

AGENDA

PLANNING COMMISSION EDWARDSVILLE, KANSAS

January 20, 2016
7:00 p.m.

John Altevogt
Jeff Martinek

Mark Bishop
Bryan Smith
Ralph Eaton

Erin Harves
Tim Sweeten

-
1. Call meeting to order
 2. Minutes from November 18, 2015 Meeting
 3. New Business:
 - a. Preliminary / Final Plan – 2647 South 96th Street (2015-07-PPN / 2015-08-FPN); INX International Ink Company, Owner / Brian Hill, MKEC Engineering, Inc., Applicant
 - b. **Public Hearing** - Final Plat (Re-plat) – 2647 South 96th Street (2015-09-FPT); INX International Ink Company, Owner / Brian Hill, MKEC Engineering, Inc., Applicant
 - c. Preliminary Plan – Village South - 323 / 325 North 110th Street (2015-11-PPN); Big House Investments, LLC and BC Enterprise Investors LLC, Owner(s) / Korb Maxwell, Polsinelli, Applicant
 - d. **Public Hearing** - Rezoning – 323 / 325 North 110th Street (2015-10-Z); Big House Investments, LLC and BC Enterprise Investors LLC, Owner(s) / Korb Maxwell, Polsinelli, Applicant
 4. Staff Reports
 - a. Development Updates
 - b. Zoning Ordinance Update – March PC Meeting
 5. Planning Commission Comments
 6. Adjournment

EDWARDSVILLE PLANNING COMMISSION
EDWARDSVILLE CITY HALL COUNCIL CHAMBERS
690 SOUTH 4TH STREET P O BOX 13738
EDWARDSVILLE, KANSAS 66113

November 18, 2015

Members Present: John Altevogt, Jeff Martinek, Bryan Smith, Erin Harves

Members Not Present: Tim Sweeten, Mark Bishop, Ralph Eaton

Staff Present: Dave Knopick, City Planner
Michael Webb, City Manager
Zack Daniel, Assistant to the City Manager/City Clerk

Regular Meeting

The regular meeting was called to order by Chairman Jeff Martinek at 7:05 p.m.

Minutes from October 21, 2015

Commissioner John Altevogt motioned to approve the minutes October 21, 2015.

Commissioner Jeff Martinek seconded the motion.

The motioned carried 4-0.

New Business

City Manager Mike Webb introduced the new Assistant to the City Manager/City Clerk Zachary Daniel who will be taking minutes at this meeting.

(a) Final Plan – 11021 / 11041 Kaw Drive (2015-05-FPN); Harrisonville Properties, LLC / Edwardsville Properties, LLC / Dennis Hillhouse, Owner / Applicant

(b) Final Plat – 11021 / 11041 Kaw Drive (2015-06-FPT); Harrisonville Properties, LLC / Edwardsville Properties, LLC / Dennis Hillouse, Owner / Applicant

Mr. Dave Knopick, City Planner, presented both reports simultaneously as they relate to the same properties. He also explained that two motions would be required (one for each item) to act on both items. Mr. Knopick explained the background related to the

zoning distinction of the properties at 1101 / 11041 Kaw Drive. He explained that the properties are currently zoned C-2 Commercial Extensive. The property owner intends to develop four commercial buildings, which is why there are four separate parcels being considered in the platting process.

The plat has been provided to the utility providers for the area as well as the County Surveyor. The development plan was also reviewed by the Design Review Committee. As a result of these actions, revised plans were turned in to Planning staff and City Engineer. The staff report recaps several areas that required attention.

Staff recommends approval of the final plan with several conditions which refer back to the items 1-4 of the preliminary plan. Shared drive access / parking provision and a master sign plan were also among the conditions for approval. The final condition involved meeting requirements associated with testing results, as built plans, dedication and acceptance of the public sewer serving this project.

Regarding the final plat, staff recommends approval if the applicant can meet the general conditions. Mr. Knopick stated that the property owner and applicant were in attendance and available for questions if needed.

City Manager Michael Webb asked for clarification on addressing, which Mr. Knopick stated he would assign addresses after the planning/platting process.

John Altevogt made the motion for acceptance of the final plat pending the conditions defined in the staff report. Jeff Martinek seconded. The motion carried 4-0.

John Altevogt made the motion for acceptance of the final plan pending the conditions defined in the staff report, Jeff Martinek seconded. The motion carried 4-0.

Staff Reports

(a) Draft 2016 Planning Commission Schedule

Mr. Knopick briefly outlined the 2016 Planning Commission schedule, which will be presented to the City Council for their review as well. He also explained the color coding system.

(b) Draft Zoning Ordinance Status

Mr. Knopick stated staff is working on the map currently and noted the color coding on some maps may be inaccurate. He welcomed input from the Planning Commission. He anticipates it will not go before the public until 2016.

(c) Development Updates

Mr. Knopick explained the recent City Council decision related to the rezoning of properties located at 11101 / 11115 / 11131 / 11381 Kaw Drive. He noted that the K-32 Overlay District requirements still necessitate a plan review and approval process for future development proposals.

City Manager Michael Webb offered a preliminary update related to potential projects in north Edwardsville near 110th and I-70. Conceptually, the development could involve retail, multi-family dwellings, office space, and/or restaurants. The critical component involves providing sewer to the area, the details of which are currently being discussed by the City Council.

Planning Commission Comments

Commissioner Harves asked for an update on Kansas Ave., which the City Manager replied that it is a KDOT project and more development will be seen in early 2016.

Adjournment

Chairman Jeff Martinek adjourned the meeting at 7:49 p.m.

The next meeting is December 16, 2015.

Minutes submitted by Zack Daniel, Assistant to the City Manager/City Clerk



City of Edwardsville
Staff Analysis Report
Planning Commission January 20, 2016
Item 3a – Preliminary Plan / Final Plan INX International
CO (2015-07-PPN / 2015-08-FPN)

General Information

Applicant: INX International Ink Company (Owner) – Matt Morrow / MKEC Engineering – Brian Hill (Applicant)

Location: 2647 South 96th Street

Applications: Preliminary Plan (2015-07-PPN) and Final Plan (2015-08-FPN)

Zoning & Overlay: I-2 Industrial Hard Zoning District / Industrial Overlay District

Existing Land Use: Manufacturing / Processing

Proposed Land Use: Same as above

Background

On December 9, 2015 the property Owner's agent filed a preliminary plan and a final plan application for the expansion of the existing building on approximately 8.51 acres of land located on the east side of South 96th Street. The size of the proposed expansion is 37,466 square feet extending off of the east side of the existing structure. This property is adjacent to the Midpoint Corporate Centre, is proposed to be re-platted per case # 2015-09-FPT, and is located in the I-2 Industrial Hazard District / Industrial Overlay District.

Since the property is located in the Industrial Overlay District the development is subject to architectural and site design plan review. The Design Review Committee (DRC) review of the submitted preliminary plan was conducted on December 15, 2015 and comments from the DRC and planning and engineering review were forwarded to the applicant on December 18, 2015. On December 29, 2015 the applicant submitted revised plans in response to the review comments. These revised plans serve as the proposed final development plan.

Analysis

City Staff, consultant engineer and the DRC members reviewed the application materials per Sections H-1.6 through H-1.9 of the Industrial Overlay District. Comments resulting from this review were forwarded to the applicant, and revised plans were submitted on December 29, 2015 to the City for consideration by the Planning Commission.

The review to date has found that the site and architectural design have met the minimum requirements of the zoning code given that the project is an expansion of an established use and existing structure. The requirement for providing a public sidewalk is recommended to be waived in light of the existing context of the property. Additional landscaping (in the form of six deciduous shade trees) is proposed as part of the project

Recommendation

As currently proposed the architectural and site design plan appear to be consistent with the review and evaluation criteria for the preliminary and final plan review process. Staff recommends that the Planning Commission recommend approval of the preliminary plan materials dated December 09, 2015 revised to address City comments dated December 18, 2015 and final plan materials dated December 29, 2015 for this project.

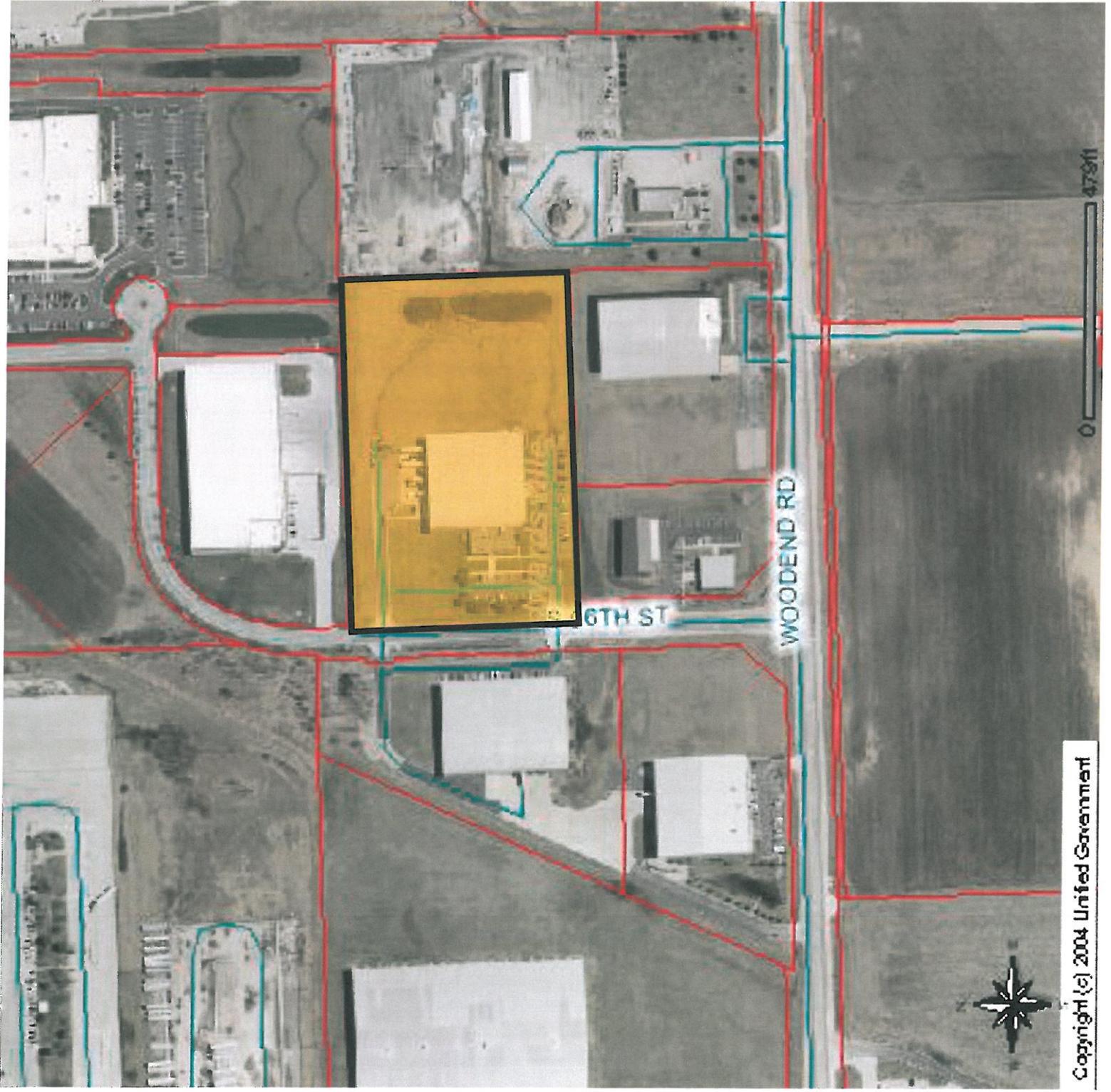
Two motions will be required – one in regard to the preliminary plan and another for the final plan.

Attachments

- Property Location Map
- Application Material: Preliminary and Final Plan materials

**General
Location Map
2647 South 96th
Street
Replattting**

**Case # 2015-07-PPN
2015-08-FPN
2015-09-FPT
January 20, 2016**





DEVELOPMENT PLAN APPLICATION

CITY OF EDWARDSVILLE
690 South 4th Street, PO Box 13738
Edwardsville, KS 66113
913-441-3707 Phone / 913-441-3805 Fax

Date Received: _____ Case # _____

Property Location: 2647 S. 96TH STREET, EDWARDSVILLE, KS 66111

Name of Property Owner(s), Address, Phone, E-mail: INX INTERNATIONAL INK COMPANY, 2647 S. 96TH STREET EDWARDSVILLE, KS 66111, CONTACT: MATT MORROW, 1-913-667-1170, MATT.MORROW@INXINTL.COM

Name of Developer(s), Address, Phone, E-mail: SAME AS OWNER

Name of Applicant, Address, Phone, E-mail: MKEC ENGINEERING, INC., 11827 W. 112TH STREET, SUITE 200 OVERLAND PARK, KS 66210, CONTACT: BRIAN HILL, P.E., 1-913-317-9390, BHILL@MKEC.COM

Type of Development Plan and Application Fee:

Sketch / Concept \$100 Preliminary Plan \$150 Final Plan \$150 Revised / Amended Plan \$150

Gross Acreage of Property: 8.51 Existing Zoning: I-2

Proposed Use of Property: WAREHOUSE FACILITY

Checklist of Attachments submitted with application:

- Legal Description of property (hardcopy and electronic copy in Word Format)
- List of Consultants / Contractors with contact information
- Plan Drawing(s) / Study(ies) (3 full size copies; 1 half-size copy; electronic copy - PDF file: incorporating all contents required - Cover Sheet; Site Plan - Dimension Plan, Grading Plan, Storm water / Erosion Control Plan, Utility Plan, Landscape Plan, Storm water Report; Traffic / Transportation Study; Architectural Plans -Building Elevations, Building Floor Plan, Site Lighting Plan, Master Sign Plan, etc.)
- Material / Color samples
- Additional information (as required / requested) _____

The Applicant and Owner herein agrees to comply with the regulations for the City of Edwardsville, Kansas as amended an all other pertinent ordinances or resolutions of the City and Statutes of the State of Kansas. It is agreed that all City fees and third party review expenses shall be assumed and paid by the owner. The undersigned further states that he/she is the Owner of the property proposed for the Development Plan.

Owner's Signature: [Signature] Date: 12/8/2015

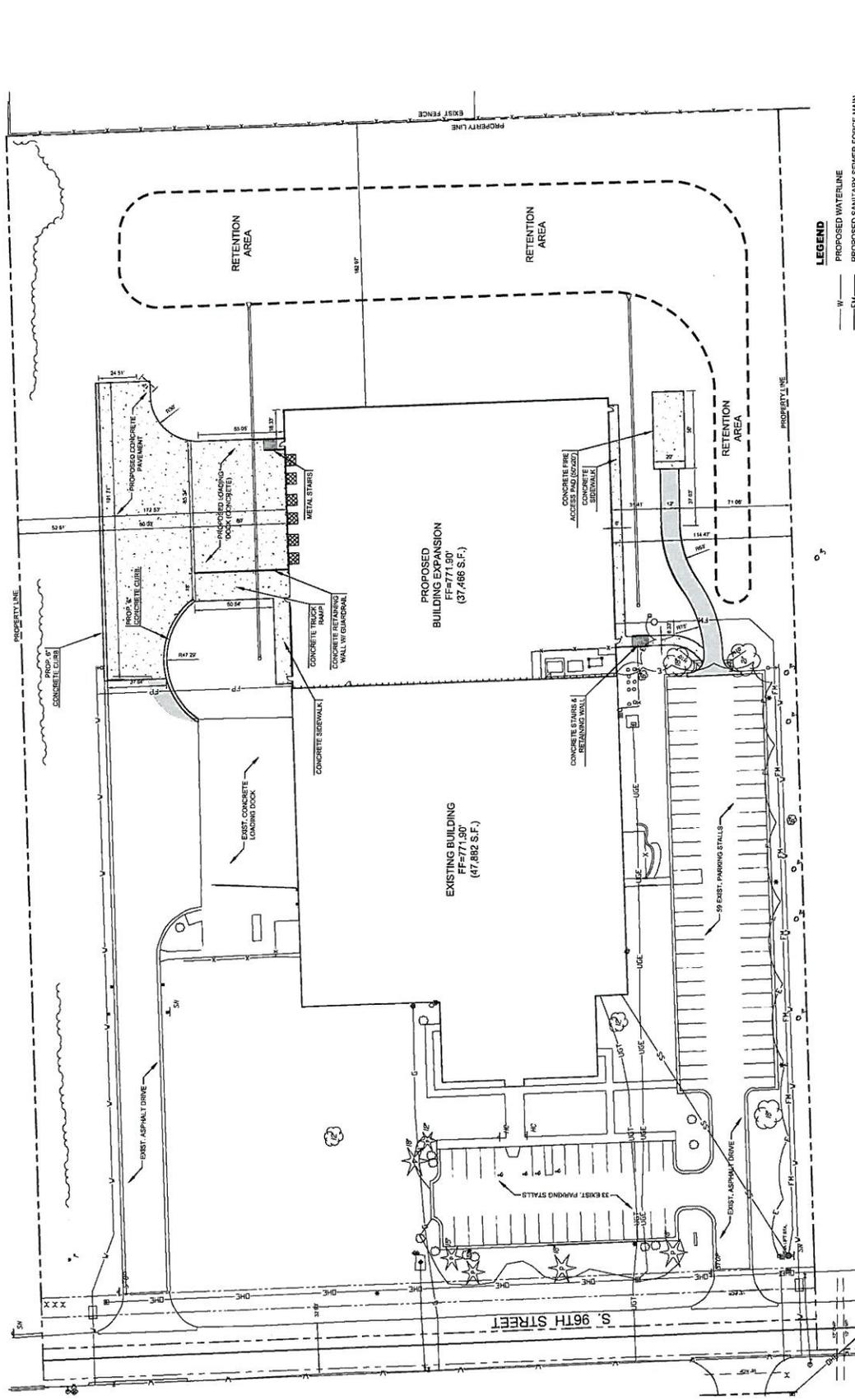
Applicant's Signature: [Signature] Date: 12/18/2015

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DEC 04 2015

MKEC hereby certifies that the information contained herein was prepared by a duly Licensed Professional Engineer, State of Missouri, License No. 1510000402, and that the information is true and correct to the best of his knowledge and belief.

SITE PLAN	
PROJECT NO.	1510000402
DATE	12/09/2015
SCALE	AS NOTED
DESIGNED BY	DMW
CHECKED BY	DMW
SPE	RVO BSH
DATE	
REV	DESCRIPTION
	DATE

SHEET NO. **C2.0**



LEGEND

- W — PROPOSED WATERLINE
- FM — PROPOSED SANITARY SEWER FORCE MAIN
- OS — PROPOSED STORMWATER SEWER
- FP — PROPOSED FIRE WATERLINE
- W — EXISTING WATERLINE
- UCT — EXISTING UNDERGROUND TELEPHONE
- UGE — EXISTING UNDERGROUND ELECTRICAL
- G — EXISTING UNDERGROUND GAS
- SS — EXISTING SANITARY SEWER SERVICE
- OS — EXISTING STORMWATER SEWER
- PROPERTY LINE

HARDSCAPE LEGEND

- CONCRETE PAVEMENT
- ASPHALT PAVEMENT

PARKING REQUIREMENTS

- ONE PARKING STALL PER EMPLOYEE REQUIRED (PER CITY ORDINANCE 8655)
- MAX. EMPLOYEES BETWEEN SHIFTS = 90
- 82 EXISTING PARKING STALLS PROVIDED

RECEIVED

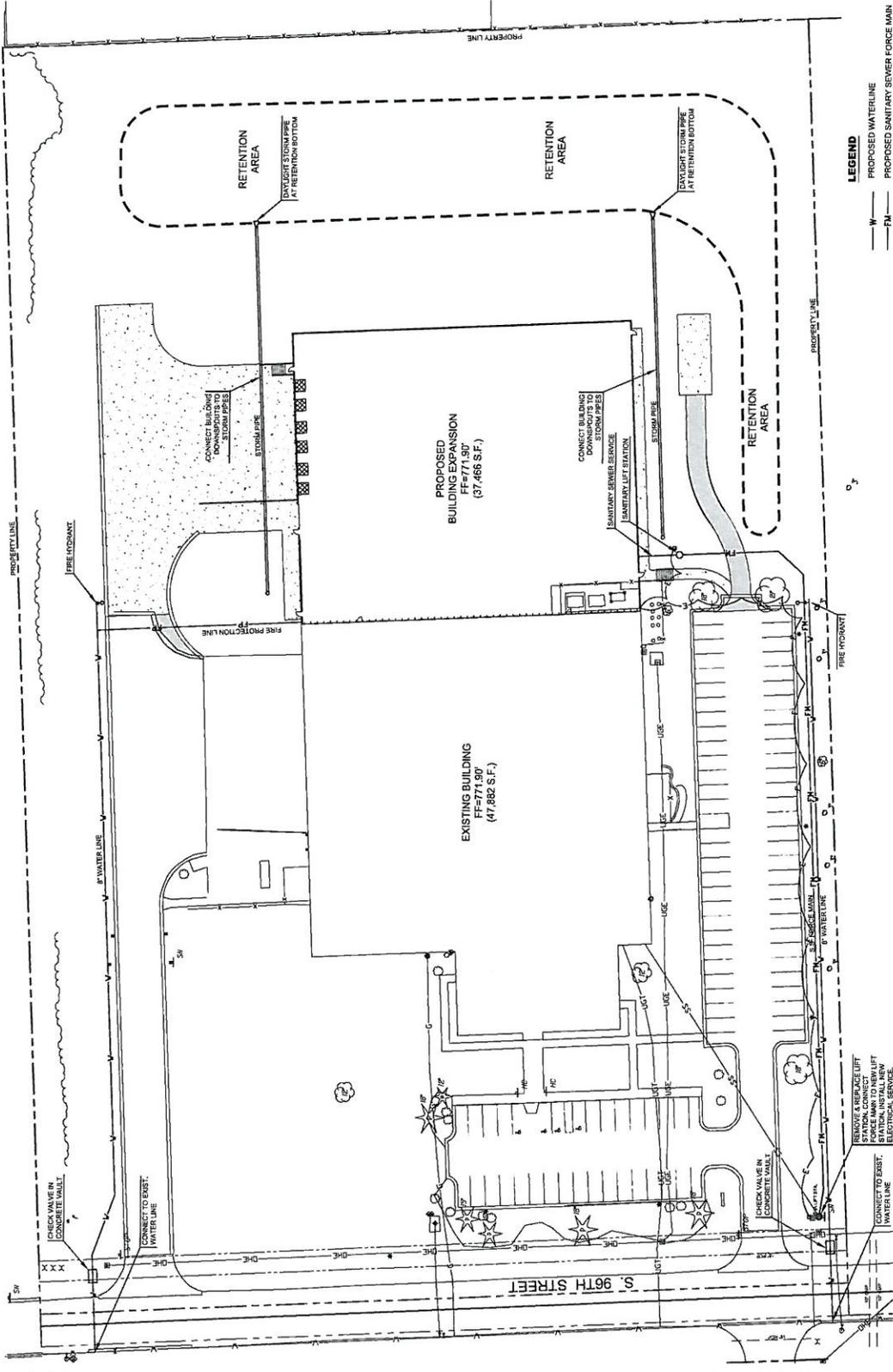
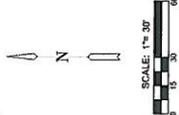
DEC 09 2015

NOT TO SCALE
 ALL DIMENSIONS ARE TO CENTER UNLESS NOTED OTHERWISE
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UTILITY PLAN

PROJECT NO.	1501000402
DATE	12/26/15
SCALE	AS NOTED
DESIGNER	MKEC
DRAWN BY	SPK
CHECKED BY	BSH
DATE	
REVISION	
DATE	

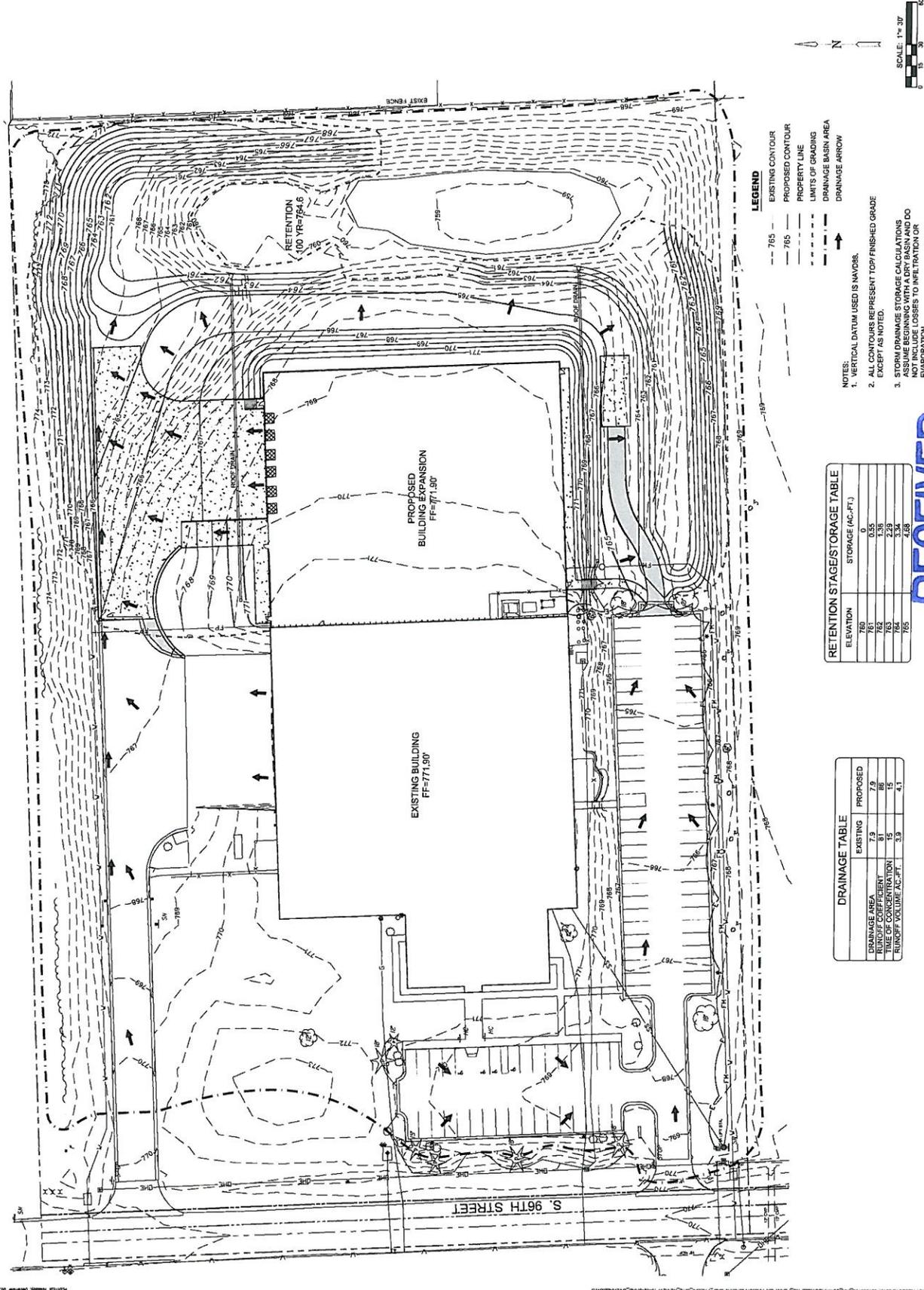
SHEET NO. **C3.0**



- LEGEND**
- W — PROPOSED WATERLINE
 - SM — PROPOSED SANITARY SEWER FORCE MAIN
 - SW — PROPOSED STORMWATER SEWER
 - FW — PROPOSED FIRE WATERLINE
 - W — EXISTING WATERLINE
 - UOT — EXISTING UNDERGROUND TELEPHONE
 - UOE — EXISTING UNDERGROUND ELECTRICAL
 - C — EXISTING UNDERGROUND GAS
 - SS — EXISTING SANITARY SEWER SERVICE
 - SW — EXISTING STORMWATER SEWER
 - - - - - PROPERTY LINE

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2647 S. 96th St.
 EDWARDSVILLE, KANSAS 66111

PRELIMINARY / FINAL SITE DEVELOPMENT PLANS
 INX INTERNATIONAL PROP. WAREHOUSE EXPANSION

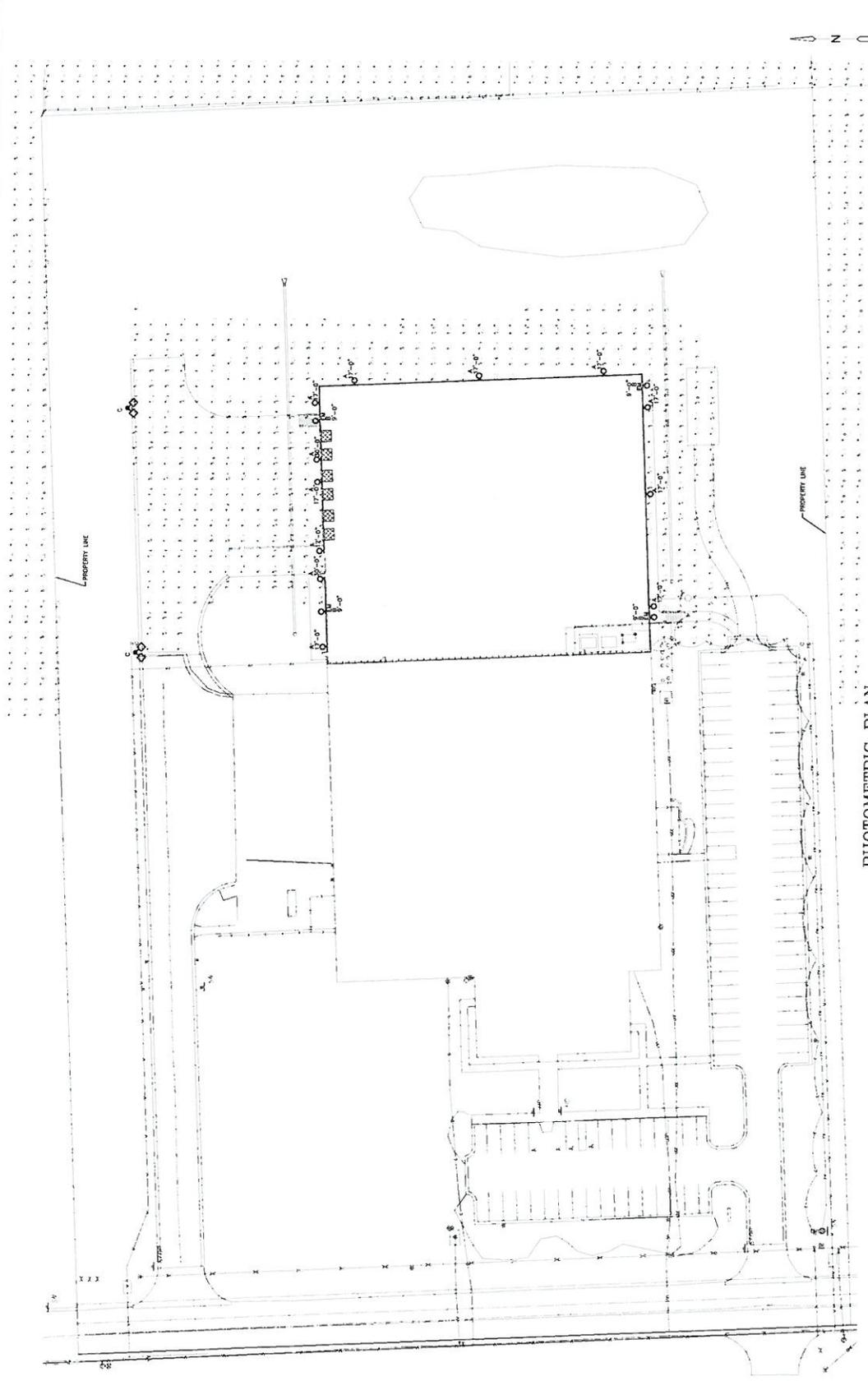
PROJECT NO. 1501066002
 DATE 12/9/2015
 SCALE AS SHOWN
 DRAWN BY CMC
 CHECKED BY JA
 PROJECT MANAGER BY RW

NO.	REVISION	DATE

SHEET NO. E1.0

ILLUMINANCE VALUES
 DRAWING/NOTING - 1.00 FPM ILLUMINANCE WITH 0.75 LIGHT LOSS FACTOR

ITEM	DESCRIPTION	TYPE	HEIGHT	SPACING	WATTAGE	EFFICIENCY	REMARKS
1	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
2	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
3	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
4	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
5	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
6	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
7	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
8	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
9	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW
10	RECESSED	LED	10'	12" X 12"	10W	100 LM/W	NEW



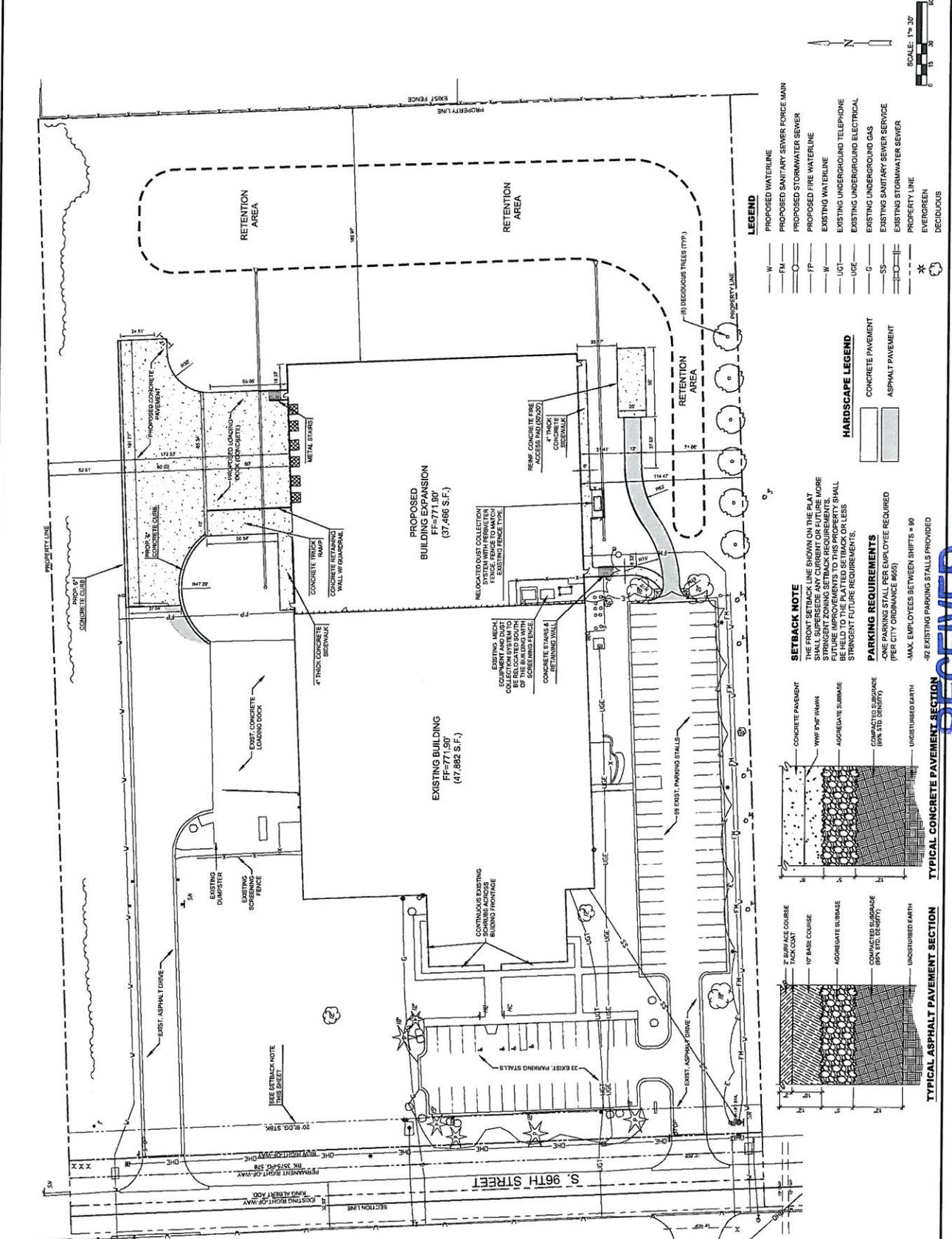
PHOTOMETRIC PLAN
RECEIVED
 DEC 09 2015

PROJECT NO. 15101060402
 DATE 12/09/2015
 SCALE AS NOTED
 DRAWN BY JACOB
 CHECKED BY RKO
 DATE 12/09/2015

SITE PLAN

PROJECT NO.	15101060402
DATE	12/09/2015
SCALE	AS NOTED
DRAWN BY	JACOB
CHECKED BY	RKO
DATE	12/09/2015

1 CITY COMMISSIONERS
 1 CITY MANAGER
 SHEET NO. **C2.0**



LEGEND

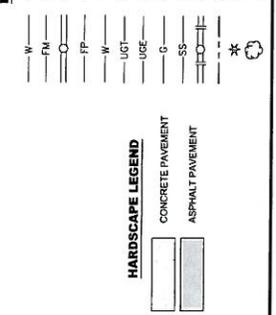
- W - PROPOSED WATERLINE
- FM - PROPOSED SANITARY SEWER FORCE MAIN
- FP - PROPOSED FIRE WATERLINE
- W - EXISTING WATERLINE
- LOT - EXISTING UNDERGROUND TELEPHONE
- UCE - EXISTING UNDERGROUND ELECTRICAL
- G - EXISTING UNDERGROUND GAS
- SS - EXISTING SANITARY SEWER SERVICE
- SS - EXISTING STORMWATER SEWER
- - PROPERTY LINE
- - EVERGREEN
- - DECIDUOUS

HARDSCAPE LEGEND

- Concrete Pavement
- Asphalt Pavement

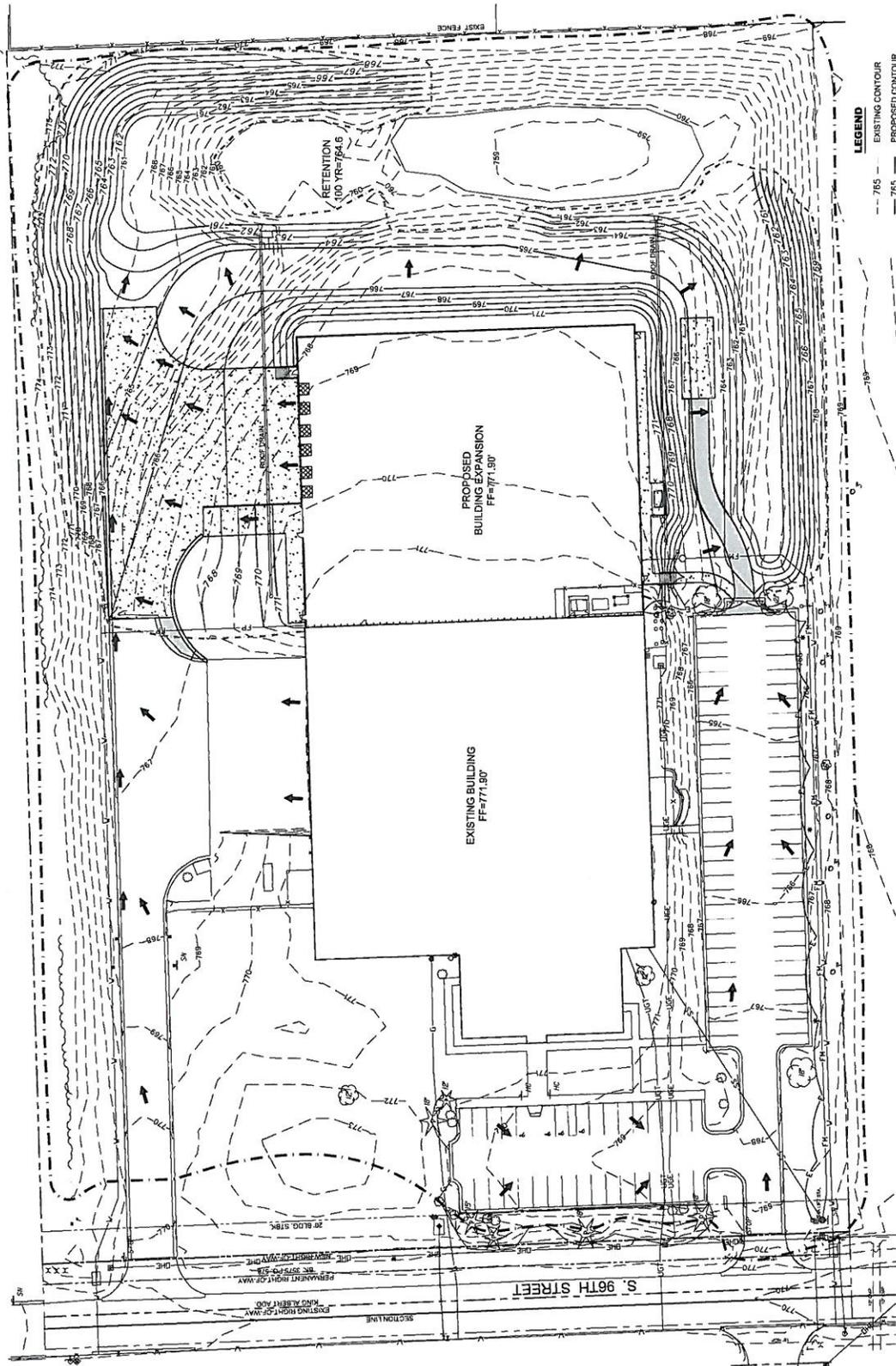
SETBACK NOTE
 THE FRONT SETBACK LINE SHOWN ON THE PLAN SHALL SUPERSEDE ANY CURRENT OR FUTURE MORE STRINGENT ZONING SETBACK REQUIREMENTS. FUTURE IMPROVEMENTS TO THIS PROPERTY SHALL BE IN ACCORDANCE WITH ALL APPLICABLE STRINGENT FUTURE REQUIREMENTS.

PARKING REQUIREMENTS
 - ONE PARKING STALL PER EMPLOYEE REQUIRED (PER CITY ORDINANCE #655)
 - MAX. EMPLOYEES BETWEEN SHIFTS = 80
 - 87 EXISTING PARKING STALLS PROVIDED



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LEGEND

- - - 765 - EXISTING CONTOUR
- - - 765 - PROPOSED CONTOUR
- - - 765 - PROPERTY LINE
- - - 765 - LIMITS OF GRADING
- - - 765 - DRAINAGE BASIN AREA
- - - 765 - DRAINAGE ARROW

NOTES:

1. VERTICAL DATUM USED IS NAVD88.
2. ALL CONTOURS REPRESENT TOP FINISHED GRADE EXCEPT AS NOTED.
3. STORM DRAINAGE STORAGE CALCULATIONS ASSUME BEGINNING WITH A DRY BASIN AND DO NOT TAKE INTO ACCOUNT LOSSES TO INFILTRATION OR EVAPORATION.

RETENTION STAGE/STORAGE TABLE

ELEVATION	STORAGE (AC.-FT.)
760	0
761	0.55
762	2.38
763	3.34
764	4.28
765	4.28

DRAINAGE TABLE

DRAINAGE AREA (AC.)	EXISTING		PROPOSED	
	AREA	TIME OF CONCENTRATION (MIN)	AREA	TIME OF CONCENTRATION (MIN)
7.9	81	86	7.9	86
3.9	3.9	4.1	3.9	4.1
4.1	4.1	4.1	4.1	4.1



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**City of Edwardsville
Staff Analysis Report
Planning Commission January 20, 2016
Item 3b – PUBLIC HEARING Final Plat (Re-plat) INX
International Ink CO (2015-09-FPT)**

General Information

Applicant: INX International Ink Company (Owner) – Matt Morrow / MKEC Engineering – Brian Hill (Applicant)

Location: 2647 South 96th Street

Applications: Final Plat (Re-Plat)

Zoning & Overlay: I-2 Industrial Hard Zoning District / Industrial Overlay District

Existing Land Use: Manufacturing / Processing

Proposed Land Use: Same as above

Background

On December 9, 2015 the property Owner's agent filed an application for a final plat (re-plat) of approximately 8.51 acres of land located on the east side of South 96th Street. This property is adjacent to the Midpoint Corporate Centre. The property is proposed to be platted as 1 lot and is located in the I-2 Industrial Hazard District / Industrial Overlay District.

The property owner intends to expand the existing building and operations per the preliminary and final development plans submitted on December 9, 2015. These plans are also being reviewed and considered by the Planning Commission and City Council (Case # 2015- 07-PPN and 08-FPN).

Per the City of Edwardsville Subdivision Regulations, the various utility providers in the area, as well as appropriate UG representatives, have been provided copies of the final plat for review and comment. The final plat was also provided to the city consulting engineer for review and comment.

Analysis

The final plat application materials have been reviewed by the city planning and engineering consultants for conformance with the requirements of the Subdivision Regulations and other applicable polices and plans. As noted previously, the submitted final plat was also sent to the various utility providers and County surveyor for comment.

The review comments regarding the final plat were provided to the applicant on December 18, 2015. These comments were primarily technical in nature. The revised final plat submittal, dated December 29, 2015, has addressed these items.

Recommendations

Planning Commission to conduct public hearing to receive and consider public comment regarding this final plat / re-plat request.

In regard to a final plat, Article IV Section 13 of the City of Edwardsville Subdivision Regulations state:

The Planning Commission shall approve a final plat if it is:

1. *Substantially the same as the approved preliminary plat;*
2. *There has been compliance with all conditions, restrictions and requirements of this ordinance and all other applicable ordinances of the City;*
3. *There has been compliance with any conditions that may have been attached to the approval of the preliminary plat.*

In light of the analysis and consideration of the standards for Planning Commission approval provided above, staff recommends approval of the final plat / re-plat with the following conditions:

1. Clean-up of any general typographical errors.
2. Meet the submittal and filing requirements of the County Surveyor.

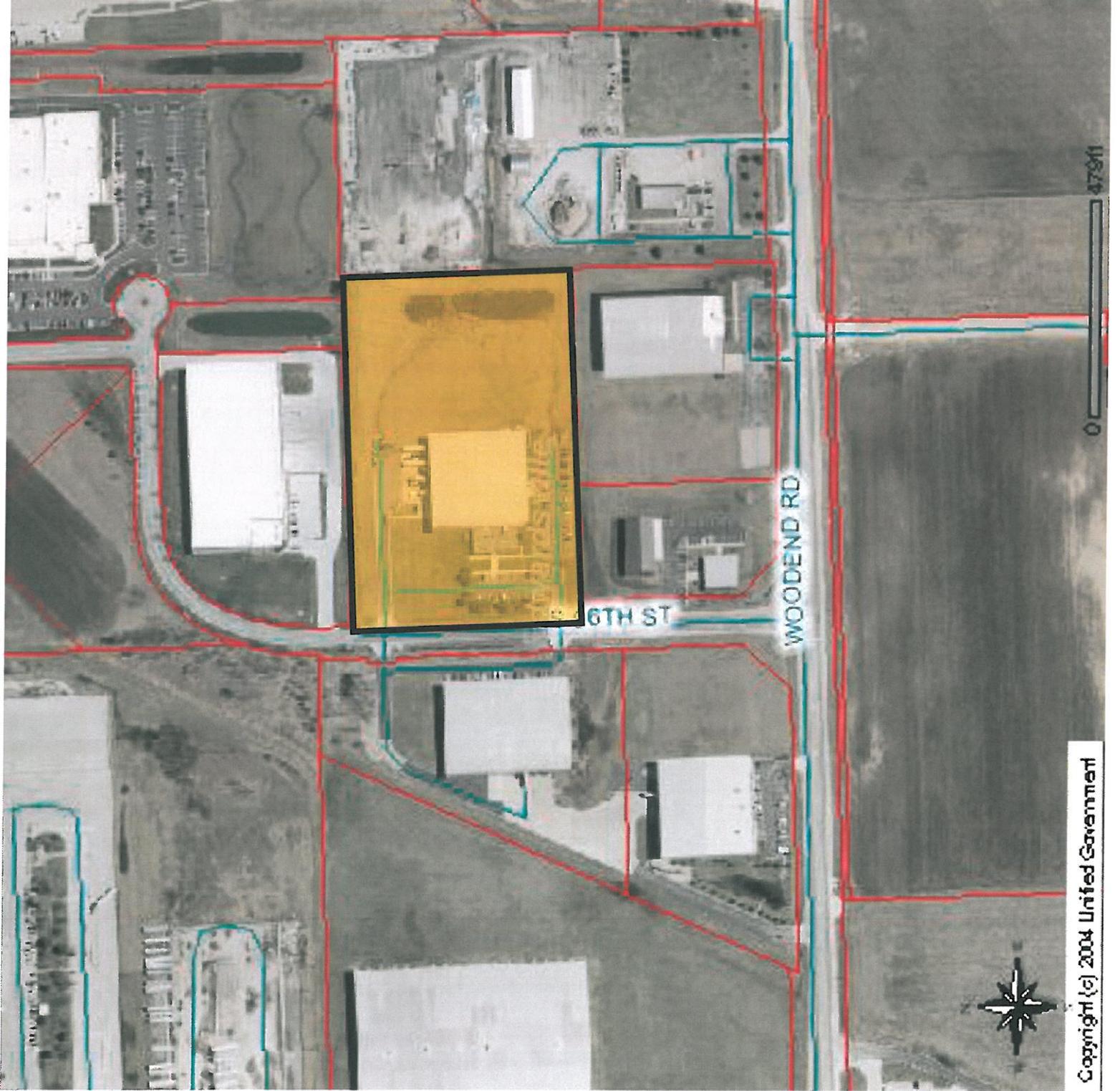
If approved by the Planning Commission, this plat will be forwarded to the City Council for approval and acceptance of public rights-of-way, easements and dedications.

Attachments

- Property Location Map
- Application Material: Final Plat / Re-plat Materials

**General
Location Map
2647 South 96th
Street
Replattng**

**Case # 2015-07-PPN
2015-08-FPN
2015-09-FPT
January 20, 2016**





PLAT / SUBDIVISION APPLICATION

CITY OF EDWARDSVILLE
690 South 4th Street, PO Box 13738
Edwardsville, KS 66113
913-441-3707 Phone / 913-441-3805 Fax

Date Received: _____ Case # _____

Property Owner(s), Address, Phone, E-mail: INX INTERNATIONAL INK COMPANY, 2647 S. 96TH STREET
EDWARDSVILLE, KS 66111, CONTACT: MATT MORROW, 1-913-667-1170, MATT.MORROW@INXINTL.COM

Developer(s), Address, Phone, E-mail: SAME AS OWNER

Applicant, Address, Phone, E-mail: MKEC ENGINEERING, INC., 11827 W. 112TH STREET, SUITE 200
OVERLAND PARK, KS 66210, CONTACT: BRIAN HILL, P.E., 1-913-317-9390, BHILL@MKEC.COM

Type of Review Requested and Application Fee:

Lot Split / Lot Combination \$75 Sketch / Concept Plat \$150 Re-Plat \$150
 Preliminary Plat \$150 Final Plat \$150

Name of Subdivision/Re-Plat and Location: _____

Gross Acreage of Plat: 8.51 ac

Number of Lots: 1

Minimum lot width: _____

Minimum lot depth: _____

Existing Zoning: I-2

Proposed Use of Property: WAREHOUSE

Checklist of Attachments submitted with application:

Plat Drawing(s) (content per Subdivision Regulation Requirements) – (3 full size copies; 1 half-size copy; electronic copy -PDF file)

Legal Description of parcel to be platted (in Word Format)

Owners Affidavit

Additional information (as required / requested) _____

The Applicant and Owner herein agrees to comply with the subdivision regulations for the City of Edwardsville, Kansas as amended and all other pertinent ordinances or resolutions of the City and Statutes of the State of Kansas. It is agreed that all City fees and third party review expenses shall be assumed and paid by the Applicant / Owner. It is agreed that all cost of recording and plat and supplemental documents thereto with the Register of Deeds shall be assumed and paid by the Applicant / Owner when filed. The undersigned further states that he/she is the owner of the property proposed for platting.

Owner's Signature: _____ Date: 12/8/2015

Applicant's Signature: [Signature] Date: 12/8/2015

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DEC 09 2015



City of Edwardsville
Staff Analysis Report
Planning Commission January 20, 2016
Item 3c - Preliminary Plan Village South 323 / 325 North
110th Street (2015-11-PPN)

General Information

Applicant: Big House Investments, LLC and BC Enterprise Investors LLC (Owners) / Korb Maxwell, Polsinelli (Applicant)

Location: 323 / 325 North 110th Street

Applications: Preliminary Plan

Zoning & Overlay: C-2 Commercial Extensive Zoning District / Riverview Overlay District

Existing Land Use: Vacant

Proposed Land Use: Uses permitted in C-2 / K-32 Overlay and in R-3 / Riverview Overlay

Background

On December 9, 2015 the Owner's agent for the property filed an application for a preliminary plan of approximately 27.18 acres of land located on the east side of North 110th Street near the I-70 interchange. The property is proposed to be developed as a mixed-use development including commercial uses (retail, hotel, conference, restaurant, and convenience) and multi-family use (with accessory functions) located on property currently zoned C-2 Commercial Extensive District / Riverview Overlay District.

The property owner intends to develop 2 Hotels (185 rooms) with a restaurant and 12,000 square feet of conference / meeting room space on approximately 7.46 acres; approximately 31,250 square feet of convenience / fast food / retail uses on approximately 4.89 acres; and 252 apartments with accessory clubhouse, pool and play areas on approximately 10.37 acres. Additionally, on-site drainage retention facilities are integrated into the development plan. Primary access to the site would be via a proposed public road off of 110th Street that would run in an east / southeasterly direction through the development site allowing connections to future development on adjacent properties to the south and east of the proposed development.

At this time platting of the property is not being pursued. It is anticipated that final development planning, as well as project construction, will be done in phases.

The preliminary plan submittal materials were provided to the city consulting engineer, consulting planner and the Design Review Committee (DRC) for review and comment.

Analysis

City Staff, consultant engineer and the DRC members reviewed the application materials per Sections E-1.1 through E-1.5, E-1.8 through E-1.9, and E-1.13 of the Riverview Overlay District. Comments from the DRC were forwarded to the applicant, and revised plans and responses were submitted to the City for consideration by the Planning Commission.

Initial comments from the reviewing engineer, planner and Design Review Committee related to the preliminary plan were forwarded to the applicant on December 18, 2015. The review comments were related to a number design features and requirements associated with the Riverview Overlay District including land use and intensity requirements, traffic analysis, utility provision / location (related specifically to stormwater and sanitary sewer),

and a variety of other items that will need to be addressed via final development plan submittals (such items include – anticipated plan deviations and other architectural / site elements / features, etc.).

On December 29, 2015 the applicant provided revised plans and responses to the comments. A review of the revisions and responses was conducted by the reviewing engineer and planner. In general it was found that the revised submittal and responses are in keeping with the intent of the preliminary plan process and requirements, although there are a number of items that will need to be addressed and incorporated into future final plan submittals.

All of the items identified in the review process have either been adequately addressed and/or acknowledged by the applicant to be considered / addressed as part of future final development plan submittals. One area of the project that will require further discussion and coordination is the traffic impact analysis. The traffic in this area impacts three jurisdictions – KCK / Wyandotte County UG; KDOT and the City of Edwardsville. As such it is anticipated that greater review and discussion among the applicant and these jurisdictions will be conducted and may result in potential changes to the analysis and recommended improvements.

Recommendations

City staff recommends that the Planning Commission recommend approval of the preliminary plan with the following conditions:

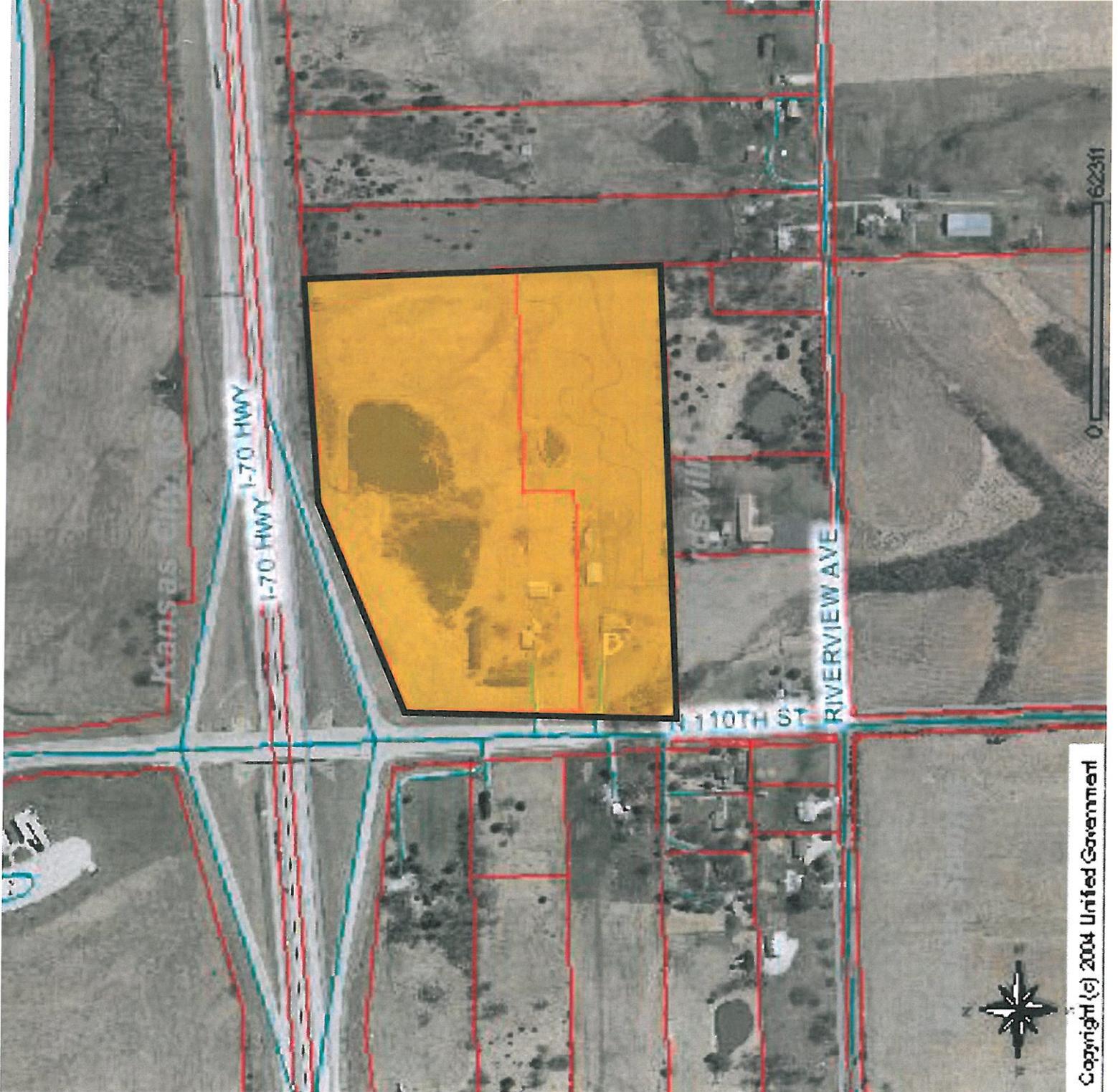
1. That, in addition to the final development plan content and design requirements of the Riverview Overlay District, all items identified via the review / comment (December 18) / response (December 29) process, including the engineering consultant responses of January 6, 2016 be addressed in an acceptable manner as part of future final development plan submittals.
2. That the applicant pursue rezoning of the portion of the property proposed to be developed as multi-family use from C-2 to R-3, and that such zoning if approved by the City is subject to the review and approval of final development plan(s) for the use and the proposed development area.
3. That the property encompassed by the proposed development be platted as part of the development process prior to the issuance of building permits.
4. That additional traffic impact analysis be conducted as a result of further discussion and coordination with all applicable jurisdictions resulting in appropriate and acceptable improvements to address anticipated traffic patterns and volumes associated with final development plans.
5. That pedestrian and bicycle accommodations be further addressed / enhanced between proposed uses and along the existing adjacent 110th Street rights-of-way as part of final development plans.
6. That in addition to the requested 10 foot buffer for the project, which is a deviation from the Riverview Overlay requirements, appropriate enhancements such as decorative fencing, berms and landscaping be incorporated into final development plans.
7. That all sanitary sewer improvements meet or exceed the City planning and design parameters previously used to design future sanitary sewer service in this area (Little Turkey Creek).
8. That an acceptable development agreement is reached between the City and the developer / owner as part of any final development plan for the project.

Attachments

- Property Location Map
- Revised Application Material: Preliminary Plan Materials
- Riverview Overlay District regulations

**General
Location Map
323 / 325 North
110th Street
Preliminary Plan**

**Case # 2015-11-PPN
January 20, 2016**





DEVELOPMENT PLAN APPLICATION

CITY OF EDWARDSVILLE
690 South 4th Street, PO Box 13738
Edwardsville, KS 66113
913-441-3707 Phone / 913-441-3805 Fax

RECEIVED
DEC 09 2015

Date Received: _____ Case # _____

Property Location: Southeast corner of 110th Street and I-70, Edwardsville Kansas

Name of Property Owner(s), Address, Phone, E-mail: Owner #1: Big House Investments, LLC 25131 Buckskin Laguna Hills, CA 92653
Owner #2: BC Enterprise Investors, LLC 605 W 47th St. Kansas City, MO

Name of Developer(s), Address, Phone, E-mail: Lane4 Property Group, Inc. 4705 Central Street Kansas City, MO 64112, phone: 816.268.9109, email: hharris@lane4group.com

Name of Applicant, Address, Phone, E-mail: Korb Maxwell, Polsinelli, 900 W. 48th Place, Suite 900 Kansas City, MO 64112, phone: 816.753.1000, e-mail: KMaxwell@Polsinelli.com

Type of Development Plan and Application Fee:

Sketch / Concept \$100 Preliminary Plan \$150 Final Plan \$150 Revised / Amended Plan \$150

Gross Acreage of Property: 27.10 Acres Existing Zoning: C-2

Proposed Use of Property: Retail, Garden Apartments, Hotel, Restaurant, ^{Conference} ~~Convention~~ and convenience store

Checklist of Attachments submitted with application:

- Legal Description of property (hardcopy and electronic copy in Word Format)
- List of Consultants / Contractors with contact information
- Plan Drawing(s) / Study(ies) (3 full size copies; 1 half-size copy; electronic copy - PDF file: incorporating all contents required - Cover Sheet; Site Plan - Dimension Plan, Grading Plan, Storm water / Erosion Control Plan, Utility Plan, Landscape Plan, Storm water Report; Traffic / Transportation Study; Architectural Plans -Building Elevations, Building Floor Plan, Site Lighting Plan, Master Sign Plan, etc.)
- N/A Material / Color samples
- Additional information (as required / requested)

The Applicant and Owner herein agrees to comply with the regulations for the City of Edwardsville, Kansas as amended and all other pertinent ordinances or resolutions of the City and Statutes of the State of Kansas. It is agreed that all City fees and third party review expenses shall be assumed and paid by the owner. The undersigned further states that he/she is the Owner of the property proposed for the Development Plan.

Owner's Signature: Date: 12/8/15

Applicant's Signature: Date: _____



DEVELOPMENT PLAN APPLICATION

CITY OF EDWARDSVILLE
690 South 4th Street, PO Box 13738
Edwardsville, KS 66113
913-441-3707 Phone / 913-441-3805 Fax

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- Material / Color samples
- Additional information (as required / requested) _____

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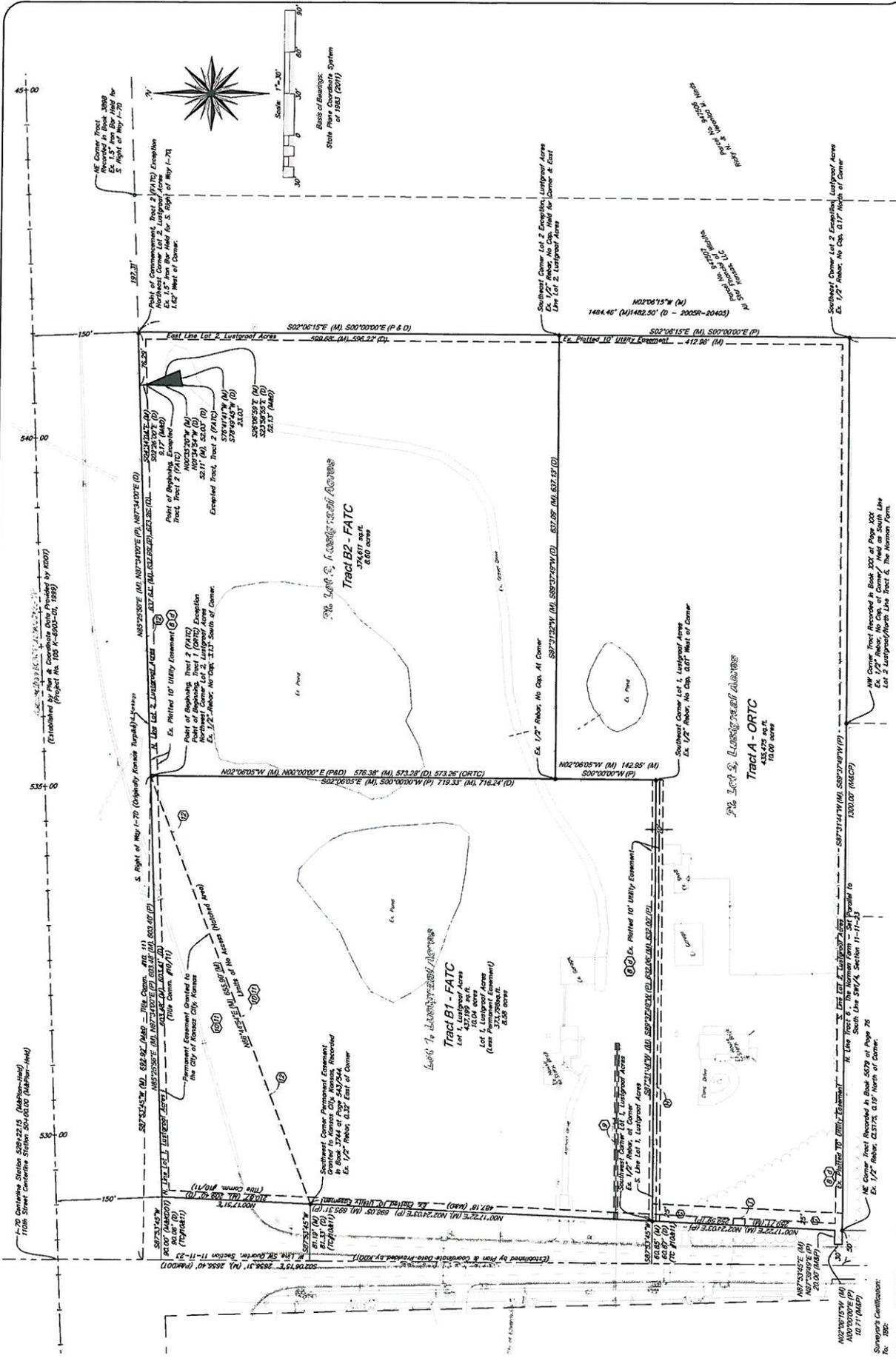
Owner's Signature: [Signature] Date: 12-9-15

Applicant's Signature: [Signature] Date: _____

ALTA/ACSM Land Title Survey
 110th Street & I-70
 Edwardsville, Wyandotte County, Kansas

No.	Tract	Dimensions	Area
1	Tract A - ORTC	142.85' (M) x 100.00' (P)	14,285.00 sq. ft.
2	Tract B1 - FATC	474.61' (M) x 6.00' (M)	2,847.66 sq. ft.
3	Tract B2 - FATC	374.61' (M) x 6.00' (M)	2,247.66 sq. ft.

STRICK & COMPANY, INC.
 PROFESSIONAL LAND SURVEYORS
 806 S. Creekhill Drive, Gardner, KS 66030 • 913.856.0164 • (fax) 913.856.0165



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 DEC 29 2015

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Michigan Standard Detail Requirements for ALTA/ACSM Land Title Surveys, which were published and adopted by ALTA and NSPS, and include items 1, 3, 4, 6a, 7a, 8, 11a, 13, 14, 16 and 18 of Table A (Annex). The field work was completed on November 9, 2015. (Date of Plat or Map: 12/04/2015)

Joseph B. Strick, KS FS 1373
 11/23/2015
 Signature and Stamp in blue ink indicates an original signed copy by this Surveyor, any other color is not an original copy and is not valid without recovery order/certificate.

Rev	Date	Description	By	App

BHC RHODES
 Civil Engineers - Surveyors - Landscapers
 1101 S. Maple Street, Suite 200
 P.O. Box 663-1900 (P.O. Box 663-1933)
 Overland Park, Kansas 66210
 (913) 663-1900 (913) 663-1933
 Fax: (913) 663-1900
 Project Engineer: Patrick Joyce, P.E.
 816-920-1444

Prepared For:
LANE 4
 PROPERTY HOLDING CORPORATION
 816-920-1444

VILLAGE SOUTH
110TH STREET & I-70
EDWARDSVILLE, KANSAS
GENERAL LAYOUT
&
DIMENSION PLAN

14 of 7
 C1.0

SITE DATA

CONVENIENCE
 SITE LAND AREA: 60,984 SF (1.40 AC)
 BUILDING AREA: 2,040 SF
 BUILDING HEIGHT: 1-STORY
 FLOOR AREA RATIO: 3.35%
 IMPERVIOUS AREA: 45,199 SQ FT (74%)

FAST FOOD
 SITE LAND AREA: 35,804 SF (0.82 AC)
 BUILDING AREA: 4,000 SF
 BUILDING HEIGHT: 1-STORY
 FLOOR AREA RATIO: 11.17%
 IMPERVIOUS AREA: 25,083 SQ FT (70%)

RETAIL
 SITE LAND AREA: 116,506 SF (2.67 AC)
 BUILDING AREA: 25,240 SF
 BUILDING HEIGHT: 1-STORY
 FLOOR AREA RATIO: 21.66%
 IMPERVIOUS AREA: 64,787 SQ FT (58%)

HOTEL 1, HOTEL 2, CONFERENCE, RESTAURANT
 SITE LAND AREA: 329,041 SF (7.55 AC)
 HOTEL 1 AREA: 42,432 SF
 BUILDING HEIGHT: 4-STORY (50 FT)
 HOTEL 2 AREA: 48,920 SF
 BUILDING HEIGHT: 4-STORY (50 FT)
 CONFERENCE AREA: 12,000 SF
 BUILDING HEIGHT: 2-STORY
 RESTAURANT AREA: 5,700 SF
 BUILDING HEIGHT: 1-STORY
 FLOOR AREA RATIO: 33.45%
 IMPERVIOUS AREA: 260,366 SQ FT (75%)

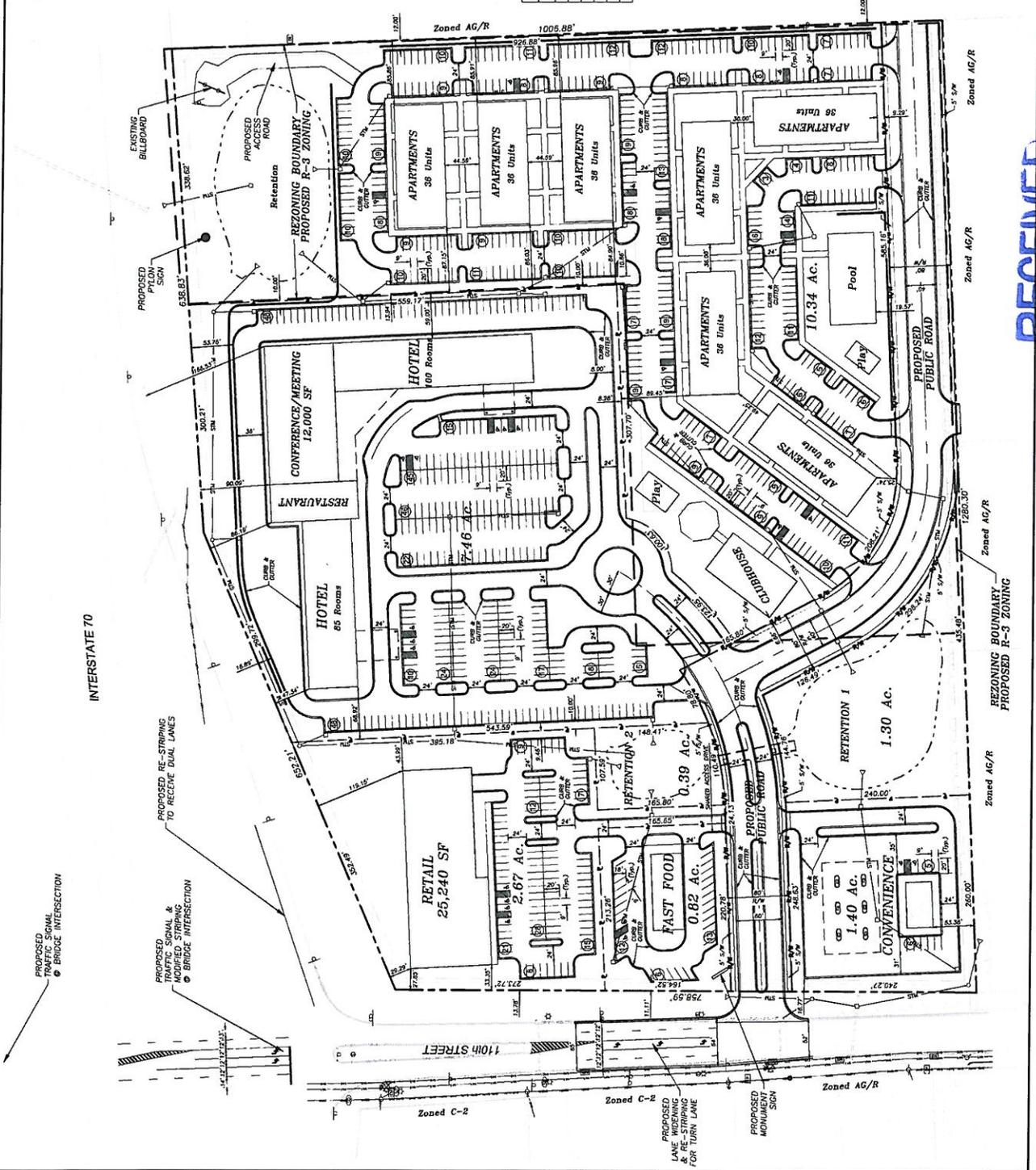
APARTMENTS
 SITE LAND AREA: 451,754 SF (10.37 AC)
 BUILDING AREA: 31,104 SF (47)
 BUILDING HEIGHT: 4-STORY
 CLUBHOUSE AREA: 6,330 SF
 FLOOR AREA RATIO: 49.60%
 IMPERVIOUS AREA: 286,285 SQ FT (63%)

PARKING TABULATION

USAGE	SIZE	PROV. REQ.	PROVIDED
Hotel 1	85 Rooms	85 Stalls	85 Stalls
Hotel 2	100 Rooms	100 Stalls	100 Stalls
Conference	12,000 SF	148 Stalls	49 Stalls
Restaurant	150 Stalls	75 Stalls	75 Stalls
Retail	25,240 SF	100 Stalls	100 Stalls
Apartments	252 Units	504 Stalls	413 Stalls

EXISTING ZONING
 EXISTING SIZE ZONED C-2

PROPERTY OWNERS
 BIC HOUSE INVESTMENTS, LLC
 25131 BUCKSKIN DRIVE
 LAGUNA HILLS, CA 92653
 AND
 BIC ENTERPRISE INVESTORS, LLC
 805 W 47TH STREET
 KANSAS CITY, MO 64112



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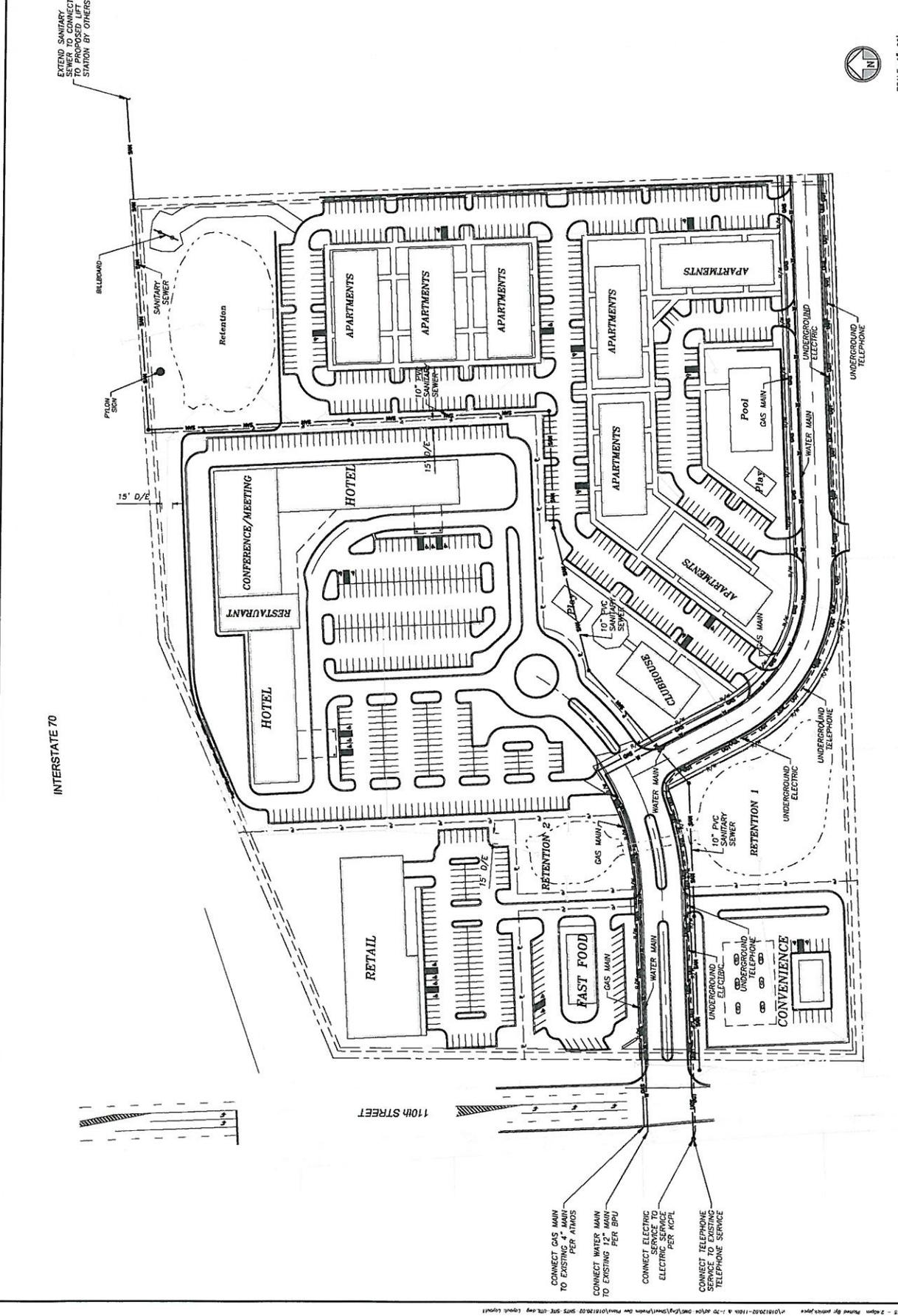
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BHC RHODES
 Civil Engineering & Surveying - Lubbock
 7101 College Blvd, Suite 400
 Overland Park, Kansas 66210
 P. (913) 663-1900 F. (913) 663-1633
 Fax: (913) 663-1633
 Project Engineer: Patrick Joyce, P.E.

LANE 4
 PROPERTY COMPANY
 Prepared For: 816-900-1444

UTILITY PLAN
VILLAGE SOUTH
110TH STREET & I-70
EDWARDSVILLE, KANSAS

Sheet: 800, Drawn: BSC
 Date: 12/29/15
 Project Number: 08150102
 3 of 7
C3.0



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PLANTING REQUIREMENTS

CONVENIENCE	REQUIRED	PROVIDED
SITE LAND AREA:	1 TREE/5,000 SQ FT	13
PARKING AREA:	2 SHRUBS/5,000 SQ FT	54
PARKING AREA:	1 TREE/200 SQ FT	4

FAST FOOD	REQUIRED	PROVIDED
SITE LAND AREA:	1 TREE/5,000 SQ FT	7.16
PARKING AREA:	2 SHRUBS/5,000 SQ FT	14.30
PARKING AREA:	1 TREE/200 SQ FT	2.10

RETAIL	REQUIRED	PROVIDED
SITE LAND AREA:	1 TREE/5,000 SQ FT	24
PARKING AREA:	2 SHRUBS/5,000 SQ FT	49
PARKING AREA:	1 TREE/200 SQ FT	5

HOTEL 1 - HOTEL 2 - CONFERENCE - RESTAURANT	REQUIRED	PROVIDED
SITE LAND AREA:	1 TREE/5,000 SQ FT	62
PARKING AREA:	2 SHRUBS/5,000 SQ FT	207
PARKING AREA:	1 TREE/200 SQ FT	19

APARTMENTS	REQUIRED	PROVIDED
SITE LAND AREA:	1 TREE/5,000 SQ FT	145
PARKING AREA:	2 SHRUBS/5,000 SQ FT	201
PARKING AREA:	1 TREE/200 SQ FT	17

PLANTING REQUIREMENTS

CONVENIENCE	REQUIRED	PROVIDED
SITE LAND AREA:	60,984 SF (1.40 AC)	
PARKING AREA:	27,711 SF	
PARKING AREA:	693 SF	

FAST FOOD

CONVENIENCE	REQUIRED	PROVIDED
SITE LAND AREA:	35,804 SF (0.82 AC)	
PARKING AREA:	1,893 SF	
PARKING AREA:	422 SF	

RETAIL

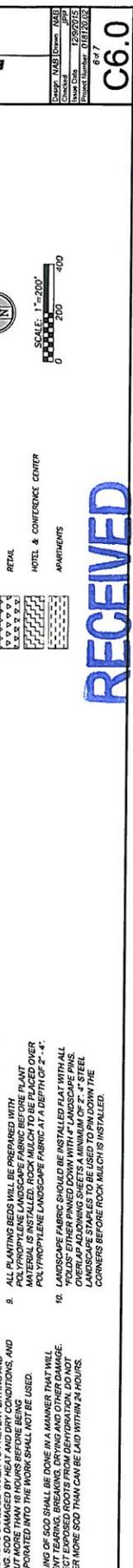
CONVENIENCE	REQUIRED	PROVIDED
SITE LAND AREA:	116,506 SF (2.67 AC)	
PARKING AREA:	33,025 SF	
PARKING AREA:	828 SF	

HOTEL 1 - HOTEL 2 - CONFERENCE - RESTAURANT

CONVENIENCE	REQUIRED	PROVIDED
SITE LAND AREA:	325,041 SF (7.35 AC)	
PARKING AREA:	145,941 SF	
PARKING AREA:	3,049 SF	

APARTMENTS

CONVENIENCE	REQUIRED	PROVIDED
SITE LAND AREA:	451,754 SF (10.37 AC)	
PARKING AREA:	125,718 SF	
PARKING AREA:	3,143 SF	



11. ONLY MALE TREES OF THE VARIETY GINKGO BILOBA WILL BE PLANTED. ALL OTHER TREES WILL BE REPLACED AT THE CONTRACTOR'S EXPENSE.

12. FERTILIZER SHALL BE 20-10-4 COMMERCIAL FERTILIZER OF THE GRANULAR TYPE AND SHALL BE APPLIED TO THE SOIL WITH THE RULES OF THE STATE BOARD OF AGRICULTURE. FERTILIZER SHALL BE IDENTIFIED ACCORDING TO THE PERCENT N-P-K IN THAT ORDER.

13. SATURATE SOIL WITH FINE WATER SPRAY WITHIN TWO HOURS OF PLANTING. DURING THE FIRST WEEK AFTER PLANTING, WATER SHALL BE APPLIED FREQUENTLY AS NECESSARY TO MAINTAIN MOISTURE TO A MINIMUM DEPTH OF FOUR INCHES.

14. ALL PLANTING BEDS WILL BE PREPARED WITH POLYPROPYLENE LANDSCAPE FABRIC AT A DEPTH OF 2" - 4". LANDSCAPE FABRIC SHALL BE INSTALLED FLAT WITH ALL OVERLAP ADJOINING SHEETS A MINIMUM OF 2" - 4" STEEL CORNERS BEFORE ROCK MULCH IS INSTALLED.

PLANT SCHEDULE

QUANTITY	BOTANICAL NAME / COMMON NAME	CONTAINER SIZE	PLANT HEIGHT
54	Juncus virginiana 'Concert' / Concert Juniper	B & B 4"-5" H	4'-5" H
3	Picea obovata 'Noreway Spruce' / Noreway Spruce	B & B 4"-5" H	4'-5" H
24	Chloranthus tenuifolius 'American Yew' / American Yew	B & B 1.5" Cal	1.5" Cal
20	Tilia americana 'American Linden' / American Linden	B & B 1.5" Cal	1.5" Cal
16	Acer x freemontii 'Jeffers' / Autumn Blaze Maple	B & B 1.5" Cal	1.5" Cal
27	Ginkgo biloba 'Golden Colonnade' / Golden Colonnade Ginkgo	B & B 1.5" Cal	1.5" Cal
10	Ginkgo biloba 'Princeton Sentry' / Princeton Sentry Ginkgo	B & B 1" Cal	1" Cal
22	Magnolia virginiana / Sweet Bay	B & B 1.5" Cal	1.5" Cal
20	Quercus bicolor / Swamp White Oak	B & B 1.5" Cal	1.5" Cal
33	Quercus shumardii / Shumard Red Oak	B & B 1" Cal	1" Cal
9	Cercis canadensis / Eastern Redbud	B & B 6"-8" H	6"-8" H
5	Morus x 'Venetosa' / Velvet Platanus	B & B 6"-8" H	6"-8" H
20	Prunus serotina 'Newport' / Flowering Cherry	B & B 6"-8" H	6"-8" H
81	Sorghastrum nutans / Indian Grass	1 gal	
115	Enonymus alatus 'Queen TM' / Little Moses Dwarf Burning Bush	B & B 12"-18" H	12"-18" H
50	Ilex verticillata / Winterberry	B & B 18"-24" H	18"-24" H
128	Ilex verticillata 'Red Spirit' / Red Spirit Winterberry	B & B 12"-18" H	12"-18" H
388	Thuja occidentalis 'West Midget' / West Midget Arborvitae	B & B 12"-18" H	12"-18" H
305,354 sq ft	Festuca grandiflora 'Waterstar Blend' / Waterstar Blend of Tall Fescue sod	plug 12" sq	
2,206	Lolium perenne 'Big Blue' / Big Blue Dylfurf	plug 12" sq	
23,768	Panicum virgatum / Switch Grass	plug 12" sq	

LANDSCAPING NOTES

- ALL DISTURBED AREAS SHALL BE SOLOTTED WITH TURF TYPE TALL FESCUE SOIL WITH A MINIMUM OF THREE CULTIVARS.
- ALL LANDSCAPED AREAS SHALL RECEIVE A MINIMUM 6-INCH DEPTH OF TOPSOIL COMPACTED TO 85% DENSITY AT OPTIMUM MOISTURE CONTENT.
- THE ENTIRE SURFACE TO BE LANDSCAPED SHOULD BE REASONABLY SMOOTH AND FREE FROM STONES, ROOTS OR OTHER DEBRIS.
- SOIL SHALL BE MACHINE STRIPPED AT A UNIFORM SOIL THICKNESS OF APPROXIMATELY ONE INCH (PLUS OR MINUS 1/4") FOR THE ENTIRE SURFACE TO BE LANDSCAPED. THE MEASUREMENT FOR THICKNESS SHALL BE TAKEN AT THE TIME OF CUTTING IN THE FIELD. PRECAUTIONS SHALL BE TAKEN TO PREVENT DRYING AND SOIL CUT MORE THAN 18 HOURS BEFORE PLANTING IS INCORPORATED INTO THE WORK SHALL NOT BE USED.
- HANDLING OF SOIL SHALL BE DONE IN A MANNER THAT WILL PREVENT TEARING, BREAKING, DRYING AND OTHER DAMAGE. PROTECT EXPOSED ROOTS FROM DEHYDRATION. DO NOT DELIVER MORE SOIL THAN CAN BE LAID WITHIN 24 HOURS.
- MOISTEN PREPARED SURFACES IMMEDIATELY PRIOR TO LAYING SOIL. WATER THOROUGHLY AND ALLOW SURFACE TO SETTLE BEFORE INSTALLING SOIL. FERTILIZE, HARROW OR RAKE FERTILIZER IN THE TOP 1-1/2 INCHES OR TOPSOIL AT A MINIMUM RATE.
- FERTILIZER SHALL BE 20-10-4 COMMERCIAL FERTILIZER OF THE GRANULAR TYPE AND SHALL BE APPLIED TO THE SOIL WITH THE RULES OF THE STATE BOARD OF AGRICULTURE. FERTILIZER SHALL BE IDENTIFIED ACCORDING TO THE PERCENT N-P-K IN THAT ORDER.
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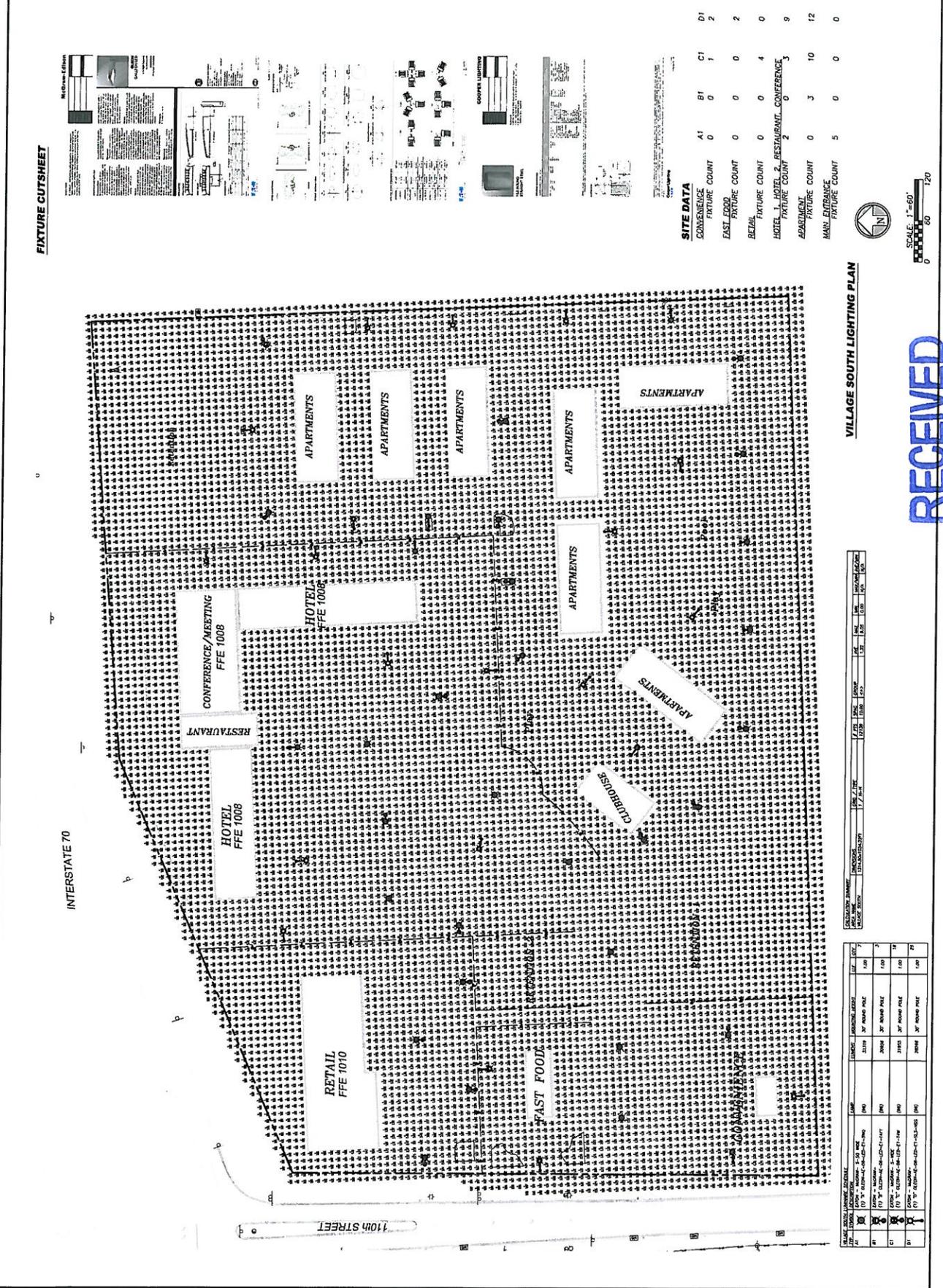
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 DEC 29 2015

Rev	Date	Description	By	App

Prepared for
LANE 4
 816-950-1444
 PROJECT: PROPERVOROUS
BHC RHODES
 711 College Blvd., Suite 425
 Overland Park, Kansas 66202
 P: (913) 653-1900 F: (913) 653-1933
 Project Engineer: Patrick Joyce, P.E.

VILLAGE SOUTH
110TH STREET & I-70
EDWARDSVILLE, KANSAS
SITE LIGHTING PLAN

C7.0
 7-27
 SCALE: 1" = 60'
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FIXTURE CUTSHEET

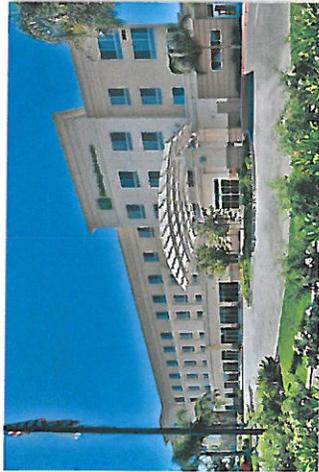
Fixture	Quantity	Notes

SITE DATA

Category	A1	B1	C1	D1
CONFERENCE	0	0	1	2
RESTAURANT	0	0	0	0
HOTEL	0	0	0	0
RETAIL	0	0	4	0
APARTMENTS	2	0	0	0
MAN. ENTRANCE	0	3	10	12
PARKING	5	0	0	0



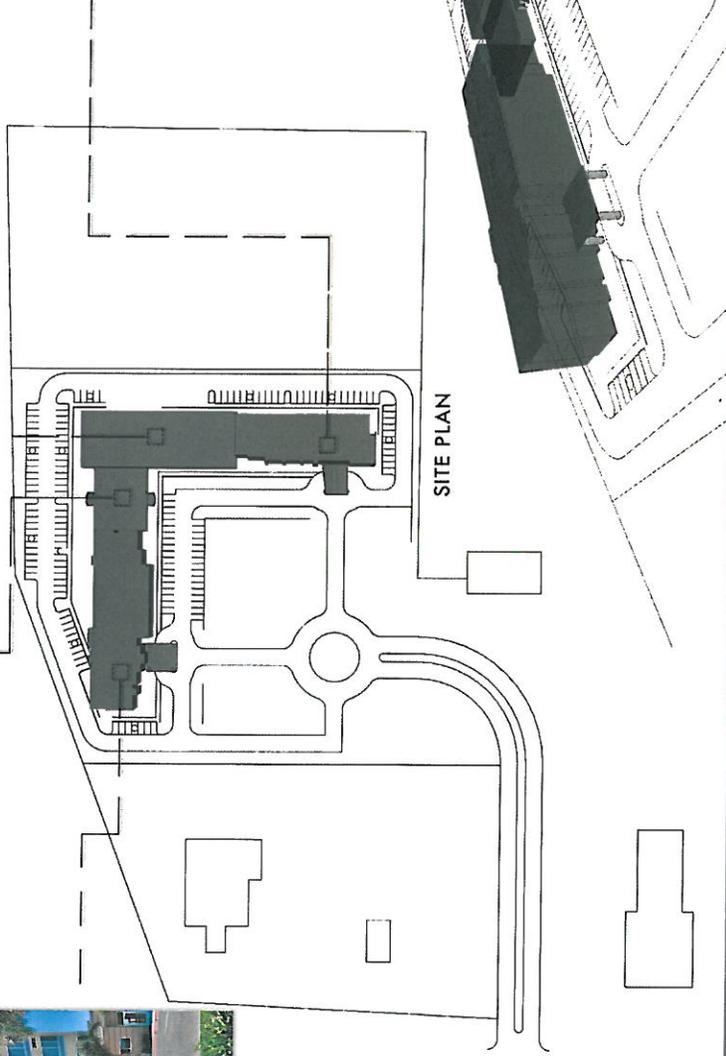
RESTAURANT



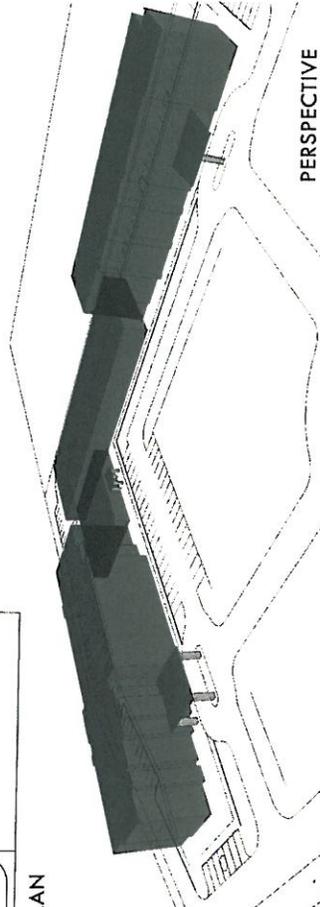
HOLIDAY INN



LA QUINTA



SITE PLAN



PERSPECTIVE

FUTURE HOTEL DEVELOPMENT CONCEPT
 KANSAS CITY, KS
RECEIVED



DEC 29 2015

(Published in *The Journal-World* this 4th day of January, 2004)

ORDINANCE NO. 755

A ZONING ORDINANCE RELATING TO THE "RIVERVIEW AVENUE SPECIAL DEVELOPMENT DISTRICT" (RASD).

BE IT ORDAINED by the Governing Body for the City of Edwardsville, Kansas:

SECTION 1. The Zoning Regulations of the City of Edwardsville, Kansas as incorporated by Section 16-201 of the Code of the City of Edwardsville, Kansas, are hereby amended by adding the following article and pursuant sections:

ARTICLE E-1. RIVERVIEW AVENUE SPECIAL DEVELOPMENT DISTRICT

E-1.1. INTENT. The intent of the RASD is to provide an area that may accommodate low, medium, and high density residential development, office, and retail commercial, institutional development both individually and in a mixed use setting. Light industrial and heavy industrial land uses, as specified in the Industrial Non-Hazard and Industrial Hazard Districts, are not allowed.

E-1.2. PERMITTED PRINCIPAL USES AND STRUCTURES. The following principal uses and structures shall be permitted within the RASD:

- a. AGRICULTURAL. Agriculture-horticulture and animal husbandry.
- b. RESIDENTIAL.
Single family residential, with a minimum floor area of 1,200 square feet
Multi-family residential, with a minimum floor area of 960 square feet.
Garden apartments, with a minimum floor area of 960 square feet.
Townhouses, with a minimum floor area of 1,200 square feet.
- c. COMMERCIAL. Professional offices; theater and entertainment services; retail commercial and services; business services; medical services; personal services; financial services; food and drink services; transient lodging (hotel, motel, bed and breakfast); governmental services.
- d. PUBLIC AND SEMI-PUBLIC: Places of worship; golf courses, sports facilities and clubs; governmental facilities; utility facilities; schools; medical facilities; parks and recreation.

E-1.3. PROHIBITED USES AND STRUCTURES. All other uses and structures not specifically permitted or not permissible as special uses shall be prohibited from the RASD.

E-1.4. SIGNAGE. All signage shall conform to the following guidelines:

a. Wall signs shall be limited to one per façade and shall not exceed 10 percent of the square footage of the façade, and shall not extend the top of the façade. In a development, a theme or standard for sign placement shall be developed and the area for signs shall be clearly indicated on the building sketches and plans.

b. Detached signs shall be of monument type only; no sign may be mounted on a pole or post or on multiple poles or posts; provided, this restriction shall not apply to that area of the RASD within the city limits that is immediately adjacent to Interstate Highway 70 (Kansas Turnpike); even where permitted, however, the placement or erection of signs mounted on one or more poles or posts will be subject to the provisions of Section 60.11, Ordinance 639, as amended, and to the prior review and approval of applicable authorities of the City as well as the Governing Body. One detached sign per development is allowed. This does not preclude temporary signs as allowed by Section 60.12. Monument signs shall be set back from all property or lot lines a distance equal to height of the sign and consistent with the engineering design standards.

c. An area equal to the square footage of the monument sign and support structure shall be clearly delineated and landscaped. The landscaped area shall be maintained. Landscaping shall consist of a variety of plants, ground covers, and shrubs, and shall be adequately maintained. Grass shall not constitute landscaping.

d. Flashing lights, electronic message boards, time and temperature signs that display anything besides the time and temperature shall not be allowed.

e. Engineering design standards of Section 60.13 shall apply.

f. Directional signs may be employed to direct users to appropriate areas; these are for internal circulation purposes only and not directional from any public way.

E-1.5. SITE OR LOT COVERAGE.

a. A buffer or landscaped area equal to the height of the adjacent building or width of adjacent roadway shall surround the development on all sides.

b. There shall be a minimum lot width of 150 feet, unless a city sanitary sewer line serves the lot or development.

c. There shall be a minimum lot area of one acre unless a city sanitary sewer line serves the lot or development.

d. If a city sanitary sewer line serves the lot or development, there is no minimum lot size or width.

E-1.6. ARCHITECTURAL REVIEW COMMITTEE; REQUIRED APPROVALS FOR DEVELOPMENT WITHIN THE RASD. There is hereby established an Architectural Review Committee empowered to review applications and designs proposed in respect to all proposed development in and within the RASD. At a minimum, the Architectural Review Committee shall consist of City Staff, one member of the Planning Commission, one member of the Board of Zoning Appeals, one member of the City Council, and such other persons as the Governing Body may appoint.

E-1.7. SITE PLAN REVIEW AND APPROVAL; GENERAL PROCESS. Each proposed development shall be subject to the review and approval process. The general purposes of this process are to assess the potential effects of each proposed development upon surrounding uses and activities; and to require and maintain high standards of site planning and design. The approval process shall consist of coordinated meetings and review of applications and site plans by city staff, the Development Review Committee, the Architectural Review Committee, the Planning Commission, and the Governing Body. The Governing Body shall have final authority to approve or to disapprove a proposed site plan for development within the RASD.

E-1.8. SITE PLAN -ARCHITECTURAL DESIGN CONSIDERATIONS AND STANDARDS. Each site plan must take due account of desirable design features, including views, existing vegetation, water features and courses, and other features that shall be incorporated in the site plan.

a. ARCHITECTURAL DESIGN. The site plan shall include the following in respect to architectural design as proposed for the site: Consideration of surrounding uses, building materials, styles, and size; the relationship of proposed buildings to existing site features; architectural elements or features that create a variety of scale relationships; architectural design features should be harmonious with structures on adjacent parcels or tracts; landscaping shall be required and is to be complementary to the structure(s) and the development in its entirety; views from the development and views of the development shall be considered. Variety of form, plant material, and size is required. Adequate consideration of pedestrian and bicycle circulation shall be included and at a minimum shall include the provision of sidewalks along all public roadways.

b. ARCHITECTURAL DESIGN - BUILDING MATERIALS. The following requirements shall apply to building materials within the RASD:

- (1) A minimum of fifty percent (50%) of each exterior wall, excluding windows and doors, shall consist of masonry, glass walls, wood (other than plywood) or a combination thereof.
- (2) The following materials shall be prohibited upon exterior walls: concrete finish or precast concrete panels, unless the finish or panels have exposed aggregate or are hammered, sandblasted, or

textured; and aluminum or metal panel or strip siding, whether painted or unpainted.

E-1.9. PRELIMINARY SITE PLAN. Each proposed development must be presented for initial review in the form of a preliminary site plan. The preliminary site plan shall depict or reflect the following:

- a. Existing topography at 5-foot contour intervals, and proposed topography at 2-foot contour intervals.
- b. Proposed location, height, and arrangement of buildings, including pad sites, parking areas, existing and proposed streets or internal circulation systems, open spaces, landscaped areas, storm water detention/retention areas, and drainage easements.
- c. Identification of phases of development, interim phased time frame of improvements.
- d. Identification on the site plan of the name, address, and telephone number of the property owner, the developer, and the person preparing the plan.
- e. A project schedule that shall include a tabulation of square footage of development, floor area ratios, types of uses, parking spaces, impervious materials coverage, residential development density, and land area of each proposed usage.
- f. Preliminary sketches, showing the general style, size and exterior construction material of any and all proposed buildings; in the event of several building types, a separate sketch shall be prepared for each type.
- g. The relationship of the site to surrounding uses, buildings, zoning districts, existing and proposed (approved but not built) development and structures and streets and driveways within 200 feet of the exterior boundaries of the property.
- h. A Traffic Impact Analysis may be required if so required by the city staff and by the Planning Commission.
- i. A Parking Analysis shall be performed to demonstrate the adequacy of off-street parking that must meet applicable design or zoning code requirements in all phases of the development. Parking may be phased, provided that each development phase satisfies minimum requirements.

- j. Such additional materials as may be required from time to time by city staff, by the Planning Commission, by the Architectural Review Committee, or by the Governing Body.

E-1.10. CERTAIN DEVIATIONS FROM PRELIMINARY SITE PLAN – PUBLIC NOTIFICATION PROCEDURE. The City Administrator shall notify the applicant to initiate a public notification procedure at the expense of the applicant if deviations from an approved, preliminary site plan will:

- a. Increase density or intensity of residential uses by more than five percent (5%).
- b. Increase the floor area of nonresidential buildings by more than ten percent (10%).
- c. Increase by more than five percent (5%) the ground covered by buildings.
- d. Increase the number of stories of a building.
- e. Involve changes that will result in a different development concept, create less architectural harmony or quality, or impose greater loads upon streets and neighborhood facilities.

E-1.11. FINAL SITE PLAN. Upon review and approval of a preliminary site plan, the developer shall then submit a final site plan, which shall reflect or depict the following:

- a. Finished grades or contours for the entire site (five- or two-foot contour intervals may be required depending upon the site).
- b. All adjacent public street rights-of-way, existing and proposed, within the centerline location thereof.
- c. The location, width, curb cuts and radii of all public streets and private drives, existing and proposed.
- d. The location, width, and limits of all existing and proposed sidewalks.
- e. The location, size, and radii of all existing and proposed median breaks and turning lanes.
- f. The distance between all buildings, between buildings and property lines, and between all parking areas and property lines.
- g. The location of all required building and parking setbacks.

- h. The location, dimensions, number of stories, and area in square feet of proposed buildings.
- i. The area of land included on the site plan, in square feet or acres.
- j. The limits, location, size, and material to be used in all proposed retaining walls.
- k. The location and dimensions of all driveways, parking lots, parking stalls, aisles, loading and service areas and docks.
- l. The location, height, candle power, and type of outside lighting fixtures for buildings and parking lots.
- m. The location, size, type of material, and message of all proposed monuments or detached signage.
- n. Pertinent peripheral information, including adjacent developments, alignment and location of public and private driveways and streets, medians, and public and semi-public easements.
- o. Preliminary drainage design, and location of existing drainage facilities.
- p. Elevations of all sides of proposed buildings, including notations indicating the building materials to be used on exterior walls and roofs thereof.
- q. The location, size, and materials to be used in all screening of rooftop mechanical equipment.
- r. A landscaping plan or depiction that shows the size, species, location and number of all proposed landscaping material; notations depicting all areas to be seeded or sodded; and the location, size, and materials to be used for all screening or outside trash enclosure areas.

E-1.12. REVIEW PROCEDURE. The final site plan shall contain, at minimum, the information as is required by city codes and ordinance, in addition to meeting the content, filing, and submission requirements of this Article.

The City Administrator shall be responsible for coordinating review and analysis of each final site plan application by City Staff and by the Architectural Review Committee. The results of this review shall be compiled by the City Planner and shall be reported to the Planning Commission for review and consideration. Following the

Planning Commission's review and recommendation, the Governing Body shall review the application. The Governing Body may approve, disapprove, or conditionally approve the final site plan application.

E-1.13 REVIEW AND EVALUATION CRITERIA. The criteria applied in the review of an application made pursuant to this Article will include:

- a. Consistency of the proposed development with the zoning district and all applicable zoning regulations.
- b. Compatibility of the proposed development with existing or permitted uses on abutting or adjoining sites or properties, in respect to building height, building materials, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
- c. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area, considering existing zoning and land uses in the area.

E-1.14. CONDITIONS AND RESTRICTIONS. In approving preliminary and final site plan applications, the Governing Body, upon the recommendation of the Planning Commission, may vary the standards set forth in the Zoning Ordinance, provided that the general intent of the ordinance is carried out.

The Governing Body shall use the requirements and standards set forth in the Zoning Ordinance as a guide, and may permit adjustments of those requirements and standards in the interest of efficient land development and utilization, if it is deemed that other amenities or conditions thus gained will result in a development of equal or higher quality.

In its review and approval of preliminary and final site plan applications, the Governing Body may increase the minimum requirements designated in the applicable sections of the zoning code based upon its review of the topography of the individual site, the orientation of buildings in relationship to street rights-of-way and adjoining properties, the building materials used, and the mass and height of buildings. A purpose of such increases in minimum requirements shall be to minimize any adverse impacts of the proposed development on adjoining or nearby properties and the general community.

If the Governing Body imposes conditions or restrictions upon a preliminary site plan, it shall designate specific requirements that must be met before an applicant may submit a final site plan application. If the Governing Body imposes conditions or restrictions upon a final site plan, it shall designate specific requirements that must be met before issuance of a building permit. The Governing Body may delegate to the City

Administrator the authority to determine if specifically prescribed conditions have been satisfied by an applicant.

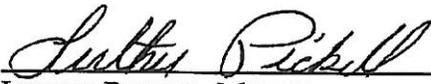
E-1.15. PERIOD OF VALIDITY OF PRELIMINARY SITE PLAN APPROVAL. If a preliminary site plan is approved by the Governing Body, the approval shall not be valid for a period longer than twenty-four (24) months from the date of its approval, unless within such period a final site plan application is submitted. The Governing Body may grant one extension, not exceeding twelve (12) months, upon written request and resubmission of the application, provided that the application as resubmitted is substantially the same as the application originally approved; however, the Governing Body shall be authorized to impose new conditions or restrictions upon an approval of the resubmission, or to disapprove the resubmission.

E-1.16. PERIOD OF VALIDITY OF FINAL SITE PLAN APPROVAL. If a final site plan is approved by the Governing Body, the approval shall not be valid for a period longer than twelve (12) months from the date it is approved, unless within such period a building permit is obtained and substantial construction is commenced. The Governing Body may grant one extension, not to exceed twelve (12) months, upon written request of the original applicant, and resubmission of the application, provided that the application as resubmitted is substantially the same as the application originally approved; however, the Governing Body shall be authorized to impose new conditions upon an approval of the resubmission, or to disapprove the resubmission.

E-1.17. ENLARGEMENT OF THE RASD. Property owners of land situated other than within the RASD may apply for inclusion within the district only if the Comprehensive Plan for the City of Edwardsville, Kansas is amended to include the property or if the land is situated adjacent to the RASD.

SECTION 2. This ordinance will be effective upon its publication in the official city newspaper.

PASSED AND APPROVED this 26th day of December, 2000.



LUTHER PICKELL, MAYOR

ATTEST:



PHYLLIS FREEMAN, CITY CLERK



City of Edwardsville
Staff Analysis Report
Planning Commission January 20, 20126
Item 3d – **PUBLIC HEARING** Rezoning – 323 / 325
North 110th Street (2015-10-Z)

General Information

Applicant: Big House Investments, LLC and BC Enterprise Investors LLC (Owners) / Korb Maxwell, Polsinelli (Applicant)

Location: 323 / 325 North 110th Street

Applications: Rezoning

Zoning & Overlay: C-2 Commercial Extensive Zoning District / Riverview Overlay District

Existing Land Use: Vacant

Proposed Zoning: R-3 High Density Residence District / Riverview Overlay District

Background

On December 9, 2015 the property owner's agent filed an application, on behalf of the property owners, to rezone a portion of two tracts of land located at 323 and 325 North 110th Street to R-3 High Density Residence. The area proposed to be rezoned is approximately 10.37 acres of land. This area corresponds with an area proposed for multi-family residential development as part of the Village South Preliminary Development Plan (Case #2015-11-PPN). The initial submittal included a legal description of the property and site drawing indicating the location of the proposed rezoning area.

The property is zoned C-2 Commercial Extensive and is located within the Riverview Overlay District which requires site / architectural review and approval prior to development. The property owners seek to develop the property for a mixture of retail, hotel, conference, restaurant and convenience commercial uses allowed within the C-2 Commercial Extensive District, as well as multi-family use that is not permitted in the C-2 Commercial Extensive District.

The intent of the C-2 Commercial Extensive District is ... *to establish standards that will foster and maintain an area within the district boundaries that will benefit the retail trade, business, cultural and social activities of vehicle borne persons.* Permitted principal uses allowed in this district include – retail commercial, business, finance, public agency, cultural, entertainment, food and drink service, professional and personal services, transient lodging, horticulture and parks.

The proposed district, R-3 High Density Residence, is intended ... *to provide for high density residential use areas together with certain prescribed compatible uses.* Permitted principal uses include: multi-family dwellings and high rise apartments.

The Riverview Overlay District requires architectural and site plan review for uses allowed by the previously described zoning districts. These requirements would remain in place whether the property retains the C-2 Commercial Extensive designation or is rezoned R-3 High Density Residence.

Analysis

City Staff has reviewed the application in light of the following 13 criteria identified in the Zoning Ordinance Article K, Section 74(i) Amendments to Change Zoning Districts (staff comments related to each of the criteria are provided in italic):

1. Would the change in district classification be consistent with the purposes of these regulations and the intent of the district?
The purpose and intent of the zoning ordinance is to allow for the orderly development of property within the context of the surrounding community. The I-70 / 110th Street interchange area extending to Riverview Avenue is predominately zoned C-2 commercial and AG/R agricultural / residential. R-3 zoning has been granted in the past adjacent to lower density agricultural / residential districts near I-435 in Edwardsville and used for a similar multi-family density project proposal. Additionally, the Riverview Overlay District Regulations indicate that the uses allowed in the R-3 District are allowed in the overlay district per the prescribed preliminary and final plan process and various design parameters.
2. What is the character and condition of the surrounding neighborhood?
The character and condition of the surrounding neighborhood is best described as a rural - low density residential area. Agricultural use is primarily pasture land with single family residential uses situation on large parcels. The area is defined by a rural development character of established uses and activities, and vacant properties in average to good condition. The newest development near the subject property has been to the north of I-70. This development and the associated traffic, although outside of the City of Edwardsville, has fueled speculation regarding future development in this area. Traffic in the area is primarily automobile oriented, with greater volumes generally operating from the I-70 interchange northward with no specific pedestrian or bicycle system accommodations per se.
3. What are the uses of property nearby and their district classifications?
The uses of property adjacent to this parcel are vacant, agricultural, residential, and institutional. AG/R – Agricultural / Residential zoning is located to the southwest, south and east of the proposed rezoning area. C-2 Commercial Extensive zoning exists to the west of the property. The I-70 rights-of-way is adjacent to the north with the city limit line being the southern edge of the rights-of-way. All nearby properties within Edwardsville are also within the Riverview Overlay District.
4. Is the proposed amendment requested because of changed or changing conditions in the area affected and, if so, what is the change?
There are no recent or changing conditions in the area affected. In this case, the owners have purchased the subject property with the desire to develop a specific use requiring R-3 High Density Residence zoning as part of a larger development plan.
5. Is the subject property suitable for the uses to which it is restricted by the current district classification?
Not without appropriate roadway, infrastructure and/or utility service improvements. The uses associated with the C-2 Commercial Extensive District to a scale appropriate for the size of the property could be supported by improvements to and on the subject property following appropriate design and development standards per the Riverview Overlay District and other city development requirements, and appropriate roadway / infrastructure / utility system improvements such as the sanitary sewer plans for the Little Turkey Creek Basin.
6. Is the subject property suitable for the uses that are permitted by the proposed district reclassification?
Not without appropriate roadway, infrastructure and/or utility service improvements. The uses associated with the proposed R-3 High Density Residence to a scale appropriate for the size of the property could be supported by improvements to and

on the subject property following appropriate design and development standards per the Riverview Overlay District and other city development requirements, and appropriate roadway / infrastructure / utility system improvements such as the sanitary sewer plans for the Little Turkey Creek Basin.

7. Would the uses permitted by the proposed district reclassification and the accompanying restrictions have a detrimental affect on nearby property?
Such uses would be subject to the design and development standards of the Riverview Overlay District and the findings of the architectural / site plan review process, potential detrimental affects to nearby property should be mitigated or minimized through these standards and processes prior to project approval and development. Generally, residential uses such as multi-family apartments are used as a buffer between lower density residential areas and higher intensity employment or commercial uses. Such multi-family uses have also been used as integrated residential areas within mixed-use sites or structures.
8. Would the proposed amendment correct an error in the application of these regulations as applied to the subject property?
No.
9. Should the length of time the subject property has remained vacant be a factor in the consideration for reclassification?
The subject property has been utilized as residential property in the past, and is vacant subject to the current owner(s) development desire and prevailing market conditions.
10. Do adequate utilities and streets exist or will they be provided to serve the uses that would be permitted by the proposed district reclassification?
Adequate roadway and utility infrastructure would need to be planned and built as part of any proposed development to serve the use(s) allowed currently or through the rezoning at this location.
11. Is there a recommendation from a professional staff or consultant?
See recommendation below.
12. Would the proposed amendment be in conformance with the comprehensive plan?
The Edwardsville Comprehensive Plan, Future Land Use Map, indicates that this property is within an area to be utilized for mixed-use purposes. "The mixed-use designation means exactly what the name suggests: developments composed of many different types of uses. A mixed-use area may consist of a variety of uses, such as retail sales, offices, restaurants, public services and residential units, in a compact, vibrant setting at a pedestrian-oriented scale. For most mixed-used developments, the layout and appearance of the buildings are more important than the proposed use of the building. Such developments should be served by a system of connector and local streets, as well as sidewalks and pedestrian pathways. Mixed-use areas often contain a central point of activity, such as a town square or main street. The intensity of uses is highest at the central point and decreases as you move away, generally creating a transition to low density residential." A more detailed plan for the development of the property is required per the Riverview Overlay District in order to demonstrate if the development would meet this comprehensive plan guidance. Such architectural, site and development plans would need to show how the development fits with or is integrated into a larger development and/or mixture of uses.
13. Does the relative gain to the public health, safety and welfare outweigh the hardship imposed upon the applicant by not reclassifying the property?
The property was purchased as commercially zoned property and is developable within the criteria of the C-2 Commercial Extensive District and the Riverview Overlay District requirements. The use of the property, as purchased, is not reduced through the denial of this request.

Recommendation

Planning Commission to conduct public hearing to receive and consider public comment regarding this rezoning request.

When considering a rezoning request the task of the City is not just to look at the existing use and proposed use of the property, but at the intent of and potential land uses permitted by the existing and proposed zoning districts given the existing and planned physical context of the property location.

Essentially, the approval of R-3 zoning in this case would grant the current or future property owner the right to develop any of the uses allowed in that district. The property owner would still need to meet other applicable development and building codes, such as the Riverview Overlay requirements. In this case the Planning Commission is to consider if all the allowable uses in the R-3 High Density Residence District would be acceptable or not for this location recognizing the applicable limitations and parameters of the Riverview Overlay District.

In light of the analysis above, the staff recommends approval of the rezoning request for this property from C-2 Commercial Extensive to R-3 High Density Residence based upon the desired mixed-use nature of this area in Edwardsville as reflected by the analysis associated primarily with factors 1 and 12 above. This recommendation is subject to the review and approval of preliminary and final development plans as part of the Riverview Overlay District regulations; the provision of acceptable public infrastructure provision; and the stipulations of a development agreement for any development project on this property. Staff may amend this recommendation based on information presented as part of the public hearing process.

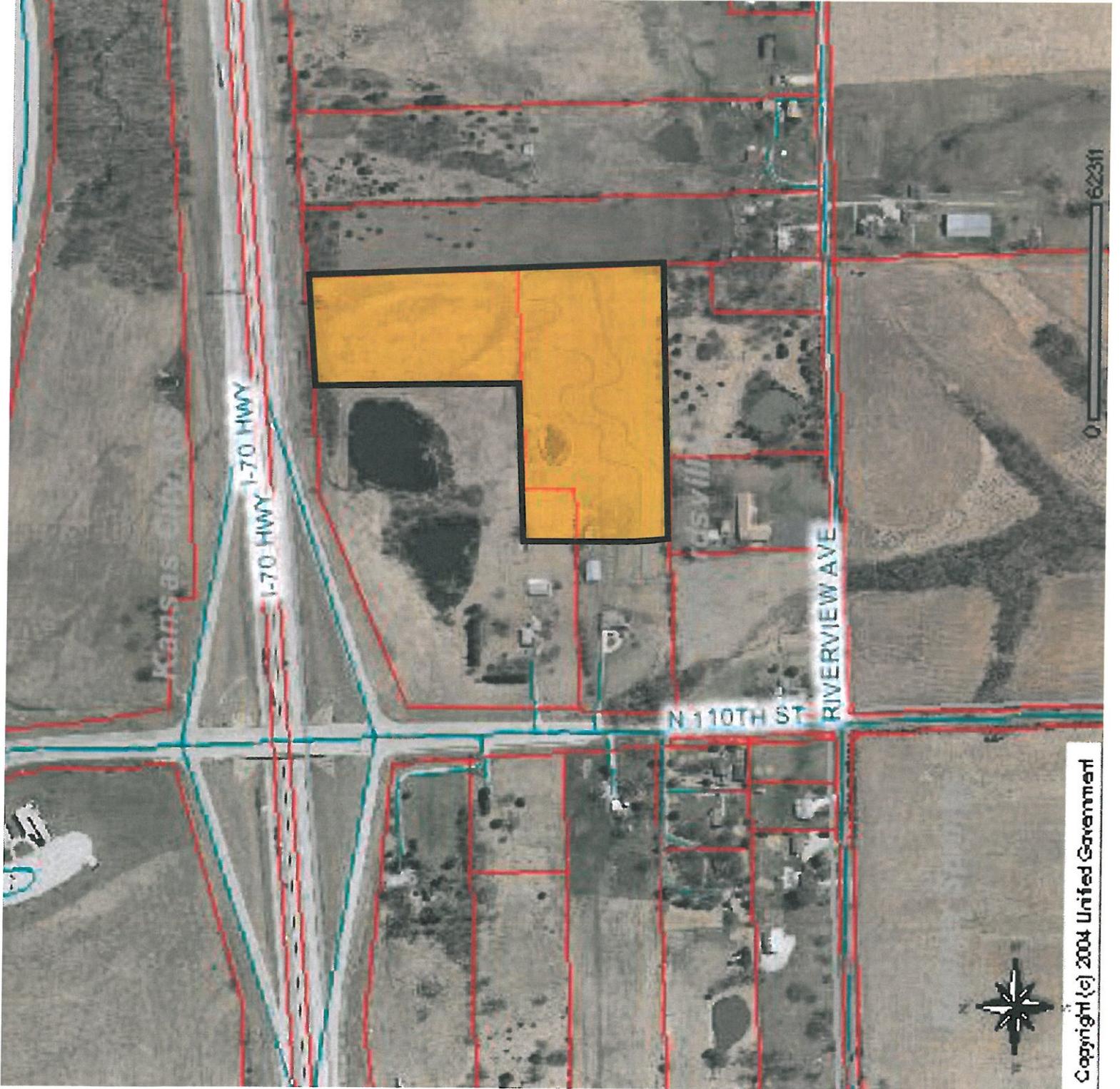
Attachments

- Property Location Map
- Application Material
- C-2 and R-3 Zoning District Regulations (Note: the Riverview Overlay District regulations are provided in the packet materials for the preliminary plan case associated with this property.)

General Location Map 323 / 325 North 110th Street Rezoning

Case # 2015-10-Z
January 20, 2016

Map not to scale





ZONING /SPECIAL USE APPLICATION

CITY OF EDWARDSVILLE
690 South 4th Street, PO Box 13738
Edwardsville, KS 66113
913-441-3707 Phone / 913-441-3805 Fax

RECEIVED
DEC 09 2015

Date Received: _____ Case # _____

Property Owner(s), Address, Phone, E-mail: Owner #1: Big House Investments, LLC 25131 Buckskin Laguna Hills, CA 92653 Owner #2: BC Enterprise Investors, LLC 605 W 47th St. Kansas City, MO

Applicant, Address, Phone, E-mail: Korb Maxwell, Polsinelli, 900 W. 48th Place, Suite 900 Kansas City, MO 64112, phone: 816.753.1000, e mail: K.Max.well@Polsinelli.com

Type of Review Requested and Application Fee:
 Rezoning \$150 **Special Use Permit \$150**

Property Address: Southeast corner of 110th Street and I-70, Edwardsville Kansas

Legal Description: See Exhibit A

Existing Zoning: C-2

Proposed Use of Property: R-3, Garden Apartments

- Checklist of Attachments submitted with application:**
- Statement of Operation / Business Plan summary / description
 - Site / property drawing(s) – existing condition / proposed changes
 - Additional information (as required / requested)

The Applicant and Owner herein agrees to comply with the zoning regulations for the City of Edwardsville, Kansas as amended and all other pertinent ordinances or resolutions of the City and Statutes of the State of Kansas. It is agreed that all City fees and third party review expenses shall be assumed and paid by the Applicant / Owner. The undersigned further states that he/she is the owner of the property.

Owner's Signature: [Signature] Date: 12/9/15

Applicant's Signature: [Signature] Date: _____



ZONING /SPECIAL USE APPLICATION

CITY OF EDWARDSVILLE
690 South 4th Street, PO Box 13738
Edwardsville, KS 66113
913-441-3707 Phone / 913-441-3805 Fax

RECEIVED
DEC 09 2015

Date Received: _____ Case # _____

Property Owner(s), Address, Phone, E-mail: Owner #1: Big House Investments, LLC 25131 Buckskin Laguna Hills, CA 92653
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Applicant, Address, Phone, E-mail: Korb Maxwell, Polsinelli, 900 W. 48th Place, Suite 900 Kansas City, MO 64112,
phone: 816.753.1000, e-mail: KMaxwell@Polsinelli.com

Type of Review Requested and Application Fee:
 X Rezoning \$150 _____ Special Use Permit \$150

Property Address: Southeast corner of 110th Street and I-70, Edwardsville Kansas

Legal Description: See Exhibit A

Existing Zoning: C-2

Proposed Use of Property: R-3, Garden Apartments

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Owner's Signature:  Date: _____

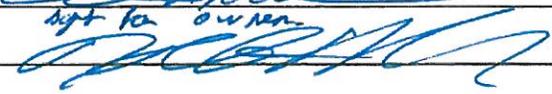
Applicant's Signature:  Date: _____

EXHIBIT A

PRELIMINARY REZONING DESCRIPTION

Part of Lots 1 and 2, Lustgraaf Acres, being a replat of Tract 4 and Tract 5, The Norman Farm Subdivision, in the City of Edwardsville, Wyandotte County, Kansas being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 2, Lustgraaf Acres; thence South 87°31'44" West, with this and the following bearings based upon the Kansas State Plane Coordinate System of 1983 – 2011 Adjustment, along the South line of said Lot 2 (S89°37'49"W Platted), a distance of 804.11 feet;

Thence North 02°28'16" West, departing said South line, a distance of 422.23 feet;

Thence North 87°31'44" East, a distance of 477.18 feet;

Thence North 02°49'15" West, a distance of 578.08 feet to a point on the North line of said Lot 2, Lustgraaf Acres and Southerly right of way of the Kansas Turnpike, as depicted on said Plat of Lustgraaf Acres;

Thence North 85°25'56" East (N87°34'00"E – Platted) along the North line of said Lot 2, a distance of 337.17 feet to the Northeast corner thereof;

Thence South 02°06'15" East (S00°00'00"W – Platted), departing said Southerly right of way along the Easterly line of said Lot 2, a distance of 1012.66 feet to the POINT OF BEGINNING;

LESS AND EXCEPT (From Title Commitment):

All that part of Lot 2, Lustgraaf Acres, a replat of part of Tract 4 and Tract 5, The Norman Farm Subdivision in Edwardsville, Wyandotte County, Kansas described as follows:

COMMENCING at the Northeast corner of said Lot 2, thence South 85°25'56" West (S87°34'00"W – Deed), along the North line of said Lot 2, a distance of 76.29 feet;

Thence South 04°34'04" East (S02°26'00"E – Deed), a distance of 9.17 feet to the TRUE POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED;

Thence South 26°06'59" East (S23°58'55"E – Deed), a distance of 52.13 feet;

Thence South 76°41'41" West (S78°49'55"W – Deed), a distance of 23.03 feet;

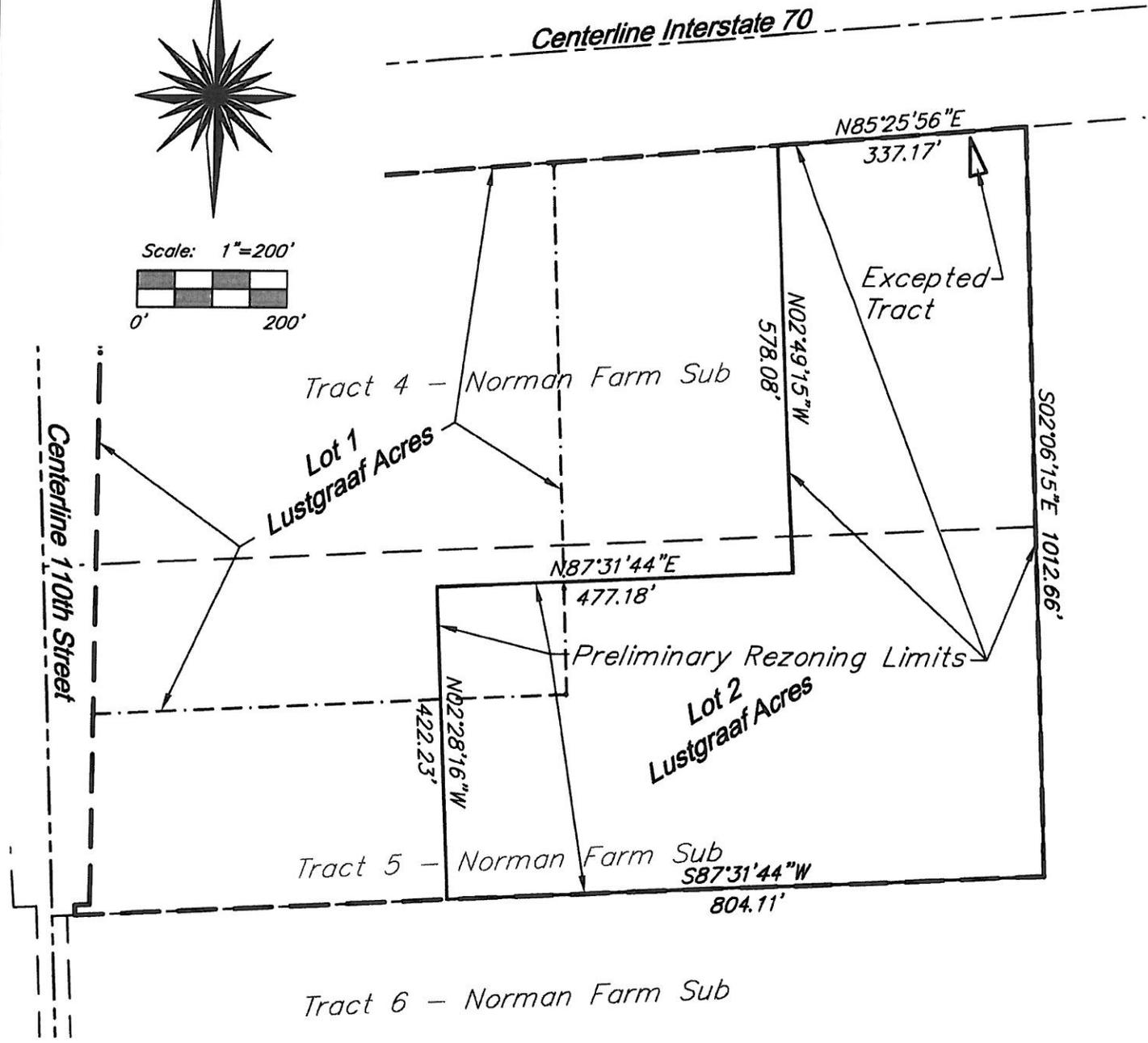
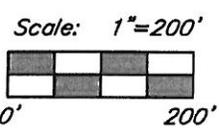
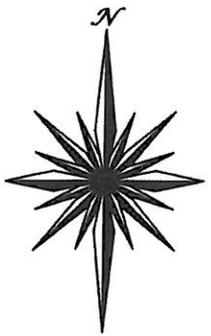
Thence North 00°35'20" West (N03°42'58"W – Computed, N01°34'54"W – Deed), a distance of 52.11 feet (52.03 feet – Deed) to the TRUE POINT OF BEGINNING.

Rezoning Exhibit

Part of Lot 1 & Lot 2, Lustgraaf Acres

Being a Replat of The Norman Farm Subdivision

Edwardsville, Wyandotte County, Kansas



STRICK
& COMPANY, INC.

PROFESSIONAL LAND SURVEYORS
806 S. Creekside Drive, Gardner KS 66030 • 913.856.0164 • (fax) 913.856.0165
Project No: 15097 - Rezoning Exhibit

ORDINANCE NO. 643

AN ORDINANCE AMENDING ARTICLE E ZONING DISTRICTS, SECTION 47 - PROVISIONS FOR COMMERCIAL EXTENSIVE DISTRICT (C-2) OF THE ZONING REGULATIONS OF THE CITY OF EDWARDSVILLE, EDITION OF 1994, INCORPORATED BY REFERENCE IN SECTION 16-201 OF THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS BY LISTING OPEN AIR SALES INCLUDING FLEA MARKETS AS A SPECIAL USE UNDER SECTION 47.4 OF THE COMMERCIAL EXTENSIVE DISTRICT ZONING AND REPEALING THE EXISTING SECTION 47.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDWARDSVILLE, KANSAS:

Section 1. Section 47 - Provisions for Commercial Extensive District (C-2), of Article E Zoning Districts, of the Zoning Regulations of the City of Edwardsville, Edition of 1994, incorporated by reference in Section 16-201 of the Code of the City of Edwardsville, Kansas is hereby amended to read as follows:

SECTION 47 - PROVISIONS FOR COMMERCIAL
EXTENSIVE DISTRICT (C-2)

- 47.1 "Intent". The Commercial Extensive District is intended to establish standards that will foster and maintain an area within the district boundaries that will benefit the retail trade, business, cultural, and social activities of vehicle borne persons.
- 47.2 "Permitted Principal Uses". The following uses of land, structures, and buildings shall be permitted in the Commercial Extensive District: retail commercial, business, finance, public agency, cultural, entertainment, food and drink service, professional and personal services, transient lodging, horticulture, and parks.
- 47.3 "Permitted Accessory Uses". The following uses of land, structures, and buildings shall be permitted within the Commercial Extensive District provided they are recognized as accessory to the performance of the uses permitted in Section 47.2: automobile parking; on and off-site outdoor advertising signs, fences, and walls.

47.4 "Special Uses". Open air sales including flea markets.
Amended Ord. 855 attached

47.5 "Maximum Height". The height of all structures shall not exceed forty-five (45) feet.

Amended
Ord. 855 attached

47.6 "Permitted Structures". The following structures will be permitted:

gasoline stations; service stations, vehicular sales and service; used car lots, farm implement sales and service; mobile homes and trailer sales and service; lumber yards; drive-in restaurants, banks, theaters; hatcheries; fraternal or veterans or civic lodges; and funeral homes.

Any retail business or retail services, including the making of articles to be sold on the premises. Any such manufacturing or processing shall be incidental to a retail business or service and not more than fifteen (15) persons shall be employed in such manufacturing.

47.7 "Special Structure Exceptions". None.

47.8 "Minimum Lot Requirements". None.

47.9 "Minimum Yard Requirements". There shall be a front yard of not less than ten (10) feet. This front yard shall be free of all principal buildings, accessory buildings, parking areas, and loading areas. Provided, however, all buildings located on lots adjacent to a Residential District, shall be located so as to provide a minimum side and rear yard of twenty-five (25) feet along that portion of the lot adjacent to the Residential District.

47.10 "Maximum Lot Coverage". None.

Section 2. Existing Section 47 - Provisions for Commercial Extensive District (C-2), of Article E Zoning Districts, of the Zoning Regulations of the City of Edwardsville, Edition of 1994, is hereby repealed as said Section 47 is currently incorporated in Section 16-201 of the Code of the City of Edwardsville, Kansas.

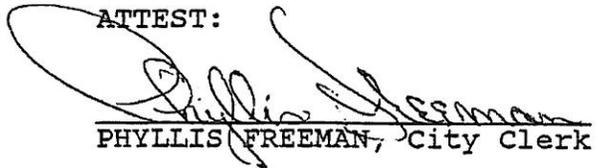
Section 3. This ordinance shall be in full force and effect upon publication in the Bonner Springs-Edwardsville Chieftain.

PASSED BY THE CITY COUNCIL OF THE CITY OF EDWARDSVILLE, KANSAS
THIS 27th DAY OF February, 1995.

APPROVED:


JOHN A. McTAGGART, Mayor

ATTEST:


PHYLLIS FREEMAN, City Clerk

ORDINANCE NO. 855

**AN ORDINANCE AMENDING ARTICLE E, SECTION 47, ZONING REGULATIONS
OF THE CITY OF EDWARDSVILLE, KANSAS.**

WHEREAS, Ordinance Number 639, passed by the City Council on December 27, 1994, amended its entirety Section 16-201 of the Code of Ordinances of the City of Edwardsville, Kansas relating to zoning regulations within the City of Edwardsville; and

WHEREAS, on September 19, 2007, in accordance with such zoning regulations, the Edwardsville Planning Commission conducted public hearing regarding amendments to Article E, Section 47 regarding special uses and height regulations in the Commercial Extensive District (C-2); and

WHEREAS, the Edwardsville Planning Commission did approve and recommend amendments to Article E, Section 47 regarding special uses and height regulations in the Commercial Extensive District (C-2); and

WHEREAS, the Edwardsville Planning Commission has forwarded its recommendations to the Governing Body for consideration and action on these matters;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Edwardsville, Kansas:

Section 1. The recommendations of the Edwardsville Planning Commission in regard to the Article E, Section 47 regarding special uses and height regulations in the Commercial Extensive District (C-2) are hereby approved and adopted as follows.

Section 2. Article E, Section 47.4, Special Uses, shall be amended by adding:

- 47.4 "Special Uses"
b. Lottery Gaming Facility licensed by the State of Kansas

Section 3. Article E, Section 47.4, Special Uses, shall be amended to read:

- 47.5 "Maximum Height"
The height of all structures shall not exceed forty-five (45) feet unless permitted under provisions of Special Use.

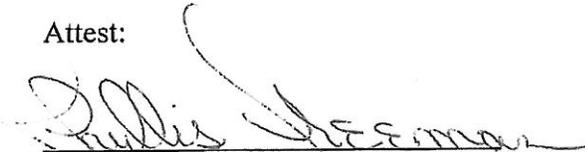
Section 4. This ordinance will be effective upon its publication in the official city newspaper.

PASSED AND APPROVED this 8th day of October, 2007.



William 'Heinz' Rodgers, Mayor

Attest:



Phyllis Freeman, City Clerk

Approved as to Form:

H. Reed Walker, City Attorney

SECTION 45 - HIGH DENSITY RESIDENCE DISTRICT (R-3)

- 45.1 "Intent". The intent of the High Density Residence District (R-3) is to provide for high density residential use areas together with certain prescribed compatible uses.
- 45.2 "Permitted Principal Uses and Structures". The following principal uses and structures shall be permitted in the High Density Residence District (R-3):
1. Multiple family dwellings except duplexes
 2. High rise apartments
- 45.3 "Permitted Accessory Uses and Structures". The following accessory uses and structures shall be permitted in the High Density Residence Districts (R-3):
1. Home occupations
 2. Accessory uses and structures normally appurtenant to the permitted uses and structures when established within the space limits of this district.
- 45.4 "Special Uses". After the provisions of this Ordinance relating to special uses have been fulfilled, the City Council may permit as special uses in the High Density Residence District (R-3):
1. Mobile home parks
 2. Funeral homes and funeral chapels
 3. Churches, synagogues, and temples
 4. Nursery, primary, intermediate, secondary schools, and colleges.
 5. Convalescent, nursing, and rest homes
 6. Medical and other health facilities
 7. Public recreational and park facilities
 8. Golf courses and country clubs
 9. Communication and utility uses and utility substations
 10. Rooming and boarding houses
 11. Professional offices
- 45.5 "Prohibited Uses and Structures". All other uses and structures which are not specifically permitted or not permissible as special uses shall be prohibited from the High Density Residence District (R-3).
- 45.6 "Minimum Lot Requirements". The minimum lot area shall be six thousand (6,000) square feet. The minimum lot area per dwelling unit shall be one thousand (1,000) square feet, provided that for efficiency units the

minimum lot area per dwelling unit shall be eight hundred (800) square feet. The minimum lot width shall be sixty (60) feet.

45.7 "Minimum Yard Requirements". There shall be a front yard of not less than a depth of twenty-five (25) feet. There shall be a rear yard of not less than a depth of fifteen (15) feet. The minimum yard on a corner lot shall be twenty-five (25) feet from all street right-of-way lines. For multiple building developments, the minimum front yard requirements shall apply to the exterior boundaries of the project, and no two (2) buildings or opposite portions of a building shall have a closer relationship than the following:

1. Back of dwelling unit to back of dwelling unit, forty (40) feet
2. Front of dwelling unit to front of dwelling unit, fifty (50) feet
3. End to end, twenty (20) feet
4. Corner to corner, fifteen (15) feet
5. End to back of dwelling unit, twenty-five (25) feet
6. End to front of dwelling unit, forty (40) feet
7. No dwelling unit shall face directly upon the rear of another dwelling unit.
8. Service areas, vestibules, porches, balconies, canopies, not extending more than ten (10) feet from the building shall be excluded from the clearance requirements of Subparagraphs 1 to 7 exclusive.
9. Where the walls of two (2) buildings face each other and the portions of the faces which overlap or are directly opposite each other do not exceed fifteen (15) feet in length, and said overlapping portions do not contain windows, the distance between the walls may not be less than nine (9) feet.

45.8 "Maximum Lot Coverage". The maximum lot coverage for all buildings shall not be more than fifty (50) percent of the total lot area.

45.9 "Maximum Height". The height of all buildings and structures shall not exceed fifty (50) feet.

45.10 "Submission of Plans". Prior to rezoning and approval for construction, plans of the proposed development shall be submitted to the City Planning Commission and the City Council for their review and approval. Said plan shall include the following:

1. Accurate plan at a suitable scale showing the

project property lines, topography, location of property lines of all abutting properties and any building located thereon; and, the widths of all butting street rights-of-way and pavements shall be indicated.

2. Accurate plan at a suitable scale showing the proposed location of buildings, playground, parking areas, drives, and accessory uses in the project.
3. Accurate plan showing proposed drainage system, including capacity
4. Preliminary plans and elevations of the proposed building or buildings.
5. Proposed landscaping, including planting schedule and size of vegetation at planting.
6. Such other information as the City Planning Commission may reasonably require in order that the project may be properly studied.

45.11 "Minimum Floor Area". Each dwelling unit shall have a floor area, exclusive of basements, open or screened porches, or garages, of not less than 410 square feet.

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