

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
REGULAR SESSION
April 10, 2018

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, Katee Smith, Josh Beem, and Andrew Merriman. Absent was Commissioner Erik Erazo. Also present were: City Administrator Beth Linn, Assistant City Administrator Scott Peterson, Development Services Director Katy Crow, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

CONSENT AGENDA

Motion by Merriman, seconded by Smith, to approve the items as presented in the Consent Agenda. Motion was approved, 4-0.

MINUTES

- A. Minutes for the Regular Session of March 13, 2018 were considered and approved.

TEMPORARY CONSTRUCTION ACTIVITIES

- B. Temporary Construction Activities on property located at the southeast corner of 191st Street and Homestead Land (Tax I.D. BF221503-1001) for hauling of rock and direct was considered and approved.

NEW BUSINESS

PUBLIC HEARING – (SOUTHEAST CORNER OF I-35 AND HOMESTEAD LANE), ZA2018-03

The opening of a public hearing in regard to rezoning application, ZA2018-03, pertaining to the rezoning of property from Johnson County RUR to City of Edgerton L-P (Logistics Park) located in the southeast corner of I-35 and Homestead Lane, containing approximately 255.841 acres, more or less, was considered. Applicant: NPD Management, LLC Engineer: Renaissance Infrastructure Consulting

The City Administrator spoke about the public hearing procedures for the benefit of the audience members.

Ms. Linn overviewed the reason for the reconsideration of this and the other two public hearing matters. She indicated there were technical errors within the annexation documents which prompted the process to start again.

The City Administrator highlighted a few of the requirements supporting the rezoning request under the Golden Criteria: 1.) Magnitude of change: Due to proximity to the LPKC, BNSF Railway intermodal facility and interstate highway, change is not considered extreme or rare; 2.) Extent to which there is a need in the community for uses allowed in the proposed zoning: construction of warehousing, distribution, limited manufacturing and related facility nearby allows an inland port of goods of transit, by reducing truck traffic in surrounding area and allowing more efficient use of supply chain; 3.) Compatibility of proposed zoning and uses permitted there in within the zoning and uses of nearby properties: proposed zoning is compatible with planned future uses of surrounding property, specifically

to the north, City's UDC states the purpose of proposed zoning is to create a limited multimodal industrial zone which provides for modern types of industrial uses or parks; 4.) The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property: Homestead Lane to the north is an improved roadway constructed to standards that can accommodate industrial development traffic, the City is in discussions regarding improvements to 207th Street, Homestead Lane to south, and Waverly Road to standards that can accommodate anticipated development and other industrial development anticipated within the corridor; on-street parking will not be allowed; 5.) The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm: City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require the developer to address runoff and water pollution mitigation measures as part of the development of property. Mitigation of pollution in form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

Ms. Linn noted staff recommends approval with certain stipulations.

John Thomas, representing the applicant NPD, LLC, thanked the Commission for the opportunity to revisit this matter. He noted this project will be a good expansion of the park, and noted Staff's report is good.

Chair Daley opened the public hearing.

It was noted a letter was submitted by Stephen and Carol Welsh, which were provided earlier to the members of the Planning Commission and staff. They requested the Commission recommend denial of the rezoning request.

Pat Peer, 32695 W. 215th, Spring Hill, noted the City took on the intermodal and its responsibility. She indicated these projects not only affect the residents of Edgerton, but those within the surrounding area. She stated traffic has increased, the roadways have improvement needs, the City of Gardner is impacted with abutting development, 199th Street is impacted with truck traffic, as is 56 Highway. She also noted the Comprehensive Plan does not include any of this. She indicated there is a lack of an environmental plan south of Interstate 35, adding there are many endangered wildlife species in the area, and this creates problems with quality of life. She noted the many warehouses on the northside of I-35 are causing truck traffic to increase with the magnitude of changes. She indicated that Criteria 5 (extent to need in the community for uses) is false; adding this project will increase truck traffic. She stated that conservation groups are concerned, adding that the City does not have to meet the standards for stormwater. She stated many things are going on that should not. She also noted that Criteria point 16 concerns safety and that is a concern and should be addressed.

Jennifer Whitlow, 31700 W. 217th Street, Spring Hill, informed the Commissioners that she has never been to a (Planning Commission) meeting before, but feels it is very important to attend and find out (about matters). She requested the Commissioners look at the rights of all. She noted concern that the residents are losing out. She questioned when the last Comprehensive Plan was drafted, and questioned where this will all end. She questioned whether or not development should be slowed down. She also noted concern with the whole package being considered at tonight's meeting. She asked the Commissioners not to rush into a decision.

Doug Showers, 31516 W. 217th Street, Spring Hill, stated concern with truck traffic and the truck issues with turning movements, stops, adding the travelling is dangerous.

Carl Peer, 32695 W. 215th, Spring Hill, indicated he has provided directions to several truck drivers who were confused with the turns and roadway structure. He also noted he has concerns with impacts to Hillsdale watershed. He stated the City needs to slow down. He added he does not think it is right to have all the cases considered at tonight's meeting.

Motion by Beem, seconded by Smith, to close the public hearing. Motion was approved, 4-0. The public hearing was closed.

The City Administrator commented on the City's Comprehensive Plan, noting it was updated in 2010. She also informed the audience the City worked in the development of the Southwest Johnson County Area Plan in 2013 with public engagement. She also indicated the notification of the rezoning, preliminary plat, and preliminary site plan was distributed according to state statute via notices, publication in the City's official newspaper, and with signage.

Ms. Linn indicated infrastructure improvements (hundreds of millions of dollars) have been spent on upgrades. She addressed the methods of changes, and stated where the city has control, it will be addressed. Ms. Linn addressed the berm near 183rd Street, Inland Port X, stating the North Point has addressed and the area along the wetlands.

Mr. Daley briefly talked about the growth of the City, and added this item was presented before. He stated he understands there is an impact with growth, and among many, road congestion is a concern.

Ms. Smith spoke about the Criteria elements of the Golden Criteria, questioning if there is an impact, how does it impact any of the criteria. She also asked why this is going so fast.

Ms. Linn addressed the land to the north of I-35.

Mr. Thomas spoke about the properties, being with the rail-served purposes, and those outside of the rail-served area, under control for Logistic Park zoning purposes. He indicated Project Mustang has need for a 3,000,000 square-foot project. He noted there is no location located on the north side of I-35 which can accommodate. He stated the best available location is on the south side of I-35, adding this is an expansion of an existing business within the Park.

Mr. Merriman asked if Ms. Welch was available. Mr. Merriman thanked her for the letter and the thought placed into the comments. He stated the Commissioners must make difficult decisions, but noted a balance has to be applied overall. He added much is defined by the statues and the Golden Criteria. He stated the decision is to be based upon location and continuing use of the L-P district. He informed the audience that he and other members are residents within the area, as well. He stated he appreciates and thanked those for the comments and thoughts presented.

Motion with Merriman, seconded by Beem, to approve the rezoning request, with the following stipulations: 1.) All infrastructure requirements of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; and 4.) 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, 4-0.

PUBLIC HEARING – PRELIMINARY PLAT FOR LOGISTICS PARK KANSAS CITY SOUTH, PP2018-03

The opening a public hearing in regard to Preliminary Plat Application, PP2018-03, requesting approval of a preliminary plat for Logistics Park Kansas City South, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot and three (3) tracts, containing approximately 255.841 acres, more or less, was considered. Agent/Developer: NorthPoint Development L. Engineer: Renaissance Infrastructure Consulting.

City Administrator Beth Linn noted this was previously considered, and indicated the staff report is slightly updated. She noted the applicant acknowledges that any necessary easements will be added to Homestead Lane when the final alignment is established. In addition, proposed streets, sidewalks, sanitary sewers, stormwater sewers, water mains and fire hydrants will be provided on the final plat and/or site plan.

Chair Daley opened the public hearing.

Pat Peer, 32695 W. 215th, Spring Hill, questioned why the names of the property owner changed.

Mr. Thomas, NPD Management, LLC, indicated the names were changed to reflect the ownership of record.

Motion by Smith, seconded by Merriman, to close the public hearing. Motion was approved, 4-0. The public hearing was closed.

Ms. Linn informed the Commissioners that staff recommends approval.

Motion by Smith, seconded by Beem, to approve the preliminary plat with the following stipulations: .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 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 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 3.) All infrastructure requirements of the City shall be met. Motion was approved, 4-0.

PUBLIC HEARING – PRELIMINARY SITE PLAN – LOGISTICS PARK KANSAS CITY SOUTH – FIRST PLAT, PS2018-02

The opening a public hearing in regard to Preliminary Site Plan Application, PS2018-02, requesting approval of a preliminary site plan for Logistics Park Kansas City South, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot and two (2) tracts containing approximately 205.951 acres, more or less, was considered. Agent/Developer: NPD Management LLC Engineer: Renaissance Infrastructure Consulting

Ms. Linn announced this is the last item tonight that was previously heard, and noted changes were highlighted. She noted this plan is for three buildings, with a total of approximately 3,000,000 square feet, within a campus for a single applicant. She indicated under the first review, there was discussion regarding the ingress/egress, which will be reviewed with the final plan.

She addressed items within the district regulations as found under Section 5.2 Logistics Park in regard to District Regulations – noting there is limited outside storage allowed, which the applicant acknowledges. In regard to Design Guidelines, Ms. Linn also noted building orientation should be oriented so front or side of the building faces the public street frontage which contain dock doors facing right-of-way will be mitigated using berms and landscaping, which is similar to previously approved applications adjacent to residential uses. It was noted in regard to loading and service areas, the City may require that they be screened from public view with landscaping, berms, façade walls, or fencing. In addition to addressing articulation and dock doors, it was mentioned that using color blocking, landscaping, parking, and buffering will be considered. It was noted a vehicle parking analysis was submitted and is under review by staff and will be shared during the final plat review.

A depiction of the Type 4 Landscape Buffer was displayed, and staff noted the landscape buffer as submitted exceeds the perimeter landscape buffer requirements. Staff recommends approval.

John Thomas, NPD Management LLC, overviewed concerns from the last meeting in regard to berm, stormwater, and endangered species. Mr. Thomas stated the purpose of the campus is to house a sales/office facility, along with a fulfillment center.

Mr. Thomas informed the audience the environmental studies/wetlands is a process that is coordinated through the Army Corp of Engineers (the Corp) in which approximately 100 agencies are notified of the public hearing/notice process per requirements. He noted the Stormwater Pollution Plan and grading approval was received from the Corp last week.

Mr. Merriman stated that if the Corp did not approve the application, then all the applicant's work is risked, which includes labor and financial efforts, asking Mr. Thomas if this is correct. Mr. Thomas verified that is correct. Mr. Merriman asked if the report is available to the public. It was stated the report should be available at the Army Corp of Engineers website.

Chair John Daley opened the public hearing.

Jennifer Whitlow, 31700 W. 217th Street, Spring Hill, asked about the sites in white (on the displayed map), are they built, occupied, or vacant. She stated concern with the environmental options to reports, adding many of the nearby residents were unaware of this or the Corp reports.

Jim Parsons, 21175 Waverly Road, Gardner, spoke about problems with 199th Street, questioned the concrete batch plant issues. He also noted there are many gas wells used by residents, what happens when these collapse?

Pat Peer, 32695 W. 215th, Spring Hill, stated there are many empty warehouses to the north, perhaps those should be looked at before adding more. She also noted there are not enough workers available. She also indicated there are areas with a lack of landscaping. She questioned how (the City) could trust future requests, if these are not taken care of now. She also noted concern with distance from roadway, berm, landscape, and all.

Motion by Smith, seconded by Beem, to close the public hearing. Motion was approved, 4-0. The public hearing was closed.

Mr. Beem stated this item was previously approved, and is only being reconsidered due to technical problems within annexation.

Mr. Daley state the processes are in place.

The City Administrator stated she would provide some answers to the questions made. Ms. Linn noted the exhibits showing the facilities within Logistics Park indicated by white are occupied, adding most are occupied. She also noted many items work concurrently while working on the statutory matters, including posting of letters and signage. She noted blasting process is one of the items which can be done administratively. She also indicated damages to gas wells would be addressed by applicant and blasting company. Ms. Linn also agreed that historically, there is a lack of workers from Johnson County, and many workers come from outlying areas. She spoke in regard to berms at existing locations, adding the landscaping is not ready because building(s) is not complete, which will be required at completion of building process. She noted stormwater would be discussed later in the meeting when the final site plan is considered.

Mr. Thomas addressed employment issues. He stated these issues have been studied in other warehouse locations to determine how labor is obtained. He stated the industry standard is a 30-minute drive time. Mr. Thomas also spoke about tenant occupancy. He spoke about one of the buildings was built as speculative, adding the leasing cycle is approximately 18 – 24 months.

Motion by Beem, seconded by Merriman, to approve the preliminary site plan with the following stipulations: 1.) Recommendations are stipulated to as a 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 Final Development/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, 4-0.

The meeting recessed at 9:20 p.m. for 20 minutes.

The meeting reconvened at 9:45 p.m.

FINAL PLAT – LOGISTICS PARK KANSAS CITY SOUTH – FIRST PLAT, FP2018-03

An application for Final Plat, FP2018-03, requesting approval of a final plat for Logistics Park Kansas City South – First Plat, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot, and two (2) tracts, containing approximately 205.95 acres, more or less, was considered. Applicant: NPD Management LLC Engineer: Renaissance Infrastructure Consulting

The City Administrator informed the Commissioners the preliminary plat is designed for the entire property; she noted this final plat, which is the first, is for one lot and two tracts. Ms. Linn indicated the only staff comment regards the potential for additional utility easements. She stated the applicant has noted they will update the Final Plat or provide for additional easements via a separate instrument, should that be necessary. Ms. Linn noted staff recommends approval, with stipulations.

Commissioner Beem asked about the roadway and needed right-of-way. Ms. Linn noted the applicant will dedicate the needed right-of-way when the roadway design is complete. She further noted the

roadway will be constructed under design-build standards. She informed the Commission the Governing Body has approved the roadway project, which includes some funding through state grants. She stated the roadway will be complete prior to occupancy of the facility, adding work will be completed concurrently.

Motion by Merriman, seconded by Beem, 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; 1.) 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.) 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; 4.) a Public Improvement Inspection, 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; 5.) 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; 6.) Applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code; and 7.) All infrastructure requirements of the City shall be met. Motion was approved, 4-0.

FINAL SITE PLAN – LOGISTICS PARK KANSAS CITY SOUTH, FIRST PLAT, FS2018-04

An application for Final Site Plan, FS2018-04, requesting approval of a final site plan for Logistics Park Kansas City South – First Plat, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot, and two (2) tracts, containing approximately 205.95 acres, more or less, was considered. Applicant: NPD Management LLC Engineer: Renaissance Infrastructure Consulting

Beth Linn, City Administrator, informed the Commissioners the submitted Final Site Plan shows two (2) warehouse facilities on a single lot with parking and stormwater detention facilities. She spoke about the truck entrance and passenger entrance, citing information provided in a memorandum from the applicant. It was noted that during review of the preliminary site plan, the Planning Commission at the February 13, 2018 meeting, requested review of the location of access points for passenger/truck vehicles; proposed configuration of truck entrance along 207th Street, as well as width, and line-of-sight and impacts to neighboring residences. She noted the memorandum contained a line-of-site diagram illustrating the proposed truck entrance along 207th Street and its interaction with residences along 207th Street. The memo also submitted a deviation request with documentation for the unique circumstances substantiating the need for larger width along 207th Street. After review of all supporting documents by the City Engineer and staff, the Final Site Plan complies for location of the truck entrance along 207th Street, and staff recommends approval of the deviation for proposed width of truck entrance along 207th Street.

Ms. Linn noted the Final Site Plan complies with the requirements, and applicant will add a note to the Final Site Plan indicating landscaping related to the parking areas will be added with the parking build out.

Ms. Linn addressed the perimeter landscape buffer, noting the southern property line, along 207th Street, abuts rural, residential uses including single-family residential. She stated the applicant provided screening on the southern property line using a combination of berm, varied placement of Type 4 perimeter buffer and modified Type 4, to screen trucks in trailer stalls or at building from view just south of the property line. It was noted this is similar to recently approved Inland Ports VI and VII, adjacent to

residential uses. Applicant submitted line-of-sight drawings. She noted the landscape buffer exceeds the requirements, and thus complies. She briefly spoke about outside storage of material which requires screening and buffering, which application acknowledges.

David Hamby, City Engineer, overviewed the stormwater report. He indicated the City uses the American Public Works Association standards and explained the classifications, peak flows, and talked about the area's flood plain. He indicated the two detention basins are designed for 2-year stormwater events, based upon models.

Mr. Hamby discussed the existing roadway grade and bridge. He stated the design is not yet complete, but trucks should start on the flattest area, to allow for sight, speed and slope.

Commissioner Smith questioned the actions of the erosion basins during construction. Mr. Hamby indicated sedimentation basins can slow down, but should function similarly to post construction basins.

Motion by Beem, seconded by Merriman, to approve the Final Site Plan with the following stipulations: 1.) The noted recommendations are stipulated to be a part of approval and incorporated into the Final Site Plan document set; 2.) All infrastructure requirements of the City shall be met; 3.) All construction plans for any public infrastructure shall be prepared to City standards and approved by the City; 4.) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; 5.) A construction/building permit document set must be submitted and approved prior to commencement of any construction activities; and 6.) 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 City Council 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, 4-0.

TEMPORARY CONSTRUCTION ACTIVITIES – CONCRETE BATCH PLANT, TU2018-02

A request for a concrete batch plant, TU2018-02, for Project Mustang, located within the southeast corner of I-35 and Homestead Lane, was considered. Applicant: Clayco/Concrete Strategies Project Management: NPD Management

Katy Crow, Development Services Director, overviewed the earlier request considered for renewal of the temporary concrete batch plant operations located southeast of 185th and Waverly Road at the February meeting, which was approved. She noted that following that consideration, staff received a request to relocate this operation from 185th Street and Waverly Road, to property at 20520 Waverly Road, owned by Wellsville Farms, LLC, to allow batch plant operations for Project Mustang within this area. As part of the request, Concrete Strategies requested permission to operate through June 30, 2019. She also spoke about operating schedules, overnight operations, dust remediation procedures.

Ms. Crow indicated staff recommends approval, with stipulation, until June 30, 2019.

Mr. Merriman asked about dust control measures in relationship to the adjacent properties.

Steve Schuering, Concrete Strategies, overviewed the process, stating this is approximately 400 to 500 feet from Waverly Road, and would be monitored by the Kansas Department of Health & Environment (KDHE).

Motion by Smith, seconded by Beem, to approve the request with the following stipulations: 1.) Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission; 2.) All occupied buildings shall have access to potable water from an approved water source; 3.) All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code of the City of Edgerton; 4.) All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use; 5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied; 6.) Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code; 7.) Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies in regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition; 8. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land; 9.) Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 10.) Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period; 11.) All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 12.) Hours of operation shall be limited to from 7:00 am to 7:00 pm unless otherwise approved by staff; 13.) Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code; 14.) Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; 15.) Property owner and/or general contractors shall provide a Construction Management Plan to the City; 16.) Maintain a valid City of Edgerton Business License; and 17.) Permission for temporary construction activities is granted for a period ending June 30, 2019. Motion was approved, 4-0.

TEMPORARY CONSTRUCTION ACTIVITIES – ROCK CRUSHING FOR PROJECT MUSTANG, TU2018-01

A request for providing rock crushing operations for Project Mustang, TU2018-01, located within the southeast corner of I-35 and Homestead Lane, was considered. Applicant: Clayco Project Management: NPD Management

Ms. Crow informed the Commissioners this request for construction of a temporary rock crushing operation on the northwest corner of Homestead Lane and 207th for purposes needed by Project Mustang, with an ending date August 11, 2018. Owner of the property, Wellsville Farms, LLC, provided a letter granting permission for this operation requested in the application. It was also noted that KDHE tests the air prior to the start and monitoring equipment will test air to make sure it does not exceed level allowed.

Staff recommends approval of the request with noted stipulations, and further with the same hours as the temporary concrete batch plant until August 11, 2018, with no night crushing operations.

Patrick Grunloh, Clayco, spoke about the use of area's blasted rocks which will be used for on-site purposes.

Motion by Beem, seconded by Smith, to approve the request with the following stipulations: 1.) Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission; 2.) All occupied buildings shall have access to potable water from an approved water source; 3.) All signage shall be placed pursuant to applicable sign regulations in Article 12 of the Unified Development Code of the City of Edgerton; 4.) All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use; 5.) All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied; 6.) Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code; 7.) Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition; 8.) On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land; 9.) Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 10.) Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time; 11.) All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 12.) Hours of operation shall be limited to from 7:00 am to 7:00 pm; 13.) Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code; 14.) Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; 15.) Property owner and/or general contractors shall provide a Construction Management Plan to the City; 16.) Maintain a valid City of Edgerton Business License; 17.) Staff retains the ability to establish reasonable requirements for their operation; 18.) All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air; and 19.) Permission for temporary construction activities is granted for a period ending August 11, 2018. Motion was approved, 4-0.

TEMPORARY CONSTRUCTION ACTIVITIES – TEMPORARY OFFICE QUARTERS FOR CONSTRUCTION PERSONNEL, TU2018-03

A request for using property located at 20370 Waverly Road as temporary office quarters for construction personnel, TU2018-03, for project management coordination activities for Project Mustang, was considered. Applicant: NorthPoint Development, LLC

The Development Services Director reviewed the request from NorthPoint Development to use the house located at 20370 Waverly Road as a temporary construction office to end on June 30, 2019. She reported this may house up to ten (10) employees from 6:00 a.m. until 8:00 p.m., unless otherwise approved by staff in writing and have no on-site storage. She also noted permission is granted by the property owner, Wellsville Farms, LLC. Staff recommends approval with stipulations.

Motion by Smith, seconded by Beem, to approve the request with the following stipulations: 1.) Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission; 2.) All occupied buildings shall have access to potable water from an approved water source; 3.) All signage shall be placed pursuant to applicable sign regulations in Article 12 of the

Unified Development Code of the City of Edgerton; 4.) The house and its surrounding property are prohibited from being used as an outdoor storage facility for construction materials, vehicles, or other similar items used during the course of construction of the project, unless they are adequately screened from view by a fence or landscaping; 5.) All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use; 6.) Applicant will obtain all required permits pursuant to the Code of Regulations for buildings and Construction, 2010 Edition or other applicable chapter of City Code; 7.) Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code; 8.) Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition; 9.) Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton; 10.) Applicant and any on-site contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time; 11.) Hours of operation shall be limited to from 6:00 AM to 8:00 PM, unless approved by staff in writing; 12.) Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code; 13.) Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; 14.) Property owner and/or general contractors shall provide a Construction Management Plan to the City; 15.) Applicant and any on-site contractors will maintain a valid City of Edgerton Business License; 16.) Staff retains the ability to establish reasonable requirements for their operation; and 17.) Permission for temporary construction activities is granted for a period ending June 30, 2019. Motion was approved, 4-0.

PUBLIC HEARING – ZA2018-02 (REZONING FOR NORTHEAST CORNER OF FOUR CORNERS ROAD AND 199TH STREET)

THIS REQUEST WAS NOT CONSIDERED AS IT WAS WITHDRAWN AT THE REQUEST OF THE APPLICANT.

OTHER ITEMS:

Mayor Roberts informed the Commissioners there is a vacancy on the City Council and asked if any are interested in the position, to contact him. He noted the applicant must be a resident within the corporate limits.

FUTURE MEETING

The next meeting is scheduled for May 8, 2018.

ADJOURNMENT

Motion by Beem, seconded by Smith, to adjourn. Motion was approved, 4-0.

The meeting adjourned at 10:40 p.m.

Submitted by:

Debra S. Gragg
Recording Officer