

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

1. Call meeting to order

2. Pledge of Allegiance

3. Roll Call

A. Members:

Chuck Davis, Chair	Present / Absent
Ron Conus, Vice-Chair	Present / Absent
Bob O'Neill	Present/ Absent
Maria O'Neill	Present/Absent
Andrea Lucero	Present/ Absent
Cliff Withrow	Present/ Absent
Randal Gifford	Present/ Absent
Elliott Lahn	Present/Absent
Leslie Hardin	Present/Absent

4. Minutes

A. Consideration of Regular Session Minutes of December 8, 2015

5. Guests Present

6. Communications from Staff

7. New Business

**PUBLIC HEARING – PRELIMINARY PLAT**

A. Consideration of opening a public hearing in regards to Preliminary Plat Case No. PP-2015-02 requesting approval of a preliminary plat for Edgerton Logistics Park, 32180 W. 191<sup>st</sup> Street, consisting of one (1) lot containing 31.14 acres more or less located on a portion of land located in the Southwest Quarter of Section 34, Township 14 South, Range 22 East as said tract is show and described in the 1892 Re-Survey of said Section and Range. Applicant: George Schlagel, GJS 09 Trust, LLC et al. Engineer: Tom Smith, Shafer, Kline & Warren, Inc.

Action requested: Open the public hearing, receive comments, and consider motion to close or table the hearing. Consider motion to approve or deny.

8. Old Business

**PUBLIC HEARING- Cont'd – UNIFIED DEVELOPMENT CODE AMENDMENT**

A. Consideration of a continued public hearing in regards to UDCA-01, Unified Development Code Amendment 01, pertaining to Article 3 in regards to use of acceptable building materials and accessory structures. Applicant: City of Edgerton.

Action requested: Consider continued hearing, consider comments, and consider a motion to close or continue hearing.

**PUBLIC HEARING- Cont'd - UNIFIED DEVELOPMENT CODE AMENDMENT**

- B. Consideration of a continued public hearing in regards to UDCA-02, Unified Development Code Amendment 02, pertaining to fencing standards, setback, and bulk and yard requirements. Applicant: City of Edgerton.

Action requested: Consider continued hearing, consider comments, and consider a motion to close or continue hearing.

9. Future Meeting – Regular meeting – February 9, 2016
10. Commissioners Comments
11. Adjournment:

EDGERTON COMMUNITY BUILDING  
PLANNING COMMISSION MEETING  
Regular Session  
December 8, 2015  
Minutes

The Edgerton Planning Commission met in a regular session with Chair Davis calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

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

The Recording Officer announced a quorum was present.

**MINUTES – November 10, 2015**

Approval of the minutes from the regular session of November 10, 2015 was considered.

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

Commissioner Ron Conus arrived at 7:02 p.m.

**GUESTS**

Guests attending were: Charlie Troutner, Edgerton City Council; Tom Hastings, TSL; Rusty Williams, Arrowhead Intermodal; Chip Corcoran, R-I-C; Sam Stahnke, Matt White, and Chris Patterson, ARCO National Construction KC; and Desi Goans.

**COMMUNICATIONS FROM STAFF**

The Community Development Director informed the Commissioners that Bill Braun resigned effective with the November meeting. He indicated staff and Mayor are looking at two new replacements with anticipation at least one will be appointed at the December 10, 2015 Council meeting.

He spoke of the sewer line extension project (within Logistics Park Kansas City vicinity), which will extend sewer services east of Waverly Road. Mr. Cook overviewed the potential routing and properties necessary for the extension and noted this project will impact the two cargo/container storage businesses on tonight's agenda (TSL and Arrowhead).

Mr. Cook informed the Commissioners that Mr. Schlagel submitted a new preliminary plat and the hearing is scheduled for January 12, 2016.

The Commissioners were apprised of the Council's work session regarding Capital Improvement Plan and in particular, noted the park master plan will be addressed. He indicated there may need for some involvement in this process from the Commissioners.

Mr. Cook updated the Commissioner with the progress in the Logistics Park projects. He noted: Inland Port V has submitted its building permit; Inland Port XIV is progressing with walls going up and parking lot paving; and Inland Port XV has the slab for the building.

The Commissioners were informed of the progress with Waverly Road. Mr. Cook stated lanes are paved south of Kubota, with curb and gutter installation soon. He noted 187<sup>th</sup> Street is open. He stated the project should be substantially complete by the end of the year.

#### **FINAL SITE PLAN - EXTENSION**

A request for an extension of time for completion of the parking surface for Final Site Plan, FS2015-003 (CY Edgerton), located at 32355 W 191<sup>st</sup>, a tract of land containing one (1) lot, containing approximately 31.86 acres, was considered. Applicant: Rusty Williams, Arrowhead Intermodal. Engineer: Roger Cassity, R-I-C.

#### **FINAL SITE PLAN - EXTENSION**

A request for an extension of time for completion of the parking surface for Final Site Plan, FS-09-16-13 (TranSpec Leasing), located at the southwest corner of 191<sup>st</sup> Street and Waverly Road, was considered. Applicant: Tom Hastings, TSL Companies. Engineer: R-I-C.

Both items were discussed jointly.

Mr. Cook spoke about the letters within the agenda packet. He noted both projects have been granted extensions in the past. He noted the applicants have continued to work with the City and noted in particular, installation of water lines and fire hydrants took longer than anticipated. He stated both projects are making strides in the paving, continuing forward and indicated both are expected to be complete within the first half of 2016.

Mr. O'Neill asked if the completion date would be June 1 for both projects and questioned if they would be back before this body requesting another extension.

Mr. Cook stated that both properties have made substantial progress, have paid the required fees and have invested time and money toward long-term operations.

Mr. O'Neill stated he wants to give reasonable time for these projects to negate another extension request.

Mr. Hastings, TranSpec Leasing, spoke about the infrastructure for the water and hydrants. He spoke about the paving process, then issues with wet weather, and also breakdown and acquisition for parts for the new paver and added the property is now under process of paving. He indicated his parking surface is being paved to concrete specifications at KDOT 4000 PSI spec 12" thick with "structure fiber mesh." He informed the Commissioners his project, at this time should have close to one mile paved. He noted with good weather cooperation, the paving process should last between 12 and 14 weeks.

Mr. Davis stated he understands the financial commitment and the impacts from weather.

Mr. Lahn asked if there were any other site plan items to be address following the pavement. Mr. Cook indicated it should be substantially complete with exception of landscaping. He informed the Commission the final pats are at the county and should be recorded soon.

Mr. Davis suggested extending the deadline to August 31, 2016 to accommodate weather and other potential delays.

Motion by B. O'Neill, seconded by Lucero, to approve the extension of Final Site Plan, FS2015-03 (CY Edgerton, LLC) to August 31, 2016. Motion was approved, 6-0.

Motion by B. O'Neill, seconded by Lucero, to approve the extension of Final Site Plan, FS-09-16-13 (TranSpec Leasing) to August 31, 2016. Motion was approved, 6-0.

**PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENT**

A public hearing in regards to UDCA-01, Unified Development Code Amendment 01, pertaining to Article 3 in regards to use of acceptable building materials and accessory structures was considered. Applicant: City of Edgerton

Chair Davis opened the hearing.

Kenneth Cook, Community Development Director, spoke about the need to address building materials and reminded the members of the recent moratorium action taken by the Council. He overviewed the history of the request from a citizen asking about demolishing a dwelling and constructing new out of a metal building. He stated the review and consideration of the Planning Commission is desired. He noted there is also perhaps the need to look at commercial buildings, as well.

Mr. Davis stated he favored guidelines for community and staff.

Ms. Lucero also noted the need for standards.

Mr. Cook overviewed a few other communities' standards as examples. He also reviewed the recommended wording, which was discussed. It was decided the proposed wording should exclude "all" and add "primary" (for residential structures). It was also requested a definition be added.

Mr. Conus stated favor with adding an appeal process. Mr. Lahn agreed.

Discussion also focused on metal roofing. It was agreed by the Commission that metal roofs, constructed with standard metal roofing materials would be acceptable.

The members discussed accessory structures and questioned/discussed maximum sizes and numbers of structures.

It was determined more information and research is needed and this hearing should be continued.

Mr. Lahn requested that at the next meeting other community standards and regulations on accessory structures be included and also cite examples.

Motion by Lahn, seconded by M. O'Neill, to continue the hearing until January 12, 2016 at 7:00 p.m. Motion was approved, 6-0.

**PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENT**

A public hearing in regards to UDCA-02, Unified Development Code Amendment 02, pertaining to fencing standards, setbacks, and bulk and yard requirements was considered.

Chair Davis opened the public hearing.

Mr. Cook discussed the set-back, roofing extensions/projections and overviewed some examples. He noted he would provide more examples and depictions at the next meeting.

The Commissioners also mentioned need to look at awnings, toolsheds, pools, etc.

Mr. Cook also noted the need for fencing standards, adding at this time there is none, and recently some unconventional materials have been suggested for fencing. He stated there is also need for Planning Commission direction with this item.

Mr. Cook encouraged the Commissioners to indicate areas/items around the community/ies they desired or did not desire to consider in regards to building/accessory standards.

Motion by M. O'Neill, seconded by B. O'Neill, to continue the hearing until January 12, 2016 at 7:00 p.m. Motion was approved, 6-0.

**COMMISSIONERS COMMENTS**

No comments were provided.

**FUTURE MEETING**

The next scheduled meeting is a regular session on January 12, 2016.

**ADJOURNMENT**

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

The meeting adjourned at 9:18 p.m.

Submitted by:

Debra S. Gragg  
Recording Officer

**STAFF REPORT**

December 17, 2015

To: Edgerton Planning Commission  
Fr: Kenneth Cook, AICP, CFM, Community Development Director  
Re: PP2015-02 Preliminary Plat for Edgerton Logistics Park

**APPLICATION INFORMATION**

**Applicant/Property Owner:** George Schlagel, GJS 09 Trust, LLC

**Requested Action:** Preliminary Plat for Edgerton Logistics Park

**Legal Description:** See Preliminary Plat attached

**Site Address/Location:** Approximately 31 acres on the North side of 191<sup>st</sup> Street, located approximately one-quarter mile East of Homestead Lane

**Surrounding Zoning and Uses:**

	ZONING	LAND USE	USER/OWNER
SITE	LP, Logistics Park District	Agricultural	RSC 09 Trust LLC
NORTH	A-G, Agricultural District	Industrial	BNSF Railway Company
SOUTH	RUR, Rural Residential District (County)	Agricultural	Prairie Tree, LLC
EAST	RUR, Rural Residential District (County)	Industrial	Eagle Exchange Company LLC (Flexsteel)
WEST	I-H, Heavy Industrial District	Agricultural	Export

**Existing Improvements:** None

**Site Size:** Approximately 31 Acres

**PROJECT DESCRIPTION**

A Preliminary Plat (PP-09-26-2013) was originally approved for the subject property on November 12, 2013. This previously approved Preliminary Plat also included the property which is located to the West of the subject property. The Planning Commission granted a one-year extension for the Preliminary Plat on September 9, 2014. The applicants made a request for an additional one-year extension at the November 10, 2015 Planning Commission meeting. This most recent extension was denied by the Planning Commission based upon the conditions that were approved as part of the original extension and also based upon the requirements of the Unified Development Code. A Preliminary Site Plan has also been approved for this property and which is still in effect.

The applicants have submitted a new application with an updated Preliminary Plat. As the property which was shown on the original preliminary plat has now been split into two ownerships, the new preliminary plat includes only those portions which were original shown as Lot 2, and is now considered Lot 1. The property located to the West also received approval of a Final Plat. This Final Plat has also now expired as more than a year has passed and the Final Plat was never filed. The applicant will still be required to receive approval of a Final Site Plan before development will be permitted on the property.

While the property is directly adjacent to the BNSF Intermodal Facility (North) it is located outside of the area considered as Logistics Park Kansas City. LPKC is a 1500 acre master planned development. The intermodal facility's purpose is to transfer loaded cargo containers from trains to trucks. The subject property is located on the North side of 191<sup>st</sup> Street and approximately a quarter mile East of Homestead Lane 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.

### **INFRASTRUCTURE AND SERVICES**

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

- a. Johnson County's *Comprehensive Arterial Road Network Plan* (CARNP) designates 191<sup>st</sup> Street as a Type I Arterial Road, which will provide access for traffic from the development to the Intermodal Facility and Homestead Lane and the new I-35 interchange to the south
- b. 191<sup>st</sup> Street had been constructed as a heavy haul corridor. It is a 40 foot wide two lane road constructed with 14 inch thick concrete. 191<sup>st</sup> Street will still require upgrades in the future as development occurs in the area which could include the construction of additional travel lanes and sidewalks. The funding for these improvements will be made as part of a tri-party agreement regarding the development of Logistics Park Kansas City. The City has typically required adjacent property owners that are not part of LPKC to sign agreements not to protest the formation of a benefit district that would also be used to fund these improvements.
- c. 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.
- d. The property has access to 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 191<sup>st</sup> 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 3.5 miles to the west.

### **PRELIMINARY PLAT REVIEW**

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

Content of Preliminary Plat

1. A North point and scale which is appropriate to the size of the development: one inch equals 50, 100, 150 or 200 feet is typical. **Preliminary Plat complies.**
2. A legal description; and current zoning. *The legal description would appear to be inaccurate as it starts with the statement "All that part of a tract of land described as the J.A. Pearce Tract..." and should possibly be described as only "A portion of a tract". Staff also suggests that the wording "except that part used or dedicated for streets, roads or public rights of way" should be removed.* **Update Preliminary Plat.**
3. Names of: Applicant, Subdivision & Streets. **Preliminary Plat complies.**
4. Name and seal of surveyor/engineer. **Surveyor's name has not been shown. Preliminary plat has not been sealed.**
5. Date surveyed. **Preliminary Plat complies.**
6. Adequate legend; vicinity map. *A number of icons are not included or do not match the symbol shown in the legend. This includes that a symbol for the water line is not included and the symbol for overhead power does not match. The location of existing sewer lines is not shown. Symbols for Section Monuments and property pins have not been shown and a number of these do not contain reference information or if they are of unknown origin.* **Update Preliminary Plat.**
7. Signature block and date for review of Zoning Administrator. **Adjust the wording to specify name of official followed by the title – Kenneth A. Cook, Zoning Administrator.**
8. Signature block and date for review of City Engineer. **Adjust the wording to specify name of official followed by the title – David Hamby, City Engineer.**
9. Signature block and date for review of Chair of Planning Commission. **Adjust the wording to specify name of official followed by the title – Chuck Davis, Chair of Planning Commission.**
10. Signature block and date for review of Mayor. **Adjust the wording to specify name of official followed by the title – Donald Roberts, Mayor.**
11. Complete outline drawing of all boundaries, lots, and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines. **Update Preliminary Plat.**
  - *The line type for the South line of the SW ¼ needs to be adjusted to the West of the Western property line. A leader currently points to this line but does not have any text associated with it. Staff would guess that this leader was possibly meant to point to the text to the right of it which states "South Line of the SW ¼, Sec. 34, T. 14S, R.22E.*
  - *The dimension (28.83 chains from 1892 Resurvey – 1506.78') currently being shown under the dimension for the South boundary line needs to be adjusted to show that this note refers to the measurement from the True Point of Beginning to the Southwest Corner of the property located to the West of the Subject property.*
  - *The line type of the 15' Sanitary Sewer Easement needs to match the line type of the other easements. This easement also needs to show reference to the book and page where it was recorded. This easement cannot be fully dedicated by the plat as portions of it are outside of the area covered by the plat. If needed, include a detail to better delineate the location of these easements.*
  - *Information needs to be shown on the Plat for the book and page for the Cross Access Easement that is shown on the plans. This easement cannot be fully dedicated by the plat as portions of it are outside of the area covered by the plat.*

- *It appears that the Easement that is referenced as being recorded in "Book 201210 Page 000188" also extends along the Souths side of this property. Please include an additional note on this Southern portion of the easement to better show what easement this is.*
  - *All easements should include the dimensions necessary to locate the easement on the plat.*
  - *Staff suggests possibly removing the note specifying "West Line of the NW ¼ of the SE ¼ Sec. 34, T.14S, R.22E." The note on the other side of the line already specifies "East Line of the SW ¼ Sec. 34, T.14S, R.22E." While both references are accurate, it does not appear necessary to include both on the drawing.*
  - *Staff suggests removing the note "Northerly line of the proposed TAG Property" or rewording the statement to more accurately reflect the current status.*
  - *The note "East Line of the J.A. Pearce Tract of the 1892 Re-Survey of Township 14" needs to be moved so as not to be located in conflict with the easement lines shown.*
  - *The Preliminary Plat should also include the Ownership and Zoning of the adjoining tracts of ground including lot lines and what subdivision those properties are located in or that they are unplatted.*
12. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes. *The FIRM panel that is referenced on the plat is incorrect and needs to be updated to 20091C0119G and dated August 3, 2009. **Update Preliminary Plat.***
  13. Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains, and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot. *Copies of the Preliminary Plat have been distributed to utility companies for review. Additional utility easements could be requested by utility companies. **Preliminary Plat complies.***
  14. Total acreage, and size of each lot. *The legal description does not include a measurement of total acreage of the area being platted. **Update Preliminary Plat.***
  15. Contours at vertical intervals of 4 feet or less. ***Preliminary Plat complies.***
  16. Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used). ***Preliminary Plat complies.***
  17. A copy of the proposed restrictive covenants. ***If needed, this item will be addressed at final plat stage.***

#### General Design Standards

1. Rights-of-way must conform to the current standards of the American Public Works Association, and greater widths may be required by the Zoning Administrator after preliminary review; utility easements must be a minimum of fifteen (15) feet wide or, 7.5 feet for appurtenant utility easements on interior lots. Street lighting and fire hydrants must be indicated in areas planned for residential use. Cul-de-sacs are limited to 800 feet in length. ***Preliminary Plat complies.***
2. All portions of the tract being subdivided shall be taken up in lots (or phases), streets, planned open areas or other uses so that remnants and landlocked areas are not created. ***Preliminary Plat complies.***

3. All lots must front on a public right-of-way. When a subdivision is located along arterial roads adequate buffers must be maintained between the right-of-way and the building line. ***Preliminary Plat complies.***
4. Corner lots shall have minimum side-yard setbacks of twenty (20) feet to the street right-of-way and nine (9) feet to the property line of the adjacent interior lot unless approved by the Zoning Administrator. ***Preliminary Plat complies.***
5. Side lot lines shall be substantially at right angles to street lines. ***Preliminary Plat complies.***
6. Drainage and watercourse easements are required. Building setbacks from watercourses should be measured from the thread of the stream. Flowage easements may be used to calculate required minimum lot sizes. ***Drainage areas are currently being shown as located in areas on the plat designated as Tracts. Drainage/storm sewer and detention area easements have not been shown.***
7. The lot depth to front lot width ratio shall be no more than 3 to 1. ***Preliminary Plat complies.***
8. If the development is to be served with public water or sewer, the plat must bear a notation that the subdivision is to be served by these facilities. The Zoning Administrator may not issue a building permit for a lot notated "SERVICED BY PUBLIC WATER/SEWER" without written verification from the public water or sewer district that all distribution or collection lines have been installed and that all lots are either connected or are capable of being connected to central utilities. ***It is anticipated that this property will be developed and served by utilities as this property has access to both water and sewer. There is no such notation or declaration on the preliminary plat.***

#### **Other Comments**

*No additional comments at this time.*

#### **RECOMMENDATION**

City staff recommends approval of the Preliminary Plat for Edgerton Logistics Park, subject to compliance with the following stipulations:

1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
2. Preliminary plat be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.
3. All infrastructure requirements of the City shall be met.

#### **ATTACHMENTS**

Application PP2015-02

Preliminary Plat for Edgerton Logistics Park

Expired Preliminary Plat

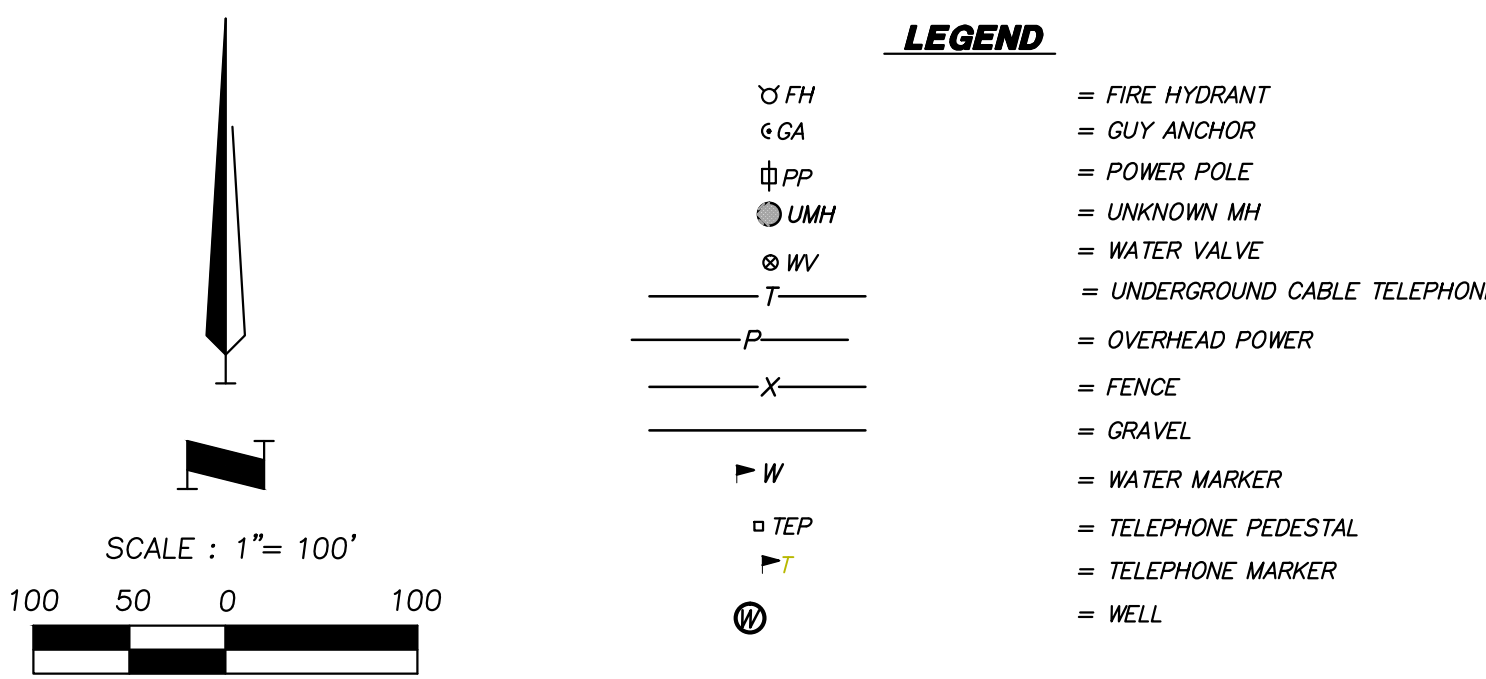
PRELIMINARY PLAT OF  
EDGERTON LOGISTICS PARK  
PART OF THE SW 1/4, SECTION 34, TOWNSHIP 14, RANGE 22,  
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

Date: November 25, 2015

LEGAL DESCRIPTION FROM TITLE COMMITMENT:

All that part of a tract of land described as the J.A. Pearce Tract in the Southwest Quarter of Section 34, Township 14 South, Range 22 East as said tract is shown and described in the 1892 Re-Survey of said Section, Township and Range, in the City of Edgerton, Johnson County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 34; thence S 88° 10' 27" W, along the South line of said Southwest Quarter, a distance of 360.36 feet to the True Point of Beginning of subject tract; thence continuing S 88° 10' 27" W, along said South line, a distance of 947.45 feet, thence N 02° 16' 29" W, parallel with the East line of said J.A. Pearce Tract, a distance of 1,170.31 feet; thence N 53° 52' 24" E, a distance of 1,140.81 feet, to a point on the East line of said J.A. Pearce Tract; thence S 02° 16' 29" E (S02° 16' 32" E, Deed), along the East line of said J.A. Pearce Tract, a distance of 1,813.21 feet, to the True Point of Beginning, except that part used or dedicated for streets, roads or public rights of way.



**GENERAL NOTES:**  
The Re-Survey of Johnson County, Townships 14 and 15 has an entry for Section 34 in said Township 14 South dated March 28 to 31, 1892. We have honored said Re-Survey in regard to the adjacent parcels of this surveyed premises and found the property lines to fit the occupation lines reasonably well. The Stone Monument found at the Northeast corner of this survey is referenced in both the Deed and Re-Survey.

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

Contour information shown hereon as provided by Johnson County, AIMS.

Field survey was completed August 2013.

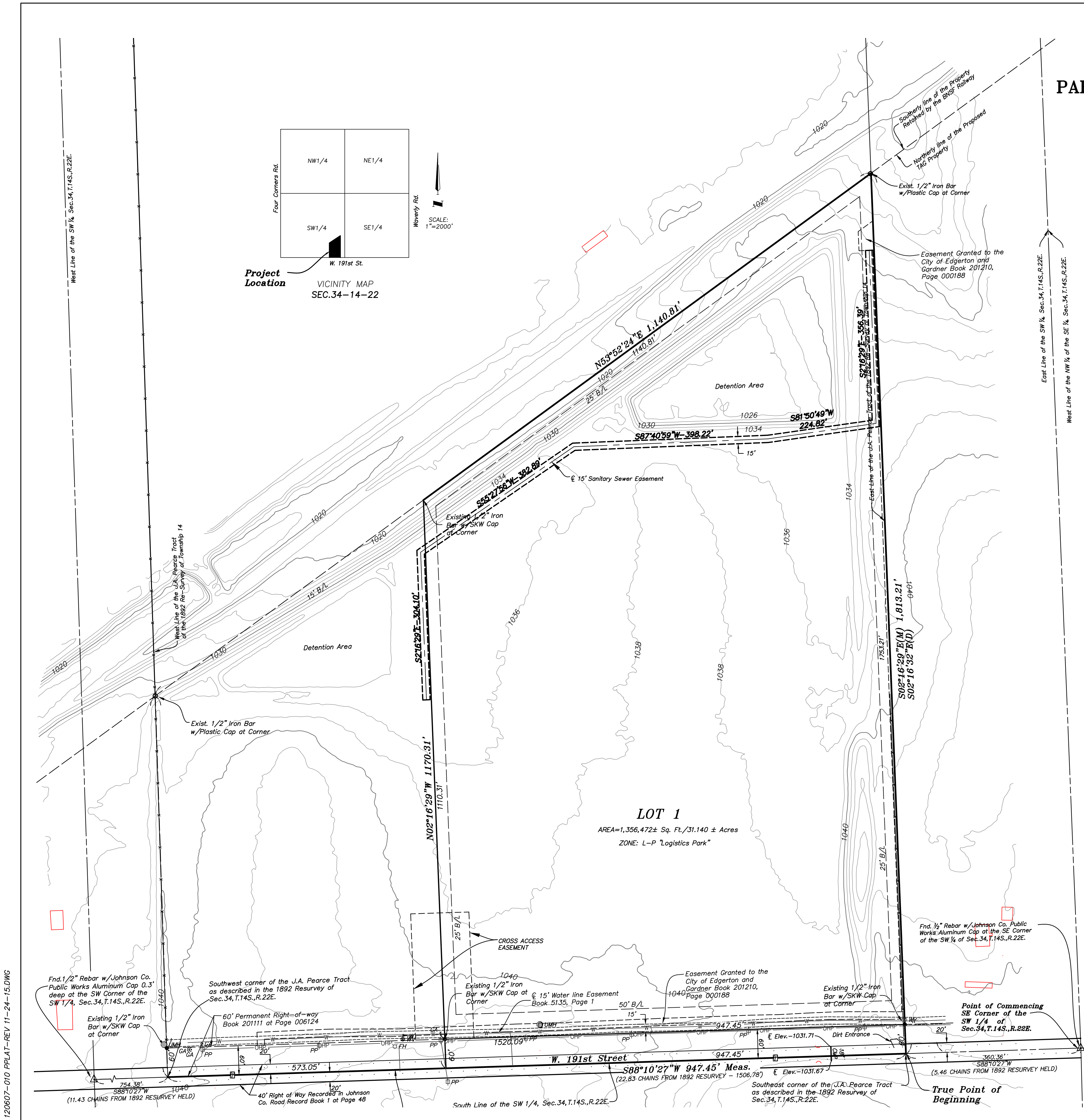
**FLOOD NOTE:**  
This property lies within Flood Zone X, defined as areas determined to be outside the 500-year flood, as shown on the Flood Insurance Rate Map, prepared by the Federal Emergency Agency's National Flood Insurance Program for Johnson County, Kansas, Map Number 20091C0290F and dated August 3, 2009.

APPROVED by:

Zoning Administrator	Date
City Engineer	Date
Planning Commission, Chairman	Date
Mayor	Date

**SHAFER, KLINE & WARREN, INC.**  
**ENGINEERS ~ SURVEYORS**  
11250 CORPORATE AVENUE  
LENEXA, KANSAS 66219  
(913) 888-7800 [www.skw-inc.com](http://www.skw-inc.com)

OWNER/APPLICANT:  
GJS 09 Trust, LLC  
Attn: George Schlager  
P.O. Box 10  
Olathe, KS 66051



120607-010 PPLAT-REV 11-24-15.DWG

~~PRELIMINARY PLAT OF~~  
~~EDGERTON LOGISTICS PARK~~  
PART OF THE SW 1/4, SECTION 34, TOWNSHIP 14, RANGE 22,  
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION FROM TITLE COMMITMENT: (PARENT PARCEL)

All that part of a tract of land described as the J.A. Pearce Tract in the Southwest Quarter of Section 34, Township 14 South, Range 22 East as said tract is shown and described in the 1892 Re-Survey of said Section Township and Range, Johnson County, Kansas, said tract of land being more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of said Section 34; thence South 88 degrees 10 minutes 27 seconds West, along the South line of the Southwest Quarter of said Section 34, a distance of 360.36 feet (5.46 chains as shown in said Re-Survey) to the Southeast corner of said J.A. Pearce Tract and the Point of Beginning of the tract of land to be herein described; thence continuing South 88 degrees 10 minutes 27 seconds West, along the South line of said Section 34, a distance of 1,520.50 feet to the Southwest corner of said J.A. Pearce Tract, said point being 754.38 feet (11.43 Chains as shown in said Re-Survey) East of the Southwest corner of said Section 34, as measured along the South line thereof; thence North 01 degrees 52 minutes 40 seconds West, along the West line of said J.A. Pearce Tract, a distance of 785.11 feet; thence North 53 degrees 52 minutes 24 seconds East, no longer along said West line, a distance of 1,824.27 feet to a point on the East line of said J.A. Pearce Tract; thence South 02 degrees 16 minutes 32 seconds East along the East line of said J.A. Pearce Tract, a distance of 1,813.21 feet to the Point of Beginning. Subject to all covenants, restrictions, reservations, and easements now of record thereon. And except that part in roads.

LEGEND

- ⊕ FH = FIRE HYDRANT
- ⊕ GA = GUY ANCHOR
- ⊕ PP = POWER POLE
- ⊕ UMH = UNKNOWN MH
- ⊕ WV = WATER VALVE
- T — = UNDERGROUND CABLE TELEPHONE
- P — = OVERHEAD POWER
- X — = FENCE
- — = GRAVEL
- ▶ W = WATER MARKER
- TEP = TELEPHONE PEDESTAL
- ⊕ = TELEPHONE MARKER
- ⊕ = WELL

GENERAL NOTES:  
The Re-Survey of Johnson County, Townships 14 and 15 has an entry for Section 34 in said Township 14 South dated March 28 to 31, 1892. We have honored said Re-Survey in regard to the adjacent parcels of this surveyed premises and found the property lines to fit the occupation lines reasonably well. The Stone Monument found at the Northeast corner of this survey is referenced in both the Deed and Re-Survey.

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

Contour information shown hereon as provided by Johnson County, AIMS.

Field survey was completed August 2013.

FLOOD NOTE:

This property lies within Flood Zone X, defined as areas determined to be outside the 500-year flood, as shown on the Flood Insurance Rate Map, prepared by the Federal Emergency Agency's National Flood Insurance Program for Johnson County, Kansas, Map Number 20091C0290F and dated June 17, 2002.

APPROVED by:

Zoning Administrator \_\_\_\_\_ Date \_\_\_\_\_

City Engineer \_\_\_\_\_ Date \_\_\_\_\_

Planning Commission, Chairman \_\_\_\_\_ Date \_\_\_\_\_

Mayor \_\_\_\_\_ Date \_\_\_\_\_

OWNER/APPLICANT  
SCHLAGEL FAMILY LLC  
P.O. Box 10  
Olathe, KS 66051

**SHAFER, KLINE & WARREN, INC.**  
**ENGINEERS ~ SURVEYORS**  
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## STAFF MEMO

January 8, 2016

To: Edgerton Planning Commission  
Fr: Kenneth Cook, AICP, CFM, Community Development Director  
Re: Building Materials for Dwellings, Accessory Structures, Projections & Fencing

### Residential Materials

At the December Planning Commission meeting, staff was instructed to make some minor changes to the wording that had been presented in regards to the types of material that are permitted for use on residential structures. The changes desired by the Planning Commission included changing the standard from applying to "all" residential structures to "primary" residential structures, to specify that metal roofing designed for residential dwellings should be permitted and to provide for an exception/appeal process that would allow for the Planning Commission to take other factors into consideration. Following is the updated wording that was previously discussed in regards to the types of materials permitted for residential structures.

*Primary residential structures, whether constructed on site or moved onto a site in the City of Edgerton, shall be of a compatible scale, design and visual quality, and shall display exterior materials that are generally compatible with other structures in the surrounding neighborhood or district. Such material shall be non-reflective material customarily used on site-built dwellings, such as wood, composition or simulated wood, clapboard, vinyl, brick, stucco, or similar materials but excluding smooth, ribbed or corrugated metal or plastic panels. Metal roofs are allowed provided that they are designed for residential use with a factory applied color coating system and are non-reflective (galvanized is prohibited). The Zoning Administrator shall be authorized to administer and interpret the standards of this section. The Board of Zoning Appeals may grant an exception to this requirement if the Board determines that the use of said material is designed in a manner to be compatible with other structures in the surrounding neighborhood or district.*

Staff would state that the Kansas Statutes which enable municipalities to adopt Zoning Regulations provide for the Board of Zoning Appeals to grant Variances and Exceptions (KSA 12-759(e)) from the zoning regulations. Based upon these enabling regulations, in order to grant a variance, the BZA must determine that five specified conditions have been met. If any one of these conditions has not been met the BZA is supposed to deny the request. The allowance for exceptions does not require the same consideration but is allowed only in those circumstances where they are specifically authorized. Following is the wording from the State Statutes in regards to the granting of exceptions. Additional wording will need to be added into Article 8.2 & 8.3 of the UDC and to create a process for the approval of exceptions. While staff anticipates that a similar process as what is used for the approval of a variance or appeal

will be proposed, we are continuing to research other communities to determine the best option available.

**Accessory Structures, Fencing & Projection of Structures**

Due to the Holiday break during December, it was difficult to make substantial progress on the research of these additional items that we started discussing in December. Staff is continuing to work on these items and hopes to have examples for the Planning Commission to discuss at the Planning Commission Meeting. I anticipate that this item will be tabled again.