

EDGERTON CITY HALL  
PLANNING COMMISSION MEETING  
REGULAR SESSION  
March 9, 2021

The Edgerton Planning Commission met in regular session with Chairperson John Daley calling the meeting to order at 7:00 PM.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Chairperson John Daley, Commissioner Jeremy Little and Commissioner Deb Lebakken. Commissioner Charlie Crooks and Commissioner Tim Berger were absent from the meeting. Also present were City Administrator Beth Linn, Marketing and Communications Director Kara Banks, Development Services Director Katy Crow, City Clerk Alex Clower and Planning and Zoning Coordinator Chris Clinton.

The Planning and Zoning Coordinator announced a quorum was present.

**CONSENT AGENDA**

Commissioner Lebakken motioned to approve the consent agenda. Commissioner Little seconded the motion. The consent agenda was approved, 3-0.

**NEW BUSINESS**

**TEMPORARY CONSTRUCTION USE FOR HAUPT CONSTRUCTION ROCK CRUSHING – APPLICATION TU2021-02**

Chairperson Daley introduced Application TU2021-02 as a temporary construction use for Haupt Construction to conduct rock crushing operations. He requested City Staff present their findings.

Ms. Katy Crow, Development Service Director, stated Article 9, Section 6.E of the Unified Development Code (UDC) of the City of Edgerton, Kansas states that the Planning Commission (the Commission) is authorized to review and approve the use of property during times of construction, reconstruction or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses. She explained on previous occasions, the Edgerton Planning Commission has approved the use of construction-related activities associated with the Burlington Northern Santa Fe (BNSF) Intermodal Facility and Logistics Park Kansas City (LPKC) developments subject to the approval of City Staff and conditioned with appropriate stipulations.

Ms. Crow stated on February 16, 2021, City Staff received a request from Haupt Construction, to construct a temporary rock crushing operation on property located on the northwest corner of 213<sup>th</sup> Street and Kill Creek Road. This temporary operation will be for the construction of Project Polaris. If approved, operations would commence when the applicant has received an approved blasting permit and an approved Land Disturbance Permit. All rock crushing activities would end by July 9, 2021. She said the applicant requests performing rock crushing activities Monday through Saturday, 7:00 AM to 7:00 PM. While the request letter is from Haupt Construction, permission to conduct this type of operation has been granted by the property owner, Wellsville Arms, LLC as represented by NPD Management, LLC. A copy of the letter was included in the application.

Ms. Crow said the application materials submitted describe the proposed operation as mobile rock crushing equipment that will move around the site as the rock is excavated. Crushers will be moved around the site to ensure efficiency of the crushing process. The applicant provided a map that shows where the rock will be crushed. Trucks will be used onsite to move the rock where it is needed for building pads and as base rock in paved areas. She explained the rock crushing equipment contains a dust containment system, and the Kansas Department of Health & Environment (KDHE) will be engaged to test the air prior to the start of crushing activities. Monitoring equipment on the crushers will test the air to make sure it does not exceed the level allowed by KDHE. The applicant indicates the operator will be responsible for mitigating dust and maintaining haul roads on site will be kept wet to ensure that airborne dust does not spread to neighboring properties. Ms. Crow stated if this permit is not approved, the applicant has stated on-site rock that would need to be hauled away would equate 14,200 truck trips plus an additional 8,100 truck trips would be needed to haul in the necessary aggregate material for construction applications. If this occurs, the increased truck traffic on adjacent roadways would be detrimental to the flow of local traffic.

Ms. Crow informed the Commission that City Staff recommends approval of Application TU2021-02, a rock crushing operation, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the UDC of the City of Edgerton, located on the northwest corner of 213<sup>th</sup> Street and Kill Creek Road, by Haupt Construction for construction-related activities related to Project Polaris, with the following stipulations:

1. Prior to any work occurring on site, both a Blasting Permit and a Land Disturbance Permit must be in place;
2. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
3. All occupied buildings shall have access to potable water from an approved water source;
4. All signage shall be placed pursuant to applicable sign regulations in Article 12 of the Unified Development Code of the City of Edgerton;
5. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
6. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
7. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or another applicable chapter of City Code;
8. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
9. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
10. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
11. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period;
12. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
13. Hours of operation shall be limited to from 7:00 AM to 7:00 PM, Monday through Saturday;

14. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
15. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
16. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
17. Applicant shall maintain a valid City of Edgerton Business License;
18. Staff retains the ability to establish reasonable requirements for their operation;
19. All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air;
20. Permission for temporary construction activities is granted for a period ending July 9, 2021.

Chairperson Daley inquired if any of the activity would take place at night. Ms. Crow replied no, activity would be allowed from 7:00 AM to 7:00 PM.

Commissioner Little motioned to approved Application TU2021-02 with the stipulations. Commissioner Lebakken seconded the motion. Application TU2021-02 was approved with the stipulation, 3-0.

Mr. Ron Dove, 22933 Bedford Road, Spring Hill, KS 66083, inquired about speaking regarding this item and when the public hearing was held. Ms. Crow replied there is no public hearing regarding this item. Mr. Dove stated the Commission is assuming that the pending rezoning will be approved. Ms. Beth Linn, City Administrator, explained the property owner is allowed to perform land disturbance work including grading, regardless of the zoning designation assigned to the parcels. Mr. Dove stated it is known the property owner is not going to put something small on the property. He pointed out the Staff Report mentions the amount of hauling would have to take place for the type of building that is going to go there, which will be a warehouse. The warehouse is based on the rezoning which has not been approved by the Governing Body at this time. Ms. Linn explained the property owner can do land disturbance on any zoned property which can include grading, blasting, and rock crushing.

### **TEMPORARY CONSTRUCTION USE FOR HAUPT CONSTRUCTION ROCK CRUSHING – APPLICATION TU2021-03**

Chairperson Daley introduced Application TU2021-03 as a temporary construction use for Haupt Construction to conduct rock crushing operations. He requested City Staff present their findings.

Ms. Katy Crow, Development Service Director, stated Article 9, Section 6.E of the UDC of the City of Edgerton, Kansas states that the Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses. She explained on previous occasions, the Edgerton Planning Commission has approved the use of construction-related activities associated with the BNSF Intermodal Facility and LPKC developments subject to the approval of City Staff and conditioned with appropriate stipulations.

Ms. Crow stated on February 16, 2021, City Staff received a request from Haupt Construction, to construct a temporary rock crushing operation on property located north of the Hostess Distribution Center (Inland Port 51) located at 30800 W 207<sup>th</sup> Street. This temporary operation will be for the

construction of Inland Port 52. If approved, operations would commence on March 10, 2021 and end by May 9, 2021. All rock crushing activities would end by July 9, 2021. She said the applicant requests performing rock crushing activities Monday through Saturday, 7:00 AM to 7:00 PM. While the request letter is from Haupt Construction, permission to conduct this type of operation has been granted by the property owner, ELHC LII, LLC as represented by NPS Management, LLC. A copy of the letter was included in the application.

Ms. Crow said the application materials submitted describe the proposed operation as mobile rock crushing equipment that will move around the site as the rock is excavated. Crushers will be moved around the site to ensure efficiency of the crushing process. The applicant provided a map that shows where the rock will be crushed. Trucks will be used onsite to move the rock where it is needed for building pads and as base rock in paved areas. She explained the rock crushing equipment contains a dust containment system, and the KDHE will be engaged to test the air prior to the start of crushing activities. Monitoring equipment on the crushers will test the air to make sure it does not exceed the level allowed by KDHE. The applicant indicates the operator will be responsible for mitigating dust and maintaining haul roads on site will be kept wet to ensure that airborne dust does not spread to neighboring properties. Ms. Crow stated if this permit is not approved, the applicant has stated on-site rock that would need to be hauled away would equate 11,200 truck trips plus an additional 6,400 truck trips would be needed to haul in the necessary aggregate material for construction applications. If this occurs, the increased truck traffic on adjacent roadways would be detrimental to the flow of local traffic.

Ms. Crow informed the Commission that City Staff recommends approval of Application TU2021-03, a rock crushing operation, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the UDC of the City of Edgerton, located north of the Hostess Distribution Center, by Haupt Construction for construction-related activities related to Inland Port 52, with the following stipulations:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations in Article 12 of the Unified Development Code of the City of Edgerton;
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or another applicable chapter of City Code;
7. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
8. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
9. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;

10. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period;
11. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
12. Hours of operation shall be limited to from 7:00 AM to 7:00 PM, Monday through Saturday;
13. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
14. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
15. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
16. Applicant shall maintain a valid City of Edgerton Business License;
17. Staff retains the ability to establish reasonable requirements for their operation;
18. All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air;
19. Permission for temporary construction activities is granted for a period ending May 9, 2021.

Commissioner Lebakken motioned to approved Application TU2021-03 with the stipulations. Commissioner Little seconded the motion. Application TU2021-03 was approved with the stipulation, 3-0.

### **REVISED SITE PLAN FOR INLAND PORT 51 – APPLICATION FS2021-03**

Chairperson Daley introduced Application FS2021-03 as a Revised Final Site Plan for Inland Port 51 (IP 51). He requested City Staff present their findings.

Ms. Crow stated the applicant is Mr. Brett Powell who is an agent for NPD Management, LLC. The property is owned by ELHC LI, LLC. Mr. Powell is requesting approval of the Revised Final Site Plan. The property is located at 30800 W 207<sup>th</sup> Street and is zoned Logistics Park (L-P) with a current warehouse constructed on the parcel that is approximately 62.27 acres in size. She explained IP 51 is also the Hostess Distribution Center. The Revised Final Site Plan is for the construction of a private drive on the north side of the existing warehouse.

Ms. Crow explained part of the approval of Application FS2020-11 for Inland Port 52, the City requested the applicant to provide a plan for the bifurcation of Waverly Road to remove truck traffic traveling between 199<sup>th</sup> Street and 207<sup>th</sup> Street. Current access from Waverly Road to IP 51 will be removed with the bifurcation. She stated discussions regarding the plans for the bifurcation are ongoing, but the applicant is required to submit a final plan prior to the Certificate of Occupancy being issued for Inland Port 52 (IP 52). The private street shown in the application was originally proposed as part of Application FS2020-11 for IP 52, which was approved by the Commission of February 9, 2021. However, those plans showed the private street located on the site of IP 51, which initiated the requirement of a Revised Final Site Plan for IP 51.

Ms. Crow said current access to IP 51 is provided from a private drive off Waverly Road and two entrances off 207<sup>th</sup> Street. Water is supplied by Johnson County Water District #7, the City will provide sanitary sewer, and Evergy will be the electrical service provider. Gas will be provided by Kansas Gas Service and police service will be provided by the City through the Johnson County Sheriff's Office.

Johnson County Fire District #1 will provide fire protection. Ms. Crow stated the development is located within the Bull Creek watershed.

Ms. Crow informed the Commission the initial approval of Final Site Plan FS2019-06 for IP 51, the applicant was required to place a barrier arm at both 199<sup>th</sup> Street and 207<sup>th</sup> Street ends of Waverly Road to prohibit truck traffic traveling along Waverly Road. During the reconstruction of the 199<sup>th</sup> Street bridge over Interstate 35 (I-35), the Kansas Department of Transportation (KDOT) needed additional right of way for their project and the applicant is no longer available to install a barrier arm on the north end of Waverly Road. She said the bifurcation of Waverly Road, which is a stipulation of the approval for IP 52, will remove the need for a barrier arm on either end of Waverly Road. The installation of the private street shown as part of this Revised Final Site Plan also help facilitate the bifurcation of Waverly Road as it allows access to the west end of the IP 51 site. She stated City Staff recommends the Commission remove the prior stipulation on FS2019-06 for the installation of barrier arms on Waverly Road. Ms. Crow said the City Engineer noted the grading plan has not been updated to show the proposed contours for the private drive and the access easement will need to be recorded for the private drive.

Ms. Crow said City Staff recommends approval of FS2021-03 Final Site Plan revisions to Final Site Plan FS2019-06 for IP 51, subject to compliance with the following stipulations:

1. The City Staff recommendations and comments stated earlier are included as stipulations as part of approval of this Revised Final Site Plan.
2. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.
3. Any items added must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance.
4. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads, and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

Commissioner Lebakken inquired to what will prohibit trucks from using Waverly Road between 207<sup>th</sup> Street and 199<sup>th</sup> Street. Ms. Linn answered Waverly Road will be bifurcated, meaning the road will actually be cut in two so there would not be a way for through traffic. Chairperson Daley added the applicant was speaking to neighbors at the last meeting regarding this issue.

Commissioner Little motioned to approve Revised Final Site Plan FS2021-03 with the stipulations outlined by City Staff. Commissioner Lebakken seconded the motion. Revised Final Site Plan FS2021-03 was approved, 3-0.

## **PUBLIC HEARING – CONDITIONAL USE PERMIT – APPLICATION CU2021-01**

Chairperson Daley introduce Application CU2021-01. He explained it is an application for a conditional use permit for one Interstate Pole Sign at 32501 W 200<sup>th</sup> Street.

Chairperson Daley opened the public hearing and requested City Staff present their findings.

Ms. Crow stated the applicant and property owner is Mr. Moussa Sobaiti who is requesting the approval of a conditional use permit for one (1) Interstate Pole Sign. The address of the site is 32501 W 200<sup>th</sup> Street and the Interstate Pole Sign is to be placed on the portion platted as Tract A on On the Go Travel Center First Plat. Tract A is approximately 2.11 acres and is designated to be used as a detention basin. She said the site is zoned C-2, Heavy Service Commercial District and is currently under development. The site to the north is also zoned C-2 and is under development for a travel center and truck maintenance facility. The parcel to the south is right-of-way for I-35. The site to the east is undeveloped and is also zoned C-2. To the west of the site is interstate right-of-way and Homestead Lane. Ms. Crow explained Figure 1 provided in the Staff Report shows the zoning of nearby parcels. She stated Figure 2 shows the current land use, but it does not depict the development of the travel center to the north.

Ms. Crow explained the parcel is part of the On the Go Travel Plaza approved Final Site Plan FS2019-04. On the parcel directly to the north of the subject parcel, the travel plaza is currently under construction. The plaza will be comprised of a travel center, restaurant, fueling station for vehicles and trucks, and a truck maintenance facility. A Revised Final Site Plan will be considered later in this meeting to reflect updates to the initial Site Plan approved on August 13, 2019. She said City Staff received the application for a conditional use permit for an Interstate Pole Sign for the On the Go project site on February 5, 2021. The proposed sign is to have space for the business located onsite including the fuel partner, Phillips 66, and the tenant of the travel center, TA Express, restaurant tenants and truck services. The applicant has also indicated a digital display area which will reflect gasoline and diesel prices with a cash price that flashes. The applicant has indicated the sign will be double faced and internally illuminated. The height of the proposed sign is eighty-three (83) feet from the grade where the pole is located. The sign will be supported by a single telescoping pipe.

Ms. Crow said the subject parcel is located within the limits of the City. The site development is ongoing as the project moves toward completion. The only utility that would be required for this project would be electrical, which will be supplied by Evergy and all infrastructures would be installed by the developer and applicant. This project is within the On the Go Tax Increment Financing (TIF) District and part of a Community Improvement District (CID).

Ms. Crow explained City Staff reviewed the Site Plan and Sign Design to Article 12, Sign Regulations, and Article 7, Conditional Uses, of the UDC. The purpose of Article 7 is to provide for certain uses, which because of their unique characteristics cannot be distinctly listed as a permitted use in a particular zoning district. The Commission may recommend approval of conditional uses to the Governing Body after consideration in each case, of the impact of such uses upon neighboring uses, the surrounding area, and the public need for the particular use at the particular location. Limitations and standard are herein established to ensure the use's consistency with the character, uses and activities in the zoning district. Before any conditional use shall be approved, the Governing Body shall review the record of the public hearing held by the Commission. The Commission will provide a recommendation to the Governing Body which will be heard on April 8, 2021. She stated the Commission, in accordance with the procedures and standards of the UDC, may recommend the Governing Body authorize buildings, structures, and uses as conditional uses in specific instances and in particular districts set forth provided that:

- a. The location is appropriate and consistent with the Comprehensive Plan;
- b. That the public health, safety, morals, and general welfare will not be adversely affected;
- c. The necessary safeguards will be provided to surrounding property, persons, and neighborhood values; and
- d. Further provide that additional standards of Article 7 be specified as a condition for approval.

Ms. Crow stated no conditional use shall be authorized unless the Commission finds that the establishment, maintenance, or operation of the conditional use meets the standards set forth in the UDC. The burden of proof and the burden of persuasion is on the applicant to bring forth the evidence on all questions of fact that are determined by the Commission.

Ms. Crow explained in order to recommend approval or disapproval of a proposed conditional use permit, both the Commission and the Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, the Commission and Governing Body may consider all factors they deem relevant to the questions of compatibility and the best interest of the City, including the following criteria. She stated the criteria will be read then followed by City Staff's findings.

- a. The extent to which there is a need in the community for the proposed use. The recently approved travel center at the Homestead Lane exit is currently under construction. Having signage adjacent to the interstate can help direct travelers to businesses established within the Edgerton city limits and to a much-needed ancillary service to travelers. Staff determination: Positive
- b. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space. The location of the Interstate Pole Sign is on a parcel of land which borders I-35. The adjacent parcels are zoned C-2 or are designated interstate right-of-way. The next closest parcels are either across Homestead Lane, a four-lane divided roadway, or across I-35. The closest residentially zoned parcel is over 1,100 feet to the northwest. There are no restrictions posed by the neighboring area. Staff determination: Positive
- c. The nature and intensity of the proposed use and its compatibility with the zoning and uses of nearby properties. Such determination should include the location, nature, and height of structures, walls, fences, and other improvements connected with the proposed use, their relation to adjacent property and uses, and the need for buffering and screening. The immediate property to the south is interstate right of way and an actual interstate highway, I-35. There are no other structures, other than those to the north, which is the travel plaza itself, near the Interstate Pole Sign. Those businesses are the ones that this Interstate Pole Sign would be advertising for. Staff determination: Positive
- d. Suitability of the uses of the property without the proposed conditional use permit. The parcel is zoned C-2. In the current UDC, Article 4 – Commercial Zoning Districts, several permitted uses are allowed – all seventy-two (72) uses allowed in C-1 zoning districts, plus eight (8) additional C-2 specific uses. There are also four (4) Conditional Uses allowed. One of the Conditional Uses is the installation of an Interstate Pole Sign. Staff determination: Positive
- e. Length of time the subject property has remained vacant without the proposed conditional use permit. Per the Johnson County AIMS system, the parcel has been used as detention at least since 2006. The main purpose of this parcel is stormwater detention, but the Interstate Pole



Sign will be located in the southwest corner of parcel. Because the Conditional Use Permit is for a sign and not for a business operation, the property being vacant is not a consideration for this type of use. Staff determination: Neutral

- f. The extent to which the proposed use may detrimentally affect nearby property. This sign will help bring attention to businesses and operations within the City. These businesses in turn will provide a much-needed service to travelers along the I-35 corridor and to employees, vendors, and truck drivers traveling to LPKC. The closest adjacent properties all contain the same C-2 zoning designation. The nearby properties are not affected detrimentally by the Interstate Pole Sign. Staff determination: Positive
- g. The adequacy of ingress and egress to and within the site of the proposed use, traffic flow and control, the adequacy of off-street parking and loading areas, the adequacy of required yard and open space requirements and sign provisions. Because this application is for a sign and not a business type, the ingress, egress, traffic flow, parking, et cetera is not applicable. City Staff has reviewed the requirements set forth in the UDC outlined later. Staff determination: Neutral
- h. The availability and adequacy of required utilities and services to serve the proposed use. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services. The only utility this Conditional Use Permit would require is electrical for possible lighting. Evergy provides service to the parcel. Staff determination: Positive
- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the proposed use, or present parking problems in the vicinity of the property. The Interstate Pole Sign is out of any adjacent roadway and is not in a parking lot of any of the operations on the parcel to the north. Staff determination: Positive
- j. The environmental impacts that the proposed use would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm. The only environmental impact related to the signage could potentially be excessive nighttime lighting. Even if approval is granted for a Conditional Use Permit on this site, any and all signage must still be in compliance with the adopted sign code in Article 12 of the UDC. City Staff will monitor the site and any complaints received by City Staff will be addressed. Staff determination: Neutral
- k. The economic impact of the proposed use on the community. As was stated previously, the Interstate Pole Sign would be utilized to attract travelers along the I-35 corridor to the businesses located at this site. Additionally, the services provided by this development will provide a much need amenity for both the residents of Edgerton and the employees at LPKC. The businesses located in this development are part of both a CID and a TIF District. Revenues received through sales generated at these businesses will provide a positive tax benefit to the City of Edgerton. Staff determination: Positive
- l. The relative gain (if any) to the public health, safety, and welfare from a denial of the application for conditional use permit as compared to the hardship imposed upon the conditional use applicant from such denial. There would be no gain to public health, safety, and welfare from denial. Nor would there be any hardship imposed in the permit was denied. Staff determination: Neutral
- m. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton, and the general safety, health, comfort and general welfare of the community. The UDC only allows Interstate Pole Signs to be located on properties that are near an interstate and properly zoned. This application is for a parcel that

abuts interstate right-of-way and has the correct zoning for an Interstate Pole Sign. This permit is consistent with the current zoning under the UDC. Staff determination: Positive

- n. In addition to the above criteria, the recommendation of professional staff is also required per Ordinance 798. The City Staff recommendation will be stated later.

Ms. Crow explained Article 7 also narrows down requirements for each conditional use for each zoning district. She said the first requirement is the applicant is to provide the use of proposed development. The Interstate Pole Sign is to advertise the businesses and services located at the On the Go Travel Plaza located on the adjacent parcel to the north and meets the requirement.

Ms. Crow read the next requirement is the height of the buildings needs to be provided. The applicant has provided the height of the buildings as twenty (20) feet and six inches (6) to top of cornice feature on the convenience store and eighteen (18) feet and eight (8) inches to the top of the main body of the building on the truck maintenance building. That requirement has been met.

Ms. Crow said the next requirement was the surrounding land uses and zoning districts. Those have been provided by the applicant and discussed earlier.

Ms. Crow informed the Commission the next requirement is to provide the relationship of the Interstate, the property where the Interstate Pole Sign is to be placed must have 50% of the site within 800 feet of the centerline or 500 feet of the right of way, whichever is less, of an interstate. She said the parcel borders I-35 right-of-way and meets that requirement.

Ms. Crow explained the next requirement is the elevation of the site in relationship to the elevation of the finished grade of adjacent city roadway. The applicant indicated the elevation of the finished grade of the adjacent roadway is 1018 feet. This has been confirmed by City Staff and this requirement has been met.

Ms. Crow stated the requirement of the proposed height and signable area of the pole sign to be provided. The applicant has indicated the proposed pole sign will be 83 feet from finished grade.

Ms. Crow read the next requirement is the applicant shall provide a line of sight drawing which includes evaluation of natural land grade and highway curvature for sign placement. Line of sight vantage should be shown at a half mile and 1-mile distances from both directions. She explained the applicant did not provide this information until after the packet was published. City Staff will review this submitted drawings to ensure all requirements are met.

Ms. Crow said the final requirement is for the sign to meet the requirements in Article 12 of the UDC. She explained City Staff reviewed the requirements of the Interstate Pole Sign as outlined in Article 12. The first requirement outlined in Article 12 is the sign area is limited to 900 square feet in area per sign side which includes the total of all sign faces. The total area of all of the proposed signs is 872 square feet and meets the requirement. The next requirement is the pole sign is the height must be sixty (60) feet above finished grade of the adjacent city roadway and cannot be taller than 100 feet about the finished grade. She said the applicant indicates the grade of the centerline of Homestead Lane is 1018 feet and the finished grade of the sign is 995 feet with a height of 83 feet. The height of the sign would be twenty-three (23) feet above the existing grade of Homestead Lane and meets the requirements. Ms. Crow said a sign permit is required and the applicant has acknowledged this

requirement. The sign is to be internally illuminated which meets the requirements. The zoning of the parcel is correct for an Interstate Pole Sign. There is a changeable copy with the cash price of diesel fuel will be flashing which meet requirements as well. The flashing must be displayed for at least 8 seconds. She explained the applicant indicated the flasher will be ordered from the factory to toggle at 8 second intervals. The applicant has stated the flasher can also be turned off, so the image is static. The sign location is on the same plat of the development the signs are advertising and that is the final requirement that needed to be met for Article 12.

Ms. Crow said City Staff recommends approval of Application CU2021-01 for the Interstate Pole Sign as shown on the Site Plan for a period of ten (10) years with the following stipulations:

1. The staff recommendations and comments noted related to any requirements for the sign and all else discussed are included as stipulations as part of approval of this Conditional Use Permit;
2. Installation of the Interstate Pole Sign must follow all City of Edgerton building code requirements including a building permit application, plans review and contractor licensing.
3. The Interstate Pole Sign must be kept in good condition and should repairs be required, repaired in accordance with the time frame of the City of Edgerton UDC in effect at the time the repair is needed. Failure to properly maintain the Interstate Pole Sign shall be cause for revocation of the Conditional Use Permit(s);
4. Any major modifications to the Interstate Pole Sign, as defined by City Staff, will render Conditional Use Permit CU2021-01 null and void. Should the Conditional Use Permit be determined to be null and void, the Interstate Pole Sign would then need to be removed within 60 days after notification to the property owner by the City;
5. This Conditional Use Permit shall be valid for ten (10) years from date of approval by the City of Edgerton Governing Body, regardless of ownership;
6. Should the Conditional Use Permit not be renewed and approved by the Governing Body prior to their expiration date, then the Interstate Pole Sign will be considered non-compliant with the UDC and will be required to be removed within 60 days of written notification to the property owner by the City.

Mr. Judd Claussen, Applicant Representative, thanked the Commission for their considerations of the application and City Staff for their work on the report. He stated all of the requirements have been met.

No further public comment was made at this time. Chairperson Daley closed the public hearing.

Chairperson Daley inquired if the sign location will be in the water of the detention basin. Ms. Crow replied no it is on the edge of the basin. Mr. Claussen concurred and said it will be on the embankment and not where the water will collect.

Commissioner Lebakken motioned to recommend approval of Application CU2021-01 with the stipulations outlined by City Staff. Commissioner Little seconded the motion. Application CU2021-01 was recommended for approval, 3-0.

**REVISED SITE PLAN FOR ON THE GO TRAVEL CENTER – APPLICATION FS2021-01**

Chairperson Daley introduced Application FS2021-01 as a Revised Final Site Plan for On the Go Travel Center. He requested City Staff present their findings.

Ms. Crow stated Application FS2021-01 has been applied for by Mr. Judd Claussen from Phelps Engineering. The property is owned by Mr. Sobaiti and is located just north of the subject parcel where the Interstate Pole Sign addressed in CU2021-01 will be located. The site is approximately 12.162 acres. She stated the development is located on the northeast corner of Homestead Lane and I-35. The project will serve highway traffic along the I-35 corridor and LPKC. The 7,200 square foot travel center proposes a convenience store with quick service food, fuel pumps for both passenger vehicles with a truck wash and truck service facility.

Ms. Crow explained the submitted Revised Final Site Plan contains several updates since receiving approval for other revisions from the Commission on March 10, 2020. The new proposed changes include the addition of a vestibule on the truck maintenance facility, the location of the Interstate Pole Sign addressed in Application CU2021-01, and a proposed restaurant expansion of 4,700 square feet on the north end of the building with a drive through for quick service food delivery.

Ms. Crow said access to the property is from W 200<sup>th</sup> Street via 2 private access points. Water is provided by Johnson County Water District #7 and sanitary sewer will be provided by the City. The electrical service will be provided by Evergy and Kansas Gas will provide gas service. The City will provide police service through the Johnson County Sheriff's Office and Johnson County Fire District #1 will provide fire protection. She said the development is located within the Bull Creek watershed.

Ms. Crow informed the Commission that upon review of the Revised Final Site Plan submittal for compliance with the requirements of Article 10, Site Plans and Design Standards; Section 4.3, Heavy Service Commercial, or C-2, District; Section 4.6, Awning and Fencing; Section 4.7, Fuel Stations, Convenience Stores and/or Drive-Throughs, of Article 4, and Article 16, Parking and Loading Regulations, of the UDC, City Staff did note items that need to be addressed.

Ms. Crow said the first item is the addition of the drive-thru lane and end cap restaurant area has decreased the total amount of proposed vehicle parking stalls. Applicant did not provide an updated parking count at the time the packet was published. The applicant has since provided revised drawings and stated the parking is adequate. City Staff will review to ensure this requirement has been met. The second item was the sidewalks and ramps need to meet ADA requirements and need to be marked as pedestrian crossings. The sidewalks near the curbside pickup stalls should be widened to at least six (6) feet to account for vehicle overhang. Ms. Crow explained the City Engineer has stated that the proposed sidewalk crossing of the thirty (30) foot wide access point should be perpendicular to the centerline of the roadway. The City Engineer also noted that the ten (10) foot radius of the north side of the drive-thru connection will be tight for vehicle movement and should be reconsidered. The applicant has again provided updated plans that will be reviewed by City Staff to ensure it meets the requirements.

Ms. Crow stated the requirements outlined in Article 4 have been met. The applicant will use the same materials on the expansions as the previously approved buildings. She pointed out the changes made to the overhead doors to be used on the truck wash. Glass doors are proposed on three (3) out of the five (5) previously aluminum doors. City Staff believes this change will increase the aesthetics of the

building and meets UDC requirements. City Staff will also continue to ensure all equipment is adequately screened, including ground mounted equipment. She explained the final item City Staff noted were the awnings to be used for the drive-thru windows. The applicant will use the same awnings as previously approved Final Site Plan.

Ms. Crow informed the Commission no approval for any signage, including but not limited to monument signs, parked vehicle service signs, onsite identification signs, vehicle drive lane signs, vehicle drive lane accessory signs, wall signs have been provided as part of the Revised Final Site Plan process. The applicant has acknowledged that before the installation of any signage including the drive-thru menu boards, the applicant must provide sign specification that meet Article 12 of the UDC and complete a Sign Application for each sign to be installed. An approved Sign Permit and/or Building Permit will be required as well.

Ms. Crow said City Staff recommends approval of Revised Final Site Plan FS2021-01 which revises FS2020-01 subject to compliance with the following stipulations:

1. The staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan and all else discussed as included in the Staff Report are included as stipulations as part of approval of this Final Site Plan.
2. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. No work may be completed until a Building Permit has been issued.
3. Any items added must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance.
4. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

Chairperson Daley said most of the changes were part of the original concept and he does not see any issues with the revisions.

Commissioner Little motioned to approve Revised Final Site Plan FS2021-01 with the stipulations outline by City Staff. Commissioner Lebakken seconded the motion. Application FS2021-01 was approved with the stipulations, 3-0.

### **PRESENTATION FROM MR. JAMES OLTMAN, PRESIDENT OF ELEVATEEDGERTON!**

Ms. Linn requested a short recess to allow Mr. Oltman to set up for the presentation. Chairperson Daley adjourned the meeting for a short recess at 7:53 PM. The meeting reconvened at 7:56 PM.

Ms. Linn explained following one of the recent Planning Commission meetings, Commissioner Crooks requested information about economic development in Edgerton if it could be presented to the Commission. She invited local experts, Mr. Oltman and Mr. Chris Gutierrez, President of KC SmartPort. She said the goal of this presentation is to provide information to the Commission.

Mr. Oltman thanked City Staff and the Commission for this opportunity. He explained ElevateEdgerton! (Elevate) is a public-private partnership and Elevate is its own separate organization. Mr. Oltman clarified he is not employed by the City and he answers to a board. Elevate does have a contract with the City to aid in economic development, but seventy percent (70%) of the funding of Elevate is from private business. Those are partners who have invested in Edgerton; not only LPKC but the residential aspect as well. He stated BNSF, Johnson County Water District #7, Evergy, and Central Bank of the Midwest are members of Elevate. In total there is about twenty (20) members support Elevate and support Edgerton.

Mr. Oltman said Elevate has four (4) main priorities. The first being commercial and retail development recruitment. The second priority is residential development recruitment. So far, there has been great success in commercial and retail development and Elevate is trying to get residential to catch up. Elevate is also attempting to recruit retail developers right now to support Edgerton and LPKC. The third priority are workforce development. Elevate has been working on increasing in number of jobs and keeping those jobs filled. He explained Elevate needs to make sure partners are getting positions hired and keeping them employed here in the community. Johnson County Community College is also a partner and they help educate and train employees to advance in a company they work for. The final priority is assisting with the growth of LPKC. Mr. Oltman said Elevate's partners in NorthPoint and BNSF do most of the hard work at recruitment of companies, but they do some as well. Elevate looks to regional partners to help and they have forwarded potential companies to Elevate to help show the company the benefits of Edgerton and LPKC.

Mr. Oltman said he is the presentation will be regarding the projected growth of Edgerton. There are three (3) segments that need to be looked for growth. He explained those segments are residential, commercial including retail, and LPKC. He wants to provide information as to where development may occur now and in the future. This will include to what the Commission can expect to see in terms of applications that will be presented to them and the challenges that has limited certain types of development.

Mr. Oltman started with the residential segment which can then be broken down to 3 main types of development. Residential development can take place in the form of single-family which are the typical houses; medium-density multi-family in the form of duplexes or townhomes and high-density multi-family which are larger apartment complexes. He showed an aerial photograph to indicate some areas for natural residential growth to happen. The natural progression of growth would be towards the southeast of the residential area of Edgerton. The land is privately owned land with some potential sellers, and some are not interested in selling at all. Mr. Oltman explained this is challenging as some areas might be better suit for development, but the property owner does not want to sell at this time. Mr. Oltman stated location is also key in development. He explained there is a property in middle of the City and the property owner wants to develop it. However, it is limited it to single family development as it is between two other single-family developments.

Mr. Oltman said closer to I-35 is where higher density development should be built that will transition to single-family development. He said there could be some development north of Highway 56 but there are challenges in providing infrastructure to that area. The sanitary sewer is the most challenging as there are roadways to maneuver around. It is also possible for there to be some commercial retail and mixed-use development along 56 Highway that could transition to medium-density and single-family

residential developments. With these developments, the first thing to look at is the infrastructure like the sanitary sewer system. Currently, the sanitary sewer does not extend to the south and will have to be extended. This will add to the cost over the development, which is owed by the developer unless it is negotiated. Mr. Oltman explained some parcels are not for sale so there cannot be development on those parcels. Developers also have Big Bull Creek Park that is not available for development. He said the infrastructure is limiting where the growth can go. There have been conversations regarding residential development and even some developers reached out as recently as the end of 2020.

Mr. Oltman focused on commercial development and stated there are 3 main areas for short term growth. Those areas are along 56 Highway, near the Sunflower Street exit, and near the Homestead Lane interchange. He explained the north side of 56 Highway could be developed with retail and mix-uses. The main challenges are the sanitary sewer expansion, and the property owners are not willing to sell at this time. Mr. Oltman stated another big challenge is the location of a gas main that has a 100-foot building setback on either side of the gas main. He explained this dampens the chance of development of any site the gas main is in. Sidewalks and parking lots can be placed on top of the gas main and within the setback, but all buildings have to be at least 100-feet away from the main. This limits where a business can be the building and location and visibility is extremely important to these developments. Mr. Oltman said Elevate and City Staff can suggest good locations for developers, but it is ultimately up to the company where they build. Elevate tries to work through the challenges, but the companies are the ones making the investment.

Mr. Oltman said another area where commercial development could happen is near the Sunflower Road exit. He said there is already a huge benefit to the community in this area with the recent opening of Lewis Indoor Sports. This could help aid commercial development near Sunflower Road. This would be commercial development for the residential community as this interchange is not to be used for truck traffic. All commercial development to be utilized by truck traffic will be pushed to Homestead Lane. He said there have been some developers who wanted to put truck service and repair in this area but the City and Elevate will not support that development at this intersection. Mr. Oltman explained there could be a residential with commercial development on the east side of Sunflower Road at I-35. This could be developed on the south of I-35 as well, but all infrastructures would have to be extended across I-35. Once the north has been fully developed, then development will cross I-35. Chairperson Daley inquired if there have been any serious attempts for property acquisitions. Mr. Oltman replied there have been some prospects on both side of Sunflower Road which City Staff and Elevate have put in a lot of time and effort, but the numbers did not work for an agreement to be reached. There are many challenges to overcome and most of the time, the discussions do not work out. Ms. Linn stated another big challenge is the sizes of the parcels. She explained there are a limited number of developers who could purchase a large lot of land and develop it over many years. Most residential developers want smaller parcels then slowly expand as the properties are sold. Combined with the available infrastructure, the number of developers able to undertake this challenge is small. Typically, developers start with 10 acres, but the parcels are much larger than that. Mr. Oltman explained developers know the market is there, but nobody is wanting to take that big of a risk to develop the large lots. He knows there has not been a residential development in Edgerton in many years. He explained if the only concerns were about the numbers then the development would be there, but the City wants a quality developer with a quality product that will last decades. The development needs to be a good fit for the community for the long run.

Mr. Oltman said Homestead Lane is where the new travel center is going. There is a commercial

corridor at 200<sup>th</sup> St and Homestead Lane where there is some commercially zoned property. Getting the first building and tenant to come in is always the key to kickstart development. That is why the construction of the travel center is a big deal for the City. He said this will open the opportunity for other companies come in and take smaller parcels for development. There has been some interest from other quick service restaurants, or a small strip mall type development could go on the 10-acre parcel to the east of the travel center. Mr. Oltman said some interest has been expressed for the land on the west of Homestead Lane. There was a development that did not work out, but this area is in the TIF district to help entice developers. Once the travel center opens, Elevate expects a lot more development to happen in this area. He explained there could be another truck stop and other restaurants to open nearby. Perhaps a hotel or two could be constructed at the interchange. Before the pandemic hit, a feasibility study was completed, and it did show a hotel could thrive in this area.

Mr. Gutierrez spoke to the Commission. He explained Edgerton has a lot going on but is a small part of Kansas City area in terms of logistics. He stated the regional economic development plan focuses on industrial development. There was \$900,000,000 in capital investments in the Kansas City (KC) metro area and 16,000,000 square feet of warehouses constructed in 2020. This was another record-breaking year for industrial development for the KC area. The pandemic has changed how Americans eat and how the food is prepared. The need for frozen food has expanded and is still increasing. Over half of the projects in 2020 were food related. This has led to an increased need in cold storage as there is a lack of these facilities across the nation and Edgerton is home to ColdPoint. Mr. Gutierrez said e-commerce was growing before the pandemic and the pandemic made it boom even quicker. There has been 5 years of development in 3 months in e-commerce and the need for distribution during the pandemic per UPS. This has led to an increase of spec and industrial development in all areas of KC and LPKC is at the forefront of KC. He said 2021 is on pace for another record year as 12,000,000 square feet of warehouses are planned to be built this year. Edgerton is great market for KC and LPKC and logistics will continue to grow. Ms. Linn inquired to as why KC has been a hub for logistics development. She explained people often think Edgerton is battling nearby cities like Lenexa and Olathe for development, but Edgerton is also battling Dallas and Indianapolis and other large cities. She also asked Mr. Gutierrez about the workforce flow. Mr. Gutierrez said KC is the prime location for logistics as it is in the center of the nation. 85% of the population can be reached in 2 days by truck. There was a large amount of freight before the pandemic, and it has only increased since then. There is also the ability to utilize all 4 modes of transportation. Companies can use truck, rail, air, and ship to get things in and out of KC. The other reason why KC is large in logistics is because companies can get to the market quick than in other cities. He explained there is an available workforce in KC as well. There are low unemployment numbers and having JCCC onsite to help train employees is a huge asset to Edgerton. KC is competing against other large cities, but KC is also coming up with solutions quicker than the other cities. KC has the employees, has ways to train them, and is able to be competitive in benefits and in wages.

Mr. Oltman showed a map of Phase I of LPKC, which is north of I-35. He explained there are some areas where warehouses could be built. LPKC started as a small triangle and the BNSF Intermodal took a large part of that area. He said just north of the intermodal is reserved for rail-served projects. A rail spur would be constructed to allow a train to pull items right up to or into the building. If rail spur is not going to be utilized, then a project would be better suited to be on another property. Mr. Oltman said there is a property with one single house that is privately owned and there is some interest in selling the property but there is a lot of flood plain on the property that presents a challenge to develop the property. There is also the tree farm in the area that takes up property. The property owners do not



want to sell so that land is currently undevelopable. He stated there is flood plain on the east of Homestead Lane preventing development on that side. There are some sites available for smaller buildings are possible there but not for large scale warehouses. There are other properties that are not owned by NorthPoint or unable to be developed at this time. There are other developers who could build out there as well on any of the privately owned land. Elevate has attempted to direct companies to some land that is privately owned for development, but nothing has stuck yet.

Mr. Oltman explained there are 2 main types of buildings constructed in LPKC. Those are spec buildings and built-to-suit construction. Developers will construct a warehouse with no tenant as a spec building and it is a huge risk for the developer. The most successful spec buildings are typically around 1,000,000 square feet. Built-to-suit constructions are when a company asks for a certain size building and requests the developer to build it. There are more built-to-suit areas than spec areas in Phase I. In Phase I, there is about 2,200,000 square feet of warehouse space left to build until Phase I is built out. Commissioner Little inquired about the difficulty for rail-serve projects. Mr. Oltman replied there is an ability to build up to 2,500,000 square feet of warehouse for rail-serve projects. Ms. Linn added those projects are built-to-suit and it is a large investment as it is a lot of construction at a high price. There are also issues of conservation for the rail-served area. The southwest corner of the rail-served area will be the most difficult. Commissioner Little inquired if there are any prospects for a rail-served project. Mr. Oltman replied there have been submissions but Elevate has not landed one yet. Ms. Linn stated out of the leads for LPKC, about 20% to 25% companies believe they require rail service, and those companies who think it is necessary, see the price of the construction and reconsider rail service. She explained there are certain companies that use the rail-serve. Mayor Roberts said he has not heard of one rail-served project since he has been Mayor. Mr. Oltman said many companies who use rail-serve, also use lay down lots and then construct only an office and restroom. Those types of sites were not the intention of Edgerton when LPKC was considered. LPKC is a logistics park that looks and feels like a business park. Outdoor storage is not allowed and there are design standards to be followed.

Mr. Oltman showed a map of Phase II of LPKC, which is south of I-35. He said the map shows what has been annexed and most of it has been rezoned. There is space where Kubota could construct another building. The Hostess Distribution Center and IP 52, that will be built soon, is shown as well. There is a small amount of space currently in Phase II. He estimated 1,500,000 square feet of warehouse space is available in Phase II after IP 52 is built. He warned if no more land is rezoned, then there would be no more development of LPKC. There has been a lot of discussions about available land, but once it is looked carefully the challenges are considered, the options dwindle quickly.

Mr. Oltman focused on the future growth of LPKC. In-fill development will continue as project requirements allow and will go until all available space is full. He said it is not feasible to cross 56 Highway. An off-grade crossing over the trans-continental rail line would need to be constructed, is extremely expensive and cost prohibitive. This option was looked at during the early stages of planning of LPKC with the City of Gardner and it was estimated it would cost about \$200,000,000. There are also oil wells north of 56 Highway that make industrial development prohibitive. The developer would have to shut down and cap the wells. The cost and work would not be conducive for a large-scale development. On top of those challenges, the land is privately owned and would have to be purchased first. Mr. Oltman explained KDOT has made investments in 207<sup>th</sup> Street to facilitate future growth to the south of I-35. The total cost to upgrade Homestead Lane and 207<sup>th</sup> Street was \$12,000,000 and KDOT invested \$9,000,000 on the interchange. This shows KDOT does expect to see additional development south of I-35. There has been significant infrastructure development made by KDOT, Johnson County,

and the City to try to keep traffic within LPKC and direct traffic to the Homestead Lane interchange. Gardner Road was never intended to be used for LPKC traffic. The diverging diamond interchange was constructed at Homestead Lane, a median was placed to prevent truck traffic on 183<sup>rd</sup> Street. There are areas within Edgerton's jurisdiction that have not been upgraded purposefully to discourage truck traffic. Mr. Oltman said Waverly Road north of ColdPoint was not fully developed to discourage trucks using that route. He explained Edgerton has no control over traffic flow and infrastructure upgrades outside its jurisdiction. The City cannot control Gardner Road over I-35 or 191<sup>st</sup> Street at Gardner Road. Edgerton wants to work with other jurisdictions to come up with a plan for truck traffic. What has been built in LPKC is designed for LPKC traffic. When Kubota was be constructed on 207<sup>th</sup> Street, the road was gravel, and the City knew the requirement of upgrading it was part of the development. Mr. Oltman warned that LPKC is getting dangerously close to being full and if nothing changes then the growth stops. He said LPKC has been a benefit for Edgerton and the region. The Cities of Gardner and Spring Hill have grown as well in residential and commercial development. The Gardner-Edgerton School District, Fire Department, Johnson County Library, and Johnson County Parks all receive funds from LPKC.

The Commission thanked Mr. Oltman for the information and his time.

### **FUTURE MEETING**

The next Planning Commission meeting is scheduled for April 13, 2021 at 7:00 PM.

### **ADJOURNMENT**

Motion by Commissioner Lebakken to adjourn the meeting, Commissioner Little seconded. Motion was approved, 3-0. The meeting was adjourned at 9:02 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator