

RESOLUTION 2025-06

A resolution of the Leavenworth County Kansas Board of County Commission, conditionally issuing a Special Use Permit for a fairgrounds – RJ Farm on the following described property:

Lot 1 in Whispering Plains, a subdivision in Leavenworth County, Kansas, according to the recorded plat thereof, in Leavenworth County, Kansas more commonly known as 00000 Cantrell Road.

WHEREAS, it is hereby found and determined that a request for a Special Use Permit as described above was filed with the Secretary of the Leavenworth County Planning Commission, on the 10th day of October, 2024; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, after notice as required by law, did conduct a public hearing upon the granting of such request for a Special Use Permit on the 8th day of January, 2025; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be conditionally approved, subject to special conditions as set forth; and

WHEREAS, the Board of County Commission considered, in session on the 5th day of February, 2025, the Applicant's request for the Special Use Permit and the recommendation of the Leavenworth County Planning Commission.

WHEREAS, in session on the 5th day of February, 2025 the Board of County Commission remanded the Applicant's request for the Special Use Permit back to the Leavenworth County Planning Commission for an additional public hearing and reconsideration of additional conditions and stipulations for the Special Use Permit; and

WHEREAS, the Board of County Commissioners requested that the planning commission consider the addition of following conditions to the Special Use Permit: 1) having security onsite during events, 2) having licensed alcohol vendors onsite when alcohol is being sold, 3) increasing insurance requirements from 1,000,000 dollars to 10,000,000 dollars, 4) certification that the property owners are complying with all federal and state laws, 5) that the bleachers onsite are been inspected by a structural engineer, and 6) having a veterinarian onsite during the events; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, conducted an additional public hearing and reconsidered the Special Use Permit on March 12, 2025 at the request of the Board of County Commissioners; and

WHEREAS, it is hereby found that the Leavenworth County Planning Commission, based upon specific findings of fact incorporated by reference herein, did recommend that the Special Use Permit be conditionally approved, subject to special conditions as set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commission of Leavenworth County, Kansas, that:

- I. Based upon the recommendation and findings of fact of the Leavenworth County Planning Commission and the findings as set forth in the staff report and adopted by the Planning Commission and the findings of fact adopted by the Board of County Commission in regular session on the 2nd day of April, 2025, and incorporated herein by reference, **Case No. DEV-24-125, Special Use**

Permit for a Fairground – RJ Farm is conditionally approved subject to the performance and observation of the conditions and stipulations set forth herein.

- II. The SUP granted in Section I. is hereby contingent upon the performance and observations of the following additional and supplementary regulations, stipulations, condition and restrictions, of which any violations shall constitute an additional basis for revocation:
1. This SUP shall comply with all local, state, and federal rules and regulations that may be applicable, including horse tripping.
 2. Provide an updated site plan showing the location of the additional 50 parking spaces outlined in narrative.
 3. Property entrance shall be built to the specifications of the Driveway Template designed by David Lutgen. Applicant shall provide confirmation to staff by way of photographs to verify improvement.
 4. The applicant shall provide a certificate of general liability insurance in the amount of \$1,000,000 and shall indicate Leavenworth County as the certificate holder prior to commencement of activities on the site.
 5. Provide a copy of the contract for the Portable Toilet provider.
 6. The applicant shall comply with the Narrative submitted on December 12, 2024.
 7. Events shall be limited to 15 events in a calendar year.
 8. Occupancy for all events shall be limited to 300 people. Employees shall be limited to 15 people.
 9. The conditional special use permit shall be limited to one (1) year.
 10. No events shall take place inside the agricultural building.
 11. There shall be no on-street parking allowed.
 12. Traffic shall not queue onto the public road network when entering the site.
 13. No event shall be allowed within any public rights-of-way.
 14. No signage shall be allowed in the right-of-way. Sign permits shall be required for any on-site or off-site signage. The applicant shall provide an owner authorization form for any off-site signs. All signage shall comply with Article 25, Sign Regulations of the Leavenworth County Zoning and Subdivision Regulations.
 15. Lighting generated from the event shall be limited 0.00 foot-candles net gain, as measured at the property line.
 16. Noise generated from an event held at this facility including, but not limited to: live music, DJ, and noise from guests shall be limited to 60 decibels at the property line.
 17. No extension cords may cross driveways or drive aisles.

18. All dumpsters shall be screened from public right-of-way.
 19. All garbage and animal waste must be removed from the property and disposed of in accordance with local and state requirements and within 2 business days of the event.
 20. All portable restrooms must be maintained in a professional manner and removed from the property within 2 business days of the event.
 21. A Licensed Veterinarian must be on-call during any rodeo event and evidence of such must be provided upon request.
 22. The applicant shall comply with the following:
 - a. Leavenworth Fire District 2 email, dated October 18, 2024
 - b. RWD #10, dated October 31, 2024
 - c. Public Works memo, dated December 23, 2024
 - d. Emergency Management, dated December 12, 2024
 23. That no public nuisance be allowed or created upon the subject real property.
 24. That the conditional Special Use Permit granted herein is subject to revocation upon the breaching of the conditions set forth herein, or any substantial change in the use of the subject property. The RJ Farm Events, and its assigns or successors in interest, hereby consent to, and authorize, entry onto the subject property by employees or agents of the county for the purpose of inspecting the subject property for compliance with the conditions set forth herein.
- III. This Resolution shall be in full force and effect from and after its adoption and publication in the Leavenworth Times.

located in Section 9, Township 12 South, Range 21, in Leavenworth County, Kansas more commonly known as 00000 Cantrell Road (PID No. 222-09-0-00-00-002.07).

Adopted this 2nd day of April, 2025
Board of County Commission
Leavenworth, County, Kansas



Fran Keppler by J. Young
Fran Keppler

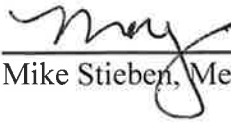
Mike Smith
Mike Smith, Chairman

Jeff Culbertson
Jeff Culbertson, Member

Vanessa Reid
Vanessa Reid, Member



Willie Dove, Member



Mike Stieben, Member