

**LEAVENWORTH COUNTY PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
September 13, 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, William Gottschalk, Jeff Spink, Marcus Majure, Steve Rosenthal, Allan Stork, Robert Owens, Wolf Schmidt and Steve Skeet

Members absent: Doug Tystad

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

Minutes:

Commissioner Stork made a motion to approve the minutes. Commissioner Gottschalk seconded the motion.

ROLL CALL VOTE - Motion to approve the minutes passed, 6/0 (2 abstention, 1 absent)

Secretary's Report:

Amy Allison gave the secretary's report going over the agenda. Indicating that there were three plats on the consent agenda.

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

ROLL CALL VOTE - Motion to approve the agenda passed, 8/0

Commissioner Stork declared that he would be abstaining from Case DEV-22-092 & 093.

Case DEV-092 & 092 Preliminary and Final Plat Sunny Side Estates 2nd

Consideration of a Preliminary and Final Plat for Sunny Side Estates 2 on the following described property: A tract of land in the Southeast Quarter of Section 9, Township 11 South, Range 22 East, of the 6th P.M., Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case. Allison stated that the applicant is asking for an exception to the plat. She asked the board if they recommended granting the exception they first make a motion granting the exception and then make a motion on the plat.

Chairman Majure asked if there were any questions or discussions from the board. Chairman Majure asked if the applicant wished to speak. Joe Herring, Herring Surveying, addressed the board, further explaining the nature of his request.

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

Commissioner Rosenthal motioned to approve the exception requested for Case DEV-23-092 & 093 a Preliminary and Final Plat for Sunny Side Estates 2nd. Commissioner Skeet seconded the motion.

ROLL CALL VOTE - Motion to approve passed 7/0 (1 Abstention, 1 Absent)

Commissioner Rosenthal motioned to approve DEV-23-092 & 093 a Preliminary and Final Plat for Sunny Side Estates 2nd. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE - Motion to approve passed 7/0 (1 Abstention, 1 Absent)

Case DEV-23-102 & 103 Preliminary Plat – Dodge Addition

Consideration of a Preliminary and Final Plat for Dodge Addition on the following described property: A tract of land in the Southeast Quarter of Section 4, Township 12 South, Range 21 East of the 6th P.M., Leavenworth County, Kansas.

Amy Allison gave the staff report for the above-listed case. Allison did point out that the applicant is asking for an exception to the plat. She asked the board that if they were recommending approval that they first make a motion granting the exception and then make a motion on the plat.

Chairman Majure asked if there were any questions or discussions from the board. Chairman Majure asked if the applicant wished to speak. Joe Herring, Herring Surveying, addressed the board, further explaining the plat.

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

Commissioner Rosenthal motioned to approve the exception requested with the plat. Commissioner Gottschalk seconded the motion.

ROLL CALL VOTE - Motion to approve passed 8/0 (1 Absent)

Commissioner Rosenthal motioned to approve DEV-23-102 & 103 a Preliminary and Final Plat for Dodge Addition. Commissioner Schmidt seconded the motion.

ROLL CALL VOTE - Motion to approve passed 8/0 (1 Absent)

Case DEV-23-110 – Special Use Permit – Whiskey Ridge

Consideration of an application for a Special Use Permit for an Event Center on the following described property: A tract of land in the Southwest Quarter of Section 3, Township 11 South, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

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

Chairman Majure 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's agent, Attorney Chip DeMoss, came forward to describe the request and answer any questions from the board.

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

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

Commissioner Rosenthal made a motion to approve Case DEV-23-110 – Special Use Permit – Whiskey Ridge. Commissioner Owens seconded the motion.

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

Case DEV-23-114 Rezone from RR-5 to RR-2.5 Brock

Consideration of a Rezone from RR-5 to RR-2.5 on the following described property: Four tracts of land in the South ½ of the Southeast ¼ of Section 9, Township 12, Range 21 East of the 6th P.M. in Leavenworth County, Kansas.

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

Chairman Majure 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's agent, Joe Herring, came forward to describe the request and answer any questions from the board.

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

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

Commissioner Stork made a motion to approve Case DEV-23-114 – Rezoning from RR-5 to RR-2.5. Commissioner Schmidt seconded the motion.

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

**Case DEV-23-117 Rezone from RR-5 to RR-2.5 South Park
Consideration of a Rezone from RR-5 to RR-2.5 on the following described property: A triangular tract of land lying on the West side of the road in the Southwest Quarter of Section 28, Township 10, Range 21 East of the 6th P.M., in Leavenworth County, Kansas.**

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

Chairman Majure 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's agent, Joe Herring, came forward to describe the request and answer any questions from the board.

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

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

Commissioner Stork made a motion to approve Case DEV-23-117 – Rezoning from RR-5 to RR-2.5. Commissioner Gottschalk seconded the motion.

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

**Case DEV-23-118 Rezone from RR-2.5 to R1 (43)
Consideration of a Rezone from RR-2.5 to R1 (43) on the following described property: The North 908.37 feet of the Southeast ¼ of Section 16, Township 11 South, Range 22 East of the 6th P.M. in Leavenworth County.**

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

Chairman Majure 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's agent, Joe Herring, came forward to describe the request and answer any questions from the board.

Chairman Majure asked if there was anyone present wishing to speak in favor or opposition. Multiple residents to address concerns with the request. The public comment portion of the hearing was closed.

Chairman Majure asked if there were questions or comments from the Planning Commission. The board asked staff questions regarding the process of rezoning and had discussion amongst themselves.

Chairman Majure stated that he would accept a motion if there were no further discussion. The Board had discussion

Commissioner Bailey made a motion to deny Case DEV-23-118 – Rezoning from RR-2.5 to R1 (43), stating that the Golden Factor, specifically Character of Neighborhood, and some of the other factors we spoke on. County Counselor asked for him to elaborate for the record on the other concerns he mentioned in his motion. Commissioner Bailey added to his motion concerns on hydrology, density, distance from the City, and a plan of the nearby plan for growth in the County, as well as the affects on surrounding property. Commissioner Rosenthal seconded the motion.

ROLL CALL VOTE - Motion to deny passed 6/2, (1 absent)

The meeting was adjourned at 7:01 p.m.