

**Planning Commission Meeting Minutes**  
**October 26, 2021**

The Board of Planning Commissioners of the City of Herington, Kansas met at City Hall at 5:30 p.m. on the above date – the following being present: Karen Soliz via phone, Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idleman, Joshua Lawrenz, DJ Neuberger, Marcus Hawkes, and Larry Mann. Also present were City Manager Branden Dross, City Clerk Megan Lawrenz, Carl and Debi Urbanek, John Shepherd and Deborah Churan.

The meeting opened with the Pledge of Allegiance. Chair Larry Mann called the meeting to order.

Public Forum – Carl Urbanek – 615 N D St., Herington, KS 67449 encouraged the approval of a conditional use permit for 620 N D St., Herington KS 67449 to allow a small business.

Joshua Lawrenz motioned to approve the minutes from the September 28, 2021, planning commission meeting. Seconded by DJ Neuberger. Motion carried 9-0. There was discussion about corrections to the August 24, 2021, planning commission minutes. Staff will make corrections, and will place the approval of the August 24, 2021, planning commission minutes on the next agenda.

Approval of Agenda – DJ Neuberger motioned to approve the agenda with the addition of 6a, 7a, 8a and 8b. Seconded by Cynthia Naylor. Motion carried 9-0.

Appointment of Vice-Chair – Gwen Owens-Wilson motioned to appoint Janet Wade as Vice-Chair, seconded by DJ Neuberger. Motion carried 6-3, with Richard Idleman, Joshua Lawrenz and Marcus Hawkes casting the dissenting votes.

6a. – Resignation of Chair Larry Mann – Larry Mann informed the planning commission that he was resigning from the planning commission effective immediately. DJ Neuberger motioned to not accept Chair Larry Mann’s resignation, motion failed for lack of a second. Joshua Lawrenz motioned to accept Chair Larry Mann’s resignation, seconded by Richard Idleman. Motion carried 8-1, with Karen Soliz casting the dissenting vote. City staff suggested letting the Vice-Chair run the planning commission meetings for November and December 2021, and to elect a Chair and Vice-Chair together in January of 2022 per planning commission by-laws.

Conditional use permit for 602 N D St., Herington, KS 67449 – After discussion it was determined that it was not necessary to approve a conditional use permit for a home business. Commissioners noted Section 17-6 Home Occupations. 17-601 Home Occupations a. The intent of this section is to allow home occupations, provided that they do not detract from the residential character of a neighborhood and will not cause excessive traffic, noise, nuisance or hazards to safety. It is also the intent of this section to allow only those home occupations as specifically provided for in section 17-602 below. It was determined that the proposed business did not meet any of the restrictions listed in 17-602, except for number 4. – No sign shall be permitted unless required by state law and, if so required, shall not exceed two square feet in area, shall not be illuminated and shall not be placed flat against the main wall of the

structure. 17-603 number 8. Permits home crafts and hobbies such as model making, rug weaving, lapidary work, cabinet making, etc., provided that no machinery or equipment shall be used or employed other than that which would customarily be found in the home, including machinery or equipment that would customarily be employed in connection with a hobby or a vocation not conducted for gain or profit. It was determined that the planning commission would need to approve a conditional use permit to allow the business to have a sign. Janet Wade motioned to approve a conditional use permit for a portable sign to be used during business hours so long as the sign placement doesn't interfere with lines of sight for vehicle or pedestrian traffic, seconded by Gwen Owens-Wilson. Motion carried 8-0, with Karen Soliz abstaining from the vote.

7a. – Janet Wade requested clarification on whether the whole property located at 110 N Broadway, Herington, KS 67449 was rezoned for residential use, or if only the apartment was included. The planning commissioners felt that it was their intent that only the apartment was approved for residential use. City staff will speak with the City Attorney for clarification and will provide an update by the next planning commission meeting.

Herington Comprehensive Plan – City Manager Branden Dross suggested that the planning commission start to review the city's current comprehensive plan, starting with the first 4 sections. Discussion was disorganized and Joshua Lawrenz requested that for the next planning commission meeting City Manager Branden Dross provide very specific areas for discussion so that the planning commissioners could do proper research before discussing the topic. It was also the consensus of the planning commissioners to have a joint meeting with the city commissioners to determine expectations.

8a. Building Permits – DJ Neuberger started discussion on the city's current building permit process. City Manager Dross said that he would get DJ some information about the city's permit process outside of the planning commission meeting.

8b. It was the consensus of the planning commissioners to have a joint meeting with the city commissioners to determine expectations. City Manager Branden Dross will place an agenda item on the next city commission agenda to set a date for a joint meeting.

Cynthia Naylor made a motion to adjourn, seconded by Richard Idleman. Motion carried 8-0.

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Megan Lawrenz, City Clerk