

RESOLUTION 2016-013

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for a Convention/Conference center and pertinent accessory structures including, but not limited to dining and lodging facilities, employee housing, recreation facilities, offices, meeting rooms and classrooms on the following described property:

The Northeast ¼ of Section 28, Township 10 South, Range 21 East of the Sixth P.M., less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

LESS AND EXCEPT:

A tract of land in the Northeast ¼ of Section 28, Township 10 South, Range 21 East of the Sixth P.M., more fully described as follows: Beginning at the Northeast corner of the Northeast ¼ of said Section 28; thence South on the East line of the Northeast ¼ of said Section 28 a distance of 2250.00 feet; thence West a distance of 450.00 feet; thence North a distance of 650.00 feet; thence East a distance of 370.00 feet; thence North a distance of 1460.00 feet; thence West a distance of 220.00 feet; thence North a distance of 140.00 feet to the North line of the Northeast ¼ of said Section 28; thence East on the North line of the of the Northeast ¼ of said Section 28 a distance of 300.00 feet to the point of beginning. less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

ALSO LESS AND EXCEPT:

The Northeast ¼ of Section 28, Township 10 South, Range 21 East of the Sixth P.M., less any part thereof taken or used for road purposes: Beginning at the Northwest corner of the Northeast ¼ of said Section 28; thence East on the North line of the Northeast ¼ of Section 28 a distance of 1100.00 feet; thence South a distance of 400.00 feet; thence West a distance of 1100.00 feet to the West line of the Northeast ¼ of said Section 28; thence North on the he West line of the Northeast ¼ of said Section 28 a distance of 400.00 feet to the point of beginning, in Leavenworth County, Kansas. more commonly known as 21325 Donahoo Road

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 23rd day of February, 2016, and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 11th day of May, 2016; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 26th day of May, 2016, the recommendation of the Leavenworth County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

1. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission; and,
2. Based upon the findings of fact adopted by the Board of County Commission in regular session on the 26th day of May, 2016, and incorporated herein by reference;

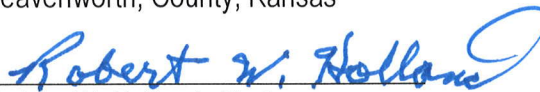
That Case No. DEV-16-019, Special Use Permit for a Convention/Conference center and pertinent accessory structures including, but not limited to dining and lodging facilities, employee housing, recreation facilities, offices, meeting rooms and classrooms approved subject to the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. Hours of the Event Barn shall be:
 - a. Friday and Saturday: music shall conclude by 11:30 and events and meetings shall conclude by midnight.
 - b. Monday through Thursday: music shall conclude by 8 pm and events and meetings shall conclude by 9 pm.
3. The SUP shall be limited to two (2) employees other than the business owners.
4. The applicant shall pay a Traffic Impact Fee (TIF) of \$774.14.
5. The applicant shall adhere to the following memorandums:
 - a. Chuck Magaha – Emergency Management, March 14, 2016
 - b. Trevor Huhn – Public Works, May 3, 2016
6. The applicant shall work with the Tonganoxie Township Fire District and Rural Water District #9 to address the availability of fire protection for the proposed structure.
7. The number of events shall be limited to a maximum of thirty (30) and the number of meetings shall be limited to a maximum of forty (40) per year.
8. Events shall not exceed 250 attendees and 125 vehicles.
Meetings shall not exceed 60 attendees and 30 vehicles.
9. Building and septic permits shall be obtained prior to any building construction.
10. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
11. The applicant shall provide the Planning & Zoning Department with copies of any licenses for food, alcohol, and lodging required from the State of Kansas.
12. No signage is allowed in the right-of-way. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations. A sign permit shall be required for the individual property sign. This individual property sign shall not exceed 16 square foot. The applicant shall provide details of proposed signage to the Planning & Zoning Department for approval.
13. No on-street parking shall be allowed.
14. This SUP shall be limited to the revised narrative submitted on April 29, 2016.
15. Noise generated from an event held at this facility including, but not limited to: live music, DJ, and noise from guests shall be limited to 60 decibels at the property line
16. Applicant shall submit documentation from the Fire Department and Emergency Management that indicates the following conditions have been met prior to holding the first event or meeting:
 - a. Fire extinguishers are installed according to the Kansas Builder Fire Safety Handbook.
 - b. Smoke detectors are installed and operating.
 - c. Emergency exits
 - i.) That there are at least 3 emergency exits of at least 3' wide.
 - ii.) Emergency exit doors swing in the egress direction.
 - iii.) Emergency exits are illuminated.
 - iv.) Emergency exits have exit lights identifying them.
 - d. There is a backup power system to provide emergency exit lighting.
 - e. An acceptable fire safety and evacuation plan is prepared.
17. The event barn may have up to 4 bedrooms for overnight lodging. Said lodging shall only be used in conjunction with an event or meeting.
18. 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 Office within 30 days.

located in Section 28, Township 10 South, Range 21 East, also known as 21107 Donahoo Road, parcel no. 148-28-0-00-00-001.00 in Leavenworth County, Kansas.

Adopted this 26th day of May, 2016
Board of County Commission
Leavenworth, County, Kansas



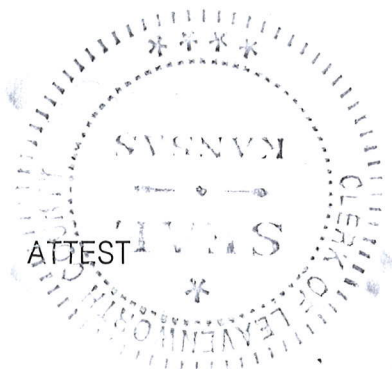
Robert W. Holland, Chairman



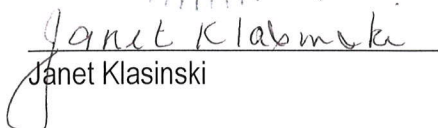
Clyde D. Graeber, Member



Denis Bixby, Member



ATTEST



Janet Klasinski