

EDGERTON PLANNING COMMISSION AGENDA  
REGULAR SESSION  
Edgerton City Hall  
March 14, 2017  
7:00 PM

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Resignation of Planning Commissioner
5. Election of Vice Chair
5. Consent Agenda  
*(Consent Agenda items will be acted upon by one motion unless a Planning Commissioner requests an item be removed for discussion and separate action)*

**MINUTES**

- A. Consideration of Regular Session Minutes of February 14, 2017.
6. New Business
  - UNIFIED DEVELOPMENT CODE (UDCA2017-01) – PUBLIC HEARING**
  - A. Consideration of opening a public hearing in regards to an amendment of the Unified Development Code within Article 3 in regards to Section 4 pertaining to R-2, Two Family Residence District. Applicant: City of Edgerton, KS  
  
Action requested: Consider motion to recommend closing or continuing of the public hearing. Consider motion to recommend approval or denial to the Governing Body
7. Future Meeting – April 14, 2017
8. Adjournment

February 23, 2017

Mayor Donald Roberts  
Members of the City Council  
Chairman Chuck Davis, Planning Commission  
City of Edgerton  
404 East Nelson  
Edgerton, Kansas 66021

Re: Planning Commission Resignation

Dear Mayor Roberts, Members of the City Council, and Chairman Davis:

Due to my appointment to the Edgerton City Council, please except my resignation from the Planning Commission effective today.

It has been an honor and a privilege working with the other commissioners and City Staff to help plan and guide the future development of our city, making it a better place for future generations. It has been so satisfying to drive through the Logistics Park District and see the fruits of our work. New buildings, roads, and, importantly, new jobs.

Thank you for allowing me to give back to my community and now affording me that same opportunity on the City Council.

Sincerely,

A handwritten signature in blue ink that reads "Ronald L. Conus". The signature is written in a cursive style with a large initial 'R'.

Ronald L. Conus

EDGERTON COMMUNITY BUILDING  
PLANNING COMMISSION MEETING  
February 14, 2017  
Minutes

Prior to the meeting, John Daley was sworn in as a Planning Commissioner.

The Edgerton Planning Commission met in regular session with Chair Davis 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 Chuck Davis, Ron Conus, Leslie Hardin, Joshua Lewis, and John Daley. Absent were: Commissioners Desiree' Goans, Julianne Hunter, Eric Erazo, Maria O'Neill and Bob O'Neill. Also present were Community Development Director Kenneth Cook and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

**CONSENT AGENDA**

Motion by Conus, seconded by Lewis, to approve the consent agenda. Motion was approved, 5-0.

A. Minutes – January 10, 2017

Meeting Minutes of January 10, 2017 were considered and approved.

B. Temporary Use/Occupancy – Inland Port XXXIII

A request from NorthPoint Development for a temporary use/occupancy for the tenant of Inland Port XXXIII (Spectrum Brands) to place and use temporary office trailers on the east truck apron near the pump room at 31100 W. 196<sup>th</sup> was considered and approved.

Mr. Cook introduced new Planning Commissioner John Daley. The Commissioners were informed the Governing Body appointed Mr. Daley at the previous Council meeting. Mr. Dailey overviewed his background. The others welcomed Mr. Daley to the Commission.

**FINAL PLAT – FP2017-01**

An application in regards to Final Plat, FP2017-01, requesting approval of final plat for Logistics Park Kansas City Rail Served – First Plat, located north of 183<sup>rd</sup> Street, west of Waverly Road (31301 W. 181<sup>st</sup>), a part of the southeast quarter of Section 27, Township 14 South, Range 22 East and in the northeast quarter of Section 34, Township 14 South, Range 22 East, consisting of two (1) lots and one (1) tract containing approximately 61.34 acres, more or less, was considered. Owner: ELHC XL, LLC Engineer: Renaissance Infrastructure Consulting.

The Community Development Director addressed the purpose for the new plat, which incorporates in the second phase. He noted future updates/phases will require amendments to the final plat.

Mr. Cook focused on the need to add a notation to the plat in regards to the hard-packed gravel road. Mr. Cook indicated staff will work with the City Attorney in creating a development agreement regarding the hard-packed gravel road. The Commissioners were informed that in the future if Tract A is intended to be developed for any other use, an amendment to the plat, changing the tract to a lot, will be required.

Mr. Cook stated staff recommends approval.

Motion by Hardin, seconded by Conus, to recommend approval to the Council with the following stipulations: 1.) All Final Plat requirements of the City noted shall be met or addressed prior to recording of the Plat; 2.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and 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. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; and 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code. Motion was approved, 5-0.

### **FINAL PLAT – FP2017-02**

An application in regards to Final Plat, FP2017-02, requesting approval of a final plat for Logistics Park Kansas City Phase III First Plat, located at 19400 Essex Street (part of the northeast quarter, Section 4, Township 15, Range 22 East), consisting of two (2) lots, containing approximately 100.461 acres, more or less, was considered. Owner: ELHC, LLC Engineer: Renaissance Infrastructure Consulting.

Mr. Cook overviewed the location. He noted the final site plan for Lot 2 has been approved and next item on the agenda is the final site plan for Lot 1. Mr. Cook indicated potential tenants and their needs have necessitated the need to address this project.

Mr. Cook focused on a couple items to incorporate into the final plat. He spoke about the need to better show the roads that have already been dedicated to the City; and also spoke about the dedication of right-of-way (along Essex and 193<sup>rd</sup> Street) be

included on the plat. He informed the Commissioners staff recommends approval with stipulations.

Motion by Daley, seconded by Hardin, to recommend approval to the Council with the following stipulations: 1.) All Final Plat requirements of the City noted shall be met or addressed prior to recording of the Plat; 2.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and 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. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; and 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code. Motion was approved, 5-0.

**FINAL SITE PLAN – LOGISTICS PARK KANSAS CITY PHASE III, LOT 1, FS2017-01**

An application for Final Site Plan, FS2017-01, requesting approval of a final site plan for Logistics Park Kansas City Phase III Lot 1 (Logistics Park XXI), located in the Northeast Quarter of Section 4, Township 15 South, Range 22 East, consisting of one (1) lot; containing 66.462 acres, more or less, was considered. Owner: ELHC XXI, LLC Engineer: Renaissance Infrastructure Consulting.

The Community Development Director overviewed the location of this project at 191<sup>st</sup> and Four Corners Road. He indicated the original plan for two buildings was changed to combine into one building, which will provide for more space for trailer and employee parking. It was noted in the future, an addition to the building may be requested; should the applicant request this action, an amendment would be required.

Mr. Cook addressed the recommendation for a sidewalk to be constructed adjacent to the project site and also along Four Corners Road to the point of the vacated roadway. He also noted the elevations need to be updated to meet the City's vertical and horizontal articulation requirement. He stated details showing how the guard shack will match the architectural character and materials types of the principle building are needed. Mr. Cook addressed the need for an amended final site plan for any building expansion, as no elevation drawings were submitted. He also noted the Commissioners must determine if an exception should be granted to orientate an elevation with dock doors towards a public street. Other highlighted items included landscaping, parking and site access, public improvement plans, and stormwater plans.

Mr. Cook stated this plan is somewhat different and takes additional consideration to meet the Planning Commission's desires.

Mr. Davis asked about articulation on the corner – especially if an addition is placed upon the site. Mr. Cook addressed by discussing the design to comply, then restructuring if addition is requested. Mr. Davis questioned if this would be a hardship by removing a portion of the building and reconstructing.

Patrick Robinson, ELHC XXI, LLC representative, indicated this project's potential tenant is a high-volume shipper, with expected growth increase at this site, which will add to existing area metro sites. He stated the request is to allow the best construction for future expansion, adding that addressing landscaping, berming and setbacks might address the concerns. Mr. Davis appeared supportive.

Mr. Conus asked about paving on the south side. Mr. Cook overviewed the site and the applicant request.

John Thomas, representative for ELHC XXI, LLC, indicated the potential tenant, earlier in the day, clarified that on the south side less pavement would be requested and would provide for more berm and buffering. He also addressed the 28' elevation, and spoke about the pre-fabricated guard shack. Mr. Thomas also addressed an alternative landscape plan.

Motion by Conus, seconded by Hardin, to approve the final site plan request with the following stipulations: 1.) All Site Plan requirements of the City shall be met as noted, particularly including: a.) Submittal of a photometric lighting plan for Inland Port XI in conformance with UDC especially with regard to maximum foot-candles at property line; b.) Updated drawings of all building elevations showing compliance with building material standards and articulation requirements; c.) Submittal of architectural plans depicting the proposed guard shack; d.) Construction plans for future public infrastructure be submitted and approved by the City. Any necessary permits obtained; e.) Submittal of landscaping plans including screening for adjacent public roads, trash enclosures and the adjacent residential property. All landscaping shall be maintained in good condition and plants shall be replaced when dead; 2.) All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. 3.) All building permit and sign permit requirements of the City shall be met; 4.) Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein; 5.) Alternative landscape plan with 4' berming and additional shrubs to supplement current plan adjacent to truck parking with

staff to work with applicant; 6.) Construction of a sidewalk along 191<sup>st</sup> Street adjacent to the project site and also along Four Corners Road, to the point at which Four Corners Road is vacated; and 7.) Planning Commission granted an exception to the regulation to orient an elevation with dock doors toward a public street. Motion was approved, 5-0.

### **FUTURE MEETING**

The next meeting scheduled is March 14, 2017 at 7:00 p.m.; with a work session beginning at 6:00 p.m.

Commissioner Conus left the meeting at 8:25 p.m. and returned at 8:27 p.m.

Mayor Roberts invited the Commissioners and guests to attend the State of the City Address on February 16, 2017.

Mr. Roberts also announced there is an opening on the Council. He indicated the position will expire in January, 2018; with a filing date by June 1, 2017 for the 2017 fall election. He asked that interested parties contact him.

### **ADJOURNMENT**

Motion by Hardin, seconded by Lewis, to adjourn. The motion was approved, 5-0.

The meeting adjourned at 8:27 p.m.

Submitted by:

Debra S. Gragg  
Recording Officer

## STAFF MEMO

March 10, 2017

To: Edgerton Planning Commission  
Fr: Kenneth Cook, AICP, CFM, Community Development Director  
Re: R-2 District Regulation Update – Single Family Attached Dwellings

### Regulation Update

A property owner recently came into the office to verify the process to divide an existing duplex (two-family dwelling) into separate ownerships for each dwelling unit. Upon review of the Unified Development Code, staff determined that the existing regulations would not allow for this to occur as the proposed change would create a new lot line that would go through the middle of the existing building. Following this request, it was determined that a number of other two-family dwellings located in the same subdivision had previously been divided in violation of the Unified Development Code.

The property owner submitted a letter to the City Council in which the requested consideration for changes to the code that would allow for their request to be considered. The City Council discussed the request, directed staff to draft proposed changes to the regulations, and publish for a public hearing for the Planning Commission to consider possible changes. Attached to this memo are draft changes that would allow for the proposed request to occur and that would also allow for the other properties that were previously divided to submit similar requests in order to be brought back into compliance with the UDC. The proposed changes include the following:

1. Addition of Single-Family Attached Dwellings to the list of Permitted uses in the R-2 District.
2. Addition of a definition for Single-Family Attached Dwellings.
3. Modification of the Table of Setback, Yards and Area for R-2 Zoning District.
4. Deletion of "of a duplex" from Section 3.1F.3

A copy of the existing and proposed regulations are attached.





# *Existing Regulations*

## 3.1 R-2, Two Family Residence District

- A. Purpose. The purpose of the R-2 district is to provide two family residential structures in neighborhood locations close to the community facilities and services.
- B. Use Restrictions. In District R-2, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted, conditional use and contained below.
- C. Permitted Uses.
  - 1. Any use permitted in the R-1 district.
  - 2. Two-family dwelling units.
- D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.
  - 1. Any use permitted by condition in the R-1 district.
- E. Setback, Yards and Area Regulations.

<b>Table of Setbacks, Yards, and Area for R-2 Zoning District</b>								
Use	Minimum Lot Area (square feet)		Minimum Lot Width	Minimum Lot Depth	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
	Per Lot	Per Dwelling Unit						
Principal Buildings	9,200	4,600	80'	115'	35'	9'	20% of lot depth up to 40'	35'
Corner Lots	10,350	4,600	90'	115'	35'	9' and 20'	20% of lot depth up to 40'	35'
Accessory Buildings					35'	9'	6'	35'
Detached accessory buildings in District R-2 shall not exceed one hundred twenty (120) square feet per dwelling unit. Regardless of side or rear yard restrictions, no structure may be placed closer than two (2) feet to a dedicated easement.								

- F. District Regulations.
  - 1. No equipment other than non-commercial passenger motor vehicles shall be stored in the R-2 district.
  - 2. Three off-street parking places shall be provided for each dwelling unit, one of which may be in the garage. Such parking space shall be at least nine (9) feet by twenty (20) feet.
  - 3. Each new dwelling unit of a duplex constructed after the adoption of this ordinance shall construct one attached garage.

# *Proposed Changes*

## 3.4 R-2, Two Family Residence District

- A. Purpose. The purpose of the R-2 district is to provide two family residential structures in neighborhood locations close to the community facilities and services.
- B. Use Restrictions. In District R-2, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted, conditional use and contained below.
- C. Permitted Uses.
1. Any use permitted in the R-1 district.
  2. Two-family dwelling units.
  3. Single-Family Attached Dwelling, no more than two dwelling units may be attached in this district.
- D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7.
1. Any use permitted by condition in the R-1 district.
- E. Setback, Yards and Area Regulations.

<b>Table of Setbacks, Yards, and Area for R-2 Zoning District</b>										
Use	Minimum Lot Area (square feet)		Minimum Lot Width		Minimum Lot Depth	Front Yard Setback	Side Yard Setback (2)	Side Yard (Street) Setback (2)	Rear Yard Setback (2)	Maximum Building Height
	Interior Lot	Corner Lot	Interior Lot	Corner Lot						
Single-Family Detached Dwelling	7,700	8,800	80'	90'	115'	35'	9'	20'	20% of lot depth up to 40'	35'
Two-Family Dwelling	9,200	10,350	80'	90'	115'	35'	9'	20'	20% of lot depth up to 40'	35'
Single-Family Attached Dwelling	4,600	5,750	35'	40'	115'	35'	9' (3)	20'	20% of lot depth up to 40'	35'
Accessory Buildings (1)						35'	9'	20'	6'	35'

(1) Detached accessory buildings in District R-2 shall not exceed one hundred twenty (120) square feet per dwelling unit. (2) Regardless of side or rear yard restrictions, no structure may be placed closer than two (2) feet to a dedicated easement. (3) No side yard setback shall be required along the common party wall

- F. District Regulations.
1. No equipment other than non-commercial passenger motor vehicles shall be stored in the R-2 district.

# *Proposed Changes*

2. Three off-street parking places shall be provided for each dwelling unit, one of which may be in the garage. Such parking space shall be at least nine (9) feet by twenty (20) feet.
3. Each new dwelling unit constructed after the adoption of this ordinance shall construct one attached garage.

## **Insert into Article 15, Definitions**

**Dwelling, Single Family Attached:** A portion of a residential building having accommodations for and occupied exclusively by one family, and which is located on a separate lot of record apart from the remaining portions of the building. Each such dwelling may be sold independently of other portions and must comply with the following requirements:

- a. The Common wall between attached units shall be on the side lot line separating the two lots and shall not be subject to side yard requirements providing there are not doors, windows, vents or other openings in the common wall.
- b. Any exterior wall which is not a common wall must meet all yard requirements.
- c. Each lot must have direct access to a public street
- d. The deed to each lot must include covenants requiring the proper and timely reconstruction of any damaged or destroyed dwellings.