

**EDGERTON CITY HALL
PLANNING COMMISSION MEETING
September 14, 2021**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on September 14, 2021. The meeting convened when Chairperson John Daley called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Charlie Crooks	present
Tim Berger	present
Deb Lebakken	present
John Daley	present

With a quorum present, the meeting commenced.

Staff in attendance: Katy Crow, Development Services Director
Chris Clinton, Planning and Zoning Coordinator
Beth Linn, City Administrator

2. WELCOME Chairperson Daley welcomed all in attendance to the meeting.

3. PLEDGE OF ALLEGIANCE All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Approve Minutes from the August 10, 2021 Planning Commission Meeting.

Commissioner Little moved to approve the consent agenda. Commissioner Crooks seconded the motion. The consent agenda was approved, 5-0.

REGULAR AGENDA

5. DECLARATION

Commissioner Little inquired as to when this item was that added to the Commission's agendas. Chairperson Daley stated it was added when the Commissioners were getting a lot of correspondence sent to their houses and personal contact outside of the meetings. Ms. Katy Crow, Development Services Director, stated it was added to have continuity between the Commission and the City Council.

Commissioner Crooks stated he did receive a text inquiring if he was aware of another truck stop being developed. He stated he responded that he was reading about it in the Commission's packet. Chairperson Daley asked if those messages will have an impact on his decision regarding the items on the agenda. Commissioner Crooks stated it will not.

BUSINESS REQUIRING ACTION

NEW BUSINESS

6. CONSIDERATION OF RESOLUTION NO. 09-14-21A FINDING EDGERTON HOMESTEAD LANE RETAIL DISTRICT REDEVELOPMENT (TIF) DISTRICT PROJECT PLAN B1 IS CONSISTENT WITH THE CITY OF EDGERTON'S COMPREHENSIVE PLAN FOR DEVELOPMENT

Mr. Scott Anderson, Bond Counsel, approached the Commission. He explained in 2019, the City created the Homestead Lane Retail Tax Increment Finance (TIF) District (the District) on property generally located at the northeast and northwest corners of Interstate 35 (I-35) and Homestead Lane. He stated on September 9, 2021, the Edgerton City Council (the Council) approved a Development Agreement with Woodstone Properties, LLC (the Developer) to construct a project on the southwest corner of Homestead Lane and 199th Street within the District. As part of the approved Development Agreement, the Developer is required to construct, at a minimum (the "project minimum improvements") the following:

- The travel center, which is to include a truck wash and truck maintenance facility
- One (1) hotel with the conference center
- A quick-service restaurant
- A casual dining restaurant

Mr. Anderson stated the Developer has agreed to commence vertical construction by July 1, 2023 and obtain a Certificate of Occupancy for the project minimum improvements no later than December 31, 2025. The approved Development Agreement has the following incentives:

1. Community Improvement District (CID). A 1% CID sales tax for a term of twenty-two (22) years will be established to reimburse the Developer for eligible project costs.
2. TIF Project Plan. The property tax increment for a twenty (20) year period will be split evenly between the City and the Developer. The Developer will reimburse itself for eligible expenses and the City will reimburse itself for eligible expenses. This will be limited to fifteen (15) years if there is not an extra 15,000 square feet beyond the Transient Guest Tax bump conditions.
3. Industrial Revenue Bonds (IRBs). Bonds will be issued to enable the Developer to utilize a sales tax project exemption certificate. No tax abatement will be granted.
4. Transient Guest Tax (TGT). The city imposes a six percent (6%) surcharge on hotel rooms. The TGT tax for 20 years will be split between the Developer and the City. The City will make an annual economic development grant back to the Developer each year equal to half of the TGT collected.

Mr. Anderson explained once the Developer constructs the project minimum improvements plus a second hotel and another restaurant, the Developer will receive seventy-five percent (75%) of the annual TGT, and the City will receive twenty-five percent (25%) for the remainder of the 20-year TGT term.

Mr. Anderson stated the Kansas Statute requires the Planning Commission to make a finding that Project Plan B1 is consistent with the City of Edgerton, Kansas Comprehensive Plan before Project Plan B1 may be considered at a public hearing and officially be adopted by the City Council. The Comprehensive Plan encourage the City to "maximize the economic potential of I-35 and

Homestead Lane. Areas around an interchange are often prominent locations for retail and commercial developments that provide substantial economic diversification to a City's land use and tax base." This project includes many of those retail and commercial uses critical for Edgerton residents, businesses, employees, and visitors. These uses include hotels, restaurants, travel center and other retail. He said the parcel is zoned Heavy Service Commercial, C-2, which is best suited for these types of mixed commercial retail uses. The site has existing sanitary sewer infrastructure in addition to the full access intersection at Homestead Lane and 200th Street. Mr. Anderson explained based on the information described, he has prepared a Draft Resolution No. 09-14-21A finding Edgerton Homestead Lane Retail District Redevelopment (TIF) District Project Plan B1 consistent with the City of Edgerton's Comprehensive Plan for development.

Ms. Beth Linn, City Administrator, stated all of the normal development process, such as platting and Site Plan approval, are still required for each item. Mr. Anderson agreed and stated the concept plan, which Ms. Linn displayed, is only a concept and will most likely change between now and actual development. Commissioner Berger asked if the traffic circle may be constructed. Ms. Linn stated that is correct. Chairperson Daley asked if two travel centers are needed across the street from each other. Ms. Linn stated companies and competitors like to cluster similar businesses, like how some pharmacies have locations across the corners from one another.

Commissioner Crooks stated the City does need hotels constructed. Ms. Linn stated the packet does have the dates of when construction is supposed to start. Chairperson Daley said this is the right area for this type of development. Ms. Linn pointed out that the casual dining restaurant includes sit down service.

Commissioner Crooks inquired if the Developer is willing to work with the neighbors. Ms. Crow stated the Developer has met with the neighbors. Commissioner Berger said this is the Development the city is driving for. Commissioner Lebakken stated is this similar to a previously approved project for this parcel. Ms. Crow stated it is similar however the preliminary plat which was approved for that project has expired, and this project has new owners and it is replacing that one.

Commissioner Crooks asked about how many rooms will be in the hotels. Mr. Anderson answered there will be around seventy (70) to ninety (90) rooms. Mayor Roberts said the conference center is twice the size as the new one built in Gardner. Commissioner Berger stated the Development fits the intent of the Comprehensive Plan. Commissioner Lebakken agreed it does.

Chairperson Daley inquired about the 6% sales tax. Ms. Linn stated it is a TGT (Transient Guest Tax). Chairperson Daley asked if there is an abatement for the property. Mr. Anderson replied this is a TIF project and there are incentives. The City keeps the 1% sales tax and estimated revenues for the City for 20 years and will total roughly \$8,000,000 to \$9,000,000 million and that does not include all of the other taxes to be collected. Commissioner Crooks inquired if those incentives continue if the land is sold. Mr. Anderson said as long as the operations continue then the incentives continue. Chairperson Daley asked who would do the road maintenance. Mr. Linn stated all of that will be decided later and it could have public streets, but the City will not construct the roads. Chairperson Daley asked if schools would still get their taxes. Mr. Anderson replied the TIF district sets the base of the property tax will continue to be collected and the school will still get the same amount.

Commissioner Berger moved to approve Resolution No. 09-14-21A finding Edgerton Homestead Lane Retail District Redevelopment (TIF) District Project Plan B1 is consistent with the City of Edgerton's Comprehensive Plan for development. Commissioner Lebakken seconded the motion. Resolution No. 09-14-21A was approved, 4-0.

7. FUTURE MEETING

The next Planning Commission meeting will be for a joint work session with the Edgerton City Council on September 23, 2021. The next regularly scheduled Planning Commission meetings are scheduled for October 12, 2021 and November 9, 2021 at 7:00 PM.

Ms. Crow stated that the joint work session will contain a presentation of potential changes to the Comprehensive Plan and development code for the Johnson County in preparation of the anticipation of utility service solar panels. Chairperson Daley asked if the Commission and City Council will be able to ask questions. Ms. Linn answered only if time allows. Ms. Crow stated the County will be holding a work session on September 28, 2021 that the Commissioners can listen to online. Ms. Linn said the Commissioners would have to pre-register by 5:00 PM that day to listen online.

8. ADJOURNMENT

Commissioner Berger moved to adjourn the meeting. Commissioner Little seconded the motion. The motion was approved, 4-0. The meeting was adjourned at 7:25 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator