

EDGERTON PLANNING COMMISSION AGENDA
SPECIAL SESSION
Edgerton City Hall
November 4, 2014
7:30 PM

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

A. Members:

Chuck Davis, Chair	Present / Absent
Ron Conus, Vice-Chair	Present / Absent
Maria O'Neill, Secretary	Present / Absent
Missy Drinkard	Present / Absent
Bob O'Neill	Present/ Absent
Andrea Lucero	Present/ Absent
Cliff Withrow	Present/ Absent
Randal Gifford	Present/ Absent

4. Approval of Minutes:
A. September 9, 2014

5. Guests Present:
A.
B.

6. Communications from Staff:
A. Announcement of Community Development Director

7. New Business

Conditional Use Permit – Public Hearing

- A. Consideration of public hearing in regards to Conditional Use Permit, CU-10-08-2014, requesting a conditional use permit for installation and use of a billboard sign, located in the east one-third of the Northeast Quarter, excluding 1.66 acres in Highway of Section 9, Township 15, Range 22 (20080 Homestead Lane). Applicant: Tim Gates, Agnes Gates Realty. Owners: Jeffrey and Jennifer Thorp.

Action requested: Open the hearing, receive comments, consider motion to close and make recommendation.

Rezoning – Public Hearing

- B. Consideration of a public hearing in regards to Rezoning Case No. RZ-10-08-2014, requesting a change in zoning from Johnson County RUR to City of Edgerton L-P on a tract of property located in the southwest corner of 191st and Waverly Road, within Section 3, Township 15 South, Range 22 East, containing 141.38 acres, more or less. Applicant: Patrick Robinson, ELHC. Engineer: Dan Cook, R-I-C.

Action requested: Open the public hearing, receive comments, consider motion to close the hearing; and consider motion of recommendation of approval, denial, or table.

Preliminary Plat – Public Hearing

- C. Consideration of a public hearing in regards to Preliminary Plat Case No. PP-10-08-2014 requesting approval of a preliminary plat (Logistics Park Kansas City Phase IV) on property in the southwest corner of 191st and Waverly Road, within Section 3, Township 15 South, Range 22 East in Johnson County, Kansas, containing approximately 141.38 acres, more or less. Owner/Developer: Patrick Robinson, Edgerton Land Holding Company. Engineer: Dan Cook, Renaissance Infrastructure Consulting.

Action requested: Open the public hearing, receive comments, consider motion to close hearing, and consider motion of approval, denial, or table the matter.

Preliminary Site Plan - Hearing

- D. Consideration of a public hearing in regards to Preliminary Site Plan Case No. PS-10-08-2014 requesting approval of a preliminary site plan on property located in the southwest corner of 191st and Waverly Road, within Section 3, Township 15 South, Range 22 East in Johnson County, Kansas containing approximately 141.38 acres, more or less. Owner/Applicant: Patrick Robinson, Edgerton Land Holding Co. Engineer: Dan Cook, Renaissance Infrastructure Consulting.

Action requested: Open the public hearing, receive comments, consider motion to close hearing, and consider motion to table this item to December 9, 2014 Planning Commission meeting.

Final Site Plan

- E. Consideration of Final Site Plan, FS-10-08-2014, requesting approval of construction of a water tower to provide water services for fire protection for a portion of Logistics Park located on a tract of property located in the southwest corner of 191st Street and Waverly Road, within Section 3, Township 15 South, Range 22, containing .77 acres, more or less. Applicant: John A. Thomas, Northpoint Development Engineer: Dan Cook, R-I-C.

Action requested: Consider motion of approval, denial or table.

Extension of Time

- F. Consideration of a request for extension of time to complete installation of hard surface in regards to Final Site Plan, S-11-15-2013, located on a tract of land located in the southeast corner of 191st Street and Homestead Road, 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 000700 in the Register of Deeds Office, Johnson County, Kansas, containing approximately 31.860 acres, more or less. Applicant: Craig Swope, ITL. Engineer: Rob Johnson, Shafer Kline & Warren.

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

Extension of Time

- G. Consideration of a request for extension of time to complete installation of hard

surface in regards to Final Site Plan, S-09-16-2013, southwest corner of 191st Street and Waverly Road, containing approximately 20 acres, more or less. Applicant: Tom Hastings, TranSpec Leasing, Inc. Engineer: Dan Cook, R-I-C.

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

9. Other Business:
10. Future Meeting – Regular meeting – December 9, 2014
11. Adjournment:

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
September 9, 2014
Minutes

The Edgerton Planning Commission met in regular session with Chair Davis 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 Chuck Davis, Ron Conus, Maria O'Neill, Phyllis Harris, Missy Drinkard, Cliff Withrow, and Tina Graddy. Absent were: Andrea Lucero and Bob O'Neill. Also present were City Administrator Beth Linn and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

MINUTES

Minutes of August 12, 2014 were considered.

Motion by Graddy, seconded by Drinkard, to approve the minutes. Motion was approved, 7-0.

COMMUNICATIONS

Former Chair and Planning Commissioner Phyllis Harris was recognized for her service on the Planning Commission. Ms. Harris served for five consecutive terms, fulfilling the maximum time allowed under the Unified Development Code. The City Administrator offered a tremendous thank you to Ms. Harris for her service and time. She was presented with a plant, card and snacks in honor of her last meeting.

It was announced that Tina Graddy is moving out of town and she submitted her resignation effective on September 10, 2014. Ms. Graddy was thanked for her service on the Planning Commission.

The City Administrator announced there are two openings on the Commission and encouraged the members to recommend citizens who might be interested in applying.

OLD BUSINESS - REZONING

RZ-06-13-2014, requesting zoning change from City of Edgerton C-2 (Heavy Service Commercial) to City of Edgerton I-G (General Industrial District) for property located at 36450 Frontage Road, located within the southeast one-quarter of Section 18, Township 15, Range 22, containing approximately 16.06 acres, more or less, was considered. Owner: Robert Blachly, Mico, Inc. Agent: Rob Johnson, Shafer, Kline & Warren.

The City Administrator announced the City received official notification from the applicant's attorney that his client is withdrawing this zoning request. There was no action required.

The City Administrator informed the Commissioners the City is working with Johnson County officials in regards to the Frontage Road.

PRELIMINARY PLAT

Renewal of approved preliminary plat, PP-09-26-2013, (Edgerton Logistics Park Lot 2) for preliminarily platting property in the vicinity of 191st Street, east of Homestead, located within the Southwest Quarter of Section 34, Township 14, Range 22 East containing approximately 31 acres more or less, was considered. Applicant: George Schlagel, Schlagel Family LLC.

The City Administrator overviewed the history of the preliminary plat and displayed a depiction of the site. She indicated an extension is allowable under the Unified Development Code.

Ms. Linn noted staff supports the renewal, which would include the previous stipulations.

Mr. Conus asked if there is anything negative in allowing this for the City.

Ms. Linn stated no, adding this short period would allow the applicant to continue marketing the property.

Motion by Drinkard, seconded by Conus, to approve the renewal extension of the preliminary plat to November, 2015 with the following stipulations: 1) The Preliminary Plat shall be revised to address all requirements of the City listed above or addressed during final plat submittal; 2) Revised Preliminary Plat shall be submitted to the City prior to recording of final plat; 3) The preliminary plat shall be revised to show drainage easements, streamway buffers, floodplain restrictions, and NPDES (stormwater management) requirements, according to and as may be required by the City Engineer; 4) The preliminary and final plat shall be revised with a note indicating public water and sewer provision as required by Article 13.3 D 9; and 5) 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 the preliminary plat. Motion was approved, 7-0.

PUBLIC HEARING - REZONING

A public hearing in regards to rezoning case no. RZ-08-12-2014, requesting change in zoning from Johnson County RUR (Rural Residential) to City of Edgerton Heavy

Service Commercial District (C-w) on property located at the northwest corner of Homestead and Interstate 35, within Section 9, Township 15 South, Range 22 East, in Johnson County, containing approximately 15.14 acres, more or less was opened. Applicant: Tim Gates. Owner: Larry S. Alsup Revocable Trust.

Tim Gates, agent for Larry Alsup, was present.

City Administrator Beth Linn informed the Commissioners the subject property contains 15.14 acres with no access to Homestead Lane.

It was noted the property owners desire commercial zoning, which is the zoning classification as the adjacent property to the north. It was also noted commercial zoning is the recommended zoning/use in the Edgerton's Comprehensive Growth Plan for area around the interchange which coincides with growth within the BNSF intermodal and adjacent logistics park.

Ms. Linn reviewed the infrastructure and services within the area and noted approximately five (5) acres is located within the floodplain/floodway of Bull Creek. She indicated Flood Plain Development Permits would be required to develop within the designated area.

The City Administrator overviewed the rezoning application in relationship to the Unified Development Code, Kansas laws, and the "Golden Criteria." Items highlighted include: C-2 zoning district as most compatible designation; property is vacant with one farm building; compatible with planned future uses of adjacent C-2 zoned property to the north; Homestead Lane, nearest road to property is paved and designed to support intermodal and logistics park traffic, developer will provide utilities for site with development of property; and is consistent with Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and City Code of the City of Edgerton.

In addition, Ms. Linn cited the staff stipulations and noted staff supports request.

Commissioner Graddy asked about zoning classification of the zoning of the property to the north and questioned if it is common to allow C-2 zoning without an improved City roadway. The City Administrator stated it is not common, but this action allows for marketing opportunities.

Mr. Gates addressed actions of cooperation between the two properties.

Don Scaro, 19913 Peppertree Lane, stated concern with drainage to Bull Creek. He also spoke about berming issues, and the need for protection against the traffic noise, stormwater, etc.

Mr. Gates informed the audience he has not addressed these matters with Alsup's at this time, but noted there probably would be requirements imposed at the design phase.

The City Administrator stated the Unified Development Code has some regulations with commercial zoning adjacent to residential and noted these matters are usually addressed during the site plan process. She noted staff will review.

Motion by Harris, seconded by M. O'Neill, to close the hearing. Motion was approved, 7-0.

Motion by Conus, seconded by M. O'Neill, 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 issuance of building permits, the property shall be developed in accordance with a site plan reviewed and approved by the City. Motion was approved, 7-0.

FINAL SITE PLAN

Final Site Plan, FS-08-21-2014 (Inland Port XI), requesting approval of a final site plan on property located at the southeast corner of 191st Street and Waverly Road, within Section 2, Township 15 South, Range 22 East, in Johnson County, Kansas, containing approximately 35 acres, more or less, was considered. Owner/Developer: Patrick Robinson, ELHC VI. Engineer: Dan Cook, Renaissance Infrastructure Consulting.

Patrick Robinson and Dan Cook were present.

The City Administrator overviewed the application process. Ms. Linn indicated there is an update from the preliminary site plan which includes the addition of a public street between buildings and the site now has public right-of-way on three (3) sides. She stated the need to address the dock doors adjacent to the public right-of-way; noting staff and applicant will work on plans to soften the exterior.

Ms. Linn reviewed the requirements of the L-P District at the site plan level. Items highlighted for this plan include: Provide pedestrian access within and to the development, as well as accessible routes to buildings; property owner to execute an agreement not to protest formation of a benefit district for or identify alternative funding source for 191st Street infrastructure; and provide plan for sanitary sewer service for LPKC II until wastewater lines are constructed within the area.

The City Administrator spoke about the architectural design of the building in regards to entrances facing a public street. She noted that if the City approves the current application, there would be a need to approve an exception to orient a side elevation (including dock doors) toward Waverly Road and other public road due to the configuration of the lot of with public streets on two sides of the proposed building.

She also addressed the elevations and façade guidelines with which the plan complies.

Ms. Linn noted the parking spaces are shown with smaller dimensions noting that matter will need to be addressed in order to conform. She also indicated a photometric plan shall be provided prior to the issuance of a building permit. In addition, the diesel emission requirements were briefly addressed.

The Commissioners were informed a stormwater study was provided, but noted the need for the existing and proposed sub-basins areaa should be equal; provide capacity of the existing pipes and identify any problems that might be expected with the proposed flows; and provide expected velocities for the outfall pipes, and provide erosion protection, if needed.

The City Administrator stated staff is in support with stipulations, which were noted.

Commissioner Harris asked if there is an applicant yet. Mr. Robinson stated this building is speculative, but thought there may be a tenant near the end of September. He stated the facility should be ready for occupancy by early 2015.

Motion by Drinkard, seconded by Graddy, to approve the final site plan with the following stipulations: 1) All Site Plan requirements of the City shall be met as noted, particularly including: a) Submittal of photometric lighting plan in conformance with UDC especially with regard to maximum foot-candles at property line; b) Submittal of a plan for pedestrian access to and within the development; c) Construction plans of future public infrastructure be submitted and approved by the City. Any necessary permits obtained; d) Resubmittal of revised landscaping plans including screening for adjacent public road and trash enclosures. All landscaping shall be maintained in good condition and plants shall be replaced when dead. 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 the construction of sidewalks for/on the subject property. Prior to obtaining a building a 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 for said period of time. and 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. Motion was approved, 7-0.

OTHER BUSINESS

Commissioner Conus asked if there was a date for the meeting about the Bettis asphalt application. The City Administrator indicated that at this time there is no date set, indicating Johnson County Planning will schedule. She spoke about the Council meeting scheduled for September 11, 2014 indicating the Council members will be listening to comments regarding this matter.

ADJOURNMENT

Motion by Harris, seconded by Graddy, to adjourn. Motion was approved, 7-0.

The meeting adjourned at 7:53 p.m.

STAFF REPORT

November 3, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, Zoning Administrator
Re: Application CU-10-08-2014 for a Conditional Use Permit for Billboard Sign at 20080 Homestead Lane

APPLICATION INFORMATION

Applicant/Property Owner: Jeffrey and Jennifer Thorp

Agent: Tim Gates, Agnes Gates Realty

Requested Action: Conditional Use Permit for Billboard Sign

Legal Description: The East One-Third (1/3) of Northeast Quarter (NE Y,) excluding 1.66 acres in Highway of Section 9, Township 15, Range 22

Site Address/Location: 20080 Homestead Lane, southwest corner of 199th Street and Homestead Lane

Existing Zoning and Land Uses: City of Edgerton C-2 (Heavy Commercial) on vacant land

Existing Improvements: None

Site Size: Approximately 42.33 acres

Reason For Conditional Use Permit Request: The City of Edgerton has received an application for a Conditional Use Permit (CUP) to locate a billboard sign at 20080 Homestead Lane in Edgerton, Kansas.

Background Information

The subject property, 20080 Homestead Lane, is located on the southwest corner of 199th Street and Homestead Lane. The subject property is zoned C-2 Heavy Commercial. Section 12.10 of Article 12 of the City of Edgerton Unified Development Code (UDC) permits the issuance of a sign permit for signs that exceed a total (single face) area of 125 square feet in C-2 (Heavy Commercial) or Industrial districts as a Conditional Use Permit. All billboards shall be a metal monopole type sign.

The applicant has provided a map of the subject property with the location of the sign indicated and schematic of the type of sign to be constructed. This application is identical to an application filed previously in 2013.

STAFF ANALYSIS

Staff has reviewed this conditional use permit application with respect to the Edgerton Unified Development Code. The following is staff's review.

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, including the following:

- a. The extent to which there is a need in the community for the proposed use.
The applicant indicates that a billboard sign could direct travelers and commuters to newly developed businesses, coming businesses and properties available. In addition, the applicant believes the sign would be very beneficial to the property and business owners, travelers and commuters and the community as a whole by providing more exposure to the newly developing area. 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 proposed use will be located in an existing C-2 Heavy Commercial District and will be adjacent to Interstate 35. The proposed use is compatible with heavy commercialized zones and the heavily trafficked interstate highway system. There are homes on acreage immediately to the west with others farther to the southwest. Additional surrounding parcels to the north and east are currently being used as rural acreage, farming and/vacant land. If a conditional use permit is approved as requested, a separate site plan would be necessary with the submittal of plans for issuance of a building permit. Based on diversity of surrounding uses, staff is unable to determine if this criteria supports an approval or denial of the application. Staff determination: ***Neutral***.
- 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.
According to documentation previously submitted by the applicant, the proposed billboard sign would be 57' tall. The sign face is two-sided with illumination on both sides. The sign face is 14 foot by 48 foot or 672 square feet of sign on each side. Because of the tremendous amount of construction and significant change of both Homestead Lane and Interstate 35, it is difficult to gauge based on the sign location noted on the map provided by the applicant how the elevation of the sign would compare to surrounding parcels. The applicant states that the sign height was recommended by the sign company to allow vehicles traveling south bound on I-35 to

have a line of site over the interchange, which is common to billboard adjacent to interchanges. Based on diversity of surrounding uses, staff is unable to determine if this criteria supports an approval or denial of the application. Staff determination: ***Neutral.***

d. Suitability of the uses of the property without the proposed conditional use permit.

This property was rezoned to C-2 Heavy Commercial in 2011 in anticipation of the opening of the BNSF Intermodal and Logistics Park KC. In addition, the location of the sign is adjacent to the new Homestead Lane Interchange along Interstate 35. The applicant indicates that the diverging diamond design of the Homestead interchange has pushed the frontage of the subject property a good distance from I-35 decreasing the visibility. Decreasing the visibility provides less time for travelers and commuters to see the property at highways speeds. With this being a new developing area and the property zoned for commercial development which is heavily dependent upon travelers and commuters, the applicant states the visibility and awareness of the businesses and property are essential to its success, especially in the early years of establishing the businesses and area. Based on this information from the applicant, staff understands the request by the property owner for visibility of the sign to reach the patron while still able to exit I-35. Staff determination: ***Positive.***

e. Length of time the subject property has remained vacant without the proposed conditional use permit.

The property has been vacant since being annexed into the City of Edgerton in 2011 and many years prior. However, this criteria presumes that, without the granting of the Conditional Use Permit, the property will remain vacant and not put to its highest and best use. The applicant submits that this billboard will help bring attention to the property, the area and businesses that locate there. The agent stresses importance that the billboard will initially provide awareness to commuters, travelers and potential business owners that the property is available and/or the businesses who locate there are open and ready to serve. The applicant currently has a 7' X 40' semi-trailer sign advertising the property which is somewhat dwarfed by the setback distance, elevation of the interchange/overpass and short timeline commuters and travelers have to see it. The applicant reports this has been mentioned by several prospective tenants for the property while showing them the property and area. Specifically potential tenants are worried about visibility which is essential in the highway service industry, especially when competing with well-established communities and interchanges like those in Gardner and Olathe only a few miles away. Staff determination: ***Positive.***

f. The extent to which the proposed use may detrimentally affect nearby property.

The City's Future Land Use Plan (see attached) designates this area for commercial development. The property is zoned as Heavy Service Commercial. Planned buffering on the subject property agreed to during the annexation process would provide a buffer to the nearby residence. The applicant has agreed to install that buffer prior to construction of the billboard. To address concerns regarding the illumination of the billboard, the applicant has submitted a lighting plan that shows sign meets City standards for spillage of light onto adjacent properties. That plan has been included for your reference. 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.
A billboard sign does not need frequent ingress or egress from the site so this criteria is inapplicable. The applicant confirms the billboard will be along the edge of the property line as shown in the updated site plan and will not impact the ingress and egress or traffic within the site once developed. 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.
The proposed billboard would not require sanitary or storm sewer, water or gas utility services. It would not require additional services from police, fire, schools or parks and recreation. The billboard would require electrical service which is available to the site. Staff determination: **Positive**.
- 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.
The proposed billboard would not adversely affect the road network or require any parking. 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.
Billboards are generally a passive use of land, and consequently do not increase the stormwater run-off from the site. Water, air, and noise pollution will not be added to the environment. To address concerns regarding the illumination of the billboard and excessive nighttime lighting, the applicant has submitted a lighting plan that shows sign meets City standards for spillage of light onto adjacent properties. That plan has been included for your reference. Staff determination: **Positive**.
- k. The economic impact of the proposed use on the community.
Staff is unable to speculate on how, or to what extent, a billboard sign may increase commerce within the City of Edgerton. The applicant states that while the actual dollar economic impact is not easily determined, the ability to promote the property and businesses on it or in the area is very important. The applicant believes the sign will help promote the area similar to promotion of the area by other partners including the City, County, State, BNSF and NorthPoint Development. Staff determination: **Neutral**.
- 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.
This criteria is intended to weigh the benefit to the public from a denial of the application, and how that benefit compares to the hardship on the applicant from such denial. Based on information presented by the applicant regarding the impact to the visibility of the subject property from the construction of the new interchange, staff recognizes the hardship in reaching the targeted consumer travelling southbound on I-

35 in sufficient time to exit the highway. Denial of this application would bring no gain to the public health, safety or welfare but would bring hardship on the applicant due to loss of exposure of the property and future businesses on the subject property. Installation of the buffering along the west edge adjacent to the residential neighborhood would mitigate concerns of impact to the public health, safety and welfare of that resident. 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 Comprehensive Plan has designated the area of the proposed use as a commercial area adjacent to Interstate 35 but does not directly address billboards. Billboard signs are not directly inconsistent with the long-term heavy commercial development along a heavily traveled interstate, and could be viewed as a typical use for such an area. Staff determination: *Positive*.

- n. The recommendation of professional staff.

See Recommendation below.

RECOMMENDATION

City staff recommends **approval** the Conditional Use Permit to allow the construction of a billboard in the C-2 Heavy Commercial District generally located at 20080 Homestead Lane in Edgerton, Kansas with the following conditions:

1. All Sign application requirements of the City shall be met;
2. Application and construction plans must be in compliance with all applicable building codes;
3. Sign must be kept in good repair in accordance with City of Edgerton Unified Development Code;
4. Prior to the issuance of a building permit for the construction of the billboard sign, Property Owner must construct buffer that is agreed to during annexation process;
5. Any major modifications to the billboard sign [as defined by city staff] would require a new or amended conditional use permit;
6. Conditional Use Permit will be subject for review in one year; and
7. Conditional Use Permit will be valid for no more than five years, and applicant understands that the granting of the application does not create any vested property right that the billboard can remain on the property.

Attachments:

Application including Map of Subject Property and Schematic of Proposed Sign

CITY OF EDGERTON, KANSAS
APPLICATION FOR CONDITIONAL USE PERMIT

Please print or type

REQUESTING CONDITIONAL USE PERMIT FOR: Billboard Sign
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 20080 Homestead Lane
Edgerton, KS 66021
LEGAL DESCRIPTION: 9-15-22 E 1/3, NE 1/4 53.33 Acres
Except 1.66 Acres in Highway & 9.22 Acres in Highway.
ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: Agriculture

PROPERTY OWNER'S NAME(S): Jeffrey & Jennifer Thorp PHONE: 913-710-7924
COMPANY: _____ FAX: _____
MAILING ADDRESS: 23163 Indianapolis Rd Edgerton KS 66021
STREET CITY STATE ZIP
APPLICANT/AGENT'S NAME(S): Tim Gates PHONE: 913-645-3577
COMPANY: Agnes Gates Realty FAX: 1-866-716-6972
MAILING ADDRESS: P.O. Box 4057 OP KS 66204
STREET CITY STATE ZIP
ENGINEER/ARCHITECT'S NAME(S): _____ PHONE: _____
COMPANY: _____ FAX: _____
MAILING ADDRESS: _____
STREET CITY STATE ZIP

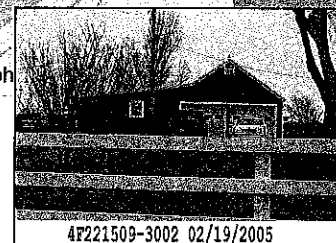
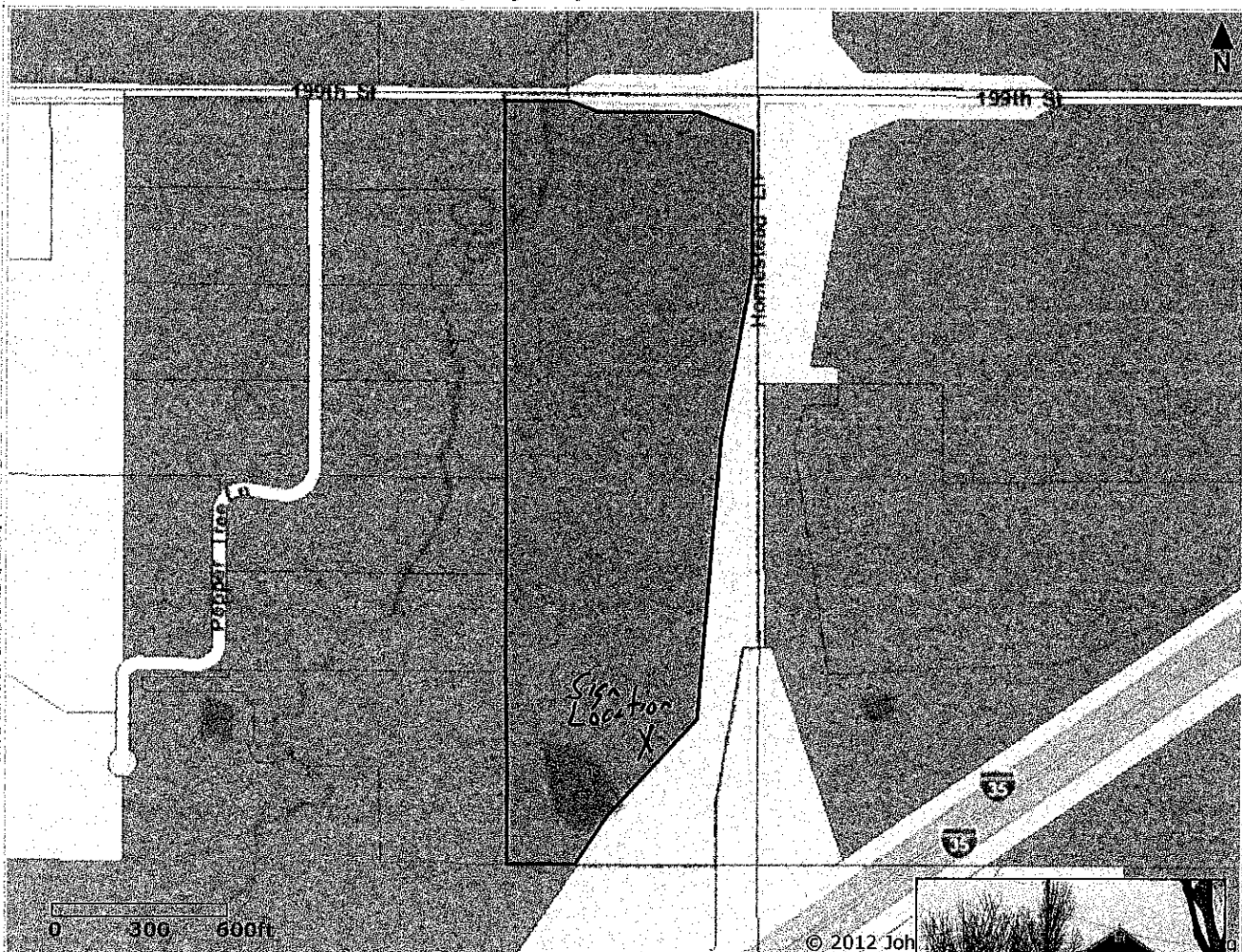
SIGNATURE OF OWNER OR AGENT: Tim Gates
If not signed by owner, authorization of agent must accompany this application.

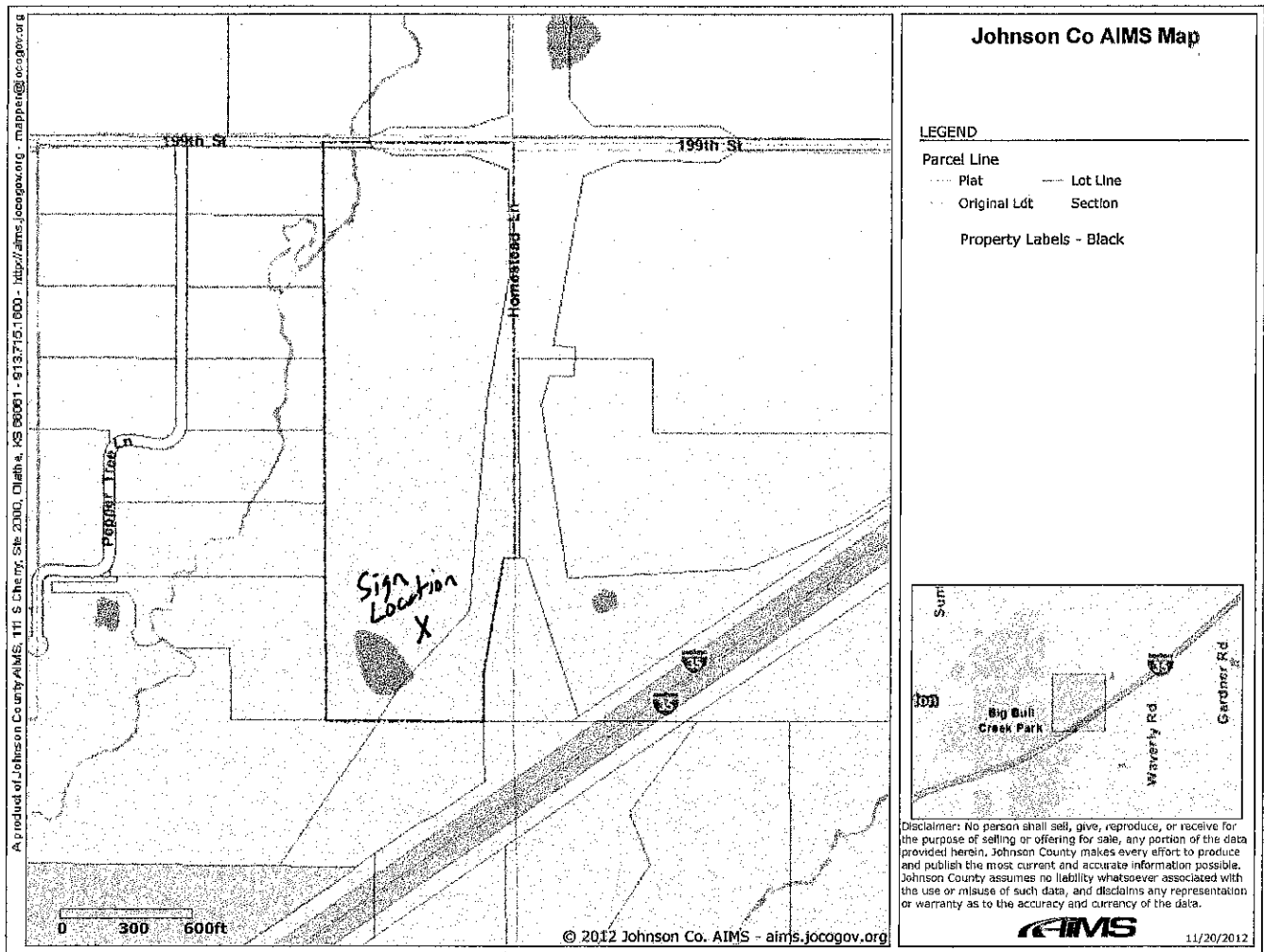
FOR OFFICE USE ONLY

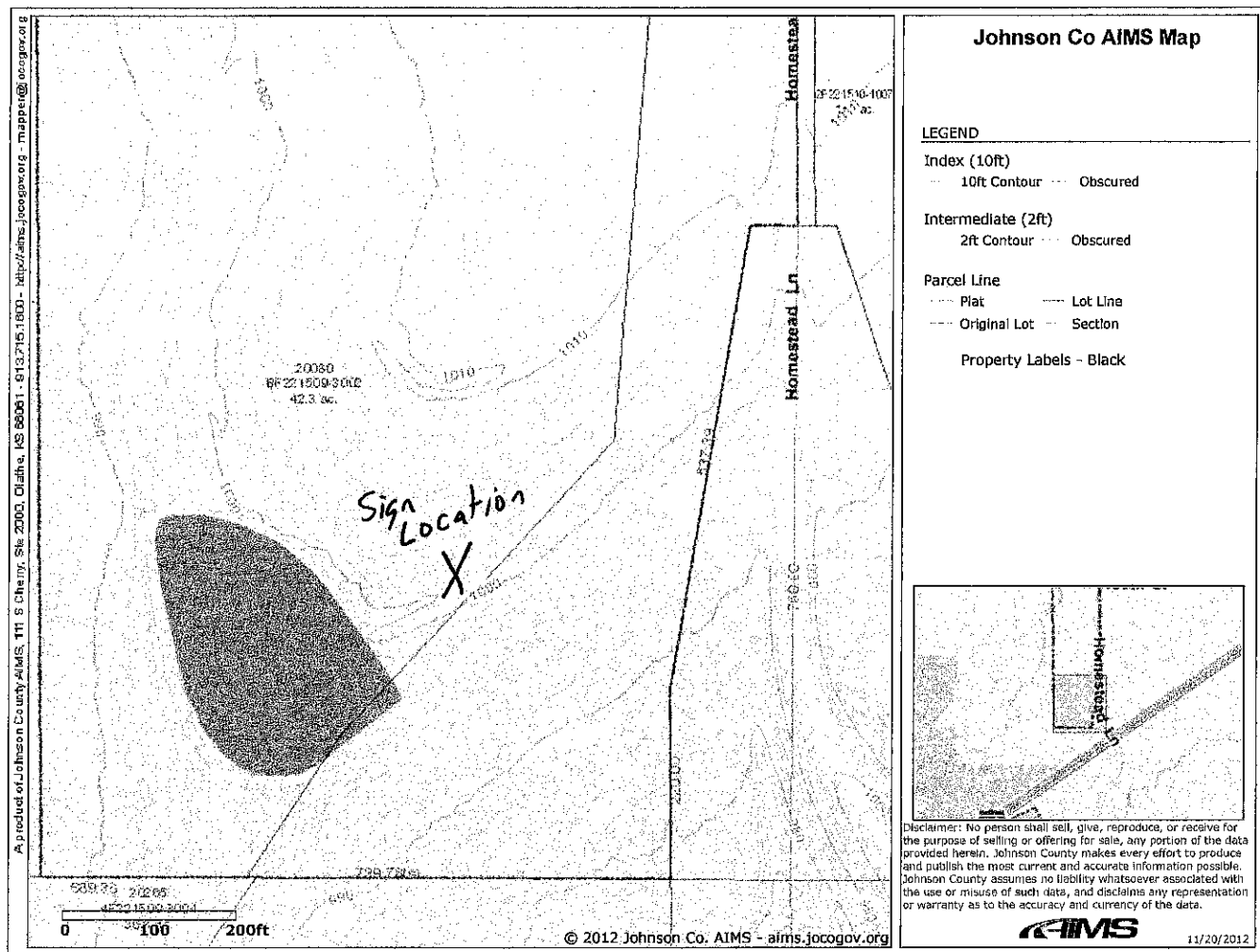
Case No.: CU- 10-18-2014 Amount of Fee Paid: \$ 250.00 Date Fee Paid: 11/15/14
Received By: Holena A Bragg Date of Hearing: 11-4-14

Property Information for BF221509-3002

Tax Property ID	BF221509-3002	Acres	42.33 (1,844,219.46 ft ²)
Situs Address	20080 HOMESTEAD LN	Owner2 Name	THORP, JEFFREY
Owner1 Name	THORP, JENNIFER	Taxing Unit	0556
Owner Address	23946 CRESCENT HILL RD, EDGERTON, KS 66021		
KS Uniform Parcel #	0462020901001001000		
Zoning	C-2		
City	Edgerton	Zip Code	66021
AIMS Map No.	U09 (T-R-S: 15-22-09)	Quarter Section	NE
Fire Dist.	JoCo FD #1	Sheriff Dist.	0
Commissioner Dist.	6	Commissioner	Calvin Hayden
FEMA Flood Panel #	20091C0134G		
School District	Gardner-Edgerton	High School	Gardner-Edgerton
Middle School	Pioneer Ridge	Elementary School	Nike
Legal Desc. (abbreviated)	9-15-22 E 1/3 NE 1/4 53.33 ACRES EX 1.66 AC IN HWY & EX 9.22 AC IN HWY 42.45 ACS M/L EDC 350		

Property Map for BF221509-3002





**Finally, an LED Sign Light
worthy of the Holophane name!**

HOLOPHANE®
LEADER IN LIGHTING SOLUTIONS

With over 40 years of experience
pioneering Media Lighting Innovation, Holophane is now
also the Leader in **Solid State** Media Lighting.

LED



AcuityBrands.
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Sign-Vue® LED

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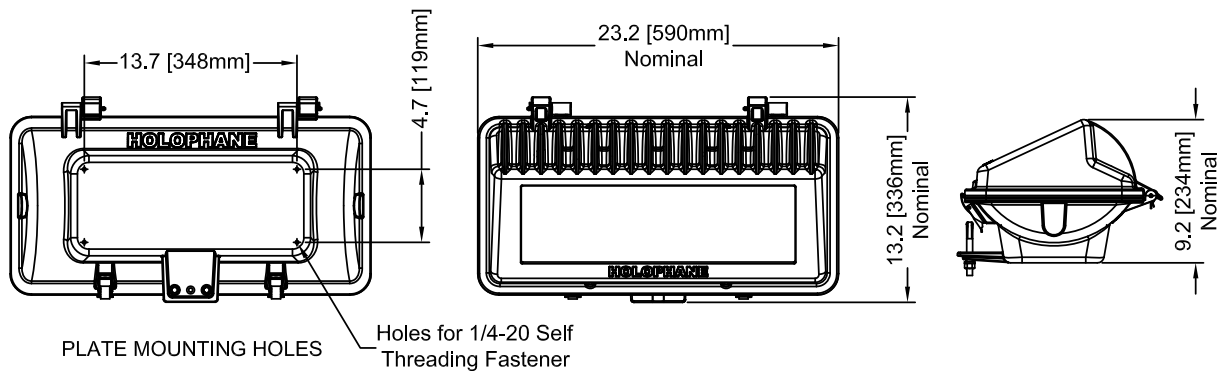
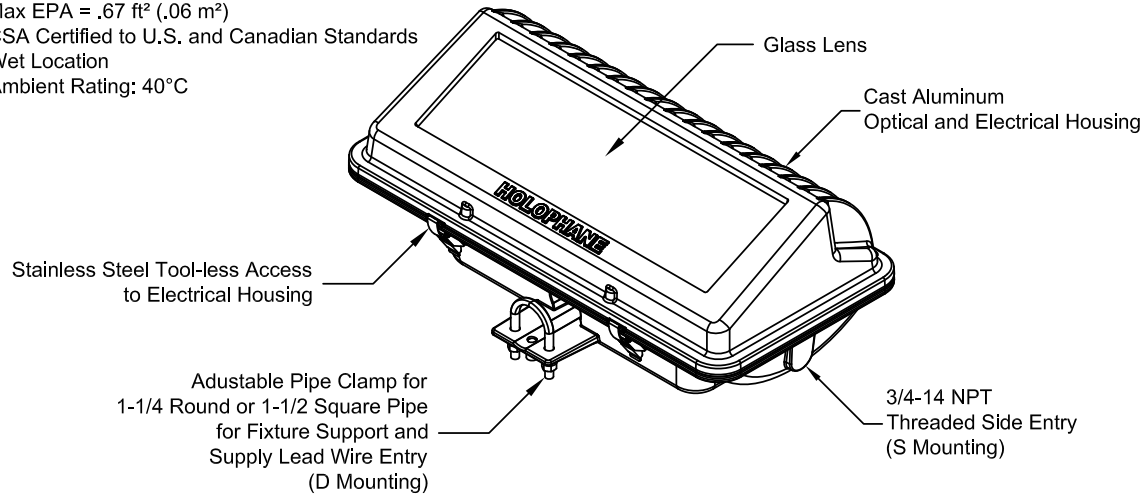


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February 14, 2012

Max Weight = 32 lbs (14.5 kg)
 Max EPA = .67 ft² (.06 m²)
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 Wet Location
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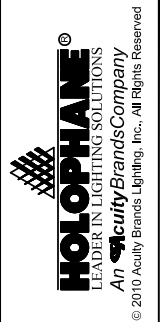
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SVLED			
Series	Number of LED'S	Color Temperature	Drive Current
Sign-Vue LED	2 = 2 Modules (700mA Only) 3 = 3 Modules	5K = 5,000 K CCT	3 = 350mA Driver 5 = 525mA Driver 7 = 700mA Driver
	Voltage	Mounting	Color
	AS = Auto-sensing Voltage (120 thru 277) 34 = 347v 48 = 480v	D = Standard Pipe Mount; 1.25" Round, 1.5" Square S = Plate Style Mount for Side Entry	B = Brown G = Grey H = Graphite W = White
	Options	Accessories	
	DF = Defrost Mode for Cold Weather Application SP = Single Pack for Express Shipment	SVLEDF1FUS10 = Single Fuse Kit SVLEDF2FUS10 = Double Fuse kit	

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Sign-Vue® LED

Infrastructure
Specialty



THIS DRAWING, WHEN APPROVED, SHALL BECOME THE COMPLETE SPECIFICATION FOR THE MATERIAL TO BE FURNISHED BY HOLOPHANE ON THE ORDER NOTED ABOVE. A UNIT OF SIMILAR DESIGN MAY BE SUBSTITUTED FOR THE UNIT ORDERED WITHOUT NOTICE. HOLOPHANE SHALL BE RESPONSIBLE FOR ORDERING AND PROVIDING THE MATERIAL TO BE FURNISHED BY HOLOPHANE. HOLOPHANE SHALL BE RESPONSIBLE FOR ORDERING AND PROVIDING THE MATERIAL TO BE FURNISHED BY HOLOPHANE. HOLOPHANE SHALL BE RESPONSIBLE FOR ORDERING AND PROVIDING THE MATERIAL TO BE FURNISHED BY HOLOPHANE.

ORDER #:	
TYPE:	
DRAWN:	ERM
DATE:	8/23/12
DWG #:	LUM_SVLED

STAFF REPORT

October 30, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, City Superintendent/Zoning Administrator
Re: Application RZ-10-08-2014 for rezoning of approximately 138 acres located approximately 1,700 feet to the south of the southwest corner of 191st Street and Waverly Road from RUR, County Rural Zoning District, to L-P, Logistics Park Zoning District

APPLICATION INFORMATION

Applicant/Property Owner: Patrick Robinson, Edgerton Land Holding Company

Requested Action: Rezoning from RUR, County Rural Zoning District, to L-P, Logistics Park Zoning District

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

Site Address/Location: Approximately 138 acres located approximately 1,700 feet south of the southwest corner of 191st Street and Waverly Road

Existing Land Use: Vacant

Existing Zoning and Uses: County RUR, Rural District zoning

Existing Improvements: None

Site Size: Approximately 138 acres

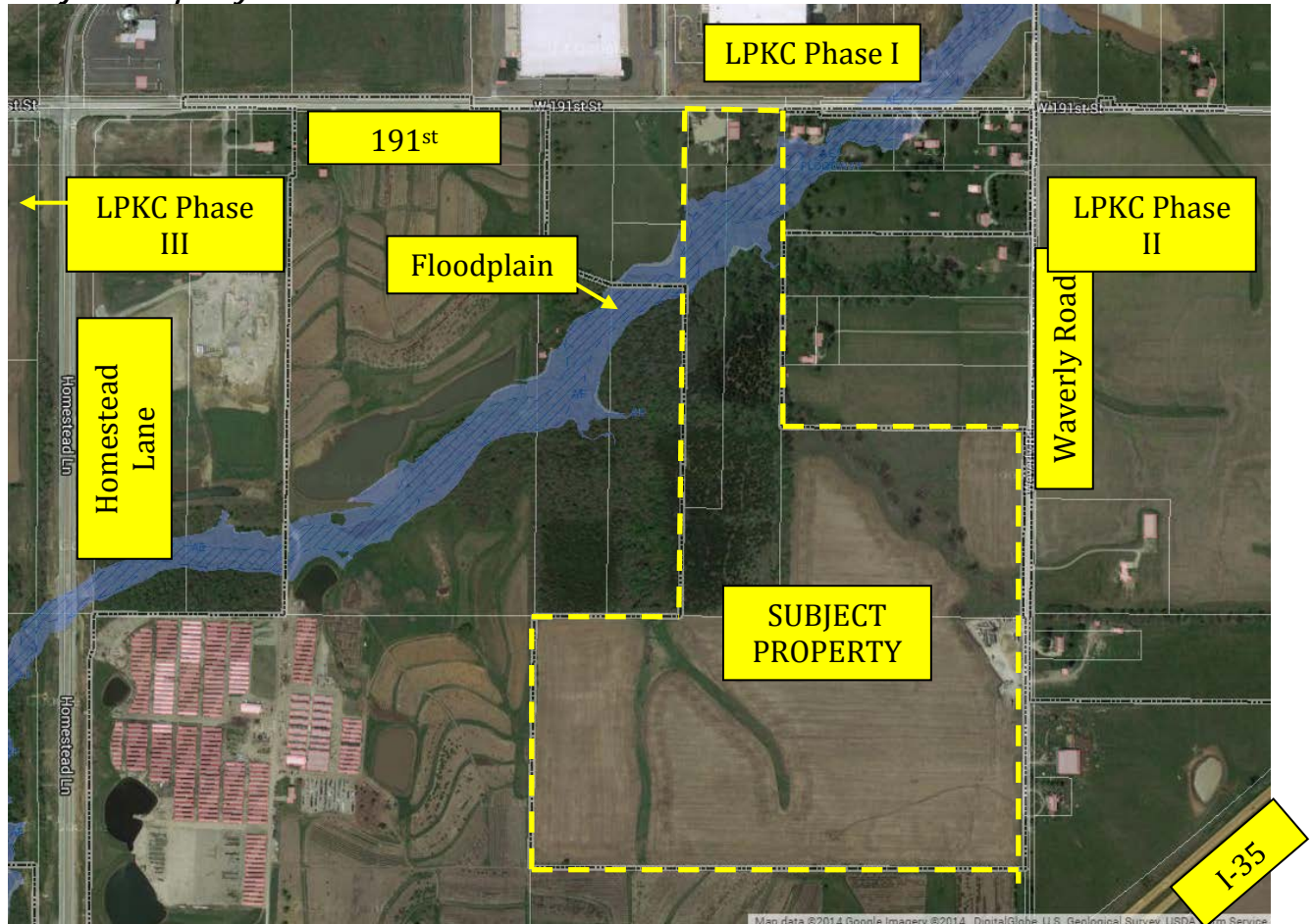
Reason For Rezoning Request: The subject property would be the fourth phase of development of Logistics Park Kansas City, a warehouse development. The requested zoning is L-P, Logistics Park. The City's Unified Development Code (UDC) defines this district as a limited multimodal industrial zone created to support activities related to trade, rail and other transport services.

Background Information

The applicant for this project is BNSF's partner for developing warehousing. The bulk of the subject property is located about 1,700 feet to the south of the southwest corner of 191st Street and Waverly Road. The land included in the fourth phase also has about 548 feet of frontage on 191st Street, located on a narrow tract (proposed Tract A) extending north from

the bulk of the property to 191st Street about 1,300 feet to the west of Waverly Road. The land has 2,300 feet of frontage on Waverly Road (see map below). The property is entirely within the City of Edgerton.

Subject Property



Infrastructure and Services:

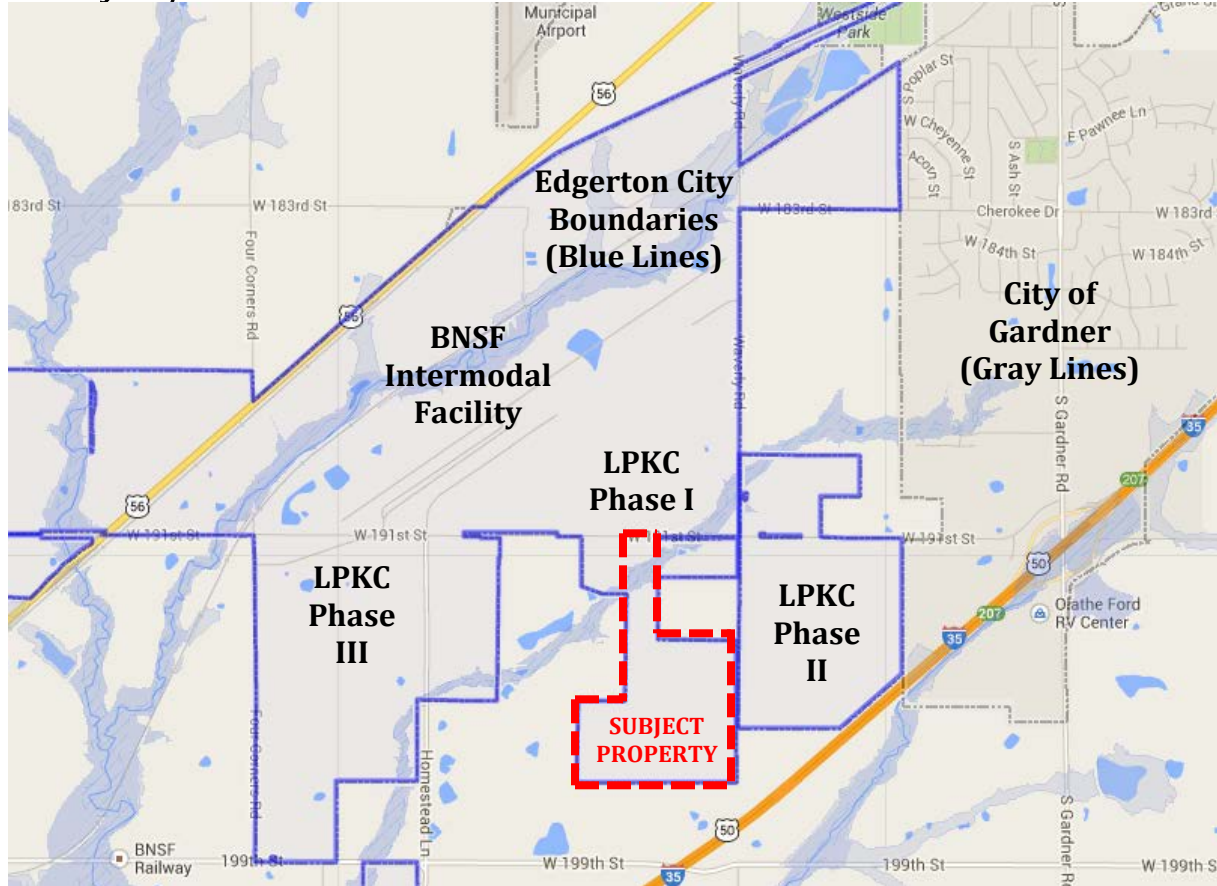
1. Waverly Road is gravel surfaced adjacent to this property and dead-ends on the property adjacent to the south. 191st Street is a 36 foot wide, paved, heavy-haul road. Though Waverly Road is currently gravel, it is planned for future improvement to support intermodal and logistics park traffic. Edgerton Land Holding Company is a party to the tri-party agreement regarding development of Logistics Park Kansas City. That agreement outlines the mechanism for construction and financing of Waverly Road. Proceeding west on 191st Street and south on Homestead Road provides access to Interstate 35.
2. 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. A stormwater plan should be submitted to the City Engineer prior to development of the property.
3. About 5 acres of Proposed Tract A is located within the FEMA designated flood plain and flood way. This should be shown on the Final Plat and Site plan, in addition to any stream buffer or other requirements of the City stormwater ordinances.
4. The property does not currently have sanitary sewer service.

5. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along both the Waverly Road and 191st Street property frontages. A water tower, needed to provide adequate fire flow in the surrounding area, is shown on proposed Lot 3 on the preliminary plat.
6. 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 1.5 miles to the west.

Property Zoning History

The two largest parcels of the subject property were annexed to the City of Edgerton in March of 2014, in anticipation of this development. The smaller, narrow properties were annexed into Edgerton in 2010 in conjunction with the original annexation for the intermodal project. Prior to that, all property was in unincorporated Johnson County and zoned RUR, Rural District.

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 RUR, Rural Zoning, which allows only agricultural, residential, and residential accessory uses. The anticipated uses of the property are warehouse, warehouse accessory uses, and a water tower. 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 adjacent to other existing and planned logistics park development. The property is vacant. The magnitude of change is not considered extreme or rare when property is being developed for its planned end use as shown on Edgerton's Future Land Use Map within the Comprehensive Plan (*attached*).
3. Whether or not the change will bring harm to established property rights. The property likely most affected by this proposed zoning is the parcel in residential use adjacent to the east, which has an existing home, located about 145 feet to the east of the proposed eastern industrial zoning boundary. Separate Preliminary and Final Site Plan reviews and approvals are required before building permits can be issued. As part of these Site Plan reviews, with attention to buffering and setbacks, some of the possible harm to the residential use to the east can be mitigated.
4. Effective use of Land. Logistics Park development, at this location, is an effective and efficient use since the property is adjacent to other existing and planned logistics park warehouses and container storage, and the intermodal rail yard facility. Warehousing at this location will concentrate activity near the rail yard facility 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 warehouse facilities near the intermodal rail yard puts an intermediate destination for some of the goods in transit 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 BNSF Intermodal Facility and LPKC Phase I are located to the north and LPKC Phase II is located to the east. Cargo container storage facilities are also under development to the northeast. There is a home on rural acreage and farming to the east, vacant land to the northwest, and to the northwest, west, and south, about 280 acres in tree nursery and greenhouse use. Beyond the nursery to the west, across Homestead Lane, is the city approved LPKC Phase III (*See Subject Property photograph above and Vicinity Map below*).

The area is in transition from rural to industrial, with intermodal warehouse

development, extensive road improvements, and the new I-35 interchange at Homestead Lane. The character of the area is changing significantly. The regional parks to the southwest 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.

7. Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties. The proposed zoning is compatible with warehousing and container storage uses to the east, north, and west. At the time of Site Plan review, with the proper attention to buffering and setbacks, stormwater management, and transition of uses, the remaining residential use to the east can be mitigated.
8. Suitability of the uses to which the property has been restricted under its existing zoning. With the construction of the intermodal freight terminal and other logistics park uses to the north, east, and west, the existing County zoning is no longer appropriate for this property. The best use of this property is industrial.
9. Length of time the subject property has remained vacant under the current zoning designation. The property has been held vacant in anticipation of this application since being purchased by the developer. Prior to purchase, the property was in agricultural use in unincorporated Johnson County.
10. The extent to which the zoning amendment may detrimentally affect nearby property. As noted, at the time of Site Plan review, with the proper attention to buffering and setbacks and stormwater management, detrimental effects to the residential use to the east can be mitigated.
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. Waverly Road will need to be improved to a standard that can accommodate the anticipated development of this property. The developer will need to address this improvement prior to or as part of the Site Plan review process. Please see the Preliminary Site Plan review for discussion of street access to proposed warehouse and water tower uses on the south side of this property. Utilities will need to 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. Waverly Road will be improved to a standard that can accommodate industrial development traffic in the area. On-street parking will not be allowed on either Waverly Road or 191st Street. The

developer will be required to comply with the City's UDC off-street parking requirements as part of the Site Plan review process.

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 water, air, noise, light, etc, will be addressed as part of the Site Plan review process.
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 were few commercial and industrial uses within the City. Warehousing and related uses allowed in the L-P District have the potential to benefit the residents and community in a positive way by providing 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 Edgerton, and the property owner would be denied a use compatible with adjacent development if the zoning is denied. The nearby communities would be adversely impacted due to the lost opportunity for jobs and tax revenue if 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 (*attached*) within the Comprehensive Plan designates the subject property for Industrial development. The proposed rezoning is consistent with the Comprehensive Plan.
18. The recommendation of professional staff. See Recommendation below

Recommendation

City staff recommends **approval** of the proposed rezoning of the subject property from County RUR, Rural District to L-P, City of Edgerton Logistics Park Zoning District, 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. The property owner shall sign an agreement not to protest the formation of a benefit district for Waverly Road infrastructure improvements prior to Final Site Plan approval.
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

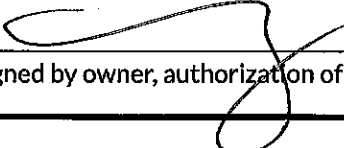
Attachments

City of Edgerton Future Land Use Map
Application for Rezoning No. RZ-10-08-2014

LOCATION OR ADDRESS OF SUBJECT PROPERTY: WEST SIDE WAVERLY RD, 1/2 MILE S. OF 191STPURPOSE FOR REZONING: L-P DEVELOPMENTREQUESTED REZONING CHANGE: FROM RUR TO L-P
(Current Zoning) (Proposed Zoning)LEGAL DESCRIPTION: ATTACHEDCURRENT LAND USE: AGRICULTURALPROPERTY OWNER'S NAME(S): PATRICK ROBINSON PHONE: 816.888.7380COMPANY: EDGERTON LAND HOLDING CO. FAX: 816.888.7399MAILING ADDRESS: 5015 NW CANAL ST. RIVERSIDE MO 64150
Street City State ZipAPPLICANT/AGENTS NAME(S): SAME

PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State ZipENGINEER/ARCHITECT'S NAME(S): DAN COOK PHONE: 913.317.9500COMPANY: RENAISSANCE INFRASTRUCTURE CONSULT. FAX: 816.800.0951MAILING ADDRESS: 5015 NW CANAL ST. RIVERSIDE MO 64150
Street City State ZipSIGNATURE OF OWNER OR AGENT:  NATHANIA HAGOOD
If not signed by owner, authorization of agent must accompany this application.**FOR OFFICE USE ONLY**Case No.: RZ- 10-08-2014 Amount of Fee Paid: \$ 250.00 Date Fee Paid: 10/14/14.Received By: _____ Date of Hearing: 11/4/14.**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



EDGERTON
global routes. local roots.

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

STAFF REPORT

October 30, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, City Superintendent/Zoning Administrator
Re: Application PP-10-08-2014 for Preliminary Plat for Logistics Park Kansas City Phase IV,
located approximately 1,700 feet to the south of the southwest corner of 191st Street
and Waverly Road

APPLICATION INFORMATION

Applicant/Property Owner: Patrick Robinson, Edgerton Land Holding Company

Requested Action: Preliminary Plat – Logistics Park Phase IV

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

Site Address/Location: Approximately 138 acres located approximately 1,700 feet south of the southwest corner of 191st Street and Waverly Road

Existing Land Use: Vacant

Existing Zoning and Uses: County RUR, Rural District zoning

Existing Improvements: None

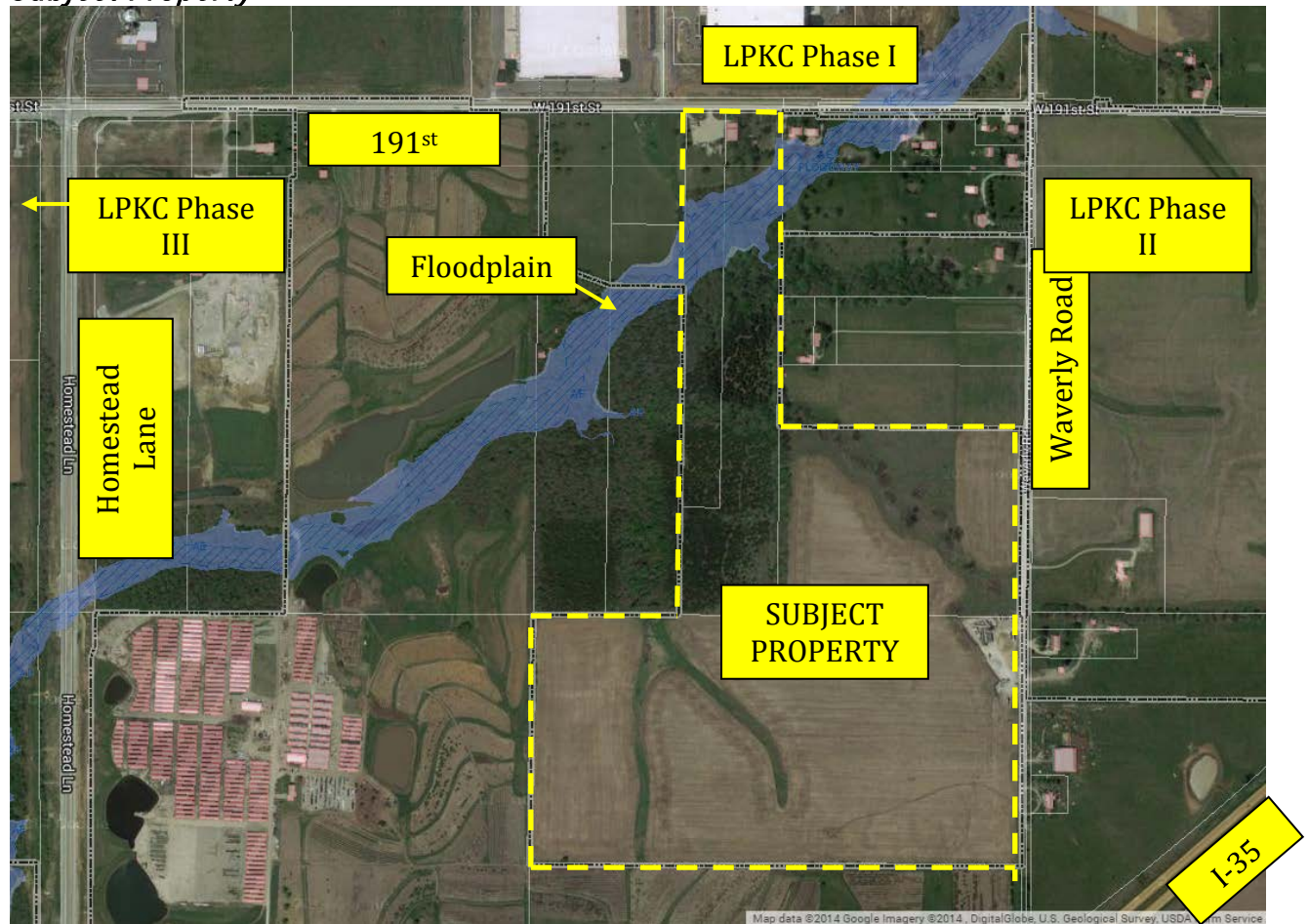
Site Size: Approximately 138 acres

Background Information

The applicant for this project is BNSF's partner for developing warehousing. The bulk of the subject property is located about 1,700 feet to the south of the southwest corner of 191st Street and Waverly Road. The land included in the fourth phase also has about 548 feet of frontage on 191st Street, located on a narrow tract (proposed Tract A) extending north from the bulk of the property to 191st Street about 1,300 feet to the west of Waverly Road. The land has 2,300 feet of frontage on Waverly Road (please see the Subject Property illustration on page 3). The property is entirely within the City of Edgerton.



Subject Property

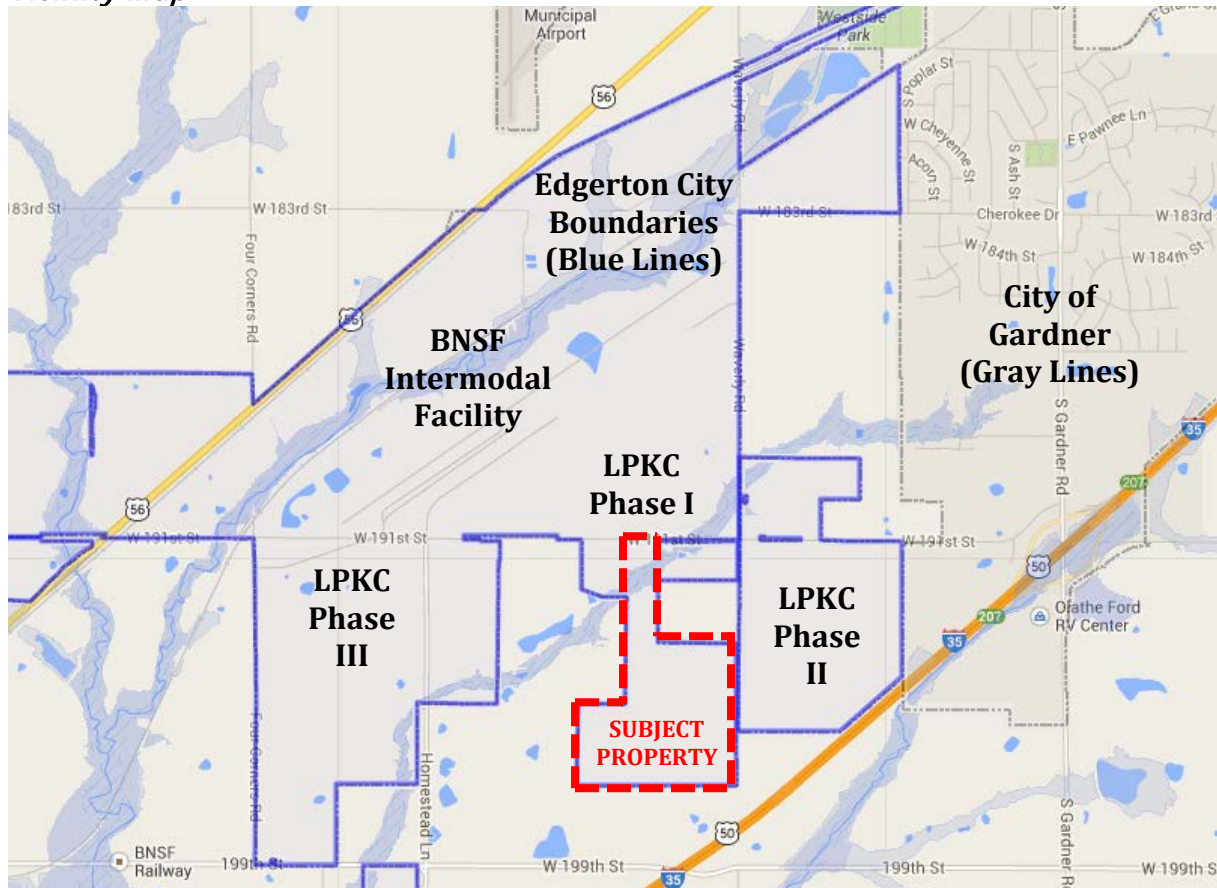


Infrastructure and Services:

1. Waverly Road is gravel surfaced adjacent to this property and dead-ends on the property adjacent to the south. 191st Street is a 36 foot wide, paved, heavy-haul road. Though Waverly Road is currently gravel, it is planned for future improvement to support intermodal and logistics park traffic. Edgerton Land Holding Company is a party to the tri-party agreement regarding development of Logistics Park Kansas City. That agreement outlines the mechanism for construction and financing of Waverly Road. Proceeding west on 191st Street and south on Homestead Road provides access to Interstate 35.
2. 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. A stormwater plan should be submitted to the City Engineer prior to development of the property.
3. About 5 acres of Proposed Tract A is located within the FEMA designated flood plain and flood way. This should be shown on the Final Plat and Site plan, in addition to any stream buffer or other requirements of the City stormwater ordinances.
4. The property does not currently have sanitary sewer service.
5. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along both the Waverly Road and 191st Street property frontages. A water tower, needed to provide adequate fire flow in the surrounding area, is shown on proposed Lot 3 on the preliminary plat.

6. 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 1.5 miles to the west.

Vicinity Map



PRELIMINARY PLAT REVIEW

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

Content of Preliminary Plat

1. A North point and scale which is appropriate to the size of the development: one inch equals 50, 100, 150 or 200 feet is typical. ***Preliminary Plat complies.***
2. A legal description; and current zoning. ***Preliminary Plat complies.***
3. Names of: Applicant, Subdivision & Streets. ***Preliminary Plat complies.***
4. Name and seal of surveyor/engineer. ***Surveyor's name has not been shown. Preliminary plat has not been sealed.***
5. Date surveyed. ***Preliminary Plat complies.***
6. Adequate legend; vicinity map. ***Preliminary Plat complies.***

7. Signature block and date for review of Zoning Administrator. ***Preliminary Plat complies.***
8. Signature block and date for review of City Engineer. ***Preliminary Plat complies.***
9. Signature block and date for review of Chair of Planning Commission. ***Preliminary Plat complies.***
10. Signature block and date for review of Mayor. ***Preliminary Plat complies.***
11. Complete outline drawing of all boundaries, lots, and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines. ***Utility easements have not been shown.***
12. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes. ***The south end of the plat includes a new east-west street to serve the development. The right-of-way for this east-west street should be shown with 80' ROW width all north of the section line. Confirm in final plat dedication of 40 feet of right-of-way along Waverly Road. Proposed utility easements have not been shown. A drainage easement should be dedicated for the flood zone areas and the detention areas. Work with city staff to consider dedication of easements for future active transportation infrastructure as discussed in the Southwest Area Plan***
13. Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains, and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot. ***The public roads that abut the property on the east and south need to be shown based upon the proposed improvements. Agreement to not to protest formation of benefit district for 191st Street sidewalk improvements should be signed by property owner. Plat does not show proposed sidewalks, sanitary sewer, storm sewer, water main and fire hydrants but sanitary sewer holding tanks, storm sewer and water lines with fire hydrants have been shown on the preliminary utility plan.***
14. Total acreage and size of each lot. ***Preliminary Plat complies.***
15. Contours at vertical intervals of 4 feet or less. ***Proposed contours have not been shown.***
16. Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used). ***Not provided. The proposed access points for Lots 1 and 2 are located too close together. Applicant shall work with city staff including city engineer to determine access points for safety of travelling public.***
17. A copy of the proposed restrictive covenants. ***If needed, this item will be addressed at final plat stage.***

General Design Standards

1. Rights-of-way must conform to the current standards of the American Public Works Association, and greater widths may be required by the Zoning Administrator after preliminary review; utility easements must be a minimum of fifteen (15) feet wide or, 7.5 feet for appurtenant utility easements on interior lots. Street lighting and fire hydrants must be indicated in areas planned for residential use. Cul-de-sacs are limited to 800 feet in length. ***The south end of the plat includes a new east-west***

street to serve the development. The right-of-way for this east-west street should be shown with 80' ROW width all north of the section line. Confirm in final plat dedication of 40 feet of right-of-way along Waverly Road.

18. All portions of the tract being subdivided shall be taken up in lots (or phases), streets, planned open areas or other uses so that remnants and landlocked areas are not created. *Preliminary Plat complies.*
2. All lots must front on a public right-of-way. When a subdivision is located along arterial roads adequate buffers must be maintained between the right-of-way and the building line. *The south end of the plat includes a new east-west street to serve the development. The right-of-way for this east-west street should be shown with 80' ROW width all north of the section line. Confirm in final plat dedication of 40 feet of right-of-way along Waverly Road.*
3. Corner lots shall have minimum side-yard setbacks of twenty (20) feet to the street right-of-way and nine (9) feet to the property line of the adjacent interior lot unless approved by the Zoning Administrator. *Preliminary Plat complies.*
4. Side lot lines shall be substantially at right angles to street lines. *Preliminary Plat complies.*
5. Drainage and watercourse easements are required. Building setbacks from watercourses should be measured from the thread of the stream. Flowage easements may be used to calculate required minimum lot sizes. *A drainage easement should be dedicated for the flood zone areas and the detention areas.*
6. The lot depth to front lot width ratio shall be no more than 3 to 1. There are no minimum lot area, lot width, or lot depth requirements for the L-P Zoning District, per Article 5.2 G 1. *Preliminary Plat complies.*
7. If the development is to be served with public water or sewer, the plat must bear a notation that the subdivision is to be served by these facilities. The Zoning Administrator may not issue a building permit for a lot notated "SERVICED BY PUBLIC WATER/SEWER" without written verification from the public water or sewer district that all distribution or collection lines have been installed and that all lots are either connected or are capable of being connected to central utilities. *There is no such notation or declaration on the preliminary plat.*

Other Comments

- The plat shows two owners west of Tract A, Gifford and Curry. It is unclear what parcels they own.
- The landscape plan does not meet the buffer requirements for the LP zoning district. The Perimeter Landscape Buffer standards have not been met. All evergreen trees must be a minimum of 12' in height.
- A storm water study has not been provided.
- A traffic study should be provided for the site.

RECOMMENDATION

City staff recommends **approval** of the Preliminary Plat for Logistics Park Kansas City Phase IV subject to compliance with the following stipulations:

1. All Preliminary Plat requirements of the City listed above shall be met or addressed during Final Plat submittal as identified.
2. The preliminary plat is 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 the preliminary plat.

3. All infrastructure requirements of the City shall be met.

ATTACHMENTS

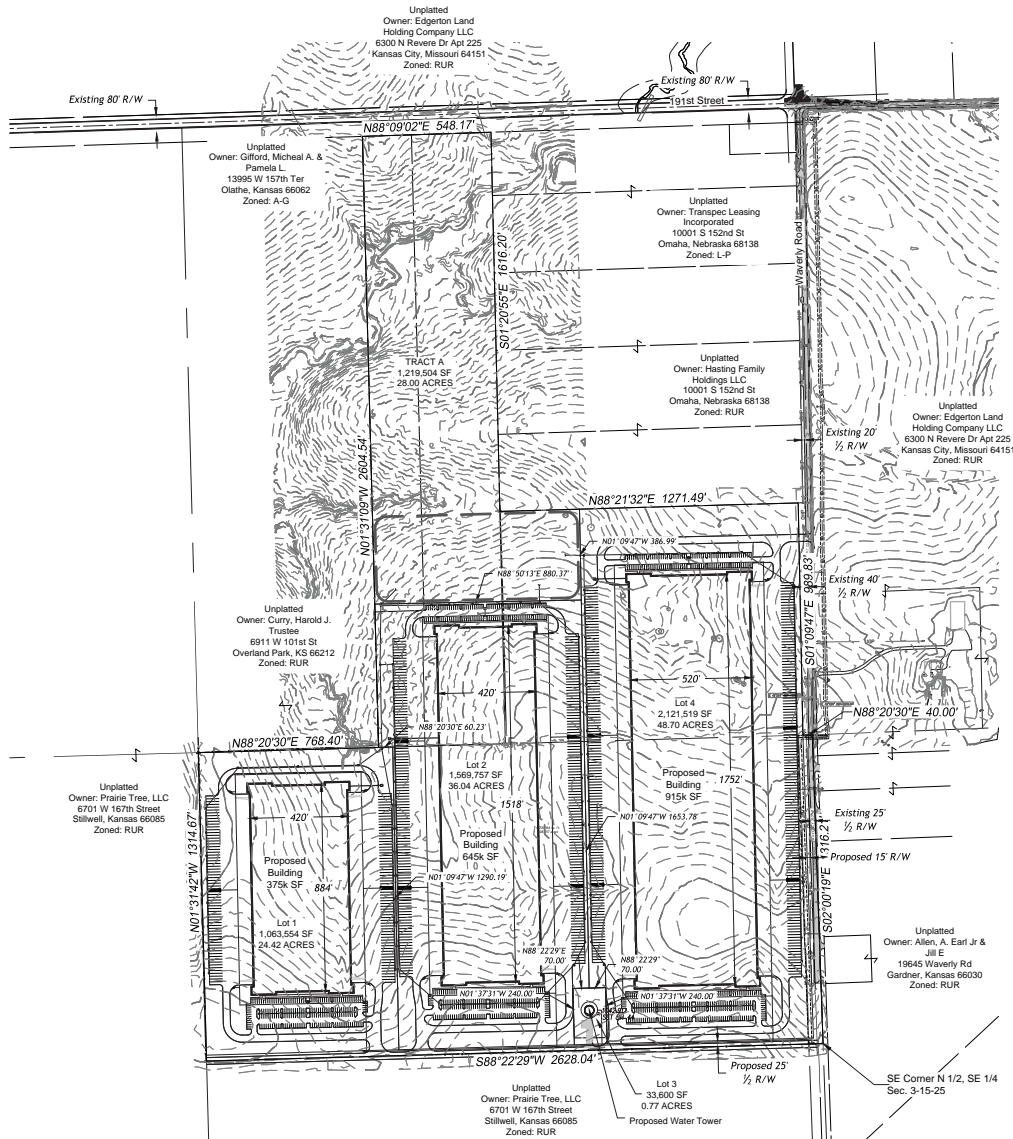
Preliminary Plat for Logistics Park Kansas City Phase IV

Preliminary Plat Application 11-04-14 for Logistics Park Kansas City Phase IV

PRELIMINARY PLAT AND REZONING PLAN

LOGISTICS PARK KANSAS CITY PHASE IV

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



LEGAL DESCRIPTION:

Tract 1

Beginning at the southeast corner of the northeast 1/4 of section 3, township 15 south, range 22 east, Johnson County, Kansas; thence north 990.0 feet and along the east line of said 1/4 section; thence west 1,319.6 feet and parallel to the south line of said 1/4 section; thence south 990.0 feet and parallel to the east line of said 1/4 section to a point on the south line of said 1/4 section; thence east 1,320.7 feet and along the south line of said 1/4 section to the point of beginning, except any part used or dedicated for streets, roads or highways, also being more particularly described as follows: all that part of the northeast quarter of section 3, township 15 south, range 22 east, sixth principal meridian, Johnson County, Kansas, described as follows: commencing at the southeast corner of the northeast quarter of said section 3; thence north 89° 48' 35" west, along the south line of the northeast quarter of said section 3, a distance of 40.00 feet to the point of beginning; thence continuing north 89° 48' 35" west along said south line, a distance of 1,268.40 feet measured (1,280.70 feet deduced) to the southwest corner of the east half of the northeast quarter of said section 3; thence north 00° 29' 36" east measured (north 00° 44' 12" east deduced), along the west line of the east half of the northeast quarter of said section 3, a distance of 989.86 feet measured (990.00 feet deduced), thence south 89° 48' 35" east, a distance of 1,271.50 feet measured (1,279.60 deduced) to a point being 40.00 feet west of the east line of the northeast quarter of said section 3, thence south 00° 40' 22" west, parallel to the east line of the northeast quarter of said section 3, a distance of 990.00 feet to the point of beginning, except any part used or dedicated for streets, roads or highways.

and also;

Tract 2

The north 1/2 of the southeast 1/4 of section 3, township 15, range 22, in Johnson County, Kansas, being more particularly described as follows: beginning at the northeast corner of the southeast quarter of said section 3; thence south 00° 10' 34" east, along the east line of the southeast quarter of said section 3, a distance of 1,316.57 feet to the southeast corner of the north half of the southeast quarter of said section 3, thence north 89° 47' 10" west, along the south line of the north half of the southeast quarter of said section 3, a distance of 262.95 feet to the southwest corner of the north half of the southeast quarter of said section 3; thence north 00° 19' 17" east, along the west line of the southeast quarter of said section 3, a distance of 1,315.19 feet to the northwest corner of the southeast quarter of said section 3, thence south 89° 48' 57" east, along the north line of the southeast quarter of said section 3, a distance of 2616.52 feet to the point of beginning, except any part used or dedicated for streets, roads or highways.

and also;

Tract 3

The west half of the northeast quarter of section 3, township 15 south, range 22 east, in Johnson County, Kansas; except the west 768.4 feet, and further except any part used for dedicated streets, roads or highways.

CERTIFICATION

Received and placed on record this ____ day of _____, 2014.

by _____
(Zoning Administrator)

Approved by the Edgerton City Planning Commission this ____ day of _____, 2014.

by _____
(Chair of Planning Commission)

Approved By: _____
City Engineer

Date: _____

Approved By: _____
Mayor

Date: _____

NOTES:

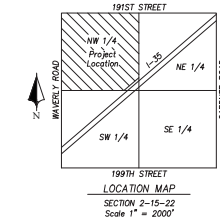
1. Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Number 20091C0134G, revised August 3, 2009, portions of this tract lie in:

OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology. No Base Flood Elevations determined.

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, ZONE AE, defined as base flood elevations determined.

2. Date Surveyed: 07-15-13.



SITE DATA TABLE

Existing Zoning:	RUR & A-G
Proposed Zoning:	L-P
Total Land Area:	140.61 Acres
Street Right-of-Way:	2.68 Acres
Net Land Area:	137.93 Acres
Proposed Use:	Logistics Park

Legend:

▲ FOUND SECTION CORNER AS NOTED
○ SET 1/2" x 3/4" REBAR WITH
IN 3/16" DIA. CAP
U/E UTILITY EASEMENT
SSE SANITARY SEWER EASEMENT
A/E ACCESS EASEMENT
D/E DRAINAGE EASEMENT
W/E WATERLINE EASEMENT
E/E ELEC. EASEMENT
T/E TEMPORARY EASEMENT
B/L BUILDING SETBACK LINE

PROPERTY OWNER:

Edgerton Land Holding Co., LLC
5015 NW Canal Street
Suite 200
Riverside, Mo. 64150



SHEET
1 OF 2

PRELIMINARY PLAT AND REZONING PLAN

14-02261
LOGISTICS PARK KANSAS CITY
PHASE IV

PRELIMINARY SITE
PLAN

ORIGINAL SUBMITTAL
REVISION
DATE
BY
CHKD
DATE
BY

Renaissance
Infrastructure
Consulting
505 NW Canal Street, Suite 200
Riverside, Missouri 64150
416.810.0950
www.ri-consult.com



NAME OF PROPOSED SUBDIVISION: LOGISTICS PARK KANSAS CITY PHASE IV

LOCATION OR ADDRESS OF SUBJECT PROPERTY: West Side Waverly Road, 1/2 mile S. of 191st

LEGAL DESCRIPTION: ATTACHED

CURRENT ZONING ON SUBJECT PROPERTY: RUR CURRENT LAND USE: AGRICULTURE

TOTAL AREA: 141.38 Acres NUMBER OF LOTS: 5 AVG. LOT SIZE: 1,232,000 Sq. Ft.

DEVELOPER'S NAME(S): PATRICK ROBINSON PHONE: 816.888.7380

COMPANY: EDGERTON LAND HOLDING CO. FAX: 816.888.7399

MAILING ADDRESS: 5015 NW CANAL ST. RIVERSIDE MO 64150
Street City State Zip

PROPERTY OWNER'S NAME(S): SAME PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State Zip

ENGINEER'S NAME(S): DAN COOK PHONE: 913.317.9500

COMPANY: R-I-C FAX: 816.800.0951

MAILING ADDRESS: 5015 NW CANAL ST. RIVERSIDE MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: [Signature] NATHANIEL HAGGARDEN
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 1/2 x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No. PP-10-08-2014 Amount of Fee Paid: \$ 350.00 Date Fee Paid: 10/14/14

Received By: _____ Date of Hearing: 11/4/14

PRELIMINARY PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) 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.



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Edgerton, KS 66021
P: 913.893.6231
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STAFF REPORT

October 30, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, City Superintendent/Zoning Administrator
Re: Application PS-10-08-2014 for Preliminary Site Plan for Logistics Park Kansas City
Phase IV, located approximately 1,700 feet to the south of the southwest corner of
191st Street and Waverly Road

APPLICATION INFORMATION

Applicant/Property Owner: Patrick Robinson, Edgerton Land Holding Company

Requested Action: Preliminary Site Plan – Logistics Park Phase IV

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

Site Address/Location: Approximately 138 acres located approximately 1,700 feet south of the southwest corner of 191st Street and Waverly Road

Existing Land Use: Vacant

Existing Zoning and Uses: County RUR, Rural District zoning

Existing Improvements: None

Site Size: Approximately 138 acres

Requested Action

Staff would request this item be tabled to the December 9, 2014 Planning Commission meeting to allow additional time for plan development.



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STAFF REPORT

October 30, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, City Superintendent/Zoning Administrator
Re: Application FS-10-08-2014 for Final Site Plan for Edgerton Water Tower, Lot 3 of proposed LPKC Phase IV, located approximately 800 feet north and 925 feet west of I-35 and Waverly Road

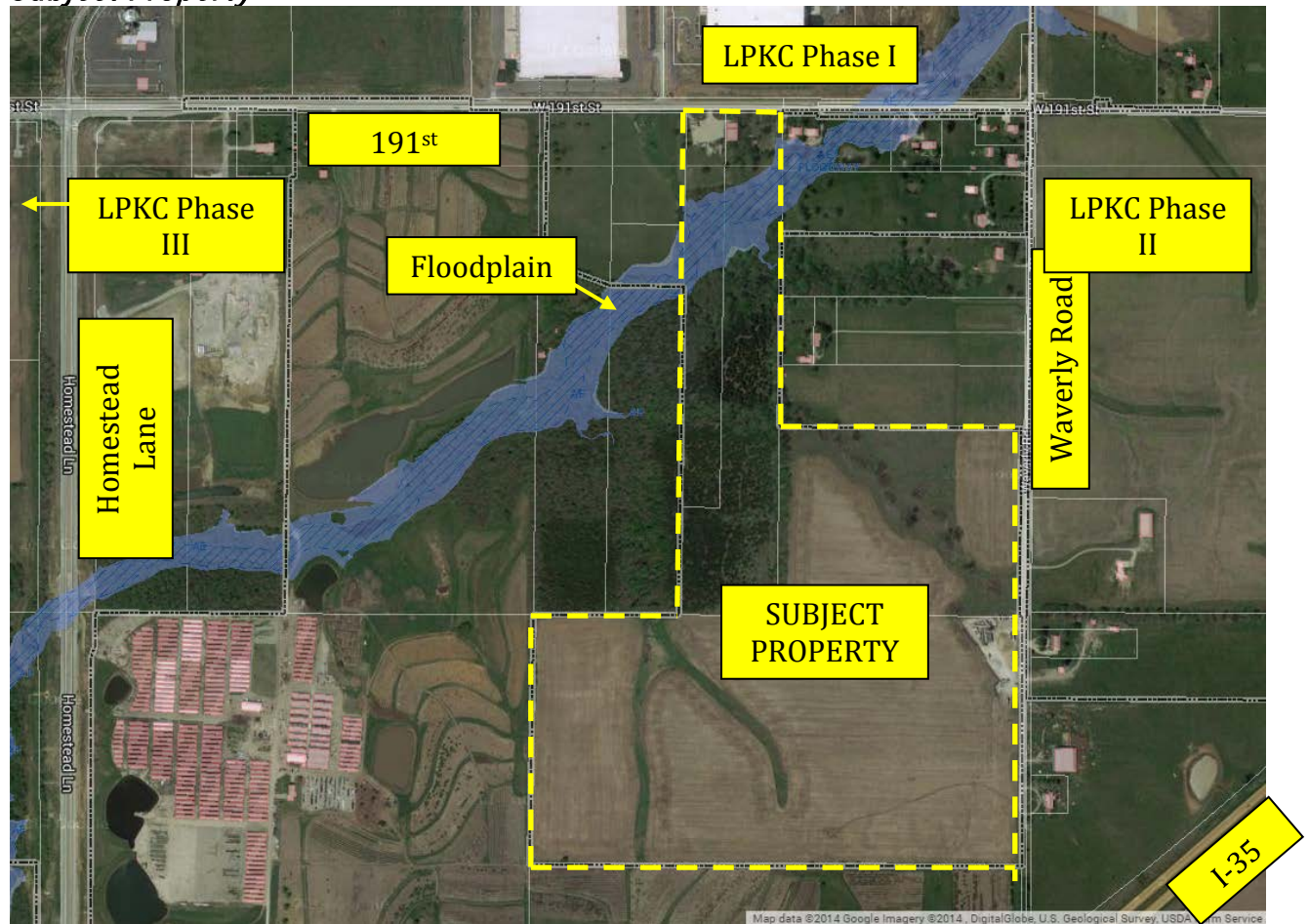
APPLICATION INFORMATION

Applicant/Property Owner:	John Thomas, Edgerton Land Holding Company
Requested Action:	Final Site Plan – Edgerton Water Tower
Legal Description:	Part of Section 3, Township 15, Range 22
Site Address/Location:	Lot 3 of proposed LPKC Phase IV, located approximately 800 feet north and 925 feet west of I-35 and Waverly Road
Existing Land Use:	Vacant
Existing Zoning and Uses:	County RUR, Rural District zoning
Existing Improvements:	None
Site Size:	Approximately 33,600 square feet lot

Background Information

The applicant has prepared a final site plan based on the proposed Preliminary Site Plan for LPKC Phase IV and the L-P, Logistics Park District zoning requirements. The Site Plan shows a 33,600 square foot lot containing a water tower with associated parking and driveway, and a temporary driveway proceeding east across the front and east side of proposed Lot 4 of LPKC Phase IV to where Waverly Road currently ends. Construction of the water tower is part of the infrastructure identified in the three-party Plan of Finance for Logistics Park Kansas City entered into by the City of Edgerton, Burlington Northern Santa Fe (BNSF) Railway and Edgerton Land Holding Company. The project will be constructed by Edgerton Land Holding Company; however, once complete the infrastructure will be deeded to Johnson County Water District No. 7. The tower will supplement fire flows to serve Logistics Park Kansas City.

Subject Property



Infrastructure and Services:

1. Waverly Road is gravel surfaced adjacent to this property and dead-ends on the property adjacent to the south. 191st Street is a 36 foot wide, paved, heavy-haul road. Though Waverly Road is currently gravel, it is planned for future improvement to support intermodal and logistics park traffic. Edgerton Land Holding Company is a party to the tri-party agreement regarding development of Logistics Park Kansas City. That agreement outlines the mechanism for construction and financing of Waverly Road. Proceeding west on 191st Street and south on Homestead Road provides access to Interstate 35.
2. 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. A stormwater plan should be submitted to the City Engineer prior to development of the property.
3. About 5 acres of Proposed Tract A is located within the FEMA designated flood plain and flood way. This should be shown on the Final Plat and Site plan, in addition to any stream buffer or other requirements of the City stormwater ordinances.
4. The property does not currently have sanitary sewer service.
5. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along both the Waverly Road and 191st Street property frontages. A water tower, needed to provide adequate fire flow in the surrounding area, is shown on proposed Lot 3 on the preliminary plat.

6. 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 1.5 miles to the west.

STAFF ANALYSIS

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

Section 10.1 of Article 10 for Site Plan requirements

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. ***Final Site Plan complies.***
 - 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. ***Final Site Plan complies.***
 - 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. ***No landscaping has been shown on the site plan. A Right-of-Way buffer is required along proposed street to the south (approx. 193rd Street). It requires 1 tree per 50 LF of ROW within a 10 foot buffer width (3 trees total). A Type 1 buffer is required on the east and west property lines to the front face of the building. The type 1 buffer requires trees at 50' spacing and bushes at 48" spacing all within the 5' wide buffer. A fence is proposed along the exterior of the property. The fence material has not been specified. Chain link fence is not permitted where visible from the street right-of-way. See the UDC for approved fence materials and fencing requirements. A trash container has not been shown.***
 - b) A table entitled "Planting Schedule" which lists the common name, size and condition of all planting materials, together with a timetable for planting. ***Not provided.***
3. Sheet #3
 - a) A site map with the following features.
 - i) Topography at reasonable intervals. ***Not provided.***
 - ii) Exterior lot lines with any survey pins. ***Final Site Plan complies.***

- iii) Location of buildings. *Final Site Plan complies.*
 - iv) Parking areas, paths, walks with sizes and surfaces material specifications. *Label widths of proposed driveways. Show the location of public street to the south in the correct location. The site plan does not show sidewalks. Pedestrian access within and to the development has not been shown. Accessible routes to buildings also need to be shown that are separate from the driving lane.*
 - v) Exterior lighting specifications. *Details, locations and photometric plan have not been provided.*
 - vi) Site entrance and connections to streets. *Final Site Plan complies.*
 - vii) The location of easements. *No proposed utility easements have been shown.*
 - viii) Connection point for utilities. *Show all existing and proposed utilities.*
 - b) A sketch of the entry sign, and all other free-standing, façade, and building signs to be used on the premises. *No signage was submitted with the application. Signage proposed later shall receive separate approval according to the provisions of the UDC.*
 - c) Features to facilitate handicapped access. *An accessible route should be provided that is not in the driving lanes. The accessible parking spaces and access areas should not exceed 2% slope in any direction.*
 - d) Profile and detail for roads (if required). *Final Site Plan complies.*
4. Sheet #4
- a) Scale drawing of building floor plans. *Will be reviewed at Building Permit Review.*
 - b) Dimensions and use of rooms and areas. *Will be reviewed at Building Permit Review.*
 - c) Dimensions of entrances/exits and corridors. *Will be reviewed at Building Permit Review.*
 - d) Interior specifications for handicapped accessibility as required by ANSI 117.1 and this ordinance. *Will be reviewed at Building Permit Review.*
5. Sheet #5
- a) Scale drawings of all building elevations. *Will be reviewed at Building Permit Review.*
 - b) Roof pitch and materials. *Will be reviewed at Building Permit Review.*
 - c) Siding type and materials, including facie. *Will be reviewed at Building Permit Review.*

Section 5.2 Logistics Park (L-P) District regulations

SETBACK, YARD, AND AREA REGULATIONS:

1. Building Coverage: The maximum building coverage in the L-P District is 50%. The area of the water tower is about 3,847 square feet. Proposed Lot 3 contains about 33,600 square feet, so water tower coverage is about 11.4 %. *Final Site Plan complies.*
2. Setbacks from the street right-of-way or property line: *Final Site Plan complies.*
 - a. Front. A 50-foot minimum setback is required and 110 feet is provided.
 - b. Side (Typical). A minimum of 25 feet is required.

- i. East side: 37 feet
 - ii. West side: 32 feet
- c. Side at Street (Typical). A minimum of 50 feet is required, with 25 feet allowed adjacent to internal streets. The side yard provided for the proposed building facing Waverly Road is 212 feet.
- d. Rear. The minimum rear yard adjacent to a residential use is 50 feet.
 - i. North rear: 52 feet
- 3. Maximum Building Height. The maximum height allowed is 110 feet. The L-P Zoning District regulations proposed for this property (by separate application) exempt water towers from the 110 foot building height maximum. No water tower height specifications or conceptual elevations have been provided with this application. ***Final Site Plan complies.***
- 4. Building Separation. A minimum 20 foot building separation is required. Separation between each building exceeds the minimum requirement. ***Final Site Plan complies.***
- 5. Accessory Building and Structure Regulations. No accessory buildings are proposed with this application. ***Final Site Plan complies.***

DISTRICT REGULATIONS:

These regulations are not applicable to this Final Site Plan.

DESIGN GUIDELINES:

These regulations are not applicable to this Final Site Plan.

ARCHITECTURAL DESIGN STANDARDS:

These regulations are not applicable to this Final Site Plan.

PARKING AND LOADING:

1. General. The plan addresses the general parking and loading requirements as follows:
 - Parking space dimensions of at least 9 by 20 feet per space are required. ***Final Site Plan complies.***
 - Adequate loading spaces off the public right-of-way are shown. ***Final Site Plan complies.***
 - Parking must be on asphalt or concrete. ***Final Site Plan complies.***
 - Off-street space for loading and unloading of goods is provided. ***Final Site Plan complies.***
 - The parking areas are more than 30 feet from the south right-of-way, as required. ***Final Site Plan complies.***
 - The loading and maneuvering areas are more than 30 feet from the right-of-way, as required. ***Final Site Plan complies.***

OFF-STREET PARKING STANDARDS:

1. Maneuvering. It appears that adequate space is provided on the plan for vehicle maneuvering off the public right of way. ***Final Site Plan complies.***
2. Parking Spaces and Aisle Surfaces. ***All parking spaces, aisles and maneuvering areas are all-weather surfaced and are connected by an all-weather surfaced driveway to the street (in this instance, a temporary driveway), as required. Final Site Plan complies.***

3. Parking Space and Aisle Dimensions. Parking space dimensions of at least 9 by 20 feet per space are required. Parking spaces and aisle dimensions conform to Article 10.2, Parking and Loading Standards, as required. ***Final Site Plan complies.***
4. Wheel Stops. Wheel stops or curbs are required for parking spaces around the perimeter of the parking lot and adjacent to sidewalks. ***Neither curbs nor wheel stops are shown on the Site Plan. The plan shall be revised to comply with this requirement prior to the issuance of a building permit.***
5. Parking layout with 90 degree spaces and two-way traffic. The parking area proposed conforms to the requirements shown in Figure 8 of the L-P District parking requirements. ***Final Site Plan complies.***

OFF-STREET LOADING STANDARDS:

All off-street loading standard requirements are met.

PHOTOMETRICS:

1. General. All lighting shall be designed in accordance with applicable Illuminating Engineering Society of North America (IESNA) practices as applied to specified applications within the L-P District. Cut-off design is specified within the development. ***A photometric plan has not been provided, so this element cannot be evaluated at this time. Photometric plans submitted in the future shall satisfy the above requirements.***

LANDSCAPE STANDARDS:

1. Planting and screening requirements for the following plan elements have not been satisfied by the site plan submitted:
No Final Landscape Plan has been submitted with this application. The applicant shall provide a final landscape plan meeting L-P District requirements prior to issuance of a building permit.

SIGNAGE

No signage plan has been made available for review. ***The applicant shall provide a signage plan according to the requirements in Article 5(K) prior to the issuance of a building permit.***

DIESEL EMISSION REQUIREMENTS:

The following diesel emission requirements shall apply (limited to those for this use):

1. Except for loading and unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for no more than 5 minutes in any 60 minute period. For loading and unloading operations, idling shall be restricted to no more than 30 minutes in any 60 minute period.
2. Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn off engines when not in use.
3. The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation, shall be restricted within 300 feet of any property zoned for or committed to residential use, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of

property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:

- a. Allow the location of heavy-duty diesel truck operations within 300 feet of their property zoned for and committed to residential use, and
 - b. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses;
4. Any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as biodiesel, electricity, or propane;
 5. If fuel dispensing facilities are provided on-site, alternative clean fuels such as (but not limited to) bio-diesel blended fuel should be provided at these dispensing facilities.

Other Comments

- A storm water study has been provided. The increase in impervious area is minimal. The required detention can be provided as part of the larger site development.
- An erosion control plan has not been provided.

RECOMMENDATION

City staff recommends **approval** of the proposed Final Site Plan FS-10-08-2014, with the following stipulations:

1. All Site Plan requirements of the City shall be met as listed above, particularly including:
 - a. Submittal of photometric lighting plan in conformance with UDC.
 - b. Submittal of a plan for pedestrian access to and within the development.
 - c. Construction plans for future public infrastructure be submitted and approved by the City. Any necessary permits obtained.
 - d. Submittal of landscaping plans including screening for adjacent public roads and trash enclosures. All landscaping shall be maintained in good condition and plants shall be replaced when dead.
2. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.
3. All building permit and sign permit requirements of the City shall be met.

ATTACHMENTS

Application FS-10-08-2014

Final Site Plans for Logistics Park Kansas City Phase IV, Lot 3

☐ PRELIMINARY SITE PLAN

☒ FINAL SITE PLAN

NAME OF PROPOSED SUBDIVISION: Edgerton Water Tower

LOCATION OR ADDRESS OF SUBJECT PROPERTY: App. 800 Feet North and 925 Feet West of I-35 and Waverly Road.

LEGAL DESCRIPTION: All that part of the north half of the Southeast Quarter of Section 3, Township 15, Range 22, in the City of Edgerton, Johnson County, Kansas.

CURRENT ZONING ON SUBJECT PROPERTY: RUR CURRENT LAND USE: Agricultural

TOTAL AREA: 0.77 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 33,600 Sq. Ft.

DEVELOPER'S NAME(S): Northpoint Development PHONE: 816-888-7380

COMPANY: Northpoint Development FAX: 816-888-7399

MAILING ADDRESS: 5015 NW Canal St., Suite 200 Riverside Mo 64150
Street City State Zip

PROPERTY OWNER'S NAME(S): Northpoint Development PHONE: 816-888-7380

COMPANY: Northpoint Development FAX: 816-888-7399

MAILING ADDRESS: 5015 NW Canal St., Suite 200 Riverside Mo 64150
Street City State Zip

ENGINEER'S NAME(S): Dan Cook PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX: 816-800-0951

MAILING ADDRESS: 5015 NW Canal St., Suite 100 Riverside Mo 64150
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 review. One (1) reduced copy (8 1/2 x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No. 10-08-2014 Amount of Fee Paid: \$ _____ Date Fee Paid: _____

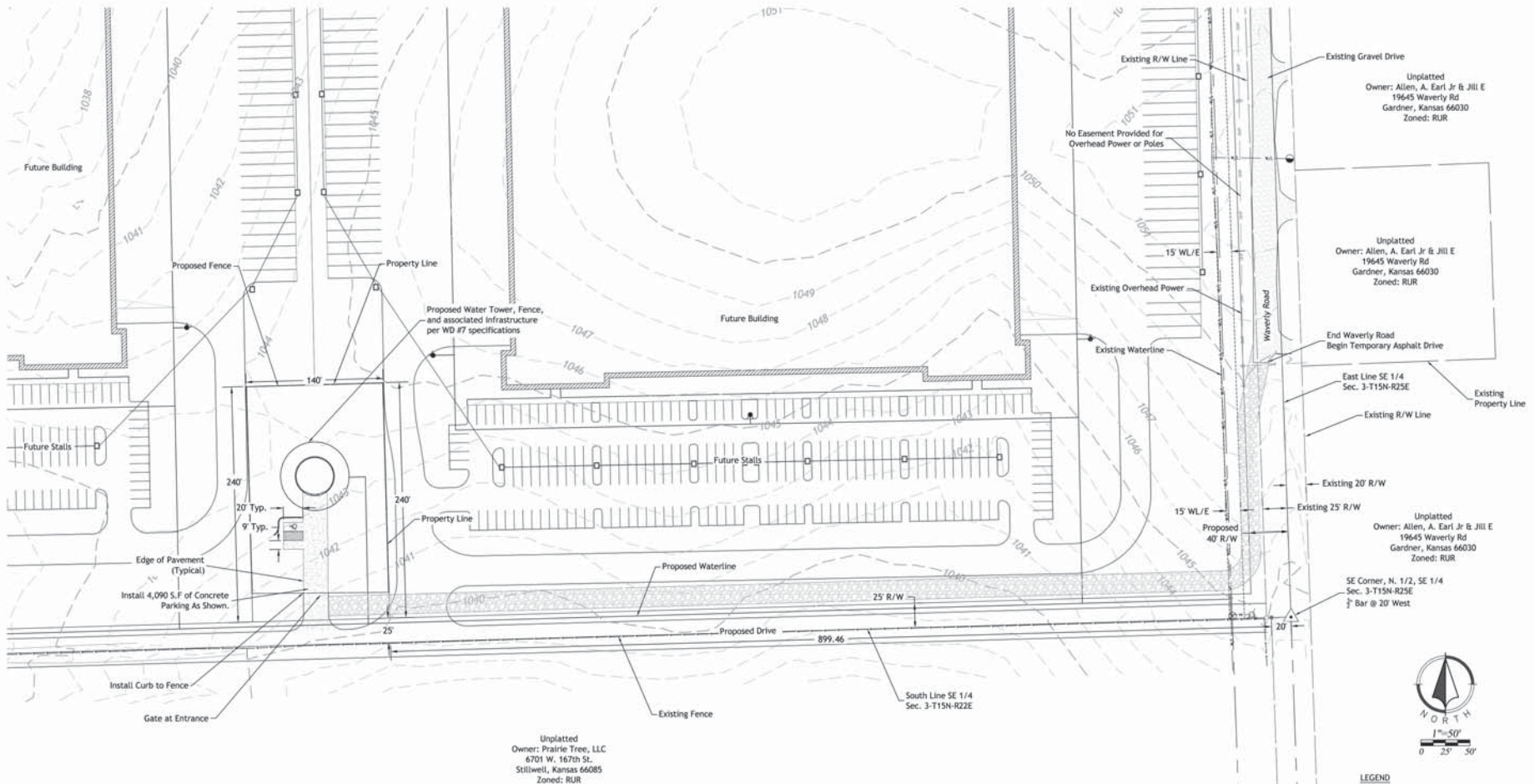
Received By:  Date of Hearing: _____

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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STAFF REPORT

November 7, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, Zoning Administrator
Re: Request for request for extension of time to complete installation of hard surface in regards to Final Site Plan, S-11-15-2013 for International Transload Logistics, Lot 1 at the southeast corner of 191st Street and Homestead Lane

APPLICATION INFORMATION

Applicant/Property Owner: International Transload Logistics

Requested Action: Extension of Time to Complete Installation of Hard Surface for International Transload Logistics Lot 1

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; 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.

Existing Improvements: Single family home with out-buildings

Site Size: Approximately 31 acres

PROJECT DESCRIPTION AND BACKGROUND: The Final Site Plan for this property was reviewed and approved by the Edgerton Planning Commission on December 10, 2013. In addition, the property was approved for a conditional use permit for cargo container storage on January 9, 2014 by Edgerton City Council. During the presentations to both the Planning Commission and City Council, ITL discussed the need to begin the storage of cargo containers and chassis prior to the installation of hard surface as required by Edgerton Unified Development Code and as approved in their final site plan. To formalize their request, staff recommended ITL submitted a formal phasing plan to be reviewed by Planning Commission and formally amended into their final site plan. That phasing plan was approved by Edgerton Planning Commission on April 8, 2014 and amended into their final site plan.

Approval of that Phasing Plan allowed cargo containers and chassis to be stored on unimproved surface until October 31, 2014 or the completion of Phase II, whichever comes first. The applicant was unable to complete Phase II. ITL has submitted a request that for an extension of time until June 30, 2015. Staff has enclosed an email regarding the details for the delay and the request.

STAFF ANALYSIS

Staff has reviewed the request for extension of time. Below is a summary of the key items to note.

- Phase I is the area where cargo containers and chassis are requested to be stored on unimproved surface until June 30, 2015 or the completion of Phase II, whichever comes first.
- ITL will begin development of Phase II immediately. ITL has an approved Notice of Intent from the State of Kansas. Staff requires the immediate completion of the required land disturbance permit.
- In Phase I, staff has limited the height of storage of containers to 3 high and chassis to 5 high.
- The phasing plan allows ITL to install a temporary fence. ITL has requested the fence be allowed to remain until June 30, 2015 or completion of Phase II, whichever comes first.
Note – chain link fence will not be allowed where visible from the public right-of-way in the future due to LP District Requirements.

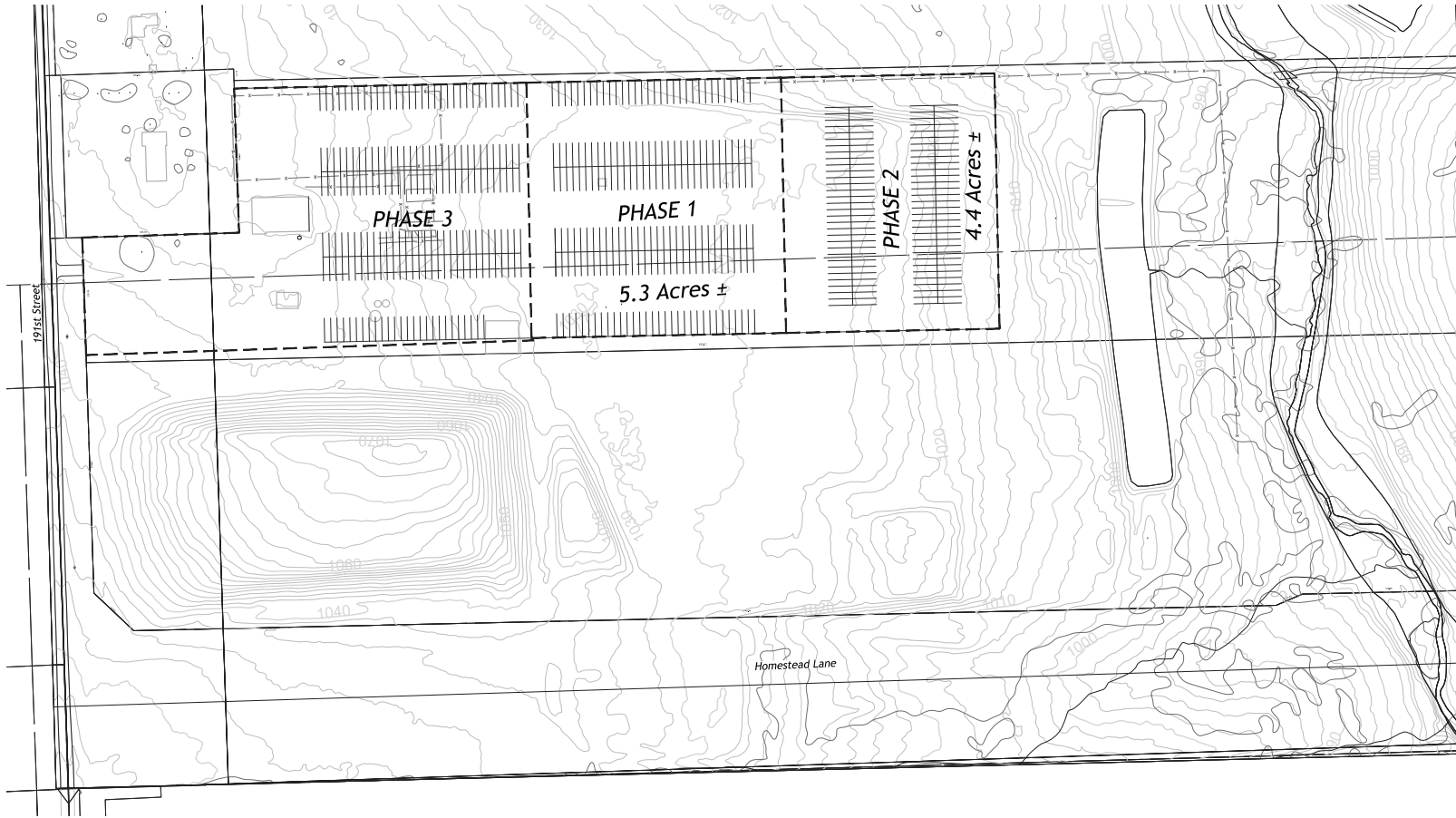
RECOMMENDATION

City staff recommends **approval of a FINAL request for extension of time to June 30, 2015** with the following stipulations:

1. Limit the height of storage of containers to 3 high and chassis to 5 high
2. Require completion of outstanding planning and zoning items (recording of final plat, filing of final site plan, etc.) prior to issuance of a building permit
3. Require ITL obtain a building permit for installation of hard surface
4. Require installation of hard surface (asphalt or concrete) be complete by June 30, 2015
5. If hard surface not complete by June 30, 2015, ITL agrees to cease operations on the site and remove of all cargo containers and chassis
6. Temporary fencing must be removed by June 30, 2015
7. This approval does not remove any stipulations previously placed on the Final Site Plan from the Planning Commission meeting held December 10, 2014 or additional stipulations placed with the Phasing Plan approved on April 8, 2014.

ATTACHMENTS

ITL Phasing Plan submitted April 2014
Request for Extension of Time



NOTES:

1. Phase 1 can only be operational without hard surface until October 31, 2014 or upon completion of Phase 2, whichever comes first.
2. Containers in Phase 1 can not be stacked more than 3 high, chassis in Phase 1 can not be stacked more than 5 high.
3. All container storage must be placed on hard surface after October 31, 2014.
4. Property owner may install temporary security fence that must be removed upon completion of Phase 2 or by October 31, 2014, whichever comes first.



From: [John Roetter](#)
To: [Beth Linn](#)
Cc: [Craig Swope](#); "jason@hilldirt.com"; [Miles Douglass](#)
Subject: ITL Phase I Edgerton
Date: Wednesday, October 22, 2014 10:55:14 AM
Attachments: [image001.png](#)

Beth, thanks for taking the time to meet with us this morning.

As discussed during our meeting, Jason Hill will be moving in his equipment on our property on Friday 10-25-2014 to begin commencing with our Phase I project.

As you know, we encountered several delays in getting our project off the ground. Our land disturbance permit from the State of Kansas was hung up in the bureaucracy, and it did not arrive until Sept 25th.

Then the rain hit and set us back at least another 15 days. In addition, Jason Hill Schedule was not conducive to start any sooner due to various projects to start our project unit next week.

Jason Hill also advised due to the time of the year, the price of Asphalt now is at an all time high. The cost per Acre is 19.35 square yard whereas in the beginning part of the year the price always drops, for example the price in Jan was around 16.00 square yard or 20% less.. This is attributed to the fact the plants start producing heating oil, driving up the price of the liquid asphalt the latter part of the year.

Jason Hill also advised that the best time of the year to put down the Asphalt are the months of April, May and June.

Due to these above reasons, we are asking for the planning committee to grant us and extensions for the completion of the asphalt in our phase one project by June 30th 2015.

Thank you for your consideration in this matter.

Sincerely,

John Roetter | President
[International Transload Logistics](#)
3675 Darlene Ct | Suite E | Aurora, IL 60504
Cell: 773-330-3110





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STAFF REPORT

November 7, 2014

To: Edgerton Planning Commission
Fr: Beth Linn, City Administrator
Mike Mabrey, Zoning Administrator
Re: Request for request for extension of time to complete installation of hard surface in regards to Final Site Plan, S-09-16-2013 for TSL Edgerton Phase I at the southwest corner of 191st Street and Waverly Road

APPLICATION INFORMATION

Applicant/Property Owner: TSL Edgerton

Requested Action: Extension of Time to Complete Installation of Hard Surface for TSL Edgerton Phase I

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 DESCRIPTION AND BACKGROUND: The Final Site Plan for this property was reviewed and approved by the Edgerton Planning Commission on October 22, 2013. After the initial approval, TSL submitted additional information regarding the use of existing buildings that required the Planning Commission to consider an amendment to the final site plan. The Planning Commission approved an amended final site plan on December 10, 2013. One of the stipulations of that approval allowed for the installation of hard surface by July 2014. In addition, the property was approved for a conditional use permit for cargo container storage on January 9, 2014 by Edgerton City Council.

TSL has requested an extension of time for installation of hard surface until June 30, 2015. Similar to the ITL project, TSL would request the ability to temporarily store cargo containers and chassis on the unimproved surface. Staff will provide under separate cover an email regarding the details for the delay and the request.

STAFF ANALYSIS

Staff has reviewed the request for extension of time. Below is a summary of the key items to note.

- TSL has an approved Land Disturbance Permit and Notice of Intent from the State of Kansas.
- Edgerton Unified Development Code would require TSL to pull a building permit for installation of hard surface.
- Staff would recommend requirement for completion of outstanding planning and zoning items prior to issuance of a building permit.
- Staff would recommend limiting the height of storage of containers to 3 high and chassis to 5 high.

RECOMMENDATION

City staff recommends **approval of a FINAL request for extension of time to June 30, 2015** with the following stipulations:

1. Limit the height of storage of containers to 3 high and chassis to 5 high
2. Require completion of outstanding planning and zoning items (recording of final plat, filing of final site plan, etc.) prior to issuance of a building permit
3. Require TSL obtain a building permit for installation of hard surface
4. Require installation of hard surface (asphalt or concrete) be complete by June 30, 2015
5. If hard surface not complete by June 30, 2015, TSL agrees to cease operations on the site and remove of all cargo containers and chassis
6. This approval does not remove any stipulations previously placed on the Final Site Plan from the Planning Commission meeting held October 22, 2014 or December 10, 2014.

ATTACHMENTS

Request for Extension of Time (provided at Planning Commission meeting)