

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
August 12, 2020**

Meeting called to order at 6:00 pm

Pledge of Allegiance

Members present: Steve Rosenthal-Chairman, Janette Labbee-Holdeman, A.W. Himpel, Mark Denney, Jeff Spink, Wolf Schmidt, John Matthews, and Alex DeMoro

Members absent: Terry Bartkoski

Staff present: Krystal Voth-Interim Director, Stephanie Sloop-Planning Coordinator

Approval of Minutes:

Commissioner Labbee-Holdeman made a motion to approve the minutes from the July Planning Commission. Commissioner Schmidt seconded the motion. Commissioner Denney made one correction to the minutes, Commissioner Labbee-Holdeman and Schmidt accepted the change.

Motion to approve passed, 7/0, 1 Commissioner abstained

Secretary's Report:

Krystal Voth went over this month's meeting agenda. Ms. Voth talked to the Planning Commissioner about scheduling a work session in October to cover the Golden Factors. Commissioner DeMoro brought up other items he would like to see discussed.

A motion was made by Commissioner Matthews to approve the agenda. Commissioner Schmidt seconded the motion.

Motion to approve passed, 8/0

Declarations: No further declarations

Case DEV-20-062 (Special Use Permit – Childcare Facility)

Consideration of an application for a Special Use Permit for a Childcare Facility on a tract of land located in the southwest quarter of Section 9, Township 11 South, Range 22 East of the 6th P.M., in Leavenworth County^[1]_[SEP]

Also known as 16928 Evans Road

Request submitted by Trinity Family of Faith Lutheran Church

This staff report was given at the July Planning Commission meeting. Public Comment was opened and the applicants from Trinity Family of Faith Church came forward. They agreed with the staff reports and conditions.

Commissioner Himpel made a motion to approve Case DEV-20-062 and Commissioner Labbee-Holdeman seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 7/0, 1 Commissioner abstained

The Board of County Commissioners will consider this item on **September 2, 2020 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. To be valid, the protest petition must be signed by owners of 20% of the land area in the notification area.

Case DEV-20-090 (Special Use Permit – B & G Auto)

Consideration of an application for a Special Use Permit for an Auto Repair Shop, on Lot 24, Westbrook Subdivision, Phase No. 2, a subdivision in Leavenworth County, Kansas.

Also known as 20271 167th Street

Request submitted by Ben Brassfield and Ray Brassfield

Krystal Voth presented the staff report for Case DEV-20-090 consideration of an application for a Special Use Permit for an Auto Repair Shop.

Upon opening the public comment of the hearing Chairman Rosenthal asked the applicant to come forward. The applicants, Ben Brassfield and Ray Brassfield, came forward. Mr. Brassfield explained the nature of how their business came to be.

Chairman Rosenthal asked for people wishing to speak in favor of the request to come forward. Two neighbors came forward to speak in support of the application.

With no additional information to be presented the public hearing was closed. Discussion was had amongst the Planning Commission.

Commissioner Labbee-Holdeman made a motion to approve DEV-20-090 with conditions that staff prepared. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE

Motion to approve passed, 7/1

Commissioner Matthews voted no because he did not want to go against staff recommendations and that it is in a subdivision and that subdivisions should only be used for residential, not commercial.

The Board of County Commissioners will consider this item on **September 2, 2020 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. To be valid, the protest petition must be signed by owners of 20% of the land area in the notification area.

Case No. DEV-20-080 (Text Amendment – Article 43)

Consideration of an application for a Text Amendment to amend: Article 43: Cross Access Easement^[SEP] Request submitted by Planning and Zoning Staff^[SEP]

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

Krystal Voth presented the staff report for Case DEV-20-080 consideration of an application for a Text Amendment to Article 43. Discussion was had between staff and the commission.

Upon opening the public comment of the hearing Chairman Rosenthal asked if there was anyone present that wanted to speak in favor or opposition of this request.

With no additional information to be presented the public hearing was closed.

Discussion was had amongst the commission

Chairman Rosenthal made a motion to deny DEV-20-080, stating that the Board of County Commissioners can make the decision to or to not apply road standards as part of the regulation. Commissioner Labbee-Holdeman seconded the motion.

ROLL CALL VOTE

Motion to deny passed, 6/1, 1 Commissioner abstaining.

Commissioner DeMoro – Voted no to deny, he stated there needs to be private roads, but that there needs to be standards set.

Commissioner Matthews – Abstained because he was not here for the last meeting.

The Board of County Commissioners will consider this item on **September 2, 2020 at 9:00 A.M** in the Leavenworth County Courthouse.

Commissioner Labbee-Holdeman inquired about the Comprehensive Plan. Commission Denney clarified when the November meeting would be.

Planning Commission is adjourned at 7:13 PM.