

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
May 10, 2023**

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, Robert Owens, William Gottschalk, Wolf Schmidt, Jeff Spink, Marcus Majure, Steve Rosenthal

Members absent: Allan Stork, Doug Tystad, and Steve Skeet

Staff present: John Jacobson-Director, Amy Allison-Deputy Director, Stephanie Sloop-Planning Coordinator, Misty Brown - County Counselor

Minutes:

Commissioner Schmidt made a motion to approve the minutes. Commissioner Majure seconded the motion.

ROLL CALL VOTE - Motion to approve the minutes passed, 5/0

Secretary's Report:

Amy Allison gave the secretary's report going over the agenda.

Commissioner Schmidt made a motion to approve the agenda. Commissioner Majure seconded the motion.

ROLL CALL VOTE - Motion to approve the agenda passed, 6/0

**Case DEV-22-156 Special Use Permit Lexeco Landfill and Fill Site
Consideration of Special Use Permit for an Extraction of Raw Materials Site and Landfill for a Soil Fill/Borrow Site and Clean Rubble Landfill on the following described property: A tract of land in the Northeast Quarter of Section 33, Township 8 South, Range 22 East of the Leavenworth County, Kansas.**

Amy Allison gave the staff report for the above-listed case, reminding the Commission that Public Comment was opened and closed for this case at a previous meeting.

Chairman Rosenthal asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant/agent was invited to come forward. The applicant came forward to describe the request and answer any questions from the board. The applicant also passed out a copy of his approved permit from KDOT for the Type 5 Access Permit. Discussion was had between the Planning Commission and staff.

Chairman Rosenthal stated that he would accept a motion if there were no further discussion.

Commissioner Owens asked Legal Counsel about addressing violations and the enforcement of the conditions of the Special Use Permit.

Chairman Rosenthal asked if there were any further questions or discussions from the board, if not he would accept a motion.

Commissioner Schmidt motioned to table Case DEV-22-156 a Special Use Permit for Lexeco Construction be granted. Commissioner Gottschalk seconded the motion.

ROLL CALL VOTE

Commissioner Majure voted no, reasoning that he doesn't believe there should be another landfill in that location in proximity to the City of Leavenworth.

Commissioner Bailey voted no due to the character of the neighborhood.

Commissioner Gottschalk voted yes, despite the character of the neighborhood, he believes the applicant has proven that they can operate in a way that fits the neighborhood.

Commissioner Spink voted yes.

Commissioner Owens voted no.

Commissioner Schmidt voted yes.

Chairman Rosenthal voted yes.

Motion to approve passed 4/3, (2 absent)

**Case DEV-23-025 – Special Use Permit – Horses and Heroes
Consideration of an application for a Special Use Permit for Riding Stables and Clinic for Horses and Heroes on the following described property: A tract of land in the South 1/2 of the Southwest 1/4 of Section 33, Township 9 South, Range 22 East of the 6th P.M., in Leavenworth County, Kansas.**

Amy Allison gave the staff report for the above-listed case.

Chairman Rosenthal asked if there were any questions or discussions from the board. Hearing none the public hearing was opened and the applicant/agent was invited to come forward. The applicant came forward to describe the request and answer any questions from the board.

Chairman Rosenthal asked if there was anyone present wishing to speak in favor or opposition. The public comment portion of the hearing was closed.

Chairman Rosenthal stated that he would accept a motion if there were no further discussion.

Commissioner Bailey made a motion to approve Case DEV-23-025 – Special Use Permit Horses for Heroes. Commissioner Majure seconded the motion.

ROLL CALL VOTE - Motion to approve passed 6/0, (2 absent)

The meeting was adjourned at 6:18 p.m.

A WORK SESSION ON PLANNED UNIT DEVELOPMENTS FOLLOWED THE MEETING