

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
February 27, 2014  
7:00 PM**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts\_\_\_\_Longanecker \_\_\_\_Crooks\_\_\_\_Cross\_\_\_\_Wiseman\_\_\_\_ Brown
2. **Welcome**
3. **Pledge of Allegiance**

**Consent Agenda** *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Agenda Approval

**Regular Agenda**

5. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
6. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

**Business Requiring Action**

7. **CONSIDER ORDINANCE NO. 966 ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 31 ACRES OF LAND [LOCATED AT THE SOUTHEAST CORNER OF 191<sup>ST</sup> STREET AND HOMESTEAD LANE] IN EDGERTON, KANSAS FROM CITY OF EDGERTON A-G AGRICULTURE ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

8. **CONSIDER ORDINANCE NO. 967 ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW USE OF LAND, IN THE L-P, CITY OF EDGERTON LOGISTICS PARK ZONING DISTRICT LOCATED AT THE SOUTHEAST CORNER OF 191ST STREET AND HOMESTEAD LANE, FOR "CARGO STORAGE, MAINTENANCE, AND REPAIR FACILITIES"**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

9. **Report by the City Administrator**
  - o Parks and Recreation Spring Activity Guide

10. **Report by the Mayor**

**11. Future Meeting/Event Reminders:**

- March 13<sup>th</sup> 7:00 PM – City Council Meeting
- March 19<sup>th</sup> Noon – Senior Lunch
- March 27<sup>th</sup> 7:00 PM – City Council Meeting
- March 29<sup>th</sup> 10 AM to 1 PM – Annual Low Cost Vaccine Clinic

**12. Adjourn** Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Ordinance No. 966 Ordinance Adopting a Recommendation by the City Planning Commission to Approve Rezoning of Approximately 31 Acres of Land [Located At The Southeast Corner Of 191st Street And Homestead Lane] In Edgerton, Kansas From City Of Edgerton A-G Agriculture Zoning To City Of Edgerton L-P Logistics Park Zoning District

**Department:** Administration

**Background/Description of Item:** The City of Edgerton received an application for rezoning from International Transload Logistics, applicant, and Omar and India Holtgraver, owner, requesting to rezone the southeast corner of 191<sup>st</sup> Street and Homestead from City of Edgerton A-G Agriculture to City of Edgerton Logistics Park (L-P) zoning. The majority of the property requested to be rezoned was annexed into the City of Edgerton in 2011. The far northeast corner where the single family structure is located was annexed into the City of Edgerton in 2013. The parcel contains approximately 31 acres. International Transload Logistics has requested to rezone the parcel to accommodate a cargo container storage and maintenance facility to support Logistics Park Kansas City.

Johnson County Planning staff, on behalf of the City of Edgerton, reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, Zoning and Subdivision Regulations, and the laws in Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Attached is the staff report including the review of this rezoning based on the Golden Criteria.

The Planning Commission held the first public hearing on November 12, 2013. However, due to a publication error the rezoning required a second public hearing. The second public hearing was held on February 11, 2014 regarding this rezoning. The Planning Commission recommended approval of the application.

Enclosure: Draft Ordinance No. 966  
Staff Report from November 12, 2013 Planning Commission Meeting (also used for February 11, 2014 meeting)  
Rezoning Application RZ-08-09-2013

**Related Ordinance(s) or Statute(s):** N/A

**Recommendation:** Approve Ordinance No. 966 Ordinance Adopting a Recommendation by the City Planning Commission to Approve Rezoning of Approximately 31 Acres of Land [Located At The Southeast Corner Of 191st Street And Homestead Lane] In Edgerton, Kansas From City Of Edgerton A-G Agriculture Zoning To City Of Edgerton L-P Logistics Park Zoning District

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: February 24, 2014

## **ORDINANCE NO. 966**

### **AN ORDINANCE ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 31 ACRES OF LAND [LOCATED AT THE SOUTHEAST CORNER OF 191<sup>ST</sup> STREET AND HOMESTEAD LANE] IN EDGERTON, KANSAS FROM CITY OF EDGERTON A-G AGRICULTURE ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT**

**WHEREAS**, the Planning Commission has recommended that a rezoning request -- from City of Edgerton A-G Agriculture Zoning District to L-P, City of Edgerton Logistics Park Zoning District -- be approved for approximately 31 acres of land, located at the Southeast corner of 191<sup>st</sup> Street and Homestead Lane, the legal description of which is set forth below; and

**WHEREAS**, all newspaper and mailed notifications were performed and a public hearing was properly held before the City Planning Commission.

### **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:**

**Section 1.** That the following legally described property [at the Southeast corner of 191<sup>st</sup> Street and Homestead Lane] is hereby rezoned from City of Edgerton A-G Agriculture Zoning District to L-P, City of Edgerton Logistics Park Zoning District, and City Staff is directed to reflect said rezoning in the City's Official Zoning map and other City records:

All that part of the Northwest 1/4 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 000700 in the Register of Deeds Office Johnson County, Kansas, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Southwest corner of the Northwest 1/4, of said Section 3; thence N 88° 26' 09" E, along the South line of the Northwest 1/4 of said Section 3, a distance of 771.32 feet, to the true Point of Beginning of subject tract; thence N 1° 31' 15" W, parallel with the East line of said Tracts A and B, a distance of 2653.33 feet, to a point on the North line of the Northwest 1/4 of said Section 3; thence N 88° 10' 27" E, along the North line of the Northwest 1/4 of said Section 3, a distance of 539.88 feet; thence S 1° 49' 35" E, along the East line of a tract of land described in Book 3047, Page 6 as filed in said register of deeds office, a distance of 355.00 feet, to the Southeast corner of said tract of land; thence S 88° 10' 27" W, along the South line of said tract of land, a distance of 21.73 feet, to a point on the East line of said Tract A; thence S 1° 31' 15" E, along the East line of said Tracts A and B, a distance of 2300.70 feet, to a point on the South line of the Northwest 1/4 of said Section 3; thence S 88° 26' 09" W, along the South line of the Northwest 1/4 of said Section 3, a distance of 520.03 feet, to the point of beginning.

The above described tract of land contains 1,387,817 Sq. Ft. or 31.860 acres more or less.

**Section 2.** That the Governing Body, in making its decision on the rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

**Section 3.** This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 27th DAY OF FEBRUARY, 2014.

**CITY OF EDGERTON, KANSAS**

By: \_\_\_\_\_  
Donald Roberts, Mayor

ATTEST:

\_\_\_\_\_  
JANEICE RAWLES, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Patrick G. Reavey, City Attorney



**EDGERTON**  
global routes. local roots.

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EDGERTONKS.ORG

## STAFF REPORT

November 10, 2013

To: Edgerton Planning Commission  
Fr: Beth Linn, City Administrator  
Mike Mabrey, Zoning Administrator  
Re: Application RZ-10-18-2013 for Rezoning of International Transload Logistics, Lot 1 at the southeast corner of 191st Street and Homestead Lane

### APPLICATION INFORMATION

**Applicant/Property Owner:** Owners: Omar and India Holtgraver;  
Applicant/Agent: International Transload Logistics.

**Requested Action:** Rezoning (International Transload Logistics, Lot 1 only) from City of Edgerton A-G Agriculture to L-P, City of Edgerton Logistics Park Zoning District

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

**Site Address/Location:** Approximately 31 acres at the southeast corner of 191st Street and Homestead Lane

**Existing Zoning and Land Uses:** One residence and out buildings

**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, west and east.

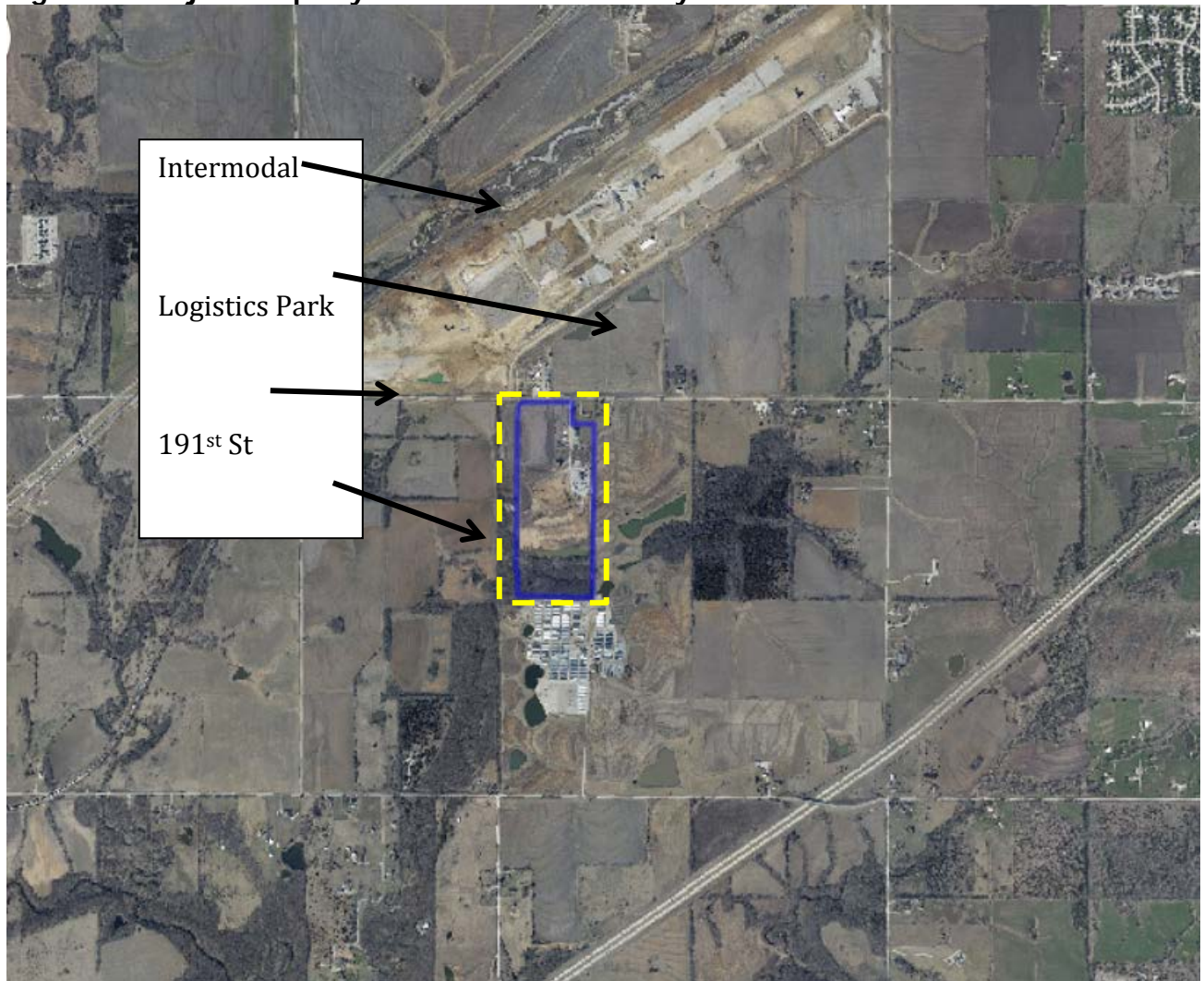
**Existing Improvements:** Single family home with out-buildings

**Site Size:** Approximately 31 acres

**PROJECT DESCRIPTION AND BACKGROUND:** This majority of this land was annexed into the City of Edgerton in 2011. The far northeast corner of the property that contains the single family residence was annexed into the City of Edgerton on October 24, 2013. The final plat of Lot 1 (the eastern lot) is being requested to facilitate the development of the property for logistic park related uses. The applicant, International Transload Logistics, has indicated they intend to operate a cargo container storage, maintenance and repair facility. The BNSF intermodal rail facility is located about 1/4 mile to the north, a grain transfer facility and warehouse industrial uses are located across 191st Road to the north. The logistics park and

intermodal's primary function is to transport and redistribute containers and the products they contain.

**Figure 1: Subject Property and Immediate Vicinity**

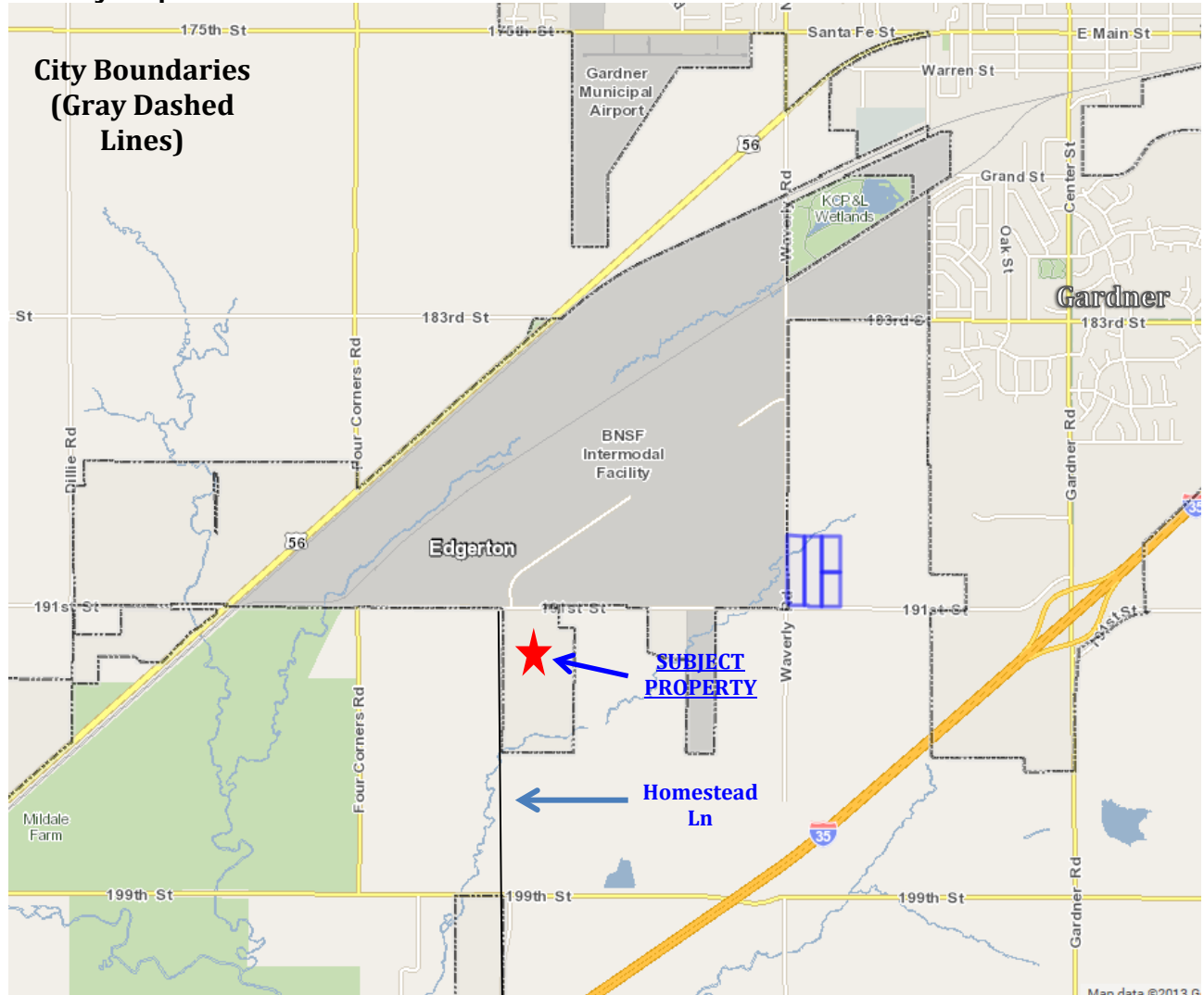


**Infrastructure and Services:**

- 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. 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. About four acres of the south part of the property is located within the flood plain of a tributary of Bull Creek. The site plan will need to avoid development within the floodplain. The floodplain area is ideal for a streamway corridor/park/public access use area.
- d. The property has sanitary sewer service via the Homestead Lane lift station located on Lot 2.

- e. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along the 191st Street property frontage.
- 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, approximately 3 miles to the southwest.

### Vicinity Map



### STAFF ANALYSIS

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws in Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. Need for the Proposed Change. The subject property has County zoning. Given the property's location next to the logistics park, the anticipated uses of the property are



intermodal facility and logistics park related uses. The L-P Zoning District is the most compatible designation for these uses.

2. Magnitude of the Change. The existing County zoning is considered a holding designation due to the property's location next to the intermodal facility. The property has been in residential and farm use. The magnitude of change is not considered extreme or rare when property is being developed for its planned end use, industrial development, as shown on Edgerton's Future Land Use Map within the Comprehensive Plan.
3. Whether or not the change will bring harm to established property rights. None foreseen.
4. Effective use of Land. Logistics Park development at this location is an effective and efficient use since the property is adjacent to the intermodal facility and the developing logistics park. Warehousing and related uses will buffer rail yard noise and encourage related activity around it, concentrating industrial development rather than dispersing it throughout the community.
5. The extent to which there is a need in the community for the uses allowed in the proposed zoning. Placing warehousing and related facilities, adjacent to the intermodal rail yard puts an intermediate destination for some of the goods in transit and empty containers in transition in close proximity to their rail origin, reducing truck traffic in the surrounding area and allowing for more efficient goods distribution.
6. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space. The recently opened BNSF Intermodal Facility is located to the north. There is City of Edgerton zoned L-P District land across 191st to the north. There is a wholesale tree farm to the east and south.

With the rapidly progressing intermodal development, recently completed road improvements, and the new I-35/Homestead interchange nearby, the character of the area is changing significantly from rural to industrial. The regional parks and floodplain areas nearby will generally remain undeveloped, providing open space, wildlife corridors, streamway buffers, and hiking, biking, and pedestrian corridors. The floodplain area is ideal for a streamway corridor/park/public access use area.

7. Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties. The proposed zoning is compatible with the planned future uses of property to the north, south, east and west. Nearby residential land uses are likely short-term in nature. So, too, is the rural character of the area.
8. Suitability of the uses to which the property has been restricted under its existing zoning. The existing County zoning is a holding designation for this property. The property is no longer viable for residential use. With the construction of the intermodal freight terminal and the logistics park adjacent to the north, the best use of this property has become industrial.

9. Length of time the subject property has remained vacant under the current zoning designation. Before annexation, the property was in residential/farm use in unincorporated Johnson County.
10. The extent to which the zoning amendment may detrimentally affect nearby property. As noted, the nearby residential and rural uses are likely short-term in nature.
11. Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage. This is not a request for a PUD.
12. The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services. 191st Street has been improved to a standard that will accommodate industrial development. Utilities will be provided by the developer in conjunction with development of the property.
13. The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property. 191st Street and Homestead Lane are improved to a standard that can accommodate industrial development traffic in the area. On-street parking will not be allowed.
14. The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm. The City will follow NPDES (stormwater management requirements) guidelines that require the developer to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of light is addressed as part of the Site Plan review.
15. The economic impact on the community from the uses allowed in the proposed zoning. Prior to the development of the BNSF intermodal and logistics park, there have been few commercial and industrial uses within the City. Warehousing and related uses allowed in the L-P District, if built, have the potential to benefit the residents and community in a positive way by providing needed jobs and tax revenues.
16. The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial. There would be little gain to the public health, safety and welfare of the City of Edgerton and the property owner would be denied a use compatible with the intermodal facility if the zoning is denied. The City would be adversely impacted due to the lost opportunity for jobs and tax revenue if anticipated logistics park uses were to locate in another nearby community.

17. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton. The Future Land Use Map within the Comprehensive Plan designates the subject property for industrial development.
18. The recommendation of professional staff. See Recommendations Section, below.

### **RECOMMENDATIONS**

City staff recommends **approval** of the Rezoning for International Transload Logistics, Lot 1 from City of Edgerton A-G Agriculture to City of Edgerton L-P Logistics Park subject to compliance with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. A Land Disturbance Permit and a Stormwater Water Quality Management Plan shall be approved by City Engineer prior to grading on the subject property.

### **ATTACHMENTS**

Rezoning Application RZ-10-18-2013 for International Transload Logistics, Lot 1

LOCATION OR ADDRESS OF SUBJECT PROPERTY: SEC Homestead & 191<sup>st</sup> St.PURPOSE FOR REZONING: Selling property for developmentREQUESTED REZONING CHANGE: FROM Ag TO L-P  
(Current Zoning) (Proposed Zoning)LEGAL DESCRIPTION: See AttachedCURRENT LAND USE: AgPROPERTY OWNER'S NAME(S): Omar & India Holtgraver PHONE: 913 621 2755 980 8310

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: 32355 W 191<sup>st</sup> St. Edgerton KS 66021  
Street City State ZipAPPLICANT/AGENTS NAME(S): International Transload Logistics PHONE: 913 621 2755COMPANY: International Transload Logistics FAX: 913 621 2760MAILING ADDRESS: 701 S 38<sup>th</sup> St. Kansas City KS 66106  
Street City State ZipENGINEER/ARCHITECT'S NAME(S): Rob Johnson PHONE: 913 307 2528COMPANY: SKW FAX: 913 888 7868MAILING ADDRESS: 11250 Corporate Ave Lenexa KS 66219  
Street City State ZipSIGNATURE OF OWNER OR AGENT: CS (P)

If not signed by owner, authorization of agent must accompany this application.

**FOR OFFICE USE ONLY**Case No.: RZ- 10-18-2013 Amount of Fee Paid: \$ 250.00 Date Fee Paid: 10-18-13Received By: MAN Date of Hearing: 11-12-13**REZONING INSTRUCTIONS**

**CERTIFIED LETTERS:** The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

## AGENDA ITEM INFORMATION FORM

**Agenda Item:** Consider Ordinance No. 967 Adopting The Planning Commission's Recommendation To Approve A Conditional Use Permit To Allow Use Of Land, In The L-P, City Of Edgerton Logistics Park Zoning District Located At The Southeast Corner Of 191st Street And Homestead Lane, For "Cargo Storage, Maintenance, And Repair Facilities"

**Department:** Administration

**Background/Description of Item:** The City has received application CU-11-15-2013 requesting a conditional use permit for operation of a cargo container storage, maintenance, and repair facilities at the southeast corner of 191<sup>st</sup> and Homestead Road from Applicant/Agent: International Transload Logistics (Property Owners: Omar and India Holtgraver).

Edgerton City Council previously approved Ordinance No. 963 granting a conditional use permit for International Transload Logistics. However, due to a publication error, the application required a second public hearing and consideration of a new ordinance.

Johnson County Planning staff, on behalf of the City of Edgerton, reviewed this conditional use permit application with respect to the City of Edgerton Unified Development Code (UDC). Please find enclosed with this packet the Staff Report prepared for the Planning Commission meeting on December 10, 2013. This same staff report was used for the public hearing held on February 11, 2014

In order to recommend approval or disapproval of a proposed conditional use permit (CUP), the Planning Commission and Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, Section 7.1 (C) of Article 7 of the UDC states that the Planning Commission and Governing Body may consider all factors they deem relevant to the questions of compatibility and the best interest of the City. In addition, Section 7.2 (D) of the UDC details requirements to be considered for a conditional use permit for cargo container storage, repair and maintenance facilities. The analysis of these factors is detailed in the attached staff report.

The Planning Commission held a public hearing on December 10, 2013 and February 11, 2014 regarding this conditional use permit application. The Planning Commission recommended approval of the conditional use permit application 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 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.
7. This Conditional Use Permit shall be valid for ten years from approval by the City of Edgerton.

Enclosure: Draft Ordinance No. 967  
Staff Report from December 10, 2013 Planning Commission  
ITL Site Plans  
Application

**Related Ordinance(s) or Statute(s):**

**Recommendation:** Approve Ordinance No. 967 Adopting The Planning Commission's Recommendation To Approve A Conditional Use Permit To Allow Use Of Land, In The L-P, City Of Edgerton Logistics Park Zoning District Located At The Southeast Corner Of 191st Street And Homestead Lane, For "Cargo Storage, Maintenance, And Repair Facilities"

**Funding Source:** N/A

Prepared by: Beth Linn, City Administrator  
Date: February 24, 2014

## **ORDINANCE NO. 967**

### **AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE A CONDITIONAL USE PERMIT TO ALLOW USE OF LAND, IN THE L-P, CITY OF EDGERTON LOGISTICS PARK ZONING DISTRICT LOCATED AT THE SOUTHEAST CORNER OF 191<sup>ST</sup> STREET AND HOMESTEAD LANE, FOR "CARGO STORAGE, MAINTENANCE, AND REPAIR FACILITIES"**

WHEREAS, the Edgerton Planning Commission did hold a public hearing on the requested Conditional Use Permit in accordance with the requirements as set forth in the Edgerton Zoning Regulations; and

WHEREAS, the Edgerton Planning Commission voted to approve the Conditional Use Permit for use of land for "Cargo Storage, Maintenance, and Repair Facilities" but such vote was conditioned on the following being adhered to by the Applicant:

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 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.
7. This Conditional Use Permit shall be valid for ten years from approval by the City of Edgerton.

WHEREAS, the City Governing Body, after reviewing the Conditional Use Permit and considering the criteria set forth in Article 7 of the City Zoning Regulations and the recommendations of the Planning Commission, finds the Conditional Use Permit should be approved.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY**

## **OF THE CITY OF EDGERTON, KANSAS:**

**Section 1.** The proposed Conditional Use Permit for use of the following land [located at at the southeast corner of 191st Street and Homestead Lane], for “Cargo storage, Maintenance, and Repair Facilities” is hereby approved:

All that part of the Northwest 1/4 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 000700 in the Register of Deeds Office Johnson County, Kansas, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows;

Commencing at the Southwest corner of the Northwest 1/4, of said Section 3; thence N 88° 26' 09" E, along the South line of the Northwest 1/4 of said Section 3, a distance of 771.32 feet, to the true Point of Beginning of subject tract; thence N 1° 31' 15" W, parallel with the East line of said Tracts A and B, a distance of 2653.33 feet, to a point on the North line of the Northwest 1/4 of said Section 3; thence N 88° 10' 27" E, along the North line of the Northwest 1/4 of said Section 3, a distance of 539.88 feet; thence S 1° 49' 35" E, along the East line of a tract of land described in Book 3047, Page 6 as filed in said register of deeds office, a distance of 355.00 feet, to the Southeast corner of said tract of land; thence S 88° 10' 27" W, along the South line of said tract of land, a distance of 21.73 feet, to a point on the East line of said Tract A; thence S 1° 31' 15" E, along the East line of said Tracts A and B, a distance of 2300.70 feet, to a point on the South line of the Northwest 1/4 of said Section 3; thence S 88° 26' 09" W, along the South line of the Northwest 1/4 of said Section 3, a distance of 520.03 feet, to the point of beginning.

**Section 2.** The Conditional Use Permit approved by this Ordinance is expressly conditioned on the Applicant’s strict compliance with the seven Conditions set forth above, which were recommended by the Edgerton Planning Commission.

**Section 3.** The effectiveness of this Conditional Use Permit is conditioned upon the strict compliance by the applicant with the provisions contained herein and in the City of Edgerton Zoning Regulations. Should applicant fail to comply with any term or provision thereof and shall such failure continue following notice from City to applicant specifying the breach and actions to be taken to cure the same, then, at the direction of the City Administrator, applicant will be notified that this Conditional Use Permit is revoked and all uses permitted herein on the Property must immediately cease. Reinstatement following default may only be effected by action of the Governing Body. Wholly separate and apart from the specific conditions of the City’s Zoning Regulations are the City’s interest and duties to protect the public health, safety and welfare. Applicant agrees that this Ordinance shall not operate or be construed to impede or impair the lawful function of City government operation in this area.

**Section 4.** This ordinance shall take effect and be enforced from and after its



publication once in the official city newspaper. All Zoning and Regulations of Edgerton, Kansas, affecting the use of the real property heretofore described which are inconsistent with this ordinance are hereby made inapplicable to said property until the Conditional Use Permit is vacated or is declared null and void.

**Section 5.** Ordinance 963, adopted on January 9, 2014, is hereby repealed.

PASSED by the Governing Body of the City of Edgerton, Kansas, and approved by the Mayor on the 27th day of February, 2014.

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Donald Roberts, Mayor

(Seal)

ATTEST:

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Janeice Rawles, City Clerk

APPROVED AS TO FORM:

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Patrick G. Reavey, City Attorney

## STAFF REPORT

December 10, 2014

To: Edgerton Planning Commission

Fr: Beth Linn, City Administrator

Mike Mabrey, Zoning Administrator

Re: Application CU-11-15-2013 for Conditional Use Permit for for a Cargo Container Storage, Maintenance and Repair Facility on International Transload Logistics, Lot 1 at the southeast corner of 191st Street and Homestead Lane

## APPLICATION INFORMATION

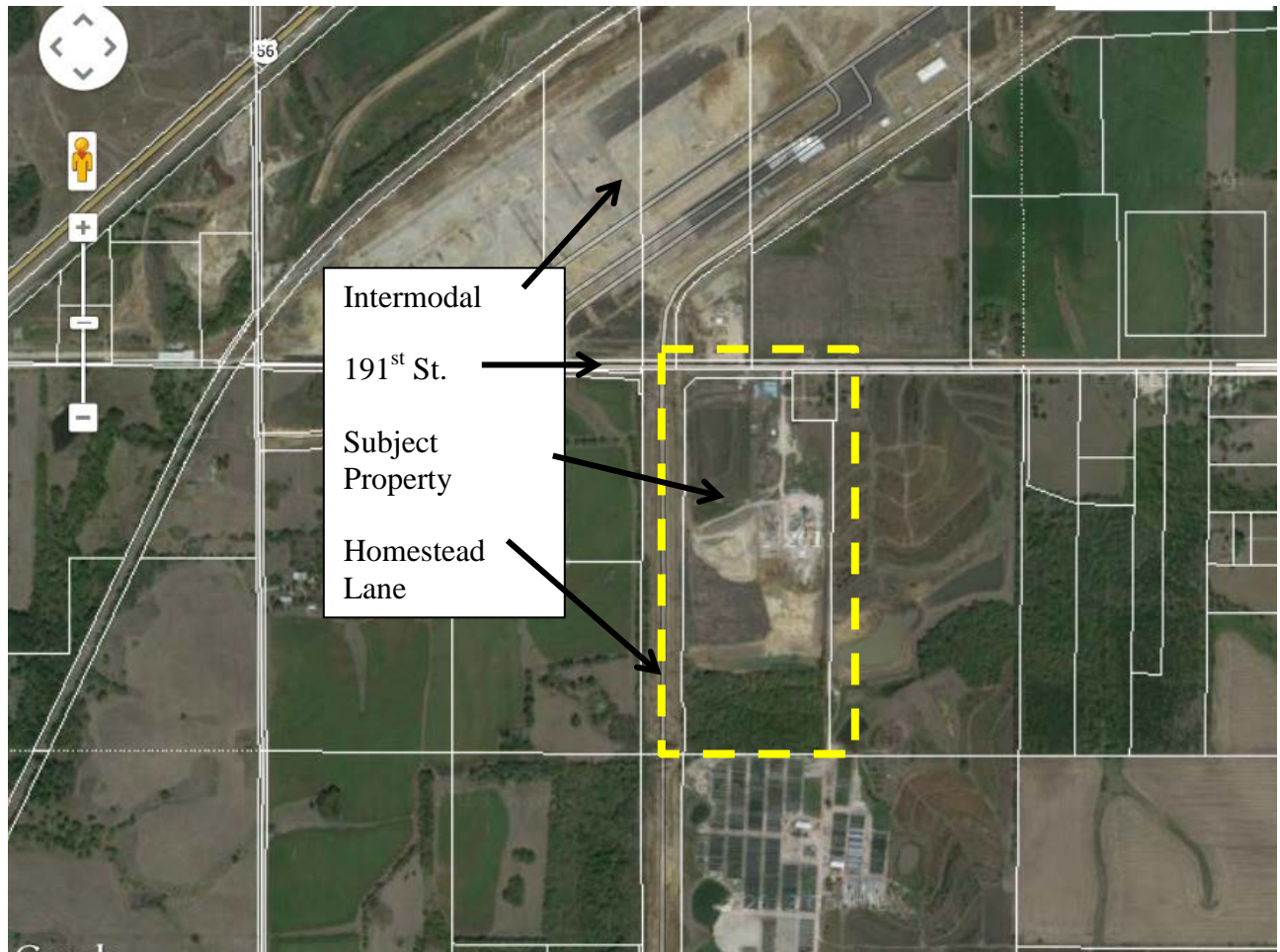
<b>Applicant/Property Owner:</b>	Owners: Omar and India Holtgraver; Applicant/Agent: International Transload Logistics
<b>Requested Action:</b>	Conditional Use Permit for International Transload Logistics Lot 1 for a Cargo Container Storage, Maintenance and Repair Facility
<b>Legal Description:</b>	Part of Section 3, Township 15, Range 22
<b>Site Address/Location:</b>	Approximately 31 acres at the southeast corner of 191st Street and Homestead Lane
<b>Existing Zoning and Land Uses:</b>	One residence and out buildings
<b>Surrounding Zoning and Uses:</b>	BNSF Intermodal Facility and L-P zoned land for warehouse development to the north in the City of Edgerton; a house in the unincorporated County to the east; a wholesale tree nursery to the south in unincorporated Johnson County; and vacant land to the west in the City of Edgerton.
<b>Existing Improvements:</b>	Single family home with out-buildings
<b>Site Size:</b>	Approximately 31 acres

**PROJECT DESCRIPTION AND BACKGROUND:** This land was annexed into the City of Edgerton in 2013. The property owner/application have submitted a final site plan application with the intention to operate a cargo container storage facility on Lot 1. Logistics Park Kansas City is located across 191st 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.

**Figure 1: Subject Property and Immediate Vicinity**

The subject property is located on the southeast corner of 191st Street and Homestead Lane, with about 500 feet of frontage along 191st.



**Infrastructure and Services:**

- 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. 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. About four acres of the south part of the property is located within the flood plain of a tributary of Bull Creek. The site plan will need to avoid development within the floodplain. The floodplain area is ideal for a streamway corridor/park/public access use area.
- d. The property has sanitary sewer service via the Homestead Lane lift station located on Lot 2.

- e. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along the 191st Street property frontage.
- 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, approximately 3 miles to the southwest.

### Vicinity Map



### STAFF ANALYSIS

The UDC allows cargo container storage, maintenance, and repair facilities in the L-P Zoning District if a Conditional Use Permit is first approved. The Planning Commission, in accordance with the procedures and standards of the UDC, may authorize buildings, structures, and uses as conditional uses in the specific instances and particular districts set forth provided that the location is appropriate, consistent with the Comprehensive Plan, that the public health, safety, morals, and general welfare will not be adversely affected, and that necessary safeguards will be provided surrounding property, persons, and neighborhood values, and further provided



that the additional standards of this Article specified as a condition of approval. No conditional use shall be authorized unless the Planning Commission finds that the establishment, maintenance, or operation of the Conditional Use meets the standards set forth in the UDC. The burden of proof is on the applicant to bring forth the evidence and the burden of persuasion on all questions of fact that are determined by the Planning Commission.

## GENERAL CRITERIA

- a. The extent to which there is a need in the community for the proposed use. 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. Placing these container storage facilities adjacent to the rail yard and the logistics park reduces the distance of travel, which equates to less pollution, wear on streets, cuts transportation costs, and centralizes perceived negative impacts from these facilities on the surrounding community. Staff determination: *Positive*
- b. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space. The BNSF Intermodal Facility is across 191<sup>st</sup> to the north. 192 acres of land, zoned L-P District in 2012, lies across 191<sup>st</sup> to the north. There is one residence located just to the east on 191<sup>st</sup>. There are a few homes on rural acreage further to the east at 191st Street and Waverly Road intersection (see item number 3, above). Farming and vacant land lie to both the east and south.

With rapidly progressing intermodal development, new road improvements, and the new I-35 interchange nearby, the character of the area is changing significantly from rural to industrial. The regional parks and floodplain areas will generally remain undeveloped, acting as open space, which will help to retain some of the existing rural character of the area. Staff determination: *Positive*

- c. The nature and intensity of the proposed use and its compatibility with the zoning and uses of nearby properties. Such determination should include the location, nature, and height of structures, walls, fences, and other improvements connected with the proposed use, their relation to adjacent property and uses, and the need for buffering and screening. Facilities such as the one proposed here provide for the storage, staging, and maintenance of cargo containers, semi-trailers, and chassis. The conditional use permit performance criteria require that this activity be conducted in a manner that minimizes the noise, dust, traffic congestion, aesthetic blight and other adverse environmental impacts of such a use on surrounding property. To ensure that the cargo container, semi-trailers, and maintenance facilities are operated in a safe manner, the permitted height of stacking of such containers, the cargo within the containers, the location and surface used, methods of securing the containers so as to prevent safety hazards, and accessibility for emergency and maintenance equipment are all factors addressed by the regulations. Adequate visual screening and landscaping of cargo containers from the public right-of-ways and adjacent properties is also required. The site must also be of sufficient size to

accommodate the clean, safe and orderly storage and maintenance of cargo containers, semi-trailers, and chassis with adequate lighting and signage.

The foregoing factors are addressed in the specific performance criteria, below. Staff determination: ***Positive***

- d. Suitability of the uses of the property without the proposed conditional use permit. The property is no longer in agricultural use. With the construction of the intermodal freight terminal and the logistics park adjacent to the north, the best use of this property has become industrial. Staff determination: ***Positive***
- e. Length of time the subject property has remained vacant without the proposed conditional use permit. Before annexation, the property was in agricultural use in unincorporated Johnson County for at least the previous 60-plus years for which information (aerial photography) is available. Staff determination: ***Positive***
- f. The extent to which the proposed use may detrimentally affect nearby property. The properties that will likely be most affected by this proposed zoning are the few parcels in residential use to the east. The nearest proposed trailer storage pad is about 300 feet from the nearest home. As the area transitions to industrial uses, the residential uses are short term in nature. No long term detrimental effects are expected. The stream and floodplain areas on the south end of the property will be undeveloped and as such, provide buffering and open space. Staff determination: ***Positive***
- g. The adequacy of ingress and egress to and within the site of the proposed use, traffic flow and control, the adequacy of off-street parking and loading areas, the adequacy of required yard and open space requirements and sign provisions. As noted in the Site Plan review, adequate ingress, egress, parking, and loading has been provided after suggested modifications. The stream and floodplain areas will be undeveloped and as such, they provide adequate open space. No signage is proposed. Staff determination: ***Positive***
- h. The availability and adequacy of required utilities and services to serve the proposed use. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services. Please also see the Infrastructure and Services review on page 2, above.
- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the proposed use, or present parking problems in the vicinity of the property. 191st Street and Homestead Lane are improved to a standard that can accommodate industrial/truck traffic in the area. On-street parking will not be allowed and adequate parking is provided for this project. Staff determination: ***Positive***
- j. The environmental impacts that the proposed use would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm. The City will follow NPDES (stormwater management requirements) guidelines that require the developer to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of light, off-site, should be addressed by the photometric

plan. Staff determination: ***Positive***

- k. The economic impact of the proposed use on the community. Prior to the development of the BNSF intermodal and logistics park, there have been few commercial and industrial uses within the City. Warehousing and related uses in the L-P District, if built, have the potential to benefit the residents and community in a positive way by providing needed jobs and tax revenues. Staff determination: ***Positive***
- l. The relative gain (if any) to the public health, safety, and welfare from a denial of the application for conditional use permit as compared to the hardship imposed upon the conditional use applicant from such denial. There would be little gain to the public health, safety and welfare of the City of Edgerton and the property owner would be denied a use compatible with the intermodal facility if the zoning is denied. The City would be adversely impacted due to the lost opportunity for jobs and tax revenue if anticipated logistics park uses were to locate in another nearby community. There is substantial floodplain on the south end of the property. This area is designated as a streaway corridor on the recently completed Southwest Johnson County Area Plan. Consideration should be given to dedication of an easement to allow a public use trail along the streamway in the future. Staff determination: ***Positive***
- m. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton, and the general safety, health, comfort and general welfare of the community. The Future Land Use Map (attached) within the Comprehensive Plan designates the subject property for industrial development. Staff determination: ***Positive***
- n. The recommendation of professional staff. (Ord. 798; 2005) Please see the Recommendations Section, below.

#### **CARGO CONTAINER STORAGE, REPAIR, AND MAINTENANCE FACILITY PERFORMANCE CRITERIA.**

All cargo container storage and cargo container repair and maintenance facilities (collectively referred to as "facilities") shall be subject to the following performance provisions:

- 1. Access: No cargo containers or semi-trailers (either on or off a chassis), or a chassis, may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings. ***Final site plan complies.***
- 2. Exterior Lighting: Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved. ***Property owner required to submit a Photometrics plan in conformance with the Photometrics standards included in the L-P District***
- 3. Minimum Lot Size: Facilities shall have a minimum lot size of twenty (20) acres. ***Property complies with 30 acres.***
- 4. Noise: Noise from businesses and facilities shall not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.

*Noise issues are not addressed in the applicant's proposal; however, the use must continuously comply with these noise maximums in the conduct of the business.*

5. Paving: All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation:
  - i. Paving shall mean concrete or asphalt: and
  - ii. Dust-free shall mean that all interior driveways and storage area surfaces shall be kept free of dust, dirt or other materials to prevent the migration of dust off-site. *Permanent parking area material has not been specified. Permanent surface must be asphalt or concrete.*
6. Parking: Facilities shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices. *The proposed use shall continuously comply.*
7. Cargo Container Stacking: Cargo containers shall not be stacked more than five (5) in number. *The proposed use must continually comply and not exceed the maximum stacking height.*
8. Chassis Stacking/Racking: Empty chassis may be stored on end (racking), or may be stacked. When stacked, chassis shall not be more than five (5) in number. *The proposed use must continually comply and not exceed the maximum stacking height.*
9. Screening and Landscaping: Screening may be required on the perimeter of the property. Screening shall be a combination of fencing and landscaping or berming and landscaping. Screening shall comply with requirements Article 5.2 L-P District Landscape Standards. A Type 4 Perimeter Buffer is required on the east property line due to the residential adjacent use to the front face of the buildings. A Type 2 Perimeter Buffer is required on the Lot 1 west property line to the back of Transfer Dock building. Specific requirements for type of plant, spacing, percentage of single species, etc. must comply with Edgerton Unified Development Code. The type 2 buffer requires trees at 50' spacing and bushes at 48" spacing. All landscaping shall be included on Lot 1. Plant material must be continuously maintained and replaced when dead. No fence has been noted on the site plan. Any fence must be submitted to City for review and approval. Fence placement and material must meet Edgerton UDC requirements for L-P District.
10. Setbacks and Separation Distance: All buildings, structures, parking and other uses on the property, shall be subject to the setback requirements in Article 5.2 L-P District Setback, Yard, Area Regulations, except, however, the parking or storage of cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked) shall be subject to the following setback standards that may vary depending upon the difference scenarios set forth below:



- i. When abutting (touching), or across the street from non-residentially zoned property, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked and stacked).
- ii. When abutting (touching) public right-of-way, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked).
- iii. When abutting (touching), or across the street from, residentially zoned property, such parking and storage shall be setback a minimum of 250 feet from the nearest property line of the residentially zoned property. There is County Rural (residential) zoned property abutting to the east and south of the subject property. *The application does not meet this performance requirement. The City may consider allowing a deviation according to the specific requirements of Article 7.2 D 14.*

*Deviations: In the event that an applicant desires to deviate from the above performance standards and provisions for certain Conditional Uses, the applicant shall submit written information to the Governing Body indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a list of alternative materials, designs or methods that are equivalent to these performance standards and provisions. The application may only be approved if findings are made by the Governing Body that a) due to the circumstances of the application, it would be unnecessary to impose the standard(s) and equivalent alternatives should be allowed, b) that the spirit and intent of the Regulations are being met, c) that granting the deviation shall not adversely affect adjacent or nearby property, and d) the application shall otherwise comply with all building code(s) and safety requirements.*

- iv. When abutting (touching), or across the street from, a habitable dwelling, such parking and storage shall be setback a minimum of 300 feet from the nearest dwelling. *The nearest home is about 300 feet from the storage area. The proposed Site Plan complies.*
11. Signage: Business signs shall be allowed according to Article 5.2 L-P District Signage regulations. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer or chassis. *No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.*
12. Site Plan: A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9 (B) (3) of these regulations. *Final Site Plan shall be revised to comply with all stipulations of Final Site Plan and Conditional Use Permit review.*

13. Other Rules and Regulations. All facilities shall abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner. *The proposed use must comply with these requirements.*

## **RECOMMENDATIONS**

City staff recommends **approval** of the Conditional Use Permit for International Transload Logistics, Lot 1 subject to compliance 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 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.
7. This Conditional Use Permit shall be valid for \_\_\_\_ years from approval by the City of Edgerton.

## **ATTACHMENTS**

Conditional Use Permit Application CU-11-15-2013 for International Transload Logistics, Lot 1

# GENERAL NOTES:

The bearings shown herein are based upon the State Plane Coordinate System, Kansas North Zone, NAD83.

County information shown herein as provided by Johnson County, ANG.

## DESCRIPTION

All that part of the Northwest 1/4 of Section 3, Township 15, Range 22, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows: Beginning at the Southwest corner of the Northwest 1/4, of said Section 3; thence N 2° 10' 15" W, along the West line of the Northwest 1/4, of said Section 3, a distance of 2649.82 feet, to the Northwest corner of the Northwest 1/4 of said Section 3; thence N 88° 10' 27" E, along the North line of the Northwest 1/4, of said Section 3, a distance of 1341.24 feet; thence S 1° 49' 35" E, along the East line of a tract of land described in Book 3047, Page 6 filed in the Register of Deeds Office, Johnson County, Kansas, and its Northern extension, a distance of 355.00 feet, to the Southeast corner of said tract of land; thence S 88° 10' 27" E, along the South line of said tract of land, a distance of 21.73 feet, to the Northeast corner of a tract of land described in Book 20112, Page 003031, as filed in said register of deeds office; thence S 1° 31' 15" E, along the East line of said tract of land, a distance of 2300.70 feet, to a point on the South line of the Northwest 1/4, of said Section 3; thence S 88° 26' 09" W, along the South line of the Northwest 1/4, of said Section 3, a distance of 1291.35 feet, to the point of beginning.

The above described tract contains 3,472.810 sq. ft. or 79.725 acres more or less.

## Flood Note:

This property lies within Flood Zone X, defined as areas determined to be outside the 0.2% annual chance floodplain, Flood Zone X (Future River Flood), defined as areas of 1% annual chance flood, based on future conditions hydrology. No Base Flood elevations determined, Flood Zone AE, defined as special flood hazard areas subject to inundation by the 1% annual chance flood with base flood elevations determined and Floodway Areas in Zone AE. Flood lines shown herein are approximate as shown on the Flood Insurance Rate Map prepared by the Federal Emergency Management Agency's National Flood Insurance Program, Map Number 20091C01540 and dated August 3, 2009.

# TITLE SHEET INTERNATIONAL TRANSLOAD LOGISTICS KANSAS CITY

PART OF THE NW 1/4, SECTION 3, TOWNSHIP 15, RANGE 22,  
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

## CERTIFICATE:

Received and placed on record this day of , 20\_\_ by

(Zoning Administrator).

Approved by the Edgerton City Planning Commission this \_\_\_\_ day  
of , 20\_\_ by

(Chair of Planning Commission).

I certify that I have reviewed this SITE PLAN and will comply with all specifications,  
changes, and amendments herein, and That this Instrument creates a legally  
enforceable obligation to build and develop in accordance with all final agreements.

Applicant signature \_\_\_\_\_ Date \_\_\_\_\_

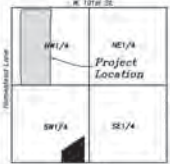
## SITE DATA

	TOTAL	LOT 1	LOT 2
TOTAL FLOOR AREA	14,433 S.F.	14,433 S.F.	0 S.F.
NET LAND AREA	79.73	31.12 AC.	29.59 AC.
EXISTING PROPERTY ZONING	AG	AG	AG
BUILDING USE	DISTR./STORAGE	NA	NA
PARKING:	EXISTING ZONING NOTES:		
PASSENGER VEHICLE	ADJACENT ZONING	ADJACENT LAND USE	
PARKING STALLS	NORTH	WAREHOUSE/DISTRIBUTION/STORAGE	
CONTAINER STORAGE	SOUTH	FARMLAND	
	EAST	FARMLAND	
	WEST	FARMLAND	

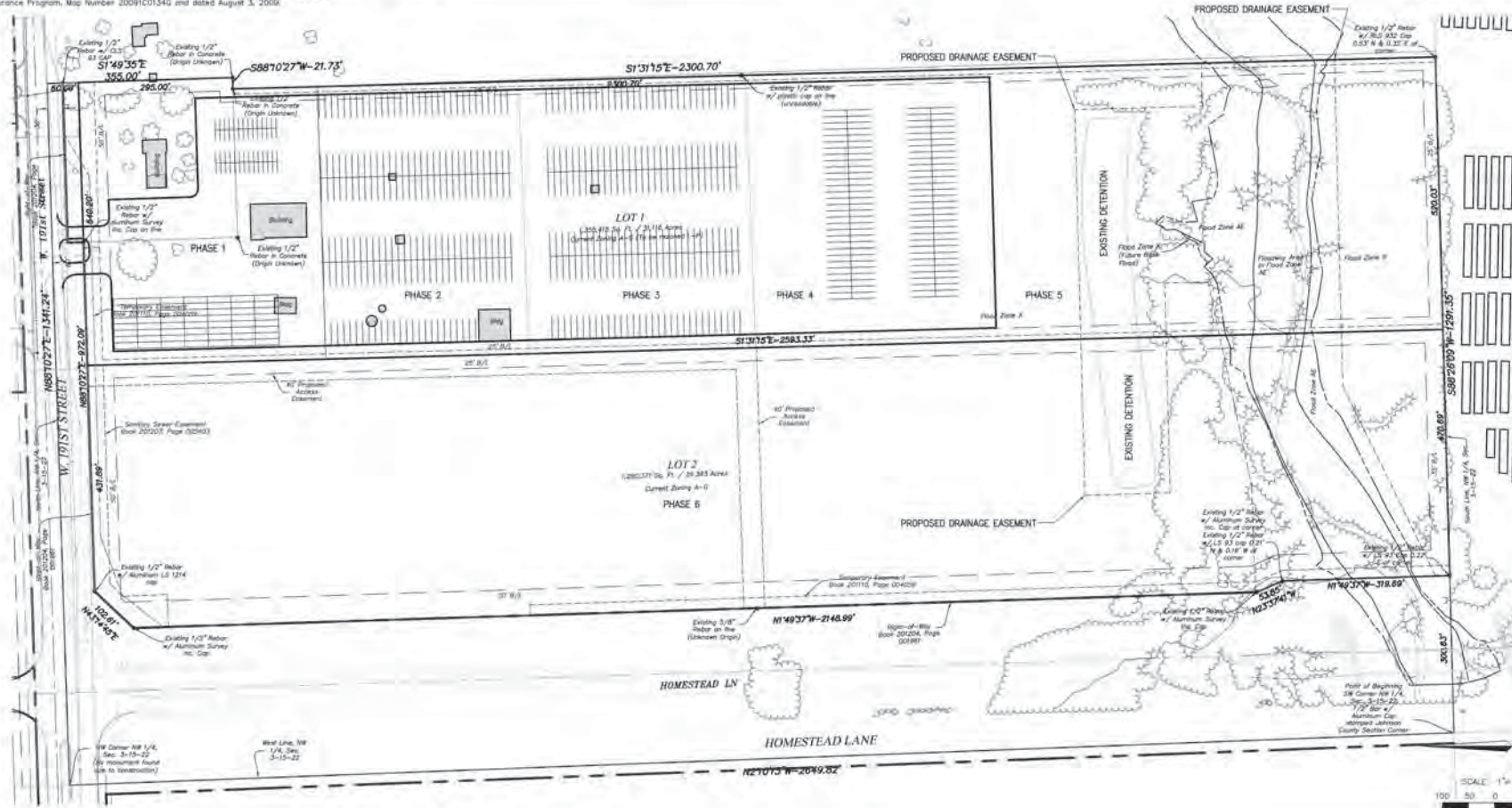
## INDEX OF SHEETS

SHEET NO.	SHEET TITLE
1	TITLE SHEET
2	LANDSCAPE PLAN
3	PRELIMINARY SITE PLAN

OWNER  
Dmar U. Hatzgruber Irrevocable Trust  
34335 W. 101st St.  
Edgerton, KS 66521



VICINITY MAP  
SEC. 03-15-22



SHAFER, KLINE & WARREN, INC.  
11250 Corporate Avenue, Lenexa, KS 66219-1392  
TEL: 913/883-7800 FAX: 913/883-7805



INTERNATIONAL TRANSLOAD LOGISTICS  
EDGERTON, KS.

TITLE SHEET

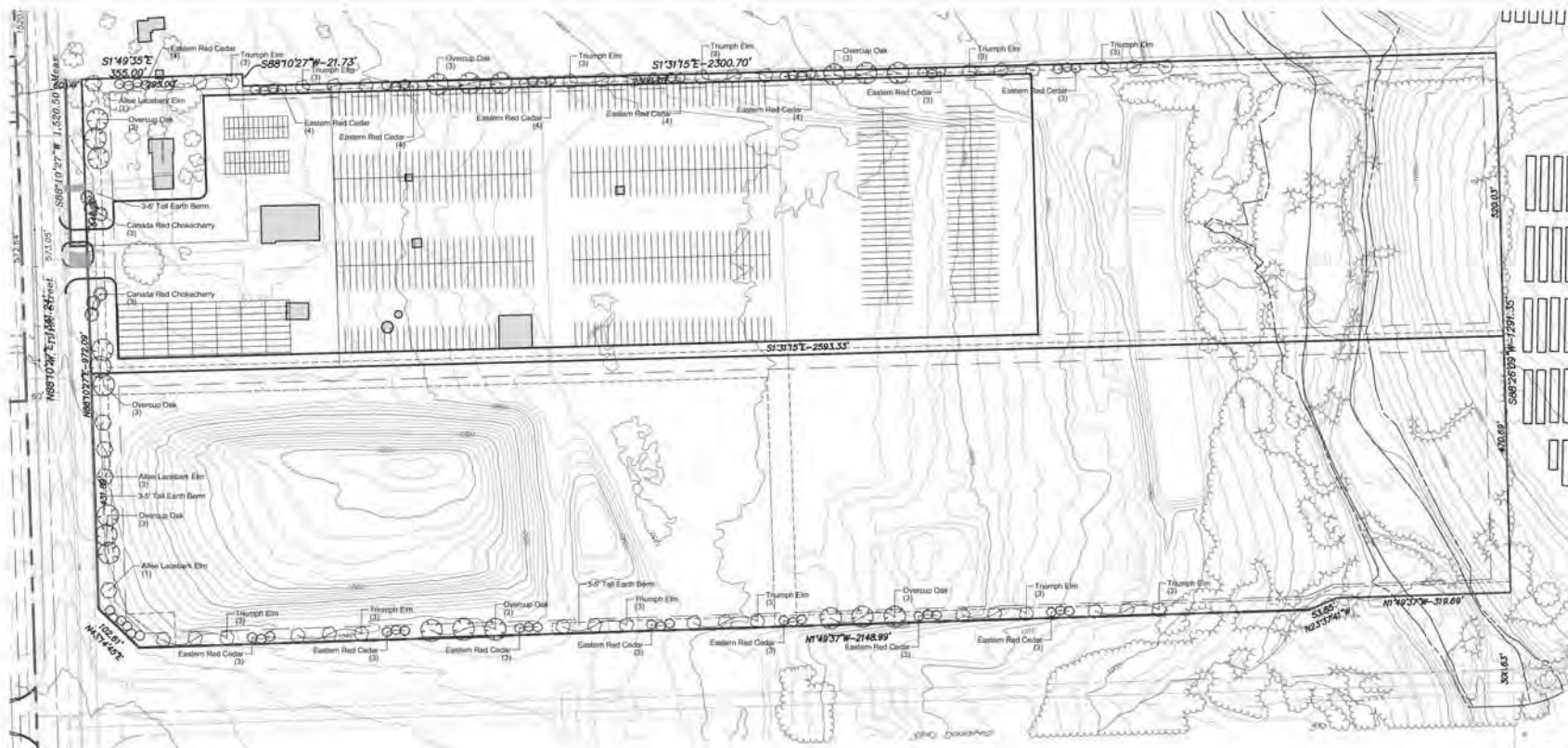
130104-020  
SHEET NO.  
1 OF 3

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## PLANTING SELECTION / CITY UDO REQUIREMENT NOTES:

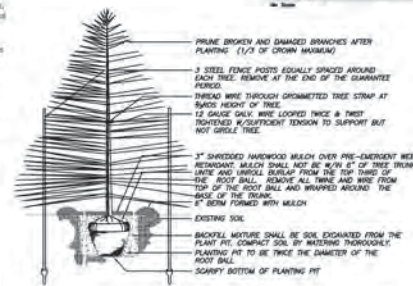
1. At trees and plants standing for the property with most size and height requirements as indicated and 30 feet from installation as indicated in the Landscape Standards for L-P Logistics Park District. All plants/shrubs utilized will be spaced no more than 4' apart and 24" in height at time of installation, and will maintain a minimum of 36" in height within three years. All trees utilized will be spaced no more than 30' apart and 12' in height for evergreens or 25' value for shade trees, and will reach a height of 25' in maturity, if not sooner.
2. For the Right-of-Way Buffer on the North side of the property (Front Street), which is 672.09' in length, the requirement of 25 trees has been met, at within a minimum 10' wide buffer. Tree plantings are combined with an earth berm to increase visual screening along the North Frontage. Turf grass will be the ground cover in this location.
3. For the Right-of-Way Buffer on the West side of the property (University Street), which is 2,522.53' in length, the requirement of 51 trees has been met, at within a minimum 10' wide buffer. Tree plantings are combined with an earth berm to increase visual screening along the West Frontage. Turf grass will be the ground cover in this location.
4. For the Perimeter Buffer on the East side of the property, which is 2,855.70' in length, the requirement of 54 trees has been met within a minimum 5' wide buffer.
5. For the Perimeter Buffer on the South side of the property, which is 1,236.35' in length, the existing trees in this area will be preserved and no further tree plantings are proposed.

### PLANT SCHEDULE

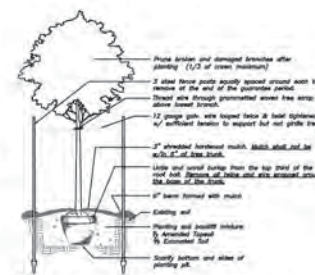
THREE	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE
	8	<i>Prunus virginiana</i> / Canada Red / Canada Red Chokeberry	0.8 B		19"-12"
	21	<i>Quercus lyrata</i> / Overcup Oak	0.8 B	2.5 Cal	
	3	<i>Ulmus parvifolia</i> / 'Alois' / Alois Larchark Elm	0.8 B	2.5 Cal	
	91	<i>Ulmus x</i> 'Morton Glossy' TM / Triumph Elm	0.8 B	2.5 Cal	
<b><u>EVERGREEN THREE</u></b>					
THREE	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE
	75	<i>Juniperus virginiana</i> / Eastern Red Cedar	0.8 B		12"-14"

LANDSCAPE PLAN NOTES:

6. Telling underground  $1\frac{1}{2}$ " gas, water (all), electric and drainage surroundings have been plotted from available information and therefore, their locations must be considered approximate only. It is the responsibility of the individual contractors to verify existence and location of all utilities before doing any work.
7. Prior to commencement of work, the contractor shall give 48 hours advance notice to all of these companies/utilities which have notified it the new vicinity of the construction to be performed.
8. Contractor shall verify all subgrade material quantities and shall report any discrepancies immediately to the Owner's Representative.
9. Contractor shall stake pin locations in the field and have approval by Owner's Representative before proceeding with installation.
10. No substitutions (and utilities) shall be accepted without first obtaining written approval from Owner's Representative. Contractor may interchange 1" and 1.5" pin plants freely based on availability, as long as the same plant species and variety specified in contract.
11. All plant material must be of excellent quality, free of disease and infestation, and true to type, variety, size specified, and firm per American Nursery Association Standards.
12. All trees shall be cut out to a uniform and consistent pattern, following the landscape plan accurately.
13. All plants shall receive 3" of graded hardwood mulch as detailed.
14. Contractor shall thoroughly water-in each plant immediately following installation.
15. Contractor shall seed all disturbed areas.
16. Contractor shall be responsible for calculating all areas of seed and the amount needed for seed-lime coverage.



SECTION  
TREE PLANTING DETAIL  
NOT TO SCALE



SECTION  
TREE PLANTING DETAIL  
NOT TO SCALE

Designed By: <u>OW</u>	5				
	4				
	3				
Drawn By: <u>OW</u>	2				
	1				
Checked By: <u>BLU</u>	NO.	DATE	REVISIONS	BY	APPROV

Issue Date: 11/15/13

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**SHAFER, KLINE & WARREN, INC.**  
1250 Corporate Avenue, Lenexa, KS 66219-1392  
Tel: 913/666-1000 Fax: 913/666-1001



INTERNATIONAL TRANSLOAD LOGISTICS  
EDGERTON, KS.

LANDSCAPE PLAN

130104-020  
SHEET NO.  
**2 OF 3**

**CITY OF EDGERTON, KANSAS**  
**APPLICATION FOR CONDITIONAL USE PERMIT**

Please print or type

REQUESTING CONDITIONAL USE PERMIT FOR: Container Storage

LOCATION OR ADDRESS OF SUBJECT PROPERTY: SEC 191st & Homestead

LEGAL DESCRIPTION: See Attached - Lot 1 (ITL)

ZONING ON SUBJECT PROPERTY: AG CURRENT LAND USE: AG  
Currently rezoning to LP

PROPERTY OWNER'S NAME(S): Holtgraver PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: 32355 W 191st St. Edgerton KS 66021  
STREET CITY STATE ZIP

APPLICANT/AGENT'S NAME(S): ITL (Craig Swepe) PHONE: 913 621 2750

COMPANY: ITL FAX: 913 621 2670

MAILING ADDRESS: 701 S 38th St. KC KS 66106  
STREET CITY STATE ZIP

ENGINEER/ARCHITECT'S NAME(S): Rob Johnson PHONE: 913 307 2528

COMPANY: SKW FAX: 913 888 7868

MAILING ADDRESS: 11250 Corporate Ave Lenexa KS 66219  
STREET CITY STATE ZIP

SIGNATURE OF OWNER OR AGENT: [Signature]  
If not signed by owner, authorization of agent must accompany this application.

END 4:08PM

**FOR OFFICE USE ONLY**

Case No.: CU- 11-15-2013 Amount of Fee Paid: \$ 250<sup>00</sup> Date Fee Paid: 11-15-13

Received By: Delora Skragg Date of Hearing: 12/10/13





## Youth

### Spring Break FUN!

Enjoy a fun-filled spring break with Edgerton Parks and Recreation! **FREE!**

**M**

#### MARCH MADNESS

Start the spring break with a slam dunk! Have fun building skills with sports activities, games, and contests.

**Monday March 17 2 - 4 p.m.**  
**Edgerton Elementary Field Ages 7 and up**

**W**

#### ULTIMATE GAMES

It's an afternoon of recess! Participants of all ages will enjoy popular outdoor games complete with contests and prizes.

**Wednesday March 19 2 - 4 p.m.**  
**Martin Creek Park Ages 7 and up**

**F**

#### LIBRARY HANGOUT

Help us "Celebrate Green" for the Beginning of Spring and St. Patrick's Day! Activities will include craft projects followed by games. Don't forget to wear green to get a prize!

**Friday March 21 2 - 4 p.m.**  
**Edgerton Library Ages 7 to 10**

## Community Events for the Whole Family

### ANNUAL EASTER EGG HUNT WITH THE EASTER BUNNY • FREE!

**Ages 12 and under**

**Hosted by the Edgerton Girl Scouts**

The Easter Bunny is hopping through Edgerton again and leaving hundreds of eggs scattered throughout the park! Kids 12 and under will be divided by age groups as they fill their baskets, meet the Easter Bunny, and win prizes!

**Saturday, April 12 (rainout date - April 19) • 9am**  
**Location: Martin Creek Park**

### EDGERTON ELEMENTARY FUN RUN • FREE!

**Open to Everyone!**

**Hosted by Edgerton Elementary**

Mark your calendars for this year's Fun Run! Whether you're running, walking or cheering, you won't want to miss this event as the "Cyclone Sprinters" show off their hard work and dedication after 5 weeks of practice.

**Location: Edgerton Elementary**

**Thursday, April 24**

**Registration: 4:30 - 5:10 Start time: 5:15**

# PARKS & RECREATION

Activity Guide • Spring 2014

For more information about our activities, events & parks visit us at [www.edgertonks.org](http://www.edgertonks.org) or give us a call 913.893.6231.

**BIN  
GO!**



## Save the Date

June 20 – 22: Frontier Days!

July 3rd: Edgerton's Annual  
Community Picnic & Firework Show!

## Senior Programs

**F**

### LUNCH AND FUN

Meet up every Friday for lunch, coffee, games, puzzles, and great company! Bring your lunch or order your C.H.O.I.C.E. meal a day in advance.

**Every Friday beginning March 7th**

**11:30 a.m. – 1:00 p.m. City Hall**

**W**

### POTLUCK & BINGO

Enjoy Fellowship and fun at City Hall every 3rd Wednesday of each month! Beginning in April, stick around after lunch to try your luck in BINGO for prizes! Bring your favorite side dish, dessert, or a donation.

**3rd Wednesday (3.19, 4.16 and 5.21) Noon City Hall**

**M**

**F**

### JOHNSON COUNTY NUTRITION —CHOICE PROGRAM

This program offers hot meals to all senior citizens ages 60+. To register for C.H.O.I.C.E. call 913.715.8886 for information on attending a one time enrollment session. Once enrolled, order your meals by calling 913.856.3471 between 9 a.m. and 11 a.m. a day in advance to make your reservation.

**M – F pickup from 11 a.m. – Noon City Hall**

**60+ \$3 suggested donation**

## Group Trips on THE JO

Join us as we visit some of Kansas City's top attractions! Open to Everyone! Sign-ups and more information at Edgerton City Hall.

**Bus Ride Price: over 50—Free / Under 50—\$5**

**May 1 – KC Zoo: Zoo Admission—\$10.50**

**June 5 – Crown Center: Shopping & Lunch**

## Did You Know?

VITAMIN  
**D**

Time spent outdoors is the best way to get vitamin D. According to the journal Pediatrics, **70% of American kids are not getting enough vitamin D**, which can lead to a host of health issues.

Let's create some good habits this spring and **GET OUTDOORS!**





City of Edgerton's

# Annual Low Cost Vaccine Clinic

Protect your pets at the annual dog and cat clinic. Get low cost rabies vaccinations and City pet license for dogs and cats over six months of age.

**All animals must be registered by March 31st.**

**Saturday, March 29<sup>th</sup> • 10:00 a.m. – 1 p.m.**

**There will be one clinic this year for both dogs and cats.**

**307 East Nelson in  
downtown Edgerton**

Rabies Vaccine	\$10
Distemper/Rabies	\$25

City License	\$5
Microchip	\$15

Please call Charlie Lydon, Code Enforcement Officer, at 913.893.6231 x119 with any questions.