

Date: May 8, 2015  
To: Edgerton Planning Commission  
From: Kenneth Cook, AICP, CFM, Community Development Director  
Re: Consider Approval of Temporary Construction Activities at 18501 Waverly Road property located to South of 183<sup>rd</sup> and East of Waverly Road.

### **BACKGROUND INFORMATION**

Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas states that the Planning Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses.

On previous occasions, the Edgerton Planning Commission has approved the use of certain property for construction-related activities associated with the BNSF Intermodal Facility and LPKC developments subject to the approval of staff and the following conditions:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code of the City of Edgerton;
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;
7. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible;
8. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
9. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
10. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period;
11. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
12. Hours of operation shall be limited to from 7:00 am to 7:00 pm unless otherwise approved by staff;
13. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
14. Portable concrete and asphalt plants shall be approved by staff prior to use on-site, and staff shall have the ability to establish reasonable requirements for their operation;
15. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; and

16. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
17. Maintain a valid City of Edgerton Business License
18. Permission for temporary construction activities is granted for a period of three (3) years from date of approval by Edgerton Planning Commission

#### **MATTERS TO BE CONSIDERED**

The property located at the Southeast corner of 183rd Street and Waverly Road is owned by Edgerton Land Holding Company, LLC. This is part of the property known as the formal Big Industrial property and is located directly across the street from the BNSF intermodal facility. No Preliminary Plat or Preliminary Site Plan has been approved for the site at this time. Edgerton Land Holding Company, LLC has agreed to lease their property to Clarkson Construction Company (Clarkson) for the installation of a temporary concrete plant to serve the construction needs Waverly Road. The operation being requested will be used to for the construction of Waverly Road Improvements. Clarkson is requesting temporary use of this site through June 1, 2016. Clarkson has submitted a Final Development Plan for this site and included steps for site preparations and restoration of the site. The City of Edgerton Planning Commission previously granted authority for the use of other property in the area for similar temporary construction activities.

Because this property is privately owned, staff required the property owner to make the official request to use the property for temporary construction activities as allowed in Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas. A copy of this request is included.

Because this request is on property outside the Intermodal Facility and the intensity of the proposed use, staff would recommend, if approved by the Planning Commission, that two additional conditions be added. First, that Clarkson Construction Company be required to maintain a valid City of Edgerton business license. Second, staff would recommend a time limit, as per applicant request, to June 1, 2016.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the use of property located in the vicinity of the Southeast corner of 183<sup>rd</sup> Street and Waverly Road for construction-related activities pursuant to Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas, by Clarkson Construction Company for construction-related activities associated with Waverly Road project subject to the approval of staff and the following conditions:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code of the City of Edgerton;
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;

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14. Portable concrete and asphalt plants shall be approved by staff prior to use on-site, and staff shall have the ability to establish reasonable requirements for their operation;
15. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; and
16. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
17. Maintain a valid City of Edgerton Business License
18. Permission for temporary construction activities is granted for a period ending June 1, 2016.

## Kenneth Cook

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**From:** John Thomas <jthomas@northpointkc.com>  
**Sent:** Friday, May 08, 2015 8:37 AM  
**To:** Beth Linn; Kenneth Cook  
**Subject:** Concrete Batch and Lime plants - Temporary Use Permits  
**Attachments:** Quicksilver Batch Plant Development Plan 5-6-15.pdf; Batch Plant Request.pdf; Lime Plant Request.pdf; 15-0154 Base-Project Layout.pdf; Clarkson Batch Plant Development Plan 5-6-15.pdf; Quicksilver Batch Plant letter to Edgerton.pdf

Good morning, Kenny.

Attached herein, you will find requests from Clarkson Construction Company and Quicksilver Ready Mix for temporary batch plants. The Clarkson plants will be required for the Waverly Road construction project. The Quicksilver plant will be used primarily for projects developed by Edgerton Land Holdings Company, LLC (ELHC). ELHC has been working closely with Clarkson, Quicksilver, RIC, BNSF and the City to coordinate the most efficient and effective sites for the intended purposes. ELHC respectfully requests the City add these items to Tuesday's Planning Commission session, and that the City recommend the approval of the referenced plants for the use and durations outlined in the attached letters.

If you have any questions or require additional clarification or documentation, please do not hesitate to contact me directly.

Sincerely,

John Thomas, P.E. | Vice President

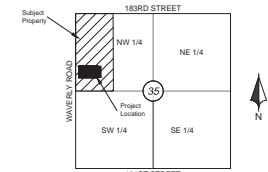
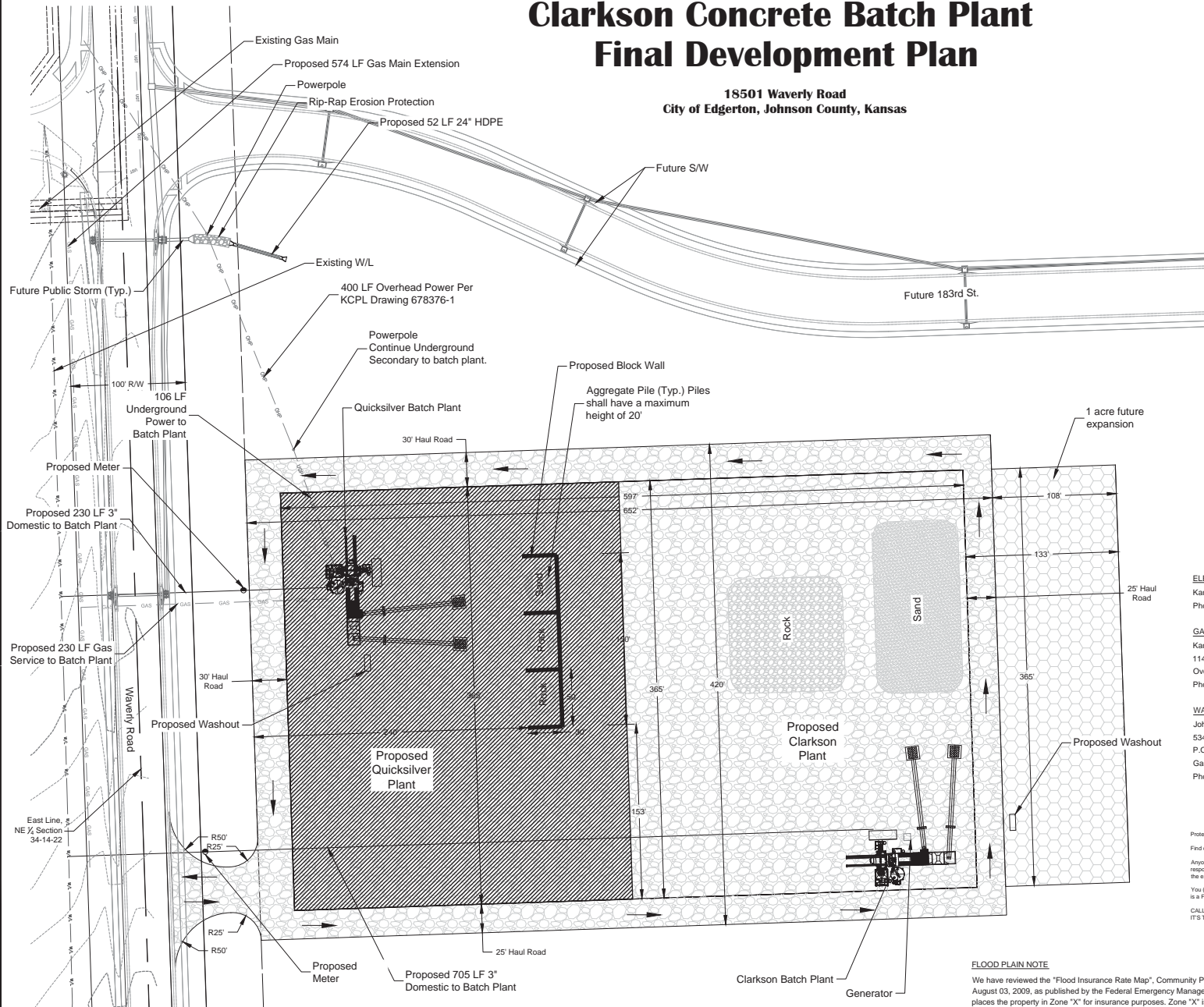


NorthPoint Development  
d: 816.888.7640 | c: 913.748.5013  
5015 NW Canal Street, Suite 200  
Riverside, MO 64150

[www.beyondthecontract.com](http://www.beyondthecontract.com)

# Clarkson Concrete Batch Plant Final Development Plan

18501 Waverly Road  
City of Edgerton, Johnson County, Kansas

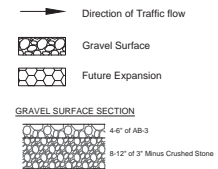


## INDEX OF SHEETS

01	Site Plan
02	Grading Plan

**DESCRIPTION**  
All that part of the West One-Half of the Northwest Quarter of Section 36, Township 14 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas.

## LEGEND



## PROJECT BENCHMARK

ICVCH BENCHMARK  
Barnett Aluminum Disk Stamped BM 1181, Located on center west end of the North headwall RCB. From the intersection of Waverly Road and 191st Street, go West 0.10 Miles to the RCB.  
Elev: 1010.97

## UTILITIES

### ELECTRIC

Kansas City Power & Light  
Phone: 816.471.5275

### GAS

Kansas Gas Service  
11401 West 89th Street  
Overland Park, Kansas  
Phone: 913.599.8981

### WATER

Johnson Rural Water District 7  
534 West Main  
P.O. Box 7  
Gardner, Kansas  
Phone: 913.856.7173

### SEWER

City of Edgerton  
404 East Nelson  
P.O. Box 255  
Edgerton, Kansas  
Phone: 913.893.6231

### TELEPHONE

Century Link  
Phone: 800.788.3500

### CABLE

Mediacom Cable  
Phone: 800.234.2157

MARKED THE CALL  
1-800-DIG-A-SAFE  
(1-800-344-7233)

Protect yourselves and your property against underground utility damage and liability.

Find out where the underground utility lines might be buried before you dig.

Anyone digging in Kansas must call before digging. The person who is doing the work is responsible for calling KDC. If the owner contracts with a professional excavator to do the excavation then the professional excavator is responsible for calling KDC.

You (the digger) will need to provide information about the work site when you call. This is a FREE service.

CALL BEFORE YOU DIG  
IT'S THE LAW.

## FLOOD PLAIN NOTE

We have reviewed the "Flood Insurance Rate Map", Community Panel Number 20091C0119G, dated August 03, 2009, as published by the Federal Emergency Management Agency. The above rate map places the property in Zone "X" for insurance purposes. Zone "X" is defined as Areas determined to be outside the 500-year flood elevation. No Base Flood Elevations have been determined."



SHEET

1 OF 2

FINAL DEVELOPMENT PLANS

15-0153

QUICKSILVER BATCH PLANT

SITE PLAN

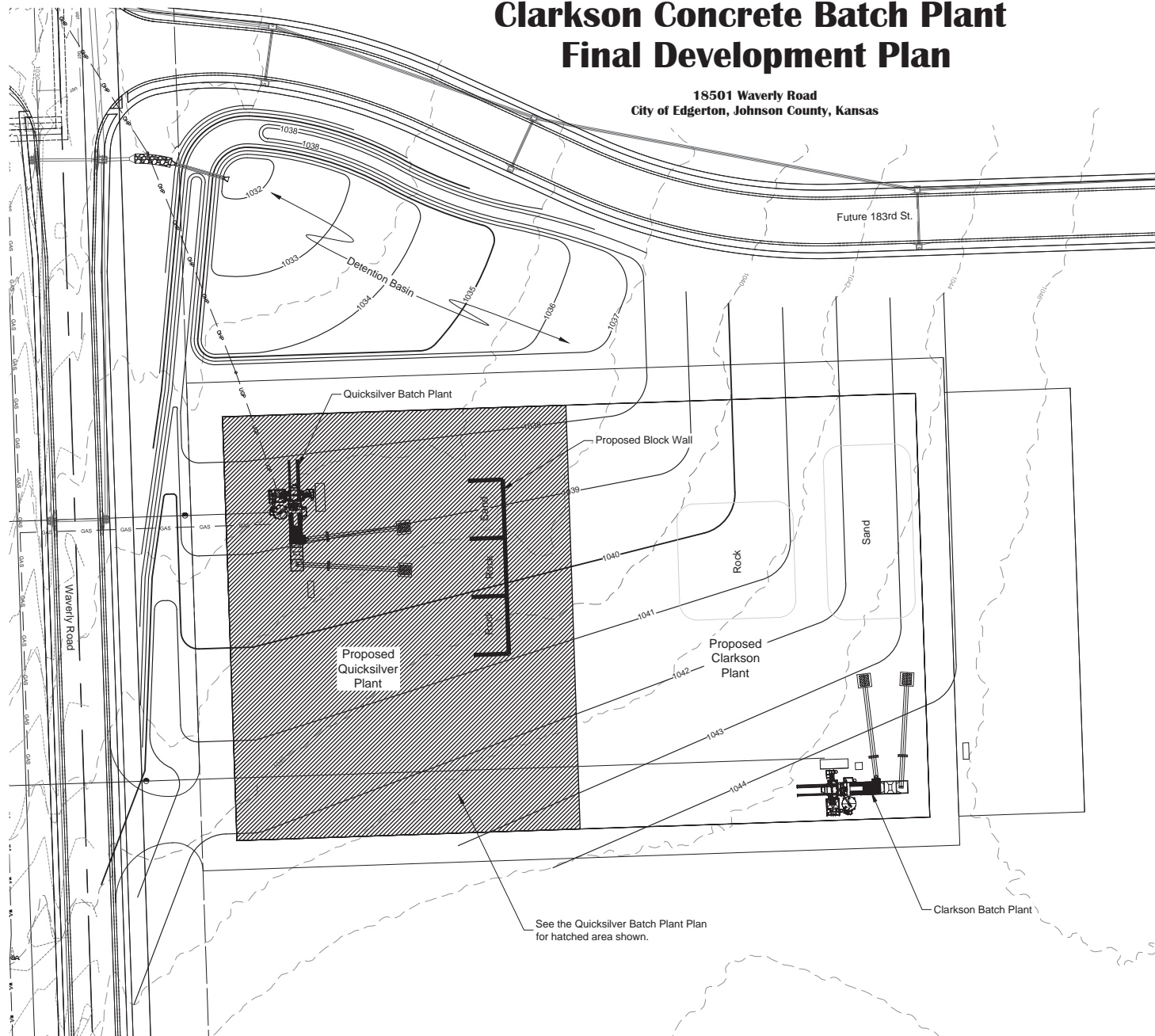
RENEWABLE CONSULTING  
1500 S. W. 10th Ave., Suite 100  
Fort Lauderdale, FL 33315  
Phone: 954.571.1000  
Fax: 954.571.1001  
www.renewableconsulting.com





# Clarkson Concrete Batch Plant Final Development Plan

18501 Waverly Road  
City of Edgerton, Johnson County, Kansas



## GRADING NOTES

1. All construction shall conform to the City of Edgerton's minimum design standards.
2. Spot Grades shown herein shall govern over finished grades.
3. All traffic control shall be in conformance with the Manual of Uniform Traffic Control Devices (MUTCD).
4. The contractor is responsible for the protection of all property corners and section corners. Any property corners and/or section corners disturbed or damaged by construction activities shall be reset by a Registered Land Surveyor licensed in the State of Kansas, at the contractor's expense.
5. The contractor shall be responsible for the restoration of the right-of-way and for damaged improvements such as curbs, driveways, sidewalks, street light and traffic signal junction boxes, traffic signal loop lead ins, signal poles, irrigation systems, etc. Damaged improvements shall be repaired in conformance with the latest City standards and to the City's satisfaction.
6. The contractor is responsible for providing erosion and sediment control BMPs to prevent sediment from reaching paved areas, storm sewer systems, drainage courses and adjacent properties. In the event the prevention measures are not effective, the contractor shall remove any debris, silt, or mud and restore the right-of-way, or adjacent properties to original or better condition.
7. The contractor shall sod all disturbed areas within the public street right-of-way unless otherwise noted on the plans or if specific written approval is granted by the City.
8. Excavation for utility work in public street right-of-way requires a Right-of-Way Work Permit from the Public Works Department, in addition to all other permits.
9. All work shall be confined within easements and/or construction limits as shown on the plans.
10. Curb stakes and hubs shall be provided at all high points, low points, ADA ramp openings, and on each side of all curb inlets when setting string line.
11. All National Pollution Discharge Elimination System (NPDES) standards shall be met.
12. Public and Private utility facilities shall be moved or adjusted as necessary by the owners to fit the new construction unless otherwise noted on the plans. The Contractor is responsible for the cost of utility relocations unless otherwise indicated on the plans.

SHEET  
2 OF 2

FINAL DEVELOPMENT PLANS

IS-0153  
QUICKSILVER BATCH PLANT

GRADING PLAN

APPROVED FOR CONSTRUCTION

DATE: 05/08/2015  
BY: [Signature]

RENEWABLE INFRASTRUCTURE CONSULTING



Date: May 8, 2015  
To: Edgerton Planning Commission  
From: Kenneth Cook, AICP, CFM, Community Development Director  
Re: Consider Approval of Temporary Construction Activities Northwest Corner of 196<sup>th</sup> Street and Waverly Road

### **BACKGROUND INFORMATION**

Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas states that the Planning Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses.

On previous occasions, the Edgerton Planning Commission has approved the use of certain property for construction-related activities associated with the BNSF Intermodal Facility and LPKC developments subject to the approval of staff and the following conditions:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
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6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;
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15. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; and

16. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
17. Maintain a valid City of Edgerton Business License
18. Permission for temporary construction activities is granted for a period of three (3) years from date of approval by Edgerton Planning Commission

#### **MATTERS TO BE CONSIDERED**

The property located at the Northwest corner of 196<sup>th</sup> Street and Waverly Road is owned by Edgerton Land Holding Company, LLC. and is zone City of Edgerton L-P. This property has received approval of a Preliminary Plat and Preliminary Site Plan for the operation of a Warehouse Facilities. Edgerton Land Holding Company, LLC has agreed to lease their property to Clarkson Construction Company (Clarkson) to be used to batch slaked lime for subgrade stabilization and cement treated base. The operation being requested will be used to for the construction of Waverly Road Improvements. Clarkson is requesting temporary use of this site through June 1, 2016. Clarkson has submitted a site plan site and included steps for site preparations and restoration of the site. The City of Edgerton Planning Commission previously granted authority for the use of other property in the area for similar temporary construction activities.

Because this property is privately owned, staff required the property owner/concrete supplier to appear before the Edgerton Planning Commission to request permission to use the property for temporary construction activities as allowed in Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas.

Because this request is on property that is not part of the actual construction projects that the material will be used for staff would recommend, if approved by the Planning Commission, that two additional conditions be added. First, that Clarkson Construction Company be required to maintain a valid City of Edgerton business license. Second, staff would recommend a time limit, as per applicant request, to June 1, 2016.

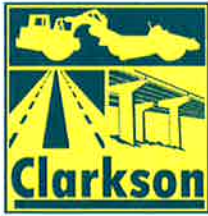
#### **STAFF RECOMMENDATION**

Staff recommends approval of the use of property located to the Northwest of 196<sup>th</sup> Street and Waverly Road for construction-related activities pursuant to Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas, by Clarkson Construction Company for construction-related activities associated with Waverly Road project subject to the approval of staff and the following conditions:

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16. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
17. Maintain a valid City of Edgerton Business License
18. Permission for temporary construction activities is granted for a period ending June 1, 2016.



## CLARKSON CONSTRUCTION COMPANY

W. E. CLARKSON, PRESIDENT

4133 GARDNER AVENUE

P.O. BOX 34315

KANSAS CITY, MISSOURI 641 20-4315

TEL: 816-483-8800

FAX: 816-241-6823

www.clarksonconstruction.com

May 7, 2015

Ms. Beth Linn  
City Administrator  
City of Edgerton  
404 East Nelson  
Edgerton, KS 66021

RE: Temporary Construction Activities & Site Plan Request  
Waverly Road Improvements

Dear Ms. Linn:

We are writing to request the City's approval of the temporary use and associated construction activities for the area depicted in the attached site plan. This site will be used to batch slaked lime for subgrade stabilization and cement treated base for the construction of the Waverly Road Improvements. We are requesting the temporary use of this site through June 1, 2016. The site will be prepared and restored as stated below, and will follow the attached grading plan.

- Install silt fence around the perimeter of the site
- Fine grade any rough and irregular areas within the site.
- Pour a foundation pad below the Pug Mill (CTB Plant) and the Lime Silo.
- Erect the two plants and truck scales.
- Upon completion of the project, the concrete pads will be removed and the site will be returned to its existing condition as a gravel staging area.

We appreciate your consideration of this request and if we can be of further assistance please contact us.

Sincerely,

CLARKSON CONSTRUCTION COMPANY

Patrick Weaver

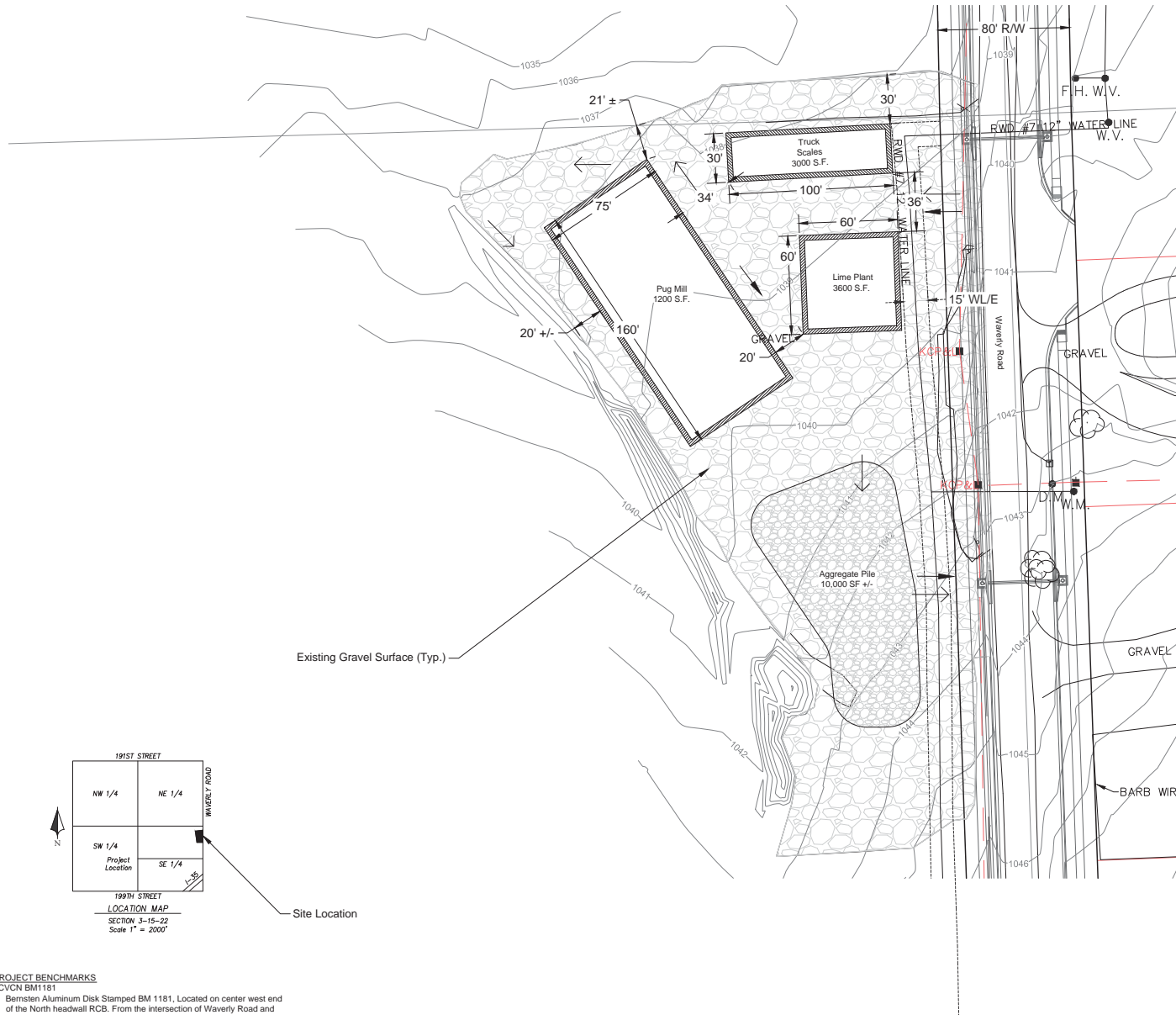
Attachments

cc: John Thomas, ELHC  
Chip Corcoran, RIC



"An Equal Opportunity Employer"





Date: May 8, 2015  
To: Edgerton Planning Commission  
From: Kenneth Cook, AICP, CFM, Community Development Director  
Re: Consider Approval of Temporary Construction Activities at 18501 Waverly Road, property located to Southeast of 183<sup>rd</sup> Street and Waverly Road.

### **BACKGROUND INFORMATION**

Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas states that the Planning Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses.

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#### **MATTERS TO BE CONSIDERED**

On April 14, 2015 the Planning Commission considered a request for construction of a temporary concrete batch plant on the property located at the Southwest corner of 191<sup>st</sup> Street and Waverly, owned by Transpec Leasing Incorporated (TSL). At that meeting, the Commissioners approved the request from TSL to allow Quicksilver Readymix LLC to construct the temporary concrete plant on property leased from TSL. It is staff's understanding that Quicksilver Readymix LLC will not locate a temporary concrete batch plant on the TSL site and has agreed to co-locate on a property owned by Edgerton Land Holding Company adjacent to a plant proposed to be installed by Clarkson Construction as part of the Waverly Road Design Build Project.

The property located at the Southeast corner of 183rd Street and Waverly Road is owned by Edgerton Land Holding Company, LLC. This is part of the property known as the formal Big Industrial property and is located directly across the street from the BNSF intermodal facility. No Preliminary Plat or Preliminary Site Plan has been approved for the site at this time. Edgerton Land Holding Company, LLC has agreed to lease their property to Quicksilver Readymix, LLC for the installation of a temporary concrete plant to serve the construction needs within the LPKC area. The City of Edgerton Planning Commission previously granted authority for the use of other property in the area for similar temporary construction activities.

Because this property is privately owned, staff required the property owner to make the official request to use the property for temporary construction activities as allowed in Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas. A copy of this request is included.

Because this request is on property that is not part of the actual construction projects that are the plant will be used for staff would recommend, if approved by the Planning Commission, that two additional conditions be added. First, that Quicksilver Readymix LLC be required to maintain a valid City of Edgerton business license. The second condition, based upon discussions by the Planning Commission in regards to the previous request on the TSL property, staff recommends a time limit of three (3) years from time of approval, with a required annual renewal to be taken before the Planning Commission be added as a condition of approval. This time limit would allow for the projected completion of the paving projects in the area.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the use of property located in the vicinity of the Southeast corner of 183rd Street and Waverly Road for construction-related activities pursuant to Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas, by Quicksilver Readymix, LLC. for construction-related activities associated with the LPKC projects subject to the approval of staff and the following conditions:

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May 7, 2015

Ms. Beth Linn  
City Administrator  
City of Edgerton  
404 East Nelson  
Edgerton, KS 66021

Re: Temporary Concrete Batch Plant and Site Plan Request at Intermodal Facility

Dear Ms. Linn:

I am writing to request the City's approval of the temporary use and associated construction activities for the area depicted in the attached Site Plan. The site will be used to batch concrete for construction projects primarily associated with the development of the logistics park in Edgerton, KS. We are requesting the temporary use of this site through July 2016 at a minimum and for no longer than 3 years from the date of approval. The site will be prepared and restored as stated below.

- Install silt fence around perimeter of site
- Strip and stockpile topsoil
- Prepare base of the site using 12" of crusher run (3" minus) material capped off with 4" of AB-3
- Construct a washout pit
- Pour foundations for the concrete batch plant
- Erect the concrete batch plant
- Upon completion of the project, the concrete foundations will be removed and the voided area will be filled with the rock base section matching the remainder of the site.

I appreciate your consideration of this request. Please contact me if I can be of further assistance.

Sincerely,



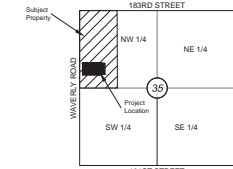
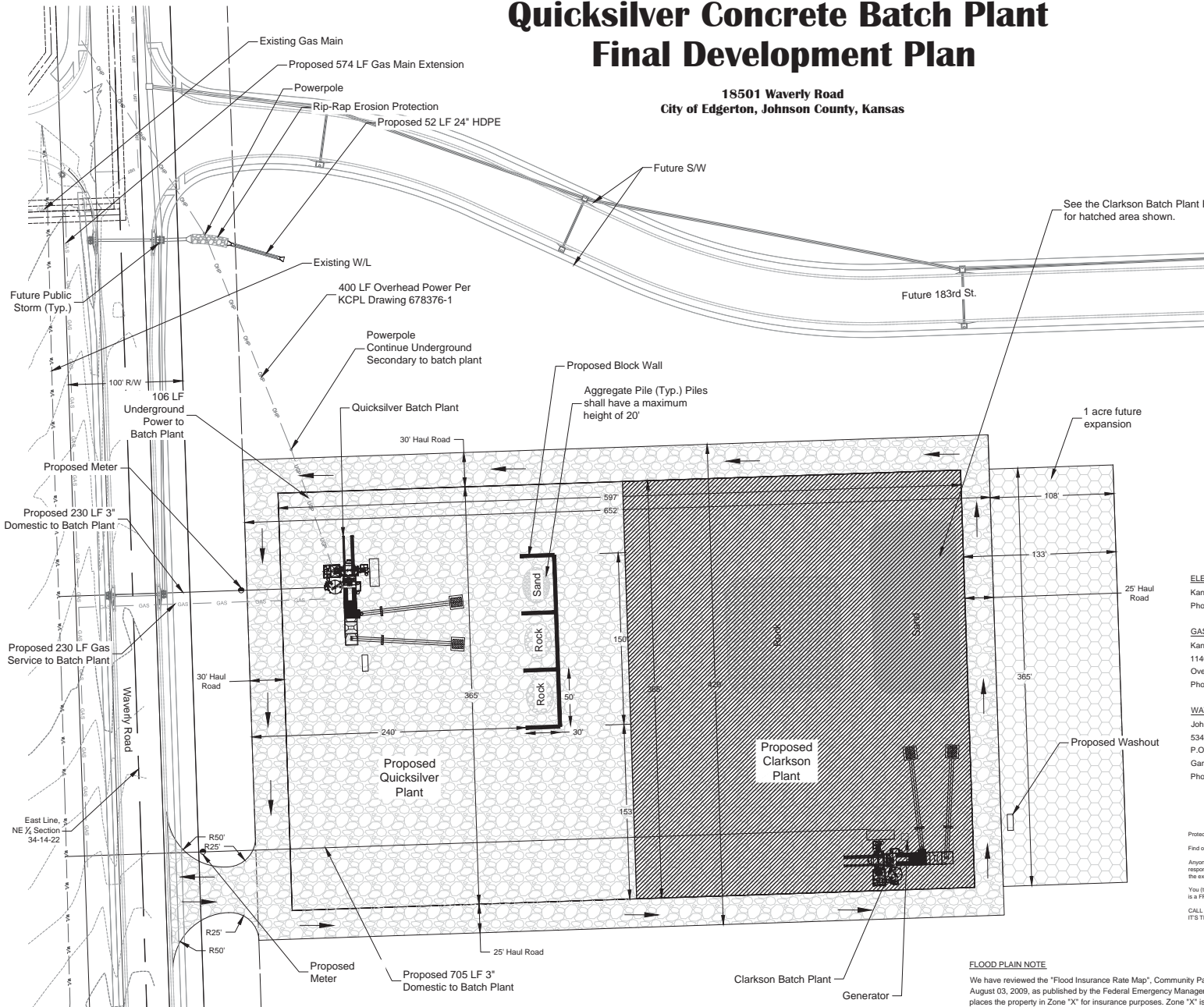
Jarrod Huntley  
President  
Quicksilver Readymix LLC

Attachments

cc: John Thomas, ELHC  
Chip Corcoran, RIC

# Quicksilver Concrete Batch Plant Final Development Plan

18501 Waverly Road  
City of Edgerton, Johnson County, Kansas



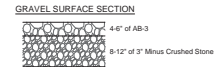
## INDEX OF SHEETS

DESCRIPTION	
01	Site Plan
02	Grading Plan

All that part of the West One-Half of the Northwest Quarter of Section 34, Township 14 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas.

## LEGEND

- Direction of Traffic flow
- Gravel Surface
- Future Expansion



## PROJECT BENCHMARK

ICVCH BM 181  
Bentley Aluminum Disk Stamped BM 1181, Located on center west end of the North half of RCB. From the intersection of Waverly Road and 191st Street, go West 0.10 Miles to the RCB.  
Elev: 1010.97

## UTILITIES

### ELECTRIC

Kansas City Power & Light  
Phone: 816.471.5275

### GAS

Kansas Gas Service  
11401 West 89th Street  
Overland Park, Kansas  
Phone: 913.599.8981

### WATER

Johnson Rural Water District 7  
534 West Main  
P.O. Box 7  
Gardner, Kansas  
Phone: 913.856.7173

### SEWER

City of Edgerton  
404 East Nelson  
P.O. Box 255  
Edgerton, Kansas  
Phone: 913.893.6231

### TELEPHONE

Century Link  
Phone: 800.788.3500

### CABLE

Mediacom Cable  
Phone: 800.234.2157

KANSAS ONE CALL  
1-800-DIG-SAFE  
(1-800-346-7233)

Protect yourselves and your property against underground utility damage and liability.

Find out where the underground utility lines might be buried before you dig.

Anyone digging in Kansas must call before digging. The person who is doing the work is responsible for calling KOC. If the owner contracts with a professional excavator to do the excavation then the professional excavator is responsible for calling KOC.

You (the digger) will need to provide information about the work site when you call. This is a FREE service.

CALL BEFORE YOU DIG  
IT'S THE LAW.

## FLOOD PLAIN NOTE

We have reviewed the "Flood Insurance Rate Map", Community Panel Number 20091C0119G, dated August 03, 2009, as published by the Federal Emergency Management Agency. The above rate map places the property in Zone "X" for insurance purposes. Zone "X" is defined as Areas determined to be outside the 500-year flood elevation. No Base Flood Elevations have been determined.



SHEET  
1 OF 2

FINAL DEVELOPMENT PLANS

15-0153  
QUICKSILVER BATCH PLANT

SITE PLAN

APPROVED FOR CONSTRUCTION

DATE: 08/03/2009

PROJECT: 15-0153 QUICKSILVER BATCH PLANT

REVISION: 01



**18501 Waverly Road**  
**City of Edgerton, Johnson County, Kansas**

Future 183rd St.

~~1038~~  
Proposed

Proposed  
Quicksilver  
Plant

Proposed  
Clarkson

Clarkson Batch Plant

1. All construction shall conform to the City of Edgerton's minimum design standards.
2. Spot Grades shown herein shall govern over finished grades.
3. All traffic control shall be in conformance with the Manual of Uniform Traffic Control Devices (MUTCD).
4. The contractor is responsible for the protection of all property corners and section corners. Any property corners and/or section corners disturbed or damaged by construction activities shall be reset by a Registered Land Surveyor licensed in the State of Kansas, at the contractor's expense.
5. The contractor shall be responsible for the restoration of the right-of-way and for damaged improvements such as curbs, driveways, sidewalks, street light and traffic signal junction boxes, traffic signal loop lead ins, signal poles, irrigation systems, etc. Damaged improvements shall be repaired in conformance with the latest City Standards and to the City's satisfaction.
6. The contractor is responsible for providing erosion and sediment control BMPs to prevent sediment from reaching water bodies, storm sewer systems, drainage courses and adjacent properties. In the event the prevention measures are not effective, the contractor shall remove any debris, silt, or mud and restore the right-of-way, or adjacent properties to original or better condition.
7. The contractor shall stop all disturbed areas within the public street right-of-way unless otherwise noted on the plans or if specific written approval is granted by the City.
8. Excavation for utility work in public street right-of-way requires a Right-of-Way Work Permit from the Public Works Department, in addition to all other permits.
9. All work shall be confined within easements and/or construction limits as shown on the plans.
10. Curb stops and hubs shall be provided at all high points, loop points, ADA ramp openings, and on each side of all curb inlets with all other existing curb inlets.
11. All National Pollution Discharge Elimination System (NPDES) standards shall be met.
12. Public and Private utility facilities shall be moved or adjusted as necessary by the owners to fit the new construction unless otherwise noted on the plans. The contractor is responsible for the cost of utility relocations unless otherwise indicated on the plans.





**EDGERTON**  
global routes. local roots.

404 East Nelson  
Edgerton, KS 66021  
P: 913.893.6231  
EDGERTONKS.ORG

Date: May 8, 2015  
To: Edgerton Planning Commission  
From: Kenneth Cook, AICP, CFM, Community Development Director  
Re: Consider Approval of Temporary Construction Activities to the Southeast of 191<sup>st</sup> and Homestead Lane.

### **BACKGROUND INFORMATION**

Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas states that the Planning Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses.

On previous occasions, the Edgerton Planning Commission has approved the use of certain property for construction-related activities associated with the BNSF Intermodal Facility and LPKC developments subject to the approval of staff and the following conditions:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code of the City of Edgerton;
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;
7. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible;
8. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
9. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
10. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period;
11. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
12. Hours of operation shall be limited to from 7:00 am to 7:00 pm unless otherwise approved by staff;
13. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
14. Portable concrete and asphalt plants shall be approved by staff prior to use on-site, and staff shall have the ability to establish reasonable requirements for their operation;
15. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan; and

16. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
17. Maintain a valid City of Edgerton Business License
18. Permission for temporary construction activities is granted for a period of three (3) years from date of approval by Edgerton Planning Commission

#### **MATTERS TO BE CONSIDERED**

The property located at the Southeast corner of 191<sup>st</sup> Street and Homestead Lane is owned by Omar J. Holtgraver Rev Trust and India L. Holtgraver Rev Trust (Holtgravers). This property was originally part of the tract that was being developed for ITL and which the Planning Commission is currently hearing cases for Final Site Plan and Final Plat for CY Edgerton. The site is located to the south of the main entrance into the BNSF intermodal facility. While a Preliminary Plat has been approved for the site no Final Site Plan or Final Plat has been submitted for consideration at this time. The Holtgravers have an agreement with Hartman Excavating giving Hartman the rights to the rock pile with is currently located on the site. Mr. Hartman has expressed interest to start testing material in the pile an also having the ability to load material into trucks to be removed from this site. Mr. Hartman has also expressed that he may desire to come back to the Planning Commission in the future to receive approval to set up a crushing operation on the site as part of the process to remove material from the site. Hartman is currently working on a Final Development Plan for this site in regards to the operation to remove material. This does not currently include a request to include crushing operations. The City of Edgerton Planning Commission previously granted authority for the use of other property in the area for other types of temporary construction activities.

Because this property is privately owned, staff required the property owner to make the official request to use the property for temporary construction activities as allowed in Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas. A copy of this request is included. The official request from the property owner included wording for the operation of a temporary batch plant, but Hartman is only requesting for approval to remove material from the pile.

Because this request is on property that is not part of the actual construction projects that the material will be used for staff would recommend, if approved by the Planning Commission, that two additional conditions be added. First, that Hartman Excavating be required to maintain a valid City of Edgerton business license. The second condition is for a time limit of one (1) year from time of approval. The property owner could submit additional request in the future for continuation of the operation beyond one year.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the use of property located in the vicinity of the Southeast corner of 191<sup>st</sup> Street and Homestead Lane for construction-related activities pursuant to Chapter I, Article 9, Section 6.E of the Unified Development Code of the City of Edgerton, Kansas, by Quicksilver Readymix, LLC. for construction-related activities associated with the LPKC projects subject to the approval of staff and the following conditions:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations in Chapter 1, Article 12 of the Unified Development Code of the City of Edgerton;



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18. Permission for temporary construction activities is granted for a period of one (1) years from date of approval by Edgerton Planning Commission.



# HOLTGRAVER FARM

Omar J. & India L. Holtgraver  
1979 Haskell Rd.  
Ottawa, KS 66067

We the owners of the property located on the Southeast corner of 191<sup>st</sup> St and Homestead LN., Property No. BF1503-1001, in the city of Edgerton, Ks. acknowledge the request for a concrete batch plant to be constructed and operated from this location, upon approval of the city of Edgerton and all involved.

DATED: 5/6/15

  
Omar J. Holtgraver

  
India L. Holtgraver