

RESOLUTION 2024-19

A resolution of the Leavenworth County Kansas Board of County Commission, conditionally issuing a Special Use Permit for an event center – The Noyes Family Farm, LLC on the following described property:

Tract of Land of southwest ¼, Section 23, Township 10 South, Range 22 East of the 6th PM, in Leavenworth County, Kansas more fully described as follows: Beginning Northwest corner of said Southwest ¼, thence East 1760 feet, thence South 247.5 feet, thence West 1760 feet, thence North 247.5 feet to the Point of Beginning, less that part used for Public Road, more commonly known as 21576 155th Street, Basehor, Kansas.

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 9th day of April, 2024, 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 10th day of July, 2024; 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 31st day of July, 2024, the recommendation of the Leavenworth County Planning Commission.

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

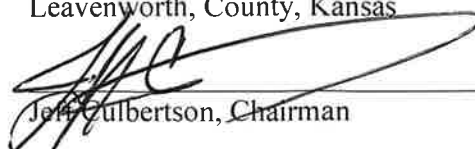
- I. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission as set forth in the staff report and the findings of fact adopted by the by the Board of County Commission in regular session on the 31st day of July, 2024 and incorporated herein by reference, Case No. DEV-24-030, Special Use Permit for an event center – The Noyes Family Farm, LLC is hereby conditionally approved subject to the performance and observation of the following conditions:
 1. The Special Use Permit shall be subject to the written narrative and site plan provided on June 13, 2024.
 2. Events shall be limited to the hours of 5:00 PM to 10:00 PM on weekdays and 8:00 AM until 11:00 PM during weekends. All business operations in the Event Center shall cease by 12:00 AM.
 3. Occupancy for all indoor events shall be limited to 99 occupants. Occupancy for all outdoor events shall be limited to 150 occupants. Employees shall be limited to two full-time employees and unlimited seasonal or part-time employees.
 4. A commercial building permit shall be submitted to the Planning & Zoning Department, including engineered building plans, for the proposed addition. An affidavit of compliance from the Engineer of Record may be substituted for the building plans and code footprint.
 5. All structures used for the purpose of this business shall comply with the Kansas Fire Protection Plan.
 6. An engineered commercial septic plan shall be filed with the Planning & Zoning Department.

7. The proposed business shall be screened from adjacent property via a screening fence or landscaping. Landscaping may include existing vegetation but should any existing landscaping be removed, new plantings shall replace those areas that have been compromised.
8. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
9. No on-street parking shall be allowed.
10. One ADA van-accessible parking stall shall be required.
11. 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.
12. Any noise generated from the proposed activities shall be limited to 60 dB, as measured from the property line.
13. Any light generated from the proposed activities shall be limited to 0 foot-candles net gain, as measured from the property line. If the existing or proposed lighting for the business exceeds the requirement, the lighting shall be shielded from adjacent properties.
14. No outdoor storage of materials shall be allowed.
15. All waste generated from the proposed business shall be disposed of in a manner that meets all local, state and federal requirements.
16. This conditional SUP requires compliance with all local, state, and federal rules and regulations that may be applicable.
17. The Conditional Special Use Permit must comply with the following memorandums prior to any events taking place:
 - a. Mike Lingenfelser – Fairmount Fire District, dated July 2, 2024
 - b. Mitch Pleak – Olsson/Public Works, dated June 17, 2024
 - c. Chuck Magaha – Emergency Management, dated May 30, 2024
 - d. Boone Heston – Evergy, dated April 5, 2024
 - e. Kyle Anderson – Code Enforcement, dated April 5, 2024
 - f. Mike Fulkerson – Consolidated Water District #1, dated April 4, 2024
18. That no public nuisance be allowed or created upon the subject real property.
19. That the conditional Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. The Noyes Family Farm Event Center, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.

II. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

located in Section 23, Township 10 South, Range 21 East, in Leavenworth County, Kansas more commonly known as 21576 155th Street.

Adopted this 31st day of July, 2024
 Board of County Commission
 Leavenworth, County, Kansas


 Jeff Gulbertson, Chairman

ATTEST

Janet Klasinski
Janet Klasinski



Voted nay
Vicky Kaaz, Member

Voted nay
Mike Smith, Member

Doug Smith
Doug Smith, Member

Mike Stieben
Mike Stieben, Member