

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

**REGULAR SESSION
Monday, August 1, 2022
6:00 p.m.**

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: June 6, 2022**

OLD BUSINESS:

None

NEW BUSINESS:

1. 2022-13 REZ – 2101 VILAS AND PORTION OF 2013 VILAS

Conduct a public hearing for Case No. 2022-13 REZ. The applicant/owner is requesting a rezoning of the property located at 2101 Vilas and a portion of the property located at 2013 Vilas from R1-25, Low Density Single Family Residential, to R1-9, Medium Density Single Family Residential.

2. 2022-14 SUB – GREENAMYRE SUBDIVISION PRELIMINARY PLAT

Consider a preliminary plat for Greenamyre Subdivision, Case No. 2022-14 SUB.

3. 2022-15 SUB – GREENAMYRE SUBDIVISION FINAL PLAT

Consider a final plat for Greenamyre Subdivision, Case No. 2022-15 SUB.

4. 2022-17 SUP – 3400 IOWA STREET

Conduct a public hearing for Case No. 2022-17 SUP. The applicants/owners are requesting a Special Use Permit to all the operation of a Child Care Center in their home located at 3400 Iowa Street. The property is currently zoned R1-9, Medium Density Single Family Residential District. Child Care Centers are allowed in the R1-9 zoning district with issuance of a special use permit.

OTHER BUSINESS:

Presentation of certificate for outgoing Chairman, Claude Wiedower

ADJOURN

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, June 6, 2022
6:00 PM

CALL TO ORDER:

Commissioners Present

Claude Wiedower
Joe Burks
Bill Waugh
Brian Stephens

Commissioners Absent

James Diggs
Donald Homan
Sherry Hines Whitson

City Staff Present

Julie Hurley
Michelle Baragary

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

APPROVAL OF MINUTES: May 9, 2022

Chairman Wiedower asked for comments or a motion on the minutes presented for approval: May 9, 2022. Commissioner Burks moved to approve the minutes as presented, seconded by Commissioner Waugh and approved by a vote of 4-0.

OLD BUSINESS:

None

NEW BUSINESS:

- 2022-09 SUB – BALL’S ADDITION (2107 S. 4TH STREET)**
Consider a final plat for Ball’s Addition.

Chairman Wiedower called for the staff report.

Planning Director Julie Hurley stated the subject property is owned by Supermarket Developers, Inc., plat prepared by Renaissance Infrastructure Consulting. The applicant is requesting approval of a 4.11 acre, 1 lot final plat for the Ball’s Addition. The property is zoned GBD, General Business District, and is currently occupied by Price Chopper.

The replat of this property is being done in order to correct existing utility easements and platted setbacks for the Price Chopper building in conjunction with a remodel of the store. The plat was

previously reviewed and approved by the Planning Commission in May 2020. The Development Regulations require that plats be recorded within 18 months of approval or they are deemed void. The plat was never recorded. There have been no changes to the plat since it's review and approval in 2020.

The plat has been reviewed by the Public Works Department. All issues identified have been addressed.

Staff recommends approval of the Ball's Addition, Final Plat.

ACTION/OPTIONS:

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

Chairman Wiedower asked the applicant if he would like to speak.

Roger Dill, Renaissance Infrastructure Consulting, stated staff sent reminders for the plat to be recorded within 18 months of approval by the Planning Commission. Unfortunately, this fell through the cracks, which is why the plat is being resubmitted. Mr. Dill further stated there are no changes from when the plat was originally reviewed by the Planning Commission in May 2020.

With no one else wishing to speak, Chairman Wiedower called for discussion among the commissioners.

With no further questions/discussion, Chairman Wiedower called for a motion. Commissioner Waugh moved to approve the Ball's Addition final plat as presented, seconded by Commissioner Burks and approved by a vote of 4-0.

With no further business, Chairman Wiedower adjourned the meeting at 6:06 p.m.

The next Planning Commission meeting is scheduled for Monday, July 11, 2022.

Minutes taken by Administrative Assistant Michelle Baragary.

PLANNING COMMISSION AGENDA ITEM
2022-13-REZ
2101 & 2013 VILAS

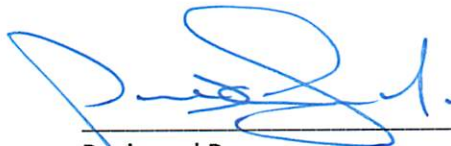
AUGUST 1, 2022

SUBJECT:

A request to rezone the property located at 2101 Vilas and a portion of 2013 Vilas Street from R1-25, Low Density Single Family Residential District to R1-9, Medium Density Single Family District.



Prepared By:
Julie Hufrey,
Director of Planning and
Community Development



Reviewed By:
Paul Kramer,
City Manager

ANALYSIS:

The subject property is owned by Greenamyre Rentals, Inc. The applicant is requesting a rezoning of their property located at 2101 Vilas and a portion of the property located at 2013 Vilas from R1-25 to R1-9. The two parcels are situated on the south side of Vilas Street between 20th and 22nd Streets and are currently vacant. The total size of the property to be rezoned is 4.54 acres. To the east is Henry Leavenworth Elementary School.

The rezoning is being requested in order to allow for the development 6 single family residential lots. All 6 proposed lots are approximately .75 acres in size. Between 20th and 22nd Streets, there are a total of 18 existing lots with frontage on Vilas Street, including the property developed with Henry Leavenworth Elementary School. Of those 18 lots, a total of 8 are smaller in size than the lots proposed to be developed with this rezoning request, with the smallest being .35 acres in size. The associated preliminary and final plats are also on this agenda.

The Development Review Committee reviewed the project at their May 12, 2022 meeting and discussed items related to required improvements to Vilas Street, additional dedication of ROW, utilities, sidewalks, and stormwater. All items discussed will be addressed prior to the issuance of building permits.

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 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 immediately surrounding properties are zoned R1-25, Low Density Single Family Residential District. Henry Leavenworth Elementary School to the east, as well as the residential lots on the north side of Vilas closest to 20th Street are 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 single family residential uses on varying sizes of lots, 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 should not have a detrimental impact on nearby property. The proposed 6 residential lots are consistent with the scale of development in the area, and will not introduce a significant increase in traffic. The associated final plat dedicates additional ROW for Vilas Street to accommodate future roadway improvements.

- 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 additional residential development.

- 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 Conservation/Open Space. The Comprehensive Plan states in regard to the Conservation/Open Space category that "Conservation areas balance the protection of sensitive environmental features with the development rights of property owners. Areas of conservation are appropriate in areas containing steep slopes, woodlands, drainage corridors, or other valued natural features." The size of the proposed lots will allow for homes to be situated while preserving open space and natural features. The Comprehensive Plan also identifies infill residential development that is "appropriate to the character of the neighborhood" as a strategy to accomplish the goal of promoting growth and development that is "sustainable, responsible, and meets the needs of future generations". This proposed infill development meets that strategy.

- 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.

After the required notice was published and mailed to property owners within 200' of the subject property, staff received several inquired about the exact nature of the request from notified property owners.

REZONING ACTION/OPTIONS:

- Recommend approval of the rezoning request from R1-25 to R1-9 to the City Commission
- Recommend denial of the rezoning request from R1-25 to R1-9 to the City Commission
- Table the issue for additional information/consideration.



APPLICATION FOR REZONING
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO. 2022-13 REZ


Application #	<u>11448</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>5-27-22</u>
Received By	
Hearing Date	<u>7-11-22</u>
Publication Date	<u>6-14-22</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:	2101 & 2013 Vilas Street Leavenworth, KS 66048		
Rezoning:	Present classification of: R1-25	district to: R1-9	
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE)		
Real Estate PID #	R307868 & R13076	Historic District:	

I/We, JEREMY GREENAMYRE 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):	Greenamyre Rentals Inc		
Address:	2500 S 2nd Street Leavenworth, KS 66048		
Contact No.:	91-828-4440	Email:	jeremy@greenamyre.com

Signature of Owner(s): 

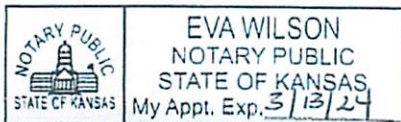
NOTE: All signatures must be in black or blue ink. Signature of owner(s) must be secured and notarized.

State of Kansas)
County of Leavenworth), SS

Signed or attested before me on 23rd May, 2022 by Galler
(date) (name(s) of person(s))

Notary Public: My Appointment Expires: 3/13/24

(SEAL)



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:
Current zoning in the area is R1-25 & R1-9 _____

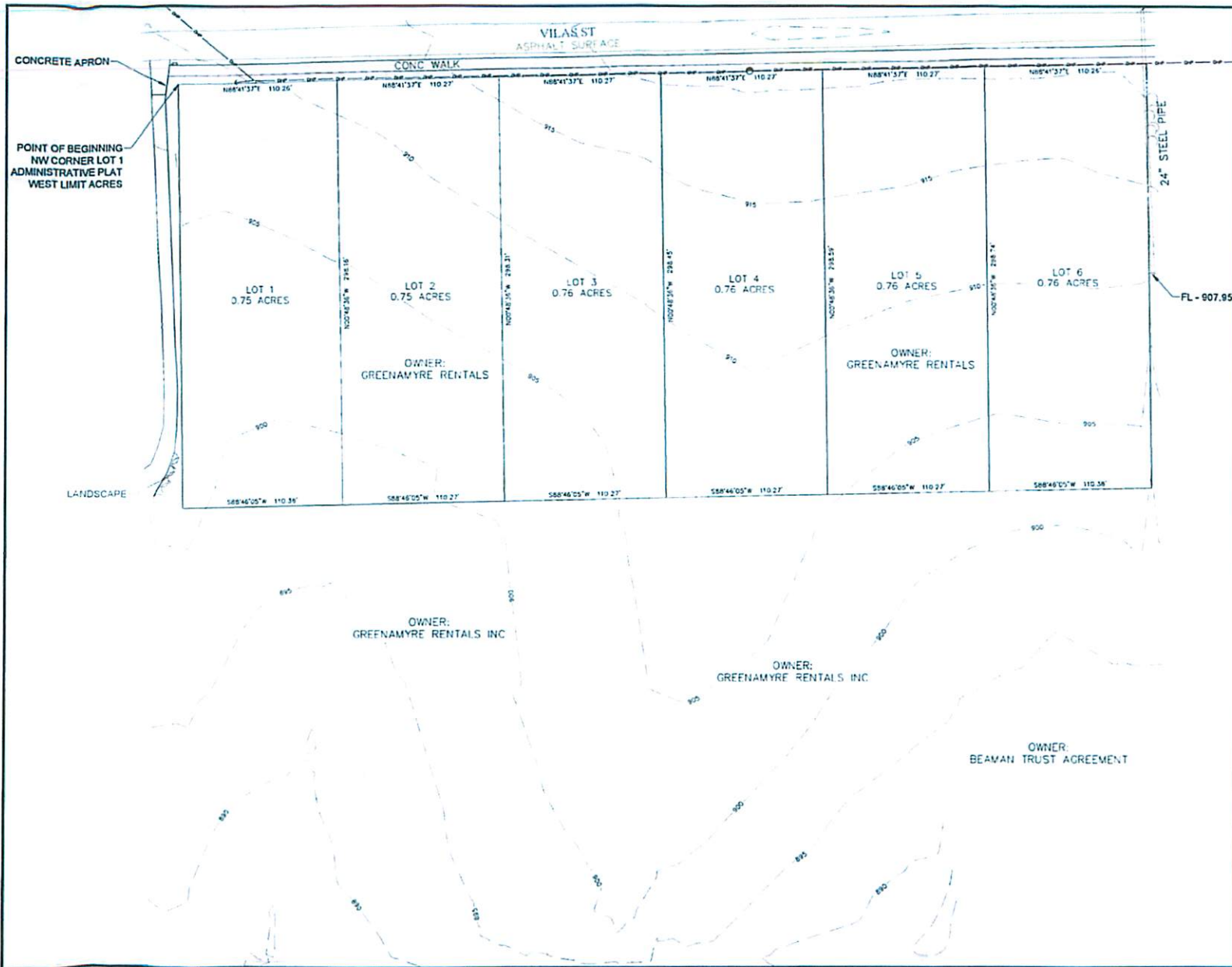
Briefly describe the intended use and character of the property: _____
The purpose of this rezoning would be to create 6 R1-9 residential lots.

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property: We believe this rezoning request is appropriate due to the surrounding zoning and surrounding similar parcels.

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: This rezoning will not directly affect any surrounding property owners due to the surrounding properties having the same zoning or the surrounding properties having the same property use.

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: N/A

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)



REZONING (R1-25 TO R1-9)

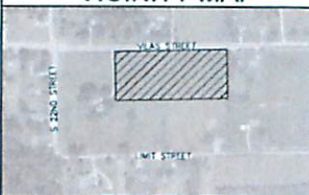
LEGEND

- EXISTING PROPERTY CORNER OR MARK
- 1/4" 1" = 10' & 2" 1" = 10' SCALE
- M MEASUREMENT
- D DITCH
- P PLATED
- POINT MARK
- CONCRETE STREET LINE
- WALK
- DRIVE DRIVEWAY
- DRIVE
- SURVEY MARKER

DESCRIPTION

REZONING DESCRIPTION
 BEGINNING AT THE NORTHWEST CORNER OF LOT 1 ADMINISTRATIVE PLAT WEST LIMIT ACRES, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, THENCE N85°41'37"E, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 482.80 FEET; THENCE S07°05'41"E, A DISTANCE OF 238.28 FEET; THENCE S88°46'05"W, A DISTANCE OF 482.80 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°46'55"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 238.22 FEET TO THE POINT OF BEGINNING, CONTAINING 4.26 ACRES MORE OR LESS.

VICINITY MAP

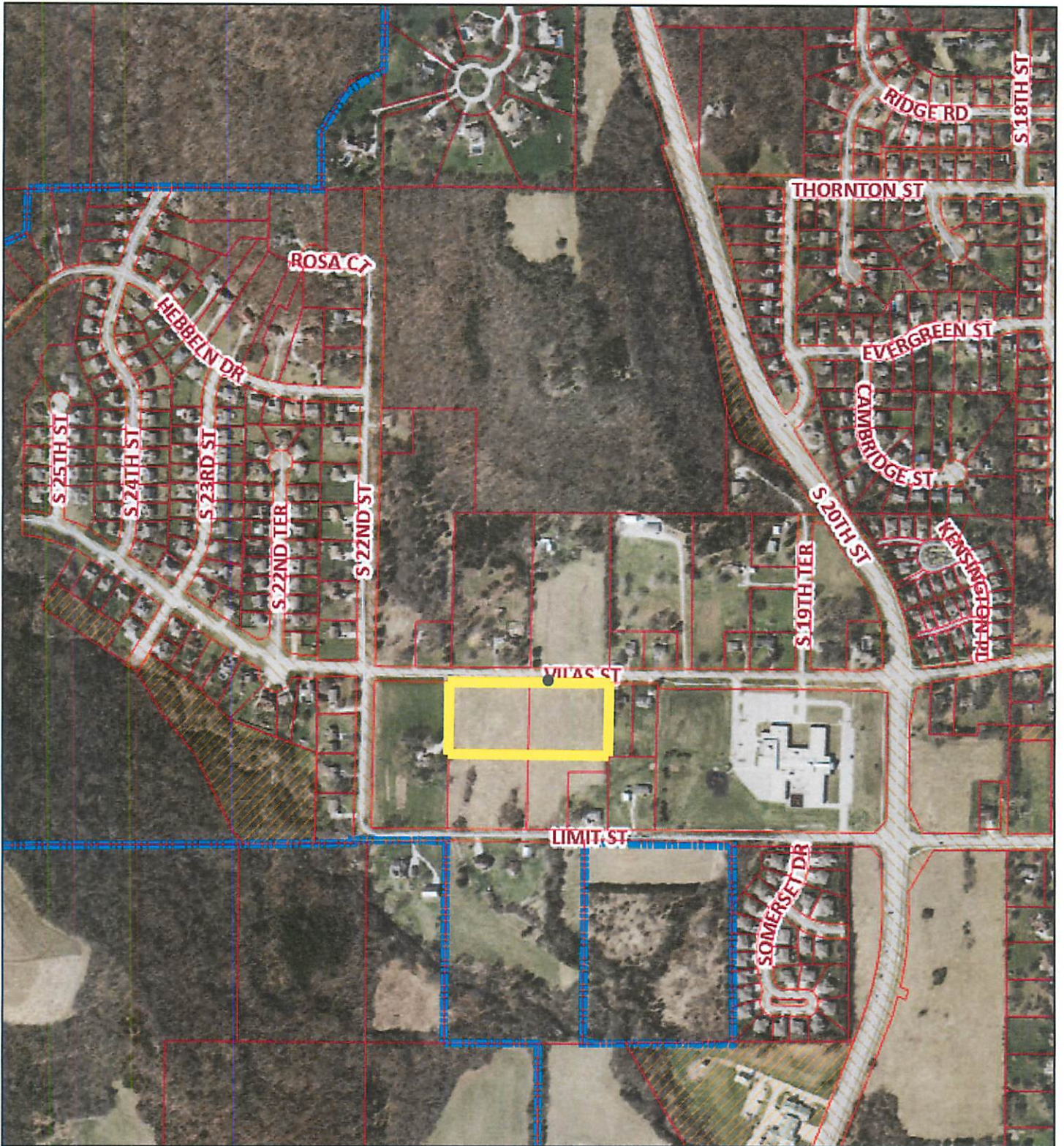


VICINITY MAP NOT TO SCALE



SCALE	PREPARED FOR
<p>SCALE IN FEET</p>	GREENAMYRE
SEC-TWN-RNG	
03-09-22	DATE
MAY 16, 2022	

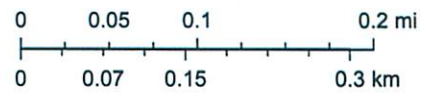
2022-13-REZ



7/28/2022, 10:40:54 AM

1:9,028

-  Override 1
-  Leavenworth City Limits
-  Parcels (City Owned)
-  City Right-of-Way
-  Parcels_Current
-  RoadCenterline



Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, EPA



Development Review Committee Meeting

Thursday, May 12, 2022 at 1:30 p.m.

Committee members present: Assistant City Manager Penny Holler, Public Works Director Brian Faust, Deputy Public Works Director Earl Wilkinson, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Fire Marshall Andy Brooks, City Clerk Sarah Bodensteiner, Planning Director Julie Hurley and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. 2101 & 2013 Vilas - Plat

- Attendees – Jeremy Greenamyre and Austin Thompson (Atlas Surveyors)
- Project – plat all of 2101 Vilas and the northern portion of 2013 Vilas. This will be rezoned to R1-9. The unplatted southern portion will remain R1-25.
- Planning
 - Rezoning and plat can run concurrently.
 - Need preliminary and final plat. Plat will go to City Commission for dedication of easements.
 - Staff to email minutes from December 7, 2020 Planning Commission meeting.
- Public Works
 - See attached comments from Public Works Director Brian Faust.
 - Vilas road improvement – need to provide funding for their half of the road before permits are issued.
 - General Note under the Limit St. lot split states easements will be recorded on a separate instrument. Building permits will not be issued for any of the tracts on Limit or Vilas until that has been completed.
- Building Inspections – no comments
- Police – no comments
- Fire – no comments

OLD BUSINESS:

None

OTHER BUSINESS:

None

Meeting adjourned at 1:46 p.m.

Greenamyre Addition —May 12, 2022

Public Works - Engineering

- ✓ • Vilas is defined as an Arterial – need minimum of 80' of ROW (similar to Henry Leavenworth School). ROW to be dedicated with plat.
- ✓ • Sanitary sewer is along Limit Street. All lots will need to connect to the sanitary so there will need to be a sanitary sewer extension northward. Easements will need to be defined. Extension needs to go to the south edge of Vilas. This will allow for future expansion to the north.
- This is a significant development along a rural section of roadway. The road to the east and the road to the west has curb/gutter. This section of road (between the school and S. 22nd Street) needs to be upgraded to an urban section. They should be required to improve their ½ of each road now. If DRC feels this is unreasonable, they need to provide the funding to the city for their half of the road - now. This will be used at a later date to fund improvements. Or DRC could require a statement on the plat that they: 'Waive their right to protest the formation of a benefit district to fund future road improvements'. This sticks the future buyer (not the developer) with the cost.
- Sidewalks are already installed along Vilas but will likely be damaged during any construction activities. Any damaged areas will need to be removed and replaced to current ADA guidelines.
- Plan to address storm water quantity and quality is required.
- All easements for drainage/utilities are required on the plat.

PLANNING COMMISSION AGENDA ITEM
2022-14-SUB

GREENAMYRE ADDITION
PRELIMINARY PLAT

AUGUST 1, 2022

SUBJECT:

A request for a preliminary plat of Greenamyre Addition

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 Atlas Land Consulting. The applicant is requesting approval of a 6 lot preliminary plat for the Greenamyre Addition residential development, located at 2101 & 2013 Vilas. The subject property is 4.53 acres in size consisting of 2 lots, and is currently vacant. The proposed plat consists of 6 lots, all of which are approximately .75 acre in size.

An associated rezoning request from R1-25 to R1-9 for the subject property is also on this agenda, as well as the accompanying final plat.

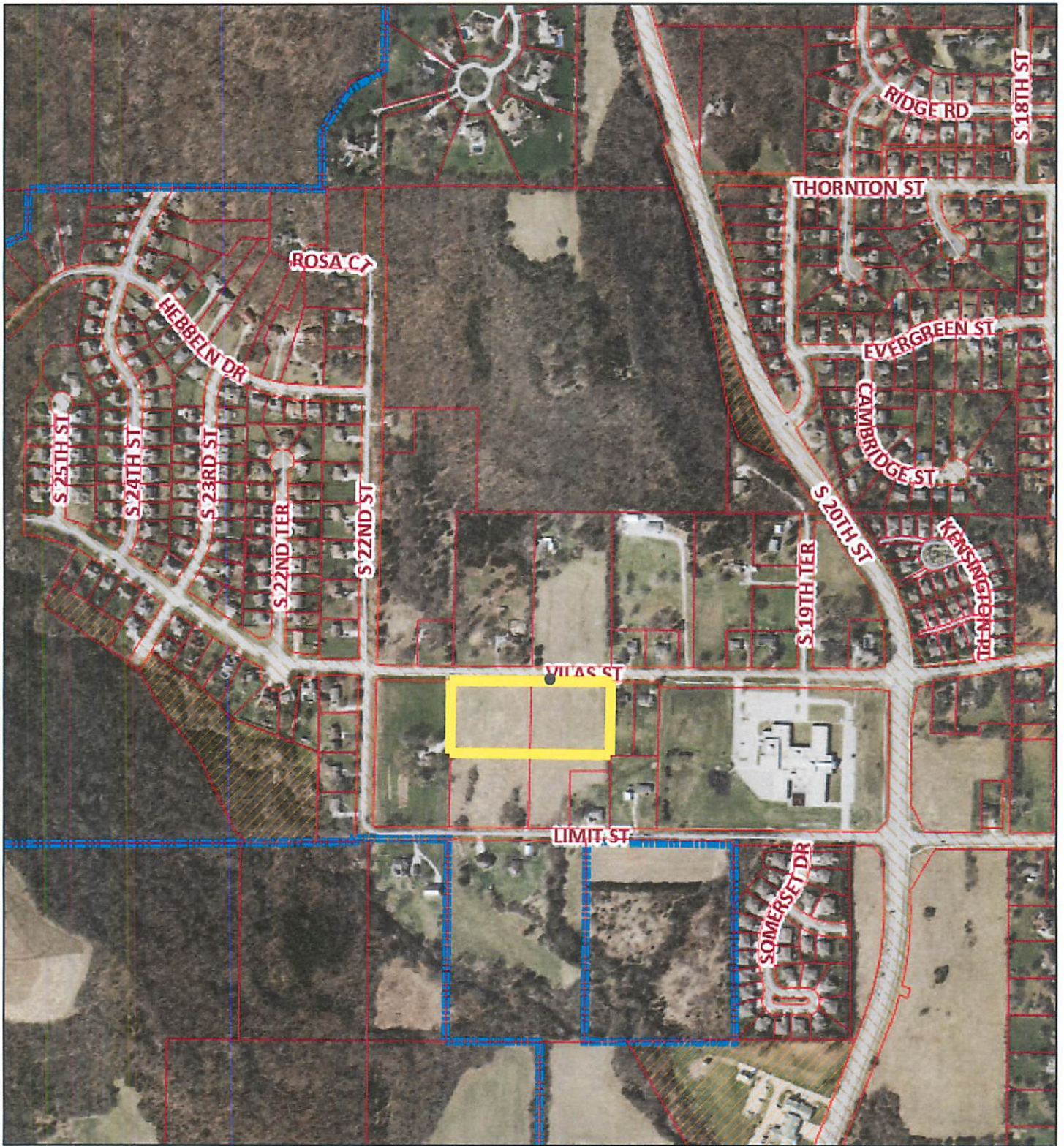
The plat was discussed at the May 12, 2022 Development Review Committee meeting. Items related to required improvements to Vilas Street, additional dedication of ROW, utilities, sidewalks, and stormwater were discussed. All items discussed will be addressed prior to the issuance of building permits.

Staff recommends approval of the Greenamyre Addition Preliminary Plat.

ACTION/OPTIONS:

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

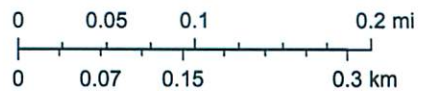
Greenamyre Addition



7/28/2022, 10:26:45 AM

1:9,028

- Override 1
- Parcels (City Owned)
- Parcels_Current
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, EPA



Project No. 2022-14 SUB

**PRELIMINARY PLAT
APPLICATION
CITY OF LEAVENWORTH**

OFFICE USE ONLY

Application No. 11502
Fee 360.00
(\$350 plus \$10 per lot over 5 lots)
Date Paid 6/14/22
Received By JS
Meeting Date 8-1-22

NAME OF SUBDIVISION/PROJECT: GREENAMYRE ADDITION
LOCATION OF SUBDIVISION/PROJECT: LIMIT ST AND S 22ND ST (2101 Villas + north portion of 2013 Villas)

NAME OF PROPERTY OWNER: (If Corporation, include name and address of Director or President)
NAME: GREENAMYRE RENTALS LLC
STREET ADDRESS: 2500 S 2nd St
CITY: Leavenworth STATE: KS ZIP: 66048
PHONE: 913-828-4440 EMAIL: _____

NAME OF DEVELOPER / ATTORNEY OR AGENT: (If Corporation, include name and address of Director or President)
NAME: Same as Owner
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ EMAIL: _____

NAME OF ENGINEER PREPARING PLAT:
COMPANY: Atlas Land Consulting
STREET ADDRESS: 207 S 5th St
CITY: Leavenworth STATE: KS ZIP: 66048
PHONE: 913-702-5073 EMAIL: andrea@alconsult-llc.com

PARCEL NO: R13076 & R307868 SEC.TWP.RNG. 3-9-22
ZONING OF SUBJECT PROPERTY: R1-9 CURRENT LAND USE: _____
TOTAL ACREAGE: 4.53 NUMBER OF LOTS: 6

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

Manner in which improvements will be made:

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

[Signature] Date: 04/07/2022

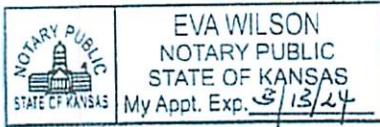
State of Kansas, County of Leavenworth, SS

Signed or attested before me this 7th day of June, 2022 by

[Signature]
Notary

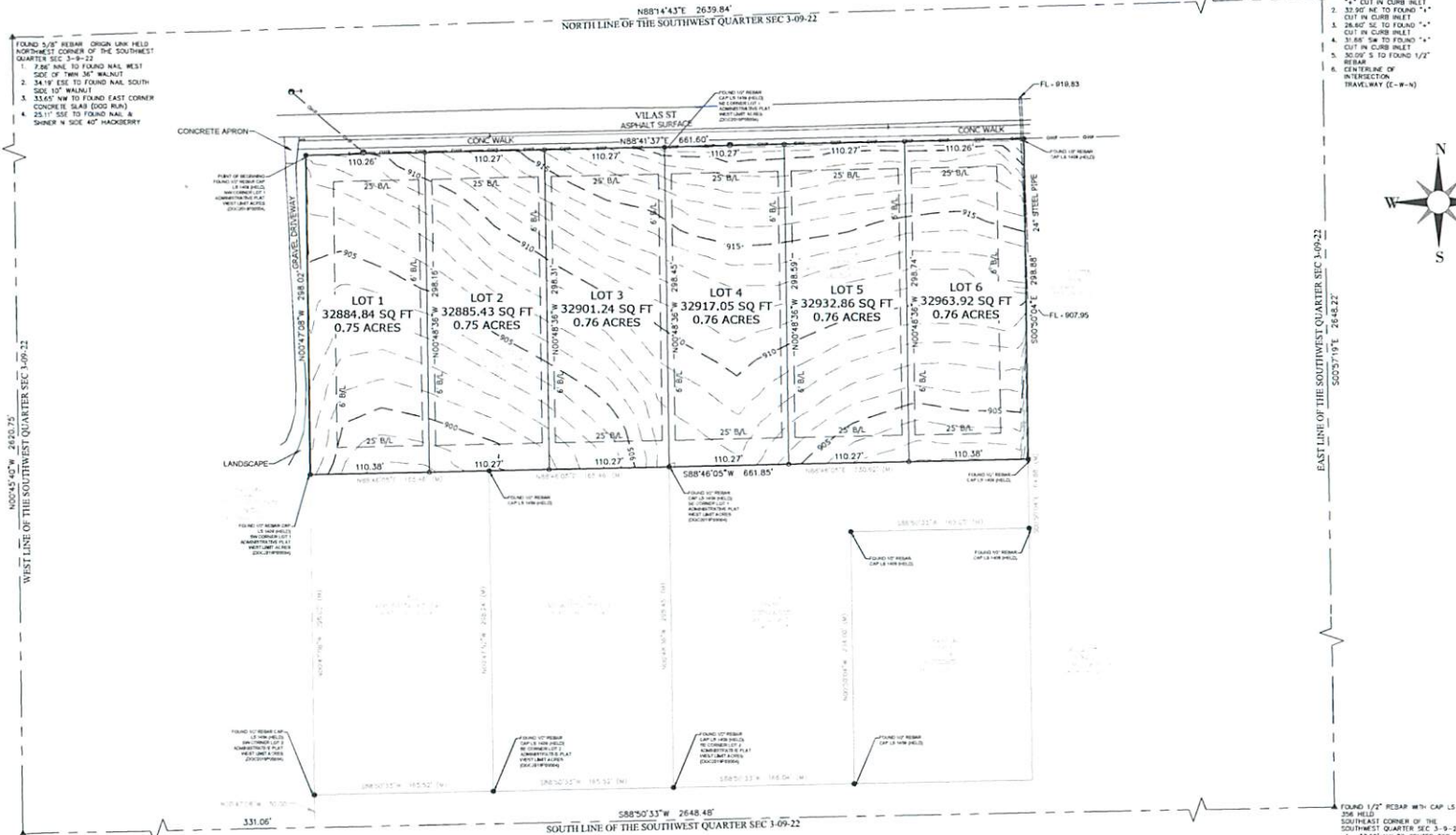
5/13/24
Appointment Expires

(Seal)

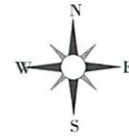


GREENAMYRE ADDITION

A REPLAT OF LOT 1 ADMINISTRATIVE PLAT WEST LIMIT ACRES AND A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 03, TOWNSHIP 9 SOUTH, RANGE 22 EAST, OF THE 6TH P.M. IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS



- FOUND 1/2" REBAR HELD NORTH-EAST CORNER OF THE SOUTHWEST QUARTER SEC 3-9-22
1. 33.13' NW TO FOUND "4" CUT IN CURB INLET
 2. 33.90' NE TO FOUND "4" CUT IN CURB INLET
 3. 28.62' SE TO FOUND "4" CUT IN CURB INLET
 4. 30.88' SW TO FOUND "4" CUT IN CURB INLET
 5. 30.00' S TO FOUND 1/2" REBAR
 6. CENTERLINE OF INTERSECTION TRAVELWAY (E-W-W)



PRELIMINARY PLAT LEGEND

- FOUND PROPERTY CORNER AS NOTED
- SET 1/2" x 1" REBAR CAP LS 1408
- ACQUIRED
- D BEDDING
- P PLATING
- ⊕ POWER POLE
- REBAR POWER LINE
- FENCE
- WATER HOLE
- A FIRE HYDRANT
- MANHOLE
- FENCE
- LANTERN MARKER

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983.
2. ALL DISTANCES EXCEPT HEREON ARE GROUND DISTANCES ON THIS SURVEY.
3. KANSAS ONE CALL WAS NOT CALLED ON THIS SURVEY.
4. REFERENCED SURVEYS INCLUDE:
5. ADMINISTRATIVE PLAT - WEST LIMIT ACRES
6. CURRENT ZONING - RES-17 / PROPOSED ZONING RES-9
7. SURVEY COMPLETED WITHOUT TITLE WORK.
8. FENCE LINES DO NOT NECESSARILY DENOTE PROPERTY LINES.
9. THE SUBJECT PROPERTY IS LOCATED WITHIN AREA "ZONE E" (AREA WITH PERMANENT FLOODING ON FLOOD INSURANCE RATE MAP NO. 22103L, WITH GATE IDENTIFICATION ON JULY 18, 2013, FOR COMMUNITY NO. 20103), IN LEAVENWORTH COUNTY, STATE OF KANSAS, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THIS COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
10. EXISTING EASEMENTS AND UTILITY LOCATIONS MAY NOT BE INDICATED.
11. UTILITY AND DRAINAGE EASEMENTS WILL BE FILED VIA SEPARATE DOCUMENT.
12. WE ACKNOWLEDGE AND WAIVE THE RIGHT TO PROTECT THE FORMATION OF A BENEFIT DISTRICT FOR FUTURE PUBLIC IMPROVEMENTS.

VICINITY MAP



VICINITY MAP NOT TO SCALE

This is to certify on this 28TH day of JANUARY, 2022 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

ROGER B. DILL LS 1408

SCALE	PREPARED FOR
50 25 0 50 SCALE IN FEET	GREENAMYRE
SEC-TWN-RNG	
03-09-22	
DATE	
JUNE 6, 2022	

DESCRIPTION:

A REPLAT OF LOT 1 ADMINISTRATIVE PLAT WEST LIMIT ACRES AND A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 03, TOWNSHIP 9 SOUTH, RANGE 23 EAST, OF THE 6TH P.M., IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, DESCRIBED BY ROGER B. DILL PS 1408 ON JUNE 7, 2022, AS FOLLOWS:

BEGINNING AT A FOUND 1/2" REBAR CAP LS 1408, ALSO KNOWN TO BE THE NORTHWEST CORNER OF SAID LOT 1; THENCE N88°41'37"E, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 661.60 FEET TO A FOUND 1/2" REBAR CAP LS 1408; THENCE S00°50'04"E, A DISTANCE OF 298.88 TO A FOUND 1/2" REBAR CAP LS 1408; THENCE S88°46'05"W, A DISTANCE OF 661.85 FEET TO A FOUND 1/2" REBAR CAP LS 1408, ALSO KNOWN TO BE THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°47'08"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 298.02 FEET TO THE POINT OF BEGINNING, CONTAINING 197,485.34 SQUARE FEET MORE OR LESS OR 4.53 ACRES



Development Review Committee Meeting

Thursday, May 12, 2022 at 1:30 p.m.

Committee members present: Assistant City Manager Penny Holler, Public Works Director Brian Faust, Deputy Public Works Director Earl Wilkinson, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Fire Marshall Andy Brooks, City Clerk Sarah Bodensteiner, Planning Director Julie Hurley and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. 2101 & 2013 Vilas - Plat

- Attendees – Jeremy Greenamyre and Austin Thompson (Atlas Surveyors)
- Project – plat all of 2101 Vilas and the northern portion of 2013 Vilas. This will be rezoned to R1-9. The unplatted southern portion will remain R1-25.
- Planning
 - Rezoning and plat can run concurrently.
 - Need preliminary and final plat. Plat will go to City Commission for dedication of easements.
 - Staff to email minutes from December 7, 2020 Planning Commission meeting.
- Public Works
 - See attached comments from Public Works Director Brian Faust.
 - Vilas road improvement – need to provide funding for their half of the road before permits are issued.
 - General Note under the Limit St. lot split states easements will be recorded on a separate instrument. Building permits will not be issued for any of the tracts on Limit or Vilas until that has been completed.
- Building Inspections – no comments
- Police – no comments
- Fire – no comments

OLD BUSINESS:

None

OTHER BUSINESS:

None

Meeting adjourned at 1:46 p.m.

Greenamyre Addition –May 12, 2022

Public Works - Engineering

- ✓ • Vilas is defined as an Arterial – need minimum of 80' of ROW (similar to Henry Leavenworth School). ROW to be dedicated with plat.
- ✓ • Sanitary sewer is along Limit Street. All lots will need to connect to the sanitary so there will need to be a sanitary sewer extension northward. Easements will need to be defined. Extension needs to go to the south edge of Vilas. This will allow for future expansion to the north.
- This is a significant development along a rural section of roadway. The road to the east and the road to the west has curb/gutter. This section of road (between the school and S. 22nd Street) needs to be upgraded to an urban section. They should be required to improve their ½ of each road now. If DRC feels this is unreasonable, they need to provide the funding to the city for their half of the road - now. This will be used at a later date to fund improvements. Or DRC could require a statement on the plat that they: 'Waive their right to protest the formation of a benefit district to fund future road improvements'. This sticks the future buyer (not the developer) with the cost.
- Sidewalks are already installed along Vilas but will likely be damaged during any construction activities. Any damaged areas will need to be removed and replaced to current ADA guidelines.
- Plan to address storm water quantity and quality is required.
- All easements for drainage/utilities are required on the plat.

PLANNING COMMISSION AGENDA ITEM
2022-15-SUB

GREENAMYRE ADDITION
FINAL PLAT

AUGUST 1, 2022

SUBJECT:

A request for a final plat of Greenamyre Addition



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 Atlas Land Consulting. The applicant is requesting approval of a 6 lot final plat for the Greenamyre Addition residential development, located at 2101 & 2013 Vilas. The subject property is 4.53 acres in size consisting of 2 lots, and is currently vacant. The proposed plat consists of 6 lots, all of which are approximately .75 acre in size.

An associated rezoning request from R1-25 to R1-9 for the subject property is also on this agenda, as well as the accompanying preliminary plat.

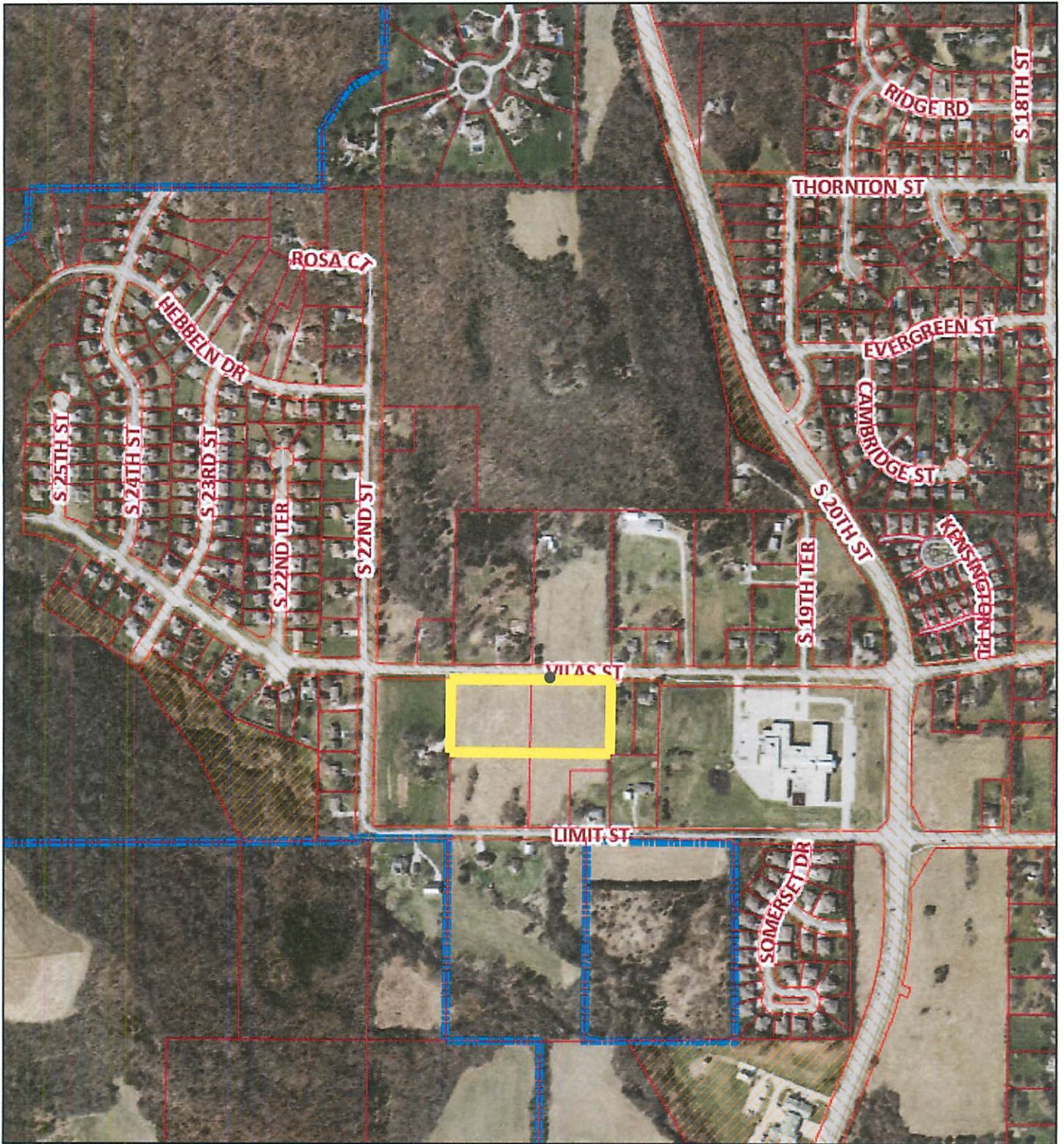
The plat was discussed at the May 12, 2022 Development Review Committee meeting. Items related to required improvements to Vilas Street, additional dedication of ROW, utilities, sidewalks, and stormwater were discussed. All items discussed will be addressed prior to the issuance of building permits.

Staff recommends approval of the Greenamyre Addition Final Plat.

ACTION/OPTIONS:

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

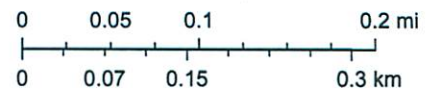
Greenamyre Addition



7/28/2022, 10:26:45 AM

1:9,028

- Override 1
- Parcels (City Owned)
- Parcels_Current
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, EPA



Project No. 2022-15 SUB

FINAL PLAT APPLICATION
CITY OF LEAVENWORTH

OFFICE USE ONLY

Application No. 11527

Fee: 360.00

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

Date Paid 6-14-22

Received By JS

PC Meeting 8-1-22

NAME OF SUBDIVISION/PROJECT: GREENAMYRE ADDITION (2101 Villas & north portion of 2013 Villas)
LOCATION OF SUBDIVISION/PROJECT: VILLAS ST & LIMIT STREET
NAME OF PROPERTY OWNER: (If Corporation, include name and address of Director or President)

NAME: JEREMY GREENAMYRE

STREET ADDRESS: 2500 S 2ND ST

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: (913)-828-4440 FAX: _____ EMAIL: jeremy@greenamyre.com

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

NAME: JEREMY GREENAMYRE

STREET ADDRESS: 2500 S 2ND ST

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: (913)-828-4440 FAX: _____ EMAIL: jeremy@greenamyre.com

NAME OF ENGINEER PREPARING PLAT:

NAME: ANDREA WEISHAUBT

STREET ADDRESS: 2300 HUTTON RD SUITE 108

CITY: KANSAS CITY STATE: KS ZIP: 66109

COMPANY: ATLAS LAND CONSULTING

PHONE: (913)-702-5073 FAX: _____ EMAIL: andrea@alconsult-llc.com

PARCEL NO: R13076 SEC.TWP.RNG. 03-09-22

ZONING OF SUBJECT PROPERTY: R1-9 CURRENT LAND USE: _____

TOTAL ACREAGE: 4.54 ACRES NUMBER OF LOTS: 6

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)

[Signature]

Date: 06/28/2022

State of KS, County of Leavenworth SS

Signed or attested before me on 28, June, 2022 by Jeremy Greenamyre

Notary

Appointment Expires 3/13/24



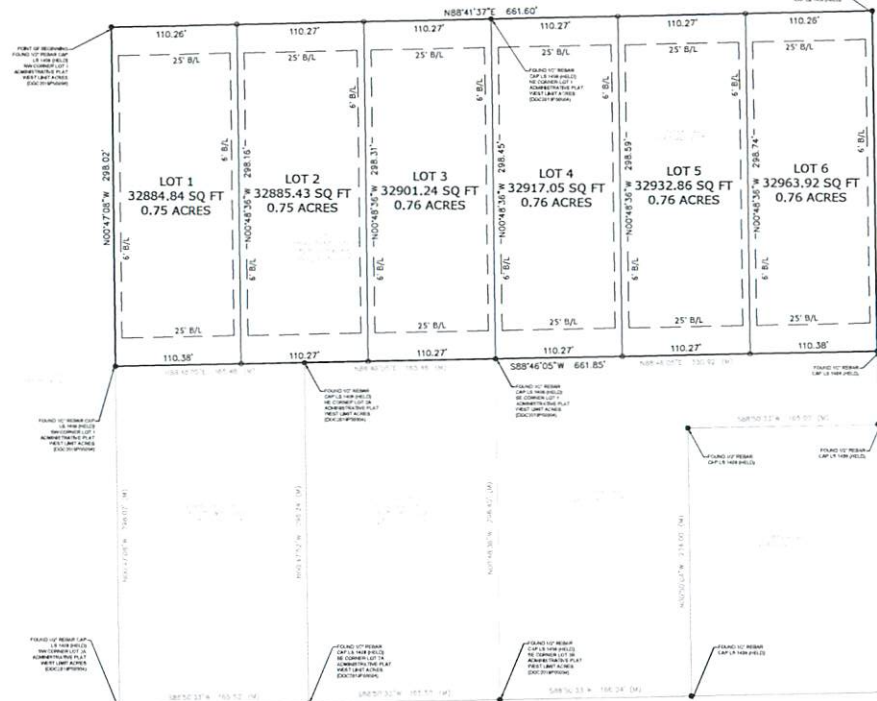
GREENAMYRE ADDITION

A REPLAT OF LOT 1 ADMINISTRATIVE PLAT WEST LIMIT ACRES AND A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 03, TOWNSHIP 9 SOUTH, RANGE 22 EAST, OF THE 6TH P.M. IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS

- FOUND 5/8" REBAR CROSS ONE HOLD NORTHWEST CORNER OF THE SOUTHWEST QUARTER SEC 3-09-22
- 7.86' N10° TO FOUND NAL WEST SIDE OF TWP 9° S
 - 24'18" E10° TO FOUND NAL SOUTH SIDE 10° W
 - 33.63' W10° TO FOUND EAST CORNER CONCRETE SLAB EDGE (RING)
 - 25'11" S50° TO FOUND NAL & SHARPER N. SIDE 45° HACKBERRY

N88°14'43"E 2639.84'
NORTH LINE OF THE SOUTHWEST QUARTER SEC 3-09-22

VILLAS STREET

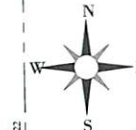


S88°50'13"W 2648.48'
SOUTH LINE OF THE SOUTHWEST QUARTER SEC 3-09-22

LIMIT STREET

WEST LINE OF THE SOUTHWEST QUARTER SEC 3-09-22

- FOUND 1/2" REBAR HELD NORTHEAST CORNER OF THE SOUTHWEST QUARTER SEC 3-09-22
1. 23.11' NW TO FOUND "4" CUT IN CURB INLET
 2. 22.90' NE TO FOUND "4" CUT IN CURB INLET
 3. 26.80' SE TO FOUND "4" CUT IN CURB INLET
 4. 21.85' SW TO FOUND "4" CUT IN CURB INLET
 5. 30.00' S TO FOUND 1/2" REBAR
 6. CENTERLINE OF INTERSECTION TRAVELWAY (E-W-N)



EAST LINE OF THE SOUTHWEST QUARTER SEC 2-09-22
S00°52'04"E 2948.22'

- FOUND 1/2" REBAR CAP LS 1408 HELD SOUTHWEST CORNER OF THE SOUTHWEST QUARTER SEC 3-09-22
1. 50.34' NE 10° "4" CUT ON TOP OF 48" RCP
 2. 11.88' SW TO "4" CUT ON TOP OF 48" RCP
 3. 32.57' W TO TOP CENTER OF FH

DESCRIPTION:
A REPLAT OF LOT 1 ADMINISTRATIVE PLAT WEST LIMIT ACRES AND A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 03, TOWNSHIP 9 SOUTH, RANGE 22 EAST, OF THE 6TH P.M. IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, DESCRIBED BY RODER B. DOLL PS 1408 ON JUNE 7, 2022, AS FOLLOWS:

BEGINNING AT A FOUND 1/2" REBAR CAP LS 1408, ALSO KNOWN TO BE THE NORTHWEST CORNER OF SAID LOT 1; THENCE N88°14'43"E, ALONG THE NORTH LINE OF SAID LOT 1 AND ITS EASTERLY EXTENSION, A DISTANCE OF 641.65 FEET TO A FOUND 1/2" REBAR CAP LS 1408; THENCE S00°50'04"E, A DISTANCE OF 268.80 FEET TO A FOUND 1/2" REBAR CAP LS 1408, ALSO LYING ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1; THENCE S88°14'43"E, ON SAID EASTERLY EXTENSION AND ON SAID SOUTH LINE, A DISTANCE OF 681.83 FEET TO A FOUND 1/2" REBAR CAP LS 1408, ALSO KNOWN TO BE THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N04°28'28"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 294.22 FEET TO THE POINT OF BEGINNING, CONTAINING 197,465.24 SQUARE FEET MORE OR LESS OR 4.53 ACRES

DEDICATION
The undersigned proprietors state that all taxes of the above described tract of land have been paid and that they have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be known as: "GREENAMYRE ADDITION"
The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Leavenworth County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Leavenworth County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

RECORDED: DATE _____ BOOK _____ PAGE _____

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____, 2022.

GREENAMYRE RENTALS, INC
Jeremy Greenamyre, Managing Member

STATE OF KANSAS] SS
COUNTY OF LEAVENWORTH

BE IT REMEMBERED, that on this _____ day of _____, 2022, before me, a Notary Public in and for said County and State, came Jeremy Greenamyre, Managing Member of Greenamyre Rentals, Inc, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

NAME: My Commission Expires _____
This plat of GREENAMYRE ADDITION has been submitted to and approved by the Leavenworth Planning Commission, this _____ day of _____, 2022.

CHAIRMAN - CLAUDE WIEDOWER
SECRETARY - JULIE HURLEY
DIRECTOR OF PLANNING - JULIE HURLEY

This plat approved by the City Commission of Leavenworth, Kansas, this _____ day of _____, 2022.
(SEAL)

ATTEST: MAYOR - CAMILLA LEONARD
CITY CLERK - SARAH BODENSTEINER
DIRECTOR OF PUBLIC WORKS - BRIAN FAUST
CITY ATTORNEY - DAVID WATERS

State of Kansas, County of Leavenworth, SS.
This is to certify that this instrument was filed for record in the Register of Deeds office on the _____ day of _____, 2022, in Book _____ Page _____.

REGISTER OF DEEDS - TERRILLOIS G. MASHBURN

I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

COUNTY SURVEYOR - MICHAEL J. BOGINA, KANSAS PS-1655
LEAVENWORTH COUNTY SURVEY REVIEWER



FINAL PLAT LEGEND

- FOUND PROPERTY CORNER AS NOTED
- NE 1/4" x 3/4" REBAR CAP LS 1408
- BOUNDARY
- DEEDS
- PLATS

GENERAL NOTES

1. THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE ILL. STATE PLANE 1983 - SOUTH LINE OF THE SOUTHWEST QUARTER SEC 03-09-22, SUBSECTION 10.
2. ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN US SURVEY FEET.
3. KANSAS ONE CALL WAS NOT CALLED ON THIS SURVEY.
4. REFERENCED SURVEYS INCLUDE:
5. CURRENT ZONING - R1-23 / PROPOSED ZONING R1-4
6. SURVEY COMPLETED WITHOUT TITLE WORK.
7. FENCE LINES DO NOT NECESSARILY DENOTE PROPERTY LINES.
8. THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA ZONED R1 AREA WITH MINOR FLOODING. ON FLOOD INSURANCE RATE MAP NO. 50233, WITH DATE IDENTIFICATION ON JULY 16, 2015. FOR COMMUNITY NO. 20033 IN LEAVENWORTH COUNTY, STATE OF KANSAS. BEHIND THE CURRENT FLOOD INSURANCE RATE MAP FOR THIS COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
9. EXISTING EXHAUSTERS AND UTILITY LOCATIONS MAY NOT BE INDICATED.
10. UTILITY AND DRAINAGE EASEMENT WILL BE FILED VIA SEPARATE DOCUMENT.
11. WE ACKNOWLEDGE AND WAIVE THE RIGHT TO PROTEST THE FORMATION OF A BENEFIT DISTRICT FOR FUTURE PLAT IMPROVEMENTS.

VICINITY MAP



VICINITY MAP NOT TO SCALE

This is to certify on this 28TH day of JANUARY, 2022 this field survey was completed on the ground by me or my duly licensed and supervised and that said survey meets or exceeds the "Professional Standards" for boundary surveys.



SCALE	PREPARED FOR
0 25 50 SCALE IN FEET	GREENAMYRE
SEC-TWN-RNG	
03-09-22	
DATE	
JUNE 6, 2022	



Development Review Committee Meeting

Thursday, May 12, 2022 at 1:30 p.m.

Committee members present: Assistant City Manager Penny Holler, Public Works Director Brian Faust, Deputy Public Works Director Earl Wilkinson, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Fire Marshall Andy Brooks, City Clerk Sarah Bodensteiner, Planning Director Julie Hurley and Administrative Assistant Michelle Baragary.

NEW BUSINESS:

1. 2101 & 2013 Vilas - Plat

- Attendees – Jeremy Greenamyre and Austin Thompson (Atlas Surveyors)
- Project – plat all of 2101 Vilas and the northern portion of 2013 Vilas. This will be rezoned to R1-9. The unplatted southern portion will remain R1-25.
- Planning
 - Rezoning and plat can run concurrently.
 - Need preliminary and final plat. Plat will go to City Commission for dedication of easements.
 - Staff to email minutes from December 7, 2020 Planning Commission meeting.
- Public Works
 - See attached comments from Public Works Director Brian Faust.
 - Vilas road improvement – need to provide funding for their half of the road before permits are issued.
 - General Note under the Limit St. lot split states easements will be recorded on a separate instrument. Building permits will not be issued for any of the tracts on Limit or Vilas until that has been completed.
- Building Inspections – no comments
- Police – no comments
- Fire – no comments

OLD BUSINESS:

None

OTHER BUSINESS:

None

Meeting adjourned at 1:46 p.m.

Greenamyre Addition —May 12, 2022

Public Works - Engineering

- ✓ • Vilas is defined as an Arterial – need minimum of 80' of ROW (similar to Henry Leavenworth School). ROW to be dedicated with plat.
- ✓ • Sanitary sewer is along Limit Street. All lots will need to connect to the sanitary so there will need to be a sanitary sewer extension northward. Easements will need to be defined. Extension needs to go to the south edge of Vilas. This will allow for future expansion to the north.
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- Sidewalks are already installed along Vilas but will likely be damaged during any construction activities. Any damaged areas will need to be removed and replaced to current ADA guidelines.
- Plan to address storm water quantity and quality is required.
- All easements for drainage/utilities are required on the plat.

PLANNING COMMISSION AGENDA ITEM
2022-17 SUP
3400 IOWA STREET

AUGUST 1, 2022

SUBJECT:

A request for a Special Use Permit to allow the operation of a Child Care Center at 3400 Iowa Street



Prepared By:

Julie Hurley,
Director of Planning and
Community Development



Reviewed By:

Paul Kramer,
City Manager

NATURE OF REQUEST

The applicants, Brenda Reza and Liberty Hazelton, are requesting a Special Use Permit to allow the operation of Child Care Center in their home located at 3400 Iowa Street. The property is currently zoned R1-9 (Medium Density Single Family Residential). Child Care Centers are allowed in the R1-9 zoning district with issuance of a special use permit. The applicant previously received approval of a Special Use Permit in 2017 to operate a Child Care Center in their home at 3611 Shrine Park Road. The family has recently moved and intends to continue their Child Care operation in their new home. No concerns or complaints were received by the City regarding the operation of a Child Care Center at their previous home.

The applicant is licensed by the State of Kansas to care for a maximum of 12 children, dependent upon the ages of the children in care.

CONDITIONS OF DETERMINATION

In recommending approval of a special use, the Planning Commission may impose such conditions, safeguards and restrictions as may be necessary to carry out the general purpose and intent of the ordinance. The development regulations stipulate specific conditions as a requirement for the approval of Child Care Centers as follows:

1. Shall not be located along an arterial street as designated on the Major Street Plan Map unless indirect vehicular access to that street, such as with a frontage road is available. The City Planner, with the advice of the DRC, shall determine if the drop off and pick up arrangements of a childcare center or business appear safe. Appeal of any negative decision shall be to the City Commission.

The subject property is located along Iowa Street, which is classified as a Residential street.

2. Shall provide at least one hundred (100) square feet of open space per child. This open space shall be 100% enclosed by a minimum four (4) foot high fence or wall.

The subject property includes a back yard area of approximately 10,700 sqft., enclosed by a 4' chain link fence.

3. Shall provide a loading zone capable of accommodating at least two (2) automobiles for the easy picking up and discharging of passengers.

The subject property includes a driveway capable of accommodating 4 cars.

4. Shall conform to all requirements of the State of Kansas and shall acquire a State of Kansas Child Care Center License.

The applicants have provided a copy of their Group Day Care Home permit from the Kansas Department of Health and Environment.

5. All childcare centers operated in residential zoning districts shall be the only legal residence of the operator.

The home functions as the only residence of the operator/owner.

6. Childcare centers in residential districts may have one non-illuminated monument sign with no more than 3 square feet per side and a maximum of 2 sides or one non-illuminated sign affixed to the main structure of 3 square feet.

Any signage displayed will conform to this requirement.

COMMISSION FINDINGS

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

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

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

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

Child Care Centers are an essential service to working parents in the community, and promote the economic development, welfare and convenience of the public.

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

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

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

No new structures or building modifications are proposed as part of this special use permit. The property will continue to look and function as a residential structure.

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. Since notifications were mailed, staff has not received any contact from notified property owners.

STAFF RECOMMENDATION:

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

1. A minimum of 1,200 square feet of open space 100% enclosed by a minimum 4' high fence or wall shall be provided and maintained in good condition.
2. A copy of the permanent Group Day Care Home license shall be provided annually upon renewal by the State of Kansas.
3. The operation shall be limited to a maximum of 12 children.
4. No additional home occupations may be carried out at the residence.

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

ACTION/OPTIONS:

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



SPECIAL USE PERMIT
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO.: 2022-17 SUP

Application No.	<u>11546</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>6-16-22</u>
Received By	<u>cc</u>
Hearing Date	<u>8-1-22</u>
Publication Date	<u>7-7-22</u>

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: In home daycare

in accordance with the attached site plan on the following described property:

Subject Property:	<u>3400 Iowa St.</u>		
Legal Description:	<u>(Attach a full legal description provided by the Register of Deeds Office)</u>		
Real Estate PID #:			
Zoning:		Historic District:	

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

Name(s) of Owner (print):	<u>Brenda Reza Liberty Hazelton</u>		
Owner Address:	<u>3400 Iowa St.</u>	<u>LVhsAVemo4photo.com</u>	
Contact No.	<u>913-547-3811</u>	Email:	<u>reza.brenda@gmail.com</u>

Signature of Owner(s): [Signature]

State of Kansas
County of Leavenworth (SEAL)



Signed or attested before me on: June 16, 2022

Notary Public: Michelle Baragary

My Appointment Expires: 8/16/24

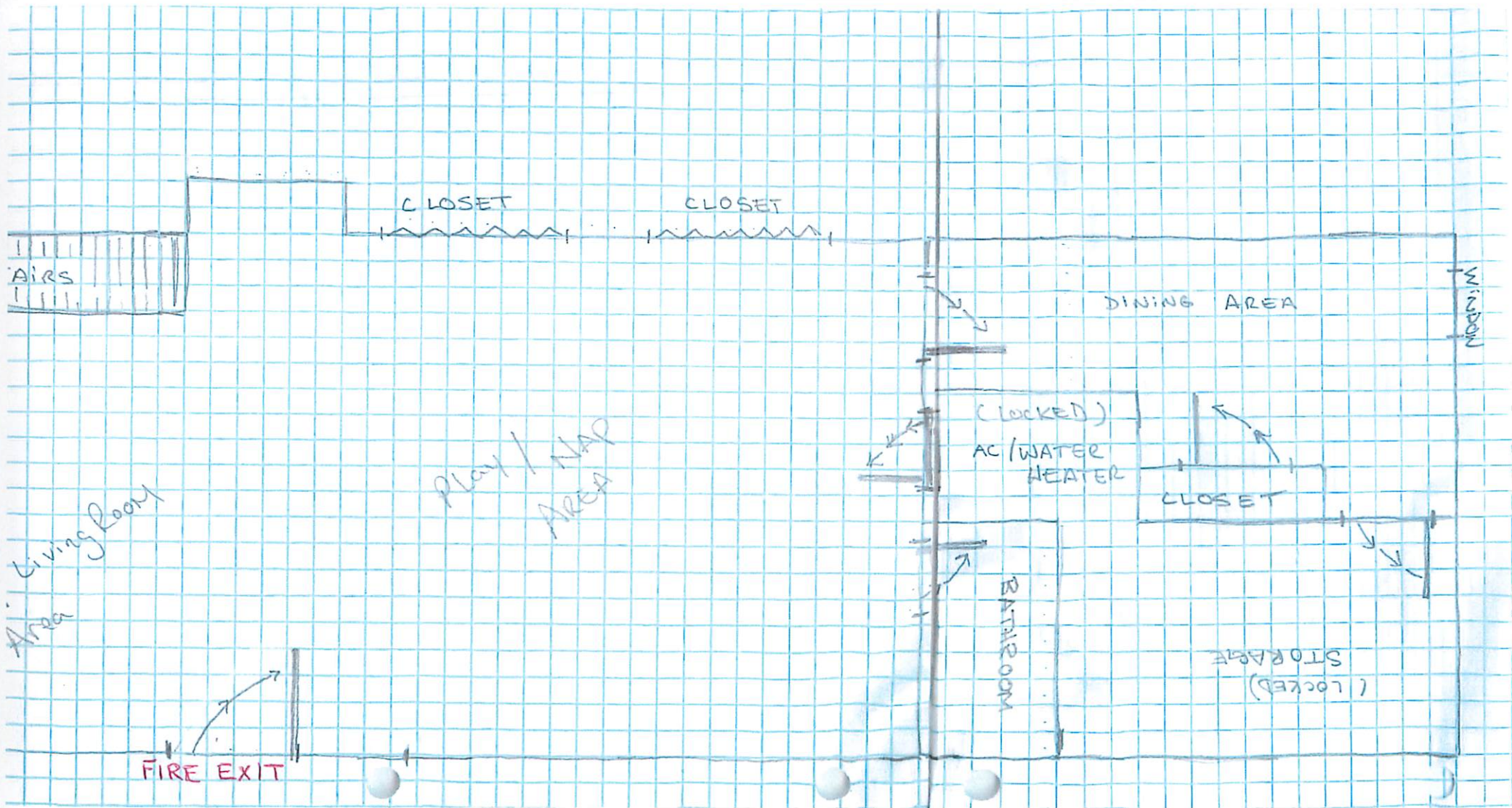
If business is operated by someone other than the owner, provide name and address of operator(s).

Name of Lessee:			
Address:			
Contact No.		Email:	

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

Check list below...

- Non-Refundable Fee of \$350.00 is due at time of application
- Certified list of property owners within two hundred (200) feet of the subject property
- Attach **full** legal description obtained through the Register of Deeds Office
- Site Plan drawn to scale (See General Instructions)
- Supporting documentation (See General Instructions)



Dear Neighbors and Zoning Commission,

We hope this letter finds everyone in good health and great spirits during this summer. My name is Brenda Reza and my husband is Liberty Hazelton. We have been married for 23 years and have been in each other's lives since the 8th grade. We have four children and twin grandbabies. Our two oldest sons have already moved out and started their lives outside our home. Our two youngest are our son Michael, who is 15 and our daughter Xochitl who is 13.

We have recently made our first home purchase and have started to make 3400 Iowa our forever home. Before moving here we lived on Shrine Park Rd where we first started our business of an in home daycare called WeeRock Daycare and have been in business for 10 years, and going strong. We have been able to provide a much needed service to many families over the years from the Leavenworth, Lansing, Easton, Bonner, Platte City, Basehor and Ft. Leavenworth communities. With our affordable rates we have been able to help many single parent families afford childcare as well as helping them improve their way of life by being able to provide a caring and consistent service. We have also been fortunate in being able to care for children of our service men and women who pass through Ft. Leavenworth in their Military career and help them feel at home.

We have maintained our license through Leavenworth County, stayed in compliance with KDHE and paid all applicable fees and taxes. We are applying for our annual Special Use Permit and hope that you consider accepting our proposal to continue serving the community. Not being able to have this permit will displace many families including our own, as this is our main source of income. Please take our family into consideration when making your decision. We thank you for your time. God bless!

The Reza-Hazelton Family

Kansas Department of Health and Environment
License

Group Day Care Home
License No. 0500484-011

Licensee: Liberty Vance Hazelton And Brenda Carina Reza

Facility: WeeRock Daycare

Located at: 3400 Iowa St
Leavenworth, KS 66048

Place sticker here

06/30/2023

In the county of: Leavenworth

Having complied with the laws and regulations of the State of Kansas governing Group Day Care Homes, Liberty Vance Hazelton And Brenda Carina Reza are hereby authorized to care for a maximum of 12 children, under one of the following options:

MAXIMUM LICENSED CAPACITY IF ONE ADULT IS PRESENT WITH THE CHILDREN:

- 9 children, at least 2 ½ years but under 11 years of age*; or
- 10 children, at least 3 years but under 11 years of age*; or
- 12 children, at least 5 years but under 11 years of age; or refer to Table I in K.A.R. 28-4-114(e) if children under 2 ½ years of age are in attendance.

MAXIMUM LICENSED CAPACITY IF TWO ADULTS ARE PRESENT WITH THE CHILDREN:

- 12 children, infancy to 11 years of age*, with not more than 9 children under 5 years of age, 3 of whom may be under 18 months of age; or
- 10 children, infancy to 11 years of age*, with not more than 8 children under 5 years of age, 4 of whom may be under 18 months of age; or
- 12 children, at least 18 months but under 11 years of age*, with not more than 5 children, 18 months to 2½ years of age.

*Children five years of age and over may be substituted for younger children in the license capacity. Children under 11 years of age who are related to the applicant with a temporary permit, the licensee, or any other provider shall be included in the maximum number of children in each age group. Children at least 11 years of age but under 16 years of age who are unrelated to the provider shall be included in the license capacity if child care for this age group as a whole exceeds three hours a week.

This License is effective 06/13/2022 and remains in effect until the expiration date noted by the above sticker unless invalidated by a change of owner, operator, location or it is administratively closed.

Smoking is prohibited inside the day care home during hours of operation.

** Local codes and ordinances may prescribe other requirements for the legal operation of this facility.



Janet Stanek, Secretary
Kansas Department of Health and Environment

June 14, 2022

To Whom It May Concern;

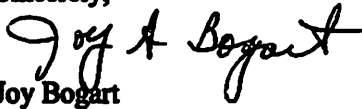
Brenda Reza opened her Licensed Daycare home (WeeRock Daycare) on December 12, 2012. They changed their license from licensed daycare home to Group daycare home on October 30, 2014, with Liberty Hazelton also being one of the providers. Brenda & Liberty recently moved to 3400 Iowa St, Leavenworth, KS. WeeRock daycare is in good standing with Leavenworth County Health Dept. and KDHE Child Care Licensing.

On their Notice of Survey Findings dated 12/8/2021, there were 5 violations cited. Two of those violations were corrected immediately while surveyors were onsite. The remaining 3 violations were corrected and documentation was promptly sent to surveyors. A compliance survey was not needed. If any areas of non-compliance noted at any of their Annual Child Care Licensing Survey, they are very quick to make the corrections so that they are back in full compliance.

WeeRock Daycare's initial survey for the 3400 Iowa St. location was conducted on 6/13/2022, and there were not areas of non-compliance noted.

I would recommend a Special Use Permit for WeeRock Daycare and their Child Care Providers Brenda Reza and Liberty Hazelton.

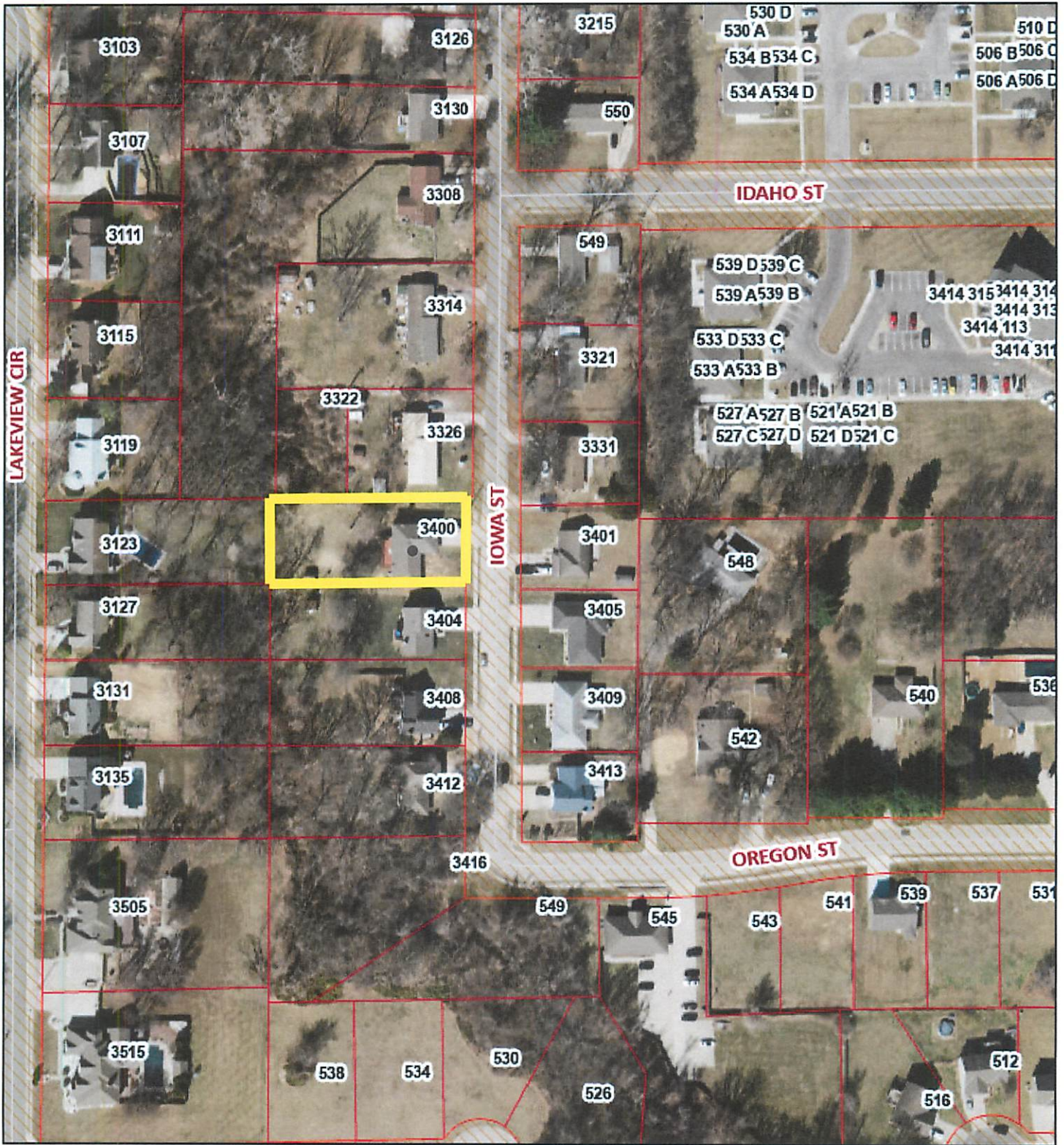
Sincerely,



Joy Bogart

**Leavenworth County Child Care Licensing Surveyor
500 Eisenhower Rd.
Leavenworth, KS 66048
Phone: 913-250-2012
Fax: 913-250-2039**

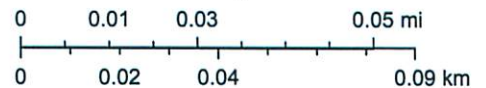
3400 Iowa



7/28/2022, 10:18:24 AM

1:2,257

- Override 1
- Leavenworth City Limits
- Parcels_Current
- City Right-of-Way
- Address (Points)
- RoadCenterline



Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA