EDGERTON PLANNING COMMISSION AGENDA REGULAR SESSION Edgerton City Hall May 12, 2015 7:00 PM

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

A. Members: Chuck Davis, Chair Ron Conus, Vice-Chair Maria O'Neill, Secretary Missy Drinkard Bob O'Neill Andrea Lucero Cliff Withrow Randal Gifford Bill Braun

Present / Absent Present / Absent

- 4. Approval of Minutes A. April 14, 2015
- 5. Guests Present A.
 - В.
- 6. Communications from Staff
- 7. New Business

FINAL PLAT

A. Consideration of Final Plat, FP2015-02, requesting approval of a final plat for Logistics Park Kansas City, Fourth Plat, located in the northwest corner of 191st and Waverly, on a tract of land consisting of two (2) lots, containing approximately 43.076 acres. Applicant: John A. Thomas, ELHC V, LLC Engineer: Chip Corcoran, R-I-C.

Action requested: Consider motion to recommend approval, denial, or table.

FINAL PLAT

B. Consideration of Final Plat, FP2015-03, requesting approval of a final plat for C Y Edgerton, LLC, located at 32355 W 191st Street, containing approximately 31.86 acres. Applicant: Rusty Williams, CY Edgerton, LLC. Engineer: Roger Cassity, R-I-C.

Action requested: Consider motion to recommend approval, denial, or table.

FINAL SITE PLAN

C. Consideration of Final Site Plan, FS2015-003, requesting approval for a final site plan

for C Y Edgerton, L.L.C., located at 32355 W. 191st, a tract of land containing one (1) lot, containing approximately 31.86 acres. Applicant: Rusty Williams, Arrowhead Intermodal. Engineer: Roger Cassity, R-I-C.

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

FINAL PLAT

D. Consideration of a Final Plat, FP2015-04, requesting approval for a final plat for 196th Street Water Tower, located approximately 865 feet west of Waverly Road on 196th, consisting of one (1) lot, containing approximately 6.651 acres. Applicant: Edgerton Land Holding Company, Inc. Engineer: Chip Corcoran, R-I-C.

Action requested: Consider motion to recommend approval, denial or table.

TEMPORARY CONSTRUCTION ACTIVITIES

E. Consideration of Temporary Construction Activities at 18501 Waverly Road, located in the northwest quarter of Section 34, Range 22, Township 14, south of 183rd and east of Waverly Road for the placement of a temporary Concrete Batch Plant for Waverly Road improvements. Applicant: Patrick Weaver, Clarkson Construction Company.

Action requested: Receive comments and consider motion to approve or deny request.

TEMPORARY CONSTRUCTION ACTIVITIES

F. Consideration of Temporary Construction Activities located in the north one-half of the southeast one-quarter of Section 3, Township 15, Range 22, north of 199th Street and west of Waverly Road, for the placement of a temporary construction site for the production of batch slaked lime for sub-grade stabilization and cement treated base for Waverly Road improvements. Applicant: Patrick Weaver, Clarkson Construction Company.

Action requested: Receive comments and consider motion to approve or deny request.

TEMPORARY CONSTRUCTION ACTIVITIES

G. Consideration of Temporary Construction Activities at 18501 Waverly Road, located in the northwest quarter of Section 34, Range 22, Township 14, south of 183rd and east of Waverly Road for the placement of a temporary Concrete Batch Plant to supply concrete materials/services for projects within the LPKC area. Applicant: Quicksilver Readymix LLC.

Action requested: Receive comments and consider motion to approve or deny request.

TEMPORARY CONSTRUCTION ACTIVITIES

H. Consideration of Temporary Construction Activities located in the southeast corner of 191st and Homestead Lane, located in Section 3, Range 22, Township 15, for loading and removing construction materials for off-site construction purposes. Applicant: Omar and India Holtgraver.

Action requested: Receive comments and consider motion to approve or deny request.

PUBLIC HEARING - UNIFIED DEVELOPMENT CODE AMENDMENTS

I. Consideration of opening the tabled public hearing in regards to receiving input from the public on the proposed adoption of a new Unified Development Code (UDC). Applicant: City of Edgerton, Kenneth A. Cook, Community Development Director.

Action requested: Re-open the public hearing, receive comments, and consider motion to close or table the hearing. Consider motion to recommend approval or denial.

- 8. Future Meeting Regular meeting June 9, 2015
- 9. Adjournment:

EDGERTON COMMUNITY BUILDING PLANNING COMMISSION MEETING Regular Session April 14, 2015 Minutes

The Edgerton Planning Commission met in regular session with Chair Davis calling the meeting to order at 7:15 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners Chuck Davis, Maria O'Neill, Randal Gifford, Bob O'Neill, and Andrea Lucero. Absent were: Commissioners Ron Conus, Missy Drinkard, Cliff Withrow and Bill Braun. Also present were Community Development Director Kenneth Cook and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

MINUTES

Minutes of March 10, 2015 were considered.

Motion by B. O'Neill, seconded by M. O'Neill, to approve the minutes as presented. Motion was approved, 5-0.

GUESTS:

Guests attending introduced themselves.

COMMUNICATIONS FROM STAFF

The Commissioners were informed of a training session for "Effective Meetings – Response to Common Citizen Concerns" scheduled for May 13, 2015 beginning at 6:00 p.m. at the MARC Conference Center.

SITE PLAN – FENCING MATERIALS

A request in regards to installation of fencing material for project site located at Kill Creek Road and 191st (31608 W. 191st) was discussed. Applicant: Flexsteel.

Community Development Director Kenneth Cook indicated this request of installation of a chain link fence within the Logistics Park District is not typically allowed. He informed the Commissioners the restrictions create a couple issues; namely, substantial cost for installation of wrought iron fence (or other options) that would be located along Kill Creek, which would be seen primarily by employees and truck drivers; and federal regulations in order to be considered Customs-Trade Partnership Against Terrorism (C-TPAT) compliant. He noted the City's regulations need to be reviewed to address federal regulations (adding the requested use of chain link may eliminate the need for barbed wired) required under C-TPAT. Mr. Cook overviewed and displayed two types of chain link proposed for the site. He noted the vinyl coated chain link fence would provide additional screening of the loading dock area due to its tight pattern.

Commissioner Lucero stated favor with the smaller scale netting, but stated concern with the use of barbed wire and how it would appear.

Mr. Cook indicated this is a federal department decision, adding that even with the use of wrought iron, the barbed wire may be necessary.

Patrick Robinson informed the Commissioners that C-TPAT is part of the Patriot Act and concerns international shipping. He stated C-TPAT requires certain regulations/customs that will only be known after inspections and whether or not all the construction materials and methods are accepted. He noted this also applies to ingress and egress. He also stated that while C-TPAT is not required, it is essentially needed for shipping internationally because the majority of shippers require this for the vendors.

Commissioner Davis stated that as far as maintenance, the fencing choice appears nice. He stated can be comfortable with the chain link. He also asked if staff could contact the congressional representatives to talk about more definitive direction with these issues.

The consensus was to accept the tighter chain link fencing material with an eight (8) foot height. It was the request of the Commissioners that if barbed wire, or other security measures, are required, to bring this back to the Commission for review and updates.

TEMPORARY CONSTRUCTION ACTIVITIES

Temporary Construction Activities at the proposed TSL property located at the southwest corner of 191st Street and Waverly Road for the placement of a Concrete Batch Plant was discussed. Applicant: Tom Hastings, TSL.

The Commissioners were informed Quicksilver Readymix, LLC is leasing a portion of property (approximately 3 acres) from TSL in order to set up a plant to construct the necessary surfacing for TSL and to serve the needs in the LPKC area. Portions of the Unified Development Code (Chapter 1, Article 9) were discussed which notes the Planning Commission is authorized to review and approve use of property during times of construction, reconstruction or changes to permit temporary uses of various activities.

Commissioner Lucero questioned the time-frame. The response was three years, beginning this summer.

Mr. Cook noted the Planning Commission, in the past three years, previously granted authority for the use of other property in the area for similar temporary construction activities. He also indicated Clarkson may make a similar request for a site for Waverly Road construction.

Mr. Cook commented that since this request is on property outside the Intermodal Facility and due to the intensity of the proposed use, two additional conditions should be added: Quicksilver Readymix, LLC be required to maintain a valid city business license; and due to the possibility the concrete plant could supply concrete to other construction sites within the area, a time limit of three (3) years from time of approval. Mr. Cook also questioned if the Planning Commission would allow this activity prior to the permit for TSL activities. Mr. Cook noted staff does not see many concerns for the temporary use.

Commissioner B. O'Neill asked about the use only for LPKC or outside projects.

Quicksilver Readymix, LLC representatives indicated this company is local with six (6) fixed plants and several temporary concrete plants. It was indicated the company will be providing concrete for TSL, with the intent to provide services to other projects nearby. It was also noted that in case of breakdowns at the Olathe Plant, this would provide back-up assistance. The representatives also noted temporary concrete plants are high volume and would not sit idle.

Ms. Lucero stated she favors the three-year approval, but would prefer one-year annual reviews. The members discussed this and requirement of submittal of final site and final plats prior to issuance of temporary permit.

Motion by B. O'Neill, seconded by M. O'Neill, to approve the request with the following stipulations: 1.) Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission; 2.) All occupied buildings shall have access to potable water from an approved water source; 3.) All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code of the City of Edgerton; 4.) All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use; 5.) All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied: 6.) Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code; 7.) Off-site impacts from on-site construction-related activities shall be minimized to the extent possible; 8.) On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land; 9.) Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 10.) Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period; 11.) All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 12.) Hours of operation shall be limited to from 7:00 am to 7:00 pm unless otherwise approved by staff; 13.) Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code: 14.) Portable concrete and asphalt plants shall be approved by staff prior to use on-site, and staff shall have the ability to establish reasonable requirements for their operation; 15.) Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; 16.) Property owner and/or general contractors shall provide a Construction Management Plan to the City; 17.) Maintain a valid City of Edgerton Business License: 18.) Permission for temporary construction activities is granted for a period of three (3) years from date of approval by Edgerton Planning Commission, with annual application review by Planning Commission prior to yearly anniversary; and 19) Final Site and Final Plat submittal by TSL prior to issuance of permit.

The motion was approved, 5-0.

PUBLIC HEARING - REZONING

A public hearing in regards to Rezoning Case No. ZA2015-01, requesting a change in zoning from Johnson County Rural Residential (RUR) to City of Edgerton Logistics Park District (L-P) on property located on a portion of land within the northwest quarter and a portion of land located in the southwest quarter of Section 2, Township 15 South, Range 22 East, Johnson County, Kansas, with a general location of 19645 Waverly Road, containing approximately 63

acres, more or less was considered. Applicant: Patrick Robinson, ELHC. Engineer: Chip Corcoran, R-I-C.

The public hearing was opened by Chair Davis.

Patrick Robinson, applicant, addressed the Commission and overviewed the status of the area, adding this property adds 825,000 square feet of speculative property. He stated his concurrence with staff report with one clarification. He indicated the traffic study was performed and in the past and noted this is a continuation and asked that the existing traffic study be accepted.

Mr. Cook noted Mr. Robinson's notations were correct.

Lynn Baker appeared and stated he owns property across from this site, with Interstate 35 in between. He questioned how his property could be annexed in and provided with sewer services.

Mr. Cook and Mr. Robinson talked about the potential extension of sewer services.

Motion by B. O'Neill, seconded by Randal, to close the hearing. Motion was approved, 5-0.

Motion by Gifford, seconded by B. 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; and 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, 5-0.

Mr. Cook announced this would be submitted to the Governing Body on May 7, 2015.

PUBLIC HEARING – PRELIMINARY PLAT

A public hearing in regards to Preliminary Plat Case No. PP2015-01 requesting approval of a preliminary plat for Logistics Park Kansas City Phase II consisting of five (5) lots containing 206.13 acres more or less located on a portion of land located in the northwest and southwest quarters of Section 2, Township 15 South, Range 22 East, Johnson County, Kansas, in an area along the east side of Waverly Road and north of Interstate 35 was considered. Applicant: Patrick Robinson, Edgerton Land Holding Company. Engineer: Chip Corcoran, R-I-C.

Chair Davis opened the hearing.

The Community Development Director reviewed the past actions of the preliminary plat, noting this is a revised preliminary plat to include new property and proposed Montrose Street. He then described the overlapping projects and access points were discussed. He spoke about another issue, namely the grade for Waverly Road. Mr. Cook informed the Commissioners the Design-Build Team is looking at cutting down the elevations to accommodate trucks and cost impacts. He indicated the entrances may need to change due to roadway build.

Patrick Robinson, applicant, spoke and readdressed the past traffic study, adding it was an exhaustive study, and he requested the support of the Commission.

Mr. Cook indicated the comments added in the staff report were minor issues.

Commissioner B O'Neill questioned the weight limitations for Waverly Road. Mr. Robinson indicated it is for heavy haul to accommodate rail serve (96,500 pounds) for rail cars.

Motion by B. O'Neill, seconded by Lucero, to close the hearing. Motion was approved, 5-0.

Motion by B. O'Neill, seconded by M. O'Neill, to approve the preliminary plat with the following stipulations: 1.) All preliminary plat requirements of the City noted shall be met or addressed; 2.) Preliminary plat be approved for a one-year period and shall be extended for an additional year upon 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; and 3.) All infrastructure requirements of the City shall be met. Motion was approved, 5-0.

FINAL PLAT

Final Plat Case No. FP2015-01 requesting approval of a final plat for Logistics Park Kansas City – Southeast 2nd Plat consisting of one (1) lot containing 56.013 acres, more or less, located at 19645 Waverly Road, was considered. Applicant: Patrick Robinson, Edgerton Land Holding Company. Engineer: Chip Corcoran, R-I-C.

The Community Development Director informed the Commissioner this is a continuation of the previous matter. He noted the revisions include adding 26.6 acres which adds to the majority of Lot 3 and Tract D along Interstate 35.

Motion by M. O'Neill, seconded by Lucero, 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 of 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, storm water 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 commencements; 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; 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code. Motion was approved, 5-0.

PUBLIC HEARING – FINAL SITE PLAN

A public hearing in regards to Final Site Plan Case No. FS2015-01 requesting approval of final site plan for Inland Port XIV consisting of one (1) lot containing 56.013 acres, more or less, located on a portion of land commonly known as 19645 Waverly Road, east of Waverly Road, north of Interstate 35, was considered. Applicant: Patrick Robinson, Edgerton Land Holding Company. Engineer: Chip Corcoran, R-I-C.

The public hearing was opened.

The Community Development Director overviewed a few items in regards to this request. He noted the access from the center area will be reviewed, adding staff will work with the applicant. He also noted the photometric and landscape plans would need to be submitted before going forward with the project. He also noted that a detailed landscape plan for the overall area needs to be filed prior to progressing on new applications.

Commissioner Lucero questioned approval of the final site plan with some of the items lacking. Mr. Cook addressed the design of the speculative buildings. He noted from staff's perspective, the layout, parking and all difficult items are addressed. He indicated the remaining items, photometrics and landscaping, are included in City standards and may not necessarily need Planning Commission approval.

Patrick Robinson, applicant, spoke about the lighting and landscaping.

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

Motion by B. O'Neill, 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 for Inland Port XIV, and all prior projects, in conformance with UDC especially with regard to maximum foot-candles at the property line. No further projects will be allowed to proceed until such plans have been approved; (b) Construction plans for future public infrastructure be submitted and approved by the City. Any necessary permits obtained; and (c) Re-submittal of revised landscaping plans (including landscaping plan for entire phase, especially IP XI, XII and XIV) including screening for adjacent public roads and trash enclosures. All landscaping shall be maintained in good condition and plants shall be replaced when dead. No further projects will be allowed to proceed until such plans have been approved; 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, structures, parking areas, easement, roads and other city requirement (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein. The vote on the motion: YEA: Davis, M. O'Neill, B. O'Neill, and Gifford. NAY: Lucero. Motion was approved, 4-1.

PUBLIC HEARING - UNIFIED DEVELOPMENT CODE

A public hearing in regards to receiving input from the public on the proposed adoption of a new Unified Development Code was considered. Applicant: City of Edgerton, Kenneth A. Cook, Community Development Director.

Motion by M. O'Neill, seconded by Lucero, to table the public hearing until May 12. 2015. Motion was approved, 5-0.

FUTURE MEETING

The next scheduled meeting is May 12, 2015.

<u>ADJOURNMENT</u> Motion by B. O'Neill, seconded by M.O'Neill, to adjourn. Motion was approved, 5-0.

The meeting adjourned at 9:35 p.m.

Submitted by:

Debra S. Gragg Recording Officer



STAFF REPORT

April 30, 2015

To: Edgerton Planning Commission

Fr: Kenneth Cook, AICP, CFM, Community Development Director Re: FP2015-02 Final Plat for Logistics Park Kansas City, Fourth Plat

APPLICATION INFORMATION

Applicant/Property Owner:	Edgerton Land Holding Company
Requested Action:	Final Plat – Logistics Park Kansas City – Fourth Plat
Legal Description:	See Final Plat attached
Site Address/Location:	West side of Waverly Road and North of 191 st Street
Existing Zoning and Land Uses:	City of Edgerton L-P Logistics Park on vacant land
Existing Improvements:	None
Site Size:	43.076 Acres

PROJECT DESCRIPTION

This is additional development of the Logistics Park Kansas City by Edgerton Land Holding Company (ELHC), a subsidiary of NorthPoint Development. The property will serve the BNSF intermodal facility to the northwest of the subject site. The intermodal facility's purpose is to transfer loaded cargo containers from trains to trucks. LPKC is a 1500 acre master planned development. ELHC, the applicant for this project, is BNSF's partner for developing warehousing which is planned to eventually surround the intermodal facility.

The subject property is located to the North of 191st Street on the West side of Waverly Road and is zoned 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 truck, rail and other transport services. The property is located within the first phase of development and has an approved preliminary plat and preliminary site plan. The applicants have submitted a Final Site Plan but have agreed to withhold that request to allow time for some of the other projects that they have been working on to be finished. The proposed subdivision includes one lot-36.791 acres, one tract-3.069 acres (stormwater detention), the dedication of a proposed public street (187th Street) and the dedication of additional ROW width along Waverly Road. The Site Plan that has been submitted for this Lot 4 shows a proposed 654,656 square foot warehouse.

INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the rezoning and preliminary plat. Some conditions continue to exist as noted below.

- a. While Waverly Road is currently graveled, it is planned for future improvement to support intermodal and logistics park traffic. The City of Edgerton is currently in the process of working with a design/build firm for the construction of improvements of Waverly Road. Construction of Waverly Road and the grade separation at the intermodal lead tracts is expected to commence in early May and be complete by the end of 2015. 187th Street has already been complete to the West of the subject property and is also proposed to be completed as part of the Waverly Road Project. 191st Street West of Waverly is paved/heavy haul.
- b. The property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. Small areas of the plat included in this plat are located with the Special Flood Hazard Area (1% annual chance). This includes area in the Southeast of Lot 4 and the East and South of Tract B.
- d. The property does not currently have sanitary sewer service.
- e. The property is located within the service area of Rural Water District No. 7. A 12-inch water main is located along the Waverly Road property frontage. A 12-inch water main also appears to exist within the existing ROW for 187th Street located to the West of the property, although it does not appear to extend across the North part of the subject property at this time.
- f. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Rural Fire District No. 1. A fire station is located in the City of Edgerton, approximately 1.5 miles to the west.

FINAL PLAT REVIEW

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

- 1. Scale, the same used for the preliminary plat; North point; vicinity map. A different scale is being used for the Final Plat as the Final Plat only includes a portion of the area shown in the Preliminary Plat. The change in scale allows for the Final Plat to show improved detail and staff considers the change acceptable. Final Plat complies.
- 2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract. *Final Plat complies.*
- 3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. *Update Final Plat*
 - The plat currently shows all monuments being ½" x 24" Rebar while the regulations require 2" x 24" metal bar. Staff believes that the 2" measurement is a typographical error and that it should be ½".
 - Check dimension along west line of subdivision for 187th Street. The Final Plat for LPKC, Third Plat shows the dimensions for each half of this ROW as being

25.02'. The current plat shown a single dimension of 50.03'.

- 4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground. *Final Plat complies.*
- 5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. *The lot number and acreage calculation does not match the plat.* **Update Final Plat.**
- 6. A number for each lot, starting (if practical) in the northwest corner. *Staff suggests that the numbering of lots should match the numbering as shown on the Preliminary Plat. Based upon this information the lot would be considered Lot 6. The Preliminary Plat which was approved shows a larger area East and South of Tract B as a tract. Staff would suggest that this entire tract should be dedicated at this time as part of tract B. The current drawing leaves Tract B as a landlocked parcel. Update Final Plat.*
- 7. All easements with widths, and roads with curve data. Update Final Plat.
 - The dedication of the pedestrian easement lists City Engineer and should possibly be changed to City Community Development Director.
 - A cross access easement should be shown for the Southwest portion of this lot to provide access to a possible future lot that could be located just to the East. The Preliminary Plat shows a shared access point at this location and staff will not recommend any additional access points off of 191st Street. Staff will be discussing access point with City Engineer to make sure that it will not conflict with access point shown for TSL across the street.
 - The abbreviation of SS/E is not listed in the legend but is shown on the plat along the 191st Street ROW.
 - Easement descriptions along the Northern portion of Waverly Road include the designation of W/E while the legend specifies WL/E
- 8. Ingress/egress limitations if required. Final Plat complies.
- 9. The location of existing utility easements. Final Plat complies.
- 10. A written legal description from the survey. *The legal description does not match the dimension shown at the Southeast corner of the proposed lot. The drawing shows a 40' line segment extending West from the ROW for Waverly Road while the description includes a 90-foot measurement.* **Update Final Plat.**
- 11. An instrument of dedication for all roads and easements. *The dedication of the pedestrian easement lists City Engineer and should be changed to City Community Development Director.* **Update Final Plat**
- 12. Special notations required as a condition of platting by the Planning Commission. *Final Plat complies.*
- 13. Approved phases clearly delineated. *Not proposed to be developed in phases. Final Plat complies.*
- 14. Private travel easements. *Staff suggests that an access easement needs to be shown along the Southern extension of the Lot in order to provide shared access to any future lots that may be developed as shown on the Preliminary Plat.* **Update Final Plat.**
- 15. The Owner's Certificate with Notary Seal. Final Plat Complies.
- 16. Certificate of the Governing Body with City Clerk's attest and Seal. *Final Plat Complies.*
- 17. Edgerton City Planning Commission chair and secretary approval. *The existing Chairperson of the Planning Commission is Chuck Davis.* **Update Final Plat.**

- 18. Certificate of the Register of Deeds. *Register of Deeds uses their own stamp. No certificate required. Final Plat Complies*
- 19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. *County Surveyor uses their own stamp. No certificate required. Final Plat Complies*
- 20. Certificate of the Zoning Administrator. *Zoning Administrator is Kenneth A. Cook. Update Final Plat.*

RECOMMENDATION

City staff recommends approval of the Final Plat for Logistics Park Kansas City, Southeast, Second Plat, subject to compliance with the following stipulations:

- 1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of 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, storm water 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.
- 5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

ATTACHMENTS

Application FP2015-02 Final Plat for Logistics Park Kansas City, Fourth Plat

D PRELIMINARY SITE PLAN
NAME OF PROPOSED SUBDIVISION: Inland Port I
LOCATION OR ADDRESS OF SUBJECT PROPERTY: NW corner of 191st and Waverly
LEGAL DESCRIPTION: See attached
CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: L-P
TOTAL AREA:Acres NUMBER OF LOTS: AVG. LOT SIZE: Sq. Ft.
DEVELOPER'S NAME(S): ELHC V, LLC PHONE: 888, 7380
COMPANY: ELHC. V, LLC. FAX: 816.888.7399
MAILING ADDRESS: 5015 NW Canal St., Suite 200, Riverside, MO 64150 Street City State Zip
PROPERTY OWNER'S NAME(S): Same as dueloper PHONE:
COMPANY: FAX:
MAILING ADDRESS:
ENGINEER'S NAME(S): Chip Corcoran PHONE: 913.317.9500
COMPANY: <u>R.I.C</u> FAX:
MAILING ADDRESS: 5015 NW Canal St., Suite 100, Riverside, MD 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 ($8 \frac{1}{2} \times 11$) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.FS- 2015-02_	Amount of Fee Paid:\$.	630,76	_ Date Fee Paid:	3/30/15
Received By: Allra	Sbragg		_Date of Hearing:	N/A 36301/3-30-15
			icpi	50.501/9 50

SITE PLAN INSTRUCTIONS

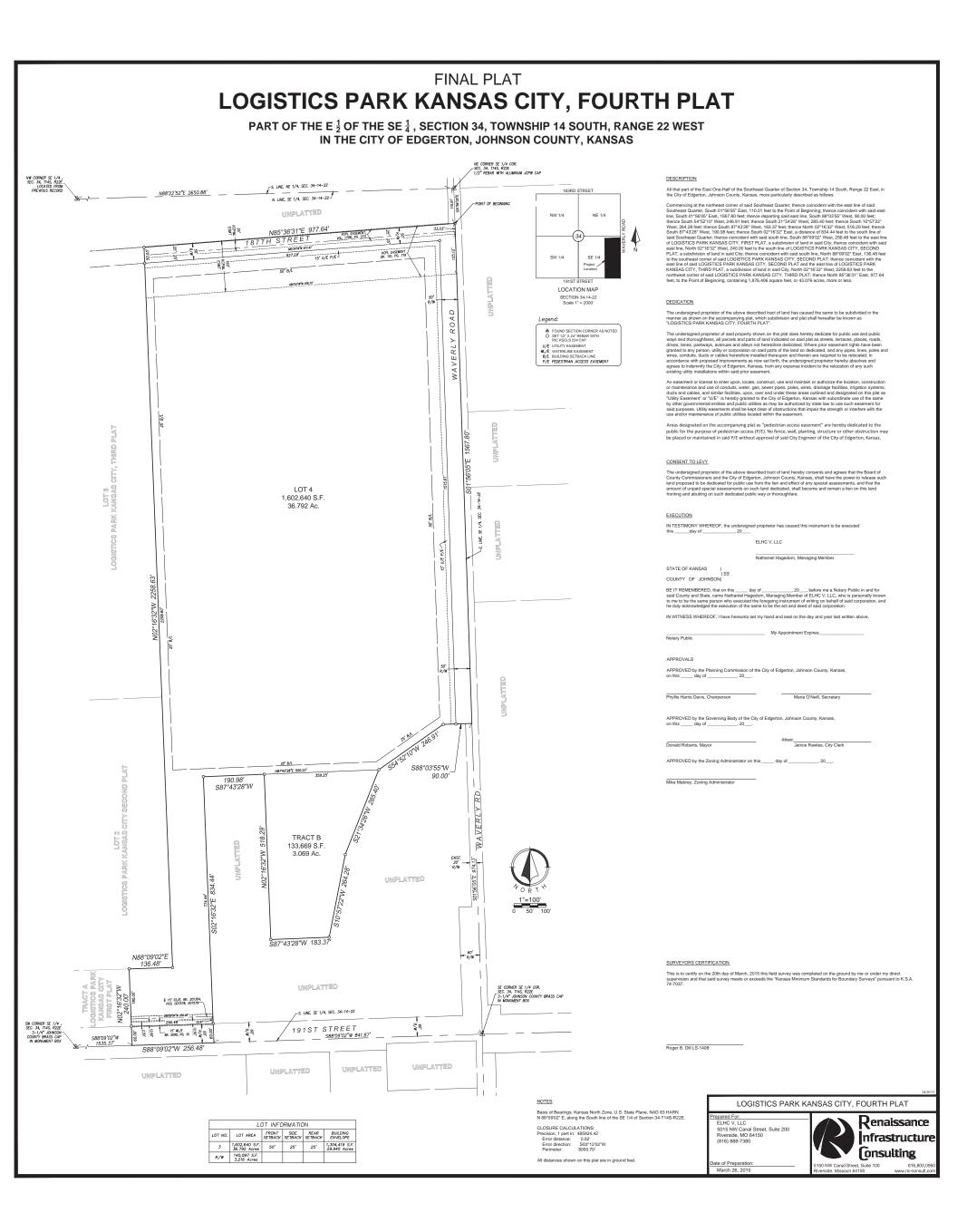
EDGERTON

global routes. local roots.

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





STAFF REPORT

April 30, 2015

To: Edgerton Planning Commission

Fr: Kenneth Cook, AICP, CFM, Community Development Director Re: FP2015-03 Final Plat for C Y Edgerton, L.L.C.

APPLICATION INFORMATION

Applicant/Property Owner:	C Y Edgerton, L.L.C.
Requested Action:	Final Plat – C Y Edgerton, L.L.C.
Legal Description:	See Final Plat attached
Site Address/Location:	32355 W 191 st Street. South side of 191 st Street 650 feet East of Homestead Lane
Existing Zoning and Land Uses:	City of Edgerton L-P Logistics Park. Vacant house and additional accessory structures
Existing Improvements:	Vacant House & Accessory Structures
Site Size:	31.585 Acres

PROJECT DESCRIPTION

The majority of this land was annexed into the City of Edgerton in 2011. The far northeast corner of the property that contains the single family residence was annexed into the City of Edgerton on October 24, 2013. The Preliminary Plat (International Trnasload Logistics -Kansas City) that was approved for this area and which also included the property located to the West was approved on November 12, 2013. The original Final Plat for this Lot 1 was also approved by the Planning Commission on November 12, 2013. The City Council accepted dedications of this plat on December 12, 2013. A Conditional Use for the operation of a Cargo Container facility was also recommended for approval on February 11, 2014 and was approved by the City Council on February 27, 2014. Since this time the property has been sold and is being developed by a different company. The current Final Plat application allows for the plat to be updated to included changes in how the property was proposed to be developed and updating all of the ownership information. The applicants have also submitted an application for Final Site Plan (FS2015-03) which will be heard by the Planning Commission. The applicant has indicated that they intend to operate a cargo container storage, maintenance and repair facility. The BNSF intermodal rail facility is located about 1/4 mile to the North, a grain transfer facility and warehouse industrial uses are located to the East along 191st Street. The logistics park and intermodal's primary function is to transport and redistribute containers and the products they contain.

The subject property is located to the North of 191st Street on the West side of Waverly Road and is zoned 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 truck, rail and other transport services. The property is located within the first phase of development and has an approved preliminary plat and preliminary site plan. The applicants have submitted a Final Site Plan but have agreed to withhold that request to allow time for some of the other projects that they have been working on to be finished. The proposed subdivision includes one lot-36.791 acres, one tract-3.069 acres (stormwater detention), the dedication of a proposed public street (187th Street) and the dedication of additional ROW width along Waverly Road. The Site Plan that has been submitted for this Lot 4 shows a proposed 654,656 square foot warehouse.

INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the rezoning and preliminary plat. Some conditions continue to exist as noted below.

- a. Homestead Lane and 191st Street are paved and designed to accommodate intermodal and logistic park truck traffic. Driveway and street connections will need to comply with city requirements regarding location and design.
- b. The property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. About four acres of the south part of the property is located within the flood plain of a tributary of Bull Creek. The site plan will need to avoid development within the floodplain. The floodplain area is ideal for a streamway corridor/park/public access use area.
- d. The property has sanitary sewer service via the Homestead Lane lift station located on Lot 2.
- e. The property is located within the service area of Water District No. 7. A 12-inch water main is located along the 191st Street property frontage.
- f. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Fire District No. 1. A fire station is located in the City of Edgerton, approximately 3 miles to the southwest.

FINAL PLAT REVIEW

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

- 1. Scale, the same used for the preliminary plat; North point; vicinity map. *Final Plat complies.*
- 2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract. *Staff's opinion is that it would be best to leave off 'L.L.C.' from the name of the subdivision. Final Plat complies.*
- 3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented

with a 2" x 24" metal bar. Update Final Plat

- The plat currently shows all monuments being ½" x 24" Rebar while the regulations require 2" x 24" metal bar. Staff believes that the 2" measurement is a typographical error and that it should be ½".
- No measurements are provided for the two monuments which are shown along the East line of the Plat within the 191st Street ROW.
- The three monuments listed as existing and in/adjacent to the 191st ROW list 'LS XX'. The number of the surveyor should be listed or the monuments should be labeled as origin unknown.
- 4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground. *Final Plat complies.*
- 5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. *No table is provided. Update Final Plat.*
- 6. A number for each lot, starting (if practical) in the northwest corner. *Final Plat complies.*
- 7. All easements with widths, and roads with curve data. Update Final Plat.
 - The previous approvals have discussed the need for cross access easements. It is also staff's understanding that previous discussion in regards to the development of this area (the subject property and the property to the West) included the discussion of an access easement or frontage Road to provide access to 191st Street to the property to the West. This also included the use of an access easement from the subject property and crossing the property to the West to provide an access to Homestead Lane.
 - There may be a need to provide a utility easement along the West property line. This could be planned as an easement that would be located half on the subject property and the other half be required as part of the development of the property to the West.
 - Property owner shall submit a plan for review and approval by City Engineer regarding service of utilities.
 - Drainage easements should be provided for the special flood hazard and detention areas. As has been stated above in the Infrastructure and Services section, and also mentioned in previous reports, these areas can be considered ideal for a streamway corridor/park/public access use area. The Southwest Area Plan shows a possible future train being located in this area. This could also require modification of the wording of the easement to allow for the use of a trail (access easement).
 - The floodplain note shown on the plat appears to be incomplete as the Northern portion of the property is also located on FIRM map number 20091C0119G.
 - The property owner shall agree to sign an agreement not to protest formation of benefit district for 191st Street sidewalk improvements prior to recording of final plat.
 - Easement descriptions along the Northern portion of Waverly Road include the designation of W/E while the legend specifies WL/E
- 8. Ingress/egress limitations if required. *Need to discuss the issues of cross access easement and/or frontage roads for access to the property to the West. The property*

located to the West was originally shown as Lot 2 on the Preliminary Plat and these issues need to be taken into consideration as part of the previously approved preliminary Plat. **Update Final Plat.**

- 9. The location of existing utility easements. Final Plat complies.
- 10. A written legal description from the survey. Final Plat complies.
- 11. An instrument of dedication for all roads and easements. Final Plat complies.
- 12. Special notations required as a condition of platting by the Planning Commission. *Final Plat complies.*
- 13. Approved phases clearly delineated. *The property was originally shown as being developed in 5 phases. The applicant has submit a Final Site Plan that shows the property being developed in two phases for uses purposes. Staff's opinion is that no additional phasing plan in needed. Final Plat complies.*
- 14. Private travel easements. The previous approvals have discussed the need for cross access easements. It is also staff's understanding that previous discussion in regards to the development of this area (the subject property and the property to the West) included the discussion of an access easement or frontage Road to provide access to 191st Street to the property to the West. This also included the use of an access easement from the subject property and crossing the property to the West to provide an access to Homestead Lane. **Update Final Plat**.
- 15. The Owner's Certificate with Notary Seal. Final Plat Complies.
- 16. Certificate of the Governing Body with City Clerk's attest and Seal. *Final Plat Complies.*
- 17. Edgerton City Planning Commission chair and secretary approval. *Final Plat Complies.*
- 18. Certificate of the Register of Deeds. *Register of Deeds uses their own stamp but do require an area approximately 4 inches by 4 inches in the top left hand corner. No certificate required. Final Plat Complies*
- 19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. *County Surveyor uses their own stamp. No certificate required. Final Plat Complies*
- 20. Certificate of the Zoning Administrator. Final Plat Complies.

RECOMMENDATION

City staff recommends approval of the Final Plat for C Y Edgerton, L.L.C. Plat, subject to compliance with the following stipulations:

- 1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of 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, storm water 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.
- 5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

ATTACHMENTS

Application FP2015-03 Final Plat for C Y Edgerton, LLC



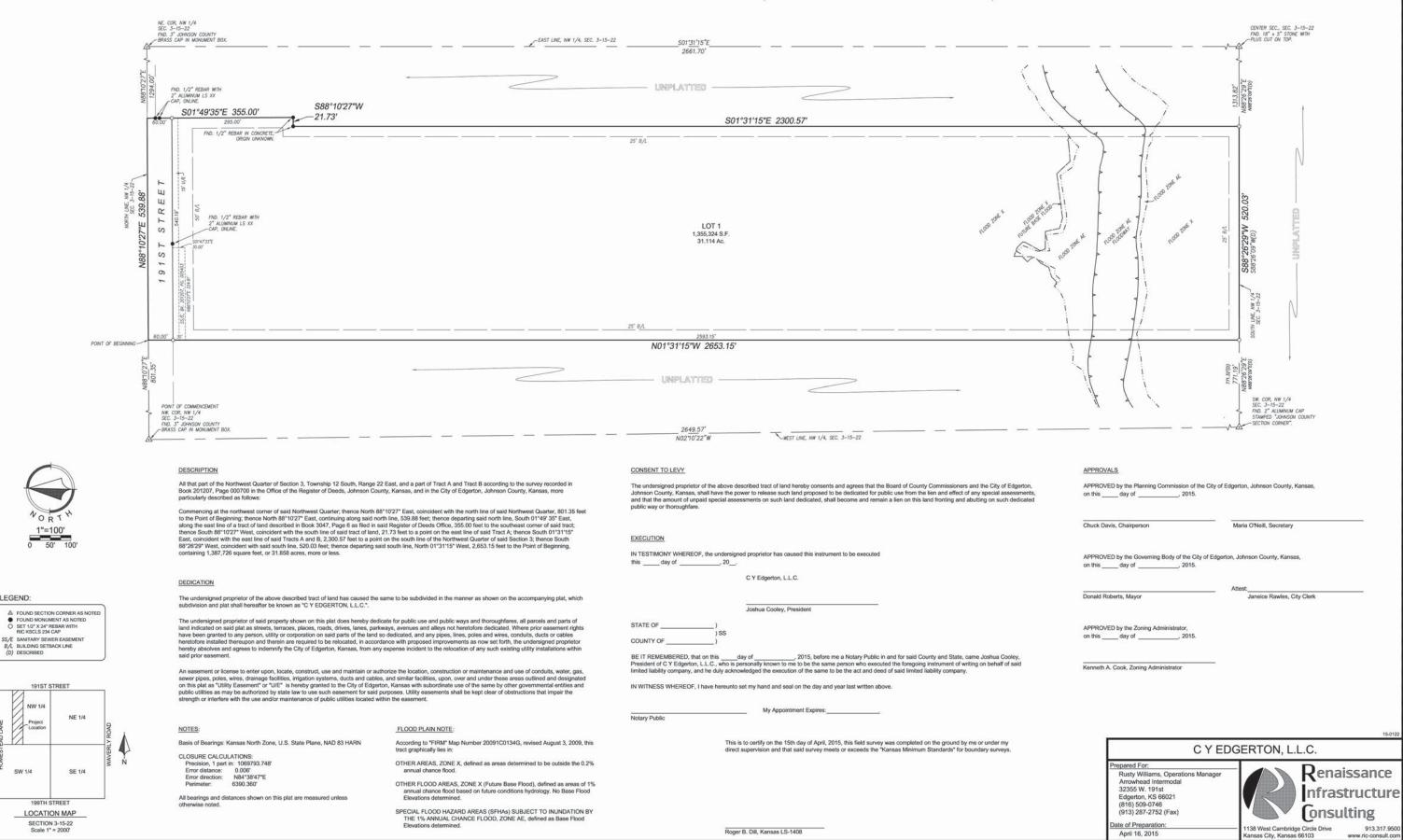
Final Plat Application Fee: \$300 Plus \$10 Per Lot

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COMPANY: Arrowhea	d Intermodal		FAX: 913-287-2	?752		
MAILING ADDRESS:	32355 W 191st Stree Street			KS State	<u>66027</u> Zip	trennen feissteren
PROPERTY OWNER'S N	AME(S): Rusty Williams		. PHONE: 816-5	09-0746		
COMPANY: <u>CY Edger</u>	lon, LLC		FAX: 913-287-2	2752		
MAILING ADDRESS:	32355 W 191st Street	Edgerton		KS	66027	
	Street	City		State	Zip	
ENGINEER'S NAME(S):	Roger Cassity		PHONE: 913-3	17-9500		****
COMPANY: Renaissanc	e Infrastructure Consultin	<u>a</u>	FAX: <u>816-800-0</u>	951		
MAILING ADDRESS: 11	<u>38 Cambridge Circle Dr.</u> Street	Kansas City		KS	66103	
SIGNATURE OF OWNEI NOTE: Ten (10) copies of t must also be submitted wit	R OR AGENT:	City <u>A. Un U</u> I by owner, authorization It must accompany this ap				11}
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SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

FINAL PLAT C Y EDGERTON, L.L.C.

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



LEGEND:

(D) DESCRIBED

W 1/

Project

SW 1/4



STAFF REPORT

May 6, 2015

- To: Edgerton Planning Commission
- Fr: Kenneth A. Cook, Community Development Director
- Re: Application FS2015-03 for the Final Site Plan for C Y Edgerton, LLC

APPLICATION INFORMATION

Applicant/Property Owner:	Rusty Williams, CY Edgerton, LLC
Requested Action:	Final Site Plan – CY Edgerton, LLC
Legal Description:	Part of Section 3, Township 12, Range 22
Site Address/Location:	32355 W 191 st Street. South side of 191 st Street 650 feet East of Homestead Lane
Existing Zoning and Land Uses:	City of Edgerton L-P Logistics Park. Vacant house and additional accessory structures
Existing Improvements:	Vacant House & Accessory Structures
Site Size:	31.11 Acres

PROJECT DESCRIPTION

The applicant has prepared an amended final site plan based on a previously approved final site plan and L-P, Logistics Park District zoning requirements. The previous final site plan was originally approved by the Planning Commission on December 10, 2013. A Conditional Use for the operation of a Cargo Container facility was recommended for approval on February 11, 2014 and was approved by the City Council on February 27, 2014. Since this time two extensions have been granted by the Planning Commission to allow for the completion of all planning requirements and for the paving of the site. The property was also recently sold and is now being developed by a new company. Staff has included copies of the previously approved Final Site Plan and Conditional Use for reference.

Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity on and around the intermodal facility. The logistics park and intermodal's primary function is to transport and redistribute containers and the products they contain. Since they are not in the business of storing containers for an extended period of time, there is a need for companies, like the applicant's, that specialize in storage and maintenance.

STAFF ANALYSIS

The subject property is zoned L-P, Logistics Park. Permitted uses include rail yards, distribution, warehousing, and related uses. 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.

Cargo container storage facilities, such as this proposal, are allowed in the L-P District as a conditional use. A previously approve conditional use is in effect for the property. A copy of the resolution approving the conditional use is attached. While the Conditional Use was granted to the previous property owner, all of the conditions placed upon the approval must still be complied with. If the current property owner desires to have any of the conditions changed, they can submit a new application for a Conditional Use to amend the existing Conditional Use. The applicant proposes the use of existing buildings for office and transfer dock uses.

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. *Staff suggests that the LLC be doped from the name. The Zoning Designation of the property needs to be added and a reference should also be made to the conditional use (CU-11-15-2013; Ordinance #966) which was approved for the property. Update Site Plan.*
 - 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. *The gross square feet of the buildings needs to be added including the proposed uses. The data table also does not include the anticipated number of employees and the BOCA or Uniform Building Code or NEPA 101 Life Safety Code Occupancy Design Load. Update Site Data Table*
 - d) The name of the architect, engineer, surveyor or draftsman. *Final Site Plan complies.*
 - e) The specified certificates and signature blocks. *Names and titles of the individuals signing the site plan should be included under the signature lines: Kenneth A. Cook, Zoning Administrator; Chuck Davis, Chair of Planning Commission. An optional certificate is also provided in the UDC if parking spaces are allowed to encroach within setback lines. This certification may be required if the Planning Commission allows for the location of the trailer parking spaces to encroach as currently shown on the plans. Update signature blocks.*

- 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. *Update Site Plan*
 - Trash containers and screening have not been shown.
 - Sidewalks have not been shown from the building to the street
 - b) A table entitled "Planting Schedule" which lists the common name, size and condition of all planting materials, together with a timetable for planting. *No timeline for planting is included.* **Update Site Plan**
- 3. Sheet #3
 - a) A site map with the following features.
 - i) Topography at reasonable intervals. *Contours are included. Final Site Plan complies.*
 - 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. Pedestrian access needs to be provided from the building out to future sidewalks to be constructed along 191st Street. Staff would suggest that a sidewalk should be provided along the East side of the driveway entering the facility.
 - v) Exterior lighting specifications. *The exterior lighting for the site is shown to only include the area adjacent to the gate. Final Site Plan complies.*
 - vi) Site entrance and connections to streets. A single site entrance is shown. The previous site plan and the preliminary plat both show access easements on the proposed lot 2, which is not part of this current request. It is also staff's understanding that the issue of an access easement or frontage road had also previously been discussed along the front of this property in order to provide access to Lot 2 from 191st Street. Staff also understands that a requirement was included as part of a purchasing agreement on this property which stated an access point would be provided across this property to the proposed Lot 2. It is anticipated that only one access point will be permitted to 191st Street between these two properties. While the City of Edgerton has not adopted an official Access Management Code, we have typically referred to the City of Gardner Access Management Code. Section 13 of this document discusses the issue of Unified Access and Circulation and includes the following items:
 - Neighboring parcels with driveways that could reasonable be shared (as determined by the City Engineer) shall share access points.
 - The number of connections shall be the minimum number necessary to provide reasonable access to the overall development and not the maximum available for the development's frontage.
 - When a property or development abuts two roadways, access should first be considered off of the lower classification street.

The Final Site Plan needs to be update in order to show the access to the adjoining property.

vii) The location of easements. *The 15 foot easements shown along the road ROWs include the same area shown as the required ROW buffers. The Western portion of the property also contains an easement for Sanitary Sewer (existing forced*

main) that the landscaping could also conflict with. This is the same issue that has been discussed on a number of previous projects. The location of landscaping in the easement can create a conflict with the utility lines and could require the removal of landscaping as part of the maintenance of utilities. The property owner will still be responsible for the replacement of landscaping removed in such a circumstance. It may be appropriate in these types of situations to allow the ROW buffers to be located behind the utility easements. The existing site plan shows parking areas extending into the front setback and does not currently provide space for landscaping outside of these easements. **Final Site Plan Complies.**

- viii) Connection point for utilities. *The site utility plan shows proposed connections for water and sewer. The sewer line shown being constructed within the ROW will need to be an extension of the sewer main. 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. Plans for the extension of the Sanitary Sewer main must be submitted and approved.*
- b) A sketch of the entry sign, and all other free-standing, façade, and building signs to be used on the premises. *Final Site Plan Complies*
- c) Features to facilitate handicapped access. It appears that the only access into the building will be through the double swing gate. The one proposed ADA space is located at the opposite end of the parking lot and would be required to travel through the parking lot and into the driveway in order to access the building. It also appears as though the Northern gate might interfere with access into the parking lot. The accessible parking spaces and access areas should not exceed 2% slope in any direction. Pedestrian access from the parking lot should also be provided that does not require entrance into the main drive.
- d) Profile and detail for roads (if required). NA.
- 4. Sheet #4
 - a) Scale drawing of building floor plans. An overall floor plan has been submitted for the main structure. The floorplan only shows the overall footprint and does not include the improvements inside of the structure. Floor plans have not been provided for a second structure that is also located on the property and which is shown on the plans as remaining. **Update Final Site Plan.**
 - b) Dimensions and use of rooms and areas. Update Final Site Plan
 - c) Dimensions of entrances/exits and corridors. Update Final Site Plan
 - d) Interior specifications for handicapped accessibility as required by ANSI 117.1 and this ordinance. *Update Final Site Plan*
- 5. Sheet #5
 - a) Scale drawings of all building elevations. *Final Site Plan complies.*
 - b) Roof pitch and materials. Final Site Plan complies
 - c) Siding type and materials, including fascia. *Final Site Plan complies*

Section 5.2 Logistics Park (L-P) District regulations

SETBACK, YARD, AND AREA REGULATIONS:

- 1. <u>Building Coverage</u>: The maximum building coverage in the L-P District is 50%. *With a site size of 1,355,324 square feet and two buildings (6,300 SF & 3,600 SF) containing 9,900 square feet, building coverage is substantially below the maximum at 0.7%. Final Site Plan complies.*
- 2. <u>Setbacks from the street right-of-way or property line</u>: *The Final Site Plan appears to comply with the standard L-P District setback requirements but does not appear to fully comply with the requirements specified for Cargo Container Storage Facilities and Cargo and Maintenance Facilities (Section 7.2.D.2.a). These requirements will be reviewed separately. Additional Information also needs to be provided for the accessory structure.*
 - a. Front. The final site plan shows the 50 foot building setback line which is also shown on the proposed plat and complies with the requirements of the L-P District. No permanent structures encroach into the front setback but it would appear that
 - b. Side (Typical). The standard minimum setback is 25 feet. This setback can be increased for certain structures if the property is adjacent to a single-family residential use. Structures that are greater than 20 feet in height are required to be setback at least 50 feet and structures in excess of 45 feet are required to be setback at least 100 feet. A single-family dwelling is currently located to the East of the subject property but the permanent structure closest to this property line is approximately 190 feet away. While an accessory structure is located just more than 25 feet from the West property line, no building details have been provided in order to determine if the structure height is greater than 20 feet and therefore would require compliance with a 50 foot setback
 - c. Side at Street (Typical). NA
 - d. Rear. *The requirements for the rear setback are the same as for the side yard and the subject property complies.*
- 3. <u>Maximum Building Height</u>. *The building height is approximately 26.4' when measured to the peak of the roof. The L-P District exempts 'ornamental towers and spires' from this requirement. The maximum height permitted is 110 feet. Final Site Plan complies.*
- 4. <u>Building Separation</u>. A minimum building separation of twenty (20) feet is required. *All existing buildings comply with this requirement*. *Final Site Plan complies*.
- 5. <u>Accessory Building and Structure Regulations</u>. Any accessory building shall have a façade similar in character with the façade of the main building, including utilization of similar fenestration and materials. In no case shall the façade of an accessory building consist of metal where the accessory building directly faces a public street, residential use or public open space. One accessory structure is located approximately 750 feet south of the front property line. The structure's façade is metal but is only partially visible from the street due to the topography of the site and its distance from the front property line. This structure might become slightly more visible as the grading plan shows an existing highpoint being removed and the slope from the front of the site to the structure will maintain a more consistent slope. The structure might also become more visible once the dirt pile on the adjacent property is removed and also depending upon how the adjacent property is developed. It can be anticipated that the building will be screened from the public view (191st Street) by the containers placed on the property. Final Site Plan complies.

DISTRICT REGULATIONS:

- 1. A minimum of three exterior walls shall be of materials other than metal. Both buildings shown on the plans as not being removed have metal exteriors. Staff meet with the applicant to discuss options that might be available and did express that the Planning Commission does have an ability to allow modifications to this requirement. The applicants primary concern was that the structure is currently a pole barn and that facing the structure with other material may be difficult or impossible. The main item that was discussed was in regards to the ability to place these types of material on the large sliding doors on the West side of the structure, along with the area along the face of the structure that these doors slide. Staff suggested that the applicant could propose an alternative design that could be reviewed by the Planning Commission for a possible modification. Staff did express the opinion that while it might be possible to be allowed a modification for the doors and adjacent areas, it was unlikely that any modification would be permitted along the Northern face of the building that directly faces 191st Street. Staff did suggest that Section 5.2.1.3 also provides for the use of cementitious products (eq stucco, hardy plank). This section does limit the quantity of such materials to 50% of the area where it is deemed important as a design feature. Staff understands that the issue of the use metal for the façade of this structure has been discussed during all stages of this proposed development and it has always been stated that this would not be permitted. While the ownership of the property has changed since the last time an item involving this property has come before the Planning Commission, staff had discussions with the new owner prior to purchase that this was a specific item that would need to be complied with. Final Site Plan does not comply. The Planning Commission may want to determine if any modification to this requirement should be permitted. Staff would suggest that some modification could be considered warranted for the doors and the directly adjacent area. Staff however would not recommend any modification to this requirement for other portions of the building.
- 2. All operations other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building. *The primary function of this type of use includes the storage of containers, chassis and other equipment and was approved as part of the conditional use for the property. It is staff's opinion that the storage of containers and chassis on this property would be considered in compliance while the storage of other materials which may be part of the operation or which might have been removed from a container would be required to comply. The Planning Commission could determine that additional landscaping should be required as part of this operation. The Planning Commission may need to approve an alternative landscape plan in response to the unique characteristics of this site. This may need to include additional landscaping, fencing or berms, especially within the areas of ROW buffers or adjacent to the residential Dwelling to the East.*
- 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 twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the 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. *It is again staff's opinion that the storage of containers*

and chassis is permitted as part of the conditional use and does not require compliance with this standard. The storage of other accessory materials and equipment would still require compliance with this standard. The Planning Commission may need to approve an alternative landscape plan in response to the unique characteristics of this site. This may need to include additional landscaping, fencing or berms, especially along the areas of ROW buffers or adjacent to the residential Dwelling to the East.

DESIGN GUIDELINES:

- 1. When more than one (1) building is planned for L-P district property, the development plan shall demonstrate integration and coordination of the architectural design for buildings, structures, and landscaping and open space. *The proposed building is unique in that the applicant is proposing to make modifications to an existing building rather than requiring the construction of a new structure. It is staff's opinion that no metal should be used on the North façade of the building. The Planning Commission may want to discuss if any modifications of the accessory building should be required in order to comply with this requirement. Staff's recommendation is that the accessory structure is located far enough from the front property line and will also be screened by the storage occurring on the property, that no modifications are necessary. The construction of new structures or the reconstruction or modification of existing structures should require compliance with this standard. Update Final Site Plan.*
- 2. Buildings should be oriented so that the front or side of the building faces the public street frontage of the property. The City may consider an exception to orient a rear elevation towards a public street for unique situations due to the configuration of the lot. *Staff's would suggest that the principle structure appears to comply with this requirement. The only possible question that could be considered is that the main issue to the building is located along the Western side of the building. Final Site Plan Complies.*
- 3. The City may require that loading and service areas are screened from public view with landscaping, berming, facade walls, or fencing. *The large sliding doors are visible from the public ROW but will most likely be screened by storage containers located on the site. Other service uses are anticipated to occur either inside of the main structure or towards the back of the site near the second structure located on the property. Final Site Plan Complies*
- 4. The City may require a solid or semi-solid fence, or wall at least six feet (6'), but not more than eight feet (8') high, and having a density of not less than eighty percent (80%) per square foot be provided adjacent to an adjoining residential district unless the adjacent residential district and the office development or separated by a street right-of-way. The wall shall incorporate architectural elements similar to what the primary buildings are constructed with, such as stone or masonry. The fence design should vary in order to break up long expanses of single material in a straight line. For example, brick or rock walls may be varied in pattern or location, including offsets; wooded privacy fences may be varied through use of brick, rock, or wrought iron details. The owner or owners of the property in the L-P District shall maintain the fence or wall in good condition. *The current final site plan does not include any screening from the adjoining residential use and actually shows operational areas being located within the setback area which is specified in the Conditional Use requirements. Site Plan does not comply.*
- 5. When development is proposed adjacent to any existing residential development, site plan approval, including building elevations, landscaping, and screening shall be approved by the City. *A residential dwelling is currently located on the adjacent property. The adjacent*

property is also being used for agricultural purposes. Additional landscaping and screening should be provided adjacent to the dwelling, as has been suggested in the conditional use report. The conditional use section of the UDC describes additional requirements that are placed on this type of facility when it is adjacent to a residential use. A copy of the conditional use report that was prepared for this property is attached. **Update Final Site Plan.**

6. Pedestrian access within a development and adjacent public and private property shall be considered as a component to the design of an employment center. *Sidewalks should also be provided to connect the sidewalks at entrances to the public sidewalks adjacent to the street ROW. The fence located adjacent to the proposed double swing gate may need to be adjusted to provide better pedestrian access.* **Update Final Site Plan.**

ARCHITECTURAL DESIGN STANDARDS

- 1. Building Massing and Scale. A building's massing is defined as its exterior volume. The height, width and depth of a structure create the overall massing of a building. A building's scale is the relationship of its overall size and its component parts with its adjoining spaces and buildings. *The applicant is proposing to reuse the existing buildings which are already located on the site. This includes some modifications to the façade of the main building in order to comply with requirements of the types of materials that are allowed. Staff would suggest that the preference for development for this site would be for the principle structure to be located closer to the road so that the operational areas of the site would be located farther back from the ROW and at least partially screened by the building. The existing building's massing and scale could actually be considered as underwhelming, especially as compared to the warehouse structures being built in the area and even the anticipated impact of the storage and stacking of containers. The current massing and scale requirements deal more with the issue of structures that overwhelm the site due to their size. Final Site Plan complies.*
- 2. Large expanses of blank walls of any material or metal siding are not allowed. Building facades over one hundred feet (100') long facing public right of way or residential property shall break up massing of buildings by dividing building façade into smaller components with a minimum of three (3) of the following elements:
 - a. articulating details around doors, windows, balconies, plate lines, providing details such as "belly-bands," recessed design elements, interesting cornice treatment details, exposed expansion joints, reveals, change in texture, or other such methods of visual relief;
 - b. Avoiding long, repetitive, monotonous facades particularly those that repeat the same design element several times along the same elevation
 - c. Use of darker building color and varied wall treatments
 - d. Varying roof lines (see Vertical Articulation section)
 - e. Change of wall plane (see Horizontal Articulation section)

As has already been stated, the applicant is proposing to use two existing structures which are already located on the property and is proposing to make some changes to the exterior of the structure to bring it into compliance with the standards of the L-P District, including the type of materials that are permitted. Both of these existing structures currently consist of metal façade. The front (main) structure is a 60 foot by 105 foot pole barn. While the front face of the building is less than the 100 foot measurement mentioned in this regulation, the East and West faces of the building are slightly over at 105 feet. As the property located to the East of the Subject property is currently zoned County RUR (Rural Residential) the East side of the structure should comply with this standard. The plans should use three of the above elements. The only element that staff considers as currently being used is the change in texture between the stone veneer and the metal siding. This creates an issue in that the use of metal is not permitted. **Update Final Site Plan.**

- 3. Building Materials. One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials. The structure currently consists of metal siding and the applicants are proposing to install a cultured stone veneer for the first 8 foot and to repaint the remainder of the metal siding. Metal siding is not considered a permitted material, although Section 5.2.H specifies that buildings with metal exteriors are only required to provide a façade of other materials on three walls. Staff has suggested that it may be appropriate to allow for some modification to this requirement due to the large sliding metal doors and adjacent wall areas on the East face of the buildings. Staff recommends that the South and West walls of the structure need to fully comply with these standards if the Planning Commission would decide to grant relief of this requirement for the East face. These standards and staff's understanding of the Planning Commissions expectation for compliance for this structure was directly expressed to the current owner of the property during the city's first meeting with them, prior to their purchase of the property. Update Final Site Plan.
- 4. Façade Guidelines
 - a. Horizontal Articulation. Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the maximum length of the first plane. The City may allow exceptions to this requirement upon review and approval of a typical façade elevation. Walls not facing a public right-of-way or a residentially zoned property and walls with loading dock doors are exempt from the horizontal articulation requirement. No horizontal articulation is required along the South or West elevations of the building as they do not face public ROW or residentially zoned property. The height of the structure to the peak is approximately 26.4 feet. The L-P district actually considers the height of this structure to be 21 feet as the height that is used is to the midpoint of a gable roof. This standard requires that horizontal articulation be provided for walls with a length greater than 84 feet (105.6 feet of the peak height is used). Based upon this calculation, no horizontal articulation is required along the North elevation as the wall is only 60 feet in length. Horizontal articulation is technically required along the East elevation as it faces a residentially zoned property and is longer than 84 feet. Staff would suggest that the Planning Commission consider providing an exception to this requirement as the structure is not substantially over the requirement and if the height to the peak is used for this calculation, the structure would actually comply. Staff suggests that any additions to this structure be required to be designed to bring the structure in compliance with this standard. Planning Commission Consider Granting an Exception.
 - b. Vertical Articulation. Walls facing a public right-of-way or a residentially zoned property shall not extend for a distance greater than four (4) times the height of

the wall without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). The City may allow exceptions to this requirement upon review and approval of a typical façade elevation. *Like the horizontal articulation requirement, walls not facing a public right-of-way or a residentially zoned property are exempt from this requirement. The length of the North elevation is again less than the distance that would require compliance. The Eastern elevation would still technically require compliance. Staff again suggest that the Planning Commission consider providing an exception to this requirement but that any future additions to the structure be required to be designed to bring the structure in compliance with this standard.* **Planning Commission Consider Granting an Exception.**

- c. Screening of Rooftop Equipment. For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls. *No rooftop equipment is proposed. Final Site Plan Complies*
- d. Color Palette. Earth tones, muted hues, and natural tones are permitted as structures' basic colors. Brighter hues are permitted only as an accent color on building elements such as awnings, doors, and trim. A mixed color palette on a single building should be carefully selected so all colors harmonize with each other. *The proposed colors shown for the walls would appear to comply with this requirement. The green of the roof and awning could be considered as an accent color, although no calculations are provided for the amount that is provided. Update Final Site Plan to include calculation of percentage of accent color.*

	Required	Allowed
1 st Accent Color	10%	20%
2 nd Accent Color	0%	10%
3 rd Accent Color	0%	10%

Accent colors should be applied using the following guidelines:

*Percentage calculations shall utilize the entire façade area.

PARKING AND LOADING

- 1. <u>General</u>. The plan addresses the general parking and loading requirements as follows:
 - a. Parking space dimensions of at least 9 by 20 feet per space are required. *8* parking spaces are required. The Final Site Plan shows 14 regular car parking spaces with 1 ADA spaces. No dimensions are provided to show the size of parking spaces.
 - b. All Parking areas shall be setback a minimum of 30 feet from any street rightof-way line and from the property line of any residentially zoned property or 10 feet from the property line zoned for other than residential. *The property located to the East is currently located in Johnson County and is Zoned RUR, Rural Residential. The site plan currently shows parking area as being located within 20 feet of this property line while this standard would require a minimum setback of at least 30 feet.*
 - c. Adequate loading spaces off the public right-of-way are shown.

- d. Parking is all on asphalt or concrete.
- e. Off-street space for loading and unloading of goods is provided. *156 truck spaces and 170 future truck stalls.*
- f. Shipping, loading, maneuvering, and parking areas meet the setback requirements. *Update Final Site Plan.*
- 2. <u>Warehouse/Distribution Center and Large Building Parking Space Exceptions</u>. Parking shall be required per City standard based upon individual land use, except Warehouse or Distribution Center land uses, which shall require one (1) space per two thousand (2,000) square feet of building area. Buildings in excess of one hundred thousand (100,000) square feet or users with specific parking needs may provide an independent parking study to the City for approval. *NA*

OFF-STREET PARKING STANDARDS

- 1. <u>Maneuvering</u>. It appears that adequate space is provided on the plan for vehicle maneuvering off the public right of way. *Final Site Plan complies*.
- 2. <u>Parking Spaces and Aisle Surfaces</u>. All parking spaces, aisles and maneuvering areas are all-weather surfaced and are connected by all-weather surfaced driveways to the street, as required. *Final Site Plan complies*.
- 3. <u>Parking Space and Aisle Dimensions</u>. Parking space dimensions of at least 9 by 20 feet per space are required. *No dimension of the parking spaces is provided. They appear to be less than 9 by 20 feet.* **Update Final Site Plan.**
- 4. <u>Wheel Stops</u>. Wheel stops or curbs are required for parking spaces around the perimeter of the parking lot and adjacent to sidewalks. *Parking spaces are not adjacent to required landscaped areas, public ROW or public sidewalks and Curbs are also indicated on the site plan around parking areas. Final Site Plan complies.*
- 5. <u>Parking layout with 90 degree spaces and two-way traffic</u>. *No dimensions are provided for parking area.* **Update Final Site Plan.**

OFF-STREET LOADING STANDARDS

- 1. <u>Access</u>. Loading facilities shall be located adjacent to a public access-way or private service drive. *Final Site Plan complies*.
- 2. <u>Minimum Loading Space Dimensions</u>. Loading spaces shall be a minimum of twelve (12) feet in width, sixty-five (65) feet in length, and fourteen (14) in height except as may otherwise be approved by the City. *The Site Plan shows trailer parking spaces that are dimension 45 feet by 12 feet. While sufficient space is provided adjacent to the main building and in other locations around the site to provide for loading spaces, the gross floor area of the buildings are 9,900 square feet. The L-P District requires that the gross floor area exceed 10,000 square feet before loading spaces are required. <i>Final Site Plan complies.*
- 3. <u>Use of Loading Spaces</u>. Off-street loadings spaces shall be used only for temporary loading/unloading operations and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials or products. *No loading spaces required. Final Site Plan complies*
- <u>Number of Loading Spaces Required</u>. A use which receives or distributes material, supplies or merchandise by motor vehicle is required to provide spaces based upon the following requirement: (a) 0-9,999 square feet None; (b) 10,000-100,000 square feet 1 spaces; 50,000-100,000 2 spaces; and, 100,001+ 1 additional space per 100,000

square feet. Based upon this standard the property is required to provide no loading spaces. Final Site Plan complies

5. <u>Temporary Outdoor Storage Regulations for Cargo Containers, Operational Trailers, and</u> <u>Tractors</u>. The L-P District requires that outdoor parking or storage spaces for cargo containers, operational trailers and tractors must be screened from view by either a masonry wall of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. The height of the screening must be sufficient to block view of the equipment or vehicles from a public right-of-way. Where a masonry wall is used to satisfy this requirement, foundation planting must be provided on the exterior face of the wall. These spaces must be clearly demarcated solely for tractor and trailer storage. *This requirement does not comply as the property has a Conditional Use approved for the operation of a Cargo Container Storage, Repair or Maintenance Facility.*

PHOTOMETRICS -

- 1. <u>General</u>. 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. *The photometric plan that has been submitted includes three lights which are located in the area of the parking lot and the principle building.* **The addition of any** *additional exterior lighting will require future approval of an amended photometric plan.*
- 2. <u>Submittal Process and Review</u>. Photometric plans shall graphically depict illumination layout and foot candle values within area being lighted as well as along all adjacent property lines. In lieu of the requirements set forth in this Section, and alternative photometric plan may be submitted to the City for its approval. An alternative photometric plan shall include innovative design techniques in response to the unique characteristics of a particular site.
- 3. <u>Types of Lighting Systems</u>. Parking Lot Lighting Facilities Parking Lot lighting facilities shall provide illumination within parking areas not to exceed a maintained average of one and one half (1.5) foot candles at ground level, and shall not distribute more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. For uses with 24 hour operations or uses that operate during the evening and night, a maximum maintained average of two and one half (2.5) foot candles at ground level shall be allowed; such uses shall distribute not more than one half (0.5) foot candles of light at the property line and two tenths of one (0.2) foot candle of light upon any adjacent single family residential property. A minimum average of the greater of either one (1) foot candle (maintained) or that required by applicable IESNA practice shall be required to be maintained. While it is anticipated that the standard is meet (if this operation is considered as a 24 hour operation or operates during the evening and night), the calculated measurements do not extend to the property lines, or to a point where the level of illumination drops below the required maximum at the property line. Update Photometric Plan.
- 4. <u>Sign Lighting</u>. All sign lighting shall be designed to minimize uplight. The use of floodlights to illuminate signage shall be done in a manner that eliminates glare along adjacent roadways and properties. *No sign lighting is shown on the plans. Any*

change to sign lighting will require submittal of an update photometric plan. *Photometric Plan Complies.*

- 5. <u>Maximum Height of Lighting Facilities</u>. The maximum height of lighting facilities shall be 180 feet measured from ground level to the top of the structure. *No height of lighting facilities is provided.* **Update Photometric Plan.**
- 6. Light Trespass Control Measures.
 - a. <u>Luminaire Design and Location</u>. Any luminaire whose distance from a lot line is less than three (3) times its height shall be shielded so that all direct light cast in the direction of streets or abutting residential lots is cut off at an angle no more than seventy (70) degrees measured from a vertical line directly below the luminaire. This requirement shall apply to all sides of the luminaire that emit light toward a lot line that is less than three (3) times the height away from the luminaire. The cut-off may be accomplished either by the luminaire photometric properties or by a supplementary external shield. *No height of lighting facilities is provided.* **Update Photometric Plan.**
 - b. <u>Lighting Shield Design</u>. Additional shields that are installed to control light trespass and glare as required herein shall be designed so that the parts of the shields that are exposed to the direct light of the luminaire and visible from streets or abutting residential lots shall have a flat-black, low reflectivity finish. *Verify that any proposed shields Comply.*
 - c. <u>Electrical Design</u>. All electrical systems shall be designed in accordance with the National Electrical Code (NEC). *Will be reviewed at Building Permit.*

LANDSCAPE STANDARDS

- 1. <u>Right-of-way Buffer Width Requirements</u>. ROW buffer requirements for a 2 lane or 4 lane undivided road includes 1 tree per 50 LF of ROW within a 10 foot buffer width. The Buffer Planting Standard (Table 3) specifies further that Hedge/Shrub/Evergreen is required at a maximum spacing of 48 inches with at least 25% being located within the buffer area. Landscape Plan does not comply.
- Perimeter Landscape Buffer Requirements. The perimeter landscape requirements are based upon the use of the adjacent property. The adjoining properties include the following uses (Zoning): East – Residential & Agricultural (County RUR – Rural Residential) – Type 4 Buffer; South – Residential & Agricultural (County RUR) – Type 4 Buffer; and West – Agricultural (AG) – Type 2 Buffer.

West – Along the West property line the UDC specifies that the type 2 buffer is not required to extend beyond the front face of the building. No landscaping is shown on the plans in this area. A type 2 buffer requires canopy trees or evergreens to be placed at a maximum spacing of 50 feet with Hedge/Shrub/Evergreen being required with a maximum spacing of 48 inches. 100% of the trees and 35% of the shrubs must be located within the buffer area.

East and South – A type 4 buffer is required along the entire lengths of the East and South property lines. Staff understands that the no landscaping was required on the pervious plans along the far South end of the site as no development is currently planned on the site in this area and the trees located along the creek provide natural screening to the adjoining properties. While the landscape plans that had previously been submitted contained significant landscaping along the East property line, no landscaping has been

shown in this area. The type 4 buffer requires canopy trees or evergreens to be placed at a maximum spacing of 50 feet with Hedge/Shrub/Evergreen being required with a maximum spacing of 48 inches. 100% of the trees and 100% of the shrubs must be located within the buffer area.

These requirements do not take into additional consideration that the Conditional Use requirements specify that this type of operation (parking or storage of cargo containers or semi-trailers and chassis) must be located at least 250 feet from a residential zoned area and at least 300 feet from the nearest dwelling. Further, it also requires that the parking or storage is also required to be setback a distance equal to the height of cargo containers, semi-trailers or chassis. On the previous request on the subject property, staff had suggested that a deviation could be requested by the applicant and considered by the Planning Commission, and which the Planning Commission could require additional landscaping as a means of allowing this requirement to be relaxed. Please see the attached conditional use report. **The Landscape Plan does not comply.**

- 3. <u>Buffer Composition Requirements</u>. The trees specified in the landscape plan comply with the minimum caliper requirement. The Landscape plan does not comply in that none of the hedge/shrub/evergreen material is shown and that no single species of tree or plant material shall comprise more than 30% of the cumulative total of plantings on a site. The Landscaping Plan does not comply.
- 4. <u>Screening from Residential Uses</u>. Property adjacent to or across from residential uses shall be landscaped in accordance with the standards set forth in this Section. *While no additional specific standards are listed in the UDC under this requirement the proposed Landscape Plan does not provide any of the required landscaping. Section 5.2.1.c does specify that "the city may require that loading and service areas are screened from public view with landscaping, berming, façade walls, or fencing." The Landscaping Plan does not comply.*
- 5. Dumpster screening: Trash enclosures or screening are not shown. Plans shall be updated to satisfy the dumpster screening requirements in Article 5.2 K 8. **Provide dumpster** screening.

SIGNAGE

The intent of this article is to promote the health, safety, welfare convenience, and enjoyment of the public, and in part, to achieve the following:

- a. The safety of the citizens of the City by prohibiting signs which create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or the read traffic signs.
- b. To preserve landscape quality in the protection of the public welfare and to enhance the appearance and economic value of the landscape by providing that a sign does not create a nuisance to occupancy of adjacent and contiguous property by its brightness, height, size or movement.

The sign being proposed as part of this application is a 10 foot by 6 foot monument sign and which is shown as being located to the East of the main entrance. The material used for the sign includes a cultured stone veneer, matching the material proposed for the building, and EIFS. The sign is not shown as having any lighting. **The proposed sign complies.**

DIESEL EMISSION REQUIREMENTS

The following diesel emission requirements shall apply:

- 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 unless said vehicle meets one of the specified exemptions.
- 2. One electrical hook-up shall be provided for "trucker plug-ins" equal to a minimum of onethird (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested, but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups. *Will be reviewed at Building Permit.*
- 3. 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. *Will be reviewed at Building Permit.*
- 4. 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;
- 5. Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
- 6. Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences;
- 7. On-site services shall be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines. *Will be reviewed at Building Permit.*
- 8. Any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as biodiesel, electricity, or propane;
- 9. 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

1. The City Engineer is reviewing the stormwater study that was prepared as part of this application.

- 2. 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. Attached to this Staff Report is a copy of the Conditional Use Report and Resolution which was previously approved and still in effect for this site. Also attached is a copy of the specific standards which are required for the operation of Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities. The current site plan that has been submitted contains a number of items that do not comply with the specific requirements that were placed upon the approval of the Conditional Use. Staff specifically points to the requirements listed for "Screening and Landscaping" and "Setbacks and Separation Distance" as items that have major impacts on the currently submitted site plan. These issues include the need to provide screening along the boundaries and especially from the adjoining residential structure. Previous plans had not included any cargo container storage operations within the Northeast portion of the site. Other properties that have been developed for similar operations, such as JB Hunt, have provided significant amounts of landscaping and screening as well as greater setbacks from the operation from adjoining property boundaries.

RECOMMENDATION

City staff recommends that the request be tabled as the current Final Site Plan documents do not include numerous items that are specifically required in the UDC. If the Planning Commission would decide to approve the request contingent upon

- 1. All Site Plan requirements of the City shall be met as listed above, particularly including:
 - a. Submittal of a plan for pedestrian access to and within the development.
 - b. Updated drawings of all building elevations showing compliance with building material standards.
 - c. Submittal of landscaping plans including screening for adjacent public roads, trash enclosures and the adjacent residential property. 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.
- 4. 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.

ATTACHMENT

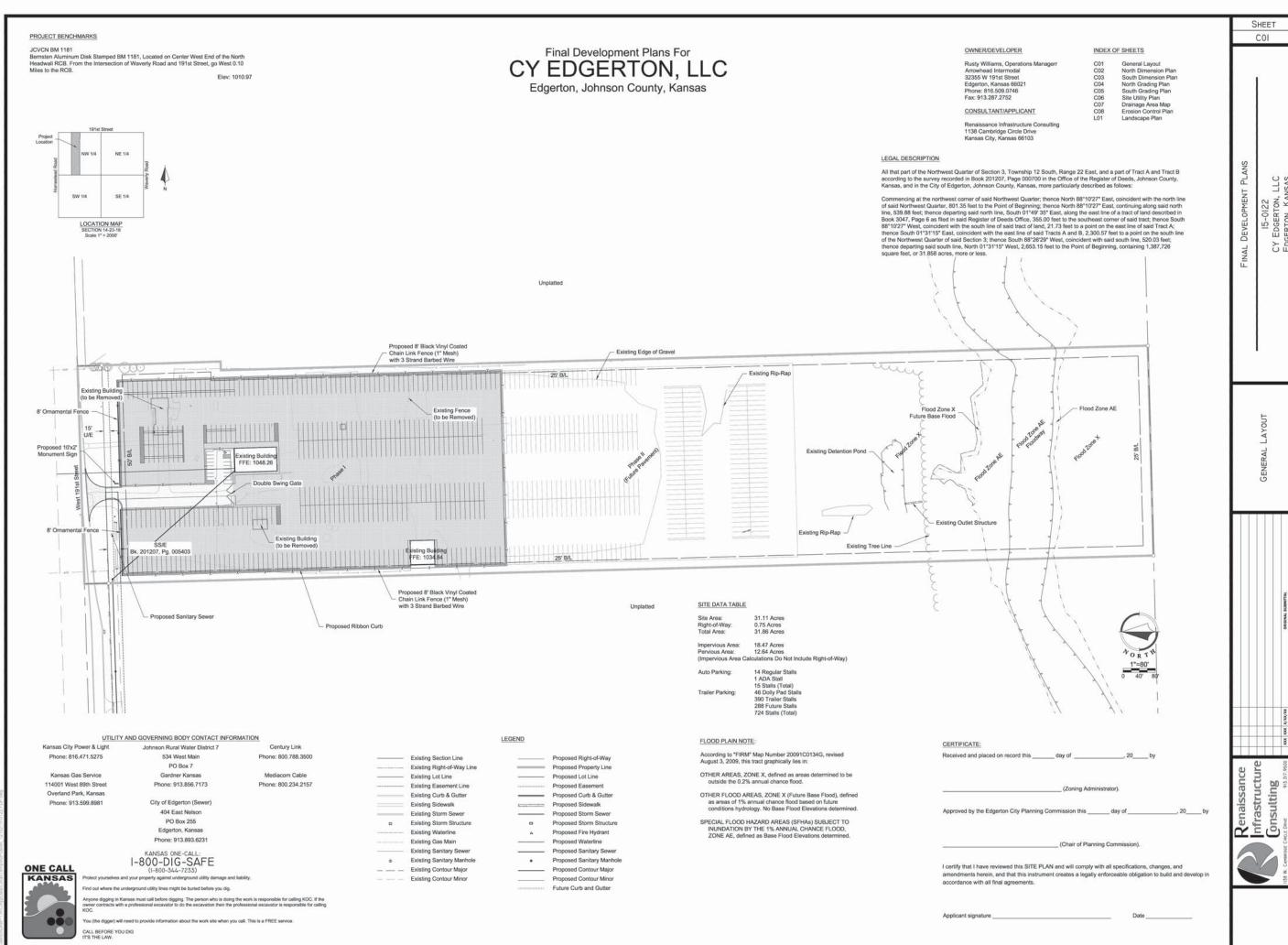
Final Site Plan Application No. FS2015-03 Previous Final Site Plan, Conditional Use Report & Resolution Final Site Plans CY Edgerton

global routes, local roots.	Stite Plan Algol (Fee: \$200 Plus Sti	
D PRELIMINARY SITE PLAN		
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LOCATION OR ADDRESS OF SUBJECT PROPERTY: 32355 W 191st Str	eel	₩64446274-663-1
LEGAL DESCRIPTION: See Atlached		
CURRENT ZONING ON SUBJECT PROPERTY: L-P	_ CURRENT LAND USE: Container	Loading
TOTAL AREA: 31.86 Acres NUMBER OF LOTS: 1	AVG. LOT SIZE:	Sq. Ft,
DEVELOPER'S NAME(S): Rusty Williams	PHONE: 816-509-0746	<u>44.444</u> 111001111111111111111111111111111
COMPANY: Arrowhead Intermodal	FAX: 913-287-2752	
MAILING ADDRESS: 32355 W 191st Street Edgerton	KS	66027
Street City PROPERTY OWNER'S NAME(S): Rusty Williams	State 816-509-0746	Zip
		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
COMPANY: CY Edgerton, LLC MAILING ADDRESS: 32355 W 191st Street Edgerton	_ FAX: <u>513-201-2132</u> KS	66027
MAILING ADDRESS:Street City	State	Zip
ENGINEER'S NAME(S): Roger Cassily	_ PHONE: _ <u>913-317-9500</u>	
COMPANY: Renaissance Infrastructure Consulting	_FAX: <u>816-800-0951</u>	ad HAG a Xidon namera e e con des de Maria de La des de anticipada de la des de anticipada de la des de anticip
MAILING ADDRESS: 1138 Cambridge Circle Dr. Kansas Cit	an a	66103
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SIGNATURE OF OWNER OR AGENT:		n na standar till till till stat store at a star star store at a star store at a star store at a star store at
	on of agent must accompany this appli	
NOTE: Ten (10) copies of the proposed preliminary plat must accompany this a must also be submitted with the application.	pplication for staff review. One (1) reduc	ed copy (8 ½ x 11)
FOR OFFICE USE ONLY	and for a summary of the second defension of the second second second second second second second second second	and a second
Case No.FS-2015-03 Amount of Fee Paid:\$_5/8.60 Received By:	_ Date Fee Paid: <u>9/21/15</u> _ Date of Hearing: <u>///</u>	rept \$6725
STIEPLANINSTRUCTIONS		
SUBMITTAL DEADLINE: The applicant shall submit an application at least t	thirty (30) working days prior to a sche	duled meeting.

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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

404 East Nelson & Edgerton, KS 66021 & P: 913.893.6231 & F: 913.893.6232 Dublic Works: 814 893 4801 & EDGEPTONKS ORC



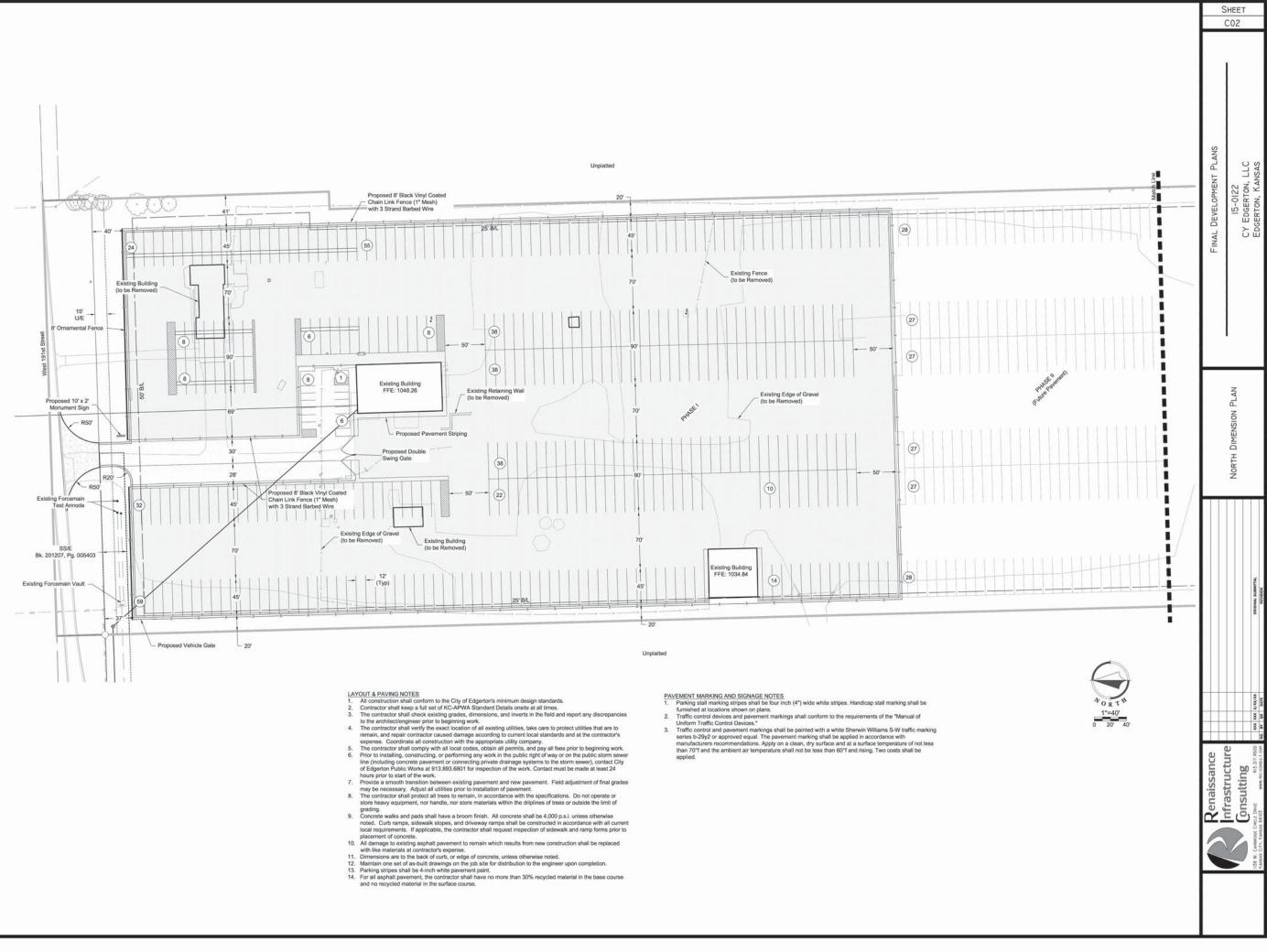
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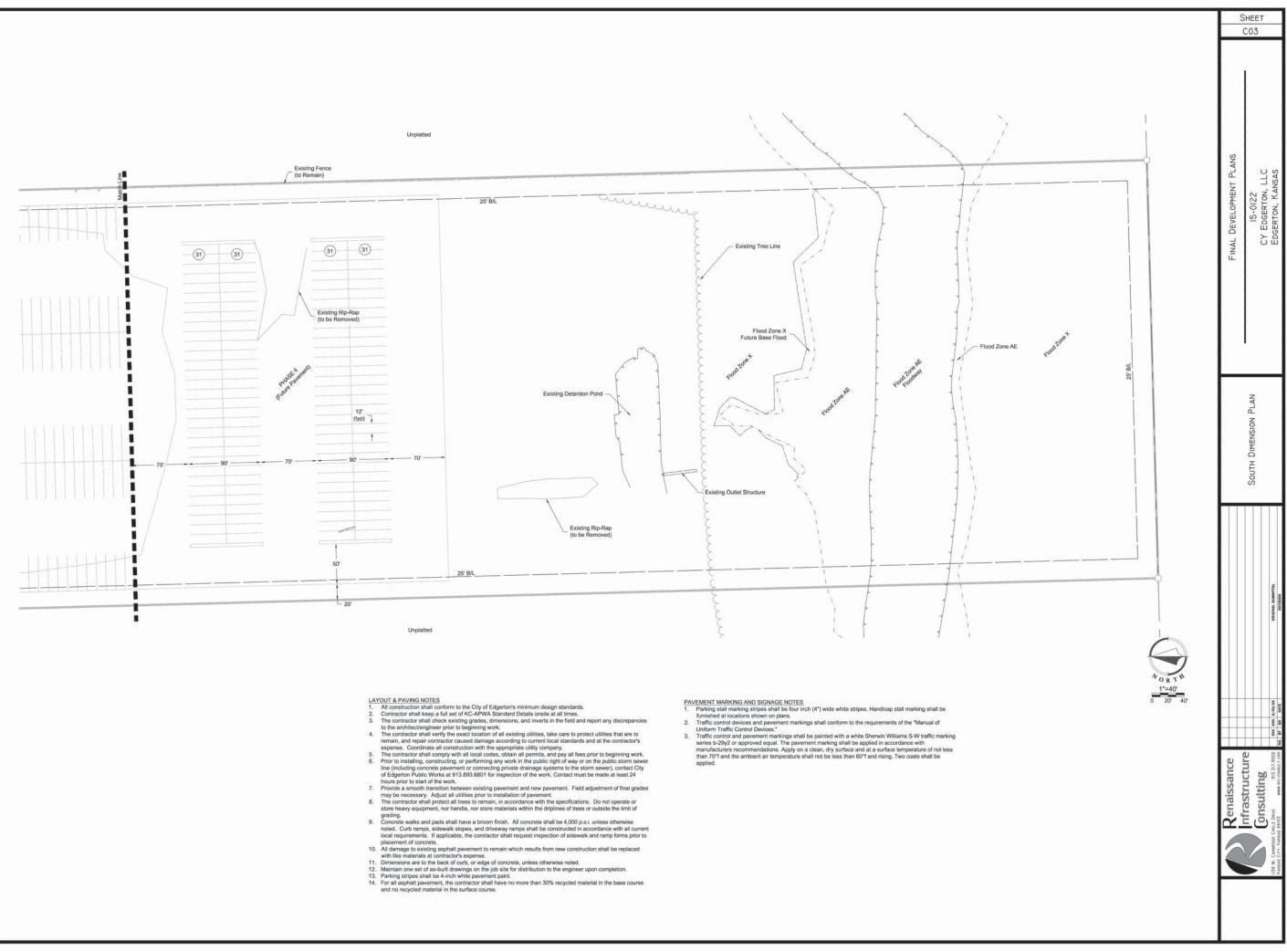
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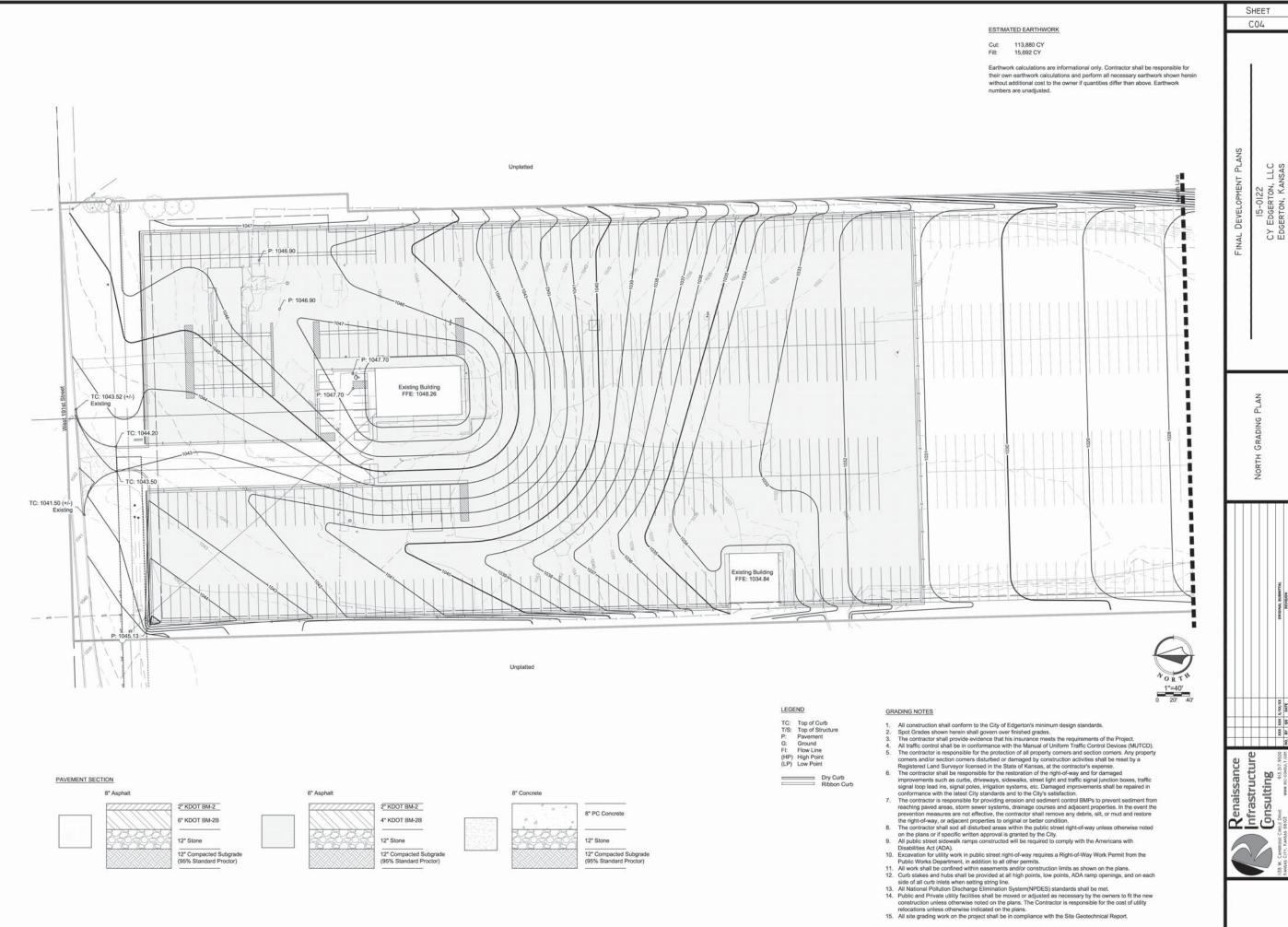
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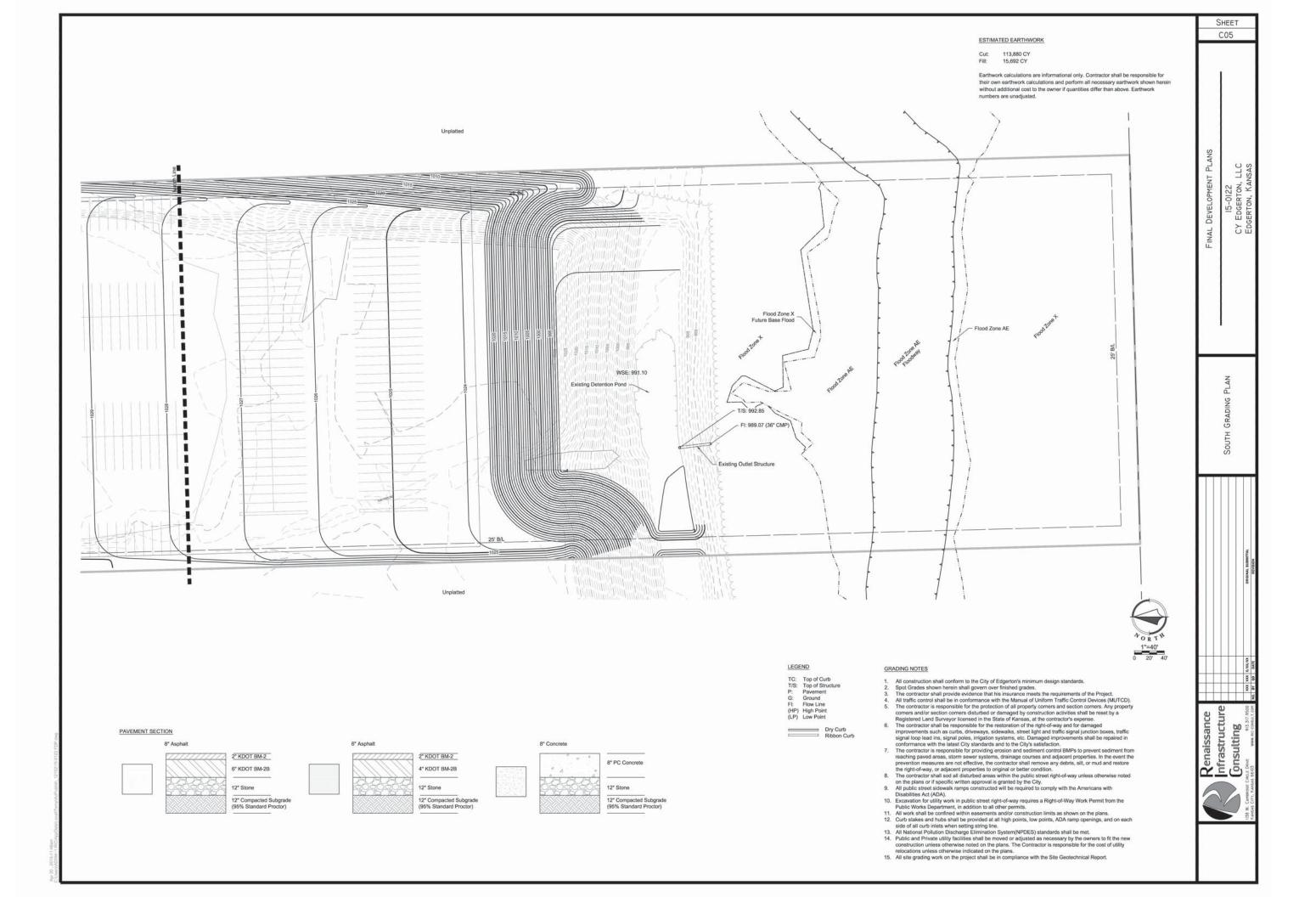
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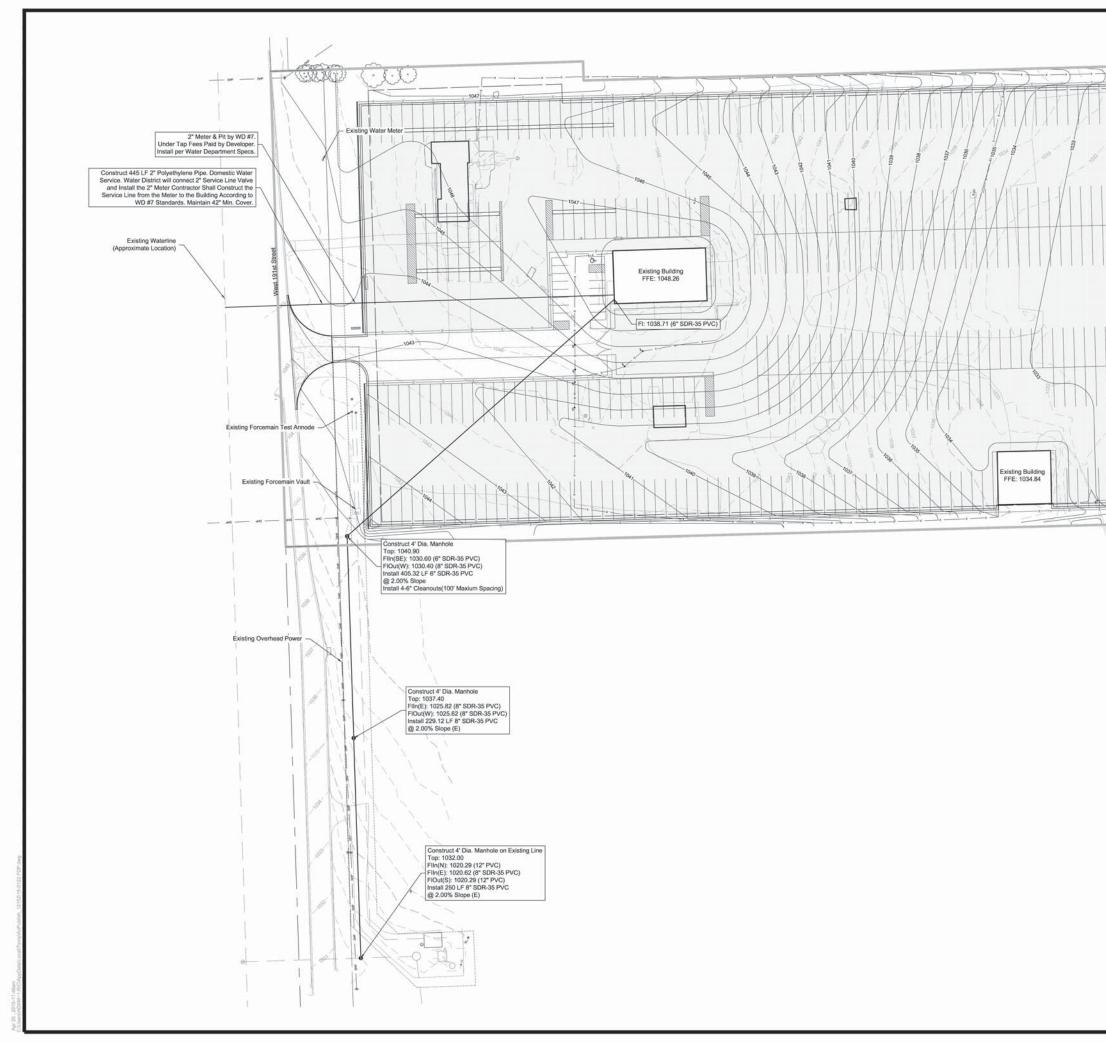
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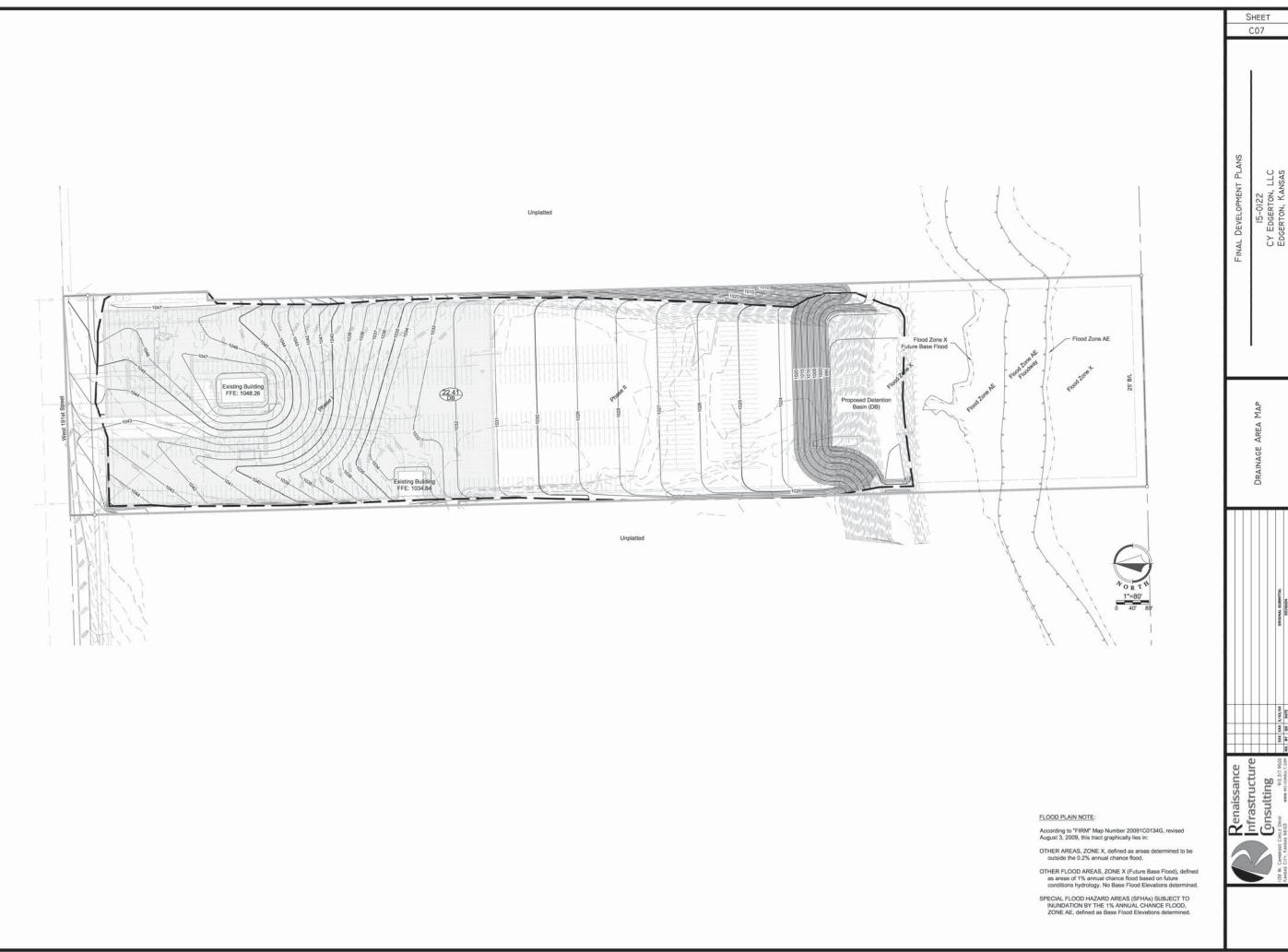


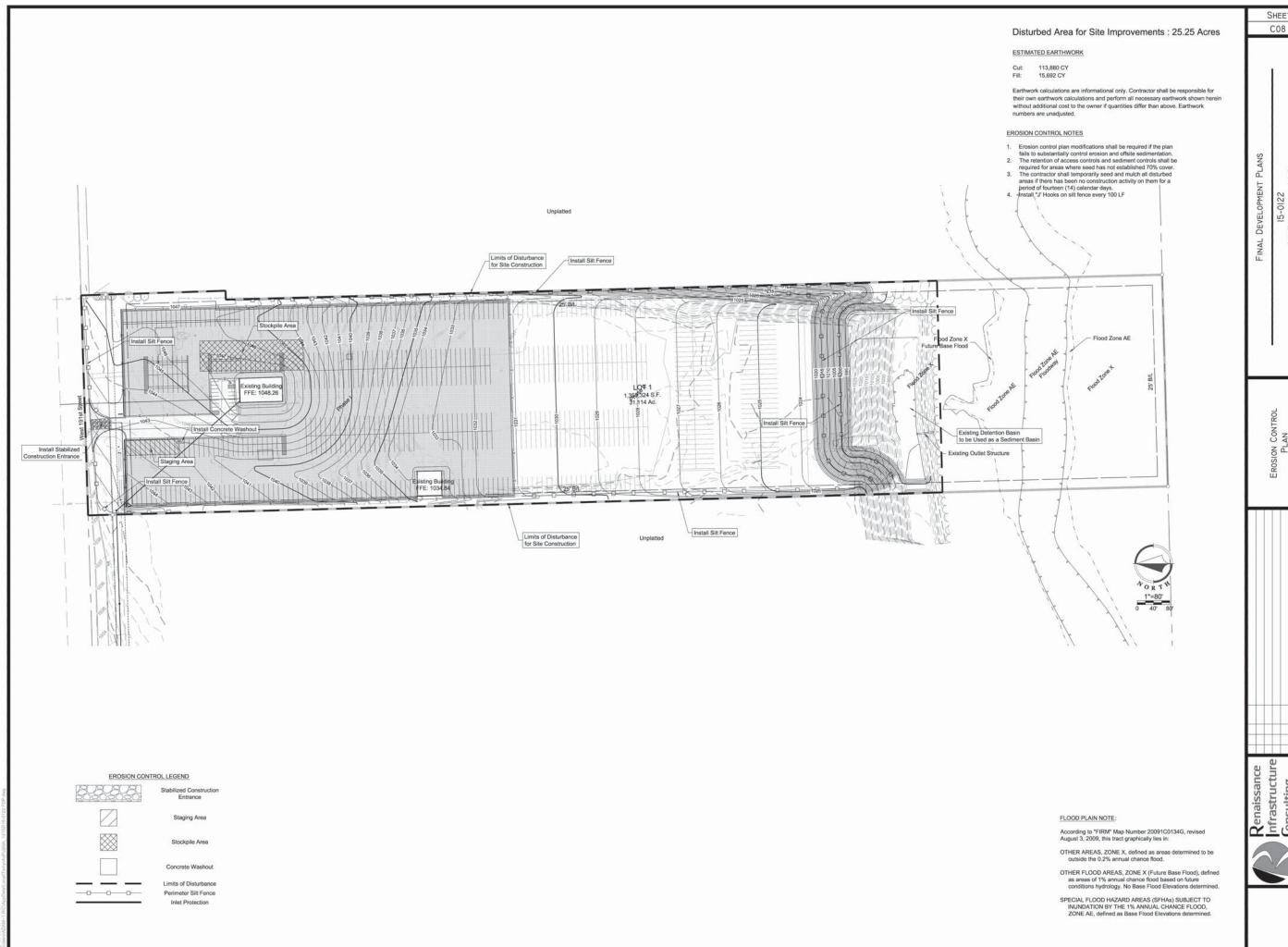




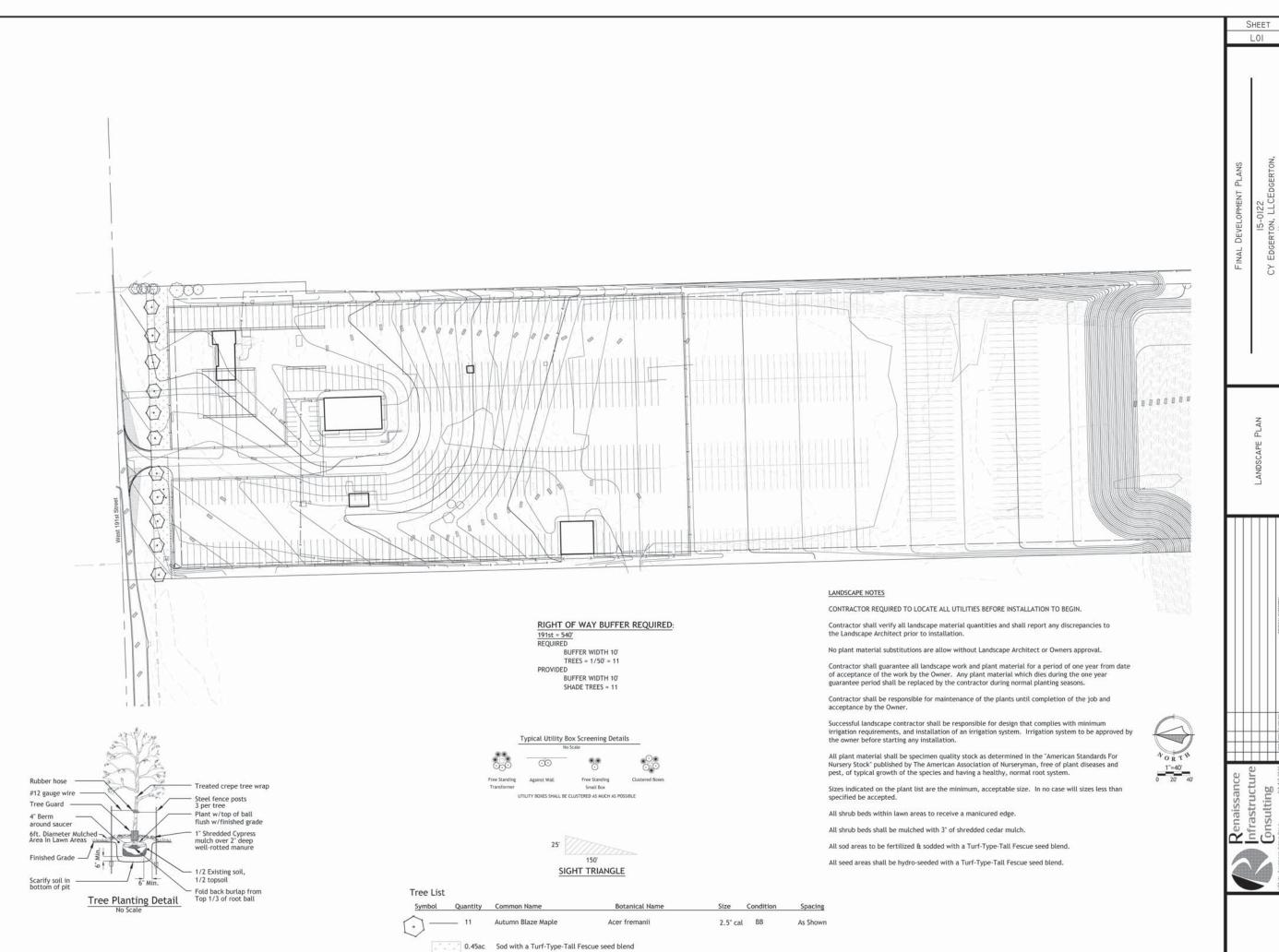


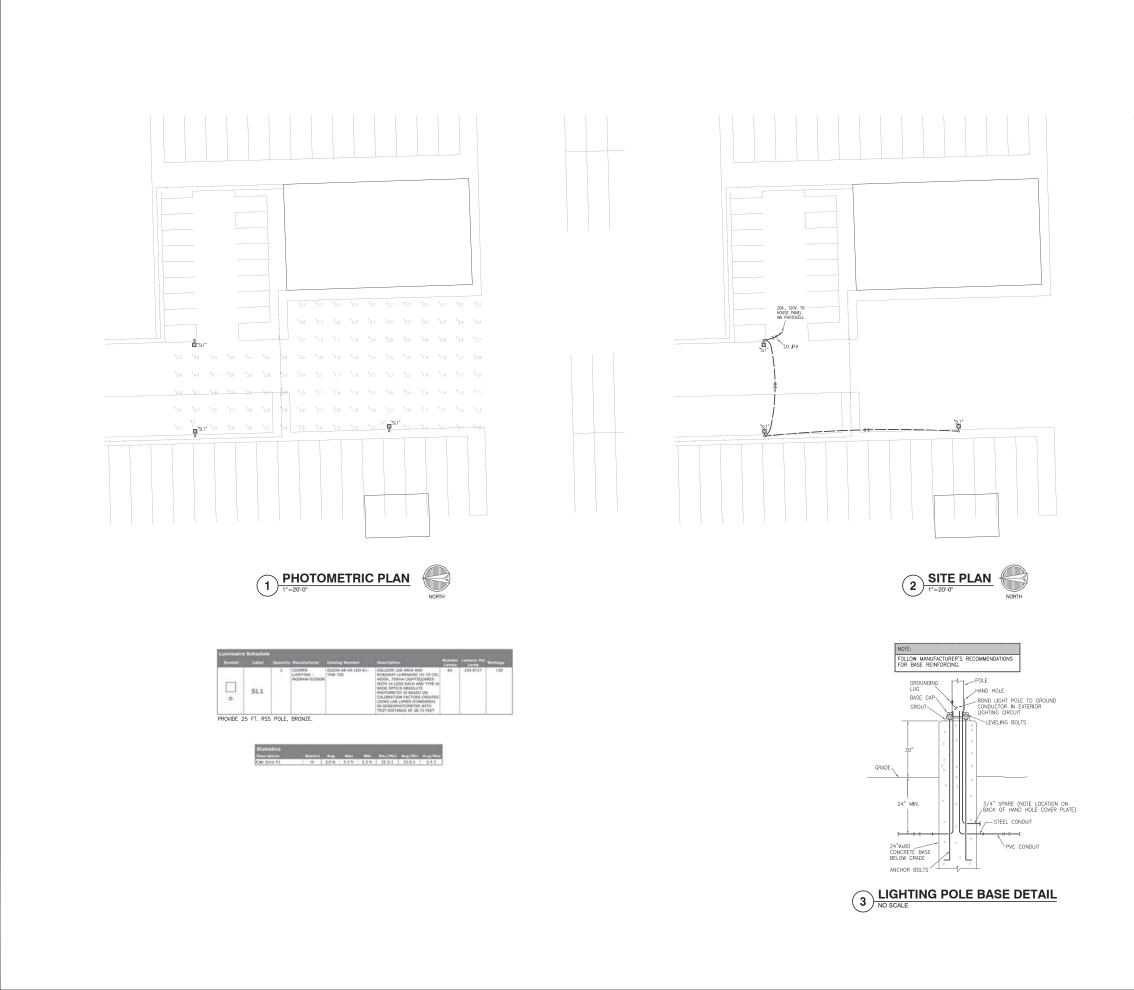
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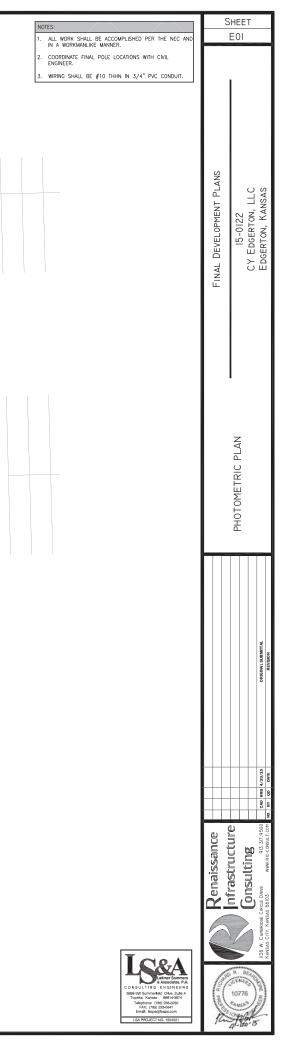


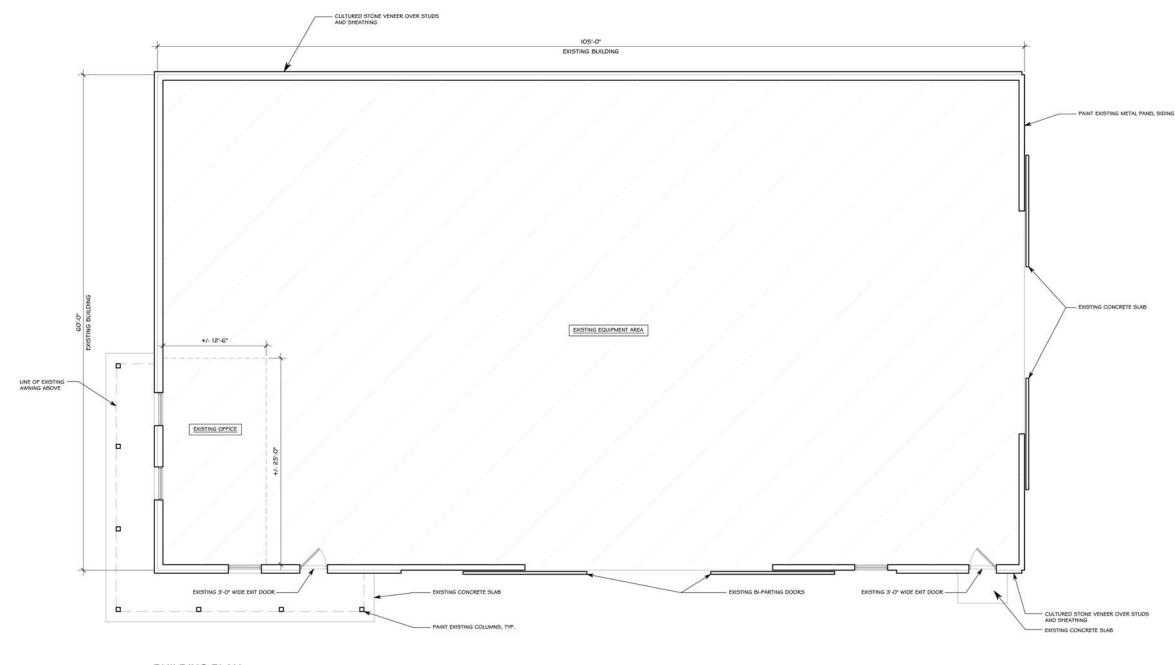


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BUILDING PLAN SCALE: 3/16" = 1'-0"



Edgerton, KS

Building Plan №⊕

DISCLAIMER: THE PLAN IS BASED ON A PRELIMINARY REVIEW OF ENTITLEMENT REQUIREMENTS AND FOR CONCEPTUAL PURPOSES ONLY. SITE PROPERTY LINES AND/OR EXISTING SITE/BUILDING CONDITIONS WERE DRAWN FROM A SCANNED PDF BACKGROUND AND POSSIBLY INCOMPLETE SITE INFORMATION. GMA ARCHITECT SINC. NOT TO BE HELD ACCOUNTABLE FOR ACCURACY OF DIMENSIONS.

SCALE : 3/16"=1'-0" (24x36) SP5934 04.16.2015



CONCEPTUAL



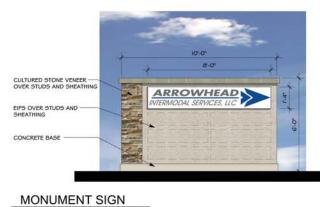


SOUTH ELEVATION SCALE: 1/8" = 1'-0"



EAST ELEVATION SCALE: 1/8" = 1"-0"

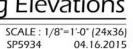
NORTH ELEVATION SCALE: 1/8* = 1'-0*



SCALE: N.T.S.



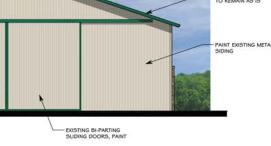
Edgerton, KS





DISCLAIMER: THE PLAN IS BASED ON A PRELIMINARY REVIEW OF ENTITLEMENT REQUIREMENTS AND FOR CONCEPTUAL PURPOSES ONLY. SITE PROPERTY LINES AND/OR EXISTING SITE/BUILDING CONCEPTUAL

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STAFF REPORT

May 7, 2015

To: Edgerton Planning Commission

Fr: Kenneth Cook, AICP, CFM, Community Development Director Re: FP2015-04 Final Plat for 196th Street Water Tower

APPLICATION INFORMATION

Applicant/Property Owner:	Edgerton Land Holding Company
Requested Action:	Final Plat – 196 th Street Water Tower
Legal Description:	See Final Plat attached
Site Address/Location:	31310 W 196 th Street – North Side of 196 th Street 900 feet West of Waverly Road
Existing Zoning and Land Uses:	City of Edgerton L-P Logistics Park on vacant land
Existing Improvements:	None – Water tower under construction
Site Size:	Lot – 0.59 Acres; Total – 6.651 Acres (includes ROW for new 196 th Street and additional ROW on Waverly)

PROJECT DESCRIPTION

This is additional development of the Logistics Park Kansas City by Edgerton Land Holding Company (ELHC), a subsidiary of NorthPoint Development. The Final Plat shows a 25,900 square foot lot that will contain a water tower with associated parking and driveway. 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.

The subject property is located North of proposed 196th Street which will be constructed as part of the Waverly Road Design-Building project that the city has been working on with Clarkson Construction and HDR. As part of the Final Plat being submitted, Edgerton Land Holding Company is including the right-of-way dedication for the proposed 196th Street and for the additional ROW required along Waverly Road.

INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the rezoning and preliminary plat. Some conditions continue to exist as noted below.

- a. While Waverly Road is currently graveled, it is planned for future improvement to support intermodal and logistics park traffic. The City of Edgerton is currently in the process of working with a design/build firm for the construction of improvements of Waverly Road. Construction of Waverly Road and the grade separation at the intermodal lead tracts is expected to commence in early May and be complete by the end of 2015. This construction project will also include the construction of 196th Street.
- b. The property is located within the Big Bull Creek watershed, which flows south from 167th Street to the southern edge of the county at Homestead Lane.
- c. Small areas of the plat included in this plat are located with the Special Flood Hazard Area (1% annual chance). This includes area in the Southeast of Lot 4 and the East and South of Tract B.
- d. The property does not currently have sanitary sewer service.
- e. The property is located within the service area of Water District No. 7. A 12-inch water main is located along Waverly Road. The property is being developed for the construction and operation of a water tower needed to provide adequate fire flow in the surrounding area.
- f. Police protection is provided by the Johnson County Sheriff's Department under contract with the City of Edgerton. Fire protection is provided by Johnson County Fire District No. 1. A fire station is located in the City of Edgerton, approximately 1.5 miles to the west.

FINAL PLAT REVIEW

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

- 1. Scale, the same used for the preliminary plat; North point; vicinity map. A different scale is being used for the Final Plat as the Final Plat only includes a portion of the area shown in the Preliminary Plat. The change in scale allows for the Final Plat to show improved detail and staff considers the change acceptable. Final Plat complies.
- 2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract. *A metes and bounds description of the tract needs to be added.* **Update Final Plat.**
- 3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. *Update Final Plat*
 - The plat currently shows all monuments being ½" x 24" Rebar while the regulations require 2" x 24" metal bar. Staff believes that the 2" measurement is a typographical error and that it should be ½".
 - Verify if the Southeast and Southwest section monuments of the Southeast corner should also be shown.
- 4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible

on the ground. Final Plat complies.

- 5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes. *Not included. Update Final Plat.*
- 6. A number for each lot, starting (if practical) in the northwest corner. *Staff suggests that the numbering of lots should match the numbering as shown on the Preliminary Plat. Based upon this information the lot would be considered Lot 3.* **Update Final Plat.**
- 7. All easements with widths, and roads with curve data. Final Plat Complies.
- 8. Ingress/egress limitations if required. *Final Plat complies.*
- 9. The location of existing utility easements. *Final Plat complies.*
- 10. A written legal description from the survey. Final Plat complies.
- 11. An instrument of dedication for all roads and easements. Final Plat complies.
- 12. Special notations required as a condition of platting by the Planning Commission. *Final Plat complies.*
- 13. Approved phases clearly delineated. *Not proposed to be developed in phases. Final Plat complies.*
- 14. Private travel easements. Final Plat complies.
- 15. The Owner's Certificate with Notary Seal. Final Plat Complies.
- 16. Certificate of the Governing Body with City Clerk's attest and Seal. *Final Plat Complies.*
- 17. Edgerton City Planning Commission chair and secretary approval. *The existing Final Plat complies.*
- 18. Certificate of the Register of Deeds. *Register of Deeds uses their own stamp. No certificate required. Final Plat Complies*
- 19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. *County Surveyor uses their own stamp. No certificate required. Final Plat Complies*
- 20. Certificate of the Zoning Administrator. Final Plat complies.

RECOMMENDATION

City staff recommends approval of the Final Plat for 196th Street Water Tower, subject to compliance with the following stipulations:

- 1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of 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, storm water 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.
- 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.

5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

ATTACHMENTS

Application FP2015-03 Final Plat for 196th Street Water Tower EDGERTON[™] global routes. local roots.

NAME OF PROPOSED SUBDIVISION:	er
LOCATION OR ADDRESS OF SUBJECT PROPERTY: Approx. 865 ft V	West of Waverly Rd. on 196th St
LEGAL DESCRIPTION: Please see attached.	
	Water Tower & Public P/W
CURRENT ZONING ON SUBJECT PROPERTY: L-P	
TOTAL AREA: 6.651 Acres NUMBER OF LOTS: 1	
DEVELOPER'S NAME(S): John Thomas	HONE: 816-888-7640
COMPANY: Edgerton Land Holding Company, LLC	AX: john@northpointkc.com
MAILING ADDRESS: 5015 NW Canal Street, Suite 200, Ri	iverside, MO 64150
Street City	State Zip
PROPERTY OWNER'S NAME(S): John Thomas	HONE: 816-888-7640
PROPERTY OWNER'S NAME(S): John Thomas PI COMPANY: Edgerton Land Holdings, LLC	AX: john@northpointkc.com
MAILING ADDRESS: 5015 NW Canal Street, Suite 200, R	Riverside, MO 64150
Street City	State Zip
ENGINEER'S NAME(S): Chip Corcoran	HONE: 913-317-9500
COMPANY RIC	AX. 816-800-0951
MAILING ADDRESS: 5015 NW Canal Street, Suite 100 Ri	iverside, MO 64150
MAILING ADDRESS: City	State Zip
al a oth	
SIGNATURE OF OWNER OR AGENT:	of agent must accompany this application.
NOTE: Ten (10) copies of the proposed preliminary plat must accompany this applimust also be submitted with the application.	lication for staff review. One (1) reduced copy (8 $\frac{72}{2}$ X 11)
FOR OFFICE USE ONLY	
Case No.: 2015-04 Amount of Fee Paid:\$ 31000 Da	Pate Fee Paid: 5-8-95 Receipt #
	pate of Hearing:
you e	
FINAL PLAT INSTRUCTIONS	

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.