

**Planning Commission Meeting  
September 28th, 2021  
5:30 p.m.**

1. Pledge of Allegiance

2. Call to Order

3. Public Forum

4. Consider Minutes of August 24th, 2021 Planning Commission Meeting

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Karen Soliz, Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua  
Lawrenz, D.J. Neuberger, Chair Larry Mann

5. Approval of Agenda

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Karen Soliz, Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua  
Lawrenz, D.J. Neuberger, Chair Larry Mann

6. Discussion and Action on Appointing Vice-Chair.

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Karen Soliz, Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua  
Lawrenz, D.J. Neuberger, Chair Larry Mann

7. Discussion on Herington Comprehensive Plan

8. Adjourn

Motion \_\_\_\_\_ Seconded \_\_\_\_\_ Action \_\_\_\_\_  
Karen Soliz, Janet Wade, Cynthia Naylor, Gwen Owens-Wilson, Richard Idelman, Joshua  
Lawrenz, D.J. Neuberger, Chair Larry Mann

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Public Forum Comments can be dropped in the deposit box or emailed to [cityoffice@cityofherington.com](mailto: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**  
**August 24, 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: Dennis Albrecht, Janet Wade, Cynthia Naylor, Deana Lewis, Joshua Lawrenz and D.J. Neuberger. Larry Mann was present via phone. Also, present City Clerk Megan Lawrenz, City Attorney Brad Jantz, Neighborhood Enforcement Officer Crystal Parris, Carl Urbanek, Debi Urbanek and Tim Hamilton.

The meeting opened with the Pledge of Allegiance.

Chair Dennis Albrecht called the meeting to order.

Public Forum – None.

Consider the minutes of July 1, 2021 – Cynthia Naylor motioned to approve the minutes from the July 1, 2021, planning commission meeting with the addition of her last name in two places, the removal of the word Clarification from the discussion and action on 620 W Main change and moving the City Attorney's verbiage to an attachment A at the end of the minutes, seconded by Josh Lawrenz. Motion carried 8-0.

Approval of Agenda – Janet Wade recommended adding a roll call during the call to order. Cynthia Naylor motioned to approve the agenda with the addition of 6a. Comments & Discussion, seconded by Josh Lawrenz. Motion carried 7-1, with Dennis Albrecht casting the dissenting vote.

Discussion with members of the Dickinson County and City of Herington Staff on Planning Commission Expectations

Comments and Discussion –

DJ Neuberger- Would like to know exactly what the city is expecting from the Planning Commission, would like an explanation of expectations at the next planning meeting.

Janet Wade – Needs clarification from the Commissioners- does the Planning Commission have any exterritorial requirements? Mentioned that many new members were added at the same time and suggested staggering their term expiration dates. Said that the planning commissioners need better maps of the city. And asked about the Comp Plan, has it been budgeted? She also mentioned that there may need to be changes to our current zoning regulations, as homes cannot be rebuilt on one city lot. Thinks it would be helpful if the Planning Commission was briefed on the trailhead and lake master plan.

Larry Mann – Asked if the County had a regularly scheduled meeting and was told that the County Planning Commission meets on the third Thursday of the month.

Adjourn Zoning Meeting – Cynthia Naylor made a motion to adjourn the planning commission meeting, seconded by Janet Wade. Motion carried 8-0.

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Megan Lawrenz, City Clerk

#### Attachment A

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).**