

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, February 8, 2023
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. 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

7. Approval of Agenda

8. Consent Agenda

A. Case DEV-22-163/164 – Sarlls 2nd Addition

Consideration of a Preliminary and Final Plat – Sarlls 2nd Addition on the following described property: Lot 3, in Sarlls Addition AND a tract in the East Half of the Northeast Quarter of Section 21, Township 12, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

Also known as 12101 & 12051 214th Street (PID: 225-21-0-00-00-010.00& 225-21-0-00-00-012.04)

A. Case DEV-23-003 – Kansas Red Tail Ridge No. 2

Consideration of a Final Plat – Kansas Red Tail Ridge No. 2 on the following described property: Lot 1, Kansas Red Tail Ridge, a subdivision in Leavenworth County Kansas.

Also known as 00000 Kansas Avenue (PID: 185-22-0-00-00-009.00)

9. Regular Agenda

A. Case DEV-22-166 Rezone - Armstrong

Consideration of a Rezone from RR-5 to RR-2.5 on the following described property: A tract of land in the Northwest Quarter of Section 29, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas

Also known as 20809 & 20811 225th Street (PID: 149-29-0-00-00-009.00)

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

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

B. Case DEV-22-129 Comprehensive Plan Annual Review (Continued from 12/4/2022)

Consideration of the 2023 Comprehensive Plan Annual Review, including recommended amendments to the Plan.

C. Case DEV-22-167/168 – Oakridge Estates 2nd

Consideration of a Preliminary and Final Plat – Oakridge Estates 2nd on the following described property: A tract of land located in the Northeast Quarter (NE ¼) of Section 17, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.
Also known as 00000 West Washington Street (PID: 194-17-0-00-00-002.00)

Adjournment of Planning Commission

10. Board of Zoning Appeals

1. Roll Call

A. Case DEV-23-005 Variance - Bieniecki

Consideration of an application for a Variance from Article 18, Section 1.1 of the Zoning and Subdivision Regulations on the following described property: A tract of land located in the Northeast Quarter of Section 17, Township 11 South, of Range 21 East of the 6th p.m., Leavenworth County, Kansas.

Also known as 00000 West Washington Street (PID: 194-17-0-00-00-002.00)

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

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

Adjournment of Board of Zoning Appeals

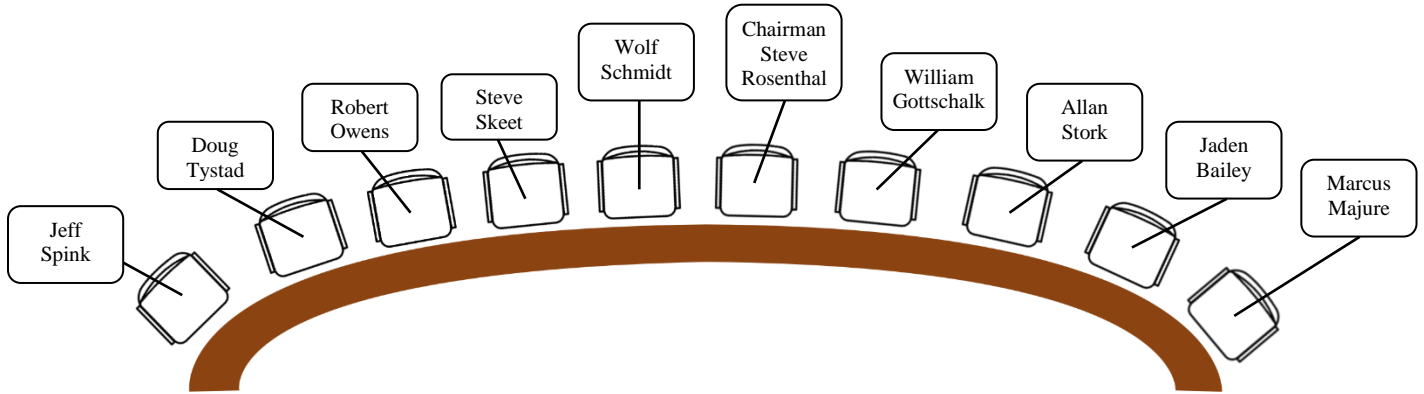
Upcoming meeting dates:

- **Potential Work Session: Training**
- **Wednesday, March 8, 2023, 5:30 PM**
Regular Planning Commission 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 2023



**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
January 11, 2023**

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

The Planning Commission meeting was called to order at 5:30 p.m.

Pledge of Allegiance

Members present: Steve Rosenthal, Robert Owens, Jaden Bailey, William Gottschalk, Wolf Schmidt, Jeff Spink, Marcus Majure, Doug Tystad, and Alan Stork

Members absent: Steve Skeet

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

Minutes:

Commissioner Tystad made a motion to approve the minutes. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE - Motion to approve the minutes passed, 6/0 (Commissioner Owens and Bailey Abstained, Commissioner Skeet Absent)

Secretary's Report:

Amy Allison gave the secretary's report going over the agenda, making note that there were three items on the consent agenda.

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

ROLL CALL VOTE - Motion to approve the agenda passed, 8/0 (1 Absent)

Case DEV-22-145 J & A Farms Replat

Amy Allison gave the staff report for the above-listed case, stating that the recommendation for this request was denial.

Chairman Rosenthal asked if there were any questions from the board. Chairman Rosenthal asked if the applicant wished to address the board.

Mr. Joseph Herring came forward to explain the nature of the request and answer any questions. Discussion was had among the commission, applicant, and Ms. Allison about the history of this parcel and a recent rezoning request for this parcel. Commissioner Owens stated that this case was an example of how we should not recommend something like a rezoning to then turn around and deny the subdivision. If we aren't going to approve one he stated that we shouldn't approve either. County Counselor David Van Parys advised that our regulations take into account that there will be situations where there will be a need for a deviation to the parallel lines rules, he stated that while staff had reasons to give their recommendation of denial but that the Planning Commission is not bound to staff's recommendation.

Chairman Rosenthal said that he would accept a motion.

Commissioner Stork motioned to approve Case DEV-22-145 J & A Farms Replat. Commissioner Owens seconded the motion.

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

The Board of County Commissioners will consider this item no earlier than **January 25, 2023, at 9:00 A.M** in the Leavenworth County Courthouse.

Case DEV-22-155

Consideration of an application for a Special Use Permit for an Event Center on the following described property: A tract of land in the Southwest Quarter of Section 3, Township 11 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case.

Chairman Rosenthal asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant/agent was invited to come forward. Mr. and Mrs. Dan and Cindy Lynch came forward to describe the request and answer any questions from the board.

Commissioner Rosenthal asked if there was anyone present wishing to speak in favor or opposition. Public comment was given by several residents. The public comment portion of the hearing was closed. Discussion was had between the Planning Commission about the recommendation of fire suppression.

Chairman Rosenthal said he would accept a motion if there were no further discussions on this request.

Commissioner Stork motioned to approve Case DEV-22-155 Special Use Permit for Whiskey Ridge. Commissioner Schmidt seconded the motion.

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

The Board of County Commissioners will consider this item no earlier than **February 1, 2023, at 9:00 A.M** in the Leavenworth County Courthouse.

Case DEV-22-156

Consideration of an application for a Special Use Permit for an Extraction of Raw Materials and Landfill use on the following described property: A tract of land in the Northeast Quarter of Section 33, Township 8 South, Range 22 East of the 6th P.M. in Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case.

Chairman Rosenthal asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant/agent was invited to come forward. Matt Kaaz came forward to describe the request and answer any questions from the board. The applicant discussed the conditions that were listed and changes to some of them such as number of trips and employees. Discussion was had between the Planning Commission and the applicant. County Counselor David Van Parys asked that the following condition be added to this SUP and all future Special Use Permits that is considered by the County, have this condition, "Developers will not allow, maintain, or cause, any public nuisance to be present on site."

Commissioner Rosenthal asked if there was anyone present wishing to speak in favor or opposition. Public comment was given in both support and opposition. The public comment portion of the hearing was closed.

Chairman Rosenthal said that he would accept a motion if there were no further discussion.

Commissioner Gottschalk motioned to table Case DEV-22-156 a Special Use Permit for Lexeco to the April Planning Commission Meeting to give adequate time for the Kansas Department of Transportation to respond to the change in number of vehicles and to allow time for staff to visit the other landfill site to make sure that it is complying with their conditions. Further discussion was had between the commission and county staff. Commissioner Owens seconded the motion. The motion was amended to table the request until the March 8, 2023 meeting. Commissioner Owens accepted the change.

ROLL CALL VOTE - Motion to table the request passed 8/0

The meeting adjourned at 7:03 p.m.

Leavenworth County Planning Commission

February 8th, 2023 Case Map
Revised: February 3rd, 2023

DEV-22-166

Rezone
Armstrong

DEV-22-167 & 168

Prelim & Final Plat
Oakridge Estates 2nd

DEV-22-167 & 168

Variance
Bieniecki

DEV-22-163 & 164

Prelim & Final Plat
Sarlls 2nd Addition

DEV-23-003

Preliminary Plat
Kansas Red Tail
Ridge No. 2

Zoning

B-1; B-2; B-3

I-1; I-2; I-3

PUD; R-1; R-1(15); R-1(43); R-2

RR-2.5

RR-5

0 2.5 5 10
Miles

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-22-163/164 Sarlls 2nd Addition

February 8, 2023

REQUEST: **Consent Agenda**

Preliminary/Final Plat

STAFF REPRESENTATIVE:

AMY ALLISON
DEPUTY DIRECTOR

SUBJECT PROPERTY: 12051 & 12101 214TH STREET



APPLICANT/APPLICANT AGENT:

ATLAS LAND CONSULTING
14500 PARALLEL ROAD UNIT R
BASEHOR, KS 66007

PROPERTY OWNER:

LARRY D & JANICE L SARLLS
12101 214TH ST
LINWOOD, KS 66052

CONCURRENT APPLICATIONS:

NONE

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:
RESIDENTIAL (2.5 ACRE MIN)

LEGAL DESCRIPTION:

Lot 3, Sarlls Addition AND a tract in the East Half of the Northeast Quarter of Section 21, Township 12, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: SARLLS ADDITION

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-22-163/164, Preliminary and Final Plat for Sarlls 2nd Addition, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-22-163/164, Preliminary and Final Plat for Sarlls 2nd Addition to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

29.97 ACRES

PARCEL ID NO:

225-21-0-00-00-012.04 & 225-21-0-00-00-010.00

BUILDINGS:

TWO SINGLE-FAMILY RESIDENCES
AND ACCESSORY STRUCTURES

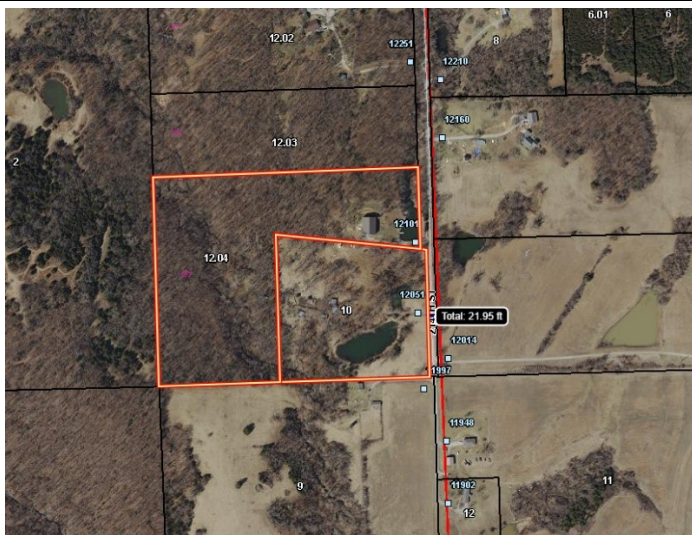
PROJECT SUMMARY:

Request for a preliminary and final plat approval to subdivide property located at 12051 & 12101 214th Street as Lot 1 - 2 of the Sarlls 2nd Addition subdivision.

ACCESS/STREET:

214TH STREET - LOCAL, GRAVEL ± 20'

Location Map:



UTILITIES

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: RENO FD

WATER: RWD 10

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW:

1/4/2023

NEWSPAPER NOTIFICATION:

1/31/2023

NOTICE TO SURROUNDING
PROPERTY OWNERS:

N/A

STANDARDS TO BE CONSIDERED:			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to plat one tract of land and one lot into Lots 1-2 of the Sarlls 2nd Addition. Proposed Lot 1 is a part of the Sarlls Addition subdivision and Lot 2 is an un-platted tract of land. Both lots will be approximately 14.98 acres in size and meet the standards of the Zoning and Subdivision Regulations. The proposed layout will fix an irregular shaped lot. Both lots contain existing single-family residences and some accessory structures, which will remain in compliance. Staff is supportive of the layout and all comments have been addressed.

PROPOSED 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. The developer must comply with the following memorandums:
 - a. Memo – Emergency Management, 12.27.2022

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Memorandums

FINAL PLAT APPLICATION

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

SCANNED

DEC 06 2022

Remo
458
Energy
No water

Office Use Only
 Township: Remo Planning Commission Meeting Date: _____
 Case No. DEV-22-163 Date Received/Paid: 12.06.2022
 Zoning District RR 5 Comprehensive Plan Land Use Designation: _____

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>Austin Thompson / Atlas Land Consulting</u>	NAME: <u>Larry D & Janice L Sarlls</u>
MAILING ADDRESS: <u>14500 Parallel Road Unit R</u>	MAILING ADDRESS: <u>12101 214th Street</u>
CITY/ST/ZIP: <u>Basehor, Ks 66007</u>	CITY/ST/ZIP: <u>Linwood, KS 66052</u>
PHONE: <u>913-702-8916</u>	PHONE: _____
EMAIL: <u>austin@alconsult-llc.com</u>	EMAIL: _____

GENERAL INFORMATION

Proposed Subdivision Name: Sarlls 2nd Addition
 Address of Property: 12101 214th Street Linwood, KS 66052
 PID: 2252100000012040 Urban Growth Management Area: _____

SUBDIVISION INFORMATION		
Gross Acreage: <u>28.84 ac</u>	Number of Lots: <u>2</u>	Minimum Lot Size: <u>14.42 ac</u>
Maximum Lot Size: <u>14.42 ac</u>	Proposed Zoning: <u>RR-5</u>	Density: _____
Open Space Acreage: _____	Water District: <u>NA</u>	Proposed Sewage: _____
Fire District: _____	Electric Provider: <u>Evergy</u>	Natural Gas Provider: _____
Covenants: <input type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification: <u>Local</u> - Collector - Arterial - State - Federal	
Cross-Access Easement Requested: <input type="checkbox"/> Yes <input type="checkbox"/> No		

Is any part of the site designated as Floodplain? Yes No if yes, what is the panel number: _____

I, the undersigned, am the 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 final plat approval as indicated above.

Signature: Austin Thompson Date: 11/14/2022

lot 3 Sarlls Addition

225-21 010.00

OWNER AUTHORIZATION

I/WE Larry & Janice Sarkis, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 2nd day of December, 2022, 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 Attachment "A" attached hereto and incorporated herein by reference.
- 2. I/We the undersigned, have previously authorized and hereby authorize Austin Thompson (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, 12101 214th Street Linwood, KS 66052 (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 out 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 and seal below.

[Signature]
Owner

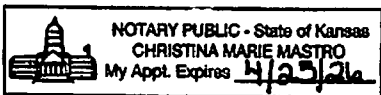
[Signature]
Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 2 day of Dec, 2022
by Christina Marie Mastro

My Commission Expires:

[Signature]
Notary Public



ATTACHMENT B

OWNER AUTHORIZATION

I/WE Larry & Janice Sarlls, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 2nd day of December, 2022, 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 Attachment "A" attached hereto and incorporated herein by reference.
- 2. I/We the undersigned, have previously authorized and hereby authorize Austin Thompson (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, 12101 214th Street Linwood, KS 66052 (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 out 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 and seal below.

Larry Sarlls
Owner

Janice Sarlls
Owner

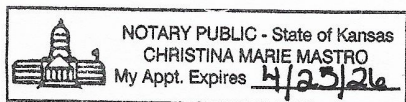
STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledge before me on this 2 day of Dec, 2022

by Christina Marie Mastro

My Commission Expires:

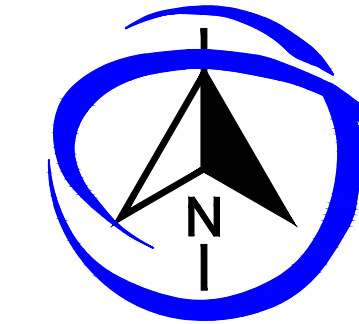
Christina Marie Mastro
Notary Public



ATTACHMENT B

SARLLS 2ND ADDITION

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS



ALC
ATLAS LAND CONSULTING
SURVEYING | ENGINEERING | DRONE | CAD
14500 Parallel Road, Unit R, Basehor KS 66007
ANDREA@ALCONSULT-LLC.COM

KS ENG COA. #3315
KS SUR COA. #283
MO ENG COA. #202014084
MO SUR COA. #202014231

PRELIMINARY PLAT

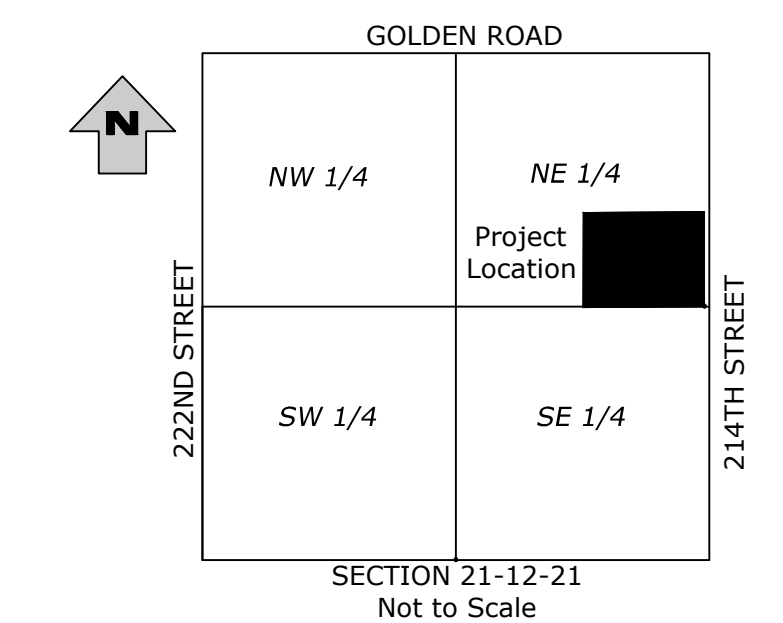
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" REBAR IN CONCRETE WITH LS# 1408 CAP
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT

GENERAL NOTES

- The basis for the bearing system for this plat is the Kansas North Zone U.S. State Plane 1983, the East line of the Northeast Quarter of Sec 21-12-21 N01°32'24"W
- All distances shown hereon are ground distances in U.S. Survey feet.
- Floodplain Note: According to "FIRM" Map Community Panel Numbers 20103C0400G, effective July 16, 2015, this plat is located in Zones "X".
- Ks One Call was not called at the time of survey.
- The minimum Front Yard Setback for Single Family Lot shall be 105 feet from the centerline of the road.
- The minimum Side Yard Setback for Single Family Lot shall be 15 feet from each side of structure.
- The minimum Rear Yard Setback for Single Family Lot shall be 40 feet from the structure to the property line.
- Benchmark: NGS JE1011 - Elev. 794.64
- Current Use - Residential / Proposed Use - Residential
- Current Zoning RR-5 / Proposed Zoning RR 5
- All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations.
- All lots will be on septic sewer systems.
- Title Commitment via Secured Title Of Kansas City - Wyandotte -No. SKC0072890 & No. SKC0072890
- Erosion and sediment control measures shall be used when designing and construction of driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- Blanket Oil and Gas Lease agreement per Book 563 Page 1183 dated March 28, 1983.
- Referenced Survey: Sarlls Addition Final Plat dated May 15, 2017 by Atlas Surveyors - Doc #2018P00008
- Lots are subject to the current Access Management Policy.
- An Engineer Waste Disposal System may be required due to poor soil conditions.
- There are no off-plat restrictions in place.

VICINITY MAP



This is to certify on this 9TH day of NOVEMBER, 2022 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys pursuant to K.S.A. 74-7037.

ROGER B. DILL LS 1408
JOB NO:22-1154

SCALE PREPARED FOR



SEC-TWN-RNG
21-12-21

SARLLS FAMILY
ADDRESS: 12101 214TH STREET
LINWOOD, KS 66052

DATE

NOVEMBER 8, 2022

- FOUND 1/2" REBAR
NORTHEAST CORNER OF THE
NORTHEAST QUARTER SEC 21-12-21
- 41.40' SW TO 8" SPIKE IN TELEPHONE POST
 - 42.90' NW TO 30D NAIL IN TOP CORNER POST
 - 33.15' NE TO 60D NAIL IN TOP OF CORNER POST
 - 34.10' SE TO 40D NAIL IN POWER POLE

DESCRIPTION

DEED 2018R08818 & 2022R08601
LOT 3, IN SARLLS ADDITION IN LEAVENWORTH COUNTY, KANSAS
&
A TRACT IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12, RANGE 21, DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE WEST SIDE OF THE TOWNSHIP ROAD, 20 FEET WEST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21, THENCE SOUTH 89 DEGREES 57 MINUTES 46 SECONDS WEST 739 FEET TO A POINT, THENCE NORTH 0 DEGREES 45 MINUTES 00 SECONDS EAST 700 FEET TO A POINT, THENCE SOUTH 82 DEGREES 14 MINUTES 40 SECONDS EAST 744.68 FEET TO A POINT ON THE WEST SIDE OF TOWNSHIP ROAD, THENCE SOUTH ON WEST SIDE OF ROAD 0 DEGREES 45 MINUTES 00 SECONDS WEST TO THE PLACE OF BEGINNING, IN LEAVENWORTH COUNTY, KANSAS, LESS THAT PART TAKEN OR USED FOR ROAD PURPOSES.

SURVEYORS SUGGESTED

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED BY ROGER B. DILL PS 1408, ON NOVEMBER 8TH, 2022, AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE S87°50'50"W, A DISTANCE OF 1313.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N01°36'56"W, ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 993.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE N87°53'36"E, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 1315.25 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S01°32'24"E, ALONG SAID EAST LINE, A DISTANCE OF 992.73 FEET TO THE POINT OF BEGINNING.
CONTAINING 1,305,675.92 SQUARE FEET MORE OR LESS OR 29.97 ACRES
PRECISION: 1 PART IN 11,539,295.000

FOUND 1/2" REBAR
CAP LS 1408 (HELD)
NE CORNER LOT 3
SARLLS ADDITION

50' R/W PER
PLAT OF
SARLLS ADDITION

1649.66'

105' B/L

EXISTING 30' U/E & D/E

387.74' (P)

501°32'24"E

2642.39'

EAST LINE NE 1/4 SEC 21-12-21

N01°32'24"W

2642.39'

12" HDPE

105.04'

FL-838.30

20' R/W, PER
BOOK F,
PAGE 136

992.73'

S01°32'24"E

601.47'

496.42'

PROPOSED 30' U/E & D/E

1105' B/L

PROPOSED 20' U/E & D/E

S87°34'55"W

20.00'

POINT OF BEGINNING

- FOUND 1" PIPE
SOUTHWEST CORNER OF THE NORTHEAST
QUARTER SEC 21-12-21
- 51.50' NNW TO 3/8" SPIKE IN SOUTHWEST FACE POWER POLE
 - 24.55' WNW TO PK NAIL IN LS 655 WASHER IN TOP OF CORNER FENCE POST
 - 35.25' W TO 40D NAIL AND WASHER IN TOP CORNER OF FENCE POST
 - 28.75' E TO 40D NAIL AND WASHER IN SOUTH SIDE CORNER FENCE POST

UTILITIES

EVERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-723-3452
KANSAS GAS SERVICE - 1-800-794-4780

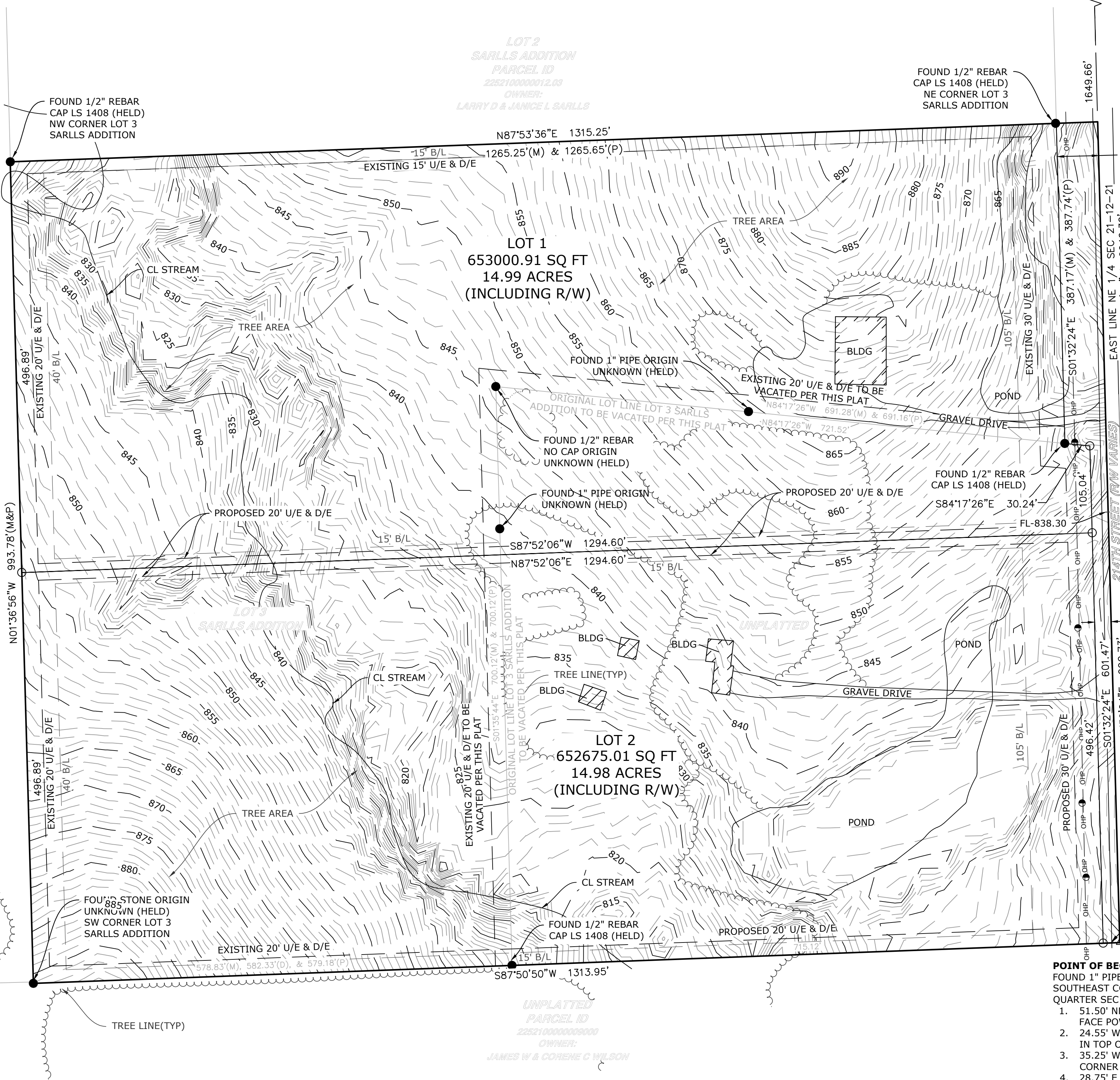
UNPLATTED
PARCEL ID
22510000012.03
OWNER:
ALEXANDER D & JILLIAN J DEMORO

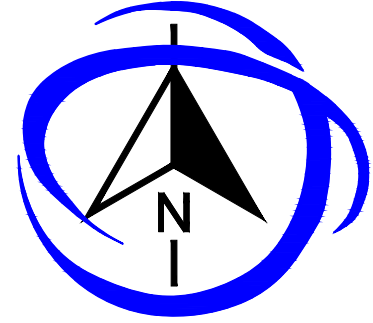
LOT 2
SARLLS ADDITION
PARCEL ID
22510000012.03
OWNER:
LARRY D & JANICE L SARLLS

LOT 1
653000.91 SQ FT
14.99 ACRES
(INCLUDING R/W)

LOT 2
652675.01 SQ FT
14.98 ACRES
(INCLUDING R/W)

UNPLATTED
PARCEL ID
22510000012.03
OWNER:
JAMES W & CORINNE C WILSON

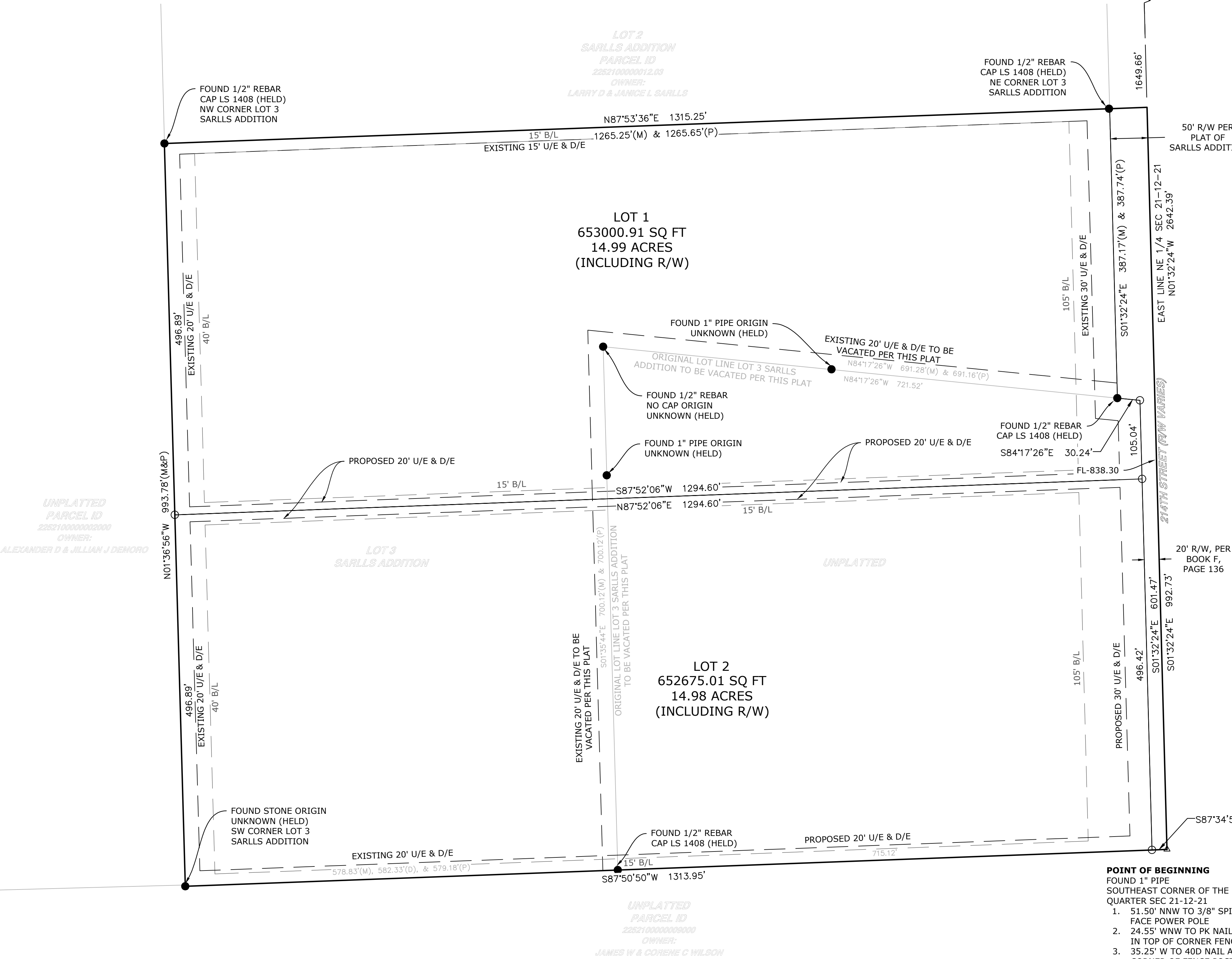




SARLLS 2ND ADDITION

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

- FOUND 1/2" REBAR NORTHEAST CORNER OF THE NORTHEAST QUARTER SEC 21-12-21
- 41.40' SW TO 8" SPIKE IN TELEPHONE POST
 - 42.90' NW TO 30D NAIL IN TOP CORNER POST
 - 33.15' NE TO 60D NAIL IN TOP OF CORNER POST
 - 34.10' SE TO 40D NAIL IN POWER POLE



DESCRIPTION

DEED 2018R08818 & 2022R08601
 LOT 3, IN SARLLS ADDITION IN LEAVENWORTH COUNTY, KANSAS
 &
 A TRACT IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12, RANGE 21, DESCRIBED AS FOLLOWS:
 COMMENCING AT A POINT ON THE WEST SIDE OF THE TOWNSHIP ROAD, 20 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21, THENCE SOUTH 89 DEGREES 57 MINUTES 46 SECONDS WEST 739 FEET TO A POINT, THENCE NORTH 0 DEGREES 45 MINUTES 00 SECONDS EAST 700 FEET TO A POINT, THENCE SOUTH 82 DEGREES 14 MINUTES 40 SECONDS EAST 744.68 FEET TO A POINT ON THE WEST SIDE OF TOWNSHIP ROAD, THENCE SOUTH ON WEST SIDE OF ROAD 0 DEGREES 45 MINUTES 00 SECONDS WEST TO THE PLACE OF BEGINNING, IN LEAVENWORTH COUNTY, KANSAS, LESS THAT PART TAKEN OR USED FOR ROAD PURPOSES.

SURVEYORS SUGGESTED

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED BY ROGER B. DILL PS 1408, ON NOVEMBER 8TH, 2022, AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE S87°50'50"W, A DISTANCE OF 1313.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N01°36'56"W, ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 993.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE N87°53'36"E, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 1315.25 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S01°32'24"E, ALONG SAID EAST LINE, A DISTANCE OF 992.73 FEET TO THE POINT OF BEGINNING.
 CONTAINING 1,305,675.92 SQUARE FEET MORE OR LESS OR 29.97 ACRES
 PRECISION: 1 PART IN 11,539,295.000

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "SARLLS 2ND ADDITION".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated.
 The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be dedicated for the public use running to any person, utility, or corporation have been absorbed except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the Leavenworth County, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

"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.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Leavenworth County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Leavenworth County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein. RECORDED: DATE BOOK PAGE

Building 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 street line.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____, 202__.

OWNER

LARRY D SARLLS

JANICE L SARLLS

STATE OF KANSAS) JSS
 COUNTY OF LEAVENWORTH)

BE IT REMEMBERED, that on this _____ day of _____, 202__ before me, a Notary Public in and for said County and State, came LARRY D SARLLS & JANICE L SARLLS to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

My Commission Expires: _____

Notary Public

This plat of SARLLS 2ND ADDITION has been submitted and approved by Leavenworth County Planning Commission, this _____ day of _____, 202__.

CHAIRMAN - STEVEN ROSENTHAL

SECRETARY

This plat approved by the Governing Body of Leavenworth County, Kansas, this _____ day of _____, 202__.

CHAIRMAN - MIKE SMITH ATTEST - COUNTY CLERK - JANET KLASINSKI

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 or adequacy of the design, dimensions, elevations, and quantities.

COUNTY ENGINEER

State of Kansas, County of Leavenworth, KS.

This is to certify that this instrument was filed for record in the Register of Deeds office on the _____ day of _____, 2022, in Book _____, Page _____.

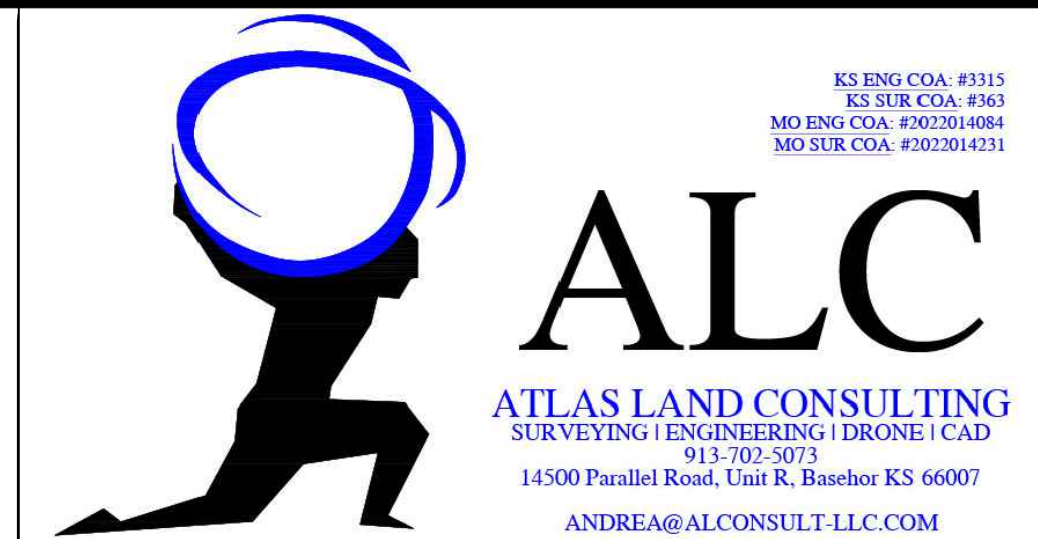
REGISTER OF DEEDS, TERRILLOIS G. MASHBURN

I hereby certify 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.

LEAVENWORTH COUNTY SURVEYOR
 DANIEL BAUMCHEN, PS-1363

UTILITIES

ENERGY - 800-383-1183
 RURAL WATER DISTRICT 10 - 913-723-3452
 KANSAS GAS SERVICE - 1-800-794-4780



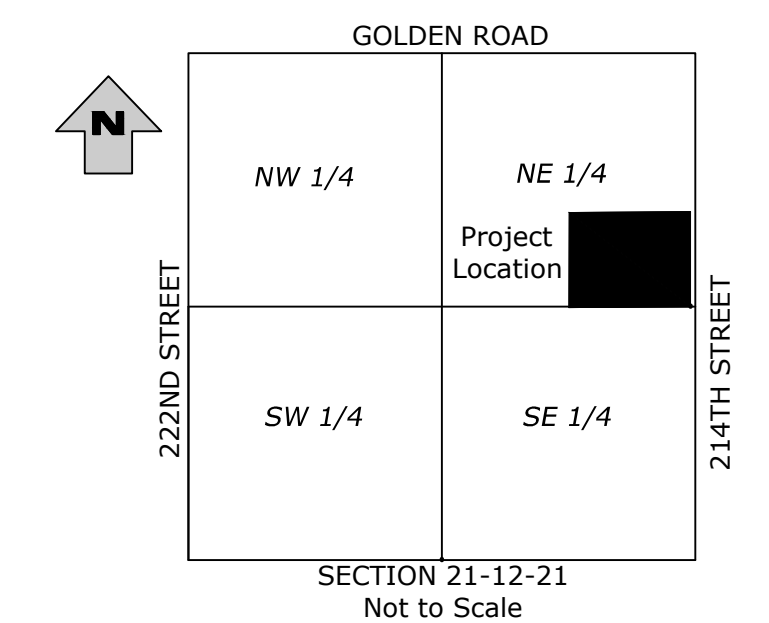
FINAL PLAT LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" REBAR IN CONCRETE WITH LS# 1408 CAP
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT

GENERAL NOTES

- The basis for the bearing system for this plat is the Kansas North Zone U.S. State Plane 1983, the East line of the Northeast Quarter of Sec 21-12-21 N01°32'24"W.
- All distances shown hereon are ground distances in U.S. Survey feet.
- Floodplain Note: According to "FIRM" Map Community Panel Numbers 20103C0400G, effective July 16, 2015, this plat is located in Zones "X".
- Ks One Call was not called at the time of survey.
- The minimum Front Yard Setback for Single Family Lot shall be 105 feet from the centerline of the road.
- The minimum Side Yard Setback for Single Family Lot shall be 15 feet from each side of structure.
- The minimum Rear Yard Setback for Single Family Lot shall be 40 feet from the structure to the property line.
- Benchmark - NGS JE1011 - EIV-794.64
- Current Use - Residential / Proposed Use - Residential
- Current Zoning RR-5 / Proposed Zoning RR 5
- All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations.
- All lots will be on septic sewer systems.
- Title Commitment via Secured Title Of Kansas City - Wyandotte -No. SKC0072889 & No. SKC0072890
- Erosion and sediment control measures shall be used when designing and construction of driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- Blanket Oil and Gas Lease agreement per Book 563 Page 1183 dated March 28, 1983.
- Referenced Survey - Sarlls Addition Final Plat dated May 15, 2017 by Atlas Surveyors - Doc #2018P00008
- Lots are subject to the current Access Management Policy.
- An Engineer Waste Disposal System may be required due to poor soil conditions.
- There are no off-plat restrictions in place.

VICINITY MAP



This is to certify on this 9TH day of NOVEMBER, 2022 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys pursuant to K.S.A. 74-7037.

ROGER B. DILL LS 1408
 JOB NO: 22-1154

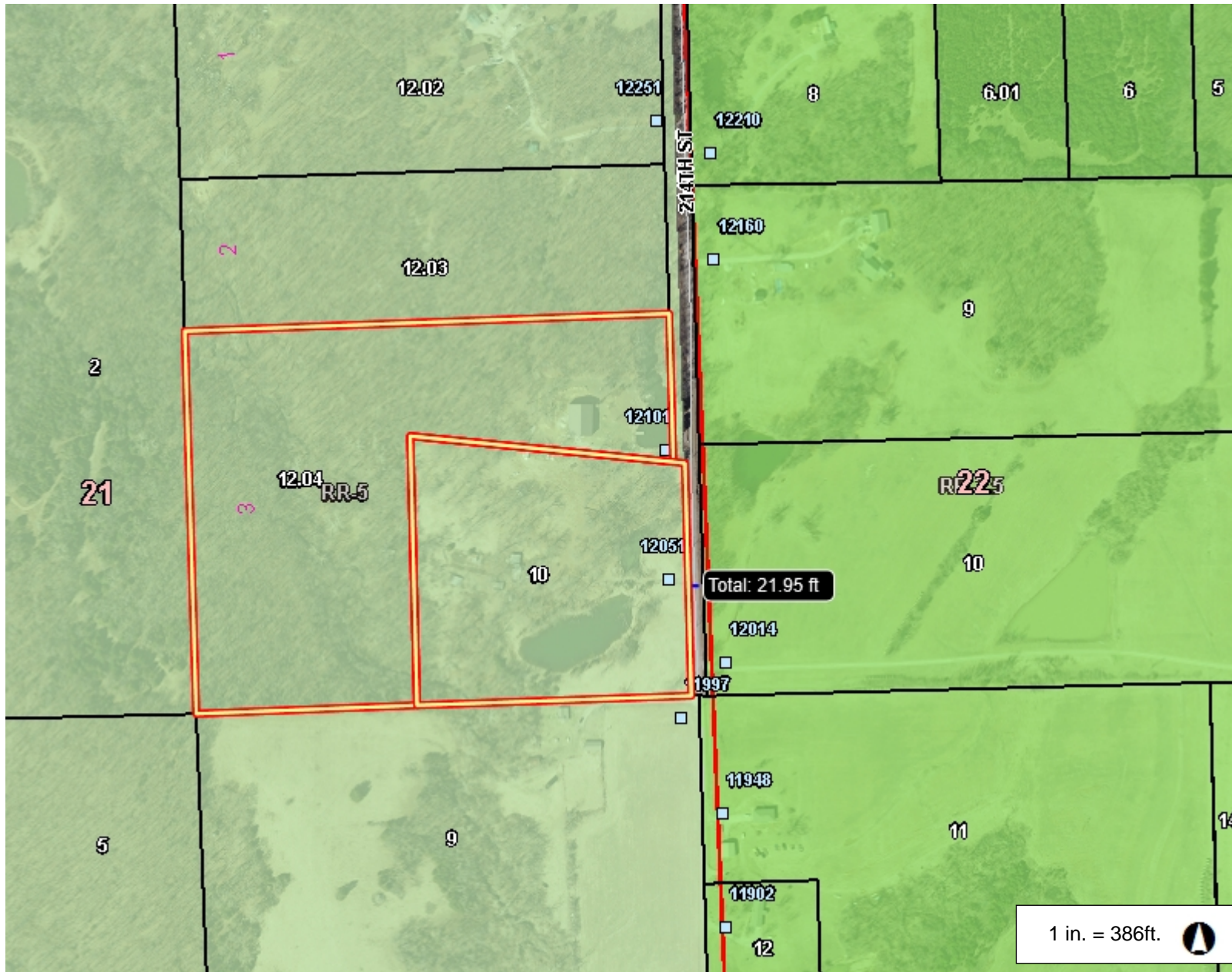
SCALE PREPARED FOR



SEC-TWN-RNG
 21-12-21
 SARLLS FAMILY
 ADDRESS: 12101 214TH STREET
 LINWOOD, KS 66052

DATE
 NOVEMBER 8, 2022

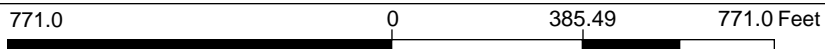
DEV-22163/164 SARLLS 2ND ADDITION



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. = 386ft.



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: Boone Heston <Boone.Heston@evergy.com>
Sent: Wednesday, December 14, 2022 3:18 PM
To: Ross Harris; Allison, Amy
Subject: RE: DEV-22-163/164 Replat– Sarlls 2nd Addition

Internal Use Only

Good afternoon Allison,

I don't see that this would hurt us in any way. Our existing infrastructure does not cross the property to go feed another property so we should be good.

Thank you,

Boone Heston
Evergy
Supervisor, Field Design
Lawrence Service Center
Boone.Heston@evergy.com
O 785-508-2590

From: Ross Harris <Ross.Harris@evergy.com>
Sent: Wednesday, December 14, 2022 10:27 AM
To: Boone Heston <Boone.Heston@evergy.com>
Subject: FW: DEV-22-163/164 Replat– Sarlls 2nd Addition

Internal Use Only

Boone, this is in regards to the info you requested from Leavenworth county and the proposals. Just wanted to forward you what Amy had said.

Ross Harris

Evergy
TD Designer IV, Lawrence
O: 785-865-4857
ross.harris@evergy.com

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Wednesday, December 14, 2022 9:43 AM

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Sarlls 2nd addition
Date: December 27, 2022

Krystal, I have reviewed the preliminary plat of the Sarlls 2nd Addition Subdivision presented by Larry and Janice Sarlls. 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 214th Street a fire hydrant placed between Lot 1 and Lot 2 . I have no further recommendation for this subdivision.

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

Summary of Comments on 24X36

Page: [1] 24X36

- Number: 1 Author: AutoCAD SHX Text Date: Indeterminate
80

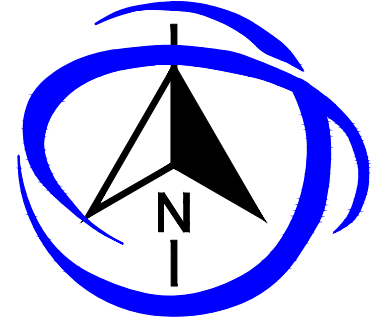
- Number: 2 Author: AutoCAD SHX Text Date: Indeterminate
40

- Number: 3 Author: AutoCAD SHX Text Date: Indeterminate
0

- Number: 4 Author: AutoCAD SHX Text Date: Indeterminate
80

- Number: 5 Author: AutoCAD SHX Text Date: Indeterminate
SCALE IN FEET

- Number: 6 Author: dbaumchen Subject: Text Box Date: 12/29/2022 4:14:09 PM
Reviewed 2022.12.29 No Comments



SARLLS 2ND ADDITION

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS

- FOUND 1/2" REBAR NORTHEAST CORNER OF THE NORTHEAST QUARTER SEC 21-12-21
- 41.40' SW TO 8" SPIKE IN TELEPHONE POST
 - 42.90' NW TO 30D NAIL IN TOP CORNER POST
 - 33.15' NE TO 60D NAIL IN TOP OF CORNER POST
 - 34.10' SE TO 40D NAIL IN POWER POLE

LOT 2
SARLLS ADDITION
PARCEL ID
225210000012.03
OWNER:
LARRY D & JANICE L SARLLS

LOT 1
653000.91 SQ FT
14.99 ACRES
(INCLUDING R/W)

LOT 2
652675.01 SQ FT
14.98 ACRES
(INCLUDING R/W)

UNPLATTED
PARCEL ID
225210000012.03
OWNER:
ALEXANDER D & JILLIAN J DEMORO

LOT 3
SARLLS ADDITION

UNPLATTED

**01-03-2023
OLSSON REVIEW
No Further Comment**

DESCRIPTION

DEED 2018R08818 & 2022R08601
LOT 3, IN SARLLS ADDITION IN LEAVENWORTH COUNTY, KANSAS
&
A TRACT IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12, RANGE 21, DESCRIBED AS FOLLOWS:
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SURVEYORS SUGGESTED
A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED BY ROGER B. DILL PS 1408, ON NOVEMBER 8TH, 2022, AS FOLLOWS:

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CONTAINING 1,305,675.92 SQUARE FEET MORE OR LESS OR 29.97 ACRES
PRECISION: 1 PART IN 11,539,295.000

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "SARLLS 2ND ADDITION".

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The undersigned proprietor of the above described tract of land does hereby certify that all prior existing easement rights on land to be dedicated for the public use running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they may have as if located in a public street.

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Building 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 street line.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____, 202__.

OWNER

LARRY D SARLLS

JANICE L SARLLS

STATE OF KANSAS) JSS
COUNTY OF LEAVENWORTH)

BE IT REMEMBERED, that on this _____ day of _____, 202__, before me, a Notary Public in and for said County and State, came LARRY D SARLLS & JANICE L SARLLS to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

My Commission Expires: _____

Notary Public

This plat of SARLLS 2ND ADDITION has been submitted and approved by Leavenworth County Planning Commission, this _____ day of _____, 202__.

CHAIRMAN - STEVEN ROSENTHAL

SECRETARY

This plat approved by the Governing Body of Leavenworth County, Kansas, this _____ day of _____, 202__.

CHAIRMAN - MIKE SMITH ATTEST - COUNTY CLERK - JANET KLASINSKI

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 or adequacy of the design, dimensions, elevations, and quantities.

COUNTY ENGINEER

State of Kansas, County of Leavenworth, KS.

This is to certify that this instrument was filed for record in the Register of Deeds office on the _____ day of _____, 2022, in Book _____, Page _____.

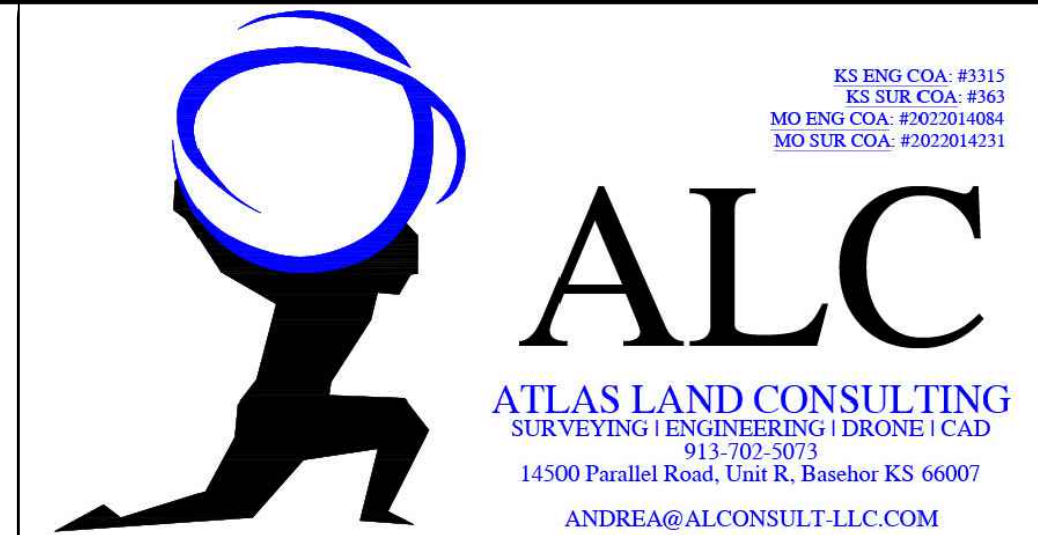
REGISTER OF DEEDS, TERRILOIS G. MASHBURN

I hereby certify 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.

LEAVENWORTH COUNTY SURVEYOR
DANIEL BAUMCHEN, PS-1363

UTILITIES

ENERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-723-3452
KANSAS GAS SERVICE - 1-800-794-4780



FINAL PLAT

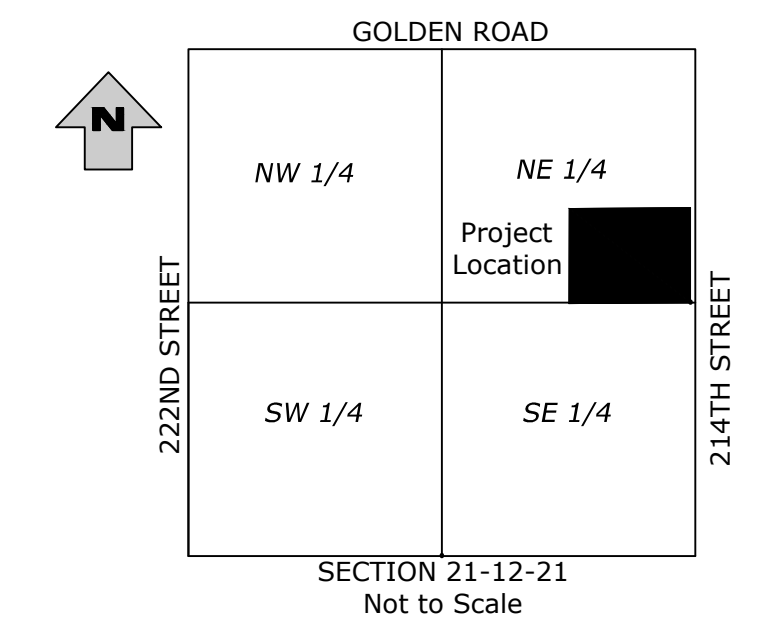
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" REBAR IN CONCRETE WITH LS# 1408 CAP
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT

GENERAL NOTES

- The basis for the bearing system for this plat is the Kansas North Zone U.S. State Plane 1983, the East line of the Northeast Quarter of Sec 21-12-21 N01°32'24"W.
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- Floodplain Note: According to "FIRM" Map Community Panel Numbers 20103C0400G, effective July 16, 2015, this plat is located in Zones "X".
- Ks One Call was not called at the time of survey.
- The minimum Front Yard Setback for Single Family Lot shall be 105 feet from the centerline of the road.
- The minimum Side Yard Setback for Single Family Lot shall be 15 feet from each side of structure.
- The minimum Rear Yard Setback for Single Family Lot shall be 40 feet from the structure to the property line.
- Benchmark
- NGS JE1011 - EIV-794.64
- Current Use - Residential / Proposed Use - Residential
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- All lots will be on septic sewer systems.
- Title Commitment via Secured Title Of Kansas City - Wyandotte
-No. SKC0072889 & No. SKC0072890
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VICINITY MAP



This is to certify on this 9TH day of NOVEMBER, 2022 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys pursuant to K.S.A. 74-7037.

ROGER B. DILL LS 1408

JOB NO:22-1154

SCALE

PREPARED FOR

80 40 0 80
SCALE IN FEET

SEC-TWN-RNG

SARLLS FAMILY

21-12-21

ADDRESS: 12101 214TH STREET
LINWOOD, KS 66052

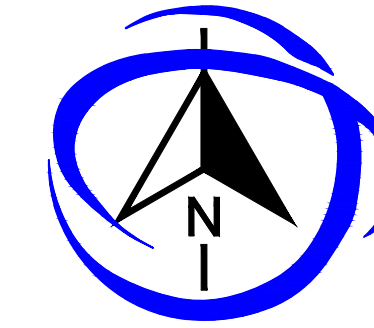
DATE

NOVEMBER 8, 2022

**01-03-2023
OLSSON REVIEW
No Further Comment**

SARLLS 2ND ADDITION

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS



ALC
ATLAS LAND CONSULTING
SURVEYING | ENGINEERING | DRONE | CAD
14500 Parallel Road, Unit R, Basehor KS 66007
ANDREA@ALCONSULT-LLC.COM

KS ENG COA. #3315
KS SUR COA. #283
MO ENG COA. #202014084
MO SUR COA. #202014231

PRELIMINARY PLAT

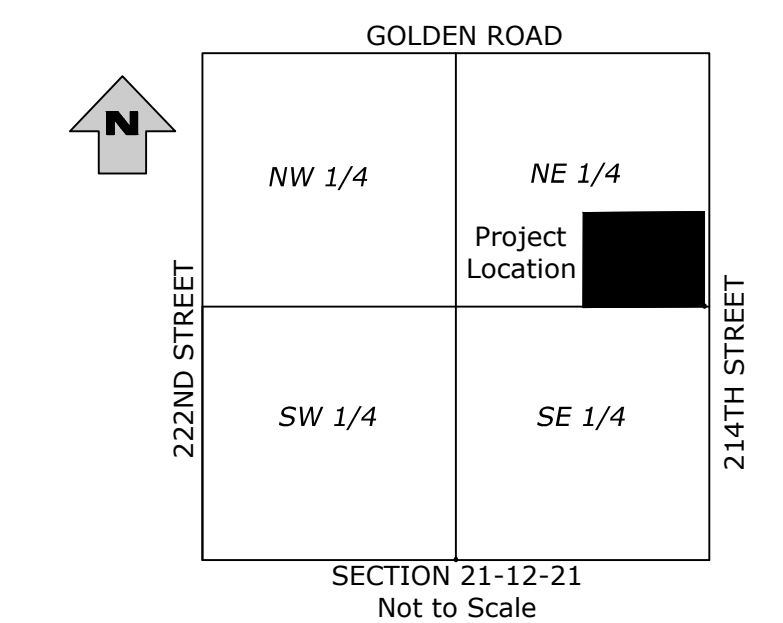
LEGEND

- △ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" REBAR IN CONCRETE WITH LS# 1408 CAP
- DENOTES FOUND PROPERTY CORNER AS NOTED
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT

GENERAL NOTES

- The basis for the bearing system for this plat is the Kansas North Zone U.S. State Plane 1983, the East line of the Northeast Quarter of Sec 21-12-21 N01°32'24"W
- All distances shown hereon are ground distances in U.S. Survey feet.
- Floodplain Note: According to "FIRM" Map Community Panel Numbers 20103C0400G, effective July 16, 2015, this plat is located in Zones "X".
- Ks One Call was not called at the time of survey.
- The minimum Front Yard Setback for Single Family Lot shall be 105 feet from the centerline of the road.
- The minimum Side Yard Setback for Single Family Lot shall be 15 feet from each side of structure.
- The minimum Rear Yard Setback for Single Family Lot shall be 40 feet from the structure to the property line.
- Benchmark: NGS JE1011 - Elev. 794.64
- Current Use - Residential / Proposed Use - Residential
- Current Zoning RR-5 / Proposed Zoning RR 5
- All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations.
- All lots will be on septic sewer systems.
- Title Commitment via Secured Title Of Kansas City - Wyandotte -No. SKC0072890 & No. SKC0072890
- Erosion and sediment control measures shall be used when designing and construction of driveways and other structures. Re-vegetation of all disturbed areas shall be completed within 45 days after final grading.
- Blanket Oil and Gas Lease agreement per Book 563 Page 1183 dated March 28, 1983.
- Referenced Survey: Sarlls Addition Final Plat dated May 15, 2017 by Atlas Surveyors - Doc #2018P00008
- Lots are subject to the current Access Management Policy.
- An Engineer Waste Disposal System may be required due to poor soil conditions.
- There are no off-plat restrictions in place.

VICINITY MAP



This is to certify on this 9TH day of NOVEMBER, 2022 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys pursuant to K.S.A. 74-7037.

ROGER B. DILL LS 1408
JOB NO:22-1154

SCALE PREPARED FOR

80 40 0 80
SCALE IN FEET

SEC-TWN-RNG
21-12-21
SARLLS FAMILY
ADDRESS: 12101 214TH STREET
LINWOOD, KS 66052

DATE

NOVEMBER 8, 2022

- FOUND 1/2" REBAR
NORTHEAST CORNER OF THE
NORTHEAST QUARTER SEC 21-12-21
- 41.40' SW TO 8" SPIKE IN TELEPHONE POST
 - 42.90' NW TO 30D NAIL IN TOP CORNER POST
 - 33.15' NE TO 60D NAIL IN TOP OF CORNER POST
 - 34.10' SE TO 40D NAIL IN POWER POLE

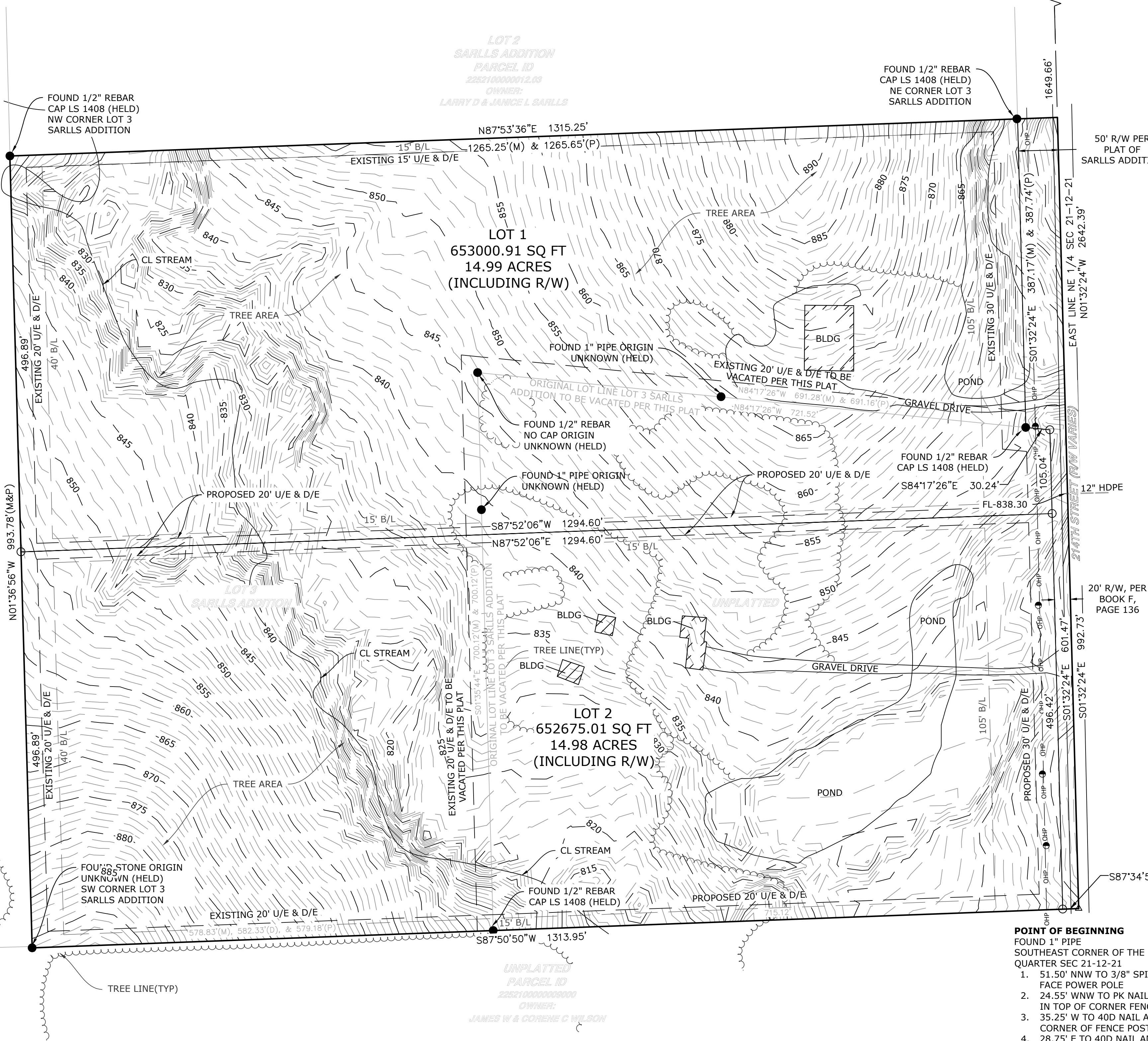
DESCRIPTION

DEED 2018R08818 & 2022R08601
LOT 3, IN SARLLS ADDITION IN LEAVENWORTH COUNTY, KANSAS
&
A TRACT IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12, RANGE 21, DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE WEST SIDE OF THE TOWNSHIP ROAD, 20 FEET WEST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21, THENCE SOUTH 89 DEGREES 57 MINUTES 46 SECONDS WEST 739 FEET TO A POINT, THENCE NORTH 0 DEGREES 45 MINUTES 00 SECONDS EAST 700 FEET TO A POINT, THENCE SOUTH 82 DEGREES 14 MINUTES 40 SECONDS EAST 744.68 FEET TO A POINT ON THE WEST SIDE OF TOWNSHIP ROAD, THENCE SOUTH ON WEST SIDE OF ROAD 0 DEGREES 45 MINUTES 00 SECONDS WEST TO THE PLACE OF BEGINNING, IN LEAVENWORTH COUNTY, KANSAS, LESS THAT PART TAKEN OR USED FOR ROAD PURPOSES.

SURVEYORS SUGGESTED

A REPLAT OF LOT 3, SARLLS ADDITION & A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 21 EAST, OF THE 6TH P.M., IN LEAVENWORTH COUNTY, KANSAS, DESCRIBED BY ROGER B. DILL PS 1408, ON NOVEMBER 8TH, 2022, AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE S87°50'50"W, A DISTANCE OF 1313.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N01°32'24"W, ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 993.78 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE N87°53'36"E, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 1315.25 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S01°32'24"E, ALONG SAID EAST LINE, A DISTANCE OF 992.73 FEET TO THE POINT OF BEGINNING.
CONTAINING 1,305,675.92 SQUARE FEET MORE OR LESS OR 29.97 ACRES
PRECISION: 1 PART IN 11,539,295.000



- POINT OF BEGINNING**
FOUND 1" PIPE
SOUTHWEST CORNER OF THE NORTHEAST QUARTER SEC 21-12-21
- 51.50' NNW TO 3/8" SPIKE IN SOUTHWEST FACE POWER POLE
 - 24.55' WNW TO PK NAIL IN LS 655 WASHER IN TOP OF CORNER FENCE POST
 - 35.25' W TO 40D NAIL AND WASHER IN TOP CORNER OF FENCE POST
 - 28.75' E TO 40D NAIL AND WASHER IN SOUTH SIDE CORNER FENCE POST

UTILITIES
EVERGY - 800-383-1183
RURAL WATER DISTRICT 10 - 913-723-3452
KANSAS GAS SERVICE - 1-800-794-4780

UNPLATTED
PARCEL ID
22511000000000
OWNER:
ALEXANDER D & JILLIAN J DEMORO

UNPLATTED
PARCEL ID
22511000000000
OWNER:
JAMES W & CORINNE C WILSON

LOT 2
SARLLS ADDITION
PARCEL ID
22511000012.03
OWNER:
LARRY D & JANICE L SARLLS

01-04-2023
OLSSON REVIEW
No Further Comment



ALC
 ATLAS LAND CONSULTING
 SURVEYING | ENGINEERING | DRONE | CAD
 913-702-5073
 606 Jefferson Hills Court, Lawrence, Kansas 66044

606 Jefferson Hills Court
 Lawrence, KS 66044

DRAINAGE STUDY

For:

Sarlls Addition

12101 214 Street,
 Linwood, Ks 66052

Prepared for:

Larry D and Janice L Sarlls
 12101 214 Street,
 Linwood, Ks 66052



Prepared by:

ATLAS LAND CONSULTING, LLC
 14500 Parallel Rd R
 Basehor, Ks 66007
 913-702-5073

November 21st, 2022

Revision	Date	By	Description
1	12/27/22	TAE	OLSSON REVIEW 1
2	01/04/23	TAE	OLSSON REVIEW 2
3			

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-23-003 Kansas Red Tail Ridge 2nd

February 8, 2023

REQUEST: **Consent Agenda**

STAFF REPRESENTATIVE:

AMY ALLISON
DEPUTY DIRECTOR

Final Plat

SUBJECT PROPERTY: 00000 Kansas Ave.

APPLICANT/APPLICANT AGENT:
HERRING SURVEYING COMPANY
315 N 5TH STREET
LEAVENWORTH, KS 66048

PROPERTY OWNER:
DAPS LLC.
15395 BRIAR RD, STE A
BASEHOR, KS 66007

CONCURRENT APPLICATIONS:
NONE

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
RESIDENTIAL (3 UNITS/ACRE)

LEGAL DESCRIPTION:

Lot 1, Kansas Red Tail Ridge, a subdivision in Leavenworth County Kansas.

SUBDIVISION: KANSAS RED TAIL
RIDGE

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-23-003, Final Plat for Kansas Red Tail Ridge 2nd, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-23-003, Final Plat for Kansas Red Tail Ridge 2nd, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:
56.57 ACRES

PARCEL ID NO:
185-22-0-00-00-009.00

BUILDINGS:
NONE

PROJECT SUMMARY:

Request for final plat approval to subdivide property located at 00000 Kansas Ave (PID 185-22-0-00-00-009.00) as Lot 1 - 17 of the Kansas Red Tail Ridge 2nd subdivision.

ACCESS/STREET:
KANSAS AVE - COLLECTOR, GRAVEL ±
26'

Location Map:



UTILITIES

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: FAIRMOUNT

WATER: SUBURBAN WATER

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW:
2/1/2023

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

STANDARDS TO BE CONSIDERED:			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards	X	
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to re-plat Lot 1 of the Kansas Red Tail Ridge subdivision into 17 lots. The lots range in size from 3.03 to 5.69 acres. All lots meet the standards of the Zoning and Subdivision Regulations. All lots will access from the proposed extension of 163rd Street. The applicant has provided a future roadway easement to the un-developed property located to the east. Applicant has also provided specifications and timing for the planting schedule of the 50' buffer strip along I-70. The zoning district of the area is RR-2.5. The proposed subdivision exceeds the minimum requirements. Staff is generally in support of the application.

PROPOSED 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. Construction record drawings shall be submitted to the County Engineer upon completion of the project and prior to final acceptance of the project by the County Engineer. The engineer shall provide the County one complete set of prints showing the project as-built.
6. Upon completion of the project and prior to final acceptance of the project, the contractor shall certify in writing: (1) that the project was constructed to the lines, grades, and dimensions shown on the approved plans, (2) that sufficient AB-3, asphalt, rock, oil concrete and hot mix were incorporated into the work to construct the project as designed, and (3) existing structure was removed per approved plans. Before final acceptance of the project the owner/developer, or his/her contractor shall furnish a Maintenance Bond in the form that approved in the amount equal to 100 percent of the amount estimated for the improvements and agreeable to the County Engineer.
7. The contractor is responsible for obtaining a qualified independent testing agency to provide all necessary testing per KDOT Specifications and testing frequencies (current edition). Prior to construction, the contractor shall furnish an inspection schedule with descriptions and frequencies to the County Engineer for review and approval. Such testing agency shall provide a sealed report with all testing documentation certifying the project was constructed to County and KDOT specifications. Such report shall be accepted by the County Engineer prior to project acceptance.
8. To pursue individual building permits before the acceptance of the vegetation and stabilization within the right-of-way, Owner/Developer may submit a 150% cash bond in the value of the vegetation and stabilization improvements. The

Owner/Developer shall contact the Construction Engineer once the project is completely vegetated and stabilized for inspection. Once accepted by the Construction Engineer, the County will concur with those findings and issue the cash bond back to the Owner/Developer.

9. Once the plat is recorded, it is the responsibility of the applicant for setting a preconstruction conference with the Leavenworth County Public works Department prior to any construction activities. The Contractor, Owner, Design Engineer, and Surveyor are required to attend this conference. Please contact Bill Noll, at Bnoll@leavenworthcounty.gov to set up a preconstruction conference.
10. The developer must comply with the following memorandums:
 - a. Email – Fairmount FD, 11.05.2022 & 1.09.2023
 - b. Memo – Suburban Water District, 12.02.2022
 - c. Memo – Emergency Management, 12.07.2022

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

C: Memorandums

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: 185-22-0-00-00-009.00 _____
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: DAPS LLC
MAILING ADDRESS: 315 N. 5th Street MAILING ADDRESS 15395 Briar RD STE #A
CITY/ST/ZIP: Leavenworth, KS 66048 CITY/ST/ZIP Basehor, KS 66007
PHONE: 913-651-3858 PHONE: N/A
EMAIL : herringsurveying@outlook.com EMAIL N/A

GENERAL INFORMATION

Proposed Subdivision Name: KANSAS RED TAIL RIDGE 2ND PLAT
Address of Property: 00000 Kansas Avenue
Urban Growth Management Area: N/A

SUBDIVISION INFORMATION

Gross Acreage: 56.57	Number of Lots: 17	Minimum Lot Size: 3.03 AC
Maximum Lot Size: 5.7 Ac	Proposed Zoning: RR-2.5	Density: N/A
Open Space Acreage: N/A	Water District: Suburban	Proposed Sewage: Septic
Fire District: Fairmount	Electric Provider: Evergy	Natural Gas Provider: Propane
Covenants: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Road Classification <u>Local</u> - Collector - Arterial - State - Federal	

Is any part of the site designated as Floodplain? Yes No if yes, what is the panel number:

I, the undersigned, am the 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 final plat approval as indicated above.

Signature: Joe Herring - Digitally signed 1-3-2023 Date: 1/3/23

ATTACHMENT A



January 30, 2023

Re – Kansas Red Tail Ridge Development
163rd Street Construction

To whom it may concern,

As requested by the Leavenworth County Public Works Department, I acknowledge the following items -

- Owner/Developer/Contractor shall provide the County with a Stormwater Pollution Prevention Plan (SWPPP) and NOI before construction.
- Owner/Developer/Contractor shall acknowledge and comply with the Roadway Inspection Policy, adopted January 18, 2023.

Sincerely,

Gerald St. Peter



KANSAS RED TAIL RIDGE 2nd PLAT

A Replat of Lot 1, KANSAS RED TAIL RIDGE, Leavenworth County, Kansas.

FINAL PLAT

RECORD DESCRIPTION: Doc # 2022R05616
Lot 1, KANSAS RED TAIL RIDGE, a subdivision in Leavenworth County, Kansas.

PREPARED FOR:
DAPS, LLC
15395 Briar Road Suite A
Basehor, Kansas 66007
PID # 185-22-00-00-009

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: KANSAS RED TAIL RIDGE 2nd PLAT.

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 by easement.

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 KANSAS RED TAIL RIDGE 2nd PLAT, have set our hands this day of _____, 2023.

Gerald St.Peter, Member of DAPS, LLC

NOTARY CERTIFICATE:

Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Gerald St.Peter, Member of DAPS, 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 KANSAS RED TAIL RIDGE 2nd PLAT this _____ day of _____, 2023.

Secretary
Amy Allison

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 - Mitch Pleak

COUNTY COMMISSION APPROVAL:

We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of KANSAS RED TAIL RIDGE 2nd PLAT this _____ day of _____, 2023.

Chairman
Michael Smith

County Clerk
Attest: Janet Klasinski

FUTURE ROADWAY NOTE:

Intent of the shown future roadway is to protect an area and allow access to the ground directly east of this development. Owners of Lot 11 will not bear any inherent cost for said future road. Maintenance for the right of way of Future Road shall be the responsibility of the owner of Lots 11 until such a time that the roadway is built.

NOTES:

- This survey does not show ownership or easements, per agreement with client
- All distances are calculated from measurements or measured this survey, unless otherwise noted.
- All record and measured distances are the same, unless otherwise noted.
- Error of Closure - See Surveyor's Description
- Basis of Bearing - KS SPC North Zone 1501 North Line Northwest Quarter
- Monument Origin Unknown, unless otherwise noted.
- Proposed Lots are for Residential use.
- County Road Record - as shown hereon.
- Benchmark - Northwest Corner Northwest Quarter Elevation - 987'
- Easements, if any, are created hereon or listed in referenced title commitment.
- Reference Recorded Deed Doc # 2022R05616
- Utility Companies -
 - Water - Suburban
 - Electric - Evergy
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
- First American Title Insurance Company Policy # 3008634 updated November 25, 2022
- Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0350G 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.
- Referenced Surveys -
 - LO-MAR ESTATES No. 3 SUBDIVISION - Book S-14 #39, 2001 HIGH PLAINS SUBD. Book S-11 #99, 1989
 - STONER SUBD. Phase 1 Book S-11 #15, 1986
 - GOLDEN PLAINS TRACTS Book S-14 #52, 1991
 - JAH - J.A.Herring Survey Doc # 2022S018
 - KANSAS RED TAIL RIDGE Doc # 2022P00038
- 50' Buffer Strip - Planting Schedule to be determined by owner of affected Lot - Trees (type according to the Kansas Forest Service Chart) will be planted every 50' of open area within said strip prior to building.

REGISTER OF DEED CERTIFICATE:

Filed for Record as Document No. _____ on this _____ day of _____, 2023 at _____ o'clock _____ M in the Office of the Register of Deeds of Leavenworth County, Kansas,

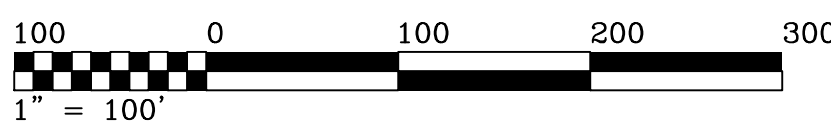
Register of Deeds - TerriLois G. Mashburn



Scale 1" = 100'

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.

Daniel Baumchen, PS#1363
County Surveyor



Job # K-22-1597
November 2, 2022 Rev. 2/1/23

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

ZONING:

RR 2.5 - Rural Residential 2.5

LEGEND:

- - 1/2" Rebar Set with Cap No. 1296
- - 1/2" Rebar Found, unless otherwise noted.
- () - 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
- PDB - Point of Beginning
- PDC - Point of Commencing
- NS - Not Set This Survey per agreement with client
- //// - No Vehicle Entrance Access

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
- Driveways crossing engineered channel within Lots 11 and 12 for the purposes of accessing a dwelling shall be designed by a licensed engineer to not restrict storm water conveyance per the intent of the engineered channel. Design to be submitted to the County at the time of building permit application.
- No off-plat restrictions.

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of May through June 2022 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296



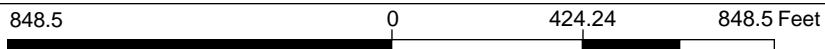
DEV-22-150 Kansas Red Tail Ridge No. 2



Legend

- Parcel Number
- 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
 - PUD
 - R-1

1 in. = 424ft.



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: Kyle Burkhardt <Kyle.Burkhardt@evergy.com>
Sent: Friday, January 6, 2023 3:29 PM
To: Allison, Amy; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; 'lingenfelserm@fairmountfd.org'; Design Group Shawnee; 'Travis@suburbanwaterinc.com'; Steven Taylor [KDOT]; 'Andrew Holder'
Cc: PZ
Subject: RE: DEV-23-003 Final Plat – Kansas Red Tail Ridge 2nd

Internal Use Only

Evergy has no issues with the following request.

Thank you

Kyle Burkhardt

Evergy
TD Designer II
📞 785-508-2408
Kyle.Burkhardt@evergy.com



From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Friday, January 6, 2023 3:26 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; Design Group Shawnee <DesignGroupShawnee@evergy.com>; 'Travis@suburbanwaterinc.com' <Travis@suburbanwaterinc.com>; Steven Taylor [KDOT] <Steven.Taylor@ks.gov>; 'Andrew Holder' <aholder@fpsslaw.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-23-003 Final Plat – Kansas Red Tail Ridge 2nd

****WARNING:** This email originated from an external source outside of Evergy. Think before you click on links or attachments!**

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for of a 17-lot subdivision at 00000 Kansas Ave (PID 185-22-0-00-00-009.00).

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 Friday, January 13, 2023.

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

Allison, Amy

From: Mike Lingenfelser <lingenfelserm@fairmountfd.org>
Sent: Monday, January 9, 2023 12:40 PM
To: Allison, Amy
Subject: Re: DEV-23-003 Final Plat – Kansas Red Tail Ridge 2nd

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
Fairmount Township Fire Department would like to have fire hydrants installed in the cul-de-sac and midway between the cul-de-sac and Kansas Ave.

Mike Lingenfelser, Fire Chief
Fairmount Township Fire Department
2624 N 155th St
Basehor, Kansas 66007
Work-[913-724-4911](tel:913-724-4911)
Cell [913-306-0258](tel:913-306-0258)

On Fri, Jan 6, 2023 at 3:25 PM Allison, Amy <AAllison@leavenworthcounty.gov> wrote:

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Final Plat for of a 17-lot subdivision at 00000 Kansas Ave (PID 185-22-0-00-00-009.00).

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 Friday, January 13, 2023.

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

12-13-2022
OLSSON REVIEW
No Comment

Kansas Red Tail Ridge Phase 2

Leavenworth County Kansas

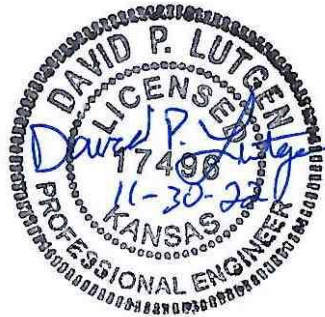
Drainage Report

October 19, 2022

Revised November 17, 2022

Revised November 30, 2022

Note - The only change made to this report from the 11/17/22 report is the assumed location of the future home on the SE lot of the development was moved closer to the cul-de-sac, see exhibit #1.



Summary of Comments on KANSAS RED TAIL RIDGE REPLAT FINAL SOLID 24x36Port

Page: 1

Number: 1 Author: dbaumchen Subject: Text Box Date: 2/1/2023 3:17:19 PM
[Reviewed 2023.02.01 No Comments](#)



Leavenworth County Planning and Zoning Preliminary and Final Plat

DATE: 2022.12.02
RE: DEV-21-150 Preliminary and Final Plat – Red Tail Ridge No. 2
PID: 185-22-0-00-00-009.00
To: Travis Miles, Suburban Water District
 Rural Water District # : Suburban Water District

The Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Red Tail Ridge No. 2.

Please address the following comments:

- Does the water district have existing service lines in the vicinity of the proposed plat boundary to provide potable water to the lots of the subdivision?
 - a. Suburban Water has an existing 4" PVC water main located on the south side of Kansas Avenue.

- What is the size and location of the water line(s) and fire hydrants that are adjacent to this property?
 - a. Suburban Water has an existing 4" PVC water main located on the south side of Kansas Avenue. Closets Fire Hydrant is located at the corner of 163rd Street and Kansas Avenue.

- Would the water district allow fire hydrants to be installed on the existing service line(s) in the area of the proposed plat boundary?
 - a. The current 4" PVC water main does have sufficient capacity to support minimum fire flow standards, along with maintaining minimum domestic service, while both services are in use. To allow the installation of fire hydrants in the new development, it will require offsite improvements to the district's water system to obtain the adequate fire protection, along with maintaining minimum domestic service. Further, evaluation would be required to determine what offsite improvements would be required, along with input from the local fire district regarding what flow rate and pressure they need for minimum fire protection standards.

- Does the water district have plans to upgrade the service in this vicinity to such a level that fire hydrants can be installed in the foreseeable future, or within a set number of years? If so, what would the improvements consist of?
 - a. Suburban does not have any plans at this time to make improvements to the rural area that this development is being placed within.

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, November 16, 2022.**

Leavenworth County Planning and Zoning Department
Leavenworth County Courthouse
300 Walnut Suite 212 Leavenworth, Kansas 66048

If you have any questions or need additional information, please contact me at (913) 684-0465 or at aallison@leavenworthcounty.gov.

Sincerely,

Amy Allison
Deputy Director
Planning and Zoning
Leavenworth County

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-22-166 Armstrong Rezone

February 8, 2023

REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

STAFF REPRESENTATIVE:

JOSHUA GENTZLER
PLANNER II

SUBJECT PROPERTY: 20809 & 20811 225TH STREET and 00000 MITCHELL ROAD

APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING COMPANY
315 N. 5TH STREET
LEAVENWORTH, KS 66048

PROPERTY OWNER:

JAMES & KAREN ARMSTRONG
20809 20811 225TH STREET
TONGANOXIE, KS 66086

CONCURRENT APPLICATIONS:

N/A

LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION:
RESIDENTIAL ESTATES

LEGAL DESCRIPTION:

A tract of land in the Northwest Quarter of Section 29, Township 10 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: DENIAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-22-166, Rezone for Armstrong, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-22-166, Rezone for Armstrong, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 5 ACRES

PARCEL ID NO:
149-29-0-00-00-008.00 &
149-29-0-00-00-009.00

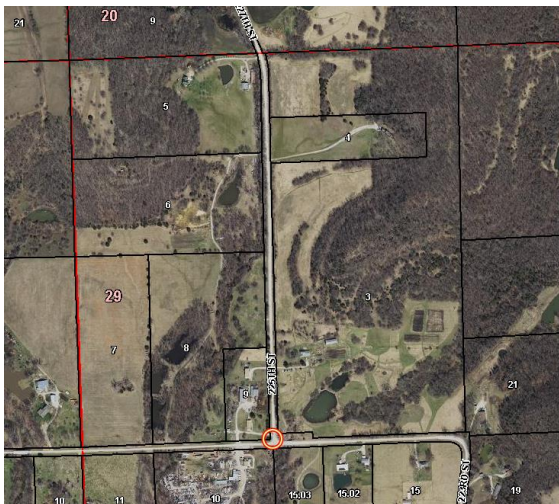
BUILDINGS:
2 HOMES AND 2 ACCESSORY
BUILDINGS

PROJECT SUMMARY:

Request to rezone property at 20809 and 20811 225th Street AND 00000 Mitchell Road (PID: 149-29-0-00-00-008.00 & 149-29-0-00-00-009.00).

ACCESS/STREET:
225TH STREET AND MITCHELL ROAD
LOCAL, GRAVEL, ±18' WIDE

LOCATION MAP:



UTILITIES

SEWER: SEPTIC

FIRE: TONGANOXIE

WATER: RWD 9

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW: N/A

NEWSPAPER NOTIFICATION:
1/18/2023

NOTICE TO SURROUNDING
PROPERTY OWNERS:
1/18/2023

FACTORS TO BE CONSIDERED:		
<i>The following factors are to be considered by the Planning Commission and the Board of County Commissioners when approving or disapproving this Rezone request:</i>	Met	Not Met
<p>1. Character of the Neighborhood: <i>Density: Surrounding parcels range in size from 5 acres to 69 acres, in size. The area is not densely populated.</i></p> <p><i>Nearby City Limits: Tonganoxie is more than 1.5 miles to the south.</i></p> <p><i>Initial Growth Management Area: This parcel is not located within the Rural Growth Area.</i></p>		✓
<p>2. Zoning and uses of nearby property: <i>Adjacent Uses: Most of the adjacent parcels are residential and agricultural in nature. Immediately to the south is a parcel with industrial salvage usage.</i></p> <p><i>Adjacent Zoning: Most adjacent properties are zoned RR-5. A portion of the parcel to the south of the property is zoned I-3.</i></p>		✓
<p>3. Suitability of the Property for the uses to which it has been restricted: The property is suitable for rural residences and agricultural uses.</p>	✓	
<p>4. Extent to which removal of the restrictions will detrimentally affect nearby property: <i>Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.</i></p>	✓	
<p>5. Length of time the property has been vacant as zoned: <i>Vacant:</i> <i>Not Vacant:</i> <input checked="" type="checkbox"/></p>	✓	
<p>6. Relative gain to economic development, public health, safety and welfare: <i>The rezoning does not impact economic development, public health, safety or welfare. In the event the parcels were to be developed as a rural subdivision, twice as many homes could potentially be constructed which may have a positive impact on economic development.</i></p>	✓	
<p>7. Conformance to the Comprehensive Plan: <i>Future Land Use Map: Residential Estate</i> <i>Section 4 Land Use and Development Plan Strategies: The proposed use is not compatible with the future land use designation.</i></p>		✓

STAFF COMMENTS:

The applicant is requesting a rezoning from Rural Residential-5 to Rural Residential-2.5. The applicant is requesting to rezone all of PID 149-29-0-00-00-009.00, which contains the homes and accessory buildings, and approximately 1.29 acres (171' x 330') of PID 149-29-0-00-00-008.00, with the expressed purpose of dividing the property into two lots. The Comprehensive Plan identifies the future land use of this area as *Residential Estate*. The Future Land Use Map marks property abutting a portion of this parcel as *Residential (2.5-Acre Minimum)*. The applicant is requesting a rezoning based off the proximity of the property to a more intense Future Land Use Map designation. Staff recommends denial.

ATTACHMENTS:

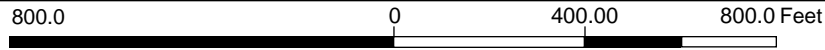
- A: Application & Narrative
- B: Zoning Map
- C: Future Land Use Map
- D: Memorandums

DEV-22-166 RZ Armstrong



- 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. = 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

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, December 27, 2022 8:23 AM
To: Allison, Amy
Subject: FW: Rezoning Review - 20809 225th - DEV-22-166

From: Rural Water District 9 lvrwd9 <lvrwd9@gmail.com>
Sent: Thursday, December 22, 2022 10:39 AM
To: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Cc: Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Amanda Holloway (Amanda.holloway@freestate.coop) <Amanda.holloway@freestate.coop>; Timothy Smith <chief1860@ttrfd.com>
Subject: Re: Rezoning Review - 20809 225th - DEV-22-166

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.

Per the Board's instructions from the Board Meeting on December 20, 2022 requesting that District Manager Armstrong can respond:

LVRWD9 has no issues at this time with the rezoning of the property of 20809 225th St. At this time both homes have their own water meters and are in good standings with LVRWD9.

On Thu, Dec 15, 2022 at 11:31 AM Gentzler, Joshua <JGentzler@leavenworthcounty.gov> wrote:

Good morning,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 20809 225th Street, Tonganoxie, KS 66086.

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, December 22nd.

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

913.684.0465

--

Thanks and have a great day,



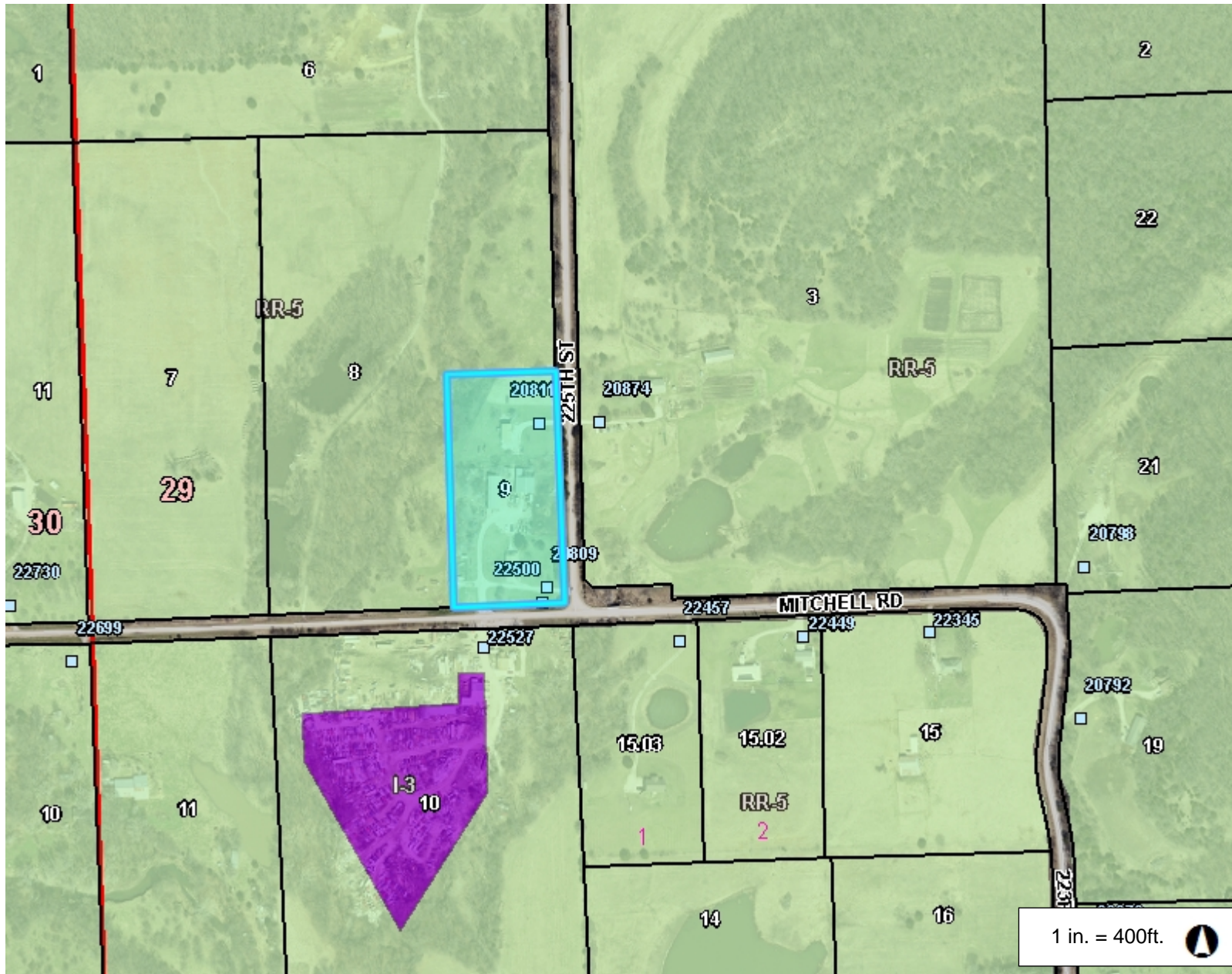
RURAL WATER DISTRICT 9

Karen Armstrong

District Manager

913-845-3571

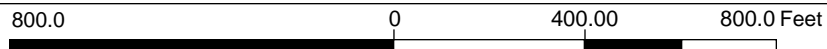
DEV-22-166 RZ Armstrong



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. = 400ft.

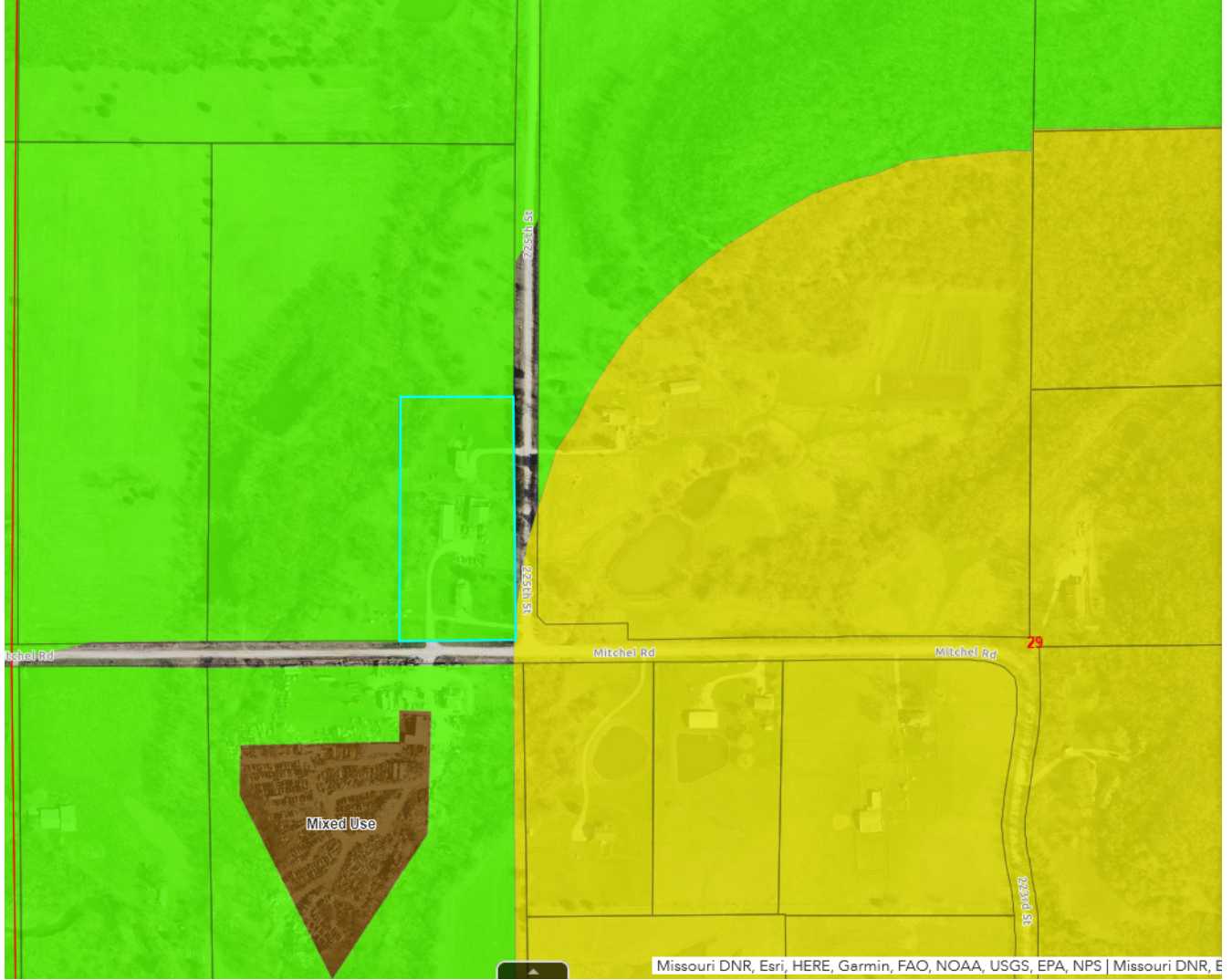


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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

DEV-22-166 RZ Armstrong



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

NAME Joe Herring
ADDRESS 315 North 5th Street
CITY/ST/ZIP Leavenworth, KS 66048
PHONE 913-651-3858
EMAIL herringsurveying@outlook.com
CONTACT PERSON Joe

OWNER INFORMATION (If different)

NAME James & Karen Armstrong
ADDRESS 20809 & 20811 225TH ST
CITY/ST/ZIP Tonganoxie, KS 66086
PHONE N/A
EMAIL N/A
CONTACT PERSON N/A

PROPOSED USE INFORMATION

Proposed Land Use AG & Rural Residential
Current Zoning RR-5 Requested Zoning RR 2.5
Reason for Requesting Rezoning To have the ability to divide the 2 houses on the existing property with the smallest size possible. Comp Plan for RR 2.5 exists on the East side of 225th Street. Plan was not to have different zones on opposite sides.

PROPERTY INFORMATION

Address of Property 20809 & 20811 225TH ST
Parcel Size 5.79 Acres
Current use of the property AG & Rural Residential
Present Improvements or structures 2 Residential Structures and AG Buildings
PID 149-29-0-00-00-009

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 Joe Herring - digitally signed 12/08/2022 Date 12-8-22

ATTACHMENT A

REZONE DESCRIPTION:

A tract of land in the Northwest Quarter of Section 29, Township 10 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseoh A. Herring PS-1296 on December 8, 2022, more fully described as follows: Beginning at the Southeast corner of the Southeast Quarter of said Northwest Quarter; thence South 87 degrees 49'50" West for a distance of 330.00 feet along the South line of the Southeast Quarter of said Northwest Quarter; thence North 01 degrees 36'35" West for a distance of 764.69 feet; thence North 87 degrees 49'50" East for a distance of 330.00 feet to the East line of the Southeast Quarter of said Northwest Quarter; thence South 01 degrees 36'35" East for a distance of 764.69 feet along said East line to the point of beginning.

Together with and subject to covenants, easements and restrictions of record.

Said property contains 5.79 acres, more or less, including road right of way.

Error of Closure - 1 : 999999

PREPARED FOR:


James & Karen Armstrong
20809 & 20811 225th Street
Tonganoxie, KS 66086
PID # 149-29-0-00-00-009



Scale 1" = 100'

Job #K-22-1662
December 8, 2022

J.Herring, Inc. (dba)
HERRING
SURVEYING
COMPANY



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

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Rezoning RR-5 to 2.5
Date: February 3, 2023

Krystal, I have reviewed the request for rezoning from James and Karen Armstrong regarding the rezoning of the parcel from RR 5 to RR 2.5 I have no comments to lend at this time. If you feel I have missed an issue please give a call at 684-0457.

Allison, Amy

From: Anderson, Kyle
Sent: Tuesday, December 27, 2022 8:23 AM
To: Allison, Amy
Subject: FW: Rezoning Review - 20809 225th - DEV-22-166

From: Rural Water District 9 lvrwd9 <lvrwd9@gmail.com>
Sent: Thursday, December 22, 2022 10:39 AM
To: Gentzler, Joshua <JGentzler@leavenworthcounty.gov>
Cc: Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Amanda Holloway (Amanda.holloway@freestate.coop) <Amanda.holloway@freestate.coop>; Timothy Smith <chief1860@ttrfd.com>
Subject: Re: Rezoning Review - 20809 225th - DEV-22-166

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.

Per the Board's instructions from the Board Meeting on December 20, 2022 requesting that District Manager Armstrong can respond:

LVRWD9 has no issues at this time with the rezoning of the property of 20809 225th St. At this time both homes have their own water meters and are in good standings with LVRWD9.

On Thu, Dec 15, 2022 at 11:31 AM Gentzler, Joshua <JGentzler@leavenworthcounty.gov> wrote:

Good morning,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 20809 225th Street, Tonganoxie, KS 66086.

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, December 22nd.

If you have any questions or need additional information, please contact me at (913) 684-0464 or at JGentzler@LeavenworthCounty.Gov.

Thank you,

From: [Amanda Tarwater](#)
Sent: Thursday, December 15, 2022 3:35 PM
To: [Gentzler, Joshua](#)
Subject: RE: Rezoning Review - 20809 225th - DEV-22-166

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>
Sent: Thursday, December 15, 2022 11:32 AM
To: Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Amanda Tarwater <amanda.tarwater@freestate.coop>; RWD 9 (<Lvrwd9@gmail.com>)<Lvrwd9@gmail.com>; 'Timothy Smith' <chief1860@ttrfd.com>
Subject: Rezoning Review - 20809 225th - DEV-22-166

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 Department of Planning and Zoning has received an application for a Rezoning regarding a property at 20809 225th Street, Tonganoxie, KS 66086.

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, December 22nd.

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
913.684.0465

From: [Anderson, Kyle](#)
Sent: Monday, December 19, 2022 9:53 AM
To: [Gentzler, Joshua](#)
Subject: RE: Rezoning Review - 20809 225th - DEV-22-166

We have not received any complaints on this property. There is an active SUP for a landscaping business on the 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 <JGentzler@leavenworthcounty.gov>
Sent: Thursday, December 15, 2022 11:32 AM
To: Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Mitch Pleak <MPleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; Thorne, Eric <ethorne@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Amanda Holloway (Amanda.holloway@freestate.coop) <Amanda.holloway@freestate.coop>; RWD 9 (Lvrwd9@gmail.com) <Lvrwd9@gmail.com>; 'Timothy Smith' <chief1860@ttrfd.com>
Subject: Rezoning Review - 20809 225th - DEV-22-166

Good morning,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 20809 225th Street, Tonganoxie, KS 66086.

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, December 22nd.

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
913.684.0465

From: [Timothy Smith](#)
Sent: Monday, December 19, 2022 9:35 AM
To: [Gentzler, Joshua](#)
Subject: Re: Rezoning Review - 20809 225th - DEV-22-166

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 Tonganoxie Township Fire Department has no issues with this request.

On Thu, Dec 15, 2022 at 11:31 AM Gentzler, Joshua <JGentzler@leavenworthcounty.gov> wrote:

Good morning,

The Department of Planning and Zoning has received an application for a Rezoning regarding a property at 20809 225th Street, Tonganoxie, KS 66086.

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Thank you,

Joshua Gentzler

Planner II

[Planning & Zoning](#)

Leavenworth County

913.684.0465

|

--

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

Case No. DEV-22-129

Leavenworth County Comprehensive Plan Update

Staff Report – Planning Commission

February 8, 2023

GENERAL INFORMATION:

Applicant: Leavenworth County Planning and Zoning Department

Planner: Amy Allison

REQUEST:

The Leavenworth County Comprehensive Plan was adopted in 2020. According to KSA-12-747 the Planning Commission shall review the Comprehensive Plan on a yearly basis. This review, upon completion, will fulfill the requirement for the year 2023. During the review process, Staff reached out to affected County Departments requesting amendments, corrections or clarification. The Council on Aging along with the Administrator for Economic Development responded to Staff requests.

ECONOMIC DEVELOPMENT

Mr. Tom Cole, Economic Development Administrator, has clarified a number of tasks, specifically amending the task holder from LCDC to the Leavenworth County Economic Development Administrator. Further, a new item has been proposed.

NEW ITEM Develop a comprehensive Economic Development Incentive Policy demonstrating the availability, applicability and utilization of various incentives to enhance the local economy through business attraction, business retention and entrepreneurship.

Process	ED Admin	On-Going	Low
---------	----------	----------	-----

COUNCIL ON AGING

Ms. Connie Harmon, Director for the Council on Aging has identified a clarification for Page 92 of the plan. The clarification corrects the age of citizens who may be supported by the COA transportation services from 60 to age 50. Additionally, there is clarification regarding meal delivery and other community-based services. Further, Ms. Harmon has indicated that she, along with Staff, will annually meet with KCATA.

PLANNING & ZONING

Planning Staff has identified an area of the Future Land Use Map that should be updated regarding development within the floodway. Currently, there are several parcels that are located within the Floodway that are identified as residential development with a density of three units/acre. Given the constraints of floodway development, the costs associated with floodway development and the potential negative impacts to surrounding property owners, Staff recommends these areas be modified to either Rural Residential 2.5 or Rural Residential 5.

Regarding the Strategies found in Chapter 7 of the Comprehensive Plan Planning Staff spent much of 2022 reviewing and existing zoning and subdivision regulations for inconsistencies and updates. Staff added the wind and solar energy regulations and updated the sign regulations. For 2023 Staff will continue working to improve and clarify the zoning and subdivision regulations. For 2023 Staff will begin to implement Strategy 3 of the Topical Implementation Measures, which includes adding graphic examples and conservation design principles to the zoning and subdivision regulations.

PUBLIC WORKS

The Public Works department is in the process of completing the regional transportation plan which is listed as Strategy 1 under Transportation and Mobility.

JOINT WORK SESSION

On January 18, 2023, a joint work session with the Board of County Commissioners was held. During the meeting both the Commission and Board discussed the Regional Transportation Plan, adoption of the Comprehensive Plan Future Land Use Map throughout the County, development of a Sewer Plan and amending the Future Land Use map to match the Comprehensive Plans of cities within the County.

Additional strategies suggested where to review and amend the Zoning & Subdivision Regulations to encourage subdivision developments be designed in manner that encourages extension of utilities, such as water and sewer, establish a utility hook-up requirement, and schedule quarterly work sessions with the Board of County Commissioners to discuss various land development issues as they arise.

STAFF RECOMMENDATION:

Staff recommends approving the amendments suggested in DEV-22-129 Annual Comprehensive Plan Review.

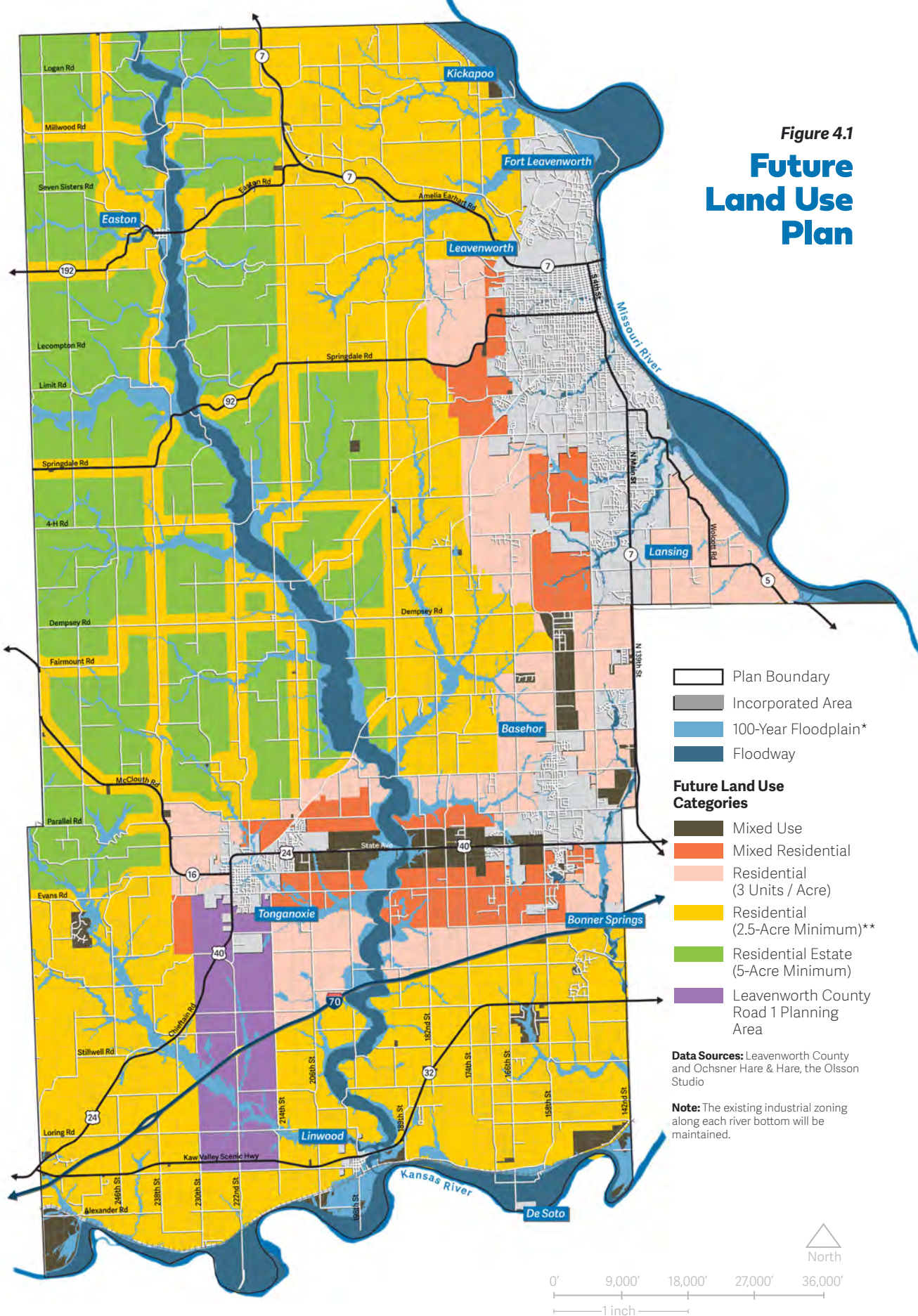
ACTION OPTIONS:

1. Recommend approval of Case No DEV-22-129 Annual Comprehensive Plan Review, to the Board of County Commission, with Findings of Fact; or
2. Recommend denial of Case No. DEV-22-129 Annual Comprehensive Plan Review, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Future Land Use Map.
Chapter 7
Economic Development Response
Council on Aging Response

Figure 4.1
Future Land Use Plan



* Also known as Zone A or Zone AE, which are FEMA-defined Special Flood Hazard Areas

** Residential (2.5-Acre Minimum) is the designated future land use within a quarter-mile of each side of the centerline of all improved roads within Leavenworth County, unless the quarter-mile area on either side of the centerline of an improved road is designated as a denser future land use, such as Residential (3 Units / Acre), Mixed Residential, or Mixed Use. "Improved" roads refer to all paved roads within Leavenworth County, not including those roads that have been hard-surfaced through the dust-abatement process. Due to sporadic data inaccuracy, Figure 4.1 Future Land Use Plan may show this quarter-mile Residential (2.5-Acre Minimum) buffer along roads that are not improved. In such cases, the Residential (2.5-Acre Minimum) quarter-mile buffer does not apply to either side of the unimproved road's centerline.

Section 7

Implementation

This section of the Plan sets forth specific actions that various departments, bodies, and organizations should take to move the Plan's recommendations forward. Such actions are organized by topic and strategy, and then evaluated by multiple considerations. Short-, mid-, and long-term processes, policies, plans, and programs that advance one or more targets of the Plan are assessed. This section should be used as a decision-making tool as county staff, vested organizations, and elected officials consider land use-, development-, and infrastructure-related issues.

Overview

Although planning is a fluid and continuous process, adoption of this Plan begins a long and collaborative journey of implementing the recommendations. This comprehensive plan provides a road map for growth, development, and connectivity that has been vetted by the community and validated by county staff members and county officials. Of all the work that occurred to make this Plan a reality, this section is perhaps the most important as it demonstrates the “how.” With the research and analysis that occurred, the community engagement that took place, and interactive work sessions with county staff members and elected officials, now it is time to put the Plan to work. Adoption of this Plan is the first step into the future of putting the recommendations into action to realize the vision.

Integral to each implementation step are the following overarching strategies:



Day-to-Day Use

The Plan should be used daily, as the official policy guide for land use, development, transportation.



Cooperation and Coordination

Open lines of communication with each municipality and the public must be maintained. Coordinating strategies, projects, and policies are critical to proactively execute the Plan.



Start with Policy

Establishing policy creates the essential framework for future implementation of the Plan. Oftentimes, policy changes can be made quickly and for a minimal cost.



Be Bold, Visible, and Conversational

Early “wins” and visible projects help garner the endorsement of the public. Spread the word to market and celebrate early successes through multiple outlets to gain support and momentum for long-term ventures.



Identify Plan Champions

Those persons involved in the planning process must continue to champion the Plan over time to maximize success. Continue communications with the SCAC.

Action Plan

This subsection utilizes several implementation matrices to clearly lay out the next steps that will move the Plan forward. One implementation matrix outlines holistic measures that should be considered across all recommendations. For instance, communicating the Plan’s recommendations to the public and municipalities is an overarching implementation measure that stretches across all targets and strategies.

In addition, an implementation matrix is provided for different topics. Each of these respective matrices will have specific tasks that relate to that topic. Although there is inherent overlap, these measures will be most specifically related to the topic at hand.

The implementation matrices are broken down by strategies and tasks. Every strategy is analyzed by identifying its “owner;” other participants; time frame for completion; overall impact to safety, infrastructure, quality of life, and economic development; and barriers to implementation. Each strategy is broken down into actionable tasks. Tasks are analyzed by identifying its category (process, policy, program, or plan); “owner;” other participants; and cost impact.

The purpose of providing this level of detail is to ensure each strategy is viewed through the lens of political, economic, and community reality, but also properly weighed against the widespread benefits. The definitions of each analysis topic are provided as follows.

Category

Each task can be categorized as a process, policy, plan, or program.

- **Process:** Tasks that set forth actions for (primarily) county planning department staff members to continue throughout the life of the Plan
- **Policy:** Tasks that can be achieved by making and implementing county policy changes
- **Plan:** Tasks that are centered on the need for additional study, and therefore recommend the development of a separate plan
- **Program:** Tasks that describe a set of related measures or activities with a long-term aim and a set schedule and plan

Strategy/Task Owner and Participants

Although the entire public should feel an investment in the Plan’s advancement, elected officials, county staff members, and certain organizations have a vested responsibility when it comes to Plan implementation. Both strategy/task owners and strategy/task participants are responsible to ensure the Plan does not sit idle.

- **Strategy/Task Owner:** Those that are charged with leading implementation of the specific strategy and/or task; shown in **BOLD** text
- **Strategy/Task Participants:** Those that are also involved in the implementation of the action item and provide support to the strategy/task owner

Time Frame

While some strategies/tasks should be started immediately and/or continued over time to continue building the Plan’s momentum, other strategies/tasks should be planned for and implemented within the next one to five years.

- **Immediately:** (0-1 year) Ease of implementation, directly advances other strategies/tasks, and/or addresses critical issues
- **Continuous:** (Ongoing over Plan lifetime) Necessary strategies/tasks to sustain the Plan
- **Short-Term:** (1-5 years) With appropriate planning, can be implemented within this time frame

Overall Impact To

Four categories of impact were considered for the recommended strategies. Each impact category is rated either low, medium, or high. The categories are as follows:

- **Enhanced Safety:** Enhances the safety of the county's transportation system, structures, and operations
- **Resilient and Supportive Infrastructure:** Provides for a resilient and efficient transportation and utility physical infrastructure system that will serve county residents and county growth now and into the future
- **Improved Quality of Life:** Improves county residents' health and diversity of choices (in entertainment, living, shopping, dining, recreation, etc.)
- **Sustained Economic Growth:** Increases potential and sustainable economic growth through development, business recruitment and/or retention, and resident and visitor appeal

Barriers to Implementation

Three categories of barriers to implementation were considered for the recommended strategies. Each barrier category is rated either low, medium, or high. The categories are as follows:

- **Necessary Amount of Political Will:** If a task requires a low amount of political will, the task's barriers to implementation decrease, as little convincing, marketing, etc. is necessary to gain the public's and elected official's support. If a task requires a high amount of political will, the task's barriers to implementation increase, as effort must be spent meeting with elected officials, gathering community input, etc.
- **Number of Involved Parties:** If a task requires a low number of parties (people, bodies, departments, and organizations) to be involved, the task's barriers to implementation decrease, as little coordination between groups is necessary. If a task requires a high number of parties to be involved, the task's barriers to implementation increase, as much coordination between groups is necessary.
- **Cost Impact:** If a task has a low cost impact, the task requires limited outside funding requirements and/or a limited public dollars, which decreases the task's barriers to implementation. If a task has a high cost impact, the task requires heightened levels of outside funding and/or public dollars, which increases the task's barriers to implementation. Note that cost impact does not account for private investment costs.

Holistic Implementation Measures

This implementation matrix, *Table 7.1*, includes items that comprehensively address all recommendations of the Plan. These items set the stage for the advancement of topical implementation measures. Additionally, items listed in *Table 7.1* ensure the Plan’s sustainability as time goes on as they provide the framework necessary for the topical implementation measures to be successful.

Table 7.1

Holistic Implementation Measures Matrix									
Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 1: ADOPT THE UPDATED COMPREHENSIVE PLAN	Planning & Zoning Dep’t Commissioners	Immediately	High	High	High	High	Medium	Low	Low
<i>Strategy 1 Tasks</i>			<i>Category</i>	<i>Task Owner and Participants</i>			<i>Time Frame</i>	<i>Cost Impact</i>	
Post final draft Plan to the county website prior to Planning Commission and County Commission adoption hearings			Process	Planning & Zoning Dep’t, Commissioners			Immediately	Low	
Determine when and how the Leavenworth County Planning and Zoning Department will utilize the Plan during the development review process and communicate to Planning Commission and County Commission			Process	Planning & Zoning Dep’t, Commissioners			Immediately	Low	
Present the Plan to the Planning Commission for recommendation of adoption and to the County Commission for adoption			Policy	Planning & Zoning Dep’t, Commissioners			Immediately	Low	
STRATEGY 2: AMEND RELEVANT REGULATIONS AND PLANS	Planning & Zoning Dep’t County Attorney, Public Works Dep’t, Commissioners	Immediately	High	High	High	High	Medium	Medium	Low
<i>Strategy 2 Tasks</i>			<i>Category</i>	<i>Task Owner and Participants</i>			<i>Time Frame</i>	<i>Cost Impact</i>	
Conduct a thorough review of the existing zoning and subdivision regulations and compile a comprehensive list of changes (with exact policy text) necessary to align county zoning and subdivision regulations with the intent of the Plan			Process	Planning & Zoning Dep’t, Commissioners			Immediately	Low	
Conduct a thorough review of the existing plans, such as the U.S. 24/40 Corridor Study, and compile a comprehensive list of changes (with exact policy text) necessary to align the plans with the intent of the Plan			Process	Planning & Zoning Dep’t, Public Works Dep’t, Commissioners			Immediately	Low	
Communicate changes with county residents through the Planning and Zoning Department’s webpage on the county website			Process	Planning & Zoning Dep’t, Commissioners			Immediately	Low	
Present proposed plan amendments to the Planning Commission for recommendation of approval and to the County Commission for approval			Policy	Planning & Zoning Dep’t, Commissioners			Immediately	Low	

Table 7.1

Holistic Implementation Measures Matrix (Continued)

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 3: USE THE PLAN ON A DAY-TO-DAY BASIS	Planning & Zoning Dep't, Public Works Dep't, Commissioners	Continuous	High	High	High	High	Medium	Medium	Low
<i>Strategy 3 Tasks</i>			<i>Category</i>	<i>Task Owner and Participants</i>		<i>Time Frame</i>	<i>Cost Impact</i>		
Evaluate all improvement and development proposals within the county by the Plan's targets and strategies to assess whether the proposal aligns completely, partially aligns, or does not align with the Plan			Process	Planning & Zoning Dep't, Commissioners		Continuous	Low		
Assist the Planning Commission and County Commission in the day-to-day administration, interpretation, and application of the Plan			Process	Planning & Zoning Dep't, Commissioners		Continuous	Low		
STRATEGY 4: REVIEW THE PLAN PERIODICALLY AND STRATEGICALLY; PREPARE AN ANNUAL PROGRESS REPORT	Planning & Zoning Dep't, Leavenworth County Development Corporation, Public Works Dep't, Commissioners	Continuous	Low	Low	Low	Low	Low	Medium	Low
<i>Strategy 4 Tasks</i>			<i>Category</i>	<i>Task Owner and Participants</i>		<i>Time Frame</i>	<i>Cost Impact</i>		
Maintain a list of current possible amendments, issues, or needs that may be a subject of change, addition, or deletion from the Plan			Process	Planning & Zoning Dep't		Continuous	Low		
Monitor demographic and market data as it becomes available to alter land use-specific demand projections			Process	Planning & Zoning Dep't, Leavenworth County Development Corporation		Continuous	Low		
Prepare an annual progress report and presentation to present to the Planning Commission and County Commission that describes the list of successes and possible amendments, issues, or needs that may be subjects of change, addition, or deletion from the Plan			Process	Planning & Zoning Dep't, Commissioners		Continuous	Low		
Conduct an internal update of the Plan every three to five years; dovetail this review with the preparation of the county budget and capital improvements program			Process	Planning & Zoning Dep't, Public Works Dep't, Commissioners		Continuous	Low		

Holistic Implementation Measures Matrix (Continued)

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 5: EDUCATE ELECTED OFFICIALS, COUNTY DEPARTMENTS, LOCAL MUNICIPALITIES, AND THE PUBLIC	Planning & Zoning Dep't, Public Works Dep't, County Administrator, Municipalities, Commissioners	Continuous	Low	Low	Low	Low	Low	Medium	Low

<i>Strategy 5 Tasks</i>	<i>Category</i>	<i>Task Owner and Participants</i>	<i>Time Frame</i>	<i>Cost Impact</i>
Conduct a work session with Planning Commission and County Commission to educate them on the findings and recommendations of the Plan as leadership changes; prepare a key takeaways document for easy reference after the presentation	Process	Planning & Zoning Dep't, County Administrator, Commissioners	Continuous	Low
Meet with relevant department heads and local municipal leaders to explain the findings and recommendations of the Plan; prepare a succinct presentation and provide a copy of it to the department heads and local municipal leaders	Process	Planning & Zoning Dep't, Public Works Dep't, County Administrator, Municipalities, Commissioners	Immediately (<i>and as leadership changes</i>)	Low
Make copies of the Plan available online for free and provide hard copies at the County Courthouse for purchase	Process	Planning & Zoning Dep't	Immediately	Low
Aid the public in explaining the Plan and its relationship to private and public development projects and other proposals, as appropriate	Process	Planning & Zoning Dep't, Commissioners	Continuous	Low
Draft a summary document that includes key recommendations from the Plan that can be distributed to residents, developers, businesses, and other interested parties	Process	Planning & Zoning Dep't	Immediately	Low

STRATEGY 6: WIDELY COMMUNICATE AND MARKET THE PLAN TO CELEBRATE THE PLAN'S SUCCESSES	Planning & Zoning Dep't	Continuous	Low	Low	Low	Low	Low	Low	Low
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<i>Strategy 6 Tasks</i>	<i>Category</i>	<i>Task Owner and Participants</i>	<i>Time Frame</i>	<i>Cost Impact</i>
Post the final Plan on the city's and county's website	Process	Planning & Zoning Dep't	Immediately	Low
Provide a copy of the Plan to each county department	Process	Planning & Zoning Dep't	Immediately	Low
Regularly maintain and update the Plan website (www.lvcountyplan.com) with progress and changes; utilize the email marketing tool integration to send update emails out to the contact list	Program	Planning & Zoning Dep't	Continuous	Low
Post updates related to the Plan on the county's social media accounts	Program	Planning & Zoning Dep't	Continuous	Low
Utilize the developed project branding style guide to ensure a consistent look and feel in Plan-related messaging	Process	Planning & Zoning Dep't	Continuous	Low

Table 7.1

Holistic Implementation Measures Matrix (Continued)

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 7: DEVELOP STRONG RELATIONSHIPS WITH IMPLEMENTATION PARTNER ORGANIZATIONS	Planning & Zoning Dep't , County Administrator, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Continuous	Medium	Medium	Medium	High	Low	High	Low

Strategy 7 Tasks

	Category	Task Owner and Participants	Time Frame	Cost Impact
Ensure open communication lines between the county and vital implementation partner organizations, such as the Leavenworth County Development Corporation, Leavenworth County Port Authority, and Leavenworth County Council on Aging	Process	Planning & Zoning Dep't , County Administrator, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Continuous	Low
Gather demographic and market insight and research from implementation partner organizations to avoid duplicative efforts as the Plan is updated to reflect changing conditions	Program	Planning & Zoning Dep't , County Administrator, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Continuous	Low

Topical Implementation Measures

The implementation matrices that follow, *Tables 7.2-7.4*, describe specific measures that must be taken to advance the topic at hand. Land use, economic development, transportation, and infrastructure are inherently linked and the efforts taken to address items in these categories should complement one another; however, it is important – from an implementation standpoint – to understand what must occur in each of these areas for progress to be made. Opportunities to overlap projects exist, such as a redevelopment project that lends itself to a roadway improvement.

Table 7.2

Land Use and Economic Development Implementation Measures Matrix									
Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 1: CREATE COMMERCIAL AND MIXED USE DEVELOPMENT AND REDEVELOPMENT PLANS WITH INCENTIVES ALONG IDENTIFIED KEY CORRIDORS AND AT SPECIFIC INTERSECTIONS	Leavenworth County Development Corporation Planning & Zoning Dep't, Public Works Dep't	Short-Term	Low	Low	Medium	High	Medium	Medium	Medium

<i>Strategy 1 Tasks</i>	<i>Category</i>	<i>Task Owner and Participants</i>	<i>Time Frame</i>	<i>Cost Impact</i>
Prepare incentive plans and assistance packages to spur the development of the U.S. 24/40 corridor between Basehor and Tonganoxie; the intersection of U.S. 24/40 and CR-1; and 155th Street between Basehor and Lansing; the package should detail the proposed uses on the site, as well as the site's advantages	Process	Leavenworth County Development Corporation Planning & Zoning Dep't, Public Works Dep't	Short-Term	Medium
Consider preparing a Request for Proposal for the above mentioned corridors and intersections to send to interested developers; the RFP should detail the available incentive and assistance package; high standards for site and building design should be required	Process	Leavenworth County Development Corporation Planning & Zoning Dep't, Public Works Dep't	Short-Term	Low
Use the county's existing online mapping software to show the spatial location of available properties and incentives	Process	Leavenworth County Development Corporation Planning & Zoning Dep't, Public Works Dep't	Short-Term	Medium

Table 7.2

Land Use and Economic Development Implementation Measures Matrix (Continued)

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 2: UPDATE THE SPECIAL USE PERMIT CATEGORIES AND REVIEW AND MONITORING PROCESS	Planning & Zoning Dep't, County Administrator, County Attorney, Commissioners	Immediately	Low	Low	Low	Low	Low	Low	Low

Strategy 2 Tasks

Create a tiered review and approval system for special uses within the county with different categories of special uses, dependent on their scale, use, and potential impact on the health, safety, welfare, and property values of surrounding properties, using page 81 of this Plan as a guide

Category *Task Owner and Participants* *Time Frame* *Cost Impact*

Policy **Planning & Zoning Dep't,**
County Administrator, County Attorney, Commissioners Immediately Low

Consider longer approval terms for lower class special uses within the county

Policy **Planning & Zoning Dep't,**
Commissioners Immediately Low

Integrate the Land Evaluation component of the Land Evaluation and Site Assessment (LESA) system into the special use permit review process, as spelled out in the county's zoning and subdivision regulations, to identify areas of and protect the most productive farmland

Policy **Planning & Zoning Dep't** Immediately Low

STRATEGY 3: INTEGRATE A "LAND FIRST" APPROACH INTO THE DEVELOPMENT REVIEW PROCESS, AND A CLEAR ANALYSIS OF SUCH AN APPROACH INTO COUNTY PLANNING STAFF REPORTS	Planning & Zoning Dep't Commissioners	Short-Term	Low	Low	Medium	Low	Medium	Low	Low
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Strategy 3 Tasks

Update the county's zoning and subdivision regulations to include graphic examples and descriptive text that illustrates conservation design principles, as described on page 82

Category *Task Owner and Participants* *Time Frame* *Cost Impact*

Process **Planning & Zoning Dep't**
Commissioners Short-Term Low

Work with and educate development review applicants on ways to incorporate conservation design principles into their development proposals

Process **Planning & Zoning Dep't**
Commissioners Continuous Low

Consider the use of incentives to encourage applicants to incorporate conservation design principles into their development proposals

Policy **Planning & Zoning Dep't**
Commissioners Continuous Low

Table 7.2

Land Use and Economic Development Implementation Measures Matrix (Continued)

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 4: DEVELOP AND ADOPT AN ECONOMIC DEVELOPMENT STRATEGIC PLAN	Leavenworth County Development Corporation Planning & Zoning Dep't, County Administrator	Short-Term	Low	Low	Low	High	Medium	Low	Medium

<i>Strategy 4 Tasks</i>	<i>Category</i>	<i>Task Owner and Participants</i>	<i>Time Frame</i>	<i>Cost Impact</i>
Identify funding for an economic development strategic plan	Process	Leavenworth County Development Corporation Planning & Zoning Dep't, County Administrator	Short-Term	Medium
Prepare a scope of services for an economic development strategic plan that includes a regional market assessment, opportunity and barrier assessment, target industry sector analysis, regional and target industry positioning, economic development goals and policies, and stakeholder input	Process	Leavenworth County Development Corporation Planning & Zoning Dep't, County Administrator	Short-Term	Low
Develop a county economic development strategic plan with robust stakeholder input	Plan	Leavenworth County Development Corporation Planning & Zoning Dep't, County Administrator	Short-Term	Medium
Consider regional and municipal economic development activities in the economic development strategic plan	Process	Leavenworth County Development Corporation Planning & Zoning Dep't, County Administrator	Short-Term	Low

Table 7.2

Land Use and Economic Development Implementation Measures Matrix (Continued)

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 5: CREATE AN ECONOMIC DEVELOPMENT ROUNDTABLE	Planning & Zoning Dep't, County Administrator, Leavenworth County Development Corporation, Commissioners	Short-Term	Low	Low	Medium	High	Medium	High	Low

Strategy 5 Tasks	Category	Task Owner and Participants	Time Frame	Cost Impact
Identify critical participants, including public, private, and nonprofit partners, in the economic development roundtable to be part of the first line of communication between businesses and local government and subsequent recommendations to the Planning Commission and County Commission	Process	Planning & Zoning Dep't, County Administrator, Leavenworth County Development Corporation, Commissioners	Short-Term	Low
Standardize the economic development roundtable's meeting schedule, member responsibilities, and goals, as they relate to business recruitment and retention; workforce development and training; marketing; regional collaboration; and strategic economic development planning.	Program	Planning & Zoning Dep't, County Administrator, Leavenworth County Development Corporation,	Short-Term	Low
Invest in online mapping software that can be integrated into the county's website in order to show the spatial location of available properties and incentives	Process	Planning & Zoning Dep't, County Administrator, Leavenworth County Development Corporation	Short-Term	Medium

Economic Development Resources

Leavenworth County Development Corporation (LCDC)

The LCDC is a coalition for economic growth in the Leavenworth, Lansing, Tonganoxie, and Basehor communities, mobilizing business, government, and civic leaders. The public-private partnership gives companies access to partner investment for starting up, relocating, or expanding.

Leavenworth County Port Authority (LCPA)

Originally focused on development in the port area along the Missouri and Kansas Rivers, the LCPA is a quasi-governmental agency whose focus is economic development opportunities with industrial properties and facilities. The LCPA is staffed by the Leavenworth County Development Corporation (LCDC).

AltCap Low Interest Loan Fund for Businesses Affected by COVID-19

On March 31st, 2020, AltCap launched a community-backed five million dollar small business relief loan fund, supported by the Greater Kansas City Chamber of Commerce, the Kansas City Area Development Council (KCADC), the Civic Council of Great Kansas City, and the Ewing Marion Kauffman Foundation. In order to qualify for a relief loan, small businesses must be located in the Kansas City metropolitan area (including Leavenworth County); have 20 or fewer full-time equivalent employees, and have \$2.5 million or less in annual revenue.

Broadband Initiative / Kansas Universal Service Fund

Created by the 1996 Telecommunications Act, the purpose of the Kansas Universal Service Fund is to assure that quality communication services are available for all Kansans, including local businesses and rural area networks. All telecommunications companies contribute a percentage of all intrastate retail revenues to the fund, which is then distributed back to designated eligible local carriers.

Small Cities Community Development Block Grant

The CBDG economic development program is a source of financing for companies that are expanding or relocating to a non-metropolitan area of Kansas. Up to \$750,000 is available per project. In order to obtain funds, the county governing body applies on behalf of the private business.

U.S. Economic Development Administration (EDA)

The U.S. Economic Development Administration (EDA) partners with entities to develop and disseminate tools on new and emerging economic development concepts that practitioners and policymakers can utilize to make more informed development decisions. They focus on areas such as identifying areas of distress and competitive advantage; pinpointing regional clusters; measuring the triple bottom line and innovation capacity; analyzing investments; and more.

Table 7.3

Transportation and Mobility Implementation Matrix									
Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 1: DEVELOP AND ADOPT A TRANSPORTATION MASTER PLAN	Planning & Zoning Dep't, County Administrator, Public Works Dep't, Commissioners	Immediately	High	High	Medium	Medium	Medium	Medium	Medium
<i>Strategy 1 Tasks</i>			<i>Category</i>	<i>Task Owner and Participants</i>			<i>Time Frame</i>	<i>Cost Impact</i>	
Allocate funding for a transportation master plan in the county's upcoming budget cycle			Plan	Planning & Zoning Dep't, Public Works Dep't, Commissioners			Immediately	Medium	
Prepare a scope of services for a transportation master plan that covers all modes of transportation, including maintenance of roads (including paving guidelines), road construction or upgrades, trails, pedestrian and bicycle facilities, transit, freight, railroads, and aviation; attention should be placed on funding			Process	Planning & Zoning Dep't, County Administrator, Public Works Dep't, Commissioners			Immediately	Low	
The transportation master plan should take into consideration regional and municipal planning activities, including but not limited to the Kansas City Regional Bike Plan, MetroGreen Regional Greenway System, KDOT planned improvements, MARC's Regional Transportation Plan 2050, KCATA transit plans, and Leavenworth County's Council on Aging			Process	Planning & Zoning Dep't, Public Works Dep't, KDOT, KCATA, MARC, Leavenworth County Council on Aging, Commissioners			Short-Term	Low	
Use the recommendations illustrated on <i>Figure 5.1</i> Transportation Plan as a starting point for the transportation master plan			Process	Planning & Zoning Dep't, Public Works Dep't, Commissioners			Short-Term	Low	
Following existing conditions analysis, public engagement, and formulation of transportation recommendations, present the master plan to the Planning Commission for recommendation of adoption and to the County Commission for adoption			Process	Planning & Zoning Dep't, Public Works Dep't, Commissioners			Short-Term	Low	
STRATEGY 2: IMPROVE CONNECTIVITY IN THE COUNTY'S TRANSPORTATION NETWORK	Public Works Dep't, Planning & Zoning Dep't, Commissioners	Continuous	High	High	Medium	Medium	Medium	High	High
<i>Strategy 2 Tasks</i>			<i>Category</i>	<i>Task Owner and Participants</i>			<i>Time Frame</i>	<i>Cost Impact</i>	
Align transportation improvements with development and redevelopment projects to link activity centers with appropriate roadway infrastructure			Policy	Public Works Dep't, Planning & Zoning Dep't, Commissioners			Continuous	Medium	
Regularly coordinate with the Leavenworth County Port Authority to address barge and rail operations and determine their role in the regional transportation network			Process	Planning & Zoning Dep't, Public Works Dep't, Leavenworth County Port Authority			Continuous	Low	

Table 7.3

Transportation and Mobility Implementation Matrix (Continued)									
Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 3: UPDATE THE COUNTY'S ROAD STANDARDS	Public Works Dep't, Commissioners	Immediately	High	High	High	High	Medium	Medium	Low
<i>Strategy 3 Tasks</i>			<i>Category</i>		<i>Task Owner and Participants</i>		<i>Time Frame</i>		<i>Cost Impact</i>
Review and potentially update the county road standards, based on best management practices, peer county practices, and FHWA guidance			Process		Public Works Dep't, Commissioners		Immediately		Low
Regularly (every one to three years) review the updated county road standards and revise them to follow national best practices			Process		Public Works Dep't, Commissioners		Continuous		Low
STRATEGY 4: ACTIVELY COORDINATE WITH OTHER MUNICIPALITIES ON THE COUNTY ROADWAY SYSTEM	Public Works Dep't, KDOT, Municipalities	Continuous	Medium	Medium	Low	Medium	Medium	High	Low
<i>Strategy 4 Tasks</i>			<i>Category</i>		<i>Task Owner and Participants</i>		<i>Time Frame</i>		<i>Cost Impact</i>
Host quarterly transportation meetings with representatives from each municipality's public works department, as well as KDOT, to ensure a coordinated strategy for the incorporated and unincorporated roadways			Process		Public Works Dep't, KDOT, Municipalities		Continuous		Low
Proactively communicate with municipalities about the updated county road standards			Process		Public Works Dep't, Municipalities		Continuous		Low
STRATEGY 5: MONITOR TRANSIT NEEDS COUNTYWIDE	Leavenworth County Council on Aging, Planning & Zoning Dep't, KCATA	Continuous	Low	Low	High	Low	Low	Medium	Low
<i>Strategy 5 Tasks</i>			<i>Category</i>		<i>Task Owner and Participants</i>		<i>Time Frame</i>		<i>Cost Impact</i>
Meet annually with KCATA to evaluate how well the current transit system is meeting demand			Process		Leavenworth County Council on Aging, Planning & Zoning Dep't, KCATA		Continuous		Low
Continue allocating appropriate funds to operate the Leavenworth County's Council on Aging on-demand meals and transportation service to seniors			Program?		Commissioners, Leavenworth County Council on Aging, Planning & Zoning Dep't		Continuous		Low

Table 7.4

Community Services and Infrastructure Implementation Matrix

Strategy	Strategy Owner and Participants	Time Frame	Overall Impact To				Barriers to Implementation		
			Safety	Infrastructure	Quality of Life	Economics	Political Will	No. of Parties	Cost Impact
STRATEGY 1: DEVELOP AND ADOPT A UTILITY MASTER PLAN	Public Works Dep't, County Administrator, Municipalities, Utility Providers, Planning & Zoning Dep't, Commissioners	Short-Term	Low	High	Medium	Medium	High	High	Medium

<i>Strategy 1 Tasks</i>		<i>Category</i>	<i>Task Owner and Participants</i>	<i>Time Frame</i>	<i>Cost Impact</i>
Allocate funding for a utility master plan in the county's upcoming budget cycle		Process	Public Works Dep't, Planning & Zoning Dep't, County Administrator, Commissioners	Short-Term	Medium
Prepare a scope of services for a utility master plan that covers all utilities, including water, wastewater, stormwater, and energy		Process	Public Works Dep't, Planning & Zoning Dep't, County Administrator, Commissioners	Short-Term	Low
Consider hiring a consultant to draft the utility master plan or dedicate staff time to perform the study in-house		Process	Public Works Dep't, Planning & Zoning Dep't, County Administrator, Commissioners	Short-Term	Low / Medium
Following existing conditions analysis, public engagement, and formulation of utility master plan recommendations, present the Plan to the Planning Commission for recommendation of adoption and to the County Commission for adoption		Process	Public Works Dep't, Planning & Zoning Dep't, Commissioners	Short-Term	Low
Perform a Cost of Services study to understand the cost associated with the provision of utility infrastructure based on development type		Plan	Public Works Dep't, Planning & Zoning Dep't, Commissioners	Short-Term	Medium
Host regular coordination meetings between the county, municipalities, and utility providers to ensure utility infrastructure is properly maintained and residents receive quality service		Process	Public Works Dep't, Planning & Zoning Dep't, County Administrator, Utility Providers, Municipalities, Commissioners	Continuous	Low

Voth, Krystal

From: Harmon, Connie
Sent: Monday, October 31, 2022 8:59 AM
To: Voth, Krystal
Subject: RE: Leavenworth County Comprehensive Plan Review

Krystal,

I read through the comprehensive plan to find the references to the Council on Aging. I found several references, and understand my agency's role as a task owner/participant. I was unaware I was responsible for meeting annually with KCATA and will work with Mark to determine a contact and reach out to them. I listed two potential revisions for you to consider, and the suggested changes are highlighted below. All of our current and future projects are currently aligned with the existing strategies in the plan. Thanks!

Page 92

A recurring theme throughout the public engagement process when discussing transit included much praise for the existing Leavenworth County Council on Aging service. This service provides transportation to those ages 60 and above, meal delivery, and a host of other personal services to ensure seniors receive the care and transportation they need and want. The public indicated that additional transit services are not needed or desired at this time as the Leavenworth County Council on Aging is meeting current demand for transit. However, as Figure 4.1 is realized, there may be a need for enhanced offerings to ensure there are multiple options to reach destinations. At the time of this Plan's writing, transit offerings are meeting transit demand. To ensure that Leavenworth County residents maintain this optimal mobility into the future, transit should be evaluated on an ongoing basis. As developments are constructed, particularly those with employment centers, retail services, and entertainment, it will be important to look at the transportation network holistically. A diverse transportation system allows residents to age in place, access jobs, goods, and services, all of which contribute to a healthy economy.

REVISED

A recurring theme throughout the public engagement process when discussing transit included much praise for the existing Leavenworth County Council on Aging service. **This service provides transportation to those age 50 and above and people of any age with a disability. In addition to providing throughout the county, this fleet also support meal delivery and a host of other community-based services to ensure seniors receive the care and transportation they need and want.** The public indicated that additional transit services are not needed or desired at this time as the Leavenworth County Council on Aging is meeting current demand for transit. However, as Figure 4.1 is realized, there may be a need for enhanced offerings to ensure there are multiple options to reach destinations. At the time of this Plan's writing, transit offerings are meeting transit demand. To ensure that Leavenworth County residents maintain this optimal mobility into the future, transit should be evaluated on an ongoing basis. As developments are constructed, particularly those with employment centers, retail services, and entertainment, it will be important to look at the transportation network holistically. A diverse transportation system allows residents to age in place, access jobs, goods, and services, all of which contribute to a healthy economy.

Page 112

STRATEGY 5: MONITOR TRANSIT NEEDS COUNTYWIDE	Leavenworth County Council on Aging, Planning & Zoning Dept, KCATA	Continuous	Low	Low	High	Low
Strategy 5 Tasks			Category	Task Owner and Participa		
Meet annually with KCATA to evaluate how well the current transit system is meeting demand			Process	Leavenworth County Council on Aging, Planning & Zoning Dept, KCATA		
Continue allocating appropriate funds to operate the Leavenworth County's Council on Aging on-demand meals and transportation service to seniors			Program?	Commissioners, Leavenworth County Council on Aging Planning & Zoning Dept		

Program would be the correct category.

Connie
 Director, COA
 913.684.0784
www.leavenworthcounty.gov/COA

From: Voth, Krystal <KVoth@leavenworthcounty.gov>
Sent: Tuesday, October 18, 2022 11:50 AM
To: Harmon, Connie <CHarmon@leavenworthcounty.gov>; Magaha, Chuck <cmagaha@lvsheriff.org>; Cole, Tom <TCole@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Dedেকে, Andrew <adedeke@lvsheriff.org>
Subject: Leavenworth County Comprehensive Plan Review

Good afternoon! Planning and Zoning Staff has begun the annual review of the Leavenworth County Comprehensive Plan which can be found [here](#). The Leavenworth County Comprehensive Plan is a multi-facet approach to guiding development and as such, each of your departments certainly plays a role in the implementation of the Plan. Pages 100-113 of the plan lists the detailed strategies along with the Task Owner and Participant of the strategy. I would greatly appreciate it if each of you would take a look at the strategies and tasks and provide input if any of your current or future projects are related to the strategies in the Plan. As part of my annual review, I provide to the Board a list of projects that have been or will soon-be accomplished that reflect the Plan. I am happy to answer any questions that you may have regarding the plan. Your input really is critical to this process and is greatly appreciated by Tuesday, November 1. As always, thank you and please do not hesitate to reach out!

Respectfully,

Krystal A. Voth, CFM
 Director
 Planning & Zoning
 Leavenworth County
 913.684.0461

Economic Development Response

Strategy 1 Tasks

Prepare incentive plans and assistance packages to spur the development of the U.S. 24/40 corridor between Basehor and Tonganoxie; the intersection of U.S. 24/40 and CR-1; and 155th Street between Basehor and Lansing; the package should detail the proposed uses on the site, as well as the site's advantages

Process	ED Admin	Short-Term	Medium
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Consider preparing a Request for Proposal for the above mentioned corridors and intersections to send to interested developers; the RFP should detail the available incentive and assistance package; high standards for site and building design should be required

Process	ED Admin	Short-Term	Low
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Use the county's existing online mapping software to show the spatial location of available properties and incentives

Complete/Active	ED Admin	Complete	Low
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NEW ITEM Develop a comprehensive Economic Development Incentive Policy demonstrating the availability, applicability and utilization of various incentives to enhance the local economy through business attraction, business retention and entrepreneurship.

Process	ED Admin	On-Going	Low
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Strategy 4 Tasks

Identify funding for an economic development strategic plan

Process	ED Admin / LCDC	Short-Term	Low
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Prepare a scope of services for an economic development strategic plan that includes a regional market assessment, opportunity and barrier assessment, target industry sector analysis, regional and target industry positioning, economic development goals and polices, and stakeholder input

Process	ED Admin / LCDC	Short-Term	Low
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Develop a county economic development strategic plan with robust stakeholder input

Process	ED Admin / LCDC	Short-Term	Low
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Consider regional and municipal economic development activities in the economic development strategic plan

Process	ED Admin / LCDC	Short-Term	Low
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**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-22-167/168 Oakridge Estates 2nd

February 8, 2023

REQUEST: **Regular Agenda**

Preliminary/Final Plat

STAFF REPRESENTATIVE:

AMY ALLISON
DEPUTY DIRECTOR

SUBJECT PROPERTY: 00000 W Washington Street

APPLICANT/APPLICANT AGENT:

HERRING SURVEYING CO.
315 N 5TH STREET
LEAVENWORTH, KS 66048

PROPERTY OWNER:

ROBERTI NIENIECKI
300 W WASHINGTON ST
TONGANOXIE KS 66086

CONCURRENT APPLICATIONS:

DEV-23-005

LAND USE

ZONING: PR-1

FUTURE LAND USE DESIGNATION:

COUNTY ROAD 1

LEGAL DESCRIPTION:

A tract of land located in the Northeast Quarter (NE ¼) of Section 17, Township 11 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: DENIAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-22-167/168, Preliminary and Final Plat for Oakridge Estates 2nd, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-22-167/168, Preliminary and Final Plat for Oakridge Estates 2nd to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE:

39.3 ACRES

PARCEL ID NO:

194-17-0-00-00-002.00

BUILDINGS:

N/A

PROJECT SUMMARY:

Request for a preliminary and final plat approval to subdivide property located at 00000 W Washington St (PID 194-17-0-00-00-002.00) as Lot 1 - 2 of the Oakridge Estates 2nd subdivision.

ACCESS/STREET:

WASHINGTON ST – TONGANOXIE
CITY STREET, PAVED ± 24'

Location Map:



UTILITIES

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: TONGANOXIE TWSHP FD

WATER: CITY OF TONGANOXIE

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW:

1/24/2023

NEWSPAPER NOTIFICATION:

1/31/2023

**NOTICE TO SURROUNDING
PROPERTY OWNERS:**

N/A

STANDARDS TO BE CONSIDERED:			
<i>Leavenworth County Zoning and Subdivision Standards: Preliminary Review</i>		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	X	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	X	
43	Cross Access Easements	N/A	
50-20	Utility Requirements	X	
50-30	Other Requirements	X	
50-40	Minimum Design Standards		X
	Article 50 – Section 40.3.d. & Article 50 – Section 40.3.i.		
50-50	Sensitive Land Development	N/A	
50-60.	Dedication of Reservation of Public Sites and Open Spaces	N/A	

STAFF COMMENTS:

The applicant is proposing to plat a 39-acre tract of land into Lots 1-2 of the Oakridge Estates 2nd subdivision. The parcel is adjacent to the City of Tonganoxie and will access off a City street, Washington Street. The property is zoned PR-1 which requires lots to be a minimum of 6,000 sf and a maximum of 10,000 sf. Lot 1 is proposed to be 3.16 acres and Lot 2 23.14 acres. Both lots will need a variance from the maximum lot size prior to subdivision action being taken. Additionally, since the property is located within 660' of the City of Tonganoxie, sanitary sewer requirements must apply unless waived by the City of Tonganoxie. Per the email dated January 24, 2023, the City of Tonganoxie has agreed to waive the City Sewer requirements as the proposed lots meet the standards for city waiver policy. The applicant is proposing to build a single-family house on Lot 1. Lot 2 will remain vacant with the intention to be developed at a higher density once utilities have been extended to the property. Lot 2 will require an exception to Article 50 – Section 40.3.i. Lot-Depth to Lot-width due to the minimum frontage requested. The lot is laid out in such a manner as to allow for a roadway to be extended from Washington St. to the remainder of the property. Additionally, an exception must also be granted from Article 50 – Section 40.3.d.90-degree lot lines, due to the angled property line between Lot 1 and Lot 2.

PROPOSED 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. An exception to Article 50 – Section 40.3.d. has been granted for Lots 1 & 2.
6. An exception to Article 50 – Section 40.3.i. has been granted for Lot 2.
7. A variance from Article 18, Section 1.1 has been granted and notation placed on the face of the plat.
8. The developer must comply with the following memorandums:
 - a. Memo – Emergency Management, 12.27.2022
 - b. Memo – Tonganoxie Water, 12.15.2022
 - c. Email – City of Tonganoxie, 1.24.2023

ATTACHMENTS:

A: Application & Narrative

B: Zoning Map

C: Memorandums

AFFIDAVIT

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

We/I Deborah Bieniecki and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
0000 W. Washington St, Tonganoxie KS, 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 _____ day of _____, 20__.

Deborah Bieniecki 300 W. Washington St, Tonganoxie KS 66096
Print Name, Address, Telephone 913-680-8521

Deborah Bieniecki

Signature

STATE OF KANSAS)

) SS

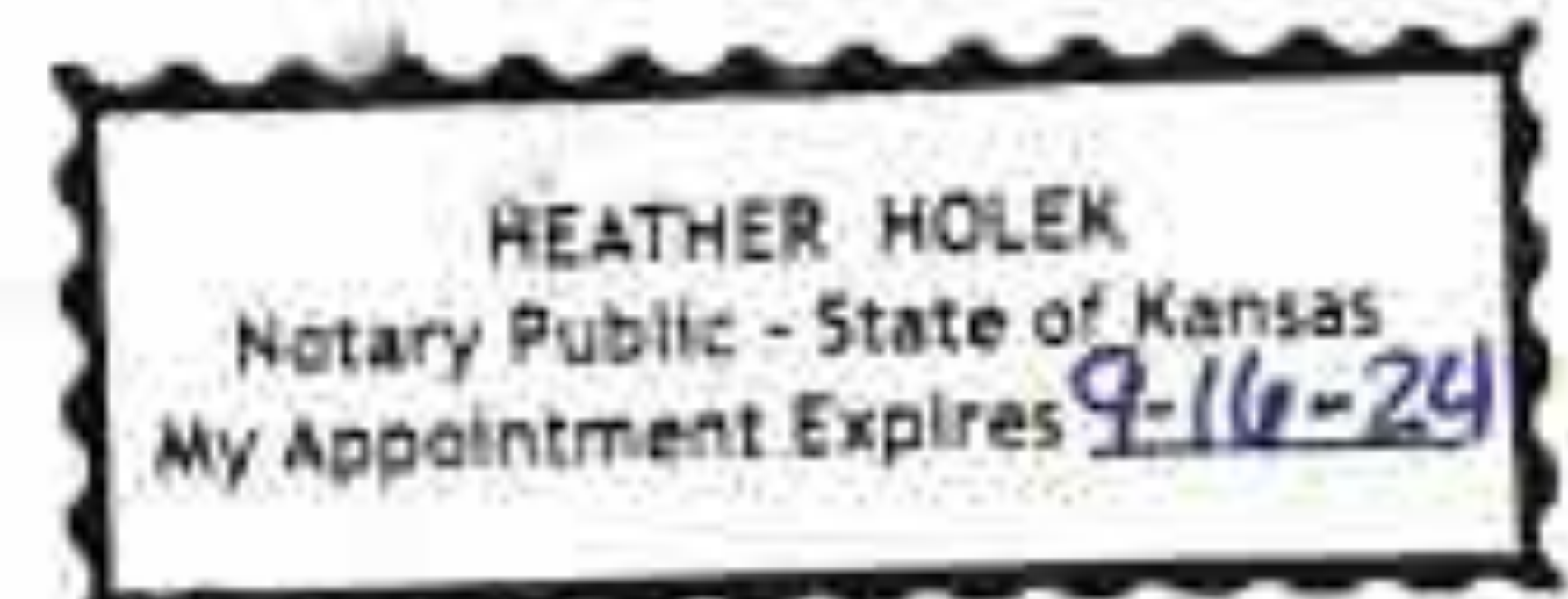
COUNTY OF LEAVENWORTH)

Be it remember that on this 23 day of September 2022 before me, a notary public in and for said County and State came Leavenworth, KS 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 Heather Holek

My Commission Expires: 9-16-24

(seal)



Heather Holek

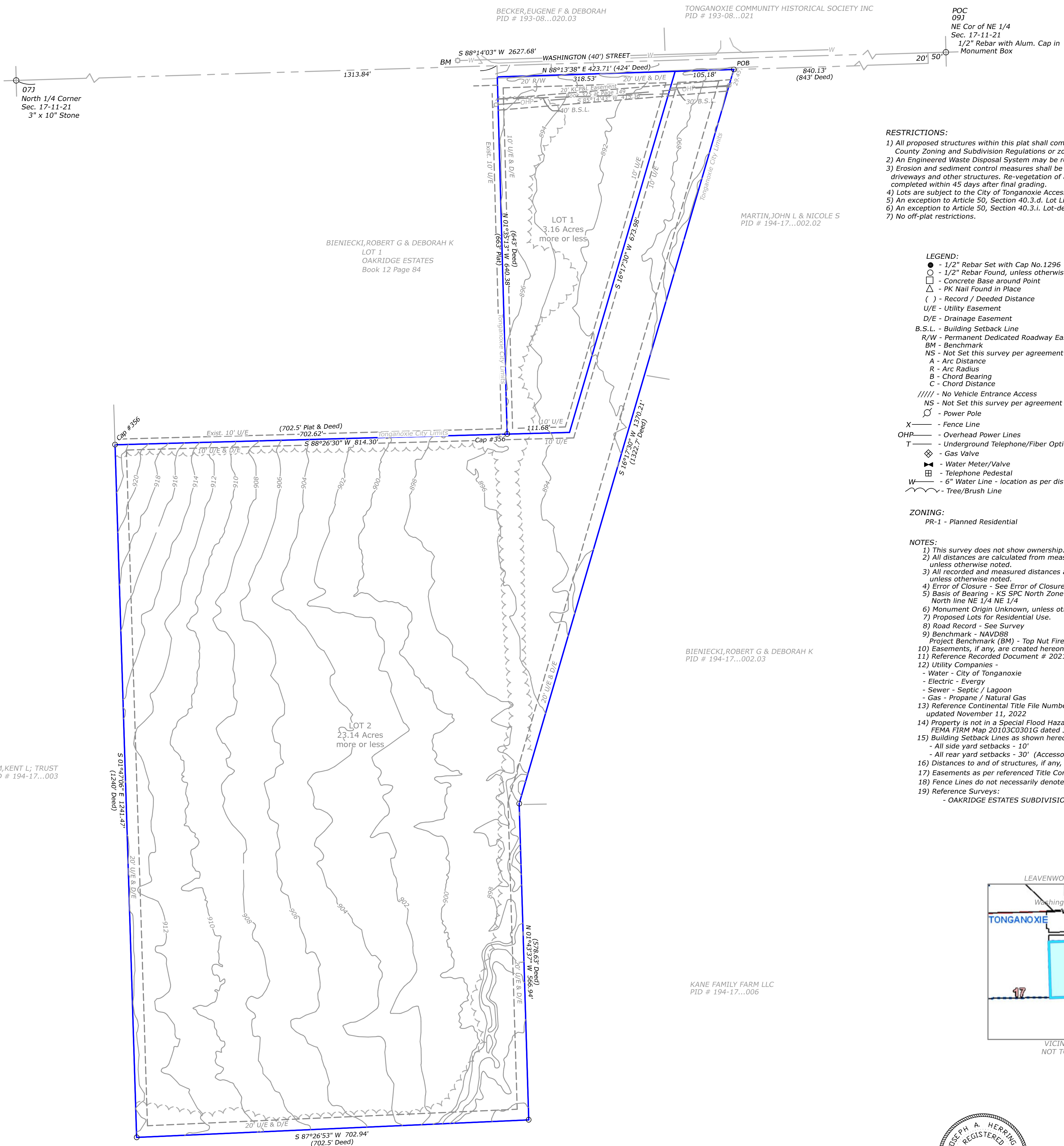
OAKRIDGE ESTATES 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 17, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
BIENIECKI, ROBERT G & DEBORAH K
300 W WASHINGTON
TONGANOXIE, KS 66086
PID # 194-17-0-00-002

RECORD DESCRIPTION:
Tract No. 2 per Title Commitment:
A tract of land located in the Northeast Quarter (NE 1/4) of Section 17, Township 11 South, Range 21 East of the 6th P.M., described as follows: Beginning 50 feet West of the NE corner, thence South 20 feet, thence West 843 feet, thence Southwesterly 1322.7 feet, thence South 578.63 feet, thence West 702.5 feet, thence North 1240 feet, thence East 702.5 feet, thence North 643 feet, thence East 424 feet to point of beginning in Leavenworth County, Kansas.
Record Description does not mathematically close.

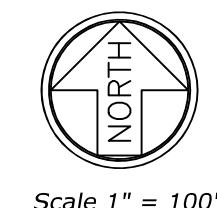
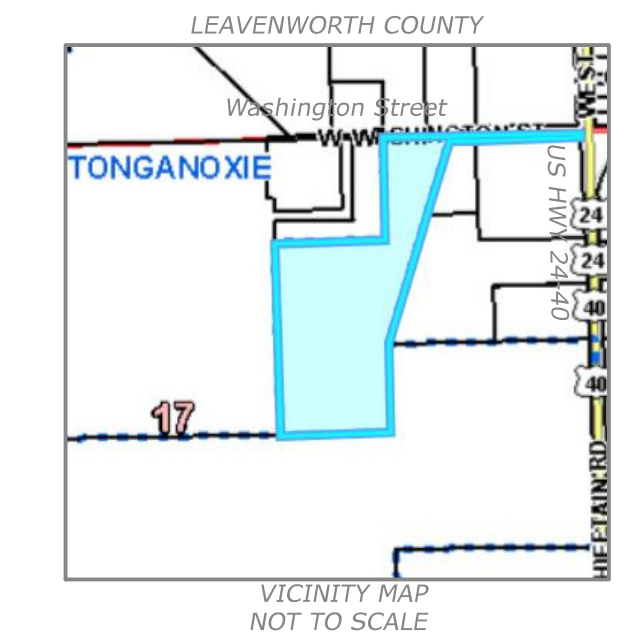


- RESTRICTIONS:**
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures 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 City of Tonganoxie Access Management Policy
 - 5) An exception to Article 50, Section 40.3.d. Lot Lines has been granted for the internal Lot Lines 1 & 2.
 - 6) An exception to Article 50, Section 40.3.i. Lot-depth to lot-width requirement for Lot 2.
 - 7) No off-plat restrictions.

- 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
 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - //// - No Vehicle Entrance Access
 - NS - Not Set this survey per agreement with client
 - ⊙ - 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

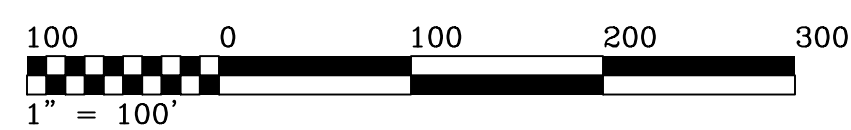
ZONING:
PR-1 - Planned Residential

- 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 North line NE 1/4 NE 1/4
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88 Project Benchmark (BM) - Top Nut Fire Hydrant - Elev. 901'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Document # 2021R12060
 - 12) Utility Companies -
- Water - City of Tonganoxie
- Electric - Evergy
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
 - 13) Reference Continental Title File Number 22443869 updated November 11, 2022
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0301G dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 10'
- All rear yard setbacks - 30' (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:
- OAKRIDGE ESTATES SUBDIVISION Bk. 12 Page 84



Scale 1" = 100'

Job # K-22-1639
December 3, 2022 Rev. 1/22/23



KANE FAMILY FARM LLC
PID # 194-17-...006



I hereby certify that this survey was made by me, or under my direct supervision, on the ground between October through December 2022 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

OAKRIDGE ESTATES 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 17, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
BIENIECKI, ROBERT G & DEBORAH K
300 W WASHINGTON
TONGANOXIE, KS 66086
PID # 194-17-0-00-002

RECORD DESCRIPTION:
Tract No. 2 per Warranty Deed Book 749 Page 190
A tract of land located in the Northeast Quarter (NE 1/4) of Section 17, Township 11 South, Range 21 East of the 6th P.M., described as follows: Beginning 50 feet West of the NE corner, thence South 20 feet, thence West 843 feet, thence Southwesterly 1322.7 feet, thence South 578.63 feet, thence West 702.5 feet, thence North 1240 feet, thence East 702.5 feet, thence North 643 feet, thence East 424 feet to point of beginning in Leavenworth County, Kansas.
Record Description does not mathematically close.

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: OAKRIDGE ESTATES 2ND PLAT.

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 OAKRIDGE ESTATES 2ND PLAT, have set our hands this _____ day of _____, 2023.

Robert G. Bieniecki Deborah K. Bieniecki

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Robert G. Bieniecki and Deborah K. Bieniecki, a married couple, 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 OAKRIDGE ESTATES 2ND PLAT this _____ day of _____, 2023.

Secretary Amy Allison 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 - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of OAKRIDGE ESTATES 2ND PLAT this _____ day of _____, 2023.

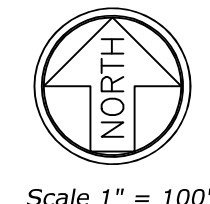
Chairman Vicki Kaaz County Clerk Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2023 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 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.

Daniel Baumchen, PS#1363
County Surveyor

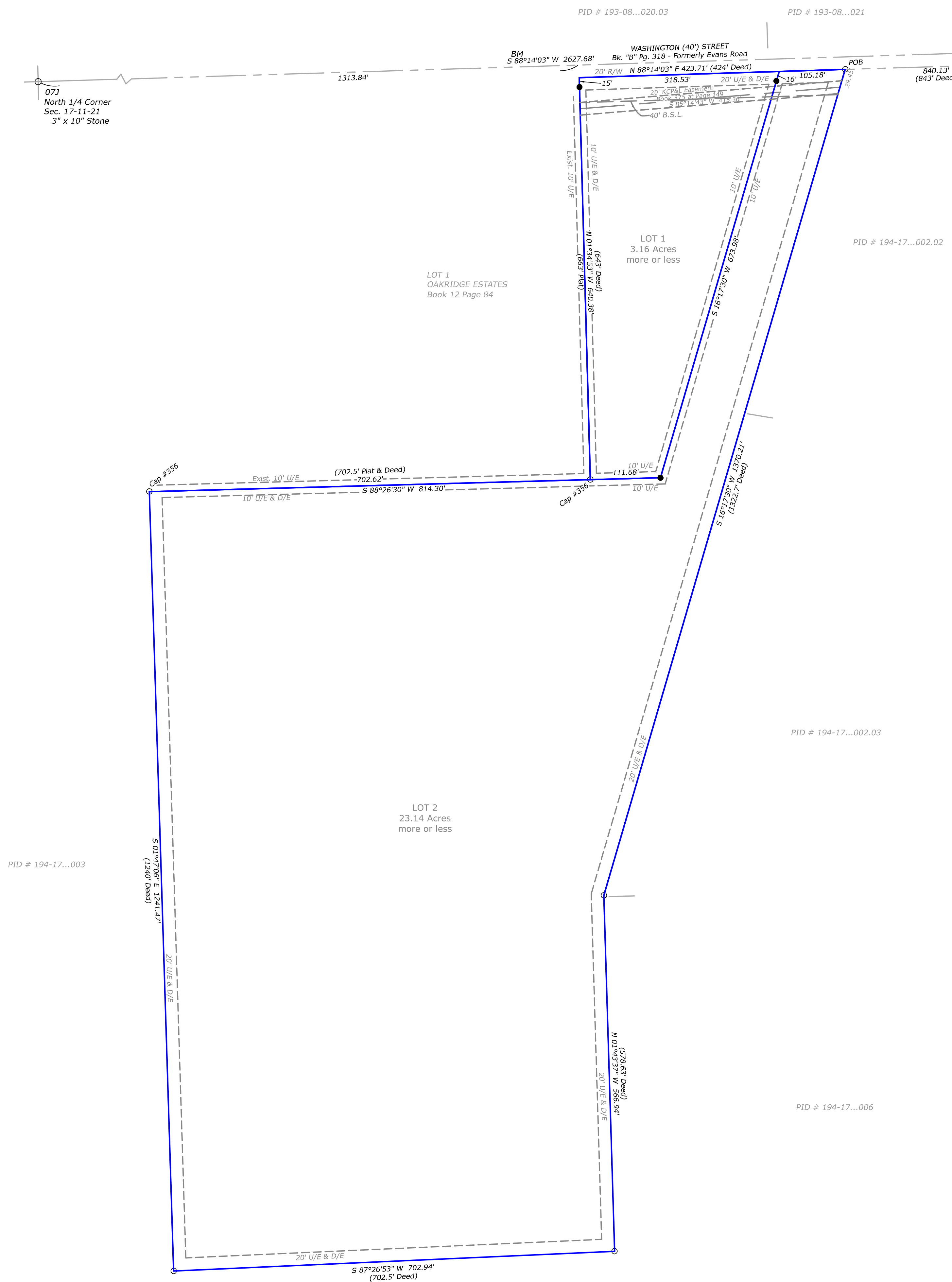
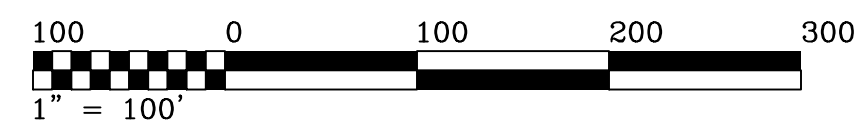


Scale 1" = 100'

Job # K-22-1639
December 3, 2022 Rev. 1-24-23



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

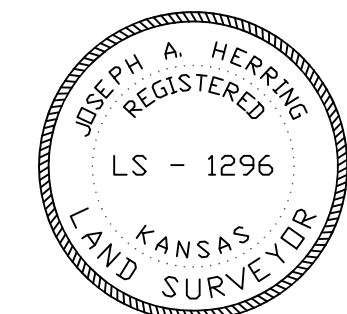
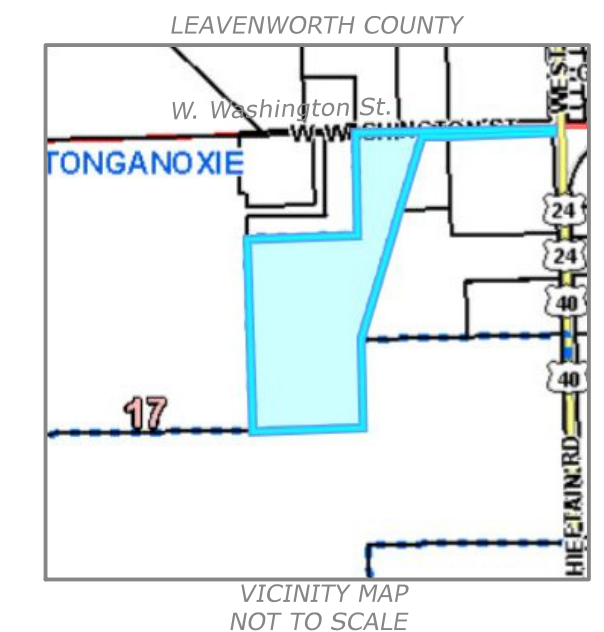


- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures 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 City of Tonganoxie Access Management Policy
 - 5) An exception to Article 50, Section 40.3.d. Lot Lines have been granted for internal Lot Lines 1 & 2.
 - 6) An exception to Article 50, Section 40.3.i. Lot-depth to Lot-width requirement for Lot 2.
 - 7) No off-plat restrictions.

- 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
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 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - ////// - No Vehicle Entrance Access
 - NS - Not Set this survey per agreement with client

ZONING:
PR-1 - Planned Residential

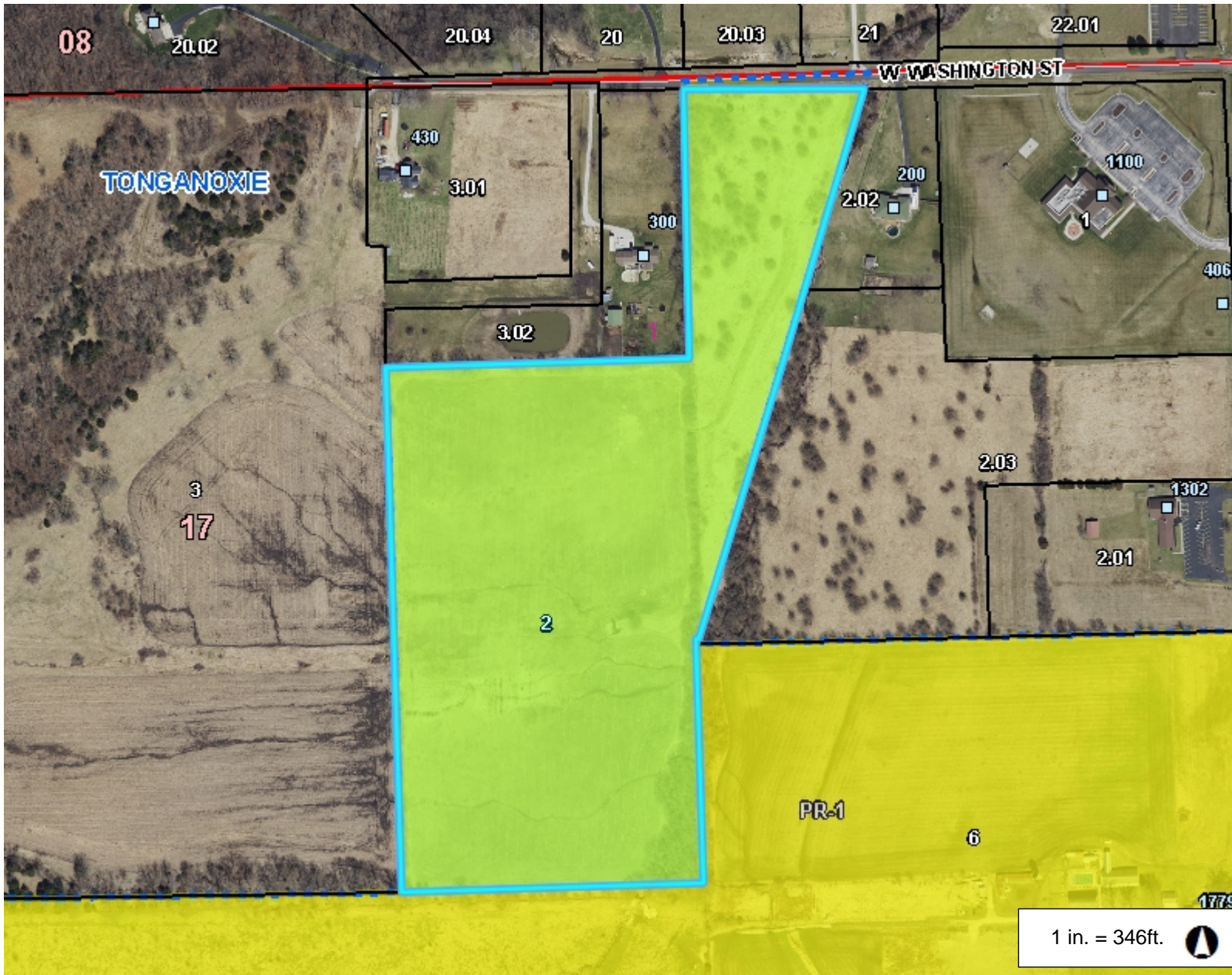
- NOTES:
- 1) This survey does not show ownership.
 - 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
 - 3) All recorded and measured distances are the same, unless otherwise noted.
 - 4) Error of Closure - 1 : 1276792, 26.3 Acres, more or less
 - 5) Basis of Bearing - KS SPC North Zone 1501 North line NE 1/4 NE 1/4
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88 Project Benchmark (BM) - Top Nut Fire Hydrant - Elev. 901'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Document # 2021R12060
 - 12) Utility Companies -
- Water - City of Tonganoxie
- Electric - Evergy
- Sewer - Septic / Lagoon
- Gas - Propane / Natural Gas
 - 13) Reference Continental Title File Number 22443869 updated November 11, 2022
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0301G dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
- All side yard setbacks - 10'
- All rear yard setbacks - 30' (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:
- OAKRIDGE ESTATES SUBDIVISION Bk. 12 Page 84



I hereby certify that this survey was made by me, or under my direct supervision, on the ground between October through December 2022 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

DEV-22-167/168 Oakridge Estates 2nd



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

Notes

691.0 0 345.51 691.0 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

Allison, Amy

From: Ross Harris <Ross.Harris@evergy.com>
Sent: Thursday, December 15, 2022 1:18 PM
To: Allison, Amy
Cc: Boone Heston
Subject: FW: DEV-22-167 Preliminary and Final Plat – Oakridge Estates 2nd Plat
Attachments: OAKRIDGE 2ND LVCOUNTY PRELIM FINAL PLAT HERRING.pdf; OAKRIDGE ESTATES 2ND Final Review.pdf; OAKRIDGE ESTATES 2ND Prelim Review.pdf

Internal Use Only

Amy,

Everything looked good to me.

Thanks

-Ross Harris
Evergy

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Thursday, December 15, 2022 12:26 PM
To: Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>; Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'chief1860@ttrfd.com' <chief1860@ttrfd.com>; 'George Brajkovic' <gbrajkovic@tonganoxie.org>; Lindsay Huntington <lhuntington@tonganoxie.org>; 'dporter@tonganoxie.org' <dporter@tonganoxie.org>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: RE: DEV-22-167 Preliminary and Final Plat – Oakridge Estates 2nd Plat

****WARNING:** This email originated from an external source outside of Evergy. Think before you click on links or attachments!**

Good Afternoon,

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 00000 W Washington St, Tonganoxie, KS (PID: 194-17-0-00-00-002.00).

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 Friday, December 23, 2022.

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

12-17-2022
OLSSON REVIEW
NO COMMENT

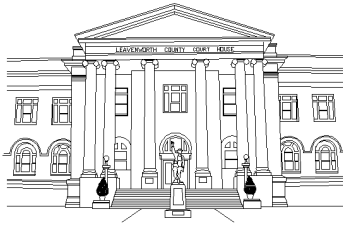
Oakridge Estates

Leavenworth County Kansas

Drainage Report

December 12, 2022





Leavenworth County Planning and Zoning Preliminary and Final Plat

DATE: 2022.12.15
RE: DEV-22-167/168 Preliminary and Final Plat – Oakridge Estates 2nd Plat
PID: 194-17-0-00-00-002.00
To: Tonganoxie Water

The Department of Planning and Zoning has received a request for a Preliminary and Final Plat for a 2-lot subdivision at 00000 W Washington St. Tonganoxie, KS.

Please address the following comments:

- a. Does the water district have existing service lines in the vicinity of the proposed plat boundary to provide potable water to the lots of the subdivision? Yes, A water main is located along the north side of W. Washington.
- b. What is the size and location of the water line(s) and fire hydrants that are adjacent to this property? The water main is 8 inch PVC SDR 21. There is a fire hydrant 100 ft west of the west property boundary.
- c. Would the water district allow fire hydrants to be installed on the existing service line(s) in the area of the proposed plat boundary? Additional fire hydrants could be installed at the developers cost.
- d. Does the water district have plans to upgrade the service in this vicinity to such a level that fire hydrants can be installed in the foreseeable future, or within a set number of years? If so, what would the improvements consist of? No system upgrades in this area are planned.

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 Friday, December 23, 2022.

If you have any questions or need additional information, please contact me at (913) 684-0465 or at Aallison@leavenworthcounty.Gov.

Sincerely,

Amy Allison
Deputy Director
Planning and Zoning
Leavenworth County

Summary of Comments on OAKRIDGE ESTATES 2ND Final Copy 24x36LS

Page: 1

Number: 1 Author: dbaumchen Subject: Text Box Date: 1/23/2023 9:47:55 AM

Reviewed 2023.01.23 No Comments

Allison, Amy

From: George Brajkovic <gbrajkovic@tonganoxie.org>
Sent: Tuesday, January 24, 2023 4:37 PM
To: Allison, Amy
Cc: Dan Porter; Lindsay Huntington
Subject: RE: DEV-22-167/168 Oakridge Estates 2nd Review Comments
Attachments: Sewer and Drain Regulations 10-8-2001 (2).pdf

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,

In the attached City Sewer and Drain regulations, please see the following:

- Article II. Infrastructure, Section 4: "... provided that said public sewer is within six hundred (600) feet of the property line." (requires connection)
- Article III. Alternate Systems, Section 4: "... No permit shall be issued for any private sewage disposal system employing sub-surface soil absorption facilities where the area of the lots is less than 130,000 square feet."

There is not an existing public sanitary sewer line within 600' of this property, and the site is proposed to be 3.16 acres, or approximately 137,650 sqft, which exceeds the minimum requirement for alternate systems. Therefore, the sanitary sewer can be waived.

Thank you,
George

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Tuesday, January 24, 2023 4:19 PM
To: George Brajkovic <gbrajkovic@tonganoxie.org>
Cc: Dan Porter <dporter@tonganoxie.org>; Lindsay Huntington <lhuntington@tonganoxie.org>
Subject: RE: DEV-22-167/168 Oakridge Estates 2nd Review Comments

It is scheduled to go on the February 8, 2023 LVCO Planning Commission meeting. We will need to know if they sanitary sewer can be waived.

Amy

From: George Brajkovic <gbrajkovic@tonganoxie.org>
Sent: Tuesday, January 24, 2023 4:08 PM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Cc: Dan Porter <dporter@tonganoxie.org>; Lindsay Huntington <lhuntington@tonganoxie.org>
Subject: RE: DEV-22-167/168 Oakridge Estates 2nd Review 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.

I've asked the City Planner to weigh in on the need to go before City PC. When do you need to know by?

OAKRIDGE ESTATES 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 17, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

FINAL PLAT

PREPARED FOR:
BIENIECKI, ROBERT G & DEBORAH K
300 W WASHINGTON
TONGANOXIE, KS 66086
PID # 194-17-0-00-002

RECORD DESCRIPTION:
Tract No. 2 per Warranty Deed Book 749 Page 190
A tract of land located in the Northeast Quarter (NE 1/4) of Section 17, Township 11 South, Range 21 East of the 6th P.M., described as follows: Beginning 50 feet West of the NE corner, thence South 20 feet, thence West 843 feet, thence Southwesterly 1322.7 feet, thence South 578.63 feet, thence West 702.5 feet, thence North 1240 feet, thence East 702.5 feet, thence North 643 feet, thence East 424 feet to point of beginning in Leavenworth County, Kansas.
Record Description does not mathematically close.

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: OAKRIDGE ESTATES 2ND PLAT.

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 OAKRIDGE ESTATES 2ND PLAT, have set our hands this _____ day of _____, 2023.

Robert G. Bieniecki Deborah K. Bieniecki

NOTARY CERTIFICATE:
Be it remembered that on this _____ day of _____, 2023, before me, a notary public in and for said County and State came Robert G. Bieniecki and Deborah K. Bieniecki, a married couple, 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 OAKRIDGE ESTATES 2ND PLAT this _____ day of _____, 2023.

Secretary Amy Allison 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 - Mitch Pleak

COUNTY COMMISSION APPROVAL:
We, the Board of County Commissioners of Leavenworth County, Kansas, do hereby approve the foregoing plat of OAKRIDGE ESTATES 2ND PLAT this _____ day of _____, 2023.

Chairman Vicki Kaaz County Clerk Attest: Janet Klasinski

REGISTER OF DEED CERTIFICATE:
Filed for Record as Document No. _____ on this _____ day of _____, 2023 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 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.

Daniel Baumchen, PS#1363
County Surveyor

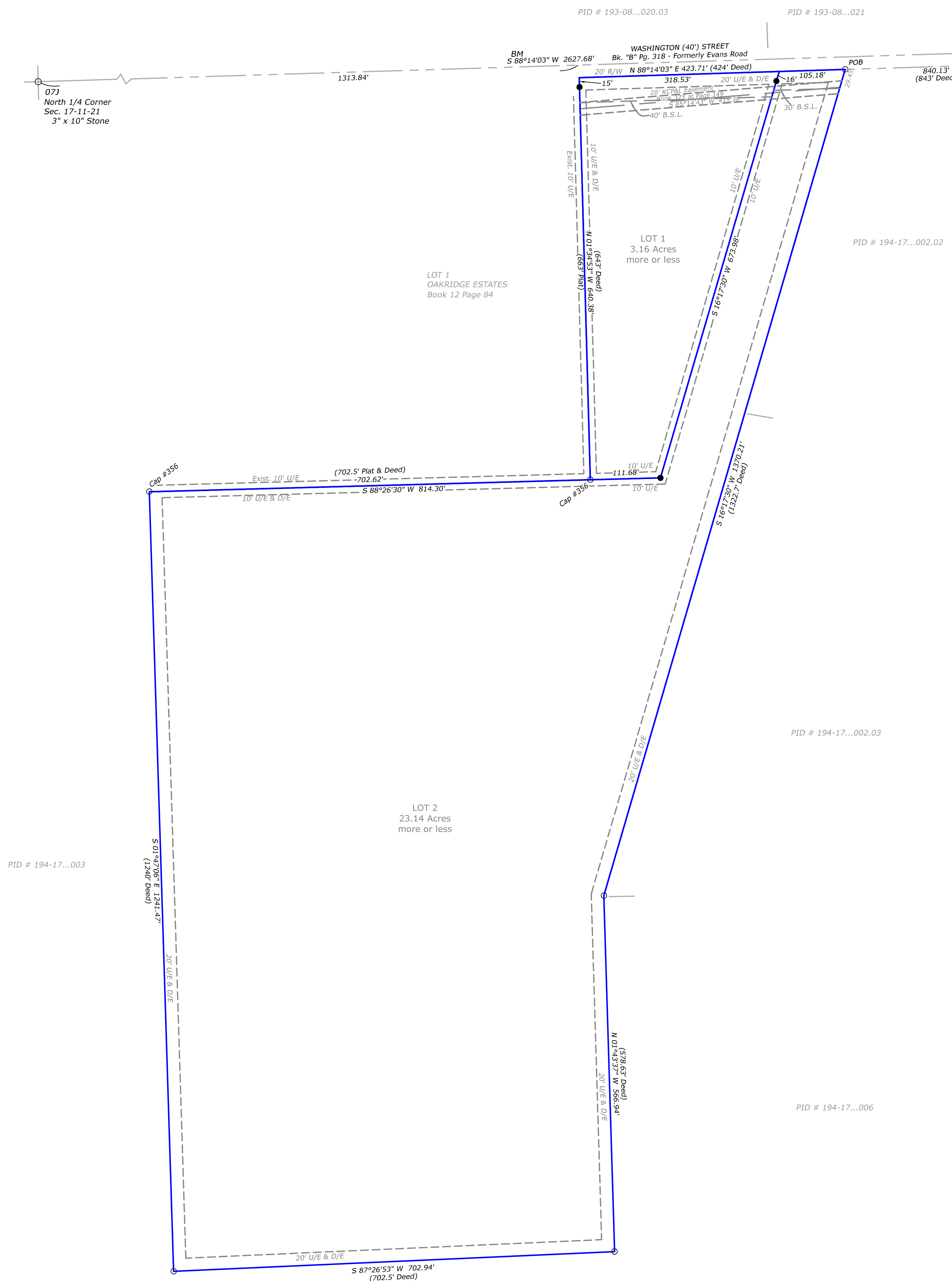
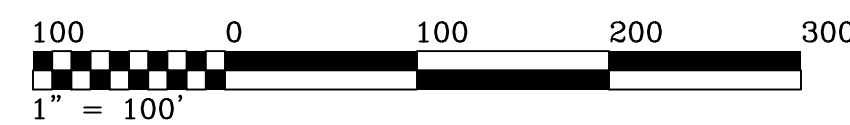


Scale 1" = 100'

Job # K-22-1639
December 3, 2022 Rev. 1-22-23



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

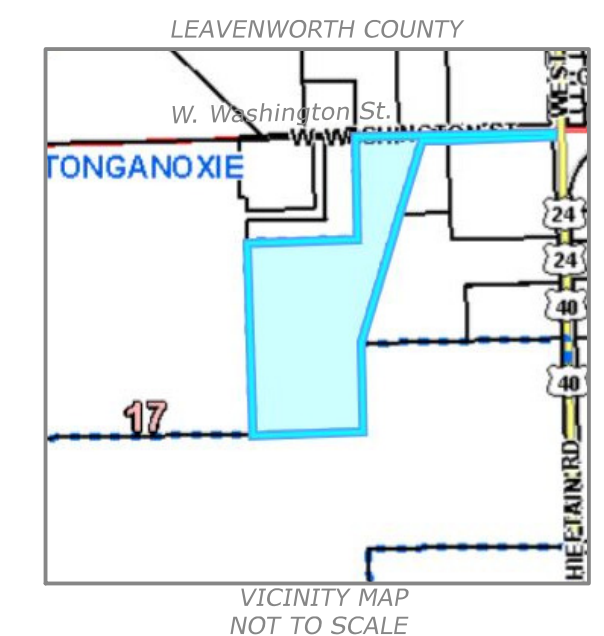


- RESTRICTIONS:
- 1) All proposed structures within this plat shall comply with the Leavenworth County Zoning and Subdivision Regulations or zoning regulation jurisdiction.
 - 2) An Engineered Waste Disposal System may be required due to poor soil conditions.
 - 3) Erosion and sediment control measures 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 City of Tonganoxie Access Management Policy
 - 5) An exception to Article 50, Section 40.3.d. Lot Lines have been granted for internal Lot Lines 1 & 2.
 - 6) An exception to Article 50, Section 40.3.i. Lot-depth to Lot-width requirement for Lot 2.
 - 7) No off-plat restrictions.

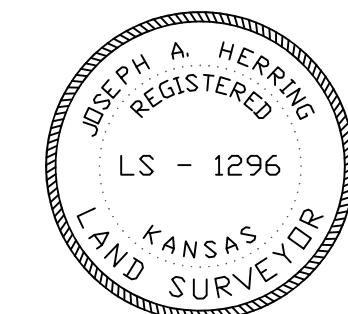
- LEGEND:
- - 1/2" Rebar Set with Cap No.1296
 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
 - () - Record / Deeded Distance
 - U/E - Utility Easement
 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
 - BM - Benchmark
 - NS - Not Set this survey per agreement with client
 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - ////// - No Vehicle Entrance Access
 - NS - Not Set this survey per agreement with client

ZONING:
PR-1 - Planned Residential

- 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 : 1276792, 26.3 Acres, more or less
 - 5) Basis of Bearing - KS SPC North Zone 1501 North line NE 1/4 NE 1/4
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88 Project Benchmark (BM) - Top Nut Fire Hydrant - Elev. 901'
 - 10) Easements, if any, are created hereon or listed in referenced title commitment.
 - 11) Reference Recorded Document # 2021R12060
 - 12) Utility Companies -
 - Water - City of Tonganoxie
 - Electric - Evergy
 - Sewer - Septic / Lagoon
 - Gas - Propane / Natural Gas
 - 13) Reference Continental Title File Number 22443869 updated November 11, 2022
 - 14) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 20103C0301G dated July 16, 2015
 - 15) Building Setback Lines as shown hereon or noted below
 - All side yard setbacks - 10'
 - All rear yard setbacks - 30' (Accessory - 15')
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 - 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:
 - OAKRIDGE ESTATES SUBDIVISION Bk. 12 Page 84



VICINITY MAP
NOT TO SCALE



I hereby certify that this survey was made by me, or under my direct supervision, on the ground between October through December 2022 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

01-24-2023
OLSSON REVIEW
No Further
Comment

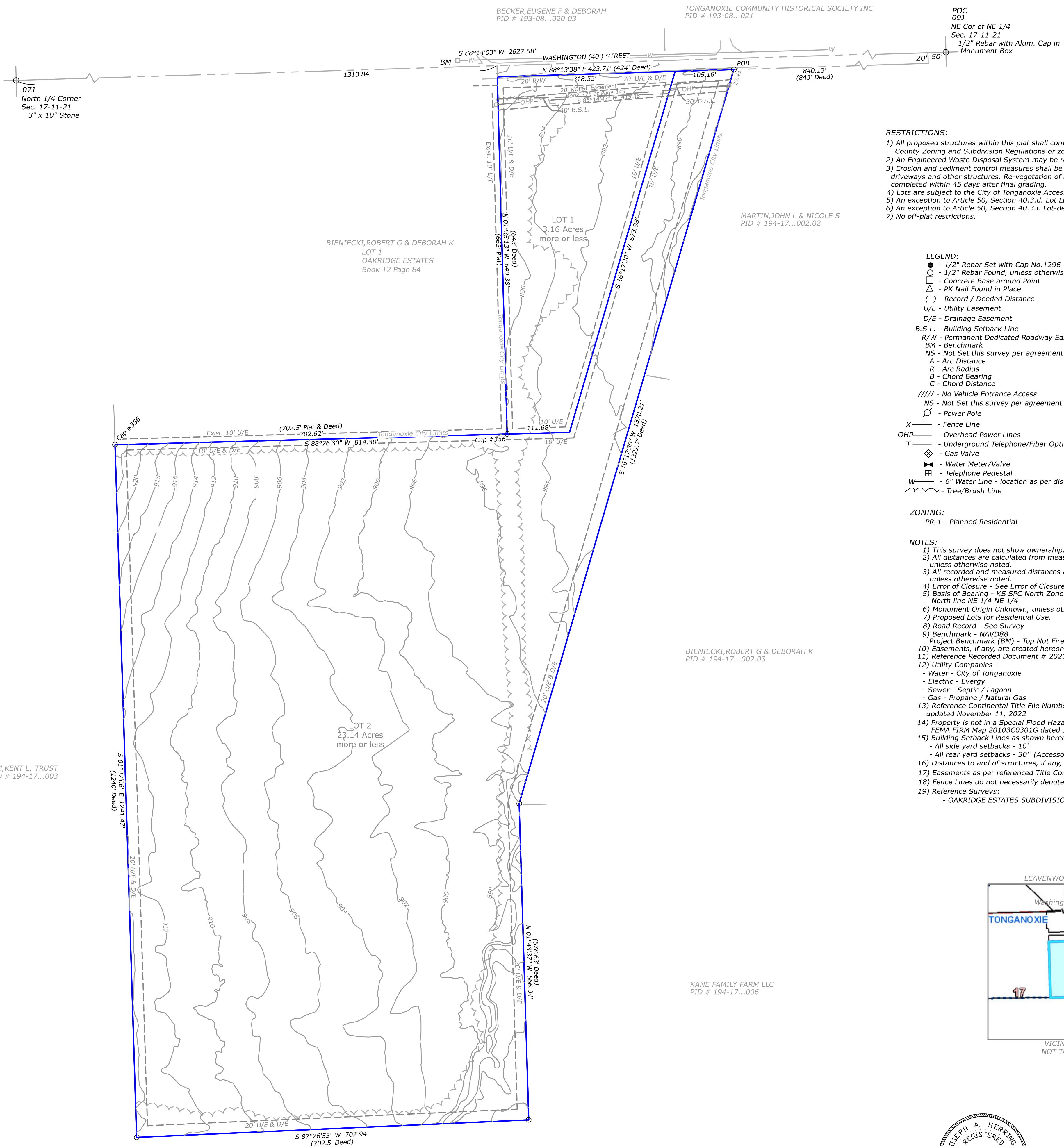
OAKRIDGE ESTATES 2ND PLAT

A Minor Subdivision in the Northeast Quarter of Section 17, Township 11 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

PRELIMINARY PLAT

PREPARED FOR:
BIENIECKI, ROBERT G & DEBORAH K
300 W WASHINGTON
TONGANOXIE, KS 66086
PID # 194-17-0-00-002

RECORD DESCRIPTION:
Tract No. 2 per Title Commitment:
A tract of land located in the Northeast Quarter (NE 1/4) of Section 17, Township 11 South, Range 21 East of the 6th P.M., described as follows: Beginning 50 feet West of the NE corner, thence South 20 feet, thence West 843 feet, thence Southwesterly 1322.7 feet, thence South 578.63 feet, thence West 702.5 feet, thence North 1240 feet, thence East 702.5 feet, thence North 643 feet, thence East 424 feet to point of beginning in Leavenworth County, Kansas.
Record Description does not mathematically close.



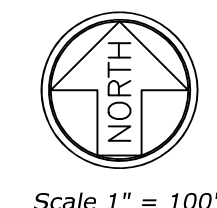
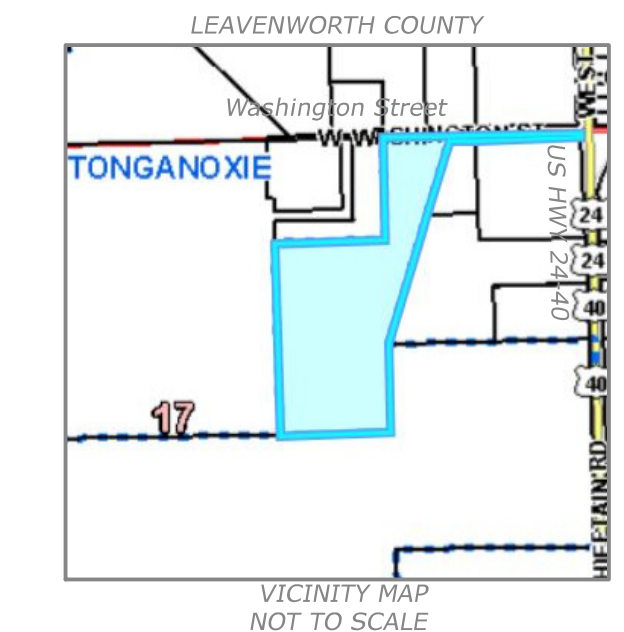
01-24-2023
OLSON REVIEW
No Further
Comment

- 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 City of Tonganoxie Access Management Policy
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- LEGEND:**
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 - - 1/2" Rebar Found, unless otherwise noted.
 - - Concrete Base around Point
 - △ - PK Nail Found in Place
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 - D/E - Drainage Easement
 - B.S.L. - Building Setback Line
 - R/W - Permanent Dedicated Roadway Easement
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 - A - Arc Distance
 - R - Arc Radius
 - B - Chord Bearing
 - C - Chord Distance
 - //// - No Vehicle Entrance Access
 - NS - Not Set this survey per agreement with client
 - ⊙ - 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

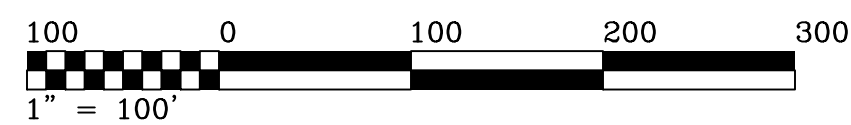
ZONING:
PR-1 - Planned Residential

- 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 North line NE 1/4 NE 1/4
 - 6) Monument Origin Unknown, unless otherwise noted.
 - 7) Proposed Lots for Residential Use.
 - 8) Road Record - See Survey
 - 9) Benchmark - NAVD88 Project Benchmark (BM) - Top Nut Fire Hydrant - Elev. 901'
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 - 13) Reference Continental Title File Number 22443869 updated November 11, 2022
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 - 19) Reference Surveys:
- OAKRIDGE ESTATES SUBDIVISION Bk. 12 Page 84

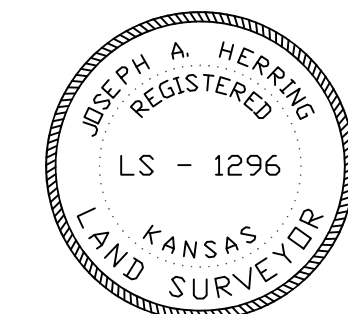


Scale 1" = 100'

Job # K-22-1639
December 3, 2022 Rev. 1/22/23



KANE FAMILY FARM LLC
PID # 194-17-...006



I hereby certify that this survey was made by me, or under my direct supervision, on the ground between October through December 2022 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

Case No. DEV-23-005
Variance from Maximum Lot Size in PR-1 District
Public Hearing Required

Staff Report – Board of Zoning Appeals

February 8, 2023

GENERAL INFORMATION:

Applicant/ Owner: Herring Surveying Company on behalf of Robert Bieniecki
300 W Washington Street
Tonganoxie KS, 66048

Legal Description: A tract of land located in the Northeast Quarter of Section 17, Township 11 South, of Range 21 East of the 6th p.m., Leavenworth County, Kansas.

Location: Approximately 850' west of the 24-40 and W Washington Street intersection
Parcel Size: ± 26 acres
PID No.: 194-17-0-00-00-002.00

Zoning: PR-1, Planned Low Density Residential

Comprehensive Plan: County Road 1 Corridor: Planned Low Density Residential

Floodplain: There are no Special Flood Hazard Areas on this parcel.

Planner: Amy Allison
REPORT:

Variance Background

The applicant is requesting to split the existing tract of land at 00000 W Washington Street (PID 194-17-0-00-00-002.300) into a 3.16-acre and 23.14-acre lots. The property is part of the County Road 1 corridor and was rezoned to the PR-1, Planned Low Density Residential. Article 18, Section 1.1 PR-1 zoning district requires a minimum lot size of 6,000 sf and a maximum lot size of 10,000 sf. Both proposed lots exceed 10,000 sf. During the County Road 1 rezoning, it was stated that property owners could request to rezone their property back to the previous zoning designation, however, the proposed 23.14-acre lot is designed in such a manner to facilitate higher density development when utilities have been extended to the property. The applicant would like to put a single-family house on the 3.16-acre house for a family member. Sanitary sewer is not present on-site therefore a private septic system would need to be installed. Since the property is within 660' of the City of Tonganoxie, the City would need to waive sanitary sewer requirements for this to proceed. The City requires 3 acre minimum to establish a private septic system.

Request

The applicant is requesting a variance for the required 10,000 sf maximum lot size for the PR-1 zoning district.

Utilities/Services

Sewer: Septic System
Fire: Tonganoxie Township FD
Water: City of Tonganoxie
Electric: Evergy

Access/Streets

Access is provided W Washington Street, a city-maintained street.

Factors to be considered

A request for a variance may be granted in such individual case, upon a finding that all of the following conditions have been met (KS Statutes 12-759):

- (A) *The variance requested arises from such condition which is unique and which is not ordinarily found in the same zoning classification, and is created by the zoning regulations and not by an action or actions of the property owner or the applicant;*

The applicant is requesting to subdivide the property to allow for the construction of a single-family house on Lot 1 and maintain acreage for future development of Lot 2. The applicant is requesting a 3.16-acre lot in order to be able to install a private septic system per the City of Tonganoxie requirements.

(B) The granting of the variance will not adversely affect the rights of adjacent property owners or residents;

The property owner is requesting the variance to comply with sanitary sewer requirements to construct a single-family residence. The use would match surrounding residences which are also on private septic systems. Granting the variance will not change the use of the property.

(C) The strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

The strict application of the zoning regulations would result in a lot that does not meet the sanitary sewer requirements for the City of Tonganoxie. In order to construct a single-family house, the applicant would need to extend sanitary sewer to the property which is a financial hardship. Financial hardship is not considered an unnecessary hardship.

(D) The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

The requested variance would not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare of the community.

(E) Granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.

The applicant is proposing to build a single-family residence which is in keeping with the uses permitted in the PR-1 zoning district, however, the request would create a large lot that would not match the higher density proposed for this location. The intent of this zoning district is to promote higher density development on the edge of the City of Tonganoxie.

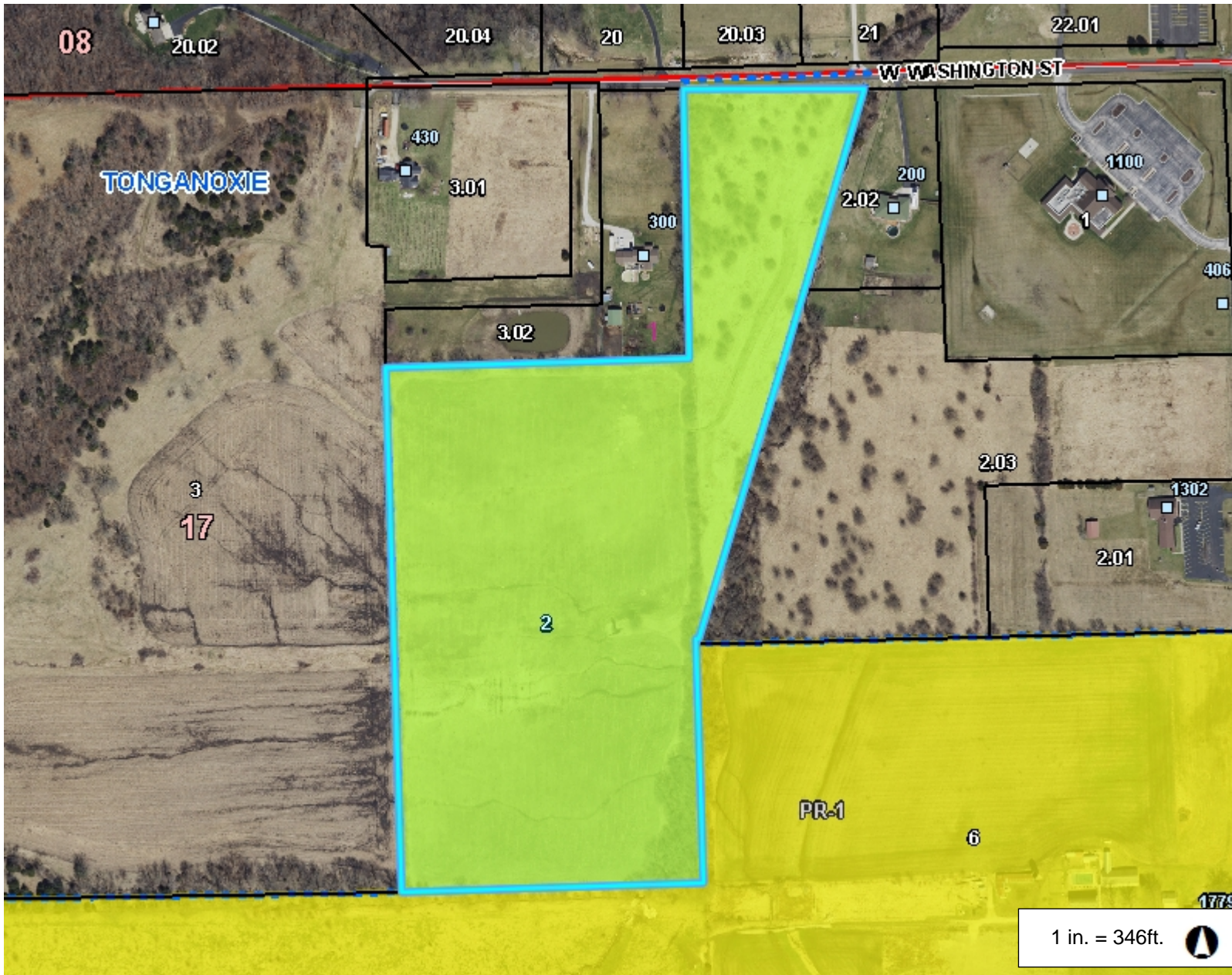
ACTION OPTIONS:

1. Approve Case No. DEV-23-005, variance from Article 18, Section 1.1 maximum lot size for the PR-1 district.
2. Deny Case No. DEV-23-005, variance from Article 18, Section 1.1 maximum lot size for the PR-1 district.
3. Continue the public hearing on the variance at another date, time, and place.

ATTACHMENTS

Aerial Picture
Narrative
Article 18

DEV-22-167/168 Oakridge Estates 2nd



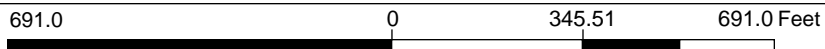
Legend

- 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. = 346ft.



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

BOARD OF ZONING APPEALS APPLICATION

Leavenworth County Planning and Zoning
300 Walnut, Suite 212
Leavenworth, Kansas 66048
913-684-0465

Office Use Only

Case No. _____
PID: _____
Township _____
BZA Hearing Date _____
ACTION _____ Date Received _____ Date Paid _____
Zoning District _____
Comprehensive Plan land use designation _____

APPLICANT/AGENT INFORMATION

OWNER INFORMATION (If different)

NAME Joe Herring
ADDRESS 315 North 5th Street
CITY/ST/ZIP Leavenworth, KS 66048
PHONE 913-651-3858
EMAIL herringsurveying@outlook.com

NAME Robert Bieniecki
ADDRESS 300 W Washington Street
CITY/ST/ZIP Tonganoxie, KS 66048
PHONE N/A
EMAIL N/A

GENERAL INFORMATION

Description of Appeal or Variance – Attach narrative addressing the Factor to be Considered (last page of application packet) to this application.

PROPERTY INFORMATION

Address of Property 00000 W Washington Street
Parcel size 26 Acres
Present improvements or structures N/A
Current use of the property? Agricultural

I, the undersigned, am the (circle one) owner 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 an appeal/variance as indicated above.

Signature Joe Herring - digitally signed 1/2/2023 Date 1-2-23

ATTACHMENT A

From: [Joe Herring](#)
Sent: Friday, January 6, 2023 12:00 PM
To: [Allison, Amy](#); [PZ](#)
Subject: Re: Bieniecki Variance Application
Attachments: Bieniecki LeavenworthCounty BZA HERRING APP.pdf

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. Payment has been made. Other documents were submitted with the platting application.

Reasoning for Variance Application: To allow larger than 10,000 square foot Tracts of ground with the PR-1 Zoning. Hardship created by the hard zoning and acceptance of the County Route 1 Comprehensive Plan. Variance allows property owners to use their property as previously zoned and matching neighboring property.

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, January 6, 2023 11:39 AM
To: 'Joe Herring' <herringsurveying@outlook.com>
Subject: Bieniecki Variance Application

Good Morning Joe,

Have you sent in the application for the Oakridge Estates variance yet?
Thanks!

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

From: [Joe Herring](#)
Sent: Sunday, January 22, 2023 4:02 PM
To: [PZ](#)
Subject: Re: Bieniecki Variance Application

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.

Reasoning for Variance Application:

A - To allow larger than 10,000 square foot Tracts of ground with the PR-1 Zoning. Hardship created by the hard zoning and acceptance of the County Route 1 Comprehensive Plan. Variance allows property owners to use their property as previously zoned and matching neighboring property.

B - Allowance of this variance will not adversely affect the right of the adjacent property owners. Tracts will be similar to existing neighborhood.

C - Yes - Owners will not be able to use their property in the manner that they wish allowing their daughter to build next to and adjacent to them. In order to build on a 10,000 square foot tract of land sanitary sewer would need to be available.

D - It will not. Will match the surrounding neighborhood.

E - It will not. Use of the land would match the previous zone of the property.

Thank you - Joe Herring

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

AFFIDAVIT

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

We/I Deborah Bieniecki and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
0000 W. Washington St, Tonganoxie KS, 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 _____ day of _____, 20__.

Deborah Bieniecki 300 W. Washington St, Tonganoxie KS 66096
Print Name, Address, Telephone 913-680-8521

Deborah Bieniecki

Signature

STATE OF KANSAS)

) SS

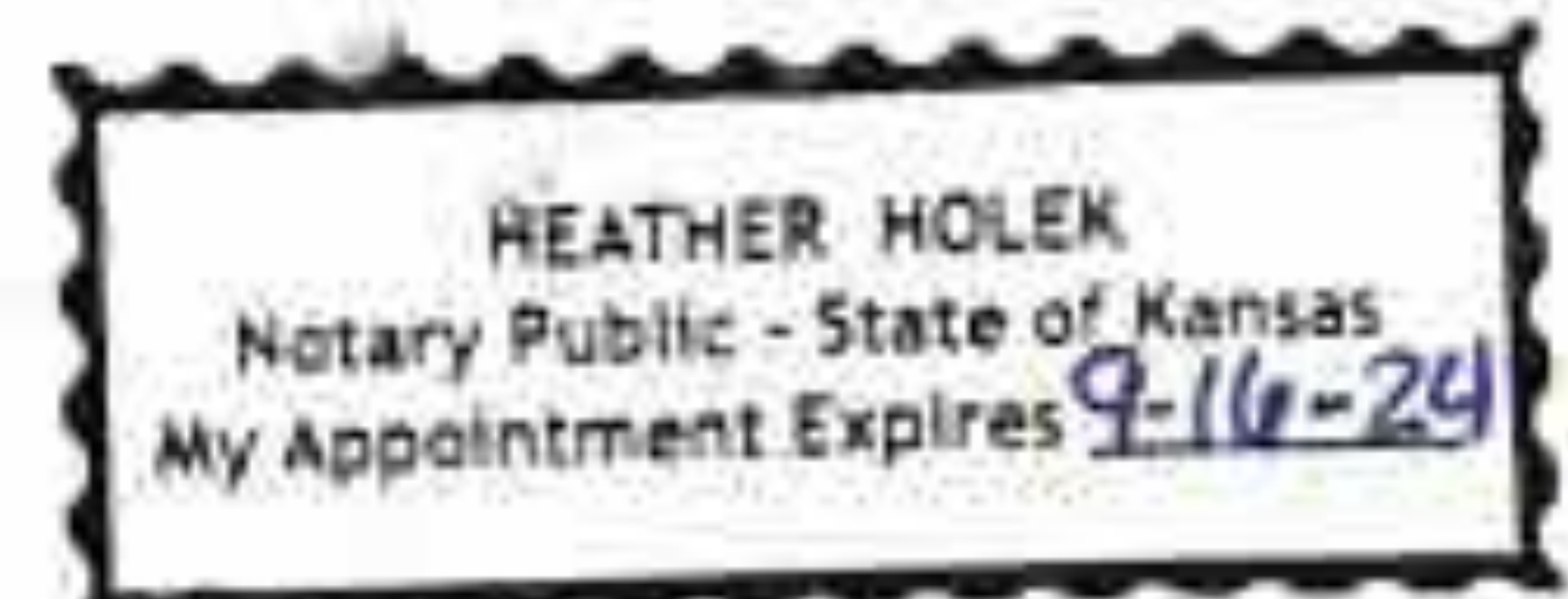
COUNTY OF LEAVENWORTH)

Be it remember that on this 23 day of September 2022 before me, a notary public in and for said County and State came Leavenworth, KS 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 Heather Holek

My Commission Expires: 9-16-24

(seal)



Heather Holek

ARTICLE 18 – PLANNED ZONING DISTRICTS

(BOCC Resolution 2021-11; March 31, 2021)

Section 1.1. PLANNED LOW DENSITY RESIDENTIAL

Single-family residential development with a minimum lot area of 6,000 square feet (up to 7.26 units/acre) up to 10,000 square feet (4 units/acre).

Section 1.2. USE REGULATIONS

A building or premises shall be used only for the following purposes:

1. Farming, including the usual farm buildings and structures, on a minimum tract size of forty (40) acres or larger; provided however, that no farm shall be operated either publicly or privately for the feeding or disposal of garbage, rubbish or offal, unless a special use permit for such an operation has been issued by the Board of County Commissioners under the provisions of Article 22, which permit shall be for a stipulated period not exceeding three (3) years and under such measures of control as may be deemed necessary, provided that land to be used for agriculturally related business (agri-business) may, if approved by a special use permit in accordance with Article 22 of these regulations, be located on land within this district.
2. Any use permitted in the Planned Residential District
3. More uses can be found in Article 19 Table of Uses.
4. Development within the Planned Low Density Residential District shall abide by the regulations set forth in:

Article 27A – Site Development Plan Approval

Article 27B – Performance Standards

Article 27C – Subdivision Standards

Section 1.3. HEIGHT REGULATIONS

No building shall exceed two and one-half stories or thirty-five (35) feet in height, except as provided for in Article 20 Additional Height and Area Regulations.

Section 1.4. AREA REGULATIONS

1. Front Yard.
 - a. The minimum setback requirement for all buildings or structures of any nature built, erected, constructed, rebuilt, re-erected or reconstructed shall be at least 30 feet on all street rights-of-way.
 - b. Where lots have a double frontage, or are located at the intersection of two or more roads or streets, the minimum front yard setback shall be maintained on all road frontages.
2. Side Yard.
 - a. There shall be a minimum side yard of ten (10) feet, except for accessory structures as provided for in Article 20 Additional Height and Area Regulations.

3. Rear Yard.