

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

**REGULAR SESSION  
Monday, October 1, 2018  
6:00 p.m.**

**CALL TO ORDER:**

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: June 4, 2018**

**OLD BUSINESS:**

NONE

**NEW BUSINESS:**

**1. 2018-11 REZ – 600 SHAWNEE STREET AND 621 SENECA STREET**

Conduct a public hearing for Case No. 2018-11 REZ – 600 Shawnee Street and 621 Seneca Street. The applicant is requesting a rezoning of their property from Central Business District, CBD, to Residential Mixed Use, RMX. The property, owned by Exact Loft and Gym, LLC, is commonly known as former Immaculata High School building and adjacent vacant lot. The building was constructed in 1922 and was listed on the National Register of Historic Places as part of the Leavenworth Downtown Historic District in 2002.

**2. 2018-16 SUB – WEST GLEN, 2<sup>ND</sup> PLAT, FINAL PLAT**

Consider a request for a 52 lot final plat for the West Glen residential development. The subject property is owned by JMK Partners, LLC, plat prepared by Atlas Surveyors. The property is currently vacant and zoned to R1-6, High Density Single Family Residential District. A preliminary plat for the subject property was approved by the Planning Commission on June 5, 2017, under the name Wolf Farms. The first final plat for the subdivision was approved by the Planning Commission on September 11, 2017. This final plat completes the development of the 101 lot single-family subdivision.

### **3. 2018-17 REZ – WEST GLEN**

Conduct a public hearing for Case No. 2018-17 REZ – West Glen. The applicant is requesting a rezoning of their property identified as Lot A in the West Glen Preliminary Plat from R1-6, High Density Single Family Residential District, to PUD, Planned Unit Development. The property was rezoned from R1-25, Low Density Single Family Residential District in 2017, at the same time as the approval of the Preliminary Plat. The rezoning is being requested in order to develop the property with attached single-family villa units. The applicant is proposing a total of 5 structures; 2 triplex structures (6 total units) and 3 duplex structures (6 total units).

**OTHER BUSINESS:**

**ADJOURN:**

**CITY OF LEAVENWORTH PLANNING COMMISSION**  
**COMMISSION CHAMBERS, CITY HALL**  
100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048  
**REGULAR SESSION**  
**Monday, June 4, 2018**  
7:00 PM

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**CALL TO ORDER:**

**Commissioners Present**

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

**Commissioners Absent**

**City Staff Present**

Julie Hurley  
Michelle Baragary

Chairman Byrne called the meeting to order at 7:00 p.m. and noted a quorum was present.

**Approval of Minutes:** March 12, 2018

Chairman Byrne asked for comments or a motion on the minutes presented for approval: March 12, 2018. Ms. Leonhard moved to accept the minutes as presented, seconded by Mr. Wiedower. The minutes were approved by a vote of 5-0.

**OLD BUSINESS:**

**1. PROPOSED MEETING TIME CHANGE**

There was a consensus to change the meeting time to 6:00 p.m. beginning August 2018.

**NEW BUSINESS:**

**1. 2018-06 REZ – 1100 N. 2<sup>ND</sup> STREET**

Conduct a public hearing for Case No. 2018-06 REZ – 1100 N. 2<sup>nd</sup> Street. The applicant is requesting a rezoning of their property from Planned Unit Development, PUD, to Residential Mixed Use, RMX. The property, owned by Seren Properties, is commonly known as the Abernathy Furniture Company Factory. The building was constructed in 1926 and was listed on the National Registry of Historic Places in 2016. It has formerly housed a number of various commercial and office operations. The rezoning request is being made in order to convert the structure into apartment units, with a total of 139 single-bedroom units, and space on the northeast portion of the site reserved for commercial uses. Existing onsite parking of 220 spaces is available, exceeding the required amount of one space per unit.

Chairman Byrne called for the staff report.

City Planner Julie Hurley stated the applicant is requesting a rezoning of their property from Planned Unit Development, PUD, to Residential Mixed Use, RMX. The property, owned by Seren Properties, is commonly known as the Abernathy Furniture Company Factory. The building was constructed in 1926 and was listed on the National Registry of Historic Places in 2016. It has formerly housed a number of various commercial and office operations. The rezoning request is being made in order to convert the structure into apartment units, with a total of 139 single-bedroom units, and space on the northeast portion of the site reserved for commercial uses. Existing onsite parking of 220 spaces is available, exceeding the required amount of one space per unit.

The structure is a four-story reinforced concrete building clad in red brick. Non-historic fixed aluminum frame windows with tinted glass fill the historic window openings. The RMX zoning district is intended to provide for high-density, multi-family residential dwellings along with a mix of appropriate neighborhood-serving uses. Commercial uses may be included in some structures, but there is no requirement for each structure to have non-residential uses included.

This location is a part of the Redevelopment Overlay District, whose purpose is to facilitate the development of property in the downtown and northeast Leavenworth in accordance with the 2010 Downtown-North Leavenworth Redevelopment Master Plan. In particular, this location is identified as part of the North Gateway Business and Innovation Campus. The intent of the subarea is to “generate new business and employment opportunities and a high quality experience and image for Leavenworth’s northeast entrance to downtown”. The subject property was identified in the plan as an existing office structure, with the desire to preserve and promote on-going building and site enhancements.

Since the Downtown-North Leavenworth Redevelopment Master Plan was conceived, the economy has shifted greatly and business and office use development is no longer as feasible as it was at the time of the plan development. All previous office users in the subject property have left the Leavenworth market, leaving the building empty. Reimagining the structure as a residential space to fill current needs accomplishes the goal of preserving and enhancing the historic structure. The request to rezone the structure to RMX allows for the possibility of future commercial or office uses in the building, should economic conditions change.

This project also requires review by the Leavenworth Preservation Commission (LPC), as the structure is listed on the National Register of Historic Places. The LPC is scheduled to review this project on Wednesday, June 6th.

The Development Review Committee reviewed the application at their April 26<sup>th</sup>, 2018 meeting and found no major items of concern.

### **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 part of Downtown Leavenworth and the Redevelopment Overlay district, with a variety of uses and building forms. Historic structures such as this are common in the area.*

- b) The zoning and use of properties nearby;

*The properties to the north and east are zoned Light Industrial (I-1), the property to the south is zoned Multi-Family (MF), and the property to the west is zoned Planned Unit Development (PUD).*

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

*The subject property is currently zoned Planned Unit Development, limiting the structure to the office related uses in place at the time of the previous zoning.*

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

*The proposed rezoning should have little to no detrimental effect on nearby property. There is a mix of uses present in the Downtown area, including multi-family.*

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

*Ms. Hurley stated the policy report is incorrect. The property is mostly vacant with only a few office users in the building.*

- 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 upon the economic vitality of Downtown Leavenworth in terms of bringing more residents to the area which will potentially increase the patronage of local businesses.*

- g) The recommendations of permanent or professional staff;

*Staff recommends approval of the rezoning request.*

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

*The subject area is identified as appropriate for commercial uses in the Comprehensive Plan. However, the majority of the Downtown area is identified as commercial on the Future Land Use Map, and there exists already a mix of residential uses in this area. Additionally, this area is part of the Downtown-North Leavenworth Redevelopment Area Master Plan, which promotes the area as appropriate for a mix of uses, including residential. Therefore, staff finds the proposed request is not in conflict with the 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;

*This proposal makes possible the adaptive re-use of a previously mostly vacant historically significant structure.*

**REZONING ACTION/OPTIONS:**

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

Chairman Byrne called for questions from the commissioners about the staff report.

Mr. Wiedower asked about the nature of the upcoming Preservation Commission Meeting.

Ms. Hurley stated the city is required by statute since it is a certified local government and designated by the State any proposed change to a nationally registered property has to be reviewed by the Preservation Commission.

Mr. Karrasch asked if there are any changes to the exterior of the building.

Ms. Hurley stated it is mainly maintenance work to the exterior. The most notable change is to the existing smokestack, which will be shortened due to safety concerns.

Ms. Hurley further stated Chairman Byrne had emailed her about the billboards on top of the building. Since the rezoning will change the use of the building, the question came up whether or not it will constitute a change in use that would necessitate the removal of the billboards. The answer is it would not. The Development Regulations consider billboards differently; unless the billboards fall into disrepair, they can remain.

Mr. Karrasch asked for explanation on how changing the zoning from PUD will help the city with controls and guidelines.

Ms. Hurley stated when a property is zoned PUD there is no set established zoning district. When the rezoning for PUD comes through is when the guidelines are set for the specific property, such as setbacks, usage, type of signage allowed, design guidelines, etc. The PUD zoning for the subject property occurred in the 1980s, at which time guidelines were not extensively established. Getting the subject property rezoned to an established zoning district will be clearer for staff to work with as the regulations are clearly defined with established zoning districts.

Ms. Bohnsack asked if the applicant could amend the PUD.

Ms. Hurley stated that is a possibility. However, the subject property's PUD has been amended over a dozen times. As they are amended over and over they begin to become unclear as to what is actually allowed and intended with the zoning district.

Referring back to the Development Review Committee (DRC) minutes, Mr. Burke asked who is responsible for the flooding issues.

Ms. Hurley stated that has not been specifically addressed. It will be addressed when they submit for a building permit. Since they are not adding more pavement it is not something that technically has to be addressed; it was more informational for the applicant to have knowledge of previous flooding in the area.

Mr. Burke asked about the water quality issues mentioned at DRC.

Ms. Hurley stated that is a standard statement from the Public Works Department. Again, since they are not adding any impervious surface, it's not something that technically has to be addressed.

Ms. Leonhard asked about the type of security for the building.

Jon Klocke, architect, approached the board. Mr. Klocke stated there will be controlled access at each entry; commercial and residential will be separate. Tenants will have a security card for entry.

Ms. Leonhard asked if there are any amenities.

Mr. Klocke stated the center building will be torn down with the steel structure remaining and this is will be an outdoor courtyard. There will be a small addition to the west of the courtyard for a fitness community area.

Ms. Whitson asked when the completion date will be.

Mr. Klocke stated they anticipate the beginning of June 2019.

Mr. Wiedower asked if there will be covered parking.

Mr. Klocke responded there will be 40 covered parking stalls.

Ms. Whitson stated there have been several buildings within the past year or so that have converted to one bedroom apartments. Her concern is that this building will also only be providing one bedroom apartments. Is there a backup plan is not all the apartments rent.

Mr. Klocke stated they have done market studies showing there is a need for the apartments.

Mr. Burke asked if there was any feedback after the notifications were mailed and published.

Ms. Hurley responded no feedback was received.

With no one else wishing to speak, Chairman Byrne closed the public hearing and called for questions/discussion among the commissioners.

Ms. Bohnsack also stated her concern about the single bedroom units instead of opening it up to a wider market.

Mr. Karrasch asked if the Planning Commission chose to recommend approval, if they could do so with the stipulation that it must first be approved by the Preservation Commission.

Ms. Hurley responded in the affirmative; there can be a condition based on the approval of the Preservation Commission.

Ms. Whitson again mentioned 139 single bedroom apartments.

Mr. Klocke stated that 25 of the apartments are two-bedroom units.

Ms. Bohnsack asked when this rezoning request will go to the City Commission.

Ms. Hurley responded, Tuesday, June 26<sup>th</sup>.

With no further discussion, Chairman Byrne called for a motion. Mr. Karrasch moved to recommend approval to the City Commission the rezoning from PUD to RMX 2018-06 REZ for 1100 N. 2<sup>nd</sup> Street with the condition that it is approved by the Preservation Commission. The motion was seconded by Ms. Whitson and passed by a unanimous vote of 7-0.

With no further business the meeting was adjourned at 7:31 p.m.

JH/mb



**PLANNING COMMISSION AGENDA ITEM**  
**2018-11-REZ**  
**600 SHAWNEE STREET and 621 SENECA STREET**

**OCTOBER 1, 2018**

**SUBJECT:**

A request to rezone the property located 600 Shawnee Street and 621 Seneca Street from CBD, Central Business District, and R1-6, High Density Single Family Residential District, to RMX, Residential Mixed Use District



**Prepared By:**  
Julie Hurley  
City Planner



**Reviewed By:**  
Paul Kramer  
City Manager

**ANALYSIS:**

The applicant is requesting a rezoning of their property located at 600 Shawnee and 621 Seneca from CBD to RMX. The property, owned by Exact Loft and Gym, LLC, is commonly known as former Immaculata High School building and adjacent vacant lot. The building was constructed in 1922 and was listed on the National Register of Historic Places as part of the Leavenworth Downtown Historic District in 2002.

The structure is a two-story, symmetrically massed, red brick building on a sloping lot with the foundation level fully exposed on the southern elevation. The RMX zoning district is intended to provide for high-density, multi-family residential dwellings along with a mix of appropriate neighborhood-serving uses. Commercial uses may be included in some structures, but there is no requirement for each structure to have non-residential uses included.

This location is a part of the Redevelopment Overlay District, whose purpose is to facilitate the development of property in the downtown and northeast Leavenworth in accordance with the 2010 Downtown-North Leavenworth Redevelopment Master Plan. In particular, this location is identified as part of the Downtown Core. The intent of the subarea is to define Leavenworth's traditional and historic downtown core, with a diverse mix of retail, office and residential uses. The downtown core should embrace redevelopment activities that promote diverse uses and activities that complement the established scale and urban form of the historic downtown. New activities should promote preservation, renovation and adaptive reuse of historic structures.

The rezoning is being requested in order to repurpose the school building portion of the property into a total of 38 apartment units (37 1-bedroom units and 1 2-bedroom unit), with the gymnasium portion of the property to be used as commercial space for a gym/group fitness operation and juice bar, along with other dividable commercial space. The proposed uses are all allowable within the existing CBD zoning district, however, residential uses are prohibited within the front half or front 30 feet of space, whichever is greater, on the first floor. The applicant intends to provide residential units on the entirety of the first floor of the former school portion of the building.

Total required parking for the project is 108 spaces based on the following breakdown:

1 2-bedroom unit: 2 spaces

37 1-bedroom units: 37 spaces

4,797 sqft commercial space: 16 spaces

12,886 sqft gym/recreation: 51 spaces

302 sqft food service: 2 spaces

There are a total of 26 spaces provided on-site, with an additional 35 on-street parking spaces adjacent to the project along Shawnee Street and North 6<sup>th</sup> Street, and 34 spaces in the adjacent city-owned public parking lot, for a total of 95 spaces. There are 6 other city-owned public parking lots within a 2-block radius, with numerous on-street parking opportunities. The Development Regulations allow several provisions for a reduction in the number of required on-site parking spaces, including for properties in mixed-use districts and registered historic properties. The CBD zoning district has no minimum parking requirement for any use type allowed within the district, as on-street parking opportunities and city-owned public parking lots are intended to satisfy any parking needs.

This project also requires review by the Leavenworth Preservation Commission (LPC), as the structure is listed on the National Register of Historic Places. The Leavenworth Preservation Commission considered the request on August 1, 2018 and voted 5-0 to approve the request for a Major Certificate of Appropriateness for the project.

The Development Review Committee reviewed the application at their July 26, 2018 meeting. The main area of discussion focused on required parking. There was some concern about use of the adjacent city-owned public parking lot, as the lot is typically heavily used by members of the First Christian Church on Sundays. There was no concern that the proposed uses would result in a higher volume of traffic than the former high school use located on the property.

#### **CONDITIONS OF DETERMINATION**

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- a) The character of the neighborhood;

*The subject property is part of Downtown Leavenworth and the Redevelopment Overlay District, with a variety of uses and building forms. Historic structures such as this are common in the area.*

- b) The zoning and use of properties nearby;

*The properties to the east, south and west are zoned CBD, Central Business District, and the properties to the north are zoned R1-6, High Density Single Family Residential District.*

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

*The subject property is currently zoned CBD, which allows a variety of uses by-right.*

- d) The extent to which removal of the restrictions will detrimentally affect nearby property;  
*The proposed rezoning should have little to no detrimental effect on nearby property. There is a mix of uses present in the Downtown area, including multi-family. Staff does not anticipate that the volume of traffic generated by the proposed uses will be significantly higher than previously generated by the high school use.*
- e) The length of time the subject property has remained vacant as zoned;  
*The structure has been unoccupied since June, 2017.*
- 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 upon the economic vitality of Downtown Leavenworth in terms of bringing more residents to the area which will potentially increase the patronage of local businesses, as well as expanded commercial offerings offering an expanded tax base.*
- g) The recommendations of permanent or professional staff;  
*Staff recommends approval of the rezoning request.*
- h) The conformance of the requested change to the adopted or recognized Comprehensive Land Use Plan being utilized by the city;  
*The subject area is identified as appropriate for commercial uses in the Comprehensive Plan. However, the majority of the Downtown area is identified as commercial on the Future Land Use Map, and there exists already a mix of residential uses in this area. Additionally, this area is part of the Downtown-North Leavenworth Redevelopment Area Master Plan, which promotes the area as appropriate for a mix of uses, including residential. Therefore, staff finds the proposed request is not in conflict with the 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.  
*This proposal makes possible the adaptive re-use of a previously vacant historically significant structure.*

**REZONING ACTION/OPTIONS:**

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

**Attachments:**

Application materials

Location map

DRC minutes

Excerpt: Downtown-North Leavenworth Redevelopment Area Master Plan







## Development Review Committee Meeting Thursday, July 26, 2018

Committee members present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, City Planner Julie Hurley, Police Chief Pat Kitchens, Health/Safety Officer Mark Demaranville, Chief Building Inspector Hal Burdette, Director Public Works Mike McDonald and Administrative Assistant Michelle Baragary

### **AGENDA ITEM(S):**

#### **1. 2534 2<sup>nd</sup> Avenue – construction of church**

- Attendees: Ron Suttles (Pastor) and Brett Napier (Engineer)
- Schedule for BZA August 20, 2018 for variance request for rear setback, lot coverage, and driveway separation.
- Retaining wall is being removed
- Concerns with storm water quality and quantity
  - Possibly use bricks with 4-5' gravel underneath it in the parking lot
- Church does not have fixed seating; it's open space. Parking will be 1 per 30 sqft of congregation area.
  - Overflow parking onto the street could be an issue
- Will need to submit site grading plan

#### **2. 600 Shawnee St – conversion to mixed use building**

- Attendees: Jon Klocke (architect)
- Converting to apartments and commercial space. School portion will be residential apartments; 38 units, 1BR or 1BR and office. Gymnasium will stay as open recreational space. Chapel will a workout facility. Cafeteria will be commercial space; yoga component and makerspace.
- Scheduled for Planning Commission August 6, 2018 for rezoning from CDB to RMX
- ADA access for building will be from the north entrance (courtyard area)
- Parking
  - Parking lot to the north is public parking
  - Possibly use 621 Seneca for parking. Even though it's across the alley, City will consider it as on-site parking.

- On-street parking may reduce the required parking by up to 50% for each space within 500 feet
- Shared parking can be approved to up to 50% as well (signed agreement required)
- Requesting a variance to allow residential units on the first floor maybe a better route to go versus rezoning. Would not have parking issues staying with the CDB district.
- Other option is for Exact Loft and Gym to buy the city owned parking lot (601 Seneca).

**OTHER BUSINESS:**

1. 411 N 4<sup>th</sup> Street (Mary Scott) – installing new parking lot. Must meet setbacks on north side; 2' from sidewalk. Installing a sidewalk/ramp from parking lot to front door but will be close to building and not impact public sidewalk.

Meeting adjourned at 2:13 p.m.



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

**OFFICE USE ONLY**

Project No. 2018-11 REZ

Application #	<u>4125</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>6-12-18</u>
Received By	<u>B. Wilson</u>
Hearing Date	<u>8-6-18</u>
Publication Date	<u>7-12-18</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>600 Shawnee Street and 621 Seneca Street</u>		
Rezoning:	Present classification of <u>CBD and R1-6</u> district to <u>R-MX</u>		
Legal Description:	<u>(Attach full legal description provided by the REGISTER OF DEEDS OFFICE or a TITLE COMPANY)</u>		
Real Estate PID #:	<u>0772503310003000 &amp; 0772503310004000</u>	Historic District:	<u>Leavenworth Downtown Historic District</u>

I/We, ILAN SALZBERG 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>Ilan Salzberg, Managing Member - Exact Loft and Gym, LLC</u>		
Address:	<u>3829 Main Street #007, Kansas City, MO 64111</u>		
Contact No. (501) <u>240-8636</u>	Email Address:	<u>office@exactarchitects.com</u>	

Signature of Owner(s): 

State of MISSOURI ) (SEAL)  
County of JACKSON )



Signed or attested before me on 6/19/2018 by Lauren Hickman Jensen  
(date) (name(s) of person(s))

Notary Public: 18179887 LAUREN HICKMAN JENSEN My appointment expires: 3/21/2022

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



## REZONING REQUEST

### OWNER:

Exact Lofts and Gym, LLC  
3829 Main St. #007, Kansas City, MO 64111

### REQUEST:

Rezone current CBD and R1-6 parcels to R-MX for conversion of original school building to new apartments and commercial space.

### LEGAL DESCRIPTION:

PID# 0772503310003000 - 621 SENECA ST.: LTS 22-25 &  
W10'LT26, SECTION 25, BLOCK 76, TOWNSHIP 8, RANGE 22E,  
LEAVENWORTH PLAT, ORIG.

→ 00000 Seneca

PID# 0772503310004000 - 600 SHAWNEE ST.: LTS 1-12,  
SECTION 25, BLOCK 76, TOWNSHIP 8, LEAVENWORTH PLAT,  
ORIG.

→ 600 Shawnee











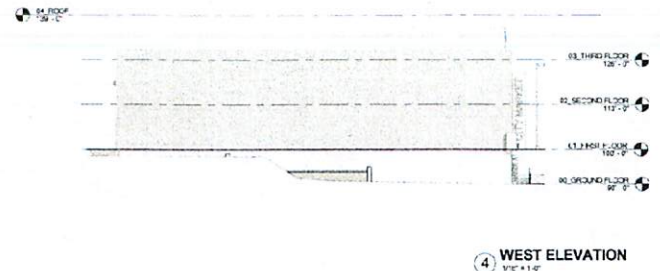


**GENERAL WINDOW NOTES:**

1. REMOVE ALL MEP ITEMS NOT REQUIRED FOR NEW WORK FROM ALL WINDOW OPENINGS
2. EXISTING CONDITIONS SHALL BE VERIFIED. WHERE EXISTING CONDITIONS VARY FROM THE INFORMATION ON DRAWINGS, NOTIFY ARCHITECT
3. PREP FRAMING AND PAINT ALL WOOD SURFACES
4. REPLACE ALL WINDOW SILL, HEAD AND TRANSOM CASING WITH INSULATED GLASS PANELS. NO WINDOW HEAD FRAMES SCHEDULED TO REMAIN. PREP HISTORIC WINDOW FRAMES, SILLINGS, SASHES, ETC. FOR NEW GLASS INSTALLATION. GLAZING PUTTY SHALL MATCH HISTORIC SITE LINES AND BEVELS
5. ALL OPERABLE WINDOWS WITH A 3" OF FINISH FLOOR SHALL HAVE A FRAME OR CRACKER. IF FINISH FLOOR IS REMOVED, HEIGHTS AND COORDINATE WORK WITH ARCHITECT. THIS IS ONLY FOR ALL WINDOW SILL EXTREME ABOVE 36" OF FINISH FLOOR
6. HISTORIC WINDOW RESTORATION NOTES:
  - 6.1. CLEAN ALL WOOD SURFACES
  - 6.2. ALL WINDOW SILL, FRAME, CONTACT
  - 6.3. REMOVE YET TO BE REPAIRED MAXIMUM SECTIONS SHALL BE REPLACED IN HISTORIC WINDOW SASHES THROUGHOUT THE BUILDING
  - 6.4. MODERATELY DEGRADED WOOD SECTIONS SHALL BE PATCHED
  - 6.5. REMOVE ALL GLAZING PUTTY AND GLASS PANELS
  - 6.6. REMOVE FLAKING AND PEELING PAINT LAYERS FROM ALL SURFACES
  - 6.7. FRAMING AND REPAIR ALL WOOD SURFACES
  - 6.8. INSTALL NEW 1" x 4" x 1/2" SILL AND HEAD PANELS WITH 3/4" x 1/2" GANESSES TO MATCH EXISTING GLAZING
  - 6.9. REGLAZE ALL GLASS PANEYS WITH NEW PUTTY TO MATCH THE EXISTING SILL AND BEVELS
  - 6.10. INSTALL INTERIOR AND EXTERIOR TRIM, STOPS AND BRICK MOLD WHERE MISSING OR DESTROYED IN RICHARD AT ORIGINAL LOCATIONS
  - 6.11. REPAIR ALL MISSED FASTENERS AND LUBRICATE HINGES. INSTALL NEW JOINT SEALANT AT ENTIRE WINDOW PERIMETER CONNECTION TO ADJACENT MASONRY
  7. HISTORIC STEEL WINDOW RESTORATION NOTES:
    - 7.1. ESTABLISH, RETAIN AND REPAIR THE EXISTING HISTORIC STEEL WINDOWING
    - 7.2. OPEN THE WINDOW AND REPAIR AND ACCESS TO THE EXTERIOR OF AREAS OF THE SASHES AND FRAMES
    - 7.3. REMOVE ALL CORROSION FROM STEEL. SECTIONS SHALL BE REPLACED IN KIND
    - 7.4. REMOVE FLAKING, EXCESSIVE AND PEELING PAINT LAYERS FROM ALL VISIBLE SURFACES, INCLUDING INTERIOR LINTELS
    - 7.5. REMOVE ALL RUST FROM STEEL SURFACES DOWN TO BARE METAL
    - 7.6. PRIME AND EXPANDED METAL WITH PRIMER WITH TWO FRIMER AND TWO COATS OF PRIMER COMPATIBLE WITH PAINT
    - 7.7. INSTALL NEW TRANSPARENT INSULATED CLEAR GLASS PANELS IN RICHARD DIMENSIONS TO MATCH THE WINDOW FRAME PLACEMENT GLASS THROUGHOUT THE PROJECT. REGLAZE ALL GLASS PANELS WITH NEW PUTTY TO MATCH THE EXISTING PUTTY IN SIZE AND BEVEL. PRIME AND REPAIR GLAZING JOINTS
    - 7.8. SEAL WINDOW FROM OUTSIDE AIR WITH HIGH QUALITY JOINT SEALANT AT ENTIRE WINDOW PERIMETER TO ADJACENT MASONRY
    - 7.9. THE EXTERIOR FINISH SHALL MATCH THE EXISTING HARDWARE SHALL REMAIN IN PLACE UNLESS REPLACE IN KIND AS NEEDED
    8. PROVIDE INSULATION AT ALL PERIMETER WINDOW CAVITIES

**GENERAL ELEVATION NOTES:**

1. TERRAZZO RESTORATION: CLEAN ALL TERRAZZO EXTERIOR AND ROOF COINGS ETC. SEAL CRACKS AND JOINTS. CLEAN SECTIONS WITH COMPATIBLE COATING (APPROX. 1/8" OF TERRAZZO) REPAIR CRACKS AND JOINTS OF ROOF COING. REPLACE MISSING ROOF COING IN KIND (APPROX. 1/8" OF TERRAZZO)
2. BRICK: ALL BRICK IN CONTACT WITH MOISTURE SHALL BE REPLACED IN KIND. JOINTS APPROX. 3/16" OF ELEVATION. JOINTS ARE TO BE REMOVED TO A DEPTH OF 3/8" TO 1/2". JOINT WIDTH. THE NEW MORTAR SHALL MATCH THE HISTORIC COLOR. COMPRESSIVE STRENGTH. COMPRESSIVE STRENGTH. JOINT PROFILE. DETERIORATED BRICKS, CRACKS AND MISSING BRICKS (AND CHIMNEYS) SHALL BE REPLACED APPROX. 1/4" OF THE FACE. NEW CHIMNEY AND BLOCK SHALL MATCH THE HISTORIC COLOR, SIZE, TEXTURE, ETC. ALL GRAPPLERS TO BE REMOVED. EXTERIOR MASONRY STAIR WALLS TO BE REMOVED AND ALL MASONRY CLEANED. CLEANING SOLUTIONS SHALL BE LIMITED TO LOW TO MEDIUM PRESSURE WASHING WITH NON-ACIDIC MATERIALS. EX. BRICK TO STONE OR CONCRETS WITH BACKER ROD AND JOINT SEALANT
3. REPLACE ALL MISSING AND DETERIORATED JOINTS BETWEEN OVERLAPPING MATERIALS. EX. BRICK TO STONE OR CONCRETS WITH BACKER ROD AND JOINT SEALANT
4. CLAY TILE ROOF COING RESTORATION: REPLACE ALL MISSING AND DETERIORATED SECTIONS IN RICHARD. ROOFING SHALL BE LUMP SUM. WEIR USE EXISTING SILL, FLOOR, COING AND TERRAZZO
5. REPLACE ALL METAL CLITTERS AND DOWNSPUTS WITH PAINTED GALVANNEED METAL. HOOKS ATTACHMENT OUTTERS AND MATCHING DOWNSPUTS
6. REMOVE RUST AND CORROSION FROM ALL STEEL ITEMS. TUBES METAL, PREP PRIME AND PAINT TYPICAL



**EXACT ARCHITECTS**  
 ARCHITECTS INC. 1011 N. 10TH ST.  
 KANSAS CITY, MISSOURI 64108-3285  
 WWW.EXACTARCHITECTS.COM

**NOT FOR CONSTRUCTION**  
**IMMACULATA**  
 600 SHAWNEE STREET  
 LEAVENWORTH, KANSAS 66048

NO.	DATE	BY

EXTERIOR ELEVATIONS  
**A4-01**

6/5/2018 11:03:55 AM



PLANNING COMMISSION AGENDA ITEM  
2018-16-SUB  
WEST GLEN, 2<sup>nd</sup> PLAT  
FINAL PLAT

OCTOBER 1, 2018

**SUBJECT:**

A request for a final plat of West Glen, 2<sup>ND</sup> Plat

**Prepared By:**

Julie Hurley  
City Planner

**Reviewed By:**

Paul Kramer  
City Manager

**ANALYSIS:**

The subject property is owned by JMK Partners, LLC, plat prepared by Atlas Surveyors. The applicant is requesting approval of a 52 lot final plat for the West Glen residential development. The property is currently vacant and zoned to R1-6, High Density Single Family Residential District. A preliminary plat for the subject property was approved by the Planning Commission on June 5, 2017, under the name Wolf Farms. The first final plat for the subdivision was approved by the Planning Commission on September 11, 2017. This final plat completes the development of the 101 lot single-family subdivision.

The subject property is 11.18 acres in size, and is currently undeveloped. The site lies along New Lawrence Road, directly east of 20<sup>th</sup> Street. The plat consists of 52 residential lots. Lots 72-101 are intended to be standard single-family homes, with an average lot size of 10,285 sqft. Lots 50-71 are intended to be smaller maintenance provided single-family homes, with an average lot size of 7,914 sqft. Also included are associated utility easements and 3 tracts for open space and to accommodate an existing gas pipeline.

Improvements to New Lawrence Road were required as part of the development of this property and are currently underway.

Staff recommends approval of the West Glen 2<sup>nd</sup> Plat.

**ACTION/OPTIONS:**

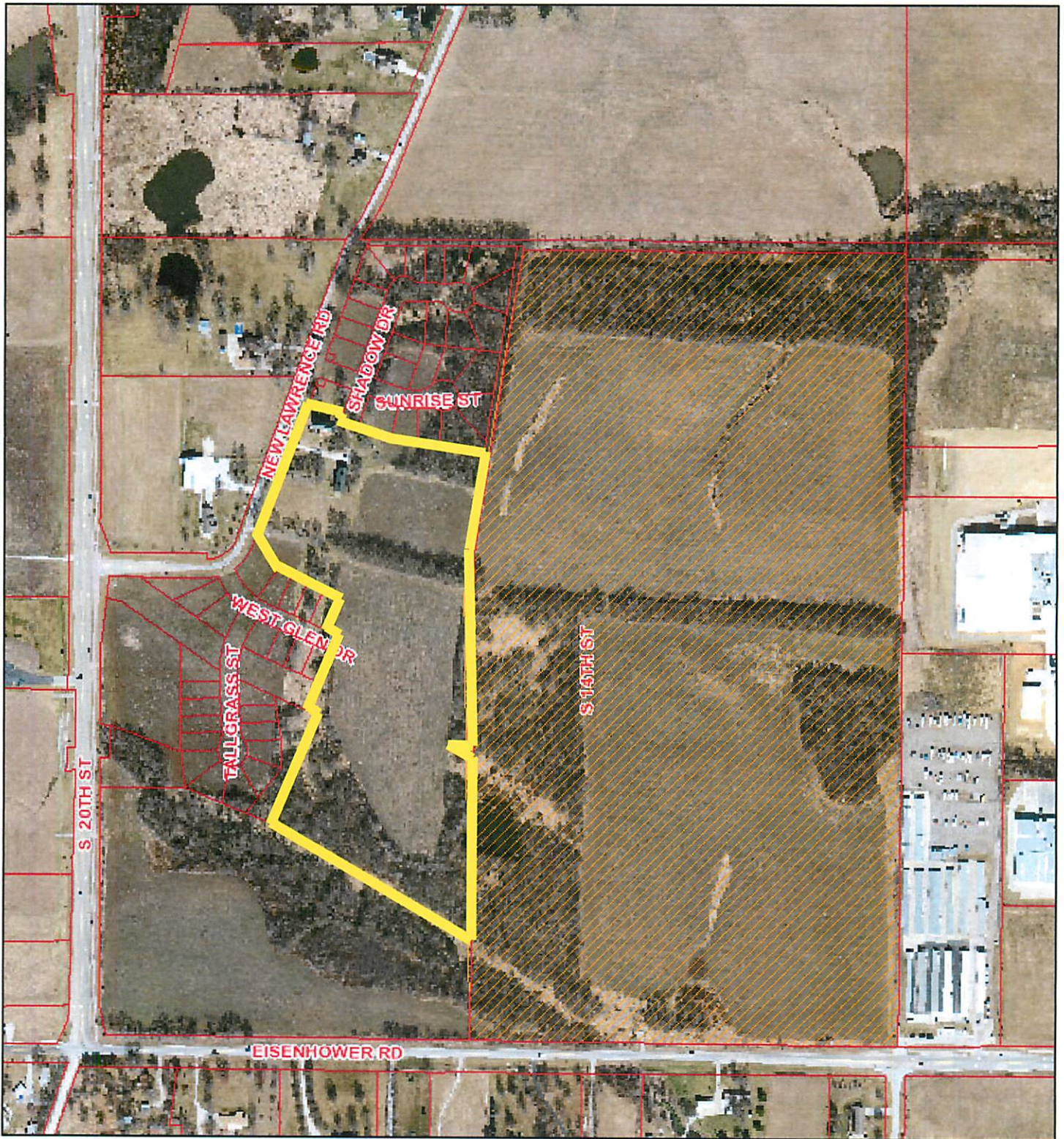
- Approve the Final Plat
- Deny the Final Plat
- Table the issue for additional information/consideration.

**ATTACHMENTS:**

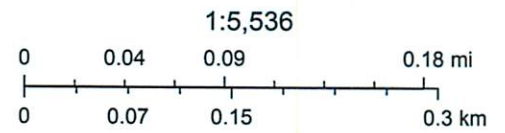
Location map  
Application materials



# 2018-16-SUB



9/27/2018, 8:32:01 AM



1:5,536

City of LV GIS, 2017, LV GIS Dept 09/23/2016, City of LV GIS, Dave Griffith, 2013



Project No. 2018-16 SUB

**FINAL PLAT APPLICATION**  
CITY OF LEAVENWORTH

Fee: \$350.00 (Fee required if preliminary plat not previously filed)  
Date Paid \_\_\_\_\_  
Received By \_\_\_\_\_  
Hearing Date 10-1-18  
Publication Date N/A

NAME OF SUBDIVISION/PROJECT: West Glen, 2nd Plat

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

NAME: JMK Partners, LLC

STREET ADDRESS: P.O. Box 9

CITY: Leavenworth STATE: KS ZIP: 66048

PHONE: 913-684-1234 FAX: 913-682-8136 EMAIL: mike@reillyandsons.com

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

NAME: Same as Above

STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

NAME OF ATTORNEY OR AGENT:

NAME: N/A

STREET ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

NAME OF ENGINEER PREPARING PLAT: Roger Dill, RLS

COMPANY: Atlas Surveyors

STREET ADDRESS: 207 S. 5th Street

CITY: Leavenworth STATE: KS ZIP: 66048

PHONE: 913-682-8600 FAX: 913-682-8606 EMAIL: roger.dill@atlassurveyors.com

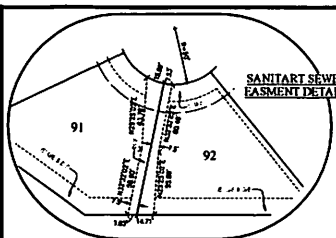
PARCEL NO: Part of R14497 & R14495 SEC.TWP.RNG. Sec 15 T09S R22E

ZONING OF SUBJECT PROPERTY: R1-6 CURRENT LAND USE: Graded for Subdivision

TOTAL ACREAGE: 19.45 ac NUMBER OF LOTS: 52

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

DATE OF PRELIMINARY PLAT APPROVAL: 6-5-17



**DATUM**  
NAVD 1983, U.S. Feet  
Benchmark:  
ELEVATION: 900.00

**CLOSURE CALCULATIONS**  
4.750 00' (plus boundary) / 0.0000' (closing distance)  
= unadjusted error of closure 1 in 1,187,500.

**NOTE:**

The basis of bearing system Kansas North Zone, U.S. State Plane, NAD 83.

The Interior Lot Corners shall be set Post Utility Construction.

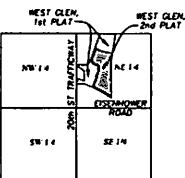
Corner Lots with a Side Building Line (SBL) shall have No Direct Vehicle Access on that side of the Lot.

Exterior Plat Corner Measurements to be set in concrete per Leavenworth County Regulations prior to issuing building permits.

The minimum Front Yard Setback for Single Family Lots shall be 25 feet from the right-of-way line.

The minimum Side Yard Setback for Single Family Lots shall be 6 feet on each side of structure.

The minimum Rear Yard Setback for Single Family Lots shall be 25 feet from the structure to the property line.



**LOCATION MAP**  
SECTION 15--T9S--R22E  
Scale 1" = 2000'

**Centerline Curve Data**

Δ = 24° 38' 28"	Δ = 24° 17' 18"	Δ = 81° 23' 03"
R = 250.00'	R = 500.00'	R = 250.00'
L = 108.97'	L = 211.96'	L = 355.25'
Tan = 55.37'	Tan = 107.39'	Tan = 215.10'
C = 102.11'	C = 210.37'	C = 326.11'

Δ = 13° 07' 51"	Δ = 23° 54' 05"
R = 800.00'	R = 300.00'
L = 182.34'	L = 125.11'
Tan = 92.07'	Tan = 63.50'
C = 182.94'	C = 124.34'

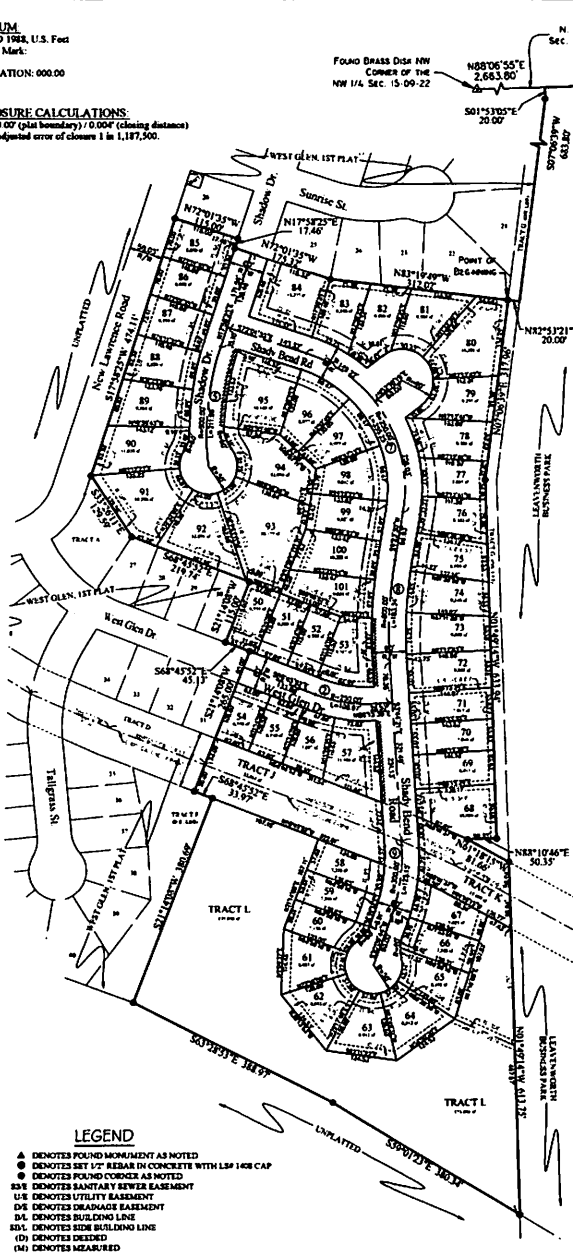
**DISCLAIMER:**  
Leavenworth County, Kansas, does not represent, warrant or guarantee that the details shown on this document and provided by the applicant, or any agent of applicant, including any survey information, should be relied upon by any third party as being wholly or partially accurate and complete.

Title information furnished by:  
**TRI-COUNTY TITLE & ABSTRACT**  
ISSUING AGENT FOR  
Stewart Title & Guaranty  
Commitment No. 08000209  
Dated: July, 2017

Lot #	Square Ft.	Lot #	Square Ft.	Tract Area	Tract	Square Ft.
50	6,515 SF	76	8,343 SF	I	31,861 SF	
51	6,515 SF	77	7,803 SF	K	17,299 SF	
52	6,515 SF	78	8,303 SF	L	17,854 SF	
53	9,317 SF	79	8,253 SF			
54	6,510 SF	80	14,831 SF			
55	6,510 SF	81	8,397 SF			
56	7,167 SF	82	9,800 SF			
57	11,145 SF	83	8,163 SF			
58	7,338 SF	84	12,777 SF			
59	7,996 SF	85	8,020 SF			
60	7,136 SF	86	8,030 SF			
61	8,882 SF	87	8,195 SF			
62	8,812 SF	88	8,829 SF			
63	8,812 SF	89	8,984 SF			
64	8,812 SF	90	11,829 SF			
65	8,111 SF	91	14,296 SF			
66	7,346 SF	92	12,891 SF			
67	7,423 SF	93	26,177 SF			
68	10,829 SF	94	12,976 SF			
69	8,411 SF	95	14,148 SF			
70	7,256 SF	96	8,877 SF			
71	7,917 SF	97	8,877 SF			
72	9,843 SF	98	9,042 SF			
73	9,842 SF	99	9,027 SF			
74	9,546 SF	100	10,322 SF			
75	8,833 SF	101	8,828 SF			
<b>Total Area</b>	<b>218,811 SF</b>	<b>Total Area</b>	<b>273,352 SF</b>			

<b>Total Lot Area =</b>	487,163 Sq. Ft.
	(11.19 Ac.)
<b>Total Tract Area =</b>	227,216 Sq. Ft.
	(5.22 Ac.)
<b>ROW Area =</b>	132,857 Sq. Ft.
	(3.05 Ac.)



**LEGEND**

- ▲ DENOTES FOUND MONUMENT AS NOTED
- DENOTES SET 1/2" REBAR IN CONCRETE WITH 1/4" 16# CAP
- DENOTES FOUND CORNER AS NOTED
- SDS DENOTES SANITARY SEWER EASEMENT
- US DENOTES UTILITY EASEMENT
- DE DENOTES DRAINAGE EASEMENT
- BL DENOTES BUILDING LINE
- SBL DENOTES SIDE BUILDING LINE
- (D) DENOTES DEEMED
- (H) DENOTES HEARD
- //// DENOTES NO DRIVEWAY ACCESS TO STREET IN THIS AREA

# FINAL PLAT

## WEST GLEN, 2ND PLAT

### A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS

**LEGAL DESCRIPTION**

A tract of land in the Northeast Quarter of Section 15, Township 9 South, Range 22 East of the 6th P.M., in the City of Leavenworth, Leavenworth County, Kansas being described as follows:

Commencing at the Northeast corner of said Northeast Quarter, thence South 83 degrees 04 minutes 55 seconds West along the north line of said Northeast Quarter a distance of 1247.78 feet, thence South 91 degrees 53 minutes 09 seconds East a distance of 30.00 feet to the Northeast corner of WEST GLEN, 1ST PLAT, a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas according to the recorded plat thereof, thence South 07 degrees 04 minutes 39 seconds West a distance of 683.80 feet along the East line of said plat, thence North 82 degrees 13 minutes 21 seconds West to the Southeast corner of Lot 23 of said WEST GLEN, 1ST PLAT, and point being the Point of Beginning of herein described tract, thence North 83 degrees 19 minutes 49 seconds West a distance of 312.02 feet along South line of said WEST GLEN, 1ST PLAT, to the Southwest corner of Lot 24 of said WEST GLEN, 1ST PLAT, thence North 72 degrees 01 minutes 33 seconds West continuing along said South line a distance of 173.32 feet to a point on West right-of-way of Shadler Drive, an east right-of-way now owned, thence North 17 degrees 53 minutes 25 seconds East continuing along said West right-of-way a distance of 17 feet to the Southeast corner of Lot 25 of said WEST GLEN, 1ST PLAT, thence North 11 degrees 08 minutes 28 seconds East along the East line of said Lot 25 a distance of 115.00 feet to a point on the North right-of-way of West Glen Drive, an east right-of-way now owned, thence North 88 degrees 41 minutes 52 seconds East continuing along said North right-of-way a distance of 413.32 feet, thence South 21 degrees 14 minutes 08 seconds West along the West line of said WEST GLEN, 1ST PLAT a distance of 263.00 feet to the Southeast corner of Tract D of said WEST GLEN, 1ST PLAT, thence South 88 degrees 43 minutes 52 seconds East along the North line of Tract F of said WEST GLEN, 1ST PLAT a distance of 317.00 feet to the Northeast corner of said Tract F, thence North 21 degrees 14 minutes 08 seconds West along the East line of said WEST GLEN, 1ST PLAT a distance of 380.80 feet to the Southeast corner of said Tract F, thence North 88 degrees 43 minutes 52 seconds East a distance of 380.80 feet, thence South 98 degrees 01 minutes 23 seconds East a distance of 380.34 feet to the Southeast corner of Lot 1, LEAVENWORTH BUSINESS PARK, a subdivision of land in the City of Leavenworth, Leavenworth County, Kansas, according to the recorded plat thereof, thence North 81 degrees 49 minutes 14 seconds West along the West line of said LEAVENWORTH BUSINESS PARK a distance of 411.75 feet to the Southeast corner of Tract G of said WEST GLEN, 1ST PLAT, thence North 81 degrees 18 minutes 13 seconds West along the South line of said WEST GLEN, 1ST PLAT a distance of 81 feet to the Southeast corner of said Tract G, thence North 88 degrees 43 minutes 52 seconds East a distance of 50.35 feet to the South corner of said Tract G, thence North 01 degrees 49 minutes 14 seconds West along the West line of said Tract G a distance of 433.94 feet, thence North 07 degrees 04 minutes 29 seconds East continuing along said West line a distance of 111.96 feet to the Point of Beginning.

Contains: 847,076 972 square feet or 19.43 acres more or less.

**DEDICATION**

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivisions and plat shall hereafter be known as "WEST GLEN, 1ST PLAT".

The streets and roads shown on this plat and not heretofore dedicated to public use, are hereby so dedicated.

An easement or license to enter upon, locate, construct and maintain or install in the location, construction, or maintenance and use of conduct, water, gas, electrical, sewer, pipes, poles, wires, drainage facilities, ditches and cables, and similar utility facilities upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U.E.", is hereby granted to the City of Leavenworth, Kansas, and other governmental entities or may be authorized by state law to use such easement for said purposes.

An easement or license to enter upon, locate, construct and maintain or install in the location, construction, or maintenance and use of conduct, water, gas, electrical, sewer, pipes, poles, wires, drainage facilities, etc., upon, over, and under these areas outlined and designated on this plat as "Drainage Easement" or "D.E."

An easement or license to enter upon, construct, alter, replace and operate one or more sewer lines and all appurtenances connected to the collection of sanitary sewage, together with the right of ingress and egress, over and through these areas designated as "Sanitary Sewer Easement" or "S.S.E." on this plat is hereby dedicated to the City of Leavenworth, Kansas.

Tracts "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K" and "L" shall be owned and maintained by the West Glen Home Association, and are intended to be used for landscaping, maintenance, drainage, public space, and/or Home Association Amenities.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be recorded in a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Leavenworth County, Kansas, and restrictions which 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 recorded in 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 \_\_\_\_\_, 2018.

MIK PARTNER, L.L.C.  
MICHAEL C. REILLY, Managing Partner

STATE OF KANSAS: \_\_\_\_\_  
COUNTY OF LEAVENWORTH: \_\_\_\_\_

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, a Notary Public in and for said County and State, came MICHAEL C. REILLY, Managing Partner of MIK PARTNER, L.L.C. to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledging the execution of the same.

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

My Commission Expires: \_\_\_\_\_

This plat of WEST GLEN, 1ST PLAT has been submitted to and approved by the Leavenworth Planning Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

CHAIRMAN: \_\_\_\_\_  
SECRETARY: \_\_\_\_\_

This plat approved by the City Commission of Leavenworth, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST: \_\_\_\_\_ MAYOR  
\_\_\_\_\_  
CITY CLERK  
\_\_\_\_\_  
DIRECTOR OF PUBLIC WORKS  
\_\_\_\_\_  
CITY ATTORNEY

State of Kansas, County of Leavenworth, KS

This is to certify that the statement was filed for record in the Register of Deeds office on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, in Book \_\_\_\_\_, Page \_\_\_\_\_.

REGISTER OF DEEDS

I hereby certify this plat meets the requirements of K.S.A. 98-2005. The fees 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

This is to certify on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, that said survey was completed on the ground by me or under my direct supervision and that said survey does not encroach the "Kansas Minimum Standards" for boundary surveys pursuant to K.S.A. 78-1031.



Prepared For:  
MIK PARTNER, L.L.C.  
c/o Michael C. Reilly,  
Managing Partner  
P.O. Box 9  
Leavenworth, KS 66048  
(913) 682-1234  
(913) 682-8136 (fax)

Date of Preparation:  
August 23, 2018

Scale: 1" = 100'

**WEST GLEN, 2ND PLAT**  
SEC. 15, T9S, R22E LEAVENWORTH COUNTY, KANSAS

**ATLAS SURVEYORS, LLC**  
TAKING CARE OF YOUR NEEDS  
207 South 8th Street | Leavenworth, Kansas 66048 | 913.682.8800 | 913.682.8808 (F)

# PRELIMINARY PLAT WOLF FARMS

**LEGAL DESCRIPTION**

A tract of land in the Northeast Quarter of Section 15, Township 09 South, Range 22 East of the 6th P.M., in the City of Leavenworth, Leavenworth County, Kansas being described as follows:

Commencing at the Northeast corner of said Northeast Quarter, thence South 88 degrees 06 minutes 55 seconds West along the north line of said Northeast Quarter a distance of 1247 78 feet; thence South 01 degrees 53 minutes 03 seconds East a distance of 20 00 feet to the Point of Beginning of the herein described tract; thence South 88 degrees 06 minutes 55 seconds West parallel to said north line a distance of 537 06 feet to the east right of way line of New Lawrence Road as said right of way now runs east; thence South 17 degrees 58 minutes 25 seconds West along said right of way line a distance of 104 10 feet; thence Southerly continuing along said right of way on a curve to the right having a radius of 145 71 feet, a central angle of 69°45'12", an arc length of 177 39 feet; thence South 02 degrees 07 minutes 04 seconds East along said right of way a distance of 18 05 feet; thence South 87 degrees 52 minutes 56 seconds West along said right of way to the east right of way line of 20th Street; thence Thence as said right of way now runs, thence South 05 degrees 36 minutes 36 seconds West along said right of way a distance of 231 45 feet; thence South 01 degree 50 minutes 16 seconds East along said right of way line a distance of 250 00 feet; thence North 88 degrees 09 minutes 44 seconds East along said right of way line a distance of 30 00 feet; thence South 01 degree 50 minutes 16 seconds East along said right of way line a distance of 100 00 feet; thence South 88 degrees 09 minutes 44 seconds West along said right of way line a distance of 30 00 feet; thence South 01 degree 50 minutes 16 seconds East along said right of way line a distance of 94 95 feet; thence North 88 degrees 09 minutes 44 seconds East a distance of 278 18 feet; thence South 70 degrees 08 minutes 20 seconds East a distance of 302 50 feet; thence South 03 degrees 28 minutes 53 seconds East a distance of 388 97 feet; thence South 59 degrees 01 minutes 21 seconds East a distance of 380 34 feet; thence North 01 degree 49 minutes 14 seconds West a distance of 1,287 60 feet; thence North 07 degrees 04 minutes 19 seconds East a distance of 1,000 20 feet to the Point of Beginning.

Contains 1,747,794 07 square feet or 40 12 acre more or less.

TOTAL AREAS		
PARCEL	SQ. FT.	ACRES
Phase 1	5,762,532	132.29
Lot A	10,000	0.23
Tract A	13,750	0.31
Tract B	10,000	0.23
Tract C	1,000	0.02
Tract D	52,892	1.21
Tract E	17,899	0.41
Tract F	20,000	0.46
Tract G	206,175	4.72
Tract H	54,000	1.23
Tract I	6,250	0.14
Tract J	625	0.01
Tract K	625	0.01
POB	286,920	6.56
TOTAL	1,747,794	40.1

**NOTES**

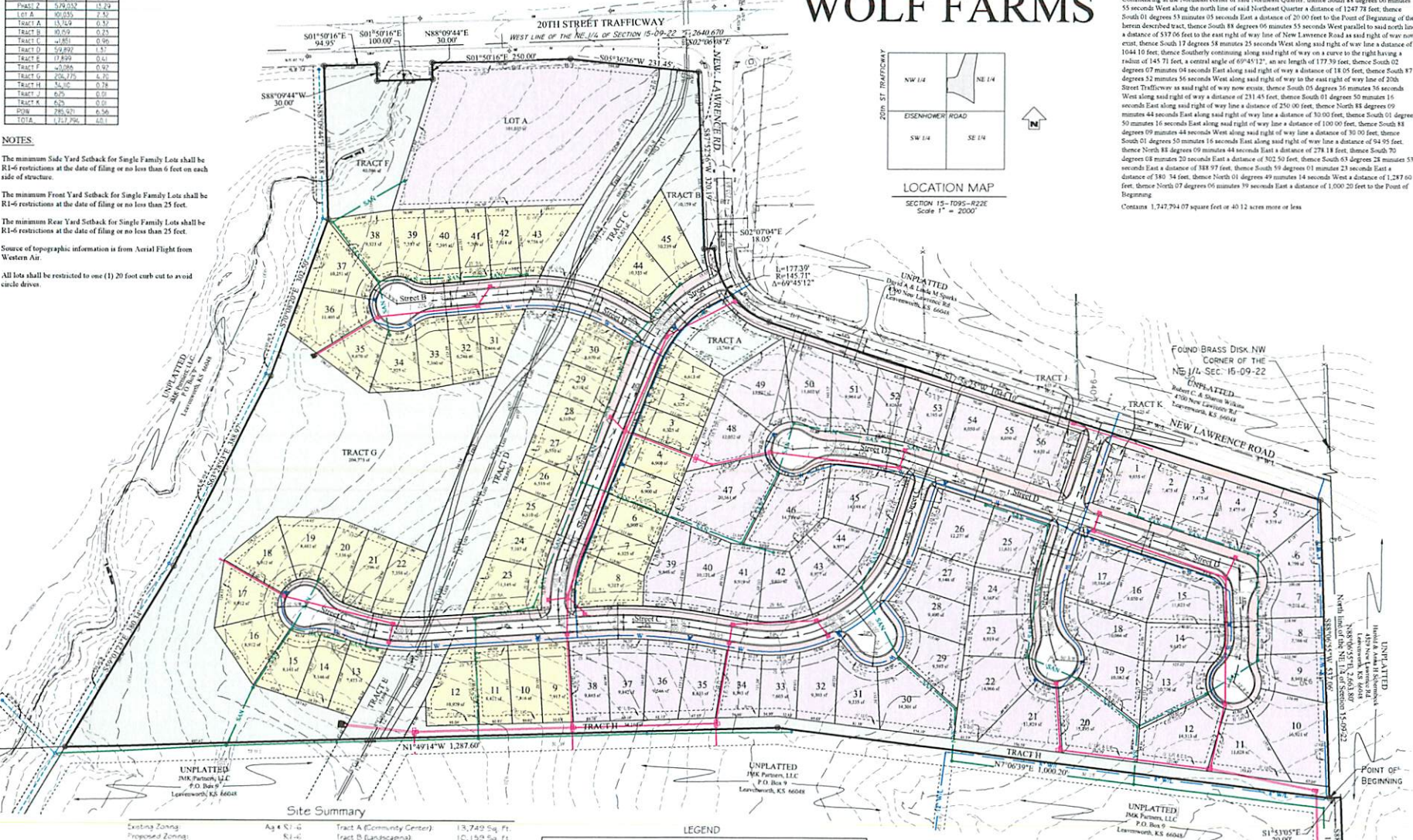
The minimum Side Yard Setback for Single Family Lots shall be R1-6 restrictions at the date of filing or no less than 6 feet on each side of structure.

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

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

Source of topographic information is from Aerial Flight from Western Air.

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

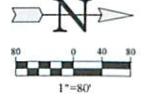


**Site Summary**

Existing Zoning	Ag 4 R1-2	Tract A (Community Center)	13,749 Sq. Ft.
Proposed Zoning	R1-6	Tract B (Landscaping)	10,150 Sq. Ft.
Gross Acreage	40.12 Acres ±	Tract C (Open Space)	41,451 Sq. Ft.
Number of Lots (Lot A Excluded)	101 Lots	Tract D (Open Space)	52,892 Sq. Ft.
Gross Density (Lot A Excluded)	2.67 Units/Ac.	Tract E (Open Space)	17,899 Sq. Ft.
Phase 1	45 Lots	Tract F (Open Space)	40,000 Sq. Ft.
Phase 2	56 Lots	Tract G (Open Space)	206,175 Sq. Ft.
Minimum Lot Size:	4,325 Sq. Ft.	Tract H (Landscaping)	34,110 Sq. Ft.
Maximum Lot Size:	20,561 Sq. Ft.	Tract I (Monument Sign)	625 Sq. Ft.
Average Lot Size:	9,278 Sq. Ft.	Tract K (Monument Sign)	625 Sq. Ft.
		Public Right-of-Way	6,516 Acres ±

**LEGEND**

Phase 1 - Maintenance Provided Lots	Proposed Storm Sewer
Phase 2 & Lot A	Proposed Sanitary Sewer
Tract (Landscaping, Open Space, Monument, Comm. Center)	Proposed Water Line
Public Right of Way	Proposed Bike/Like Trail
	Proposed Sidewalk



Sheet - 01

Preliminary Plat

2017-27  
Wolf Farms  
Subdivision  
Preliminary Development Plan

Prepared For:  
JMK PARTNERS, LLC  
C/O THE REILLY  
LEAVENWORTH, KS 66048  
(913) 662-1234  
JMK@REILLYLANDSONS.COM

**NAPIER ENGINEERING, LLC**

297 S. 5th Street  
Leavenworth, KS 66048  
913.375.0482  
brett@napiereng.com

Date of Preparation  
May 5, 2017

Revised Date

1st Submittal



**PLANNING COMMISSION AGENDA ITEM  
2018-17-REZ  
WEST GLEN**

**OCTOBER 1, 2018**

**SUBJECT:**

A request to rezone Lot A of the West Glen Preliminary Plat from R1-6, High Density Single Family Residential District, to PUD, Planned Unit Development

  
\_\_\_\_\_  
**Prepared By:**  
Julie Hurley  
City Planner

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

**ANALYSIS:**

The applicant is requesting a rezoning of their property identified as Lot A in the West Glen Preliminary plat from R1-6, High Density Single Family to PUD, Planned Unit Development. The property was rezoned from R1-25, Low Density Single Family Residential District in 2017, at the same time as the approval of the Preliminary Plat. The rezoning is being requested in order to develop the property with attached single-family villa units. The applicant is proposing a total of 5 structures; 2 triplex structures (6 total units) and 3 duplex structures (6 total units)

The development will be accessed via a private street off of 20<sup>th</sup> Street. There are a proposed total of three lots. After construction of the residential units, "condo plats" will be recorded to provide individual ownership of units with common ownership of the ground, to be owned and maintained by an established Home Owner's Association. Should the rezoning request be approved, the applicant will be required to provide a final plat of the property for approval and recording prior to commencement of construction of any residential units.

The Development Review Committee reviewed the application at their August 23, 2018 meeting. No major issues were identified. All items discussed were minor in nature and needed modifications will be reflected when a plat for the development is submitted prior to construction.

**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 currently vacant and directly adjacent to 20<sup>th</sup> Street. It is part of the larger West Glen single family subdivision, which is currently under development. The properties to the north are developed with existing large lot single family homes, and the property directly to the west across 20<sup>th</sup> Street is occupied by the Church of the Open Door.*

- b) The zoning and use of properties nearby;

*The properties to the north and east are zoned R1-6, High Density Single Family Residential District, the property to the south is zoned GBD, General Business District, and properties to the west and further north are zoned R1-25, Low Density Single Family Residential District.*

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

*The subject property is currently zoned R1-6, which allows for high-density single family detached structures and a minimum lot size of 6,000 sqft with one primary structure per lot.*

- 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. 20<sup>th</sup> Street is an existing major thoroughfare designed to handle traffic levels generated by the proposed use, and New Lawrence Road is currently being improved and widened in order to accommodate the increase in traffic generated due to the West Glen residential development. Single-family residential is a low intensity use, with minimal impact on surrounding properties.*

- 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 impact on economic development within the Leavenworth community by way of increased property tax base generated through the construction of new homes. The development will provide for an increase in housing options, allowing for more people to live within the City of Leavenworth thereby adding to the local economy.*

- g) The recommendations of permanent or professional staff;

*Staff recommends approval of the rezoning request.*

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

*The subject area is identified as appropriate for Low Density Residential (7,500-14,000 sqft/lot) on the Future Land Use Plan. At 2.32 acres, the subject property provides approximately 8,400 sqft per individual unit.*

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

*No other factors of note.*



**REZONING ACTION/OPTIONS:**

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

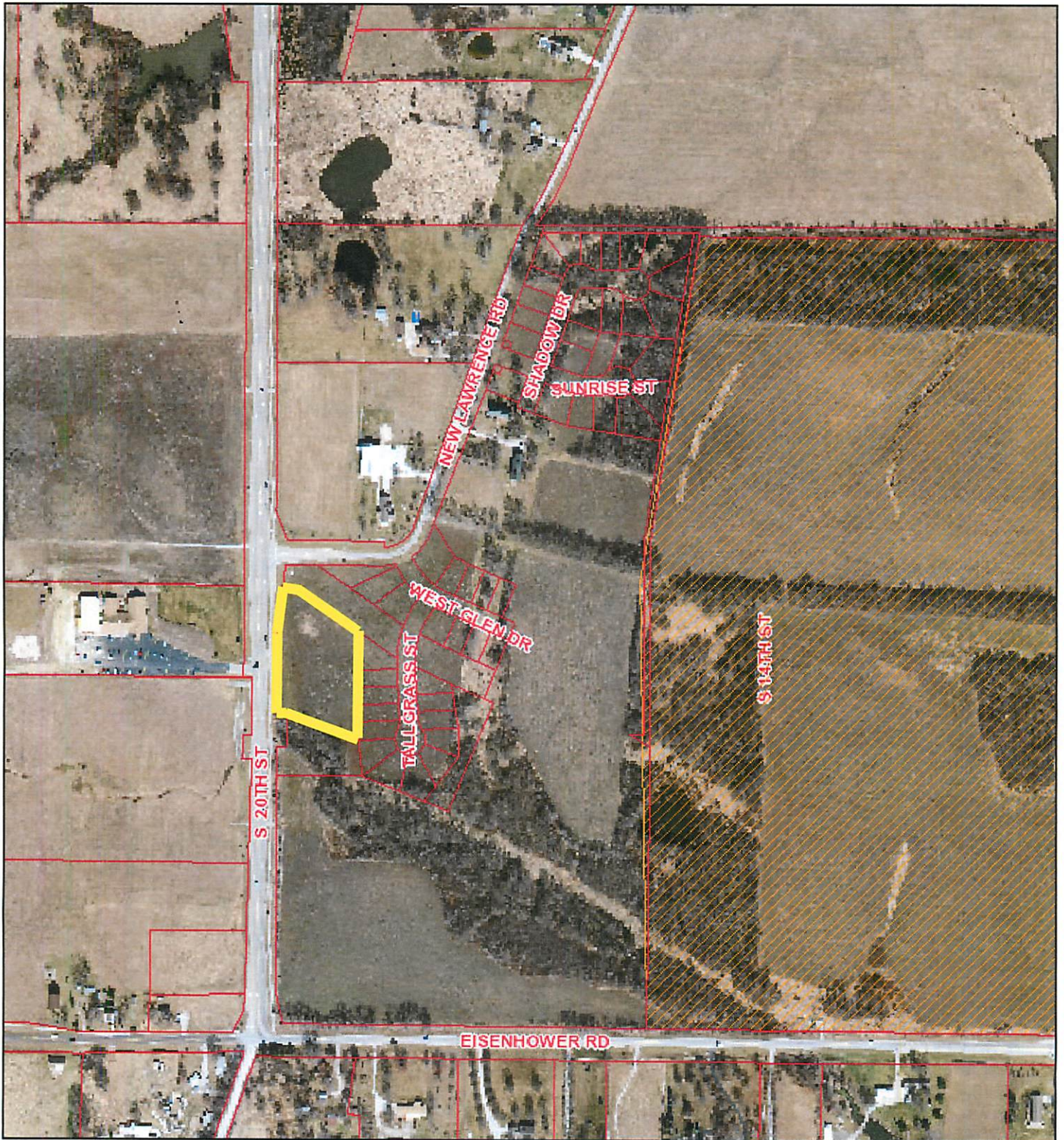
**Attachments:**

Application materials

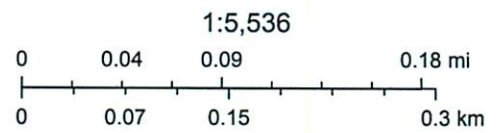
Location map

DRC minutes

# 2018-17-REZ



9/27/2018, 8:27:46 AM



City of LV GIS, 2017, LV GIS Dept 09/23/2016, City of LV GIS, Dave Griffith, 2013



## **Development Review Committee Meeting Thursday, August 23, 2018**

Committee members present: City Manager Paul Kramer, Assistant City Manager Taylour Tedder, City Planner Julie Hurley, Police Chief Pat Kitchens, Health/Safety Officer Shawn Kell, Chief Building Inspector Hal Burdette, Director Public Works Mike McDonald and Administrative Assistant Michelle Baragary

### **AGENDA ITEM(S):**

#### **1. *West Glen – Tract A – Preliminary Plan***

- Attendees: Mike Reilly and Brett Napier (Engineer)
- Needs to be rezoned to R-MF or PUD and platted
- Street is private
- Fire Department requires a minimum 40' radius
- Public Works – see attached email from Mike McDonald
- Want to stay in IRC Building Code
  - Firewall/separation requirements (much like Kensington Subdivision)
- Entrance on 20<sup>th</sup> Street will be moved further north
- Will turn in plat and sanitary sewer immediately. Street storm will be next week.

### **OTHER BUSINESS:**

Meeting adjourned at 1:45 p.m.



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

**OFFICE USE ONLY**

Project No. 2018-17 REZ

Application #	<u>4603</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>08/24/2018</u>
Received By	<u>Staci Adams</u>
Hearing Date	<u>10-1-18</u>
Publication Date	<u>9-7-18</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: 00000 N. 20th St., W. - PT NE 1/4 Bcg 1040' (S) N. of SE cor; Thence N. 410' (S), EELY 400' (S), W to POB less Row

Rezoning: Present classification of R1-6 district to PUD

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

Real Estate PID #: 105150000002590 Historic District:

I/We, Michael Reilly 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): JMK Partners LLC

Address: 608 Delaware, Leavenworth KS

Contact No. (913) 682-1234 Email Address: mike@reillyandsons.com

Signature of Owner(s): [Signature] Managing Partner

State of Kansas ) (SEAL)

County of Leavenworth )



TAMMY A. WAGNER  
Notary Public - State of Kansas  
My Appt. Expires 6/2/21

Signed or attested before me on August 24, 2018 by Mike Reilly  
(date) (name(s) of person(s))

Notary Public: Tammy A. Wagner My appointment expires: 6/2/21

**NOTE:** All signatures must be in 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:

Present  
Property is vacant ground. Surrounding is West Glen New Home  
Community. Other surrounding area is residential & church.

Briefly describe the intended use and character of the property:

Attached New Home  
Villas.

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

Continuation of the West Glen Subdivision

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 enhance the area & have NO  
detrimental effects.

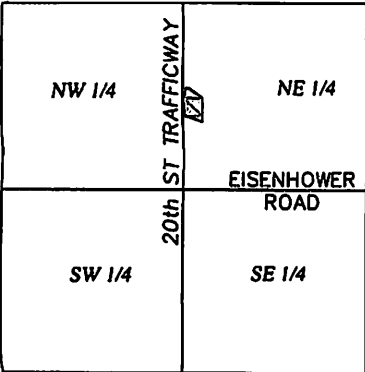
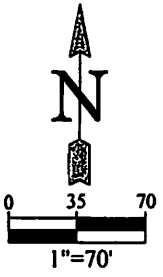
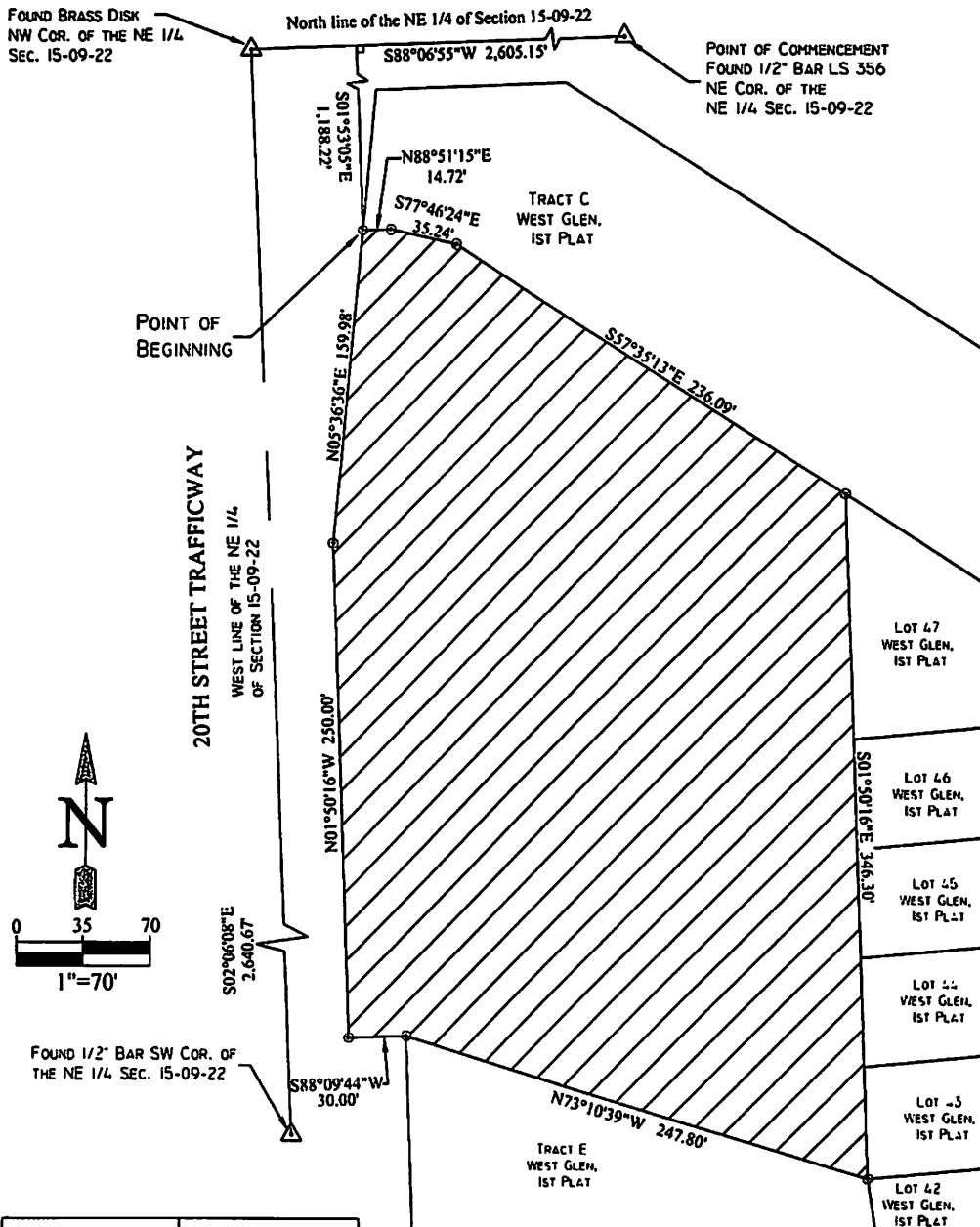
Is the property affected by any easements, deed/plat restrictions or other conditions arising from previous Special Use Permits, Subdivisions, rezoning or variances? If so, briefly explain the origin and effect of such conditions:

NO - except some utility easements along 20<sup>th</sup> St.

**Check List:**

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

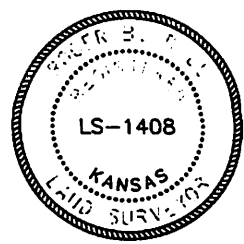
# Exhibit A Rezoning



LOCATION MAP  
SECTION 15-T09S-R22E  
Scale 1" = 2000'

 REZONE FROM RI-6 TO PUD

Prepared For:  
JMK Partners, LLC  
c/o Mike Reilly  
P.O. Box 9  
Leavenworth, KS 66048



SEC. 15, T09S, R22E LEAVENWORTH COUNTY, KANSAS

## ATLAS SURVEYORS, LLC

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

FOUND BRASS DISK  
NW COR. OF THE NE 1/4  
SEC. 15-09-22

POINT OF COMMENCEMENT  
FOUND 1/2" BAR LS 356  
NE COR. OF THE  
NE 1/4 SEC. 15-09-22

# PRELIMINARY DEVELOPMENT PLAN WEST GLEN - LOT A

Sheet - C1

Site Plan

2018-38  
West Glen - Lot A  
Leavenworth, KS  
Preliminary Development Plan

Prepared For:  
J&B Partners, LLC  
120 N.W. 9th St., KS 66204  
(785) 842-3231  
www.j&bpartners.com

## NAPIER ENGINEERING, LLC

207 S. 9th Street  
Leavenworth, KS 66048  
913.751.0402  
trung@napiereng.com

Date of Preparation:

July 13, 2018

Revised Date:

September 4, 2018

-

-

2nd

Submittal

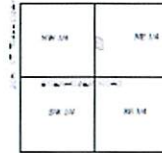


### LEGAL DESCRIPTION

A tract of land in the Northeast Quarter of Section 15, Township 09 South, Range 22 East of the 6th P.M., in the City of Leavenworth, Leavenworth County, Kansas being described as follows:

Commencing at the Northeast corner of said Northeast Quarter; thence South 88 degrees 06 minutes 55 seconds West along the north line of said Northeast Quarter a distance of 2,605.15 feet; thence South 91 degrees 53 minutes 09 seconds East perpendicular to said north line a distance of 1,188.22 feet to the Point of Beginning; and point being the Southwest corner of Tract C; West Glen 1st Plat thence North 88 degrees 51 minutes 15 seconds East along the north property line of said Tract C a distance of 14.72 feet; thence South 77 degrees 46 minutes 24 seconds East continuing along said north property line a distance of 35.24 feet; thence South 57 degrees 37 minutes 13 seconds East continuing along said north property line a distance of 236.09 feet to the northeast corner of Lot #1; West Glen 1st Plat; thence South 81 degrees 50 minutes 16 seconds East a distance of 346.30 feet to the Northeast corner of Tract 2; West Glen 1st Plat; thence North 73 degrees 10 minutes 39 seconds West along the north property line of said Tract 2 a distance of 247.80 feet to a point on the east right of way of 20th Street Trafficway; thence South 88 degrees 09 minutes 44 seconds West along said right of way line a distance of 30.00 feet; thence North 88 degrees 09 minutes 44 seconds West continuing along said right of way line a distance of 250.00 feet; thence North 05 degrees 36 minutes 36 seconds East continuing along said right of way line a distance of 159.98 feet to the Point of Beginning. Contains 101,035.16 square feet or 2.3194 acres more or less.

TOTAL AREAS		
MARK	SQ. FT.	ACRES
LOT 1	47,047	1.07
LOT 2	19,211	0.44
LOT 3	21,170	0.48
TRACT A	13,606	0.31
TOTAL	101,035	2.32



LOCATION MAP

### Site Summary

Existing Zoning	R-16
Proposed Zoning	PUD
Grass Area (%)	7.37
Number of Lots	3 Lots
Grass Driveway	5.17 Unimproved
Minimum Lot Size	13,211 Sq. Ft.
Minimum Lot Size	47,047 Sq. Ft.
Average Lot Size	20,143 Sq. Ft.
No. of Duplex Units	6 Units
No. of Triplex Units	6 Units
Covered Space Area	56,250 Sq. Ft.
% Open Space	55.7%

### LEGEND

Duplex Building	Proposed Street Line
Triplex Building	Proposed Sidewalk Line
Tract Boundary, Open Space, Minimum Lot Size (Color)	Proposed Water Line
	Proposed Sewer Line

