

**EDGERTON CITY COUNCIL
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
April 26, 2018
7:00 P.M.**

Call to Order

1. **Roll Call** ____ Roberts ____ Longanecker ____ Brown ____ Conus ____ Lewis
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Agenda Approval
5. Approve Minutes for April 12, 2016 City Council Meeting
6. Consider Approval of Final Plat for Logistics Park Kansas City South, First Plat

Regular Agenda

7. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
8. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

9. **CONSIDER ORDINANCE NO. 1078 ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 256 ACRES OF LAND, LOCATED ON THE NORTHWEST CORNER OF 207TH STREET AND WAVERLY ROAD, FROM JOHNSON COUNTY RUR, RURAL ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT.**

Motion: _____ Second: _____ Vote: _____

10. **CONSIDER APPROVAL OF 2017 AUDIT OF FINANCIAL STATEMENTS**

Motion: _____ Second: _____ Vote: _____

11. **CONSIDER RESOLUTION 04-26-18A, PROVIDING FOR A DEADLINE FOR REMOVAL OF YARD NUISANCES AT 502 E. SECOND STREET, PURSUANT TO EDGERTON MUNICIPAL CODE SECTION 8-208 AND ALLOWING FOR THE CITY TO ABATE THE COSTS ASSOCIATED WITH THE REMOVAL OF SAID NUISANCES.**

Motion: _____ Second: _____ Vote: _____

12. CONSIDER APPROVAL OF 2018 STREET MAINTENANCE PLAN

Motion: _____ Second: _____ Vote: _____

13. Report by the City Administrator

- 2018 Audit of Financial Statements

14. Report by the Mayor

15. Future Meeting/Event Reminders:

- May 8th 7:00 PM – Planning Commission Meeting
- May 10th 7:00 PM – City Council Meeting
- May 10th 7:00 PM – Edgerton Family Fitness Fun Run
- May 24th 7:00 PM – City Council Meeting
- June 2nd: 6:30-9:00 PM – Summer Kickoff Block Party
- June 2nd: 9:00-11:00 PM – Downtown Summer Movie Night

16. Adjourn Motion: _____ Second: _____ Vote: _____

City of Edgerton, Kansas
Minutes of City Council Regular Session
April 12, 2018

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on April 12, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present
Clay Longanecker	present
Josh Lewis	present
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance:

- City Administrator Beth Linn
- Assistant City Administrator/Interim City Clerk Scott Peterson
- City Attorney Lee Hendricks
- Parks Maintenance Bob McVey
- Katy Crow Development Services Director
- Karen Kindle Finance Director
- Trey Whitaker Public Works Superintendent
- Alex Clower Customer Service Specialist

2. WELCOME

3. PLEDGE OF ALLEGIANCE

CONSENT AGENDA

- 4. Agenda Approval was considered.
- 5. Approve Minutes for March 8, 2018 City Council Meeting was considered.
- 6. Approve Minutes for March 15, 2018 Special City Council Meeting was considered.
- 7. Approve Minutes for March 22, 2018 City Council Meeting was considered.

Councilman Longanecker requested that items 8 and 9 be pulled from Consent Agenda for further discussion. Motion by Brown, Second by Longanecker to approve agenda items 4-7.

Motion was approved 4-0.

- 8. Consider Final Acceptance for LPKC Sanitary Sewer Phase II and Authorize Final Payment was considered.
- 9. Consider Final Acceptance for Midwest Gateway Sanitary Sewer and Authorize Final Payment was considered.

Councilman Longanecker asked the staff if they were pleased with the final results of the LPKC Sanitary Sewer Phase II and Midwest Gateway Sanitary Sewer project. Staff replied in the affirmative, that the completed projects were satisfactory.

Motion by Longanecker, Second by Brown to approve agenda items 8 and 9.

Motion was approved 4-0.

REGULAR AGENDA

10. Proclamation by the Mayor Declaring April 2018 as National Autism Awareness Month of the City of Edgerton.

Jennifer Smith accepted the proclamation from the Mayor on behalf of the Autism Society.

11. Public Comments.

Pat Peer, 32695 W 215th Street, Spring Hill, KS, spoke in opposition to agenda items that will be appearing before the City Council on April 26, 2018 regarding Project Mustang, which is located south of I-35. Ms. Peer believes the Council needs to reject the project in order to give time for them to do more thorough research on it. Ms. Peer also believes that all development at the Logistics Park Kansas City needs to cease for a time until the infrastructure at the park has time to catch-up to the increase in truck traffic. Finally, Ms. Peer notes that the Edgerton Comprehensive Plan is outdated and does not address the current development with the City. She believes that the City should cease development until the Comprehensive Plan can be updated.

Gerald Ohmes, 750 S. Oak, Gardner KS, also spoke in opposition to items appearing on the April 26 agenda. Mr. Ohmes lives a quarter of a mile away from the Logistics Park and believes that it is responsible for the sizable increase to his property taxes in the last few years. Mr. Ohmes also believes that the railroad has contracts with the City that are unfair to the City and to taxpayers. Mr. Ohmes asked if the City Council is aware of the number of revenue bonds that had been issued over the last few years by the City of Edgerton.

Mayor Roberts thanked those who spoke during Public Comment, and noted that due to the large number of items that will appear before the City Council on April 26, public comment will be limited to three minutes per speaker.

12. Declaration. None.

13. CONSIDER AGREEMENT WITH BG CONSULTANTS FOR ENGINEERING SERVICES FOR 2018 CARS PROJECT 4TH STREET AND EAST NELSON STREET INTERSECTION IMPROVEMENTS (DOWNTOWN STREETScape).

Trey Whitaker, Public Works Superintendent, presented the agenda item to the City Council. This year, Edgerton was approved for a Johnson County CARS project to improve the intersection of East 4th Street and Nelson. Staff is recommending that the design for the project be provided by BG Consultants, for a total not to exceed \$56,000. The project

includes major maintenance of East Nelson Street and East 4th Street, will remove the existing asphalt roadway and replace it with concrete, remove and replace the existing curb and gutter, and reconfigure the pedestrian sidewalk system as outlined by the recently approve Downtown Edgerton Plan.

Motion by Longanecker, Second by Lewis, to approve the agreement with BG Consultants for engineering services for 2018 CARS project 4th Street and East Nelson Street intersection Improvements in an amount not to exceed \$56,000.

Motion was approved 4-0.

14. CONSIDER MARTIN CREEK CAPITAL IMPROVEMENT PROJECT.

Trey Whitaker, Public Works Superintendent, presented the agenda item. In the 2015 Citizen Survey, Edgerton residents ranked the quality of city parks and facilities as the second priority for the City. As part of fulfilling the desire of residents based on the most recent Citizen Survey, the Martin Creek Capital Improvement Project seeks to: replace existing Martin Creek park trail asphalt material and subgrade where needed, and create a connection and crosswalk across Sunflower Road to connect pedestrians to Martin Creek Park and the newly constructed Big Bull Creek Park, owned by Johnson County Parks and Recreation District.

Finally, as part of the improvement project, staff recommends that improvements be made to ball fields #1 and #2 at Martin Creek Park. These improvements include: laser grading of the infields, addition of ball field fines, reprofiling of the outfield edge, improving outfield compaction issues with the addition of compost material, and installation of outfield fence capping.

Discussion from Council included whether the Council felt it was appropriate to improve the ball fields, and to what level of use. Council also requested that the pedestrian connection between Martin Creek and Big Bull Creek parks be further researched by staff and brought to City Council at a later date with options for the crossing.

Motion by Brown, Second by Longanecker, to approve the Martin Creek Capital Improvement Project in an amount not to exceed \$150,000.

Motion was approved 4-0.

15. REPORT BY THE CITY ADMINISTRATOR

Beth Linn, City Administrator reported that the Martin Creek Park parking lot asphalt will be striped this spring for less than \$1,000.

The new Parks and Recreation Coordinator, Maddie Becker, will start the following Monday. Ms. Becker will be introduced to Council at the April 26 City Council meeting.

The 2018 Citizen Survey should be arriving in resident mailboxes soon. Please tell your residents to fill them out to have as big of a response as possible.

Ms. Linn presented the 2019 Budget Year Calendar to Council for review. More information will be forthcoming soon.

16.REPORT BY THE MAYOR

Mayor Roberts passed out information on the United Community Services Fund.

The LKM conference deadline is approaching. If any council members wish to attend, please talk to Mayor Roberts.

Mayor Roberts requested that if any City Councilmembers see a member of Edgerton's Planning Commission, to please thank them for the work they are doing, as the last meeting was very long and they had to make some very difficult decisions.

17.FUTURE MEETING/EVENT REMINDERS

- April 18th Noon – Senior Lunch
- April 19th 5:00-7:00 PM - 207th Street Grade Separation Design Open House
- April 26th 7:00 PM – City Council Meeting
- May 8th 7:00 PM – Planning Commission Meeting
- May 10th 7:00 PM – City Council Meeting

18.Executive Session

Motion by Brown, Second by Lewis to recess into an executive session pursuant to K.S.A. 75-4319(b)(2) for attorney/client privilege and for contract negotiations, to include City Attorney and City Administrator for fifteen (15) minutes was considered.

Motion was approved 4-0.

Meeting recessed at 8:45 PM.

Meeting reconvened at 8:51 PM.

Motion by Brown, Second by Lewis to return to executive session for an additional ten minutes.

Meeting reconvened at 9:17 PM, no action taken.

Motion by Brown, Second by Lewis to return to executive session for an additional ten minutes.

Meeting reconvened at 9:30 PM, no action taken.

Motion by Brown, Second by Lewis to return to regular session.

Motion was approved 4-0.

Meeting reconvened at 9:31 PM.

19.ADJOURN

Motion by Lewis, Second by Longanecker to Adjourn the Regular Session.

Motion was approved 4-0. Meeting adjourned at 9:33 PM.

City Council Action Item

Council Meeting Date: April 26, 2018

Agenda Item #: 6

Department: Community Development

Agenda Item: Consider Application FP2018-03, Final Plat, Logistics Park Kansas City – South 1st Plat

Background/Description of Item: The City of Edgerton has received application FP-2018-03 for final plat of Logistics Park Kansas City – South 1st Plat which is generally located in the northwest corner at the intersection of 207th Street and Waverly Road.

The final plat includes approximately 200.65 acres excluding the right-of-way, broken down as follows:

- Lot 1 - 191.05 acres
- Tract A - 3.58 acres
- Tract B – 6.02 acres

Rezoning of this property from RUR to L-P was recommended for approval by the Edgerton Planning Commission on April 10, 2018. The City's Unified Development Code (UDC) defines L-P as limited multimodal industrial zone created to support activities related to truck, rail and other transport services.

Staff, including City Engineer, has reviewed the Final Plat submittal for compliance with the Approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are detailed in the attached staff report. The primary item outlined by staff is that additional utility easements may be necessary and the plat should be reviewed by utility companies. The applicant agreed to update the Final Plat and indicate easements by separate instrument if necessary.

The Edgerton Planning Commission reviewed the application on April 10, 2018. The Planning Commission recommended approval of Application FP2018-13 for Final Plat for Logistics Park Kansas City – South 1st Plat subject to compliance with all items listed in the staff report, dated April 10, 2018 along with the following stipulations:

1. All Final Plat requirements of the City listed in the Staff Report dated April 10, 2018 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. 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 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.
5. 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.
6. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
7. All infrastructure requirements of the City shall be met.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

<p>Recommendation: Approve Application FP2018-03, Final Plat, Logistics Park Kansas City – South 1st Plat, generally located in the northwest corner of the intersection of 207th Street and Waverly Road.</p>

Enclosed:

- Staff Report from April 10, 2018 Planning Commission
- Final Plat
- Application FP2018-03
- Draft minutes of April Planning Commission Meeting included with ZA2018-04 Rezoning item.

Prepared by: Katy Crow, Development Services Director

STAFF REPORT

April 10, 2018

To: Edgerton Planning Commission
Fr: Katy Crow, Development Services Director
Re: Application FP2018-03 for Final Plat for Logistics Park Kansas City - South 1st Plat,
generally located in the northwest corner at the intersection of 207 Street and Waverly
Road.

APPLICATION INFORMATION

Applicant: NPD Management LLC
Represented by NorthPoint Development LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150

Property Owner: Wellsville Farms, LLC
4825 NW 41st St., Suite 500
Riverside, MO 64150

Requested Action: Final plat approval – Logistics Park Kansas City
South, First Plat

Legal Description: SE & SW Quarters of Section 10, Township 15S
and Range 22E together with Lots 1 through 4,
inclusive, Rockwall Estates. See attached exhibit

Site Address/Location: In the NW corner of the intersection of Waverly
Road and 207th Street, west to Homestead Lane.

Existing Zoning and Land Uses: Zoned L-P, Logistic Park District

Existing Improvements: None except for single-family residences and
outbuildings that are to be removed.

Site Size: Lot 1 – 191.05 acres
Tract A – 3.58 acres
Tract B – 6.02 acres
Total approximately 200.65 acres (excluding R/W)

PROJECT DESCRIPTION

The current application for final plat to construct and operate warehouse and distribution facilities that could include limited manufacturing. This final plat will be platted into one lot

and two tracts. The subject property is located, and has frontage along, the northeast side of Homestead Lane, the north side of 207th Street and west of Waverly Road.

INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the preliminary plat.

1. Access to the property and development will be from Homestead Lane, 207th Street and Waverly Road.
2. Utilities and service providers.
 - a. Water - Johnson County Water District #7
 - b. Sanitary Sewer - City of Edgerton
 - c. Electrical Service - Kansas City Power & Light
 - d. Gas Service – Kansas Gas Service
 - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office.
 - f. Fire protection is provided by Johnson County Fire District #1.
3. Located within the Bull Creek watershed. Lot 1 and Tract B contain portions of a tributary stream to Bull Creek and portions of the 100-year floodplain.

FINAL PLAT REVIEW

Staff has reviewed the Final Plat submittal for compliance with the Approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

1. All easements with widths, and roads with curve data.
 - a. *Additional utility easements may be necessary. Plat should be reviewed by utility companies. **Applicant has indicated that they will update the Final Plat or indicate easements by separate instrument if necessary.***

RECOMMENDATION

City staff recommends **approval** of FP2018-01 for the Final Plat, Logistics Park Kansas City South, First Plat, subject to compliance with the following stipulations:

1. All Final Plat requirements of the City listed above 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. 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 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.
5. 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.

6. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
7. All infrastructure requirements of the City shall be met.

ATTACHMENTS

- Application FP2018-03
- Final Plat, Logistics Park Kansas City South, First Plat

NAME OF PROPOSED SUBDIVISION: Logistics Park Kansas City South-First Plat (Project Mustang)LOCATION OR ADDRESS OF SUBJECT PROPERTY: SE Corner of I-35 & Homestead LaneLEGAL DESCRIPTION: See attached sheetCURRENT ZONING ON SUBJECT PROPERTY: RUR (application on file for L-P) CURRENT LAND USE: Agricultural/residentialTOTAL AREA: 205.951 Acres NUMBER OF LOTS: 1 Lot, 2 Tracts AVG. LOT SIZE: 8,320,000 Sq. Ft.DEVELOPER'S NAME(S): John Thomas (representing the developer) PHONE: 816-888-7380COMPANY: NPD Management LLC (represented by Northpoint Development LLC) FAX: 816-888-7399MAILING ADDRESS: 4825 NW 41st St., Suite 500 Riverside MO 64150
Street City State ZipPROPERTY OWNER'S NAME(S): Wellsville Farms LLC PHONE: 816-888-7380COMPANY: Wellsville Farms LLC FAX: 816-888-7399MAILING ADDRESS: 4825 NW 41st St., Suite 500 Riverside MO 64150
Street City State ZipENGINEER'S NAME(S): Steve Warger, Patrick Cassity PHONE: 816-800-0950COMPANY: Renaissance Infrastructure Consulting FAX: N/AMAILING ADDRESS: 5015 NW Canal St. Suite 100 Riverside MO 64150
Street City State ZipSIGNATURE OF OWNER OR AGENT:  _____

If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 1/2 x 11) must also be submitted with the application.

FOR OFFICE USE ONLYCase No.: P- FP 2018-03 Amount of Fee Paid: \$ 310⁰⁰ Date Fee Paid: 3/19/18Received By:  _____ Date of Hearing: 4/10/18**FINAL PLAT INSTRUCTIONS**

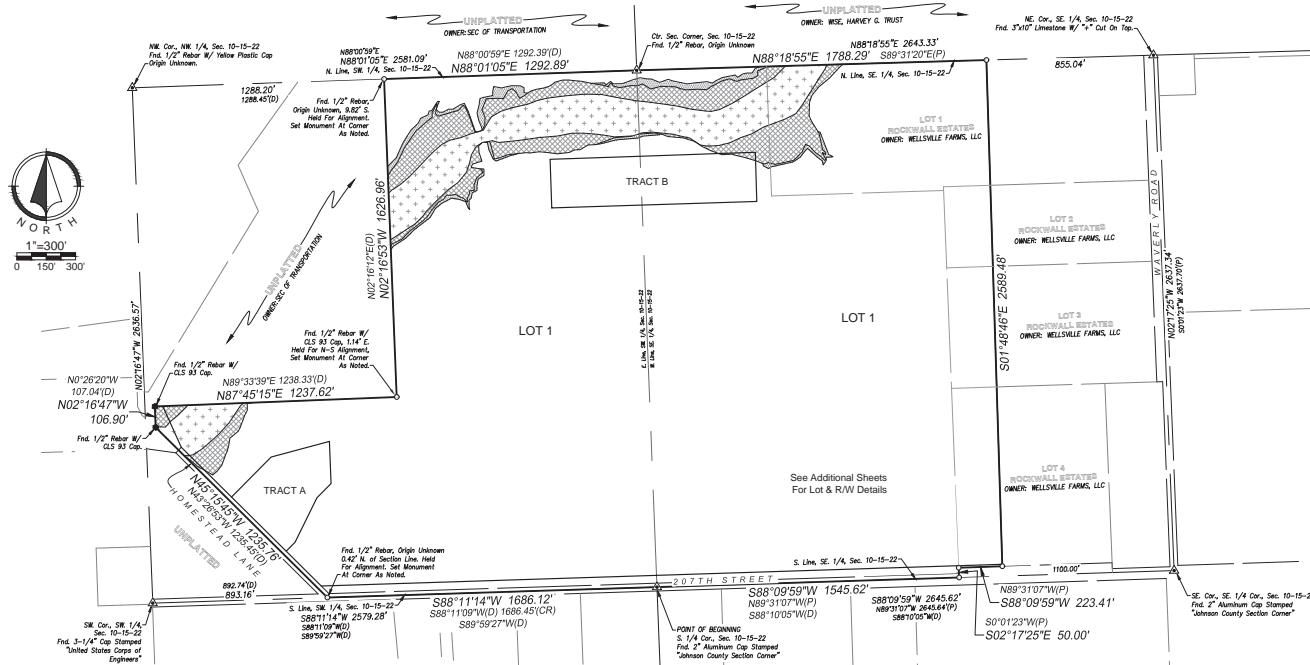
SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

DESCRIPTION

All that part of the Southeast and Southwest Quarters of Section 10, Township 15 South, Range 22 East of the Sixth Principal Meridian, together with all that part of Lots 1 thru 4, inclusive, ROCKWALL ESTATES, a platted subdivision, all in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South $88^{\circ}11'14''$ West, coincident with the South line of the Southwest Quarter of said Section 10, a distance of 1,686.12 feet; thence departing said South line, North $45^{\circ}15'45''$ West, coincident with the centerline of Homestead Road, as it now exists, a distance of 1,235.76 feet; thence departing said centerline, North $02^{\circ}16'47''$ West a distance of 106.90 feet; thence North $87^{\circ}45'15''$ East a distance of 1,237.62 feet; thence North $02^{\circ}16'53''$ West a distance of 1,626.96 feet to a point on the North line of the Southwest Quarter of said Section 10; thence North $88^{\circ}01'05''$ East, coincident with the North line of said Southwest Quarter, a distance of 1,292.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North $88^{\circ}18'55''$ East, coincident with the North line of said Southeast Quarter, a distance of 1,788.29 feet; thence departing said North line, South $01^{\circ}48'46''$ East a distance of 2,589.48 feet to a point on the North right-of-way line of 207th Street, as it now exists; thence South $88^{\circ}09'59''$ West, coincident with said North right-of-way line, a distance of 223.41 feet to the Southwest corner of said Lot 4, ROCKWALL ESTATES; thence departing said North right-of-way line, South $02^{\circ}17'25''$ East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South $88^{\circ}09'59''$ West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 8,971,222 square feet, or 205.951 acres, more or less.

FINAL PLAT
LOGISTICS PARK KANSAS CITY SOUTH, FIRST PLAT
A REPLAT OF PART OF LOTS 1 THRU 4, INCLUSIVE, ROCKWALL ESTATES, TOGETHER WITH
ALL THAT PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 10,
TOWNSHIP 15 SOUTH, RANGE 22 EAST, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



DESCRIPTION

All that part of the Southeast and Southwest Quarters of Section 10, Township 15 South, Range 22 East of the Sixth Principal Meridian, together with all that part of Lots 1 thru 4, inclusive, ROCKWALL ESTATES, a platted subdivision, all in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South 88°11'14\"

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as \"LOGISTICS PARK KANSAS CITY SOUTH, FIRST PLAT\".

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as \"Utility Easement\" or \"UE\" is hereby granted to the City of Edgerton, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, under and through those areas outlined and designated on this plat as \"Drainage Easement\" or \"DE\" is hereby granted to the City of Edgerton, Kansas. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

An easement to lay, construct, alter, repair, replace or operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as \"Sanitary Sewer Easement\" or \"SSE\" on this plat are hereby dedicated to the City of Edgerton, Kansas. Utility easements shall be kept clear of obstructions that impair strength or interfere with the use and/or maintenance of public utilities located within the easement.

Tracts A and B as shown hereon are to be used for storm water drainage easement and detention facilities and shall be maintained by the owner of the lots, tracts and parcels shown within this plat.

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this ____ day of ____, 2018.

Nathaniel Hagedorn, Manager,
By NPD Management, LLC

STATE OF _____
COUNTY OF _____

BE IT REMEMBERED, that on this ____ day of ____, 2018, before me a Notary Public in and for said County and State, came Nathaniel Hagedorn, Manager of NPD Management, LLC who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said limited liability company, and he duly acknowledged the execution of the same to be the act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Notary Public _____ My Appointment Expires: _____

APPROVALS

APPROVED by the Planning Commission of the City of Edgerton, Johnson County, Kansas, on this ____ day of ____, 2018.

John E. Daley, Chairperson _____ Erik Eraso, Secretary _____

APPROVED by the Governing Body of the City of Edgerton, Johnson County, Kansas, on this ____ day of ____, 2018.

Donald Roberts, Mayor _____ Attest: _____
Janice L. Rawles, City Clerk

APPROVED by the Zoning Administrator, on this ____ day of ____, 2018.

Acting Zoning Administrator _____

SURVEYOR'S CERTIFICATION

I hereby certify that this plat was prepared by me or under my direct supervision based on a field survey performed during December 2017, and the results of said survey as shown on this plat are true and correct to the best of my professional knowledge and belief.

Roger B. Dill, Kansas LS-1408

NOTES:

Basis of Bearings: Kansas North Zone, U.S. State Plane, NAD 83 HARN

CLOSURE CALCULATIONS:

Precision, 1 part in: 921660.79
Error distance: 0.015
Error direction: S43°59'52\"

Perimeter: 13383.05'

All bearings and distances shown on this plat are platted and measured unless otherwise noted.

Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Number 20091C0134G, revised August 3, 2009, this tract graphically lies in:

- OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.
- SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, ZONE AE, defined as Base Flood Elevations determined.
- OTHER FLOOD AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology. No Base Flood Elevations determined.

All those portions of the setbacks, easements and drainage area, as dedicated on the Rockwall Estates final plat, that fall within the area being replatted, are vacated with this plat.

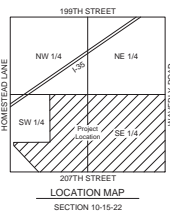
LOT INFORMATION					
LOT NO.	LOT AREA	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	BUILDING ENVELOPE
1	8,122,218 S.F. 191.052 Acres	50'	50'	50'/25'	1,968,553 S.F. 36.009 Acres
TRACT A	156,086 S.F. 3.583 Acres	N/A	N/A	N/A	N/A
TRACT B	262,395 S.F. 6.024 Acres	N/A	N/A	N/A	N/A
ROW	230,530 S.F. 5.292 Acres	N/A	N/A	N/A	N/A
TOTALS	8,971,222 S.F. 205.951 Acres				

FLOODPLAIN LEGEND:

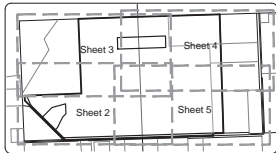
- ZONE X (FUTURE BASE FLOOD)
- ZONE AE
- ZONE AE FLOODWAY

LEGEND:

- FOUND SECTION CORNER AS NOTED
- FOUND MONUMENT AS NOTED
- SET 12\"
- DESCRIBED
- CALCULATED FROM RECORD



Sheet Index



LOGISTICS PARK KANSAS CITY SOUTH, FIRST PLAT

Prepared For:
NPD Management, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150
(816) 888-7360

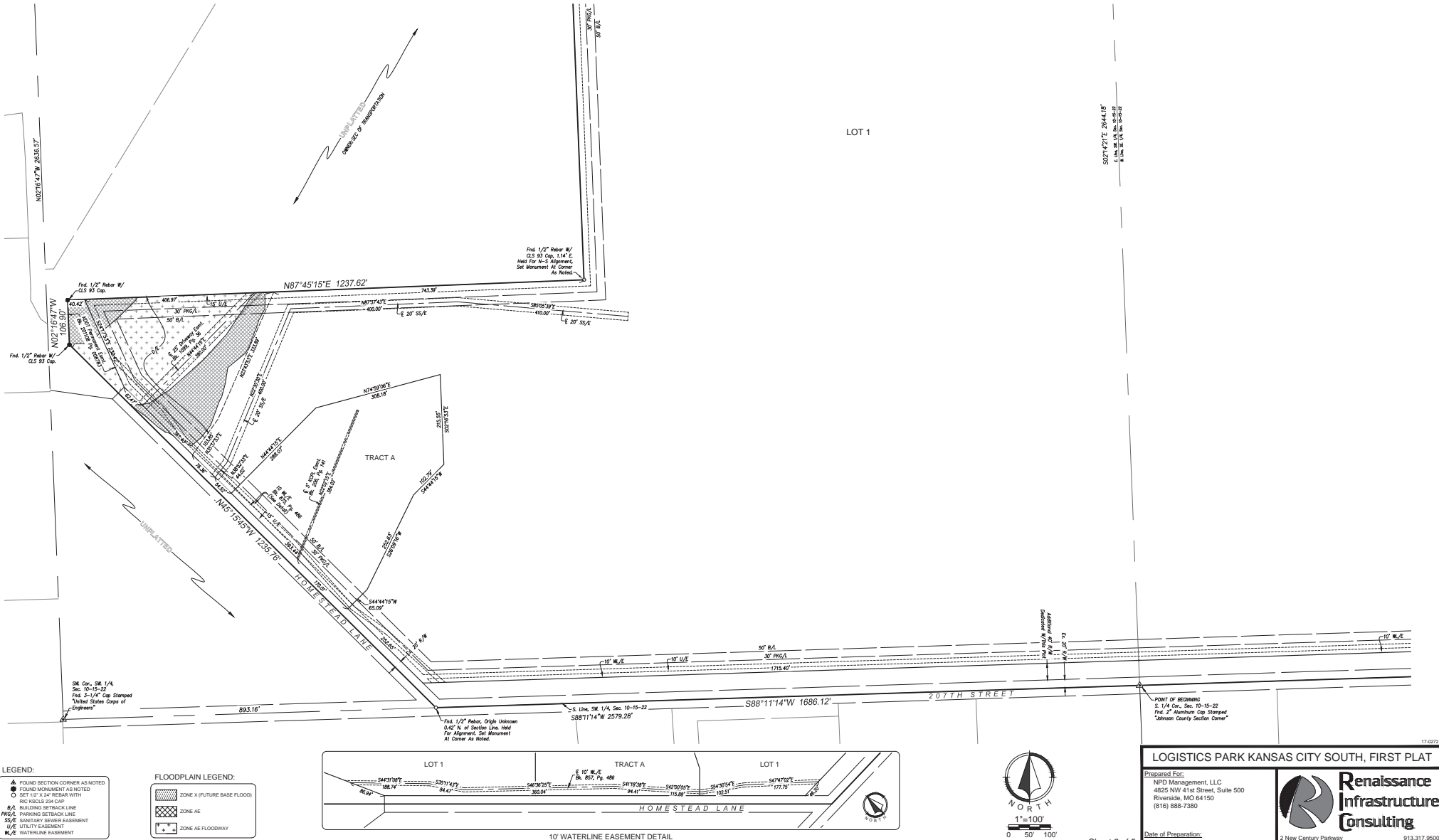
Date of Preparation:
January 25, 2018

Renaissance Infrastructure Consulting
2 New Century Parkway
New Century, Kansas 66031
913.317.9500
www.ri-consult.com

FINAL PLAT

LOGISTICS PARK KANSAS CITY SOUTH, FIRST PLAT

A REPLAT OF PART OF LOTS 1 THRU 4, INCLUSIVE, ROCKWALL ESTATES, TOGETHER WITH ALL THAT PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 10, TOWNSHIP 15 SOUTH, RANGE 22 EAST, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



LOGISTICS PARK KANSAS CITY SOUTH, FIRST PLAT

Prepared For:
NPD Management, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150
(816) 888-7380

Date of Preparation:
January 25, 2018

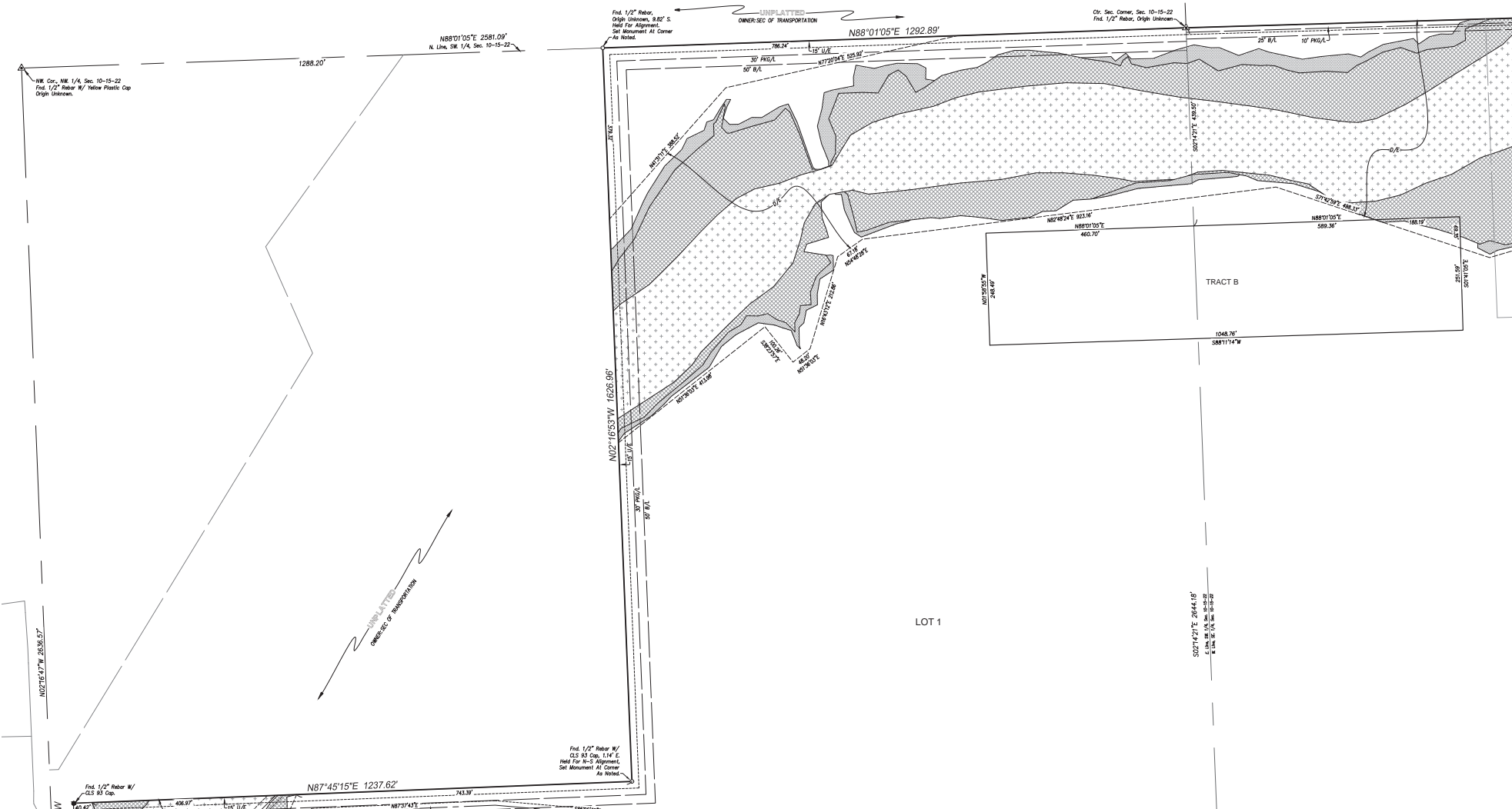
Renaissance
Infrastructure
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2 New Century Parkway
New Century, Kansas 66031
913.317.5500
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FINAL PLAT

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- LEGEND:**
- ▲ FOUND SECTION CORNER AS NOTED
 - FOUND MONUMENT AS NOTED
 - SET 12" X 24" PEG WITH RIC KSCOLS 234 CAP
 - B/L BUILDING SETBACK LINE
 - PRG/L PARKING SETBACK LINE
 - SS/E SANITARY SEWER EASEMENT
 - O/E ORANGE EASEMENT
 - U/E UTILITY EASEMENT

- FLOODPLAIN LEGEND:**
- ZONE X (FUTURE BASE FLOOD)
 - ZONE AE
 - ZONE AE FLOODWAY



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 FOUND SECTION CORNER AS NOTED
 FOUND MONUMENT AS NOTED
 SET 1/2" X 24" REBAR WITH
 RIC KSCLS 234 CAP
 B/L BUILDING SETBACK LINE
 PKG/L PARKING SETBACK LINE
 SS/E SANITARY SEWER EASEMENT
 D/E DRAINAGE EASEMENT
 U/E UTILITY EASEMENT

 ZONE X (FUTURE BASE FLOOD)
 ZONE AE
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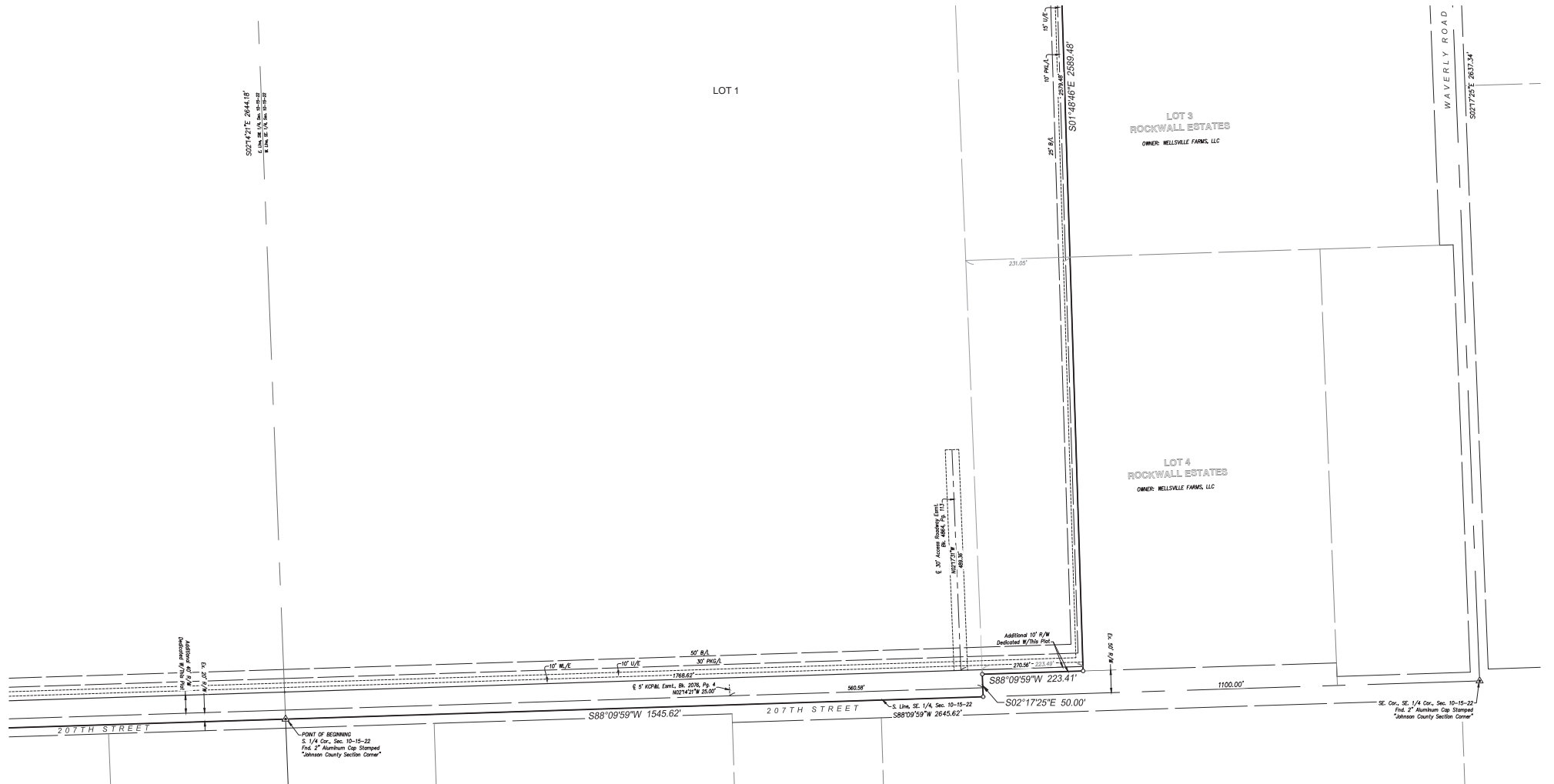
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LEGEND:

-  FOUND SECTION CORNER AS NOTED
 FOUND MONUMENT AS NOTED
 SET 1/2" X 24" REBAR WITH
 RIC KSCLS 234 CAP
 B/L BUILDING SETBACK LINE
 PKG/L PARKING SETBACK LINE
 SS/E SANITARY SEWER EASEMENT
 U/E UTILITY EASEMENT
 WL/E WATERLINE EASEMENT



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5 Date of Preparation:
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City Council Action Item

Council Meeting Date: April 26, 2018

Agenda Item #: 9

Department: Community Development

Agenda Item: Consider Ordinance No. 1078 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 256 Acres Of Land [Located At On The Northwest Corner Of 207th Street and Waverly Road] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District

Background/Description of Item: The City of Edgerton received an application ZA-2018-03 for rezoning from NPD Management LLC Represented by NorthPoint Development LLC requesting to rezone approximately 256 acres located on the northwest corner of 207th Street and Waverly Road from Johnson County RUR to City of Edgerton Logistics Park (L-P) zoning. The property requested to be rezoned was annexed into the City of Edgerton on March 15, 2018. NPD Management LLC has requested to rezone the parcel to Logistics Park District (L-P) to accommodate future intermodal-related, logistics park development as part of Logistics Park Kansas City Phase II.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, Zoning and Subdivision Regulations, and the laws in Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Attached is the staff report including the review of this rezoning based on the Golden Criteria. The Planning Commission held a public hearing on April 10, 2018 regarding this rezoning. The Planning Commission recommended approval of the application 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.
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Ordinance No. 1078 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 256 Acres Of Land [Located At On The Northwest Corner Of 207th Street and Waverly Road] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District

Enclosed:

- Ordinance No. 1078
- Staff Report from April 10, 2018 Planning Commission
- Application ZA-2018-04
- Draft minutes of April 10, 2018 Planning Commission Meeting

Prepared by: Katy Crow, Development Services Director

ORDINANCE NO. 1078

AN ORDINANCE ADOPTING A RECOMMENDATION BY THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 256 ACRES OF LAND [LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 207th STREET AND WAVERLY ROAD] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT

WHEREAS, the Planning Commission has recommended that a rezoning request -- from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District -- be approved (with certain conditions) for approximately 256 acres of land, located at the northwest corner of the intersection of 207th Street and Waverly Road in Edgerton; and

WHEREAS, all newspaper and mailed notifications were performed and a public hearing was properly held before the City Planning Commission on April 10, 2018.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

Section 1. That the following legally described property (located at the northwest corner of the intersection of 207th Street and Waverly Road) is hereby rezoned from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park Zoning District, and City Staff is directed to reflect said rezoning in the City's Official Zoning map and other City records:

All that part of the Southeast and Southwest Quarters of Section 10, Township 15 South, Range 22 East of the Sixth Principal Meridian, together with all of Lots 1 thru 4, inclusive, ROCKWALL ESTATES, a platted subdivision, all in Johnson County, Kansas, more particularly described as follows:

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South 88°11'14" West, coincident with the South line of the Southwest Quarter of said Section 10, a distance of 1,686.12 feet; thence departing said South line, North 45°15'45" West, coincident with the centerline of Homestead Road, as it now exists, a distance of 1,235.76 feet; thence departing said centerline, North 02°16'47" West a distance of 106.90 feet; thence North 87°45'15" East a distance of 1,237.62 feet; thence North 02°16'53" West a distance of 1,626.96 feet to a point on the North line of the Southwest Quarter of said Section 10; thence North 88°01'05" East, coincident with the North line of said Southwest Quarter, a distance of 1,292.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North 88°18'55" East, coincident with the North line of said Southeast Quarter, a distance of 2,593.33 feet to the Northeast corner of said Lot 1, said point also lying on the West right-of-way line of Waverly Road, as it now exists; thence South 02°17'25" East, coincident with said West right-of-way line, a distance of 1,670.08 feet to the Southeast corner of said Lot 3; thence departing said West right-of-way line, North 88°09'59" East a distance of 50.00 feet to a point on the East line of said Southeast Quarter; thence South 02°17'25" East, coincident with said East line, a distance of 967.39 feet to the Southeast corner of said Southeast Quarter; thence South 88°09'59" West, coincident with the South line of said Southeast Quarter, a

distance of 315.20 feet; thence departing said South line, North 02°17'25" West a distance of 50.00 feet to the Southeast corner of said Lot 4, said point also lying on the North right-of-way line of 207th Street, as it now exists; thence South 88°09'59" West, coincident with said North right-of-way line, a distance of 784.80 feet to the Southwest corner of said Lot 4; thence departing said North right-of-way line, South 02°17'25" East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South 88°09'59" West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 11,144,515 square feet, or 255.843 acres, more or less.

Section 2. The above rezoning is expressly conditioned on the following:

- a) All Site Plan application requirements of the City shall be met.
- b) All infrastructure requirements of the City shall be met.
- c) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Section 3. That the Governing Body, in making its decision on the rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

Section 4. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 26th DAY OF APRIL, 2018.

CITY OF EDGERTON, KANSAS

By: _____
Donald Roberts, Mayor

ATTEST:

Scott Peterson, Interim City Clerk

APPROVED AS TO FORM:

Lee Hendricks, City Attorney



EDGERTON
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404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

NOTE: APPLICATION ZA-2018-01 WAS PREVIOUSLY CONSIDERED BY PLANNING COMMISSION ON FEBRUARY 13, 2018 FOR THIS PROJECT. UPDATED ITEMS HAVE BEEN HIGHLIGHTED IN YELLOW.

STAFF REPORT

April 10, 2018

To: Edgerton Planning Commission
Fr: Katy Crow, Development Services Director
Re: Application **ZA-2018-03** Rezoning for land generally located at the NW corner at the intersection of 207th Street and Waverly Road.

APPLICATION INFORMATION

Applicant: NPD Management LLC Represented by NorthPoint Development LLC
4825 NW 41st Street, suite 500
Riverside, MO 64150

Property Owner: **Wellsville Farms, LLC**
4825 NW 41st Street, Suite 500
Riverside, MO 64150

Requested Action: Rezoning from Johnson County RUR, Rural zoning to L-P, Logistics Park Zoning District, City of Edgerton.

Legal Description: SE & SW Quarters of Section 10, Township 15S and Range 22E together with Lots 1 through 4, inclusive, Rockwall Estates. See attached exhibit.

Site Address/Location: In the NW corner of the intersection of Waverly Road and 207th Street, west to Homestead Lane.

Existing Zoning and Land Uses: Johnson County Rural (RUR), Agriculture uses and single-family dwellings.

Existing Improvements: None except for single-family residences and outbuildings.

Site Size: Approximately 256 acres.

REASON FOR REZONING REQUEST:

This land was originally annexed into the City of Edgerton on December 28, 2017 by Ordinance 1071 and corrected on March 15, 2018 by Ordinance 1077, and this rezoning is being requested for future intermodal-related, logistics park development. The Burlington Northern Santa Fe Railway (BNSF) intermodal facility is currently under development approximately 1.5 miles north of the subject site. Logistics Park Kansas City (LPKC), is a 1,700-acre master-planned distribution and warehouse development anchored by BNSF Railway's newest intermodal facility, which opened in late 2013. Companies located at LPKC benefit from significant transportation savings and direct access to heavy-haul corridors.

The subject property is surrounded by undeveloped acreage and low-density rural, single-family residential development. The property has frontage along Homestead Lane, 207th Street and Waverly Road. Subject property is outlined in red and shown in Figures 1 and 2 below.

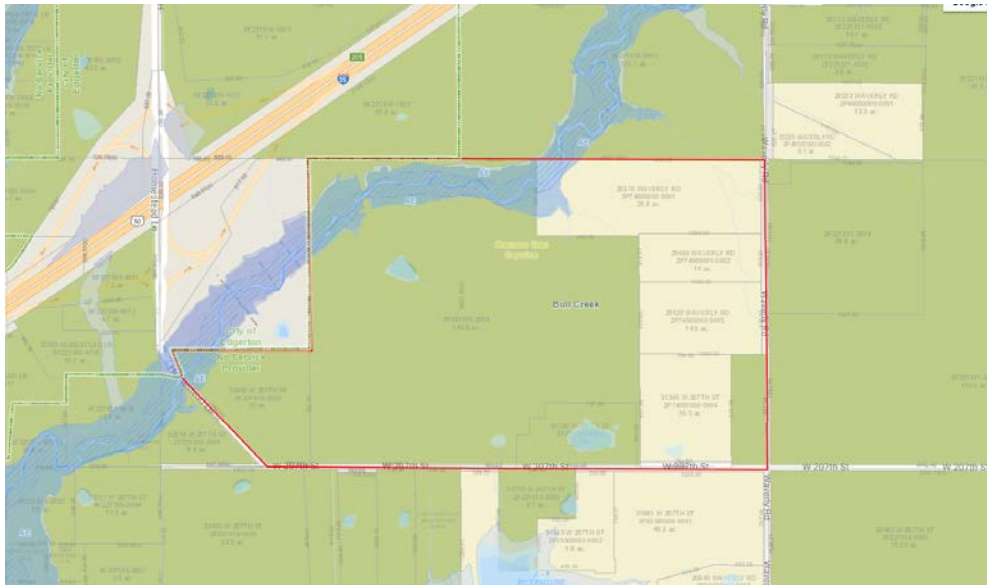


Figure 1



Figure 2

PROJECT DESCRIPTION

The rezoning request is to support a project which will construct and operate warehouse and distribution facilities that could include limited manufacturing.

INFRASTRUCTURE AND SERVICES

1. Access to the property and development will be from Homestead Lane and 207th Street.
2. Utilities and service providers.
 - a. Water - Johnson County Water District #7
 - b. Sanitary Sewer - City of Edgerton
 - c. Electrical Service - Kansas City Power & Light
 - d. Gas Service – Kansas Gas Service
 - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office
 - f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed

PROPERTY ZONING HISTORY

The subject property was originally annexed into the City of Edgerton on December 28, 2017 by Ordinance 1071 and corrected on March 15, 2018 by Ordinance 1077. Prior to that, the property was in unincorporated Johnson County and as of this application it remains zoned Johnson County RUR, in accordance with Article 1, Section 1.9 of the Edgerton Unified Development Code.

STAFF ANALYSIS

The applicant has requested rezoning to L-P, Logistics Park. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for a modern type of industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and external effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; and other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** - The applicant has requested L-P Zoning District designation to support construction of the project. Given the property's proximity to

LPKC, the BNSF Railway intermodal facility and the highway L-P Zoning District is the most compatible designation for these uses.

2. **Magnitude of the Change** - The existing County zoning is considered a holding designation. Due to the unexpected pace of development in Phase 1 of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35 such as the applicant property. While the Comprehensive Plan is in need of an update to address the current conditions, and need for land use and development in the City, staff believes that the proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan in similar neighborhoods. Due to the property's proximity to LPKC, the BNSF Railway intermodal facility and interstate highway, the magnitude of the change is not considered extreme or rare when property is being developed for its planned end use, industrial development.
3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. If rezoned L-P, as requested, a separate Site Plan review and approval will be required before building permits can be issued. Part of a Site Plan review will include attention to buffering and setbacks, stormwater management and transition of uses between adjoining uses and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location is an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the interstate.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related facilities near the intermodal allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** - With rapidly progressing intermodal development, extensive, recently completed road improvements, and the new I-35 interchange nearby, the character of the area is changing significantly from rural to industrial. Across I-35 and approximately 1.5 miles to the north Logistics Park Kansas City Phase 1 is nearing full build-out, all of which is zoned L-P. Properties to the south of the applicant property remain in unincorporated Johnson County, with a mixture of rural residential acreage, vacant land, and farming. Properties to the east and west incorporate similar neighborhood characteristics, and the regional parks and floodplain areas nearby will generally remain undeveloped, providing open space, wildlife corridors, streamway buffers, and hiking, biking, and pedestrian corridors.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the north. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly

restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.

8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is not suitable for the proposed distribution warehouse and limited manufacturing industrial use sought by the applicant. The Johnson County RUR zoning is a County designation primarily for agricultural use; an industrial use in a property annexed by the City but zoned for agriculture by the County would not be compatible or appropriate. Therefore, a rezoning to the L-P district is the most appropriate designation for the proposed use.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, prior to annexation the property was agricultural use in unincorporated Johnson County for the previous 60-plus years.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the north. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services** - Homestead Lane, 207th Street and Waverly Road, adjacent to the property, are currently gravel surfaced, but the City is in discussions regarding its anticipated improvement to a standard that can better accommodate the anticipated development of this property. Homestead Lane north of the property has already been improved to a standard that will accommodate industrial development. Utilities will be provided by the developer or the City in conjunction with development of the property.
13. **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 improved to a standard that can accommodate industrial development traffic in the area. The City is in discussions regarding 207th Street, Homestead Lane to the south, and Waverly Road's anticipated improvement to a standard that can better accommodate the anticipated development of this property and other industrial development anticipated along the corridor to the north. On-street parking will not be allowed and adequate parking is provided for Phase 1 of this project.

14. **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** - The 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 the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing needed services, jobs and tax revenues.
16. **The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of this zoning application. However, The City would be adversely impacted due to the lost opportunity for jobs and tax revenue if anticipated logistics park uses were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phase 1 of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35 such as the applicant property. While the Comprehensive Plan is in need of an update to address the current conditions, and need for land use and development in the City, staff believes that the proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan in similar neighborhoods.
18. **The recommendation of professional staff** - See Recommendation below

Recommendation:

City staff recommends **approval** of the proposed rezoning of the subject property from Johnson County RUR, to City of Edgerton Logistics Park District (L-P) 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.
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Reasons for Recommendation for Rezoning: (Incorporate all or part of #1-18 above in motion)

Attachments:

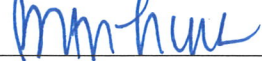
- Application for Rezoning **ZA2018-03**
- City of Edgerton Future Land Use Map

LOCATION OR ADDRESS OF SUBJECT PROPERTY: SE corner of I-35&Homestead Lane (addresses listed on plat cover sheet)PURPOSE FOR REZONING: For purposes of constructing and operating a light manufacturing and distribution centerREQUESTED REZONING CHANGE: FROM RUR TO L-P
(Current Zoning) (Proposed Zoning)LEGAL DESCRIPTION: See attached sheetCURRENT LAND USE: Agricultural/residentialPROPERTY OWNER'S NAME(S): See attached sheet PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State ZipAPPLICANT/AGENTS NAME(S): John Thomas (representing the property owner) PHONE: 816-888-7380NPD Management LLCCOMPANY: (represented by NorthPoint Development LLC) FAX: 816-888-7399MAILING ADDRESS: 4825 NW 41st Street, Suite 500 Riverside MO 64150
Street City State ZipENGINEER/ARCHITECT'S NAME(S): Steve Warger/Patrick Cassity PHONE: 816-800-0950COMPANY: Renaissance Infrastructure Consulting FAX: _____MAILING ADDRESS: 5015 NW Canal Street, Suite 100 Riverside MO 64150
Street City State ZipSIGNATURE OF OWNER OR AGENT: 

If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLYCase No.: 3A-2018-03 Amount of Fee Paid: \$ 250.00 Date Fee Paid: 3/19/18Received By:  Date of Hearing: 4/10/2018**REZONING INSTRUCTIONS****CERTIFIED LETTERS:** The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

PROPERTY OWNER NOTIFICATION AFFIDAVITCase No.: RZ- 2018-03I, Christopher O. Chancellor, of lawful age being first duly sworn upon oath, state:

That I am the agent (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 19th day of March, 20 18.
Signature of Agent, Owner or AttorneySubscribed and sworn to before me this 19 day of March, 20 18.Kathleen Crow
Notary PublicMy Commission Expires: 12/31/2019 (SEAL)
Date

LEGAL DESCRIPTION

Description

All that part of the Southeast and Southwest Quarters of Section 10, Township 15 South, Range 22 East of the Sixth Principal Meridian, together with all of Lots 1 thru 4, inclusive, ROCKWALL ESTATES, a platted subdivision, all in Johnson County, Kansas, more particularly described as follows:

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South $88^{\circ}11'14''$ West, coincident with the South line of the Southwest Quarter of said Section 10, a distance of 1,686.12 feet; thence departing said South line, North $45^{\circ}15'45''$ West, coincident with the centerline of Homestead Road, as it now exists, a distance of 1,235.76 feet; thence departing said centerline, North $02^{\circ}16'47''$ West a distance of 106.90 feet; thence North $87^{\circ}45'15''$ East a distance of 1,237.62 feet; thence North $02^{\circ}16'53''$ West a distance of 1,626.96 feet to a point on the North line of the Southwest Quarter of said Section 10; thence North $88^{\circ}01'05''$ East, coincident with the North line of said Southwest Quarter, a distance of 1,292.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North $88^{\circ}18'55''$ East, coincident with the North line of said Southeast Quarter, a distance of 2,593.33 feet to the Northeast corner of said Lot 1, said point also lying on the West right-of-way line of Waverly Road, as it now exists; thence South $02^{\circ}17'25''$ East, coincident with said West right-of-way line, a distance of 1,670.08 feet to the Southeast corner of said Lot 3; thence departing said West right-of-way line, North $88^{\circ}09'59''$ East a distance of 50.00 feet to a point on the East line of said Southeast Quarter; thence South $02^{\circ}17'25''$ East, coincident with said East line, a distance of 967.39 feet to the Southeast corner of said Southeast Quarter; thence South $88^{\circ}09'59''$ West, coincident with the South line of said Southeast Quarter, a distance of 315.20 feet; thence departing said South line, North $02^{\circ}17'25''$ West a distance of 50.00 feet to the Southeast corner of said Lot 4, said point also lying on the North right-of-way line of 207th Street, as it now exists; thence South $88^{\circ}09'59''$ West, coincident with said North right-of-way line, a distance of 784.80 feet to the Southwest corner of said Lot 4; thence departing said North right-of-way line, South $02^{\circ}17'25''$ East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South $88^{\circ}09'59''$ West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 11,144,515 square feet, or 255.843 acres, more or less.

PROPERTY OWNER(S) INFORMATION

Property Owner:
Wellsville Farms LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150

As to the following parcels:

2F221510-2006	32450 W. 207th St. Edgerton, KS 66021
2P74000000 0002	20450 Waverly Rd. Edgerton, KS 66021
2P74000000 0003	20520 Waverly Rd. Edgerton, KS 66021
2P74000000 0004	31300 W. 207th St. Edgerton, KS 66021
2F221510-4005	31700 W. 207th St. Edgerton, KS 66021
2F221510-4002	20650 Waverly Rd. Edgerton, KS 66021
2F221510-2004	No Address Listed
2P74000000 0001	20370 Waverly Rd. Edgerton, KS 66021

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

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 statutes 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 constructed, 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 countywide there is challenges related to workforce; however, LPKC pulls from areas south and west of Edgerton in addition to within Johnson County. 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

City Council Action Item

Council Meeting Date: April 26, 2018

Agenda Item #: 11

Department: Administration

Agenda Item: Consider the 2017 Audit of Financial Statements as Presented by Varney & Associates

Background/Description of Item:

On October 12, 2017, staff recommended, and Council approved, a contract with Varney & Associates, CPAs, LLC, for the audit of the 2017 financial statements. A single audit was not required since the City did not receive federal funds in 2017 in excess of the single audit threshold. The 2017 Audit of Financial Statements is now complete.

The objective of the audit is the expression of an opinion as to whether the City's financial statements are fairly presented, in all material respects, in conformity with the Kansas prescribed basis of accounting. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The auditors perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws and governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

The audit procedures include tests of documentary evidence supporting the transactions recorded in the accounts and may include direct confirmation of certain assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. The audit also includes obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures.

A representative from Varney & Associates will present their findings to the City Council on April 26, 2018. The final Audit of Financial Statements will be provided to City Council that evening.

Related Ordinance(s) or Statue(s): K.S.A. 44-1030

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval:

x Karen E. Kindle

Karen Kindle, Finance Director

<p>Recommendation: Accept the 2017 Audit of Financial Statements as presented by Varney & Associates, CPAs, LLC.</p>

Enclosed: Copies of the Audit Report will be available the evening of the meeting.

Prepared by:

Karen Kindle * Finance Director

City Council Action Item

Council Meeting Date: April 26, 2018

Agenda Item #: 12

Department: Community Development

Agenda Item: Consider Resolution 04-26-18A, Providing for a Deadline for Removal of Yard Nuisances at 502 E. Second Street, Edgerton, Kansas Pursuant to Edgerton City Code Section 8-208 and Allowing for the City to Abate the Costs Associated With the Removal of Said Nuisances.

Background/Description of Item: In August of 2015, the owner of the property located at 502 E. 2nd Street, Mark A. Trammell, passed away. Currently the property taxes are delinquent, having last been paid in 2013 for the 2011 tax year. The Johnson County Treasurer's office has had this property as an active case since October 2016. The property ownership has not changed hands since Mr. Trammell passed away. The property has been monitored for basic maintenance and cleanliness since Mr. Trammell's passing. Between August 2015 and January 2018, the property had occasional tall weed and grass violations. In those instances, Mr. Trammell's son, Mike Trammell, took care of the issue without the city having to abate.

On January 31, 2018 it was reported by the City of Edgerton's Code Enforcement Officer that Mr. Trammell's property, located at 502 E. 2nd Street, contained multiple piles of yard waste, miscellaneous household furniture and automotive tires. These items appear to have been pulled from both the principal structure interior/exterior as well as from a camper trailer currently on the property. The presence of these items is in violation of Sections 8-308 and 8-201 of the Edgerton City Code. A notice of violation of Section 8-308 was sent to the property address, on February 1, 2018, informing Mr. Trammell, of the nuisance and giving him ten days to remove it.

The conditions were not abated and a notice of violation of section 8-201 was sent by certified mail to 502 E. 2nd Street on March 23, 2018, providing him or his estate, 10 days to correct the nuisance or request a hearing in front of the Governing Body as required by Edgerton City Code Section 8-205. The conditions were not met and a hearing on the matter was not requested.

City Attorney has prepared Resolution No. 04-26-18A pursuant to Section 8-201 of the Edgerton City Code. Staff would recommend the Governing Body approve Resolution No. 04-26-18A to find the existence of the yard nuisances a violation of the City Code and remand the

property owner to abate the nuisances by May 7, 2018. Should this deadline not be met, approval of Resolution No. 04-26-18A authorizes the City of Edgerton, by its agent, to abate the conditions causing the violations and remove the nuisances from the property pursuant to Section 8-208 of the Edgerton city Code.

Resolution No. 04-26-18A states that should it be necessary to abate these conditions, any and all costs incurred by the City of Edgerton, including attorneys' fees, shall be charged against the property as provided in Section 8-210, by having the City Clerk certify the costs of cleanup to Johnson County Clerk to be collected by the County Treasurer and paid to the City of Edgerton as other City taxes are collected and paid.

Related Ordinance(s) or Statue(s): – Section 8-208 Edgerton City Code

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Resolution 04-26-18A providing for a deadline of May 7, 2018 to remove yard nuisances from the property located at 502 E. 2nd Street in the City of Edgerton, Johnson County, Kansas pursuant to the City of Edgerton City Code Section 8-208.

Enclosed:

- Resolution 04-26-18A
- Photos of 502 E. 2nd Street

Prepared by: Katy Crow, Development Services Director

RESOLUTION NO. 04-26-18A

A RESOLUTION IN THE CITY OF EDGERTON, KANSAS, PROVIDING FOR A DEADLINE OF MAY 7, 2018 TO REMOVE YARD NUISANCES FROM THE PROPERTY AT 502 EAST 2ND STREET IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS PURSUANT TO CITY OF EDGERTON, CITY CODE SECTION 8-208.

WHEREAS, it was reported by the Code Enforcement Officer of the City of Edgerton that there existed, on the premises of 502 East 2nd Street, Edgerton, Kansas (the "Property"), multiple items of trash, including but not limited to, scrap metal, abandoned household goods and other refuse in violation of Sections 8-308 and 8-201 of the City Code; and

WHEREAS, a notice of violation of Section 8-308 was sent to the Property's listed owner, Mark Trammell, on February 1, 2018, informing him of the nuisance and giving him ten days to abate the nuisance. The conditions were not abated; and

WHEREAS, subsequently a notice of violation of section 8-201 was sent by certified mail to Mark Trammell on or about March 23, 2018 giving Mr. Trammell ten days to abate the nuisance and/or request a hearing in front of the city council as required by City Code Section 8-205. The conditions were not abated and no hearing was requested by the owner or any other party.

BE IT RESOLVED BY THE CITY COUNCIL, CITY OF EDGERTON, JOHNSON COUNTY, KANSAS:

That pursuant to Section 8-201 of the City Code, the City Council hereby finds that the existence of the yard nuisances is a violation of the City Code and the owner shall have until May 7, 2018 to abate these nuisances. Should the nuisances not be abated to the satisfaction of the City by May 7, 2018 the City of Edgerton by its agent is hereby authorized to abate the conditions causing the violations and remove the nuisances from the property pursuant to 8-208.

BE IT FURTHER RESOLVED:

That should it be necessary to abate these conditions, any and all costs incurred by the City of Edgerton, Kansas, including attorneys' fees, shall be charged against the above described property as provided in Section 8-210, and the City Clerk shall, at the time of certifying other taxes to the County Clerk, certify the costs of cleanup. The County Clerk shall extend the same on the tax roll and it shall be collected by the County Treasurer and paid to the City of Edgerton as other City taxes are collected and paid.

PASSED by the City Council on this 26th day of April, 2018.

APPROVED by the Mayor on this 26th day of April, 2018.

ATTEST:

CITY CLERK

MAYOR DONALD ROBERTS









502 E. 2nd Street - 1/31/18



502 E. 2nd Street - 1/31/18



City Council Action Item

Council Meeting Date: April 22, 2018

Agenda Item #:

Department: Public Works

Agenda Item: Consider 2018 Annual Street Maintenance Program

Background/Description of Item:

Annually, staff presents recommendation to City Council for the City of Edgerton's Annual Street Program. To prepare recommendation for 2018 Street Maintenance Program, staff along with BG Consultants and partnering City entities took a comprehensive look at the sections of roadway needing maintenance activities in 2018. Public Works Staff continues to collect distress and other roadway information on an on-going basis to better refine and prioritize the needs of the street maintenance program, improving the benefit to the community throughout this progression.

In preparation for 2018 Annual Street Maintenance, staff prepared the enclosed map summarizes the extensive street maintenance for the last several years. Shown in light blue, the City of Edgerton started the Annual Street Maintenance Program in 2014 with chip and seal. Shown in orange, the City chip sealed 34,000 Square Yards of roadway in 2016. Shown in red, the City of Edgerton overlaid approximately 1.62 miles of roadway in 2017. This applied an overlay to approximately 50% of the residential streets in town. The map also shows CARS projects completed recently in cooperation with Johnson County (in gray).

Also enclosed is an updated map of failed sections of roadway. These sections of roadway have failed beyond the point where normal maintenance activities can salvage the road. In these instances, full construction is necessary. Two of these roadways (West Cumberland Drive and Shanandoah Drive) are road often requested for repair by citizens; therefore, staff prepared a rough cost estimate to illustrate the cost differential between streets that can be preserved by normal maintenance versus full construction. Rough estimation for full construction of these two sections of road is \$250,000.

Staff would recommend the City Council considered two types of maintenance for the 2018 Street Maintenance Program to include the following sections of roadway eligible for maintenance. The 2018 Street maintenance program will include UBAS (Ultrathin Bonded Asphalt Surface), and Mill and Overlay.

1. UBAS (Ultrathin Bonded Asphalt Surface): \$82,500

- a. UBAS is a new maintenance application for the City of Edgerton. Preventative maintenance tool that is used to extend the useful life of a roadway. This is done by placing a thin, course aggregate hot mix of a special asphalt membrane. This membrane prevents water leakage and provides a superior bond to the existing asphalt. UBAS can be installed quickly and has a longer life span than a basic seal.

Recommendation: W 1st Street (56 Highway to Edgewood Dr) & W 8th Street (56 Highway to W Nelson St). Approximately 11474 Square Yards of Ultrathin Bonded Asphalt Surface.

2. Mill and Overlay: \$75,000

- a. Mill and Overlay will remove a predefined thickness of asphalt off the proposed roadway, this will then be replaced with a new surface course. This process improves the ride condition as well as sealing off any further water intrusion. Staff is looking at the option of spray paving this section of roadway, this application process removes the tack oil from being applied out ahead of the paving system, this improves the bonding between the existing asphalt and the new surface course.

Recommendation: W 7th Street (W Nelson Street to End of Roadway) & W Hulett Street (W 7th Street to End of Roadway). Approximately 3400 Square Yards of Mill and Overlay.

The approved 2018 budget includes \$46,589 in gasoline tax that the City Council programs through the Capital Improvement Budget for the Annual Street Maintenance Program. City Council also dedicated funds from the LPKC Maintenance Fee to bring the total for the Annual Street Maintenance Program to \$150,000 for 2018.

The two projects above total \$157,500. These amounts are preliminary based on cost estimates. If City Council approves these two projects, staff will prepare contract documents based on cooperative bid language available in surrounding communities bid documents to perform this work. Final contracts documents and pricing would be considered by City Council at a future council meeting.

Related Ordinance(s) or Statue(s):

Funding Source: LPKC Maintenance Fee and Gasoline Tax

Budget Allocated: \$150,000

Finance Director Approval: **X** Karen E. Kindle

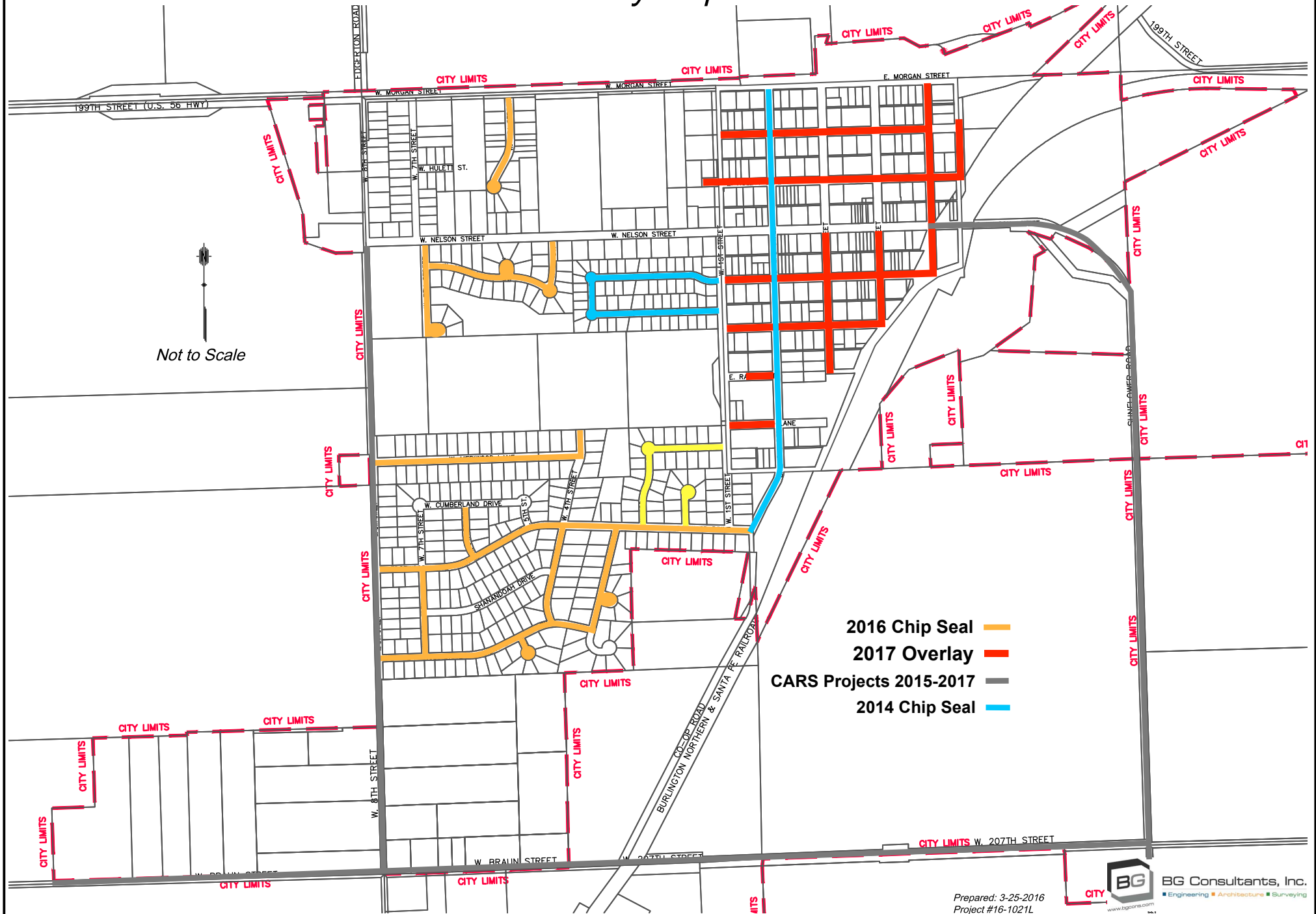
Karen Kindle, Finance Director

Recommendation: Approve 2018 Annual Street Maintenance Program

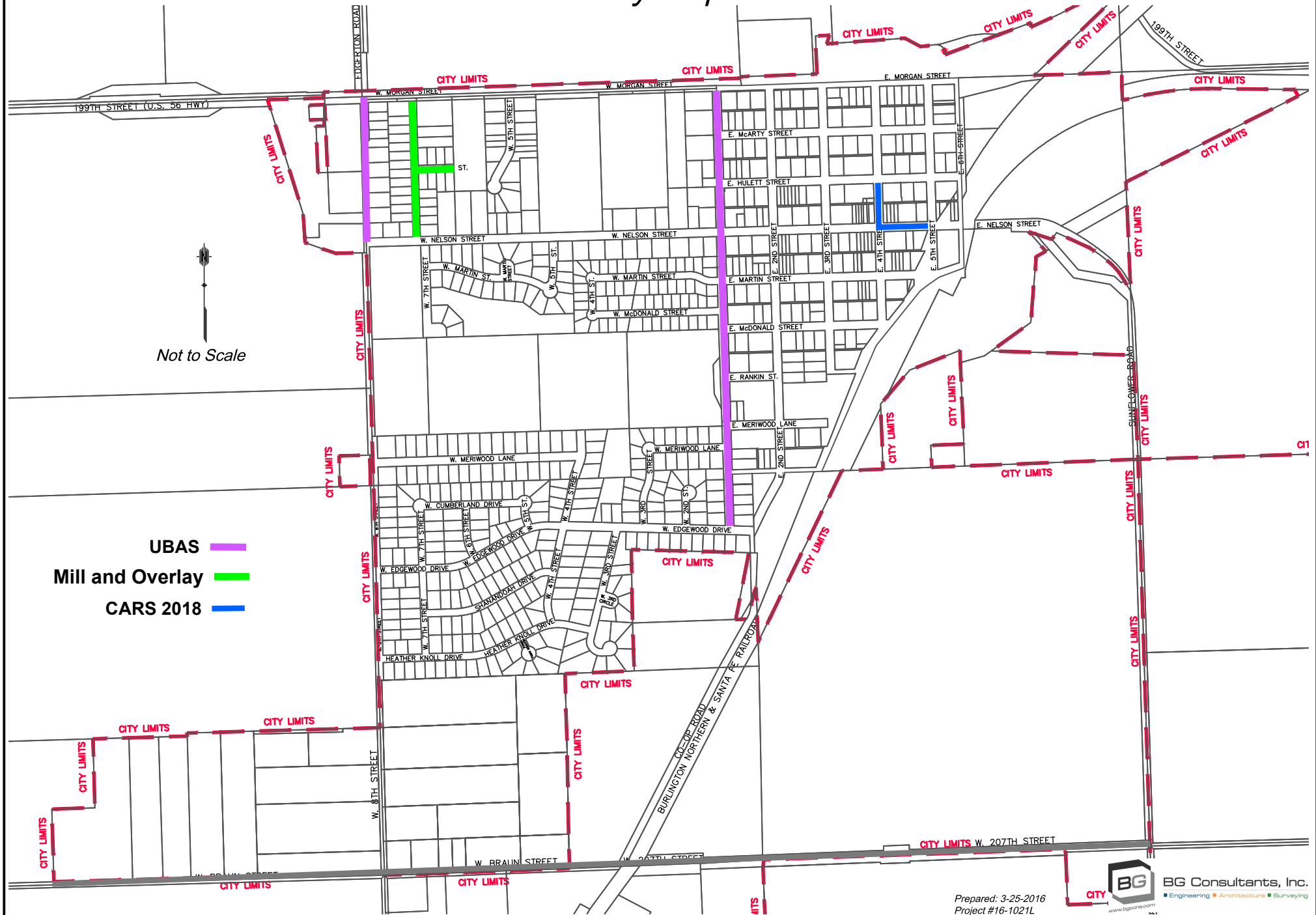
Enclosed: Completed Street Program Maintenance Map
 2018 Street Maintenance Map
 Failed Section Map

Prepared by: Trey Whitaker, Public Works Superintendent

City of Edgerton Kansas City Map



City of Edgerton Kansas
City Map



City of Edgerton Kansas City Map

