

LEAVENWORTH COUNTY PLANNING COMMISSION

Agenda for the Regular Meeting of 6:00 P.M., Wednesday, January 13, 2021
County Courthouse - 300 Walnut Street - Leavenworth, Kansas 66048
www.leavenworthcounty.gov

Due to limited seating anyone wishing to attend will need to call 913-684-0465 before noon on Tuesday, January 12th. Attendees will be required to wear a mask.
We encourage everyone to view the meeting live via YouTube

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes**
5. **Secretary's Report**
6. **Approval of Agenda**
7. **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
8. **Consent Agenda**
 - A. **Case DEV-20-124 & 125 Ackerland Hill**
Consideration of a Preliminary and Final Plat for Ackerland Hill, a two-lot plat, on a tract of land in the Northeast Fractional Quarter of Section 1, Township 10 Range 20 E of the 6th P.M. in Leavenworth County, Kansas.
Also known as 00000 235th Street (131-01-0-00-00-001.00)
Request submitted by Hahn Surveying on behalf of Craig Lohman
9. **Regular Agenda**
 - A. **Case DEV-20-128 (Deer Ridge Event Center) – Continued from December PC Meeting**
Consideration of an application for a Special Use Permit for the renewal for Deer Ridge Event Center as well as an add additional event center building, located on a tract of land in the Northeast quarter of Section 28, Township 10 South, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.
Request submitted by Mark Petersen
Also known as 21325 Donahoo Road (PID: 148-28-0-00-00-001.00)
*****Public Hearing Required*****
*****Public Comment limited to three minutes per person*****

B. Case DEV-20-142 (M & M Construction)

Consideration of an application for the renewal of Special Use Permit for M & M Concrete, a Contractor's Yard, located on a tract of land Northeast Quarter of Section 15, Township 8 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 20437 Seven Sisters Road (PID: 065-15-0-00-00-002.00)

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

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

C. Case DEV-20-132 (Rezone - Willis)

Consideration of an application for a rezoning request from RR-5 zoning district to the RR-2.5 zoning district for Lot 1 of Cain Estates, a subdivision in Leavenworth County Kansas.

Also known as: 24646 Conley Avenue (PID: 206-14-0-00-00-006.06)

Request submitted by Herring Surveying on behalf of Estee & Jack Willis

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

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

D. Case DEV-20-137 (Rezone – Hui)

Consideration of an application for a rezoning request from the RR-5 district to the RR-2.5 District for Lot 9A and Lot9B of Deer Mound Subdivision, a subdivision located in the Northwest ¼ of Section 02, Township 12, Range 20 East of the 6th P.M., in Leavenworth County

Also known as: 00000 254th Street, Lawrence, Kansas (PID: 211-02-0-00-00-001.14)

Request submitted by Herring Surveying

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

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

E. Case DEV-20-140 (Rezone – Ledford)

Consideration of an application for a rezoning request from B-3 & RR-5 zoning districts to B-3 zoning district on a tract of land located in the Northeast Quarter of Section 3, Township 9, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as: 00000 Springdale Road (PID: 112-03-0-00-00-007.01)

Request submitted by Greg Ledford

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

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

Adjournment of Planning Commission

Next meeting date:

Wednesday, February 10, 2021 – Regular Planning Commission Meeting

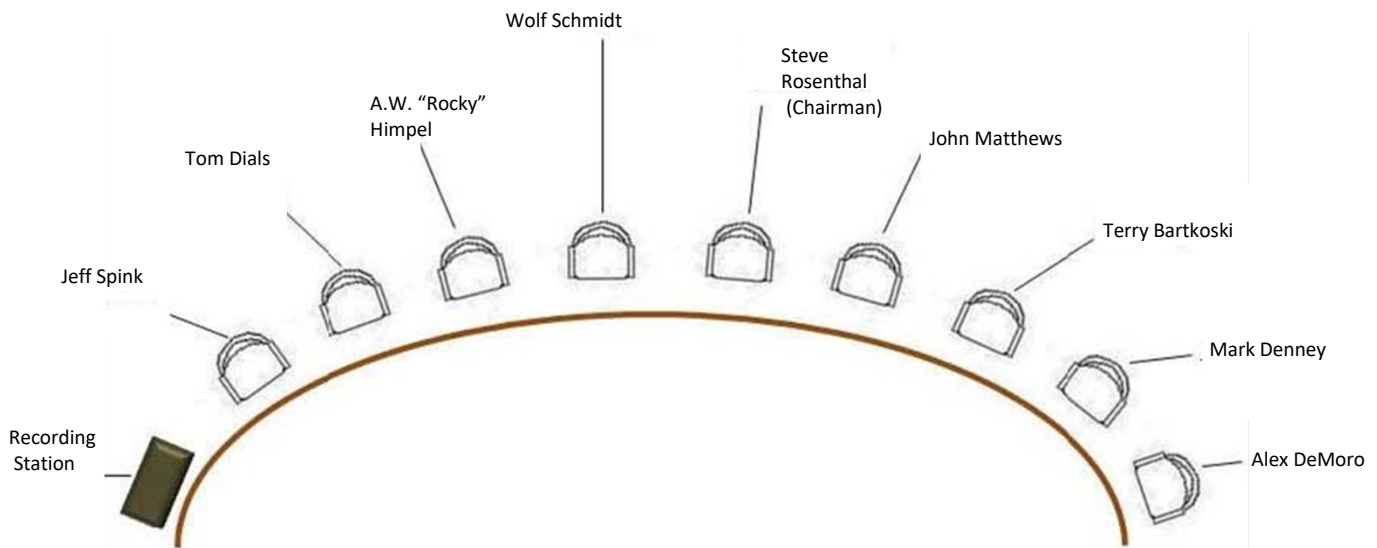
For More Information

If you have any questions or need to make special arrangements for a meeting

Please call or stop by the Planning & Zoning Dept.

Contact Stephanie Sloop – (913)-684-0465

Planning Commission Seating Chart 2021



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Leavenworth County Planning Commission

January 13, 2021

Legend

- RR-2.5
- RR-5
- B-1; B-2; B-3
- I-1; I-2; I-3
- PUD; R-1; R-1(15); R-1(43); R-2

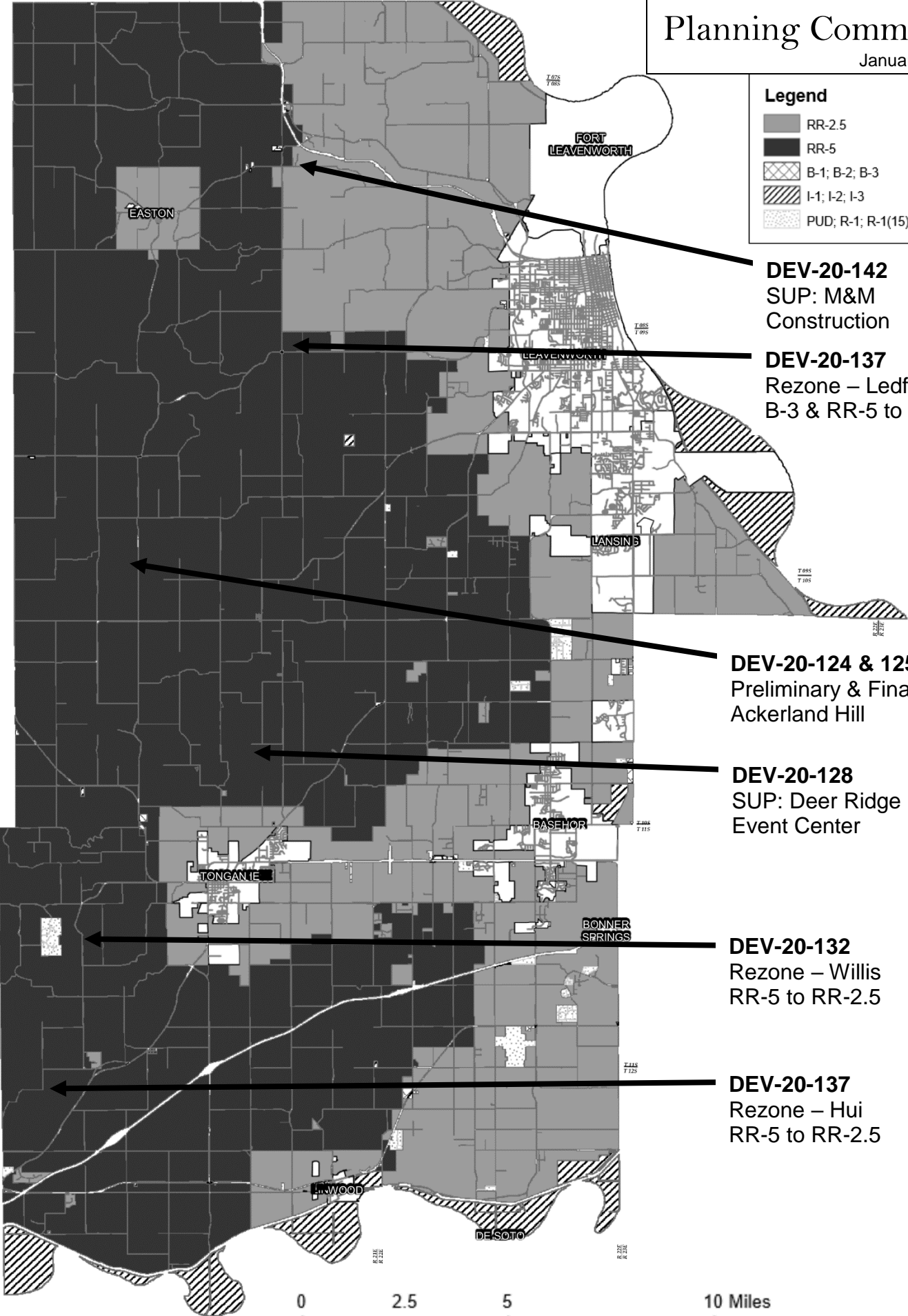
- DEV-20-142**
SUP: M&M
Construction
- DEV-20-137**
Rezone – Ledford
B-3 & RR-5 to B-3

- DEV-20-124 & 125**
Preliminary & Final Plat
Ackerland Hill

- DEV-20-128**
SUP: Deer Ridge
Event Center

- DEV-20-132**
Rezone – Willis
RR-5 to RR-2.5

- DEV-20-137**
Rezone – Hui
RR-5 to RR-2.5



*****Consent Agenda*****
Case No. DEV-20-124 & 125
Ackerland Hill
Preliminary and Final Plat

Staff Report – Planning Commission

January 13, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Craig Lohman
23012 207th Street
Tonganoxie, KS 66054

Agent: Hahn Surveying

Legal Description: A tract of land in the North One-half of the Northeast Quarter of Section 1, Township 10 South, Range 20 East of the 6th P.M, in Leavenworth County, Kansas.

Parcel Size: ± 20 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the RR-2.5 land use category.

Parcel ID No.: 131-01-0-00-00-001.00

Planner: Jared Clements

REPORT:

Request

The applicant is requesting a Preliminary and Final Plat for a 2-lot subdivision.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0200G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Union
Water: RWD 9
Electric: Freestate

Access/Streets

The property is accessed by 235th Street. This road is a County Arterial with a gravel surface ± 22' wide.

Agency Comments

See attached comments – Memo – Mitch Pleak – Olsson Engineering, December 15, 2020
See attached comments – Memo – Wayne Malnicof – County Surveyor, December 18, 2020
See attached comments – Email – David Van Parys – County Counselor, December 8, 2020
See attached comments – Email – Jon Orndorff – Rural Water District 9, December 8, 2020
See attached comments – Email – Amanda Tarwater, December 8, 2020

Findings

1. The proposed subdivision is consistent with the zoning district of RR 5; Rural Residential Zoning 5-acre minimum size parcels and meets the lot-depth to lot-width ratio of 3.5:1 or 4:1, have the minimum frontage of 300', Minimum lot size of 5 acres.
2. The property is not within a sewer district boundary nor is it within 660 feet of the incorporated limits of a municipality; therefore, a waiver to the requirement of allowing private septic systems is supported by staff. A private sewage disposal permit may be issued per Leavenworth County Sanitary Code requirements.

Any further subdividing of any lot within this subdivision shall require the installation of public sanitary sewer or connection to an existing public sanitary sewer.

3. The water district currently has adequate infrastructure to supply water to the lots within this subdivision.
4. The proposed subdivision is in accordance with the Comprehensive Plan.

Subdivision Classification

This is classified as a Class "C" Subdivision. According to the Leavenworth County Zoning & Subdivision regulations, a Class "C" Subdivision is any subdivision in which all the lots lie 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 4.)

Staff Comments

This is a 2-lot subdivision on 235th Street. The proposal is consistent with Zoning and Subdivision Regulations, as well as the comprehensive plan. Both lots are 10 acres and are accessed via 235th Street.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-20-124 & 125, Preliminary and Final Plat for Ackerland Hill, with the following 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. The applicant shall adhere to the following memorandums:
 - a. Mitch Pleak – Olsson Engineering, December 15, 2020
 - b. Wayne Malnicof – County Surveyor, December 18, 2020
4. A waiver for the use of private septic systems within this subdivision is granted with this approval.
5. The applicant shall work with the water district, emergency management, and the fire district regarding the requirements for fire hydrants.
6. After approval of this subdivision by the Board of County Commission, all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

ACTION OPTIONS:

1. Recommend approval of Case No. DEV-20-124 & 125, Preliminary and Final Plat for Ackerland Hill, to the Board of County Commission, with or without conditions; or
2. Recommend denial of Case No. DEV-20-124 & 125, Preliminary and Final Plat for Ackerland Hill, to the Board of County Commission for the following reasons; or
3. Continue the Public hearing to another date, time, and place because;

ATTACHMENTS:

Aerial Map
Memorandums
Preliminary and Final Plat

From: [Clements, Jared](#)
Sent: Friday, December 18, 2020 12:45 PM
To: HahnSurvey@gmail.com
Cc: [Malnicof, Wayne](#); mpleak@olsson.com
Subject: Ackerland Hill Review Packet - Preliminary Plat, Final Plat, & Drainage Report
Attachments: Wayne - ACKERLAND HILL REVIEW.pdf; 20-12-15_Ackerland Drainage Report 11-23-20_Reviewed.pdf; 20-12-15_ACKERLAND-FINAL_Reviewed.pdf; 20-12-15_ACKERLAND-PRELIMINARY_Reviewed.pdf

Good Afternoon Larry,

Please see the attached reviews from the County Surveyor and Olsson for Ackerland Hill Preliminary & Final Plat. In order for the final revisions of these documents to be included in the Planning Commission staff report, please meet the comments and receive approval of all reviewers (Wayne, Mitch, & PZ Staff) by Monday, January 4, 2021. If staff has not received approval after 5:00 P.M. on that date, the case will be continued to the next Planning Commission Agenda.

Planning & Zoning staff's comments for this review include:

- Correct PID numbers for the parcel being platted and the adjacent parcels on the Preliminary and Final Plat. One of our reviewers had trouble locating the parcel, as there is no site address, and the adjacent PID number is listed as "127-36-6". The zeros in the PID number are a necessary part of the overall sequence.
- Please include accurate adjacent property lines on both the Preliminary & Final Plat.

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

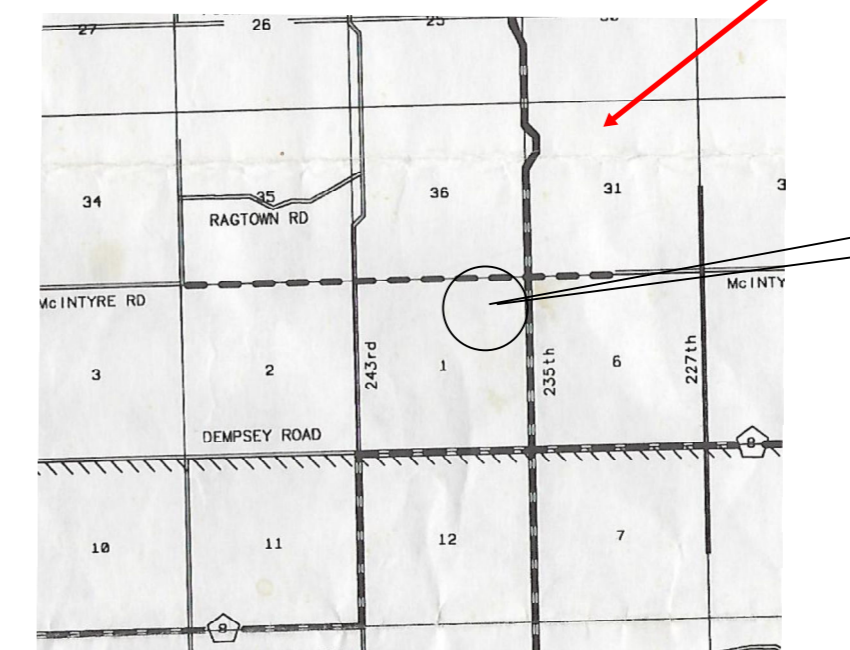
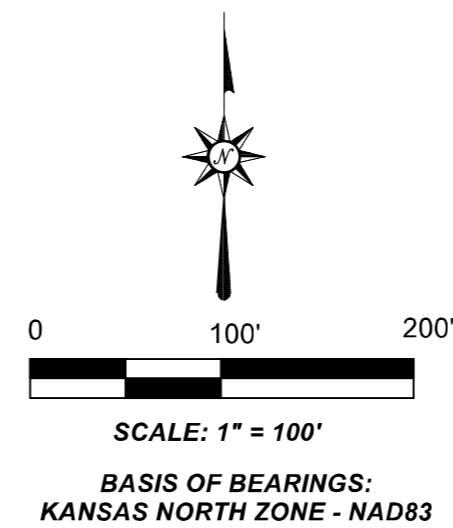
ACKERLAND HILL

A MINOR 2 LOT SUBDIVISION IN THE EAST HALF OF
FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

FINAL PLAT

LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT
- 1/2" REBAR WITH #1349 CAP IN CONCRETE

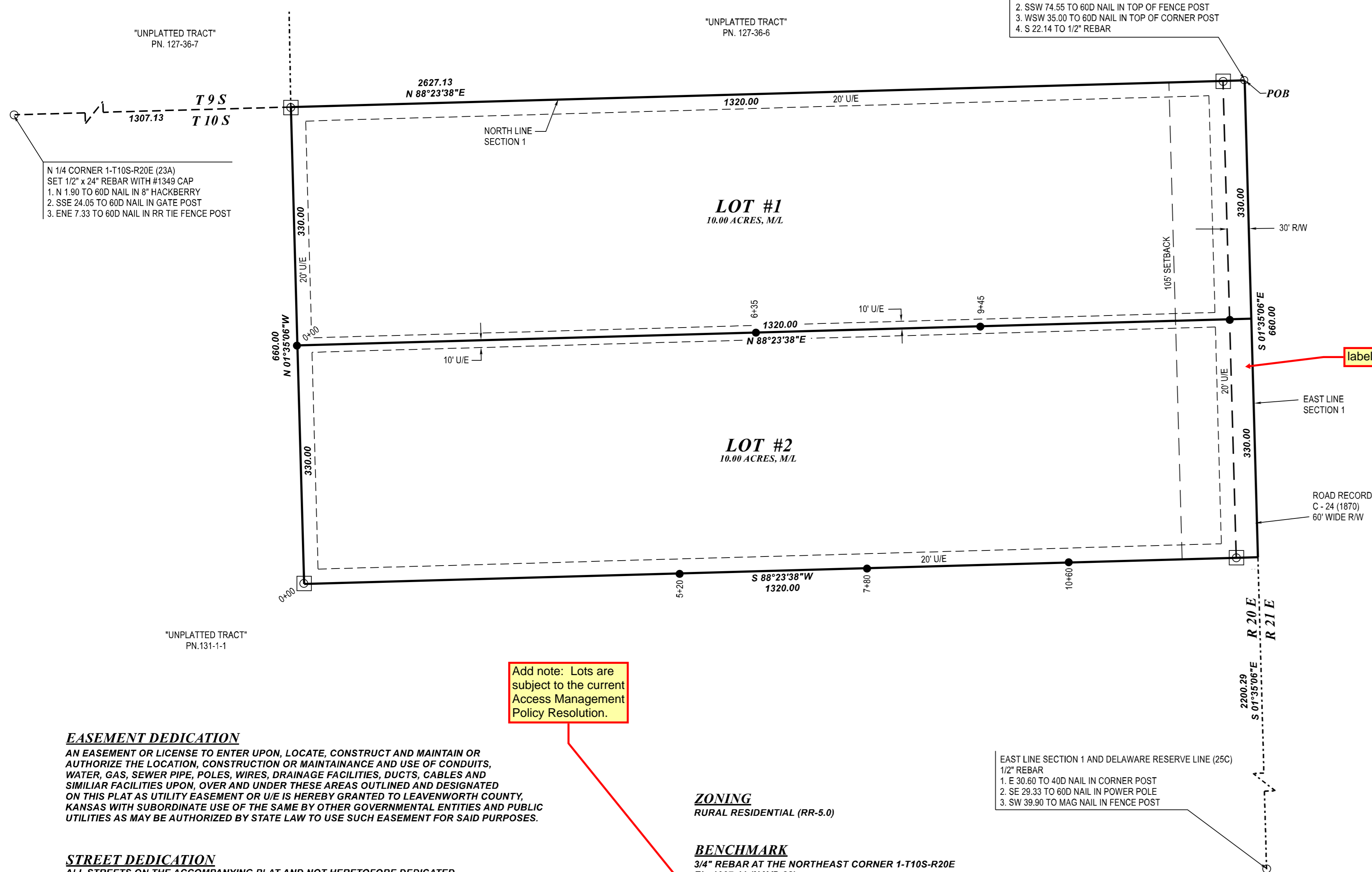


LOCATION MAP

NO SCALE

12-15-20
OLSSON REVIEW

- NE CORNER 1-T10S-R20E (25A)
3/4" REBAR
1. SE 25.85 TO MAG NAIL IN CORNER POST
2. SSW 74.55 TO 60D NAIL IN TOP OF FENCE POST
3. WSW 35.00 TO 60D NAIL IN TOP OF CORNER POST
4. S 22.14 TO 1/2" REBAR



- N 1/4 CORNER 1-T10S-R20E (23A)
SET 1/2" x 24" REBAR WITH #1349 CAP
1. N 1.90 TO 60D NAIL IN 8" HACKBERRY
2. SSE 24.05 TO 60D NAIL IN GATE POST
3. ENE 7.33 TO 60D NAIL IN RR TIE FENCE POST

Add note: Lots are subject to the current Access Management Policy Resolution.

label street

EASEMENT DEDICATION

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTAINANCE AND USE OF CONDUITS, WATER, GAS, SEWER PIPE, POLES, WIRES, DRAINAGE FACILITIES, DUCTS, CABLES AND SIMILAR FACILITIES UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS UTILITY EASEMENT OR U/E IS HEREBY GRANTED TO LEAVENWORTH COUNTY, KANSAS WITH SUBORDINATE USE OF THE SAME BY OTHER GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES AS MAY BE AUTHORIZED BY STATE LAW TO USE SUCH EASEMENT FOR SAID PURPOSES.

STREET DEDICATION

ALL STREETS ON THE ACCOMPANYING PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

NOTES

1. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL
PROPOSED USE - RESIDENTIAL
2. LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
3. THIS SURVEY IS NOT IN A SPECIAL FLOOD HAZARD AREA.
FEMA MAP 20103C0225G, DATED 07/16/2015.

ZONING

RURAL RESIDENTIAL (RR-5.0)

BENCHMARK

3/4" REBAR AT THE NORTHEAST CORNER 1-T10S-R20E
EL. 1007.41 (NAVD 88)

RESTRICTIONS

1. 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
2. AN ENGINEERED WASTEWATER DISPOSAL SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
3. EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
4. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
5. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.

- EAST LINE SECTION 1 AND DELAWARE RESERVE LINE (25C)
1/2" REBAR
1. E 30.60 TO 40D NAIL IN CORNER POST
2. SE 29.33 TO 60D NAIL IN POWER POLE
3. SW 39.90 TO MAG NAIL IN FENCE POST

DESCRIPTION

A TRACT OF LAND IN THE NORTHEAST QUARTER OF FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE, S 01°35'06"E, 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 1; THENCE, S 88°23'38"W, 1320.00 FEET; THENCE, N 01°35'06"W, 660.00 FEET TO THE NORTH LINE OF SAID SECTION 1; THENCE, N 88°23'38"E, 1320.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINS 20.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.

IN TESTIMONY WHEREOF

THE UNDERSIGNED PROPRIETORS STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "ACKERLAND HILL".

WE, THE UNDERSIGNED OWNERS OF "ACKERLAND HILL" HAVE SET OUR HANDS THIS _____ DAY OF _____, 2020.

CHARLES CRAIG LOHMAN

CAROL J. LOHMAN

STATE OF KANSAS / COUNTY OF LEAVENWORTH

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY AFORESAID CAME CHARLES CRAIG LOHMAN AND CAROL J. LOHMAN TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE 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 _____

APPROVAL

WE THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "ACKERLAND HILL" THIS _____ DAY OF _____, 2020.

CHAIRPERSON / STEVE ROSENTHAL

SECRETARY / KRystal VOTH

THE LEAVENWORTH COUNTY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE SUBDIVISION REGULATIONS AS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

COUNTY ENGINEER

COUNTY SURVEYOR CERTIFICATION

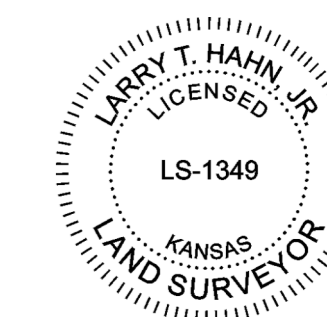
I HEREBY CERTIFY THIS PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS PLAT WAS REVIEWED BASED ON KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / WAYNE MALNICOF, LS

STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD IN DOCUMENT # _____ ON THIS _____ DAY OF _____, 2020 AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS, LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / STACY R. DRISCOLL



LARRY T. HAHN, LS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2020, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.S.A. 74-7037.

HAHN SURVEYING
PO BOX 41
LANING, KANSAS 66043
(913) 547-3405
hahnsurvey@gmail.com

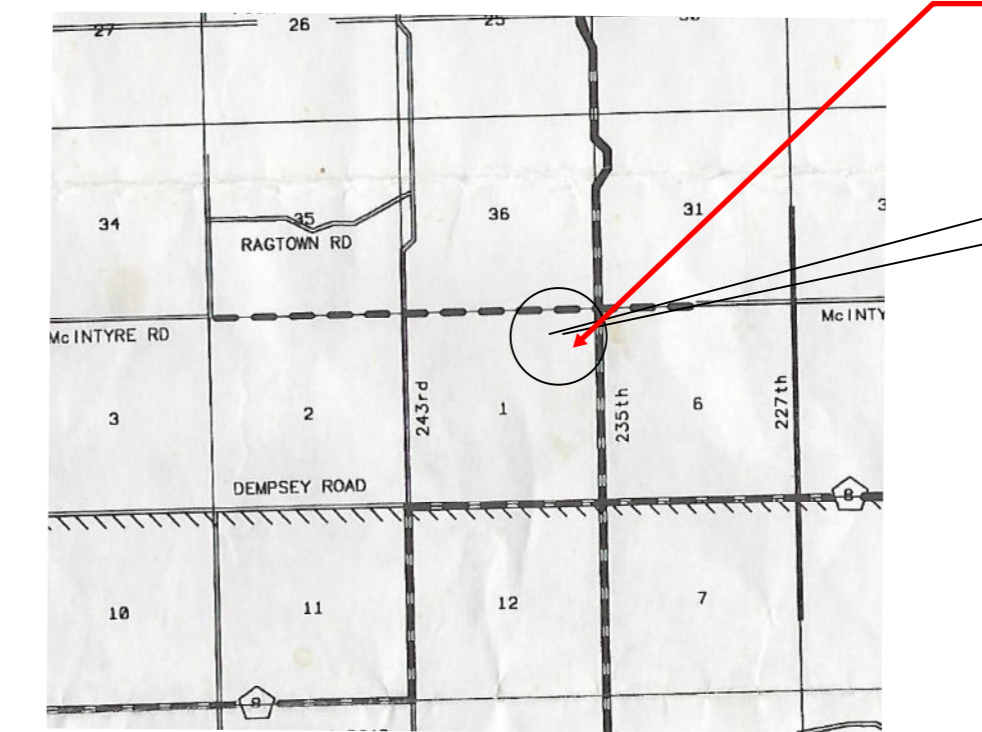
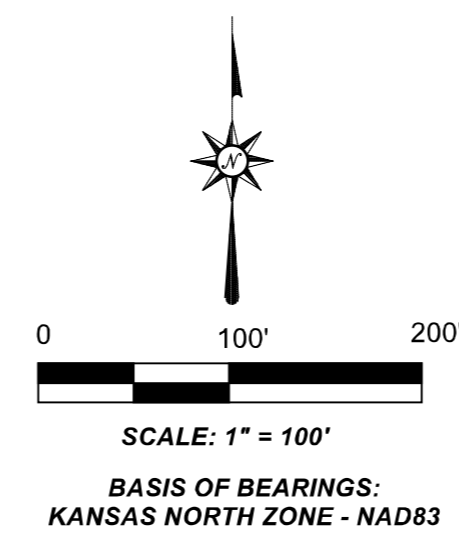
ACKERLAND HILL

A MINOR 2 LOT SUBDIVISION IN THE EAST HALF OF
FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT

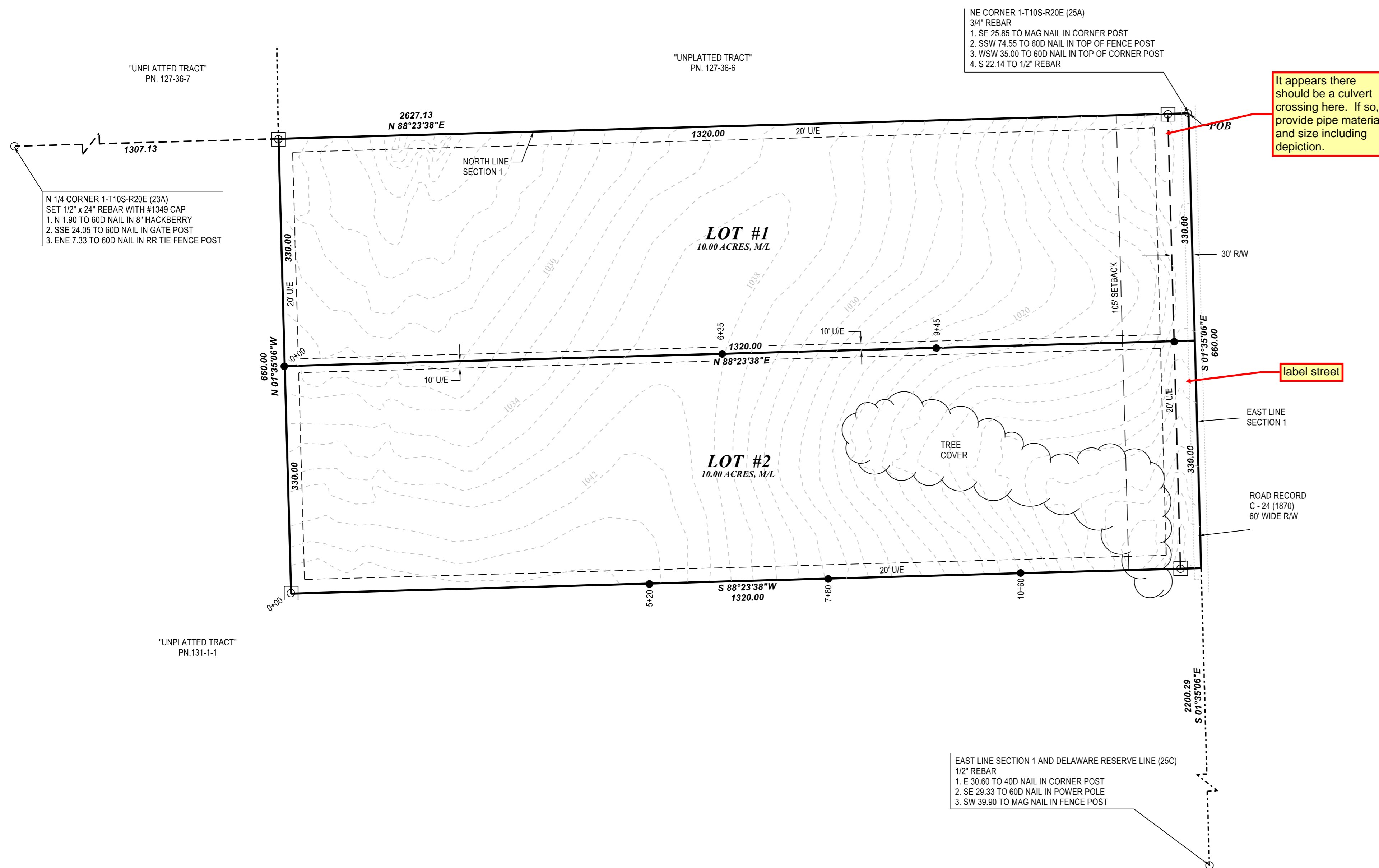
LEGEND

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- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT
- 1/2" REBAR WITH #1349 CAP IN CONCRETE



LOCATON MAP
NO SCALE

12-15-20
OLSSON REVIEW



OWNER / DEVELOPER
CHARLES CRAIG & CAROL J. LOHMAN
23012 207TH STREET
TONGANOXIE, KANSAS 66086
(913) 449-9750

DESCRIPTION
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THENCE, S 01°35'06"E, 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 1;
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NOTES

1. FENCE LINES DO NOT DENOTE PROPERTY LINES.
2. EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL
PROPOSED USE - RESIDENTIAL
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4. THIS SURVEY IS NOT IN A SPECIAL FLOOD HAZARD AREA.
FEMA MAP 20103C0225G, DATED 07/16/2015.

RESTRICTIONS

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15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
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UTILITIES

ELECTRIC / FREESTATE
WATER / R.W.D. #9
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM
TELEPHONE / AT&T

ZONING

RURAL RESIDENTIAL (RR-5.0)

ROAD INFORMATION

235TH STREET IS 20 FEET WIDE WITH GRAVEL SURFACE

BENCHMARK

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EL. 1007.41 (NAVD 88)

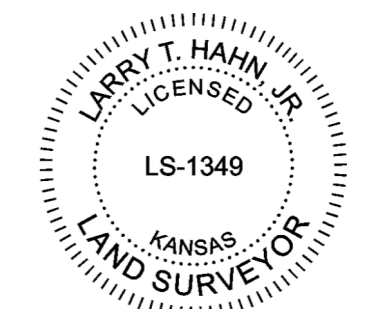
PUBLIC IMPROVEMENT

NONE

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE

Add note: Lots are subject to the current Access Management Policy Resolution.



LARRY T. HAHN, LS #1349

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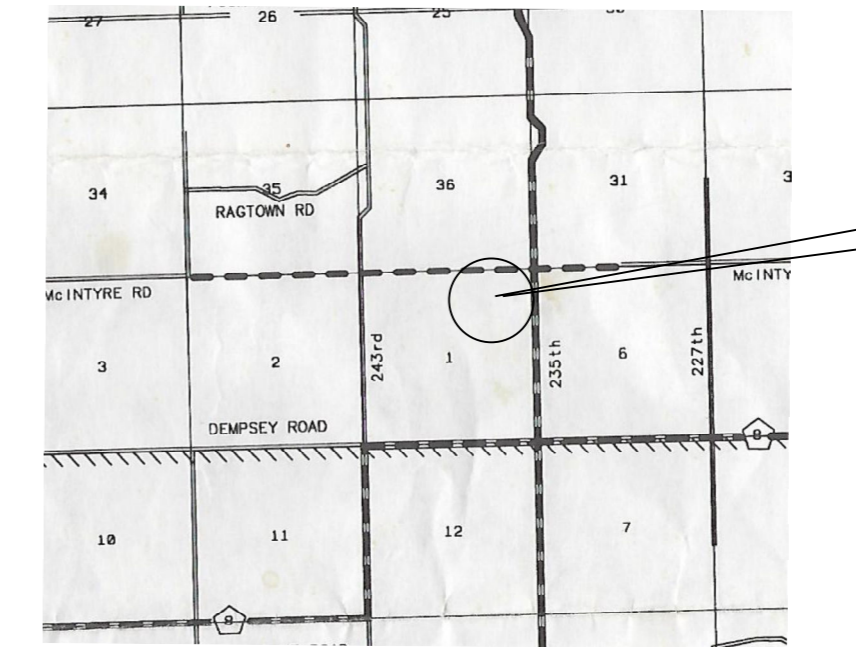
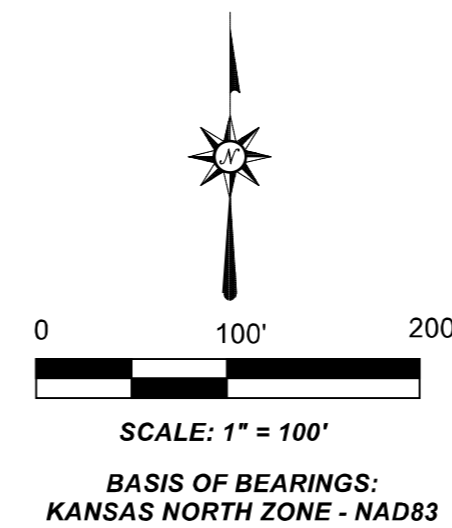
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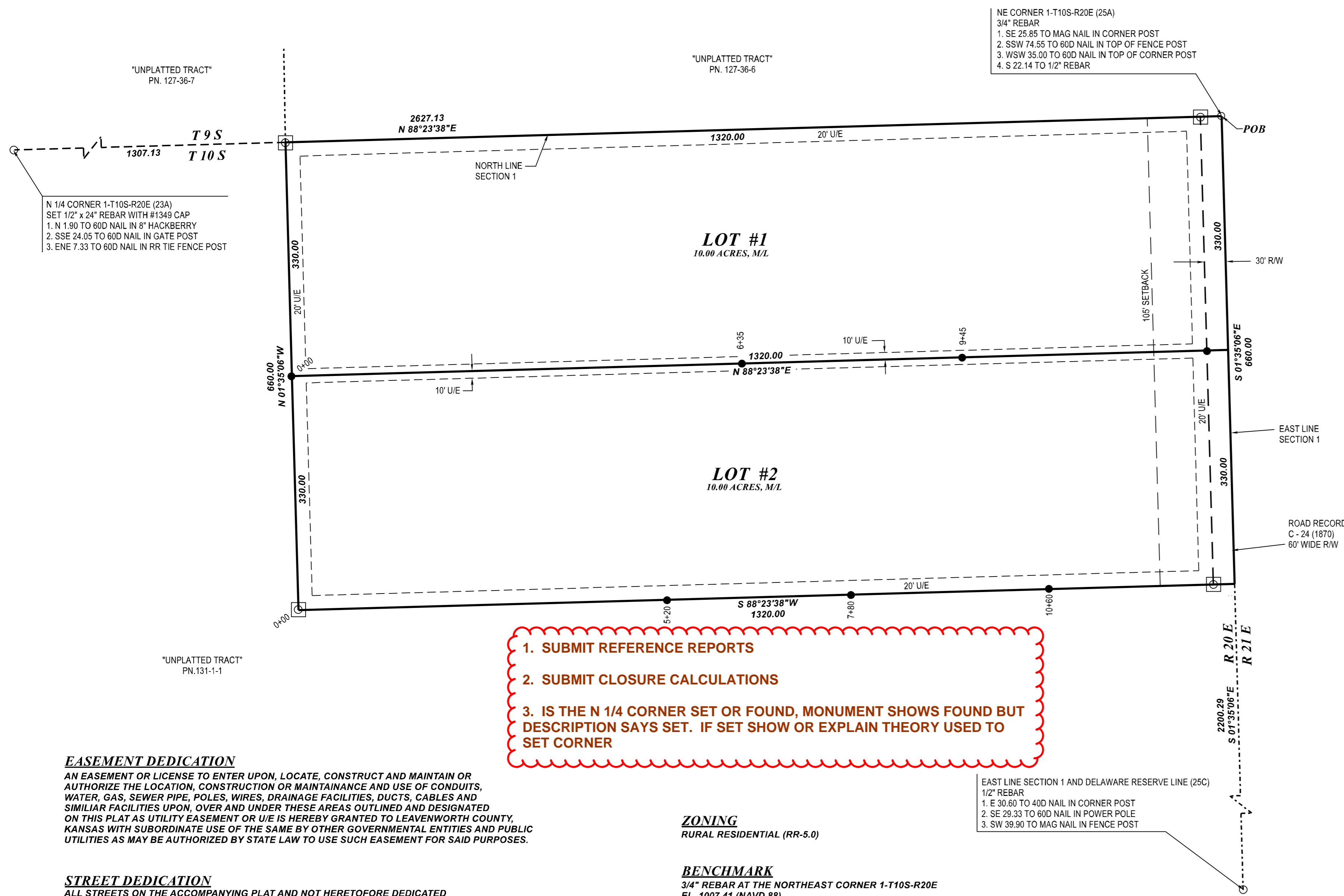
FINAL PLAT

LEGEND

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ORIGIN UNKNOWN, UNLESS REFERENCED
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- U/E UTILITY EASEMENT
- 1/2" REBAR WITH #1349 CAP IN CONCRETE



LOCATION MAP
NO SCALE



1. SUBMIT REFERENCE REPORTS
2. SUBMIT CLOSURE CALCULATIONS
3. IS THE N 1/4 CORNER SET OR FOUND, MONUMENT SHOWS FOUND BUT DESCRIPTION SAYS SET. IF SET SHOW OR EXPLAIN THEORY USED TO SET CORNER

EASEMENT DEDICATION

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTAINANCE AND USE OF CONDUITS, WATER, GAS, SEWER PIPE, POLES, WIRES, DRAINAGE FACILITIES, DUCTS, CABLES AND SIMILAR FACILITIES UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS UTILITY EASEMENT OR U/E IS HEREBY GRANTED TO LEAVENWORTH COUNTY, KANSAS WITH SUBORDINATE USE OF THE SAME BY OTHER GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES AS MAY BE AUTHORIZED BY STATE LAW TO USE SUCH EASEMENT FOR SAID PURPOSES.

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2. LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
3. THIS SURVEY IS NOT IN A SPECIAL FLOOD HAZARD AREA.
FEMA MAP 20103C0225G, DATED 07/16/2015.

ZONING

RURAL RESIDENTIAL (RR-5.0)

BENCHMARK

3/4" REBAR AT THE NORTHEAST CORNER 1-T10S-R20E
E.L. 1007.41 (NAVD 88)

RESTRICTIONS

1. 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
2. AN ENGINEERED WASTEWATER DISPOSAL SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
3. EROSION CONTROL SHALL BE USED WHEN DESIGNING AND CONSTRUCTING DRIVEWAYS.
4. A FORM OF SEDIMENT CONTROL SHALL BE INSTALLED BEFORE WORK BEGINS AND MAINTAINED THROUGHOUT THE TIME THAT THE LAND DISTURBING ACTIVITIES ARE TAKING PLACE.
5. RE-VEGETATION OF ALL DISTURBED SITES SHALL BE COMPLETED WITHIN 45 DAYS AFTER COMPLETION OF FINAL GRADING, WEATHER PERMITTING.

DESCRIPTION

A TRACT OF LAND IN THE NORTHEAST QUARTER OF FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE, S 01°35'06"E, 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 1; THENCE, S 88°23'38"W, 1320.00 FEET; THENCE, N 01°35'06"W, 660.00 FEET TO THE NORTH LINE OF SAID SECTION 1; THENCE, N 88°23'38"E, 1320.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINS 20.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.

IN TESTIMONY WHEREOF

THE UNDERSIGNED PROPRIETORS STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "ACKERLAND HILL".

WE, THE UNDERSIGNED OWNERS OF "ACKERLAND HILL" HAVE SET OUR HANDS THIS _____ DAY OF _____, 2020.

CHARLES CRAIG LOHMAN

CAROL J. LOHMAN

STATE OF KANSAS / COUNTY OF LEAVENWORTH

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY AFORESAID CAME CHARLES CRAIG LOHMAN AND CAROL J. LOHMAN TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE 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 _____

APPROVAL

WE THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "ACKERLAND HILL" THIS _____ DAY OF _____, 2020.

CHAIRPERSON / STEVE ROSENTHAL

SECRETARY / KRystal VOTH

THE LEAVENWORTH COUNTY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE SUBDIVISION REGULATIONS AS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

COUNTY ENGINEER

COUNTY SURVEYOR CERTIFICATION

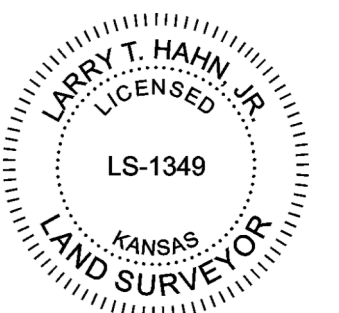
I HEREBY CERTIFY THIS PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS PLAT WAS REVIEWED BASED ON KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / WAYNE MALNICOF, LS

STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD IN DOCUMENT # _____ ON THIS _____ DAY OF _____, 2020 AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS, LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / STACY R. DRISCOLL



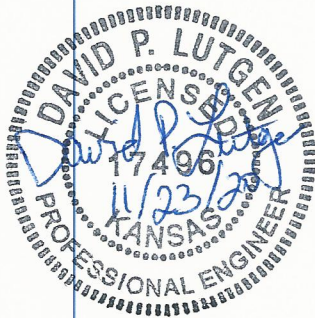
LARRY T. HAHN, LS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2020, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.S.A. 74-7037.

HAHN SURVEYING
PO BOX 41
LANING, KANSAS 66043
(913) 547-3405
hahnsurvey@gmail.com

12-15-20
OLSSON REVIEW

Ackerland Hill
Leavenworth County Kansas
Drainage Report
Prepared November 23, 2020



Ackerland Hill
Leavenworth County Kansas
Drainage Report
Prepared November 23, 2020

Parcel Information - The 19.8-acre (+/-) parcel is located north of Dempsey Road on 235th Street in Leavenworth County KS. The parcel is zoned RR 5.0.

Existing Conditions – The site can be divided into three drainage areas, see exhibit #1. Drainage Area (DA) #1 is on the west side of the property. This DA flows north onto the adjoining property. Drainage Areas #2 and #3 flow east to the 235th Street right-of-way.

A composite c value was calculated for each drainage area as shown in the table below. The composite c value is based on the soil type, slopes, and existing land use, see Exhibits #2 and #3.

		Acres in each Drainage Area		
	c value	DA #1	DA #2	DA #3
Wooded	0.35	0.0	0.0	1.3
Pasture	0.36	0.0	0.0	0.0
Crops	0.60	9.3	2.7	6.5
Grass	0.30	0.0	0.0	0.0
Impervious	0.90	0.0	0.0	0.0
Composite c		0.60	0.60	0.56

Per chart above - 0.35

0.36

0.60

composite c =
$$\frac{(\text{Wooded Acres} * 0.30 + \text{Pasture Acres} * 0.30 + \text{Crop Acres} * 0.50 + \text{Grass Acres} * 0.30 + \text{Impervious Acres} * 0.90)}{\text{Total Acres}}$$

Developed Conditions – The proposed development will create two residential building lots. The developed storm water runoff calculations include 10,000 sq ft of impervious area for each new building lot. This impervious area will account for the driveway, house footprint, and outbuilding. A c value of 0.36 is used for pasture area while a c value of 0.90 is used for the impervious areas. A composite c value for each drainage area was calculated as shown below.

		Acres in each Drainage Area		
	c value	DA #1	DA #2	DA #3
Wooded	0.35	0.0	0.0	1.3
Pasture	0.36	6.8	2.7	6.5
Crops	0.60	0.0	0.0	0.0
Grass	0.30	2.0	0.0	0.0
Impervious	0.90	0.5	0.0	0.0
Composite c		0.37	0.36	0.36

revise formula per comments above

composite c =
$$\frac{(\text{Wooded Acres} * 0.30 + \text{Pasture Acres} * 0.30 + \text{Crop Acres} * 0.50 + \text{Grass Acres} * 0.30 + \text{Impervious Acres} * 0.90)}{\text{Total Acres}}$$

On Exhibit #3 - Provide Source of soils information.

The storm water runoff for existing and developed conditions is summarized in the following tables. Calculations for the storm water runoff are included with the report.

DA #1

	Q10	Q100
Existing	32.7	58.0
Developed	18.4	32.9
Change	-44%	-43%

DA #2

	Q10	Q100
Existing	9.7	17.9
Developed	5.2	9.3
Change	-46%	-48%

DA #3

	Q10	Q100
Existing	26.3	46.6
Developed	14.9	26.7
Change	-43%	-43%

Assumptions made in the developed condition calculations –

- All structures will be constructed in drainage area #1
- One acre around each home will be maintained as a yard while the remainder of the property will be a pasture.

Conclusion – The change in land use for this parcel of ground results in over a 40% decrease in storm water runoff from the property.

ACKERLAND HILL

A MINOR 2 LOT SUBDIVISION IN THE EAST HALF OF
FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

PRELIMINARY PLAT

LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT
- ◻ 1/2" REBAR WITH #1349 CAP IN CONCRETE

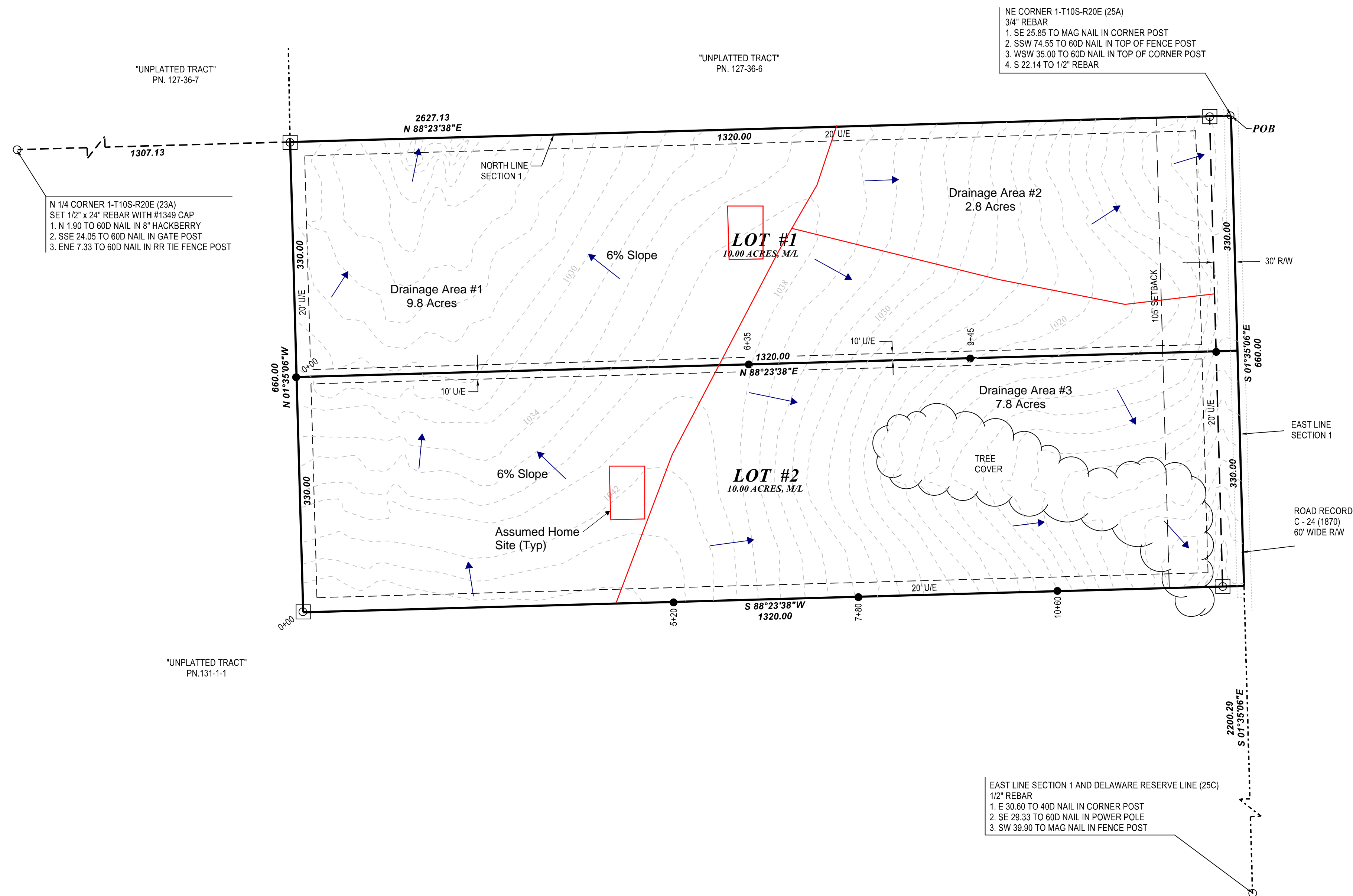
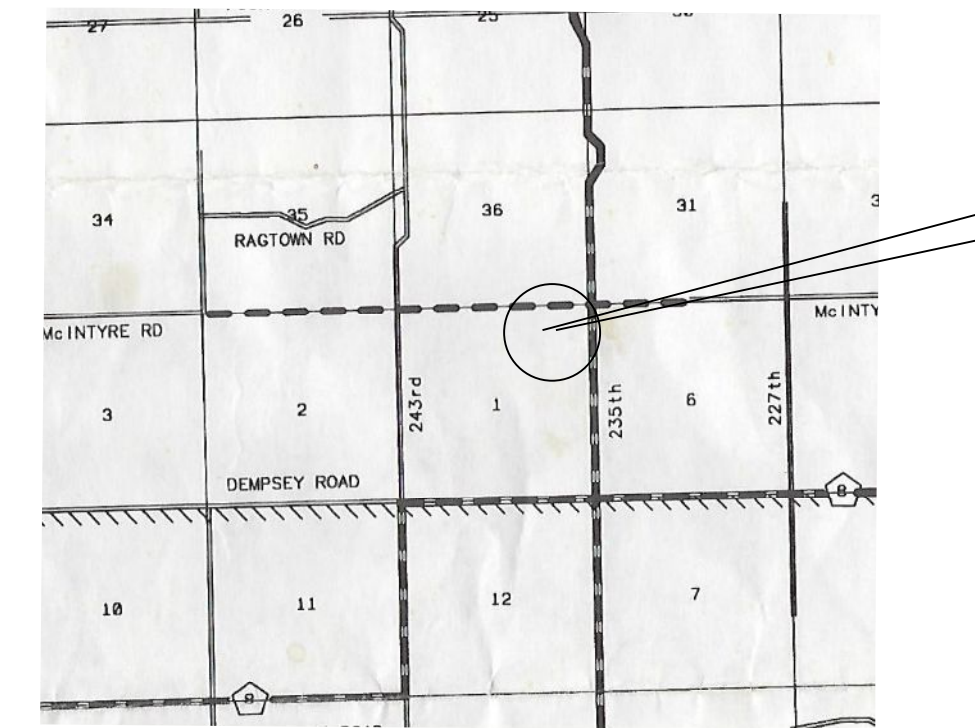
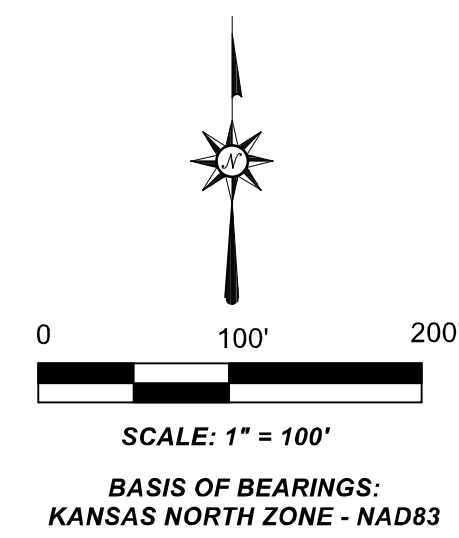


EXHIBIT #1

TABLE 1 Values of Runoff Coefficient C

URBAN AREAS:	
Type of drainage area	Runoff coefficient C
Lawns:	0.05 - 0.10
Sandy soil, flat 2%	0.10 - 0.15
Sandy soil, average, 2 - 7%	0.15 - 0.20
Sandy soil, steep, 7%	0.13-0.17
Heavy soil, flat, 2%	0.18 - 0.22
Heavy soil, average, 2 - 7%	0.25 - 0.35
Heavy soil, steep, 7%	
Business:	0.70 - 0.95
Downtown areas Neighborhood areas	0.50.0.70
Residential:	0.30 - 0.50
Single-family areas	0.40 - 0.60
Multi units, detached Multi units,	0.60 - 0.75
attached Suburban	0.25 - 0.40
Apartment dwelling areas	0.50 - 0.70
Industrial:	
Light areas	0.50 - 0.80
Heavy areas	0.60 - 0.90
Parks, cemeteries	0.10 - 0.25
Playgrounds	0.20 - 0.35
Railroad yard areas	0.20 - 0.40
Unimproved areas	0.10 - 0.30
Streets:	0.70 - 0.95
Asphaltic	0.80 - 0.95
Concrete	0.70 - 0.85
Brick	
Drives and walks	0.75 - 0.85
Roofs	0.75 - 0.95

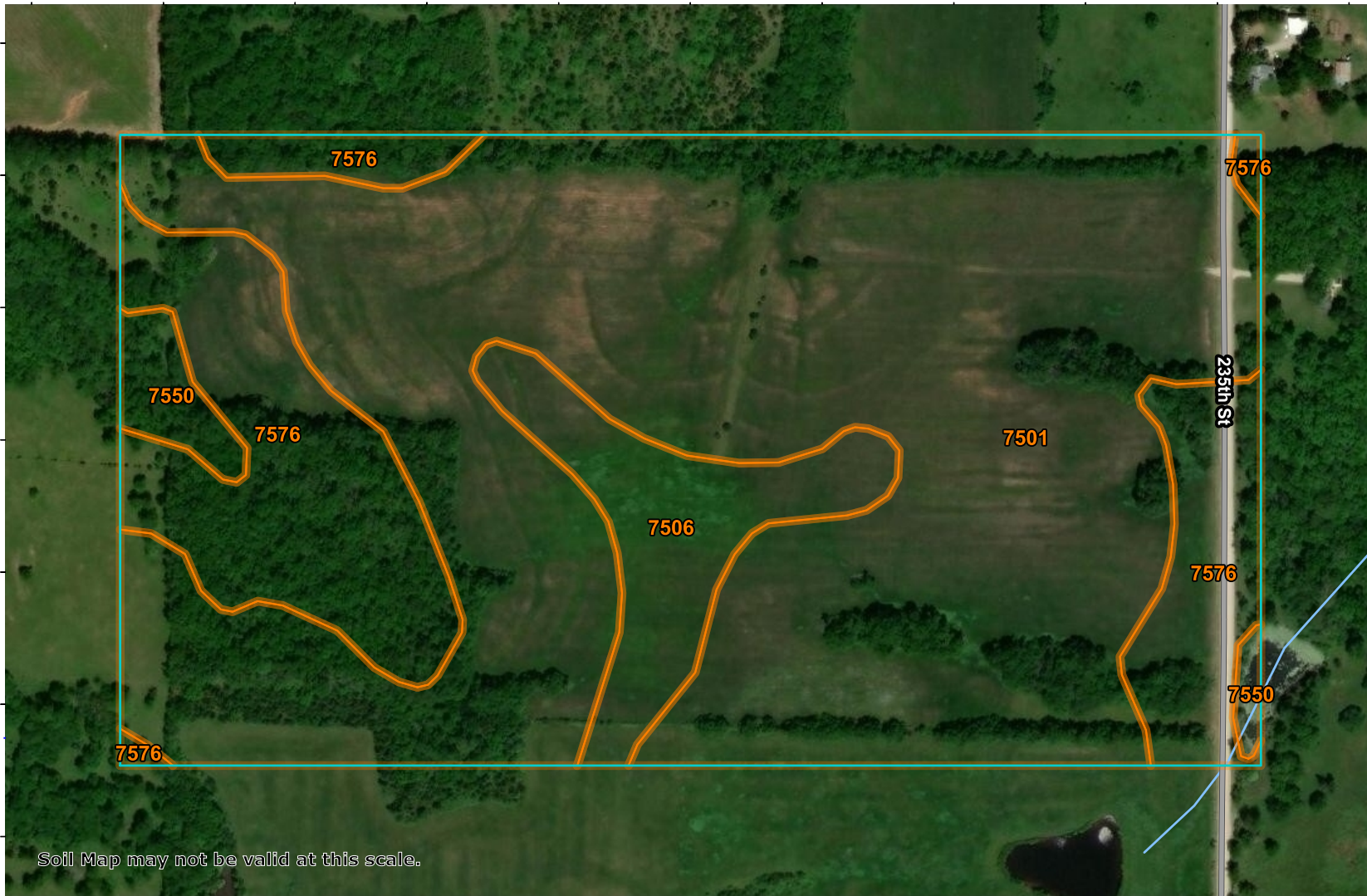
AGRICULTURAL AREAS:

Topography and Vegetation	Runoff Coefficient C Soil Texture		
	Soil Texture		
	Open Sandy Loam	Clay and Silt Loam	Tight Clay
Woodland			
Flat 0 - 5% Slope	0.10	0.30	0.40
Rolling 5 - 10% Slope	0.25	0.35	0.50
Hilly 10 - 30% Slope	0.30	0.50	0.60
Pasture			
Flat	0.10	0.30	0.40
Rolling	0.16	0.36	0.55
Hilly	0.22	0.42	0.60
Cultivated			
Flat	0.30	0.50	0.60
Rolling	0.40	0.60	0.70
Hilly	0.52	0.72	0.82

Source - Natural Resources Conservation Service (NRCS) US Department of Agriculture (USDA) Peak Discharge Course
https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1083019.pdf



Provide Source of information



Soil Map may not be valid at this scale.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7501	Pawnee clay loam, 4 to 8 percent slopes, eroded	73.7	71.9%
7506	Pawnee clay loam, 1 to 4 percent slopes, eroded	7.5	7.3%
7550	Rosendale-Bendena silty clay loams, 3 to 40 percent slopes	2.1	2.0%
7576	Shelby clay loam, 8 to 12 percent slopes, eroded	19.1	18.7%
Totals for Area of Interest		102.5	100.0%

Map Scale: 1:4,760 if printed on A landscape (11" x 8.5") sheet.

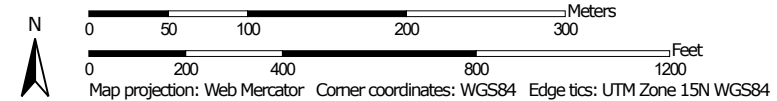


EXHIBIT #3

Drainage Area #1 - 10 year

Existing Conditions

Area = 9.3 acres
C= 0.60
L= 750
S= 6.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8) \quad 5 < T_c < 15$$

$$C = 0.60$$

$$T_i = 8.6$$

$$i_{10} = 214/(T_c + 26.7) \quad 15 < T_c < 60$$

$$L = 750$$

$$S = 6.0$$

$$T_t = 1.25$$

$$T_c = 9.8$$

$$i_{10} = 5.86$$

$$K = 1$$

$$Q = KCiA$$

$$Q = 32.7 \text{ cfs}$$

Developed Conditions

Area = 9.3 acres
C= 0.37
L= 750
S= 6.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8) \quad 5 < T_c < 15$$

$$C = 0.37$$

$$T_i = 12.5$$

$$i_{10} = 214/(T_c + 26.7) \quad 15 < T_c < 60$$

$$L = 750$$

$$S = 6.0$$

$$T_t = 1.25$$

$$T_c = 13.7$$

$$i_{10} = 5.30$$

$$K = 1$$

$$Q = KCiA$$

$$Q = 18.4 \text{ cfs}$$

Drainage Area #1 - 100 year

Existing Conditions

Area = 9.3 acres
C= 0.60
L= 750
S= 6
K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 8.6$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 1.25$$

$$T_c = 9.8$$

$$i_{100} = 8.31$$

$$Q = KCiA$$

$$Q = 58.0 \text{ cfs}$$

Developed Conditions

Area = 9.3 acres
C= 0.37
L= 750
S= 6.0
K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8)$$

$$5 < T_c < 15$$

$$T_i = 12.5$$

$$i_{100} = 331/(T_c + 30)$$

$$15 < T_c < 60$$

$$T_t = 1.25$$

$$T_c = 13.7$$

$$i_{100} = 7.57$$

$$Q = KCiA$$

$$Q = 32.9 \text{ cfs}$$

Drainage Area #2- 10 year

Existing Conditions

Area = 2.7 acres
C= 0.60
L= 600
S= 7.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8) \quad 5 < T_c < 15$$

$$C = 0.60$$

$$T_i = 8.1$$

$$i_{10} = 214/(T_c + 26.7) \quad 15 < T_c < 60$$

$$L = 600$$

$$S = 7.0$$

$$T_t = 1.00$$

$$K = 1$$

$$T_c = 9.1$$

$$i_{10} = 5.97$$

$$Q = KCiA$$

$$Q = 9.7 \text{ cfs}$$

Developed Conditions

Area = 2.7 acres
C= 0.36
L= 600
S= 7.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{10} = 175/(T_c + 18.8) \quad 5 < T_c < 15$$

$$C = 0.36$$

$$T_i = 12.1$$

$$i_{10} = 214/(T_c + 26.7) \quad 15 < T_c < 60$$

$$L = 600$$

$$S = 7.0$$

$$T_t = 1.00$$

$$K = 1$$

$$T_c = 13.1$$

$$i_{10} = 5.38$$

$$Q = KCiA$$

$$Q = 5.2 \text{ cfs}$$

Drainage Area #2 - 100 year

Existing Conditions

Area = 2.7 acres
C= 0.60
L= 600
S= 7.0
K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8) \quad 5 < T_c < 15$$

$$T_i = 8.1$$

$$i_{100} = 331/(T_c + 30) \quad 15 < T_c < 60$$

$$T_t = 1.00$$

$$T_c = 9.1$$

$$i_{100} = 8.84$$

$$Q = KCiA$$

$$Q = 17.9 \text{ cfs}$$

Developed Conditions

Area = 2.7 acres
C= 0.36
L= 600
S= 7.0
K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8) \quad 5 < T_c < 15$$

$$T_i = 12.1$$

$$i_{100} = 331/(T_c + 30) \quad 15 < T_c < 60$$

$$T_t = 1.00$$

$$T_c = 13.1$$

$$i_{100} = 7.69$$

$$Q = KCiA$$

$$Q = 9.3 \text{ cfs}$$

Drainage Area #3- 10 year

Existing Conditions

Area = 7.8 acres
C= 0.56
L= 780
S= 7.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3} \quad L_{\max} = 300$$

$$i_{10} = 175/(T_c + 18.8) \quad 5 < T_c < 15$$

$$T_i = 8.8$$

$$i_{10} = 214/(T_c + 26.7) \quad 15 < T_c < 60$$

$$T_t = 1.30$$

$$T_c = 10.1$$

$$i_{10} = 6.05$$

$$Q = KCiA$$

$$Q = 26.3 \text{ cfs}$$

Developed Conditions

Area = 7.8 acres
C= 0.36
L= 780
S= 7.0
K= 1

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3} \quad L_{\max} = 300$$

$$i_{10} = 175/(T_c + 18.8) \quad 5 < T_c < 15$$

$$T_i = 12.1$$

$$i_{10} = 214/(T_c + 26.7) \quad 15 < T_c < 60$$

$$T_t = 1.30$$

$$T_c = 13.4$$

$$i_{10} = 5.34$$

$$Q = KCiA$$

$$Q = 14.9 \text{ cfs}$$

Drainage Area #3 - 100 year

Existing Conditions

Area = 7.8 acres
C= 0.56
L= 780
S= 7
K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8)$$

5 < T_c < 15

$$T_i = 8.8$$

$$i_{100} = 331/(T_c + 30)$$

15 < T_c < 60

$$T_t = 1.30$$

$$T_c = 10.1$$

$$i_{100} = 8.55$$

$$Q = KCiA$$

$$Q = 46.6 \text{ cfs}$$

Developed Conditions

Area = 7.8 acres
C= 0.36
L= 780
S= 7.0
K= 1.25

$$T_i = 1.8(1.1-C)L^{.5}/S^{1/3}$$

L max = 300

$$i_{100} = 256/(T_c + 19.8)$$

5 < T_c < 15

$$T_i = 12.1$$

$$i_{100} = 331/(T_c + 30)$$

15 < T_c < 60

$$T_t = 1.30$$

$$T_c = 13.4$$

$$i_{100} = 7.63$$

$$Q = KCiA$$

$$Q = 26.7 \text{ cfs}$$

From: [Amanda Tarwater](#)
Sent: Tuesday, December 8, 2020 10:19 AM
To: [Clements, Jared](#)
Subject: Re: DEV-20-124 & 125 Ackerland Hill

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

FreeState Electric has no objection to this application.

Thank you,

Amanda Tarwater
Member Account Coordinator



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

From: "Clements, Jared"
Date: Tuesday, December 8, 2020 at 10:04 AM
To: "'lvrwd9@gmail.com"' , Amanda Tarwater , "'Union Township Fire (PBartlettFD9@Yahoo.com)'" , "Magaha, Chuck" , "Van Parys, David" , "Thorne, Eric" , "Miller, Jamie"
Subject: DEV-20-124 & 125 Ackerland Hill

Warning: This message originated outside of the FEC organization. Do not click links or open attachments unless you have validated the sender and know the content is safe. <="" span="">

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Ackerland Hill, a two-lot subdivision

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 December 15, 2020.

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

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048

From: [Rural Water District 9](#)
Sent: Tuesday, December 8, 2020 10:26 AM
To: Clements, Jared
Cc: Amanda.holloway@freestate.coop; [Union Township Fire \(PBartlettFD9@Yahoo.com\)](#); [Magaha, Chuck](#); [Van Parys, David](#); [Thorne, Eric](#); [Miller, Jamie](#)
Subject: Re: DEV-20-124 & 125 Ackerland Hill

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 can serve water to them.

Jon Orndorff
District Manager
Rural Water District 9
913-845-3571

On Dec 8, 2020, at 10:04, [Clements, Jared](#) wrote:

The Leavenworth County Department of Planning and Zoning has received a request for a Preliminary and Final Plat for Ackerland Hill, a two-lot subdivision. 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 December 15, 2020.

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

Thank you,
Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

From: [Van Parys, David](#)
Sent: Tuesday, December 8, 2020 11:43 AM
To: [Clements, Jared](#)
Subject: RE: DEV-20-124 & 125 Ackerland Hill

Jared, No legal concerns out of the ordinary.

From: Clements, Jared
Sent: Tuesday, December 8, 2020 10:04 AM
To: 'lvrwd9@gmail.com' ; 'Amanda.holloway@freestate.coop' ; 'Union Township Fire (PBartlettFD9@Yahoo.com)' ; Magaha, Chuck ; Van Parys, David ; Thorne, Eric ; Miller, Jamie
Subject: DEV-20-124 & 125 Ackerland Hill

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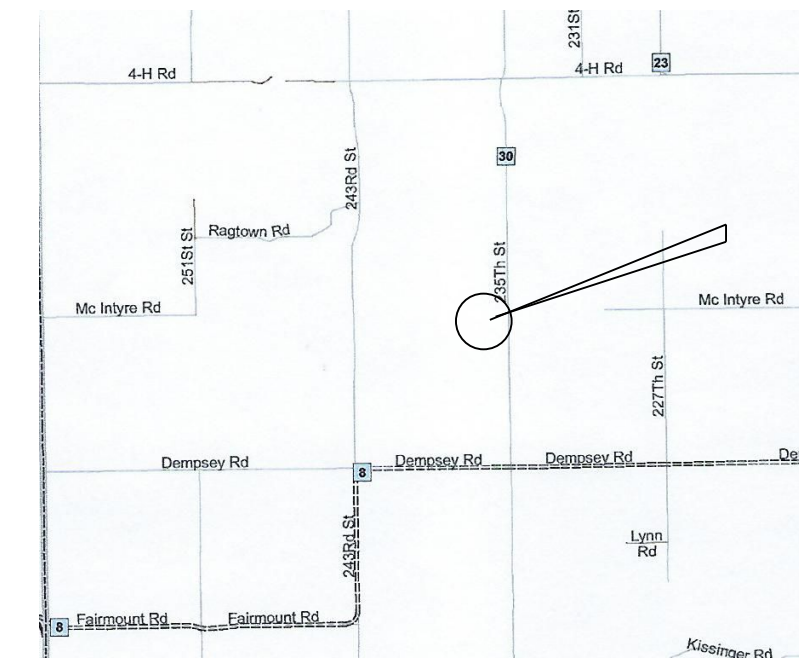
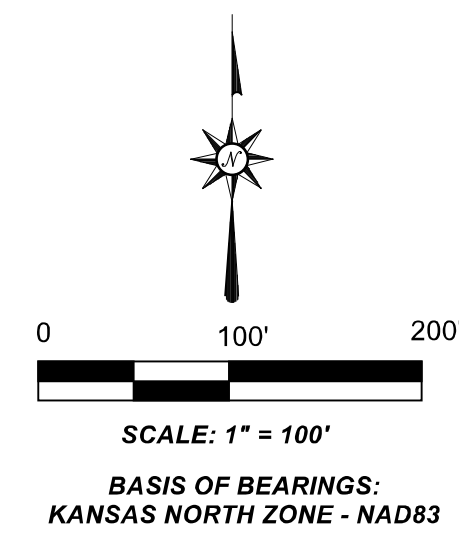
Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

ACKERLAND HILL

A MINOR 2 LOT SUBDIVISION IN THE EAST HALF OF
FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

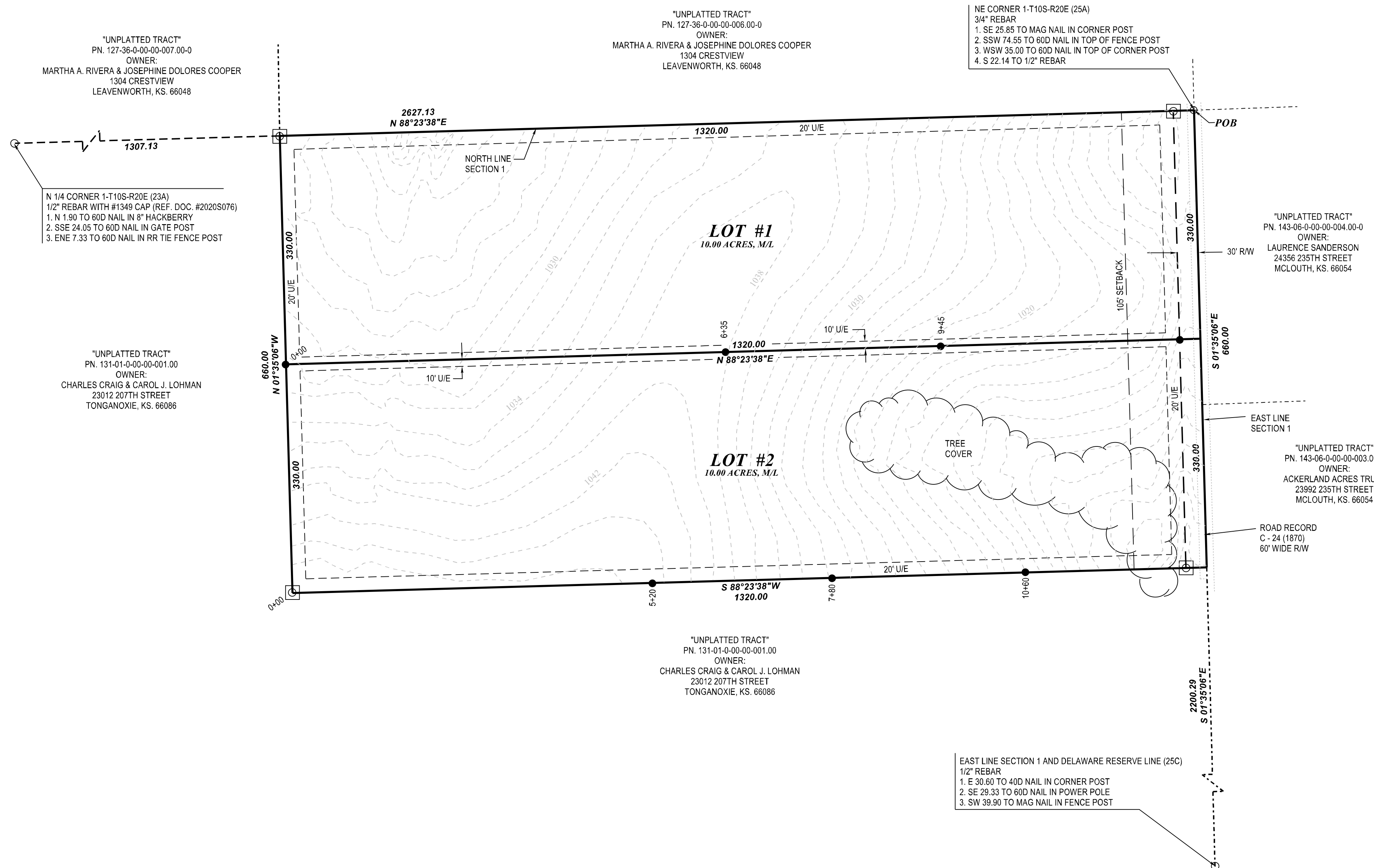
PRELIMINARY PLAT



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
- U/E UTILITY EASEMENT
- 1/2" REBAR WITH #1349 CAP IN CONCRETE
(REF. DOC. #2020S076)



OWNER / DEVELOPER
CHARLES CRAIG & CAROL J. LOHMAN
23012 207TH STREET
TONGANOXIE, KANSAS 66086
(913) 449-9750

DESCRIPTION
A TRACT OF LAND IN THE NORTHEAST QUARTER OF FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 1;
THENCE, S 01°35'06"E, 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 1;
THENCE, S 88°23'38"W, 1320.00 FEET;
THENCE, N 01°35'06"W, 660.00 FEET TO THE NORTH LINE OF SAID SECTION 1;
THENCE, N 88°23'38"E, 1320.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.
CONTAINS 20.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.

NOTES

- FENCE LINES DO NOT DENOTE PROPERTY LINES.
- EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL
PROPOSED USE - RESIDENTIAL
- LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
- THIS SURVEY IS NOT IN A SPECIAL FLOOD HAZARD AREA.
FEMA MAP 20103C0225G, DATED 07/16/2015.

RESTRICTIONS

- 40' REAR SETBACK FOR RESIDENCES
15' REAR SETBACK FOR ACCESSORY BUILDINGS
15' SIDE SETBACK
- AN ENGINEERED WASTEWATER DISPOSAL SYSTEM MAY BE REQUIRED DUE TO POOR SOIL CONDITIONS.
- 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.
- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.

UTILITIES

ELECTRIC / FREESTATE
WATER / R.W.D. #9
GAS / PRIVATE PROPANE
SEWAGE / PRIVATE ON SITE SYSTEM
TELEPHONE / AT&T

ZONING

RURAL RESIDENTIAL (RR-5.0)

ROAD INFORMATION

235TH STREET IS 20 FEET WIDE WITH GRAVEL SURFACE

BENCHMARK

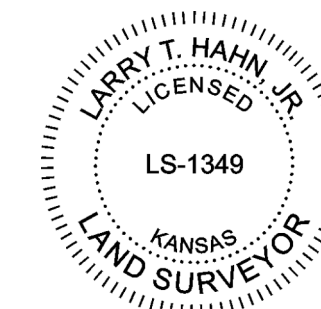
3/4" REBAR AT THE NORTHEAST CORNER 1-T10S-R20E
EL. 1007.41 (NAVD 88)

PUBLIC IMPROVEMENT

NONE

DRAINAGE CALCULATIONS

ON SEPARATE DOCUMENT BY DAVID LUTGEN, PE



LARRY T. HAHN, LS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2020,
THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT
SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS"
FOR BOUNDARY SURVEYS PURSUANT TO K.S.A. 74-7037.

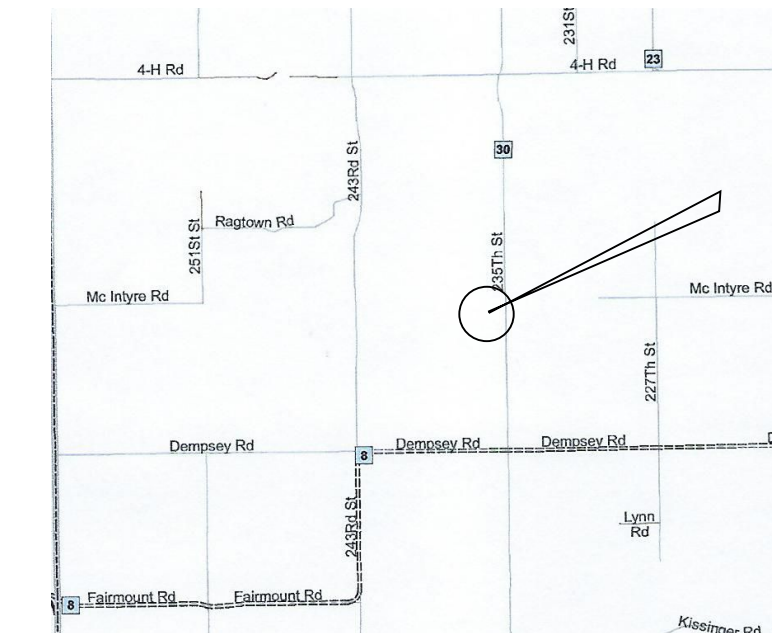
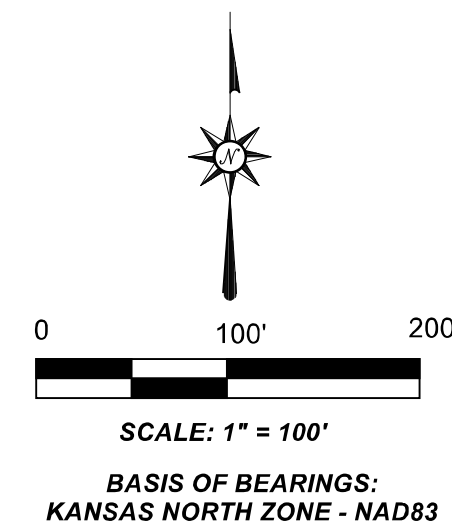
ACKERLAND HILL

A MINOR 2 LOT SUBDIVISION IN THE EAST HALF OF
FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M.,
LEAVENWORTH COUNTY, KANSAS

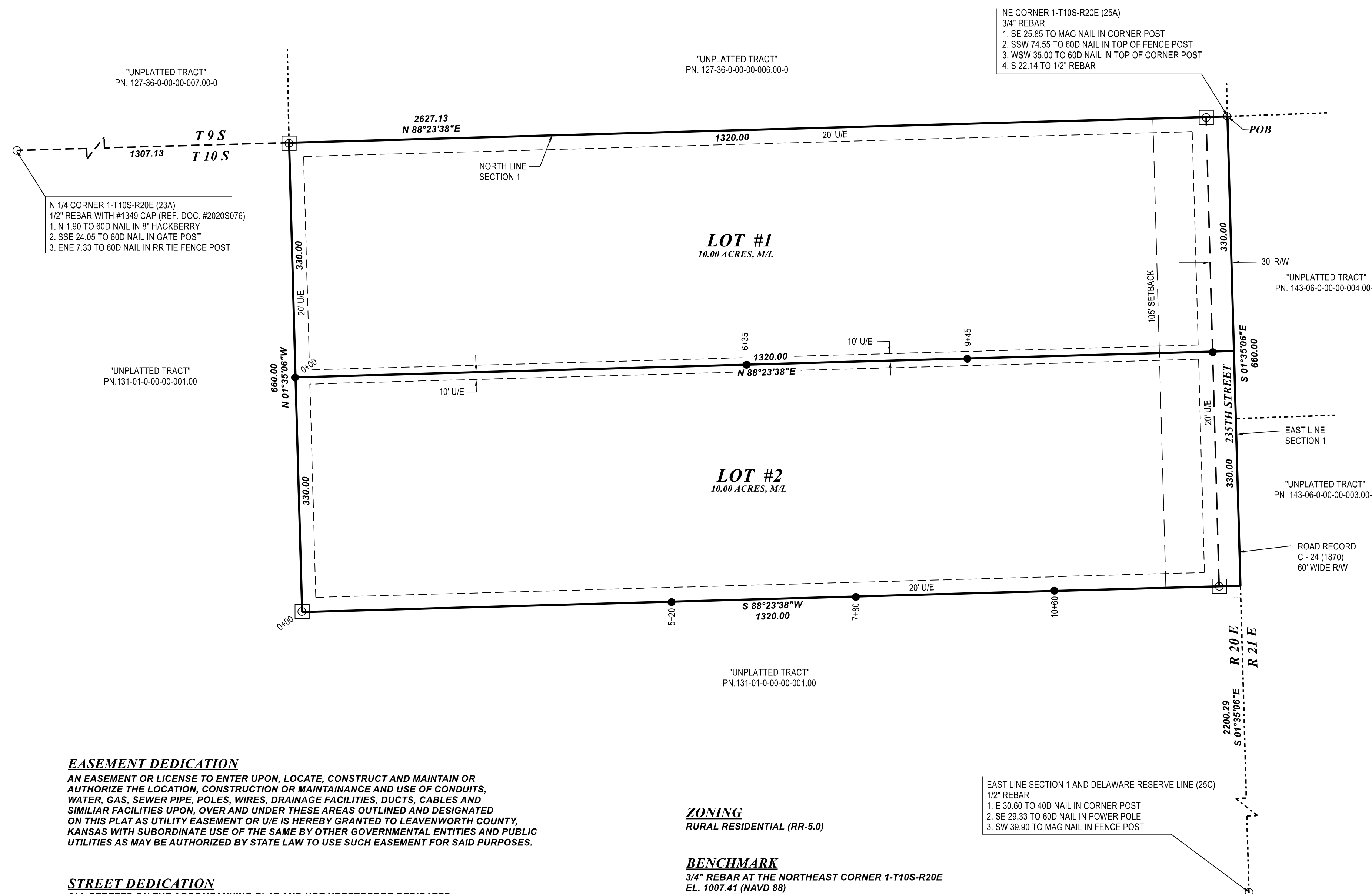
FINAL PLAT

LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- POB POINT OF BEGINNING
- U/E UTILITY EASEMENT
- 1/2" REBAR WITH #1349 CAP IN CONCRETE
(REF. DOC. #2020S076)



LOCATION MAP
NO SCALE



DESCRIPTION

A TRACT OF LAND IN THE NORTHEAST QUARTER OF FRACTIONAL SECTION 1-T10S-R20E OF THE 6TH P.M., LEAVENWORTH COUNTY, KANSAS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE, S 01°35'06"E, 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 1; THENCE, S 88°23'38"W, 1320.00 FEET; THENCE, N 01°35'06"W, 660.00 FEET TO THE NORTH LINE OF SAID SECTION 1; THENCE, N 88°23'38"E, 1320.00 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. CONTAINS 20.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY.

IN TESTIMONY WHEREOF

THE UNDERSIGNED PROPRIETORS STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT WHICH SHALL BE KNOWN AS "ACKERLAND HILL".

WE, THE UNDERSIGNED OWNERS OF "ACKERLAND HILL" HAVE SET OUR HANDS THIS _____ DAY OF _____, 2020.

CHARLES CRAIG LOHMAN

CAROL J. LOHMAN

STATE OF KANSAS / COUNTY OF LEAVENWORTH

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2020, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY AFORESAID CAME CHARLES CRAIG LOHMAN AND CAROL J. LOHMAN TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGE THE EXECUTION OF THE 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 _____

APPROVAL

WE THE LEAVENWORTH COUNTY PLANNING COMMISSION, DO HEREBY APPROVE THE FOREGOING PLAT OF "ACKERLAND HILL" THIS _____ DAY OF _____, 2020.

CHAIRPERSON / STEVE ROSENTHAL

SECRETARY / KRystal VOTH

THE LEAVENWORTH COUNTY ENGINEERS PLAT REVIEW IS ONLY FOR GENERAL CONFORMANCE WITH THE SUBDIVISION REGULATIONS AS ADOPTED BY LEAVENWORTH COUNTY. THE COUNTY IS NOT RESPONSIBLE FOR THE ACCURACY AND ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

COUNTY ENGINEER

COUNTY SURVEYOR CERTIFICATION

I HEREBY CERTIFY THIS PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS PLAT WAS REVIEWED BASED ON KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

COUNTY SURVEYOR / WAYNE MALNICOF, LS

STATE OF KANSAS / COUNTY OF LEAVENWORTH

FILED FOR RECORD IN DOCUMENT # _____ ON THIS _____ DAY OF _____, 2020 AT _____ O'CLOCK _____ IN THE OFFICE OF THE REGISTER OF DEEDS, LEAVENWORTH COUNTY, KANSAS.

REGISTER OF DEEDS / STACY R. DRISCOLL

EASEMENT DEDICATION

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTAINANCE AND USE OF CONDUITS, WATER, GAS, SEWER PIPE, POLES, WIRES, DRAINAGE FACILITIES, DUCTS, CABLES AND SIMILAR FACILITIES UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS UTILITY EASEMENT OR U/E IS HEREBY GRANTED TO LEAVENWORTH COUNTY, KANSAS WITH SUBORDINATE USE OF THE SAME BY OTHER GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES AS MAY BE AUTHORIZED BY STATE LAW TO USE SUCH EASEMENT FOR SAID PURPOSES.

STREET DEDICATION

ALL STREETS ON THE ACCOMPANYING PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.

NOTES

- EXISTING USE OF AREA BEING PLATTED - AGRICULTURAL
PROPOSED USE - RESIDENTIAL
- LEAVENWORTH COUNTY, KANSAS, DOES NOT REPRESENT, WARRANT OR GUARANTEE THAT THE DETAILS SHOWN ON THIS DOCUMENT AND PROVIDED BY THE APPLICANT, INCLUDING ANY SURVEY INFORMATION SHOULD BE RELIED UPON BY ANY THIRD PARTY AS BEING WHOLLY OR PARTIALLY ACCURATE AND COMPLETE.
- THIS SURVEY IS NOT IN A SPECIAL FLOOD HAZARD AREA.
FEMA MAP 20103C0225G, DATED 07/16/2015.

ZONING

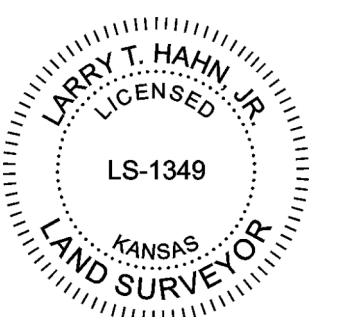
RURAL RESIDENTIAL (RR-5.0)

BENCHMARK

3/4" REBAR AT THE NORTHEAST CORNER 1-T10S-R20E
EL. 1007.41 (NAVD 88)

RESTRICTIONS

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- 15' REAR SETBACK FOR ACCESSORY BUILDINGS
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- LOTS ARE SUBJECT TO THE CURRENT ACCESS MANAGEMENT POLICY RESOLUTION.



LARRY T. HAHN, LS #1349

THIS IS TO CERTIFY THAT IN THE MONTH OF SEPTEMBER, 2020, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.S.A. 74-7037.

HAHN SURVEYING
PO BOX 41
LANESING, KANSAS 66043
(913) 547-3405
hahnsurvey@gmail.com

Case No. DEV-20-128
Deer Ridge Event Center
Special Use Permit – Event Center
Public Hearing Required

Staff Report – Planning Commission

January 13, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Mark Peterson
21107 Donahoo Road
Tonganoxie, KS 66086

Legal Description: A tract of land in the Northeast quarter of Section 28, Township 10 South, Range 21 East of the 6th P.M, in Leavenworth County, Kansas.

Parcel Size: ± 140 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Residential Estate land use category.

Parcel ID No.: 148-28-0-00-00-001.00

Planner: Jared Clements

REPORT:

Request

The applicant is requesting a Special Use Permit renewal for an event center. This application also includes the plans for a second event center building that is proposed to be 6000 square feet.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0225G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Tonganoxie
Water: RWD 9
Electric: Freestate

Access/Streets

The property is accessed by Donahoo Road, a County road with a gravel surface ± 22' wide.

Agency Comments

See attached comments – Email – Mitch Pleak – Olsson Engineering, January 6, 2021
See attached comments – Email – Public Works, January 6, 2021
See attached comments – Email – Chuck Magaha – Emergency Management, October 29, 2020
See attached comments – Email – Timothy Smith –Tonganoxie Fire Department, November 3, 2020
See attached comments – Email – Jon Orndorff – Rural Water District 9, October 29, 2020
See attached comments – Email – Amanda Tarwater – Electric utility, October 29, 2020

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Special Use Permit request:

1. Character of the neighborhood: The character of the neighborhood is rural; primarily rural residences, and agricultural uses.

2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The uses are rural residences and agricultural.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suited for rural residences and agricultural use. The use is allowed with approval of a Special Use Permit.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected. There will likely be an increase in potential for traffic and noise if both event centers are used at the same time at maximum capacity. There are few houses within the vicinity of the event center or the proposed event center. There is also natural screening separating the road and residences from the event center.
5. Length of time the property has been vacant as zoned: The property is not vacant.
6. Relative gain to economic development, public health, safety and welfare: The proposed use will provide a service to the community and income for the applicant.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Residential Estate.
8. Staff recommendation is for the approval of Special Use Permit with conditions.

<u>LOCATION</u>	
Adjacent Residences	Adjacent residences are rural-suburban uses. The nearest house not associated with this parcel is approximately 1000' north from the proposed building site and 1300' north of the existing building.
Adjacent Zoning/Uses	Zoning in the area is RR-5 and are used primarily as rural residences and agricultural uses. The Deer Ridge Ranch Subdivision was developed by Mr. Petersen (the applicant) in 2004 and sits to the north of this property. The remaining adjacent land is farmland.
Density	The area is not densely populated.
Nearby City Limits	The city of Tonganoxie is approximately 1.75 miles to the South of this property.
Initial Growth Management Area	The property is not located within a city's Initial Growth Management Area.

<u>IMPACT</u>	
Noise Pollution	Most activities will take place inside an insulated building.
Traffic	The current conditions limit a maximum of 125 vehicles per event, and a maximum of 30 vehicles per meeting. The additional event center will be limited to a respective 125 vehicles per event and 30 per meeting as well.
Lighting	The applicant does not have lighting other than security lighting and is not requesting lighting.
Parking	The applicant has ample parking space for guests behind the venue.
Visitors/Employees	Employees include 2 staff members per event, per event center. If food is required, the renting party will hire a catering company to work the event. Guests for the events will come directly to the site.
Waste	The applicant uses a trash service to empty the dumpsters on site on a regular basis.

<u>SITE COMPATABILITY</u>	
Size of Parcel	The parcel is 140 acres in size.
Zoning of Parcel	The parcel is zoned Rural Residential-5
Buildings (Existing & Proposed)	There is an existing farm house on the property that is rented out by the owner. There is also an existing 80' x 120' event center. A 60' x 100' is proposed for an additional event center.
Setbacks	Existing building meet the required setbacks.
Screening	There is natural screening to the north, west, and south of the proposed structure.

History

This special use permit was first approved in 2016. In 2019 its conditions were officially reviewed due to a number of complaints concerning the dust created by venue-related traffic. The BoCC recommended for the owners and person who filed the complaint to come to an agreement concerning paying for Dust Abatement out of pocket. The applicant decided to chip and seal the road past his eastern entrance to ensure no further issue would occur due to dust creation.

Staff Comments

The applicant is requesting a Special Use Permit for their existing Event Center, as well as an additional building to serve as an Event Center. This will allow additional capacity for holding events. The center currently hosts weddings, family reunions, graduation parties, and other memorable gatherings.

The applicant is currently approved to hold 30 events and 40 meetings per year on the site with a maximum of 125 vehicles for each event and 30 vehicles for each meeting. Staff recommends maintaining these limits and applying additional limits for the second event center.

Given that Donahoo Road is unpaved to the west of the eastern entrance of the parcel, as well as the history of dust control issues, public works has concerns regarding use of the western entrance to access to new event center. Public Works has provided the following scenarios as options for the applicant to address these concerns:

1. To utilize the west entrance, the gravel roadway portion of Donahoo Road shall be hard surfaced and the west entrance to be improved to a County standard. Currently, existing mail boxes and tree are located very close to the edge of the roadway. It would be assumed the mail boxes would need to be reset and the tree removed to improve the entrance. The applicant would be responsible for all costs associated with the improvements.
2. If the applicant limits the traffic to the existing east entrance, the gravel portion of Donahoo road would not need hard surfaced nor the west entrance improved. In the scenario, the County would require the existing west entrance to be gated during SUP uses to ensure traffic is limited to the East entrance.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-20-128, Special Use Permit for Deer Ridge Event Center, with the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. Hours of the Event Barns shall be:
 - a. Friday and Saturday: music shall conclude by 11:30 and events and meetings shall conclude by midnight.
 - b. Monday through Thursday: music shall conclude by 8 pm and events and meetings shall conclude by 9 pm.
3. The SUP shall be limited to four (4) employees other than business owners and family.
4. The applicant shall adhere to the following Memorandums:
 - a. Email – Mitch Pleak – Olsson Engineering, January 6, 2021
 - b. Email – Lauren Anderson – Public Works, January 6, 2021
 - c. Email – Chuck Magaha – Emergency Management, October 29, 2020
 - d. Email – Timothy Smith –Tonganoxie Fire Department, November 3, 2020
5. The number of events shall be limited to a maximum of thirty (30) and the number of meetings shall be limited to a maximum of forty (40) per year for each event center.
6. Events at each event center shall not exceed 250 attendees and 125 vehicles. Meetings at each event center shall not exceed 60 attendees and 30 vehicles.
7. Building and septic permits will be obtained prior to any construction.

8. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
9. The applicant shall provide the Planning & Zoning Department with copies of any licenses for food, alcohol, and lodging required from the State of Kansas.
10. Noise generated from an event held at this facility including, but not limited to: live music, DJ, and noise from guests shall be limited to 60 decibels at the property line.
11. Applicant shall submit documentation from the Fire Department and Emergency Management that indicates the following conditions have been met prior to holding the first event or meeting in the new structure:
 - a. Fire extinguishers are installed according to the Kansas Builder Fire Safety Handbook.
 - b. Smoke detectors are installed and operating.
 - c. Emergency exits
 - i. Emergency exit doors swing in the egress direction.
 - ii. Emergency exits are illuminated
 - iii. Emergency exits have exit lights identifying them.
 - d. There is a backup power system to provide emergency exit lighting.
 - e. An acceptable fire safety and evacuation plan is prepared and posted through the facility.
12. The event barns may have up to 16 bedrooms for overnight lodging total. Said lodging shall only be used in conjunction with an event or meeting.
13. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
14. The applicant shall work with public works regarding the surface requirements of Donahoo road west of the current Event Center Entrance.
15. Adhere to one of the two recommendations put forth by the public works department in the memo dated January 6, 2021 regarding the gating of the western entrance or the hard surfacing the gravel portion of Donahoo Road.
16. No on-street parking shall be allowed.
17. This SUP shall be limited to the Narrative dated October 22, 2020 submitted with this application.
18. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

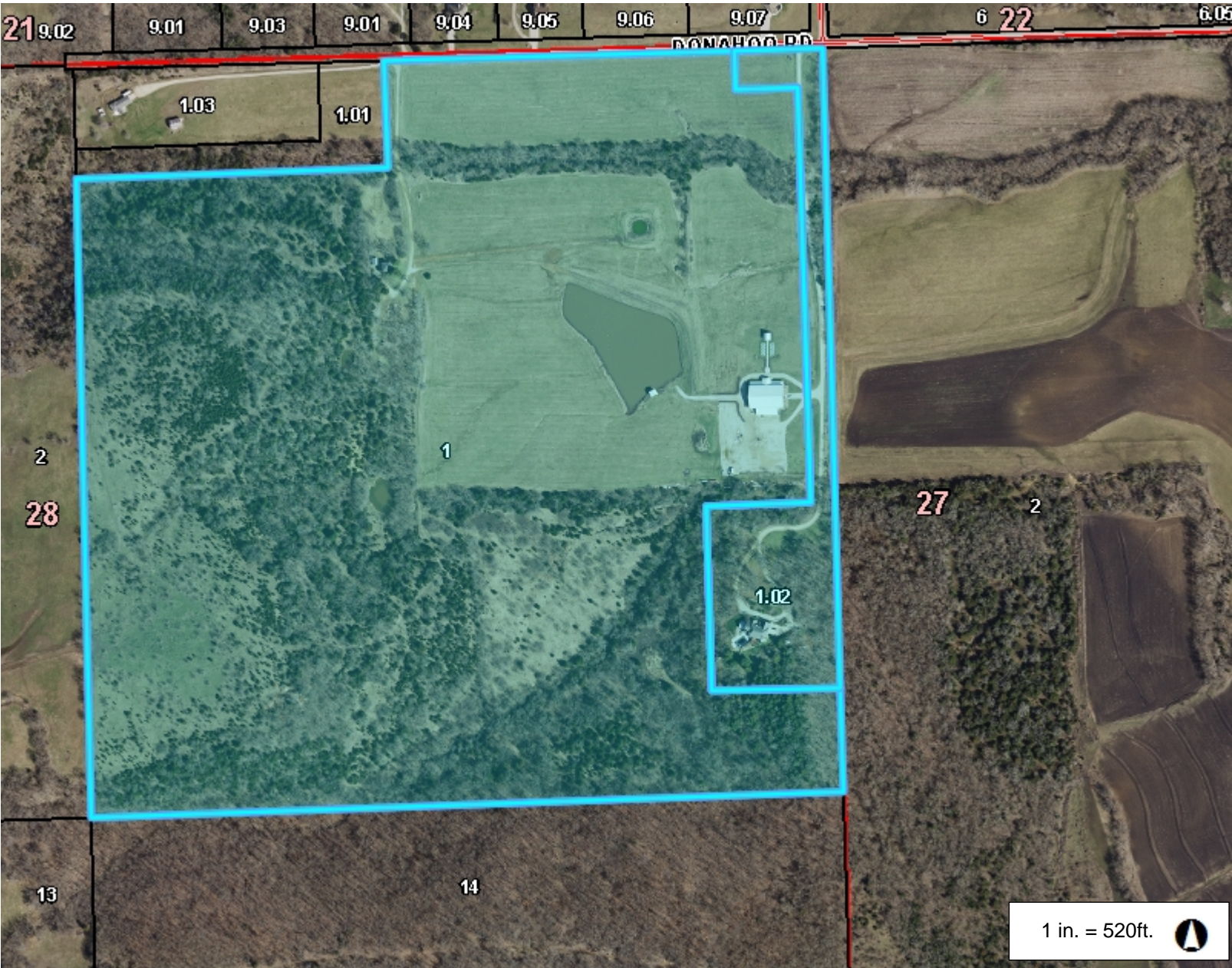
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-20-128, Special Use Permit for Deer Ridge Event Center, to the Board of County Commission, with Findings of Fact, and with or without conditions; or
2. Recommend denial of Case No. DEV-20-128, Special Use Permit for Deer Ridge Event Center, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:


Narrative
Location/Aerial Maps
Memorandums

Deer Ridge Event Center



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 520ft. 

1,040.5 0 520.24 1,040.5 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Special Use Permit (SUP) Narrative for Deer Ridge Estate, Tonganoxie, Ks

- **Current Use:** Farming
- **Proposed Use:** We are requesting an additional 10-year extension to our existing SUP and proposing an additional 6,000 square foot event center to include three to four sleeping rooms. Events planned but not limited to weddings, family reunions, baby showers, bridal showers, meetings, retreats, graduations, school or company ceremonies, proms, after proms, awards banquets, trade shows, specialty classes to included arts and crafts, wine tastings and painting, yoga, self-defense, continuing education classes, community events such as Easter Egg Hunts or pumpkin patch
- **Hours of Operation:** 9:00 am to 11:30 pm (for the event)
- **Employees:**
 - Three employees, two of which are family (occasionally contract high school kids to assist with cleaning and events)
- **Equipment:** No special equipment
 - Parking: On site behind venue
 - Storage: Additional shop to be built on site
 - Maintenance: General maintenance
- **Alcohol Service:** Yes, with existing liquor license
- **Dust Control:** Currently enrolled in dust abatement program with a cost to us of \$50,000
- **Signs:** (Include future desired signs)
 - No specific sign design at this time but any future signage would be low profile and without lighting as it is not for advertising but for direction (likely be made of wood with some metal and or on a gate we install at a later date)
- **Chemicals Used:**
 - None
- **Lubricants/Oils/Fluids:**
 - No hazardous waste produced
- **Sewage Disposal:**
 - Engineered septic system
- **Water Supply:**
 - Water available on site
- **Noise/sound caused by the use:**
 - There is naturally some noise produced with music or gathering but most is inside an insulated building and there is natural screening with distance and trees
- **Odors or fumes:**
 - None (other than occasional BBQ fumes)
- **Accessory building used or to be constructed:**
 - Yes, an adjacent Shop and Greenhouse with low volume sales of vegetables, herbs, pumpkins, flowers, and greenery
- **Outdoor displays/advertising:**
 - None
- **Emergency/Safety:**
 - Appropriate life safety approved by Fire Marshall that will include:
 - Contact numbers
 - Shelter
 - Weather radio
 - Evacuation plan
 - Fire extinguishers
- **Outdoor Storage:**

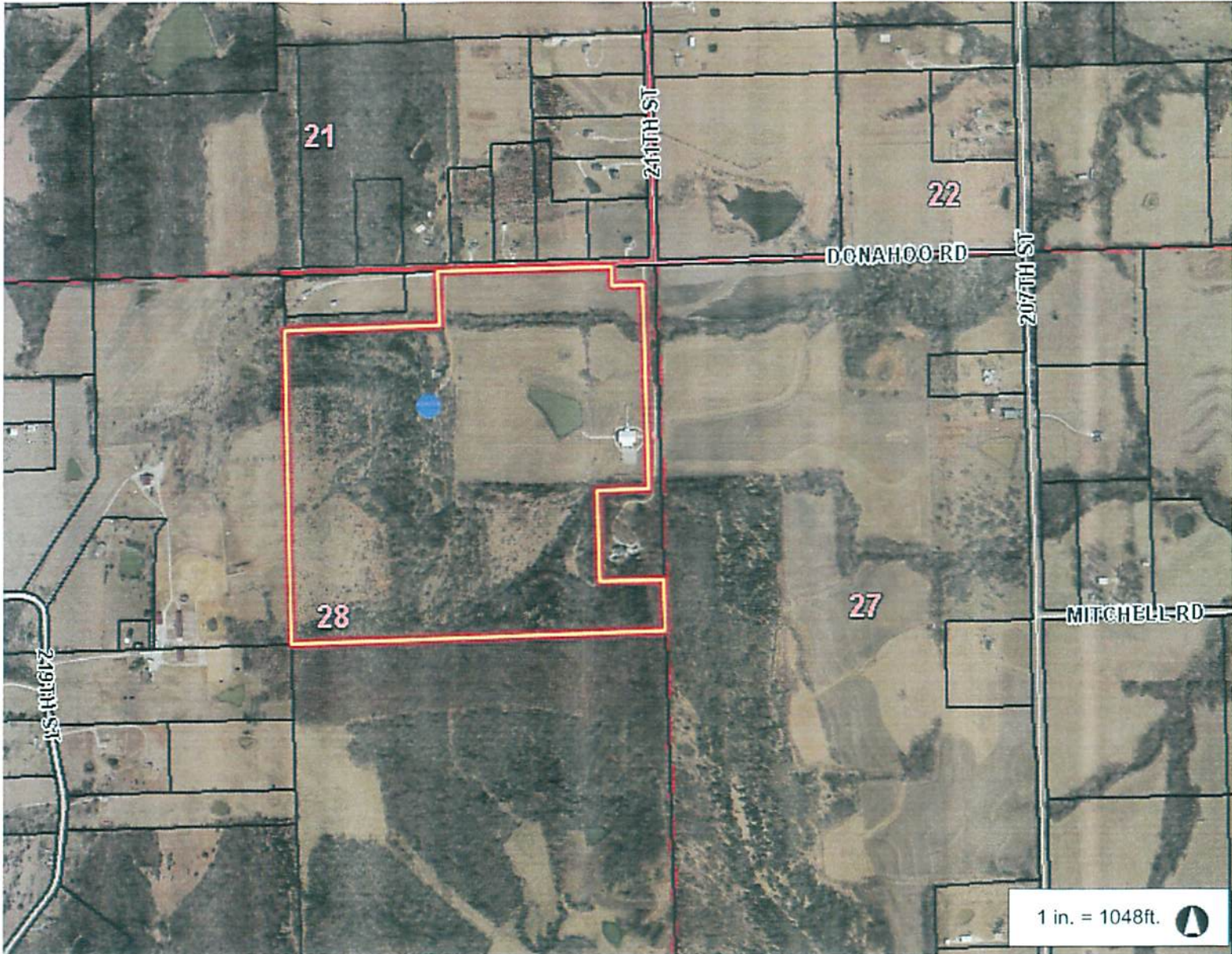
Special Use Permit (SUP) Narrative for Deer Ridge Estate, Tonganoxie, Ks

- Fenced/Screened
- **Parking:**
 - Yes
 - No on street parking allowed
 - Security Lighting on outside of building
- **Traffic:**
 - One employee driving to the site per day
 - Three deliveries of products / materials to the site per week
 - No trips from the site to deliver products / materials

Leavenworth County, KS



- Legend**
- Parcel
 - City Limit Line
 - Major Road
 - <all other values>
 - 70
 - Road
 - Railroad
 - Section
 - Section Boundaries
 - County Boundary

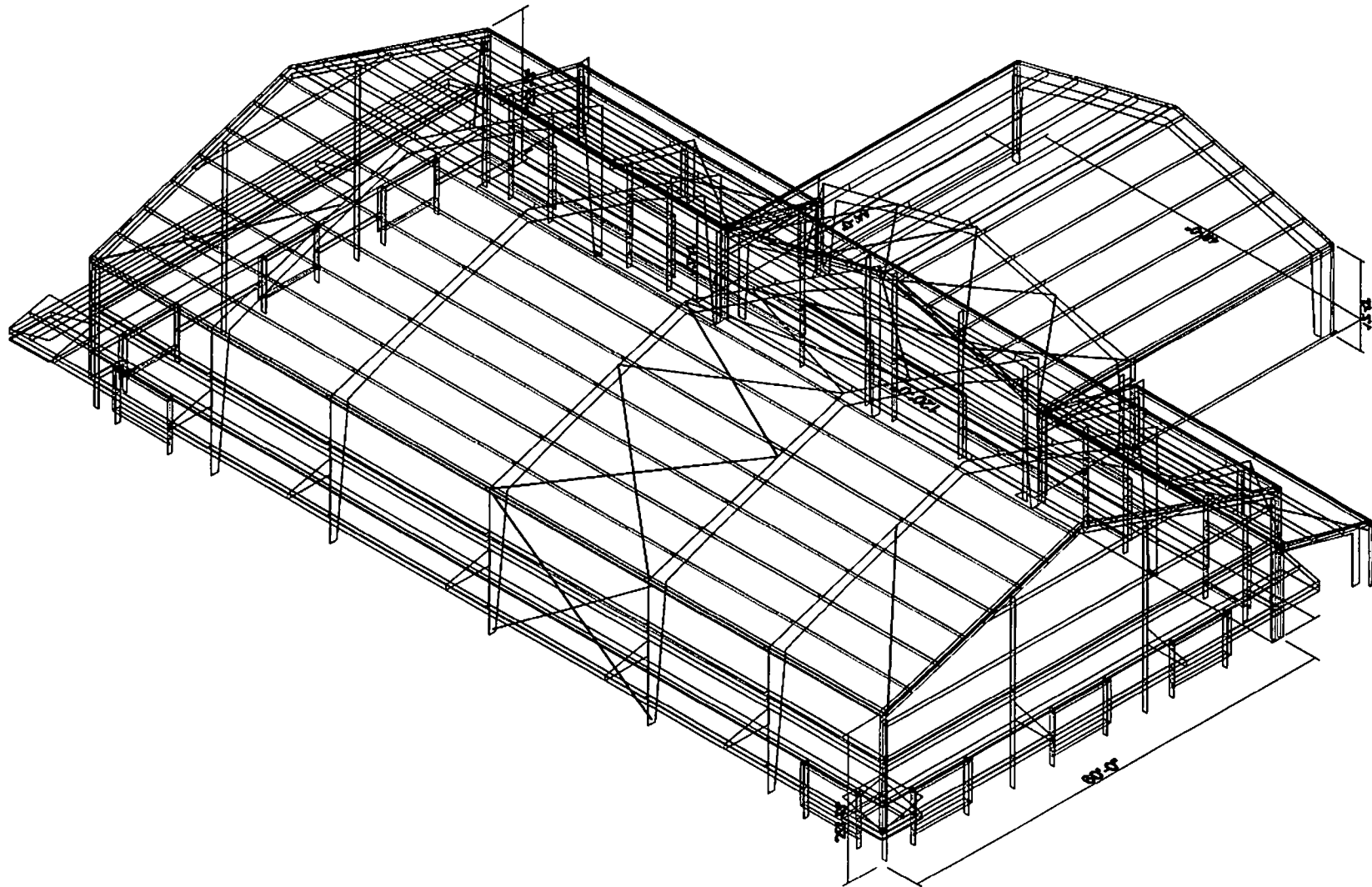


1 in. = 1048ft.

Notes



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From: [Mitch Pleak](#)
Sent: Tuesday, January 5, 2021 4:40 PM
To: [Clements, Jared](#)
Cc: [Noll, Bill](#); [Anderson, Lauren](#); [019-2831](#)
Subject: FW: DEV-20-128 SUP Deer Ridge Event Center

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.

Jared,

Regarding the traffic generation proposed with the SUP, please see the responses and comments below.

Traffic Review of the Application: Olsson has reviewed the documentation and concluded that a traffic study would not be needed for the following reasons:

- There is an event occurrence in that it only occurs a few times a week
- There is currently minimal traffic near the development due to Donahoo Road being a dead end, thus the operations of the intersections is not a concern.

Structural Review of the Application: Olsson has reviewed the documentation and concluded that a structural assessment of the structures along Donahoo Road is not warranted. Delivery vans (as indicated as the heaviest vehicle) has a gross vehicle weight of 9000 lbs and is not significant.

Pavement Review of the Application: Olsson understands that on average 120-180 additional vehicular traffic is anticipated on Donahoo Road (chipped and sealed portion) and 240-360 new vehicular traffic is anticipated on the gravel portion of Donahoo Road. With the anticipated traffic most passenger type vehicles and 3-4 delivery vans per week, it is Olsson's opinion that a pavement study does not need to be performed.

Lauren Anderson has verified there is no limited weight restrictions on the culverts along Donahoo Road.

Public Works comments include:

1. To utilize the west entrance, Public Works is requiring the gravel roadway portion of Donahoo Road to be hard surfaced and the west entrance to be improved to a County standard. Currently, existing mail boxes and tree are located very close to the edge of the roadway. It would be assumed the mail boxes would need to be reset and the tree removed to improve the entrance. The applicant would be responsible for all costs associated with the improvements.
2. If the applicant limits the traffic to the existing east entrance, the gravel portion of Donahoo road would not need hard surfaced nor the west entrance improved. In the scenario, the County would require the existing west entrance to be gated during SUP uses to ensure traffic is limited to the East entrance.

Sincerely,

Mitch Pleak, PE
Project Engineer / Civil

D 913.748.2503

7301 W. 133rd Street, Suite 200
Overland Park, KS 66213
O 913.381.1170



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[View Legal Disclaimer](#)

From: Clements, Jared <JClements@leavenworthcounty.gov>
Sent: Wednesday, December 23, 2020 8:16 AM
To: Mitch Pleak <mpleak@olsson.com>
Cc: Voth, Krystal <KVoth@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>
Subject: RE: DEV-20-128 SUP Deer Ridge Event Center

Good Morning Mitch,

Please see the following comments from the applicant:

“Current commercial vehicles (usually just vans for amazon/catering/alcohol) come about 3/week. For larger events, which would occur 3-4/year per event space, it would be 4/week for each event center.”

Let me know if you need anything else.

Thanks!
Jared

From: Mitch Pleak <mpleak@olsson.com>
Sent: Tuesday, December 22, 2020 11:07 AM
To: Clements, Jared <JClements@leavenworthcounty.gov>
Cc: Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Voth, Krystal <KVoth@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>
Subject: RE: DEV-20-128 SUP Deer Ridge Event Center

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Jared,
Did the applicant provide an idea of the amount of commercial type vehicles (delivery of food, supplies, and etc.) are generated with the current SUP? Looking for type of vehicles, trips per week (or month). It would be assumed this would increase with the requested allowable attendees. With the increase, how will the trips increase on the commercial vehicles?

Thanks,

Mitch Pleak, PE
Project Engineer / Civil

D 913.748.2503

7301 W. 133rd Street, Suite 200
Overland Park, KS 66213
O 913.381.1170



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From: Clements, Jared
Sent: Friday, December 18, 2020 1:59 PM
To: Mitch Pleak
Cc: Anderson, Lauren ; Voth, Krystal ; Noll, Bill
Subject: RE: DEV-20-128 SUP Deer Ridge Event Center

Hi Mitch,

As I mentioned, I conducted a site visit yesterday and attempted to get answers to some of the traffic generation questions. Mr. Petersen stated the following:

- Weddings on average have 50-70 vehicles, with a maximum of 125
- Meetings on average usually have 10-20 vehicles, with a maximum of 30
- 1 wedding and 1 meeting/event usually occur per week (Usually a wedding on a weekend day, a meeting or smaller event on a weekday). There is significantly less weekly activity three months out of the year (winter).
- On weekdays (M-Th) that have an event/meeting, the usual traffic generation times range between 11am-1pm and 7pm-8pm.
- On weekends (F-Su) that have a wedding, the usual traffic generation times are at 4-6pm & 11pm for Friday & Saturday, and 4-6pm & 10pm on Sunday.

Secondly, I've attached a quick diagram I made of the event center below. As Mr. Petersen stated, the road was chip and sealed up to the current event center's entrance (21107 Donahoo Road), but it does end and become gravel again after that (approx. Red circle below). The new event center site (orange square below) has a driveway currently that connects to Donahoo road (orange line below, 21325 Donahoo Road). There is an internal dirt road that connects the two event centers to the original event center's driveway (green). Mr. Petersen is planning on having guests use the Western entrance to the property (21325 Donahoo Road) to access the new event center when necessary. Let me know if any of this was unclear or if you need any more information.

Thanks,
Jared



From: Mitch Pleak <mpleak@olsson.com>
Sent: Tuesday, December 15, 2020 4:12 PM
To: Clements, Jared <JClements@leavenworthcounty.gov>
Cc: Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Voth, Krystal <KVoth@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 019-2831 <019-2831@olsson.com>
Subject: RE: DEV-20-128 SUP Deer Ridge Event Center

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Jared,

I could not find any information regarding if Olsson had conducted a review of the application in September 2019 (+/-) time frame. Olsson was just hired at the August 2019 point.

It appears there is still information missing on the proposed and current traffic generated for the application. The traffic generation data needed should include estimated traffic per date, time, and type. I think our review is on hold until we get this data.

Please let me know of anything I'm missing anything here.

Sincerely,

Mitch Pleak, PE
Project Engineer / Civil

D 913.748.2503

7301 W. 133rd Street, Suite 200
Overland Park, KS 66213
O 913.381.1170



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From: Clements, Jared
Sent: Tuesday, December 15, 2020 1:41 PM
To: Mitch Pleak
Cc: Anderson, Kyle ; Anderson, Lauren ; Voth, Krystal ; Noll, Bill
Subject: RE: DEV-20-128 SUP Deer Ridge Event Center

Hi Mitch,

I spoke with Mr. Peterson on Friday concerning the capacity of his event center, and he confirmed that he intends to double it (from 250 attendees and 125 vehicles to 500 attendees and 250 vehicles). From what we have on file there were complaints from the neighbors in 2019 about dust. This led to an official review of the SUP conditions before the BOCC (DEV-19-100). The BOCC urged the applicant to come to an agreement with those who complained concerning a dust abatement program. According to the applicant they decided to skip the dust abatement program and instead worked with Public Works and paid to have the road paved.

Lauren, are you familiar with this case? (Originally DEV-16-19)

Thanks,
Jared

From: Mitch Pleak <mpleak@olsson.com>
Sent: Thursday, November 5, 2020 2:34 PM
To: Clements, Jared <JClements@leavenworthcounty.gov>
Cc: Voth, Krystal <KVoth@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Noll, Bill <BNoll@leavenworthcounty.gov>; 019-2831 <[019-2831@olsson.com](tel:019-2831)>
Subject: FW: DEV-20-128 SUP Deer Ridge Event Center

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Jared,

See Comments below.

1. The 6,000 SF increase is less than a 10% increase impervious area. Per 5602.2, Section H (3), Remodeling, repair, replacement, and improvements to any existing structure or facility and appetences that does not cause an increased area of impervious surface on the site in excess of 10 percent of that previously existing is excluded. No drainage improvements or drainage report is required.
2. Provide current traffic generated by the existing SUP. Include type of vehicles. Include traffic generation per day and time. Please provide the anticipated traffic generated in the new SUP per the parameters mentioned in the first sentence.

3. Sanitary sewer improvements shall meet the requirements of Leavenworth County Standards.
4. Dependent on the information provided a TIS or pavement evaluation maybe needed.

Jared - Has there been any official complaints from the neighbors?

Thanks,

Mitch Pleak, PE
Project Engineer / Civil

D 913.748.2503

7301 W. 133rd Street, Suite 200
Overland Park, KS 66213

O 913.381.1170



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From: Clements, Jared <JClements@leavenworthcounty.gov>

Sent: Thursday, October 29, 2020 12:23 PM

To: Magaha, Chuck <CMagaha@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Thorne, Eric <ethorne@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Mitch Pleak <mpleak@olsson.com>; Noll, Bill <BNoll@leavenworthcounty.gov>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; Amanda.holloway@freestate.coop; lvrwd9@gmail.com; 'chief1860@ttrfd.com' <chief1860@ttrfd.com>

Subject: DEV-20-128 SUP Deer Ridge Event Center

The Department of Planning and Zoning has received an application for a Special Use Permit renewal regarding Deer Ridge Event Center, which proposes an additional 6,000 square foot building. This building would include 3-4 sleeping rooms.

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 November 5, 2020

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

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

From: [Amanda Tarwater](#)
Sent: Thursday, October 29, 2020 1:10 PM
To: [Clements, Jared](#)
Subject: Re: DEV-20-128 SUP Deer Ridge Event Center

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FreeState Electric has no objection to this request.

Thank you,

Amanda Tarwater
Member Account Coordinator



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

From: "Clements, Jared"
Date: Thursday, October 29, 2020 at 12:23 PM
To: "Magaha, Chuck" , "Van Parys, David" , "Thorne, Eric" , "Miller, Jamie" , "Anderson, Lauren" , "mpleak@olsson.com" , "Noll, Bill" , "Anderson, Kyle" , Amanda Tarwater , "lvrwd9@gmail.com" , "chief1860@ttrfd.com"
Subject: DEV-20-128 SUP Deer Ridge Event Center

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The Department of Planning and Zoning has received an application for a Special Use Permit renewal regarding Deer Ridge Event Center, which proposes an additional 6,000 square foot building. This building would include 3-4 sleeping rooms.

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 November 5, 2020

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

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212

MEMO

To: Krystal Voth
From: Chuck Magaha
Subject: Peterson Event Center
Date: January 6, 2021

Krystal, thank you for the opportunity in review the recent special use permit submitted by Peterson Family for an additional building to add to their current special use permit. The suggestion I have would be the requirement of a contingent plan for the applicant in all hazard planning pertaining to their facility. The center would be responsible to provide safe shelter in the event of dangerous weather or other emergencies especially the ones that maybe sleeping on overnight venues. The applicant needs to consider fire protection, IE. Escape routes posted, notification procedures and emergency contacts to be posted throughout the facilities. The applicant needs to be able to address the public during severe weather, sheltering in the event of tornados or high winds. An all hazard weather radio needs to be placed in the facility and monitored for impending alerts that may affect the area. Smoke detectors placed throughout the gathering points of the center and sleeping quarters. A sign posted on the outside of the facility of emergency contacts for emergency responders to make contact if the applicant is not present during the emergency. I have no further comments to make at this time.

From: [Timothy Smith](#)
Sent: Tuesday, November 3, 2020 11:01 AM
To: [Clements, Jared](#)
Cc: [Magaha, Chuck](#); [Van Parys, David](#); [Thorne, Eric](#); [Miller, Jamie](#); [Anderson, Lauren](#); mpleak@olsson.com; [Noll, Bill](#); [Anderson, Kyle](#); Amanda.holloway@freestate.coop; lvrwd9@gmail.com
Subject: Re: DEV-20-128 SUP Deer Ridge Event Center

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Jared,

The Tonganoxie Township Fire Department approves these plans with the following stipulations.

1. All buildings constructed must meet International Building Codes for commercial use. This is to include sprinkler systems and Fire Department connections on the exterior of the building(s).
2. Access to the Dry Hydrant previously installed in the pond located on site must be made from the new building(s). and maintained to allow for year round access to it.

Having businesses of this nature is vital to the economy but we must be diligent in our concerns for Life Safety of the patrons who will use the facilities.

Thank you,

On Thu, Oct 29, 2020 at 12:22 PM Clements, Jared <JClements@leavenworthcounty.gov> wrote:

The Department of Planning and Zoning has received an application for a Special Use Permit renewal regarding Deer Ridge Event Center, which proposes an additional 6,000 square foot building. This bulding would include 3-4 sleeping rooms.

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 November 5, 2020

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

Thank you,

From: [Rural Water District 9 lvrwd9](#)
Sent: Thursday, October 29, 2020 2:33 PM
To: [Clements, Jared](#)
Subject: Re: DEV-20-128 SUP Deer Ridge Event Center

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We can provide water. Customer will have to purchase another water meter in order to provide water to the new facility.

On Thu, Oct 29, 2020 at 12:23 PM Clements, Jared <JClements@leavenworthcounty.gov> wrote:

The Department of Planning and Zoning has received an application for a Special Use Permit renewal regarding Deer Ridge Event Center, which proposes an additional 6,000 square foot building. This building would include 3-4 sleeping rooms.

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 November 5, 2020

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

Thank you,

Jared Clements

Planner II

Leavenworth County Planning and Zoning

300 Walnut St. Ste. 212

Leavenworth, KS 66048

(913)684-0465

--

Thanks,



From: [Amanda Tarwater](#)
Sent: Thursday, October 29, 2020 1:10 PM
To: [Clements, Jared](#)
Subject: Re: DEV-20-128 SUP Deer Ridge Event Center

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FreeState Electric has no objection to this request.

Thank you,

Amanda Tarwater
Member Account Coordinator



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

From: "Clements, Jared"
Date: Thursday, October 29, 2020 at 12:23 PM
To: "Magaha, Chuck" , "Van Parys, David" , "Thorne, Eric" , "Miller, Jamie" , "Anderson, Lauren" , "mpleak@olsson.com" , "Noll, Bill" , "Anderson, Kyle" , Amanda Tarwater , "lvrwd9@gmail.com" , "chief1860@ttrfd.com"
Subject: DEV-20-128 SUP Deer Ridge Event Center

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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 November 5, 2020

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

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212

*****Renewal without changes*****
Case No. DEV-20-142
M&M Concrete
Special Use Permit – Contractor’s yard
Public Hearing Required

Staff Report – Planning Commission

January 13, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Michael & Donna Lansing
20437 Seven Sisters Road
Leavenworth, Kansas 66048

Legal Description: A tract of land in the West half of the East half of the Northeast Quarter of Section 15 Township 8 South, Range 21 East of the 6th P.M, in Leavenworth County, Kansas.

Parcel Size: ± 36 acres

Zoning/Land Use: RR-2.5, Rural Residential 2.5-acre minimum size parcels

Comprehensive Plan: This parcel is within the RR-2.5 land use category.

Parcel ID No.: 065-15-0-00-00-00-002.00

Planner: Jared Clements

REPORT:

Request

The applicant is requesting a Special Use Permit for a Contractor’s Yard for a concrete business.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0125G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Kickapoo
Water: RWD 12
Electric: Evergy

Access/Streets

The property is accessed by Seven Sisters Road, a County road with a paved surface ± 22’ wide.

Agency Comments

See attached comments – Email – Kyle Anderson – Planning and Zoning, December 14, 2020
See attached comments – Email – Mitch Pleak – Olsson Engineering, December 10, 2020
See attached comments – Email – David Van Parys – County Counselor, December 8, 2020
See attached comments – Email – Denise Eggers – Rural Water District 12, December 8, 2020
See attached comments – Email – Evergy – Jon Hain, December 8, 2020

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Special Use Permit request:

1. Character of the neighborhood: The character of the neighborhood is rural; primarily rural residences, and agricultural uses.

2. Zoning and uses of nearby property: The surrounding properties are zoned RR-2.5, Rural Residential 2.5-acre minimum size parcels. The uses are rural residences and agricultural. Pleasant Ridge High School and Elementary School, which is zoned RR-5, Rural Residential 5-acre minimum, are located to the west of the property. Fink Farm subdivision is located to the north of the property.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suited for rural residences and agricultural use. A contractor's yard is allowed in this zoning district with approval of a Special Use Permit.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected. This property will be used for the storage of vehicles and equipment while the construction work will take place off-site on customers' properties. Customers do not come to the property for services. Therefore, additional traffic and noise in the area should be limited.
5. Length of time the property has been vacant as zoned: The property is not vacant.
6. Relative gain to economic development, public health, safety and welfare: The proposed use will provide income for the applicant and a service to the community.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area is suited for agricultural and residential uses.
8. Staff recommendation is for the approval of Special Use Permit with conditions.

History

This special use permit was first approved in 2015 for five years with conditions.

Staff Comments

The applicant is requesting a Special Use Permit renewal for the operation of M & M Concrete, LLC, a concrete flatwork construction company at this property. The property is also a working farm that includes other equipment and vehicles not related to this business.

This is a seasonal business and primarily takes place between April and December. This property is used to store the business truck, trailer, equipment, and materials during off hours and in the off season. It is also used for employee parking during work hours. Customers do not come to the property for services as the construction work takes place on the customers' properties.

The business currently has eight (8) employees in total. The applicant indicates that they employ an average of 3 employees and one part-time employee at any time.

LOCATION	
Adjacent Residences	Adjacent residences are rural-suburban uses.
Adjacent Zoning/Uses	Zoning in the area is RR-2.5 and are used primarily as rural residences and agricultural uses.
Density	The area is not densely populated.
Nearby City Limits	The city of Easton is approximately one mile to the west of the property.
Urban Growth Management Area	The property is not located in an Urban Growth Management Area

IMPACT	
Noise Pollution	This use will not cause prolonged noise pollution. The primary use of the property is a working farm. The noise generated from the SUP is minimal.
Lighting	The applicant does not have lighting other than security lighting and is not requesting lighting.
Outdoor Storage	The applicant stores forms, supplies, lumber, 3 trucks, and 2 trailers outside, all of which are not visible from the roadway.
Parking	The applicant has ample parking space for employees.
Visitors/Employees	Typically, four (4) employees report to the site each day of the work week. During certain times of year there may be up to eight employees reporting to the site. Customers do not come to the site on a regular basis.
Waste	The business does not generate waste on-site

SITE COMPATABILITY	
Size of Parcel	The parcel is 36 acres in size.
Zoning of Parcel	The parcel is zoned Rural Residential-2.5
Buildings	The applicant has two out buildings and a home on the property.
Setbacks	Existing building meet the required setbacks.
Screening	The layout of the property provides some degree of screening.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-20-142, Special Use Permit for M&M Concrete, a Contractor's Yard, with the following conditions:

1. The SUP shall be limited to a period of ten (10) years.
2. The business shall be limited to the hours of 5:30 am to 7 pm, Monday through Saturday.
3. The SUP shall be limited to eight (8) employees other than the family members.
4. No construction debris shall be stored or disposed of on-site, unless a separate Special Use Permit is obtained.
5. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
6. No signage is allowed in the right-of-way. No signage is requested with the SUP. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
7. No on-street parking shall be allowed.
8. This SUP shall be limited to the Narrative dated November 20, 2020 submitted with this application.
9. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable. After approval of this SUP by the Board of County Commission all conditions listed shall be adhered to and copies shall be provided to the Planning and Zoning Department within 30 days.

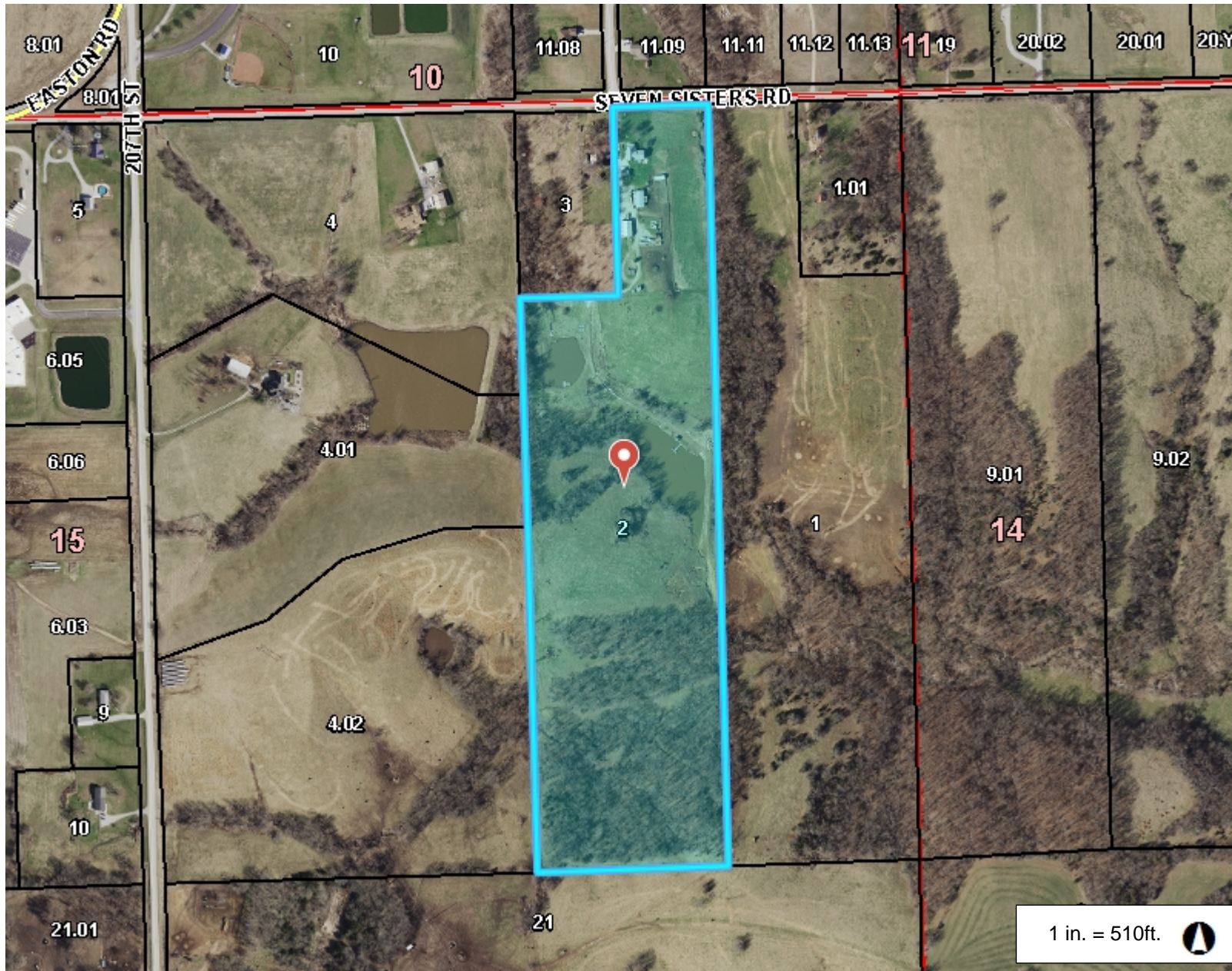
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-20-142, Special Use Permit for M & M Concrete, a Contractor's Yard, to the Board of County Commission, with Findings of Fact, and with or without conditions; or
2. Recommend denial of Case No. DEV-20-142, Special Use Permit for M & M Concrete, a Contractor's Yard, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:


Narrative
Location/Aerial Maps
Memorandums

Leavenworth County, KS



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary

1 in. = 510ft. 

1,019.8 0 509.91 1,019.8 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

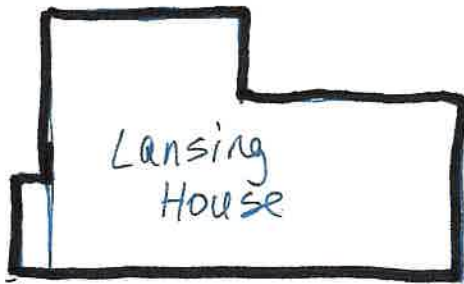
Notes

2020

Michael + Donna
Lansing
20437 seven Sisters Rd
Leavenworth, KS

Special Use for Permit
M+M Concrete, LLC

Property Line / Fence



Lansing House

Residence parking

yard



Residence parking



Farm fuel



Farm Diesel



Livestock Barn + Farm Supplies



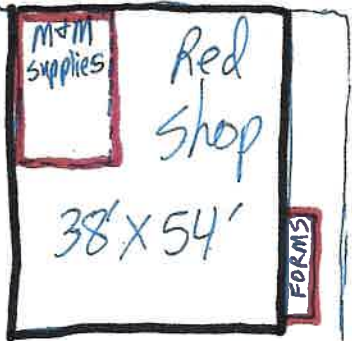
pasture

pasture

pasture

Pasture

Property Line / Fence



M+M supplies

Red Shop

38' x 54'

FORMS



Employee parking



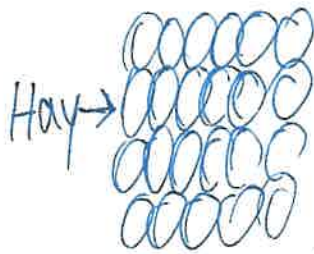
Tractor



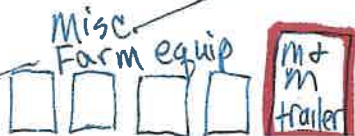
FORM Lumber



Fire wood



Hay



Misc Farm equip

M+M trailer



● - M+M use
● - Residence + Farm Use

Property line

M & M Concrete, LLC.

Mick & Donna Lansing

20437 Seven Sisters Rd.

Leavenworth, KS 66048

Mobile: 913-208-2021

Office: 913-682-7736

Michael & Donna Lansing have been business owners for over 28 years in Leavenworth County and property owner of 20437 Seven Sisters Rd, Leavenworth for over 20 years. We are applying to renew the Special Use Permit which expires on Dec. 3, 2020 for operation of our business, M & M Concrete, LLC at our home. We are requesting a 10 year permit renewal.

Our property is a 36 acre working farm with livestock, farm vehicles, trailers, machinery, tractors and supplies delivered, stored and used on the property daily.

We are a concrete flatwork construction company. We go to our customer's property to perform our services. We store forms, lumber, job supplies, 3 trucks (all 1 ton or smaller) and 2 flatbed bumper pull trailers on this property during off hours and off season. Essentially we are a "contractors yard". On site noise is very minimal from this business activity. Again, this is still a working farm and there are many sounds and smells that come with that.

M & M Concrete, LLC does not have any on site or roadway signs advertising the business. There are two dusk-to-dawn halogen lights affixed to two separate outbuildings which have been in place for the 20 years that we have owned this property. There are also security cameras at various locations on the property. No new lights or signs are proposed to be installed.

Our work week varies according to the weather. In the spring, summer and fall we may have weeks that we work 6 days a week from sunrise to 7pm. Usually our employees work day is 5:30am until 7pm and not all employees work that entire time frame. But this can vary greatly due to inclement weather. In the winter we work when weather conditions are conducive.

In the year 2020 we had a total of 8 different employees. The most employees working at the same time on any one day was 4 plus Michael. We average 3 full time employees and 1 part time employee. But as stated above, many times our work week is short due to weather conditions. The employees have ample off street parking at least 60' from the nearest property line. The employee parking area is not visible from the street. Our property is fenced on the property lines to keep all our employees and vehicles on our own property.

Since we are a working farm, we do have a 500 gallon gasoline storage tank and a 500 gallon diesel storage tank. These tanks are noted on the "site plan" submitted with our SUP application. These tanks are needed on site regardless of the issuance of the SUP.

Deliveries of supplies for M & M Concrete, LLC such as lumber and rebar occur less than once a month. All business supplies and hand tools are stored inside an outbuilding with the exception of forms, lumber and rebar which are stacked out of the public/roadway view.

Daily vehicle inspections are performed on site for every vehicle. Maintenance of vehicles is performed by a professional mechanic in Leavenworth and machinery is serviced in Tracy, MO. Therefore, there is no hazardous waste on site.

M & M Concrete, LLC is an interstate motor carrier with a satisfactory safety rating with Kansas Corporation Commission and is registered with the US DOT. We are subject to all DOT safety aspects and inspections. Employee drivers are required to have a valid medical card, valid driver's license and a safe/clean driving record which is verified annually through the Division of Motor Vehicles.

We are a small company with a very good reputation. All of our work comes from referrals. We do not have a website and we do not advertise as we have never needed to. We have made many donations and sponsorships with local schools, LV CO sheriff's softball team, Easton Lions Club, local 4-H clubs and supported youth in the 4-H livestock auction.

We take pride in our neighborhood and have assisted many neighbors with our services and equipment without any compensation. In the winter, neighbors appreciate the free snow plowing of their driveways. We believe in being a good neighbor. Our reward is the great support and referrals from our community.



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

To: Krystal Voth
Director

From: Kyle Anderson
Environmental Tech/Code Enforcement

Date: December 14, 2020

RE: Michael & Donna Lansing
M&M Concrete, LLC.
Case DEV-20-142, Special Use Permit Renewal
20437 Seven Sisters Road
Leavenworth, KS 66048
PID# 065-15-0-00-00-002.00

Our department received the renewal application for a Special Use Permit for a Contractor's Laydown Yard on 11/17/2020, located at the above listed location. To date I have not received any complaints on this parcel.

Thank you,

Kyle Anderson
kanderson@leavenworthcounty.gov

From: [Jon Hain](#)
Sent: Tuesday, December 8, 2020 8:04 AM
To: [Clements, Jared](#)
Subject: FW: SUP Renewal Review - DEV-20-142 M&M Concrete
Attachments: 2020.11.20 Application DEV-20-142.pdf

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

Internal Use Only

Jared,

Evergy has no objection or concern with the business renewal attached.

Thank you

Jon Hain
Evergy
Design Technician
jon.hain@evergy.com
(913) 758-2724

From: Clements, Jared <JClements@leavenworthcounty.gov>
Sent: Monday, December 7, 2020 4:46 PM
To: Magaha, Chuck <CMagaha@leavenworthcounty.gov>; Van Parys, David <DVanParys@leavenworthcounty.gov>; Thorne, Eric <ethorne@leavenworthcounty.gov>; Miller, Jamie <JMiller@leavenworthcounty.gov>; Anderson, Lauren <LAnderson@leavenworthcounty.gov>; Anderson, Kyle <KAnderson@leavenworthcounty.gov>; 'mpleak@olsson.com' <mpleak@olsson.com>; Tyler Rebel <Tyler.Rebel@evergy.com>; 'butchbollin@yahoo.com' <butchbollin@yahoo.com>; 'water12@embarqmail.com' <water12@embarqmail.com>
Subject: SUP Renewal Review - DEV-20-142 M&M Concrete

****CAUTION: This email originated from outside of the Evergy network. Do not click links or open attachments unless you recognize the sender and know the content is safe****

The Department of Planning and Zoning has received an application for a renewal of a Special Use Permit for a contractor's yard.

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 Monday, December 14, 2020.

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

Thank you,

Jared Clements

From: [Mitch Pleak](#)
Sent: Thursday, December 10, 2020 2:07 PM
To: [Clements, Jared](#)
Cc: [Anderson, Lauren](#); [Noll, Bill](#); [019-2831](#)
Subject: RE: SUP Renewal Review - DEV-20-142 M&M Concrete

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.

Jared,
This is a renewal. Vehicles include 3 trucks (1 ton or smaller) and 2 flatbed bumper pull trailers. Impacts are minimal. No comments.

Thanks,

Mitch Pleak

From: Clements, Jared
Sent: Monday, December 7, 2020 4:46 PM
To: Magaha, Chuck ; Van Parys, David ; Thorne, Eric ; Miller, Jamie ; Anderson, Lauren ; Anderson, Kyle ; Mitch Pleak ; 'Tyler Lee Rebel' ; 'butchbollin@yahoo.com' ; 'water12@embarqmail.com'
Subject: SUP Renewal Review - DEV-20-142 M&M Concrete

The Department of Planning and Zoning has received an application for a renewal of a Special Use Permit for a contractor's yard.

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 Monday, December 14, 2020.

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

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

From: [RURAL WATER DIST](#)
Sent: Tuesday, December 8, 2020 3:08 PM
To: [Clements, Jared](#)
Subject: Re: SUP Renewal Review - DEV-20-142 M&M Concrete

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.

Jefferson County RWD #12 has no comments on this SUP.
Thank you,
Denise Eggers

From: "Jared Clements"
To: "Magaha, Chuck" , "Van Parys, David" , "Thorne, Eric" , "Miller, Jamie" , "Anderson, Lauren" , "kanderson" , "mpleak@olsson.com" , "Tyler Lee Rebel" , "Butch Bollin" , "water12"
Sent: Monday, December 7, 2020 4:45:56 PM
Subject: SUP Renewal Review - DEV-20-142 M&M Concrete

The Department of Planning and Zoning has received an application for a renewal of a Special Use Permit for a contractor's yard.

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 Monday, December 14, 2020.

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

Thank you,
Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

--

Denise Eggers, Bookkeeper/Office Mgr.
Jefferson County RWD #12
216 Winchester St.
Winchester, KS 66097
(913)774-2872 phone
(913)774-2875 fax
Email water12@embarqmail.com

From: [Van Parys, David](#)
Sent: Tuesday, December 8, 2020 8:16 AM
To: [Clements, Jared](#)
Subject: RE: SUP Renewal Review - DEV-20-142 M&M Concrete

Jared, There are no legal objections to the renewal. Appears to be a well conducted special use business.

From: Clements, Jared
Sent: Monday, December 7, 2020 4:46 PM
To: Magaha, Chuck ; Van Parys, David ; Thorne, Eric ; Miller, Jamie ; Anderson, Lauren ; Anderson, Kyle ; 'mpleak@olsson.com' ; 'Tyler Lee Rebel' ; 'butchbollin@yahoo.com' ; 'water12@embarqmail.com'
Subject: SUP Renewal Review - DEV-20-142 M&M Concrete

The Department of Planning and Zoning has received an application for a renewal of a Special Use Permit for a contractor's yard.

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 Monday, December 14, 2020.

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

Thank you,

Jared Clements
Planner II
Leavenworth County Planning and Zoning
300 Walnut St. Ste. 212
Leavenworth, KS 66048
(913)684-0465

Case No. DEV-20-132
Rezoning from RR-5 to RR-2.5
*****Public Hearing Required*****

Staff Report – Planning Commission

January 13, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Jack & Estee Willis
410 Smiley Road
Tonganoxie, KS 66086

Legal Description: Lot 1 of Cain Estates located in Section 14, Township 11, Range 20E in Leavenworth County, Kansas.

Location: 24646 Conley Avenue, located at the intersection of 246th & Conley.

Parcel Size: ± 5.3 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Comprehensive Plan: This parcel is within the Rural Residential 2.5 land use category.

Parcel ID No.: 206-14-0-00-00-006.06

Planner: Krystal A. Voth

REPORT:

Request

The applicant is requesting to rezone a parcel of land from Rural Residential 5 to Rural Residential 2.5.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size. Rocking “C” Subdivision is to the west of the proposed rezoning.

Flood Plain

There are no Special Flood Hazard Areas, Zone X, on this parcel per FEMA Firm Map 20103C300G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Tonganoxie
Water: RWD 13
Electric: FreeState

Access/Streets

The property is accessed by Conley Avenue. This road is a County Local Road with a hard surface ± 30’ wide.

Agency Comments

See attached comments – Memo – Tim Smith–Township Fire Department, December 14, 2020

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Rezoning request:

1. Character of the neighborhood: The character of the neighborhood is rural; agricultural uses and rural residences.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The uses are rural residences and agricultural use. Rocking "C" Estates is located to the west of the parcel and is zoned as a PUD with 2.5 acre lots.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suitable for rural residential development.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected. Rezoning this parcel will allow the five-acre parcel to be divided in half resulting in the addition of one single family, rural home.
5. Length of time the property has been vacant as zoned: The property is not vacant.
6. Relative gain to economic development, public health, safety and welfare: The proposed use is in accordance with existing land uses in the area.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as Rural Residential 2.5
8. Staff recommendation is for the approval of the rezoning request.

Staff Comments

The applicants are requesting a rezoning of lot 1, Cain Estates. The request is to rezone the parcel from the Rural Residential 5 zoning district to the Rural Residential 2.5 zoning district. The request is in conformance to the Comprehensive Plan. Staff is supportive of the request.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-20-132, Rezoning from Rural Residential 5 to Rural Residential 2.5

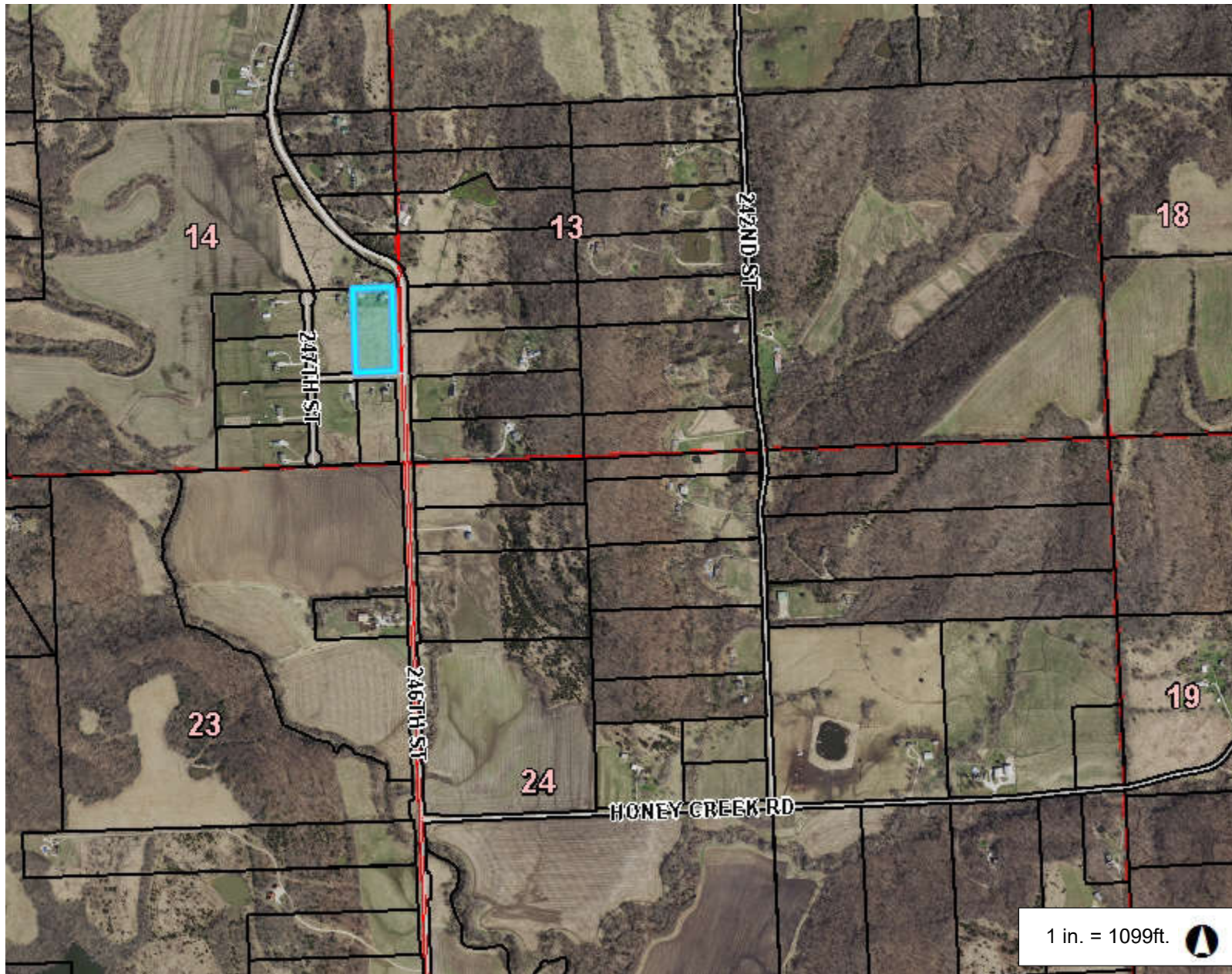
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-20-132, Rezoning from Rural Residential 5 to Rural Residential 2.5, to the Board of County Commission, with Findings of Fact, or
2. Recommend denial of Case No. DEV-20132, Rezoning from Rural Residential 5 to Rural Residential 2.5, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Narrative
Location/Aerial Maps
Memorandums

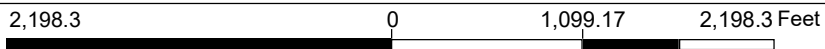
Rezoning Request - Lot 1, Cain Estates



Legend

- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
 - Section Boundaries
 - County Boundary

1 in. = 1099ft.



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

Voth, Krystal

From: Timothy Smith <chief1860@ttrfd.com>
Sent: Monday, December 14, 2020 8:03 AM
To: Voth, Krystal
Subject: Re: Rezoning Request - Lot 1 Cain Estates

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.

Tonganoxie Township has no issues with this requested lot split.

On Fri, Dec 11, 2020 at 11:07 AM Voth, Krystal <KVoth@leavenworthcounty.gov> wrote:

Good morning.

Our office has received an application for a rezoning request for Lot 1 of Cain estates owned by Jack Willis. The current zoning is RR-5 (five acre minimum) and the request is to rezoning to RR-2.5. I can only assume the intention is to then split the property into two parcels. There is an existing home on the property with an access point off of Conley. Your written input/comments on this request are greatly appreciated by Friday, December 18. If you have any questions, please let me know. Thanks and have a great weekend.

Respectfully,

Krystal A. Voth, CFM

Director

Planning & Zoning

Leavenworth County

913.684.0461

--

Tim Smith, Chief
Tonganoxie Township Rural Fire Department
President Kansas State Association Fire Chiefs

18993 McLouth Rd
Tonganoxie KS 66086

Phone: 913-845-3801

Fax: 913-845-3801

Cell: 816-392-2468

Failure to Prepare

Is

Preparing to Fail

LEAVENWORTH COUNTY DEVELOPMENT APPLICATION PERMIT

CASE NUMBER DEV-20-132

PERMIT SUB-TYPE REZONING

PID 206-14-0-00-00-006.06 PARCEL SIZE 5 AC ZONE RR-5
TWSP TONGANOXIE SCHOOL DIST 464 SDD NO
SUBDIVISION Cain Estates LOT NO 1 BLOCK NO
WATER DIST RWD 13 ELECTRIC FREESTATE SEWER DIST n/a
FLOOD PLAIN IN PARCEL NO FLOOD PLAIN ON BUILDING SITE NO
SITE ADDRESS 24646 Conley Ave
SITE CITY Tonganoxie SITE STATE KS SITE ZIP CODE 66086

LAST NAME Willis FIRST NAME Jack/Estee PHONE 913-369-3901
EMAIL
ADDRESS 410 Smiley Rd
CITY Tonganoxie STATE KS ZIP CODE 66086

CONSULTANT Joe Herring CONSULTANT PHONE 913-651-3858
CONSULTANT EMAIL herringsurveying@outlook.com

PROPOSED ZONING RR-2.5 SUP CATEGORY - USE
VARIANCE REGULATION CURRENT USE RESIDENTIAL ROAD n/a
COMP PLAN USE DESIGNATION UGMA

SUBDIVISION TYPE GROSS ACREAGE COVENANTS NO
MAXIMUM LOT SIZE MINIMUM LOT SIZE OPEN SPACE ACREAGE
LOTS TRACTS TOTAL PARCELS DENSITY

NOTES: Rezone from RR-5 to RR-2.5

STAFF STAFF ACTION [] PUBLIC HEARING AGENDA AREA
PC 1/13/2021 PC ACTION PENDING NOTICE PUB
BOCC BOCC ACTION RESOLUTION PUB
BZA BZA ACTION DURATION EXPIRATION

APPLICATION FEE \$300.00 TIF 0.00 BOND 0.00 TOTAL FEES \$300.00
CHECK NO 5355 [] CASH [] CC TIFF CHECK NO

STAFF APPROVAL DATE

APPLICANT DATE

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

Office Use Only	
PID: <u>206-14 006.06</u>	Date Received: <u>10/14/20 Paid</u> <u>cx 5350</u>
Township <u>Tonganoxie</u>	
Planning Commission Date: <u>Jan 13, 2021</u>	
Case No. <u>DEV-20-132</u>	Date Paid <u>10/14/20</u>
Zoning District <u>RR-5</u>	
Comprehensive Plan land use designation _____	

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Herring Surveying Company</u>	NAME <u>Jack & Estee Willis</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>410 Smiley Road</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Tonganoxie, KS 66086</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 Herring</u>	CONTACT PERSON <u>N/A</u>

PROPOSED USE INFORMATION
Proposed Land Use <u>Rural Residential 2.5 LOT 1 CAIN ESTATES</u>
Reason for Requesting Rezoning <u>To match newly approved Comp Plan</u>

PROPERTY INFORMATION
Address of Property <u>24646 Conley Avenue</u>
Parcel Size <u>5 Ac</u>
Current use of the property <u>Rural Residential</u>
Present Improvements or structures <u>Single Family Home</u>

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 Joseph A. Herring Date 11/02/2020

Digitally signed by: Joseph A. Herring
 DN: CN = Joseph A. Herring C = AD
 Date: 2020.11.02 10:47:10 -0500

ATTACHMENT A

FROM

TO

Entered in Transfer Record in my office, this day of 19

County Clerk.

STATE OF KANSAS

County, } ss.

This instrument was filed for record on the day of 19 at o'clock M., and duly recorded in Book of Deeds, at page

Register of Deeds.

By Deputy.

FEES.

Register of Deeds, for recording. \$

County Clerk, for transfer, \$

Total, \$

THIS DEED, Made this 4th day of October 2006, between

Jack L. Willis and Estee M. Willis, husband and wife

of Leavenworth County, in the State of Kansas as first party, and

Jack L. Willis and Estee M. Willis, husband and wife

of Leavenworth County, in the State of Kansas as joint tenants with the right of survivorship and not as tenants in common, as second parties,

WITNESSETH: In consideration of the sum of

No Consideration and 100 Dollars

the receipt of which is hereby acknowledged, first part hereby convey and warrant unto second parties, as joint tenants with the right of survivorship and not as tenants in common, all the following described real estate situated in the County of Leavenworth State of Kansas, to wit:

Lots 1 and 2 Block 1 CAIN ESTATES, Leavenworth County, Kansas

Entered in the transfer record in my office this 4th day of October 2006 by Linda A. Schies County Clerk

STATE OF KANSAS COUNTY OF LEAVENWORTH-SS FILED FOR RECORD

2006 OCT -4 P 2:31

STACY R. DRISCOLL REGISTER OF DEEDS

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever, as joint tenants, the survivor to take the whole estate.

First party, for themselves, their heirs, executors and administrators do hereby covenant, promise and agree to and with second parties that at the delivery of these presents they are lawfully seized in own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above described premises together with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, estates, taxes, assessments and incumbrances of what nature or kind soever, except;

and that they will WARRANT AND FOREVER DEFEND the same unto second parties, as joint tenants with the right of survivorship and not as tenants in common, and the heirs and assigns of the survivor of them, against first party, heirs, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, first party do hereunto set their hand, the day and year first above written.

Jack L. Willis

Estee M. Willis

STATE OF Kansas, Leavenworth COUNTY, ss. BE IT REMEMBERED, That on this 4th day of October 2006, undersigned, a Notary Public in and for the County and State aforesaid, came

Jack L. Willis and Estee M. Willis, husband and wife who are personally known to me to be the same person who executed the foregoing deed, and duly acknowledged the execution of the same.

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

My appointment expires (Seal) BK 0995 PG 1467

STACY R. DRISCOLL Notary Public - State of Kansas My Appt. Expires 12-2-06

Stacy R. Driscoll Notary Public

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

We/I JACK Willis and ESTEE Willis

Being dully sworn, dispose and say that we/I are the owner(s) of said property located at -
24646 Cowley Ave, 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 29 day of Oct, 2020

JACK Willis ESTEE Willis 410 Smiley Rd Topeka KS 66686
Print Name, Address, Telephone 913 369 7867

JACK Willis ESTEE M Willis
Signature

STATE OF KANSAS)
) SS
COUNTY OF LEAVENWORTH)

Be it remember that on this 29 day of October 2020 before me, a notary public in and for said County and State came JACK Willis & ESTEE Willis 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.

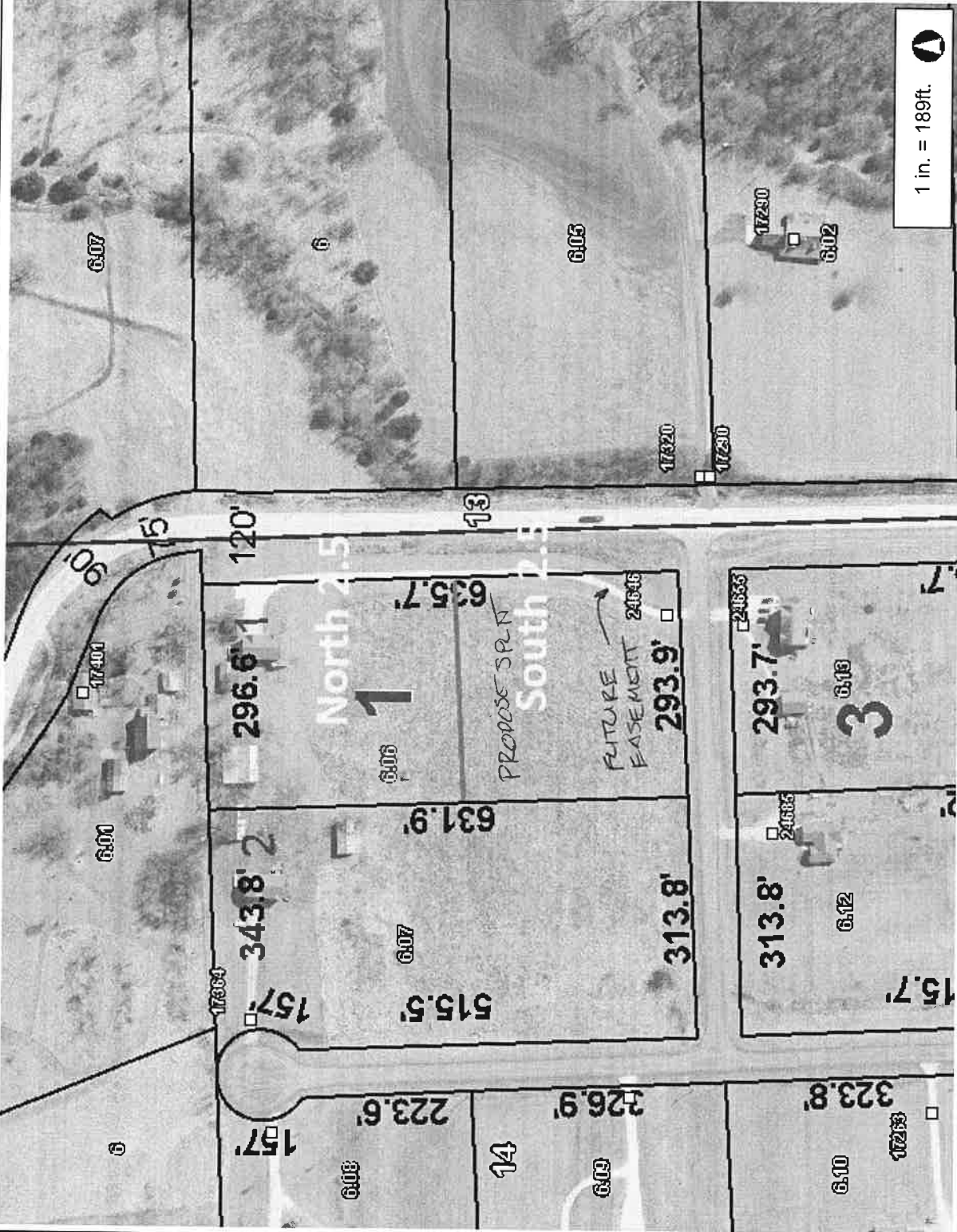
NOTARY PUBLIC Jessie Hampton

My Commission Expires: 03/26/23

(seal)



Leavenworth County, KS

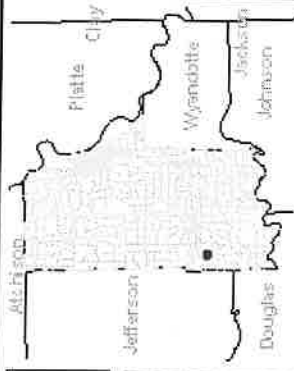


1 in. = 189ft.



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Section Corner
- Section
- Section Boundaries
- County Boundary



Notes

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

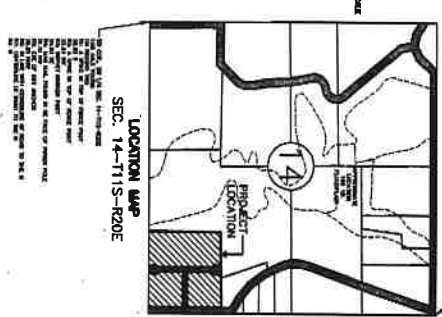
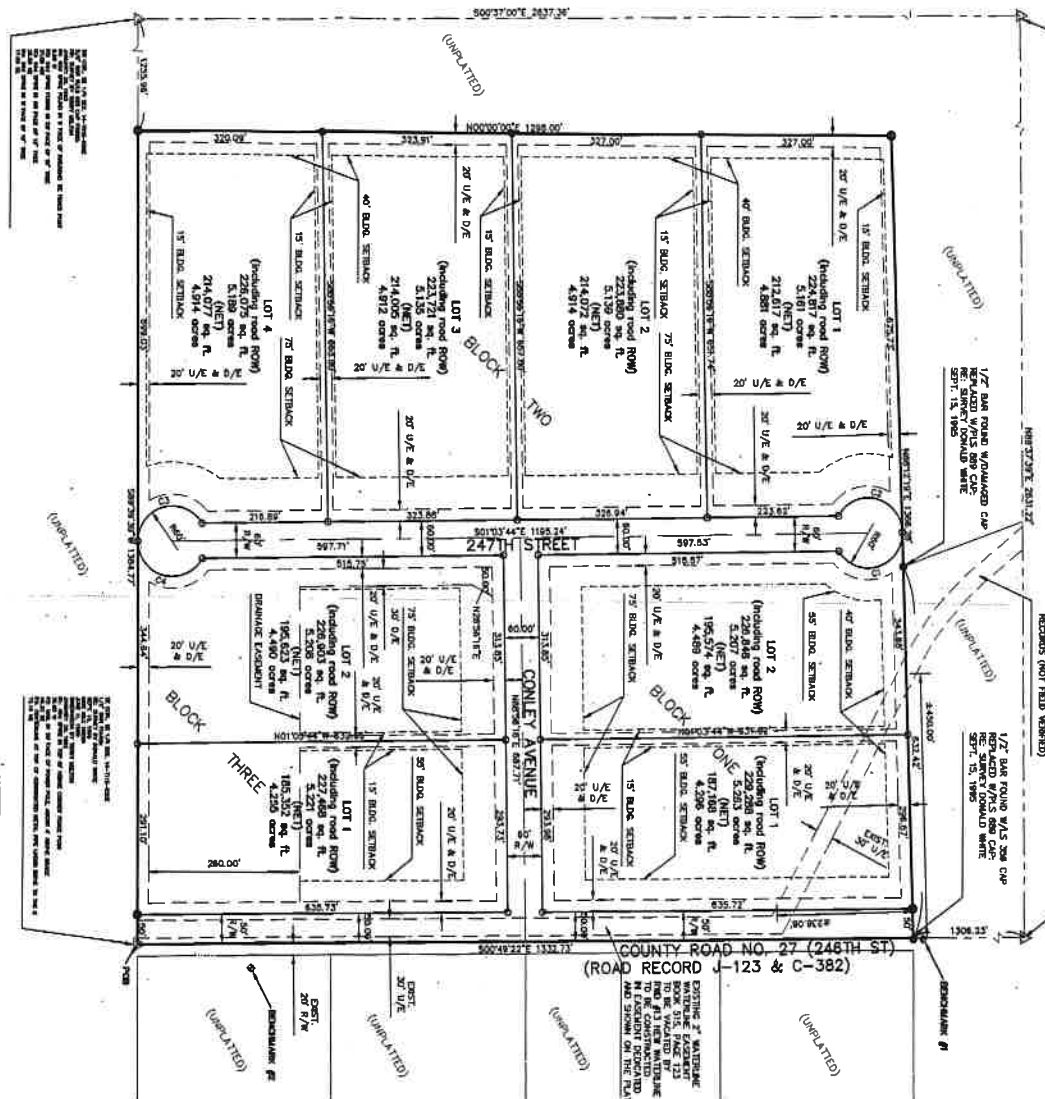
THIS PLAN IS A SUBDIVISION OF LAND IN LEVENWORTH COUNTY, KANSAS, AND IS SUBJECT TO THE PROVISIONS OF THE KANSAS SUBDIVISION ACT, AS AMENDED.

SECTION 14-111S-R20E

21/10/2019 P. 214/9

21/10/2019 P. 214/9

21/10/2019 P. 214/9



SYMBOL	DESCRIPTION
(Symbol)	EXISTING ROAD ROW
(Symbol)	PROPOSED ROAD ROW
(Symbol)	EXISTING EASEMENT
(Symbol)	PROPOSED EASEMENT
(Symbol)	EXISTING SETBACK
(Symbol)	PROPOSED SETBACK

LEGEND

N/E NORTH OF NEW

D/E DRAINAGE EASEMENT

P/E POINT OF BEGINNING

CONVENTION

○ SET 1/2" BAY WITH CUR (P/S AND) BOUNDED IN CONCRETE

○ ROAD 1/2" BAY W/C/P AS DESCRIBED HEREIN

△ ROAD SECTION CORNER DESCRIBED HEREIN IN RECORD LOCATION, (P/S LEVENWORTH COUNTY TRS)

○ 1/2" X 3/4" ONE BAY (P/S AND) TO BE SET WITHIN 12 MONTHS OF RECORDATION OF THIS PLAT TO ALLOW FOR COMPLETION OF PUBLIC IMPROVEMENTS

REMARKS

1. THIS PLAN IS A SUBDIVISION OF LAND IN LEVENWORTH COUNTY, KANSAS, AND IS SUBJECT TO THE PROVISIONS OF THE KANSAS SUBDIVISION ACT, AS AMENDED.

2. THE LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY APPROVE THE RECORDING OF THIS PLAT AND THE CONSTRUCTION OF THE ROAD ROW AND EASEMENTS SHOWN ON THIS PLAT.

3. THE LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY APPROVE THE RECORDING OF THIS PLAT AND THE CONSTRUCTION OF THE ROAD ROW AND EASEMENTS SHOWN ON THIS PLAT.



CERTIFICATION

I, **LENNOR E. GIBSON**, Surveyor General for the State of Kansas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor General for the State of Kansas.

LENNOR E. GIBSON
SURVEYOR GENERAL

COUNTY SUPERVISOR CERTIFICATION

I, **LENNOR E. GIBSON**, County Supervisor for Leavenworth County, Kansas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor General for the State of Kansas.

LENNOR E. GIBSON
COUNTY SUPERVISOR

NOTES

1. THIS PLAN IS A SUBDIVISION OF LAND IN LEVENWORTH COUNTY, KANSAS, AND IS SUBJECT TO THE PROVISIONS OF THE KANSAS SUBDIVISION ACT, AS AMENDED.

2. THE LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY APPROVE THE RECORDING OF THIS PLAT AND THE CONSTRUCTION OF THE ROAD ROW AND EASEMENTS SHOWN ON THIS PLAT.

3. THE LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY APPROVE THE RECORDING OF THIS PLAT AND THE CONSTRUCTION OF THE ROAD ROW AND EASEMENTS SHOWN ON THIS PLAT.

RESTRICTIONS

1. THIS PLAN IS A SUBDIVISION OF LAND IN LEVENWORTH COUNTY, KANSAS, AND IS SUBJECT TO THE PROVISIONS OF THE KANSAS SUBDIVISION ACT, AS AMENDED.

2. THE LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY APPROVE THE RECORDING OF THIS PLAT AND THE CONSTRUCTION OF THE ROAD ROW AND EASEMENTS SHOWN ON THIS PLAT.

3. THE LEVENWORTH COUNTY PLANNING BOARD, DO HEREBY APPROVE THE RECORDING OF THIS PLAT AND THE CONSTRUCTION OF THE ROAD ROW AND EASEMENTS SHOWN ON THIS PLAT.

A FINAL PLAT OF CAN ESTATES

A SUBDIVISION IN LEVENWORTH COUNTY, KANSAS
SEC. 14-111S-R20E

APPROVAL

I, **LENNOR E. GIBSON**, Surveyor General for the State of Kansas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor General for the State of Kansas.

LENNOR E. GIBSON
SURVEYOR GENERAL

ACKNOWLEDGMENT

I, **LENNOR E. GIBSON**, Surveyor General for the State of Kansas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor General for the State of Kansas.

LENNOR E. GIBSON
SURVEYOR GENERAL

CERTIFICATION AND DEPOSITION

I, **LENNOR E. GIBSON**, Surveyor General for the State of Kansas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor General for the State of Kansas.

LENNOR E. GIBSON
SURVEYOR GENERAL

TESTIMONY WHEREOF:

I, **LENNOR E. GIBSON**, Surveyor General for the State of Kansas, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified Surveyor General for the State of Kansas.

LENNOR E. GIBSON
SURVEYOR GENERAL

LEGAL DESCRIPTION

SECTION 14-111S-R20E

21/10/2019 P. 214/9

Voth, Krystal

From: Scott Almsberger <scottdavidalmsberger@gmail.com>
Sent: Friday, January 1, 2021 6:13 PM
To: PZ
Subject: DEV-20-132

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.

Dear Leavenworth County Planning Department,

We request a NO vote on rezoning 24646 Conley Ave. When I purchased my property across the street all parcels had to be 10 acres. Then the rules were changed to 5 acres. I can't agree to another change resulting in more homes on smaller lots. This would be a very odd rezoning that makes no sense. 5 acre lots in this area are the smallest while most are 10 or more acre lots. Adding more homes to this area would reduce the property values and impact wildlife.

Respectfully,
Scott D. Almsberger
17320 246th St.
Tonganoxie, KS 66086

Voth, Krystal

From: Janna Fackrell <jannafackrell@gmail.com>
Sent: Thursday, December 31, 2020 10:16 AM
To: PZ
Subject: DEV-20-132

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.

To Members of the Board,

We would like to respectfully request a 'No' vote for this rezoning request.

They are all 5 acre or greater lots currently, decreasing the size will allow many more houses and families to move in. We moved to the country for the quiet and our neighbors feel the same way. We would also like to protect our view of minimal houses and the wildlife currently in the area.

The land and surrounding areas is also in a flood zone.

Thank you for your consideration.

Respectfully,

Cecil and Janna Fackrell
17468 246th St
Tonganoxie, KS 66086
816-853-4130

Case No. DEV-20-137
Rezoning
*****Public Hearing Required*****

Staff Report – Planning Commission

January 13, 2021

GENERAL INFORMATION:

Applicant/Property Owner: Joe Herring
Herring Surveying Company
315 N. 5th Street
Leavenworth, KS 66048

Lynn Hui
2027 E. 26th Street
Lawrence, KS 66046

Legal Description: Lot 9A and Lot 9B of Deer Mound Subdivision, a subdivision located in the NW ¼ of Section 2, Township 12 South, Range 20 East of the 6th P.M, in Leavenworth County, Kansas.

Location: 00000 254th Street, located at the southeast intersection of 254th & Stillwell Road in western Leavenworth County approximately one mile from the Jefferson/Douglas county line.

Parcel Size: ± 110 acres

Zoning/Land Use: RR-5, Rural Residential 5-acre minimum size parcels

Urban Growth Management Area: This property is not within a City Urban Growth Management Area.

Comprehensive Plan: The 2008 Comprehensive Plan calls for this area to be Ag Preserve. The proposed Comprehensive Plan calls for the area to remain RR-5, Rural Estate.

Parcel ID No.: 211-02-0-00-00-001.10 & 211-02-0-00-00-001.14

Planner: Krystal A. Voth

REPORT:

Request

The applicant is requesting to rezone a parcel of land from Rural Residential 5 to Rural Residential 2.5.

Adjacent Land Use

Deer Mound Subdivision is located directly north of the subject property and consists of 12 lots, which are primarily five acres in size. There is a second five-acre subdivision to the east consisting of four lots. Otherwise, the majority of the parcels range in size from 70 acres to more than 200 acres in size.

Flood Plain

There are no Special Flood Hazard Areas on this parcel per FEMA Firm Map 20103C0300G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Reno Township
Water: RWD 13
Electric: Free State

Access/Streets

The property is accessed by 254th Street. This road is a County local with a gravel surface ± 24' wide.

Agency Comments

See attached comments – Memo – joe Osborne – Rural Water District 13, December 18, 2020

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Rezoning request:

1. Character of the neighborhood: The character of the neighborhood is primarily agricultural in nature with the primary use being ag and rural residences. There are two rural subdivisions which consist of lots that are five (5) acres in size or larger.
2. Zoning and uses of nearby property: The entire area is zoned as Rural Residential 5, including all surrounding sections. Nearby uses are agricultural and rural residential.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area suitable for large-lot, rural homes and agriculture.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: If rezoned, the area may see a substantial increase in homes, and thereby, a substantial increase in traffic on gravel roads.
5. Length of time the property has been vacant as zoned: The property has been used for agriculture for several decades. The property was platted in 2004. Staff is unaware of development attempts on the property to date.
6. Relative gain to economic development, public health, safety and welfare: If rezoned, the developer could potentially build twice as many homes on the property.
7. Conformance to the Comprehensive Plan: The Future Land Use Map has identified this area as Rural Residential 2.5. The request is in conformance with the Comprehensive Plan.
8. Staff recommendation is for the approval of the request primarily because the request adheres to the adopted Comprehensive Plan.

Staff Comments

The subject property is located in far western Leavenworth County and is located at the intersection of two local, gravel roads. Neither road is scheduled for upgrades or improvements. Aside from one small area which was spot-zoned, the zoning in the area for several miles is RR-5. There is one rural subdivision directly north of this, which was developed as five-acre lots. The majority of those lots have been developed with rural residences and are maintained as such. The request is in conformance with the Comprehensive Plan.

STAFF RECOMMENDATION:

Staff recommends approval of Case No.DEV-20-137, Rezoning from RR-5 to RR-2.5.

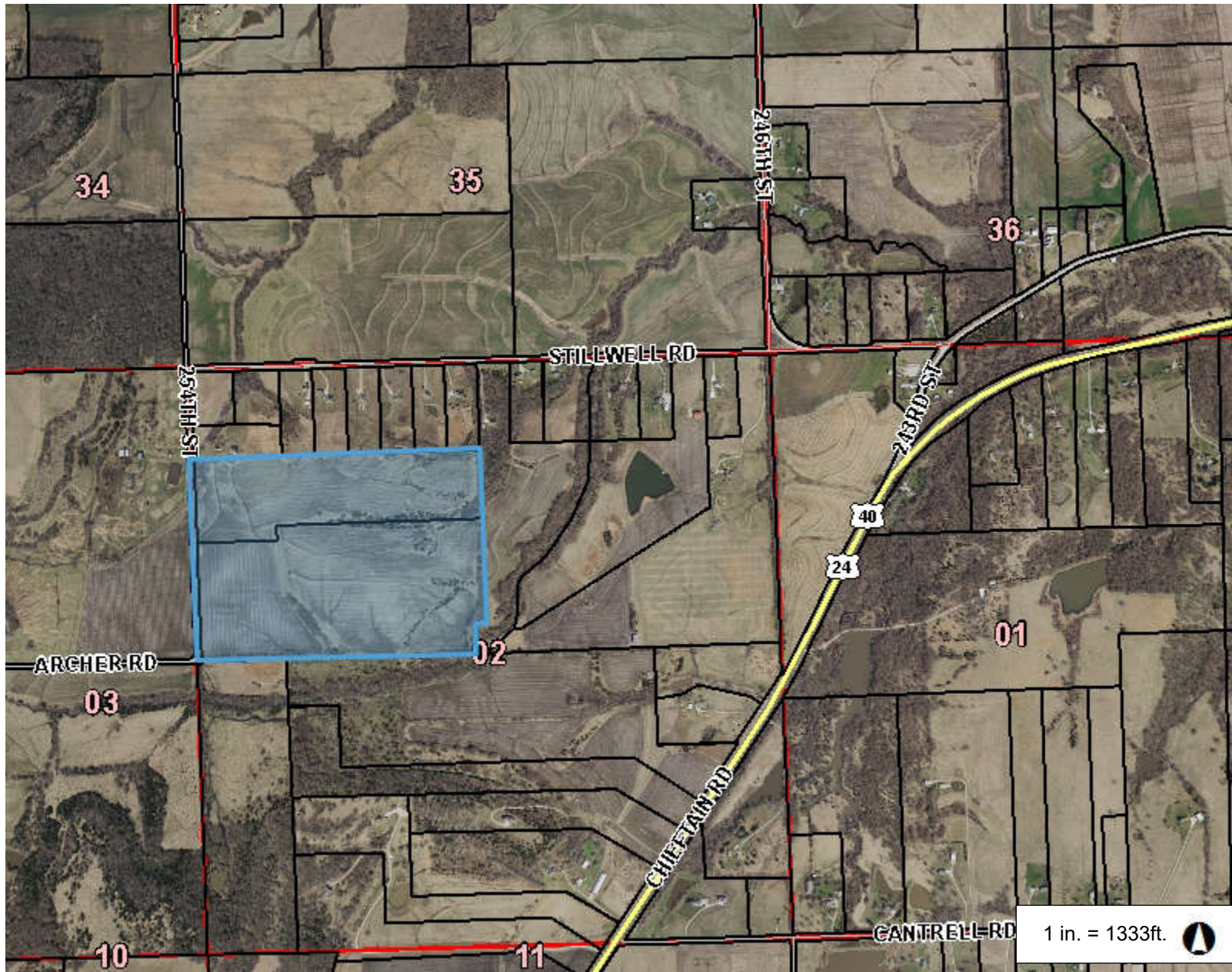
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-20--137, Rezoning from RR-5 to RR-2.5, to the Board of County Commission, with Findings of Fact, or
2. Recommend denial of Case No. DEV-20--137, Rezoning from RR-5 to RR-2.5, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Narrative
Location/Aerial Maps
Memorandums

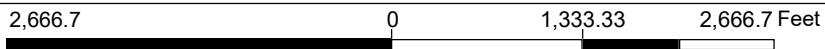
DEV-20-137 Hui Rezone



Legend

- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
 - Section Boundaries
 - County Boundary

1 in. = 1333ft.



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

Voth, Krystal

From: Joe Osborn <rwd13plant@gmail.com>
Sent: Friday, December 18, 2020 3:53 PM
To: Jefferson County RWD #13
Cc: Voth, Krystal
Subject: Re: FW: Hui rezoning Request

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.

Krystal,
Water district 13 will be able to supply water to the customers for these lots. But I don't believe we will be able to meet any fire flow standards if the county requires them. If you have any questions let me know.

Thank you,

On Mon, Dec 14, 2020 at 1:55 PM Jefferson County RWD #13 <linda@jfrwd13.com> wrote:

Krystal,

I am copying Joe in on this email. He will be responding to your request.

Thank you,

Linda L. Lips

linda@jfrwd13.com

Jefferson County R.W.D. #13

1951 Wellman Rd.

Lawrence, KS 66044

785-842-1502

www.jfrwd13.com

From: Voth, Krystal <KVoth@leavenworthcounty.gov>

Sent: Friday, December 11, 2020 11:43 AM

To: Noll, Bill <BNoll@leavenworthcounty.gov>; Jefferson County RWD #13 <linda@jfrwd13.com>;
'hstoskopf@rtfd21.com' <hstoskopf@rtfd21.com>

Subject: Hui rezoning Request

Good Morning,

Our office has received a request for rezoning of two parcels located near Stillwell & 254th. This request came in last summer, but the applicant pulled the application until the comprehensive plan was completed. The request is to rezoning from RR-5 to RR-2.5 Your written input and consideration is greatly appreciated by Monday, December 18. If you have any questions, please let me know. Thanks and have a great weekend.

Respectfully,

Krystal A. Voth, CFM

Director

Planning & Zoning

Leavenworth County

913.684.0461

--

Joe Osborn

District Manager

rwd13plant@gmail.com

Jefferson County R.W.D. #13

1951 Wellman Rd.

Lawrence Ks, 66044

785-813-3589

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

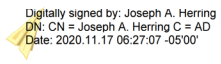
Office Use Only	
PID: _____	Date Received: _____
Township _____	
Planning Commission Date: _____	
Case No. _____	Date Paid _____
Zoning District _____	
Comprehensive Plan land use designation _____	

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (If different)
NAME <u>Joe Herring</u>	NAME <u>Lynn Hui</u>
ADDRESS <u>315 North 5th Street</u>	ADDRESS <u>2027 E. 26th Street</u>
CITY/ST/ZIP <u>Leavenworth, KS 66048</u>	CITY/ST/ZIP <u>Lawrence, KS 66046</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 _____

PROPOSED USE INFORMATION
Proposed Land Use <u>RR-2.5</u>
Reason for Requesting Rezoning <u>Housing Development / Subdivision with Internal Roads</u>

PROPERTY INFORMATION
Address of Property <u>00000 254th Street</u>
Parcel Size <u>PID #211-02...001.1 - 40 Acres #211-02...001.14 - 69 Acres</u>
Current use of the property <u>Agriculture</u>
Present Improvements or structures <u>None</u>

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 Joseph A. Herring  Date 11/17/2020

ATTACHMENT A

Case No. DEV-20-140
Rezoning from B-3 & RR-5 to B-3
*****Public Hearing Required*****

Staff Report – Planning Commission

January 13, 2021

GENERAL INFORMATION:

**Applicant/
Property Owner:** Greg Ledford
12139 Leavenworth Road
Kansas City, KS 66109

Legal Description: A tract of land in the northeast quarter of Section 3, Township 9 South,
Range 21 East of the 6th P.M, in Leavenworth County, Kansas.

Location: 28910 207th Street, Located at the northeast intersection of 20th & Springdale Road

Parcel Size: ± 13 acres

Zoning/Land Use: B-3 and RR-5

Comprehensive Plan: This parcel is within the Rural Residential 2.5 land use category.

Parcel ID No.: 112-03-0-00-00-007.01

Planner: Krystal A. Voth

REPORT:

Request

The applicant is requesting to extend the current B-3 zoning which is situated in the southwest portion of the property to the entire 13 acre parcel.

Adjacent Land Use

The surrounding properties are residences and farms on varying sized parcels ranging from 1 acre to over 140 acres in size. All four corners of the intersection are zoned as B-3.

Flood Plain

There are no Special Flood Hazard Areas, Zone X on this parcel per FEMA Firm Map 20103C125G July 16, 2015.

Utilities/Services

Sewer: Private septic system
Fire: Fire District 1
Water: RWD 5
Electric: FreeState

Access/Streets

The property is accessed by 207th Street, a County Arterial Road with a hard surface The property also fronts along Springdale Road a state-maintained highway.

Agency Comments

See attached comments – Memo – Tim goetz – Rural Water District 5, January 4, 2021

Factors to be considered

The following factors are to be considered by the Planning Commission and the Board of County Commission when approving or disapproving this Rezoning request:

1. Character of the neighborhood: The character of the neighborhood is rural; agricultural uses and rural residences.
2. Zoning and uses of nearby property: The surrounding properties are zoned RR-5, Rural Residential 5-acre minimum size parcels. The four corners of the intersection are zoned as B-3, General Business. The uses are rural residences and agricultural use.
3. Suitability of the property for the uses to which it has been restricted: The property is within an area which is suitable for residential uses. The property is located on a state-maintained highway, making it suitable for commercial business.
4. Extent to which removal of the restrictions will detrimentally affect nearby property: The area will not likely be detrimentally affected. A portion of the property has been zoned as B-3 for several years. Extending the existing zoning will not detrimentally affect the surrounding neighbors.
5. Length of time the property has been vacant as zoned: The property is not vacant. There is currently a home on the property.
6. Relative gain to economic development, public health, safety and welfare: The proposed use will allow the applicant to run a boat and RV storage business on the parcel.
7. Conformance to the Comprehensive Plan: The Future Land Use Map indicates this area as RR-2.5.
8. Staff recommendation is for the approval of the rezoning request.

Staff Comments

The applicant is requesting a rezoning for a portion of the property located at the northeast corner of 207th and Springdale. A portion of the property is currently zoned as B-3. The request is being made in order for the applicant to locate a boat and RV storage facility on the property. Due to the location on a state highway and a county arterial road the property is appropriate for the proposed use. It is worth noting, however, that rezoning the parcel to B-3 does open the parcel up to any uses which are allowed in the B-3 zoning district. The applicant will be required to submit a site plan and building permits for all buildings. Staff is supportive of the rezoning request.

STAFF RECOMMENDATION:

The staff recommends approval of Case No.DEV-20-140, Rezoning from RR-5 to B-3, General Business.

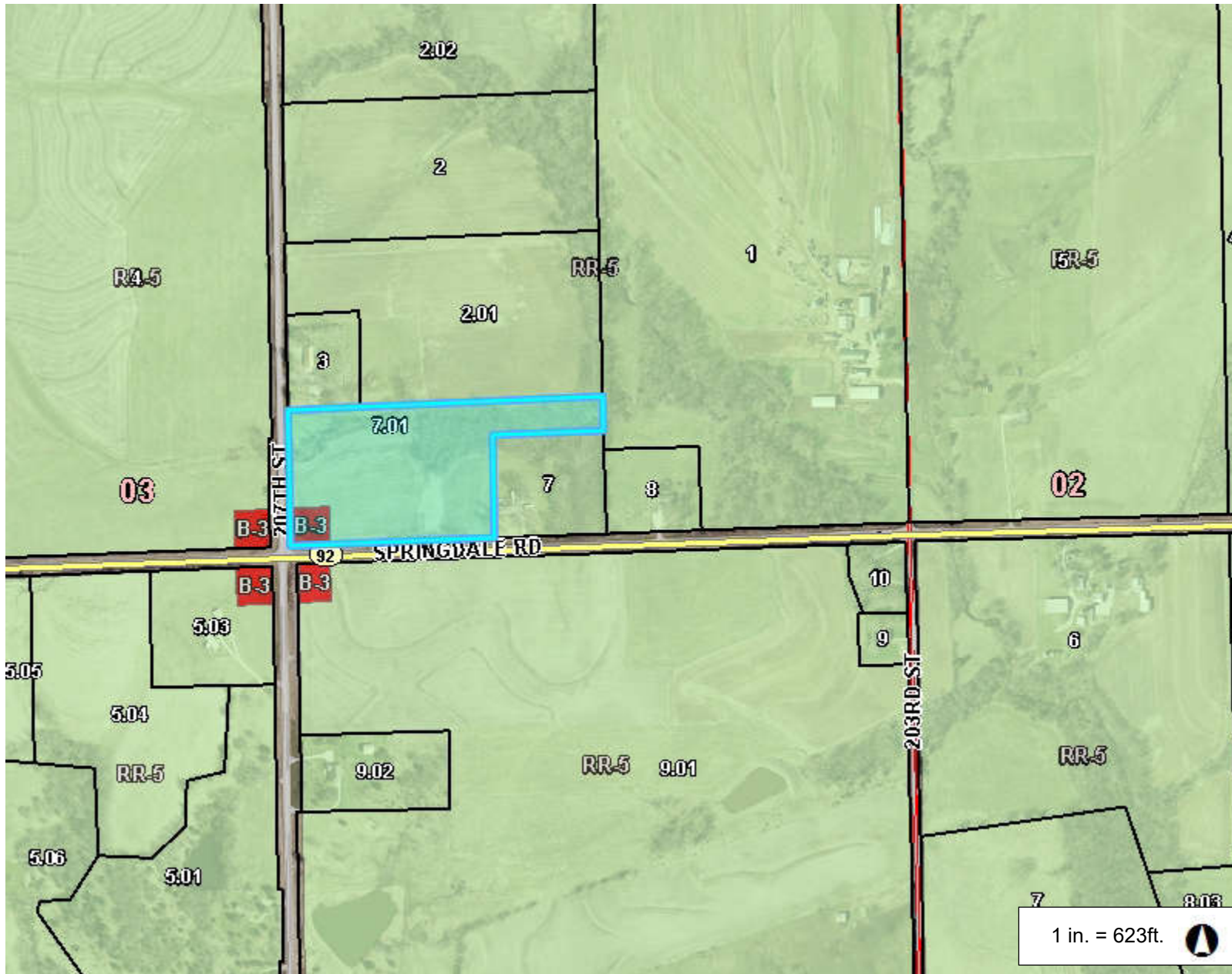
ACTION OPTIONS:

1. Recommend approval of Case No. DEV-20-140, Rezoning from R-5 to B-3, General Business, to the Board of County Commission, with Findings of Fact, or
2. Recommend denial of Case No. DEV-20-140, Rezoning from RR-5 to B-3, General Business, to the Board of County Commission, with Findings of Fact; or
3. Continue the Public hearing to another date, time, and place.

ATTACHMENTS:

Narrative
Location/Aerial Maps
Memorandums

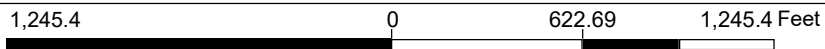
Rezoning Request - Ledford RR-5 to B-3



Legend

- Parcel Number
- Parcel
- City Limit Line
- Major Road
 - <all other values>
 - 70
- Road
- Railroad
- Section
- Section Boundaries
- County Boundary
- Zoning
 - B-1
 - B-2
 - B-3
 - I-1
 - I-2
 - I-3
 - PUD
 - R-1
 - R-1(15)
 - R-1(43)
 - R-2
 - RR-2.5
 - RR-5

1 in. = 623ft.



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

Voth, Krystal

From: Tim Goetz <tmgoetz@stjoewireless.com>
Sent: Monday, January 4, 2021 8:57 AM
To: Voth, Krystal
Subject: Re: Rezoning Request

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

The Water District does have Main lines on North and South side of Springdale Road. The District does have two (2) mains on the East side of 207th. One of those mains from the intersection of 207th and Springdale Road take off at an angle across the property going north and runs behind Mr. Watkins house and fenced in pens. Not knowing the potential layout of buildings this could have an impact. For water usage the Water District doesn't see a impact. Any questions please call me at 913-704-5899.

From: "Voth, Krystal" <KVoth@leavenworthcounty.gov>
Sent: 12/11/20 12:15 PM
To: "Noll, Bill" <BNoll@leavenworthcounty.gov>
Cc: "'firedistrict1@sbcglobal.net'" <firedistrict1@sbcglobal.net>, 'Tim Goetz' <tmgoetz@stjoewireless.com>
Subject: Rezoning Request

Good afternoon. Our office has received a rezoning request for a tract of land near Springdale and 207th Street. As you can see, the four corners of this intersection are all B-3. The request is to rezone the rest of the property at the northwest corner from RR to B-3 to match the remainder of the tract. The applicant is planning to put RV and Boat storage on the property. Your written consideration and input are greatly appreciated by Friday, December 18. If you have any questions, please let me know. Thank you and have a great weekend.

Respectfully,

Krystal A. Voth, CFM

Director

Planning & Zoning

Leavenworth County

913.684.0461

REZONING APPLICATION PROCEDURES

For

THE UNINCORPORATED AREA OF
LEAVENWORTH COUNTY, KANSAS

A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF
ANY APPLICATION

DEADLINE: All application materials shall be submitted by application deadline as
indicated on the current Planning Commission Schedule and Deadlines form.

ALL APPLICATION FEES ARE NON-REFUNDABLE

For more information contact:
Leavenworth County Department of Planning and Zoning
300 Walnut, Suite 212
Leavenworth, Kansas 66048
pr@leavenworthcounty.gov
913-684-0465

REZONING PROCEDURES

APPLICANT RESPONSIBILITIES: Omission of any of the following items may delay the review and processing of the application.

- A. A complete application form (Attachment A)
- B. Legal Description (current deed) of the property.
- C. Payment of application fee. Make check payable to Leavenworth County Planning and Zoning Department.
- D. Owner Authorization Form if not the legal owner of the property (Attachment B).
- E. Site Plan (one physical copy along with one digital copy)
- F. Applicant or applicant's representative must attend the Planning Commission and Board of County Commissioner's Hearing.

FOR ADDITIONAL REQUIREMENTS, PLEASE REFER TO THE *LEAVENWORTH COUNTY ZONING & SUBDIVISION REGULATIONS*, WHICH INCLUDES THE FOLLOWING ARTICLES APPLICABLE TO REZONE APPLICATIONS.

- 1. Article 17 - Planned Unit Developments
- 2. Article 27 - Site Plan (for Staff Review and Approval)
- 3. Article 31 - Amendments
- 4. Any other applicable Regulations.

DEADLINE: See Planning Commission Schedule and Deadlines form.

PLANNING DEPARTMENT PROCEDURES

Public Hearing: The Planning Department will schedule a hearing before the Planning Commission, which is responsible for hearing the Rezoning request.

Posting of Sign: The Planning Department will post a sign on the property prior to the date of the public hearing.

Newspaper Publication: The Planning Department will publish the Legal notice of the public hearing 20 days prior to the date of public hearing.

Letter of Notification: The Planning Department will mail notices of the public hearing, to all property owners within 1,000 feet (Unincorporated area) and 200 feet (Incorporated area) of the subject property at least 20 days prior to the public hearing.

Protest Period: See KS Statute 12-757.

Board of County Commission – The Board of County Commission will hear the recommendations of the Planning Commission and make a decision.

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

Office Use Only	
PID: _____	Date Received: _____
Township _____	
Planning Commission Date: _____	
Case No. _____	Date Paid _____
Zoning District _____	
Comprehensive Plan land use designation _____	

APPLICANT/AGENT INFORMATION	OWNER INFORMATION (if different)
NAME <u>Greg Ledford</u>	NAME <u>Frank & Rita Watkins</u>
ADDRESS <u>12139 Leavenworth Rd</u>	ADDRESS <u>289 W 207th St</u>
CITY/ST/ZIP <u>Kansas City KS 66109</u>	CITY/ST/ZIP <u>Easton KS 66000</u>
PHONE <u>913-202-2513</u>	PHONE <u>913-715-1512</u>
EMAIL <u>twomanyhondas@yahoo.com</u>	EMAIL <u>Frank.S.E.49.2009@live.com</u>
CONTACT PERSON <u>Greg Ledford</u>	CONTACT PERSON <u>Rita Watkins</u>

PROPOSED USE INFORMATION
Proposed Land Use <u>RV, Boat storage</u>
Reason for Requesting Rezoning <u>Increased area for existing B-3 zoning to accommodate RV, Boat storage facility on property</u>

PROPERTY INFORMATION
Address of Property <u>Springdale Rd Easton KS 66020</u> <u>Northeast of</u> <u>Intersection of 92 and 207</u>
Parcel Size <u>12.82 AC</u>
Current use of the property <u>Agriculture with B-3 zoning at intersection corner on land</u>
Present Improvements or structures <u>None</u>

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 Greg Ledford Date 10-29-20

ATTACHMENT A

OWNER AUTHORIZATION

I/WE Frank & Rita Watkins hereby referred to as the "Undersigned", being of lawful age, do hereby on this 30 day of Oct, 2020, make the following statements, to wit:

- 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.
- I/We the undersigned, have previously authorized and hereby authorize Greg Ledford (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, _____ (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 the applicant in the application process.
- 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.
- 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.

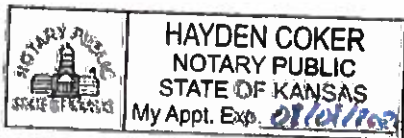
Frank Watkins
Owner

Rita M. Watkins
Owner

STATE OF KANSAS
COUNTY OF LEAVENWORTH


The foregoing instrument was acknowledge before me on this 30th day of October, 2020,
by Greg Ledford
My Commission Expires: 01/01/2022

Hayden Coker
Notary Public



7/8/2020

ATTACHMENT B

 First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY First American Title Insurance Company
Schedule A	By: McCaffree-Short Title Company, Inc.

Transaction Identification Data for reference only:

Issuing Agent: McCaffree-Short Title Company, Inc. Issuing Office: 330 Delaware, Leavenworth, KS 66048

ALTA® Universal ID: Loan ID No.:
Commitment No.: L19-28531 Issuing Office File No.: L19-28531
Property Address: 00000 Springdale Road, Easton, KS 66020

SCHEDULE A

1. Commitment Date: May 22, 2019 at 08:00 AM
2. Policy to be issued:
 - (a) ALTA Owners Policy (06/17/06)
Proposed Insured: To Be Determined
Proposed Policy Amount: \$1,000.00
Title Insurance Premium: \$381.00
 - (b) ALTA Loan Policy (06/17/06)
Proposed Insured: To Be Determined, its successors and/or assigns as their respective interests may appear.
Proposed Policy Amount: \$1,000.00
Title Insurance Premium: \$275.00
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. Title to the Fee Simple estate or interest in the Land is at the Commitment Date vested in:
Frank H. Watkins and Rita M. Watkins, husband and wife
5. The Land is described as follows:
SEE EXHIBIT A ATTACHED HERETO

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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SCHEDULE A
(Continued)

FIRST AMERICAN TITLE INSURANCE COMPANY
By: McCaffree-Short Title Company, Inc., Agent

McCaffree-Short Title Company




Linsey A. Garrod, Agent No. 17398556

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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	ALTA Commitment for Title Insurance
Schedule A (Continued)	ISSUED BY First American Title Insurance Company By: McCaffree-Short Title Company, Inc.

File No.: L19-28531

LEGAL DESCRIPTION

The Land referred to in this policy is described as follows:

Commencing at a point 1,980 feet South of the Northwest corner of the West 80 acres of the Northeast Fractional Quarter of Section 3, Township 9, Range 21, Leavenworth County, Kansas, thence running South 600 feet; thence East to the East line of the West 80 acres of the Northeast Fractional Quarter; thence North 600 feet to the Northeast corner of the above described tract; thence West to the place of beginning, EXCEPT a tract beginning at a point 30 feet North of the Southeast corner of the West Half of the Northeast Quarter of Section 3, Township 9 South, Range 21; thence North 474 feet; thence West 460 feet; thence South 474 feet; thence East 460 feet to the place of beginning, all in Leavenworth County, Kansas, except part taken or used for road.

 First American Title™	ALTA Commitment for Title Insurance
	ISSUED BY First American Title Insurance Company
Schedule BI & BII	By: McCaffree-Short Title Company, Inc.

Commitment No: L19-28531

SCHEDULE B, PART I

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - a. Warranty Deed from Frank H. Watkins and Rita M. Watkins, husband and wife to To Be Determined.
 - b. Mortgage from To Be Determined to To Be Determined, securing the principal amount of \$1,000.00.
5. Pay, satisfy and release of record the Mortgage, dated November 21, 2012, executed by Frank W. Watkins and Rita M. Watkins, husband and wife, to Frontier Community Credit Union, recorded November 27, 2012, as Document No. 2012R11220, in the original amount of \$244,000.00.
6. IF THE LENDER REQUIRES MECHANIC'S LIEN COVERAGE:
Furnish satisfactory proof that there has been no improvements or construction on the premises in the last 12 months (Owner's affidavit).
7. IF THE LENDER REQUIRES SURVEY COVERAGE:
Furnish an executed Survey Affidavit/Indemnity Agreement along with evidence that there is nobody in possession other than the record owner. (Owner's affidavit)


FOR INFORMATIONAL PURPOSES ONLY:

The McCaffree-Short Title Company, Inc., insurance license number for Missouri is 8021942 and for Kansas is NPN # 8240004.

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 First American Title™	ALTA Commitment for Title Insurance
	<small>ISSUED BY</small> First American Title Insurance Company
Schedule BI & BII (Cont.)	

Commitment No.: L19-28531

SCHEDULE B, PART II

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the Public Records.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.
7. The lien of the General Taxes for the year 2019, and thereafter.
8. The policy, when issued, will not insure against the possibility that the property in question may be included in a benefit or other improvement district, contemplated or existing, but for which no assessments have as yet been shown on the tax rolls.
9. Right of Way Easement to Rural Water District No. 5 of Leavenworth County, Kansas, recorded December 21, 1964, in Book 454 at Page 245.
10. Right of Way Easement to Rural Water District No. 5 of Leavenworth County, Kansas, recorded February 18, 1965, in Book 454 at Page 330.

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11. Oil and Gas Lease by and between Antonetta Pierron and James W. Klassen, recorded February 18, 1975 in Book 514 at Page 1643; Various assignments and instruments, if any.
12. Right of Way Easement to Rural Water District No. 5 of Leavenworth County, Kansas, recorded November 18, 1982, in Book 561 at Page 1021 and in Book 561 at Page 1023.
13. Oil and Gas Lease by and between Louis Pierron, et al and Fairway Petroleum, Inc., recorded March 20, 1986 in Book 591 at Page 883; Various assignments and instruments, if any.
14. Oil and Gas Lease by and between Louis Pierron, et al and L.J.C. Leasing, recorded March 9, 1988, in Book 621 at Page 1133; Various assignments and instruments, if any.
15. Right of Way Easement to Rural Water District No. 5 of Leavenworth County, Kansas, recorded November 19, 1991, in Book 659 at Page 116.
16. Financing statements, if any, affecting the Land not shown by public the records.
17. Tenancy rights, either as month to month, or by virtue of written leases of persons in possession of any part of the subject property.
18. FOR INFORMATIONAL PURPOSES ONLY:

Parcel ID#28932

Taxes for 2018 in the amount of \$28.06 are PAID.
19. CHAIN OF TITLE:

Frank H. Watkins & Rita M. Watkins, husband and wife, acquired title by Quit Claim Deed filed November 27, 2012, as Document No. 2012R11219.

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First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

Commitment

By: **McCaffree-Short Title Company, Inc.**

COMMITMENT FOR TITLE INSURANCE

Issued By

FIRST AMERICAN TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, **First American Title Insurance Company**, a California Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

First American Title Insurance Company

Dennis J. Gilmore, President

Jeffrey S. Robinson, Secretary

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice, the Commitment to Issue Policy, the Commitment Conditions, Schedule A, Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions.

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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions;

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions.

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(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

Arbitration provision intentionally removed.

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Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet. In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.



M c C A F F R E E - S H O R T

TITLE COMPANY | EST. 1857

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

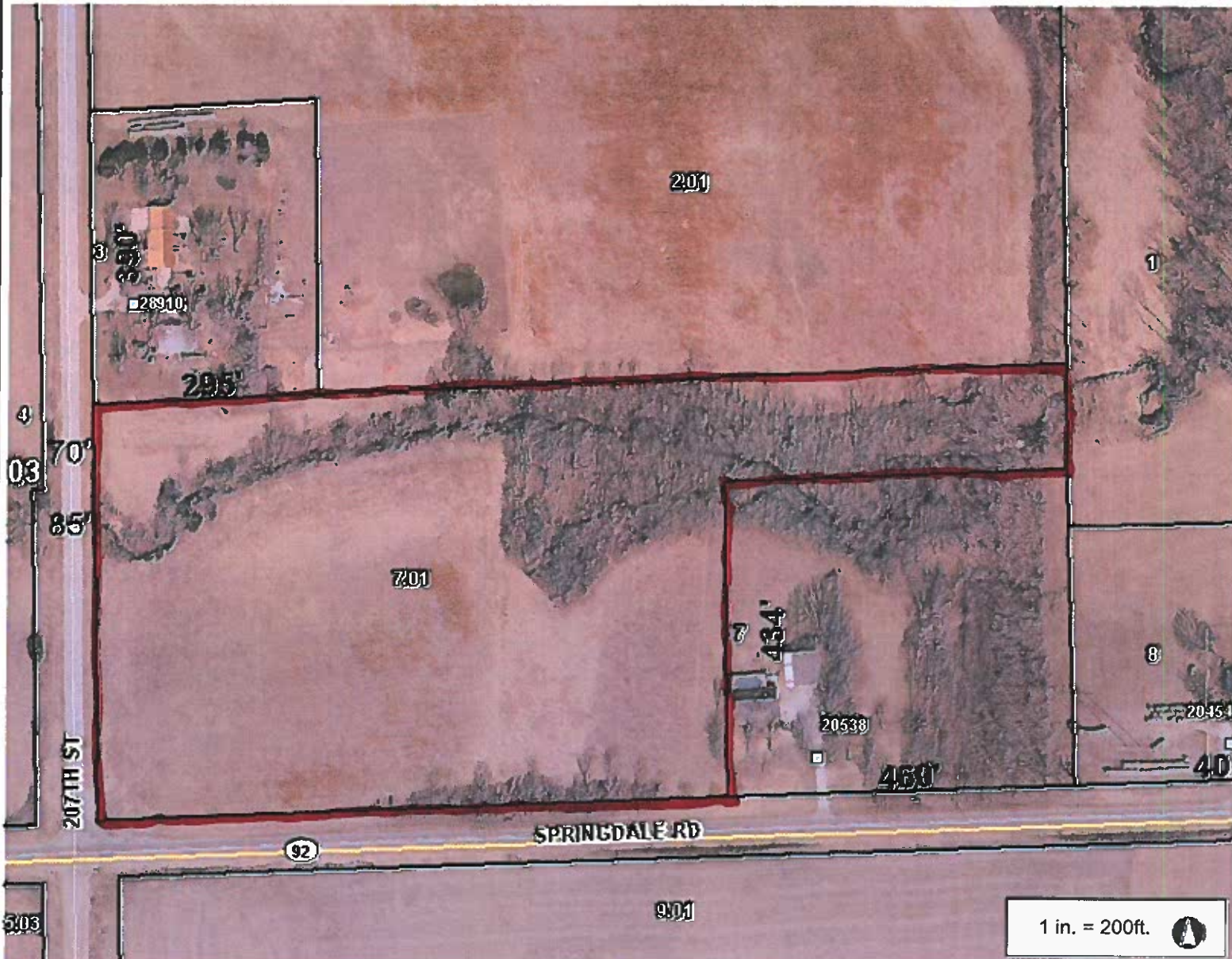
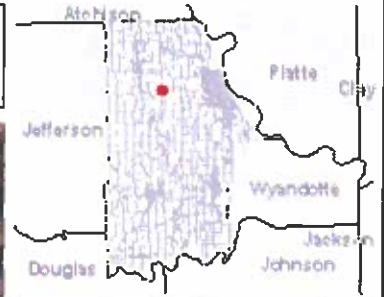
Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Leavenworth County, KS



Legend

- Address Point
- Parcel Number
- Lot Line
- Parcel
- City Limit Line
- Major Road
- <all other values>
- 70
- Road
- + Railroad
- Section
- Section Boundaries
- County Boundary

*Propose Rezoning
all of property
to G-3 general
business zoning*

1 in. = 200ft.



400.0 0 200.00 400.0 Feet



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes