

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
October 9, 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: Chairman John Daley, Tim Berger, Jeremy Little, and Charlie Crooks. Absent was Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, and City Clerk Rachel James.

The City Clerk announced a quorum was present.

Chairman Daley introduced the two new Commissioners: Jeremy Little and Charlie Crooks. Both Commissioners introduced themselves to the audience.

CONSENT AGENDA

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

MINUTES

- A. The minutes for Regular Session of August 14, 2018 were considered and approved.

NEW BUSINESS

PUBLIC HEARING – ZA2018-08 (REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED AT 310 W. 8TH STREET, EDGERTON, KS)

A public hearing in regard to rezoning application, ZA2018-08, pertaining to the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence, located generally at 310 W. 8th Street, Edgerton, KS, was considered. Applicant: Victor R. Smith.

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. She indicated the property was annexed in September 2014. She noted the rezoning is requested due to the fact the property does not contain a zoning designation in the Johnson County AIMS system. The parcel currently contains a single-family residence and pole barn.

Ms. Crow stated the applicant's request is for the R-1 Zoning District and that this is the most compatible zoning choice for the current property use. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Chairman Daley opened the public hearing.

Chairman Daley asked if anyone would like to comment. There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence. The motion was approved, 4-0.

PUBLIC HEARING – ZA2018-06 (REZONING FOR FOUR (4) PARCELS OF LAND GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191ST STREET)

A public hearing in regard to rezoning application, ZA2018-06, pertaining to the rezoning of four (4) parcels (containing approximately 30 acres) from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located South of the intersection of Waverly Road and 191st Street, was considered. Applicant: Christopher Stara, Agent

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. Ms. Crow stated the property was annexed in September 2015. The property is located near the center of the LPKC park and is currently surrounded by existing LPKC operations on all sides. The rezoning is sought in order to accommodate an expansion of cargo container storage operations as well as additional office space.

Ms. Crow stated the applicant's request is for the L-P Logistics Park Zoning District and that this is the most compatible zoning choice for the current property use. Ms. Crow noted that the rezoning is compatible with the surrounding designation as the majority of the surrounding area has changed from rural to industrial. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Chairman Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Chairman Daley asked to be shown the location of the property on the large display map. Beth Linn, City Administrator, pointed out the property.

Motion by Berger, Second by Little to approve with the following stipulations: 1) All infrastructure 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; 4) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

PUBLIC HEARING – ZA2018-07 (REZONING FOR TWO (2) PARCELS OF LAND GENERALLY LOCATED DIRECTLY NORTH 31800 W. 196TH STREET AND EAST OF 32285 W. 191ST STREET)

A public hearing in regard to rezoning application, ZA2018-07, pertaining to the rezoning of two (2) parcels (containing approximately 30 acres) from Johnson County RUR Zoning District to City of

Edgerton L-P (Logistics Park) Zoning District, generally located directly north of 31800 W. 196th Street, was considered. Applicant: Harold J. Curry, Trustee of the Curry Survivor's Trust.

Katy Crow, Development Services Director, overviewed the history of the property, which was annexed into the City in August 2018. Upon annexation, the zoning remained the same designation from the county until the owner sought rezoning. The property is currently surrounded by LPKC property on the North and South sides. The East is vacant L-P zoned land and a commercial nursery to the West. The applicant is seeking rezoning to encourage potential logistics park development on these parcels. 191st Street, where the property is located, is designated as a heavy haul corridor.

Commissioner Crooks asked what is directly north of the property. Ms. Crow responded by saying the Gifford's Property which is zoned L-P.

Chairman Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve with the following stipulations: 1) All infrastructure 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; 4) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

PUBLIC HEARING – PP2018-05 (PRELIMINARY PLAT FOR LPKC LOGISTICS SUPPORT)

A public hearing in regard to Preliminary Plat Application, PP2018-05, requesting approval of a preliminary plat for Logistics Park Kansas City Logistics Support, located along the south side of 191st Street, one-half mile west of Waverly Road, was considered.

Katy Crow, Development Services Director, and Beth Linn, City Administrator, spoke on the differences between a rezoning, preliminary plat, and site plan to reemphasize the differences to the new commissioners.

Ms. Crow introduced PP2018-05, a Preliminary Plat for LPKC Logistics Support. Currently there are 4 owners: BNSF; Edgerton Land Holding Company, LLC; Logistics Park Kansas City, Inc.; and Michael and Pamela Gifford. The existing parcels from the various owners would be combined into one lot and three tracts. There will need to be updates to the plats, they do not currently contain all owners on the plat filed with the county and the preliminary plat also needs to be updated with this information. Ms. Crow also stated that staff is requesting a stipulation be made to grant a cross access easement to allow access to the Curry Property. Additionally, staff has requested that a stipulation be made for the granting of a pedestrian/trail easement for future trail system development. Ms. Crow also stated that an Edgerton Flood Plain Development permit is necessary in relation to development on this site. Ms. Crow stood for questions and introduced Aaron Burks, representative of NorthPoint Development who was also present to address any questions.

Mr. Burke stated that in the past NorthPoint Development has worked closely with the City and will continue to do so. He stated that NorthPoint agrees to all stipulations including those for a cross access easement and a trail easement as notated by City staff.

Chairman Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve PP2018-05 Preliminary Plat for LPKC Logistics Support with the following stipulations: 1) All Preliminary Plat requirements of the City listed about shall be met or addressed; 2) All infrastructure requirements of the City shall be met; 3) The property owner and/or developer shall work with City staff to determine the best possible placement for the dedication of a pedestrian trail easement and shall dedicate said pedestrian trail easement on the Final Plat for future trail connectivity; 4) The property owner and/or developer shall work with City staff to determine the best possible placement for a cross access easement for the Curry property and shall dedicate said cross access easement of the Final Plat; 5) A Stormwater Management Plan has been submitted. However, all comments must be addressed to the satisfaction of the City Engineer; 6) A Land Disturbance Permit along with a SWPPP is required, and plans must be submitted prior to permit issuance. All staff comments regarding land disturbance and the SWPPP must be addressed to the satisfaction of the City Engineer; 7) A Floodplain Development Permit must be completed and submitted to the City Floodplain Administrator for Review. All comments must be addressed to the satisfaction of the Floodplain Administrator; 8) 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. Motion was approved, 4-0.

FINAL PLAT – FP2018-05 (FINAL PLAT FOR LPKC LOGISTICS SUPPORT)

An application for Final Plat, FP2018-05, requesting approval of the Final Plat for Logistics Park Kansas City LPKC Logistics Support, located along the south side of 191st Street, one-half mile west of Waverly Road, directly east of 32285 W. 191st Street, consisting of one (1) lot, and three (3) tracts, containing approximately 36.277 acres, was considered. Applicant: Aaron Burks representing NPD Management, LLC.

Katy Crow, Development Services Director, informed the Commissioners the Final Plat is very similar to the Preliminary Plat. The only necessary update identified by staff is that monuments must be set on the corners of the parcel. Ms. Crow also wanted to reemphasize the update of the pedestrian easement for future trail system plan as well as the cross-access easement to allow access to the Curry Property.

Motion by Berger, Second by Little to approve FP2018-05 Final Plat for LPKC Logistics Support with the following stipulations: 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; 2) Sanitary sewer drawings and specifications must be submitted to

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; 6) The property owner and/or developer shall work with City Staff to determine the best possible placement for the dedication of a pedestrian trail easement and shall dedicate said pedestrian trail easement on the Final Plat for future trail connectivity; 7) The property owner and/or developer shall work with City Staff to determine the best possible placement for a cross access easement for the Curry property and shall dedicate said cross access easement of the Final Plat; 8) A Stormwater Management Plan has been submitted. However, all comments must be addressed to the satisfaction of the City Engineer; 9) A Land Disturbance Permit along with a SWPPP is required, and plans must be submitted prior to permit issuance. All staff comments regarding land disturbance and the SWPPP must be addressed to the satisfaction of the City Engineer; 10) A Floodplain Development Permit must be completed and submitted to the City Floodplain Administrator for Review. All comments must be addressed to the satisfaction of the Floodplain Administrator prior to permit issuance; 11) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Final Plat. Motion was approved, 4-0.

PUBLIC HEARING – FS2018-07 (FINAL SITE PLAN FOR LPKC LOGISTICS SUPPORT)

A public hearing in regards to an application for Final Site Plan, FS2018-07, requesting approval of a Final Site Plan for LPKC – Logistics Support Phase 1, located along the south side of 191st Street, one-half mile west of Waverly Road; directly east of 32285 W. 191st Street, consisting of consisting of one (1) lot, and three (3) tracts, containing approximately 36.277 acres, was considered. Applicant: Aaron Burks representing NPD Management, LLC.

Chairman Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close public hearing. Motion was approved, 4-0.

Beth Linn, City Administrator, commented to the new Commissioners that there is a public hearing for Final Site Plan applications when there has not been a public hearing for the Preliminary Site Plan. A Preliminary Site Plan was not filed for this project as it was simple enough to take directly to Final Site Plan. Katy Crow, Development Services Director, stated that this is the same applicant as the previous two (2) items so there will be similar commentary. The parcel consists of one (1) lot and three (3) tracts which will include a cargo container storage/maintenance facility and truck yard, a 17,000 square foot office building, fueling station, and two guard shacks.

Ms. Crow stated the following are required and need to be completed: the necessary Flood Plain permits need to be submitted to the city, state and county; signage will be reviewed and approved by City staff upon submission of a signage application; outside storage needs to be screened and buffered by both landscaping and fencing as indicated in the Final Site Plan; building materials on the exterior or the building and the entrance canopy need to be updated; and the applicant needs to designate

loading areas for the office space on the Final Site Plan. Ms. Crow wanted to point to the fact they have used Type 4 landscape buffer, so they have gone above and beyond for buffering and landscaping adjacent to the public right of way. Other general comments included trash containers must be screened as required by the UDC, a storm water study needs to be submitted, and staff recommends approval with stipulations as noted in the Final Site Plan. Ms. Crow stood for questions.

Aaron Burks, NorthPoint representative, addressed the Commissioners and stated as LPKC grows the need for storage, container maintenance, truck parking, etc. is needed. The facility will also house a truck shop which will be used to refurbish containers and wash out refrigerated trucks. There will also be chassis and container storage which will alleviate trucks backed up onto 191st Street. There is a large need for storage especially for cold protein products which are about to ship internationally to China/Japan. The trucking yard/storage will be at the back of the lot and not viewable from the main road. The creek through the property will have a bridge over it to connect the two sides and the creek makes using this property for storage ideal because it would not be suitable for other large facilities.

Mr. Burks stated that building exterior is stone veneer and an EIFS system, which is similar to stucco. He agreed to City staff's request to add approved building materials to all sides of the building and the entrance canopy. Mr. Burks also stated they were willing to provide a secondary access point to Mr. Curry's property.

Chairman Daley asked for an overview of the retention ponds and if detaining the water was a good plan because it is so close to the flood plain. Patrick Cassity, RIC Consulting, stated the plan was for detention basins to serve as catch basins for runoff. Commissioner Burger asked what the plan is for prevention of contaminated water getting into the creek. Mr. Burks responded that the operation would contain an oil/water separator which would be utilized to filter contaminated water. Commissioner Crooks asked if the fueling facility would be above or below ground and how large the tank would be. Mr. Burks stated the above ground tank will hold between 5,000 and 15,000 gallons. Ms. Linn stated there will be vinyl fencing around the diesel tank and fueling operation. Chairman Daley asked about the specification of the sidewalk agreement. Ms. Linn answered that it is an agreement not to protest a Benefit District in the future should the need for sidewalks/trail connectivity arise. James Oltman, President of ElevateEdgerton! stated his support of the project and agreed there is a huge need for this type of support business including that the location is ideal for a chassis and container storage operation. Mr. Oltman also stated this project would help contain the truck traffic and alleviate some of the parking issues within LPKC.

Motion by Berger, Second by Crooks to approve FS2018-07 Final Site Plan for LPKC Logistics Support Phase I with the following stipulations: 1) The Final Site Plan must be approved prior to commencement of uses and the property must be developed in accordance with the approved Final Site Plan, Landscaping Plan, and Photometric Plan as required by City approval of the submitted Final Site Plan, as amended by these stipulations, and approved by the City; 2) All Final Site Plan requirements of the City listed above shall be met or addressed as part of the plan set submitted for construction permits as identified above; 3) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; 4) All construction plans for any public infrastructure shall be prepared to City standards and approved by the City; 5) A stormwater study must be submitted and all staff comments will be addressed to the satisfaction of the City Engineer; 6) All comments from the City Engineer related to the SWPPP submission must be addressed to the full satisfaction of the City Engineer; 7) An Edgerton Flood Plain Permit must be obtained prior to work commencing on the project; 8) A Land Disturbance Permit is

required, and plans must be submitted prior to permit issuance. All staff comments regarding land disturbance will be addressed to the satisfaction of the City Engineer; 9) The City will not require at time of site plan approval the construction of sidewalks along 191st Street adjacent to the subject property. Prior to obtaining a building permit, the property owner will execute the necessary agreement to waive and relinquish any right he/she may have under K.S.A. 12-6a06 to protest the formation of a benefit district to pay for the construction of the sidewalk improvements adjacent to the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time; 10) The above recommendations are stipulated as part of granted approval and are incorporated into the Final Site Plan document set; 11) The Final Site Plan is contingent upon the approval of Conditional Use Application CU2018-01 which will be heard at the November 12, 2018 Planning Commission Meeting. Motion was approved, 4-0.

Chairman Daley called for a 5-minute recess at 8:20pm. The meeting resumed at 8:27pm.

FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)

An application for Final Plat, FP2018-04, requesting approval of a Final Plat for Logistics Park Kansas City Southwest – IP XXIII, located at the northeast corner of the intersection of 199th Street and Four Corners Road, consisting of one (1) lot, and three (3) tracts, containing approximately 116.14 acres was considered. Applicant: Chris Chancellor representing NPD Management, LLC.

Katy Crow, Development Services Director, overviewed the changes made to the Final Plat from the Preliminary Plat which was approved at the June 12, 2018 Planning Commission meeting. At that time the submission was for two (2) lots and four (4) tracts. Road access was proposed for two (2) entrances off 199th Street and one via Essex Street, which would be extended from approximately 193rd Street south to 199th Street. The submitted Final Plat is seeking approval to plat the parcel into one (1) lot and three (3) tracts. The south side of Lot 1 would have frontage along 199th Street and the west side would have frontage along Four Corners Road. Tract C has frontage on, but no access to, Homestead Lane. Ms. Crow noted staff recommends approval, with stipulations. Ms. Crow also introduced Brett Powell from Northpoint Development, who stood for questions.

Beth Linn, City Administrator, stated that access via Homestead Lane is not requested and comment to that affect will be included on the Final Plat to ensure that future access will not be granted. There would be one entrance point to the facility for vehicle traffic from 199th Street. Truck traffic would only be able to access the facility from Essex Road, which will include a roundabout. Ms. Linn stated the City Engineer is still reviewing the plans for the roundabout to make sure truck traffic can revolve around the roundabout hauling a 54-foot trailer.

Chairman Daley stated he would take public comments at this time.

Cliff Cole, 19911 Peppertree Lane, Edgerton, KS, 66021, commented that he wanted to make sure water detention was being addressed properly and that 199th Street cannot sustain truck traffic. Mr. Cole also stated that 199th has become dangerous due to the speed of drivers and any truck traffic could increase this.

Lonny Vlieger, 19910 Peppertree Lane, Edgerton, KS, 66021, commented about the exit onto 199th and asked if they had considered other areas for the entrance/exit.

Marshall Wolfe, 20090 Peppertree Lane, Edgerton, KS, 66021, commented there should be a traffic study conducted to make sure the exit will not negatively impact the traffic on 199th.

Ms. Linn addressed the questions and comments by speaking more in depth about the plans for the water detention ponds, future road plans, truck routes, and traffic on 199th Street. The intent is to work with Johnson County for the re-design of Four Corners Road.

Motion by Berger, Second by Crooks to approve FP2018-04 Final Plat for LPKC Southwest with the following stipulations: 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; 2) 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; 6) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat. Motion was approved, 4-0.

FINAL SITE PLAN – FS2018-06 (LPKC SOUTHWEST - IP XXIII)

An application for Final Site Plan, FS2018-06, requesting approval of a Final Site Plan for Logistics Park Kansas City Southwest - IP XXIII, property located on the North side of 199th Street between Four Corner Road and Homestead Lane, consisting of one (1) lot, and three (3) tracts, containing approximately 119.42 acres, was considered. Applicant: Chris Chancellor representing NPD Management, LLC.

Katy Crow, Development Services Director, spoke on the updates made to the Preliminary Site Plan that are now reflected in the submitted Final Site Plan. When approved, the Preliminary Site Plan depicted two (2) warehouse buildings on two (2) lots with associated parking and stormwater detention facilities. The submitted Final Site Plan depicts one (1) 1,160,640 square foot warehouse building on one (1) lot with three (3) tracts (A, B, C) in place for stormwater retention. Access to the building for truck traffic would be via an extension of Essex Street, with access for vehicle traffic via one entrance off of 199th Street. The City Engineer is helping finalize plans for the cul-de-sac at the end of Essex Street to make sure it meets the city specifications and can handle truck traffic and capacity. The applicant has not currently submitted signage and must submit a signage application. Sidewalks will be added along Essex Street and 199th Street. There will be no exterior storage allowed at this facility. Plans/elevations for the Guard Shack need to be submitted and reviewed as part of the Building Permit process. Additional landscape screening is required on the north side of the property and any visible rooftop equipment must be screened from view. The Type Four (4) landscaping buffer shown on the plans needs to be updated with more variation in types of trees and shrubs. The existing tree line being used as screenage must be inventoried and any trees lost during construction or that later die, need to be replaced. Dumpster screening must also be included on the final plans. David Hamby, City Engineer, was present to address any questions about storm water runoff. Ms. Crow and

Mr. Hamby stood for questions. Brett Powell of NorthPoint Development was also available to answer questions regarding the project.

Chairman Daley asked why the entrance to the facility couldn't exit onto Four Corners Road. Beth Linn, City Administrator, answered that in order to balance out the truck traffic in the area, there will eventually be a change to the way Four Corners Road operates. Due to Four Corners Road's adjacency to Big Bull Creek, traffic on that portion of the road could be restricted to park traffic in the future.

Chairman Daley asked if any improvements to 199th Street would be made. Ms. Linn stated that future development may warrant a street improvement project which would be coupled with a traffic study and proposed site plans. However, there are criteria for installation of traffic signals including a minimum amount of traffic volume. Currently, the volume of traffic seen on 199th Street does not warrant the installation of a traffic signal.

Mr. Hamby spoke on the initial drafts of the storm water plan. There are five (5) different discharge points - three (3) go west to Big Bull Creek and two (2) go east to Tributary E of Big Bull Creek, the tributary that goes through the Peppertree Road neighborhood. Chairman Daley asked if there would be two (2) large detention ponds. Brett Powell, NorthPoint representative, stated that there would be three (3) large detention ponds.

Chairman Daley expressed concern with regards to truck traffic. Cliff Cole, 19911 Peppertree Lane, Edgerton, KS, 66021, asked if there was a traffic study conducted at the entrance of this project on 199th Street. Patrick Robinson, NorthPoint representative, stated there had been a traffic study conducted in the area in May 2007 which included the 20-year impact of traffic along 199th Street. Mr. Robinson stated that the plan was to separate employee traffic from truck traffic and that NorthPoint does not have an interest in truck traffic going where they are not supposed to go. Mr. Robinson added that an entrance lane can be extended if there is a sight distance problem found upon completion of a sight distance study. Chairman Daley stated that the updates were huge improvements to the plan and he was glad to see all parties are trying to make this work. Ms. Linn added there is no access from employee parking to the truck parking, so trucks will know not to enter there.

Motion by Berger, Second by Crooks to approve FS2018-06 LPKC Southwest – IP XXIII Final Development/Site Plan with the following stipulations: 1) The above recommendations are stipulated to as a part of approval and incorporated into the Final Development/Site Plan document set; 2) The Final Development/Site must be approved prior to commencement of uses and the property be developed in accordance with the approved Final Development/Site Plan, Landscaping Plan, and Photometric Plan as required by City approval of the submitted Final Development/Site Plan, as amended by these stipulations, and approved by the City; 3) All Final Development/Site Plan requirements of the City listed above shall be met or addressed as part of the plan set submitted for construction permits as identified above; 4) No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC; 5) All construction plans for any public infrastructure shall be prepared to City standards and approved by the City; 6) A revised Stormwater Plan must be submitted due to the changes made since the initial plan was reviewed. All staff comments must be addressed to the satisfaction of the City Engineer; 7) A SWPPP must be submitted and all staff comments will be addressed to the satisfaction of the City Engineer. Motion was approved, 4-0.

TEMPORARY CONSTRUCTION ACTIVITY - TU2018-09 –ROCK CRUSHING OPERATIONS (LPKC SOUTHWEST - IPXXIII)

An application for the Temporary Construction Activity, TU2018-09, Rocking Crushing Operations at LPKC Southwest – IPXXIII, located within the southeast corner of I-35 and Homestead Lane, was considered. Applicant: Clayco; Project Management: NPD Management.

Katy Crow, Development Services Director, stated the request is for rock crushing activities to take place from October 10, 2018 to April 5, 2019. A letter from the owner was included with the application that indicates their permission to conduct rock crushing activities on their property. The rock crushing operation will move around the site but will mostly be located on the north side of the project. The blasting permits have been reviewed and approved. There will be a dust containment system in place and they will make sure the dust does not exceed level allowed by KDHE.

Motion by Berger, Second by Crooks to approve rock crushing operations, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton, located near the northeast corner of Four Corners Road and 199th Street, by Clayco, Inc., for construction-related activities related to LPKC Southwest – IP XXIII, 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) An onsite 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 14 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, Monday through Saturday; 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 the 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) The applicant and all subcontractors must maintain a valid City of Edgerton Business License; 17) Staff retains the ability to establish reasonable requirements for the operation as needed; 18) All activities will be performed in compliance with KDHE and the requirement of the KDHE Bureau of Air; 19) Permission for temporary construction activities is granted for a period end April 5, 2019.

FUTURE MEETING

The next meeting is scheduled for November 13, 2018.

ADJOURNMENT

Motion by Berger, seconded by Little, to adjourn. Motion was approved, 4-0.

The meeting adjourned at 9:20 p.m.

Submitted by: Rachel A. James, City Clerk