

PLANNING COMMISSION
January 13, 2026 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 January 13, 2026. 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 | present |
| Jordyn Mueller | absent |

With a quorum present, the meeting commenced.

Staff in attendance: Zachary Moore, Development Services Director
Chris Clinton, Planning and Zoning Coordinator
Hailey Vaughn, Customer Service Representative II
Beth Linn, City Administrator

Elected Officials in attendance: Mayor Donald Roberts

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 December 9, 2026, Planning Commission Meeting.

Commissioner Draskovich 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.

Old Business

6. **UDCA2025-0002 AMENDMENTS TO ARTICLE 6, PLANNED UNIT DEVELOPMENT DISTRICT, OF THE CITY OF EDGERTON UNIFIED DEVELOPMENT CODE**

Mr. Zachary Moore, Development Services Director, proposed an update of the Planned Unit Development (PUD) section of the Unified Development Code (UDC). He stated that some updates were made following the feedback given during the work session held on December

9, 2025. For this meeting, staff has put together a presentation and an example of what a PUD could look like in the future. He explained that on a global scale, PUDs have been in use for a while. The City of Edgerton standards have been codified since at least 2012 and have not received many updates since then. After utilizing this tool during the Dwyer Farms project, the team recognized areas that could be updated in the PUD Article to make it a more streamlined process. City staff has been working on code research and drafting a new Article. Code writing is very detailed; he explains that something written on page nine (9) could affect something that was previously written on page one (1). A public hearing, which is required prior to any code updates, will be held during this meeting.

PUD is a unique tool to allow for the creation of an innovative zoning district. This allows a developer to create their own zoning district for a certain property while giving the City the chance to review. City staff will ensure that the proposed project is the best use of the land, the development standards make sense and ask what the City is getting in return. The purpose is Edgerton receiving a higher quality of development by offering relief on a particular development requirement. The relief on standards is negotiated and what the City receives could be a park or other community amenities. The applicant will submit their proposal, City staff reviews and provides comments, and then the applicant revises plans and resubmits.

Mr. Moore stated the purpose statement includes "this tool is intended to provide flexibility to developers and landowners to allow a more imaginative approach to site design, to promote the highest efficiency of the use of the land." It also includes the statement that "In no case is this tool intended to allow a proposal to deviate from adopted development standards without an apparent higher quality development being provided." He explained having the purpose statement early in the Article helps set the tone of the Article. Mr. Moore also highlighted four (4) objectives of the proposed Article:

1. Ensure that all proposed developments utilizing the Planned Unit Development tool are consistent with the adopted Envision Edgerton 2050 Comprehensive Plan, including, but not limited to its adopted Goals, Policies, and Action Items.
2. Provide a development tool to allow for efficient development timelines to help attract quality development.
3. To encourage land development that preserves natural vegetation and existing topographic and geologic conditions to the greatest extent possible to refrain from flooding and other adverse ecological conditions.
4. To combine and coordinate architectural styles, building forms, and structural/ visual relationships within an environment that allows mixing of different land uses in an innovative and functionally efficient manner.

He stated with major code updates like this, it is best to tie it into major plans, like the Envision Edgerton 2050 Comprehensive Plan. The Purpose Statement and Objectives will comprise the first section of the updated Article.

Mr. Moore explained the contents of a PUD would be updated. The previous PUD process relied on several pieces of information that would be in different areas of the application, requiring additional time to locate the information. The goal of this update would be to streamline the process. The contents would include a detailed PUD text, which would be recorded as part of the zoning ordinance; a detailed PUD map, which would be recorded;

supporting images, which would not be recorded but would be saved with the application; and any additional documents submitted as part of the application completeness check, which would not be recorded but would be used by City staff to review.

An example of a possible PUD was handed to the Commission. The purpose of this example was to give an idea and to provide a reference for what a future PUD Map, Text, and supporting images could look like. The example does not include any Edgerton land and was not drawn to scale. Mr. Moore informed the Commission that the PUD Text includes the overall size of the PUD, permitted uses, location of intended uses, any access points that are proposed, and any development standards of the PUD.

Mr. Moore stated the Article would also update the procedure of a PUD application. The process would begin with a pre-application meeting with City staff and a codified review time. This gives the City staff time to review the application and provide early comments on the proposal. Then the applicant would submit an application, which would be followed by an application submittal completeness check. Provided that all of the proper information was provided, City staff would then place the item on a Planning Commission agenda. City staff would then review and prepare the Planning Commission report. A Public Hearing would be held during the Planning Commission meeting. Following the Public Hearing and the Planning Commission meeting, there is a state-mandated protest petition period, which is a 14-day period that would allow property owners within the notification area the ability to submit a petition that, if valid, would require the Governing Body to approve with a super majority vote and not a simple majority. The final step to these procedures would be for the application to be considered by the Governing Body.

Section 6.5 of the proposed Article would outline the different levels of changes to a previously approved PUD. The types of changes would be categorized into three (3) different levels based on the intensity of the change, the first being a major change. A major change would be anything that would increase or decrease the intensity or density of more than five percent (5%), which would require the PUD to go back through the full process. Minor changes of items that City staff would not feel comfortable with approving at an administrative level, but do not require a complete re-write of the PUD text, would come back to the Commission. This process is similar to a Revised Final Site Plan. Lastly, there would be Small Adjustments, such as adding a sign, which would be reviewed and approved by City Staff.

Mr. Moore explained there were recommended changes to the proposed article after the packet was published. An addition of a "Non-Negotiables" section which would require all submittals to adhere to the City's technical specifications, lighting requirements, and sign code. The language in Section 6.2.A.15.b would be amended to clearly allow for road construction. Language would be added to Section 6.2 for floodplain information to be provided. The requirement of Tax and School Impact Study would be removed under Section 6.3.D.i. While understating the impact on the School District and tax base is important, the Commission needs to focus on making decisions based on land use and proper zoning requirements. Any financial incentives would be captured in a Development Agreement that has to be approved by the City Council. Another change would be to refer to State Statutes if one exists for an item. Instead of outlining the requirements in the code, it would be best to refer to State Statute. This would alleviate the need for code amendments every time a State

Statute is updated. The final change is adding architectural standards to Section 6.5 and the levels of changes.

Mr. Moore outlined the next steps for the PUD Article. City staff will revise the draft of Article 6 with any changes from this meeting and correct any code writing changes or formatting. After that, the draft will be sent to the City Attorney for review. Once approved by the City Attorney, the Article will go before City Council for consideration. City staff would like to get this in front of City Council in January, but will most likely be handed to the Councilmembers during the first meeting in February. Once approved by City Council, the Ordinance will be recorded and the UDC will be updated. Then a development application is hopefully applied for in the near future.

This PUD Article update is the first part of the UDC overall update. City staff has broken the UDC update into three (3) buckets. Along with this Article, a minor update to the sign code is needed prior to a full rewrite of that Article, comprise the first bucket. Bucket two (2) will include updates to the Zoning Districts, Uses, Use Definition, and Bulk Regulations. Bucket three (3) will have updates to Development Standards, which are things like architecture, landscaping, and site design. A full update to the sign code will also be done during this time. The final bucket will be updating the procedures, agencies, enforcement, bylaws, and any other chapter(s) in the code.

Commissioner Draskovich asked if the tax and school impact information would still be included for the City Council to consider. Mr. Moore replied that tax and school impact studies only impacts development applications if there is an incentive tied to it. Mayor Roberts added that if the applicants are requesting incentives, then it is mandatory that the incentives be considered by the City Council. However, if the tax and school impact data is strictly for the PUD application, then it would not have to go in front of the City Council.

Commissioner Draskovich asked if this is the case for residential and commercial development. He is concerned that commercial development may impact city services without providing the same tax base as a residential development.

Ms. Beth Linn, City Administrator, answered that the Planning Commission is not deciding on land use based on if this development will cost the City more. The provided example, if someone brings forward a standard application for their property and have plans to construct a retail store, if they are not asking for incentives, then the decision should only be made based on the land use and not if the City will have to provide more services like law enforcement or road care. She added that when a large development comes forward, citizens want to know what the impact on the school district would look like. The decision for zoning and land use must be based off the use of the land and not how it affects the local schools. The school district has their own procedures of viewing our Comprehensive Plan and looking at what types of development we think are going to happen and where it would be best for that development to occur so they can be prepared. By removing the tax and school impact data from the UDC, it makes it easier for the Commission to make decisions on the best use of the land.

Chair Mathos opened the Public Hearing. There were no public comments made. Commissioner Little moved to close the public hearing. Commissioner Draskovich seconded the motion. The public hearing was closed, 4-0.

Commissioner Little requested more clarity about the density of residential units versus the intensity of the square footage of the use of non-residential uses. Mr. Moore stated there seems to be a misunderstanding between the terms. His recommendation would be to change intensity to density in regards to non-residential uses. Another thing that could be added is a clarifying note that states the density for non-residential square footage per acre instead of units per acre like it is with residential development.

Commissioner Draskovich moved to recommend approval of Application UDCA2025-0002 with the changes outlined by City staff as mention earlier and the change of intensity to density regarding non-residential development. Commissioner Little second the motion. Application UDCA2025-0002 was recommended for approval, 4-0.

Mayor Roberts stated that residential density is units or people per acre, but the intensity of a non-residential or commercial development is shown in the zoning districts like C-1, C-2, or C-3. Commissioner Draskovich said he sees the intensity of commercial use increase as the number in the zoning designation increases. He added that it correlates with how serious of a use is. Commissioner Soemer stated that the traffic would also increase depending on the use. Mayor Roberts agreed with Commissioners Draskovich and Soemer. Commissioner Draskovich explained that a more impactful use, such as a Walmart versus a Dollar General, would have a greater intensity and is labeled in the zoning district. Mr. Moore explains the way that the proposed update was drafted is that if a PUD allowed only C-1 uses permitted; and in the future, the applicant wanted to change the intensity of the uses, such as allowing uses found in C-2, then the PUD would need to be rewritten. As an example, he stated that if a development of 20 acres is purposed to include 20,000 square feet of non-residential development, then increasing the intensity would be increasing it to 30,000 square feet of non-residential development. The intensity would be the square footage of non-residential development and not the use itself. Ms. Linn inquired if the use was covered by a different section of the proposed code update. Mr. Moore replied that the use itself would be covered by Section 6.2.A.3.

Mayor Roberts voiced his concern about the intensity of a certain use being different than another use that is permitted in the same zoning district.

Commissioner Draskovich moved to rescind the recommendation for approval for Application UDCA2025-0002 with the changes outlined by City staff and the change of intensity to density regarding non-residential development.

Commissioner Little stated that a non-residential development has nothing to do with housing development. Commissioner Draskovich stated that the Commission would still see the non-residential development presented. Chair Mathos stated that a PUD can be comprised of both residential and non-residential development. Commissioner Draskovich inquired if the entire UDC should be amended to reflect these changes. Mr. Moore replied that the other sections of the UDC will be updated at a later time. Commissioner Draskovich stated that the amendments in the PUD section will impact other sections of the UDC as well. Mr. Moore

replied that more updates will be presented to the Commission later this year. This currently proposed code change is to bring the language of the PUD section into date with current planning practices, and the rest of the UDC updates are intended to follow later this year. He added that, for clarification, a small definition section that lists out density, intensity, and other unique terms can be added into the Article. The long-term goal would be to put all of the definitions in a separate chapter. Chair Mathos asked if there would be other terms that would be included in this definition section. Mr. Moore replied that he will review the Article again and see if there are any other terms that could lead to misunderstanding. Commissioner Draskovich stated that having the terms defined will be beneficial. He said intensity is single family homes versus apartments. The density is also tied into the intensity of the use. The more people, the more intense the use. Commissioner Soemer replied that it is worth having the distinctions between density and intensity. Commissioner Draskovich said there are different types of residential developments, just like there are different types of non-residential developments, that have different intensities. The intensity of a use does relate to the density of the development. Ms. Linn replied that in the section that outlines major changes it states specifically that changes to any permitted use is a major change. Developers know the next steps if they decide to make changes to the permitted uses. Changes in the acreage of land within the PUD are covered in the following section. If a developer changes the use of an area, then it is viewed as a major change and will be presented back to the Commission. Ms. Linn summarized that having a difference between density in residential and intensity in non-residential is needed. This is because those terms are commonly used planning terms, it is best for the City to use similar language as other jurisdictions as to not confuse developers; and in residential development, density already has a set definition. Density in residential development is the amount of people in any given area and the intensity in non-residential development would be the square footage of the development. Ms. Linn stated she believes that having the language about the different changes, so developers know what to expect.

Commissioner Soemer seconded the motion to rescind the recommendation of approval for Application UDCA2025-0002. The recommendation of approval was rescinded, 4-0.

Commissioner Draskovich moved to recommend approval of UDCA2025-002 with the changes outlined by City staff in the presentation and with addition of the term square footage added within the intensity definition of non-residential uses as previously discussed. Commissioner Soemer seconded the motion. UDCA2025-002 was recommended for approval, 4-0.

7. Future Meeting Reminders

Chair Mathos stated that the next regular sessions are scheduled for February 10, 2026, at 7:00 PM; March 10, 2026, at 7:00 PM; and April 14, 2026, at 7:00 PM.

8. ANNOUNCEMENTS

Ms. Linn invited everyone to a public informational meeting for the special sales tax for stormwater and streets, at The Greenspace on Saturday, February 27th, at 10:00 AM. Activities for kids will be available during the meeting. This meeting will provide information about the implications of a mail-in ballot question for a sale tax within the City. The tax revenue will only be used for stormwater and street projects. She explained that 82% of each dollar from sales

tax revenue is generated by non-residential business. The City's Stormwater Master Plan highlights \$50 million worth of projects that would be paid by the proposed sales tax and not property tax dollars.

Mayor Roberts wished everyone a happy new year and thanked staff for working on the major project of updating the UDC.

9. ADJOURN

Commissioner Draskovich moved to adjourn the meeting. Commissioner Little seconded the motion. The meeting was adjourned at 8:02 PM, 4-0

Submitted by Hailey Vaughn, Customer Service Representative II