AM
To: "Magaha, Chuck" <cmagaha@lvsheriff.org>, "Miller, Jamie" <JMiller@leavenworthcounty.gov>, "Thorne, Eric" <ethorne@lvsheriff.org>, "Van Parys, David" <DVanParys@leavenworthcounty.gov>, "Anderson, Lauren" <LAnderson@leavenworthcounty.gov>, "mpleak@olsson.com" <mpleak@olsson.com>, "Lvrwd9@gmail.com" <Lvrwd9@gmail.com>, Amanda Tarwater <amanda.holloway@freestate.coop>, "stfdchief1760@gmail.com" <stfdchief1760@gmail.com>
Cc: "Sloop, Stephanie" <SSloop@leavenworthcounty.gov>, "Gentzler, Joshua" <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-21-136 & 137 Preliminary and Final Plat – Haines Corner Farm 1963

Warning: This message originated outside of the FEC organization. Do not click links or open attachments unless you have validated the sender and know the content is safe. <=" span=">

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Haines Corner Farm 1963 located at 19678 199th Street. The proposal is to create 5 lots. The property is zoned RR-5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, September 9, 2021.

If you have any questions or need additional information, please contact me at (913) 684-5757 or at AAllison@LeavenworthCounty.org.

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

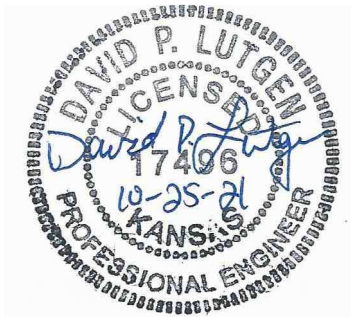
Haines Corner
Leavenworth County Kansas
Drainage Report

August 4, 2021

Revised October 3, 2021

Revised October 13, 2021

Revised October 25, 2021



Parcel Information - The 30.1-acre (+/-) parcel is located at the north east corner of 199th Street & Parallel Road in Leavenworth County KS. The property is zoned RR 5.0.

Existing Conditions – There is a home and several outbuildings on the parcel. The property appears as though it was used as a pasture in the past but has not been maintained and is now becoming overgrown with trees. It is estimated that drainage area #1 is 75% covered with trees while drainage area #2 is 10% covered with trees. The site can be divided into multiple drainage areas as shown on exhibit #1.

A composite c value was calculated for the drainage area as shown in the tables below. The composite c value is based on the soil type, slopes, and existing land use, see Exhibits #2, #3, and #4.

Existing	c value	Acres in each Drainage Area		
		DA #1	DA #2	DA #3
Wooded	0.35	12.50	0.90	0.00
Pasture	0.36	4.00	8.80	2.17
Gravel	0.50	0.03	0.00	0.03
Impervious	0.90	0.07	0.00	0.00
Composite c		0.36	0.36	0.36

$$\text{composite c} = \frac{(\text{Wooded Acres} * 0.35 + \text{Impervious Acres} * 0.90 + \text{Pasture Acres} * 0.36 + \text{Gravel Acres} * 0.50)}{\text{Total Acres}}$$

Developed Conditions – The proposed development will create four new residential building lots. It is assumed that the home and buildings on Lot #3 will remain in place. The new homes are assumed to be located as shown on exhibit #1. A composite c value was calculated for the drainage areas as shown in the tables below. The composite c value is based on the soil type, slopes, and land use, see Exhibits #2, #3, and #4. The developed storm water runoff calculations include 10,000 sq ft of impervious area for the new building lots. This impervious area will account for the driveway, house footprint, and outbuilding. It is assumed that 2.5 acres on each lot that will be cleared of trees and pasture for the construction of the homes and installation of the septic systems will be maintained as a grass lawn. A composite c value for the drainage area was calculated as shown below.

Developed	c value	Acres in each Drainage Area		
		DA #1	DA #2	DA #3
Wooded	0.35	8.00	0.90	0.00
Pasture	0.36	2.97	3.20	2.10
Impervious	0.90	0.53	0.60	0.00
Grass	0.30	5.00	5.00	0.00
Gravel	0.50	0.10	0.00	0.10
Composite c		0.36	0.36	0.37

$$\text{composite c} = \frac{(\text{Wooded Acres} * 0.35 + \text{Impervious Acres} * 0.90 + \text{Pasture Acres} * 0.36 + \text{Grass Acres} * 0.30 + \text{Gravel Acres} * 0.50)}{\text{Total Acres}}$$

The storm water runoff for existing and developed conditions is summarized in the following tables. Calculations for the storm water runoff are included with the report.

DA #1

	Q10 cfs	Q100 cfs
Existing	33.0	58.3
Developed	33.0	58.3
Change	0%	0%

DA #2

	Q10 cfs	Q100 cfs
Existing	19.4	34.4
Developed	19.4	34.4
Change	0%	0%

DA #3

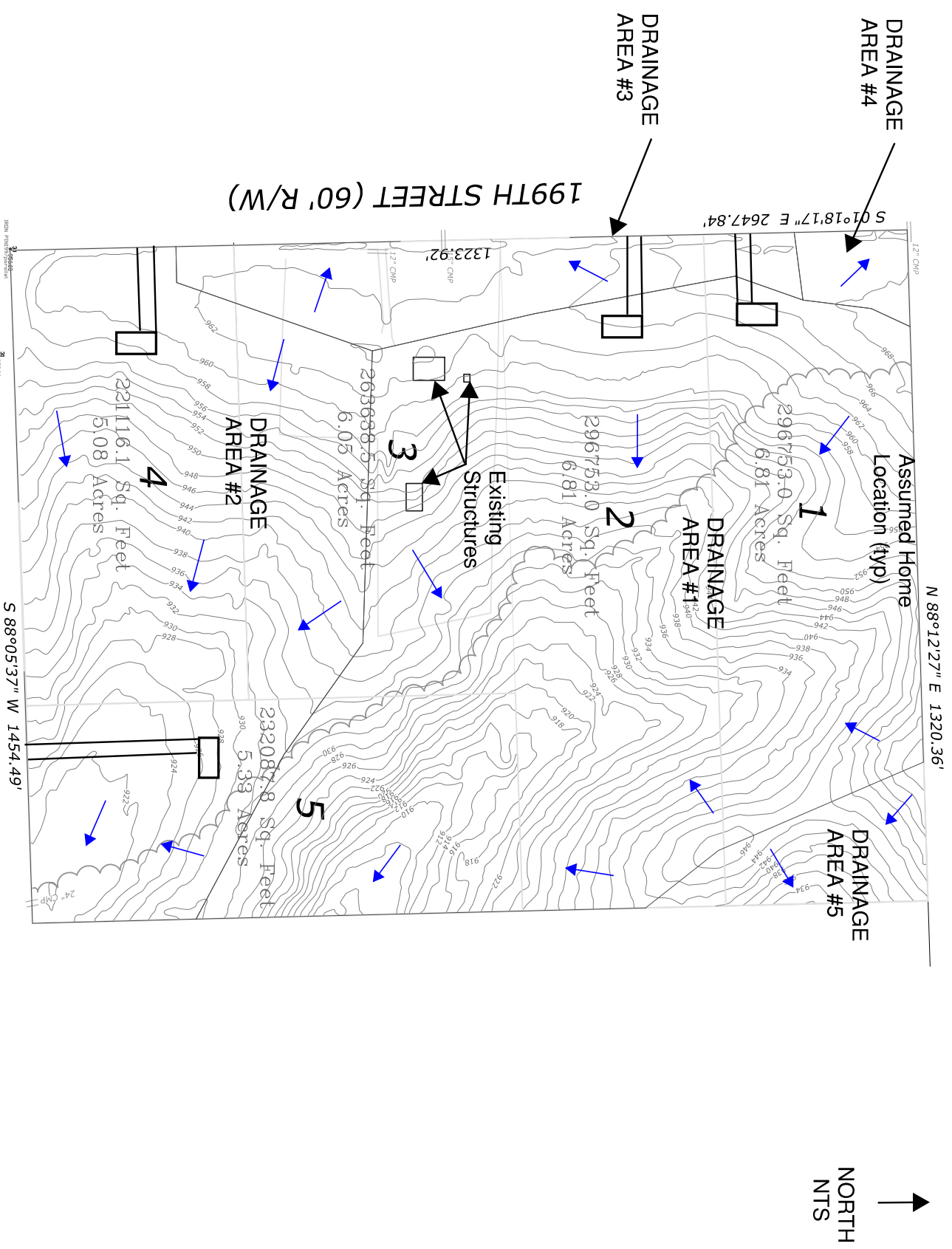
	Q10 cfs	Q100 cfs
Existing	3.7	6.5
Developed	3.8	6.7
Change	3%	2%

Culvert Capacity – The County requested verification that the existing culvert in DA #3 has capacity for the increase in runoff from the drainage area. The culvert has capacity for the increased runoff in the 10-year storm as shown on exhibits #5 and #6. The culvert does not have capacity for a 100-year in the existing condition, see exhibit #7. The capacity of the culvert is 3.82 cfs.

Conclusion – The change in land use for this parcel of ground results in no change in storm water runoff from DA #1 and DA #2. The change in runoff from DA #3 results in a 0.2-in for the 10-year storm.

EXHIBIT #1

PARALLEL ROAD (BK. D PG. 386)
Owner: Edward





Soil Map may not be valid at this scale.

Map Scale: 1:2,940 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

Map Unit Symbol	Map Unit Name
7219	Basehor-Elmont complex, 5 to 30 percent slopes
7252	Grundy silty clay loam, 1 to 3 percent slopes
7303	Martin silty clay loam, 3 to 7 percent slopes, eroded
7666	Vinland-Sibleyville complex, 7 to 15 percent slopes
7906	Armster clay loam, 3 to 8 percent slopes, eroded

EXHIBIT #2

TABLE 1 Values of Runoff Coefficient C

URBAN AREAS:	
Type of drainage area	Runoff coefficient C
Lawns:	0.05 - 0.10
Sandy soil, flat 2%	0.10 - 0.15
Sandy soil, average, 2 - 7%	0.15 - 0.20
Sandy soil, steep, 7%	0.13-0.17
Heavy soil, flat, 2%	0.18 - 0.22
Heavy soil, average, 2 - 7%	0.25 - 0.35
Heavy soil, steep, 7%	
Business:	0.70 - 0.95
Downtown areas Neighborhood areas	0.50.0.70
Residential:	0.30 - 0.50
Single-family areas	0.40 - 0.60
Multi units, detached Multi units,	0.60 - 0.75
attached Suburban	0.25 - 0.40
Apartment dwelling areas	0.50 - 0.70
Industrial:	
Light areas	0.50 - 0.80
Heavy areas	0.60 - 0.90
Parks, cemeteries	0.10 - 0.25
Playgrounds	0.20 - 0.35
Railroad yard areas	0.20 - 0.40
Unimproved areas	0.10 - 0.30
Streets:	0.70 - 0.95
Asphaltic	0.80 - 0.95
Concrete	0.70 - 0.85
Brick	
Drives and walks	0.75 - 0.85
Roofs	0.75 - 0.95

AGRICULTURAL AREAS:

Topography and Vegetation	Runoff Coefficient C Soil Texture		
	Soil Texture		
	Open Sandy Loam	Clay and Silt Loam	Tight Clay
Woodland			
Flat 0 - 5% Slope	0.10	0.30	0.40
Rolling 5 - 10% Slope	0.25	0.35	0.50
Hilly 10 - 30% Slope	0.30	0.50	0.60
Pasture			
Flat	0.10	0.30	0.40
Rolling	0.16	0.36	0.55
Hilly	0.22	0.42	0.60
Cultivated			
Flat	0.30	0.50	0.60
Rolling	0.40	0.60	0.70
Hilly	0.52	0.72	0.82

Source - Natural Resources Conservation Service (NRCS) US Department of Agriculture (USDA) Peak Discharge Course
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1083019.pdf

EXHIBIT #3

Table 3-1 Runoff Coefficients for Rational Formula

Type of Drainage Area	Runoff Coefficient, C*
Concrete or Asphalt Pavement	0.8 – 0.9
Commercial and Industrial	0.7 – 0.9
Gravel Roadways and Shoulders	0.5 – 0.7
Residential – Urban	0.5 – 0.7
Residential – Suburban	0.3 – 0.5
Undeveloped	0.1 – 0.3
Berms	0.1 – 0.3
Agricultural – Cultivated Fields	0.15 – 0.4
Agricultural – Pastures	0.1 – 0.4
Agricultural – Forested Areas	0.1 – 0.4

For flat slopes or permeable soil, lower values shall be used. For steep slopes or impermeable soil, higher values shall be used. Steep slopes are 2:1 or steeper.

From Michigan State Administrative Rules R 280.9.

Referenced from MDOT Drainage Manual, www.michigan.gov

Channel Report

10 yr Existing

Channel 1

CIRCULAR PIPE

Diameter = 15.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Known Q
 Known Q = 3.70 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
3.70	12.0	1.05	3.52	2.77	0.022	9.4	101.0	101.19	0.62	1.00

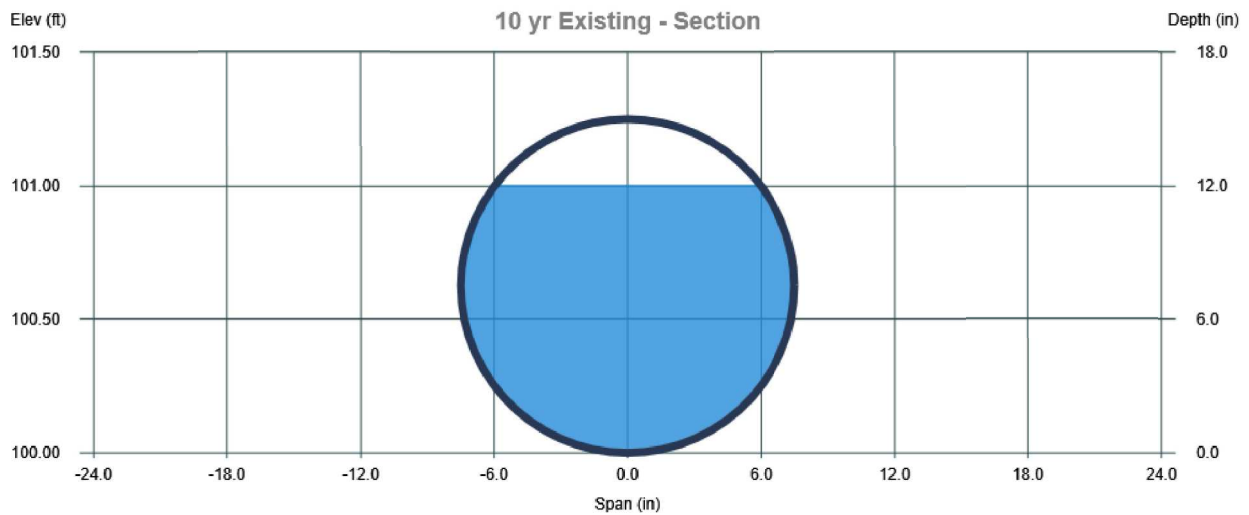


EXHIBIT #5

Channel Report

10 yr Developed

Channel 2

CIRCULAR PIPE

Diameter = 15.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Known Q
 Known Q = 3.80 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
3.80	12.2	1.07	3.54	2.82	0.022	9.5	101.0	101.22	0.64	0.97

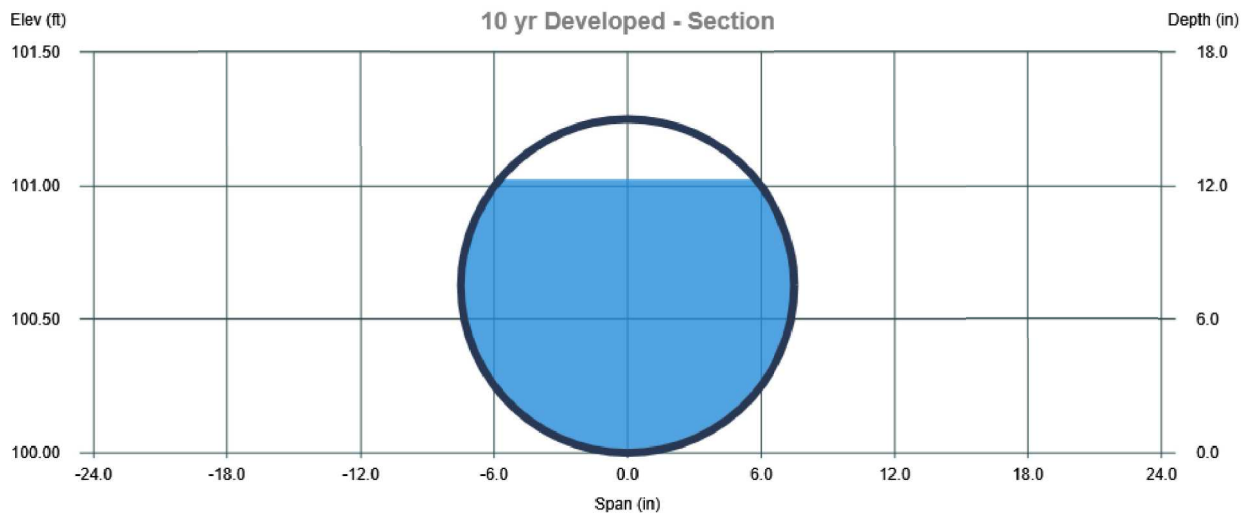


EXHIBIT #6

Channel Report

100 yr Existing

Channel 3

CIRCULAR PIPE

Diameter = 15.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Q vs Depth
 Q Min = 0.01 cfs
Q Max = 3.82 cfs
 Increments = 25

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
3.82	15.0	1.23	3.11	3.93	0.022	9.5	101.3	101.40	0.78	0.00

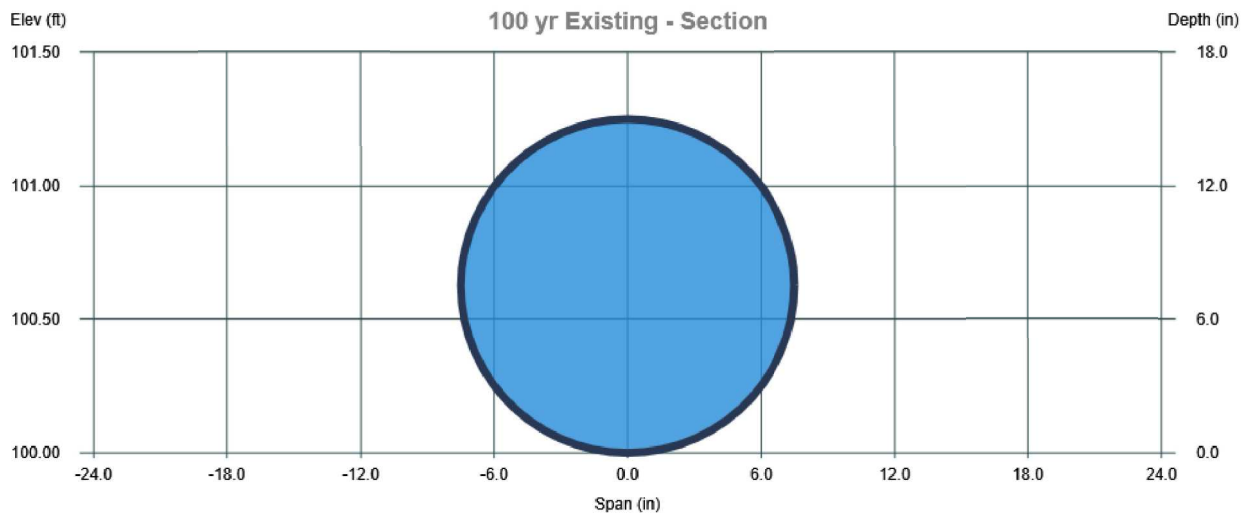


EXHIBIT #7

Drainage Area #1- 10 year

Existing Conditions

Area = 16.6 acres
 C= 0.36
 L= 1200
 S= 9.6
 K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_t = 10.9$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 2.00$$

$$T_c = 12.9$$

$$i_{10} = 5.53$$

Q=KCIA

$$Q = 33.0 \text{ cfs}$$

Developed Conditions

Area = 16.6 acres
 C= 0.36
 L= 1200
 S= 9.6
 K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_t = 10.9$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 2.00$$

$$T_c = 12.9$$

$$i_{10} = 5.53$$

Q=KCIA

$$Q = 33.0 \text{ cfs}$$

Drainage Area #1 - 100 year

Existing Conditions

Area = 16.6 acres
 C = 0.36
 L = 1300
 S = 9.6
 K = 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 10.9$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 2.17$$

$$T_c = 13.0$$

$$i_{100} = 7.80$$

$$Q = KCiA$$

$$Q = 58.3 \text{ cfs}$$

Developed Conditions

Area = 16.6 acres
 C = 0.36
 L = 1300
 S = 9.6
 K = 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 10.9$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 2.17$$

$$T_c = 13.0$$

$$i_{100} = 7.80$$

$$Q = KCiA$$

$$Q = 58.3 \text{ cfs}$$

Drainage Area #2- 10 year

Existing Conditions

Area = 9.7 acres
C= 0.36
L= 980
S= 9.1
K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_t = 11.1$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 1.63$$

$$T_c = 12.7$$

$$i_{10} = 5.56$$

$$Q = KCIA$$

$$Q = 19.4 \text{ cfs}$$

Developed Conditions

Area = 9.7 acres
C= 0.36
L= 980
S= 9.1
K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_t = 11.1$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 1.63$$

$$T_c = 12.7$$

$$i_{10} = 5.56$$

$$Q = KCIA$$

$$Q = 19.4 \text{ cfs}$$

Drainage Area #2 - 100 year

Existing Conditions

Area = 9.7 acres
C = 0.36
L = 980
S = 9.1
K = 1.25

$$T_i = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 11.1$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 1.63$$

$$T_c = 12.7$$

$$i_{100} = 7.88$$

Q=KCIA

$$Q = 34.4 \text{ cfs}$$

Developed Conditions

Area = 9.7 acres
C = 0.36
L = 980
S = 9.1
K = 1.25

$$T_i = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 11.1$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 1.63$$

$$T_c = 12.7$$

$$i_{100} = 7.88$$

Q=KCIA

$$Q = 34.4 \text{ cfs}$$

Drainage Area #3- 10 year

Existing Conditions

Area = 2.2 acres
C= 0.36
L= 400
S= 2.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 18.3$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 0.67$$

$$T_c = 19.0$$

$$i_{10} = 4.63$$

Q=KCIA

$$Q = 3.7 \text{ cfs}$$

Developed Conditions

Area = 2.2 acres
C= 0.37
L= 400
S= 2.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 18.2$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 0.67$$

$$T_c = 18.8$$

$$i_{10} = 4.65$$

Q=KCIA

$$Q = 3.8 \text{ cfs}$$

Drainage Area #3 - 100 year

Existing Conditions

Area = 2.2 acres
 C= 0.36
 L= 400
 S= 2.0
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 18.3$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 0.67$$

$$T_c = 19.0$$

$$i_{100} = 6.60$$

Q=KCIA

$$Q = 6.5 \text{ cfs}$$

Developed Conditions

Area = 2.2 acres
 C= 0.37
 L= 400
 S= 2.0
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 18.2$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 0.67$$

$$T_c = 18.8$$

$$i_{100} = 6.63$$

Q=KCIA

$$Q = 6.7 \text{ cfs}$$

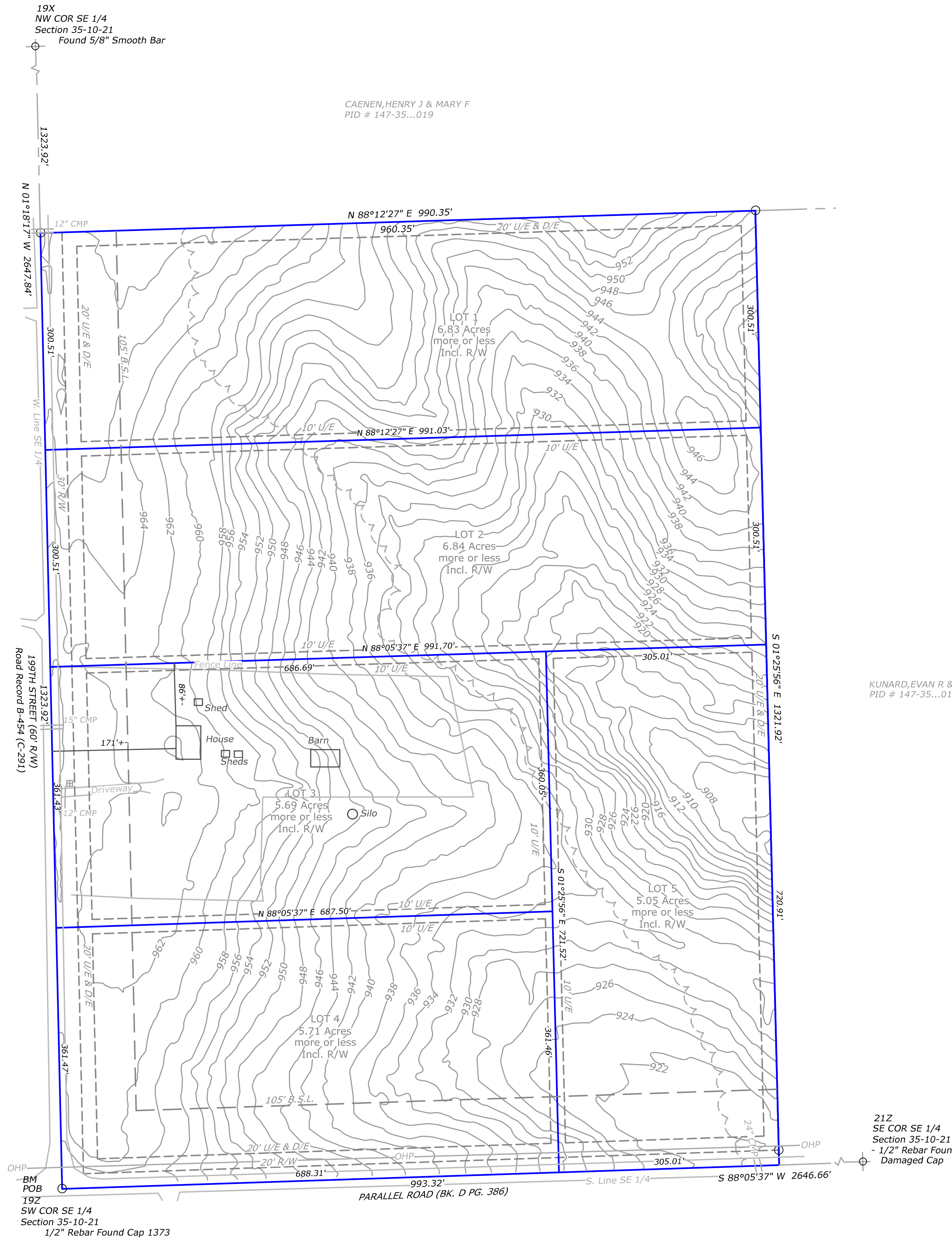
HAINES CORNER FARM 1963

A Minor Subdivision in the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
Charles W. Haines
19678 199th Street
Tonganoxie, KS 66086
PID # 147-35-0-00-018

RECORD DESCRIPTION:
A tract of land in the Southwest Quarter of the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 11, 2021, and more fully described as follows: Beginning at the Southwest corner of said Southeast Quarter; thence North 01 degrees 18'17" West for a distance of 1323.92 feet along the West line of said Southeast Quarter; thence North 88 degrees 12'27" East for a distance of 990.35 feet; thence South 01 degrees 25'56" East for a distance of 1323.92 feet to the South line of said Southeast Quarter; thence South 88 degrees 05'37" West for a distance of 993.32 feet along said South line to the point of beginning. Together with and subject to covenants, easements and restrictions of record. Said property contains 30.12 acres, more or less. Error of Closure - 1 : 456974



RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) No off-plat restrictions.

ZONING:

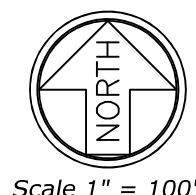
RR 5 - Rural Residential 5

NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Error of Closure Calculations
- 5) Basis of Bearing - KS 5PC North Zone 1501
- 6) South Line Southeast Quarter
- 7) Monument Origin Unknown, unless otherwise noted.
- 8) Proposed Lots for Residential Use.
- 9) Road Record - See Survey
- 10) Benchmark - NAVD88 SW Corner SE Quarter - Elevation - 851.8'
- 11) Easements, if any, are created hereon or listed in referenced title commitment.
- 12) Reference Recorded Deed Document Number 2021R06367
- 13) Utility Companies -
- Water - RWD 9
- Electric - FREE STATE
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRMS Map 2010C0225G dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
- All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
Recorded Plat of WAITLEY FARMS Doc # 2012P00009 (JAH) - J.A.Herring Survey Doc. 2013S008, 2013018, 2020S081, 2021S020, 2021S021, 2021S057 (RBD) - R.B.Dill Survey Doc. 2012S017

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base to be Set around Point
- △ - PK Nail Found in Place
- () - Record / Deeded Distance
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement dedicated this plat
- ⊕ - Centerline
- ⊙ - Section Line
- BM - Benchmark
- ⊙ - Power Pole
- X - Fence Line
- OHP - Overhead Power Lines
- T - Underground Telephone/Fiber Optic Line
- ⊕ - Gas Valve
- ⊕ - Water Meter/Valve
- ⊕ - Telephone Pedestal
- W - 6" Water Line - location as per district
- ~ - Tree/Brush Line

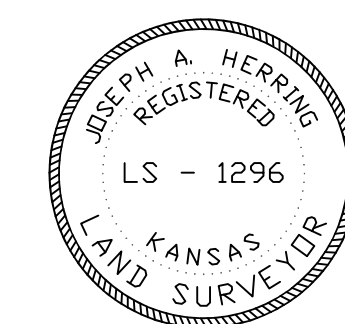


Scale 1" = 100'

Job # K-20-1408 PLAT
August 23, 2021 Rev. 10/13/21



315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@herringinc.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June thru August 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

HAINES CORNER FARM 1963

A Minor Subdivision in the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Charles W. Haines
19678 199th Street
Tonganoxie, KS 66086
PID # 147-35-0-00-018

PROPERTY DESCRIPTION:
A tract of land in the Southwest Quarter of the Southeast Quarter of Section 35, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on June 11, 2021, and more fully described as follows: Beginning at the Southwest corner of said Southeast Quarter; thence North 01 degrees 18'17" West for a distance of 1323.92 feet along the West line of said Southeast Quarter; thence North 88 degrees 12'27" East for a distance of 990.35 feet; thence South 01 degrees 25'56" East for a distance of 1321.92 feet to the South line of said Southeast Quarter; thence South 88 degrees 05'37" West for a distance of 993.32 feet along said South line to the point of beginning.
Together with and subject to covenants, easements and restrictions of record. Said property contains 30.12 acres, more or less.
Error of Closure - 1 : 456974

CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: HAINES CORNER FARM 1963.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of HAINES CORNER FARM 1963, have set our hands this _____ day of _____, 2021.

Charles W. Haines

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2021, before me, a notary public in and for said County and State came Charles W. Haines, a single person, to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of HAINES CORNER FARM 1963 this _____ day of _____, 2021.

Secretary Krystal A. Voth Chairman Steven Rosenthal

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

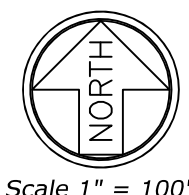
County Engineer -

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of HAINES CORNER FARM 1963, this _____ day of _____, 2021.

Chairman Michael Smith County Clerk Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2021 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

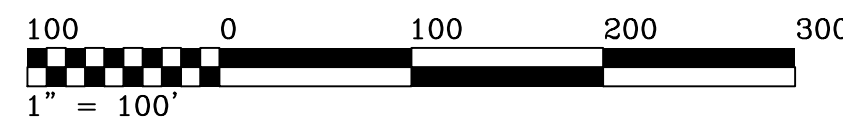


Scale 1" = 100'

Job # K-20-1408 PLAT
August 23, 2021 Rev. 9/24/21

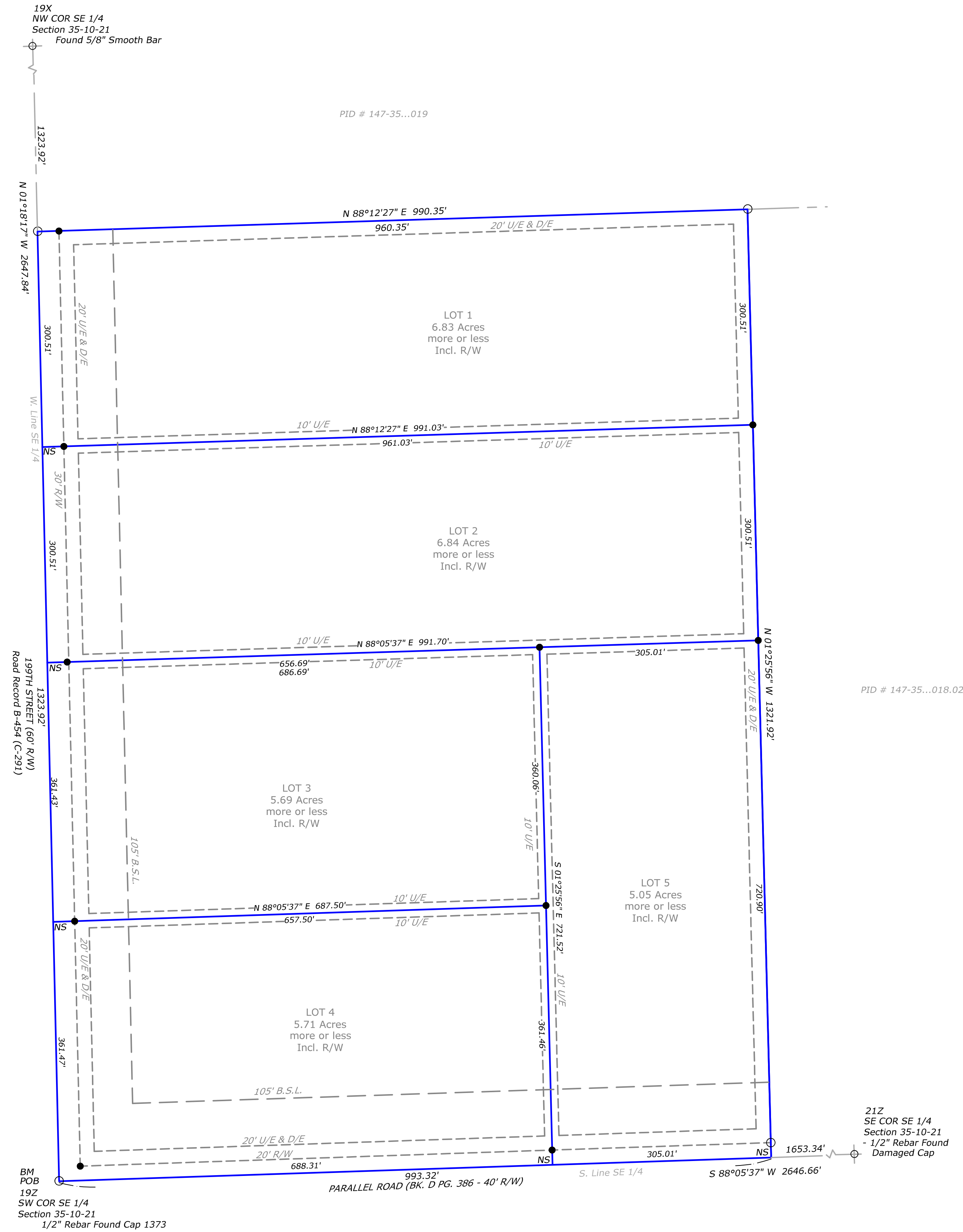


315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5381
Email - survey@jeancash.com



I hereby certify this plat meets the requirements of KSA-58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.

Michael J. Bogina, KS PS-1655
Leavenworth County Survey Reviewer

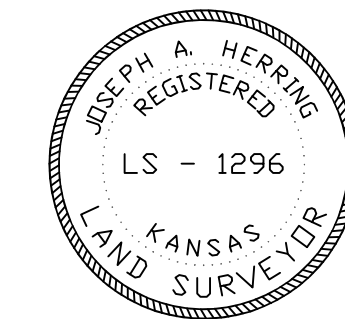


RESTRICTIONS:
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
2) An Engineered Waste Disposal System may be required due to poor soil conditions.
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
4) Lots are subject to the current Access Management Policy
5) No off-plat restrictions.

ZONING:
RR 5 - Rural Residential S

- NOTES:
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - See Error of Closure Calculations
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88 SW Corner SE Quarter - Elevation - 851.8'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Deed Document Number 2021R06367
 - 12) Utility Companies -
 - Water - RWD 9
 - Electric - FREE STATE
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
 - 13) Reference Lawyer's Title of Kansas, Inc., Case Number 43341 updated August 23, 2021
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRMS Map 20103C0225G dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
 - 16) Distances to and of structures, if any, are +- 1'.
 - 17) Easements as per referenced Title Commitment are shown hereon
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 - 19) Reference Surveys:
 - Recorded Plat of WAITLEY FARMS Doc # 2012P00009 (JAH) - J.A.Herring Survey Doc. 2013S008, 2013018, 2020S081, 2021S020, 2021S021, 2021S057 (RBD) - R.B.Dill Survey Doc. 2012S017

- LEGEND:
- - 1/2" Rebar Set with Cap No.1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base to be Set around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement dedicated this plat
 - ⊕ - Centerline
 - ⊞ - Section Line
 - BM - Benchmark



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of June thru August 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

*****Consent Agenda*****
Case No. DEV-21-140/141
Kitty Hawk Estates
Preliminary and Final Plat

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Gerald P. & Sarah Anne St. Peter
16985 Evans Rd
Basehor, KS 66007

Agent: Herring Surveying Company
Joe Herring
315 N 5th Street
Leavenworth, KS 66048

Legal Description: A tract of land in the North Fifty (50) acres of the Fractional NW ¼ of Section 6, Township 12 South, Range 22 East of the 6th P.M, in Leavenworth County, Kansas.

Property Site: 18749 Stillwell Rd & 00000 Stillwell Rd

Parcel Size: ± 50 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential land use category.

Parcel ID No.: 233-06-0-00-00-003.00 & 233-06-0-00-00-003.01

Planner: Amy Allison

REPORT:

Request

The applicant is requesting a Preliminary and Final Plat for a seven (7) lot subdivision.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0325G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Sherman FD
Water: RWD #7
Electric: Evergy

Access/Streets

The property is accessed by Stillwell Road and 190th Street. Stillwell Road is a County Local with a gravel surface ± 13' wide. 190th Street is a County Local road with a gravel surface ± 10' wide.

Agency Comments

See attached comments – Email – Lauren Anderson – Public Works, October 14, 2021 and November 1, 2021
See attached comments – Email – Mike Bogina – Olsson, November 3, 2021
See attached comments – Email – David Rinaldi – Rural Water District 7, September 14, 2021

Findings

1. The proposed subdivision is consistent with the zoning district of RR 5; Rural Residential Zoning 5 acre minimum size parcels and meets the lot-depth to lot-width ratio of 3.5:1 or 4:1, have the minimum frontage of 300', Minimum lot size of 5 acres.
2. The property is not within a sewer district boundary or is within 660 feet of the incorporated limits of a municipality; therefore, a waiver to the requirement of allowing private septic systems is supported by staff. A private sewage disposal permit may be issued per Leavenworth County Sanitary Code requirements.
3. At time of development, fire hydrants shall be required if necessary infrastructure is available.
4. A driveway easement will need to be created on Lot 4 to serve a driveway leading to Lot 3.
5. The proposed subdivision is in accordance with the Comprehensive Plan.

Subdivision Classification

This is classified as a Class "C" Subdivision. According to the Leavenworth County Zoning & Subdivision regulations, a Class "C" Subdivision is any subdivision in which all the lots lie within the Rural Growth Area of Leavenworth County.

Staff is supportive of a waiver of the requirement to connect to a sanitary system as sanitary sewers are not located within 660' of the subdivision (See Finding #2).

Staff Comments

The applicant is requesting the approval of a seven (7) lot subdivision located to the southeast of the Stillwell Rd and 180th Street intersection. The zoning of the property and the immediate area is RR-5 with a portion of the lot to the north being zoned I-2. The property currently consists of two parcels with a single-family residence. The house will be located on Lot 3 once the application has been approved.

The lots will range in size from 5.01 acres to 14.38 acres. All lots will meet the minimum zoning & subdivision standards.

Staff is supportive of the request as proposed and recommends approval of the development.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-21-140/141, Preliminary and Final Plat for Kitty Hawk Estates, with the following conditions:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. The applicant shall adhere to the following memorandums:
 - a. David Rinaldi – Rural Water District 7, September 14, 2021
 - b. Mike Bogina – Olsson, November 3, 2021
4. A waiver for the use of private septic systems within this subdivision is granted with this approval.
5. At time of development, fire hydrants shall be required if necessary infrastructure is available.
6. A driveway easement will be established on Lot 4 for access to Lot 3.
7. After approval of this subdivision by the Board of County Commission, all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

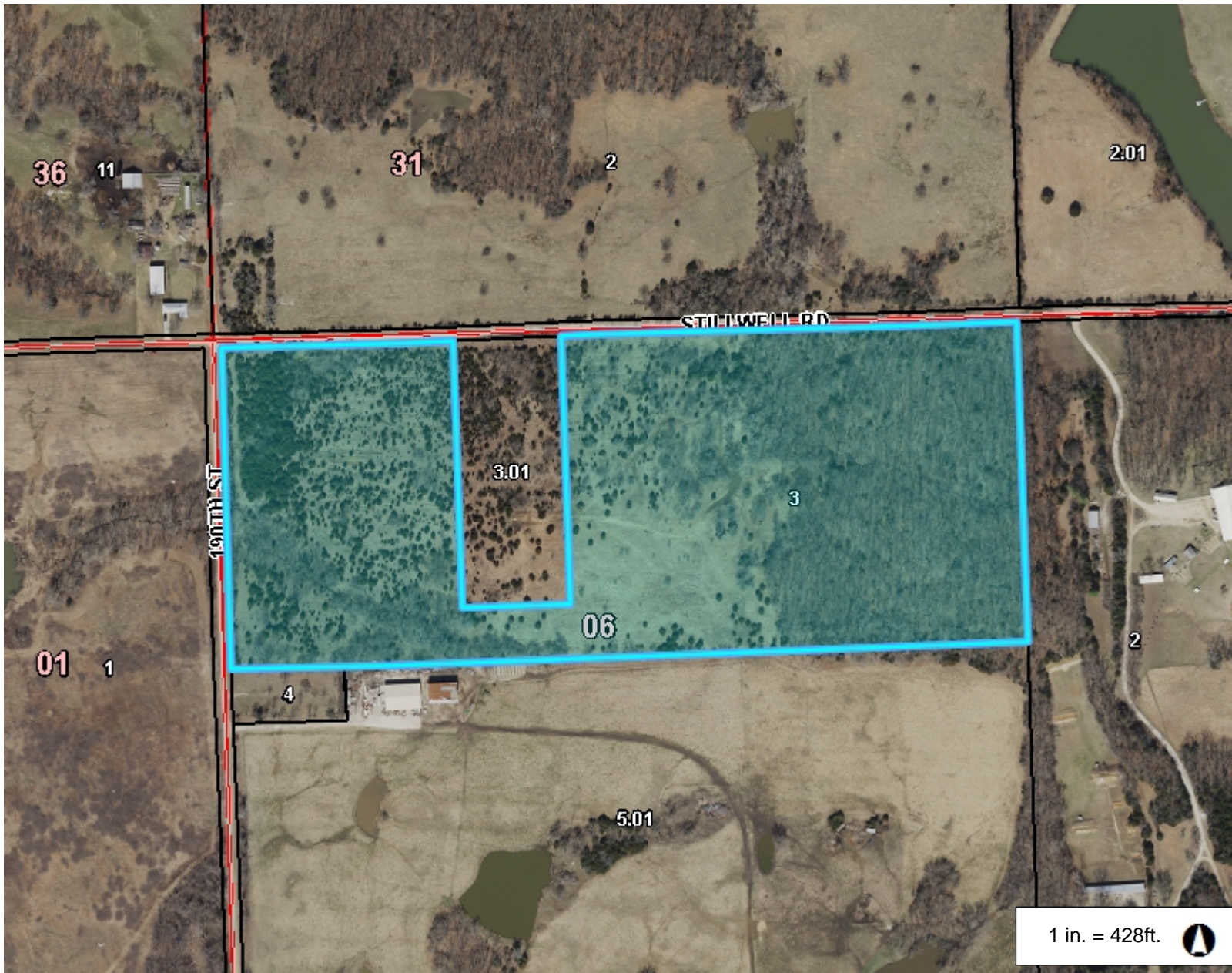
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-140/141, Preliminary and Final Plat for Kitty Hawk Estates, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-21-140/141, Preliminary and Final Plat for Kitty Hawk Estates, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place;

ATTACHMENTS:


Aerial Map
Memorandums
Drainage Report
Preliminary and Final Plat

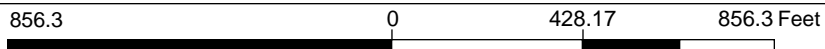
DEV-21-140 & 141 Kitty Hawk Estates



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Special Development District
 - SDD Area 1
 - SDD Area 2

1 in. = 428ft. 



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Thursday, October 14, 2021 8:55 AM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; 019-2831
Subject: RE: Outstanding Items for Tomorrow's PC meeting

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I have reviewed the FP with no further comments.

Thanks,

Mitch Pleak

From: Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Sent: Tuesday, October 12, 2021 4:38 PM
To: Michael Bogina <mjbogina@olsson.com>; Mitch Pleak <mpleak@olsson.com>
Subject: FW: Outstanding Items for Tomorrow's PC meeting

Please see the attached final plat for review for Kitty Hawk. Mike, I believe you have a final and preliminary plat on your review list from last Friday, please replace with this.

Thanks,
Lauren

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, October 12, 2021 4:33 PM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: RE: Outstanding Items for Tomorrow's PC meeting

Just got the Kitty Hawk revised final with the comment. Nope on the drainage report.

Amy

From: Anderson, Lauren
Sent: Tuesday, October 12, 2021 4:28 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: RE: Outstanding Items for Tomorrow's PC meeting

Amy,

Please see the updated status below.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, October 12, 2021 4:05 PM

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Monday, November 1, 2021 3:58 PM
To: Allison, Amy; Gentzler, Joshua
Cc: Anderson, Lauren; Noll, Bill; 019-2831
Subject: RE: FW: Kitty Hawk Drainage Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
I have reviewed the revised report with no further comments.

Thanks,

Mitch Pleak

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, October 27, 2021 6:42 PM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: FW: FW: Kitty Hawk Drainage Comments

From: David Lutgen <dlutgen72@gmail.com>
Sent: Wednesday, October 27, 2021 5:33 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Joe Herring <herringsurveying@outlook.com>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>; Sloop, Stephanie <SSloop@leavenworthcounty.gov>
Subject: Re: FW: Kitty Hawk Drainage Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

All,

Updated report is attached.

Thanks

David Lutgen

On Wed, Oct 27, 2021 at 4:46 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Joe and David,

Please see the below comments for the Kitty Hawk Drainage Report.

Sincerely,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

From: Mitch Pleak <mpleak@olsson.com>

Sent: Tuesday, October 26, 2021 5:36 PM

To: Allison, Amy <AAllison@leavenworthcounty.gov>

Cc: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 019-2831 <019-2831@olsson.com>

Subject: RE: Kitty Hawk Drainage Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,

Lauren and I have reviewed the revised drainage report.

Storm Drainage Report Comments:

- Page 4, paragraph 1, revise “see exhibits #4-#7” and other exhibit # references within the body of the report to coordinate with exhibit labels in the back of the report.
- Exhibits #4,5,6, and 7 includes channel reports with a rise due to an increase in Q. Page 3 concludes no change in Q from existing to developed conditions. Explain the purpose of said analysis if the Q isn’t changing. Verify actual Q increase in the DA #1. If increase, model the increase in the existing culvert instead of a channel.
- Exhibits #8,9,10, and 11 includes channel reports with a rise due to an increase in Q. DA #3 drains to a culvert which is analyzed per previous Staff comments. Explain the purpose of said analysis of the channel and location.
- Q calculation sheets show increase of Q for DA#1 and #2 in the developed. The findings conclude no change. Coordinate calculation sheets and findings chart. If increase in Q, model the increase in the existing culvert.

Sincerely,

Mitch Pleak

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, October 26, 2021 9:44 AM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: FW: Kitty Hawk Drainage Comments

Lauren and Mitch,

See attached.

Amy

From: David Lutgen <dlutgen72@gmail.com>
Sent: Monday, October 25, 2021 6:10 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Joe Herring <herringsurveying@outlook.com>; Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: Re: Kitty Hawk Drainage Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

All,

Revised drainage report is attached.

Thanks

David Lutgen

On Mon, Oct 18, 2021 at 4:27 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Afternoon Joe and David,

Comments for the Kitty Hawk Drainage Report submitted on October 13, 2021 are attached.

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

KITTY HAWK ESTATES

A Minor Subdivision in the Fractional Northwest Quarter of Section 6,
Township 12 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED BY:
General P. S. Reier III & Sarah Anne S. Reier
2716 S. 19th St., Suite 100
Leavenworth, KS 66042
P: 785.233.06.00 or 785.233.06.01
F: 785.233.06.00 or 785.233.06.02

GENERAL DESCRIPTION:
A tract of land in the North Fifty (50) acres of the Fractional NW 1/4 of Section 6, Township 12 South, Range 22 East, of the 6th P.M., described more specifically as follows: Commencing at the Northwest corner of the Fractional NW 1/4 of Section 6, Township 12 South, Range 22 East, thence North 89° East, 825.00 feet to the Point of Beginning of this tract; thence North 89° East, 353.00 feet; thence South 01° West, 750.00 feet; thence South 10° West, 303.00 feet; thence North 01° East, 750.00 feet to the Point of Beginning, EXCEPT that part in roads, Leavenworth County, Kansas.

The North 50 acres of the Northwest 1/4 of Section 6, Township 12 South, Range 22 East, LESS the following: Commencing at the Northwest corner of the Fractional Northwest 1/4 of Section 6, Township 12 South, Range 22 East, of the 6th P.M., thence North 90 degrees East, 825.00 feet to the point of beginning of this tract; thence North 90 degrees East, 353.00 feet; thence South 01 degrees West, 750.00 feet; thence South 10 degrees West, 303.00 feet; thence North 01 degrees East, 750.00 feet to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

CERTIFICATION AND DEDICATION

The undersigned preparer states that all taxes on the above described tract of land have been paid and that they have caused this same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: KITTY HAWK ESTATES.
Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, public utility lines and any other form of public utility now and hereinafter used by the public over, under and along the strip marked "Utility Easement" (USE).
"Drainage Easement" or "DE" shown on this plat are hereby dedicated for the purpose of constructing, using, maintaining and managing a sewer, storm sewer, drainage ditch, or other drainage facility or structure, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, in hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impede the drainage of surface waters. The maintenance and operation of said easements shall be the responsibility of the individual owners of the lots upon which said easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and operation of said easements.
Streets shown on the accompanying plat and not hereinafter dedicated for public use are hereby so dedicated.
Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between the line and the street line.

IN TESTIMONY WHEREOF:
We, the undersigned preparer of KITTY HAWK ESTATES, have set our hands this _____ day of _____, 2021.

General P. S. Reier III _____ Sarah Anne S. Reier _____

NOTARY CERTIFICATE:
I, _____, Notary Public in and for Leavenworth County and State of Kansas, do hereby certify that the above and foregoing plat was presented to me by the parties named herein and that the same are in conformity with the laws of Kansas relating to the subdivision of land. In testimony whereof, I have hereunto set my hand and affixed my notary seal this _____ day of _____, 2021. PFD #221-06-001

APPROVALS:
My Commission Expires: _____ (Date)
Notary Public: _____

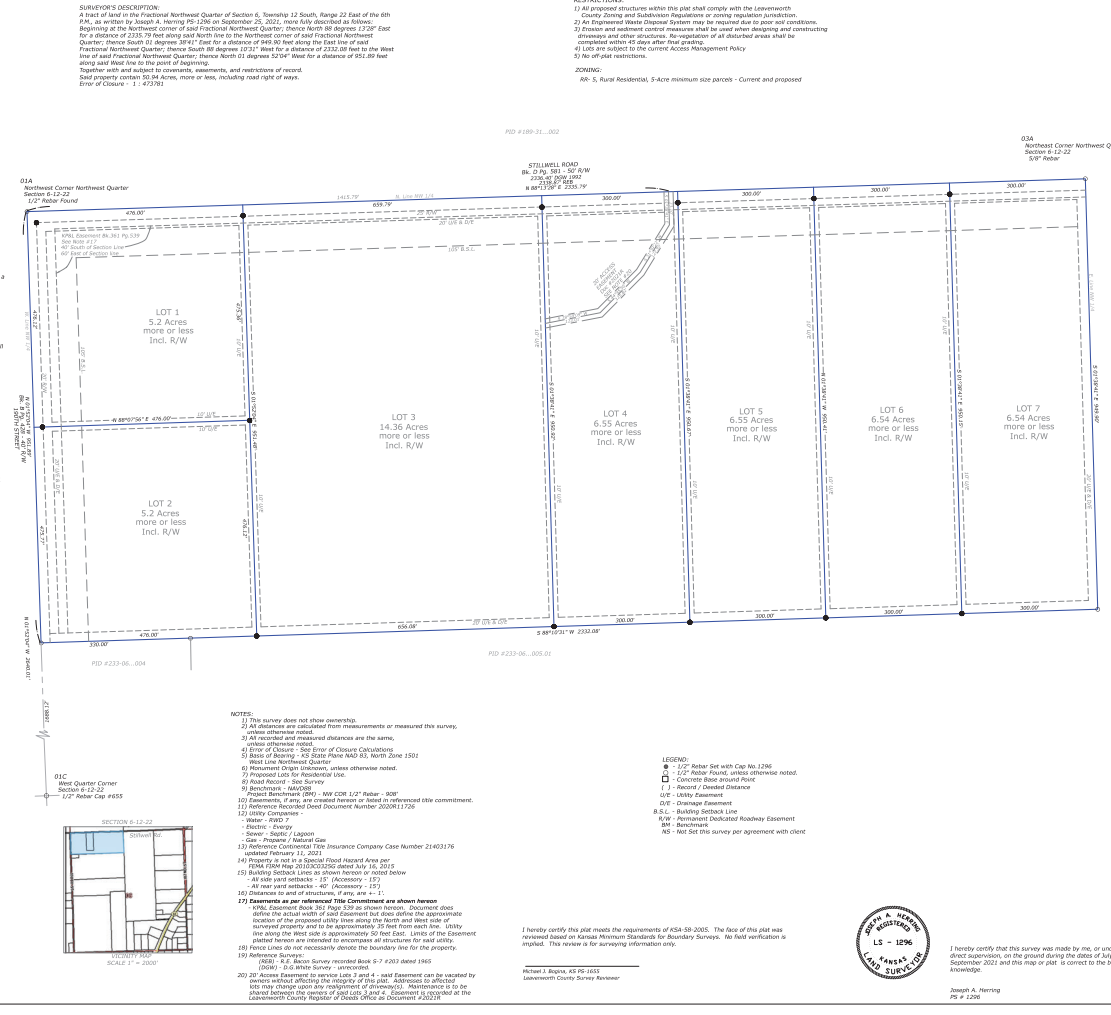
APPROVALS:
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of KITTY HAWK ESTATES, this _____ day of _____, 2021.
Secretary: _____
Chairman: _____
Kristal M. Smith
Steven Eisselstadt

COUNTY ENGINEER'S APPROVAL:
This County Engineers' plat review is only for general conformity with the subdivision regulations as adopted by Leavenworth County. This County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of KITTY HAWK ESTATES, this _____ day of _____, 2021.
Chairman: _____
Michael W. Smith
County Clerk: _____
Alicia: Janet Kiskassi

REGISTER OF DEED CERTIFICATE:
Plat for Record as Document No. _____ on this _____ day of _____, 2021 at _____ in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds: Tom Liles G. Halvorsen



NOTES:
1) This survey does not show easements.
2) Unless otherwise noted, all dimensions are based on measurements or measured the survey.
3) All encroachments and easements are shown as the same.
4) Error of Closure = 2.98 Error of Closure Calculations.
5) Boundary of Section 6, T12S, R22E, S19W, North Zone 1501
6) All bearings and distances are based on the survey.
7) Proposed Right of Way for Road/Highway Use.
8) Road/Highway Use Survey.
9) Proposed Right of Way for Road/Highway Use.
10) Proposed Right of Way for Road/Highway Use.
11) Proposed Right of Way for Road/Highway Use.
12) Easements of Water are created hereon or used in unreserved title commitment.
13) All easements are shown as dedicated.
14) Utility Company.
15) Easements.
16) Easements.
17) Easements.
18) Easements.
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20) Easements.
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94) Easements.
95) Easements.
96) Easements.
97) Easements.
98) Easements.
99) Easements.
100) Easements.

Add recording information for Access Easement



RESTRICTIONS:
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or current regulations jurisdiction.
2) All Engineering, Survey, and Construction Documents may be required due to poor soil conditions.
3) Structure and foundation construction measures shall be used when designing and constructing foundations and other structures. Re-vegetation of an disturbed area shall be completed within 45 days after final grading.
4) Lots are subject to the current Access Management Policy.
5) No off plat restrictions.

ZONING:
R-6.5, Rural Residential, 5-Acre minimum size parcels - Current and proposed

034
Northwest Corner Northwest Quarter
Section 6-12-22
S19 West

Scale 1" = 100'
8/30/21 8:37:43 AM
August 23, 2021, Rev. 11/1/21
LEAVENWORTH COUNTY ENGINEERING & SURVEYING COMPANY
100 West 15th Street, Suite 100, Leavenworth, KS 66042
www.leavenworthcountyengineers.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July thru September 2021 and this map or plat is correct to the best of my knowledge.
Joseph A. Herring
FS # 1296

Michael J. Dwyer, KS PE 1652
Leavenworth County Survey Professional

Summary of Comments on Kitty Hawk FINAL Review - Copy 24x36LS

Page: 1

☰ Number: 1 Author: mjbogina Subject: Typewritten Text Date: 11/3/2021 1:01:08 PM

[Add recording information for Access Easement](#)

Allison, Amy

From: jalayne leavenworthrwd7.com <jalayne@leavenworthrwd7.com>
Sent: Friday, September 3, 2021 1:54 PM
To: Allison, Amy; Magaha, Chuck; Miller, Jamie; Thorne, Eric; Van Parys, David; 'mpleak@olsson.com'; Anderson, Lauren; 'stfrchief@yahoo.com'; 'Tyler.Rebel@westarenergy.com'
Cc: Sloop, Stephanie; Gentzler, Joshua
Subject: RE: DEV-21-140 & 141 Preliminary and Final Plat – Kitty Hawk Estates

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

LVRWD7 has no facilities in place to service these lots. A system extension would be required to be completed to bring facilities to this property to serve it.

David Rinaldi
General Manager
LVRWD#7

Jalayne Turner

Office Manager
LVRWD#7
2451 S. 142nd St.
P O Box 257
Bonner Springs, KS 66012
913-441-1205 Office
jalayne@leavenworthrwd7.com email
www.lvrwd7.com website

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Friday, September 3, 2021 11:02 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; 'stfrchief@yahoo.com' <stfrchief@yahoo.com>; 'Tyler.Rebel@westarenergy.com' <Tyler.Rebel@westarenergy.com>; jalayne leavenworthrwd7.com <jalayne@leavenworthrwd7.com>
Cc: Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-21-140 & 141 Preliminary and Final Plat – Kitty Hawk Estates

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Kitty Hawk Estates located at 18749 Stillwell Rd, Linwood, KS (233-06-0-00-00-003.00 & 233-06-0-00-00-003.01). The applicant proposes to plat 8 lots. The property is zoned RR-5.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Thursday, September 9, 2021.

If you have any questions or need additional information, please contact me at (913) 684-5757 or at AAllison@LeavenworthCounty.org.

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

Kitty Hawk Estates
Leavenworth County Kansas
Drainage Report

August 21, 2021

Revised October 13, 2021

Revised October 25, 2021

Revised October 27, 2021



Parcel Information - The 50.6-acre (+/-) parcel is located at the south east corner of Stillwell Road and 190th Street in Leavenworth County KS. The property is zoned RR 5.0.

Existing Conditions – The majority of the property is heavily wooded. There is an open area, approx. 5.5 acres, on the south side. There is a home under construction on Lot 3 and a driveway that crosses Lot 3 thru Lot 6. The home and driveway are included in the c value calculations for DA #1 and DA #2. The site can be divided into three drainage areas as shown on exhibit #1.

A composite c value was calculated for the drainage area as shown in the table below. The composite c value is based on the soil type, slopes, and existing land use, see Exhibits #2, #3, and #4.

Existing	c value	Acres in each Drainage Area		
		DA #1	DA #2	DA #3
Wooded	0.35	12.00	12.00	2.40
Pasture	0.36	11.74	12.09	0.00
Impervious	0.90	0.16	0.00	0.00
Gravel	0.50	0.00	0.21	0.00
Composite c		0.36	0.36	0.35

$$\text{composite c} = \frac{(\text{Wooded Acres} * 0.35 + \text{Pasture Acres} * 0.36 + \text{Impervious Acres} * 0.90 + \text{Gravel Acres} * 0.50)}{\text{Total Acres}}$$

Developed Conditions – The proposed development will create eight residential building lots. The new homes are assumed to be located as shown on exhibit #1. A composite c value was calculated for the drainage areas as shown in the table below. The composite c value is based on the soil type, slopes, and land use, see Exhibits #2, #3, and #4. The developed storm water runoff calculations include 10,000 sq ft of impervious area for the new building lots. This impervious area will account for the driveway, house footprint, and outbuilding. It is assumed that two acres of each lot will be maintained as a grass lawn. A composite c value for the drainage area was calculated as shown below. DA #2 includes additional impervious area for the future driveways to the homes on Lots 4 and 5. The existing driveway will remain and is included in DA #2’s calculation.

Developed	Acres in each Drainage Area				
	c value	DA #1	DA #2	DA #3	
Wooded	0.35	6.50	9.49	0.17	
Pasture	0.36	6.32	10.00	0.00	
Gravel	0.50	0.00	0.21	0.00	
Impervious	0.90	1.08	0.60	0.23	
Grass	0.30	10.00	4.00	2.00	
Composite c		0.36	0.36	0.36	

composite c =
$$\frac{(\text{Wooded Acres} * 0.35 + \text{Pasture Acres} * 0.36 + \text{Gravel Acres} * 0.50 + \text{Impervious Acres} * 0.90 + \text{Grass Acres} * 0.30)}{\text{Total Acres}}$$

The storm water runoff for existing and developed conditions is summarized in the following tables. Calculations for the storm water runoff are included with the report.

DA #1

	Q10 cfs	Q100 cfs
Existing	45.5	80.8
Developed	45.5	80.8
Change	0%	0%

DA #2

	Q10 cfs	Q100 cfs
Existing	48.0	85.0
Developed	48.0	85.0
Change	0%	0%

DA #3

	Q10 cfs	Q100 cfs
Existing	4.7	8.3
Developed	4.9	8.6
Change	4%	4%

The change in land use results in no increase in runoff from DA #1 and DA #2. There is a small increase in runoff from DA #3.

Culvert Capacity – The County requested verification that the existing culvert in DA #3 has capacity for the increase in runoff from the drainage area. The drainage area to the culvert is shown on exhibit #5. A composite c value was calculated for the existing and developed condition in the same manner as calculated for each drainage area.

Existing		Acres in each Drainage Area			
	c value	To Culvert			
Wooded	0.35	6.58			
Pasture	0.36	0.36			
Crops	0.60	0.00			
Gravel Drive	0.50	0.20			
Impervious	0.90	0.04			
Grass	0.30	0.00			
Composite c		0.36			

Developed		Acres in each Drainage Area			
	c value	To Culvert			
Wooded	0.35	4.33			
Pasture	0.36	0.36			
Crops	0.60	0.00			
Gravel Drive	0.50	0.20			
Impervious	0.90	0.27			
Grass	0.30	2.00			
Composite c		0.36			

The storm water runoff to the culvert for existing and developed conditions is summarized in the following table.

To Culvert		
	Q10 cfs	Q100 cfs
Existing	14.2	25.2
Developed	14.4	25.5
Change	1%	1%

The existing culvert has capacity for the increased runoff, see exhibits #6 - #9. The depth in the culvert will increase 0.10-in for both the 10-year and 100-year storm events.

Conclusion – The change in land use for this parcel of ground results in no change in runoff from two drainage areas and a minor increase in runoff depth from drainage area #3.

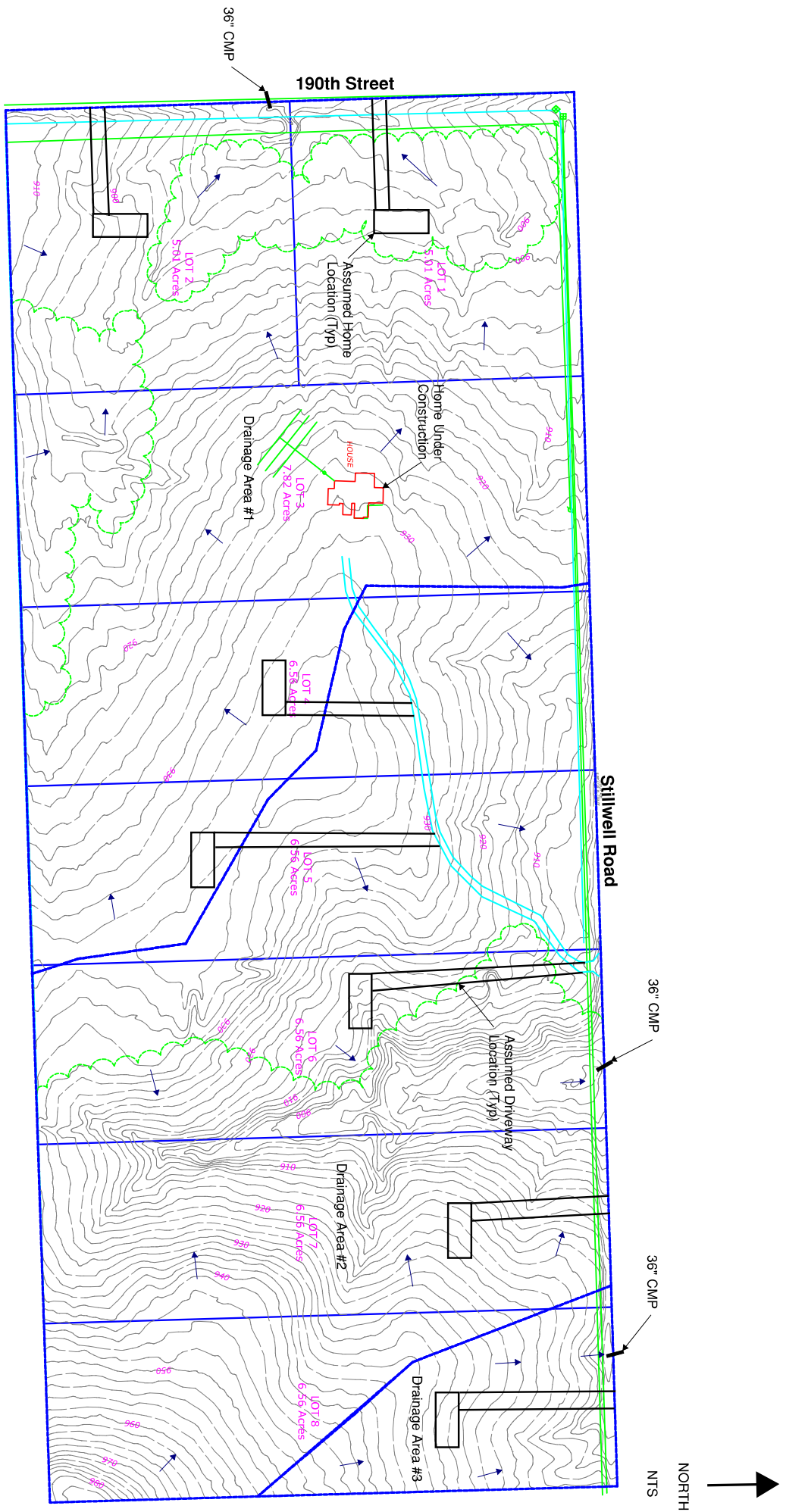


Exhibit #1

TABLE 1 Values of Runoff Coefficient C

URBAN AREAS:	
Type of drainage area	Runoff coefficient C
Lawns:	0.05 - 0.10
Sandy soil, flat 2%	0.10 - 0.15
Sandy soil, average, 2 - 7%	0.15 - 0.20
Sandy soil, steep, 7%	0.13-0.17
Heavy soil, flat, 2%	0.18 - 0.22
Heavy soil, average, 2 - 7%	0.25 - 0.35
Heavy soil, steep, 7%	
Business:	0.70 - 0.95
Downtown areas Neighborhood areas	0.50.0.70
Residential:	0.30 - 0.50
Single-family areas	0.40 - 0.60
Multi units, detached Multi units,	0.60 - 0.75
attached Suburban	0.25 - 0.40
Apartment dwelling areas	0.50 - 0.70
Industrial:	
Light areas	0.50 - 0.80
Heavy areas	0.60 - 0.90
Parks, cemeteries	0.10 - 0.25
Playgrounds	0.20 - 0.35
Railroad yard areas	0.20 - 0.40
Unimproved areas	0.10 - 0.30
Streets:	0.70 - 0.95
Asphaltic	0.80 - 0.95
Concrete	0.70 - 0.85
Brick	
Drives and walks	0.75 - 0.85
Roofs	0.75 - 0.95

AGRICULTURAL AREAS:

Topography and Vegetation	Runoff Coefficient C Soil Texture		
	Soil Texture		
	Open Sandy Loam	Clay and Silt Loam	Tight Clay
Woodland			
Flat 0 - 5% Slope	0.10	0.30	0.40
Rolling 5 - 10% Slope	0.25	0.35	0.50
Hilly 10 - 30% Slope	0.30	0.50	0.60
Pasture			
Flat	0.10	0.30	0.40
Rolling	0.16	0.36	0.55
Hilly	0.22	0.42	0.60
Cultivated			
Flat	0.30	0.50	0.60
Rolling	0.40	0.60	0.70
Hilly	0.52	0.72	0.82

Source - Natural Resources Conservation Service (NRCS) US Department of Agriculture (USDA) Peak Discharge Course
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1083019.pdf

Exhibit #2

Table 3-1 Runoff Coefficients for Rational Formula

Type of Drainage Area	Runoff Coefficient, C*
Concrete or Asphalt Pavement	0.8 – 0.9
Commercial and Industrial	0.7 – 0.9
Gravel Roadways and Shoulders	0.5 – 0.7
Residential – Urban	0.5 – 0.7
Residential – Suburban	0.3 – 0.5
Undeveloped	0.1 – 0.3
Berms	0.1 – 0.3
Agricultural – Cultivated Fields	0.15 – 0.4
Agricultural – Pastures	0.1 – 0.4
Agricultural – Forested Areas	0.1 – 0.4

For flat slopes or permeable soil, lower values shall be used. For steep slopes or impermeable soil, higher values shall be used. Steep slopes are 2:1 or steeper.

From Michigan State Administrative Rules R 280.9.

Referenced from MDOT Drainage Manual, www.michigan.gov



Soil Map may not be valid at this scale.

Map Scale: 1:4,190 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84

USDA
Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

Map Unit Symbol	Map Unit Name
7219	Baselor-Elmont complex, 5 to 30 percent slopes
7303	Martin silty clay loam, 3 to 7 percent slopes, eroded
7665	Virland-Stibleyville complex, 3 to 7 percent slopes
7666	Virland-Stibleyville complex, 7 to 15 percent slopes

Exhibit #4

Leavenworth County, KS



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋮ City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad
- Contour
- Section
- ▭ Section Boundaries
- ▭ County Boundary

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

Channel Report

10 yr Existing

Channel 1

CIRCULAR PIPE

Diameter = 36.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Known Q
 Known Q = 14.20 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
14.20	15.0	2.79	5.09	4.21	0.022	14.5	101.3	101.65	0.78	2.96

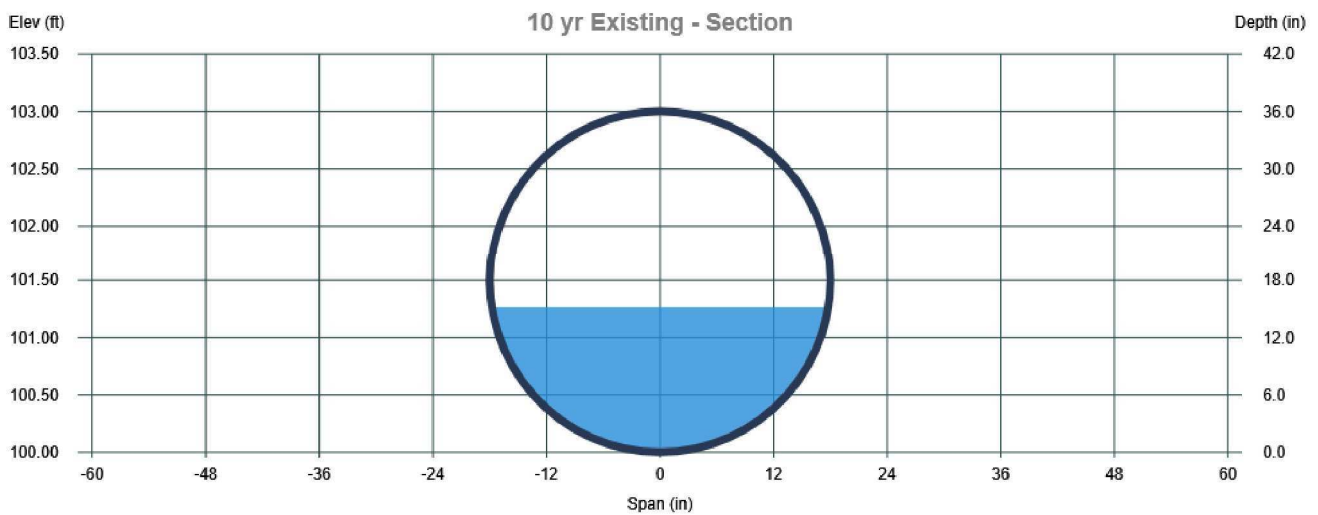


Exhibit #6

Channel Report

10 yr Developed

Channel 2

CIRCULAR PIPE

Diameter = 36.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Known Q
 Known Q = 14.40 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
14.40	15.1	2.82	5.11	4.23	0.022	14.5	101.3	101.67	0.79	2.96

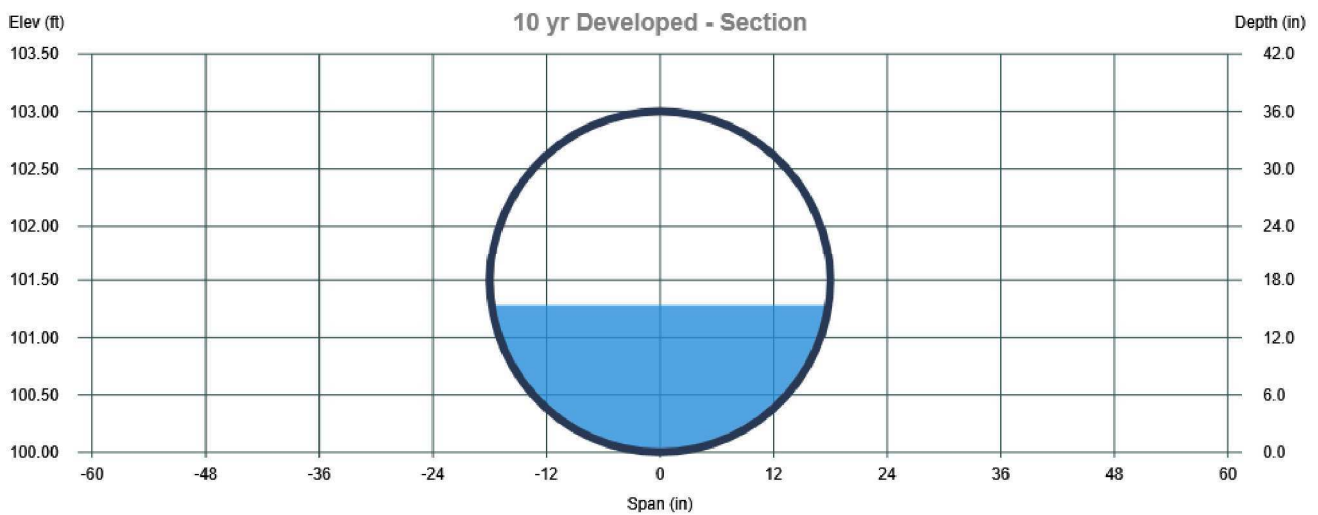


Exhibit # 7

Channel Report

100 yr Existing

Channel 3

CIRCULAR PIPE

Diameter = 36.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Known Q
 Known Q = 25.20 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
25.20	21.0	4.28	5.89	5.21	0.022	19.6	101.8	102.29	1.09	2.96

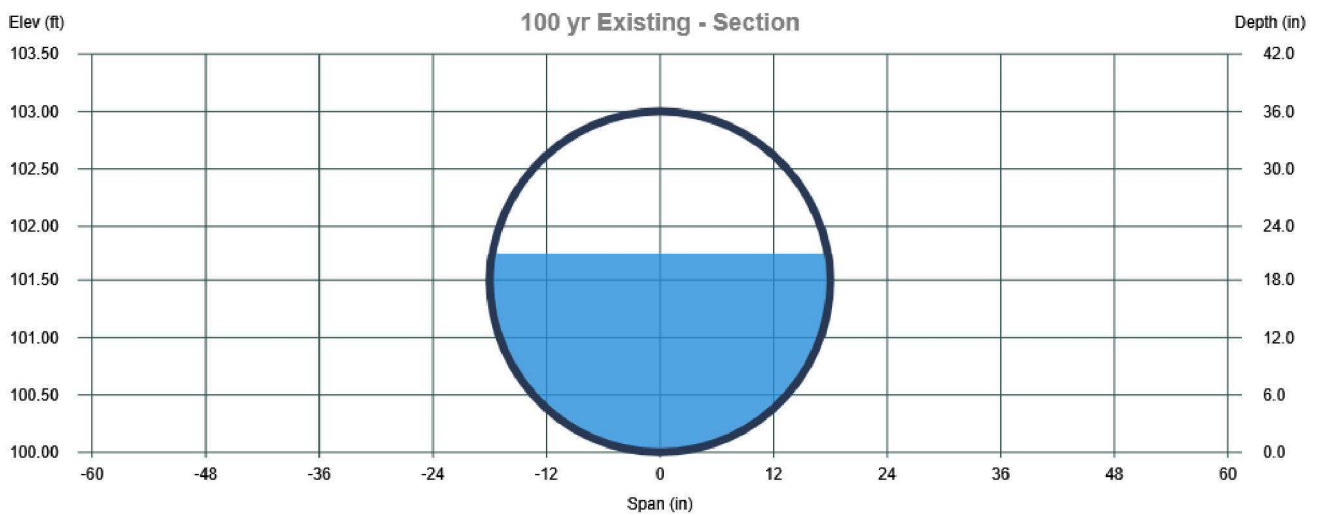


Exhibit # 8

Channel Report

100 yr Developed

Channel 4

CIRCULAR PIPE

Diameter = 36.0 in
 Invert Elevation = 100.00 ft
 Pipe Slope = 1.000 %
 Manning's n = 0.022

DISCHARGE

Method = Known Q
 Known Q = 25.50 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(in)	(sqft)	(ft/s)	(ft)		(in)	(ft)	(ft)	(lb/sqft)	(ft)
25.50	21.1	4.31	5.92	5.24	0.022	19.7	101.8	102.30	1.10	2.95

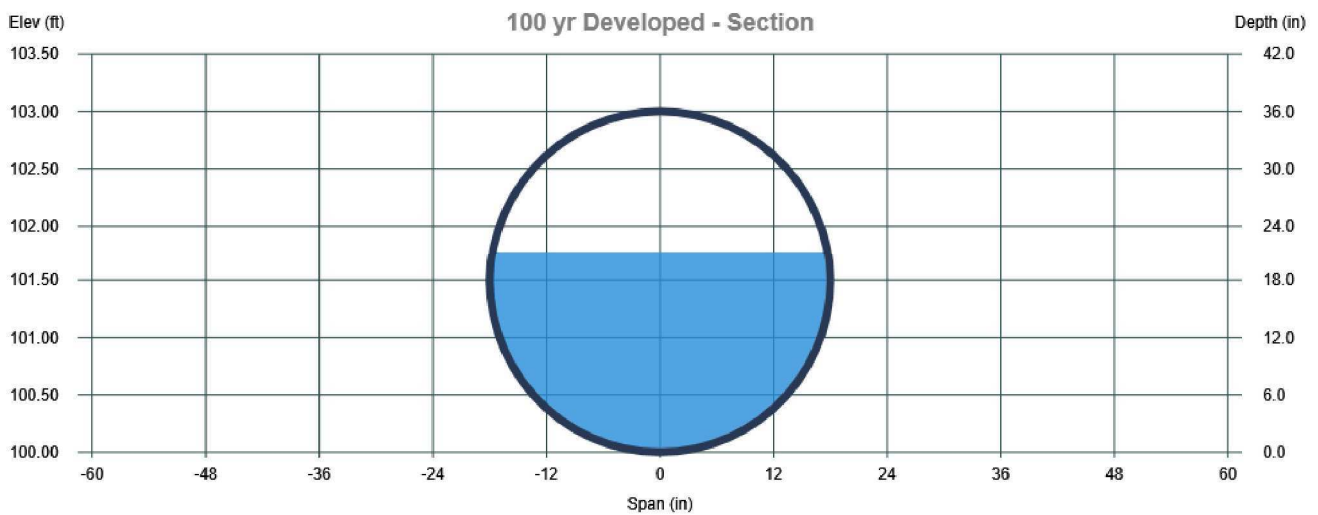


Exhibit #9

Drainage Area #1- 10 year

Existing Conditions

Area = 23.9 acres
 C= 0.36
 L= 1550
 S= 7.7
 K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_t = 11.7$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 2.58$$

$$T_c = 14.3$$

$$i_{10} = 5.29$$

Q=KCIA

$$Q = 45.5 \text{ cfs}$$

Developed Conditions

Area = 23.9 acres
 C= 0.36
 L= 1550
 S= 7.7
 K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_t = 11.7$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 2.58$$

$$T_c = 14.3$$

$$i_{10} = 5.29$$

Q=KCIA

$$Q = 45.5 \text{ cfs}$$

Drainage Area #1 - 100 year

Existing Conditions

Area = 23.9 acres
 C = 0.36
 L = 1550
 S = 7.7
 K = 1.25

$$T_i = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 11.7$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 2.58$$

$$T_c = 14.3$$

$$i_{100} = 7.51$$

$$Q = KCiA$$

$$Q = 80.8 \text{ cfs}$$

Developed Conditions

Area = 23.9 acres
 C = 0.36
 L = 1550
 S = 7.7
 K = 1.25

$$T_i = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 11.7$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 2.58$$

$$T_c = 14.3$$

$$i_{100} = 7.51$$

$$Q = KCiA$$

$$Q = 80.8 \text{ cfs}$$

Drainage Area #2- 10 year

Existing Conditions

Area = 24.3 acres
C= 0.36
L= 950
S= 8.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 11.5$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 1.58$$

$$T_c = 13.1$$

$$i_{10} = 5.48$$

Q=KCIA

$$Q = 48.0 \text{ cfs}$$

Developed Conditions

Area = 24.3 acres
C= 0.36
L= 950
S= 8.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 11.5$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 1.58$$

$$T_c = 13.1$$

$$i_{10} = 5.48$$

Q=KCIA

$$Q = 48.0 \text{ cfs}$$

Drainage Area #2 - 100 year

Existing Conditions

Area =	24.3	acres	$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$	$L_{max} = 300$	$i_{100} = 256/(T_c + 19.8)$	$5 < T_c < 15$
C =	0.36		$T_i = 11.5$		$i_{100} = 331/(T_c + 30)$	$15 < T_c < 60$
L =	950		$T_t = 1.58$			
S =	8.0		$T_c = 13.1$			
K =	1.25		$i_{100} = 7.78$			

Q=KCIA

Q= 85.0 cfs

Developed Conditions

Area =	24.3	acres	$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$	$L_{max} = 300$	$i_{100} = 256/(T_c + 19.8)$	$5 < T_c < 15$
C =	0.36		$T_i = 11.5$		$i_{100} = 331/(T_c + 30)$	$15 < T_c < 60$
L =	950		$T_t = 1.58$			
S =	8.0		$T_c = 13.1$			
K =	1.25		$i_{100} = 7.78$			

Q=KCIA

Q= 85.0 cfs

Drainage Area #3- 10 year

Existing Conditions

Area = 2.4 acres
 C= 0.35
 L= 630
 S= 8.6
 K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_i = 11.4$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 1.05$$

$$T_c = 12.5$$

$$i_{10} = 5.60$$

$$Q = KCiA$$

$$Q = 4.7 \text{ cfs}$$

Developed Conditions

Area = 2.4 acres
 C= 0.36
 L= 630
 S= 8.6
 K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_i = 11.2$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 1.05$$

$$T_c = 12.3$$

$$i_{10} = 5.63$$

$$Q = KCiA$$

$$Q = 4.9 \text{ cfs}$$

Drainage Area #3 - 100 year

Existing Conditions

Area =	2.4	acres	$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$	$L_{max} = 300$	$i_{100} = 256/(T_c + 19.8)$	$5 < T_c < 15$
C =	0.35					
L =	630		$T_i = 11.4$		$i_{100} = 331/(T_c + 30)$	$15 < T_c < 60$
S =	8.6		$T_t = 1.05$			
K =	1.25					

$T_c = 12.5$

$i_{100} = 7.93$

$Q = KCiA$

$Q = 8.3 \text{ cfs}$

Developed Conditions

Area =	2.4	acres	$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$	$L_{max} = 300$	$i_{100} = 256/(T_c + 19.8)$	$5 < T_c < 15$
C =	0.36					
L =	630		$T_i = 11.2$		$i_{100} = 331/(T_c + 30)$	$15 < T_c < 60$
S =	8.6		$T_t = 1.05$			
K =	1.25					

$T_c = 12.3$

$i_{100} = 7.98$

$Q = KCiA$

$Q = 8.6 \text{ cfs}$

Drainage Area - To Culvert

Existing Conditions

Area = 7.18 acres
 C= 0.36
 L= 900
 S= 8.6
 K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 11.3$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 1.50$$

$$T_c = 12.8$$

$$i_{10} = 5.54$$

Q=KCIA

$$Q = 14.2 \text{ cfs}$$

Developed Conditions

Area = 7.18 acres
 C= 0.36
 L= 900
 S= 8.6
 K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 11.2$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 1.50$$

$$T_c = 12.7$$

$$i_{10} = 5.55$$

Q=KCIA

$$Q = 14.4 \text{ cfs}$$

Drainage Area - To Culvert

Existing Conditions

Area = 7.18 acres
 C= 0.36
 L= 900
 S= 8.6
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{1000} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 11.3$$

$$i_{1000} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 1.50$$

$$T_c = 12.8$$

$$i_{1000} = 7.85$$

$$Q = KCiA$$

$$Q = 25.2 \text{ cfs}$$

Developed Conditions

Area = 7.18 acres
 C= 0.36
 L= 900
 S= 8.6
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{1000} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 11.2$$

$$i_{1000} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 1.50$$

$$T_c = 12.7$$

$$i_{1000} = 7.87$$

$$Q = KCiA$$

$$Q = 25.5 \text{ cfs}$$

KITTY HAWK ESTATES

A Minor Subdivision in the Fractional Northwest Quarter of Section 6,
Township 12 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

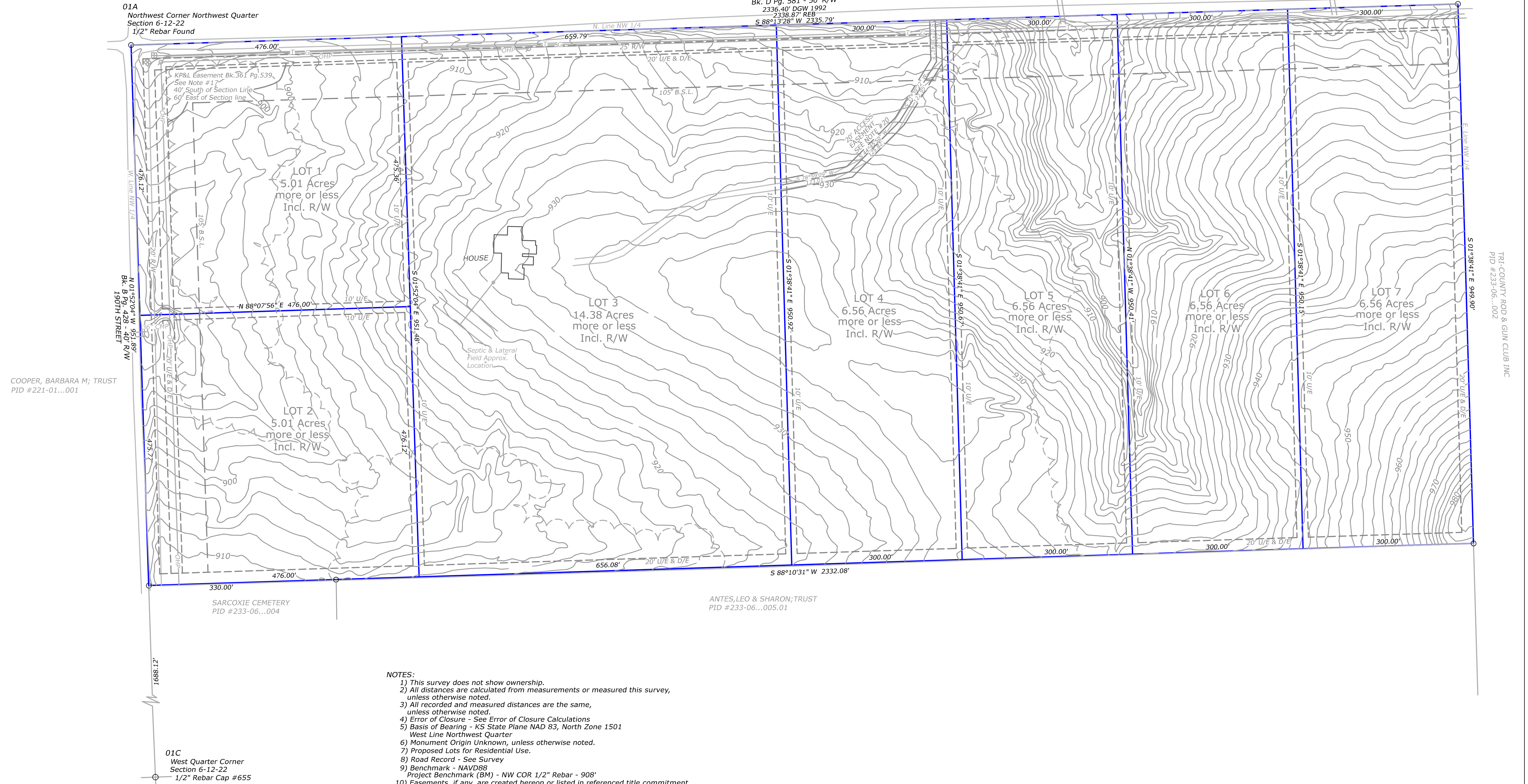
PRELIMINARY PLAT

PREPARED FOR:
Gerald P. St. Peter III & Sarah Anne St. Peter
18749 Stillwell Road
Linwood, KS 66052
PID #233-06-0-00-003
PID #233-06-0-00-003.01

RECORD DESCRIPTION:
A tract of land in the North Fifty (50) acres of the Fractional NW 1/4 of Section 6, Township 12 South, Range 22 East, of the 6th P.M., described more specifically as follows: Commencing at the Northwest corner of the Fractional NW 1/4 of Section 6, Township 12, Range 22; thence North 90° East, 625.80 feet to the Point of Beginning of this tract; thence North 90° East, 300.00 feet; thence South 00° West, 750.00 feet; thence South 90° West, 300.00 feet; thence North 00° East, 750.00 feet to the Point of Beginning, EXCEPT that part in roads, Leavenworth County, Kansas.
AND
The North 50 acres of the Northwest 1/4 of Section 6, Township 12 South, Range 22 East, LESS the following: Commencing at the Northwest corner of the Fractional Northwest 1/4; thence North 90 degrees East 625.80 feet to the point of beginning of this tract; thence North 90 degrees East 300.00 feet; thence South 00 degrees West 750.00 feet; thence South 90 degrees West 300.00 feet; thence North 00 degrees East 750.00 feet to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

RESTRICTIONS:
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
2) An Engineered Waste Disposal System may be required due to poor soil conditions.
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
4) Lots are subject to the current Access Management Policy
5) No off-plat restrictions.
ZONING:
RR- 5, Rural Residential, 5-Acre minimum size parcels - Current and proposed

LEGEND:
● - 1/2" Rebar Set with Cap No. 1296
○ - 1/2" Rebar Found, unless otherwise noted.
□ - Concrete Base around Point
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
BM - Benchmark
NS - Not Set this survey per agreement with client
○ - Power Pole
G - Gas Line
OHP - Overhead Power Lines
T - Underground Telephone/Fiber Optic Line
◇ - Gas Valve
⊞ - Telephone Pedestal

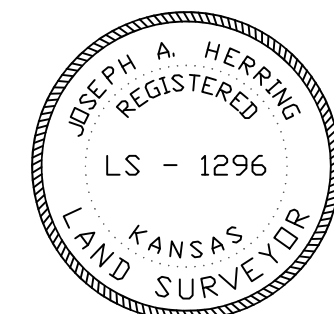
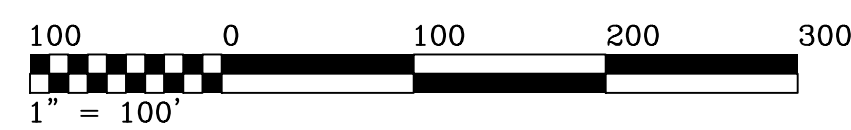


- NOTES:
- This survey does not show ownership.
 - All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - All recorded and measured distances are the same, unless otherwise noted.
 - Error of Closure - See Error of Closure Calculations
 - Basis of Bearing - KS State Plane NAD 83, North Zone 1501 West Line Northwest Quarter
 - Monument Origin Unknown, unless otherwise noted.
 - Proposed Lots for Residential Use.
 - Road Record - See Survey
 - Benchmark - NAVD89 Project Benchmark (BM) - NW COR 1/2" Rebar - 908'
 - Easements, if any, are created hereon or listed in referenced title commitment.
 - Reference Recorded Deed Document Number 2020R11726
 - Utility Companies -
- Water - RWD 7
- Electric - Evergy
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
 - Reference Continental Title Insurance Company Case Number 21403176 updated February 11, 2021
 - Property is not in a Special Flood Hazard Area per FEMA FIRMA Map 2010C0325C dated July 16, 2015
 - Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
- All rear yard setbacks - 40' (Accessory - 15')
 - Distances to and of structures, if any, are +- 1'.
 - Easements as per referenced Title Commitment are shown hereon - KP&L Easement Book 361 Page 539 as shown hereon. Document does define the actual width of said Easement but does not define the approximate location of the proposed utility lines along the North and West side of surveyed property and to be approximately 35 feet from each line. Utility line along the West side is approximately 50 feet East. Limits of the Easement platted hereon are intended to encompass all structures for said utility.
 - Fence Lines do not necessarily denote the boundary line for the property.
 - Reference Surveys:
(REB) - R.E. Bacon Survey recorded Book S-7 #203 dated 1965
(DGW) - D.G. White Survey - unrecorded
 - 20' Access Easement to service Lots 3 and 4 - said Easement can be vacated by owners without affecting the integrity of this plat. Addresses to affected lots may change upon any realignment of driveway(s). Maintenance is to be shared between the owners of said Lots 3 and 4. Easement is recorded at the Leavenworth County Register of Deeds Office as Document #2021R



Scale 1" = 100'

Job # K-21-1434
August 25, 2021 Rev. 10/7/21
J. HERRING, Inc. (dba)
HERRING SURVEYING & COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@eamcsb.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July thru August 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

KITTY HAWK ESTATES

A Minor Subdivision in the Fractional Northwest Quarter of Section 6,
Township 12 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Gerald P. St. Peter III & Sarah Anne St. Peter
18749 Stillwell Road
Linwood, KS 66052
PID #233-06-0-00-003-003
PID #233-06-0-00-003-003.01

RECORD DESCRIPTION:
A tract of land in the North Fifty (50) acres of the Fractional NW 1/4 of Section 6, Township 12 South, Range 22 East, of the 6th P.M., described more specifically as follows: Commencing at the Northwest corner of the Fractional NW 1/4 of Section 6, Township 12, Range 22; thence North 90° East, 625.80 feet to the Point of Beginning of this tract; thence North 90° East, 300.00 feet; thence South 00° West, 750.00 feet; thence South 90° West, 300.00 feet; thence North 00° East, 750.00 feet to the Point of Beginning, EXCEPT that part in roads, Leavenworth County, Kansas.

AND
The North 50 acres of the Northwest 1/4 of Section 6, Township 12 South, Range 22 East, LESS the following: Commencing at the Northwest corner of the Fractional Northwest 1/4; thence North 90 degrees East 625.80 feet to the point of beginning of this tract; thence North 90 degrees East 300.00 feet; thence South 00 degrees West 750.00 feet; thence South 90 degrees West 300.00 feet; thence North 00 degrees East 750.00 feet to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: KITTY HAWK ESTATES.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, storm sewer, drainage ditch, or other drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of KITTY HAWK ESTATES, have set our hands this _____ day of _____, 2021.

Gerald P. St. Peter III Sarah Anne St. Peter

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2021, before me, a notary public in and for said County and State Gerald P. St. Peter III and Sarah Anne St. Peter, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of KITTY HAWK ESTATES this _____ day of _____, 2021.

Secretary Chairman
Krystal A. Voth Steven Rosenthal

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

County Engineer - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of KITTY HAWK ESTATES, this _____ day of _____, 2021.

Chairman County Clerk
Michael W. Smith Janet Klasinski

REGISTER OF DEEDS CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2021 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

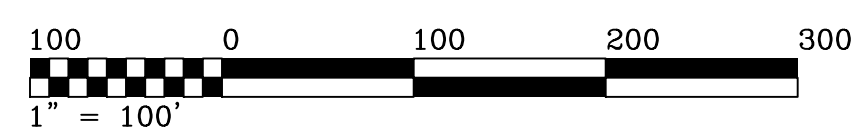


Scale 1" = 100'

Job # K-21-1434
August 25, 2021 Rev. 11/1/21



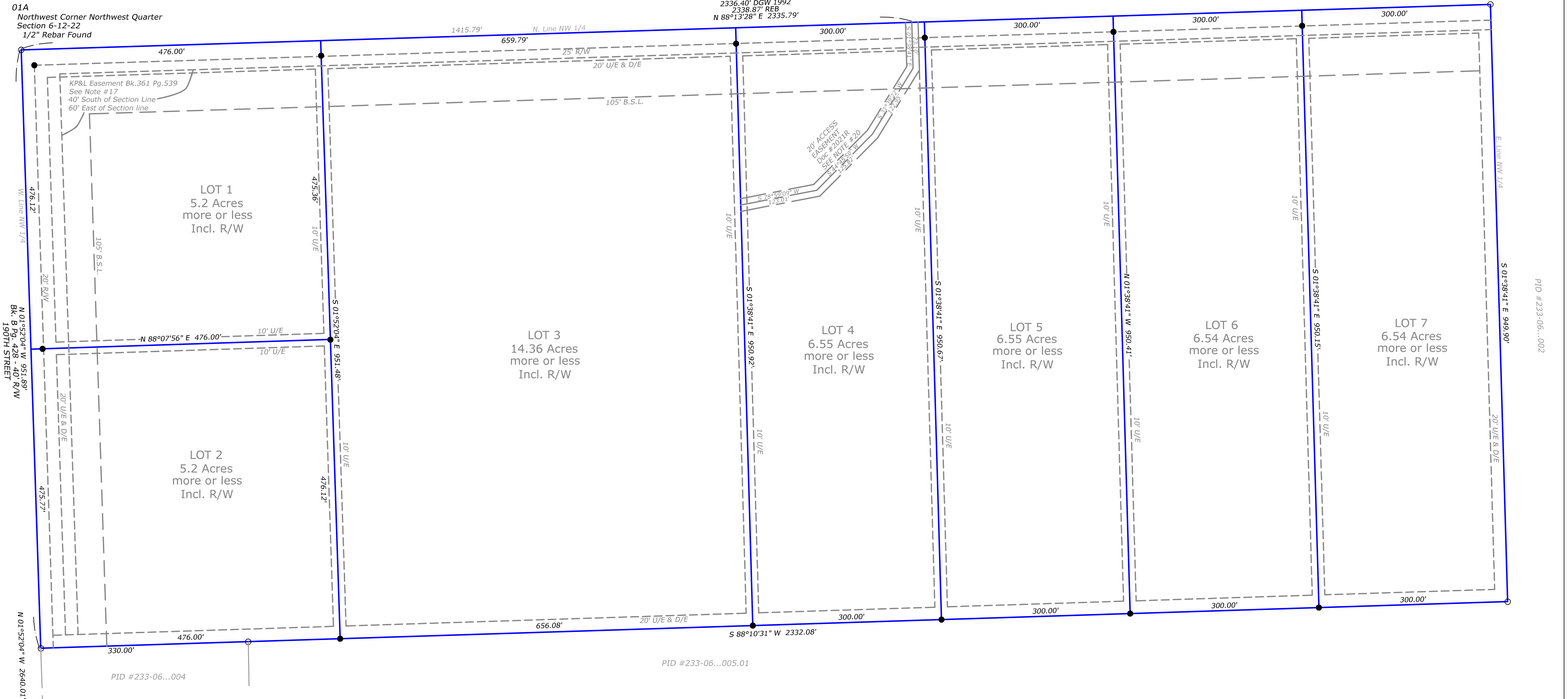
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@herringinc.com



SURVEYOR'S DESCRIPTION:
A tract of land in the Fractional Northwest Quarter of Section 6, Township 12 South, Range 22 East of the 6th P.M., as written by Joseph A. Herring PS-1296 on September 25, 2021, more fully described as follows: Beginning at the Northwest corner of said Fractional Northwest Quarter; thence North 88 degrees 13'28" East for a distance of 2335.79 feet along said North line to the Northeast corner of said Fractional Northwest Quarter; thence South 01 degrees 38'41" East for a distance of 949.90 feet along the East line of said Fractional Northwest Quarter; thence South 88 degrees 10'31" West for a distance of 2332.08 feet to the West line of said Fractional Northwest Quarter; thence North 01 degrees 52'04" West for a distance of 951.89 feet along said West line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contain 50.94 Acres, more or less, including road right of ways. Error of Closure - 1 : 473781

RESTRICTIONS:
1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
2) An Engineered Waste Disposal System may be required due to poor soil conditions.
3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
4) Lots are subject to the current Access Management Policy
5) No off-plat restrictions.

ZONING:
RR- 5, Rural Residential, 5-Acre minimum size parcels - Current and proposed

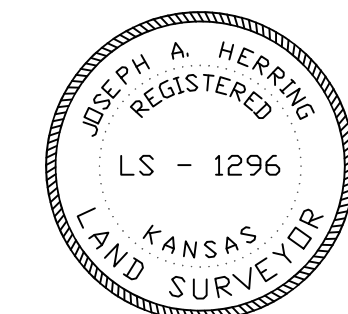


- NOTES:
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - See Error of Closure Calculations
 - 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501 West Line Northwest Quarter
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD83 Project Benchmark (BM) - NW COR 1/2" Rebar - 908'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Deed Document Number 2020R11726
 - 12) Utility Companies -
 - Water - RWD 7
 - Electric - Evergy
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
 - 13) Reference Continental Title Insurance Company Case Number 21403176 updated February 11, 2021
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRN Map 2010C0325C dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
 - 16) Distances to and of structures, if any, are +- 1'.
 - 17) Easements as per referenced Title Commitment are shown hereon
 - K&P&L Easement Book 361 Page 539 as shown hereon. Document does define the actual width of said Easement but does define the approximate location of the proposed utility lines along the North and West side of surveyed property and to be approximately 35 feet from each line. Utility line along the West side is approximately 50 feet East. Limits of the Easement platted hereon are intended to encompass all structures for said utility.
 - 18) Fence Lines do not necessarily denote the boundary line for the property.
 - 19) Reference Surveys:
 - (REB) - R.E. Bacon Survey recorded Book S-7 #203 dated 1965
 - (D&W) - D.G. White Survey - unrecorded
 - 20) Access Easement to service Lots 3 and 4 - said Easement can be vacated by owners without affecting the integrity of this plat. Addresses to affected lots may change upon any realignment of driveway(s). Maintenance is to be shared between the owners of said Lots 3 and 4. Easement is recorded at the Leavenworth County Register of Deeds Office as Document #2021R

LEGEND:
● - 1/2" Rebar Set with Cap No. 1296
○ - 1/2" Rebar Found, unless otherwise noted.
□ - Concrete Base around Point
() - Record / Deeded Distance
U/E - Utility Easement
D/E - Drainage Easement
B.S.L. - Building Setback Line
R/W - Permanent Dedicated Roadway Easement
BM - Benchmark
NS - Not Set this survey per agreement with client

I hereby certify this plat meets the requirements of KSA-58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.

Michael J. Bogina, KS PS-1655
Leavenworth County Survey Reviewer



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of July thru September 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Case No. DEV-21-130
High Prairie Pointe South
Vacation of Easement

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Andrew & Anthony Pierce
17139 Stillwell Road
Bonner Springs, KS 66012

Agent: Schlagel & Associates
14920 West 107th Street
Lenexa, KS 66215

Legal Description: Lot 7 of Pierce Division in Leavenworth County, Kansas.

Location: 00000 Stillwell Road; Approximately 1000' west of intersection of 166th Street and Stillwell Road.

Parcel Size: ± 3 acres

Zoning/Land Use: RR-2.5, Rural Residential 2.5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential land use category.

Parcel ID No.: 188-33-0-00-00-024.06

Planner: Joshua Gentzler

REPORT:

Request

The applicant is requesting the Vacation of an existing Drainage Easement on Lot 7 of the Pierce Division Plat.

Adjacent Land Use

The surrounding properties are residences on varying sized parcels ranging from 3 to 13 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0350G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Sherman
Water: RWD 7
Electric: Evergy

Access/Streets

The property is accessed by Stillwell Road. Stillwell Road is a County Local Road with a paved surface ± 24' wide.

Agency Comments

See attached comments – Email – Lauren Anderson – Public Works, September 8, 2021

Staff Comments

The applicant is requesting to move the public drainage easement to allow for the construction of a house and accessory structures on Lot 7. Public Works and Planning and Zoning Staff have no objections to the request to amend the easement as shown on the initial plat. As per K.S.A. 58-2613, a County Planning

Commission is allowed to hear and approve the vacation of easements without sending this application to the Board of County Commissioners.

The applicant has recorded a private drainage easement, document number 2021R13029, to replace the current easement.

STAFF RECOMMENDATION:

The staff recommends approval of Case No. DEV-21-130, Vacation of Easement on Lot 7 of Pierce Division.

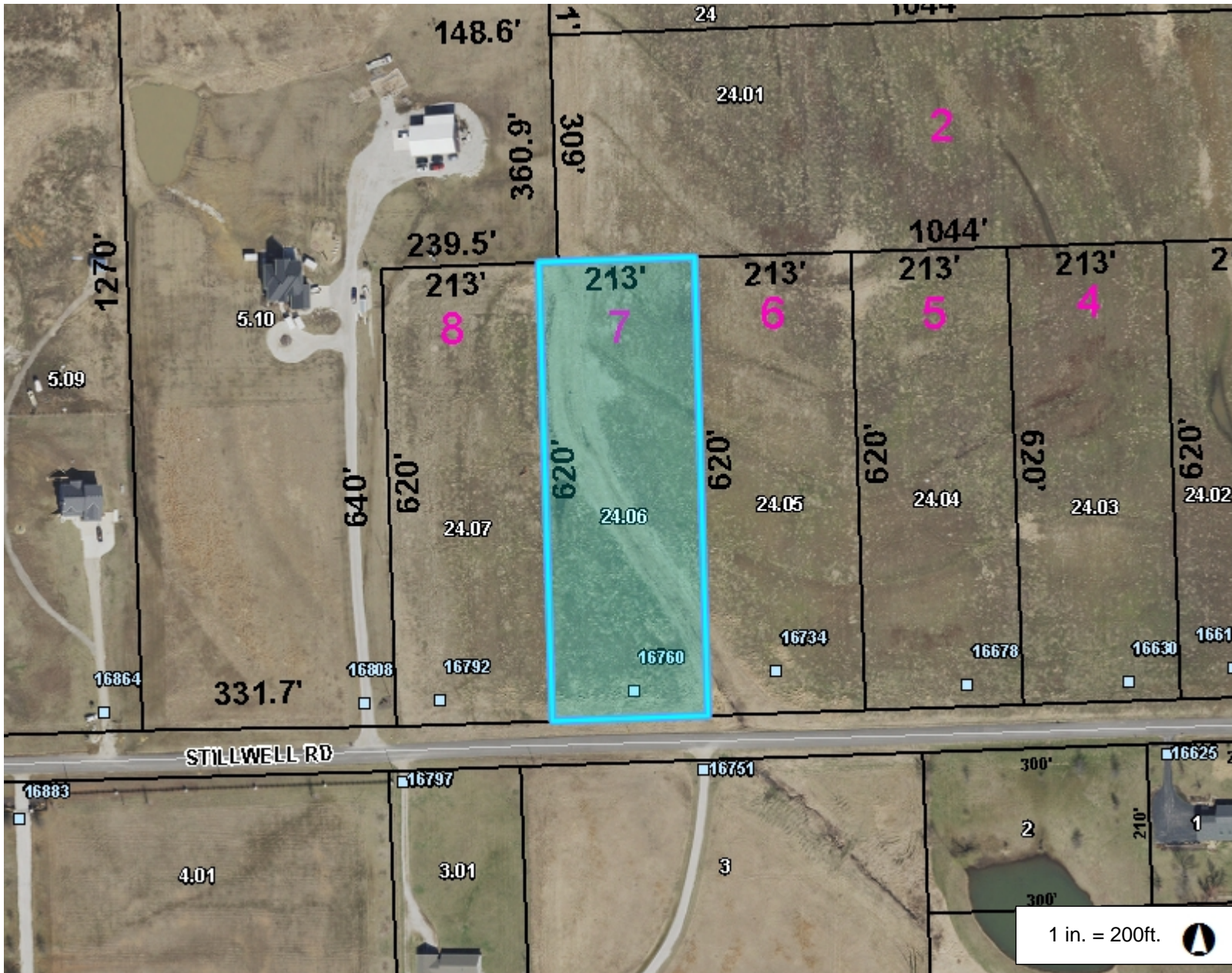
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-130, Vacation of Easement on Lot 7 of Pierce Division; or
2. Recommend denial of Case No. DEV-21-130, Vacation of Easement on Lot 7 of Pierce Division; or
3. Continue the hearing to another date, time, and place.

ATTACHMENTS:

Aerial Map
Memorandums
Site Plan
Recorded Easement

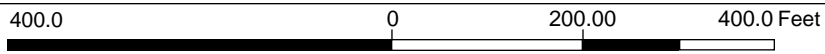
DEV-21-130 Vacation of Drainage Easement



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋯ City Limit Line
- Major Road
- Yellow line <all other values>
- Orange line 70
- Road
- + Railroad

Notes



1 in. = 200ft.

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

From: [Anderson, Lauren](#)
Sent: Wednesday, September 8, 2021 7:55 AM
To: [Gentzler, Joshua](#)
Cc: [Allison, Amy](#); [Noll, Bill](#)
Subject: Pierce "Lot Split" Drainage Easement

We are fine with proceeding a private easement for the relocation of this drainage easement. If this issue comes up again, it may be best to require a replat.

Lauren Anderson
Engineering Superintendent
Leavenworth County Public Works
300 Walnut, Suite 007
Leavenworth, KS 66048
O: 913.684.0470
D: 913.684.0471
landerson@leavenworthcounty.gov

LOT/TRACT SPLIT APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

Office Use Only

PID: _____ Date Received: _____
Township: _____
Case No. _____
Legal description _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

NAME Jake Hattock
ADDRESS 14920 West 107th Street
CITY/ST/ZIP Lenexa, Kansas 66215
PHONE 913-322-7155
EMAIL jhattock@schlagelassociates.com

OWNER INFORMATION

NAME Andrew & Anthony Pierce
ADDRESS 17139 Stillwell Road
CITY/ST/ZIP Bonner Springs, KS 66012
PHONE 913-276-9594
EMAIL apiece1323@yahoo.com

PROPERTY INFORMATION

Address of property 00000 Stillwell Road, Bonner Springs, KS 66012
Parcel size 3.036
Existing structures NONE
Current use of the property Residential

PROPOSED USE INFORMATION

Proposed land use Residential

Proposed Lot/Tract 1 Size
3.036

Proposed Lot/Tract 2 Size

I, the undersigned, am the *(circle one)* owner, *duly authorized agent*, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Tract/Lot Split as indicated above.

Signature  Date 8-6-2021

ATTACHMENT A

OWNER AUTHORIZATION

I/WE Andrew & Anthony Pierce, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 6 day of August, 2021, make the following statements, to wit:

- 1. I/We the Undersigned, on the date first above written, am the lawful, owner(s) in fee simple absolute of the following described real property
See Exhibit A attached hereto and incorporated herein by reference.
- 2. I/We the undersigned, have previously authorized and hereby authorize Jake Hattock
(Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Leavenworth County, Kansas, 00000 Stillwell Road, Bonner Springs, KS 66012 (common address) the subject real property, or portion thereof, and which authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.
- 3. I/We the Undersigned, hereby agree to protect, defend, indemnify and hold the Board of County Commissioners of Leavenworth County, Kansas, its officers employees and agents (hereinafter collectively referred to as the 'County'), free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities, whether false, fraudulent, meritless or meritorious, of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind and character (hereinafter "claims"), in connection with, relating to, or arising directly or indirectly our of this authorization and the actions taken by the Applicant and the County in reliance thereof. I, the Undersigned, hereby further agree to investigate, handle, respond to, provide defense for and defend any such claims at my sole expense and agree to bear all other costs at my sole expense and agree to bear all other costs and expenses related thereto, even if such claims are groundless, false or fraudulent.
- 4. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand below

OWNER Andrew Pierce, Owner

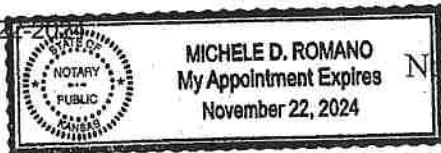
OWNER Anthony Pierce, Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 6 day of August, 2021,

by Andrew Pierce and Anthony Pierce

My Commission Expires: 11-22-2024

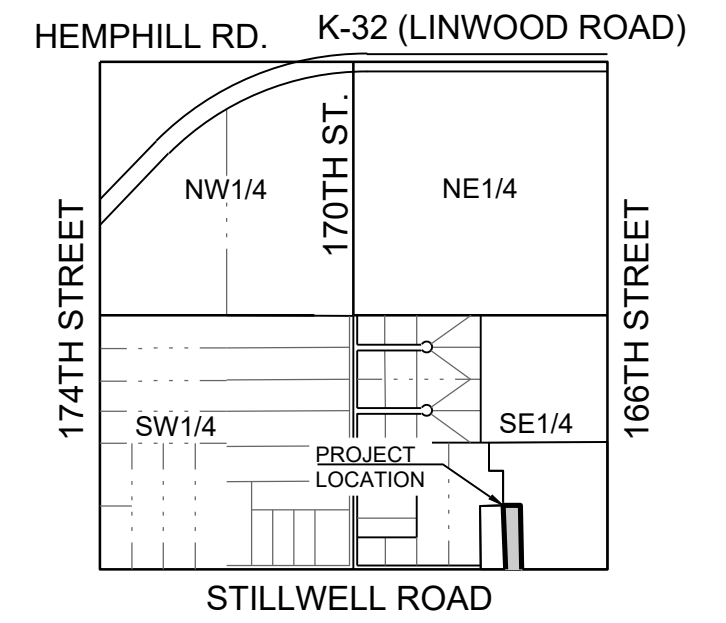


Notary Public

Michele D. Romano
Michele D. Romano

ATTACHMENT B

**LOT SPLIT OF LOT 7
PIERCE DIVISION**
A SUBDIVISION OF LAND IN THE N.W. 1/4 OF SEC. 16-11-22
LEAVENWORTH COUNTY, KANSAS

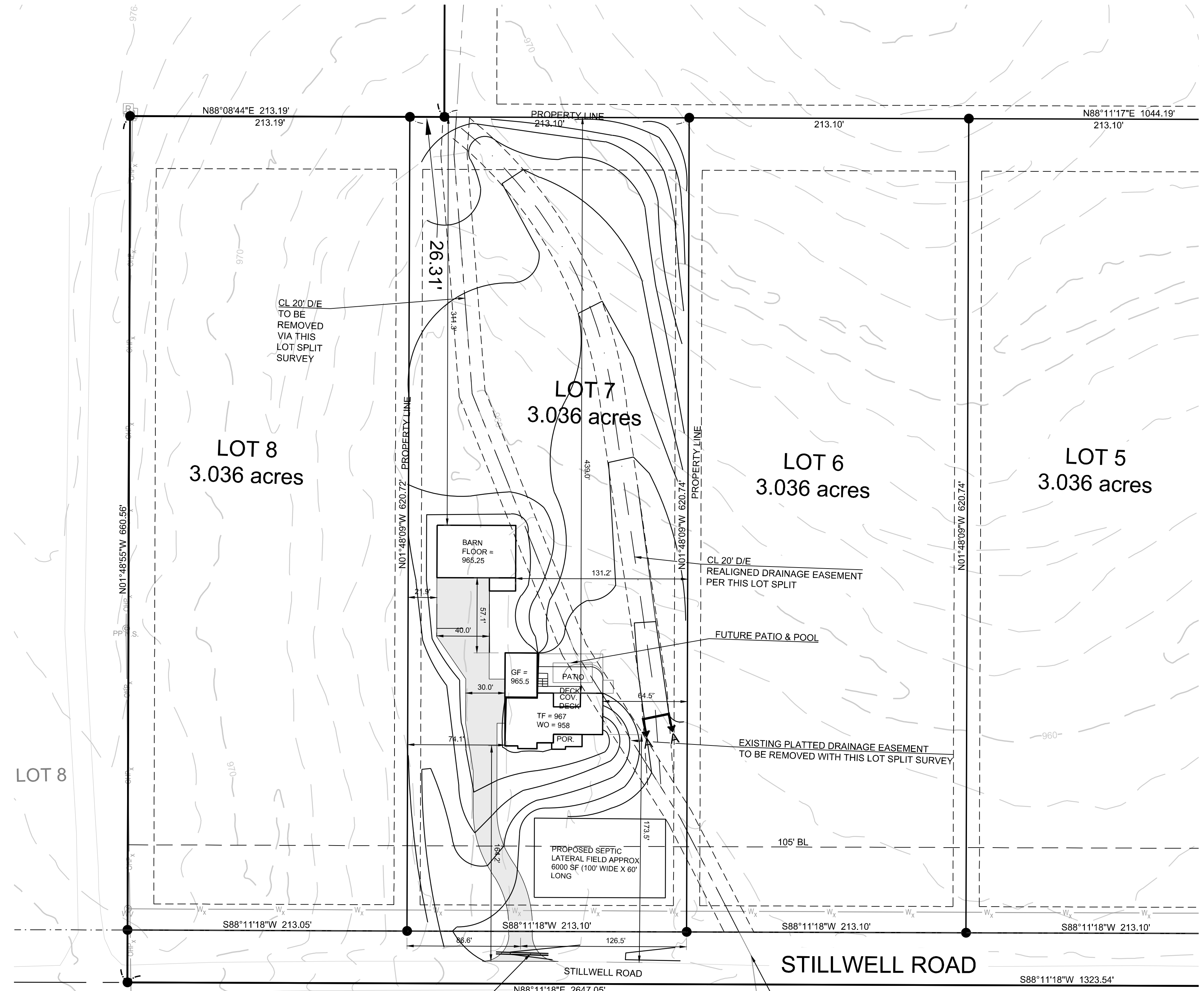


SECTION 33-11-22
LOCATION MAP
SCALE 1" = 2000'

- LEGEND:**
- A/E - ACCESS EASEMENT
 - BL - BUILDING LINE
 - CMP - CORRUGATED METAL PIPE
 - D/E - DRAINAGE EASEMENT
 - RCP - REINFORCED CONCRETE PIPE
 - R/W - RIGHT-OF-WAY
 - U/E - UTILITY EASEMENT
 - - FOUND 1/2" REBAR W/LS 54 CAP UNLESS OTHERWISE NOTED
 - X - FENCE - BARBED WIRE
 - E# - ELECTRIC METER (OPT. # - NUMBER OF METERS)
 - - GUY WIRE
 - ☼ - LIGHT OVERHEAD
 - ⊙ - POWER POLE
 - OHP— - OVERHEAD POWER LINE
 - SIO— - STORM SEWER
 - W_s— - WATER LINE
 - F_s— - FIBER LINE

DESCRIPTION:
All of Lot 7, PIERCE DIVISION, a subdivision of land as recorded in document 2020P00009, in Leavenworth County, Kansas.

CERTIFICATION AND DEDICATION:
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: "PIERCE DIVISION".
Easements or licenses to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water lines, gas lines, sewer pipes, poles, wires, drainage facilities, ducts, cables and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easements" or (U/E) and "Drainage Easements" or (D/E) are hereby granted to Leavenworth County, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easements for and said purposes.
Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.
Building Lines or Setback Lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the Road Right of way line.
RESTRICTIONS:
- Per Leavenworth County Zoning and Subdivision Regulations
- Leavenworth County Conservation District recommends sediment and erosion control procedures during construction activities.
- Access to Public Roads, where allowed, shall be limited to one entrance for lots 7.
- Property is subject to restrictions to be recorded by a separate document.

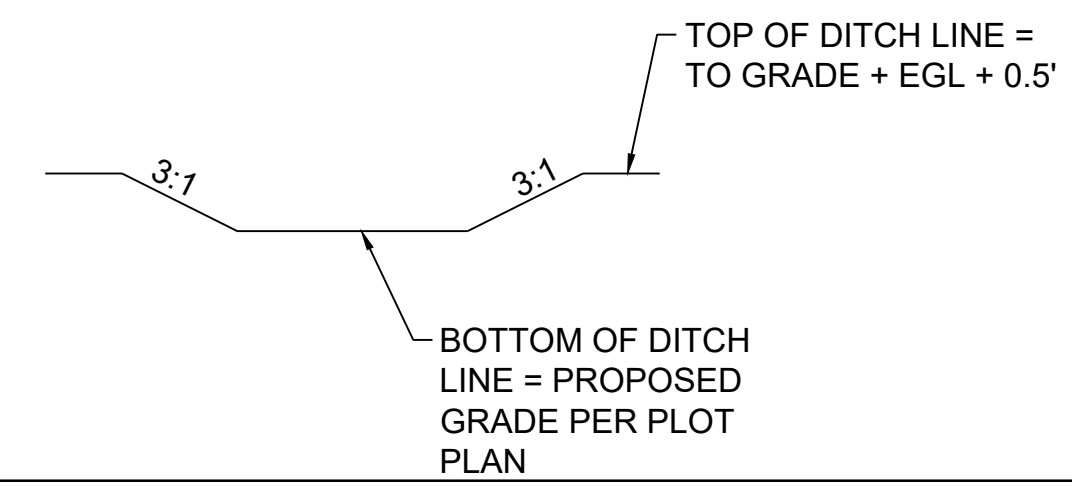


- PARENT TRACT PARCEL #
188330000024060
- SURVEYOR'S NOTES:**
1. All features and utilities shown hereon are existing and there are no new streets, alleys, pedestrian ways and grounds proposed to be dedicated for parks, schools, or any public or semi-public use.
 2. BENCH MARK: LVCO-401 - Aluminum Bucher Willis & Ratliff Corp. Cap in concrete. South of drive on the West side of County Route 25(206th St.) North of Evans Road. Elevation = 907.7.
 3. BASIS OF BEARINGS: South line of SE 1/4, Sec. 33-11-22, N 88°11'18" W, per the Survey "Tract Split" as Recorded on 09/22/2009 as Document No. 2009S026 Leavenworth County.
 4. Property is subject to Owners and Encumbrances Report No. 2334776, Dated October 17, 2019 Prepared by Security 1st Title
 5. ZONING: RR-2.5, Rural Residential, 2.5 acre parcels (Existing and Proposed).
 6. Proposed use - Residential
 7. Utilities: Water - Suburban, Electric - Everage, Sewer - Septic.
 8. All sanitary sewer service will be provided by septic tank and lateral systems. Depending upon soil conditions, an engineered septic system may be required.
 9. Septic Systems shall comply with the Leavenworth County Zoning and Subdivision Regulations.
 10. Approval of the Subdivision does not warranty new access to such lots. An approved county driveway permit is required for any new access of off County public roadways.
 11. FEMA FIRM Map # 20103C0350G, July 16, 2015 indicates no special flood hazard areas.
 12. Fences lines do not necessarily indicate property lines.
 13. The Error of Closure noted for the Plat is 1: 1841921.62
 14. Existing 40.00 feet wide roadway easement contains 2.3943 acres more or less.
 15. Prepared for Andrew J. & Anthony M. Pierce

APPROVALS:
This lot/tract split, as described and shown above, has been submitted to and approved by the following County Staff persons this _____ day of _____, 2021.

Planning & Zoning Director, Krystal Voth
COUNTY SURVEYOR:
I hereby certify this document has been reviewed by me and is being filed for survey information only.
Leavenworth County Surveyor, Wayne Malnicof, P.L.S.,

100 YEAR OVERFLOW SWALES											
SECTION	DRAINAGE AREA (AC.)	Q100 (CFS)	BED SLOPE (%)	BASE WIDTH (FT.)	SIDE SLOPE	TOP WIDTH (FT.)	NORMAL DEPTH (FT.)	VELOCITY (FPS)	VELOCITY HEAD (FT.)	EGL (FT.)	SHEAR STRESS (LB/FT ²)
A	11.26	43.72	1.80	20	3:1	23.04	0.51	4.01	0.25	0.76	0.57



BUILDING SETBACKS:
FRONT - 105'
SIDE - 15'
REAR - 40'

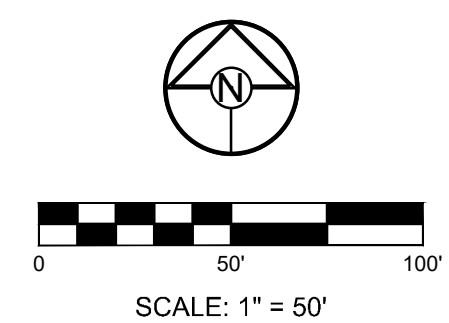
ESTABLISHED PER LEAVENWORTH COUNTY ZONING AND SUBDIVISION REGULATIONS:

- GENERAL NOTES:**
1. Lot areas do NOT include Right-of-Way.
 2. Developer is not removing or adding any trees.
 3. Home builder is not proposing any grading.

BASIS OF BEARINGS: South line of SE 1/4, Sec. 33-11-22, N 88°11'18" W, per the Survey "Tract Split" as Recorded on 09/22/2009 as Document No. 2009S026 Leavenworth County

BENCHMARK:
Leavenworth County Benchmark: LVCO-0401. Elevation = 907.7
Project Benchmark: 2" Aluminum Disc at the Northwest Corner of the Northwest One-Quarter. Elevation = 968.3

OWNER:
ANDREW J & ANTHONY M PIERCE
17139 STILLWELL ROAD
BONNER SPRINGS, KS 66012



I:\PROJECTS\2021\19-1662-0 Survey\3.0 Plan\19-1662-0 LOT SPLIT.dwg, 8/9/2021, 11:16:46 AM

ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
14920 West 107th Street • Lenexa, Kansas 66215
Ph: (913) 492-5158 • Fax: (913) 492-8400 • WWW.SCHLAGELASSOCIATES.COM

DATE	08.06.2021	LOT SPLIT OF LOT 7 PIERCE PLAT SHEET NO. 1
DRAWN BY	JAH	
CHECKED BY	AR	
PROJ. NO.	19-166	

PERMANENT DRAINAGE EASEMENT

THIS AGREEMENT, made and entered into this 26 day of Oct, 2021 by and between **TALLGRASS BUILDING COMPANY, LLC** a Kansas Limited Liability Company, hereinafter called Grantor, and the **COUNTY OF LEAVENWORTH, KANSAS**, located in the County of Leavenworth, State of Kansas, hereinafter called Grantee.

NOW, THEREFORE, for the consideration hereinafter described, the parties hereto agree as follows:

SECTION ONE
GRANT OF PERMANENT EASEMENT

In consideration of One and No/100 Dollar (\$1.00), in hand paid and other valuable consideration, including just compensation paid for all property damage resulting from the public improvement and from those factors set forth in K.S.A. 26-513 and other factors arising from the public improvement to be made, including but not limited to increased water run-off or drainage; loss of trees and landscaping; and erosion, receipt of which is hereby acknowledged, the Grantor does hereby grant and convey to the Grantee, its successors and assigns, a permanent drainage easement with reasonable rights to ingress and egress in, on, over, under and through the following described real estate, for the purpose of laying, constructing, operating, inspecting, altering, repairing, replacing, substituting, relocating, adding to, removing and maintaining a culvert, storm sewer, drainage ditch, drainage channel/water course or other drainage facility tributary connections and appurtenant work in any part of said easement, including the right to clean, repair, replace and care for said drainage facilities, together with the right of access in, on, over, under and through said easement for said purposes, said easement more particularly described as follows:

SEE EXHIBIT "A"
ATTACHED HERETO
AND BY REFERENCE MADE A PART HEREOF.

SECTION
TWO TERM

The rights granted herein shall be possessed and enjoyed by the Grantee, its successors and assigns, so long as the drainage line and appurtenances constructed pursuant hereto shall be maintained and operated by the Grantee, its successors and assigns.

SECTION THREE
ADDITIONAL RIGHTS OF GRANTEE

Grantee shall have the right to change the drainage channel/water course and to install an additional sewer and/or drainage line or replace said line with a larger line in the above-described easement at some future date and under the same conditions as the original drainage line was installed, except no additional payment shall be made for the purchase of said right.

Grantee and its employees and agents shall at all times have free access to the drainage easement, using such reasonable route as Grantor may designate or approve.

SECTION
FOUR
CONDITIONS

Grantor shall not construct or permit to be constructed any permanent house or structure, landscaping, trees, or obstruction on or over or interfering with the construction, maintenance, or operation of any sewer and/or drainage facility or appurtenance constructed pursuant to this instrument. Grantor further agrees that it will not change the grade of the area within the Permanent Easement without approval of the City.

SECTION FIVE
WARRANTY OF TITLE

Grantor covenants that it is the owner of the premises and has the right, title and capacity to grant the easement granted herein.

SECTION SIX
RESTORATION OF SURFACE

Grantee, its agents, successors and assigns shall, as soon as practicable, after construction of said drainage facility and all subsequent alterations and repairs thereto, restore the property to as near as possible to the conditions set out in the project plans and specifications.

SECTION SEVEN
EFFECT OF AGREEMENT

This Agreement shall be binding upon the heirs, legal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

GRANTOR

TALLGRASS BUILDING COMPANY, LLC


Matthew Burnett, Managing Member

LIMITED LIABILITY COMPANY ACKNOWLEDGEMENT

STATE OF Kansas)
)SS
COUNTY OF Leavenworth)

BE IT REMEMBERED, that on this 26th day of October, 2021, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Matthew Burnett, Managing Member of TALLGRASS BUILDING COMPANY, LLC**, a Kansas limited liability company, who is personally known to me to be the same person who executed as such officer/member the foregoing instrument of writing on behalf of said entity and said person duly acknowledged the execution of the same to be the act and deed of said entity.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Jessica Hampton
Notary Public
JESSICA HAMPTON

My appointment Expires: 03/26/23



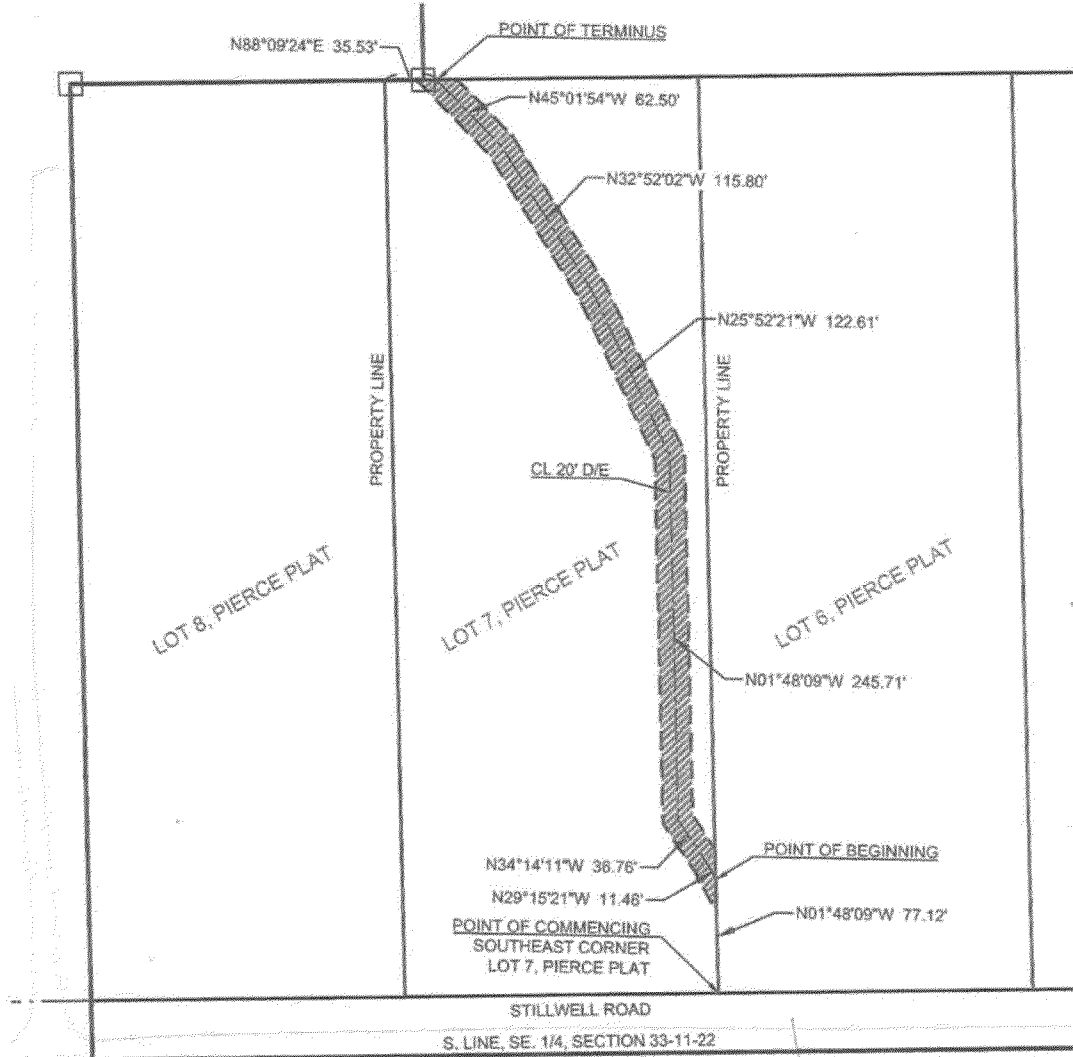
EXHIBIT A

PERMANENT DRAINAGE EASEMENT

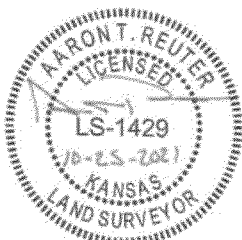
DESCRIPTION:

A tract of land 20 feet in width, being a part of Lot 7, Pierce Plat, a recorded subdivision in Leavenworth County, Kansas, lying 10 feet on each side of the following described centerline:

Commencing at the Southeast corner of said Lot 7, Pierce Plat; thence along the East line of said Lot 7, North 01 degrees 48 minutes 09 seconds West, a distance of 77.12 feet to the Point of Beginning; thence North 29 degrees 15 minutes 21 seconds West, a distance of 11.46 feet; thence North 34 degrees 14 minutes 11 seconds West, a distance of 36.76 feet; thence North 01 degrees 48 minutes 09 seconds West, a distance of 245.71 feet; thence North 25 degrees 52 minutes 21 seconds West, a distance of 122.61 feet; thence North 32 degrees 52 minutes 02 seconds West, a distance of 115.80 feet; thence North 45 degrees 01 minutes 54 seconds West, a distance of 82.50 feet to a point on the North line of said Lot 7 and the Point of Terminus.



PROJECT(S) 01919-166(2.0 Survey) 1.0 Esmt-Legals 19-166 DE Tailgrass to County.dwg, 10/25/2021 9:08:30 AM



Aaron T. Reuter - Land Surveyor
KS# LS-1429



DRAWN BY:	JAH
CHECKED BY:	AR
DATE:	10.21.2021
PROJECT NO:	19-166
SCALE:	1" = 100'
SHEET	1

SCHLAGEL
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
14820 West 107th Street • Lenexa, Kansas 66215
www.schlagelassociates.com • (913) 492-5158 • Fax: (913) 492-8400
Kansas State Certificates of Authority
#E-296 #LA-29 #LS-54

PERMANENT DRAINAGE EASEMENT

*****Regular Agenda*****
Case No. DEV-21-161/162
Grey's Corner
Preliminary and Final Plat

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Ronald and Barbel Grey
24450 171st Street
Leavenworth, KS 66048

Agent: Joe Herring
Herring Surveying Company
315 N 5th Street
Leavenworth, KS 66048

Legal Description: A tract of land in the South ½ of the Southwest 1/4 of Section
33, Township 9 South, Range 22 East of the 6th P.M, in Leavenworth
County, Kansas.

Parcel Size: ± 5.02 acres

Zoning/Land Use: RR-2.5, Rural Residential 2.5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential land use category.

Parcel ID No.: 108-33-0-00-00-016.09

Planner: Amy Allison

REPORT:

Request

The applicant is requesting a Preliminary and Final Plat for a two-lot subdivision.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 5 acre to over 236 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0250G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Fire District 1
Water: RWD 8
Electric: FreeState

Access/Streets

The property is accessed by both 171st Street and McIntyre Road. 171st Street is a local County road with a paved surface, ± 22' wide. McIntyre Road is a local County road with a paved surface ± 22' wide.

Agency Comments

See attached comments – Email – Mitch Pleak – Public Works, November 3, 2021
See attached comments – Email – Michael Bogina – Olsson, November 4, 2021
See attached comments – Email – Chuck Magaha – Emergency Management, September 30, 2021
See attached comments – Email – David Van Parys – County Counselor, October 5, 2021
See attached comments – Email – Rural Water District 8, September 29, 2021
See attached comments – Email – Amanda Tarwater – FreeState, September 28, 2021

Findings

1. The proposed subdivision is consistent with the zoning district of RR 2.5; Rural Residential Zoning 2.5 acre minimum size parcels and meets the lot-depth to lot-width ratio of 3.5:1 or 4:1, have the minimum frontage of 200', Minimum lot size of 2.5 acres.
2. The property is not within a sewer district boundary or is within 660 feet of the incorporated limits of a municipality; therefore, a waiver to the requirement of allowing private septic systems is supported by staff. A private sewage disposal permit may be issued per Leavenworth County Sanitary Code requirements. (See condition 4)
3. At time of development, fire hydrants shall be required if water facilities are available. (See condition 5)
4. The proposed subdivision is in alignment with the Comprehensive Plan.
5. The existing detached garage (Lot 1) does not meet the required setbacks in Article 21. An exception will need to be granted for the setback of the detached garage. (See condition 6)
6. The proposed lot line layout between Lot 1 and 2 does not meet Article 50 – Section 40.3.d. which requires a straight line. An exception will need to be granted for the proposed lot layout. (See condition 7).

Subdivision Classification

Class "C": Any subdivision in which all of the lots lie within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision. (See condition 4)

Staff Comments

The applicants are proposing a two-lot subdivision. Each lot meets the minimum requirements for the RR-2.5 District. Both lots are approximately 2.51 acres in size, with Lot 1 accessing off of 171st Street and Lot 2 accessing off of McIntyre Road. A second driveway on Lot 1 does not meet the Access Management Policy so it will need to be removed (Condition 6). This subdivision has existing water access to RWD #8, who has indicated that they can support another lot. If the Planning Commission approves the exceptions presented, Staff is supportive of the request.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-21-108 & 109, Preliminary and Final Plat for Grey's Corner, with the following conditions:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, September 30, 2021
 - b. Rural Water District #8, September 29, 2021
4. A waiver for the use of private septic systems within this subdivision is granted with this approval.
5. At time of development, fire hydrants shall be required if necessary infrastructure is available.
6. An exception shall be granted for the setback requirements for the detached garage on Lot 1.
7. An exception shall be granted for the proposed lot line between Lot 1 and Lot 2.
8. The driveway accessing McIntyre Road on Lot 1 will need to be removed in compliance with Article 41 – Access Management.

9. After approval of this subdivision by the Board of County Commission, all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

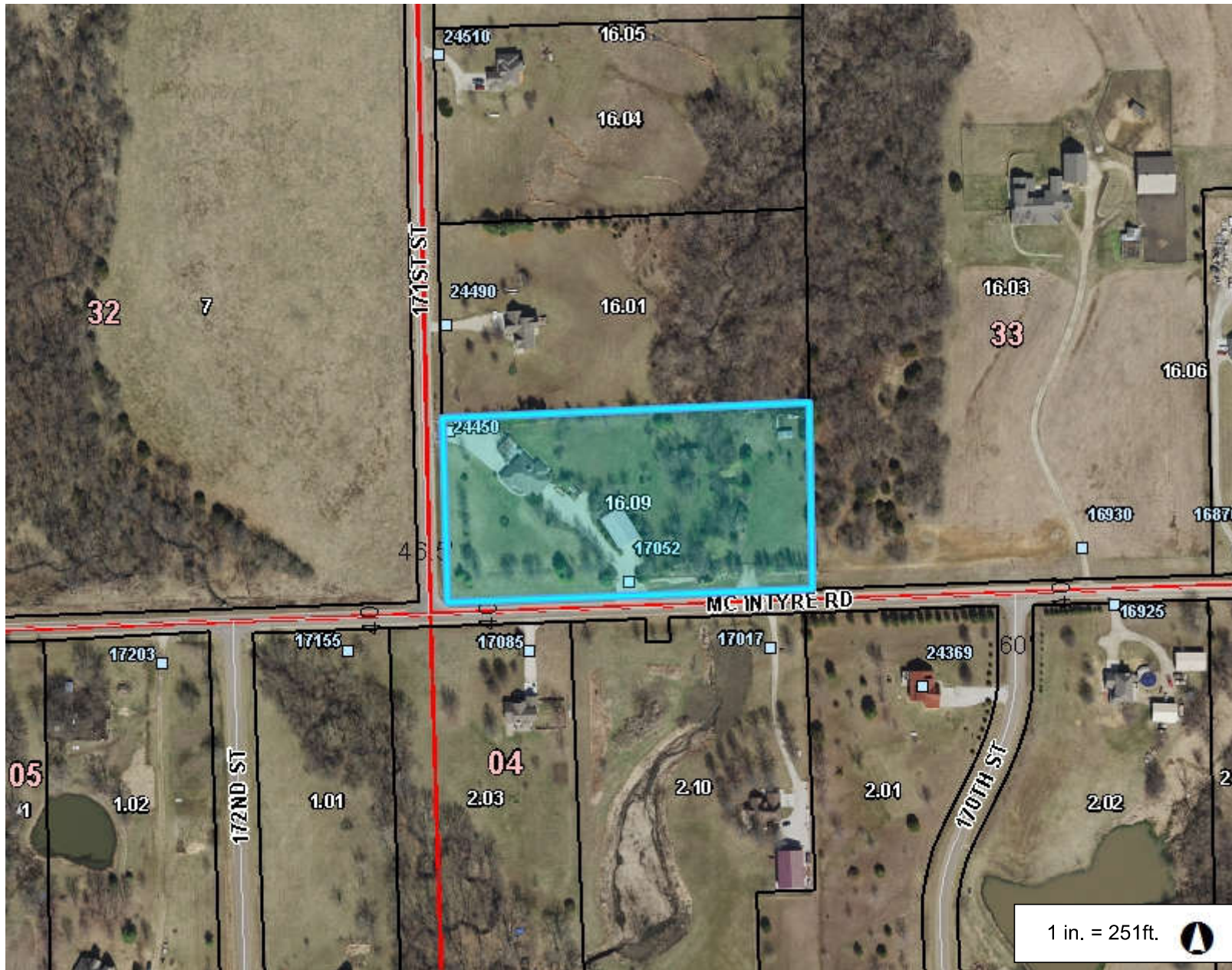
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-108/109, Preliminary and Final Plat for Ward's Ridge, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-21-108/109, Preliminary and Final Plat for Ward's Ridge, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place because;

ATTACHMENTS:

Aerial Map
Memorandums
Drainage Report
Preliminary and Final Plat

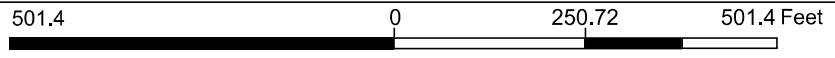
DEV-21-108 & 109 Grey's Corner



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋮ City Limit Line
- Major Road
- Yellow line <all other values>
- Orange line 70
- Road
- + Railroad
- Section
- Red outline Section Boundaries
- Grey outline County Boundary

1 in. = 251ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

PRELIMINARY &
FINAL PLAT APPLICATION
 Leavenworth County Planning and Zoning Department,
 300 Walnut St., Suite 212
 County Courthouse
 Leavenworth, Kansas 66048
 913-684-0465

Office Use Only	
PID: _____	
Township: _____	
Planning Commission Meeting Date: _____	
Case No. _____	Date Received/Paid: _____
Zoning District _____	
Comprehensive Plan land use designation _____	

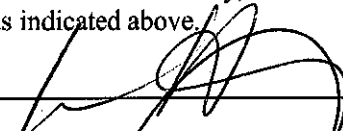
APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: Herring Surveying Company	NAME: Ronald and Barbel Grey
MAILING ADDRESS: 315 N. 5th Street	MAILING ADDRESS 24450 171st Street
CITY/ST/ZIP: Leavenworth, KS 66048	CITY/ST/ZIP Leavenworth, KS 66048
PHONE: 913-651-3858	PHONE: N/A
EMAIL : herringsurveying@outlook.com	EMAIL N/A

GENERAL INFORMATION

Proposed Subdivision Name: GREY'S CORNER

Address of Property: 24450 171st Street

Urban Growth Management Area: N/A

SUBDIVISION INFORMATION		
Gross Acreage: 5.03 AC	Number of Lots: 2	Minimum Lot Size: 2.51 AC
Maximum Lot Size: 2.51 AC	Proposed Zoning: RR-2.5	Density: N/A
Open Space Acreage: N/A	Water District: RWD 8	Proposed Sewage: Septic
Fire District: #1	Electric Provider: FreeState	Natural Gas Provider: Propane
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification <u>Local</u> - Collector - Arterial - State - Federal	
Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if yes, what is the panel number:		
I, the undersigned, am the owner <u>duly authorized agent</u> of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a final plat approval as indicated above.		
Signature: 	Date: 9/23/21	

ATTACHMENT A

AFFIDAVIT
Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I Ronald A. Grey Jr. and Barbel B. Grey

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 24450 171st ST Leavenworth, KS 66048. and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this 23 day of September 2021.

913-634-1529
Ronald A. Grey Jr. 24450 171st ST Leavenworth, KS, Barbel B. Grey
Print Name, Address, Telephone

Ronald A. Grey Jr. / Barbel B. Grey
Signature Ronald A. Grey Jr. / Barbel B. Grey

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 24th day of September 2021, before me, a notary public in and for said County and State came Ronald & Barbel Grey to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC Melissa D. Johnson
Melissa D. Johnson
My Commission Expires: 04/10/2024



Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Wednesday, November 3, 2021 10:27 AM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; Gentzler, Joshua; 019-2831
Subject: RE: Grey's Corner Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I have reviewed the revised PP with no further comments.

Thanks,
Mitch

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, November 3, 2021 8:08 AM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: FW: Grey's Corner Comments

Lauren and Mitch,

Please see the revised Grey's Corner prelim.

Amy

From: Joe Herring <herringsurveying@outlook.com>
Sent: Tuesday, November 2, 2021 3:49 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: Re: Grey's Corner Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

See attached - it was there but I clipped it in paper space.

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, November 2, 2021 3:19 PM
To: 'Joe Herring' <herringsurveying@outlook.com>

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Tuesday, October 26, 2021 5:14 PM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; 019-2831; Gentzler, Joshua
Subject: RE: DEV-21-161 & 162 Grey's Corner Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I have reviewed the revised FP with no comments.

Thanks,

Mitch Pleak

From: Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Sent: Monday, October 25, 2021 9:45 AM
To: Mitch Pleak <mpleak@olsson.com>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: FW: DEV-21-161 & 162 Grey's Corner Comments

Mitch,

Please see attached for review.

Lauren

From: Joe Herring <herringsurveying@outlook.com>
Sent: Saturday, October 23, 2021 9:14 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Sloop, Stephanie <ssloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: Re: DEV-21-161 & 162 Grey's Corner Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attachments.
Still owe LSRR & Prelim Plat Revision

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Allison, Amy <AAllison@leavenworthcounty.gov>

Sent: Friday, October 8, 2021 3:31 PM

To: 'Joe Herring' <herringsurveying@outlook.com>

Cc: Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>

Subject: DEV-21-161 & 162 Grey's Corner Comments

Good Afternoon Joe,

Please find the comments for the Grey's Corner application attached, except for Planning's. I will have those to you on Monday.

Let me know if you have any questions.

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Wednesday, November 3, 2021 10:25 AM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; Gentzler, Joshua; 019-2831
Subject: FW: FW: Grey's Corner Comments

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I have reviewed the revised drainage report with no further comments.
Thanks,
Mitch Pleak

Mitch Pleak, PE
Project Engineer / Civil

D 913.748.2503

7301 W. 133rd Street, Suite 200
Overland Park, KS 66213
O 913.381.1170



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From: David Lutgen <dlutgen72@gmail.com>
Sent: Tuesday, November 2, 2021 5:28 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Joe Herring <herringsurveying@outlook.com>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>; Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: Re: FW: Grey's Corner Comments

All,

Updated report is attached.

Thanks

David Lutgen

On Tue, Nov 2, 2021 at 12:11 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Allison, Amy

From: Anderson, Lauren
Sent: Thursday, November 4, 2021 10:49 AM
To: 'Joe Herring'
Cc: PZ
Subject: RE: Grey Corner

Joe,

Please see the reviewed, no comment survey review.

Lauren

From: Joe Herring <herringsurveying@outlook.com>
Sent: Wednesday, November 3, 2021 5:32 PM
To: Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: Re: Grey Corner

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Here is an unsigned copy - can get that accomplished but wont be in office tomorrow.

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Sent: Wednesday, November 3, 2021 1:04 PM
To: 'Joe Herring' <herringsurveying@outlook.com>; PZ <PZ@leavenworthcounty.gov>
Subject: RE: Grey Corner

Joe,

Please see the attached survey comments. It appears the LSRR doesn't match the plat.

Thanks,
Lauren

From: Joe Herring <herringsurveying@outlook.com>
Sent: Wednesday, November 3, 2021 11:33 AM
To: PZ <PZ@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: Grey Corner

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Grey's Corner
Date: October 8, 2021

Krystal, I have reviewed the preliminary plat of the Gray's Corner Subdivision presented by Ronald Grey. The subdivision meets the requirements for a fire hydrant and supported with a 6" water line as stated in the subdivision guidelines. The area in which the subdivision is proposed along 171st and McIntyre on the corner of this Subdivision along the roadway. I have no further recommendation for this subdivision.

If you have any questions please call me 684-0455.

Allison, Amy

From: Van Parys, David
Sent: Tuesday, October 5, 2021 10:08 AM
To: Allison, Amy
Subject: RE: RE: DEV-21-161 & 162 Preliminary and Final Plat – Grey's Corner

Nothing legally remarkable.

From: Allison, Amy
Sent: Tuesday, September 28, 2021 9:27 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'Firedistrict1@fd1lv.org' <Firedistrict1@fd1lv.org>; 'Amanda.holloway@freestate.coop' <Amanda.holloway@freestate.coop>; 'RWD8LV@gmail.com' <RWD8LV@gmail.com>; 'Mitch Pleak' <mpleak@olsson.com>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Thorne, Eric <ethorne@lvsheriff.org>
Cc: Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-21-161 & 162 Preliminary and Final Plat – Grey's Corner

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Grey's Corner, a 2-lot subdivision at 24450 171st Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, October 6, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at AAllison@LeavenworthCounty.org.

Thank you,
Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

Allison, Amy

From: Rural Water <rwd8lv@gmail.com>
Sent: Wednesday, September 29, 2021 11:21 AM
To: Allison, Amy
Subject: Re: DEV-21-161 & 162 Preliminary and Final Plat – Grey’s Corner

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy Allison,

RWD#8 supplies water service to Ron Grey at 24450 171st St. (Lot#1) the account is in good standing with RWD#8. RWD#8 has been asked if we could provide one additional service for (Lot#2) yes with proper application made to the Board of RWD#8 water service could be available. There is a 6" water line across the property frontage (North side of McIntyre RD.)

RWD#8 does not provide fire flow.

If you have any questions: 913-796-2164.

On Tue, Sep 28, 2021 at 9:26 AM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Morning,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Grey’s Corner, a 2-lot subdivision at 24450 171st Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, October 6, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at AAllison@LeavenworthCounty.org.

Thank you,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.684.5757

--

*Becky Fousek
Office Manager
Rural Water District #8-LV CO*

Allison, Amy

From: Amanda Tarwater <amanda.holloway@freestate.coop>
Sent: Tuesday, September 28, 2021 10:32 AM
To: Allison, Amy
Subject: Re: DEV-21-161 & 162 Preliminary and Final Plat – Grey's Corner

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

FreeState Electric has no objection to this request.

Thank you,

Amanda Tarwater
Member Accounts Coordinator



1-800-794-1989 | www.freestate.coop

From: "Allison, Amy" <AAllison@leavenworthcounty.gov>
Date: Tuesday, September 28, 2021 at 9:27 AM
To: "Magaha, Chuck" <cmagaha@lvsheriff.org>, "Miller, Jamie" <JMiller@leavenworthcounty.gov>, "Van Parys, David" <DVanParys@leavenworthcounty.gov>, "Firedistrict1@fd1lv.org" <Firedistrict1@fd1lv.org>, Amanda Tarwater <amanda.holloway@freestate.coop>, "RWD8LV@gmail.com" <RWD8LV@gmail.com>, 'Mitch Pleak' <mpleak@olsson.com>, "Anderson, Lauren" <LAnderson@leavenworthcounty.gov>, "Thorne, Eric" <ethorne@lvsheriff.org>
Cc: "Sloop, Stephanie" <SSloop@leavenworthcounty.gov>, "Gentzler, Joshua" <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-21-161 & 162 Preliminary and Final Plat – Grey's Corner

Warning: This message originated outside of the FEC organization. Do not click links or open attachments unless you have validated the sender and know the content is safe. <=" span=">

Good Morning,

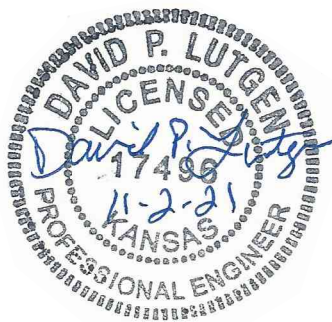
The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Grey's Corner, a 2-lot subdivision at 24450 171st Street.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, October 6, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at AAllison@LeavenworthCounty.org.

Thank you,
Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

Grey's Corner
Leavenworth County Kansas
Drainage Report
September 18, 2021
Revised October 11, 2021
Revised November 2, 2021



Parcel Information - The 5.02-acre (+/-) parcel is located at the north east corner of 171st Street and McIntyre Road in Leavenworth County KS. The property is zoned RR 2.5.

Existing Conditions – The site can be divided into two drainage areas, see exhibit #1. The site contains a single-family home along with a couple of outbuildings. The home entrance is off of 171st Street and there are two secondary entrances along McIntyre Road.

A c value was calculated for the drainage area as shown in the table below. The c value is based on the soil type, slopes, and existing land use, see Exhibits #2, #3, and #4.

Existing	c value	Acres in each Drainage Area			
		DA #1			
Wooded	0.35	0.40			
Gravel Drive	0.50	0.27			
Impervious	0.90	0.12			
Grass	0.20	3.09			
Composite c		0.26			

$$\text{composite c} = \frac{(\text{Wooded Acres} * 0.35 + \text{Gravel Acres} * 0.50 + \text{Impervious Acres} * 0.90 + \text{Grass Acres} * 0.20)}{\text{Total Acres}}$$

Developed Conditions – The proposed development will create one new residential building lot. The new home is assumed to be located as shown on exhibit #4. The west entrance on McIntyre Road will be removed. A composite c value was calculated for the drainage areas as shown in the table below. The composite c value is based on the soil type, slopes, and land use, see Exhibits #2, #3, and #4. The developed storm water runoff calculations include 10,000 sq ft of impervious area for the new building lot. This impervious area will account for the driveway, house footprint, and outbuilding. A composite c value for the drainage area was calculated as shown below.

Developed		Acres in each Drainage Area			
	c value	DA #1			
Wooded	0.35	0.40			
Gravel Drive	0.50	0.24			
Impervious	0.90	0.35			
Grass	0.20	2.89			
Composite c		0.30			

$$\text{composite c} = \frac{(\text{Wooded Acres} * 0.35 + \text{Gravel Acres} * 0.50 + \text{Impervious Acres} * 0.90 + \text{Grass Acres} * 0.20)}{\text{Total Acres}}$$

The storm water runoff for existing and developed conditions is summarized in the following tables. Calculations for the storm water runoff are included with the report.

DA #1

	Q10 cfs	Q100 cfs
Existing	5.1	9.1
Developed	6.0	10.7
Change	17.8%	17.7%

The increase in storm water runoff results in a 0.01-ft rise at the property line in a 10-yr storm and a 0.02-ft rise in a 100-yr storm, see exhibits #5 – #8.

Culvert – The County requested analysis of the existing 72” CMP on the south side of the property beneath McIntyre Road. The area draining to the culvert is shown in exhibit #9.

A composite c value was calculated for both conditions in the same manner as previously described.

Existing		Acres in each Drainage Area			
	c value	To Culvert			
Wooded	0.30	23.60			
Pasture	0.30	12.94			
Crops	0.50	68.47			
Gravel Drive	0.50	0.27			
Impervious	0.90	1.42			
Grass	0.20	10.12			
Composite c		0.42			

Developed	c value	Acres in each Drainage Area		
		To Culvert		
Wooded	0.30	23.60		
Pasture	0.30	12.94		
Crops	0.50	68.47		
Gravel Drive	0.50	0.24		
Impervious	0.90	1.65		
Grass	0.20	9.92		
Composite c		0.42		

The storm water runoff to the culvert for the existing and developed conditions is summarized in the following table. Calculations for the storm water runoff are included with the report.

To Culvert

	Q10 cfs	Q100 cfs
Existing	227.2	404.7
Developed	227.2	404.7
Change	0.0%	0.0%

Conclusion – The creation of an additional building lot on this parcel of ground results in an 18% increase in storm water runoff from the property but has no impact on the overall drainage area.

GREY'S CORNER

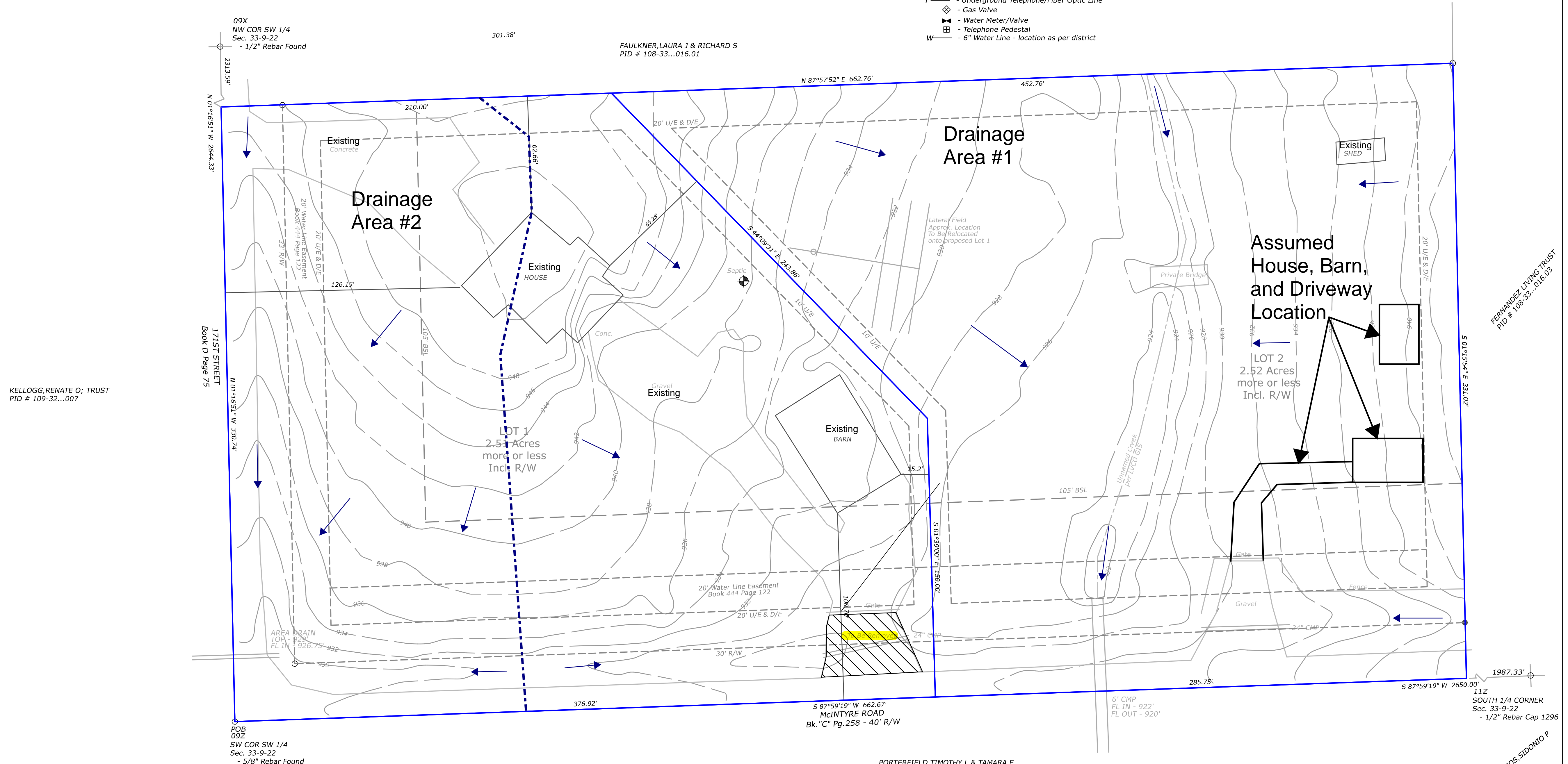
A Minor Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
Ronald and Barbel Grey
24450 171st Street
Leavenworth, KS 66048
PID # 108-33-0-00-00-016.09

RECORD DESCRIPTION:
A tract of land in the South 1/4 of the Southwest 1/4 of Section 33, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Southwest corner of said Southwest 1/4, thence North 00°00'00" East for a distance of 330.74 feet along the West line of said Southwest 1/4, thence North 89°14'43" East for a distance of 662.76 feet, thence South 00°00'57" West for a distance of 331.02 feet to the South line of said Southwest 1/4, thence South 89°16'10" West for a distance of 662.67 feet along said South line to the point of beginning, in Leavenworth County, Kansas.

- LEGEND:**
- - 1/2" Rebar Set with Cap No. 1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - BM - Benchmark
 - NS - Not Set this survey per agreement with client
 - - DIRECTION OF WATER FLOW
 - - Power Pole
 - X - Fence Line
 - OHP - Overhead Power Lines
 - T - Underground Telephone/Fiber Optic Line
 - ⊕ - Gas Valve
 - ⊕ - Water Meter/Valve
 - ⊕ - Telephone Pedestal
 - W - 6" Water Line - location as per district



KELLOGG, RENATE O; TRUST
PID # 109-32...007

FERNANDEZ LIVING TRUST
PID # 108-33...016.03

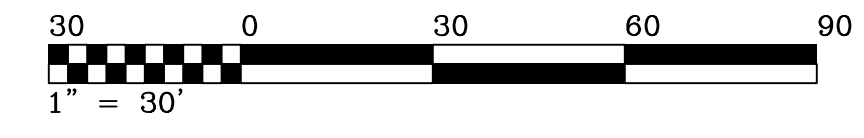
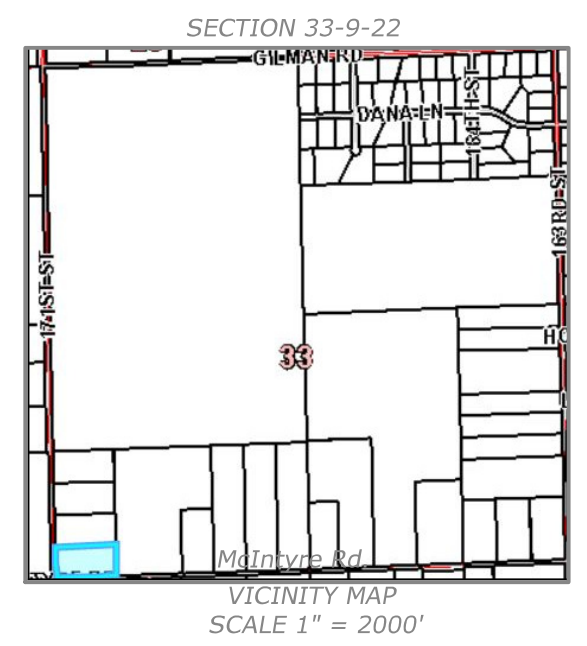
RAMOS ELVIRA & RAMOS SIDOMO P
PID # 154-04...002.01

ZONING:
RR 2.5 - Rural Residential 2.5

- NOTES:**
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - See Error of Closure Calculations
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88
 - 10) Project Benchmark (BM) - SW COR Section 33 - Elev - 929'
 - 11) Easements, if any, are created hereon or listed in referenced title commitment.
 - 12) Utility Companies -
- Water - Water District 8
- Electric - FreeState
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
 - 13) Reference Security 1st Title File Number 2475846 updated September 13, 2021
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
- All rear yard setbacks - 40' (Accessory - 15')
 - 16) Distances to and of structures, if any, are +- 1'.
 - 17) Easements as per referenced Title Commitment are shown hereon, if any.
 - 18) Fence Lines do not necessarily denote the boundary line for the property.
 - 19) Reference Surveys:
- DJP - David J. Pennington Survey dated 1997

- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation Jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
 - 4) Lots are subject to the current Access Management Policy
 - 5) Lot 1 Entrance on McIntyre will have to be removed.
 - 6) No off-plat restrictions.

NEEDHAM, DEBBY C; TRUST
PID # 154-04...002.03



Job # K-21-1500
September 16, 2021 Nov. 11/21

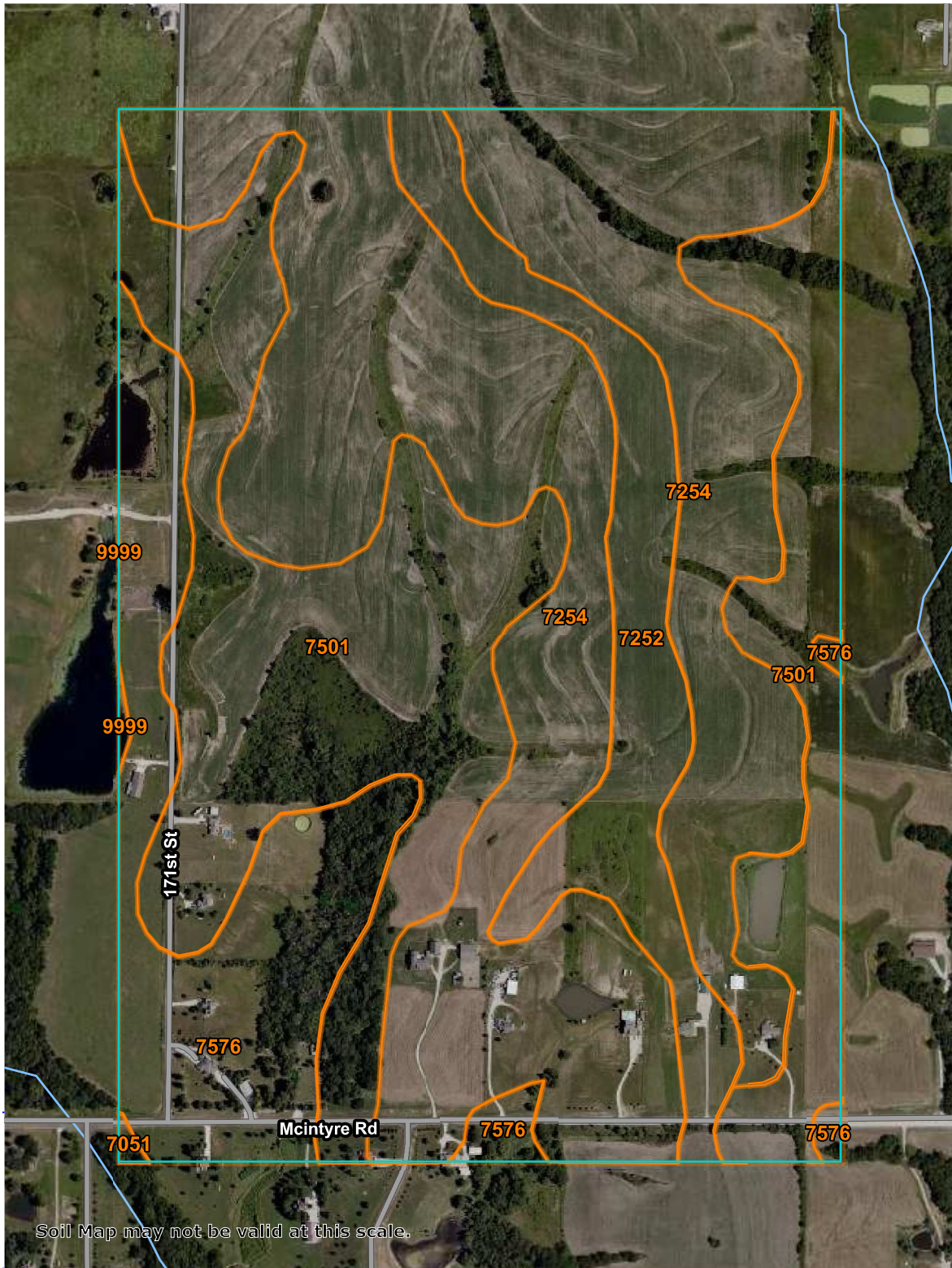
J. HERRING, INC. (dba)
HERRING SURVEYING & COMPANY

315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@eamcash.com



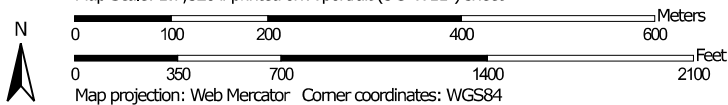
I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of August thru September, 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



Map Unit Symbol	Map Unit Name
7051	Kennebec silt loam, frequently flooded
7252	Grundy silty clay loam, 1 to 3 percent slopes
7254	Grundy silty clay loam, 3 to 7 percent slopes, eroded
7501	Pawnee clay loam, 4 to 8 percent slopes, eroded
7576	Shelby clay loam, 8 to 12 percent slopes, eroded

Map Scale: 1:7,820 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84

TABLE 1 Values of Runoff Coefficient C

URBAN AREAS:	
Type of drainage area	Runoff coefficient C
Lawns:	0.05 - 0.10
Sandy soil, flat 2%	0.10 - 0.15
Sandy soil, average, 2 - 7%	0.15 - 0.20
Sandy soil, steep, 7%	0.13-0.17
Heavy soil, flat, 2%	0.18 - 0.22
Heavy soil, average, 2 - 7%	0.25 - 0.35
Heavy soil, steep, 7%	
Business:	0.70 - 0.95
Downtown areas Neighborhood areas	0.50.0.70
Residential:	0.30 - 0.50
Single-family areas	0.40 - 0.60
Multi units, detached Multi units,	0.60 - 0.75
attached Suburban	0.25 - 0.40
Apartment dwelling areas	0.50 - 0.70
Industrial:	
Light areas	0.50 - 0.80
Heavy areas	0.60 - 0.90
Parks, cemeteries	0.10 - 0.25
Playgrounds	0.20 - 0.35
Railroad yard areas	0.20 - 0.40
Unimproved areas	0.10 - 0.30
Streets:	0.70 - 0.95
Asphaltic	0.80 - 0.95
Concrete	0.70 - 0.85
Brick	
Drives and walks	0.75 - 0.85
Roofs	0.75 - 0.95

AGRICULTURAL AREAS:

Topography and Vegetation	Runoff Coefficient C Soil Texture		
	Soil Texture		
	Open Sandy Loam	Clay and Silt Loam	Tight Clay
Woodland			
Flat 0 - 5% Slope	0.10	0.30	0.40
Rolling 5 - 10% Slope	0.25	0.35	0.50
Hilly 10 - 30% Slope	0.30	0.50	0.60
Pasture			
Flat	0.10	0.30	0.40
Rolling	0.16	0.36	0.55
Hilly	0.22	0.42	0.60
Cultivated			
Flat	0.30	0.50	0.60
Rolling	0.40	0.60	0.70
Hilly	0.52	0.72	0.82

Source - Natural Resources Conservation Service (NRCS) US Department of Agriculture (USDA) Peak Discharge Course
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1083019.pdf

EXHIBIT #3

Table 3-1 Runoff Coefficients for Rational Formula

Type of Drainage Area	Runoff Coefficient, C*
Concrete or Asphalt Pavement	0.8 – 0.9
Commercial and Industrial	0.7 – 0.9
Gravel Roadways and Shoulders	0.5 – 0.7
Residential – Urban	0.5 – 0.7
Residential – Suburban	0.3 – 0.5
Undeveloped	0.1 – 0.3
Berms	0.1 – 0.3
Agricultural – Cultivated Fields	0.15 – 0.4
Agricultural – Pastures	0.1 – 0.4
Agricultural – Forested Areas	0.1 – 0.4

For flat slopes or permeable soil, lower values shall be used. For steep slopes or impermeable soil, higher values shall be used. Steep slopes are 2:1 or steeper.

From Michigan State Administrative Rules R 280.9.

Referenced from MDOT Drainage Manual, www.michigan.gov

Channel Report

Project Name: New Project

Studio Express by Hydrology Studio v 1.0.0.9

10-12-2021

Pre-Platting 10 yr

Channel 1

TRAPEZOIDAL

Bottom Width = 10.00 ft
 Side Slope Left, z:1 = 4.00
 Side Slope Right, z:1 = 4.00
 Total Depth = 2.00 ft
 Invert Elevation = 100.00 ft
 Channel Slope = 5.600 %
 Manning's n = 0.030

DISCHARGE

Method = Known Q
 Known Q = 5.10 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(ft)	(sqft)	(ft/s)	(ft)		(ft)	(ft)	(ft)	(lb/sqft)	(ft)
5.10	0.16	1.70	3.00	11.32	0.030	0.20	100.16	100.30	0.56	11.28

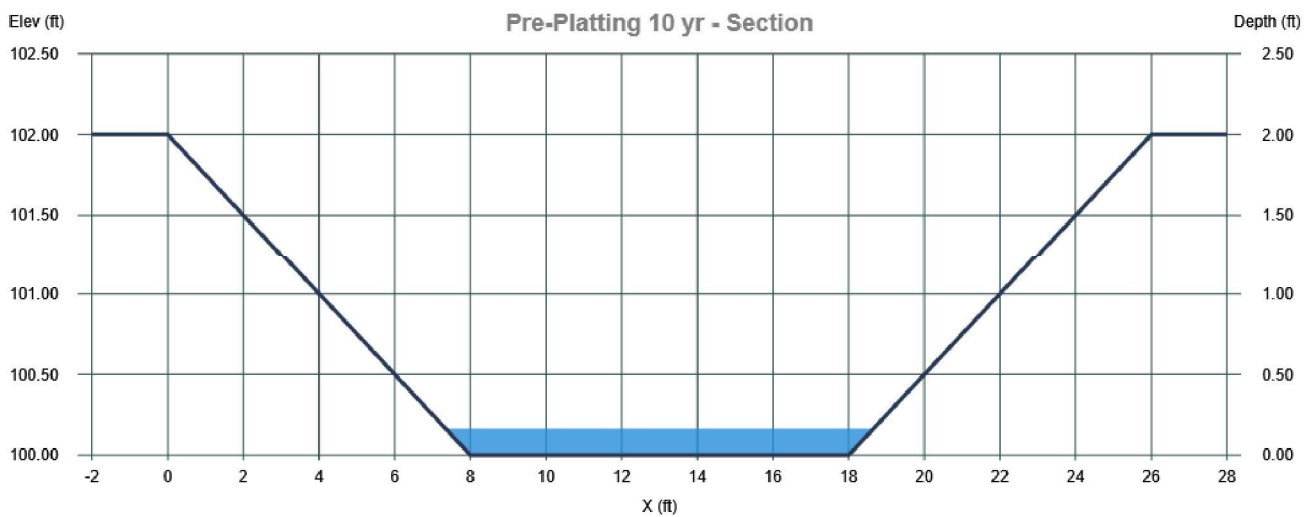


EXHIBIT #5

Channel Report

Project Name: New Project

Studio Express by Hydrology Studio v 1.0.0.9

10-12-2021

Post-Platting 10 yr

Channel 2

TRAPEZOIDAL

Bottom Width = 10.00 ft
 Side Slope Left, z:1 = 4.00
 Side Slope Right, z:1 = 4.00
 Total Depth = 2.00 ft
 Invert Elevation = 100.00 ft
 Channel Slope = 5.600 %
 Manning's n = 0.030

DISCHARGE

Method = Known Q
 Known Q = 6.00 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(ft)	(sqft)	(ft/s)	(ft)		(ft)	(ft)	(ft)	(lb/sqft)	(ft)
6.00	0.17	1.82	3.30	11.40	0.030	0.22	100.17	100.34	0.59	11.36

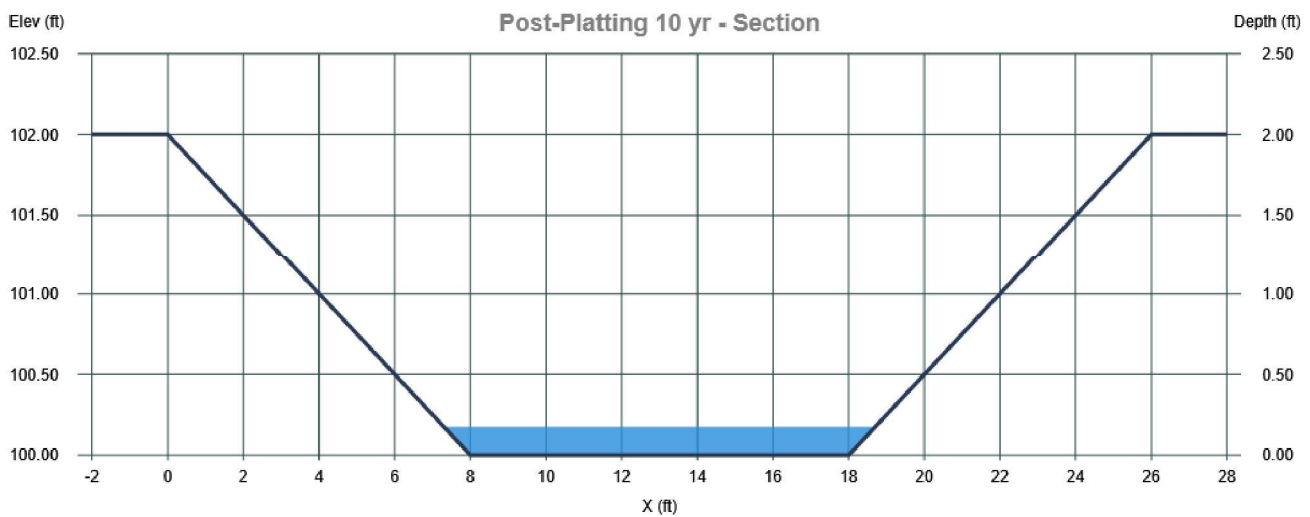


EXHIBIT #6

Channel Report

Project Name: New Project

Studio Express by Hydrology Studio v 1.0.0.9

10-12-2021

Pre-Platting 100 yr

Channel 3

TRAPEZOIDAL

Bottom Width = 10.00 ft
 Side Slope Left, z:1 = 4.00
 Side Slope Right, z:1 = 4.00
 Total Depth = 2.00 ft
 Invert Elevation = 100.00 ft
 Channel Slope = 5.600 %
 Manning's n = 0.030

DISCHARGE

Method = Known Q
 Known Q = 9.10 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(ft)	(sqft)	(ft/s)	(ft)		(ft)	(ft)	(ft)	(lb/sqft)	(ft)
9.10	0.22	2.39	3.80	11.81	0.030	0.29	100.22	100.44	0.77	11.76

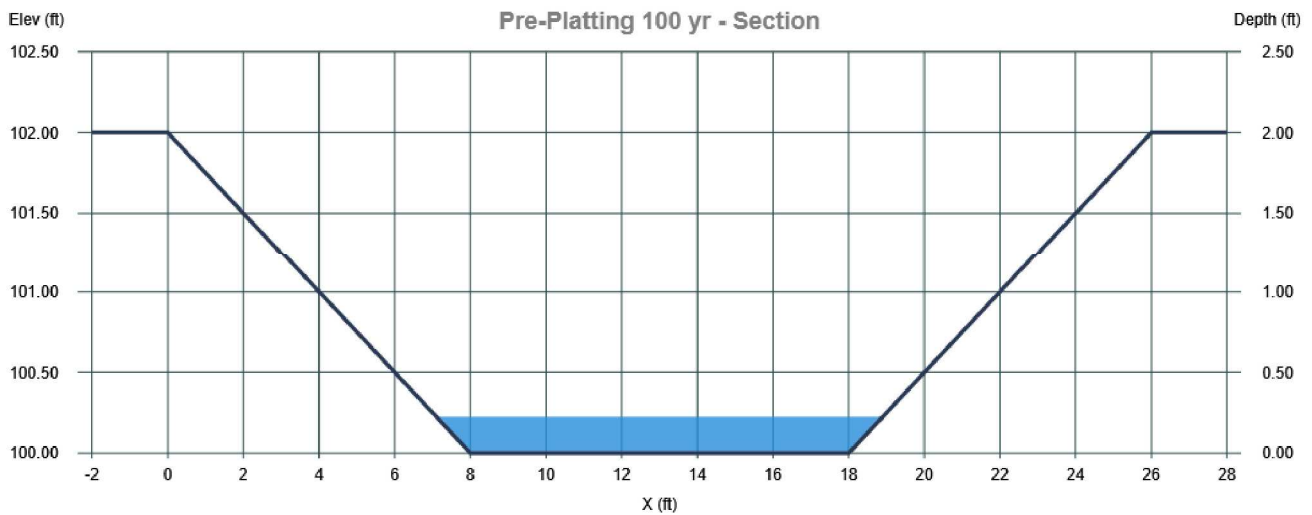


EXHIBIT #7

Channel Report

Project Name: New Project

Studio Express by Hydrology Studio v 1.0.0.9

10-12-2021

Post-Platting 100 yr

Channel 4

TRAPEZOIDAL

Bottom Width = 10.00 ft
 Side Slope Left, z:1 = 4.00
 Side Slope Right, z:1 = 4.00
 Total Depth = 2.00 ft
 Invert Elevation = 100.00 ft
 Channel Slope = 5.600 %
 Manning's n = 0.030

DISCHARGE

Method = Known Q
 Known Q = 10.70 cfs

CALCULATION SAMPLE

Flow	Depth	Area	Velocity	WP	n-value	Crit Depth	HGL	EGL	Max Shear	Top Width
(cfs)	(ft)	(sqft)	(ft/s)	(ft)		(ft)	(ft)	(ft)	(lb/sqft)	(ft)
10.70	0.24	2.63	4.07	11.98	0.030	0.32	100.24	100.50	0.84	11.92

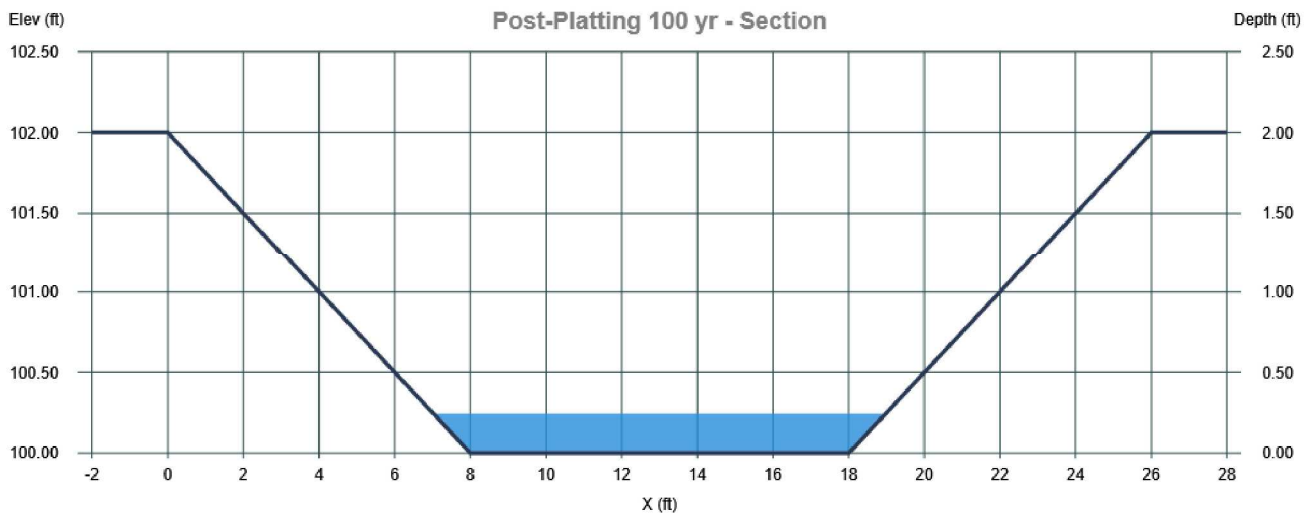
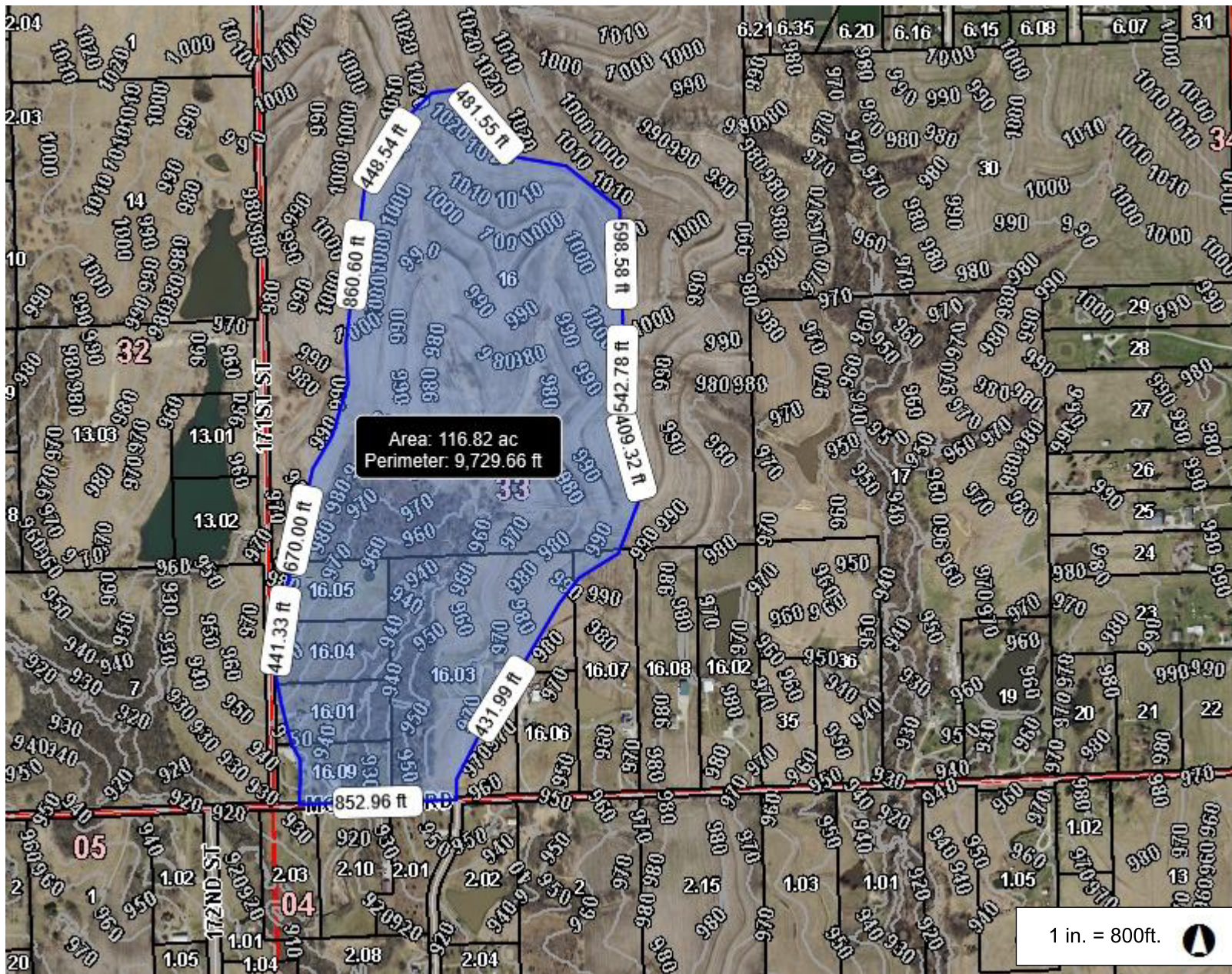


EXHIBIT #8

Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Contour
- Section
- Section Boundaries
- County Boundary

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Exhibit #9

Drainage Area #1- 10 year

Existing Conditions

Area = 3.88 acres
 C= 0.26
 L= 500
 S= 5.6
 K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_t = 14.7$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 0.83$$

$$T_c = 15.6$$

$$i_{10} = 5.09$$

Q=KCIA

$$Q = 5.1 \text{ cfs}$$

Developed Conditions

Area = 3.88 acres
 C= 0.30
 L= 500
 S= 5.6
 K= 1

$$T_t = 1.8(1.1-C)L^{0.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8)$$

5 < T_c < 15

$$T_t = 14.0$$

$$i_{10} = 214/(T_c + 26.7)$$

15 < T_c < 60

$$T_t = 0.83$$

$$T_c = 14.9$$

$$i_{10} = 5.20$$

Q=KCIA

$$Q = 6.0 \text{ cfs}$$

Drainage Area #1 - 100 year

Existing Conditions

Area = 3.88 acres
 C= 0.26
 L= 500
 S= 5.6
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 14.7$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 0.83$$

$$T_c = 15.6$$

$$i_{100} = 7.24$$

$$Q = KCiA$$

$$Q = 9.1 \text{ cfs}$$

Developed Conditions

Area = 3.88 acres
 C= 0.30
 L= 500
 S= 5.6
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

$$L_{max} = 300$$

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 14.0$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 0.83$$

$$T_c = 14.9$$

$$i_{100} = 7.38$$

$$Q = KCiA$$

$$Q = 10.7 \text{ cfs}$$

Drainage Area - 10 yr To Culvert

Existing Conditions

Area = **116.82** acres
C= 0.42
L= 2260
S= 2.7
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 15.2$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 3.77$$

$$T_c = 19.0$$

$$i_{10} = 4.63$$

Q=KCIA

$$Q = 227.2 \text{ cfs}$$

Developed Conditions

Area = **116.82** acres
C= 0.42
L= 2260
S= 2.7
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

$$L_{max} = 300$$

$$i_{10} = 175/(T_c + 18.8)$$

$$5 < T_c < 15$$

$$T_i = 15.2$$

$$i_{10} = 214/(T_c + 26.7)$$

$$15 < T_c < 60$$

$$T_t = 3.77$$

$$T_c = 19.0$$

$$i_{10} = 4.63$$

Q=KCIA

$$Q = 227.2 \text{ cfs}$$

Drainage Area - 100 yr To Culvert

Existing Conditions

Area = **116.82** acres
 C= 0.42
 L= 2260
 S= **2.7**
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8)$$

5 < T_c < 15

$$T_i = 15.2$$

$$i_{100} = 331/(T_c + 30)$$

15 < T_c < 60

$$T_t = 3.77$$

$$T_c = 19.0$$

$$i_{100} = 6.60$$

Q=KCIA

$$Q = 404.7 \text{ cfs}$$

Developed Conditions

Area = **116.82** acres
 C= 0.42
 L= 2260
 S= **2.7**
 K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{.1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8)$$

5 < T_c < 15

$$T_i = 15.2$$

$$i_{100} = 331/(T_c + 30)$$

15 < T_c < 60

$$T_t = 3.77$$

$$T_c = 19.0$$

$$i_{100} = 6.60$$

Q=KCIA

$$Q = 404.7 \text{ cfs}$$

GREY'S CORNER

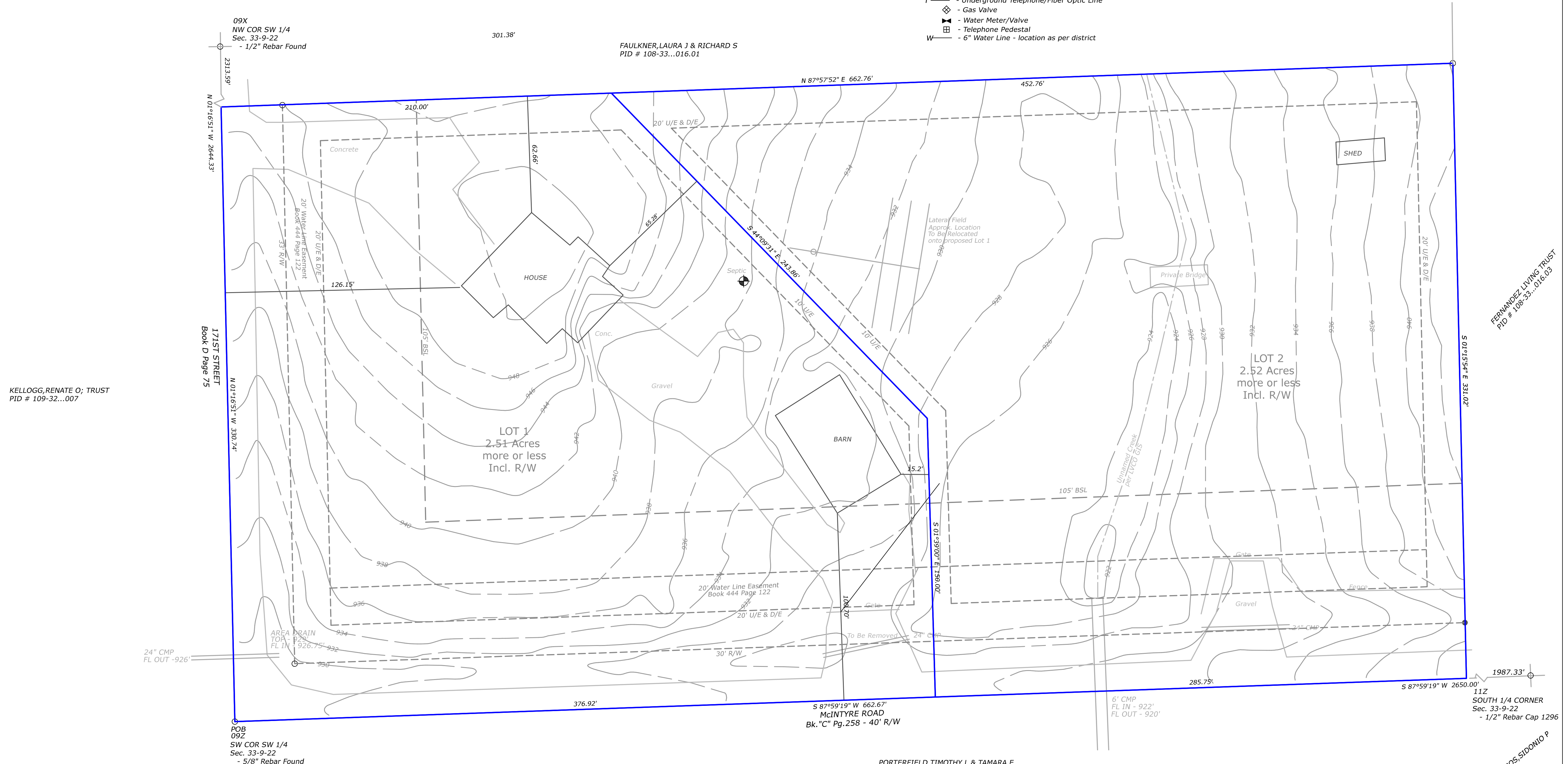
A Minor Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
Ronald and Barbel Grey
24450 171st Street
Leavenworth, KS 66048
PID # 108-33-0-00-00-016.09

RECORD DESCRIPTION:
A tract of land in the South 1/4 of the Southwest 1/4 of Section 33, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Southwest corner of said Southwest 1/4, thence North 00°00'00" East for a distance of 330.74 feet along the West line of said Southwest 1/4, thence North 89°14'43" East for a distance of 662.76 feet, thence South 00°00'57" West for a distance of 331.02 feet to the South line of said Southwest 1/4, thence South 89°16'10" West for a distance of 662.67 feet along said South line to the point of beginning, in Leavenworth County, Kansas.

- LEGEND:**
- - 1/2" Rebar Set with Cap No. 1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - BM - Benchmark
 - NS - Not Set this survey per agreement with client
 - - DIRECTION OF WATER FLOW
 - - Power Pole
 - X - Fence Line
 - OHP - Overhead Power Lines
 - T - Underground Telephone/Fiber Optic Line
 - ⊕ - Gas Valve
 - ⊕ - Water Meter/Valve
 - ⊕ - Telephone Pedestal
 - W - 6" Water Line - location as per district



KELLOGG, RENATE O; TRUST
PID # 109-32...007

FERNANDEZ LIVING TRUST
PID # 108-33...016.03

RAMOS ELVIRA & RAMOS SIDOMO P
PID # 154-04...002.01

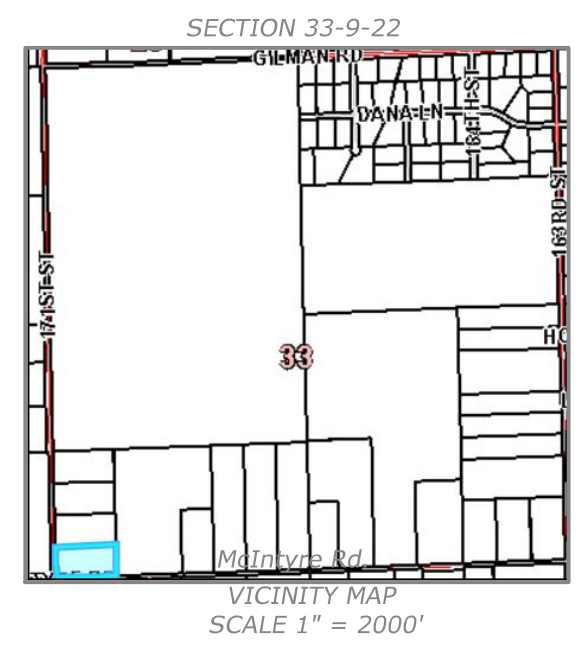
NEEDHAM, DEBBY C; TRUST
PID # 154-04...002.03

ZONING:
RR 2.5 - Rural Residential 2.5

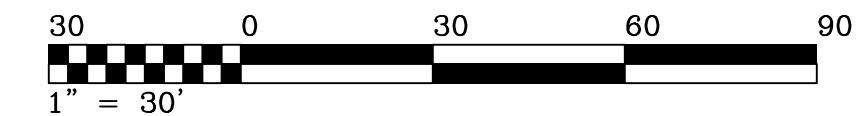
PORTERFIELD, TIMOTHY L & TAMARA E
PID # 154-04...002.10

- NOTES:**
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - See Error of Closure Calculations
 - 5) Basis of Bearing - KS SPC North Zone 1501
 - 6) South Line Southwest Quarter
 - 7) Monument Origin Unknown, unless otherwise noted.
 - 8) Proposed Lots for Residential Use.
 - 9) Road Record - See Survey
 - 10) Benchmark - NAVD88
 - 11) Project Benchmark (BM) - SW COR Section 33 - Elev - 929'
 - 12) Easements, if any, are created hereon or listed in referenced title commitment.
 - 13) Reference Recorded Deed Book 758 Page 777
 - 14) Utility Companies -
- Water - Water District 8
- Electric - FreeState
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
 - 15) Reference Security 1st Title File Number 2475846 updated September 13, 2021
 - 16) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0250G dated July 16, 2015
 - 17) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
- All rear yard setbacks - 40' (Accessory - 15')
 - 18) Distances to and of structures, if any, are +- 1'.
 - 19) Easements as per referenced Title Commitment are shown hereon, if any.
 - 20) Fence Lines do not necessarily denote the boundary line for the property.
 - 21) Reference Surveys:
- DJP - David J. Pennington Survey dated 1997

- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation Jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
 - 4) Lots are subject to the current Access Management Policy
 - 5) Lot 1 Entrance on McIntyre will have to be removed.
 - 6) No off-plat restrictions.



Scale 1" = 30'



Job # K-21-1500
September 16, 2021 Nov. 11/21
J. HERRING, INC. (dba)
SURVEYING & COMPANY
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 913.674.5361
Email - survey@eamcash.com



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of August thru September, 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

GREY'S CORNER

A Minor Subdivision in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Ronald and Barbel Grey
24450 171st Street
Leavenworth, KS 66048
PID # 108-33-0-00-00-016.09

SURVEYOR'S DESCRIPTION:
A tract of land in the Southwest Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on October 23, 2021, more fully described as follows: Beginning at the Southwest corner of said Southwest Quarter; thence North 01 degrees 16'51" West for a distance of 330.74 feet along the West line of said Southwest Quarter; thence North 87 degrees 57'52" East for a distance of 662.76 feet; thence South 01 degrees 15'54" East for a distance of 331.02 feet to the South line of said Southwest Quarter; thence South 87 degrees 59'19" West for a distance of 662.67 feet along said South line to the point of beginning.
Together with and subject to covenants, easements, and restrictions of record.
Said property contains 5.03 acres, more or less, including road right of ways.
Error of Closure - 1 : 385784

CERTIFICATION AND DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: GREY'S CORNER.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of GREY'S CORNER, have set our hands this _____ day of _____, 2021. PID # 108-32...007

Ronald A. Grey, Jr. Barbel Grey

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2021, before me, a notary public in and for said County and State came Ronald A. Grey, Jr. and Barbel Grey, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of GREY'S CORNER this _____ day of _____, 2021.

Secretary Krystal A. Voth Chairman Steven Rosenthal

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

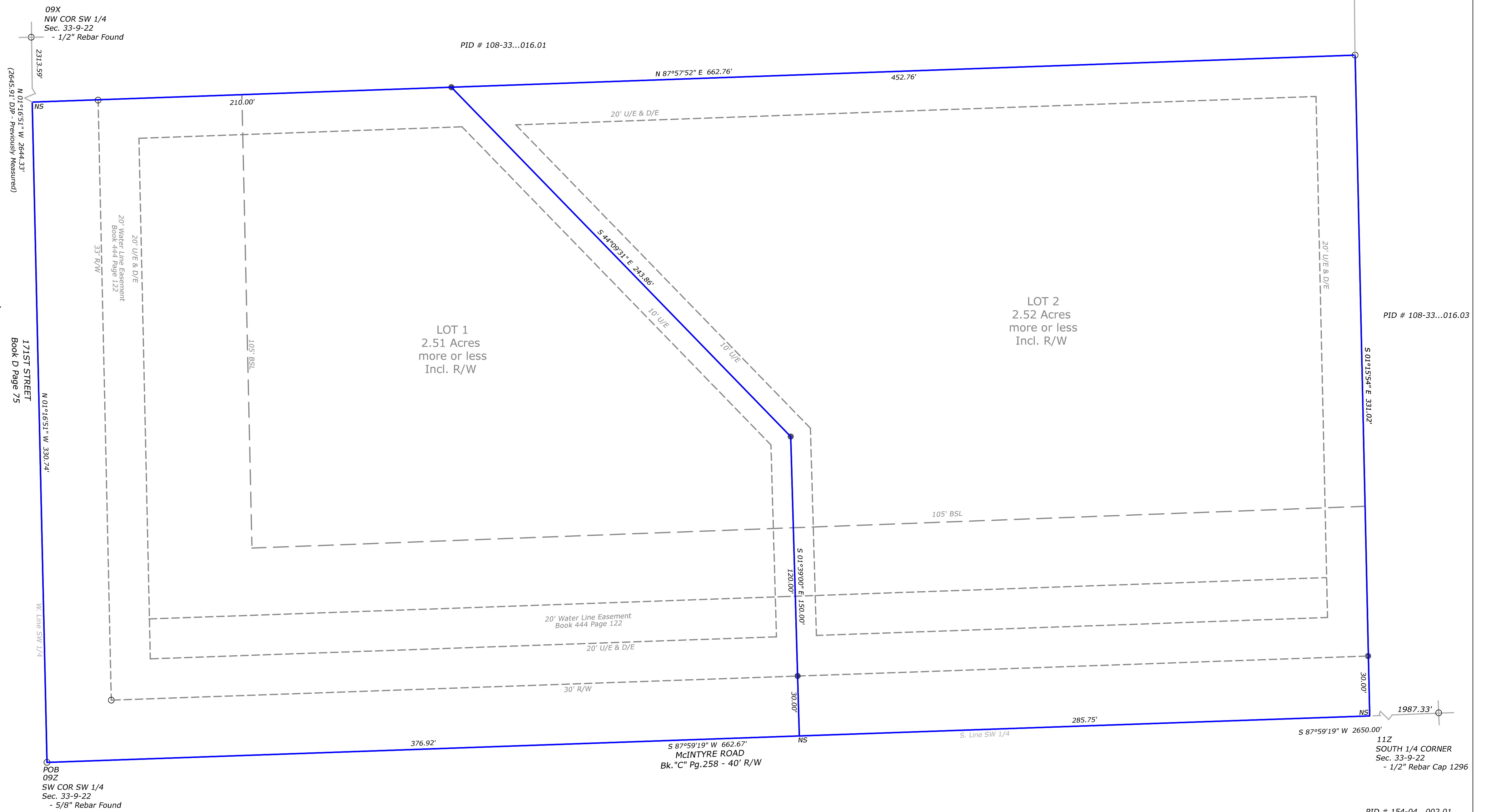
County Engineer - _____

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of GREY'S CORNER, this _____ day of _____, 2021.

Chairman Michael Smith County Clerk Attest: Janet Klasinski

RECORD DESCRIPTION:
A tract of land in the South 1/4 of the Southwest 1/4 of Section 33, Township 9 South, Range 22 East of the 6th P.M., more fully described as follows: Beginning at the Southwest corner of said Southwest 1/4, thence North 00°00'00" East for a distance of 330.74 feet along the West line of said Southwest 1/4, thence North 89°14'43" East for a distance of 662.76 feet, thence South 00°00'57" West for a distance of 331.02 feet to the South line of said Southwest 1/4, thence South 89°16'10" West for a distance of 662.67 feet along said South line to the point of beginning, in Leavenworth County, Kansas.

- LEGEND:**
- - 1/2" Rebar Set with Cap No.1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - BM - Benchmark
 - NS - Not Set this survey per agreement with client



REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2021 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds - TerriLois G. Mashburn

PID # 154-04...002.03

ZONING: RR 2.5 - Rural Residential 2.5 PID # 154-04...002.10

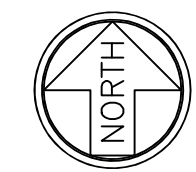
- NOTES:**
- This survey does not show ownership.
 - All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - All recorded and measured distances are the same, unless otherwise noted.
 - Error of Closure - See Error of Closure Calculations
 - Basis of Bearing - KS SPC North Zone 1501 South Line Southwest Quarter
 - Monument Origin Unknown, unless otherwise noted.
 - Proposed Lots for Residential Use.
 - Road Record - See Survey
 - Benchmark - NAVD88 Project Benchmark (BM) - SW COR Section 33 - Elev - 929'
 - Easements, if any, are created hereon or listed in referenced title commitment.
 - Reference Recorded Deed Book 758 Page 777
 - Utility Companies -
 - Water - Water District 8
 - Electric - FreeState
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
 - Reference Security 1st Title File Number 2475846 updated September 13, 2021
 - Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010C0250G dated July 16, 2015
 - Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 15' (Accessory - 15')
 - All rear yard setbacks - 40' (Accessory - 15')
 - Distances to and of structures, if any, are +- 1'.
 - Easements as per referenced Title Commitment are shown hereon, if any.
 - Fence Lines do not necessarily denote the boundary line for the property.
 - Reference Surveys:
 - DJP - David J. Pennington Survey dated 1997

- RESTRICTIONS:**
- All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
 - An Engineered Waste Disposal System may be required due to poor soil conditions.
 - Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
 - Lots are subject to the current Access Management Policy
 - Lot 1 Entrance on McIntyre will have to be removed.
 - No off-plat restrictions.



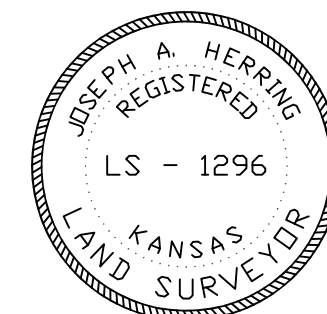
I hereby certify that this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

Michael J. Bogina, KS PS-1655
Leavenworth County Survey Reviewer



Scale 1" = 30'

Job # K-21-1500
September 16, 2021 Rev. 11/1/21



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of August thru September, 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Case No. DEV-21-163
Harman Farms Replat
Replat of Lots 6, 7, & 8

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Robbins Acquisitions
P.O. Box 480
Tonganoxie, KS 66086

Agent: Herring Surveying Company
315 N. 5th Street
Leavenworth, KS 66048

Legal Description: Lots 6, 7, & 8 of Harman Farms in Leavenworth County, Kansas.

Location: 22398 Honey Creek Road, Tonganoxie, KS 66086

Parcel Size: ± 40 acres

Zoning/Land Use: MXD, Planned Mixed Use

Comprehensive Plan: This parcel is within the County Road 1 area category.

Parcel ID No.: 194-20-0-00-00-001.06, 194-20-0-00-00-001.07, & 194-20-0-00-00-001.08

Planner: Joshua Gentzler

REPORT:

Request

The applicant is requesting a Replat for a four (4) lot subdivision.

Adjacent Land Use

The surrounding property land usage consist of agricultural, residential, and industrial uses on varying sized parcels ranging from 6 acres to 239 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0325G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Tonganoxie Township Fire Department
Water: N/A
Electric: Evergy

Access/Streets

These properties are accessed by Honey Creek Road and 222nd Street. Honey Creek Road is a County Arterial Road with a paved surface ± 35' wide. 222nd Street is a local County Road with a paved surface ± 35' wide.

Agency Comments

See attached comments – Memo – Lauren Anderson – Public Works, October 27, 2021
See attached comments – Memo – Mike Bogina – County Surveyor, November 2, 2021
See attached comments – Memo – Chuck Magaha – Emergency Management, September 29, 2021
See attached comments – Memo – David Van Parys – County Counselor, October 5, 2021
See attached comments – Memo – Tim Smith – Tonganoxie Twp. Fire Department, September 28, 2021
See attached comments – Memo – George Brajkovic – City of Tonganoxie, October 12, 2021

Findings

1. The proposed subdivision is not consistent with the zoning district of MXD, Planned Mixed Use District. The subdivision does meet the required minimum lot size and road frontage as set forth in Article 18 Section 6.4 in the Zoning and Subdivision Regulations (ZSR). The subdivision does not match the minimum street frontage required for driveways in Article 27 (C) Section 2.2.A of the ZSR.
2. The property is not within a sewer district boundary. It is immediately adjacent to the City of Tonganoxie. This portion of the City of Tonganoxie has public sewer available. However, the city will not extend sewers to serve this development unless the development is annexed into the City. (See condition 5.a)
3. The proposed subdivision is not located within a Rural Water District boundary. It is immediately adjacent to the City of Tonganoxie. This portion of the City of Tonganoxie has water available. However, the city will not extend water service to serve this development unless the development is annexed into the City. (See condition 5.a)
4. The lots are located within County Road 1 Special Development District and subject to County Road 1 Special Development District Regulations.
5. The proposed subdivision is in accordance with the Comprehensive Plan.

Subdivision Classification

This is classified as a Class "A" Subdivision. According to the Leavenworth County Zoning & Subdivision regulations, a Class "A" Subdivision is "any subdivision in which one or more of the lots lie within the Initial Urban Growth Area of Leavenworth County" (ZSR 35.10.1.1).

Staff Comments

The applicant is requesting a four (4) lot replat. This will add an additional lot to the existing subdivision. The subdivision is located within the County Road 1 corridor, is immediately adjacent to the City of Tonganoxie, and, is zoned Planned Mixed-Use (MXD). As such, the subdivision is subject to the subdivision standards of the MXD regulations found in Articles 18 and 27 (C) of the ZSR.

The current standards require a minimum street frontage of 2,640 feet (one-half mile) per driveway in the Mixed-Use District (ZSR 27(C).2.2.A). This requirement would prevent any development of Lots 1 & 2 without the creation of either an access drive or road from 222nd Street to access the properties along the north property line. Planning & Zoning, after review, is in process of amending the current standards and will propose an amendment to the ZSR to amend the frontage requirements for Planned Districts. In lieu of waiting until the amendment is approved, Staff recommends an exception be granted for the Harman Farms Replat as the ZSR will be amended to allow development along County Road 1 with less stringent driveway standards.

All future development of this subdivision will be subject to standards as set forth in Article 27 (A), Article 27 (B), and Article 27 (C). These articles include requirements, but are not limited to, the submittal of a site plan and street tree plans. As the subdivision lies within the Initial Urban Growth Area, the developers of the properties will be required to connect to Tonganoxie's sanitary sewer as sanitary sewers are located within 660' of the subdivision.

Lots 1-4 are 7.9, 5.3, 14.6, and 13.0 acres in size, respectively. Lots 3 and 4 will have access only to 222nd Street. Lot 2 contains a pre-existing home and two entrances, one residential and one field. Lot 2 (current lot 8) will, after the subdivision, have two entrances on the property. Public Works has indicated that due to the spacing requirements, Lot 2 will have to remove the northern (or westernmost) entrance (Entrance 1 on attached Exhibit) and utilize the existing field entrance (Entrance 2 on attached Exhibit) as the only entrance onto the lot. This alteration will provide Lot 1 with the necessary space required for approval of an entrance.

Staff is generally supportive of this subdivision and recommends approval of the Plat.

STAFF RECOMMENDATION:

The staff recommends approval of Case No. DEV-21-163, Final Plat for Harman Farms Replat, with the following conditions:

1. Building permits shall be required for any new construction.
2. Erosion control shall be used when designing and constructing driveways. A form of sediment control shall be installed before work begins and maintained throughout the time that the land disturbing activities are taking place. Re-vegetation of all disturbed sites shall be completed within 45 days after completion of final grading weather permitting.
3. An exception to Article 27 (C) Section 2.2.A shall be granted to the Harman Farms Replat.
4. Prior to issuance of building permits, a site plan shall be submitted to Leavenworth County for review subject to review by standards set forth in Articles 27 (A), 27 (B), and 27 (C).
5. Lot 2 shall utilize the existing field entrance as the primary entrance and remove any other existing entrances onto the lot.
6. The applicant shall adhere to the following memorandums:
 - a. Lauren Anderson – Public Works, October 26, 2021
 - b. George Brajkovic – City of Tonganoxie, October 12, 2021
7. After approval of this subdivision by the Board of County Commission, all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-163, Final Plat for Harman Farms Replat, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-21-163, Final Plat for Harman Farms Replat, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

ATTACHMENTS:

Exhibit
Aerial Map
Memorandums
Final Plat

DEV-21-163 Harman Farms Replat Entrances



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>

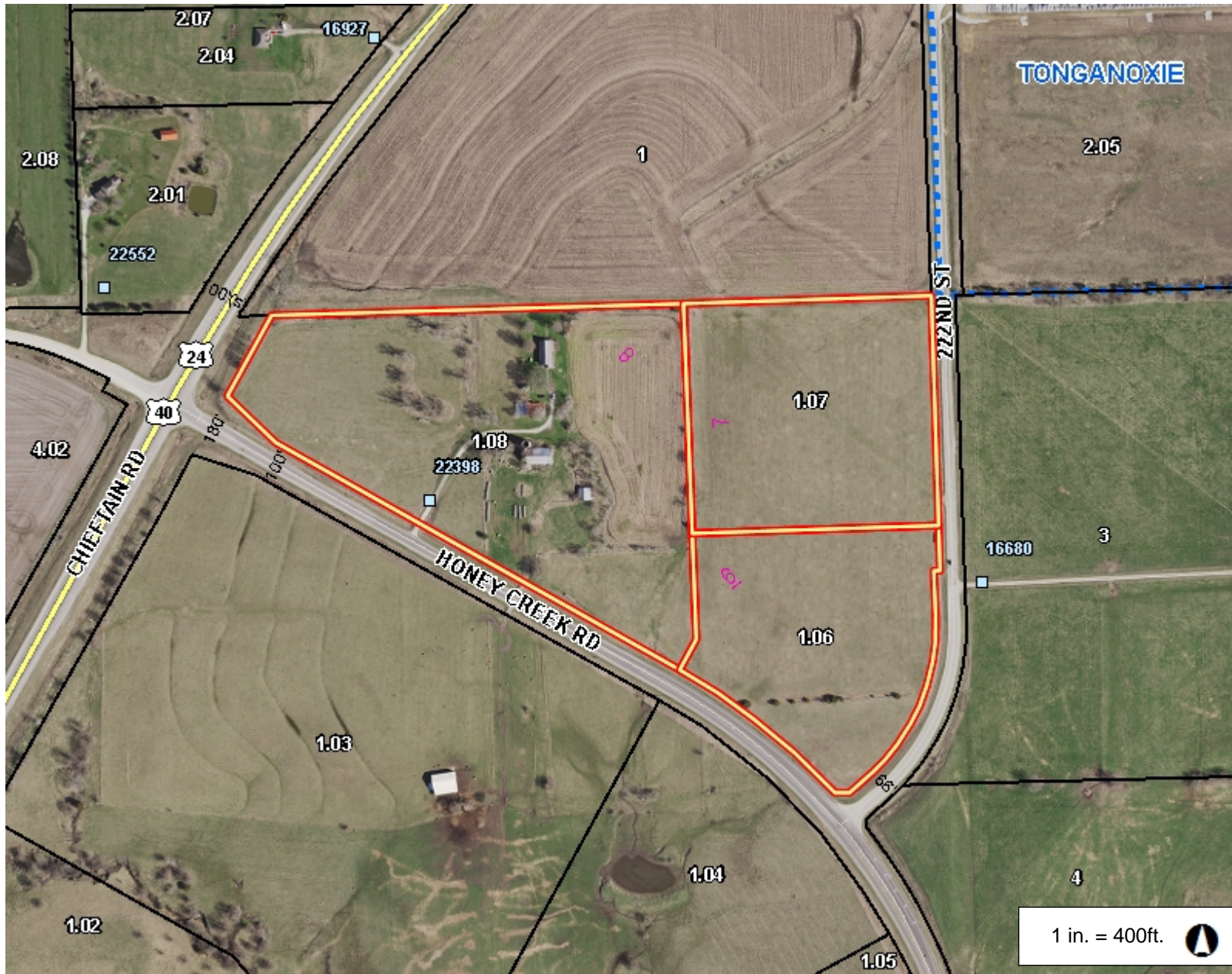
Notes



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

Exhibit 1 Existing Entrances

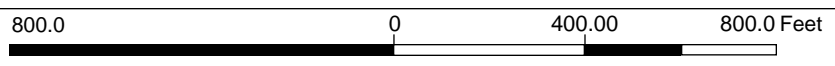
DEV-21-163 Harman Farms Plat



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad

1 in. = 400ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

A replat of Lots 6, 7 & 8 of Harman Farms

HARMAN FARMS REPLAT

A Replat of Lots 6, 7, and 8, HARMAN FARMS SUBDIVISION,
Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Robins Acquisitions, Inc.
PO Box 400
Springdale, KS 66086
PID No. 194-20-00-00-01-01
PID No. 194-20-00-00-01-02
PID No. 194-20-00-00-01-03

PID NO. 194-20-00-00-00-02

PROPERTY DESCRIPTION: As per Title Commitment
Lots 6, 7, and 8, HARMAN FARMS SUBDIVISION, Leavenworth County, Kansas.

CERTIFICATION AND DEDICATION

The undersigned proprietor(s) state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: HARMAN FARMS REPLAT.

Easements shown on this plat are hereby dedicated for public use; the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strip marked "Utility Easement" (U/E).

"Drainage Easements" or "DE" shown on this plat are hereby dedicated for the purpose of constructing, using, operating and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or industry connections, including similar facilities, and appurtenant thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that may impede or interfere with the use and/or maintenance of such drainage facilities. The maintenance and clearing of said easements shall be the responsibility of the individual owners of the lots whereupon said easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and clearing of said easements.

Streets shown on the accompanying plat and not herebefore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between the line and the street line.

IN WITNESS WHEREOF:
We, the undersigned owners of HARMAN FARMS REPLAT, have set our hands this _____ day of _____, 2021.

Robins Acquisitions, LLC

NOTARY CERTIFICATE:
On this _____ day of _____, 2021, before me, a notary public in and for said State of Kansas, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

My Commission Expires: _____ (MM/DD/YYYY)

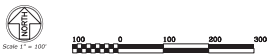
APPROVALS:
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of HARMAN FARMS REPLAT this _____ day of _____, 2021.

Secretary: _____
Chairman: Steven Rosenbater

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plan review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

COUNTY COMMISSIONER APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of HARMAN FARMS REPLAT this _____ day of _____, 2021.

Chairman: Michael W. Smith
County Clerk: Janet Klaska



REGISTER OF DEED CERTIFICATE:
Filed for Record at Document No. _____ on this _____ day of _____, 2021 at _____ o'clock _____ in the Office of the Register of Deeds of Leavenworth County, Kansas.
Register of Deeds - Terri-Loree A. Blumhagen

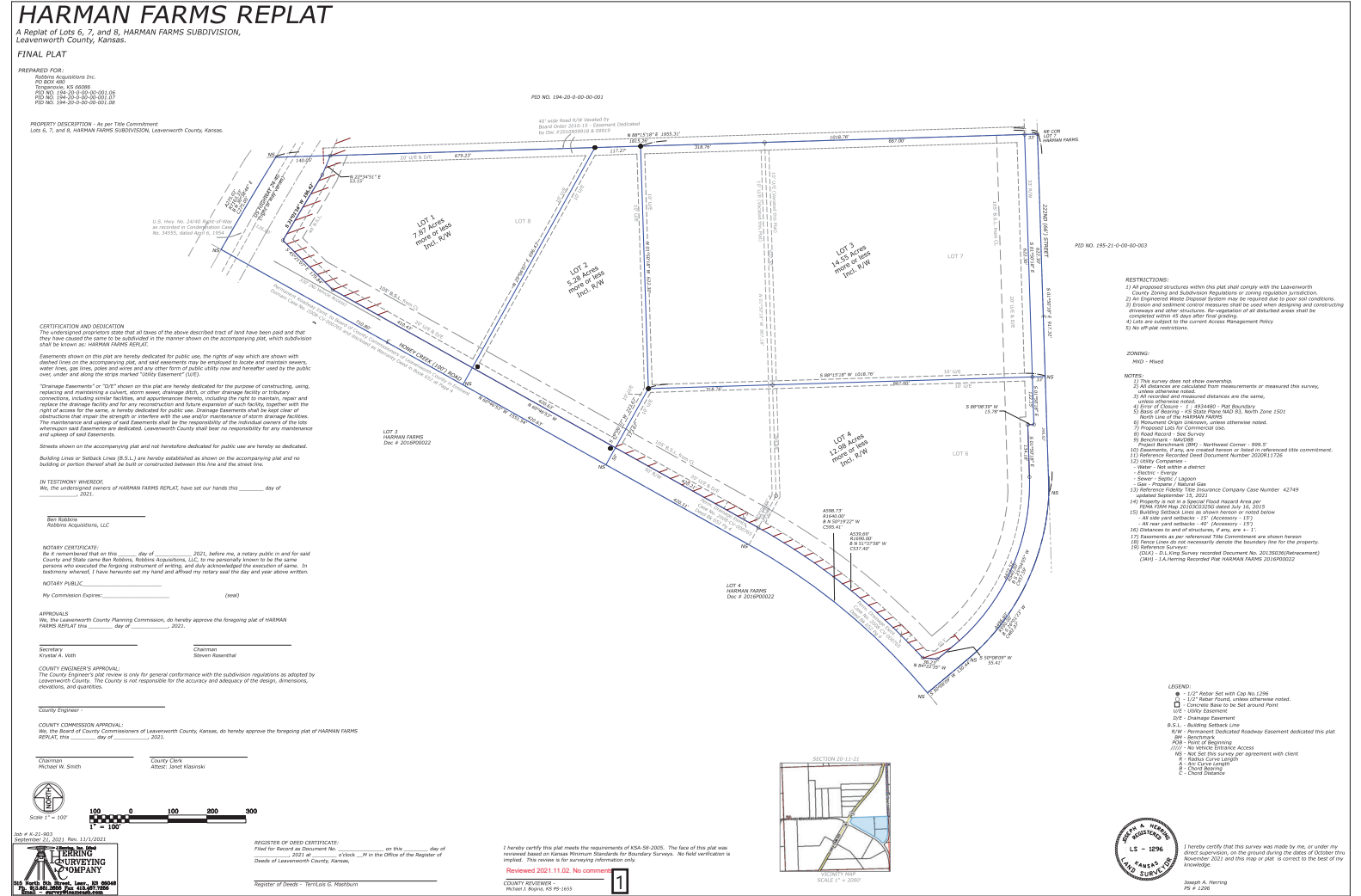
I hereby certify this plat meets the requirements of KSA-58-2005. The facts of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is required. This review is for surveying information only.
Reviewed 2021.11.02. No comment
COUNTY REVIEWER:
Michael J. Rippe, KS #10149



- LEGEND:**
- = 1/2" Polys. Set with Cap No. 1296
 - = 1/2" Polys. Paved, unless otherwise noted.
 - = Concrete Base to be Set Annual Panel
 - = 1/4" Utility
 - = Drainage Easement
 - B.S.L. = Building Setback Line
 - R/W = Permanent Dedicated Roadway Easement dedicated this plat
 - = Electric Easement
 - = Sewer - 30" Dia. x 18" Depth
 - = Gas - Property / Natural Gas
 - 13) Reference: Kansas State Records Constants Case Number - 42749 (updated September 15, 2021)
 - 14) Property is not a Special Flood Hazard Area per FEMA (FEMA Map 2010/02202C dated July 16, 2010)
 - 15) Building Footprint Lines as shown herein or noted below:
- All rear and setbacks - 5' (Accessory - 15')
 - All rear and setbacks - 40' (Accessory - 15')
 - 16) Dimensions to end of structure, if any, are 1:1
 - 17) Easements as per referenced Title Commitment are shown herein
 - 18) Easements are not necessarily shown the boundary line for the property.
 - 19) Reference Survey:
[DK] = D.L. King Survey recorded Document No. 20120036(Reference)
[DK] = L.S. Hermy Recorded Plat HARMAN FARMS 2010090022



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the date of October 21st, November 2021 and this map or plat is correct to the best of my knowledge.
Joseph A. Hermy
PID # 1296



Summary of Comments on K-21-903 HUBBEL FARMS REPLAT 24x36LS

Page: 1

☰ Number: 1 Author: mjbogina Subject: Typewritten Text Date: 11/2/2021 2:52:16 PM
Reviewed 2021.11.02. No comments.

From: [Timothy Smith](#)
Sent: Tuesday, September 28, 2021 8:11 AM
To: [Gentzler, Joshua](#)
Subject: Re: DEV-21-163 Replat for Lots 6-8 for Harman Farm

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

At this time Tonganoxie Township has no issues with this replat.

On Mon, Sep 27, 2021 at 4:10 PM Gentzler, Joshua <JGentzler@leavenworthcounty.gov> wrote:

Good afternoon, the Leavenworth County Department of Planning and Zoning has received a request for a Replat for Lots 6-8 of Harman Farms, located at 22398 Honey Creek Rd, Tonganoxie Kansas (at the corner of Highway 24-40 and Honey Creek Road).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 5th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler

Planner II

[Planning & Zoning](#)

Leavenworth County

913.684.0464

--

Tim Smith, Chief

Tonganoxie Township Rural Fire Department

President Kansas State Association Fire Chiefs

18993 McLouth Rd

Tonganoxie KS 66086

Phone: [913-845-3801](tel:913-845-3801)

Fax: [913-845-3801](tel:913-845-3801)

Cell: [816-392-2468](tel:816-392-2468)

Failure to Prepare

Is

Preparing to Fail

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Harman Farms Subdivision Replat
Date: November 2, 2021

Krystal, thank you for the opportunity to review the preliminary plat for “Harman Farms” Subdivision Replat presented by Robbins Acquisitions. The subdivision does not show fire hydrants in this replat if I read the plat correctly nor does it indicate a water line. I would suggest a fire hydrant to be placed approximately at Lot 12 at the corner of Honey Creek Road and 222nd Street. This hydrant will cover this subdivision. The plat does not show a water line in this replat, a 6” water line needs to be considered for this area.

If you have any questions please call me at 684-0455.

From: [Van Parys, David](#)
Sent: Tuesday, October 5, 2021 10:06 AM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-163 Replat for Lots 6-8 for Harman Farm

Nothing legally remarkable.

From: Gentzler, Joshua
Sent: Monday, September 27, 2021 4:10 PM
To: 'Timothy Smith' <chief1860@ttrfd.com>; 'Tyler.rebel@evergy.com' <Tyler.rebel@evergy.com>; 'Steven.Taylor@KS.gov' <Steven.Taylor@KS.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: DEV-21-163 Replat for Lots 6-8 for Harman Farm

Good afternoon, the Leavenworth County Department of Planning and Zoning has received a request for a Replat for Lots 6-8 of Harman Farms, located at 22398 Honey Creek Rd, Tonganoxie Kansas (at the corner of Highway 24-40 and Honey Creek Road).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 5th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

From: [George Brajkovic](#)
Sent: Tuesday, October 12, 2021 2:50 PM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-163 Replat for Lots 6-8 for Harman Farm

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Hi Joshua-

Thank you for allowing us an opportunity to review the replat. It seems the owner is isolating the existing single family structure, creating an additional parcel and increasing the size of the two parcels on the East; on those merits, the City doesn't have concerns. Although the zoning is identified as Mixed-use; Note #7 specifically identifies only residential development; it sounds like that may have been an error on the submittal. There would be concern over introducing a considerable amount of residential development so close to the Tonganoxie Business Park.

Outside of the replat, the City does have some concerns re: the future development of these sites and surrounding parcels. The City could provide sanitary sewer and water coverage, provided that the properties are annexed into the City, and that the City is engaged for the development process and can plan for utility extensions accordingly.

Again, thank you for the opportunity to review and comment.

Respectfully,
George

George Brajkovic
City Manager
City of Tonganoxie, KS
www.tonganoxie.org



From: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Sent: Tuesday, October 5, 2021 2:03 PM
To: George Brajkovic <gbrajkovic@tonganoxie.org>
Subject: DEV-21-163 Replat for Lots 6-8 for Harman Farm

Good afternoon George,

The Leavenworth County Department of Planning and Zoning has received a request for a Replat for Lots 6-8 of Harman Farms, located at 22398 Honey Creek Rd, Tonganoxie Kansas (at the corner of Highway 24-40 and Honey Creek Road).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 12th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

From: [Anderson, Lauren](#)
Sent: Tuesday, October 26, 2021 4:09 PM
To: [Gentzler, Joshua](#)
Cc: [Allison, Amy](#); 'Mitch Pleak'
Subject: FW: DEV-21-163 Harman Farms Replat Review
Attachments: K-21-903 HUBBEL FARMS REPLAT Rev 10-24-21.pdf; K-21-903 HUBBEL FARMS REPLAT-Deed Report.txt; tmp91E9.pdf

Joshua,

Mitch and I have reviewed the plat for Harman Farms and have no additional comments aside from the requirement to remove the existing main entrance (northern location) on Lot 10 and utilize the existing field entrance.

I will provide any further survey comments when I receive them from Mike.

Thanks,
Lauren

From: Anderson, Lauren
Sent: Tuesday, October 26, 2021 9:10 AM
To: Michael Bogina <mjbogina@olsson.com>; 'Mitch Pleak' <mpleak@olsson.com>
Subject: FW: DEV-21-163 Harman Farms Replat Review

Please see attached for review.

Lauren

From: Joe Herring <herringsurveying@outlook.com>
Sent: Sunday, October 24, 2021 9:28 PM
To: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: Re: DEV-21-163 Harman Farms Replat Review

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Please see attached revisions.

Lauren - Mike requested the additional Deed Report and a copy of the title commitment.

Thank you - Joe Herring

J.Herring Inc., dba,Herring Surveying Company
315 N. 5th Street, Leavenworth, KS 66048
913-651-3858 - ROCK CHALK!

From: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Sent: Wednesday, October 13, 2021 12:11 PM
To: herringsurveying@outlook.com <herringsurveying@outlook.com>
Cc: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: DEV-21-163 Harman Farms Replat Review

Joe,

Attached are comments from Public Works (both Engineering and Survey), Planning, and the City of Tonganoxie concerning the Replat of Harman Farms. Let us know what questions you have on this one and whether you will be able to make the revisions/submit the documents in time for the County to have the reviews done by the 4th of November to stay on the November agenda.

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

HARMAN FARMS REPLAT

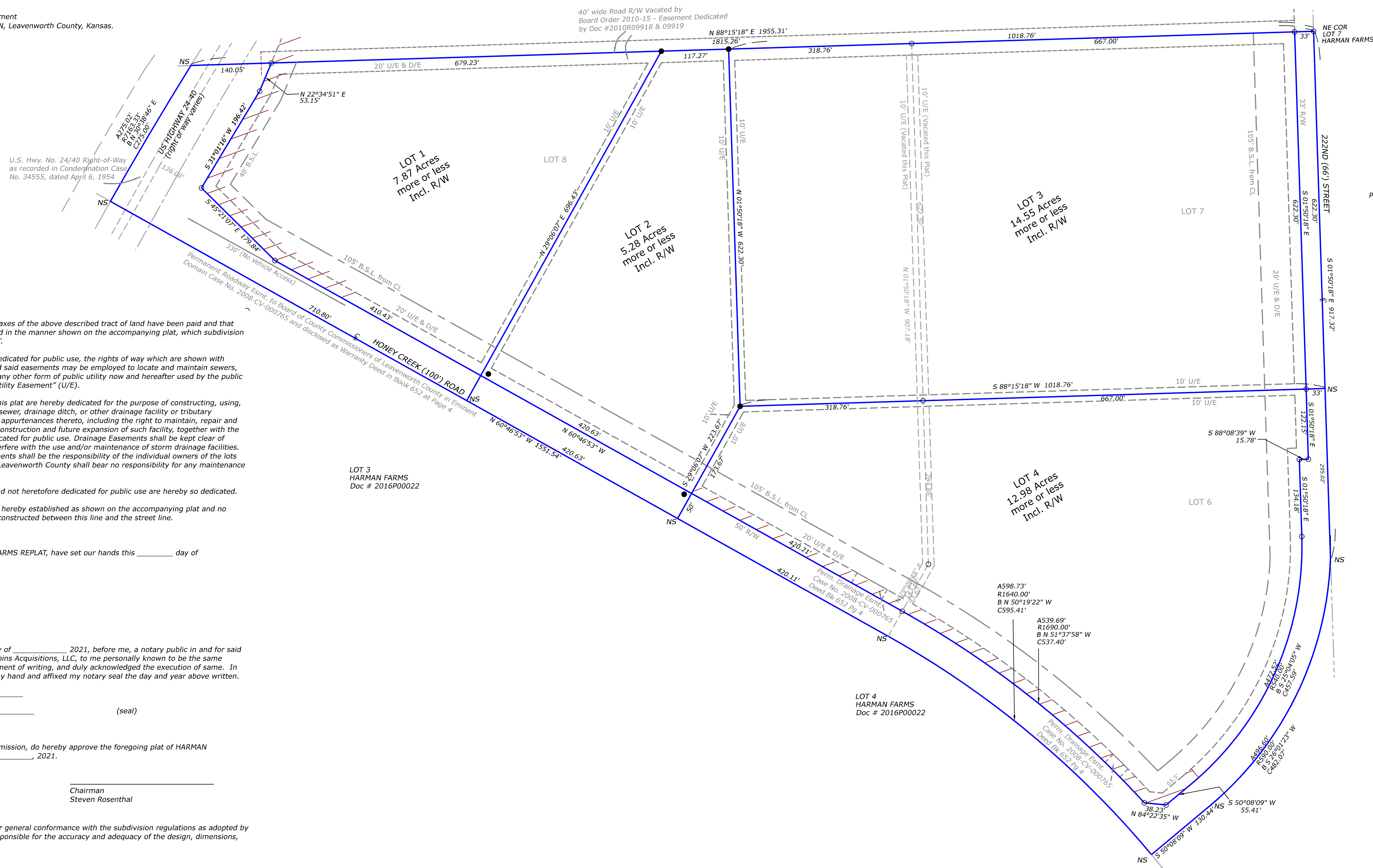
A Replat of Lots 6, 7, and 8, HARMAN FARMS SUBDIVISION, Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
Robbins Acquisitions Inc.
PO BOX 490
Tonganoxie, KS 66086
PID NO. 194-20-0-00-00-001.06
PID NO. 194-20-0-00-00-001.07
PID NO. 194-20-0-00-00-001.08

PID NO. 194-20-0-00-00-001

PROPERTY DESCRIPTION - As per Title Commitment
Lots 6, 7, and 8, HARMAN FARMS SUBDIVISION, Leavenworth County, Kansas.



PID NO. 195-21-0-00-00-003

RESTRICTIONS:

- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
- 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
- 3) Erosion and sediment control measures shall be used when designing and constructing driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- 4) Lots are subject to the current Access Management Policy
- 5) No off-plat restrictions.

ZONING:

MXD - Mixed

NOTES:

- 1) This survey does not show ownership.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All recorded and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - 1 : 4934480 - Plat Boundary
- 5) Basis of Bearing - KS State Plane NAD 83, North Zone 1501 North Line of the HARMAN FARMS
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Proposed Lots for Commercial Use.
- 8) Road Record - See Survey
- 9) Benchmark - NAVD88 Project Benchmark (BM) - Northwest Corner - 999.5'
- 10) Easements, if any, are created hereon or listed in referenced title commitment.
- 11) Reference Recorded Deed Document Number 2020R11726
- 12) Utility Companies -
- Water - Not within a district
- Electric - Evergy
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
- 13) Reference Fidelity Title Insurance Company Case Number 42749 updated September 15, 2021
- 14) Property is not in a Special Flood Hazard Area per FEMA FIRN Map 201030325C dated July 16, 2015
- 15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 15' (Accessory - 15')
- All rear yard setbacks - 40' (Accessory - 15')
- 16) Distances to and of structures, if any, are +- 1'.
- 17) Easements as per referenced Title Commitment are shown hereon
- 18) Fence Lines do not necessarily denote the boundary line for the property.
- 19) Reference Surveys:
(DLK) - D.L.King Survey recorded Document No. 20135036(Retracement)
(JAH) - J.A.Herring Recorded Plat HARMAN FARMS 2016P00022

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- - Concrete Base to be Set around Point
- U/E - Utility Easement
- D/E - Drainage Easement
- B.S.L. - Building Setback Line
- R/W - Permanent Dedicated Roadway Easement dedicated this plat
- BM - Benchmark
- POB - Point of Beginning
- //// - No Vehicle Entrance Access
- NS - Not Set this survey per agreement with client
- R - Radius Curve Length
- A - Arc Curve Length
- B - Chord Bearing
- C - Chord Distance

CERTIFICATION AND DEDICATION

The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: HARMAN FARMS REPLAT.

Easements shown on this plat are hereby dedicated for public use, the rights of way which are shown with dashed lines on the accompanying plat, and said easements may be employed to locate and maintain sewers, water lines, gas lines, poles and wires and any other form of public utility now and hereafter used by the public over, under and along the strips marked "Utility Easement" (U/E).

"Drainage Easements" or "D/E" shown on this plat are hereby dedicated for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby dedicated for public use. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities. The maintenance and upkeep of said Easements shall be the responsibility of the individual owners of the lots whereupon said Easements are dedicated. Leavenworth County shall bear no responsibility for any maintenance and upkeep of said Easements.

Streets shown on the accompanying plat and not heretofore dedicated for public use are hereby so dedicated.

Building Lines or Setback Lines (B.S.L.) are hereby established as shown on the accompanying plat and no building or portion thereof shall be built or constructed between this line and the street line.

IN TESTIMONY WHEREOF,
We, the undersigned owners of HARMAN FARMS REPLAT, have set our hands this _____ day of _____, 2021.

Ben Robbins
Robbins Acquisitions, LLC

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2021, before me, a notary public in and for said County and State came Ben Robbins, Robbins Acquisitions, LLC, to me personally known to be the same persons who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC
My Commission Expires: _____ (seal)

APPROVALS
We, the Leavenworth County Planning Commission, do hereby approve the foregoing plat of HARMAN FARMS REPLAT this _____ day of _____, 2021.

Secretary Krystal A. Voth
Chairman Steven Rosenthal

COUNTY ENGINEER'S APPROVAL:
The County Engineer's plat review is only for general conformance with the subdivision regulations as adopted by Leavenworth County. The County is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

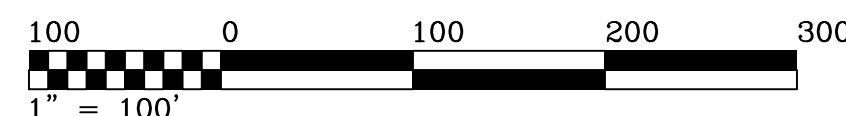
County Engineer - _____

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of HARMAN FARMS REPLAT, this _____ day of _____, 2021.

Chairman Michael W. Smith
County Clerk Attest: Janet Klasinski



Scale 1" = 100'



Job # K-21-903
September 21, 2021 Rev. 11/1/2021



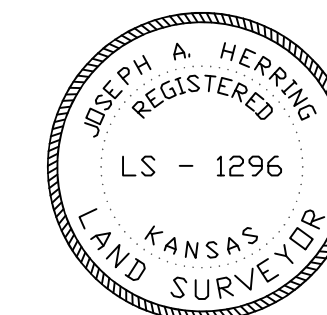
315 North 5th Street, Leav., KS 66048
Ph. 913.651.3858 Fax 413.467.7266
Email - survey@jeamcsh.com

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2021 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

Register of Deeds - TerriLois G. Mashburn

I hereby certify this plat meets the requirements of KSA-58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.

COUNTY REVIEWER -
Michael J. Bogina, KS PS-1655



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of October thru November 2021 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Case No. DEV-21-160
Forever Fencing
Special Use Permit – Contractor’s Yard
Public Hearing Required

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Raymond & Lisa Reynolds
25701 Donahoo Road
Tonganoxie, KS 66086

Legal Description: A tract of land in the Northwest Quarter of Section 27, Township 10 South,
Range 20 East of the 6th P.M, in Leavenworth County, Kansas.

Location: 25701 Donahoo Road, Tonganoxie, KS 66086

Parcel Size: ± 5 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential and Residential Estate land use categories.

Parcel ID No.: 138-27-0-00-00-003.00

Planner: Joshua Gentzler

REPORT:

Request

The applicant is requesting a Special Use Permit for a Contractor’s Yard for the Forever Fencing business.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 5 acres to over 20 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0200G, effective July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Union Township Fire Department
Water: RWD 9
Electric: Freestate

Access/Streets

The property is accessed by Donahoo Road, a County local road with a gravel surface ± 22’ wide.

Agency Comments

See attached comments – Memo – Kyle Anderson – Planning and Zoning, October 1, 2021
See attached comments – Memo – Mitch Pleak – Public Works, October 1, 2021
See attached comments – Memo – David Van Parys – County Counselor, October 5, 2021
See attached comments – Email – Amanda Tarwater – FreeState, September 28, 2021
See attached comments – Email – Chuck Magaha – Emergency Management, September 29, 2021

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Special Use Permit request:

1. Character of the neighborhood: The character of the neighborhood is rural; primarily rural residences, and agricultural uses.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The uses are rural residences and agricultural.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suited for rural residences and agricultural use. The use is allowed with an approval of a Special Use Permit.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area is not likely be detrimentally affected by allowing Forever Fencing to establish a Contractor's Yard on this parcel.
5. Length of time the property has been vacant as zoned: The property is not vacant.
6. Relative gain to economic development, public health, safety and welfare: The proposed use will allow Forever Fencing to legally establish a storage yard on-site at the business owner's home.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Residential and Residential Estate.
8. Staff recommendation is for the denial of the Special Use Permit.

Staff Analysis

<u>LOCATION</u>	
Adjacent Residences	Adjacent residences are rural-suburban uses. Most properties surrounding the property are on five (5) acre parcels or larger.
Adjacent Zoning/Uses	Zoning in the area is RR-5 and are used primarily as rural residences and agricultural uses.
Density	The area is not densely populated.
Nearby City Limits	Tonganoxie is located approximately 4.5 miles to the southeast.
Initial Growth Management Area	The property is not located within an Initial Growth Management Area.

<u>IMPACT</u>	
Noise Pollution	This use will not cause prolonged noise pollution. The primary times of elevated noise levels will be in the morning, between 7:00 AM and 8:00 AM when employees arrive at the site to gather equipment. During the evening, between 4:00 PM and 5:00 PM there will be elevated noise levels when employees return with equipment. However, this traffic is similar to other traffic from surrounding properties.
Traffic	The use will create additional traffic in the morning and evening. Up to three employees may arrive during the morning. They will then leave in company vehicles, and typically will not return until the end of the day. Employees will then depart for the day in their personal vehicles. The operation employs three full-time employees. The business does have a lumber company deliver materials to the property once a month. The delivery is made with a pickup truck and trailer.
Lighting	The applicant has security lighting around the fencing materials and is not requesting lighting.
Outdoor Storage	The applicant stores two (2) pickup trucks and three (3) trailers outside.
Parking	The applicant has ample parking space for employees.
Visitors/Employees	Typically, three (3) employees report to the site each day of the work week. Customers do not come to the site on a regular basis.
Waste	The business generates waste in the form of fencing products. This waste is properly disposed of according to KDHE standards.

SITE COMPATABILITY	
Size of Parcel	The parcel is five (5) acres in size.
Zoning of Parcel	The parcel is zoned Rural Residential-5
Buildings (Existing & Proposed)	The applicant has a shop on the property that is approximately 40' x 60'. Materials are not stored within the business.
Setbacks	Existing building meet the required setbacks.
Screening	Materials are stored on site. The applicant is in process to screen the materials by building a fenced area to store the materials. It is unclear who will build the fence.

Staff Comments

The applicants are requesting the approval of a Contractor's Yard for their company. The company would use the yard to store fencing materials and trailers used for the business.

In 2018, the applicant was notified the operation of a business without a special use permit was in violation of Leavenworth County's Zoning and Subdivision Regulations. In December 2020, it was discovered that the applicant constructed a building without a permit and was continuing to operate a business on-site. On February 1, 2021, the County filed legal charges with the District Court. This case was closed after a preapplication meeting was filed and held with Planning and Zoning Staff. Applicant did not file an application until after a new case was filed with the District Court in August of 2021. For more information regarding the history of this application, please reference the attached memo from Code Enforcement.

The applicant has indicated that the storage yard will be screened upon approval of the Special Use Permit. The applicants stated in their narrative that approximately 5 pallets of wood are dropped off and stored on-site each month. The business then uses that stock to complete jobs throughout the month.

STAFF RECOMMENDATION:

Staff recommends denial of Case No. DEV-21-160, Special Use Permit for Forever Fencing. Should the Planning Commission wish to recommend approval, Staff recommends the following conditions:

1. The Special Use Permit shall be limited to a period of five (5) years.
2. The business shall be limited to the hours of 7:30 am to 4:30 pm, Monday through Friday.
3. The business, as permitted by the Special Use Permit, shall be limited to no more than 5 employees.
4. All equipment and materials shall be screened by a wooden privacy fence, at least 6 foot in height or greater, on all sides of the storage area.
5. No signage is allowed in the right-of-way. No signage is requested with the SUP. Any requested signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
6. No on-street parking shall be allowed.
7. This Special Use Permit shall be limited to the Narrative dated September 23, 2021 submitted with this application.
8. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-160, Special Use Permit for Forever Fencing, to the Board of County Commission, with Findings of Fact, and with or without conditions; or
 2. Recommend denial of Case No. DEV-21-160, Special Use Permit for Forever Fencing, to the Board of County Commission, with Findings of Fact; or
 3. Continue the Public hearing to another date, time, and place.
-

ATTACHMENTS:

Narrative
Location/Aerial Maps
Future Land Use Map Aerial
Memorandums

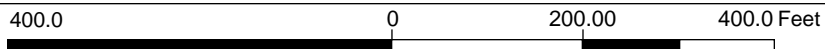
DEV-21-160 Forever Fencing SUP



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad

1 in. = 200ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



11

Donahoo Rd

3.01

3

2.01

Residential Estate (5-Acre Minimum)

SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

Office Use Only

PID: _____ Date Received: _____
Township _____
Planning Commission Date: _____
Case No. _____ Date Paid _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

NAME Raymond + Lisa Reynolds
ADDRESS 25701 Donahoo Rd
CITY/ST/ZIP Tonganoxie, KS 66086
PHONE 913-486-5841
EMAIL lisa@foreverfencingkc.com
CONTACT PERSON Lisa Reynolds

OWNER INFORMATION (If different)

NAME _____
ADDRESS _____
CITY/ST/ZIP _____
PHONE _____
EMAIL _____
CONTACT PERSON _____

PROPOSED USE INFORMATION

Existing and Proposed structures House, Pole Barn
Reason for requesting a Special Use Permit Fence Contractor

PROPERTY INFORMATION

Address of property 25701 Donahoo Rd Tonganoxie, KS 66086 Parcel size 4.77 acres
Current use of the property Single family dwelling
Does the owner live on the property? Yes
Does the applicant own property in states or counties other than Kansas and Leavenworth County? No

I, the undersigned am the (circle one) owner duly authorized agent, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Special Use Permit as indicated above. I hereby agree to "cease and desist" the operation of the activity upon denial of the permit by the Board of County Commissioners.

Signature Lisa Reynolds Date 4/26/21

ATTACHMENT A

Narrative Description

This is a request for a special use permit for Forever Fence, which is in a residential zoned property.

We currently have three employees that will arrive M-F at 7:30 am park their personal vehicles, load material on two of the Forever Fence pick up trucks and leave. They will return at 4:30 pm with the Forever Fence pick up trucks, and leave in their personal vehicles. (A Dodge pickup truck and a Ford Expedition)

We will have a delivery once a month from a lumber company.

We store up to a months worth of sold projects materials on site, that is roughly 5 pallets of wood. Which will be behind a privacy fence. No storing of any stock materials.

There is no business in the accessory building located on sight, that is personal storage.

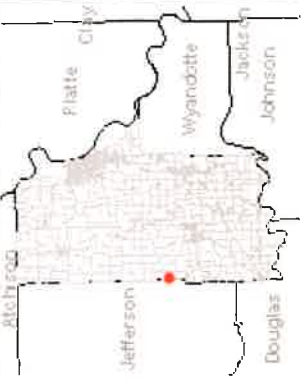
Leavenworth County, KS



1 in. = 121ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary

Notes

From: [Forever Fencing, Inc.](#)
Sent: Tuesday, October 5, 2021 9:40 PM
To: [Gentzler, Joshua](#)
Subject: Re: Questions regarding Special Use Permit DEV-21-160

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Joshua,

Sorry for the delay in getting back with you. Here is the answers to their questions.

- 1: We have three small trailers on the property.
- 2: There is a light on the fence materials
- 3: A pickup truck with a trailer is used to deliver materials.

Let me know should you need anything else.

Thanks,

Lisa

Forever Fence

913-369-0104

On Tuesday, October 5, 2021, 1:54 PM, Gentzler, Joshua <JGentzler@leavenworthcounty.gov> wrote:

Good afternoon Raymond and Lisa,

After reviewing your Special Use Permit application, Leavenworth County does have a number of questions to clarify how the property is being used for your business.

1. How many trailers are stored on the property?
2. Is there any lighting of the fencing materials?

3. What type of vehicle does the lumber company use to deliver the materials?

Please return your answers to the above questions by Tuesday, October 12th, 2021.

Regards,

Joshua Gentzler

Planner II

[Planning & Zoning](#)

Leavenworth County

913.684.0464



Leavenworth County
Planning & Zoning Department
300 Walnut, Suite 212
Leavenworth, Kansas 66048

To: Krystal Voth
Director

From: Kyle Anderson
Environmental Tech/Code Enforcement

Date: October 1, 2021

RE: Raymond & Lisa Reynolds
Case DEV-21-160, Special Use Permit
25701 Donahoo Rd
Tonganoxie, KS 66086
PID# 138-27-0-00-00-003.00

In 2018 Raymond and Lisa Reynolds were sent three violation letters stating they needed a Special Use Permit to operate their fencing business. They never submitted an application to our office.

In December 2020 a 30-day violation was sent to them. They never contacted our office.

February 23, 2021 their case went to codes court and they did not show up for court.

In April 2021 they finally contacted our office and sent in a building permit application for an accessory building that they had already built on the property.

On April 30, 2021 they had a preapplication meeting in our office. They were instructed to make a few changes to the application and turn it back in to us with payment.

On July 19, 2021 I sent Raymond and Lisa an email giving them til Friday July 23, 2021 to submit the SUP application with payment or the case would go back to codes court.

On September 22, 2021 the case was heard in court. They gave excuses for why they abandoned the SUP process and told the judge they would be in this week to apply. The case is still open and scheduled for review.

On September 26, 2021 Raymond and Lisa paid for their accessory building permit and turned in their SUP application with payment.

To summarize all of this, Raymond and Lisa Reynolds have known for several years they needed a SUP to operate their business and have ignored and abandoned our process. It took a second trip to codes court to get them to comply and turn in the application.

Thank you,

Kyle Anderson

kanderson@leavenworthcounty.gov

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Forever Fence
Date: November 2, 2021

Krystal, thank you for the opportunity to review the special use permit submitted by Raymond and Lisa Reynolds with their fencing business located at 25701 Donahoo Road. After reviewing the application I have couple of comments regarding this permit. I would like to suggest that an emergency contact sign be placed in plain view in the event of an emergency. The sign should be placed on the side of the building on a legible material for the responder in the event an emergency should one occur. I would ask that caution be taken in allowing no burning of commercial waste generated from job sites. In reviewing the parcel there is what appears to be fencing scraps in a pile just behind the home. This pile also shows up on the aerial view on GIS. In the event that this business would use hazardous chemicals, stain and others that they file the appropriate State permits as well as notifying the local fire department of the locations of storage of these solvents. If chemicals are to be stored on site they will need to provide a detailed site diagram of where the product is stored to include fuels and oils. If you have any questions please give me a call 684-0455.

From: [Amanda Tarwater](#)
Sent: Tuesday, September 28, 2021 10:17 AM
To: [Gentzler, Joshua](#)
Subject: Re: DEV-21-160 Special Use Permit Request - Forever Fencing

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

FreeState Electric has no objection to this request.

Thank you,

Amanda Tarwater
Member Accounts Coordinator



1-800-794-1989 | www.freestate.coop

From: "Gentzler, Joshua" <JGentzler@leavenworthcounty.gov>
Date: Monday, September 27, 2021 at 4:02 PM
To: 'Timothy Smith' <chief1860@ttrfd.com>, "RWD 9 (Lvrwd9@gmail.com)" <Lvrwd9@gmail.com>, Amanda Tarwater <amanda.holloway@freestate.coop>, "Anderson, Kyle" <KAnderson@leavenworthcounty.gov>, "Anderson, Lauren" <LAnderson@leavenworthcounty.gov>, "Magaha, Chuck" <cmagaha@lvsheriff.org>, "Miller, Jamie" <JMiller@leavenworthcounty.gov>, Mitch Pleak <MPleak@olsson.com>, "Thorne, Eric" <ethorne@lvsheriff.org>, "Van Parys, David" <DVanParys@leavenworthcounty.gov>
Subject: DEV-21-160 Special Use Permit Request - Forever Fencing

Warning: This message originated outside of the FEC organization. Do not click links or open attachments unless you have validated the sender and know the content is safe. <="" span="">

Good afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit for a contractor's yard for Forever Fencing, at 25701 Donahoo Road.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 5th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at jgentzler@leavenworthcounty.gov.

Thank you,

From: [Van Parys, David](#)
Sent: Tuesday, October 5, 2021 10:06 AM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-160 Special Use Permit Request - Forever Fencing

Aerial appears to show an accumulation of materials or vehicles in between the house and the proposed site. Will screening be required?

From: Gentzler, Joshua
Sent: Monday, September 27, 2021 4:02 PM
To: 'Timothy Smith' <chief1860@ttrfd.com>; RWD 9 (Lvrwd9@gmail.com) <Lvrwd9@gmail.com>; Amanda Holloway (Amanda.holloway@freestate.coop) <Amanda.holloway@freestate.coop>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Subject: DEV-21-160 Special Use Permit Request - Forever Fencing

Good afternoon,

The Department of Planning and Zoning has received an application for a Special Use Permit for a contractor's yard for Forever Fencing, at 25701 Donahoo Road.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 5th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at jgentzler@leavenworthcounty.gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

*****Renewal without changes*****

Case No. DEV-21-165

CW Lawns, LLC

Special Use Permit – Landscaping, Lawn Care, Lawn Maintenance, Snow Removal and
Related Business

*****Public Hearing Required*****

Staff Report – Planning Commission

November 10, 2020

GENERAL INFORMATION:

**Applicant/
Property Owner:** Casey Worrall
24619 163rd Street
Leavenworth, KS 66048

Legal Description: A tract of land in the Southeast corner of the Southeast Quarter of Section 33, Township 9 South, Range 22 East of the 6th P.M, in Leavenworth County, Kansas.

Location: 24619 163rd Street, ±1,300 ft. from the 163rd St and McIntyre intersection

Parcel Size: ± 5.4 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential (3 units per acre) land use category.

Parcel ID No.: 108-33-0-00-00-025.00

Planner: Amy Allison

REPORT:

Request

The applicant is requesting a Special Use Permit renewal for a landscaping business at 24619 163rd Street.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 2.4 acres to over 140 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0250G July 16, 2015.

Utilities/Services

Sewer: Private septic system

Fire: Fire District #1

Water: RWD #8

Electric: Evergy

Access/Streets

The property is accessed by 163rd Street, a County Local Road with a gravel surface ± 30' wide.

Agency Comments

See attached comments – Memo – Kyle Anderson – Planning and Zoning, October 1, 2021

See attached comments – Memo – Mitch Pleak – Public Works, October 25, 2021

See attached comments – Memo – Chuck Magaha – Emergency Management, September 30, 2021

See attached comments – Memo – David Van Parys – County Counselor, October 5, 2021

See attached comments – Memo – Becky Fousek – Rural Water District 8, September 29, 2021

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Special Use Permit request:

1. Character of the neighborhood: The character of the neighborhood is rural; primarily rural residences, and agricultural uses.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The uses are rural residences and agricultural.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suited for rural residences and agricultural use. The use is allowed with approval of a Special Use Permit
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected.
5. Length of time the property has been vacant as zoned: The property is not vacant.
6. Relative gain to economic development, public health, safety and welfare: The proposed use will allow for a commercial business to continue operation within the County.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Residential (3 units per acre).
8. Staff recommendation is for the denial of Special Use Permit.

History/Complaints

CW Lawns has been operating from this location since 2011. Since their most recent renewal in 2016, the Planning & Zoning Department has received 4 formal complaints about various activity occurring on the property. The property owner has worked with staff and resolved all complaints that have been filed with the department.

Staff Comments

The applicant is proposing to continue operation of their existing SUP. Operations are outlined in the narrative provided. The property is designated as Residential (3 units per acre) in the Comprehensive Plan which is not compatible with the proposed business. Staff is generally not in support of Special Use Permits that are not compatible with the Comprehensive Plan Future Land Use Map.

Staff Analysis

<u>LOCATION</u>	
Adjacent Residences	Adjacent residences are rural-suburban uses. Most properties to the north and south are on five (5) acre parcels, or larger. Parcels to the east are 2.5 acre parcels.
Adjacent Zoning/Uses	Zoning in the area is RR-5 and are used primarily as rural residences and agricultural uses.
Density	The area is not densely populated.
Nearby City Limits	The city of Lansing is approximately ¾ of a mile to the northeast of the property.
Initial Growth Management Area	The property is not located within the City of Lansing’s Urban Growth Management Area.

IMPACT	
Noise Pollution	This use will not cause prolonged noise pollution. The applicant stated that he utilizes the property for equipment and truck/trailer storage. Most operations of the business are completed off-site. Employees come to the site on occasion with most traffic being generated by the owner during the morning and evenings.
Traffic	The use may create additional traffic in the morning and evening. The narrative states that the employees typically do not come to the property but may to pick up equipment. However, the level of traffic anticipated does not require a traffic study to be completed.
Lighting	The applicant does not have lighting other than security lighting and is not requesting lighting.
Outdoor Storage	The applicant stated that the equipment currently being stored includes trucks lawn mowing equipment and snow plows.
Parking	The applicant has ample parking space for employees.
Visitors/Employees	The narrative states that currently 4 employees are employed by CW Lawns but that number can fluctuate up to 6 during peak seasons. Visitors are not common, with the applicant meeting clients off-site.
Waste	The business generates yard and lawn waste. This waste is properly disposed of according to KDHE standards.

SITE COMPATABILITY	
Size of Parcel	The parcel is five (5) acres in size.
Zoning of Parcel	The parcel is zoned Rural Residential-5
Buildings (Existing & Proposed)	The applicant has a shop on the property that is approximately 75x100. Tools and equipment for the business are stored in the shop
Setbacks	Existing building meet the required setbacks.
Screening	The property is bordered on the south by a privacy fence. Additionally, there is some landscaping providing additional screening.

STAFF RECOMMENDATION:

The staff recommends denial of Case No.DEV-21-165, Special Use Permit for a Landscaping, Lawn Care, Lawn Maintenance, Snow Removal and Related business for CW Lawns, LLC, with the following conditions:

1. The SUP shall be limited to a period of fifteen (15) years.
2. The business shall be limited to the hours of 7 am to 7 pm, Monday through Friday, with the exception of snow and ice events.
3. There shall be no storage of commercial waste except firewood.
4. The applicant shall not store materials or equipment, other than commercial vehicles and trailers, outside.
5. The SUP shall be limited to six (6) employees.
6. Firewood sales shall be delivery only.
7. The applicant shall maintain the existing landscaping and screening.
8. No lawn waste from outside of Leavenworth County shall be disposed of at the Leavenworth County Transfer Station.
9. The applicant shall abide by the Permanent Emerald Ash Borer Quarantine as established by the Kansas Department of Agriculture.
10. The applicant will comply with the below memorandums:
 - a. Chuck Magaha – Emergency Management, September 30, 2021

11. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
12. No on-street parking shall be allowed.
13. This SUP shall be limited to the Narrative dated September 16, 2021 and October 21, 2021 submitted with this application.
14. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

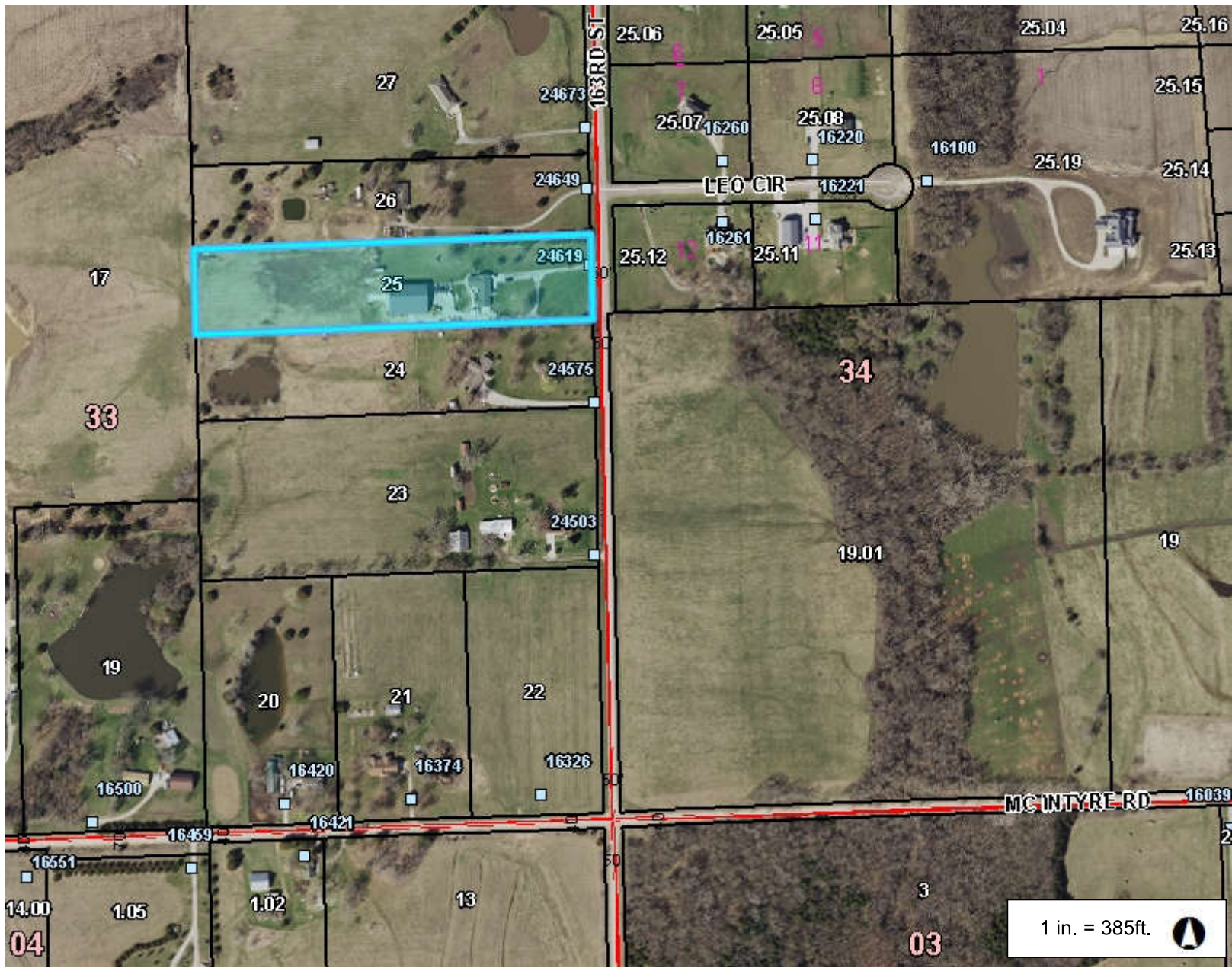
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-165, Special Use Permit for CW Lawns, LLC to operate a Landscaping, Lawn Care, Lawn Maintenance, Snow Removal and Related business, to the Board of County Commission, with Findings of Fact, and with or without conditions; or
2. Recommend denial of Case No. DEV-21-165, Special Use Permit for CW Lawns, LLC to operate a Landscaping, Lawn Care, Lawn Maintenance, Snow Removal and Related business, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Narrative
Location/Aerial Maps
Memorandums

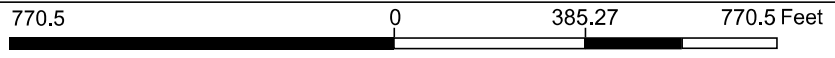
DEV-21-165 CW Lawns SUP



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- ⋮ City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad
- Section
- ▭ Section Boundaries
- ▭ County Boundary

1 in. = 385ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes


SPECIAL USE PERMIT APPLICATION

Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Casey Worrall</u>	NAME _____
ADDRESS <u>24619 163rd Street</u>	ADDRESS _____
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP _____
PHONE <u>913-290-0504</u>	PHONE _____
EMAIL <u>cwlawns@yahoo.com</u>	EMAIL _____
CONTACT PERSON <u>Self - Casey Worrall</u>	CONTACT PERSON _____

PROPERTY INFORMATION	
PID: <u>1083300000025000</u>	Zoning District: _____
Address of property <u>24619 163rd Street, Leavenworth KS 66048</u>	Parcel size <u>5.4 acres</u>
Current use of the property <u>Storage for Lawncare and personal</u>	
Does the owner live on the property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

I, the undersigned am the *(circle one)* owner, *duly authorized agent*, of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for a Special Use Permit as indicated above. I hereby agree to "cease and desist" the operation of the activity upon denial of the permit by the Board of County Commissioners.

Signature  Date 9/16/21

ATTACHMENT A

PROPOSED SPECIAL USE PERMIT INFORMATION

Name of Business CW Lawns, LLC

Existing and Proposed Structures One out-building

Number of structures used for Special Use Permit 1

Will the use require parking? Yes No How many parking spaces are proposed/available? _____

Is the proposed use seasonal? Yes No
If yes, what months will the use be active? _____ through _____
Month Month

Reason for requesting a Special Use Permit: Renewal of existing SUP

Estimated Traffic

In this section, you are determining the impact your proposed use will have on the county roadways. A vehicle visiting your site is to be considered two trips because the visitor/employee/user will use the roadways twice. If you are planning to expand the use that may generate additional traffic during the duration of the permit, provide the traffic generation for the full expansion.

How many total Passenger vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily 1 Weekly 7 Monthly 30

If applicable, how many total Commercial (delivery, heavy trucks, equipment, etc.) vehicle trips (both entering and exiting) will be generated by the Special Use Permit?

Daily _____ Weekly _____ Monthly 1

If applicable, describe Seasonal trips not accounted for above: What type (Passenger and Commercial) vehicle trips, how many trips per vehicle type in the seasonal timeframe, and describe the seasonal time frame (months, weeks, or days in a calendar year.

Passenger: Months _____ Weeks _____ Days _____

Commercial: Months _____ Weeks _____ Days _____

When are trips to the site expected to occur (i.e. throughout the day, limited certain hours, etc.)? If applicable, separate occurrences by vehicle type (Passenger, Commercial, Seasonal Passenger, and Seasonal Commercial):

What is the anticipated route(s) from the nearest State Highway to the Site? _____

Special Use Permit Renewal

Describe any change to operations since the SUP was last issued including traffic trips compared to this SUP:

No changes/Same use _____

Have you added any buildings since the SUP was last issued? Yes No Any parking? Yes No



CW Lawns, LLC
24619 163rd Street
Leavenworth, KS 66048
913-547-4436

CW Lawns, LLC is a small, one-owner landscape lawn and snow management company providing service to customers in the Leavenworth County and surrounding areas.

SERVICES PROVIDED:

We provide landscaping, lawn care, lawn fertilization, core aeration, seeding, dirt work, light tree trimming, snow plowing, ice management, gutter cleaning, occasional window cleaning and holiday lighting installation.

MATERIAL STORAGE:

Deliveries are not made to the premise. All lawn, landscape or snow management materials are either picked up at the place of purchase or is delivered directly to the customer.

TRAFFIC:

The current practice is only the homeowner leaving in the morning and returning in the evenings and transporting any needed equipment. There is minimal employee traffic at this location. To ensure efficiency, this site is usually only visited during the day if additional equipment is needed due to equipment failure or malfunction.

EMPLOYEES:

Currently CW Lawns employees a total of 4 employees, however in recent years the total number has fluctuated from having as few as 2 employees and up to 6 during peak seasons.

EQUIPMENT:

Company equipment consists of trucks, lawn mowers, snowplows, and other various small lawn care equipment such as weed eaters, trimmers, saws, and blowers.

ADVERTISING:

There are no services offered that result in a customer coming on-site. Customer contact is initiated by referral and local media advertising. A copy of the advertising is included where you can see that our address/location is not listed, only contact information such as a phone number/email. There is no signage on this property that would indicate that a business is operated from the location.

OPERATING HOURS:

Typical hours of operation are Monday through Saturday during normal, daylight hours. The exception to these hours would be during times of seasonal fluctuations, to include weather events. Sundays may be required to keep caught up on work if jobs are unable to be completed during normal operating hours/days due to precipitation. For snow and ice management, the need is to respond to customers so that properties can be maintained as snow and ice accumulates which could be anytime day or night.

PERMIT:

CW Lawns is requesting permit renewal 31-11 to be extended for a period of 15 years.

CW LAWNS LLC



INSURED

Lawn Care • Landscaping
Fertilizing • Core Aeration

Seeding • Dirt Work • Light Tree Trimming
Window Cleaning

Gutter Cleaning • Snow & Ice Management
Junk Removal

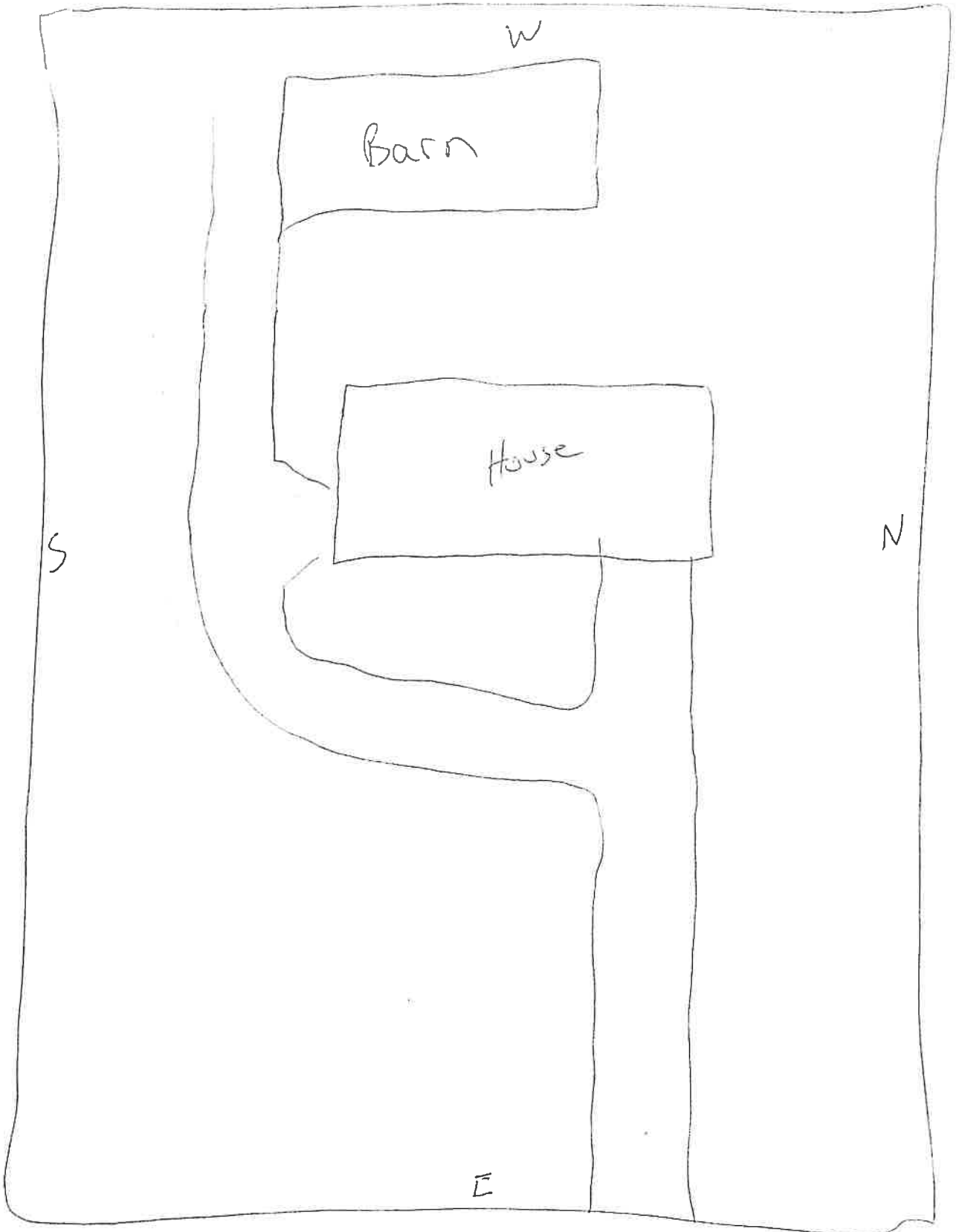
**Serving Leav., Lans. & surrounding
communities for over a decade.**

www.cwlawnsleavenworth.com

Office: 913-547-4436

Mobile: 913-290-0504

04182LLVN 27-Aug-2020 22:23





Allison, Amy

From: Casey Worrall <cwlawns@yahoo.com>
Sent: Thursday, October 21, 2021 4:16 PM
To: Allison, Amy
Subject: Re: DEV-21-165 Meeting Notification

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Thank you for all of the information Amy. The response to the 2 comments are as follows:

1. CW Lawns does currently have displayed an emergency contact sign in plain view - I apologize for having left this detail out.
2. In response to the comments from Mitch Pleak, while we do have more than one employee, we do not anticipate further traffic or growth in this location. We meet onsite and do not accept deliveries at this location, as mentioned. Even with any anticipated business growth, the information/numbers previously provided in our narrative will not change.

Please let me know if this response is sufficient or if I need to provide something further before Monday.

Thank you,

Casey Worrall

Owner | CW Lawns LLC

Office: 913.547.4436 | Cell: 913.290.0504

On Friday, October 15, 2021, 10:54:39 AM CDT, Allison, Amy <aallison@leavenworthcounty.gov> wrote:

Good Morning Mr. Worrall,

Please find the meeting notification for your SUP request attached. I've also attached comments received about the SUP. If you would provide a response by Monday, October 25th addressing the comments, I will include that in the agenda.

Sincerely,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757



Leavenworth County
Planning & Zoning Department
300 Walnut, Suite 212
Leavenworth, Kansas 66048

To: Krystal Voth
Director

From: Kyle Anderson
Environmental Tech/Code Enforcement

Date: October 1, 2021

RE: Casey Worrall
Case DEV-21-165, Special Use Permit Renewal
24619 163rd St
Leavenworth, KS 66048
PID# 108-33-0-00-00-025.00

Timeline of Complaints since DEV-16-090 was approved.

November 17, 2016, formal complaint received.

November 17, 2016 sat at the property for two and a half hours. I saw no violations.

November 28, 2016, PZ spoke to Mr. Tackett once in the office and he called three times on the phone.

November 28, 2016, spoke to Mr. Worrall about who was on the property getting firewood.
November 28, 2016, Mr. Worrall emailed his response about neighbor retrieving firewood from his property.

November 30, 2016, received formal complaint.

November 30, 2016, Went to Mr. Worrall's property. He said the signs are now down. Verified, No violations viewed.

April 26, 2017, received formal complaint.

May 1, 2017, Went to Mr. Worrall's property. The property was viewed the property from the front on 163rd and McIntyre Rd.

*Grading of more than one acre or more - it did appear that grading had been done at the property. If the grading encompasses more than one acre, the state of Kansas has a permit called a NOI (Notice of Intent). The county does not monitor that situation.

*The neighbors fence area (gate) being used for egress and ingress –
That would be an agreement with the neighbor and not a SUP violation. Storing of equipment on the North and West property from the subjects property is not a violation. Did not view equipment on property to the North or West.

*Firewood and tree debris –
Condition 3 states there will be no storage of commercial waste except firewood.

*Signs on fence –
There were no signs on top of fence visible from the street.

*Storage of equipment on property North and West of subject property -
I did not witness storage of business equipment on North or West property. The conditions on the Special Use Permit do not indicate where the parking will be located except not on the public street.

*Employees working during non-business hours –
I did not witness a violation on this matter.



Leavenworth County
Planning & Zoning Department
300 Walnut, Suite 212
Leavenworth, Kansas 66048

*Storage of equipment on subject property –

Condition 4 states the applicant shall not store materials or equipment, other than commercial vehicles and trailers, outside. It was viewed that vehicles were stored outside.

May 3, 2017

1:32 pm, drove by Worrall property at 24619 163^{rs} St. to view activity on the property. Pictures were taken of the property and I circled the block three times to see or hear anything. I was at the property until 2:14 pm and also performed a decibel reading at 163rd St. to see what level of noise I could get. The reader showed 23-25 decibels with the engine off.

Thank you,

Kyle Anderson

kanderson@leavenworthcounty.gov

Allison, Amy

From: Mitch Pleak <mpleak@olsson.com>
Sent: Monday, October 25, 2021 3:34 PM
To: Allison, Amy
Cc: Anderson, Lauren; Noll, Bill; 019-2831
Subject: RE: DEV-21-165 Meeting Notification - CW Lawn SUP

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy,
Lauren and I have reviewed the additional information. No further comments.

Thanks,

Mitch Pleak

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Thursday, October 21, 2021 4:24 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>
Subject: FW: DEV-21-165 Meeting Notification

Good Afternoon Chuck, Lauren and Mitch,

Please see the responses to your questions for the CW Lawns SUP case. Let me know if you have any further questions or comments.

Sincerely,
Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.364.5757

From: Casey Worrall <cwlawns@yahoo.com>
Sent: Thursday, October 21, 2021 4:16 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: Re: DEV-21-165 Meeting Notification

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Thank you for all of the information Amy. The response to the 2 comments are as follows:

1. CW Lawns does currently have displayed an emergency contact sign in plain view - I apologize for having left this detail out.

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Thank you,

Casey Worrall

Owner | CW Lawns LLC

Office: 913.547.4436 | Cell: 913.290.0504

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Sincerely,

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.364.5757

MEMO

To: Jeff Joseph
From: Chuck Magaha
Subject: Lawn Care Casey Worrall
Date: October 15, 2021

Renewal:

Jeff, thank you for the opportunity to review the special use permit submitted by Casey Worrall with their lawn care business. After reviewing the application I have couple of comments regarding this permit. I would like to suggest that an emergency contact sign be placed in plain view in the event of an emergency. The sign should be placed on the side of the building on a legible material for the responder in the event an emergency should one occur. I would ask that caution be taken in allowing no burning of commercial yard or shrub waste. In the event that this business would use fertilizers, or other hazardous chemicals, that they file the appropriate State permits as well as notifying the local fire department of the locations of storage of these fertilizers. If chemicals are to be stored on site they will need to provide a detailed site diagram of where the product is stored to include fuels and oils. If you have any questions please give me a call 684-0455.

Note: No further comments from the original request.

Thanks

Chuck

Allison, Amy

From: Van Parys, David
Sent: Tuesday, October 5, 2021 10:10 AM
To: Allison, Amy
Subject: RE: RE: DEV-20-165 Special Use Permit – CW Lawns

Nothing legally remarkable.

From: Allison, Amy
Sent: Tuesday, September 28, 2021 10:07 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'MPleak@olsson.com' <MPleak@olsson.com>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; 'Firedistrict1@fd1lv.org' <Firedistrict1@fd1lv.org>; 'Tyler.Rebel@westarenergy.com' <Tyler.Rebel@westarenergy.com>; 'RWD8LV@gmail.com' <RWD8LV@gmail.com>
Cc: Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-20-165 Special Use Permit – CW Lawns

Good Morning,

The Department of Planning and Zoning has received an application for a Special Use Permit Renewal regarding CW Lawns, 24619 163rd Street, for a Lawn Care business.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, October 6, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at AAllison@LeavenworthCounty.Gov

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

Allison, Amy

From: Rural Water <rwd8lv@gmail.com>
Sent: Wednesday, September 29, 2021 10:23 AM
To: Allison, Amy
Subject: Re: DEV-20-165 Special Use Permit – CW Lawns

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

Amy Allison,

RWD#8 provides water to this property at: 24619 163rd St. There is a 2" waterline across the property that supplies water to the meter.

RWD#8 does not provide water for fireflow.

The account is in good standing with RWD#8. If you have any questions: 913-796-2164.

Becky Fousek

RWD#8 Office Manager for the Board

On Tue, Sep 28, 2021 at 10:07 AM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Morning,

The Department of Planning and Zoning has received an application for a Special Use Permit Renewal regarding CW Lawns, 24619 163rd Street, for a Lawn Care business.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Wednesday, October 6, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at AAllison@LeavenworthCounty.Gov

Amy Allison, AICP

Deputy Director

Planning & Zoning

Leavenworth County

913.684.5757

--

*Becky Fousek
Office Manager
Rural Water District #8-LV CO*

Case No. DEV-21-148
Rezoning from RR-5 to RR-2.5
*****Public Hearing Required*****

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Matt Groves
2307 Haversham Drive
Lawrence, KS 66049

Legal Description: A tract of land in the Northwest Quarter of the Southwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., in Leavenworth County, Kansas.

Location: 00000 246th Street, Lawrence, KS 66044 and ± 2150' North of Linwood Road/K-32

Parcel Size: ± 10 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential land use category.

Parcel ID No.: 216-13-0-00-00-022.00

Planner: Joshua Gentzler

REPORT:

Request

The applicant is requesting to rezone a parcel of land from RR-5 to RR-2.5.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 5 acres to 70 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0300G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Reno Township Fire Department
Water: Rural Water District 10
Electric: Evergy

Access/Streets

The property is accessed by 246th Street. This road is a County local road with a gravel surface ± 22' wide.

Agency Comments

See attached comments – Memo – Kyle Anderson – Planning and Zoning, October 1, 2021
See attached comments – Memo – Lauren Anderson – Public Works, September 28, 2021
See attached comments – Memo – David Van Parys – County Counselor, October 5, 2021
See attached comments – Memo – Gary Bennett – Rural Water District 10, September 27, 2021

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Rezoning request:

1. Character of the neighborhood: The character of the neighborhood is rural with agricultural uses and rural residences. 246th Street dead ends at the right-of-way for Interstate 70, approximately 1300 feet (¼ of a mile) to the north of the property.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The uses are rural residences and agricultural in nature.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area that is suitable for 2.5- acre residential development.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area is not likely be detrimentally affected by the rezoning to RR-2.5.
5. Length of time the property has been vacant as zoned: The property has been vacant since the County adopted zoning in 1962. According to County aerial photography, the pond was built on the property between 1954 and 1966.
6. Relative gain to economic development, public health, safety and welfare: The proposed use will increase the opportunity for subdivision and development within the County.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Residential, which would allow the property to be divided into 2.5-acre parcels, should the subdivision meet County's Zoning and Subdivision regulations. The applicant is seeking to divide the land one time.
8. Staff recommendation is for the approval of the rezoning request.

Staff Comments

The applicant is seeking to divide the land through a tract split to allow the addition of two homes to be built on the newly created parcel. The parcel is 10 acres in size and the applicant wishes to split off a 2.5-acre parcel in the future. Any such subdivision will require the approval of a 2-lot plat due to the size of the parcel.

Staff is supportive of the request.

STAFF RECOMMENDATION:

The staff recommends approval of Case No. DEV-21-148, Rezoning from RR-5 to RR-2.5.

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-148, Rezoning from RR-5 to RR-2.5, to the Board of County Commission, with Findings of Fact, or
2. Recommend denial of Case No. DEV-21-148, Rezoning from RR-5 to RR-2.5, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Location/Aerial Maps
Application
Proposed Subdivision
Memorandums

DEV-21-148 Groves Rezoning



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad

1 in. = 200ft.



400.0 0 200.00 400.0 Feet



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

ck 11487678

REZONING APPLICATION
Leavenworth County Planning Department
300 Walnut, St., Suite 212
County Courthouse
Leavenworth, Kansas 66048
913-684-0465

RECEIVED
AUG 31 2021

Office Use Only

Township: _____ Date Received: _____
 Planning Commission Date _____
 Case No. _____ Date Paid _____
 Zoning District _____ Comprehensive Plan Land Use Designation _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Matthew Groves</u>	NAME _____
ADDRESS <u>2307 Haversham Dr</u>	ADDRESS _____
CITY/ST/ZIP <u>Lawrence, KS 66049</u>	CITY/ST/ZIP _____
PHONE <u>785-550-3055</u>	PHONE _____
EMAIL <u>mgroves33@gmail.com</u>	EMAIL _____
CONTACT PERSON <u>Math</u>	CONTACT PERSON _____

PROPOSED USE INFORMATION

Proposed Land Use single family dwellings
 Current Zoning RR-5 Requested Zoning RR-2.5
 Reason for Requesting Rezoning to create two desirable private home sites
(hoping to build a home for my folks)

PROPERTY INFORMATION

Address of Property none (legal description attached)
 Parcel Size 10 acres
 Current use of the property no improvements
 Present Improvements or structures none
 PID 2161300000022000

I, the undersigned am the (owner), (duly authorized agent), (Circle One) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature [Signature] Date 8-25-21

ATTACHMENT A

STATUTORY WARRANTY DEED

Grantor(s): **Terry W. Cox and Helen Louise Breese Cox, husband and wife**

Conveys and Warrants to **Matthew A. Groves**

The following described premises, to-wit:

A tract of land in Section 13, Township 12 South, Range 20 East of the 6th Principal Meridian, Leavenworth County, Kansas, more specifically described as follows:

Beginning at the Northwest corner of the Southwest Quarter (SW 1/4) of the Section 13, Township 12 South, Range 20 East of the 6th Principal Meridian, Leavenworth County, Kansas; thence North 88°02'53" East on the North line of the Southwest Quarter (SW 1/4) of said Section 13, a distance of 875.00 feet; thence South 02°17'40" East, a distance of 500.00 feet; thence South 88°02'53" West, a distance of 875.00 to the West line of the Southwest Quarter (SW 1/4) of said Section 13; thence North 02°17'40" West on the West line of the Southwest Quarter (SW 1/4) of said Section 13, a distance of 500.00 feet to the Point of Beginning, all in Leavenworth County, Kansas, subject to Rights-of-Way, Easements and Restrictions of Record.

For the sum of One Dollar and other good and valuable consideration.

Subject to: easements and restrictions of record, if any



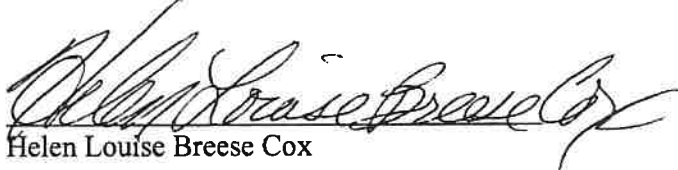
Security 1st Title

File No. 2438297

Page 1 of 2

Dated this July 14, 2021


Terry W. Cox


Helen Louise Breese Cox

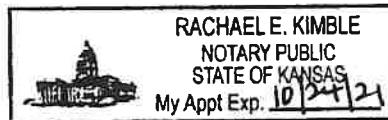
State of Kansas, Douglas County } ss.

This instrument was acknowledged before me on July 14, 2021 by Terry W. Cox and Helen Louise Breese Cox, husband and wife.

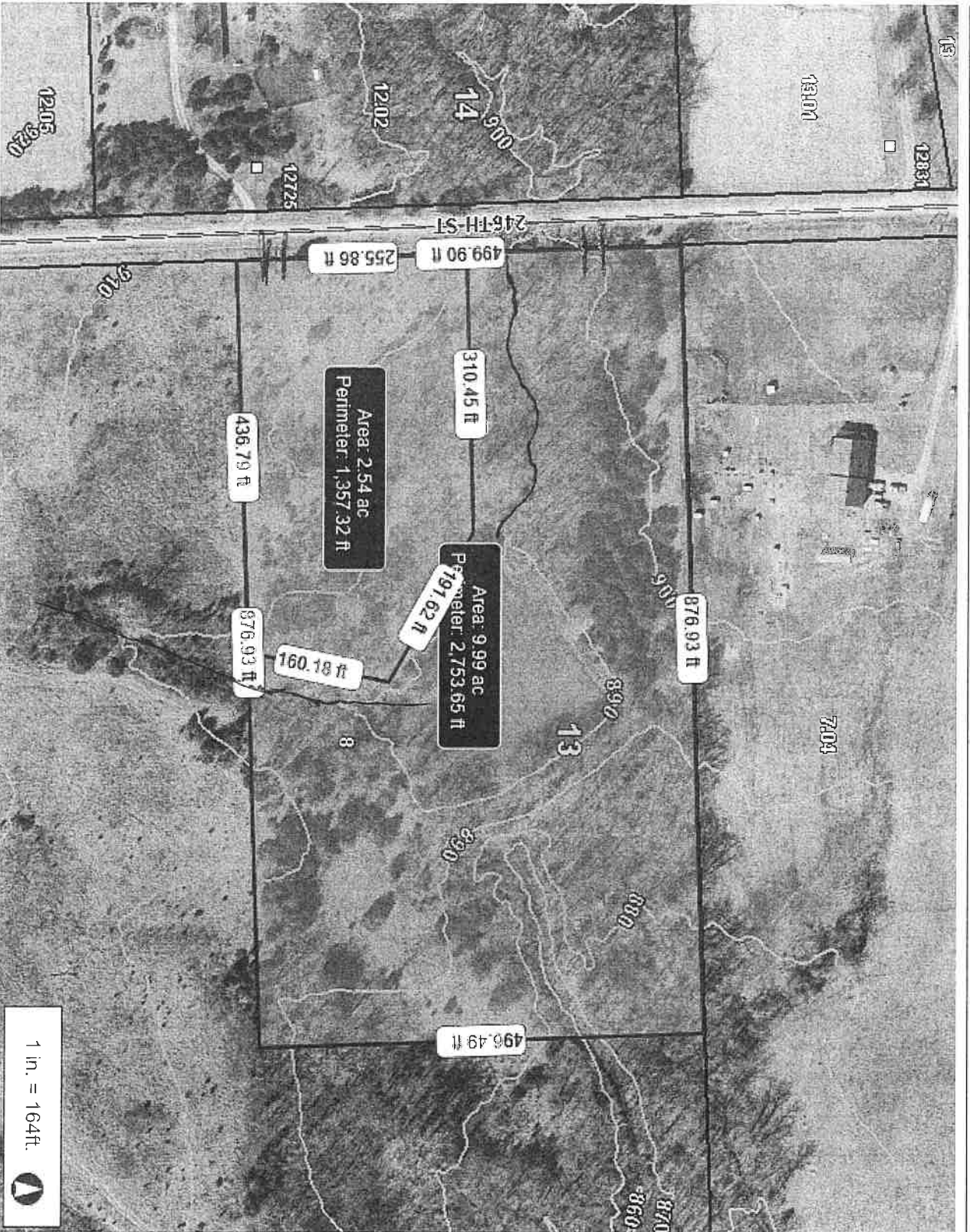


Notary Public


My appointment expires:



Leavenworth County, KS

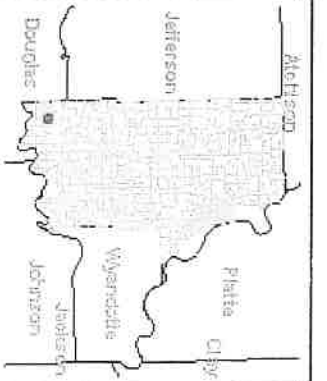


327.4 0 163.69 327.4 Feet













1 in. = 164ft. 

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

-  Address Point
-  Parcel Number
-  Lot Line
-  Parcel
-  City Limit Line
-  Major Road
-  Road
-  Railroad
-  Contour
-  Section
-  Section Boundaries
-  County Boundary

Notes

From: [Gary O bennett](#)
Sent: Monday, September 27, 2021 4:16 PM
To: [Gentzler, Joshua](#); [Bennett9@embarqmail.com](#);
'[Tyler.rebel@evergy.com](#)'; '[LTorneden@RTSD21.com](#)'; [Anderson, Kyle](#);
[Anderson, Lauren](#); [Magaha, Chuck](#); [Miller, Jamie](#); [Mitch Pleak](#); [Thorne, Eric](#); [Van Parys, David](#)
Subject: Re: DEV-21-148 Rezoning Request for Groves

Notice: This email originated from outside this organization. Do not click on links or open attachments unless you trust the sender and know the content is safe.

The water district has no objection to this application. The current water line runs north and south on the west side of the property.

Gary Bennett RWD 10

From: Joshua <JGentzler@leavenworthcounty.gov>
To: Bennett9 <Bennett9@embarqmail.com>; Tyler.rebel@evergy.com <Tyler.rebel@evergy.com>; LTorneden@RTSD21.com <LTorneden@RTSD21.com>; Kyle <KAnderson@leavenworthcounty.gov>; Lauren <LAnderson@leavenworthcounty.gov>; Chuck <cmagaha@lvsheriff.org>; Jamie <JMiller@leavenworthcounty.gov>; Mitch <MPleak@olsson.com>; Eric <ethorne@lvsheriff.org>; David <DVanParys@leavenworthcounty.gov>
Date: Monday, 27 September 2021 3:49 PM CDT
Subject: DEV-21-148 Rezoning Request for Groves

Good afternoon,

The Department of Planning and Zoning has received an application for a Rezoning change for a property on 246th Street, north of Linwood Road (PID: 216-13-0-00-00-022.00).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 5th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.Gov.

Thank you,

Joshua Gentzler

Planner II

[Planning & Zoning](#)

Leavenworth County

913.684.0464

From: [Anderson, Lauren](#)
Sent: Tuesday, September 28, 2021 10:11 AM
To: [Gentzler, Joshua](#)
Cc: [Noll, Bill](#)
Subject: RE: DEV-21-148 Rezoning Request for Groves

Joshua,

This property appears to have sufficient frontage for a RR-2.5 split and is located on a local road with no specific required driveway spacing. Public Works has no comment on the rezone request.

Lauren

From: Gentzler, Joshua
Sent: Monday, September 27, 2021 3:49 PM
To: Bennett9@embarqmail.com; 'Tyler.rebel@evergy.com' <Tyler.rebel@evergy.com>; 'LTorneden@RTSD21.com' <LTorneden@RTSD21.com>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Subject: DEV-21-148 Rezoning Request for Groves

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Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

From: [Anderson, Kyle](#)
Sent: Friday, October 1, 2021 2:54 PM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-148 Rezoning Request for Groves

We have not received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

From: Gentzler, Joshua
Sent: Monday, September 27, 2021 3:49 PM
To: Bennett9@embarqmail.com; 'Tyler.rebel@evergy.com' <Tyler.rebel@evergy.com>; 'LTorneden@RTSD21.com' <LTorneden@RTSD21.com>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
Subject: DEV-21-148 Rezoning Request for Groves

Good afternoon,

The Department of Planning and Zoning has received an application for a Rezoning change for a property on 246th Street, north of Linwood Road (PID: 216-13-0-00-00-022.00).

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by Tuesday, October 5th.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.Gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

From: [Van Parys, David](#)
Sent: Tuesday, October 5, 2021 10:04 AM
To: [Gentzler, Joshua](#)
Subject: RE: DEV-21-148 Rezoning Request for Groves

Nothing legally remarkable. Compliance with comprehensive plan recommended.

From: Gentzler, Joshua
Sent: Monday, September 27, 2021 3:49 PM
To: Bennett9@embarqmail.com; 'Tyler.rebel@evergy.com' <Tyler.rebel@evergy.com>; 'LTorneden@RTSD21.com' <LTorneden@RTSD21.com>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>
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If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.Gov.

Thank you,

Joshua Gentzler
Planner II
[Planning & Zoning](#)
Leavenworth County
913.684.0464

Case No. DEV-21-155
Rezoning from B-2 to B-3
*****Public Hearing Required*****

Staff Report – Planning Commission

November 10, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** John Mollett
17800 State Avenue
Tonganoxie, KS 66086

Applicant Agent: Joe Herring – Herring Surveying Company
315 N 5th Street
Leavenworth, KS 66048

Legal Description: Lot 3, Block 2, Hill Estates in Leavenworth County, Kansas.

Location: 17800 State Avenue ± 3 miles from Tonganoxie, KS.

Parcel Size: ± 4.7 acres

Zoning/Land Use: B-2, Limited Business District

Comprehensive Plan: This parcel is within the Mixed Use land use category.

Parcel ID No.: 183-05-0-00-00-014.05

Planner: Amy Allison

REPORT:

Request

The applicant is requesting to rezone a parcel of land from B-2, Limited Business District to B-3 General Business District.

Adjacent Land Use

The surrounding properties are commercial (office, distribution, storage, etc.) residences and farms on varying sized parcels ranging from 0.50 acre to over 67 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0350G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Stranger FD
Water: Suburban Water District
Electric: Evergy

Access/Streets

Due to platting requirements for access, the property must access off of Bayside Drive. Bayside Drive is an undeveloped County Local road. The property does have frontage on 178th Street, which is a paved local road, ± 30' wide; and State Avenue, a paved State Maintained Road ± 100' wide.

Agency Comments

See attached comments – Memo – Kyle Anderson – Planning and Zoning, October 12, 2021
See attached comments – Memo – Lauren Anderson – Public Works, October 12, 2021

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Rezoning request:

1. Character of the neighborhood: The character of the neighborhood is primarily commercial with some rural; agricultural uses and rural residences.
2. Zoning and uses of nearby property: The surrounding properties are zoned B-2, Limited Business District; B-3, General Business; and Rural Residential 2.5-acre minimum size parcels. The uses include offices, distribution, storage, veterinarian services, rural residences and agricultural use.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area that is primarily commercial, with the proposed zoning district located to the west of 171st Street. The current subdivision requires investment in developing Bayside Drive prior to development of the site. The property owner will either need to develop the remainder of Bayside Drive or replat to develop the property.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The property currently sits adjacent to a single-family residential use. However, they both are currently zoned B-2 which would allow for some commercial development. The proposed rezone would increase the commercial impact on the neighboring property but will most likely not detrimentally affect nearby properties.
5. Length of time the property has been vacant as zoned: The property has never been developed.
6. Relative gain to economic development, public health, safety and welfare: The proposed zoning will allow for commercial businesses to be located on the property which would increase the tax base and potentially supply more jobs.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Mixed Use.
8. Staff recommendation is for the approval of the rezoning request.

History

The property was platted in 2006 as part of the Hill Estates Subdivision. The plat required that Bayside Drive be developed and 178th be improved in order to develop the lots of the subdivision. As of this date, those improvements have not been made. In order to be able to build, the property owner will either need to make the required improvements of the plat or replat the subdivision in conformance with the Zoning and Subdivision regulations.

Staff Comments

The proposed zoning district does not match the Comprehensive Plan Future Land Use designation; however, it is adjacent to property already zoned B-3. The applicant has indicated that they would like to develop storage units on the site, which is permitted in the B-3 district. Due to the request being an expansion of an existing zoning district, staff is generally in support of the request.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-21-155, Rezoning from B-2 to B-3:

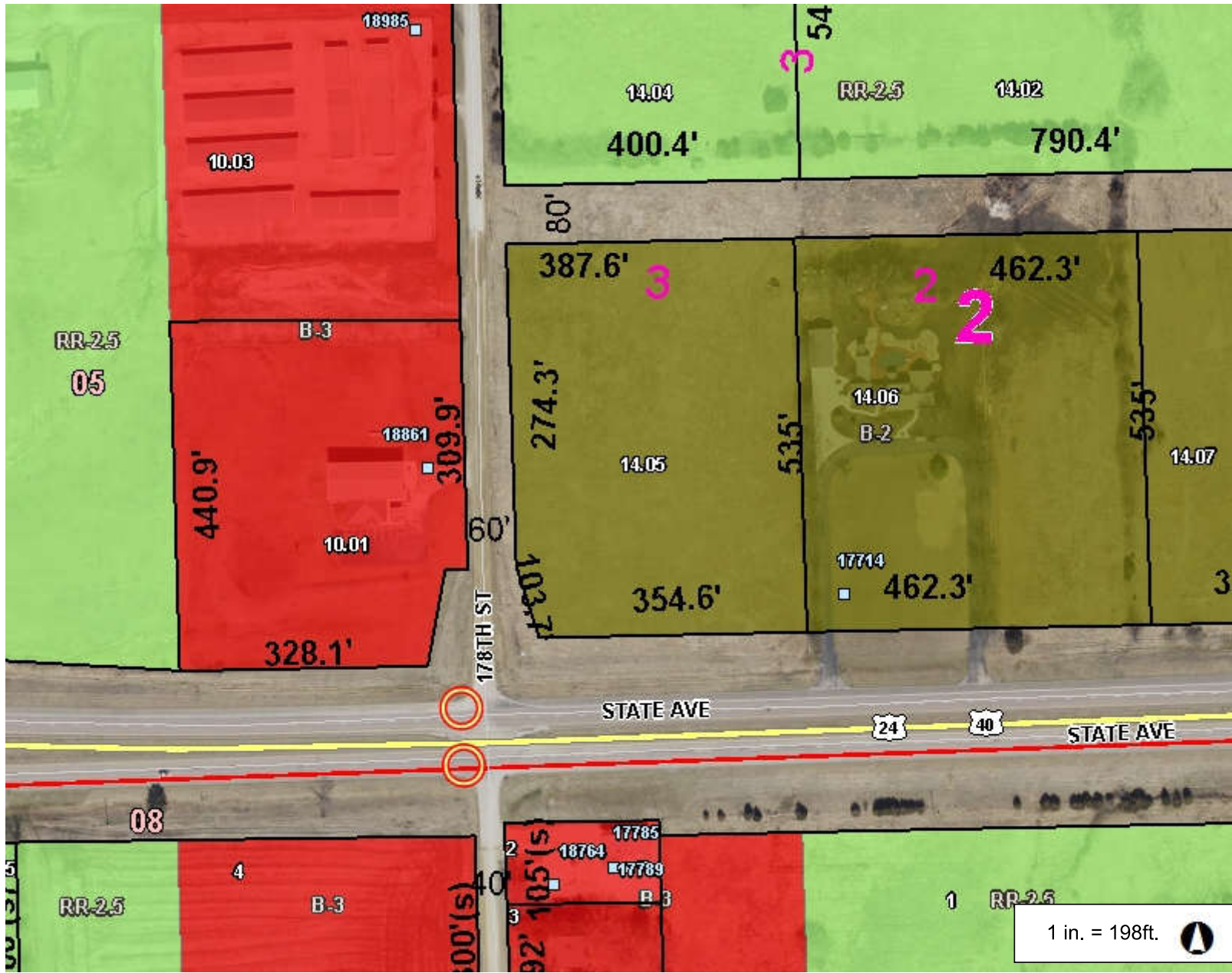
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-21-155, Rezoning from B-2 to B-3, to the Board of County Commission, with Findings of Fact, or
2. Recommend denial of Case No. DEV-21-155, Rezoning from B-2 to B-3, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Narrative
 Location/Aerial Maps
 Memorandums
 Table of Land Uses

DEV-21-155 Mollett Rezone



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning**
- B-1
- B-2
- B-3
- I-1
- I-2
- I-3
- MXD
- PC
- PI
- PR-1
- PR-2
- PR-3

1 in. = 198ft.

396.8 0 198.38 396.8 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

REZONING APPLICATION
 Leavenworth County Planning Department
 300 Walnut, St., Suite 212
 County Courthouse
 Leavenworth, Kansas 66048
 913-684-0465

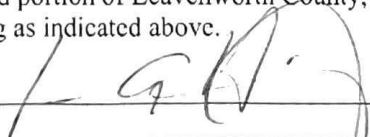
Office Use Only	
Township: _____	Date Received: _____
Planning Commission Date _____	
Case No. _____	Date Paid _____
Zoning District _____	Comprehensive Plan Land Use Designation _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME Joe Herring - Herring Surveying Company	NAME John Mollett
ADDRESS 315 North 5th Street	ADDRESS 17800 State Avenue
CITY/ST/ZIP Leavenworth, KS 66048	CITY/ST/ZIP Tonganoxie, KS 66086
PHONE 913-651-3858	PHONE N/A
EMAIL herringsurveying@outlook.com	EMAIL N/A
CONTACT PERSON Joe	CONTACT PERSON N/A

PROPOSED USE INFORMATION	
Proposed Land Use Self / Mini Storage	
Current Zoning B-2	Requested Zoning B-3 General Business
Reason for Requesting Rezoning Match the zoning directly West of and adjacent to this property	

PROPERTY INFORMATION	
Address of Property 17800 State Avenue	
Parcel Size 4.7 AC	
Current use of the property AG	
Present Improvements or structures Vacant	
PID 183-05-0-00-00-014.05	

I, the undersigned am the (owner), (duly authorized agent), (Circle One) of the aforementioned property situated in the unincorporated portion of Leavenworth County, Kansas. By execution of my signature, I do hereby officially apply for rezoning as indicated above.

Signature  Date 9-16-21

ATTACHMENT A

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner
COUNTY OF LEAVENWORTH
STATE OF KANSAS

We/I JOHN MOLLETT and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 17800 STATE AVENUE TOWNESEND KS 66086, and that we authorize the following people or firms to act in our interest with the Leavenworth County Planning and Zoning Department for a period of one calendar year. Additionally, all statements herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Authorized Agents (full name, address & telephone number)

1) Joseph A. Herring – Herring Surveying Company 315 N. 5th Street, Leavenworth, KS 66048, 913-651-3858

2)

Signed and entered this 16 day of SEPTEMBER, 2021.

JOHN MOLLETT 913-915-8836

Print Name, Address, Telephone

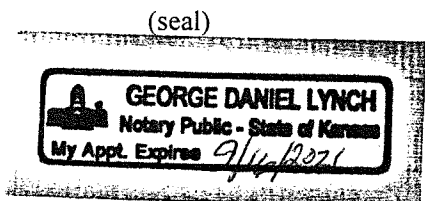
[Signature]
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 16 day of SEPTEMBER 2021, before me, a notary public in and for said County and State came JOHN MOLLETT to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC *[Signature]*

My Commission Expires: MAY 18, 2023



Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, October 12, 2021 2:30 PM
To: Allison, Amy
Subject: RE: RE: DEV-20-155 Rezoning – Mollett

We have not had any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

From: Allison, Amy
Sent: Wednesday, October 6, 2021 3:32 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'MPleak@olsson.com' <MPleak@olsson.com>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>; 'Tyler.Rebel@westarenergy.com' <Tyler.Rebel@westarenergy.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; 'Steven.Taylor@KS.gov' <Steven.Taylor@KS.gov>
Cc: Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-20-155 Rezoning – Mollett

Good Afternoon,

The Department of Planning and Zoning has received an application for a Rezone from B-2 to B-3 regarding 17800 State Avenue, Tonganoxie, KS.

The Planning Staff would appreciate your written input in consideration of the above request. Please review the attached information and forward any comments to us by October 13, 2021.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at Aallison@LeavenworthCounty.Gov

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

Allison, Amy

From: Anderson, Lauren
Sent: Tuesday, October 12, 2021 4:18 PM
To: Allison, Amy
Cc: Sloop, Stephanie; Gentzler, Joshua
Subject: RE: RE: DEV-20-155 Rezoning – Mollett

Amy,

Public Works has reviewed the application for rezoning and have the following comments. The requested rezone does not change the driveway spacing requirements for a commercial property. The current property is platted to include an extension of Bayside Drive to 178th Street. The plat restrictions and agreement state that all properties shall enter off Bayside Dr. Public Works has no concern that the property could meet the required driveway spacing requires for a commercial entrance off a local road.

If the property did not contain the plat requirements, I have also verified that the property would have the required frontage to allow for adequate commercial driveway spacing on 178th Street.

Thanks,
Lauren

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, October 6, 2021 3:32 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'MPleak@olsson.com' <MPleak@olsson.com>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; 'stfdchief1760@gmail.com' <stfdchief1760@gmail.com>; 'Tyler.Rebel@westarenergy.com' <Tyler.Rebel@westarenergy.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; 'Steven.Taylor@KS.gov' <Steven.Taylor@KS.gov>
Cc: Sloop, Stephanie <SSloop@leavenworthcounty.gov>; Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Subject: RE: DEV-20-155 Rezoning – Mollett

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If you have any questions or need additional information, please contact me at (913) 684-0465 or at AAllison@LeavenworthCounty.Gov

Thank you,

Amy Allison, AICP
Deputy Director
Planning & Zoning
Leavenworth County
913.684.5757

August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Animal Hospital, Animal Care Facility, Veterinarian Office or Clinic, enclosed and soundproofed kennels only (outdoor stables and pens for horses and livestock are permitted)	S	S	A	A	A	A	A			A	A	A
Art Studio/Gallery	S	S	A	A	A	A	A			A	A	A
Auction or swap meet	S				A	A	A	A			A	A
Auto service station & repair	S	S	S	A	A	A	A	A		A	A	A
Bank or Financial Services	S	S	A	A	A	A	A			A	A	A
Bed and Breakfast	S	S	S	A	A					A		
Boat sales, storage & Repair	S			A	A	A	A	A		A	A	A
picnic groves and fishing lakes	S	S	S	S	S	A	A	A				
Campgrounds	S	S										
Caretaker/Security Dwelling						A	A	A			A	A
Cemetery, mausoleum or crematory	S	S	S	S	S	S	S	S	S	S	S	S
Chemical, Petroleum, Coal & Allied Products												
-compounding of cosmetics, toiletries, drugs, and pharmaceutical products						A	A	A				A
-cosmetics and toiletries; ice manufacture, incl. dry ice; ink manufacture (mixing only); insecticides, fungicides, disinfectants, related industrial/household chemical compounds (blending only); laboratories; perfumes and perfumed soap (compounding only); Pharmaceutical products; soap, washing or cleaning products, powder or soda (compounding only)							A	A				A

August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

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A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
-acids and derivatives; acetylene; ammonia; carbide; caustic soda; cellulose; chlorine; coke oven products; distillation, manufacture or refining of coal, tar, asphalt; explosives; fertilizer (organic); fish oil and meals; glue (organic); hydrogen and oxygen; lamp black and carbon black; nitrating of cotton and other materials; petroleum, gasoline, and lubricating oil refining and wholesale storage; plastic materials and synthetic resins; potash; pyroxylin; rendering and storage of dead animals, offal, garbage or waste products; turpentine and resins								A				
Childcare facility – independent childcare center or preschool when not conducted by or in a private or public school	S	S	A	A	A	A				A	A	A
Churches, synagogues, other places of worship	A	A	A	A	A	A	A	A	A	A	A	A
Clay, Stone, & Glass Products												
-clay stone and other glass products (electric or gas fired); concrete products, except central mixing and proportioning plant; pottery and porcelain products							A	A				A
-brick, firebrick, refractory and clay products (coal fired); cement, lime, gypsum, or plaster of Paris;								A				
Club, Private	S	S	A	A	A					A	A	
Coal, fuel or ice storage, saw mills, and treatment of building materials	S						A	A				A
College or University, educational facilities either public or private	A	A	A	A	A	A	A	A	A	A	A	A
Communication Tower**	A	A	A	A	A	A	A	A	A	A	A	A
Community buildings, recreational and athletic fields	A	A	A	A	A	A			A	A	A	
Conservation or flood control project	A	A	A	A	A	A	A	A	A	A	A	A
Contractor’s yard (as defined in Article 3)	S				S	S	A	A				A

August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

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A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Custom Cabinetry – Structure 7,500 Square Feet or Less (BOCC Resolution 2017-58; Sept 28,2017)	S		S	A	A	A	A	A		A	A	A
Custom Cabinetry – Structure 7,501 Square Feet or Greater (BOCC Resolution 2017-58; Sept 28,2017)	S			A	A	A	A	A			A	A
Dairy farms that process, package and distribute their product	A											
Delivery Service (Not to include freight transfer, i.e. semi-tractor trailers)			A	A	A	A	A	A		A	A	A
Detention facility	S	S	S	S	S							
Disposal or storage of waste materials; landfill, incinerator, transfer station, etc. and recycle centers	S	S	S	S	S	S	S	S				
Distillation of alcohol from grain including mixing, bottling or retail sales	S		S	A	A	A	A	A		A	A	A
Electrical Substations	S	S	S	S	S	A	A	A	S	S	S	S
Extraction of raw materials such as rock, gravel, sand and clay; minerals and earths, quarrying, extracting, grinding, crushing and processing.	S						S	S				
Farm implement sale/repair	S				A	A	A			A	A	A
Farm store/Feed Store	S				A	A	A			A	A	A
Farming, including buildings & structures	A	A	A	A	A	A	A	A	A	A	A	A
Farming, publicly/privately, for the feeding/disposal of garbage, rubbish, or offal for a stipulated period not exceeding three (3) years and under such measures of control as necessary	S	S	S	S	S	S	S	S	S	S	S	S
Food Storage Lockers				A	A	A	A	A		A	A	A
Funeral Home or Mortuary						A	A					A
Gas filling station/sales	S		A	A	A	A	A	A		A	A	A
Golf course including miniature golf or commercial practice driving tees	A	A	A	A	A	A	A	A	A	A	A	A
Gun Clubs, Skeet Shoot, Target Ranges (Indoors)	S			A	A	A	A				A	A
Gun Clubs, Skeet Shoot, Target Ranges (Outdoors)	S		S	S	S	S	S			S	S	S
Health Club			A	A	A	A	A			A	A	A

August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

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A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Home occupations; owner/applicant residing on the property (see Article 3, Definitions)	A	A										
Hospital, clinic and/or institution	S	S	A	A	A	A				A	A	
Hotel, Motel, Lodging House					A	A	A	A		A	A	A
Horse boarding 10 or fewer horses	A											
Horse boarding 11 or more horses	S			A	A							
Ice Manufacturing and Storage	S					A	A	A				A
Kennel – dog	S		S	S	S	S	S					
Laboratory – research, experimental, or testing					A	A	A	A		A	A	A
Landscaping, lawn care, lawn maintenance, snow removal and related business	S				A	A	A	A				A
Manufacture or assembly of medical or dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games, and electrical or electronic equipment						A	A	A				A
Manufacturing of Case goods – Boxes, Crates, Furniture, Baskets, veneer & other similar wood products						A	A	A				A
Manufacturing of Food and Beverage												
-manufacture of food products, including beverage blending, or bottling, bakery products, candy manufacture, dairy products, ice cream, fruit and vegetable processing and canning, packaging and processing of meat and poultry products, but not to include the following: distilling beverages, slaughtering of poultry or animals, or processing or bulk storage of grain or feeds for animal or poultry						A	A	A				A

August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
-bakery products, wholesale; beverages, blending and bottling; candy, chewing gum, chocolate, cocoa and cocoa products; coffee, tea, and spices, processing and packaging; condensed and evaporated milk processing and canning; creamery and dairy operations; flour, feed and grain (packaging, blending and storage); fruit and vegetable processing; gelatin products; glucose and dextrin; grain blending and packaging but not milling; wholesale ice cream; malt products, manufacturing except breweries; meat products, packaging and processing but no slaughtering; poultry packing and slaughtering; yeast							A	A				A
-fat rendering; fish curing, packing and storage; slaughtering of animals; starch manufacture								A				
Manufacturing of Textiles – Rugs, Quilts, mattresses, pillows, millinery, Hosiery, Clothing, Fabrics, Printing & finishing of textiles						A	A	A				A
Material storage yard w/retail sales					A	A	A	A				A
Medical Outpatient Care Facility and/or Medical/Dental Lab and/or Services			A	A	A	A	A	A		A	A	A
Metal & Metal Products												
-manufacture or assembly of boats, bolts, nuts screws rivets, ornamental products, firearms, tools and dies, machinery, hardware products, sheet metal products, and vitreous enameled products						A	A	A			A	A

August 1, 2006 Zoning & Subdivision Regulations for Leavenworth County, Kansas

S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
-agricultural or farm implements; aircraft and parts; aluminum extrusion, rolling, fabrication, and forming; automobile, truck, trailer, mobile home, motorcycles and bicycle assembly; blacksmith or welding shop; boat manufacture (vessels less than 5 tons); bolts, nuts, screws, washers, rivets, containers; culverts; foundry products manufacture (electrical only); heating, ventilation, cooking and refrigeration supplies and appliances; iron (ornamental) fabrication; machinery, manufacture; nails, brads, tacks, spikes, and staples; plating, electrolytic process; plumbing supplies; scale and vault; sheet metal products; silverware and plated ware; stove and range manufacture; structural iron and steel fabrication; tool, die, gauge, and machine shops; tools and hardware products; vitreous enameled products							A	A				A
-aluminum powder and paint manufacturing; blast furnaces and cupolas; blooming mill; metal and metal ores, reduction, refining, smelting, and alloying; scrap metal reduction; steel works and rolling mill; vehicle, junk, debris salvage yard								A				
Milk Distribution - including bottling				S	S	A	A	A			A	A
Mobile home and tourist courts	S	S										
Micro Distillery (as defined in Article 3)	S		A	A	A	A	A	A		A	A	A
Motion Picture Production	S			A	A	A	A	A		A	A	A
Natural Gas Pumping Stations	S					S	A	A				A
Office/office buildings with more than 2 employees			A	A	A	A	A	A		A	A	A
Office, Professional (no employees other than family members)	A	A	A	A	A	A	A	A	A	A	A	A
Off-Street Parking Lots			A	A	A	A	A	A		A	A	A

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S = Special Use Permit	RR-2.5/5	R-1/2/3/4	B-1	B-2	B-3	I-1	I-2	I-3	PR-1/2/3	MXD	PC	PI
A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Outdoor advertising structure			A	A	A	A	A	A		A	A	A
Parking Structures					A	A	A	A		A	A	A
Personal Service uses – Barbershop, Bank, Beauty parlor, Photographic/Artist studio, Messenger/Taxi service, Newspaper			A	A	A	A	A	A		A	A	A
Photographic processing, services			A	A	A	A	A	A		A	A	A
Printing – Publishing – Engraving				A	A	A	A	A		A	A	A
Processing & Canning of fruits, vegetables, meats, poultry						A	A	A				A
Propane Storage – Bulk					S	A	A	A				A
Public Utilities: drinking water towers and standpipes, drinking water treatment facilities, drinking water treatment monofills, drinking water well houses, wastewater lift stations, wastewater treatment facilities	A						A	A				A
Public Utilities: Electric Substation	S						A	A				
Public/Private utility substation including, but not limited to: cable, electric, fiber optics, natural gas, oil or petroleum products, telephone, and water tower	S	S	S	S	S	S	A	A	S	S	S	A
Public Uses/Government Uses	A	A	A	A	A	A	A	A	A	A	A	A
Radio/Television Station Studio & Offices				A	A	A	A			A	A	A
Railroad ROW & Facilities, Inc. Tracks & operations Excluding all other Railroad uses	A	A	A	A	A	A	A	A	A	A	A	A
Recreation and Entertainment Indoor and Outdoor			A	A	A	A				A	A	
Recreational Vehicle Park	S	S	S	S	A	A	A	A			A	A
Retail Sales and Service	S		A	A	A	A	A			A	A	A
-Big Box Retail				A	A	A	A	A		A	A	A
-Boat Sales/Service				A	A	A	A	A		A	A	A
-Home Remodeling and Light construction Supply/Sales (BOCC 2018'-7; March 6,2018)	S		A	A	A	A	A	A		A	A	A
Riding stables and tracks	S											
Roadside Seasonal Produce Stand	A	A	A	A	A	A	A	A	A	A	A	A
Rock crushers, asphalt and concrete plant	S						A	A				A

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A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
Salvage yard	S			S	S	S	A	A				
Self-storage warehouse, Mini'-warehouse					A	A	A	A			A	A
Signs in accordance with Article 25	A	A	A	A	A	A	A	A	A	A	A	A
Sign Shop (BOCC Resolution 2019-06; March 6, 2019)	S				A	A	A	A				
Signs'-Temporary in accordance with Article 25	A	A	A	A	A	A	A	A	A	A	A	A
Small limited businesses (as defined in Article 3 Definitions)	S	S	A	A	A	A	A	A	S	A	A	A
Storage, packaging and distribution of smokeless Class 1.3c and Black Class 1.1d powder							S	S				
Storage of liquid/solid fertilizer					A	A	A	A			A	A
Swimming pool or natatorium	S	S	A	A	A	A	A		A	A	A	A
Television and amateur radio antennae exceeding district height limitations	S	S	S	S	S	S	S	S	S	S	S	S
Temporary construction site buildings or sale of lots during development being conducted on the same/adjoining tract or subdivision, or upon the expiration of a two-year period from the time of erection of such building, whichever is sooner	A	A	A	A	A	A	A	A	A	A	A	A
Theater (enclosed)			A	A	A	A	A	A		A	A	A
Theater, outside or drive'-in	S			A	A	A	A	A		A	A	A
Truck Hauling Business	S		S	S	A	A	A	A			A	A
Truck Terminal					A	A	A	A				A
Unclassified Uses												

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A = Allowed Use	Rural	1/2 Fam Apt	Neigh Bus	Lim Bus	Gen Bus	Lim Ind	Lite Ind	Hvy Ind	Plnd Res Dis	Mixed	Plnd Comm	Plnd Ind
-building materials (cement, lime in bags or containers, sand, gravel, shell, lumber, and the like), storage and sales; bus garage and repair shop; button manufacture; carbon paper and inked ribbon manufacturing; cleaning and dyeing of garments, hats, rugs; coal and coke storage and sales; exposition building; fur finishing; gas fired electricity generating stations (subject to Article 20, section 4, height requirements); industrial vocation training schools; leather goods manufacturing; livery stable and riding academy; railroad switching yards; sign painting and fabrication; tire retreading plant; accessory uses and buildings							A	A				A
-hair, hides, and raw fur curing, tanning, dressing, dyeing and storage; accessory buildings and uses								A				
Warehouse						A	A	A				A
Wastewater treatment plant	S						A	A				
Wholesale merchandise/establishment					A	A	A	A			A	A
Wood & Paper Products												
-baskets and hampers; boxes and crates; cooperage works; furniture; lumber yard; pencils; planing and millwork; pulp goods; shipping containers (corrugated board, fiber or wire bound); trailer, carriage, and wagon; veneer; wood products							A	A				A
-match manufacture; wood pulp and fiber, reduction and processing								A				

** Towers, radio antennas, commercial satellite earth stations and similar appurtenances, subject to the following conditions: Failure to abide by the conditions of approval by the applicant shall be cause for an action to rescind approval of the Special Use Permit.