

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
Regular Session
December 9, 2014
Minutes

The Edgerton Planning Commission met in regular session with Vice Chair Conus 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 Ron Conus, Maria O'Neill, Missy Drinkard, Andrea Lucero, Cliff Withrow, and Randal Gifford. Absent were: Chuck Davis and Bob O'Neill. Also present were City Administrator Beth Linn, Community Development Director Kenneth Cook, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

MINUTES

Minutes of September 9, 2014 were considered.

The City Administrator announced these minutes were approved at the November meeting. No action taken.

GUESTS:

Guests introducing were: Todd Creagan, Arrowhead Intermodal, Rusty Williams, Arrowhead Intermodal, Dan Cook, Renaissance Infrastructure Consulting, and Earl Allen.

COMMUNICATIONS

The City Administrator introduced the City's newest employee, Kenneth Cook. She stated Mr. Cook is filling the position of Community Development Director. Mr. Cook overviewed his history prior to joining the City. Ms. Linn informed the Commissioners Mr. Cook would be attending the meetings, and she will no longer be attending each meeting. He was welcomed to the City.

PUBLIC HEARING – PRELIMINARY SITE PLAN

Continuance of an opened public hearing for 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 Consulting was considered.

City Administrator Beth Linn informed the Commissioners this matter was continued from the November 4, 2014 meeting to tonight at the applicant's request. She noted this project is for LPKC, Phase 4. She requested the hearing remain open and continued to January 13, 2015.

Motion by Withrow, seconded by M. O'Neill, to continue to opened hearing to January 13, 2015. The motion was approved, 6-0.

FINAL SITE PLAN – EXTENSION OF TIME

A request to extend 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 0007000 in the Register of Deeds Office, Johnson County, Kansas, containing approximately 31 acres, more or less, was considered. Owner/Applicant: ITL.

Ms. Linn indicated this request is for ITL, located in the southeast corner of 191st and Homestead with approximately 31 acres. She noted this matter was considered at last month's meeting and the vote was to extend the time-frame for surfacing. Ms. Linn informed the Commissioners that after last month's meeting, a decision by ITL to sell the property to Arrowhead Intermodal.

She indicated the desire is to add Arrowhead Intermodal to the extension of time for installation. She further noted, the City Attorney indicated if the site plan remains, the Conditional Use would follow the land.

Rusty Williams, Arrowhead Intermodal, overviewed his company's operation outside Chicago. He stated with his company's processes, this area is a great opportunity for his company to set up in Edgerton.

Commissioner Conus asked if the original site plan is binding. The City Administrator indicated that yes, noting that if it remains the same, it will carry with the new owner.

Motion by Gifford, seconded by Drinkard, to approve the request to extend time and add Arrowhead Intermodal to the request. The motion was approved, 6-0.

FINAL PLAT – LOGISTICS PARK KANSAS CITY – SOUTHEAST, FIRST PLAT

Final Plat No. FP-11-20-2014, requesting approval of a final plat for Logistics Park Kansas City – Southeast, First Plat consisting of two (2) lots containing 88.5 acres more or less, located at the southeast corner of 191st Street, also identified as 30801 W. 191st and 30901 W. 191st was considered. Applicant: Patrick Robinson, Edgerton Land Holding Company Engineer: Dan Cook, Renaissance Infrastructure Consulting.

Ms. Linn overviewed the location and buildings. She informed the Commissioners the City is working on Waverly Road, which will benefit this project.

Ms. Linn overviewed a portion of the infrastructure and services, noting Edgerton Land Holding Company is a party to the tri-party agreement regarding the development of Logistics Park Kansas City which outlines the mechanism for construction and financing of Waverly Road. She stated 191st Street will need upgrading in the future as development occurs. The Commissioners were informed the property is within Big Bull Creek watershed and that a small portion of the southeast corner of property located within Zone X; at this time there is no sanitary sewer services, and falls within the service area of Rural Water District No. 7.

It was noted the Final Plat mostly complies. She noted the street named Brome Street on the plat should be changed to "Montrose."

She briefly reviewed staff's stipulations.

Ms. Linn indicated this would be submitted to the Governing Body on January 8, 2015.

Earl Allen, 19645 Waverly Road, nearby resident questioned the foundations already on the site.

Motion by Drinkard, seconded by M. O'Neill, to approve the final plat with the following stipulations: 1) All Final Plat requirements of the City noted shall be met or addressed prior to recording the Plat; 2) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, stormwater sewers, sanitary sewers and water mains contained within the final plat by the Governing Body. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3) A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4) The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; and 5) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code. The motion was approved, 6-0.

FINAL SITE PLAN – INLAND PORT XII

Final Site Plan, FS-11-06-2014, requesting approval of a final site plan for Inland Port XII, located one-quarter mile east of Waverly Road on the South side of 191st Street containing one (1) lot on 31.6 acres, more or less, was considered. Applicant: Patrick

Robinson, Edgerton Land Holding Company (ELHC) Engineer: Dan Cook, Renaissance Infrastructure Consulting.

Ms. Linn advised the Commissioners were advised this property has an approved preliminary site plan and preliminary plat. She noted the Final Site Plan, FS-11-06-2014, deviates from the preliminary site plan in regards to building size, which reduces the original plan into a smaller lot with smaller warehouse.

Ms. Linn highlighted the following items: Sheet 2 – trash containers and screening have not been shown; landscape plan incorrectly labels the road to the North of the site as 199th Street on the drawing and in the right of way buffer table; road is 191st Street; and the road to the west of the site should also be named Montrose. She noted there was no timeline for landscape plantings; the applicant needs ensure the plant materials are planted when appropriate. Sheet 3 – pedestrian access needs to be provided from the sidewalk on the south side of the building to the sidewalk on Montrose Street. 191st Street Infrastructure improvements governed by tri-party agreement with City, BNSF, and ELHC, staff will continue to work with the applicant for final plan for site entrance, connections for streets, and access points; staff suggests right of way buffers be moved outside of utility easements, similar to Kill Creek Road, and provide plan for sanitary sewer service for LPKC Southeast, and signage proposed later shall receive separate approval according to the UDC.

The City Administrator continued her review with setback, yard and area regulations. She noted the developer has corrected a discrepancy with the rear setback and property line.

Ms. Linn reviewed a few items under district regulations: Item 2: *All operations other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.* – She noted the site plan shows future trailer parking areas along the entire east and west side of the property, which appears to be greater than limited storage. She noted the Commission may need to approve for operations other than an alternative landscape plan in response to the unique characteristics of the site, which include additional landscaping, fencing or berms along the areas of right of way buffers or for loading docks. Item 3: *All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to 20% of the ground floor area of the building or tenant space. All storage materials shall be 100% screened from public view, except when adjacent to another storage area, which is 100% screened from public view. For purposes of this section, the phrase “screened from public view” means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced.* She also noted the need to approve an alternative landscape plan in response to the unique characteristics of this site and noted this may include additional landscaping, fencing or berms, along

the areas of right of way buffers or for loading docks as the future trailer parking areas will not be able to be screened at 100%.

Under the category of design guidelines, Ms. Linn spoke about orientation of the buildings so the front or side of the buildings face the public street, noting the City may consider an exception to orient a rear elevation towards a public street for unique situations due to configuration of the lot. She noted with this current application, if approved by the City, there would be an exception to orient a side elevation, including dock doors, toward Montrose Street due to the configuration of a lot with public streets on two sides of the proposed building.

Ms. Linn informed the Commissioners that staff is reviewing categories of street regarding orientation of dock/loading doors and landscaping/screening. She questioned the potential of a code change instead of continuing to request deviations.

The City Administrator overviewed briefly the right of way buffers required along 191st Street and Montrose Street, perimeter landscape buffering and additional landscaping at entrances. She stated staff will look at other jurisdictions regulations regarding landscaping clusters, and variety for screening, etc.

Architectural design standards were discussed. Ms. Linn indicated the final site plan complies for the most part. She indicated the north and east walls do not meet the vertical articulation requirement, but noted the City may allow exceptions, and noted staff would request an exception.

Ms. Linn briefly discussed the need for additional screening may be needed within the temporary outdoor storage regulations for cargo containers, operational trailers, and tractors, the need for a photometric plan, and stipulations.

The Commissioners were informed staff is supportive with noted stipulations.

Ms. Lucero questioned the work on the site which has been completed, noting the Planning Commission did not have a chance to review the plans.

Ms. Linn indicated the applicant pulled a land disturbance permit and noted this action does not require approval by the Planning Commission. She stated the footings and foundation work was moved forward at the applicant's request.

Mr. Cook described the applicant's actions as appearing to meet the intent of the Code.

Motion by Drinkard, seconded by M. O'Neill, 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) Construction plans for future public infrastructure be submitted and approved by the City. Any necessary

permits obtained; and c) Resubmittal of revised 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 infrastructure requirements of the City shall be met; 3) All building permit and sign permit requirements of the City shall be met; 4) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structure, 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; 5) Approval of an alternative landscape plan due to the unique characteristics, which may include additional landscaping, fencing or berms, especially along areas of right-of-way buffers or for loading docks; and 6) Allow deviation of north wall from the façade guidelines and north and west walls from vertical articulation at staff's recommendation. Vote on motion: YEA: Conus, O'Neill, Drinkard, and Gifford. NAY: Lucero and Withrow. Motion passed 4-2.

FUTURE MEETING

The next scheduled meeting is January 13, 2015.

Mr. Conus thanked City Administrator Beth Linn for her assistance over the past 3 ½ years.

ADJOURNMENT

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

The meeting adjourned at 7:45 p.m.

Sumbitted by:

Debra S. Gragg
Recording Officer