



TONGANOXIE PLANNING COMMISSION

Agenda

February 1, 2024

7:00 p.m.

**City Council Chambers
303 S. Bury Street**

Planning Commission Members

Monica Gee - Patti Bitler - John Kirk - Howie Brewington - Amanda Horner – Brianna Irvin - Kirsten Moreland

*There may be an audio recording of the meeting which will be utilized to prepare the meeting minutes.

1. CALL TO ORDER

2. APPROVAL OF PC MINUTES – December 7, 2023

3. OLD BUSINESS

- a) Public Hearing: Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
- b) Consideration of Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
- c) Public Hearing: Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086
- d) Consideration of Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086

4. EX PARTE COMMUNICATION

5. NEW BUSINESS

- a) Swearing in Brianna Irvin to Planning Commissioner position previously held by Angela Schultz
- b) Consider Recommendation of Approval of Revised Final Plat for Stone Creek Addition No. 10
- c) Consider Approval of Revised Site Plan for Wilson Glass
- d) Downtown Study RFP Evaluation Update

5. GENERAL INFORMATION

- a) Home Builder's Association Reports

6. ADJOURN



TONGANOXIE PLANNING COMMISSION
Meeting Minutes
December 7, 2023 7:00 p.m.
303 S. Bury Street

CALL TO ORDER

- Chair Monica Gee opened the meeting at 7:00 p.m.

Roll Call: Planning Commission members present were Chair Monica Gee, Vice Chair Patti Bitler, Kirsten Moreland and Howie Brewington were present. John Kirk and Amanda Horner were present via phone. City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, Municipal Court Clerk Lindsay Huntington, and City Planner Chris Brewster were also present.

1. APPROVAL OF PC MINUTES – November 2, 2023

- **Ms. Bitler made a motion to approve the minutes from the November 2, 2023 Commission meeting.**
- **Ms. Moreland seconded the motion.**
- **Vote of all ayes, motion carried.**

2. OLD BUSINESS

3. EX PARTE COMMUNICATION

4. NEW BUSINESS

- a) Public Hearing: Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
 - **Ms. Gee opened the public hearing.**
 - **No members from the public addressed the Planning Commission during the public hearing.**
- b) Consideration of Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-ST to R-SF
 - Mr. Brajkovic stated that the project being considered for rezoning and a preliminary plat included two requests for variances or deviation from the City's current regulations for side and rear setbacks on the preliminary plat submitted to the City and that the public notices for the public hearing for this project advertised in the newspaper and mailed to nearby property owners should have reflected a different rezoning classification in light of the requested changes to standard regulations. He said that staff would communicate with the applicant to confirm the requested standards and confirm with the City Attorney if reissuing the notices would be required to adhere to State and local requirements for rezoning actions.
 - Mark Breuer with Schlagel presented information on behalf of the applicant for the project. He presented an overview of the project and shared an image of a wider view of connectivity options for properties adjacent to the project site that was not provided to the City in advance of the meeting.
 - Mr. Brewster delivered the City staff report on the project.

- Ms. Moreland expressed concern over the variances proposed in this project in light of a similar variance issue that was considered in a recent Planning Commission/Board of Zoning Appeals meeting and was eventually denied based on the conclusion of it not adequately meeting the conditions required to consider a variance.
- Anna Krstulic shared an exception procedure for requirements within the City's subdivision regulations for the contents of plats but noted that proving the case for using the exception procedure was the duty of the applicant and would require more clear identifications of that justification.
- **Mr. Brewington made a motion to approve the application to rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF.**
- **Ms. Bitler seconded the motion.**
- **Roll call vote was 3-3 (No's - Gee, Kirk, Horner). Motion failed to pass.**
- **The motion and second were both withdrawn.**

- **Ms. Moreland made a motion to continue the public hearing Rezone of Wren Estates until the January 4, 2024 Planning Commission meeting and requested that City staff communicate with the applicant about outstanding questions and clarifications for the submittals.**
- **Ms. Bitler seconded the motion.**
- **Roll call vote – All ayes, motion passed.**

- c) Public Hearing: Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086

- d) Consideration of Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086
 - **Ms. Moreland made a motion to continue the consideration of the Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086 to the Planning Commission meeting on January 4, 2024.**
 - **Mr. Kirk seconded the motion.**
 - **Roll call vote – All ayes, motion passed.**

- e) Consider Site Plan Approval for Wilson Glass
 - Mr. Brewster delivered the City staff report for the site plan for an additional building on the site zoned ILT and gave staff recommendations.
 - Mr. Brewster stated that City staff recommend approval of the site plan based on the applicant meeting conditions set forth in the staff report recommendations.
 - Ms. Bitler asked the applicant to share information about changes that would be completed for areas of the property currently containing white limestone surfaces used for parking that were not included in the previously approved site plan.
 - Brad Wilson, 1011 Pleasant Street, said the white limestone surfacing will go away and employee parking would be located in the new parking lot and the current area with limestone will become landscape rock in place between the two parking lots on the site.
 - **Ms. Bitler made a motion to approve the Site Plan for Wilson Glass with staff recommendations included in the staff report.**
 - **Ms. Moreland seconded the motion.**
 - **Roll call vote – All ayes, motion passed.**

- f) Review Applications received for Planning Commission Position Vacancy and Consider Making a Recommendation for the Appointment to the Mayor and City Council
- Mr. Porter stated four applications have been received for the vacant position on the Planning Commission. Mr. Porter stated this appointment will be to fill the unexpired term lasting through May 2024. Mr. Porter stated that the applicants Brianna Irvin and Susan Freemyer were present and that David Coffman and Christine Wiseman have also submitted applications but are not in attendance.
 - Ms. Brianna Irvin, 146 S Whilshire Drive, Tonganoxie, KS 66086 addressed the Planning Commission and expressed her interest in the open position.
 - Ms. Susan Freemyer, 206 W. 2nd Street, Tonganoxie, KS 66086 addressed the Planning Commission and expressed her interest in the open position.
 - The Planning Commission engaged in discussion regarding the applications and took a poll to make a recommendation to the City Council. The poll included 5 in favor of recommending Brianna Irvin and 1 (Kirk) in favor of recommending Christine Wiseman.
- g) Request for Proposals Process Update
- Mr. Porter stated two applications were received for the RFP and that the next step will be to regroup with the subgroup that developed the RFP to set interview times and make a recommendation for the award of the project at a later date.
 - Ms. Gee asked for a clarification about the previous rezoning discussion to clarify what Mr. Brewster stated during the staff report regarding rezoning the property to something that was not listed.
 - Mr. Brewster said that he was referring to a planned development, which is referred to in the City ordinance as community unit plan (CUP) and mentioned an example of the Timber Lakes development which was rezoned with a CUP because it had differing setbacks from normal City standards.

5. GENERAL INFORMATION

6. ADJOURN

- **Mr. Brewington made a motion to adjourn the meeting.**
- **Ms. Bitler seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:44p.m.**

Respectfully submitted,



Lindsay Huntington, Planning Clerk



MEMO

To: George Brajkovic, City Manager
City of Tonganoxie

Cc: Dan Porter, Asst. City Manager
Kent Heskett, City Superintendent
John Zimbleman, Fire Chief
Chris Brewster, City Planner

From: Brian Kingsley, City Engineer

Date: December 26, 2023

Re: Wren Estates Development
Preliminary Plat and Storm Drainage Report Review
23-1001L

The following are the City Engineer and staff review comments related to Engineering issues:

Preliminary Plat (submitted 2023-12-22):

- 1) The plat includes a proposed storm water pipe draining from the S. East Terrace cul-de-sac to the adjacent property boundary. **The developer should coordinate and obtain written documentation/agreement for the proposed concentrated discharge onto the adjacent property.**
- 2) Comments related to street connectivity to adjacent parcels will be provided by the City planner and need to be addressed prior to approval.
- 3) Access to and maintenance of tracts should be addressed prior to approval. The City requires that development HOA's are responsible for ownership and maintenance of the platted tract within the development.
 - a. **The Declaration language on the plat does not clearly indicate the responsibility for maintenance of Tract "A".**
- 4) The proposed development includes platted lots fronting an unimproved section of East Street. Past precedent has been set that would require developer participation in the cost to upgrade East Street to a City standard roadway section. The

developer and City should come to an agreement addressing this issue prior to approval of the plat.

Recommended Action: Consider approval if comments are addressed to the satisfaction of the planning commission.

Storm Drainage Report (dated 2023-10-26):

- 1) The storm water drainage report/analysis notes storm water drainage for this development discharging directly into the 100-year floodplain. City storm water regulations exempt developments such as this from storm water detention requirements.

Recommended Action: We recommend approval of the proposed development without the addition of storm water detention.

--END

For questions or comments, please contact:

Brian Kingsley, PE

President

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City of Tonganoxie, Kansas

PLANNING STAFF REPORT

Case#: 2023-008P, Rezone from R-R to R-SF; & Preliminary Plat

Date of Report: November 30, 2023; UPDATED January 4, 2024

Application: **Rezone R-R to R-SF / Preliminary Plat**
Date of Application: 10/27/23 (via email)
Date of Meeting: 12/7/2023; Continued to 1/4/24

Action: *A preliminary plat requires review and approval by the Planning Commission. If the preliminary plat meets the general layout and preliminary planning and design standards of the subdivision regulations, the Planning Commission shall approve the preliminary plat.*

A rezoning requires review and recommendation by the Planning Commission, and final approval by the City Council. The Planning Commission may make its recommendation based on the Comprehensive Plan, and based on reviewing the facts and evaluating a criteria in the zoning ordinance. The City Council may make its decision on these same criteria, and consideration of the Commission recommendation.

Applicant Name: Orison, LLC; Dan Lynch

Property Owner Name: Orison, LLC

Subject Property
Address: North of Washington Street and east of East Street(General Location)
Property Size: 6.59 acres zoned R-SF; 0.72 acres zoned RR (a portion of which is proposed to be platted)
Zoning: R-SF, RR
Legal Description: Meets and bounds – unplatted

Surrounding Property – Zoning and Use:
West: R-SF; senior living facility, single-family houses
North: R-R; Rural undeveloped property
East: R-R; undeveloped rural property and large lot residential
South: R-R and RR-2.5 (County); rural and large lot residential & schools (elementary & middle)

Recommendation: Approve the rezoning subject to conditions on development agreement for streets; approve the preliminary plat conditioned on further study of future street and trail connections – provided Commission agrees to grant exception to connectivity standards.

I. SUMMARY

Update: This public hearing for this application was opened and originally heard at the December 7, 2023 Planning Commission meeting. The Planning Commission continued the hearing so that the applicant and staff could provide further information on the following outstanding issues:

- *The request for lot and setback exceptions that the applicant initially brought up at the December 7, 2023 meeting and which were included on the proposed plat. (Discussion revolved around which of these could be done by plat; versus which needed other corresponding zoning actions.)*
- *The request for exceptions to the street connection standards. (Discussion was whether the applicant had fully considered other street connection options to both the property to the north, and to the broader area which was impacted by the creek and flood plain, and whether their justifications for not connecting were sufficient to meet the criteria in the Subdivision Regulations.)*
- *The condition that a development agreement be entered into for future improvements to East Street and the intersection of East Street and Washington Street. (Discussion was based on preliminary status of necessary improvements – improving East Street design; alignment of East Street at the intersection; and intersection crossing design details to access the school. The extent of needed full future improvements will not be known until preliminary designs, and the question of the appropriate contribution of the proposed property development and project is open.*
- *The disposition of Tract A, whether it can become a better amenity to the development and/or part of a larger trail connection for the area, and assurances that the applicant/property owners need to own and maintain this space. (Discussion occurred on these issues not appropriately reflected on the submitted preliminary plat.)*

This original staff report identified all of these issues and the report and analysis remains unchanged below, except where updates are noted in red “italics” with “Update:” indicated below.

This application is to rezone 0.72 acres from R-R to R-SF and for a preliminary plat of a larger related tract (6.59 acres) already zoned R-SF. The preliminary plat will cover a portion of the 0.72 acres proposed to be rezoned, but leave a parcel with an existing single-family home unplatted (corner property.) The plan is to develop 16 new detached houses on a cul-de-sac connection to Washington Street and 4 new single family lots that front on East Street on the west side of the property.

The lots range in size from 8,510 square feet to 26,695 square feet and range in frontage widths from 42 feet to 125 feet. The majority of lots have frontage widths of 65’ to 75 feet with an area of 8,500 and 10,000 square feet; the exceptions being narrower frontages and larger lots on the interior curve of cul-de-sacs, and the wider frontage on the exterior curve of irregular shaped lots. The property also includes “Tract A”, which includes a creek and drainage area on the east side of the property and connecting to a larger flood plain zone interior to the overall property section to the north and east.

II. ANALYSIS – REZONING

Rezoning applications must be reviewed against the following considerations (in bold italic text) as outlined by the City of Tonganoxie Zoning Ordinance, Section 27-011. Following each of the considerations are staff comments (in plain text). However, since staff has not had the benefit of considering testimony provided during the public hearing, the Planning Commission should consider each factor and the analysis in conjunction with testimony at the hearing prior to acting on the application. No one factor is necessarily controlling, nor do all factors need to be clearly established, but rather they are to be considered in balance as an overall evaluation of the application.

1. *Character of the neighborhood.*

The character of the surrounding area is a rural undeveloped land, single-family lots, large lot rural residential, and civic/institutional uses. The area is at a transition between established old neighborhoods, developing property and public investments, and undeveloped rural areas. There are natural features (wooded creek and floodplain) to the east and north of this property that present both development constraints and amenity opportunities for this property and the entire section bounded by East Street to the west, 4th Street on the north, the city limit on the east, and Washington Street on the south.

2. *Zoning and uses of properties nearby:*

Surrounding properties are zoned R-SF or R-R and include primarily residential uses or institutional uses that support residential neighborhoods. These include a middle school, elementary school, and a senior living facility. Other perimeters of the property are rural large lot housing or undeveloped property.

3. *Suitability of subject property for the uses to which it has been restricted:*

Due to the level of public investment in the area (schools) and the proximity to established gridded neighborhoods, this property is not suitable for rural and large lot residential uses. Provided the appropriate infrastructure and neighborhood amenities can be provided, the property is more suitable for a higher intensity of residential development. Property in the vicinity may be suitable to remain in large-lot, or rural-residential intensities if limited public infrastructure investments occur – primarily considering property to the east and south of the subject property.

4. *Extent to which removal of the restrictions will detrimentally affect nearby property:*

The majority of the proposed project area is already zoned R-SF and this proposal is to rezone a smaller corner portion from R-R to R-SF. Additionally, property to the west is also zoned R-SF and reflects a similar development pattern. Property to the south is mainly impacted by the presence of the schools, and it is beneficial to develop a greater intensity of housing near schools. Other properties to the north, east, and south could benefit from transitions provided by natural features (creek and wooded paths), and the subject property and adjacent developable areas would benefit from a greater focus on these attributes as potential neighborhood amenities.

5. *Length of time the subject property has remained vacant as zoned:*

There is an existing house on the southwest corner of the project area that was built in 1963 according to Leavenworth County GIS data. The remainder of the project area is undeveloped.

6. *Relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner:*

If the corner property remains zoned R-R it would not necessarily serve the intent of the R-R zoning district, which is to promote a rural and low-intensity residential pattern that is compatible with agriculture uses on the edges of the city. The property zoned R-R is 0.72 acres, and does not conform to the R-R minimum standard of at least 1 acre lots. Additionally, the majority of the project property is zoned R-SF and the areas to the west are similarly zoned and developed for greater intensity of residential or neighborhood-compatible uses.

7. *Adequacy of Infrastructure*

[see Section III. Preliminary Plat analysis below]

8. *Recommendations of professional staff:*

[see Section IV. Staff Recommendation below]

9. *Conformance of the requested change to the adopted or recognized comprehensive plan of Tonganoxie, Kansas:*

The future land use element of the 2006 comprehensive plan identifies this area as low density residential in association with the near-term growth boundary of the city and the civic and institutional areas of the city. R-SF zoning conforms to this aspect of the plan. In 2017, the Planning Commission also adopted plan supplements that addressed several community design elements in greater detail. One of these was housing and neighborhoods, and specifically how to achieve greater and more lasting value from neighborhood character as more housing is developed. These aspects of the plan called for a wider variety of housing options within and between neighborhoods, and a greater focus on neighborhood streetscapes, neighborhood amenities in parks, trails, and common areas, and more opportunities for walk and biking between neighborhoods. This project should be considered in that broader context as surrounding areas develop to consider potential relationships to adjacent developable areas, and to provide a greater variety of housing within consistent neighborhood patterns.

III. ANALYSIS –PRELIMINARY PLAT

The purpose of a preliminary plat is to show general and conceptual compliance with the city's subdivision design standards prior to completing final engineering and more technical drawings to divide lots and construct improvements. The preliminary plat is a coordinating document to guide the design and build out of development over time and to coordinate projects with other development in surrounding areas.

Plat applications must be reviewed against the following considerations (in bold italic text) as outlined by the City of Tonganoxie Subdivision Regulations, Section 4.1 and 4.2. The Planning Commission shall approve the plat if it meets the City's criteria for the following required improvements and development criteria:

a. *Street Systems - provision for the continuation of existing streets, connections to adjoin areas, and adequate internal streets; internal circulation; and proposed streets extended to the boundaries.*

The preliminary plat proposes an approximately 500-foot cul-de-sac connecting to Washinton Street on the north side of the street. The cul-de-sac will serve 16 lots private lots. The plat

proposes 4 additional lots that front on existing East Street on the west boundary of the property.

There are three primary issues to be addressed with this proposed street layout.

1. *Connectivity.* The subdivision standards require continuation of streets to the perimeter of adjacent undeveloped property at least every 660', and where the property is not being developed in association with the plat, a conceptual street layout. This is to facilitate an intermediate scale ("neighborhood scale") of street network planning between the comprehensive plan / major transportation plan and individual development projects. This proposal does not meet the connectivity requirement. The perimeter boundary on the west and north is approximately 1,500 feet and would require a minimum of 2 connections to the perimeter. While there may be topographic or development constraints that justify connectivity, a larger concept street layout for surrounding areas has not been prepared to put the decision to not connect into a broader context, and at a minimum, connections to developable property to the north are advisable (this is related to the East Street improvements discussed below). Additionally, if the Planning Commission is to grant an exception to the connection requirements, alternatives that provide pedestrian and bike connections can also be requested per the subdivision standards (the design standards suggest that any block more than 1,000 feet or any disconnected street should consider pedestrian easements or connections to potential adjacent areas and amenities at the same frequency as would otherwise be required by the street network.)

Update: The applicant supplied a conceptual street network layout for how adjacent property could develop based on a decision not to connect as required by the subdivision regulations. (This was also presented by the applicant at the 12/7/23 Planning Commission meeting.) This concept involves a second future cul-de-sac coming east off of East Street on the property to the north. Additionally, the applicant provided justification for not connecting via e-mail (December 8, 2023 email to staff) that is summarized as follows and may be expanded on by the applicant at the continued hearing:

- A. *There is an elevation change from East Street to proposed S. East Terrace, and a future connection to East Street on this property or property to the north would disrupt the preferred "walk out" design that will be afforded by the proposed layout and lots fronting East Street.*
- B. *Floodplain and topography is limiting development on property to the north.*
- C. *The city installed sewer line would need to be relocated if a different street layout is proposed.*

If the Planning Commission concurs with these justifications, it may grant an exception to the street connection requirements according to the subdivision regulations, and approve the plat as proposed.

2. *East Street.* The preliminary plat has four lots fronting on east street. This is a preferred pattern for subdivisions according to the 2017 neighborhood design principles (i.e. not "backing" subdivisions to streets so that the rear yards appear on city streets and the city maintains streets that have no immediate development value.) However, East Street is not in its fully improved state. While it can support four additional lots in its current state, this project should be required to contribute its portion of the ultimate East Street improvement (including where and how it ultimately connects to the street network to the north and west.) A development agreement should be required to determine the appropriate contribution of this project. Additionally, the streetscape design considerations and residential frontage design considerations identified in the 2017 planning efforts (i.e. how residential lots should front on and access local, collector, or arterial neighborhood streets) should be considered within that agreement,

and look at options for how the four lots interface with the ultimate East Street streetscape design. [Note: these ultimate improvements may be in the future, and will require coordination of multiple parties and entities, so the development agreement should reconcile how this project should contribute, and how the project can occur in an interim state without undermining to potential long-range design solution.

Update: Improvements to East Street and the Washington Street intersection are part of a full scope of capital improvements that are necessary to support this proposed project, as well as other future development in the area. The lots fronting on East Street will directly impact the East Street improvements and the overall project will impact the need for intersection improvements that address both traffic and pedestrian issues, particularly regarding pedestrians coming from East Street and proposed S. East Terrace to the school. The applicant is continuing discussions with the City on the extent of improvements necessary and the potential timing of these needed improvements. The rezoning and preliminary plat may be considered for approval contingent on the applicant and the City reaching agreement on the terms of a development agreement related to the infrastructure improvements associated with this development.

3. **Pedestrian Connectivity.** As mentioned above, part of the 2017 comprehensive plan supplements dealt with neighborhood character and public realm design to enhance pedestrian connectivity. This includes neighborhood streetscapes, access to neighborhood common areas and amenities, and connections to surrounding civic assets. In this case – and particularly if neighborhood street network connections are not being made – this presents two principle issues: (a) pedestrian connections to the adjacent school complex (for the cul-de-sac, Washington Street, and East Street); and (b) potential pedestrian and trail connections on the east side (Tract A common area) and/or north side if no street connections are justified. The 2017 public realm design plan supplement included some of these areas to the north and east as potential trail connections – this was both to capitalize on the broader opportunities and amenities of the regional trail system around Tonganoxie, but also to convert what may otherwise be a development constraint for this entire section into a potential development amenity. (i.e a street network and block arrangement that makes these areas more of a central focal point rather than leftover space internal to and behind development.) While these areas are not within the proposed development, it does indicate why a conceptual circulation plan could be important to put the proposed preliminary plat in context, and at a minimum potential connections to and through Tract A within the preliminary plat should be considered (as well as connections to and across Washinton Street).

Update: See item a.1 above and item e. below.

- b. **Lots – the lot arrangement provides building sites meeting the standards of the city regulations and proposed zoning.**

The R-SF zoning district requires all lots to be a minimum of 65' wide and 6,000 square feet in areas. All proposed lots meet this standard (those with shorter frontage are on curves where the 65' requirement is measured further back at the front building line due to the configuration of the lot frontage.) The arrangement of these lots are dictated more by the proposed street layout discussed in section II.a above, and any issues with that will be addressed by street layout considerations. Additionally, while the lots in this proposed plat comply with the zoning and platting standards, as more property in this area continue to develop, a wider range of housing types and lot patterns will be desired (see 2017 housing and neighborhood design supplement in the plan.)

Update: The proposed preliminary plat included build lines that did not conform to the R-SF zoning standards. There is limited ability to address this through platting, but broader changes to the standards should either be based on a “planned development” according to the cities R-SF-CUP zoning process and criteria, or through a general change to setbacks in the R-SF district. The applicant has withdrawn the request to have 7-foot side setbacks throughout the project (other than the 10’ required by the R-SF zoning district), and retains the request to show a 25’ platted rear building line on lots that back to Tract A (rather than the 30’ required by the R-SF zone district.) This remaining request is appropriate through the plat process as an exception according to Section 7.1 of the Subdivision Regulations. Staff concurs with this proposed building line exception due to the size of the lots, the topography in the area, and the fact that these lots back to common areas that will be owned and maintained by the property owner or future home owners association.

c. Character of Development – Minimum requirements on the character of development (both within the proposed project and in relation to surrounding property) may be included in the required project.

With respect to land use and intensity, the proposed is consistent with the character of development within the area. The relationship and transitions to adjacent areas is dictated more by the street layout and connectivity requirements identified in section II.a above.

d. Utilities and Easements

The proposed utilities and easements appear acceptable at a planning and conceptual level. The City Engineer has reviewed the preliminary plat (November 15, 2023 report) and recommends approval subject to some specific details the stormwater pipe from S. East Terrace to the adjacent boundary, the disposition and access to Tract A (see section II.e), and the improvement plans for East Street (see section II.a.2.) Approval of construction plans according to all City specifications is required for all improvements, and construction plans for streets, storm sewer and sanitary sewer hill need to be submitted in coordination with the final plat. Based on a technical review of these plans, and based on other planning issues associated with the preliminary plat, adjustments to easements in the final plat may be advised.

Update: The application includes a proposed concentrated discharge onto adjacent property at the north end of proposed S. East Street Terrace. Per the City Engineer memo dated December 27, 2023, (comment 1) the applicant should obtain written documentation/agreement from the adjacent property owner for this concentrated discharge.

e. Open Spaces and Community Assets – parks, school sites and other civic assets, other than streets.

This project is well situated to many community assets and to potential community assets, including schools, parks, and trails, and downtown. Most of these civic assets are off-site, elevating the importance of street connections to off-site street networks crucial to accessing these amenities. The plat also includes a proposed Tract A that has the potential for greater connections to similar land on adjacent sites. While these areas are not part of the immediate project they have the potential to be amenities for the entire section as identified in the city’s long-range plans. However, there are no connections to this property, no plans to present this as a neighborhood amenity, and no concept plans for how this tract could be incorporated into a broader system of trails and open spaces. At a minimum this project should consider the following with regard to open spaces and civic assets:

1. Improved pedestrian connections to the school – including the cul-de-sac streetscape design, Washinton Street, and East Street. (see section II.a above)
2. Alternative connections to the north and west of the property for potential bike and pedestrian routes – particularly if the Planning Commission approves an exception to the minimum connectivity requirements and waive the requirement to extend streets to the perimeter.
3. Connections to Tract A, and then potential connections from Tract A to Washinton Street on the south, and to additional similarly situated land on the north and east of Tract A. At a minimum, a homeowner’s association will need to be created to accept ownership, legal responsibility, and demonstrate the ongoing financial and administrative capacity to maintain this undeveloped Tract.

Update: The applicant has provided a declaration on the preliminary plat regarding Tract A. However, that is not sufficient to clearly indicate the following requirements:

1. *That the Tract will be owned by and maintained by a future HOA for drainage purposes.*
2. *That the applicant shall demonstrate legal, technical, and financial means of the HOA to fulfill these requirements (subject to City Attorney review) prior to approval of the final plat.*
3. *The applicant should consider designs for this area and/or access to it, so that it serves as a better amenity for the neighborhood.*
4. *That the city requests the reservation of an easement through this area for a potential future trail connection. This would be contingent on a broader trail network being designed and built on similarly situated property to the north.*

f. Suitability of the Land

The land is undeveloped but has been planned low density residential development for several years. In general, the land is suitable for this type of development.

IV. EFFECT OF DECISION

Preliminary Plat. The Planning Commission may approve, conditionally approve/modify or deny a preliminary plat application. Any denial or conditional approval/modification must specifically state the reasons for the decision and requirements to meet the Commission’s approval.

The approval of the preliminary plat does not constitute final approval or acceptance of the subdivision by the City Planning Commission or authorization to proceed on construction of the improvements within the subdivision but shall constitute approval of the general layout. Approval of a preliminary plat is valid for one year; within which time a final plat shall be submitted. A final plat that conforms to the subdivision standards and is conforms to the general layout of the preliminary plat may be approved. Denial of a preliminary plat may be appealed to the City Council

Rezoning: Approval of a Rezoning will authorize development according to all R-SF development standards. The Planning Commission makes a recommendation to the City Council for a final decision.

V. RECOMMENDATION

The threshold issue for this application is if the Planning Commission determines that the lack of street connections and an exception to the connectivity standards is warranted. At a minimum, staff feels that a connection to the potentially developable site to the north should be considered, and this may be related to what the ultimate improvement of East Street will be. Alternatively, a conceptual circulation

plan for the entire area could put the proposed cul-de-sac and impacts from lack of connectivity in a broader perspective.

Dependent on how the Commission resolves the above issue, and assuming that the Planning Commission makes findings to grant the exception or consider acceptable alternatives, staff recommends the following:

That the Planning Commission recommend that the City Council approve rezoning of the property from R-R to R-SF subject to the following conditions:

1. The approval is subject to a development agreement between the City and the applicant on the regarding the ultimate East Street improvements. This agreement should address apportionment of costs, potential timing, and contingencies for the ultimate design solutions.
2. The rezoning approval is subject to the proposed preliminary plat, and addressing all issues on the plat prior to a final plat.

That the Planning Commission approve the preliminary plat subject to the following being addressed before approval of a final plat:

1. A development agreement, associated with the rezoning, between the City and the applicant on the regarding the ultimate East Street improvements.
2. Alternative connections to adjacent property be considered and fully vetted in the broader context of this property section (4th Street, East Street, Washinton Street, and east city limits), including:
 - a. Potential of street connections to the north;
 - b. Potential of trail connections to the north and east

Update: If the Planning Commission concurs with the applicant's justifications for not connecting streets, it may grant an exception according to the Subdivision Regulations and approve the proposed cul-de-sac layout.
3. Improved pedestrian connections to the schools be provided, including the cul-de-sac streetscape, along Washinton Street, along East Street, and the intersection of Washington and East Street. (some of this may be associated with and dependent on the development agreement indicated in condition 1. Above)
4. A homeowner's association shall be formed to accept ownership, legal responsibility, and demonstrate the ongoing financial and administrative capacity to maintain this undeveloped Tract. Documents shall be approved by the City Attorney prior to approval of a final plat.
5. Tract A be considered as a potential amenity to the overall project and surrounding area, including potential trail connections to property to the north and east, and a connection to Washinton Street to the south (potentially related to better pedestrian connections to the school.)

Update: The disposition of Tract A should include an easement to the City for a potential trail connection in the event that a broader trail network is designed and constructed on similarly situated property to the north.
6. All other elements in the City Engineers report dated November 15, 2023 are incorporated and addressed prior to final plat.

Update: The applicant should coordinate and obtain written documentation/agreement for the proposed concentrated discharge onto the adjacent property. Additional comments are included in the City Engineers report dated December 27, 2023.
7. *Update: The Planning Commission grant an exception to the platted building lines on lots that back up to Tract A, allowing a 25' rear building line in place of the 30' that is required under R-SF zoning.*



Chris Brewster
Contract City Planner

PRELIMINARY PLAT FOR WREN ESTATES

IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9-T11S-R21E
IN THE CITY OF TONGANOXIE, LEAVENWORTH COUNTY, KANSAS

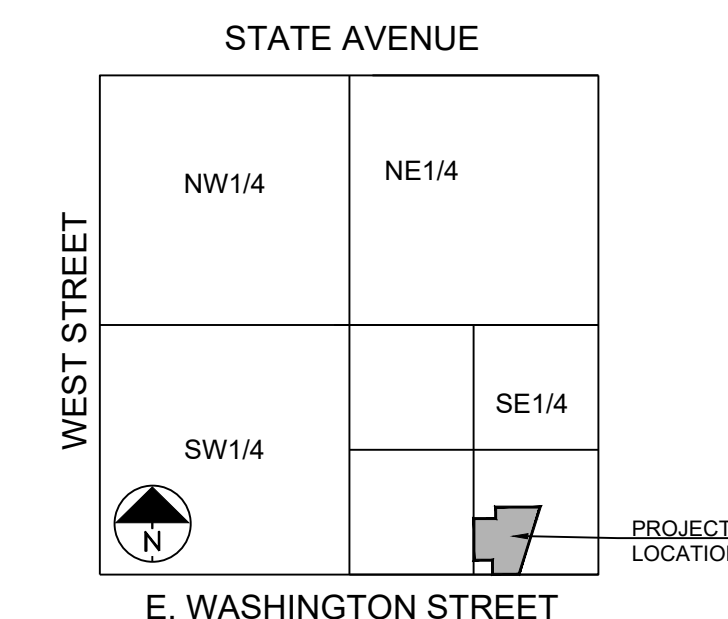
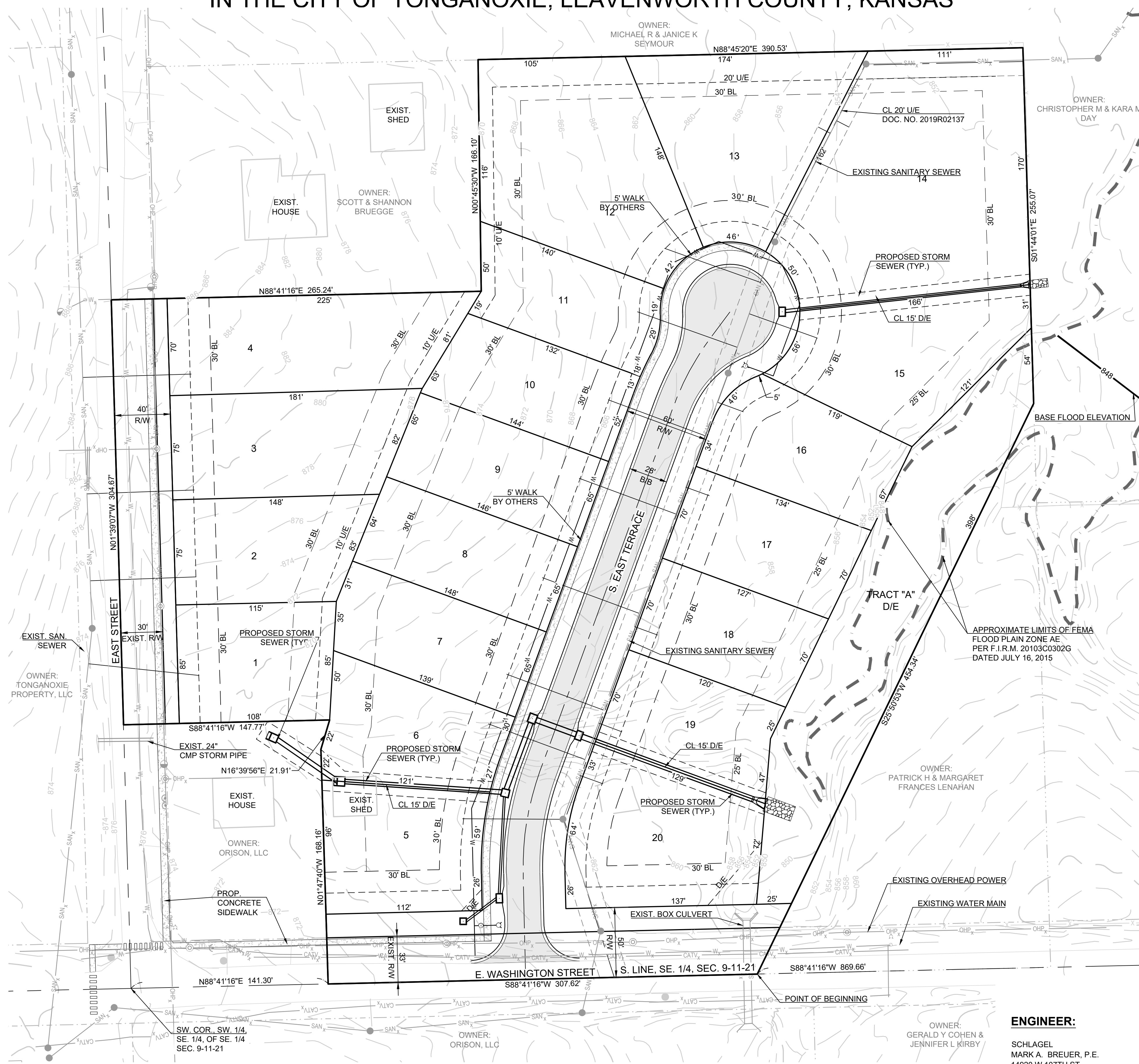
LEGEND:

- A/E - ACCESS EASEMENT
- BC - BACK OF CURB
- B/B - BACK TO BACK
- BM - BENCHMARK
- BL or B.L. - BUILDING LINE
- CO - CLEANOUT
- TJB - TELEPHONE JUNCTION BOX
- C&G - CURB AND GUTTER
- D/E - DRAINAGE EASEMENT
- E/E - ELECTRICAL EASEMENT
- EL - ELEVATION
- FL - FLOW LINE
- G/E - GAS LINE EASEMENT
- HDPE - HIGH-DENSITY POLYETHYLENE
- L/E - LANDSCAPE EASEMENT
- MSFE - MINIMUM SERVICEABLE FLOOR ELEVATION
- PVC - POLYVINYL CHLORIDE
- P/L - PROPERTY LINE
- PUB/E - PUBLIC EASEMENT
- RCP - REINFORCED CONCRETE PIPE
- ROW or R/W - RIGHT-OF-WAY
- S/E - SANITARY SEWER EASEMENT
- SL - SERVICE LINE
- S/W - SIDEWALK
- TE - TOP ELEVATION
- U/E - UTILITY EASEMENT
- WSE - WATER SURFACE ELEVATION
- W/E - WATERLINE EASEMENT

- ASPHALT PAVEMENT - EXISTING
- ASPHALT PAVEMENT - PROPOSED
- CONCRETE PAVEMENT - EXISTING
- CONCRETE PAVEMENT - PROPOSED
- CONCRETE SIDEWALK - EXISTING
- CONCRETE SIDEWALK - PROPOSED
- CURB & GUTTER
- CURB & GUTTER - EXISTING
- TREELINE
- EXISTING LOT AND R/W LINES
- EXISTING PLAT LINES
- PROPERTY LINES
- RIGHT-OF-WAY
- SANITARY SEWER MAIN
- SANITARY SEWER MAIN - EXIST.
- STORM SEWER
- STORM SEWER - EXISTING
- CABLE TV - EXISTING
- FIBER OPTIC CABLE - EXISTING
- TELEPHONE LINE - EXIST.
- ELECTRIC LINE - EXISTING
- OVERHEAD POWER LINE - EXIST.
- UNDERGROUND ELECTRIC - EX.
- GAS LINE - EXISTING
- WATERLINE - EXISTING
- LIGHT - EXISTING
- EXISTING MANHOLE
- CLEANOUT
- EXISTING SANITARY MANHOLE
- PROPOSED SANITARY MANHOLE
- EXISTING AREA INLET
- EXISTING CURB INLET
- EXISTING GRATE INLET
- EXISTING JUNCTION BOX
- EXISTING STORM MANHOLE

DECLARATION

TRACT "A" TO BE OWNED BY THE H.O.A. AND LEFT IN A NATURAL CONDITION IN A DRAINAGE EASEMENT DEDICATED TO THE CITY OF TONGANOXIE.



SECTION 09-11-21
LOCATION MAP
SCALE 1" = 2000'

LOT #	AREA (SF)	AREA (AC)
4	14020	0.32
5	10358	0.24
6	9518	0.22
7	9490	0.22
8	9544	0.22
9	9405	0.22
10	8955	0.21
11	8746	0.20
12	19040	0.44
13	15204	0.35
14	27351	0.63
15	13094	0.30
16	9798	0.22
17	9116	0.21
18	8623	0.20
19	8510	0.20
20	13297	0.31
R/W	48688	1.12
TRACT "A"	24364	0.56

DESCRIPTION:

A tract of land lying in the East One-Half of the Southeast One-Quarter of section 9, Township 11 South, Range 21 East, in the city of Tonganoxie, Leavenworth County, Kansas being more particularly described as follows:

Commencing at the Southeast corner of the said Southeast One-Quarter; thence along the South line of said Southeast One-Quarter, South 88 degrees 41 minutes 16 seconds West, a distance of 869.67 feet to the Point of Beginning; thence continuing along said South line, South 88 degrees 41 minutes 16 seconds West, a distance of 307.62 feet; thence North 01 degrees 47 minutes 40 seconds East, a distance of 168.16 feet; thence North 16 degrees 39 minutes 56 seconds East, a distance of 21.91 feet; thence South 88 degrees 41 minutes 16 seconds West, a distance of 147.77 feet to a point on the West line of said East One-Half; thence along said West line, North 01 degrees 39 minutes 07 seconds West, a distance of 304.67 feet; thence North 88 degrees 41 minutes 16 seconds East, a distance of 265.24 feet; thence North 00 degrees 45 minutes 30 seconds West, a distance of 166.10 feet; thence North 88 degrees 45 minutes 20 seconds East, a distance of 390.53 feet; thence South 01 degrees 44 minutes 01 seconds East, a distance of 255.07 feet; thence South 25 degrees 50 minutes 53 seconds West, a distance of 454.34 feet to the Point of Beginning, and containing 7.3703 acres, more or less.

EXISTING ZONING: R-R & R-SF
PROPOSED ZONING: R-SF

AREA REQUIREMENTS:

- A. Minimum front yard:
 1. Minimum depth of 30 feet on all street rights-of-way.
- B. Minimum side yard:
 1. 10 Feet Required
 2. Minimum rear yard -- Minimum depth of 30 feet. (30' Typ., 25' Adjacent to Tract A. 30 feet required, Deviation Requested)
- C. Minimum lot area -- 6,000 Square Feet.
- D. Minimum lot width -- All lots shall have a minimum width at the setback line of 65 feet.

SCHLAGEL
ENGINEERS
PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
14920 West 107th Street • Lenexa, Kansas 66215
(913) 492-5158 • Fax: (913) 492-8400
WWW.SCHLAGELASSOCIATES.COM
Kansas State Certificates of Authority
#E-296 #L-A-29 #L-S-54

PREPARED BY:

SCHLAGEL & ASSOCIATES, P.A.

WREN ESTATES
PRELIMINARY PLAT
EAST ST & E WASHINGTON ST TONGANOXIE, KS

REVISION DATE	DESCRIPTION
12-22-2023	###
###	###
###	###
###	###
###	###
###	###
###	###
###	###
###	###
###	###
###	###

PRELIMINARY PLAT

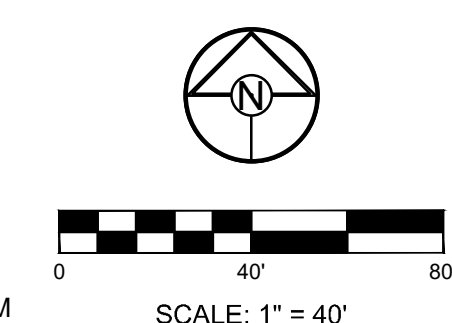
SHEET

ENGINEER:

SCHLAGEL
MARK A. BREUER, P.E.
14920 W 107TH ST
LENEXA, KS 66215
p (913) 492-5158
COMMENTS@SCHLAGELASSOCIATES.COM

OWNER/DEVELOPER:

ORISON, LLC
DAN LYNCH
1204 STATE AVENUE, SUITE A
TONGANOXIE, KS 66086
p (913) 369-3000
f (913) 369-3002
DANLYNCH@LYNCHRESIDENTIAL.COM



December 22, 2023

Lindsay Huntington
Municipal Court Clerk
City of Tonganoxie, KS
526 E. 4th Street
Tonganoxie, Kansas 66086

RE: REAR YARD SETBACK EXCEPTION REQUEST – WREN ESTATES

Dear Ms. Huntington,

As you are aware we have made application for a preliminary plat for Wren Estates on behalf of Lynch Real Estate. Wren Estates is a proposed 20 lot single-family subdivision located at the northeast corner of East Street and Washington Street.

With this application we are respectfully requesting an exception from the rear yard setback requirements for lots 15-20. The property is currently zoned R-SF, and the required rear yard setback for that district is 30 feet. We are requesting a 5' reduction from this requirement and proposing a 25' rear yard setback for these lots. Exceptions are permitted to be granted by the Governing Body on recommendation of the Planning Commission per Section 7.1 of the Subdivision Regulations. Per said Section 7.1:

“Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of the regulations would result in extraordinary hardship to the subdivider because of unusual topography or other non-self-inflicted conditions....”

Lots 15-20 back up to Tract A, which is proposed to be dedicated as a Drainage Easement and contains floodplain, steep topography, as well as preserved open space. These lots front on S. East Terrace, which follows the alignment of the sanitary sewer the City install a few years ago. The two factors fix the allowable depth available for these lots, and by granting this exceptions allows for the addition of covered porches and decks with the homes which are highly desirable and would otherwise be eliminated with strict compliance with the requirements. Because these lots back to open space, the feel of the rear yard is much greater than if they backed to additional lots, and preserves the spirit and intent of the regulations.

We appreciate the City's consideration of this request. Should you need any additional information please do not hesitate to contact me.

SCHLAGEL & ASSOCIATES, PA



Mark A. Breuer, PE
Principal



CITY OF TONGANOXIE
CHANGE OF ZONE REQUEST AND PROCEDURES

Date Received: _____
Fee Paid: _____
Received By: _____

ZONE CHANGE APPLICATION

REQUESTED REZONING FROM: R-R and R-SF TO: R-SF
PRESENT ZONING DISTRICT PROPOSED ZONING DISTRICT

SITE ADDRESS OR PROPERTY LOCATION Washington and East Streets

SIZE OF SITE (ACRE/SQUARE FEET) .70 / 30,492 SF

ASSESSOR'S TAX PARCEL NUMBER 1920904001006000

APPLICANT: Orison, LLC

MAILING ADDRESS: 1204 State Avenue, Suite A, Tonganoxie, KS 66086

PHONE NUMBER: [REDACTED] (daytime) [REDACTED] (cell) [REDACTED] (fax)

EMAIL ADDRESS: [REDACTED]

LANDOWNER OF RECORD (If different than applicant): Orison, LLC

ADDRESS: 1204 State Avenue, Suite A, Tonganoxie, Ks 66086

PHONE NUMBER: [REDACTED] (daytime) [REDACTED] (cell) [REDACTED] (fax)

EMAIL ADDRESS: [REDACTED]

AGENT or ARCHITECT/ENGINEER /LAND PLANNER: Schlagel

BUSINESS ADDRESS: [REDACTED]

PHONE NUMBER: [REDACTED] (daytime) [REDACTED] (cell) N/A (fax)

EMAIL ADDRESS: [REDACTED]

Required materials needed to file this application:

- o Application and fee
- o A signed affidavit
- o A copy of the current deed for the property and an electronic copy (Microsoft Word)
- o Site plan drawn to scale showing the dimensions of the property
- o The existing streets and utilities serving the area
- o New proposed streets and/or utilities
- o Any improvements proposed,
- o Surrounding property owners list
- o Four (4) folded copies of all plans
- o One (1) reduced copy (11"x17") of all plans
- o One (1) electronic copy of all plans (PDF)

In accordance with Section 27-011 of the City of Tonganoxie Zoning Ordinance, please describe how the requested application is consistent with the following considerations for approving or disapproving a rezoning application:

Briefly describe the present use and character of this property and the surrounding neighborhood.

Currently a residential single family home with outbuildings.

Briefly describe the compatibility with the zoning and uses of properties nearby. _____

The adjacent zoning to the north, west, and east is R-SF, the requested zone change.

The property to the south is in the County.

Briefly describe the suitability of this property for uses to which it has been restricted. _____

Highly suitable within the adjacent proposed development.

Briefly describe the extent to which the removal the restrictions will detrimentally affect nearby property.

By allowing the zone change the property will be incorporated into a R-SF development and will not have a detrimental impact on adjacent property.

Briefly describe the length of time the subject property has remained vacant as zoned: _____

Undetermined - it has been part of a large lot single family property

Briefly describe why you feel that the proposed change is suitable for this property and is the best use of this land: _____


It allows for the dilapidated outbuildings to be removed and incorporated into 2 adjacent lots.

Briefly describe the adequacy of public utilities and infrastructure: _____

Sewer and water present onsite.

Briefly describe how the requested change is in conformance to the adopted or recognized comprehensive plan of Tonganoxie KS _____

This area is shown as low-density residential, which matches the zone changes request.



Signatures of owner(s):

Dan Lynch

Print Name

Signatures of owner(s):

Print Name

OWNERSHIP AFFIDAVIT

City of Tonganoxie
County of Leavenworth
State of Kansas

I, Dan Lynch and N/A being duly sworn depose and

say that I am the Owner of said property involved in this petition and the foregoing signatures.

Statements and answers herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

Signed and entered this 24th day of October, 2023.

Dan Lynch

1204 State Avenue, Suite A, Tonganoxie, KS 913-369-3000

Print Name

Address

Phone No.

Signature

N/A

N/A

Print Name

Address

Phone No.

Signature

Subscribed and sworn to before me on this 24th day of October, 2023.

Marilyn M. Thompson
Notary Public Signature

Marilyn M. Thompson
Notary Public Print Name

My commission expires:

June 16, 2026



CITY OF TONGANOXIE
CHANGE OF ZONE REQUEST AND PROCEDURES

The procedure for obtaining a rezoning ordinance is as set out in Section 26 of the Zoning Ordinance in effect for the City of Tonganoxie. A complete copy of the Zoning Ordinances may be viewed on the website at www.tonganoxie.org.

The enclosed application form must be filled out completely by the owner(s) of the property proposed to be rezoned, or by an authorized agent who must submit legal documentation of authorization. All signatures must be in ink and must be notarized.

A certified list of property owners, names and addresses, and CAMMA numbers for all of the property which lies within 200 feet of the boundaries of the property within the City Limits and 1000 feet of the boundaries within the county area proposed to be rezoned (excluding rights of way) must be provided by the applicant. Any error in this list of property owners will result in reapplication accompanied by a second application fee to be paid by the applicant and a new public hearing.

The documents needed to file this application include:

- Application and fee
- A copy of the current deed for the property and an electronic copy (Microsoft Word)
- A signed affidavit
- Site plan drawn to scale showing the dimensions of the property
- The existing streets and utilities serving the area
- New proposed streets and/or utilities
- Any improvements proposed,
- Surrounding property owners list
- Four (4) folded copies of all plans
- One (1) reduced copy (11"x17") of all plans
- One (1) electronic copy of all plans (PDF)

The application is to be filed in the office of the City Clerk, together with the filing fee, as set out by the Tonganoxie Application Fee Schedule. The application must be filed according to the Application and Review schedule adopted by the Planning Commission.

After the conclusion of the public hearing, fourteen days must elapse before the application may be placed before the Tonganoxie City Council. This is the time allowed for the filing of a protest petition. If the Tonganoxie City Council disagrees with the recommendation made by the Planning Commission, the application must then go again before the Planning Commission for further study and review. If the application is approved by the City Council, an ordinance is passed to rezone the property. Please note, however, that this process is not complete until the ordinance has been officially published.

CITY OF TONGANOXIE, KANSAS

APPLICATION FOR PRELIMINARY PLAT AND FINAL PLAN APPROVAL

Requested Action	Fee Paid	Date Rec'd	Date Published	Hearing Date
<input checked="" type="checkbox"/> Preliminary Plat	_____	_____	_____	_____
_____ Street & Storm Sewer Plan	_____	_____	_____	_____
_____ Sanitary Sewer Plan	_____	_____	_____	_____
_____ Waterline Plan	_____	_____	_____	_____
<input checked="" type="checkbox"/> Final Plat	_____	_____	_____	_____
_____ Site Plan	_____	_____	_____	_____
_____ Landscaping Plan	_____	_____	_____	_____

Name of Development WREN ESTATES

General Location WASHINGTON AND EAST STREETS

Applicant:

Name: ORISON, LLC Contact: DAN LYNCH

Address: 1204 STATE AVENUE, SUITE A, TONGANOXIE, KS 66086

Phone/Fax: ████████████████████

E-mail address ████████████████████

Owner Developer:

Name: ORISON, LLC Contact: DAN LYNCH

Address: 1204 STATE AVENUE, SUITE A, TONGANOXIE, KS 66086

Phone/Fax: ████████████████████

E-mail Address ████████████████████

Engineer:

Name: SCHLAGEL Contact: MARK A. BREUER, PE

Address: 14920 W 107TH ST, LENEXA, KS 66215

Phone/Fax: ████████████████████

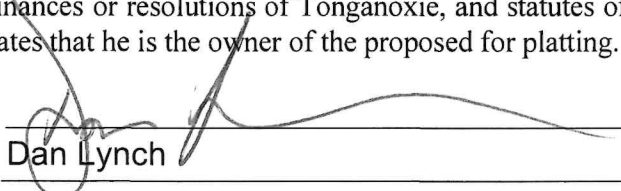
E-Mail Address ████████████████████

SUBDIVISION INFORMATION:

- Gross acreage of plat: _____
- Total number of lots: 20
Residential Business _____ Industrial _____ Other _____
- Existing zoning R-R and R-SF Proposed zoning R-SF

THE owner herein agrees to comply with the subdivision regulations for Tonganoxie, as amended, and all other pertinent ordinances or resolutions of Tonganoxie, and statutes of the State of Kansas. The undersigned further states that he is the owner of the proposed for platting.

OWNER'S SIGNATURE _____


Dan Lynch

OFFICE USE:

RECEIVED BY _____

Date _____ Fee Submitted _____

GENERAL INFORMATION

This general checklist is provided only to aid the understanding of the plat and plan approval process. The plat and plan approval process is detailed in the subdivision regulations. The subdivision regulations are available online at www.tongie.org or at City Hall. It is the responsibility of the applicant and/or his representative to meet all of the regulations applicable to this subdivision.

The Tonganoxie Planning Application and Review Schedule will be followed to allow time for staff review and a public hearing. A public hearing on the proposed plat will be held before the Planning Commission. When a plat is submitted, public notice must be published in the official paper of Tonganoxie, Kansas, giving the name of the subdivision, owner, legal description, location and approximate acreage.

Approval of the Preliminary Plat does not constitute final approval or acceptance of the subdivision by the City Planning Commission or authorization to proceed with the construction of improvements within the subdivision, but shall constitute approval of the general layout.

The approval of the Preliminary Plat shall only be effective for one (1) year, unless the Planning Commission grants an extension. The Planning Commission may not grant an extension for a period in excess of one (1) year. If the final plat has not been submitted for approval within this period, a Preliminary Plat must be re-submitted for Planning Commission approval.

When the Final Plat has been approved by the City Council, the developer shall supply 3 copies of the plat on reproducible drafting film and 11 blueline copies for proper signatures. The developer is responsible for filing the Final Plat with the Register of Deeds in Leavenworth County.

After receiving the recorded final plats and a performance bond or irrevocable letter of credit from the developer, he may proceed with the installation and construction of the required improvements. Building permits will be issued after improvements have been completed and approved by the City Engineer.

The developer shall file performance and maintenance bonds with the City.

As built plans, profiles and cross sections of the required improvements shall be filed with the City Engineer.

See complete information in the Subdivision Regulations:

Section S-2 Preliminary Plat Procedure and Content

Section S-3 Final Plat Procedure, Content, and Action by the Planning Commission

Section S-4 Minimum Subdivision Design Standards & General Requirements

Section S-5 Improvements and Improvement Plan

Site Plan Review Standards and Site Review Committee

Preliminary Plat Checklist

- Submit a minimum of 6 copies
- Current Title Report - no more than 3 months old & a certificate of title verifying ownership no more than 30 days old
- Review: See Planning Application & Review Schedule for submittal dates. Staff review will include Planner, Administrator, City Superintendent, Engineer, Fire Chief, Police Chief and Building Inspector
- Fee: See Application Fee schedule for current fee amounts as established by the City Council. Costs incurred by the city for review of revised plats will be billed to the applicant.
- Checklist:
 - Clearly marked "Preliminary Plat"
 - Name of subdivision (If replatting, original plat must be referenced in title)
 - Name & address of owner, and name, address and registration of the engineer and/or surveyor preparing the plat
 - Surveyor's seal, signature & date--see KS Minimum Standards for Boundary Surveys
 - Date completed, Scale, North point, Key map
 - Legal description--including section, township, range and meridian
 - Drawing to scale of platted area, dimensioned and tied to at least 2 section corners
 - Contours at a minimum of 2 foot intervals
 - Names and location of adjacent owners and subdivisions
 - Location and dimension of property lines, streets, alleys, easements, buildings, utilities, watercourses and other items that will affect the plat
 - Existing & proposed zoning
 - Location and elevation of 100 year floodplain and floodway boundaries
 - Layout, number and dimensions of proposed lots and building or setback lines
 - Location, width & dimensions of all lands proposed for dedication to public use including easements
 - Proposed names for streets
 - New utilities--method and timeline for all installations proposed, 3 copies of preliminary layouts of the street paving and all utility lines and all appurtenant work such as manholes & fire hydrants, utility lines and power poles
 - Written & signed statements from City-County Health Department stating approval of lot sizes and type of sewage system if not connecting to the city sewer system.
 - Written & signed commitments of utility availability from appropriate Utility officials gas, electric, telephone, water, cable.
 - Restrictions proposed for the plat in the Owner's Declaration of Plat.

Final Plat Checklist

Submit a minimum of 4 copies of the Final Plat, 1-11x17 copy, 1 address map, with required signatures and professional certifications for review by the Planning Commission.

- Review: See Planning Application & Review Schedule for submittal dates. Staff review will include Planner, Administrator, City Superintendent, Engineer, Fire Chief, Police Chief and Building Inspector
- Fee: See Application Fee schedule for current fee amounts as established by the City Council. Costs incurred by the city for review of revised plats will be billed to the applicant.
- Checklist:
 - Clearly marked with legal description
 - Boundary lines marked with accurate distances & angles
 - Mark highways, streets, alleys with width and names
 - Outline of property dedicated for public use
 - Lines of departure from one street to another
 - Lines adjoining property and lines of adjoining streets with width & names
 - All lots designated by numbers or letters
 - All streets avenues and other grounds by names , letters or numbers
 - Location & widths of building lines on front & side streets
 - Location & widths of utility easements, easements for future construction and easements for drainage purposes.
 - All dimensions both linear & angular for locating boundaries
 - The radii, arcs, chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners
 - Location and description of survey monuments and bench marks
 - Subdivision name, Clearly marked as Final Plat, Points of compass, and names of every owner or subdividers
 - Reference to Private restrictions and trusteeships if on a separate instrument
 - Plat Restrictions, dedication of public use, granting of easement acknowledged by owners
 - Signature lines & verification of owners
 - Signature lines for Land Surveyor or Licensed Professional Engineer of the State of Kansas
 - Signature lines for Chairman & Secretary of the Planning Commission
 - Signature lines for City Engineer
 - Signature lines for Mayor and City Clerk
 - Signature lines for Register of Deeds
 - Signature line for the County Surveyor
 - True north point, graphic scale, & date



MEMO

To: George Brajkovic, City Manager
City of Tonganoxie

Cc: Dan Porter, Asst. City Manager
Kent Heskett, City Superintendent
John Zimbleman, Fire Chief
Chris Brewster, City Planner

From: Brian Kingsley, City Engineer

Date: December 28, 2023

Re: Stone Creek 10 Development
Revised Final Plat Review
23-1001L

The following are the City Engineer and staff review comments related to Engineering issues:

Final Plat (dated: **December, 2023** Electronically received 12-28-2023):

Recommended Action: We recommend the City consider approval of the Final Plat as submitted.

--END

For questions or comments, please contact:

Brian Kingsley, PE

President

T: 785.727.7261

E: brian.kingsley@bgcons.com



City of Tonganoxie, Kansas

PLANNING STAFF REPORT

Case#: 2023-007P, Final Plat, Stone Creek No. 10

Date of Report: October 27, 2023

Application: Final Plat
Date of Application: 9/21/2023 (received by consultant via e-mail)
Date of Meeting: 11/2/2023

Action: *A final plat requires review and approval by the Planning Commission. If the final plat is in substantial conformance with a preliminary plat and meets the city's technical and construction specifications, the Planning Commission shall approve the final plat. If there are any dedications of land for public purposes, they require acceptance by the City Council.*

Applicant Name: SMH Consultants; Rausch Coleman

Property Owner Name: Stone Creek Development, LLC;

Subject Property

Address: State Avenue (west of Stone Creek Avenue), Tonganoxie KS
Property Size: 52.3 acres (original plat); 7.7 acres revised / final plat
Zoning: R-SF-CUP; undeveloped
Legal Description: meets and bounds, unplatted

Surrounding Property – Zoning and Use:

West: R-SF; single family (previously platted and constructed prior phases)
North: R-SF; single family (previously platted and constructed prior phases)
East: R-R; undeveloped/unplanned
South: R-SF; future single family (unplatted portions of the preliminary plat)

Recommendation: Approval of revised final subject to conditions

I. SUMMARY

This application is the final plat for 71 lots designated as “Stone Creek Addition No. 10” subdivision. In April 2023 this portion of the Stone Creek Subdivision was rezoned from R-SF, R-MF-3, and GBD to R-SF - CUP, and a preliminary plat was approved in association with the rezoning.

The approved CUP plan and preliminary plat included:

- 114 single-family lots ranging in size from approximately 6,000 square feet to 14,000 square feet
- Lot widths ranging from 45 feet to 60 feet
- Minimum front setbacks of 25’; other setback deviations through final plat subject to drainage and utility easements.
- Larger and smaller dimensions typically result from the block configuration or on corner lots.
- Transition of Woodfield drive to the east from a “frontage road” to a residential street, based on land use changes; and connections to the north and east through Rock Creek Drive and Valley View Drive

The CUP Rezoning and Preliminary Plat were approved subject to the following conditions:

1. The lot pattern and sizes be consistent with the preliminary plat / CUP plan with deviations in the development yield acceptable up to 5% through final platting; setback and footprint deviations could be proposed to deal with drainage and utilities.
2. Narrow lots and frontages be addressed to cumulative impacts of driveways and long expanses of streets considering a combination of the following through final plat:
 - a. Street trees between the curb and sidewalk or otherwise within 10’ of the street on all lots; species should be large / canopy trees subject to staff approval and located every 25’ to 45’ on center.
 - b. Provide deviations on long blocks, - considering alteration of alignment, incorporation of streetscape landscape, altering block structure.
 - c. Incorporate common areas and landscape features as gateways where the street or block layout permits.
 - d. Consider variations of garage access patterns such as narrow drives to recessed expanded garages, single- or shared drives to rear garages, or alternating patterns of garage access to de-emphasize the car-oriented design repeated on multiple individual sites.
3. Buffer maintained by the HOW be included on the long expanse of narrow lots that back to U.S. 24/40.
4. The City and applicant continue to coordinate with K-DO regarding that shift in street patterns and land use on Woodfield Drive (shift from commercial to residential and elimination of “frontage road” concept).
5. All elements of the City Engineers Report (March 16, 2023 of prior application, updated by September 21, 2023 report with this application).

This Final Plat, Stone Creek Addition No. 10, includes the first phase of that plan with development on Brook Ridge Circle, Woodfield Drive, and Park Hill Drive. The remainder of the plan is in a future phase marked as Tract D on this plat, and would include development on Rock Creek Drive, Valley View Drive and connections to the north.

II. ANALYSIS –FINAL PLAT

The purpose of the final plat is to ensure compliance with specific engineering and construction specifications prior to the division and sale of land or the construction of any improvements. Section 3.3

of the Tonganoxie Subdivision Regulation require the Planning Commission to review all Final Plats for conformance with the regulations. In general this involves substantial compliance with the approved preliminary plat, any conditions of that approval, and the following additional items required for the final plat.

- a. Letter from the City Engineer stating the final plat is substantially in accordance with the preliminary plat.
- b. Completed and approved plans, reviewed by the City Engineer, for streets, storm sewers and sanitary sewers.
- c. Proper format and content of the plat for recording with the county.
- d. An Address Plat conforming to the Tonganoxie Street Naming and Addressing Policy.

The Final Plat for Addition No. 10 of Stone Creek is in substantial compliance with the layout, block and lot patterns of the previous and proposed preliminary plat, (previously approved and to be renewed / revised with this application). Completed plans for the required improvements are under review by the City Engineer, according to Section 3.1.a.3 and Section 5 of the Subdivision Regulations and city specifications.

III. EFFECT OF DECISION

The Planning Commission may approve, conditionally approve/modify or deny a plat application. Any denial or conditional approval/modification must specifically state the reasons for the decision and requirements to meet the Commission's approval.

The approval of the preliminary plat does not constitute final approval or acceptance of the subdivision by the City Planning Commission or authorization to proceed on construction of the improvements within the subdivision, but shall constitute approval of the general layout. Approval of a preliminary plat is valid for one year, within which time a final plat shall be submitted. Denial of a preliminary plat may be appealed to the City Council

Approval of a final plat authorizes the applicant to proceed with final design and construction of required improvements and after acceptance of any lands dedicated for public purposes by the Council, authorizes recording of the plat with the county. Upon receipt of a certified and recorded final plat by the City and a performance bond or irrevocable letter of credit, the City may authorize installation and construction of required improvements. Upon installation of improvements, the applicant may apply for building permits.

IV. RECOMMENDATION

Staff recommends that the Planning Commission approve the final plat of Stone Creek Addition No. 10, subject to the following conditions; and recommend that the City Council accept the lands dedicated from public purposes designated on the plat, subject to all subsequent steps required by city ordinances for recording of the plat and design and construction of improvements.

1. All previous conditions of the CUP zoning and preliminary plat approval in April 2023 remain in effect; those not specifically reflected on the final plat include:
 - a. Streetscape, street tree, and frontage design details compliant with condition number 2 in the prior approvals. These can be addressed through landscape, streetscape, and building permit plans approved by staff after final plat approval.
 - b. Documentation on final plat indicating HOA responsibility for Tracts A, B, and C. Additionally landscape plans and HOA documentation to demonstrate compliance with

conditions 2 and 3 of the prior approval can be reviewed and accepted by staff after final approval.

2. An address plat be submitted prior to recording meeting the City's Street Naming and Addressing Policy and any Leavenworth County requirements.

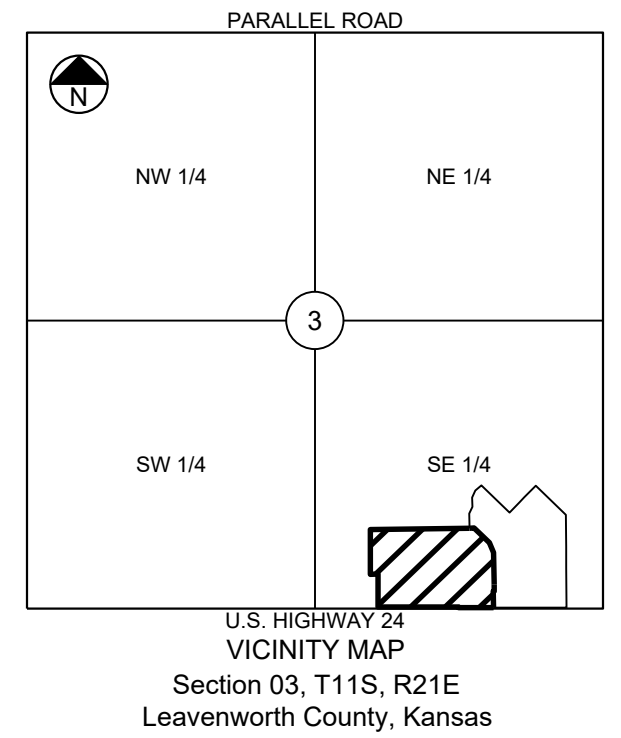


Chris Brewster
Contract City Planner

Final Plat

STONE CREEK ADDITION NO. 10

Part of the SE 1/4, Fractional Section 03, Township 11 South, Range 21 East
City of Tonganoxie, Leavenworth County, Kansas



OWNER/DEVELOPER:
KANSAS LD, L.L.C.
STEPHEN LIEUX
4058 N COLLEGE AVENUE, SUITE 300
FAYETTEVILLE, AR 72703

SURVEYOR:
SMH CONSULTANTS
TIM SLOAN
LICENSE NUMBER: PS-783
2017 VANESTA PLACE, SUITE 110
MANHATTAN, KS 66503

SITE DATA TABLE:
GROSS PROJECT AREA (ACRES): 9.26 ACRES
GROSS PROJECT AREA (SQ FT): 403228 SQ. FT.
EXISTING ZONING: R-SF-P
PROPOSED ZONING: R-SF-CUP
PROPOSED NUMBER OF LOTS: 71
PROPOSED LAND USE: SINGLE FAMILY
MINIMUM LOT WIDTH: 45 FEET
MINIMUM LOT DEPTH: 110 FEET
MINIMUM LOT AREA: 6,000 SF
LOCAL STREET: ROCK CREEK DRIVE
STREET CLASSIFICATION: RIGHT OF WAY WIDTH: 60 FEET
PAVEMENT WIDTH: 28' B-B
BUILDING SETBACKS: FRONT YARD: 25 FEET
REAR YARD: 30 FEET
SIDE YARD: 5 FEET

BUILDING SETBACKS CORNER LOT: FRONT YARD: 25 & 15 FEET
REAR YARD: 30 FEET
SIDE YARD: 5 FEET

Plat of Stone Creek Addition No. 10 Closure Table

POINT ID	ANG RT	BEARING	DISTANCE	POINT ID	NORTHING	EASTING
2000		N 01°17'32"W	300.51	4000	299115.26	2145498.08
4000		S 88°04'31"W	70.00	2001	299112.81	2145420.12
2001		N 01°17'43"W	409.11	4001	299521.92	2145410.87
4001		S 71°01'01"E	2265.84	200	298784.86	2147553.49
200		N 58°43'59"W	1238.33	201	299427.59	2146495.02
201		S 21°52'34"E	93.84	202	299340.51	2146529.98
202		S 01°07'57"E	340.23	203	299000.34	2146536.71
203		S 89°59'49"E	9.52	204	299000.15	2146526.79
204		S 01°07'40"E	170.00	205	298830.18	2146530.14
205		S 89°43'22"E	1033.39	2000	298814.81	2145498.86
2000		S 90°26'24"E				

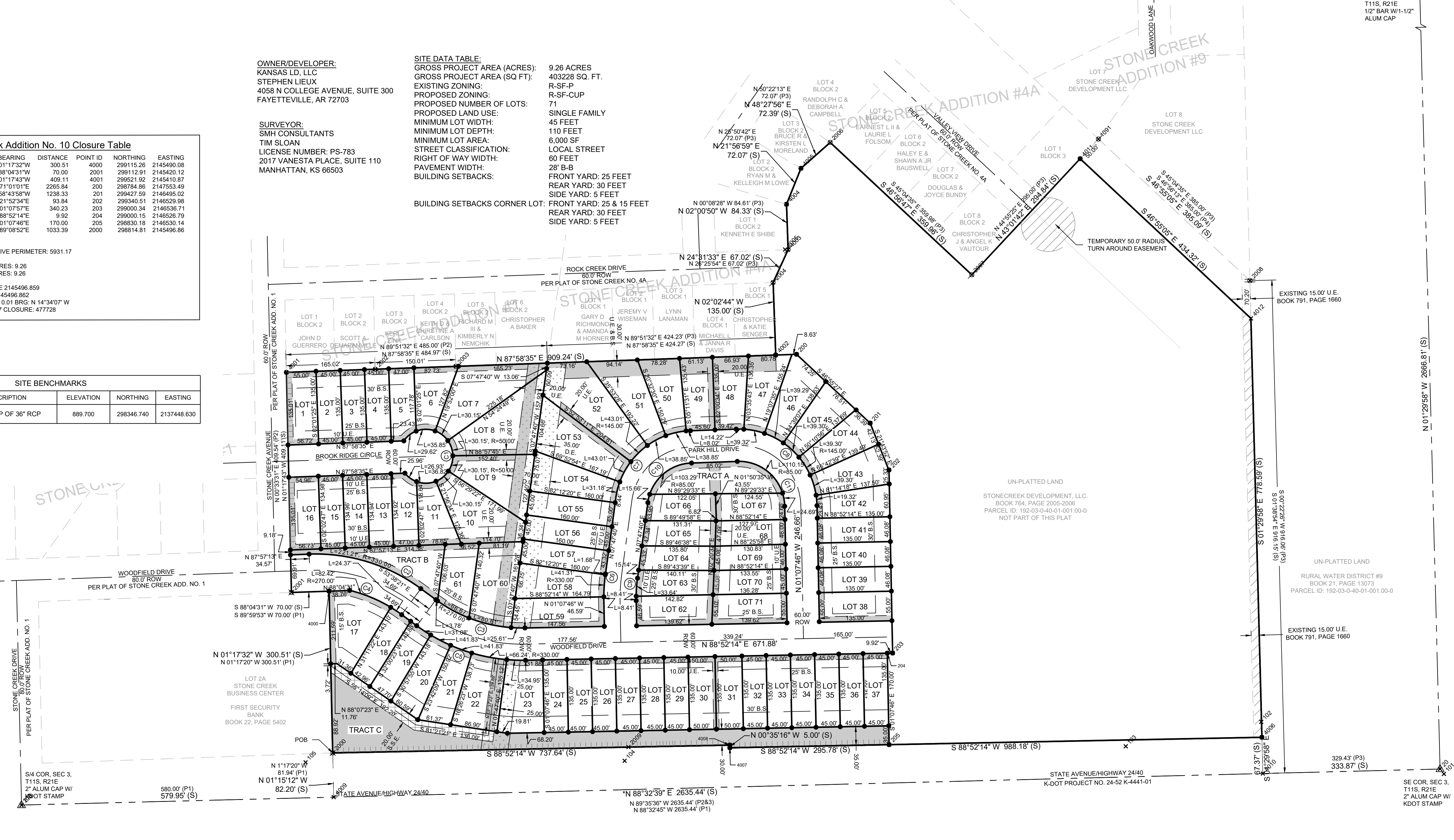
PERIMETER: 5931.17 CUMULATIVE PERIMETER: 5931.17

APPROX. SQ. FEET: 403228 ACRES: 9.26

ACCUM. - SQ. FEET: 403228 ACRES: 9.26

CORRECT END - N: 298814.823 E: 2145498.859
CALC. END - N: 298814.811 E: 2145498.862
ERROR - N: -0.01 E: 0.00 TOTAL: 0.01 BRG: N 14°34'07"W
DISTANCE TRAVERSED: 5931.17 CLOSURE: 477728

POINT #	DESCRIPTION	ELEVATION	NORTHING	EASTING
SBM	"I" IN TOP OF 36" RCP	889.700	298346.740	2137448.630



- Notes:**
- No easements, restrictions, reservations, setbacks, or other matter of record, if any affecting the title of this property are shown, except as platted, as per agreement with the landowner.
 - No gaps or overlaps exist.
 - There are no lines of possession that affect this survey.
 - Parent tract is recorded in Book 704, Page 2005-2006, Register of Deeds Office, Leavenworth County, Kansas.
 - There are no buildings on the subject property.
 - For building setback requirements see site data table.
 - All lots shown on this plat are serviced by Public Water and/or Sewer.
 - Tract C is dedicated as a Utility easement in its entirety.
 - Homeowners/HOA will maintain tracts A, B, and C as open space, and shall also be responsible for maintaining all drainage easements. These maintenance obligations shall be set forth in a separate Declaration of Covenants, Conditions and Restrictions to be recorded against all of the property covered by this plat, following review and approval by the City, Landscape plans for tracts A, B, and C must be submitted to the City for review and approval.

Floodplain Note:
Flood Plain: Flood Zone X, an area determined to be outside the 0.2% annual chance floodplain, FEMA FIRM (Flood Insurance Rate Map) Community Panel Number 20103C0306G, effective date, July 16, 2015.

Utility Notes:
Any utility company that locates facilities in any easement shall have the right to prune, remove, eradicate, cut and clear away any trees, limbs, vines and brush on the utility easement now or at any future time and prune and clear away any tree limbs, vines, and brush on lands adjacent to the utility easement whenever, in the utility company's judgment, such may interfere with or endanger the construction, operation, or maintenance of its facilities, together with the right of ingress to and egress from the utility easement and contiguous land subject to this plat for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing, and with or endangering the construction, operation or maintenance of said facilities.

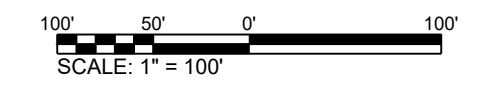
LEGEND

- Monument Found (1/2" Rebar), Origin: Stone Creek Addition No 1
- ⊗ Monument Found (1/2" Rebar), Origin: Stone Creek Addition No 4A
- ⊗ Monument Found (1/2" Rebar), Origin: Stone Creek Business Center
- ⊗ Monument Found (1/2" Rebar), Origin: Stone Creek Addition No 9
- ⊗ Right-of-Way Marker Found
- 1/2"x24" Rebar w/CLS66 Cap Set
- ⊗ Section Corner, NOTE: All section corner monument origins are unknown unless otherwise noted.
- Assumed Bearing
- ⓪ Curve Number
- (P1) Plat Dimension, Stone Creek Business Center, Doc: 2022P00032
- (P2) Plat Dimension, Stone Creek Addition No 1 Bk: 13, Pg: 73, NKA: 1999P00073
- (P3) Plat Dimension, Stone Creek Addition No 4A Bk: 15, Pg: 31, NKA: 2003P00031
- (P4) Plat Dimension, Stone Creek Addition No 9 Doc: 2021P00008
- (S) Surveyed Dimension
- B.S. Building Setback
- D.E. Drainage Easement
- ⊗ Drainage Easement Hatch
- U.E. Utility Easement
- ⊗ Utility Easement Hatch
- ⊗ Existing Easement Hatch
- S.S.E. Sanitary Sewer Easement
- ⊗ Sanitary Sewer Hatch
- ⊗ No Access

BLOCK 1 LOT DATA		BLOCK 1 LOT DATA		BLOCK 1 LOT DATA		BLOCK 1 LOT DATA		BLOCK 1 LOT DATA	
LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)
1	7541	16	7538	31	6750	46	8773	61	7754
2	6075	17	11352	32	6075	47	8459	62	7770
3	6075	18	6294	33	6075	48	8145	63	6642
4	6075	19	6606	34	6075	49	7747	64	6207
5	6100	20	7487	35	6075	50	8144	65	6276
6	6897	21	7347	36	6075	51	10363	66	6322
7	14184	22	10361	37	6075	52	16287	67	6318
8	15039	23	10442	38	7425	53	12842	68	6016
9	11986	24	6075	39	6220	54	9250	69	6014
10	12338	25	6075	40	6220	55	7200	70	6071
11	6690	26	6075	41	6220	56	7200	71	7587
12	6138	27	6075	42	7016	57	7200		
13	6072	28	6075	43	8142	58	8711		
14	6073	29	6075	44	8242	59	9285		
15	6074	30	6750	45	7882	60	12225		

Curve Table						
Curve #	Length	Radius	Delta	Tangent	Bearing	Chord
C1	249.81	50.00	37.50	37.50	S2° 01' 25"E	60.00
C2	221.21	330.00	114.94	114.94	S72° 50' 34"E	217.09
C3	176.67	270.00	91.63	91.63	S72° 23' 03"E	173.53
C4	106.79	270.00	54.10	54.10	S64° 58' 11"E	106.09
C5	215.93	330.00	111.99	111.99	S72° 23' 03"E	212.10
C6	51.40	330.00	25.75	25.75	N3° 19' 57"E	51.35
C7	202.92	145.00	122.06	122.06	N47° 53' 08"E	186.76
C8	230.03	145.00	147.28	147.28	S46° 34' 35"E	206.65
C9	42.05	270.00	21.07	21.07	S3° 19' 57"W	42.01
C10	118.95	85.00	71.55	71.55	S47° 53' 08"W	109.48
C11	134.84	85.00	86.34	86.34	N46° 34' 35"W	121.14

TRACT AREA TABLE			
Parcel #	Area (Acres)	Area (S.F.)	Parcel Address
72	0.27	11929	TRACT A
73	0.24	10584	TRACT B
74	1.12	48603	TRACT C



Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com
Manhattan, KS - HQ P: (785) 776-0541 • Dodge City, KS P: (620) 255-1952
Kansas City P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Final Plat
STONE CREEK ADDITION NO. 10
 Part of the SE 1/4, Fractional Section 03, Township 11 South, Range 21 East
 City of Tonganoxie, Leavenworth County, Kansas

DESCRIPTION:

A tract of land in the Southeast Quarter of Section 3, Township 11 South, Range 21 East of the Sixth Principal Meridian, Leavenworth County, Kansas described as follows:

Beginning at the Southeast Corner of Lot 2A, Stone Creek Business Center, a Subdivision in the City of Tonganoxie, Leavenworth County, Kansas; thence
 N 01°17'32" W 300.51 feet to the Northeast Corner of said Lot 2A, Stone Creek Business Center; thence
 S 88°04'31" W 70.00 feet along the North Line of said Lot 2A, Stone Creek Business Center; thence
 N 01°17'43" W 409.11 feet to the Southwest Corner of Lot 1, Block 2, Stone Creek Addition No. 1, City of Tonganoxie, Leavenworth County, Kansas; thence
 N 87°58'35" E 484.97 feet to the Southeast Corner of Lot 6, Block 2, Stone Creek Addition No. 1; thence
 N 87°58'35" E 424.27 feet to the Southeast Corner of Lot 5, Block 1, Stone Creek Addition No. 4A, City of Tonganoxie, Leavenworth County, Kansas; thence
 N 02°02'44" W 135.00 feet to the Northeast Corner of said Lot 5, Block 1, Stone Creek Addition No. 4A; thence
 N 24°31'33" E 67.02 feet to the Southeast Corner of Lot 1, Block 2, Stone Creek Addition No. 4A; thence
 N 02°00'50" W 84.33 feet to the Northeast Corner of said Lot 1, Block 2, Stone Creek Addition No. 4A; thence
 N 21°58'59" E 72.07 feet to the Northeast Corner of Lot 2, Block 2, Stone Creek Addition No. 4A; thence
 N 48°27'56" E 72.39 feet to the Northeast Corner of Lot 3, Block 2, Stone Creek Addition No. 4A; thence
 S 46°56'47" E 359.96 feet to the Southwest Corner of Lot 8, Block 2, Stone Creek Addition No. 4A; thence
 N 43°01'42" E 294.84 feet along the Southeasterly Lot Line of Lot 8, Block 2 and Lot 1, Block 3, Stone Creek Addition No. 4A; thence
 S 46°55'05" E 434.32 feet; thence
 S 01°29'58" E 778.59 feet to the North right of way line of US-24 Highway; thence
 Along the North right of way line of US-24 Highway the following 3 courses,

Course 1: S 88°52'14" W 988.18 feet.
 Course 2: N 00°35'16" W 5.00 feet.
 Course 3: S 88°52'14" W 737.76 feet to the point of beginning containing 34.2 acres.
 Tim Sloan, PLS-783, March 9, 2023.

Subject to easements and restrictions of record.

OWNER/DEVELOPER:
 KANSAS LD, LLC
 4058 N COLLEGE AVENUE, SUITE 300
 FAYETTEVILLE, AR 72703

SURVEYOR:
 SMH CONSULTANTS
 TIM SLOAN
 LICENSE NUMBER: PS-783
 2017 VANESTA PLACE, SUITE 110
 MANHATTAN, KS 66503

OWNER'S CONSENTS AND DEDICATIONS

STATE OF KANSAS)
 LEAVENWORTH COUNTY) SS

KNOW ALL MEN BY THESE PRESENTS that We, the undersigned, being the sole proprietors and owners of the land included within the plat shown hereon, are the only persons whose consents are necessary to pass clear title to said land and We hereby consent to the making and recording of said plat. The public streets, public utility easements and public walking path are hereby dedicated to the public for such public uses.

IN WITNESS WHEREOF this consent is executed this _____ day of _____, 2024.

KANSAS LD, LLC.

 STEPHEN LIEUX, MANAGING MEMBER

NOTARY CERTIFICATE

STATE OF KANSAS)
 LEAVENWORTH COUNTY) SS

This consent and dedication was acknowledged before me, the undersigned officer, by

 STEPHEN LIEUX, MANAGING MEMBER OF KANSAS LD, LLC.

this _____ day of _____, 2024.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

 Notary Public

My commission expires: _____

IN WITNESS WHEREOF this consent is executed this _____ day of _____, 2024.

CERTIFICATE OF THE PLANNING COMMISSION

STATE OF KANSAS)
 COUNTY OF LEAVENWORTH) SS

APPROVED BY, the Planning Commission of the City of Tonganoxie, Leavenworth County, Kansas, this

_____ day of _____, 2024.

 Monica Gee, Chairman

 John Kirk, Secretary

CERTIFICATE OF THE GOVERNING BODY

STATE OF KANSAS)
 COUNTY OF LEAVENWORTH) SS

APPROVED BY, the Governing Body of the City of Tonganoxie, Leavenworth County, Kansas,

this _____ day of _____, 2024.

 David Frese, Mayor

ATTEST

 Daniel Porter, City Clerk

CERTIFICATE OF THE CITY ENGINEER

STATE OF KANSAS)
 COUNTY OF LEAVENWORTH) SS

APPROVED BY, the City Engineer of the City of Tonganoxie, Leavenworth County, Kansas, this

_____ day of _____, 2024.

 Brian Kingsley, City Engineer

CERTIFICATE OF THE REGISTER OF DEEDS

STATE OF KANSAS)
 COUNTY OF LEAVENWORTH) SS

This instrument was filed for record on the _____ day of _____ A.D. 2024, at _____ o'clock ____M. and duly recorded in Book _____ on Page _____.

 Register of Deeds

 Deputy

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

 Daniel Baumchen, PS-1363

County Surveyor

SURVEYOR'S CERTIFICATE

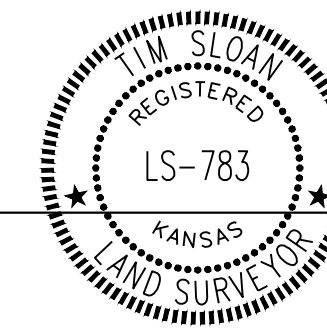
STATE OF KANSAS)
 COUNTY OF LEAVENWORTH) SS

I, the undersigned, do hereby certify that I am a Professional Surveyor in the State of Kansas, with experience and proficiency in land surveying; and that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations have been complied with in the preparation of this plat, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Manhattan, Kansas this _____ day of _____ A.D., 2024. Fieldwork for this project was completed on 01-13-2023.

SMH Consultants
 By: Tim Sloan

 Tim Sloan, P.S.
 Vice-President



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 Kansas City P: (913) 444-9615 • Colorado Springs, CO P: (719) 465-2145

Drawn By: RJC Project #2210-0428 TDS #91

JANUARY 2024



MEMO

To: George Brajkovic, City Manager
City of Tonganoxie

Cc: Dan Porter, Asst. City Manager
Kent Heskett, City Superintendent
John Zimbleman, Fire Chief
Chris Brewster, City Planner

From: Brian Kingsley, City Engineer

Date: January 02, 2024

Re: Wilson Glass Site Development
Site Plan Review
23-1001L

The following are the City Engineer and staff review comments related to Engineering issues:

Site Plan Review:

Recommended Action: We recommend that the City consider approval of the plan as submitted.

--END

For questions or comments, please contact:

Brian Kingsley, PE

President

T: 785.727.7261

E: brian.kingsley@bgcons.com



AUGUST 2023

	Single Family Units [^]	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD
CASS COUNTY						
Archie	0	0	0	0	0	0
Belton	0	0	0	27	0	27
Cass County	0	0	0	0	0	0
Cleveland	0	0	0	0	0	0
Garden City	0	0	0	0	0	0
Harrisonville	1	0	1	14	0	14
Lake Winnebago	2	0	2	14	0	14
Lee's Summit	2	0	2	6	0	6
Peculiar	0	0	0	0	0	0
Pleasant Hill	0	0	0	42	0	42
Raymore	25	0	25	120	0	120
Village of Loch Lloyd	0	0	0	0	0	0
Totals	30	0	30	223	0	223
CLAY COUNTY						
Clay County	6	0	6	39	0	39
Excelsior Springs	1	0	1	7	0	7
Gladstone	0	0	0	2	0	2
Kansas City	33	0	33	267	0	267
Kearney	0	0	0	16	0	16
Lawson	0	0	0	0	0	0
Liberty	4	0	4	40	0	40
North Kansas City	0	31	31	0	31	31
Pleasant Valley	0	0	0	0	0	0
Smithville	0	0	0	25	0	25
Totals	44	31	75	396	31	427
JACKSON COUNTY						
Blue Springs	38	0	38	94	0	94
Buckner	0	0	0	0	0	0
Grain Valley	2	0	2	36	0	36
Grandview	0	0	0	0	0	0
Greenwood	0	0	0	0	0	0
Independence	8	0	8	31	0	31
Jackson County	7	0	7	36	0	36
Kansas City	27	0	27	129	0	129
Lake Lotawana	0	0	0	19	0	19
Lee's Summit	30	0	30	116	150	266
Oak Grove	2	0	2	45	0	45
Raytown	0	0	0	0	0	0
Sugar Creek	0	0	0	0	0	0
Totals	114	0	114	506	150	656
PLATTE COUNTY						
Kansas City	15	0	15	312	0	312
Parkville	4	0	4	6	0	6
Platte City	0	0	0	0	0	0
Platte County	9	0	9	45	0	45
Riverside	1	0	1	16	0	16
Weatherby Lake	0	0	0	0	0	0
Weston	0	0	0	0	0	0
Totals	29	0	29	379	0	379
JOHNSON COUNTY						
De Soto	4	0	4	15	0	15
Edgerton	0	0	0	0	0	0
Fairway	0	0	0	0	0	0
Gardner	40	0	40	100	0	100
Johnson County	4	0	4	30	0	30
Leawood	5	0	5	34	0	34
Lenexa	11	0	11	94	0	94
Merriam	0	0	0	0	361	361
Mission Hills	0	0	0	0	0	0
Olathe	49	73	122	273	332	605
Overland Park	14	84	98	185	156	341
Prairie Village	1	0	1	25	0	25
Roeland Park	0	0	0	0	0	0
Shawnee	19	0	19	126	0	126
Spring Hill	6	0	6	71	0	71
Westwood	0	0	0	0	0	0
Totals	153	157	310	953	849	1802

	Single Family Units [^]	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD
LEAVENWORTH COUNTY						
Basehor	10	0	10	46	0	46
Lansing	0	0	0	0	0	0
Leav. County	11	0	11	50	0	50
Leavenworth	0	0	0	0	0	0
Tonganoxie	0	0	0	8	0	8
Totals	21	0	21	104	0	104
WYANDOTTE COUNTY						
Bonner Springs	0	0	0	0	0	0
Edwardsville	0	0	0	0	0	0
KCK/Wyandotte Co	9	0	9	61	0	61
Totals	9	0	9	61	0	61
MIAMI COUNTY						
Louisburg	1	7	8	17	19	36
Miami County	2	0	2	37	0	37
Osawatomie	0	0	0	0	0	0
Paola	0	0	0	0	0	0
Spring Hill	0	0	0	1	0	1
Totals	3	7	10	55	19	74
Totals	403	195	598	2677	1049	3726

Comparison of Single Family Building Units for Greater Kansas City
(Cass, Clay, Jackson, Platte, Johnson, Leavenworth, Miami, Wyandotte Counties)

Month/Year	2016	2017	2018	2019	2020	2021	2022	2023
January	274	457	463	234	355	411	444	185
February	408	477	463	234	475	493	416	152
March	542	571	549	357	438	560	457	359
April	523	562	564	411	434	637	450	390
May	503	504	598	391	374	579	465	439
June	578	567	569	387	421	558	547	373
July	494	512	485	471	493	480	448	376
August	536	480	514	429	444	502	498	403
September	424	514	353	396	557	458	314	
October	466	583	485	500	510	690	316	
November	417	502	354	410	404	524	303	
December	352	468	276	434	461	653	227	
Annual Total	5,517	6,197	5,673	4,654	5,366	6,545	4,885	2,677

Comparison of Permits By Units Issued Year to Date

	2016 - 2023		
	S-F Units	M-F Units	Total Units
2016	3858	3062	6920
2017	4130	1213	5343
2018	4205	2345	6550
2019	2914	1447	4361
2020	3434	1800	5234
2021	4220	213	4433
2022	3725	1721	5446
2023	2677	1049	3726

[^]The Single Family number is units and includes both attached and detached units.
[%]Multi-Family units are in buildings with 5 or more units.
[#] Not available at time of report

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SEPTEMBER 2023

	Single Family Units [^]	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD
CASS COUNTY						
Archie	0	0	0	0	0	0
Belton	0	0	0	27	0	27
Cass County	0	0	0	0	0	0
Cleveland	0	0	0	0	0	0
Garden City	0	0	0	0	0	0
Harrisonville	1	0	1	15	0	15
Lake Winnebago	4	0	4	18	0	18
Lee's Summit	0	0	0	6	0	6
Peculiar	0	0	0	0	0	0
Pleasant Hill	1	0	1	43	0	43
Raymore	3	0	3	123	0	123
Village of Loch Lloyd	0	0	0	0	0	0
Totals	9	0	9	232	0	232
CLAY COUNTY						
Clay County	4	0	4	43	0	43
Excelsior Springs	0	0	0	7	0	7
Gladstone	0	0	0	2	0	2
Kansas City	72	0	72	339	0	339
Kearney	2	0	2	18	0	18
Lawson	0	0	0	0	0	0
Liberty	1	0	1	41	0	41
North Kansas City	0	0	0	0	31	31
Pleasant Valley	0	0	0	0	0	0
Smithville	3	0	3	28	0	28
Totals	82	0	82	478	31	509
JACKSON COUNTY						
Blue Springs	4	0	4	98	0	98
Buckner	0	0	0	0	0	0
Grain Valley	2	0	2	38	0	38
Grandview	0	0	0	0	0	0
Greenwood	0	0	0	0	0	0
Independence	3	0	3	34	0	34
Jackson County	7	0	7	43	0	43
Kansas City	10	7	17	139	7	146
Lake Lotawana	0	0	0	19	0	19
Lee's Summit	26	0	26	142	150	292
Oak Grove	4	0	4	49	0	49
Raytown	0	0	0	0	0	0
Sugar Creek	0	0	0	0	0	0
Totals	56	7	63	562	157	719
PLATTE COUNTY						
Kansas City	18	0	18	330	0	330
Parkville	5	0	5	11	0	11
Platte City	0	0	0	0	0	0
Platte County	13	0	13	58	0	58
Riverside	3	0	3	19	0	19
Weatherby Lake	0	0	0	0	0	0
Weston	0	0	0	0	0	0
Totals	39	0	39	418	0	418
JOHNSON COUNTY						
De Soto	1	0	1	16	0	16
Edgerton	0	0	0	0	0	0
Fairway	0	0	0	0	0	0
Gardner	21	0	21	121	0	121
Johnson County	4	0	4	34	0	34
Leawood	2	0	2	36	0	36
Lenexa	7	0	7	101	0	101
Merriam	0	0	0	0	361	361
Mission Hills	0	0	0	0	0	0
Olathe	32	32	64	305	364	669
Overland Park	24	0	24	209	156	365
Prairie Village	6	0	6	31	0	31
Roeland Park	0	0	0	0	0	0
Shawnee	13	0	13	139	0	139
Spring Hill	6	0	6	77	0	77
Westwood	0	0	0	0	0	0
Totals	116	32	148	1069	881	1950

	Single Family Units [^]	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD
LEAVENWORTH COUNTY						
Basehor	8	0	8	54	0	54
Lansing	0	0	0	0	0	0
Leav. County	5	0	5	55	0	55
Leavenworth	0	0	0	0	0	0
Tonganoxie	2	0	2	10	0	10
Totals	15	0	15	119	0	119
WYANDOTTE COUNTY						
Bonner Springs	0	0	0	0	0	0
Edwardsville	0	0	0	0	0	0
KCK/Wyandotte Cty	3	0	3	64	0	64
Totals	3	0	3	64	0	64
MIAMI COUNTY						
Louisburg	0	0	0	17	19	36
Miami County	7	0	7	44	0	44
Osawatomie	0	0	0	0	0	0
Paola	0	0	0	0	0	0
Spring Hill	0	0	0	1	0	1
Totals	7	0	7	62	19	81
Totals	327	39	366	3004	1088	4092

Comparison of Single Family Building Units for Greater Kansas City
(Cass, Clay, Jackson, Platte, Johnson, Leavenworth, Miami, Wyandotte Counties)

Month/Year	2016	2017	2018	2019	2020	2021	2022	2023
January	274	457	463	234	355	411	444	185
February	408	477	463	234	475	493	416	152
March	542	571	549	357	438	560	457	359
April	523	562	564	411	434	637	450	390
May	503	504	598	391	374	579	465	439
June	578	567	569	387	421	558	547	373
July	494	512	485	471	493	480	448	376
August	536	480	514	429	444	502	498	403
September	424	514	353	396	557	458	314	327
October	466	583	485	500	510	690	316	
November	417	502	354	410	404	524	303	
December	352	468	276	434	461	653	227	
Annual Total	5,517	6,197	5,673	4,654	5,366	6,545	4,885	3,004

Comparison of Permits By Units Issued Year to Date

	S-F Units	M-F Units	Total Units
2016	4282	3521	7803
2017	4644	1627	6271
2018	4558	2562	7120
2019	3310	1929	5239
2020	3991	2128	6119
2021	4678	658	5336
2022	4039	2223	6262
2023	3004	1088	4092

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