

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

**REGULAR SESSION
Monday, January 4, 2021
6:00 p.m.**

Due to the Covid-19 pandemic, the public hearing shall be closed for in-person attendance, excluding staff, commissioners and the applicant(s). All persons wishing to comment shall use the GoToMeeting access instructions listed below for remote participation. If you would like to submit questions to be read during the public hearing, email your comments or questions to jhurley@firstcity.org no later than 12:00 pm on January 4th.

GoToMeeting access instructions:

<https://global.gotomeeting.com/join/907707325>

OR

Phone Number: +1 (872) 240-3212

Access Code: 907-707-325

Your call will be placed into queue for comment. Please mute your phone until instructed otherwise.

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: December 7, 2020**

NEW BUSINESS:

- 1. 2021-01 REZ – 1440 AND 1460 QUINCY STREET**
Conduct a public hearing for Case No. 2021-01 REZ – 1440 and 1460 Quincy Street. The applicant is requesting a rezoning of the property located at 1440 and 1460 Quincy Street from R1-9, Medium Density Single Family Residential District, to R1-6, High Density Single Family Residential District.
- 2. 2021-02 SUB – ADAMS VALLEY – PRELIMINARY PLAT**
Consider a preliminary plat for Adams Valley subdivision.

OTHER BUSINESS:

NONE

ADJOURN

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, December 7, 2020
6:00 PM

CALL TO ORDER:

Commissioners Present

Claude Wiedower
Linda Bohnsack
James Diggs
Joseph Burks
Chris Murphy
Sherry Hines Whitson
Mike Burke

Commissioners Absent

City Staff Present

Julie Hurley
Michelle Baragary

Mike Burke, Claude Wiedower, Joseph Burks, Julie Hurley and Michelle Baragary were present in the commission chambers. James Diggs, Sherry Hines Whitson, Chris Murphy and Linda Bohnsack participated remotely.

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

APPROVAL OF MINUTES: July 13, 2020

Chairman Burke asked for comments or a motion on the minutes presented for approval: July 13, 2020. Mr. Wiedower moved to approve the minutes as presented, seconded by Mr. Burks and approved by a vote of 4-0. Ms. Whitson, Ms. Bohnsack and Mr. Diggs did not vote due to technical difficulties.

APPROVAL OF MINUTES: October 5, 2020

Chairman Burke asked for comments or a motion on the minutes presented for approval: September 14, 2020. Mr. Wiedower moved to approve the minutes as presented, seconded by Mr. Diggs and approved by a vote of 5-0. Ms. Whitson and Ms. Bohnsack did not vote due to technical difficulties.

OLD BUSINESS:

None

NEW BUSINESS:

With numerous residents in attendance for the rezoning request, the commissioners reviewed the Fort Gate Marketplace 2nd Plat first.

- 1. 2020-40 SUB – FORT GATE MARKETPLACE FINAL PLAT, 2nd PLAT**
Consider a final plat for the Fort Gate Marketplace subdivision.

Chairman Burke called for the staff report.

Planning Director Julie Hurley stated the subject property is owned by Fort Gate Properties, LLC, plat prepared by Renaissance Infrastructure Consulting. The applicant is requesting approval of a 1.548 acre, 2 lot plat for the Fort Gate Marketplace commercial development. The property is zoned GBD, General Business District, and is currently vacant. The site was previously occupied by the Commanders Inn, which was recently demolished.

The applicant intends to redevelop the property with a commercial daycare center and a fast food restaurant. The plat includes all necessary utility easements.

The Project Plan to establish the North Gateway Redevelopment District for this project was reviewed by the Planning Commission for conformance with the Comprehensive Plan in November 2019, and approved by the City Commission.

The preliminary plat was approved by the Planning Commission at the May 5, 2020 Planning Commission meeting. Pending action by the Planning Commission, the City Commission will review the plat to accept land dedicated for public purposes in the form of utility easements. The first final plat for the Fort Gate Marketplace was approved by the Planning Commission on October 5, 2020.

Staff recommends approval of the Fort Gate Marketplace, Second Plat.

ACTION/OPTIONS:

- Approve the Final Plat
- Deny the Final Plat
- Table the issue for additional information/consideration.

Chairman Burke called for discussion among the commissioners.

With no questions or comments, Chairman Burke called for a motion. Mr. Wiedower moved to approve the Fort Gate Marketplace, Second Plat, Final Plat, seconded by Mr. Burks and approved by a vote of 5-1. Mr. Murphy voted nay stating a few months ago the commissioners approved the Fort Gate Marketplace First Plat which was for a convenience store and a fast food restaurant. Now the commissioners are being asked to approved the second plat, which is for a fast food restaurant and a daycare center. Mr. Murphy does not feel comfortable approving this plat which will end up with a convenience store, two fast food restaurants and a daycare center.

2. 2020-37 REZ – 2100 LIMIT STREET

Conduct a public hearing for Case No. 2020-37 REZ – 2100 Limit Street. The applicant is requesting a rezoning of the property located at 2100 Limit Street from R1-25, Low Density Single Family Residential District, to R-MF, Multiple Family Residential District.

Chairman Burke explained the public hearing process to the audience.

Chairman Burke called for the staff report.

Planning Director Julie Hurley stated the subject property is owned by Greenamyre Rentals, Inc. The applicant is requesting a rezoning of their property located at 2100 Limit Street and the lot directly adjacent to the north from R1-25 to R-MF. The two parcels are situated between Vilas and Limit Streets, totaling approximately 5 acres and are currently vacant. To the east is Henry Leavenworth Elementary School.

The rezoning is being requested in order to allow for the development of market-rate townhomes. The applicant has provided a conceptual site plan showing a total of 28 townhome units, with a through street from Vilas to Limit.

The Development Review Committee reviewed the project at their October 15, 2020 meeting and discussed items related to traffic congestion associated with the nearby school, street configuration, utility issues, stormwater and water quality issues, and other items related to the potential development of townhome units in this location. The applicant indicated that they would bring a concept for a cul-de-sac configuration instead of a through street to the Planning Commission meeting.

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 vacant and is surrounded by large lot single family residential development. To the east is Henry Leavenworth Elementary School. To the west is a traditional single family residential neighborhood.

- b) The zoning and use of properties nearby;

The surrounding properties are zoned R1-25, Low Density Single Family Residential District. Henry Leavenworth Elementary School to the east is zoned R1-9, Medium Density Single Family Residential District. The single family residential neighborhood to the west is zoned PUD, Planned Unit Development.

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

The subject property is currently zoned R1-25, Low Density Single Family Residential, which is typical of agricultural and large lot residential uses in the City. The property is vacant and is surrounded by large lot single family residential uses, but may be suitable for a variety of residential uses.

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

The proposed rezoning could have a potential detrimental effect on nearby property due to an increase in traffic along narrow and unimproved sections of Vilas and Limit Streets. The streets in the general vicinity are ditch section streets, and already experience brief periods of high traffic volume due to the nearby elementary school.

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

The property has always been single-family/agricultural in nature.

- 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 would have a positive effect upon the economic vitality of Leavenworth by allowing for a variety of housing types and price points.

- 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 subject area is identified as appropriate for Low Density Residential uses, which is defined as 7,500-14,000 sqft of lot area per dwelling unit. The proposed development provides approximately 4,700 sqft of lot area per dwelling unit as shown on the submitted site 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 R1-25 to R-MF to the City Commission
- Recommend denial of the rezoning request from R1-25 to R-MF to the City Commission
- Table the issue for additional information/consideration.

Chairman Burke called for discussion/questions about the staff report.

Mr. Wiedower asked if the City has an assessment of the economic impact.

Ms. Hurley responded an economic impact report is not required for rezoning proposals. Ms. Hurley further stated the City is in the process of updating their comprehensive plan, and one thing the City has repeatedly heard from public input from residents, property owners and business owners is the need for more variety in housing options. This development would feed into that identified need.

Mr. Wiedower asked if the project is approved, is the City ready to make the necessary capital improvements in that area.

Ms. Hurley responded there is no plan at this point in the capital improvement plan with the City to improve Vilas or Limit at this point.

Mr. Murphy stated his concern is with the traffic in the area. Has the City discussed that issue.

Ms. Hurley replied the Police Department and the Public Works Department are part of the Development Review Committee and spoke about this during the DRC meeting October 15, 2020. The main periods of congestion are during the drop-off and pick-up periods, which PD is well aware of.

Chairman Burke asked if staff received any comments from the school district.

Ms. Hurley responded in the negative.

Mr. Wiedower stated it appears the applicant has proposed a plan for a cul-de-sac to minimize traffic in the area by offering two separate entrances.

Ms. Hurley stated the conceptual site plan provided by the applicant is for a through street. One option discussed at DRC was a cul-de-sac or some other configuration, which the applicant can discuss further.

Chairman Burke asked if the project is approved would any immediate changes need to be made for the storm runoff to feed into or feed out of the subject property.

Ms. Hurley responded any new development would be required to take care of their storm water within their site, which means the subject property's storm water could not impact anything outside of that site.

Chairman Burke asked if the applicant would like to add anything.

Jeremy Greenamyre, applicant, stated after the DRC meeting he did think that maybe a cul-de-sac or U-shaped street, etc. to help direct traffic. Mr. Greenamyre further stated Leavenworth is a great place if you are looking for new single-family homes or existing single-family homes, but there is not a lot of multi-family or nicer market rate rental units hitting the market, which is the market he is targeting.

Mr. Greenamyre further stated he is not opposed to a different configuration that would make sense. Housing will be 1,000-1,200sqft range. There are no immediate plans to develop the lots. This is just preliminary conceptual plan and breaking ground probably would not happen for 5-10 years.

Mr. Wiedower asked if the units will be rental units or can they be purchased and what would the cost be.

Mr. Greenamyre responded the units would be rentals, \$1,000-1,400/mo., maintenance free. This is a market rate development so there are no low-moderate tax credits or City incentives.

Mr. Wiedower asked about the quality of the units.

Mr. Greenamyre stated the units have many of the updates you would expect to see in new home developments such as granite countertops, vaulted ceilings, garages, sprinkler systems and some units will have heated flooring.

Mr. Murphy stated the applicant had mentioned he would not be surprised if breaking ground did not happen for possibly 10 years. Mr. Murphy asked for clarification this project is not something the applicant wanted to start immediately.

Mr. Greenamyre responded this is a long-term hold. With all the other projects in the works, Mr. Greenamyre would be surprised if he got to this project before 3-5 years.

With no further questions from the commissioners, Chairman Burke opened the public hearing.

Brian Stephens, 2614 S. 25th Street, stated Greenamyre has done a lot for the community. Mr. Stephens concerns are increase in traffic and poor road conditions with Vilas and Limit Streets. Mr. Stephens further referenced the minutes from the October 15, 2020, DRC meeting stating there was no drainage plan, no identification for fire hydrants, no statements from the Fire Department, and no statements about utilities.

Rick Kimbrough, 2115 Vilas, is concerned with public safety – fire protection, police protection and emergency medical assistance. Mr. Kimbrough would like to see Vilas and Limit Streets widened.

Kevin Baker, 2101 Limit, commented his main concerns are the streets, stating the streets should be rebuilt.

Janiece Baker, 2101 Limit, is concerned with infrastructure, the increased traffic and the width of the streets making them dangerous to drive.

Jeff Fink, 2116 Vilas, is concerned with the safety of the streets stating people will drive in his front yard because Vilas is too narrow. Mr. Fink asked the commissioners why not build on the land located on Eisenhower.

Chairman Burke responded that property does not belong to the applicant.

Ms. Hurley asked what property on Eisenhower Mr. Fink is referring.

Mr. Fink responded the property the City spent millions of dollars on.

Ms. Hurley responded that property is the Business and Industrial Park, which is not owned by Greenamyre nor is it zoned residential.

Mr. Fink would like to know what other areas Mr. Greenamyre has looked at.

Chairman Burke asked Mr. Greenamyre if he looked at other properties within the City of Leavenworth for development before purchasing the subject properties.

Mr. Greenamyre responded in the negative stating the subject properties were presented to him as an opportunity, the price made sense and the location is good.

Mr. Wiedower stated the applicant may own other properties in Leavenworth but tonight's meeting is regarding the property on Vilas and Limit Streets.

Janiece Baker approached the board again stating a multi-family housing unit in a fully residential area is concerning. She further asked Mr. Kimbrough how many cars he counted last week.

Mr. Kimbrough replied last Friday he counted 153 cars parked along Vilas, Limit and 22nd Streets. In addition, many parents drive against the traffic on Vilas and drive west; then do a U-turn at the intersection of 20th Street and Vilas.

James Hassel, 2323 S. 24th Street, stated his concerns are with increased traffic and security risks for the kids, especially for the kids walking and riding bikes to/from school. He further mentioned there is no storm drainage infrastructure on Limit Street.

Heather Hassel, 2323 S. 24th Street, stated she understands the economic importance of the development; however, the current area consists of single families, yet the applicant is looking at professional working class moving into the proposed development. Ms. Hassel also has concerns with the lack of infrastructure in the area and safety concerns.

Jerry Heintzelman, 2089 Limit Street, stated his main concerns are water runoff, property value depreciation and poor street conditions. Mr. Heintzelman further stated Mr. Reilly was going to development this land but did not because Mr. Reilly was told he would need to improve the streets.

Storm Savage, 3032 Somerset Drive, stated his concerns are with depreciating property values, increased traffic and infrastructure.

Peter Campbell, 2311 Vilas Street, stated Mr. Reilly did not develop the land when he owned it because it was not profitable; so what has changed from then to now. Mr. Campbell further stated his concerns are with traffic and safety.

Terry Rogers, owns the land to the west of 2101 Limit Street, stated her concerns are depreciated property values and roads impassable for emergency vehicles. Ms. Rogers asked staff why they recommended approval for the rezoning request.

Ms. Hurley responded staff recommendation is based on all departments within the City that reviewed this through the Development Review Committee, which includes Planning, Public Works, Police, Fire, City Manager and City Clerk. The comments and minutes from that review has been included in the agenda packet. The issues brought up in that review by the different departments were items the various staff members felt could be addressed with the proposal at the time of development.

Chairman Burke stated the public hearing has been going on for an hour and twenty minutes. He will allow another 15 minutes of discussion before closing the public hearing. To summarize what he has heard is there is a question about the infrastructure; infrastructure of the roads, water runoff, narrowness of the roads and public safety. Chairman Burke asked if there is anything new that someone would like to come forward to address.

Mr. Heintzelman asked if there was ever a proposal or design for stormwater.

Ms. Hurley responded at this point there has not been. An engineering plan would be required at the time of site plan approval, which would come back to City staff for review.

Mr. Heintzelman does not believe the developer should be allowed to rezone the property if he does not already have stormwater plans.

Kathleen Buker, 2235 Hebbeln Drive, stated under the Future Land Use layer on the City's GIS there is multi-family zoning between Limit Street and Tonganoxie Drive. Ms. Buker further stated the street infrastructure still needs to be addressed with or without the approval of the proposed rezoning request.

Anita Duke, 2229 Vilas Street, stated her concerns are traffic, safety, stormwater and property values.

Mr. Savage asked if there has been a tax revenue versus a tax assessment study completed.

Ms. Hurley stated those studies are not done for a typical rezoning request.

Mr. Hassel referenced the DRC minutes stating the Police Department mentioned traffic backs up as far as the proposed subdivision.

Renate Campbell, 2311 Vilas Street, stated she works at Henry Leavenworth Elementary school and has concerns about the owls, deer, woodchucks, etc. that inhabit the subject property.

Chairman Burke asked Ms. Campbell what her position is at the school.

Ms. Campbell replied she is the Building Secretary.

Chairman Burke asked if the traffic issue has been addressed with the Board of Education.

Ms. Campbell stated the issue is being addressed but specific information would need to come from the BOE.

Kay Beaman, 2018 Limit Street, stated her concerns are stormwater runoff, traffic safety and street improvements.

Chairman Burke thanked everyone for participating, closed the public hearing and called for discussion among the commissioners.

Mr. Burks referenced comment #11 in the email dated October 12, 2020 and asked for clarification that the City does not currently have any plans to improve Limit Street.

Ms. Hurley responded in the affirmative.

Sherry Hines Whitson thanked everyone for coming together for a common cause.

With no other comments or questions, Chairman Burke called for a motion. Mr. Burks moved to recommend denial of the rezoning request from R1-25 to R-MF and seconded by Mr. Diggs. Chairman Burke called the roll and the motion to recommend denial was passed 6-1 (Ms. Bohnsack voted to approved the rezoning request).

Ms. Hurley stated any rezoning request, regardless of the vote the Planning Commission makes, unless it is to table the item for further discussion, will go to the City Commission for final consideration. State statute requires a 14-day protest petition period. The City Commission has cancelled their second regular meeting of December because it falls Christmas week. This will go to the first regularly scheduled City Commission meeting on January 12, 2021.

Ms. Baker asked if they would be notified of the City Commission meeting.

Ms. Hurley responded notification will not be sent out but they can check the agenda as it is posted on the City's website.

Chairman Burke asked if there were any other comments or business to discuss.

Ms. Hurley stated there are two items for January's agenda.

With no other business, Chairman Burke adjourned the meeting.

The meeting adjourned at 7:58 p.m.

JH/mb

PLANNING COMMISSION AGENDA ITEM
2021-01-REZ
1440 & 1460 QUINCY STREET


JANUARY 4, 2021

SUBJECT:

A request to rezone the properties located at 1440 Quincy and 1460 Quincy from R1-9, Medium Density Single Family Residential District to R1-6, High Density Single Family Residential District.



Prepared By:
Julie Hurley
Director of Planning and
Community Development


for

Reviewed By:
Paul Kramer
City Manager

ANALYSIS:

The subject properties are owned by LD Development, LLC. The applicant is requesting a rezoning of their properties from R1-9, Medium Density Single Family Residential to R1-6, High Density Single Family Residential. The two parcels are situated to the north of Quincy Street west of 14th Street, totaling approximately 4.76 acres. 1440 Quincy is currently vacant, and 1460 Quincy is occupied by a single family house. Pending approval of the proposed rezoning and preliminary plat, the existing single family home will be demolished.

The rezoning is being requested in order to allow for the development of a single family subdivision, similar in nature to the subdivision adjoining the subject property immediately to the east. The present zoning of R1-9 allows for lots meeting the minimum requirements of 9,000 sqft in size and 75' in width. The proposed zoning of R1-6 allows for lots meeting the minimum requirements of 6,000 sqft in size and 48' in width. The accompanying preliminary plat, also on this agenda for consideration, shows a total of 18 lots with an average lot size of 9,647 sqft and an average lot width of 62'. The largest lot is 12,516 sqft and the smallest lot is 8,185 sqft. The subdivision adjoining the subject property immediately to the east includes a similar cul-de-sac layout with a total of 16 lots with an average lot size of 10,836 sqft.

The Development Review Committee reviewed the project at their December 17, 2020 meeting and discussed items related to utilities, drainage, and improvements to Quincy Street. Utilities are available to the property, and easements will need to be obtained in order to connect to existing utilities to the east. Grading on lots as they are developed will need to direct drainage to the street, instead of away from individual lots and onto adjoining properties, and will be addressed prior to recording of the final plat. No concerns were noted by the Police or Fire Departments.

Staff has received calls from nearby property owners with concerns about stormwater drainage. Public Works staff indicated that they are not aware of any existing drainage issues in this area. Staff has also received a call with a concern for the two existing ponds to the west of the proposed development, Public Works staff indicated that those ponds are not part of the same drainage area and will not be affected by this development.

A request to rezone the subject property from R1-9 to R1-6 was also proposed in 2007 with an accompanying preliminary plat largely the same as is proposed currently. The Planning Commission recommended approval of that rezoning request at that time, and the City Commission discussed and placed on first consideration an ordinance to rezoning the property. A valid protest petition was filed, and the ordinance failed on second consideration.

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 occupied by one single family home. To the north, east and south are other single family subdivisions with lots ranging in size from slightly smaller to slightly larger than those proposed as part of this development. To the west are several large lot residential parcels, each over 3 acres in size.

- b) The zoning and use of properties nearby;

The immediately adjacent properties are zoned R1-9, Medium Density Single Family Residential. Beyond the immediately adjacent properties to the north, east and west are properties zoned R1-6, High Density Single Family Residential. To the northwest is property zoned R-MF, Multi Family Residential. The majority of surrounding properties are developed with single family homes.

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

The subject property is currently zoned R1-9, Medium Density Single Family Residential, and the property is suitable for single family uses.

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

The proposed rezoning should have no detrimental effect on nearby property. The majority of concerns expressed to staff by neighbors regarding this proposal involve stormwater drainage that currently occurs from this property onto properties located to the east. The development of the proposed subdivision should positively impact any stormwater issues currently experienced, as the developed lots will be required to direct stormwater runoff to the proposed cul-de-sac to be captured by the stormwater drainage system, instead of directing stormwater runoff onto other properties.

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

The property has always been single-family/vacant in nature.

- 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 would have a positive effect upon the economic vitality of Leavenworth by increasing the available housing stock

- g) The recommendations of permanent or professional staff;

Staff recommends that the item be approved.

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

The subject area is identified as appropriate for Medium Density Residential uses, which is defined as 6,000-9,000 sqft of lot area per dwelling unit. The proposed development provides an average of 9,647 of lot area per dwelling unit as shown on the accompanying preliminary plat, and thus conforms to the adopted Future Land Use Map.

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 of note.

REZONING ACTION/OPTIONS:

- Recommend approval of the rezoning request from R1-9 to R1-6 to the City Commission
- Recommend denial of the rezoning request from R1-9 to R1-6 to the City Commission
- Table the issue for additional information/consideration.



APPLICATION FOR REZONING
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO. 2021-01 REZ

Application #	<u>8574</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>11-19-20</u>
Received By	
Hearing Date	<u>1-4-21</u>
Publication Date	<u>12-10-20</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).

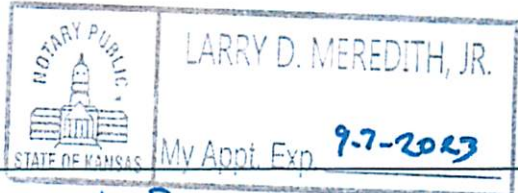
Subject Property:	<u>1440 Quincy and 1460 Quincy</u>		
Rezoning:	Present classification of: <u>R1-9</u>	district to: <u>R1-6</u>	
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE)		
Real Estate PID #:	<u>0783404003013000-3014000</u>	Historic District:	<u>No</u>

I/We, Duane L. Denney 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):	<u>LD Development, LLC</u>		
Address:	<u>16940 Dakota, Leavenworth, KS 66048</u>		
Contact No.	<u>913-290-0022</u>	Email Address:	<u>KS biker@aol.com</u>

Signature of Owner(s):
[Signature]

State of Kansas) (SEAL)
County of Leavenworth)



Signed or attested before me on Nov. 18, 2020 by Duane L. Denney
(date) (name(s) of person(s))

Notary Public: [Signature] My Appointment Expires:

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: The subject property
is currently one SFR on a 4.76 acre tract. The surrounding properties uses are primarily single-family residential, with both R1-9 and R1-8 zoning.

Briefly describe the intended use and character of the property: The subject property is proposed to be developed
as a 18-lot residential subdivision for detached single-family homes. Please see the attached preliminary plat.

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property: R1-6 zoning will allow for an 18 lot development, which is the minimum required for the project to be financially feasible.
The proposed subdivision will conform well with the surrounding properties and is consistent with the current land use plans for the area.

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: The proposed subdivision will conform well with the surrounding properties and is consistent with the current land use plans for the area. The 18 new detached single-family homes will not place undue burden on the existing transportation or utility infrastructure, and should have a positive overall impact on the surrounding properties.

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: None

Check List:	
<input checked="" type="checkbox"/>	Non-refundable fee of \$350.00 is due at time of application
<input checked="" type="checkbox"/>	Certified list of the property owners within two hundred (200) feet of the subject property
<input checked="" type="checkbox"/>	Full legal description obtained through the Register of Deeds Office
<input checked="" type="checkbox"/>	Site plan drawn to scale (see General Instructions)
<input checked="" type="checkbox"/>	Supporting documentation (see General Instructions)

PRELIMINARY PLAT & REZONING PLAN ADAMS VALLEY

Sheet - C1
Preliminary
Plat

2020-53
Adams Valley,
Leavenworth, KS
Preliminary Plat

Prepared For:
LH DEVELOPMENT, LLC
C/O KEVIN LIS
903 5TH AVE
LEAVENWORTH, KS 66048
(913) 306-2773
lhb80@gmail.com

NAPIER ENGINEERING, LLC

207 S. 5th Street
Leavenworth, KS 66048
913-375-0482
bren@napiereng.com

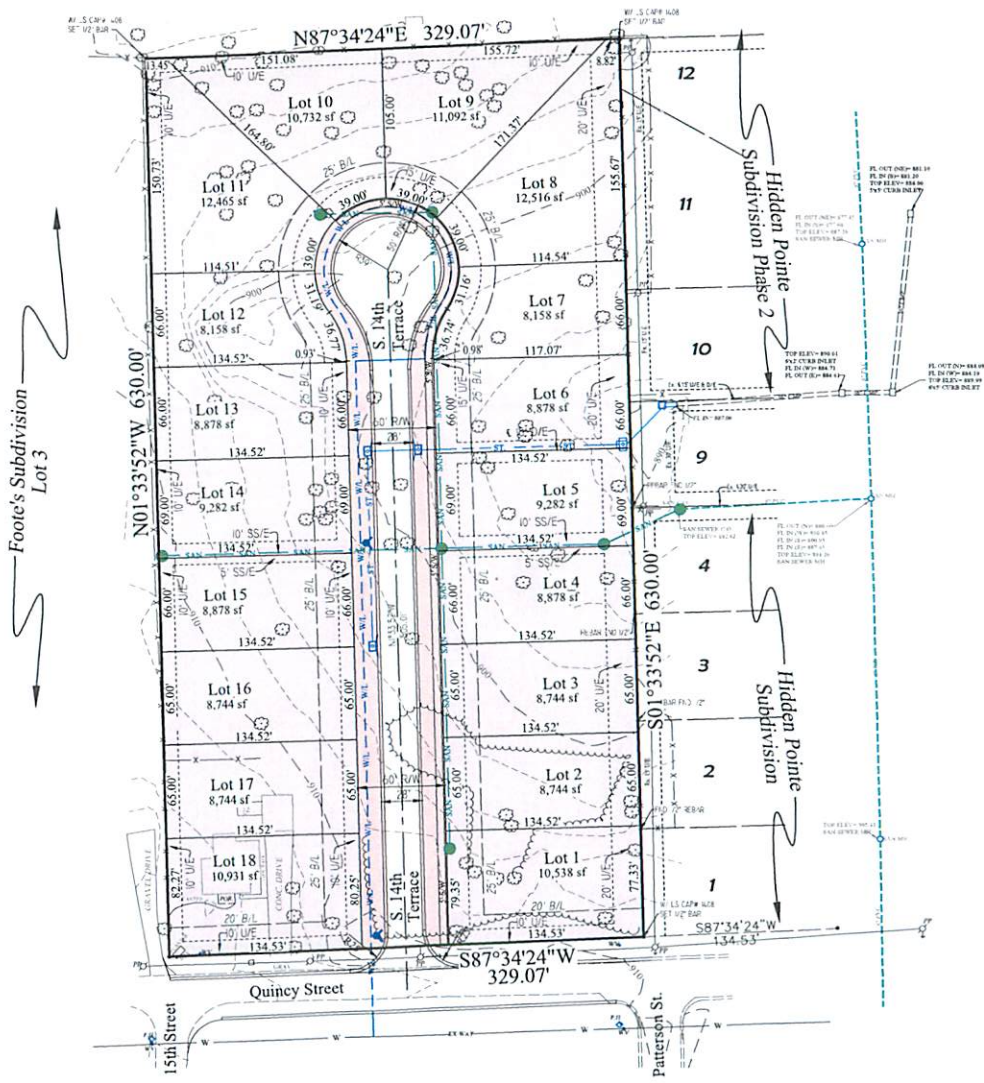
Date of Preparation
November 20, 2020

Revised Date:
-
-
-

1st
Submittal



Legal Description As Recommended
By Roger Dill, Kansas L.S. No. 1408
Atlas Story Surveying
207 S. 5th Street
Leavenworth, KS 66048
LEGAL DESCRIPTION:
Lot 2, FOOTES SUBDIVISION, City of Leavenworth, Leavenworth County Kansas.

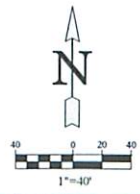


NOTES:
The minimum Side Yard Setback for Single Family Lots shall be R1-0 restrictions at the date of filing or no less than 6 feet on each side of structure.
The minimum Front Yard Setback for Single Family Lots shall be R1-0 restrictions at the date of filing or no less than 25 feet.
The minimum Rear Yard Setback for Single Family Lots shall be R1-0 restrictions at the date of filing or no less than 25 feet.
All lots shall be restricted to one (1) 20 foot curb cut to avoid curve drive.

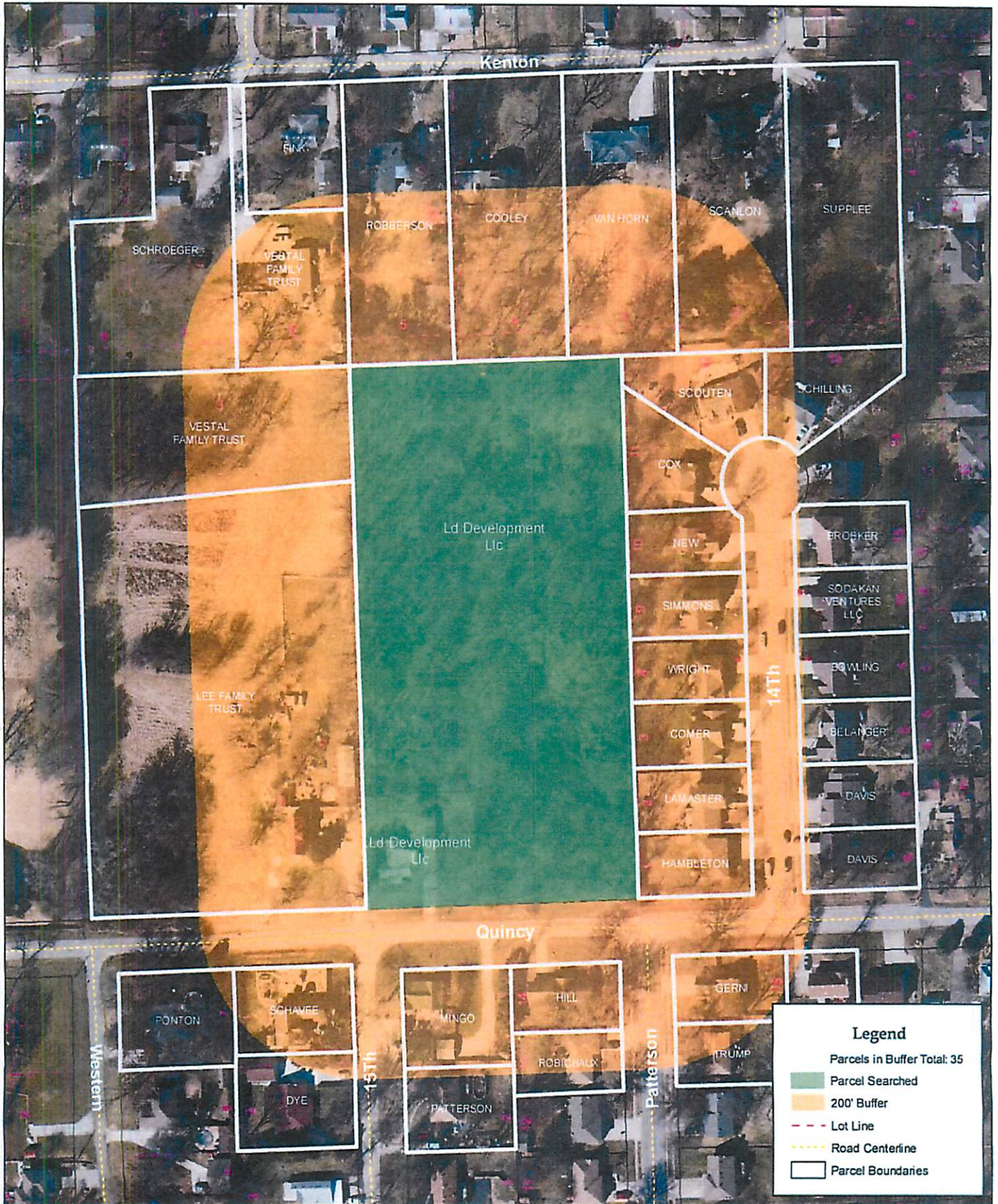
TOTAL AREAS		
PARCEL	Sq. Ft.	Acres
LOT 1	10,538	0.24
LOT 2	8,744	0.20
LOT 3	8,744	0.20
LOT 4	8,878	0.20
LOT 5	9,282	0.21
LOT 6	8,878	0.20
LOT 7	8,158	0.19
LOT 8	12,516	0.29
LOT 9	11,092	0.25
LOT 10	10,732	0.24
LOT 11	12,465	0.29
LOT 12	8,158	0.19
LOT 13	8,878	0.20
LOT 14	9,282	0.21
LOT 15	8,878	0.20
LOT 16	8,744	0.20
LOT 17	8,744	0.20
LOT 18	10,931	0.25
ROW	11,400	0.26
TOTAL	207,294	4.76

Site Summary

Existing Zoning: R1-0
Proposed Zoning: R1-C
Gross Acreage: 4.76 Acres ±
Number of Lots: 18 Lots
Gross Density: 3.8 lots/Ac.
Minimum Lot Size: 8,158 Sq. Ft.
Maximum Lot Size: 12,516 Sq. Ft.
Average Lot Size: 9,647 Sq. Ft.



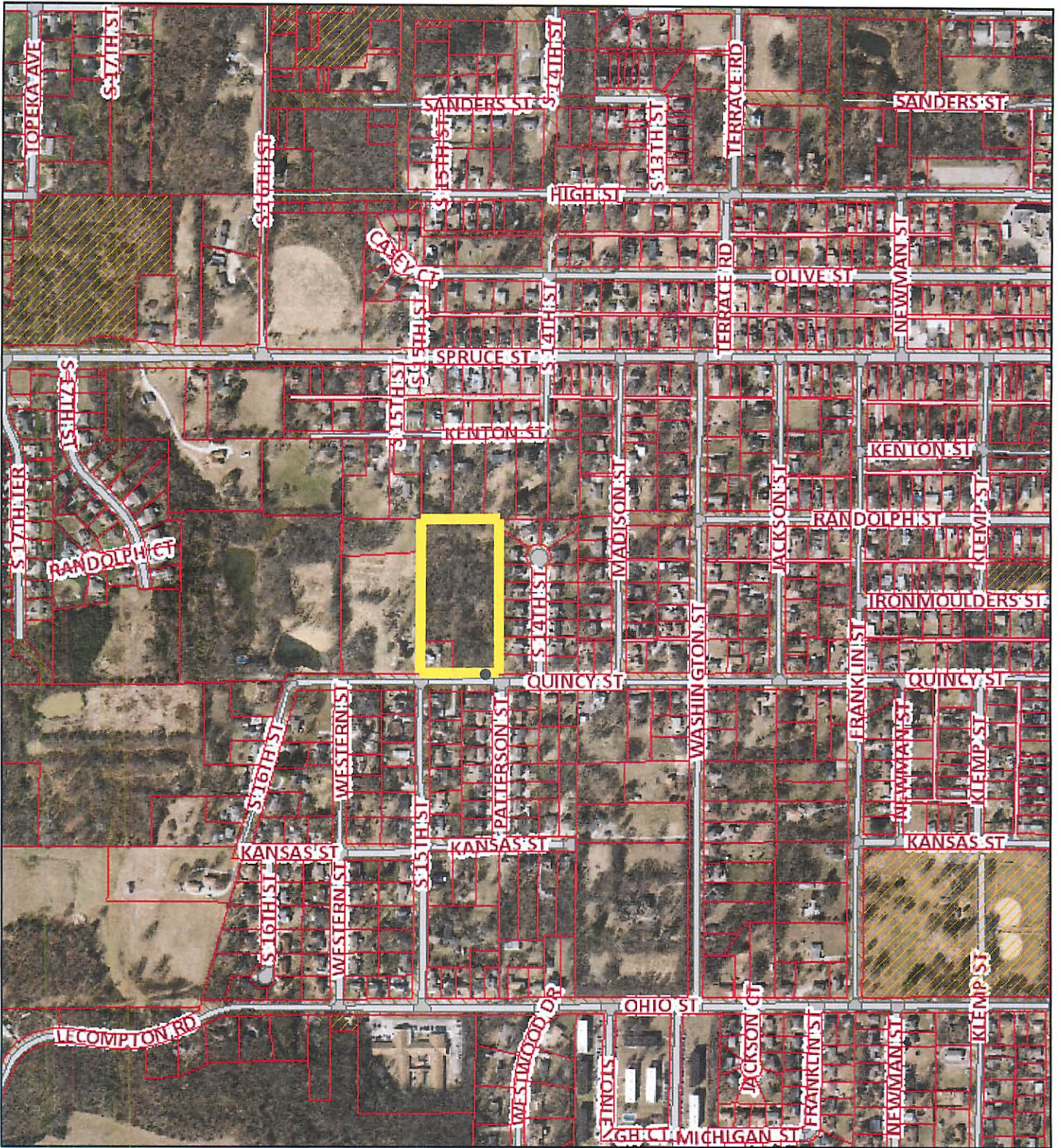
City of Leavenworth Property Radius Search



Legend

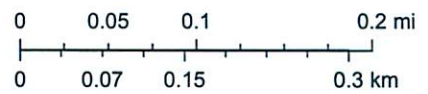
- Parcels in Buffer Total: 35
- Parcel Searched
- 200' Buffer
- Lot Line
- Road Centerline
- Parcel Boundaries

2021-01-REZ



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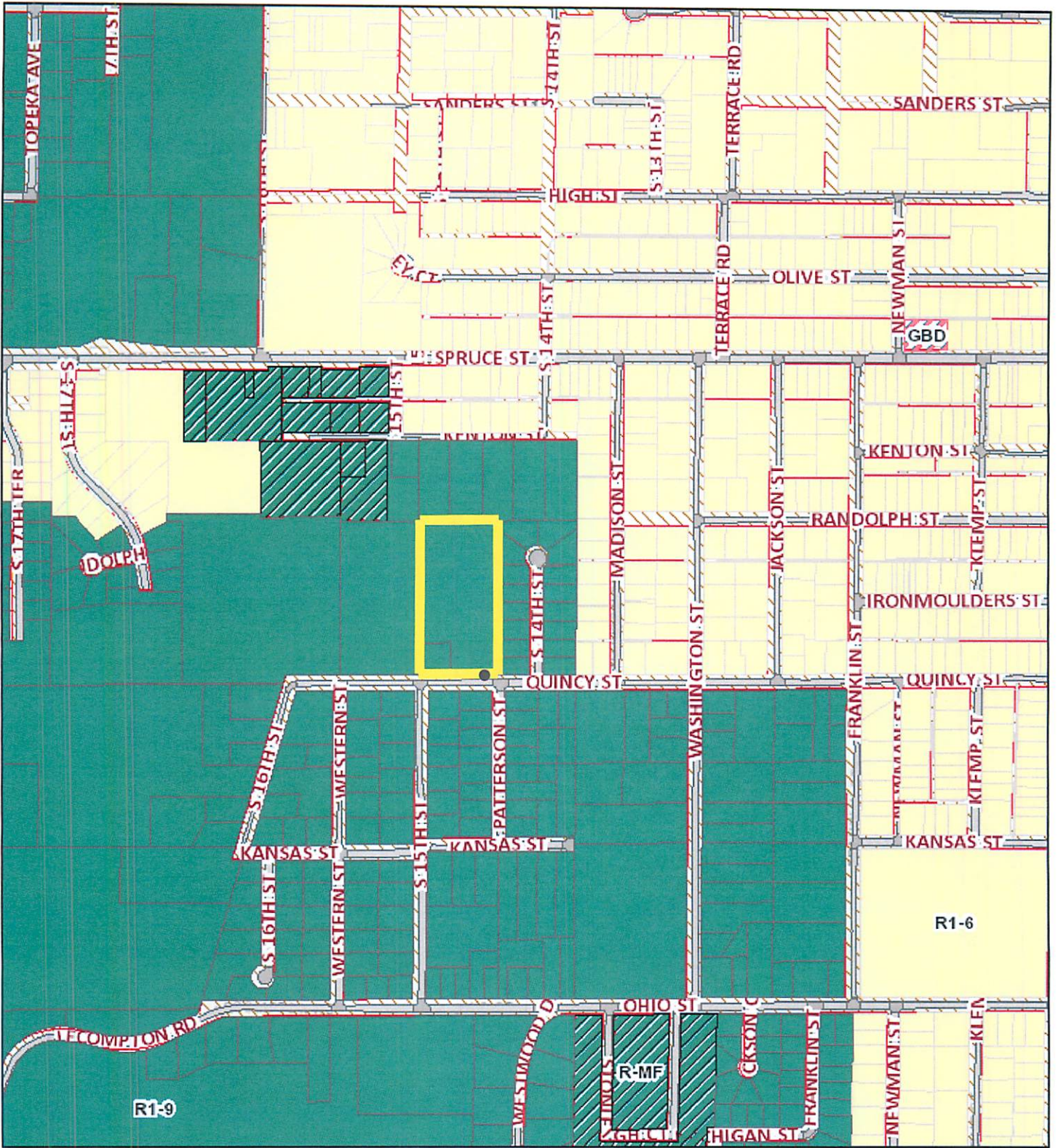
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Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

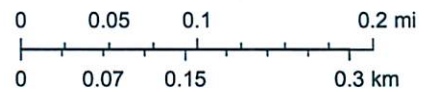
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2021-01-REZ Zoning



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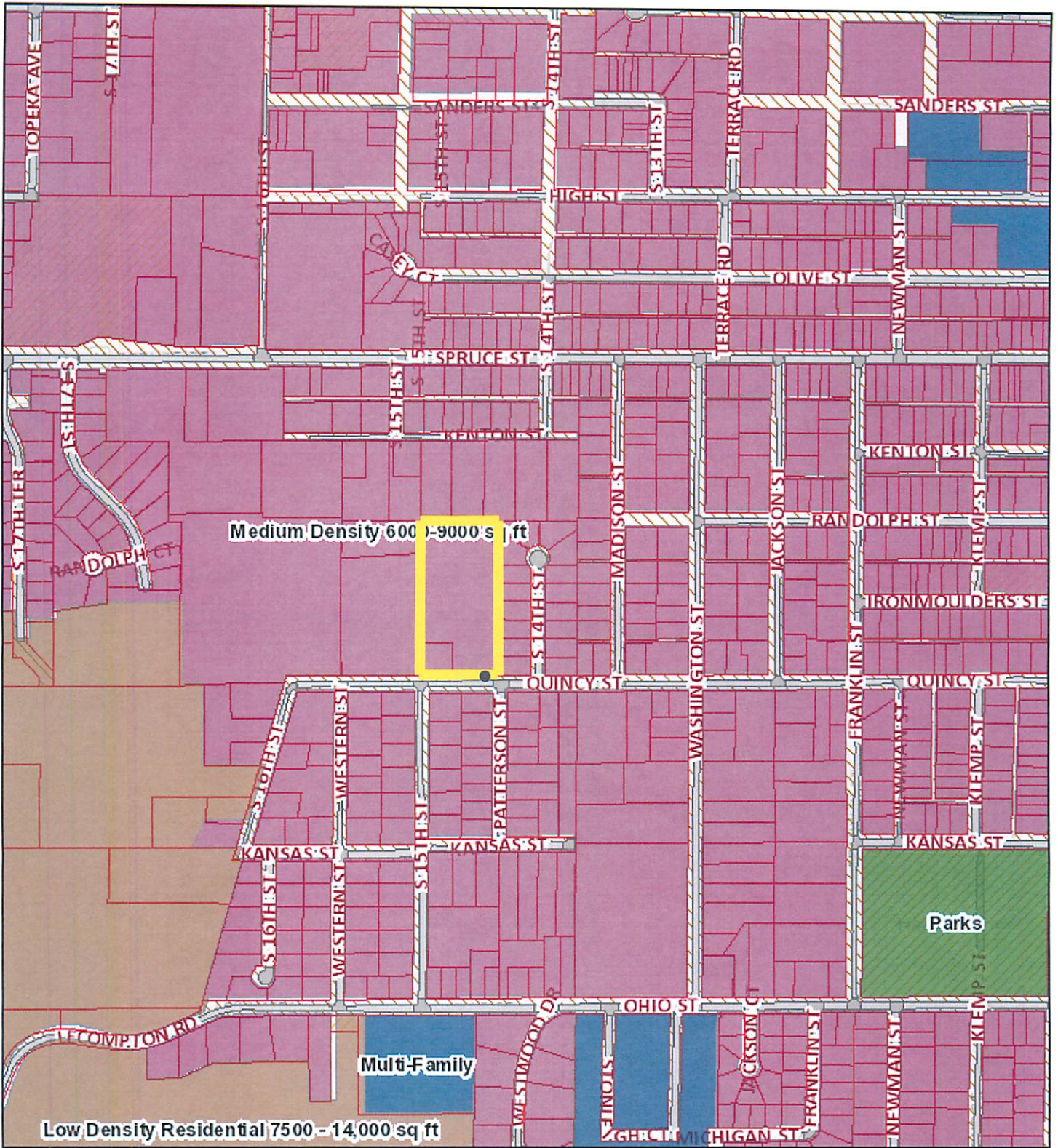
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Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

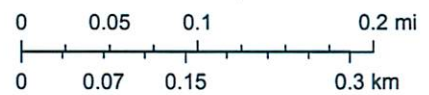
Web AppBuilder for ArcGIS
Esri, HERE |

2021-01-REZ Future Land Use



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

Web AppBuilder for ArcGIS
Esri, HERE |



Development Review Committee Meeting Thursday, December 17, 2020

Committee members present: City Manager Paul Kramer, Director Public Works Mike McDonald, Chief Building Inspector Hal Burdette, Police Major Dan Nicodemus, City Clerk Carla Williamson, Planning Director Julie Hurley, City Planner Jackie Porter and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. **1440 & 1460 Quincy Street – Rezoning and Preliminary Plat (Adams Valley)**
 - Attendees – Josh Hoppes (CEO Mutual Savings Association) and Brett Napier (Engineer)
 - Project – will combine 1460 and 1440 Quincy to develop a single-family subdivision. Want to rezone to R1-6 to allow for 18 lots vs. 16 lots (the subdivision to the east is very similar to what the applicant is doing except for the two additional lots).
 - Public Works
 - See attached email from Mike McDonald
 - How the sewer and storm sewer connect to the existing subdivision to the east (sketch was emailed to Brett)
 - In both cases, the City will need easements from property owners
 - Drainage – on west half, need water to go to street. On east half, possible north/south drainage swales.
 - Sewer to 1514 Quincy (property to the west of proposed development)
 - Brett stated he has a pipe going to that property
 - Improvement on Quincy – at a minimum, widen shoulder and add sidewalk
 - Police
 - Planning
 - Staff has received calls from property owners to the east concerned about stormwater drainage onto their property. They stated they already have issues with stormwater and do not want additional issues caused by the new development
 - Staff received a call about the two ponds to the west causing water runoff issues.
 - McDonald stated the ponds run the other direction and are not part of this drainage area
 - Scheduled to go to Planning Commission January 4, 2021
 - Final plat to be submitted asap. Deadline date for March 1, 2021 Planning Commission meeting is January 29th

- o Construction to begin 2021

OLD BUSINESS:

None

OTHER BUSINESS:

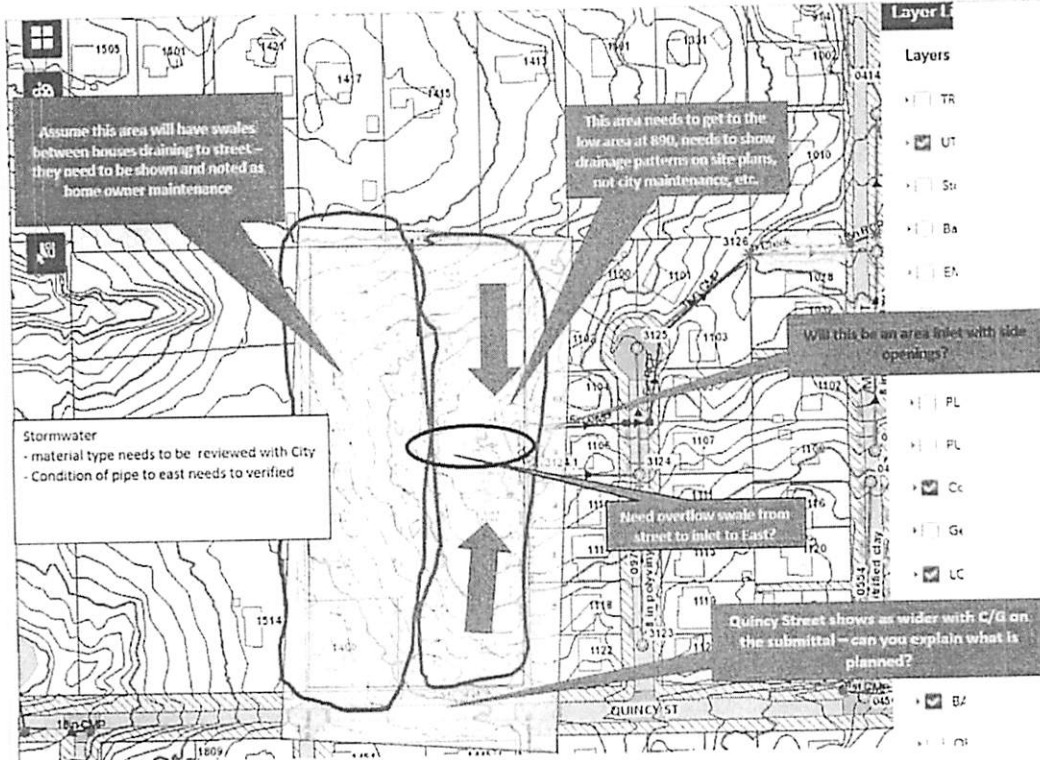
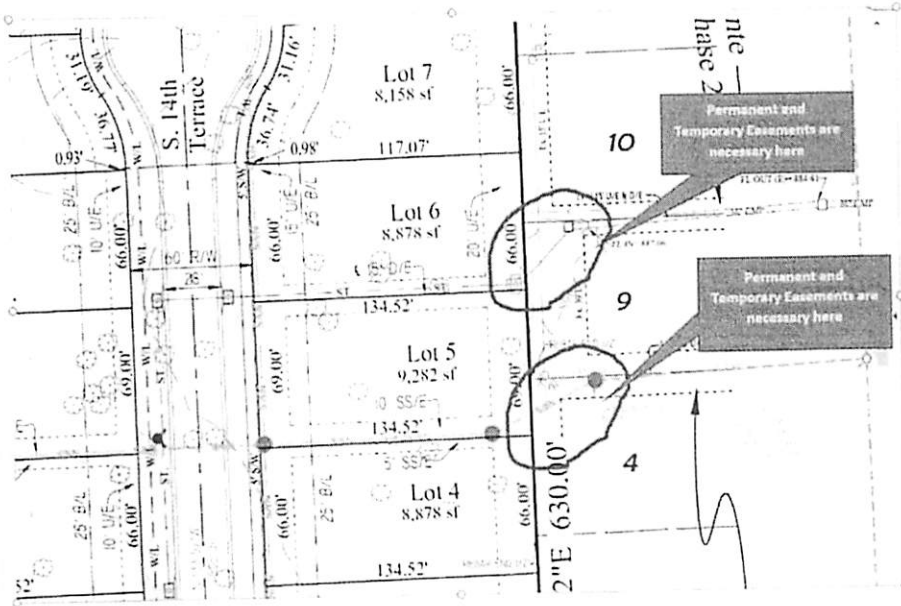
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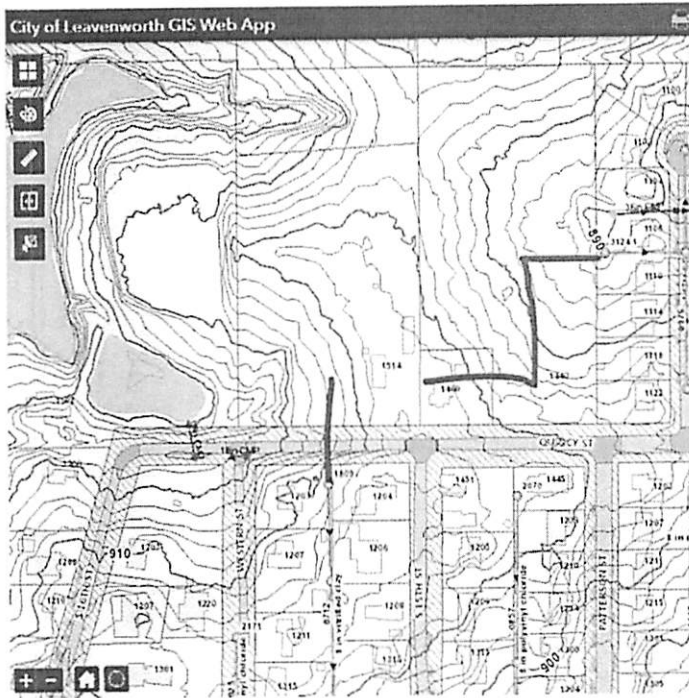
Meeting adjourned at 1:48 p.m.

From: Mike McDonald
 To: Julie Hurley
 Cc: Mike Hooper, Mimi Paragary, Michael Steppan, Justin Stewart
 Subject: 14th Terrace RE: DRG Agenda Packet - Thursday, December 17, 2020
 Date: Tuesday, December 15, 2020 10:39:10 AM
 Attachments: [image007.png](#)

Quick Review - See Sketches below
 Mike

Also - how does house at 1514 Quincy get sewer? There are several ways - there ought to be a discussion between this project and those owners.





From: Michelle Baragary <mbaragary@firstcity.org>
Sent: Tuesday, December 15, 2020 9:45 AM
To: Dev Review Committee <DevReviewCommittee@firstcity.org>
Subject: DRC Agenda Packet - Thursday, December 17, 2020

Attached is the agenda packet for this Thursday DRC meeting. Below is the login information.

12/17 DRC - GoToMeeting
Thu, Dec 17, 2020 1:30 PM - 2:00 PM (CST)

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/460988285>

You can also dial in using your phone.
United States: +1 (877) 240-3412

Access Code: 460-988-285

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/460988285>

Thanks,

Michelle Baragary
Administrative Assistant
City of Leavenworth
100 N. 5th Street
Leavenworth, KS 66048
(913) 680-2626
www.leavenworthks.org

Michelle Baragary

From: Julie Hurley
Sent: Monday, December 28, 2020 4:56 PM
To: 'Karyn Robberson'
Cc: Michelle Baragary
Subject: RE: Property on 1440 quincy

Thank you, we will include your comments in the packet distributed to Planning Commissioners.

Julie Hurley, AICP
Director of Planning and Community Development
City of Leavenworth
913.680.2616

From: Karyn Robberson <sxyprpleyes@gmail.com>
Sent: Thursday, December 24, 2020 11:07 AM
To: Julie Hurley <jhurley@firstcity.org>
Subject: Property on 1440 quincy

This does very much affect me as it is located behind my property. Several years ago we voted against high Residential. Will this be something we have to keep fighting. We do not want high residential in this area and there are too many other areas available. I wish I could just buy this property to ensure this will end. What area is involved in this vote? I plan to go door to door and ensure community is proactive in this.
*** THIS EMAIL CAME FROM AN EXTERNAL SOURCE. PLEASE BE CAUTIOUS WHEN CLICKING ON LINKS OR ATTACHMENTS.

From: [Julie Hurley](#)
To: ["Paris Mingo"](#)
Cc: [Michelle Baragary](#)
Subject: RE: The property known as Sylvia's Meadow rezoning request, 1440-1460 Quincy Street
Date: Tuesday, December 29, 2020 3:43:51 PM

Thank you for your comments, we will add them to the packet that is distributed to Planning Commissioners.

Julie Hurley, AICP
Director of Planning and Community Development
City of Leavenworth
913.680.2616

From: Paris Mingo <firestix55pm@gmail.com>
Sent: Tuesday, December 29, 2020 3:39 PM
To: Julie Hurley <jhurley@firstcity.org>
Subject: The property known as Sylvia's Meadow rezoning request, 1440-1460 Quincy Street

My name is Paris Mingo,I live on & own the property directly across the street from the property in question.

My address is 1451 quincy. I was involved in the first attempt to rezone in 2007. That attempt failed &

I have seen no improvement or change to the property. In fact it has gone down hill since that time.

The structure [if you want to call it that] that is addressed as 1460 Quincy has in thirteen years gone from very poor to

uninhabitable according to real estate agencies that listed it. Our neighborhood has changed some since the original

attempt at rezoning.the population was by in large retirement age. Now we are a mix with younger families with children.

Everyone has to walk their kids & pets on very narrow streets.The infrastructure is not conducive to adding 18 to 22

more single family homes or townhomes.

I know if the property owners in question want to do 16 homes as it is zoned for[r1-9] we can't object that but

please don't exasperate the situation by adding more population & traffic.

Respectfully
Paris Mingo

*** THIS EMAIL CAME FROM AN EXTERNAL SOURCE. PLEASE BE CAUTIOUS WHEN CLICKING ON LINKS OR ATTACHMENTS.

December 28, 2020

Subject: January 4, 2021 Public Hearing

Petition for rezoning property, commonly known as 1440 Quincy and 1460 Quincy, from (R1-9) to (R1-6)

Person(s) interested:

Robin W. and Lucy A. Hasak
1324 South 15th St
Leavenworth, KS 66048

Concerns:

- We are opposed to rezoning and building another cul-de-sac overcrowded with single family homes.
- The proposed rezoning area is the same size as the South 14th St. residential tract, a cul-de-sac with 16 homes directly to the East, and with one access in and out on to Quincy St. Visually, the South 14th St. tract/cul-de-sac appears dense with 16 homes. We assume this is zoned Medium Density Residential (R1-9).
- The proposed rezoning area being the same size area as the South 14th St. tract/cul-de-sac is proposing 6 additional homes, bringing the total to 22. This would then be High Density residential (R1-6). Really?
- Being more densely residential than the South 14th St. tract/cul-de-sac, two - three cars per home brings 44 - 66 vehicles minimum in an overcrowded tract/cul-de-sac with one access in and out on to Quincy St., and a couple hundred feet from the South 14th St. tract/cul-de-sac access in and out onto Quincy St. These access points will also be adjacent to the intersections of Patterson St. and Quincy St., and South 15th St. and Quincy St. This is a ridiculous expectation for the residents living in the area to accept.
- The nearest North/South through street to access Ohio St. from Quincy St. is South 15th St. where we live. Many people in the surrounding South 15th St. neighborhood walk *on* South 15th St. between Kansas St. and Quincy St. daily with children and pets. On this block, there are no curbs, no sidewalks, grossly inadequate drainage, and vehicle traffic that is high volume under the current conditions, and frequently comes through fast.
- This proposal for a second 22 home tract/cul-de-sac next door to an existing 16 home tract/cul-de-sac along with two existing residential streets (Patterson St. and South 15th St.) all onto Quincy St. in a very localized area, is the creation of a worst-case scenario. Quincy St. also has no curbs, drainage, or sidewalks in place. In looking further, when considering traffic in and out of the area utilizing Ohio St., where is the assurance that the residential streets will be capable of safely handling the additional traffic?
- Anyone living in our area can tell you we reside within a power grid that is considered one of the worst in the City of Leavenworth. This will not make it any better. What's Everyg's take on this situation?
- Then there is the development phase and long-term dealing with construction equipment, material deliveries, contractors, etc., through the neighborhoods.

Questions:

- Will the City extend South 15th St. from Spruce as an alternative to accessing only from Quincy St.?
- What is the median cost of proposed single-family housing?
- Will they have an HOA that will regulate the properties?
- Will these single-family homes be owned/built by a rental company and made into rental properties?
- What will come of property values in the area with a new "development" of this size? We could foresee a devaluation of local properties taking place with cheap, crowded housing and neighborhoods packed with traffic that are not designed for that purpose.

To: Julie Hurley

Secretary – Leavenworth Planning Commission
Director of Planning & CD.

Case No: 2021-01
Rezoning R1-9 to R1-6
1440 – 1460 Quincy St.

From: Kenneth M. LaMaster

1118 S. 14th St.

Leavenworth, Ks 66048

913-704-9331

kennethlamaster@yahoo.com

Ms. Hurley, Commissioners, and property owner

I would like to take this moment to address the rezoning of the plot of land that lies directly west of the Hidden Point Subdivision to be known as Sylvia's Meadow Case No. 2021-01. Commonly referred to as 1440 – 1460 Quincy St. I oppose the rezoning of the property from (R1-9 to R1-6) for the following reasons. First and foremost by rezoning the property it is my understanding that it removes special use provisions and allows the possible building of town homes and possibly an apartment complex. When this issue first arose by the previous owners in 2007 the bulk of those in the surrounding area opposed this idea and to my knowledge still stand opposed to this type of construction today. This would not only be detrimental to our property values but would create an unstable environment due to added traffic flow. The area of Quincy Street is extremely narrow, has no curbs, and homes built along these narrow streets have very little setback or easements. The addition of two to three more residential homes in this new subdivision would also create smaller lot sizes and smaller homes. This could also have a negative effect on surrounding home and property values.

While I raise these concerns I understand that the developer has the right to develop his property. A mirror image subdivision to South 14th Street would in itself create more traffic issues but it would also mean that the property that has been woefully maintained for the past 13 years would finally have something done to it. I seek not to make enemies with the developer/owner. I only wish to make them aware of the area surrounding this development.

In 1994 when I purchased my property in the Hidden Point subdivision there arose several issues. Some of which have been corrected some of them not. Early on it became a standing joke amongst the neighborhood that you could rely on the electricity to go out every day around 6:00 p.m. These outages were not caused by storms but were in part due to everyone coming home starting dinner, washing clothes etc. The electricity hadn't been upgraded to accommodate the addition of the new subdivision. Even today during storms, high winds etc. it's not uncommon for this to occur. There is also the issue with storm water runoff. On the west side of South 14th from the Southwest corner continuing north to the back yard of 1106 South 14th. Water flows from the backyards and the wooded area to a storm water

runoff culvert. I have included a series of photos that shows and explains the water flow and runoff that comes from the woods (Sylvia's Meadow) and the Hidden Point subdivision. For several days following moderate rainfall these areas stay wet, after heavy to severe rainfall the backyard of 1106 South 14th Street has been known to have three feet of standing water. This water runs from the woods and adjoining property through this storm drain out to an area between 1103 – 1101 South 14th street to an area between 1101 and 1028 Madison Street then continues east to 910 Washington St. east to Randolph St. In many instances the water flows like a small river through these areas often over the surface streets of Madison and Washington. If this attention to detail isn't accounted for during the development of the land in question this could become even more of an issue to those home owners lying east of this development. Speaking with the home owners on south 14th street we often talk about the frequency our sump pumps run during even moderate rains. Mine for example will shut off and come back on approximately every 15 to 20 seconds. During heavy rains it barely shuts off at all. When the electricity goes out during a storm many residents have purchased small generators to whole home generators because we have all dealt with two to three foot of standing water in our basements.

As a resident of this area since 1994 I have watched as my neighbors enjoy walking with their pets and children along the narrow streets. There have been times of near misses from speeding traffic coming from Spruce through Madison to Quincy to S. 15th to Ohio. Emergency vehicles such as ambulances and firetrucks have issues navigating this area. I have seen people unfamiliar with the area turn north onto South 14th St then realizing it's a Cud-De-Sac not a thru street. They speed to the bottom and then race back to the top many never stopping before they pull out onto Quincy. Now we are in an era of online shopping and home delivery. Many of these delivery drivers navigate these streets like NASCAR drivers. This is a quite community surrounded by good people. It is grown from an area of families raising kids to a mix of new families and retirees. We all understand progress, moving forward, and business. To the city we ask that you not rezone the area from R1-9 to R1-6. To the developer we sincerely understand your position. We merely ask that you consider ours as well.

Thank You:

Kenneth M. LaMaster



**#1: Northern side of 1106 S. 14th St Hidden Point Subdivision.
Current owner Melvin and Judy Watson
Note the slope of the fenceline on the western edge of thier property**



**#2: Inside the back yard of 1106 South 14th St.
Note that the back yard has a deep slope along with the curvature
around the tree to the right**



**#3: The Southwest corner of 1106 South 14th St.
Water from the woods and neighboring yards directly south enters this portion of the yard**



#4: The water from the woods and neighboring homes flows into this area of the back yard of 1106 South 14th Street and is diverted directly into this storm water run off tube.



#5: Photos shows two additional drainage tubes that divert water into the storm drain at 1106 South 14th St.



#6: Shows the step drop off in elevation from the northside gate entry looking directly east. Water also runs into this storm drain from above as shown by the ruts in the yard.



#7: Water flows through that storm drain between 1101 & 1103 South 14th Street



#8: The water then exits through this storm drain located between 1110 & 1028 Madison St.



#9

#10: Water then accumulates into this area between 1110 & 1028 Madison St. The ground stays wet to the point that it cannot be mowed



#10: Any running water from the area between 1110 & 1028 Madison then continues east thru the yards. During periods of steady to heavy rains water will flow over Madison St.



#11: Water from Madison St continues to flow eastward into this area adjacent to 910 Washington St. During periods of continuous rainfall this area floods

PLANNING COMMISSION AGENDA ITEM
2021-02-SUB

ADAMS VALLEY
PRELIMINARY PLAT

JANUARY 4, 2021

SUBJECT:

A request for a preliminary plat of Adams Valley



Prepared By:

Julie Hurley
Director of Planning and
Community Development



Reviewed By:

Paul Kramer
City Manager

ANALYSIS:

The subject property is owned by LD Development, LLC, plat prepared by Napier Engineering, LLC. The applicant is requesting approval of an 18 lot preliminary plat for the Adams Valley residential development. The property is currently occupied by a single family home. A request to rezone the property from R1-9, Medium Density Single Family Residential District to R1-6, High Density Single Family Residential District, is also on this agenda for consideration.

The subject property is 4.76 acres in size, and is occupied by one single family home. The site consists of the two existing parcels addressed as 1440 and 1460 Quincy Street. The plat consists of 18 residential lots with an average size of 9,647 sqft.

The plat was discussed at the December 17, 2020 Development Review Committee meeting. Items related to utilities, drainage, and improvements to Quincy Street were discussed. Utilities are available to the property, and easements will need to be obtained in order to connect to existing utilities to the east. Grading on lots as they are developed will need to direct drainage to the street, instead of away from individual lots and onto adjoining properties, and will be addressed prior to recording the final plat when site improvement plans shall be submitted for review and approval by the Public Works Department.

Staff recommends approval of the Adams Valley Preliminary Plat.

ACTION/OPTIONS:

- Approve the Preliminary Plat
- Deny the Preliminary Plat
- Table the issue for additional information/consideration.



Project No. 2021-02 SUB

**PRELIMINARY PLAT
APPLICATION
CITY OF LEAVENWORTH**

OFFICE USE ONLY
Application No. 8621
Fee 480.00
(\$350 plus \$10 per lot over 5 lots)
Date Paid 12-3-2020
Received By SA
Meeting Date 1-4-21

NAME OF SUBDIVISION/PROJECT: Adams Valley

LOCATION OF SUBDIVISION/PROJECT: 1440-1460 Quincy, Leavenworth, KS 66048

NAME OF PROPERTY OWNER: (If Corporation, include name and address of Director or President)

NAME: LD Development, LLC

STREET ADDRESS: 16940 Dakota Dr.

CITY: Leavenworth STATE: KS ZIP: 66048

PHONE: 913-290-0022 EMAIL: ksbiker@aol.com

NAME OF DEVELOPER / ATTORNEY OR AGENT: (If Corporation, include name and address of Director or President)

NAME: LBH Development, LLC/Kevin Lis (member)

STREET ADDRESS: 716 S 7th Street

CITY: Leavenworth STATE: KS ZIP: 66048

PHONE: 913-306-2734 EMAIL: _____

NAME OF ENGINEER PREPARING PLAT:

COMPANY: Napier Engineering, LLC

STREET ADDRESS: 207 S 5th Street

CITY: Leavenworth STATE: KS ZIP: 66048

PHONE: 913-682-8600 EMAIL: brett@napiereng.com

PARCEL NO: R8223 & R8224 SEC.TWP.RNG. Sec.34-T8S-R22E

ZONING OF SUBJECT PROPERTY: R1-9 CURRENT LAND USE: Vacant Land/SFR Homesite

TOTAL ACREAGE: 4.76 NUMBER OF LOTS: 18

LEGAL DESCRIPTION: (Attach full recorded legal description provided by the REGISTER OF DEEDS OFFICE)

Manner in which improvements will be made:

Streets:	<input checked="" type="checkbox"/> By Developer	<input type="checkbox"/> By Benefit District
Sanitary Sewers:	<input checked="" type="checkbox"/> By Developer	<input type="checkbox"/> By Benefit District
Waterlines:	<input checked="" type="checkbox"/> By Developer	<input type="checkbox"/> By Benefit District

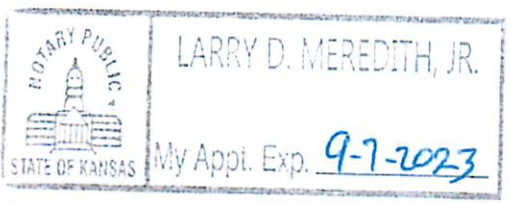
I/We, the undersigned, certify that I/we am/are the owner of the property described above and that is subject to this request for review of a subdivision under the rules of the Subdivision Regulations of the City of Leavenworth, Kansas.

SIGNATURE OF OWNER(S) *Duane L. Denney* Date: *Dec 07 20*

State of *KANSAS*, County of *Leavenworth*, SS
Signed or attested before me on *December 2*, 20*20* by *DUANE L. DENNEY*

Larry D. Meredith Jr *9-7-2023*
Notary Appointment Expires

(Seal)



FLOOD PLAIN DETERMINATION/DESIGNATION APPLICATION FOR SUBDIVISION APPROVAL

Date: November 30, 2020

1. Name of Applicant:

LBH Development, LLC

2. Address of Applicant:

903 5th Ave.

3. Location of Proposed Subdivision: 1460 Quincy Street, Leavenworth, KS 66048

4. Is proposed subdivision located in or partially located in a flood plain:

Yes No

a. Elevation of the 100 year Flood: _____

b. Elevation of the proposed development: _____

c. Elevation or flood proofing requirement: _____

Location/designation of the floodway, flood plain and floodway fringe is required to be designated on the plat.

I certify that all provisions of the City of Leavenworth subdivision regulations as they apply to flood plain management will be complied with.

Surveyor of project: Roger Dill

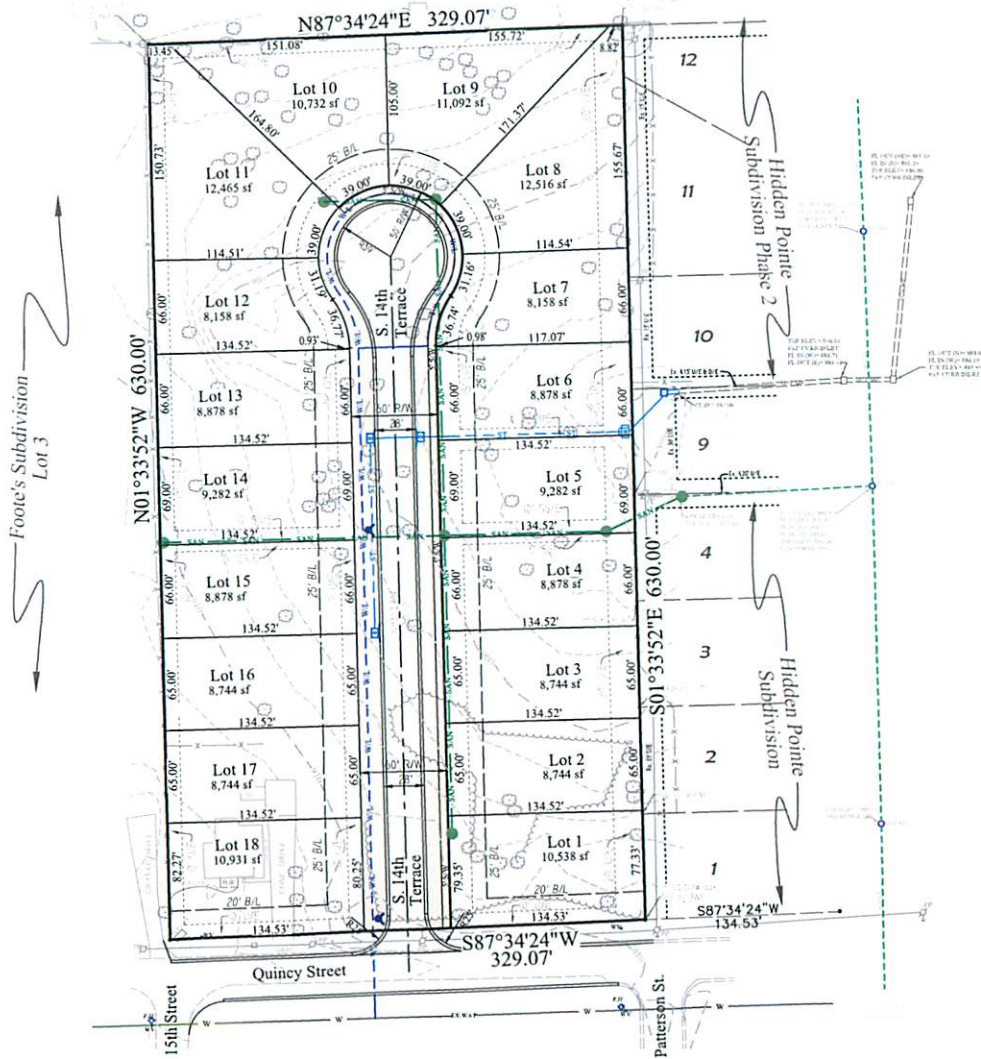
Address: 207 S. 5th Street. Leavenworth, KS 66048

Signature: 

PRELIMINARY PLAT & REZONING PLAN ADAMS VALLEY

Legal Description As Recommended
By Roger Dill, Kansas L.S. No. 1408
Atlas Surveying
207 S. 5th Street
Leavenworth, KS 66048

LEGAL DESCRIPTION:
Lot 2, FOOTE'S SUBDIVISION, City of Leavenworth, Leavenworth County Kansas



NOTES:

The minimum Side Yard Setback for Single Family Lots shall be R1-6 restrictions at the date of filing or no less than 6 feet on each side of structure.

The minimum Front Yard Setback for Single Family Lots shall be R1-6 restrictions at the date of filing or no less than 25 feet.

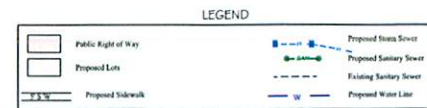
The minimum Rear Yard Setback for Single Family Lots shall be R1-6 restrictions at the date of filing or no less than 25 feet.

All lots shall be restricted to one (1) 20 foot curb cut to avoid circle drives.

TOTAL AREAS		
PARCEL	SQ. FT.	ACRES
LOT 1	10,538	0.24
LOT 2	8,744	0.20
LOT 3	8,744	0.20
LOT 4	8,878	0.20
LOT 5	9,282	0.21
LOT 6	8,878	0.20
LOT 7	8,158	0.19
LOT 8	12,516	0.29
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LOT 15	8,878	0.20
LOT 16	8,744	0.20
LOT 17	8,744	0.20
LOT 18	10,931	0.25
ROW	33,600	0.77
TOTAL	207,924	4.76

Site Summary

Existing Zoning:	R1-6
Proposed Zoning:	R1-E
Gross Acreage:	4.76 Acres ±
Number of Lots:	18 Lots
Gross Density:	3.8 Lots/Ac.
Minimum Lot Size:	8,158 Sq. Ft.
Maximum Lot Size:	12,516 Sq. Ft.
Average Lot Size:	9,647 Sq. Ft.



Sheet - C1

Preliminary Plat

2020-53
Adams Valley
Leavenworth, KS
Preliminary Plat

Prepared For:
LBH Development, LLC
620 KENW LIS
903 5TH AVE
LEAVENWORTH, KS 66048
(913) 306-2742
LBH@LBHENGINEERING.COM

NAPIER ENGINEERING, LLC

207 S. 5th Street
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Date of Preparation:
November 20, 2020

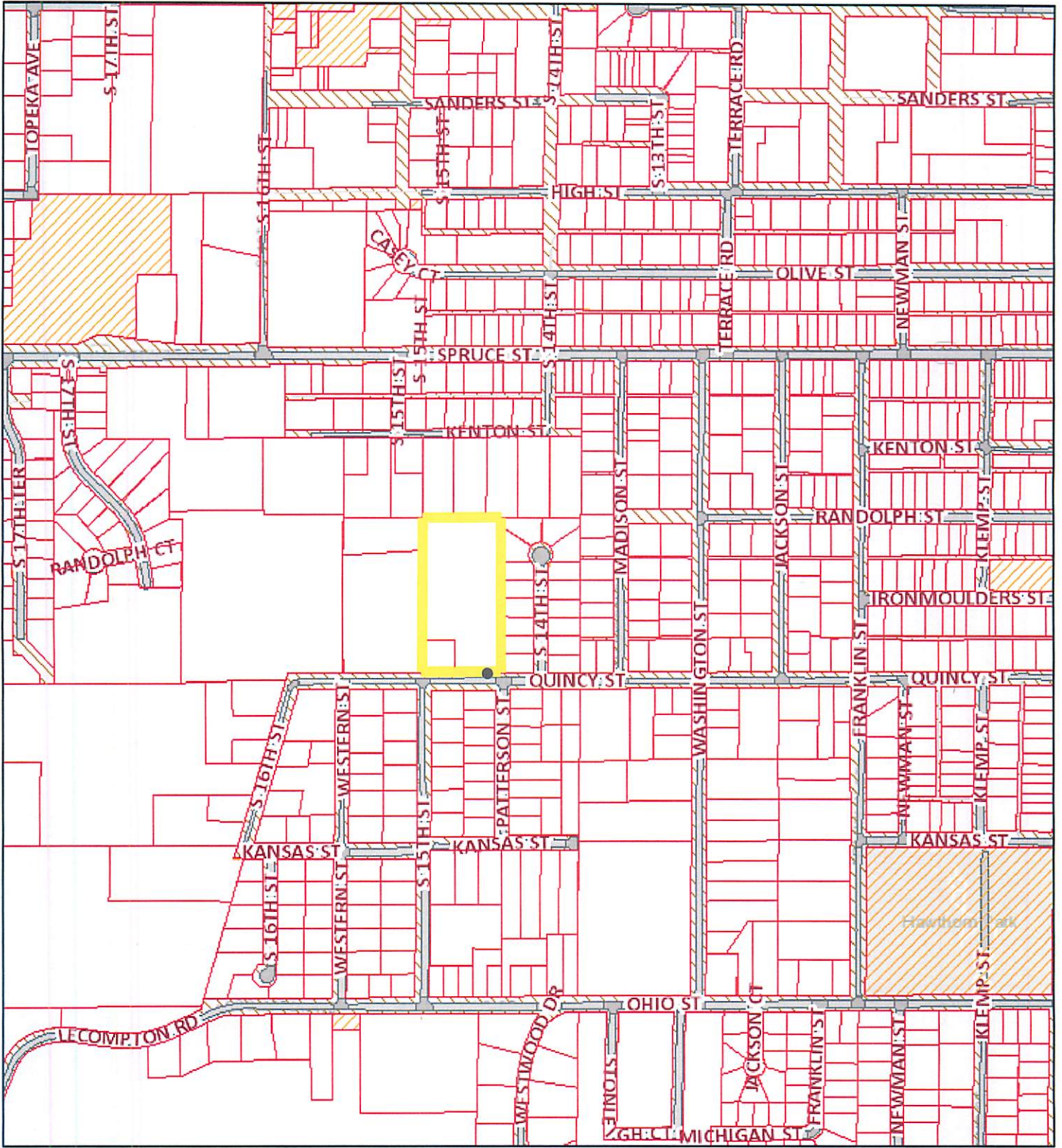
Revised Date:

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1st Submittal

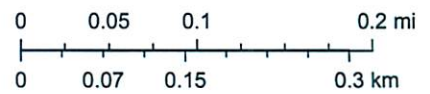


2021-02-SUB Adams Valley



12/28/2020, 2:41:01 PM

1:9,028



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

Web AppBuilder for ArcGIS
Esri, HERE |



Development Review Committee Meeting Thursday, December 17, 2020

Committee members present: City Manager Paul Kramer, Director Public Works Mike McDonald, Chief Building Inspector Hal Burdette, Police Major Dan Nicodemus, City Clerk Carla Williamson, Planning Director Julie Hurley, City Planner Jackie Porter and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. 1440 & 1460 Quincy Street – Rezoning and Preliminary Plat (Adams Valley)

- Attendees – Josh Hoppes (CEO Mutual Savings Association) and Brett Napier (Engineer)
 - Project – will combine 1460 and 1440 Quincy to develop a single-family subdivision. Want to rezone to R1-6 to allow for 18 lots vs. 16 lots (the subdivision to the east is very similar to what the applicant is doing except for the two additional lots).
- Public Works
 - See attached email from Mike McDonald
 - How the sewer and storm sewer connect to the existing subdivision to the east (sketch was emailed to Brett)
 - In both cases, the City will need easements from property owners
 - Drainage – on west half, need water to go to street. On east half, possible north/south drainage swales.
 - Sewer to 1514 Quincy (property to the west of proposed development)
 - Brett stated he has a pipe going to that property
 - Improvement on Quincy – at a minimum, widen shoulder and add sidewalk
- Police
- Planning
 - Staff has received calls from property owners to the east concerned about stormwater drainage onto their property. They stated they already have issues with stormwater and do not want additional issues caused by the new development
 - Staff received a call about the two ponds to the west causing water runoff issues.
 - McDonald stated the ponds run the other direction and are not part of this drainage area
 - Scheduled to go to Planning Commission January 4, 2021
 - Final plat to be submitted asap. Deadline date for March 1, 2021 Planning Commission meeting is January 29th

- Construction to begin 2021

OLD BUSINESS:

None

OTHER BUSINESS:

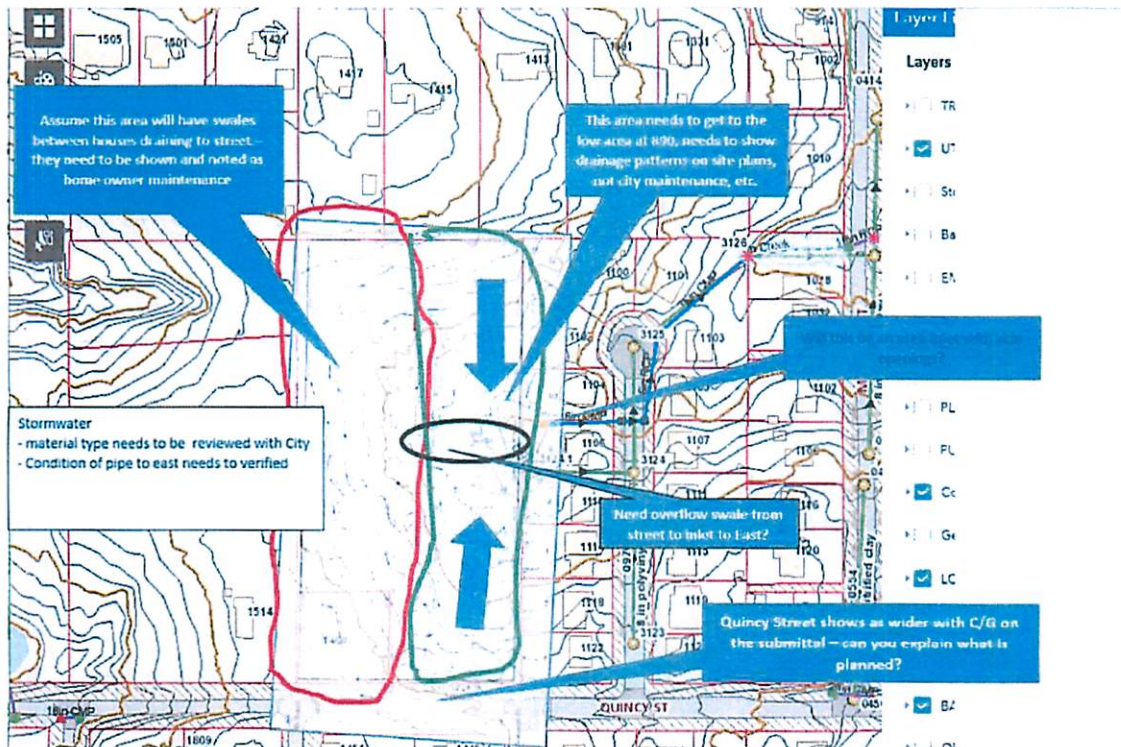
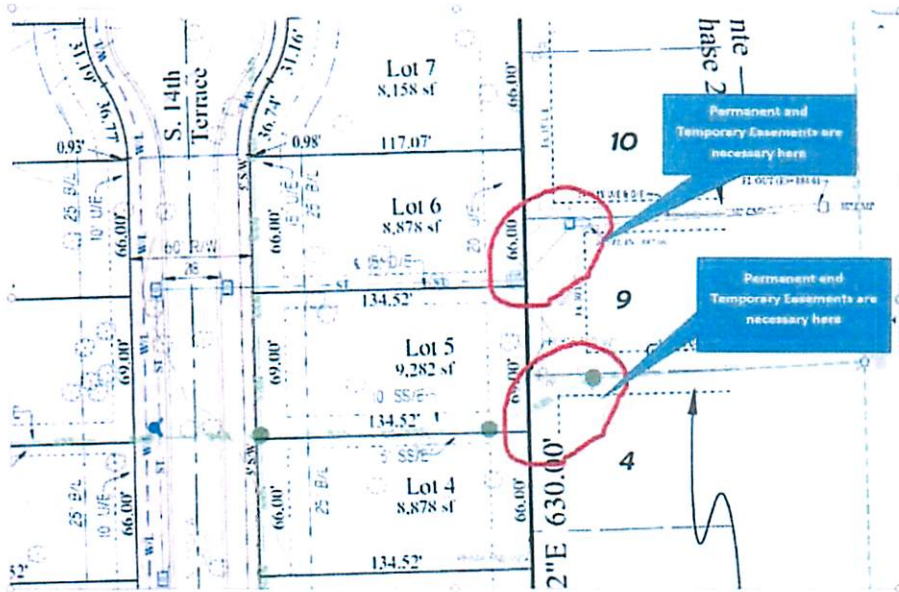
None

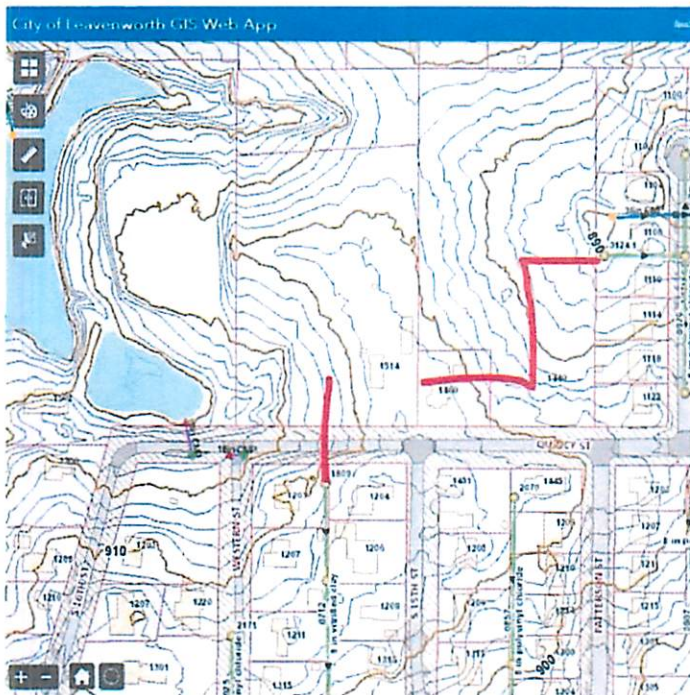
Meeting adjourned at 1:48 p.m.

From: [Mike McDonnell](#)
 To: [Julia Hurley](#)
 Cc: [Mike Hooper](#), [Michelle Baragony](#), [Michael Steehan](#), [Justin Stewart](#)
 Subject: 14th Terrace RE: DRC Agenda Packet - Thursday, December 17, 2020
 Date: Tuesday, December 15, 2020 10:39:10 AM
 Attachments: [map007.png](#)

Quick Review – See Sketches below
 Mike

Also – how does house at 1514 Quincy get sewer? There are several ways – there ought to be a discussion between this project and those owners.





From: Michelle Baragary <mbaragary@firstcity.org>
Sent: Tuesday, December 15, 2020 9:45 AM
To: Dev Review Committee <DevReviewCommittee@firstcity.org>
Subject: DRC Agenda Packet - Thursday, December 17, 2020

Attached is the agenda packet for this Thursday DRC meeting. Below is the login information.

12/17 DRC - GoToMeeting
Thu, Dec 17, 2020 1:30 PM - 2:00 PM (CST)

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/460988285>

You can also dial in using your phone.
United States: +1 (877) 240-3417

Access Code: 460-988-285

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Thanks,

Michelle Baragary
Administrative Assistant
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