

**CITY OF LEAVENWORTH
PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N. 5th Street
Leavenworth, KS 66048**

**REGULAR SESSION
Monday, December 2, 2019
6:00 p.m.**

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: September 9, 2019**

NEW BUSINESS:

1. 2019-15 SUP – 729 PENNSYLVANIA

Conduct a public hearing for Case No. 2019-15 SUP – 729 Pennsylvania. The applicant is requesting a Special Use Permit to allow the operation of an adult daycare center at 729 Pennsylvania in an existing building located on the Saint Casmir Church property.

2. 2019-16 REZ – 1001 N. 7TH STREET

Conduct a public hearing for Case No. 2019-16 REZ – 1001 N. 7th Street. The applicant is requesting a rezoning of their property from R1-6, High Density Single Family Residential District to GBD, General Business District. The property used to be a church, Life Connections Ministries, which vacated in the summer of 2019, and has remained vacant to this date.

OTHER BUSINESS:

NONE

ADJOURN

CITY OF LEAVENWORTH PLANNING COMMISSION

COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048

REGULAR SESSION
Monday, September 9, 2019
6:00 PM

CALL TO ORDER:

Commissioners Present

Jay Byrne
Mike Burke
John Karrasch
Linda Bohnsack
Camalla Leonhard
Claude Wiedower

Commissioners Absent

Sherry Hines Whitson

City Staff Present

Julie Hurley
Michelle Baragary

Madam Chairman Leonhard called the meeting to order at 6:00 p.m. and noted a quorum was present.

Approval of Minutes: February 4, 2019

Madam Chairman Leonhard asked for comments or a motion on the minutes presented for approval: February 4, 2019. Mr. Byrne moved to accept the minutes as presented, seconded by Mr. Wiedower. The minutes were approved by a vote of 6-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. NORTH GATEWAY REDEVELOPMENT DISTRICT – 615 METROPOLITAN PROJECT PLAN

Determine consistency of the North Gateway Redevelopment District 615 Metropolitan Project Plan with the adopted Comprehensive Plan.

Madam Chairman Leonhard called for the staff report.

Planning Director Julie Hurley stated on January 25, 2011, the City of Leavenworth approved a redevelopment district for a six (6) square block area bounded on the north by Metropolitan Avenue, on the south by Pawnee Street, on the east by 4th Street, and on the west by 7th Street, totaling 28.2 acres. The redevelopment district was approved as the North Gateway Redevelopment District by passage of ordinance No. 7863. The primary purpose for creating the redevelopment district was to initiate the process upon which the City may proceed in establishing redevelopment projects within the district in order to generate incremental taxes for the funding of permissible infrastructure and property acquisition within the district.

Gate Properties, LLC, has submitted a project plan for a commercial development within the established redevelopment district. The proposed redevelopment plan involves approximately 3.5 acres in the area between Metropolitan and Cheyenne, and 7th Street to east of 6th Street. The area is currently occupied by the Armed Forces Bank and Commander's Inn. The proposed project includes a convenience store, two restaurant pad sites, and a retail/office building.

Any eligible project located within a redevelopment district established pursuant to KSA 12-1770 must be found to be consistent with the intent of the adopted Comprehensive Plan of the City. The 2011 Comprehensive Plan adopts the goals and objectives as outlined in the Downtown/North Leavenworth Redevelopment Master Plan by reference in order to be consistent for recommendations to guide growth, development and redevelopment within the city and downtown area.

The proposed development lies within the area identified as the "North Gateway Business and Innovation Campus" in the Downtown/North Leavenworth Redevelopment Master Plan. The plan proposes a campus themed commercial center to include high quality hotel, office, retail and mixed use facilities. While the plan calls for retail uses to be secondary to employment-focused uses in area, the climate has evolved since 2010 when the plan was developed such that large scale office and employments-focused uses are no longer in demand or viable in the market. The proposed development plan does meet the identified goal of helping to create an economic asset that contributes to the success of other downtown businesses by introducing retail opportunities that complement the existing retail establishments in Downtown Leavenworth.

The Downtown/North Leavenworth plan also identifies a number of design characteristics that should be included in developments in the area. The site plan provided for the development project is preliminary in nature, and staff will work with the applicant to ensure that appropriate measures are taken to incorporate design elements identified as appropriate for the area.

Staff finds that the development of the North Gateway 615 Metropolitan Project is consistent with the overall intent of the Comprehensive Plan.

ACTION:

Motion finding that the North Gateway Redevelopment District 615 Metropolitan Project Plan is consistent with the intent of the Comprehensive Plan.

ATTACHMENTS:

- North Gateway Redevelopment District 615 Metropolitan Project Plan
- 2011 City of Leavenworth Comprehensive Plan (excerpt)
- 2010 Downtown and North Leavenworth Redevelopment Plan (excerpt)

Madam Chairman Leonhard called for discussion/questions among the commissioners.

Mr. Byrne asked if the campus theme commercial center is for the entire 28.2 acres.

Ms. Hurley referred the board to the outlined section of the map on page 4.37 in the agenda packet North Gateway Business and Innovation Campus. The Innovation Campus is just the north area and that would include the bulk of the TIF area that had been approved by the City Commission back in 2011.

Mr. Byrne stated he believes about 2/3 of this has been completed to include the two new hotels.

Ms. Hurley responded it does include the hotels, as well as the current proposal. The old Mexican restaurant and the auto body shop have not been developed yet.

Mr. Byrne stated there does not seem to be a push for a campus like theme.

Ms. Hurley stated that is correct. She believes the thinking was since the real estate market had substantially changed in the wake of the recession and contractors left town, the need for office and technology was not feasible at that point in time for Leavenworth.

Mr. Karrasch asked the applicant if the developer had the opportunity to read the Comprehensive Plan and the guidelines that are setup for the Gateway section redevelopment.

Kristin Sommers with Polsnelli is representing the developer. Ms. Sommers said they did review the plan and guidelines. She emphasized this is an extremely preliminary plan at this point. This is part of getting the financing in place and then finding the right users.

For clarification, Mr. Karrasch asked if 6th Street will be closed between Metropolitan and Cheyenne.

Ms. Hurley stated discussions have taken place that will be vacated; however, this is very preliminary at this point. Vacating that portion of the street will probably be contingent upon the users being secured for the project.

Mr. Karrasch asked what the design thought is behind placing an ATM machine and gas station as the focal point of that intersection as opposed to a restaurant and business.

Ms. Sommers stated it is a requirement as part of the sell agreement to have the ATM machine in that particular location.

Mr. Karrasch responded the bank is thinking of themselves and not the future of the community because they are more concerned about an ATM machine being the focal point of a major intersection of an internationally recognized town.

Mr. Karrasch asked how flexible the design is.

Trip Ross, Cadence Commercial Real Estate, is representing the developer. Mr. Ross stated they are a developer holder. There are a lot of developers who would show up with a plan that shows everything you would want to see. The minute the project is complete they would sell it. Mr. Ross further stated that their portfolio is for properties they develop, own and hold.

Mr. Ross views this as a retail site. They have heard of a possible daycare, sit-down restaurants and fast-food restaurants. They also heard there is a need for a gas station; although it has not been determined if it will necessarily be on that particular corner of the site.

Regarding the vacation of 6th Street, Mr. Ross would like the site to flow well internally so it does not look like a strip of pads. Given there will be a mix of uses, having that flow means a lot to the way the site plan actually functions. There will be walkability, green space, benches and landscaping to soften the elements of the buildings.

Mr. Karrasch appreciates where Mr. Ross is heading with this but the site plan does not represent what has been said.

Mr. Ross stated there is a specific purpose for this plan; this is a massing plan that allows them to court users, who care about access, parking and usability. Pedestrian flow, landscaping, etc. will be incorporated at a later date.

Mr. Wiedower asked about the marketing and research that was done to determine what would be viable at this site.

Mr. Ross responded there has been overwhelming feedback for restaurants, whether is fast casual or bar and grill.

Mr. Karrasch stated he is apprehensive about having a gas station and ATM as our focal point across from Ft. Leavenworth. Does not want a decision made that they will regret 50 years later.

Ms. Hurley stated that even given the ATM as a requirement of the bank selling the property, there will be plenty of room for us to work with the applicants to get the design where we will be satisfied and the property owners will be satisfied.

Mr. Byrne is not sure what the commissioners are looking at if this is not a site plan and the applicants are very flexible about what can go in this area.

Ms. Hurley responded that we are just saying a commercial retail use is appropriate for this area. The applicants are not looking at residential uses or industrial uses. The applicants are looking at retail commercial uses and this is in line with the comprehensive plan.

Mr. Byrne asked if the Planning Commissioners agree with that, then it goes to the City Commission.

Ms. Hurley stated pending the Planning Commission's vote in the affirmative; the City Commission will pass a resolution setting a date for a public hearing to consider the TIF project plan. Once the TIF plan is in place and the financing is set, the applicants will work on getting their tenants and users lined up. It will then come back to the Planning Commission to refine the site plan and get the design elements set.

Mr. Byrne asked if the Planning Commission votes in the affirmative, does that give city staff/government any further ability to vote on what is going to go into that area other than something that is approved as commercial.

Mr. Ross stated the gas station seems to be the controversial issue. He further stated 7-Eleven owns the property across the street. If 7-Eleven builds a gas station on its property, then one will not be built on the subject area. Either way, there will be a gas station at this intersection. Mr. Ross stated their focus is for the highest and best uses. They are pursuing this for longevity not a quick sale.

Mr. Karrasch stated he does not want a gas station there 50 years down the road.

Ms. Hurley stated the property is zoned General Business District, GBD. Gas stations are an allowed use in the GBD.

Mr. Karrasch is not opposed to a gas station; he just does not want a gas station as the focal point. He would prefer a gas station move elsewhere on the development block.

Mr. Byrne asked if the Planning Commissions agrees this is in compliance with the North Gateway Business Innovation Campus concept and a year from now the developer decides to put a gas station there, can that be denied based on the fact that is a General Business District.

Ms. Hurley responded in the negative. Because it is already zoned GBD any use that is allowed in that zoning district, the City cannot deny. The City can work with an applicant on a site plan to get the best layout for a site but cannot deny a specific use if the property is already zoned appropriately.

Mr. Byrne stated the City could potentially be using TIF money for pawnshops and bars on that corner because legally the developer could put that type of business in that area.

Ms. Sommers stated there are two different issues being discussed. Right now it is a preliminary finding to move forward with the TIF and financing for the plan being proposed, which includes retail, restaurants, possibly office or daycare, possibly a gas station is generally consistent with the Comprehensive Plan. This finding does not have anything to do with the City's typical development process and procedures.

For clarification, Mr. Wiedower stated we cannot be restrictive on what is allowed.

Ms. Hurley stated the City cannot restrict what is allowed in the development area.

Mr. Byrne mentioned that use to be a gas station there.

Ms. Hurley stated even when working with gas stations there is still room to work with an applicant to get a good site design. In other areas, such as College Blvd and Pflumm in Lenexa, there is a Quik Trip on that corner, which is a major intersection. That site design is laid out very well. Some of the goals in the North Leavenworth plan are to get buildings closer to the road and not have all the pavement and parking near the road. These types of details will be worked through once the developer has their users.

Ms. Bohnsack asked if the city engineer has had the opportunity to review the plan because the proposed use of convenient store, retail, restaurants, etc. will have a higher density of traffic in the area compared to what is currently there.

Ms. Hurley responded that Public Works has looked at the plan. Something that might come up down the road would be a traffic study depending on the users that come in.

Mr. Karrasch stated he wanted to make a final comment to let the city, the developers and everybody to beware this is our front door. This is not First or Second Street in the middle of nowhere. This is also the entryway into our international presence as well, not just local. This is one of the most important intersections in our entire community as far as visibility and first impressions. The decisions made on this will affect us for the next 80 years.

Mr. Ross stated city staff has been very clear about that. It's a dynamic they have been very conscious of.

Mr. Byrne asked if TIF's are usually involved with their other developments.

Mr. Ross responded sometimes.

Mr. Byrne wonders if the city might not want to look at the whole redevelopment area. Not sure if this area even needs a TIF anymore.

Ms. Hurley stated it has already been established by ordinance so it's available to this area.

With no further questions, comments or discussion, Madam Chairman Leonhard called for a motion. Mr. Byrne moved that given the findings and information provided that the North Gateway Redevelopment District 615 Metropolitan Project Plan is consistent with the intent of the Comprehensive Plan, seconded by Mr. Karrasch and passed by a vote of 6-0.

Ms. Hurley provided the Planning Commission with a few updates to include: an update on the Leavenworth Business Park stating the Leavenworth County Development Corporation (LCDC) is actively marketing the Business Park. Working in conjunction with the Kansas City Area Development Council. The number of visits and inquires exceed what is expected of a project of this size in Leavenworth.

Further updates include:

- The Leavenworth Business Park. Leavenworth County Development Corporation (LCDC) is actively marketing the Business Park. Working in conjunction with the Kansas City Area Development Council. The number of visits and inquires exceed what is expected of a project of this size in Leavenworth.
- 8 single-family permits have been issued this year for the West Glen subdivision, which is near 20th Street and Eisenhower (west of the new Business Park).
- The Broadway Lofts have been completed with a total of 27 units, which are completely or near completely filled.
- The Abernathy Lofts are close to completion with 139 units.
- The City Commission approved for next year a Renter Coordinator position. This position will help address the concerns of rental properties
- The City has discussed establishing a land bank. This will allow the City to take in properties that have been placed on the demolition list and clear the title. The properties can then be turned out to rehabbers who may want to fix it up and sell it for a profit. Gets the property back on the tax rolls and there is not a vacant hole left in a neighborhood due to a demo.
- Working on getting some transit options into the city. A study was completed about 18 month ago by Mid America Regional Council and KCATA.
- There is a non-profit group working on getting a grocery store in the northeast of Leavenworth.

Mr. Byrne asked if there are plans for the old Sears store at the Leavenworth Plaza.

Ms. Hurley stated staff has met with a developer from Omaha, NE a couple times over the past few years but nothing has materialized yet.

Ms. Bohnsack asked about the status of the old Immaculata High School building.

Ms. Hurley stated the developer is working on getting some tax credits. No building permits have been approved yet.

Ms. Bohnsack stated the Planning Commission's approval included a parking lot be installed at the 621 Seneca. She asked if that still stands.

Ms. Hurley responded in the affirmative.

Ms. Bohnsack stated the pastor of the First Christian Church received an email from the developer indicating their intent in purchasing the city owned parking lot.

Ms. Hurley believes they were just inquiring about it. Right now, it is as it stands, with the approval of the developer building the parking lot. The developer is aware any change in that would require them to go back through the process and to the Planning Commission.

Mr. Karrasch stated the potholes on Ottawa Street between 2nd Street and 3rd Street are horrific. The street has brick underneath. Mr. Karrasch wants to know how to open a discussion about resurfacing or maybe removing the asphalt and returning it back to brick.

Ms. Hurley stated that would be a discussion for the Public Works Department. They are proactively looking at streets that need to be addressed and will rank those to determine which streets should be repaired first.

With no further business the meeting was adjourned at 6:43 p.m.

JH/mb

DRAFT

PLANNING COMMISSION AGENDA ITEM

2019-15-SUP

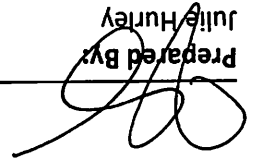
729 Pennsylvania

DECEMBER 2, 2019

SUBJECT:

A request for a Special Use Permit to allow the operation of an Adult Daycare center at 729 Pennsylvania

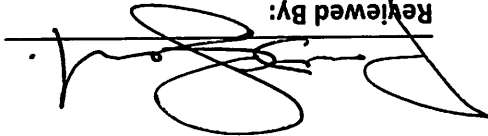
Prepared By:



Julie Hurley

Director of Planning
and Community Development

Reviewed By:



Paul Kramer

City Manager

NATURE OF REQUEST

The applicant, Elaine Belardo, is requesting a Special Use Permit to allow the operation of an adult daycare center at 729 Pennsylvania Avenue in an existing building located on the Saint Casimir Church property. The property is currently zoned R1-6, High Density Single Family Residential. The adopted Development Regulations do not have a definition for "Adult Daycare Center". Therefore, staff evaluated the request in conformance with the closest defined use, that being Child Care Center. Child Care Centers are allowed in the R1-6 zoning district with issuance of a Special Use Permit.

Ms. Belardo represents The Deeper Window Project organization, a 501(c)(3), and is not affiliated with the Roman Catholic Archdiocese of Kansas City or with Saint Casimir Parish. The proposed use involves daytime care and programming for adults living with early to middle stages of dementia. There will be two 16-person groups that meet either Monday/Wednesday or Tuesday/Thursday, with Friday open for socialization at the facility. Participants will meet from 9am to 3pm for art, music, drama, cognitive stimulation, community projects, and peer support. The proposed use is a nonmedical program, offering respite to the participants' caregivers. The program will be staffed by a primary and assistant facilitator, with additional therapists and volunteers participating for various activities.

The State of Kansas does not require licensure for Adult Daycare facilities.

COMMISSION FINDINGS

The Commission may recommend issuance of a special use permit whenever it finds that:

1. The proposed special use complies with all applicable provisions of this ordinance.

Staff believes that this application complies with all provisions of City of Leavenworth Development Regulations.

2. The proposed special use at the specified location will contribute to and promote the economic development, welfare or convenience of the public.

There is a current need within the community for Adult Daycare uses. Residents caring for family members with dementia or Alzheimers have few to no resources for the type of service being proposed. The proposed facility will allow caregivers respite and help to improve the overall wellbeing of both caregivers and participants.

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

Staff does not feel that the proposed use will cause any substantial injury to the value of other property in the neighborhood.

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

No new structures or building modifications are proposed as part of this special use permit. The property will continue to look and function as it currently does. There was previously a preschool/daycare facility located in the subject property, operated by St. Casmir Parish.

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. Since notifications were mailed, staff has received no comments or inquiries.

Nationally, there continues to be an increased demand for daycare facilities offering services for adults with dementia/Alzheimers. As the proposed use is not currently addressed in the adopted Development Regulations, staff intends to add a definition and review criteria for this use during the next update to the Development Regulations to adequately prepare for any future proposals that are similar in nature. Staff has researched how other municipalities in the metropolitan area handle this type of use and will have draft language ready for review by this body during the annual update to the Development Regulations.

STAFF RECOMMENDATION:

Staff recommends approval of the Special Use Permit request based on the analysis and findings included herein, subject to the following conditions:

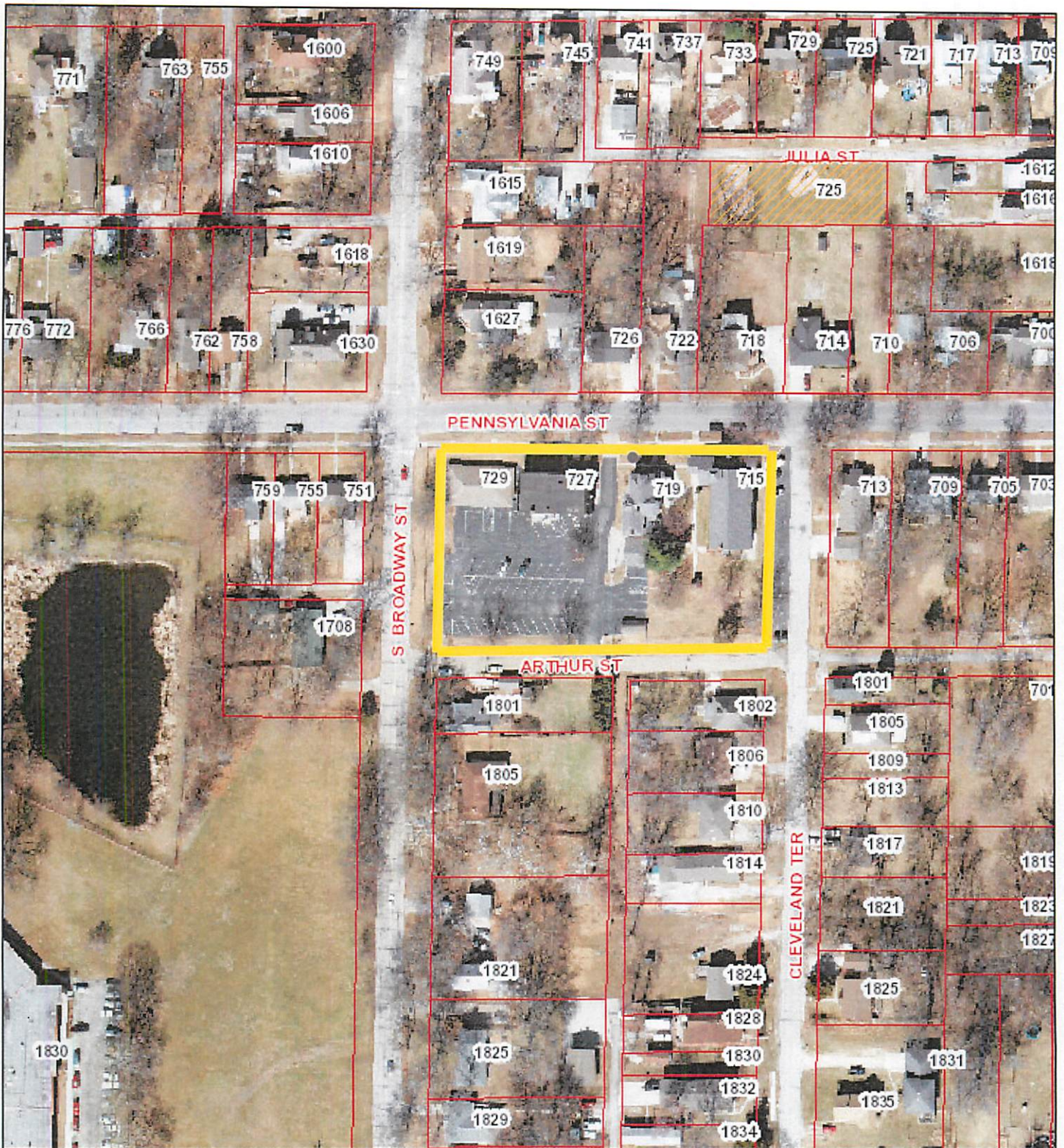
1. The operation shall be limited to a maximum of 16 adult participants.
2. No medical services shall be offered in conjunction with the facility.

Failure to maintain compliance with all conditions shall result in revocation of the Special Use Permit.

ACTION/OPTIONS:

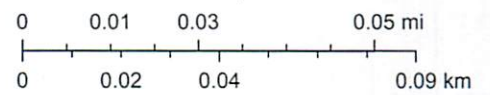
- Motion, based upon findings as stated and conditions as presented, to recommend approval to the City Commission with included conditions
- Motion, to recommend denial to the City Commission
- Table the issue for additional information/consideration.

2019-15-SUP



11/25/2019, 2:44:24 PM

1:2,257



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

CK 11848
10/14/19
\$350.00



SPECIAL USE PERMIT
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

Case No.: 2019-15 SUP
Application No. 6611
Fee (non-refundable) \$350.00
Filing Date 10-25-19
Received By Staci Adams
Publication Date 11-8-19
Hearing Date 12-2-19

SA

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: An adult daycare center
in accordance with the attached site plan on the following described property:

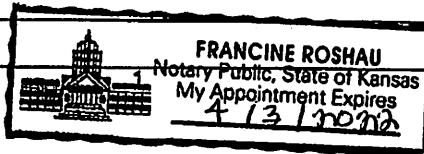
Address: 729 Pennsylvania, Leavenworth, KS
Legal Description: (Attach a full legal description provided by the Register of Deeds Office)
Real Estate PID #:
Zoning: R1-6 Historic District: NO

I/We, the undersigned, depose and state we are the owners of the above described property:

Name(s) of Owner (print): The Roman Catholic Archdiocese of Kansas City in Kansas
Owner Address: 12615 Parallel Parkway, Kansas City KS 66109
Contact No. 913-721-1570 Email: friley@archkck.org/sheila@shsc.org
Signature of Owner(s): [Signature]

State of Kansas
County of Wyandotte

(SEAL)



Signed or attested before me on: 10/14/2019 By: Rev. John Riley
Notary Public Francine Roshau Francine Roshau
My Appointment Expires: 4/3/2022

If business is operated by someone other than the owner, provide name and address of operator(s).

Name of Lessee: Elaine Belardo
Address: 1280 Summit Ct, Lansing, KS 66043
Contact No. 301-676-7538 Email: esmb8@msn.com

NOTE: All signatures must be in ink. Signature of owner(s) must be secured and notarized.

Check list below...

- Non-Refundable Fee of \$350.00 is due at time of application
- City will provide list of owners for property within two hundred (200) feet of the subject property
- Attach **full** legal description (must be provided by the Register of Deeds Office)
- Site Plan drawn to scale (See General Instructions)
- Supporting documentation (See General Instructions)

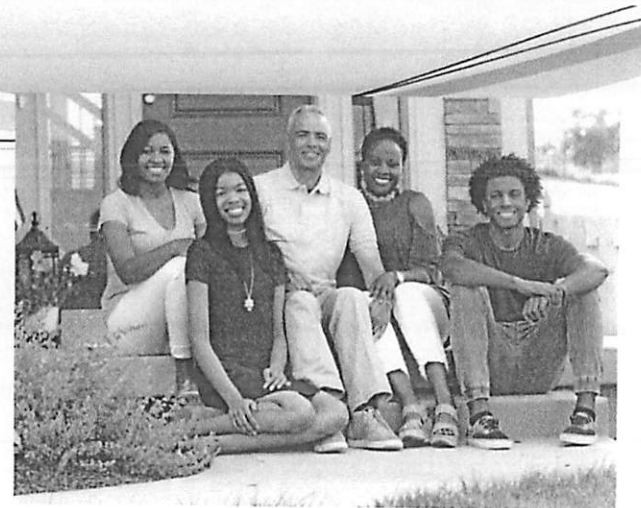


THE D.E.E.P.E.R. WINDOW PROJECT

Opening the Window of Hope through Dementia
Education, Empowerment, Programs, Engagement, and
Resources

Elaine Belardo

My Who~



Rear Admiral (Retired) Jose H. Belardo III, MSW, JD and our family.

Medically retired after 26 years of lauded service due to Early Onset Alzheimer's diagnosis at age 50.

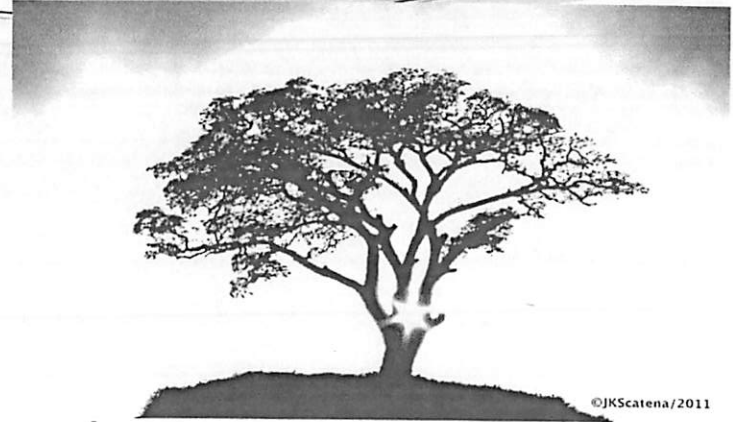
5.5 million Americans living with Alzheimer's disease(or other dementia's) including 640,000 with early onset Alzheimer's.

My Why~

The sanctity and dignity of life.

A dementia diagnosis does not end a persons value or ability to contribute to society. In fact, there is a distinct window of opportunity post diagnosis when the individual and care partners need the hope of an engagement and empowerment program and care partner respite.

Currently, there is only one nonmedical supportive program in the Kansas City area for 16 people where my husband attends. Leavenworth County has no program like this.





Program Description

*Provide an environment for social engagement, arts enrichment, community service and cognitive stimulation in a nonmedical setting for people actively living with early to moderate dementia.

*Provide respite for care partners as person living with dementia participates independently in the program twice weekly.

*Provide a safe space where people living with dementia form peer relationships and avoid isolation.

Who Benefits?

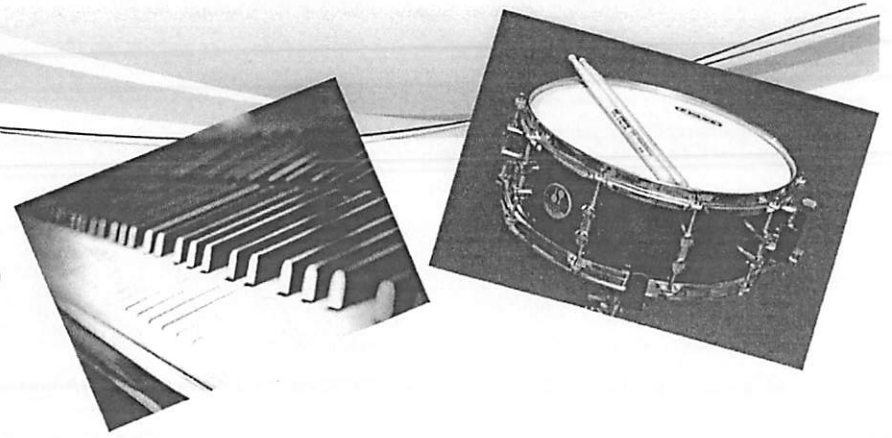


Individuals living in the home with early to middle stage dementias. Delays placement in care facility.

Care partners in need of respite due to active workforce participation and fulltime care assistance.

The community that learns to value individuals living with dementia as able contributors.

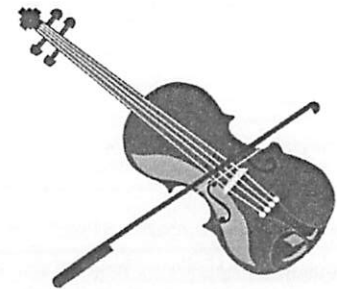
Who Staffs It?



A licensed Clinical Social Worker
or Licensed Practical Nurse

Music/Art Therapists

Trained Volunteers





Who Oversees It?

A 501(c)(3) approved advisory board to include:

Lay person with actual experience with individuals who live with dementia.

Lay person with a heart for serving this population.

Person living with dementia

Dementia Care professionals



Marketing

Promote the message of The DEEPER Window:
Dementia Education, Empowerment (through)
Programs, Engagement and *Resources*.

We Intervene Now During Optimal Window

Print Ads

Social Media

Radio

Marketing Targets

Heart of America Alzheimer's Association

Physicians

Social Workers

Council on Aging

Care partners

Individuals w/ dementia

Community- Leavenworth

County and surrounding areas



How It starts

FUNDRAISING PROGRESS

ME

94% completed

\$6,635

I have raised

\$7,000

My goal (change)

MY TEAM

90% completed

\$9,040

We have raised

\$10,000

Our goal (change)

DONATION HISTORY

Need Help?

Short form 501(c)(3) application takes 4-6 weeks

Start nonprofit fundraising post application submission

Exponential fundraising through partnership not merely transactional relationship

Local and national grant funds

With at least 9 committed participants



Finances

- Commercial rental: \$800/ mo
- Salaries- LCSW or LPN: \$28.00/hr \$1344.00/mo
- Music/Art Therapist: \$50.00/hr \$500.00/mo
- Utilities Electric and Water: \$0-200.00/mo
- Advertising: \$100.00/mo
- Cleaning: \$0-150/mo

Finances

- Hot meal:
 - \$10/day/pp, \$160/pp/mo, 16 people/mo
 - \$2,560/mo
- Insurance: \$100.00/mo
- Activities/supplies: \$300.00-\$500/mo
- **\$4,934-\$6,254/mo** to run the program
- **\$59,208-75,048** for 9-16 people
 - \$69-49 per day/person
 - \$548-391 per month/person (8 days)



Comparative Cost

Equivalent Program in Johnson County-

- \$70/day/person
- \$630/month /person
- \$7,560/year/person

\$120,960 yearly to run the nonmedical program: Jeanne's Place

Assisted Living- \$10,000 and up person per month

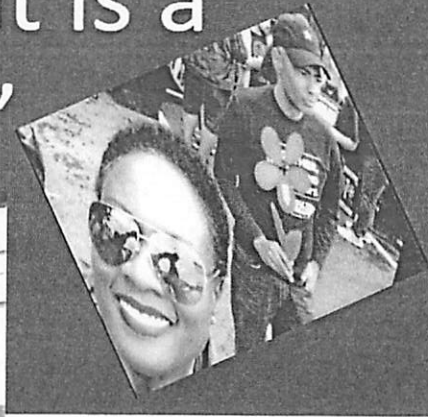
Goals


- Organize a community coalition to support dementia initiatives in Leavenworth County.
- Have two 16 person groups run M/W and T/TR 9:00am-3pm
- Dementia Resource Library
- Friday open for socialization
- Space utilized for support groups and educational workshops

Incurable does not mean imminent death

“Long before dementia is a disease one dies from it is a disease one lives with.”

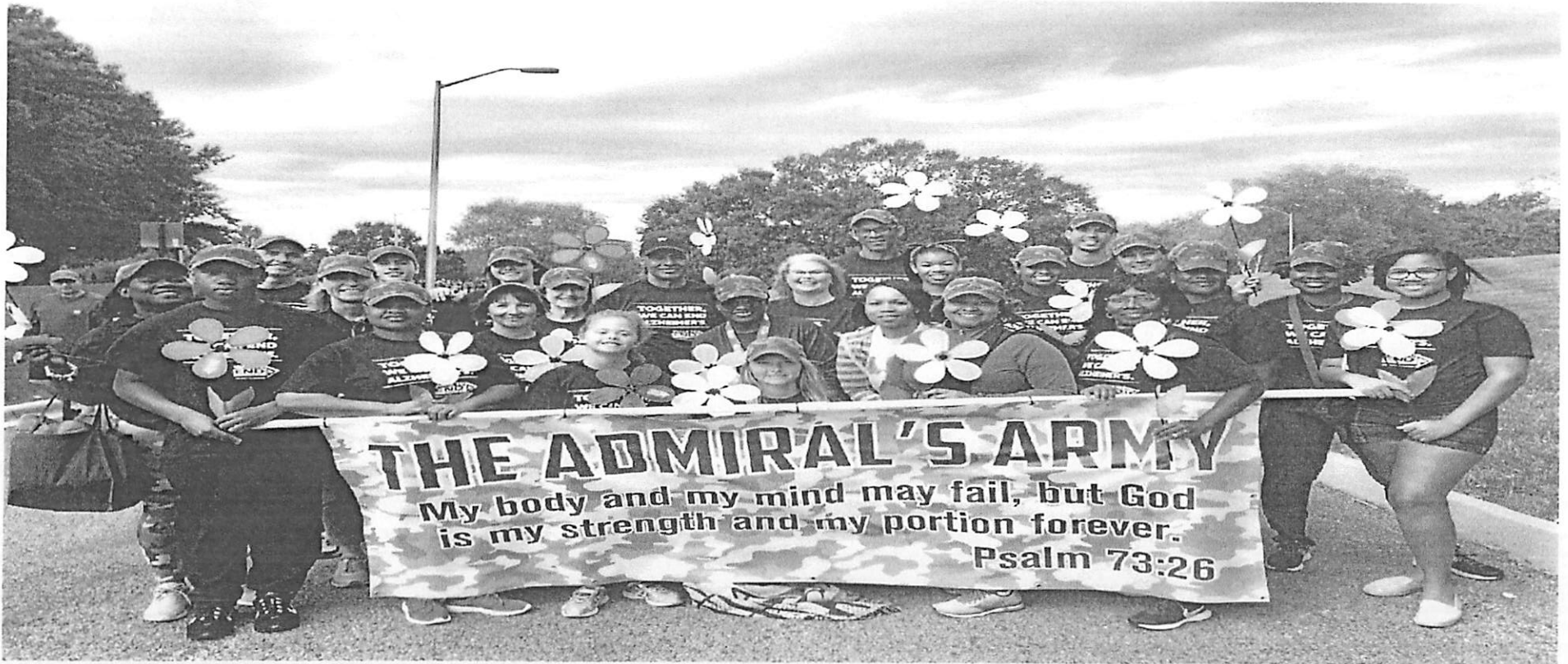
Elaine Belardo





**The D.E.E.P.E.R. Window Project
seeks to advocate for the dignity,
empowerment , and support of
individuals living with dementia to
remain engaged and active for as
long as possible.**

Questions and Insights



PLANNING COMMISSION AGENDA ITEM

**2019-16 REZ
REZONING REQUEST
1001 N. 7th Street**

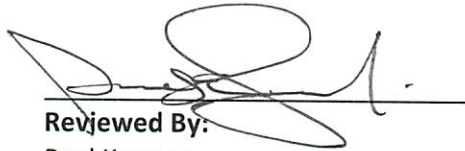
DECEMBER 2, 2019

SUBJECT:

A request to rezone the property located at 1001 North 7th Street from R1-6, High Density Single Family Residential District, to GBD, General Business District.



Prepared By:
Jacquelyn Porter
City Planner



Reviewed By:
Paul Kramer
City Manager

ANALYSIS:

The applicant Development, Inc., owned by Jeremy Greenamyre, is requesting a rezoning of the property located at 1001 N. 7th Street from R1-6, High Density Single Family Residential District, to GBD, General Business District. The property used to be a church, Life Connections Ministries, which vacated in the summer of 2019, and has remained vacant to this date.

The rezoning is being requested by the property owner to allow the zoning to accurately represent the intent of use of the structure, and to correlate with surrounding commercial zoning. Prior uses of the property have been a general business commercial use since 1955. In 1955, the existing building was constructed as an office building, and maintained the use of the building as office space, until the recent use of the building as an assembly hall for the Life Connections Ministries. All prior uses are allowed in General Business District zoning.

The applicant suggested that there might be minor changes to the exterior of the structure to maintain the aesthetics of the building.

CONDITIONS OF DETERMINATION

Whenever the Planning Commission or City Commission takes action on an application for amendment to these Development Regulations, and such proposed amendment is not a general revision of existing ordinances, but one which will affect specific property, the Planning Commission and City Commission shall consider the following factors:

- a) The character of the neighborhood;

The subject property is the site of the former Life Connections Ministries building, which is currently vacant. To the south is a multi-story apartment building. To the southeast of the office building is a vacant commercial building. To the east is Excellent Choice a restaurant. To the north is a barber shop. The remainder of the neighborhood consists of single-family homes. The subject property is located along North 7th Street, which is classified as a collector street and designed to handle a moderate volume of traffic. To the west of the building is a parking lot that was designed to facilitate the customer base for the building.

b) The zoning and use of properties nearby;

To the south of the subject property is a multi-story apartment building, zoned OBD (Office Business District). To the southeast of the office building is a vacant commercial building, zoned GBD (General Business District). To the east is Excellent Choice, restaurant, and a vacant building zoned OBD (Office Business District). To the north is a barber shop, zoned OBD (Office Business District). To the west is a single-family resident zoned OBD (Office Business District). The remainder of the neighborhood consists of single-family homes zoned R1-6, High Density Single Family District.

c) The suitability of the subject property for the uses to which it has been restricted;

The subject property was built in 1955 as an office building. The building has been used as an office building and an assembly hall since construction, and is unsuited for residential use.

d) The extent to which removal of the restrictions will detrimentally affect nearby property;

The proposed rezoning should have little detrimental effect upon surrounding properties. The subject building has been used for general business district qualified uses since its construction in 1955. No significant effect on nearby property is anticipated due to the rezoning.

e) The length of time the subject property has remained vacant as zoned;

The existing building has consistently operated in a general business district use since construction in 1955. The last remaining tenant vacated the building summer of 2019.

f) The relative gain to economic development, public health, safety and welfare by the reduction of the value of the landowner's property as compared to the hardship imposed by such reduction upon the individual landowner;

The proposed rezoning will have a positive effect on public health and welfare by providing a correct zoning to correlate with the surrounding properties along a moderately used collector street, which has been proposed by the 2010 Comprehensive to be zoned Commercial.

g) The recommendations of permanent or professional staff;

Staff recommends approval of the rezoning request.

h) The conformance of the requested change to the adopted or recognized Comprehensive Land Use Plan being utilized by the city;

The area is identified as appropriate for Institutional uses on the Future Land Use map. Therefore, staff finds the proposed use to be in conformance with the overall goals of the adopted Comprehensive Plan.

i) Such other factors as may be relevant to a particular proposed amendment. The factors considered in taking action on any proposed amendment shall be included in the minutes or otherwise be made part of the written record.

No other factors

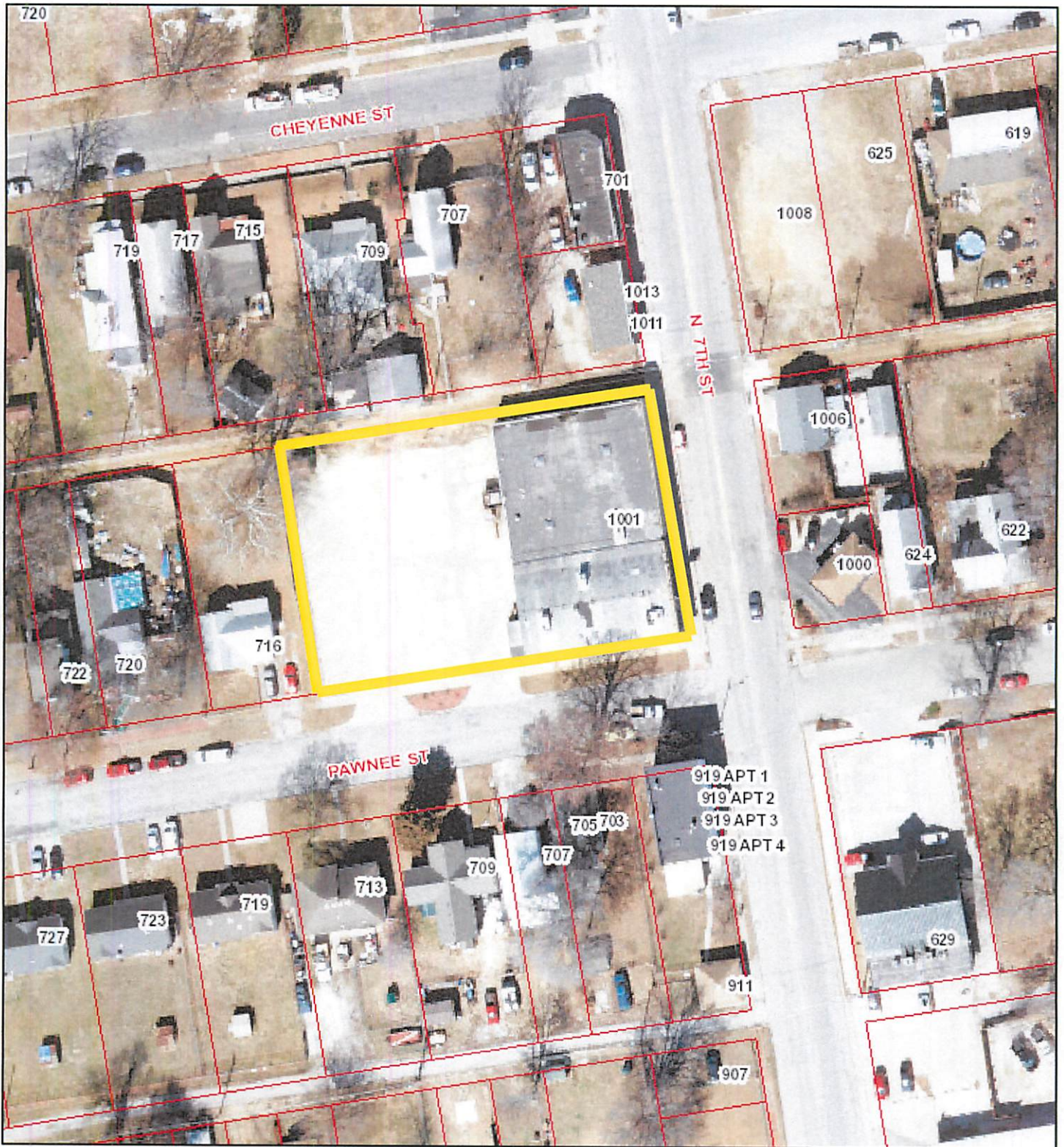
REZONING ACTION/OPTIONS:

- Recommend approval of the rezoning request from R1-6 to GBD to the City Commission
- Recommend denial of the rezoning request from R1-6 to GBD to the City Commission
- Table the issue for additional information/consideration.

Attachments:

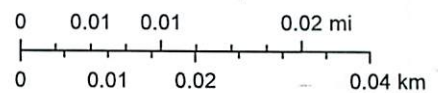
Application materials
2010 Future Land Use Map
Current Zoning Map

2019-16 REZ 1001 N 7th St Aerial



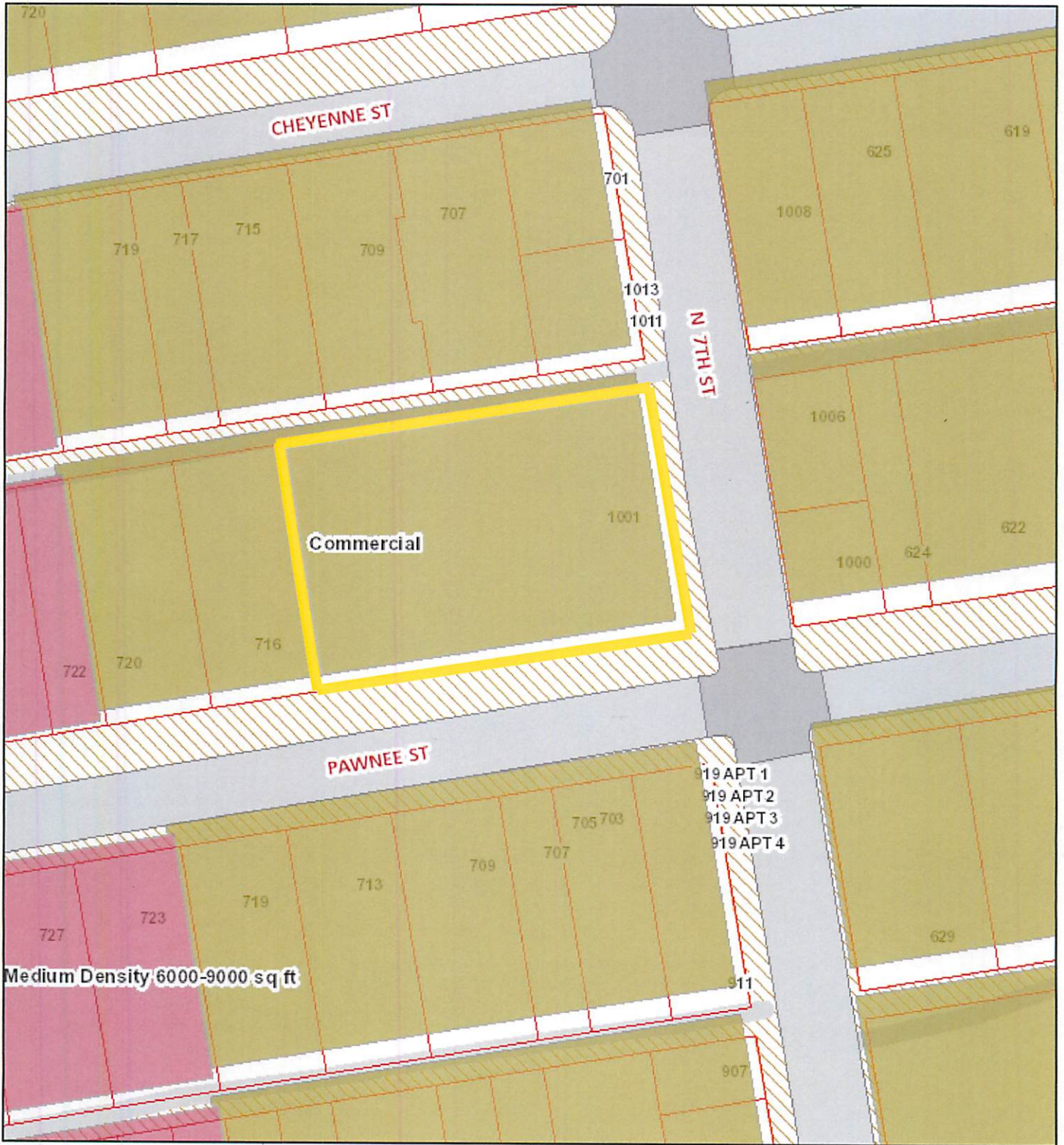
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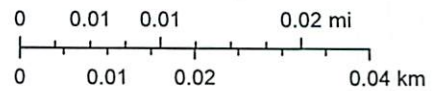
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2019-16 REZ 1001 N 7th St Future Land Use



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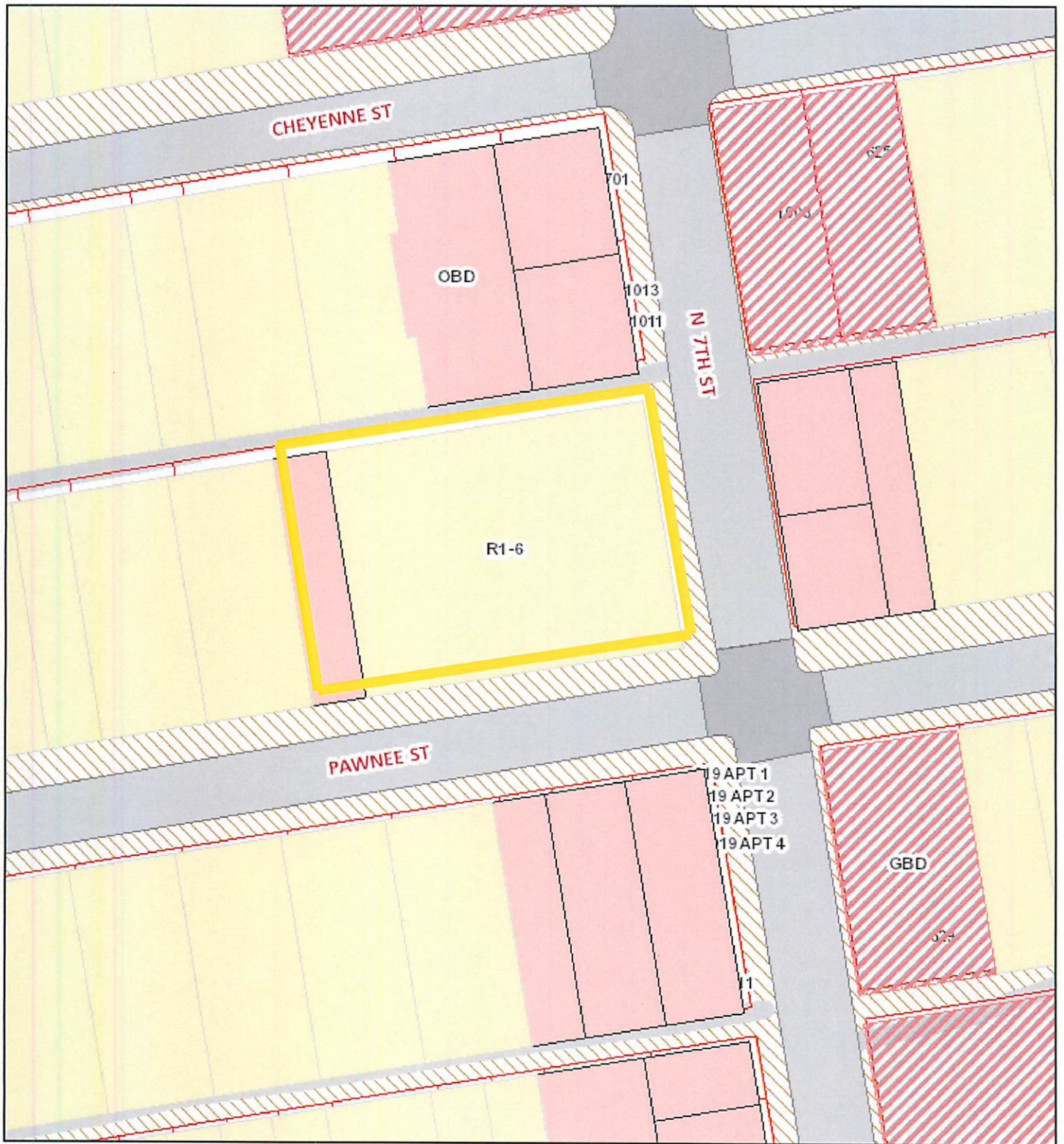
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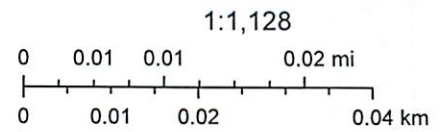
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Web AppBuilder for ArcGIS
National Weather Service |

2019-16 REZ 1001 N 7th St Current Zoning Map



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Web AppBuilder for ArcGIS
National Weather Service |



APPLICATION FOR REZONING
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

Project No. 2019-116 REZ

Application #	<u>6617</u>
Fee (non-refundable)	\$350.00
Filing Date	
Received By	
Hearing Date	<u>12-2-19</u>
Publication Date	<u>11-8-19</u>

The undersigned owner(s)/agent for the owner(s) of the property described below, herein petition for a change in the zone of the following legally described property: (agent must have authorization to make application).

Subject Property:	1001 N. 7th St.		
Rezoning:	Present classification of <u>R1-6</u> district to <u>GBD</u>		
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE)		
Real Estate PID #:	2676	Historic District:	N/A

I/We, _____ being duly sworn, depose and say that I am the owner/agent for the owner of the property involved in this petition and that the statements and answers herein contained and then information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Name(s) of Owner (print or type):	Development, Inc.		
Address:	2500 S. 2nd St., Leavenworth, KS 66048		
Contact No. (913) 828-4440	Email Address: Jeremy@Greenamyre.com		
Signature of Owner(s):			

State of <u>Kansas</u>)	(SEAL) BRANDI K. SCHWINN
County of <u>Leavenworth</u>)	NOTARY PUBLIC
	STATE OF KANSAS
	My Appt. Expires <u>4-7-2020</u>

Signed or attested before me on 10/15/19 by JEREMY GREENAMYRE
(date) (name(s) of person(s))

Notary Public: Brandi K. Schwinn My appointment expires: April 7, 2020

NOTE: All signatures must be in black or blue ink. Signature of owner(s) must be secured and notarized.

If necessary, use additional sheets to respond to the following:

Briefly describe the present use and character of the property and of the surrounding area: _____

Vacant, 9800 sq. ft. office/retail building. Last tenant (church) vacated in summer 2019.

Briefly describe the intended use and character of the property: _____

Office/retail. Little to no change to exterior structure.

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property: Appearance and past use of the building fits with a commercial use.

Give the reason(s) why you believe this proposal will not be materially detrimental to the public welfare and surrounding properties and/or measures you have taken or intend to take to prevent detrimental impacts: Our proposed zoning is not different than how it has been used for the last 50+ years.

We are simply aligning the zoning with the historic occupancy.

Is the property affected by any easements, deed/plat restrictions or other conditions arising from previous Special Use Permits, Subdivisions, rezoning or variances? If so, briefly explain the origin and effect of such conditions: No.

Check List:	
<input checked="" type="checkbox"/>	Non-refundable fee of \$350.00 is due at time of application
<input type="checkbox"/>	List of the owners for property within two hundred (200) feet of the property to be rezoned
<input checked="" type="checkbox"/>	Full legal description provided by the Register of Deeds Office or a Title Company
<input checked="" type="checkbox"/>	Site plan drawn to scale (see General Instructions)
<input checked="" type="checkbox"/>	Supporting documentation (see General Instructions)