

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

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

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: October 3, 2022**

OLD BUSINESS:

- 1. 2022-14 SUB – GREENAMYRE ADDITION PRELIMINARY PLAT**  
Consider a preliminary plat for Greenamyre Addition, Case No. 2022-14 SUB.
- 2. 2022-15 SUB – GREENAMYRE ADDITION FINAL PLAT**  
Consider a final plat for Greenamyre Addition, Case No. 2022-15 SUB.

NEW BUSINESS:

- 1. 2022-27 REZ – 2700 STATE STREET**  
Conduct a public hearing for Case No. 2022-27 REZ – 2700 State Street. The applicants/owners are requesting a rezoning of the property located at 2700 State Street from R-MF (Multi-Family Residential District) to RMX (Residential Mixed Use District).
- 2. 2022-28 REZ – 212, 220 & 224 MAPLE STREET**  
Conduct a public hearing for Case No. 2022-28 REZ – 212, 220 & 224 Maple Street. The applicant/owner is requesting a rezoning of the properties located at 212, 220 & 224 Maple Street from R1-6 (High Density Single Family Residential District) to I-1 (Light Industrial District).
- 3. 2022-29 REZ – 28 LIMIT STREET & 2 VILAS STREET**  
Conduct a public hearing for Case No. 2022-29 REZ – 28 Limit Street and 2 Vilas Street. The applicant/owner is requesting a rezoning of the properties located at 28 Limit Street and 2 Vilas Street from R1-9 (Medium Density Single Family Residential District) to PUD (Planned Unit Development).
- 4. 2022-32 SUB – RIVER VIEW ESTATES PRELIMINARY PLAT**  
Consider a preliminary plat for River View Estates, Case No. 2022-32 SUB.
- 5. 2022-33 SUB – RIVER VIEW ESTATES FINAL PLAT**  
Consider a final plat for River View Estates, Case No. 2022-33 SUB.

OTHER BUSINESS:

**None**

ADJOURN

**CITY OF LEAVENWORTH PLANNING COMMISSION**  
**COMMISSION CHAMBERS, CITY HALL**  
100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048  
**REGULAR SESSION**  
**Monday, October 3, 2022**  
6:00 PM

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**CALL TO ORDER:**

**Commissioners Present**

James Diggs  
Kathy Kem  
Donald Homan  
Brian Stephens  
Bill Waugh

**Commissioners Absent**

Joe Burks  
Sherry Whitson

**City Staff Present**

Julie Hurley  
Michelle Baragary

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

**APPROVAL OF MINUTES:** September 12, 2022

Vice Chairman Homan asked for comments or a motion on the minutes presented for approval: September 12, 2022. Commissioner Stephens moved to approve the minutes as presented, seconded by Commissioner Waugh and approved by a vote of 5-0.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**1. 2022-22 SUP – 771 OTTAWA**

Conduct a public hearing for Case No. 2022-22 SUP – 771 Ottawa. The applicant is requesting a Special Use Permit to allow a Residential Home Stay in the R1-6 zoning district, High Density Single Family Residential District. Residential Home Stays are allowed in the R1-6 zoning district with the issuance of a Special Use Permit.

Vice Chairman Homan called for the staff report.

Planning Director Julie Hurley stated the applicant, Carl Piekarski, is requesting a Special Use Permit to allow a Residential Home Stay in the R1-6 zoning district, located at 771 Ottawa. Residential Home Stays are allowed in the R1-6 zoning district with the approval of a Special Use Permit.

The Development Regulations define a Residential Home Stay as:

***Residential Home-Stay:*** Any furnished residential structure wherein one limited-term boarder (not to exceed 180 days) is allowed the use of an entire structure, or portion of a structure, and its grounds. No management or owner presence is required and no meals are served. In approval of a **Residential Home Stay** the city may consider impact on neighbors' parking needs, etc. and place additional requirements as deemed appropriate. Such a business shall be registered with the City Clerk as a rental property.

Per the applicant, they intend to utilize the two-bedroom structure for short-term rentals with a focus on the military and hospital sectors in Leavenworth. The property provides a driveway for off-street parking and a fenced back yard for privacy. Since purchasing the property in August 2021, the applicant has replaced windows, installed a new deck, remodeled the kitchen and bathroom, and refinished hardwood floors and installed new carpeting.

### **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.

*Short-term residential rental units fill a need in the community, by allowing another lodging option for visitors to Leavenworth. Many visitors whose stay may extend beyond what would normally be served by a hotel but who do not have need to obtain a standard 12 month lease for a residential unit may prefer the comforts of a single-family dwelling. Additionally, short-term rental units may provide an important convenience for existing residents of Leavenworth who may need temporary alternative housing due to home renovations or other similar activities.*

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

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

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

*No new structures or building modifications are proposed as part of this special use permit. The property will continue to function as a single-family residence.*

Notification was sent to property owners within 200' of the subject property, as required by Kansas Statute. Since notifications were mailed, staff has received one inquiry from a notified property owner who indicated no concerns with the proposal.

**STAFF RECOMMENDATION:**

Staff recommends approval of the Special Use Permit request for a Residential Home Stay at 771 Ottawa based on the analysis and findings included herein.

**ACTION/OPTIONS:**

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

Vice Chairman Homan asked if there are any questions about the staff report.

Commissioner Diggs asked if this is similar to an Airbnb.

Ms. Hurley responded in the affirmative, further stating a residential home stay is not like a bed-and-breakfast, where the owner is there preparing meals and providing linen service. With a residential home stay, the boarder would have access to the house for the length of the rental term.

Commissioner Diggs stated the biggest problem with airbnbs is the partying that often occurs.

Ms. Hurley stated notification was sent to neighbors within 200' of the subject property. The residential home stay would be subject to any applicable noise regulations, etc.

Vice Chairman Homan asked if the rental would be limited to the number of people who can stay there.

Ms. Hurley responded a residential home stay is defined as one boarder. This would be one renter for his/her family, not for multiple groups of people staying there.

Commissioner Kem asked how this would affect the owner's ability to make this an outright rental property.

Ms. Hurley responded the city requires residential rentals to be registered with the City Clerk's office as a rental property, which is also required for a residential home stay. Even if the property owner does get approval for the special use permit for the residential home stay, he does not have to utilize that special use permit. If he were to determine he would rather just do a 6 month or 12 month lease, he is still registered as a rental property with the city and could do that.

Commissioner Stephens asked if the residential home stay would contribute to the transient guest tax.

Ms. Hurley responded that would be a question for the City Clerk's office, but she believes they do.

With no further questions about the staff report, Vice Chairman Homan opened the public hearing. With no one wishing to speak, Vice Chairman Homan closed the public hearing and called for a motion. Commissioner Waugh moved to recommend approval of the Special Use Permit for a Residential Home Stay located at 771 Ottawa to the City Commission, seconded by Commissioner Diggs and passed by a vote of 5-0.

## 2. 2022-26 SUB – MOONLIGHT LAKE REPLAT

Consider a final plat for Moonlight Lake Replat, Case No. 2022-26 SUB.

Vice Chairman Homan called for the staff report.

Planning Director Julie Hurley stated the subject property is owned by Thomas & Jennie Duncan, plat prepared by Hahn Surveying. The applicant is requesting approval of a replat of Lot 9 in the Moonlight Lake residential development. The property is 21.62 acres in size and developed with a single family home, zoned R1-25, Low Density Single Family Residential District.

The applicant is requesting a replat of Lots 1 and 9 in the Moonlight Lake subdivision for the purposes of combining the two lots into a single lot. The Development Regulations allow for two lots to be combined through an Administrative Plat approval process which does not require review and approval by the Planning Commission. However, Lots 1 and 9 have been the subject of multiple Administrative Plat approvals for the purposes of adjusting lot lines, in addition to one known certificate of survey that was recorded with the Leavenworth County Register of Deeds without City review. Due to the multiple previous lot line adjustments, County and City staff have determined that the current request must go through a formal platting process in order to ensure accuracy of legal descriptions, easements, etc.

The original Moonlight Lake subdivision final plat was reviewed and approved by the Planning Commission in 2020.

Staff recommends approval of the Moonlight Lake Replat.

### **ACTION/OPTIONS:**

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

Vice Chairman Homan asked for questions about the staff report.

Commissioner Kem asked staff to verify that plats and replats go to the various departments for review.

Ms. Hurley responded in the affirmative stating all plats, replats, administrative plats, etc. come through the Planning & Community Development Department, and are sent to Public Works for them to review. They are also sent to the county for review. It was during this review process that the county requested Moonlight Lake Replat go through a plat process versus a lot combination because there had been so many changes with the lot lines and legal descriptions.

Commissioner Kem asked if the “Administrative Plat” wording on this replat will be removed.

Ms. Hurley responded in the affirmative stating there are a few minor things staff has notes on for the surveyor to change.

Vice Chairman Homan asked if the applicant would like to make any comments.

Thomas Duncan, applicant/owner, did not wish to speak.

Ms. Hurley stated this replat is just an approval at the Planning Commission level and will not go to the City Commission.

With no further discussion, Vice Chairman Homan called for a motion. Commissioner Stephens moved to approve the final plat Moonlight Lake Replat, seconded by Commissioner Kem and approved 5-0.

**OTHER BUSINESS:**

**None**

With no further business, Vice Chairman Homan called for a motion to adjourn. Commissioner Kem moved to adjourn, seconded by Commissioner Stephens, passed 5-0.

The meeting adjourned at 6:16 p.m.

Minutes taken by Administrative Assistant Michelle Baragary.

DRAFT

PLANNING COMMISSION AGENDA ITEM  
2022-14-SUB

GREENAMYRE ADDITION  
PRELIMINARY PLAT

NOVEMBER 7, 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 was previously considered by the Planning Commission on August 1, 2022. The Planning Commission at that time voted to recommend denial of the rezoning request, and so the accompanying preliminary and final plats were continued until after such time as the rezoning request was considered by the City Commission. The City Commission voted to approve the rezoning request on October 11, 2022.

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.

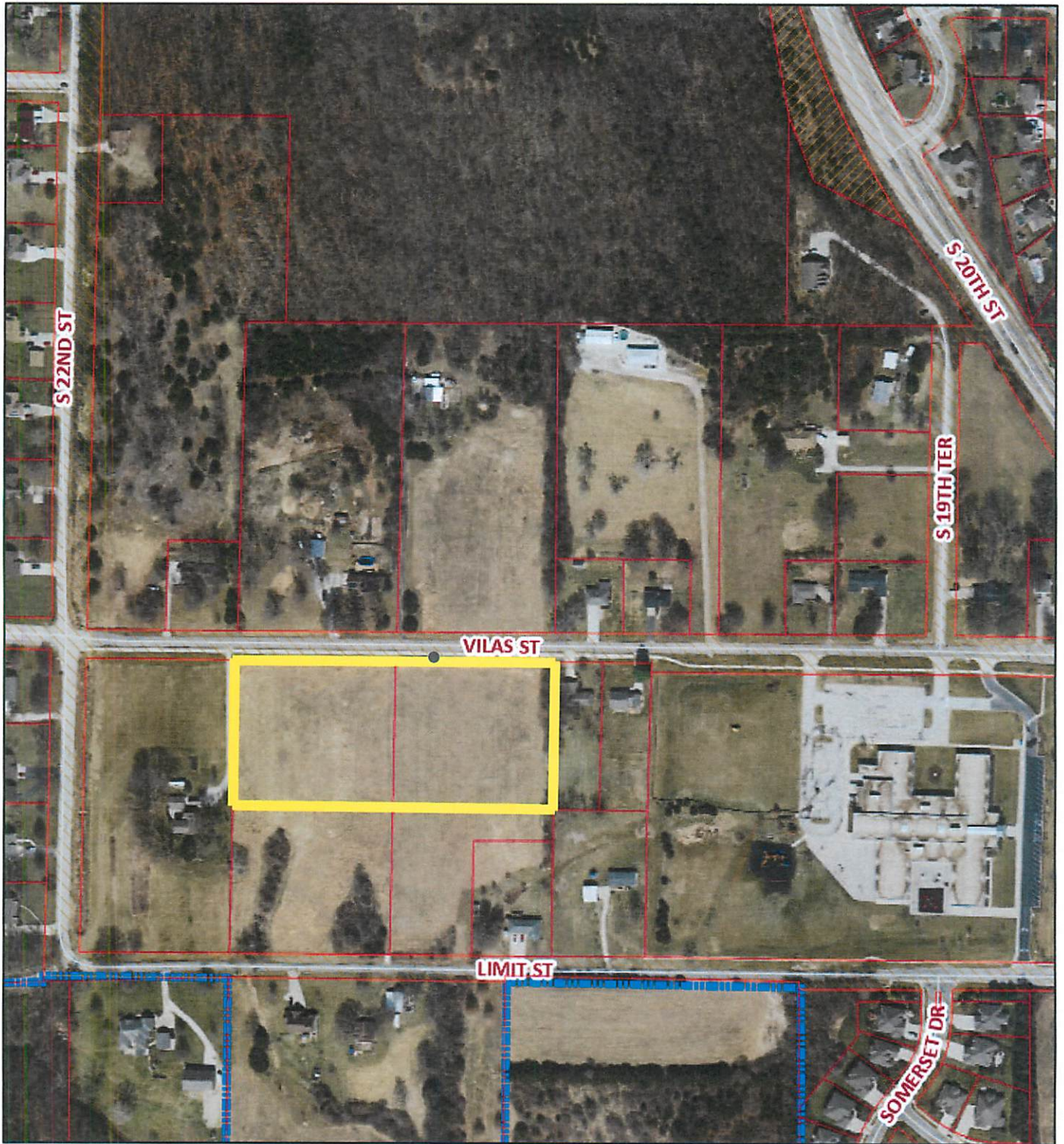
Staff recommends approval of the Greenamyre Addition Preliminary Plat.

**ACTION/OPTIONS:**

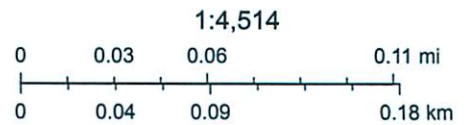
- Approve the Preliminary Plat
- Deny the Preliminary Plat
- Table the issue for additional information/consideration.



# 2022-14-SUB



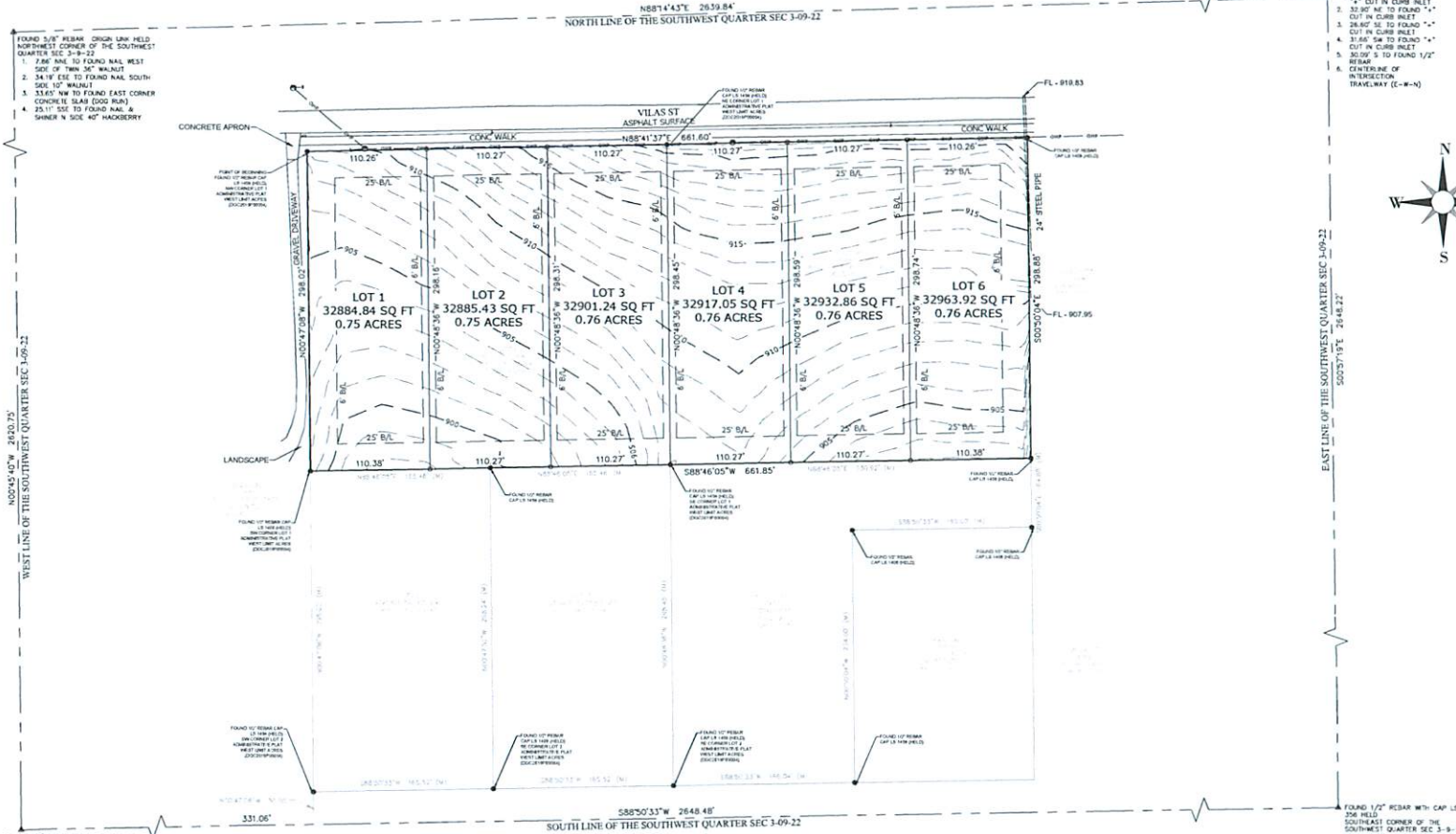
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Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

# 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\"/>
  1. 33.15' NW TO FOUND \"\*\" CUT IN CURB INLET.
  2. 25.80' NE TO FOUND \"\*\" CUT IN CURB INLET.
  3. 28.80' SE TO FOUND \"\*\" CUT IN CURB INLET.
  4. 21.80' SW TO FOUND \"\*\" CUT IN CURB INLET.
  5. 30.00' S TO FOUND 1/2\"/>



## PRELIMINARY PLAT LEGEND

- FOUND PROPERTY CORNER AS NOTED
- NET 1/2\"/>
- Hatched area: Hatched
- Square with dot: PLATED
- Square with cross: POWER POLE
- Square with diagonal lines: FIRE-HAZARD POWER LINE
- Square with horizontal lines: WATER TOWER
- Square with vertical lines: FIRE HYDRANT
- Square with diagonal lines: WATER
- Square with diagonal lines: FENCE
- Square with diagonal lines: SANITARY MANHOLE

## 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 GIVEN HEREON ARE GROUND DISTANCES IN US SURVEY FEET.
3. KANSAS ONE CALL WAS NOT CALLED ON THIS SURVEY.
4. REFERENCED SURVEYS INCLUDE:
5. ADMINISTRATIVE PLAT - WEST LIMIT ACRES
6. CURRENT ZONING - R-1.5 - FENCED ZONING R-1.5
7. SURVEY COMPLETED WITHOUT TITLE WORK.
8. FENCE LINES DO NOT NECESSARILY DENOTE PROPERTY LINES.
9. THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA "ZONE X" (AREA WITH PERMAL FLOODING) ON A FLOOD INSURANCE RATE MAP NO. 22222, 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 PROTEST 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

<b>SCALE</b>	<b>PREPARED FOR</b>
50 25 0 50 SCALE IN FEET	GREENAMYRE
<b>SEC-TWN-RNG</b>	
03-09-22	
<b>DATE</b>	
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\"/>



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 Vilas + north portion of 2013 Vilas).

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:  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)

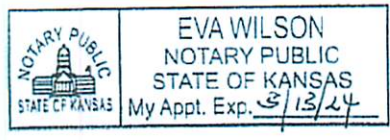
[Signature] Date: 04/07/2022

State of Kansas, County of Leavenworth, SS

Signed or attested before me this 7<sup>th</sup> day of June, 2022, by

[Signature] 5/13/24  
Notary Appointment Expires

(Seal)





## 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. 22<sup>nd</sup> 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

NOVEMBER 7, 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 was previously considered by the Planning Commission on August 1, 2022. The Planning Commission at that time voted to recommend denial of the rezoning request, and so the accompanying preliminary and final plats were continued until after such time as the rezoning request was considered by the City Commission. The City Commission voted to approve the rezoning request on October 11, 2022.

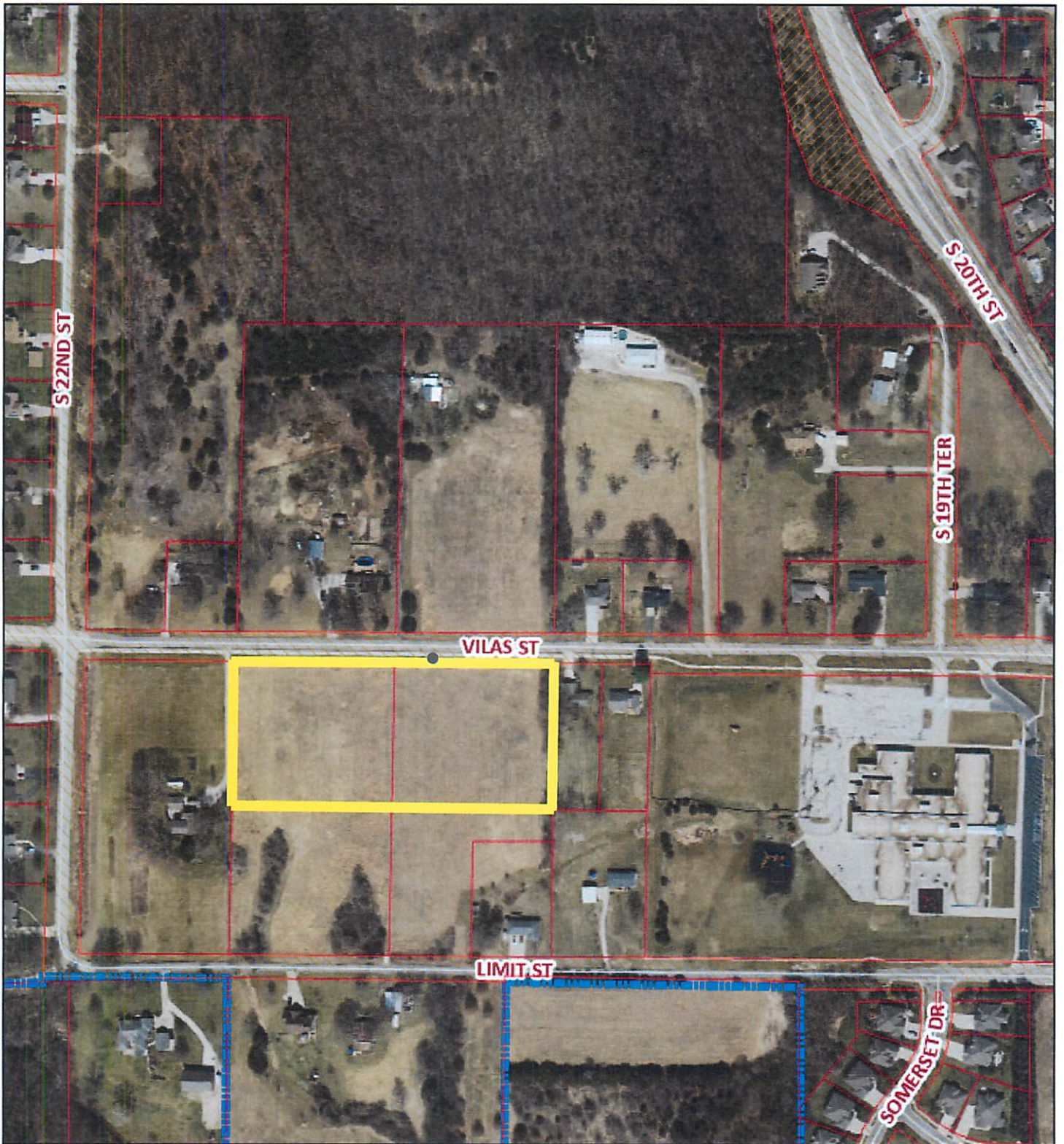
The plat was discussed at the May 12, 2022 Development Review Committee meeting. Items related to required improvements to Vilas Street, additional dedication of ROW, utilities, sidewalks, and stormwater were discussed. All items discussed will be addressed prior to the issuance of building permits.

Staff recommends approval of the Greenamyre Addition Final Plat.

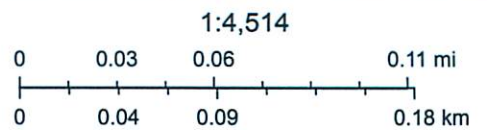
**ACTION/OPTIONS:**

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

# 2022-15-SUB



11/2/2022, 4:34:07 PM



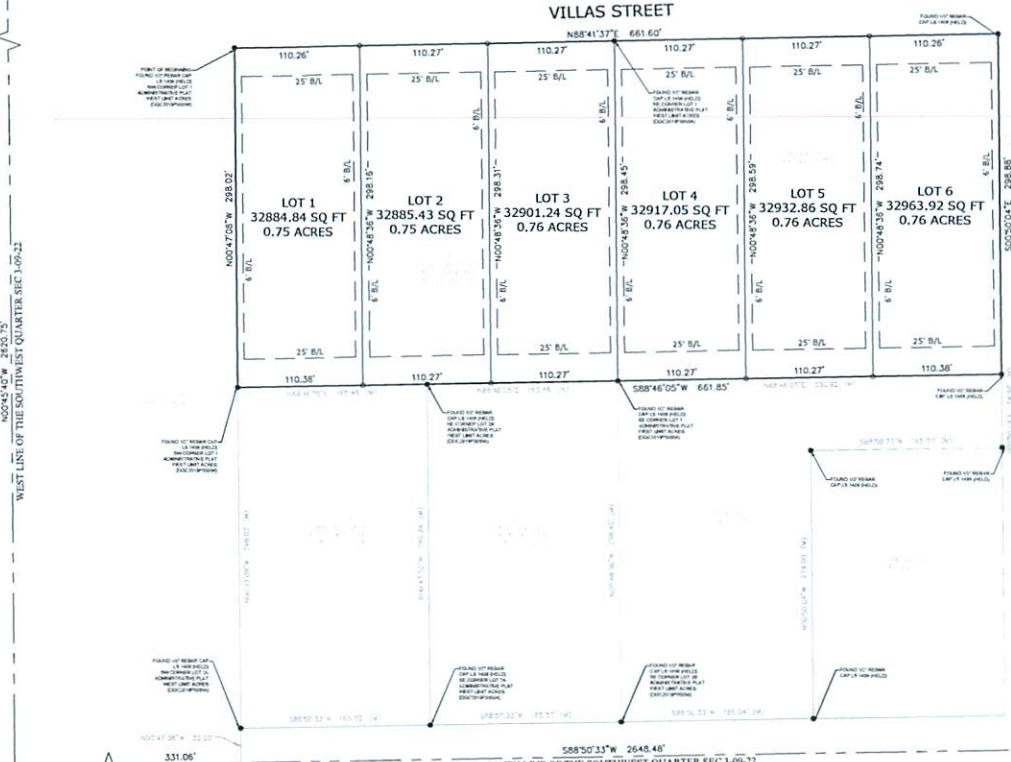
Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA



# GREENAMYRE ADDITION

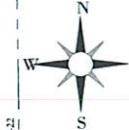
A REPLAT OF LOT 1 ADMINISTRATIVE PLAT WEST LIMIT ACRES AND A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 03, TOWNSHIP 9 SOUTH, RANGE 22 EAST, OF THE 6TH P.M. IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS

- FOUND 5/8" REBAR (IRON ONE) HELD NORTHWEST CORNER OF THE SOUTHWEST QUARTER SEC. 3-9-22
- 7.86' N61° TO FOUND NAL WEST SIDE OF TWIN 5" WALKUT
  - 34.18' E61° TO FOUND NAL SOUTH SIDE 10" WALKUT
  - 33.60' W TO FOUND EAST CORNER CONCRETE SLAB (DOOR RUN)
  - 23.11' S62° TO FOUND NAL. A SHINER N. SIDE 45° HACKBERRY



- FOUND 1/2" REBAR WITH CAP LS 1408 HELD SOUTHWEST CORNER OF THE SOUTHWEST QUARTER SEC. 3-9-22
- 35.24' N61° TO " " CUT ON TOP OF 48" RC
  - 11.98' SW TO " " CUT ON TOP OF 48" RC
  - 22.27' W TO TOP CENTER OF TH

- FOUND 1/2" REBAR HELD NORTHEAST CORNER OF THE SOUTHWEST QUARTER SEC. 3-9-22
- 23.15' NW TO FOUND " " CUT IN CURB INLET
  - 22.50' SE TO FOUND " " CUT IN CURB INLET
  - 24.80' SE TO FOUND " " CUT IN CURB INLET
  - 31.80' SE TO FOUND " " CUT IN CURB INLET
  - 20.00' S TO FOUND 1/2" REBAR
  - CENTERS LINE OF INTERSECTION TRAILER WAY (E-W-N)



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 ROGER 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 N89°41'37"E, ALONG THE NORTH LINE OF SAID LOT 1 AND ITS EASTELY EXTENSION, A DISTANCE OF 661.60 FEET TO A FOUND 1/2" REBAR CAP LS 1408; THENCE S00°00'04"E, A DISTANCE OF 258.88 TO A FOUND 1/2" REBAR CAP LS 1408, ALSO LYING ON THE EASTELY EXTENSION OF THE SOUTH LINE OF SAID LOT 1; THENCE S88°46'05"W, ON SAID EASTELY EXTENSION AND ON SAID SOUTH LINE, 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°47'07"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 298.23 FEET TO THE POINT OF BEGINNING, CONTAINING 197,493.34 SQUARE FEET MORE OR LESS OR 4.53 ACRES.  
BEFOR OF CLOSURE: 1 PART (E, W, N), 158,456.67

**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, and 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, and 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.

STATE OF KANSAS )  
COUNTY OF LEAVENWORTH )  
Jeremy Greenamyre, Managing Member

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.

ATTEST: MAYOR - CAMALLA LEONARD

- CITY CLERK - SARAH BODENSTEINER
- DIRECTOR OF PUBLIC WORKS - BLAISE 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

- FUTURE PROPERTY CORNER AS NOTED
- NET 1/2" x 3/4" REBAR CAP LS 1408
- M MEASURED
- D DECKED
- F FENCE

## GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS PLAT IS THE KANSAS NORTH ZONE U.S. STATE PLANE 1983 - SOUTH LINE OF THE SOUTHWEST QUARTER SEC. 03-09-22. SPT03737M
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN US SURVEY FEET.
- KANSAS ONE CALL WAS NOT CALLED ON THIS SURVEY.
- REFERENCED SURVEYS INCLUDE:
- ADMINISTRATIVE PLAT - WEST LIMIT ACRES DOC NO. 201909004
- CURRENT ZONING - R-2.5 - PROPOSED ZONING R-1.9
- FENCE LINES DO NOT NECESSARILY DENOTE PROPERTY LINES.
- QUANTITY COMPLETED WITHOUT TITLE WORK.
- THE SUBJECT PROPERTY IS LOCATED WITHIN AREA "ZONE 1" AREA WITH MINIMAL FLOODING, ON FLOOD INSURANCE RATE MAP NO. 50127E, WITH DATE IDENTIFICATION ON WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THIS COMMUNITY IN LEAVENWORTH COUNTY, STATE OF KANSAS, AS OF 18, 2015. PER COMMISSION REG. 20021. IN LEAVENWORTH COUNTY, STATE OF KANSAS, SAID PARCELS IS SITUATED.
- EXISTING EASEMENTS AND UTILITY LOCATIONS MAY NOT BE INDICATED.
- UTILITY AND EASEMENT EGRESS WILL BE FILED VIA SEPARATE DOCUMENT.
- WE ACKNOWLEDGE AND WAIVE THE RIGHT TO PROTEST 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.



SCALE 0 25 50 SCALE IN FEET	PREPARED FOR GREENAMYRE
SCALE IN FEET	DATE JUNE 6, 2022
308-09-22	



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  
LOCATION OF SUBDIVISION/PROJECT: VILLAS ST & LIMIT STREET of 2013 Villas)  
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

[Signature] Notary Appointment Expires 3/13/24





## 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

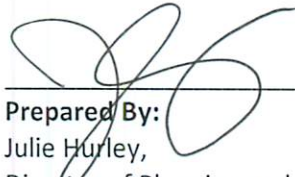
- ✓ • Vilas is defined as an Arterial – need minimum of 80' of ROW (similar to Henry Leavenworth School). ROW to be dedicated with plat.
- ✓ • Sanitary sewer is along Limit Street. All lots will need to connect to the sanitary so there will need to be a sanitary sewer extension northward. Easements will 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. 22<sup>nd</sup> 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  
2022-27-REZ  
2700 STATE STREET

NOVEMBER 7, 2022

**SUBJECT:**

A request to rezone the property located at 2700 State Street from R-MF, Multi-family Residential District, to RMX, Residential Mixed Use District.



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



Reviewed By:  
Paul Kramer,  
City Manager

**ANALYSIS:**

The applicant is requesting a rezoning of their property located at 2700 State Street from R-MF, Multi-Family Residential District, to RMX, Residential Mixed Use District. The subject property is owned by Steven and Mary Jane Foutch, and is currently vacant.

The subject property is approximately 4 acres in size and lies directly adjacent to the north of The Guidance Center. The property is under contract to be purchased by The Guidance Center (TGC). The intent for the property is to allow for future expansion of TGC's behavioral health services, as well as to provide space for expansion of partnerships with potential primary care providers. There are also ongoing discussions with the Leavenworth Attainable Housing Group for the potential construction of a multi-family housing unit to provide transitional housing for their training and support program to assist homeless and precariously housed persons. All intended future uses for the property, medical office and multi-family housing, allowed uses in the RMX zoning district.

No specific plans exist for the potential future development of the property. Any proposed development will require full site plan review and approval by staff, and will be required to comply with all applicable development regulations and building codes.

**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 an approximately 4 acre vacant piece of land, located north of Limit Street and one block west of 4<sup>th</sup> Street. There are a multitude of uses in close proximity, including medical office, multi-family, single family, and commercial.*

- b) The zoning and use of properties nearby;  
*The property to the south is occupied by The Guidance Center and is zoned OBD, Office Business District. Properties to the east, north, and west are zoned R-MF, Residential Multi-Family District, and are occupied by apartment buildings to the west and north, and single-family homes to the east.*
- c) The suitability of the subject property for the uses to which it has been restricted;  
*The subject property is vacant and has been available for sale and development for approximately 20 years. In that time, no development proposals for a multi-family housing development have been presented.*
- d) The extent to which removal of the restrictions will detrimentally affect nearby property;  
*The proposed rezoning should have little detrimental effect upon surrounding properties. The property is currently zoned to allow for development of multi-family housing, which will also be allowed in the RMX zoning district. The RMX zoning district would also allow for the development of some office or commercial uses, which already exist in close proximity, and will not alter the overall character of the neighborhood.*
- e) The length of time the subject property has remained vacant as zoned;  
*The subject property has always been 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 the economic development of the City and region by allowing for the development of a long-vacant piece of property. It will additionally provide the opportunity for the expansion of vital services to the residents of Leavenworth, improving the public health of the community.*
- 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 multi-family uses on the Future Land Use map. Multi-family uses are allowed in the RMX zoning district, in addition to limited commercial and office uses. 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 received one call from a notified property owner indicating that they do not want to see their property taxes raised, and do not want the development to bring more homeless persons to the area.

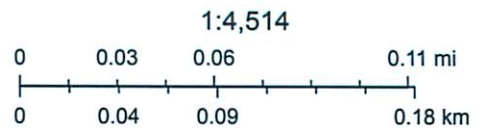
**REZONING ACTION/OPTIONS:**

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

# 2022-27-REZ

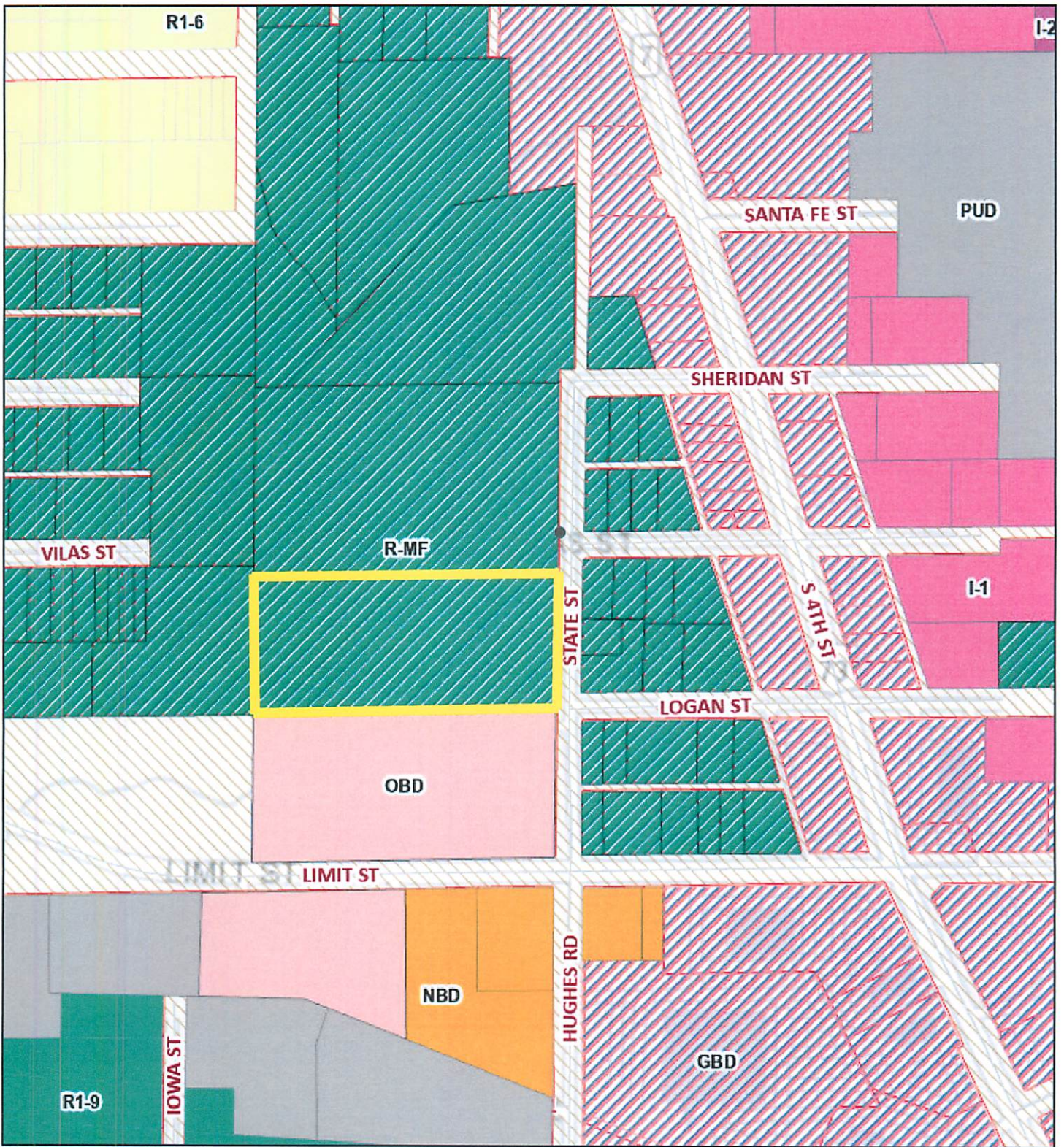


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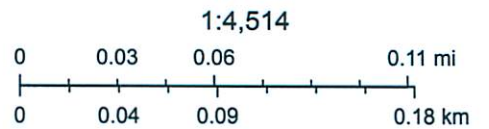


Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

# 2022-27-REZ (Zoning)



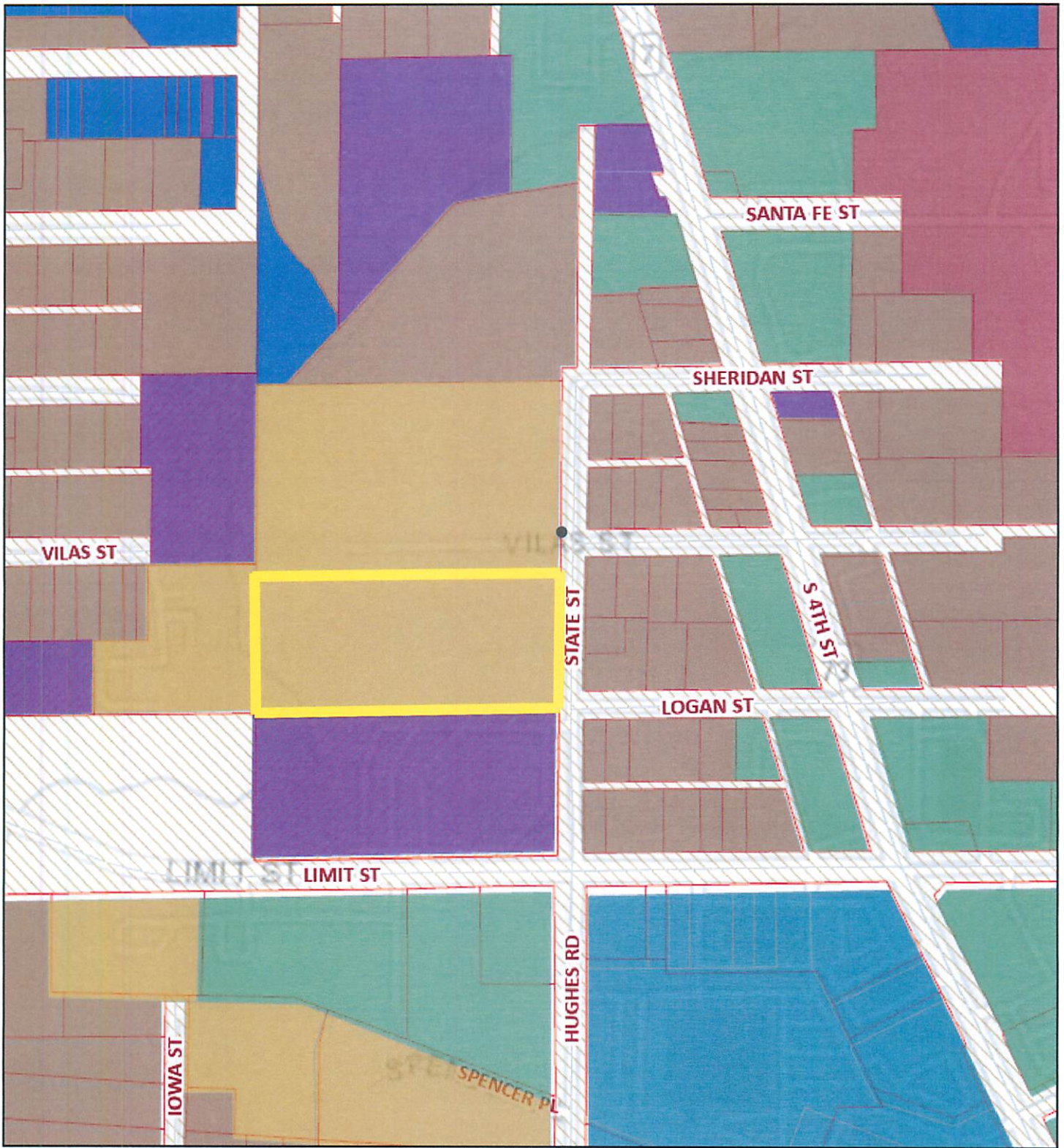
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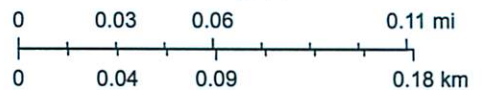
# 2022-27-REZ (Future Land Use)



11/2/2022, 4:37:40 PM

1:4,514

- Override 1
- Public/Semi-Public
- Single-Family
- Commercial
- Conservation/Open Space
- Industrial
- Mixed Use
- Multi-Family
- Parcels (City Owned)
- Parcels\_Current
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



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



**APPLICATION FOR REZONING**  
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO. 2022-27 REZ

Application #	<u>12066</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>9-12-22</u>
Received By	<u>USA</u>
Hearing Date	<u>11-7-22</u>
Publication Date	<u>10-12-22</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:	<u>2700 State Street Leavenworth, Kansas 66048</u>		
Rezoning:	Present classification of: <u>Multi-Family</u> district to: <u>Residential Mixed Use (RMX)</u>		
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE)		
Real Estate PID #	<u>052-101-01-0-30-12-040,03-C</u>	Historic District:	<u>N/A</u>

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

Name(s) of Owner (print or type):	<u>Steven D. and Mary Jane Foutch</u>		
Address:	<u>603 East Street #400 Parkville, Missouri 64152</u>		
Contact No.:	<u>(816) 520-3948 (cell)</u>	Email:	<u>Steve@foutchbrothers.com</u>
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 Missouri )  
County of Platte ), SS

Signed or attested before me on 09/08, 2022 by CARA Knutson  
(date) (name(s) of person(s))

Notary Public: Cara Knutson My Appointment Expires: 03/24/23

(SEAL) CARA KNUTSON  
My Commission Expires  
March 24, 2023  
Clay County  
Commission #15573205

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

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

The vacant land on State Street is directly north of The Guidance Center at 500 Limit Street and consists of approximately 4.4 acres. The land has been vacant perpetually and for sale at least since The Guidance Center was opened in May of 2004. Directly north of the vacant land is an apartment complex also owned by Steven D. and Mary Jane Foutch. Directly to the east of the property are single family homes. There is a heavy tree line and bush directly to the west of the property. A creek also runs directly west of the property.

Briefly describe the intended use and character of the property:

The Guidance Center intends to purchase the property for future expansion of its behavioral health services, as well as expansion of partnerships with potential primary care providers. Integrated care is a primary element of our mission and vision and we want to ensure we coordinate holistic care for our clients. We would potentially build a medical building on the eastern most portion of the property. In addition, we are in discussions with Sister Vickie Perkins with the Leavenworth Attainable Housing group. We believe there is enough land there to build a 20-unit apartment building for their training and support program to assist homeless and precariously housed persons. Those residents stay in those apartments would be dependent upon participation in a training program to allow them to move into the community over time.

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property:

Julie Hurley, Director of Planning and Community Development for the City recommended this rezoning designation based on our description of the partnerships and projects being considered. She indicated that Residential Mixed Use would allow for multi-family dwellings as well as a medical office.

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 proposal will improve property that is presently an eyesore to the community. The land is infrequently mowed and debris is beginning to accumulate thereon. This proposal would bring new construction and community development to an area that is currently blighted. The residents surrounding the property are accustomed to the public traffic created by The Guidance Center and this will be an extension of that work. In addition, the homelessness issue in Leavenworth will be better addressed, possibly improving the community in a number of ways.

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 describe the origin and effect of such conditions:

Unknown

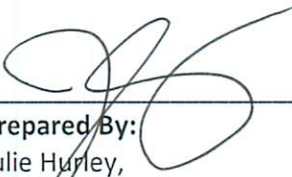
Check List:	
<input checked="" type="checkbox"/>	Non-refundable fee of \$350.00 is due at time of application
<input checked="" type="checkbox"/>	Certified list of the property owners within two hundred (200) feet of the subject property
<input checked="" type="checkbox"/>	Full legal description obtained 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)

PLANNING COMMISSION AGENDA ITEM  
2022-28-REZ  
212, 220 & 224 MAPLE STREET

NOVEMBER 7, 2022

**SUBJECT:**

A request to rezone the property located at 212, 220 & 224 Maple Street from R1-6, High Density Single-Family Residential District, to I-1, Light Industrial District.

  
\_\_\_\_\_  
**Prepared By:**  
Julie Hurley,  
Director of Planning and  
Community Development

  
\_\_\_\_\_  
**Reviewed By:**  
Paul Kramer,  
City Manager

**ANALYSIS:**

The applicant is requesting a rezoning of their property located at 212, 220 & 224 Maple Street from R1-6, High Density Single-Family Residential District, to I-1, Light Industrial District. The subject property is owned by Geiger Ready-Mix Co., Inc., and is currently being developed as additional parking area for employees and equipment.

The subject property consists of 3 vacant lots that lie directly adjacent to property that is currently being utilized by Geiger for parking of equipment. The property is to the east of Stubby Park, and has been vacant for at least 25 years. The two lots addressed as 220 and 224 Maple were previously owned by the City of Leavenworth, and were transferred to Geiger in 2021 for the express purpose of providing land for additional parking for the business.

Plans for the expanded parking lot were reviewed and approved by City staff, and it was discovered after construction had begun on the parking lot that the property was zoned R1-6. The rezoning request will bring the site into compliance with existing regulations for the use of the property. All other property owned and occupied by Geiger in the immediate vicinity is zoned I-1.

**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 consists of 3 vacant lots. To the east is the existing Geiger Ready-Mix business. To the north are single family homes, to the west is Stubby Park, and to the south is the American Legion. The neighborhood contains an existing mix of uses, which will not be altered by the requested rezoning.*

b) The zoning and use of properties nearby;

*The property to the east is zoned I-1 and is occupied by Geiger Ready-Mix. The property to the south is zoned R1-6 and is occupied by the American Legion, the property to the west is zoned R1-6 and is occupied by Stubby Park, and the properties to the north are zoned R1-6 and are occupied by single family residences.*

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

*The subject property is vacant and has been available for sale and development for a minimum of 25 years. In that time, no other development proposals have been presented.*

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

*The proposed rezoning should have little detrimental effect upon surrounding properties. The planned parking area will service the existing Geiger Ready-Mix business, and will alleviate parking congestion without introducing an increase in industrial traffic or altering the nature of the neighborhood.*

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

*The subject property has been vacant for a minimum of 25 years.*

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 the safety of the neighborhood by alleviating parking congestion on other portions of the Geiger Ready-Mix business.*

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 single-family uses on the Future Land Use map. However, the adjoining parcel which is also owned by Geiger Ready-Mix and utilized for parking of equipment is also identified as appropriate for single-family uses. The proposed parking area allows for the continued sustainability of an existing business in the Leavenworth community, which meets other goals of the Comprehensive Plan, and functions as an extension of the existing location. 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 received no calls or communication from notified owners.

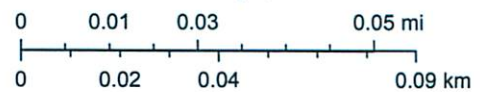
**REZONING ACTION/OPTIONS:**

- Recommend approval of the rezoning request from R1-6 to I-1 to the City Commission
- Recommend denial of the rezoning request from R1-6 to I-1 to the City Commission
- Table the issue for additional information/consideration.



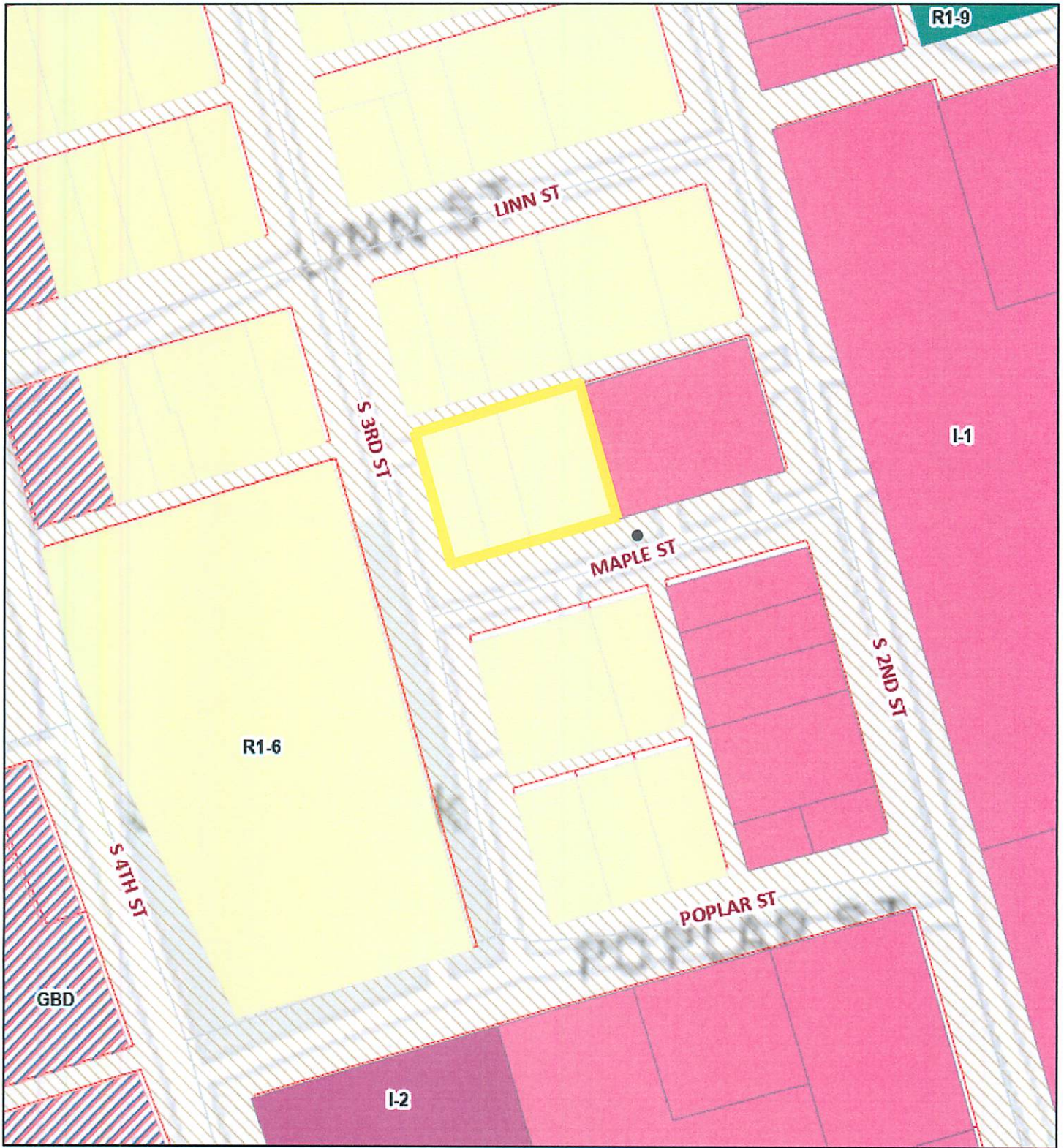
11/2/2022, 4:39:16 PM

1:2,257

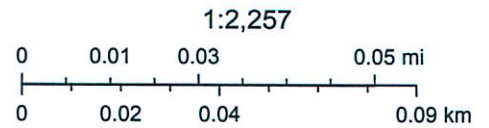


Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

# 2022-28-REZ (Zoning)

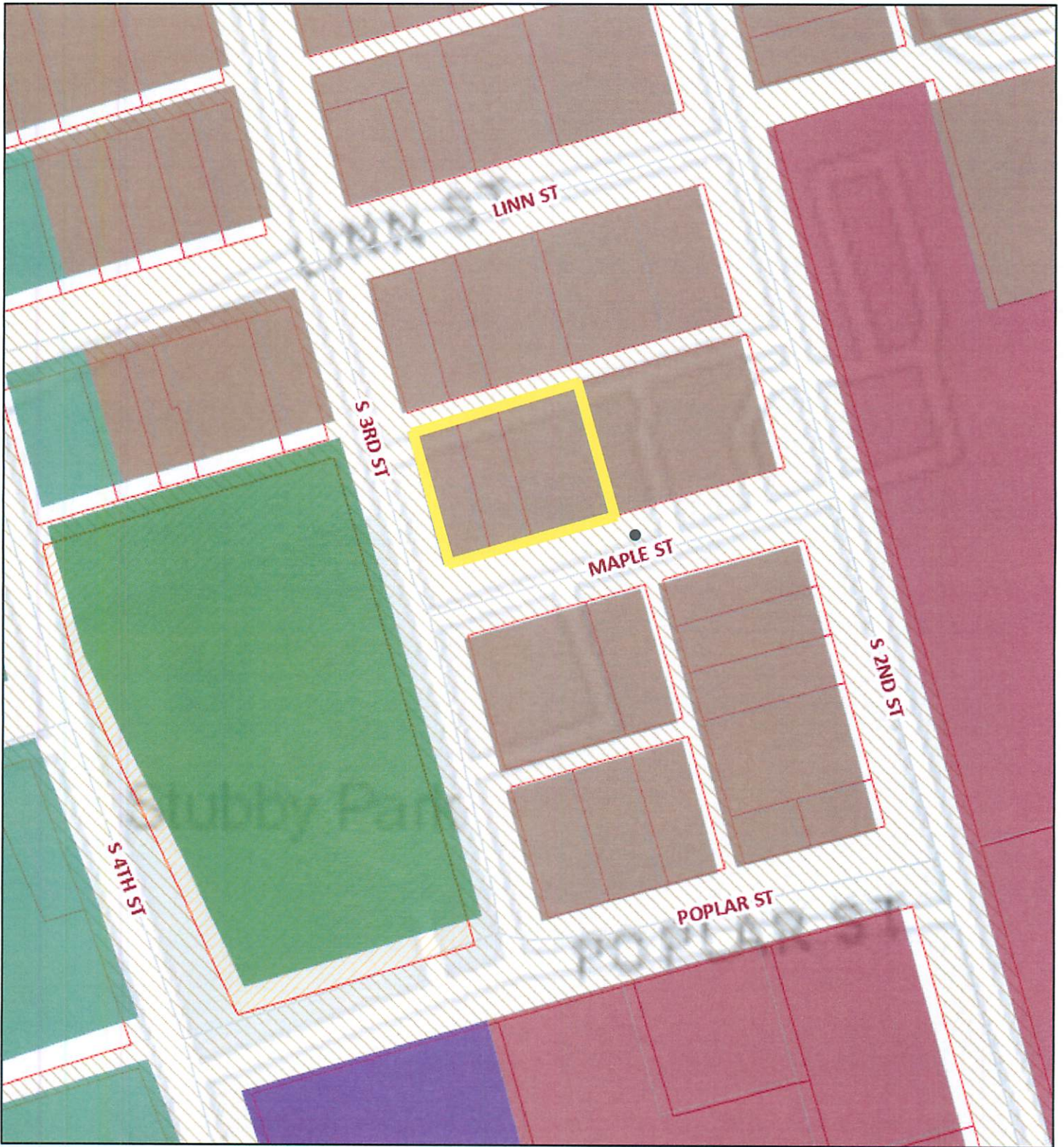


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Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

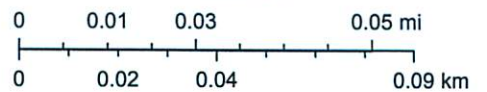
# 2022-28-REZ (Future Land Use)



11/2/2022, 4:42:20 PM

1:2,257

- Override 1
- Single-Family
- Commercial
- Industrial
- Park
- Public/Semi-Public
- Future Land Use (Comp Plan 2030)
- Parcels (City Owned)
- Parcels\_Current
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



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





**APPLICATION FOR REZONING**  
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO. 2022-28 REZ

Application #	12134
Fee (non-refundable)	\$350.00
Filing Date	9/22/22
Received By	WJA
Hearing Date	11-7-22
Publication Date	10-12-22

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:	224, 220 & 212 Maple Street, Leavenworth, KS 66048		
Rezoning:	Present classification of: R1-6	district to: I-1	
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE)		
Real Estate PID #:	0773604008008000, 0773604008008010 & 0773604008009000	Historic District:	

I/We, Brian Schwinn 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):	Geiger Ready-Mix Co; Inc.		
Address:	PO Box 50, Leav., KS		
Contact No.	913-433-6882	Email Address:	brianschwinn@geigerreadymix.com
Signature of Owner(s):	<u>Brian Schwinn</u>		

State of Kansas ) (SEAL)  
County of Wyandotte )



Signed or attested before me on 21<sup>st</sup> of Sept. 2022 by Kristin Huff  
(date) (name(s) of person(s))

Notary Public: Kristin Huff My Appointment Expires: 7-27-25

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

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

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

The area is Industrial to the East (Geiger Ready-Mix Plant) and residential to the North and South. Stubby Park lies to the West and the parking lot to be located on the City parcel will be used for the park.  
Currently - the properties are vacant.

Briefly describe the intended use and character of the property: The City property will be used for parking for the adjacent park. The Geiger property will be used for parking for the Geiger Ready-Mix Trucks.

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property: The parking will help alleviate on-street parking for the park and will give Geiger better parking for their Ready-Mix trucks and employees.

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: None are expected.

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: The property will need to be re-zoned from R1-6 to I-1 due to parking lots not being allowed in R1-6 zoning.

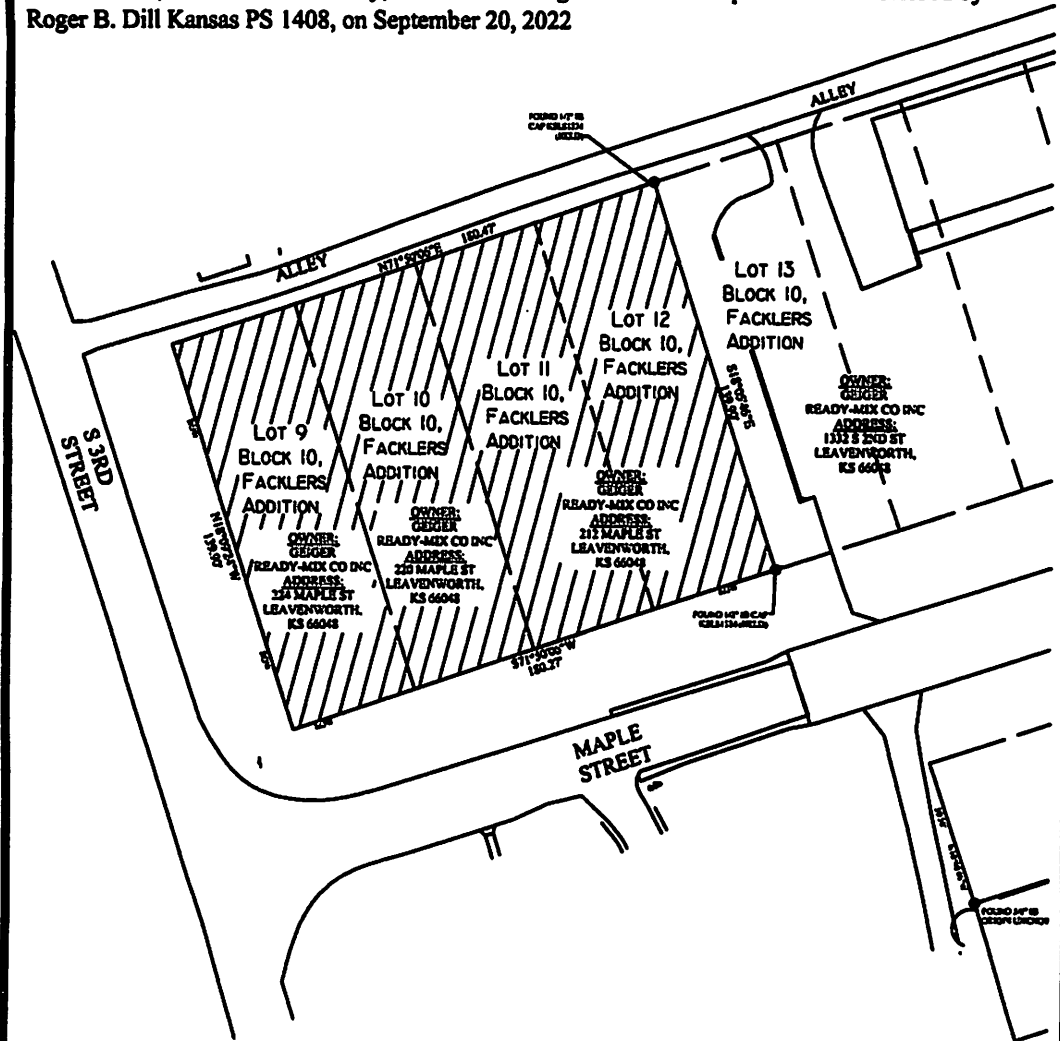
Check List:	
<input type="checkbox"/>	Non-refundable fee of \$350.00 is due at time of application
<input type="checkbox"/>	Certified list of the property owners within two hundred (200) feet of the subject property
<input type="checkbox"/>	Full legal description obtained through the Register of Deeds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

# Exhibit A

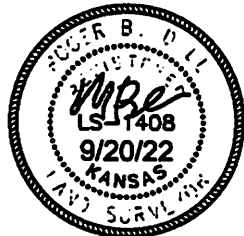
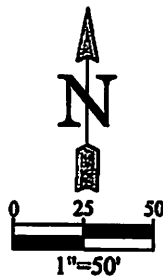
## Rezoning & Legal Description

**LEGAL DESCRIPTION**

All of Lots 9,10,11 and 12, Block 10, FACKLERS ADDITION, a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas according to the recorded plat thereof described by Roger B. Dill Kansas PS 1408, on September 20, 2022



Rezone from R1-6 to I-1



Prepared For:  
 Geiger Ready-Mix Co. INC.  
 c/o Brian Schwinn  
 P.O. Box 50  
 Leavenworth, KS 66048

SEC. 36, T08S, R22E LEAVENWORTH COUNTY, KANSAS

## ATLAS SURVEYORS, L.L.C.

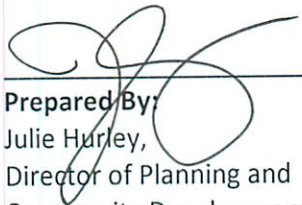
Taking Care of Your Needs  
 207 S. 5th Street | Leavenworth, Kansas 66048 | 913.530.8422 | 913.682.8606 (F)

**PLANNING COMMISSION AGENDA ITEM**  
**2022-29-REZ**  
**28 LIMIT & 2 VILAS**

**NOVEMBER 7, 2022**

**SUBJECT:**

A request to rezone the property located at 28 Limit and 2 Vilas from R1-9, Medium Density Single Family Residential District to PUD, Planned Unit Development.



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. The applicant is requesting a rezoning of a portion of their property located at 28 Limit Street and all of 2 Vilas Street from R1-9, Medium Density Single-Family Residential District to PUD, Planned Unit Development.

The rezoning and accompanying preliminary and final plats, also on this agenda, are being requested in order to consolidate commonly owned property and plan for future development of residential parcels that are consistent with the existing River View Estates development. Currently, the properties addressed as 2 Limit and 16 Limit are zoned PUD, as well as a portion of the property addressed as 28 Limit. The proposed rezoning and plats will provide for consistent zoning and residential development pattern. The accompanying final plat vacates a portion of the unused Vilas Street right-of-way, and allows for a more cohesive lot layout.

As with all PUD zoning proposals, the only allowed use will be of that shown on the development application. Any proposed change in use or lot configuration would require further public hearing and review and approval by the Planning Commission and City Commission.

**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 surrounded by single family residential development. To the east Union Pacific Railroad property and the Missouri River, and to the south is the VA Campus.*
- b) The zoning and use of properties nearby;

*The immediately surrounding properties to the north and west are zoned R1-9. The VA campus to the south does not have an assigned zoning district, and the Union Pacific Railroad property and Missouri River are to the east.*

- c) The suitability of the subject property for the uses to which it has been restricted;  
*The subject property is currently zoned R1-9, Medium Density Single-Family Residential District. 2 Vilas Street is not accessible by any developed roadway, and the majority of the lot addressed as 28 Limit is zoned PUD, Planned Unit Development. The existing lot development pattern and vacant ROW is prohibitive for single family development.*
- 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 rezoning and accompanying plat are consistent with the development pattern and do not introduce any additional lots beyond what currently exist. Therefore, there will be no increase in traffic or service demands in the area.*
- e) The length of time the subject property has remained vacant as zoned;  
*The subject property has always been vacant, and the portion of Vilas Street ROW to be vacated with the accompanying plat has never been utilized.*
- 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 should have a neutral effect on economic development, public health, safety and welfare, as the proposal simply "cleans up" an area of inconsistent zoning and lot patterns.*
- 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 Single Family Residential uses, and the proposed rezoning is therefore in conformance with the adopted Comprehensive Land Use 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 of note.*

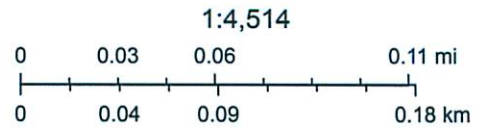
After the required notice was published and mailed to property owners within 200' of the subject property, staff received one call confirming that multi-family development would not be allowed.

**REZONING ACTION/OPTIONS:**

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

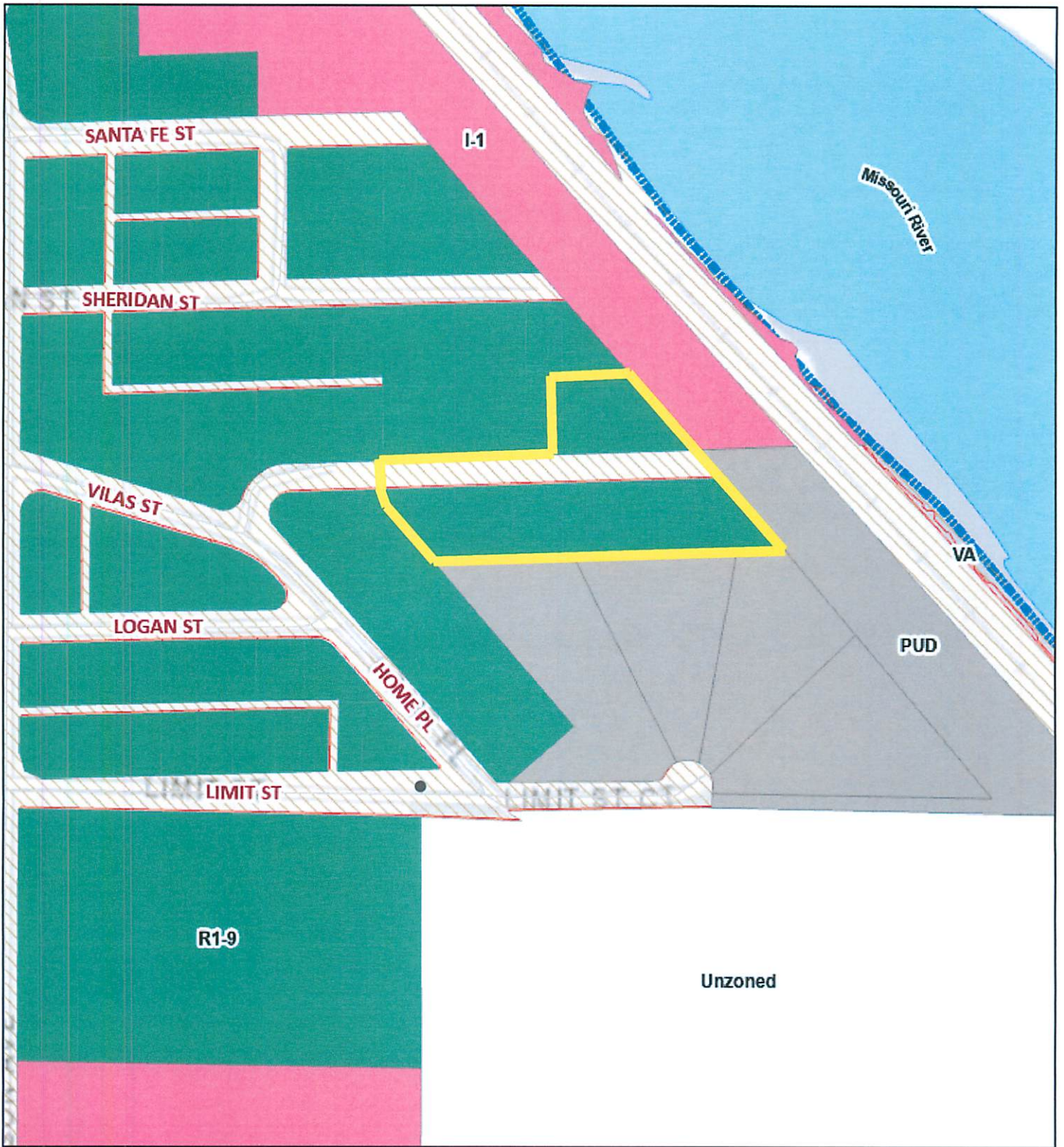


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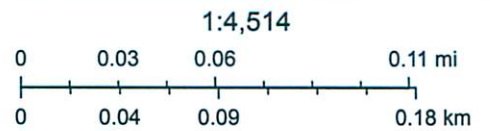


Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

# 2022-29-REZ (Zoning)

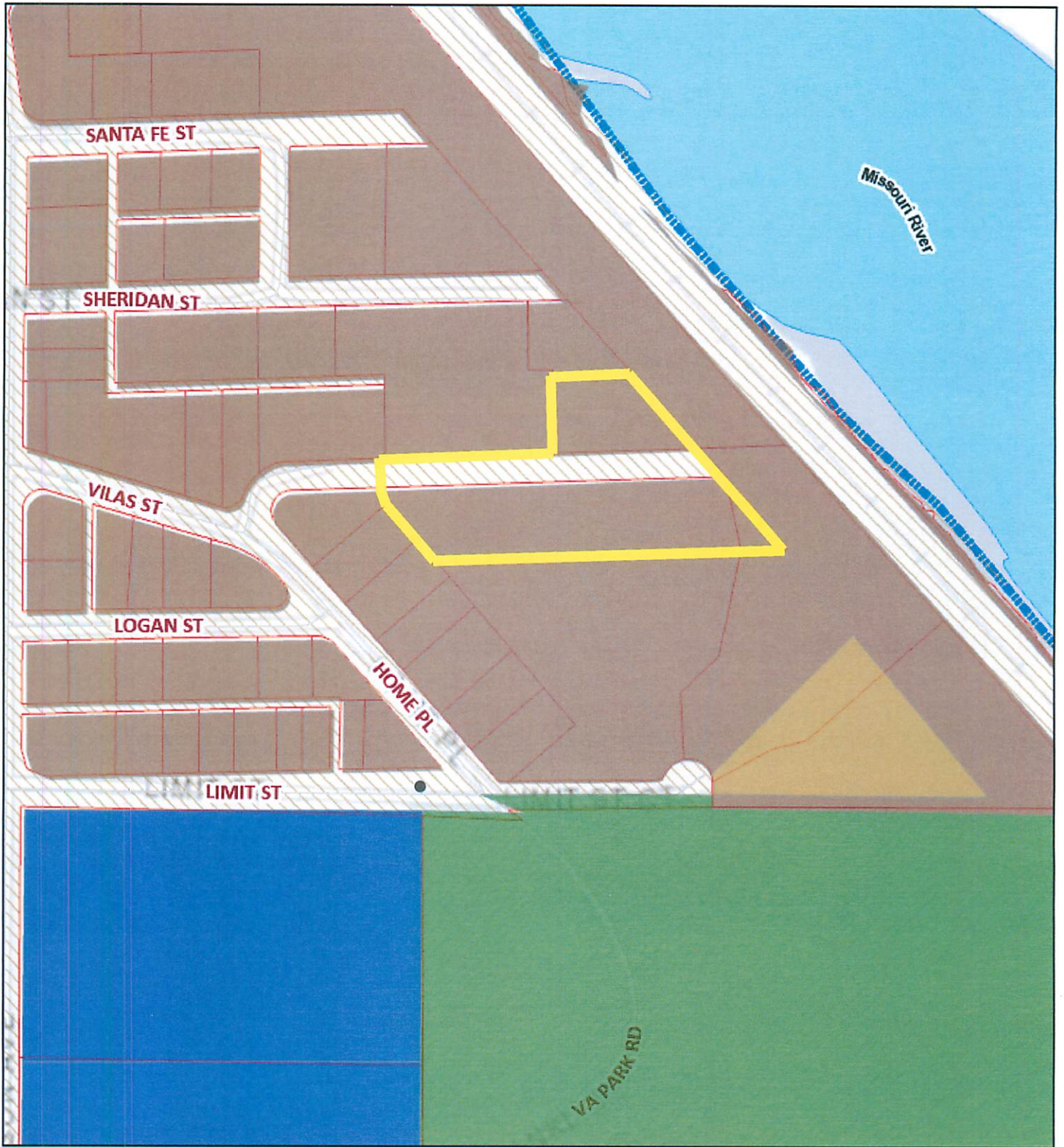


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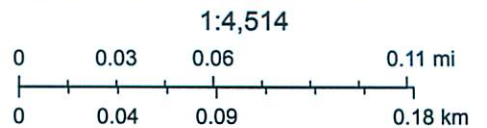
Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

# 2022-29-REZ (Future Land Use)



11/2/2022, 4:47:22 PM

- |   |   |
|---|---|
|  Override 1                       |  Single-Family           |
|  Future Land Use (Comp Plan 2030) |  Parcels (City Owned)    |
|  Commercial                       |  Parcels_Current         |
|  Conservation/Open Space          |  Missouri River          |
|  Multi-Family                     |  Leavenworth City Limits |
|  Park                             |  City Right-of-Way       |
|   |  RoadCenterline          |



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





**APPLICATION FOR REZONING**  
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO. 2022-29 REZ

Application #	12139
Fee (non-refundable)	\$350.00
Filing Date	9-23-22
Received By	<i>[Signature]</i>
Hearing Date	11-7-22
Publication Date	10-12-22

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).

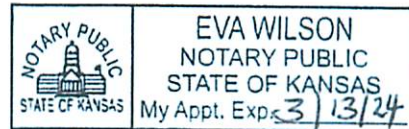
Subject Property:	28 Limit Street and 2 Vilas Street		
Rezoning:	Present classification of: R1-9	district to: PUD	
Legal Description:	(Attach full legal description provided by the REGISTER OF DEEDS OFFICE)		
Real Estate PID #:	0930603008008060, 0930603005001010	Historic District:	

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

Name(s) of Owner (print or type):	GREENAMYRE RENTALS, INC		
Address:	2500 S 2ND STREET, LEAVENWORTH, KS 66048		
Contact No.	913-828-4440	Email Address:	jeremy@greenamyre.com
Signature of Owner(s):	<i>[Signature]</i>		

State of Kansas )  
County of Leavenworth )

(SEAL)



Signed or attested before me on 9-16-22 by Jeremy Greenamyre  
(date) (name(s) of person(s))

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

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

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

**Briefly describe the present use and character of the property and of the surrounding area:** \_\_\_\_\_

Please see attached letter.

**Briefly describe the intended use and character of the property:** Please see attached letter.

**Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property:** Please see attached letter.

**Give the reason(s) why you believe this proposal will not be materially detrimental to the public welfare and surrounding properties and/or measures you have taken or intend to take to prevent detrimental impacts:** The proposed zoning does not change the use of the property and still aligns with the city's plan for single family residential in this area.

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

Check List:	
<input checked="" type="checkbox"/>	Non-refundable fee of \$350.00 is due at time of application
<input 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)



September 22, 2022

Julie Hurley  
Director of Planning and  
Community Development  
City of Leavenworth  
100 N. 5<sup>th</sup> St.  
Leavenworth, Kansas 66048

**RE: Application for Rezoning  
Homeplace**

Ms. Hurley,

We are assisting Mr. Greenamyre in rezoning a portion of his property from R1-9 to PUD. Enclosed with this letter is Exhibit C, depicting the proposed lot configuration. The lot sizes and setbacks are intended to meet or exceed the minimum requirements of the adjacent R1-9 district. As part of the rezoning application process, we offer the following responses in support of rezoning the Greenamyre property from R1-9 to PUD to be congruent with the adjacent zoning to the south and east.

**A) Briefly describe the present use and character of the surrounding area.**

The area of rezoning is currently vacant with rolling terrain overlooking the Union Pacific Railway and Missouri River. The area abuts PUD zoning to the south consisting of large estate residential lots approximately 3 acres in size. The areas to the north and west consist of R1-9 zoning with single family residential homes, with lots ranging in size from 16,150 SF to 2.7 Acres. The property immediately to the northeast is currently zoned I-1.

**B) Briefly describe the intended use and character of the property.**

The applicant is seeking to expand the existing PUD land use immediately south of this area for the development of 4 estate lots ranging in size from 0.55 to 1.39 acres. The future single-family homes would be located east of a shared private drive running along the existing ridge line with a large tract on the west side that would serve as a natural buffer between the homes fronting Home Place.

**C) Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property.**

The modification of zoning in this area to PUD will make the entire parcel one consistent zoning. The change in zoning will allow for the addition of four single family lots situated in a similar manor as the two existing estate lots within the PUD zoning district. The proposed large lots are consistent with the neighborhood and will serve as a nice transition between the R1-9, I-1 and Riverfront. Furthermore, the extreme terrain in this area is not conducive for R1-9 zoning with the construction of a city standard curb and gutter streets and gravity sewers. As part of the final platting process the owner intends to have the City vacate the right-of-way for Vilas Street.

Ms. Julie Hurley  
Homeplace Rezoning  
Page 2 of 2

Included with this application is Exhibit A depicting existing zoning(s), Exhibit B showing the area of zoning change to PUD, and Exhibit C, companion plan depicting future residential lots.

If you have questions or require additional information for the application, please let us know.

Regards,

A handwritten signature in blue ink, appearing to read "Matt Henderson".

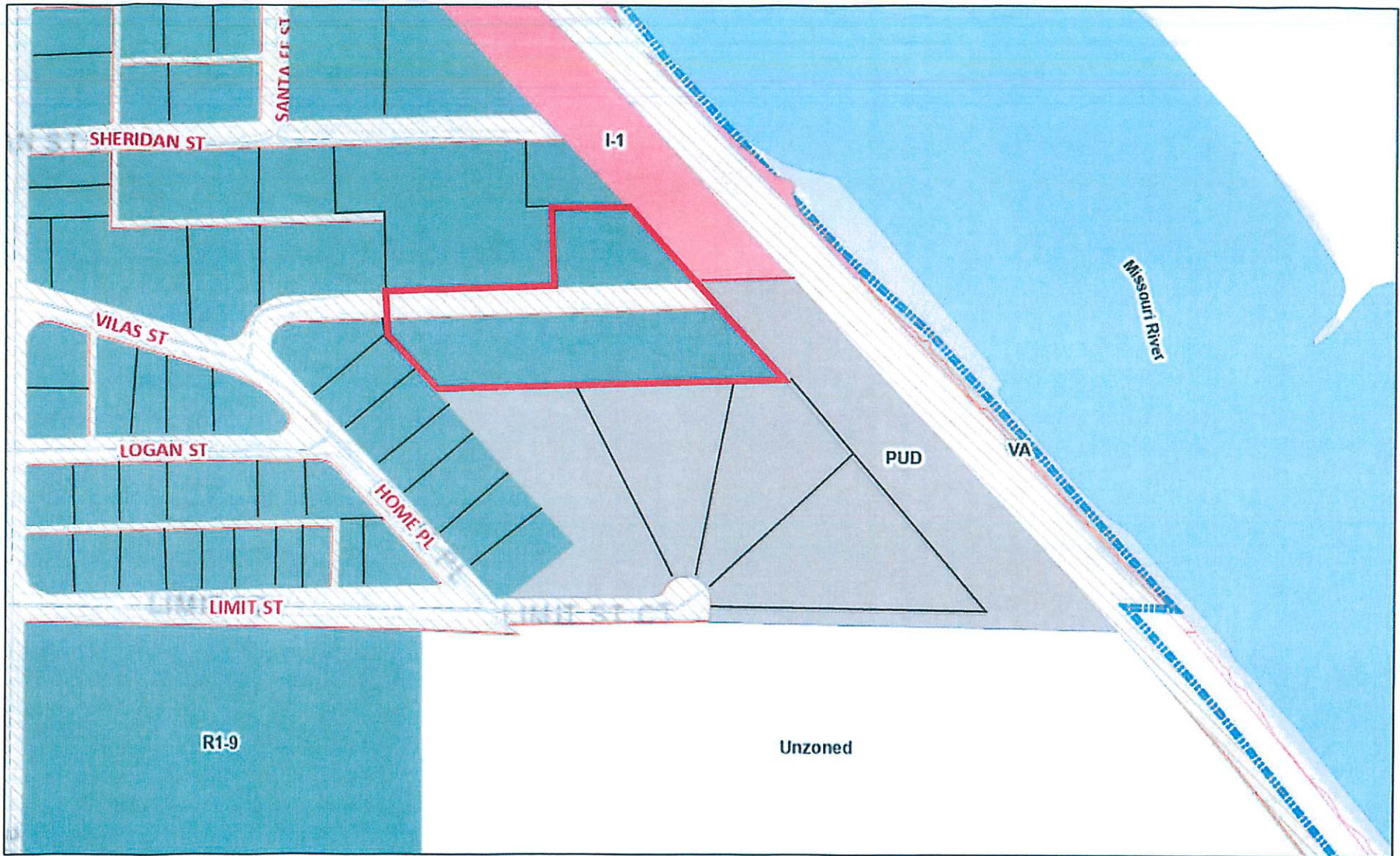
Matt Henderson, PE  
MCAFEE HENDERSON SOLUTIONS INC.

Enclosures

Zoning Exhibits A, B, and C

Cc: Jeremy Greenamyre  
File 2019060.007

# EXISTING ZONING



8/10/2022, 11:51:47 AM

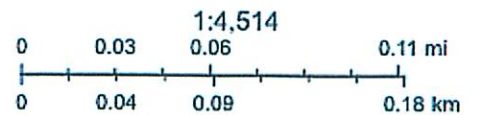
Zoning\_CURRENT

- I-1
- PUD

- R1-6
- R1-9
- Unzoned

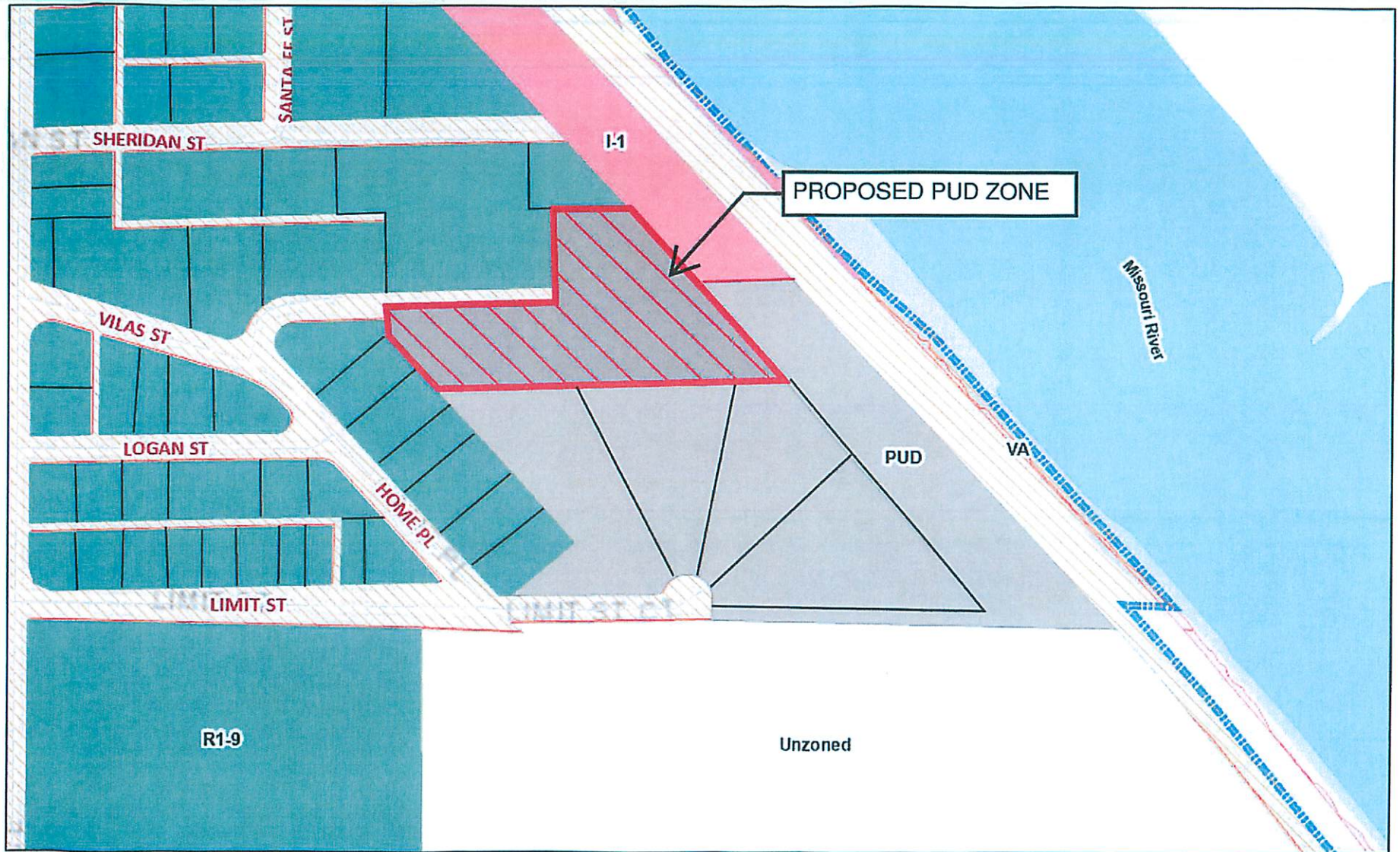
- Parcels (City Owned)
- Parcels\_Current
- Missouri River

- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline

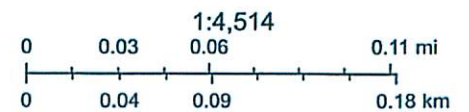


Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

# PROPOSED ZONING



8/10/2022, 11:51:47 AM



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

Web AppBuilder for ArcGIS

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

PLANNING COMMISSION AGENDA ITEM  
2022-32-SUB

RIVER VIEW ESTATES  
PRELIMINARY PLAT

NOVEMBER 7, 2022

**SUBJECT:**

A request for a preliminary plat of River View 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 MHS Engineering. The applicant is requesting approval of a 7 lot preliminary plat for the River View Estates residential development, located in the vicinity of 28 Limit Street. The subject property is 14.55 acres in size and is primarily vacant, with an existing single family home on Lot 1.

An associated rezoning request from R1-9 to PUD is also on this agenda, along with an associated final plat for the property. The accompanying final plat vacates a portion of the undeveloped Vilas Street ROW.

The proposed development was discussed at the July 22, 2021 Development Review Committee meeting. Items discussed related to zoning, vacation of ROW, and utilities were discussed, with no major issues noted.

Staff recommends approval of the River View Estates Preliminary Plat.

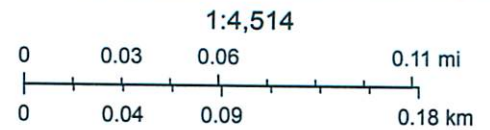
**ACTION/OPTIONS:**

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

# 2022-32-SUB



11/2/2022, 4:55:25 PM



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



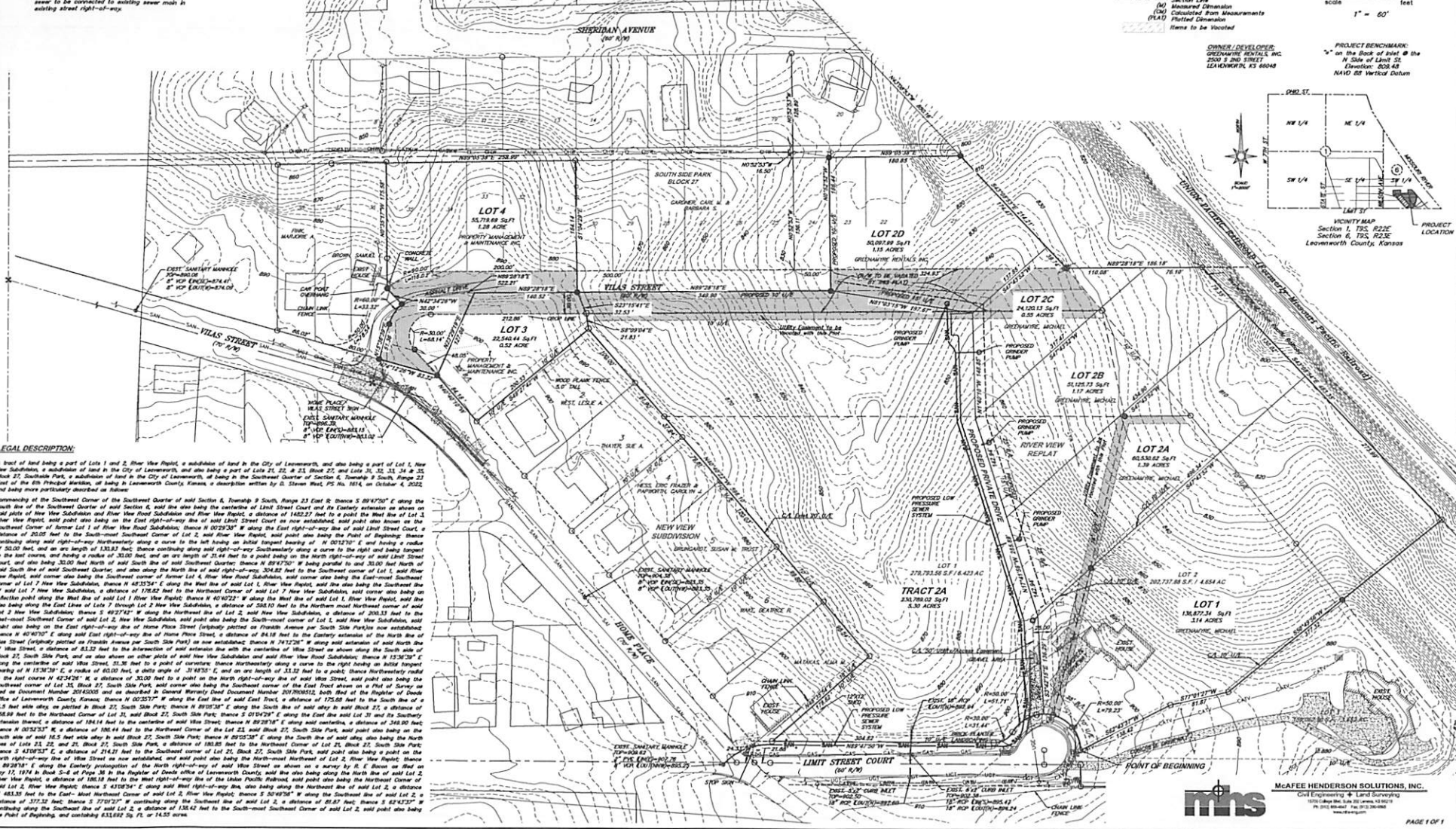
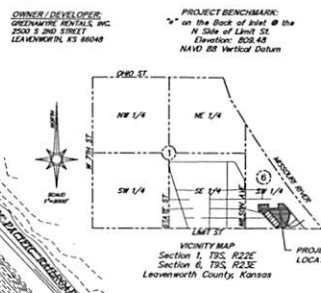
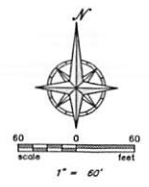
Preliminary Plat of

RIVER VIEW ESTATES

A Replat of Lots 1 & 2, River View Replat, and a Replat of Lot 1, New View Subdivision, and a Replat of Part of Lots 21-23 & 31-35, Block 27, South Side Park in the City of Leavenworth, Leavenworth County, Kansas

- 1. Sewer Service for Lots 1 & 2...
2. Sewer Service for Lots 1 & 2...
3. Sewer Service for Lots 1 & 2...

- LEGEND
1/2" Rebar with KSL 1334 Cap
Found 1/2" Rebar with KSL 1334 Cap
Found 1/2" Rebar
Found 1/2" Rebar with DG WIRE RLS
Found 1/2" Rebar
Notes: All rebar found or set on the boundary are monumented with concrete.
Found Section Corner
1/8" Stake
R/W Right-of-Way Line
Center Line
Section Line
Plotted Dimension
Plotted Dimension



LEGAL DESCRIPTION:

A tract of land being a part of Lots 1 and 2, River View Replat, a subdivision of land in the City of Leavenworth... and also being a part of Lot 1, New View Subdivision, a subdivision of land in the City of Leavenworth...

McAfee Henderson Solutions, Inc.
Civil Engineering & Land Surveying
1000 Lakeshore Blvd. Suite 300
Leavenworth, KS 66048



Project No. 2022-32 SUB

**PRELIMINARY PLAT  
APPLICATION  
CITY OF LEAVENWORTH**

**OFFICE USE ONLY**  
Application No. 12208  
Fee 370.00  
(\$350 plus \$10 per lot over 5 lots)  
Date Paid 10-14-22  
Received By AK  
Meeting Date 11-7-22

NAME OF SUBDIVISION/PROJECT: RIVER VIEW ESTATES

LOCATION OF SUBDIVISION/PROJECT: SECTION 6, TOWNSHIP 9 SOUTH, RANGE 22 EAST

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: 913-828-4440 EMAIL: JEREMY@GREENAMYRE.COM

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

STREET ADDRESS: 2500 S 2ND STREET

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: 913-828-4440 EMAIL: JEREMY@GREENAMYRE.COM

NAME OF ENGINEER PREPARING PLAT:  
COMPANY: MATT HENDERSON, MCAFEE HENDERSON SOLUTIONS, INC.

STREET ADDRESS: 15700 COLLEGE BLVD SUITE 202

CITY: LENEXA STATE: KS ZIP: 66219

PHONE: 913-888-4647 EMAIL: MATT.HENDERSON@MHS-ENG.COM

PARCEL NO: R8461 SEC.TWP.RNG. SEC 6, T 9 S, R 22 E  
R8493, R8494, R8452, R8484,

ZONING OF SUBJECT PROPERTY: R1-9/PUD CURRENT LAND USE: SINGLE FAMILY RESIDENTIAL

TOTAL ACREAGE: 14.55 Ac NUMBER OF LOTS: 7

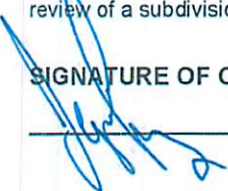
LEGAL DESCRIPTION: (Attach full recorded legal description provided by the REGISTER OF DEEDS OFFICE)

**Manner in which improvements will be made:**

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

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

**SIGNATURE OF OWNER(S)**



Date: 10/10/2022

State of Kansas, County of Leavenworth, SS

Signed or attested before me this 10<sup>th</sup> day of October, 2022 by Jeremy Greenamyre.

Michelle Baragary  
Notary

8/16/24  
Appointment Expires

(Seal)





## Development Review Committee Meeting

Thursday, July 22, 2021 at 1:30 p.m.

Committee members present: City Manager Paul Kramer, Assistant City Manager Tylour Tedder, Director Public Works Brian Faust, Police Chief Pat Kitchens, Public Works Project Manager Mike Stephan, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Health/Safety Officer Shawn Kell, City Clerk Carla Williamson, Planning Director Julie Hurley and Administrative Assistant Michelle Baragary.

### **NEW BUSINESS:**

#### **1. Homeplace Replat project (near 24 Vilas and 28 Limit)**

- Attendees – Ben Ellis (McAfee Henderson Solutions – civil engineer) and Jeremy Greenamyre
  - Project – to create two estate lots and vacate the Vilas ROW. Plat would include lot 1, 2 and 3 but the estate lots would consist of lots 2 and 3. Possibly split lot 2 into two separate lots.
- Planning
  - Current zoning is R1-9 and PUD. Cannot have two different zoning districts for a lot. Will need to rezone.
  - Staff to research why a portion of Lot 3 was zoned PUD
  - Alley to the east of Carl & Barbara Gardner’s property – developers pulling title work to see if this can be vacated.
  - Developers to contact Samuel Brown, property owner of 24 Vilas. He will also need to sign the application.
  - Preliminary plat not required (minor subdivision). Will need to submit final plat, which will go to Planning Commission and City Commission since there will be utilities and vacating ROW. Need to submit a rezoning application, which can run concurrently with the plat.
- Public Works
  - Staff supports vacating the ROW if no utilities object
  - Significant grade difference between existing public sanitary main along Vilas/Home PI and building site on Lot 3. Private system will need to be sized to pump up hill to public main.
  - The sewer line (4400P) to the south of Lot 3 is nonexistent
  - Verify that no lots are landlocked
  - Owner of Lot 1 will need to sign application and plat
- Police – no comment
- Fire Department – no comment

PLANNING COMMISSION AGENDA ITEM  
2022-33-SUB

RIVER VIEW ESTATES  
FINAL PLAT

NOVEMBER 7, 2022

**SUBJECT:**

A request for a final plat of River View 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 MHS Engineering. The applicant is requesting approval of a 4 lot final plat for the River View Estates residential development, located in the vicinity of 28 Limit Street. The subject property is 14.55 acres in size and is primarily vacant, with an existing single family home on Lot 1.

An associated rezoning request from R1-9 to PUD is also on this agenda, along with an associated preliminary plat for the property. The identified Lot 2 on this final plat is shown as Lots 2A-2D and Tract 2A on the accompanying preliminary plat to indicate intended future subdivision of the property. An additional final plat to be reviewed and approved by the Planning Commission shall be required at such time as the applicant intends to subdivide the property as shown on the preliminary plat. A portion of the undeveloped Vilas Street ROW is vacated with approval of this final plat.

The proposed development was discussed at the July 22, 2021 Development Review Committee meeting. Items discussed related to zoning, vacation of ROW, and utilities were discussed, with no major issues noted.

Staff recommends approval of the River View Estates Final Plat.

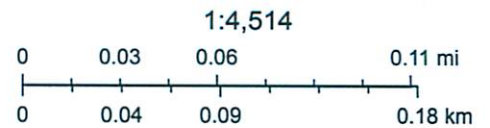
**ACTION/OPTIONS:**

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

# 2022-33-SUB



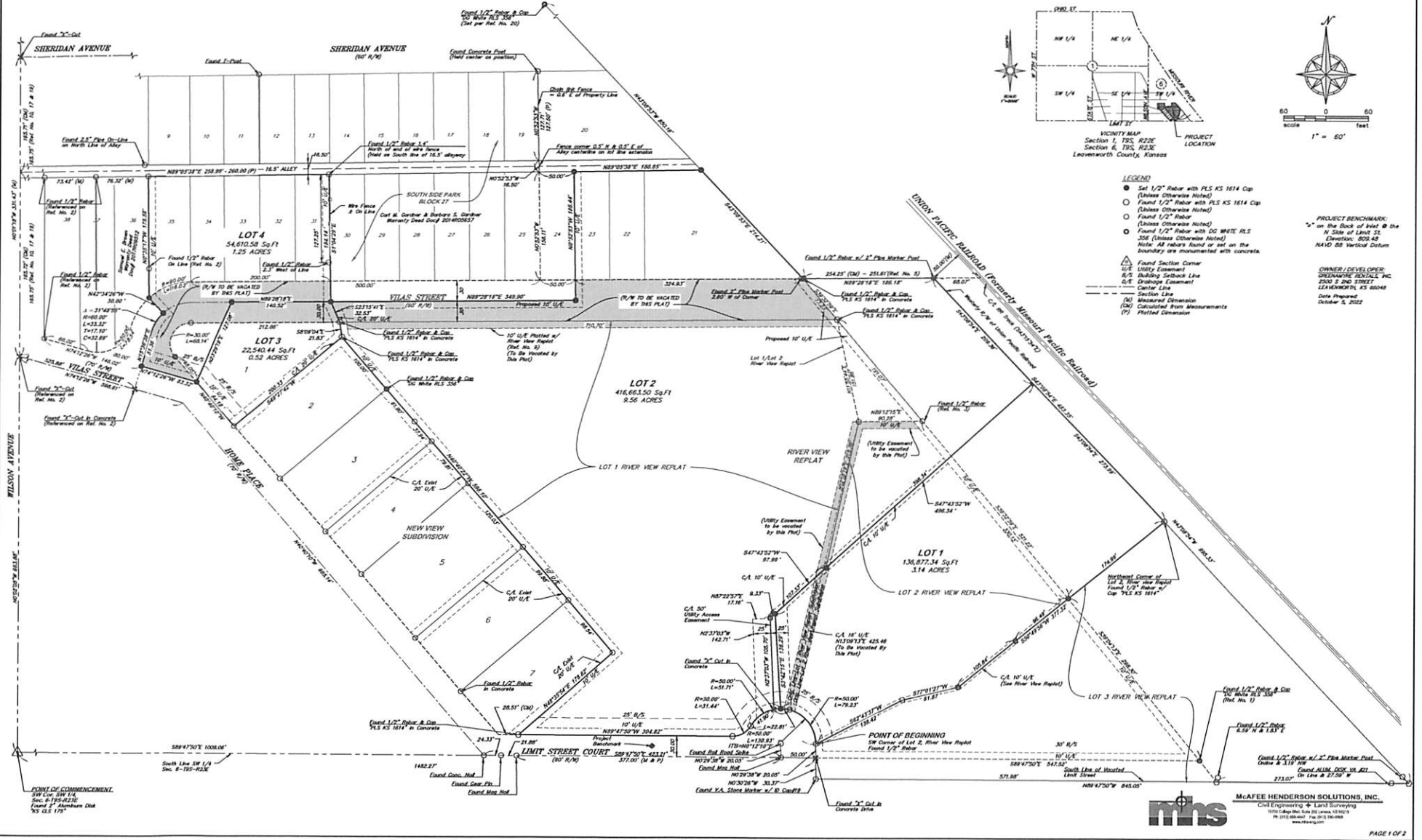
11/2/2022, 4:54:55 PM



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

**Final Plat of  
RIVER VIEW ESTATES**

A Replat of Lots 1 & 2, River View Replat, and a Replat of Lot 1, New View  
Subdivision, and a Replat of Part of Lots 21-23 & 31-35, Block 27, South Side Park  
in the City of Leavenworth, Leavenworth County, Kansas



Drawing Title: P:\Projects\2021-2022\19-060-07 - Homestead Plat\Map\Units 19-060-07\_Final Plat.dwg  
 Date: 10/05/22  
 Author: JCL

**mhs**  
**McAFEE HENDERSON SOLUTIONS, INC.**  
 Civil Engineering • Land Surveying  
 1000 Liberty Lane, Suite 100, Leavenworth, KS 66048  
 PH: (785) 853-8207 Fax: (785) 786-9868  
 www.mhsinc.com







Project No. 2022-33 SUB

**FINAL PLAT APPLICATION**  
CITY OF LEAVENWORTH

**OFFICE USE ONLY**

Application No. 12209

Fee: 350.00

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

Date Paid 10-14-22

Received By \_\_\_\_\_

PC Meeting 11-7-22

NAME OF SUBDIVISION/PROJECT: RIVER VIEW ESTATES

LOCATION OF SUBDIVISION/PROJECT: SECTION 6, TOWNSHIP 9 SOUTH, RANGE 22 EAST

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: 913-828-4440 FAX: \_\_\_\_\_ EMAIL: JEREMY@GREENAMYRE.COM

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

NAME: JEREMY GREENAMYRE, GREENAMYRE RENTALS, INC.

STREET ADDRESS: 2500 S 2ND STREET

CITY: LEAVENWORTH STATE: KS ZIP: 66048

PHONE: 913-828-4440 FAX: \_\_\_\_\_ EMAIL: JEREMY@GREENAMYRE.COM

NAME OF ENGINEER PREPARING PLAT:

NAME: MATT HENDERSON

STREET ADDRESS: 15700 COLLEGE BLVD, SUITE 202

CITY: LENEXA STATE: KS ZIP: 66219

COMPANY: MCAFFEE HENDERSON SOLUTIONS

PHONE: 913-888-4647 FAX: \_\_\_\_\_ EMAIL: MATT.HENDERSON@MHS-ENG.COM

R8493, R8494, R8452, R8484,

PARCEL NO: R8461 SEC.TWP.RNG. SEC 6, T 9 S, R 22 E

ZONING OF SUBJECT PROPERTY: R1-9/PUD CURRENT LAND USE: SINGLE FAMILY RESIDENTIAL

TOTAL ACREAGE: 14.55 Ac NUMBER OF LOTS: 4

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

DATE OF PRELIMINARY PLAT APPROVAL: Nov. 7, 2022 Meeting

SIGNATURE OF OWNER(S) \_\_\_\_\_ Date: 10/10/2022

State of Kansas, County of Leavenworth, SS

Signed or attested before me on October 10th, 2022 by Jeremy Greenamyre

Michelle Baragary Notary Appointment Expires 8/16/24





## Development Review Committee Meeting

Thursday, July 22, 2021 at 1:30 p.m.

Committee members present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, Director Public Works Brian Faust, Police Chief Pat Kitchens, Public Works Project Manager Mike Stephan, Sr. Engineer Technician Justin Stewart, Chief Building Inspector Hal Burdette, Health/Safety Officer Shawn Kell, City Clerk Carla Williamson, Planning Director Julie Hurley and Administrative Assistant Michelle Baragary.

### **NEW BUSINESS:**

#### **1. *Homeplace Replat project (near 24 Vilas and 28 Limit)***

- Attendees – Ben Ellis (McAfee Henderson Solutions – civil engineer) and Jeremy Greenamyre
  - Project – to create two estate lots and vacate the Vilas ROW. Plat would include lot 1, 2 and 3 but the estate lots would consist of lots 2 and 3. Possibly split lot 2 into two separate lots.
- Planning
  - Current zoning is R1-9 and PUD. Cannot have two different zoning districts for a lot. Will need to rezone.
  - Staff to research why a portion of Lot 3 was zoned PUD
  - Alley to the east of Carl & Barbara Gardner’s property – developers pulling title work to see if this can be vacated.
  - Developers to contact Samuel Brown, property owner of 24 Vilas. He will also need to sign the application.
  - Preliminary plat not required (minor subdivision). Will need to submit final plat, which will go to Planning Commission and City Commission since there will be utilities and vacating ROW. Need to submit a rezoning application, which can run concurrently with the plat.
- Public Works
  - Staff supports vacating the ROW if no utilities object
  - Significant grade difference between existing public sanitary main along Vilas/Home Pl and building site on Lot 3. Private system will need to be sized to pump up hill to public main.
  - The sewer line (4400P) to the south of Lot 3 is nonexistent
  - Verify that no lots are landlocked
  - Owner of Lot 1 will need to sign application and plat
- Police – no comment
- Fire Department – no comment