

**LEAVENWORTH COUNTY PLANNING COMMISSION  
MINUTES OF THE SPECIAL MEETING  
February 26, 2025**

*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:** Marcus Majure, Jaden Bailey, Allan Stork, William Gottschalk, Jeff Spink, Doug Tystad, Steve Skeet and Dan Clemons

**Members absent:** Robert Owens and Steve Rosenthal

**Staff present:** John Jacobson-Director, Amy Allison-Deputy Director, Josh Schweitzer-Development Planner, Dawn Chamberlain-Zoning Coordinator, Jon Khalil-Asst. County Counselor.

**Minutes:** Commissioner Tystad made a motion to approve the minutes. Commissioner Clemons seconded the motion. Commissioner Bailey and Commissioner Spink both abstained as they were not present.

**ROLL CALL VOTE - Motion to approve the minutes passed, 5/0 (2 abstain)**

**Secretary's Report:** Amy Allison gave the secretary's report going over the agenda. Ms. Allison also addressed the Commissioners requesting they stay for a brief moment at the end of the Planning Commission meeting to discuss the Comprehensive Plan. Director Jacobson explained that staff normally requires an applicant to be present during the hearing; however, because one applicant is sick they made an exception to spare others in spreading the illness.

**Approval of Agenda:** Commissioner Clemons motioned for approval. Commissioner Tystad seconded that motion.

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

**Regular Agenda**

**A. Case DEV-24-149 Berg Tract Split Exception**

Consideration of an Exception request for a tract split for a tract of land in the North ½ of the South ½ of the Southwest Quarter of Section 29, Township 8 South, Range 22 East of the 6<sup>th</sup> P.M. in Leavenworth County, Kansas.

**Also known as 30197 175<sup>th</sup> Street**

**PID: 079-29-0-00-00-018.00**

**Secretary's Report:** Amy Allison gave the secretary's report indicating that the property owner is entitled to a tract split; however, doing so does create a non-conforming lot because it would not meet the lot width to lot depth standard. The parcel in particular is what is considered a "through lot" that has frontage on both the front and rear property line. The proposed trace split would be on the same frontage as the existing house and entrance. This would cause all traffic from this development to flow on that particular side. Also, there is flood plain and a power line that both go through the center of the property. Because of these potential problems, staff is not necessarily opposed to the tract split. It does raise issues that should be considered by the Planning Commission. The surveyor for the property is Herring Surveying, but they were not in attendance because of an illness. Mr. Herring did provide a narrative as part of the Staff Report to provide further details.

Commissioner Tystad confirmed that staff is not opposed to the tract split. Tystad also asked staff if future development could create the need for a future easement. Ms. Allison confirmed that could create the need for a shared driveway.

Commissioner Tystad motioned to approve the tract split based upon all three criteria for the exception having been met. Commissioner Skeet seconded the motion.

**ROLL CALL VOTE - Motion to approve Case DEV-24-149 passed, 7/0 (2 absent)**

**B. Case DEV-24-150 Reilly Tract Split Exception**

Consideration of an Exception request for a tract split for a tract of land in the Northwest Quarter of Section 15, Township 11 South, Range 22 East of the 6<sup>th</sup> P.M. in Leavenworth County, Kansas.

**Also known as 16271 Evans Road**

**PID: 185-15-0-00-00-003.00**

**Secretary's Report:** Josh Schweitzer gave the secretary's report indicating that the Applicant is proposing splitting an 8-acre lot for an existing farmhouse and ag building. The remaining 151 acres is in the process of being developed. The tract split was a condition of approval for a preliminary plat of Tallgrass Estates that was approved by the Planning Commission on October 9, 2024. The exception would be for tract #1 which does not meet the 1:1 ratio by approximately 50 feet. The exception is based upon three (3) criteria for approval which are included in the Staff Report. If approved, it would be in compliance with regulations. Staff is in support of the request and Applicant was in attendance to discuss the request and provide answers to any questions.

Commissioner Tystad asked if the access would be on the far east side. Because it's a collector road, Commissioner asked if there would be enough space between the driveways. Josh Schweitzer confirmed Tract #1 already has a driveway, so that would remain and any existing entrances would be a part of the final plat submission. In addition, road improvement plans would also be required during final platting phases and would have to conform to the standards.

Director Jacobson indicated Staff is comfortable with what applicant has submitted for the preliminary plat. Mr. Schweitzer added that Public Works did not have comments pertaining to potential access problems for the Exception.

Chairman Majure stated he thought they have already started development on the northwest portion. Deputy Director Amy Alison confirmed Phase 1 cannot be approved for Final Plat until the Exception is approved.

Commissioner Clemons motioned to approve the tract split based upon all three criteria for the exception have been met. Commissioner Gottschalk seconded the motion.

**ROLL CALL VOTE - Motion to approve Case DEV-24-150 passed, 7/0 (2 absent)**

Director Jacobson addressed the Planning Commission reminding them that they are required by law to review the Comprehensive Plan every year. Ms. Allison asked Commissioners if they would like to hold a Study Session at the next meeting to discuss and identify three major goals. Mr. Jacobson added that Staff has suggestions and hoped that the Planning Commission would be comfortable with those suggestions. Staff would like to get the process started during the first quarter of the year.

Chairman Majure asked if staff knew how many cases and public hearings would be on the March meeting. Amy Allison confirmed that there would be one public hearing. Director Jacobson indicated that the case load will increase as the year progresses. Chairman Majure reminded all that the quality of the Work Session would be compromised because members would be exhausted from a long meeting. Director Jacobson added that whatever modification are made to the Comprehensive Plan would be addressed with the BOCC.

Commissioner Tystad mentioned his concern related to the two cases that fell within County Road One Corridor as it pertains to the Comprehensive Plan. Director Jacobson re-iterated that the Comprehensive Plan should be discussed between Staff and the Planning Commission prior to presenting to the BOCC who are the decision-makers.

**Adjournment of Planning Commission at 5:56pm**

**Upcoming meeting dates:**

**Wednesday, March 12, 2025, 5:30 PM  
Regular Planning Commission Meeting**