

**LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
December 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**

**Members present:** Steve Rosenthal, Mark Denney, Jeff Spink, Tom Dials, Wolf Schmidt, Alan Stork, Rocky Himpel, and Jaden Bailey

**Members absent:** Robert Owens and Amy Baker

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

**Minutes:**

*A motion to approve the November Minutes was made. Commissioner Schmidt seconded that motion.*

**ROLL CALL VOTE - Motion to approve passed, 7/0, 2 Absent**

**Secretary's Report:**

Krystal Voth gave the secretary's report, going over the consent agenda and regular agenda. She also stated that a work session was being requested on January 5, 2022 and asked if the majority of the board would be able to be present.

*Commissioner Dials made a motion to approve the agenda. Commissioner Schmidt seconded the motion. Chairman Rosenthal gave his reasoning for wanting to pull this on the consent agenda and be able to discuss this during the regular agenda. Commissioner Dials amended his motion as such.*

**ROLL CALL VOTE - Motion to approve passed, 7/0 (2 absent)**

**Case DEV-21-176 Preliminary Plat Lee Chiles 3<sup>rd</sup> Addition**

Consideration of a Preliminary Plat – Lee Chiles 3<sup>rd</sup> Addition on the following described property: All of Lot 1 Lee Chiles Subdivision, Phase 2, in Leavenworth County, Kansas AND a tract of land in the west ½ of the northeast quarter of Section 16, Township 11, Range 22 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas. **Also known as 16985 Evans Road and 17721 169<sup>th</sup> Street.**

Amy Allison presented the facts and findings for the above request, preliminary plat for a subdivision.

Chairman Rosenthal asked the applicant if they wished to speak. Mr. Herring, Herring Surveying came forward to answer any questions or concerns.

Discussion was had about an additional access point in the subdivision.

With no further questions or discussion, Chairman Rosenthal asked for a motion.

***Commissioner Himpel made a motion to approve DEV-21-176. Commissioner Denney seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 7/0 (2 absent)**

**Case DEV-21-177 & 178 Roman Ridge Estates**

Consideration of a Preliminary and Final Plat – Roman Ridge Estates on the following described property: A tract of land in the South Half of the Northeast Quarter of Section 7, Township 11, Range 21 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas.

**Also known as 23142 McLouth Road**

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

Chairman Rosenthal asked the applicant if they wished to speak. Mr. Herring, Herring Survey came forward to answer questions about the request and to explain the nature of this request.

Discussion was had about noting on the plat that these parcels were next to the County quarry and firing range. With no further questions or discussion, Chairman Rosenthal asked for a motion.

***Commissioner Himpel made a motion to approve DEV-21-177 & 178, Commissioner Bailey seconded the motion.***

**ROLL CALL VOTE - Motion to approved passed, 7/0 (2 absent)**

The Board of County Commissioners will consider this item no earlier than **December 22, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-21-169 Happy Trails Kennel**

Consideration of an application for a Special Use Permit for a Dog Kennel on the following described property: The North Half of the North Half of the Northwest Quarter of Section 20, Township 10 South, Range 21 East of the 6<sup>th</sup> P.M., in Leavenworth County, Kansas.

**Also known as 21918 227<sup>th</sup> Street**

**\*\*\*Public Hearing Required\*\*\***

**\*\*\*Public Comment limited to three minutes per person\*\*\***

Josh Gentzler presented the facts and findings for the above request. Mr. Gentzler let the Commission know that staff's recommendation of this request was for denial because it does not match the future land use map.

Chairman Rosenthal opened the public portion of the hearing and asked the applicant if they wished to speak. The applicant, Jason Kouns came forward to answer any questions.

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. Chairman Rosenthal closed the public portion of the hearing.

Discussion was had among the board about screening and noise level.

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

***Commissioner Himpel made a motion to approve DEV-21-169 changing the term to a ten-year term and adding a noise level max at the property line of 60dB. Commissioner Dials seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 7/0 (2 absent)**

The Board of County Commissioners will consider this item no earlier than **December 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-21-175 Rezone Request RR-5 to RR-2.5**

Consideration of a rezone request from RR-5 Zoning District to the RR-2.5 Zoning District on a tract of land in the Northwest Quarter of Section 10, Township 9 South, Range 21 East of the 6<sup>th</sup> P.M. in Leavenworth County, Kansas.

**Also known as 28181 207<sup>th</sup> Street**

**\*\*\*Public Hearing Required\*\*\***

**\*\*\*Public Comment limited to three minutes per person\*\*\***

Amy Allison presented the facts and findings for the above request. Ms. Allison let the Commission know that staff's recommendation of this request was for approval. She also let staff know that the applicant is only rezoning a small section of the parcel to allow for a division of land at a smaller size. She also let them know that Public Works would require a shared drive.

Chairman Rosenthal opened the public portion of the hearing and asked the applicant if they wished to speak. The applicant, Herring Survey, came forward to address the Commission.

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. Chairman Rosenthal closed the public portion of the hearing.

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

***Commissioner Himpel made a motion to approve DEV-21-175. Commissioner Schmidt seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed, 7/0 (2 absent)**

The Board of County Commissioners will consider this item no earlier than **December 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-21-174 Language Amendment (Article 3, 27 (C), & 41**

Consideration of a text amendment to Article 3, 27 (C), and 41 of the Leavenworth County Zoning and Subdivision Regulations.

**\*\*\*Public Hearing Required\*\*\***

**\*\*\*Public Comment limited to three minutes per person\*\*\***

Amy Allison presented the facts and findings for the above request. Ms. Allison explained the reasons for the revisions.

Chairman Rosenthal opened the public portion of the hearing.

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. A property owner came forward to ask clarifying questions. Chairman Rosenthal closed the public portion of the hearing.

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

***Commissioner Dials made a motion to approve DEV-21-174. Commissioner Denney seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed 7/0 (2 absent)**

The Board of County Commissioners will consider this item no earlier than **December 29, 2021 at 9:00 A.M** in the Leavenworth County Courthouse.

**Case DEV-21-168 Sign Permit Kane Family Farm**

**Consideration of an application for a Sign Permit for Kane Family Farm on the following described property: A tract of land in Section 17, Township 11 South, Range 21 East of the 6<sup>th</sup> P.M. in Leavenworth County, Kansas**

**Also known as 17791 Chieftain Road**

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

Chairman Rosenthal opened the public portion of the hearing and asked the applicant if they wished to speak. Mr. Kane came forward to address the Commission, explaining the nature of his request. He did ask for the removal of the condition of a bond requirement.

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. Chairman Rosenthal closed the public portion of the hearing.

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

***Commissioner Himpel made a motion to approve DEV-21-155. Commissioner Stork seconded the motion.***

**ROLL CALL VOTE - Motion to approve passed 7/0 (2 absent)**

**Planning Commission adjourned at 7:06 PM**