EDGERTON COMMUNITY BUILDING

PLANNING COMMISSION MEETING

June 10, 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, Bob O’Neill, Chuck Davis, Ron Conus, and Cliff Withrow. Absent were: Missy Drinkard, Andrea Lucero, and Tina Graddy. Also present was City Administrator Beth Linn and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

**MINUTES**

Minutes of April 8, 2014 were considered.

 Motion by Withrow, seconded by M. O’Neill, to approve the minutes. The motion was approved, 6-0.

**GUESTS**

Guests attending: Rob Johnson, Matt Schlicht, Charlie Troutner, Robert and Shelby Roberts, and Tom Reiderer.

**COMMUNICATIONS**

There were no formal communications.

**TEMPORARY CONSTRUCTION ACTIVITIES**

Approval for Temporary Construction Activities at Nickell Intermodal Lot 1, northeast corner of 191st Street and Waverly Road, part of Section 35, Township 14, Range 22 was considered. Applicant: Nickell Gardner Kansas Properties, LLC

The City Administrator overviewed the project and the Commission’s actions in 2013. She informed the members the request at this time is to allow the use of a temporary office trailer in order to assist with the supervision of the construction activities and to house the security measures needed during the construction. Ms. Linn overviewed staff’s recommendations, adding this use should be completed by December 31, 2015. She indicated the Planning Commission has previously granted authority and use of a temporary trailer for construction purposes on adjacent properties.

Matt Schlicht, representing the applicant, informed the Commission the project was delayed while working through the plans/ process of constructing the parking lot, stormwater facilities, and landscaping for the building. He noted the applicant would incorporate or readdress this matter should BNSF and Nickell Gardner Kansas Properties, LLC change the scope of the project. He also indicated this trailer would only be used for construction and security purposes during the construction process.

Mr. O’Neill questioned how long the construction trailer would remain on site. The City Administrator indicated the parking lot use is approved; she noted the job-site trailer would be used for security operations/measures for a limited time.

Mr. Schlicht indicated the building configuration is still unknown, but stressed once the building is complete, the construction trailer would be gone.

Mr. Conus asked if staff is comfortable with the end date of December 31, 2015. The response was yes.

Motion by Withrow, seconded by Conus, to approve the request for temporary construction activities, [ subject to the following stipulations: 1) Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission; 2) All occupied buildings shall have access to potable water from an approved water source; 3) All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code (UDC) of the City of Edgerton; 4) All buildings shall be able to be fully secured when not in use; 5) All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied; 6) Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of the City Code; 7) Off-site impacts from on-site construction-related activities shall be minimized to the extent possible; 8) Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period; 9) Hours of operation shall be limited to – from 7:00 a.m. to 7:00 p.m. unless otherwise approved by staff; 10) Portable toilets shall be used in lieu of sanitary sewer service; 11) Maintain a valid City of Edgerton Business License; and 12) Permission for temporary construction activities is granted for a period of December 31, 2015 from the date of approval by Edgerton Planning Commission.

The motion was approved, 6-0.

**FINAL SITE PLAN**

Approval of Final Site Plan, S-05-15-14, for Edgerton Logistics Park, Lot 1, located on the north side of 191st Street, at the northeast corner of Homestead and 191st Street, within Section 34, Township 14, Range 22, was considered. Applicant: Pam Moses, Trans Coastal Supply, Inc. Engineer: Shafer, Kline & Warren (SKW).

City Administrator Beth Linn indicated this request is for a grain storage and transfer facility with dump buildings, load out buildings, round grain storage structures, grain conveyor and piping systems and on-site storage/parking of grain delivery trucks and cargo containers on chassis. She noted the property was zoned I-H, Heavy Industry in March, 2013. Ms. Linn shared the staff analysis and indicated the plan mostly complies on the cover sheet. She noted on the second sheet, landscaping would be modified to meet the UDC requirements and also noted the applicant shall add shrubs and required trees in the right-of-way buffer to buffer the doors facing 191st Street. She noted the landscaping will soften the parking area and indicated it will try to mimic the landscaping at the DeLong’s project.

The Commission was informed on Sheet 3, the photometric plan was not provided and that Trans Coastal/Schlagel may change the shared access point. She stated a review by the traffic engineer in regards to exact placement and size for the ingress/egress should be submitted to and approved by the City Engineer prior to construction. Rob Johnson, SKW, noted that staff wants very clearly identified ingress for the Schlagel and entrance/exit for Trans Coastal properties. He spoke about signage and pavement markings for this purpose. Ms. Linn indicated Trans Coastal will connect to the sewer main with an extension, with approval by the City and KDHE.

The City Administrator informed the Commission the items on Sheets 4 and 5 will be reviewed at the building permit review and she stated the plans must comply with the Unified Development Code.

Ms. Linn noted the need for confirmation of the construction material for the parking area material. A few other items needed include: address for project; sidewalk locations, agreement not to protest formation of a benefit district for future sidewalks, plans per the Diesel Emission Requirements of the UDC. Items to be addressed prior to a land disturbance permit: 1) additional protection around the detention basin outlet pipe is needed. Consider using a riser with a rock ditch check at the outlet pipe to prevent sedimentation in the outlet pipe. 2) provide a copy of the SWPPP and the authorized NOI to the City. In addition, Ms. Linn noted final plat will be reviewed, approved and recorded prior to construction beginning, along with a revised site plan.

There were no comments or questions posed by the Planning Commissioners.

Motion by B. O’Neill, seconded by M. O’Neill, to approve the final site plan subject to the following stipulations: 1) All Site Plan requirements of the City shall be met as indicated by staff’s comments, particularly including: a) submittal of a lighting plan in conformance with UDC especially with regard to maximum foot-candles at property line; b) construction plans for future public infrastructure be submitted and approved by the City. Any necessary permits be obtained.; c) resubmittal of revised landscaping plan; d) submittal of revised shared access point to be reviewed and approved by the City Engineer; e) submittal of necessary storm water documentation for review and approval by the City; f) submittal of revised total set of site plans to meet all criteria listed; 2) All infrastructure requirements of the City shall be met; 3) All building permit and sign permit requirements of the City shall be met; 4) The City will not require at time of site plan approval of the construction of sidewalks for/on 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 sidewalks for/on 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 of said period of time; 5) 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.

**OTHER BUSINESS**

Chair Harris spoke about the election of officers. After a short discussion, it was decided to place this action on the July, 2014 agenda.

The City Administrator updated the Commissioners in regards to the press release about the delay in implementing the railroad quiet zone. She informed the members the Federal Railroad Administration indicated a few items would need to be addressed. The City will be making modifications and re-submit.

Mayor Roberts reminded all of the upcoming Frontier Days event scheduled for June 20-22.

The mayor also spoke about the recent quarry hearing. He informed the Commission of the upcoming consideration by the Johnson County Board of Commissioners on July 3, 2014. The City Administrator overviewed the City’s comments at the recent hearing.

All were reminded of the July 3, 2014 picnic, which begins at 6:30 p.m. with fun activities and fireworks ending the night’s event. It was noted in case of rain, the event would be rescheduled for July 5.

The next meeting is scheduled for July 8, 2014.

**ADJOURNMENT**

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

The meeting adjourned at 7:54 p.m.