

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
REGULAR SESSION
October 10, 2017
Minutes

Prior to the meeting, Katee Smith and Josh Beem were sworn in as Planning Commissioners.

The Edgerton Planning Commission met in regular session with Chair John Daley 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 John Daley, Joshua Lewis, Erik Erazo, Katee Smith and Josh Beem. Also present were: City Administrator Beth Linn, Assistant City Administrator Scott Peterson, City Attorney Lee Hendricks, City Engineer David Hamby, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

CONSENT AGENDA

Motion by Erazo, seconded by Lewis, to approve the item as presented in the Consent Agenda. Motion was approved, 5-0.

A. MINUTES

Minutes for the Regular Session of September 12, 2017 were considered and approved.

OLD BUSINESS

FINAL SITE PLAN – LOGISTICS PARK KANSAS CITY, PHASE VI, LOT 3, FS2017-003 (INLAND PORT VII) – Tabled from August 8, 2017 and September 12, 2017

Consideration of an application in regards to Final Site Plan, FS2017-003, requesting approval of a final site plan for Logistics Park Kansas City, Phase VI, Lot 3, located at the South ½ of the NW ¼ of Section 35, Township 14 South, Range 22 East in the City of Edgerton, Johnson County, Kansas, consisting of one (1) lot, containing approximately 57 acres, more or less, was considered. Owner: ELHC, LLC Engineer: Renaissance Infrastructure Consulting

The City Administrator provided a brief summary of this matter, originally presented at the August, 2017 meeting. Ms. Linn reviewed the analysis, design guidelines, enhanced landscaping, and discussed the articulation, both horizontal and vertical.

The next focus was the stormwater plan. Ms. Linn noted additional time was allowed for neighboring landowners to review and make comments.

Chair Daley announced any comments should be new information only.

Doug Patterson, attorney for property owner Fred Fraley, commented the City's Code indicates that "Every consideration shall be taken to preserve the natural environment." He noted Dr. Starrett, professor and consultant in regards to stormwater management, indicated upgrades to impervious surface added will not be able to detain enough stormwater. Mr. Patterson indicated

the report stated other items to consider would be a bioswale, infiltration, and wetlands. Mr. Patterson distributed a supplemental report from Dr. Starret. Mr. Patterson noted effort was made by engineers to remedy, but not enough was engineered to accomplish and then overviewed Dr. Starett's report. Mr. Patterson indicated in conclusion the increase in volume of stormwater will cause a change in the farming practices due to increased water, adding the spreaders will cause the ground water to remain wetter for a longer period of time.

Mark Huggins, engineer with Payne & Brockway – Olathe, was present and indicated he was requested by Mr. Fraley to review the reports. He stated he has no dispute with the report, but has been unable to determine the capacity and spoke about the American Public Works Association standards. He noted the flow is increasing 50%, but when captured with a slow release, this increase can prolong the wetness of the farm ground.

Ms. Linn overviewed the guidelines for the Planning Commissioners. She indicated the question is – does the stormwater plan meet the Code? Ms. Linn indicated it does. She noted the report shows the velocity (versus volume) of the stormwater is the same or less as in current time. She also noted time has been allowed for comments from others.

Lee Hendricks, City Attorney, questioned where in the report of Dr. Starrett does it indicate the information presented in the stormwater report violates the City's Code. He stated the experts did not indicate the Code was violated, only that other increased measures could be added.

Mr. Fraley objected to the comments.

Mr. Patterson offered to show a video of recent flooding, adding the video is under eight (8) minutes.

Chair Daley indicated the law is in regards to velocity, not volume.

Motion by Smith, seconded by Erazo, 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.) Updated drawings of all building elevations showing compliance with building material standards, articulation requirements and color of buildings; b.) Submittal of photometric lighting plan in conformance with UDC especially with regard to 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; 4.) Prior to obtaining a building permit the owner will record the final plat; 5.) 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. Those voting AYE: Smith, Erazo, Daley, and Beem. Those voting NAY: Lewis. Motion was approved, 4-1.

NEW BUSINESS

FINAL PLAT – LOGISTICS PARK KANSAS CITY RAIL SERVED – FIRST PLAT, FP2017-08

Consideration of an application in regards to Final Plat, FP2017-08, requesting approval of a final plat for Logistics Park Kansas City Rail Served – First Plat, located west of Waverly Road, north of the Intermodal lead track and south of the transcontinental tracks, located at the Southeast ¼ of Section 27, Township 14 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, consisting of one (1) lot and one (1) tract, containing approximately 61.34 acres, more or less, was considered. Owner: ELHC, LLC Engineer: Renaissance Infrastructure Consulting

The Commissioners were informed this plat was originally considered and approved earlier in the year with two lots and one tract. The reason being was that the tenant believed it would be later in the future for the need to expand, but the expansion is coming earlier, so the thought was to combine the two lots into one with the original tract and revise the final plat.

Motion by Lewis, seconded by Erazo, to approve the final plat 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; 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; and 5.) The applicant shall meet all requirements as defined in Section 13.7 of the Edgerton Unified Development Code. Motion was approved, 5-0.

PLANNING COMMISSION MEMBERSHIP

Staff brought to the attention of the members of the current Unified Development Code requirement of nine members on the Planning Commission, with a quorum number of five (5) to conduct business. The City Attorney indicated this is a large number, adding a number of smaller cities within the state have lower numbers of members. It was suggested the membership be reduced to five (5) members with a recommendation to the Governing Body to consider the change in membership numbers.

Motion by Lewis, seconded by Erazo, to recommend to the Council to reduce the number of Planning Commissioners to five (5). Motion was approved, 5-0.

NEW MEMBERS

Ms. Linn indicated two new members were sworn in prior to meeting. New members Katee Smith and Josh Beem introduced themselves. They were welcomed to the Commission.

FUTURE MEETING

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The next meeting is scheduled for November 14, 2017

ADJOURNMENT

Motion by Erazo, seconded by Smith, to adjourn. Motion was approved, 5-0.

The meeting adjourned at 7:50 p.m.

Submitted by:

Debra S. Gragg
Recording Officer