

STAFF REPORT

April 10, 2018

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

APPLICATION INFORMATION

Applicant:	NPD Management LLC Represented by NorthPoint Development LLC 4825 NW 41 st Street, Suite 500 Riverside, MO 64150
Property Owner:	Wellsville Farms, LLC 4825 NW 41 st St., Suite 500 Riverside, MO 64150
Requested Action:	Final plat approval – Logistics Park Kansas City South, First Plat
Legal Description:	SE & SW Quarters of Section 10, Township 15S and Range 22E together with Lots 1 through 4, inclusive, Rockwall Estates. See attached exhibit
Site Address/Location:	In the NW corner of the intersection of Waverly Road and 207 th Street, west to Homestead Lane.
Existing Zoning and Land Uses:	Zoned L-P, Logistic Park District
Existing Improvements:	None except for single-family residences and outbuildings that are to be removed.
Site Size:	Lot 1 – 191.05 acres Tract A – 3.58 acres Tract B – 6.02 acres Total approximately 200.65 acres (excluding R/W)

PROJECT DESCRIPTION

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

FP 2018-03 - Final Plat – LPKC South First Plat

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

INFRASTRUCTURE AND SERVICES

Infrastructure was reviewed previously per the preliminary plat.

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

3. Located within the Bull Creek watershed. Lot 1 and Tract B contain portions of a tributary stream to Bull Creek and portions of the 100-year floodplain.

FINAL PLAT REVIEW

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

1. All easements with widths, and roads with curve data.

a. Additional utility easements may be necessary. Plat should be reviewed by utility companies. Applicant has indicated that they will update the Final Plat or indicate easements by separate instrument if necessary.

RECOMMENDATION

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

- 1. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
- 2. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body.
- 3. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.
- 4. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
- 5. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.

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

ATTACHMENTS

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



NAME OF PROPOSED SUBDIVISION: Logistics Park Kansas City South-Fir	st Plat (Project Mustang)			
LOCATION OR ADDRESS OF SUBJECT PROPERTY: SE Corner of I-35 &	Homestead Lane			
LEGAL DESCRIPTION:				
CURRENT ZONING ON SUBJECT PROPERTY: RUR (application on file for L	- <u>P</u>)CURRENT LAND USE	Agricultural	/residential	
TOTAL AREA: Acres NUMBER OF LOTS:	Lot, 2 Tracts AV	G. LOT SIZE:	8,320,000	Sq. Ft.
DEVELOPER'S NAME(S):				
COMPANY: <u>NPD Management LLC (represented by Northpoint Development LLC</u>) FAX:			
MAILING ADDRESS: 4825 NW 41st St., Suite 500 Riverside		МО	64150	
Street City		State	Zip	
PROPERTY OWNER'S NAME(S):	_ PHONE:	0		
COMPANY:	_ FAX:			
MAILING ADDRESS:4825 NW 41st St., Suite 500 Riverside		MO	64150	
Street City		State	Zip	
ENGINEER'S NAME(S): Steve Warger, Patrick Cassity	_ PHONE:			
COMPANY:	_ FAX:			
MAILING ADDRESS:		MO	64150	
Street City SIGNATURE OF OWNER OR AGENT. fun a Real Street		State	Zip	
If not signed by owner, authorizati	on of agent must accomp	any this appl	ication.	

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy ($8\frac{1}{2} \times 11$) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.: P- <u>FP 2018 -03</u> Amount of Fee Paid:\$ 300	_ Date Fee Paid: 3/ 19/ 18
	Date of Hearing: $\frac{4}{10}$

FINAL PLAT INSTRUCTIONS

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

Final Plat Application (Fee: \$300 Plus \$10 Per Lot)

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 final plat and other material submitted with it to determine conformity preliminary plat. The Planning Commission shall act upon the final plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period.

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GOVERNING BODY APPROVAL: Following the approval of a final plat by the Planning Commission, the Governing Body shall review the instrument for dedications and reservations and assure that the final plat and construction plans for all proposed streets, sidewalks, storm water sewers, sanitary sewers and water mains meet the standards of the City of Edgerton. The Governing Body may either approve the final plat, return the final plat and/or construction plans to the applicant with instructions and specifications to conform to City standards, or deny the final plat and/or construction plans with a refusal to accept dedication. If the Governing Body denies the final plat and/or construction plans, a set of written findings must be given to the applicant within 30 (thirty) days.

RECORDING OF FINAL PLAT: Upon approval of a final plat by the Governing Body, the applicant shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void. Before any final plat shall be signed by the Zoning Administrator and filed by the Register of Deeds, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the subdivision.

The applicant shall provide the Zoning Administrator with one copy of the final plat that was approved by the Governing Body on Mylar[®]. The applicant shall also return one copy of the final plat that was recorded by the Register of Deeds.

FEES DUE BEFORE ENDORSEMENT OF FINAL PLAT: Article 10 of Chapter IV of the Edgerton City Code imposes an excise tax \$0.10 per square foot of Final Plat. Prior to endorsement of any final plat, all excise taxes must be paid or City staff must determine that an exemption from payment prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code. In addition, a New Street Light Fee of \$250 each shall be submitted prior to the endorsement of any final plat.

VESTING AND CONFLICTING REQUIREMENTS: Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.

The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards. Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid, and shall be duly noted and enforced by building permits. Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

ASSURANCES: Developers are required to install all streets, storm water sewers, sanitary sewers and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs and speed limit signs.

<u>Exceptions</u>: The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.

<u>Einancial Assurance</u>: Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.

Final Plat Application (Fee: \$300 Plus \$10 Per Lot)

<u>Public Improvement Inspection Fee</u>: If a Developer is required to construct any public improvements, including streets, sidewalks, storm water sewers, sanitary sewers and water mains, that construction must be inspected by city staff or their designee. Developers are required to pay 3% of construction costs to the City for those inspections.

<u>As Builts</u>: Prior to acceptance of public improvements by the City, the developer shall provide two (2) sets of prints for all public improvement projects, excluding sidewalks, corrected to show the project as constructed and shall accurately and completely denote all changes made during the construction. Each sheet within the prints shall be clearly marked as "Conforming to Construction Records" and shall include the date of revision and certifications by a Kansas licensed engineer. This set of plans shall be substantially similar to the set of construction plans that was approved by the Governing Body.

CHECKLIST

The following items shall be included on the final plat.

□ Scale, the same used for the preliminary plat; North point; vicinity map.

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- □ The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
- □ The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a 2" x 24" metal bar.
- □ A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1 in 5,000), with bearings and distances referenced to section or fractional section comers or other base line shown on the plat and readily reproducible on the ground.
- □ Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
- \square A number for each lot, starting (if practical) in the northwest corner.
- \Box All easements with widths, and roads with curve data.
- □ Ingress/egress limitations, if required.
- □ The location of existing utility easements.
- □ A written legal description from the survey.
- □ An instrument of dedication for all roads and easements.
- □ Special notations required as a condition of platting by the Planning Commission.
- □ Approved phases clearly delineated.
- □ Private travel easements.
- □ The Owner's Certificate with Notary Seal.
- □ Certificate of the Governing Body with City Clerk's attest and Seal.
- □ Edgerton City Planning Commission chair and secretary approval.
- □ Certificate of the Register of Deeds.
- □ Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.
- □ Certificate of the Zoning Administrator.

DESCRIPTION

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

Beginning at the South Quarter corner of said Section 10; thence on Kansas State Plane North Zone bearings, South 88°11'14" 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 1,788.29 feet; thence departing said North line, South 01°48'46" East a distance of 2,589.48 feet to a point on the North right-of-way line of 207th Street, as it now exists; thence South 88°09'59" West, coincident with said North right-of-way line, a distance of 223.41 feet to the Southwest corner of said Lot 4, ROCKWALL ESTATES; thence departing said North right-of-way line, South 02°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 8,971,222 square feet, or 205.951 acres, more or less.









