

**LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
January 13, 2021**

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

**Meeting called to order at 6:00 pm**

**Pledge of Allegiance**

**Members present:** Steve Rosenthal, Mark Denney, A.W. Himpel, Jeff Spink, Wolf Schmidt, John Matthews, Terry Bartkoski, Alex DeMoro, and Tom Dials

**Members absent:** none

**Staff present:** Krystal Voth-Director, Stephanie Sloop-Planning Coordinator, Jared Clements-Planner, David Van Parys-Senior County Counselor

**Approval of Minutes:**

*Commissioner Schmidt made a motion to approve the minutes from the November Planning Commission. Commissioner Dials seconded the motion.*

**ROLL CALL VOTE - Motion to approve passed, 8/0, 1-Abstain**

**Secretary's Report:**

Krystal Voth gave the secretary's report, letting the commission know that there was one item on the consent agenda, and the approval of the agenda would be the approval of that case. Ms. Voth let them know that she had placed correspondence received about tonight's cases that were submitted past the cutoff date.

***A motion was made by Commissioner Schmidt to approve the agenda. Commissioner Matthews seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 9/0**

**Declarations: No further declarations**

**Case DEV-20-128 (Deer Ridge Event Center) – Continued from December PC Meeting**

**Consideration of an application for a Special Use Permit for the renewal for Deer Ridge Event Center as well as an add additional event center building, located on a tract of land in the Northeast quarter of Section 28, Township 10 South, Range 21 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas.**

**Request submitted by Mark Petersen**

**Also known as 21325 Donahoo Road**

Jared Clements presented the staff report for the above referenced case. Chairman Rosenthal opened the public hearing portion of the case and asked if the application wished to speak. Applicant Mr. Petersen addressed the board asking for some modifications to the staff report. He requested that the capacity for each facility be increased from 250 to 500. Chairman Rosenthal asked if he agreed with the rest of the conditions, he stated he did. Hearing no more requests for comment the Chairman closed the public hearing. Discussion was had between staff and the commission about modifying the condition. It was determined that this was a significant change and they would leave the condition as written to give time for Public Works to provide their input on that change before the case is heard by the Board of County Commission.

***Commissioner Himpel made a motion to approve DEV-20-128 for Deer Ridge Event Center. Modifying staff condition 6 and 12. Commissioner Matthews seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 9/0**

The Board of County Commissioners will consider this item on **February 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-20-142 (M & M Construction)**

**Consideration of an application for the renewal of Special Use Permit for M & M Concrete, a Contractor's Yard, located on a tract of land Northeast Quarter of Section 15, Township 8 South, Range 21 East of the 6<sup>th</sup> P.M. in Leavenworth County, Kansas.**

**Request submitted by Mr. and Mrs. Lansing**

**Also known as 20437 Seven Sisters Road**

Jared Clements presented the staff report for the above referenced case. Chairman Rosenthal opened the public hearing portion of the hearing and asked if the application wished to speak. Applicant Mr. Lansing came forward. Mr. Lansing said he agreed with all of the conditions. The public hearing was closed.

***Commissioner Bartkoski made a motion to approve DEV-20-142 for M & M Concrete. Commissioner Schmidt seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 9/0**

The Board of County Commissioners will consider this item on **February 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-20-132 (Rezone - Willis)**

**Consideration of an application for a rezoning request from RR-5 zoning district to the RR-2.5 zoning district for Lot 1 of Cain Estates, a subdivision in Leavenworth County Kansas.**

**Also known as: 24646 Conley Avenue (PID: 206-14-0-00-00-006.06)**

**Request submitted by Herring Surveying on behalf of Estee & Jack Willis**

Krystal Voth presented the staff report for the above referenced case. Chairman Rosenthal opened the public hearing portion of the hearing and asked if the application wished to speak. Applicant Joe Herring, Herring Surveying came forward. Mr. Herring stated that his clients want to rezone which would be in conformance with the Comprehensive Plan. Several residents came forward to speak in opposition. The public hearing was closed.

***Commissioner Himpel made a motion to approve DEV-20-132 a rezone request. Commissioner Schmidt seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 9/0**

The Board of County Commissioners will consider this item on **February 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-20-137 (Rezone – Hui)**

**Consideration of an application for a rezoning request from the RR-5 district to the RR-2.5 District for Lot 9A and Lot9B of Deer Mound Subdivision, a subdivision located in the Northwest ¼ of Section 02, Township 12, Range 20 East of the 6<sup>th</sup> P.M., in Leavenworth County**

**Also known as: 00000 254<sup>th</sup> Street, Lawrence, Kansas (PID: 211-02-0-00-00-001.14)**

**Request submitted by Herring Surveying**

Krystal Voth presented the staff report for the above referenced case. Chairman Rosenthal opened the public hearing portion meeting and asked if the applicant wished to speak. Applicant Joe Herring with Herring Surveying came forward. Mr. Herring stated that like the previous case his clients want to rezone their parcels which would be in conformance with the recently adopted Comprehensive Plan. Several residents came forward to speak in opposition. The public hearing was closed. Discussion was had about the next step in the development process and the conditions and requirements that would come during a platting process that would address some of the concerns brought up during public comment.

**Commissioner Himpel made a motion to approve DEV-20-137 a rezoning request. Commissioner Schmidt seconded the motion.**

**ROLL CALL VOTE - Motion to approve passed, 9/0**

The Board of County Commissioners will consider this item on **February 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-20-140 (Rezone – Ledford)**

**Consideration of an application for a rezoning request from B-3 & RR-5 zoning districts to B-3 zoning district on a tract of land located in the Northeast Quarter of Section 3, Township 9, Range 21 East of the 6<sup>th</sup> P.M. in Leavenworth County, Kansas.**

**Also known as: 00000 Springdale Road.**

**Request submitted by Greg Ledford.**

Krystal Voth presented the staff report for the above referenced case. Chairman Rosenthal opened the public hearing portion of the hearing and asked if the application wished to speak. Applicant Greg Ledford came forward. Mr. Ledford went over his future plans for the property. Discussion was had about the only rezoning a portion of the property, the portion to be used for the business. One resident came to speak in favor of the request and several residents came forward to speak in opposition. The public hearing was closed.

**Commissioner Bartkoski made a motion to table DEV-20-140 a rezoning request. Commissioner Denney seconded the motion. Commissioner Himpel brought up that tabling the case would not make this conform anymore if it was tabled.**

**ROLL CALL VOTE - Motion to table failed, 7/2**

**Commissioner Himpel made a motion to deny DEV-20-140 based on the fact that it does not meet our Comprehensive Plan, Commissioner Matthews seconded the motion.**

**ROLL CALL VOTE - Motion to deny passed, 7/2**

*Commissioner DeMoro voted no: Part of the parcel and surrounding parcels are currently zoned B-3.*

*Commissioner Denny voted no: B-3 zoning is already there. The Comprehensive Plan should be used as a guide, but there is always reason to look at each case individually and make decisions based on facts.*

The Board of County Commissioners will consider this item on **February 3, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Planning Commission adjourned at 7:40 PM.**