

**PLANNING COMMISSION
March 10, 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 March 10, 2026. The meeting was convened when Chair Tina Mathos called the meeting to order at 7:00 PM.

1. ROLL CALL

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
Hailey Vaughn, Customer Service Representative II

- 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 February 10, 2026, Planning Commission Meeting.
5. Approval of FP2026-0001 Final Plat – Replat of JCCC CDL Training Facility

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

Regular Agenda

- 6. Declaration.** There were no declarations made.

New Business

- 7. UDCA2026-0002 AMENDMENTS TO ARTICLE 5, INDUSTRIAL ZONING DISTRICTS, OF THE CITY OF EDGERTON UNIFIED DEVELOPMENT CODE**

Mr. Zachary Moore, Development Services Director, proposed an update to Article 5 to the Unified Development Code (UDC). Mr. Moore explained that in the recent months during the process of the code update, Staff have identified an area which could use an update prior to the new regulations being fully drafted and ready. While going through the UDC, Staff noticed

the Industrial General and Heavy Industry (I-G and I-H) Districts were lacking in regard to the development regulations. These two districts permit uses that are similar to the uses in the Logistic Park (L-P) District. Staff proposed to adopt the district regulations for the L-P district for both I-G and I-H. The reason why it is important to complete this adjustment before the overall re-write is because if an application was submitted today for a development in the I-G or I-H District, currently are no landscape standards and no architectural standards. There is limited I-G and I-H zoning throughout town, but if someone wants to rezone to one of these districts there would be limited restrictions. Staff found that the L-P District code to be efficient and has been successful. Therefore, until Staff is able to get the specific regulations completed it is recommended that the L-P District regulations be used for anything that may come in the future.

Staff are proposing regulation additions for I-G and I-H including district regulations, design guidelines, architectural design standards, parking and loading standards, off street parking standards, off street loading standards, photometrics, landscape standards, and diesel emission requirements. In the packet, the new text is blue, and anything recommended for removal is in red text.

Chairperson Mathos opened the Public Hearing. Mr. Chris Clinton, Planning and Zoning Coordinator, read written comment that was submitted by email (attached) from Mr. Jason Sowers, 19911 Pepper Tree Lane, Edgerton, KS, expressed his concerns about the language written in the UDCA2026-002. Specifically focusing on the verbiage 'may' and how that term could lead to ambiguity and non-compliance. He recommends the verbiage be changed to 'shall' and he recommends defining the specific criteria that allows for an exception to fencing requirements. He suggests that this could allow developers and City staff to spend less time debating requirements for future developments.

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

Commissioner Little mentioned that in the Federal Aviation Administration (FAA) there is no mention of the word 'may,' there is only the word 'shall'. Chair Mathos asked if there was a specific reason that the word 'may' was used instead of 'shall'. Mr. Moore explains that this particular section was written prior to his time working here. So, though he can't say for certainty, but his best guess would be that a fence may be required unless a certain situation exists. In the terms of the UDC, the Zoning Administrator may require the fence and present the case to the Commission. If a situation would arise where an industrially zoned property was developed and was adjacent to a residentially zoned property, City staff would likely require a fence. Mr. Moore agrees to Mr. Sowers point, that he typically does not like the term 'may' unless there is a potential for a circumstance where the situation where something might not be required due a certain circumstance. An example that he used was if there was an industrial development on a 60' cliff, hypothetically, that is adjacent to residential property. At this point the eight (8) foot tall fence is not doing anything so having the term 'may' would be a positive in a situation like this. Chairperson Mathos asked if these were the only two (2) places that 'may' is used. Mr. Moore responded he didn't know for certain, but that code written for the L-P District is very clear on defining the words 'shall' and 'must'. Another piece of information that Mr. Moore shared was that having the word required stated in that clause will allow for the Staff some discretion. Commissioner Draskovich mentioned adding some

kind of verbiage like “will require this unless” which could allow for a case-by-case bias. Mr. Moore states something we could do is add “developers must provide an eight (8) foot wall or fence when adjacent to residential properties” giving staff flexibility to adapt to a unique situation. Mr. Moore explains in his experience this kind of verbiage could cause much more push-back in negotiations. He expresses that the language used today could work or Staff could adjust the language but ultimately the language will have the same results.

Mr. Clinton stated that the amendments are a quick fix and the full re-write will be coming later. Chairperson Mathos agreed that the language is only temporary. Mr. Moore pointed out there is limited land in Edgerton that is zoned I-H and it is already developed. He stated a property owner could request to rezone their property, but it is currently unlikely there would be additional industrially zoned property near residential Edgerton. Chairperson Mathos stated when reviewing the code, she did not have any qualms with the term ‘may’. Mr. Moore said having flexibility for City staff to enforce the code as they see fit is best. He agrees that the term ‘may’ is not the best term for development code and prefers terms such as ‘must’ or ‘must not.’

Commissioner Little inquired if Mr. Sowers is concerned that a fence may not be required. Mr. Moore replied he believes that is the case. Mr. Moore explained where Mr. Sowers lives and the development that is adjacent to his property. Mr. Sowers lives near a commercial development, and the commercial section of the UDC uses the terms ‘shall’ or ‘must’ provide a fence when adjacent to a residentially zoned property. The commercial section of the UDC is more robust at the current time in terms of fencing requirements. The way Mr. Moore interprets the code, is that a fence may not be required and the developer won’t put it on the details of the plans, the City staff will add it as a stipulation, and it is then up to the Commission to include that stipulation or not. Commissioner Draskovich mentioned that the residences next to the Edgerton Crossing development were wanting a fence for security purposes and not to necessarily block the line-of-sight. Commissioner Little stated a lot of farmers use a fence as a marker of boundary lines as well.

Mr. Clinton confirmed that the commercial article of the UDC states that the developer shall provide a fence or wall. Chairperson Mathos stated a commercial property is a lot more likely to abut a residential property than an industrial property so it would make more sense to have stricter language in the commercial zoning districts. Mr. Moore added that during the overall re-write that City staff can add different transitions to protect residential areas from abutting industrial uses. The Future Land Use Map only designates one property with a Future Land Use designation of ‘Industrial’, which is the BNSF Intermodal Facility.

Commissioner Draskovich moved to recommend approval of Application UDCA2026-0002, Amendments to Article 5, Industrial Zoning Districts, of the City of Edgerton UDC. The motion was seconded by Commissioner Little. Application UDCA2026-0002 was recommended for approval, 4-0.

8. Future Meeting Reminders

Chairperson Mathos stated that the next regular sessions are scheduled for; April 14, 2026, at 7:00 PM; May 12, 2026, at 7:00 PM; and June 23, 2026 at 7:00 PM.

9. **ANNOUNCEMENTS**

Mr. Moore stated that the Street and Stormwater tax was passed. The election results were published March 3, 2026. The revenue from the tax will fund future projects related to streets and stormwater.

Mr. Moore explained that the Planned Unit Development article of the UDC was approved by the City Council, and the signage amendments will be presented later this week.

Mr. Moore said Scoopy's Café located in Downtown has closed, but a new business is moving in. Happy Cow Café is opening this upcoming Friday. Chairperson Mathos inquired if it is a local business. Mr. Moore replied it is and will offer cookies, brownies, take and bake pizza. Chairperson Mathos asked if Mr. Moore knew their hours. He replied they will be opening at 11:00 Friday morning with modified hours until around Memorial Day. The City is excited to have a new business located in Downtown.

Commissioner Mueller inquired about another café opening along 56 Highway. Mr. Moore replied that a building permit has been submitted, and they are working with the applicant to get it issued and their goal is to be open as soon as possible. Commissioner Draskovich inquired if they would have a drive thru. Mr. Moore replied he believes that is in the long-term plans.

10. **ADJOURN**

Commissioner Little moved to adjourn the meeting. Commissioner Mueller seconded the motion. The meeting was adjourned at 7:24 PM, 4-0

Submitted by Hailey Vaughn, Customer Service Representative II