

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
September 8, 2021**

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

Meeting called to order at 5:30 pm

Pledge of Allegiance

Oath of Office New Members

Members present: Steve Rosenthal, Mark Denney, A.W. Himpel, Jeff Spink, Amy Baker, Allan Stork, and Wolf Schmidt, Tom Dials, Robert Owens, and Jaden Bailey

Members absent: none

Staff present: Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, Joshua Gentzler-Planner, David Van Parys-Senior County Counselor

Minutes:

Commissioner Schmidt made a motion to approve the August Minutes. Commissioner Baker seconded that motion.

ROLL CALL VOTE - Motion to approve passed, 6/0 (2 abstentions, Commissioner Dials arrived after motion was over)

Secretary's Report:

Amy Allison gave the secretary's report, letting the Commission know that the approval of by-laws was being continued to October. Ms. Allison asked the Commission to make a motion when approving the agenda that it be noted that the next meeting would start at 5:30 since we were not approving our new by-laws. Ms. Allison also welcomed the new planning commissioners and went over the consent agenda and regular agenda.

A motion was made by Commissioner Schmidt to move future meeting start times to 5:30 pm and to approve the agenda. Commissioner Stork seconded the motion.

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

Case DEV-21-107

Consideration of an application for a rezoning request from the RR-5 zoning district to the RR-2.5 zoning district of the following described property: A tract of land in the Fractional Southwest Quarter of Section 7 and the Fractional Northwest Quarter of Section 18, Township 11 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

Also known as 00000 Sandusky Road

Amy Allison presented the facts and findings for the above request. Ms. Allison brought attention to the Commission that the parcels included in this request were next to an active rock quarry and shooting range. She also let the Commission know that the Planning and Zoning Office had received written opposition to this request and it has been included in the agenda packet.

The Planning Commission had some questions for staff about the operation of the quarry and future plans. Commissioner Himpel asked about KDOT input.

Chairman Rosenthal asked if the applicant if they wanted to come forward. Joe Herring, Herring Surveying, came forward to answer questions about this request.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Several residents came forward to speak in opposition of the request. Chairman Rosenthal closed the public portion of the hearing and asked if there was further discussion.

The Planning Commission discussed the adopted Comprehensive Plan and their policy they have been using on following the future land use plan, while understanding that the Comprehensive Plan was also just a guideline. Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Himpel made a motion to approve Case DEV-21-107, the motion was seconded by Commissioner Spink.

ROLL CALL VOTE Motion to approve passed, 8/0 (1 abstain)

(Commissioner Bailey abstained, feeling he did not have enough information as he was just appointed to the commission.)

The Board of County Commissioners will consider this item **September 29, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

Any person wishing to file a protest petition must contact the Planning & Zoning Office. Protest petitions must be filed with Leavenworth County within two weeks of this meeting.

Case DEV-21-118

Consideration of an application for a rezoning request from the RR-5 zoning districts to the RR-2.5 zoning district of the following described property: A tract of land in the Fractional Southeast Quarter of Section 6, Township 10 South, Range 21 East of the 6th P.M. Leavenworth County. Also known as 22852 Dempsey Road

Joshua Gentzler presented the facts and findings for the above request.

Chairman Rosenthal asked Chairman Rosenthal asked the applicant if they wished to speak. Mr. Joe Herring, Herring Surveying came forward to answer questions about the request.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Several residents came forward to speak in opposition of the request. Chairman Rosenthal closed the public portion of the hearing and asked if there was further discussion.

Discussion was had amongst the Commission about the Comprehensive Plan and the Future Land Use Map.

Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Himpel made a motion to approve DEV-21-118 a request to rezone property from RR-5 to RR-2.5. Commissioner Schmidt seconded the motion.

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

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Case DEV-21-119

Consideration of an application for a rezoning request from the RR-5 to the RR-2.5 zoning district of the following described property: A tract of land in the Southeast Quarter of Section 13, Township 11 South, Range 20 East of the 6th PM, Leavenworth County. Also known as 17326 242nd Street

Joshua Gentzler presented the facts and findings for the above request.

Chairman Rosenthal asked Chairman Rosenthal asked the applicant if they wished to speak. Mr. Joe Herring, Herring Surveying came forward to answer questions about the request.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Several residents came forward to speak in opposition of the request. Chairman Rosenthal closed the public portion of the hearing and asked if there was further discussion.

Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Himpel made a motion to approve DEV-21-093, going through the golden factors and stating that it met the Comprehensive Plan. Commissioner Dials seconded the motion.

ROLL CALL VOTE - Motion to deny passed, 9/0

The Board of County Commissioners will consider this item on **September 29, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

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Case DEV-21-121

Consideration of an application for a rezoning request from the RR-5 zoning district to the RR-2.5 zoning district of the following described property: A tract of land in the South Half of the Northwest Quarter of Section 17, Township 12 South, Range 21 East of the 6th PM, Leavenworth County. Also known as 00000 230th Street

Amy Allison presented the facts and findings for the above request.

Chairman Rosenthal asked Chairman Rosenthal asked the applicant if they wished to speak. Mr. Joe Herring, Herring Surveying came forward to answer questions about the request.

Chairman Rosenthal asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Several residents came forward to speak in opposition of the request. Chairman Rosenthal closed the public portion of the hearing and asked if there was further discussion.

Chairman Rosenthal said if there was no further discussion he would accept a motion.

Commissioner Stork made a motion to approve DEV-21-121. Commissioner Denney seconded the motion.

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

The Board of County Commissioners will consider this item on **September 29, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

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Case DEV-21-127

**Consideration of an application for amendments to the 2006 Leavenworth County Zoning and Subdivision Regulations:
Article 32 – Recreation vehicles**

Joshua Gentzler presented the facts and findings for the above changes to the Zoning Regulations.

Members of the Planning Commission asked for clarification on parts of the amendment. Discussion was had amongst Staff, County Counselor, and the Commission regarding the amendment and enforcement of the amendment.

Chairman Rosenthal opened the public hearing portion of the hearing and asked if there was anyone that wished to speak in support of the request. Chairman Rosenthal asked if there was anyone wishing to speak in opposition. Chairman Rosenthal closed the public portion of the hearing and asked if there was further discussion.

Commissioner Himpel made a motion to approve DEV-21-116, Commissioner Dials seconded the motion.

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

The Board of County Commissioners will consider this item on **September 29, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

Planning Commission adjourned at 7:42 PM