

**CITY OF LEAVENWORTH  
PLANNING COMMISSION  
COMMISSION CHAMBERS, CITY HALL  
100 N. 5<sup>th</sup> Street  
Leavenworth, KS 66048**

**REGULAR SESSION  
Monday, October 6, 2025  
6:00 p.m.**

**CALL TO ORDER:**

- 1. Roll Call/Establish Quorum**
- 2. Approval of Minutes: September 8, 2025**

**OLD BUSINESS:**

**None**

**NEW BUSINESS:**

**1. 2025-16 SUP – 1512 S 2<sup>ND</sup> STREET.**

Conduct a public hearing for Case No. 2025-16 SUP – 1512 S 2<sup>nd</sup> St., wherein the applicant is requesting a Special Use Permit to allow car sales in the I-1 (Light Industrial District) zoning district.

**2. 2025-17 SUP – 813 KICKAPOO STREET.**

Conduct a public hearing for Case No. 2025-17 SUP – 813 Kickapoo St., wherein the applicant is requesting a Special Use Permit to allow a home occupation that is not conducted entirely within the principal residential dwelling in the R1-6 (High Density Single Family Residential District) zoning district.

**OTHER BUSINESS:**

**1. Sherry Hanson - attendance vote**

A vote to determine if the City Commission should be petitioned to replace Planning Commissioner Sherry Hanson due to lack of attendance at scheduled Planning Commission meetings.

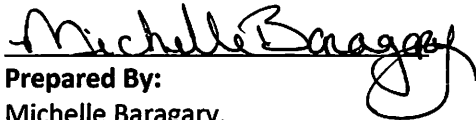
**ADJOURN**

**PLANNING COMMISSION AGENDA ITEM**  
**2025-16 SUP**  
**1512 S 2<sup>ND</sup> STREET**

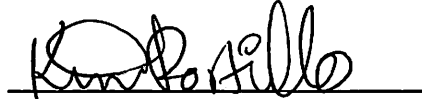
**OCTOBER 6, 2025**

**SUBJECT:**

A request for a Special Use Permit to allow Automobile Sales in the I-1, Light Industrial District.



**Prepared By:**  
Michelle Baragary,  
City Planner



**Reviewed By:**  
Kim Portillo, AICP  
Planning & CD Director

**NATURE OF REQUEST**

The applicant, Cedric Baker, is requesting a Special Use Permit (SUP) to allow automobile sales on a property located at 1512 S 2<sup>nd</sup> Street. Automobile sales are an allowed use in the I-1, Light Industrial District, with the approval of a Special Use Permit (SUP).

The property is the old aluminum recycling center. It is bordered by industrial and commercial uses: a storage facility is located to the north and west, Geiger Ready Mix and Drexel Chemical Company are to the east, and the former Abeles Field and a vacant City-owned lot are located to the south.

Per Table 5-01 of the adopted Development Regulations, the required parking rate for automobile sales is calculated as: 1 per 400 SF of publicly accessible building area, plus 1 per 3,000 SF of sales lot, plus 1 space per employee.

Based on the applicant's submitted data, the required parking is calculated as follows:

Component	Calculation	Required Spaces
Building Access	144 SF / 400 SF = 0.36	1
Sales Lot	10,000 SF / 3,000 SF = 3.33	4
Employees	2 Employees	2
TOTAL		7

The applicant has submitted a parking lot site plan for 9 total parking stalls, which exceeds the minimum requirement. The proposed spaces are as follows:

- East: 5 parking spaces for employee and customer parking.
- North: 4 parking spaces designated for inventory.
- South: A dedicated storage/overflow area.

## **COMMISSION FINDINGS**

The Commission may recommend issuance of a special use permit whenever it finds that:

1. The proposed special use complies with all applicable provisions of this ordinance.

*Staff believes that this application complies with all provisions of the City of Leavenworth Development Regulations.*

2. The proposed special use at the specified location will contribute to and promote the economic development, welfare or convenience of the public.

*The proposed special use to allow automobile sales will contribute to the economic vitality of Leavenworth by allowing for the operation of a revenue generating business in the space.*

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

*Staff does not believe that the proposed use will cause substantial injury to the value of other property in the neighborhood.*

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

*No new structures or buildings are proposed, and the parking site plan provides ample off-street parking. The applicant originally purchased the property for Heavy Vehicle Sales (commercial vehicles with a GVW of over 10,000 lbs), a use permitted by-right in the I-1 district. The proposed automobile sales operation is considered less intense than the permitted use, and therefore, will not dominate the neighborhood.*

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. After notifications were mailed, staff has received no comments or inquiries.

## **STAFF RECOMMENDATION:**

Staff recommends approval of the Special Use Permit request based on the analysis and findings included herein, subject to the following conditions:

1. The Special Use Permit shall be renewed annually through the City Clerk's Office.

Failure to maintain compliance with all conditions shall result in revocation of the Special Use Permit.

## **ACTION/OPTIONS:**

- Motion, based upon findings as stated and conditions as presented, to recommend approval to the City Commission with included conditions.
- Motion, to recommend denial to the City Commission.
- Table the issue for additional information/consideration.



# 1512 S 2nd Street (SUP)



10/2/2025, 6:06:11 PM

Override 1

Address (Points)

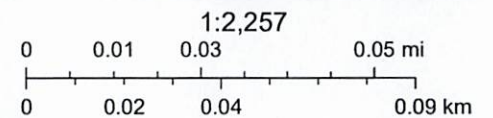
RoadCenterline

Parcels (City Owned)

Leavenworth City Limits

Parcels\_Current

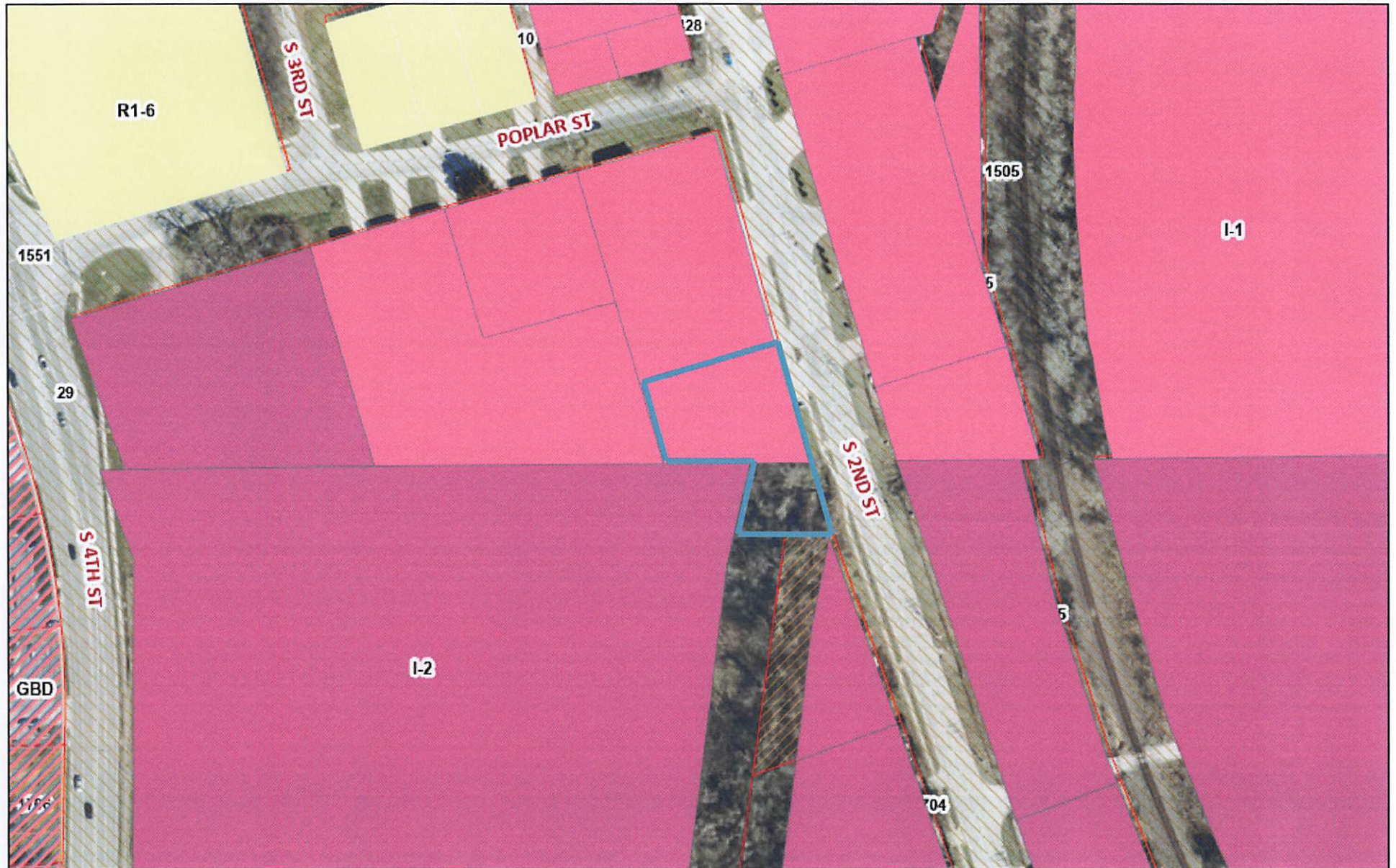
City Right-of-Way



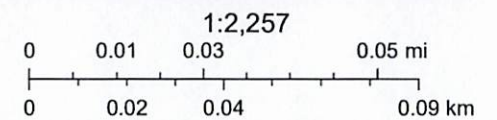
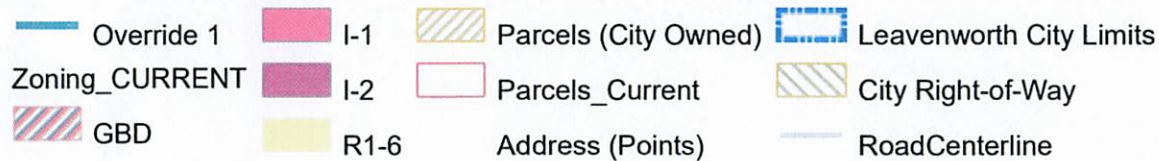
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



# 1512 S 2nd Street - Zoning



10/2/2025, 6:07:57 PM



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community





**SPECIAL USE PERMIT**  
CITY OF LEAVENWORTH, KANSAS

**OFFICE USE ONLY**

**CASE NO.:** 2025-16 **SUP**

Application No.	<u>17724</u>
Fee (non-refundable)	\$350.00
Filing Date	<u>8/16/2025</u>
Received By	
Hearing Date	<u>10/4/2025</u>
Publication Date	<u>9/10/2025</u>

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: Automobile Sales

in accordance with the attached site plan on the following described property:

Subject Property: 1512 S 2nd St Leavenworth, KS 66048  
Legal Description: (Attach a full legal description provided by the Register of Deeds Office)  
Real Estate PID #: 052-077-36-0-40-10-003.01-0  
Zoning: I-1 Historic District:

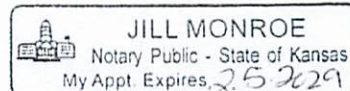
I/We, the undersigned, depose and state we are the owners of the above described property:

Name(s) of Owner (print): Cedric Baker  
Owner Address: 1512 S 2nd St Leavenworth, KS 66048  
Contact No. 785-592-0922 Email: Backend75050@gmail.com  
Signature of Owner(s): Cedric Baker

State of Kansas

County of Leavenworth

(SEAL)



Signed or attested before me on: August 16, 2025

Notary Public: Jill Monroe

My Appointment Expires: 2.5.2029

If business is operated by someone other than the owner, provide name and address of operator(s).

Name of Lessee:

Address:

Contact No.

Email:

**NOTE:** All signatures must be in ink. Signature of owner(s) must be secured and notarized.

**Check list below...**

<input type="checkbox"/>	Non-Refundable Fee of \$350.00 is due at time of application
<input checked="" type="checkbox"/>	Certified list of property owners within two hundred (200) feet of the subject property
<input checked="" type="checkbox"/>	Attach <b>full</b> legal description obtained through the Register of Deeds Office
<input checked="" type="checkbox"/>	Site Plan drawn to scale (See General Instructions)
<input checked="" type="checkbox"/>	Supporting documentation (See General Instructions)

10/2/25

Dear Planning Department,

On behalf of Back Endz Wholesale LLC, we respectfully request a Special Use Permit for 1512 S 2nd Street, Leavenworth, Kansas, to operate a small-scale used car dealership offering retail sales to the public.

**Site Overview:**

- **Parking:**

East: 5 parking spaces for employees and customer parking.

North: 4 parking spaces for designated inventory.

South: A dedicated storage/overflow area.

- **Access:** Direct entrance from S 2nd Street with a designated delivery entrance on the south side.
- **Deliveries:** Vehicles will be delivered in a low-impact manner—primarily driven or transported via dolly by the owner. No large transport trucks or high-volume deliveries.

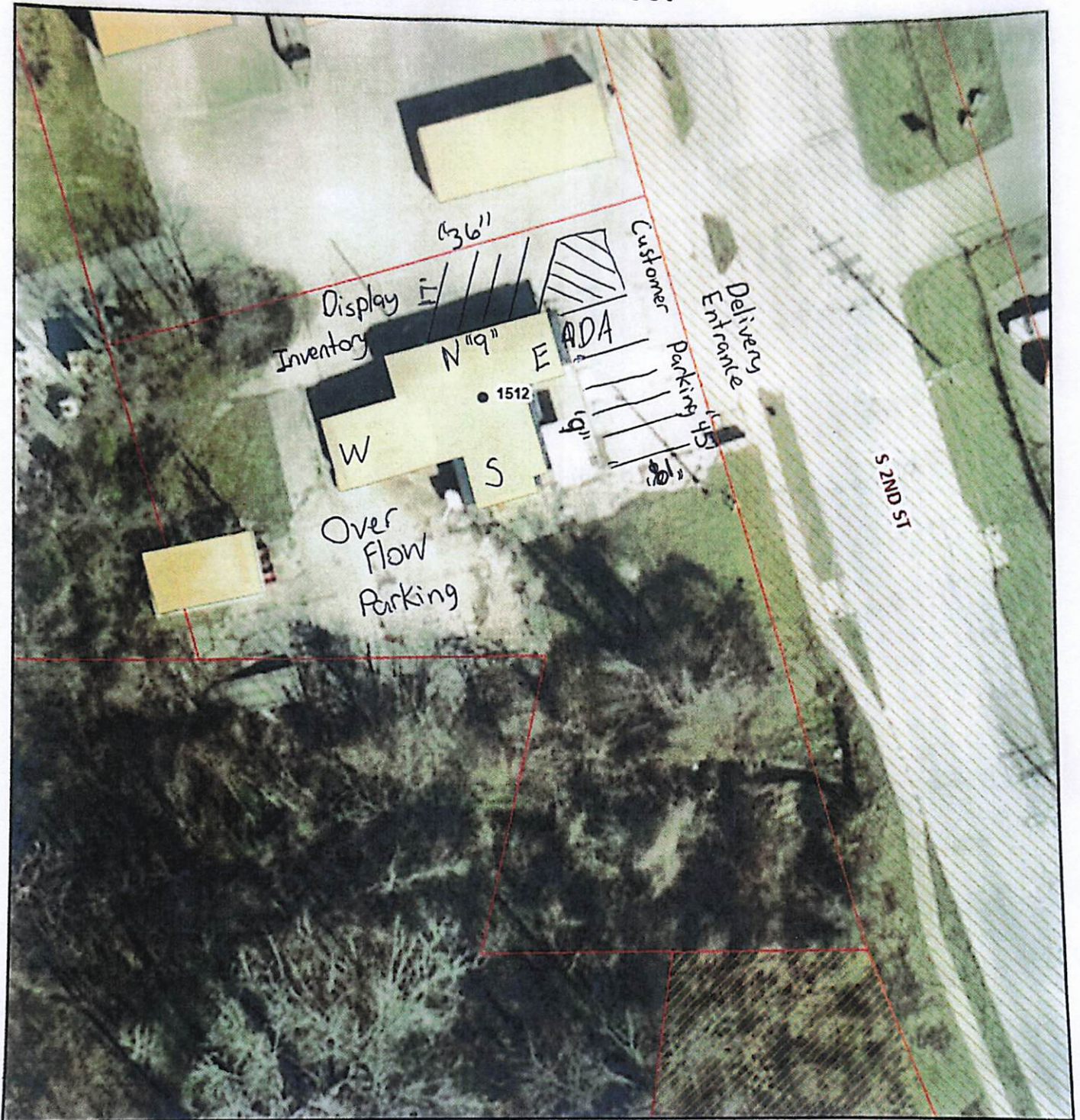
This proposed use supports the City's goals for responsible land use and economic development. We are committed to maintaining a clean, organized site and being respectful neighbors.

Thank you for your consideration. We welcome the opportunity to discuss further and provide any additional documentation as needed.









1512 S 2nd Street

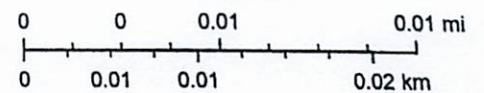
Revised 10/2/25



10/1/2025, 1:38:33 PM

1:564

-  Parcels (City Owned)
-  Leavenworth City Limits
-  Parcels\_Current
-  City Right-of-Way
-  Buildings
-  RoadCenterline
- Address (Points)



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Staff photos taken 10/1/25





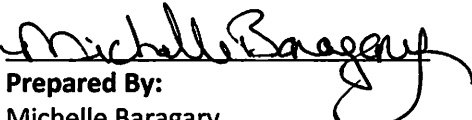



**PLANNING COMMISSION AGENDA ITEM  
2025-17 SUP  
813 KICKAPOO**

**OCTOBER 6, 2025**

**SUBJECT:**

A request for a Special Use Permit to allow a home occupation that is not conducted entirely within the principal dwelling in the R1-6, High Density Single Family Residential District, zoning district.

  
**Prepared By:**  
Michelle Baragary,  
City Planner

  
**Reviewed By:**  
Kim Portillo, AICP  
Planning & CD Director

**NATURE OF REQUEST**

The applicant, Katrina Morgan, is requesting a Special Use Permit (SUP) to allow a home occupation that is not conducted entirely within the principal dwelling unit. The subject property is zoned R1-6, High Density Single Family Residential District, with an existing single-family home on the lot. The subject property is surrounded by other single-family homes of a similar size and nature.

The applicant's proposed use requires an SUP because the essential components of the home occupation will occur outside of the principal dwelling.

Section 4.04.B.6(g) of the adopted Development Regulations mandates that a home occupation be conducted entirely within the principal residential building unless a Special Use Permit (SUP) is issued.

The applicant is proposing to use the combined lot for the exterior cultivation of cut flowers. This operation involves transplanting seedlings into six designated in-ground flower beds from February to October annually. Sales will occur off-site at local Farmers Markets and online.

Staff confirms that the accessory use (the flower cultivation) will be located on the same lot as the principal residence, satisfying the requirements of Section 4.04.B.2(d), which states that "Accessory Uses are a structure or use which is located on the same lot as the principal building or principal use served".

The applicant initially owned two adjacent lots: the primary residence at 813 Kickapoo and the vacant lot to the east, 811 Kickapoo. On August 20, 2025, the applicant submitted an application to combine these two lots into a single parcel, with the final address as 813 Kickapoo. The Certificate of Survey for the lot combination has since been recorded with the Register of Deeds, and two recorded copies have been submitted to staff, ensuring the accessory use is located on the same lot as the principal residence.

**COMMISSION FINDINGS**

The Commission may recommend issuance of a special use permit whenever it finds that:

1. The proposed special use complies with all applicable provisions of this ordinance.

*The Certificate of Survey for the lot combination has been recorded, and two copies have been provided to staff. Staff confirms there is ample room for parking off the rear alley, and staff is currently working with the applicant on the submitted off-street site plan review.*

2. The proposed special use at the specified location will contribute to and promote the economic development, welfare or convenience of the public.

*Staff believes that cultivating cut flowers in a residential setting can promote economic development through local sales, enhance public welfare by providing beauty in the neighborhood, and increase convenience by offering readily available, fresh local blooms.*

3. The special use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

*The cut flowers will be cultivated using in-ground flower beds that shall be well maintained, and are located 21' from the front property line. A home occupation requires two off-street parking spaces to prevent use of public on-street parking. Staff does not believe that the operation of a small-scale flower business will cause substantial injury to the value of other property in the neighborhood.*

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations.

*No new structures or buildings are proposed as part of this special use permit. The operation is a small-scale, home-based flower business. The in-ground beds are located 41' from the street, minimizing visibility and impact. The property will continue to function as a residential structure.*

Notification was sent to property owners within 200' of the subject property, as required by Kansas statute. After notifications were mailed, staff has received no comments or inquiries.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the Special Use Permit request based on the analysis and findings included herein, subject to the following conditions:

1. The Special Use Permit shall be renewed annually through the City Clerk's Office.

Failure to maintain compliance with all conditions shall result in revocation of the Special Use Permit.

#### **ACTION/OPTIONS:**

- Motion, based upon findings as stated and conditions as presented, to recommend approval to the City Commission with included conditions.
- Motion, to recommend denial to the City Commission.
- Table the issue for additional information/consideration.



# 813 Kickapoo



9/30/2025, 11:59:17 AM

- Override 1
- Parcels\_Current
- Buildings
- Address (Points)
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline

1:1,128

0 0.01 0.01 0.02 mi  
0 0.01 0.02 0.04 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Web AppBuilder for ArcGIS

Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA |



# 813 Kickapoo - Zoning Map



9/30/2025, 12:03:18 PM

Lines	Zoning_CURRENT	Parcels_Current	Leavenworth City Limits
Override 1	R-MF	Buildings	City Right-of-Way
Override 2	R1-6	Address (Points)	RoadCenterline

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Web AppBuilder for ArcGIS

Platte County, Missouri Dept. of Conservation, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA |





**SPECIAL USE PERMIT**  
CITY OF LEAVENWORTH, KANSAS

OFFICE USE ONLY

CASE NO.: 2025-17 SUP

Application No.	<u>17804</u>
Fee (non-refundable)	\$350.00
Filing Date	
Received By	
Hearing Date	
Publication Date	

As provided in Section 2.04 of the 2016 Development Regulations, application is hereby made for a SPECIAL USE PERMIT for the operation of a: flower growing to resale off property and online.

in accordance with the attached site plan on the following described property:

Subject Property: 811 and 813 Kickapoo, will be combined to one lot  
Legal Description: (Attach a full legal description provided by the Register of Deeds Office)  
Real Estate PID #: 0772604208002000 and 0772604208003000  
Zoning: R1-6 Historic District: EWING ROELOFSON & CO.

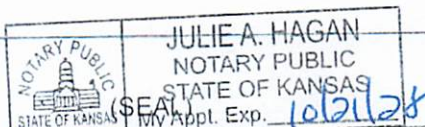
I/We, the undersigned, depose and state we are the owners of the above described property:

Name(s) of Owner (print): KDSWorldwide, LLC  
Owner Address: 2402 Windmill Drive, Platte City, MO, 64079  
Contact No. 805-340-0675 Email: katrina.e.morgan@gmail.com

Signature of Owner(s): [Signature]

State of Kansas

County of Leavenworth



Signed or attested before me on: 8/19/25

Notary Public: [Signature]

My Appointment Expires: 10/21/28

If business is operated by someone other than the owner, provide name and address of operator(s).

Name of Lessee: Not applicable.

Address:

Contact No.

Email:

**NOTE:** All signatures must be in ink. Signature of owner(s) must be secured and notarized.

**Check list below...**

- ☒ Non-Refundable Fee of \$350.00 is due at time of application
- ☒ Certified list of property owners within two hundred (200) feet of the subject property
- ☒ Attach **full** legal description obtained through the Register of Deeds Office
- ☒ Site Plan drawn to scale (See General Instructions)
- ☒ Supporting documentation (See General Instructions)

Katrina E. Morgan  
2402 Windmill Drive  
Platte City, Missouri, 64079  
805-340-0675  
katrina.e.morgan@gmail.com

August 20, 2025

City of Leavenworth Kansas Zoning and Planning Department  
100 N. 5th Street, Suite #201  
Leavenworth, Kansas, 66048

Subject: Letter of Intent for Special Use Permit Application of Lots at 811 and 813 Kickapoo Street

To Whom It May Concern,

I am writing to formally express my intent regarding the properties commonly known as 811 and 813 Kickapoo Street, which I plan to combine via a Lot Combination Application submitted August 20, 2025, Application No: 17803.

This letter outlines my proposed use of the combined parcels for the cultivation of cut flowers.

The intended use involves establishing a flower-growing operation on the combined lots, with the primary activity occurring from February through October each year. Seedlings will be started off-site and transplanted onto the property after the last frost, approximately mid-March, at 811 Kickapoo. The flowers will be cultivated in six designated flower beds, each measuring 7.5 feet wide by 24 feet long. The beds will be arranged with 3 feet of space between each bed in the north-south direction and 5 feet between beds east-west, ensuring proper access and growth conditions. The flowers will be grown in these designated beds and subsequently sold off-site at local farmers' markets and through online channels.



The placement of the flower beds will adhere to the following setbacks from the property lines of 811 Kickapoo:

- 4 feet from the western property line
- 21 feet from the northern property line
- 7 feet from the eastern property line
- 31 feet from the southern property line
- 10 feet from the residence at 813 Kickapoo

Please see attached site plan, drawn to scale. Please note that the grid boxes and lines represent 1 square foot each.

I look forward to working with the City of Leavenworth to facilitate this project and appreciate your consideration of my proposal.

Please feel free to contact me at 805-340-0675 or [katrina.e.morgan@gmail.com](mailto:katrina.e.morgan@gmail.com) with any questions.

Thank you for your time and attention in this matter.

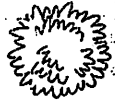
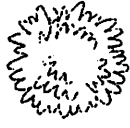
Very Respectfully,

A handwritten signature in black ink, appearing to read 'Katrina E. Morgan'.

Katrina E. Morgan  
Registered Agent  
KDSWorldwide, LLC

130 ft / 39.6 m

30 ft / 9.1 m





<b>Section/ Bed Number</b>	<b>Plant/Flower</b>	<b>Max Height</b>	<b>Notes</b>
4	Snapdragon	1-3 ft	
5	Snow Pea Flowers	3-6 ft	Will harvest before reaching 4 ft
5	Yarrow	1-3 ft	
5	Statice	1-3 ft	
6	Hollyhock	4-8 ft	Will harvest before reaching 6 ft
1	Lisianthus	1-2 ft	
1	Craspedia	2-4 ft	
1	Coneflower	2-4 ft	
1	Bupleurum	2-3 ft	

<b>Section/ Bed Number</b>	<b>Plant/Flower</b>	<b>Max Height</b>	<b>Notes</b>
2	Amaranthus	3-6 ft	Will harvest at 6 ft
2	Celosia	1-3 ft	
2	Black-eyed Susan	1-3 ft	
2	Baby's Breath	1-3 ft	
6	Red Leaf Hibiscus	3-8 ft	Will harvest before reaching 6 ft
6	Sage	1-3 ft	
6	Dill	3-4 ft	
6	Basil	1-3 ft	
6	Thyme	.5-1 ft	
6	Oregano	1-2 ft	



<b>Section/ Bed Number</b>	<b>Plant/Flower</b>	<b>Max Height</b>	<b>Notes</b>
1	Zinnia	1-3 ft	
1	Cosmos	3-6 ft	Will harvest before reaching 4 ft
6	Sunflower	3-12 ft	Will harvest before reaching 6 ft
2	Delphinium	3-6 ft	Will harvest before reaching 4 ft
2	Larkspur	2-4 ft	
3	Dahlia	2-6 ft	Will harvest before reaching 4 ft

Staff photos taken 10/1/25









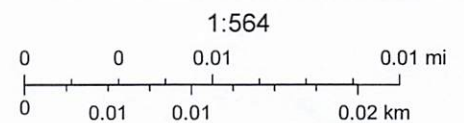


# 813 & 811 Kickapoo



8/12/2025, 10:55:29 AM

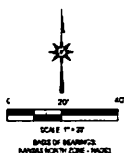
- Parcels\_Current
- Buildings
- Address (Points)
- Leavenworth City Limits
- City Right-of-Way
- RoadCenterline



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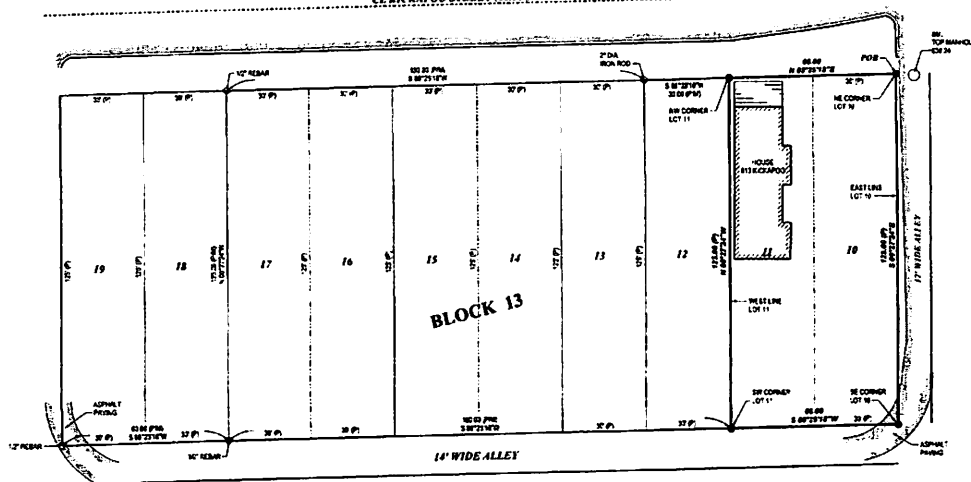
**CITY OF LEAVENWORTH  
LEAVENWORTH COUNTY, KANSAS**



**LOCATION MAP**  
FILE

- LEGEND**
- 12" x 24" REBAR SET WITH 0.1549 CAP
  - SURVEY MONUMENT FOUND (AS NOTED)  
ORIGIN UNKNOWN, UNLESS REFERENCED
  - (P) PLATTED
  - (M) MEASURED
  - (PM) PLATTED AND MEASURED
  - POB POINT OF BEGINNING
  - CL CENTERLINE

CL KICKAPOO STREET (61.50?)



**ZONING:**

31-4  
HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT  
MINIMUM LOT SIZE - 8,000 SQ. FT.  
25' FRONT SETBACK  
8' INTERIOR SIDE SETBACK  
25' CORNER SETBACK  
25' REAR SETBACK

**NOTE:**

**NOTE:**

1. THIS SURVEY DOES NOT SHOW OWNERSHIP OR EASEMENTS. EASEMENTS MAY OR MAY NOT EXIST.
2. NO TITLE INFORMATION WAS PROVIDED ON THIS SURVEY.
3. THIS SURVEY IS NOT WITHIN A SPECIAL FLOOD HAZARDOUS AREA (FEMA FIRM 83383D0155) (EFFECTIVE 2-16-2015)

**BENCHMARK:**

**REMARKS:**  
TOP OF MAMMOE LID AT THE NORTHEAST CORNER OF LOT 13 WAS SHOWN  
BY THE SURVEYOR.

#### REFERENCES:

**1. ERMING, ROBERTSON AND COMPANY PLAT**  
**PLAT BOOK 'A' PRICE \$ 125.00 PER COPY**

(TRADE SUMMARY)			
BEARING	MOORE DIS*	NORTHING	EASTING
		123.00	123.00
S 80° 27' 24" E	125.00	0.00187	125.00028
S 88° 25' 18" W	63.00	-1.04895	64.01905
N 66° 27' 24" W	125.00	123.34136	69.62276
S 85° 25' 18" W	63.00	126.00	126.00

CLOSED LOOP - 5 POINTS  
HORIZONTAL DISTANCE: 370.00 FEET  
AREA: 7.00 SQ. FT.    0.17 ACRES

RELATIVE TO CLOSED LOOP,    LINEAR: 0.000 FEET    DIRECTION: 45.00°/17.00°  
NORTHING: 4.000 FEET    EASTING: 2.000 FEET

**REGISTER OF DEEDS CERTIFICATE**

REGISTER OF DEEDS CERTIFICATE  
CERTIFICATE OF MARY T. E. CUMMINGS WAS FILED FOR RECORD THIS 26<sup>TH</sup> DAY OF SEPTEMBER, 1952  
AT 4:19 O'CLOCK PM AND IS RECORDED AS DOCUMENT # 2025926

LEAVE WORTH COUNTY RECORDER OF DEEDS  
TERRY L. G. MASHBURN



**FAMILY & FRIENDS** **8:30**

THIS IS TO CERTIFY THAT IN THE MONTH OF AUGUST 2021, THIS SURVEY  
WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY  
MEETS OR EXCEEDS THE KANSAS MINIMUM STANDARDS  
FOR BOUNDARY SURVEYS



ALLEN DUFFING  
PO BOX 104  
BILZEPOR, LA 70543-0104  
(504) 547-3405

**PLANNING COMMISSION AGENDA ITEM  
SHERRY HANSON – ATTENDANCE VOTE**

**OCTOBER 6TH, 2025**

**SUBJECT:**

A vote to determine if the City Commission should be petitioned to replace Planning Commissioner Sherry Hanson due to lack of attendance at scheduled Planning Commission meetings.



**Prepared By:**

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Director of Planning and Community Development

**NATURE OF REQUEST**

Article II, Item 7 of the Planning Commission by-laws states the following:

“Should a Planning Commission member miss three regular monthly meetings in any 12 month period, the commission shall determine if the City Commission should be petitioned to replace that Planning Commission member.”

Planning Commission member Sherry Hanson has exceeded this threshold with absences at the November 2024, December 2024, February 2025 and September 2025 meetings.

**Attendance Record**

P= Present    A= Absent    / = No meeting held

Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	March 2025	April 2025	May 2025	June 2025	July 2025	Aug 2025	Sept 2025
/	A	A	/	A	/	/	P	/	/	/	A

**STAFF RECOMMENDATION:**

This item does not have a staff recommendation.

**ACTION/OPTIONS:**

- Motion, to recommend replacement of the Planning Commissioner to the City Commission.
- Motion, to not make a recommendation of replacement of the Planning Commissioner to the City Commission.



## City of Leavenworth Planning Commission

### BYLAWS, RULES AND REGULATIONS

The following rules and regulations governing the procedures of the Planning Commission are adopted in accordance with the planning laws of the State of Kansas.

#### Article I - Members

1. The membership of the Leavenworth Planning Commission is determined by Ordinance No. 7078. A majority of the currently duly appointed Commission shall constitute a quorum.
2. Members shall be appointed by the Mayor with the consent of the City Commission. Appointments shall be made for three-year terms. Vacancies shall be filled by appointment for the unexpired term. Members of the Board shall be residents of the City of Leavenworth and serve without compensation.

#### Article II - Officers

1. The Planning Commission shall organize annually at the first regular meeting after the annual appointment of members but no later than the September meeting.
2. The Commission shall elect a Chairperson and Vice-Chairperson from among the appointed members at the annual organization meeting. The officers shall serve for one year or until replaced.
3. The City Planner shall serve as the Secretary.
4. The Chairperson shall preside at all meetings and public hearings of the Planning Commission; shall decide all points of order and procedure; shall certify plans and subdivision plats; and shall transmit reports and recommendations of the Planning Commission to the governing body with the assistance of the Secretary. The Chairperson and the Secretary are required to certify plans and subdivision plats.
5. The Vice-Chairperson shall assume the duties of the Chairperson in his absence.
6. The Secretary shall be responsible for keeping the minutes of the Planning Commission; sending agendas to members of the Planning Commission; carrying out written correspondence; maintaining the records of the Commission; and performing such other duties as the Planning Commission may require.

7. Should a Planning Commission member miss three regular monthly meetings in any 12 month period, the commission shall determine if the City Commission should be petitioned to replace that Planning Commission member.

### Article III - Meetings

1. The Planning Commission shall meet monthly, on an as needed basis, on the first Monday of the month at 6:00 p.m. in the Commission Auditorium, 1st Floor of City Hall. When the first Monday falls on a holiday, the meeting shall be held on the second Monday of the month.

2. Special meetings of the Planning Commission may be called by the Chairperson or, in his absence, by the Vice-Chairperson. Notice of special meetings shall be given by the Secretary to the members of the Commission at least three days prior to such meeting and shall state the purpose and time of the meeting.

3. All regular and special meetings, hearings and records shall be open to the public.

4. A majority of the Commission shall constitute a quorum for the transaction of business. If a quorum is not present at a regular or special meeting, those present may either adjourn the meeting or hold the meeting to consider such matters as are on the agenda. No action shall be taken at such a meeting and the Commission shall continue official action on any agenda items until a subsequent meeting when a quorum is present.

5. The order of business at all meetings shall be as follows:

- a) call to order
- b) determination of quorum
- c) approval of minutes
- d) old business
- e) new business and/or public hearing
- f) reports of committees
- g) reports of commission members and city staff
- h) adjournment

6. Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporter of a motion shall be recorded.

7. An affirmative vote of the members present (when at least a quorum) is needed to authorize any official action of the Commission unless otherwise specified by statute.

8. All members of the Commission, including the Chairperson, shall have a vote when present unless a person shall disqualify him/herself from voting on any decision in which there might be a conflict of interest. In the event of a conflict of interest, a member shall so state before discussion of the item and shall remove him/herself from the dais.

9. When procedural and parliamentary rules by the Planning Commission do not conflict, procedure shall be according to "Robert's Rules of Order."

#### Article IV - Committees

The Chairperson may appoint any standing committee deemed necessary for the review and study of Commission business and any special committee seeking research and recommendations on special topics. Any committee may contain up to four members of the Commission.

#### Article V - Planning Commission Staff

1. The Planning Commission may employ staff and/or professional consultants as it may require, subject to approved budgetary limitations.

2. The staff shall conduct business for the Commission and prepare reports and agendas for the Commission pursuant to law and procedure.

3. The staff shall act as liaison for the Planning Commission to the City Commission and other boards/commissions and the general public.

4. The staff shall prepare an annual budget and annual review of the zoning ordinance and Comprehensive Plan and make recommendations for modifications.

5. The staff shall accept other responsibilities as may be directed by the Planning Commission, the Governing Body, or the City Manager.

#### Article VI - Records and Reports

1. The Commission shall keep a record of its resolutions, transactions, findings and determinations.

2. All records of the Planning Commission shall be available for



public review.

3. The Commission shall review annually the comprehensive plan and zoning ordinance to determine if any portion has become obsolete and shall make a report to the governing body regarding same.

#### Article VII - Publicity

1. The Planning Commission shall encourage the public to attend its regular meetings and shall take positive action to keep its activities before the public by supplying newspapers and other media with information and by having members and staff appear before civic groups to discuss the purpose of planning and the work of the Planning Commission.

#### Article VIII - Amendments

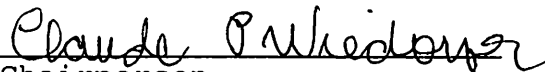
1. These rules of procedure may be amended by an affirmative vote by a majority of the Planning Commission members provided such proposed amendment has been submitted in writing to each member of the Commission at least three days prior to the meeting at which such action is to be taken.

#### Article IX - Rules of Order

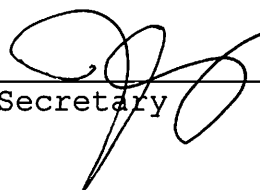
Open Public Meetings. All meetings and study sessions shall be open to the public. A record must be kept of all business transacted.

Public Hearings. The Chairperson may prescribe procedures for the conduct of public hearings including setting a time limit for citizen input in order to provide a fair and impartial presentation of all sides of a request.

Passed and approved this 7<sup>th</sup> day of FEBRUARY, 2022.

  
Chairperson

ATTEST:

  
Secretary