

**EDGERTON CITY HALL
PLANNING COMMISSION MEETING
June 8, 2021**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on June 8, 2021. The meeting convened when Commissioner Jeremy Little called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Charlie Crooks	present
Tim Berger	absent
Deb Lebakken	present
John Daley	absent

With a quorum present, the meeting commenced.

Staff in attendance: Development Services Director Katy Crow
 Planning and Zoning Coordinator Chris Clinton

2. **WELCOME** In the absence of a Chair or Vice-Chair, Secretary/Commissioner Little welcomed all in attendance for the meeting.
3. **PLEDGE OF ALLEGIANCE** All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Approve Minutes from the April 13, 2021 Planning Commission Meeting.

Commissioner Crooks moved to approve the consent agenda. Commissioner Lebakken seconded the motion. The consent agenda was approved, 3-0.

REGULAR AGENDA

5. DECLARATION

The Commissioners did not have anything to declare at this time.

BUSINESS REQUIRING ACTION

NEW BUSINESS

6. ELECTION OF PLANNING COMMISSION OFFICERS

Commissioner Little stated the Bylaws of the Planning Commission require an annual meeting in June of each year for the purpose of electing a Planning Commission Chair, Vice Chair, and a Secretary.

Commissioner Little inquired if there were any nominations for the Chair of the Commission. Commissioner Crooks moved to nominate Commissioner John Daley to retain the office of Chairperson. Commissioner Lebakken seconded the motion. Commissioner Daley was voted by the commissioners present to remain the Chairperson of the Commission through June 2022, 3-0.

Commissioner Little asked for any nominations for the office of Vice Chair. Commissioner Lebakken volunteered to be the Vice Chair. Commissioner Crooks moved to nominate Commissioner Lebakken as the Vice Chair of the Commission. Commissioner Little seconded the motion. Commissioner Lebakken was voted by the commissioners present to be the Vice Chair of the Commission through June 2022, 3-0.

Commissioner Lebakken nominated Commissioner Little to remain the Secretary of the Commission. The motion was seconded by Commissioner Crooks. Commissioner Little was voted by the commissioners present to remain the Secretary of the Commission through June 2022, 3-0.

7. CONSIDER REVISED FINAL SITE PLAN APPLICATION FS2021-07 FOR COLDPOINT LOGISTICS LOCATED AT 31301 W 181ST STREET.

Commissioner Little introduced Revised Final Site Plan Application FS2021-07 for ColdPoint Logistics.

Ms. Katy Crow, Development Services Director, stated this warehouse is located on the southwest corner of Waverly Road and 181st Street. She explained the Revised Final Site Plan is for the addition of a break and locker room on the west side of the existing warehouse. In order to construct the addition, part of the current employee parking area is being relocated across the private drive to the west. Ms. Crow showed the aerial view and the existing conditions of the warehouse. She said the utilities and infrastructure will not be changing with this Revised Final Site Plan.

Ms. Crow explained there are a few items City Staff documented during their review. The grading plan indicates grading crossing the property line. Ms. Crow said the applicant is to provide an agreement from the neighboring property owner which allows for the grading work to occur on the property not owned by the applicant. The applicant has acknowledged this requirement. Ms. Crow stated the handicap stalls shown in the west parking lot do not appear to match the as-built conditions and need to be revised. The proposed parking lot does not meet the parking setback of ten (10) feet and the setback needs to be noted on the Revised Final Site Plan. The applicant has stated there is to be no lighting for the proposed parking lot. If lighting is added in the future, all code requirements will need to be met. Ms. Crow said City Staff will continue to monitor the site to ensure all above ground facilities are screened from public view. The articulation requirements are met through varying paint colors and the inclusion of windows on the proposed addition. Ms. Crow said the proposed landscape meets the requirements in the Unified Development Code (UDC) and the applicant has acknowledge to meet the Diesel Emission Requirements. The City Engineer has requested an erosion control plan and a Stormwater Pollution Prevention Plan (SWPPP) be provided.

Ms. Crow said City Staff recommends approval of FS2021-07, the Revised Final Site Plan for ColdPoint Logistics with the following stipulations:

1. The City Staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan, and all else stated earlier and indicated in the Staff Report are included as stipulations as part of approval of the Final Site Plan.
2. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
3. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. The property owner and/or developer shall work with City Staff to determine the best possible placement for a stormwater easement and shall dedicate said stormwater easement on the Final Plat.
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 notation 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.

Commissioner Crooks inquired what the parking lot will be used for. Ms. Crow replied it is for employee parking. Commissioner Crooks asked if there would be a crosswalk for pedestrians. Ms. Crow answered there will be a crosswalk and sidewalk for pedestrians to use to access the building.

Commissioner Lebakken inquired where the grading crosses the property line. Mr. Patrick Cassity, Project Engineer, answered the proposed parking lot will be 10 feet from the property line and either an agreement with the neighboring property owner will be obtained or a retaining wall will be installed as the parking lot is higher than the grade of the neighboring property.

Mr. Patrick Robinson, NorthPoint, said ColdPoint is headquartered in Edgerton and many of their employees are from local cities. He stated roughly \$200,000,000 in investments have been made on this warehouse and this project is it to make the warehouse a more enjoyable work environment with a new breakroom and locker room. The addition is needed due to a boxing line installation which was needed because ColdPoint exported 1.2 billion pounds of pork, beef and chicken around the world last year.

Commissioner Crooks moved to approve Application FS2021-07, Revised Final Site Plan for ColdPoint Logistics with the stipulations outlined by City Staff. Commissioner Lebakken seconded the motion. Application FS2021-07 was approved with the stipulations, 3-0.

8. CONSIDER EXTENSION REQUEST FOR TEMPORARY CONSTRUCTION USE APPLICATION TU2021-02 TEMPORARY CONSTRUCTION USE FOR ROCK CRUSHING AT THE NORTHWEST CORNER OF 213TH STREET AND KILL CREEK ROAD.

Commissioner Little introduced the extension request.

Ms. Crow explained that on March 9, 2021, the Commission approved Application TU2021-02 to allow the temporary construction activity of rock crushing to occur on the Project Polaris site, which is the northwest corner of 213th Street and Kill Creek Road. The Commission approved the permit

for a period of four (4) months which ends on July 9, 2021. She said on May 25, 2021, Justin Haupt of Haupt Construction, the contractor for the rock crushing operation, reached out to City Staff to request an extension of the permit to August 9, 2021. Mr. Haupt cited several days of poor weather conditions, primarily the extensive rain the area has received in the past month. Mr. Haupt spoke before the Commission and stated they wish to amend their request to extend the operations to September 9, 2021. He explained the weather, scheduling conflicts, and issues with the pandemic have made it difficult to meet the expiration date of August 9, 2021. The letter requesting the extension was provided in the packet.

Commissioner Crooks moved to approve the extension of Application TU2021-02 with the following stipulations:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the 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 UDC.
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 of the City of Edgerton or other applicable chapters 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 the 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 easement 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 3:00 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 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. Applicant shall maintain a valid City of Edgerton Business License.
17. City Staff retains the ability to establish reasonable requirements for their operation.
18. All activities will be performed in compliance with Kansas Department of Health and Environment (KDHE) and the requirements of the KDHE Bureau of Air.
19. Permission for temporary construction activities is granted for a period ending September 9, 2021.

Commissioner Lebakken seconded the motion. TU2021-02 was extended, 3-0.

9. CONSIDER EXTENSION REQUEST FOR TEMPORARY CONSTRUCTION USE APPLICATION TU2021-03 TEMPORARY CONSTRUCTION USE FOR ROCK CRUSHING AT INLAND PORT 52 (IP 52) LOCATED AT 20500 CORLISS ROAD.

Commissioner Little introduced the extension request.

Ms. Crow explained on March 9, 2021, the Commission approved Application TU2021-03 to allow the temporary construction activity of rock crushing to occur on the site of IP 52, located north of 30800 W 207th Street. The Commission approved the permit for rock crushing to start March 10, 2021 and end by May 9, 2021. She said on April 29, 2021, Justin Haupt of Haupt Construction, the contractor for the rock crushing operation, reached out to City Staff to request an extension of the permit to July 9, 2021. Mr. Haupt stated his crew could not work due to weather delays due to rain on seventeen (17) of the thirty-six (36) days that crushing activities could occur. The wind also played a major role as the wind directed blasting dust toward residences and Haupt Construction was aware of those issues and delayed blasting, which further delayed crushing operations. The letter requesting the extension was provided in the packet. Mr. Haupt stated they only have a day or two left of rock crushing for this site but would appreciate the extra time to ensure all their work is completed by the expiration date.

Ms. Crow stated City Staff cannot grant the extension and the deadline for the May 2021 Commission meeting had past, City Staff reached out to Mayor Roberts to request determination of the extension. On May 8, 2021, Mayor Roberts granted an extension until this item could be heard by the Commission on June 8, 2021.

Commissioner Crooks moved to approve the extension of Application TU2021-03 with the following stipulations:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the 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 UDC.
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 of the City of Edgerton or other applicable chapters 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 the 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 easement 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 3:00 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 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. Applicant shall maintain a valid City of Edgerton Business License.
17. City Staff retains the ability to establish reasonable requirements for their operation.
18. All activities will be performed in compliance with Kansas Department of Health and Environment (KDHE) and the requirements of the KDHE Bureau of Air.
19. Permission for temporary construction activities is granted for a period ending August 9, 2021.

Commissioner Lebakken seconded the motion. TU2021-03 was extended, 3-0.

10. **FUTURE MEETING**

The next Planning Commission meetings are scheduled for July 13, 2021 and August 10, 2021 at 7:00 PM.

Mayor Roberts thanked the Commission for their dedication to the community. He said everything they do benefits the community and while there are growing pains for any expanding community, he thanks them for volunteering their time to serve.

Commissioner Little inquired how people can become a Commissioner. Mayor Roberts said if somebody who want to serve their community, he will nominate them if there is an opening, and the City Council would then vote on the nomination. He said Commissioners are required to know a lot of information but City Staff does a great job of keeping the information brief yet potent. He understands sometimes the decisions are hard, but greatly appreciates their work.

11. **ADJOURNMENT**

Commissioner Lebakken moved to adjourn the meeting. Commissioner Crooks seconded the motion. The motion was approved, 3-0. The meeting was adjourned at 7:24 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator