# EDGERTON PLANNING COMMISSION AGENDA SPECIAL SESSION January 28, 2014 7:00 PM

- 1. Call meeting to order
- 2. Pledge of Allegiance
- 3. Roll Call:

A. Members:

Phyllis Harris, Chairperson Maria O'Neill, Secretary Bob O'Neill

Chuck Davis Missy Drinkard Ron Conus Present / Absent Present / Absent

- 4. Approval of Minutes: A. December 10, 2013
- Guests Present:

A.

B.

- 6. Communications:
- 7. New Business
  - A. Consideration of Final Plat requesting approval of TSL Edgerton, Lots 1 located in the southwest corner of 191<sup>st</sup> Street and Waverly Road, in the northeast ¼ of the northeast ¼ of Section 3, Township 15, Range 22, containing approximately 20 acres, more or less. Applicant: TranSpec Leasing, Inc., Tom Hastings.

Action requested: Consider motion to of recommendation to approve, deny, or table.

B. Consideration of Final Plat requesting approval of a final plat for Logistics Park Kansas City, Third Plat (Lot 3) located west of Waverly Road and 191<sup>st</sup> Street, in the southeast and southwest quarters of Section 34, Township 14 South, Range 22 East, Johnson County, Kansas. Applicant: Edgerton Land Holding Company, LLC.

Action requested: Consider motion to of recommendation to approve, deny, or table.

C. Consideration of Final Site Plan requesting appro9val of a final site plan for Logistics Park Kansas City, Third Plat (Lot 3) located west of Waverly Road and 191<sup>st</sup> Street, in the southeast and southwest quarters of Section 34, Township 14 South, Range 22 East, Johnson County, Kansas. Applicant: Edgerton Land Holding Company, LLC.

Action requested: Consider motion to approve, deny, or table.

8. Other Business

- 9. Future Meeting Regular meeting February 11, 2014
- 10. Adjournment:

# EDGERTON COMMUNITY BUILDING PLANNING COMMISSION MEETING December 10, 2013 Minutes

The Edgerton Planning Commission met in regular session with Chair Harris calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners Phyllis Harris, Maria O'Neill, Bob O'Neill, Chuck Davis, Ron Conus, and Alternate Tom McClusky. Absent was Commissioner Missy Drinkard. Also present were City Administrator Beth Linn and Recording Officer, Debra S. Gragg.

Chair Harris declared a quorum was present.

# **MINUTES**

Minutes of November 12, 2013 were considered. Motion by B. O'Neill, seconded by M. O'Neill, to approve the minutes as presented. The motion was approved, 6-0.

# **GUESTS**

No guests were formally introduced.

# COMMUNICATIONS

There were no communications made.

### FINAL SITE PLAN

Amended final site plan, S-09-16-2013, TSL Edgerton Phase I of TSL Edgerton, located in the southwest corner of 191<sup>st</sup> Street and Waverly Road was considered. Owner: Tom Hastings, TranSpec Leasing, Inc.

The City Administrator informed the Commissioners this final site plan was previously considered, but noted the application was amended when presented to the Governing Body. She indicated this was sent back for consideration of the amended request. Ms. Linn indicated the request is to allow the two existing buildings shown on the plan to remain, adding they would be ADA compliant. She overviewed the building finishes and reviewed the Uniform Development Code (UDC) regulations for re-use of buildings.

Dan Cook, Renaissance Infrastructure Consulting (R·I·C), was present to address the matter for the applicant. He indicated the applicant agrees with staff's recommendations.

Commissioner B. O'Neill questioned if the stipulation for concrete was for the project over all. The response was this is only for Phase 1.

Commissioner Conus asked if there is any grandfathering for the exterior finish. The City Administrator indicated there is not.

Motion by M. O'Neill, seconded by B. O'Neill, to approve the amended final site plan with the following stipulations: 1) Revised final site plans shall be submitted prior to any building permit approvals or commencement of the use to address all Site Plan requirements in the Section 5.2 of Article 5 Logistics Park (L-P) and Section 10.1 of Article 10 Site Plan including all items listed; 2) Only the area shown as Phase I on the amended Site Plan dated December 3, 2013 shall be approved herein. Phase II and other future phases are not approved by this review and shall be reviewed by the Planning Commission in other applications yet to be submitted: 3) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; 4) No exterior lighting is proposed with this application. Lighting proposed later shall receive separate approval according to the provisions of the UDC; 5) Permanent paving of asphalt or concrete shall be completed by July 2014; 6) Utility connections for existing buildings and future phases shall be reviewed and approved by the City. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. Plans for any sanitary sewer extension will need to obtain a KDHE permit; 7) All building permit and sign permit requirements of the City shall be met; 8) The City will not require at time of site plan approval the construction of sidewalks along 191<sup>st</sup> Street or street improvements for Waverly Road adjacent to the subject property. Prior to obtaining a building permit, the property owner will execute the necessary agreement to waive and relinquish any right he/she may have under K.S.A. 12-6a06 to protest the formation of a benefit district to pay for the construction of those sidewalks and street improvements adjacent to the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time; and 9) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein. The motion was approved, 6-0.

# **CONDITIONAL USE PERMIT**

Amended conditional use permit, CU-09-16-2013, requesting a permit to allow use of land, in the L-P, Logistics Park Zoning District, generally located at the southwest corner of 191<sup>st</sup> Street and Waverly Road, for "Cargo Container Storage, Maintenance, and Repair Facilities" was considered. Owner: Tom Hastings, TranSpec Leasing, Inc.

The City Administrator announced this item was previously heard by the Planning Commission. She added the applicant made changes to the application submitted before the Governing Body. It was noted due to changes, the Governing Body remanded the request back to the Planning Commission for further review. She noted a new stipulation is proposed requiring compliance with ADA standards for existing buildings remaining for applicant's use.

Motion by Conus, seconded by M. O'Neill, to approve the conditional use permit with the following stipulations: 1) The property owner shall continuously comply with all performance criteria in Article 7 pertaining to Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities, including, but not limited to, noise maximums and cargo container and chassis stacking height requirements. There is residentially zoned property abutting and across the street from the subject property. The application can comply with the requirement by not utilizing the Phase II area of the property and foregoing the use of the southern-most row of trailer parking in Phase 1. This condition shall be continually met until the residentially zoned property is changed to a nonresidential use; 2) The property shall be developed in accordance with the amended Site Plan, as approved by the City, prior to commencement of the cargo container storage use. Plant material shall be continuously maintained and replaced when dead. When the project is complete, new trees shall be added to fill the gaps in the existing trees (on the north and west property lines) to fulfill the screening requirements: 3) All existing building exteriors shall be modified in accordance with the City of Edgerton Unified Development Code. Applicant shall provide documentation for review and approval by City for service of utilities and compliance with ADA standards for all existing buildings to remain; 4) Cargo containers and chassis may be stored only in the designated, striped areas shown on the Site Plan; 5) No other outside storage of equipment or materials shall be allowed on the property; 6) Any future phases or additional areas used for cargo container maintenance and repair uses shall not commence until a Site Plan is submitted and approved by the City for that phase, including photometric and landscaping plans; and 7) This Conditional Use Permit shall be valid for ten years from approval by the City of Edgerton. The motion was approved, 6-0.

# **PUBLIC HEARING – FINAL SITE PLAN**

A public hearing for Final Site Plan, S-11-15-2013, requesting approval for International Transload Logistics, Lot 1, located in the vicinity of the southeast corner of 191<sup>st</sup> Street and Homestead Lane, within the Northwest one-quarter of Section 3, Township 15, Range 22 containing approximately 31.860 acres more or less was opened. Owners: Omar and India Holtgraver. Agent: International Transload Logistics.

The Commissioners were informed this request is for Lot 1 and the purpose of this action is to operate a cargo container storage facility. The property is located near Homestead and 191st Street which are paved and designed to accommodate intermodal and logistic park traffic. Utility services are provided by Rural Water District No. 7 for water; sanitary sewer service through the Homestead Lane lift station; fire

protection by Johnson County Rural Fire District No. 1; and police protection by Johnson County Sheriff.

The Commissioners were informed the applicant has requested to use the existing single-family home for business purposes. It was noted that Type 2 perimeter buffering is required on the west property line to the back of the Transfer Dock building. The City Administrator reviewed the sheets for this request and noted the need for specifying permanent parking material and execution of an agreement not to protest formation of a benefit district for 191<sup>st</sup> Street sidewalk improvements, review for drainage needs; handicapped access to include parking spaces and ADA compatibility, access point at 191<sup>st</sup> Street, and existing buildings brought into compliance with UDC to include facing building with appropriate material, additional landscaping, etc. Ms. Linn stated this site is a unique composition and noted if staff's review lacks full comfort, it will be returned to the Planning Commission in January, 2014. Other comments noted were need for storm water study, cross-access easement, location for fire hydrants, scale of site plan adjusted for legibility, and depiction of electrical hookups to eliminate excessive idling.

Craig Swope, ITL, indicated his company is out of Chicago and holds a contract with Burlington Northern Santa Fe Rail Road. He spoke about the proposed use of existing buildings and increased landscaping. He noted the area would appear business-like and presentable with increased landscaping/buffering.

Commissioner B. O'Neill questioned the project's start date. Mr. Swope noted the asphalt cannot be added until after March or later, after the rainy season is over, overall – weather permitting.

John Rohderer spoke about the composite process which is used in Illinois; he indicated that is the proposed method for this project as well. The City Administrator indicated staff and the City Engineer will review and if this process is viable, the request will be brought back to the Commissioners to modify the code. She indicated if the material process is good, this would possibly be returned as an amended plan in January.

Motion by B. O'Neill, seconded by M. O'Neill, to close the hearing. The motion was approved, 6-0.

Motion by B. O'Neill, seconded by Conus, the approve the final site plan, with the following stipulations: 1) Revised final site plans shall be submitted prior to any building permit approvals or commencement of the use to address all Site Plan requirements in the Section 5.2 of Article 5 Logistics Park (L-P) and Section 10.1 of Article 10 Site Plan including all items listed; 2) Only the area shown as Phase I on the Site Plan shall be approved herein. Phase II and other future phases are not approved by this review and shall be reviewed by the Planning Commission in other applications yet to be submitted; 3) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; 4) No exterior lighting is proposed with this application. Lighting proposed later shall receive separate approval

according to the provisions of the UDC; 5) Utility connections for existing buildings and all future phases shall be reviewed and approved by the City. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. Plans for any public sanitary sewer extension will need to obtain a KDHE permit; 6) All building permit and sign permit requirements of the City shall be met; 7) The City will not require at time of site plan approval the construction of sidewalks along 191<sup>st</sup> Street. Prior to obtaining a building permit, the property owner will execute the necessary agreement to waive and relinquish any right he/she may have under K.S.A. 12-6a06 to protest the formation of a benefit district to pay for the construction of those sidewalks and street improvements adjacent to the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time; and 8) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development. when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

The motion was approved, 6-0.

# **PUBLIC HEARING - CONDITIONAL USE PERMIT**

A public hearing for a Conditional Use Permit, CU-11-15-2013, for Lot 1, ITL, requesting approval for a conditional use permit to operate a cargo container storage, repair and maintenance facility located in the southeast corner of 191<sup>st</sup> Street and Homestead Lane, within the Northwest one-quarter of Section 3, Township 15, Range 22 containing approximately 31.860 acres more or less was opened. Applicant: Omar and India Holtgraver. Agent: International Transload Logistics (ITL).

The City Administrator reviewed the criteria and noted most of the process is the same as the rezoning request. She also overviewed this project for cargo container storage and compared the project to the "Golden Criteria." The stipulations were noted and staff recommended the permit be granted for ten (10) years, which would allow for the investment needed for the upgrade.

The Planning Commission Chair questioned if ITL is agreeable with the stipulations. The response was in the affirmative.

Motion by Davis, seconded by B. O'Neill, to close the hearing. The motion was approved, 6-0.

Motion by B. O'Neill, seconded by Conus, to approve the conditional use permit with the following stipulations: 1) The property owner shall continuously comply with all performance criteria in Article 7 pertaining to Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities, including, but not limited to, noise maximums

and cargo container and chassis stacking height requirements, paving requirements, etc.; 2) The property shall be developed in accordance with the Site Plan, Landscaping Plan, and Photometric Plan as revised, as approved by the City, prior to commencement of the cargo container storage use; 3) All existing building exteriors shall be modified in accordance with the City of Edgerton Unified Development Code. Applicant shall provide documentation for review and approval by City for service of utilities and compliance with ADA standards for all existing buildings to remain; 4) Cargo containers and chassis may be stored only in the designated, striped areas shown on the Site Plan.; 5) No other outside storage of equipment or materials shall be allowed on the property; 6) Any future phases or additional areas used for cargo container maintenance and repair uses shall not commence until a Site Plan is submitted and approved by the City for that phase, including photometric and landscaping plans; and 7) This Conditional Use Permit shall be valid for ten (10) years from approval by the City of Edgerton. The motion was approved, 6-0.

# **PUBLIC HEARING – REZONING**

A public hearing in regards to rezoning request, RZ-11-18-2013, requesting a change of zoning from Johnson County Rural (RUR) to City of Edgerton Logistics Park (L-P) for property located in Section 35, Township 14, Range 22 located approximately .2 miles east of Waverly Road on the north side of 191<sup>st</sup> Street containing 20 acres more or less was opened. Owners: William E and Lucy E. Dailey. Applicant/Agent: Lynn Boyd, JB Hunt.

The City Administrator overviewed the background, infrastructure and comparisons to the "Golden Criteria." She noted the proposed use for the property is for a cargo container and truck storage facility. She also noted the property may need a holding tank for wastewater until a sewer line of extended to the property.

Discussion ensued regarding the improvement for 191<sup>st</sup> Street. It was noted there is a temporary pavement installed by KDOT, and added that the applicant should execute an agreement not to protest the formation of a benefit district for roadway, if warranted.

Motion by B. O'Neill, seconded by M. O'Neill, to close the public hearing. The motion was approved, 6-0.

Motion by B. O'Neill, seconded by Conus, to approve the rezoning with the following stipulations: 1) All Site Plan application requirements of the City shall be met; 2) All infrastructure requirements of the City shall be met; 3) Prior to any grading on the subject property, a Land Disturbance Permit and a Stormwater Water Quality Management Plan shall be submitted and approved by the City; and 4) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 6-0.

# **PUBLIC HEARING – PRELIMINARY PLAT**

A public hearing for PP-11-18-2013, for Preliminary Plat for J. B. Hunt for preliminarily platting property in Section 35, Township 14, Range 22 located approximately .2 miles east of Waverly Road on the north side of 191<sup>st</sup> Street containing 20 acres more or less was opened. Owners: William E. and Lucy E. Dailey. Applicant/Agent: J.B. Hunt, Lynn Boyd.

The City Administrator provided an analysis of the preliminary plat for a proposed cargo container and truck storage facility. Items noted for addressing include: different name for the plat; adding a legend; adding proposed utility easements; dedicating drainage easement; extension of sanitary line through property; identification of all utility connections for buildings; execution of an agreement not to protest formation of a benefit district for 191<sup>st</sup> Street prior to issuance of a building permit; addition of proposed sidewalks and storm sewers; proposed entrances; include notation indicating public water and sewer provision as required by the Uniform Development Code Article 13.3 D 9. In addition, the applicants shall provide a traffic study.

Commissioner Davis spoke about the asphalt millings; staff noted potential discussion at the next meeting regarding the propose surface.

The City Administrator addressed questions about setbacks/deviations. It was noted that a deviation of the 50' setback would include higher berm and shorter height for stacking of containers.

Mike Osbourn, Kaw Engineering, spoke about deviation requested. He noted the flood plain is limited and indicated this would be addressed with the Site Plan. He overviewed the set up for the storage containers.

Commissioner Davis asked how close the house is to the north. The response indicated it is over 400 feet.

Fred Fraley, Gardner, Kansas, stated his property is to the north and indicated concern that his property is being used for the set back and that he is not in favor/support of the deviation.

Motion by M. O'Neill, seconded by B. O'Neill, to close the public hearing. The motion was approved, 6-0.

Motion by B. O'Neill, seconded by M. O'Neill, to approve the preliminary plat with the following stipulations: 1) All Preliminary Plat requirements of the City noted shall be met or addressed during the Final Plat submittal as identified; 2) Preliminary plat be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission

upon submittal and approval of a written request may grant a one-year extension on the approval of a preliminary plat; 3) All infrastructure requirements of the City shall be met; 4) The preliminary plat shall be revised to show the drainage easements, streamway buffers, floodplain restrictions, and NPDES (stormwater management) requirements, according to and as required by City Engineer review; and 5) The preliminary plat shall be revised to show a not indicating public water and sewer provision as required by Article 13.3 D 9.

Commissioner Davis asked if the preliminary plat would be brought back with any changes at the final plat. The City Administrator addressed and noted the potential changes would be addressed with the site plan.

The motion was approved, 6-0.

# **PUBLIC HEARING – FINAL SITE PLAN**

A public hearing for Final Site Plan, S-11-18-2013, requesting approval for property located in Section 35, Township 14, Range 22 located approximately .2 miles east of Waverly Road on the north side of 191<sup>st</sup> Street containing 20 acres more or less was opened. Owners: William E and Lucy E. Dailey. Applicant/Agent: Lynn Boyd, JB Hunt.

The City Administrator overviewed staff analysis of the plan. Ms. Linn addressed the project name which should be the same as the plat, which also needs to be renamed. She addressed the landscape plan regarding required right-of-way along 191<sup>st</sup> Street to include buffer, trees and bushes. The plan requires a noted trash container, landscaped islands inside the parking areas to minimize the heat island effect and the elimination of a chain line fence which is not permitted in the designated zoning.

Ms. Linn addressed needs for Sheet #3 which include: pedestrian access within and to the development and noted the need to have the property owner execute an agreement not to protest formation of a benefit district or districts. Other items to be addressed include: accessible parking spaces and accessible routes to the buildings. She noted a traffic study shall be completed and details for access point to 191<sup>st</sup> Street shall be reviewed and approved by the City Engineer; location of utility easements shall be shown; and inclusion of a drainage easement, and extension of sewer line to allow property to the east to connect.

Ms. Linn indicated the storm water study would need to address noted items prior to approval, the plan's scale should be adjusted for better reading and inclusion of electrical hook-ups as required per the Diesel Emission Requirements in the UDC.

Lynn Boyd, J.B. Hunt, and Mike Osbourn, Kaw Engineering, were present to address the Commission.

Mr. Osbourn spoke about the potential changes to the building, berm, driveway, and aggregate/composite for the pavement. He stated samples would be submitted in the future for review.

Mr. Boyd overviewed the project and business operations. He noted if the alternative options for the hard surface are not viable for this site, asphalt or concrete would be installed. He indicated the number of trucks at this site would accommodate approximately 40-50 drivers, but noted a better number would be available in the near future. He stated this purpose is controlled growth, noting his company ships domestic containers.

Mr. Conus questioned how the company would work with the neighbor to the north. Mr. Osbourn addressed the engineering concerns.

Mr. Fred Fraley, Gardner, Kansas informed the Planning Commissioners he opposes his adjacent residential property being used as a buffer for this project.

Motion by Conus, seconded by Davis, to close the public hearing. The motion was approved, 6-0.

Motion by Conus, seconded by B. O'Neill, to approve the final site plan with the following stipulations: 1) Revised final site plans shall be submitted prior to any building permit approvals or commencement of the use to address all Site Plan requirements in the Section 5.2 of Article 5 Logistics Park (L-P) and Section 10.2 of Article 10 Site Plan including all items noted; 2) The revised Site Plan shall provide a designated off-street space for the loading and unloading of goods and merchandise. The revised site plan shall address the requirement for bumper guards in required parking areas; 3) Revised landscaping plan shall be submitted and approved. Additional mitigating measures along north property line shall be submitted and approved; 4) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; 5) No exterior lighting is proposed with this application. Applicant shall submit a photometric plan according to the provisions of the UDC: 6) All paved surfaces must be asphalt or concrete. Asphalt millings is not permitted; 7) Traffic study shall be completed and approved by City Engineer prior to construction; 8) Comments regarding stormwater study shall be addressed prior to construction; 9) Utility connections for all buildings shall be reviewed and approved by the City. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. Plans for any public sanitary sewer extension will need to obtain a KDHE permit; 10) All building permit and sign permit requirements of the City shall be met; 11) The City will not require at time of site plan approval the upgrade of 191<sup>st</sup> Street adjacent to the property. Prior to obtaining a building permit, the property owner will execute the necessary agreement to waive and relinquish any right he/she may have under K.S.A. 12-6a06 to protest the formation of a benefit district to pay for the construction of those sidewalks and street improvements adjacent to the above described property for a period of thirty (30) years, and that such agreement is intended

to be a covenant running with the land for said period of time; and 12) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easement, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein. The motion was approved, 6-0.

# **PUBLIC HEARING – CONDITIONAL USE PERMIT**

A public hearing for Conditional Use Permit, CU-11-18-2013, requesting approval of a conditional use permit to operate a cargo container storage, maintenance and repair facility for one lot located in Section 35, Township 14, Range 22 located approximately .2 miles east of Waverly Road on the north side of 191<sup>st</sup> Street containing 20 acres more or less was opened. Owners: William E. and Lucy E. Dailey. Applicant/Agent: Lynn Boyd, J.B. Hunt.

The City Administrator reviewed the project and operations with this requested permit and overviewed the general criteria.

She spoke about the limitations of stacking height along the northern area setback. In addition, the language for the deviation request was reviewed.

It was discussed that an additional stipulation regarding stacking of cargo containers adjacent to residentially zoned property be added to the listing and to allow this permit to be valid for ten (10) years.

Motion by B. O'Neill, seconded by M. O'Neill, to close the public hearing. The motion was approved, 6-0.

Motion by B. O'Neill, seconded by Davis, to approve the conditional use permit with the following stipulations: 1) Additional mitigation measures are submitted by the applicant with regard to the setback along the north property line; 2) Revised landscaping plan be submitted and approved. The revised plans shall include modification of the berm closed to the southeast property line as an additional mitigation measure for the property to the east. Additional mitigating measures along north property line shall be submitted and approved; 3) The property owner shall continuously comply with all performance criteria in Article 7 pertaining to Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities, including, but not limited to, noise maximums and cargo container and chassis stacking height requirements, paving requirements, etc.; 4) The property shall be developed in accordance with the Site Plan, Landscaping Plan and Photometric Plan as revised, as approved by the City, prior to commencement of the cargo container storage use. Plant material shall be continuously maintained and replaced when dead; 5) Detailed building construction plans shall be submitted as

required for building permit review. All new building exteriors shall comply with the City of Edgerton Unified Development Code. Applicant shall provide documentation for review and approval by City for service of and compliance with ADA standards for all existing buildings to remain.; 6) Cargo containers and chassis may be stored only in designated, striped areas shown on the Site Plan; 7) No other outside storage of equipment or materials shall be allowed on the property; 8) This Conditional Use Permit shall be valid for ten (10) years from approval by the City of Edgerton; and 9) Cargo containers stacked only two (2) high along the north row as long as the adjacent property remains residential. The motion was approved, 6-0.

Ms. Linn announced these items would be considered by the Governing Body at its regular meeting of January 9, 2014.

# OTHER BUSINESS

The City Administrator informed the Commissioners of a possible lease on a new building for Edgerton Land Holding Company which may require a special session.

Ms. Linn reminded the Commissioners of the Open House scheduled for the next evening, December 11, 2013.

Commissioner Conus spoke about the quarry blasting and his concern with operations. The City Administrator addressed, noting the quarry is outside of the corporate limits and indicated Fire District No. 1 oversees the blasting. She indicated the quarry operators are blasting on a lower shelf and at times will cause more vibration.

# **ADJOURNMENT**

Motion by Conus, seconded by M. O'Neill, to adjourn. The motion was approved, 6-0.

The meeting adjourned at 9:15 p.m.



404 East Nelson Edgerton, KS 66021 P: 913.893.6231 EDGERTONKS.ORG

### STAFF REPORT

January 10, 2014

To: Edgerton Planning Commission Fr: Beth Linn, City Administrator

Mike Mabrey, Zoning Administrator

Re: Application for Final Plat for TSL Edgerton, generally located on the southwest corner

of 191st Street and Waverly Road

# **APPLICATION INFORMATION**

Applicant/Property Owner: TSL Edgerton

**Requested Action:** Final Plat for TSL Edgerton

**Legal Description:** Part of Section 3, Township 15, Range 22

**Site Address/Location:** Approximately 20 acres at the southwest corner of

191st Street and Waverly Road

**Existing Zoning and Land Uses:** Multiple parcels containing residences and accessory

structures

**Surrounding Zoning and Uses:** BNSF Intermodal Facility and L-P zoned land for

warehouse development to the north in the City of Edgerton; unincorporated County to the south and east; and land in the City of Edgerton at the

northeast corner of Waverly and 191st.

**Existing Improvements:** Single family homes with accessory structures

Site Size: Approximately 20 acres

**Project Background and Description:** The subject property is located on the southwest corner of 191st Street and Waverly Road, with about 1,300 feet of frontage along 191st and about 640 feet along Waverly Street. This land was annexed into the City of Edgerton on September 12, 2013. The conditional use has been requested to facilitate the development of the property for a cargo container storage facility. The BNSF intermodal facility is located about 1/2 mile to the northwest and a warehouse industrial (logistics) park is adjacent, across 191st Road to the north. Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity on and around the

intermodal facility. The logistics park and intermodal's primary function is to transport and redistribute containers and the products they contain. Since they are not in the business of storing containers for an extended period of time, there is a need for companies, like the applicant's, that specialize in storage and maintenance.

Intermodal

City of
Gardner

City of
Edgerton

City of
Edgerton

Floodplain

Property

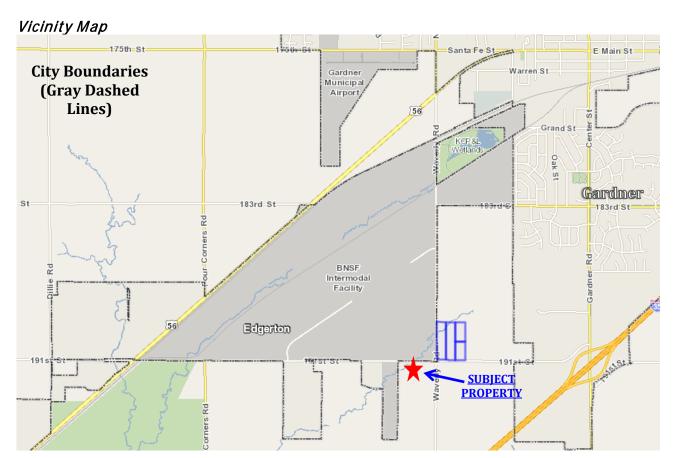
# **Background Information**

The subject property is located on the southwest corner of 191st Street and Waverly Road, with about 1,300 feet of frontage along 191st and about 640 feet along Waverly Street. The property, annexed in September 12, 2013, is entirely within the City of Edgerton.

# Infrastructure and Services:

- a. Waverly Road, currently gravel surfaced but planned for future improvement to pavement that will support intermodal and logistic park traffic, will provide access to the proposed facility. 191<sup>st</sup> Street west of Waverly is paved/heavy haul. 191<sup>st</sup> Street east of Waverly is paved (6" asphalt).
- b. The property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. A little over three acres of the west and southwest portion of the property is located within the flood plain of a tributary of Bull Creek. The site plan does not show any development within the floodplain.

- d. The property does not currently have sanitary sewer service. No new buildings are planned that would necessitate sewer hook-ups. The existing homes are on septic systems.
- e. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along the Waverly Road property frontage, which is able to supply domestic needs. No new buildings are planned that would necessitate water connection in Phase I.
- f. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Rural Fire District No. 1. A fire station is located in the City of Edgerton, to the west.



### STAFF ANALYSIS

Staff has reviewed the Final Plat submittal for compliance with the Approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

- 1. Scale, the same used for the preliminary plat; North point; vicinity map. *Final Plat complies.*
- 2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract. *The title of the plat says "Lots 1, 2 & D/F". Both lots are labeled Lot 1.*
- 3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins,

monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. The 20.00' boundary line with a bearing of N 01°09'43"W is described differently in the legal description. Abandoned lot lines have not been shown. It appears that no monuments have been set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. Adjoining parcels should be identified by title description or record reference if pertinent to the boundary lines. The area shown on the plat (17.29 ac + 3.26 ac) is larger than the area in the legal description (18.57 ac).

- 4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground. The corresponding supporting quarter corners should be shown and identified on the plat.
- 5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. *Table has not been provided.*
- 6. A number for each lot, starting (if practical) in the northwest corner. Both lots are numbered Lot 1. The drainage easement should be part of one or both of the lots.
- 7. All easements with widths, and roads with curve data. *Additional utility easements may be necessary. Plat should be reviewed by Utility Companies.*
- 8. Ingress/egress limitations if required. *Final Plat complies*.
- 9. The location of existing utility easements. Final Plat complies.
- 10. A written legal description from the survey. *Final Plat complies*.
- 11. An instrument of dedication for all roads and easements. *Dedication should include Pedestrian Easement*.
- 12. Special notations required as a condition of platting by the Planning Commission. *Final Plat complies.*
- 13. Approved phases clearly delineated. *Final Plat complies*.
- 14. Private travel easements. Final Plat complies.
- 15. The Owner's Certificate with Notary Seal. Final Plat complies.
- 16. Certificate of the Governing Body with City Clerk's attest and Seal. *Final Plat complies*.
- 17. Edgerton City Planning Commission chair and secretary approval. Final Plat complies.
- 18. Certificate of the Register of Deeds. Not provided.
- 19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. *County Surveyor approval block has not been provided.*
- 20. Certificate of the Zoning Administrator. Final Plat complies.

### **Other Comments**

Modify Consent to Levy section to correct "pubic" typo.

# **RECOMMENDATIONS**

City staff recommends **approval** of the Final Plat for TSL Edgerton subject to compliance with the following stipulations:

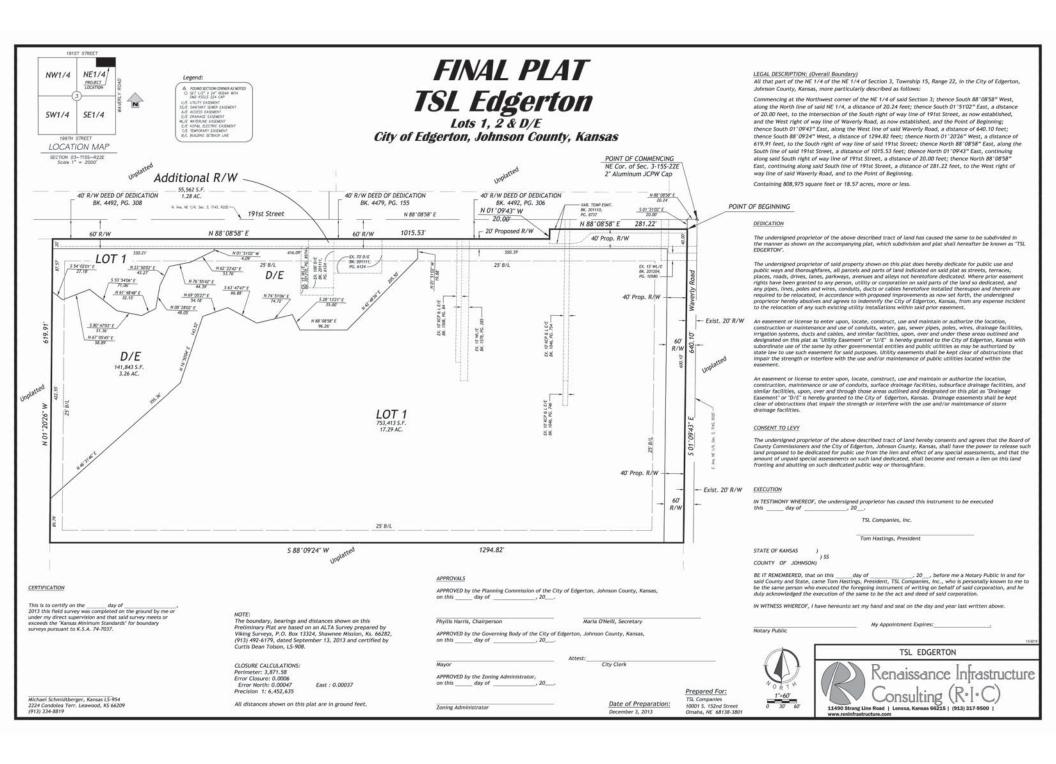
- 1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
- 2. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all

streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.

- 3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
- 4. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
- 5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

### **ATTACHMENTS**

Final Plat TSL Edgerton



Final Plat Application (Fee: \$300 Plus \$10 Per Lot)

NAME OF PROPOSED SUBDIVISION: T56 EDGE			
LOCATION OR ADDRESS OF SUBJECT PROPERTY: SW	DRNER 19	7155 & WAL	RERLY
LEGAL DESCRIPTION: ATTACKED			
CURRENT ZONING ON SUBJECT PROPERTY:	CURRENT LA	AND USE: VACA	INT
TOTAL AREA: 18, 57 Acres NUMBER OF LOTS		AVG. LOT SIZ	ZE: 808,975 Sq. Ft.
DEVELOPER'S NAME(S): Tom HASTINGS	PHONE: <u></u>	102.895.669	32
COMPANY: 752 COMPANIES	FAX: _402	. 895. 6495	
MAILING ADDRESS: 10001 5 152 5 0mg Street City	AHA	NE	68138-3801
Street		State	Zip
PROPERTY OWNER'S NAME(S): SAME	PHONE:		
COMPANY:	FAX:		
MAILING ADDRESS:			
Street		State	Zip
ENGINEER'S NAME(S): DAN COOK	PHONE:	13,317,95	00
COMPANY: R-I-C		317.9501	
MAILING ADDRESS: 1490 STRANG LONE LE	NEXIA	KS	66218
Street	1	State	Zip
SIGNATURE OF OWNER OR AGENT:			
If not signed by owner, authorize	ation of agent mus	t accompany this ap	pplication.
NOTE: Ten (10) copies of the proposed preliminary plat must accompany th must also be submitted with the application.	is application for sto	aff review. One (1) red	duced copy (8 ½ x 11)
FOR OFFICE USE ONLY			a a
Case No.: P Amount of Fee Paid:\$	Date Fee Paid	•	
Received By:			

# FINAL PLAT INSTRUCTIONS

**SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

vs. 9-9-11



404 East Nelson Edgerton, KS 66021 P: 913.893.6231 EDGERTONKS.ORG

### STAFF REPORT

January 10, 2014

To: Edgerton Planning Commission Fr: Beth Linn, City Administrator

Mike Mabrey, Zoning Administrator

Re: Application for Logistics Park Kansas City, Third Plat (Lot 3)

### APPLICATION INFORMATION

**Applicant/Property Owner:** Edgerton Land Holding Company

Requested Action: Final Plat – Logistics Park Kansas City, Third Plat (Lot

3)

**Legal Description:** See Final Plat attached

Site Address/Location: 18905 Kill Creek Rd

**Existing Zoning and Land Uses:** City of Edgerton L-P Logistics Park on vacant land

**Existing Improvements:** None

Site Size: Approximately 29.541 Acres

# PROJECT DESCRIPTION

This is the third phase of development of the Logistics Park Kansas City by Edgerton Land Holding Company (ELHC), a subsidiary of NorthPoint Development. The property will serve the BNSF intermodal facility to the north of the subject site. The intermodal facility's purpose is to transfer loaded cargo containers from trains to trucks. BNSF owns 1,000 acres, annexed into the City in 2010, to develop both the intermodal facility and an adjacent warehouse industrial (logistics) park. ELHC, the applicant for this project, is BNSF's partner for developing warehousing which is planned to eventually surround the intermodal facility.

The subject property is located directly to the north of Lot 2 (Second Plat) a build-to-suit building for DEMDACO. The property is zoned L-P, Logistics Park. The City's Unified Development Code (UDC) defines this district as a limited multimodal industrial zone created to support activities related to truck, rail and other transport services. The property has an approved preliminary plat and preliminary site plan. The planned use for this lot is a 574,154 square foot warehouse that is build-to-suit for Smart Warehousing a Third Party Logistics Firm.

### INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the rezoning and preliminary plat. Some conditions continue to exist as noted below.

- a. Homestead Lane and 191st Street are paved and designed to accommodate intermodal and logistic park truck traffic. Driveway and street connections will need to comply with city requirements regarding location and design.
- b. All of the property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. The property will construct a sanitary sewer main extension to connect to the Intermodal Lift Station of the Big Bull Creek Wastewater Conveyance System recently constructed by the City of Edgerton.
- d. The property is located within the service area of Water 7. A 12-inch water line is located along the 191st Street. The City of Edgerton, Water District No. 7 and Edgerton Land Holding Company have an approved agreement for construction of a new water tower to supply sufficient fire flows to the site.
- e. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Rural Fire District No. 1. The nearest fire station is located in the City of Edgerton, approximately 1.5 miles to the west.

# **FINAL PLAT REVIEW**

Staff has reviewed the Final Plat submittal for compliance with the Approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

- 1. Scale, the same used for the preliminary plat; North point; vicinity map. *Final Plat complies.*
- 2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract. *Final Plat complies*.
- 3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. *The basis of bearings should be labeled on the graphic part of the plat*.
- 4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground. *Final Plat complies*.
- 5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. *Final Plat complies.*
- 6. A number for each lot, starting (if practical) in the northwest corner. *Final Plat complies.* (Lot 1 Inland Port I Spec Building; Lot 2 DEMDACO; Lot 3 this application).
- 7. All easements with widths, and roads with curve data. Additional utility easements may be necessary. Plat should be reviewed by Utility Companies. The 15' U/E adjacent to the 50' R/W should also be labeled as a pedestrian

- easement. A 15' U/E & P/E should be dedicated on the west side of Kill Creek Road and north side of 187th Street by separate instrument.
- 8. Ingress/egress limitations if required. *Final Plat complies*.
- 9. The location of existing utility easements. *Verify existing 15' U/E been recorded via plat or book and page.*
- 10. A written legal description from the survey. Final Plat complies.
- 11. An instrument of dedication for all roads and easements. *Dedication should include Pedestrian Easement*.
- 12. Special notations required as a condition of platting by the Planning Commission. *Final Plat complies.*
- 13. Approved phases clearly delineated. *Final Plat complies*.
- 14. Private travel easements. Final Plat complies.
- 15. The Owner's Certificate with Notary Seal. Final Plat complies.
- 16. Certificate of the Governing Body with City Clerk's attest and Seal. *Final Plat complies*.
- 17. Edgerton City Planning Commission chair and secretary approval. *Final Plat complies*.
- 18. Certificate of the Register of Deeds. *Not provided*.
- 19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. *County Surveyor approval block has not been provided.*
- 20. Certificate of the Zoning Administrator. Final Plat complies.

### RECOMMENDATION

City staff recommends approval of the Final Plat for Logistics Park Kansas City, Third Plat (Lot 3) subject to compliance with the following stipulations:

- 1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
- 2. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.
- 3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
- 4. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
- 5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

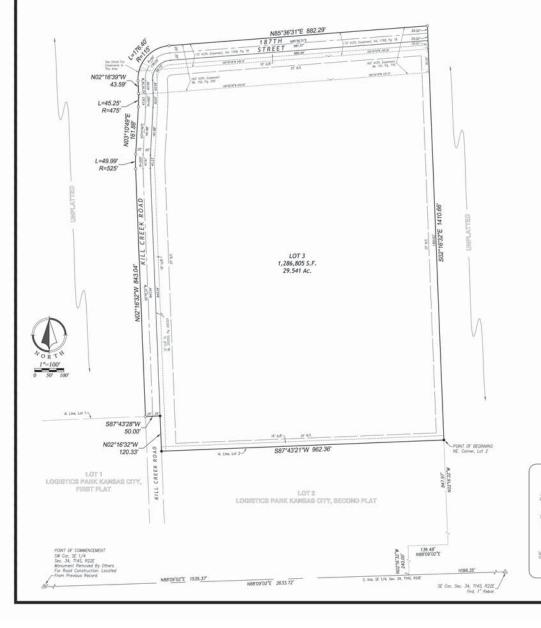
# **ATTACHMENTS**

Final Plat for Logistics Park Kansas City, Third Plat (Lot 3)

# FINAL PLAT

# LOGISTICS PARK KANSAS CITY, THIRD PLAT

A SUBDIVISION OF LAND IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



That part of the Southeast Quarter of Section 34, Township 14 South, Range 22 East, in the City of Edgerten, Johnson County, Kansas, more particularly described as follows:

Commonstrainty at the Northeast Contrary of said Southeast Contrary of North Rev 1970/12" fact, noticed set with the South line of and Southeast Contrary, 153-75 for these destinating and South line. North 1970/12" was, 2000 feet to a point on the South line of all South Inc. West 1970/12" was, 2000 feet to a point on the South line of 11 at 2, LOGISTICS PARK KANSAS CITY, SIGDOND PLAT, a model which was offered and make City, these New 1970/12" was, considered with the Line Inter of said, Lot. 2, distincts on 1847-17 feet to the Northeast convert theouth, and point 2002. The contrary of the Park Inter of 1970/12" was, considered with a said point 1970/12" to the Northeast convert theouth, and point 20,23 feet to the Northeast convert theouth, and point 1970/12" was a said point leving one for a said point eleving one first artification of 1970/12" was a said point leving one for a said point eleving one first artification was proportionally and the point of 1970/12" was a said point leving one for the said point eleving 1970/12" was a said point eleving 1970/12" was a said point of 1970/12" was a said point eleving 2070/12" was a said point ele

The undersigned proprieter of the above described tract of land has caused the same to be subdivided in the mas shown on the accompanying plat, which subdivision and plat shall hereafter be known as "LOGISTICS PARK KANSAS CITY, THIRD PLAT,"

The adoctinguist propriets of each property have not this plat does bothly defined for public uses and public ways, and thoroughteen, a player loss of part of religion for public and part of public ways, and thoroughteen, a player loss of part of religion for public and part of public surveys, notwoes and allelys not formation decidenced. And upon consistent of public base been greated to any persons, until you corporation on and parts of the lands of odecidence, and any person, the public surveys and the public surveys an

An examine of a locuse to enter topo, locuse, combines, so, use and maintain or substrain the locustion, commission and maintain or substrain the locustion, commission and maintain and called a complete the same prices policy locus, because grant principle systems, the same and called, and similar facilities, open, over and sucker those areas continued and designated on this pite as "Utility Economies" or "Utility becauses" or "Utility becauses" or "Utility becauses and called and complete the same and the complete the complete the complete the same and the complete the complete the complete the same and the complete the

A perpensal essement of socces over, across and upon sill areas designated on the plat as "Access Easement" or "A.E.", is hereby greated fire ingress and egress of all owners and occupents of Lot 3, and those tracts adjacent to said Lot 3, their gestes and invision.

Basis of Bearings: Kansas North Zone, U.S. State Plane, NAD 83 HARN S 88°09'02" W, along the South line of the SE K of Section 34-T145-R228

CLOSURE CALCULATIONS: Length: 4745,790 Closure distance: 0.010 Closure angle: S 19-13-14 W Procision: 1: 474,579

All distances shown on this plat are in ground feet.

	L	OT INFO	RMATIC	ON:	
LOT NO.	LOT AREA	FRONT SETBACK	SIDE	REAR	BULDING ENVELOPE
3	1,206,605 S.F. 29,541 Acres	50"	25"	25"	1,121,621 5.F. 25.749 Acres

### CONSENT TO LEVY

The undersigned proprietor of the above described irest of land hereby consents and agrees that the Boatel of County Commissioners and the City of Edgerton, Johnson County, Kamas, shall have the power to refesse such land proposed to be declared for public are from the firm and effect of any special assessments, and that the amount of surpaid special assessments on such land dedicated, shall become and remain a lien on this land fronting and abutting on such dedicated policy way or throughfule.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed

ELHC III. LLC

Nathaniel Hagedom, Managing Member

### STATE OF KANSAS

COUNTY OF JOHNSON

BE IT REMEMBIRED, that so this \_\_day of \_\_\_\_\_, 20 \_\_\_, before me a Notary Public in and for said County and State, came Nathaniel Hagodom, Managing Member of ELHC III, LLC, who is personally known to me to be the same person who executed the foregoing instrument of swings on behalf of said corporation, and he duly acknowledged the execution of the same to be the act and deed of said ecoporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

### APPROVALS

APPROVED by the Governing Body of the City of Edgerton, Johnson County, Kansas, on this \_\_\_\_\_\_day of \_\_\_\_\_\_20\_\_\_\_\_

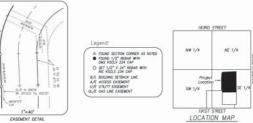
City Clerk

APPROVED by the Zoning Administrator on this \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_2

Zoning Administrator

This is to certify on the day of me or under my direct supervision and that said survey mee boundary surveys pursuant to K. S. A. 74-7037. , 2013 this field survey was completed on the ground by ts or exceeds the "Kansas Minimum Standards" for

Michael Schmidtberger, Kansas LS-954





late of Preparation December 17, 2013



Consulting



NAME OF PROPOSED SUBDIVISION: LOGISTICS PARK	KANSAS I	Cry, TH	IRD PLAT
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 18905	KILL CREEK	ROAD	
LEGAL DESCRIPTION: LOT 3, LOGISTICS PARK KY	LUBAS CITY.	THIRD PL	AT
CURRENT ZONING ON SUBJECT PROPERTY: L-P	CURRENT LAND US	SE: VACAN	
TOTAL AREA: 320 Acres NUMBER OF LOTS:	A	VG. LOT SIZE:	,394,978 <sub>Sq.Ft.</sub>
DEVELOPER'S NAME(S):	PHONE 816	888 738	()
COMPANY: ELHC IV, LLC	_FAX: _816, 8	88, 739	9
MAILING ADDRESS: 6300 N. REVERE, STE 225	KANSAS CITY	Mo	64151
Street	,	State	Zip
PROPERTY OWNER'S NAME(S):	_ PHONE:		
COMPANY:	_ FAX:		
MAILING ADDRESS:			(40)
Street		State	Zip
ENGINEER'S NAME(S): DAN COOK	PHONE: 913.	317, 950	O
COMPANY: R-I-C	FAX: 913, 3	17.9501	
//// /		KS	61215
Street		State	Zip
SIGNATURE OF OWNER OR AGENT:	Id		
If not signed by owner, authorization	on of agent must accom	pany this applica	ation.
NOTE: Ten (10) copies of the proposed preliminary plat must accompany this apmust also be submitted with the application.	oplication for staff review	w. One (1) reduced	d copy (8 ½ x 11)
FOR OFFICE USE ONLY			
Case No.: P Amount of Fee Paid:\$	Date Fee Paid:		*
Received By:			

# FINAL PLAT INSTRUCTIONS

**SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

vs. 9-9-11



NAME OF PROPOSED SUBDIVISION: LOGISTICS PARK	KANSAS I	Cry, TH	IRD PLAT
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 18905	KILL CREEK	ROAD	
LEGAL DESCRIPTION: LOT 3, LOGISTICS PARK KY	LUBAS CITY.	THIRD PL	AT
CURRENT ZONING ON SUBJECT PROPERTY: L-P	CURRENT LAND US	SE: VACAN	
TOTAL AREA: 320 Acres NUMBER OF LOTS:	A	VG. LOT SIZE:	,394,978 <sub>Sq.Ft.</sub>
DEVELOPER'S NAME(S):	PHONE 816	888 738	()
COMPANY: ELHC IV, LLC	_FAX: _816, 8	88, 739	9
MAILING ADDRESS: 6300 N. REVERE, STE 225	KANSAS CITY	Mo	64151
Street	,	State	Zip
PROPERTY OWNER'S NAME(S):	_ PHONE:		
COMPANY:	_ FAX:		
MAILING ADDRESS:			(40)
Street		State	Zip
ENGINEER'S NAME(S): DAN COOK	PHONE: 913.	317, 950	O
COMPANY: R-I-C	FAX: 913, 3	17.9501	
//// /		KS	61215
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SIGNATURE OF OWNER OR AGENT:	Id		
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# FINAL PLAT INSTRUCTIONS

**SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

vs. 9-9-11



404 East Nelson Edgerton, KS 66021 P: 913.893.6231 EDGERTONKS.ORG

# STAFF REPORT

January 10, 2014

To: Edgerton Planning Commission Fr: Beth Linn, City Administrator

Mike Mabrey, Zoning Administrator

Re: Application for Final Site Plan for Logistics Park Kansas City, Third Plat (Lot 3)

### APPLICATION INFORMATION

**Applicant/Property Owner:** Edgerton Land Holding Company

**Requested Action:** Final Site Plan – Logistics Park Kansas City, Second

Plat (Lot 3)

**Legal Description:** 

Site Address/Location: 18905 Kill Creek Rd

**Existing Zoning and Land Uses:** City of Edgerton L-P Logistics Park on vacant land

**Existing Improvements:** None

**Site Size:** Approximately 29.541 Acres

# PROJECT DESCRIPTION

This is the third phase of development of the Logistics Park Kansas City by Edgerton Land Holding Company (ELHC), a subsidiary of NorthPoint Development. The property will serve the BNSF intermodal facility to the north of the subject site. The intermodal facility's purpose is to transfer loaded cargo containers from trains to trucks. BNSF owns 1,000 acres, annexed into the City in 2010, to develop both the intermodal facility and an adjacent warehouse industrial (logistics) park. ELHC, the applicant for this project, is BNSF's partner for developing warehousing which is planned to eventually surround the intermodal facility.

The subject property is located directly to the north of Lot 2 (Second Plat) a build-to-suit building for DEMDACO. The property is zoned L-P, Logistics Park. The City's Unified Development Code (UDC) defines this district as a limited multimodal industrial zone created to support activities related to truck, rail and other transport services. The property has an approved preliminary plat and preliminary site plan. The planned use for this lot is a 574,154 square foot warehouse that is build-to-suit for Smart Warehousing a Third Party Logistics Firm.

### INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the rezoning and preliminary plat. Some conditions continue to exist as noted below.

- a. Homestead Lane and 191st Street are paved and designed to accommodate intermodal and logistic park truck traffic. Driveway and street connections will need to comply with city requirements regarding location and design.
- b. All of the property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. The property will construct a sanitary sewer main extension to connect to the Intermodal Lift Station of the Big Bull Creek Wastewater Conveyance System recently constructed by the City of Edgerton.
- d. The property is located within the service area of Water 7. A 12-inch water line is located along the 191st Street. The City of Edgerton, Water District No. 7 and Edgerton Land Holding Company have an approved agreement for construction of a new water tower to supply sufficient fire flows to the site.
- e. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Rural Fire District No. 1. The nearest fire station is located in the City of Edgerton, approximately 1.5 miles to the west.

# FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the Approved Preliminary Site Plan and Section 5.2 Logistics Park (L-P) of Article 5. It is also reviewed for compliance with Section 10.1 of Article 10 for Site Plan requirements. The combined details of that review are listed below.

- 1. Front or cover sheet.
  - a) A scale vicinity map showing the relationship of the site to surrounding neighborhoods, roads and other physical features. *Final Site Plan complies*.
  - b) A project title, zoning designation and project sponsor. A street, lot or tract address of the project. *Add the street address-18905 Kill Creek Rd.*
  - c) An index to contents, and a data table which, at a minimum, includes: Acreage of the site and number of units per acre (if applicable); gross square feet of the building(s) area; the proposed use of each building; number of employees and the BOCA or Uniform Building Code or NEPA 101 Life Safety Code Occupancy Design Load and, the total number of parking places. *Not provided*.
  - d) The name of the architect, engineer, surveyor or draftsman. *Final Site Plan complies*.
  - e) The specified certificates and signature blocks. *Final Site Plan complies*.

### 2. Sheet #2

a) A landscape plan drawn to scale, showing the site, building location, planting and seeding schedules, refuse and outdoor storage screening and boundary screening. All landscape features shall be shown in relation to sidewalks, paths, lawns, parking areas and drives. The site plan does not show trash enclosures and required screening. The ROW Buffer requires 45 trees and 557 hedge/shrub/evergreens. Plan only provides 44 trees and 139 shrubs.

- Additional landscaping should be considered similar to the DEMDACO building as dock doors face the public right-of-way. Provide written confirmation from KCPL that the proposed landscaping is acceptable within their 160' easement.
- b) A table entitled "Planting Schedule" which lists the common name, size and condition of all planting materials, together with a timetable for planting. *Final Site Plan complies*.

### 3. Sheet #3

- a) A site map with the following features.
  - i. Topography at reasonable intervals. Final Site Plan complies.
  - ii. Exterior lot lines with any survey pins. See Final Plat.
  - iii. Location of buildings. *Final Site Plan complies*.

    Parking areas, paths, walks with sizes and surfaces material specifications. *Final Site Plan accommodates space for sidewalks; however sidewalk locations have not been shown adjacent to the Public Street or within the proposed lot development. Section 5.2.I.3.f of the UDC states that pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center. Show proposed sidewalk along Kill Creek Road and 187<sup>th</sup> Street. Provide required number of employee spaces and provided number of employee spaces.*
  - iv. Exterior lighting specifications. *Applicant shall provide a photometric plan in compliance with the lighting specifications for L-P District.*
  - v. Site entrance and connections to streets. There is not sufficient distance between existing and proposed driveways. Additional separation is needed. Applicant should also consider driveway location with regard to future building to west. Exact location shall be reviewed and approved by City Engineer prior to construction to insure the public health, safety and welfare of the travelling public. A schedule for completion of the public street should be submitted. There is only one access point for the IP IV building and for the entire LPKC development. Verify restrictions in the Fire Code regarding amount of building square footage to be served by a single access point.
  - vi. The location of easements. *Proposed easements should be shown. Missing easements include interior utility easements.*
  - vii. Connection point for utilities. Construction plans for all public infrastructure will need to be prepared to City standards and approved prior to construction. A KDHE sewer extension permit will also be required.
- b) A sketch of the entry sign, and all other free-standing, façade, and building signs to be used on the premises. *Not provided*.
- c) Features to facilitate handicapped access. Handicapped accessible spaces have been shown. The spaces should also be located as close to the doors as practical. An accessible route should be provided that is not in the driving lanes. Provide the total number of stalls along with the number of

- accessible spaces to confirm that ADA requirements are met. The accessible parking spaces and access areas should not exceed 2% slope in any direction.
- d) Profile and detail for roads (if required). *To be determined during construction plan preparation.*

### 4. Sheet #4

- a) Scale drawing of building floor plans. Final Site Plan complies.
- b) Dimensions and use of rooms and areas. *Not provided. Will be addressed during building permit review process.*
- c) Dimensions of entrances/exits and corridors. *Not provided. Will be addressed during building permit review process.*
- d) Interior specifications for handicapped accessibility as required by ANSI 117.1 and this ordinance. *Not provided. Will be addressed during building permit review process.*

# 5. Sheet #5

- a) Scale drawings of all building elevations. *Review to be completed during building permit process.*
- b) Roof pitch and materials. *Review to be completed during building permit process.*
- c) Siding type and materials, including facie. Review (including compliance to UDC requirements for building massing, color, horizontal articulation, vertical articulation, etc.) to be completed during building permit process.

# Parking and Loading.

- 1. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors, and others who may spend time at the establishment during working hours. Such parking spaces shall be at least nine (9) feet by twenty (20) feet. Parking spaces proposed on the site plan are 9 feet by 18 feet. Proposed parking spaces must be expanded to meet the standard.
- 2. Light manufacturing shall provide one parking stall per one hundred (100) sq. ft.; general manufacturing shall provide one park stall per one hundred fifty (150) sq. ft.; and, heavy manufacturing shall provide one parking stall per 200 sq. ft.
- 3. Minimum parking standards may be adjusted to greater or lesser capacities to account for location, expected circulation flows, and conversion probabilities by the Planning Commission or Zoning Administrator. Each establishment shall provide adequate loading space within a building or in a side or rear yard, in such a way that all storage, standing and maneuvering of trucks shall be off the public right-of-way. *Final Site Plan complies*.
- 4. No portion of a parking or loading space, including maneuvering areas, except the necessary drives, shall be located closer than 30 feet from a public street right-of-way. *Final Site Plan complies*
- 5. All parking shall be on a surface prepared from concrete or asphalt. *Final Site Plan complies.*
- 6. All commercial buildings shall provide a designated off-street space for the loading and unloading of goods and merchandise. *Final Site Plan complies*.
- 7. See Article 10 for additional parking requirements.

# <u>Design Standards and Required Dimensions</u>

- 1. Access. Each required parking space shall open directly on an aisle or driveway to provide safe and efficient means of ingress and egress. *Final Site Plan complies*.
- 2. Location. All parking shall be located on the same zoning lot as the structure or use served, or an adjacent lot under the same taxpayer's name, unless special permission is granted for collective or group parking. *Final Site Plan complies*.
- 3. Lighting. All lighting used to illuminate parking areas shall be directed away or shielded from residential properties. *No exterior lighting information has been provided. Property owner is required to submit a Photometrics plan in conformance with the Photometrics standards included in the L-P District.*
- 4. Bumper Guards & Pavement Marking. Parking areas shall have adequate bumper guards to prevent extension or overhang of vehicles beyond property lines or parking spaces. Parking areas shall have adequate markings for channelization and movement of vehicles. Wheel stops are required for parking spaces around the perimeter of the parking lot and adjacent to sidewalks. Wheel stops are not indicated on the site plan and should be stipulated.
- 5. Screening. All parking areas containing more than six (6) spaces shall be screened on each side that adjoins any property situated in a residential district. Screening shall be by a wall, or fence, or evergreen hedge not less than six (6) feet nor more than eight (8) feet in height. Parking areas shall be arranged and designed so as to prevent damage to, or intrusion into, walls, fences, or hedges.

# General Design and Layout Criteria.

- 1. Relation to Adjoining Street System. The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining subdivisions (or their proper projection where adjoining property is not subdivided) where required by the Planning Commission or the Governing Body. *Final Site Plan complies*.
- 2. Street Provisions for Future Development. Where appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. Areas reserved for future street usage will not be required to be improved; however, these areas shall be reserved for street improvements to be provided by the subdivider of the adjacent tract. *Final Site Plan complies.*
- 3. Lot Access. The Planning Commission may disapprove any point of ingress or egress to any lot, tract, or development from any street or highway when the proposed ingress or egress would create unsafe conditions, reduce the capacity of the adjoining street or highway, or result in substandard circulation and impaired vehicle movement. Final Site Plan complies.
- 4. Construction Standards. All streets shall be built to standards established by the City of Edgerton. Any public infrastructure will submit plans to be reviewed and approved by City.

### Other Comments

A storm water study has been provided. Review is not yet complete and comments will be provided once review is completed.

Review the Diesel Emission Requirements in the UDC. Provide electrical hook-ups as required to eliminate excessive idling. Verify compliance with other requirements Diesel Emission. *A* 

Diesel Emission Plan shall be provided as specific tenants and their uses become known. Diesel Emission Plan can be more difficult and/or more expensive to retrofit after the building is constructed.

Final Site Plan shall be reviewed by Water 7 to determine if district requirements being met.

### RECOMMENDATION

City staff recommends approval of the Final Site Plan for Logistics Park Kansas City, Second Plat (Lot 3) subject to compliance with the following stipulations:

- 1. Revised final site plans shall be submitted prior any building permit approvals or commencement of the use to address all Site Plan requirements in the Section 5.2 of Article 5 Logistics Park (L-P) and Section 10.1 of Article 10 Site Plan including all items listed above.
- 2. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
- 3. No exterior lighting is proposed with this application. Lighting proposed later shall receive separate approval according to the provisions of the UDC.
- 4. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. Plans for any public sanitary sewer extension will need to obtain a KDHE permit.
- 5. All building permit and sign permit requirements of the City shall be met.
- 6. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

### **ATTACHMENTS**

Final Site Plan for Logistics Park Kansas City, Third Plat (Lot 3)

□ PRELIMINARY SITE PLAN
NAME OF PROPOSED SUBDIVISION: NLAND PORT IV
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 18905 KILL CREEK ROAD
LEGAL DESCRIPTION: LOT 3, LOGISTICS PARK KANSAS CITY, THIRD PLAT
CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: L-P
TOTAL AREA: 32.0 Acres NUMBER OF LOTS: AVG. LOT SIZE: 1,394,978 Sq. Ft
DEVELOPER'S NAME(S): PHONE: 816 888 7280
COMPANY: ELHC IV, LLC FAX: 816. 888. 7399
MAILING ADDRESS: 6300 N. REVERE, STE 225 KANSAS CITY MO 64151
Street City State Zip
PROPERTY OWNER'S NAME(S): SAME PHONE:PHONE:
COMPANY:FAX:
MAILING ADDRESS:
Street City State Zip
ENGINEER'S NAME(S): DAN COOK PHONE: 913.317.9500
COMPANY: K-L-C FAX: 913.317.9501
MAILING ADDRESS: 11490 STRANG LINE LENEWA KS 66215
Street City State Zip
SIGNATURE OF OWNER OR AGENT:
If not signed by owner, authorization of agent must accompany this application.  NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for the first of the proposed preliminary plat must accompany this application for the first of the proposed preliminary plat must accompany this application.
If not signed by owner authorization of agent must accompany this application.
If not signed by owner, authorization of agent must accompany this application.  NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for the first of the proposed preliminary plat must accompany this application for the first of the proposed preliminary plat must accompany this application.
If not signed by owner, authorization of agent must accompany this application.  NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 $\frac{1}{2}$ x 11) must also be submitted with the application.

# SITE PLAN INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least thirty (30) working days prior to a scheduled meeting.

**NOTICE REQUIREMENTS:** The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper. The City shall make one copy available for public inspection at least fourteen (14) days in advance of the public hearing.

vs. 9-9-11

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All of Lot 3. Kenses City Logistics Park. 3rd Plat. City of Edgerton, Advason County, Kenses.

### UTILITIES

ELECTRIC	Sewer
Kansas City Power & Light	City of Edgerton
Phone: 816.471,5275	404 East Nelson
	P.O. Box 255
GAS	Edgerton, Kansas
Kansas Gas Service	Phone: 913.893.6231
an elle latere films flavore	

Overland Park, Kansas TELEPHONE Phone: 913.599.8981 Century Link Phone: 800.788.3500

Johnson Rural Water District 7 CABLE 534 West Main P.O. Box 7 Phone: 800.234.2157

Phone: 913,856,7173



We have reviewed the "Flood insurance Rate Map", Community Panel Number 20091C0290F, dated June 17, 2002, as published by the Federal Emergency Management Agency. The above rate map places the property in Zone "A" for insurance purposes. Zone "A" is defined as Areas determined to be outside the 500-year flood elevation. No Base Flood Elevations have been determined."

# **Inland Port IV Final Development Plan Kansas City Logistics Park Lot 3**

191st Street and Waverly Road City of Edgerton, Johnson County, Kansas



	L	EGEND	1
	Existing Section Line		Proposed Right-of-Way
	Existing Right-of-Way Line	-	Proposed Property Line
	Existing Lot Line	-	Proposed Lot Line
	Existing Easement Line	************	Proposed Easement
	Existing Curb & Gutter		Proposed Curb & Gutter
	Existing Sidewalk	Seattle Seattle	Proposed Sidewalk
	Existing Storm Sewer		Proposed Storm Sewer
0	Existing Storm Structure	0	Proposed Storm Structure
	Existing Waterline	A	Proposed Fire Hydrant
	Existing Gas Main		Proposed Waterline
— sas —	Existing Sanitary Sewer	1	Proposed Sanitary Sewer
9	Existing Sanitary Manhole		Proposed Sanitary Manhole
	Existing Contour Major		Proposed Contour Major
	Existing Contour Minor		Proposed Contour Minor
	7.7	Certification.	Future Curb and Gutter

INDEX OF	SHEETS
C01	Title Sheet
C02	General Layout
C03	Overall Grading Plan
C04	Grading Plan 1 of 3
C05	Grading Plan 2 of 3
C06	Grading Plan 3 of 3
C07	Utility Plan
C08	Drainage Plan
C09	Drainage Calcs
C10	Storm Plan/Profile Lines A, B, & C
C11	Storm Plan/Profile Lines D & E
C12	Detention Basin Plan
C13	Erosion Control Plan
C14	Standard Details
C15	Standard Details
L01	Overall Landscape Plan
L02	Southwest Corner Landscape Plan
L03	Northwest Corner Landscape Plan
L04	Northeast Corner Landscape Plan
L05	Southeast Corner Landscape Plan
L06	Irrigation Plan
L07	Seeding Plan
A1.00	Overall Floor Plan
A4.01	Building Elevations
A4.02	Building Elevations

GRADNIC MOTES

1. All construction shall conform to the City of Edgerton's minimum design standards.

2. Spot Gradue Statum Invents shall govern over Instande gradues.

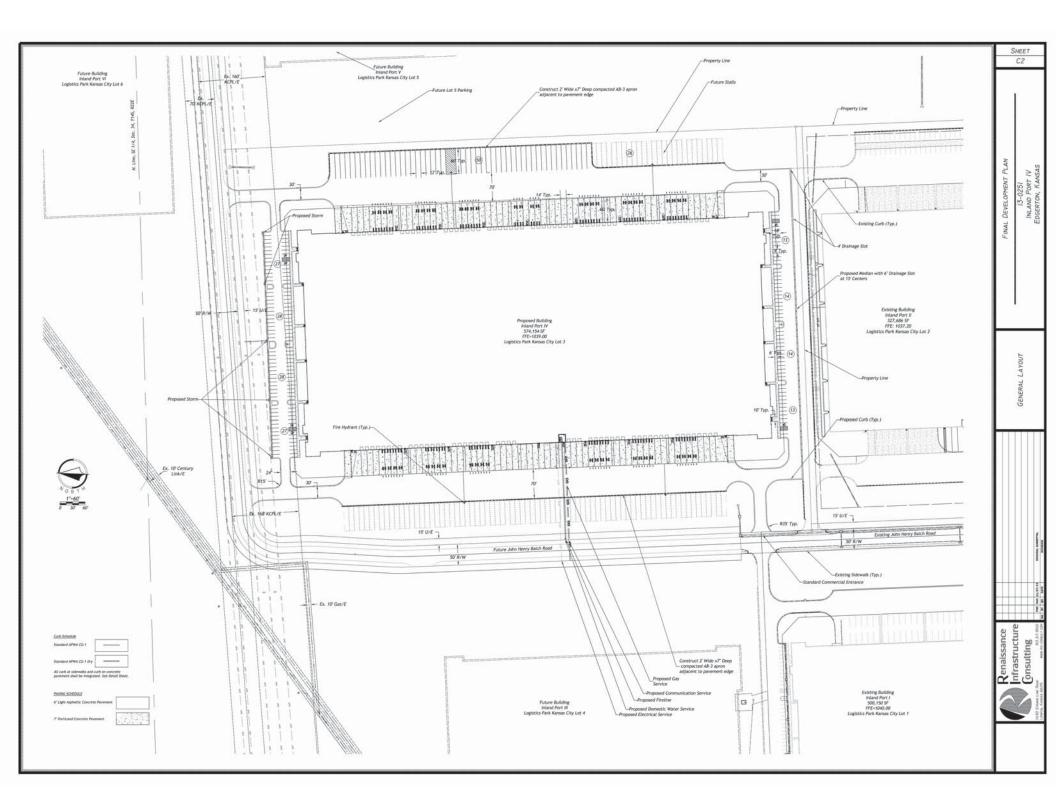
2. Spot Gradue Statum Invents shall govern over Instande gradues.

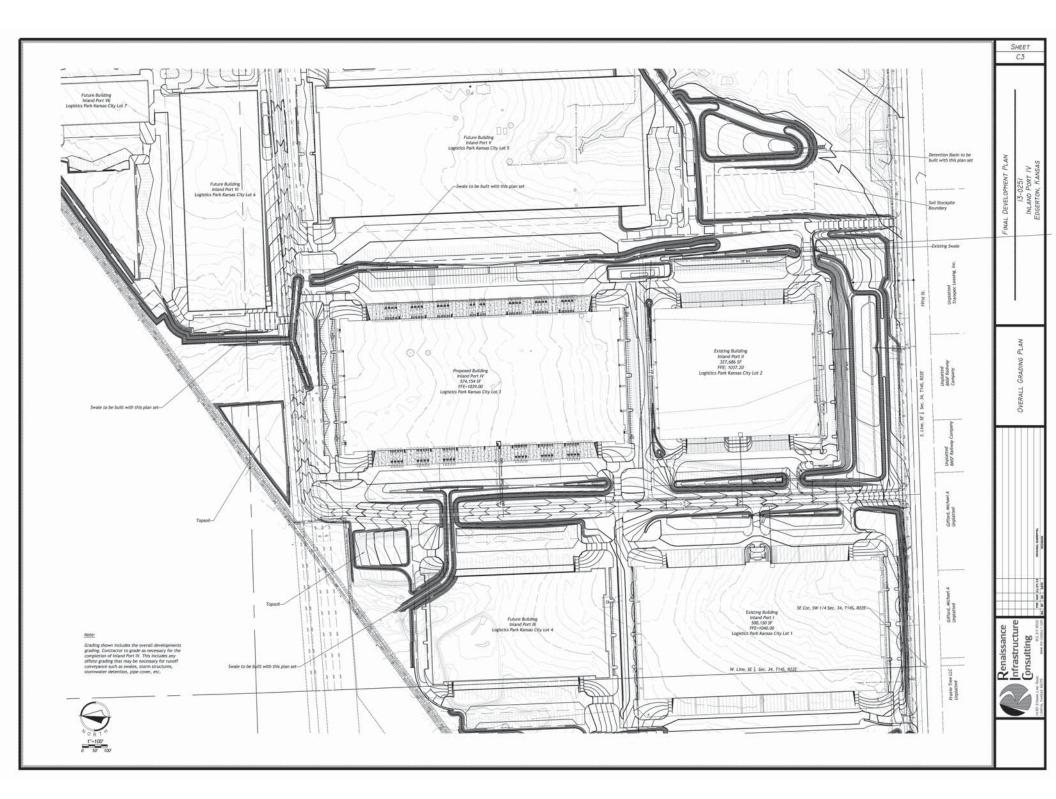
2. Spot Gradue Statum Invents shall govern over Instande gradues.

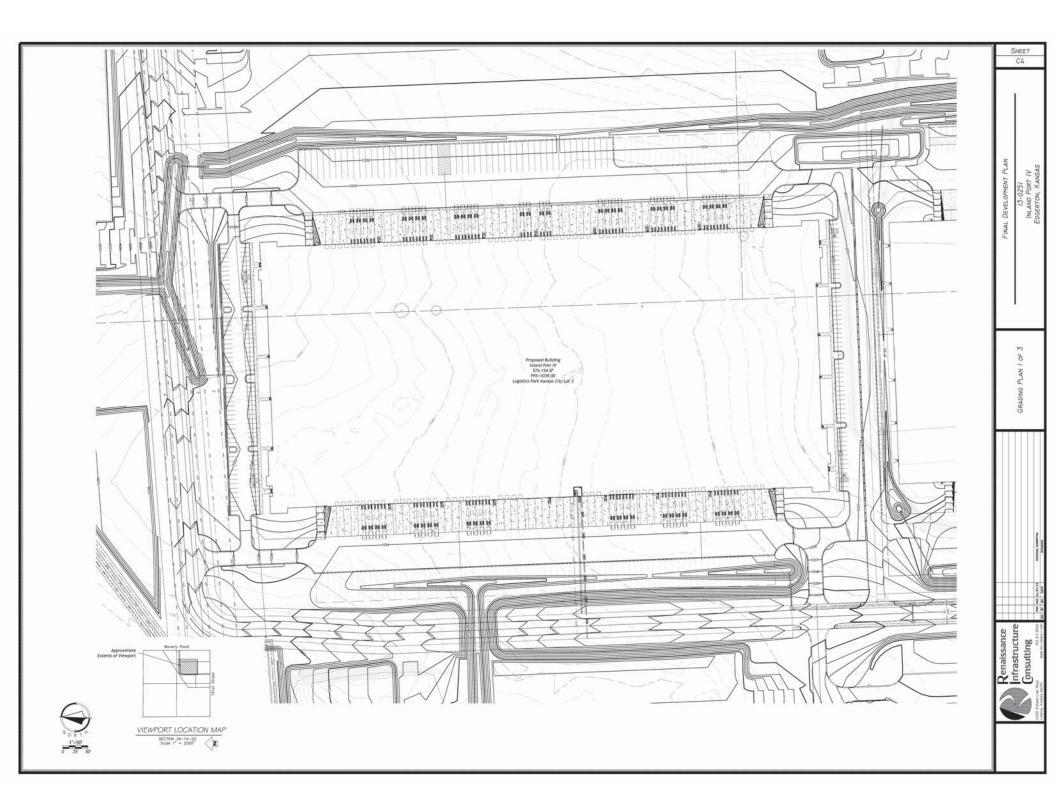
2. The contractor in responsible for the protection of all property corners and section corners. Any property corners and sections corners and the responsible for the restorator's exposure of the right of way, and for damaged improvements such as junction bower, rattlet grapal tool peal on, signal poles, rigigation systems, etc. Chanaged improvements shall be resident of the section of the responsibility of the section of the se

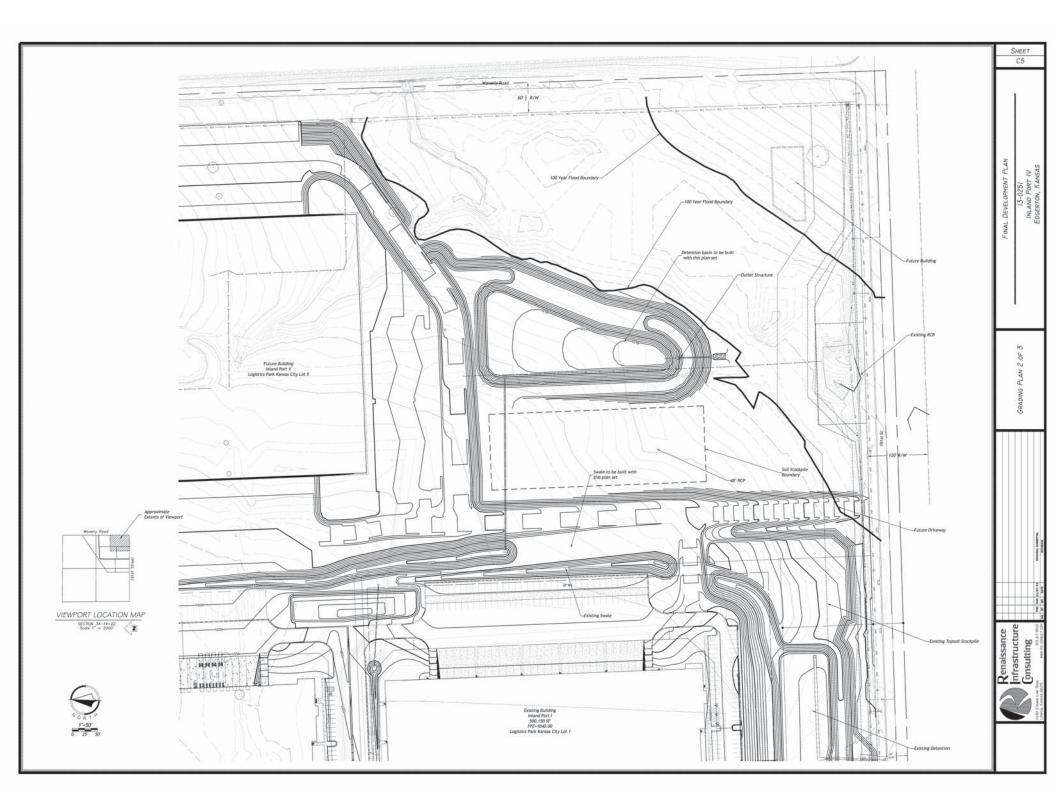
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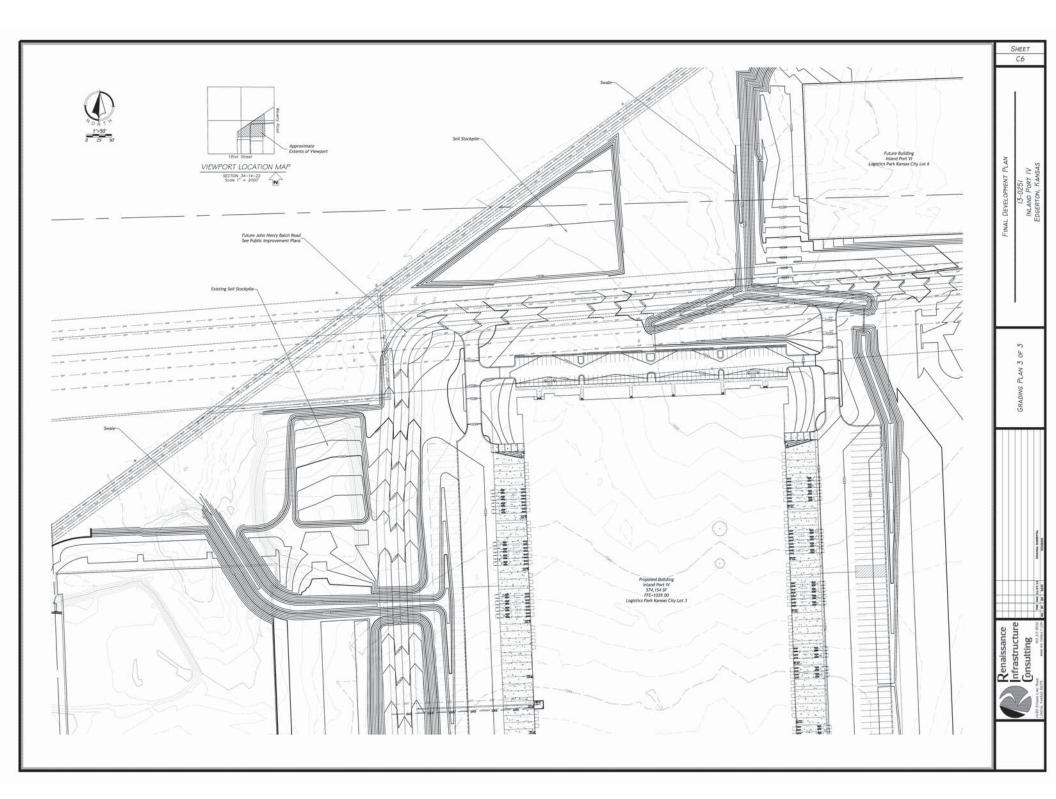
C01	Title Sheet
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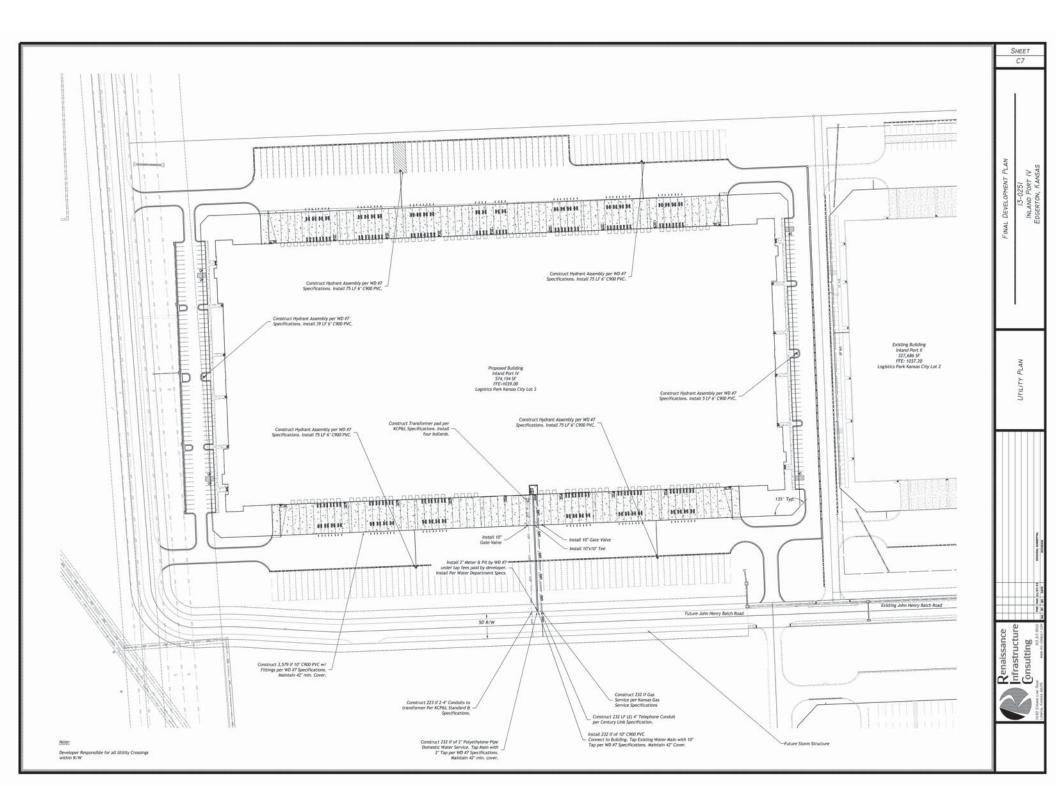


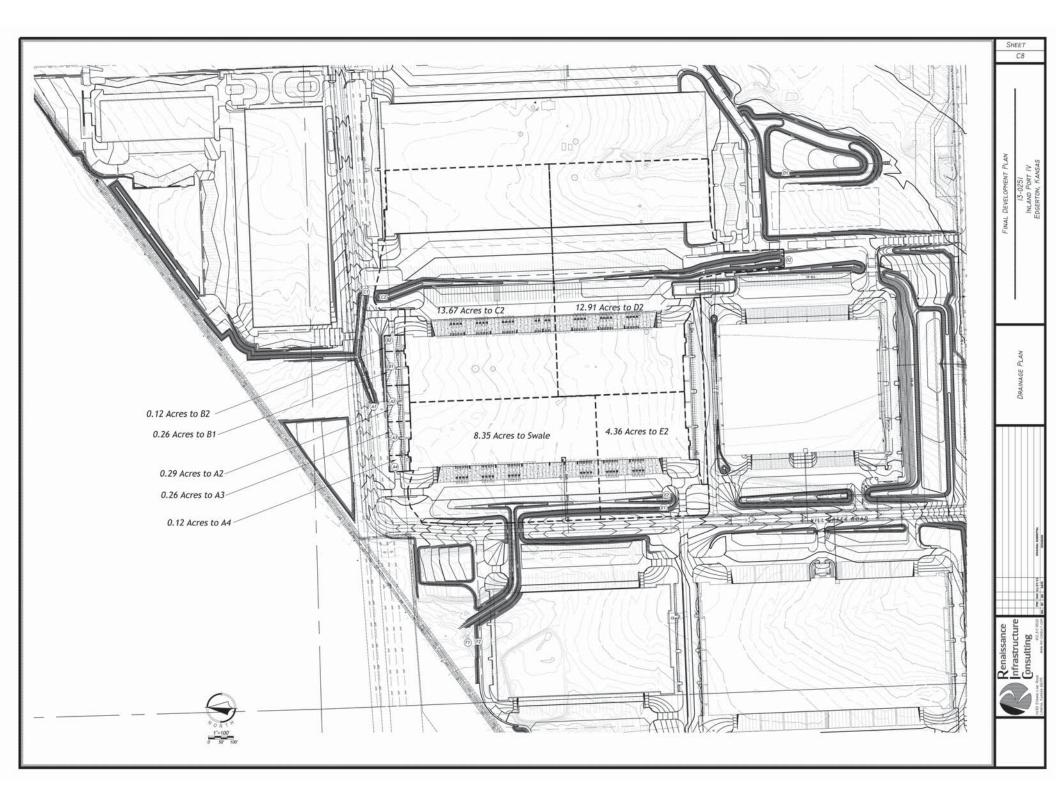








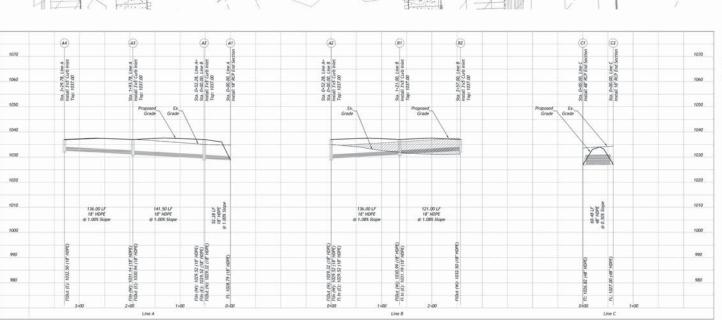




SHEET C9

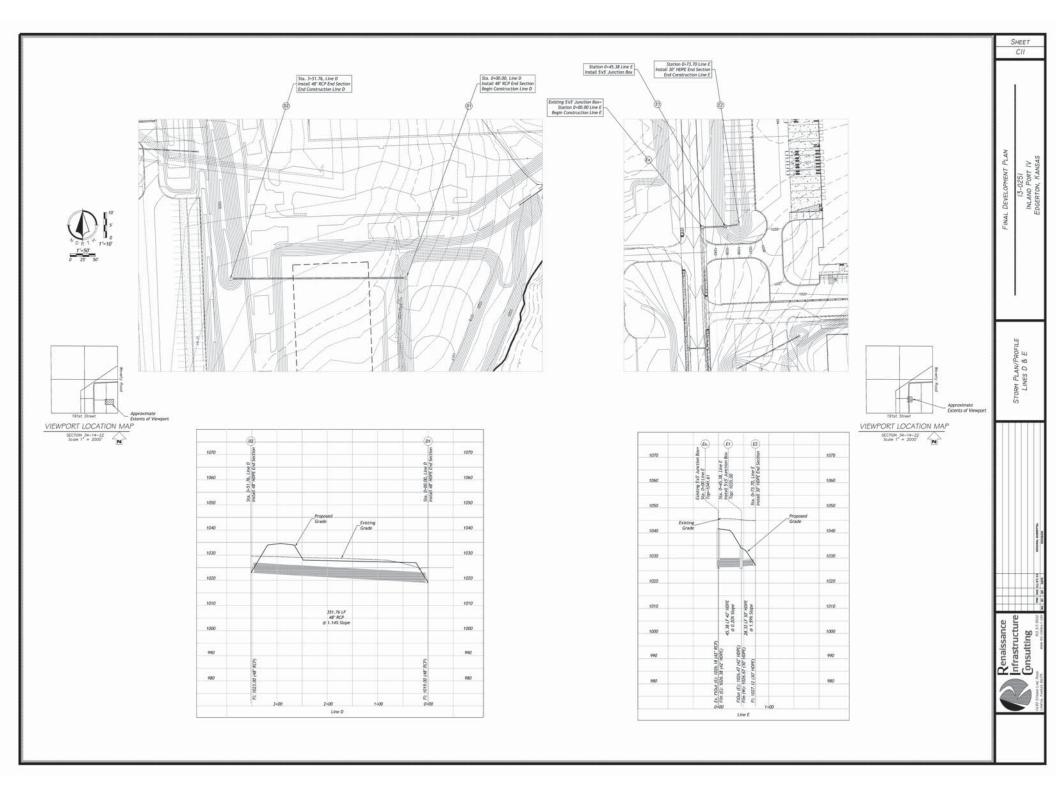
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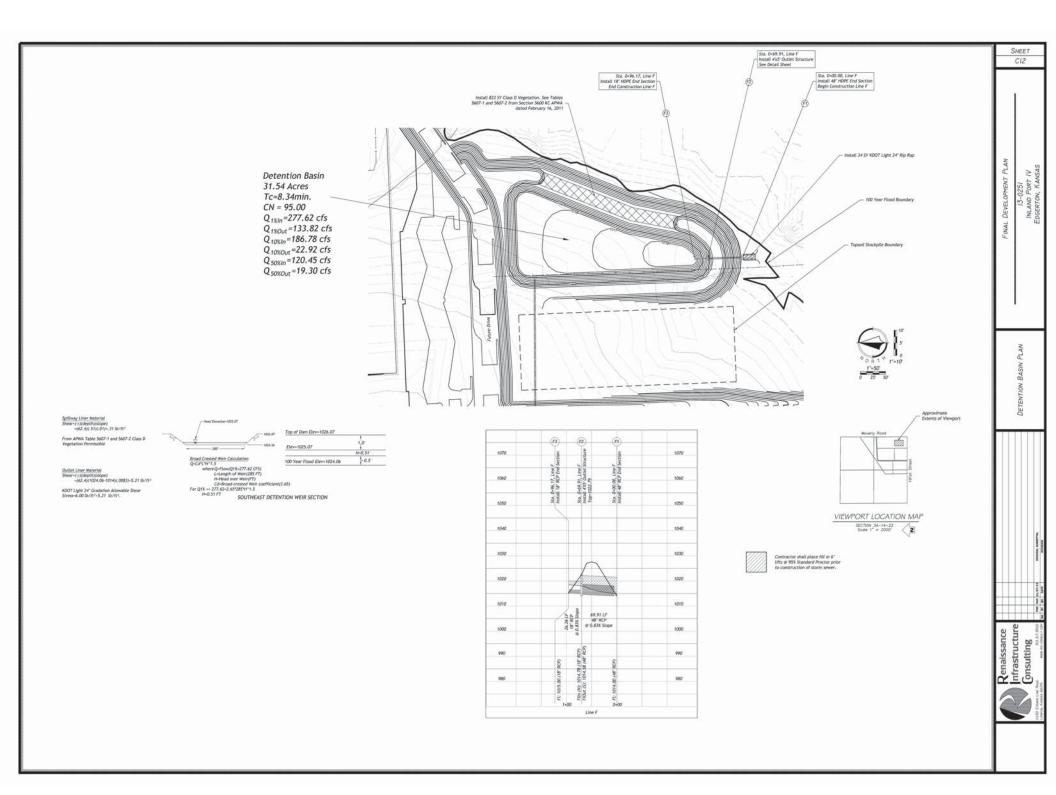
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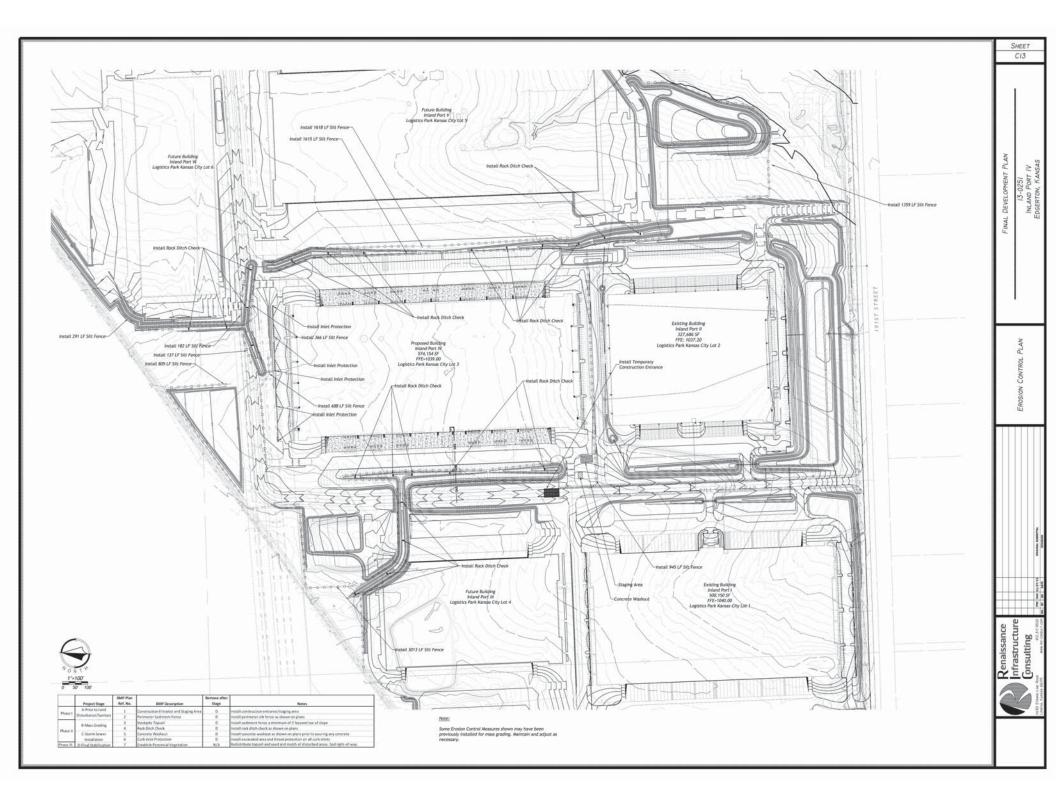


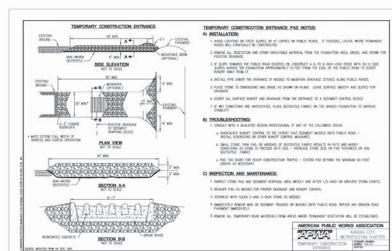
Contractor shall place fill in 6° lifts @ 95% Standard Proctor prior to construction of storm sewer.

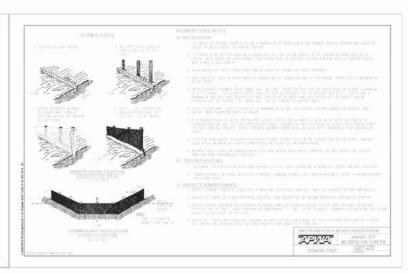
Renaissance Infrastructure Consulting

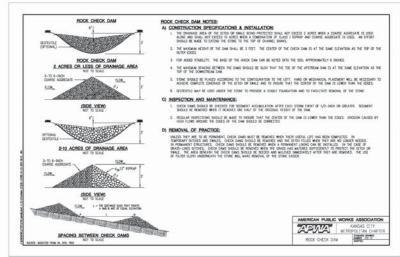


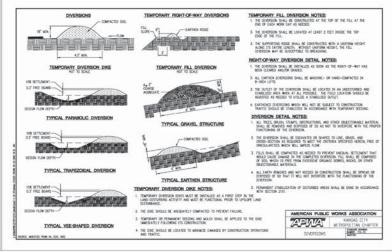










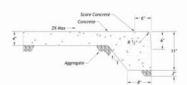


## 6" ASPHALTIC CONCRETE PAVEMENT



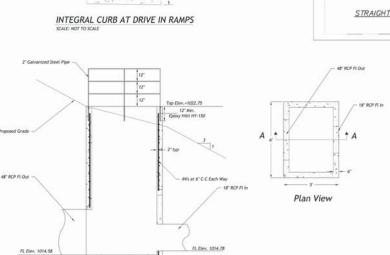
## 7" PORTLAND CONCRETE PAVEMENT





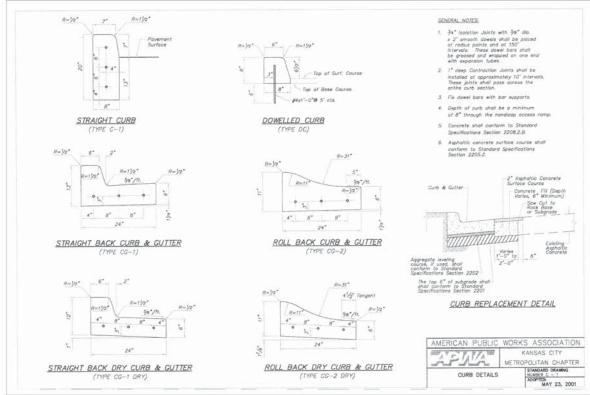
## Cross-Section of Concrete Sidewalk with Integral Curb

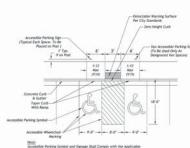




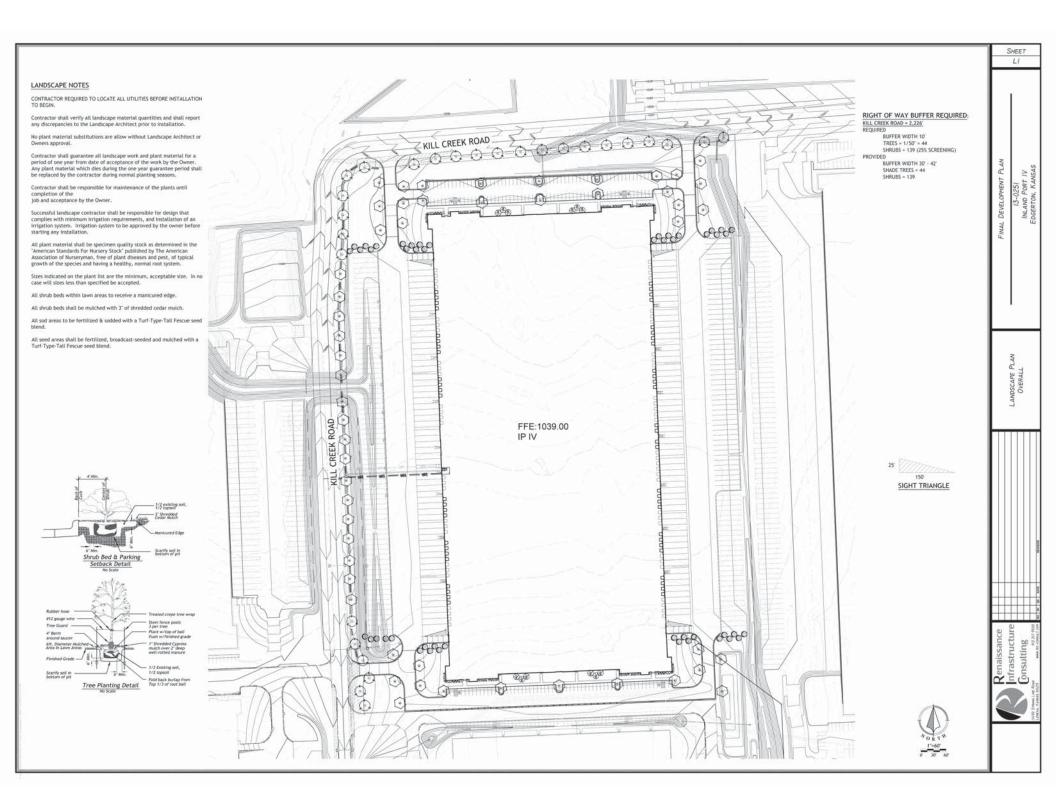
Section A-A

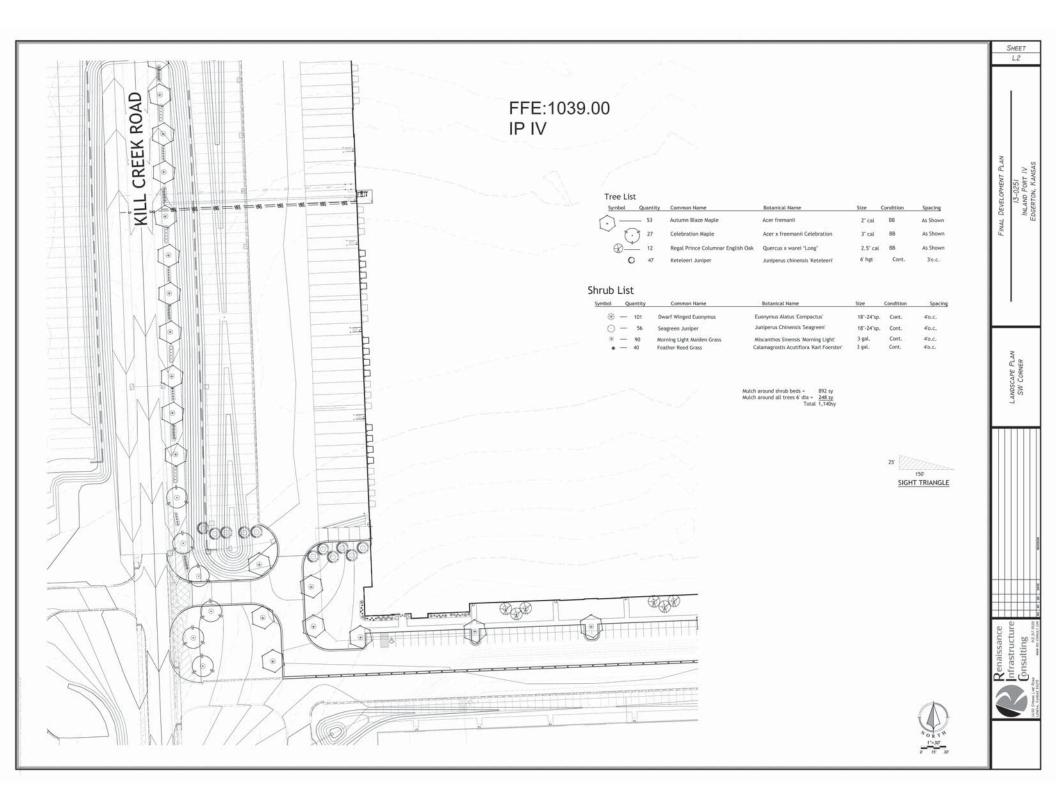
**Outlet Control Structure** SCALE: NOT TO SCALE

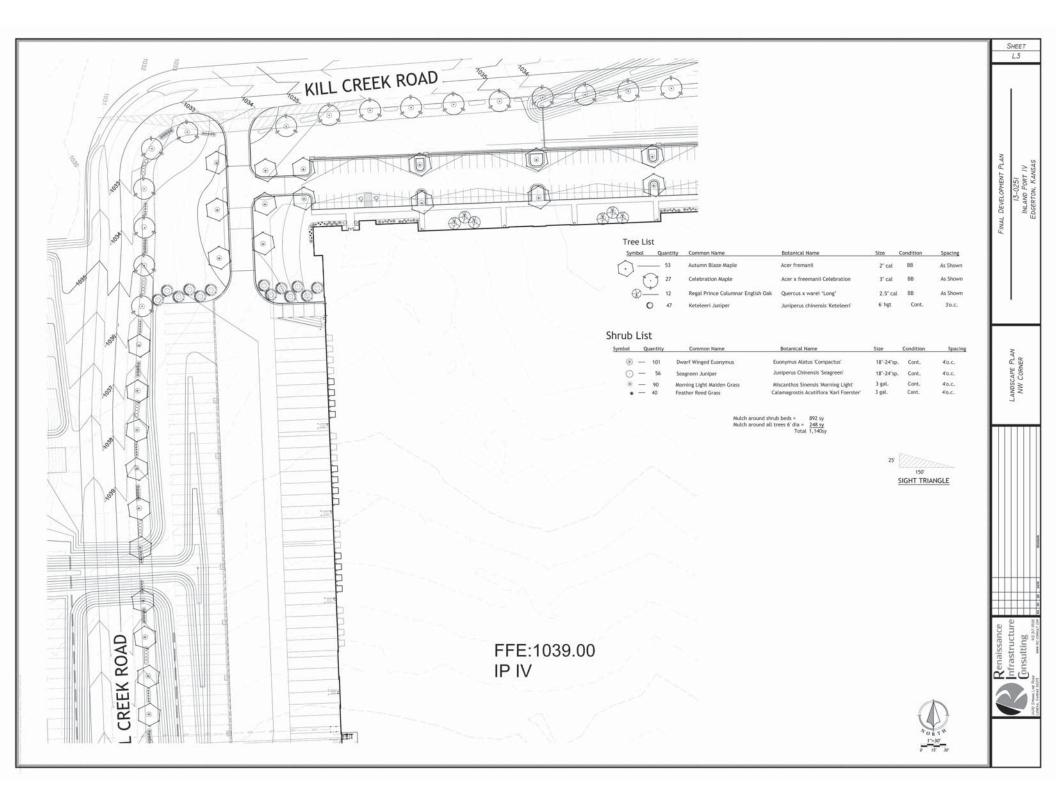


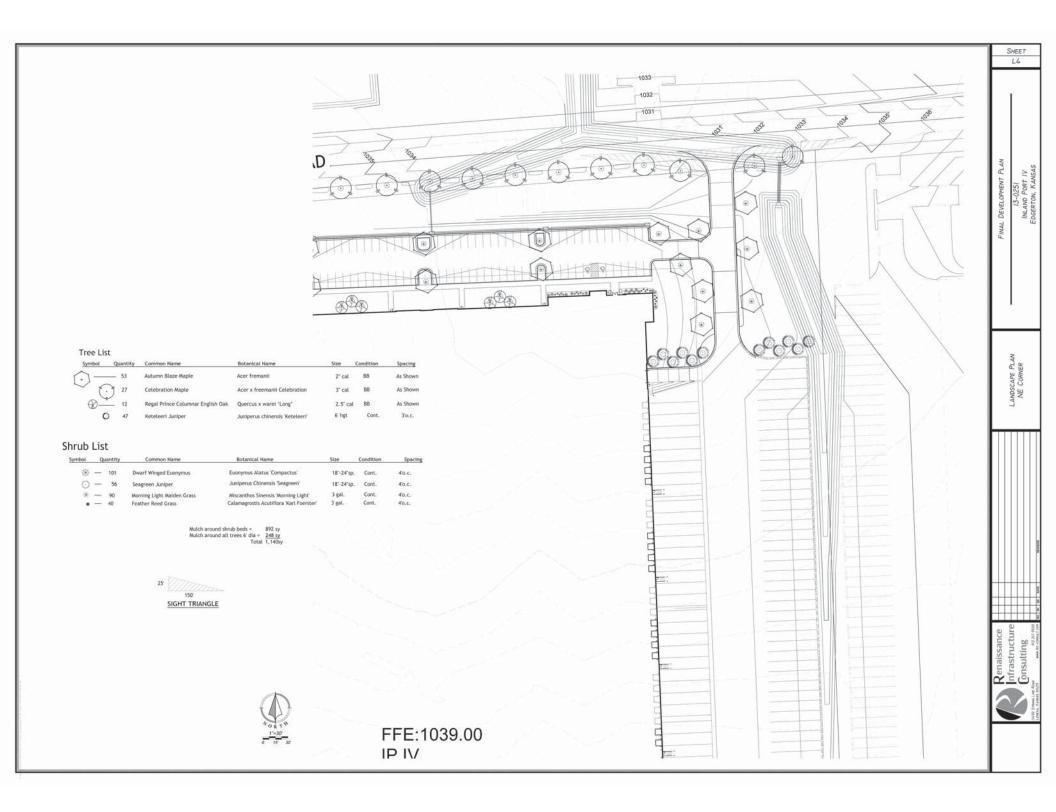


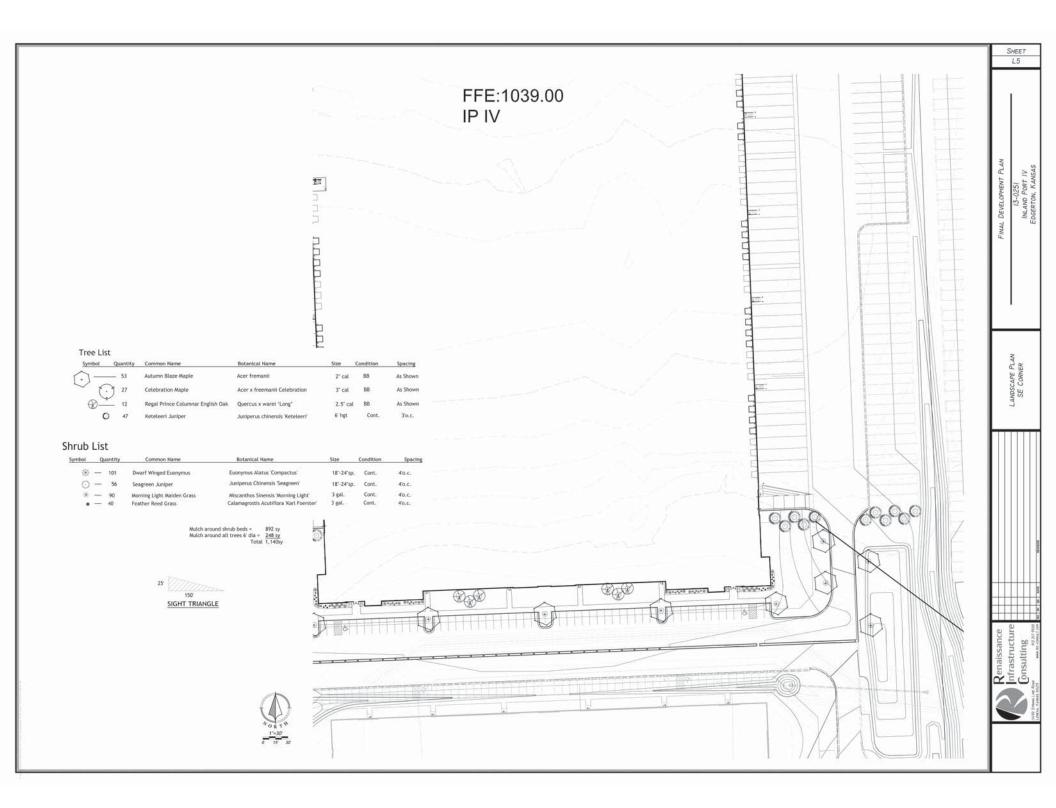
Accessible Parking Detail

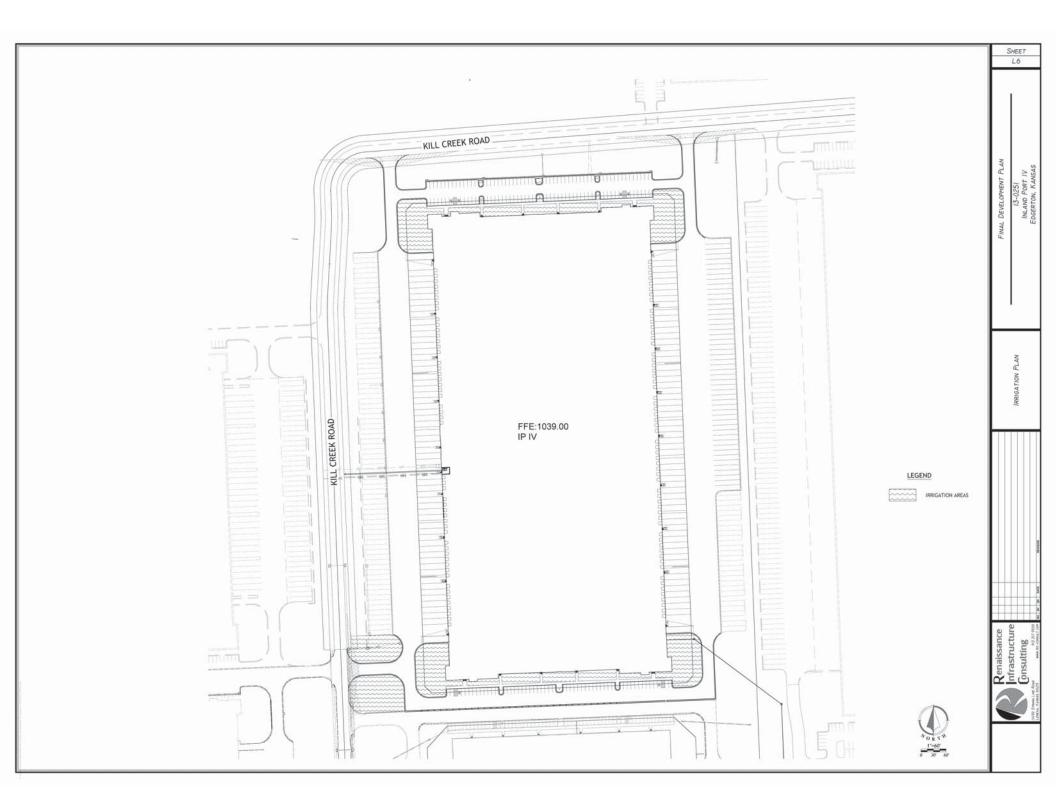


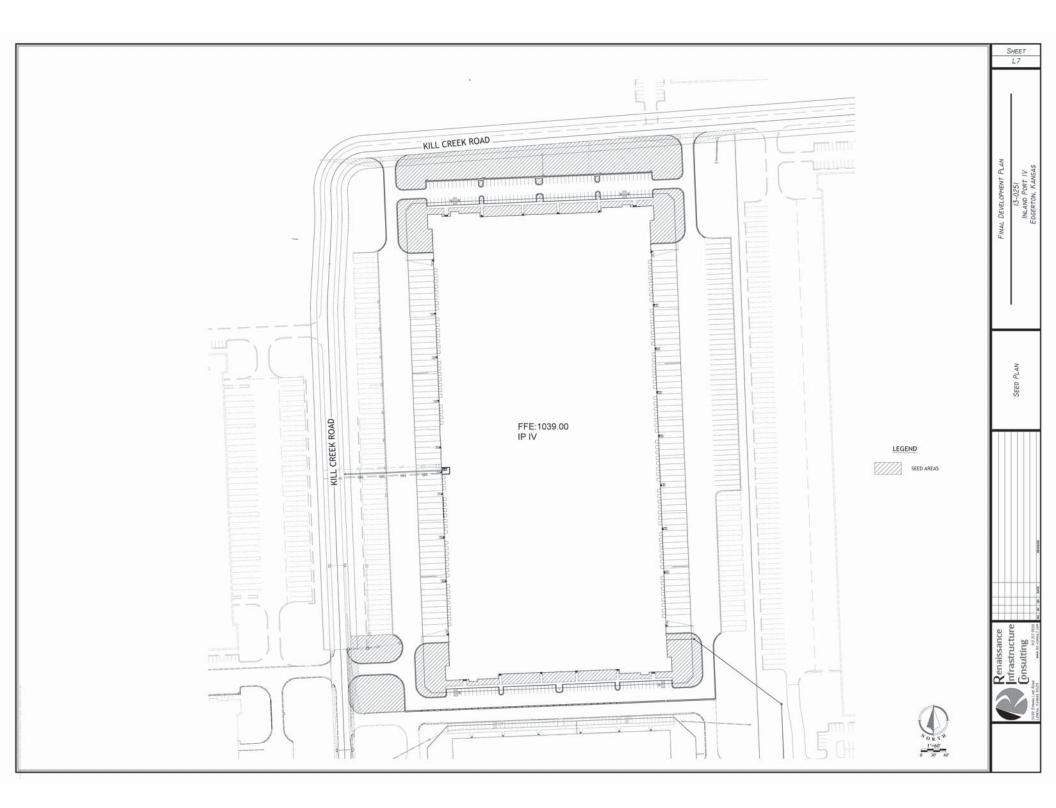


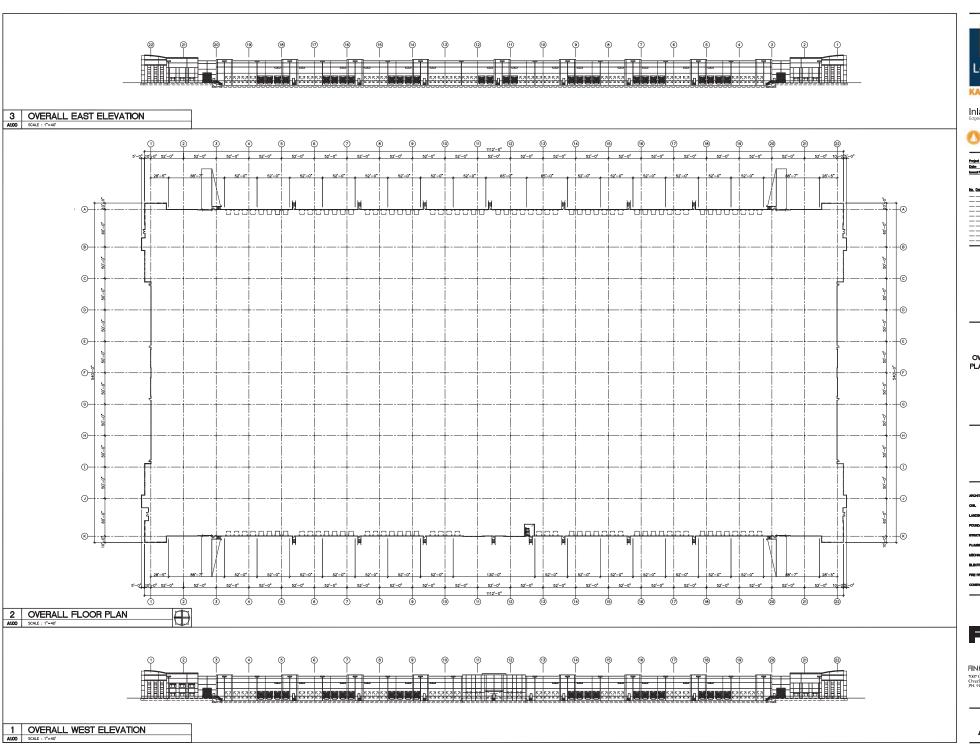














Inland Port IV



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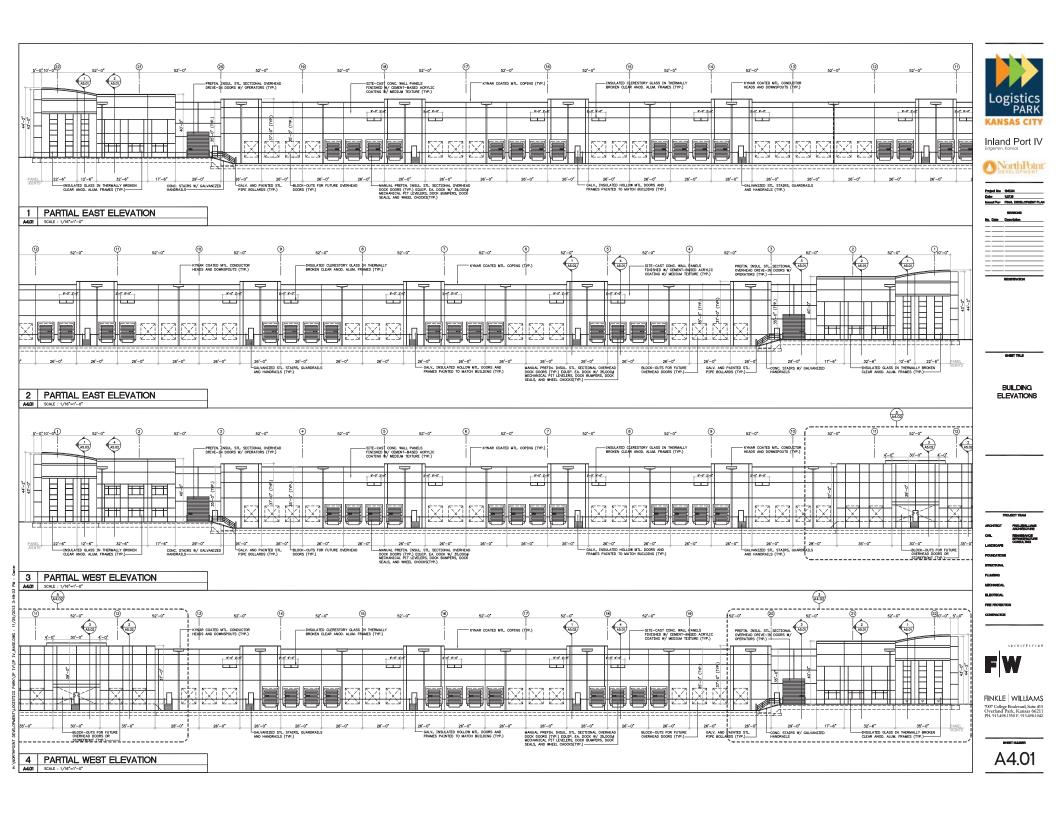
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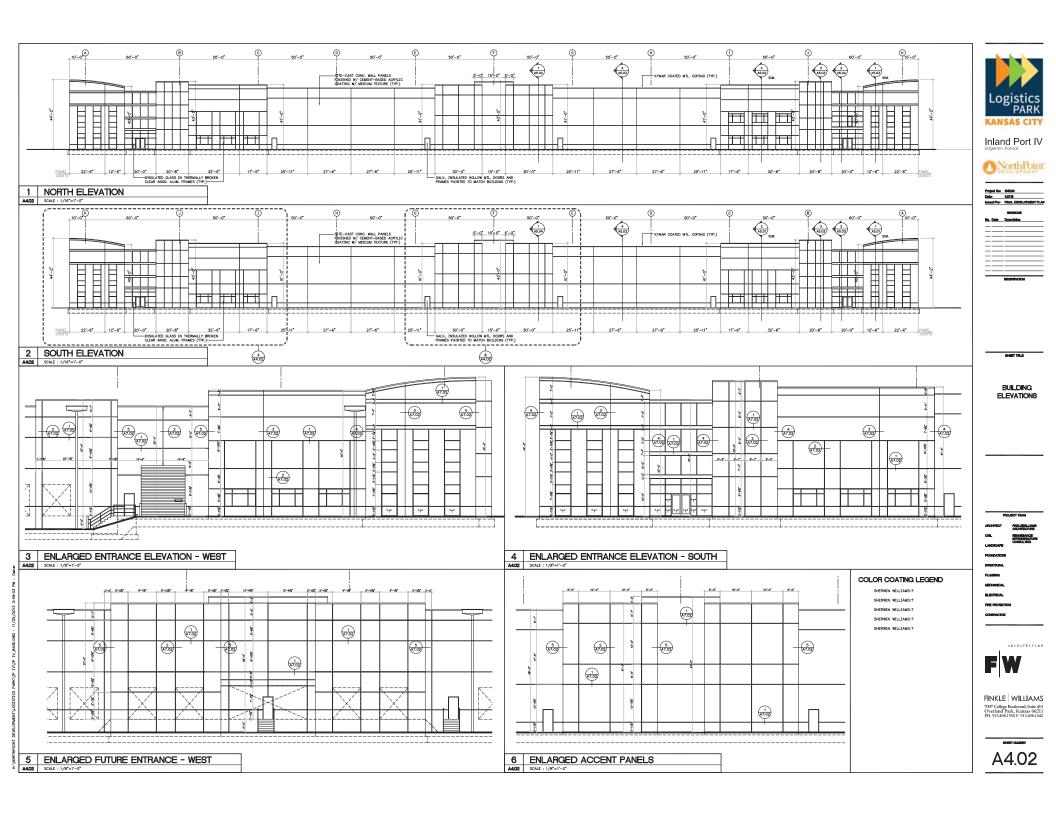
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F|W

FINKLE WILLIAMS 7007 College Boolevard, Suite 415 Overland Park, Kansas 66211 PH. 913.498.1550 F. 913.498.1042

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□ PRELIMINARY SITE PLAN
NAME OF PROPOSED SUBDIVISION: NEANS PORT IV
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 18905 KILL CREEK ROAD
LEGAL DESCRIPTION: LOT 3, LOGISTICS PARK KANSAS CITY, THIRD PLAT
CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: L-P
TOTAL AREA: 32.0 Acres NUMBER OF LOTS: AVG. LOT SIZE: 1,394,978 Sq. Ft
DEVELOPER'S NAME(S): PHONE: 816 888 7280
COMPANY: ELHC IV, LLC FAX: 816. 888. 7399
MAILING ADDRESS: 6300 N. REVERE, STE 225 KANSAS CITY MO 64151
Street City State Zip
PROPERTY OWNER'S NAME(S): SAME PHONE:PHONE:
COMPANY: FAX:
MAILING ADDRESS:
Street City State Zip
ENGINEER'S NAME(S): DAN COOK PHONE: 913.317.9500
COMPANY: K-L-C FAX: 913. 317.9501
MAILING ADDRESS: 11490 STRANG LINE LENEWA KS' 66215
Street City State Zip
SIGNATURE OF OWNER OR AGENT:
If not signed by owner, authorization of agent must accompany this application.  NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff and a company this application.
If not signed by owner, authorization of agent must accompany this application.
If not signed by owner, authorization of agent must accompany this application.  NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff and a company this application.
If not signed by owner authorization of agent must accompany this application.  NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 $\frac{1}{2}$ x 11) must also be submitted with the application.

## SITE PLAN INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least thirty (30) working days prior to a scheduled meeting.

**NOTICE REQUIREMENTS:** The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper. The City shall make one copy available for public inspection at least fourteen (14) days in advance of the public hearing.

vs. 9-9-11