

Planning Commission Meeting
August 24th, 2021
5:30 p.m.

1. Pledge of Allegiance

2. Call to Order

3. Public Forum

4. Consider Minutes of July 1st, 2021 Planning Commission Meeting

Motion _____ Seconded _____ Action _____
Cathy Stinnett, , Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua Lawrenz, D.J. Neuberger, Vice-Chair Larry Mann, Chair Dennis Albrecht

5. Approval of Agenda

Motion _____ Seconded _____ Action _____
Cathy Stinnett, , Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua Lawrenz, D.J. Neuberger, Vice-Chair Larry Mann, Chair Dennis Albrecht

6. Discussion with members of the Dickison County and City of Herington staff on Planning Commission expectations.

7. Adjourn

Motion _____ Seconded _____ Action _____
Cathy Stinnett, , Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua Lawrenz, D.J. Neuberger, Vice-Chair Larry Mann, Chair Dennis Albrecht

To join the Planning Commission meetings from your computer, tablet, or smartphone, go to <https://www.youtube.com/channel/UCbvSBw6l4w85XQHSX0S1BXg>

Public Forum Comments can be dropped in the deposit box or emailed to cityoffice@cityofherington.com. Must be received before 8:00AM the day of the meeting. Please keep statement to a maximum of 3 minutes.

Planning Commission Meeting Minutes
July 1, 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: Catherine Stinnett, Dennis Albrecht, Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Deana Lewis, Joshua Lawrenz and D.J. Neuberger. Absent was Larry Mann. Also, present were City Manager Branden Dross, City Clerk Megan Lawrenz, Robbin Bell, Arlo Reimer, Angela Reimer, Daniel Ruark, Jonathan Rucker, Kevin Morgan, Dallas Goracke, Carl Urbanek and Debi Urbanek.

Discuss and Action on the Appointment of Chair of the Planning Commission – Joshua Lawrenz made a motion to appoint Dennis Albrecht as the Chair of the Planning Commission, seconded by Catherine Stinnett. Motion carried 7 to 1, with Janet Wade abstaining from the vote.

Discuss and Action on the Appointment of Vice-Chair of the Planning Commission – Janet Wade made a motion to appoint Larry Mann as the Vice-Chair of the Planning Commission, seconded by Joshua Lawrenz. Motion carried 8-0.

Discuss and Action on the Proposed Planning Commission By-Laws – Cynthia motioned to approve the Planning Commission By-Laws; motion died for lack of a second. Janet Wade motioned to approve the By-Laws as interim By-Laws with meetings to occur on the 4th Tuesday of the month, with the addition of KSA Zoning Regulations and the majority constituting a quorum, seconded by Joshua Lawrenz. Motion carried 8-0.

Public Forum – None.

Approval of Agenda – Cynthia moved to approve the agenda with the addition of #13 to discuss scope and expectations of the Planning Commission and coordinating a workshop, seconded by Gwen Owens-Wilson. Motion carried 8-0.

Discuss and Action on Zoning District Clarification from R-3 to I-2 at 620 W Main – D.J. Neuberger motioned to approve the change from R-3 to I-2 for 620 W Main, seconded by Deana Lewis. Motion carried 8-0.

Gwen Owens-Wilson moved to approve conditional use for the watchman's quarters at 620 W Main, seconded by Joshua Lawrenz, Motion carried 6-2 with Janet Wade and D.J. Neuberger casting the dissenting votes.

Discuss and Action on Conditional Use for Residential in the Central Business District, B5 at 110 N Broadway – D.J. Neuberger moved to approve conditional use for residential in the Central Business District, B5 at 110 N Broadway, seconded by Cynthia Naylor. Motion carried 8-0.

Adjourn Planning Meeting – D.J. Neuberger moved to adjourn the Planning Commission Meeting, seconded by Cynthia Naylor. Motion carried 8-0.

The Board of Planning Commissioners of the City of Herington, Kansas met at City Hall at 5:30 p.m. on the above date to discuss Zoning – the following being present: Catherine Stinnett, Dennis Albrecht, Janet

Wade, Cynthia Naylor, Gwen Owens-Wilson, Deana Lewis, Joshua Lawrenz and D.J. Neuberger. Absent was Larry Mann. Also, present were City Manager Branden Dross, City Clerk Megan Lawrenz, Robbin Bell, Arlo Reimer, Angela Reimer, Daniel Ruark, Jonathan Rucker, Kevin Morgan, Dallas Goracke, Carl Urbanek and Debi Urbanek.

Discuss and Action on Zoning Variance for Accessory Structure at 600 E Lewerenz. The criteria for such a zoning change, as applicable, are noted as follows:

1. What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?
2. What is the current zoning of the subject property and that of the surrounding neighborhood in relation to the request?
3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?
4. Would the request correct an error in the application of these regulations?
5. Is the request caused by change or changing conditions in the area of the subject property and if so, what is the nature and significance of such changed or changing conditions?
6. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?
7. Would the subject property need to be platted or replatted in lieu of dedications made for rights-of way, easements, access control or building setback lines?
8. Would a screening plan be necessary for existing and/or potential uses of the subject property?
9. Is suitable vacant land or buildings available or not available for development that currently has the same zoning as is requested?
10. If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?
11. Is the subject property suitable for the uses in the current zoning to which it has been restricted?
12. To what extent would the removal of the restrictions, i.e. the approval of the zoning request detrimentally affect other property in the neighborhood?
13. Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?
14. Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the plan?
15. What is the nature of the support or opposition to the request?
16. Is there any information or are there recommendations on this request available from professional persons or other persons with related expertise which would be helpful or useful in its evaluation?

17. By comparison, does the relative gain to the public health, safety, or general welfare outweigh the loss in property value or the hardship imposed upon the applicant by not approving the request?

It is noted that, of the relevant factors considered in reviewing the requested change in classification, not all factors need be given equal weight or consideration. Please note the above list encompasses the factors enumerated in Golden v. City of Overland Park, 224 Kan. 591, 584, P.2d 130 (1978). Janet Wade moved to approve the Zoning Variance for an Accessory Structure at 600 E Lewerenz, due to site specific conditions, to allow a larger accessory structure, seconded by Gwen Owens-Wilson. Motion carried 8-0.

Discuss Scope/Expectations and Scheduling a Workshop – Planning Commission members discussed wanting to schedule a workshop as a learning opportunity. Members also discussed wanting discussion on the City of Herington’s Comprehensive Plan. Members would like an opportunity to review and change

Planning Commission By-Laws. City Manager Branden Dross will find someone to come and speak about expectations and requirements of a planning commission.

Adjourn Zoning Meeting – D.J. Neuberger made a motion to adjourn the zoning meeting, seconded by Joshua Lawrenz. Motion carried 8-0.

Megan Lawrenz, City Clerk