

LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
April 9, 2025

The complete recorded meeting can be found on the County's YouTube channel.

The Planning Commission meeting was called to order at 5:30 p.m.

Pledge of Allegiance

Members present: Jaden Bailey, Allan Stork, William Gottschalk, Jeff Spink, Doug Tystad, Robert Owens, Marcus Majure, Steve Skeet and Dan Clemons

Members absent: Steve Rosenthal

Staff present: John Jacobson-Director, Amy Alison-Deputy Director, Josh Schweitzer-Development Planner, Misty Brown-County Counselor, Jon Khalil, Deputy County Counselor

Approval of Minutes

Commissioner Stork made a motion to approve the minutes. Commissioner Clemons seconded the motion.

ROLL CALL VOTE - Motion to approve the minutes passed, 8/0 (1 absent)

Secretary's Report. Amy Allison indicated there is one item on the Consent Agenda and three items on the Regular Agenda, along with one study session.

Declarations. None.

Approval of Agenda

Commissioner Stork made a motion to approve the agenda. Commissioner Gottschalk seconded the motion.

ROLL CALL VOTE - Motion to approve the agenda passed, 8/0 (1 absent)

Regular Agenda

A. Case DEV-24-097/098 Preliminary and Final Plat – Crosby Addition No 2

Consideration of a Preliminary and Final Plat for Lot 1, Crosby Addition and a tract of Land in the Southeast Quarter of Section 27, Township 11 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas.

Also known as 16042 & 16120 Linwood Rd

Staff's Report: Josh Schweitzer gave the staff report. The request requires an Exception for the lot depth to the lot width for Lot #2. The lot exceeds the requirement by approximately 460 feet.

Krystal Voth, Atlas Consulting, stated that her client wishes to acquire additional land near their property. Their request is within the zoning regulations.

Commissioner Tystad made a motion to approve the Exception based upon all three criteria have been met. Commissioner Clemons seconded the motion.

ROLL CALL VOTE - Motion to approve the agenda passed, 8/0 (1 absent).

Commissioner Clemons made a motion to approve the preliminary plat and final plat based upon its compliance with the zoning and subdivision regulations. Commissioner Tystad seconded the motion.

ROLL CALL VOTE - Motion to approve the agenda passed, 8/0 (1 absent).

B. Case DEV-25-013 Lot Split – Smith’s Corner

Consideration of a Lot Split for Lot 1, Smith’s Corner, a subdivision of land in Leavenworth County, Kansas.

Also known as 19575 Mitchell Rd

Josh Schweitzer gave the report stating the applicant is requesting an Exception for the lot depth to the lot width ratio. The applicants are requesting to split a 5-acre lot into two 2.5 acre lots. The access is restricted on Tonganoxie Drive which would require both lots to access off of Mitchell Road.

Commissioner Tystad asked staff to clarify how we justify the adjoining lot to be as close as it is. Josh Schweitzer explained that Public Works has approved the entrance for that location. Amy Allison further explained that the proposed entrance is the best location possible.

Commissioner Clemons asked if there would be an issue if the owners sold the property. Ms. Allison explained that was the reason for the access easement that is listed on the lot split.

Commissioner Tystad motioned to approve the Exception in accordance with zoning and subdivision regulations. Commissioner Clemons seconded.

ROLL CALL VOTE - Motion to approve the Exception passed, 8/0 (1 absent)

Chairman Majure stated the case does not go before the Board of County Commissioners.

C. Case DEV-25-012 Partial Vacation of Story’s Addition

Consideration of a Vacation of Part of Lots 19 through 46, Story’s Addition, a subdivision located within Leavenworth County, Kansas.

Also known as 00000 Boepler Road

Amy Allison gave the report stating that per State Statute, owners of platted land located within the County ncan request to vacate said plat or a portion of the plat. To be approved, the County must find that adjoining property owner’s rights will not be infringed if the vacation were approved nor that any utilities located within the vacation boundary are impacted. The applicant owns multiple lots within the Story’s Addition which is a subdivision located within the County and is not within city limits. Ms. Allison added the area currently has three utility lines running along the northern property line. The existing waterline has been approved to be relocated to along the Boepler Road frontage. The applicant is in support of the request and willing to grant an easement if additional right-of-way is required. The remaining two utility lines are located within an easement that the applicant will be creating if the vacation is approved. Staff has determined that the request is in compliance of Kansas statute. Additionally, the history of the land was researched and this action poses no implications to surrounding property owners.

Ms. Allison added the area currently has two utility lines running through near the northern property line. There is also a water line and the water district has been notified and have agreed to relocate it near Boepler Road. The applicant is in support of the request and willing to grant an easement. Staff has determined that the request is in compliance of Kansas statute. Additionally, the history of the land was researched and this action poses no implications to surrounding property owners.

Chairman Majure opened the public hearing.

Joe Herring of Herring Surveying indicated that Staff presented the case very well. Mr. Herring mentioned the current owner simply wishes to vacate part of the land so they can further divide the land and build two homes. One would be on a small tract and the other would be on the 40+ acre portion.

No one from the public spoke in favor nor in opposition of the request.

Chairman Majure closed the public hearing.

Discussions ensued about the history of a vacation request and the nature of the rare request.

Commissioner Clemons motioned to approve the vacation request and found that the request would not violate adjoining property owners' rights and that all utilities located within the vacated area are provided for. Commissioner Owens seconded the motion.

ROLL CALL VOTE - Motion to approve the Exception passed, 8/0 (1 absent)

Comprehensive Plan Study Session

Deputy Director Amy Allison provided a presentation over three potential projects that staff recommends prioritizing as part of the 2025 Annual Comprehensive Plan Review. Those projects include:

1. Recommendation to limit Higher Density Residential (R-1 (43) and greater density) be limited to within 1,500 feet of a city limit.
2. Review County Road 1 Corridor.
3. Consider identifying and studying Sub-Planning Areas.

Meeting was adjourned at 6:11pm.