

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

**REGULAR SESSION
Monday, February 7, 2022
6:00 p.m.**

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: October 4, 2021**

OLD BUSINESS:

None

NEW BUSINESS:

- 1. ELECTION OF OFFICERS**
- 2. REVIEW BYLAWS**
- 3. 2022-03 SUB – 2604 S. 2nd AVENUE**
Consider a preliminary plat for 2nd Avenue Estates
- 4. 2022-02 SUB – 2604 S. 2ND AVENUE**
Consider a final plat for 2nd Avenue Estates

OTHER BUSINESS:

None

ADJOURN

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, October 4, 2021
6:00 PM

CALL TO ORDER:

Commissioners Present

Joseph Burks
Bill Waugh
Donald Homan
James Diggs

Commissioners Absent

Claude Wiedower
Sherry Hines Whitson
Chris Murphy

City Staff Present

Julie Hurley
Michelle Baragary

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

APPROVAL OF MINUTES: August 2, 2021

Vice Chairman Burks asked for comments or a motion on the minutes presented for approval: August 2, 2021. Mr. Waugh moved to approve the minutes as presented, seconded by Mr. Homan and approved by a vote of 4-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. 2021-26 REZ – 520 N. 7TH STREET

Conduct a public hearing for Case No. 2021-26 REZ – 520 N. 7th Street. The applicant is requesting a rezoning of the property located at 520 N. 7th Street from OBD, Office Business District, to NBD, Neighborhood Business District.

Vice Chairman Burks called for the staff report.

Planning Director Julie Hurley stated the applicant is requesting a rezoning of their property located at 520 N. 7th Street from OBD, Office Business District, to NBD, Neighborhood Business District. The subject property is owned by Robert Hayes and is occupied by an existing one-story commercial building, which currently houses a barbershop with the remainder of the building vacant.

The rezoning is being requested to allow for retail and service establishments appropriate for a neighborhood setting. The owner intends to open a tattoo & piercing studio in the building, which is an allowed use in the NBD zoning district.

The site is located at the northeast corner of 7th & Ottawa Streets, directly adjacent to the June's Northland building, which is zoned NBD. There are a number of other commercial uses in close proximity to the site along the 7th Street corridor, and the site is identified as appropriate for Commercial Uses on the Future Land Use Plan. There is existing parking on the site, sufficient for any potential use.

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 .21 acres in size and is located at the southeast corner of 7th & Ottawa Streets, along the 7th Street corridor. There are a number of commercial uses in close proximity, along with a high concentration of single family residential neighborhoods.

- b) The zoning and use of properties nearby;

The properties directly to the north and west are zoned OBD, Office Business District. The property to the west, across 7th Street, is occupied by Kids Connection, and the property to the north, across Ottawa Street, is occupied by a single family residence. The property to the south is zoned NBD, Neighborhood Business District, and is occupied by June's Northland Restaurant. Properties further to the north along 7th Street are zoned OBD and are occupied by a variety of retail, office and residential uses. Properties beyond the 7th Street corridor are primarily zoned R1-6, High Density Single Family Residential District, and occupied by single family homes.

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

The subject property is occupied by a single-story commercial building which is suitable for either commercial, retail, or office uses.

- 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. Rezoning of the property to NBD will allow for a more varied mix of business establishments suitable for a neighborhood setting.

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

The subject property is not vacant.

- 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, 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 the economic development of the City and region by allowing for the potential of retail and service establishments which supply commodities or perform services to meet the daily needs of the neighborhood.

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 commercial 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.

After the required public notices were sent to property owners within 200' as required by Kansas State Statute, staff did not receive any comments from notified property owners.

ACTION/OPTIONS:

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

Vice Chairman Burks called for questions from commissioners about the staff report.

Mr. Homan asked for clarification that the properties all the way to Dakota are zoned OBD other than June's Northland.

Ms. Hurley responded in the affirmative stating the properties are zoned OBD but there are a good number of nonconforming uses in that area.

Mr. Diggs asked about the tattoo and piercing studio the owner intends to open.

Trent and Diana Allen, 405 E. Connie, Lansing, KS, approached the board. Ms. Allen stated her business is currently located at 402 S. 5th Street; however, they intent on purchasing the subject property contingent on the rezoning request.

Mr. Homan asked if the intend to lease the existing barbershop.

Ms. Allen responded in the affirmative.

Mr. Diggs asked staff if there are any restrictions with a tattoo shop at this location. He further stated he knows the people who live in the house behind the subject property and they would have an issue with a tattoo shop at this location.

Ms. Hurley responded there are no restrictions for a tattoo shop at this location. Everyone within 200 feet of the subject property was notified of the rezoning request and staff did not receive any communication from anyone. Ms. Hurley further stated the commission is only looking at the rezoning to NBD and not the specific use of a tattoo and piercing studio.

Mr. Allen stated they are a family friendly business. Mr. Allen further stated he is in law enforcement and knows there is a stigma that comes along with a tattoo studio but they keep negativity out of their shop.

Vice Chairman Burks opened the public hearing.

Mr. Homan asked if it is Kansas statute to send out notifications within 200 feet.

Ms. Hurley responded in the affirmative.

With no one else wishing to speak, Vice Chairman Burks closed the public hearing and called for a motion. Mr. Diggs moved to recommend approval of the rezoning request from OBD to NBD to the City Commission, seconded by Mr. Waugh and approved by a vote of 4-0.

Ms. Hurley stated this item will go to the City Commission for first consideration on October 26, 2021.

Ms. Hurley stated there are no items on the agenda for November.

With no other business, Vice Chairman Burks adjourned the meeting at 6:15 p.m.

Minutes taken by Administrative Assistant Michelle Baragary.

City of Leavenworth Planning Commission

BYLAWS, RULES AND REGULATIONS

The following rules and regulations governing the procedures of the Planning Commission are adopted in accordance with the planning laws of the State of Kansas.

Article I - Members

1. The membership of the Leavenworth Planning Commission is determined by Ordinance No. 7078. A majority of the currently duly appointed Commission shall constitute a quorum.
2. Members shall be appointed by the Mayor with the consent of the City Commission. Appointments shall be made for three-year terms. Vacancies shall be filled by appointment for the unexpired term. Members of the Board shall be residents of the City of Leavenworth and serve without compensation.

Article II - Officers

1. The Planning Commission shall organize annually at the first regular meeting after the annual appointment of members but no later than the September meeting.
2. The Commission shall elect a Chairperson and Vice-Chairperson from among the appointed members at the annual organization meeting. The officers shall serve for one year or until replaced.
3. The City Planner shall serve as the Secretary.
4. The Chairperson shall preside at all meetings and public hearings of the Planning Commission; shall decide all points of order and procedure; shall certify plans and subdivision plats; and shall transmit reports and recommendations of the Planning Commission to the governing body with the assistance of the Secretary. The Chairperson and the Secretary are required to certify plans and subdivision plats.
5. The Vice-Chairperson shall assume the duties of the Chairperson in his absence.
6. The Secretary shall be responsible for keeping the minutes of the Planning Commission; sending agendas to members of the Planning Commission; carrying out written correspondence; maintaining the records of the Commission; and performing such other duties as the Planning Commission may require.

7. Should a Planning Commission member miss three regular monthly meetings in any 12 month period, the commission shall determine if the City Commission should be petitioned to replace that Planning Commission member.

Article III - Meetings

1. The Planning Commission shall meet monthly, **on an as needed basis**, on the first Monday of the month at 6:00 p.m. in the Commission Auditorium, 1st Floor of City Hall. When the first Monday falls on a holiday, the meeting shall be held on the second Monday of the month.

2. Special meetings of the Planning Commission may be called by the Chairperson or, in his absence, by the Vice-Chairperson. Notice of special meetings shall be given by the Secretary to the members of the Commission at least three days prior to such meeting and shall state the purpose and time of the meeting.

3. All regular and special meetings, hearings and records shall be open to the public.

4. A majority of the Commission shall constitute a quorum for the transaction of business. If a quorum is not present at a regular or special meeting, those present may either adjourn the meeting or hold the meeting to consider such matters as are on the agenda. No action shall be taken at such a meeting and the Commission shall continue official action on any agenda items until a subsequent meeting when a quorum is present.

5. The order of business at all meetings shall be as follows:

- a) call to order
- b) determination of quorum
- c) approval of minutes
- d) old business
- e) new business and/or public hearing
- f) reports of committees
- g) reports of commission members and city staff
- h) adjournment

6. Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporter of a motion shall be recorded.

7. An affirmative vote of the members present (when at least a quorum) is needed to authorize any official action of the Commission unless otherwise specified by statute.

8. All members of the Commission, including the Chairperson, shall have a vote when present unless a person shall disqualify him/herself from voting on any decision in which there might be a conflict of interest. In the event of a conflict of interest, a member shall so state before discussion of the item and shall remove him/herself from the dais.

9. When procedural and parliamentary rules by the Planning Commission do not conflict, procedure shall be according to "Robert's Rules of Order."

Article IV - Committees

The Chairperson may appoint any standing committee deemed necessary for the review and study of Commission business and any special committee seeking research and recommendations on special topics. Any committee may contain up to four members of the Commission.

Article V - Planning Commission Staff

1. The Planning Commission may employ staff and/or professional consultants as it may require, subject to approved budgetary limitations.

2. The staff shall conduct business for the Commission and prepare reports and agendas for the Commission pursuant to law and procedure.

3. The staff shall act as liaison for the Planning Commission to the City Commission and other boards/commissions and the general public.

4. The staff shall prepare an annual budget and annual review of the zoning ordinance and Comprehensive Plan and make recommendations for modifications.

5. The staff shall accept other responsibilities as may be directed by the Planning Commission, the Governing Body, or the City Manager.

Article VI - Records and Reports

1. The Commission shall keep a record of its resolutions, transactions, findings and determinations.

2. All records of the Planning Commission shall be available for

public review.

3. The Commission shall review ~~annually each~~ ~~January~~ the comprehensive plan and zoning ordinance to determine if any portion has become obsolete and shall make a report to the governing body regarding same.

Article VII - Publicity

1. The Planning Commission shall encourage the public to attend its regular meetings and shall take positive action to keep its activities before the public by supplying newspapers and other media with information and by having members and staff appear before civic groups to discuss the purpose of planning and the work of the Planning Commission.

Article VIII - Amendments

1. These rules of procedure may be amended by an affirmative vote by a majority of the Planning Commission members provided such proposed amendment has been submitted in writing to each member of the Commission at least three days prior to the meeting at which such action is to be taken.

Article IX - Rules of Order

Open Public Meetings. All meetings and study sessions shall be open to the public. A record must be kept of all business transacted.

Public Hearings. The Chairperson may prescribe procedures for the conduct of public hearings including setting a time limit for citizen input in order to provide a fair and impartial presentation of all sides of a request.

Passed and approved this _____ day of _____, 2019.

Chairperson

ATTEST:

Secretary

**PLANNING COMMISSION AGENDA ITEM
2022-03-SUB**

**2ND AVENUE ESTATES
PRELIMINARY PLAT**

FEBRUARY 7, 2022

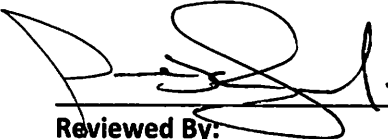
SUBJECT:

A request for a preliminary plat of 2nd Avenue Estates

Prepared By:


Julie Hurley
Director of Planning and
Community Development

Reviewed By:


Paul Kramer
City Manager

ANALYSIS:

The subject property is owned by Greenamyre Rentals, Inc., plat prepared by McAfee Henderson Solutions. The applicant is requesting approval of a 3 lot preliminary plat for the 2nd Avenue Estates residential development, located at 2604 S. 2nd Avenue. The subject property is 5.05 acres in size, and is occupied by one single family home. The site consists of one existing lot and is zoned PUD, Planned Unit Development. The proposed plat consists of 3 lots and 1 tract, with accompanying Right of Way for Vilas Circle.

The property was rezoned from R1-6, High Density Single Family Residential to PUD in 2003 to accommodate the development of age-restricted townhomes, with a layout largely similar to what is intended to be built at this time. The proposed site plan is included in this packet for informational purposes only, and is not subject to Planning Commission review and approval. The proposed project is being developed as a Low Income Housing Tax Credit (LIHTC) project, as approved by the State of Kansas. The accompanying final plat for the project is also on this agenda.

The plat was discussed at the January 13, 2022 Development Review Committee meeting. Items related to stormwater, parking, and circulation were discussed. All items discussed will be addressed prior to issuance of building permits and do not require modification to the plat as submitted.

Staff recommends approval of the 2nd Avenue Estates Preliminary Plat.

ACTION/OPTIONS:

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



Project No. 2022-03 SUB

**PRELIMINARY PLAT
APPLICATION
CITY OF LEAVENWORTH**

OFFICE USE ONLY

Application No. 10705
Fee per JH - write off fee
(\$350 plus \$10 per lot over 5 lots)
Date Paid N/A
Received By N/A
Meeting Date 2-7-22

NAME OF SUBDIVISION/PROJECT: 2ND AVENUE ESTATES

LOCATION OF SUBDIVISION/PROJECT: 2604 S 2ND AVENUE, LEAVENWORTH, KS 66048

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

NAME: GREENAMYRE RENTALS, INC.

STREET ADDRESS: 2500 S 2ND STREET

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: 913-651-9717 EMAIL: JEREMY@GREENAMYRE.COM

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

NAME: 2ND AVENUE ESTATES, LP

STREET ADDRESS: 2500 S 2ND STREET

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: 913-651-9717 EMAIL: JEREMY@GREENAMYRE.COM

NAME OF ENGINEER PREPARING PLAT:

COMPANY: MCAFEE HENDERSON SOLUTIONS

STREET ADDRESS: 15700 COLLEGE BLVD. SUITE 202

CITY: LENEXA STATE: KS ZIP: 66219

PHONE: 913-888-4647 EMAIL: 913-390-9865

PARCEL NO: 0521010103016043000 SEC.TWP.RNG. SEC 1 T09S R22E

ZONING OF SUBJECT PROPERTY: PUD CURRENT LAND USE: 1 Single Family Home

TOTAL ACREAGE: 5.05 ACRES NUMBER OF LOTS: 3 LOTS

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

Manner in which improvements will be made:

- Streets: By Developer By Benefit District
- Sanitary Sewers: By Developer By Benefit District
- Waterlines: By Developer 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)

Date: 01/21/2022

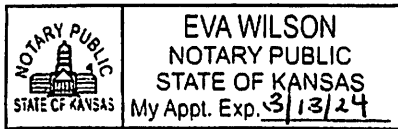
State of Kansas, County of Leavenworth, SS

Signed or attested before me on 24th January, 2022 by Jeremy Greenmyer.

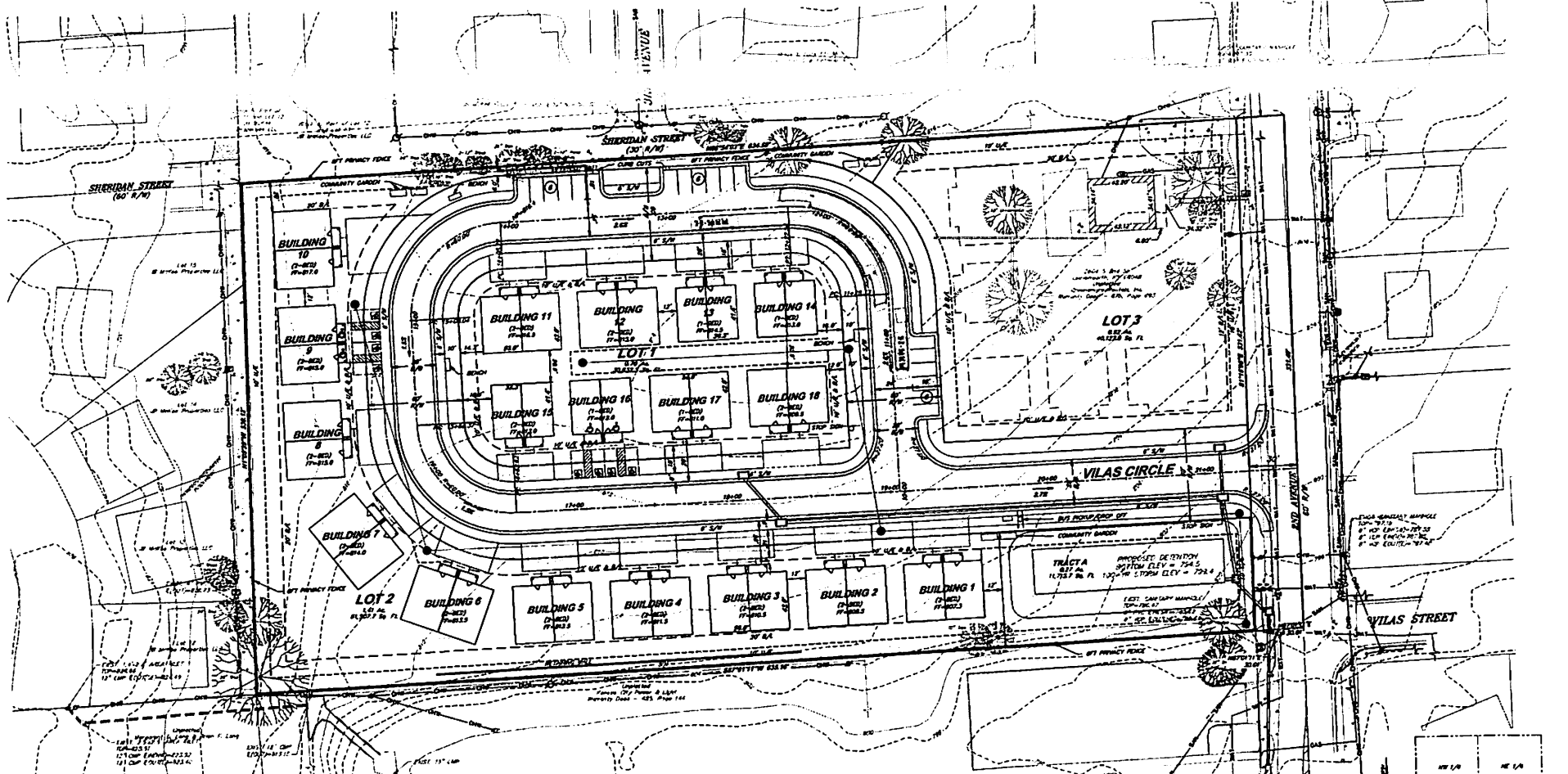
Eva Wilson
Notary

3/13/24
Appointment Expires

(Seal)



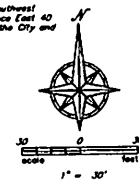
Final Development Plan of
2ND AVENUE ESTATES
 Part of the SW1/4, Section 01, Township 09 South, Range 22 East
 City of Leavenworth, Leavenworth County, Kansas



RECORD LEGAL DESCRIPTION: (As provided per General Warranty Deed - Book 876, Page 683)
 A certain tract of land described as follows: Beginning at a stake 20 rods South of the center of the Southeast Quarter of Section 1 in Township 9 of Range 22 East, running West 40 rods; thence South 20 rods; thence East 40 rods; thence North 20 rods to the place of beginning, LESS any part thereof taken or used for road, in the City and County of Leavenworth, Kansas.

ZONING:
 Gross Area: 5.03 Acres
 Net Area (Less 2nd Ave. Right-of-Way): 4.82 Acres
 Existing Zoning: PUD - Planned Unit Development District
 Front Setback - 10 ft
 Rear Setback - 20 ft
 Side Setback - 12 ft

SITE DENSITY:
 18 DUPLEXES
 1 SINGLE FAMILY HOME
 SITE AREA: 5.03 ACRES
 3.8 UNITS PER ACRE



DEVELOPER:
 2ND AVENUE ESTATES LP
 2500 S 2ND STREET
 LEAVENWORTH, KS 66048

OWNER:
 SECURITARE RENTALS, INC.
 2500 S 2ND STREET
 LEAVENWORTH, KS 66048



PROPERTY MAP
 Section 01, T09S, R22E
 Leavenworth County, Kansas

MCFEE HENDERSON SOLUTIONS, INC.
 Civil Engineering & Land Surveying
 1000 West 10th Street, Suite 100
 Leavenworth, KS 66048

Drawing Author: M. Vacke
 Project No: 2019-08-01-01 - 2500 S 2nd St Housing Units 18-08-01-01 Site Dev Plan.dwg
 Plot Date: 2022-01-19-10:30am



Development Review Committee Meeting

Thursday, January 13, 2022 at 1:30 p.m.

Committee members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Public Works Director Brian Faust, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Police Chief Pat Kitchens, Health & Safety Officer Shawn Kell, Deputy City Clerk Cary Collins, Planning Director Julie Hurley, City Planner Jackie Porter and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. *2nd Avenue Estates (2604 S. 2nd Ave.) – Final Plat*

- Attendees – Jeremy Greenamyre, Matt Henderson (McAfee Henderson Solutions, Inc.), Ben Ellis (McAfee Henderson Solutions, Inc.)
- Planning
 - Discrepancy in the size of the lot?
 - It includes the ROW on 2nd Avenue (this is indicated on the Sheridan vacation)
 - Has the all the Sheridan ROW been vacated?
 - (see attached letter Re: Sheridan Street Right of Way) three deeds reference it being vacated but there is no official ordinance or documents with the City or County vacating this ROW.
 - When will Lot 3 be developed?
 - Well after Lot 1 & 2 are developed and occupied.
 - Preliminary and final plat needed.
 - Planning Commission meeting 2/7/22; City Commission meeting 2/22/22 to accept ROW
- Public Works
 - See attached comments from Public Works Director Brian Faust.
 - Public improvement infrastructure (street/stormwater) needs to be installed and accepted prior to building permits.
- Building Inspections – no comment
- Police
 - Need stop sign at the intersection of Vilas and where the circle drive begins for southbound traffic

- Fire Department
 - Unit 10 is over 400' passed the distance of other hydrants. Will need a hydrant on the circle drive.

OLD BUSINESS:

None

OTHER BUSINESS:

None

Meeting adjourned at 1:40 p.m.

MEMORANDUM
Public Works Department

Date: January 13, 2022
To: DRC
From: Brian Faust
Subject: 2nd Avenue Estates – Final Development Plan

- The sidewalk daylights into the cutback parking. If any vehicle is parked at these locations, pedestrians will be forced into the street.
- Where will the crosswalks be located at – (should not line up with a driveway)?
- Storm boxes are located in the sidewalk. Sidewalk always settle adjacent to storm boxes due to difficulty in getting proper compaction. How will this be addressed?
- Sidewalks along 2nd Avenue will need to meet current requirements – 6' if adjacent to curb and 5' if offset from back of curb. Currently sidewalk is 4' adjacent to back of curb. Cross slope will need to meet ADA requirements.
- City will not maintain cutback parking – snow removal and repairs will be on the Homes Association.
- Approach off of 2nd Avenue to be concrete.
- Appears the north 30' of Sheridan Street ROW is going to be removed by separate instrument. Issues/concerns with this are listed below therefore it is our recommendation that this not be vacated at this time.
 - There are utilities (overhead power) and sanitary that would need to be relocated if the ROW is vacated. Utilities would need to agree to this or be agreeable to leaving this as a 30' wide U/E.
 - The document states that no tracts would be landlocked as adjacent properties have access and are owned by the same person. While currently shown as the same ownership, they are distinct individual lots that can be sold and would need access.
- Drainage report – still under review (additional comments will be likely)
 - For water quality it states 'native vegetation will be established within the dry basin'.
 - Will need the soil type along with types of vegetation properly designed/installed.
 - Will need maintenance requirements documented for the Homes Association.
 - During heavy rain events, native vegetation may be underwater for a period of time – vegetation will need to be able to survive this.
 - While there will be less water flowing north and south, these areas contain development (rooftops and roads/parking) – what, if anything is planned for water quality in these areas?
 - The area to the south is an Evergy storage yard – the rooftops and associated downspouts will concentrate flows to the storage area. Any concerns with this?
 - Reroute the storm line to direct water into the basin.
 - Looks like the 2-year developed peak release exceeds the undeveloped condition.

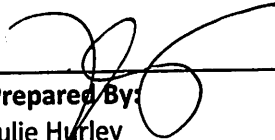
**PLANNING COMMISSION AGENDA ITEM
2022-02-SUB**

**2ND AVENUE ESTATES
FINAL PLAT**

FEBRUARY 7, 2022

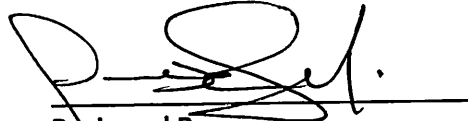
SUBJECT:

A request for a final plat of 2nd Avenue Estates



Prepared By:
Julie Hurley

Director of Planning and
Community Development



Reviewed By:

Paul Kramer
City Manager

ANALYSIS:

The subject property is owned by Greenamyre Rentals, Inc., plat prepared by McAfee Henderson Solutions. The applicant is requesting approval of a 3 lot final plat for the 2nd Avenue Estates residential development, located at 2604 S. 2nd Avenue. The subject property is 5.05 acres in size, and is occupied by one single family home. The site consists of one existing lot and is zoned PUD, Planned Unit Development. The proposed plat consists of 3 lots and 1 tract, with accompanying Right of Way for Vilas Circle.

The property was rezoned from R1-6, High Density Single Family Residential to PUD in 2003 to accommodate the development of age-restricted townhomes, with a layout largely similar to what is intended to be built at this time. The proposed site plan is included in this packet for informational purposes only, and is not subject to Planning Commission review and approval. The proposed project is being developed as a Low Income Housing Tax Credit (LIHTC) project, as approved by the State of Kansas. The accompanying preliminary plat for the project is also on this agenda.

The plat was discussed at the January 13, 2022 Development Review Committee meeting. Items related to stormwater, parking, and circulation were discussed. All items discussed will be addressed prior to issuance of building permits and do not require modification to the plat as submitted.

Staff recommends approval of the 2nd Avenue Estates Final Plat.

ACTION/OPTIONS:

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



Project No. 2022-02 SUB

FINAL PLAT APPLICATION
CITY OF LEAVENWORTH

OFFICE USE ONLY

Application No. 10653

Fee: 350.00

(\$350 plus \$10 per lot over 5 lots)

Date Paid 1-7-22

Received By JS

PC Meeting 2-7-22

NAME OF SUBDIVISION/PROJECT: 2ND AVENUE ESTATES

LOCATION OF SUBDIVISION/PROJECT: 2604 S 2ND AVENUE, LEAVENWORTH, KS 66048

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

NAME: GREENAMYRE RENTALS, INC.

STREET ADDRESS: 2500 S 2ND STREET

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: 913-651-9717 FAX: _____ EMAIL: JEREMY@GREENAMYRE.COM

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

NAME: 2ND AVENUE ESTATES, LP

STREET ADDRESS: 2500 S 2ND STREET

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: 913-651-9717 FAX: _____ EMAIL: JEREMY@GREENAMYRE.COM

NAME OF ENGINEER PREPARING PLAT:

NAME: MHS

STREET ADDRESS: 15700 COLLEGE BLVD. SUITE 202

CITY: LENEXA STATE: KS ZIP: 66219

COMPANY: MCAFEE HENDERSON SOLUTIONS

PHONE: 913-888-4647 FAX: 913-390-9865 EMAIL: _____

PARCEL NO: 0521010103016043000 SEC.TWP.RNG. SEC 1 T09S R22E

ZONING OF SUBJECT PROPERTY: PUD CURRENT LAND USE: 1 Single Family Home

TOTAL ACREAGE: 5.05 ACRES NUMBER OF LOTS: 3 LOTS

LEGAL DESCRIPTION: (Attach full legal description provided by the REGISTER OF DEEDS OFFICE or a TITLE COMPANY)

DATE OF PRELIMINARY PLAT APPROVAL: _____

SIGNATURE OF OWNER(S) _____ Date: 01/06/2022

State of Kansas, County of Leavenworth, SS
Signed or attested before me on January 6, 2022 by Jeremy Greenamyre.

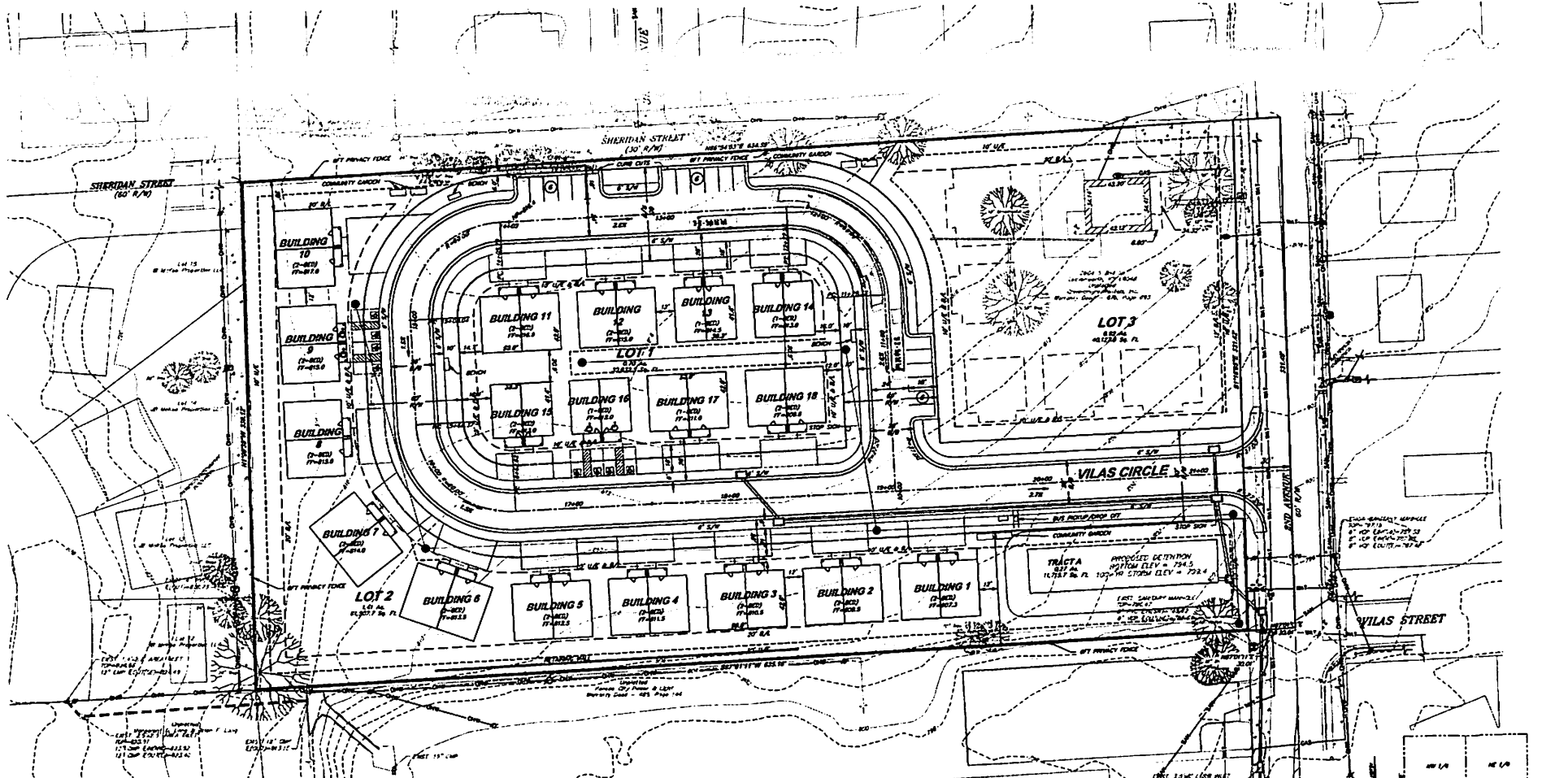
Brenda K. Schwinn
Notary
(Seal) Appointment Expires April 7, 2024

BRENDA K. SCHWINN
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires 4-7-2024

Final Development Plan of

2ND AVENUE ESTATES

Part of the SW1/4, Section 01, Township 09 South, Range 22 East
City of Leavenworth, Leavenworth County, Kansas

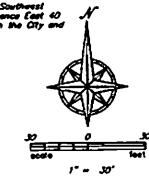


RECORD LEGAL DESCRIPTION: (As provided per General Warranty Deed - Book 876, Page 683)

A certain tract of land described as follows: Beginning at a stake 20 rods South of the center of the Southwest Quarter of Section 1 in Township 9 of Range 22 East, running West 40 rods; thence South 20 rods; thence East 40 rods; thence North 20 rods to the place of beginning, LESS any part thereof taken or used for roads, in the City and County of Leavenworth, Kansas.

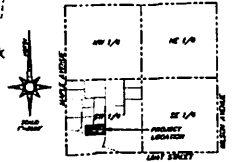
ZONING:
 Gross Area: 5.05 Acres
 Net Area (Less 2nd Ave. Right-of-Way): 4.82 Acres
Existing Zoning:
 PUD - Planned Unit Development District
 Front Setback: 10 ft
 Rear Setback: 20 ft
 Side Setback: 12 ft

SITE DENSITY:
 18 DUPLEXES
 1 SINGLE FAMILY HOME
 SITE AREA: 5.05 ACRES
 1.8 UNITS PER ACRE



DEVELOPER:
 2ND AVENUE ESTATES, LP
 2500 S 2ND STREET
 LEAVENWORTH, KS 66048

OWNER:
 GREENHIRE RENTALS, INC.
 2500 S 2ND STREET
 LEAVENWORTH, KS 66048



MCINTYRE MAP
 Section 01, T09S, R22E
 Leavenworth County, Kansas

MOFFAT HENDERSON SOLUTIONS, INC.
 Civil Engineering & Land Surveying
 1000 S 2ND STREET
 LEAVENWORTH, KS 66048

Drawing No.: 2024-01-01-001-00 - 2500 2nd St. Housing Units 18-000-00 Site Dev Plan
 Revised: Jan. 01, 2024 - 12:00pm



Development Review Committee Meeting

Thursday, January 13, 2022 at 1:30 p.m.

Committee members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Public Works Director Brian Faust, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Police Chief Pat Kitchens, Health & Safety Officer Shawn Kell, Deputy City Clerk Cary Collins, Planning Director Julie Hurley, City Planner Jackie Porter and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. *2nd Avenue Estates (2604 S. 2nd Ave.) – Final Plat*

- Attendees – Jeremy Greenamyre, Matt Henderson (McAfee Henderson Solutions, Inc.), Ben Ellis (McAfee Henderson Solutions, Inc.)
- Planning
 - Discrepancy in the size of the lot?
 - It includes the ROW on 2nd Avenue (this is indicated on the Sheridan vacation)
 - Has the all the Sheridan ROW been vacated?
 - (see attached letter Re: Sheridan Street Right of Way) three deeds reference it being vacated but there is no official ordinance or documents with the City or County vacating this ROW.
 - When will Lot 3 be developed?
 - Well after Lot 1 & 2 are developed and occupied.
 - Preliminary and final plat needed.
 - Planning Commission meeting 2/7/22; City Commission meeting 2/22/22 to accept ROW
- Public Works
 - See attached comments from Public Works Director Brian Faust.
 - Public improvement infrastructure (street/stormwater) needs to be installed and accepted prior to building permits.
- Building Inspections – no comment
- Police
 - Need stop sign at the intersection of Vilas and where the circle drive begins for southbound traffic

- Fire Department
 - Unit 10 is over 400' passed the distance of other hydrants. Will need a hydrant on the circle drive.

OLD BUSINESS:

None

OTHER BUSINESS:

None

Meeting adjourned at 1:40 p.m.

MEMORANDUM
Public Works Department

Date: January 13, 2022
To: DRC
From: Brian Faust
Subject: 2nd Avenue Estates – Final Development Plan

- The sidewalk daylight into the cutback parking. If any vehicle is parked at these locations, pedestrians will be forced into the street.
- Where will the crosswalks be located at – (should not line up with a driveway)?
- Storm boxes are located in the sidewalk. Sidewalk always settle adjacent to storm boxes due to difficulty in getting proper compaction. How will this be addressed?
- Sidewalks along 2nd Avenue will need to meet current requirements – 6' if adjacent to curb and 5' if offset from back of curb. Currently sidewalk is 4' adjacent to back of curb. Cross slope will need to meet ADA requirements.
- City will not maintain cutback parking – snow removal and repairs will be on the Homes Association.
- Approach off of 2nd Avenue to be concrete.
- Appears the north 30' of Sheridan Street ROW is going to be removed by separate instrument. Issues/concerns with this are listed below therefore it is our recommendation that this not be vacated at this time.
 - There are utilities (overhead power) and sanitary that would need to be relocated if the ROW is vacated. Utilities would need to agree to this or be agreeable to leaving this as a 30' wide U/E.
 - The document states that no tracts would be landlocked as adjacent properties have access and are owned by the same person. While currently shown as the same ownership, they are distinct individual lots that can be sold and would need access.
- Drainage report – still under review (additional comments will be likely)
 - For water quality it states 'native vegetation will be established within the dry basin'.
 - Will need the soil type along with types of vegetation properly designed/installed.
 - Will need maintenance requirements documented for the Homes Association.
 - During heavy rain events, native vegetation may be underwater for a period of time – vegetation will need to be able to survive this.
 - While there will be less water flowing north and south, these areas contain development (rooftops and roads/parking) – what, if anything is planned for water quality in these areas?
 - The area to the south is an Evergy storage yard – the rooftops and associated downspouts will concentrate flows to the storage area. Any concerns with this?
 - Reroute the storm line to direct water into the basin.
 - Looks like the 2-year developed peak release exceeds the undeveloped condition.