

**PLANNING COMMISSION
August 12, 2025 Minutes**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas on August 12, 2025. The meeting was convened when Chair Tina Mathos called the meeting to order at 7:00 PM.

1. ROLL CALL

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|-----------------|---------|
| Jeremy Little | present |
| Tina Mathos | present |
| Adam Draskovich | present |
| Ray Soemer | absent |
| Jordyn Mueller | present |

With a quorum present, the meeting commenced.

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

2. **WELCOME** Chair Mathos welcomed all in attendance to the meeting.
3. **PLEDGE OF ALLEGIANCE** All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Minutes from the July 8, 2025 Planning Commission Meeting.

Commissioner Mueller moved to approve the Consent Agenda. The motion was seconded by Commissioner Little. The Consent Agenda was approved, 4-0.

Regular Agenda

5. **Declaration.** There were no declarations made.

Business Requiring Action

New Business

6. **CU2025-0002: CONDITIONAL USE PERMIT APPLICATION FOR EDGERTON CROSSING LOCATED ON THE NORTHWEST CORNER OF INTERSTATE 35 AND HOMESTEAD LANE**

Mr. Zachary Moore, Development Services Director, stated there are a few housekeeping items that need to take place prior to the applicant making their presentation. The first item that Mr. Moore clarified is that the applicant has handed out some items, most of which was included in the packet that was published, however the last two (2) pages have not been

reviewed by City staff. Those pages are attached to these minutes. The next item Mr. Moore explained was in the Staff Report in the Section 7.1.C section in Item 6.a. The Staff Report states the residential property is roughly at a 70° angle from the sign. That was from a previous draft of the Staff Report and is roughly a 45° angle from the sign. Another amendment to point 2.a in the same section of the Staff Report. The Staff Report states that one (1) residential dwelling is separated by the creek. There are two (2) houses on the east side of the creek and not the aforementioned one (1).

Chair Mathos requested the applicant present their application to the Commission.

Mr. Nick Halfhill with Maverik, tenant of the Edgerton Crossing development, addressed the Commission. He explained the proposed sign is being done in collaboration between Maverik and the property owner, Woodstone Builders, of Edgerton Crossing, which is a large commercially zoned development. Future tenants of the Edgerton Crossing development will be restaurants and other businesses who will also want to use part the sign and only one (1) sign is allowed per the Unified Development Code (UDC). He stated that Maverik will be the first tenant, and the market demands the gas prices be shown. A map was shown as to where sign will be and Mr. Halfhill explained that the sign is where the diverging diamond starts to turn into the ramps for Interstate 35 (I-35). He stated that the sign will be constructed on an out lot, but future development will mean the sign will most likely be in a parking area for a future business. The angle of the sign will closely align the sign face to I-35.

Mr. Halfhill stated that the proposed sign face is 768 square feet, which is a lot less than the 900 square feet that is allowed. As part of the submittal, viewpoints from I-35 were required from one (1) and one half (½) mile from the sign. Those were provided, as well as viewpoints from the off-ramps, which is closer than one half (½) mile. He explained the viewpoints show a rendering as to what the sign will look like at those points along the interstate. The renderings do show that the existing interstate pole sign is also visible from I-35. The sign across Homestead Lane was proposed under the same regulations that this proposal must meet. The angle and size of the proposed sign for Maverik and Edgerton Crossing are similar to that as the existing interstate pole sign.

He stated Yesco will be building the signs for Maverik, and they have been in the business for a long time. A separate vendor, Watchfire, will do the part that shows the pricing which will be LED lights. Mr. Halfhill stated that Watchfire is a leader in the LED panels. He knows that people will want to know what the sign will look like at night and the amount of light the sign will put off. There are many examples of horrible signs. Mr. Halfhill stated that the signs will have a sensor installed that will automatically adjust the amount of light that the sign is emitting. The dimmers will set the LEDs to be at 0.3 footcandles above the ambient light.

Mr. Halfhill said there is a page in the Staff Report that shows the sign and the light that the sign will be shed in a 140-degree array. The sign is angled to face the interstate and that is where the bulk of the lighting goes. The footcandle readings at 500 feet are extremely low and as the viewing angle decreases the more direct and brighter the lighting is. The brightness of the sign will be negligible and be close, if not at zero footcandles at the property line of the nearby residences. He stated that seeing the sign at night will happen, just like someone can see a flashlight at night from far away, but the sign will not be casting additional light on to other properties. He explained the sign needs to be at the height proposed so drivers can see

the sign above the tree line as they drive along I-35. The Maverik site is north of the proposed sign, so the sign will be key at indicating that the Maverik store is there prior to drivers nearing the exit.

He explained that the sign will not have a major effect on nearby properties due to the angle of the sign and the existing tree canopy. He understands that there will be a difference during the fall and winter, but the sign is not directly facing the closest residences. He reiterated that any light can be seen at night regardless of how bright it is or what the light source is. There are many lots along the west of Jubilee Street that will eventually be developed with additional commercial uses that will help block the sign from the residential properties. Mr. Halfhill was aware of discussions about the business model of Maverik. He explained that at a separate Maverik store, diesel pumps were added to the store. After a year, the diesel pumps were advertised on the pole sign and the business really grew. He explained that the interstate pole sign does help generate business. They will seek adding the blue information signs along I-35, but the interstate pole sign will still help promote business. He said many other businesses still use pole signs to help drive business. He said they are making a big investment, \$500,000 to \$750,000 for the sign, and this will help grow their business with minor impacts.

Chair Mathos asked City staff to present their findings and the Staff Report.

Mr. Moore spoke before the Commission. He explained that this is a request for a CUP for an interstate pole sign at the northwest corner of the interchange of I-35 and Homestead Lane for the Edgerton Crossing development with the Maverik convenience store on the north side of the development. An interstate pole sign is a conditional use under the C-2, Heavy Service Commercial, zoning designation, which the subject property is currently zoned. A CUP application requires a public hearing to be held by the Commission. The application will then be presented to the City Council later. Mr. Moore stated the Edgerton Crossing development will also include a hotel with a conference center and restaurants as part of a previously approved development agreement.

Mr. Moore explained the subject site is just under a quarter of an acre and was annexed in 2011 and was rezoned to C-2, Heavy Service Commercial, later in 2011. A previous developer had a Preliminary Plat approved in 2019, however the Preliminary Plat became null and void after a year as no Final Plat was approved for any portion of the Preliminary Plat as required by the UDC. The Edgerton Crossing Preliminary Plat was approved in 2021, and the first Final Plat was approved on April 28, 2022 and later recorded with Johnson County. The Final Plat was revised and recorded with Johnson County in 2024, which created the subject parcel. He stated that the Future Land Use Map (FLUM) in the 2050 Envision Edgerton Comprehensive Plan has the subject property in Gateway Commercial, which the C-2 zoning designation is aligned with.

Mr. Moore said that the UDC outlines specific requirements that must be met and information that must be provided for the request to be compliant with the adopted code. The first requirement is the overall use of the proposed development. The proposed development will be commercial in nature and is currently being developed with a convenience store with gasoline and diesel fuel sales. The principal building height must be shown on the plans. Mr. Moore stated that the Maverik store has a lower elevation than 200th Street and will be 29 feet in height. The surrounding land uses and zonings need to be examined as well. Each

property that is immediately adjacent to the subject property is zoned C-2. Commercially zoned property exist to the north, east, and south of the Edgerton Crossing development. There are residentially zoned parcels to the west of the Edgerton Crossing Development. The UDC requires the property to be within 500 feet of the interstate right-of-way, which the subject property is adjacent to the interstate right-of-way. An exhibit showing the elevation of the proposed sign and the nearest City roadway. The proposed grade of the site is approximately 1007 feet above sea level, and the elevation of the adjacent roadway at its nearest edge is 1014 feet above sea level, so the base of the sign will be seven (7) feet below the nearest City roadway. Mr. Moore explained that the UDC allows the sign to be up to 900 square feet in size and the applicant is proposing 769 square feet of signage, which is well within the allowed size. The proposal shows the sign to be mounted at a height of 60 feet, which meets the requirements of the UDC. The applicant has provided the required line-of-sight drawings. The distances of those drawings are one (1) mile and one half (1/2) mile. The applicant has also included two (2) additional line-of-sight drawings from closer vantage points that are not required by the UDC. He stated that Article 12 of the UDC requires a 30-foot setback from each property line. That setback is being met due to the angle of the proposed sign. He continued that Article 12 does allow for changeable copy, provided that there is no flashing, intermittent, or moving lights, and that LED signs must display an image for a minimum of eight (8) seconds. The applicant has indicated that the changing copy on the sign will be displayed for that minimum eight (8) seconds.

Mr. Moore explained that Article 7 of the UDC allows the Commission, in accordance with the procedures and standards of the UDC, to recommend the Governing Body authorize buildings, structures, and uses as Conditional Uses in specific instances 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 of approval.

He stated that City staff reviewed the submittal against the approval criteria that is outlined in Section 7.1.C of the UDC. There are 14 criteria and Mr. Moore touched on them briefly. He said the first is the need of the proposed use in the community. The sign would help inform travelers along I-35 and help alert them to the development. The next is the character of the neighborhood. The property is zoned C-2, Heavy Service Commercial, and is surrounded by other C-2 zoned properties. There is a truck stop across the street to the east and a unplatted, low-density neighborhood to the west. The third criterion is the nature and density of the proposed use and its compatibility with the zoning and uses of the nearby properties. Mr. Moore stated that all adjacent properties are zoned C-2 and at the interchange of an interstate and major road. The only development on the site is the Maverik convenience store and the fuel canopies. The next criterion is the suitability of the property without the proposed CUP. Mr. Moore explained the property is currently undeveloped and was platted with the use of the sign being the intended use. If the CUP is denied, the property owner will likely have to replat the property as the size of the property is too small for many of the permitted by right uses of the C-2 district. The fifth criterion is the length of time the property has been vacant.

He said there has not been any development since the property was rezoned to C-2 in 2011. The sixth criterion is the possible detrimental effect on nearby properties. He stated that the nearest residential property is about a 45° angle from the sign and is greater than 500 feet away. Per the provided lighting study, the footcandles would be less than 0.01 at that angle and distance from the sign. Mr. Moore said the next criterion is the adequacy of ingress and egress of the site of the proposed use. He explained that a maintenance and access road will need to be provided. There is a cross-access easement that is platted. The design of the roadway must be approved by City staff. It has been listed as a stipulation that the design must be approved prior to the issuance of a building permit for the sign. Mr. Moore said the next criterion is the availability and adequacy of the required utilities and services for the proposed use. The only utility that will be needed is electricity, which can be extended from the north. The following criterion is any adverse effects on the capacity or safety of the road network. Mr. Moore said there would not be any effect to the capacity or safety to the roadway. The next is any environmental impacts. He explained the only impact would be nighttime lighting, but the footcandles would be zero, or close, to any of the residential uses. The eleventh criterion is the economic impact of the proposed use. The sign would alter travelers to the amenities available in the Edgerton Crossing development, which will include, but not limited to, the Maverik convenience store, a future hotel, and future restaurants. The use of those amenities would be a boost to the City's sales tax. The next criterion is the relative gain to the public health, safety, and welfare from a denial of the CUP. Mr. Moore stated there would be little to no gain should the application be denied. A hardship of the denial would be that the property owner would have to replat the property because the size of the property is too small for any other development. The thirteenth criterion is the consistency with the City's Comprehensive Plan, Capital Improvement Plan, ordinances. The FLUM within the Comprehensive Plan designates the subject property as Commercial Gateway, which is what the proposed sign is consistent with. Mr. Moore explained the final criterion is the recommendation of City staff.

City staff recommends approval of CUP Application CU2025-0002 for the Edgerton Crossing Interstate Pole Sign with the following stipulations:

1. The CUP will be valid for ten (10) years from the date of approval by the City of Edgerton Governing Body.
2. Plans for an access and maintenance road to the proposed sign must be submitted by the applicant, reviewed and approved by City staff, and constructed by the developer prior to the issuance of a building permit for the Interstate Pole Sign

Chair Mathos explained that the application does require a public hearing and opened the public hearing.

Mr. Chris Clinton, Planning and Zoning Coordinator, read a letter submitted to City staff. The letter is attached to these minutes.

Mr. Lonny Vlieger, 19910 Pepper Tree Lane, Edgerton, KS, inquired about the flashing lights. He stated he has a CUP for his property and asked what the conditions of approval are for the proposed sign. He said the plans did not make it clear if there would be additional signage added, or if it will only be what is shown. He added that there is a sign across the street on Homestead Lane and he hopes the same regulations are met as that sign.

Mr. Jason Sowers, 19911 Pepper Tree Lane, Edgerton, KS, addressed the Commission. He thanked the applicant and Mr. Moore and was happy to hear that the Outdoor Advertising Association of America (OAAA) and International Sign Association (ISA) guidelines are being taken into consideration. He said a lot of municipalities are adopting those guidelines into their codes. He stated that the existing interstate pole sign across Homestead Lane has garnered a lot of attention. Even Johnson County Commissioner Allenbrand has stated how bright the sign is. This is why there are so many concerns regarding this proposal. He inquired if the sign needs to be 60 feet tall with it being on top of a hill. The other question he had was about the directional LEDs and if they are just for the digital gas pricing sign or if it included in the backlight the logos. He requested that if the sign is approved, then a line-of-sight study be done for the wintertime when the deciduous trees lose their leaves as it will change that line-of-sight drastically. He said he agrees with the previous comments and concerns. He welcomed Mr. Moore, Commissioners, and the Governing Body to come onto his property and do light studies and readings as he is the closest to the sign.

Mr. Shannon McMurdo, Woodstone Builders, thanked the Commission for their consideration of this application. He explained that the signage will attract business to Edgerton Crossing without any bright lights. They want to be good neighbors. He requested the Commission to recommend approval and move the application forward.

Commissioner Little moved to close the public hearing. Commissioner Draskovich seconded to close the public hearing. The public hearing was closed, 4-0.

Commissioner Little requested Mr. Moore address the questions and concerns brought up during the public hearing. Mr. Moore stated that the UDC does allow for changing copy on the sign, but the sign will not flash as images will be shown for the minimum of eight (8) seconds. He explained that City staff is recommending the CUP be valid for ten (10) years. After which the applicant will need to remove the sign or request a renewal of the CUP and would have to adhere to the regulations of the UDC at that time. If any additional signs on the pole are requested, then another CUP would have to be applied for. Mr. Moore explained that the applicant is requesting that the sign be 60 feet tall, which is within the maximum allowance to the code as it could be seven (7) feet higher per the UDC. He stated he will let the applicant answer if the sign needs to be that height and the questions regarding the directional LEDs. He explained that City staff can take light readings as needed. The Governing Body will hear the application at their September 11, 2025 meeting and it would be at the applicant's discretion as to whether or not to include additional line-of-sight drawings. The Commission can add that the inclusion of wintertime line-of-sight drawings as a stipulation. Mr. Vlieger reminded Mr. Moore about the question regarding the sign across Homestead Lane and the regulations for that sign. Mr. Moore replied that the same standards were in place at the time that application was heard and approved as this proposal.

Commissioner Draskovich asked if there are similar signs built by Yesco in the Kansas City area that can be viewed to get an idea what the sign could look like and how much light the sign gives off. He explained that light pollution can be hard to understand and just looking at numbers on a piece of paper doesn't tell the whole story. He stated there is a LED sign near downtown Kansas City and it can be blinding, so seeing a similar to the proposed sign would

be beneficial. Commissioner Draskovich also inquired if the applicant could install a shield or angle the sign away from the nearby residents.

Mr. Halfhill responded that he assumes that there are similar ones nearby, but there is not a similar Maverik sign as they are rarely part of a multiple tenant development. He said that if it is in the air above everything, then travelers will be able to see it. He said that if an image changes too slowly, travelers can miss the message, but if it changes too much, then it could distract the drivers completely. He explained that the store will be opening around the Thanksgiving holiday, so revised line-of-sight drawings for the wintertime would not be available by the time the store is to open. Mr. Halfhill said they could install a screen but it would change the engineering of the sign and the sign would still be able to be seen by the neighbors, even with the light blocked. Any additional attachments to the sign will need to meet additional regulations and the safety of those around the sign will be of the utmost importance. He explained they are happy to alleviate any concerns where feasible and safely within their time constraints. They are happy to meet with their neighbors to discuss options and how they are able to help. Mr. Halfhill stated that all LEDs are directional, as that is how they are constructed. The LEDs in the panels will back light those signs and will be directed towards the sign face. The price board will have a higher angle of visibility to get the message to all travelers possible along I-35. The angle of the sign is just so that it is perpendicular to that of I-35 and meets the setback requirements of the UDC.

Ms. Beth Linn, City Administrator, stated that the new information that was submitted by the applicant does state that this sign will meet the regulations set by the OAAA and ISA. A key component of that is the sign will be equipped with dimming LEDs that will automatically dim at night. The sign will always be 0.3 footcandles above the ambient light. This will reduce the light that the sign gives off at night and be so bright like the one Commissioner Draskovich mentioned near downtown Kansas City.

Commissioner Little inquired if a light study could be done prior to the installation of the sign and after the sign is completed. Mr. Moore replied that it can be done and City staff will follow up with that. He added that if the information provided in the packets is not correct and there is additional lighting being shed onto the residences nearby, then there is an issue with the CUP, which could be revoked.

Commissioner Mueller moved to recommend approval of CU2025-0002, Edgerton Crossing Interstate Pole Sign with the stipulations outlined by City staff. The motion was seconded by Commissioner Draskovich. CU2025-0002 was recommended for approval with the stipulations, 4-0.

7. FUTURE MEETING REMINDERS

Chair Mathos stated that the next regular sessions are scheduled for September 9, 2025 at 7:00 PM; October 14, 2025 at 7:00 PM and November 12, 2025 at 7:00 PM.

8. ANNOUNCEMENTS

There were no announcements made.

9. **ADJOURN**

Commissioner Draskovich moved to adjourn the meeting. Commissioner Little seconded the motion. The meeting was adjourned at 7:58 PM, 4-0.

Submitted by Chris Clinton, Planning and Zoning Coordinator