

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for a Regular Meeting of 5:30 P.M., Wednesday, April 10, 2024
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-24-011 Preliminary Plat Wagon Wheel Ranch

Consideration of a Preliminary Plat for a Subdivision in the Southwest Quarter of the Fractional Section 3, Township 10 South, Range 20 East of the 6th PM, including Government Lots 3 & 4, Leavenworth County, Kansas.

Also known as 23752 259th St.

PID: 132-03-0-00-00-009

B. Case DEV-24-023 Preliminary Plat Lecompton Estates

Consideration of a Preliminary Plat for Tracts of land in the Northeast quarter of Section 01, Township 09 South, Range 21 East of the 6th PM., Leavenworth County, Kansas

Also known as 18933 Lecompton Rd

PID: 111-01-0-00-00-001.01

9. **Regular Agenda**

A. Case DEV-24-022 Exception Lot 1 Doane Acres Tract Split

Consideration of an Exception from Article 50, Section 40.3.i. (Lot-Depth to Lot-Width) for tracts of land in Lot 1, Doane Acres, a Subdivision of land in Leavenworth County, Kansas

Also known as 00000 Wolcott Rd

PID: 162-03-0-00-00-017

B. Case DEV-24-013 Rezoning Z&M Vineyard

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning on the following described property: Tract of land in the South Half of the Northwest Quarter of Section 13, Township 12 South, Range 20, East of the 6th PM, Leavenworth County, Kansas.

Also known as 24305 Loring Rd

PID: 216-13-0-00-00-007

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

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

C. Case DEV-24-024 Rezoning Walker-Cooper

Consideration of a rezoning request from RR-5 zoning district to RR-2.5 zoning on the following described property: Tracts of land in the Southwest Quarter of the Northwest Quarter of Section 15, Township 10 South, Range 22 East of the 6th PM., Leavenworth County, Kansas.

Also known as 22482 & 22552 163rd St.

PID: 155-15-0-00-00-010 & 155-15-0-00-00-010.01

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

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

D. 2024 Comprehensive Plan Annual Review

Consideration of the proposed amendments and action matrix as part of the Annual Review of the Comprehensive Plan for 2024.

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

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

Adjournment of Planning Commission

*WORK SESSION IMMEDIATELY FOLLOWING REGULAR MEETING TO DISCUSS
2024 LANGUAGE ADMENDMENT PART 1*

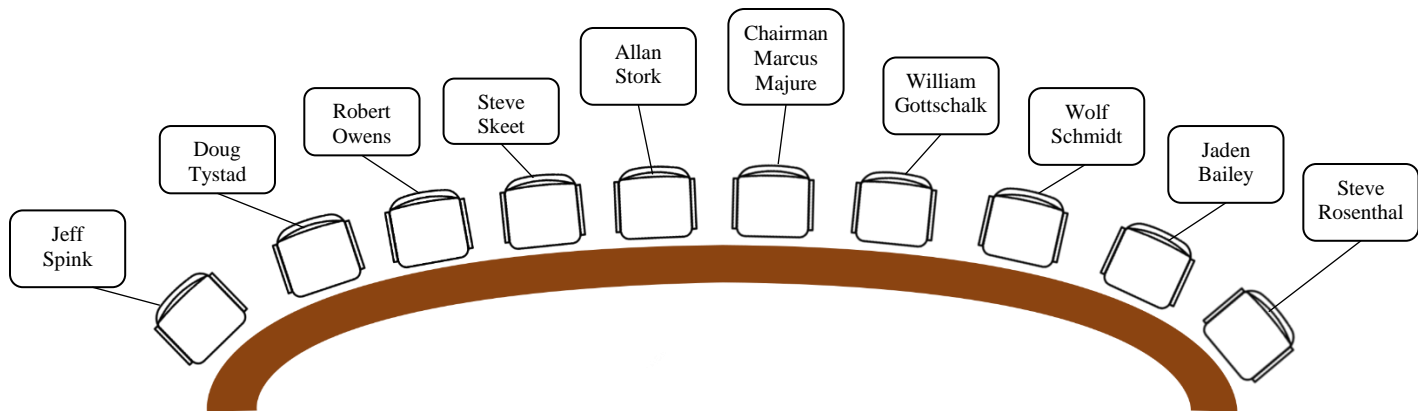
Upcoming meeting dates:

**Wednesday, May 8, 2024, 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 2024



**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
March 13, 2024**

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: Doug Tystad, Steve Rosenthal, Allan Stork, Wolf Schmidt, William Gottschalk, Jaden Bailey, Jeff Spink, Marcus Majure

Members absent: Robert Owens and Steve Skeet *(Commissioner Skeet arrived at 5:43 PM)*

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Josh Schweitzer-Planner, David Van Parys-County Counselor

Minutes: Commissioner Schmidt made a motion to approve the minutes and Commissioner Stork seconded that motion.

ROLL CALL VOTE - Motion to approve the passed, 6/0 *(2 absent, 1 abstain)*

Secretary's Report: Amy Allison gave the secretary's report going over the agenda, stating that there were two items on the consent agenda.

Declarations: None

Commissioner Gottschalk made a motion to approve the agenda. Commissioner Stork seconded the motion.

ROLL CALL VOTE - Motion to approve the agenda passed, 7/0 *(2 absent)*

**Case DEV-24-003 Preliminary Plat Orchard Meadow
Consideration of a Preliminary Plat for a tract of land in the Northeast ¼ of Section 16, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.**

Amy Allison gave the staff report for the above-listed case, outlining the details of the request.

Chairman Majure asked if there were any questions or discussions from the board. Chairman Majure asked if there was any additional information to present., if not he would accept a motion on the exception.

Commissioner Rosenthal motioned to approve the request for the Exception for Case DEV-24-003. Commissioner Tystad seconded the motion.

ROLL CALL VOTE - Motion to approve passed 7/0 *(2 absent)*

Commissioner Rosenthal motioned to approve the request for the Preliminary Plat for Case DEV-24-003. Commissioner Gottschalk seconded the motion.

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

Case DEV-24-014 Exception Limestone Tract Split

Consideration of an Exception from Article 50, Section 40.3.i. Lot-Depth to Lot-Width for a tract of land in the Northeast ¼ of Section 16, Township 9 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

Josh Schweitzer gave the staff report for the above-listed case, outlining the details of the request.

Chairman Majure asked if there were any questions or discussions from the board. Chairman Majure asked if there was any additional information to present., if not he would accept a motion on the exception.

**Commissioner Stork motioned to approve the request for the Exception for Case DEV-24-014.
Commissioner Skeet seconded the motion.**

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

Case DEV-24-017 Exception Wagner Tract Split

Consideration of an Exception from Article 50, Section 40.3.i. Lot-Depth to Lot-Width for a tract of land in the Northwest ¼ of Section 21, Township 8 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Josh Schweitzer gave the staff report for the above-listed case, outlining the details of the request.

Chairman Majure asked if there were any questions or discussions from the board. Chairman Majure asked if there was any additional information to present., if not he would accept a motion on the exception.

**Commissioner Stork motioned to approve the request for the Exception for Case DEV-24-017.
Commissioner Rosenthal seconded the motion.**

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

Case DEV-24-004 Rezoning Smith Trust

Consideration of a rezoning request form RR-5 zoning district to the RR-2.5 zoning district on the following described property: Two tracts of land in the East half of the Southeast Quarter of Section 13, Township 10 South, Range 21 East off the 6th P.M., Leavenworth County AND The South Twenty-two acres of the East Half of the Southeast Quarter of Section 13, Township 10, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case, outlining the details of the request.

Chairman Majure asked if there were any questions or discussions from the board.

Chairman Majure opened the public comment portion of this hearing and invited the applicant to come forward. Mr. Joe Herring, Herring Surveying, came forward to answer questions about the request.

Chairman Majure invited individuals wishing to so speak in favor or opposition of the request. Several residents came forward to speak in opposition of the request.

The public comment portion of the meeting was closed.

Chairman Majure asked if there was any additional information to present., if not he would accept a motion.

**Commissioner Stork motioned to approve the request for the request for Case DEV-24-004.
Commissioner Schmidt seconded the motion.**

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

Case DEV-24-005 Rezoning Elston

Consideration of a rezoning request from PR-1 zoning districts to RR-5 zoning district on the following described property: Lot 2, Elston Estates, Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case, outlining the details of the request.

Chairman Majure asked if there were any questions or discussions from the board.

Chairman Majure opened the public comment portion of this hearing and invited the applicant to come forward. Mark Elston came forward to answer questions about the request.

Chairman Majure invited individuals wishing to so speak in favor or opposition of the request.

The public comment portion of the meeting was closed.

Chairman Majure asked if there was any additional information to present., if not he would accept a motion.

**Commissioner Skeet motioned to approve the request for the request for Case DEV-24-005.
Commissioner Schmidt seconded the motion.**

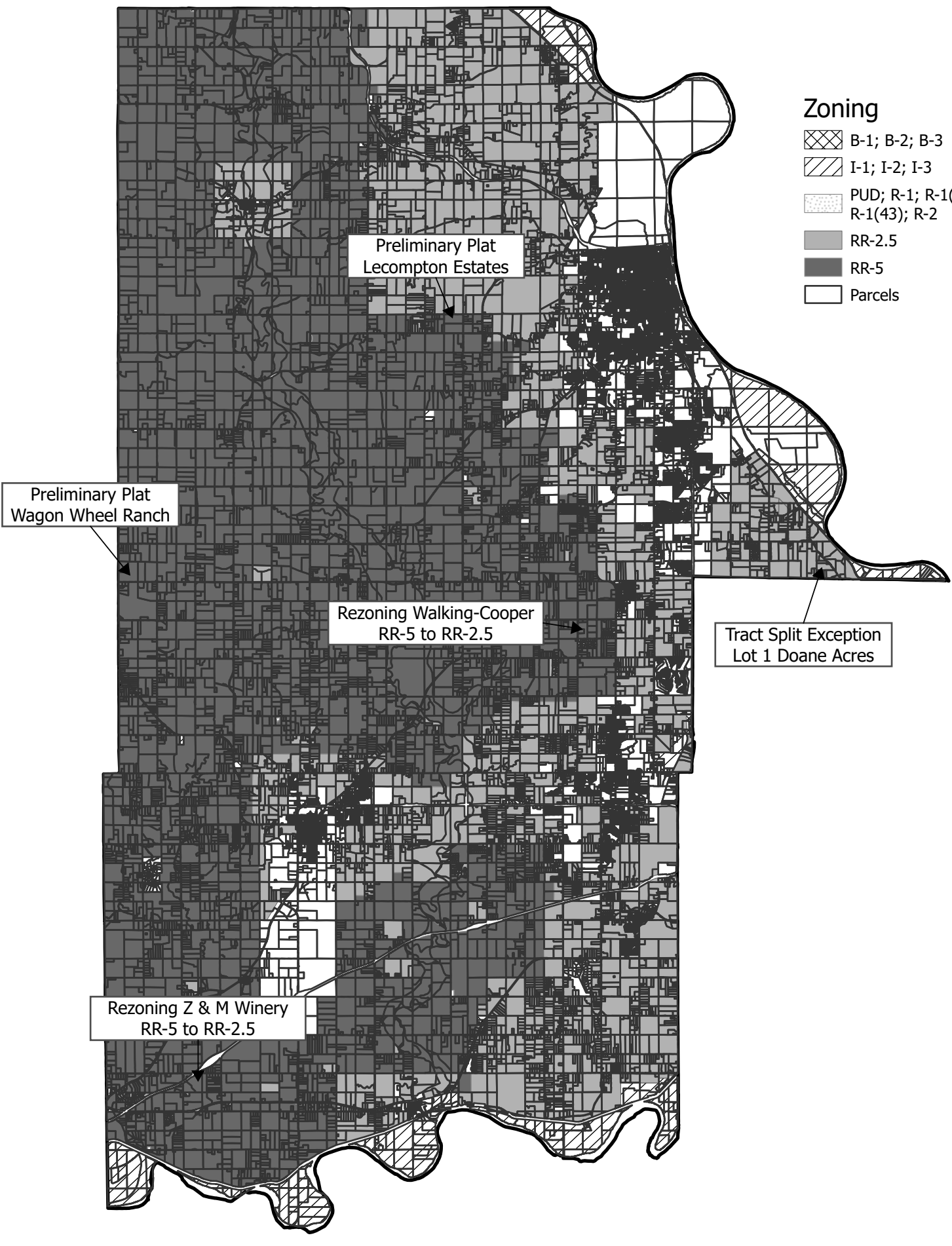
ROLL CALL VOTE - Motion to approve passed 8/0 (1 absent)

Meeting was adjourned 7:31 PM







Work Session called to order at 7:41

Work Session was to discuss 2024 Comprehensive Plan Annual Review.

Work Session ended at 7:32 PM.



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
-  Parcels

Preliminary Plat
Lecompton Estates

Preliminary Plat
Wagon Wheel Ranch

Rezoning Walking-Cooper
RR-5 to RR-2.5

Tract Split Exception
Lot 1 Doane Acres

Rezoning Z & M Winery
RR-5 to RR-2.5

**LEAVENWORTH COUNTY
PLANNING COMMISSION**

STAFF REPORT

CASE NO: DEV-24-011 Wagon Wheel Ranch Preliminary Plat

April 10, 2024

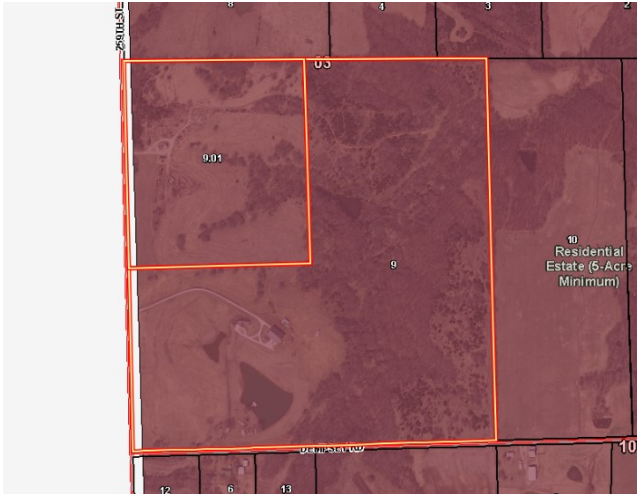
REQUEST: *Consent Agenda*

Preliminary Plat Final Plat

STAFF REPRESENTATIVE:

AMY ALLISON
DEPUTY DIRECTOR

SUBJECT PROPERTY: 23752 & 00000 259th Street



APPLICANT/APPLICANT AGENT:

LARRY HAHN
HAHN SURVEYING

PROPERTY OWNER:

ROBERT L PURTEE
23752 259TH STREET
MCLOUTH, KS 66054

CONCURRENT APPLICATIONS:
NONE

LAND USE

ZONING: RR-5

FUTURE LAND USE
DESIGNATION: RESIDENTIAL (5
ACRE MIN)

Future Land Use Designation: Residential (5 Acre Min)

LEGAL DESCRIPTION:

Two tracts of land in the Southwest Quarter of Fractional Section 3, Township 10 South, Range 20 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Approve Case No. DEV-24-011 Preliminary Plat for Wagon Wheel Ranch, with or without conditions; or
2. Deny Case No. DEV-24-011 Preliminary Plat for Wagon Wheel Ranch for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 171.35 ACRES

PARCEL ID NO: 132-03-0-00-00-009.00 & 132-03-0-00-00-009.01

BUILDINGS: 1 SINGLE FAMILY
RESIDENCE AND ACCESSORY
STRUCTURES

PROJECT SUMMARY:

Request for a preliminary plat approval to subdivide property located at 23752 & 00000 259th Street as Lots 1 through 9 of Wagon Wheel Ranch.

ACCESS/STREET:
259TH STREET – GRAVEL,
JEFFERSON COUNTY
REGULATED ROAD &
DEMPSEY RD – LOCAL,
GRAVEL, ± 15'

Location Map:



UTILITIES

SEWER: PRIVATE SEPTIC
SYSTEM

FIRE: UNION

WATER: RWD 12

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW:
3/28/2024

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

STANDARDS TO BE CONSIDERED:			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	n/a	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	n/a	
41-6.C.	Public Road Access Management Standards	n/a	
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 divide 171 acres into a 9-lot subdivision. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots 1-4 will be approximately 12 acres each. Lot 5 will be 38 acres and will retain the existing house and accessory structures. Lot 6 will be over 70 acres and Lots 8-10 will be 5 acres each. Lots 1-5 will access off of 259th Street either through existing entrances or new entrances. Since 259th Street is controlled by Jefferson County, Jefferson County has confirmed that an access point will likely be approved for each proposed new lot without an existing entrance. Lots 6-10 will access off of Dempsey Road and should be able to meet the County's access management standards. RWD 12 indicated that a study will need to be performed to determine water availability for the proposed lots. However, all lots are large enough that a water well can be obtained per the LVCO Sanitary Code. Staff is generally in support.

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 – Phil Hoffman, Jefferson County Road Superintendent, dated March 6, 2024
 - b. Email - RWD 12, dated February 12, 2024

ATTACHMENTS:

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

PRELIMINARY PLAT APPLICATION
 Leavenworth County Planning and Zoning Department,
 300 Walnut St., Suite 30
 Leavenworth, Kansas
 913-684-0465
 913-684-0398 Fax

Big Copies
~~Water - RWA 12~~
~~Fire - Freestate~~
~~FD - Union~~
~~Seeds~~ *message 2/16*
~~DR~~ *2/21*

CAMA No.: 132-03-0-00-00-009.00 Office Use Only 9.01
 Township: Alexandria
 Planning Commission Meeting Date: _____
 Project No.: DEV-24- _____ Date Received: _____ Date Paid: 02.06.2024

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: _____	NAME: <u>ROBERT L. PURTEE</u>
MAILING ADDRESS: _____	MAILING ADDRESS: <u>23752 259TH STREET</u>
CITY/ST/ZIP: _____	CITY/ST/ZIP: <u>MCLOUTH, KS. 66054</u>
PHONE: _____ EMAIL: _____	PHONE: <u>913-636-1108</u> EMAIL: _____
CONTACT PERSON: _____	CONTACT PERSON: <u>ROBERT</u>

GENERAL INFORMATION

Proposed Subdivision Name: WAGON WHEEL RANCH
 Nearest Intersection: 259TH STREET & DEMPSEY ROAD
 Legal Description (S-T-R 1/4 Section): SW 1/4 3-T10S-R20E
 Zoning: RR - 5.0
 Comprehensive Plan Land Use Designation: _____
 Urban Growth Management Area: _____
 Surveyor and/or Engineer Firm: HAHN SURVEYING
 Contact Person: LARRY HAHN
 Address: PO BOX 186 BASEHOR, KANSAS 66007
 Phone: 913-547-3405 Fax: _____ Email: hahnsurvey@gmail.com

SUBDIVISION INFORMATION		
Gross Acreage: <u>171.35 ACRES</u>	Number of Lots: <u>9</u>	Minimum Lot Size: <u>5.00 ACRES</u>
Maximum Lot Size: <u>70.04 ACRES</u>	Proposed Zoning: <u>RR-5.0</u>	Density: _____
Open Space Acreage: _____	Water District: <u>RWD 12</u>	Proposed Sewage: <u>ON SITE</u>
Fire District: <u>UNION</u>	Electric Provider: <u>FREESTATE</u>	Natural Gas Provider: <u>PROPANE</u>
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <u>Local</u> - Collector - Arterial - State - Federal	
Is any part of the site designated as Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 preliminary plat approval as indicated above.		
Signature: <u>Robert Purtee</u>		Date: <u>2-5-24</u>

M
 Leavenworth County Planning

ATTACHMENT A-1

OWNER AUTHORIZATION

I/WE ROBERT L. PURTEE, hereby referred to as the "Undersigned", being of lawful age, do hereby on this ___ day of _____, 20___, 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 Exhibit A attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize LARRY HAHN HAHN SURVEYING (Hereinafter referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Department of Leavenworth County, Kansas, 23752 259TH STREET (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 below.

STATE OF KANSAS
COUNTY OF LEAVENWORTH

Robert L. Purtee
ROBERT L. PURTEE

The foregoing instrument was acknowledged before me on this 5 day of February, 2024
by Robert L. Purtee

My Commission Expires: 9/27/27

Notary Public *Rebekah Felix*



ATTACHMENT B



* 2 0 1 4 R 0 9 5 0 7 4 *

Doc #: 2014R09507

STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY

RECORDED ON

12/31/2014 10:27AM

RECORDING FEE: 20.00

INDEBTEDNESS: 0.00

PAGES: 4

Entered in the transfer record in my office this

31 day of Dec, 2014.

Jarrett Klasmadi
County Clerk
by *B Jones*

Kansas Secured Title
360 Santa Fe
Leavenworth, KS 66048
TX0008367

KANSAS SPECIAL WARRANTY DEED (Corporation)

THIS SPECIAL WARRANTY DEED is made by and between, **SOUTHERN STAR CENTRAL GAS PIPELINE, INC.**, a Delaware corporation, whose mailing address is 4700 Highway 56, Owensboro, Kentucky 42301, as **GRANTOR**, and Robert L. Purtee, whose mailing address is 22934 George Road, Tonganoxie, Kansas, as **GRANTEE**.

WITNESSETH: THAT GRANTOR, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by GRANTOR, does hereby **GRANT, BARGAIN, SELL AND CONVEY** to GRANTEE, his successors and assigns, the surface rights only to the following described real property (the "Property") situated in the County of Leavenworth, State of Kansas, to wit:

The Southwest Fractional Quarter of Section three (3), Township 10 South, Range 20 East of the Sixth Principal Meridian,

LESS a tract of land in the West half of the fractional Section 3-T10S-R20E of the 6th P.M., Leavenworth County, Kansas, said tract being Government lot 3, described as follows; Beginning at the intersection of the North line of the Delaware Reservation Line and the West line of section 3; thence, S 88 degrees, 18 minutes, 26 seconds East (assumed), 1323.75 feet along the North line of the Delaware Reservation Line; thence, S 00 degrees, 26 minutes, 15 seconds West, 1484.07 feet; thence North 89 degrees 48 minutes, 22 seconds West 1325.76 feet to the West line of section 3, thence, N 00 degrees, 31 minutes, 30 seconds East, 1518.70 feet along said West line to the point of beginning. **ALSO LESS** any part thereof taken or used for road purposes.

Containing 124.27 acres, more or less.

SUBJECT TO THOSE EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS RESERVATIONS AND COVENANTS OF RECORD, AND FURHTER SUBJECT TO THE FOLLOWING EASEMENTS RIGHTS, RESTRICTIONS AND PRIVILEGES SPECIFICALLY RESERVED IN THIS INSTRUMENT.

GRANTOR, it successors and assigns, shall retain all mineral interests as well as easement rights and privileges to the exclusive use of the surface and all sub-surface strata (sands and formations underlying the property described hereinabove) of the Property for the following purposes:

K.S.T.V. 20
REV 14.38

- (i) Conducting, exploring and testing work for the purpose of determining the suitability of the Property for gas storage;
- (ii) Developing and operating Property for gas storage by means of any well or wells on the Property and other lands in the vicinity thereof, either previously drilled or hereafter drilled.
- (iii) To drill, install, construct, operate, monitor, maintain, renew, repair, replace, produce, plug, and remove, from time to time, such existing and/or future wells, pipeline, gas transmission pipelines, casing, drips, valves, structure, and other related equipment, appliances, and appurtenances as Grantor deems desirable, utilizing the surface of the lands legally described above to the extent necessary to accomplish such purposes.
- (iv) Storing any kind of gas by pumping, injecting or otherwise introducing the same into any permeable porous rock beneath the surface of said Property and to remove, withdraw and recover such gas by pumping or otherwise;
- (v) To retain possession, ownership, and title of natural gas so stored as personal property;
- (vi) To re-establish, reopen, repair, recondition, utilize for observation, injection and/or withdrawal, or plug or replug any non-commercial existing wells heretofore drilled, whether or not abandoned;
- (vii) To have ingress and egress to, from and across the Property utilizing existing roads or heretofore created roads or newly created roads and to have so much of the surface thereof as may be reasonably necessary or convenient for the economic and efficient operation of GRANTOR's facilities for the purposes of mining, drilling, exploring, operating, monitoring, producing, testing, plugging and developing said lands for oil, gas, coal and other minerals, and storing handling, transporting and marketing the same therefrom with the right to remove any and all stated minerals from said land;
- (viii) To construct, lay maintain, operate, replace, change the size of and remove any pipeline or pipelines and other equipment, appliances and structures, above or below ground, on, over and through the Property that may be necessary or convenient for the operation by GRANTOR of its facilities on said Property alone or conjointly with other lands for the introduction, storage and withdrawal of gas in and under said Property;
- (ix) To construct, maintain or operate electric, telephone, telemetering or other communication lines and equipment above or below ground, along or within existing roadways or GRANTOR's newly established roadways on the Property,

or along or contiguous with property lines, or in the case of buried cable along or within the pipeline ditch or roadway.

- (x) If the interests herein are otherwise assignable and if the interest of either party hereto is assigned, the covenants contained herein shall extend to the assigns and their respective successors in title including their assigns, but no change of ownership in the Property shall be binding upon GRANTOR until after notice to GRANTOR and GRANTOR has been furnished with the written transfer or assignment with a true copy thereof, certified by the register of deeds of the county in which the Property is located. GRANTEE agrees that GRANTOR, upon observing the terms and conditions stated in this instrument shall peacefully and quietly hold, enjoy and occupy the interests and estates un the Property for the purposes herein specified without any hindrance, interruption, or interference by GRANTEE or any person or party acting by, through or under them, including tenants.

- (xi) All express or implied covenants of this easement reservation shall be subject to all federal and state laws and the present and future orders, rules, regulations of regulatory authorities with jurisdiction, including the Kansas Corporation Commission and the Federal Energy Regulatory Commission and this easement reservation shall not be terminated in whole or in part, nor GRANTOR be held liable in damages for failure to comply herewith, if compliance is prevented by or if such failure is the result of any such law, order, rule or regulation.

GRANTEE, his successors and/or assigns, agrees that the primary use of the surface of the property is for agriculture use or the construction of a single family dwelling. GRANTEE specifically acknowledges that prior to the construction of any commercial facility on the surface property, GRANTEE, its successors and/or assigns, must first obtain the written consent of GRANTOR to such use.

GRANTEE specifically acknowledges that GRANTOR may freely assign this reserved interest in whole or in part. All of the terms, conditions and covenants of this easement reservation shall extend to and be binding upon the heirs, successors and assigns of the parties hereto.

This easement reservation shall be governed by the laws of the State of Kansas notwithstanding its conflicts of laws provisions.

This reservation embodies the complete agreement and understanding of the parties hereto with respect to the subject matter thereof and supersedes and preempts any prior understandings, agreements or representations by or between the parties, written or oral, that may have related to the subject matter thereof, including any prior gas storage lease and/or agreements between the parties concerning the Property.

TO HAVE AND TO HOLD the Property aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the GRANTEE, his successors and assigns forever; the GRANTOR hereby covenanting that the Property is free and clear from any encumbrance done or suffered by GRANTOR; and that GRANTOR will warrant and defend the title to the Property unto Grantee and its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under GRANTOR and none other EXCEPT as aforesaid.

IN WITNESS WHEREOF, the GRANTOR has hereunto caused this Special Warranty Deed to be signed on its behalf by its duly authorized officer as of December 17, 2014.

GRANTOR:

SOUTHERN STAR CENTRAL GAS PIPELINE, INC.
A Delaware corporation

By: 
Robert S. Bahnick

MR


Title: Vice President and Chief Operations Officer

STATE OF KENTUCKY

COUNTY OF DAVIESS

On this 17th day of December, 2014, before me the undersigned, a Notary Public in and for said County and State, personally appeared Robert S. Bahnick, to me personally known to be the person described in and who executed the foregoing instrument, who, being by me duly sworn, stated that he is the Vice President and Chief Operations Officer of Southern Star Central Gas Pipeline, Inc., a Delaware corporation, and who executed as such officer the foregoing instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of said corporations.

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


Notary Public

My commission expires: 10-3-2017

RHONDA M. THOMPSON Notary Public State at Large, Kentucky Certificate ID 498345 My Appt Expires <u>10-3-2017</u>
--

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 12/15/2023

Janet Klasinski
COUNTY CLERK

Doc #: 2023R08775
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
12/15/2023 01:35:52 PM
RECORDING FEE: 72.00
PAGES: 4

Prepared By:

Mr. Bill Jamison
952 Echo Lane
Houston, Texas 77024

After Recording Return To:

Mr. Robert Purtee
23752 - 259th Street
McLouth, Kansas 66054

QUIT CLAIM DEED

State of Kansas

Leavenworth County

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One Hundred Thousand Dollars (\$100,000.00) and other good or valuable consideration, if any, in hand paid to the "Grantor(s)" known as:

ARC Energy Development LLC, with Bill Jamison acting as the Managing Member, with a mailing address of 952 Echo Lane, Houston, Texas, 77024.

The receipt whereof is hereby acknowledged, the undersigned hereby quitclaims to Mr. Robert Purtee, a married individual, residing at 23752 259th St, McLouth, Kansas, 66054 (hereinafter the "Grantee(s)"), all its rights, title, interest, and claim in or to the following described real estate, situated in Leavenworth County, Kansas, to-wit:

S03, T10, R20E, ACRES 44.96, TR BEG INTRSECT OF W LI SEC 3 & N LI DELAWARE RESV, E1323.75', S1484.07', W1325.76', N1518.7' TO POB LESS ROW AKA GOV LT 3, also known as a tract of land in the west half of the fractional section 3-T10S-R20E of the 6th p.m., Leavenworth County Kansas, said tract being government lot 3, described as follows: beginning at the intersection of the north line of the Delaware reservation line and the west line of section 3; thence, S 88°18'26"E (assumed), 1323.75 feet along the north line of the Delaware reservation

line; thence, S 00°26'15"W, 1484.07 feet; thence, N 89°48'22"W, 1325.76 feet to the west line of section 3; thence, N 00°31'30"E, 1518.70 feet along said west line to the point of beginning, containing 45.63 acres, more or less, including road right of way (the "Leavenworth County Real Estate")

It is the intent of both parties, the Grantor(s) (ARC Energy Development LLC, "ARC") and the Grantee(s) ("Robert Purtee") for ARC to convey its interest in the Real Property associated with the referenced *Certificate of Purchase*, to Mr. Robert Purtee for the sum of one hundred thousand dollars (\$100,000.00).

ARC acquired a *Certificate of Purchase* in the District Court of Leavenworth County, Kansas Civil Court Department (Case No. 2021-MV-91) for the above referenced property. A sale in the entitled action was held on the 8th day of December, 2022 at the Leavenworth County District Courthouse, in the City of Leavenworth, Leavenworth County, Kansas. The property was sold to ARC, for its bid in the sum of one hundred thousand dollars (\$100,000.00), it being the highest bidder thereon, and the return of said Sheriff on his proceedings on sale were duly returned into Court and said sale was confirmed by the Court on February 3rd, 2023, and said Sheriff was directed to execute to the purchaser a certificate of purchase showing that the purchaser will be entitled to a conveyance one (1) year from the date of this sale if said property is not redeemed as provided by law.

- Should Mr. Robert Purtee or his agent be prevented from obtaining the rights, interest and property associated with the *Certificate of Purchase*, by whatever date is provided by law, (expectedly on or before February 4th, 2024 at 12:01 a.m.) due to the property being redeemed or by some other method not due to the fault of ARC, then ARC agrees to reimburse the Mr. Robert Purtee the sum paid of either one hundred thousand dollars (\$100,000.00) or ninety-five thousand dollars (\$95,000.00) depending on a "trash and equipment removal" provision described below.
- Should Mr. Robert Purtee or his agent be prevented from obtaining the rights, interest and property associated with the *Certificate of Purchase*, by whatever date is provided by law, (expectedly on or before February 4th, 2024 at 12:01 a.m.) due to the fault of ARC, then ARC agrees to reimburse Mr. Robert Purtee the sum paid of one hundred thousand dollars (\$100,000.00) or ninety-five thousand dollars (\$95,000.00) depending on a "trash and equipment removal" provision described below, plus interest at U.S. Prime plus four percent (4%) from the date the sum paid is received by the Grantor.

ARC and Mr. Robert Purtee acknowledge they have *walked the property* to identify and agree upon what constitutes "trash" and "equipment" to be removed by ARC from the described real estate. To that end, Mr. Robert Purtee will withhold five thousand dollars (\$5,000.00) from the one hundred thousand dollars (\$100,000.00) sale price to ensure that the trash and equipment have been removed. If ARC satisfies its obligation of the agreed upon "trash and equipment removal" within three (3) months of receipt of ninety-five thousand dollars (\$95,000.00), Mr. Robert Purtee agrees to pay the remainder of the balance due (the referenced five thousand dollars (\$5,000.00) withheld), within two (2) business days of the date the trash and equipment

was removed. However, if upon completion of three (3) months of receipt of ninety-five thousand dollars (\$95,000.00), the trash and equipment have not been removed, Mr. Robert Purtee will retain the five thousand dollars (\$5,000.00) withheld.

The terms of this Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective heirs, legal representatives, successors and assigns.

This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas.

The Parties hereto have participated jointly in the negotiation and drafting of this Agreement. In the event an ambiguity or question of intent or interpretation arises, this Agreement shall be construed as if drafted jointly by the Parties hereto and no presumption or burden of proof shall arise favoring or disfavoring any Party by virtue of the authorship of any provisions of this Agreement.

TO HAVE AND TO HOLD, all and singular the described property, together with the tenements, hereditaments, and appurtenances belonging, or in anywise appertaining thereto, unto the Grantee(s), and their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor(s) has duly executed this Quit Claim Deed as of ~~June~~ ^{July} ³⁰ ~~24~~, 2023.

----- Signature & Notary Page Follow -----

Grantor's Signature Bill Jamison Date July 24, 2023
Print Name: Mr. Bill Jamison
Address: 952 Echo Lane, Houston, Texas, 77024

State of Texas)

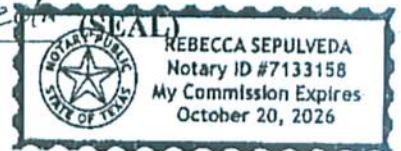
County of Harris)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bill Jamison whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

Given under my hand this 24th day of July 2023.

Rebecca Sepulveda
Notary Public (Signature)

Rebecca Sepulveda
Notary Public (Printed Name)
Rebecca Sepulveda



My Commission Expires: October 20, 2026

Grantee's Signature Robert Purtee Date Dec 15, 2023
Print Name: Mr. Robert Purtee
Address: 23752 259th St, McLouth, Kansas, 66054

State of Kansas)

County of Leavenworth)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert Purtee whose names are signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, executed the same voluntarily on the day the same bears date.

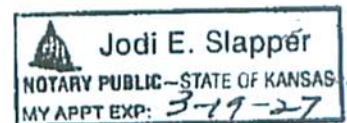
Given under my hand this 15th Dec day of ~~July~~ 2023.

Jodi E. Slapper
Notary Public (Signature)

Jodi E Slapper (SEAL)
Notary Public (Printed Name)

My Commission Expires: 3-19-27

Jodi E. Slapper





* 2 0 1 4 R 0 9 5 0 7 4 *

Doc #: 2014R09507

STACY R. DRISCOLL/REGISTER OF DEEDS

LEAVENWORTH COUNTY

RECORDED ON

12/31/2014 10:27AM

RECORDING FEE: 20.00

INDEBTEDNESS: 0.00

PAGES: 4

Entered in the transfer record in my office this
31 day of Dec, 2014.
Jarrett Klasmeki
County Clerk
by B Jones

Kansas Secured Title
360 Santa Fe
Leavenworth, KS 66048
TX0008367

KANSAS SPECIAL WARRANTY DEED (Corporation)

THIS SPECIAL WARRANTY DEED is made by and between, **SOUTHERN STAR CENTRAL GAS PIPELINE, INC.**, a Delaware corporation, whose mailing address is 4700 Highway 56, Owensboro, Kentucky 42301, as **GRANTOR**, and Robert L. Purtee, whose mailing address is 22934 George Road, Tonganoxie, Kansas, as **GRANTEE**.

WITNESSETH: THAT **GRANTOR**, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by **GRANTOR**. does hereby **GRANT, BARGAIN, SELL AND CONVEY** to **GRANTEE**, his successors and assigns, the surface rights only to the following described real property (the "Property") situated in the County of Leavenworth, State of Kansas, to wit:

The Southwest Fractional Quarter of Section three (3), Township 10 South, Range 20 East of the Sixth Principal Meridian,

LESS a tract of land in the West half of the fractional Section 3-T10S-R20E of the 6th P.M., Leavenworth County, Kansas, said tract being Government lot 3, described as follows; Beginning at the intersection of the North line of the Delaware Reservation Line and the West line of section 3; thence, S 88 degrees, 18 minutes, 26 seconds East (assumed), 1323.75 feet along the North line of the Delaware Reservation Line; thence, S 00 degrees, 26 minutes, 15 seconds West, 1484.07 feet; thence North 89 degrees 48 minutes, 22 seconds West 1325.76 feet to the West line of section 3, thence, N 00 degrees, 31 minutes, 30 seconds East, 1518.70 feet along said West line to the point of beginning. **ALSO LESS** any part thereof taken or used for road purposes.

Containing 124.27 acres, more or less.

SUBJECT TO THOSE EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS RESERVATIONS AND COVENANTS OF RECORD, AND FURHTER SUBJECT TO THE FOLLOWING EASEMENTS RIGHTS, RESTRICTIONS AND PRIVILEGES SPECIFICALLY RESERVED IN THIS INSTRUMENT.

GRANTOR, it successors and assigns, shall retain all mineral interests as well as easement rights and privileges to the exclusive use of the surface and all sub-surface strata (sands and formations underlying the property described hereinabove) of the Property for the following purposes:

K.S.T.V 20 (Rev) 1438

- (i) Conducting, exploring and testing work for the purpose of determining the suitability of the Property for gas storage;
- (ii) Developing and operating Property for gas storage by means of any well or wells on the Property and other lands in the vicinity thereof, either previously drilled or hereafter drilled.
- (iii) To drill, install, construct, operate, monitor, maintain, renew, repair, replace, produce, plug, and remove, from time to time, such existing and/or future wells, pipeline, gas transmission pipelines, casing, drips, valves, structure, and other related equipment, appliances, and appurtenances as Grantor deems desirable, utilizing the surface of the lands legally described above to the extent necessary to accomplish such purposes.
- (iv) Storing any kind of gas by pumping, injecting or otherwise introducing the same into any permeable porous rock beneath the surface of said Property and to remove, withdraw and recover such gas by pumping or otherwise;
- (v) To retain possession, ownership, and title of natural gas so stored as personal property;
- (vi) To re-establish, reopen, repair, recondition, utilize for observation, injection and/or withdrawal, or plug or replug any non-commercial existing wells heretofore drilled, whether or not abandoned;
- (vii) To have ingress and egress to, from and across the Property utilizing existing roads or heretofore created roads or newly created roads and to have so much of the surface thereof as may be reasonably necessary or convenient for the economic and efficient operation of GRANTOR's facilities for the purposes of mining, drilling, exploring, operating, monitoring, producing, testing, plugging and developing said lands for oil, gas, coal and other minerals, and storing handling, transporting and marketing the same therefrom with the right to remove any and all stated minerals from said land;
- (viii) To construct, lay maintain, operate, replace, change the size of and remove any pipeline or pipelines and other equipment, appliances and structures, above or below ground, on, over and through the Property that may be necessary or convenient for the operation by GRANTOR of its facilities on said Property alone or conjointly with other lands for the introduction, storage and withdrawal of gas in and under said Property;
- (ix) To construct, maintain or operate electric, telephone, telemetering or other communication lines and equipment above or below ground, along or within existing roadways or GRANTOR's newly established roadways on the Property,

or along or contiguous with property lines, or in the case of buried cable along or within the pipeline ditch or roadway.

- (x) If the interests herein are otherwise assignable and if the interest of either party hereto is assigned, the covenants contained herein shall extend to the assigns and their respective successors in title including their assigns, but no change of ownership in the Property shall be binding upon GRANTOR until after notice to GRANTOR and GRANTOR has been furnished with the written transfer or assignment with a true copy thereof, certified by the register of deeds of the county in which the Property is located. GRANTEE agrees that GRANTOR, upon observing the terms and conditions stated in this instrument shall peacefully and quietly hold, enjoy and occupy the interests and estates un the Property for the purposes herein specified without any hindrance, interruption, or interference by GRANTEE or any person or party acting by, through or under them, including tenants.
- (xi) All express or implied covenants of this easement reservation shall be subject to all federal and state laws and the present and future orders, rules, regulations of regulatory authorities with jurisdiction, including the Kansas Corporation Commission and the Federal Energy Regulatory Commission and this easement reservation shall not be terminated in whole or in part, nor GRANTOR be held liable in damages for failure to comply herewith, if compliance is prevented by or if such failure is the result of any such law, order, rule or regulation.

GRANTEE, his successors and/or assigns, agrees that the primary use of the surface of the property is for agriculture use or the construction of a single family dwelling. GRANTEE specifically acknowledges that prior to the construction of any commercial facility on the surface property, GRANTEE, its successors and/or assigns, must first obtain the written consent of GRANTOR to such use.

GRANTEE specifically acknowledges that GRANTOR may freely assign this reserved interest in whole or in part. All of the terms, conditions and covenants of this easement reservation shall extend to and be binding upon the heirs, successors and assigns of the parties hereto.

This easement reservation shall be governed by the laws of the State of Kansas notwithstanding its conflicts of laws provisions.

This reservation embodies the complete agreement and understanding of the parties hereto with respect to the subject matter thereof and supersedes and preempts any prior understandings, agreements or representations by or between the parties, written or oral, that may have related to the subject matter thereof, including any prior gas storage lease and/or agreements between the parties concerning the Property.

TO HAVE AND TO HOLD the Property aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the GRANTEE, his successors and assigns forever; the GRANTOR hereby covenanting that the Property is free and clear from any encumbrance done or suffered by GRANTOR; and that GRANTOR will warrant and defend the title to the Property unto Grantee and its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under GRANTOR and none other EXCEPT as aforesaid.

IN WITNESS WHEREOF, the GRANTOR has hereunto caused this Special Warranty Deed to be signed on its behalf by its duly authorized officer as of December 17, 2014.

GRANTOR:

SOUTHERN STAR CENTRAL GAS PIPELINE, INC.

A Delaware corporation

By: 
Robert S. Bahnick




Title: Vice President and Chief Operations Officer

STATE OF KENTUCKY

COUNTY OF DAVIESS

On this 17th day of December, 2014, before me the undersigned, a Notary Public in and for said County and State, personally appeared Robert S. Bahnick, to me personally known to be the person described in and who executed the foregoing instrument, who, being by me duly sworn, stated that he is the Vice President and Chief Operations Officer of Southern Star Central Gas Pipeline, Inc., a Delaware corporation, and who executed as such officer the foregoing instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of said corporations.

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


Notary Public

My commission expires: 10-3-2017

RHONDA M. THOMPSON Notary Public State at Large, Kentucky Certificate ID 498345 My Appt Expires <u>10-3-2017</u>
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* 2 0 0 7 R 0 8 9 8 1 2 *

Doc #: 2007R08981

STACY R. DRISCOLL/REGISTER OF DEEDS
LEAVENWORTH COUNTY

RECORDED ON

11/20/2007 09:32AM

RECORDING FEE: 12.00

INDEBTEDNESS: 0.00

PAGES: 2

Entered in the transfer record in my office this
20th day of November, 20 07,
Linda A Scheer by D Cox
County Clerk

QUIT CLAIM DEED

SOUTHERN STAR CENTRAL GAS PIPELINE, INC., a Delaware corporation, Grantor,

QUIT CLAIMS TO

KLM EXPLORATION, INC., a Kansas corporation, Grantee,

Grantor's interest in the surface rights only, reserving all mineral interests to Grantor, in the following described REAL ESTATE in the County of Leavenworth and the State of Kansas, to-wit:

A tract of land in the west half of the fractional section 3-T10S-R20E of the 6th p.m., Leavenworth County, Kansas, said tract being government lot 3, described as follows; beginning at the intersection of the north line of the Delaware reservation line and the west line of section 3; thence, S 88°18'26"E (assumed), 1323.75 feet along the north line of the Delaware reservation line; thence, S 00°26'15"W, 1484.07 feet; thence, N 89°48'22"W, 1325.76 feet to the west line of section 3; thence, N 00°31'30"E, 1518.70 feet along said west line to the point of beginning.

Contains 45.63-acres, more or less, including road r/w.

Gov # 1635
Sterling Energy Resources
10551 Ste 109
Overland Park, KS 66212
/R

for the sum of One Dollar and other valuable consideration.

SOUTHERN STAR CENTRAL GAS PIPELINE, INC.

By 
Jerry L. Morris
President and CEO

Dated: October 24, 2007

kc055665.doc

STATE OF KENTUCKY)
) ss:
COUNTY OF DAVIESS)

BE IT REMEMBERED, that on this 24th day of October, 2007, before me, the undersigned, a Notary Public duly appointed in and for the County and State aforesaid, came JERRY L. MORRIS, President and CEO of Southern Star Central Gas Pipeline, Inc., personally known to me to be such officer and to be the same person who executed as such officer the foregoing instrument of writing for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.

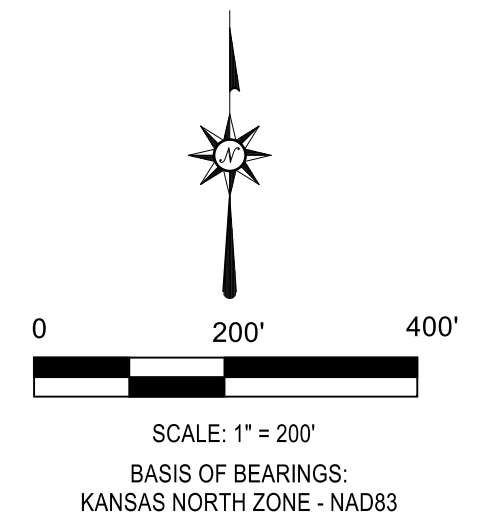
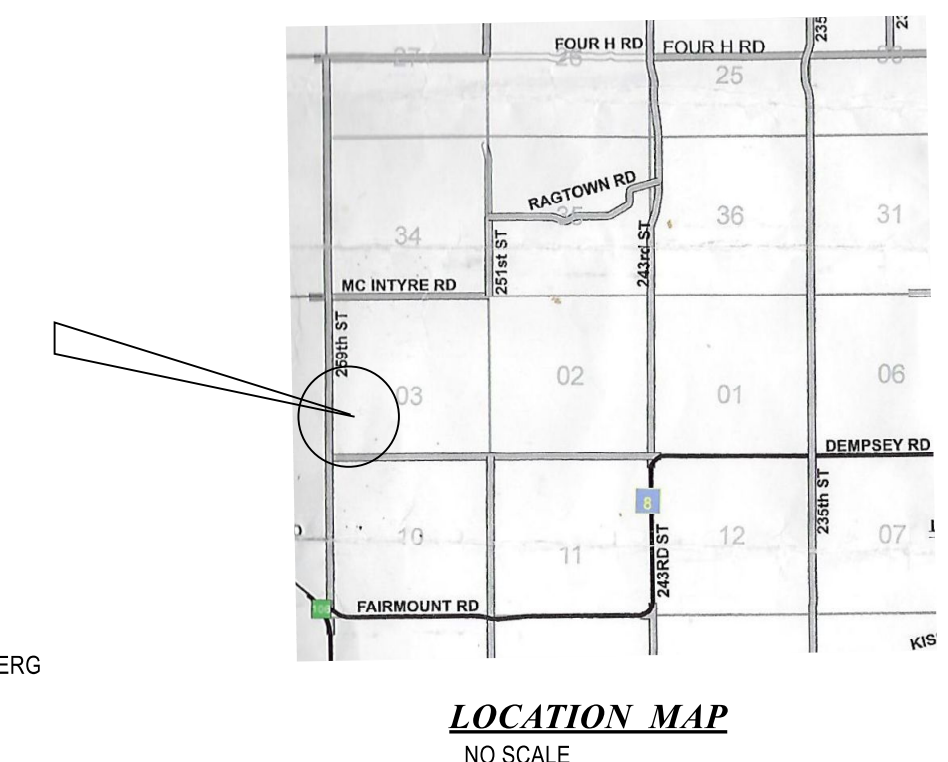
Karen J. Holman
Notary Public



My Appointment Expires:
8-26-2011

WAGON WHEEL RANCH

A SUBDIVISION IN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 3-T10S-R20E OF THE 6TH P.M., INCLUDING GOVERNMENT LOTS 3 AND 4 LEAVENWORTH COUNTY, KANSAS



W LINE OF 3-T10S-R20E & DELAWARE RESERVE LINE
1/2" REBAR WITH #1296 CAP (REF. #1)
1. E 24.15 TO 40D NAIL IN CORNER POST
2. W 20.23 TO 60D NAIL WITH WASHER IN STEEL POST
3. NE 27.08 TO FIRST STEEL "T" POST NORTH OF CORNER
4. E 20.00 TO 1/2" REBAR WITH #1349 CAP

PRELIMINARY PLAT

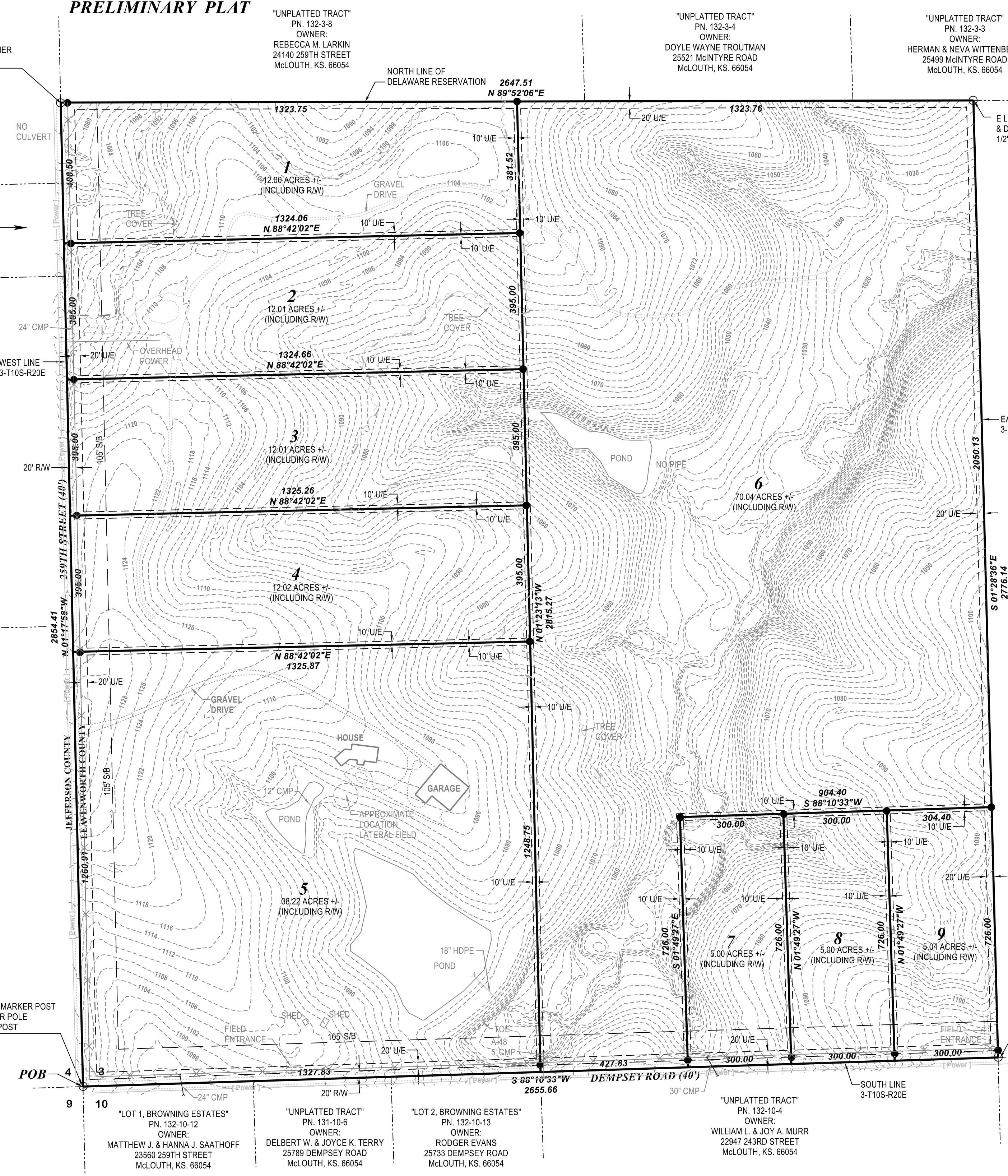
"UNPLATTED TRACT"
PN. 44-202-4-1
OWNER:
MELVIN W. & PAULA L. ROLLINS
9366 WILTS ROAD
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 44-202-4-7
OWNER:
DEBRA A. JOHNSON
8967 259TH STREET
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 44-202-04-6
OWNER:
WILLIAM L. & JOY A. MURR
22947 243RD STREET
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 44-202-04-5
OWNER:
LONNIE K. SEDGWICK
8753 259TH STREET
McLOUTH, KS. 66054

SW CORNER 3-T10S-R20E (13E)
1/2" REBAR (REF. #1)
1. SSE 63.63 TO 40D NAIL WITH WASHER IN CABLE MARKER POST
2. NNW 28.45 TO 40D NAIL WITH WASHER IN POWER POLE
3. NE 67.88 TO 40D NAIL WITH WASHER IN BRACE POST



"UNPLATTED TRACT"
PN. 132-3-4
OWNER:
DOYLE WAYNE TROUTMAN
25522 MCINTYRE ROAD
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 132-3-3
OWNER:
HERMAN & NEVA WITTENBERG
25499 MCINTYRE ROAD
McLOUTH, KS. 66054

"PART - GOVERNMENT LOT 5"
PN. 132-3-10
OWNER:
WILLIAM L. & JOY A. MURR; TRUST
22947 243RD STREET
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 132-10-4
OWNER:
WILLIAM L. & JOY A. MURR
22947 243RD STREET
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 132-10-3
OWNER:
JOHN BRADLEE LOGHRY
25479 DEMPSEY ROAD
McLOUTH, KS. 66054

"LOT 1, BROWNING ESTATES"
PN. 131-10-12
OWNER:
MATTHEW J. & HANNA J. SAATHOFF
23560 259TH STREET
McLOUTH, KS. 66054

"UNPLATTED TRACT"
PN. 131-10-6
OWNER:
DELBERT W. & JOYCE K. TERRY
25789 DEMPSEY ROAD
McLOUTH, KS. 66054

"LOT 2, BROWNING ESTATES"
PN. 131-10-13
OWNER:
RODGER EVANS
25733 DEMPSEY ROAD
McLOUTH, KS. 66054

LOCATION MAP
NO SCALE

LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- S/B BUILDING SETBACK
- U/E UTILITY EASEMENT - DEDICATED THIS PLAT
- EXISTING FENCE

OWNER / DEVELOPER

ROBERT L. PURTEE
23752 259TH STREET
McLOUTH, KS. 66054
(913) 636-1108

SURVEYORS DESCRIPTION

THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 3-T10S-R20E OF THE 6TH P.M., INCLUDING GOVERNMENT LOTS 3 AND 4, AS SURVEYED BY LARRY T. HAHN, PS #1349, JANUARY, 2024, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE, N 01°17'58"W, 2854.41 FEET ALONG THE WEST LINE OF SAID SECTION 3 TO THE NORTH LINE OF DELAWARE RESERVATION; THENCE, N 88°52'06"E, 2847.51 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE WEST HALF OF SAID SECTION 3; THENCE, S 01°28'36"E, 2776.14 FEET ALONG SAID EAST LINE TO THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE, S 88°10'33"W, 2655.66 FEET ALONG THE SOUTH LINE OF SECTION 3 TO THE POINT OF BEGINNING. CONTAINS 171.35 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. RELATIVE: 1:1,739,898

NOTES

1. FENCE LINES DO NOT DENOTE PROPERTY LINES.
2. LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT OR ANY AGENT OF APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY ORT PARTIALLY ACCURATE AND COMPLETE.
3. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL / RESIDENTIAL
PROPOSED USE - RR-5.0 / RESIDENTIAL
4. THIS PLAT IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA
FEMA FIRM 20103C0200G, EFFECTIVE ON 7/16/2015

RESTRICTIONS

1. NO OFF-PLAT RESTRICTIONS.
2. 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
3. AN ENGINEERED WASTEWATER DISPOSAL MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
4. EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
5. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE
6. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.
7. LOTS 1-5 ARE SUBJECT TO JEFFERSON COUNTY ACCESS MANAGEMENT CURRENT POLICY.
8. ALL OTHER LOTS ARE SUBJECT TO CURRENT LEAVENWORTH COUNTY CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.
9. STRUCTURES BUILT WITHIN THE SUBDIVISION SHALL COMPLY WITH RESOLUTION 2020-39, OR AS AMENDED.

UTILITIES

ELECTRIC / FREESTATE
WATER / R.W.D. #9, WATER LINE RUNS PARALLEL WITH DEMPSEY ROAD ON SOUTH SIDE OF ROAD
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM
FIRE DISTRICT / UNION

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

ROAD INFORMATION

259TH STREET - 24' WIDE +/- GRAVEL SURFACE (CLASS-LOCAL)
DEMPSEY ROAD - 24' WIDE +/- GRAVEL SURFACE (CLASS-LOCAL)

PUBLIC IMPROVEMENT

NONE

ZONING

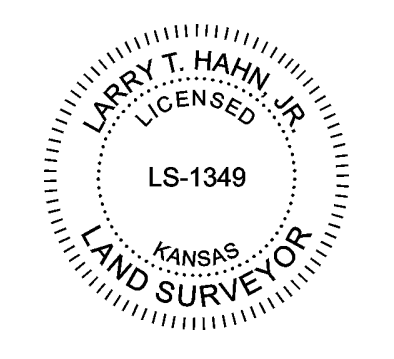
RR - 5.0

BENCHMARK

1/2" REBAR AT THE SW CORNER OF 3-T10S-R20E
EL. 1103.99 (NAVD 88)

REFERENCES

1. DOC. #2007S036



LARRY T. HAHN, PS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF JANUARY, 2024, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

JEFFERSON COUNTY

ROAD DEPARTMENT

P.O. BOX 322

OSKALOOSA, KS 66066

PHONE (785) 403-0279

FAX (785) 863-3026

BEN DOMANN

PUBLIC WORKS DIRECTOR

March 6, 2024

Hahn Surveying
c/o Larry Hahn
PO Box 186
Basehor, KS 66007
913-547-3405
hahnsurvey@gmail.com

Re: 052-132-03-0-00-00-009.00-0 & 01-0
S03, T10, R20, Acres 38.8
Wagon Wheel Ranch – Robert Purtee

Dear Mr. Hahn:

After reviewing the above, my findings are:

1. The existing entrance at 23752 259th St on the East side of 259th meets current Road Dept. Standards of 30' width for a residential entrance.
2. There is a possibility of at least one new entrance on each lot within the surveyed area on 259th St but any future entrance must be reviewed before installation due to the limited sight distance (i.e. curves, hills) and materials needed.

If you have any further questions, please call.



Phil Hoffman
Road Superintendent

Allison, Amy

From: Patrick Bartlett <pbartlettfd9@yahoo.com>
Sent: Wednesday, February 21, 2024 12:37 PM
To: Johnson, Melissa
Subject: 259th and Dempsey

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.

Melissa,

This is Pat Bartlett with Union township I have reviewed the plans and don't see any issues.

If you have any questions please let me know Thank you

Sent from my iPhone

Allison, Amy

From: Gary Willits <gary.willits@freestate.coop>
Sent: Tuesday, February 13, 2024 3:26 PM
To: Johnson, Melissa
Cc: hahnsurvey@gmail.com
Subject: FW: Wagon Wheel Ranch

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.

Melissa,
FreeState Electric does not have any issues with the plat for Wagon Wheel Ranch.
Thank you,
Gary Willits



1-800-794-1989 | www.freestate.coop

Gary Willits
Staking Engineer



1-800-794-1989 | www.freestate.coop

From: Gary Willits <gary.willits@freestate.coop>
Sent: Wednesday, February 7, 2024 11:09 AM
To: Shauna Snyder <shauna.snyder@freestate.coop>
Subject: RE: Wagon Wheel Ranch

Shauna,
This looks fine to me. I don't have any comments or questions for Leavenworth County.
Thanks,

Gary Willits
Staking Engineer

Allison, Amy

From: RURAL WATER DIST <water12@embarqmail.com>
Sent: Monday, February 12, 2024 10:31 AM
To: Johnson, Melissa
Cc: hahnsurvey@gmail.com
Subject: Wagon Wheel Ranch

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.

Melissa,

This is in regard to the availability of water for the Wagon Wheel Ranch. There is a 2" line near the location of the proposed subdivision. There will likely be a line extension required and an engineering study, paid for by the owner, will need to be done in order for the District to determine if benefit units are available for the subdivision. **It appears that a portion of the proposed subdivision is within the boundaries of Leavenworth RWD #9.**

Please feel free to contact me if you have any questions.

Thank you,

Denise Eggers

Office Manager

Jefferson County RWD #12

216 Winchester St.

Winchester, KS 66097

913-774-2872

water12@embarqmail.com

Allison, Amy

From: Anderson, Kyle
Sent: Thursday, February 29, 2024 8:02 AM
To: Johnson, Melissa
Subject: RE: DEV-24-011, Preliminary Plat Wagon Wheel Purtee - Hahn

We have not received any complaints on this property. It appears that the septic system will remain on the same property as the home it services.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Monday, February 26, 2024 11:44 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; 'bolson642@gmail.com' <bolson642@gmail.com>; 'linedepartment@freestate.coop' <linedepartment@freestate.coop>; 'water12@embarqmail.com' <water12@embarqmail.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-011, Preliminary Plat Wagon Wheel Purtee - Hahn

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary Plat for Wagon Wheel Purtee Hahn.

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, March 6th, 2024.

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

Thank you,

Melissa Johnson

Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse

Allison, Amy

From: McAfee, Joe
Sent: Thursday, March 28, 2024 2:15 PM
To: Allison, Amy; Noll, Bill; 'Mitch Pleak'
Cc: PZ
Subject: RE: Wagon Wheel Ranch

Amy,
Public Works has reviewed the Wagon Wheel PP and DR and have no further comments. Just as a note, Melissa discussed receiving the FP some time ago, but it was not a complete submittal so hopefully everyone is aware that it has gone no where.

From: Allison, Amy <AAllison@leavenworthcounty.gov>
Sent: Thursday, March 28, 2024 10:51 AM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; 'Mitch Pleak' <mpleak@olsson.com>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: FW: Wagon Wheel Ranch

Please find the updated prelim plat and drainage report for Wagon Wheel attached.

The applicant is hoping to make the April meeting, so please let me know if this is going to take a longer review.
Thanks!

Amy

From: larry hahn <hahnsurvey@gmail.com>
Sent: Thursday, March 28, 2024 10:47 AM
To: Allison, Amy <AAllison@leavenworthcounty.gov>
Subject: Wagon Wheel Ranch

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 -
Attached is the revised plat.

Larry Hahn, PS
Hahn Surveying
PO Box 186
Basehor, Ks. 66007
(913) 547-3405

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-023 Lecompton Estates

April 10, 2024

REQUEST: *Consent Agenda*

Preliminary Plat Final Plat

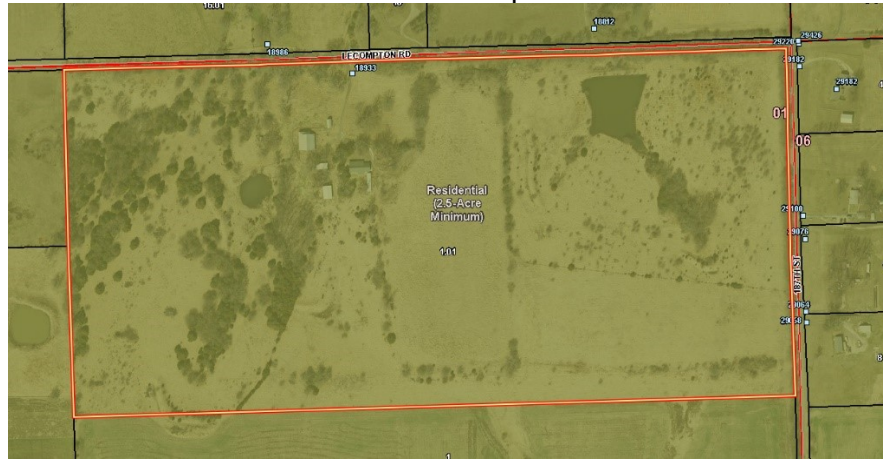
STAFF REPRESENTATIVE:
JOHN JACOBSON
DIRECTOR

SUBJECT PROPERTY: 18933 Lecompton Road

APPLICANT/APPLICANT AGENT:
MATT KNOX
ALLENDBRAND & DREW

PROPERTY OWNER:
DAC VENTURES LLC
6430 MIZE RD
SHAWNEE KS 66226

CONCURRENT APPLICATIONS:
NONE



LAND USE

ZONING: RR-5

FUTURE LAND USE DESIGNATION: RESIDENTIAL (2.5 ACRE MIN)

LEGAL DESCRIPTION:

A tract of land in the Northeast Quarter of Section 1, Township 9 South, Range 21 East of the 6th P.M., in Leavenworth County Kansas.

SUBDIVISION: N/A

FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Approve Case No. DEV-24-023, Preliminary Plat for Lecompton Estates with or without conditions; or
2. Deny Case No. DEV-24-023 Preliminary Plat for Lecompton Estates for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 76.07 ACRES

PARCEL ID NO:
111-01-0-00-00-001.01

BUILDINGS: A SINGLE FAMILY RESIDENCE WITH ACCESSORY STRUCTURES

PROJECT SUMMARY:

Request for preliminary plat approval to subdivide property located at 18933 Lecompton Road as Lots 1 through 9 of Lecompton Estates.

ACCESS/STREET:
LECOMPTON RD - LOCAL,
GRAVEL ± 16'; 187TH ST –
LOCAL, GRAVEL, ± 16'

Location Map:



UTILITIES

SEWER: PRIVATE SEPTIC SYSTEM

FIRE: FIRE DISTRICT 1

WATER: RWD 5

ELECTRIC: FREESTATE

NOTICE & REVIEW:

STAFF REVIEW:
4/2/2024

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

STANDARDS TO BE CONSIDERED:			
Leavenworth County Zoning and Subdivision Standards: Preliminary Review		Met	Not Met
35-40	Preliminary Plat Content	X	
40-20	Final Plat Content	n/a	
41-6	Access Management	X	
41-6.B.a-c.	Entrance Spacing	X	
41-6.C.	Public Road Access Management Standards	n/a	
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 divide a 76-acre parcel into a 9-lot subdivision. The Subdivision is classified as a Class C with all lots lying within the Rural Growth Area of Leavenworth County. Staff is supportive of a waiver of the requirement to connect to a sanitary sewer system as sanitary sewers are not located within 660' of the subdivision (see condition 3). Lots 1-5 will be range from 5.36 to 6.5 acres in size. These lots will access from 187th Street. Lots 5 through 9 will be approximately 10 acres each and will access from Lecompton Road. Lot 7 will retain the existing house and accessory structures. All entrances have been approved and installed. RWD 5 has indicated that water is available for all lots but due to the size of the proposed lots, a water well can be obtained per the LVCO Sanitary Code. Staff is generally in support.

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 – Shane Goff, RWD 5, dated November 21, 2023
 - b. Memo – Michael Stackhouse, Fire District 1, dated March 6, 2024

ATTACHMENTS:

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

PRELIMINARY PLAT APPLICATION
 Leavenworth County Planning and Zoning Department
 300 Walnut St., Suite 212
 Leavenworth, Kansas
 913-684-0465

SCANNED

111-01 001.01

Office Use Only	
Township: <u>High Prairie</u>	Planning Commission Meeting Date: _____
Case No. <u>DEV-24-023</u>	Date Received/Paid: <u>03.07.2024</u>
Zoning District <u>RR5</u>	Comprehensive Plan Land Use Designation: <u>RR2.5</u>

APPLICANT/AGENT INFORMATION	OWNER INFORMATION
NAME: <u>DAC Ventures LLC</u>	NAME: <u>Same</u>
MAILING ADDRESS: <u>6430 Mize Rd</u>	MAILING ADDRESS: _____
CITY/ST/ZIP: <u>Shawnee, KS 66226</u>	CITY/ST/ZIP: _____
PHONE: <u>913.226.7774</u>	PHONE: _____
EMAIL: <u>jim@coyleproperties.com</u>	EMAIL: _____

GENERAL INFORMATION

Proposed Subdivision Name: Lecompton Estates

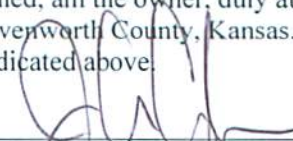
Address of Property: 18933 Lecompton Rd

PID: 111010000001010 Urban Growth Management Area: Rural Growth Area

SUBDIVISION INFORMATION		
Gross Acreage: 76.07	Number of Lots: 9	Minimum Lot Size: 5.15
Maximum Lot Size: 10.68 acres	Proposed Zoning: RR-5	Density: 1 house per 8.45 acres
Open Space Acreage: 0	Water District: RWD 5	Proposed Sewage: Septic
Fire District:	Electric Provider: FreeState Electric	Natural Gas Provider: none
Covenants: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Road Classification: <i>Local - Collector - Arterial - State - Federal</i>	
	Cross-Access Easement Requested: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
List of all Requested Exceptions: <i>Exceptions may be granted per Article 56 or as otherwise stated in the Zoning & Subdivision Regulations.</i>	1. _____	
	2. _____	
	3. _____	
	4. _____	
	5. _____	

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:  Date: _____

ATTACHMENT A

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 12/19/2023

Janet Klasmaker
COUNTY CLERK

Doc #: 2023R08838
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
12/19/2023 08:00:38 AM
RECORDING FEE: 55.00
PAGES: 3

KANSAS ENTITY WARRANTY DEED
(Not Joint Tenancy)

THIS DEED, made and entered into this 15th day of **December, 2023**, by and between **Hippo Doors, LLC**, a Missouri limited liability company who erroneously acquired title as Parties Hippo Doors, LLC, a Missouri Limited Liability Company, as Grantor, and **DAC Ventures, LLC, a Kansas limited liability company**, as Grantee(s), whose mailing address is **6430 Mize Rd, Shawnee, KS 66226**.

WITNESSETH, that the Grantor, for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantee(s), the receipt and sufficiency of which is hereby acknowledged, does by these presents **CONVEY AND WARRANT** unto the Grantee(s), the following described Real Estate, situated in the County of **Leavenworth**, State of Kansas, to-wit:

SEE ATTACHED EXHIBIT A

Subject to all easements, restrictions and reservations, if any, now of record and the general taxes for the current calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

First American Title
6201 College Blvd., Ste. 230
Overland Park, KS 66211

KSEWTIC Rev. 8/1/17

File No.: 1647356

Executed on: December 15th, 2023

Hippo Doors, LLC, a Missouri limited liability company

By: [Signature]
Name: Calaway Michael McQueeney
Title: Manager

By: [Signature]
Name: Jackson David Goodwin
Title: Manager

STATE OF Kansas)
) ss.
COUNTY OF Johnson)

On December 15th, 2023 this deed was acknowledged before me by **Calaway Michael McQueeney, Manager**, and **Jackson David Goodwin, Manager** of **Hippo Doors, LLC, a Missouri limited liability company**, for and on behalf of said entity.

[Signature]
Notary Public **Ryan Parks**

My appointment expires:



EXHIBIT 'A'

THE NORTH 76.07 ACRES, MORE OR LESS, OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 8 SOUTH, RANGE 21 EAST OF THE 6TH P.M.; THENCE N90°00'00"E (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 2639.39 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE S00°04'05"E ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 1260.64 FEET; THENCE N89°41'00"W A DISTANCE OF 2638.18 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE N00°46'25"W ALONG SAID WEST LINE A DISTANCE OF 585.03 FEET TO THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED IN BOOK 815, PAGE 516, IN THE LEAVENWORTH COUNTY REGISTER OF DEEDS OFFICE; THENCE CONTINUING ALONG SAID WEST LINE N00°06'47"W A DISTANCE OF 661.00 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE 6TH P.M., ALSO BEING THE NORTHEAST CORNER OF TRACT OF LAND RECORDED IN SAID BOOK AND PAGE; THENCE N89°19'02"E ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 6.46 FEET TO THE POINT OF BEGINNING, SUBJECT TO EASEMENTS AND RIGHT OF WAYS OF RECORD.
A.P.N. 111-01-0-00-00-001.01**

OWNER AUTHORIZATION

I/WE DAC Ventures, LLC, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 7th day of March, 2024, 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 Allen Brawley & Drews (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, 18993 Lycompton Rd. (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

Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH

The foregoing instrument was acknowledged before me on this 7 day of March, 2024

by JIM COYLE

My Commission Expires: 1/5/27

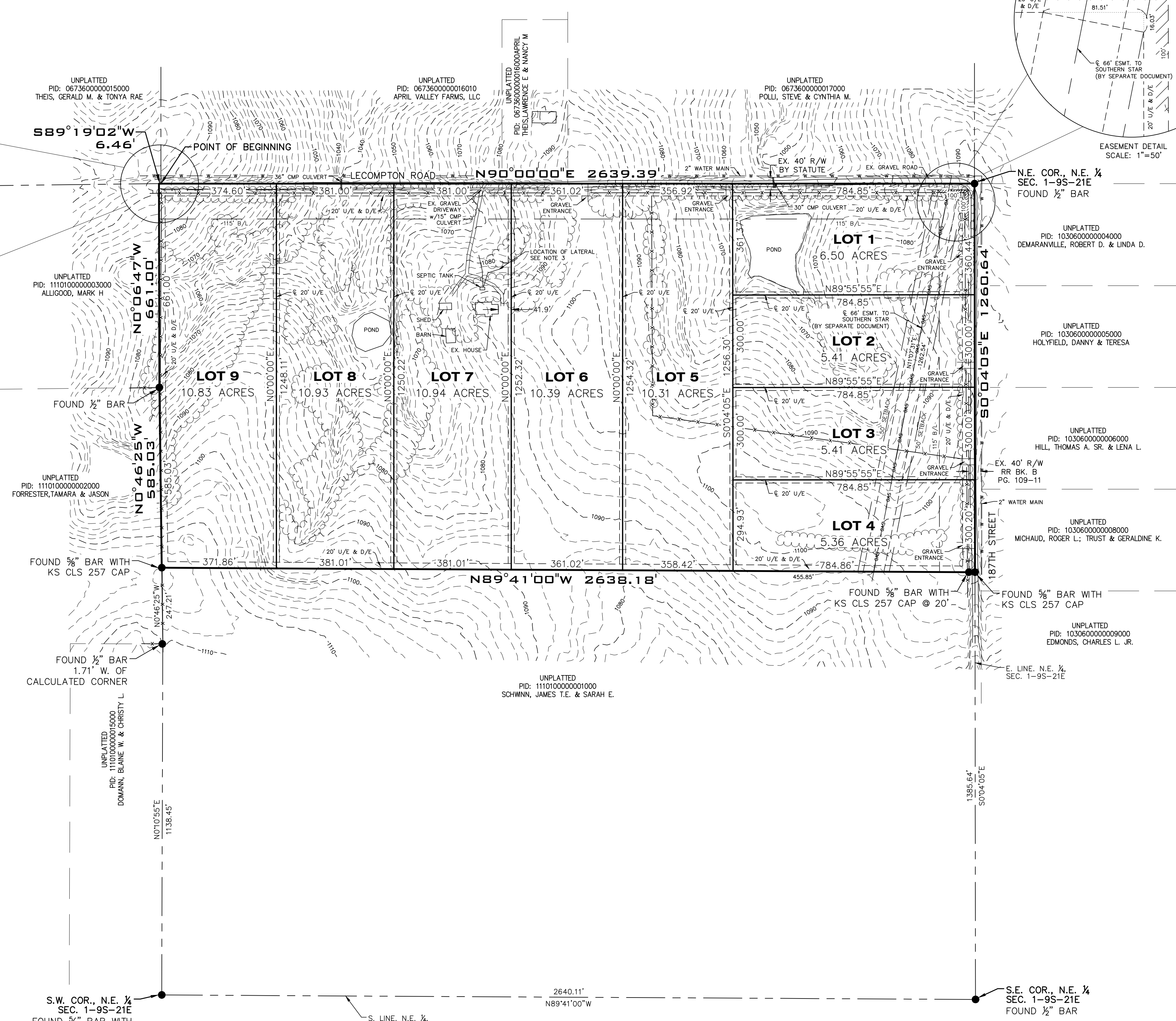
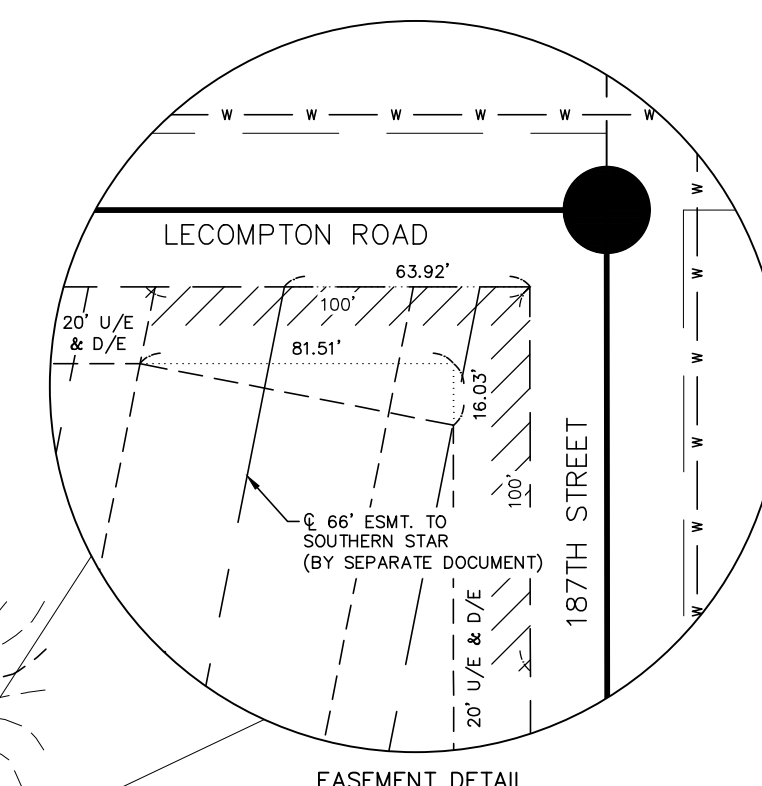
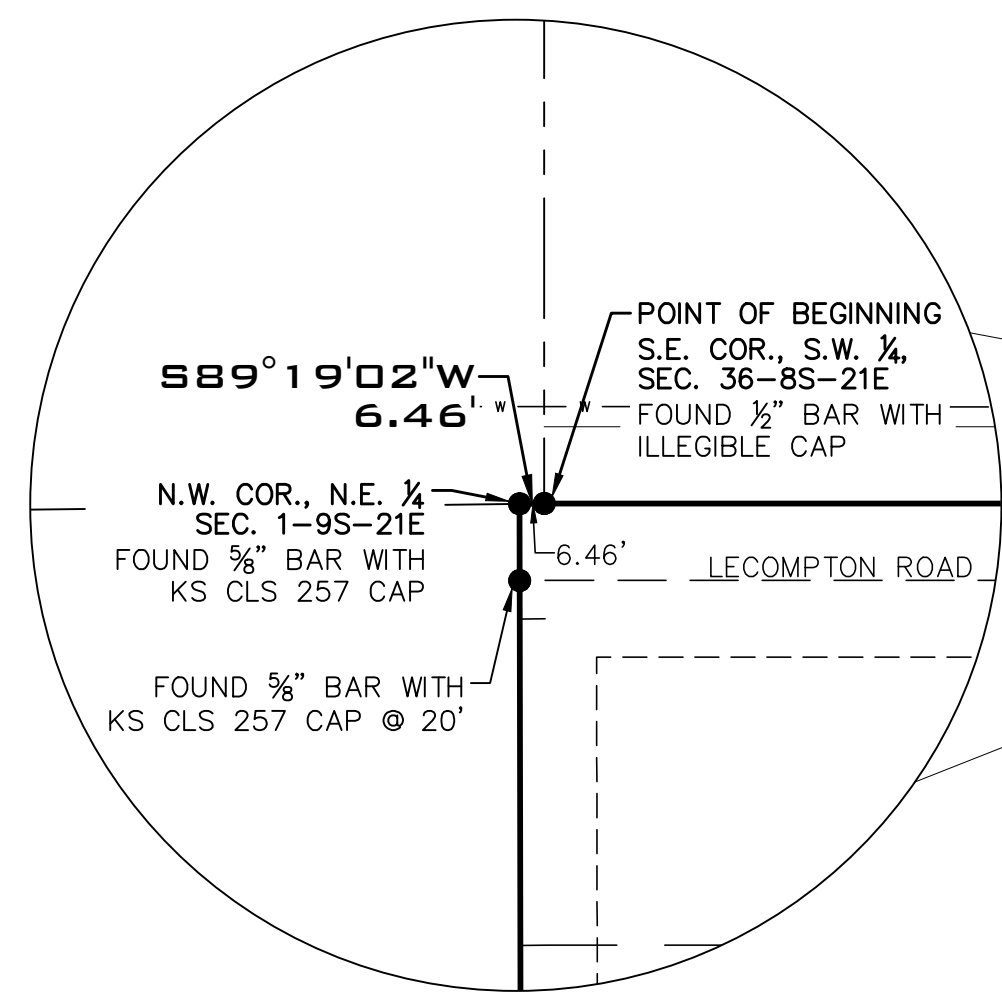
[Signature]
Notary Public

MATTHEW R. COX
Notary Public-State of Kansas
My Appt. Expires 1/5/27

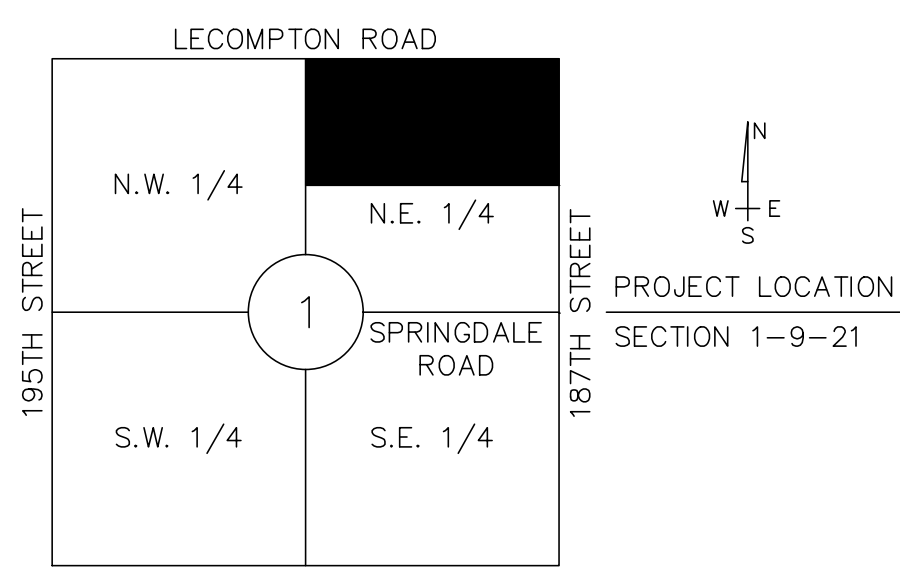
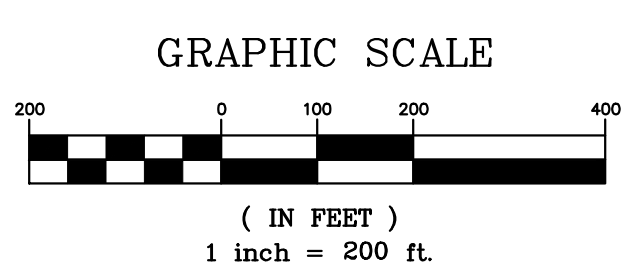
ATTACHMENT B

PRELIMINARY PLAT OF **LECOMPTON ESTATES**

PT. N.E. 1/4, SECTION 1, TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE 6TH P.M.
LEAVENWORTH COUNTY, KANSAS



THIS IS TO CERTIFY THAT ON THE 18TH DAY OF JANUARY 2024, 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.A.R. 66-12-1.



- LEGEND**
- BAR FOUND AS DESCRIBED ORIGIN UNKNOWN UNLESS NOTED
 - U/E UTILITY EASEMENT
 - D/E DRAINAGE EASEMENT
 - B/L BUILDING LINE
 - R/W RIGHT-OF-WAY
 - 1000--- EXISTING GRADE CONTOUR
 - GAS --- NATURAL GAS PIPELINE
 - W --- EXISTING WATER LINE
 - X --- FENCE
 - TREE LINE --- TREE LINE
 - LIMITS OF NO ACCESS --- LIMITS OF NO ACCESS

- SITE INFORMATION**
- Plot area: 76.07 acres
- Existing & Proposed Zoning: RR-5
- Existing Use: Single family home & Farming
- Proposed Use: Single family residential
- Streets: 187th Street is a 19' wide gravel road. Lecompton Road is a 19' wide gravel road.
- Utilities: Sewer: Septic Water: RWD 5 Power: Free State Electric Natural Gas: Southern Star

LEGAL DESCRIPTION
(Per deed recorded in Doc. No. 2023R07694)

The North 76.07 acres, more or less, of the Northeast Quarter of Section 1, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of Section 36, Township 8 South, Range 21 East of the 6th P.M.; thence N90°00'00"E (Assumed Bearing) along the North line of said Northeast Quarter a distance of 2639.39 feet to the Northeast corner of said Northeast Quarter; thence S00°04'05"E along the East line of said Northeast Quarter a distance of 1260.64 feet; thence N89°41'00"W a distance of 2638.18 feet to a point on the West line of said Northeast Quarter; thence N00°46'25"W along said West line a distance of 585.03 feet to the Southeast corner of a tract of land recorded in Book 815, Page 516, in the Leavenworth County Register of Deeds Office; thence continuing along said West line N00°06'47"W a distance of 661.00 feet to the Northwest corner of the Northeast Quarter of Section 1, Township 9 South, Range 21 East of the 6th P.M., also being the Northeast corner of tract of land recorded in said Book and Page; thence N89°19'02"E along the North line of said Northeast Quarter a distance of 6.46 feet to the point of beginning, subject to easements and right of ways of record.

- NOTES:**
- Basis of bearings: N90°00'00"E along the North line of the Northeast Quarter of Section 1-9S-21E per survey by John Benton Kramer dated 6/5/2013, recorded at Document No. 20135023.
 - Subject property lies in "Zone X, Areas determined to be outside the 0.2% annual chance floodplain" as shown on FEMA FIRM Number 20103C0125G, effective 7/16/2015. Floodplain information regarding the plat is based on the best information available at the time the plat was prepared and recorded.
 - The location of the existing sewer laterals on Lot 7 provided by property owner.
 - Project Bench Mark: 1/2" bar at the North Quarter corner of Section 6-9-22, elevation 1073.80 per plat of Red Raider Ranch
 - Gravel entrances serving Lots 1 through 6 each have a 15" CMP culvert.
 - Front building line dimensions are measured to the section line and are at least 105' from the center of the road as field located.

- RESTRICTIONS:**
- No off plat restrictions.
 - Setbacks:
Rear - 40' for residences, 15' for accessory buildings
Side - 15'
 - An engineered wastewater disposal may be required due to poor soil conditions.
 - Erosion control shall be used when designing and constructing driveways and other structures.
 - 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.
 - Lots are subject to the current access management policy resolution.
 - Structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

TITLE INFORMATION SHOWN HEREON IS BASED ON A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. 1651880, DATED FEBRUARY 28, 2022 AT 8:00 AM

THIS SURVEY IS SUBJECT TO THE FOLLOWING EXCEPTIONS AS ENUMERATED ON THE TITLE COMMITMENT IN SCHEDULE B, PART II:

- Items 1 through 7 are not survey issues.
- Easements, Restrictions, and setback lines as per plat, Document No. 20135023. (No easements, restrictions, or setbacks dedicated by noted survey)
- Not a survey issue.
- An easement granted to Cities Service Gas Company in the document recorded as Book 375, Page 343 of Official Records. (Blanket easement, easement corridor to be defined along pipeline running through Lots 1 through 4 as shown hereon)
- An easement granted to Rural Water District No. 5 Leavenworth County, Kansas in the document recorded as Book 454, Page 246 of Official Records (Document notes that easement will be centered on water line as constructed. No water line exists on subject property, water lines are on north side of Lecompton and east side of 187th)
- Items 12 and 13 are not survey issues.

LECOMPTON ESTATES

**CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS**

122 N. WATER STREET
OLATHE, KANSAS 66061
PHONE: (913) 764-1076
FAX: (913) 764-8635

14 W. PEORIA
PAOLA, KANSAS 66071
PHONE: (913) 557-1076
FAX: (913) 557-6904

AD PROJECT #39276 SEC. 1-9-21 PRELIMINARY PLAT

OWNER/DEVELOPER FOR:
DAC VENTURES, LLC
6430 MIZE ROAD
SHAWNEE, KS 66226
PHONE: (913) 226-7774
CONTACT: Jim Coyle
EMAIL: jim@coyleproperties.com



Fire District No.1, County of Leavenworth

111 East Kansas Avenue, Lansing, KS. 66043

Wednesday March 6, 2024

Matt Cox
122 N. Water Street
Olathe, KS. 66061

Dear Mr. Cox
C/O DAC Ventures,

Your proposed plan for a 9-home/property subdivision located at the corner of 187th & Lecompton Rd. in Leavenworth Co., Kansas has been reviewed. There are no noticed deficiencies in accordance with the 2006 editions of the *International Building Code (IBC)*, *International Fire Code (IFC)*, and *International Mechanical Code (IMC)* and the plans provided by Allenbrand-Drews & Associates dated 11/21/2023. Any changes to the provided plans would need to be reviewed by our office.

Michael L. Stackhouse,

Michael L. Stackhouse

Fire Chief
Fire District No.1, County of Leavenworth
111 E. Kansas Avenue
Lansing, Kansas 66043
Office: 913-727-5844

Service Review

TO BE COMPLETED BY WATER SUPPLIER

Water Supplier's Name:

Leavenworth County AWD #5

Applicant's Name:

DAC Ventures, LLC

Date: 11/14/23

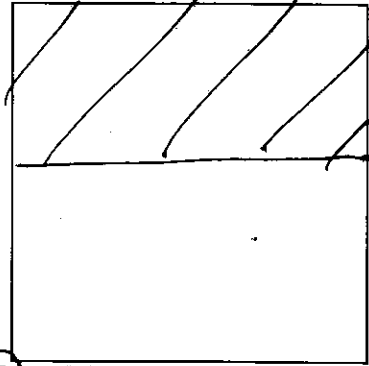
Section 1 Township 9 Range 21

Is this a typical domestic user? Yes No

If not, please estimate gallons used per month:

9 meters

Please indicate location of the meter on this 1/4 Section Block.



NE NW SE SW 1/4 Section

COMMENTS:

TO BE COMPLETED BY ENGINEER

Distance from Existing Pipe Line 100'± Meter Elevation 1,110'-1,055'

Expected Pressure: Maximum 83 psi; Minimum 35 psi

Recommended for Service? Yes No

Pressure Regulator? Recommended Not Necessary

COMMENTS:

9 proposed meters do not cause any pressure concerns and are recommended for addition.

The maximum and minimum pressures are estimated based on conditions as of the date of the Service Review. These pressures may change with future additions and changes to the system.

REVIEWED BY Shane Goff

Date: 11/21/23

P.N. 3230.101

From: [Line Department](#)
To: [Matt Cox](#); [Line Department](#)
Cc: ["Jim Coyle"](#); ["Clayton Coyle"](#)
Subject: SERVICE VERIFICATION - PARCEL - R305844
Date: Thursday, February 29, 2024 3:14:23 PM

Hi Matt,

Our normal process is to email the county directly with our standard service verification. We have had a few other recent subdivision requests, and, for their purposes, the same email has been sufficient. I have provided that verbiage below.

FreeState Electrical Cooperative will provide power to a new home/development being built on/at Lecompton Rd, parcel R305844, for DAC Ventures, LLC. FreeState will provide service for 9 separate lots.

Please let me know if you need anything else.

Best regards,
Shauna Snyder

From: Matt Cox <mcox@allenbrand-drews.com>
Sent: Thursday, February 29, 2024 2:38 PM
To: Line Department <linedepartment@freestate.coop>
Cc: 'Jim Coyle' <jim@coyleproperties.com>; 'Clayton Coyle' <clayton@coyleproperties.com>
Subject: Proposed plat at the SW corner of 187th & Lecompton, Leavenworth County

We are working for the owner of the property at 18933 Lecompton Road. They are proposing to subdivide the property as shown on the attached layout. Leavenworth County Planning Department requires that we reach out to you to verify there are adequate facilities to service the subdivision. Just in case it matters, the developer will not be building the homes. The lots will be sold and the owners/builders for each individual lot will be handling the eventual service connections. Please let us know if there is any additional information you need.

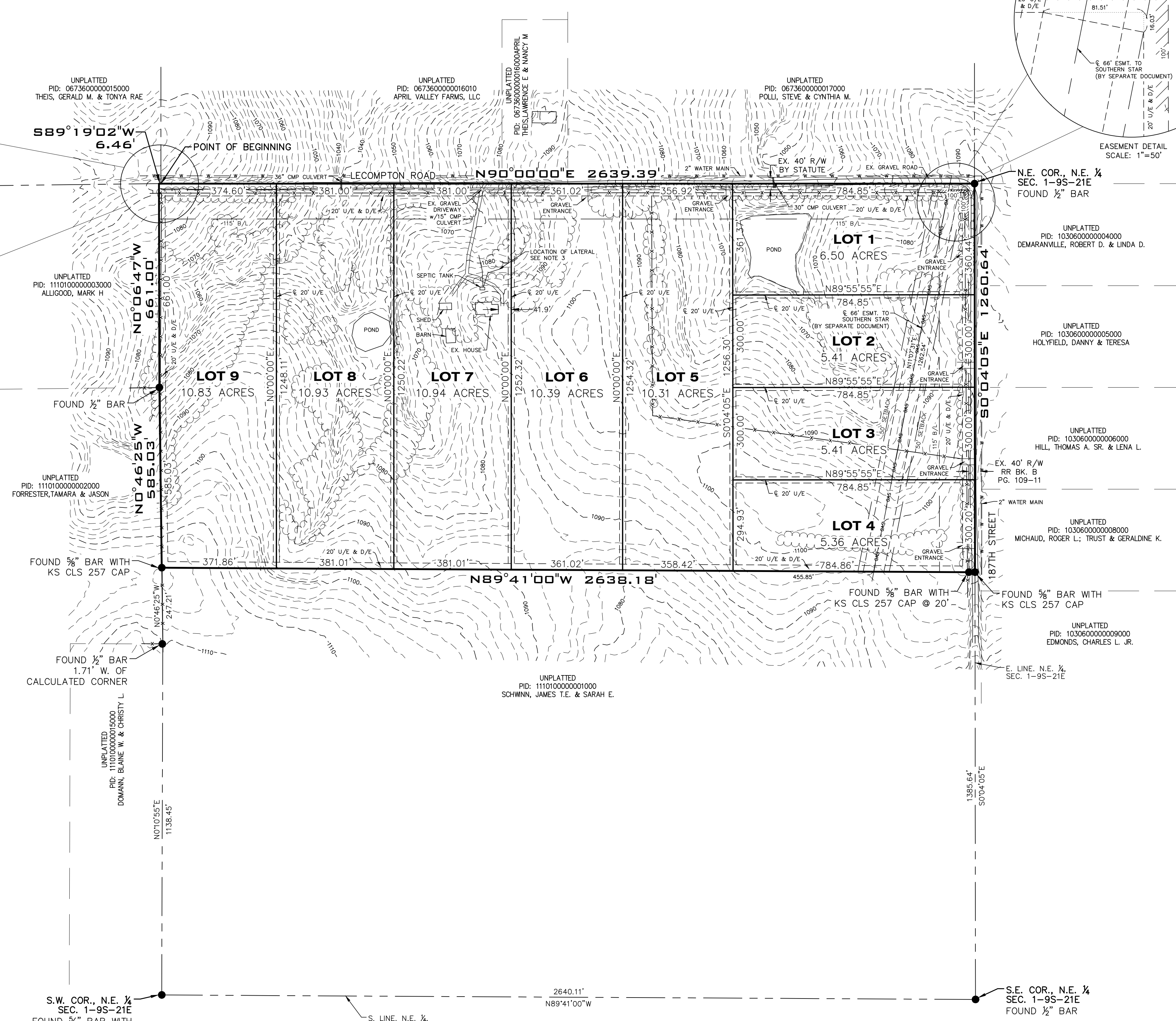
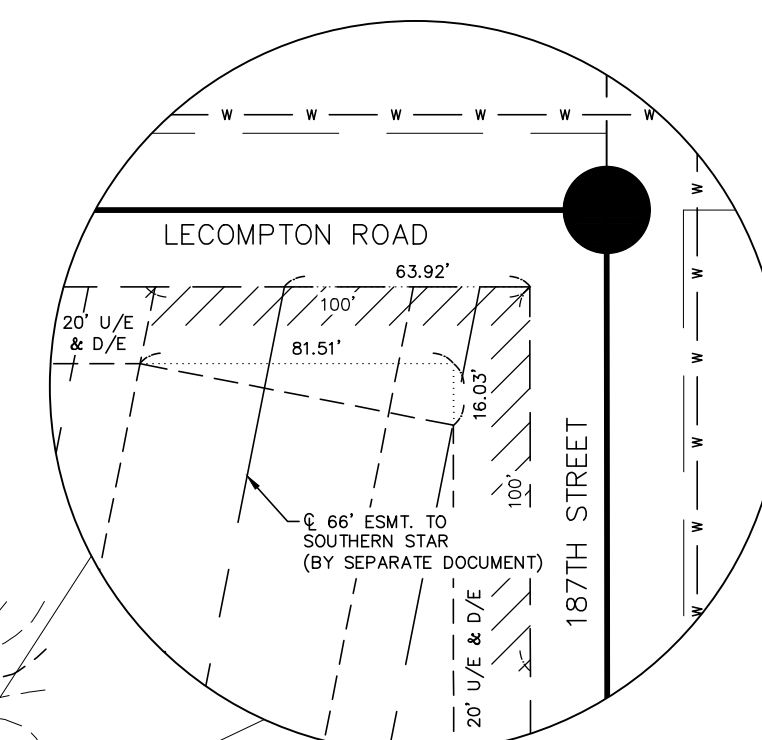
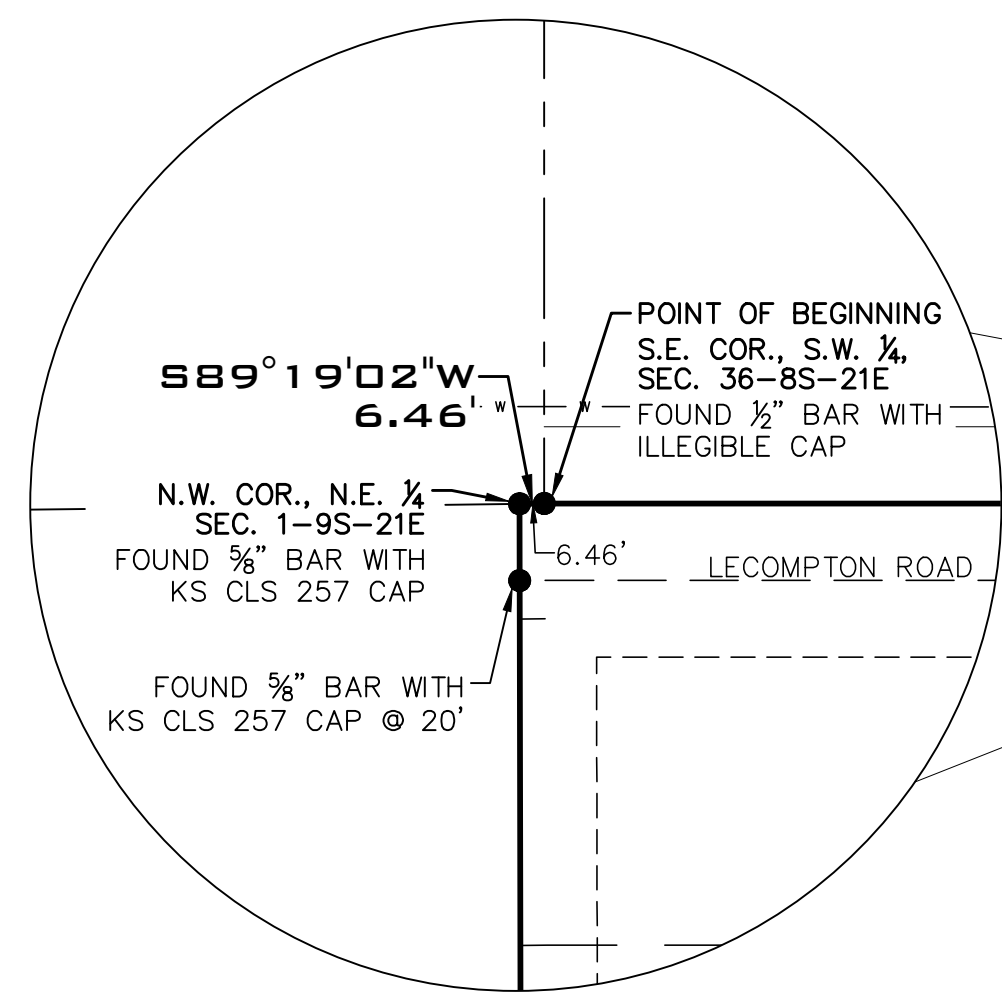
Thanks,

Matt Cox, P.S.
Land Surveyor/Civil Designer
Allenbrand-Drews & Associates
122 N. Water Street
Olathe, Kansas 66061
Office: (913) 764-1076
Mobile: (913) 522-6517

PRELIMINARY PLAT OF **LECOMPTON ESTATES**

PT. N.E. 1/4, SECTION 1, TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE 6TH P.M.
LEAVENWORTH COUNTY, KANSAS

04-02-2024
PW Final Review
No Comments



LEGAL DESCRIPTION
(Per deed recorded in Doc. No. 2023R07694)

The North 76.07 acres, more or less, of the Northeast Quarter of Section 1, Township 9 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas, more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of Section 36, Township 8 South, Range 21 East of the 6th P.M.; thence N90°00'00"E (Assumed Bearing) along the North line of said Northeast Quarter a distance of 2639.39 feet to the Northeast corner of said Northeast Quarter; thence S00°04'05"E along the East line of said Northeast Quarter a distance of 1260.64 feet; thence N89°41'00"W a distance of 2638.18 feet to a point on the West line of said Northeast Quarter; thence N00°46'25"W along said West line a distance of 585.03 feet to the Southeast corner of a tract of land recorded in Book 815, Page 516, in the Leavenworth County Register of Deeds Office; thence continuing along said West line N00°06'47"W a distance of 661.00 feet to the Northwest corner of the Northeast Quarter of Section 1, Township 9 South, Range 21 East of the 6th P.M., also being the Northeast corner of tract of land recorded in said Book and Page; thence N89°19'02"E along the North line of said Northeast Quarter a distance of 6.46 feet to the point of beginning, subject to easements and right of ways of record.

- NOTES:**
- Basis of bearings: N90°00'00"E along the North line of the Northeast Quarter of Section 1-9S-21E per survey by John Benton Kramer dated 6/5/2013, recorded at Document No. 2013S023.
 - Subject property lies in "Zone X, Areas determined to be outside the 0.2% annual chance floodplain" as shown on FEMA FIRM Number 20103C0125G, effective 7/16/2015. Floodplain information regarding the plat is based on the best information available at the time the plat was prepared and recorded.
 - The location of the existing sewer laterals on Lot 7 provided by property owner.
 - Project Bench Mark: 1/2" bar at the North Quarter corner of Section 6-9-22, elevation 1073.80 per plat of Red Raider Ranch
 - Gravel entrances serving Lots 1 through 6 each have a 15" CMP culvert.
 - Front building line dimensions are measured to the section line and are at least 105' from the center of the road as field located.

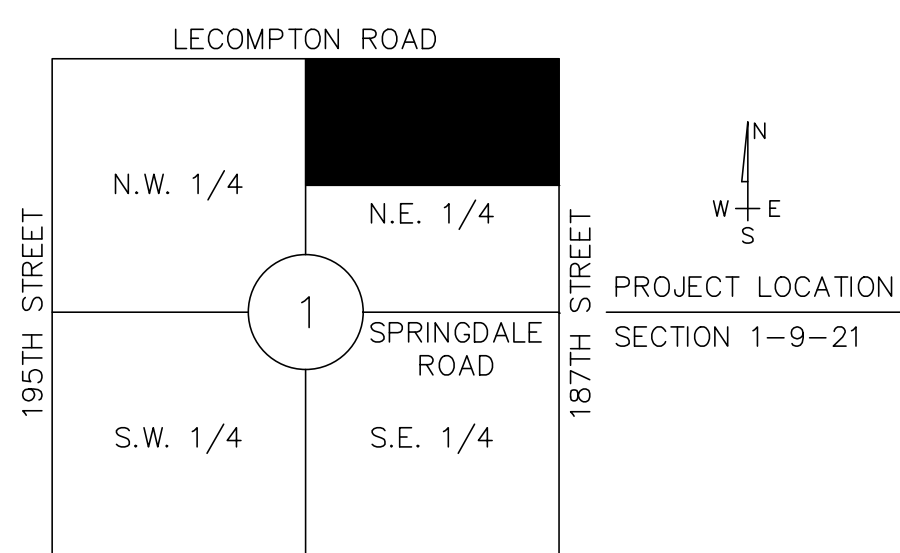
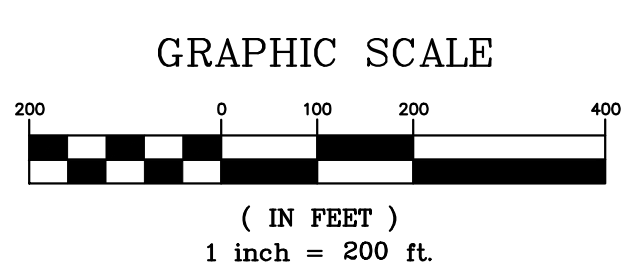
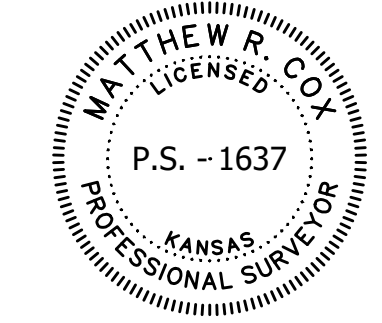
- RESTRICTIONS:**
- No off plat restrictions.
 - Setbacks:
Rear - 40' for residences, 15' for accessory buildings
Side - 15'
 - An engineered wastewater disposal may be required due to poor soil conditions.
 - Erosion control shall be used when designing and constructing driveways and other structures.
 - 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.
 - Lots are subject to the current access management policy resolution.
 - Structures built within the subdivision shall comply with Resolution 2020-39, or as amended.

TITLE INFORMATION SHOWN HEREON IS BASED ON A COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. 1651880, DATED FEBRUARY 28, 2022 AT 8:00 AM

THIS SURVEY IS SUBJECT TO THE FOLLOWING EXCEPTIONS AS ENUMERATED ON THE TITLE COMMITMENT IN SCHEDULE B, PART II:

- Items 1 through 7 are not survey issues.
- Easements, Restrictions, and setback lines as per plat, Document No. 2013S023. (No easements, restrictions, or setbacks dedicated by noted survey)
- Not a survey issue.
- An easement granted to Cities Service Gas Company in the document recorded as Book 375, Page 343 of Official Records. (Blanket easement, easement corridor to be defined along pipeline running through Lots 1 through 4 as shown hereon)
- An easement granted to Rural Water District No. 5 Leavenworth County, Kansas in the document recorded as Book 454, Page 246 of Official Records (Document notes that easement will be centered on water line as constructed. No water line exists on subject property, water lines are on north side of Lecompton and east side of 187th)
- Items 12 and 13 are not survey issues.

THIS IS TO CERTIFY THAT ON THE 18TH DAY OF JANUARY 2024, 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.A.R. 66-12-1.



- LEGEND**
- BAR FOUND AS DESCRIBED ORIGIN UNKNOWN UNLESS NOTED
 - U/E UTILITY EASEMENT
 - D/E DRAINAGE EASEMENT
 - B/L BUILDING LINE
 - R/W RIGHT-OF-WAY
 - 1000--- EXISTING GRADE CONTOUR
 - GAS --- NATURAL GAS PIPELINE
 - W --- EXISTING WATER LINE
 - X --- FENCE
 - TREE LINE --- TREE LINE
 - LIMITS OF NO ACCESS --- LIMITS OF NO ACCESS

SITE INFORMATION

Plot area: 76.07 acres

Existing & Proposed Zoning: RR-5

Existing Use: Single family home & Farming

Proposed Use: Single family residential

Streets:
187th Street is a 19' wide gravel road.
Lecompton Road is a 19' wide gravel road.

Utilities:
Sewer: Septic
Water: RWD 5
Power: Free State Electric
Natural Gas: Southern Star

OWNER/DEVELOPER FOR:
DAC VENTURES, LLC
6430 MIZE ROAD
SHAWNEE, KS 66226
PHONE: (913) 226-7774
CONTACT: Jim Coyle
EMAIL: jim@coyleproperties.com



CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS

122 N. WATER STREET
OLATHE, KANSAS 66061
PHONE: (913) 764-1076
FAX: (913) 764-8635

14 W. PEORIA
PAOLA, KANSAS 66071
PHONE: (913) 557-1076
FAX: (913) 557-6904

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-022 Lot 1 Doane Acres Lot Spilt Exception

April 10, 2024

REQUEST: Exception from Zoning and Subdivision Regulation Article 50, Section 40.3.i (Lot-Depth to Lot-Width Ratio)

STAFF REPRESENTATIVE:
JOSH SCHWEITZER
Development Planner

SUBJECT PROPERTY: 00000 Wolcott Rd



APPLICANT/APPLICANT AGENT:
Joe Herring
Herring Surveying Company
315 N. 5th St.
Leavenworth, KS 66048

PROPERTY OWNER:
Brent Doane
3504 Columbia Ct Way
Newton Square, PA 19073

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-2.5

FUTURE LAND USE DESIGNATION:
3 Units per Acre

LEGAL DESCRIPTION:

Tracts of land in Lot 1, Doane Acres, a Subdivision of land in Leavenworth County, Kansas.

SUBDIVISION: Doane Acres

FLOODPLAIN: N/A

PROPERTY INFORMATION

PARCEL SIZE: 44.10 Acres

PARCEL ID NO:
162-03-0-00-00-017.00

BUILDINGS:
N/A

ACTION OPTIONS:

1. Approve Case DEV-24-022, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
2. Deny Case No.DEV-24-022, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio); or
3. Modify Case No DEV-24-022, Exception from Zoning & Subdivision Regulation Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)

Future Land Use Designation: Residential 3 units per acre



ACCESS/STREET:

Wolcott Rd.: State, ±24' Wide, Paved;

UTILITIES

SEWER: N/A

FIRE: FD#1

WATER: RWD#1 Cons

ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 04/03/2024

NEWSPAPER NOTIFICATION:
N/A

NOTICE TO SURROUNDING
PROPERTY OWNERS:
N/A

FACTORS TO BE CONSIDERED: Article 50, Section 40.3.i. (Lot-Depth to Lot-Width Ratio)

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulation would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted condition; or that these conditions would result in inhibiting the achievement of the objectives of these regulations.

1. *That there are special circumstances or conditions affecting the property;*

- As you are navigating throughout the property, there is steep terrain throughout making an internal road system difficult.

2. *That the exception is necessary for the reasonable and acceptable development of the property in question;*

- Based off the proposed drawing, it is reasonable to believe that the proposed development of property would allow for more compliant tracts of land by approving the exception.

3. *That the granting of the exception will not be detrimental to the public welfare or injurious to adjacent property.*

- Granting of the exception does not appear to cause any issues with public welfare or is injurious to adjacent properties due to the proposed layout providing a more consistent and orderly layout for future development.
- Based off of KDOT's response from the Doane Acres Plat, only one access can be used for both lots.

STAFF COMMENTS:

The requested lot-depth to lot-width ratio would come out to approximately 1:4.5 for the top lot and 1:5 for the bottom lot. The shared access entrance is identified at the southern border of the lot. However, staff's recommendation would be to show the shared access across both of the proposed lots.

ATTACHMENTS:

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

SCANNED

LOT/TRACT SPLIT APPLICATION

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

Doane Acres lot 1
469

CK #91658

PID: <u>162-03 017.00</u>	Office Use Only	Date Received: <u>03.06.2024</u>
Township: <u>Delaware</u>		
Case No. <u>DEV-24</u>		
Legal description <u>See survey / Deed</u>		
Zoning District <u>RR 2.5</u>		
Comprehensive Plan land use designation <u>R 3 future</u>		

APPLICANT <u>AGENT</u> INFORMATION	OWNER INFORMATION
NAME <u>Joe Herring / Herring Surveying Company</u>	NAME <u>Brent Doane</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>3504 Columbia Court Way</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>NEWTON SQUARE, PA 19073</u>
PHONE <u>913-651-3858</u>	PHONE <u>N/A</u>
EMAIL <u>herringsurveying@outlook.com</u>	EMAIL <u>N/A</u>

PROPERTY INFORMATION
Address of property <u>00000 WOLCOTT ROAD</u>
Parcel size <u>38 Acres</u>
Existing structures <u>None</u>
Current use of the property <u>AG</u>
PROPOSED USE INFORMATION
Proposed land use <u>AG & Rural Residential</u>
Proposed Lot/Tract 1 Size <u>20 Acres</u>
Proposed Lot/Tract 2 Size <u>18 Acres</u>

I, the undersigned, am the (circle one) 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 Tract/Lot Split as indicated above.

Signature Joe Herring - digitally signed 3-5-2024 Date 3-5-24

ATTACHMENT A

Lawyers Title of Kansas, Inc.
913-682-3368

CN: 41784

Doc #: 2023R08600
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
12/08/2023 10:25:24 AM
RECORDING FEE: 21.00
PAGES: 1

Entered in Transfer Record in my office _____

County Clerk

Mail Tax Statement to:
ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 12/08/2023

Janet Klasmike
COUNTY CLERK

QUIT CLAIM DEED (Statutory)

THE GRANTORS,
Brent A. Doane and Deanna Doane, husband and wife

CONVEY AND QUITCLAIM to

Brent A. Doane

for the sum of One Dollar and Other Valuable Consideration, the following described real estate:

Lot 1, DOANE ACRES, a subdivision in Leavenworth County, Kansas.

(THIS DEED IS BEING RECORDED PURSUANT TO K.S.A. 79-1437e AS AMENDED, EXEMPTION #3)

(Subject to easements, restrictions, and reservations of record, and all taxes and assessments that may be levied, imposed, or become payable hereafter.)

Dated this 4th day of December, A.D. 2023

Brent A. Doane
Brent A. Doane

Deanna Doane
Deanna Doane

STATE OF PA, COUNTY OF Delaware
This instrument was acknowledged before me on this 4th day of December 2023 by:
Brent A. Doane and Deanna Doane, husband and wife

My appointment expires:

Commonwealth of Pennsylvania - Notary Seal
Joseph DiTommaso, Notary Public
Delaware County
My commission expires April 13, 2026
Commission number 1250976
Member, Pennsylvania Association of Notaries

Joseph DiTommaso
Notary Public
Joseph DiTommaso

AFFIDAVIT

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

We/I BRENT DOANE and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
MARXEN ROAD, PAR 10: 1-16846, 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 2 day of JUNE, 2023

BRENT DOANE 3504 COLUMBIACR WAY
Print Name, Address, Telephone 618-4574311

NEW TOWN
SOUTH PA
19073

[Signature]
Signature

Pennsylvania
STATE OF ~~KANSAS~~)
Delaware) SS
COUNTY OF ~~LEAVENWORTH~~)

Be it remember that on this 2nd day of June 2023, before me, a notary public in and for said County and State came Brent Doane 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

[Signature]

My Commission Expires: April 11, 2027

(seal)

Commonwealth of Pennsylvania - Notary Seal
Eric C. Slade, Notary Public
Delaware County
My commission expires April 11, 2027
Commission number 1343980
Member, Pennsylvania Association of Notaries

ARTICLE 56 – EXCEPTIONS

Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions; or that these conditions would result in inhibiting the achievement of the objectives of these regulations; the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or interfering with carrying out the Comprehensive Plan.

In recommending such variance or exception, the Planning Commission shall find the following:

1. That there are special circumstances or conditions affecting the property.
Steep Terrain throughout the property.
2. That the variance or exception is necessary for the reasonable and acceptable development of the property in question.
Yes - land terrain and location does not support future development.
3. That the granting of the variance or exception will not be detrimental to the public welfare or injurious to adjacent property.
No

From: [McAfee, Joe](#)
Sent: Monday, March 11, 2024 2:07 PM
To: [Schweitzer, Joshua](#)
Cc: [PZ](#)
Subject: RE: DEV-24-022 Lot Split Exception Doane Acres - Lot 1

Joshua,
PW Engineering has no comment on the Lot Split. Roadway connection shall be handled by KDOT.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Thursday, March 7, 2024 12:41 PM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; mpleak@olsson.com; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-022 Lot Split Exception Doane Acres - Lot 1

The Department of Planning and Zoning has received a request for an exception for a Lot Split Doane Acres -Lot 1 Herring.

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 March 18, 2024.

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

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

From: [Anderson, Kyle](#)
Sent: Tuesday, March 12, 2024 9:57 AM
To: [Schweitzer, Joshua](#)
Subject: RE: DEV-24-021 Lot Split Doane Acres - Lot 1

We have not received any complaints on this property and we are not aware of any septic systems currently installed on it.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Thursday, March 7, 2024 11:07 AM
To: Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Baumchen, Daniel <DBaumchen@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-021 Lot Split Doane Acres - Lot 1

The Department of Planning and Zoning has received a request for a Lot Split of Lot 1 – Doane Acres

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 18 March 2024.

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

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

From: [Joe Herring](#)
Sent: Monday, October 2, 2023 9:58 AM
To: [PZ](#)
Subject: Fw: Highway 5 Doane Property

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.

See Steve response. He is ok with 3 houses off of that entrance - but only if County and 911 agree.

Otherwise will just be a shared entrance with 2 houses.

Thank you - Joe Herring

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

From: Steven Taylor [KDOT] <Steven.Taylor@ks.gov>
Sent: Thursday, August 10, 2023 3:55 PM
To: Joe Herring <herringsurveying@outlook.com>
Subject: RE: Highway 5 Doane Property

We would be OK with that. Any improvements to the existing access would require a permit.

Steve

From: Joe Herring <herringsurveying@outlook.com>
Sent: Thursday, August 10, 2023 2:07 PM
To: Steven Taylor [KDOT] <Steven.Taylor@ks.gov>
Subject: Highway 5 Doane Property

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

If owners can get 911 and County to agree to allow 3 houses off of the one access point would KDOT support that situation.

Existing access North of Marxen Road?

Thank you - Joe Herring

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

GOEHAUSEN & COMPANY

REAL ESTATE DEVELOPMENT & INVESTMENTS

18 September 2023

Matt Francis
10000 Hollingsworth Road
Kansas City, Kansas 66109

Re: 12000 Marxen Road

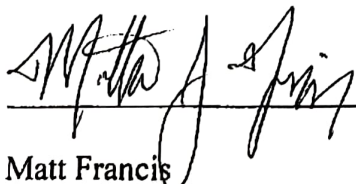
Matt –

To clarify a few things regarding the pending sale I would like you and Brent to acknowledge the following:

1. Brent will provide a water meter at his cost of \$950. Matt, can you forward a check to Brent at the address below.
2. The drive on the north end of Highway 5 will be shared with this property and Brents adjacent parcel. Future improvements will be shared by both parties.
3. The shared pond on the north side of this property will be used and maintained by both owners.

Paul Goehausen

Please acknowledge below and return a copy to me.



Matt Francis
10000 Hollingsworth Road
Kansas City, Kansas 66109



Brent Doane
3504 Columbia Court Way
Newtown Square, Pennsylvania 19073

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-013 Z&M Vineyard Destination Rezone

April 10, 2024

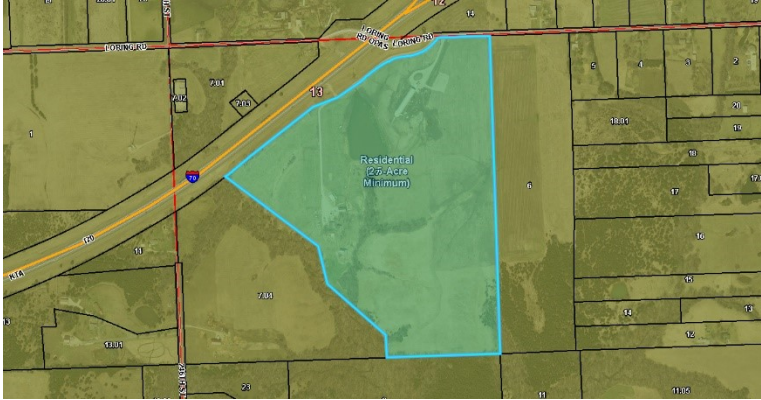
REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

STAFF REPRESENTATIVE:

AMY ALLISON
DEPUTY DIRECTOR

SUBJECT PROPERTY: 24305 LORING ROAD
FUTURE LAND USE MAP: RESIDENTIAL (2.5 MIN ACRE)



APPLICANT/APPLICANT AGENT:

JOE HERRING
HERRING SURVEYING
COMPANY

PROPERTY OWNER:

Z&M VINEYARD DESTINATION
KANSAS LLC
24305 LORING RD
LAWRENCE KS 66044

CONCURRENT APPLICATIONS:
N/A

LAND USE

ZONING: RR-5
SUBDIVISION: N/A
FLOODPLAIN: N/A

LEGAL DESCRIPTION:

A tract of land in the South Half of the Northwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-013, Rezone for Z&M Vineyard Destination LLC, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-013, Rezone for Z&M Vineyard Destination LLC, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 86.9 ACRES

PARCEL ID NO:
216-13-0-00-00-007.00

BUILDINGS:
Single family residence, accessory structures and vineyard commercial structure

PROJECT SUMMARY:

Request to rezone one parcel at 24305 Loring Road from RR-5 to RR-2.5.

ACCESS/STREET:
LORING ROAD -
LOCAL, GRAVEL, ±18' WIDE

Location Map:



UTILITIES

SEWER: SEPTIC
FIRE: FIRE DISTRICT 2
WATER: RWD #10
ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: N/A
NEWSPAPER NOTIFICATION:
3/19/2024
NOTICE TO SURROUNDING
PROPERTY OWNERS:
3/19/2024

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
1. Character of the Neighborhood: <i>Density:</i> Surrounding parcels range in size from 0.6 acres to more than 60 acres. The area is not densely populated. <i>Nearby City Limits:</i> Linwood is more than five miles to the southeast. <i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.	X	
2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature. <i>Adjacent Zoning:</i> All adjacent properties are zoned RR-5.	X	
3. Suitability of the Property for the uses to which it has been restricted: The property is suitable for rural residences and agricultural uses.	X	
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>	X	
5. Length of time the property has been vacant as zoned: <input type="checkbox"/> Vacant: <input checked="" type="checkbox"/> Not Vacant:	X	
6. Relative gain to economic development, public health, safety and welfare: The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel 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.	X	
7. Conformance to the Comprehensive Plan: <i>Future Land Use Map: Residential (2.5 min acre)</i> <i>Section 4 Land Use and Development Plan Strategies: The proposed use is compatible with the future land use designation.</i>	X	

STAFF COMMENTS:

The applicant is requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential (2.5 min acre)*. The applicant has provided a concept plan for a potential Cross Access Easement Subdivision if the rezone is approved. The concept plan is not compliant with all requirements for a Cross Access Easement so amendments to the plan will have to be made during the platting process. Staff does recommend approval of the rezone based on the conformance with the Future Land Use Map.

ATTACHMENTS:

- A: Application & Narrative
- B: Zoning Map
- C: Memorandums
- D: Public Comments

*Perm Residential 2.5
Future
Energy RWD 10
RR 5
216-13 007.00*

*payment 400
drawing concept
- deed report
13 10 20
86.90 464
complete*

REZONING APPLICATION

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

Office Use Only

Township: Perm Date Received: ~~FEB 20 2024~~ 02.21.2024

Planning Commission Date _____

Case No. DEV-24-D13 Date Paid 02.21.2024

Zoning District RR 5 Comprehensive Plan Land Use Designation RR 2.5

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring - Herring Surveying Company</u>	NAME <u>Z&M VINEYARD DESTINATION KANSAS LLC</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>24305 LORING RD</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Lawrence, KS 66044</u>
PHONE <u>913-651-3858</u>	PHONE <u>N/A</u>
EMAIL <u>herringsurveying@outlook.com</u>	EMAIL <u>N/A</u>
CONTACT PERSON <u>Joe</u>	CONTACT PERSON <u>N/A</u>

PROPOSED USE INFORMATION

Proposed Land Use Agriculture and Rural Residential

Current Zoning RR-5 Requested Zoning RR-2.5

Reason for Requesting Rezoning Match the existing Comprehensive Plan - Estate Planning

PROPERTY INFORMATION

Address of Property 24305 LORING RD

Parcel Size 87 Acres

Current use of the property Agriculture and Rural Residential

Present Improvements or structures Residential and Agriculture Buildings

PID 216-13-0-00-007

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 Date 2/20/24

ATTACHMENT A

CERTIFICATE OF SURVEY

PREPARED FOR:
Robert J. Flaker Trust
24305 Loring Road
Lawrence, KS
PID # 216-13-0-00-007

Deed Description: Book 556 Page 588

The Northwest 1/4 of Section 13, Township 12 South, Range 20 East of the Sixth P.M. LESS all that part lying North of the Kansas Turnpike AND ALSO LESS that part taken or used for Kansas Turnpike AND ALSO LESS any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

Doc # 20170204
STACY R. SPICCOLI
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED GRI
10/23/2017 11:02:22 AM
RECORDING FEE: 29.00
PAGE: 1

SURVEYORS DESCRIPTION

TRACT 1

Tract of land in the Northwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Beginning at the Southwest corner of said Northwest Quarter, thence North 02 degrees 17'44" West for a distance of 1259.70 feet along the West line of said Northwest Quarter to the apparent South right of way line of the Kansas Turnpike (Interstate 70); thence on a non-tangent curve to the left having a radius of 7789.44 feet and an arc length of 503.84 feet, being subtended by a chord bearing North 55 degrees 41'32" East and a chord distance of 503.79 feet, along said South Right of way, thence South 53 degrees 20'26" East for a distance of 959.95 feet, thence South 13 degrees 54'05" East for a distance of 324.95 feet, thence South 49 degrees 01'24" East for a distance of 639.26 feet, thence South 02 degrees 28'04" East for a distance of 177.84 feet to the South line of said Northwest Quarter, thence South 88 degrees 04'34" West for a distance of 1704.96 feet along said South line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 40.1 acres, more or less, including road right of way. Error of Closure: 1 - 491988

TRACT 2

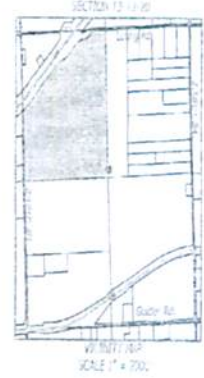
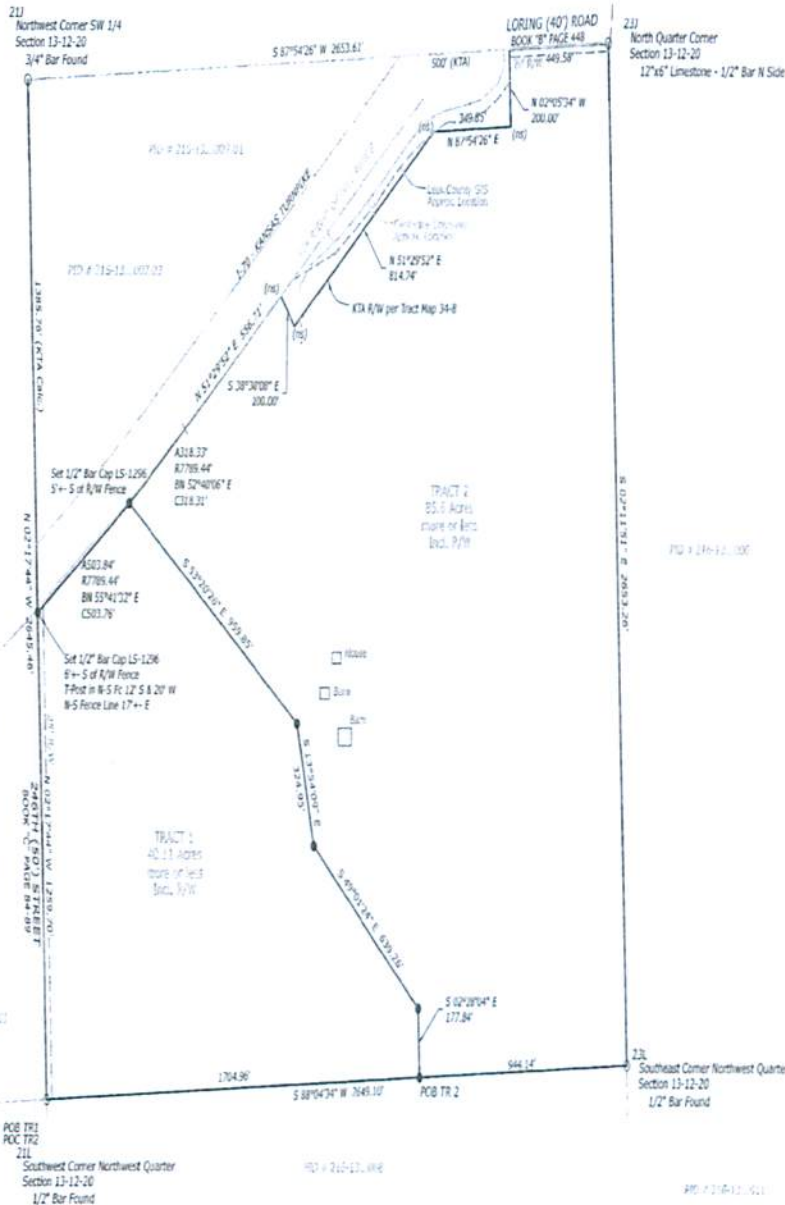
Tract of land in the South Half of the Northwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Northwest Quarter, thence North 88 degrees 04'34" East for a distance of 1704.96 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING, thence North 02 degrees 28'04" West for a distance of 177.84 feet, thence North 49 degrees 01'24" West for a distance of 639.26 feet, thence North 13 degrees 54'05" West for a distance of 324.95 feet, thence North 53 degrees 20'26" West for a distance of 959.95 feet to the apparent South right of way line of the Kansas Turnpike (Interstate 70); thence on a non-tangent curve to the left having a radius of 7789.44 feet and an arc length of 503.84 feet, being subtended by a chord bearing North 55 degrees 41'32" East and a chord distance of 503.79 feet, along said South Right of way, thence North 51 degrees 30'08" East for a distance of 100.00 feet along said South right of way, thence North 51 degrees 29'52" East for a distance of 814.74 feet along said South right of way, thence North 87 degrees 54'26" East for a distance of 349.85 feet along said South right of way, thence North 02 degrees 05'34" West for a distance of 200.00 feet to the North line of said Northwest Quarter, thence North 87 degrees 54'26" East for a distance of 445.58 feet along said North line, thence South 02 degrees 11'51" East for a distance of 6653.26 feet along the East line of said Northwest Quarter, thence South 88 degrees 04'34" West for a distance of 944.14 feet along said South line to the point of beginning. Together with and subject to covenants, easements, and restrictions of record. Said property contains 85.6 acres, more or less, including road right of way. Error of Closure: 1 - 1489776

SURVEYORS NOTE

Kansas Turnpike (KTA) Location as per field observation, KTA Tract Maps and Centerline Maps. KTA tract maps and Leavenworth County GIS information (dashed line) do not match in the location of KTA right of way. According to director of Leavenworth County GIS the parcel lines were created from a specific instrument but said instrument is not available in said office. No instrument was recovered thru research of Leavenworth County District Court Records, Register of Deeds Office and Public Works Department.

NOTES:

- 1) This survey does not show ownership or easements.
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All record and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Surveyor's Description
- 5) Basis of Bearing - KS ST Plane North Zone 1501
- 6) Post Origin Unknown, unless otherwise noted.
- 7) Referenced Surveys - KTA Tract Maps and Description Tract No. 34-8 (AKI) - J.A. Herring Surveys Doc #20050217 & #20175027
- 8) Read Records - as referenced and shown herein.
- 9) Referenced Deeds Book 556 Page 588
- 10) Survey prepared without the benefit of a title commitment.
- 11) Fence Lines do not necessarily denote property lines.
- 12) Structures shown in approximate location.
- 13) Property is not in a Special Flood Hazard Area per FEMA FIRM Map 2010130300G dated July 16, 2015
- 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.



Scale 1" = 300'

- LEGEND:
- - 1/2" Bar Found
 - - 1/2" Bar Set Cap No. 1296
 - ◇ - KDOT Concrete Right of way Monument
 - () - Previous Decided / Measured
 - POB - Point of Beginning
 - POC - Point of Commencing
 - (NS) - Not Set this survey - see Surveyor's Note



K-17-1125
September 26, 2017

J. HERRING SURVEYING COMPANY

315 North 5th Street, Leav., KS 66048
Ph: 913.651.5928 Fax: 913.674.5281
Email: survey@herringco.com

COUNTY SURVEYOR
I hereby certify that this document has been reviewed by me and is being filed for survey information only.

Wayne Hancock 9-27-17
Wayne Hancock, KS

I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of February thru May 2017 and the map or plat is correct to the best of my knowledge.

Joseph A. Herring
LS # 1296



Z&M TWISTED CONCEPT

Lots in the Northwest Quarter of Section 13, Township
12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas.

PREPARED FOR:

Z&M VINEYARD DESTINATION KANSAS LLC
24305 LORING RD
LAWRENCE, KS 66044
PID # 216-13-0-00-007

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY



Job # K-24-Z&M
January 11, 2024

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

THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

Lawyers Title of Kansas, Inc.
785-727-7762

CN: 42976

Doc #: 2021R08551
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
07/14/2021 11:07:03 AM
RECORDING FEE: 21.00
PAGES: 1

Entered in Transfer Record in my office _____

County Clerk

Mail Tax Statement to:

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 07/14/2021

Janet Klasmirke
COUNTY CLERK

QUIT CLAIM DEED (Statutory)

THE GRANTOR,

Gina Maria Montalbano also known as Gina Montalbano also known as Gina Montalbano Zesiger, a single person

CONVEYS AND QUITCLAIMS to

Z&M Vineyard Destination Kansas LLC

for the sum of One Dollar and Other Valuable Consideration, the following described real estate:

Tract of land in the South Half of the Northwest Quarter of Section 13, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence North 88 degrees 04'34" East for a distance of 1704.96 feet along the South line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence North 02 degrees 28'04" West for a distance of 177.84 feet; thence North 49 degrees 01'24" West for a distance of 639.26 feet; thence North 13 degrees 54'09" West for a distance of 324.95 feet; thence North 53 degrees 20'26" West for a distance of 959.85 feet to the apparent South right of way line of the Kansas Turnpike (Interstate 70); thence on a non-tangent curve to the left having a radius of 7789.44 feet and an arc length of 318.33 feet, being subtended by a chord bearing North 52 degrees 40'06" East and a chord distance of 318.31 feet, along said South Right of way; thence North 51 degrees 29'52" East for a distance of 556.71 feet along said South right of way; thence South 38 degrees 30'08" East for a distance of 100.00 feet along said South right of way; thence North 51 degrees 29'52" East for a distance of 814.74 feet along said South right of way; thence North 87 degrees 54'26" East for a distance of 349.85 feet along said South right of way; thence North 02 degrees 05'34" West for a distance of 200.00 feet to the North line of said Northwest Quarter; thence North 87 degrees 54'26" for a distance of 449.58 feet along said North line; thence South 02 degrees 11'51" East for a distance of 2653.26 feet along the East line of said Northwest Quarter; thence South 88 degrees 04'34" West for a distance of 944.14 feet along said South line to the point of beginning. ALSO known as Tract 2 of Plat of Survey by Joseph A. Herring, LS#1296, dated September 28, 2047, recorded October 3, 2017 as Doc. No. 2017S044.

(THIS DEED IS BEING RECORDED PURSUANT TO K.S.A. 79-1437e AS AMENDED, EXEMPTION #3)

(Subject to easements, restrictions, and reservations of record, and all taxes and assessments that may be levied, imposed, or become payable hereafter.)

Dated this 12th day of July A.D. 2021

Gina Montalbano

Gina Maria Montalbano

STATE OF KANSAS, COUNTY OF Douglas

This instrument was acknowledged before me on this 12th day of July 2021 by:
Gina Maria Montalbano also known as Gina Montalbano also known as Gina Montalbano Zesiger, a single person

My appointment expires:

 **JARED TODD**
Notary Public - State of Kansas
My Appt. Expires 1/18/2022

Jared Todd
Notary Public
Jared Todd

AFFIDAVIT

Authorization of Contractors or Individuals to Act as Agents of a Landowner

COUNTY OF LEAVENWORTH

STATE OF KANSAS

We/I Gina Montalbano and _____

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 24305 Loring Rd Lawrence KS 66044, 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 19 day of Feb, 2024

Gina Montalbano 24305 Loring Rd (816)914-0693
Print Name, Address, Telephone Lawrence, KS 66044

Gina Montalbano
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

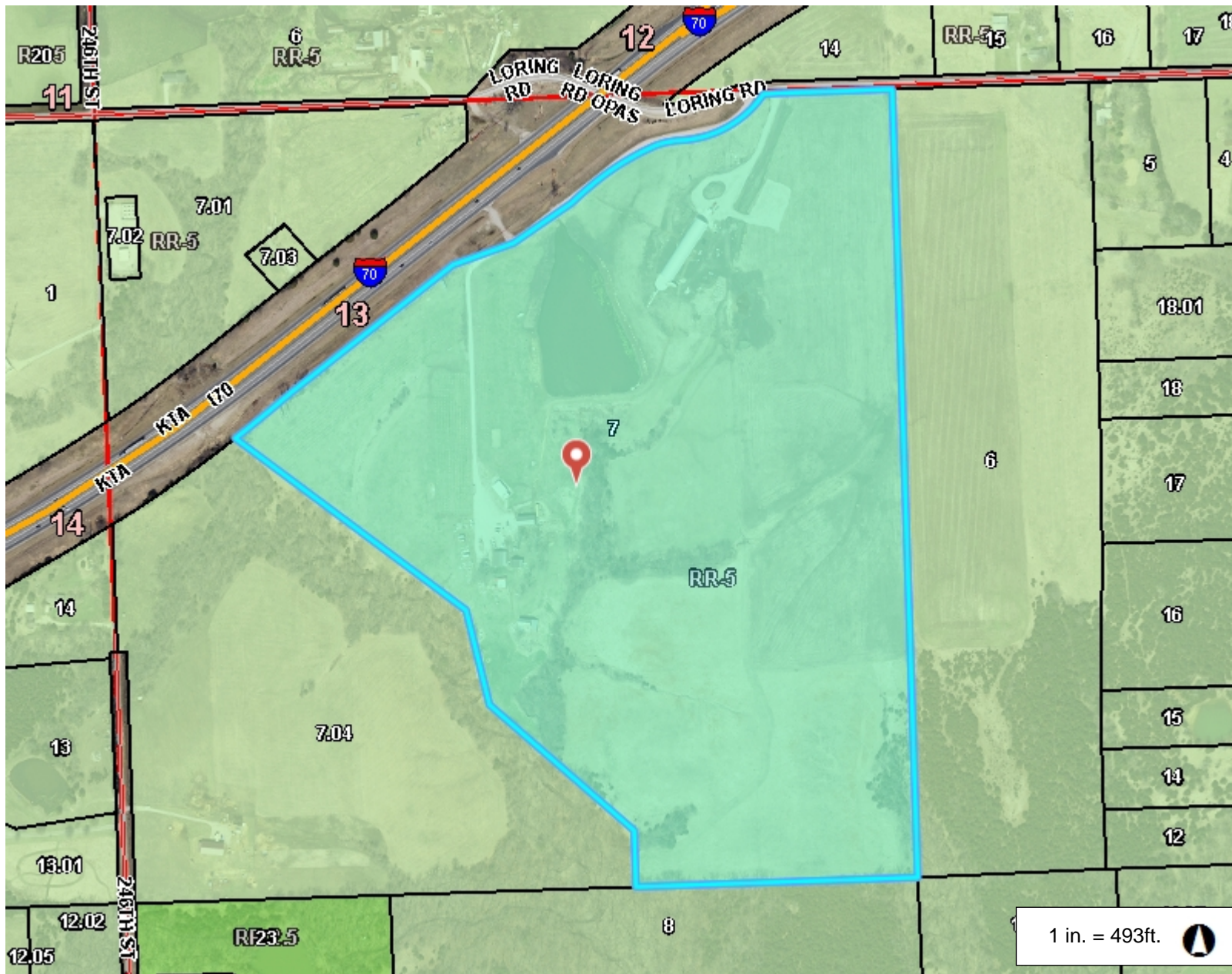
Be it remember that on this _____ day of _____ 20__, before me, a notary public in and for said County and State came _____ to me personally known to be the same persons who executed the forgoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year above written.

NOTARY PUBLIC _____

My Commission Expires: _____

(seal)

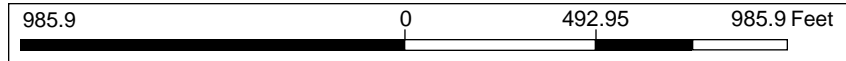
DEV-24-013 Z&M Vineyard Rezone



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
 - <all other values>
 - PRIVATE
- 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. = 493ft.



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: Steven Heath <Steven.Heath@evergy.com>
Sent: Thursday, February 22, 2024 10:53 AM
To: Johnson, Melissa; Magaha, Chuck; Anderson, Kyle; Miller, Jamie; Patzwald, Joshua; Van Parys, David; Noll, Bill; McAfee, Joe; 'djacobson@ksturnpike.com'; 'kritter@lvcofd2.com'; 'Dylan Ritter'
Cc: Design Group Lawrence Service Center; 'rwd10@conleysandu.com'; PZ
Subject: Re: [EXTERNAL]DEV-24-013 Rezone of 24305 Loring Rd. Z&M Vineyard

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.

Good morning, after reviewing, we have 3ph Primary along Loring Rd and 1Ph Primary along the service Road to the SW allowing us to service these lots, we would require a minimum of a 10ft utility easements along the Private roads listed in the map to service these future customers.

Thank you,

Steven Heath

Evergy

TD Designer I

Steven.Heath@evergy.com

O: 785-865-4857

C: 785-508-2550

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Thursday, February 22, 2024 10:07 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'Dylan Ritter' <dritter@lvcofd2.com>
Cc: Design Group Lawrence Service Center <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; PZ <PZ@leavenworthcounty.gov>
Subject: [EXTERNAL]DEV-24-013 Rezone of 24305 Loring Rd. Z&M Vineyard

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

The Department of Planning & Zoning has received an application for a rezone regarding the above listed property from RR 5 to RR 2.5.

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, March 6, 2024.

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



January 23, 2024

Bryan Zesiger
Dr. Gina Montalbano Zesiger
24305 Loring Rd
Lawrence, KS 66044

Re: Rural water service availability Z&M Twisted Vines Subdivision

Dear Mr. Zesiger and Mrs. Montalbano Zesiger,

This letter is in response to your request for service at the proposed Z&M Twisted Vines Subdivision just south of I-70 and east of 246th St in Leavenworth County. Our engineering firm has reviewed the conceptual design including 16 new single residential housing units on approximately 80 acres. Leavenworth County Rural Water District 10 currently operates a pipeline along Loring Rd, however, the pipeline stops about 1,000 ft east of the Z&M property. An extension of this main pipeline would be required to service this subdivision. In addition to the main extension, our engineer has estimated an additional 4,700ft of pipe within the subdivision would be required to service the 16 lots proposed. Both projects would be at the developer's expense.

Please keep us updated on your progress and once there are finalized plans, we can move forward with cost estimates and design. If you have any additional questions or concerns, please do not hesitate to contact us.

Sincerely,

Steve Conley, Designated Operator

Mary Conley, Business Manager



County of Leavenworth
Planning & Zoning Department
300 Walnut, Suite 212
Leavenworth, Kansas 66048
Phone: 913-684-0465

February 26, 2024

To: Joe Herring
Herring Surveying Company
315 North 5th Street
Leavenworth, KS 66048

Re: DEV-24-013 Z&M Rezone Request

Dear Mr. Herring,

The Planning & Zoning Department reviewed the rezoning application submitted on February 21, 2024 and had the following comments:

- The concept drawing submitted with the application does not comply with the Cross Access Easement regulations in regard to rural residential use only and that all lots within the subdivision have to access off the private drive. This will be noted in the staff report and additionally, if the rezoning application is approved, said approval will not constitute approval of the proposed layout shown in the concept plan.
- The staff report will also note that KTA approval will be needed for proposed lots 15 and 16 to be added as the existing drive crosses their Right-of-Way.
- The operating agreement submitted is not a signed copy. Please provide a copy of the fully executed Operating Agreement for Z&M Vineyard.

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

Respectfully,

Amy Allison
Deputy Director
Planning and Zoning
Leavenworth County

Leavenworth County Planning and Zoning Department
Leavenworth County Courthouse
300 Walnut Suite 030 Leavenworth, Kansas 66048

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Rezoning RR-5 to 2.5
Date: March 21, 2024

Amy, I have reviewed the request for rezoning from Gina Maria Montalbano with Z&M Vineyard 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: Friday, February 23, 2024 9:49 AM
To: Johnson, Melissa
Subject: RE: DEV-24-013 Rezone of 24305 Loring Rd. Z&M Vineyard

We have a septic permit from 2022 (SEW-22-096) for the 45'x225' building on property that has not been paid for.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Johnson, Melissa <MJohnson@leavenworthcounty.gov>
Sent: Thursday, February 22, 2024 10:08 AM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; 'djacobson@ksturnpike.com' <djacobson@ksturnpike.com>; 'kritter@lvcofd2.com' <kritter@lvcofd2.com>; 'Dylan Ritter' <dritter@lvcofd2.com>
Cc: 'designgrouplawrenceservicecenter@evergy.com' <designgrouplawrenceservicecenter@evergy.com>; 'rwd10@conleysandu.com' <rwd10@conleysandu.com>; PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-013 Rezone of 24305 Loring Rd. Z&M Vineyard

The Department of Planning & Zoning has received an application for a rezone regarding the above listed property from RR 5 to RR 2.5.

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, March 6, 2024.

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

Thank you,

Melissa Johnson

Planner I
Leavenworth County
Planning & Zoning Department
Leavenworth County Courthouse
300 Walnut St, Suite 212

Allison, Amy

From: Dana McVey <danamcvey@outlook.com>
Sent: Tuesday, April 2, 2024 9:20 PM
To: PZ
Subject: Rezoning hearing

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.

We became aware of a rezoning request for a section of land up the road from us. The request was submitted by: Herring Surveying Company on behalf of Z&M Winery
24305 Loring Road
Lawrence, Kansas 66044.

We are unfortunately unable to attend the April 10th hearing at 5:30 due to our work schedules.

We are NOT in favor of this proposal.

We already have way more traffic on our road due to the winery being less than 1/4 mile up the road from us, let alone 16 more or less residential homes being put in. We have small children here at our residence and people already drive way to fast on our road, especially people that are not accustomed to driving on a gravel road.

The whole reason why we moved to this residence was to feel like we actually live in the "country"- not to have a subdivision or a highly trafficked road.

Please don't let this proposal pass through on behalf of the other residents that reside on Loring road that didn't move here to have a commercialized business or "country" subdivision increase the volume of traffic on what should be a quiet rural setting.

We didn't originally oppose the winery being up the road from us but we are certainly NOT in favor of it bringing in a subdivision of more homes/residences.

Thank you for taking our opposition on this matter into consideration.

Sincerely,

Joe & Dana McVey
23966 Loring Rd.
Lawrence, KS 66044
816-560-5047 (Joe)
816-560-6248 (Dana)
Sent from my iPhone

NOTICE OF PUBLIC HEARING....RESPONSE...APRIL 4,2024

Notice from Z and M VINEYARD REQUEST:

JOHN AND RUTH HUGHES reside at 25165 Loring Road, Lawrence, KS 66044. We have lived here since October of 1959. At that time there were 7 homes as I recall from 24/40 Hiway, now Chieftain Road, to the bridge crossing over I-70. Currently there are 15. We have a heavy equipment operator and a hog farm on Loring currently. And Loring seems to be the access road to the two Winerys', one off Loring to the North. The traffic is significant and extremely dusty. Before consideration for additional, roughly 16 homes to be built, the road should be paved.

Are there not sub-division guidelines that would require the county or the builder to provide adequate roadways for that many homes?

Currently the speed limit is set at 35 mph. However, we have many 50 mph vehicles often on our road and very little assistance from law enforcement.

Another aspect should be considered as well. The Loring Bridge over the turnpike will undoubtedly need to be widened and lengthened to allow for additional lanes on the turnpike. The Hiway 32 bridge off 24-40 was recently closed for its' reconstruction.

Will the new addition of homes have direct access off Hiway 32?

A big consideration of course is the increase in the tax base in our whole area! Please be mindful of your current taxpayers.

We Vote No! Thank you for listening.

John & Ruth Hughes
Ruth M. Hughes
April 4, 2024

**LEAVENWORTH COUNTY
PLANNING COMMISSION
STAFF REPORT**

CASE NO: DEV-24-024 Walker-Cooper Rezone

April 10, 2024

REQUEST: *Public Hearing Required*

- ZONING AMENDMENT SPECIAL USE PERMIT
 TEMPORARY SPECIAL USE PERMIT

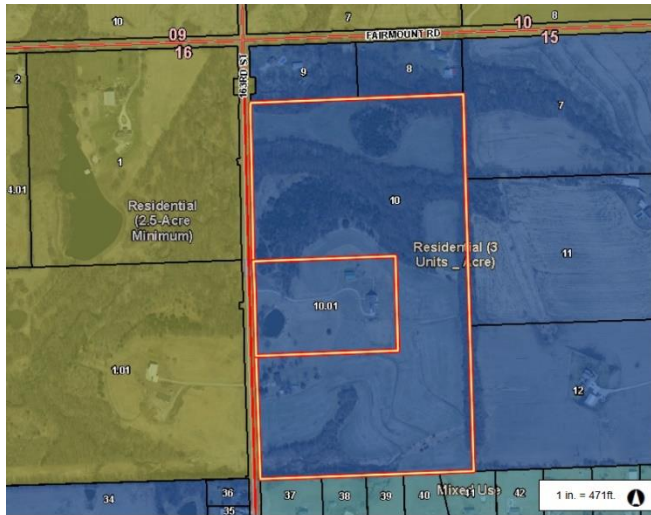
STAFF REPRESENTATIVE:
JOSH SCHWEITZER
DEVELOPMENT PLANNER

SUBJECT PROPERTY: 22482 & 22552 163rd St.
FUTURE LAND USE MAP: 3 UNITS PER ACRE

APPLICANT/APPLICANT AGENT:
JOE HERRING
HERRING SURVEYING COMPANY

PROPERTY OWNER:
Walker Living Trust & Cooper,
Jack D & Flora M; Trust
22482 & 22552 163rd St
Basehor, KS 66007

CONCURRENT APPLICATIONS:
N/A



LAND USE
ZONING: RR-5
FUTURE LAND USE DESIGNATION: RESIDENTIAL 3-UNITS PER ACRE

LEGAL DESCRIPTION:

Tracts of land in the Southwest Quarter of Section 15, Township 10 South, Range 22 East of 6th PM, Leavenworth County, KS

SUBDIVISION: N/A
FLOODPLAIN: N/A

STAFF RECOMMENDATION: APPROVAL

PROPERTY INFORMATION

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-24-024, Rezone for Walker-Cooper, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-24-024, Rezone for Walker-Cooper, to the Board of County Commission for the following reasons; or
3. Continue the hearing to another date, time, and place.

PARCEL SIZE: 68 ACRES

PARCEL ID NO:
155-15-0-00-00-010; 010.01

BUILDINGS:
Houses and Barn

PROJECT SUMMARY:

Request to rezone of two parcels at 22482 & 22552 163rd St. (PID: 155-15-0-00-00-010; 010.01) from RR-5 to RR-2.5.

ACCESS/STREET:
163rd St: LOCAL, PAVED, ±29 WIDE

Location Map:



UTILITIES

SEWER: SEPTIC
FIRE: FAIRMOUNT
WATER: SUBURBAN
ELECTRIC: EVERGY

NOTICE & REVIEW:

STAFF REVIEW: 04/02/2024
NEWSPAPER NOTIFICATION:
03/19/2024
NOTICE TO SURROUNDING PROPERTY OWNERS:
03/20/2024

FACTORS TO BE CONSIDERED: <i>Type content in each if necessary (delete this afterwards)</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:	Met	Not Met
1. Character of the Neighborhood: <i>Density:</i> Surrounding parcels range in size from 2.5 acres to more than 130 acres. The area is not densely populated. <i>Nearby City Limits:</i> Basehor is more than two miles to the northwest. <i>Initial Growth Management Area:</i> This parcel is located within the Rural Growth Area.	X	
2. Zoning and uses of nearby property: <i>Adjacent Uses:</i> Most of the adjacent parcels are residential and agricultural in nature. <i>Adjacent Zoning:</i> All adjacent properties are zoned RR-5. With the exception of the Planned Unit Development directly to the south of the property	X	
3. Suitability of the Property for the uses to which is has been restricted: The property is suitable for rural residences and agricultural uses.	X	
4. Extent to which removal of the restrictions will detrimentally affect nearby property: Nearby properties are unlikely to be negatively impacted as the proposed rezoning remains rural residential.	X	
5. Length of time the property has been vacant as zoned: <input type="checkbox"/> <i>Vacant:</i> <input checked="" type="checkbox"/> <i>Not Vacant:</i>	X	
6. Relative gain to economic development, public health, safety and welfare: The rezoning does not impact economic development, public health, safety or welfare. In the event the parcel 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.	X	
7. Conformance to the Comprehensive Plan: <i>Future Land Use Map:</i> Residential 3 Units Per Acre <i>Section 4 Land Use and Development Plan Strategies:</i> The proposed use is not compatible with the future land use designation.		X

STAFF COMMENTS:

The applicants are requesting a rezoning from Rural-Residential 5 to Rural-Residential 2.5. The Comprehensive Plan identifies the future land use of this area as *Residential 3 units per acre*. While Staff would typically recommend denial of a request that does not conform to the future land use, Staff recommends approval for the following reasons:

1. The requested use is less dense than the future land use designation.
2. The nearest city is located more than two miles to the northwest, therefore making extension of sanitary sewer (necessary for 3 units/acre) unlikely.

ATTACHMENTS:

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

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

OWNER INFORMATION (If different)

NAME Joe Herring NAME WALKER LIVING TRUST & COOPER, JACK D & FLORA M; TRUST
ADDRESS 315 North 5th Street ADDRESS 22482 & 22552163RD ST
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
CONTACT PERSON Joe 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 Estate planning

PROPERTY INFORMATION

Address of Property 22482 & 22552 163rd Street
Parcel Size Combined 68 Acres
Current use of the property AG & RURAL RESIDENTIAL
Present Improvements or structures Houses and Barn
PID 155-15-0-00-00-010 & 155-15-0-00-00-010.01

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 3/7/2024 Date 3-7-24

ATTACHMENT A

E C/CO
11
12

WARRANTY DEED FILE Accom.

This 12th day of November, 2003,

JACK D. COOPER AND/OR FLORA M. COOPER, AS TRUSTEES OF THE JACK D. COOPER AND FLORA M. COOPER REVOCABLE LIVING TRUST DATED 1/24/02, which Trust is in full force and effect and has not been amended or revoked,

Convey(s) and Warrant(s) to ROBERT D. WALKER AND JANICE D. WALKER, HUSBAND AND WIFE AS JOINT TENANTS (purchaser(s))

all the following described REAL ESTATE in the County of LEAVENWORTH, and the State of Kansas, to-wit:

A TRACT OF LAND IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID NORTHWEST 1/4, SAID POINT BEING 747.02 FEET NORTH OF THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4, THE WEST LINE OF SAID NORTHWEST 1/4 HAVING AN ASSUMED BEARING OF NORTH 00 DEGREES 21'28" EAST; THENCE NORTH 00 DEGREES 21'28" EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4, 573.19 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4; THENCE NORTH 89 DEGREES 44'53" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4, 850.00 FEET; THENCE SOUTH 00 DEGREES 21'28" WEST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4, 573.19 FEET; THENCE SOUTH 89 DEGREES 44'53" WEST, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4, 850.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED, LESS ANY PART THEREOF TAKEN OR USED FOR ROAD PURPOSES,

IN LEAVENWORTH COUNTY, KANSAS

Ex #4

for the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, by virtue of and in execution of the power and authority given to it under said Trust Agreement.

And (seller (s), do hereby covenant, promise, and agree that THEY ARE the duly appointed, qualified Trustee(s) of the Trust, AND JACK D. COOPER AND FLORA M. COOPER HAVE the power and authority as such Trustee(s) to convey as aforesaid, and has in all respects acted, in making this conveyance, in compliance with the authority granted by such Trust Agreement.

STATE OF KANSAS
COUNTY OF LEAVENWORTH

2003 NOV 17 P 3:54

REGISTER OF DEEDS

THE JACK D. COOPER AND FLORA M. COOPER REVOCABLE LIVING TRUST BY:

Jack D Cooper

JACK D. COOPER, TRUSTEE

Flora M Cooper

FLORA M. COOPER, TRUSTEE

Entered in the transfer record in my office this 12th day of November 2003
Sheila K Wright County Clerk

STATE OF KANSAS, County of Leavenworth, ss:

BE IT REMEMBERED, That on this 12th day of November, 2003, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came JACK D. COOPER AND FLORA M. COOPER, Trustee(s) of the THE JACK D. COOPER AND FLORA M. COOPER REVOCABLE LIVING TRUST UTD 1-24-02 who ARE personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same.

Sheila K Wright

Notary Public

MY Term Expires: 10/18/06

SHEILA K. WRIGHT
My Appt. Exp. 10/18/06

BK0900 PG1562

M C/CO
11
12

Kansas Quit-Claim Deed

THIS INDENTURE, Made on the 24th day of January, 20 02, by and between

JACK D. COOPER and FLORA M. COOPER, husband and wife

of the County of LEAVENWORTH, State of KANSAS, parties of the first part, and

JACK D. COOPER and/or FLORA M. COOPER, as Trustees of The JACK D. COOPER and FLORA M. COOPER Revocable Living Trust dated the 24th day of January, 20 02

of the County of LEAVENWORTH, State of KANSAS, parties of the second part:

WITNESSETH, THAT SAID PARTIES OF THE FIRST PART, in consideration of the sum of TEN DOLLARS and other valuable considerations to them paid by said parties of the second part (the receipt of which is hereby acknowledged), do by these presents **Remise, Release and forever Quit-Claim** unto the said parties of the second part the following described lots, tracts or parcels of land, lying, being and situate in the County of LEAVENWORTH and the State of KANSAS, to wit:

A tract in the West Half of the Northwest Quarter of Section 15, Township 10 South, Range 22 East, Leavenworth County, Kansas, described as: Beginning at the Southwest corner of said Northwest Quarter; thence North 00 degrees 36' 15" East 2268.36 feet along the west line of said Northwest Quarter; thence North 90 degrees East 1321.42 feet to the east line of the West Half of said Northwest Quarter; thence South 00 degrees 34' 42" West 2266.60 feet; thence South 89 degrees 55' 27" West 1322.73 feet along the south line of said Northwest Quarter to the beginning, EXCEPT part taken or used for road.

Questionnaire not necessary pursuant to KSA 79-1437e(a)(7).

TO HAVE AND TO HOLD THE SAME, with all the rights, immunities, privileges and appurtenances thereto belonging, unto said parties of the second part, as Trustees of said Trust set forth above; so that neither the said parties of the first part nor their heirs, nor any other person or persons for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year above written.

Jack D Cooper (SEAL)
JACK D. COOPER

Flora M Cooper (SEAL)
FLORA M. COOPER

Signed, sealed and delivered in the presence of us, the following witnesses:

[Signature]
Signature

Daniel Leathman
Type or Print Name

[Signature]
Signature

Brent McLean
Type or Print Name

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss.

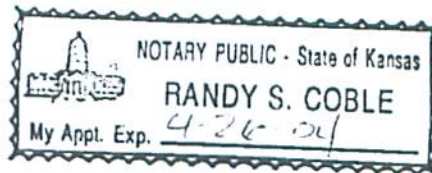
BE IT REMEMBERED, That on this 24th day of January A.D. 2002 before me, the undersigned, a Notary Public in and for said County and State, came JACK D. COOPER and FLORA M. COOPER who are personally known to me to be the same persons who executed the within instrument of writing, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.

[Signature]
NOTARY PUBLIC

My commission expires:

4-26-04



STATE OF KANSAS
COUNTY OF LEAVENWORTH } ss
FILED FOR RECORD
2002 JAN 28 A 9:05
STACY R. DRISCOLL
REGISTER OF DEEDS

Entered in the transfer record in my office this
24th day of January, 2002
Judith A. Sabers County Clerk

AFFIDAVIT

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

We/I Robert D. Walker and Janice P. Walker

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at - 22552 163rd St., Basehor, KS 66007, 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 23rd day of January, 2024

Janice P. Walker 22552 163rd St., Basehor, KS 66017 913-486-3600
Robert D. Walker 22552 163rd St., Basehor, KS 913-269-2771
Print Name, Address, Telephone

 doop verified 06/09/23 11:48 AM CDT YMP1-66KD-RSOS-ALUCB	 doop verified 06/09/23 11:34 AM CDT 13GY-N123-170Q-V55W
---	---

Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 23rd day of January 2024, before me, a notary public in and for said County and State came Robert Walker and Janice Walker 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  
KATY TORNEDEN
Notary Public - State of Kansas
My Appt. Expires 01/27/2025

My Commission Expires: 01-27-2025 (seal)

CERTIFICATE OF SURVEY

Tracts of land in the Northwest Quarter of Section 15, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

TRACT SPLIT

PREPARED FOR:

COOPER, JACK D & FLORA M; TRUST
22482 163RD ST
Basehor, KS 66007
PID NO. 155-15-0-00-00-010

SURVEYOR'S DESCRIPTION:

TRACT 1:

Tract of land in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on March 7, 2024, more fully described as follows: Commencing at the Southwest corner of said Northwest Quarter; thence North 01 degrees 33'32" West for a distance 481.75 feet along the West line of said Northwest Quarter to the TRUE POINT OF BEGINNING; thence continuing North 01 degrees 33'32" West for a distance of 265.02 feet along said West line; thence North 87 degrees 49'33" East for a distance of 415.00 feet; thence South 01 degrees 33'32" East for a distance of 265.02 feet; thence South 87 degrees 49'33" West for a distance of 415.00 feet to the point of beginning.

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

Said property contains 2.52 acres, more or less, including road right of way.

Error of Closure: 1 - 999999

TRACT 2:

Tract of land in the Southwest Quarter of Section 23, Township 12 South, Range 20 East of the 6th P.M., Leavenworth County, Kansas, as written by Joseph A. Herring PS-1296 on April 13, 2023, more fully described as follows: Beginning at the Southwest corner of said Northwest Quarter; thence North 01 degrees 33'32" West for a distance 446.74 feet along the West line of said Northwest Quarter; thence North 87 degrees 49'33" East for a distance of 730.00 feet; thence North 01 degrees 33'32" West for a distance of 300.02 feet; thence North 87 degrees 49'33" East for a distance of 120.05 feet; thence North 01 degrees 33'32" West for a distance of 573.22 feet; thence South 87 degrees 49'33" West for a distance of 850.05 feet to said West line; thence North 01 degrees 33'32" West for a distance of 948.15 feet along said West line; thence North 87 degrees 49'44" East for a distance of 1319.57 feet; thence South 01 degrees 27'18" East for a distance of 2268.23 feet to the South line of said Northwest Quarter; thence South 87 degrees 49'51" West for a distance of 1315.45 feet along said South line to the point of beginning.

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

Said property contains 55.89 acres, more or less, including road right of way.

Error of Closure: 1 - 1275914

RATIFICATION BY COUNTY STAFF

This tract split, as described and shown above, has been submitted to and approved by the following County Staff persons this ____ day of ____ 2024.

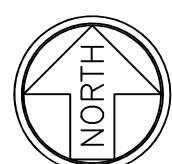
Planning Director _____
John Jacobson

NOTARY CERTIFICATE

Be it remembered that on this ____ day of ____ 2024, before me, a notary public in and for said County and State came John Jacobson, 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)



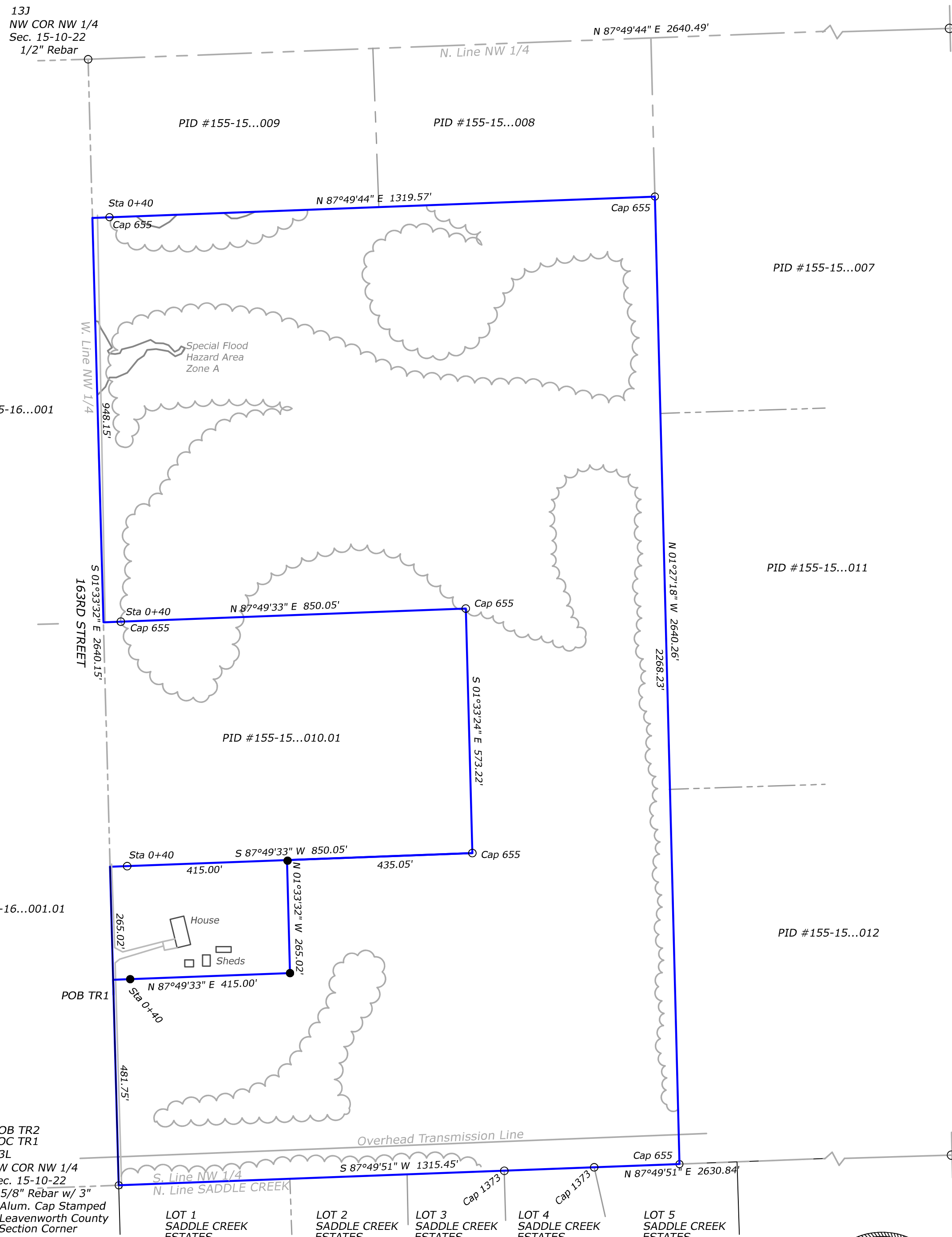
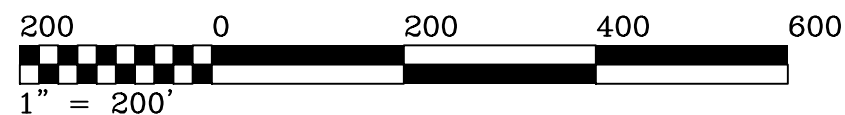
Scale 1" = 200'

I hereby certify that this survey plat meets the requirements of K.S.A. 58-2005. The face of this survey 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-22-1571
March 7, 2024

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



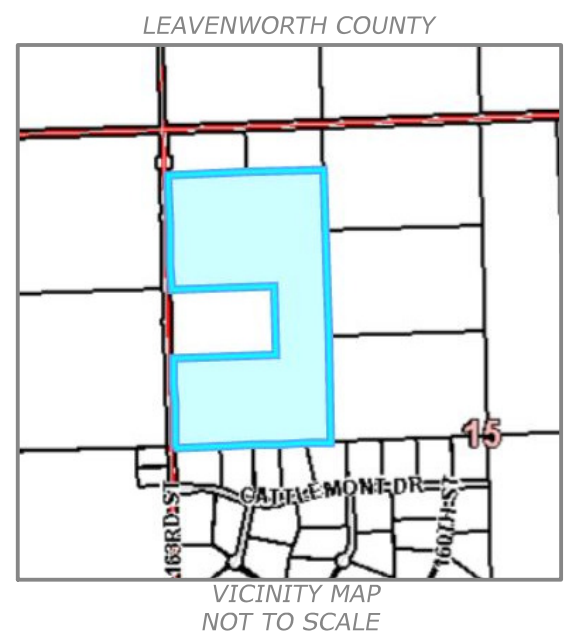
15J
NE COR NW 1/4
Sec. 15-10-22
1/2" Rebar

NOTES:

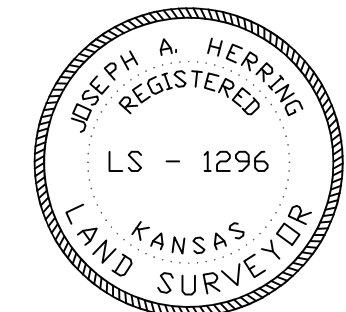
- 1) This survey does not show ownership or easements, per agreement with client
- 2) All distances are calculated from measurements or measured this survey, unless otherwise noted.
- 3) All record and measured distances are the same, unless otherwise noted.
- 4) Error of Closure - See Surveyor's Description
- 5) Basis of Bearing - KS SPC North Zone 1501 held North line Southwest 1/4
- 6) Monument Origin Unknown, unless otherwise noted.
- 7) Referenced Surveys - SADDLE CREEK ESTATES - Book 14 Page 99
- 8) Road Records - See Survey
- 9) Referenced Deed Book 895 Page 1953
- 10) Survey prepared without the benefit of a title commitment.
- 11) Fence Lines do not necessarily denote property lines.
- 12) Structures are shown in approximate location.
- 13) Property is in a Special Flood Hazard Area Zone A per FEMA FIRN Map 20103C0250G dated July 16, 2015
- 14) Utilities, if shown, are visible and above ground, except as noted. Easements may or may not exist.

LEGEND:

- - 1/2" Rebar Set with Cap No.1296
- - 1/2" Rebar Found, unless otherwise noted.
- POB - Point of Beginning
- POC - Point of Commencing
- ~ - Tree/Brush Line
- NS - Not Set this Survey per agreement with client



15L
SE COR NW 1/4
Sec. 15-10-22
1/2" Rebar



I hereby certify that this survey was made by me, or under my direct supervision, on the ground during the dates of October 2022 through March 2024 and this map or plat is correct to the best of my knowledge.

Joseph A. Herring
PS # 1296

MEMO

To: Amy Allison
From: Chuck Magaha
Subject: Rezoning RR-5 to 2.5
Date: March 21, 2024

Amy, I have reviewed the request for rezoning from Jack and Flora Cooper 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.

Rezoning to rr5 to rr2.5 Cooper

Schweitzer, Joshua

From: McAfee, Joe
Sent: Monday, March 11, 2024 2:43 PM
To: Schweitzer, Joshua; Magaha, Chuck; Miller, Jamie; Patzwald, Joshua; Van Parys, David; Brown, Misty
Cc: PZ
Subject: RE: DEV-24-024 Rezone of Cooper Walker - Herring

Joshua,

PW Engineering has no comments on the proposed rezoning. Roadway is designated a Local Road and all existing drive distances meet current policy.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, March 8, 2024 4:03 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcAfee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'designgroupleavenworth@evergy.com' <designgroupleavenworth@evergy.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-024 Rezone of Cooper Walker - Herring

The Department of Planning and Zoning has received an application for a Rezone of property at 22482 163rd St. from RR-5 to RR-2.5.

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, March 22, 2024.

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

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

From: [Anderson, Kyle](#)
Sent: Tuesday, March 12, 2024 10:27 AM
To: [Schweitzer, Joshua](#)
Subject: RE: DEV-24-024 Rezone of Cooper Walker - Herring

We have not received any complaints on this property.

Kyle Anderson
Environmental Technician/Code Enforcement
Leavenworth County Planning & Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
913-684-1084

Disclaimer: This message and any attachments are intended only for the use of the recipient or their authorized representative. The information provided in this email is limited in scope and response detail by available information, current zoning and subdivision regulations. Depending on the level of development, the applicable regulations can change. Final approval cannot be granted until a complete application has been submitted, reviewed and approved by the governing body. Nothing in this message or its contents should be interpreted to authorize or conclude approval by Leavenworth County.

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, March 8, 2024 4:03 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; 'designgroupleavenworth@evergy.com' <designgroupleavenworth@evergy.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: DEV-24-024 Rezone of Cooper Walker - Herring

The Department of Planning and Zoning has received an application for a Rezone of property at 22482 163rd St. from RR-5 to RR-2.5.

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

v / r

Joshua J. Schweitzer
Development Planner
Leavenworth County Planning & Zoning
300 Walnut St, Suite 212
Leavenworth County, Kansas 66048
(913) 684-0465

From: [Tyler Rebel](#)
Sent: Friday, March 8, 2024 5:11 PM
To: [Schweitzer, Joshua](#)
Subject: RE: [EXTERNAL]DEV-24-024 Rezone of Cooper Walker - Herring

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Internal Use Only

No comment from Evergy

Tyler Rebel
Distribution Designer
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tyler.rebel@evergy.com
O: 913.758.2727
evergy.com

From: Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov>
Sent: Friday, March 8, 2024 4:03 PM
To: Magaha, Chuck <cmagaha@lvsheriff.org>; McAfee, Joe <JMcafee@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Patzwald, Joshua <jpatzwald@lvsheriff.org>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Brown, Misty <MBrown@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; 'lingenfelserm@fairmountfd.org' <lingenfelserm@fairmountfd.org>; 'travis@suburbanwaterInc.com' <travis@suburbanwaterInc.com>; 'trish@suburbanwaterinc.com' <trish@suburbanwaterinc.com>; Design Group Leavenworth <designgroupleavenworth@evergy.com>
Cc: PZ <PZ@leavenworthcounty.gov>
Subject: [EXTERNAL]DEV-24-024 Rezone of Cooper Walker - Herring

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This message came from outside your organization.

The Department of Planning and Zoning has received an application for a Rezone of property at 22482 163rd St. from RR-5 to RR-2.5.

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, March 22, 2024.

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

v / r

Joshua J. Schweitzer
Development Planner

From: [Mike Lingenfelser](#)
Sent: Monday, March 11, 2024 8:56 AM
To: [Schweitzer, Joshua](#)
Subject: Re: DEV-24-024 Rezone of Cooper Walker - Herring

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.

Joshua

Fairmount Township Fire Department has no issues with the rezone.

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, Mar 8, 2024 at 4:03 PM Schweitzer, Joshua <JSchweitzer@leavenworthcounty.gov> wrote:

The Department of Planning and Zoning has received an application for a Rezone of property at 22482 163rd St. from RR-5 to RR-2.5.

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, March 22, 2024.

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v / r

Joshua J. Schweitzer

Development Planner

Leavenworth County 2024 Comprehensive Plan Update

Staff Report – Planning Commission

April 10, 2024

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 2024. During the review process, Staff reached out to affected County Departments requesting amendments, corrections or clarification. Their comments have been included in the recommendations for amendments as well as the Action Matrixes for 2024 & 2025.

RECOMMENDED AMENDMENTS

Holistic Implementation Measures							
	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 4:	Review the Plan periodically and strategically; Prepare an Annual Progress Report						
	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, Public Works, Commissioners	Low	Low	Proposed for 2025	
Strategy 6:	Widely Communicate and Market the Plan to celebrate the Plan's successes						
	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. Amend	Program	Planning & Zoning	Low	Low	Amend - 2024	
	Utilize the developed project branding style guide to ensure a consistent look and feel in Plan-related messaging.	Process	Planning & Zoning	Low	Low	Amend - 2024	

Land Use and Economic Development Implementation Measures							
	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 4:	Develop and adopt an economic development strategic plan						
	Identify funding for an economic development strategic plan	Process	Economic Development, Planning & Zoning , County Administrator	Medium	Medium	Proposed 2024	
	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	Economic Development, Planning & Zoning , County Administrator	Medium	Low	Proposed 2024	
	Develop a county economic development strategic plan with robust stakeholder input	Plan	Economic Development, Planning & Zoning , County Administrator	Medium	Medium	Proposed 2024	
	Consider regional and municipal economic development activities in the economic development strategic plan	Process	Economic Development, Planning & Zoning , County Administrator	Medium	Low	Proposed 2024	
Strategy 5:	Create an economic development roundtable						
	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	Economic Development Planning & Zoning , County Administrator, LCDC, Commissioners	Medium	Low	Proposed 2025	
	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	Economic Development Planning & Zoning , County Administrator, LCDC	Medium	Low	Proposed 2025	
	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	Economic Development Planning & Zoning , County Administrator, LCDC	Medium	Medium	Proposed 2025	

ACTION MATRIXES

This year, Staff has prepared action matrixes to track the progress of all strategies of the Comprehensive Plan as well as identify those strategies that will be scheduled for the 2024 & 2025 calendar years. These matrixes are designed to be updated and modified as strategies are completed or adapted to meet the goals of the Plan. The action matrixes are attached.

TOP PRIOTIES

The top three priorities that staff proposes to work on in 2024 are:

1. Create a Special Use Permit Tiering System
2. Expand the Home Occupation License Regulations to allow more uses
3. Creation of the Utilities Commission

STAFF RECOMMENDATION:


Staff recommends approving the amendments suggested above and proceeding with the action matrixes as presented.

ACTION OPTIONS:

1. Recommend approval of the proposed amendments for the 2024 Annual Comprehensive Plan Review, to the Board of County Commission, with Findings of Fact; or
2. Recommend denial of the proposed amendments for the 2024 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:

2024 Annual Review Presentation
2024 Action Matrix
2025 Action Matrix



LEAVENWORTH COUNTY COMPREHENSIVE PLAN ANNUAL REVIEW

2024





2024 ANNUAL REVIEW OBJECTIVES

Annual Reviews should consider the strategies of a Comprehensive Plan and plan for what the focus will be in the upcoming year

- Provide a status report of the strategy matrix
- Amend strategies to reflect current policies or trends and eliminate strategies that are no longer feasible or applicable
- Designate strategies to focus on in 2024
- Schedule strategies for 2025 and 2026

STATUS REPORT

Holistic Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 1:	Adopt the Updated Comprehensive Plan (Date of approval: 20201109)						
	Post final draft Plan to the county website prior to Planning Commission and County Commission adoption hearings	Process	Planning & Zoning, Commissioners	High	Low	Complete	9-Nov-20
	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, Commissioners	High	Low	Ongoing	
	Present the Plan to the Planning Commission for recommendation of adoption and to the County Commission for Adoption	Policy	Planning & Zoning, Commissioners	High	Low	Complete	9-Nov-20
Strategy 2:	Amend Relevant Regulations and Plans						
	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, Commissioners	High	Low	Annual Review	
	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, Public Works, Commissioners	High	Low	Proposed for 2025	
	Communicate changes with county residents through the Planning & Zoning Department's webpage on the county website	Process	Planning & Zoning, Commissioners	High	Low	Ongoing	
	Present proposed plan amendments to the Planning Commission for recommendation of approval and to the County Commission for approval	Policy	Planning & Zoning Dept., Commissioners	High	Low	Annual Review	

Holistic Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 3: Use the Plan on a Day-to-Day Basis							
	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, Commissioners	Low	Low	Ongoing	
	Assist the Planning Commission and County Commission in the day-to-day administration, interpretation, and application of the Plan	Process	Planning & Zoning, Commissioners	Low	Low	Ongoing	
Strategy 4: Review the Plan periodically and strategically; Prepare an Annual Progress Report							
	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	Low	Low	Annual Review	
	Monitor demographic and market data as it becomes available to alter land use-specific demand projections	Process	Planning & Zoning, Economic Development	Low	Low	Proposed for 2025	
	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, Commissioners	Low	Low	Annual Review	
	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, Public Works, Commissioners	Low	Low	Proposed for 2025	

Holistic Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 5:	Educate Elected Officials, County Departments, Local Municipalities and the Public						
	Conduct a work session with the 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, County Administrator, Commissioners	Low	Low	Proposed for 2024	
	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, Public Works, County Administrator, Municipalities, Commissioners	High	Low	As needed	2023
	Make copies of the Plan available online for free and provide hard copies at the County Courthouse for purchase	Process	Planning & Zoning	High	Low	Complete	9-Nov-20
	Aid the public in explaining the Plan and its relationship to private and public development projects and other proposals, as appropriate	Process	Planning & Zoning, Commissioners	Low	Low	Ongoing	
	Draft a summary document at that includes key recommendations from the Plan that can be distributed to residents, developers, businesses and other interested parties.	Process	Planning & Zoning Dept.	High	Low	Proposed for 2024	
Strategy 6:	Widely Communicate and Market the Plan to celebrate the Plan's successes						
	Post the final Plan on the City's and county's website	Process	Planning & Zoning	High	Low	Complete	9-Nov-20
	Provide a copy of the Plan to each county department	Process	Planning & Zoning	High	Low	Complete	9-Nov-20
	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. Amend	Program	Planning & Zoning	Low	Low	Amend - 2024	
	Post updates related to the Plan on the county's social media accounts	Program	Planning & Zoning	Low	Low	Ongoing	
	Utilize the developed project branding style guide to ensure a consistent look and feel in Plan-related messaging.	Process	Planning & Zoning	Low	Low	Amend - 2024	

Holistic Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 7:	Develop strong relationships with implementation partner organizations						
	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, County Administrator, Economic Development, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Low	Low	Ongoing	
	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, County Administrator, Economic Development, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Low	Low	Proposed for 2025	

Land Use and Economic Development Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 1: Create Commercial and Mixed Use Development and Redevelopment Plans with Incentives along identified key corridors and at specific intersections							
	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	Economic Development, Planning & Zoning, Public Works	Medium	Medium	Complete	2023
	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	Economic Development, Planning & Zoning, Public Works	Medium	Low	Complete - Use As Needed	2023
	Use the County's existing online mapping software to show the spatial location of available properties and incentives	Process	Economic Development, Planning & Zoning, Public Works	Medium	Medium	Complete - Use As Needed	2023
Strategy 2: Update the Special Use Permit Categories and Review and Monitoring Process							
	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	Policy	Planning & Zoning, County Administrator, County Attorney, Commissioners	High	Low	Proposed 2024	
	Consider longer approval terms for lower special uses within the County	Policy	Planning & Zoning, Commissioners	High	Low	Complete	2022
	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	High	Low	Proposed 2024	

Land Use and Economic Development Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
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						
	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.	Process	Planning & Zoning, Commissioners	High	Low	Proposed 2024	
	Work with and educate development review applicants on ways to incorporate conservation design principles into their development proposals	Process	Planning & Zoning, Commissioners	Low	Low	Ongoing	
	Consider the use of incentives to encourage applicants to incorporate conservation design principles into their development proposals.	Policy	Planning & Zoning, Commissioners	Low	Low	Proposed 2024	
Strategy 4:	Develop and adopt an economic development strategic plan						
	Identify funding for an economic development strategic plan	Process	Economic Development, Planning & Zoning, County Administrator	Medium	Medium	Proposed 2024	
	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	Economic Development, Planning & Zoning, County Administrator	Medium	Low	Proposed 2024	
	Develop a county economic development strategic plan with robust stakeholder input	Plan	Economic Development, Planning & Zoning, County Administrator	Medium	Medium	Proposed 2024	
	Consider regional and municipal economic development activities in the economic development strategic plan	Process	Economic Development, Planning & Zoning, County Administrator	Medium	Low	Proposed 2024	
	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	Policy	Economic Development, County Administrator, Commissioners	On-Going	Low	Complete	2023

Land Use and Economic Development Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 5:	Create an economic development roundtable						
	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, County Administrator, LCDC, Commissioners	Medium	Low	Proposed 2025	
	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, County Administrator, LCDC	Medium	Low	Proposed 2025	
	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, County Administrator, LCDC	Medium	Medium	Proposed 2025	

Transportation and Mobility Implementation

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 1:	Develop and adopt a Transportation Master Plan						
	Allocate funding for a transportation master plan in the county's upcoming budget cycle	Plan	Planning & Zoning, Public Works, Commissioners	High	Medium	Proposed 2025	
	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, County Administrator, Public Works, Commissioners	High	Low	Proposed 2026	
	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, Public Works, KDOT, KCATA, MARC, Council on Aging, Commissioners	Medium	Low	Proposed 2026	
	Use the recommendations illustrated on Figure 5.1 Transportation Plan as a starting point for the transportation master plan	Process	Planning & Zoning, Public Works, Commissioners	Medium	Low	Proposed 2026	
	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, Public Works, Commissioners	Medium	Low	Proposed 2026	
Strategy 2:	Improve connectivity in the County's transportation network						
	Align transportation improvements with development and redevelopment projects to link activity center with appropriate roadway infrastructure	Policy	Planning & Zoning, Commissioners, Public Works	Low	Medium	Proposed 2024	
	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, Public Works, Leavenworth County Port Authority	Low	Low	Proposed 2025	

Transportation and Mobility Implementation							
	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 3:	Update the County's road standards						
	Review and potentially update the county road standards, based on best management practices, peer county practices, and FHWA guidance	Process	Public Works, Commissioners	High	Low	In Process	Summer 2024
	Regularly (every one to three years) review the updated county road standards and revise them to follow national best practices	Process	Public Works, Commissioners	Low	Low	Proposed 2027	
Strategy 4:	Actively coordinate with other municipalities on the County roadway system						
	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, KDOT, Municipalities	Low	Low		
	Proactively communicate with municipalities about the updated county road standards	Process	Public Works, Municipalities	Low	Low	Proposed 2024	
Strategy 5:	Monitor transit needs countywide						
	Meet annually with KCATA to evaluate how well the current transit system is meeting demand	Process	Council on Aging, Planning & Zoning, KCATA	Low	Low	Ongoing	
	Continue allocating appropriate funds to operate the Leavenworth County's Council on Aging on-demand meals and transportation service to seniors	Program	Commissioners, Council on Aging, Planning & Zoning	Low	Low	Ongoing	

Community Services and Infrastructure Implementation

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 1:	Develop and adopt a Utility Master Plan						
	Allocate funding for a utility master plan in the county's upcoming budget cycle	Process	Public Works, Planning & Zoning, County Administrator, Commissioners	Medium	Medium	Proposed 2025 or as determined by the Utility Commission	
	Prepare a scope of services for a utility master plan that covers all utilities, including water, wastewater, stormwater , and energy.	Process	Public Works, Planning & Zoning, County Administrator, Commissioners	Medium	Low	Proposed 2025 or as determined by the Utility Commission	
	Consider hiring a consultant to draft the utility master plan or dedicate staff time to perform the study in-house	Process	Public Works, Planning & Zoning, County Administrator, Commissioners	Medium	Low / Medium	Proposed 2025 or as determined by the Utility Commission	
	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, Planning & Zoning, Commissioners	Medium	Low	Proposed 2025 or as determined by the Utility Commission	
	Perform a Cost of Services study to understand the cost associated with the provision of utility infrastructure based on development type	Plan	Public Works, Planning & Zoning, Commissioners	Medium	Medium	Proposed 2026 or as determined by the Utility Commission	
	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, Planning & Zoning, County Administrator, Utility Providers, Municipalities, Commissioners	Low	Low	In Process	Spring/ Summer 2024

PROPOSED AMENDED STRATEGIES

Holistic Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 4:	Review the Plan periodically and strategically; Prepare an Annual Progress Report						
	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, Public Works, Commissioners	Low	Low	Proposed for 2025	
Strategy 6:	Widely Communicate and Market the Plan to celebrate the Plan's successes						
	Regularly maintain and update the Plan website (www.lvcountryplan.com) with progress and changes; utilize the email marketing tool integration to send update emails out to the contact list. Amend	Program	Planning & Zoning	Low	Low	Amend - 2024	
	Utilize the developed project branding style guide to ensure a consistent look and feel in Plan-related messaging.	Process	Planning & Zoning	Low	Low	Amend - 2024	

Land Use and Economic Development Implementation Measures

	Tasks	Category	Task Owner and Participants	Priority (H,M,L)	Cost Impact	Status	Completion Date
Strategy 4:	Develop and adopt an economic development strategic plan						
	Identify funding for an economic development strategic plan	Process	Economic Development, Planning & Zoning , County Administrator	Medium	Medium	Proposed 2024	
	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	Economic Development, Planning & Zoning , County Administrator	Medium	Low	Proposed 2024	
	Develop a county economic development strategic plan with robust stakeholder input	Plan	Economic Development, Planning & Zoning , County Administrator	Medium	Medium	Proposed 2024	
	Consider regional and municipal economic development activities in the economic development strategic plan	Process	Economic Development, Planning & Zoning , County Administrator	Medium	Low	Proposed 2024	
Strategy 5:	Create an economic development roundtable						
	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	Economic Development-Planning & Zoning , County Administrator, LCDC, Commissioners	Medium	Low	Proposed 2025	
	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	Economic Development Planning & Zoning , County Administrator, LCDC	Medium	Low	Proposed 2025	
	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	Economic Development Planning & Zoning , County Administrator, LCDC	Medium	Medium	Proposed 2025	

2024 ACTION MATRIX

2024 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Actions
1.2	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	Planning & Zoning, Commissioners	Low	Annual Review
1.2	Communicate changes with county residents through the Planning & Zoning Department's webpage on the county website	Planning & Zoning, Commissioners	Low	On-going
1.2	Present proposed plan amendments to the Planning Commission for recommendation of approval and to the County Commission for approval	Planning & Zoning Dept., Commissioners	Low	Annual Review
1.3	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	Planning & Zoning, Commissioners	Low	On-going
1.3	Assist the Planning Commission and County Commission in the day-to-day administration, interpretation, and application of the Plan	Planning & Zoning, Commissioners	Low	On-going
1.4	Maintain a list of current possible amendments, issues, or needs that may be a subject of change, addition or deletion from the Plan	Planning & Zoning	Low	On-going
1.4	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	Planning & Zoning, Commissioners	Low	Annual Review
1.5	Conduct a work session with the 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.	Planning & Zoning, County Administrator, Commissioners	Low	Newly elected or appointed official orientation packet.
1.5	Aid the public in explaining the Plan and its relationship to private and public development projects and other proposals, as appropriate	Planning & Zoning, Commissioners	Low	On-going
1.5	Draft a summary document at that includes key recommendations from the Plan that can be distributed to residents, developers, businesses and other interested parties.	Planning & Zoning Dept.	Low	10 Bullet Point List

2024 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Actions
1.7	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	Planning & Zoning, County Administrator, Economic Development, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Low	On-going
2.2	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	Planning & Zoning, County Administrator, County Attorney, Commissioners	Low	Create Tier System and Expand HOLs
2.2	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	Planning & Zoning	Low	Develop field criteria
2.3	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	Planning & Zoning, Commissioners	Low	Design Guidelines
2.3	Work with and educate development review applicants on ways to incorporate conservation design principles into their development proposals	Planning & Zoning, Commissioners	Low	On-going
2.3	Consider the use of incentives to encourage applicants to incorporate conservation design principles into their development proposals	Planning & Zoning, Commissioners	Low	PUD principles/ development plan criteria.
2.4	Identify funding for an economic development strategic plan	Economic Development, County Administrator	Medium	

2024 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Actions
2.4	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	Economic Development, County Administrator	Low	
2.4	Develop a county economic development strategic plan with robust stakeholder input	Economic Development, County Administrator	Medium	
2.4	Consider regional and municipal economic development activities in the economic development strategic plan	Economic Development, County Administrator	Low	
3.2	Align transportation improvements with development and redevelopment projects to link activity centers with appropriate roadway infrastructure	Public Works, Planning & Zoning, Commissioners	Medium	
3.3	Review and potentially update the county road standards, based on best management practices, peer county practices, and FHWA guidance	Public Works, Commissioners	Low	In Process
3.4	Proactively communicate with municipalities about the updated county road standards	Public Works, Municipalities	Low	Notification will be made after the standards have been adopted
3.5	Meet annually with KCATA to evaluate how well the current transit system is meeting demand	Council on Aging, Planning & Zoning, KCATA	Low	On-going
3.5	Continue allocating appropriate funds to operate the Leavenworth County's Council on Aging on-demand meals and transportation service to seniors	Commissioners, Council on Aging, Planning & Zoning	Low	On-going
4.1	Host regular coordination meetings between the county, municipalities, and utility providers to ensure utility infrastructure is properly maintained and residents receive quality service	Public Works, Planning & Zoning, County Administrator, Utility Providers, Municipalities, Commissioners	Low	Creation of the Utility Commission tasked with looking at County-wide utility related issues

2025 ACTION MATRIX

2025 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Action
1.2	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	Planning & Zoning, Public Works, Commissioners	Low	
1.4	Monitor demographic and market data as it becomes available to alter land use-specific demand projections	Economic Development, Planning & Zoning	Low	
1.4	Conduct an internal update of the Plan every three to five years; dovetail this review with the preparation of the county budget	Planning & Zoning, Public Works, Commissioners	Low	
1.7	Gather demographic and market insight and research from implementation partner organizations to avoid duplicative efforts as the Plan is updated to reflect changing conditions	Planning & Zoning, County Administrator, Economic Development, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Low	On-going
2.5	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	Economic Development County Administrator, LCDC, Commissioners	Low	

2025 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Action
2.5	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.	Economic Development County Administrator, LCDC	Low	
2.5	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.	Economic Development, County Administrator, LCDC	Medium	
3.1	Allocate funding for a transportation master plan in the county's upcoming budget cycle	Planning & Zoning, Public Works, Commissioners	Medium	
3.1	Regularly coordinate with the Leavenworth County Port Authority to address barge and rail operations and determine their role in the regional transportation network	Planning & Zoning, Public Works, Leavenworth County Port Authority	Low	
4.1	Allocate funding for a utility master plan in the county's upcoming budget cycle	Public Works, Planning & Zoning, County Administrator, Commissioners	Medium	If recommended by the Utility Commission
4.1	Prepare a scope of services for a utility master plan that covers all utilities, including water, wastewater, stormwater , and energy.	Public Works, Planning & Zoning, County Administrator, Commissioners	Low	If recommended by the Utility Commission
4.1	Consider hiring a consultant to draft the utility master plan or dedicate staff time to perform the study in-house	Public Works, Planning & Zoning, County Administrator, Commissioners	Low / Medium	If recommended by the Utility Commission
4.1	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	Public Works, Planning & Zoning, Commissioners	Low	If recommended by the Utility Commission

TOP PRIORITIES



Special Use Permit Tiers

- May/June



Home Occupation Expansion

- May/June



Utilities Commission

- TBD

NEXT STEPS

Planning Commission Hearing



April 10, 2024

County Commission Hearing



May 1, 2024

Implementation



May – December 2024

2024 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Actions
1.2	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	Planning & Zoning, Commissioners	Low	Annual Review
1.2	Communicate changes with county residents through the Planning & Zoning Department's webpage on the county website	Planning & Zoning, Commissioners	Low	On-going
1.2	Present proposed plan amendments to the Planning Commission for recommendation of approval and to the County Commission for approval	Planning & Zoning Dept., Commissioners	Low	Annual Review
1.3	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	Planning & Zoning, Commissioners	Low	On-going
1.3	Assist the Planning Commission and County Commission in the day-to-day administration, interpretation, and application of the Plan	Planning & Zoning, Commissioners	Low	On-going
1.4	Maintain a list of current possible amendments, issues, or needs that may be a subject of change, addition or deletion from the Plan	Planning & Zoning	Low	On-going
1.4	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	Planning & Zoning, Commissioners	Low	Annual Review
1.5	Conduct a work session with the 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.	Planning & Zoning, County Administrator, Commissioners	Low	Newly elected or appointed official orientation packet.
1.5	Aid the public in explaining the Plan and its relationship to private and public development projects and other proposals, as appropriate	Planning & Zoning, Commissioners	Low	On-going
1.5	Draft a summary document at that includes key recommendations from the Plan that can be distributed to residents, developers, businesses and other interested parties.	Planning & Zoning Dept.	Low	10 Bullet Point List

1.7	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	Planning & Zoning, County Administrator, Economic Development, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Low	On-going
2.2	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	Planning & Zoning, County Administrator, County Attorney, Commissioners	Low	Create Tier System and Expand HOLs
2.2	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	Planning & Zoning	Low	Develop field criteria
2.3	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	Planning & Zoning, Commissioners	Low	Design Guidelines
2.3	Work with and educate development review applicants on ways to incorporate conservation design principles into their development proposals	Planning & Zoning, Commissioners	Low	On-going
2.3	Consider the use of incentives to encourage applicants to incorporate conservation design principles into their development proposals	Planning & Zoning, Commissioners	Low	PUD principles/ development plan criteria.
2.4	Identify funding for an economic development strategic plan	Economic Development, County Administrator	Medium	

2.4	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	Economic Development, County Administrator	Low	
2.4	Develop a county economic development strategic plan with robust stakeholder input	Economic Development, County Administrator	Medium	
2.4	Consider regional and municipal economic development activities in the economic development strategic plan	Economic Development, County Administrator	Low	
3.2	Align transportation improvements with development and redevelopment projects to link activity centers with appropriate roadway infrastructure	Public Works, Planning & Zoning, Commissioners	Medium	
3.3	Review and potentially update the county road standards, based on best management practices, peer county practices, and FHWA guidance	Public Works, Commissioners	Low	In Process
3.4	Proactively communicate with municipalities about the updated county road standards	Public Works, Municipalities	Low	Notification will be made after the standards have been adopted
3.5	Meet annually with KCATA to evaluate how well the current transit system is meeting demand	Council on Aging, Planning & Zoning, KCATA	Low	On-going
3.5	Continue allocating appropriate funds to operate the Leavenworth County's Council on Aging on-demand meals and transportation service to seniors	Commissioners, Council on Aging, Planning & Zoning	Low	On-going
4.1	Host regular coordination meetings between the county, municipalities, and utility providers to ensure utility infrastructure is properly maintained and residents receive quality service	Public Works, Planning & Zoning, County Administrator, Utility Providers, Municipalities, Commissioners	Low	Creation of the Utility Commission tasked with looking at County-wide utility related issues

2025 Action Matrix

Strategy	Tasks	Task Owner and Participants	Cost Impact	Proposed Action
1.2	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	Planning & Zoning, Public Works, Commissioners	Low	
1.4	Monitor demographic and market data as it becomes available to alter land use-specific demand projections	Economic Development, Planning & Zoning	Low	
1.4	Conduct an internal update of the Plan every three to five years; dovetail this review with the preparation of the county budget	Planning & Zoning, Public Works, Commissioners	Low	
1.7	Gather demographic and market insight and research from implementation partner organizations to avoid duplicative efforts as the Plan is updated to reflect changing conditions	Planning & Zoning, County Administrator, Economic Development, Leavenworth County Development Corporation, Leavenworth County Port Authority, Leavenworth County Council on Aging, Commissioners	Low	On-going

2.5	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	Economic Development County Administrator, LCDC, Commissioners	Low	
2.5	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.	Economic Development County Administrator, LCDC	Low	
2.5	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.	Economic Development, County Administrator, LCDC	Medium	
3.1	Allocate funding for a transportation master plan in the county's upcoming budget cycle	Planning & Zoning, Public Works, Commissioners	Medium	
3.1	Regularly coordinate with the Leavenworth County Port Authority to address barge and rail operations and determine their role in the regional transportation network	Planning & Zoning, Public Works, Leavenworth County Port Authority	Low	
4.1	Allocate funding for a utility master plan in the county's upcoming budget cycle	Public Works, Planning & Zoning, County Administrator, Commissioners	Medium	If recommended by the Utility Commission
4.1	Prepare a scope of services for a utility master plan that covers all utilities, including water, wastewater , stormwater , and energy.	Public Works, Planning & Zoning, County Administrator, Commissioners	Low	If recommended by the Utility Commission

4.1	Consider hiring a consultant to draft the utility master plan or dedicate staff time to perform the study in-house	Public Works, Planning & Zoning, County Administrator, Commissioners	Low / Medium	If recommended by the Utility Commission
4.1	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	Public Works, Planning & Zoning, Commissioners	Low	If recommended by the Utility Commission