

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
Regular Session
June 14, 2016
Minutes

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

All present participated in the Pledge of Allegiance.

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

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

GUESTS

Guests attending were: Aaron Burkes and John Thomas, Northpoint – LPKC, representatives from J.B. Hunt, and Mike Gardner.

Mr. Burkes introduced himself to the Commissioners.

Commissioner Lahn arrived at 7:05 p.m.

COMMUNICATIONS FROM STAFF

Kenneth Cook, Community Development Director, spoke about a future public hearing for updates to the Unified Development Code and food truck vendors at Logistics Park Kansas City.

ELECTION OF OFFICERS 2016-2017

Motion by M. O'Neill, seconded by B. O'Neill, to nominate Chuck Davis as Chair. Motion was approved, 6-0.

Motion by M. O'Neill, seconded by B. O'Neill, to nominate Ron Conus as Vice-Chair. Motion was approved, 6-0.

Motion by M. O'Neill, seconded by B. O'Neill, to nominate Leslie Hardin as Secretary. Motion was approved, 6-0.

Positions will be effective with the July 12, 2016 meeting.

PUBLIC HEARING – REZONING ZA2016-01

A public hearing in regards to Rezoning Application, ZA2016-01, requesting a change in zoning from City of Edgerton AG to City of Edgerton LP for property located west of Waverly Road, north of Burlington Northern Santa Fe Railroad (Rail Serve-Inland Port XL) within the southeast quarter of Section 27, Township 14 South, Range 22 East containing approximately 61.996 acres, more or less, was considered. Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

Chair Davis opened the public hearing.

Mr. Cook overviewed the area which is located in the vicinity of the Waverly Road Overpass and Heavy Haul Corridor. He noted this was in the original section of the LPKC which was zoned Business Park Zoning for warehouse and distribution. He indicated staff recommends the request for rezoning to City of Edgerton Logistics Park. For the Commissioners information, Mr. Cook explained the Golden Criteria.

Aaron Burks, North Point, indicated the site is owned by North Point and the property would house a freezer building, while the rest of the Rail Serve will be agriculture. Mr. Burks noted the products would include meat-protein for in-bound/out-bound trains and storage.

No one appeared to oppose or support.

Motion by B. O'Neill, seconded by M. O'Neill, to close the hearing. Motion was approved, 6-0.

Motion by B. O'Neill, seconded by Conus, to recommend approval of 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, 6-0.

PUBLIC HEARING – PRELIMINARY PLAT PP2016-01

A public hearing in regards to Preliminary Plat Application, PP2016-01, requesting approval of a preliminary plat for Logistics Park Kansas City Phase V located west of Waverly Road, north of Burlington Northern Santa Fe Railroad (Rail Serve – Inland Port XL) within the southeast quarter of Section 27, Township 14 South, Range 22 East containing approximately 61.996 acres, more or less, was considered. Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

Chair Davis opened the public hearing.

The Community Development Director overviewed the staff report. He indicated Edgerton Land Holding Company is beginning to develop the area and has prepared easements and other documents, drainage and road plans in regards to the preliminary plat process. Mr. Cook indicated prior to final plat submittal, staff will determine if all revisions are revised.

Mr. Conus questioned if there is a requirement to build up the area if in flood plain. The response was review of the property within the Zone X would need to be determined. Mr. Conus also asked about emergency access – can Four Corners be used? Mr. Cook responded.

Mr. Lahn questioned if this is a cul-de-sac, the Uniform Development Code only addresses 800 feet for such; with this being 1600 feet; he questioned if this can be approved.

Mr. Thomas addressed this matter and indicated a private road could be constructed around the building, adding it will take approximately a year to complete the buildings.

Mr. B. O'Neill stated concern regarding trucks and cars (for safety concerns) within the area with only one way of ingress/egress onto Waverly Road.

It was determined this should be continued for further review.

There was no one present to support or oppose the request.

Motion by Lahn, seconded by B. O'Neill, to table this hearing until July 12, 2016. Motion was approved, 6-0.

PUBLIC HEARING – PRELIMINARY SITE PLAN PS2016-01

A public hearing in regards to Preliminary Site Plan Application, PS2016-01, requesting approval of a preliminary site plan for Logistics Park Kansas City Phase V located west of Waverly Road, north of Burlington Northern Santa Fe Railroad (Rail Serve- Inland Port XL) within the southeast quarter of Section 27, Township 14 South, Range 22 East containing approximately 61.996 acres, more or less, was considered. Owner/Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

Planning Commission Chair Davis opened the hearing.

Mr. Cook indicated this property is the same as for the past two presentations. He noted a Master Sewer Plan is in process. He noted items to consider are building materials and color.

Mr. B. O'Neill asked if there would be dock doors on the east side. It was noted as of yesterday, there are no planned dock doors on the east.

The Planning Commission discussed the materials.

There was no one present to oppose or support the request.

Motion by B. O'Neill, seconded by M. O'Neill, to close the public hearing. Motion was approved, 6-0.

Motion by Lahn, seconded by B. O'Neill, to approve the preliminary site plan, with approval of the preliminary plat, and the following stipulations: 1.) The noted recommendations need to be incorporated into a Final Site Plan; 2.) A Final Site Plan must be submitted and approved prior to commencement of uses and the property shall be developed in accordance with a Site Plan, Landscaping Plan, and Photometric Plan as required by City approval of the submitted preliminary site plan, as amended by these stipulations, and approved by the City; 3.) All Preliminary Site Plan requirements of the City listed above shall be met or addressed during Final Site Plan submittal as identified; 4.) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; and 5.) All construction plans for any public infrastructure shall be prepared to City standards and

approved by the City. Motion was approved, 6-0.

PUBLIC HEARING – REZONING ZA2016-02

A public hearing in regards to Rezoning Application, ZA2016-02, requesting a change in zoning from City of Edgerton A-G to City of Edgerton LP for property located at the southeast corner of Waverly Road and 185th Street (IP VII), and in the northeast corner of Waverly Road and 185th Street (IP VIII) within the west half of the northwest quarter of Section 35, Township 14, Range 22 containing approximately 70.99 acres, more or less, was considered. Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

Chair Davis opened the public hearing.

The Community Development Director overviewed the request for rezoning property from City of Edgerton A-G to LP zoning. He stated staff recommends approval with stipulations.

Mr. B. O'Neill asked about the status of 183rd Street, whether or not to vacate 183rd Street. It was noted the roadway would be closed at that location.

John Thomas, North Point Development, indicated easements for the gas company and City of Gardner waterlines would be provided.

Fred Fraley, owner of property along Moonlight Road, attended and expressed concerns with erosion and provided photos.

Motion by M. O'Neill, seconded by B. O'Neill, to close the public hearing. Motion was approved, 6-0.

A representative from J. B. Hunt indicated staff will look into the concerns and provide follow-up with staff. He stated something is not right, adding his company wants to be a good neighbor.

Motion by B. O'Neill, seconded by Conus, to recommend approval of the rezoning request from City of Edgerton A-G to LP, subject to 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, 6-0.

Staff requested the next two items (Preliminary Plat PP2016-02 and Preliminary Site Plan PS2016-02) be tabled until the July 12, 2016 meeting.

PUBLIC HEARING – PRELIMINARY PLAT PP2016-02

A public hearing in regards to Preliminary Plat Application, PP2016-02, requesting approval of a preliminary plat for property located east of Waverly Road, south of 183rd Street, containing two (2) lots within the west half of the northwest quarter of Section 35, Township 14 South, Range 22 East containing approximately 70.99 acres, more or less, was considered. Owner/Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

The Planning Commission Chair opened the hearing.

Motion by Hardin, seconded by M. O'Neill, to table this hearing until July 12, 2016. Motion was approved, 6-0.

PUBLIC HEARING – PRELIMINARY SITE PLAN PS2016-02

A public hearing in regards to Preliminary Site Plan Application, PS2016-02, requesting approval of a preliminary site plan for property located east of Waverly Road, south of 183rd Street, containing two (2) lots within the west half of the northwest quarter of Section 35, Township 14 South, Range 22 East containing approximately 70.99 acres, more or less, was considered. Owner/Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

The public hearing was opened by the Planning Commission Chair.

Motion by B. O'Neill, seconded by Conus, to table this hearing until July 12, 2016. Motion was approved, 6-0.

AMENDED FINAL SITE PLAN, FS2016-05 – (S-11-18-2013 APPROVAL 12/10/2013)

An Amended Final Site Plan, FS2016-05, (J. B. Hunt Transport, Inc.) requesting approval of an amendment to approved Final Site Plan S-11-18-2013 on December 10, 2013, for property located at 30650 West 191st Street, in Section 35, Township 14, Range 22 located approximately .2 miles east of Waverly Road on the north side of 191st Street containing 20 acres more or less, was considered. Applicant: Derek Kenneman. Engineer: Michael R. Osbourne, Kaw Valley Engineering.

Mr. Cook overviewed this request and noted observing that many improvements were being made on the JB Hunt property which did not comply with the current Final Site Plan, which was approved in December, 2013. He indicated improvements which have or are in the process of being constructed without necessary permits or allowed in the final site plan include: covered seating area, storm shelter, maintenance office, truck scale, covered shop with associated storage containers, a large "temporary sign" advertising job openings (which is now removed). The amended final site plan request includes a number of changes from the approved plan. Mr. Cook noted that upon approval from the Planning Commission, applicants will need to submit applications for building permits for improvements and associated documents.

Several representatives from J.B. Hunt Transport, Inc. were present.

Mr. Cook indicated J. B. Hunt has agreed to obtain the necessary permits. The company has agreed to make things right.

Mr. Conus questioned the enforcement of the codes or laws.

The representatives from J.B. Hunt Transport, Inc. indicated the desire to move forward and requested the Commissioners not to table this matter to another meeting.

Motion by Lahn, seconded by B. O'Neill, to table this request to July 12, 2016. Motion was approved, 6-0.

AMENDED FINAL SITE PLAN – FS2016-01 APPROVAL 03/08/2016

An amended Final Site Plan, FS2016-01, requesting approval of an amended final site plan for Lot 4, Logistics Park Kansas City Southeast, 2nd Plat (IP XIV), located at 19451 Waverly Road, containing approximately 51.059 acres, was considered. Applicant: John Thomas, Northpoint Development. Engineer: Mick Slutter, Renaissance Infrastructure Consulting.

The Community Development Director overviewed the request for revisions for Inland Port XIV located at 19451 Waverly Road. He noted the final site plan was approved in March, 2015 with an amended site plan approved in March, 2016. He noted changes to accommodate Amazon's needs is the reason for this request. Among the requested amendments are: additional trailer stalls, new access point, angled parking and one-way traffic down the aisle drive, "smoker's canopy, drop off island and shelter, and guard shack.

Mr. Cook indicated staff recommends approval with suggested stipulations.

Motion by Hardin, seconded by Conus, to approve the amended site plan, FS2016-01, with the following stipulations: 1.) all site plan requirements of the City shall be met as noted and in the report dated March 4, 2016, particularly including: a) submittal of photometric lighting plan in conformance with UDC especially with regard to maximum foot-candles at property line; b) construction plans or future public infrastructure be submitted and approved by the City. Any necessary permits obtained; and 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 areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein. Motion was approved, 6-0.

TEMPORARY CONSTRUCTION ACTIVITIES – INLAND PORT XII

A request for temporary construction activities consisting of placement of a portable restroom trailer to be located at 30801 W 191st Street, on behalf of tenant's needs was considered. Applicant: NorthPoint Development, John Thomas.

The Community Development Director briefly overviewed the request. He indicated the applicant's tenant, Jet.com, has continued to add associates since July 2015 and recently expanded their leased area. It was noted staffing levels are above the building code minimum for restroom facilities, adding the code does not count exactly for warehouse shift change intervals. With this request, the applicant's tenant's expansion plans to build out another midblock office which would include a bank of restrooms to accommodate more than 800 warehouse associates. The applicant noted these facilities would not be completed until September/October 2016. It was noted this is the reason for the request for a portable restroom trailer to accommodate needs until expansion is complete, with an ending date of October 1, 2016.

Mr. Thomas addressed and advised of the providers of utility services for Inland Port XII.

Motion by B. O'Neill, seconded by Hardin, to approve the request for portable services. Motion was approved, 6-0.

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.

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

FUTURE MEETING – REGULAR MEETING July 12, 2016

COMMISSIONERS COMMENTS

Commissioner Lahn spoke about vacant commercial real estate and potential of looking a zoning classifications.

The Commissioners directed the Community Development Director to evaluate these buildings and determine whether or not residential/commercial uses (C-1 mixed use) can reside within the same facility.

Chair Davis indicated TSL is storing stacked cargo containers on gravel and questioned past approval.

ADJOURNMENT

Motion by Hardin, seconded by Conus, to adjourn the meeting. Motion was approved, 6-0.

The meeting adjourned at 12:05 a.m.

Submitted by:

Janeice L. Rawles
City Clerk