

EDGERTON COMMUNITY BUILDING  
PLANNING COMMISSION MEETING  
Regular Session  
May 10, 2016  
Minutes

The Edgerton Planning Commission met in regular session with Chair Davis calling the meeting to order at 7:03 p.m.

All present participated in the Pledge of Allegiance.

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

The Recording Officer announced a quorum was present.

**MINUTES – April 19, 2016**

Approval of the minutes from the special session of April 19, 2016 was considered.

Motion by M. O'Neill, seconded by B. O'Neill, to approve the minutes as presented. Motion was approved, 7-0.

**GUESTS**

Guests attending were: John Thomas, Northpoint – LPKC, and Charlie Troutner, Edgerton City Council.

Mr. Thomas overviewed a revised project board of the Logistics Park Kansas City and distributed laminated sheets of the site to all.

**COMMUNICATIONS FROM STAFF**

Kenneth Cook, Community Development Director, informed the Commissioners of the open house for the Park Master Plan which was on May 9, 2016. He noted on the city's website is a link to the survey regarding this matter and encouraged all to complete. He stated the information will be used to create a plan for inclusion in capital improvement projects.

Mr. Cook briefly discussed the Johnson County Big Bull Creek Park improvement plans, as currently known.

Mr. Cook addressed the discussion from the April, 2016 session regarding a tour of the Logistics Park Kansas City site. He noted there will be a number of cases on the agenda for June 14, 2016. A discussion which included possible change of date for the tour, then convene a work session ensued.

John Thomas, North Point, offered suggestions for a shorter tour to begin at 5:00 to 5:30 p.m. to be back in time for the June 14 meeting. It was decided to have an evening meal at Edgerton City Hall at 5:00 p.m, then a short tour of the area and a few buildings, then back for the regular session.

**FINAL SITE PLAN – AMENDMENT OF APRIL 19, 2016**

An application for Amended Final Site Plan, FS2016-04, requesting approval of an amended final site plan for Logistics Park Kansas City Phase IV, Second Plat, Lot 1 (IP XXXI) located 2000 feet west of 196<sup>th</sup> and Waverly Road (31800 W. 196<sup>th</sup> Street), on a tract of land consisting of one (1) lot, containing approximately 21.781 acres, was considered. Applicant: John Thomas, Edgerton Land Holding Company. Engineer: Mick Slutter, Renaissance Infrastructure Consulting.

The Community Development Director overviewed the location and request. He informed the Commissioners the tenant indicated they were looking at some internal changes, and may not need the employee entrance, but that also the plans are going back and forth.

The discussion also centered on the requested changes which include showing a sidewalk along the east side of the building for pedestrian access to a northern tenant. Also amended were elevations of the buildings including addition of doors and windows on south elevation and lowering of building from 36' clear height to 32' clear height. It was noted this Alternative Landscape Plan is submitted to address the unique conditions on the site. Other changes include the fencing and additional landscaping.

Mr. Cook read from the Unified Development Code regarding fencing materials. He displayed a piece of the proposed fencing material consisting of 1" linked vinyl coated material along with screening fabric.

Mr. Lahn stated he does not have major concerns with the fencing on these large building/industrial sites because mostly the sites are viewed by employees and others within the area.

Mr. Cook stated there are some industrial uses, but also noted a few of the buildings are headquarters for the companies. He added there may be more in the future.

Mr. Cook also noted looking at these changes, since they have been initiated by some previous tenants, within the Unified Development Code update. He stated this potential code change would be based on knowledge gained since the original approval.

Mr. Cook recommended approval of the applicant's request.

Motion by B. O'Neill, seconded by Conus, to approve the amended final site plan subject to 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 XXXI in conformance with UDC especially with regard to maximum foot-candles at property line, b.) construction plans for future public infrastructure be submitted and approved by the City. All necessary permits obtained, c.) All landscaping shall be maintained in good condition and plants shall be replaced when dead; 2.) All infrastructure requirements of the City shall be met; 3.) All building permit and sign permit requirements of the City shall be met; and 4.) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking area, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable

obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein. Motion was approved, 7-0.

#### **FINAL SITE PLAN – AMENDMENT OF JUNE 9, 2015**

Amended Final Site Plan, FS2015-002, requesting approval for an amended final site plan for Inland Port V located in the northwest corner of 191<sup>st</sup> and Waverly Road, (31201 W. 187<sup>th</sup>) on a tract of land consisting of two (2) lots, containing approximately 43.076 acres, more or less, was considered. Applicant: John Thomas, ELHC V, LLC. Engineer: Chip Corcoran, R-I-C.

The Community Development Director spoke about the need to change plans as tenants fill the speculative buildings. He noted this tenant needs more outdoor storage as opposed to larger parking facility, adding this tenant will have a low employee count. He informed the Commissioners the tenant desires to use some of the employee parking for outside storage and redesign some of the entrances. The requested proposal is to allow for the placement of a rollup door between the building and outdoor storage. The tenant indicated preference for the office and main entrance to be located in the middle of the east side of the facility, which would expand the parking area from the original request. Mr. Cook additionally noted the Alternate Landscape Plan is submitted to work with the unique conditions of the site. He noted the updated plan includes fencing and screening materials which will be used around the storage areas and provides for additional landscape materials to be placed adjacent to the fence. He noted landscaping north of the structure is limited because of the transmission lines which will not allow the height for regular street trees. The UDC district regulations were reviewed which allows this request with the enhanced screening and paved or hard surfaces for the storage. Mr. Cook indicated 187<sup>th</sup> Street acts as a local road. He also spoke about the request for fencing 8' high with 1" vinyl chain link, covered with netting.

The applicant spoke about the needs of the proposed tenant and the location of the proposed outdoor storage which measures approximately 9% with an allowance under the UDC of 20% and reviewed screening and landscaping/netting along Waverly Road. He noted the surface will be paved as a parking lot which could be repurposed for future tenants, if needed.

Commissioner Conus requested to hear the UDC section regarding the storage requirements within the Logistics Park zoning. Mr. Cook overviewed the section and also spoke about the landscaping and screening request. He stated height limitations noted by the Planning Commission could be forwarded to the proposed tenant.

Commissioner Lahn stated the height limitations could be added as a stipulation.

It was suggested that the UDC Article 5, Section 5.2 H (District Regulations), items 2 and 3 be addressed in the UDC regulation update.

Motion by Lahn, seconded by Goans, to approve amended final site plan FS2015-002 with the following stipulations: 1.) All Site Plan requirements of the City shall be met as noted, particularly including; 2.) submittal of photometric lighting plan for Inland Port V in conformance with UDC especially with regard to maximum foot-candles at property line; b.) construction plans for future public infrastructure be submitted and approved by the City. Any necessary permits obtained; c.) all landscaping shall be maintained in good condition and plants shall be replaced

when dead; 2.) All infrastructure requirements of the City shall be met; 3.) All building permit and sign permit requirements of the City shall be met; 4.) The City will not require at time of site plan approval of the construction of sidewalks along 191<sup>st</sup> Street adjacent to the subject property. Prior to obtaining a building permit, the property owner will execute the necessary agreement to waive and relinquish any right he/she may have under K.S.A. 12-6a06 to protest the formation of a benefit district to pay for the construction of those sidewalks and street improvements adjacent to the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time; 5.) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easement, road 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; and 5.) Limitation of tree heights to accommodate the overhead power lines in regards to vertical restrictions of the KCP&L easement.

Mr. Cook noted he would add the height limitations on the front sheet to address this request.

The vote on the motion: YEA: Davis, B.O'Neill, M. O'Neill, Lahn, Hardin, and Goans. NAY: Conus. Motion was approved, 6-1.

#### **PUBLIC HEARING –cont'd – UNIFIED DEVELOPMENT CODE AMENDMENT**

The continued 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.

Planning Commissioner Chair Davis opened the hearing.

Mr. Cook informed the Commissioners the City entered into an agreement with Shaffer, Kline & Warren (SKW) to work with staff and help with reviews and inspections of development projects. He also overviewed potential uses of SKW for review of the LP District under the UDC zoning as well as commercial development. He added the entity may also review and work on the Comprehensive Plan.

Commissioner Hardin left the meeting at 9:01 p.m.

Mr. Cook noted he submitted this matter to the City Attorney for comments and has reviewed other communities and the state statute. He mentioned updated language should be addressed that reflects "accessory structures," rather than principle structure. He added the Board of Zoning Appeals should decide any exceptions; this is also being reviewed.

Commissioner M. O'Neill asked if existing structures would be grandfathered. Mr. Cook addressed and noted some allowances are already in place. Mr. Cook and the Planning Commission also reviewed the differences between exceptions and variances.

Mr. Conus asked if this would still have an appeal process. Mr. Cook indicated yes.

Mr. Cook recommended the hearing be continued to wait on City Attorney assistance with verbiage and recommendations.

Motion by B. O'Neill, seconded by Goans, to continue the public hearing until June 14, 2016 at 7:00 p.m. Motion was approved, 6-0.

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

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

Chair Davis opened the meeting.

Motion by Lahn, seconded by M.O'Neill, to continue the hearing until July 14, 2016 at 7:00 p.m. Motion was approved, 6-0.

**FUTURE MEETING – REGULAR MEETING June 14, 2016**

Mr. Cook reminded the Commissioners of the officer election for the next meeting. He also spoke about the potential change to term structure.

**ADJOURNMENT**

Motion by Goans, seconded by Lahn, to adjourn the meeting. Motion was approved, 6-0.

The meeting adjourned at 9:50 p.m.

Submitted by:

Debra S. Gragg  
Recording Officer