

**AGENDA**  
BOARD OF ZONING APPEALS AND PLANNING COMMISSION  
EDWARDSVILLE, KANSAS

January 18, 2017  
7:00 p.m.

John Altevogt  
Jeff Martinek

Mark Bishop  
Bryan Smith  
Ralph Eaton

Erin Harves  
Tim Sweeten

---

**BOARD OF ZONING APPEALS**

1. Call meeting to order
2. Minutes from December 21, 2016 Meeting
3. Old Business:
  - a. **Variance** – 1440R South 104<sup>th</sup> Street (2016-11-V) - Wilbur E. Theobald and Catherine A. Leech, Owner / Applicant
4. Adjournment

**PLANNING COMMISSION**

1. Call meeting to order
2. Minutes from December 21, 2016 Meeting
3. New Business:
  - a. **Revised Preliminary Plan Public Hearing** – 323 / 325 North 110<sup>th</sup> and 10750 Riverview Avenue (2016-13-PPN) - Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb W. Maxwell, Polsinelli PC, Applicant
  - b. **Preliminary Plat Public Hearing** – 323 / 325 North 110<sup>th</sup> and 10750 Riverview Avenue (2016-14-PPT) - Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Joseph Strick – Strick & Company (Applicant)
  - c. **Final Plat Public Hearing** – 323 / 325 North 110<sup>th</sup> and 10750 Riverview Avenue (2016-15-FPT) - Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Joseph Strick – Strick & Company (Applicant)
  - d. **Final Plan Public Hearing** – 323 / 325 North 110<sup>th</sup> and 10750 Riverview Avenue (2017-01-FPN) - Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb W. Maxwell, Polsinelli PC, Applicant

**e. Village South Amended TIF Plan Review**

4. Staff Reports
  - a. Development Updates
5. Planning Commission Comments
6. Adjournment

**EDWARDSVILLE BOARD OF ZONING APPEALS AND PLANNING COMMISSION**  
EDWARDSVILLE CITY HALL COUNCIL CHAMBERS  
690 SOUTH 4<sup>TH</sup> STREET P O BOX 13738  
EDWARDSVILLE, KANSAS 66113

---

**MINUTES December 21, 2016**

**Members Present:** Jeff Martinek, Bryan Smith, Ralph Eaton, Erin Harves, Mark Bishop, John Altevogt, Tim Sweeten

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

**BOARD OF ZONING APPEALS**

Board of Zoning Appeals meeting called to order by Chairmen Martinek

**1. New Business:**

**Variance Public Hearing – 1440R S. 104<sup>th</sup> St. (2016-11-V) – Wilbur E. Theobald and Catherine A. Leech, Owner/Applicant**

Mr. Knopick provided an overview of this item. He then reviewed the existing code language for properties zoned RD-NS, as this property currently is, with regards to off-street parking and driveway length. Mr. Knopick explained that under these conditions, the property owner would be required to pave the entire drive of this property from the 104<sup>th</sup> St. easement, essentially creating a 500+ ft. driveway. Mr. Knopick then reviewed the variance request from the applicant, which is to apply a driveway standard equivalent to existing Agricultural Residential districts. This would allow the drive approach to be paved for the first 75 feet. Furthermore difficulties in regard to extending 105<sup>th</sup> St. were also reviewed. Mr. Knopick then reviewed the existing criteria for granting a variance, noting that the request meets all of the conditions based on staff review. Mr. Knopick then introduced a letter from Sheri DeMato and addressed her concerns regarding construction processes, real estate taxation, and future growth of the property. There was also additional discussion regarding the difficulties associated with access from 105<sup>th</sup> St. Commissioner Sweeten raised several concerns about emergency access to the property. Property owner/applicant Catherine Leech-Theobald then provided additional context as to the history of the property.

At this point, Commissioner Altevogt made the motion to open the public hearing. The motion was seconded by Commissioner Eaton and passed unanimously.

Sheri DeMato, property owner at 1440 S. 104<sup>th</sup> St., spoke and noted that she has no issue with the installation of a partial drive. Her concerns were largely about the issues of tax implications for her property and the eventual use of the property.

Seeing no other people who wished to speak, Commissioner Bishop moved to close the public hearing, which was seconded by Chairman Martinek. The motion passed unanimously.

Mr. Knopick explained the voting possibilities of the group, including the option to have a 30-day period to analyze the content closer and visit the property if needed. Commissioner Altevogt made the motion to issue a 30-day continuance on the issue pending additional information related to emergency fire access, design standards for a 105<sup>th</sup> St. access cul-de-sac, utility information, and topographical data of the site. Commissioner Harves seconded the motion, which passed unanimously.

Commissioner Smith motioned to adjourn the Board of Zoning Appeals Meeting, which was seconded by Commissioner Eaton. The motion passed unanimously and the BZA was adjourned at 7:49 pm.

## **PLANNING COMMISSION**

### **Regular Meeting**

The regular meeting of the Planning Commission was called to order by Chairman Jeff Martinek at 7:55 p.m.

### **Minutes from October 19, 2016**

Commissioner Smith motioned to approve the minutes of October 19, 2016.

Chairman Eaton seconded the motion.

The motioned carried 7-0

### **New Business**

**(a) Rezoning Public Hearing – 10750 Riverview Ave. (2016-12-Z) – Michelle L. Wilson and All-Star Financial of Wichita, KS, LLC, Owner/Korb W. Maxwell, Polsinelli PC, Applicant**

Mr. Knopick reviewed this issue and noted the applicant is represented at the meeting. This item is related to the Village South at Edwardsville project and there is a request to rezone the area from AG/R (Agricultural Residential) to C-2 (Commercial Retail) to match the adjoining properties under contract with the development. Representative of the development team Kevin Lee provided additional details regarding the project.

Commissioner Bishop made a motion to open the public hearing, which was seconded by Commissioner Eaton. The motion passed unanimously. Seeing no public comment, Commissioner Smith moved to close the public hearing. The motion was seconded by Commissioner Eaton and passed unanimously.

Commissioner Sweeten made a motion to recommend approval of the rezoning request. Commissioner Harves seconded the motion, which passed unanimously.

**(b) Revised Preliminary Plan Public Hearing – 323 / 325 North 110<sup>th</sup> and 10750 Riverview Ave. (2016-13-PPN) – Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb W. Maxwell, Polsinelli PC, Applicant – REQUEST CONTINUANCE TO JANUARY 18**

Mr. Knopick provided some context on the continuance request, noting that staff felt additional information from both parties (the City and the development team) would be needed to properly review the items. He did note that notices of public hearings were sent out, thus requiring some action. Mr. Knopick also stated that though not required, the City may issue notices of a continuance through a mailing as a courtesy.

Chairman Martinek made the motion to approve the continuance to January 18, 2017. Commissioner Sweeten seconded the motion, which passed unanimously.

**(c) Preliminary Plat Public Hearing - 323 / 325 North 110<sup>th</sup> and 10750 Riverview Ave. (2016-14-PPT) – Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb W. Maxwell, Polsinelli PC, Applicant – REQUEST CONTINUANCE TO JANUARY 18**

Chairman Martinek made the motion to approve the continuance to January 18, 2017. Commissioner Eaton seconded the motion, which passed unanimously.

**(d) Final Plat Public Hearing - 323 / 325 North 110<sup>th</sup> and 10750 Riverview Ave. (2016-15-FPT) – Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb W. Maxwell, Polsinelli PC, Applicant – REQUEST CONTINUANCE TO JANUARY 18**

Chairman Martinek made the motion to approve the continuance to January 18, 2017. Commissioner Altevogt seconded the motion, which passed unanimously.

**(e) Special Use Permit – 9920 Kaw Dr. (2016-16-SUP) – MV3 LLC, Owner/Applicant**

Mr. Knopick introduced this item, stating that the requested permit would allow for material extraction and excavation from the property. He then reviewed a series of maps of the area and how the SUP would affect the property. Mr. Knopick pointed out a concept plan for the site included in the packet. Mr. Knopick reviewed the conditions of the permit.

Pat McAnany, representing the applicant, also provided examples of similar SUPs in the area. He also reviewed development difficulties associated with the land as it exists now.

Commissioner Smith made the motion to open the public hearing, which was seconded by Commissioner Eaton and passed unanimously. Seeing no one who wished to comment, Commissioner Altevogt moved to close the public hearing, which was seconded by Commissioner Eaton and the motion passed unanimously.

Commissioner Eaton made the motion to approve the Special Use Permit with the conditions outlined in the staff report. Chairman Martinek seconded the motion, which passed unanimously.

**(f) Planning Commission 2017 Meeting Schedule and Reappointments**

Assistant to the City Manager/City Clerk noted that Commissioners Sweeten and Altevogt and Chairman Martinek would be up for reappointment by the Mayor. Mr. Daniel noted that unless he is notified to the contrary, he will consider all of the individuals still interested in serving.

Mr. Knopick and the Planning Commission reviewed possible meeting dates in 2017. Commissioner Sweeten made the motion to approve the meeting calendar, keeping the meeting date on the third Wednesday of the month. Commissioner Smith seconded the motion, which passed unanimously.

**Staff Reports**

Mr. Knopick stated that Planning Commission will likely begin using visual presentations during meetings. He also noted that the January 18 meeting will have a substantial number of items to be discussed related to the Village South development.

City Manager Michael Webb provided development updates related to the LTC sewer project as well as the Kansas Ave. project. Finally, he noted some of the facility expansions occurring at the Industrial Park.

**Planning Commission Comments**

**Adjournment**

Chairman Jeff Martinek adjourned the meeting at 8:50 p.m.

The next scheduled meeting is January 18, 2017.

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

# **BOARD OF ZONING APPEALS AGENDA ITEMS**

**January 18, 2017**



**City of Edwardsville**  
**Staff Analysis Report**  
**Board of Zoning Appeals January 18, 20126**  
Item 3a – **Variance** – 1440R South 104<sup>th</sup> Street (2016-11-V)

---

**General Information**

**Applicant:** Wilbur E. Theobald and Catherine A. Leech (Owner / Applicant)

**Location:** 1440R South 104<sup>th</sup> Street

**Applications:** Variance

**Zoning & Overlay:** RD-NS Residential Developed No Sewer District

**Existing Land Use:** Vacant

**Background**

On November 7, 2016 the property owners filed an application requesting a variance from the driveway and parking area paved surfacing distance requirement (Section 14.06.06.004 A. 4. of Ordinance #963 - Zoning Regulations) on a parcel of property addressed as 1440R South 104<sup>th</sup> Street Edwardsville, KS 66111, within the RD-NS Residential Developed No Sewer District.

The regulation reads as follows:

*All off-street parking areas and access drives, shall be surfaced with asphalt, concrete or other surface material approved by the City Manager or his / her designee. In no event shall vehicles be parked on the grass or in any open space or yard area. For the purposes of this section, a vehicle is every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway, waterway, or via air whether in operational or non-operational condition.*

*All off-street parking areas and all access drives shall be improved in a manner that provides the strength equivalent to a surface consisting of a minimum of a 6" rolled stone base overlaid with a 2" asphalt surface, or a 4" asphalt base overlaid with a 2" asphalt surface, or concrete of equal properties. This applies equally to all property in all zoning districts, except – in the Agriculture/Residential (AG/R) Zoning District it applies from the street to a distance of 75 feet and thereafter a rolled stone base is required.*

Per this regulation, as applied in the RD-NS District, the property owner is required to pave the entire drive on this property from 104<sup>th</sup> Street to any location where a vehicle may be parked in the future, including the parking area.

The property owner is requesting a variance from the application of the required standard to a standard equivalent to that required in the AG/R Agricultural Residential District. The request would result in the drive approach and the first 75 feet of the driveway being paved with a rolled stone base required for the remaining drive and parking area.

**Analysis**

On December 21, 2016 the Board of Zoning Appeals (BZA) conducted the public hearing in regard this variance request. The BZA heard from City staff, the applicant and citizens, after closing the public hearing the BZA requested additional information to be furnished by City staff – such information included area topographical information, design / construction

information related to extending the public roadway south from the current termination of South 105<sup>th</sup> Street, and a statement from the fire department regarding any concerns related to serving a residential structure at the end on a long gravel driveway. This information has been provided to the BZA by staff since the meeting on December 21, 2016.

The staff analysis related to this variance request is provided via the staff report for the December 21, 2016 meeting.

**Recommendation**

Board of Zoning Appeals to provide decision and finding of facts related to the variance request.

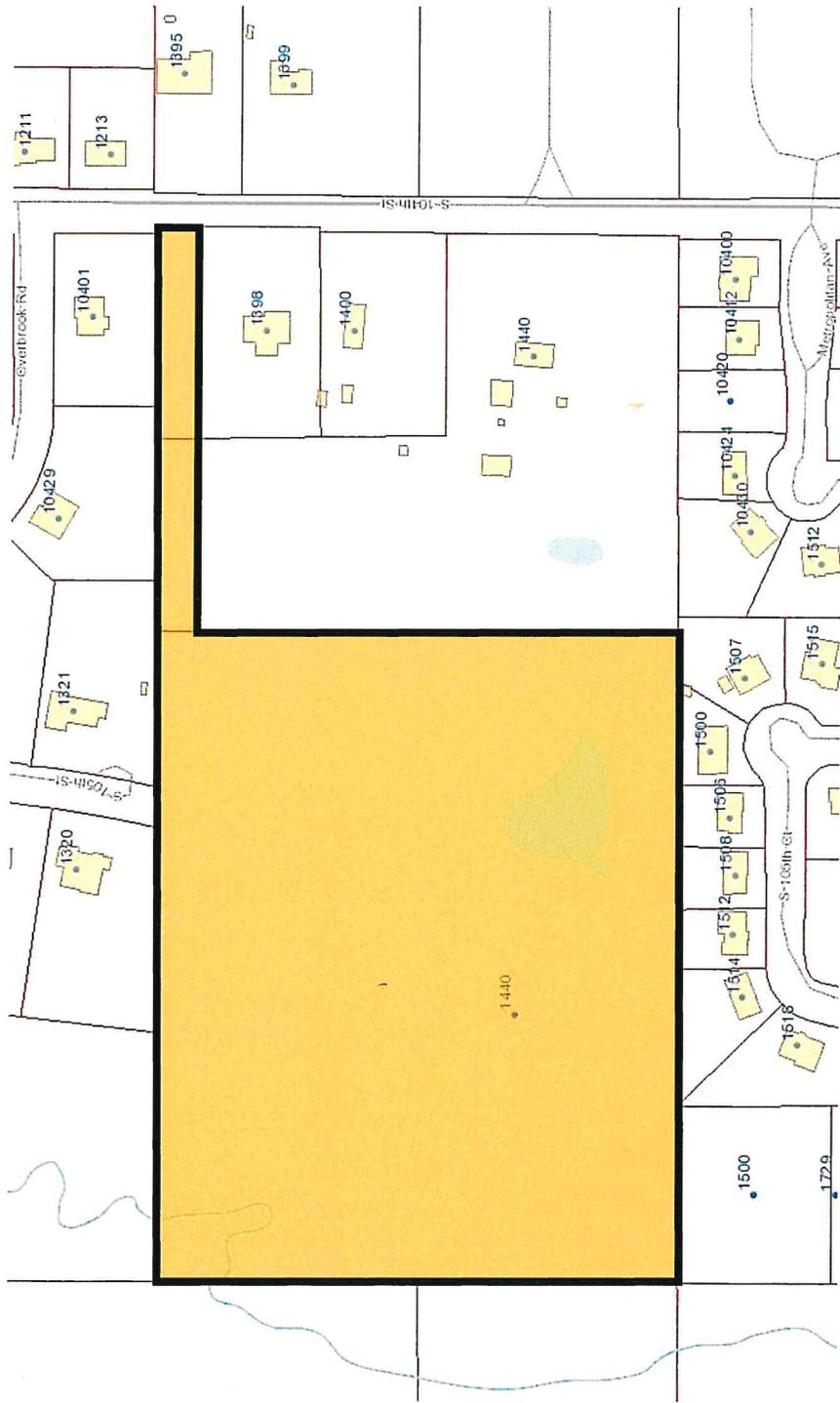
The staff recommendation related to this variance request is provided via the staff report for the December 21, 2016 meeting.

**Attachments**

- Property Location Map
- Application Material
- Staff report dated December 21, 2016

# General Location Map 1440R S 104<sup>th</sup> Street Variance

Case # 2016-11-V  
December 21, 2016  
January 18, 2017





LEGAL DESCRIPTION: VALLEY OAKS ESTATE  
A REPLAT OF LOT 3 AND PART  
OF LOT 1 DEMATO ACRES

THE PROPERTY IS LANDLOCKED EXCEPT FOR THE ACCESS USING THE EASEMENT OFF 104<sup>TH</sup> STREET. 105<sup>TH</sup> STREET ENDS SHORT OF OUR PROPERTY LINE. WE ARE REQUESTING RELIEF FROM PAVING THE ENTIRE LENGTH OF THE DRIVEWAY FROM 104<sup>TH</sup> STREET TO A FUTURE HOME. THERE WILL BE NO CHANGE IN THE CURRENT PATH OF THE DRIVEWAY, THEREFORE, HAVING NO ADVERSE AFFECT ON PUBLIC HEALTH, SAFETY, MORALS, ORDER, CONVENIENCE, PROSPERITY, OR GENERAL WELFARE. OUR PROPOSED REDUCTION IS TO HARD SURFACE THE FIRST 75 FEET.

2002R-26691

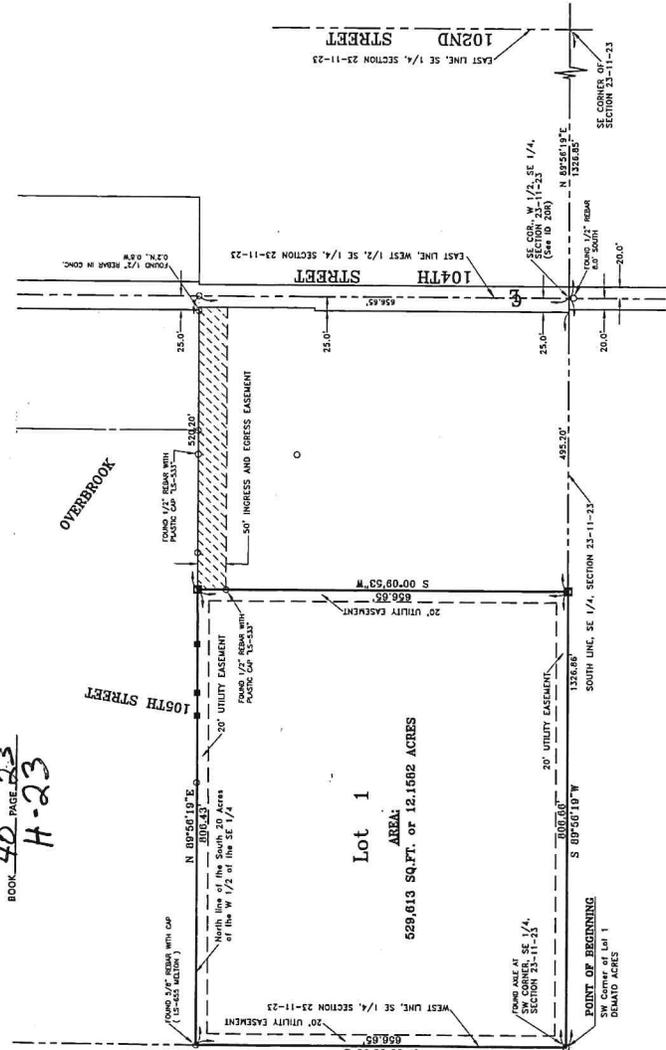
# VALLEY OAKS ESTATE

A Replat of Lot 3 and Part of Lot 1, Demato Acres

2002R-26691  
VALLEY OAKS ESTATE  
1:140-202 18:25:18 4  
TOWNSHIP 11 S, RANGE 23 E  
COUNTY, KANSAS  
REGISTERED BY RECORDS  
SEE FILE NO. 44  
SITING PLAN FILE  
PART 1

BOOK 40 PAGE 23  
H-23

Lot 1  
AREA:  
529,613 SQ.FT. or 12.1562 ACRES



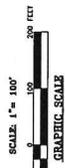
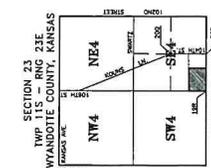
**SECTION CORNER REFERENCE TIES:**

**ID 10E, Township 11 South, Range 23 East**  
SOUTHWEST CORNER, SOUTHEAST QUARTER OF SECTION 23-11-23  
Found Ash  
NORTH 16.65 feet to 200 nail in top RR tie used for fence corner post.  
S 25.34 feet to 200 nail in top center of fence corner post.  
SEW 25.34 feet to 200 nail in E-side 32\"/>

**ID 20E, Township 11 South, Range 23 East**  
SOUTHWEST CORNER, SOUTHWEST QUARTER OF SECTION 23-11-23  
Found Ash  
N 54 1/2\"/>

**ID 20W, Township 11 South, Range 23 East**  
SOUTHWEST CORNER, SOUTHWEST QUARTER OF SECTION 23-11-23  
Found Ash  
N 54 1/2\"/>

**ID 20S, Township 11 South, Range 23 East**  
SOUTHWEST CORNER, SOUTHWEST QUARTER OF SECTION 23-11-23  
Found 1/2\"/>



**LEGEND:**  
 • 1/2\"/>

### LEGAL DESCRIPTION

A part of Lot 1 and all of Lot 3, DEMATO ACRES, a subdivision of land in City of Edwardsville, Wyandotte County, Missouri, being more particularly described as follows:  
 Beginning at the Southwest corner of said Lot 1;  
 Thence North 09° 56' 19\"/>

### RESTRICTIONS

The restrictions for this subdivision shall be those established for this area in the Zoning and Ordinances of the City of Edwardsville, Kansas.

### DEDICATION

We, the undersigned proprietors of the tract of land described on this document have consented the same to be subdivided in the manner shown on the accompanying plat and to dedicate the plot shown hereinafter to be shown as:

### VALLEY OAKS ESTATE

That portion reserved for public use on roads and utility easements, the extent and direction of which are shown on this plat, are hereby dedicated to public use forever.  
 IN WITNESS WHEREOF, We, the undersigned proprietors of the property described herein have hereunto set my hand this 23rd day of August, 2002.

*Catherine A. Leach*  
Catherine A. Leach

State of Kansas, County of Wyandotte, ss:  
 BE IT REMEMBERED that on this 23rd day of August, 2002, before me, a notary public in and for the State of Kansas, personally appeared Catherine A. Leach, who are personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.  
 Notary Public: *Schaefer to Apprise* My Commission Expires: 11-19-03  
 STATE OF KANSAS  
 COUNTY OF WYANDOTTE

This plat of the "VALLEY OAKS ESTATE" has been submitted to and approved by the Edwardsville Planning Commission, recommendation that such plat be approved as proposed.  
 Dated this 23rd day of August, 2002.

Edwardsville Planning Commission  
*Norman Miller, Chairman*  
*Barbara Slater, Secretary*

This plat approved and the dedications shown hereon, if any, are accepted by the City Council of the City of Edwardsville, Kansas, this 23rd day of August, 2002.  
*Clayton Pickett, Mayor*  
*Phyllis Freeman, City Clerk*

Reviewed by the United Government Surveyor this 23rd day of August, 2002.  
 This survey has been reviewed for filing, pursuant to K.S.A. 25-2005, 25-2005.25-2005.58-2011, for constant only and in compliance with those provisions. No other warranties are implied.  
 L. ALLEN WILBUR, P.L.S. 654

Entered on the transfer record this 23rd day of August, 2002  
 State of Kansas, County of Wyandotte, ss:  
 This is to certify that this instrument was filed for record in the Register of Deeds Office on this 23rd day of August, 2002, at \_\_\_\_\_ o'clock and is duly recorded.

Thomas W. Gorman  
 Register of Deeds  
 Michael Zupan, Deputy

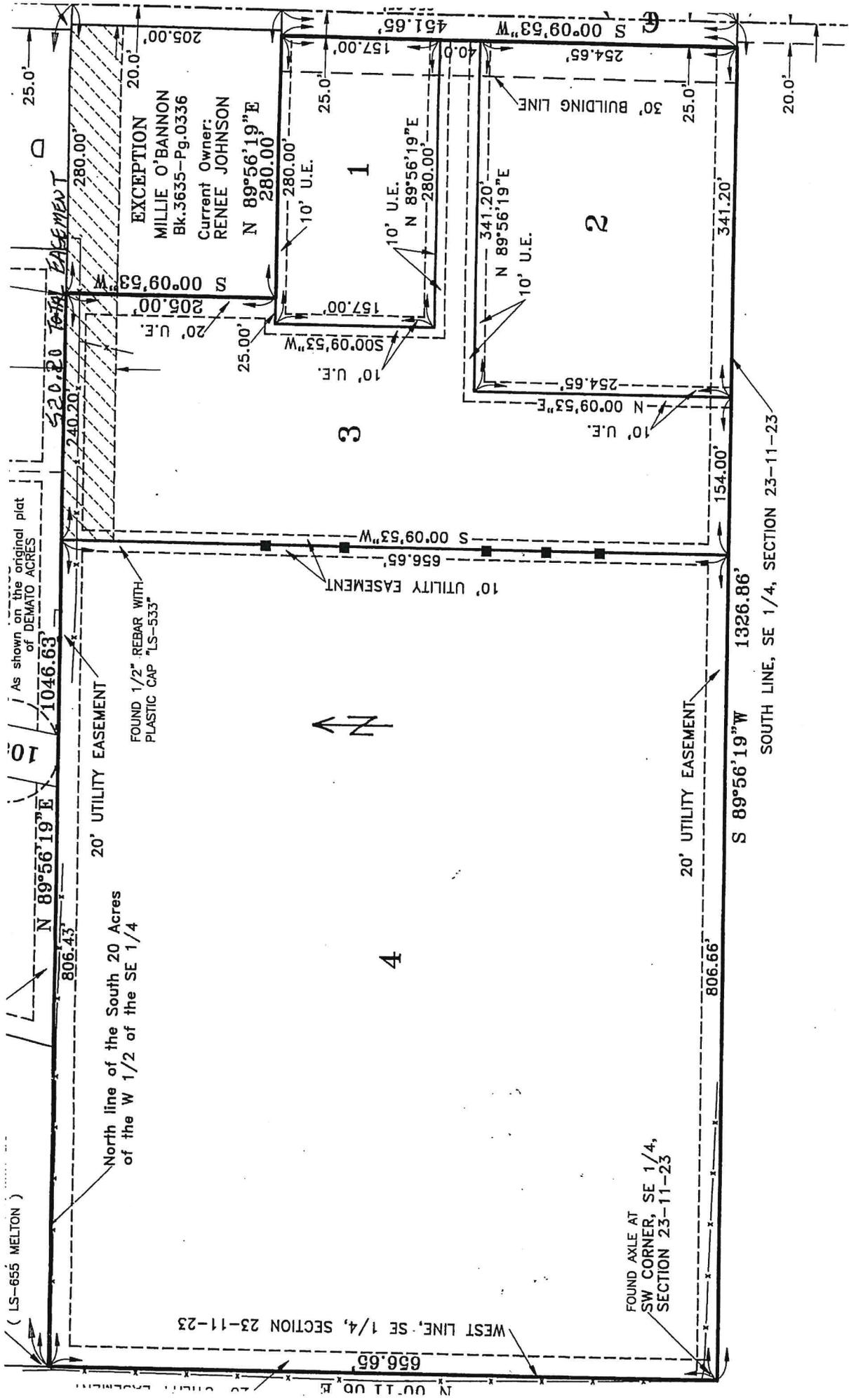
**SURVEYOR:**  
 CATHERINE A. LEACH  
 234 S. MAIN  
 EDWARDSVILLE, MISSOURI 64501  
 TEL: (417) 693-8000

**SURVEYOR:**  
 REODES SURVEYORS, INC.  
 1000 NEW JERSEY  
 KANSAS CITY, MISSOURI 64102  
 TEL: (913) 371-5300



This is to certify that on this 23rd day of August, 2002, this survey was made by me or under my direct supervision and that said survey meets or exceeds the requirements for accuracy as set forth in the provisions of the Act for Substantial Surveys, Chapter 24, Section 24-2003.

FROM:	Catherine A. Leach Wilbur E. Theobald	SHEET	1
FIELD DATE:	7-24-02	OF	1
STATE OF KANSAS, WYANDOTTE COUNTY	7-24-02		
REDEVELOPER:	REODES SURVEYORS, INC.		
DATE:	8/26/2002		
REVISION DATE:			
ISSUE NO.:	02022P04-000	FORM NO.:	02073



As shown on the original plat of DEMATO ACRES

1046.63

N 89°56'19"E

806.43'

20' UTILITY EASEMENT

FOUND 1/2" REBAR WITH PLASTIC CAP "LS-533"

EXCEPTION 20.0'

North line of the South 20 Acres of the W 1/2 of the SE 1/4

205.00'

205.00'

MILLIE O'BANNON  
Bk. 3635-Pg. 0336  
Current Owner:  
RENEE JOHNSON

N 89°56'19"E  
280.00'

10' U.E.

157.00'

25.00'

10' U.E.

10' U.E.

10' U.E.

1

N 89°56'19"E  
280.00'

10' U.E.

157.00'

25.00'

10' U.E.

10' U.E.

10' U.E.

2

N 89°56'19"E  
341.20'

10' U.E.

254.65'

25.00'

10' U.E.

10' U.E.

10' U.E.

3

N 89°56'19"E  
341.20'

10' U.E.

254.65'

25.00'

10' U.E.

10' U.E.

10' U.E.

4

S 00°09'53"W  
656.65'

10' UTILITY EASEMENT

154.00'

10' U.E.

10' U.E.

10' U.E.

10' U.E.

WEST LINE, SE 1/4, SECTION 23-11-23  
656.65'

S 00°09'53"W  
451.65'

10' UTILITY EASEMENT

154.00'

10' U.E.

10' U.E.

10' U.E.

10' U.E.

FOUND AXLE AT SW CORNER, SE 1/4, SECTION 23-11-23

S 89°56'19"W  
1326.86'

10' U.E.

10' U.E.

10' U.E.

10' U.E.

10' U.E.

10' U.E.

SOUTH LINE, SE 1/4, SECTION 23-11-23

S 00°09'53"W  
451.65'

10' U.E.

10' U.E.

10' U.E.

10' U.E.

10' U.E.

10' U.E.

20.0'

20.0'

20.0'

20.0'

20.0'

20.0'

20.0'

20.0'

30' BUILDING LINE

254.65'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

25.00'

20.0'

20.0'

20.0'

20.0'

20.0'

20.0'

20.0'

20.0'



**City of Edwardsville  
Staff Analysis Report  
Board of Zoning Appeals December 21, 20126  
Item 2a – PUBLIC HEARING Variance – 1440R South  
104<sup>th</sup> Street (2016-11-V)**

---

**General Information**

**Applicant:** Wilbur E. Theobald and Catherine A. Leech (Owner / Applicant)

**Location:** 1440R South 104<sup>th</sup> Street

**Applications:** Variance

**Zoning & Overlay:** RD-NS Residential Developed No Sewer District

**Existing Land Use:** Vacant

**Background**

On November 7, 2016 the property owners filed an application requesting a variance from the driveway and parking area paved surfacing distance requirement (Section 14.06.06.004 A. 4. of Ordinance #963 - Zoning Regulations) on a parcel of property addressed as 1440R South 104<sup>th</sup> Street Edwardsville, KS 66111, within the RD-NS Residential Developed No Sewer District.

The regulation reads as follows:

*All off-street parking areas and access drives, shall be surfaced with asphalt, concrete or other surface material approved by the City Manager or his / her designee. In no event shall vehicles be parked on the grass or in any open space or yard area. For the purposes of this section, a vehicle is every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway, waterway, or via air whether in operational or non-operational condition.*

*All off-street parking areas and all access drives shall be improved in a manner that provides the strength equivalent to a surface consisting of a minimum of a 6" rolled stone base overlaid with a 2" asphalt surface, or a 4" asphalt base overlaid with a 2" asphalt surface, or concrete of equal properties. This applies equally to all property in all zoning districts, except – in the Agriculture/Residential (AG/R) Zoning District it applies from the street to a distance of 75 feet and thereafter a rolled stone base is required.*

Per this regulation, as applied in the RD-NS District, the property owner is required to pave the entire drive on this property from 104<sup>th</sup> Street to any location where a vehicle may be parked in the future, including the parking area.

The property owner is requesting a variance from the application of the required standard to a standard equivalent to that required in the AG/R Agricultural Residential District. The request would result in the drive approach and the first 75 feet of the driveway being paved with a rolled stone base required for the remaining drive and parking area.

**Analysis**

A request for a variance may be granted in such case, upon a finding by the board that all of the following conditions have been met per K.S.A. 12-759(e):

*a. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant;*

This property is approximately 12 acres in size with no frontage along a public street in the RD-NS Residential Developed with No Sewer District. Although the 105<sup>th</sup> Street rights-of-way terminates at the north boundary of the property the roadway pavement stops short of the boundary and a tree and landscaping has been placed between the roadway and the property. The property is accessible via an access easement from 104<sup>th</sup> Street. No other property in this zoning district has similar conditions.

*b. That the granting of the variance will not adversely affect the rights of adjacent property owners or residents;*

The access easement from 104<sup>th</sup> Street already exists and is the legal means by which the property is accessed. The use of the access easement has already been established and would not be changed by the granting of this variance. As long the access easement is utilized for a single-family use or for typical maintenance of the property there should be no adverse affect to the adjacent property owners and residents since the resulting traffic generated would be no greater than that expected for a single family residence in the area.

*c. That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;*

The context of the property and the length of the access easement provides no options in regard to shortening the driveway distance of over 500 feet. Typically, the driveway distance in this zoning district would be 25+ feet depending on the placement of the house on the property. The exceptional minimum distance required in this case creates a hardship and the variance request meets the intent of the zoning regulations by meeting the minimum paved distance of 75 feet for a driveway in an AG/R Agricultural / Residential Zoning District.

*d. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and*

Permitted uses in the AG/R district are primarily single family and agricultural uses on large parcels (5 acres or larger). The intent of the minimum paved driveway distance in such areas is to prevent damage to the public roadway as the result of gravel or other materials being picked up by vehicles and deposited on the public roadway surface causing maintenance and safety concerns. The variance request to meet the 75 foot paved surface driveway requirement of the AG/R district should result in no adverse affect on public health, safety, morals, order, convenience, prosperity, or general welfare.

*e. That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.*

A primary intention of the paved driveway requirement in Edwardsville is to ensure that such improvements fit into the surrounding development context and to prevent gravel or other unpaved surface materials from being brought out onto the public roadway. This variance request is in keeping with the driveway standard applied to properties in the AG/R Agricultural Residential District where only the first 75 feet of an access drive is required to be paved.

**Recommendation**

Board of Zoning Appeals to conduct public hearing to consider and receive public comment regarding this variance request and make finding of facts related to the request.

In light of the analysis above, the staff recommends approval of the variance request for this property with the condition that this driveway access can only be used to maintain the property in a vacant condition or serve one single family residence. Any future development, including the dividing of the property into more than one lot will require fully paved access and parking area as required by the Zoning Regulations from 105<sup>th</sup> Street, including improvements within the 105<sup>th</sup> Street rights-of-way to the north of this property to support such development. Additionally, it should be noted that the owner of the property currently addressed as 1440R South 104<sup>th</sup> Street shall be responsible for construction and maintenance of the drive and adjacent areas within the easement.

**Attachments**

- Property Location Map
- Application Material

# **PLANNING COMMISSION AGENDA ITEMS**

**January 18, 2017**



**City of Edwardsville  
Staff Analysis Report  
Planning Commission January 18, 2017**

Item 3a – **PUBLIC HEARING** Revised Preliminary Plan  
Village South 323 / 325 North 110<sup>th</sup> Street and 10750  
Riverview Avenue (2016-13-PPN)

---

**General Information**

**Applicant:** Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb Maxwell, Polsinelli (Applicant)

**Location:** 323 / 325 North 110<sup>th</sup> Street and 10750 Riverview Avenue

**Applications:** Preliminary Plan

**Zoning & Overlay:** C-2 Commercial Retail Zoning District

**Existing Land Use:** Vacant / Residential

**Proposed Land Use:** Uses permitted in C-2

**Background**

On November 9, 2016 the Owner's agent for the property filed an application for a revised preliminary plan of approximately 33.91 acres of land located on the east side of North 110<sup>th</sup> Street near the I-70 interchange. The property is proposed to be developed as a commercial development including commercial uses (retail, hotel, conference, restaurant, and convenience) on property currently zoned C-2 Commercial Retail District.

The property owner intends to develop 2 Hotels (191 rooms) with a restaurant and 26,000 square feet of conference / meeting room space; approximately 31,000 square feet of convenience / fast food / retail uses; with approximately 12.3 acres remaining and designated for future development. 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 110<sup>th</sup> Street that would run in an east / west direction through the development site allowing connections to future development on adjacent properties to the south and east of the proposed Village South development.

A preliminary development plan was previously approved by the City, and due to the planned expansion of the original development proposal this revised preliminary plan and first phase final development plan, as well as the preliminary plat and first phase final plat are before the Planning Commission on this meeting agenda as separate items. It is anticipated that final development planning, as well as project construction, will be done in phases.

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

**Analysis**

Initial review comments from the reviewing planner and Design Review Committee related to the final plan were forwarded to the applicant on December 8, 2016. The review comments were related to a number of design features and requirements associated with the architectural and site development plan review process, traffic analysis, utility provision / location (related specifically to storm water and sanitary sewer), and a variety of other items that will need to be addressed via building plan submittals.

On December 13 and 29, 2016 the applicant provided revised plans and responses to the review comments as part of process. A review of the revisions and responses was conducted on January 10, 2017 with the applicant representative and the city planner. In general, it was found that the revised submittal and responses dated through December 28, 2016 are in keeping with the intent of the preliminary development plan process and requirements, although there are a number of items that will need to be addressed and incorporated into future iterations of the phased final development plans, public improvement plans and building plan submittals to ensure consistency between all plan sets and that all comments are addressed adequately.

All of the items identified in the review process have either been addressed and/or acknowledged by the applicant or will be considered / addressed as part of future plan submittals and reviews. An example of 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 revised preliminary plan with the following conditions and exceptions:

#### Conditions:

1. That all items identified via the review / comment and response process during November / December, 2016, and including conference call / meeting on January 10, 2017 be addressed in an acceptable manner through various final plan, public improvement plan and building plan submittals.
2. That the property encompassed by the proposed development be platted as part of the development process prior to the issuance of building permits.
3. 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.
4. That all public improvements (e.g. roadway/traffic, utility infrastructure, etc.) meet or exceed the City planning and design parameters. And, that all plan and plat documents be coordinated to ensure consistency among the various documents.
5. That an acceptable development agreement is reached between the City and the developer / owner as part of any final development plan for the project.
6. That the master sign plan be developed further to better address concerns related to style, size, materials, and location of signage as a unifying and complementary feature for the development.
7. That a signature element be conceptualized and placed within the context of the overall development to reinforce the sense of arrival and place for the Village South development.
8. That pedestrian and bicycle accommodations be further addressed / enhanced between proposed uses and along the existing adjacent 110<sup>th</sup> Street rights-of-way as part of final development plans.
9. That additional shared access between properties and public access, via shared access easements or public roadway, from the proposed public rights-of-way south to properties south of the Village South development and Riverview Avenue will be provided as part of the phased final plan process.

10. That in areas where the buffer / setback is a deviation / reduction from the required buffer / setback, an appropriate level of enhancements such as decorative fencing, berms and landscaping be incorporated into final development plans.
11. That items related to emergency / public safety service and facility provision be addressed as part of building plan review.

Exceptions:

1. From height limitation of 45 feet in the C-2 Commercial Retail District to accommodate heights of hotels.

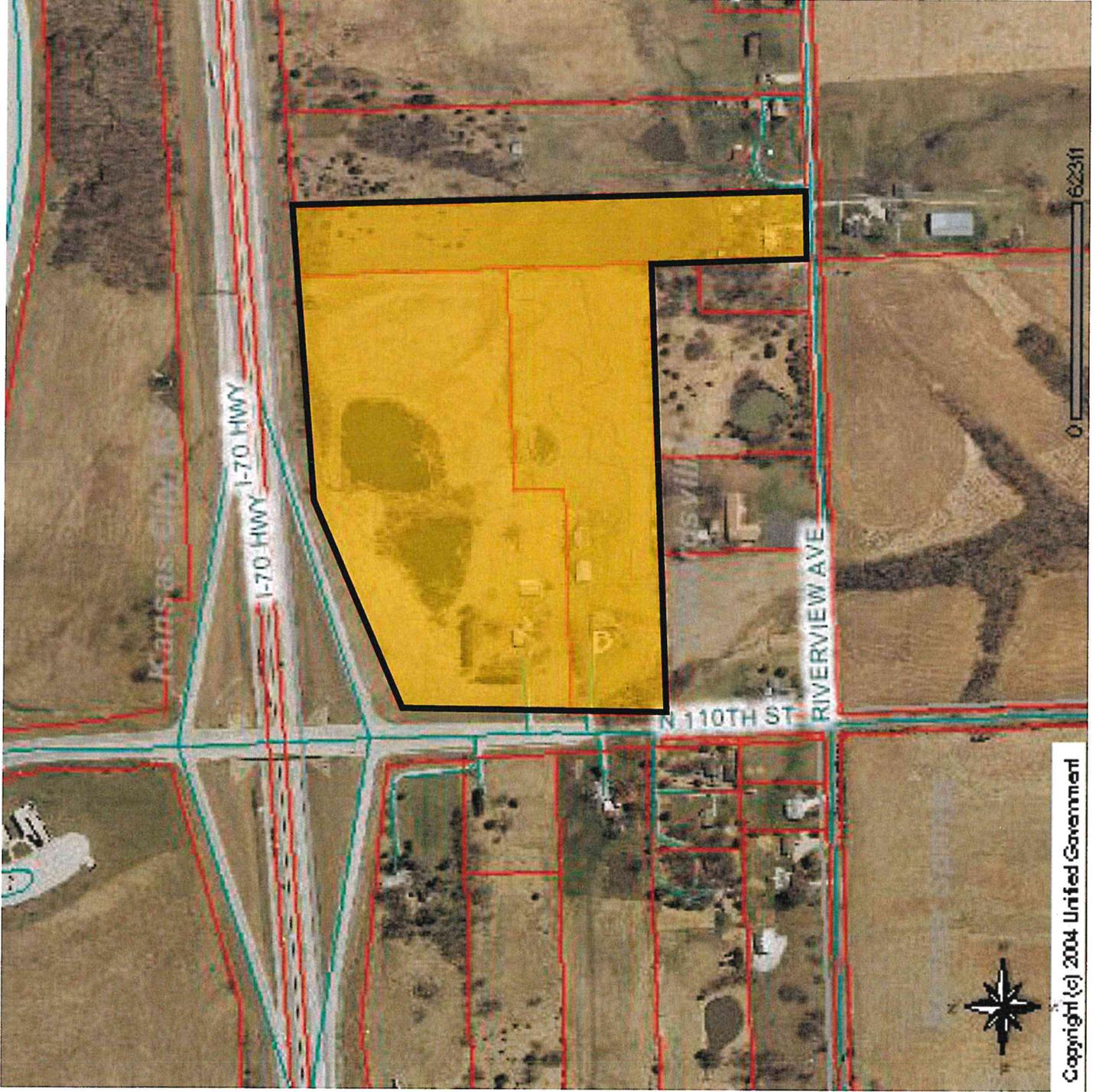
**Attachments**

- Property Location Map
- Application Material: Revised Preliminary Plan Materials

**General  
Location Map  
323 / 325 North  
110<sup>th</sup> Street &  
10750 Riverview  
Avenue; Revised  
Preliminary  
Plan;  
Preliminary Plat;  
Final Plat**

**Case # 2016-13-PPN  
# 2016-14-PPT  
# 2016-15-FPT  
#2017-01-FPN**

**December 21, 2016  
January 18, 2017**



62311

Copyright (c) 2004 United Government



# DEVELOPMENT PLAN APPLICATION

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

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: Compass Commodity Group III  
325 N 110TH ST Edwardsville KS 66111 Owner #2: BC Enterprise Investors, LLC 605 W 47th St. Kansas City, MO  
Owner #3: All Star Financial of Wichita 10750 Riverview Edwardsville KS Owner #4 Michelle Wilson 10750 Riverview  
Edwardsville

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 X Revised / Amended Plan \$150

Gross Acreage of Property: 33.91 Acres Existing Zoning: C-2 & AG

Proposed Use of Property: Retail, Hotel, Restaurant, Conference 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.)
- 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.

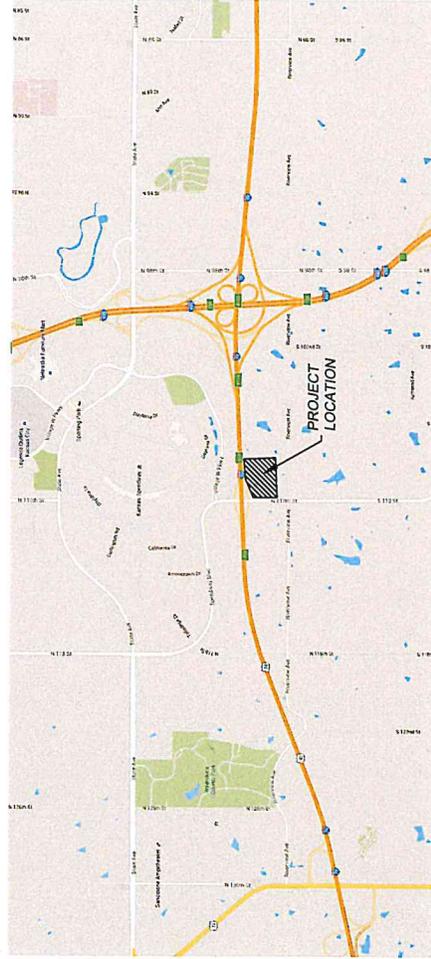
Owner's Signature: See attached. Date: See attached.

Applicant's Signature:  Date: 11/2/16

# VILLAGE SOUTH AT EDWARDSVILLE PRELIMINARY DEVELOPMENT PLAN

## 110TH STREET & I-70 EDWARDSVILLE, KANSAS

PART OF THE SW 1/4 OF  
SECTION 11, TWP 11 SOUTH, RNG 23 EAST  
NOVEMBER 9, 2016



NOT TO SCALE

**SHEET INDEX**

CVR	COVER SHEET
ALTA	SURVEY SHEET 1, 2 & 3
PLAT	PRELIMINARY PLAT SHEET 1 & 2
C1.0	GENERAL LAYOUT & DIMENSION PLAN
C2.0	GRADING PLAN
C3.0	GENERAL LAYOUT PHASING PLAN
C3.1	GENERAL LAYOUT PHASING PLAN
C4.1	DRAINAGE MAP
C4.2	STORMWATER MANAGEMENT CALCULATIONS (10 YEAR STORM)
C4.3	STORMWATER MANAGEMENT CALCULATIONS (100 YEAR STORM)
C5.0	EROSION CONTROL PLAN
C6.0	PHOTOMETRIC PLAN
L1.0	LANDSCAPE PLAN
L1.1	LANDSCAPE PLAN (2)
L2.0	LANDSCAPE DATA
	HOTEL CONCEPT SHEET 1 & 2
	TENANT CONCEPT
	RETAIL CONCEPT

Rev.	Date	Description	By	App.



**BHC RHODES**  
Civil Engineering • Surveying • Landscaping  
7101 College Blvd., Suite 400  
Overland Park, Kansas 66210  
P. (913) 663-1900 F. (913) 663-1833  
Project Engineer: Praveen Jayaram, P.E.

**LANE 4**  
PROPERTY GROUP  
816-950-1444  
Prepared For:

**VILLAGE SOUTH AT EDWARDSVILLE**  
**110TH STREET & I-70**  
**EDWARDSVILLE, KANSAS**  
**COVER**

Checked: PJJ/Drum  
Title Date: 12/05/16  
Drawing Number: 018720

**CVR**



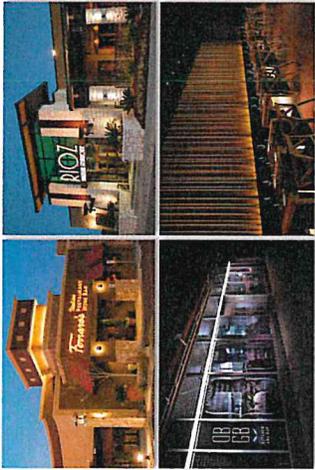




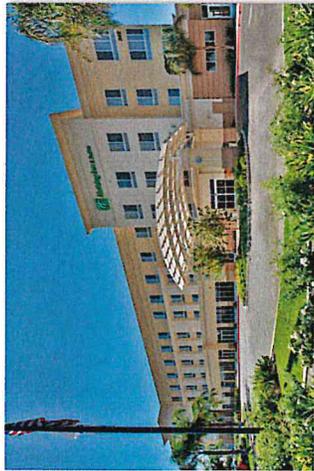








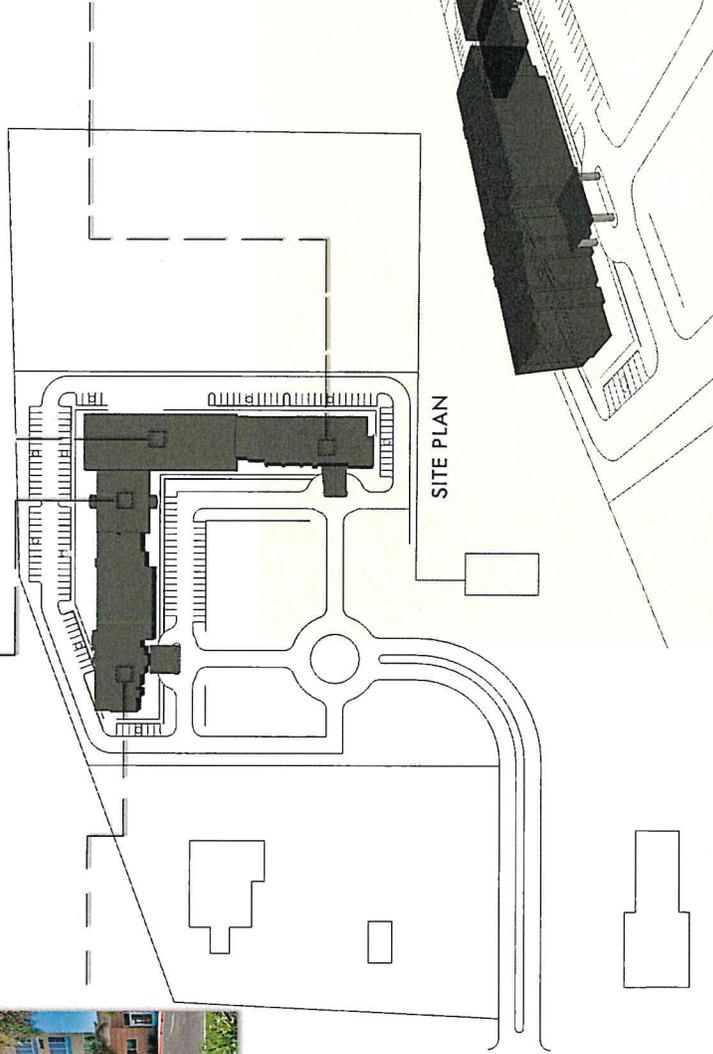
RESTAURANT



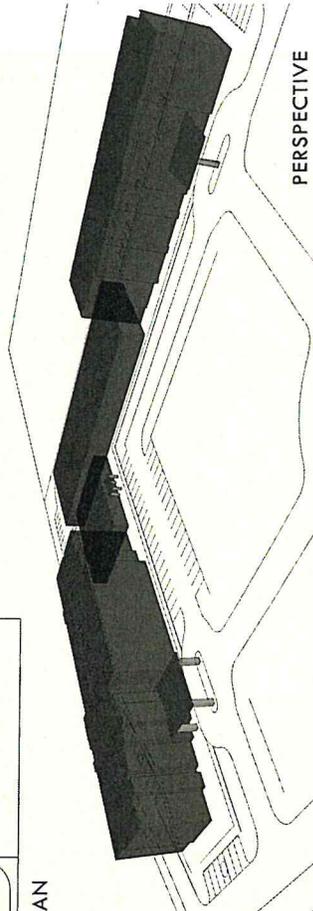
HOLIDAY INN



LA QUINTA



SITE PLAN



PERSPECTIVE

FUTURE HOTEL DEVELOPMENT CONCEPT











**City of Edwardsville  
Staff Analysis Report  
Planning Commission January 18, 2017  
Item 3b – PUBLIC HEARING Preliminary Plat Village  
South (2016-14-PPT)**

---

**General Information**

**Applicant:** Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Joseph Strick – Strick & Company (Applicant)

**Location:** 323 / 325 North 110<sup>th</sup> Street and 10705 Riverview Avenue

**Applications:** Preliminary Plat

**Zoning:** C-2 Commercial Retail

**Existing Land Use:** Vacant / Residential

**Background**

On November 9, 2016 the property Owner's agent filed an application for a preliminary plat of approximately 34 acres of land located on the east side of 110<sup>th</sup> Street north of Riverview Avenue. The property is proposed to be platted as nine lots and one tract in a C-2 Commercial Retail Zoning District.

The property owner intends to develop Village South at Edwardsville as a commercial development. A preliminary development plan was previously approved by the City, and due to the planned expansion of the original development proposal a revised preliminary plan and first phase final development plan, as well as a first phase final plat are before the Planning Commission on this meeting agenda as separate items.

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 preliminary plat for review and comment.

**Analysis**

The preliminary plat application materials have been reviewed by the city planning and engineering consultants for conformance with the requirements of Article V, Section 2 of the Subdivision Regulations and other applicable polices and plans.

The review comments regarding the preliminary plat were provided to the applicant via several communications during November and December of 2016. The revised preliminary plat submittal, dated December 28, 2016, has addressed these items. This revised submittal is also being reviewed for consistency with the public improvement plans and development plans concurrently under review by staff and the Planning Commission.

**Recommendations**

City staff recommends that the Planning Commission open the public hearing for this item, hear those that are present for this item and close the public hearing. Upon consideration of public comment, as well as the applicant's presentation and the staff report, Staff recommends approval of the preliminary plat for Village South at Edwardsville with the following conditions:

1. With potential adjustments due to ensuring that the preliminary plat corresponds and is consistent with the public improvement plans, and preliminary and final development plans associated with this site.
2. With adjustments regarding the labeling of sanitary sewer easements as exclusive easements not utility easements and indication that the city will not be responsible for repairing or replacing pavement, landscape and other items in the easements.
3. With potential adjustments resulting from discussions with utility / service providers and KDOT / KTA.
4. Verification / confirmation of agreement from KCPL in regard to potential removal of easements from an area inside the proposed public rights-of-way.
5. That additional shared access agreements between properties and public access, via shared access easements or public roadway, from the proposed public rights-of-way south to properties south of the Village South development and Riverview Avenue will be provided via separate instrument and as part of the phased final plat process.

It should be noted that the effect of the approval of the preliminary plat with or without conditions is outlined in Article IV, Section 10 of the Subdivision Regulations as follows:

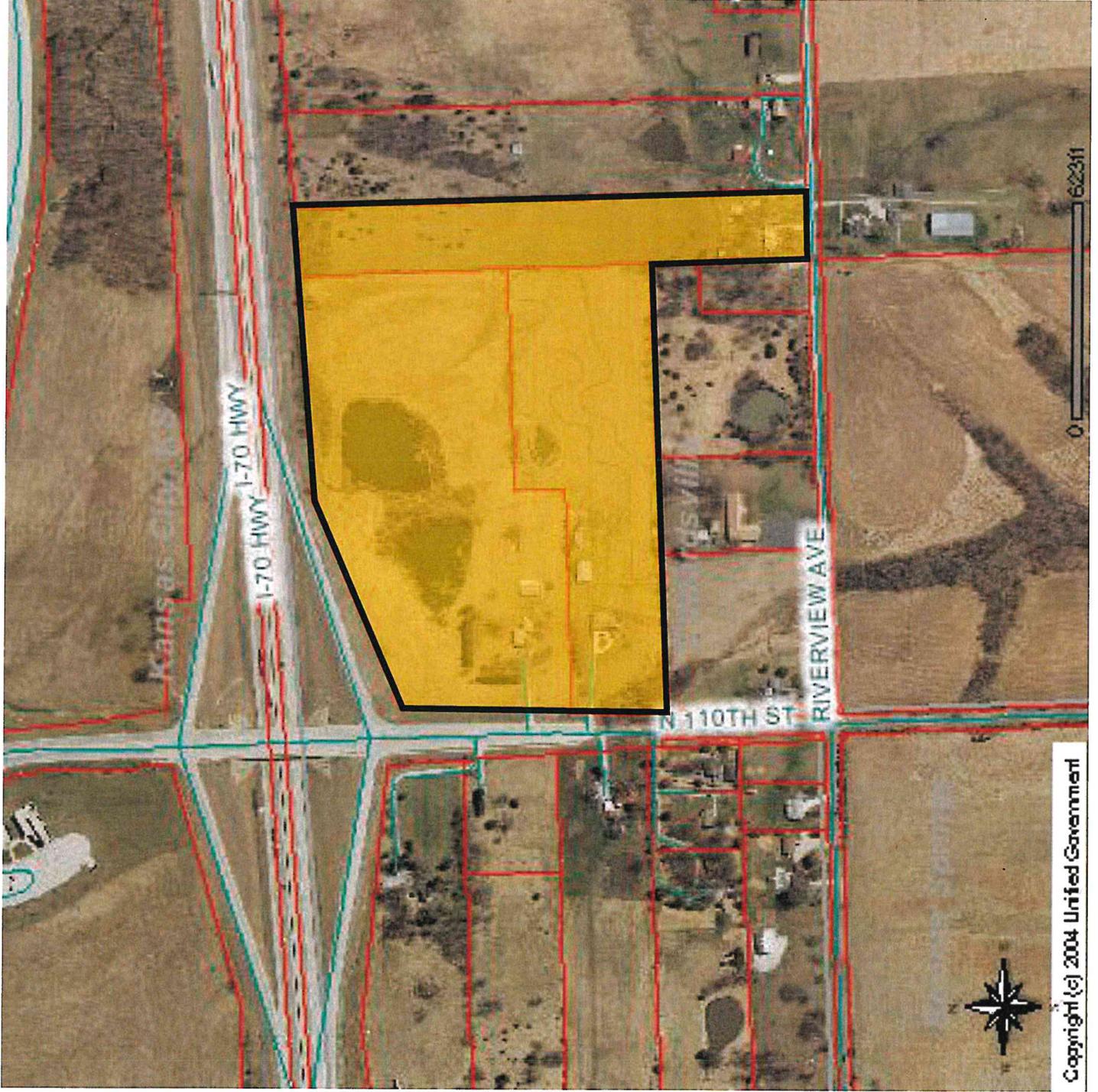
1. Approval of the preliminary plat shall not constitute acceptance of subdivision by the Planning Commission, but shall signify merely the general acceptability of the proposed subdivision.
2. Such approval shall be considered permission to prepare the final plat, detailed plans and specifications for the proposed subdivision and for all public improvements to be constructed therein by the subdivider.
3. Such approval shall be effective for no more than 12 months from the date approval was granted, unless, upon an application of the subdivider, the Planning Commission grants an extension of time beyond such period. If the final plat has not been recorded as required by the provisions of this ordinance within such 12-month period, or any extensions granted thereto, the preliminary plat must be re-submitted to the Planning Commission as if no such plat had ever been approved, except that no additional fee shall be charged for such re-submission.

### **Attachments**

- Property Location Map
- Application Material: Preliminary Plat Materials

**General  
Location Map  
323 / 325 North  
110<sup>th</sup> Street &  
10750 Riverview  
Avenue; Revised  
Preliminary  
Plan;  
Preliminary Plat;  
Final Plat**

**Case # 2016-13-PPN  
# 2016-14-PPT  
# 2016-15-FPT  
#2017-01-FPN  
December 21, 2016  
January 18, 2017**





# PLAT / SUBDIVISION APPLICATION

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

Date Received: November 9, 2016 Case # \_\_\_\_\_

**Property Owner(s), Address, Phone, E-mail:** Owner #1: Compass Commodity Group III, LLC, 202 Water St., Suite 202, Excelsior, MN 55331; Owner #2: BC Enterprise Investors, LLC, 605 W. 47<sup>th</sup> Street, Suite 200, Kansas City, MO 64112; Owner #3: All Star Financial of Wichita, KS, LLC, 3535 N. Rock Rd., Suite 300, Wichita, KS 67226; Owner #4: Michelle Wilson, c/o All Star Financial of Wichita, KS, LLC, 3535 N. Rock Rd., Suite 300, Wichita, KS 67226.

**Developer(s), Address, Phone, E-mail:** Lane4 Property Group, Inc., 4705 Central Street, Kansas City, MO 64112, (816) 268-9109, hharris@lane4group.com

**Applicant:** Joseph Strick, Strick & Co., Inc. 806 S. Creekside Dr. Gardner, KS 66030, 913-856-0164, jstrick@strick-kc.com

**Type of Review Requested and Application Fee:**

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

**Name of Subdivision/Re-Plat and Location:** Village South/SE Quadrant 110<sup>th</sup> & I-70

**Gross Acreage of Plat:** 1477015.65 sq. ft. or 33.91 ac. +/-

**Number of Lots:** 9 lots & 1 tract (10 Total)

**Minimum lot width:** None

**Minimum lot depth:** None

**Existing Zoning:** C-2

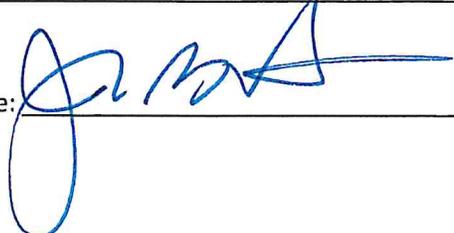
**Proposed Use of Property:** Commercial/Retail/Hotel

**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)
- X  Legal Description of parcel to be platted (in Word Format)
- X  Owners Affidavit
- N/A  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: See attached. Date: See attached.

Applicant's Signature:  Date: 11/8/2016







**City of Edwardsville  
Staff Analysis Report  
Planning Commission January 18, 2017**

Item 3c – **PUBLIC HEARING** Final Plat Village South  
Phase 1 (2016-15-FPT)

---

**General Information**

**Applicant:** Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Joseph Strick – Strick & Company (Applicant)

**Location:** 323 / 325 North 110<sup>th</sup> Street and 10705 Riverview Avenue

**Applications:** Final Plat

**Zoning:** C-2 Commercial Retail

**Existing Land Use:** Vacant / Residential

**Background**

On November 9, 2016 the property Owner's agent filed an application for a final plat of approximately 12.34 acres of land located on the east side of 110<sup>th</sup> Street north of Riverview Avenue. The property is proposed to be platted as one lot, one tract and public rights-of-way in a C-2 Commercial Retail Zoning District. This is the first phase of the Village South development.

The property owner intends to develop Village South at Edwardsville as a commercial development. A preliminary development plan was previously approved by the City, and due to the planned expansion of the original development proposal a revised preliminary plan and first phase final development plan, as well as the preliminary plat are before the Planning Commission on this meeting agenda as separate items.

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 preliminary plat 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 via several communications during November and December of 2016. The revised final plat submittal, dated December 28, 2016, has addressed the technical items requested. This revised submittal is also being reviewed for consistency with the public improvement plans and development plans concurrently under review by staff and the Planning Commission.

**Recommendations**

Planning Commission to conduct public hearing to receive and consider public comment regarding this final 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 with the following conditions:

1. With potential adjustments due to ensuring that the preliminary plat corresponds and is consistent with the public improvement plans, and preliminary and final development plans associated with this site.
2. With adjustments regarding the labeling of sanitary sewer easements as exclusive easements and indication that the city will not be responsible for repairing or replacing pavement, landscape and other items in the easements.
3. With potential adjustments resulting from discussions with utility / service providers and KDOT / KTA.
4. Verification / confirmation of agreement from KCPL in regard to potential removal of easements from an area inside the proposed public rights-of-way.
5. That additional shared access agreements between properties and public access, via shared access easements or public roadway, from the proposed public rights-of-way south to properties south of the Village South development and Riverview Avenue will be provided via separate instrument and as part of the phased final plat process.
6. Cleaning up any general typographical errors.
7. Meeting the submittal and filing requirements of the UG and County Surveyor.

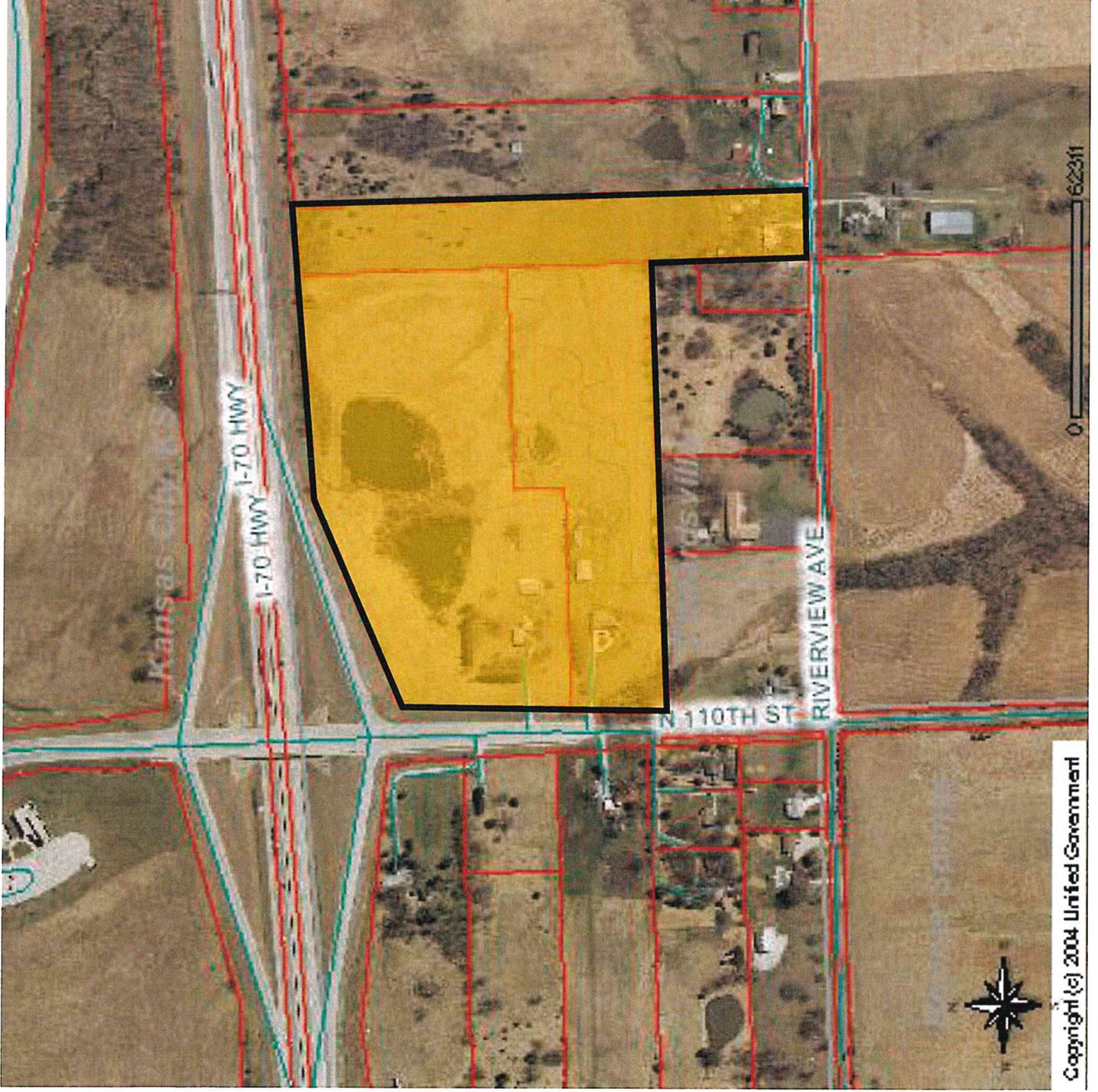
If approved by the Planning Commission, this plat will be forwarded to the City Council for approval and acceptance of public rights-of-way, easements and dedications.

**Attachments**

- Property Location Map
- Application Material: Final Plat

**General  
Location Map  
323 / 325 North  
110<sup>th</sup> Street &  
10750 Riverview  
Avenue; Revised  
Preliminary  
Plan;  
Preliminary Plat;  
Final Plat**

**Case # 2016-13-PPN  
# 2016-14-PPT  
# 2016-15-FPT  
#2017-01-FPN  
December 21, 2016  
January 18, 2017**





# PLAT / SUBDIVISION APPLICATION

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

Date Received: November 9, 2016 Case # \_\_\_\_\_

**Property Owner(s), Address, Phone, E-mail:** Owner #1: Compass Commodity Group III, LLC, 202 Water St., Suite 202, Excelsior, MN 55331; Owner #2: BC Enterprise Investors, LLC, 605 W. 47<sup>th</sup> Street, Suite 200, Kansas City, MO 64112; Owner #3: All Star Financial of Wichita, KS, LLC, 3535 N. Rock Rd., Suite 300, Wichita, KS 67226; Owner #4: Michelle Wilson, c/o All Star Financial of Wichita, KS, LLC, 3535 N. Rock Rd., Suite 300, Wichita, KS 67226.

**Developer(s), Address, Phone, E-mail:** Lane4 Property Group, Inc., 4705 Central Street, Kansas City, MO 64112, (816) 268-9109, hharris@lane4group.com

**Applicant:** Joseph Strick, Strick & Co., Inc. 806 S. Creekside Dr. Gardner, KS 66030, 913-856-0164, jstrick@strick-kc.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:** Village South/SE Quadrant 110<sup>th</sup> & I-70

**Gross Acreage of Plat:** 537,641.62 sq.ft. or 12.34 ac. +/-

**Number of Lots:** 1 Lot & Public Right of Way

**Minimum lot width:** None

**Minimum lot depth:** None

**Existing Zoning:** C-2

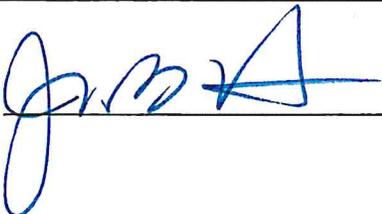
**Proposed Use of Property:** Commercial/Retail/Hotel

**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
- N/A 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: See attached. Date: See attached.

Applicant's Signature:  Date: 11/8/2016





**City of Edwardsville  
Staff Analysis Report  
Planning Commission January 18, 2017**

Item 3d – **PUBLIC HEARING** Final Plan Village South  
Phase 1 323 / 325 North 110<sup>th</sup> Street and 10750  
Riverview Avenue (2017-01-FPN)

---

**General Information**

**Applicant:** Compass Commodity Group III, BC Enterprise Investors LLC, All Star Financial of Wichita, and Michelle Wilson (Owner(s) of Record) / Korb Maxwell, Polsinelli (Applicant)

**Location:** 323 / 325 North 110<sup>th</sup> Street and 10750 Riverview Avenue

**Applications:** Final Plan Phase 1

**Zoning & Overlay:** C-2 Commercial Retail Zoning District

**Existing Land Use:** Vacant / Residential

**Proposed Land Use:** Uses permitted in C-2

**Background**

On December 5, 2016 the Owner's agent for the property filed an application for a final plan of approximately 12.34 acres of land located on the east side of North 110<sup>th</sup> Street near the I-70 interchange. The property is proposed to be developed as commercial uses (hotel, conference, restaurant) located on property currently zoned C-2 Commercial Retail.

The property owner intends to develop 2 Hotels (191 rooms) with a restaurant (7,500 sq. ft.) and 26,000 square feet of conference / meeting room space on approximately 9.2 acres; an additional 2.32 acres will be developed as storm water detention / retention and open space for the Village South Development and the remainder as public rights-of-way for a new public road. Primary access to the site would be via a proposed public road off of 110<sup>th</sup> Street that would run in an east / west direction through the development allowing connections to future development on adjacent properties to the south and east of the proposed Village South development.

A preliminary development plan was previously approved by the City, and due to the planned expansion of the original development proposal a revised preliminary plan, preliminary plat and final plat are before the Planning Commission on this meeting agenda as separate items.

**Analysis**

City Staff and the DRC members reviewed the application materials. Initial review comments from the reviewing planner and Design Review Committee related to the final plan were forwarded to the applicant on December 23, 2016. The review comments were related to a number of design features and requirements associated with the architectural and site development plan review process, traffic analysis, utility provision / location (related specifically to storm water and sanitary sewer), and a variety of other items that will need to be addressed via building plan submittals (such items include – meeting fire and building code requirements, as well as signage requirements, etc.).

On December 30, 2016 the applicant provided revised plans and responses to the review comments. A review of the revisions and responses was conducted on January 10, 2017 with applicant representatives and the city planner. In general, it was found that the revised submittal and responses are in keeping with the intent of the final development plan

process and requirements, although there are a number of items that will need to be addressed and incorporated into future iterations of the final development plan, public improvement plans and building plan submittals to ensure consistency between all plan sets.

All of the items identified in the review process have either been adequately addressed and/or acknowledged by the applicant or will be considered / addressed as part of future plan submittals and reviews. An example of 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 final plan with the following conditions and exceptions:

#### Conditions:

1. That all items identified via the review / comment (December 23, 2016) and response (December 30, 2016) process, including conference call / meeting on January 10, 2017 be addressed in an acceptable manner through various final plan, public improvement plan and building plan submittals.
2. That the property encompassed by the proposed development be platted as part of the development process prior to the issuance of building permits.
3. 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.
4. That all public improvements (e.g. roadway/traffic, utility infrastructure, etc.) meet or exceed the City planning and design parameters. And, that all plan and plat documents be coordinated to ensure consistency among the various documents.
5. That an acceptable development agreement is reached between the City and the developer / owner as part of any final development plan for the project.
6. That further detail regarding landscaping and anticipated improvements on Tract A be provided for administrative review and approval prior to submission of grading / building plans.
7. That the master sign plan be developed further to better address concerns related to style, size, materials, and location of signage as a unifying and complementary feature for the development.
8. That a signature element be conceptualized and placed within the context of the overall development to reinforce the sense of arrival and place for the Village South development.
9. That items related to emergency / public safety service and facility provision be addressed as part of building plan review.

#### Exceptions:

1. From height limitation of 45 feet in the C-2 Commercial Retail District to accommodate heights of hotels.
2. From requirement of incorporating at least 50% masonry or stone products on the exterior surface of all structures. This is a limited exception related to surfaces using the Nichiha cement fiber material.

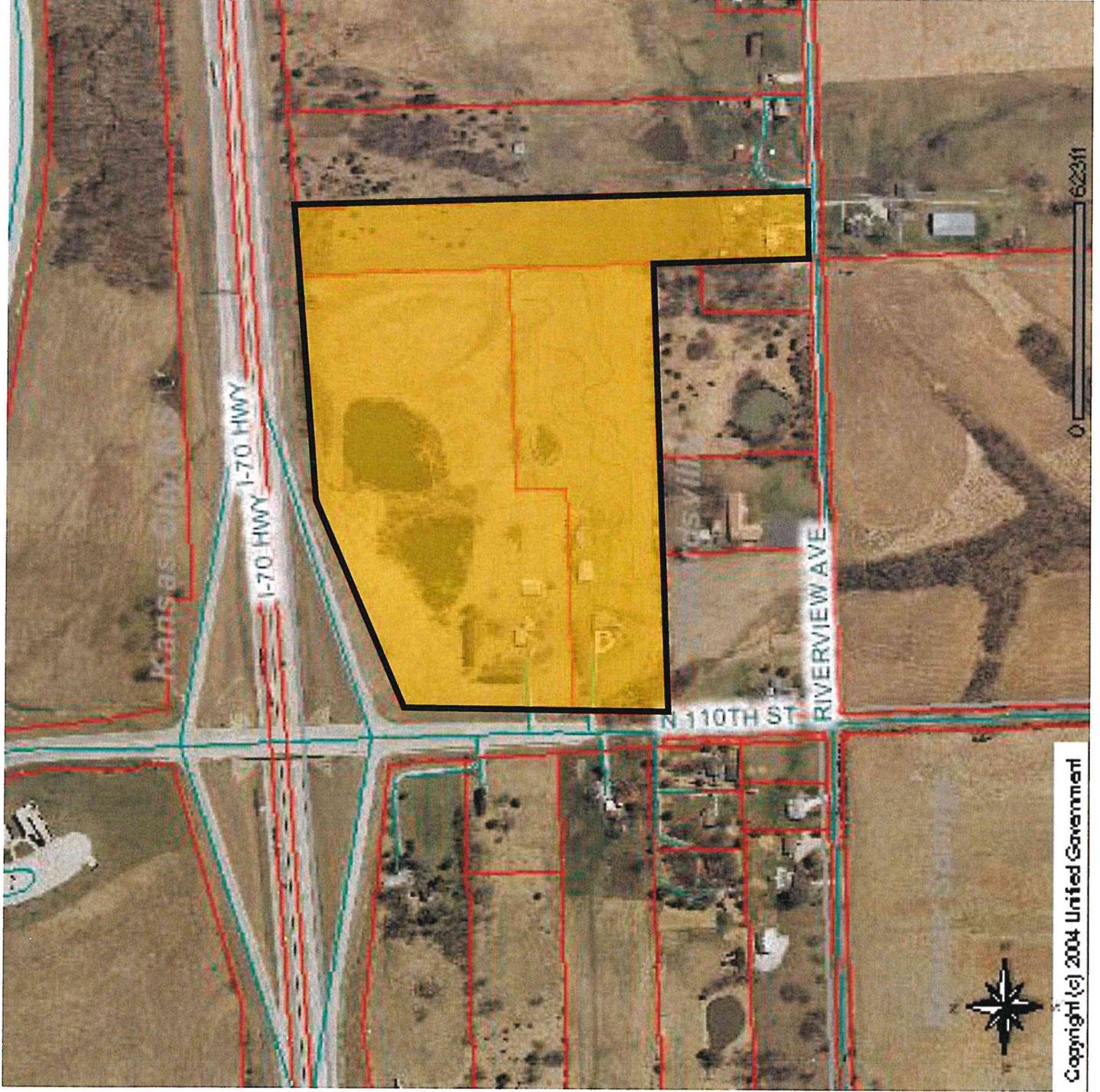
**Attachments**

- Property Location Map
- Application Material: Revised Preliminary Plan Materials

**General  
Location Map  
323 / 325 North  
110<sup>th</sup> Street &  
10750 Riverview  
Avenue; Revised  
Preliminary  
Plan;  
Preliminary Plat;  
Final Plat**

**Case # 2016-13-PPN  
# 2016-14-PPT  
# 2016-15-FPT  
#2017-01-FPN**

**December 21, 2016  
January 18, 2017**



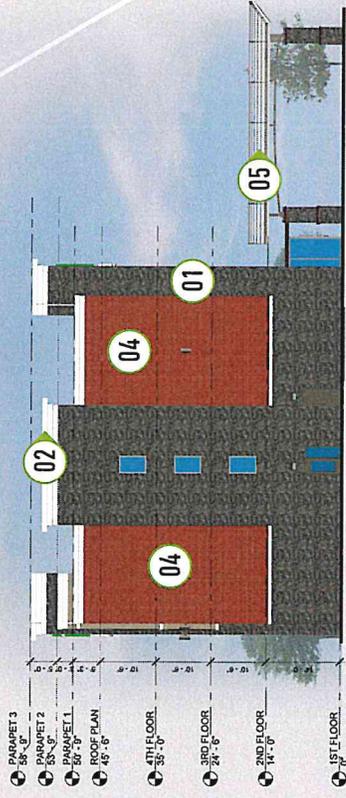






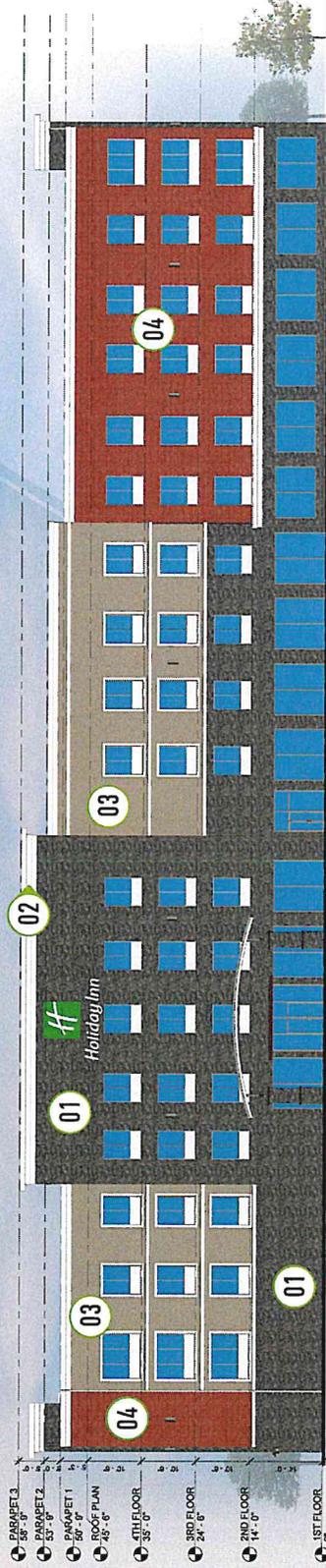
*West Elevation*

SCALE 3/32" = 1'-0"



*South Elevation*

SCALE 3/32" = 1'-0"



*Material Legend*

MATERIALS ARE TO BE CONSIDERED A BASIS OF DESIGN AND COULD BE SUBSTITUTED FOR SIMILAR PRODUCTS

- 01 SUNSET STONE DRYSTACK LEDGE BLACK RUNDLE
- 02 EIFS BAND - DRYVIT 310 CHINA WHITE
- 03 EIFS - DRYVIT 618 ANTIQUE GREY
- 04 BRICK - ENDICOTT RUBY RED - VELOUR
- 05 POLYCARBONATE ROOF



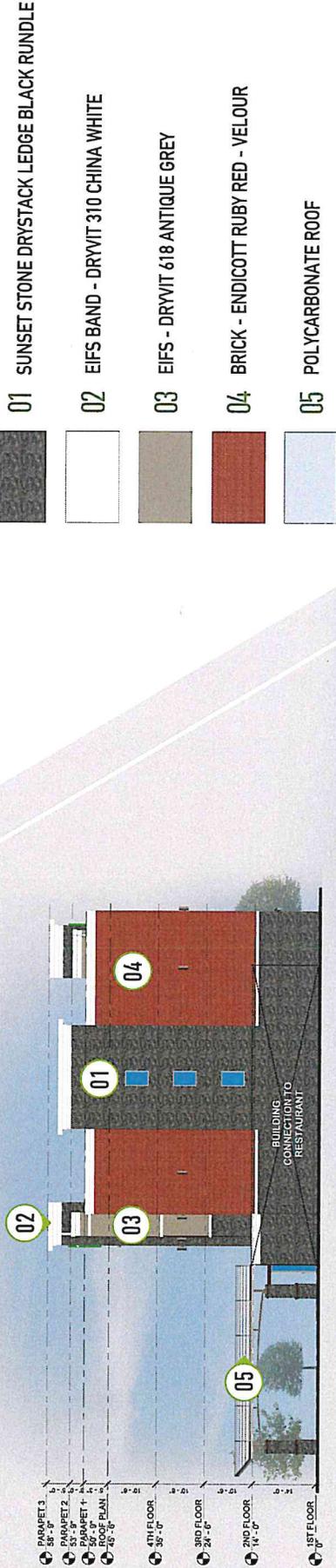
**HOLIDAY INN**  
EDWARDSVILLE, KS



Base4  
9958 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

*East Elevation*

SCALE 3/32" = 1'-0"



*Material Legend*

MATERIALS ARE TO BE CONSIDERED A BASIS OF DESIGN AND COULD BE SUBSTITUTED FOR SIMILAR PRODUCTS

- 01 SUNSET STONE DRYSTACK LEDGE BLACK RUNDLE
- 02 EIFS BAND - DRYVIT 310 CHINA WHITE
- 03 EIFS - DRYVIT 618 ANTIQUE GREY
- 04 BRICK - ENDICOTT RUBY RED - VELOUR
- 05 POLYCARBONATE ROOF

*North Elevation*

SCALE 3/32" = 1'-0"



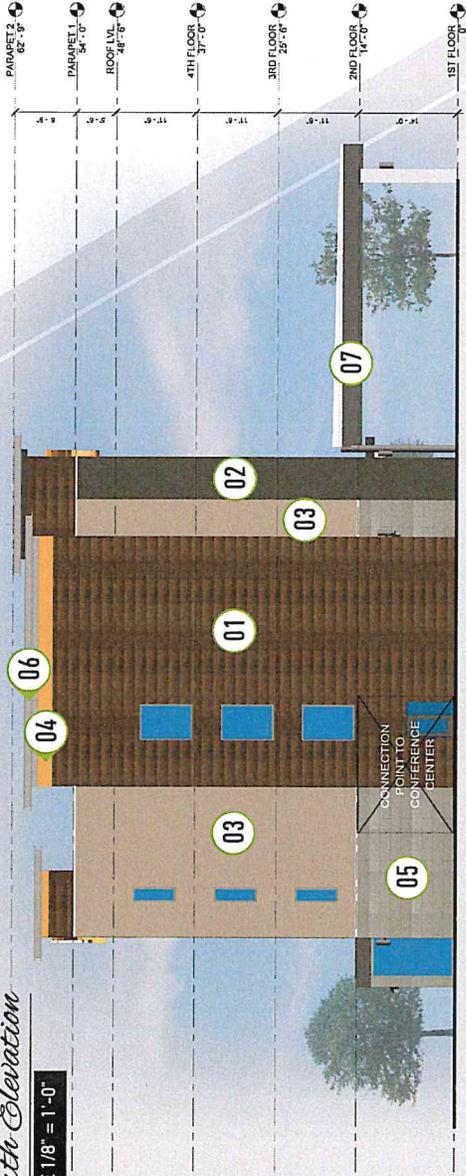
HOLIDAY INN  
EDWARDSVILLE, KS



Base4  
9958 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

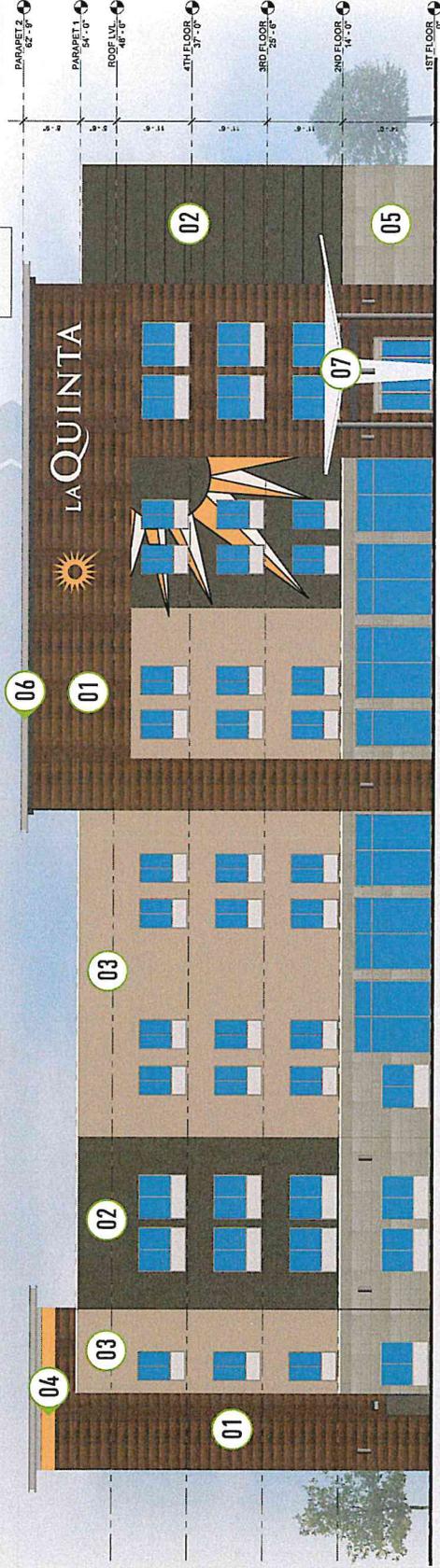
*North Elevation*

SCALE 1/8" = 1'-0"



*West Elevation*

SCALE 1/8" = 1'-0"



*Material Legend*

MATERIALS ARE TO BE CONSIDERED A BASIS OF DESIGN AND COULD BE SUBSTITUTED FOR SIMILAR PRODUCTS

- 01 CERAMIC PANELS - COLOR: IRON CORTEN
- 02 EIFS - THUNDER GRAY SW-7645
- 03 EIFS - MEGA GREIGE SW-7031
- 04 EIFS - TORCHLIGHT SW-6374
- 05 FIBER CEMENT PANELS NICHHA INDUSTRIAL BLOCK - GRAY
- 06 PAC CLAD - SILVER FINISH
- 07 PAC CLAD - STONE WHITE FINISH



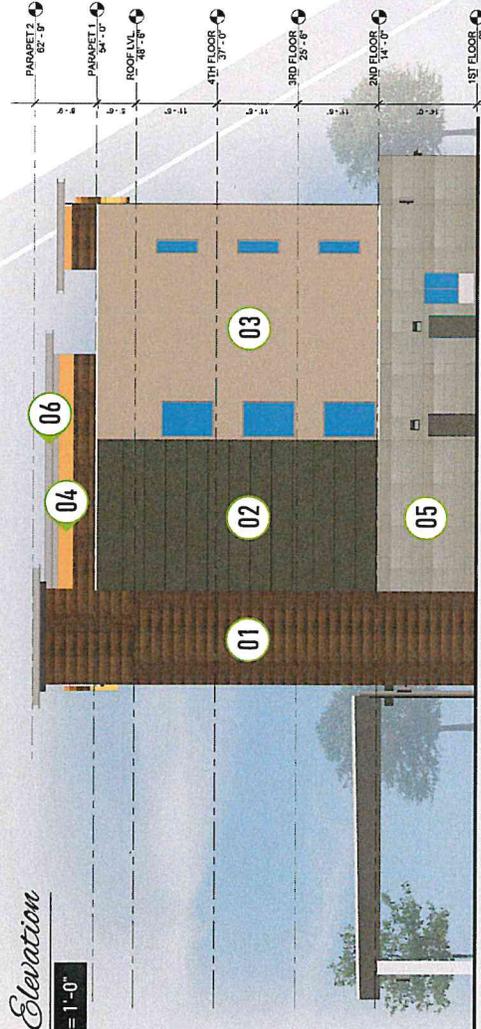
**LA QUINTA**  
EDWARDSVILLE, KS



Base4  
9958 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

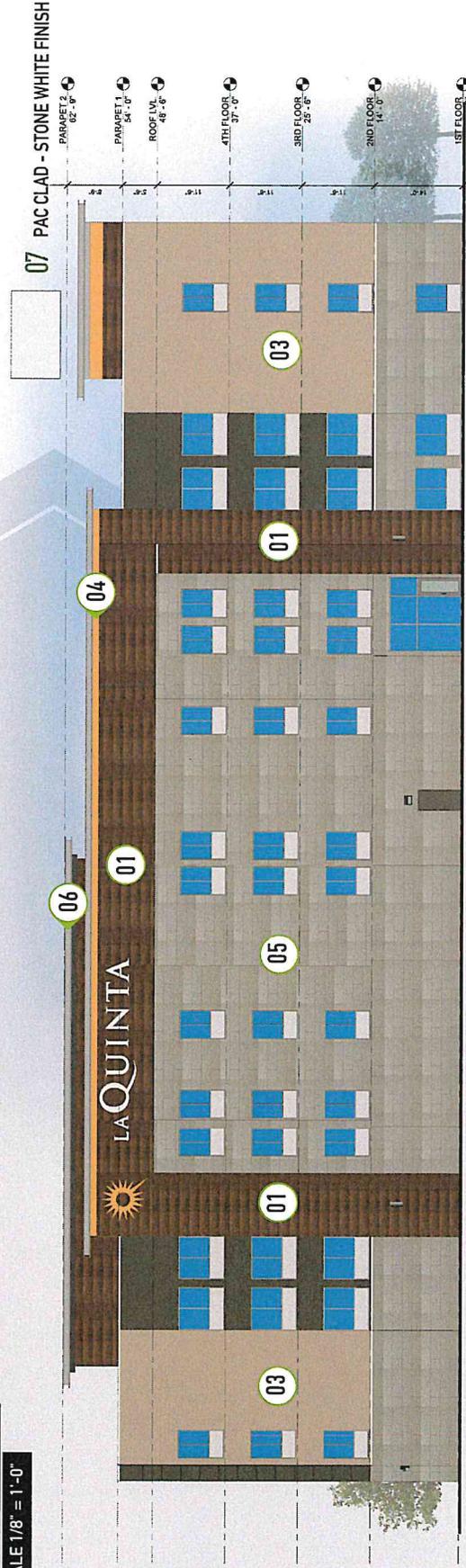
*South Elevation*

SCALE 1/8" = 1'-0"



*East Elevation*

SCALE 1/8" = 1'-0"



*Material Legend*

MATERIALS ARE TO BE CONSIDERED A BASIS OF DESIGN AND COULD BE SUBSTITUTED FOR SIMILAR PRODUCTS

- 01 CERAMIC PANELS - COLOR: IRON CORTEN
- 02 EIFS - THUNDER GRAY SW-7645
- 03 EIFS - MEGA GREIGE SW-7031
- 04 EIFS - TORCHLIGHT SW-6374
- 05 FIBER CEMENT PANELS NICHHA INDUSTRIAL BLOCK - GRAY
- 06 PAC CLAD - SILVER FINISH

- 07 PAC CLAD - STONE WHITE FINISH



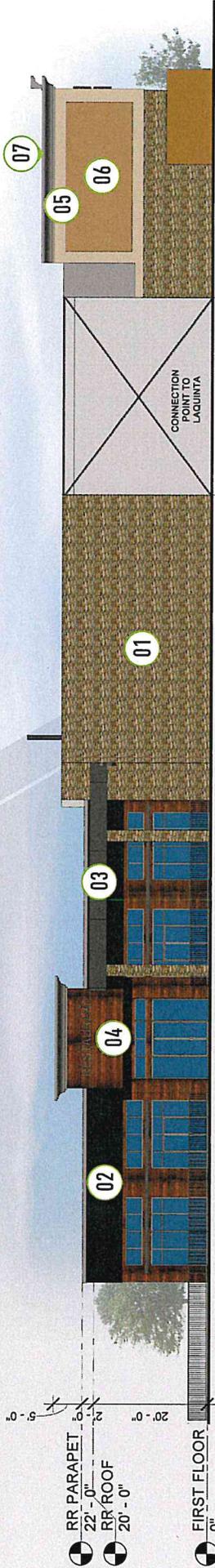
**LA QUINTA**  
EDWARDSVILLE, KS



Base4  
9858 Glades Road, #237 Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

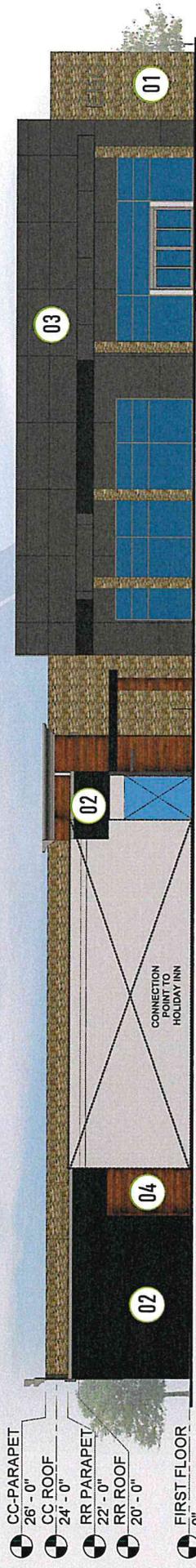
# South Elevation

SCALE 1/8" = 1'-0"



# West Elevation

SCALE 1/8" = 1'-0"



## Material Legend

MATERIALS ARE TO BE CONSIDERED A BASIS OF DESIGN AND COULD BE SUBSTITUTED FOR SIMILAR PRODUCTS

- 01 STONE - FARGO
- 02 FIBER CEMENT PANELS NICHHA - ILLUMINATION SERIES - BLACK
- 03 METAL PANEL - PAC CLAD SILVER FINISH
- 04 FIBER CEMENT PANELS NICHHA - ROUGH - TABACCO
- 05 EIFS - DRYVIT - CLAY 481
- 06 EIFS - DRYVIT - CAMEL 459
- 07 EIFS - DRYVIT - ANTIQUE GREY 618

# CONFERENCE CENTER

EDWARDSVILLE, KS

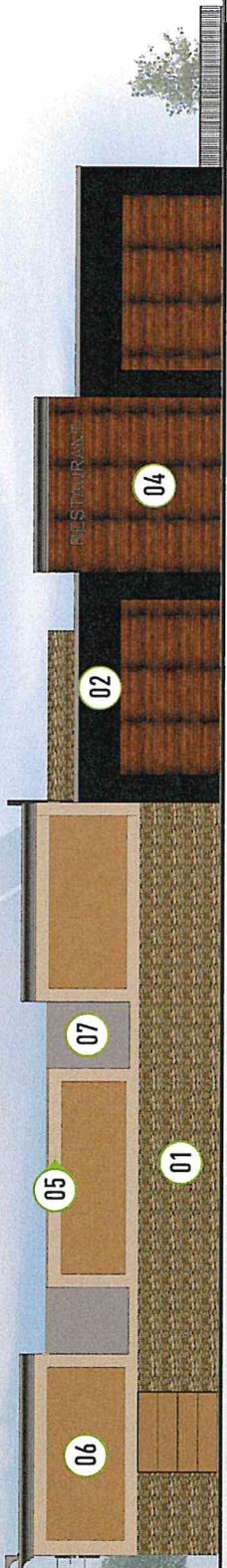


Base4  
9858 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

# North Elevation

SCALE 1/8" = 1'-0"

- CC-PARAPET  
26'-0"
- CC-ROOF  
24'-0"
- RR-PARAPET  
22'-0"
- RR-ROOF  
20'-0"
- FIRST FLOOR  
0"



# East Elevation

SCALE 1/8" = 1'-0"

- CC-ROOF  
24'-0"
- FIRST FLOOR  
0"



## Material Legend

MATERIALS ARE TO BE CONSIDERED A BASIS OF DESIGN AND COULD BE SUBSTITUTED FOR SIMILAR PRODUCTS

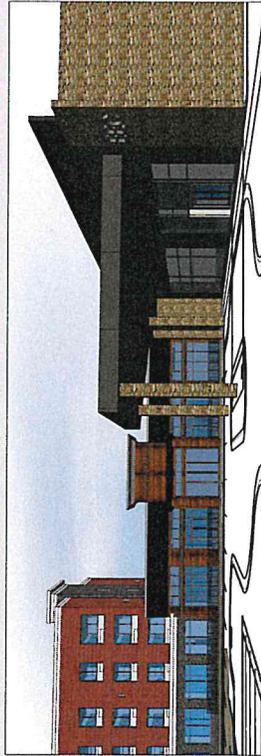
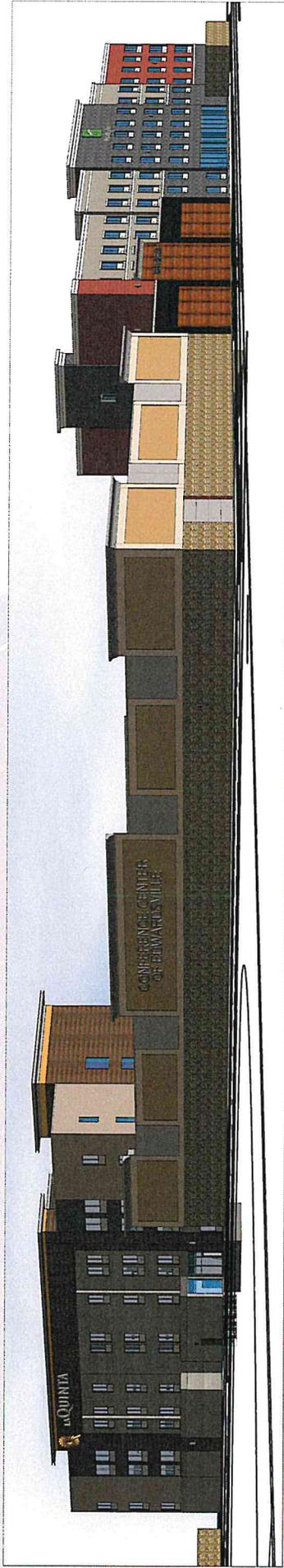
- 01 STONE - FARGO
- 02 FIBER CEMENT PANELS NICHHA- ILLUMINATION SERIES- BLACK
- 03 METAL PANEL - PAC CLAD SILVER FINISH
- 04 FIBER CEMENT PANELS NICHHA- ROUGH - TABACCO
- 05 EIFS - DRYVIT - CLAY 481
- 06 EIFS - DRYVIT - CAMEL 459
- 07 EIFS - DRYVIT - ANTIQUE GREY 618

# CONFERENCE CENTER EDWARDSVILLE, KS



Base4  
9858 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

*Design Massing*

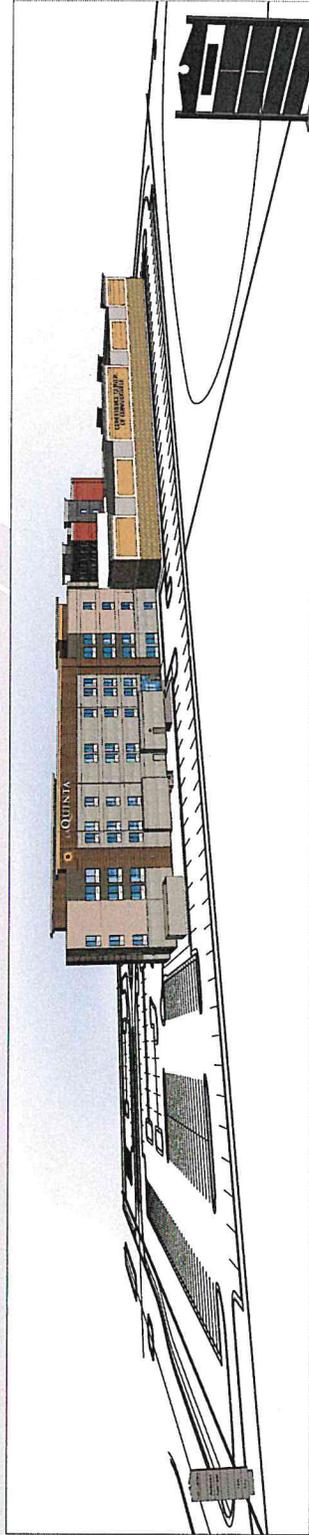
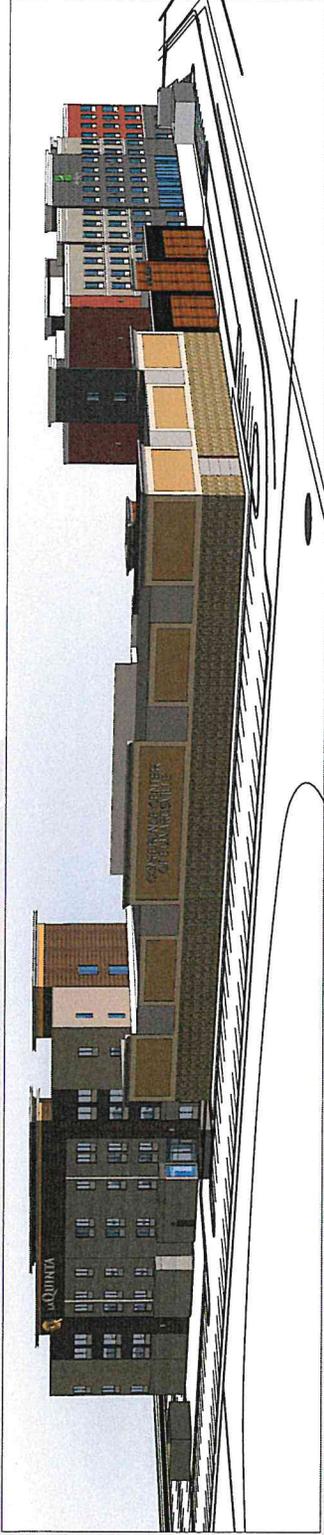


HOLIDAY INN, CONFERENCE CENTER,  
LA QUINTA  
EDWARDSVILLE, KS



Base4  
9858 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4

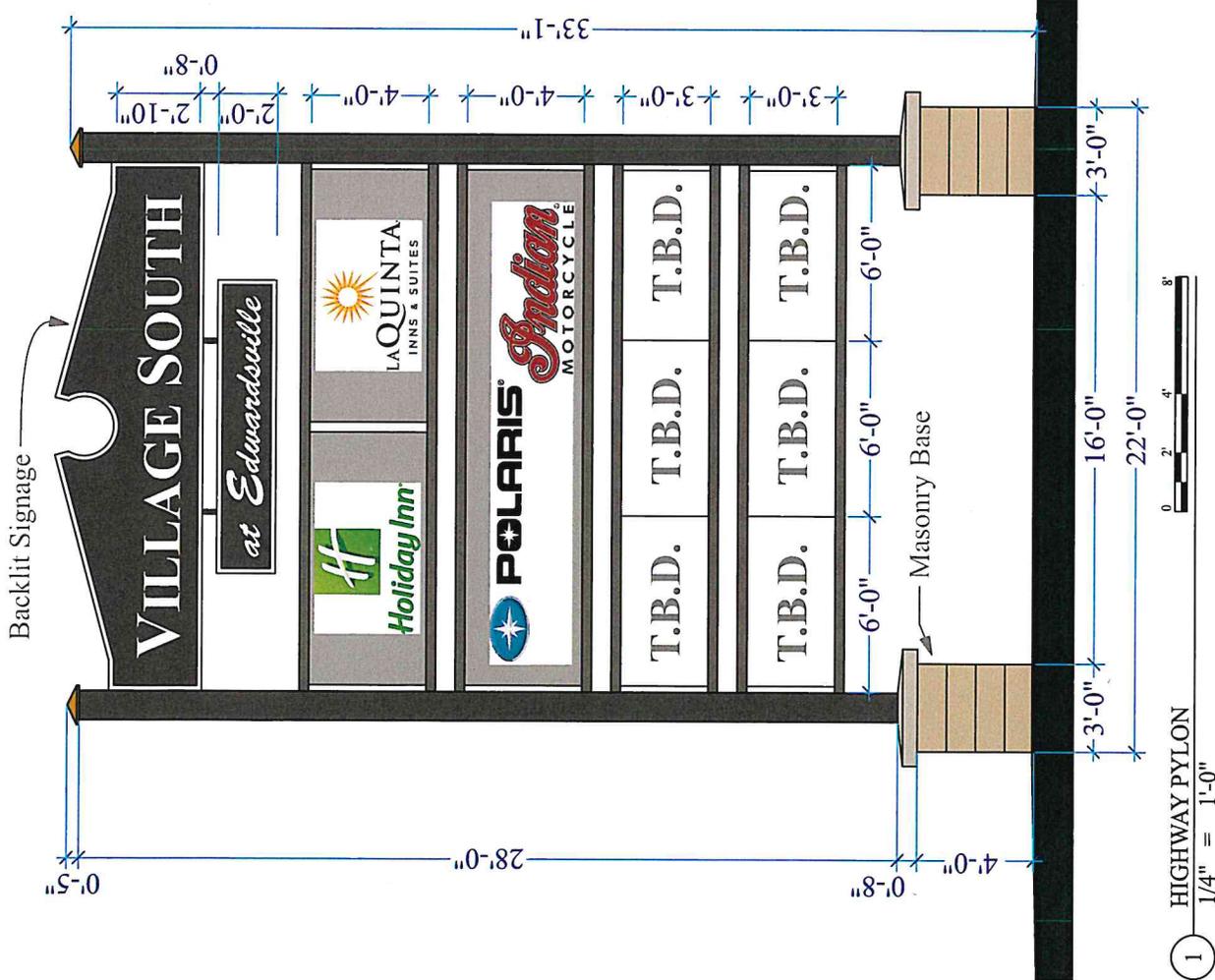
*Design Massing*



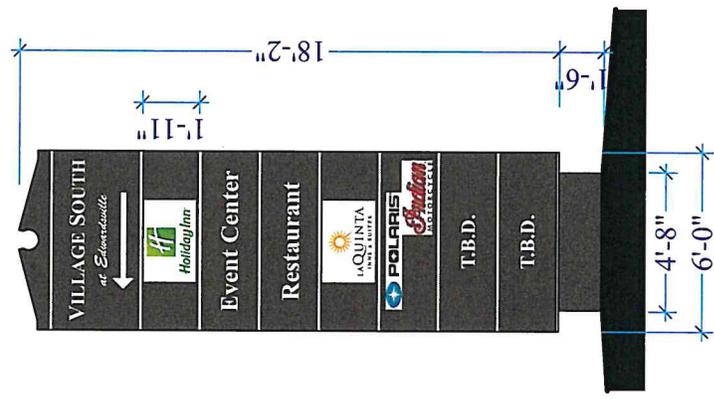
HOLIDAY INN, CONFERENCE CENTER,  
LA QUINTA  
EDWARDSVILLE, KS



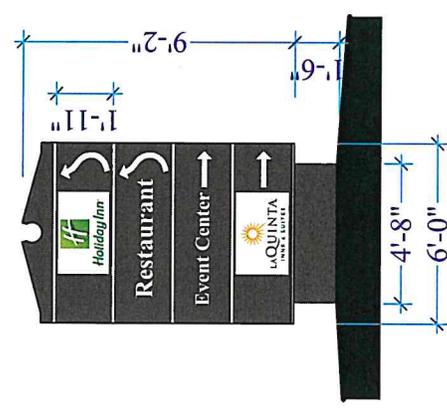
Base4  
9858 Glades Road, #237, Boca Raton, Florida 33434, USA  
www.base-4.com | 1.720.72.BASE4



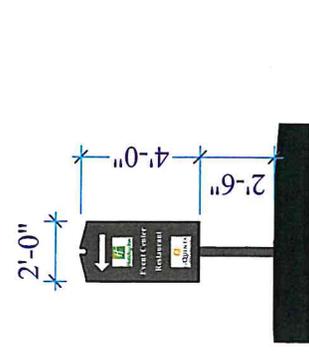
2 ENTRANCE MOMUMENT  
1/4" = 1'-0"



4 ROUNDABOUT ISLAND MOMUMENT  
1/4" = 1'-0"



3 PARKWAY SIGN  
1/4" = 1'-0"



All ideas, designs, plans and specifications are the property of The Landschulte Group, Inc. This copyrighted plan is an instrument of service to be used only by the client for the project for which it was prepared. Any other use is unauthorized and constitutes a violation of the Copyright Act, 17 U.S.C., as amended December 1, 1990, known as the Architectural Works Copyright Protection Act of 1990. The design and details of the design, under such protection, unauthorized use of these plans, or works resulting from these plans, can result in the termination and loss of such construction as well as fines up to \$100,000 per offense.

P R O J E C T  
Village South Master Plan  
1-70 and 110th St.  
Edwardsville, KS 66111  
Drawing Date 12/28/16  
Revision Date 12/29/16  
Sheet # A.03

© 2016  
Landschulte  
A Division of The Landschulte Group, Inc.  
203 Water Street #202  
Excelsior, MN 55331  
(953) 470-7416



**City of Edwardsville  
Staff Report  
Planning Commission January 18, 2017**

**Item 3e – Village South at Edwardsville – Amended TIF Project  
Plan Review**

---

**Background**

On October 24, 2016 the Governing Body passed an ordinance approving a Redevelopment (TIF) Project Plan for Project Area 1 of the proposed Village South development. Prior to that date the Planning Commission reviewed the Project Plan and found the Project Plan to be consistent with the Edwardsville Comprehensive Plan. On January 9, 2017 the Governing Body at the request of the developer passed an ordinance adding area to the original district for this project.

The result of this activity is that an Amended Project Plan is before the Planning Commission for review. As part of the TIF process a Redevelopment (TIF) Project Plan is provided for consideration and approval by the City. Before a Redevelopment (TIF) Project Plan may be considered by the City Council at a public hearing and formally adopted, the Planning Commission must first examine the proposed redevelopment project plan and make a finding that the plan is consistent with the City's Comprehensive Plan for development.

**Analysis**

This Project Plan amendment is requested to expand the project area and not change the details of the Project Plan, the detailed analysis of the Project Plan is similar to that provided to the Planning Commission August 17, 2016 at which time the staff analysis and finding of the Planning Commission lead to the conclusion that the Project Plan was consistent with the Comprehensive Plan. Additionally, all the property within the plan is zoned C-2 Commercial Retail.

Given this context, staff would suggest the Amended Project Plan, as proposed, is consistent with the City's Comprehensive Plan for the reasons noted below and requests the Planning Commission consider adopting such findings as their own:

- The Amended Project Plan is in keeping with the preliminary plan for the Village South at Edwardsville development and complies with the existing C-2 Commercial Retail Zoning District.
- The Amended Project Plan is located in the northwest corner of a larger mixed-use area identified in the comprehensive plan and will provide a transition from the adjacent interstate and 110<sup>th</sup> Street arterial to other future land uses via planned roadway and pedestrian connections.
- The Amended Project Plan, being in close proximity to the I-70 / 110<sup>th</sup> interchange, reflects the value of the property for commercial development and use.
- Construction of the Amended Project Plan will spur future development in the area that will include uses other than commercial. The mixing and connecting of uses between 110<sup>th</sup> Street and I-435 north of Riverview is an important concept set forth in the comprehensive plan.

**Recommendation**

Staff recommends that the Planning Commission find this Amended Project Plan to be consistent with the Comprehensive Plan for the City of Edwardsville per the analysis provided above and approve the draft resolution.

**Attachments**

- Village South at Edwardsville Redevelopment (TIF) Project Plan
- Draft Planning Commission Resolution
- Link to the *Edwardsville Plan* at <http://www.edwardsvilleks.org/planning-development/documents/the-edwardsville-plan-comprehensive-plan>

**AMENDED REDEVELOPMENT TIF PROJECT PLAN  
VILLAGE SOUTH AT EDWARDSVILLE  
REDEVELOPMENT DISTRICT, PROJECT AREA 1**

In order to promote, stimulate and develop the general and economic welfare of the City of Edwardsville, Kansas (the "City"), the Governing Body of the City on June 27, 2016, passed Ordinance No. 965 establishing a Redevelopment District (the "Original District") pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act"). The Governing Body of the City on October 24, 2016, passed Ordinance No. 969 approving a Redevelopment Project Plan for Project Area 1 within the Original District (the "Original Project Plan").

At the request of the developer, the Governing Body of the City on January 9, 2017, passed Ordinance No. 973 (the "Ordinance") adding area to the Original District. The Original District, with such additional area and as described in the Ordinance, is referred to herein as the "District".

This plan is an amended Redevelopment Project Plan for the Village South at Edwardsville Redevelopment TIF Project Area 1 (as amended herein, the "Project Plan"), located within the District. This Project Plan sets forth the information required by K.S.A. 12-1772, as amended, as follows:

1. **Description of the Buildings and Facilities proposed to be Constructed or Improved.** The Project Plan includes land acquisition and the design, development and construction of: (a) two hotels containing approximately 185 rooms; (b) a conference center/meeting space; (c) a restaurant; (d) two retail components; (e) a fast food restaurant; (f) a convenience store; and (g) surface parking. The Project Plan also includes the demolition and removal of existing structures. (The herein referenced buildings, improvements and demolition are referred to collectively as the "Redevelopment Project"). The Redevelopment Project will be constructed and improved in accordance with the requirements of the City Planning Commission, the City's Governing Body and City ordinances.

2. **Summary of the Feasibility Study.** As required by the Act, a feasibility study was prepared by Springsted Incorporated based on projections and estimates for the Original Project Plan and updated based on revised projections and estimates for the Project Plan (as updated, the "Feasibility Study"). Based on the Feasibility Study, the City anticipates the tax increment from Project Area 1 (as amended herein, "Project Area 1"), including property tax increment, the City's transient guest tax and a portion of the City's 1.0% general sales tax, will generate approximately \$24,035,520 in tax increment revenue (over a maximum 20-year period) available to pay Redevelopment Project costs pursuant to the District Plan (as hereinafter defined) and the Act. All Redevelopment Project costs in excess of such available tax increment revenues, or in excess of a portion of such available tax increment revenues as described in the Development Agreement (as hereinafter defined), will be paid by the developer or from other available funds. The Redevelopment Project's benefits and tax increment revenue and other available revenues under subsection (a)(1) of K.S.A. 12-1774, as amended, are expected to exceed or be sufficient to pay for the Redevelopment Project costs. The City is under no

obligation to provide financial assistance if the tax increment generated from Project Area 1 does not meet the projections. The entire Feasibility Study is on file with the City Clerk.

There are no outstanding special obligation tax increment bonds for the District and, therefore, the Redevelopment Project costs are not expected to have any effect on outstanding special obligation tax increment bonds payable from revenues described in subsection (a)(1)(D) of K.S.A. 12-1774, as amended.

3. **Redevelopment District Plan and Location of the District.** The Ordinance established the District, as amended by the addition of area, and approved the amended district plan described therein (as amended, the “District Plan”). The District is generally located at the southeast corner of 110<sup>th</sup> Street and Interstate 70 in the City.

4. **Legal Description and Map of Amended Project Area 1.** A legal description of Project Area 1 is attached as *Exhibit A* and a map of such Project Area 1 is attached as *Exhibit B*.

5. **Relocation Assistance Plan.** In the event the City acquires any real property within Project Area 1 in carrying out the provisions of the Act, and that, as a result, any persons, families and businesses move from real property located in Project Area 1 or move personal property from real property located in Project Area 1, the developer of Project Area 1 shall make at least a \$500 payment to such persons, families and businesses. No persons or families residing in the District shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents within their ability to pay. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwelling. No retailer shall be relocated from the District.

6. **Other Relevant Information.**

a. Any reimbursement for Redevelopment Project costs will be made only from tax increment actually received by the City from the District in accordance with the Act. The City will have no responsibility for any other Redevelopment Project costs.

b. Prior to any reimbursement to private entities for Redevelopment Project costs, all entities shall enter into an amendment to the Development Agreement between the City and the developer dated as of October 25, 2016 (as so amended, the “Development Agreement”) for the Original Project Plan which Development Agreement identifies the procedure and circumstances under which the City will pay or reimburse Redevelopment Project costs and other requirements of the City pertaining to the development of Project Area 1 and the District.

c. The City will not issue general obligation or special obligation bonds to finance the costs of the Redevelopment Project. Instead, it is expected that the City will reimburse the developer on a pay-as-you-go basis for that portion and amount of the Redevelopment Project costs agreed upon by the City.

## EXHIBIT A

### AMENDED PROJECT AREA LEGAL DESCRIPTION

#### Legal Description for Village South Redevelopment District, Project Area 1

All of Lots 1 & 2, Lustgraaf Acres, said lots being a replat of part of Tract 4 and Tract 5, the Norman Farms Subdivision and part of the Southeast Quarter of the Southwest Quarter, all in Section 11, Township 11 South, Range 23 East, City of Edwardsville, Wyandotte County, Kansas and being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 11; thence North 02°06'15" West, along the West line of the Southwest Quarter of said Section 11, a distance of 471.80 feet; thence North 87°31'44" East, departing said West line, a distance of 30.00 feet to the Southwest corner of Lot 2, said Lustgraaf Acres, said point being the POINT OF BEGINNING; thence North 02°06'15" West (Measured – North 00°00'00" East, Platted), along the Easterly line of said 110th Street and Westerly line of said Lot 2, a distance of 10.71 feet; thence North 87°53'45" East (Measured – North 87°39'49" East, Platted), continuing along the Easterly line of said 110th Street and Westerly line of said Lot 2 a distance of 20.00 feet; thence North 00°17'22" East (Measured – North 02°24'03" East, Platted), continuing along the Easterly line of said 110th Street and Westerly line of said Lot 2 and said Lot 1, a distance of 746.89 feet to the Southerly line of Right of Way conveyed to the City of Kansas City, Kansas by Document No. 1197804, recorded in Book 3744 at Page 543 in the Office of the Register of Deeds, Wyandotte County; thence North 66°44'54" East, along said Southerly Right of Way, a distance of 655.90 feet to the Southerly right of way of the Kansas Turnpike, said point being on the Northwest Corner of Lot 2, Lustgraaf Acres; thence North 85°25'56" East (Measured, North 87°34'00" East, Platted) along the North line of said Lot 2 and South line of said Turnpike, a distance of 637.64 (Measured – 637.89', Platted) feet to the Northeast Corner of said Lot 2; thence North 85°25'56" East, continuing along the South line of said Turnpike, a distance of 197.31 feet (Measured – 199.01 feet, Deeded) to the Northeast corner of Tract recorded as Document No. 2005R-20405, said point being monumented with a 1.5 inch iron bar; thence South 02°07'26" East, along the Easterly line of said Tract, a distance of 869.60 feet; thence South 87°52'34" West, departing said East line, a distance of 62.90; thence Northwesterly and Northerly along a non-tangent curve to the right, said Curve having an Initial Tangent Bearing of North 90°00'00" West, Radius of 70.71 feet, Included Angle of 78°21'23", for an Arc Length of 96.70 feet to a point of reverse curvature, thence Northwesterly and Westerly along a curve to the left, said Curve having a Radius of 30.00 feet, Included Angle of 80°51'53" for an Arc Length of 42.34 feet; thence South 87°29'30" West, a distance of 37.60 feet; thence North 02°06'15" West, a distance of 387.34 feet; thence South 87°42'26" West, a distance of 293.88 feet; thence South 02°49'04 East, a distance of 388.44 feet; thence South 87°29'30" West, a distance of 649.10 feet; thence South 02°30'30" East, a distance of 234.61 feet to the South line of Lot 2, said Lustgraaf Acres; thence South 87°31'44 West, along said South line, a distance of 363.51 feet to the POINT OF BEGINNING and containing 1014881.80 sq. ft. or 23.29 acres, more or less.

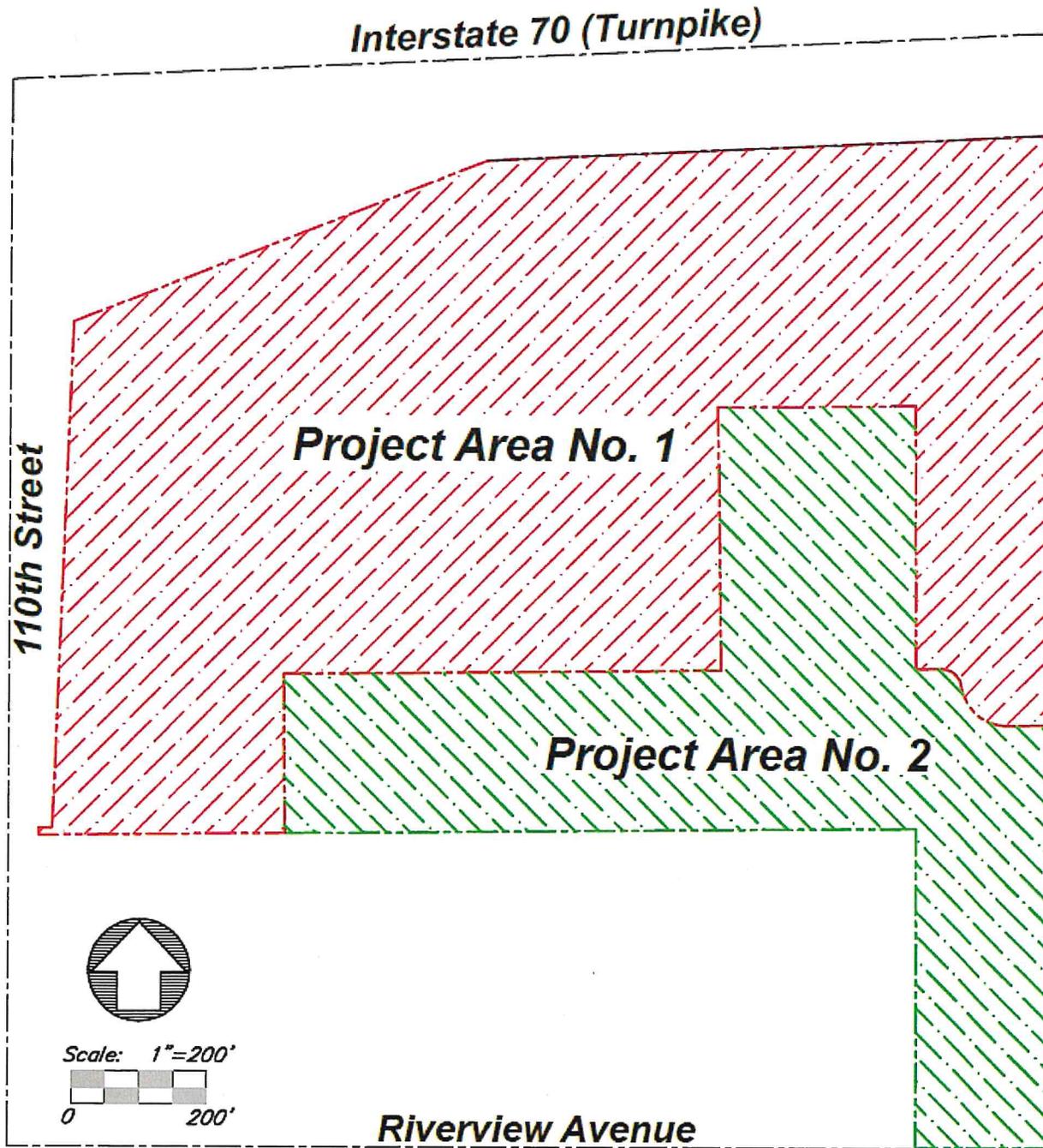
AND

Any and all public right-of-way immediately adjacent to the above-described land.

**EXHIBIT B**

**AMENDED PROJECT AREA MAP**

Village South Redevelopment District, Project Area 1



**PLANNING COMMISSION RESOLUTION**

**A RESOLUTION MAKING CERTAIN FINDINGS IN CONNECTION WITH THE AMENDED REDEVELOPMENT PROJECT PLAN FOR PROJECT AREA 1 WITHIN THE VILLAGE SOUTH AT EDWARDSVILLE TIF DISTRICT IN THE CITY OF EDWARDSVILLE, KANSAS.**

**WHEREAS**, in accordance with K.S.A. 12-1772(b), all redevelopment project plans for redevelopment projects within the City of Edwardsville, Kansas (the “City”), are to be reviewed by the Planning Commission of the City of Edwardsville, Kansas (the “Planning Commission”), in order for the Planning Commission to make certain findings with respect to such plans; and

**WHEREAS**, the Planning Commission has received and considered the amended Redevelopment TIF Project Plan, Village South at Edwardsville Redevelopment District, Project Area 1 (the “Project Plan”) in accordance with K.S.A. 12-1772(b); and

**WHEREAS**, before the Governing Body of the City may consider the adoption of the Project Plan, the Planning Commission must find that the Project Plan is consistent with the intent of the comprehensive plan for development of the City; and

**WHEREAS**, in accordance with K.S.A. 12-1772, the amended Project Plan includes (a) a summary of the feasibility study, (b) a reference to the redevelopment district plan that identifies the redevelopment project area set forth in the Project Plan that is being considered, (c) a description and map of the redevelopment project area to be redeveloped, (d) the relocation assistance plan, if required, (e) a detailed description of the buildings and facilities proposed to be constructed or improved in the redevelopment project area, and (e) any other information the Governing Body of the City deems necessary to advise the public of the intent of the Project Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission finds and determines that the proposed Project Plan is consistent with the intent of the comprehensive plan for development of the City.

**ADOPTED** by the Edwardsville Planning Commission this 18<sup>th</sup> day of January, 2017.

---

Jeff Martinek  
Chairman

ATTEST:

---

Zachary Daniel  
Assistant City Manager/City Clerk