

EDGERTON COMMUNITY BUILDING  
PLANNING COMMISSION MEETING  
February 11, 2014  
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, Chuck Davis, Cliff Withrow, and Tina Graddy. Absent were Commissioners Bob O'Neill, Missy Drinkard, Andrea Lucero, and Ron Conus. Also present were City Administrator Beth Linn and Recording Officer, Debra S. Gragg.

The Recording Officer announced a quorum was present.

### **MINUTES**

Minutes of January 28, 2014 were considered. Chair Harris noted two corrections needed for the minutes. She indicated on Page 2, final plat, first sentence line 2, to strike "located TSL Edgerton" and on Page 5, other business, second paragraph, line 4 to change "angle" to "parallel." Motion by M. O'Neill, seconded by Graddy, to approve the minutes with the noted corrections. The motion was approved, 5-0.

### **GUESTS**

No guests were formally introduced.

### **COMMUNICATIONS**

There were no formal communications.

### **PUBLIC HEARING - REZONING**

A public hearing in regards to Rezoning Case No. RZ-10-18-2013, requesting a change in zoning from City of Edgerton A-G to Edgerton Logistics Park, L-P, on a portion of property located in the Northwest one quarter of Section 3, Township 15, Range 22, and a part of Tract A and Tract B according to the survey recorded in Book 201207, Page 0070000 in the Register of Deeds Office, Johnson County, in the vicinity of 191<sup>st</sup> Street and Homestead (southeast corner, containing approximately 31.860 acres more or less) was opened. Owners: Omar and India Holtgraver. Agent: International Transload Logistics.

City Administrator Beth Linn informed the Commissioners this property is located at the southeast corner of 191<sup>st</sup> and Homestead. She overviewed the project and noted the needs for its service to the railroad intermodal process. She spoke about the

infrastructure and services to the property which included paved streets designed to accommodate intermodal and logistic park truck traffic; the need for driveway and street connections to comply with city requirements for location and design; noted the property is within the Big Bull Creek watershed with a portion of the property within the floodplain which will not have development, but can be used for streamway corridor/park/public use access, has sanitary sewer service by the Homestead Lane lift station, is located within the service area of Rural Water District 7, with public safety issues addressed by the Johnson County Sheriff's Office and Johnson County Rural Fire District No. 1.

The City Administrator indicated staff reviewed the rezoning application in regards to the City's Unified Development Code, laws of the State, and the "Golden Criteria."

The Commissioners were informed staff recommends approval for the rezoning of International Transload Logistics, Lot 1, and also cited two stipulations in which the project would need to comply.

No one appeared to oppose or support.

Motion by Davis, seconded by M. O'Neill, to close the hearing. The motion was approved, 5-0.

The public hearing was closed.

Motion by M. O'Neill, seconded by Withrow, to approve the rezoning request with the following stipulations: 1) All infrastructure requirements of the City shall be met; and 2) A Land Disturbance Permit and a Stormwater Water Quality Management Plan shall be approved by the City Engineer prior to grading on the subject property. The motion was approved, 5-0.

### **PUBLIC HEARING – CONDITIONAL USE PERMIT**

A public hearing in regards to 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. Owners: Omar and India Holtgraver. Agent: International Transload Logistics (ITL).

The City Administrator noted this request is for the same property as the previous item. She noted the map included in the packet was incorrect and indicated some of the existing homes would be converted to commercial use for this project.

Ms. Linn reviewed the staff analysis and general criteria. She overviewed the cargo container storage, repair, and maintenance facility performance criteria and noted it would be subject to a number of performance provisions. Items still necessary for the project include property owner submission of a Photometrics plan in conformance with

the standards of the L-P District; continuous compliance with noise regulations; specification for the permanent parking materials, parking requirements for the cargo containers, semi-trailers, chassis or similar storage devices, limitation of stacking to five (5) high for the containers and chassis; landscaping minimums maintained and replaced when dead, and submission of a fence placement and material plan which can be approved administratively; there was a notation the reviewed site plan complies with the setback to the nearest property line of a residentially zoned property; the need for a signage plan which can be approved administratively. Ms. Linn informed the Commissioners Code Enforcement staff will monitor the compliance matters.

Ms. Linn reviewed the recommendations and stipulations and indicated the final site plan is approved. She also noted staff would recommend approving this request for ten years, which is the same as some similar projects.

Commissioner Withrow asked about the impacts to the nearest residence.

Ms. Linn indicated the impacts would be addressed with added landscaping, ingress location, and setbacks.

Craig Swope, ITL, informed the Commission his company supports rail, loading and shipping needs which also includes refrigerated containers. He noted the items would not be stored on the front section of the lot, but upon the back 15-20 acres. He noted they would retain the existing landscaping, with supplemental plantings. He indicated the company will address security lighting for the back of the lot and consider the impacts of lighting to adjacent properties.

No one appeared to support or oppose.

Motion by Withrow, seconded by Graddy, to close the hearing. The motion was approved, 5-0.

The public hearing was closed.

Motion by Withrow, seconded by Graddy, to approve the conditional use permit request 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. Plant material shall be continuously maintained and replaced when dead; 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, stripped 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, 5-0.

Ms. Linn announced these items would be considered at the February 27, 2014 Council meeting.

### **OTHER ITEMS**

The current roster of Commission members was reviewed. It was noted two members need Council action to continue terms. It was also noted the recent appointments are continuing for unexpired terms and would be subject to reappointment to full terms in September.

### **FOLLOW UP ITEMS**

A letter signed by downtown merchants was reviewed. This matter was in regards to noted parking concerns on Nelson Street. The City Administrator indicated she would work on options and with the downtown merchants to determine how best to address this concern.

### **ADJOURNMENT**

Motion by Graddy, seconded by Withrow, to adjourn.

The motion passed 5-0.

The meeting adjourned at 7:45 p.m.