

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

**REGULAR SESSION
Monday, November 6, 2023
6:00 p.m.**

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: September 11, 2023**

OLD BUSINESS:

None

NEW BUSINESS:

1. 2023-28 SUP – 1913 CHOCTAW STREET

Conduct a public hearing for Case No. 2023-28 SUP – 1913 Choctaw Street. The applicants/owners are requesting a Special Use Permit to allow for the operation of a Child Care Center for seven or more children in their home located at 1913 Choctaw Street. The property is currently zoned R1-9, Medium Density Single Family Residential District. Child Care Centers are allowed in the R1-9 zoning district with issuance of a Special Use Permit.

2. 2023-29 SUP – 2805 2ND AVENUE

Conduct a public hearing for Case No. 2023-29 SUP – 2805 2nd Avenue. The applicant is requesting a Special Use Permit to allow a government facility (Fire Station) to operate in the R-MF, Multiple Family Residential District, zoning district, located at 2805 2nd Avenue. Government facilities are allowed in the R-MF zoning district with issuance of a Special Use Permit.

3. 2023-30 TXT – TEXT AMENDMENTS

Preliminary review of potential amendments to the adopted Development Regulations.

4. 2023-31 SUP – 2103 METROPOLITAN AVENUE

Conduct a public hearing for Case No. 2023-31 SUP – 2103 Metropolitan Avenue. The applicant is requesting a Special Use Permit to allow the operation of an assisted living facility in an R1-9, Medium Density Single Family Residential District, zoning district, located at 2103 Metropolitan Avenue. Assisted Living Facilities are allowed in the R1-9 zoning district with the issuance of a Special Use Permit.

OTHER BUSINESS:

None

ADJOURN

CITY OF LEAVENWORTH PLANNING COMMISSION
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
REGULAR SESSION
Monday, September 11, 2023
6:00 PM

CALL TO ORDER:

Commissioners Present

Don Homan
James Diggs
Brian Stephens
Maryann Neeland

Commissioners Absent

Bill Waugh
Sherry Hines Whitson
Kathy Kem

City Staff Present

Julie Hurley
Michelle Baragary
Bethany Falvey

Chairman Homan called the meeting to order at 6:13 p.m. and noted a quorum was present.

APPROVAL OF MINUTES: July 10, 2023

Chairman Homan asked for questions, comments or a motion on the minutes presented for approval: July 10, 2023. Commissioner Stephens moved to approve the minutes as presented, seconded by Commissioner Diggs and approved by a vote of 4-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. WELCOME NEW COMMISSIONER MARYANN NEELAND

2. 2023-22 SUB – LIS SEVEN FINAL PLAT

Consider a final plat for LIS SEVEN, Case No. 2023-22 SUB.

Chairman Homan called for the staff report.

City Planner Bethan Falvey stated the subject property is owned by Kelley Lis, plat prepared by Hahn Surveying. The applicant is requesting approval of a two lot final plat located at 701 Chestnut St., and 710 S. 7th St. The proposed plat consists of two existing platted lots in the Clark & Rees Subdivision (Part of Lots 1 and 2, Block 37). The plat is being requested to adjust the lot line between the two existing lots and expand LIS SEVEN Lot 2, addressed as 710 S. 7th Street.

Staff recommends approval of LIS SEVEN Final Plat.

ACTION/OPTIONS:

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

Chairman Homan asked for questions from the commissioners about the staff report.

Commissioner Stephens asked if the buildings were in use.

Ms. Falvey responded that 710 S. 7th St. will be demolished, and a new home built.

With no further questions from the commissioners, Chairman Homan called for a motion to either approve the final plat, deny the final plat, or table the issue for additional information/consideration. Commissioner Diggs moved to approve the final plat as presented, seconded by Commissioner Stephens, and approved by a vote of 4-0.

3. 2023-23 SUB – ST. CASIMIR CHURCH FINAL PLAT

Consider a final plat for ST. CASIMIR CHURCH, Case No. 2023-23 SUB.

Chairman Homan called for the staff report.

City Planner Bethan Falvey stated the subject property, Sacred Heart – St. Casimir Parish is owned by Roman Catholic Archdiocese, plat prepared by Herring Surveying Company. The applicant is requesting approval of a four lot final plat for the St. Casimir Church subdivision at 719 Pennsylvania Ave. The subject property is currently an unplatted lot that is approximately 1.64 acres. The property is zoned R1-6, High Density Single Family Residential District, and includes mixed-uses. The plat will split the existing buildings onto their own parcel.

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

Staff recommends approval of St. Casimir Church Final Plat.

ACTION/OPTIONS:

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

Chairman Homan asked for questions from the commissioners about the staff report.

Commissioner Stephens asked what the advantage or disadvantage is to the city with the plat.

Ms. Falvey stated this gives the property owner the ability to sell just one of the buildings versus the whole parcel. There are no disadvantages to the city with this plat.

Laurie Medford, Board member for The Deeper Window Association, stated The Deeper Window Association will be purchasing the building they are currently using at 729 Pennsylvania. The purchase will include the existing building and the four parking stalls in front of the building.

Chairman Homan asked if four parking stalls is all that is required for The Deeper Window.

Ms. Medford responded that St. Casimir Church will allow them to use the other parking spots during business hours.

Commissioner Stephens asked if The Deeper Window is required to have ADA parking.

Planning Director Julie Hurley stated there is an existing ADA parking stall so it meets building code. However, the business may need more ADA stalls for functional purposes.

Commissioner Neeland asked about their access to the parking lot.

Ms. Hurley stated staff has spoken with the surveyor who prepared the plat, and the surveyor was informed that a recorded cross access easement is required. The plat also states that a cross access agreement will be recorded on a separate instrument.

Commissioner Diggs asked if the easements are a consideration for approval of the plat.

Ms. Hurley responded in the negative stating there is a note on the plat that the cross access easement will be recorded at a later date.

Commissioner Diggs asked if the property owner of Lot 4 has the option to or not to provide that easement.

Reading directly from the plat Ms. Falvey stated, "Any easements needed for cross shared access parking or utilities will be created and recorded at the Leavenworth County Register of Deeds by separate instrument".

With no further questions from the commissioners, Chairman Homan called for a motion to either approve the final plat, deny the final plat, or table the issue for additional information/consideration. Commissioner Stephens moved to approve the final plat as presented, seconded by Commissioner Diggs, and approved by a vote of 4-0.

4. 2023-24 SUB – WHISPERING HILLS WEST FINAL PLAT

Consider a final plat for WHISPERING HILLS WEST, Case No. 2023-24 SUB.

Chairman Homan called for the staff report.

Planning Director Julie Hurley stated the subject property is owned by Laura Fowler, plat prepared by Herring Surveying Company. The applicant is requesting approval of a replat of Lots 20 through 35 of Whispering Hills Replat Phase 1, and a tract of land in the southwest quarter of Section 4, Township 9 South, Range 22. The property is 80.31 acres in size and is currently vacant. The property is currently zoned PUD, Planned Unit Development.

The applicant is requesting the plat for the purposes of combining multiple lots into two larger separate lots. The proposed plat includes lots 20 through 35 of Whispering Hill Replat Phase 1, a 69 acre tract of land that was not previously platted into individual lots, and a portion of undeveloped Hebblen Drive right-of-way. The 69 acre tract of land was included in the original Whispering Hills preliminary development plan, but was never platted as part of the subdivision. As part of the subject plat, the included portion of undeveloped Hebblen Drive right-of-way will be vacated. The Whispering Hills Replat Phase 1 was originally approved and recorded in 1987.

The subject plat was reviewed by the Development Review Committee on August 3, 2023. A number of items were discussed, including sewer connection and the need to construct a hammerhead turnaround point at the termination of the existing Hebblen Drive. All items have been addressed.

Staff recommends approval of Whispering Hills West Final Plat.

ACTION/OPTIONS:

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

Chairman Homan asked for questions from the commissioners about the staff report.

Commissioner Stephens asked when a hammerhead is required, and how does that factor into the subject plat. He further stated to be transparent, he does live in this neighborhood.

Ms. Hurley responded that is a requirement for our Public Works Department, but the intent is so we do not end up with a dead-end street that leads into someone's private driveway. Since that right-of-way near 2406 Hebblen Drive was platted, we go on the assumption that will be built at some point. Once that is vacated and the development plan is abandoned, for all intents and purposes, then there needs to be some sort of turnaround. As long as the subject property was platted and there were lots there, someone could have purchased those lots, built the road, and had a development. The hammerhead was not required at that time because the rest of the subdivision was not developed. Now that Ms. Fowler has purchased the property, and is essentially vacating those lots and that right-of-way, this stops further development from happening, which in turn creates the need for a hammerhead. The hammerhead allows people to turnaround without using a private driveway.

Commissioner Stephens asked if the cost of the hammerhead is at the city's expense.

Ms. Hurley responded in the negative stating the hammerhead is at the property owner's expense, and our Public Works Department has discussed this with the property owner.

Commissioner Stephens asked if there is another access to the subject property other than Hebblen Drive.

Ms. Hurley responded that Vilas Street has a dead-end to the subject property. Since there was no right-of-way platted through there, there is no right-of-way being vacated so Public Works is not requiring a hammerhead turnaround at the end of Vilas Street.

Chairman Homan asked the property owner if she would like to speak.

Ms. Fowler, property owner/applicant, stated her neighbor on 17th Street purchased five acres in the city limits, built a house on the property in 2020, and was not required to install a hammerhead. Ms. Fowler further stated she would prefer not to spend her money on public land but she will if that is what is required of her.

Commissioner Stephens stated the end of Hebblen Drive is already difficult to turnaround at.

Ms. Fowler stated the neighborhood has been there for decades, and if turning around hasn't been a problem so far, she has trouble seeing that it would be a huge problem by adding one more house. Commissioner Stephens asked if there is a definition of a hammerhead.

Ms. Hurley stated the requirement for a hammerhead is not something for the Planning Commission to consider. The hammerhead is something being requested by the Public Works Department.

Commissioner Stephens asked if the Planning Commission only makes a recommendation to the City Commission for approval.

Ms. Hurley responded that the Planning Commission is the approving body for a final plat.

With no further questions from the commissioners, Chairman Homan called for a motion to either approve the final plat, deny the final plat, or table the issue for additional information/consideration. Commissioner Diggs moved to approve the final plat as presented, seconded by Commissioner Neeland, and approved by a vote of 4-0.

5. 2023-25 SUP – 722 S. 5TH STREET

Conduct a public hearing for Case No. 2023-25 SUP – 722 S. 5th Street. The applicant is requesting a Special Use Permit to allow a restaurant use in the OBD, Office Business District, zoning district. Restaurant uses are allowed in the OBD zoning district with the issuance of a Special Use Permit.

Chairman Homan called for the staff report.

Planning Director Julie Hurley stated the applicant, Sung Moxley, is requesting a Special Use Permit (SUP) to allow a restaurant use in a property zoned OBD, Office Business District, located at 722 S. 5th Street. Restaurant uses are allowed in the OBD zoning district with the approval of a Special Use Permit. The property is surrounded by a mix of uses, and is located approximately 3 blocks south of the Central Business District and one block north of Spruce Street.

The applicant previously applied for a variance to allow for a reduction in the number of required parking spaces for a restaurant use at the subject location. Parking for restaurant uses is required at a rate of 1 per 3 seats, and the applicant indicated there would be a total of 18 seats in the proposed restaurant resulting in a need for 6 on-site parking spaces. No on-site parking is available, however, ample parking is available on the street immediately surrounding the property, and the BZA approved the variance request on March 27, 2023.

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.

The proposed special use to allow a restaurant will contribute to the economic vitality of Leavenworth by allowing for the operation of a revenue generating business in the space, and to the convenience of the public by providing another restaurant option to patronize.

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 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 Board of Zoning Appeals previously determined that the parking requirements can reasonably be accommodated by existing on-street parking spaces available in the immediate vicinity, without impacting the surrounding neighborhood.

Notification was sent to property owners within 200' of the subject property, as required by Kansas Statute. Since notifications were mailed, staff has received no comments or inquiries regarding the proposed Special Use Permit.

STAFF RECOMMENDATION:

Staff recommends approval of the Special Use Permit request for a restaurant use in a property zoned Office Business District at 722 S. 5th Street 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 with included conditions
- Motion, based upon findings as stated and conditions as presented, to recommend denial to the City Commission
- Table the issue for additional information/consideration

Chairman Homan asked for questions from the commissioners about the staff report.

Commissioner Diggs asked what type of business was there before.

Ms. Hurley stated the commissioners could ask the owner that question but she believes it was a market.

Commissioner Diggs stated he is on the Leavenworth Main Street Board. He further stated there are many empty buildings in the Central Business District, and if businesses do not occupy these buildings, there will be a huge economic impact. As restaurant uses are allowed outside the CBD, it will have a negative impact.

Chairman Homan asked what type of use is currently in the subject property.

Ms. Hurley responded the property is currently vacant, and not being utilized.

Commissioner Neeland asked if the requested SUP were approved, is it only approved for this particular restaurant or would the SUP allow for future restaurants.

Ms. Hurley responded that approval of the SUP would allow any restaurant. The SUP is not for a specific business but rather for the use overall. The SUP stays with the property, and not the owner or the tenant.

Commissioner Stephens asked the tenant if he has seen the property.

Oliver Bradwell, tenant, stated he has been renting the property for over a year, and has done some renovations to the property.

Commissioner Stephens asked staff what impact is there on the City with changing the subject property from a business building to a restaurant.

Ms. Hurley stated a SUP does not change the allowed use but rather adds another allowed use to it. The property is zoned OBD, Office Business District, and that will not change. At any point, the building can be used for any of the uses allowed in the OBD zoning district. The SUP just allows in addition to all of the OBD uses it can now be used as a restaurant as well.

Commissioner Diggs asked if there is more than one address for the subject property, and if so, can all of the addresses/suites be used as a restaurant.

Ms. Hurley responded the SUP request is for 722 S. 5th Street. The upstairs of 722 S. 5th Street is setup as residential units and that would not be included as part of the special use permit.

Commissioner Diggs further asked about 722 S. 5th Street Apt A and Apt B.

Looking at the street view, Ms. Hurley stated 720 S 5th Street is on the right, and 722 S 5th Street is the one on the left that the SUP is being requested for. There is also a 720 S 5th Street Apt A and 722 S 5th Street Apt A, which are both apartments upstairs. Again, the SUP is only for the first floor space at 722 S 5th Street.

Commissioner Diggs asked if the legal description for 722 S 5th Street is the same as 720 S 5th Street.

Ms. Hurley stated the legal description is for the property as a whole. There is not a separate legal description for each tenant space in the building.

Commissioner Diggs asked if the SUP would be for the second floor of 722 S 5th Street also.

Ms. Hurley responded that the Board can specify in their conditions that the SUP they are approving is just for the first floor tenant space of 722 S 5th Street.

Commissioner Neeland stated the subject restaurant is only a block north of Domino's and a Thai restaurant.

Chairman Homan asked if the applicant would need to get another SUP if he ever extended his restaurant to 720 S 5th Street.

Ms. Hurley responded in the affirmative because 720 S 5th Street is a different address.

Planning Assistant Michelle Baragary stated when the property owner Ms. Moxley submitted the SUP application, she was asked if she wanted to include 720 S 5th Street on the SUP application as well, and Ms. Moxley stated she did not want 720 S 5th Street included.

With no further questions about the staff report, Chairman Homan opened the public hearing. With no one wishing to speak, Chairman Homan closed the public hearing and called for a motion. Commissioner Stephens moved to recommend approval of the Special Use Permit to allow a restaurant use in an OBD zoning district located at 722 S 5th Street to the City Commission with the

condition that the SUP only applies to the first floor tenant space of 722 S 5th Street, seconded by Commissioner Neeland, and passed by a roll call 3-1; Commissioner Diggs voted nay.

Ms. Hurley stated this item will move forward to the City Commission as a recommendation of approval, and the City Commission will make the final ruling.

OTHER BUSINESS:

With no other business, Ms. Hurley stated there are no items on the agenda for October but we will have a November meeting.

Chairman Homan adjourned the meeting at 7:01 p.m.

Minutes taken by Planning Assistant Michelle Baragary.

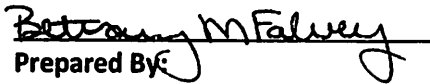
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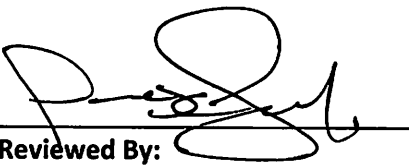
**PLANNING COMMISSION AGENDA ITEM
2023-28 SUP
1913 CHOCTAW STREET**

NOVEMBER 6, 2023

SUBJECT:

A request for a Special Use Permit to allow the operation of a Child Care Center at 1913 Choctaw Street.


Prepared By:
Bethany Falvey,
City Planner


Reviewed By:
Paul Kramer,
City Manager

NATURE OF REQUEST

The applicants, Gerald and Vanessa Jackson, are requesting a Special Use Permit to allow the operation of Child Care Center in their home located at 1913 Choctaw Street. The property is currently zoned R1-9 (Medium Density Single Family Residential). Child Care Centers are allowed in the R1-9 zoning district with issuance of a special use permit. No concerns or complaints were received by the City regarding the operation of a Child Care Center at their previous home.

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

CONDITIONS OF DETERMINATION

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

1. Shall not be located along an arterial street as designated on the Major Street Plan Map unless indirect vehicular access to that street, such as with a frontage road is available. The City Planner, with the advice of the DRC, shall determine if the drop off and pick up arrangements of a childcare center or business appear safe. Appeal of any negative decision shall be to the City Commission.
The subject property is located along Choctaw, which is classified as a Residential street.
2. Shall provide at least one hundred (100) square feet of open space per child. This open space shall be 100% enclosed by a minimum four (4) foot high fence or wall.
The subject property includes a back yard area of approximately 5,800 sqft., enclosed by a 4' chain link fence.
3. Shall provide a loading zone capable of accommodating at least two (2) automobiles for the easy picking up and discharging of passengers.
The subject property includes a driveway capable of accommodating 4 cars.

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

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

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

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

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

Any signage displayed will conform to this requirement.

COMMISSION FINDINGS

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

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

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

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

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

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

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

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

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

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. Since notifications were mailed, staff has received one inquiry from notified property owners, who is against the Special Use Permit.

STAFF RECOMMENDATION:

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

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

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

ACTION/OPTIONS:

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



SPECIAL USE PERMIT
CITY OF LEAVENWORTH, KANSAS

RECEIVED
SEP 11 2023
Leavenworth Planning & Community Development

OFFICE USE ONLY

CASE NO.: 2023-28 SUP

Application No.	14218
Fee (non-refundable)	\$350.00
Filing Date	9/11/2023
Received By	Bmf
Hearing Date	11/6/2023
Publication Date	10/11/23

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: Family Home Daycare
MS. Nessa's Kaleidoscope

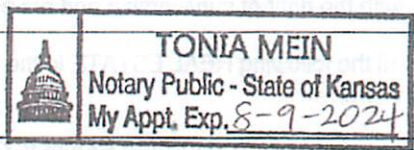
in accordance with the attached site plan on the following described property:

Subject Property:	1913 Choctaw St. Leavenworth, KS. 66048		
Legal Description:	(Attach a full legal description provided by the Register of Deeds Office)		
Real Estate PID #:	052-078-34-0-20-05-043.00-0		
Zoning:	RI-9	Historic District:	n/a

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

Name(s) of Owner (print):	Gerald + Vanessa Jackson		
Owner Address:	1913 Choctaw St. Leavenworth, KS. 66048		
Contact No.	913-240-6090	Email:	vanessasmilesalot@yahoo.com
Signature of Owner(s):	Vanessa Jackson Gerald Jackson		

State of Kansas
County of Leavenworth (SEAL)



Signed or attested before me on: 9-11-2023

Notary Public: Tonia Mein

My Appointment Expires: 08-09-2024

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

Name of Lessee:	
Address:	
Contact No.	Email:

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

Check list below...

<input checked="" type="checkbox"/>	Non-Refundable Fee of \$350.00 is due at time of application
<input checked="" type="checkbox"/>	Certified list of property owners within two hundred (200) feet of the subject property
<input checked="" type="checkbox"/>	Attach 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)

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 08/11/2023

Janet Klasmaker
COUNTY CLERK

Doc #: 2023R05828
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
08/11/2023 08:24:45 AM
RECORDING FEE: 38.00
PAGES: 2

Please return to:

TX0017369

Kansas Secured Title, Inc. - Leavenworth

GENERAL WARRANTY DEED
(Statutory)

Eugene F. Smith, a single person

convey and warrant to

**Gerald Jackson and Vanessa K. Jackson a/k/a Vanessa Jackson, as joint tenants
with the right of survivorship and not as tenants in common**

all the following REAL ESTATE in the County of LEAVENWORTH, and the State of Kansas,
to-wit:

**Lot 4, Cuna-White Replat II, City of Leavenworth, Leavenworth County,
Kansas**

for the sum of one dollar and other good and valuable consideration.

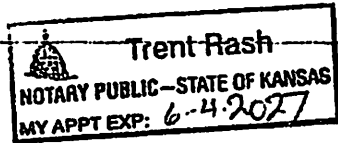
**EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the
taxes and assessments that may be levied, imposed or become payable hereafter.**

Dated this 7 day of August, 2023.

Eugene F. Smith
Eugene F. Smith

State of Kansas, County of LEAVENWORTH §

The foregoing instrument executed was acknowledged before me this 7 day of August, 2023, by Eugene F. Smith, a single person.

A rectangular notary seal stamp for Trent Rash, Notary Public in the State of Kansas. The seal includes a small icon of the state capitol building and the text: "Trent Rash", "NOTARY PUBLIC - STATE OF KANSAS", and "MY APPT EXP: 6-4-2027".

Trent Rash
Trent Rash Notary Public
My appointment expires: 6-4-2027

Kansas Department of Health and Environment
License

Group Day Care Home
License No. 0061125-013

0061125-013

Licensee: Gerald Floyd Jackson and Vanessa Kay Jackson

Place sticker here

Facility: Ms Nessas Kaleidoscope

Located at: 1913 Choctaw St
Leavenworth, KS 66048

08/31/2024

In the county of: Leavenworth

Having complied with the laws and regulations of the State of Kansas governing Group Day Care Homes, Gerald Floyd Jackson and Vanessa Kay Jackson is hereby authorized to care for a maximum of 12 children, under one of the following options:

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

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

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

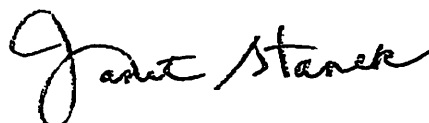
- 12 children, infancy to 11 years of age*, with not more than 9 children under 5 years of age, 3 of whom may be under 18 months of age; or
- 10 children, infancy to 11 years of age*, with not more than 8 children under 5 years of age, 4 of whom may be under 18 months of age; or
- 12 children, at least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

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

This License is effective 08/27/2023 and remains in effect until the expiration date noted by the above sticker unless invalidated by a change of owner, operator, location or it is administratively closed.

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

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



Janet Stanek, Secretary
Kansas Department of Health and Environment

Basement

Garage

Exit ↑

Main
Daycare

utility

closet

G

Office

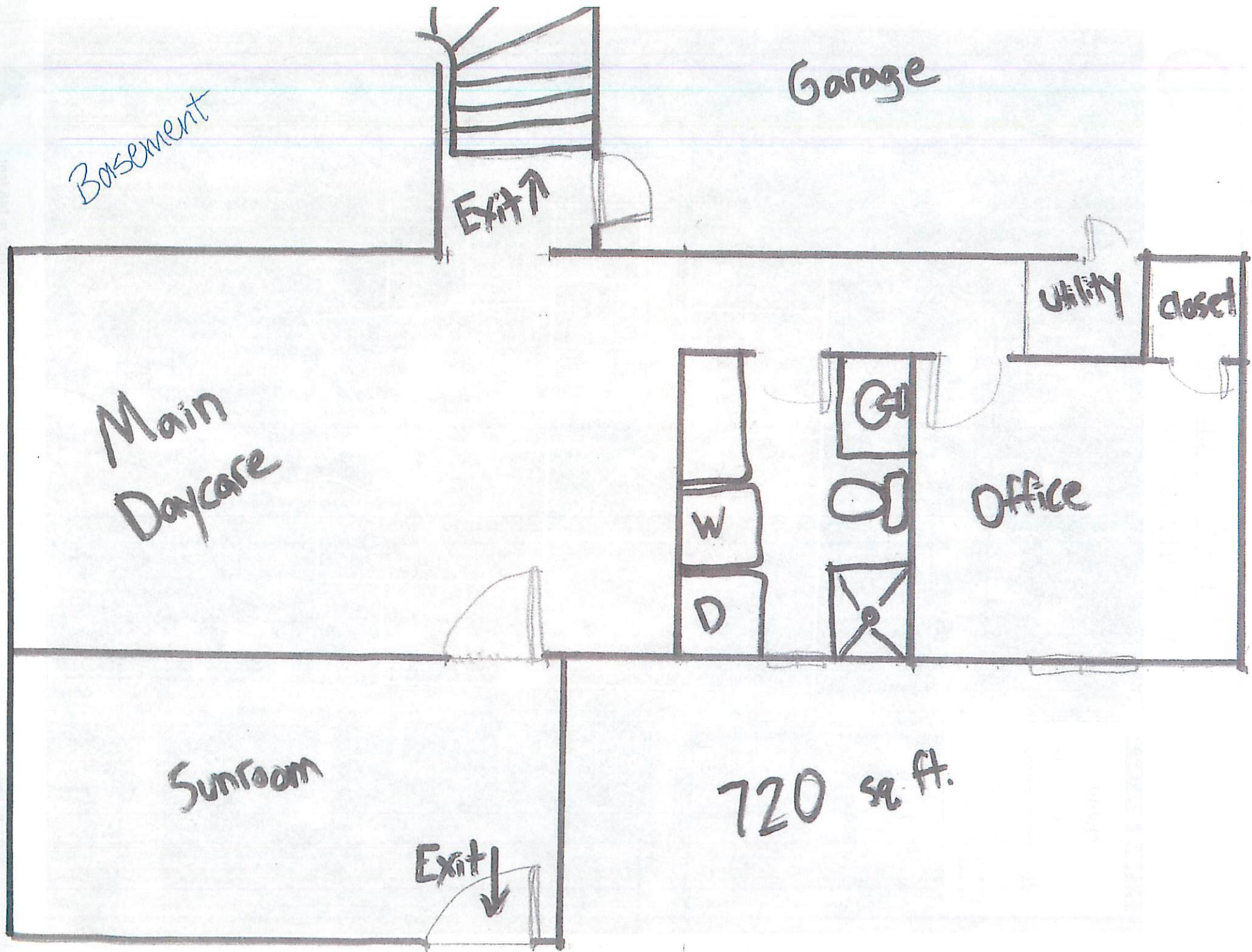
W

D

Sunroom

720 sq. ft.

Exit ↓



City of Leavenworth Property Radius Search



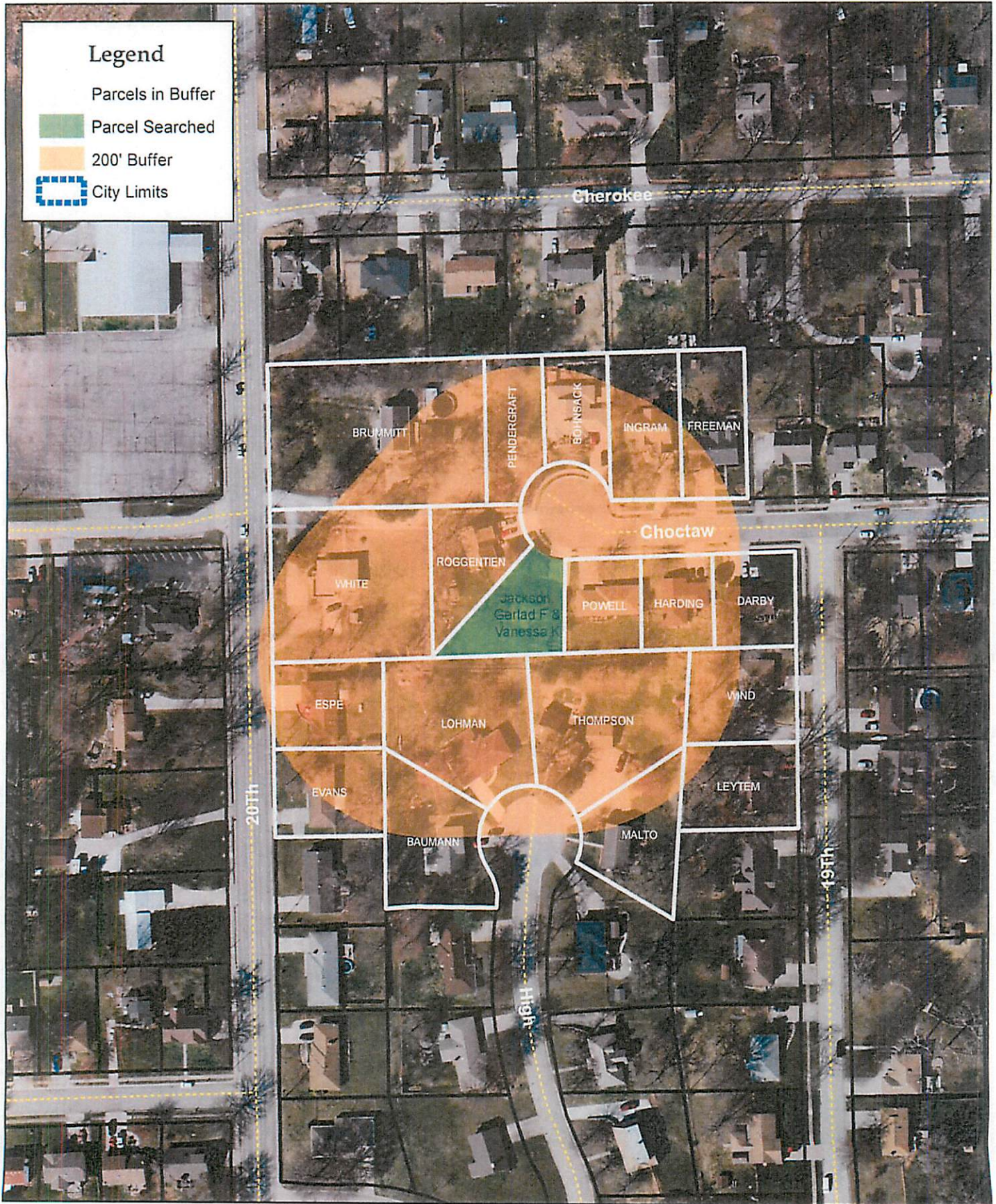
Legend

Parcels in Buffer

Parcel Searched

200' Buffer

City Limits



1913 CHOCTAW ST, Leavenworth, KS 66048

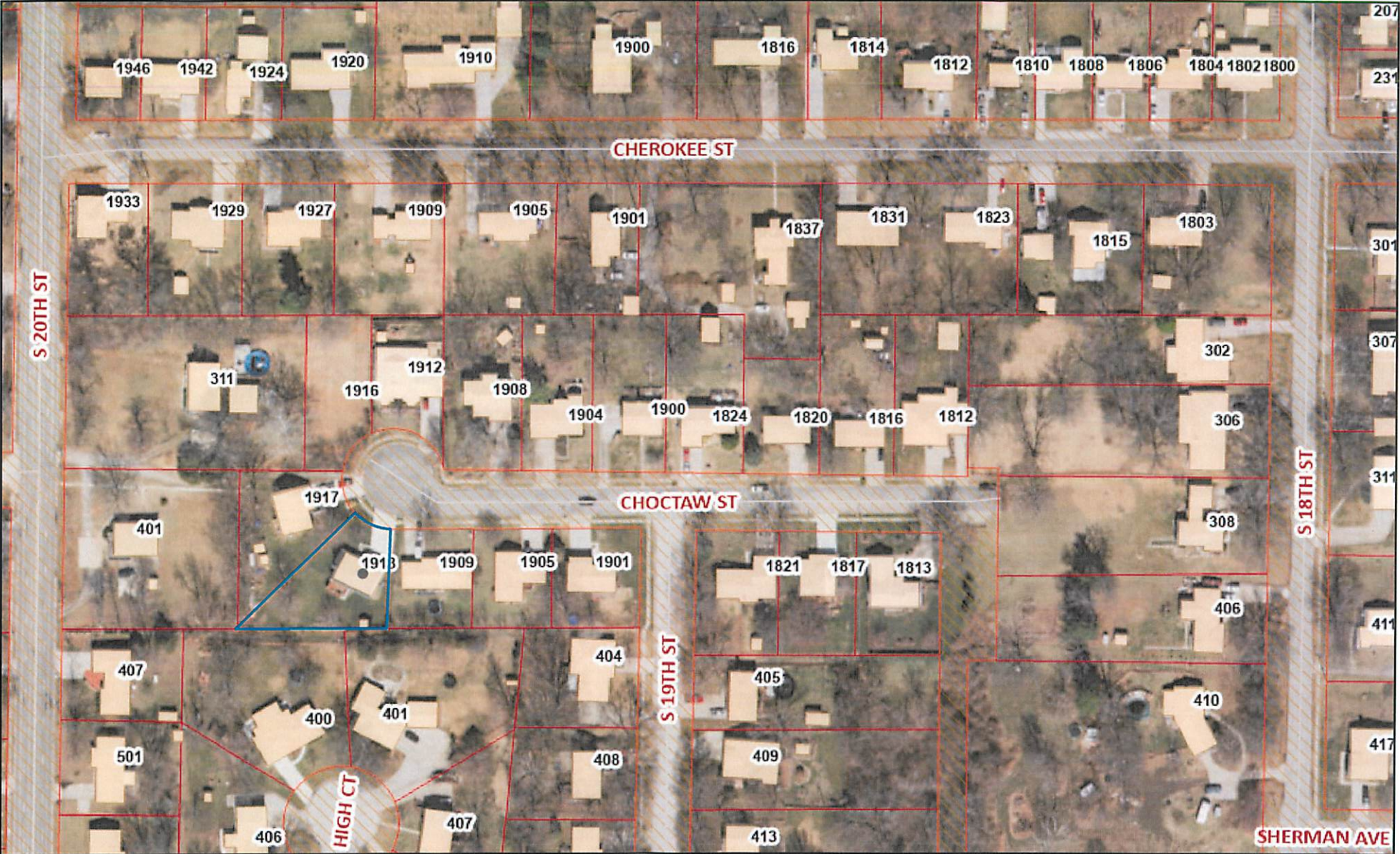
078-34-0-20-05-043.00-0

2020 Aerial Photo

1 inch = 148 feet

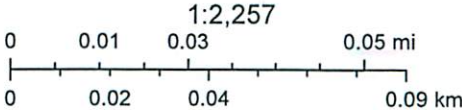


2023-28 SUP - 1913 Choctaw



10/30/2023, 2:46:43 PM

-  Parcels (City Owned)
-  Parcels_Current
-  Buildings
-  Leavenworth City Limits
-  City Right-of-Way
-  Address (Points)
-  RoadCenterline



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

2023-28 SUP - 1913 Choctaw Zoning



10/30/2023, 2:49:52 PM

Zoning_CURRENT

R1-9

Parcels (City Owned)

Parcels_Current

Buildings

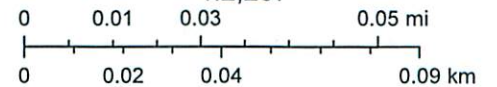
Address (Points)

Leavenworth City Limits

City Right-of-Way

RoadCenterline

1:2,257



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

Web AppBuilder for ArcGIS

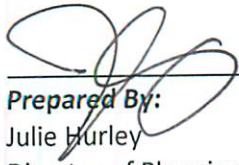
Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

PLANNING COMMISSION AGENDA ITEM
2023-29-SUP
2805 2nd Avenue

NOVEMBER 6, 2023

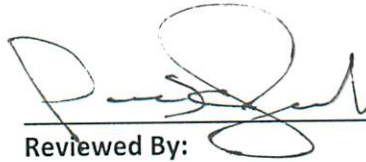
SUBJECT:

A request for a Special Use Permit to allow a Government Facility in the R-MF zoning district.



Prepared By:

Julie Hurley
Director of Planning and
Community Development



Reviewed By:

Paul Kramer
City Manager

NATURE OF REQUEST

The applicant, The City of Leavenworth, is requesting a Special Use Permit to allow a government facility in the R-MF zoning district, located at 2805 2nd Avenue. The property is occupied by Fire Station 3, which was constructed in the 1960's and is currently scheduled to be replaced with a new Fire Station facility on the same site in 2024. Government facilities are allowed in the R-MF district with approval of a Special Use Permit.

The existing fire station facility is considered a nonconforming use, as there is no existing Special Use Permit. Replacement of the facility requires the approval of a Special Use Permit. Per section 1.05 the adopted Development Regulations:

Any lawfully existing nonconforming use of part or all of a structure or any lawfully existing nonconforming use of land, not involving a structure or only involving a structure which is accessory to such use or land, may be continued, so long as otherwise lawful.

Section 1.05 of the Development Regulations also states in regards to nonconforming uses:

If a structure devoted to a nonconforming use is damaged or destroyed by more than fifty percent (50%) of its fair market value, such building shall not be restored if the use of such building is not in conformance with the regulations of the zoning district in which it is located.

The Development Review Committee reviewed the site plan and building elevations associated with the new fire station facility on October 19th, 2023. Items related to sewer, access, and setbacks were discussed, and will be addressed to meet all applicable requirements at the time of building permit.

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.

This property has functioned as a fire station since the 1960's, providing a vital service to the welfare of the public.

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

Staff does not feel that the 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.

The proposed new fire station facility will be largely similar in size, scale and placement to the existing facility and will not cause any substantial impact to the surrounding neighborhood.

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. Since notifications were mailed, staff has received no comments or inquiries.

STAFF RECOMMENDATION:

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



SPECIAL USE PERMIT
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO.: 2023-29 SUP

Application No.	14272
Fee (non-refundable)	\$350.00
Filing Date	9/18/23
Received By	NA
Hearing Date	11/6/23
Publication Date	10/11/23

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: New Fire Station #3 (replacement of existing Fire Station #3).
(Allow gas. facility to operate in R-MF zoning district)

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

Subject Property:	2805 2nd Ave., Leavenworth, KS 66048		
Legal Description:	<i>(Attach a full legal description provided by the Register of Deeds Office)</i>		
Real Estate PID #:	1010103012037000		
Zoning:	R-MF	Historic District:	NA

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

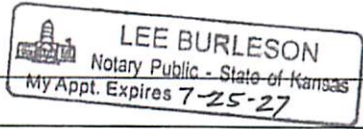
Name(s) of Owner (print):	City of Leavenworth, KS		
Owner Address:	100 N. 5th Street, Leavenworth, KS 66048		
Contact No.	Chief Gary Birch	Email:	gbirch@firstcity.org
Signature of Owner(s):	<i>[Signature]</i>		

State of Kansas
County of Leavenworth (SEAL)

Signed or attested before me on: Sept. 18, 2023

Notary Public: *[Signature]*

My Appointment Expires: 7/25/2027



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

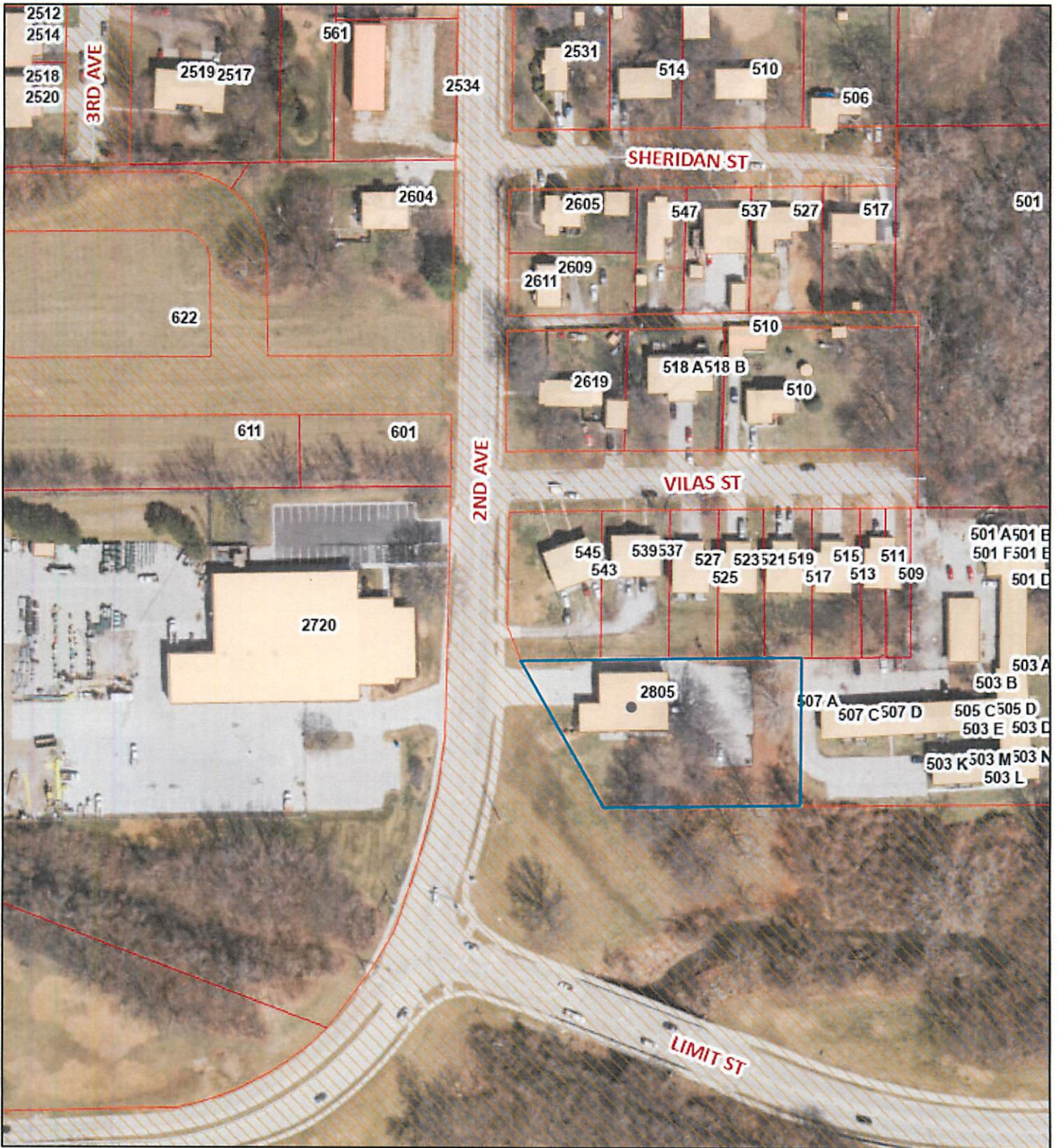
Name of Lessee:	NA		
Address:			
Contact No.		Email:	

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

Check list below...

<input type="checkbox"/>	Non-Refundable Fee of \$350.00 is due at time of application
<input type="checkbox"/>	Certified list of property owners within two hundred (200) feet of the subject property
<input type="checkbox"/>	Attach 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)

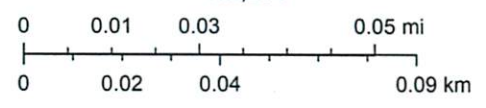
2023-29-SUP



11/1/2023, 3:06:58 PM

1:2,257

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



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

2023-29-SUP (Zoning)



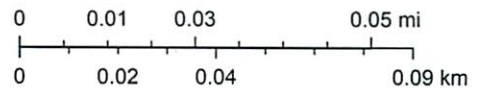
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1:2,257

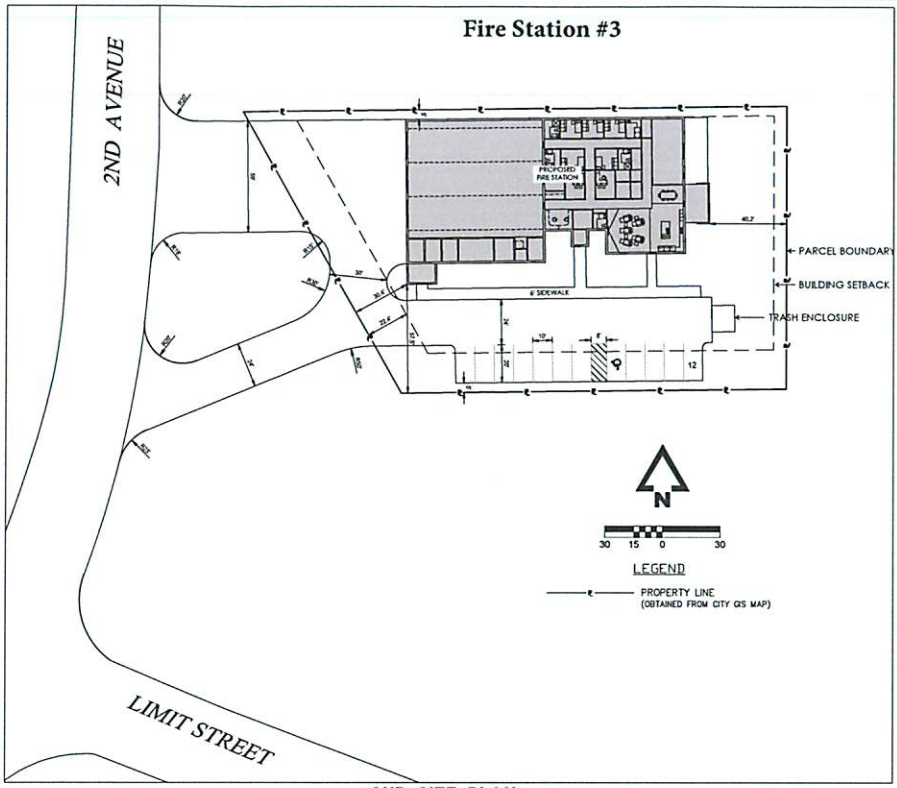
Zoning_CURRENT

- OBD
- PUD
- R-MF
- R1-6
- Parcels_Current

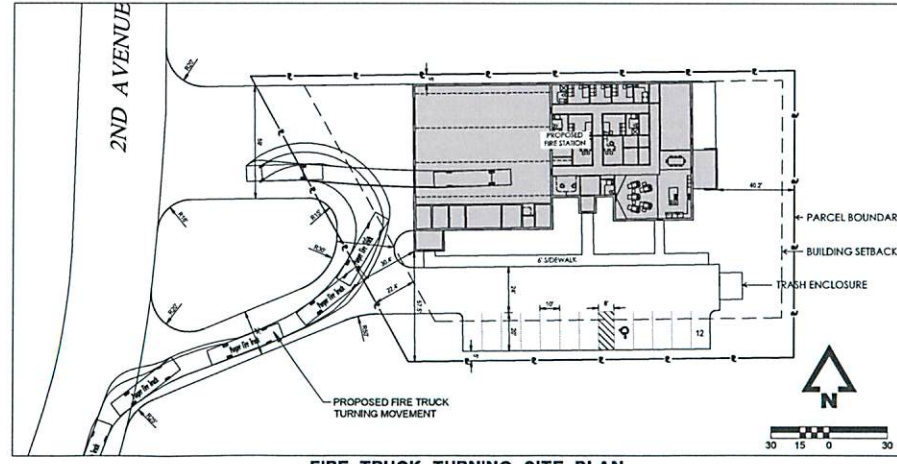
- Buildings
- Address (Points)
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



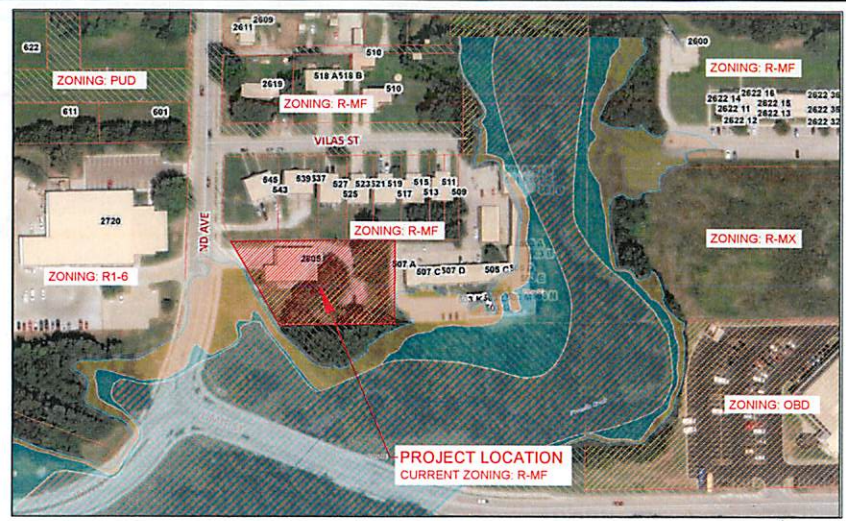
Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA



SUP SITE PLAN



FIRE TRUCK TURNING SITE PLAN



GIS SITE MAP

LANDSCAPING NOTE:

THE LANDSCAPING AND SCREENING WILL BE PROVIDED IN ACCORDANCE WITH THE APPLICABLE CITY ORDINANCE.

SITE DRAINAGE NOTE:

THE EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED. THE SITE STORMWATER RUNOFF WILL DRAIN TO THE EXISTING FLOODPLAIN ADJACENT TO THE SITE.

SITE UTILITY NOTE:

THE BUILDING WILL BE SERVED BY EXISTING UTILITIES THAT CURRENTLY SERVE THE EXISTING BUILDING.

LEGAL DESCRIPTION:

A tract of land in Block Ten (10), Johnson's Subdivision, Leavenworth County, Kansas. Beginning at a point 100.00 feet East of the Southwest corner of said Block 10; thence East along the South line of Lot 10, 200.00 feet; thence North parallel with the West line of said Lot 10, 250.00 feet; thence West parallel with the South line of said Lot 10, 203.33 feet; said point being 16.67 feet East of the West line of said Block 10; thence Southeasterly 167.45 feet to the point of beginning, containing 0.83 acres, City of Leavenworth, Leavenworth County, Kansas.

PARKING TABLE

TOTAL PARKING SPACES SHOWN = 12 SPACES
 ADA PARKING REQUIRED = 1 SPACES
 TOTAL ADA PARKING SHOWN = 1 SPACES

SITE ADDRESS

2805 2ND AVENUE
 LEAVENWORTH, KANSAS 66048



making lives better

11031 Strong Line
 Leawech, Kansas 66215
 P 913-888-7600
 F 913-888-4858

NOTICE:
 McClure Engineering Company warrants only and of responsibility and liability for problems which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for problems which arise from failure to obtain and/or follow the engineer's guidance with respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which are depicted.

COPYRIGHT:
 Copyright and property rights in these documents are expressly reserved by McClure Engineering Company. No reproductions, changes, or copies in any manner shall be made without obtaining prior written consent from McClure Engineering Company.

**KANSAS CERTIFICATE OF AUTHORITY NO. 62723
 EXPIRES: DECEMBER 31, 2023**

LEAVENWORTH FIRE STATION NO. 3 SUP PLANS

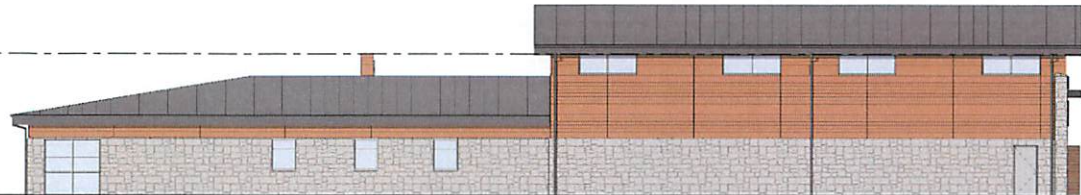
SUP SITE PLAN

CITY OF LEAVENWORTH, KANSAS
 PROJECT NO. 202200181-000
 ISSUE DATE: 9-15-2023

DRAWN BY: BGL
 CHECKED BY: FLK
 FIELD BOOK NO.

SHEET NO. C-1.00

P:\2022\00181\000\DRAWINGS\001_SUP_PLANS\202200181-000_SUP_SITE_PLAN.dwg
 DATE: 9/14/2023
 BY: BEANSE
 LAYOUT: SUP_C-1.00



NORTH ELEVATION -
OPTION 1-A
1/8" = 1'-0"



EAST ELEVATION -
OPTION 1-A
1/8" = 1'-0"



SOUTH ELEVATION -
OPTION 1-A
1/8" = 1'-0"



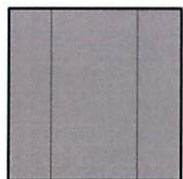
WEST ELEVATION -
OPTION 1-A
1/8" = 1'-0"



WOOD / FIBER
CEMENT PANEL



STONE VENEER



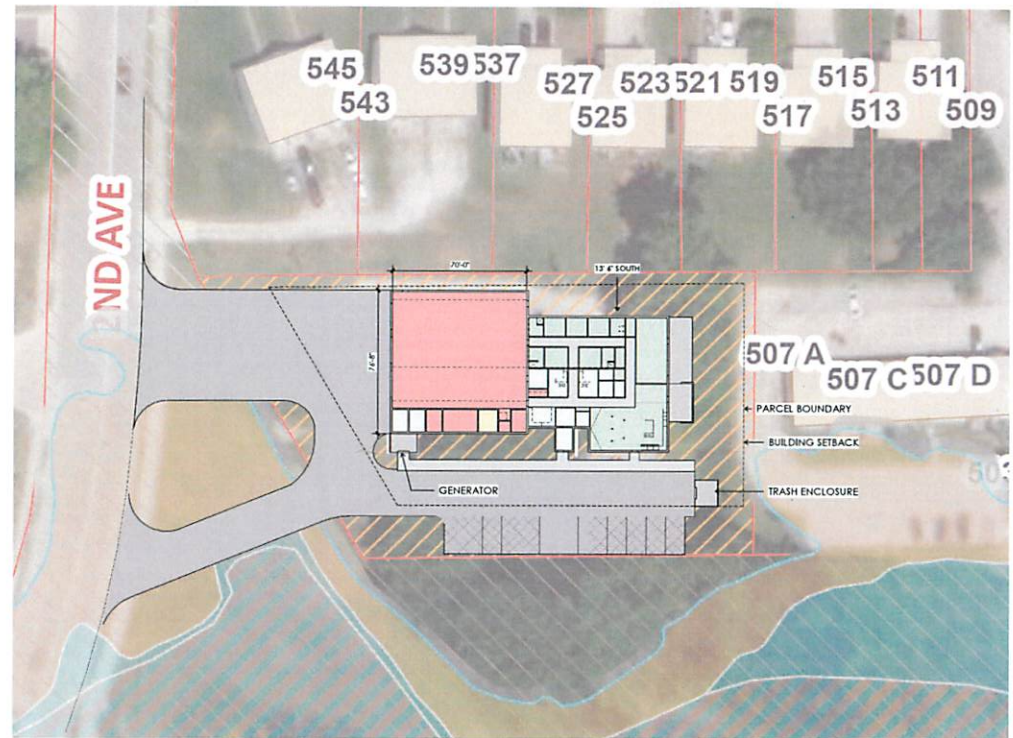
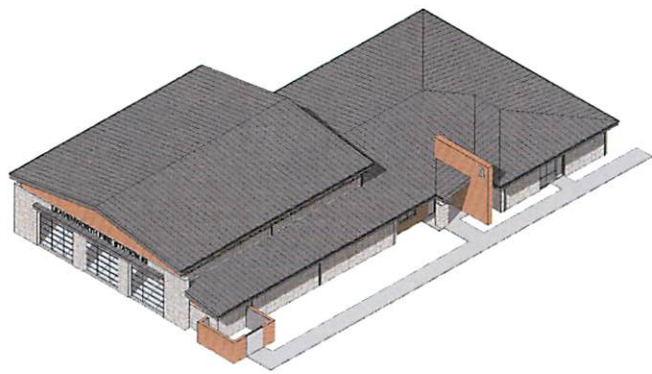
STANDING SEAM MTL.
ROOF / FASCIA COLOR



ALUMINUM WINDOW
FRAME / STOREFRONT
COLOR



FENCE MATERIAL



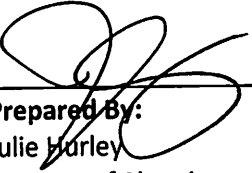

SITE PLAN
 1" = 30'-0"


PLANNING COMMISSION AGENDA ITEM
Text Amendments
Development Regulations


NOVEMBER 6, 2023

SUBJECT:

Preliminary review of potential amendments to the adopted Development Regulations



Prepared By:
Julie Hurley
Director of Planning and
Community Development



Reviewed By:
Paul Kramer
City Manager

DISCUSSION:

The Development Regulations were adopted by the City Commission in June, 2016 after a year-long comprehensive update process. Through the daily use of the Regulations by staff, minor items arise that may necessitate possible updating. An annual review and update of the Development Regulations takes place in order to ensure that they remain up to date and comprehensive.

A number of the proposed changes involve correcting typos and clarifying language or procedures, in addition to more substantive changes. The following sections have been identified for update and are provided for informational purposes and discussion:

Article 1; General Provisions

- Remove language requiring specific publishing date of updated zoning regulations and amendments, as this update process is completed at varying times throughout the year and current regulations are available at all times.

Article 2; Applications & Procedures

- Add language requiring applicant to provide City with 2 full sized copies of all recorded plats.

Article 4; Zoning Districts & Standards

- Add language clarifying that the width of right-of-way cannot be counted towards lot frontage requirements for parcels abutting a dead end street.
- Add language allowing for 3 detached accessory structures on parcels 2 acres or larger.
- Add setback requirements for pools.
- Bring requirements for home occupation signage into alignment with requirements as laid out in sign code.

Article 5; Access & Parking

- Add language allowing solid surface paving stones to be used for single family residential driveways.

Article 6; Landscape & Site Design

- Bring requirements for pools in line with building code standards.

Article 7; Design Standards

- Clarify language regarding maximum width of driveways for single family residential properties.

Article 8; Signs

- Update language regarding computation of area of multi-faced signs.
- Include maximum allowable size for directional signage.
- Add language to allow for freestanding sign for multi-family residential communities.
- Add language to allow for wall signage for tenant that may not share an exterior wall.

Article 9; Historic Preservation

- Remove section regarding variances.

Article 10; Supplemental Standards

- Clarify and make consistent language regarding Solar Energy standards.

Article 12; Definitions

- Revise definitions of “Dwelling, Modular Home” and “Manufactured Home” to provide distinction between the two.
- Revise definition of “Shelter Home”.
- Revise definition of “Sign Refacing”.

Appendix A; Use Table

- Include that “Dwelling, Multi-Family” is permitted in CBD.

ACTION/OPTIONS:

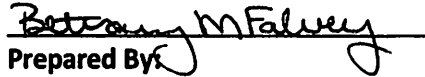
No formal action required at this time. Upon conclusion of discussion by Planning Commission, a public hearing will be set for the proposed text amendments at the next regularly scheduled Planning Commission meeting, as provided for in section 2.01 of the Development Regulations.

**PLANNING COMMISSION AGENDA ITEM
2023-31-SUP
2103 METROPOLITAN AVENUE**

NOVEMBER 6, 2023

SUBJECT:

A request for a Special Use Permit to allow the operation of an Assisted Living Facility at 2103 Metropolitan.



Prepared By:
Bethany Falvey
City Planner



Reviewed By:
Paul Kramer
City Manager

NATURE OF REQUEST

The applicant, Robyn Smith of Peace at Heart Senior Living LLC, is requesting a Special Use Permit to allow the operation of an assisted living facility at 2103 Metropolitan Ave. in an existing building on the property. The property is currently zoned R1-9, Medium Density Single Family Residential. The adopted Development Regulations defines an Assisted Living Facility as:

“Facilities which provide residents with supervision or assistance with activities of daily living; coordination of services by outside health care providers; and monitoring of resident activities to help ensure their health, safety, and wellbeing.”

Assisted Living Facilities are allowed in the R1-9 zoning district with issuance of a Special Use Permit.

Peace At Heart Home Care Services LLC is currently a licensed Home Health agency through the State of Kansas and looking to expand service operations. The Assisted Living Facility will have up to 6 residents and 1-2 staff on the premises at one time.

The State of Kansas does require registration of Assisted Living Facilities.

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.

There is a current need within the community for Assisted Living Facility uses. The proposed facility will provide primarily seniors cooking, cleaning, ADLs (Activities of daily living), and activities to its residents. It will help to improve the overall wellbeing of the residents.

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 look and function as it currently does.

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. Since notifications were mailed, staff has received no comments or inquiries.

STAFF RECOMMENDATION:

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

1. Obtain an active registration of an Assisted Living Facility with the State of Kansas.

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

ACTION/OPTIONS:

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



SPECIAL USE PERMIT
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO.: 2023-31 SUP

Application No.	14294
Fee (non-refundable)	\$350.00
Filing Date	9/19/23
Received By	AK
Hearing Date	11/6/23
Publication Date	10/11/23

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: Assisted Living/ Home plus Day Stay Program

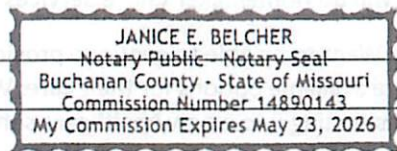
in accordance with the attached site plan on the following described property:

Subject Property: 2103 Metropolitan Leavenworth KS 66048
 Legal Description: (Attach a full legal description provided by the Register of Deeds Office)
 Real Estate PID #: _____
 Zoning: R1-9 Historic District: NA

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

Name(s) of Owner (print): Elaine Arnett / Carrie Davies Metro KC Rentals LLC
 Owner Address: 2103 Metropolitan Ave Leavenworth, KS 66048
 Contact No. 9135475223 Email: matt.warner@metrokcrentals.com
carrie@metrokcrentals.com
 Signature of Owner(s): [Signature]

State of MO
 County of PLATE (SEAL)



Signed or attested before me on: 9-18-23
 Notary Public: [Signature]
 My Appointment Expires: May 23, 2026

If business is operated by someone other than the owner, provide name and address of operator(s).
 Name of Lessee: Robyn Smith - Peace At Heart Senior Living LLC
 Address: 1405 Ethel Lane Lansing KS 66043
 Contact No. 9135651120 Email: pa/homecare services@gmail.com

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

Check list below...

<input type="checkbox"/>	Non-Refundable Fee of \$350.00 is due at time of application
<input type="checkbox"/>	Certified list of property owners within two hundred (200) feet of the subject property
<input type="checkbox"/>	Attach 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)

Letter Of Intent

712 1st Terrace Ste. 207- L

Lansing, KS 66043

Pahhomecareservices@gmail.com

Sept 12, 2023

City of Leavenworth Planning Commission

100 N. 5th St

Leavenworth, KS 66603

To Whom It May Concern:

I am writing this Letter with the intent to initiate the beginning process of Opening, Licensing and credentialing our Home Plus Assisted Living facility for "Peace At Heart Senior Living" Through the state of Kansas and the City of Leavenworth's planning Commission and Special use Permits Department.

As the Owner and Operator (registration #1383) of this establishment I am Confident that I have the education and Knowledge to operate this Future Home to our prospective Residents. We currently Own and Operate Peace At Heart Home Care Services LLC which is a licensed Home Health agency through the state of Kansas. We are looking to Grow our business and expand by adding these additional Services and to offer our current clients with more options for all their healthcare needs. The Assisted Living will have fewer residents than your traditional style assisted living. It is in a much smaller setting. It is in a residential home to implement and give a more homelike feel so we can gear our focus on our seniors feeling more comfortable by providing more resident centered and quality of care. In the Assisted Living we will do Homemaker Chore Services like cooking, Cleaning, ADLs, and Activities.

We Want to be able to continue providing stability and consistency in their care by providing them with more available options for their care. We want to help them age in place without having to worry about transitioning into a new healthcare setting or with a new healthcare team with hopes this will allow them to live longer healthier lives. Our Goal is to become a one stop shop for all of our client's healthcare needs.

We Hope that with your Permission in Granting us a special use permit and with our current Licensed agency you will also consider our application for the Home Plus (Assisted Living) so that we can continue to be a resource for seniors in the metropolitan area and in our community by having the planning commission granting us a special use Permit. Thank You for your time and consideration of our vision for our Seniors.

Sincerely

Robyn Smith Owner/Operator

712 1st Terrace Ste.207-L Lansing Ks

913-565-1120

Peace At Heart Senior Living

9/13/23



ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 03/29/2022

Jane Klasmaker
COUNTY CLERK

Doc #: 2022R02811
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
03/29/2022 10:30:01 AM
RECORDING FEE: 55.00
PAGES: 3

*Prepared by: Elanica Arnett
2103 Metropolitan Ave.
Leavenworth, KS 66048*

After Recording Return To:
Advantage Title Company, LLC
2097 Liberty Road
Eldersburg, MD 21784
AT- 103296

GENERAL QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made by and between Elanica Arnett, a single person, and Jason Jinks, a single person, as joint tenants with rights of survivorship, as GRANTORS, and Elanica Arnett, a single person, as GRANTEE.

WITNESSETH, THAT GRANTORS, in consideration of \$0.00, the receipt and sufficiency of which is hereby acknowledged, does hereby QUIT CLAIM to GRANTEE, GRANTORS' present interest in the following legally described real property (the PROPERTY) situated in the County of Leavenworth, State of Kansas, to wit:

A tract of land in the Northwest Quarter of Section 27, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at a point of the South line of the United States Military Reservation 1190 feet Westerly from the Northwest corner of the Bull Tract of the Gist Survey; thence running South 523 feet to the North line of Dakota Street as said street is laid out, opened, and used in the City of Leavenworth, Kansas; thence East along the North line of said Dakota Street 250 feet; thence North parallel with the West line of Twentieth Street to the South line of said Military Reservation a distance of 535.73 feet; thence Westerly along the said South line of Said Military Reservation to the point of beginning; less any part thereof taken or used for road or street purposes.

LESS AND EXCEPT

The West half of a tract of land in the Northwest Quarter of Section 27, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at a point 618 feet West of the Northwest corner of Twentieth and Dakota Street thence West 250 feet to a point thence North parallel to the West line of Twentieth Street 523 feet to a point on the South line of Metropolitan Avenue; thence Easterly along the South line of Metropolitan Avenue to a point that is 535.73 feet North of the point of beginning; thence South and parallel to the West line of Twentieth Street 535.73 feet to the point of beginning.

ALSO LESS AND EXCEPT

The South half of the East half of a tract of land in the Northwest Quarter of Section 27, Township 8 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, more fully described as follows: Commencing at a point 618 feet West of the Northwest corner of Twentieth Street and Dakota Street; thence West 250 feet to a point; thence North parallel to the West line of Twentieth Street 523 feet to a point on the South line of Metropolitan Avenue; thence Easterly along the South line of Metropolitan Avenue

thence South and parallel to the West line of Twentieth Street 535.73 feet to the point of beginning.

SAID PROPERTY BEING COMMONLY KNOWN AS 2103 Metropolitan Avenue, Leavenworth, Kansas, 66048, SUBJECT TO TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE, AND ALL EASEMENTS, RESTRICTIONS, ENCUMBRANCES, RESERVATIONS AND COVENANTS OF RECORD, IF ANY.

If two or more persons constitute the GRANTOR or the GRANTEE, the words GRANTOR and GRANTEE shall be construed to read GRANTORS or GRANTEES whenever the sense of this Deed Requires.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 15 day of February 2022.


ELANIA ARNETT


JASON JINKS

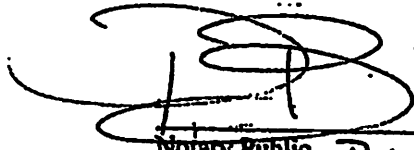
Pursuant to K.S.A. 79-1437(E), areal estate validation questionnaire is not required.
No Sales Validation Questionnaire required due to Exception No. 8.

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF Leavenworth)

BE IT REMEMBERED, that on this 15 day of February 2022, before me, a Notary Public in and for said County and State, came ELANIEA ARNETT, who is personally known to me to be the same person who executed the foregoing instrument of writing, and such person duly acknowledged the execution of the same.

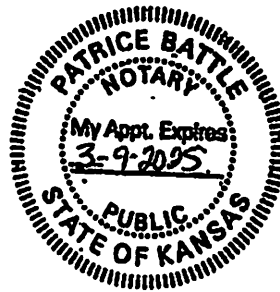
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



Notary Public Patrice Battle

My commission expires:

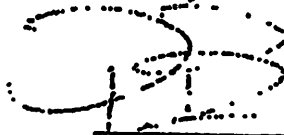
3-9-2025



STATE OF KANSAS)
COUNTY OF Leavenworth)

BE IT REMEMBERED, that on this 14 day of Feb 2022, before me, a Notary Public in and for said County and State, came JASON JINKS, who is personally known to me to be the same person who executed the foregoing instrument of writing, and such person duly acknowledged the execution of the same.

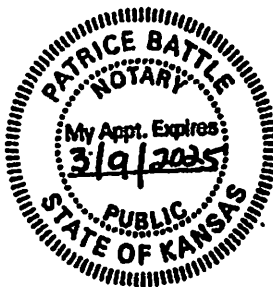
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



Notary Public Patrice Battle

My commission expires:

3-9-2025



City of Leavenworth Property Radius Search



2103 METROPOLITAN AVE, Leavenworth, KS 66048

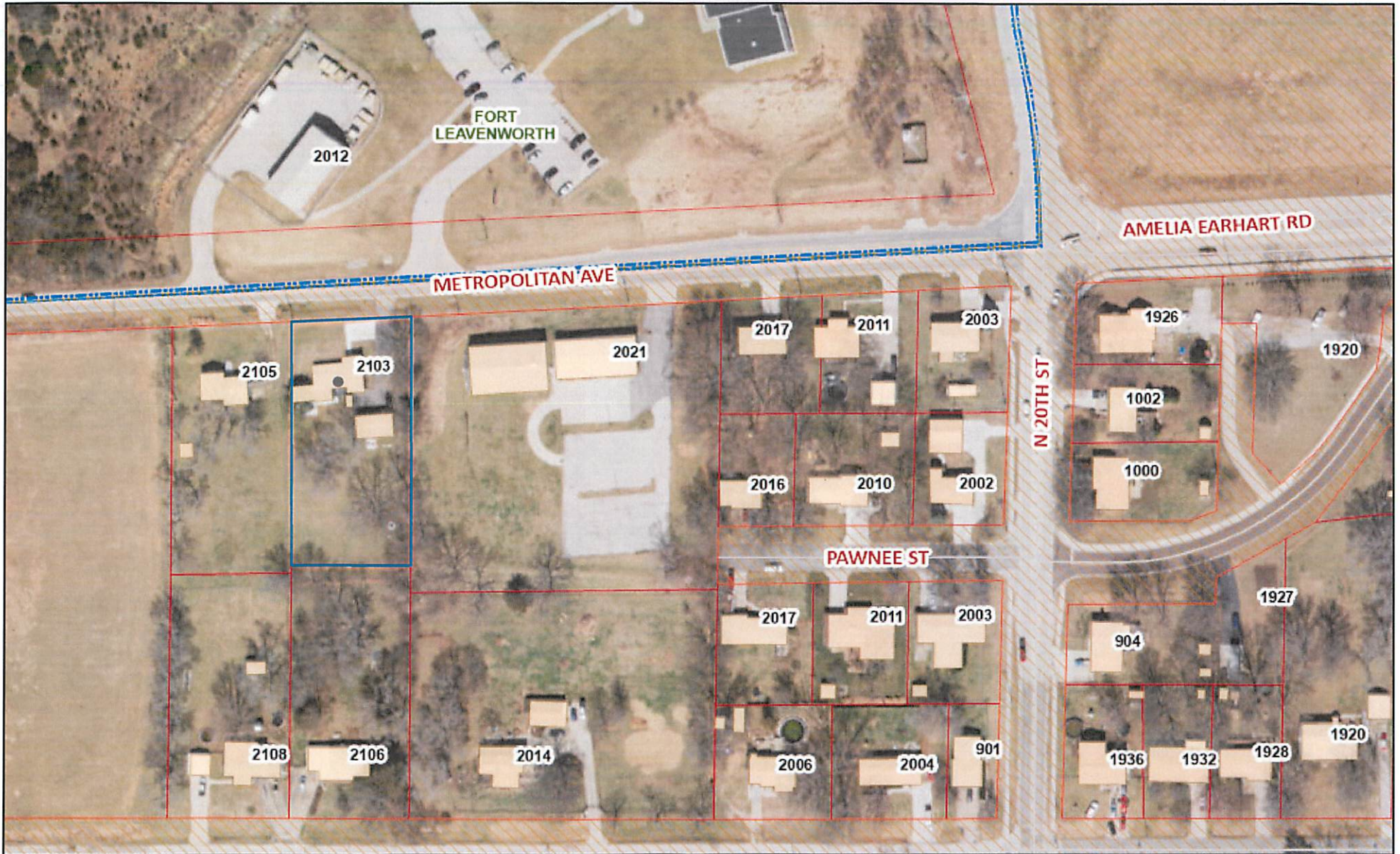
078-27-0-20-03-005.00-0

1 inch = 241 feet

2020 Aerial Photo

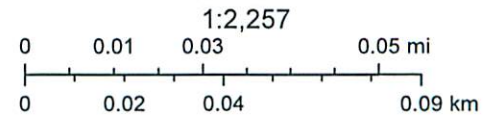


2023-31 SUP - 2103 Metro



10/30/2023, 3:30:07 PM

- Parcels_Current
- Ft Leavenworth Military Installation
- RoadCenterline
- Buildings
- Leavenworth City Limits
- Address (Points)
- City Right-of-Way



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

2023-31 SUP - 2103 Metro Zoning



10/30/2023, 3:30:36 PM

Zoning_CURRENT

R1-9

Parcels_Current

Buildings

Address (Points)

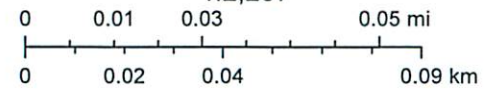
Ft Leavenworth Military Installation

Leavenworth City Limits

City Right-of-Way

RoadCenterline

1:2,257



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