

RESOLUTION 2020-20

A resolution of the Leavenworth County Kansas Board of County Commission, issuing a Special Use Permit for an Agri-Business – Z&M Winery on the following described property:

Tract of Land in the South Half of the Northwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, more commonly known as 24305 Loring Road, Lawrence, KS 66044

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 12th day of February, 2020, 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 20th day of May, 2020; 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 17th day of June, 2020, 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 17th day of June, 2020, and incorporated herein by reference;


That Case No. DEV-20-026, Special Use Permit for an Agri-Business– Z&M Winery approved subject to the following conditions:

1. The SUP shall be limited to a period of 10 years.
2. The noise level at the property line shall not cause a nuisance to the area.
3. The business shall be limited to the hours 12:00 PM until 9:00 PM Monday through Wednesday, 12:00 PM until 11:00 PM Thursday - Saturday and 12:00 PM until 10:00 PM Sunday.
4. The applicant shall pay a Traffic Impact Fee (TIF) of \$8,117.41 OR acceptance of the Gravel Road Dust Control Program requirements.
5. The SUP shall be limited to 10 full-time employees and unlimited seasonal employees.
6. The applicant shall provide a certificate of liability insurance for \$1,000,000 per occurrence with Leavenworth County listed as the policy holder.
7. An engineered wastewater treatment system shall be required. The designing engineer shall be licensed in the State of Kansas.

8. An appropriate emergency contingency plan shall be provided to the Leavenworth County Emergency Management Department and the responding fire department.
9. The applicant shall adhere to the following memorandums:
 - a. Mitch Pleak, PE – Public Works, March 12, 2020
10. No signage is allowed in the right-of-way. There are two existing billboards on the property which face I-70. These billboards have been approved by the State and may remain. 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. This SUP shall be limited to the Narrative dated June 8, 2020 submitted with this application.
13. 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 13, Township 12 South, Range 20, also known as 24305 Loring Road, parcel no. 216-13-0-00-00-007.00 in Leavenworth County, Kansas.

Adopted this 17th day of June, 2020
 Board of County Commission
 Leavenworth, County, Kansas




 Doug Smith, Chairman



 Jeff Culbertson, Member



 Vicky Kaaz, Member




 Chad Schimke, Member



 Mike Stieben, Member





 Janet Klasinski