

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

**REGULAR SESSION
Monday, May 4, 2026
6:00 p.m.**

CALL TO ORDER:

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: April 6, 2026**

OLD BUSINESS:

None

NEW BUSINESS:

- 1. INTRODUCE NEW MEMBERS: JON KESLER, STEPHEN TENNANT, AND JASON REDMON**
- 2. 2026-06 REZ – 2812 HOME PLACE & 00000 LIMIT STREET**
Conduct a public hearing for a request to rezone property from R1-9 (Medium Density Single Family Residential District) to R1-6 (High Density Single Family Residential District).
- 3. 2026-08 SUB – LIMITS HOME ADDITION FINAL PLAT**
Consider a final plat for Limits Home Addition.
- 4. 2026-16 SUB – McDONALD’S SECOND ADDITION PRELIMINARY PLAT**
Consider a preliminary plat for McDonald’s Second Addition.
- 5. 2026-17 SUB – McDONALD’S SECOND ADDITION FINAL PLAT**
Consider a final plat for McDonald’s Second Addition.
- 6. 2026-11 TXT – TEXT AMENDMENTS**
Conduct a public hearing for proposed text amendments to the adopted 2016 Development Regulations.

OTHER BUSINESS:

- 1. REQUEST FOR DISCUSSION BY CHAIRMAN KEN BATEMAN**
Discussion on the creation of special committees within the Planning Commission.

ADJOURN

CITY OF LEAVENWORTH PLANNING COMMISSION

COMMISSION CHAMBERS, CITY HALL

100 N 5th Street, Leavenworth, Kansas 66048

REGULAR SESSION

Monday, April 6, 2026

6:00 PM

CALL TO ORDER:

Commissioners Present

Ted Davis

Ken Bateman

Bill Waugh

Mark Preisinger

Sherry Hanson

Don Homan

Commissioners Absent

none

City Staff Present

Kim Portillo

Michelle Baragary

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

APPROVAL OF MINUTES – March 2nd, 2026

Chairman Ken Bateman asked for questions, comments or a motion on the March 2nd, 2026, minutes presented for approval. Commissioner Preisinger moved to approve the minutes, seconded by Commissioner Hanson and approved by a vote of 6-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. 2026-10 SUB – CHANAY’S ADDITION.

Consider a final plat for Chanay’s Addition, Case No. 2026-10 SUB.

Action Requested: Approve or deny the final plat.

Chairman Bateman called for the staff report.

City Planner Michelle Baragary stated that the subject property, located at 1509 10th Avenue, is owned by Matt Chanay, with the plat prepared by Atlas Land Consulting. The applicant is requesting approval of a 0.43-acre, 3 lot final plat to be known as Chanay’s Addition. The property is currently vacant and zoned R1-6, High Density Single Family Residential District.

The proposed plat consists of 3 lots, each approximately 0.14 acres in size. The lots are intended for single-family residential development and appear to meet the minimum requirements of the R1-6 zoning district, including lot area and frontage standards.

The plat has been reviewed by the Public Works Department and other applicable agencies, and no major issues were identified. Any minor comments have been addressed or will be addressed prior to recording.

RECOMMENDATION:

Staff recommends approval of Chanay's Addition Final Plat, subject to the following conditions:

1. The final plat shall be recorded with the Register of Deeds within 18 months of approval by the Planning Commission.

ACTION/OPTIONS:

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

Chairman Bateman asked if the applicant wanted to speak.

Matt Chanay stated that he is the applicant and wants to do a small split and replat to build affordable single-family homes, with 3-bedrooms, 2-bathrooms, to be for sale.

Commissioner Davis asked Mr. Chanay if he is a developer.

Mr. Chanay responded no, he is just a small builder who mainly focuses on infill lots.

Commissioner Hanson asked what will the price range be for the houses?

Mr. Chanay responded that they would be plus or minus \$209,000. He had originally intended to keep them under \$200,000, but that has changed with the cost of building now.

Commissioner Hanson asked when he expects to get started.

Mr. Chanay stated he is ready to go, and he will start with site work for all sites, then build each home one by one, starting on the southernmost lot and going north.

The commissioners discussed the bar located across the street.

Commissioner Hanson stated that she thinks it is great that he will be building them to be for sale rather than as rentals.

Chairman Bateman called for discussion or questions from the commissioners.

With no further discussion, Chairman Bateman called for a motion. Based on the findings as stated and conditions as presented, Commissioner Waugh moved to approve the final plat of Chanay's Addition seconded by Commissioner Preisinger and passed by a vote of 6-0.

Chairman Bateman stated that due to an existing business relationship with the applicant for the second item on the agenda, he was going to recuse himself. Chairman Bateman left the room at 6:07 P.M.

2. 2026-15 SUB – LIMIT PARK ADDITION CORRECTIVE PLAT.

Consider a final plat for Limit Park Addition Corrective Replat, Case No. 2026-15 SUB.

Action Requested: Approve or deny the final plat

Vice Chairman Preisinger called for the staff report.

City Planner Michelle Baragary stated that the subject property is owned by Property Management & Maintenance Inc., plat prepared by Atlas Land Consulting. The applicant is requesting approval of a final plat for

Limit Park Addition Corrective Replat. The purpose of the replat is to correct an error in the original plat related to lot depth dimensions.

The original Limit Park Addition plat identifies the lots as having a depth of 126.76 feet. A recent survey has determined that the correct lot depth is 125.76 feet, a difference of one (1) foot.

The proposed corrective replat:

- Does not alter lot configuration
- Does not change lot area in a material way
- Does not create additional lots
- Does not impact easements, rights-of-way, or access
- Does not affect zoning compliance

The correction is limited to accurately reflecting surveyed dimensions of the existing lots and does not constitute a subdivision of land, but rather a correction to previously recorded information.

RECOMMENDATION:

Staff recommends approval of Limit Park Addition Corrective Replat Final Plat, subject to the following conditions:

1. The final plat shall be recorded with the Register of Deeds within 18 months of approval by the Planning Commission.

ACTION/OPTIONS:

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

STAFF RECOMMENDATION:

Staff recommends approval of the rezoning request based on the analysis and findings included herein.

REZONING ACTION/OPTIONS:

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

Vice Chairman Preisinger called for discussion or questions from the commissioners.

With no further discussion, Vice Chairman Preisinger called for a motion. Based on the findings as stated and conditions as presented, Commissioner Waugh moved to approve the final plat of Limit Park Addition Corrective Replat, seconded by Commissioner Hanson and passed by a vote of 5-0.

Chairman Bateman returned to the meeting at 6:10 p.m.

OTHER BUSINESS:

1. CERTIFICATES OF RECOGNITION

Staff recognized the service of Sherry Hanson and Harold (Bill) Waugh for their tenure on the planning commission, as their terms end on May 1, 2026.

Meeting adjourned at 6:13 p.m.

Minutes taken by Planning Director Kim Portillo.

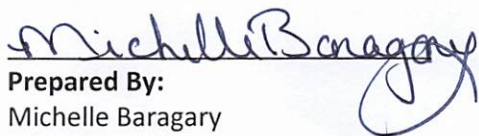
DRAFT

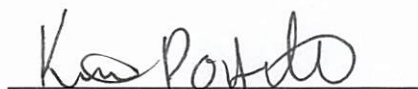
**PLANNING COMMISSION AGENDA ITEMS
2026-06 REZ and 2026-08 SUB
2812 HOME PLACE and 00000 LIMIT STREET**

MAY 4, 2026

SUBJECT:

A combined request to (1) rezone the properties located at 2812 Home Place and 00000 Limit Street from R1-9 (Medium Density Single Family Residential District) to R1-6 (High Density Single Family Residential District), and (2) approve a final plat for Limits Home Addition.


Prepared By:
Michelle Baragary
City Planner


Reviewed By:
Kim Portillo, AICP
Director of Planning and
Community Development

ANALYSIS:

The owner and applicant, Property Management & Maintenance Inc., requests approval of both a rezoning and final plat for the subject properties, which together total approximately 0.47 acres.

The site includes one developed parcel (2812 Home Place), currently occupied by a single-family residence, and one vacant parcel (00000 Limit Street). The purpose of the request is to reconfigure the two parcels into compliant residential lots that meet dimensional standards under the proposed zoning district and allow for an additional single-family home.

Rezoning and Plat Overview

The requested rezoning from R1-9 to R1-6 is necessary to accommodate reduced lot widths. The R1-9 district requires a minimum lot width of 75 feet, whereas the R1-6 district allows a minimum of 48 feet.

The proposed final plat would reconfigure the property into two lots:

- Lot 1 (vacant): 48 feet lot width, approximately 0.22 acres
- Lot 2 (existing home): 66.29 feet lot width, approximately 0.24 acres

Both lots meet the minimum requirements of the R1-6 district. The replatting will create one additional buildable residential lot.

The subject properties are located within an established single-family residential neighborhood. Surrounding zoning and land uses include:

- North, East, West: Single-family homes zoned R1-9
- South: Undeveloped land (approximately 9.89 acres) zoned R1-9, along with the City of Leavenworth dog park

Nearby developments include Woodland Village apartment homes and the VA campus. Additionally, nearby properties at the northeast corner of Wilson and Limit Streets were rezoned from R1-9 to R1-6 in 2024 for similar single-family development.

The Future Land Use Map designates this area for single-family residential use, and both the rezoning and plat are consistent with that designation.

CONDITIONS OF DETERMINATION

Whenever the Planning Commission or City Commission takes action on an application for amendment to these Development Regulations, and such proposed amendment is not a general revision of existing ordinances, but one which will affect specific property, the Planning Commission and City Commission shall consider the following factors:

- a) The character of the neighborhood;

The area consists of an established single-family neighborhood with varied lot sizes ranging from approximately 0.16 to 0.58 acres. The proposed lot sizes and widths are compatible with this pattern.

- b) The zoning and use of properties nearby;

All surrounding properties are zoned R1-9 and developed with single-family homes or remain undeveloped. The proposed R1-6 zoning aligns with nearby rezonings and existing development trends.

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

The property is appropriate for single-family residential use, as indicated by the Future Land Use Map. .

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

The proposed rezoning is not expected to negatively affect surrounding properties. The proposed reconfiguration will allow development consistent with the character of the neighborhood and the Future Land Use Map.

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

The vacant parcel was originally part of the larger tract containing the existing single-family residence and was later divided, resulting in its current configuration.

- f) The relative gain to economic development, public health, safety, and welfare by the reduction of the value of the landowner's property as compared to the hardship imposed by such reduction upon the individual landowner;

The proposed rezoning supports reinvestment in an established neighborhood, increasing housing opportunities, and enhances the property's tax revenue potential.

- g) The recommendations of permanent or professional staff;

Staff supports the rezoning request.

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

The Future Land Use Map designates this area for single-family residential use. The proposed rezoning is consistent with the Comprehensive Plan.

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

No additional factors have been identified.

In accordance with Kansas State Statute, notice of the public hearing was mailed to property owners within 200 feet of the subject property. As of the date of this report, staff has received no comments from notified property owners.

Final Plat Review

The final plat for Limits Home Addition is requested to formalize the reconfiguration of the two parcels into two residential lots. The resulting lot sizes and widths are consistent with the proposed R1-6 zoning and are compatible with the surrounding neighborhood's mix of lot dimensions.

The plat enables development of one additional single-family residence while maintaining the existing home.

The plat has been reviewed by the Public Works Department and other applicable County departments, and no major issues were identified. Any minor comments have been addressed or will be addressed prior to recording.

STAFF RECOMMENDATION:**• Rezoning**

Staff recommends approval of the rezoning request from R1-9 to R1-6 to the City Commission.

• Final Plat

Staff recommends approval of the final plat for Limits Home Addition, subject to the following condition:

1. The final plat shall be recorded with the Register of Deeds within 18 months following Planning Commission approval. If not recorded within said time period, the final plat shall be deemed null and void.
2. After the plat has been recorded with the Register of Deeds, the applicant shall provide two full-sized recorded copies to the Planning and Community Development Department.

ACTIONS/OPTIONS:**Rezoning:**

- Recommend approval of the rezoning request from R1-9 to R1-6 to the City Commission
- Recommend denial of the rezoning request from R1-9 to R1-6 to the City Commission
- Table the issue for additional information/consideration.

Final Plat:

- Recommend approval of the final plat
- Recommend denial of the final plat
- Table the issue for additional information/consideration.

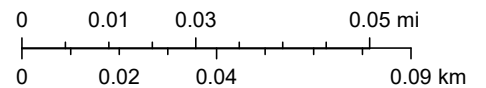
2026-06 REZ and 2026-08 SUB



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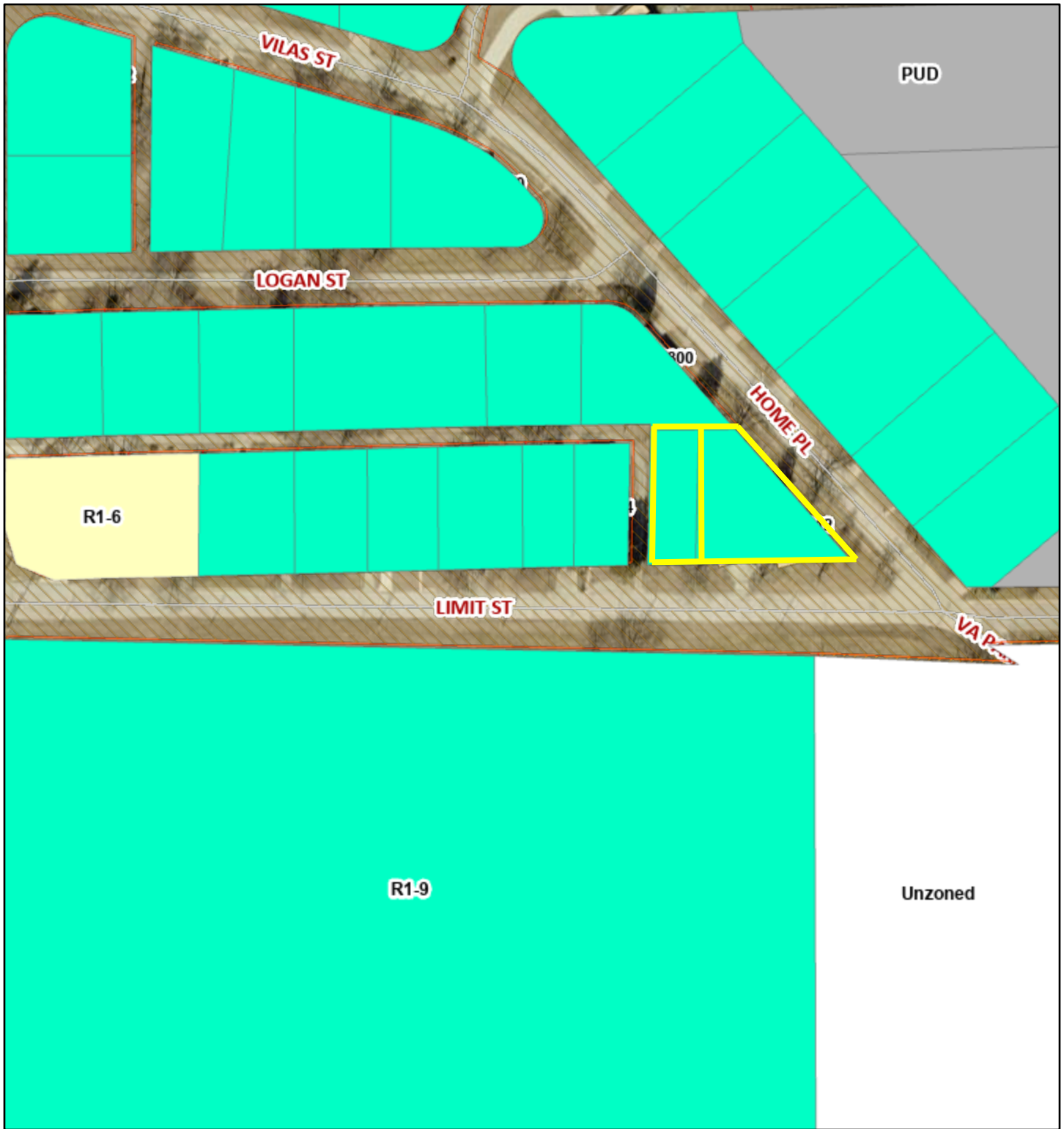
1:2,257

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



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

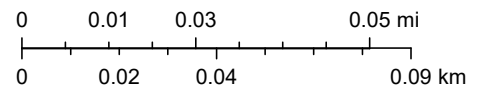
2026-06 REZ and 2026-08 SUB (Zoning Map)



4/20/2026, 4:59:24 PM

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- | | | |
|--------------------|----------------------|-------------------------|
| Override 1 | R1-9 | Address (Points) |
| Zoning_CURRENT I-1 | Unzoned | Leavenworth City Limits |
| PUD | Buildings | City Right-of-Way |
| R1-6 | Parcels (City Owned) | RoadCenterline |
| | Parcels_Current | |



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

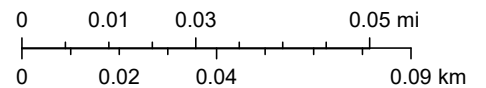
2026-06 REZ and 2026-08 SUB (Future Land Use Map)



4/20/2026, 4:58:15 PM

1:2,257

- Override 1
- Future Land Use (Comp Plan 2030)
- Conservation/Open Space
- Park
- Single-Family
- Buildings
- Parcels (City Owned)
- Parcels_Current
- Address (Points)
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



APPLICATION FOR REZONING
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO. 2026-06 **REZ**

| | |
|----------------------|-------------|
| Application # | 18478 |
| Fee (non-refundable) | \$350.00 |
| Filing Date | 3/27/26 |
| Received By | pd. 4/16/26 |
| Hearing Date | 5-4-26 |
| Publication Date | 4-8-26 |

The undersigned owner(s)/agent for the owner(s) of the property described below, herein petition for a change in the zone of the following legally described property: (agent must have authorization to make application).

| | | | |
|--------------------|---|--------------------|-------------------------|
| Subject Property: | 2812 Home Place & 00000 Limit Street | | |
| Rezoning: | Present classification of: R1-9 | district to: R1-6 | |
| Legal Description: | (Attach full legal description provided by the REGISTER OF DEEDS OFFICE) | | |
| Real Estate PID # | 093-06-0-30-07-014.00-0 | Historic District: | 093-06-0-30-07-013.00-0 |

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

| | | | |
|-----------------------------------|---|--------|-----------------------|
| Name(s) of Owner (print or type): | Property Management & Maintenance INC (Jeremy Greenamyre) | | |
| Address: | 2500 S 2nd Street, LV, KS 66048 | | |
| Contact No.: | 913-828-4440 | Email: | Jeremy@greenamyre.com |
| Signature of Owner(s): | | | |

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

State of Kansas)
County of Leavenworth), SS

Signed or attested before me on March 25, 2026 by Jeremy Greenamyre
(date) (name(s) of person(s))

Notary Public Brenda K Schwinn My Appointment Expires: April 7, 2028

(SEAL) **BRENDA K. SCHWINN**
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires 4-7-28

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

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

The Property is currently used as a SFR and will continue to be used as such. The surrounding area is also SFR in nature with
 The VA and City Dog Park are located directly to the South There is also a small sliver of land to the west that is included in this application. This was originally part of Lot 14

Briefly describe the intended use and character of the property: The purpose of the rezoning request is to allow this existing, large lot, to be divided in order to build one additional SFR. And to include the sliver of land to the

Briefly describe why you believe the land use (zoning) being requested is the most appropriate for this property: The subject parcel is unique in nature in that it abuts the intersection of Limit & Home Place on a sort of rounded intersection Due to the odd configuration of the lot as it presently exists and the existing Right-of-way, we are not able to meet the required minimum road frontage with the current zoning district. Rezoning to the R1-6 district will allow the property owner to meet the minimum road frontage requirements
Rezoning these two parcels will allow for the completion of a two-lot plat which creates a new lot that can be built upon which is the intention

Give the reason(s) why you believe this proposal will not be materially detrimental to the public welfare and surrounding properties and/or measures you have taken or intend to take to prevent detrimental impacts: The request is inline with the existing character of the neighborhood as it is a request to rezone to a single-family zoning district. The

Is the property affected by any easements, deed/plat restrictions or other conditions arising from previous Special Use Permits, Subdivisions, rezoning or variances? If so, briefly explain the origin and effect of such conditions: The existing right-of-way configuration limits the road frontage

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

DOC #: 2025R07209
TERRILOIS MASHBURN
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
09/22/2025 11:37:36 AM
RECORDING FEE: 21.00
PAGES: 1

ENTERED IN TRANSFER RECORD IN
MY OFFICE THIS DAY 09/22/2025

Dawn Suppler
COUNTY CLERK

Exchange Intermediary, LLC
785-271-9500

EI# 2023-11

MAIL TAX STATEMENTS TO:
Property Management & Maintenance Inc.
2500 S 2nd St.
Leavenworth, KS 66048

DEED-KANSAS WARRANTY (Statutory)

THE GRANTOR,

EI Holding Co., LLC, a Kansas limited liability company, as Qualified Exchange Accommodation
Titleholder for Property Management & Maintenance, Inc., a Kansas corporation

CONVEYS AND WARRANTS to

Property Management & Maintenance, Inc., a Kansas corporation

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, for the sum of One Dollar and
Other Valuable Consideration, the following described real estate:

Lot Fifteen (15), Block Thirty-five (35), SOUTH SIDE PARK SUBDIVISION, City of Leavenworth, Leavenworth County,
Kansas.

AND

The East 9 feet of Lot 16, Block 35, SOUTH SIDE PARK SUBDIVISION, a subdivision of the City of Leavenworth,
Leavenworth County, State of Kansas.

AND

The West 50 feet of Lot 14, Block 35, SOUTH SIDE PARK, a subdivision of City of Leavenworth, County of Leavenworth,
State of Kansas.

(THIS DEED IS BEING RECORDED PURSUANT TO K.S.A. 79-1437e AS AMENDED, EXEMPTION #3)

(Subject to easements, restrictions, and reservations of record, and all taxes and assessments that may be levied, imposed, or
become payable hereafter.)

Dated this 22nd day of September A.D. 2025

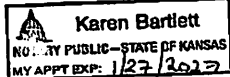
EI Holding Co., LLC

Kyle J. Mead
BY: Kyle J. Mead, Manager

STATE OF KANSAS, COUNTY OF SHAWNEE

This instrument was acknowledged before me on this 22nd day of September 2025 by:
Kyle J. Mead, Manager of EI Holding Co., LLC, a Kansas limited liability company, as Qualified Exchange
Accommodation Titleholder for Property Management & Maintenance, Inc., a Kansas corporation

My appointment expires: 1/27/2027

 Karen Bartlett
NOTARY PUBLIC - STATE OF KANSAS
MY APPT EXP: 1/27/2027

Karen Bartlett
Notary Public
Karen Bartlett

Doc #: 2019R10377
STACY R. DRISCOLL
REGISTER OF DEEDS
LEAVENWORTH COUNTY, KANSAS
RECORDED ON:
12/17/2019 10:09:52 AM
RECORDING FEE: 21.00
PAGES: 1

Entered in the transfer record in my office this
17 day of Dec, 2019
Janet Klavinski
County Clerk
by [Signature]

Please return to:

Exempt from Validation
Questionnaire No. 3

Kansas Secured Title, Inc. - Leavenworth
TX0014318

QUIT CLAIM DEED

MRG Properties, LLC, a Kansas Limited Liability Company,

convey and quitclaim(s) to

Property Management & Maintenance, Inc.,

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

Lot 14, less the West 50 feet, Block 35, South Side Park Subdivision, City of Leavenworth,
Leavenworth County, Kansas

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

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

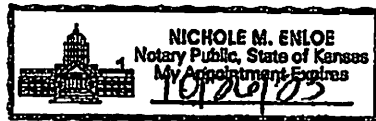
Dated this 17 day of December, 2019.

MRG Properties, LLC, a Kansas Limited
Liability Company

[Signature]
By: Michael Greenamyre, President

State of Kansas, County of LEAVENWORTH §

The foregoing instrument executed was acknowledged before me this 17 day of December, 2019, by Michael Greenamyre, President of MRG Properties, LLC, a Kansas Limited Liability Company.



[Signature]
Notary Public

My appointment expires: _____

City of Leavenworth Property Radius Search



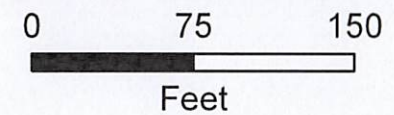
3/27/2026

2025 Aerial Photo

PROPERTY MANAGEMENT & MAINTENANCE INC

052-093-06-0-30-07-013.00-0

052-093-06-0-30-07-014.00-0





Project No. 2026-08 SUB

FINAL PLAT APPLICATION
CITY OF LEAVENWORTH

OFFICE USE ONLY

Application No. 18480

Fee: 350.00

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

Date Paid 1/16/26

Received By SB

PC Meeting 3/2/26

NAME OF SUBDIVISION/PROJECT: Limits Home Addition Replat of Lot 14, Block 35, South Side Park

LOCATION OF SUBDIVISION/PROJECT: 2812 Home Place, Leavenworth, KS 66048

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

NAME: Property Management & Maintenance, INC - Jeremy Greenamyre

STREET ADDRESS: 2500 S. 2nd Street

CITY: Leavenworth STATE: KS ZIP: 66048

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

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

NAME: Property Management & Maintenance, INC - Jeremy Greenamyre

STREET ADDRESS: 2500 S, 2nd Street

CITY: Leavenworth STATE: KS ZIP: 66048

PHONE: _____ FAX: _____ EMAIL: jeremy@greenamyre.com

NAME OF ENGINEER PREPARING PLAT:

NAME: Atlas Land Consulting - Austin Thompson (Surveyor) Krystal Voth (Representative)

STREET ADDRESS: 14500 Parallel Suite R

CITY: Basehor STATE: KS ZIP: 66007

COMPANY: Atlas Land Consulting

PHONE: 417-622-2907 FAX: _____ EMAIL: krystal@alconsult-llc.com Austin@alconsult-llc.com

PARCEL NO: 093-06-0-30-07-014.00-0 **SEC.TWP.RNG.** 06-09-23

ZONING OF SUBJECT PROPERTY: R1-9 **CURRENT LAND USE:** SFR

TOTAL ACREAGE: .46 **NUMBER OF LOTS:** 2

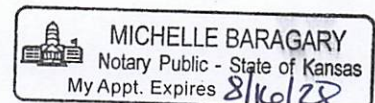
LEGAL DESCRIPTION: (Attach full legal description provided by the REGISTER OF DEEDS OFFICE or a TITLE COMPANY)

DATE OF PRELIMINARY PLAT APPROVAL: Submitted Concurrently with Final Plat

SIGNATURE OF OWNER(S) _____ Date: 01/21/2026

State of Kansas, County of Leavenworth, SS
Signed or attested before me on January 21, 2026 by Jeremy Greenamyre

Michelle Baragary 8/16/28
Notary Appointment Expires (Seal)



THEORY OF LOCATION

THE LOCATION OF THE SUBJECT PROPERTY WAS ESTABLISHED USING THE FOLLOWING METHODOLOGY:

WEST BOUNDARY
THE NORTH LINE OF THE 20-FOOT PLATTED ALLEY WAS ESTABLISHED BY HOLDING MULTIPLE FOUND IRON BARS IDENTIFIED ALONG THIS ALIGNMENT. FOUND BARS LOCATED ALONG THE WEST LINE OF LOT 23, BLOCK 35 OF THE SOUTH SIDE PARK SUBDIVISION WERE ACCEPTED AS CONTROLLING MONUMENTS. A PRORATED DISTRIBUTION OF LOT WIDTHS EXTENDING EASTWARD FROM THESE MONUMENTS WAS APPLIED TO ESTABLISH THE WEST LINE OF THE SUBJECT PROPERTY.

SOUTH BOUNDARY
THE SOUTH BOUNDARY OF THE SUBJECT PROPERTY WAS THEN ESTABLISHED BY HOLDING A POINT LOCATED 5.00 FEET NORTH OF A WITNESS CORNER TO THE FOUND MONUMENTATION ON THE NORTH RIGHT-OF-WAY LINE OF LIMIT STREET AND PROJECTING A LINE PARALLEL TO THE PREVIOUSLY ESTABLISHED NORTH LINE OF THE 20-FOOT PLATTED ALLEY.

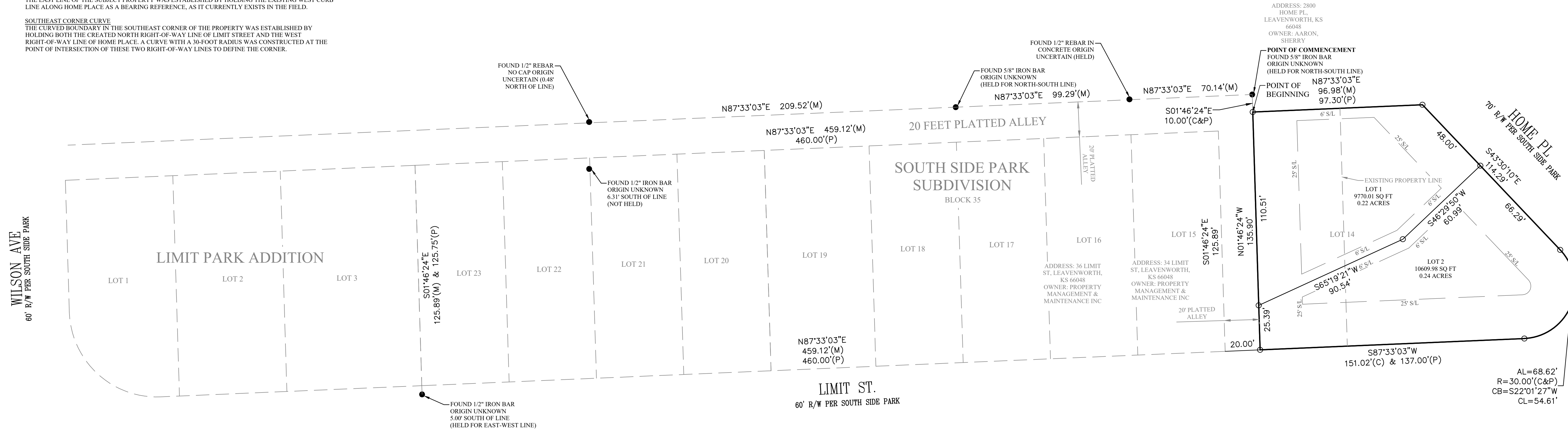
NORTH BOUNDARY
THE NORTH LINE OF THE SUBJECT PROPERTY WAS ESTABLISHED USING THE SAME BEARING HELD FOR THE VERIFIED NORTH LINE OF THE 20-FOOT ALLEY. THE SAME PRORATED METHODOLOGY USED TO DETERMINE THE SUBJECT PROPERTY'S WEST LINE WAS APPLIED TO ENSURE CONSISTENT PROPORTIONAL POSITIONING.

EAST BOUNDARY
THE EAST LINE OF THE SUBJECT PROPERTY WAS ESTABLISHED BY HOLDING THE EXISTING WEST CURB LINE ALONG HOME PLACE AS A BEARING REFERENCE, AS IT CURRENTLY EXISTS IN THE FIELD.

SOUTHEAST CORNER CURVE
THE CURVED BOUNDARY IN THE SOUTHEAST CORNER OF THE PROPERTY WAS ESTABLISHED BY HOLDING BOTH THE CREATED NORTH RIGHT-OF-WAY LINE OF LIMIT STREET AND THE WEST RIGHT-OF-WAY LINE OF HOME PLACE. A CURVE WITH A 30-FOOT RADIUS WAS CONSTRUCTED AT THE POINT OF INTERSECTION OF THESE TWO RIGHT-OF-WAY LINES TO DEFINE THE CORNER.

LIMITS HOME ADDITION

REPLAT OF LOT 14, BLOCK 35, SOUTH SIDE PARK, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS



SURVEYORS SUGGESTED DESCRIPTION:

A REPLAT OF LOT 14, BLOCK 35, SOUTH SIDE PARK, A SUBDIVISION OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS; DESCRIBED BY ROGER B. DILL PLS 1408 ON NOVEMBER 14TH, 2025; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF LOT 13 SAID SOUTH SIDE PARK, ALSO KNOWN TO BE A POINT ON THE NORTH LINE OF A 20 FEET PLATTED ALLEY; THENCE SOUTH 01°46'24" EAST, ALONG THE SOUTH LINE OF SAID LOT 13 AND SAID NORTH LINE, A DISTANCE OF 10.00 FEET TO THE NORTHWEST CORNER OF LOT 14 SAID SOUTH SIDE PARK, ALSO KNOWN TO BE THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE NORTH 87°33'03" EAST, ALONG THE NORTH LINE OF SAID LOT 14, A DISTANCE OF 96.98 FEET, TO THE NORTHEAST CORNER OF SAID LOT 14, ALSO KNOWN TO BE A POINT ON THE WEST RIGHT OF WAY LINE OF HOME PLACE AS IT NOW EXISTS; THENCE SOUTH 43°30'10" EAST, ALONG THE EAST LINE OF SAID LOT 14 AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 114.29 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE, ON A CURVE TO THE RIGHT HAVING AN ARC LENGTH OF 68.62 FEET, HAVING A RADIUS OF 30.00 FEET, A CHORD BEARING OF SOUTH 22°01'27" WEST AND A CHORD LENGTH OF 54.61 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 14, ALSO KNOWN TO BE A POINT ON THE NORTH RIGHT OF WAY LINE OF LIMIT STREET AS IT NOW EXISTS; THENCE SOUTH 87°33'03" WEST, ALONG SAID SOUTH LINE AND SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 151.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, ALSO KNOWN TO BE A POINT ON THE EAST LINE OF SAID 20 FEET PLATTED ALLEY; THENCE NORTH 01°46'24" WEST, ALONG THE WEST LINE OF SAID LOT 14 AND SAID EAST LINE, A DISTANCE OF 135.90 FEET, TO THE POINT OF BEGINNING.

CONTAINING 20379.99 SQUARE FEET OR 0.47 ACRES MORE OR LESS.

DEDICATION:

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "LIMITS HOME ADDITION"

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City of Leavenworth, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

The undersigned proprietors of the above described land hereby consents and agrees the City Council of Leavenworth, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or part thereof, for public use, from the lien and effect of any special assessments, and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of that land fronting or abutting on such dedicated public ways or thoroughfares.

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

IN TESTIMONY WHEREOF,
I, undersigned owner of **LIMITS HOME ADDITION** have set our hands this ____ day of _____, 20__.

PROPERTY MANAGEMENT & MAINTENANCE INC.,
JEREMY GREENAMYRE, PRESIDENT

ACKNOWLEDGEMENT:

STATE OF KANSAS
COUNTY OF

BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME PROPERTY MANAGEMENT & MAINTENANCE INC., _____ PRESIDENT, TO ME PERSONALLY

KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FORGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____

My Commission Expires: _____

PLANNING COMMISSION:

THIS PLAT OF **LIMITS HOME ADDITION** HAS BEEN SUBMITTED TO AND APPROVED BY THE LEAVENWORTH PLANNING COMMISSION THIS ____ DAY OF _____, 20__.

_____, CHAIRMAN
BRIAN STEPHENS

_____, SECRETARY
JULIE HURLEY

_____, DIRECTOR OF PUBLIC WORKS
BRIAN FAUST

REGISTER OF DEEDS:

STATE OF KANSAS,
COUNTY OF LEAVENWORTH,
SS.

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THE ____ DAY _____, 20__ AT ____ AM/PM, IN DOC# _____.

TERRILOIS G. TODD, REGISTER OF DEEDS

COUNTY SURVEYOR:

I HEREBY CERTIFY THIS SURVEY PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS SURVEY 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



LEGEND

- FOUND PROPERTY CORNER AS NOTED
- SET 1/2" X 24" REBAR CAP ALC KS CLS 363

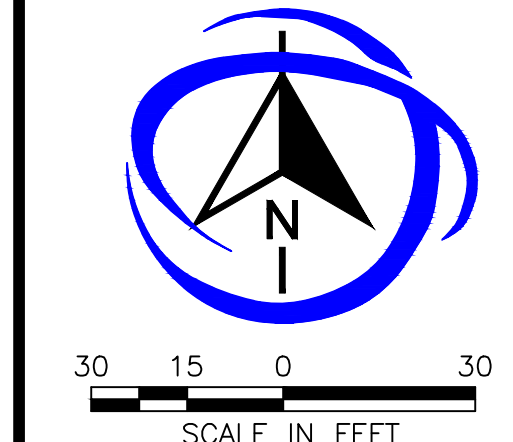
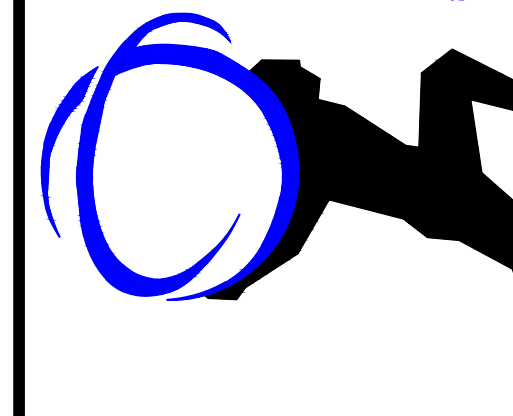
GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS SURVEY IS KANSAS NORTH ZONE U.S. STATE PLANE 1983
- ALL DISTANCES SHOWN HEREON ARE IN FEET
- KS ONE-CALL WAS CALLED ON THIS SURVEY
-TICKET #2527895
- REFERENCED SURVEY
-SOUTH SIDE PARK, PLAT BOOK 2B, PAGE 56, (S33) DATED 9/13/1887 NKA 1887P00056
-PLAT AND SURVEY, BOOK S-12 PAGE 16 RECORDED 1984 NKA 1984S016
-PLAT AND SURVEY DONE BY M. D. COOPER, JR DATED MARCH 17, 1997
-PLAT AND FIELD NOTES OF SURVEY DONE BY WILLIAM R. SACHSE DATED JULY 26, 1958
-LIMIT PARK ADDITION, DOC # 2024P00099
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20103C042G EFFECTIVE JULY 16TH, 2015, AREA ZONE X" AREA OF MINIMAL FLOOD HAZARD"
- CLOSURE PRECISION: 1 PART IN 789701.429
- CURRENT ZONING - R-10 PROPOSED ZONING - R1-6
- TITLE COMMITMENT: C25012508 CONTINENTAL TITLE COMPANY DATED OCTOBER 6TH, 2025 AT 08:00 AM
- REFERENCE DEED
-DOC #: 2025R07209
-DOC #: 2019R10377
-DOC #: 2019R10391

VICINITY MAP



ALC
ATLAS LAND CONSULTING
SURVEYING & CIVIL ENGINEERING, DRONE (LCO)
14509 Paradise Road, Unit R, Belton, KS 66007



FINAL PLAT
SOUTHSIDE PARK SUB, BLOCK 35
PID: 0930603007014000
PID: 0930603007013000

PREPARED FOR:
JEREMY GREENAMYRE
ADDRESS:
2812 HOME PLACE
LEAVENWORTH, KS 66048

PROJECT #: 25-443S
ISSUE DATE: 03/06/2026

This is to certify on this 15th day of October, 2025 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary



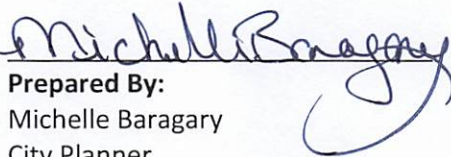
ROGER B. DILL PLS 1408

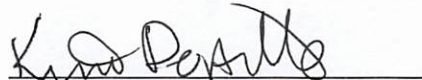
**PLANNING COMMISSION AGENDA ITEM
2026-16 SUB and 2026-17 SUB
McDONALD'S SECOND ADDITION
PRELIMINARY and FINAL PLATS**

MAY 4, 2026

SUBJECT:

A request for approval of a Preliminary and Final Plat for McDonald's Second Addition.


Prepared By:
Michelle Baragary
City Planner


Reviewed By:
Kim Portillo, AICP
Director of Planning and
Community Development

ANALYSIS:

The subject property is owned by 7-Eleven, Inc., and the plat was prepared by Olsson. The property is under contract for purchase by Megdal Investments and will be leased by McDonald's USA, LLC, who is acting as the applicant/agent for the project.

The applicant is requesting approval of a 1.01 acre, 1 lot preliminary and final plat for the McDonald's Second Addition commercial development, located at 713 Metropolitan Avenue. The subject property is zoned GBD, General Business District, and is currently occupied by an underutilized shopping center.

The applicant intends to demolish the existing structure on the site and redevelop the property with a McDonald's restaurant. A site plan is attached for reference only.

The plats and accompanying site plan were reviewed by the Development Review Committee at its July 20, 2023, and May 29, 2025, meetings. Items discussed included traffic impacts, easement dedications, sidewalks, and stormwater management. All identified items have either been addressed or will be resolved prior to the issuance of building permits.

Pending action by the Planning Commission, the City Commission will review the final plat for acceptance of land dedicated for public purposes in the form of sidewalk easements. A water easement will be granted to Leavenworth Waterworks and does not require acceptance by the City Commission.

STAFF RECOMMENDATION:

Staff recommends approval of McDonald's Second Addition Preliminary Plat, subject to the following conditions:

1. The approval of the preliminary plat shall be effective for one year.

STAFF RECOMMENDATION:

Staff recommends approval of McDonald's Second Addition Final Plat, subject to the following conditions:

1. The final plat shall be recorded with the Register of Deeds within 18 months following City Commission approval of land dedicated to public purposes. If not recorded within said time period, the final plat shall be deemed null and void.

2. After the plat has been recorded with the Register of Deeds, the applicant shall provide two full-sized copies of the recorded plat to the Planning and Community Development Department.

ACTIONS/OPTIONS:

Preliminary Plat

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

Final Plat

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

ATTACHMENTS:

Location map

Application materials

Site Plan

DRC Minutes

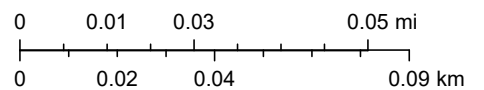
McDonald's Second Addition



4/29/2026, 3:57:27 PM

1:2,257

- Override 1
- Ft Leavenworth Military Installation
- Parcels_Current
- Leavenworth City Limits
- Buildings
- City Right-of-Way
- Address (Points)
- RoadCenterline



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



Project No. 2026-16 SUB

**PRELIMINARY PLAT
APPLICATION
CITY OF LEAVENWORTH**

OFFICE USE ONLY

Application No. 18831
Fee 350.00
(\$350 plus \$10 per lot over 5 lots)
Date Paid 4/9/26
Received By AK
Meeting Date 5-4-26

NAME OF SUBDIVISION/PROJECT: McDonald's Second Addition

LOCATION OF SUBDIVISION/PROJECT: Southwest corner of Metropolitan Ave. & N. 7th Street

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

NAME: 7-Eleven, Inc., a Texas Corporation

STREET ADDRESS: 3200 Hackberry Road

CITY: Irving STATE: TX ZIP: 75149

PHONE: 214-828-7011 EMAIL: GM-StoreDevelopment@7-11.com

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

NAME: McDonald's USA, LLC - Josh Gatewood, Area Construction Manager

STREET ADDRESS: 110 N. Carpenter Street

CITY: Chicago STATE: IL ZIP: 60607

PHONE: 913-547-9367 EMAIL: joshua.gatewood@us.mcd.com

NAME OF ENGINEER PREPARING PLAT:

COMPANY: Olsson

STREET ADDRESS: 302 S. 4th Street, Suite 110

CITY: Manhattan STATE: KS ZIP: 66502

PHONE: 785-539-6900 EMAIL: akruse@olsson.com

PARCEL NO: 052-077-26-0-14-03-001.00-0 SEC.TWP.RNG. NE 1/4, Sec. 26, T-8-S, R-22-E

ZONING OF SUBJECT PROPERTY: GBD CURRENT LAND USE: Commercial

TOTAL ACREAGE: 1.01 acres NUMBER OF LOTS: 1

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

Manner in which improvements will be made:

- Streets: By Developer By Benefit District
Sanitary Sewers: By Developer By Benefit District
Waterlines: By Developer By Benefit District

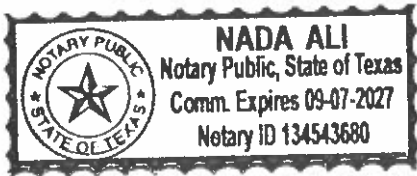
I/We, the undersigned, certify that I/we am/are the owner of the property described above and that is subject to this request for review of a subdivision under the rules of the Subdivision Regulations of the City of Leavenworth, Kansas.

SIGNATURE OF OWNER(S) Robin D. Bryant Date: April 16, 2026
Robin D. Bryant, Assistant Secretary

State of TEXAS, County of DALLAS, SS
Signed or attested before me this 16th day of April, 2026 by
Robin D. Bryant

Nada Ali
Notary Appointment Expires 09/07/2027

(Seal)



FLOOD PLAIN DETERMINATION/DESIGNATION APPLICATION FOR SUBDIVISION APPROVAL

Date: 04/03/26

1. Name of Applicant:

Olsson - Andy Kruse

2. Address of Applicant:

302 S. 4th Street, Suite 110, Manhattan, KS 66502

3. Location of Proposed Subdivision: Southwest corner of Metropolitan Ave. & N. 7th Street

4. Is proposed subdivision located in or partially located in a flood plain:

Yes No

a. Elevation of the 100 year Flood: N/A

b. Elevation of the proposed development: N/A

c. Elevation or flood proofing requirement: N/A

Location/designation of the floodway, flood plain and floodway fringe is required to be designated on the plat.

I certify that all provisions of the City of Leavenworth subdivision regulations as they apply to flood plain management will be complied with.

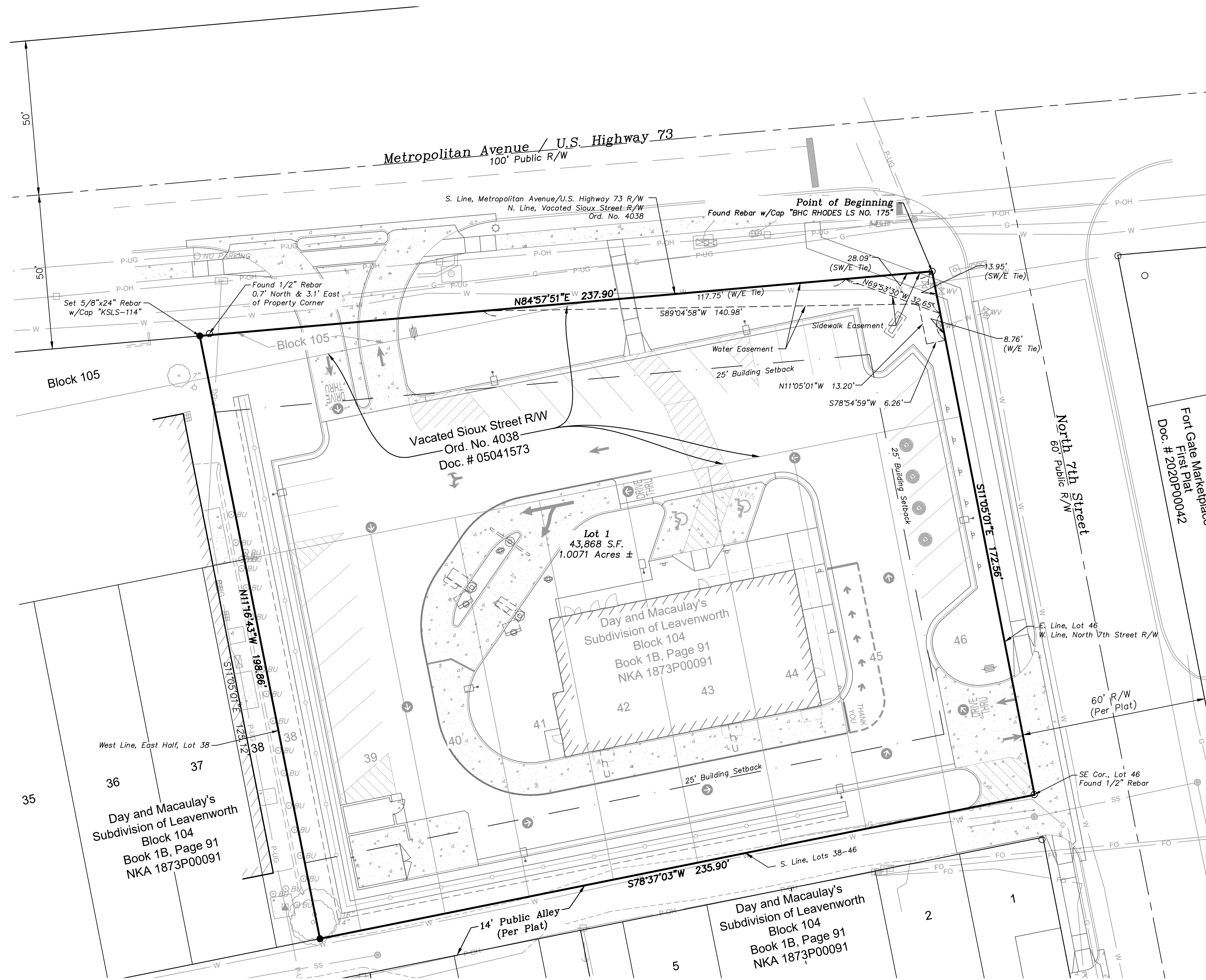
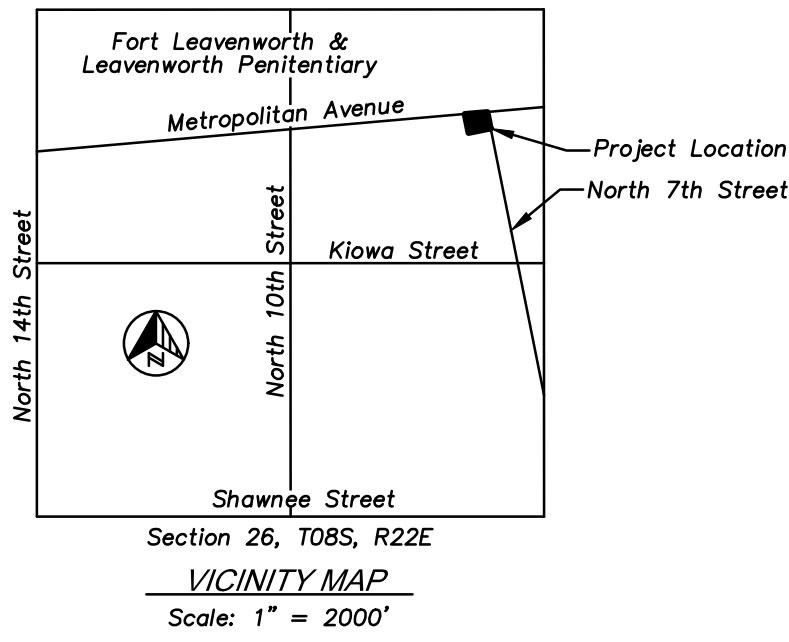
Surveyor of project: Olsson - Gregory Chad Weller

Address: 302 S. 4th Street, Suite 110, Manhattan, KS 66502

Signature: _____

Preliminary Plat McDonald's Second Addition

A replat of the East Half of Lot 38 and all of Lots 39 thru 46, inclusive, in Block 104, together with part of Block 105, together with part of vacated Sioux Street right of way, all in Day and Macaulay's Subdivision in the City of Leavenworth, Leavenworth County, Kansas, all in the Northeast Quarter of Section 26, Township 8 South, Range 22 East



Property Description

All that part of Lot 38 and all of lots 39 through 46, inclusive, Block 104 and all that part lying directly North of the East half of Lot 38 and directly North of all of Lots 39 through 42, Block 104, together with vacated Sioux Street right of way adjacent to said lots in Day and Macaulay's Subdivision, a subdivision in the City of Leavenworth, Leavenworth County, Kansas, described by Michael J. Bogina, Kansas PS-1655, of Olsson, KSLs-114, on April 1, 2026, as follows:

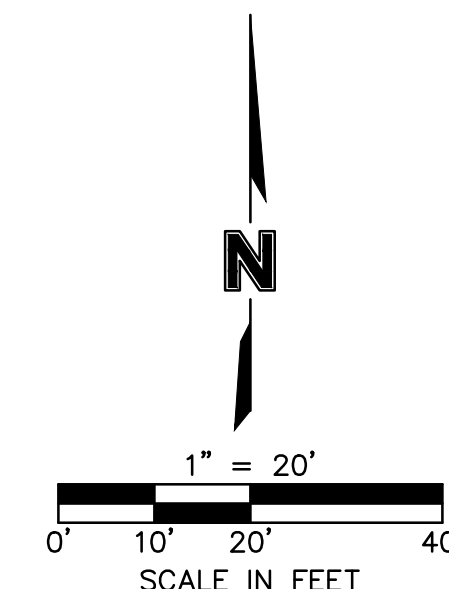
BEGINNING at the intersection of the South line of Metropolitan Avenue right of way with the West line of North 7th Street right of way, as both are now established; thence South 11 degrees 05 minutes 01 second East, on said West line, and on the East line of said Lot 46 a distance of 172.56 feet to the Southeast corner of said Lot 46; thence South 78 degrees 37 minutes 03 seconds West, departing said West line, on the South line of said Lots 46 through 38, a distance of 235.90 feet to a point; thence North 11 degrees 16 minutes 43 seconds West, departing said South line, a distance of 198.86 feet to a point on said South line of said Metropolitan Avenue right of way; thence North 84 degrees 57 minutes 51 seconds East, on said South line, a distance of 237.90 feet to the POINT OF BEGINNING, containing 43,868 Square Feet or 1.0071 Acres, more or less, including 1.0071 Acres of Replatted Area.

LEGEND

- SECTION CORNER
- SET 5/8"x24" REBAR W/CAP -114 CAP
- FOUND MONUMENT AS NOTED
- (M) MEASURED DIMENSION - THIS PLAT
- (P) PREVIOUSLY PLATTED DIMENSION
- (C) CALCULATED DIMENSION FROM RECORD
- (D) PREVIOUSLY DEEDED DIMENSION
- D/E PERMANENT DRAINAGE EASEMENT
- R/W RIGHT OF WAY
- S/E SANITARY SEWER EASEMENT
- U/E SUBSURFACE UTILITY EASEMENT
- W/E WATER LINE EASEMENT

Surveyor's Notes:

- Basis of Bearings: Held the East line of Block 104, Day and Macaulay's Subdivision of Leavenworth = S11°05'01"E, Kansas Coordinate System 1983, North Zone. Distances shown hereon are ground distances in US Survey Feet.
- This property lies within "Zone X - Areas determined to be outside the 0.2% annual chance floodplain," FEMA Flood Insurance Rate Maps, Panel 133 of 425, Map Number 20103C0133G, Effective Date July 16, 2015.
- Subject property was last conveyed by warranty deed in Doc. #2019R04062.
- Subject Property contains 43,868 Square Feet or 1.0071 Acres, more or less.
- The plat lies within the required minimum error of closure of 1:10,000.
- Subject property is affected by an Environmental Inspection Easement, recorded in Book 721, Page 299, which is blanket in nature over Subject Property.



Prepared For:
McDonald's USA, LLC
110 N. Carpenter Street
Chicago, Illinois 60607

Property Owner:
7-Eleven, Inc
3200 Hackberry Road
Irving, Texas 75063

Prepared By:
Olsson

7301 West 133rd Street, Suite 200
Overland Park, Kansas 66213
Telephone (913) 381-1170

| REV. NO. | DATE | REVISIONS DESCRIPTION |
|----------|----------|-----------------------------|
| 1 | 04/24/26 | REVISED PER COUNTY COMMENTS |

| | | |
|--|----------------|--------|
| Preliminary Plat McDonald's Second Addition | | 2026 |
| A replat of part of Blocks 104 and 105, together with part of vacated Sioux Street R/W, all in Day and Macaulay's Subdivision, all lying in the NE 1/4 of Sec. 26, T8S, R22E | | |
| Leavenworth, Leavenworth County, Kansas | | |
| drawn by: | MBJ | |
| checked by: | PEW | |
| approved by: | MBJ | |
| QA/QC by: | CRS | |
| project no.: | 025-02525 | |
| drawing no.: | V_PLT_02502525 | |
| date: | 2026.04.03 | |
| SHEET | | 1 of 1 |

olsson

7301 West 133rd Street, Suite 200
Overland Park, KS 66213-4750
TEL 913.381.1170 www.olsson.com

DWS: F:\2025\02501-03000\025-02525\40-Design\Survey\SRV\Streets\V_PLT_02502525.dwg
DATE: Apr 24, 2026 9:52am
USER: dhruse
C:\BASE_02502525



Project No. 2026-17 SUB

FINAL PLAT APPLICATION
CITY OF LEAVENWORTH

OFFICE USE ONLY

Application No. 18832
Fee: 350.00
(\$350 plus \$10 per lot over 5 lots)
Date Paid 4/2/26
Received By _____
PC Meeting 5/4/26

NAME OF SUBDIVISION/PROJECT: McDonald's Second Addition
LOCATION OF SUBDIVISION/PROJECT: Southwest corner of Metropolitan Ave. & N. 7th Street (713 Metropolitan)
NAME OF PROPERTY OWNER: (If Corporation, include name and address of Director or President)

NAME: 7-Eleven, Inc., a Texas Corporation
STREET ADDRESS: 3200 Hackberry Road
CITY: Irving STATE: TX ZIP: 75149
PHONE: 214-828-7011 FAX: _____ EMAIL: GM-StoreDevelopment@7-11.com

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

NAME: McDonald's USA, LLC - Josh Gatewood, Area Construction Manager
STREET ADDRESS: 110 N. Carpenter Street
CITY: Chicago STATE: IL ZIP: 60607
PHONE: 913-547-9367 FAX: _____ EMAIL: joshua.gatewood@us.mcd.com

NAME OF ENGINEER PREPARING PLAT:

NAME: Andy Kruse
STREET ADDRESS: 302 S. 4th Street, Suite 110
CITY: Manhattan STATE: KS ZIP: 66502
COMPANY: Olsson
PHONE: 785-539-6900 FAX: 785-539-6901 EMAIL: akruse@olsson.com

PARCEL NO: 052-077-26-0-14-03-001.00-0 SEC.TWP.RNG. NE 1/4, Sec. 26, T-8-S, R-22-E

ZONING OF SUBJECT PROPERTY: GBD CURRENT LAND USE: Commercial

TOTAL ACREAGE: 1.01 acres NUMBER OF LOTS: 1

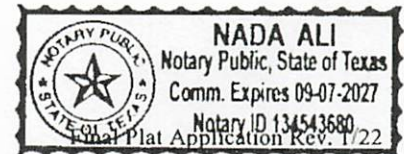
LEGAL DESCRIPTION: (Attach full legal description provided by the REGISTER OF DEEDS OFFICE or a TITLE COMPANY)

DATE OF PRELIMINARY PLAT APPROVAL: N/A

SIGNATURE OF OWNER(S) Robin D. Bryant Date: 3/30/2026

State of Texas, County of Dallas, SS
Signed or attested before me on March 30, 2026 by Robin D. Bryant, Assistant Secretary

Notary Nada Ali Appointment Expires 09/07/27 (Seal)





Development Review Committee Meeting

Thursday, July 20, 2023 at 1:30 p.m.

Committee members present: City Manager Paul Kramer, Assistant City Manager Penny Holler, Police Chief Pat Kitchens, Public Works Director Brian Faust, Project Manager Mike Stephan, Sr. Engineer Technician Justin Stewart, Health/Safety Officer Shawn Kell, City Clerk Sarah Bodensteiner, Planning Director Julie Hurley, City Planner Bethany Falvey and Planning Assistant Michelle Baragary.

OLD BUSINESS:

None

NEW BUSINESS:

1. *713 Metropolitan – McDonald's*

- Attendees – Andy Kruse – civil engineer
- Project – new McDonald's restaurant. The submitted site plan has the property lines shown based on GIS data. However, in 2018 Olsson conducted a survey that has the north property line further south, which may cause a problem with the submitted layout. They are in the process of conducting a new survey. Phase I environmental study was conducted – potential issue: dry cleaning business in the 80s. Grading – slope grade approximately 3%
- Planning
 - Meets elevations and design guidelines
 - Concerned with the dead-end parking directly west of the restaurant and the movement/flow of the site plan
 - Andy said the floor plan has less seating than what was calculated for parking. Can possibly reduce parking by 5-6 stalls.
 - Signage is a separate permit application
 - Stacking lanes – separation by means of raised concrete median, concrete curb, or landscaping
 - 20% landscaping requirement
 - No concerns with the architecture
- Public Works
 - See attached notes from Public Works
 - Will provide contacts for KDOT and utility companies
 - Move 7th Street entrance to the alley. Alley to stay as ROW, McDonald's to improve a portion of the alley, and entrance into McDonald's will be off the alley.

- Stormwater – need to provide study for water quantity and quality. Stormwater to be enclosed.
- Trash truck – turning challenges
- Be aware of the underground conduits for the traffic signals near the pole sign in the NE corner
- Little to no detention if they show reduction of impervious space
- Building Inspections – Chief Building Inspector was not available. He contact info was provided to the applicant.
- Fire Department
 - Possible chokepoint in the SW corner where the trash receptacles are located
 - Submittal for sprinkler system will be submitted by a separate contractor
- Police
 - Stacking to turn into McDonald's from 7th Street (northbound) in the morning maybe problematic
 - Right only turn from McDonald's onto Metropolitan
- City Clerk
 - Will need to contact the State for health inspection; Fire Department will be involved in the inspection. No review/inspection is conducted through the County Health Department.
- City Manager – no comments

OTHER BUSINESS:

None

Meeting adjourned at 2:09 p.m.

Comments for DRC

July 20, 2023

Site Plan for 7th and Metropolitan – McDonalds

Utilities:

- 1) Sanitary - 8" line located in the alley south of the site.
 - a. Grease interceptor required
- 2) Provided by Leavenworth Waterworks – not the city

Storm Water:

- 1) Nearest inlet is to the south at Cheyenne – are you capturing water on-site and tying into existing inlet at Cheyenne?
- 2) What are the plans to address water quantity and quality?

Access:

- 1) Traffic Impact Study (TIS) is required
 - a. Stacking westbound in eastbound left turn to the Fort is not permitted
 - b. There is a westbound left turn on Metropolitan at 7th however it is a permissive left - should this be a protected left turn (east bound to the Fort is protected/permissive)
 - c. Will there need to be a median to prevent left turns into site on Metropolitan?
 - d. Right in right out on Metropolitan?
 - e. Any possibility of shifting 7th Street access to the alley
 - f. How will deliveries be handled?
- 2) Sidewalks
 - a. Currently section missing – complete and ADA compliant sidewalks needed on Metropolitan and 7th.
 - b. ADA truncated domes will be required at both approaches.

Miscel items:

- 1) Should be a raised curb/median that differentiates the drive-thru stacking lanes from the drive lane.
- 2) Retaining walls 4' and higher will need the appropriate protective railing to help prevent falls.
- 3) Pole/monument sign should not block site distance.



Development Review Committee Meeting

Thursday, May 29, 2025 at 1:30 p.m.

Committee members present: Assistant City Manager Penny Holler, Assistant to the City Manager Trevor Cook, Director Public Works Brian Faust, Deputy Director Public Works Mike Stephan, Project Manager Justin Stewart, Chief Building Inspector Hal Burdette, Fire Marshall Bill McKeel, Police Chief Pat Kitchens, City Clerk Sarah Bodensteiner, Planning Director Kim Portillo.

OLD BUSINESS:

None

NEW BUSINESS:

1. *713 Metropolitan- McDonalds new construction*

- Attendees – Andy Kruse akrusse@olsson.com Josh Gatewood Joshua.gatewood@us.mcd.com
- Project – This project was first presented to the DRC in July of 2023. Staff comments were provided and adjustments to the plan were made in response. Changes since the July 2023 review include; right in/right out access to Metropolitan, realignment of the access on 7th Street to better align with the drive opposite. Rotating of the building and drive 180 degrees. The current plan has also been submitted to KDOT for review. They have also since conducted a survey of the property. They are still in preliminary design but best case scenario would look to start construction next spring, but could depend on KDOT feedback.
- Planning
 - Elevations appear mostly unchanged from 2023 and appear to meet design guidelines. Rooftop units and ground mounted mechanical equipment must be screened. Staff understands complete screening from the south may not be possible due to elevations, with this property sitting lower than the adjacent properties. Should also be screened from ROW.
 - Staff encourages involvement in the upcoming 7th Street Corridor Study which is just kicking off.
 - Property needs to be re-platted (final plat only). Existing plat is from 1800s but lots have been combined over time. Staff and applicant anticipate some dedications to the City, which will require acceptance by the City Commission.
 - Landscaping plan needed. Landscaping required at 20% of site area. Look at perimeter planting and parking lot islands.
 - Crosswalks are needed to get pedestrian traffic from parking spaces to the main entrance and from the Public ROW sidewalks to the internal sidewalk network.
 - Trash enclosure shall be of masonry materials matching the design of the building.
- Public Works

- As stated in the 2023 review for the same development, a Traffic Impact Study will be required. Note: Not just a city requirement – KDOT will require this as it impacts Metropolitan (US-73).
- While right-in/right-out is shown at the access point on Metropolitan, the median shown will not stop left-in/left-out movements. A median on Metropolitan may be required.
- To access drive-thru from Metropolitan, vehicle will need to travel completely around the building. Significant conflict point at the southeast corner. Vehicles in the drive-thru lane turning right, vehicles in the by-pass lane trying to get to the drive-thru turning left in front of departing traffic, vehicles north/southbound on 7th turning into the site. Major congestion point.
- As stated in the 2023 review, city requires an evaluation of both storm water quantity and quality from the developed site. It appears that there will be less pavement and more pervious surface as compared to existing site conditions. At a minimum, we will need to see the impervious area existing and impervious area proposed.
- Runoff from the site currently sheet flows to an inlet at Cheyenne. Proposed shows the water captured on-site and piped directly to Cheyenne. Water will get to Cheyenne quicker - can downstream system handle this?
- Area inlet or junction box at access point on 7th will need to be traffic rated.
- Grease trap/interceptor will be required.
- Where is the proposed sanitary connection?
- Wall is up to 9.5' tall - railing required for walls over 4'.
- Existing curb cut on 7th will need to be removed.
- Sidewalk will need to be installed on 7th up to the intersection.
- ADA parking will be blocked by vehicles stacked in the drive-thru lane.
- Where is the pedestrian corridor from Metropolitan/7th to the building?
- Signage at the corner – are there plans for an illuminated message board with rotating text? If so, red and/or yellow lighting not permitted.
-
- Building Inspections
 - Nothing at this time.
- Fire Department
 - It looks like there is acceptable access on all sides of the building.
 - Bill asked if this building will be sprinkled? Applicant does not expect it will be required due to size and building type.
- Police Department
 - There is some concern about traffic issues from left turns out of the southeast entrance, and vehicles blocking traffic. If this were to become an issue in the future,
- Assistant City Manager
 - Staff is appreciative of the right in/ right out design; this is a busy intersection.
- City Clerk
 - Nothing at this time.

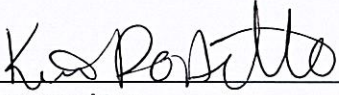
OTHER BUSINESS:

None

Meeting adjourned at 2:09 p.m.

PLANNING COMMISSION AGENDA ITEM
Text Amendments
Development Regulations

MAY 4, 2026



Prepared By:

Kim Portillo,
Director of Planning and
Community Development

DISCUSSION:

The Development Regulations were adopted by the City Commission in June 2016 after a year-long comprehensive update process. Through the daily use of the Regulations by staff, several minor items have arisen that may necessitate possible updating. This process is not uncommon, and it is anticipated that an annual review of the Development Regulations will be conducted in order to ensure that they remain up to date and comprehensive. Many of the proposed amendments consist of clarifying existing language, with no substantial policy change.

The anticipated timeline is as follows:

- May 4th Planning Commission initial review and public hearing
- June 1st Planning Commission second review and recommendation vote
- June 23rd City Commission First Consideration
- July 14th City Commission Second Consideration

The following modifications have been drafted by staff and are now presented for public hearing.

- **Article 1; General Provisions**
 - Correct spelling of “Statues” to “Statutes”.
- **Article 2; Applications & Procedures**
 - Correct reference to Section II.F (nonexistent code section, should be 2.06).
- **Article 4; Zoning Districts & Standards**
 - Clarify language, correct “no closer to the property than” to “no closer to the property *line* than”.
 - Update 4.03.E to allow for the accessory use of shipping containers as storage in industrial districts.
- **Article 6; Landscape & Site Design**
 - Update Table 6-04: Buffer Planting Requirements to include requirements for a 20-foot-wide buffer, as referenced in Section 6.04.A
- **Article 8; Signs**
 - Remove restriction that window signs cannot contain message or identification (i.e. name of establishment) more than once within the permitted total sign surface area per each front, side or rear wall.

- Revise the “Attached Signs” section to exclude awning signs from the total wall sign count and limit them to one sign per awning with a size cap of 15% of the awning area.
- Revise EMC sign regulations to allow placement within 100 feet of a residence when an intervening building blocks the line of sight and clarify that the required distance is measured from the sign to the residential structure, not the property line.

- **Article 12; Definitions**

- Add a definition for the use “Heavy Vehicle/Equipment Sales, Rentals and Service” as follows:

Heavy Vehicle/Equipment Sales, Rentals and Service: The sale, rental, leasing, maintenance, and repair of vehicles and equipment designed for commercial or industrial use that exceed a gross vehicle weight rating (GVWR) over 10,000 pounds, such as large trucks and buses or construction, industrial, or agricultural machinery. There may be incidental outdoor storage, display and part sales.

This use is currently listed in the use table but is not defined.

ACTION/OPTIONS:

This item is for review and comments and will be voted on at the subsequent Planning Commission meeting.

ARTICLE 1. GENERAL PROVISIONS

1.01 Overview

- A. **Title.** These regulations, shall be known, as the "Development Regulations of the City of Leavenworth, Kansas." These regulations are adopted pursuant to Kansas Statutes 12-747 *et. seq.* and 12-757 *et. seq.*
- B. **Purpose.** These regulations serve the following purposes:
1. To promote the health, safety, comfort and economic development of the city;
 2. To preserve and protect property values throughout the city;
 3. To regulate the height, number of stories and size of buildings; the percentage of lot coverage; the size of yards, courts, and other open spaces; and density of population;
 4. To divide the jurisdictional area into zones and districts;
 5. To regulate the location and use of buildings and land within each district or zone.
- C. **Jurisdiction.** These regulations apply to all land and structures within the incorporated area of the City of Leavenworth, Kansas. Fort Leavenworth, the U.S. Penitentiary, and the Veterans Administration Reservations are excluded from the jurisdiction of these regulations.
- D. **Exemptions.** The following structures and uses shall be exempt from the provisions of these regulations:
1. **Utilities.** Poles, wires, cables, conduits, vaults, laterals, pipes, street lighting, mains, valves, or other similar equipment or improvements for the distribution to consumers of telephone or other communications, electricity, gas, or water, or the collection of sewage or surface water operated or maintained by a public utility.
 2. **Railroads.** Railroad track, signals, bridges, and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.
- E. **Annexation.**
1. All territory annexed into the City of Leavenworth, voluntarily or involuntarily, shall be zoned after annexation in accordance with the zoning district most closely matching the Comprehensive Land Use Plan for that area, determined by Table 1-01 below.
 2. The landowner may propose a different zoning classification through an application for rezoning, as provided elsewhere in this code. The rezoning must be completed at or before the time the annexation petition is presented to the City Commission for consideration.

- D. **Amendment to Site Plan:** No approved Site Plan may be modified, or expanded in ground or structural area more than 10% of the gross floor area unless the Site Plan is amended and approved in accordance with the procedures applicable to initial approval, or as otherwise approved through Minor Modifications in Section II.F. Such changes will require the applicant to resubmit the Site Plan as outlined in the preceding sections.
- E. **Effect of Decision.** All elements of the approved site plan must be executed in association with a building permit or certificate of occupancy, except that installation of landscape may be delayed for up to six months to allow optimal planting, and provided other adequate assurances of implementation are provided by applicant.

2.06 Minor Modifications

- A. **General.** This section sets forth the required review and approval procedures for “minor modifications,” that are minor deviations from otherwise applicable standards that may be approved by the Director. Minor modifications are to be used when the small size of the modification requested and the unlikelihood of any adverse effects on nearby properties or the neighborhood make it infeasible to seek a formal variance. Minor modifications to development standards may only be requested where no additional permit, such as conditional use or special use, is required prior to construction.
- B. **Applicability.** Requests for minor modifications must be made in writing to the Director who shall have 21 days from receipt to respond in writing. If the Director does not act on the request within 21 calendar days, the application shall be deemed denied. The Director may approve a single minor modification per development of up to a maximum of 10% from the following general development and zoning district standards:
1. Minimum lot area requirements,
 2. Setback requirements, and
 3. Quantitative development standards generally applicable throughout the Development Regulations of the City of Leavenworth, Kansas.

The Director shall have sole decision-making authority for a minor modification.

- C. **Limitations.** In no circumstance shall the Director approve a minor modification that results in:
1. Any change in required floodplain elevations;
 2. An increase in overall project density;
 3. A change in permitted uses or mix of uses;
 4. A deviation from the use-specific standards in Article 4, Zoning Districts & Standards;
 5. A change in conditions attached to the approval of any site plan or special use permit;

B. **Dimension Standards for RMX.** The dimension standards for the RMX district shall be:

| Table 4-02: Dimensions for the Residential Mixed-Use District | | | | | | | | |
|--|---------------|----------------|---------------|------------------|---------------|-------------|---------|-----------------|
| Dwelling/ Building Type | Lot Standards | | | Minimum Setbacks | | | | Building Height |
| | Min. Size | Min. Lot Width | Max. Lot Cov. | Front | Interior Side | Corner Side | Rear | |
| SF detached and duplex | 2,400 sf | 40' | 80% | 10' | 0' [1] | 10 [1] | 10' [2] | 35' |
| Townhouse/ multi-family, mixed-use | [3] | 48' | 80% | 10' | 0' [1] | 10 [1] | 10' [2] | 38' |
| Commercial, mixed-use | [3] | n/a | 80% | 0' | 0' [1] | 10 [1] | 5' [2] | 38' |

- [1] An RMX use abutting a residential district shall match the side yard setback standards of that district.
- [2] When abutting a public street, alley, or public right-of-way. The rear setback for RMX abutting a residential district shall be 20 feet, regardless of the location of any street, alley, or ROW.
- [3] Must meet setback requirements.

C. **Yard Regulations.**

1. **Front Yards.** In areas where parcels were created previous to the adoption of Subdivision Regulations in July 1966, where structures have been built observing a setback other than the setback required by the applicable Zoning District, new structures shall observe the following setback:
 - a. Front setbacks may be the average setback of all lots within 150 feet of either side of the lot, but along the same block.
 - b. If only two buildings exist within 100 feet of either side of the lot, the front setback may be the average of those buildings.

2. **Structural Projections.** Every part of a required yard shall be open to the sky unobstructed, except:
 - a. The ordinary projection of skylights, sills, belt courses, cornices, and ornamental features projecting not to exceed 12 inches
 - b. Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a rear yard not more than five feet
 - c. The ordinary projection of chimneys and flues
 - d. The projection of roof overhangs up to four feet into any front or rear yard and two feet into any side yard. In no case may an overhang project into an easement.
 - e. An open unenclosed deck or paved terrace may project into a required rear yard for a distance not exceeding 10 feet, but no closer to the property than 15 feet in

3. All accessory buildings in the rear yard shall maintain a three-foot setback from the side and rear property lines as measured from the nearest part of the structure, including any overhangs.
4. If the accessory structure has a vehicular alley entrance the sum of the right-of-way width and the setback of the structure shall not be less than 20 feet.
5. Accessory structures located elsewhere on the lot shall maintain setbacks applicable to the principal structure.
6. All accessory buildings in residential districts shall be five feet from any primary building on the site. In all other zoning districts accessory structures and uses shall not occupy required setbacks and are not subject to size restrictions except that all other requirements of the Development Regulations must be met.
7. All accessory structures shall be constructed from material customary to detached structures.
8. In no case shall an accessory structure be constructed from materials or equipment originally designed for another use such as but not limited to packing crates or a part of a motor vehicle truck or trailer regardless if wheels, axles, etc., have been removed and the structures are placed on more permanent foundations.
9. No shipping containers may be used as accessory buildings.
10. Accessory structures which are equal to or more than 15% of the footprint of the main structure shall be architecturally compatible or complementary to the architectural style of the principal building, with similar materials, color, arrangement of massing, roof forms and other details and ornamentation.

4.04. Use Standards

- A. **Permitted and Special Uses.** Permitted and special uses for each zoning district are identified in Appendix A Use Table.
- B. **Accessory Uses.**
 1. **Principal Use Required.** Accessory uses are permitted in any zoning district in connection with any principal use which is permitted.
 2. **Accessory Uses.** Accessory Uses are a structure or use which:
 - a. Is subordinate to and serves a principal building and principal use;
 - b. Is subordinate in area, extent, or purpose of the principal use or building or building served;
 - c. Contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or principal use served;
 - d. Is located on the same lot as the principal building or principal use served; and
 - e. The total square footage of all detached structures, including second stories of any such structures, functioning as accessory use in residential districts shall be less than the square footage of the primary use on the parcel. Agriculture buildings, as allowed by these regulations, may exceed the square footage of the

- ornamental metal fence or masonry wall of materials compatible with the primary structure. In the place of shrubs, deciduous shade trees may be planted a minimum of 10 feet on-center along the common boundary line; or
- b. A minimum four-foot-wide planting strip containing a low, continuous hedge a minimum of 30 inches tall at installation consisting of a double row of evergreen shrubs planted a minimum of three feet on-center in a triangular pattern.
 - c. As applicable, landscaping materials shall be planted on the side of the fence/wall closest to the street, alley, or residential property.
 - d. The interior landscaping requirements shall apply to all parking areas that meet the applicability standards of that section.

6.05 Buffers

The following regulations apply to properties where a multi-family, mixed-use, or non-residential district or use abuts a single-family residential district or use without an intervening public right-of-way and/or where these uses are not separated by a perimeter landscaping requirement.

- A. **Buffer Required.** Minimum buffer spaces as described in Table 6-03 shall be provided between adjacent or abutting dissimilar structures.

| Dwelling Unit Height | Dwelling Unit Height | | | |
|----------------------|----------------------|-----------|-----------|------------|
| | 1 story | 2 stories | 3 stories | +3 stories |
| 1 story | -- | 10 | 15 | 20 |
| 2 stories | 10 | -- | 15 | 20 |
| 3 stories | 15 | 10 | -- | 10 |
| +3 stories | 20 | 15 | 10 | -- |

- B. **Buffer Design.** The buffer shall be landscaped in accordance with Table 6-04;

| Requirement (per lineal foot of property line) | Buffer Width (feet) | | |
|--|---------------------|-----|-----|
| | 0 | 5 | 10 |
| Total Landscaping Units | .5 | .0 | .5 |
| Minimum Tree Units | .25 | .50 | .0 |
| Minimum Shrub Units | .05 | .10 | .15 |

20

1. New trees and shrubs shall be evenly spaced at planting.
2. Where a natural buffer exists, as determined by the Director, it shall remain undisturbed.
3. If used in addition to a landscape screen, fences shall have additional evergreen shrubs planted on the residential side of the fence.
4. Mechanical equipment, permanent detention and temporary erosion and sedimentation control basins, trash containers, loading docks, service uses, and employee break areas are prohibited in the buffer area.
5. Utility easements may cross but not be placed in the long dimension of a buffer yard.

feet. Open house signs shall be removed immediately upon completion of the open house. Such signs shall comply with the real estate sign restrictions except as specifically restricted herein.

- G. Permanent property identification signs may be permitted at each entrance to a neighborhood, subdivision, or residential development in accordance with subdivision plat approval.
- H. **Public and Semi-Public Buildings.** Churches, schools, libraries, community centers, hospitals, or other public/semi-public facilities located in a residentially zoned district shall be allowed signage as regulated and permitted in Section 8.10, Signs Permitted in the Neighborhood Business District (NBD).

8.09. Signs Permitted in the MP (Mobile Home Park)

The following signs shall be permitted in the MP Zoning District as set forth herein:

- A. All signs as regulated and permitted in Section 8.07 - Signs Permitted in All Districts.
- B. For rental and/or management offices, one identification sign not exceeding 12 square feet in sign surface, attached flat against the wall is allowed.
- C. Other signs as reviewed and approved as part of a rezoning request may be allowed.

8.10. Signs Permitted in the Neighborhood Business Districts (NBD) and Residential Mixed Use District (RMX)

| Table 8-02: NBD Signage Standards | | | |
|-----------------------------------|----------------|------------------------------------|----------------|
| | Maximum Number | Maximum Size | Maximum Height |
| Attached Signs | 1 per side | 96 s.f. or 10% of wall surface [1] | N/A |
| Freestanding Signs | 1 | 32 s.f. | 15 |
| Sandwich Board (A-frame) Signs | 1 | 6 s.f. | N/A |
| Window Signs | N/A | 32 s.f. or 33% of window area | N/A |

[1] Projecting signs are allowed as regulated by Section 8.10.B.2

The following signs shall be permitted in the Neighborhood Business District and Residential Mixed Use District:

- A. All signs as regulated and permitted in Section 8.07 - Signs Permitted in All Districts.
- B. Signs attached to a building shall be allowed as follows:
 - 1. One wall sign shall be allowed for each side of the structure. A structure with multiple businesses may have one sign for each separate business. Each separate business shall have clearly defined exterior wall space and the size of that wall

DEVELOPMENT REGULATIONS
ARTICLE 8. SIGNS

8.10 Neighborhood Business District

Article 8.10

space shall be the determining factor on sign size allowance. The sign Surface shall not exceed 96 square feet or 10% of the wall surface, whichever is less. This wall sign may be an electronic changeable message sign, provided it complies with the applicable standards for same.

2. A projecting sign that does not project from a building greater than a distance of six feet, does not encroach in the public right-of-way, and maintains eight feet of clearance from grade is permitted. In computing the square foot allowance for a projecting sign, the total area of the sign surface shall be included in the total area allowed for all wall signs, but shall not be larger than 24 square feet. Projecting signs do not reduce the number of wall signs as regulated by the zoning district, however, only one projecting sign shall be allowed per business.
- C. One freestanding sign shall be allowed per parcel, regulated as follows:
1. Freestanding signs shall not exceed 15 feet in height.
 2. No part of a freestanding sign face, frame, or base shall be closer than five feet to the public right-of-way or side or rear property line and shall not obstruct traffic vision.
 3. Freestanding signs may have two faces and shall not exceed 32 square feet per face, or one square foot of sign per lineal foot of lot frontage, whichever is less.
 4. No freestanding sign face, frame or base shall be closer than 50 feet to another freestanding sign.
 5. Separate and distinct street frontages shall be computed individually for allowable signage; however, signs shall be located on the street frontage that is used for computation. (No accumulation is allowed for unused street frontages.)
 6. The allowed freestanding signs may be electronic changeable message signs, provided they comply with all other standards in this article addressing lighting, safety, and electronic changeable messages.
- D. One sandwich board (A-frame) sign that meets the following requirements per street frontage is allowed as follows:
1. A permit shall be required for sandwich board signs. Permits are good for the life of the sign.
 2. Sandwich boards signs shall be on-premises signs.
 3. The sign may be located on the public sidewalk or the planting strip adjacent to the edge of the street on which it fronts. Signs shall not be placed in any raised streetscape or publicly owned planters.
 4. The sign may not exceed six square feet in area per side and may have no more than two sides for the display of messages.
 5. The spread of the "A" at the open end shall be sufficient to insure stability and no wider.
 6. Signs shall be adequately weighted to resist wind gusts.

DEVELOPMENT REGULATIONS
ARTICLE 8. SIGNS

8.10 Neighborhood Business District

3. Window signs constructed of neon, stained glass, gold leaf, cut vinyl, and etched glass are allowed.
4. Painted signs shall display the highest level of quality and permanence, as determined by the Director.
5. No message or identification (i.e., the name of establishment or the services offered) may be displayed more than once within the permitted total sign surface area per each front, side or rear wall.
6. The listing of an establishment's hours of operation shall be exempt from these regulations, provided that the area of the sign containing hours of operation shall be no greater than two square feet.
7. The listing of directional information (i.e., "parking in rear" or "use other door") shall be exempt from these regulations; provided that the area of the sign containing directional information is no greater than three square feet.
8. The use of window framing (i.e., a continuous light source illuminating the perimeter of an individual windowpane or a group of windowpanes) is prohibited.
9. Accessible doors to a business establishment shall be limited to the following types of window signage:
 - (a) Business name;
 - (b) Hours of operation;
 - (c) Phone number;
 - (d) Building or tenant address;
 - (e) Website; and
 - (f) The use of dark, opaque background panels for internally illuminated signs or letter faces is required to reduce the glare or glow of such signs.

8.11. Signs Permitted in Commercial and Industrial Districts (OBD, CBD, GBD, I-1 & I-2)

| Table 8-03: OBD, CBD, GBD, I-1 & I-2 Signage Standards | | | | | | | | | |
|--|----------------|------------|----------------|--------------|---------|----------------|----------------|-----|----------------|
| | Maximum Number | | | Maximum Size | | | Maximum Height | | |
| | CBD | OBD | GBD, I-1 & I-2 | CBD | OBD | GBD, I-1 & I-2 | CBD | OBD | GBD, I-1 & I-2 |
| Attached Signs [1] [2] | 1 per side | 1 per side | 1 per side | 150 s.f. | 96 s.f. | 500 s.f. | N/A | N/A | N/A |
| Freestanding Signs [3] [4] | 1 | 1 | 1 | 50 s.f. | 50 s.f. | 100 s.f. | 15 | 15 | 15 |

- brightness level of 0.3 foot-candle above ambient light, as measured using a foot-candle (lux) meter calibrated within the past 36 months.
- B. **Movement:** The following display features are prohibited- flashing, strobing, blinking, fluttering, spinning, rotating, bouncing, scrolling and chasing.
- C. **Right-of-Way:** No EMC shall overhang into a public right-of-way and shall not be included in a portable or temporary sign.
- D. **Audio Messages:** An EMC shall not include any audio message, tones or music.
- E. **Transitions:** All EMCs shall transition instantaneous between message without the use of frame effects.
- F. **Size and Placement:** The maximum size of any EMC shall be 25% of allowed square footage of any monument or wall sign or 32 square feet, whichever is less. No EMCs shall be located adjacent to residential property.
- G. **Compliance Assurance:** No permit shall be granted unless the applicant provides sufficient proof from the manufacturer that the sign has the technical capacity to comply with all applicable regulations governing EMCs in this code and that the sign owner and/or operator has reviewed and understands the applicable regulations pertaining to the EMC and agrees not to violate the regulations.
- H. **Proximity to Residential Uses:** No EMC shall be located closer than 100 feet to any existing residence.

8.14. Billboards

- A. Billboards are declared to be incompatible to, and inconsistent with, land development and other permitted signs set forth within any particular zoning district. All existing billboards, in any zoning district, are declared nonconforming.
- B. This section supersedes and controls over any conflicting provision in this Chapter.
- C. Billboards now in existence in any zoning district are declared legal nonconforming uses and may remain, subject to the following restrictions:
1. A legal nonconforming billboard may not be increased in size or elevation, relocated to another site or to a new location on the same site or expanded, enlarged, or extended in any way, including, but not limited to, the addition of advertising faces, the addition of digital faces, adding additional illumination or the addition of rotating faces with movable panels designed to create additional advertising space.
 2. Structural alterations, including replacement of either the billboard face or the supporting structure, are prohibited. Advertising content may be changed, except as prohibited above.
 3. All legal nonconforming billboards shall be kept in good repair and maintained in a neat, clean, attractive and safe condition. Routine repairs and maintenance of nonconforming