

**EDGERTON PLANNING COMMISSION
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
December 14, 2021
7:00 P.M.**

Several public hearings will be held during the December 14th Edgerton Planning Commission meeting. Any member of the public wishing to testify must sign in at the meeting and provide your name and address. Comments will be limited to three (3) minutes per person and must pertain to the item for which the public hearing is being held.

The Planning Commission Chairman may modify these procedures as needed to conduct an orderly and efficient meeting.

Call to Order

1. **Roll Call** _____ Daley _____ Berger _____ Crooks _____ Lebakken _____ Little
2. **Welcome**
3. **Pledge of Allegiance**

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.)*

4. Approve Minutes from the November 9, 2021 Planning Commission Meeting.

Motion: _____ Second: _____ Vote: _____

Regular Agenda

5. **Declaration.** At this time Planning Commission members may declare any conflict or communication they have had that might influence their ability to impartially consider the agenda items.

Business Requiring Action

New Business

6. **HOLD A PUBLIC HEARING TO CONSIDER APPLICATION PP2021-05 FOR A PRELIMINARY PLAT FOR JB HUNT TRANSPORT, INC. LOCATED AT 30650 W. 191ST STREET (NORTHEAST CORNER OF 191ST STREET AND MONTROSE STREET)** Applicant: Derek Kennemer, Agent – JB Hunt Transport, Inc., Property Owner

Action Requested: Open the public hearing, receive comments regarding Application PP2021-05 and consider motion to close or continue the public hearing.

7. **CONSIDER APPLICATION PP2021-05 FOR A PRELIMINARY PLAT FOR JB HUNT TRANSPORT, INC. LOCATED AT 30650 W. 191ST STREET (NORTHEAST CORNER OF 191ST STREET AND MONTROSE STREET)** Applicant: Derek Kennemer, Agent – JB Hunt Transport, Inc., Property Owner

Motion: _____ Second: _____ Vote: _____

8. **CONSIDER APPLICATION FP2021-04 FOR A FINAL PLAT FOR JB HUNT TRANSPORT, INC. LOCATED AT THE 30650 W. 191ST STREET (NORTHEAST CORNER OF 191ST STREET AND MONTROSE STREET)** Applicant: Derek Kennemer, Agent – JB Hunt Transport, Inc., Property Owner

Motion: _____ Second: _____ Vote: _____

9. **HOLD A PUBLIC HEARING TO CONSIDER APPLICATION PP2021-04 FOR A PRELIMINARY PLAT**

FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Action Requested: Open the public hearing, receive comments regarding Application PP2021-04 and consider motion to close or continue the public hearing.

10. **CONSIDER APPLICATION PP2021-04 FOR A PRELIMINARY PLAT FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD** Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Motion: _____ Second: _____ Vote: _____

11. **CONSIDER APPLICATION FP2021-03 FOR A FINAL PLAT FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD** Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Motion: _____ Second: _____ Vote: _____

12. **HOLD A PUBLIC HEARING TO CONSIDER APPLICATION FS2021-11 FOR A FINAL SITE PLAN FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD** Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Action Requested: Open the public hearing, receive comments regarding Application FS2021-11 and consider motion to close or continue the public hearing.

13. **CONSIDER APPLICATION FS2021-11 FOR A FINAL SITE PLAN FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD** Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Motion: _____ Second: _____ Vote: _____

14. **HOLD A PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT APPLICATION CU2021-04 FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT CARGO CONTAINER STORAGE LOT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD** Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Action Requested: Open the public hearing, receive comments regarding Application CU2021-04 and consider motion to close or continue the public hearing.

15. **CONSIDER CONDITIONAL USE PERMIT APPLICATION CU2021-04 FOR LOGISTICS PARK KANSAS CITY FIFTH PLAT CARGO CONTAINER STORAGE LOT LOCATED NORTH OF 187TH STREET BETWEEN KILL CREEK ROAD AND WAVERLY ROAD** Applicant: Aaron Burks, Agent – NorthPoint Development, LLC, Property Owner

Motion: _____ Second: _____ Vote: _____

16. Future Meeting Reminders

- Regular Session – January 11, 2022 at 7:00 PM
- Regular Session – February 8, 2022 at 7:00 PM

17. Adjourn

**EDGERTON CITY HALL
PLANNING COMMISSION MEETING
November 9, 2021**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on November 9, 2021. The meeting convened when Chairperson John Daley called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Charlie Crooks	present
Tim Berger	absent
Deb Lebakken	present
John Daley	present

With a quorum present, the meeting commenced.

Staff in attendance: Katy Crow, Development Services Director
Chris Clinton, Planning and Zoning Coordinator

2. WELCOME Chairperson Daley welcomed all in attendance to the meeting.

3. PLEDGE OF ALLEGIANCE All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Approve Minutes from the September 14, 2021 Planning Commission Meeting.

Commissioner Crooks moved to approve the consent agenda. Commissioner Lebakken seconded the motion. The consent agenda was approved, 4-0.

REGULAR AGENDA

5. DECLARATION

The Commissioners did not have anything to declare at this time.

BUSINESS REQUIRING ACTION

NEW BUSINESS

6. HOLD A PUBLIC HEARING TO CONSIDER APPLICATION PP2021-03 FOR A PRELIMINARY PLAT FOR EDGERTON CROSSING LOCATED AT THE SOUTHWEST CORNER OF 199TH STREET AND HOMESTEAD LANE

Chairperson Daley explained public comment is only allowed during the public hearing. Once the hearing has been closed, the time for comment has passed and no further comments from the audience will be taken. He stated each individual is limited to three (3) minutes.

Chairperson Daley opened the public hearing. He requested City Staff present their findings.

Ms. Katy Crow, Development Services Director, spoke before the Commission. She stated this application is for a Preliminary Plat for a parcel of land located at the southwest corner of 199th Street and Homestead Lane. She said that this is the next step in the development process. This application is just strictly about the preliminary division of the land. This does not include any vertical construction. The owner of the property is the applicant as well, Mr. Shannon McMurdo of Woodstone Properties, LLC. She added the parcel is located within the Bull Creek watershed and was annexed into the City on February 24, 2011. The utility providers are the standard providers for Edgerton.

Ms. Crow explained the parcel was rezoned from Johnson County Rural, RUR, to City of Edgerton, C-2, Heavy Service Commercial on July 14, 2011. The parcel had a previously approved Preliminary Plat Application, PP2019-04, which was approved by the Commission on October 8, 2019. However, Preliminary Play PP2019-04 has expired as a Final Plat application was never approved for any portion of the land covered in Preliminary Plat PP2019-04.

Ms. Crow stated the applicant has proposed diving the parcel into nine (9) lots and two (2) tracts which will connected through the construction of 3 internal roadways. The Preliminary Plat is being requested in preparation for commercial development which would serve the residents of Edgerton, the patrons, and employees of Logistics Park Kansas City (LPKC), and travelers along the I-35 corridor. She said access to the site is from Homestead Lane via a full access intersection at 200th Street. The applicant has also proposed full access to the development from 199th Street using proposed Street C. Access further south into the development would be from proposed Street A. She said the names of the streets will be done by Johnson County if and when the project gets to that point.

Ms. Crow said the application was submitted to the City on September 21, 2021 and public hearing notices were mailed and published in the City newspaper on October 20, 2021 with the letters going to thirty-four (34) properties.

Ms. Crow informed the Commission that City Staff has reviewed the Preliminary Plat submittal for compliance with the requirements in Section 13.3 of Article 13 of the Edgerton Unified Development Code (UDC). The following items were noted:

- Tracts A and B need labels to designate what the tracts will be used for.
- The width of the right-of-way will be reviewed with public improvement plans as additional right-of-way or pedestrian easement width may be needed for Street B for sidewalk construction.
- All comments regarding the stormwater study need to be addressed.
- The access points to the truck stop need to be labeled as the actual widths may not exceed City standards.
- The applicant will need to confirm with Water 7 that a dedicated water easement is not needed for their water line.
- Regardless of what the posted speed is, the design speed of the roads needs to be thirty-five (35) miles per hour (MPH).
- 200th Street will need to accommodate two lanes in from northbound Homestead Lane.

- Public Utilities will be reviewed in detail in public improvement plans.
- The applicant has acknowledged the requirement of listing any restrictive covenants on the Final Plat.
- The existing floodplain and floodway boundaries along with base flood elevations need to be shown.
- The City is currently reviewing the Traffic Impact Study. Any comments that arise from that review will also need to be resolved.

Ms. Crow stated the applicant is subject to all applicable City codes, whether specifically stated in this report or not, including, but not limited to, Zoning, Buildings and Constructions, Subdivisions, and Sign Code. The applicant is also subject to all applicable local, State, and Federal laws. Various permits may be required in order to complete this project. She requested the applicant contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, State, or Federal agencies.

Ms. Crow said City Staff recommends approval of Preliminary Plat Application PP2021-03 for Edgerton Crossing, subject to the following stipulations:

1. All Preliminary Plat requirements of the City stated earlier shall be met or addressed.
2. All infrastructure requirements of the City shall be met.
3. All City Engineer Comments related to Stormwater Management Plan must be addressed.
4. 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.

Chairperson Daley inquired if the applicant had anything to add.

Mr. Shannon McMurdo, Woodstone Properties, LLC, said he would be happy to answer any questions.

Chairperson Daley said the Commission will now accept public comment.

Chairperson Daley stated that members of the public who have signed up to speak were asked to sign in and provide their name and address for the record. Chairperson Daley reminded the audience that each speaker is allotted 3 minutes of speaking time.

Mr. Tim Gates, 9312 W 83rd Terrace, Overland Park, Kansas 66212, approached the Commission. He stated he represented the previous owners of the property and aided in getting this parcel rezoned to C-2. When that occurred, there was an agreement to construct access to the property to the south owned by the Alsup family. They have not had any communication with the property owner until this evening and the Johnson County mapping system online, AIMS, indicated the ownership of the parcel has not changed. Mr. Gates stated he believes there is a narrow point for access for the southern property and the road cannot alter a whole lot from what the Preliminary Plat shows.

He stated the Alsups want the right-of-way dedicated to them or the City so a road can be built to City standards and it should include specifications for access to the Alsup property to the south of the subject parcel. He said they will contact Water 7 regarding any additional easements needed along this road as well.

Ms. Crow stated the reason why it is not updated in AIMS is because the County does pause updates to AIMS for three months while work on tax bills is completed. The City has received a warranty deed showing Woodstone Properties as the property owner. She also said the road is to be designed at 35 MPH, but the posted speed will most likely be 25 MPH.

Mr. Lonny Vlieger, 19910 Pepper Tree Lane, spoke before the Commission. He said he is speaking for himself and for his neighbors. They have met with the Johnson County Sheriff, and they will be starting a neighborhood watch program. There was already an armed robbery at the current truck stop and they want to be able to protect their property. He said what and how the City of Edgerton has done development to this point has been nice and his neighbors would like to see the development progress in the same way. They would like a fence between development and their properties. He said a sound barrier would be nicer than a fence, but any unclimbable fence would suffice for the neighborhood.

Mr. Cliff Cole, 19911 Pepper Tree Lane, addressed the Commission. He stated he and his neighbors know development is coming to the parcel, but they want to make sure it is safe. He said his home affected the most as it is the closest to the site. Mr. Cole said he was able to have a productive conversation with Mr. McMurdo. He stated when the site was being considered for rezoning, Paul Greeley, the Deputy Director of Planning and Zoning for Johnson County stated the site is more compatible with mixed uses. They were told then that development is best to occur within a City. The rezoning ordinance did require a 200-foot setback from his house. He explained the setbacks were put in place to protect his home. He has discussed trees and fencing to protect his property with Mr. McMurdo. Mr. Cole said they are trying to sell their house, but the potential buyer backed out because they don't want to look at a hotel. Mr. Cole stated he was told by the developer that there will be landscaping and screening put in place so that Mr. Cole is not looking at the development. He wants the fence as well and it needs to be addressed as the project moves forward.

Mr. Michael Hume, 19903 Pepper Tree Lane, spoke before the Commission. He said the previous speakers have addressed his main concerns but wants somebody to be careful with the water. He and his neighbors have had flooding from other projects in the area. He has had issues with his bridge washing out during big rains. Mr. Hume also stated having a full access point at 199th Street could be dangerous. He requested the Commissioners stand on his property and listen to the noise the trucks that pass by make. He has owned his property for fifteen (15) to sixteen (16) years and now there is flooding due to the development in the area. His neighbor had his pond wall washed out. Mr. Hume reiterated that the turn in between the corner and the bridge along 199th Street is concerning. He would like to see people go in and out off of Homestead Lane only. The residences were promised a right in and right out only there at Homestead Lane and that has changed. He requested the Commissioners take a minute to consider those who bought houses in this area.

Ms. Jane Scaro, 19913 Pepper Tree Lane, addressed the Commission. She said she too has some of the same concerns. She stated the addition of paved areas has led to more water run-off from

rainfall. She explained a four (4) inch rainfall on fifty (50) acres drops 5.4 million gallons of water. In recent years there have been six (6) to eight (8) inch rainfalls in the spring and fall which has increased flooding. She has lost railings of their bridge which has been underwater a few times. She is also concerned about the access point on 199th Street. She believes it should be eliminated as there is an adequate access point at Homestead Lane. The proposed access point on 199th Street is too close to the intersection at Homestead Lane to be safe. She requested that all area lighting be down directed to reduce unnecessary lighting on neighboring properties. Ms. Scaro said another issue with this development that needs to be considered is the air quality and idling times. She said the City should consider limiting the amount of time trucks and buses may idle while inside City limits. Kansas City, Missouri limits idling to no more than five (5) minutes in any one-hour time period. The idling is costly to the driver, fleet owner and the environment. She explained Idle Reduction Technology exists to allow long-haul drivers to be comfortable while resting in their trucks. She recommended they be installed at the development.

Mr. Eugene Billick, 33415 W 199th Street asked a few questions. He stated in the letter he received there were two boundaries listed, 199th Street and Homestead Lane. He inquired to what the other two boundaries are. He also stated there are hills along 199th Street that blind drivers pulling onto 199th Street from driveways.

Mr. Richard Soetaert, 33295 W 199th Street, agreed and said Kansas Department of Transportation (KDOT) did not flatten the hills to where drivers exiting a driveway without any danger.

Mr. Billick requested the Commission attempt to leave his property at 3:00 PM to understand the danger.

Mr. Soetaert stated all of the concrete does not leave a place for the water to go as well.

Mr. Hume stated when he is accessing 199th Street from Pepper Tree Lane, there are cars coming eastbound at a high rate of speed where he needs to accelerate quickly, even if he is hauling a trailer. He told a story about when he was passed on the left by a motorcyclist. He believes another access point would make 199th Street more dangerous. A traffic light would not do any good either as trucks don't stop for the light if it is close to being red. There is an increase of drivers using 199th Street and not Sunflower Road.

Mr. Billick requested an answer to his first question regarding the boundaries of the parcel.

Chairperson Daley stated many of the questions will not be answered tonight as this application is a preliminary division of the land.

Ms. Crow pulled up a map of the parcel in the Staff Report and explained the boundaries. Mr. Billick inquired if the documents were available online. Ms. Crow answered that planning commission packets are always available on the City's website. She explained all of the questions regarding stormwater will be discussed during the Site Plan phase of the development. There are comments regarding the stormwater, but they are preliminary, and all of the comments need to be addressed during the Site Plan application process. She said a traffic study is currently being reviewed by City staff and will be resolved during Site Plan phase as well.

Chairperson Daley asked what the setbacks are for these proposed lots. Ms. Crow responded that City Staff reviews each Final Site Plan for the setbacks set forth by the Unified Development Code and determined by the zoning for the parcel. As noted by Mr. Cole, there is a zoning ordinance for the parcel which stipulates additional requirements when development occurs. Staff has a copy of that ordinance and will ensure those requirements are met when the Site Plan is reviewed.

Chairperson Daley said the lighting and the air quality issues will be addressed later at the Site Plan phase as well. The application before the Commission is just for the preliminary division of the land.

Ms. Crow reminded the Commission of the recent review and update to the Unified Development Code related to commercial development. When staff reviews the Site Plan application, it will be required to comply with these code requirements. Mr. Cole stated if the requirements are held the same as other recent projects, then there would be no issues raised by the neighbors.

Mr. Vlieger inquired if this would be the best time for questions regarding fencing. Ms. Crow answered the Site Plan phase would be best for those questions. She explained that rezoning is the first step of development. Then comes the division of the land, known as platting. The last step is Site Plan, which addresses any vertical construction concerns and outlines what the site will actually look like.

Mr. McMurdo stated he wants to be a good neighbor and wants to work together with the neighbors to have a successful project. He understands not everybody is going to be happy about the project but wants to work with the neighborhood.

Chairperson Daley closed the public hearing.

7. **CONSIDER APPLICATION PP2021-03 FOR A PRELIMINARY PLAT FOR EDGERTON CROSSING LOCATED AT THE SOUTHWEST CORNER OF 199TH STREET AND HOMESTEAD LANE**

Chairperson Daley said this application is for the possible layout of the division of the land. Commissioner Crooks stated a berm and fence should be added. Chairperson Daley reminded the Commission items like that will be discussed during the Final Site Plan. Commissioners Lebakken and Little stated the questions and comments they have will be addressed then.

Commissioner Lebakken moved to approve Preliminary Plat Application PP2021-03 with the stipulations outlined by City Staff. Commissioner Crooks seconded the motion. Preliminary Plat Application PP2021-03 was approved, 4-0.

8. **FUTURE MEETING**

The next regularly scheduled Planning Commission meetings are scheduled for December 14, 2021.

9. **ADJOURNMENT**

Commissioner Crooks moved to adjourn the meeting. Commissioner Little seconded the motion. The motion was approved, 4-0. The meeting was adjourned at 7:40 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator

DRAFT

JB HUNT TRANSPORT

Application PP2021-05

30650 W. 191st Street (Northeast corner of 191st Street and Montrose Street)

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Preliminary Plat for 30650 W. 191st Street (northeast corner of 191st Street and Montrose Street).

This application requires a Public Hearing.

Owner and Applicant

JB Hunt Transport, Inc.
represented by Derek Kennemer,
Agent and Property Owner

Zoning and Land Use

L-P (Logistics Park) combines current cargo container storage lot operations and vacant lots.

Legal Description

The S ½ of the SW ¼ of Section 35, Township 14 S, Range 22 E, in the City of Edgerton, Johnson County, Kansas; please see attached application for complete Legal Description

Parcel Size

29.62 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

Subject Site

The parcel is located within the Bull Creek watershed and combines a platted parcel (annexed into the City of Edgerton on December 3, 2013) and an unplatted parcel (annexed into the City of Edgerton on June 10, 2021).

Utilities and service providers:

- a. Water Provider - Johnson County Rural Water District #7.
- b. Sanitary Sewer - City of Edgerton.
- c. Electrical Service - Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police protection 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.

Site History and Past Approvals

The Edgerton City Council gave final approval to rezone the original platted parcel from Johnson County *RUR* to Edgerton *L-P, Logistics Park* zoning on January 9, 2014.

On August 8, 2021, the City of Edgerton Planning Commission approved Applications ZA2021-07 and ZA2021-08 for the rezoning of the two (2) eastern unplatted parcels. Edgerton City Council granted final approval for this rezoning on September 9, 2021.

This Preliminary Plat application shows the northern half of the 2 eastern parcels being combined with the existing JB Hunt operations to the west into one (1) lot.

Proposed Use

The applicant has proposed combining three (3) parcels, into 1 lot. This Preliminary Plat request is being made in preparation for future expansion of the JB Hunt facility and operations.

Current access to the site is from W. 191st Street.

Project Timeline

- Application submitted to the City: October 29, 2021
- Public Hearing Notice Published: November 24, 2021
- Public Hearing Notice Mailed: November 19, 2021 (sent to 13 properties)

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 UDC. Review comments are listed below.

Content of Preliminary Plat

1. A legal description; and current zoning.
 - a. *Current zoning is not correct on the subject parcels and the parcels to the south of the subject parcels. The rezoning to L-P was approved earlier this year.*

Update Preliminary Plat.

2. Name and seal of surveyor/engineer.
 - a. *Preliminary has not been sealed.****Applicant has stated a signed and seal Preliminary Plat will be provided upon approval.***
3. Signature block and date for review of Chair of Planning Commission.
 - a. *Signature block has not been provided.****Update Preliminary Plat.***
4. 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.
 - a. *The proposed improvements have not been shown.*
 - b. *The proposed utilities have not been shown.*

NOTE: During the initial platting process in 2014, the applicant signed an agreement not to protest a future benefit district for the installation of sidewalks. That agreement is still in effect even though this ground is being replatted.

The Applicant has indicated that proposed improvements are still being designed and an updated Preliminary Plat will be provided once the design has been finalized.
5. Contours at vertical intervals of 4 feet or less.
 - a. *The proposed contours have not been shown.****The Applicant has indicated that proposed contours are still being designed and an updated Preliminary Plat will be provided once the design has been finalized.***
6. A copy of the proposed restrictive covenants. *None provided. Applicant has stated no restrictive covenants are planned for this development.*

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for PP2021-05	10/29/2021
1	Title Sheet	11/30/2021
2	Preliminary Plat	11/30/2021

STAFF RECOMMENDATION

City Staff recommends approval of Preliminary Plat **Application PP2021-05** for *JB Hunt Transport*, subject to the following stipulations:

1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
2. All infrastructure requirements of the City shall be met.
3. All City Engineer comments related to Stormwater Management Plan must be addressed.
4. 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.

Note: For Application PP2021-05 the Planning Commission is the final authority for approval.

☒ INITIAL SUBMISSION☐ RE-REVIEWNAME OF PROPOSED SUBDIVISION: JB HUNT ADDITIONLOCATION OR ADDRESS OF SUBJECT PROPERTY: 30650 W 191ST ST EDGERTON KSLEGAL DESCRIPTION: JB HUNT CONTAINER STORAGE FACILITY LT 1CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: COMMERCIAL STORAGETOTAL AREA: 29.62 Acres NUMBER OF LOTS: 81 AVG. LOT SIZE: 429937.2 Sq. Ft.DEVELOPER'S NAME(S): DEREK KENNEMER PHONE: 479-659-6852COMPANY: JB HUNT TRANSPORT INC FAX: _____MAILING ADDRESS: 705 A NORTH BLOOMINGTON STREET LOWELL AR 72745
Street City State ZipPROPERTY OWNER'S NAME(S): DEREK KENNEMER PHONE: 479-659-6852COMPANY: JB HUNT TRANSPORT INC FAX: _____MAILING ADDRESS: 705 A NORTH BLOOMINGTON STREET LOWELL AR 72745
Street City State ZipENGINEER'S NAME(S): JAMES TEMPLE PHONE: 479-273-9472COMPANY: CEI ENGINEERING ASSOCIATES INC FAX: 479-273-0544MAILING ADDRESS: 3108 SW REGENCY PKWY BENTONVILLE AR 72712
Street City State ZipSIGNATURE OF OWNER OR AGENT: *Derek Kenemer* 10/14/2021
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 ONLYApplication No.: PP2021-05 Application Fee Paid: \$ 310 Date Fee Paid: 10-29-21 Receipt # 37126565Publication Fee Paid: \$ 207 Date Fee Paid: 12-1-21 Receipt # 10335400Received By: *Christopher Clinton*

LEGAL DESCRIPTION:

A Tract of land being located in the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section 35, Township 14 South, Range 22 East (Sec. 35, T14S, R22E) in the City of Edgerton, Johnson County, Kansas, being all of Lot 1 of the Final Plat of JB Hunt Container Storage Facility, a subdivision in the City of Edgerton as recorded in Document Number 201602002873 of the Recorder of Deeds Office and all of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Sec. 35, T14S, R22E, being more particularly described as follows:

*COMMENCING at the southwest corner of said Section 35;
THENCE N 88°38'46" E, a distance of 987.82 feet to a Mag Nail with washer found for the southwest corner of the E 1/2 of the E 1/2 of the SW 1/4 of said SW 1/4;*

THENCE N 02°03'23" W along the westerly line of the East Half (E1/2) of the East Half (E1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of said Section 35, a distance of 60.00 feet to a 5/8-inch rebar with cap stamped "LS1121" set at the Southwest corner of said Lot 1 and the POINT OF BEGINNING;

THENCE N 02°03'23" W, a distance of 1267.55 feet to a 5/8-inch rebar in concrete found for the northwest corner of said Lot 1 and being the northwest corner of the East Half (E1/2) of the East Half (E1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of said Section 35;

THENCE N 88°32'53" E, a distance of 984.62 feet to a found 1/2-inch rebar for the northeast corner of said Lot 1 and being the northeast corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE N 88°30'28" E, a distance of 657.24 feet to a found 1/2-inch rebar for the northeast corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 02°14'42" E, a distance of 665.88 feet to a nail found for the southeast corner of the Northeast Quarter (NE 1/4) of the Southeast Half (SE 1/2) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 88°36'52" W, a distance of 657.70 feet to a 1/2-inch rebar found for the southeast corner of said Lot 1 and being the southeast corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 88°35'02" W, a distance of 658.83 feet to a 1/2-inch rebar found for a corner of said Lot 1 and being the southwest corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 02°12'45" E, a distance of 603.92 feet to a 5/8-inch rebar with cap stamped "LS 1121" set for the most southerly southeast corner of said Lot 1;

THENCE S 88°38'46" W, a distance of 329.20 feet to the POINT OF BEGINNING and containing 1,290,242 square feet or 29.62 acres of land, more or less.

**PROPERTY OWNER NOTIFICATION AFFIDAVIT**Case No.: PP2021-05I, **Violet Hooks**, of lawful age being first duly sworn upon oath, state:

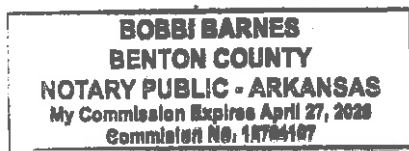
That I am the Agent (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification 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 November, 2021.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 19th day of November, 2021.

Notary Public

My Commission Expires: April 27, 2028 (SEAL)
Date

30650 W 191st ST.
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

PRELIMINARY PLAT
JB HUNT ADDITION
30650 W 191st ST.
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

PROFESSIONAL OF RECORD	JGT
DESIGNER	CDG
FIELD WORK	KTC
CEI PROJECT NUMBER	32218
DATE	11/30/2021
REVISION	REV-0

1 OF 2

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**PRELIMINARY PLAT
FOR
JB HUNT ADDITION**

**A FINAL PLAT LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP
14 SOUTH, RANGE 22 EAST, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS**

Legend

	Boundary Line
	Adjoining Boundary Line
	Right-of-Way Line
	Easement Line
	Setback Line
	Survey Section Line
	Break Line
	COG
	Overhead Electric Line
	Sanitary Sewer Line
	Storm Drainage Pipe
	Water Line
	Charidwell Fence Line
	Tree Line
	Both-Way Fence Line
	Benchmark (BM)
	Found Monument (As Noted)
	Sta. 5.88' = 1.541121'
	Found Nail (As Noted)
	Sta. 14.22' = 1.541121'
	Found Small Cap (As Noted)
	Sewer Manhole (SMH)
	Sewer Clean Out
	Utility Pipe
	Drainage Manhole (SMH)
	Cable TV 1/4" Riser
	Cable TV 1/2" Riser
	Fiber Optic 1/2" Riser
	Gas Valve
	Gas Meter
	Electric Meter
	Water Meter
	Green Meter (RM)
	Fire Hydrant
	Light Pole / Junction
	Light on Pole / Pole
	Electric Riser
	Telephone Riser
	Water riser
	Traffic Light Type of Sign
	Light Pole (2 Lamps)
	Light Pole (2 Lamps)
	Unknown Riser
	Unknown Manhole

(XXXX)

Asymptotic Bearings & Distance are
 Project No. 2025002008-01



CEI
*Solutions for
Land and Life*

CEI ENGINEERING ASSOCIATES, INC.
3108 SW REGENCY POWER
BENTONVILLE, AR 72722
PHONE: (479) 273-8672
FAX: (479) 273-8844
CORPORATE: TOLL FREE 1-800-350-1502

3040 LA FREEDWAY, SUITE 100
DALLAS, TX 75244
PHONE: (972) 488-1737
FAX: (972) 488-6732
BRANCH: 1707 S IRLM #1506234

PRELIMINARY PLAT
JB HUNT ADDITION
30650 W 191st ST.
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

PROFESSIONAL OF RECORD	JGT
DESIGNER	CDG
FIELD WORK	KTC
CEI PROJECT NUMBER	83218
DATE	11/30/2021
REVISION	REV-1

32213 PP

SHEET TITLE

SHEET NUMBER

JB HUNT TRANSPORT

Application FP2021-04

30650 W. 191st Street (Northeast corner of 191st Street and Montrose Street)

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Final Plat for 30650 W. 191st Street (northeast corner of 191st Street and Montrose Street).

Owner and Applicant

JB Hunt Transport, Inc.
represented by Derek Kennemer,
Agent and Property Owner

Zoning and Land Use

L-P (Logistics Park) which has been developed with a cargo container storage lot.

Legal Description

The S ½ of the SW ¼ of Section 35, Township 14 S, Range 22 E, in the City of Edgerton, Johnson County, Kansas; please see attached application for complete Legal Description

Parcel Size

29.62 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

Subject Site

The parcel is located within the Bull Creek watershed and was annexed into the City of Edgerton on June 10, 2021.

Utilities and service providers:

- a. Water Provider - Johnson County Rural Water District #7.
- b. Sanitary Sewer - City of Edgerton.
- c. Electrical Service - Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police protection 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.

Site History and Past Approvals

The Edgerton City Council gave final approval to rezone the original platted parcel from Johnson County *RUR* to Edgerton *L-P, Logistics Park* zoning on January 9, 2014.

On August 8, 2021, the City of Edgerton Planning Commission approved Applications ZA2021-07 and ZA2021-08 for the rezoning of the two (2) eastern unplatted parcels. Edgerton City Council granted final approval for this rezoning on September 9, 2021. This Preliminary Plat application shows the northern half of the 2 eastern parcels being combined with the existing JB Hunt operations to the west into one (1) lot.

This Final Plat includes the parcels that were addressed in Preliminary Plat PP2021-05, which was presented to the Planning Commission on December 14, 2021.

Proposed Use

The applicant has proposed combining the three (3) parcels, into 1 lot. This Preliminary Plat request is being made in preparation for future expansion of the JB Hunt facility and operations. City staff has not received an application related to that expansion.

Current access to the site is from W. 191st Street.

Project Timeline

- Application submitted to the City: October 29, 2021

FINAL PLAT REVIEW

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

Final Plat. Required Contents

1. 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.
 - a. *The City Engineer has requested a metes and bounds description of the tract under the plan name at the top of the sheet be added. The metes and bounds description should include replat of Lot 1 of JB Hunt Container Storage Facility and should be shown on Pages 1 and 2.*

Update Final Plat.

2. 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 monumented with a 2" x 24" metal bar.
 - a. *Include the bearings and distances of the existing lot lines shown. The City Engineer states the east and west lines of the south portions of Tract 1 and 2 have not been shown.*

Update Final Plat.

3. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
 - a. *The City Engineer would like the numbers for the setbacks in the table to be provided or each setback line on the plat be labeled.*

Update Final Plat.

4. A number for each lot, starting (if applicable) in the northwest corner.
 - a. *Johnson County will not accept the lot number 1R. Lot must be renamed.*

Update Final Plat.

5. All easements with widths, and roads with curve data.
 - a. *City Engineer has indicated that additional utility easements may be necessary. The applicant should allow the plat to be reviewed by the utility companies.*

The applicant has indicated that the proposed improvements are in the design phase and the Final Plat will be updated with the required easement prior to recording once the design is finalized.

6. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.

a. The Final Plat has not been sealed by the Surveyor.

Applicant has stated a signed and sealed copy of the Final Plat will be provided after approval of the Governing Body and prior to City signatures.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City

permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for FP2021-04	10/29/2021
1	Title Sheet	11/30/2021
2	Final Plat	11/30/2021

STAFF RECOMMENDATION

City Staff recommends approval of Preliminary Plat **Application FP2021-04** for *JB Hunt Transport*, subject to the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat by the Governing Body and the submittal and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat. The property owner and/or developer shall work with City Staff to determine the best possible placement for a storm water easement and shall dedicated said storm water easement on the submitted Final Plat.
2. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code (UDC).
3. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton UDC.
4. All City Engineer comments related to the Stormwater Management Plan must be addressed.
5. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
6. If the Final Plat is not recorded with the Johnson County Register of Deeds within one year after acceptance by the Governing Body, the plat will expire. Planning Commission re-approval and Governing Body re-acceptance is required for expired Final Plats.

Note: For Application FP2021-04 the Planning Commission will be recommending either approval or denial of the application to the Governing Body. If the Planning Commission recommends approval, the Final Plat will be presented to the Governing Body on January 13, 2022, subject to the applicant making the necessary corrections in a timely manner.

☐ INITIAL SUBMISSION☐ RE-REVIEWNAME OF PROPOSED SUBDIVISION: JB HUNT ADDITIONLOCATION OR ADDRESS OF SUBJECT PROPERTY: 30650 W 191ST ST EDGERTON KSLEGAL DESCRIPTION: JB HUNT CONTAINER STORAGE FACILITY LT 1CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: COMMERCIAL STORAGETOTAL AREA: 29.62 Acres NUMBER OF LOTS: 31 AVG. LOT SIZE: 429937.2 Sq. Ft.DEVELOPER'S NAME(S): DEREK KENNEMER PHONE: 479-659-6852COMPANY: JB HUNT TRANSPORT INC

FAX: _____

MAILING ADDRESS: 705 A NORTH BLOOMINGTON STREET LOWELL AR 72745
Street City State ZipPROPERTY OWNER'S NAME(S): DEREK KENNEMER PHONE: 479-659-6852COMPANY: JB HUNT TRANSPORT INC

FAX: _____

MAILING ADDRESS: 705 A NORTH BLOOMINGTON STREET LOWELL AR 72745
Street City State ZipENGINEER'S NAME(S): JAMES TEMPLE PHONE: 479-273-9472COMPANY: CEI ENGINEERING ASSOCIATES INC FAX: 479-273-0544MAILING ADDRESS: 3108 SW REGENCY PKWY BENTONVILLE AR 72712
Street City State ZipSIGNATURE OF OWNER OR AGENT: *Derek Kenner* 10/21/2021
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 ONLYApplication No.: FP2021-04 Application Fee Paid: \$ 310 Date Fee Paid: 10-29-21 Receipt # 37126565

Publication Fee Paid: \$ _____ Date Fee Paid: _____ Receipt # _____

Received By: *Christopher Winton*

LEGAL DESCRIPTION:

A Tract of land being located in the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section 35, Township 14 South, Range 22 East (Sec. 35, T14S, R22E) in the City of Edgerton, Johnson County, Kansas, being all of Lot 1 of the Final Plat of JB Hunt Container Storage Facility, a subdivision in the City of Edgerton as recorded in Document Number 201602002873 of the Recorder of Deeds Office and all of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Sec. 35, T14S, R22E, being more particularly described as follows:

*COMMENCING at the southwest corner of said Section 35;
THENCE N 88°38'46" E, a distance of 987.82 feet to a Mag Nail with washer found for the southwest corner of the E 1/2 of the E 1/2 of the SW 1/4 of said SW 1/4;*

THENCE N 02°03'23" W along the westerly line of the East Half (E1/2) of the East Half (E1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of said Section 35, a distance of 60.00 feet to a 5/8-inch rebar with cap stamped "LS1121" set at the Southwest corner of said Lot 1 and the POINT OF BEGINNING;

THENCE N 02°03'23" W, a distance of 1267.55 feet to a 5/8-inch rebar in concrete found for the northwest corner of said Lot 1 and being the northwest corner of the East Half (E1/2) of the East Half (E1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of said Section 35;

THENCE N 88°32'53" E, a distance of 984.62 feet to a found 1/2-inch rebar for the northeast corner of said Lot 1 and being the northeast corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE N 88°30'28" E, a distance of 657.24 feet to a found 1/2-inch rebar for the northeast corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 02°14'42" E, a distance of 665.88 feet to a nail found for the southeast corner of the Northeast Quarter (NE 1/4) of the Southeast Half (SE 1/2) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 88°36'52" W, a distance of 657.70 feet to a 1/2-inch rebar found for the southeast corner of said Lot 1 and being the southeast corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 88°35'02" W, a distance of 658.83 feet to a 1/2-inch rebar found for a corner of said Lot 1 and being the southwest corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 35;

THENCE S 02°12'45" E, a distance of 603.92 feet to a 5/8-inch rebar with cap stamped "LS 1121" set for the most southerly southeast corner of said Lot 1;

THENCE S 88°38'46" W, a distance of 329.20 feet to the POINT OF BEGINNING and containing 1,290,242 square feet or 29.62 acres of land, more or less.



FINAL PLAT
JB HUNT ADDITION
30650 W 191st ST.
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

Preliminary
This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

PROFESSIONAL OF RECORD	JGT
DESIGNER	COG
FIELD WORK	KTC
CEI PROJECT NUMBER	92213
DATE	11/30/2021
REVISION	REV-1

32213 FP
SHEET TITLE
SHEET NUMBER

LOGISTICS PARK KANSAS CITY (LPKC) FIFTH PLAT

Application PP2021-04

North of 187th Street Between Kill Creek Road and Waverly Road

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Preliminary Plat of three parcels located north of 187th Street between Kill Creek Road and Waverly Road.

This application requires a Public Hearing.

Owner and Applicant

NorthPoint Development, LLC
represented by Aaron Burks,
Agent and Property Owner

Zoning and Land Use

L-P (Logistics Park) which has been developed for stormwater detention.

Legal Description

The SE ¼ and NE ¼ of Section 34, Township 14 S, Range 22 E, in the City of Edgerton, Johnson County, Kansas; please see attached application for complete Legal Description

Parcel Size

30.481 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

Subject Site

The existing parcels are located within the Bull Creek watershed and they were annexed into the City of Edgerton on March 25, 2010.

Utilities and service providers:

- a. Water Provider - Johnson County Rural Water District #7.
- b. Sanitary Sewer - City of Edgerton.
- c. Electrical Service - Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police protection 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.

Site History and Past Approvals

The parcels were rezoned from Johnson County *RUR* to City of Edgerton *L-P, Logistic Park* on July 12, 2012.

On January 14, 2014, the City of Edgerton Planning Commission approved Application FS-12-19-2013, the Final Site Plan for Inland Port IV. That Final Site Plan shows a portion of these parcels being used as stormwater detention for that warehouse project. This was discussed with the current Developer and they are planning to account for the existing detention area with a larger proposed detention area. The stormwater management study has not yet been finalized but the City Engineer will review to confirm the design is adequate for both projects.

Proposed Use

The applicant has proposed combining three (3) existing, unplatted parcels, into 1 lot. This Preliminary Plat request is being made in preparation for future development of a cargo container storage facility.

There is no current access to the parcels by any private drives. However, the proposed newly created parcel is adjacent to both Waverly Road and 187th Street. Site access will be discussed at the Site Plan phase of development.

Project Timeline

- Application submitted to the City: October 29, 2021
- Public Hearing Notice Published: November 24, 2021
- Public Hearing Notice Mailed: November 23, 2021 (sent to 11 properties)

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 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.
 - a. *The south drainage easement line for the detention area is labeled 5' D.E. This appears to be incorrect.*
 - b. *Clearly label using leaders, the boundaries of the proposed drainage easement for the detention area.*
 - c. *Additional easement will be needed for the proposed sanitary sewer. The City Engineer has provided comments regarding the sanitary sewer on Application FS2021-11.*

Update Preliminary Plat.

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, or in an easement appurtenant to each lot.
 - a. The proposed public sanitary sewer line needs to be revised. The City Engineer has provided comments regarding the sanitary sewer as part of his review of Application FS2021-11.

Update Preliminary Plat.

3. A copy of the proposed restrictive covenants.
 - a. *None provided.*

The Applicant has indicated there are to be no restrictive covenants.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for PP2021-04	10/29/2021
1	Cover Sheet	11/30/2021
2	Site Plan	11/30/2021

STAFF RECOMMENDATION

City Staff recommends approval of Preliminary Plat **Application PP2021-04** for *LPKC Fifth Plat*, subject to the following stipulations:

1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
2. All infrastructure requirements of the City shall be met.
3. All City Engineer comments related to Stormwater Management Plan must be addressed.
4. 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.

Note: For Application PP2021-04 the Planning Commission is the final authority for approval.

☒ INITIAL SUBMISSION☐ RE-REVIEW

LOGISTICS PARK KANSAS CITY FIFTH PLAT

NAME OF PROPOSED SUBDIVISION: _____

LOCATION OR ADDRESS OF SUBJECT PROPERTY: NW corner of 187th St and Waverly AveLEGAL DESCRIPTION: See attachedCURRENT ZONING ON SUBJECT PROPERTY: L-PCURRENT LAND USE: VacantTOTAL AREA: 30.48 AcresNUMBER OF LOTS: 1

AVG. LOT SIZE: _____ Sq. Ft.

DEVELOPER'S NAME(S): Aaron BurksPHONE: 816-888-7380COMPANY: NorthPoint Development, LLC

FAX: _____

MAILING ADDRESS: 4825 NW 41st Street
StreetRiverside
CityMO
State64150
ZipPROPERTY OWNER'S NAME(S): samePHONE: 816-888-7380COMPANY: Edgerton Land Holding Company, LLC

FAX: _____

MAILING ADDRESS: 4825 NW 41st Street
StreetRiverside
CityMO
State64150
ZipENGINEER'S NAME(S): Melissa DeGoniaPHONE: 816-888-7380COMPANY: SitePoint, LLC

FAX: _____

MAILING ADDRESS: 4825 NW 41st Street
StreetRiverside
CityMO
State64150
Zip

SIGNATURE 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 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLYApplication No.: PP2021-04 Application Fee Paid: \$ 310 Date Fee Paid: 11-9-21 Receipt # 62133Publication Fee Paid: \$ 184 Date Fee Paid: 12-2-21 Receipt # 62314Received By: Christopher Winton

Surveyed Description

All that part of the Southeast quarter and Northeast quarter of Section 34, Township 14 South, Range 22 East in the city of Edgerton, Johnson County, Kansas, being more particularly described as follows:

Commencing at the quarter corner common to said Section 34 and Section 35 of the fore mentioned Township and Range, said point being monumented by a 2.5 inch aluminum disc; Thence South $01^{\circ} 56' 05''$ East, along the East line of Section 34, a distance of 110.01 feet to a prolongation of the North right of way on West 187th Street;

Thence South $85^{\circ} 36' 31''$ West, a distance of 50.05 feet to the West right of way line of Waverly Road and a 5/8ths inch bar set for the POINT OF BEGINNING;

Thence South $85^{\circ} 36' 31''$ West along the North right of way line of West 187th Street, a distance of 1591.64 feet to a 5/8ths inch bar set and the beginning of a curve tangent to said line;

Thence westerly a distance of 82.25 feet along the curve concave to the north, having a radius of 990.00 feet and a central angle of $04^{\circ} 45' 37''$ to a 5/8ths inch bar set;

Thence North $89^{\circ} 37' 54''$ West, a distance of 49.78 feet to the beginning of a curve tangent to said line and a 5/8ths inch bar set;

Thence westerly a distance of 107.31 feet along the curve concave to the south, having a radius of 1291.69 feet and a central angle of $04^{\circ} 45' 36''$ to a point of compound curvature to a 5/8ths inch bar set;

Thence westerly a distance of 116.60 feet along the arc of said curve concave to the southeast having a radius of 100.00 feet and a central angle of $66^{\circ} 48' 24''$ to a 5/8ths inch bar set;

Thence South $02^{\circ} 16' 39''$ East, a distance of 109.90 feet to a 5/8ths inch bar set;

Thence South $85^{\circ} 38' 38''$ West, a distance of 350.82 feet to a 5/8ths inch bar set;

Thence North $53^{\circ} 52' 24''$ East, a distance of 671.87 feet to the east-west centerline of Section 34;

Thence continuing North $53^{\circ} 52' 24''$ East, a distance of 1930.08 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence North $88^{\circ} 03' 39''$ East, a distance of 107.94 feet to a 5/8ths inch bar set;

Thence South $06^{\circ} 10' 35''$ East, a distance of 111.58 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 24''$ East, a distance of 1005.52 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 05''$ East, a distance of 89.73 feet to the true POINT OF BEGINNING. Said tract containing 1,327,744 square feet or 30.481 acres more or less.

Note: This description was written in the performance of a survey by Tobin R. Roberts, Kansas PLS 1339, in October of 2021. All bearings are referenced to Kansas State Plane Grid North.



PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: Preliminary Plat: PP2021-04; Final Site Plan: FS2021-11; Conditional Use permit: CU2021-04

Nathaniel Hagedorn

I, _____, of lawful age being first duly sworn upon oath, state:

That I am the Manager of NorthPoint Development, LLC, Manager of Edgerton Land Holding Company, LLC (Owner) 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. 23rd November 21
These notices were mailed on the _____ day of _____, 20____.



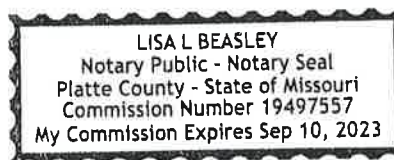
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 29th day of November, 2021.



Notary Public

My Commission Expires: 9-10-23 (SEAL)
Date



IN JOHNSON COUNTY, EDGERTON, KANSAS

[illegible]

Sheet Number	Sheet Title
C-0001	COVER SHEET
C-0010	PRELIMINARY PLAT

SITEPOINT
A Division of NorthPoint Development
816.888.7390
sitepoint@northpointdc.com

4825 NW 41st Street, Suite 500
Riverside, MO 64150

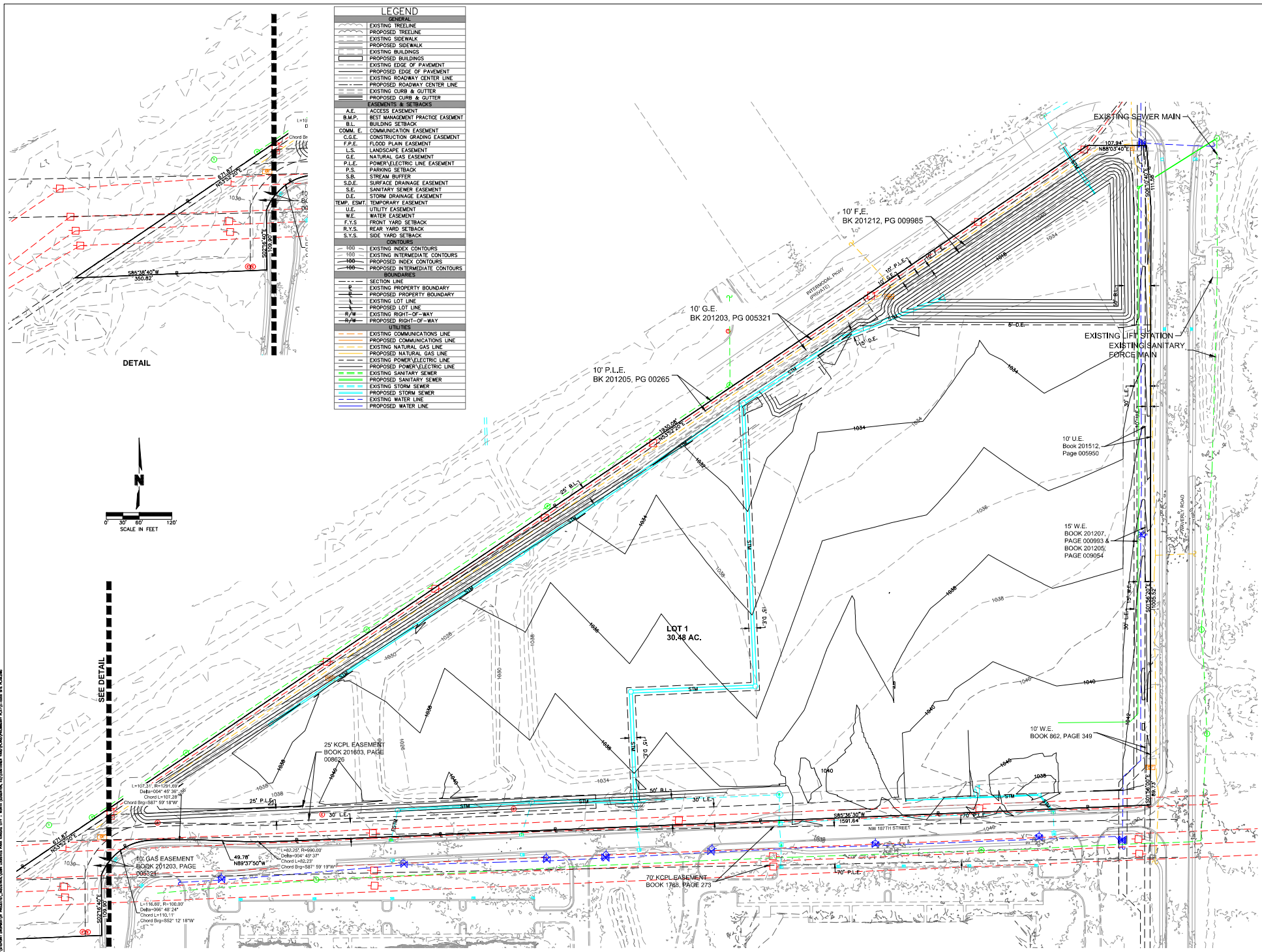
DESIGNED BY:	MD	2007.10.28	PERMIT SET	REVISIONS
DRAWN BY:	DJI	2007.11.28		
CHECKED BY:	DJI			
SP PROJECT #				
	0274			
ELUSIA G. DECONIA				
DATE				
#2281				

COVER SHEET

LOGISTICS PARK KANSAS CITY
FIFTH PLAT
PRELIMINARY PLAT
EDGERTON, JOHNSON COUNTY, KANSAS

SHEET #:

C-0001



LOGISTICS PARK KANSAS CITY (LPKC) FIFTH PLAT

Application FP2021-03

North of 187th Street Between Kill Creek Road and Waverly Road

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Final Plat combining three parcels located north of 187th Street between Kill Creek Road and Waverly Road.

Owner and Applicant

NorthPoint Development, LLC
represented by Aaron Burks,
Agent and Property Owner

Zoning and Land Use

L-P (Logistics Park) which has been developed for stormwater detention.

Legal Description

The SE ¼ and NE ¼ of Section 34, Township 14 S, Range 22 E, in the City of Edgerton, Johnson County, Kansas; please see attached application for complete Legal Description

Parcel Size

30.481 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

Subject Site

The proposed parcel is located within the Bull Creek watershed and the existing parcels being combined were annexed into the City of Edgerton on March 25, 2010.

Utilities and service providers:

- a. Water Service Provider - Johnson County Rural Water District #7.
- b. Sanitary Sewer - City of Edgerton.
- c. Electrical Service - Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police protection 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.

Site History and Past Approvals

The parcels were rezoned from Johnson County *RUR* to City of Edgerton *L-P, Logistic Park* on July 12, 2012.

On January 14, 2014, the City of Edgerton Planning Commission approved Application FS-12-19-2013, the Final Site Plan for Inland Port IV. That Final Site Plan shows a portion of these parcels being used as stormwater detention for that warehouse project. This was discussed with the current Developer and they are planning to account for the existing detention area with a larger proposed detention area. The stormwater management study has not yet been finalized but the City Engineer will review to confirm the design is adequate for both projects.

Proposed Use

The applicant has proposed combining the three (3) parcels, into 1 lot. This Final Plat request is being made in preparation for future development of a cargo container storage facility.

There is no current access to this parcel by any private drives. However, the proposed newly created parcel is adjacent to both Waverly Road and 187th Street. Site access will be discussed at the Site Plan phase of development.

Project Timeline

- Application submitted to the City: October 29, 2021

FINAL PLAT REVIEW

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

Final Plat. Required Contents

1. 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 monumented with a 2" x 24" metal bar.
 - a. *Once the plat has been recorded, the monuments need to be confirmed as set.*
The Applicant has stated a 5/8 inch by twenty-four (24) inch bar will be set upon approval and prior to recording of the plat.
2. All easements with widths, and roads with curve data.
 - a. *The City Engineer has indicated that additional easement will be needed for the proposed sanitary sewer and has provided additional comments on Site Plan Application FS2021-11.*
 - b. *The City Engineer noted the drainage easement is located within an Evergy easement. It should be confirmed by the applicant either that an encroachment agreement is not necessary or if one is necessary, the applicant should provide a completed signed copy of that agreement.*
 - c. *The plat should be reviewed by the utility providers to determine if additional utility easement is necessary.*

Update Final Plat.

3. Certificate of the Register of Deeds.
 - a. *The County will add their information when the Final Plat is recorded.*
- Applicant Acknowledges.***

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for FP2021-03	10/29/2021
1	Final Plat	11/30/2021

STAFF RECOMMENDATION

City Staff recommends approval of Preliminary Plat **Application FP2021-03** for *LPKC Fifth Plat*, subject to the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat by the Governing Body and the submittal and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat. The property owner and/or developer shall work with City Staff to determine the best possible placement for a storm water easement and shall dedicated said storm water easement on the submitted Final Plat.
2. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code (UDC).
3. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton UDC.
4. All City Engineer comments related to the Stormwater Management Plan must be addressed.
5. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
6. If the Final Plat is not recorded with the Johnson County Register of Deeds within one year after acceptance by the Governing Body, the plat will expire. Planning Commission re-approval and Governing Body re-acceptance is required for expired Final Plats.

Note: For Application FP2021-03 the Planning Commission will be recommending either approval or denial of the application to the Governing Body. If the Planning Commission recommends approval, the Final Plat will be presented to the Governing Body on January 13, 2022, subject to the applicant making the necessary corrections in a timely manner.

☒ INITIAL SUBMISSION☐ RE-REVIEWNAME OF PROPOSED SUBDIVISION: LOGISTICS PARK KANSAS CITY FIFTH PLATLOCATION OR ADDRESS OF SUBJECT PROPERTY: NW corner of 187th St and Waverly AveLEGAL DESCRIPTION: See attachedCURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: VacantTOTAL AREA: 30.48 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: _____ Sq. Ft.DEVELOPER'S NAME(S): Aaron Burks PHONE: 816-888-7380COMPANY: NorthPoint Development, LLC FAX: _____MAILING ADDRESS: 4825 NW 41st Street Riverside MO 64150
Street City State ZipPROPERTY OWNER'S NAME(S): Edgerton Land Holding Company, LLC PHONE: 816-888-7380COMPANY: Edgerton Land Holding Company, LLC FAX: _____MAILING ADDRESS: 4825 NW 41st Street Riverside MO 64150
Street City State ZipENGINEER'S NAME(S): Melissa DeGonia PHONE: 816-888-7380COMPANY: SitePoint, LLC FAX: _____MAILING ADDRESS: 4825 NW 41st Street 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 ONLY

Application No.: FP2021-03 Application Fee Paid: \$ 310 Date Fee Paid: 11-9-21 Receipt # 62133

Publication Fee Paid: \$ _____ Date Fee Paid: _____ Receipt # _____

Received By: 

Surveyed Description

All that part of the Southeast quarter and Northeast quarter of Section 34, Township 14 South, Range 22 East in the city of Edgerton, Johnson County, Kansas, being more particularly described as follows:

Commencing at the quarter corner common to said Section 34 and Section 35 of the fore mentioned Township and Range, said point being monumented by a 2.5 inch aluminum disc; Thence South $01^{\circ} 56' 05''$ East, along the East line of Section 34, a distance of 110.01 feet to a prolongation of the North right of way on West 187th Street;

Thence South $85^{\circ} 36' 31''$ West, a distance of 50.05 feet to the West right of way line of Waverly Road and a 5/8ths inch bar set for the POINT OF BEGINNING;

Thence South $85^{\circ} 36' 31''$ West along the North right of way line of West 187th Street, a distance of 1591.64 feet to a 5/8ths inch bar set and the beginning of a curve tangent to said line;

Thence westerly a distance of 82.25 feet along the curve concave to the north, having a radius of 990.00 feet and a central angle of $04^{\circ} 45' 37''$ to a 5/8ths inch bar set;

Thence North $89^{\circ} 37' 54''$ West, a distance of 49.78 feet to the beginning of a curve tangent to said line and a 5/8ths inch bar set;

Thence westerly a distance of 107.31 feet along the curve concave to the south, having a radius of 1291.69 feet and a central angle of $04^{\circ} 45' 36''$ to a point of compound curvature to a 5/8ths inch bar set;

Thence westerly a distance of 116.60 feet along the arc of said curve concave to the southeast having a radius of 100.00 feet and a central angle of $66^{\circ} 48' 24''$ to a 5/8ths inch bar set;

Thence South $02^{\circ} 16' 39''$ East, a distance of 109.90 feet to a 5/8ths inch bar set;

Thence South $85^{\circ} 38' 38''$ West, a distance of 350.82 feet to a 5/8ths inch bar set;

Thence North $53^{\circ} 52' 24''$ East, a distance of 671.87 feet to the east-west centerline of Section 34;

Thence continuing North $53^{\circ} 52' 24''$ East, a distance of 1930.08 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence North $88^{\circ} 03' 39''$ East, a distance of 107.94 feet to a 5/8ths inch bar set;

Thence South $06^{\circ} 10' 35''$ East, a distance of 111.58 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 24''$ East, a distance of 1005.52 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 05''$ East, a distance of 89.73 feet to the true POINT OF BEGINNING. Said tract containing 1,327,744 square feet or 30.481 acres more or less.

Note: This description was written in the performance of a survey by Tobin R. Roberts, Kansas PLS 1339, in October of 2021. All bearings are referenced to Kansas State Plane Grid North.

DEDICATION

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

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. When prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any poles, lines poles and wires, conduits, or cables heretofore installed thereon and thereon are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby abhors and agrees to indemnify the City of Edgerton, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

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

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

Areas designated on the accompanying plat as "pedestrian access easement" are hereby dedicated to the public for the purpose of pedestrian access (P/E). No fence, wall, planting, structure or other obstruction may be placed or maintained in said P/E without approval of said City Community Development Director of the City of Edgerton, Kansas.

CONSENT TO LEVY

The undersigned proprietor of the above described tract of land hereby consents and agrees that the Board of County Commissioners and the City of Edgerton, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for the public use from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated, shall become and remain a lien on this land fronting and abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this ____ day of _____, 20____.

ELHC V, LLC

Nathaniel Hagedorn, Managing Member

STATE OF KANSAS &
COUNTY OF JOHNSON &

BE IT REMEMBERED, that on this ____ day of _____, 20____, before me a Notary Public in and for said County and State, came Nathaniel Hagedorn, Managing Member of ELHC V, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said corporation, and he duly acknowledged the execution of the same to be the act and deed of said corporation.

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

Notary Public: _____ My Appointment Expires: _____

APPROVALS

APPROVED by the Planning Commission of the City of Edgerton, Johnson County, Kansas, on this ____ day of _____, 20____.

John Daley, Chairperson _____ Jeremy Little, Secretary

APPROVED by the Governing Body of the City of Edgerton, Johnson County, Kansas on this ____ day of _____, 20____.

Donald Roberts, Mayor _____ Alexandria Clower, City Clerk

APPROVED by the Zoning Administrator on this ____ day of _____, 20____.

Katy Crow, Zoning Administrator

Project No.: IN 0294
Date: 2021.11.30

Sheet 1
of 1



Certificate of Authority LS-354
4825 NW 41st Street, Suite 500
Overland Park, MO 66150
816.886.7330
sitepoint@northpointmo.com

FINAL PLAT OF

LOGISTICS PARK KANSAS CITY
FIFTH PLAT

Lot 1

A subdivision in the Southeast quarter and Northeast quarter of Section 34, Township 14 South,
Range 22 East in the city of Edgerton, Johnson County, Kansas

LEGAL DESCRIPTION

All that part of the Southeast quarter and Northeast quarter of Section 34, Township 14 South, Range 22 East in the city of Edgerton, Johnson County, Kansas, being more particularly described as follows:

Commencing at the quarter corner common to said Section 34 and Section 35 of the fore mentioned Township and Range, said point being monumented by a 2.25-inch aluminum disc; Thence South 01° 36' 00" East, along the East line of Section 34, a distance of 110.01 feet to a prolongation of the North right of way of West 187th Street;

Thence South 89° 38' 31" West, a distance of 50.05 feet to the West right of way line of Waverly Road and a 58th inch bar set for the POINT OF BEGINNING;

Thence South 85° 38' 31" West along the North right of way line of West 187th Street, a distance of 1591.64 feet to a 58th inch bar set and the beginning of a curve tangent to said line;

Thence westerly a distance of 82.25 feet along the curve concave to the north, having a radius of 950.00 feet and a central angle of 04° 42' 37" to a 58th inch bar set;

Thence North 89° 37' 54" West, a distance of 45.78 feet to the beginning of a curve tangent to said line and a 58th inch bar set;

Thence westerly a distance of 107.31 feet along the curve concave to the south, having a radius of 1291.89 feet and a central angle of 04° 42' 36" to a point of compound curve to a 58th inch bar set;

Thence westerly a distance of 116.60 feet along the arc of said curve concave to the southeast having a radius of 100.00 feet and a central angle of 68° 48' 24" to a 58th inch bar set;

Thence South 02° 16' 39" East, a distance of 100.90 feet to a 58th inch bar set;

Thence South 89° 38' 38" West, a distance of 350.82 feet to a 58th inch bar set;

Thence North 83° 52' 24" East, a distance of 671.67 feet to the east-west centerline of Section 34;

Thence continuing North 53° 52' 24" East, a distance of 1930.08 feet to a 1/2 inch iron bar found with an "R/C KSLCS234" cap;

Thence North 88° 03' 39" East, a distance of 107.94 feet to a 58th inch bar set;

Thence South 89° 10' 38" East, a distance of 111.58 feet to a 1/2 inch iron bar found with an "R/C KSLCS234" cap;

Thence South 01° 56' 24" East, a distance of 1005.52 feet to a 1/2 inch iron bar found with an "R/C KSLCS234" cap;

Thence South 01° 56' 00" East, a distance of 89.73 feet to the true POINT OF BEGINNING. Said tract containing 1,327.744 square feet or 30.481 acres more or less.

Note: This description was written in the performance of a survey by Tobin R. Roberts, Kansas PLS 1339, in October of 2021. All bearings are referenced to Kansas State Plane Grid North.

Closeure Note: This description closes to 1 part in 967,000 feet with an error of 0.007"



LOT INFORMATION					
LOT NO.	LOT AREA	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	BUILDING ENVELOPE
1	1,327.706 SF 30.481 Acres	50'	25'	25'	1,993,400 SF 25,101 Acres
ROW	0 SF 0 Acres				

SURVEY NOTES:

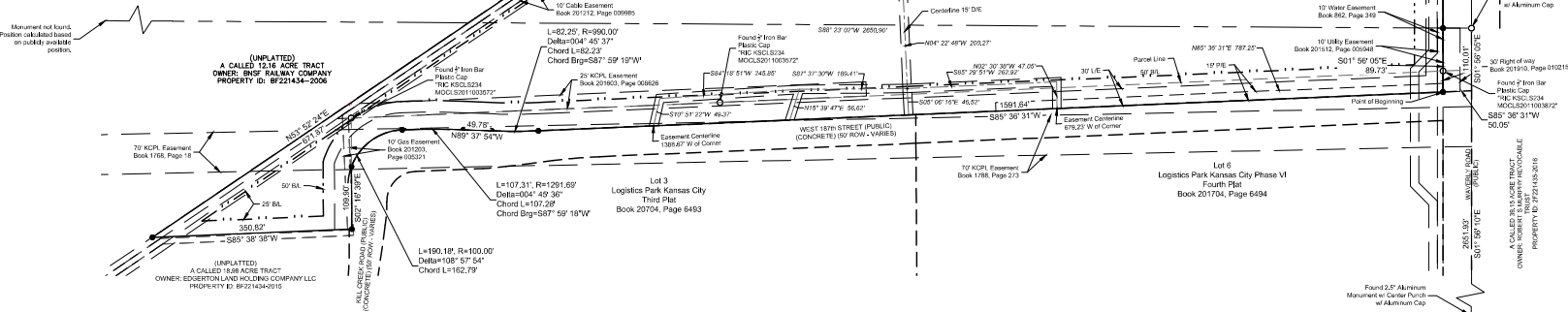
- This property may be subject to charges related to impact fees, and the applicant should contact the City regarding any applicable fees due.
- All monuments set shall be 5/8" by 24" rebar with stamped aluminum caps noting the firm registration number.
- Bearings and the coordinate system based on the Kansas Coordinate System of 1983, North Central Zone (1501), North American Datum of 1983.
- The entirety of this property lies in an "Area of Minimal Flood Hazard" per FEMA Map 20091C0119G, effective on 03/03/2009. No floodplain restrictions apply.
- All instruments listed herein were recorded in the official public records of Johnson County, Kansas unless otherwise noted.
- Visibility triangles shall be provided at the intersections of all public and private streets in accordance with City Ordinances. All landscaping within the visibility triangles shall comply with the visibility triangle ordinance.
- The following recorded subdivision plats were used in the performance of this survey:
 - The subdivision of Logistics Park Kansas City Third Plat, recorded at Bk. 201704, Pg. 6493
 - The subdivision of Logistics Park Kansas City Fourth Plat, recorded at Bk. 201704, Pg. 6494
 - The subdivision of Logistics Park Kansas City Phase VI, recorded at Bk. 201806, Pg. 6460
- Right of way of K&I Creek Road and the western portion of 187th Street were dedicated by the LPKC Third Plat. Right of way for the eastern portion of 187th Street was dedicated by LPKC Fourth Plat.
- This plat is based on a boundary survey performed by this surveyor and meets or exceeds state and local accuracy standards (1 part in 10,000 plus 0.10').

SURVEYOR'S CERTIFICATE:

STATE OF KANSAS &
COUNTY OF JOHNSON &

THIS is to certify that I, Tobin R. Roberts, a Registered Professional Land Surveyor of the State of Kansas, have plotted the above subdivision from an actual survey on the ground, and this plat correctly represents that survey made by me or under my direction and supervision.

Tobin R. Roberts
LS Number 1339
November 30, 2021



LOGISTICS PARK KANSAS CITY (LPKC) FIFTH PLAT

Application FS2021-11

North of 187th Street Between Kill Creek Road and Waverly Road

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Final Site Plan for a parcel located north of 187th Street between Kill Creek Road and Waverly Road.

**This application requires a
Public Hearing.**

Owner and Applicant

NorthPoint Development, LLC
represented by Aaron Burks,
Agent and Property Owner

Zoning and Land Use

L-P (Logistics Park) which has
been developed for stormwater
detention.

Legal Description

The SE ¼ and NE ¼ of Section
34, Township 14 S, Range 22 E,
in the City of Edgerton, Johnson
County, Kansas; please see
attached application for complete
Legal Description

Parcel Size

30.481 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

Subject Site

The parcel is located within the Bull Creek watershed and was annexed into the City of Edgerton on March 25, 2010.

Utilities and service providers:

- a. Water provider - Johnson County Rural Water District #7.
- b. Sanitary Sewer - City of Edgerton.
- c. Electrical Service - Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police protection 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.

Site History and Past Approvals

The parcel was rezoned from Johnson County *RUR* to City of Edgerton *L-P, Logistic Park* on July 12, 2012.

On January 14, 2014, the City of Edgerton Planning Commission approved Application FS-12-19-2013, the Final Site Plan for Inland Port IV. That Final Site Plan shows a portion of these parcels being used as stormwater detention for that warehouse project. This was discussed with the current Developer and they are planning to account for the existing detention area with a larger proposed detention area. The stormwater management study has not yet been finalized but the City Engineer will review to confirm the design is adequate for both projects.

Proposed Use

The applicant has proposed a cargo container storage lot to be constructed on this parcel. The east half of the area is going to be used for stacked container storage with the west being utilized for wheeled container storage. The applicant has shown a gate to allow traffic onto the site from 187th Street. A separate exit only lane is planned to the west of that entrance, also onto 187th Street. There is a proposed maintenance facility near the southeast corner of the parcel. Just to the west of the maintenance facility is a 'pre-tripping' area where containers will be rinsed and prepped for the storage yard. The maintenance facility is shown with a designated parking area to keep vehicle traffic separate from truck traffic.

Project Timeline

- Application submitted to the City: October 29, 2021
- Public Hearing Notice Published: November 24, 2021
- Public Hearing Notice Mailed: November 23, 2021 (sent to 11 properties)

FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the requirements in Section 10.1 of Article 10 and Section 5.2 of Article 5 of the Edgerton Unified Development Code (UDC). Review comments are listed below.

Section 10.1 Contents of Site Plan Drawings

1. A project title, zoning designation and applicant name.
 - a. *The current zoning of the parcel has not provided.*

Update Final Site Plan.

2. Parking areas, paths, sidewalks with sizes and surface material specifications.
 - a. *The City Engineer has indicated that the proposed access points will require reconstruction of the existing sidewalks and the cross slope cannot exceed two percent (2%). Detailed elevations will need to be provided with the construction plans.*

Applicant has acknowledged this requirement.

3. Exterior lighting specifications including a preliminary photometric plan.
 - a. *Photometric plan has not been provided.*

Applicant has stated a photometric plan will be provided when available. Photometric Plan submittal will be required prior to issuance of a building permit. City Staff will review the photometric plan once provided to ensure it complies with the UDC.

4. The location of existing and proposed easements.
 - a. *Additional easement will be needed for the proposed public sanitary sewer line.*

Update Final Site Plan.

5. Connection point for utilities and the location and size of all utility lines including, but not limited to, sewer lines and manholes; waterlines and fire hydrants; telephone, cable, fiber and electrical systems; and storm drainage systems including inlets, catch basins, lines and other appurtenances, existing and proposed.
 - a. *The City Engineer is requesting the public sanitary sewer line cross Waverly Road centerline perpendicularly.*
 - b. *The manhole on the property must be ten (10) feet away from the existing water line and the proposed service line must maintain a 10-foot clearance from the existing waterline.*
 - c. *The easement will need to be adjusted to account for the required revisions.*
 - d. *Public infrastructure plans will be required for this extension and will be reviewed by the City. A part of those plans will need to be an approved Kansas Department of Health and Environment Sanitary Sewer Extension Permit. The application for that permit should be provided to the City with the plans.*

Update Final Site Plan.

6. Features to facilitate handicapped access.
 - a. *The City Engineer is requesting elevations be provided to ensure the accessible parking spaces and access aisle do not exceed 2% slope in any direction.*

Update Final Site Plan.

7. The location of any HVAC systems (roof or ground), utility boxes and any other above ground facilities. Include line of sight drawing which indicate view from the street, right of way, and/or adjacent properties. Ground-based mechanical equipment shall be located away from property lines adjacent to public streets and residential property. Include type of screening that will be used around equipment.

- a. No equipment has been shown for the maintenance facility. City Staff will monitor the site to ensure this requirement is met. Details of any required screening must be provided at building permit application.*
8. Areas or facilities used for trash, trash compacting, recycling containers, service and loading are to be located out of public view from streets, adjacent to residential properties, and other highly visible areas such as parking lots, access drives, and similar areas.
 - a. Applicant has not indicated where on Site Plan the trash enclosure will be located or how it will be screened.*

Update Final Site Plan

Section 5.2 Logistics Park District

1. All operations, other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building.
 - a. The pre-tripping area that is proposed west of the building is to be screened by an eight (8) foot high vinyl fence on all 3 enclosed sides.*
 - b. The applicant has indicated an eight (8) foot vinyl coated chain link fence with 2" links will encircle the property on the north, east and south sides.*

Applicant has noted on Sheet C-2000 the vinyl and chain link fencing types to be installed. However, the legend should be updated to include both fence types and additional fence labeling should be added to reflect the full screening requirement around the pre-tripping area.

2. **Building Materials.** The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first 8 feet above grade on a grade on a façade visible from a public right-of-way or a public area. Exceptions to this requirement may be allowed on a case-by-case basis by the City upon submission and approval of elevation drawings of the subject structure, and material samples. *The applicant is proposing a metal building with stucco and stone veneer finish.*

- a. West elevation – The stucco finish on the west façade is greater than 50%.*

City Staff feels the additional stucco finish is included to meet the requirement for no metal on the exterior wall. The percentage over the maximum on any façade is minimal (4.8% over on the west façade). City Staff recommends an exception be granted for this additional amount of stucco as the design meets the spirit and intent of the code requirement.

3. **Screening of Rooftop Equipment.** For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street view with parapets or other architectural design features constructed of the same material used on the exterior walls.

- a. No rooftop equipment has been indicated on the Final Site Plan. City Staff will monitor the site to ensure this requirement is met.*

If rooftop screening is required, rendering of proposed materials and staff approval will be required prior to issuance of a building permit.

4. **Landscaping.** *Due to the shape of this parcel, there are three sides to address. Two sides are adjacent to road right of way.*
 - a. North side (adjacent to the Burlington Northern Santa Fe Intermodal) does not have any landscaping shown. Per the UDC, this side does not require any landscaping.*

- b. East side (adjacent to Waverly Road) shows a right-of-way buffer. Only trees have been provided along Waverly Road. Per the UDC, the installation of hedge/shrubs/evergreens are required every 48".*
- c. South side (adjacent to 187th Street) shows a right-of-way buffer. Only trees have been provided along 187th Street. Per the UDC, the installation of hedge/shrubs/evergreens are required every 48".*
- d. Along the front of the building line the applicant has indicated the shrubs proposed are sized at 5 gallons. It should be noted and acknowledged that regardless of container size, a minimum 24" height at planting is required.*
- e. The landscaping along Waverly Road shows the landscaping plants and the landscape berm located over the utility easement. The plants are required to be planted at the top of the berm. Berm location may shift in order to accommodate location of plantings – confirm final location with City Staff after receiving clearance from utility providers.*
- f. No fencing may be located in the required 10' wide right-of-way buffer. Indicate correct placement on Final Site Plan.*

Update Final Site Plan

Other Comments

The applicant has indicated the pre-tripping area will be used to clean out containers prior to them being moved to the stacking area of the yard. It has not yet been determined what the most appropriate drainage system connection (storm water or sanitary sewer) will be for this area. Staff will continue to work with the applicant to ensure that the most appropriate connection is made with resolution required prior to the issuance of a building permit.

Storm sewer comments:

- 1. Show the 100-year HGL in the profile.
- 2. Show the sizes of existing pipes.
- 3. The tables on Sheet C-0550 do not match the plan-profile sheets.
- 4. The watershed map should include all tributary areas to these pipes. This would include the areas south of 187th Street. Include these areas in the design calculations and tables.
- 5. Show the 1-year storm velocity in the pipes. The velocity should not be less than 3 fps.
- 6. The detail on Sheet C-2000 shows a grate across the flared end section. Is this proposed?
- 7. The portions of storm sewer that convey water from 187th Street shall be in a drainage easement at least 15' wide (D6 to A1).

Storm water management report comments:

- 1. Provide the rainfall depths that were used for each event.
- 2. Provide watershed input data with the hydrographs.
- 3. Show the time of concentration route on a map.
- 4. Both maps at the end of the report are labeled "Existing Conditions". It appears that one of these should be labeled as "Proposed Conditions".
- 5. Label the watershed areas on the maps not just the discharge points.
- 6. Provide a detail on the outlet structure and pipes. It is unclear how these function.
- 7. It appears that the flowline into the detention pond is the same as the flowline at the outlet structure. A minimum of 1% slope should be provided across the detention basin.

8. Provide a detail of the structure that the outflow pipe ties into. Provide a downstream analysis of the pipes to demonstrate that the downstream pipes are designed to accept the flow.
9. The outflow pipe is modeled as a free outflow with no tailwater. If the pipe is discharging into a structure, this will not be the case. Adjust model as needed.
10. Provide additional information regarding the emergency spillway (i.e. elevation, width, type, etc.)
11. The emergency spillway shall be designed to pass the 1% storm with 1 foot of freeboard from the design stage to the top of dam, assuming zero available storage in the basin and zero flow through the primary outlet. Provide calculations demonstrating this.

An erosion control plan and SWPPP plan comments:

1. Silt fence should be installed on the south side of the property.
2. Provide copy of the approved NOI with the Land Disturbance Permit application.

Applicant has acknowledged all sewer, storm water and land disturbance comments and will address them when submitting infrastructure plans and prior to building permit issuance.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for FS2021-11	10/29/2021
1	Cover Sheet	10/29/2021
2	General Notes	10/29/2021
3	Existing Conditions	11/30/2021
4	Site Plan	11/30/2021
5	Dimension Plan – West	10/29/2021
6	Dimension Plan – East	10/29/2021
7	Erosion Control Plan	10/29/2021
8	Grading Plan	10/29/2021
9	Spot Elevation Plan – West	10/29/2021
10	Spot Elevation Plan – East	10/29/2021
11	Storm Sewer General Layout	10/29/2021
12	Storm Sewer Plan and Profile	10/29/2021
13	Storm Sewer Plan and Profile	10/29/2021
14	Storm Sewer Plan and Profile	10/29/2021
15	Storm Sewer Plan and Profile	10/29/2021

16	Storm Sewer Plan and Profile	10/29/2021
17	Storm Sewer Plan and Profile	10/29/2021
18	Storm Sewer Plan and Profile	10/29/2021
19	Drainage Plan	10/29/2021
20	Utility Plan	11/30/2021
21	Detail Sheet	10/29/2021
22	Detail Sheet	10/29/2021
23	Landscape Plan	10/29/2021
24	Floor Plan	11/30/2021
25	Elevations	11/30/2021

STAFF RECOMMENDATION

City Staff recommends approval of Final Site Plan **Application FS2021-11** for *LPKC Fifth Plat*, subject to the following stipulations:

1. The staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Final Site Plan. The landscaping plans provided must meet or exceed UDC requirements.
2. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
3. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. The property owner and/or developer shall work with City staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the Final Plat.
4. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads, and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

Note: For Application FS2021-11 the Planning Commission is the final authority for approval.

☐ PRELIMINARY SITE PLAN☒ FINAL SITE PLAN☐ REVISED SITE PLAN☐ RE-REVIEWPROJECT NAME: Project DoorLOCATION OR ADDRESS OF SUBJECT PROPERTY: NW corner of 187th St and Waverly AveLEGAL DESCRIPTION: See attachedCURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: VacantTOTAL AREA: 30.48 ACRES NUMBER OF LOTS: 1 AVG. LOT SIZE: _____ Sq. Ft.DEVELOPER NAME(S): Aaron Burks PHONE: 816-888-7380COMPANY: NorthPoint Development, LLC EMAIL: aburks@northpointkc.comMAILING ADDRESS: 4825 NW 41st Street, Riverside, MO 64150

Street

City

State

Zip

PROPERTY OWNER NAME(S): Edgerton Land Holding Company, LLC PHONE: 816-888-7380COMPANY: Edgerton Land Holding Company, LLC EMAIL: aburks@northpointkc.comMAILING ADDRESS: 4825 NW 41st Street, Riverside, MO 64150

Street

City

State

Zip

ENGINEER NAME(S): Melissa DeGonia PHONE: 816-888-7380COMPANY: SitePoint, LLC EMAIL: mdegonia@northpointkc.comMAILING ADDRESS: 4825 NW 41st Street, Riverside, MO 64150

Street

City

State

Zip

SIGNATURE OF OWNER OR AGENT: 

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

NOTE: Two (2) 34"x42" paper copies plus an electronic copy of the site plan must accompany this application for staff review. All Site Plan requirements may be found in Article 10 of the Edgerton Unified Development Code (UDC).

Applicant is to provide the legal description electronically as a Word document to the City of Edgerton.

FOR OFFICE USE ONLY

Application No.: FS2021-11 Application Fee Paid: \$ 504.80 Date Paid: 11-9-21 Receipt #: 62133Publication Fee Paid: \$ 184 Date Paid: 12-2-21 62314Received By: Veronica Huffman

Surveyed Description

All that part of the Southeast quarter and Northeast quarter of Section 34, Township 14 South, Range 22 East in the city of Edgerton, Johnson County, Kansas, being more particularly described as follows:

Commencing at the quarter corner common to said Section 34 and Section 35 of the fore mentioned Township and Range, said point being monumented by a 2.5 inch aluminum disc; Thence South $01^{\circ} 56' 05''$ East, along the East line of Section 34, a distance of 110.01 feet to a prolongation of the North right of way on West 187th Street;

Thence South $85^{\circ} 36' 31''$ West, a distance of 50.05 feet to the West right of way line of Waverly Road and a 5/8ths inch bar set for the POINT OF BEGINNING;

Thence South $85^{\circ} 36' 31''$ West along the North right of way line of West 187th Street, a distance of 1591.64 feet to a 5/8ths inch bar set and the beginning of a curve tangent to said line;

Thence westerly a distance of 82.25 feet along the curve concave to the north, having a radius of 990.00 feet and a central angle of $04^{\circ} 45' 37''$ to a 5/8ths inch bar set;

Thence North $89^{\circ} 37' 54''$ West, a distance of 49.78 feet to the beginning of a curve tangent to said line and a 5/8ths inch bar set;

Thence westerly a distance of 107.31 feet along the curve concave to the south, having a radius of 1291.69 feet and a central angle of $04^{\circ} 45' 36''$ to a point of compound curvature to a 5/8ths inch bar set;

Thence westerly a distance of 116.60 feet along the arc of said curve concave to the southeast having a radius of 100.00 feet and a central angle of $66^{\circ} 48' 24''$ to a 5/8ths inch bar set;

Thence South $02^{\circ} 16' 39''$ East, a distance of 109.90 feet to a 5/8ths inch bar set;

Thence South $85^{\circ} 38' 38''$ West, a distance of 350.82 feet to a 5/8ths inch bar set;

Thence North $53^{\circ} 52' 24''$ East, a distance of 671.87 feet to the east-west centerline of Section 34;

Thence continuing North $53^{\circ} 52' 24''$ East, a distance of 1930.08 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence North $88^{\circ} 03' 39''$ East, a distance of 107.94 feet to a 5/8ths inch bar set;

Thence South $06^{\circ} 10' 35''$ East, a distance of 111.58 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 24''$ East, a distance of 1005.52 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 05''$ East, a distance of 89.73 feet to the true POINT OF BEGINNING. Said tract containing 1,327,744 square feet or 30.481 acres more or less.

Note: This description was written in the performance of a survey by Tobin R. Roberts, Kansas PLS 1339, in October of 2021. All bearings are referenced to Kansas State Plane Grid North.



PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: Preliminary Plat: PP2021-04; Final Site Plan: FS2021-11; Conditional Use permit: CU2021-04

Nathaniel Hagedorn

I, _____, of lawful age being first duly sworn upon oath, state:

That I am the Manager of NorthPoint Development, LLC, Manager of Edgerton Land Holding Company, LLC (Owner) 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. 23rd November 21
These notices were mailed on the _____ day of _____, 20____.



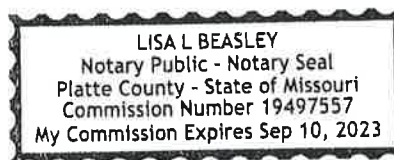
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 29th day of November, 2021.



Notary Public

My Commission Expires: 9-10-23 (SEAL)
Date



IN EDGERTON, JOHNSON COUNTY KANSAS



DEVELOPER
NORTHPOINT DEVELOPMENT
4825 NW 41ST STREET, SUITE 500
RIVERSIDE, MO 64150
CONTACT: AARON BURKS
PHONE: 816.888.7380
EMAIL: ABURKS@NORTHPOINTKC.COM

SURVEY
SITEPOINT, LLC
4825 NW 41ST STREET, SUITE 500
RIVERSIDE, MO 64150
CONTACT: TOBIN ROBERTS
PHONE: 816.888.7380

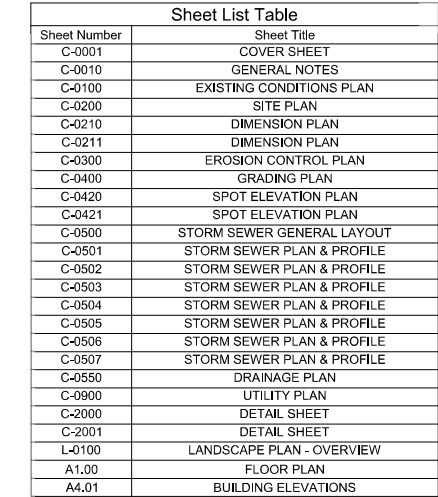
CERTIFICATE:

ZONING ADMINISTRATOR

CHAIR OF THE PLANNING COMMISSION

APPLICANT SIGNATURE: _____ DATE: _____

TITLE: _____ ORGANIZATION: _____



LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

DATA TABLE	
SITE AREA	30.48
BUILDING S.F. OFFICE SPACE	10,603 S.F.
EMPLOYEES PARKING SPACES	24 STALLS

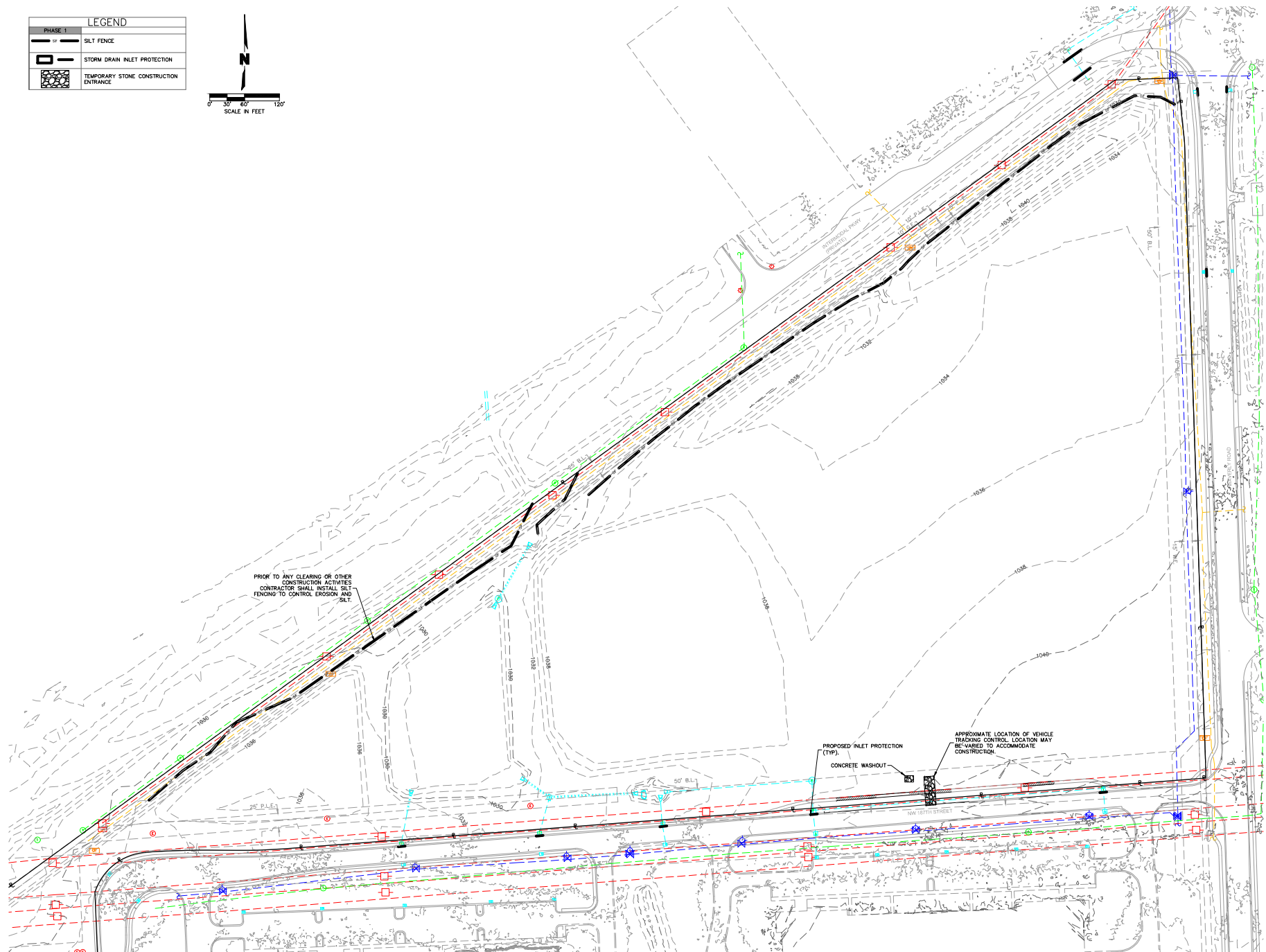


SITE PLAN

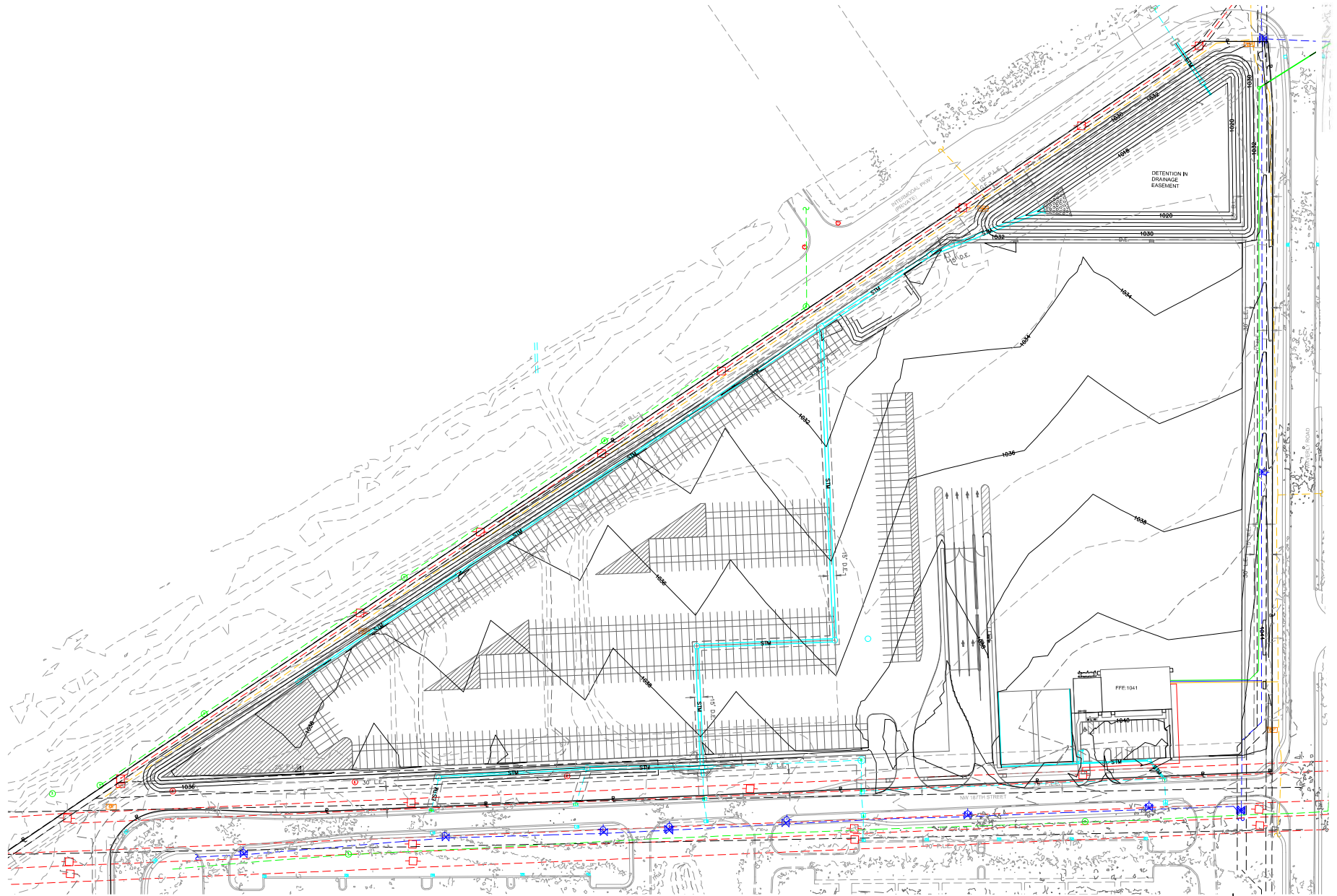
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EDGERTON, JOHNSON COUNTY, KANSAS

SHEET #:
C-0200



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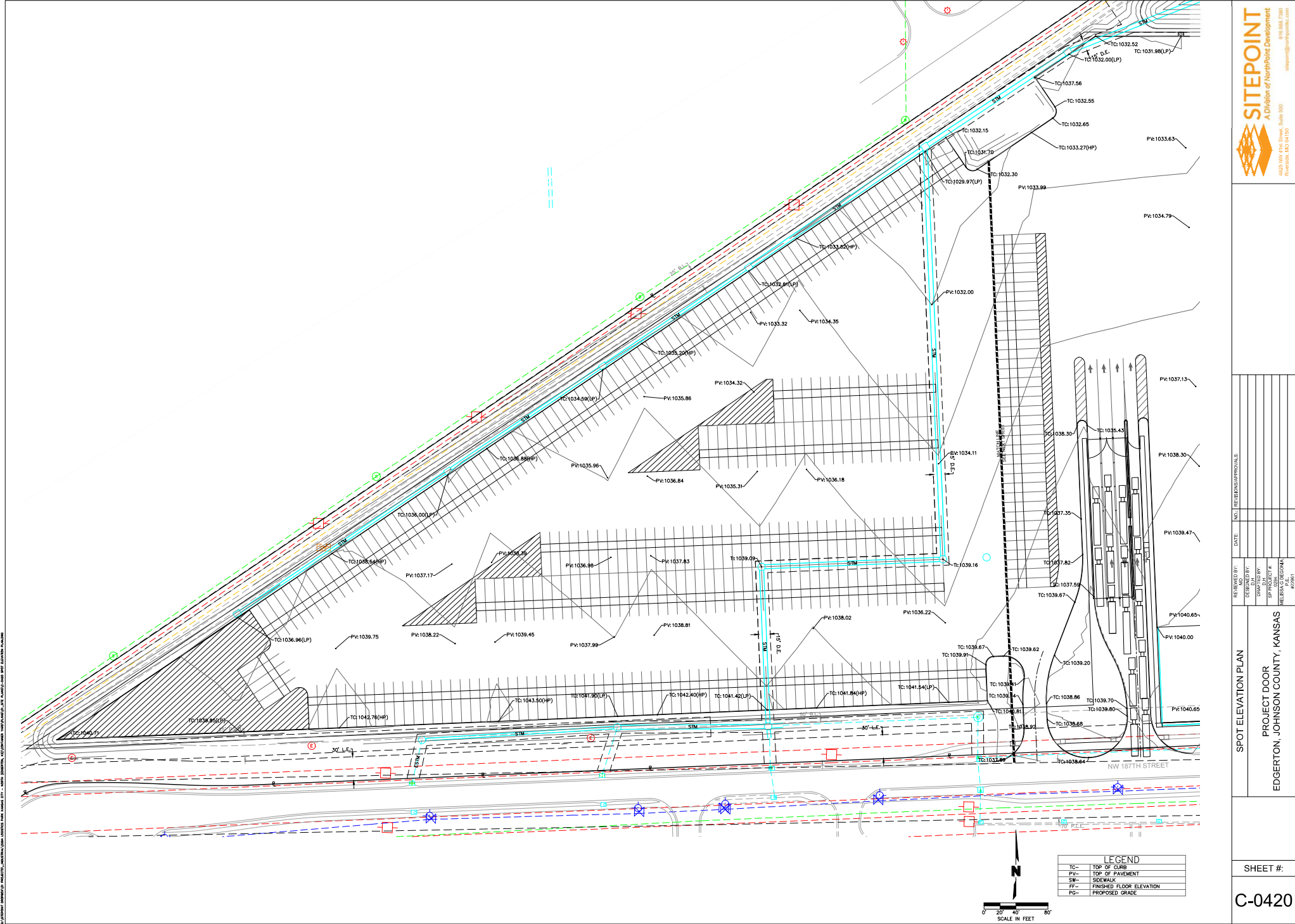
LEGEND	
100'	EXISTING INDEX CONTOURS
100'	EXISTING INTERMEDIATE CONTOURS
100'	PROPOSED INDEX CONTOURS
100'	PROPOSED INTERMEDIATE CONTOURS

GRADING PLAN
PROJECT DOOR
EDGERTON, JOHNSON COUNTY, KANSAS

SHEET #:

C-0400

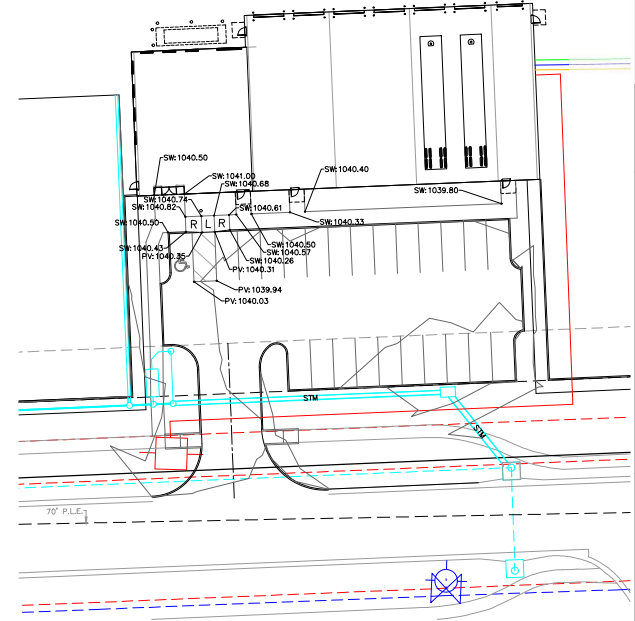
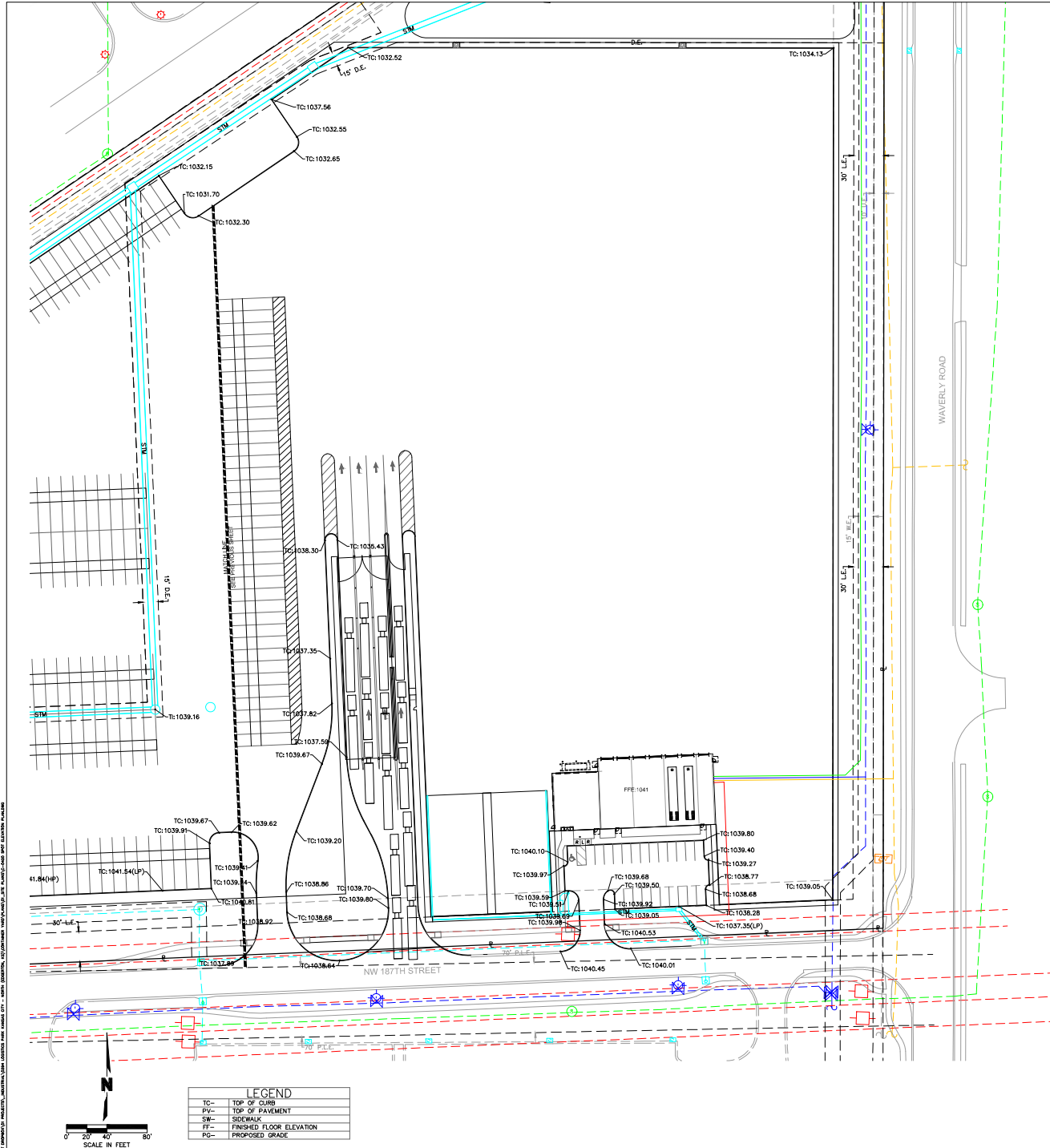
REVIEWED BY:	DATE:	NO.	REVISION/DESCRIPTION:
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PROJECT NO.:			
PROJECT NAME:			
PROJECT LOCATION:			
PROJECT SCALE:			
PROJECT DATE:			



REVIEWED BY:	DATE:	NO.	REVISION/DESCRIPTION:
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IN CHARGE:			
PROJECT NO.:			
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SPOT ELEVATION PLAN
PROJECT DOOR
EDGERTON, JOHNSON COUNTY, KANSAS

NO PORTION OF THIS PLAN IS TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF SITEPOINT ENGINEERING, INC. ANY REUSE OF ANY PART OF THIS PLAN IS AT THE USER'S RISK.





SITEPOINT
A Division of NorthPoint Development
4825 NW 187th Street, Suite 100
Flowerdale, MO 64115
info@sitepointinc.com

DATE	NO.	REVISION/DESCRIPTION

REVIEWED BY: _____
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____
PROJECT # _____
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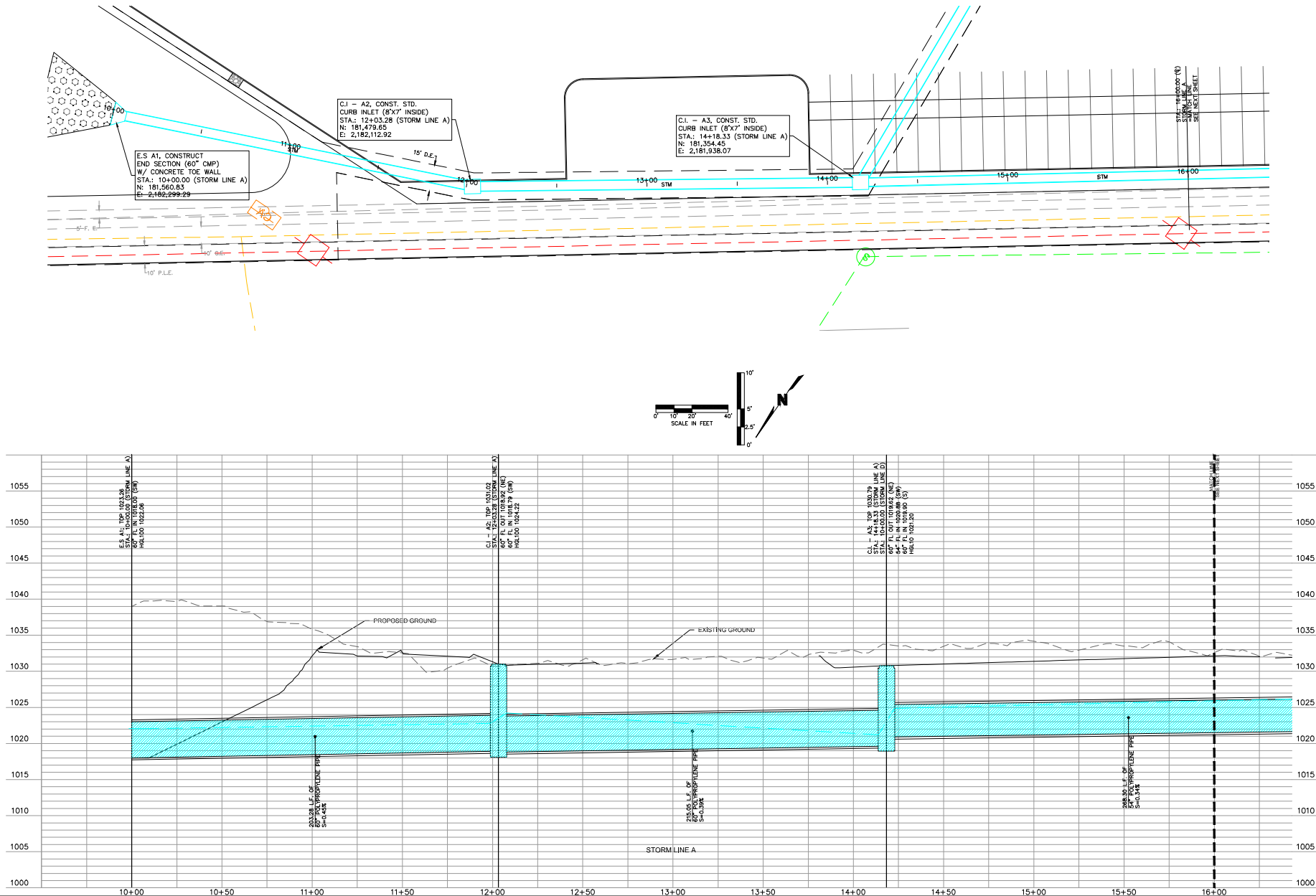
SPOT ELEVATION PLAN (2)

PROJECT DOOR
EDGERTON, JOHNSON COUNTY, KANSAS

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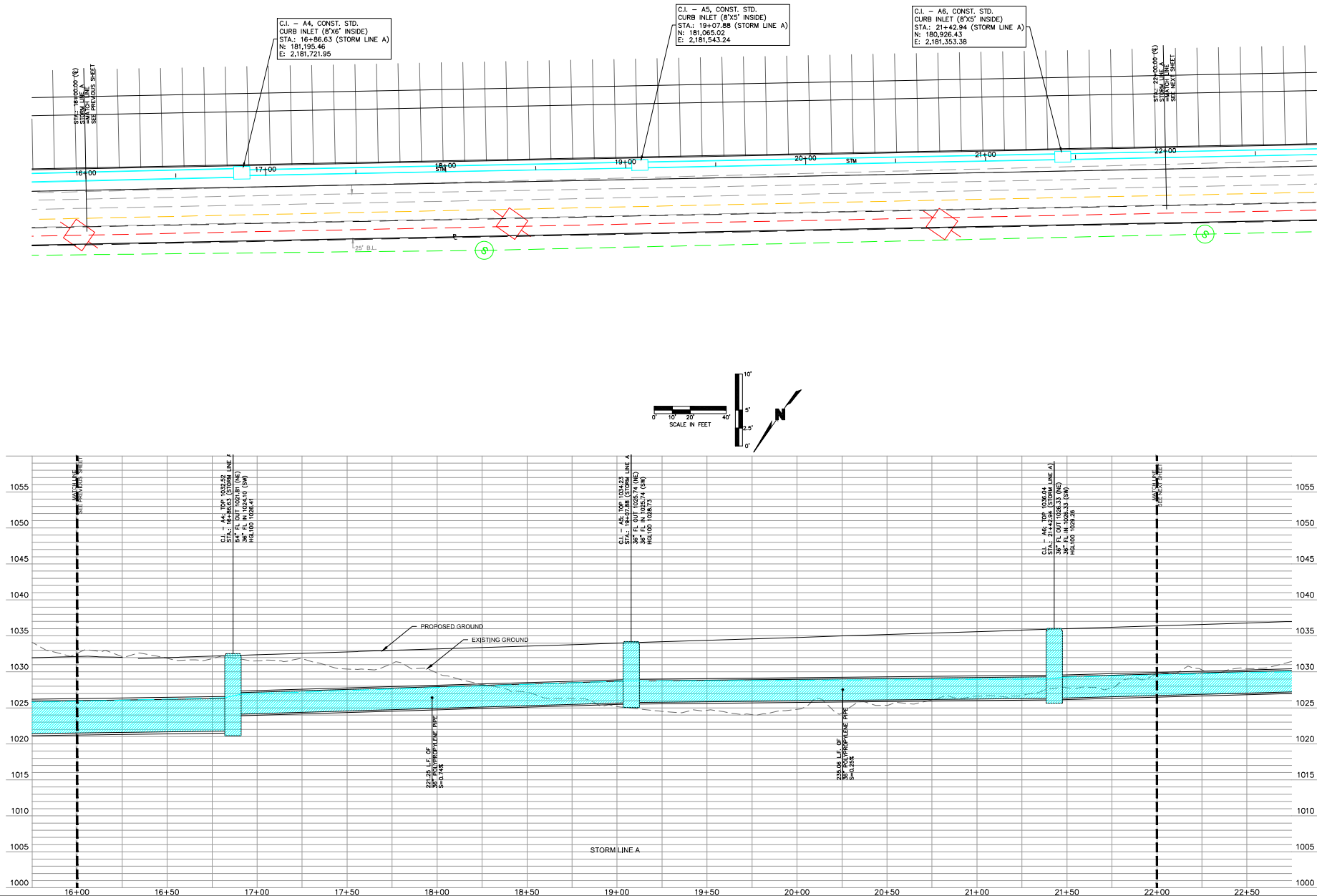
C-0421

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PROJECT NO.:		
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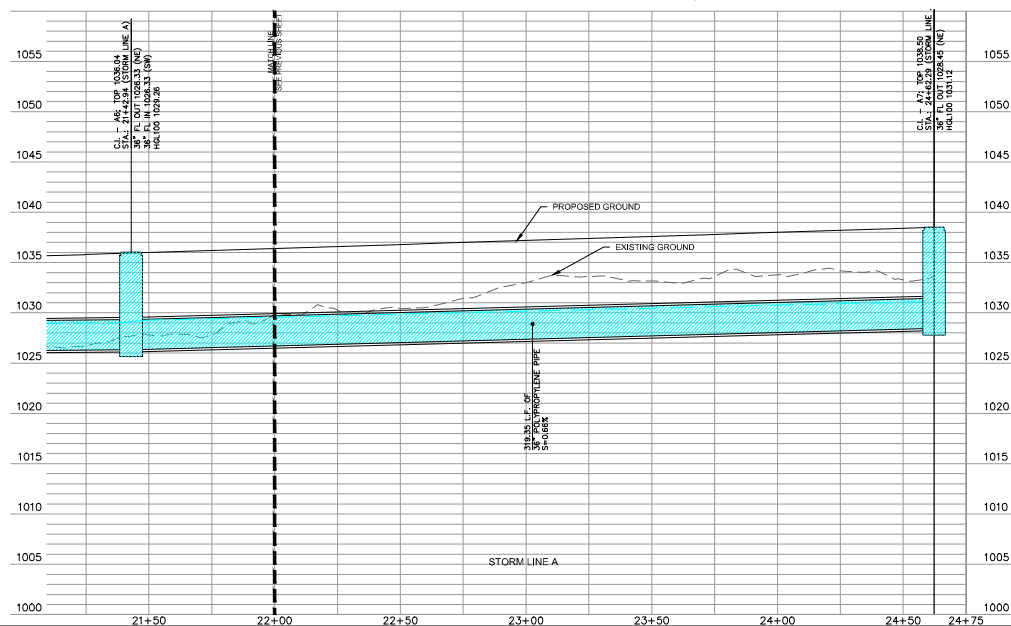
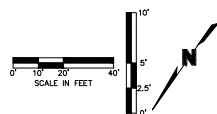
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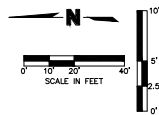


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STORM SEWER PLAN & PROFILE (2)
PROJECT NO. 0502
EDGERTON, JOHNSON COUNTY, KANSAS

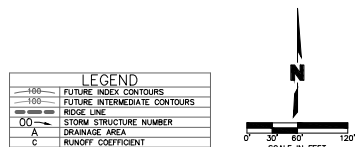
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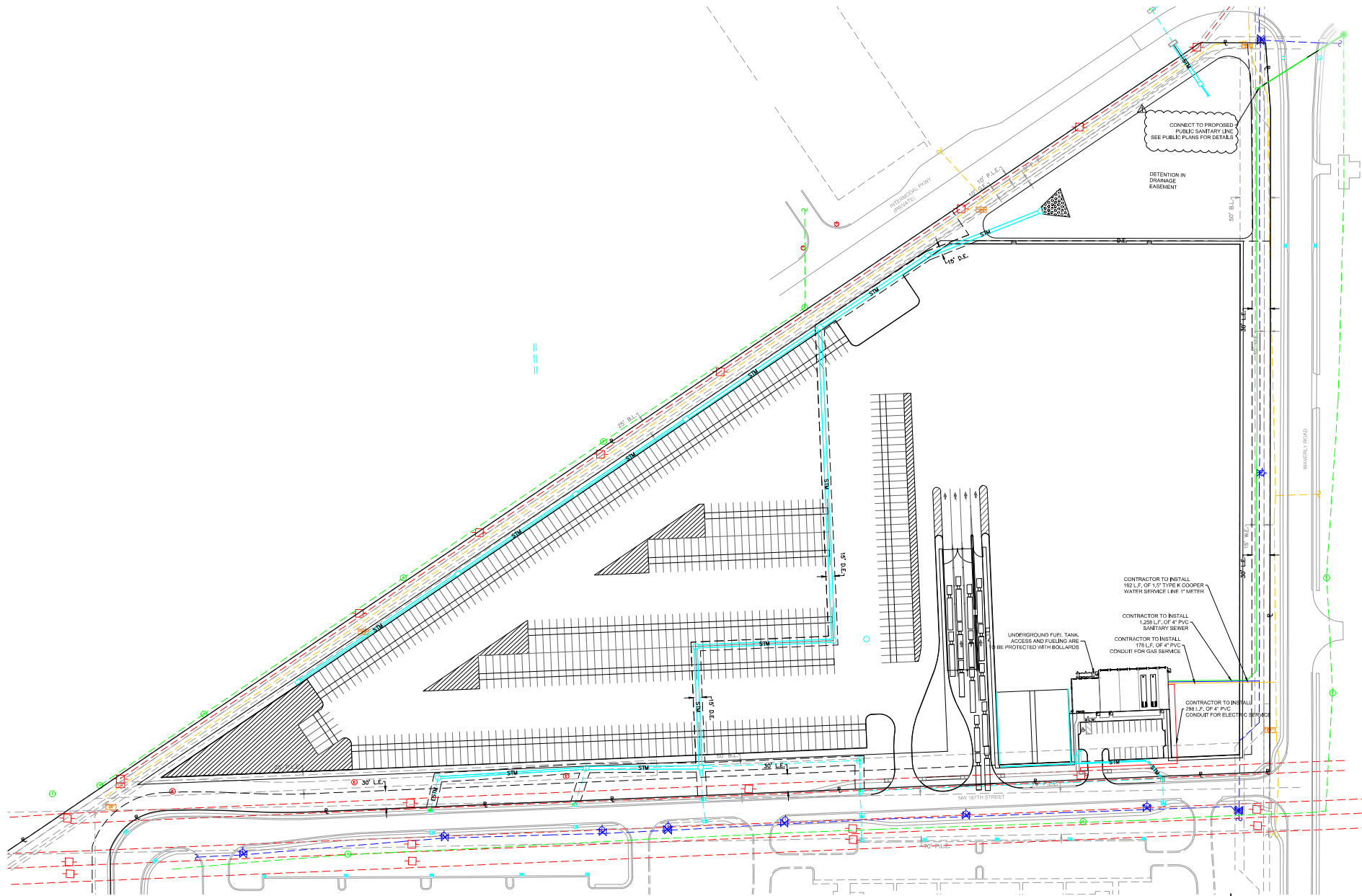


INLET DESIGN TABLE (10-YEAR)											
Inlet ID	Inlet Location	Drainage Area (ac)	Tc (min)	1 x I _a (in/hr)	Upstream I _p (cfs)	m (in/hr)	Capture Flow (cfs)	Bypass Flow (cfs)	Inlet Efficiency (%)	Gutter Depth (ft)	Gutter Spread (ft)
C1-A2		25.96	9.5	7.24	169.11	0	169.11	0	100	7.74	36.09
C1-A3		25.96	9.5	7.24	169.11	0	169.11	0	100	7.74	36.09
C1-A4		646	0.9	7.24	42.08	0	42.08	0	100	1.69	82.63
C1-A5		4.04	0.9	7.24	26.32	0	26.32	0	100	1.17	58.99
C1-A6		2.18	0.9	7.24	14.2	0	14.2	0	100	0.86	40.05
C1-A7		0.89	0.9	7.24	5.8	0	5.8	0	100	0.5	22.05
C2-A2		25.96	9.5	7.24	169.11	0	169.11	0	100	7.74	36.09
F1-B3		0.33	0.9	7.24	2.15	2.15	0	0	100	0.27	13.44
E.S.-C2		25.96	9.5	7.24	169.11	0	169.11	0	100		
M1-H-03		1.05	0	0	0	0	0	0	0	0.64	32.99
M1-H-02		15.8	0	0	0	0	0	0	0	0.64	32.99
M1-H-03 On Grade		0	0	0	0	0	0	0	0	0.64	32.99
M1-H-02 On Grade		1.05	0	7.24	8.84	8.84	0	0	100	0.55	39.96
M1-H-03 On Grade		0	0	0	0	0	0	0	0	0.64	32.99
E.X.-06		1.05	0.9	7.24	8.84	0	8.84	0	100	0.55	39.96

INLET DESIGN TABLE (100-YEAR)												
Inlet ID	Inlet Location	Drainage area (ac)	Tc (min)	i x Tc ^{0.5}	Upstream					Inlet Efficiency (%)	Gutter Depth (ft)	Gutter Spacing (ft)
					Inlet Flow (cfs)	m	Capture P. (%)	Bypass Flow (cfs)	Eff. (%)			
C.I.-A2	SA	25.96	0.9	9.83	229.73	0	229.73	0	100	13.43	67.148	148
C.I.-A3	SA	25.96	0.9	9.83	229.73	0	229.73	0	100	13.21	66.603	148
C.I.-A4	SA	6.46	0.9	9.83	57.17	0	57.17	0	100	2.06	10.671	48
C.I.-A5	A04	4.04	0.9	9.83	35.75	0	35.75	0	100	1.54	7.741	48
C.I.-A6	SA	2.16	0.9	9.83	19.29	0	19.29	0	100	0.83	4.24	48
C.I.-A7	SA	0.89	0.9	9.83	7.88	0	7.88	0	100	0.6	2.705	24
C.I.-B2	SA	0.73	0.9	9.83	6.99	0	6.99	0	100	0.88	32.87	48
C.I.-B3	SA	0.73	0.9	9.83	6.99	0	6.99	0	100	0.33	16.47	48
E.S.-C2	SA	25.96	0.9	9.83	229.73	0	229.73	0	100			
M.H.-D1	SA	17.42	0.9	9.83	154.16	0	154.16	0	100			
M.H.-D2	SA	15.3	0.9	9.83	138.16	0	138.16	0	100			
M.H.-D3/DN Grade		0	0	0	0	0	0	0	100			
M.H.-D4/DN Grade		0	0	9.83	9.29	0	9.29	0	100			
M.H.-D5/DN Grade		0	0	9.83	9.29	0	9.29	0	100			
E.X.-D6	SA	1.05	0.9	9.83	9.29	0	9.29	0	100	1.4	67.24	

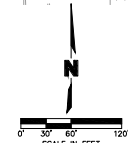


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NOTE:
ALL STORM SEWER PIPE SHALL
BE REINFORCED CONCRETE

LEGEND	
UTILITIES	
	EXISTING COMMUNICATIONS LINE
	PROPOSED COMMUNICATIONS LINE
	EXISTING NATURAL GAS LINE
	PROPOSED NATURAL GAS LINE
	EXISTING POWER/ELECTRIC LINE
	PROPOSED POWER/ELECTRIC LINE
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	EXISTING WATER LINE
	PROPOSED WATER LINE



NO.	REVISION/APPROVAL	DATE
1	PERMIT SET	2021.10.29
2	RECEIVED CITY COMMENTS	2021.11.29
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UTILITY PLAN
PROJECT: DOOR
EDGERTON, JOHNSON COUNTY, KANSAS

General Notes:
1. All plants must be healthy and free of pests and diseases.
2. All trees must be straight trunks and meet all specifications.
3. All plants are subject to approval of NorthPoint Development before, during, and after installation.
4. All plants must be installed per details.
5. The contractor shall be responsible for locating all utilities and shall avoid damage to them. Underground utilities are indicated on plans as approximate locations. Contractor shall call utility locating services.
6. Contractor is responsible for repairing all damage to utilities, structures, site appearances, etc. which occurs as a result of the landscape construction.
7. Contractor is responsible for verifying all quantities indicated on the plans.
8. Contractor is responsible for maintaining all plants and trees until the work is accepted by NorthPoint Development.
9. Contractor shall guarantee all plant material for a period of one year from the acceptance of the landscaping. Contractor shall replace all dead and dying plants at the end of the guarantee time.
10. All plants that die, or become, or turn brown prior to acceptance by NorthPoint Development shall be replaced.
11. All plant material shall conform to American Standard for Nursery Stock.
12. Mulch or other rock shall be installed in all planting beds, around trees, and shall be 3" thick as indicated on the plans and details.
13. Contractor shall keep the work area clean and remove all waste materials for disposal per local, state, and federal regulations.
14. Contractor shall avoid all disturbed areas that are not indicated on plans.

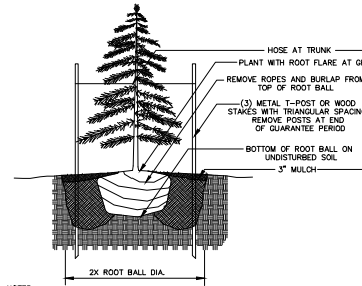
Seeding Notes:
1. All areas specified as "seed" shall be hydroseeded with seed species as indicated on plan. Contractor shall verify quantities.
2. Areas where seed is to be installed shall be free of stumps, sticks, and other foreign materials.
3. Surface shall be graded to a smooth surface and be free of depressions and mounds.
4. Hydroseeding mix shall consist of seed, fertilizer, and fiber mulch.
5. All disturbed areas shall be hydroseeded.
6. Seeded areas will be accepted by NorthPoint Development when seed has sprouted, established, free of weeds and bare areas.

Mulch Notes:
1. All seeding areas shall be covered with 3" of brown hardwood mulch or 3" of river rock as indicated on the plans and details.
2. Mulch shall be free of rocks and other foreign material.

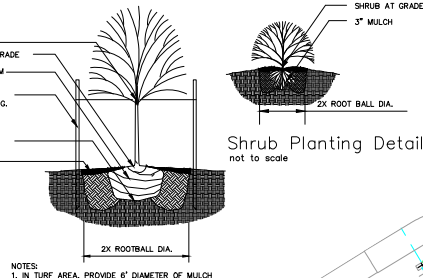
Legend:
1. Form 3/4" tall
2. 8" tall vinyl fence
3. 8" tall chain link fence
4. Trees on 15' ft street set back from road to not be located directly under overhead electric lines
5. See foundation landscaping plan

LANDSCAPE DATA TABLE				
CATEGORY	REQUIRED	PROVIDED	REGULATION	
RIGHT-OF-WAY BUFFER WAVERTY ROAD	1 TREE PER 50 LF OF FRONTAGE; 10" WIDE 1,210 LF/50 = 25	25 TREES IN 30 LANDSCAPE GASEMENT	ARTICLE 5.2.0; TABLE 1	
RIGHT-OF-WAY BUFFER 18TH STREET	1 TREE PER 50 LF OF FRONTAGE; 10" WIDE 1,320 LF/50 = 39	39 TREES IN 30 LANDSCAPE GASEMENT; ORNAMENTAL TREES USED DUE TO OVERHEAD POWER LINES	ARTICLE 5.2.0; TABLE 1	

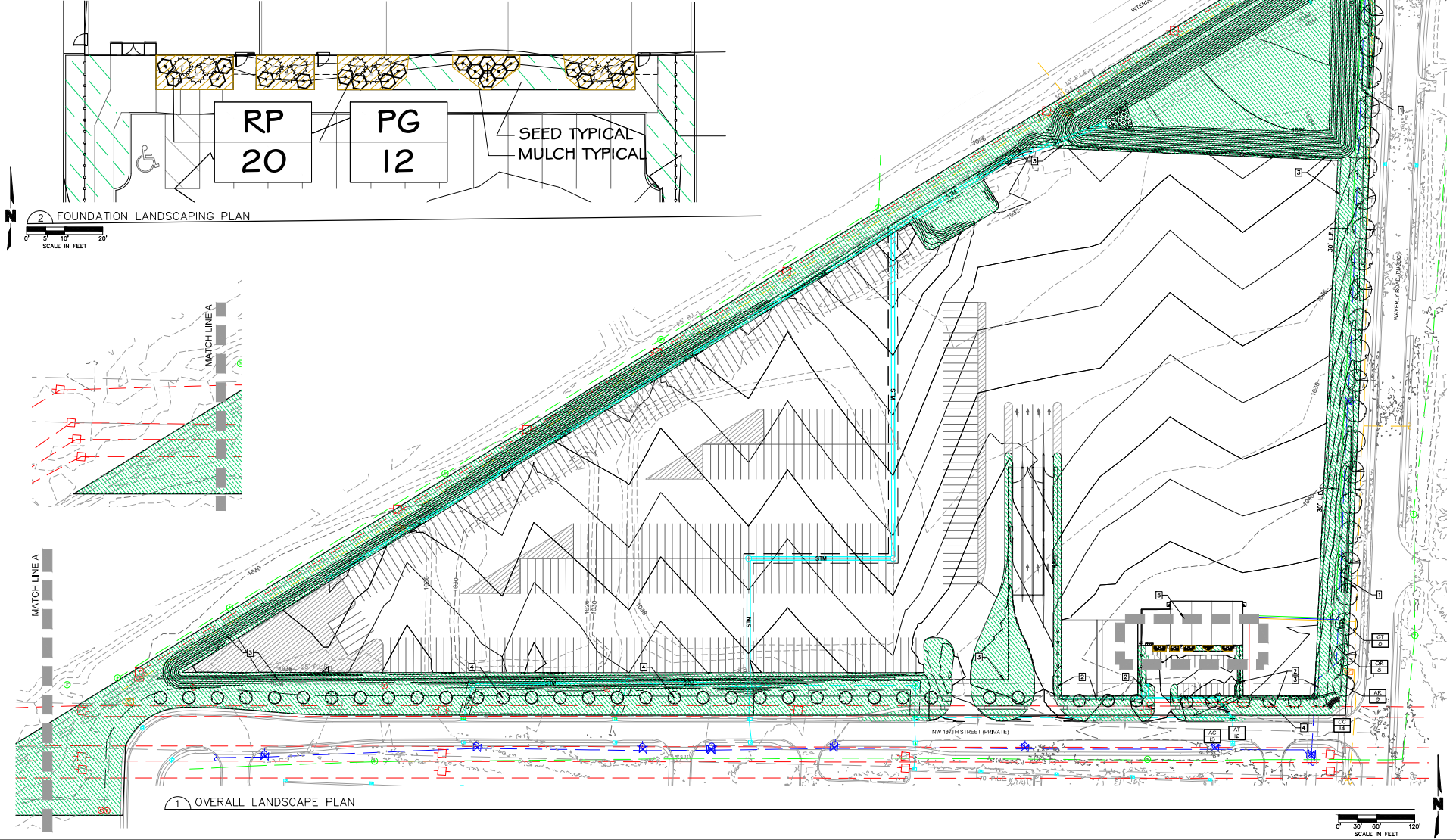
SYMBOL	CODE	TECHNICAL DESCRIPTION	SIZE	CONTAINER	QTY
AR	AR	Acacia salicina / Golden Glory / Golden Glory Red Maple	2" Cal.	500	9
AT	AT	Acacia salicina / Shantung Maple	2" Cal.	500	12
AC	AC	Amelanchier canadensis / Canadian Serviceberry	3" Cal.	500	13
CC	CC	Cornus canadensis / Eastern Redstart Redbud	3" Cal.	500	14
OT	OT	Ornithoglossum / Ornithoglossum / Ornithoglossum	2" Cal.	500	10
PS	PS	Prunella / Prunella / Prunella / Prunella	2" Cal.	500	10
QH	QH	Quercus / Quercus / Quercus / Quercus	2" Cal.	500	8
CR	CR	Cornus / Cornus / Cornus / Cornus	2" Cal.	500	10
RP	RP	Rubus / Rubus / Rubus / Rubus	2" Cal.	500	10



NOTES:
1. IN TURF AREA, PROVIDE 6" DIAMETER OF MULCH



NOTES:
1. IN TURF AREA, PROVIDE 6" DIAMETER OF MULCH



REVIEWED BY:	DATE:	NO.	REVISION/DESCRIPTION:
DESIGNED BY:	2021.10.28		
DRAWN BY:			
CHECKED BY:			
APPROVED BY:			

LANDSCAPE PLAN - OVERVIEW
PROJECT: PROJECT DOOR
EDGERTON, JOHNSON COUNTY, KANSAS
JAMES KRAATZ
2021





studioNorth
ARCHITECTURE
1400 W. 11th Street, Suite 100 | Overland Park, KS 66204
913.241.1100
NorthPoint Development, LLC
Kansas Certificate of Architectural No. A-1009

- CKE
- LANDSCAPE
- FOUNDATIONS
- STRUCTURAL
- PLUMBING
- MECHANICAL
- ELECTRICAL
- FIRE PROTECTION
- CONTRACTOR



LOCATED AT:



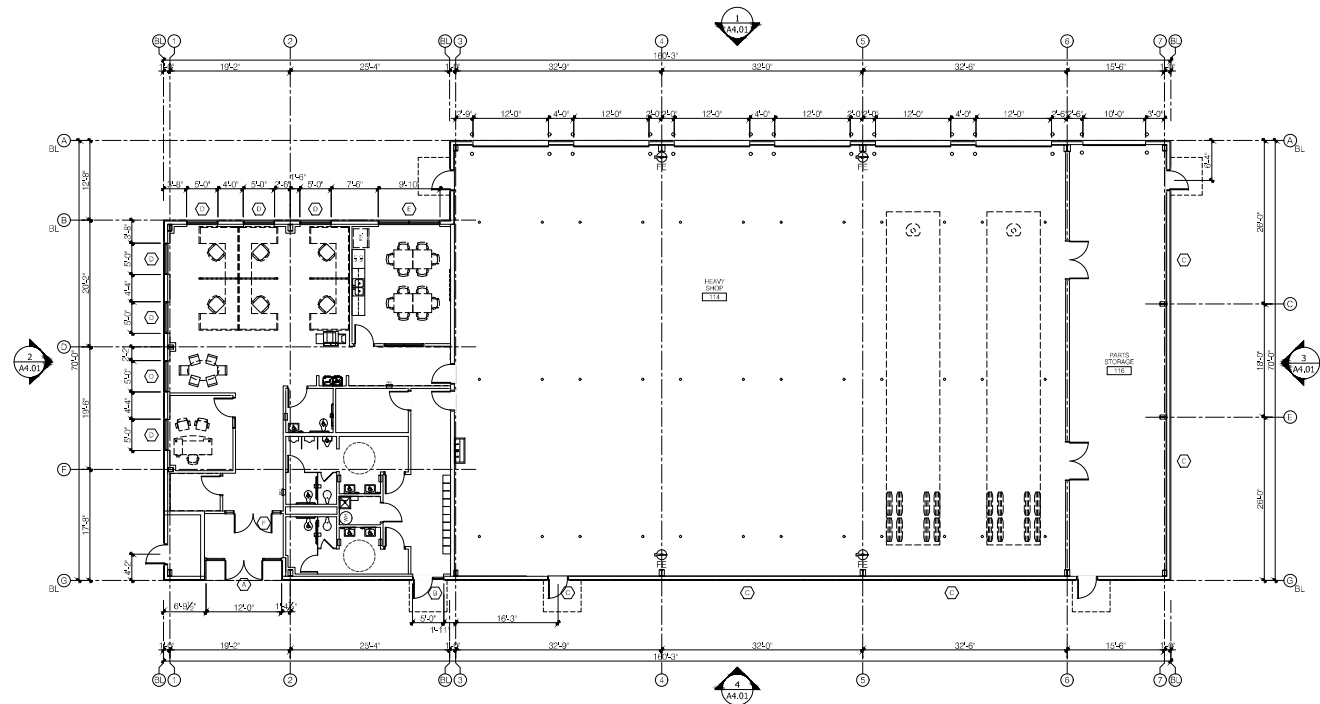
LPKC
Project Door

Project No.		
Date:	11/30/21	
Issued For:	Planning Submittal 2	
Revisions:		
No.	Date	Description

Preliminary
Not For Construction

Prepared: Dean Schneider • Architect
Project: Logistics Park, LPKC

A1.00
FLOOR PLAN



1 OVERALL FLOOR AND CODE PLAN
Scale: 1/8"=1'-0"



studioNorth
ARCHITECTURE
1020 N. G Street, Suite 102 | Phoenix, AZ 85003
PH | 602.451.1000
NORTHPOINT DEVELOPMENT, LLC
Kansas Certificate of Authorization No. A41039

001
LANDSCAPE
FOUNDATIONS
STRUCTURAL
PLUMBING
MECHANICAL
ELECTRICAL
FIRE PROTECTION
CONTRACTOR



LOCATED AT:



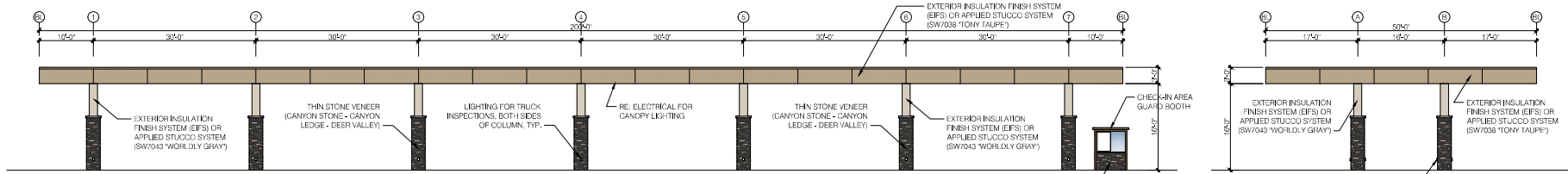
LPKC
Project Door

Project No.		
Date: 11/30/20		
Issued For: Planning Submittal 2		
Revisions:		
No.	Date	Description

Preliminary
Not For Construction

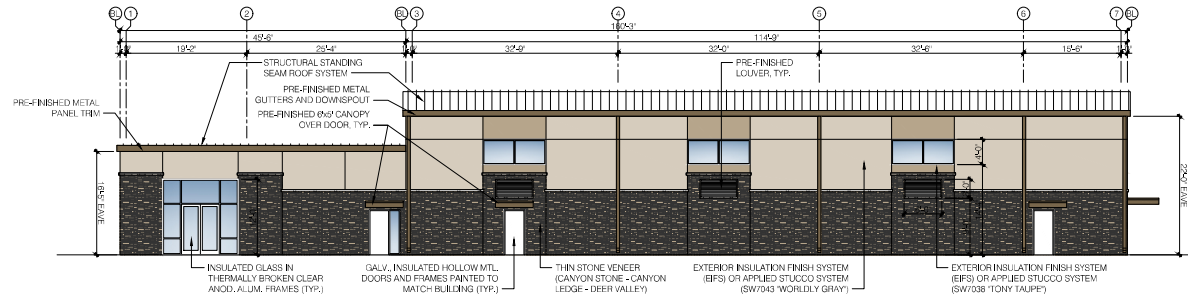
Prepared: David Schmalzer & Associates
Project: Logistics Park, LPKC

A4.01
BUILDING ELEVATIONS

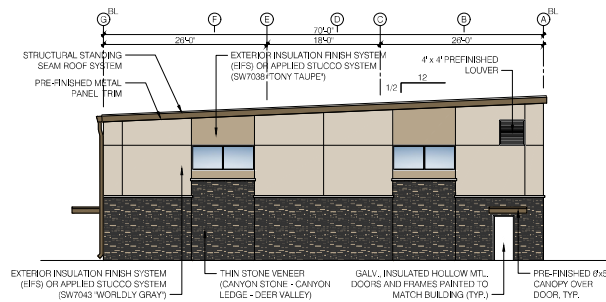


6 INSPECTION CANOPY ELEVATION
Scale: 1/8"=1'-0"

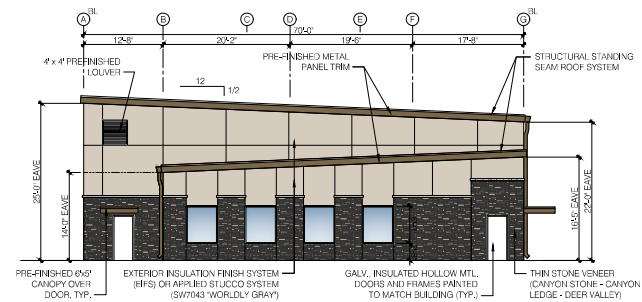
5 INSPECTION CANOPY ELEVATION
Scale: 1/8"=1'-0"



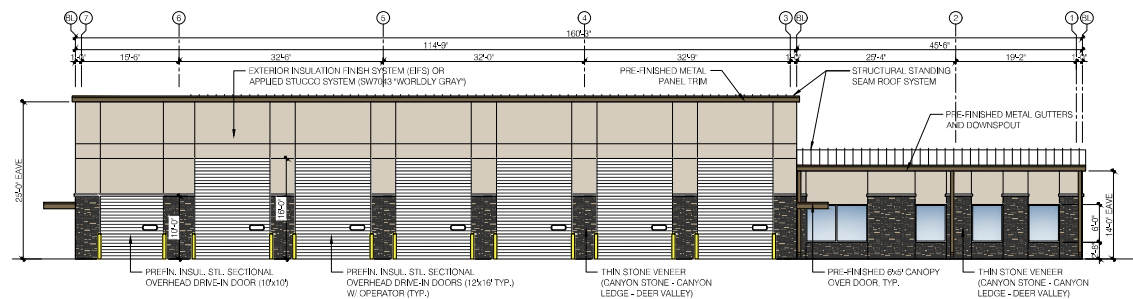
4 SOUTH ELEVATION
Scale: 1/8"=1'-0"
PERCENTAGE OF STUCCO = 41.5%



3 EAST ELEVATION
Scale: 1/8"=1'-0"
PERCENTAGE OF STUCCO = 47.9%



2 WEST ELEVATION
Scale: 1/8"=1'-0"
PERCENTAGE OF STUCCO = 54.8%



1 NORTH ELEVATION
Scale: 1/8"=1'-0"
PERCENTAGE OF STUCCO = 42.2%

LOGISTICS PARK KANSAS CITY (LPKC) FIFTH PLAT

Application CU2021-04

North of 187th Street Between Kill Creek Road and Waverly Road

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Conditional Use Permit for a parcel located north of 187th Street between Kill Creek Road and Waverly Road.

**This application requires a
Public Hearing.**

Owner and Applicant

NorthPoint Development, LLC
represented by Aaron Burks,
Agent and Property Owner

Zoning and Land Use

L-P (Logistics Park) which has
been developed for stormwater
detention.

Legal Description

The SE ¼ and NE ¼ of Section
34, Township 14 S, Range 22 E,
in the City of Edgerton, Johnson
County, Kansas; please see
attached application for complete
Legal Description

Parcel Size

30.481 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

Subject Site

The parcel is located within the Bull Creek watershed and was annexed into the City of Edgerton on March 25, 2010.

Utilities and service providers:

- a. Water Provider - Johnson County Rural Water District #7.
- b. Sanitary Sewer - City of Edgerton.
- c. Electrical Service - Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police protection 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.

Site History and Past Approvals

The parcel was rezoned from Johnson County *RUR* to City of Edgerton *L-P, Logistic Park* on July 12, 2012.

On January 14, 2014, the City of Edgerton Planning Commission approved Application FS-12-19-2013, the Final Site Plan for Inland Port IV. That Final Site Plan shows a portion of these parcels being used as stormwater detention for that warehouse project. This was discussed with the current Developer and they are planning to account for the existing detention area with a larger proposed detention area. The stormwater management study has not yet been finalized but the City Engineer will review to confirm the design is adequate for both projects.

Proposed Use

The applicant has proposed a cargo container storage lot to be constructed on this parcel. Application FS2021-11 is the site plan application associated with this project. The east half of the area is going to be used for stacked container storage with the west being utilized for wheeled container storage. The applicant has shown a gate to allow traffic onto the site from 187th Street. A separate exit only lane is planned to the west of that entrance. There is a proposed maintenance facility near the southeast corner of the parcel. Just to the west of the maintenance facility is a 'pre-tripping' area where containers will be rinsed and prepped for use. The maintenance facility is shown with a designated parking area to keep vehicle traffic separate from truck traffic.

Project Timeline

- Application submitted to the City: October 29, 2021
- Public Hearing Notice Published: November 24, 2021
- Public Hearing Notice Mailed: November 23, 2021 (sent to 11 properties)

CONDITIONAL USE PERMIT REVIEW

City Staff reviewed the Site Plan under the requirements outlined in Article 7 – *Conditional Uses* of the Unified Development Code (UDC).

The purpose of this article is to provide for certain uses, which because of their unique characteristics cannot be distinctly listed as a permitted use in a particular zoning district. The Planning Commission may recommend approval of conditional uses to the Governing Body after consideration in each case, of the impact of such uses upon neighboring uses, the surrounding area, and the public need for the particular use at the particular location. Limitations and standards are herein established to ensure the use's consistency with the character, uses and activities in the zoning district. Before any conditional use shall be approved, the Governing Body shall review the record of the public hearing held by the Planning Commission.

The Planning Commission, in accordance with the procedures and standards of the UDC, may recommend the Governing Body authorize buildings, structures, and uses as conditional uses in specific instances and in particular districts set forth provided that:

- a. the location is appropriate and consistent with the Comprehensive Plan;
- b. that the public health, safety, morals, and general welfare will not be adversely affected;
- c. the necessary safeguards will be provided to surrounding property, persons, and neighborhood values; and
- d. further provide that additional standards of this Article be specified as a condition of approval.

No Conditional Use shall be authorized unless the Planning Commission finds that the establishment, maintenance, or operation of the Conditional Use meets the standards set forth in the UDC. The burden of proof and the burden of persuasion is on the applicant to bring forth the evidence on all questions of fact that are determined by the Planning Commission.

Section 7.1 Issuance of Conditional Uses

1. **Criteria.** In order to recommend approval or disapproval of a proposed conditional use permit, both the Planning Commission and the Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, the Planning Commission and Governing Body may consider all factors they deem relevant to the questions of compatibility and the best interest of the City, including the following:
 - a. The extent to which there is a need in the community for the proposed use.
 - i. *Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity in and around the intermodal facility. The primary function of LPKC is to transport and redistribute containers and the products they contain. The proposed use would fill a need for this type of support services in LPKC. Staff determination: **Positive***
 - b. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
 - i. *The neighborhood is established as a transportation and logistics hub. The Burlington Northern Santa Fe (BNSF) Intermodal Facility abuts the subject parcel to the north. The parcel contains the correct zoning designation for the proposed use. The site would be wholly contained within Application FS2021-11 as submitted for Planning Commission review. Staff determination: **Positive***
 - c. The nature and intensity of the proposed use and its compatibility with the zoning and

uses of nearby properties. Such determination should include the location, nature, and height of structures, walls, fences, and other improvements connected with the proposed use, their relation to adjacent property and uses, and the need for buffering and screening.

- i. The current zoning of L-P and the parcel's adjacency to similar uses supports the need for this kind of use. Application FS2021-11 was reviewed to ensure compliance with the UDC regarding requirements for L-P zoned parcels. Staff determination:*

Positive

- d. Suitability of the uses of the property without the proposed conditional use permit.*
 - i. Cargo container and chassis storage are an important function to serve LPKC. This important support service continues to be a much-needed use within LPKC and the supply chain in general. The existing cargo container storage facilities are seeing an increased demand for such services. Staff determination: **Positive***
- e. Length of time the subject property has remained vacant without the proposed conditional use permit.*
 - i. Per the Johnson County AIMS system, the parcel has been used as stormwater detention for the warehouses to the south since 2016. The parcel was used as agricultural land up until that point. The development of this parcel as a cargo container storage and maintenance facility serves a need in the Logistics Park. A stormwater study will need to be done to ensure the removal of the stormwater detention areas does not affect nearby properties. The City Engineer will review any submitted study to ensure newly proposed detention areas are sufficient for all impacted uses. Staff determination: **Neutral***
- f. The extent to which the proposed use may detrimentally affect nearby property.*
 - i. No long-term detrimental effects are expected for the use of the property as the use requested is not extraordinary at LPKC. There are currently four (4) other cargo container storage facilities in operation at LPKC and the approval another facility will be beneficial to the BNSF intermodal. Staff determination: **Positive***
- g. The adequacy of ingress and egress to and within the site of the proposed use, traffic flow and control, the adequacy of off-street parking and loading areas, the adequacy of required yard and open space requirements and sign provisions.*
 - i. During the approval process of Application FS2021-11 for this project, City Staff has worked with the applicant in determining the best location of access points for the site. City Staff considered the mixing of vehicle and truck traffic, preventing stacking along 187th Street and Waverly Road, and the distance between the access points. Staff determination: **Positive***
- h. The availability and adequacy of required utilities and services to serve the proposed use. 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.*
 - i. Due to the development of the surrounding parcels, utilities are nearby to the subject parcel. The applicant will be responsible for expanding the necessary utilities to the site. Staff determination: **Positive***
- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the proposed use, or present parking problems in the vicinity of the property.*
 - i. The addition of onsite stacking lanes should prevent any traffic issues which could occur on 187th Street or Waverly Road. Additionally, the road network nearby has been constructed to serve this type of heavy truck traffic. Staff determination: **Positive***

- j. The environmental impacts that the proposed use 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.
 - i. *This project will increase the amount of impervious surface. During Site Plan review, the stormwater report is reviewed by the City Engineer to ensure all stormwater stays on site and does not impact nearby properties. The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process. Staff determination: **Neutral***
- k. The economic impact of the proposed use on the community.
 - i. *Prior to the development of the BNSF intermodal facility and LPKC, there were few commercial and industrial uses within the City. Warehousing and related uses in the L-P District have the potential to benefit the residents and the community in a positive way by providing much needed jobs and tax revenues. This type of use is seen as necessary support for warehousing and other related LPKC uses. Staff determination: **Positive***
- l. The relative gain (if any) to the public health, safety, and welfare from a denial of the application for conditional use permit as compared to the hardship imposed upon the conditional use applicant from such denial.
 - i. *If approved with the stipulations stated, Application FS2021-11 meets the requirements of the UDC. Due to the nature of the request, there would be little gain to the public health, safety, and welfare of the City of Edgerton and the property owner should this request be denied. Staff determination: **Positive***
- m. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton, and the general safety, health, comfort and general welfare of the community.
 - i. *The Future Land Use Map within the Comprehensive Plan designates the subject property for industrial development. Staff determination: **Positive***
- n. In addition to the above criteria, the recommendation of professional staff is also required per Ordinance 798 (2005). Staff recommendation is addressed in the Recommendations Section of this Staff Report.

Section 5.2.G.7 L-P Specific District Requirements for Cargo Container Storage, Repair or Maintenance

- 1. All cargo container storage and cargo container repair and maintenance facilities (collectively referred to as “facilities”) shall be subject to the following performance provisions:
 - a. Access: No cargo containers or semi-trailers (either on or off a chassis), or a chassis, may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings.
 - i. *The applicant has stated that no public rights-of-way, public utility or drainage, structure or building will be affected by the storage of containers or trailers.*
- Site Plan FS2021-11 complies.**
- b. Exterior Lighting: Facilities shall provide lighting on-site, including at all vehicular entrances and exists. A lighting plan shall be submitted and approved.

- i. *The applicant has not provided a lighting plan and states one will be provided prior to construction. The photometric plan is a requirement for the Final Site Plan.*

Applicant has stated a photometric plan will be provided when it is available. City Staff will review the photometric plan to ensure that all provisions outlined in the UDC are met. Photometric plan is required prior to building permit issuance.

- c. Minimum Lot Size: Facilities shall have a minimum lot size of twenty (20) acres.

- i. *The parcel Final Plat application FP2021-03 will equal 30.48 acres.*

Site Plan FS2021-11 complies.

- d. Noise: Noise from businesses and facilities shall not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.

- i. *Noise issues are not addressed in the applicant's proposal; however, if approved, the use must continuously comply with these parameters in the conduction of business.*

Applicant has acknowledged this requirement.

- e. Paving: All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation: 1) Paving shall mean concrete or asphalt and 2) Dust-free shall mean that all interior driveway and storage area surfaces shall be kept free of dust, dirt, or other materials to prevent the migration of dust off-site.

- i. *The applicant has indicated the stacked storage site will be paved with fourteen (14) inches of concrete on top of six (6) inches of scarified and recompacted subgrade. All other driveways are to be paved with asphalt.*

Site Plan FS2021-11 complies.

- f. Parking: Facilities shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices.

- i. *The proposed use shall continuously comply with parking requirements.*
- ii. *The applicant has stated vehicle parking has been provided for employees and visitors and that no parking, loading, or unloading will be allowed off of the property.*

Site Plan FS2021-11 complies.

- g. Cargo Container Stacking: Cargo containers shall not be stacked more than five (5) in number.

- i. *The proposed use must continually comply with and not exceed the maximum stacking number.*

Applicant has acknowledged this requirement.

- h. Chassis Stacking/Racking: Empty chassis may be stored on end (racking) or may be stacked. When stacked, chassis shall not be more than five (5) in number.

- i. *The proposed use must continually comply with and not exceed the maximum stacking number.*

Applicant has acknowledged this requirement.

- i. Screening and Landscaping: Screening may be required on the perimeter of the property. Screening shall be a combination of fencing and landscaping or berming and landscaping. Screening shall comply with requirements Article 5.2 L-P District Landscape Standards.

- i. *The comments regarding the landscaping in the Staff Report for Application FS2021-11 must be addressed and the proposed use shall continuously comply with the landscaping requirements.*

Updated Final Site Plan required.

- j. Setbacks and Separation Distance: All buildings, structures, parking and other uses on the property shall be subject to the setback requirements in Article 5.2 L-P District

Setback, Yard, Area Regulations, except however, the parking or storage of cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked) shall be subject to the following setback standards that may vary depending upon the difference scenarios set forth below:

- i. When abutting (touching), or across the street from non-residentially zoned property, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked and stacked)
- ii. When abutting (touching) public right-of-way, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked and stacked);
- iii. When abutting (touching), or across the street from residentially zoned property, such parking or storage shall be setback a minimum of 250 feet from the nearest property line of the residentially zoned property;
- iv. When abutting (touching), or across the street from a habitable dwelling, such parking or storage shall be setback a minimum of 300 feet from the nearest dwelling; and
- v. For purposes of Stipulations 3 and 4 above, measurements shall be made between the nearest property line of the residentially zoned property or the nearest edge of a dwelling, and the nearest cargo container, semi-trailer (either on or off a chassis), or chassis.

The applicant has stated the height of 5 stacked cargo container is forty-four (44) feet and two (2) inches and the approximate height of a trailer on a chassis is thirteen (13) feet and six (6) inches. The applicant has stated a landscape easement of fifty (50) feet has been established along Waverly Road and thirty (30) feet along 187th Street. Existing utility easements along the L-P zoned property to the north and west do not allow construction of pavement closer than 30 feet to the property line.

Site Plan FS2021-11 complies.

- k. Signage: Business signs shall be allowed according to Article 12 L-P District Signage regulations. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer or chassis.
 - i. *The applicant has not indicated any new signage will be placed on the site at this time. All new signage will require the submittal of a Sign Permit Application which will be reviewed by staff for compliance with Article 12 of the UDC.*

Applicant has acknowledged this requirement.

- l. Site Plan: A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9.1 (B) (3) of these regulations.
 - i. *Application FS2021-05 has been submitted.*

Submittal of updated Site Plan Application FS2021-11, as stipulated when approved, is a condition of this permit's approval. Applicant acknowledges.

- m. Other Rules and Regulations: All facilities shall abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner.
 - i. *The proposed use must continuously comply with these requirements.*

Applicant has acknowledged these requirements.

- n. Deviations: In the event that an applicant desires to deviate from the above performance standards and provisions for certain Conditional Uses, the applicant shall submit written information to the Governing Body indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a

list of alternative materials, designs or methods that are equivalent to the performance standards and provisions for the L-P Zoning District, Section 5.4, Section G through Q in the regulations. The application may only be approved if findings are made by the Governing Body that a) due to the circumstances of the application, it would be unnecessary to impose the standard(s) and equivalent alternatives should be allowed, b) that the spirit and intent of the regulations are being met, c) that granting the deviation shall not adversely affect adjacent or nearby property and d) the application shall otherwise comply with all building code(s) and safety requirements. (Ordinance No. 915, 2012).

i. The proposed use must continuously comply with these requirements.

Applicant has acknowledged these requirements.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for CU2021-04	10/29/2021
1	Cover Sheet	10/29/2021
2	General Notes	10/29/2021
3	Existing Conditions	11/30/2021
4	Site Plan	11/30/2021
5	Dimension Plan – West	10/29/2021
6	Dimension Plan – East	10/29/2021
7	Erosion Control Plan	10/29/2021
8	Grading Plan	10/29/2021
9	Spot Elevation Plan – West	10/29/2021
10	Spot Elevation Plan – East	10/29/2021
11	Storm Sewer General Layout	10/29/2021
12	Storm Sewer Plan and Profile	10/29/2021
13	Storm Sewer Plan and Profile	10/29/2021
14	Storm Sewer Plan and Profile	10/29/2021
15	Storm Sewer Plan and Profile	10/29/2021
16	Storm Sewer Plan and Profile	10/29/2021
17	Storm Sewer Plan and Profile	10/29/2021
18	Storm Sewer Plan and Profile	10/29/2021
19	Drainage Plan	10/29/2021
20	Utility Plan	11/30/2021
21	Detail Sheet	10/29/2021

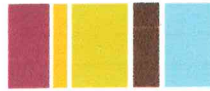
22	Detail Sheet	11/30/2021
23	Landscape Plan	10/29/2021
24	Floor Plan	11/30/2021
25	Elevations	11/30/2021
26	CUP Application Letter	10/29/2021

STAFF RECOMMENDATION


Based upon the above staff analysis, City staff recommends **approval** of Application **CU2021-04** for a cargo container storage, repair or maintenance as shown in Final Site Plan application FS2021-11 for a period of ten (10) years with the following stipulations:

1. The Conditional Use Permit CU2021-04 approval shall be transferable, but it must stay with the ownership of these parcels for which its use is approved (Final Plat Application FP2021-03);
2. The property owner shall continuously comply with all performance criteria in Article 7 pertaining to Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities, including, but not limited to, noise maximums and cargo container and chassis stacking height requirements. The applicant shall comply with height requirements by limiting cargo container stacking to not exceed the maximum of 5 (five) cargo containers. This condition shall be continually met for the duration of the conditional use permit.
3. The property shall be developed in accordance with the Final Site Plan Application FS2021-11 and any stipulations, to be approved by the Planning Commission, prior to commencement of the cargo container storage use.
4. Landscaping material shall be continuously maintained and replaced when dead.
5. No other outside storage of equipment or materials shall be allowed on the property.
6. Any future phases or additional areas used for cargo container maintenance and repair uses shall not commence until a new, revised Site Plan is submitted and approved by the City for that phase, including photometric and landscaping plans.
7. This Conditional Use Permit shall be valid for 10 (ten) years from date of approval by the City of Edgerton Governing Body.

Note: For Application CU2021-04 the Planning Commission will be recommending either approval or denial of the application to the Governing Body. If the Planning Commission recommends approval, the Conditional Use Permit will be presented to the Governing Body on January 13, 2022, subject to the applicant making the necessary corrections to Application FS2021-11 in a timely manner.



Please print or type.

PROPERTY INFORMATIONRequesting Conditional Use Permit For: Project DoorLocation or Address of Subject Property: NW corner of 187th St and Waverly AveLegal Description: See attachedZoning on Subject Property: L-P Current Land Use: Vacant**PROPERTY OWNER INFORMATION**Property Owner's Name(s): Edgerton Land Holding Company, LLC Phone: 816-888-7380Company: Edgerton Land Holding Company, LLC Fax: _____Mailing Address: 4825 NW 41st St, Suite 500City: Riverside State: MO Zip: 64150**APPLICANT/AGENT INFORMATION**Applicant/Agent's Name(s): Aaron Burks Phone: 816-888-7380Company: NorthPoint Development, LLC Fax: _____Mailing Address: 4825 NW 41st St, Suite 500City: Riverside State: MO Zip: 64150**ENGINEER/ARCHITECT INFORMATION**Engineer/Architect's Name(s): Melissa DeGonia Phone: 816-888-7380Company: SitePoint, LLC Fax: _____Mailing Address: 4825 NW 41st St, Suite 500City: Riverside State: MO Zip: 64150**SIGNATURE**Signature of Owner or Agent: 

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

FOR OFFICE USE ONLYApplication No.: CU- 2021-04 Received by: Christopher ChittPermit Fee Paid: \$ 1,000 Date Fee Paid/Receipt #: 11-9-21Publication Fee Paid: \$ 184 Date Fee Paid/Receipt #: 12-2-21 62314Hearing Date 12-14-21

Surveyed Description

All that part of the Southeast quarter and Northeast quarter of Section 34, Township 14 South, Range 22 East in the city of Edgerton, Johnson County, Kansas, being more particularly described as follows:

Commencing at the quarter corner common to said Section 34 and Section 35 of the fore mentioned Township and Range, said point being monumented by a 2.5 inch aluminum disc; Thence South $01^{\circ} 56' 05''$ East, along the East line of Section 34, a distance of 110.01 feet to a prolongation of the North right of way on West 187th Street;

Thence South $85^{\circ} 36' 31''$ West, a distance of 50.05 feet to the West right of way line of Waverly Road and a 5/8ths inch bar set for the POINT OF BEGINNING;

Thence South $85^{\circ} 36' 31''$ West along the North right of way line of West 187th Street, a distance of 1591.64 feet to a 5/8ths inch bar set and the beginning of a curve tangent to said line;

Thence westerly a distance of 82.25 feet along the curve concave to the north, having a radius of 990.00 feet and a central angle of $04^{\circ} 45' 37''$ to a 5/8ths inch bar set;

Thence North $89^{\circ} 37' 54''$ West, a distance of 49.78 feet to the beginning of a curve tangent to said line and a 5/8ths inch bar set;

Thence westerly a distance of 107.31 feet along the curve concave to the south, having a radius of 1291.69 feet and a central angle of $04^{\circ} 45' 36''$ to a point of compound curvature to a 5/8ths inch bar set;

Thence westerly a distance of 116.60 feet along the arc of said curve concave to the southeast having a radius of 100.00 feet and a central angle of $66^{\circ} 48' 24''$ to a 5/8ths inch bar set;

Thence South $02^{\circ} 16' 39''$ East, a distance of 109.90 feet to a 5/8ths inch bar set;

Thence South $85^{\circ} 38' 38''$ West, a distance of 350.82 feet to a 5/8ths inch bar set;

Thence North $53^{\circ} 52' 24''$ East, a distance of 671.87 feet to the east-west centerline of Section 34;

Thence continuing North $53^{\circ} 52' 24''$ East, a distance of 1930.08 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence North $88^{\circ} 03' 39''$ East, a distance of 107.94 feet to a 5/8ths inch bar set;

Thence South $06^{\circ} 10' 35''$ East, a distance of 111.58 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 24''$ East, a distance of 1005.52 feet to a ½ inch iron bar found with an "RIC KSLCS234" cap;

Thence South $01^{\circ} 56' 05''$ East, a distance of 89.73 feet to the true POINT OF BEGINNING. Said tract containing 1,327,744 square feet or 30.481 acres more or less.

Note: This description was written in the performance of a survey by Tobin R. Roberts, Kansas PLS 1339, in October of 2021. All bearings are referenced to Kansas State Plane Grid North.



PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: Preliminary Plat: PP2021-04; Final Site Plan: FS2021-11; Conditional Use permit: CU2021-04

Nathaniel Hagedorn

I, _____, of lawful age being first duly sworn upon oath, state:

That I am the Manager of NorthPoint Development, LLC, Manager of Edgerton Land Holding Company, LLC (Owner) 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. 23rd November 21
These notices were mailed on the _____ day of _____, 20____.



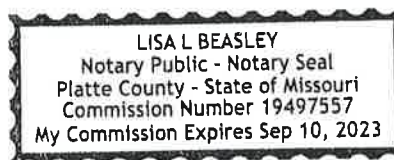
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 29th day of November, 2021.



Notary Public

My Commission Expires: 9-10-23 (SEAL)
Date



October 29, 2021

City of Edgerton
404 East Nelson
Edgerton, KS 66021

Re: CUP Application
Project Door
Container Storage Area

The proposed project meets all requirements of the Edgerton City Code including specific requirements outlined in Article 7 and Article 12 as outlined below.

- a. Access: No cargo containers or semi-trailers (either on or off a chassis), or a chassis, may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings.
No public rights of way, public utility or drainage, structure or building will be affected by storage of containers or trailers.
- b. Exterior Lighting: Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved.
Lighting will be provided on the exterior of the container storage lot. A lighting plan will be provided prior to construction.
- c. Minimum Lot Size: Facilities shall have a minimum lot size of twenty (20) acres.
Lot size is 30.48 acres.
- d. Noise: Noise from businesses and facilities shall not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.
Noise levels will not exceed requirements.
- e. Paving: All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation:
 1. Paving shall mean concrete or asphalt: and
 2. Dust-free shall mean that all interior driveways and storage area surfaces shall be kept free of dust, dirt or other materials to prevent the migration of dust off-site.*Site will be paved with concrete and asphalt to minimize dust.*
- f. Parking: Facilities shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices.
Car parking has been provided for employees and visitors. No parking, loading or unloading areas will be allowed off the property.

- g. Cargo Container Stacking: Cargo containers shall not be stacked more than five (5) in number.
Operator does not stack containers more than 5 high.
- h. Chassis Stacking/Racking: Empty chassis may be stored on end (racking) or may be stacked. When stacked, chassis shall not be more than five (5) in number.
Operator will not stack chassis more than 5 in number.
- i. Screening and Landscaping: Screening may be required on the perimeter of the property. Screening shall be a combination of fencing and landscaping or berming and landscaping. Screening shall comply with requirements Article 5.2 L-P District Landscape Standards.
Screening of the container storage area has been accomplished via a combination of berm and landscaping (along Waverly Rd) or fencing and landscaping (along 187th Street).
- j. Setbacks and Separation Distance: All buildings, structures, parking and other uses on the property, shall be subject to the setback requirements in Article 5.2 L-P District Setback, Yard, Area Regulations, except, however, the parking or storage of cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked) shall be subject to the following setback standards that may vary depending upon the difference scenarios set forth below:
1. When abutting (touching), or across the street from non-residentially zoned property, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked and stacked);
 2. When abutting (touching) public right-of-way, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked);
 3. When abutting (touching), or across the street from, residentially zoned property, such parking and storage shall be setback a minimum of 250 feet from the nearest property line of the residentially zoned property;
 4. When abutting (touching), or across the street from, a habitable dwelling, such parking and storage shall be setback a minimum of 300 feet from the nearest dwelling; and
 5. For purposes of Stipulations 3 and 4 above, measurements shall be made between the nearest property line of the residentially zoned property or the nearest edge of a dwelling, and the nearest cargo container, semi-trailer (either on or off a chassis), or chassis.
The height of 5-stacked containers is 44'-2". The approximate height of a trailer on a chassis is 13' 6". A landscape easement of 50' has been established along Waverly Road and 30' along 187th Street. Existing utility easements along the L-P zoned property to the north and west do not allow construction of pavement closer than 30' to the property line. An approximate outline of anticipated stacked container areas has been included on the site plan. This may be subject to change per the operator's needs.
- k. Signage: Business signs shall be allowed according to Article 5.2 L-P District Signage regulations. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer or chassis.

Signage regulations will be followed.

- l. Site Plan: A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9.1 (B) (3) of these regulations.
Site Plan and application have been provided with this application.
- m. Other Rules and Regulations. All facilities shall abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner.
Acknowledged.
- n. Deviations: In the event that an applicant desires to deviate from the above performance standards and provisions for certain Conditional Uses, the applicant shall submit written information to the Governing Body indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a list of alternative materials, designs or methods that are equivalent to the performance standards and provisions for the L-P Zoning District, Section 5.4, Sections G through Q in the regulations. The application may only be approved if findings are made by the Governing Body that 1) due to the circumstances of the application, it would be unnecessary to impose the standards(s) and equivalent alternatives should be allowed, b) that the spirit and intent of the regulations are being met, c) that granting the deviation shall not adversely affect adjacent or nearby property, and d) the application shall otherwise comply with all building code(w) and safety requirements. (Ord. 915, 2012)
Acknowledged.

See Site Plan application for more information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Melissa DeGonia'.

Melissa DeGonia, P.E.
SitePoint, LLC