

# JOHNSON COUNTY PLANNING COMMISSION

Zoom Webinar

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## MINUTES OF REGULAR MEETING

June 22, 2021

5:45 p.m.

### A. CALL TO ORDER

A meeting of the Planning Commission of Johnson County, Kansas, was convened at 5:49 p.m. on Tuesday, June 22, 2021, and was called to order by Chris Iliff, Chair, with the following members present and participating; to-wit: Lindsay Grise, Roger Mason, Mark Huggins, Dennis Bollin, Dave Johns, Randy Hutchins, Michael Levin, and Kelley Rast. George Lund and James Neese were absent. Also present were Jay Leipzig, Leslie Davis, Karen Miller, and Sean Pendley, Johnson County Planning Department.

Chairman Iliff:

*In order to reduce the spread of COVID-19, the Johnson County Planning Commission meeting is being conducted using a Zoom Webinar. The Planning Commissioners will not be physically present in the Board meeting room. If you're using Zoom, you may participate in the meeting using your computer, phone or other electronic device. If you e-mailed the Planning department in advance of this evening's meeting and signed up to speak at the public hearing cases, your name will be called by the moderator in the order received. If you are unable to sign up in advance and you would like to speak, then prior to the start of the agenda item that you want to speak on, click the "raise hand" function in the Zoom app. By phone, you may raise your hand by dialing \*9.*

*All speakers will be limited to three minutes, unless the Chair designates a different time period in order to accommodate all the speakers desiring to speak. When your name is called by the moderator, your microphone will be unmuted. Please state your name and address for the record, followed by your comments. With respect to all board members and presenters, please state your name every time you begin talking, so the notes can be transcribed accurately for the record. This is a public hearing. We are presenting live and recording the meeting. Thank you.*

### B. APPROVAL OF AGENDA - *Approved as printed.*

### C. CONSIDER MINUTES OF PREVIOUS PLANNING COMMISSION MEETING

Chairman Iliff: Is there anyone who would like to make a motion to amend, change or add to the meeting minutes in any way?

*Motion by Comm. Mason, seconded by Comm. Huggins, to approve the minutes of the April 27, 2021, Planning Commission meeting.*

*Motion approved unanimously.*

### D. PUBLIC COMMENTS

Chairman Iliff: The next item is an opportunity for public comment. I don't know, Leslie, if anyone has written you to suggest that they want to make a statement or comments at this time. If there is anyone who would like to, and you're aware of any, Leslie, this is the time to do it. Again,

contrary to the previous statement where comments would be limited to three minutes, we can limit these to, we'll say five minutes. Is there any member of the public who would like to make some comments?

Ms. Davis: So far everyone who has signed up has asked to speak regarding the agenda item E, and I believe we're going to take comments then, but there is somebody with their hand up, Mike Kelly.

*Mayor Mike Kelly, Roeland Park, Kansas, 5700 Roeland Drive, Roeland Park, Kansas, 66205, appeared before the Zoning Board via Zoom, and made the following comments:*

Mayor Kelly: Thank you very much. I imagine that I might be one of yours on the list for Item E, and if you're holding to that time, I'm happy to do so, but I am also happy to speak now. Whatever is most convenient for the Commission.

Chairman Iliff: That's fine, Mr. Kelly. Feel free to speak.

Mayor Kelly: Thank you, Chairman and thank you very much to the Commission for the opportunity to speak here briefly today. I wanted to speak and express my support for the diligent work that the Planning Commission is doing in considering the requirements for utility-scale solar. In addition to my work on behalf of the City of Roeland Park, I'm also Chairman of a group of local elected officials and community leaders called Climate Action Kansas City, and what we're focused on doing is not only helping communities take steps to lower their emissions levels, but importantly, finding ways to promote the co-benefits of those actions, primarily co-benefits of economic opportunity for our region as well as improvements to the public health and to the quality of life within the Kansas City metropolitan area. In working on behalf of our regional connections, we really want to advocate for the opportunities that are afforded in renewable energies. I know the State of Kansas is taking great strides and leadership in wind power.

Even within the municipalities in Johnson County, in partnership with Evergy through a program called Renewals Direct, we were able to aggregate contracts and help lower the overall cost of energy for metered electricity used by our municipalities, while at the same time offsetting a lot of our emissions. We know that different communities within the metropolitan area have different roles to play as it relates to climate resilience. Some are on the banks of rivers and have opportunities for riparian restoration. Some who are built out have opportunities for retrofitting and weatherization and better design of their built infrastructure. We know that other more rural parts of our region have an opportunity to take advantage of the economic benefits of utility-scale solar. The growth of the industry continues to rise.

I would be remiss if I didn't also mention the help that utility-scale solar would help in stabilizing electric prices for our region. But also, pairing that with the potential continued development of battery storage at our universities throughout the state of Kansas, really puts us at the forefront of opportunity to be the leader in the Midwest. I hope that you all share my excitement for this opportunity. Again, I appreciate your diligent work in making sure that the opportunities match with the needs of Johnson Countians. I stand ready to work with you and see that on the Director's report you have an update on our Regional Climate Action Plan. I'm happy to answer questions about that in the future. Again, thank you for your time and for your public service.

Chairman Iliff: Thank you, Mr. Kelly, appreciate your comments. I'm going to exert a little Chairman's privilege here. We have two people on the line, one who has just recently left the Planning Commission and one for whom this is their last meeting. So I'm going to take the opportunity to thank each of these individuals for the work that they have done. I'll start with

Roxanne Morse. Roxanne and I have known each other a long time. That is because we have both served on the Planning Commission for a long time. I am given to understand that Roxanne can't remember exactly when she went on the Commission, and in that regard I join her. I know it's been over 20 years for both of us. In all of those years, she has probably never missed a meeting, or if she did, it may be once a year. The thing I want to say about Roxanne is that she always came prepared. She had read the minutes of the previous meetings. She had read the reports that were prepared by staff. She always had questions that moved the issue along in a productive way. Her spirit of generosity and at the same time, her intellectual curiosity always made our meetings better meetings because of what she did for us. Roxanne, it is my pleasure to just thank you and express my appreciation for your many years of diligent work on the Planning Commission. I know you also were on the Oxford Township Zoning Board. And then I believe we served together on the consolidated Aubrey/Oxford Township Zoning Board. So we had many, many times to get together. Over the years I have hesitated to try to count up the number of hours and the number meetings that we have probably spent, but it amounts to dozens and dozens of meetings and hundreds and hundreds of hours, all of which is given by volunteer time. We have never been compensated beyond a few dinners at the Planning Commission and beyond that, it has always been a labor of love for you and for the members who serve on these commissions.

If we didn't have the volunteers we have in this county, who serve on multiple boards, whether it's zoning boards, planning commissions, mental health boards, Med-Act boards and probably a dozen others that I can't even think of at this time, this county would be a much worse place to live, but because of the diligent volunteered time of people like Roxanne – and Roxanne in particular – this is a better place to live, and we have a county which we can be proud of and that reflects the concern and love of the many people who have given their time like Roxanne. I don't want to carry this on too much. I will say only this in conclusion – and this goes for Dennis Bollin as well – we do plan to have a live meeting in the next month or the next time, and we're going to try to figure out a way that the County can reach out to both of you and commend you for the work that you have done. Perhaps we can have some refreshments and other things at that time. It's still a work in progress. Planning is awkward, as you know, during these times of COVID. People are very cautious. But at the same time, we need to make sure that we do acknowledge the fine volunteer work of people like Roxanne. Roxanne, if you'd care to say a word or two, I'd love to hear your voice. But my recollection is it's been somewhere in the neighborhood of 25 years, maybe more.

Comm. Morse: Thank you, Chris, for your kind words. Yes, it's been a journey, hasn't it? I was curious, and I looked it up. Would you believe we've been on the Planning Commission for 26 years?

Chairman Iliff: I do believe it.

Comm. Morse: It was 1995, and I think you may have already been on when I joined. I remember one of our first assignments that very year was to work on consolidation of zoning boards. We were in agreement that some zoning boards should be merged and so forth. We also agreed that Aubrey and Oxford should not be at that time. We remained separate until Oxford kind of ran out things, land development and so forth. So yes, 26 years. I was surprised, too. We moved here to Kansas about the time the Planning Department was being formed, and I had lived in a number of states and cities and so forth. I joined the Zoning Board when our first Regulations were published, about '84 or '85 I think. We've seen a lot of change, seen a lot of growth. This is a county that has always encouraged participation by the public, and I'm grateful I had the

opportunity. I enjoyed it. I've learned a lot. I think it's just become a wonderful place to live. Thank you.

Chairman Iliff: Thank you, Roxanne. We will be in touch with you in the near future. I'm going to turn to Dennis now. Dennis, I don't know you as well, because you live in a different part of the county than I do. How many years have you been on the Board? It's been a long time.

Comm. Bollin: Well, the Planning Commission has only been probably ten years, but the zoning board, it's probably close to 20 years. I've been a county volunteer since 1976.

Chairman Iliff: Yeah, yeah. That's great. It is wonderful, and again, that kind of volunteerism spirit pervades this county, and it really makes this place a better place to live. People like you do things, not for your own self-interest. You probably have never voted on a thing that ever had anything to do with you personally, but always to do with the best interests and the highest values of the county. Those years add up. They really do. I look back, I started in about 1980 with volunteer work. I look back, and it's gone by in a flash. I can't believe I'm as old as I am. You probably can't believe you're as old as you are.

Comm. Bollin: Some days yes, some days no.

Chairman Iliff: Well, everything I said with regard to Roxanne, I just want to ditto that for you, Dennis. Thank you very much for your time. You will be missed. We'll look forward to giving some training to your replacement, but you know, there's just no way that you can replace ten years of experience on a Planning Commission and 20 years on a zoning board. You just can't replace that. It takes that much time to really get to where you are. Your accumulated wisdom will be greatly missed, and I'm sorry that you won't be here, but we want to just thank you very much for your time. You two will be notified when the little memorial will be had. Hopefully, we can get some County Commissioners here who will express in person the appreciation that you so richly deserve. Thank you very much.

## **E. UTILITY-SCALE SOLAR FACILITIES – DISCUSSION OF AMENDMENTS TO ZONING REGULATIONS**

Chairman Iliff: I'm going to turn this over to Jay Leipzig to do some introductory comments with regard to the item du jour, the item of the month and perhaps the item of the year, although I think we should try to figure out a way to wrap up our work well before the year is over. That is, Item E, utility-scale solar facilities.

Mr. Leipzig: Thank you, Mr. Chairman. I appreciate the comments. I wanted to just provide a couple of brief comments before the item is presented this evening for discussion. There will not be any action this evening. This is strictly for discussion. The Planning Commission staff has provided a draft and some preliminary comments. I'm going to turn it over to Sean Pendley. He is going to go through that. Before that, Denise Nelson with the Berkley Group is going to provide an overview summarizing some of those comments and then Sean Pendley will also have a few slides to present as well, as a follow-up, and then we will have additional comments after that as well. With that, I'll turn it over to Sean. My comments tonight, obviously, very brief, but there again, this is just for discussion, and we really would like to have a robust conversation with the Planning Commission tonight about this item in terms of talking about the various parameters for the draft regulations.

Mr. Pendley: As Jay noted, we wanted to start off tonight with Denise Nelson with the Berkley Group. As you may recall from previous meetings, we had Denise and the Berkley Group staff

help us with this draft and initial review for the solar facilities regulations, and overall general experts in these type of land use items. We wanted Denise to start off with an overview from our last meeting to where we are today. Then I will follow Denise's presentation, share some slides, as Jay mentioned, and then we'll get into the discussion and answer any questions. First, I thought it would start with Denise, and she can start with her presentation and we'll go from there. Thanks.

*Denise Nelson, Berkley Group, appeared before the Planning Commission via Zoom, and made the following comments:*

Ms. Nelson: Thank you very much, Sean. It's so good to be back here to see all you guys again and to talk through our progress. We have had many discussions with Sean and Jay and Karen about moving forward with updating your policies. I have my colleague here with me, Luke Peters. He is going to help take some notes while I talk. I just have about 20 slides. I wanted to give you an update on our progress, as Jay and Sean said. I can commend them for being very thorough and deliberate in walking through every detail and having these opportunities to check in with you, to let you know what we're thinking, to hear your questions and to hear your recommendations.

We first came out for the Committee of the Whole meeting on March 11<sup>th</sup>. That's when we discussed that the Comprehensive Plan and the Zoning Ordinance really didn't mention solar at all, but we know that we are getting applications for large solar facilities, so we'd like to update those plans. We came back and met with you again on April 27<sup>th</sup>, just to talk about the major land use issues and different ways to mitigate negative impacts. So we had a big-picture discussion about some parameters that you might want to set for solar development. So here we are today. We've been working on marking up the Comprehensive Plan and several parts of the Zoning Regulations to properly address the facilities that are being proposed. But today we wanted to walk you through some of the major highlights, make sure you are onboard with the direction we're going, update on some of the latest research, and some of the changes that we've made in our minds, and then set us up for getting you redlines of the drafts to discuss and review at the next meeting, with possibly the potential for having a public hearing in August.

First, I'd like to remind you that there are several different sizes of utility-scale solar facilities, solar energy-generating facilities. Today we're talking about the ones that generate energy from photovoltaic panels. You can see here in the pictures that there are small facilities – either rooftop or integrated, really smart construction materials, or small sets of panels that small businesses and homeowners can purchase and set up on their site. We've talked with staff about having these allowed by right as long as they are an accessory use and they are installed in accordance with the underlying zoning requirements. We like to define these in terms of acres, because we're thinking about land use, but we can also think about them based on the amount of energy they generate. That's typically the terms you're going to hear from the larger solar facility developers.

The ones we're really concerned about setting regulations for are the medium scale, which we would call 1 to 10 acres, and the utility-scale, which would be above 10 acres and could be 800 acres or 1,200 acres. That's what we wanted to discuss with you today. We would recommend these to be permitted by CUP in the appropriate zoning districts with the appropriate development standards. You can see here in the pictures that these facilities can still be a little bit compact, or they can take up quite a lot of acreage. In that case, it's good to have setbacks, buffers and screening to help maintain the rural character. The main reason we focus on these large facilities is because they typically have these ancillary structures along with them. A switch gear, a transformer, potentially battery storage, so there are these other very industrial facilities that will be built in conjunction with the solar panels.

First, we'd like to share our updates on the CUP application requirements. You guys have a very extensive regulation right now that talks about CUP applications for all types of different uses. That is presented in terms of the general development plan. We've gone through that to see if there's anything additional that we recommend adding for solar facilities. This is the list that we've come up with. We do recommend a neighborhood meeting. We recommend that the applicant hold that meeting and invite the project property owners and their potential neighbors within, say, a 1,000-foot radius of the project to get input and really to help educate the public and address any concerns they might have. We call for a concept plan, which would be preliminary to the full development plan, and that's to help us really visualize the facilities, where they're going to be, how big they are, and what it's going to look like on the site. Then we ask for a visual impact analysis because we're very concerned about our view shed and impacts to the rural character. We ask for a de-commissioning and reclamation plan. Very few facilities ever get de-commissioned and completely removed, and this is one of those facilities that we expect to happen, so we want to see that plan in advance because it is part of the CUP permit. We also asked for a traffic study, the construction management plan and an environmental impact assessment to help us evaluate the proposal and then come up with conditions that mitigate any negative impacts.

Once we've got the application, we'll want to look through it for our development standards. Right now we've been talking about putting these in the Zoning Regulation, which means they will be law. If there is any concern about some of these possibly being too strict, or making sure that we're educating developers on what we want, we can also copy some of this language and put it into the Comprehensive Plan. We're not going to bring up those revisions today. We wanted to get to the heart of the legislation and the requirements today. We've talked about the rural landscape in Johnson County and the growing towns and cities in the region. Staff has had meetings with the different cities and towns. We recommend having the facilities more than a mile away from those borders to allow for growth, and also more than a mile away from the boundary of the Airport Area Plans, again, to allow for potential growth in those areas, and we'd recommend having the solar facilities greater than two miles apart, so that there is no overarching impacts, or major conversion of land use in one region.

For utility-scale solar facilities, the definition was greater than 10 acres. What you're seeing here is the quadrant where Heritage Park is. That is about 1,300 acres, so for scale, we wanted to point that out and say, last time we talked, we talked about limiting the total size of the entire project area to 1,000 acres. Well, we've investigated. We've learned a little about what's going on in the industry, and now we recommend raising that limit to 2,000 acres, basically doubling the opportunity that project developers can propose in the county. We also talked about the percent coverage of the PV panels. They wouldn't cover the entire 2,000 acres, because there's going to be waterways. There are going to be access roads. There are going to be the inverters and the wildlife corridors, the setbacks. There are going to be all of those types of things that are natural and that affect the ability to place solar panels. Steep slopes if there's a region where that comes up.

Last time we talked, we said limiting that to 60 percent coverage of the area. Now we've updated that to 65, so that the panels can be a little bit more dense, and you can get more power out from an individual project. Some of these parameters tie together and impact each other, so the next one to consider in that vein is the setbacks. These would be the setbacks of the major facilities, which would be the fence and everything inside the fence line – the panels, the inverters, a substation. We would want all of those items set back from a dwelling at least 250 feet. It depends

on where the dwelling is on its parcel where you measure back the 250 feet, just to make sure we're giving enough space between where people live and this industrial land use. Now, if there's not dwellings around, then we look at the parcel boundary, or the official street line, which is reserved in the county. In that case, the major facilities – the substation, the battery storage or other types of larger, more storage-type facilities, we would recommend a setback of 150 feet, and then for everything else, just the fence, the panels, minor power poles, we would recommend 100 feet. We did reduce that. Previously, we talked about all of the setbacks being 150 feet if it was not from the dwelling, so we're adding a little bit more space for those panels to be onsite, recognizing that that setback provides a buffer space, and that space itself helps reduce the visibility of the facility.

Thinking about how those things all tie together, we wanted to share some numbers with you and make sure we all really understand what we're committing to. If you think about the project size, which would be the entire area, so including the setbacks, including the wildlife corridors, including where all the panels and battery storage are, then comparing that to the requirement for no more than 65 percent coverage, and then looking at the setbacks, where we said that if it's a setback from the panels to the parcel line, it would be 100 feet. If one side of the parcel falls along the road center line, it would be an additional 60 feet. We wanted to throw out some examples to let you know what that would look like. We put together this table. So, for a 50-acre facility, limiting that PV coverage to 65 percent, in accounting for the setbacks, that leaves us with 9.5 acres, which is really what makes up the wildlife corridors, any stream exclusion areas, any internal access roads in the other facilities. Then we can look at how that impacts going to much larger-size facilities. When we get up to that 2,000 limit, you can see that there's a lot more land that's reserved, but the topography is very consistent across the rural area, so the setbacks will only be so large on the perimeter of the project, but you will have those other things, the access roads, the wildlife corridors, the streams, and the steep slopes that will still limit the placement of the panels. So just consider how these different restrictions tie together.

Mr. Pendley: I just wanted to note, one of the Commissioners, Mark Huggins, has his hand raised. Do you want to take questions as you go along here?

Ms. Nelson: Sure. Thank you for pointing that out. It's hard to see while I have the slides up.

Comm. Huggins: Denise, thank you. I wanted to make sure I understood. Does the 35 percent that is not covered by the solar panels, does that include the setbacks, or not?

Ms. Nelson: Yes, it does.

Comm. Huggins: All right, and I guess while I'm talking, how did we come up with 65 or 70-percent coverage? Is there a rationale for that?

Ms. Nelson: We looked around the sites that are being built around the country, and just in general that is where the number is falling, on average. There are some sites that are smaller and perfectly flat. I think I've shown some images of those at the past meeting, where developers can line up the panels and put them very close to each other, and get a lot of coverage. But we've also seen a lot of applications where the parcels are not perfectly square and the neighboring parcels might not all be participating in the project, so we get some weird shapes, and then when you throw in the natural waterways, wetlands or slopes, the panels end up in some interesting configurations that a lot of times just naturally fall out to be in that 60 to 70-percent range. You don't have to have this percent coverage as a requirement. It's just an extra safety net for, say, a project that

meets the setbacks and meets project area limit, but has a really high density of panels that you would just like to loosen up, maybe to allow more wildlife corridors.

Mr. Pendley: Mark, I will just note, too, Planning staff also looked at that. As Denise mentioned, there are some metrics that we looked at, and there is actually a rationale for that number. The 65 percent does correlate when you take into account what we thought was an appropriate setback from the perimeter of these properties and from the street rights-of-way, and then just looking at an overall parcel. Karen Miller can answer this better than I could. She actually had some great detailed graphics that she put together that visualize this. We thought about presenting that, if we could maybe get that ready for the next meeting, but we when we took into account all of what we determined to be appropriate buffers and setbacks, also including any other potential topographical site [inaudible] we have worked with, it roughly came out to approximately about a 60- to 68-percent average what would be actually suitable for panel coverage, so that's where we came up with the number, but it also corresponds to what, as Denise mentioned, the standard preference for these types of uses.

Comm. Huggins: Thank you.

Comm. Rast: I have a question regarding the increase from 1,000 to 2,000. I was sort of under the impression at our last meeting that 1,000 was highly recommended, and the only time that 2,000 was brought up was when the NextEra developer came online and said that basically anything less than 2,000 was a non-starter for him. Can we get some explanation of how we have jumped from 1,000 to 2,000?

Mr. Pendley: I could try.

Mr. Leipzig: I can weigh in there, too, Sean.

Mr. Pendley: Okay, so yes. That is definitely one of the key questions, the total maximum project area. That's something that we've been looking at closer. The industry trend from what we're noticing, when these solar facilities first started out they were much smaller in scale, and you'll see several existing solar farms and solar facilities which have much smaller scale, but the trend has been going to larger, and I think that's from economies of scale and just meeting demands for solar power in different areas. In a growing area like Johnson County we understand that may be becoming more of an issue, meeting the demand. The reason the staff looked at it being appropriate to increase that area, we were taking into consideration other metrics besides just the overall project area. We have panel coverage limits, buffers, distance and separation from other facilities, buffers from cities. When you take all those things into consideration, it seemed appropriate when you're talking about one solar facility. It can get quite large. That's not actually meaning it's going to be a 2,000-acre project altogether. It's hard to visualize. I have some maps I'll show after Denise's presentation that show some of these overall areas, where you can get a better visual for how you can arrive at a larger project. Again, not to say that it's all going to be contiguous, but when staff looked at all of those things together, it seemed to be appropriate to allow a larger facility if we had the appropriate metrics in place for other development standards. I don't know if that answers it very well, but that's my initial stab at that.

Comm. Rast: It somewhat does. That makes sense, what you're saying. But I guess I would want to make sure that we are seeing the 2,000 based on what's best for the community, particularly our community – Johnson County – or are we basing it on industry standards for the developer and what's best for the development of a solar farm? I just want to make sure that we're very intentional with defining that and deciding, yes, this is best for our specific community. It's always

good to use industry standards, but then tease it down to how it affects our specific locale. I have one other question. When they were talking about the two-mile radius from other solar facilities, will this include crossing county lines?

Mr. Pendley: Meaning, will they be required to have a two-mile separation from anything in Douglas County?

Comm. Rast: Yeah, like is it going to have to stay in the designated counties, or is that two-mile going to be able to encroach crossing any kind of county line?

Ms. Miller: That was not the intent. This Conditional Use Permit, if this is approved, would only be for land in unincorporated Johnson County. We would only be reviewing that. There's not any cities within a mile within Douglas County, so really this only considers what's in Johnson County.

Comm. Rast: So all developers would have to stay within county lines.

Mr. Pendley: If the project area is to extend over into Douglas County, would they be allowed to do that within separation requirements? I don't think we've had that specific discussion yet, with the example of Douglas County, but I don't think our regulations or Douglas County's regulations would prohibit the ability of a facility to be any specific distance apart from one another between counties. I don't know, again, if that answers the question. I think I understand what you're asking, but I don't think we have a provision that says it has to be any certain distance away from a parcel in Douglas County.

Ms. Miller: I'd have to look at the wording, but the draft did not intend to have a distance from Douglas County. That's not to say that perhaps that could possibly be something we add. I don't know what Legal would have to say, but in writing it, that really wasn't the intent.

Comm. Rast: Okay, thank you.

Ms. Miller: Kelley, I just wanted to point out that this is one layer of things that we'll be looking at. We're planning on next month to bring some policies proposed to be put into the Comprehensive Plan, and that is really where it will kind of pull together all of the things that we're wanting to balance with solar facilities, like providing for City growth and development, providing for upholding the rural character, protecting environmentally sensitive areas. We kind of have a list of all these things that we want to balance, and that will be part of our rationale for some of these metrics that we're looking at today. There will be some of those big picture things that you mentioned that we'll be discussing also in July.

Ms. Nelson: May I just add that the Zoning Regulations, you're setting the upper limit, so if any application comes in at 2005 acres, you'd have to say no, or revisit the Zoning Regulation and do an amendment. So what I've seen here is many counties, many localities, after judging a few different development applications and seeing that the industry is going to larger and larger sized facilities, they are going back and amending their Zoning Regulations to allow for larger sizes, because you never know. There might be this one 3,000-acre site that turns out is perfect for solar. You just didn't know about it until the developer brought it to you. So, I know it feels like if you say 2,000, you're opening the door and telling the industry you want all of the facilities to be 2,000 acres, but what Karen said, we can write the description and the guidance in the Comprehensive Plan that maybe the ideal facilities are 1,000 acres or smaller, but if the right facility and the right mitigation techniques are recommended, are proposed, that you're willing to be up to that 2,000.

Are there any other questions right now? I just have a few more slides. In the Regulations, we'd like to address the height of several different types of facilities. We recommend the panels which can tilt on an axis, the maximum height to be 15 feet, just so that they are less visible, and then the bottom edge to be no more than 10 ten above the ground, so that we don't have a rainwater runoff and erosion problem created by the panels. Security fencing, in line with your other requirements, we have a maximum 12 feet, and we recommend that the fencing be placed around the pods of PV panels so that we have those openings for the roads, for the wildlife corridors and for streams. We do not allow slats in the fencing, just like standard practice in the county. For light poles, we'd like to limit that to 20 feet maximum, and then other structures to 35 feet. That would be your substation, but we're now offering that there can be a waiver. If somebody comes in with a better idea, a better design, and a better way to mitigate any negative impacts, we will consider that under the waiver program.

Next we want to talk about screening. The County, again, in alignment with your policies for other facilities, recommends screening to make the facility less visible so that we can maintain the rural character of the county, and that can be with existing screening facilities, whether that's trees, buildings, extended open space, that can be considered on a site-by-site basis. Of course, we'd love to see new vegetation planted to help hide those facilities. Vegetated berms are another good technique in your geographic area, and decorative fencing can be used. There are some stipulations in there for environmental mitigation. We do recommend wildlife corridors be provided and approved by the Zoning Administrator. We recommend native seed mix pollinator plants to help keep those fields alive. Then, for the animals' sake and for our sake as humans, limiting the amount of exterior lighting and making sure it's facing down where it needs to be security and minimizing glare or offsite spillage.

Under operations requirements, we are asking for annual compliance report for the solar facility, and of course, compliance with the decommissioning and reclamation plan, so that's where they'll have security for decommissioning that will be reviewed and updated, to make sure that the right amount of funding is in place and available. Those are the main highlights that we wanted to share with you today. We'd love to hear you discuss these points, ask questions, get feedback from the public. Then, as Karen mentioned, the goal would be to wrap these up in official draft amendments for you to review and discuss in the next couple of months.

Comm. Levin: Since we're dealing with potentially 30 years of contract, if these companies go out of business, are there funds sets aside for reclamation and decommissioning? Because if the business goes belly up, then are the landowners holding the bag?

Ms. Nelson: No. Those are the provisions that I didn't go into detail on tonight, but we are working through with staff. We're talking about it practically every day and with the County Attorney. The idea is we don't want the landowners to be stuck with it, and we certainly don't want the County and the taxpayers to be stuck with it. The Attorney is advising us on appropriate acceptable forms of security, and then we'll have that continuing review process to make sure the dollar amount is set right, so that if the company or the facility does go bankrupt, the County has the resources to be able to pay for the decommissioning and removal. In that, a lot of the terms in the decommissioning section are based on having those parameters in place, having a good estimate, but then also defining, what does decommissioning and reclamation look like? We want everything removed, and we want everything restored to pre-development conditions, and documenting what those conditions are to make sure that people remember 30 or 40 years later.

Comm. Levin: Okay, thank you.

Chairman Iliff: Thank you, Denise. What I'd like to do at this time is to set aside some time for members of the general public to make comments for the purpose of informing the Commission of your concerns, your interest, et cetera. We will then turn to people who have some interest in this project. I know that, for example, Karin Brownlee, who is a lobbyist for the applicant in this case, and John Peterson, who is the lawyer for the applicant, will probably want to make some comments, and I want to make sure that we have time to get all of them in there as well. This would be a good time for me to acknowledge publicly that I did have a conversation with Karin Brownlee today, just a general conversation about the issue, and in keeping with the public meetings laws of Johnson County, I wanted to make sure that I disclosed the fact that I had had communication with Ms. Brownlee on this.

Leslie, at this point if there are members of the general public who have signed up to address this issue, I think it would be a good time to hear what their concerns are, their interest is, and maybe pose some questions which could be answered by Denise or by staff, and then ultimately by people who are representing the applicant.

Mr. Pendley: I also had a few slides. If the Commission wanted, I could present those. I just had some maps to share as part of a follow-up to Denise's presentation.

Chairman Iliff: That's fine. I didn't know that. I think it probably would make questions and issues for the general public better aimed if they saw what you have to present as well. Yeah, thank you.

Mr. Pendley: Okay, thank you. As mentioned, staff just had a few slides we wanted to present. We know that at previous discussions, if you recall, there were some questions I think from an overall scale, looking at the county. I think visually it helps to see how the cities are growing and how it affects the unincorporated area of the county. I think some of the Commissioners had asked previously how the cities have grown and how the county is changing, so we wanted to share a few maps that show some changes just in the last 20 years. What we're going to go through here are just a few maps showing the changes in the incorporated areas for the cities, just to show how that's changed in 20 years.

This first map is starting off with the maps for 2000. You will see, there were quite a bit of changes, actually, in the next 10 years, from 2000 to 2010. You'll notice a lot of growth around Olathe and Overland Park. I'll share that map here. That was a substantial increase. There was some major growth in the south portions of Olathe and Overland Park and even in Gardner, so you'll see that in just that 10-year period. Then, we have the latest incorporated area map that show in 2018 there were some additional changes. A lot of growth around Spring Hill and Gardner, just to give that kind of special analysis to show how that's changed, and around the City of Edgerton, a lot of growth around the intermodal facility. We have an animation that AIMS helped us put together that will show, in the last 14 years or so, so starting in 2007 to about 2021, I wanted to just share this. Basically, it's showing every year a change. Each one of these clips will show the changes in the incorporated areas, the growth boundaries for the cities. You'll notice a lot of change around Gardner and Edgerton and Spring Hill. This just shows you in that 14-year period how the cities are growing, so you see how that impacts the unincorporated areas.

Next, what I wanted to share was the buffer maps. If you recall, as Denise noted in the presentation, one of the development standards that staff is recommending are buffers. They're like a large-scale set-back, buffers from the city limits. We have had some initial discussions with some of the cities, looking at potential impacts to their growth areas. One of the things we wanted to make sure we're keeping in mind is that there are definite concerns about the future growth of

the cities, and they wanted to make sure that these types of developments would not prohibit or inhibit or in any way affect future growth, so one of the things that staff had recommended was a minimum one-mile buffer from current city limits. That takes into account things like their growth areas, our future expected growth. That's kind of a standard area limit that we look at, one mile. We did look even further into a two-mile. What this map just shows is the current city limits are in gray and the older cities that are closer to the metro. The light green colored would be De Soto, Olathe, Overland Park, Spring Hill, Gardner, Edgerton, the cities where there is growth that is affecting the unincorporated areas. So we took into account a minimum one-mile buffer from those cities. What that is showing here is that pink or salmon-color on this map. That is the one-mile buffer on this map, and then the bright green areas would be the area that is outside of that minimum one-mile buffer. That shows those areas in the northwest, west, southwest and southeast portions of the county.

We did look at larger buffers. This shows a two-mile buffer. You can see that greatly diminishes any other development area if a solar facility would be allowed. That's a pretty extensive buffer. And then, even a three-mile buffer. That more or less kind of excludes everything with just a small exception of a small portion western Johnson County. We just put these into a quick table to show what that impact has with these buffer standards. What this table shows is with the one-mile buffer, there would be approximately 44,150 acres with that minimum one-mile buffer. If we used a two-mile buffer, it would be just over 13,000 acres, and if then with a three-mile buffer, 2,212 acres. For comparison, the total unincorporated area in the county right now is approximately 121,431 acres. So these were just some graphics we wanted to share, some maps of the overall impact, if that helps explain anything. We'd be happy to answer any other questions related to buffer standards or these buffer maps, but we wanted to share that for this purpose. I'd be happy to answer any questions on that.

Chairman Iliff: Thanks very much, Sean. So, what I'd like to do is open this up to the general public just for comments. I think this is a good time for people to say what they like, what they don't like, what their concerns are and that sort of thing, so that the members of the Commission can hear what the general public has to say about this. I don't know if there's anybody here who has signed up for that, but Leslie, if you would permit them to speak, we'd like to hear from them. All I would say is please give your name and your address before you speak.

Ms. Davis: We have Nick Saia who signed up to speak.

*Nick Saia, 10865 South Hasting Street, Olathe, Kansas, appeared before the Planning Commission via Zoom, and made the following comments:*

Mr. Saia: I'm a student at Kansas State University, so I really appreciate the chance to get to talk to you all today. Hopefully, I'm able to provide a little bit of a perspective that maybe you don't get to hear from a whole lot, speaking of students in general. I am really excited about this project as a whole, or more truthfully, the concept of this type of energy development within Johnson County. I personally believe that green energy developments are incredibly important no matter where they can happen, and I believe that those types of choices are good for the state of Kansas as a whole, but hopefully I can elaborate a little bit more on why I'm really in support of this type of project in Johnson County. The first thing that I wanted to touch on is just how I personally believe we can have a really fantastic impact if we invite more of this kind of development into Johnson County. I think that we have had the privilege of being able to develop and expand with a lot of resources and population in a way that maybe other areas of Kansas don't. I know that I've heard of green energy or energy developments often pushed onto other communities in Kansas. It's

wind developments time and time again in other areas of the state. I see this as a really fantastic opportunity to show that we can also contribute to the effort of being sustainable, and also show that green energy can go along with massive growth and resources and population. These types of choices don't have to shut off a community from an incredibly prosperous future. In fact, we as a community can really be an example for the rest of the state in terms of energy. Not only is that good for us in terms of our own perception and how we're able to grow in the future, but it's great for everyone else in the state who might be able to use our processes as a model moving forward.

But to move past that and talk a little bit more long-term, I know that I, as an individual, really value the kind of community that makes these sort of choices. As I'm in college right now, I'm only a freshman, but eventually I'm looking for a place to career and potentially start a family, all of those things where I'm looking towards the long term. I know that these types of energy development and building sustainable communities is incredibly appealing and something that I value, so certainly Johnson County is a place where I would like to make my home. Not only does it have fantastic career opportunities, but it's somewhere that's familiar to me, and this is another element that I think is really important to not just myself, but a lot of people that are similar to me, a lot of people that are my age. I know that there are many people that care about being sustainable and how maybe that impacts their choices in selecting the right community.

Speaking generally, I am just really excited to see this in a place that I care about. To give maybe a little bit of commentary on some of the words that I've heard tonight – I'm already learning a lot – I definitely appreciate a lot of the concerns that are going into this project, not just by members of the Planning Commission but by outside groups that want to make sure that we're protecting the environment and the community's character, all things of that nature. But I found myself often really concerned that we're being especially restrictive with how we're necessarily granting permission for a lot of these projects. We all saw what a three-mile setback would look like, for example, and even a two-mile setback from any incorporated territory. I feel like it really restricts our ability to move ahead with these developments. I think some of those are absolutely necessary.

Chairman Iliff: Mr. Saia, let me interrupt you just to say you've got one more minute, please.

Mr. Saia: Perfect. Personally, I am cautious about how we make those choices moving forward. I know that I have a lot of faith in green energy as a whole, in sustainable development, and I want to make sure that those industries are attracted to this area, that those types of technologies are implemented where I hope to live someday, and I don't want to enact policies, or I don't want to see policies enacted that might push them away in general. Ultimately, I don't think that that's going to happen. I think that there will be reasonable decisions made, and I'm excited moving forward. Again, thank you all so much for the opportunity to speak, and I'm so happy to support this project.

Chairman Iliff: Thank you, Mr. Saia. Leslie, are there others from the general public?

Ms. Davis: Yes. I would like Sean to help me with this, please. I'm not sure who should go next. Commissioner O'Hara is raising her hand.

Mr. Pendley: Yes. I think Commissioner O'Hara. We do know, as you mentioned, Chairman, also John Peterson has a presentation that I'll be able to share, but it sounds like Commissioner O'Hara has her hand raised and ready to speak.

Chairman Iliff: Sure. Commissioner O'Hara?

[technical difficulty]

Ms. Davis: We have Frank Gieringer.

*Frank Gieringer, 39675 West 183<sup>rd</sup>, Edgerton, Kansas, appeared before the Planning Commission via Zoom, and made the following comments:*

Mr. Gieringer: I had a couple comments, I guess, and in full disclosure, I actually have a contract from NextEra on my desk. We're still kind of waffling on the pros and cons of this concept. In the last six months, I've taken it upon myself to visit two large scale solar farms. I would encourage anyone on the Board that has an opportunity, to do that. There's one right along I-35 in Gainesville, Texas. It's approximately a half section. There's also one at Wapello, Iowa, and I believe that one is excess, maybe slightly over 800 acres, so it gives you a little more perspective on what these things look like. I personally was a bit surprised that, to me, they're not really unpleasant to look at. I could take you around my section out here in my neighborhood and show you a lot of places that are more unsightly than these solar panels would be.

I guess I'm a little concerned that you may end up trying to regulate these out of the county. I question why such a far setback from the road. Both of these solar farms that I viewed, one had a shorter fence that was right up at the road right-of-way, which would be like a cattle fence that you might be familiar with here. Panels were just immediately across the fence. Also, the 65 percent, I realize in our county we're going to see a lot of broken sections, panels, you're not going to see a huge expanse like you would in Texas, or even in Iowa. It was all flat ground. It was 800 acres, and all those panels were just side-by-side. It was a huge area. You're going to see smaller, broken parcels, but in my instance, I have a completely bare, south-facing 80. It's all tillable. There's no creeks. There's not trees, other than a hedgerow perimeter. So I really see no reason why I should be limited to 52 acres of panels on that 80.

Also, I think from NextEra's standpoint, or from a landowner standpoint, if I have an 80 acres I would like to lease the entire 80, rather than 60, because then it really causes issue with what I'm going to do with the remainder of the property. In this instance, I guess I could always farm it. In some of these places, there are trees. There is rough ground. There is really nothing else to do with it. So anyway, these are a couple of things that I've seen and just wanted to convey to the Board. If I wasn't so busy today, I should have sent Karen some photos of these. We took quite a few photos of them. The ones in Texas were a smaller panel that rotated. They were like a single panel above and below the rotation. The ones in Iowa were much larger. They would probably approach the 15-foot maximum. I'm going to say maybe they were 12 feet high when they were straight up and down.

Also, why is it that we want to require setbacks and all of the berming and shielding, but yet we have none for oil batteries in the county? We have some awful-looking oil batteries around the county, and they are set right off the edge of the road right-of-way. That's just some observations. Like I said, I'm neither really for or against tonight, but these are some things we might think about. Thank you.

Chairman Iliff: Thank you, Mr. Gieringer. We appreciate your comments. You've been here before us before, and we always appreciate your insights. I would say with regard to the oil batteries, probably what you're seeing is grandfathered uses that pre-existed any zoning or subdivision regulations. Your comments are very important, and we do appreciate your making them. Thank you. Leslie, if there's no one else from the general public who is scheduled to talk at this time, I think we can turn it over to Mr. Peterson.

*John Peterson, Polsinelli, PC, appeared before the Planning Commission and made the following comments:*

Mr. Peterson: Good evening, Mr. Chairman and members of the Commission, having the pleasure to appear this evening on behalf of NextEra Energy, as we did at the prior gathering of the Planning Commission. As reference, William Wilkins, who is the project developer, an employee of NextEra Energy, is also with us and may have just a few comments. Part of the team tonight not planning to speak unless there's a question relevant to his expertise is Alan Anderson, who is the head of our Energy Group here at Polsinelli.

This conversation is personally intriguing to me. The commentary, both by the County's consultant and Sean with the maps he showed there at the end, really speaks volumes to maybe what the higher-level sort of philosophical planning, those that look at the present condition of the county and the future condition of the county, where the metropolitan area is going really enriches the conversation. We listened last time, and as I think all the Commissioners know, we submitted some written commentary and responded to the conversation a couple of months ago, and it spoke to two really more granular issues, although we tried to get down to those at the end, but it really spoke to two issues, which tonight testimony by the County's consultant and Sean's maps really underline. I want to touch on those for just a second. The consultant spoke to rural character, and we have to protect rural character. With all due respect, and you consultants, I know, bring great value, again, to the richness of this conversation, and I respect that. We're trying to feed off of that and continue to work with them and the professional staff, but again, the premise is what is being discussed with bringing renewable energy opportunities to Johnson County, the metropolitan area, and the country, is the antithesis of the rural character. We took an issue with that in our submittal. We think quite the opposite, and I think quite honestly, Sean's maps made our point. We referred to it in our position paper, of urban creep.

Johnson County is probably a poster child for urban creep, and it will continue. Some think that's a good thing. Some think that's a bad thing, but the idea that we can't implement what we think is part of agribusiness – that's the point we made in our paper – because we are going to ruin the rural character. It's interesting, maybe stifling urban development is just a mosaic of the conflicting issues that I find personally interesting. Our point is this, those that choose to maintain a rural area need to stay in tune with if you're in a rural area for some form of agri-business, whether it be livestock, whether it be plant-based, production for human consumption, or in this case it is a new crop. It is harvesting the sun for human consumption. It may sound trite. It may sound silly. It may sound contrived for the point that we're trying to make, but it's true. This isn't the first time we heard that the visual impact, the treatment of God's earth through the utilization of these solar panels to harvest the sun, is going to rape and pillage what we cherish as part of the rural area, which is good earth, natural areas, wildlife, I think needs to be studied and studied thoroughly, because the application and implementation of these programs has proved quite the contrary.

Let's drill down, though. Enough of me waxing on. Tonight is about more granular issues. I want to run through the staff recommendations pretty quickly, probably stop on a couple that are more problematic to us for just a moment, and then I'll be quiet, because we want to hear direction from the Commission. We want to continue to work with the Commission and the professional staff and hopefully bring back a mutually agreeable product when we return in what looks like August or so. I show this slide, and we'll kind of use that as a backdrop for just a minute. It's a slide that really, I think makes the point of the last commentator. I didn't catch the gentleman's name, who is considering being a partner in the project. I've heard this and heard it again and again, even from other jurisdictions in the area, "Wow, I actually went out and looked at these. They're not as

bad as I thought.” I don’t what was conjured in your mind. Sometimes when you see a football-sized picture, which we’ve seen some of those during this process, sideline-to-sideline, endzone-to-endzone, in a desert, it can have a little bit different impact than when you see one that is placed where there is green underneath the panels, there are green separations as you approach the project, they’re 15 feet is height, there is green behind it as they nestle up against existing and protected areas of vegetation. This is not an exceedingly different type of visual impact than we see with other types of businesses and operations and utilization of rural areas. As we know, without getting into all these issues, it’s not a noise producer. It’s not a traffic producer. It’s not a light producer. It really, in some of the factors such as those that are devoid in this kind of utilization does make it more amenable, in our opinion, for a rural application.

I’ll quickly start with the staff report, and I mean quickly. I’m going to go through a bunch of these, because we agree with a lot of them. If you look at the staff report, “Application Requirements,” I think that’s the place to start. We get the general provisions, but application requirements, these are key. We’d be required to do a concept plan, a visual impact analysis, decommissioning and reclamation plan. And yes, for the Commissioner that raised the issue, with financial assurances in place that would survive the viability of the landowner who decided to be a partner in this project, and survived the viability if anything would happen, to NextEra Energy. There would be sureties in place to make sure that that plan could be implemented at the appropriate time. Traffic study, absolutely we’re going to do a traffic study. What roads we’ll use during construction, what we’ll do to upgrade those roads, what we’ll do if there’s any damage to those roads after construction is over, construction management plan, absolutely watching for stormwater runoff, all of the environmental impacts that can occur during construction. We one hundred percent agree and welcome the opportunity to have good, enforceable agreements in place if we’re provided the privilege to move forward.

And very importantly, environmental impact assessment is very much an important part of NextEra Energy – and I think other providers, too – when they go into an area, they don’t cut all of the trees down. They see where you’ve got riparian corridors, where you’ve got wildlife corridors. They have expert wildlife biologists on staff that will work with the County to make sure. It’s not a one-size-fits-all. That is really the point of items one through six. Note what they are. Site-specific evaluations determining what the impacts of a proposed project would be at a specific site, a specific location, and address those so that they actually address the issue at hand, not a one-size-fits-all kind of application, which is more of the nature of what I’m going to talk to in just a minute that is presenting us with some problems. One through six, count on it. We will deliver, and we will stand behind what we deliver.

Going further on page two, Development Standards, “term of up to 20 years,” we understand that. We would like a provision in there that would give us the right to a renewal if we are in conformance with the conditions and stipulations of any approvals we’ve received. We still have to see if 20 years, or it maybe have to be 30 years, one thing it is a financing issue. I think many on the Commission would appreciate that with an over \$350 million investment there has to be a certain time of certainty to arrange the appropriate financing, so we’re going to continue to look at that and provide data back to both the professional staff and the Commission.

The 2,000 acres – this is going to be one we’re going to try to get with staff and make sure we understand what the 2,000 is. We determined through the proposed regulations or at least the elements that would be in proposed regulations, this area in red, as you can see, bisects Douglas County to the left of the blue line, Johnson County today, as we are anticipating to the right of the blue line, is our project, or boundary area as that term has been inserted into this conversation.

That doesn't mean that every piece of property within the confines of those red lines is going to be utilized for solar. Some properties in there aren't even participating, or have chosen not to be partners in this project, but we understand that to be the boundary area. So, it comes to what's 2,000 acres? Is it 2,000 acres that are within that boundary area? Is it 2,000 acres that are being utilized just for the solar panels? If we've got whatever setbacks we have, whatever natural areas that we have not done anything with but we've maintained them, is that counted in the 2,000 acres? A line of 2,000 acres could be workable, but we'd like at least some evaluation of how you would calculate the 2,000 acres and maybe some flexibility so it's not just a hard line in that regard. We're not suggesting that it's going to be 6,000. It's just real life applications of when you say it can't be more than 2,000. Well, a little more information on what exactly that means.

Item four under Development Standards, 65 percent. Commissioner, I know the one that spoke is an engineer and understands this, 65 percent open area. This is when we really need some more understanding and drill-down on. We've got setbacks. We've got buffer areas. We've got a bunch of area that either has water on it or existing stands of vegetation that won't be hit. Why do we also lay over a 65-percent coverage area? Typically, my experience... This is a great picture. This isn't our project, but this will show you if you did a boundary area, you would go to the outside of every single one of those darkened areas to create the boundary area, but look at all the green in between that is either natural areas, not affected, or parties that have agreed not to participate. But to the 65-percent coverage, typically, once you get your setbacks, you get buffer areas, you get natural vegetation, coverage starts going to stormwater runoff, in my limited experience over the last four decades. So I'm wondering why we have to lay in that added element, because we obviously have very, very little impervious surface here. I would ask for maybe some further thought on that. The rest of those – distance from cities, distance from airports – I think that's something that is workable and we can deal with.

Let's get to the hard one, and it is setbacks. Here's a piece we've right now got in our queue to be part of the project. We've taken 175<sup>th</sup> Street. That's our front door for this particular part, and then we've got part of the project, solar project, in the middle and a non-participating piece of ground on the right. So 175<sup>th</sup> Street, here's what staff is proposing. First of all, before we start to talk about our setback, it's not the measurement from our property line today. Our property line probably sits from center line of 175<sup>th</sup> Street, I'm going to guess probably somewhere between 25 and 30 feet from the center line of 175<sup>th</sup> Street, south into this person's property. That's their property. They own that property. They may farm that property. They may use that property. They may put a fence along that property line. What staff is suggesting is, "Wait a minute. That's not what we're going to measure from. We're going to anticipate that someday 175<sup>th</sup> Street is going to be expanded, maybe, possibly, probably, when that urban creek gets closer and closer..." By the way, but it's going to expand, so we're going to go out 60 feet from center line to what is called the official street line. So now we're probably about 40 feet into that landowner's property, and we're going to draw a line. It's from there, then, we're going to back measure your setback for your first panel, or even your first fence to encompass your panels. So that puts you effectively, from the property line today, it could be approximately 160 feet in.

Here's a great example right here. If you look at this slide, and I'm not exactly sure, somebody, Sean or Jay or somebody, could tell where 175<sup>th</sup> Street is, but I think it shows up there that Type I, two-lane; Type II, two-lane; Type IV, two-lane; even really the top three, I think, are the ones applicable, you can see that eventually when you go to... Let's just say someday that 175<sup>th</sup> Street is four lanes. They've got it, because they just told the property owner to push back anything he wants to do with his property back to that official street line. You will see by doing that at a 60-foot

right-of-way, when that four-lane is built, there are still 28-some feet of area of green space before you hit a property line. So there's always going to be a natural buffer there and a natural setback.

So what we're suggesting, again, particular circumstances may dictate...We're going to get to when you're near dwellings, but in some cases, just taking every time you're along a road, whether there's a hedge row there now or not, we're going to tell you to go back 60 feet from center line, and then another 100 feet back before you can put your fence, we think is excessive. We think it's unnecessary for what we...I guess they're trying to hide if I hear the consultant's testimony. I don't think it's necessary to hide what we're proposing to that extent. But what it does, as we've said before, it puts pressure on, we need to get our bushels per acre, just like a farmer does. We need to graze this many cattle per acre to get our product. We need so many panels per acre to produce our product. And when you squeeze it in uniform along every street, all that says is for a project to be viable – and I acknowledge right here some may that are listening to this, some may even be on the Commission. I don't care what you guys need or whether you're viable, but we are just being straightforward and saying for us to be viable – we need that production level. It just means we need more acreage. We need to spread it out farther and farther and farther. So, a reasonable approach is what we suggested. We will honor the official street line, put our fence at the official street line, and then implement a setback from our fence. We suggested 10 feet along the street.

The non-participating property. I think I read these regulations, it would be number 8b – Interior Setbacks – that if we're up against a non-participating party, we can put our fence and our property as any agri-business user could, and we would not have a setback issue to our non-participating party. If I'm reading b, Interior Setbacks, improperly, I'm sure I will hear.

C, the final one, is one we do want to pay some special attention to, and that is, when our 15-foot tall panels with no lights and no noise, albeit they get within a certain distance of an existing residential building, let's talk about some further setback and some cookie-cutter, more set type of buffering for the people that are living in that residence. Staff has suggested you can't get within 250 feet of a residence. We would suggest 100 feet, but we have proposed in the submittal that we provided to the Commission and staff on June 4<sup>th</sup>, if we're within 300 feet we can get within 100, but if we're within 300 feet, then we proposed a very specific type of landscaping design that really is designed to fit, again, not one-size-fits-all, but the specific situation of that homeowner, and it has the size, the positioning, the content of its landscape materials that it will block their view portal. Not just say, "Hey, we're going to put 15 pine trees up 15 feet apart." We're going to address the specific issue, and looking at regulations from around the area. Sedgwick County is a great one. That's exactly the way they approached it. We may have to landscape. We're going to look at it when you bring your application in on a case-by-case basis. Some areas need landscaping. Some don't. Some need more than others, so that would be our proposal on that.

Everything else under Design Standards – the height of the panels, security fencing, wildlife corridors, groundcover – those we find acceptable to what we do every day. We have a forester. We have wildlife biologists that work to make sure that we are nestling into the rural area of, in this case Johnson County, in an appropriate fashion, that we think bringing some benefits for the landowner that's a partner and for the community at large.

Finally, the last issue, Mr. Chairman, is the one that goes to screening, and I kind of alluded to that when we were talking about the separation from occupied residences. The concept of staff is we want you to pull off as much as 160 feet. There you can put your fence. In that area, here's what we want you to do. We want you to build a berm. Well, berming means you're moving soil.

It means you're talking about back to engineering principles, changing grades – unless you're bringing a lot of new dirt it – then we want you to put five-foot pine trees at five-foot intervals, 15-foot intervals – it is a very urban treatment of a rural business, and we think, again, instead of just saying it all the way down the road you're going to have a pine tree or a fruit tree, to block so that, again, I think the goal seems to be to totally obliterate the ability to see any part of this solar operation. You're going to put them at 15-foot centers.

It's an extraordinary cost, number one. And we feel, given the way these lay in, the way they look, is an unnecessary expense, and quite honestly, at least in our opinion, starts taking more of a rural applicant and looking more like, "Hey, we're trying to screen..." That was the screening level I went through when I did Prairie Fire in Overland Park. We're not trying to screen a coal fired energy plant here. We're trying to screen 15-foot high panels, the same sky scale of a lot of other agri-business equipment and trying to nestle them in, use the natural features, and I think we can do it in a way that, again, isn't quite as rote and uniform in its applicability. That's our comments. Again, many were on the same page.

I think we still, hopefully, have some goodwill left with the professional staff. I hope so, to keep drilling down on some of these issues. I think we can, and I'd be happy to answer any questions. I know William Wilkins is on. I don't know if he wants to make a quick comment or two, or we'd just stand for questions from the Commission.

Chairman Iliff: I'm going to open this to questions to Mr. Peterson or Mr. Wilkins, either one. If Mr. Wilkins has some comments, he is welcome to make them at this time.

*William Wilkins, NextEra, appeared before the Planning Commission and made the following comments:*

Mr. Wilkins: Good evening, and thanks again for the opportunity to address the Planning Commission. I'm Billy Wilkins, Project Developer, from NextEra. We appreciate the recent engagement with the Planning staff, and we tried to provide feedback to address the concerns of the staff. John's presentation accurately articulated our concerns and our recommendations. I would like to highlight some of our work with the staff. In mid-May we provided a response to the Berkley Group's recommendations back in April, describing the project, the state of the solar industry, project siting criteria, and the constraints of excessive acreage caps, setbacks and buffering, and provided a comparison to other counties as references. We also addressed the concerns of the impact done on the environment, including wildlife and water runoff. We also addressed decommissioning, which we know is a pretty hot button topic.

In early June we provided a follow-up response to our discussion with staff on 17 May, focusing on solar systems' compatibility with agriculture and how it fits into the rural character where it exists. We also made some recommendations on buffering and setbacks based on our experience with other jurisdictions and our understanding of the County's potential plans for road improvement and expansion. I hope that our input was helpful in providing an industry and developer's perspective. We understand that there has been some movement on a few recommended regulations. We appreciate the opportunity to remain a part of the discussion. Our project, West Gardener Solar, is a significant investment in Kansas, and more specifically, Johnson and Douglas County, and we hope to continue a dialog and eventually be able to bring a viable solar project to the county. Thank you for your time.

Chairman Iliff: Thank you, Mr. Wilkins. Are there questions for either Mr. Peterson or Mr. Wilkins from the members of the Commission?

Comm. Rast: I just have a comment. From what I'm hearing, I know Mr. Peterson brought up that he's hearing a lot of issues with us with the rural character problem. That's certainly not a focus of mine, and I'm not hearing that same, I guess, priority that he's hearing, or intensity coming from us. I think what I'm trying to figure out is we're trying to come up with a great plan of foreseeing and envisioning something new to the area that may encompass land for 30 to 40 years, as well as foreseeing how our county is going to grow. Our county is not just rural. It's a combination of a very diverse, energetic, fast paced growing as well as rural, in our agricultural, so I think we're trying to figure out the best way to come up with a Comprehensive Plan that works for both sides. Obviously, my personal opinion is I'm going to be looking after our county first, more so than NextEra's project. But what would be good is if we tried to stay with the same philosophy that when I asked the question of why we went from 1,000 to 2,000, I appreciated the answer that, "Yes, okay, let's have the latitude to have the opportunity to go bigger." That makes sense to me as a possibility, but we also need to utilize that same philosophy for everything else to protect potential homeowners or businesses that might come up that might want protection or not being able to see the solar...

Like, we have to stay with the same consistency of erring on the side of cautious and putting the more aggressive parameters on, but I also like the idea of also having the opportunity to keep in mind, and the opportunities with the CUP, like what John said, it's not a cookie-cutter, one-size-fits-all, that there might be a lot of opportunities where we have to come and look at each individual project or each individual situation to see how it best suits those areas but to kind of maintain and stay on the same path of how we make our decisions, what's best for the community, and maybe what's best for the people coming in with the project, I think is a safe way to go, versus to keep flip-flopping. Does that make sense, hopefully?

Chairman Iliff: Sure. Thank you, Kelley. I believe Commissioner O'Hara wanted to speak earlier, and she is now able to make herself heard. Commissioner O'Hara?

[technical problems]

Chairman Iliff: I guess it's not working. All right, so as not to waste time, other members of the Commission who would like to make comments or have questions?

Comm. Levin: I have a question and it's related to the panels themselves. Obviously, we live in an area that the weather can really damage things like this, and my question is, how are these panels developed? How do they do with hail? Do they release any kind of chemical when they are damaged? Can you give us how they're designed and built?

Mr. Pendley: I think if Mr. Wilkins is still on the line, he'd be great, or Denise.

Mr. Wilkins: Thank you, Sean. I will try, although, Commissioner Levin, I'm not an engineer. We have built solar sites across the United States, including the Northeast, Southeast, California, Texas. The manufacturer of the panels that we typically use design those in a way that they can withstand severe weather conditions. That's just part of the design process. From a development standpoint, there's really no concerns based on weather in Kansas in particular.

Comm. Levin: Okay, but when they get damaged, and they do break, what happens?

Mr. Wilkins: For each site we have an operations and maintenance team that is full time, and they are assigned to each project, and they will maintain the site. They will maintain the panels, and if and when there is a panel that's damaged, they will react and replace those panels.

Comm. Levin: When they're damaged, do they leak any kind of chemical onto the ground?

Mr. Wilkins: No. No, there are no chemicals in the panels that we use, so there's wires and there's composite that's made of glass and other materials, but no liquids.

Comm. Levin: Okay, thank you.

Commissioner O'Hara: Chris, can you hear me now?

Chairman Iliff: Yes, I can.

Commissioner O'Hara: Wow, that was quite a journey to be able to be heard.

Chairman Iliff: Yes, so this is Commissioner O'Hara speaking. Okay, go ahead.

Commissioner O'Hara: The one mile from cities, basically this could be hemming our cities in from future development, and one mile from the city limits, now for 30 years, is absolutely not workable. Our county is a quickly-growing county, and that really needs to be taken into consideration. Then the other thing is that residents in District 3, they are not going to be protected if they're in the unincorporated area, and there are subdivisions out in that area that could easily be like a horseshoe around them that they would be on three sides surrounding by solar farm. This is a high industrial use. There's no kidding around about it. This is a high industrial use, and this is not rural in character. This is an entirely new land use, and we need to go forward extremely cautiously. I don't believe that these facilities will be paying any property taxes. I think that they are exempt from all property taxes for 10 years. Is that correct, John?

Mr. Peterson: That is correct, for the first 10 years.

Commissioner O'Hara: Yes, for the first 10 years they will not be paying any property tax, zero.

Mr. Peterson: Of course, they pay quite a bit for the next 20.

Commissioner O'Hara: Okay, well it's that there are a lot of questions. I know that the panels are manufactured with PFAS, I believe is the chemicals, the toxic chemicals that are in the manufacturing process of these panels and that there are concerns about how to dispose of these panels, and questions about leaching. There are scores and scores and scores of questions that have to be asked and have to be answered, because we have to protect the property values of the people who are here. You're going to be impacting the property use, the use of private property that is adjacent to these solar farms, and we have to be extremely careful, because property rights end at the fence line. Those are my comments, and I really appreciate everyone's conversation tonight, and I look forward to a robust conversation.

Chairman Iliff: Thank you, Commissioner O'Hara. Any other members of the Commission that would like to make comments or ask questions?

Comm. Hutchins: Mr. Chairman. I had sent a presentation to Karen and Jay. Would either of you be able to share that with the Commission?

Mr. Leipzig: Yes

Ms. Miller: I just brought it up. Can you see that?

Mr. Hutchins: Yes, thank you. One thing following our meeting that we had last time, we had an opportunity to travel, with our farms being in different states, and one thing that I noticed is there

are, in fact, solar farms down along I-70 and other corridors in which we travel, so I thought I'd take the liberty to take some pictures of some of the existing ones. One thing that I'm a big proponent of is let's not create the wheel. Let's see what's already out there, what works and what doesn't. So, if we could go to the first slide.

This first picture is an actual solar farm in Richmond, Indiana, right off of I-70. One thing that you can notice is it butts right up against the state fence of the interstate. From that perspective, we've been driving by this one for a couple years now, and it's always been very neat and clean. This one is a bit difficult to see, but this is shooting across I-70 on the opposite side of the road. It's, again, a solar farm, and the thing of interest here, to me, was number one, the solar panels terminate right against the state fence. There is essentially, I would say, probably a ten-foot setback. Also, if you can see the trees, it's clear that they terminate against another property owner on the other side of the tree line. So bottom line is, it appears that they are maximizing the land use here. Let's go to the next one. This one actually is in Indianapolis, Indiana, and I know it's a bit hard to see, but it's quite a large solar farm. Would anybody guess where this is actually located? It's actually located at Ronald Reagan National Airport, so right there at the airport in Indianapolis. Going to the next one, again, this is another solar farm in New Castle, Indiana. I took the pictures, again, terminating. One thing I saw, it didn't matter what county it is, throughout the state of Indiana they pretty much all look identical. The next one, please. That's another view of the I-70 and the solar farm down along I-70. Again, you can see it's terminated right against the state fence. This is Ordway, Colorado. It's a bit difficult to see. If you now Ordway, Colorado, they're famous for their cantaloups. Some awesome cantaloups come from there. There was a pasture there that they've just recently converted to a solar farm. Again, this is a state highway. You've got the right-of-way there. You've got a drainage ditch or an irrigation ditch, and then beyond that you've got a fence and the solar farm. Again, very difficult to see, but the point being is this solar farm did, in fact, terminate along a fence line. I'm going to estimate it at 10 feet from the fence line of the adjacent property owner.

One thing I'd like to point out here is it's kind of difficult to see these solar farms in pictures like this. I would hate to see berms and screenings go up. That's going to prohibit one's view, because if there's anything that's going to take away from the natural beauty of the rural area, it's going to be that in itself. Everybody kind of likes to look out across the land and see what they can see. The other thing is you didn't see high fences. You didn't see screenings. The wildlife, they weren't impacted by this. I'm sure the antelope and the deer were going through the solar panels and whatnot, and certainly through I-70. It's the exact same fence. There was no new fencing than what the State puts in every mile on the interstate. So, that's what was important to me – how are other places managing this, so we don't try to recreate the wheel?

With that being said, if we move forward with doing this, my number one concern – and I think many of you expressed the same concern – is I'm concerned that if they go bankrupt, then we're stuck with a mess, and who's going to hold the bill? The best way to drive somebody into bankruptcy is to put together a lot of regulation and red tape that essentially drives them out of business. My recommendation is if we start going down this path, let's make sure we set these guys up for success and not for failure. Again, let's make sure we maximize the land use because if we're talking about 2,000 acres and only 65 percent of 2,000 acres, think how many less acres would be needed if we could concentrate them in a particular area. And he said it best – a farmer tries to get the most utilization out of their land. This is no different. We try to farm fence row to fence row. I don't understand why we would want to do anything different. But if they're going to manage this solar, then we want to make sure we're setting them up for success and enable them

to do that. That's my observations as I look at other solar farms. That's my assumptions that I've come to after looking at the pictures and trying to rationalize it as a farmer and what we need to do. Again, let's set them up for success, not set them up for failure.

Chairman Iliff: Thank you, Mr. Hutchins. Nice presentation. Other members of the Commission, comments?

Comm. Johns: I had a question on how many Johnson County acres are inside this red line on the map you all showed?

Mr. Pendley: That's a great question. I actually got a chat request. We don't have that information ready at this time. They are kind of on different layers, but we could certainly look at the one-mile buffer map and try to overlay any other project area, or try to show that. We could also gather from that map; we could use that baseline to figure out what is the acreage of a project boundary, kind of like what John Peterson was asking. That is something that staff is putting together and we're trying to refine that to come up with a definition for project area or project boundary. We could try to refine that and try to have that information for the next meeting. That's something that staff is still trying to evaluate, but we could certainly also update any maps to help illustrate that.

Ms. Miller: David, which red area did you mean? The red area that John Peterson showed, or the buffering?

Comm. Johns: Actually, the red area that John Peterson showed. The Johnson County acreage. Douglas County, they can figure out their own.

Mr. Pendley: We could certainly ask John or Billy to provide that detail, but I believe it was roughly close to 2,000 acres in Johnson County, but we could certainly get more accurate acreage on that.

Mr. Peterson: We'd be pleased to drill down on that. I want to be sure. That red area is kind of a target area. That doesn't mean that every acreage within that area is under agreement or going to be utilized, but we'll drill down and get some specifics, Commissioner, so you can put it in perspective.

Comm. Johns: Okay, thank you.

Comm. Mason: Can I comment?

Chairman Iliff: Yes, please, Roger. Go ahead.

Comm. Mason: Thank you. Tagging onto what Randy said, it's important that we make something efficient and workable before we turn that kind of a new use loose. Without drilling down into the exact dimensions of setbacks and coverage and that kind of thing, I was interested to hear what Mr. Gieringer said about his 80 that they're looking at. He's only going to be able to use 50-some acres, so we've taken out 20-some acres of productive ground by using excessive setbacks. If you have an 80 that doesn't have waterways already through it, and it doesn't have pieces that are unusable for beans and corn, I don't understand why we have to make them unusable acres now because you're going to be harvesting the sun. Another question I would have to throw out to the experts is, has there been any consideration and is it possible to have a hybrid wind/solar display on these, and work with some heights to maybe harvest both wind and sun off of the same spot?

I will say that I had occasion to be driving down 75 south of Atlanta the other day, and they are really getting into this business. The solar panels appear to be bumped right up to the interstate fence. Obviously, I was going at least the speed limit, so I couldn't see exactly how many feet back, but they are really close to the fence line, so I think we've got to be careful about taking too many acres out of production, because it just scatters the use. I think we need to condense it and make it the most efficient way we can for coverage. I have more but I'll speak later.

Chairman Iliff: Okay, thanks, Mr. Mason.

Comm. Bollin: To go along with what Mr. Hutchins was saying, you need the production area. We do some farming. We have to put as much land into use as we can. If you cut off 100 feet for hay production, you cut out several hundred bales of hay. Also, in the rural area, you've got hedge row upon hedge row out there. Why couldn't you use the hedge rows as screening? Leave it there and use it for screening instead of tearing the hedge row out and having to replant other trees to replace that hedge row. That would be something that you could use for screening. It's already there by previous planning by farmers years ago. Yes, I don't believe we need all of that extra area and berms in the rural area. That's a waste of money and effort to put all that in. Thank you.

Chairman Iliff: Thank you. Anyone else?

Comm. Rast: I have one more comment. I think what I'm struggling with is – and I agree with all the comments as far as farming and also even making next NextEra set up for success and not too much red tape/regulation. Those are all relevant, valid points, but sometimes they're not necessarily appropriate for what we're discussing. I'm also on the Zoning Board, and some of the things that different residents are coming out and complaining against, some CUPs, whether it's a baseball facility or a topsoil project, that's what I'm kind of struggling with from the standpoint of we have to remember as Johnson County grows there might be neighborhoods that come up, or residents, and I think that's what we're trying to protect, too, and trying to just keep that in mind.

If you put it out by the airport, have at it. Put it in, fence line to fence line. I-70 West, fence line to fence line. But we have to make sure...Because that obviously makes total sense and it's appropriate, and not to do the berms and all that. I don't even have any problem with the way they look. I think it's totally fine, but it's more of putting it smack in the middle or somewhere around Johnson County where it's still growing. Like I said, just with being on the Zoning Board, what residents don't want near their house, we've heard comments that are, to me, that they don't want certain things that are far less intrusive or unappealing or whatever. I think that's what's difficult, is we've got to remember that this isn't along I-70 out in the middle of nowhere or by the airport, and I think everybody's in agreement that we want the most successful setup for NextEra and whatever, but it's just how does this fit with Johnson County in where they go? And just to be sure that we keep drawing that distinction. That's all. Thank you.

Chairman Iliff: Thank you.

Comm. Levin: I want to echo what Kelley just said. I think one of the things that we need to really look at is you're looking at a project that's going to potentially be 30 years down the road, and with our growth, we're talking with a three- or four-year project, okay, but we're talking about something that's going to be 30 years, potentially. We're hope it goes 30 years; that's our goal. So, I think we need to pay close attention to how we're doing this.

Chairman Iliff: Thank you, Mr. Levin.

Comm. Huggins: I have a couple of things I would be interested in knowing. Hopefully, staff or the consultant can provide this, maybe a report on any toxic effects of these facilities. I understand batteries are going to be toxic, but without batteries, is there any data out there that would explain what the risks are as far as that goes? I would also like to have a comparison of setbacks in the county, or in surrounding communities that are used, say, between commercial and residential or industrial and residential areas to see how those setbacks compare to what we're proposing for these solar facilities. I, for one, would think you would need more setback between residential and commercial and industrial than you would for these solar panels. Thank you.

Ms. Nelson: Thank you, Mr. Huggins. If I may respond for a moment. I do have some reports and studies documenting that the solar panels themselves and the electrical equipment with them are not toxic, are not harmful, because they don't have liquids, they don't have chemicals floating in them. It's moving photons, not chemicals or toxins that can leak, and I will be happy to send that over to Sean and Jay to share. Something that came up earlier, with the setbacks and with the screening options, we did look at the regulations for other types of uses, and we did try to come up with distances and types of screening that are already in alignment with what you're requiring in other zoning districts and for other types of uses. There has been a lot of focus on berms. You're actually the first county that I've seen allow berms. It's not that berms are recommended or required. They're one of four options that are allowed. The County is trying to offer developers the options for diversity and creative solutions. Berms are offered in the Regulations for other uses, so we've continued to allow that for this use, and I believe the setbacks are in alignment with the types of setbacks, the distances you have for other uses.

Ms. Miller: I'll also point out that there are waivers available as they are written now for both the screening and setback requirements for good cause.

Chairman Iliff: I don't want to cut off what I think is a very fruitful conversation and questions, but unless there is anything more, we will move to the next item on the agenda. I think, Karen and Sean and Jay, you can listen to the conversation tonight, you can listen to the comments, both by the applicant and by the members of the Commission and Commissioner O'Hara, draw your own conclusions, but it sounds to me like there is a lot of room for compromise here, and I am hoping that by the time we come back that we'll have something that everybody can say, "Yes, this looks very much like something that's good for the county and good for the applicant." And I really appreciate the thoughtful comments of everybody here tonight.

## **F. DIRECTOR'S REPORT**

Chairman Iliff: Jay, would you like to make a few comments?

Mr. Leipzig: Good evening, Mr. Chair. I also wanted to reiterate that I appreciate the discussion and the comments this evening, and yes, staff will look at the recording and look at the comments and see where there's some room for compromise, but I do appreciate all of the comments this evening and the discussion. It was very helpful to get that feedback in terms of the direction that we're going.

### 1. Update on Board of County Commissioners' actions.

Mr. Leipzig: A couple things on my update. For the County Commissioner's actions, I wanted to point out that in your packet was a summary report of all of the Board of County Commissioners action. You do have that. If you do have any questions about that, please let me know. I'd be happy to answer any questions you might have.

## 2. Update on the Kansas City Regional Action Plan.

Mr. Leipzig: As an update on the Kansas City Regional Action Plan, I believe Mayor Kelly had mentioned something earlier in the evening. We have scheduled what we call a Committee of the Whole meeting with the Board of County Commissioners for July 1<sup>st</sup> to review the MARC Climate Action Plan. As you might recall, that document was presented to you in a summary back at our meeting in February. There was some discussion. We had a couple of presentations, not only from Mid America Regional Council, but also Brian Alferman, our Sustainability Coordinator, to talk a little bit about some of the actions that the County is currently undertaking in regard to environmentally friendly practices. It encompasses several different departments across the county. I did want to mention that there is a Committee of the Whole scheduled. If this Commission would like to support that document in some kind of a letter of support, I'd be happy to prepare that and submit that along with that packet. If you all agreeable to that.

Chairman Iliff: If you would, Jay, I think that would be a good idea, if you would prepare that.

Mr. Leipzig: Okay. Thank you, sir. I'd be happy to do that.

## 3. Appointment of a Planning Commissioner to the Board of Zoning Appeals

Mr. Leipzig: The last item I have is we also have an opening on our Board of Zoning Appeals. There is a Planning Commission Liaison to the Board of Zoning Appeals. There are a couple of requirements in this role. The person must be from the unincorporated area of the county, and they also cannot be on any other boards, none on the zoning boards, so that leaves, we have one person, Lindsay Grise, who would probably be the member that fills that criteria, Chair, I don't know if you'd like to make a motion to nominate Lindsay to that position?

Chairman Iliff: Yeah, since she is the only member of this Commission who fits the description and requirements for that position, I'm just hoping that if I nominate her that she won't turn me down.

*Motion by Chairman Iliff, seconded by Comm. Rast, to appoint Lindsay Grise as Liaison to the Board of Zoning Appeals.*

*Motion carried unanimously.*

Chairman Iliff: The only thing that remains is for Lindsay to agree that she'll accept the position. She unmuted herself, but I didn't hear anything. She sends me a note that says, "I accept." Okay, thank you very much, Lindsay, appreciate that. Is there anything else from the Director?

Mr. Leipzig: No. Mr. Chairman, I appreciate it. Once again, thank you for the comments this evening and the great conversation.

## **G. UPDATES/OTHER BUSINESS**

Chairman Iliff: There is one small other matter under updates and other business, and that is to welcome Michael Levin to the Board. We really appreciate you being a Commissioner here. Michael works in the Sheriff's Department, and I had a nice conversation, Jay and I did, when he was first coming on. Your active involvement in this meeting shows that you are going to be a valuable member. We really appreciate that, and I hope everyone will welcome Michael and hopefully a month from now we'll be doing this in person, rather than doing it through Zoom, but Michael, thank you for joining us.

Comm. Levin: Thank you. I appreciate the opportunity.

Chairman Iliff: Unless there's any other suggestions for other business, do I hear a motion for adjournment?

**H. ADJOURNMENT**

*Motion for adjournment by Comm. Mason, seconded by Comm. Hutchins.*

*Motion passed unanimously.*

Thereupon, with no further business to come before the Johnson County Planning Commission, Chairman Iliff, at 8:03 p.m. declared the meeting to be *Adjourned*.

DRAFT