

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
Special Session
October 18, 2016
Minutes

Prior to the meeting Juliann Hunter was sworn in as new Planning Commissioner.

The Edgerton Planning Commission met in special session with Vice-Chair Conus calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners Ron Conus, Maria O'Neill, Bob O'Neill, Leslie Hardin, Desiree' Goans and Juliann Hunter. Absent were: Chuck Davis. Also present were Community Development Director Kenneth Cook, City Administrator Beth Linn, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

MINUTES

Minutes of August 9, 2016 were considered.

Motion by M. O'Neill, seconded by B. O'Neill, to approve the minutes as published. Motion was approved, 6-0.

GUESTS

No introductions made.

COMMUNICATIONS

The Community Development Director introduced Julianne Hunter as the newest Planning Commissioner; adding she has previous experience as a Planning Commissioner. Ms. Hunter was welcomed on the Commission.

STATUS UPDATE – TSL AND ARROWHEAD

Mr. Cook indicated that both companies are not in compliance with their requirements. It was noted the last actions by the Planning Commission were extensions to August 31, 2016. He indicated TSL is working primarily on hard surface; Arrowhead is still working on compliance.

It was noted that both companies are in violation. The Commissioners were informed the City Administrator would send a letter with the final time-frame and notice of possible revocation.

Tom Hastings, President/CEO of TSL, appeared to speak in regards of his project. He noted as of August 31, the project was in compliance with the hard surface and landscaping, exception being seeding. He noted all that is left on the buildings is the façade.

Mr. O'Neill asked if this project was more difficult than at other locations. Mr. Hastings noted it was, but also stated this company is family owned and he anticipates a long-term investment at this site.

Mr. Cook noted he is working with the City Engineer in reviewing the materials for the shop and check-in structure.

Todd Creagon, Arrowhead, indicated his company acquired this project in May, 2015 and noted there are grading issues with drainage and sewer lines, and noted the requirements cannot be completed in 30 days, and needs final approval of the plans. He noted his company plans to be at this location for a very long time. He stated he appreciates everyone's patience.

Mr. Cook overviewed the legal process regarding the compliance in conditional uses.

MEETING CHANGE

Mr. Cook informed the Commissioners that due to the use of the building for the general election, the building will not be available for the Regular Session. It was suggested the meeting be rescheduled to a Special Session on November 15, 2016. Mr. Cook also noted the Commissioners will need to make decisions on the work session schedule.

PUBLIC HEARING – Cont'd – PRELIMINARY PLAT PP2016-03

The re-opening of a public hearing in regards to Preliminary Plat Application, PP2016-03, requesting approval of a preliminary plat for Logistics Park Kansas City Phase III, First Plat, located south of 191st Street, east of Four Corners Road, a part of the northeast quarter of Section 4, Township 15 S, Range 22 East, containing approximately 105.27 acres, more or less, was considered. Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

Vice-Chair Conus re-opened the public hearing.

Mr. Cook discussed the plat and preliminary site plan. He also overviewed the location sites along Four Corners Road (with removal per three-party agreement) originally shown as access - noting there is a need to review traffic circulation. He also spoke about circulation/traffic study and sidewalk construction along 191st.

He stated staff recommends approval of the preliminary plat with stipulations.

John Thomas, NorthPoint, informed the Commissioners that he intends to complete a traffic study independent of BNS&F. He stated the Planning Commission would be updated on the status of the area, adjacent to Inland Port XXII. He also spoke about the removal of Four Corners Road and construction of a private street for traffic flow.

Donald Roberts, Mayor, informed the Commissioners talks with Johnson County Parks & Recreation and Edgerton Land Holding Company have been going on for some time.

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

Motion by B. O'Neill, seconded by M. O'Neill, to approve Preliminary Plat, PP2016-03, Logistics Park Kansas City Phase III, First Plat, with the following stipulations: 1.) All preliminary plat requirements of the City noted shall be met or addressed; 2.) Final plats for Lots 1 and 2 may require modifications as Four Corners Road is currently anticipated to be removed; and 3.) 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; and 4.) All infrastructure requirements of the City shall be met. Motion was approved, 6-0.

PUBLIC HEARING - PRELIMINARY SITE PLAN, PS2016-03

The re-opening of a public hearing in regards to Preliminary Site Plan Application, PS2016-03, requesting approval of a preliminary site plan for Logistics Park Kansas City, Phase III, First Plat, located east of Waverly Road, a part of the northeast quarter of Section 4, Township 15S, Range 22 East, containing approximately 105.27 acres, more or less, was considered. Applicant: Edgerton Land Holding Company, LLC. Engineer: Renaissance Infrastructure Consulting.

Vice-Chair Conus re-opened the hearing.

Mr. Cook informed the Commissioners this request goes with the previous item. He indicated staff is comfortable with the request, noting any concerns rest primarily with residential property nearby.

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

Motion by B. O'Neill, seconded by M. O'Neill, to approve the preliminary site plan with 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 was required by City approval of the submitted preliminary site plan, as amended by these stipulations, and approved by the City; 3.) Final site plans submitted for Lot 1 and Lot 2 may require modifications as Four Corners Road is currently anticipated to be removed; 4.) All preliminary site plan requirements of the City noted shall be met or addressed during final site plan submittal

as noted; 5.) No signage is proposed with this application; signage proposed later shall receive separate approval according to the provisions of the UDC; and 6.) All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. Motion was approved, 6-0.

FINAL SITE PLAN – FS2016-07

Final Site Plan Application, FS2016-07, requesting approval of a final site plan for Inland Port VIII, Logistics Park Kansas City – Phase XI, located east of Waverly Road, south of 183rd Street (30900 W. 185th) containing one (1) lot within the west half of the northwest quarter of Section 35, Township 14 South, Range 22 East containing approximately 42.99 acres, more or less, was considered. Owner/Applicant: Edgerton Land Holding Company, LLC Engineer: Renaissance Infrastructure Consulting.

Mr. Cook overviewed the request and spoke about changes to the lots due to Waverly Road construction. He spoke about potential right-of-way vacation and talks with City Attorney. He also indicated the potential design is similar to Amazon's configuration; may need additional screening if trailer parking in stalls is closer to streets.

John Thomas, Edgerton Land Holding Company, spoke about the vacation of 183rd Street. He spoke about traffic circulation and Waverly Road construction.

Ms. Hardin left the meeting at 8:28 p.m. and returned at 8:30 p.m.

Motion by Goans, seconded by Hunter, to approve the Final Site Plan FP2016-07 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 VIII 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; 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.

FINAL PLAT – FP2016-02

Final Plat, FP2016-02, requesting recommendation of approval of a final plat for Logistics Park Kansas City, Tenth Plat (Inland Port XL – Rail Serve), located west of Waverly Road, north of Burlington Northern Santa Fe Railroad (Rail Serve) within the

southeast quarter of Section 27, Township 14 South, Range 22 East, consisting of two (2) lots and one (1) tract, containing approximately 61.37 acres more or less, was considered. Applicant/Owner: Edgerton Land Holding, Inc. Engineer: Renaissance Infrastructure Consulting.

The Community Development Director reviewed the request. He noted there may be a need for a development agreement. Mr. Cook indicated the property may be replatted in the future, noting it may need to be renamed to better reflect the site.

Aaron Burke, Edgerton Land Holding Company, LLC (ELHC), discussed the future transfer from ELHC to Cold Point, the operator. He indicated the two lots, one tract will probably be platted under the proposed name of "LPKC RailServe, First Plat." He noted the revised plat will remove the dedicated private easements and show as public easements.

Motion by Goans, seconded by Hunter, to approve Final Plat FP2016-02 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 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; and 6.) Addition of language based upon City Attorney recommendation of memorializing street on plat or by separate development agreement. Motion was approved, 6-0.

TEMPORARY CONSTRUCTION ACTIVITIES – Inland Port XXXII

A request for temporary construction activities consisting of office and restroom trailers located at 31450 W 196th, on behalf of tenants needs was considered. Applicant: NorthPoint Development, LLC./John Thomas.

Mr. Cook overviewed the request which requested the proposed trailers be located near the northwest corner of the building. Mr. Cook noted the trailers would be located in the area adjacent to the loading bays. He asked for the concurrence of the Planning Commission to this request with the following conditions: 1.) Trailer must be removed no later than December 31, 2016 or when the tenant improvement is completed, whichever occurs first; 2.) Site and trailer must be maintained in good condition; and 3.) All waste

must be disposed of in accordance with all applicable regulations. The members concurred with staff's conditions.

PUBLIC HEARING – Cont'd – UNIFIED DEVELOPMENT CODE AMENDMENT UDCA2015-02

Re-opening of a public hearing in regards to UDCA2015-02, Unified Development Code Amendment 02, pertaining to fencing standards, setback, and bulk and yard requirements was considered. Applicant: City of Edgerton.

Vice-Chair Conus re- opened the public hearing.

Motion by Hardin, seconded by B. O'Neill, to table the public hearing until November 15, 2016. Motion was approved, 6-0.

Mr. Cook reminded all to send recommendations of buildings, areas, etc of those things liked as well as disliked to staff. These will be used in connection with potential amendment.

PUBLIC HEARING – Cont'd – UNIFIED DEVELOPMENT CODE AMENDMENT UDCA2016-01

Re-opening of a public hearing in regards to UDCA2016-01, Unified Development Code Amendment 01, pertaining to Article 9 regarding building permit requirements, accessory structures, fences, and short-term special uses and events was considered. Applicant: City of Edgerton.

Vice-Chair Conus re-opened the public hearing.

Motion by Hardin, seconded by B. O'Neill, to table the public hearing until November 15, 2016. Motion was approved, 6-0.

FUTURE MEETING

The next meeting scheduled is Special Session of November 15, 2016.

COMMISSIONERS COMMENTS

The Commissioners were informed Mr. Cook and Mr. Conus attended The American Planners Association Kansas Chapter Conference in Lawrence, KS in early October. They briefly overviewed the presentation by City of Lawrence and Douglas County representatives which included education and fairness of sales tax v. property tax for roadway maintenance. The report was well received.

Ms. Hunter left the meeting at 9:35 p.m. and returned at 9:38 p.m.

Mr. Conus left the meeting at 9:55 p.m. and returned at 9:57 p.m.

ADJOURNMENT

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

The meeting adjourned at 10:04 p.m.

Submitted by:

Debra S. Gragg
Recording Officer