

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
REGULAR SESSION
July 11, 2017
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, Maria O'Neill, Bob O'Neill, John Daley, Leslie Hardin. Absent were: Commissioners Eric Erazo, Jamie Cunningham, and Joshua Lewis. Also present were: City Administrator Beth Linn, Assistant City Administrator Scott Peterson, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

ELECTION OF OFFICERS

The election of officers for 2017-2018 was considered.

Discussion with the attending Commissioners concluded with need to table until more Commissioners are present.

Motion by M. O'Neill, seconded by Daley, to table the election to August meeting. Motion was approved, 5-0.

CONSENT AGENDA

MINUTES

Minutes for the Regular Session of April 11, 2017 were considered.

Minutes for the Declaration of June 13, 2017 were considered.

Minutes for the Special Session of June 20, 2017 were considered.

**FINAL PLAT – LOGISTICS PLAT KANSAS CITY, PHASE VI, LOT3 (INLAND PORT VII),
FP2017-06**

A final plat, FP2017-06, for Logistics Park Kansas City, Phase VI, Lot 3 (Inland Port VII) located in the Southeast Corner of Waverly Road and 185th Street, consisting of one (1) lot, containing approximately 58.642 acres, more or less and forwarding same to the Governing Body for acceptance, was considered. Applicant: Edgerton Land Holding Company Engineer: Renaissance Infrastructure Consulting.

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

Beth Linn, City Administrator, informed the Commissioners that Kenneth Cook is no longer with the City. She noted Scott Peterson and she will be filling in for a while.

PUBLIC HEARING – PRELIMINARY PLAT, 183RD AND MONTROSE ST. – PP2017-03 (INLAND PORTS IX AND X)

The opening a public hearing in regards to Preliminary Plat Application, PP2017-03, and further requesting consideration of the preliminary plat for Logistics Park Kansas City Phase VI, Second Plat, Lots 1 and 2, located east of Waverly Road, north of 183rd Street, a part of the southwest quarter of Section 26, Township 14 S, Range 22 East, consisting of two (2) lots, containing approximately 79.776 acres, more or less, was considered.

Chair Chuck Davis opened the hearing.

Beth Linn, City Administrator, overviewed the aspects of the preliminary plat, containing two (2) lots. The property located north of 183rd Street, east of Waverly Road and abuts the City of Gardner to the east. She briefly overviewed items missing from the submittal. Ms. Linn noted not all utility or storm water easements were depicted nor right-of-way for 183rd Street. She noted the storm water drainage study is not required with the submission of plats.

No one appeared to note opposition or support.

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

Motion by M. O'Neill, seconded by B. 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 addition 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 a preliminary plat. 3.) All infrastructure requirements of the City shall be met. Motion was approved, 5-0.

FINAL PLAT – LOGISTICS PARK KANSAS CITY PHASE VI, SECOND PLAT, LOT 1, FP2017-03 (INLAND PORT IX)

An application in regards to Final Plat, FP2017-03, requesting approval for a final plat for Logistics Park Phase VI, Second Plat, Lot 1, located north of 183rd Street, east of Waverly Road, a part of the southwest quarter of Section 27, Township 14 South, Range 22, consisting of one (1) lot containing approximately 36.356 acres, more or less, was considered. Owner: ELHC IX, LLC Engineer: Renaissance Infrastructure Consulting.

The City Administrator noted this is one of the lots within the preliminary plat which was just considered and approved.

Ms. Linn noted overall the plat meets compliance with a few exceptions which include typographical errors of the metes and bounds description, surveying points, table, lots and tract numbers, easements, ingress, and written legal description. Ms. Linn indicated staff recommends approval with stipulations.

Motion by Hardin, seconded by Daley, to approve the final plat with the following stipulations: 1.) Adequate Drainage Easements be provided over Tract A, Tract B, and the stormwater

conveyance system; 2.) Adequate Access Easement be provided for Tract A and possibly across Tract B; 3.) All final plat requirements of the City noted shall be met or addressed prior to recording of the Plat; 4.) 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; 5.) 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; 6.) 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; 7.) 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; and 8.) 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.

Ms. Linn announced the final plat would be presented to the Council on July 27, 2017.

PUBLIC HEARING – PRELIMINARY SITE PLAN, 183RD AND MONTROSE STREET, PS2017-03 (INLAND PORTS IX AND X)

The opening of a public hearing in regards to Preliminary Site Plan Application, PS2017-03, requesting approval of a preliminary site plan for Logistics Park Kansas City, Phase VI, First Plat, Lots 1 and 2, located north of 183rd Street, east of Waverly Road, a part of the southwest quarter of Section 26, Township 14S, Range 22 East, consisting of two (2) lots, containing approximately 79.776 acres, more or less, was considered. Owner/Applicant: ELHC IX, LLC and ELHC X, LLC. Engineer: Renaissance Infrastructure Consulting.

Chair Davis opened the hearing.

Ms. Linn introduced this matter. She spoke about the building orientation and the need for elevations for Inland Port IX on Lot 1. It was noted that an exception to orient the rear elevation towards the public street is due to the unique situation. She noted if the Planning Commission allows this, then the dock doors will face 183rd Street. Ms. Linn also noted the eastern property line is the corporate city limits of Edgerton and Gardner. She indicated that due to the residential use adjacent to this location, staff recommends screening, achieved by berm, varied placement of Type 4 Buffer and Modified Type 4 Buffer, and Modified Type 4 perimeter, truck screening from view of a person just east of the eastern property line. She noted the preliminary site plan would need to be updated to reflect. Ms. Linn also spoke about the pedestrian guidelines and horizontal and vertical articulations. She noted staff recommends approval with noted stipulations.

Mr. Davis asked about the increased buffer. Ms. Linn overviewed the Unified Development Code pertaining to the Standards for Type 4 Perimeter Buffer.

John Thomas, representing the applicant, addressed the landscaping regarding the berming, shrubs, and the aesthetics of canopy and evergreen trees. Ms. Linn referred to the discussion presented at the Special Session of June 20, 2017 as noted: *“Those recommendations are: Minimum 6’ berm to shield the view of 6’ person just east of property line (except in areas of building that transition to office corners); and Use of Perimeter Buffer to screen view of truck*

with trailer at either parking lot or building. Discussed were the minimum requirements of buffering from the Unified Development Code in regards to Type 4 Perimeter Buffer, to include canopy trees planted as base to provide shade in lower area; and placement of shrubs/evergreen with changes based on topography. Ms. Linn overviewed Type 4 "Modified" to allow change in placement with evergreen and/or shrub up/on berm to shield view. It could also allow continuous use of "hedge screen" to achieve continuous green screening."

Janie Peters, 632 S. Poplar Street, Gardner, KS informed the Commission this building will be in her back yard. She asked about the walking path plan. Staff noted it will be between the berm and her property. Ms. Peters also questioned the location of the wetlands. Ms. Linn and Mr. Thomas overviewed the area and spoke about the necessity of the "wetlands" to remain as required.

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

Motion by B. O'Neill, seconded by Hardin, to approve the preliminary site plan subject to the following stipulations: 1.) The noted recommendations are stipulated to as part of approval and incorporated into the Preliminary Development/Site Plan document set; 2.) A Final Development/Site Plan must be submitted and approved prior to commencement of uses and the property shall be developed in accordance with a Final Development/Site Plan, Landscaping Plan, and Photometric Plan as required by City approval of the submitted Preliminary Development/Site Plan, as amended by these stipulations, and approved by the City; 3.) All Preliminary Development/Site Plan requirements of the City noted shall be met or addressed during the Final Development/Site Plan submittal as identified; 4.) No signage is proposed with the 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, 5-0.

FINAL SITE PLAN – LOGISTICS PARK KANSAS CITY, PHASE VI, FIRST PLAT, LOT 1, FS2017-02 (INLAND PORT IX)

An application in regards to Final Site Plan, FS2017-02, requesting approval of a final site plan for Logistics Park Kansas City Phase VI, First Plat, Lot 1, located north of 183rd Street, east of Waverly Road, a part of the southeast quarter of Section 26, Township 14 South, Range 22 East, consisting of one (1) lot, containing approximately 36.356 acres, more or less, was considered. Owner: ELHC IX, LLC Engineer: Renaissance Infrastructure Consulting

Ms. Linn introduced this item and noted it is only for Inland Port IX and noted there are a few items for discussion.

Ms. Linn spoke about the design guidelines and noted that with this application, an exception to orient a side elevation, with dock doors, towards 183rd Street (public street) is due to lot configuration with public streets on two sides. She also noted staff recommends the site plan match the character of the neighborhood and meets the intent of the L-P District. She noted the landscape plans that were provided comply with the L-P District. She also indicated the applicant agreed to work with staff to move landscaping on the east side of the detention pond be located in Tract A for increased effectiveness.

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 a plan for pedestrian access to and within the development; b) Submittal of photometric lighting plan in conformance with UDC especially regarding maximum average foot-candles and foot-candles at property line; c) Construction plans for future public infrastructure be submitted and approved by the City. Any necessary permits obtained; d.) Submittal of architectural and landscaping plans will be required for trash enclosures if they become necessary. 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; 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, 5-0.

PUBLIC HEARING – FINAL SITE PLAN, PART OF LOT 3 AND LOT 4, COUNTY CLERK'S SUBDIVISION, FS2017-05

Opening of a public hearing in regards to Final Site Plan application, FS2017-05, requesting approval of a final site plan for part of Lot 3 and Lot 4, County Clerk's Subdivision, a part of the northwest quarter of Section 7, Township 15 South, Range 22 East, consisting of one (1) lot, containing 1.12 acres, more or less, was considered. Applicant: Colby Series 17

Chair Davis opened the hearing.

Ms. Linn informed the Commissioners this project is for Dollar General and noted it is located on the west property line of the known Pearce property. She highlighted items in need: site location box and landscape plan. Ms. Linn also noted the request for 30 parking spaces instead of 38. She indicated the UDC requires 30 spaces for commercial uses and in another location of the UDC, it is noted 38 are spaces required for retail commercial (both based upon square feet). She informed the Commissioners the applicant will apply for a variance, which will probably occur in August.

Ms. Linn indicated the applicant proposed two signs; a pole and wall sign. Ms. Linn indicated the size noted exceed the maximum allowable area. Staff recommends a monument sign that does not exceed allowable area.

Ms. Linn continued with a discussion of the exterior appearance. She noted staff reviewed the proposed Exterior Insulation Finishing System (EIFS) and brick which is proposed for the north, west and east sides. Staff recommends the Commissioners require the south side also contain the same finish.

The Commissioners were informed a new public street would be constructed, not just a driveway into the establishment. Ms. Linn noted the access cut would need approval from KDOT.

Ms. Linn also spoke about outdoor merchandise or equipment storage. She addressed that propane and ice equipment may not be able to be housed in a permanent site, but staff is recommending a permanent site for seasonal items, instead of "rolling carts."

The comments from the City Engineer were reviewed. Ms. Linn talked about the sanitary sewer line and public main within this location. She also noted the need for a storm water management report; along with an erosion and sediment control plan is needed, as is the requirement for a Notice of Intent (NOI).

No one appeared to support or oppose.

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

Chair Davis stated he favors the south side material be the same as the other three sides. He also noted he is in support with a request for 30 parking spaces.

Ms. Hardin stated favor with a permanent enclosure for storage of seasonal items.

Ms. Linn stated permanent enclosures could be addressed during the variance hearing.

Motion by Daley, seconded by Harding to approve of the final site plan with the following stipulations: 1.) All Site Plan requirements of the City shall be met as noted, particularly including: a.) Provide Landscape Plan in conformance with City regulations and conditions in this staff report; 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.) 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; 5.) The exterior material on the south side of the façade shall match the other three sides; and 6.) No exterior storage of seasonal items be allowed. Motion was approved, 5-0.

PUBLIC HEARING – PRELIMINARY SITE PLAN, LOGISTICS PARK KANSAS CITY PHASE VI, FIRST PLAT LOT 1 (INLAND PORT VII), PS2017-06

The opening of a public hearing in regards to Preliminary Site Plan, PS2017-06, requesting approval of a final site plan for Logistics Park Kansas City, Phase VI, First Plat, Lot 1, located at 30901 W. 185th Street, consisting of one (1) lot, containing approximately 57.525 acres, more or less, was considered. Applicant: Edgerton Land Holding Company, LLC Engineer: Renaissance Infrastructure Consulting

Chair Davis opened the public hearing.

The City Administrator overviewed the site and talked about the Utility Sewer Master Plan. She also noted the lighting and signage information will be submitted later. Ms. Linn indicated items from Sheets CO3, CO4 and A1.10 will be reviewed during building permit review or submitted with the final site plan.

The Commissioners were informed the elevations have been submitted and indicated the current building orientation will place dock areas and doors facing 185th Street and Montrose Street right-of-way. It was noted if the Planning Commission allows this orientation, Lot 3 will have docking doors face 185th and Montrose Streets. Ms. Linn also addressed pedestrian access via sidewalks for the western and northern side of the building which should connect to the overall sidewalk system. It was also noted the sidewalk located along the south side of 185th Street should show a ramp to the north to the sidewalk along the east side of Montrose street.

Ms. Linn addressed the facade in regards to horizontal and vertical articulation. She indicated staff will work with applicant in preparation of the final site plan to facilitate the required articulation and /or color blocking.

Ms. Linn stated that the preliminary site plans do not require stormwater management plans. She indicated other final development and stormwater details will be provided with the final site plan.

John Thomas, applicant, indicated the final development will be submitted soon.

Fred Fraley, 18845 Waverly Road, asked about the storm drainage plans for this area.

Patrick Cassity, Renaissance Infrastructure Consulting, spoke about the plan to divert water from the detention basin to a level spreader, which assists with the erosion control.

Mr. Fraley indicated concern with water coming from these developments and impacting his farm ground. He shared pictures of erosion and water from a recent rainfall.

Ms. Linn noted tonight's item is to consider the preliminary site plan. She stated the City Engineer and staff is working with Mr. Fraley as the final development plan is submitted.

Mr. Fraley said today's concern is the drainage problem and the possibility it could become worse.

Doug Patterson, 4360 West 137th Street, Suite 100, Leawood, KS, attorney for Mr. Fraley, informed the Commission he has retained the services of a stormwater expert in Texas to review the stormwater concerns.

Ms. Linn addressed storm drainage site plans and calculation sheets submitted with the final site plan; adding the storm water plan is submitted to the City Engineer.

John Thomas spoke about the land disturbance process, which includes the State of Kansas approval prior to submission to the City. He spoke about the watersheds in the area and the existing flood plains. He reviewed a photo showing the area flood plain and noted it appeared

part of the flood plain was filled. He asked Mr. Fraley if it had been filled. Mr. Fraley indicated he filled it in about three – four years ago.

Ms. Linn stated the City Engineer reviews the plans to determine if all the storm water remains within its original watershed.

Mr. Patterson talked about the Kansas Department of Health & Environment and land disturbance projects regarding stormwater.

Commissioner B. O'Neill stated the Planning Commission relies on legal staff, engineers and profession staff in making decisions, adding it is not the Planning Commission's duty to be an expert to determine flooding or other matters.

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

Mr. B. O'Neill stated there is only so much the Commissioners can know or do, but stated he has concern with a two-inch rainfall causing these problems. He indicated a clarification of the items needed to be in place to mitigate the water issues.

Mr. Thomas spoke about the basins which will be final graded as part of the development process. Mr. B. O'Neill stated he hopes a final fix will make these projects and stormwater matter better. Mr. Thomas spoke about construction/basin matters as part of the SWIP and land disturbance sediment ponds.

Mr. Davis suggested the City Engineer be present at the final site plan, when presented, to explain the stormwater process during construction and a final improvement stage.

Mr. Patterson requested the stormwater plan for Inland Port VII be provided for their engineer to review in advance.

Staff addressed the process to provide the final site plan and sharing with Mr. Fraley, subject to applicant's submittal, which would occur after staff and City Engineer review.

Mr. B. O'Neill stated he is supportive of the preliminary site plan, but wants to more information to consider at the final site plan review.

Motion by Daley, seconded by Hardin, to approve the preliminary site plan with the following stipulations: 1.) The noted recommendations are stipulated to as a part of the approval and incorporated into the preliminary Development/Site Plan document set; 2.) A Final Development/Site Plan must be submitted and approved prior to commencement of uses and the property shall be developed in accordance with a Final Development/Site Plan, Landscaping Plan, and Photometric Plan as required by City approval of the submitted Preliminary Development/Site Plan, as amended by these stipulations, and approved by the City; 3.) All Preliminary Development/Site Plan requirements of the City noted shall be met or addressed during Final Development/Site Plan submittal noted; 4.) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provision of the UDC; 5.) All construction plans for any public infrastructure shall be prepared to City

standards and approved by the City; and 5.) Engineer Staff present at the meeting considering the Final Development/Site Plan. Motion was approved, 5-0.

AMENDED FINAL SITE PLAN, DeLONG COMPANY, INC., 32612 W 191ST STREET, S-12-21-12

A request in regards to an amended final site plan, S-12-21-12, requesting approval to amend the final site plan for The DeLong Company, LLC, located at 32619 W. 191st Street, containing approximately 8.06 acres, was considered. Applicant: The DeLong Company, LLC.

The City Administrator announced this item was not on the posted agenda. She indicated under review, it was determined the request to remove ten parking spaces the originally approved final site plan and should be considered by the Commission. She noted all the other items remain the same as the original final site plan.

Ms. Linn noted the project includes one new structure that will measure 105-feet high with 24 rings tall. She indicated the use of the property as a grain transload facility will remain the same. She also reported the traffic circulation will remain the same, but noted the installation of the new structure will remove approximately 10 spaces directly west of the load out building. The applicant indicated that the scope of the project did not need notification to the Federal Aviation Administration. It was noted the amended final site plan complies with zoning regulation, site plan and design standards, and all stipulations included in the final sight plan of February 12, 2013. Ms. Linn informed the Planning Commission the company is ready to start the installation in a week or so. Staff recommends approval of the request.

Motion by B. O'Neill, seconded by M. O'Neill, to approve the amended site plan with the following stipulations: 1.) All building permit and sign permit requirements of the City shall be met; 2.) Applicant to provide documentation that construction of project does not require review or approval from the Federal Aviation Administration due to proximity of Gardner Municipal Airport; 3.) 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, 5-0.

FUTURE MEETING

The next meeting is scheduled for August 8, 2017.

Mayor Roberts spoke briefly to the Commissioners. He stated that during a very long conversation during one of the project requests, he saw tenets of Policy Governance shine through.

ADJOURNMENT

Motion by Hardin, seconded by Daley, to adjourn. The motion was approved, 5-0.

The meeting adjourned at 9:40 p.m.

Edgerton Planning Commission
Regular Session
July 11, 2017
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Submitted by:

Debra S. Gragg
Recording Officer