

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
February 13, 2018
7:00 PM

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. **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 Minutes for Regular Session of December 12, 2017

TEMPORARY CONSTRUCTION ACTIVITIES – 18661 Waverly Road

- B. Consideration of a request to extend a Temporary Construction Activities use, which was originally approved by the Planning Commission on January 10, 2017 for a concrete batch plant for property located to the southeast of 185th Street and Waverly Road. Applicant: Concrete Strategies

UNIFIED DEVELOPMENT CODE – PLANNING COMMISSION BY-LAWS

- C. Consideration of Resolution No. PC2018-01 amending the Organization and Bylaws of the Edgerton Planning Commission to reflect approved changes to Article 8, Section 8.2A of the Uniform Development Code regarding size and composition of the Planning Commission. Applicant: City of Edgerton

5. **OLD BUSINESS**

**CONSIDERATION OF THIS ITEM IS WITHDRAWN AT REQUEST OF APPLICANT
FINAL PLAT, PILOT TRAVEL CENTER – EDGERTON, FP2017-07 – Continued
from December 12, 2017 meeting**

- A. Continued consideration of an application in regard to Final Plat, FP2017-07, requesting approval of a final plat for Pilot Travel Center – Edgerton, located at 20080 Homestead Lane, located within a part of the NE ¼ of Section 9, T15S, R22E, City of Edgerton, Johnson County, Kansas, consisting of one (1) lot, with approximately 5.43 acres, more or less. Property Owner: JST Properties, LLC Developer: Todd Smutz – Pilot Travel Centers, LLC Engineer: Payne & Brockway, P.A.

Action requested: None, applicant has withdrawn request.

**CONSIDERATION OF THIS ITEM IS WITHDRAWN AT REQUEST OF APPLICANT
FINAL SITE PLAN, PILOT TRAVEL CENTER – EDGERTON, FS2017-06 –
Continued from November 14, 2017 meeting**

- B. Continuation of an application for Final Site Plan, FS2017-06, and requesting approval of a final site plan for Pilot Travel Center – Edgerton, located at 20080 Homestead Lane, within a part of the NE ¼ of Section 9, T15S, R22E, City of Edgerton, Johnson County, Kansas, consisting of one (1) lot, with approximately 5.43 acres, more or less. Property Owner: JST Properties, LLC Developer: Todd Smutz – Pilot Travel Centers, LLC Engineer: Payne & Brockway, P.A.

Action requested: None, applicant has withdrawn request.

6. **NEW BUSINESS**

PUBLIC HEARING – UDCA201702-05 (AMENDMENTS TO UNIFIED DEVELOPMENT CODE)

- A. Consideration of a public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 4 – Commercial Zoning Districts and Article 10 – Site Plans and Design Standards). Applicant: City of Edgerton

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend amendments to the Governing Body.

PUBLIC HEARING – ZA2018-01 (REZONING FOR SOUTHEAST CORNER OF I-35 AND HOMESTEAD LANE

- B. Consideration of opening a public hearing in regard to application submitted for 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. Applicant: NPD Management LLC Engineer: Renaissance Infrastructure Consulting.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend approval or denial to the Governing Body.

PUBLIC HEARING – PP2018-01 (PRELIMINARY PLAT FOR LOGISTICS PARK KANSAS CITY SOUTH)

- C. Consideration of opening a public hearing in regard to Preliminary Plat Application, PP2018-01, 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. Agent/Developer: NorthPoint Development L. Engineer: Renaissance Infrastructure Consulting.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue.

Consider motion to approve, deny, or table the preliminary plat.

PUBLIC HEARING – LOGISTICS PARK KANSAS CITY SOUTH – FIRST PLAT

- D. Consideration of opening a public hearing in regards to Preliminary Site Plan Application, PS2018-01, 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. Agent/Developer: NPD Management LLC Engineer: Renaissance Infrastructure Consulting.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue.

Consider motion to approve, deny or table the preliminary site plan.

6. Future Meeting – March 13, 2018
7. Adjournment

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
REGULAR SESSION
December 12, 2017
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, Erik Erazo, Joshua Lewis, Katee Smith, and Andrew Merriman. Absent was Commissioner Josh Beem. 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 Erazo, seconded by Lewis, to approve the item as presented in the Consent Agenda. Motion was approved, 5-0.

A. MINUTES

Minutes for the Regular Session of October 10, 2017 were considered and approved.

Commissioner Josh Beem arrived at 7:02 p.m.

PUBLIC HEARING FOR PRELIMINARY PLAT, PILOT TRAVEL CENTER – EDGERTON, PP2017-07 – continued from November 14, 2017 meeting

A public hearing, continued from November 14, 2017, in regards to an application for Preliminary Plat, PP2017-07, and approval of a preliminary plat for Pilot Travel Center – Edgerton, 20080 Homestead Lane, located within a part of the NE ¼ of Section 9, T15S, R22E, City of Edgerton, Johnson County, Kansas, consisting of one (1) lot, with approximately 42.48 acres, more or less, were considered. Property Owner: JST Properties Developer: Todd Smutz – Pilot Travel Centers, LLC Engineer: Payne and Brockway, P.A.

Chair Daley re-opened the hearing.

The City Administrator overviewed the request indicating it is the same as the November request. She noted this request divides the property, but does not address the development. Also discussed was the cross-access needed, private drive, and public safety. She informed the Commissioners that staff would recommend the Commission table the request, if not satisfied with the applicant's request.

Curtis Holland, Polsinelli Law Firm, introduced Todd Smutz, Pilot Travel Centers, and Todd Allenbrand, Payne Brockway. Mr. Curtis noted all the applications are together and noted the Thorpes, the owner of the property with this project.

Mr. Smutz overviewed the proposed plat, proposed convenience store with 44 parking spaces, and eight pumps. He noted the expectation is to begin construction in March, and anticipates 35-40 employees.

Mr. Allenbrand indicated revised items were submitted to Shafer, Kline & Warren (SKW) and he overviewed the various items as noted in the staff report.

The Commissioners were informed staff was not aware of the items submitted to SKW.

Cliff Cole, 19991 Peppertree Lane, distributed drawings and informed the Commissioners he hired Phelps Engineering to design a berm to keep his residence sheltered from lighting issues and landscaping proposals, along with care, maintenance timing agreement for same. He stated he desires long-term care of the area. He also noted concern with traffic, dangerous u-turns, and no law enforcement during peak times.

Ms. Linn indicated the Sheriff's Office should be contacted if there are issues. She also spoke about truck traffic issues through Gardner, 191st Street, and Waverly Road..

Mark Sanders, 19907 Peppertree Lane, talked about traffic issues along 199th Street. Ms. Linn stated if there are traffic concerns, the Sheriff's Office can be contacted at the non-emergency number if the matter is not an emergency.

Marshall Wolfe, 20090 Peppertree Lane, stated there was recently a dangerous situation with trucks making swinging movements at Four Corners Road and 199th.

Motion by Erazo, seconded by Smith, to close the hearing. Motion was approved, 6-0.

Mr. Lewis spoke about staff review of the request, adding the SKW has revisions, but staff has not seen the revisions.

It was noted staff favors continuing the matter.

Motion by Smith, seconded by Merriman, to approve the request, contingent upon staff's review and approval. Motion was approved, 6-0.

FINAL PLAT, PILOT TRAVEL CENTER – EDGERTON, FP2017-07 – continued from November 14, 2017 meeting

An application in regards to Final Plat, FP2017-07, tabled from the November 14, 2017 meeting, requesting approval of a final plat for Pilot Travel Center – Edgerton, located at 20080 Homestead Lane, located within a part of the NE ¼ of Section 9, T15S, R22E, City of Edgerton, Johnson County, Kansas, consisting of one (1) lot, with approximately 5.43 acres, more or less, was considered. Property Owner: JST Properties, LLC Developer: Todd Smutz – Pilot Travel Centers, LLC Engineer: Payne & Brockway, P.A.

The City Administrator overviewed the request for the lot, which is for the Pilot Travel Centers, project.

Todd Allenbrand, engineer for applicant, overviewed the status of items from the staff report. He reported names or recording data for the adjacent unplatted parcels were updated, and indicated that setbacks, building envelopes and tables were updated on the plat. He noted the lots and tracts numbers are included on the revised plat. He also noted Tract A, detention pond, would be part of the additional property, and indicated an easement for proposed sanitary sewer main was added. He also

noted that if additional utility easements need to be added, that will be addressed. In addition, he addressed the ingress/egress limitations, and advised access easements are forthcoming.

Ms. Linn indicated the plat will be presented to the Council for final approval.

Motion by Lewis, seconded by Erazo, to table the final plat until January 9, 2018 to allow staff time to review. Motion was approved, 6-0.

PUBLIC HEARING FOR FINAL SITE PLAN, PILOT TRAVEL CENTER – EDGERTON, FS2017-06 – continued from the November 14, 2017 meeting.

A public hearing, continued from November 14, 2017, in regards to the application for Final Site Plan, FS2017-06, and requesting approval of a final site plan for Pilot Travel Center – Edgerton, located at 20080 Homestead Lane, within a part of the NE ¼ of Section 9, T15S, R22E, City of Edgerton, Johnson County, Kansas, consisting of one (1) lot, with approximately 5.43 acres, more or less, was considered. Property Owner: JST Properties, LLC Developer: Todd Smutz – Pilot Travel Centers, LLC Engineer: Payne & Brockway, P.A.

Chair Daley re-opened the public hearing.

Curtis Holland informed the Commissioners this project consists of a convenience store, not a truck stop. He also noted this project does not have any authority or control over the property which is not part of the Pilot Travel Centers project.

Todd Smutz, informed the Commissioners this project is not a typical over the road truck stop, but is designed for local use.

Mr. Holland indicated that the applicant is not constructing the private drive.

The City Administrator overviewed the request. She indicated there are some housekeeping issues with the site plan involving exterior lighting specifications, waiting for response from KDOT in regards to site entrance and connections, and public improvement plans for proposed sanitary sewer line. She also spoke about signage regulations, landscape matters involving fencing, HVAC rooftop units, berm and shrubs. She also spoke about refuse containers, construction schedule and parking/loading matters regarding setback and off-street parking for delivery vehicles. Ms. Linn also addressed other concerns in regards to Johnson County Fire District No. 1 emergency services, vehicular and semi-tractor trailer site circulation, and City Engineer review of the stormwater management report. She also noted she received an e-mail and request from Cliff Cole.

David Hamby, City Engineer, overviewed how he reviews applications with storm water study. He indicated the American Public Works Association rules and requirements limit the site run-off for an event at a percentage to existing run-off from site, adding there are few exceptions. He stated the current draft is under review.

Cliff Cole spoke about spill issues. Mr. Hamby indicated those issues are not considered with the Storm Water Plan.

Mr. Smutz addressed the matter, indicating the spillages go into an oil/water separator to capture and maintain separation.

Michelle Kreiser, 19905 Peppertree Lane, noted she has concerns because she maintains a water well at her residence.

Commissioner Smith questioned how much water could impact the area. Mr. Hamby indicated the Storm Water Plan looks at peak flow and velocities do not exceed the flow. He also explained how the retention sites work.

Mr. Cole questioned potential signage and asked how the berming would work.

Commissioner Lewis asked if the applicant plans to expand the site in the future. Mr. Smutz replied noting this project is a new plan which is returning the company designs back to early roots, but he noted expansion could happen. Mr. Smutz also indicated the proposed monument signs at the facility as proposed would consist of downward lighting.

Mr. Allenbrand talked about a service road, stormwater drainage to the creek, and elevations.

The City Administrator informed the Commissioners staff would review lighting and landscaping plans.

Ms. Linn stated staff recommends totable the matter to allow the applicant to address the line-of-site, which is similar with North Point projects adjacent to residential property.

Mr. Smutz overviewed the proposed exterior finishes, which will be designed to meet C-1 zoning regulations.

Ms. Smith asked about the dumpster enclosure. Mr. Smutz indicated the enclosure would be brick/stone with metal gate and noted the contents within the enclosed dumpsters should not cause any odor impacts.

Ms. Linn stated a traffic impact study will address movements which look at both current and potential increase conditions, is still under review

Ms. Kreiser questioned how the "no overnight truck parking" will be addressed. It was indicated the applicant will look at the traffic patterns as it evolves.

Motion by Merriman, seconded by Erazo, to close the hearing. The motion was approved, 6-0.

Motion by Smith, seconded by Merriman, to table the final site plan to January 9, 2018 for staff to review: 1.) traffic impact study; 2.) Stormwater Plan; 3.) ask applicant to address line-of-site; 4.) review potential landscaping/berm on west side; and 5.) lighting concerns along private road. Motion was approved 6-0.

The City Administrator introduced Katy Crow, Development Services Director, to the Commissioners. Ms. Crow was welcomed.

PUBLIC HEARING – AMENDMENTS TO UNIFIED DEVELOPMENT CODE – UDCA2017-02 THROUGH 05

The opening of a public hearing in regards to a request by City Council to consider an amendment and consolidate organization of bylaws of the Planning Commission and Board of Zoning Appeals was considered. Applicant: City of Edgerton

Chair Daley opened the public hearing.

Ms. Linn shared a memorandum from the City Attorney indicating nine (9) members is quite large for the City's size. She noted he recommends a five (5) member Planning Commission with three (3) members need for a quorum. She also talked about recommendations and a decision of the Commissioners to decide on the limits of the statutory planning area.

After brief discussion, the consensus was to consider a maximum of two (2) members from the unincorporated planning area.

Motion by Erazo, seconded by Beem, to close the hearing. Motion was approved, 6-0.

Motion by Smith, seconded by Erazo, to recommend to the Council to consider reducing the membership to five (5) members, with three (3) members as quorum, with a maximum of two (2) members from unincorporated area, and follow recommendations of staff. Motion was approved, 6-0.

PUBLIC HEARING - PRESENTATION OF UPCOMING AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE

A public hearing regarding the direction of upcoming amendments in the Unified Development Code, including the C-2 Commercial District and Sign Regulations was considered. Applicant: City of Edgerton

Chair Daley opened the public hearing.

The City Administrator overviewed the suggested updates to C-2 Heavy Service Commercial district, and reasoning for same. She highlighted photos of various sites as examples of good and bad designs.

The Commissioners were asked to look at near-by areas to determine what they like and not like in regards to what they would like to envision for the City. It was suggested they describe or take photos to address their expectations.

Motion by Erazo, seconded by Smith, to close the hearing. The motion was approved, 6-0.

FUTURE MEETING

The next meeting is scheduled for January 9, 2018.

ADJOURNMENT

Motion by Erazo, seconded by Smith, to adjourn. Motion was approved, 6-0.

The meeting adjourned at 10:00 p.m.

Submitted by:

Edgerton Planning Commission
Regular Session
December 12, 2017
Page 6

Debra S. Gragg
Recording Officer

STAFF REPORT

Date: February 13, 2018
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Consider Approval of Temporary Construction Activities at 18661 Waverly Road
(property located to the SE of 185th Street and Waverly Road).

BACKGROUND INFORMATION

Article 9, Section 9.6E of the Unified Development Code of the City of Edgerton, Kansas states that the Planning Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses.

MATTER TO BE CONSIDERED

On January 10, 2017 the Planning Commission considered a request for the construction of a temporary concrete batch plant to be located southeast of 185th Street and Waverly Road. The concrete batch plant was necessary for the construction of Inland Port VIII. The request was approved with stipulations through November 1, 2017.

On December 28, 2017, city staff notified Concrete Strategies, Clayco Inc. and NorthPoint Development that the temporary use permit for operation of a concrete batch plant had expired. The plant must either be removed or a request to continue operations would have to be filed. On January 15, 2018 Concrete Strategies and Clayco Inc. submitted a formal request to continue batch plant operations at this location in preparation for the construction of Inland Port XIII.

The property located at the southeast corner of 185th Street and Waverly Road is owned by Edgerton Land Holding Company, LLC. This property is considered part of the first phase of Logistics Park Kansas City. Because this property is privately owned, staff required the property owner's permission to continue to use the property for temporary construction activities as allowed by Article 9, Section 9.6E of the Unified Development Code. On January 9, 2018 city staff received notification from the landowner, NorthPoint Development, granting permission to allow batch plant operations to continue on the parcel.

STAFF RECOMMENDATION

Staff recommends **approval** for this use of the property located near the southeast corner of 185th Street and Waverly Road for construction-related activities pursuant to Article 9, Section 9.6E of the Unified Development Code, by Clayco, Inc. and Concrete

Strategies, Inc. for operation of a concrete batch plant associated with the LPKC projects subject to the following conditions:

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 Articles 5 and 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. 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 regarding the tracking of debris onto public streets;
6. Improvements for a construction entrance and the access road shall be required and must be continually maintained in good condition;
7. On-site Stormwater Management Plan on file is still in effect as it relates to this operation;
8. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time;
9. 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;
10. Hours of operation shall be limited to from 7:00 am to 7:00 pm unless otherwise approved by staff;
11. 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;
12. Staff retains the ability to establish reasonable requirements for their operation;
13. Property owner and/or general contractors shall provide City and emergency response agencies an updated copy of the site-specific Safety Action Plan; and
14. Property owner and/or general contractors shall provide an updated Construction Management Plan to the City;
15. Maintain a valid City of Edgerton Business License;
16. All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air;
17. Permission for temporary construction activities is granted for a period ending December 31, 2018.

ATTACHMENTS

- Request letter from Concrete Strategies and Clayco (includes traffic routing and plant specification sheet)

- Permission email from Northpoint
- Aerial Map of Batch Plant Operations

January 15, 2018

Ms. Katy Crow
Development Services Director
City of Edgerton
404 East Nelson
Edgerton, KS 66021

Re: Inland Port Temporary Batch Plant Request

Dear Ms. Crow

This letter serves as request for the City's approval of Clayco Inc. and Concrete Strategies Inc. to continue the use of our temporary concrete batch plant operation on the South East corner of 185th and Waverly Rd. for the construction of Inland Port XIII.

Clayco and Concrete Strategies respectfully request the City add this item to the February Planning Commission session, and that the City recommend the approval of the referenced plant for temporary use through December 31, 2018. The site plan attached is of the current batch plant operation.

We appreciate your consideration of this request and if we can be of further assistance, please contact us.

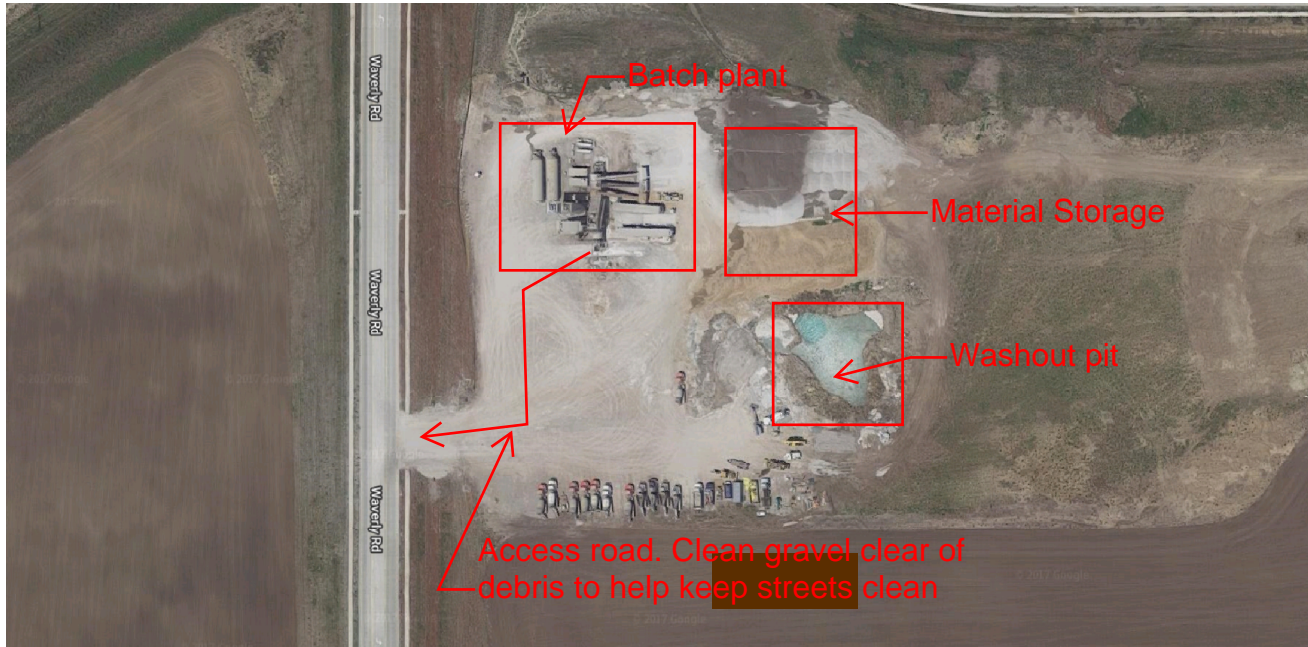
Sincerely,



Steve Schuering
Project Manager

Attachments:
Site plan, Clydsedale batch plant specification

CC: John Thomas, NorthPoint Development
Joe Vitale, Concrete Strategies, Inc.



Imagery ©2018 Google, Map data ©2018 Google 100 ft

CLYDESDALE

SKID BASED SELF-ERECTING PORTABLE CONCRETE BATCH PLANT



shown with optional Pony Express Silo on right side

Improve the quality and efficiency of your mobile batch plant operations with the new Stephens Clydesdale skid based system.

Specially designed features reduce the typical installation and operating costs and help increase your margins. You can count on Stephens for the highest quality equipment, service & support.

- **Highly Portable 14' Travel Height**
- **Concrete Foundation May Not Be Required** (*consult local engineer*)
- **No Crane**
- **Up to 200 cy/hr**
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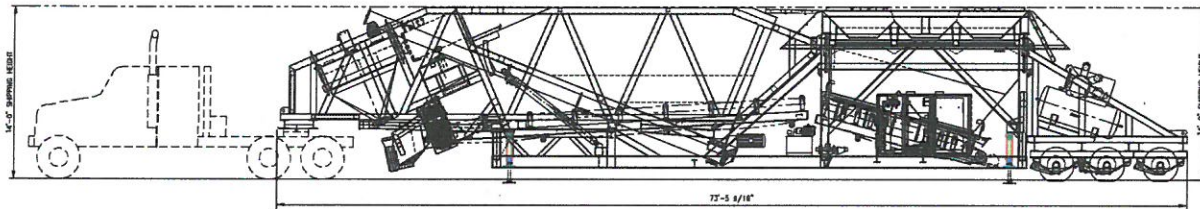
Email: ghigh@stephensmfg.com

Why buy a Stephens?

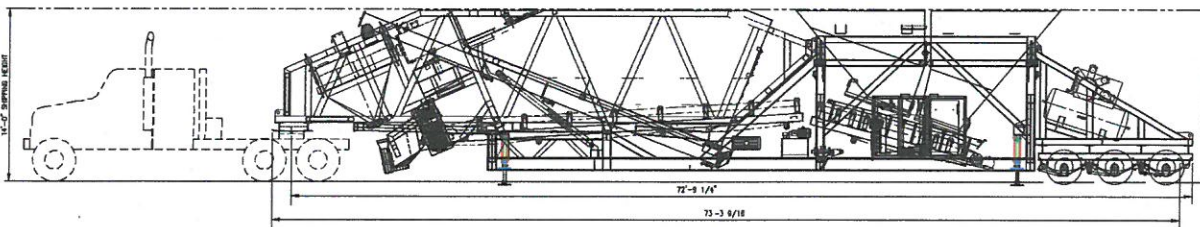
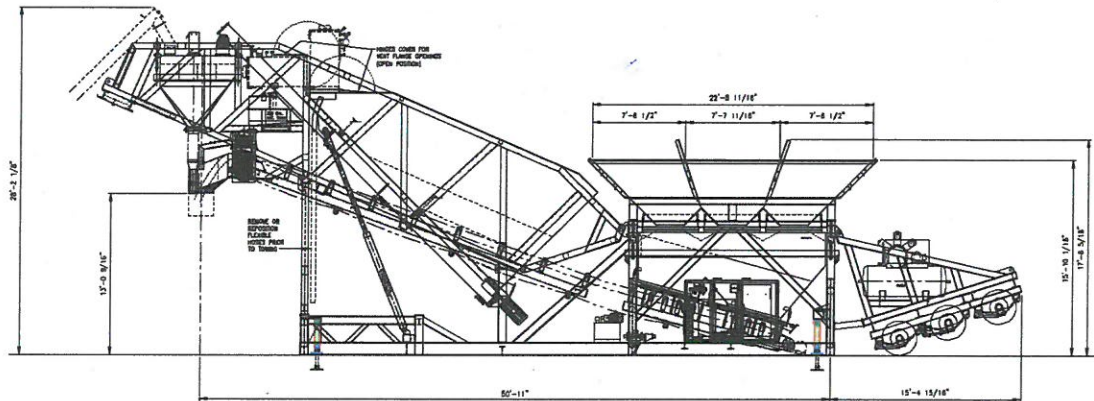
- Owned by the Stephens Family since 1957
- Honest, reliable, second-to-none sales & service
- In-house CNC Machine Shop
- Simple and easy to service & maintain
- Standard, off the shelf parts
- Each plant conforms to CPMB (Concrete Plant Manufacturing Bureau) criteria.



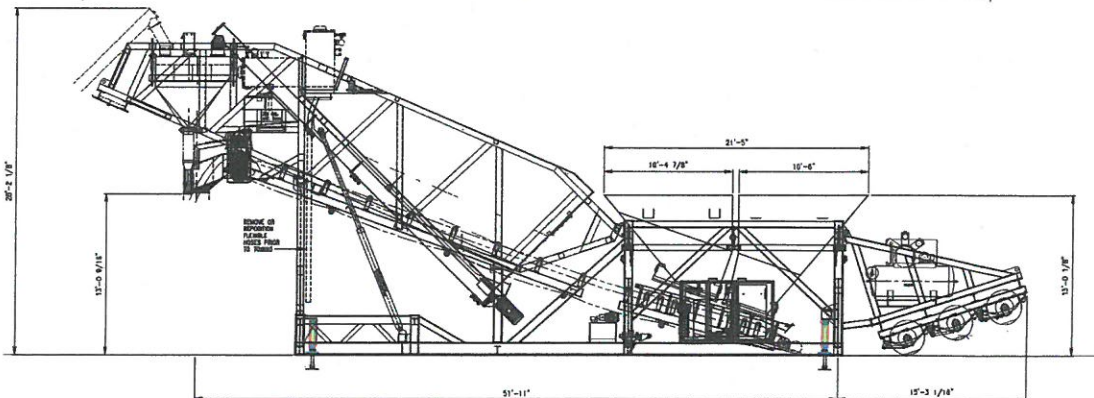
Clydesdale Portable Batch Plant Specifications



*Accumulative plant
(tri-axle truck may be required
in some locations)*



*Decumulative plant
(tri-axle truck may be required
in some locations)*

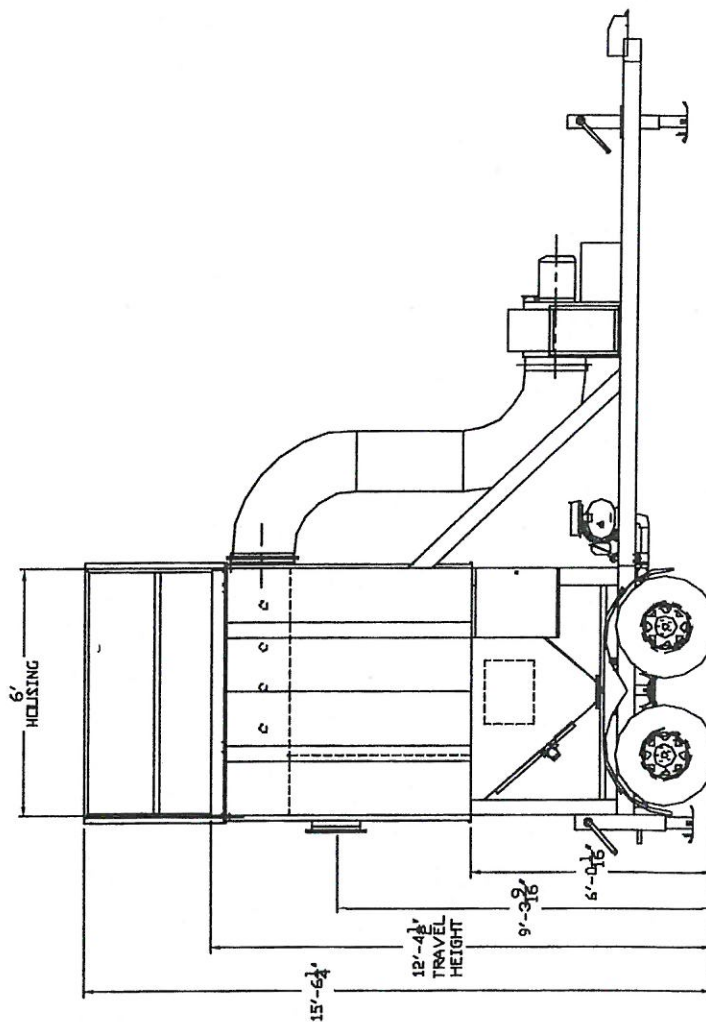
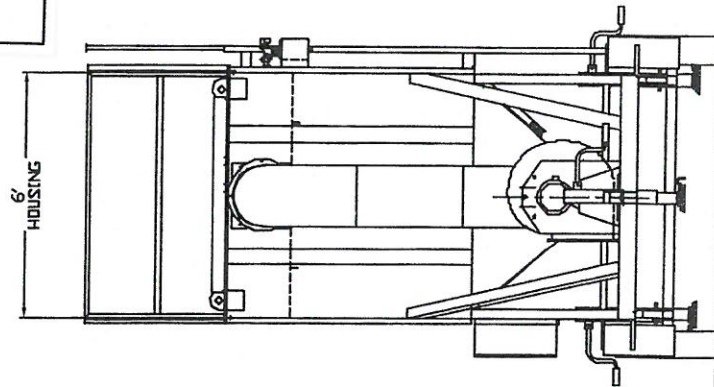
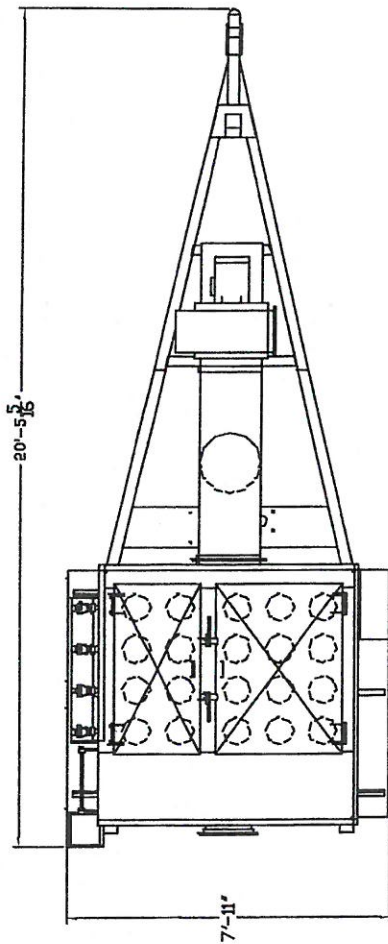


CMIW

Equipment

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Phone: [314] 993-1336 • Fax: [314] 993-1467

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NOTE: THIS PRINT NOT FOR
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CP-1000-2054 MOBILE DUST COLLECTOR



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6933 SHELMOR RD.
ALVARADO, TX. 76009 (817) 790-5000

Katy Crow

From: John Thomas <jthomas@northpointkc.com>
Sent: Tuesday, January 9, 2018 8:10 AM
To: Katy Crow; Lucas Budnik; rahns@Claycorp.com
Cc: Scott Peterson; Kenny Wiseman; Aaron Burks
Subject: Re: Concrete Batch Plant Operations - 185th and Waverly Road

Good morning, Katy.

We have a verbal commitment to CLAYCO Construction and Concrete Strategies to complete the construction of IP XIII. Based on this project starting in the near future, NorthPoint is agreeable to an extension of the temporary use permit for the concrete batch plant.

Lucas and Scott Rahn,
Please coordinate to complete the requested City submittal to extend the batch plant permit.

Let me know if anyone has any additional questions.

Thank you.
John Thomas
Northpoint Development
913.748.5013

sent from iPhone

On Dec 28, 2017, at 12:29 PM, Katy Crow <kcrow@edgertonks.org> wrote:

Good afternoon –

We have received an inquiry from Concrete Strategies regarding the concrete batch plant in operation at the southeast corner of 185th and Waverly Road. The initial request for the batch plant was made by both Clayco Inc. and Concrete Strategies so I am looping everyone into this conversation.

Temporary use of this batch plant was approved by the Edgerton Planning Commission on January 10, 2017. The approved timeline for operation of the batch plant was through November 1, 2017. Attached are the initial request letter and the minutes of that Planning Commission meeting which indicate approval as stipulated.

The approved timeline for operation has now expired and it is time to cease operations of this batch plant. We will allow 15 working days (January 19, 2018) for the removal of the plant from the property.

If you wish to continue operations, we will need verification from the property owner (North Point) that said use would still be allowed and Clayco/Concrete Strategies would need to submit a new request for approval to continue operations to the Edgerton Planning Commission for their consideration at a future meeting.

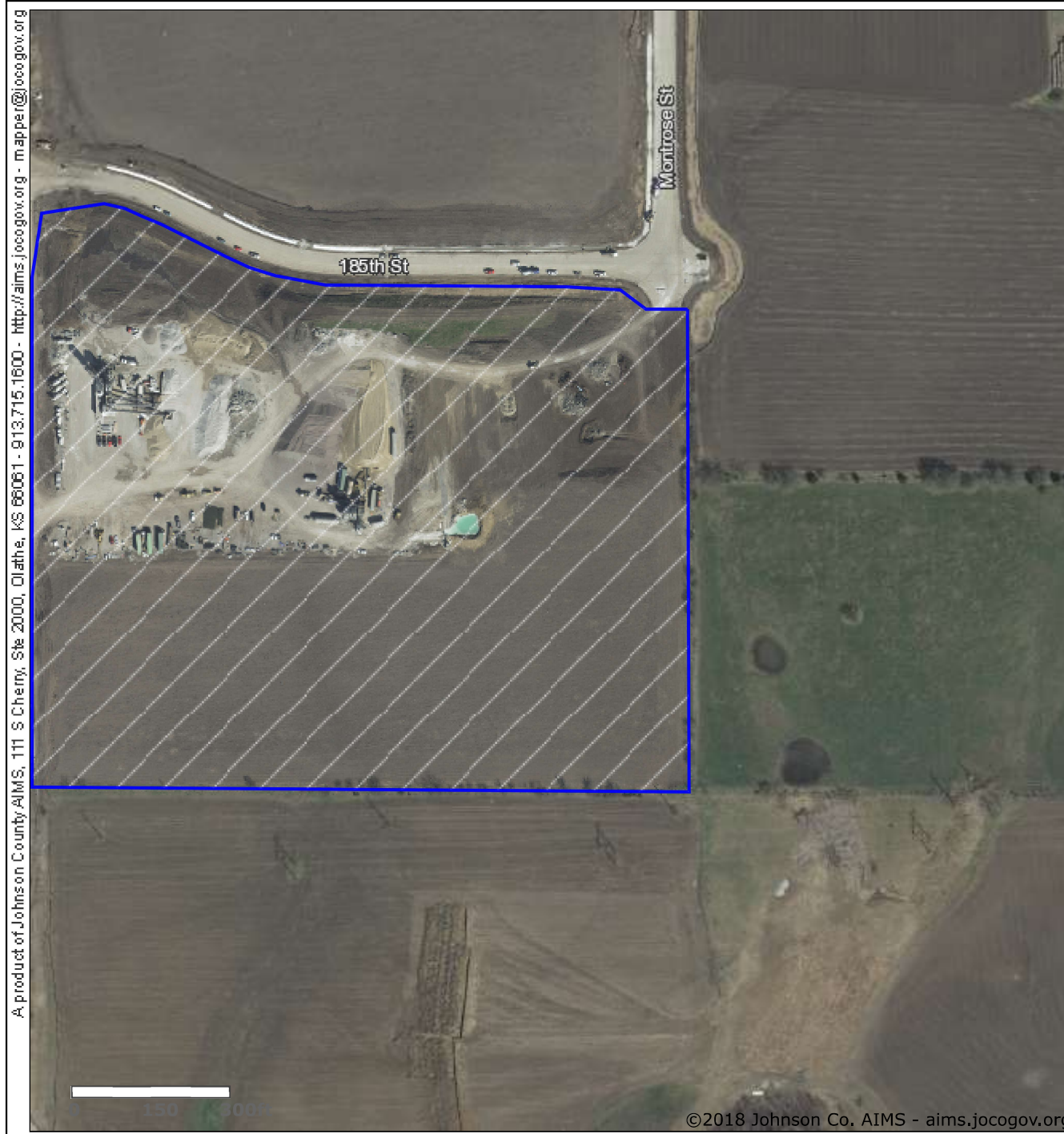
Please feel free to contact me with any questions. Thank you.

<image001.gif>

Katy Crow • Development Services Director
City of Edgerton, KS
404 East Nelson • Edgerton, KS 66021
913.893.6231 x7000 • 913.269.7992 (cell)
www.edgertonks.org

<Temporary Batch Plant request letter 12-27-16.pdf>

<2017-01-10 Minutes.pdf>



Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2016)



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AIMS

2/1/2018

STAFF REPORT

Date: February 13, 2018

To: Edgerton Planning Commission

From: Katy Crow, Development Services Director

Re: Consider approval of amendment to the Organization and Bylaws of the Edgerton Planning Commission to reflect approved changes to Article 8, Section 8.2A of the Uniform Development Code regarding size and composition of the Planning Commission.

BACKGROUND INFORMATION

On December 12, 2017 the Edgerton Planning Commission recommended changes to Article 8, Section 8.2A of the Unified Development Code (UDC) of the City of Edgerton, Kansas regarding the size and composition of the Planning Commission. The recommendation made to the Edgerton City Council was to reduce the number of Planning Commission members from nine to five with three constituting a quorum. Additionally, it was recommended that up to two Planning Commission members could reside in the unincorporated planning area adjacent to Edgerton. The City Council approved the Planning Commission recommendation at the January 25, 2018 City Council Meeting.

MATTER TO BE CONSIDERED

It is necessary for the Planning Commission Organization and Bylaws document to be consistent with Article 8 of the UDC and updates are needed to reflect the approved amendments. Within the Organization and Bylaws document, the following amendments are necessary:

- Correct the number of voting members from nine to five (Creation of the Planning Commission - Section A, Authorization); and
- Indicate the composition of the Planning Commission may include up to two members from the unincorporated planning area adjacent to Edgerton (Terms of Members – Section C, Age and Residence Requirement); and
- Correct the number constituting a quorum from five to three (Meetings and Conduct – Section B, Rules of Voting).

STAFF RECOMMENDATION

Staff recommends **approval** of Resolution PC2018-01 which amends the Organization and Bylaws to be consistent with the approved amendments to Article 8 of the UDC.

ATTACHMENTS

- Resolution PC2018-01

RESOLUTION NO. PC2018-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EDGERTON, KANSAS AMENDING THE ORGANIZATION AND BYLAWS OF THE PLANNING COMMISSION TO REDUCE THE NUMBER OF PLANNING COMMISSION MEMBERS FROM NINE TO FIVE, TO REDUCE THE NUMBER OF SUCH MEMBERS WHO MUST RESIDE WITHIN THE CITY LIMITS FROM SIX TO THREE, TO REDUCE THE NUMBER OF SUCH MEMBERS NECESSARY TO CONSTITUTE A QUORUM FROM FIVE TO THREE, TO REMOVE THE POSITION OF ALTERNATIVE COMMISSIONERS AND TO REPEAL ALL BYLAWS OR PARTS OF BYLAWS IN CONFLICT THEREWITH

BE IT RESOLVED BY the Planning Commission of the City of Edgerton, Kansas, that page one (PC-1), of the “Organization and Bylaws of the Planning Commission”, more specifically that section titled “Creation of the Planning Commission.” is hereby amended to read as follows:

I. Creation of the Planning Commission.

A. Membership. A Planning Commission is hereby created and appointed by the Governing Body. There shall be five regular voting members of the Planning Commission.

BE IT FURTHER RESOLVED BY the Planning Commission of the City of Edgerton, Kansas, that page one (PC-1), of the “Organization and Bylaws of the Planning Commission”, more specifically that section titled “Terms of Members.” is hereby amended to read as follows:

II. Terms of Members.

A. Appointment. All regular Commissioners shall be appointed for terms of three years, and each may serve for five (5) consecutive full terms (a temporary, alternate or replacement terms shall not be considered a full term). Commissioners may be appointed again following a one-year waiting period after five (5) regular terms of service.

B. Age and Residence Requirement. Planning Commissioners shall be at least 18 years of age. At least three members of the Planning Commission shall reside within the city limits of the City of Edgerton with the remaining members being residents of the City of Edgerton Planning Area.

C. Removal. Planning Commissioners may be removed by a vote of the Governing Body for cause, including, but not limited to, failure to attend meetings, abuse of office, serious conflict of interest and abusive conduct. Any Planning Commissioner removed from office shall have the right to file an appeal, within fourteen (14) days of removal, for a full hearing on the matter before the Governing Body or a committee composed of the Mayor, not more than two councilmembers and any other parties the Governing body should appoint to such committee.

D. Vacancy. Appointments to fill vacancies of unexpired terms shall be made by the Governing Body.

E. Compensation. Members shall serve without pay or other compensation except that all members shall be reimbursed for traveling or phone expenses.

BE IT FURTHER RESOLVED BY the Planning Commission of the City of Edgerton, Kansas, that page three (PC-3), of the “Organization and Bylaws of the Planning Commission”, more specifically section (2) of that section titled “Rules of Voting.” is hereby amended to read as follows:

2. All official votes shall be by simple majority of a quorum. A quorum shall be five members present.

ADOPTED at Edgerton, Kansas this 13th day of February, 2018.

CHAIRPERSON OF THE PLANNING COMMISSION

ATTEST:

PLANNING COMMISSION SECRETARY

APPROVED AS TO FORM:

LEE W. HENDRICKS, City Attorney

STAFF UPDATE

Date: February 13, 2018

To: Edgerton Planning Commission

From: Katy Crow, Development Services Director

Re: Consideration of a public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 4 – Commercial Zoning Districts and Article 10 – Site Plans and Design Standards.

APPLICATION INFORMATION

Applicant: City of Edgerton

BACKGROUND INFORMATION

The City of Edgerton's Uniform Development Code (UDC) was adopted for the purpose of encouraging the most appropriate use of land and to insure the logical and compatible growth of various districts within the City. The UDC is intended to implement the planning goals and policies contained in the Comprehensive Plan 2000-2020 and other planning documents and policies of the Planning Commission and City Council.

It is important for the UDC to remain relevant as it relates to growth and development within the boundaries of the City of Edgerton. In keeping in line with that, the City of Edgerton entered into an agreement on December 28, 2017 to work with an outside consultant, Ron Williamson, to update the UDC in a manner that compliments Edgerton's Comprehensive Plan, other planning documents and the community's vision for the growth of Edgerton.

At this time staff has been most focused on Article 4 - Commercial Zoning Districts and Article 10 – Site Plans and Design Standards. In order to truly devote the necessary time and commitment to the process staff is requesting a continuance of the public hearing to the March 13, 2018 Planning Commission meeting. At that time proposed amendments will be brought forward for consideration.



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STAFF REPORT

February 13, 2018

To: Edgerton Planning Commission
Fr: Katy Crow, Development Services Director
Re: Application ZA-2018-01 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: Moonlight Farms, LLC
South JOCO Farm, LLC
Wellsville Farms, LLC
4187 Louisiana Terrace
Ottawa, Kansas 66067

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

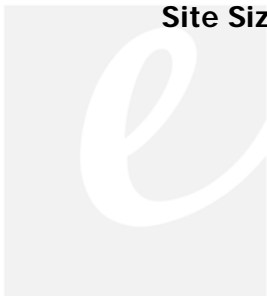
Legal Description: SE & SW Quarters of Section 10, Township 15S and Range 22E together with Lots 1 through 4, inclusive, Rockwall Estates. See attached exhibit.

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 annexed into the City of Edgerton on December 28, 2017, 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.

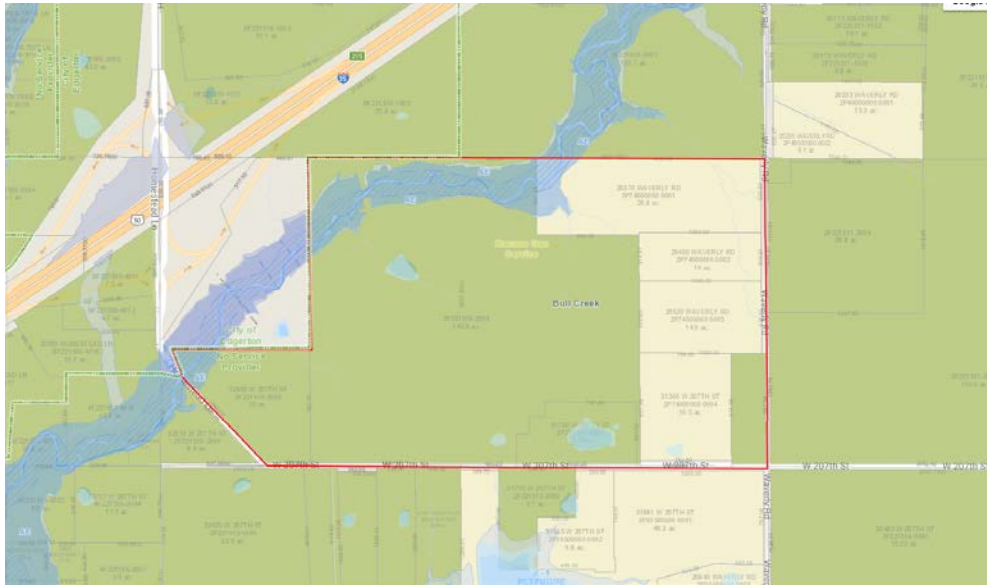


Figure 1



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 annexed into the City of Edgerton on December 28, 2017. 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 ZA2018-01
- 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: 816-888-7380
NPD 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 Zip

SIGNATURE OF OWNER OR AGENT: _____

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

FOR OFFICE USE ONLYCase No.: 2A2018-01 Amount of Fee Paid: \$ 250.00 Date Fee Paid: _____Received By: _____ Date of Hearing: 2/13/18**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

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter ($\frac{3}{4}$) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
 - ☐ Topography at an appropriate scale
 - ☐ A Certificate of Survey
 - ☐ Environmental assessment
 - ☐ Surface water discharge analysis
 - ☐ Facilities and utilities suitability analysis
 - ☐ An analysis of existing wells, tanks and other sub-structures
 - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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°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 11,144,428 square feet, or 255.841 acres, more or less.



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STAFF REPORT

February 13, 2018

To: Edgerton Planning Commission
Fr: Katy Crow, Development Services Director
Re: PP-2018-01 Preliminary Plat for Logistics Park Kansas City South First 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: Moonlight Farms LLC
South JOCO Farms, LLC
Wellsville Farms, LLC
4187 Louisiana Terrace
Ottawa, Kansas 66067

Requested Action: Preliminary Plat approval.

Legal Description: SE & SW Quarter 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: Lot 1 – 191.05 acres
Lot 2 – 48.91 acres
Tract A – 3.58 acres
Tract B – 6.02 acres
Total approximately 249.57 acres (excluding R/W)



PROJECT DESCRIPTION

The current application for preliminary plat to construct and operate warehouse and distribution facilities that could include limited manufacturing. The existing parcels will be platted into two lots 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

1. Access to the property and development will be from Homestead Lane, 207th Street and Waverly Road. Preliminary Plat proposes full access to the property 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.

PRELIMINARY PLAT REVIEW

Staff has reviewed the Preliminary Plat submittal for compliance with the requirements in Section 13.3 of Article 13 of the Edgerton Uniform Development Code (UDC). Review comments are listed below.

Content of Preliminary Plat

1. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes. *All proposed lots and/or tracts will need appropriate easements. Additional easement dedication along Homestead Lane may be needed depending upon proposed public improvements. Show and label all proposed easements. Applicant acknowledges that any necessary easements will be added to Homestead Lane when the final alignment is established. Update when Final Plat is submitted.*
2. Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains, and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot and/or tract, or in an easement appurtenant to each lot and/or tract. *The preliminary plat does not show the location of all requested information such as sanitary sewer, water lines, and fire hydrants. However, due the size of proposed lot and tracts, the information can be shown on the preliminary development plans. Provide information on Final Plat and/or Site Plan.*
3. A copy of the proposed restrictive covenants. *Applicant has acknowledged that if needed, this item will be addressed at Final Plat stage.*

RECOMMENDATION

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

1. All Preliminary Plat requirements of the City listed above 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.
3. All infrastructure requirements of the City shall be met.

ATTACHMENTS

- Application PP2018-01
- Preliminary Plat for Logistics Park Kansas City South First Plat

NAME OF PROPOSED SUBDIVISION: Logistics Park Kansas City SouthLOCATION OR ADDRESS OF SUBJECT PROPERTY: SE corner of I-35&Homestead Lane (addresses listed on plat cover sheet)LEGAL DESCRIPTION: See attached sheet and plat cover sheetCURRENT ZONING ON SUBJECT PROPERTY: RUR CURRENT LAND USE: Agricultural/residentialTOTAL AREA: 255.841 Acres NUMBER OF LOTS: 1 lot, 3 tracts AVG. LOT SIZE: 8,320,000 Sq. Ft.DEVELOPER'S NAME(S): John Thomas (as agent of property owner) PHONE: 816-888-7380COMPANY: NorthPoint Development LLC FAX: 816-888-7399MAILING ADDRESS: 4825 NW 41st Street, Suite 500 Riverside MO 64150
Street City State ZipPROPERTY OWNER'S NAME(S): See attached sheet and plat cover sheet PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State ZipENGINEER'S NAME(S): Roger Dill/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.

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.: PP- 2018-01 Amount of Fee Paid: \$ 310.00 340.00 Date Fee Paid: _____Received By: _____ Date of Hearing: 2/13/18**PRELIMINARY PLAT INSTRUCTIONS****SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting.**NOTICE REQUIREMENTS:** The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the preliminary plat and other material submitted with it to determine conformity with the comprehensive plan and these regulations. The Planning Commission shall act upon the plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period. If the subdivider submits the preliminary and final plats concurrently, the time period shall be ninety (90) days.

APPROVAL LIMITATIONS: The Planning Commission shall approve or deny the preliminary plat as submitted or may approve the plat as submitted subject to specified changes. Upon denial, the Planning Commission must give reason for the denial. If a preliminary plat is denied the applicant shall not submit the same proposal again for a period of one year without written approval of the Planning Commission. Tentative approval shall not constitute a final acceptance of the plat, but authorizes preparation of the final plat. No grading for streets or construction of improvements shall take place in the subdivision prior to approval and endorsement of the final plat and the submittal to and approval of construction plans and drainage plans by the Governing Body. The preliminary plat shall be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

GENERAL DESIGN STANDARDS

1. Rights-of-way must conform to the current standards of the American Public Works Association, and greater widths may be required by the Zoning Administrator after preliminary review; utility easements must be a minimum of fifteen (15) feet wide or seven and one-half (7.5) feet for appurtenant utility easements on interior lots. Street lighting and fire hydrants must be indicated in areas planned for residential use. Cul-de-sacs are limited to eight hundred (800) feet in length.
2. All portions of the tract being subdivided shall be taken up in lots (or phases), streets, planned open areas or other uses so that remnants and landlocked areas are not created.
3. All lots must front on a public right-of-way. The Zoning Administrator may grant a waiver from this requirement and allow permanent travel easements when appropriate. When a subdivision is located along arterial roads, adequate buffers must be maintained between the right-of-way and the building line. Residential structures shall have their front on interior roads.
4. Corner lots shall have minimum side-yard setbacks of twenty (20) feet to the street right-of-way and nine (9) feet to the property line of the adjacent interior lot unless approved by the Zoning Administrator.
5. Side lot lines shall be substantially at right angles to street lines.
6. Drainage and watercourse easements are required. Building setbacks from watercourses should be measured from the thread of the stream. Flowage easements may be used to calculate required minimum lot sizes.
7. The lot depth to front lot width ratio shall be no more than 3 to 1.
8. If the development is to be served with public water or sewer, the plat must bear a notation that the subdivision is to be served by these facilities. The Zoning Administrator may not issue a building permit for a lot notated "SERVICED BY PUBLIC WATER/SEWER" without written verification from the public water or sewer district that all distribution or collection lines have been installed and that all lots are either connected or are capable of being connected to central utilities.

CHECKLIST

The following items shall be included on the preliminary plat.

- ☐ A North point and scale which is appropriate to the size of the development: one inch equals 50, 100, 150 or 200 feet is typical.
- ☐ A legal description and current zoning.
- ☐ Names of: Applicant, Subdivision & Streets.
- ☐ Name and seal of surveyor/engineer.
- ☐ Date surveyed.
- ☐ Adequate legend and vicinity map.
- ☐ Signature blocks and date of review of Zoning Administrator, City Engineer, Chair of Planning Commission and Mayor.
- ☐ Complete outline drawing of all boundaries, lots and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines.
- ☐ Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access and other purposes.
- ☐ Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot.
- ☐ Total acreage and size of each lot.
- ☐ Contours at vertical intervals of 4 feet or less.
- ☐ Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used).
- ☐ A copy of the proposed restrictive covenants.

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°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 11,144,428 square feet, or 255.841 acres, more or less.

PRELIMINARY PLAT

LOGISTICS PARK KANSAS CITY SOUTH

FIRST PLAT

A SUBDIVISION OF LAND IN CITY OF EDGERTON, JOHNSON COUNTY, KANSAS
SECTION 10, TOWNSHIP 15 SOUTH, RANGE 22 EAST

SITE DATA TABLE

Existing Zoning:	RUR
Proposed Zoning:	L-P
Lot 1 Acreage:	191.052 Acres
Lot 2 Acreage:	48.913 Acres
Tract A Acreage:	3.583 Acres
Tract B Acreage:	6.024 Acres

Total Boundary Area: 255.843 Acres

Less Existing R/W 2.855 Acres
Less Prop. Adtnl. R/W 3.417 Acres
Total Street Right-of-Way: 6.272 Acres

Net Land Area: 249.572 Acres

Site is composed of the following Assesor Parcels:

Parcel ID	Address	Owner
2F221510-2006	32450 W. 207th St. Edgerton, KS 66021	Wellsville Farms, LLC
2F221510-2004	Unavailable	Moonlight Farms, LLC
2F221510-4005	31700 W. 207th St. Edgerton, KS 66021	Wellsville Farms, LLC
2P74000000 0001	20370 Waverly Rd. Edgerton, KS 66021	South JOCO Farms, LLC
2P74000000 0002	20450 Waverly Rd. Edgerton, KS 66021	Wellsville Farms, LLC
2P74000000 0003	20520 Waverly Rd. Edgerton, KS 66021	Wellsville Farms, LLC
2P74000000 0004	31300 W. 207th St. Edgerton, KS 66021	Wellsville Farms, LLC
2F221510-4002	20650 Waverly Rd. Edgerton, KS 66021	Wellsville Farms, LLC

UTILITIES

ELECTRIC

Kansas City Power & Light
Phone: 816.471.5275

GAS

Kansas Gas Service
11401 West 89th Street
Overland Park, Kansas
Phone: 913.599.8981

WATER

Johnson Rural Water District 7
534 West Main
P.O. Box 7
Gardner, Kansas
Phone: 913.856.7173

SANITARY

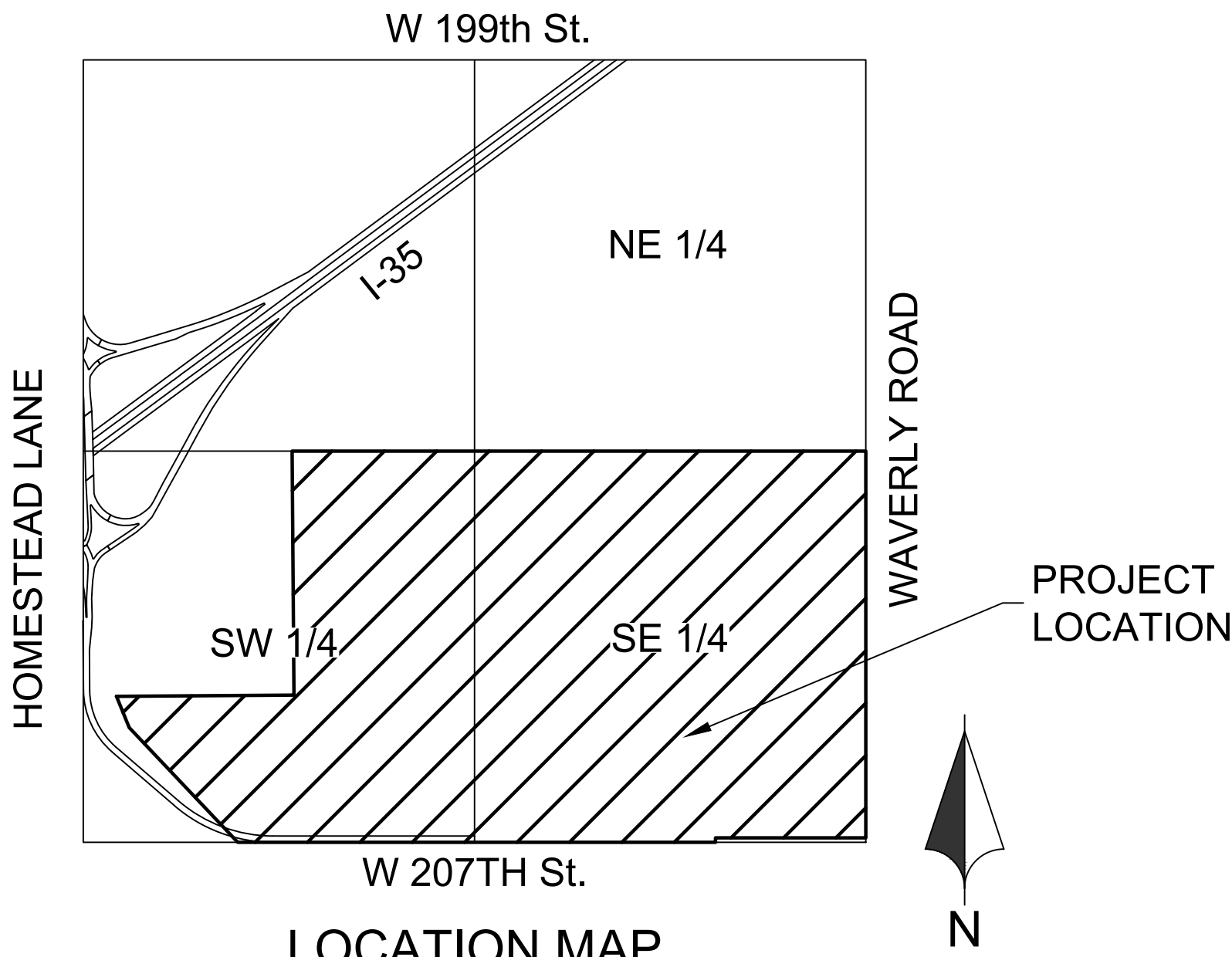
City of Edgerton
404 East Nelson
P.O. Box 255
Edgerton, Kansas
Phone: 913.893.6231

TELEPHONE

Century Link
Phone: 800.788.3500

CABLE

Century Link
Phone: 800.788.3500



PROJECT BENCHMARK

Johnson County Vertical Control Benchmark BM 1021. Elev.=998.68 NAVD 88

LEGEND

---	Existing Section Line	=====	Proposed Right-of-Way
--- R/W ---	Existing Right-of-Way Line	== P/L ==	Proposed Property Line
-----	Existing Lot Line	--- L/L ---	Proposed Lot Line
-----	Existing Easement Line	--- U/E ---	Proposed Easement
=====	Existing Curb & Gutter	=====	Proposed Curb & Gutter
=====	Existing Sidewalk	=====	Proposed Sidewalk
=====	Existing Storm Sewer	=====	Proposed Storm Sewer
□	Existing Storm Structure	□	Proposed Storm Structure
--- W/L ---	Existing Waterline	▲	Proposed Fire Hydrant
--- GAS ---	Existing Gas Main	--- W/L ---	Proposed Waterline
--- SAN ---	Existing Sanitary Sewer	=====	Proposed Sanitary Sewer
⊙	Existing Sanitary Manhole	●	Proposed Sanitary Manhole
-----	Existing Contour Major	-----	Proposed Contour Major
-----	Existing Contour Minor	-----	Proposed Contour Minor
⊙	1/2" x 24" Iron Bar to Be Set	=====	Future Curb and Gutter
---		--- B/L ---	Proposed Building Setback
---		--- S/B ---	Proposed Parking Setback

INDEX OF SHEETS

C01	Title Sheet
C02	Preliminary Plat
C03	Existing Conditions
C04	Grading Plan

Description

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PROPERTY OWNER AND APPLICANT:

Wellsville Farms, LLC, Moonlight Farms, LLC and South Joco Farms, LLC.

Note: Boundary and Topographic Survey performed in November and December, 2017

UTILITY SERVICE NOTE:

- This property to be served by Water District No. 7.
- This property to be served by City of Edgerton Public sanitary sewer.
- This property is served by Kansas City Power & Light (Electric).
- This property is served by Kansas Gas Service.
- This property is served by Century Link (Telephone and Cable).

FLOOD PLAIN NOTES:

According to the FEMA Flood Insurance Rate Map Number 20091C0134G, revised August 3, 2009, portions of this tract lie in:

OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain

OTHER AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology, and

ZONE AE, Special Flood Hazard areas subject to inundation by the 1% annual chance flood, Base Flood Elevations determined

CERTIFICATE:

Approved by the Edgerton City Engineer this _____ day of _____, 2017 by
_____ City Engineer

David Hamby

Received and placed on record this _____ day of _____, 20____ by
_____ Zoning Administrator.

Approved by the Edgerton City Planning Commission this _____ day of _____, 20____ by
_____ Chair of Planning Commission.

John Daley

Approved by the Governing Body of the City of Edgerton, Johnson County, Kansas, on
the ____ day of _____, 2017

Donald Roberts, Mayor

Janceice Rawles, City Clerk

Sheet

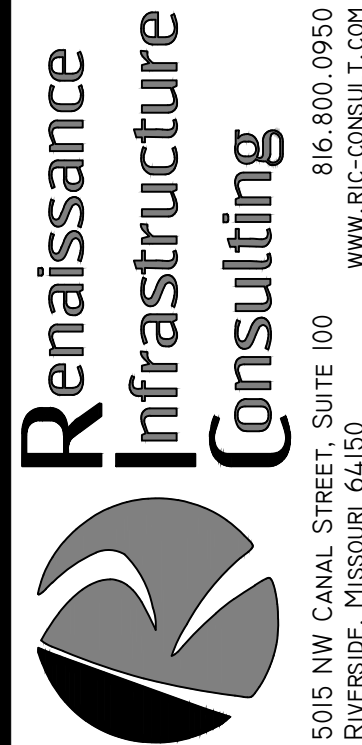
C01

Preliminary Plat

17-0272
Logistics Park Kansas City South - First Plat

Title Sheet

TRACT C REMAINED LOT 2		
PER CITY COMMENTS		
ORIGINAL SUBMITTAL		
REVISION		
NO.	BY	DATE
2.	JWD PNC	02/08/18
1.	JWD PNC	02/01/18
	JWD PNC	12/20/17



PRELIMINARY PLAT

LOGISTICS PARK KANSAS CITY SOUTH

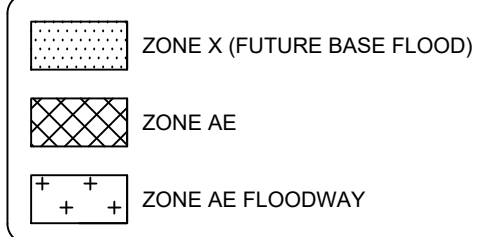
FIRST PLAT

A SUBDIVISION OF LAND IN CITY OF EDGERTON, JOHNSON COUNTY, KANSAS
SECTION 10, TOWNSHIP 15 SOUTH, RANGE 22 EAST

NOTES

- Property lines labeled to be replatted will be replatted by this plat.

FLOODPLAIN LEGEND:



Owner: Secretary
of Transportation

Owner: Wise,
Harvey G. Trust

Owner: Wise,
Harvey G. Trust

Owner: State
of Kansas

Owner: Secretary
of Transportation

Owner:
Secretary of
Transportation

Owner:
Secretary of
Transportation

Owner: Johnson
County Parks &
Recreation

Owner: Johnson
County Land Company LLC

Owner: Johnson
County Parks &
Recreation

Owner: Wellsville Farms, LLC
870,515 S.F.
19.984 Ac. +/-
(To be replatted)

Owner: Wellsville
Land Company LLC

Owner: Johnson
County Land Company

Tract B
AREA: 262,390 SF, or 6.024 Acres
Green Space and BMP Area

LOT 1
AREA: 8,322,206 SF, or 191,052 Ac.

Tract 2
Owner: Moonlight Farms, LLC
6,393,651 S.F.
146.778 Ac. +/-

Owner: South Joco Farms, LLC
1,253,306 S.F.
28.77 Ac. +/-
(This area to be replatted)

Owner: Wellsville Farms, LLC
435,642 S.F.
10.00 Ac. +/-
(To be replatted)

Owner: Wellsville Farms, LLC
647,408 S.F.
14.86 Ac. +/-
(This area to be replatted)

Owner: Wellsville Farms, LLC
719,946 S.F.
16.53 Ac. +/-
(This area to be replatted)

Owner: Wellsville Farms, LLC
279,679 S.F.
6.42 Ac. +/-

Owner: Highfill, Lyle M. Trustee
Highfill, Marie M. Trustee

Preliminary Plat

17-0272

Logistics Park Kansas City South - First Plat

General Layout

NO.	BY	DATE	REVISION
1	JAVO PNC	02/01/18	PER CITY COMMENTS
2	JAVO PNC	02/08/18	ORIGINAL SUBMITTAL

Renaissance
Infrastructure
Consulting

