

Members Present: Mark Bishop, Erin Harves, Greg Scott, Bryan Smith, John Altevogt, Robert Niffen

Staff Present: Michael Webb, City Manager
Bradley Hocevar, City Planner
Katie Ross, Administrative Specialist for Planning Services

PLANNING COMMISSION

The regular meeting was called to order by Chairman Bishop at 6:04 p.m.

Minutes from July 21, 2021

Commissioner Altevogt made a motion to approve the minutes. Commissioner Scott seconded the motion. The motion passed 4-0-1 (Commissioner Smith abstain).

New Business

a. Rezoning, Preliminary / Final Plat, Preliminary / Final Development Plan Public Hearing – 10600 Kaw Drive (2021-03-Z; 2021-04-PPT/FPT; 2021-05-PPN/FPN) – Eric Vossman, MV2 Land Inc (Owner) / Kevin Tubesing, Stag Commercial (Applicant)

City Manager Michael Webb took the podium to introduce this item. There will be five action items with two separate public hearings. The first to discuss is the rezoning from C2 to C3. Some of the difference related to this particular case is that C3 allows this to be a service center for fleet vehicles. The company would send the vehicles (vans, small trucks, etc) out during the day, and bring them back in the evening.

Commissioner Niffen arrived at 6:08pm

Commissioner Altevogt asked if all of the vehicles would be of that nature. He noticed that there were semi loading docks on the building and that it showed it was a distribution center. He wanted to make sure this would be all smaller vehicles and not introducing a lot of semi traffic.

City Manager Michael Webb responded that from a zoning perspective you can not say specifically which vehicles would be allowed, it's either yes or no. The development plan is around the site, landscaping, parking, and building. The applicant would put language in the plat that would put declarations similar to an HOA saying what would and wouldn't be allowed. The idea is that there will be a series of deed restrictions tied to the plat that would specify the classification of vehicles. Staff is looking at class six or below, which keeps it at three axles or less. That is not a zoning issue however. Service vehicles leaving the sites, coming back, parking those vehicles, getting serviced, that is the use

issue. If we go to C3, it allows for this use. There would be an office area and a service area.

Commissioner Harves made the motion to open the public hearing which Commissioner Niffen seconded. The motion passed 6-0.

The applicant Kevin Tubesing took the podium. He introduced Jeff and Terry who were also with him. The request for the zoning change is to allow for fleets of vehicles. The overhead doors would allow for tall trucks, but he would wait until later in the meeting to discuss vehicles. He showed images of what the building would look like, but commented that most of it would not be visible from the street.

Commissioner Altevogt commented that there had been an old Native American burial site in that area and that they may encounter bones. He also asked how many vehicles they were thinking? Would this be like Amazon?

The applicant Kevin Tubesing referenced other locations he has done in the past. He can't build something different than they allow tonight for him to build. What he can't say is if he has BPU, Bob Hamilton, Fiber, Amazon or some other kind of group as the tenant. He can't answer that, but he would refer them to class seven vehicles and below. This would not turn into some construction yard. For example, all vehicles that are stored on the lot would have to be able to use public streets under their own power (they can not be towed – no tractor trailers). He has agreed to limit it to class seven which does allow for more axles but that they can only have three axles or below. No matter who occupies the property they would have to meet these requirements.

Commissioner Altevogt mentioned that you could have something similar to 47th street in Johnson County where they have Amazon.

The applicant Kevin Tubesing replied that this lot would be way too small for something like that. They wouldn't even consider it.

City Manager Michael Webb discussed a traffic study that was done by TranSystems. Sixty-six vehicles would be coming into the site. 73% in 27% out. In the evening it is reversed. Most of the traffic in the morning would be going east toward 435. Evening times are more toward the west.

The applicant Kevin Tubesing reminded everyone that there would also be an office with about a three-million-dollar payroll. Not only will you have people coming and going, you will have people working in the office needing restaurants and things, that would be good for Edwardsville.

Commissioner Harves asked why there was a second tract instead of one.

The applicant replied that they wanted to separate what they will and won't develop.

City Manager Michael Webb said this is not uncommon for developers to do.

Commissioner Smith made a motion to close the public hearing, which Commissioner Niffen seconded. The motion passed 6-0.

City Manager Michael Webb said to look at the thirteen golden rules which are outline in the packet. There was nothing from a staff standpoint that was found to be objectionable to the comprehensive plan.

Commissioner Niffen asked if there had been any discussions with the Fire Chief regarding the storage of petroleum products on the property.

City Manager Michael Webb replied that he believed the building would be sprinkled, with a knox box and fire hydrants which will be addressed in their site plan.

Commissioner Smith asked what the old speedy lube was zoned.

City Manager Michael Webb replied that at the time they did not have C3 zoning. He believed it was zoned I1 because they were servicing vehicles.

Commissioner Smith commented that this project makes a lot of sense in this area.

Commissioner Greg Scott asked if there had been any feedback or concerns from neighbors from when the notifications went out.

Administrative Specialist for Planning Services Katie Ross replied that a neighbor had called concerned about the tree line getting removed because they liked the scenery.

City Manager Michael Webb said this was addressed in the site plan. He also commented that the burial grounds were on the lot next door. Most of the excavation has already been done.

Commissioner Smith made the motion to approve the zoning. Commissioner Altevogt seconded the motion. The motion passed 6-0.

City Manager Michael Webb introduced the preliminary / final plat. This is technically an existing lot that are two tracts. There were some issues with the survey points which have been resolved. There are standard comments staff recommended. The last item was a discussion of sewer improvements as there will be sewer to the site. They will extend sewer east and west. We will have documents showing the sewer connections and construction will be with the actual building. The design will be done prior to filing, the construction as part of the overall project.

Applicant Kevin Tubesing asked to amend the conditions on page seven to show that they will provide full design of the sewer prior to the final plat, but the construction of the sewer will come in conjunction to the construction of the total site due to the bank.

City Manager Michael Webb commented that the conditions discussed earlier should be included as part of the plat. His concern with class seven is that it says four axels or more.

The applicant Kevin Tubesing responded that they are asking for a class seven because of the possibility of weight, such as boom trucks. He is asking for class seven but limiting it to three axles.

Commissioner Smith asked that a class six is three axles with a weight limit and that they may exceed that limit?

The applicant Kevin Tubesing responded that that is correct. A class seven but only three axles and that they are putting a maximum length on the vehicles too.

City Manager Michael Webb commented that one of the conditions would prohibit any form of a semi class vehicle.

The applicant Kevin Tubesing replied that the conditions they agreed to were no tractor trailers, no towing, the vehicle must operate under its own power, be able to drive on a public street, and maintain speed. This means no semis.

City Manager Michael Webb commented that these will be on the plat and noted on the site plan. It is all tied together.

Commissioner Smith asked for a review of the conditions.

City Manager Michael Webb stated that the first two were technical conditions. The third was regarding the sanitary sewer (designed and then constructed at the time of the project), the fourth is the deed restrictions relating to the vehicles.

Commissioner Smith made the motion to approve the preliminary plat with the conditions as just described by City Manager Michael Webb. Commissioner Niffen seconded the motion, which passed 6-0.

Commissioner Smith made the motion to approve the final plat with conditions. Commissioner Niffen seconded the motion which passed 6-0.

Commissioner Smith made the motion to open the public hearing. Commissioner Altevogt seconded the motion. The motion passed 6-0.

City Planner Bradley took the podium to discuss the site plan. There are three deviation conditions requested as part of the design review process. There is a certain level of standards as far as design goes. One of those is that a minimum of 50% of exterior walls, excluding windows and doors, shall consist of masonry, rough texture, wood, or glass walls. The applicant is requesting to deviate from those materials as it excludes metal panels.

The architect for the project, Terry Tevis took the podium to discuss the material he is proposing to use. He discussed how this material is forward thinking. They want to avoid the metal building shop look. This architectural metal is clean, easy to maintain and efficient. It is not well known but it is high quality. The City guideline would prohibit this material because it is metal, but nothing comes close to the durability and aesthetic appeal. They added the blue color to add a more contemporary feel which is what they are going for with this building. They did a similar two-story office building over at Evaptech. He brought an example of the panel material for the Commissioners to look at.

Commissioner Niffen asked if it was fire retardant, which the applicant replied that it meets code and that the building would be sprinklered.

Commissioner Niffen asked how it is attached, which the applicant replied that it would be fastened and that you wouldn't see it. It is not a cheap product. They did a building off Nieman and Shawnee Mission Parkway with the same material.

City Manager Michael Webb reviewed that the first two conditions go hand in hand. The first one is that they won't meet the 50% masonry requirement, and the second one is the use of metal panels. The third deviation is that there will be no sidewalks installed. There will be necessary easements. One is for sidewalks. That way in the future, when the City is ready for them, there will be a place for them.

Commissioner Smith commented that it is a very flat look and asked if there were any provisions for breaking plane.

The applicant Kevin Tubesing replied that the blue area articulates out.

City Manager Michael Webb also replied that the parapet wall is above the roofline.

The applicant Kevin Tubesing said they will screen.

Commissioner Smith asked about the elevation on the upper left. Is it all linear or does it pop out some?

The applicant Terry Tevis replied that it is preliminary, it does not show up on these plans but it will stick out a foot.

Todd Moody, 10550 Kaw Drive, took the podium to discuss his concerns. Do they care what happens to his property value? Is there a plan in place to maintain the tree line that separates the properties?

City Manager Michael Webb replied that as part of their site plan there is a reservation plan to maintain those trees. Not that they can guarantee they won't touch any trees, but there is a plan in place. The value question is hard to answer, he can't answer that.

Commissioner Altevogt commented that it may raise the value as a commercial site in the future. That is going to be largely a commercial area. The land would be sold by the square foot, not by the square foot of his house.

Todd Moody asked if this is a logistic building, would they be operating at all hours?

City Manager Michael Webb replied that there is not a restriction on hours. They are subject to general noise regulations, lighting, etc.

Commissioner Scott replied that he missed the first part, but that it is a nice building for the City. It will enhance the area. There is no tenant yet. He understands his concerns of being right next door, based on what we're seeing and the restrictions on the plans (no semis).

Commissioner Altevogt commented that this is not for semis, nothing can be towed, and it has to meet highway speeds.

City Manager Michael Webb reviewed the conditions for Todd Moody.

Commissioner Scott made the motion to close the public hearing. Commissioner Harves seconded the motion. The motion passed 6-0.

Commissioner Smith made the motion to approve the preliminary plan with staff recommendations, with number 9 modified, and the deviations. Commissioner Niffen seconded the motion. The motion passed 6-0.

Commissioner Smith made the motion to approve the final plan with conditions. Commissioner Niffen seconded the motion. The motion passed 6-0.

Staff Reports

City Manager Michael Webb discussed the road projects going on around town. The 4th Street project has technically started. He discussed the tiff district near 435 and Woodend Road. There is a plan for ten acres to be developed for residential, similar to Delaware Ridge.

City Planner Bradley Hocevar said that there will be some upcoming cases such as a new plat of three lots and a variance case for the zoning board.

Adjournment

Chairman Bishop made the motion to adjourn the meeting.

Minutes submitted by Katie Ross, Administrative Specialist.