

RESOLUTION 2017- 56

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an Event Center for a wedding and reception facility on the following described property:

The Southeast Quarter of the Southeast Quarter of Section 27 and a part of the South Half of the West Half of the Southwest Quarter of Section 26, all in Township 10 South, Range 21 East of the Sixth P.M., in Leavenworth County, Kansas, more particularly described as follows: Beginning at the Southeast corner of said Southeast Quarter, said point also being the Southwest corner of said Southwest corner of said Southwest Quarter; thence S88°34'22"W assumed bearing, along the South line of said Southeast Quarter 1325.69 feet to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence N01°22'19"W 1322.80 to the Northwest corner of the Southeast Quarter of said Southeast Quarter; thence N88°35'58"E 1326.97 feet to the Northeast Quarter of the Southeast Quarter of said Southeast Quarter, said point also being the Northwest corner of the South Half of the West Half of said Southeast Quarter; thence continuing N88°35'58"E 1316.13 feet to the Northeast corner of the South Half of said West Half; thence S01°32'43"E along the East line of said West Half 1065.02 feet to the centerline of a public road; thence Southwesterly along said road centerline 54.67 feet on a curve to the left, having a radius of 1146.00 feet with a chord bearing S57°18'13"W 54.66 feet; thence S55°56'11"W along said road centerline 70.90 feet; thence Southwesterly along said road centerline 241.70 feet on a curve to the left having a radius of 1146.00 feet with a chord bearing S49°53'42"W 241.25 feet to a point on the South line of said Southwest Quarter; thence S88°29'57"W along said South line 979.88 feet to the Point of Beginning, also known as Tract 4 of Certificate of Survey recorded May 23, 2017 as Document No. 2017S026, except that part in roads.

ALSO

A tract of land located in the Southwest Quarter of Section 26, Township 10 South, Range 21 East of the Sixth P.M., in Leavenworth County, Kansas, described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence N88°29'57"E assumed bearing, along the South line of said Southwest Quarter 979.88 feet for the Point of Beginning, said point also being the centerline of a public road; thence continuing N88°29'57" E along said South line 295.21 feet to the Southeast corner of the West Half of said Southwest Quarter; thence N01°32'43"W along the East line of said West half 217.00 feet to a point on said road centerline; thence Southwesterly along said road centerline 54.67 feet on a curve to the left, having a radius of 1146.00 feet with a chord bearing S57°18'13"W 54.66; thence S55°56'11"W along said road centerline 70.90 feet; thence Southwesterly along said road centerline 241.70 feet on a curve to the left, having a radius of 1146.00 feet with a chord bearing S49°53'42"W 241.25 feet to the Point of Beginning, also known as Tract 5 of Certificate of Survey recorded May 23, 2017 as Document No. 2017S026, except that part in roads.

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 28th day of July, 2017, 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 13th day of September, 2017; 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 28th day of September, 2017, 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 28th day of September, 2017, and incorporated herein by reference;

That Case No. DEV-17-089 Special Use Permit for an Event Center for a wedding and reception facility approved subject to the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. The business shall be dependent upon the event. Events shall begin no earlier than 8am and shall end by 9:30pm (Sunday-Thursday) and by 12:00am (Friday-Saturday).
3. The applicant shall pay a Traffic Impact Fee (TIF) of \$1,384.82.
4. The applicant shall provide a certificate of liability insurance policy in the amount of \$1,000,000 and shall list Leavenworth County as the certificate holder prior to commencement of activities on the site.
5. Building and septic permits shall be obtained prior to any building construction.
6. An engineered septic system and a water holding tank shall be required with this Special Use Permit.
7. A Weather Alert radio shall be on premises and monitored during events.
8. The SUP shall be limited to three (3) employees other than the owners and their direct family members.
9. The applicant shall adhere to the following memorandums:
 - a. Michael Swan – Planning and Zoning, August 8, 2017
 - b. David Lutgen, P.E. – Public Works, August 11, 2017
 - c. Melissa Johnson – Codes Enforcement Officer, August 10, 2017
 - d. Cathy Bowen – Rural Water District #9, August 9, 2017
 - e. Eric Wylie - Free State Electric Cooperative, August 7, 2017
10. No signage is allowed in the right-of-way. The applicant is requesting two gateway signs at the property entrance. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
11. No on-street parking shall be allowed.
12. All noise generated by this Special Use Permit shall not exceed a decibel level of 60 at property line.
13. This SUP shall be limited to the Narrative dated August 23, 2017 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.

located in Section 26 & 27, Township 10 Range 21, also known as 20407 Tonganoxie Dr. Tonganoxie, KS parcel no. 147-26-0-00-00-009.01 in Leavenworth County, Kansas.

Adopted this 28th day of September, 2017
Board of County Commission
Leavenworth, County, Kansas

/s/ *Doug Smith*
Doug Smith, Chairman

/s/ *Clyde D. Graeber*
Clyde D. Graeber, Member

/s/ *Robert W. Holland*
Robert W. Holland, Member



/s/ *Janet Klasinski*
Janet Klasinski