

PLANNING COMMISSION
June 9, 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 June 9, 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	present
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
- Todd Luckman, City Attorney
- Levi Meyers, Parks and Recreation Director
- David Hamby, City Engineer
- Joe Kmetz, City Building Official
- Kara Banks, Assistant to the City Administrator
- Trey Whitaker, Assistant to the City Administrator

Elected Officials in attendance: Mayor Donald Roberts

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

Chairperson Mathos informed all present that the meeting will be conducted with dignity and respect for all attendees and participants. She stated it is important that the Commission has the ability to conduct business as provided on the agenda.

CONSENT AGENDA

4. Minutes from May 12, 2026, Planning Commission Meeting.

Commissioner Draskovich moved to approve the Consent Agenda. The motion was seconded by Commissioner Soemer. The motion carried with the following 5-0 vote:

Yes: Mathos, Mueller, Little, Draskovich, Soemer

Regular Agenda

5. **Declaration.** Chairperson Mathos requested that the Commissioners declare any correspondence that they have received or any communication they have had regarding the matters on the agenda. She asked them to state if any correspondence or communication might influence their ability to impartially consider the items on the agenda.

The Commissioners did not have anything to declare.

6. PUBLIC OFFICIAL LIABILITY TRAINING

A video was shown training the Commission on their liability as an appointed official. The training can be accessed at: <https://www.youtube.com/watch?v=r5GK6LvCA7s>.

7. PREVIOUSLY TABLED FROM MAY 12, 2026 - FSP2026-0002: FINAL SITE PLAN FOR EDGERTON PROJECT LOCATED AT 31800 W. 196TH STREET

Chairperson Mathos requested the applicant to present their application.

Ms. Chelsea Kulhanek, Director of Land Development with DAMAC Digital, addressed the Commission. She stated that the Commission and the community raised concerns and questions regarding the project and they have been heard and the applicant wants to provide answers. There were six (6) main areas of concern, and she appreciates the opportunity to address each of those concerns. She said those concerns relate to the site and how to retrofit the existing building; water and a description of the proposed cooling system; noise, specifically what equipment will be used and sound modeling; the air quality and details about the generators and the regulations that will be adhered to with frequency of testing; equipment and what happens when components are replaced; and community and how DAMAC plans to make a positive impact in Edgerton and the surrounding areas. She explained that her presentation will walk through the questions with applicant responses. Part of the presentation will show the permits that have been submitted to the Kansas Department of Health and Environment (KDHE), cut sheets of the equipment, and sound models to help address some of the concerns.

Ms. Kulhanek spoke about the location of the project. She explained the warehouse at 31800 W. 196th Street was built in 2016. It is a 378,000 square foot building in Logistics Park Kansas City (LPKC), which is an industrial park, located south of the Burlington Northern Santa Fe (BNSF) Intermodal facility and northwest of Interstate-35 (I-35). The plan is to construct dedicated energy infrastructure on the 53.79 acres of property that they own. The proposed Final Site Plan does comply with the Logistics Park (L-P) District zoning regulations. The site is designed in a way to minimize external impact, minimize traffic, and very low lot coverage of the allowable area. Currently, DAMAC does not own, nor are they under contract to acquire extra land and the natural layout of the property, mainly the existing floodplain and floodway, limit the ability to expand. Any future growth would be required to be presented to the Commission.

Ms. Kulhanek explained the property's water use will be two (2) fold. Water will be used to support the cooling system and to meet the needs of the employees. The cooling system is a closed-loop recirculating system. The system requires a one-time fill of 615,000 gallons. 65%

of which, about 400,000 gallons of water, is mixed with propylene glycol. She said there is a significant difference between the closed-loop system proposed and an evaporative cooling system that is common in data centers. A traditional evaporative cooling system would use roughly 30,000,000 gallons of water per month for a facility of this size, which is not what is being proposed. The proposed system does not have any evaporation, and it is a transfer and relocation of heat. The system will be filled and then sealed. The fluid is sent into the data halls where it picks up the heat, then goes through the closed cooling towers that function like a car radiator. Once the fluid is cool, it is sent back into the data halls. Ms. Kulhanek said the applicant understands the concerns that the cooling method might change. She explained that reverting to an evaporative cooling system would greatly alter the site. Those changes in the site would require the site plan to return to the Commission and approvals would be needed from the water and sanitary sewer providers. She stated that propylene glycol is a low toxicity compound that is commonly found in home and personal products and is deemed food-safe by the Food and Drug Administration (FDA). There will be equipment and management in place in case of an emergency. The cooling system will be protected by a system of measures including sensors that are monitored by the building operation software. There are shut-off valves around the loop to help isolate and contain any spills. If any leaks do occur, the fluid will be captured near where the leak happened and the fluid will be removed from the facility. The spilled fluid will be removed and taken offsite by a professional and will never be discharged into the ground or sewer. She explained that employees will still need to use water. They estimate the use being about 2,500 gallons of water per day. Since this water is not to be used in the cooling system, there will be no sessional shift in the usage.

Ms. Kulhanek said to deliver the proper data the Commission has requested and deserves, a third-party expert was hired to model the sound levels on the property and the nearest residence to the southeast based on the site design. The model shows the noise that the facility will emit on a peak summer day with the chillers running; another during a peak summer day with the monthly generator testing; and a peak summer day during the annual testing of the generators. She explained that the highest reading the model provided was 51 A-weighted Decibels (dBA) at the nearest home, which is roughly 1,500 feet away. For context, this is about the same level of noise at a library or normal conversation. This considers the insulation built into the equipment and the screening walls that will be constructed. Ms. Kulhanek stated that during peak summer conditions, the reading is estimated to be 46 dBA at the residence and 55 dBA at the property line. During monthly generator testing, be done in accordance with the National Fire Protection Agency's (NFPA) 110, Standard for Emergency and Standby Power Systems, which ensures that the generators are safe to use and routine maintenance that is required. Each month, a bank of four (4) generators will run for up to 30 minutes and this will be done until all 60 generators have been tested. The engines will run at a small portion of what it can fully support. During the monthly testing on a peak summer day, so the chillers will be running at full capacity, the model shows a reading of 47 dBA at the residence, and 65 dBA at the property line. The process for the annual testing is the same, however, the generators will run on their full rated load. If the annual testing takes place during the peak summer heat, the reading is estimated to be 51 dBA at the residence and below 70 dBA at the property line. The generators, including testing, will not be running 99% of the time and are a last resort for grid failure. She explained the KDHE, who gets the regulatory powers from the Environmental Protection Agency (EPA), reviews the equipment and operational plan to make sure the facility meets all the standards.

Ms. Kulhanek stated the next concern that was raised was about the equipment once it has been retired. The data is completely removed from the servers and then tested to see if it can be reused. If possible, the equipment will be refurbished, if not, then the equipment is taken to recyclers to remove components that can be recycled for new equipment.

Ms. Kulhanek stated DAMAC wants to be a long-term partner for Edgerton and the community. They are proposing the Edgerton Coding Initiative. This would be a free program for people of all ages for coding and computer-skills training. The DAMAC Foundation has backed similar programs all around the world and reached hundreds of thousands of students. They will also help other local organizations that are near and dear to the community. She explained that DAMAC will also pay their own way. This project will bring in an estimated 500 construction jobs, 15 to 30 permanent onsite jobs, \$700,000,000 in total investments, and more than \$5,000,000 in funds for Edgerton streets and stormwater projects. They will also be a part of the tax-base for the community and schools. She highlighted the fact that DAMAC will also be funding the electrical upgrades so the cost will not fall onto rate payers.

Ms. Kulhanek added that the generator testing will only take place during 8:00 AM and 6:00 PM on weekdays. This is a voluntary restriction that is not required but will be done as a member of the community.

Ms. Beth Linn, City Administrator, addressed the Commission. She said it was important to discuss what would happen if this application were to be approved. There have been questions regarding how it is verified as to what gets built versus what was approved. She explained that a full set of building permit plans are submitted for review under the building code. That review is done by the City's third-party contractor, George Butler and Associates (GBA). She requested Mr. Joe Kmetz, GBA, speak to how the City ensures what is built is what was approved. She provided the example of the cooling system, if the Final Site Plan is approved as submitted, how does GBA ensure that is what is used.

Mr. Kmetz spoke before the Commission. He stated he has been working with city since 2020. GBA provides building code services to local jurisdictions in northeast Kansas. He explained any change in any kind of system in an industrial or commercial building would be required to have a building permit and subsequent inspections.

Ms. Linn stated that GBA will get all of the building permit plans and review the plans to ensure compliance with the building code. GBA will also do many of the inspections as well. She explained that it is important for the Commission to know that when an item is approved, it gets constructed as presented to the Commission. She added that the applicant is offering a volunteered stipulation regarding the generator testing that City staff encourages the Commission include.

Chairperson Mathos requested that Mr. Todd Luckman, City Attorney, remind the Commission as to what they will be voting on. Mr. Luckman stated that the application before the Commission is for a Final Site Plan, which is regulated under the Unified Development Code (UDC). The Final Site Plan has been submitted in accordance with existing zoning regulations. This is not a determination about conformance with zoning or the Comprehensive Plan. The Commission is to review based on the standards for approval outlined in the UDC.

Commissioner Draskovich inquired if the applicant has acknowledged a comment made by City staff if they are required to do the items they are acknowledging. He said the applicant has acknowledged some requirements, but do not show that the items have been addressed. Mr. Luckman replied that a site plan shows objective items such as distances, locations, types of materials, for example. The Final Site Plan shows what the applicant will be constructing and if an applicant where to present a Final Site Plan and only do a portion of what is shown on the Final Site Plan, they would not be in compliance with the Final Site Plan as approved and subject to enforcement. An applicant will be held to the facts of what is shown and stated in the Final Site Plan. Ms. Linn added that acknowledgment is the standard language that most applicants use to state they are aware of deficiency in the plans that need to be addressed prior to the issuance of a building permit or the next steps of development.

Commissioner Draskovich asked if the generators will be mounted above ground. Ms. Kulhanek answered that is correct.

Commissioner Draskovich moved to deny Application FSP2026-0002, Final Site Plan for Edgerton Project located at 31800 W. 196th Street, per UDC Section 5.2.H.4 stating that fueling tanks must be located underground. He stated that the applicant has not provided underground fuel storage and the belly tanks of the generators that will store diesel fuel will be above ground.

Ms. Kulhanek requested a five (5) minute recess to discuss the motion. Chairperson Mathos granted the request at 7:45 PM. With no additional discussion, the meeting reconvened at 7:50 PM.

Ms. Kulhanek addressed the Commission. She stated that the fuel storage tanks will be relocated to be underground.

Mr. Luckman informed the Commission that the motion stated does not address the standards for site plan approval outlined in UDC Section 10.1.H and is addressing requirements outlined in the zoning district. He said the motion must be revised to include a reason based on those standards.

Commissioner Draskovich amended the motion to deny Application FSP2026-0002, Final Site Plan for Edgerton Project located at 31800 W. 196th Street, finding that the submitted plan does not represent an overall development pattern that is consistent with the Comprehensive Plan and other adopted City policies as stated in UDC Section 10.1.H.8. Commissioner Little seconded the motion. Application FSP2026-0002 was denied with the following 3-2 vote:

Yes: Little, Mueller, Draskovich
No: Mathos, Soemer

Chairperson Mathos requested City staff outline the next steps in the development process.

Mr. Zachary Moore, Development Services Director, stated that the applicant would need to submit a new application for a Final Site Plan.

8. Future Meeting Reminders

Chairperson Mathos stated that the next regular sessions are scheduled for July 14, 2026, at 7:00 PM; August 8, 2026, at 7:00 PM; and September 8, 2026 at 7:00 PM.

9. ANNOUNCEMENTS

There were no announcements made.

10. ADJOURN

Commissioner Little moved to adjourn the meeting. Commissioner Draskovich seconded the motion. The meeting was adjourned at 7:58 PM with the following 5-0 vote:

Yes: Mathos, Mueller, Little, Draskovich, Soemer

Submitted by Chris Clinton, Planning and Zoning Coordinator