

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
April 10, 2018
7:00 PM

Due to large size of files for on-line placement, the agenda documents can be found under the various packets:

PC2018-04-10 Agenda Packet 1 (Items 4, 5-A, and 5-B)

PC2018-04-10 Agenda Packet 2 (Item 5-C)

PC2018-04-10 Agenda Packet 3 (Item 5-D)

PC2018-04-10 Agenda Packet 4 (Item 5-E)

PC2018-04-10 Agenda Packet 5 (Items 5-F, 5-G, and 5-H)

PLEASE NOTE: AGENDA ITEM 5-I, Public Hearing for Rezoning at Northeast Corner of Four Corners Road and 199th Street is WITHDRAWN AT THE REQUEST OF THE APPLICANT

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 March 13, 2017
- B. Consideration of a Temporary Construction Activities on property located at the southeast corner of 191st Street and Homestead Lane (Tax Property ID # BF221503-1001) – Hauling of Rock and Dirt. Applicant: Hartman Excavation

5. **NEW BUSINESS**

PUBLIC HEARING – ZA2018-03 (REZONING FOR SOUTHEAST CORNER OF I-35 AND HOMESTEAD LANE)

- A. Consideration of opening a public hearing in regards to rezoning application, ZA2018-03, pertaining to the rezoning of property from Johnson County RUR to City of Edgerton L-P (Logistics Park) located in the southeast corner of I-35 and Homestead Lane, containing approximately 255.841 acres, more or less. 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 – PP2018-03 (PRELIMINARY PLAT FOR LOGISTICS PARK KANSAS CITY SOUTH)

- B. Consideration of opening a public hearing in regards to Preliminary Plat Application, PP2018-03, requesting approval of a preliminary plat for Logistics Park Kansas City South, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot and three (3) tracts, containing approximately 255.841 acres, more or less. 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 recommend to approve, deny, or table the preliminary plat.

PUBLIC HEARING – PS2018-02 LOGISTICS PARK KANSAS CITY SOUTH – FIRST PLAT, PRELIMINARY SITE PLAN

- C. Consideration of opening a public hearing in regards to Preliminary Site Plan Application, PS2018-02, requesting approval of a preliminary site plan for Logistics Park Kansas City South, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot and two (2) tracts containing approximately 205.951 acres, more or less. Agent/Developer: NPD Management LLC Engineer: Renaissance Infrastructure Consulting. **Due to the size of the preliminary site plan materials, some pages are not included in the website packet, but are available for review at the City Clerk's Office.**

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.

FINAL PLAT – FP2018-03 LOGISTICS PARK KANSAS CITY SOUTH – FIRST PLAT

- D. Consideration of an application for Final Plat, FP2018-03, requesting approval of a final plat for Logistics Park Kansas City South – First Plat, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot, and two (2) tracts, containing approximately 205.95 acres, more or less. Applicant: NPD Management LLC Engineer: Renaissance Infrastructure Consulting

Action requested: Consider motion to recommend to approve, deny, or table the request.

FINAL SITE PLAN – FS2018-04 LOGISTICS PARK KANSAS CITY SOUTH – FIRST PLAT (Project Mustang)

- E. Consideration of an application for Final Site Plan, FS2018-04, requesting approval of a final site plan for Logistics Park Kansas City South – First Plat, located at the southeast corner of I-35 and Homestead Lane, consisting of one (1) lot, and two (2) tracts, containing approximately 205.95 acres, more or less. Applicant: NPD Management LLC Engineer: Renaissance Infrastructure Consulting . **Due to the size of the final site plan materials, some pages are not included in the website packet, but are available for review at the City Clerk's Office.**

Action requested: Consider motion to approve, deny, or table the request.

TEMPORARY CONSTRUCTION ACTIVITIES – TU2018-02 CONCRETE BATCH PLANT (Project Mustang)

- F. Consideration of a request, TU2018-02, for providing a concrete batch plan for Project Mustang, located within the southeast corner of I-35 and Homestead Lane. Applicant: Clayco Project Management: NPD Management

Action requested: Consider motion to approve, deny, or table the request.

TEMPORARY CONSTRUCTION ACTIVITIES – TU2018-01 ROCK CRUSHING (Project Mustang)

- G. Consideration of a request, TU2018-01, for providing rock crushing operations for Project Mustang, located within the southeast corner of I-35 and Homestead Lane. Applicant: Clayco Project Management: NPD Management

Action requested: Consider motion to approve, deny, or table the request.

TEMPORARY CONSTRUCTION ACTIVITIES – TU2018-03 USE OF RESIDENTIAL PROPERTY FOR PROJECT COORDINATION (Project Mustang)

- H. Consideration of a request, TU2018-03, for using a residential building for the use of project management coordination activities for Project Mustang, located within the southeast corner of I-35 and Homestead Lane. Applicant: Clayco Project Management: NPD Management

Action requested: Consider motion to approve, deny, or table the request.

PUBLIC HEARING – ZA2018-02 (REZONING FOR NORTHEAST CORNER OF FOUR CORNERS ROAD AND 199TH STREET) **WITHDRAWN AT THE REQUEST OF THE APPLICANT**

- I. Consideration of opening a public hearing in regards to rezoning application, ZA2018-02, submitted for the rezoning of property from Johnson County RUR and Utility to City of Edgerton L-P (Logistics Park) located in the northeast corner of Four Corners Road and 199th Street, containing approximately 76.85 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.

6. Future Meeting – May 8, 2018
7. Adjournment

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
REGULAR SESSION
March 13, 2018
Minutes

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners John Daley, Katee Smith, Josh Beem, and Andrew Merriman. Absent was Commissioner Erik Erazo. Also present were: City Administrator Beth Linn, Assistant City Administrator Scott Peterson, Development Services Director Katy Crow, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

CONSENT AGENDA

Motion by Beem, seconded by Smith, to approve the item as presented in the Consent Agenda. Motion was approved, 4-0.

MINUTES

A. Minutes for the Regular Session of February 13, 2018 were considered and approved.

OLD BUSINESS

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

The re-opening of a continued public hearing to consider comments regarding amendment to the Unified Development Code pertaining to Article 4 – Commercial Zoning Districts and Article 10 – Site Plans and Design Standards was considered. Applicant: City of Edgerton

The public hearing was opened by Chair Daley.

The Development Services Director indicated staff has had no time to review and that staff's recommendation would be to close the hearing to allow staff time to review.

Motion by Smith, seconded by Beem, to close the hearing. Motion was approved, 4-0. The meeting was closed.

UPDATE – DOLLAR GENERAL

Ms. Crow informed the Commission that in December, representatives from Dollar General requested the installation of propane in lieu of connecting to natural gas. Staff indicated that by burying the propane tank this did not impact the final site plan, and that staff could approve administratively.

OTHER ITEMS

Commissioner Smith asked about the Planning/Zoning items for the annexed property south of I-35.

City Administrator Linn noted there were clerical errors within the annexation and it will need to be readdressed by the Council. Ms. Linn also noted there may be a need to convene a special session to address the planning and zoning items.

Pat Peer, 32695 W. 215th Street, Spring Hill, stated she was present to ask about the Board of Zoning Appeals meeting. She stated concern that the Board of Zoning Appeals members are the same as the Planning Commissioners. Ms. Linn stated that most items addressed by the Board of Zoning Appeals are in regards to variances or other items initiated by property owners.

FUTURE MEETING

The next meeting is scheduled for April 10, 2018.

ADJOURNMENT

Motion by Merriman, seconded by Smith, to adjourn. Motion was approved, 4-0.

The meeting adjourned at 7:15 p.m.

Submitted by:

Debra S. Gragg
Recording Officer

STAFF REPORT

Date: April 10, 2018
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Consider Approval of Temporary Construction Activities on property located at the southeast corner of 191st Street and Homestead Lane (Tax Property ID # BF221503-1001) – Hauling of Rock and Dirt

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 March 20, 2018 staff received a request from Hartman Excavating for temporary construction activities to haul rock and dirt from property located at the southeast corner of 191st Street and Homestead Lane (Tax Property ID # BF221503-1001).

The property is currently owned by the Omar J. Holtgraver Revocable Trust and the India L. Holtgraver Revocable Trust (Holtgravers) and as the property owners, the Holtgravers have granted their permission for this type activity to be conducted on their property. The Holtgravers have an agreement with Hartman Excavating which gives Mr. Hartman the right to remove and sell the rock currently stored on the property. Mr. Hartman has requested permission to operate his rock hauling/removal operation for one year, Monday through Saturday, between 7:00 AM and 7:00 PM. Additionally, he indicates that truck haul loads would be 22-tons in capacity. A water truck would be used as necessary to keep road dust under control.

Mr. Hartman has also expressed a desire to set up a rock crushing operation on this site after some of the rockpile has been hauled away. Staff has informed him that additional documentation will be necessary for that application to be considered at a future Planning Commission meeting.

This same request for the loading and removing of construction materials for off-site construction purposes, was considered and approved with stipulations at the May 12, 2015 Planning Commission meeting. It expired on May 12, 2016.

STAFF RECOMMENDATION

Staff recommends **approval** for this use of the property located near 191st Street and Homestead Lane for temporary construction-related activities pursuant to Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas, by Hartman Excavating for operation of a rock/dirt hauling operation 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. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;
7. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton.
8. Improvements for a construction entrance and the access road shall be required and must be continually maintained in good condition;
9. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time;
10. Any and 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;
11. Hours of operation shall be limited to from 7:00 am to 7:00 pm unless otherwise approved by staff;
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;
14. Property owner and/or general contractors shall provide an updated Construction Management Plan to the City;
15. Contractor shall 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. Operator will insure that haul loads do not exceed legal limits for truck weight;
18. 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;
19. Best Management Practices may be required where potential impacts to stormwater conveyance facilities occur (i.e., silt fencing, berming, creation of a construction entrance, etc.)
20. Permission for temporary construction activities is granted for a period ending April 30, 2019.

ATTACHMENTS

- Request letter from Hartman Excavation
- Permission email from property owner (Holtgravers)
- Aerial Map of parcel

- KDHE letter

Katy Crow

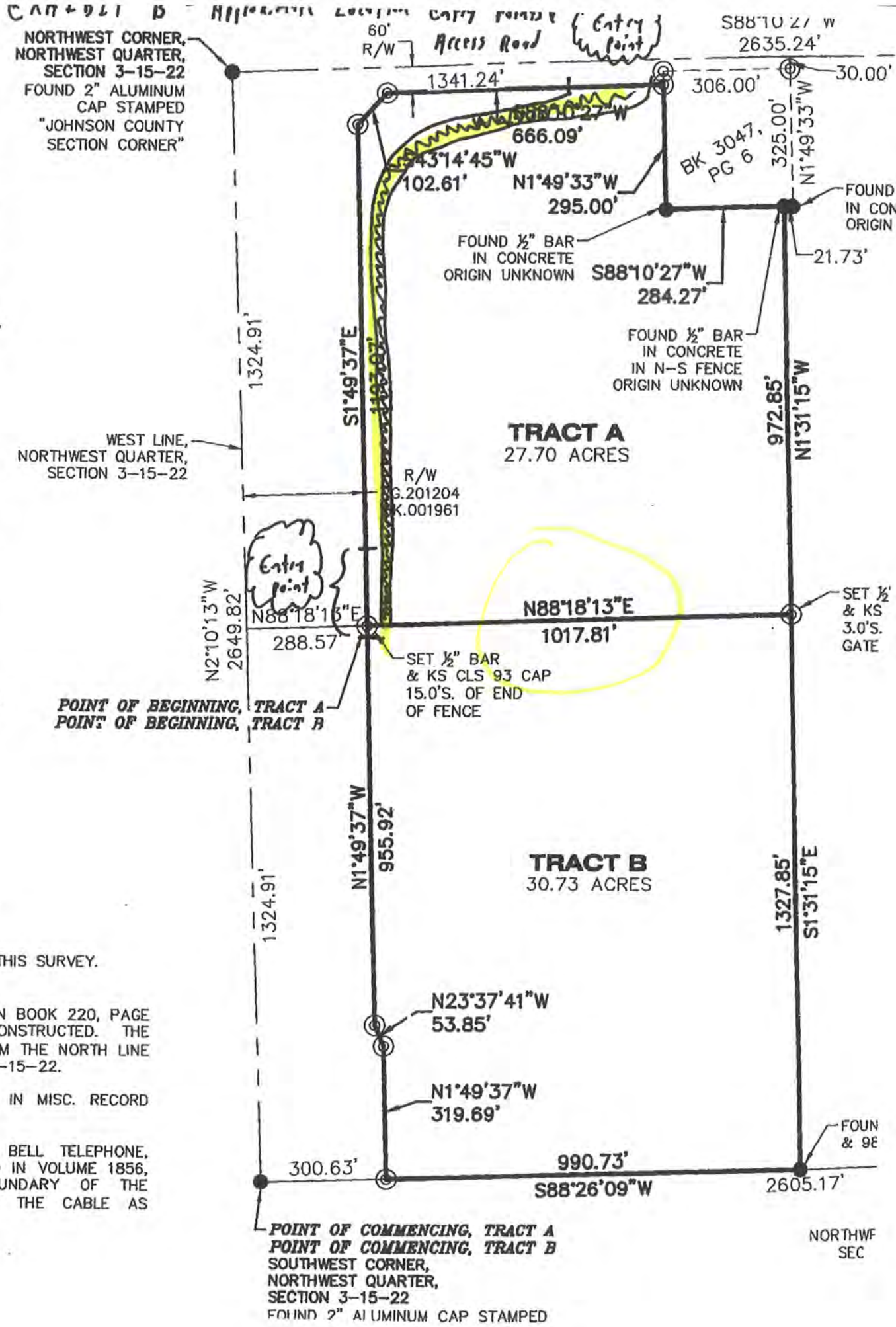
From: hartmanexcavating <hartmanexcavating@gmail.com>
Sent: Tuesday, March 20, 2018 11:47 AM
To: Katy Crow
Subject: Permit Request

Hartman Excavating is requesting a permit for rock/dirt removal and haul off of existing rock/dirt pile at South East corner of 191st Street and Homestead Road(land owned by Holtgraver). Haul hours would be 7AM-7PM. Duration of permit would be 1 year. Truck loads would be 22ton capacity. Water truck would be used as necessary for road dust control. Broom would be used as necessary for road clean-up.

We would also like a permit for rock crushing if necessary. We would abide by all city and state requirements if any crushing would be done.

Thanks,
Josh Hartman

Sent from my Verizon, Samsung Galaxy smartphone



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2179057.0073'
length: 972.85'
2179031.1874'
length: 284.27'
2178071.9108'
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2178001.6096'
length: 1193.07'
2178039.6456'

206807.11 Sq. Ft.
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2178039.6434'
length: 1017.81'
2179057.0073'
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length: 53.85'
2178070.1132'
length: 955.92'
2178039.6377'

13.148 Sq. Ft.
area: N70°51'45"W
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SECTION 3-15-22
FOUND 2" ALUMINUM CAP STAMPED

LAW OFFICES OF
ANDERSON & BYRD

A Limited Liability Partnership

JOHN L. RICHESON
JAMES G. FLAHERTY
R. SCOTT RYBURN
KEITH A. BROCK
THOMAS H. SACHSE
JEFFREY A. WILSON

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OTTAWA, KANSAS 66067
(785) 242-1234, *Telephone*
(785) 242-1279, *Facsimile*
www.andersonbyrd.com

ROBERT A. ANDERSON
(1920-1994)

RICHARD C. BYRD
(1920-2008)

January 29, 2018

City of Edgerton
City Hall
404 East Nelson
Edgerton, KS 66021

Re: Omar Holtgraver Contract for Sale of Rock to Jim Hartman Construction at 191st and
Homestead Lane, Edgerton Kansas

Greetings:

Our office represents Omar Holtgraver regarding 29.8 acres of real estate he owns within the city limits of Edgerton and the sale of rock from that property. Mr. Holtgraver has entered into a contract for removal and sale of the rock currently being stored on his property, which was part of a construction project in the area. Mr. Holtgraver has entered into a contract with Jim Hartman Construction to remove and sell the rock currently on the property.

The contract for the removal of the rock is beneficial to Mr. Holtgraver as well as Jim Hartman Construction and will aid in the development of the real estate. The contract has already commenced and may be extended through for an additional two-year period upon agreement of the parties.

If you have any questions or concerns regarding this agreement for the removal of rock from Omar Holtgraver's real estate, please let me know.

Sincerely,

Omar J. Holtgraver Trustee
India L. Holtgraver Trustee

R. Scott Ryburn
sryburn@andersonbyrd.com

RSR:rr



Johnson Co AIMS Map

LEGEND

- AIMS Imagery: Current Imagery (2016)
- Property



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Division of Health and Environment
Curtis State Office Building
1000 SW Jackson St. Suite 420
Topeka, Kansas 66612-1367

STATE OF KANSAS



GOVERNOR JEFF COLYER, M.D.
JEFF ANDERSEN, ACTING SECRETARY

Phone: 785-296-5551
Fax: 785-296-0086
Steve.Caspers@ks.gov
www.kdheks.gov

February 19, 2018

Jim Hartman
Hartman Excavating
10788 W. 247th Street
Bucyrus, Kansas 66013

Re: Rock Pile Inspection

Dear Jim:

Attached is a report documenting the inspection we conducted on February 1, 2018. We appreciated the time you provided during my visit to answer questions and provide information on your proposed operation. The primary reason for the inspection was to determine if a wastewater NPDES permit needed to be issued by this office. As you know, it was decided a permit was not needed, since adequate stormwater controls are in place and since the rock pile will be removed in a short period of time, so the landowner can sell the site.

Should you have any comments or questions concerning this report, please contact me by phone (785-296-5551) or by e-mail.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Caspers", written over a horizontal line.

Steve Caspers
Pretreatment Specialist
Industrial Programs Section
Bureau of Water

CC: Don Carlson, IPS
Julie Coleman, Northeast District Office
Permit File

State of Kansas
Kansas Department of Health & Environment
Inspection Form

Date and Time of Inspection		02-1-2018 @ 10:00 am			
Facility Name		Hartman Excavating			
NPDES Permit #	NA	Issue Date	NA	Expiration Date	NA
Location		191st & Homeland, Edgerton, Kansas			
Purpose of Inspection		Determine if an NPDES permit is needed			
Date of Last Inspection		NA	Inspector	Steve Caspers	
Contact Information (Name & Title, etc.)		Jim Hartman, Owner of Hartman Excavating, Operator of site			
Mailing Information Of Operator		10788 W. 247th Street, Bucyrus, Kansas			
E-Mail Address of Operator		Hartmanexcavatingks.com			
Owner of Property		Juni Holtgraver			
Phone Number of Owner of Property		913-980-8310			
Address of Owner		Unknown			

Facility Description

What is the facility description?	Jim was hired to remove the large pile of rocks that was stockpiled when the intermodal facility was built near Edgerton, Kansas.
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Pit Dewatering

If pits or low areas are dewatered, does water drain naturally or is pumping required?	Low areas near rock pile would drain naturally
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On-Site Settling Ponds

Does the facility have settling ponds?	Yes	Number of ponds?	One
Stormwater allowed into ponds?	Yes	Date ponds last dredged.	NA, New pond
Do pond(s) appear to be properly maintained and operated?		Yes	
Was pond large enough to treat drainage area?		Yes, it was very large	

Discharges from Site

What is name of nearest receiving stream(s)?	Little Bull Creek	Number of (Outfalls) discharge points identified in current permit?	1
Were there any discharges from the site during inspection?	No	Were any samples collected during inspection?	No
Any adverse effects from discharges noted in receiving stream?	No		

Best Management Practices (BMPs)

Was the operator/owner implementing any BMPs?	Yes
Where structural controls (such as ponds, berms) being used?	Yes
Where any non-structural controls (such as grass filter strips) being used?	Yes
Does all of the site drainage pass through a BMP before leaving the site?	Yes
Did it appear whether the BMPs were being effective?	Yes
Where additional BMPs needed?	No

Stormwater Pollution Prevention (SWP2) Plan

Was the site covered by a SWP2 plan?	Yes
When was the SWP2 completed?	6/2015
Was the SWP2 developed by the owner?	Yes
Was the SWP2 developed by the operator?	No
Was the SWP2 reviewed during or after the inspection?	No
Do the stormwater controls (ponds, silt fences, rock check dams, etc.) mentioned in the SWP2 appear to be working?	Yes

Permitting Requirements

Does this site need an NPDES permit?	No
Does this site need an industrial stormwater permit?	No
Does this facility need a construction stormwater permit*?	Yes
Does this site need an air permit issued by KDHE, BOA?	Maybe
Does this site need to be permitted by the local city?	Unknown

- = Site is covered under a Construction Stormwater permit (S-MC08-0037) issued to Arrowhead Intermodal

Miscellaneous Comments:

Areas south of the site inspected may need a construction stormwater permit. It has a different owner. This site has an extensive grass filter strip around the rock pile and all runoff from the site would be directed to a large sedimentation pond using grassed berms. Only soil exposed was a stockpile of topsoil that was almost gone.

Deficiencies:

Settling Ponds

None, pond is fine

Discharges from Site

None, discharge from site is not adversely affecting the receiving stream

Best Management Practices

None, BMPs are in place and are adequate

SWP2 Plan

None, plan was reviewed and approved by construction stormwater staff

Permitting Requirements

Local or County permits may be needed as well as a KDHE air permit

Miscellaneous

None for the site inspected

Recommendations:

Settling Ponds

None

Discharges from Site

None

Best Management Practices

None

SWP2 Plan

None

Permit Requirements

Operator should check with local, County and KDHE air permitting authorities to determine if air or local stormwater permits are needed. No wastewater NPDES permit is needed

Miscellaneous

No additional recommendations

Notes: Pictures of the site were taken during the inspection and are attached.

Inspector: Steve Caspers, KDHE, Topeka office

Date Inspection Report was completed: 02-1-2018

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT
Bureau of Water

Site Name: Hartman Excavating
Photo Date: 2-1-2018
Camera Type: Cell phone

Legal: Edgerton, Kansas
By: Steve Caspers
Weather: Cold and windy

Permit: NA
County: Johnson



Photo # 1	Time:
Direction Facing:	
Comments: Top picture is the west side of the pile where the crusher will be placed. Rock will be used for riprap and landscaping.	



Photo # 2
The lower picture is the south side of the rock pile looking north showing the extensive grass filter strip that will treat runoff from the entire site containing the rock pile.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT
Bureau of Water

Site Name: Hartman Excavating
Photo Date: 2-1-2018
Camera Type: Cell phone

Legal: Edgerton, Kansas
By: Steve Caspers
Weather: Cold and windy

Permit: NA
County: Johnson

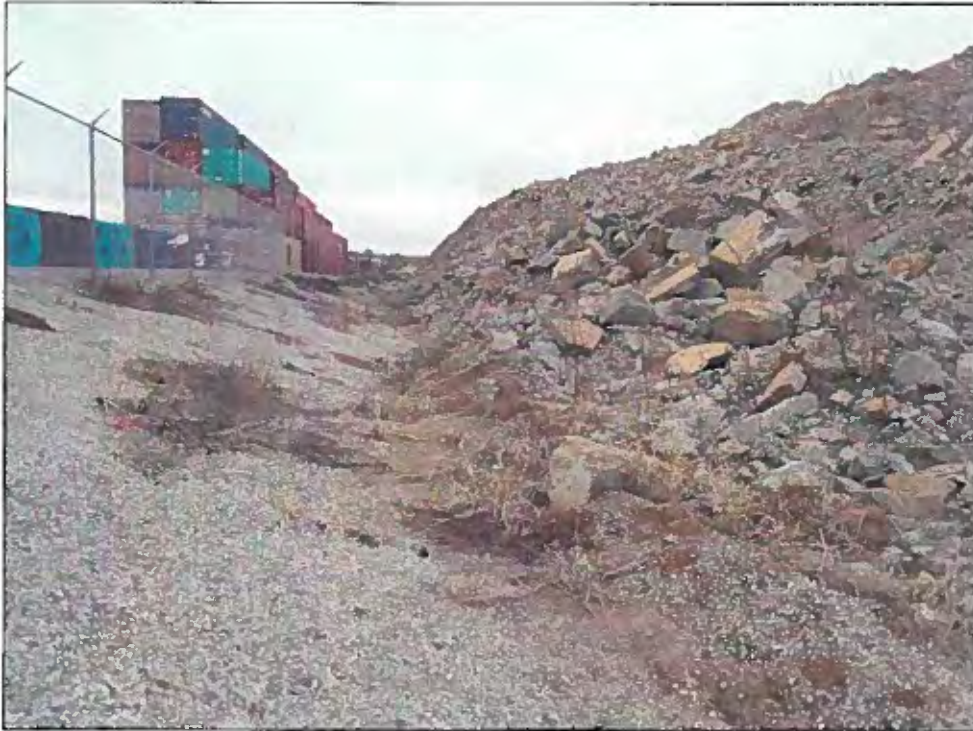


Photo # 3

Time:

Direction Facing:

Comments: Picture of rock pile on east end looking south. The area with the metal crates is an asphalt parking lot. The ditch near the pile would drain to the south to the grass filter strip and eventually to the sedimentation pond. The ditch was lined with gravel.



Photo # 4

Time:

Direction Facing:

Comments: This the picture of the sedimentation pond looking east that is owned by Arrowhead Intermodal that will treat any runoff from the site. It is a new pond and still has netting to establish grass. The slope on the north side of the pond is also stabilized since it had more of a slope.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT
Bureau of Water

Site Name: Hartman Excavating
Photo Date: 2-1-2018
Camera Type: Cell phone

Legal: Edgerton, Kansas
By: Steve Caspers
Weather: Cold and windy

Permit: NA
County: Johnson



Photo # 5

Time:

Direction Facing:

Comments: Picture of rock pile to show that pile is mainly rock and not much soil. This picture was taken on the north end looking west. This picture also shows extensive grass on north side of pile. Pile of topsoil that was almost gone is north of this area, so grass filter strip will treat runoff from that area.



Photo # 6

Time:

Direction Facing:

Comments: This is area south of the grass filter strip showing distance to nearest receiving stream. Since this area has grassed berms, the flow would be diverted to sedimentation pond before ever making it to the receiving stream. (Little Bull Creek)

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT
Bureau of Water

Site Name: Hartman Excavating
Photo Date: 2-1-2018
Camera Type: Cell phone

Legal: Edgerton, Kansas
By: Steve Caspers
Weather: Cold and windy

Permit: NA
County: Johnson



Photo # 7

Time:

Direction Facing:

Comments: This is the south east corner of the pile showing the ditch that will run water to the grass filter strip and then to the sedimentation pond. The area to the right (east) is the paved parking lot owned by Arrowhead Intermodal. Pond is also owned by Arrowhead. The property with the rock pile and Arrowhead had the same owner.



EDGERTON
global routes. local roots.

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

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

STAFF REPORT

April 10, 2018

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

APPLICATION INFORMATION

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

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

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

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

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

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

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

Site Size: Approximately 256 acres.

REASON FOR REZONING REQUEST:

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

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

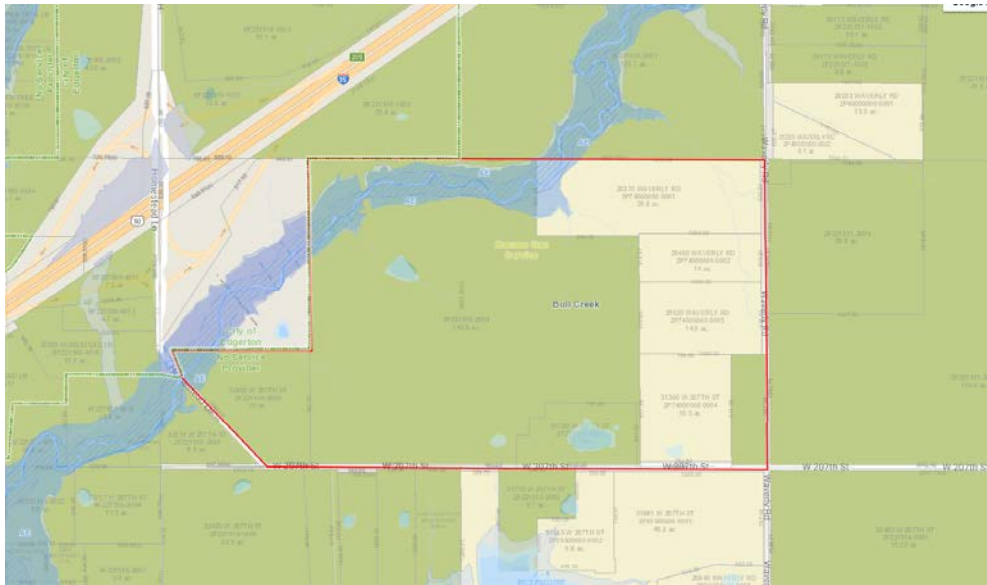


Figure 1



Figure 2

PROJECT DESCRIPTION

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

INFRASTRUCTURE AND SERVICES

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

PROPERTY ZONING HISTORY

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

STAFF ANALYSIS

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

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

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

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

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

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

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

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

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

Recommendation:

City staff recommends **approval** of the proposed rezoning of the subject property from Johnson County RUR, to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. All platting requirements of the City shall be met.
3. All Site Plan application requirements of the City shall be met.
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

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

Attachments:

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

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

COMPANY: _____ FAX: _____

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

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

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

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

**PROPERTY OWNER NOTIFICATION LETTER**

Case No.: RZ- _____

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from **RUR**

(current zoning) to **L-P**

(proposed zoning), on the following described tract of land:

Legal Description: **see attached**

General Location: _____

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on _____, 20____. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Applicant (or Owner or Agent)ADDRESS: _____
Street City State Zip

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

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

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

LEGAL DESCRIPTION

Description

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

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

PROPERTY OWNER(S) INFORMATION

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

As to the following parcels:

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

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

STAFF REPORT

April 10, 2018

To: Edgerton Planning Commission
Fr: Katy Crow, Development Services Director
Re: **PP-2018-03** 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: **Wellsville Farms, LLC**
4825 NW 41st Street, Suite 500
Riverside, MO 64150

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:

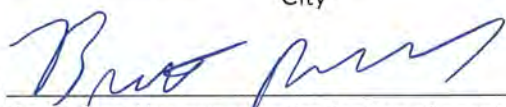
1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
2. Preliminary plat be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved 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 **PP2018-03**
- 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: 255.843 Acres NUMBER OF LOTS: 2 lot, 2 tracts AVG. LOT SIZE ^{Lot 1: 8,322,225}
^{Lot 2: 2,126,294} 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 2018-03 Amount of Fee Paid: \$ 320.00 Date Fee Paid: 3/19/18Received By: mm hui Date of Hearing: 4/10/2018**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 $88^{\circ}11'14''$ West, coincident with the South line of the Southwest Quarter of said Section 10, a distance of 1,686.12 feet; thence departing said South line, North $45^{\circ}15'45''$ West, coincident with the centerline of Homestead Road, as it now exists, a distance of 1,235.76 feet; thence departing said centerline, North $02^{\circ}16'47''$ West a distance of 106.90 feet; thence North $87^{\circ}45'15''$ East a distance of 1,237.62 feet; thence North $02^{\circ}16'53''$ West a distance of 1,626.96 feet to a point on the North line of the Southwest Quarter of said Section 10; thence North $88^{\circ}01'05''$ East, coincident with the North line of said Southwest Quarter, a distance of 1,292.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North $88^{\circ}18'55''$ East, coincident with the North line of said Southeast Quarter, a distance of 2,593.33 feet to the Northeast corner of said Lot 1, said point also lying on the West right-of-way line of Waverly Road, as it now exists; thence South $02^{\circ}17'25''$ East, coincident with said West right-of-way line, a distance of 1,670.08 feet to the Southeast corner of said Lot 3; thence departing said West right-of-way line, North $88^{\circ}09'59''$ East a distance of 50.00 feet to a point on the East line of said Southeast Quarter; thence South $02^{\circ}17'25''$ East, coincident with said East line, a distance of 967.39 feet to the Southeast corner of said Southeast Quarter; thence South $88^{\circ}09'59''$ West, coincident with the South line of said Southeast Quarter, a distance of 315.20 feet; thence departing said South line, North $02^{\circ}17'25''$ West a distance of 50.00 feet to the Southeast corner of said Lot 4, said point also lying on the North right-of-way line of 207th Street, as it now exists; thence South $88^{\circ}09'59''$ West, coincident with said North right-of-way line, a distance of 784.80 feet to the Southwest corner of said Lot 4; thence departing said North right-of-way line, South $02^{\circ}17'25''$ East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South $88^{\circ}09'59''$ West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 11,144,515 square feet, or 255.843 acres, more or less.

PROPERTY OWNER(S) INFORMATION

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

As to the following parcels:

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

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

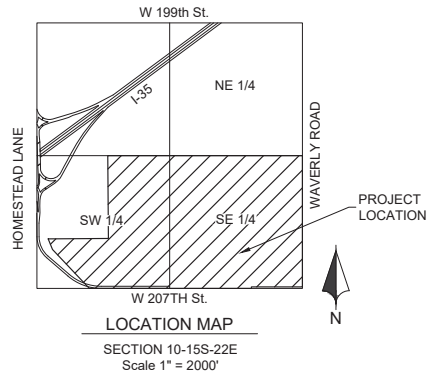
Existing Zoning:	RUR
Proposed Zoning:	L-P
Lot 1 Acreage:	191.052 Acres
Lot 2 Acreage:	48.913 Acres
Tract A Acreage:	3.583 Acres
Tract B Acreage:	6.024 Acres
Total Boundary Area:	255.943 Acres
Less Existing R/W	2.855 Acres
Less Prop. Admt. R/W	3.417 Acres
Total Street Right-of-Way:	6.272 Acres
Net Land Area:	249.572 Acres

Site is composed of the following Assessor 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
2F74000000 0001	20370 Waverly Rd. Edgerton, KS 66021	South JOCO Farms, LLC
2F74000000 0002	20450 Waverly Rd. Edgerton, KS 66021	Wellsville Farms, LLC
2F74000000 0003	20520 Waverly Rd. Edgerton, KS 66021	Wellsville Farms, LLC
2F74000000 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	SANITARY: City of Edgerton 404 East Nelson P.O. Box 255 Edgerton, Kansas Phone: 913.893.6231
GAS: Kansas Gas Service 11401 West 89th Street Overland Park, Kansas Phone: 913.599.8981	TELEPHONE: Century Link Phone: 800.788.3500
WATER: Johnson Rural Water District 7 534 West Main P.O. Box 7 Gardner, Kansas Phone: 913.856.7173	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
— RW — 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/A — Existing Waterline	— A — 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
● 2" x 24" Iron Bar to Be Set	----- Future Curb and Gutter
— BL —	— BL — Proposed Building Setback
— SB —	— SB — Proposed Parking Setback

INDEX OF SHEETS

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

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 1,688.12 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°43'15" 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 1,262.89 feet to the Northwest corner of the Southeast Quarter of said Section 10; thence North 88°18'52" East, coincident with the North line of said Southwest 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 1,070.08 feet to the Southwest corner of said Lot 3; thence departing said West right-of-way line, North 88°09'59" East a distance of 50.00 feet to a point on the East line of said Southeast Quarter; thence South 02°17'25" East, coincident with said East line, a distance of 967.39 feet to the Southeast corner of said Southeast Quarter; thence South 88°09'59" West, coincident with the South line of said Southeast Quarter, a distance of 315.20 feet; thence departing said South line, North 02°17'25" West a distance of 50.00 feet to the Southeast corner of said Lot 4, said point also lying on the North right-of-way line of 207th Street, as it now exists; thence South 88°09'59" West, coincident with said North right-of-way line, a distance of 784.80 feet to the Southwest corner of said Lot 4; thence departing said North right-of-way line, South 02°17'25" East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter; thence South 88°09'59" West, coincident with said South line, a distance of 1,545.62 feet to the Point of Beginning, containing 11,144.515 square feet, or 255.843 acres, more or less.

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

Attest:

Donald Roberts, Mayor

Janiece Rawles, City Clerk



Sheet
C01

Preliminary Plat
17-0272

Logistics Park Kansas City South - First Plat

Title Sheet

1	AND PREP	10/11/2017
2	AND PREP	10/11/2017
3	AND PREP	10/11/2017
4	AND PREP	10/11/2017
5	AND PREP	10/11/2017
6	AND PREP	10/11/2017
7	AND PREP	10/11/2017
8	AND PREP	10/11/2017
9	AND PREP	10/11/2017
10	AND PREP	10/11/2017
11	AND PREP	10/11/2017
12	AND PREP	10/11/2017
13	AND PREP	10/11/2017
14	AND PREP	10/11/2017
15	AND PREP	10/11/2017
16	AND PREP	10/11/2017
17	AND PREP	10/11/2017
18	AND PREP	10/11/2017
19	AND PREP	10/11/2017
20	AND PREP	10/11/2017



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

1. 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: 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
276,678 S.F.
6.42 Ac. +/-
(To be replatted)

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

Sheet
C02

Preliminary Plat
17-0272

Logistics Park Kansas City South - First Plat

General Layout



