

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
May 14, 2019
7:00 P.M.

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call

4. **CONSENT AGENDA**

(Consent Agenda items will be acted upon by one motion unless a Planning Commissioner requests an item be removed for discussion and separate action.)

A. MINUTES - Consideration of Minutes for Regular Planning Commission Session of April 9, 2019.

5. **NEW BUSINESS**

A. TEMPORARY CONSTRUCTION USE – APPLICATION TU2019-03

Consideration of Application TU2019-03 for external chiller units at Jet.com located at 30801 W. 191st Street, Edgerton KS.

Applicant: Chad Aipperspach
Agent: Jet.com

B. TEMPORARY CONSTRUCTION USE – APPLICATION TU2019-04

Consideration of Application TU2019-04 requesting an extension to the expiration date of the approval of Temporary Construction Use TU2018-03 which allowed the use of a residential building for project management coordination activities at Project Mustang (Kubota North American Distribution Center), located at the northeast corner of the parcel located at 31600 W. 207th Street, Edgerton KS.

Applicant: Mark Bright
Agent: Kubota

C. TEMPORARY CONSTRUCTION USE – AMENDMENT TO APPLICATION TU2019-01

Consideration of amending the hours and days of operation for Application TU2019-01 which approved rock crushing operations for Inland Port 51 located at 30800 W. 207th Street (northeast corner of 207th Street and Waverly Road), Edgerton KS.

Applicant: Justin Haupt
Agent: Haupt Construction

D. UDCA2018-01 - AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE

Consideration of Application UDCA2018-01 requesting recommendation of updates to the City of Edgerton Unified Development Code Article 4 *Commercial Zoning Districts* (Section 4.1 *C-D Downtown Commercial District*, Section 4.2 *C-1 General Commercial District* and Section 4.3 *C-2 Heavy Service Commercial District*), Article 10 *Site Plan and Design Standards*, and Article 16 *Parking and Loading Regulations* to the Governing Body of the City of Edgerton.

6. Future Meetings
 - Work Session - June 11, 2019 at 5:00 PM KOMA/KORA Training
 - Regular Session – June 11, 2019 at 7:00 PM
7. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
April 9, 2019

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Chair John Daley, Commissioner Josh Beem, Secretary Jeremy Little, and Commissioner Charlie Crooks. Absent was Commissioner Tim Berger. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, City Engineer David Hamby, and Planning and Zoning Coordinator Chris Clinton.

The Planning and Zoning Coordinator announced a quorum was present.

CONSENT AGENDA

Mr. Crooks motioned to approve the item as presented in the Consent Agenda, Mr. Little seconded. The consent agenda was approved, 4-0.

MINUTES

The minutes for Regular Session of March 12, 2019 were considered and approved.

NEW BUSINESS

PUBLIC HEARING – PP2019-02 (PRELIMINARY PLAT FOR THE GENERAL AREA AROUND 207TH STREET AND WAVERLY ROAD)

Chairman Daley explained that the Planning Commission, staff, and applicant will attempt to answer any questions that are asked during the public hearing, and it might not be possible to answer all questions at this moment in time. He told everyone in attendance that all comments are welcome, and speakers will need to give name and address.

Katy Crow, Development Services Director, introduced the application PP2019-02 for Inland Port 51 through 54 which will be located along the north side of 207th Street and the east and west side of Waverly Road south of Interstate (I-35) as part of Logistics Park Kansas City (LPKC) Phase II. She informed the Commission that the parcel was annexed into Edgerton in 2018 and was rezoned to L-P last month. The application shows the parcel being split into four lots with one tract. There is a new road that is proposed that will be referred to as Street A. The request is to move forward with continued expansion of Phase II of LPKC.

Ms. Crow said the proposed access to the property and development will be from 207th Street and Street A. The applicant has indicated plans to continue Street A to 199th Street. Future access to the area could be off Waverly Road. Water will be provided by Johnson County Rural Water District #7. The City of Edgerton will provide sanitary sewer to the development. Kansas City Power & Light will be responsible for electrical service. Kansas Gas Service will be providing natural gas to the buildings. Johnson County Sheriff will be responsible for police protection that is in conjunction with the City.

Johnson County Fire District #1 will provide fire protection. All of the parcels are located within the Bull Creek watershed.

Ms. Crow told the Commission prior to any road construction, the applicant is required to submit public infrastructure plans for the proposed Street A. The City Engineer will review the infrastructure plans to ensure there is adequate Right-of-Way provided and the City standards are met on the street design. She explained the applicant will also need to indicate on the Preliminary Plat that Tract A will be used for storm drainage retention purposes only.

She explained City staff recommends approval of the application with compliance with stipulations. Those stipulations are all Preliminary Plat requirements of the City outlined shall be met or addressed, all infrastructure requirements of the City are to be met, a stormwater management plan will need to be submitted, and the Pre Plat will be approved for a one-year period and shall be extended for an additional year upon the approval of a Final Plat for the same parcel of land or any part thereof. If a Final Plat is not approved for a portion of all of the land covered under the Preliminary Plat within one year, the Preliminary Plat shall be ruled null and void. The Planning Commission, upon submittal and approval of a written request, may grant a one-year extension on the approval of the Preliminary Plat.

Ms. Crow informed the Commission that the applicant and City Engineer are present and available for questions.

Chairman Daley asked Mr. Powell, applicant, if he would like to make any comments. He stated he does not have any comments to make but is available for questions.

Chairman Daley opened the public hearing.

Tom Mertz, 20233 Waverly Road, stated there is a detention pond planned but before the concrete culvert is placed in the detention pond, water will flow over the road and cause wash outs. He is concerned about the detention pond not being engineered properly or maintained. He explained there is less crop ground to soak up the water so there will be more water than before. Mr. Mertz said concrete trucks have been tearing up Waverly Road, and the road has not been maintained to handle the traffic. He prefers the gravel trucks take the new road at Homestead Lane and 207th Street to the concrete batch plant. Mr. Mertz is worried about 199th Street will not be accessible when the overpass across I-35 is updated.

Richard Singleton, 20115 Waverly Road, informed the Commission of the is a safety issue with all of the dust that was coming off of Waverly Road. He stated he had called the City, but got no response, and to call his county commissioner to get dust control measures in place.

Chris Reed, 20295 Waverly Road, said the rock crushing operation will create a lot dust. A south wind can carry silica and other debris to neighboring properties. He asked if and how the air quality will be monitored?

There were no further comments.

Mr. Crooks motioned to close the public hearing, Mr. Little seconded. Public hearing was closed, 4-0.

Chairman Daley reminded the commissioners they can ask any questions to City staff or the applicant.

Chairman Daley asked who would be responsible for Waverly Road maintenance.

Beth Linn, City Administrator, stated that this application and hearing is for the platting of the land. The Final Site Plan, to be presented later, would address the storm water concerns. Ms. Linn informed the Commission there are applications for a rock crushing operation and concrete batch plant that will be presented later. The comments regarding dust and maintenance of Waverly Road will be addressed during those applications.

Chairman Daley asked for any questions from the commissioners regarding division of land. Ms. Linn commented the intersection of 199th Street and Waverly Road is close to the overpass. This plat is showing a new road that will have a connection farther east than it is today. This would show any ROW and storm water easements.

Mr. Beem motioned to approve the application with the stipulations, Mr. Little seconded. Preliminary Plat application PP2019-02 approved, 4-0.

FINAL PLAT – FP2019-02 (FINAL PLAT FOR INLAND PORT 51)

Chairman Daley stated this application is for Building One of Preliminary Plat PP2019-02 which was just approved. Ms. Crow stated that the Preliminary Plat showed 4 (four) lots and this application is for one of those lots. A Preliminary Plat shows the overall picture of what is proposed for the area and the Final Plat outlines what will actually occur as development moves forward.

Ms. Crow introduced Application FP2019-02 as the Final Plat for Logistics Park Kansas City South, Second Plat. The Final Plat application depicts one lot. This new lot would have frontage along the north side of 207th Street right-of-way and the east side of Waverly Road right-of-way. This Final Plat request is being made to move forward a project which is part of the expansion of Phase II of LPKC. This Final Plat would also result in the split of the existing parcel. The current parcel is shaped like the letter 'L' and this new lot would be rectangular in shape.

Ms. Crow stated the utility providers will be the same for PP2019-02. The applicant will need to confirm monuments have been set once the plat has been recorded. It is possible that the utility companies will require more easements than what is shown on the plat, so the applicant will need to update the plat if needed.

Ms. Crow informed the Commission that staff recommends approval of application FP2019-02 with some stipulations. Those stipulations are the commencement of any improvement shall not occur prior to the approval and endorsement of the Final Plat and the submittal of construction plans for all streets, sidewalks, stormwater sewers, sanitary sewer, and water mains contained within the Final Plat by the governing Body, a public improvement inspection fee, established by the Fee Schedule for the UDC, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements, the applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton UDC, including payment of excise tax, the applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton UDC, a stormwater management plan needs to be submitted and approved by the City Engineer, all Final Plat requirements of the City listed shall be met or addressed prior to recording the Final Plat, and

the approved Final Plat expires one year after acceptance by the Governing Body. Planning Commission re-approval and Government Body re-acceptance is required to expire initial plats.

Ms. Crow told the Planning Commission this Final Plat will go to the Governing Body on the 25th of April for final acceptance

Chairman Daley asked for comments and questions from the commissioners and applicant. There were no comments or questions.

Mr. Crooks motioned to recommend approval to the Governing Body of Application FP2019-02, Final Plat for Logistics Park Kansas City South, Second Plat with the stipulations listed, Mr. Beem seconded. Motion carried, 4-0.

PUBLIC HEARING – FS2019-03 (FINAL SITE PLAN FOR INLAND PORT 51)

Ms. Crow introduced application FS2019-03, a Final Site Plan for Inland Port 51 located along the north side of 207th Street and east side of Waverly Road. This location is the plat that was just heard by the Planning Commission. The property owner is Hillsdale Farms, LLC and the applicant is Brett Powell from NPD Management. The site is 62.27 acres. A proposed 765,000 square foot warehouse that would contain intermodal related development similar to existing operation in LPKC Phase I that is north of I-35. She explained the utility providers are the same as listed for the Preliminary Plat. The applicant is proposing access to the property from 207th Street via two private drives and one private drive off of Waverly Road. The drives off of 207th Street will be used for truck traffic, while the drive off Waverly Road will be employee traffic to avoid a mixing of the traffic in parking lots.

Ms. Crow told the Commission upon review of the Final Site Plan, the zoning designation of the land is listed as A-G, but the parcel was rezoned L-P on March 28th, 2019. The applicant is proposing an employee entrance off of Waverly Road. The applicant is proposing to pave Waverly Road from 207th Street to the entrance. Asphalt maintenance due to degradation will be the responsibility of the applicant. City staff is requiring a barrier arch to be installed on Waverly Road at 207th Street and 199th Street. This arch will deter trucks from driving along Waverly Road. It will be constructed to where farm implements and small delivery trucks will be able to pass through, but it will not allow semitrucks with cargo containers access.

Along with the accesses on Waverly Road, there are two proposed drive entrances on 207th Street. The improvements along 207th Street will need to be continued east of the intersection of Waverly Road and 207th Street. The plans for the improvements must be provided to the City Engineer to review. The infrastructure plans will need to meet City standards. Chairman Daley asked how far the improvements will be required to be along 207th Street. Ms. Crow replied the length of the building.

Ms. Crow stated there is a proposed new street along the east side of the property. This new street will require a submission of public infrastructure plans for review by the City Engineer and City Staff. Ms. Crow informed the Commission there were no signs placed on the site plan, so any signage brought forth will require permits and will have to be approved by the Zoning Administrator according to the provisions of the UDC. All of the accessible parking spaces and access area should not exceed 2% slope in any direction and will meet ADAAG requirements.

Ms. Crow said the applicant meets the horizontal articulation intent of the UDC by changes in paint color that occur on all sides of the building. There are midpoint panels that do change plane as well as the corner. The midpoint entries will also have landscaping and glass windows and doors. The vertical articulation is similar to other projects in LPKC. The smaller, more frequent articulation provided by the applicant does meet the spirit and intent of the UDC. This vertical articulation should also help screen any rooftop equipment. If the equipment is visible from the ground, street level parapets or screen will be required.

The parking showed future parking stalls in the calculations to meet the minimum number of spaces required for this project. A phased parking plan which outlines what the impetus is for the construction of future parking spaces and why they are not needed at this time needs to be provided. The UDC also outlines loading space minimum dimensions as 12 feet by 65 feet with a height of 14 feet. The dimensions of the loading spaces provided are 13 feet by 60 feet. This is consistent with what has been done on other projects in LPKC. If the 60 feet is not adequate for the tenant, the applicant acknowledges that the spaces will have to be restriped.

Regarding landscaping, the west side of the project is well screened with an adequate berm and landscaping. Along the north side of the project, the applicant has not provided enough landscaping to screen the project from Waverly Road right-of-way. Landscaping will be required to be added from the east and west to the building line along the north property line. The east side landscaping and berm does meet the requirements outlined in the UDC. The south property line along 207th Street meets the UDC requirements as well. There is no information regarding screening of a dumpster or compactor. Before a building permit for the tenant finish will be available, the applicant will have to provide information as to how the dumpster or compactor will be screened from public view, especially related to the adjacent residential property. Ms. Crow stated the applicant is aware of the diesel emission requirements and will meet all regulations from the City and State.

Ms. Crow informed the Commission about other comments that were found when reviewing the site plan. There is a label for "Proposed Storm Sewer" on page C06. The applicant acknowledged there was a storm sewer located on the plans, but it had been moved and the label was not. The applicant stated they will update the site plan. A holding tank is proposed for sanitary sewer. A note needs to be added stating the proposed tank will be registered with the City and the appropriate fees will be paid. A line of flow and the slope of the sewer lines around the holding tank needs to be added. It has been confirmed that the tank is in the correct location to tie into the sanitary sewer once it is completed. The applicant has submitted a stormwater management plan and the City Engineer has made comments regarding that and is available for any questions regarding the stormwater plan.

Ms. Crow stated City staff recommends approval of application FS2019-03 with the stipulations of the staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan and all else discussed in the Staff Report are included as stipulations as part of approval of the Final Site Plan. Signage proposed later shall receive separate approval according to the provisions of the UDC; all construction plans for any public infrastructure shall be prepared to City standards and approved by the City. The property owner and/or developer shall work with City staff to determine the best possible placement for a stormwater easement and shall dedicate said stormwater easement on the Final Plat. Any items added as part of a tenant finish must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance. The site plan, a scale map of proposed buildings, structures, parking area, easement, roads and other city requirements (landscaping/berm plan, lighting plan) used in [physical development, when approved by the Planning

Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. A Final Site Plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

Mr. Crooks requested more information about the barrier arch. He wanted to know what it would look like and the exact location of the archways. Ms. Linn replied the City will approach Johnson County to have an arch put into the intersection of 199th Street and Waverly Road and have it on Waverly Road. She continued by stating the City does not want trucks along Waverly Road at all and the City wants the arches on Waverly Road off of 207th Street and 199th Street.

Mr. Little asked for clarification on how farm equipment will be allowed to bypass the barriers as you can look down at semitrucks while using some of the equipment. Ms. Linn answered the barrier will allow the cab of the truck but will not allow the container on a chassis to go under the barrier. Patrick Robinson, NorthPoint, came before the Commission and stated a gate will be installed to the side of the roadway and barrier to allow larger agriculture equipment to go around the barriers and would also allow fire trucks and tractors to get through. He said NorthPoint is committed to keeping truck traffic off of Waverly Road. Mr. Robinson stated NorthPoint spends a lot of time on these projects and is very appreciative for the time of Planning Commission and a big household name is tied to this particular project. He continued that a dog park for truck drivers is on the east side of the project and amenities such as this will continue to bring business to LPKC. The barrier would actually cause damage to the truck and container so with that in mind, NorthPoint believes intermodal drivers do not want to harm their trucks and the merchandise they are hauling.

Ms. Linn acknowledged nobody wants Waverly Road to be a truck route and the City and NorthPoint wanted something to make it a painful experience for trucks to go down Waverly Road. This will also help ensure employee traffic does not integrate with truck traffic. The fire department does require a continuous loop around the site. Ms. Linn believes Edgerton can be on the cutting edge with the barriers and force LPKC traffic will be on the proposed Street A.

Chairman Daley commented he is happy to see the blocking of trucks on Waverly Road and the overall improvement on the phases of LPKC but does not see retention basins for stormwater.

Patrick Cassity, Project Engineer, came before the Commission and stated there will be 2 retention basins that have 2 existing draws that will be discharged into them. A large berm will allow water to hold and release slowly to prevent flooding. Chairman Daley requested more information as to when the retention basins will be built. Mr. Cassity stated there will be temporary basis and there are areas planned for stormwater.

Ms. Linn asked the Commissioners if the City Engineer should explain the stormwater. She explained Mr. David Hamby is an engineer with BG Consultants that the City has on retainer.

Mr. Hamby stated all of the basins will be for all the buildings. He has submitted comments regarding the basins on the site plan and has been in talks with the project engineer to make sure the basins are engineered correctly and in the correct spots. Mr. Hamby explained a 100-year storms are used to calculate the size of the basins and to make sure that no water is pushed onto neighboring properties. A 100-year storm is a large storm that has a 1% chance of happening every year.

Chairman Daley opened the public hearing. There were no comments made.

Mr. Crooks motioned to close the public hearing, Mr. Little seconded. Public hearing was closed, 4-0.

Chairman Daley stated Waverly Road will be paved and 207th Street improvements will be continued. Ms. Crow agreed. Chairman Daley also commented the blocking of truck traffic on Waverly Road is a wonderful idea.

Mr. Crooks asked about Building 2 shown on the site plan to the north. Chairman Daley stated this site plan is only regarding Building 1. Ms. Linn stated that is current and no information available at this time regarding Building 2.

Mr. Crooks motioned to approve application FS2019-02 with the stipulations outlined, Mr. Beem seconded. FS2019-02 was approved, 4-0.

TEMPORARY CONSTRUCTION USE – TU2019-01 (TEMPORARY CONSTRUCTION USE FOR ROCK CRUSHING FOR INLAND PORT 51)

Chairman Daley stated this operation will be for the Final Site Plan that was just approved. Ms. Crow stated no land disturbance has been issued at this time, so the operations cannot start until the permit has been issued.

Ms. Crow introduced application TU2019-01, rock crushing operations at Inland Port 51, to be located near the northeast corner of 207th Street and Waverly Road. The UDC allows the Planning Commission to approve the use of property during times of constructions, 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.

Haupt Construction, applicant, is proposing constructing a temporary rock crushing operation for Inland Port 51. They are asking for rock crushing activities to take place Monday through Saturday, 7:00 AM to 7:00 PM. The property owner is Wellsville Farms, LLC as represented by NPD Management, LLC, which provided a letter granting permission for the operations. The applicant explained mobile rock crushing equipment that moves around the site as rock is excavated will be utilized, similar to the operations at Project Mustang. The equipment has a dust containment system and the Kansas Department of Health and Environment (KDHE) will be engaged to test the air prior to the start of the operations. Without this permit, the on-site blasting required to remove the rock will equate to a total of 22,000 truck loads between hauling the rock and aggregate material for construction which will be detrimental to the flow of local traffic, per the applicant.

Ms. Crow stated City staff recommends approval of application TU2019-01 with the following stipulations:

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 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. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
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 period of time;
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, Monday through Saturday;
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. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
15. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
16. Applicant shall maintain a valid City of Edgerton Business License;
17. Staff retains the ability to establish reasonable requirements for their operation;
18. All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air;
19. Permission for temporary construction activities is granted for a period ending August 9, 2019.

Justin Haupt of Haupt Construction came before the Commission and stated air quality testing will be done by a third party. He explained the people running the rock crushers are tested and the air at the property lines are tested. The area will be tested for 3 days and if all quality measures are approved, then testing will be complete. Haupt Construction will use water that is sprayed to lessen the dust. Mr. Beem asked if air quality test results can be made public. Mr. Haupt replied they will be happy to provide the results upon request.

Chairman Daley asked about when and where the rock crushing will be taking place. Ms. Crow answered the request is to operate from 7:00 AM to 7:00 PM every Monday through Saturday. Ms. Linn explained the land disturbance application will go through the State and the City before any work can begin. All the of the crushing is in dark red on a map in the packet. Mr. Haupt explained if rock is found outside the designated crushing area, it will be moved to keep the dust away from nearby residents.

Chairman Daley stated the rock crushing operations is not ideal for close by neighbors, but the large number of trucks that would be required if the permit is not approved will be more detrimental to all the neighbors. He stated it was done on the Kubota project nearby and other projects in LPKC. Ms. Crow pointed out the application is for April to August of this year.

Mr. Crooks asked about dust that will be kicked up on-site from trucks driving in the dirt and soil. Mr. Haupt replied water trucks will spray water to keep the dust to a minimal level.

Mr. Beem motioned to approve the rock crushing application, TU201-01, with stipulations, Mr. Little seconded. Application TU2019-01 was approved, 4-0.

TEMPORARY CONSTRUCTION USE – TU2019-02 (TEMPORARY CONSTRUCTION USE FOR CONCRETE BATCH PLANT FOR INLAND PORT 51)

Ms. Crow introduced application TU2019-02, a concrete batch plant for Inland Port 51 to be located at 20520 Waverly Road. The application is for Concrete Strategies (CSI) to continue operating the batch plant that was used for the Kubota project for Inland Port 51 through June 30, 2020.

The property owner, Wellsville Farms, LLC, as represented by NPD Management, LLC, provided a letter granting conditional permission to allow batch plant operations on the parcel. The conditions outlined in the letter include a fixed end date of June 30, 2020, the restriction of the batch plant to be used for LPKC projects only, the requirement that CSI be under contract to provide more than 50% of the concrete needed for LPKC projects, and the right to evict CSI from the property at any time with 30 days advanced notice.

CSI has indicated the normal hours of operation will be from 6:00 AM to 5:00 PM. However, some overnight operations will occur from 10:00 PM to 9:00 AM from June to September to allow the concrete to set correctly. In order to access the site, CSI is proposing crossing Waverly Road. Mr. Hamby requested stop signs be placed to keep cross traffic safe. If CSI is wanting uninterrupted access to the site, flaggers will be needed, and the City and Johnson County Sheriff's office will need to be notified in advanced.

CSI has indicated dust remediation procedures will be in place on all haul roads used for the project, which includes Waverly Road. The City will work with CSI to help maintain Waverly Road while aggregate trucks are brought to the site for the batch plant. Once Homestead Lane and 207th Street are finished and opened, Waverly Road will no longer be available for hauling.

Ms. Crow stated staff recommends approval for application TU2019-02 with the following stipulations:

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 for the City of Edgerton, including traffic control signage;
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 any other applicable chapter of City Code;
7. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies in regard to the tracking of debris onto public streets. Applicant agrees to not trail concrete onto paved

- roadways used for haul route and will clean up any spillage due to the improper use/cleaning of equipment;
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. 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;
 11. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
 12. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
 13. Applicant and any subcontractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period;
 14. Applicant shall provide a road maintenance and dust control plan for city staff to approve prior to the commencement of batch plant activities and agrees to work with City Staff on any plan adjustments which may be deemed necessary as the project progresses;
 15. Applicant shall provide a routing plan to use when Homestead Lane reopens to City Staff for review by June 1, 2019.
 16. Stop Signs must be placed at both sides of haul road adjacent to Waverly. Should applicant wish to have an uninterrupted haul across Waverly, flaggers must be present to manage cross traffic on Waverly Road. Applicant must notify City staff and Public Safety of the presence of flaggers prior to implementing use;
 17. Hours of operation shall be limited to from 6:00 AM to 5:00 PM unless otherwise approved by staff for special use weather dependent hours;
 18. Applicant shall maintain a valid City of Edgerton Business License;
 19. Upon removal of the batch plant when permit expires, the property must be restored to a planted condition and no debris, equipment, concrete, etc. may be left behind; and
 20. Permission for temporary construction activities is granted for a period ending June 30, 2020.

If this batch plant is to be used for project outside of LPKC, then another application will be needed.

Chairman Daley asked where CSI needs to maintain Waverly Road. Ms. Crow replied CSI will have to maintain from the entrance that the trucks hauling aggregate use to 199th Street.

Ms. Linn stated the applicant was not present during the public hearing for the Preliminary Plat when a neighbor stated concerns about the dust and traffic associated with the construction uses. Waverly Road needs to be improved slightly and dust control measures need to be in place before operations the batch plant can start. City of Edgerton Public Works Department will closely monitor the condition of Waverly Road and contact CSI when maintenance is required. Ms. Linn recalled another comment about the 199th Street overpass. She stated it a KDOT project for 2020 and Homestead Lane is to open soon and long before the project at 199th Street starts. She explained Johnson County was adding structure shoulders to the area but that has been postponed until it can be done in conjunction with the 199th Street bridge project. She expects the tenant to be in the building before any of the impacts of those projects happen.

Mr. Beem asked for clarification on the route trucks use to get to project noting there is a structure close to the proposed route. Ms. Crow replied that all that property and structures are owned by NorthPoint.

Mr. Crooks motioned to approve application TU2019-02 with the stipulations, Mr. Little seconded. TU2019-02, concrete batch plant, was approved, 4-0.

PUBLIC HEARING – FS2019-02 (FINAL SITE PLAN FOR TSL EDGERTON)

Ms. Crow introduced Application FS2019-02, an application for a Final Site Plan for TSL Edgerton Phase II located along the south side of 191st Street and west side of Waverly Road. The site plan is for an expansion of the current TSL Edgerton operations which include cargo container storage, maintenance facility and truck yard. The proposed expansion would be onto the four adjacent parcels located to the south of current operations. Proposed with Phase II is a 10,000 square foot maintenance and fueling facility located close to the southwestern corner of the property and a guard shack. The facility is to include 6 fueling pumps and 3 above ground fuel tanks with containment basins. These basins are to be screen from view with vinyl fencing. The guard shack is on the east side of the project, adjacent to Waverly Road. This expansion is in demand due to an increase in need of container storage and maintenance.

Cargo container storage facilities require a conditional use permit. That permit request is to be heard by the Planning Commission later during this meeting. The access to this area will be from 191st Street from one (1) existing private drive and two (2) private drives off Waverly Road. The applicant is proposing to remove their existing Waverly Road drive and add the two new drives further south. The utility providers are the same for other projects in LPKC.

During review the staff did have some notes to bring to the attention of the Planning Commission. A typical driveway throat in LPKC is 30 feet. On Phase I of the TSL Edgerton project, it was agreed that driveway throats could be 36 feet. The proposed driveway throats on Phase II are 36 and 34 feet which meet the agreement that was made for Phase I. There are no signs provided for in the site plan. Any signage request will receive separate approval from the Zoning Administrator according to the provisions in the UDC. The building elevations for the maintenance facility show exterior HVAC units on the west side. The units will need to be screened from public view, either by fencing or landscaping. On the east side of the facility, the façade is shown to be 100% stone veneer, while the west is 100% stucco. The north and south have stone veneer for the first 8 feet above grade and then stucco, which is what the UDC requires when it comes to stucco. The east and west side should match the north and the south facades. If any rooftop equipment is added, it will have to be screened from public view along any right-of-way. The dimensions for vehicular parking are missing from the site plan and needs to be added.

The east, west, and north side of the project meet the UDC in terms of landscaping. The south side could not be fully evaluated by staff due to the lack of line of sight drawings. The line of sight drawings will be used by staff to approve the current landscaping which stops at a retaining wall on the parcel to the south. The applicant's parcel is significantly lower than the adjacent parcel to the south. Staff requested line of sight drawings to show that due to the grade change, no landscaping would be beneficial with that change in height. If the drawings are not provided, then staff will require landscaping be installed along the southern border regardless.

The site plan does indicate a dumpster will be located on the west side of the project adjacent to Waverly Road right-of-way and landscape berm. Dimensions for the dumpster and line of sight drawings were not provided. Staff is unable to evaluate if the dumpster will be fully screened from view. If deemed required, applicant may use landscaping or screening materials similar to those for the building to screen the dumpster from public view. Prior to issuance of a building permit, this information must be provided to insure adequate landscaping and screening is used.

Applicant acknowledge the diesel emissions and idling requirements by the State and City. There is a proposed black galvanized fence that encloses the property. The UDC requires fencing to be black vinyl coated fencing with 1" mesh openings. There has been a stormwater management plan submitted, but the increase runoff from the impervious surface this project entails has not been addressed. The runoff cannot be greater than what is existing.

Ms. Crow stated City Staff recommends approval of FS2019-02 with the stipulations that the staff recommendations and comments noted related to building materials, landscaping, the stormwater plan and all else discussed are included as stipulations as part of approval of the Final Site Plan; a corrected Final Site Plan must be submitted and approved prior to commencement of uses and the property shall be developed in accordance with the approved Final Site Plan, landscape plan, photometric plan, stormwater study and SWPP; a Public Improvement Inspection Fee, established by the Fee Schedule for the UDC, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; signage proposed later shall receive separate approval according to the provisions of the UDC; all construction plans for any public infrastructure shall be prepared to City standards and approved by the City, which will include the stormwater easement placement to be dedicated on the Final Plat; and all comments about the stormwater management plan be addressed to the satisfaction of the City Engineer.

Chairman Daley asked for any questions or comments from the Planning Commission. There were no questions or comments.

Chairman Daley opened the public hearing. Chris Stara, applicant, approached the Commission and stated he agrees with the City's comments and TSL is working on addressing all comments listed.

Mr. Crooks motioned to close the public hearing, Mr. Little seconded. The public hearing was closed, 4-0.

Mr. Crooks motioned to approved Application FS2019-02 with the outlined stipulations, Mr. Beem seconded. FS2019-02 was approved with the stipulations, 4-0.

PUBLIC HEARING – CU2019-01 (CONDITIONAL USE PERMIT FOR CARGO CONTAINER STORAGE LOT FOR TSL EDGERTON)

Chairman Daley stated this application is for the same lot that the Final Site Plan that was just approved for.

Ms. Crow introduced Application CU2019-01 as an application for a Conditional Use Permit (CUP) for a cargo container storage lot for TSL Edgerton. A cargo container storage lot is not permitted by right in L-P zoned areas and operation of one requires a Conditional Use Permit with a public hearing. Application review for a CUP is similar to a rezoning since it is a higher intensity use for the ground

than a permitted by right use. On January 9, 2014, City Council approved a CUP for Phase I. This application would wrap the Phase I and Phase II operations into one Conditional Use Permit. Instead of having two CUPs that have different expiration dates, TSL Edgerton is requesting one CUP with one expiration date.

Phase II operations include a fueling station with a 10,000 square foot maintenance building in the southwestern corner of the parcels. A guard shack is also proposed in the southeastern portion of the lot. The maintenance facility will have restrooms and a driver lounge as well as an area for storage of parts. The BNSF intermodal facility is located about ½ mile to the northwest of the proposed location and LPKC industrial park operations and L-P District zoned parcels surround this project. The applicant is requesting a 10-year CUP as that time frame has been granted for similar projects.

The UDC outlines the requirements for a CUP in Section 7.1(c) of Article 7. The following includes what the UDC requires (underlined), staff comments and staff determinations:

- a. The extent to which there is a need in the community for the proposed use. Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity in and around the intermodal facility. LPKC's primary function is to transport and redistribute containers and the products they contain. There is a need for companies that specialize in storage and truck parking/maintenance. The proposed use would fill a need for this type of support service in LPKC. Staff determination: **Positive**
- b. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space. The character of the neighborhood is established as a transportation and logistics hub. The BNSF Intermodal Facility is across 191st Street to the west and north of this proposed location. Land use zoning for the parcels comprising this project is L-P Logistic Park District. The lot would be wholly contained within Site Plan FS2019-02 as submitted for Planning Commission review. Staff determination: **Positive**
- c. The nature and intensity of the proposed use and its compatibility with the zoning and uses of nearby properties. Such determination should include the location, nature, and height of structures, walls, fences, and other improvements connected with the proposed use, their relation to adjacent property and uses, and the need for buffering and screening. The existing parcel zoning of LP Logistics Park and the adjacent property uses are similar in nature to other Logistics Park support services. The proposed Final Site Plan FS2019-02 meets the Edgerton UDC requirements with stipulations for a Right-Of-Way landscape buffer and berming along Waverly Road and 191st Street. Proposed fencing of 1" black galvanized chain link to be installed around the perimeter of the operation will be changed to black vinyl coated chain link to meet L-P zoning design guidelines per Article 5.2 of Edgerton's Uniform Development Code. Staff determination: **Positive**
- d. Suitability of the uses of the property without the proposed conditional use permit. The property is zoned L-P district. Cargo container storage and truck yards are an important support function at the Logistics Park Kansas City. Staff determination: **Positive**
- e. Length of time the subject property has remained vacant without the proposed conditional use permit. Phase I of the project was approved for the same conditional use in 2014, with that permit set to expire on January 9, 2024 (Ordinance 965). Currently, there is no development on the land that will be used for the Phase II expansion of TSL Edgerton. Staff determination: **Positive**
- f. The extent to which the proposed use may detrimentally affect nearby property. No long term detrimental effects are expected for the use of the property as the use requested is not extraordinary at Logistics Park Kansas City. There are currently three other cargo container storage

use facilities in operations at the Logistics Park and approval for a fourth operation that has not yet been constructed directly to the west of this project. Staff determination: **Positive**

- g. The adequacy of ingress and egress to and within the site of the proposed use, traffic flow and control, the adequacy of off-street parking and loading areas, the adequacy of required yard and open space requirements and sign provisions. During the approval process for the Preliminary and Final Plat for this project, Access Limitations were added to allow two entrances on 191st Street and a maximum of two entrances from Waverly Road. The existing entrance off of Waverly Road will be removed and two additional entrances further south are part of the proposal of Final Site Plan FS2019-02, also presented before the Planning Commission during the April 9, 2019 meeting. Staff determination: **Positive**
- h. The availability and adequacy of required utilities and services to serve the proposed use. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services. As addressed in FS2019-02, Phase I of TSL's cargo container operations are currently served with standard Edgerton utilities. Staff determination: **Positive.**
- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the proposed use, or present parking problems in the vicinity of the property. The application is not anticipated to adversely affect the capacity or safety of the road network as the project is located on 191st Street and Waverly Road which are designated Heavy Haul Corridors. Staff determination: **Positive**
- j. The environmental impacts that the proposed use would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm. The City will follow NPDES (stormwater management requirements) guidelines that require the developer to address runoff and water pollution mitigation measures as part of the development of the property. As part of the stipulations for conditional approval of Final Site Plan FS2019-02, the applicant was required to submit a stormwater study for the City Engineer to review, submit documentation and obtain a Land Disturbance Permit, and complete a City of Edgerton Floodplain Development Permit. Staff determination: **Neutral**
- k. The economic impact of the proposed use on the community. Prior to the development of the BNSF intermodal and logistics park, there were few commercial and industrial uses within the City. Warehousing and related uses in the L-P District have the potential to benefit the residents and community in a positive way by providing needed jobs and tax revenues. This type of use is seen as necessary support for warehousing and other related Logistics Park uses. Staff determination: **Positive**
- l. The relative gain (if any) to the public health, safety, and welfare from a denial of the application for conditional use permit as compared to the hardship imposed upon the conditional use applicant from such denial. The proposed Final Site Plan application FS2019-02, with stipulations, will meet the requirements of the UDC. Due to the nature of the request, there would be little gain to the public health, safety and welfare of the City of Edgerton and the property owner should this request be denied. Staff determination: **Positive**
- m. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton, and the general safety, health, comfort and general welfare of the community. The Future Land Use Map (attached) within the Comprehensive Plan designates the subject property for industrial development. Staff determination: **Positive**

In addition, the UDC outlines the requirements for CUPs for the L-P Zoning District in Section 7.2(d) of Article 7. The following includes what the UDC requires, staff comments and staff determinations:

1. Access: No cargo containers or semi-trailers (either on or off a chassis), or a chassis, may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings. ***Final Site Plan FS2019-02 complies.***
2. Exterior Lighting: Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved. ***Final Site Plan FS2019-02 complies.***
3. Minimum Lot Size: Facilities shall have a minimum lot size of twenty (20) acres. ***Property complies with 50.64 acres.***
4. Noise: Noise from businesses and facilities shall not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property. ***Noise issues are not addressed in the applicant's proposal; however, if approved, the use must continuously comply with these noise maximums in the conduct of business.***
5. Paving: All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation:
 - a. Paving shall mean concrete or asphalt: and
 - b. Dust-free shall mean that all interior driveways and storage area surfaces shall be kept free of dust, dirt or other materials to prevent the migration of dust off-site.***FS2019-02 is in compliance with City of Edgerton UDC and APWA recommended standards as it indicates 11" Portland concrete pavement and 4" concrete sidewalk.***
6. Parking: Facilities shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices. ***The proposed use shall continuously comply with parking requirements.***
7. Cargo Container Stacking: Cargo containers shall not be stacked more than five (5) in number. ***The proposed use must continually comply and not exceed the maximum stacking number. Additionally, Final Site Plan FS2019-02 indicates specific areas where cargo containers will be stacked. Cargo containers may not be stored outside of approved areas indicated on FS2019-02.***
8. Chassis Stacking/Racking: Empty chassis may be stored on end (racking) or may be stacked. When stacked, chassis shall not be more than five (5) in number. ***The proposed use must continually comply with and not exceed the maximum stacking number. Additionally, Final Site Plan FS2019-02 indicates specific areas where cargo containers will be stacked. Cargo containers may not be stored outside of approved areas indicated on FS2019-02.***
9. Screening and Landscaping: Screening may be required on the perimeter of the property. Screening shall be a combination of fencing and landscaping or berming and landscaping. Screening shall comply with requirements Article 5.2 L-P District Landscape Standards. ***Submitted Final Site Plan FS2019-02 complies. The proposed use shall continuously comply with landscaping requirements.***
10. Setbacks and Separation Distance: All buildings, structures, parking and other uses on the property, shall be subject to the setback requirements in Article 5.2 L-P District Setback, Yard, Area Regulations, except, however, the parking or storage of cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked) shall be subject to the following setback standards that may vary depending upon the difference scenarios set forth below:
 - b. When abutting (touching, or across the street from non-residentially zoned property, such parking or storage shall be setback from any exterior property line of the subject

property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked and stacked). ***Final Site Plan FS2019-02 complies. The proposed use shall continuously comply with setback requirements.***

- c. When abutting (touching public right-of-way, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked). ***Final Site Plan FS2019-02 complies. The proposed use shall continuously comply with setback requirements.***
- d. When abutting (touching), or across the street from, residentially zoned property, such parking and storage shall be setback a minimum of 250 feet from the nearest property line of the residentially zoned property. ***This requirement is not applicable as there is no property adjacent to this project that is residentially zoned.***
- e. When abutting (touching), or across the street from, a habitable dwelling, such parking and storage shall be setback a minimum of 300 feet from the nearest dwelling. ***There is a warehouse to the south of the proposed cargo storage area. The warehouse is over 300 feet away from the closest container. There is also a warehouse to the east of the proposed cargo container storage area. That facility is also over 300 feet from the closest proposed container stack. Final Site Plan FS2019-02 complies.***
11. Signage: Business signs shall be allowed according to Article 5.2 L-P District Signage regulations. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer or chassis. No signage is proposed with this application. ***Signage proposed later shall receive separate approval according the provisions of the UDC.***
12. Site Plan: A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9 (B) (3) of these regulations. ***Final Site Plan FS2019-02 shall be revised to comply with all stipulations as required through the approval of the Planning Commission and as part of the Conditional Use Permit review.***
13. Other Rules and Regulations. All facilities shall abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner. ***The proposed use must continuously comply with these requirements.***

If applicant is not found to be in compliance with any one of the requirements, then the Governing Body can revoke the CUP.

Ms. Crow informed the Commission staff does recommend approval of Application CU2019-01 with the following stipulations:

1. The Conditional Use Permit CU2019-01 approval shall be transferable, but it must stay with the ownership of these parcels for which its use is approved (Final Plat FP2019-01);
2. The property owner shall continuously comply with all performance criteria in Article 7 pertaining to Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities, including, but not limited to, noise maximums and cargo container and chassis stacking height requirements. The applicant shall comply with height requirements by limiting cargo container stacking to not exceed the maximum of 5 (five) cargo containers. This condition shall be continually met for the duration of the conditional use permit.

3. The property shall be developed in accordance with the Site Plan FS2019-02, to be approved by the Planning Commission, prior to commencement of the cargo container storage use. Landscaping material shall be continuously maintained and replaced when dead.
4. Cargo containers and chassis may only be stored in the designated areas shown on Site Plan FS2019-02.
5. No other outside storage of equipment or materials shall be allowed on the property.
6. Any future phases or additional areas used for cargo container maintenance and repair uses shall not commence until a new, revised Site Plan is submitted and approved by the City for that phase, including photometric and landscaping plans.
7. This Conditional Use Permit shall be valid for 10 (ten) years from date of approval by the City of Edgerton Governing Body.

Ms. Crow stated if the Commission recommends approval, the City Council will hear the CUP Application for final approval at the City Council meeting scheduled for April 25, 2019.

Chris Stara, applicant, told the Commission he sent notices to tenants as well as the property owners. He did not receive any comments against the proposed expansion, only an inquiry from Dave Nickell who owns a cargo container storage facility on the northwest corner of Waverly Road and 191st Street. Mr. Nickell's inquiry was a basic inquiry about the expanded operations.

Chairman Daley opened the public hearing. There were no comments made. Mr. Crooks motioned to close the public hearing, Mr. Beem seconded. The public hearing was closed, 4-0.

Chairman Daley stated that this CUP has been approved before, it is just expanding to include Phase II.

Mr. Crooks motioned to recommend approval to the City Council with the stipulations, Mr. Little seconded. The Planning Commission recommended approval of CU2019-01 to the City Council, 4-0.

FUTURE MEETING

The next meeting is scheduled for May 14, 2019.

Ms. Crow stated at this time there are a few temporary construction use renewals and a new request that she believes will be beneficial. There will also be revised copies of the UDC before the Commission next meeting. She hopes to have around 5 articles ready for review. Staff used the suggestions of the Planning Commission and real-life scenarios from site plan review to help draft the articles.

Ms. Linn informed the Commission if it is possible, the agenda will be posted before the usual time.

ADJOURNMENT

Motion by Mr. Crooks, seconded by Mr. Little, to adjourn. Motion was approved, 4-0.

The meeting adjourned at 9:06 p.m.

Submitted by: Chris Clinton, Planning and Zoning Coordinator

STAFF REPORT

Date: May 14, 2019
To: Edgerton Planning Commission
From: Chris Clinton, Planning and Zoning Coordinator
Re: **Application TU 2019-03** - Consider Temporary Construction Activities for Jet.com (LPKC Southeast Fourth Plat) - Outdoor Chiller Units, 30801 W. 191st Street

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 temporary construction related activities associated with the BNSF Intermodal Facility and Logistics Park Kansas City (LPKC) developments subject to the recommendation of staff and conditioned with appropriate stipulations.

MATTERS TO BE CONSIDERED

On March 29, 2019, staff received a request from Chad Aipperspach with Jet.com to allow temporary outdoor chiller units at the Jet.com facility located at the southeast corner of Montrose Road and 191st Street. This temporary operation will be utilized during the summer months while a permanent solution is installed. The operations are requested from June 1, 2019 to September 1, 2019.

Similar chillers were used last summer after many health issues related to temperatures inside the building. At the time of install last summer, no permit was requested, and the City sent an order of violation notice related to that action. The chillers were removed once the weather permitted. City staff has worked with the applicant to move forward on a permanent solution to the heat inside the warehouse that occurs during the summer months. This proposal includes a chiller unit, a generator, a fuel tank, and a control panel at two opposing corners of their building. The requested equipment will require a total of four truck spaces to be utilized. One set of equipment would be placed at the southeast corner at Dock #38 and another set would be placed at the northwest corner at Dock #2. The applicant states that the equipment is no larger than the tractor trailer units currently seen on site.

Jet.com has indicated that as part of the process to convert to a permanent solution they have contacted Kansas City Power and Light (KCPL) about a necessary upgrade to their electrical service. KCPL has been unable to meet Jet.com's timeline so generators are needed for this operation. At this time, the applicant continues to work on a permanent solution either through the installation of permanent rooftop units or the addition of a permanent enclosure that meets the UDC screening requirements for the outdoor chiller units.

While the attached request letter is from Jet.com, permission to conduct this type of operation from the property owner is required by the UDC and has been granted by NorthPoint Development, LLC. A of the letter granting permission is included with the application.

STAFF RECOMMENDATION

Staff recommends **approval** of **Application TU2019-03** outdoor chiller units, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton, located near the northeast corner of Montrose Road and 191st Street, by Jet.com, for construction-related activities related to LPKC Southeast fourth Plat, conditioned as follows:

1. Building permit for permanent solution to be applied for and required plans provided before expiration date of Temporary Construction Use;
2. The solution the applicant decides upon must resolve heat related issues during the summer months as this particular TCU cannot be brought before the Planning Commission in the future.
3. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
4. Applicant and any on-site contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time;
5. Applicant will obtain all required permits pursuant to the Code of Regulations for buildings and Construction, 2010 Edition or other applicable chapters of City Code;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapters of City Code;
7. All signage shall be placed pursuant to applicable sign regulations in Article 12 of the Unified Development Code of the City of Edgerton;
8. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
9. Applicant and any on-site contractors will maintain a valid City of Edgerton Business License;
10. Staff retains the ability to establish reasonable requirements for their operation;
11. Permission for temporary construction activities is granted to begin **June 1, 2019** and allowed until **September 1, 2019**.

ATTACHMENTS

- Jet.com request for Temporary Construction Activity
- Permission letter from property owner – NorthPoint Development

Jet.com

Chad Aipperspach-Facility Operations Manager

30801 W 191st St. Edgerton, KS 66021 | 913-219-8526 | chad.aipperspach@jet.com

April 24, 2019

Via Email and First-Class Mail

Katy Crow
Development Services Director
City of Edgerton, KS
404 East Nelson
Edgerton, KS 66021

Re: Temporary construction permit discussions.

Dear Ms. Crow:

This correspondence is to memorialize the discussions we have had regarding the Jet.com facility located at 30801 West 191st Street in Edgerton. As you and your staff are aware, the building we are currently leasing does not contain air conditioning over the main warehouse area. Over the course of the winter, I have been coordinating with the power company, electrical contractors, heating and cooling companies and multiple rental companies to create our plan of action for this summer season. Please review the following:

- Obtain a temporary construction permit from the City of Edgerton to allow staging of chiller units, generators, and fuel tanks at dock doors 2 and 38.
- On or before a date agreed upon between Jet.com and the City of Edgerton, we will ensure that the equipment located in the loading spaces is properly removed from those areas.
- Jet.com will continue to coordinate with KCP&L and US Engineering to explore what a permanent solution at this location might require.
 - Multiple options, including but not limited to, roof top units, adding power to support rental chillers and privacy structures to hide any outside components from view are being discussed and considered.

We appreciate the opportunity to work with the City to proactively manage this issue. Please feel free to contact me at any time to discuss the facility and I look forward to hearing back from you. regarding the actions outlined above.

Thank you,

Chad Aipperspach
Facility Operations Manager



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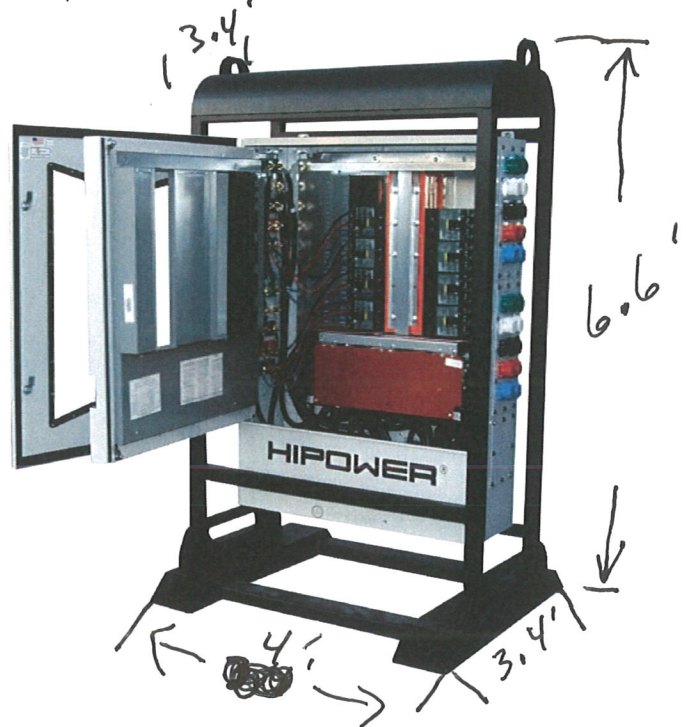
1200A Portable Miniature I-Line Panel

REV01HPS

Both locations

HIPOWER® Features and Benefits

The 1200A portable power distribution panels Series "HP" are packaged in NEMA 3R enclosure listed and certified by UL under UL1640 Portable Power Distribution Panel. CSA Standard for safety for Industrial Control Equipment, CAN/CSA C22.2 No.14 (Canada) tested by ETL. These panels are equipped with a Square-D OEM 45" interior rated for 600A 3Ø-5W 600VAC. The construction of the enclosure is 0.090" aluminum with a powder coated RAL7035 finish. The wall mount style enclosure is mounted on a stainless steel cage that provides a 360° degree overall protection from falling objects up to 15lbs at 25ft.



1200A I-Line with 8x sets of 400A Camlok Female output.

Features:

- Standard Pad-Lockable 0.090" aluminum enclosure NEMA 3R
- Average weight fully loaded 750lbs
- Heavy duty stainless steel frame with large forklift pockets
- 1200A 600VAC 45" spacing I-Line interior HCP235912N
- 6x removable gland plates.
- Large polycarbonate window (Clear)
- UL1640 Portable Power Distribution Equipment
- CAN/CSA C22.2 No.14 Industrial Control Equipment

Specification Sheet

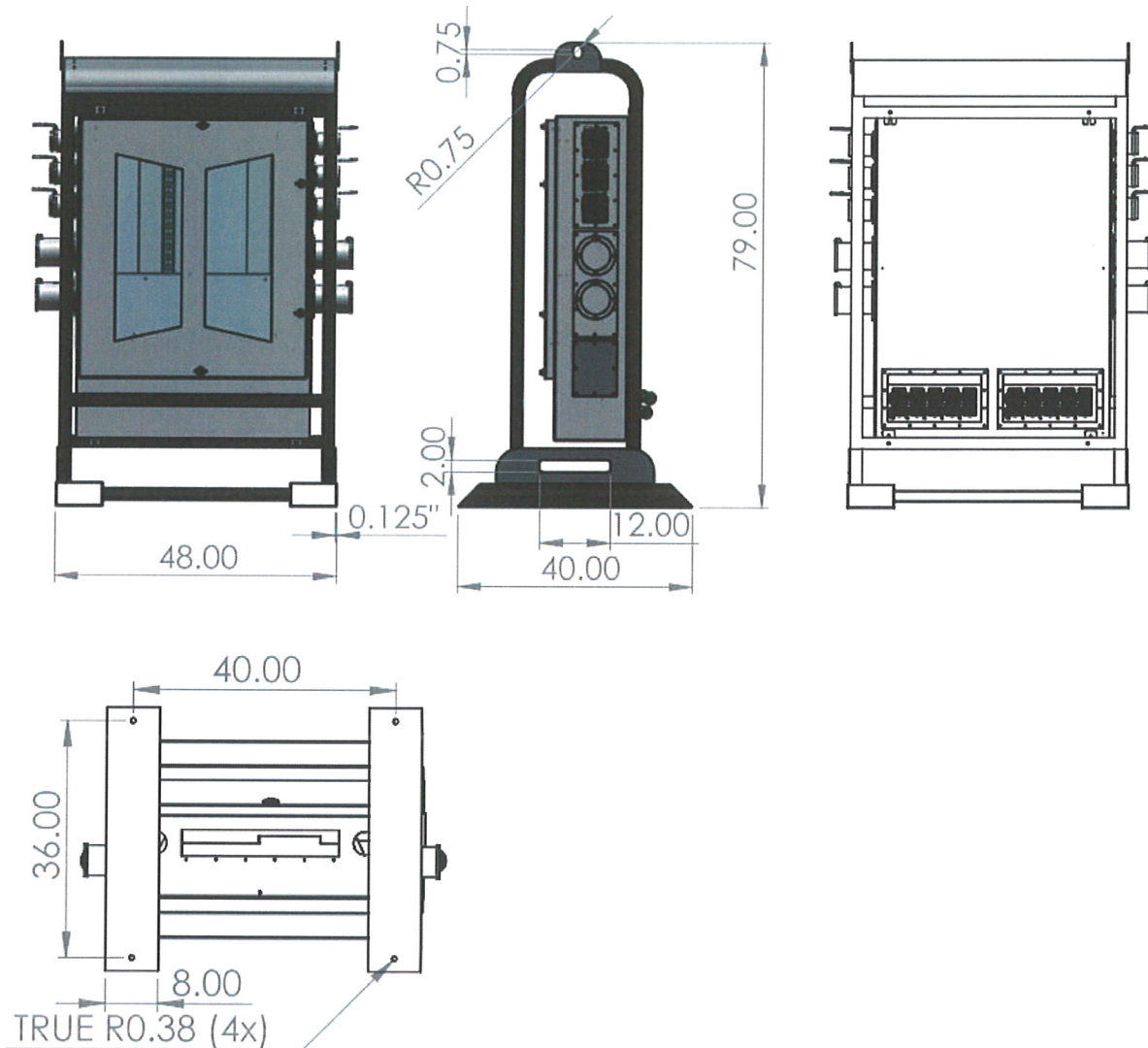


1200A Portable Miniature I-Line Panel

REV01HPS

key dimensions

Estimated weight based on a fully loaded 1200A Portable I-Line Panel; Aluminum enclosure with carbon steel cage is 750lbs when equipped with Male 16 series Camlok [4 each] Black, Red, Blue, White and Green. Standard 45" Square-D I-line Interior model #HCP235912N; Main Load Only and the following branch breakers: 1x 400A, 2x 250A & 6x150A adjustable trip breakers.



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XQ1000 RENTAL

Both Locations

CATERPILLAR®

30' x 8' x 9.5'



Image shown may not reflect actual package

**STANDBY
PRIME**

**1000 kW
910 kW**

Frequency	Voltage	Standby kW (kVA)	Prime kW (kVA)
50 Hz	400V 3 Phase	800 (1,000)	728 (910)
60 Hz	480/277V 3 Phase	1000 (1,250)	910 (1,137)
60 Hz	240/139V 3 Phase	1000 (1,250)	910 (1,137)
60 Hz	208/120V 3 Phase	860* (1,075)	783* (1,075)

FEATURES

Factory designed, certified prototype tested with torsional analysis. Production tested and delivered in a package that is ready to be connected to your fuel and power lines. Electric Power Design Pro computer sizing available. Supported 100% by your Caterpillar® dealer with warranty on parts and labor. Extended warranty available in some areas. The generator set is designed and manufactured in an ISO 9001:2000 compliant facility. Generator set and components meet or exceed the following specifications: AS1359, AS2789, ABGSM TM3, BS4999, DIN6271, DIN6280, EGSA101P, JEM1359, IEC 34/1, ISO3046/1, ISO8528, NEMA MG1-22

CATERPILLAR SR4B GENERATOR

Two bearing, wye-connected, static regulated, brushless permanent magnet excited generator designed to match the performance and output characteristics of the Caterpillar diesel engine that drives it.

RELIABLE, FUEL EFFICIENT DIESEL ENGINE

The compact, four-stroke-cycle diesel engine combines durability with minimum weight while providing dependability and economy. The fuel system operates on a variety of fuels.

CATERPILLAR COOLING SYSTEM

Sized compatible to rating with energy efficient fan and core.

CATERPILLAR SWITCHGEAR

Provides single unit and/or utility paralleling components. Standby, Load Sense/Load Demand, Import, Export, and Base Load modes.

EXCLUSIVE CATERPILLAR DIGITAL VOLTAGE REGULATOR (CDVR)

Three-phase sensing and adjustable Volts-per-Hertz regulation give precise control, excellent block loading, and constant voltage in the normal operating range.

ENVIRONMENTALLY FRIENDLY

110% full spill containment of all onboard fluids.

LINK BOARD ASSEMBLY

Set mounted generator multi-voltage adjust plate. Voltage nodes 208V*, 240V, 400V and 480V – wye configuration.

* Output limited by generator at 208V

SOUND ATTENUATED CONTAINER

For ease of transportation and protection. Meets 72 dB(A) at 15 m (50 ft) below per SAE J1074 measurement procedure.

FACTORY INSTALLED STANDARD EQUIPMENT

SYSTEM	STANDARD EQUIPMENT
Engine	EPA approved Tier 2 C-32 Caterpillar engine – 50/60 Hz capable Air cleaner – single element canister type with service indicator 45-Amp charging alternator Fuel filters – primary and duplex secondary with integral water separator and change-over valve Lubricating oil system Jacket water heater Fuel cooler and priming pump Electronic ADEM™ A4 controls
Generator	Multi-voltage, dual frequency SR-4B brushless, three phase, 12-lead design Permanent magnet excited Digital Voltage Regulator Space heater Class H insulation operating at Class F temperature for extended life
Containerized Module	30' ISO high cube container, CSC certified 2-axle, 30' ISO container chassis Sound attenuated air intake louvers and 3 lockable personnel doors with panic release Bus bar access door, external access load connection bus bars Shore power connection via distribution block connections for jacket water heater, battery charger, space heaters, and generator condensate heaters Standard lighting 3 AC/3 DC, one (1) single duplex service receptacle, 2 external break-glass emergency stop push buttons Fuel tank UL listed, double wall, 23.5 hr runtime @ 75% of 60 Hz prime rated load Sound attenuated 72 dB(A) @ 15 m (50 ft), spill containment 110% of all onboard fluids Oversized maintenance-free battery, battery rack and 20-Amp battery charger Critical grade internally insulated exhaust silencer Vibration isolators, corrosion resistant hardware and hinges External drain access to standard fluids Standard Cat rental decals and painted standard Cat power module white
Cooling	Standard cooling provides >45° C ambient capability (50 Hz) or 43° C (60 Hz) at prime +10% rating Engine mounted, 38 split JW/CAC vertical radiator, vertical air discharge, and fuel cooler
Generator Paralleling Control	Custom switchgear control with EMCP 3.3 components automatic start/stop with cool down timer Protection: 32, 59, 27, 40, 810, 81U, 40, complete with device 15, 25, 65 & 90 Reverse compatibility module provided for interface to legacy power modules Touch screen controls with event log Multi-mode operation (island, multi-island and utility parallel), load sharing (multi-unit only) Import & export control (utility parallel only), manual and automatic paralleling capability Touch screen display (status and alarms) 3000-Amps circuit breaker, UL listed, electrically operated, fixed mounted, 3-phase, 50% rated neutral bus Metering display: voltage, current, frequency, power factor, kW, WHM, kVAR, and synchroscope 3000-Amps reconnectable link board for 208/240/400/480V – wye configuration
Quality	Standard genset and package factory tested UL, NEMA, ISO and IEEE standards O&M manuals

SPECIFICATIONS

CAT SR4B GENERATOR

Frame Size	692
Winding Pitch.....	0.6667
Excitation	Static regulated brushless PM excited
Constructions	Two bearing, close coupled
Insulation.....	Class H
Enclosure	Drip proof
Alignment.....	Pilot shaft
Overspeed capability – % of rated	130% of rated
Wave deviation form	2%
Voltage regulator.....	3 phase sensing with Volts-per-Hertz
Voltage regulation	Less than $\pm 1/2\%$ voltage gain
Adjustable to compensate for engine speed droop and line loss	
Wave form	Less than 5% deviation
Telephone Influence Factor (TIF)	Less than 50
Harmonic Distortion (THD)	Less than 3%

CAT C32 DIESEL ENGINE

C32 TA, V-12, 4-Stroke diesel	
Bore – mm (in).....	145 (5.71)
Stroke – mm (in)	162 (6.38)
Displacement – L (cu in)	32.10 (1,958.86)
Compression ratio.....	15:1
Aspiration.....	TA
Fuel system	MEUI
Governor type	Caterpillar ADEM™ A4 Control System

TECHNICAL DATA

		C32-30' XQ1000	
Power Rating		Standby	Prime
50 Hz	ekW (kVA)	800 (1,000)	728 (910)
60 Hz	ekW (kVA)	1000 (1,250)	910 (1,137)
Engine and Container Information		C32	
Engine model		9 (30)	
Container size	m (ft)	Length – 9144 (360) 30'	
Container dimensions	mm (in)	Width – 2438 (96) 8.5'	
	mm (in)	Height – 2896 (114)	
Fuel Capacity	L (gal)	4730 (1,250)	
Operation at 75% Prime Load Factor (60 Hz)	hours	23.5	
Approximate Weight			
Container with lube oil and coolant	kg (lb)	16 103 (35,500)	
Container and chassis with lube oil and coolant	kg (lb)	19 732 (43,500)	
Container with fuel, lube oil and coolant	kg (lb)	17 690 (39,000)	
Container and chassis with fuel, lube oil and coolant	kg (lb)	21 319 (47,000)	
Sound Level @ 15 m (50 ft)	dB(A)	72	
Fuel Consumption @ 60 Hz			
100% prime rated load	L/hr (gph)	278.7 (73.6)	252 (66.6)
75% prime rated load	L/hr (gph)	218.5 (57.7)	200.7 (53.0)
50% prime rated load	L/hr (gph)	151.6 (40.1)	139.3 (36.8)
Fuel Consumption @ 50 Hz			
100% prime rated load	L/hr (gph)	258.6 (68.3)	240.1 (63.4)
75% prime rated load	L/hr (gph)	205.6 (54.3)	186.5 (49.3)
50% prime rated load	L/hr (gph)	136.5 (36.1)	123.8 (32.7)

STANDARD FEATURES

GENERATOR SET EMCP 3.3 LOCAL CONTROL PANEL

- Generator mounted EMCP 3.3 provides power metering, protective relaying and engine and generator control and monitoring.
- Provides MODBUS datalink to paralleling control for monitoring of engine parameters.
- Convenient service access for Caterpillar service tools (not included).
- Integration with the CDVR provides enhanced system monitoring.
- Ability to view and reset diagnostics of all controls networked on J1939 datalink.
- Network modules via the control panel removes the need for a separate service tool for troubleshooting.
- Real-time clock allows for date and time stamping of diagnostics and events.

EMCP 3.3 ENGINE OPERATOR INTERFACE

- Graphical display with positive image, transreflective LCD, adjustable white backlight/contrast.
- Two LED status indicators (1 red, 1 amber).
- Three engine control keys and status indicators (Run/Auto/Stop).
- Lamp test key.
- Alarm acknowledgement key.
- Display navigation keys.
- Two shortcut keys: Engine Operating Parameters and Generator Operating Parameters.
- Fuel level monitoring and control.

CIRCUIT BREAKER

- 3000A fixed type, 3 poles, genset mounted, electrically operated, insulated case circuit breaker.
- Solid state trip unit for overload (time overcurrent) and fault (instantaneous) overcurrent protection.
- Includes DC shunt trip coil activated on any monitored engine or electrical fault, 100 KA-interrupting capacity at 480 VAC.

VOLTAGE REGULATION AND POWER FACTOR CONTROL CIRCUITRY

- Generator mounted automatic voltage regulator, microprocessor based.
- Manual raise/lower voltage adjust capability and VAR/power factor control circuitry for maintaining constant generator power factor while paralleled with the utility.
- Includes RFI suppression, exciter limiter and exciter diode monitoring.
- Voltage and power factor adjustments are performed on the setting screen of the HMI touch screen.

CURRENT TRANSFORMERS

- CTs rated 3000:5 for Genset sensing and second set of CTs rated 2000:5 for switchgear sensing with secondaries wired to shorting terminal strips.

POTENTIAL TRANSFORMERS

- 4:1 and 2:1 dual ratio with primary and secondary fuse protection.

BUS BARS

- Three phase, plus full rated neutral, bus bars are tin-plated copper with NEMA standard hole pattern for connection of customer load cables and generator cables.
- Bus bars are sized for full load capacity of the generator set at 0.8 power factor.
- Includes ground bus, tin-plated copper, for connection to the generator frame ground and field ground cable.

AC DISTRIBUTION

- Requires 240 VAC for all module accessories.
- Includes controls to de-energize jacket water heaters and generator space heater when the engine is running.

LINK BOARD ASSEMBLY

- 3000A link board for 208/240/400/480 – wye operation.
- Reconnection via movable jumpers in the link board.
- Includes switch to determine the mode of operation and to enable an overcurrent relay included in 480V operation.

SHORE POWER PLUGS

- One (1) shore power connection distribution block for jacket water heaters, generator space heater and battery charger.

INTERNAL LIGHTING

- Three (3) internal DC lights with one (1) timer installed at each side of the container door.
- Three (3) internal AC lights.
- One (1) single duplex service receptacle.

BATTERY CHARGER AND BATTERIES

- 24 VDC/20A battery charger with float/equalize modes and charging ammeter.
- Maintenance free batteries.

EMERGENCY STOP PUSHBUTTON

- Two external ESPs located near each access door.

FUEL TANK

- UL listed 1250 gallon double walled.
- Fuel transfer system.

MODES OF OPERATION

Caterpillar utility paralleling controls are intended for automatic or manual paralleling with a utility power source as a load management system, with provisions for standby operation feeding an isolated load network. Load management operation involves microprocessor-based automatic loading controls with soft loading, base load, Import/Export control and soft unloading. For Standby operation, the generator operates as an isochronous machine isolated from the utility supply. The controls allow for automatic operation, initiated locally or remotely by the customer's SCADA system. Detailed modes of operation are listed below:

SINGLE UNIT ISLAND AND MULTI-UNIT ISLAND OPERATION

1. Utility Standby Mode (Normal)
 - a. The utility is providing power for the plant loads.
 - b. The Power Module Generator breaker is open.
 - c. The pm is in automatic standby mode to respond to a utility failure.
2. Emergency Mode (Emergency)
 - a. Utility Failure
 - 1) The customer protective relaying senses a utility abnormal condition.
 - 2) A run request is sent to the Power Module Generator plant.
 - 3) The first Power Module Generator to reach rated voltage and frequency is closed to the bus.
 - 4) In Multi-Unit Island Mode, the remaining Power Module Generators are paralleled to the bus as they reach rated voltage and frequency. This function is performed via the ModBus Plus data link connected between the Power Modules.
 - 5) Plant load is transferred to the Power Modules, which share load equally via ModBus Plus data link.
 - 6) The system is now in Emergency Mode.

GENERATOR DEMAND PRIORITY CONTROL

The System Controls include a Generator Demand Priority Control function to automatically match the on-line Power Module Generator capacity to the loads in order to avoid unnecessary operation of all the Power Module Generators when the plant loads are low.

The following controls are provided for each Power Module Generator:

- a. User-settable Generator Priority Selector
- b. Status indicator for the Generator Priority selected
- c. Status indicator for Power Module Generator on-line or off-line.
- d. Generator Demand Priority Control Switch (On/Off)
- e. User-settable Generator Remove Level (% as a function of single generator capacity)
- f. User-settable Generator Remove Time Delay
- g. User-settable Generator Add Level (% as a function of single generator capacity)
- h. User-settable Generator Add Time Delay

Upon entrance into Emergency Mode, all generators will be started and paralleled to the bus. After the Remove Time Delay, Power Module Generators will be removed from the bus as a function of the generator percentage loading. Generators will be removed from the bus in descending priority order.

Should the generator percentage loading increase to the user-selected Generator Add Level after the user-selected Generator Add Time Delay, the next priority generator will be started, synchronized and paralleled to the bus. Should the Power Module Generator plant ever reach 100% loading, the next priority generator will be started and added to the bus, bypassing the Generator Add Time Delay.

MODES OF OPERATION (continued)

SINGLE UNIT IMPORT, EXPORT OR BASE LOAD OPERATION

During periods of peak demand the system may be placed in operation using the operator interface panel on the front of the switchgear.

1. Entry – Local

- a. The operator places the System Control Switch into Load Management.
- b. The operator selects Import, Export or Base Load Operation.
- c. The Load Management Setpoint is the amount of power Imported, Exported or Base-Loaded. A 4-12-20mA signal is provided by the customer and is linearly proportional to the utility load, with 12mA equaling 0 kW. The 4-12-20mA utility load signal is wired to one and only one Power Module. If the Power Module selected for Load Management is not available, the 4-12-20mA signal will be routed to a different Power Module.
- d. The operator sets the Load Management Setpoint and Power Factor Setpoint.
- e. A Run request signal is received by the Single Unit Power Module.
- f. The Power Module Generator is started and will run for a predetermined warm-up time before it is synchronized and paralleled to the utility.

- g. When the generator is on the bus, it is soft-ramp-loaded until the generator output reaches the Load Management Setpoint.
- h. The generator output is dynamically adjusted to maintain the Load Management Setpoint.
- i. Should the utility fail during Load Management Operation, the Protective Relay will cause the Paralleling Circuit Breaker 52G to open and be locked out until the Lockout Relay is manually reset by an operator on site. The generator is allowed to run for the duration of the cooldown time.

2. Exit – Local

- a. The operator places the System Mode Switch into Automatic.
- b. The generator is soft-ramp-unloaded until the plant load is fully supported by the utility.
- c. The Paralleling Circuit Breaker 52G is opened.
- d. The generator is allowed to run for the duration of the cooldown time.

STANDARD PARALLELING SWITCHGEAR CONTROL

GENERATOR PARALLELING SWITCHGEAR AND CONTROLS

The switchgear includes:

- Single unit island mode.
- Multiple unit island mode.
 - Includes Load Sense/Load Demand control.
 - Load sharing capability is provided via network communication.
- Single unit utility parallel mode.
 - Selectable for Import/Export control.
 - If import control is selected a 4-12-20mA signal is required (provided by others) scalable to the utility contribution.
- 6 inch black and white HMI touch screen.
- Reverse compatibility module provided for interface to legacy designed Power Module Switchgear. Includes PLC, load share and voltage droop.
- 50/60 Hz selectable.

Incoming Utility Breaker Status Circuit – Circuit to accept customers contact from remote utility disconnect device. Customer to provide a normally open form 'a' contact to indicate when the local load network is connected to the utility grid.

Utility Transfer Trip Circuit – Circuit accepts input (normally open dry contact) from customer's system protective relay(s) or other controlling device. Operation of contacts causes tripping of the generator circuit breaker via the generator (software) 86 lock-out function and places the engine in cooldown mode. Circuit is disabled when operating in single unit or multiple unit island.

GENERATOR PARALLELING CONTROLS OPERATOR INTERFACE

Graphical mimic one line diagram that shows generator with its respective circuit breaker in a one-line representation of the system. The graphics utilize black and white indicators and bar graphs while actively displaying the following information:

- Utility CB Open/Closed. Input contacts provided by others.
- Utility kW 4-12-20mA signal required and provided by customer that is scalable to the utility contribution.
- Generator CB Open/Closed/Tripped.
- Generator Volts/Amps/kW/Frequency.
- Engine Stopped/Running/Cooldown/Pre-Alarm/Shutdown.
- Engine ECS Position Stop/Auto/Run.
- Utility Output kW.
- System Summary Alarm.

Event logging is also included with up to 500 stored events.

GENERATOR METERING AND PROTECTION

Generator metering that will graphically display 3Ø Voltage, 3Ø Current, Frequency, Power Factor, kW, kVAR and a Synchroscope Display of EMCP 3.3 faults, CDVR or ADEM 3 and 4 will be provided via Modbus RTU interface to EMCP 3.3.

Generator/Intertie Protective Relaying including:

- Device 27/59 – Under/Over Voltage.
- Device 81O/U – Under/Over Frequency.
- Device 40 – Loss of Excitation.
- Device 32 – Reverse Power.
- Device 25 – Synchronizing Check.
- Device 15 – Auto Synchronizer.
- Device 65 – Governor Load Sharing, Soft Loading Control.
- Device 90 – VAR/PF and Cross Current Compensation Controller.

PROGRAMMING AND DIAGNOSTICS

Includes field programmable set points for engine control and monitoring variables and self-diagnosis of the EMCP 3.3 system component and wiring failures.

ENGINE CONTROL SWITCH

Keypad selectable, four (4) positions – Off, Auto, Man, Cool:

- Off for engine shutdown and resetting faults.
- Auto for local or remote automatic operation when initiated by switch operation or contact closure.
- Man for local starting and manual paralleling.
- Cool for cooldown.

CIRCUIT BREAKER CONTROL SWITCH

Heavy duty, three- (3) position spring return to center with momentary trip and close position and slip contacts for automatic closing. Includes circuit breaker position indicating lamps.

EMERGENCY STOP PUSHBUTTON

- Mushroom head, twist to reset, causes engine shutdown and tripping of the generator circuit breaker. Prevents engine starting when depressed.

ELECTRONIC LOAD SHARING GOVERNOR

- Includes speed adjustment, and auto load share capability when in parallel with legacy power modules.

STANDARD PARALLELING SWITCHGEAR CONTROL (continued)

Engine Monitoring Screen (Typical)

Engine status is obtained directly from the EMCP 3. Engine starts and total hours can be used by the operator to determine when regular preventive maintenance is required. Other metering includes engine battery and oil filter health.

EMCP 3.3 ENGINE
DATA

The diagram shows two side-by-side panels of engine data. Each panel has a header with 'GEN 1 EMC MONITOR' and 'CATERPILLAR'. The left panel displays various engine parameters with their current values and units. The right panel displays similar parameters, including fuel consumption and engine status. Below the panels are three navigation buttons: 'MAIN MENU', 'OVERVIEW', and 'ANNUN'. Arrows point from text labels to specific parts of the screen: 'TOUCH HERE TO GO TO MENU SCREEN' points to the 'MAIN MENU' button, 'TOUCH HERE TO GO TO OVERVIEW SCREEN' points to the 'OVERVIEW' button, and 'TOUCH HERE TO VIEW ADDITIONAL ENGINE DATA' points to a scroll bar on the right panel.

GEN 1 EMC MONITOR		CATERPILLAR	
15:42:12			
ENGINE OIL PRESSURE	0	kPa	
ENGINE COOLANT TEMP	0	C	
BATTERY VOLTS	0.0	VOLTS	
ENGINE RPM	0	RPM	
ENGINE HOURS	0	HOUR	
AUTOMATIC START			
NUMBER OF CRANK ATTEMPTS	0		
NUMBER OF SUCCESS STARTS	0		
EXHAUST MANIFOLD 1 TEMP	0	C	
EXHAUST MANIFOLD 2 TEMP	0	C	
ENGINE OIL TEMPERATURE	0	C	

GEN 1 EMC MONITOR		CATERPILLAR	
15:44:23			
CRANKCASE PRESSURE	0	kPa	
BOOST PRESSURE	0	kPa	
AIR FILTER DIFFERENTIAL	0	kPa	
TOTAL FUEL CONSUMPTION	0	L	
INSTANTANEOUS FUEL CONSUMPTION	0	L	
ATMOSPHERIC PRESSURE	0	kPa	
ENGINE OPERATING MODE	STOP		
ENGINE STATUS	NOT READY TO GO		
FUEL PRESSURE	0	kPa	
OIL FILTER DIFF PRESS	0	kPa	
FUEL FILTER DIFF PRESS	0	kPa	

MAIN MENU OVERVIEW ANNUN

TOUCH HERE TO GO TO MENU SCREEN

TOUCH HERE TO GO TO OVERVIEW SCREEN

TOUCH HERE TO VIEW ADDITIONAL ENGINE DATA

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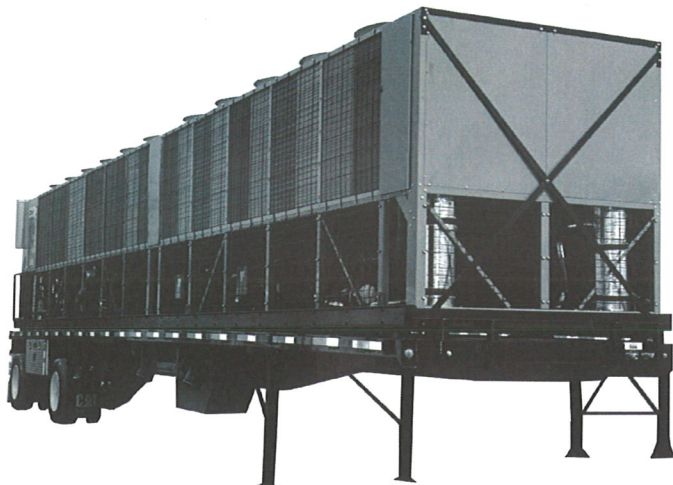
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40g Generator Fuel Tank

Both locations

7.5' x 7.5' x 4'

	
40TCG	50TCG
1,056 US GAL 4,000 LITRES 880 IMP GAL	1,242 US GAL 4,700 LITRES 1,034 IMP GAL
90.87 x 90.87 x 44.84 IN 2308 x 2308 x 1139 MM	90.87 x 90.87 x 52.13 IN 2308 x 2308 x 1324 MM
3,417 / 12,024 LBS 1,550 / 5,454 KG	3,695 / 13,744 LBS 1,676 / 6,234 KG



RENTAL UNIT 477 Ton Air Cooled Chiller

SPECIFICATIONS:

Model.....477 Ton Air Cooled Chiller
 Dimensions
 Length.....50'
 Width.....8'
 Height (with trailer).....13'6"
 Shipping Weight (without trailer).....32,000 lbs.

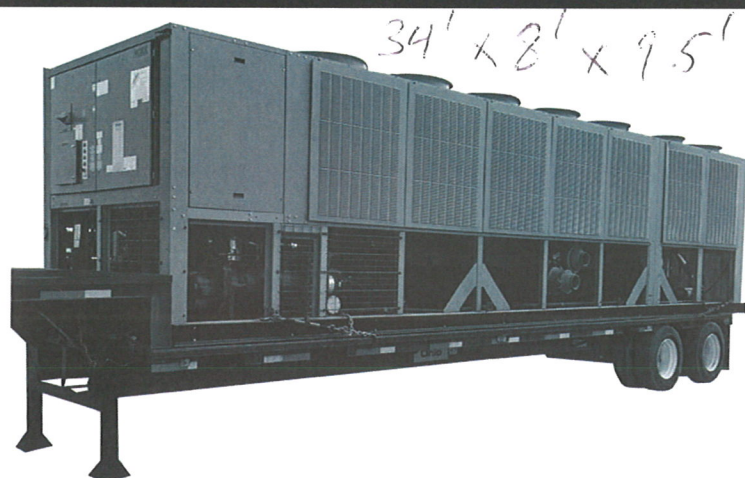
APPLICATIONS:

- Alkylation (Alky) Cooling
- Wet Gas Compressor Cooling
- Concrete Cooling
- Dense Air Injection
- Environmental Control
- Plastic Production Processes
- Turbine Inlet Cooling
- Waste Water Treatment

TECHNICAL DATA

Evaporator Data EWT (°F) LWT (°F) Design Flow Rate (gpm) Pressure Drop (ft.) Fluid Water Volume (gal.)	54.0 44.0 1129.0 23.6 Water 318.0
Condenser Data Ambient Temp. (°F)	95.0
Electrical Data Volts/Ph/Hz Min. Circuit Ampacity Recommended Fuse/CB Rating Max. Dual Element Fuse Size (Amps)	460/3/60 815 1000 1600
Min/Max Flow GPM	Min Flow 400 Max Flow 1400
Compressor Type:	4 Screw
General Capacity Refrigerant Chilled Water/Brine Temperature Range	471.0 Tons R134A 20°F

AIR COOLED CHILLER UNIT



NW corner
Dock #2

RENTAL UNIT 300 Ton Air Cooled Chiller

SPECIFICATIONS:

Model.....300 Ton Air Cooled Chiller
 Dimensions
 Length.....405"
 Width.....92"
 Height.....103.5"
 Mounted on a Drop Deck Trailer.....45'
 Rigging Weight.....27,848 lbs.
 Operating Weight.....29,920 lbs.

APPLICATIONS:

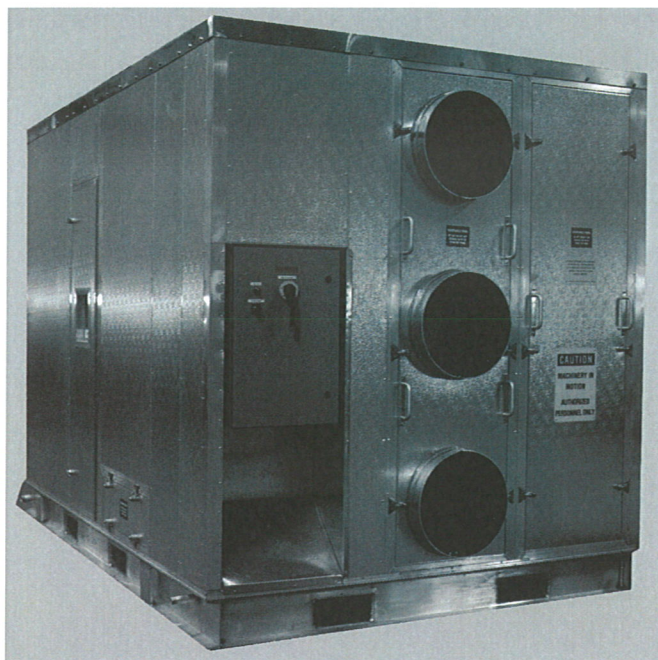
- Alkylation (Alky) Cooling
- Wet Gas Compressor Cooling
- Concrete Cooling
- Dense Air Injection
- Environmental Control
- Plastic Production Processes
- Turbine Inlet Cooling
- Waste Water Treatment

TECHNICAL DATA

Evaporator Data EWT (°F) LWT (°F) Design Flow Rate (gpm) Pressure Drop (ft.) Fluid Water Volume (gal.)	54.0 44.0 725.9 15.2 Water 236.0
Condenser Data Ambient Temp. (°F)	95.0
Electrical Data Volts/Ph/Hz Min. Circuit Ampacity Recommended Fuse/CB Rating Max. Dual Element Fuse Size (Amps)	460/3/60 540 FLA (Chiller) 52 FLA (Pump) 700 800
Min/Max Flow GPM	Min Flow 300 Max Flow 1200
Compressor Type:	4 Variable-Drive Screw
General Capacity Refrigerant Chilled Water/Brine Temperature Range	302.9 Tons R134a 0°F–65°F

Consult your Caterpillar representative for more details.

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RENTAL UNIT 100/150 Ton Air Handler

13.7' x 8' x 8.6'

SPECIFICATIONS:

Model..... 100/150 Ton Air Handler
 Dimensions
 Length..... 164" 13.7'
 Width..... 96" 8'
 Height..... 103" 8.6'
 Weight..... 6,000 lbs.

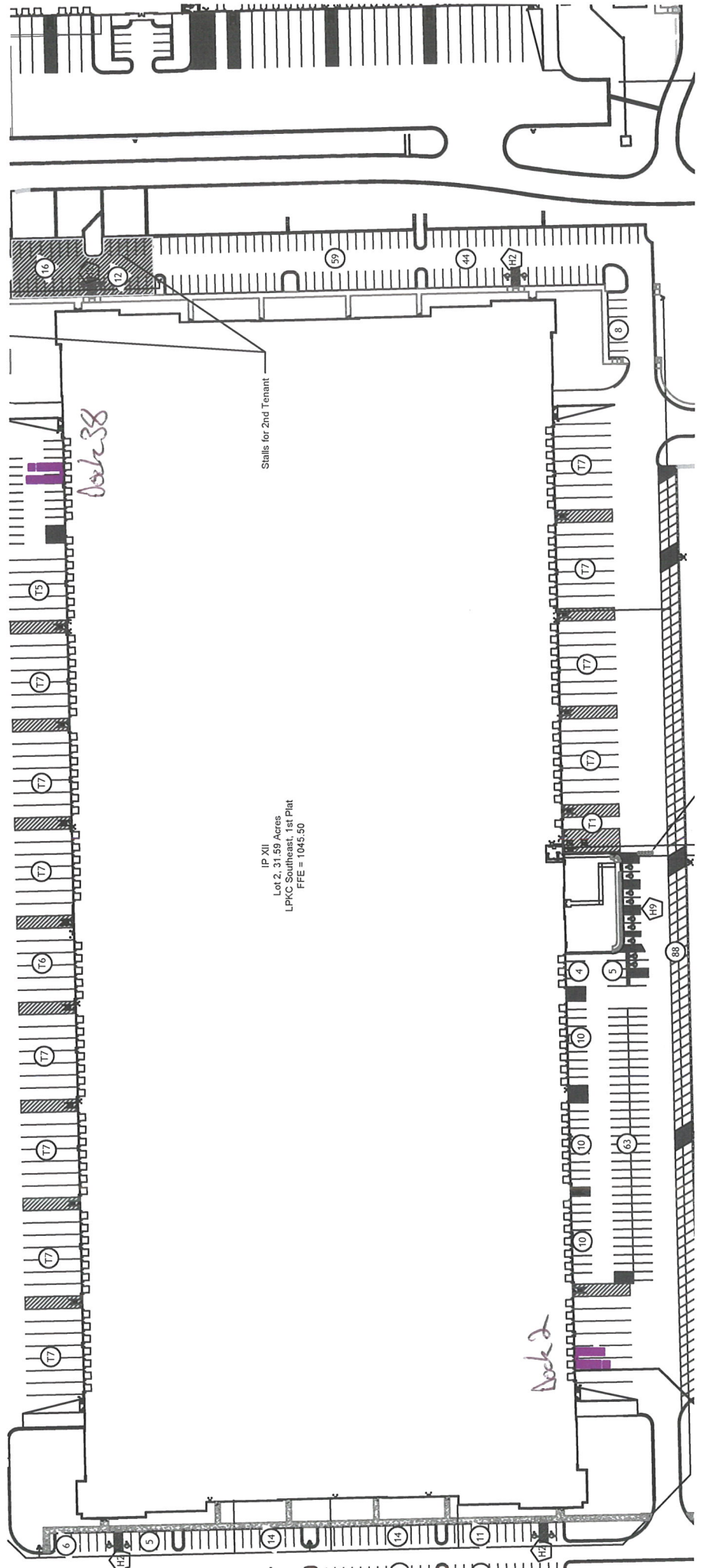
APPLICATIONS:

- Climate Control
- Comfort Heating
- Temporary Cooling
- Moisture Removal

TECHNICAL DATA:

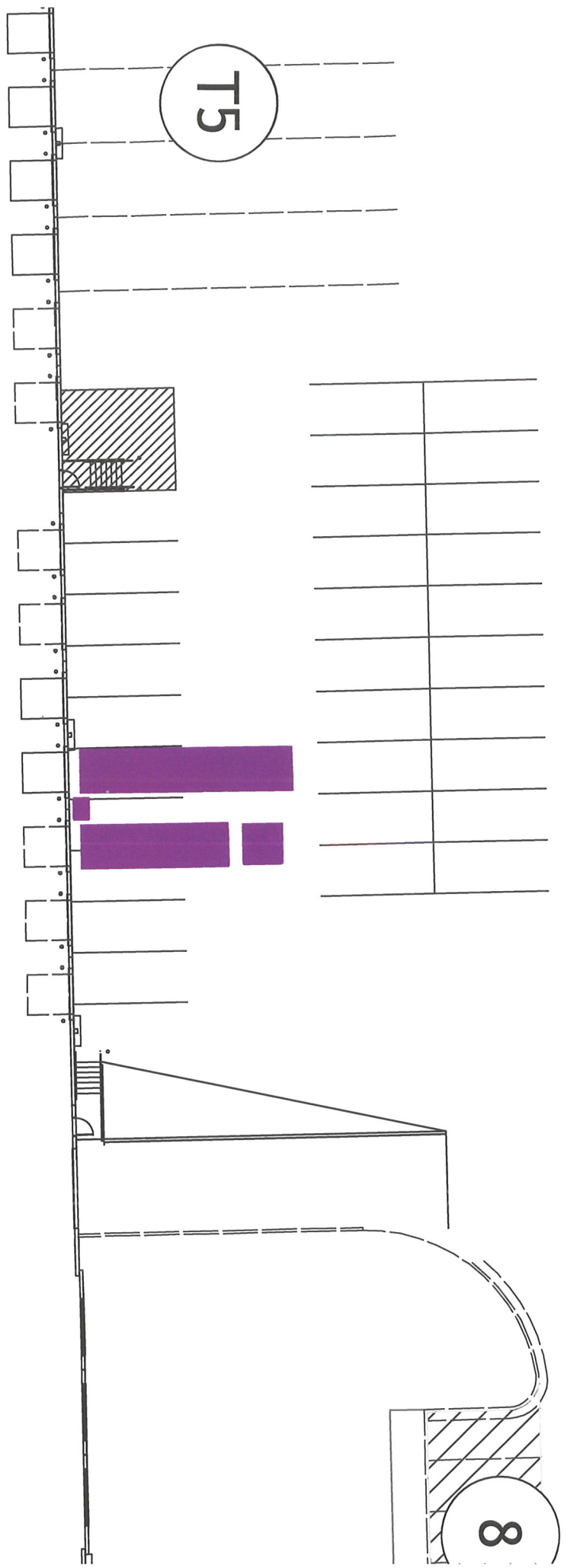
Design Cooling Data Air Temps Chilled Water BTU's	at 27,000 SCFM Vari Drive Control for 14,000 – 27,000 SCFM 95° DB / 78° WB Entering 53° DB / 52° WB Leaving 240 GPM at 44° Entering 1,193.3 MBH at 80° DB / 68° WB 1,871.4 MBH at 95° DB / 78° WB
Ductwork Configuration Supply Air Return Air	6 x 20" Connections - 3 per panel 6 x 20" Connections - 3 per panel Panels are interchangeable on sides or ends
Electrical Data Volts/Ph/Hz	460/3/60 35 FLA
Connections Air Side Water Side	20" Flexible Ductwork 4" Victaulic

Jet.com
3801 W. 191st St.

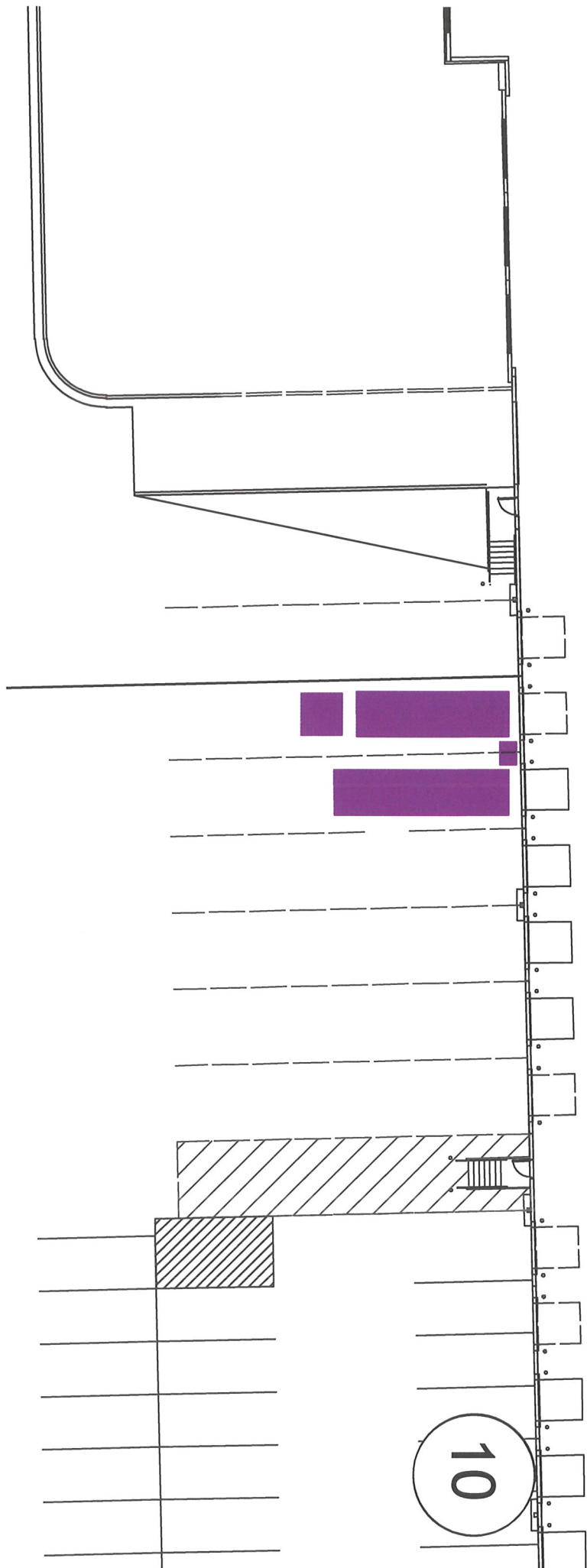


SE corner

Rock #38



NB corner
Box #2



April 22, 2019

City of Edgerton
Attn: Katy Crow, Development Services Director
404 East Nelson
Edgerton, KS 66021

RE: Jet.com Chillers

Dear Katy:

This letter is to inform the City of Edgerton that Jet.com has the permission of Northpoint, on behalf of the ownership of IPXII 191 Street, LLC (IP12) located at 30801 W. 191st Street, Edgerton, KS 66021, to place temporary chillers and generators in the parking lot as a temporary construction use.

Northpoint is in support of Jet.com providing and funding a permanent solution for air conditioning in the warehouse. Northpoint will assist Jet by providing contact information for vendors to complete this work and approving building plans.

Feel free to contact me at 816-895-8208 or by email mmaki@northpointkc.com if you have any further questions.

Sincerely,



Mallory Maki | Property Manager, Agent for Owner

STAFF REPORT

Date: May 14, 2019
To: Edgerton Planning Commission
From: Chris Clinton, Planning and Zoning Coordinator
Re: **Application TU 2019-04** - Consider renewal of Temporary Construction Activities for on property located at 20370 Waverly Road – Temporary Office Quarters for Construction Personnel.

BACKGROUND INFORMATION

Chapter I, Article 9, Section 6.E of the Unified Development Code (UDC) 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 temporary construction related activities associated with the BNSF Intermodal Facility and Logistics Park Kansas City (LPKC) developments subject to the recommendation of staff and conditioned with appropriate stipulations.

MATTERS TO BE CONSIDERED

On April 10, 2018, the Edgerton Planning Commission approved a request from NorthPoint Development to utilize the house located at 20370 Waverly Road as a temporary construction office for Project Mustang/Kubota operations. This Temporary Construction Use (TU2018-03) is set to expire on June 30, 2019.

While the structure itself is on Kubota's property, the drive that will be utilized is not on their property. Pursuant to Article 9, Section 9.6.E of the Edgerton UDC, permission to use the driveway must be granted by the property owner, Wellsville Farms, LLC. A letter granting this permission is included with the application.

Kubota has requested an extension of the use to December 31, 2019 due to unforeseen construction delays and concern about the new facilities being ready to move into. However, there is no provision in the Edgerton UDC to allow a temporary construction use to occur on a site that does not have active construction. Staff recommends this request allow the use of the residential dwelling until September 30, 2019 or the date the Certificate of Occupancy is issued to Kubota for the Parts Building (Building 1), whichever occurs first.

Application materials submitted describe the proposed operation as a temporary construction office with office occupancy limited to 10 employees and hours of operation from 7:00 AM until 7:00 PM. Applicant has indicated that the house will not be used for temporary living quarters and no outside storage will take place. The staff report from April 10, 2018 is included with this item along with Kubota's current request.

STAFF RECOMMENDATION

Staff recommends **approval** of **Application TU2019-04**, temporary construction office, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton, at 20370 Waverly Road by Kubota for construction-related activities, conditioned as follows:

1. Temporary living quarters are not permitted on-site;
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 Article 12 of the Unified Development Code of the City of Edgerton;
4. The house and its surrounding property are prohibited from being used as an outdoor storage facility for construction materials, vehicles, or other similar items used during the course of construction of the project, unless they are adequately screened from view by a fence or landscaping;
5. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
6. Applicant will obtain all required permits pursuant to the Code of Regulations for buildings and Construction, 2010 Edition or other applicable chapters of City Code;
7. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapters of City Code;
8. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
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. Applicant and any on-site contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time;
11. Hours of operation shall be limited to from 7:00 AM to 7:00 PM;
12. 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;
13. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
14. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
15. Applicant and any on-site contractors will maintain a valid City of Edgerton Business License;
16. Staff retains the ability to establish reasonable requirements for their operation;
17. Permission for temporary construction activities is granted for a period ending **September 30, 2019 or upon issuance of a Certificate of Occupancy for the Parts Building (Building 1), whichever comes first.**

ATTACHMENTS:

- Letter requesting extension of deadline from Kubota
- Permission letter from property owner regarding driveway
- TU2018-03 Staff report from April 10, 2018 Planning Commission Meeting
- Aerial map of location

4/4/2019

Dear Edgerton Planning Commission,

Kubota is excited about the progress being made at our facilities in Edgerton, KS and looking forward to occupying these buildings in 2019.

As you are aware, Kubota has previously received approval from the Edgerton Planning Commission to occupy, as a temporary office, the current structure at 20370 Waverly Rd, Edgerton, KS. This location has been very valuable as we expand our Midwest Division staff. On behalf of Kubota, I sincerely thank the Planning Commission for allowing us to temporarily occupy this location.

Currently the target date for Kubota to move into the new offices on 207th Street is late June or July. However, unforeseen delays are not uncommon. To assure adequate office space and meeting accommodations are available for the Midwest Division employees and project staff, we are requesting an extension of our Temporary Certificate of Occupancy Permit until 12/31/19. This will help assure a smooth transition to our new offices with minimal interruption to our dealer network and operations.

Below are the details on how we would use this facility:

- Business purposes only, no living quarters
- All business conducted inside facility
- No outside storage
- Occupy space during normal business hours (7AM – 7PM is fine)
- Maximum of 10 employees working at this location

Thank you for taking the time to consider our request. Of course please feel free to contact me if you have any questions or concerns.

Office Phone: 913-215-5286

Email: mike.jacobson@kubota.com

Sincerely,



Michael Jacobson
Midwest Division
Director, Division Manager

April 24, 2019

City of Edgerton, KS
404 East Nelson, Edgerton, KS 66021
Attn: Katy Crow - Development Services Director

RE: Kubota Access to 31600 W 207th St

Dear Mrs. Crow:

As the representative for NPD Management, LLC (Manager) on behalf of Wellsville, Farms, LLC (Owner) please consider this letter the written permission for Kubota Tractor Corporation and direct affiliates to access their property located at 31600 W 207th St. through our property located at 20370 Waverly Road. The permission is valid for 6 months from the date of this letter and can be rescinded at any point with 30 days' notice to a representative of Kubota Tractor Corporation.

Respectfully,



Nathaniel Hagedorn
NorthPoint Development, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150

STAFF REPORT

Date: April 10, 2018
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Consider Approval of Temporary Construction Activities for on property located at 20370 Waverly Road – Temporary Office Quarters for Construction Personnel.

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 construction-related activities associated with the BNSF Intermodal Facility and Logistics Park Kansas City (LPKC) developments subject to the approval of staff and conditioned with appropriate stipulations.

MATTERS TO BE CONSIDERED

On April 2, 2018, staff received a request from NorthPoint Development, to utilize the house located at 20370 Waverly Road as a temporary construction office for Project Mustang operations. If approved, operations would commence on April 12, 2018 and end on June 30, 2019.

Pursuant to Article 9, Section 9.6.E of the Edgerton UDC, permission from the owner to operate this type of activity must be granted by the property owner, Wellsville Farms, LLC. A letter granting this permission is included with the application.

Application materials submitted describe the proposed operation as a temporary construction office with office occupancy limited to 10 employees and hours of operation from 6:00 AM until 8:00 PM, unless otherwise approved by staff in writing. Applicant has indicated that the house will not be used for temporary living quarters unless prior authorization has been provided by the Planning Commission.

STAFF RECOMMENDATION

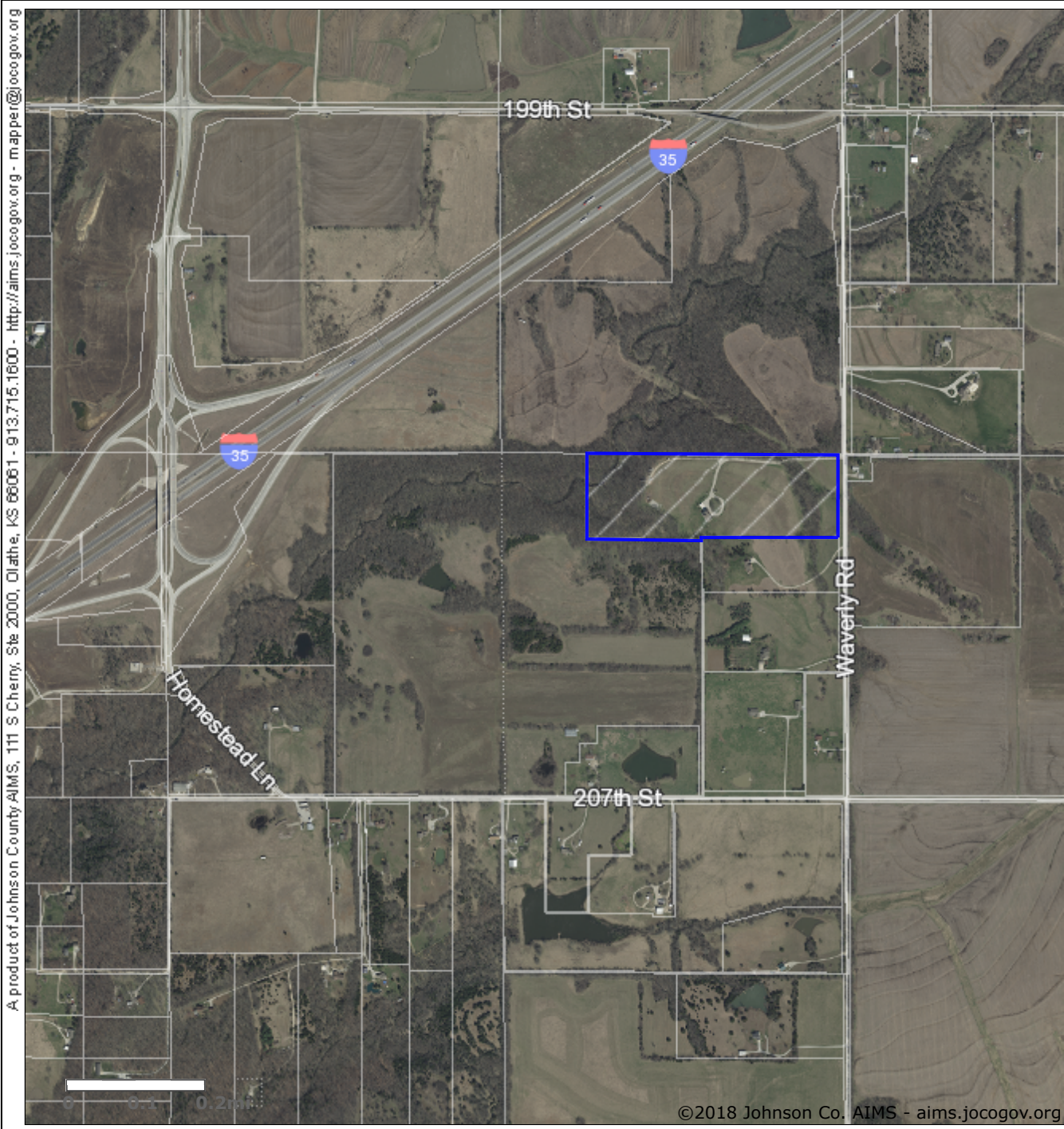
Staff recommends **approval** of temporary construction office, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton, at 20370 Waverly Road by NorthPoint Development, LLC for construction-related activities, conditioned as follows:

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 Article 12 of the Unified Development Code of the City of Edgerton;

4. The house and its surrounding property are prohibited from being used as an outdoor storage facility for construction materials, vehicles, or other similar items used during the course of construction of the project, unless they are adequately screened from view by a fence or landscaping;
5. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
6. Applicant will obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;
7. 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;
8. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
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. Applicant and any on-site contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time;
11. Hours of operation shall be limited to from 6:00 AM to 8:00 PM, unless approved by staff in writing;
12. 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;
13. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
14. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
15. Applicant and any on-site contractors will maintain a valid City of Edgerton Business License;
16. Staff retains the ability to establish reasonable requirements for their operation;
17. Permission for temporary construction activities is granted for a period ending June 30, 2019.

ATTACHMENTS:

- Application
- Permission letter from property owner
- Aerial map of location

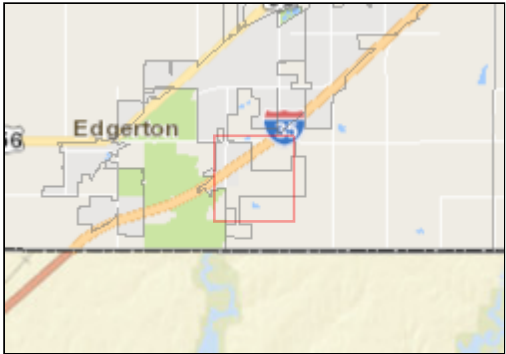


Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2016)

Property



Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty as to the accuracy and currency of the data.



STAFF REPORT

Date: May 14, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: **Application TU2019-01** - Consider Amended Application for Approval of Temporary Construction on property located near Waverly Road and 207th Street – Rock Crushing for IP 51

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.

MATTERS TO BE CONSIDERED

On April 9, 2019 the Edgerton Planning Commission approved Application TU2019-01 to allow a temporary rock crushing operation on property located on the northeast corner of Waverly Road and 207th Street. This request was made by Haupt Construction and this temporary operation is related to the construction of IP 51, the Hostess Brands Distribution Center. The approved application allowed rock crushing activities to be conducted from April 15, 2019 through August 9, 2019, with operations being performed Monday through Saturday, from 7:00 AM to 7:00 PM.

On May 7, 2019 City Staff received a letter from Haupt Construction requesting to amend the approved application related to the hours and days of operation. The applicant seeks to increase daily operating hours from 12 hours a day to 24 hours a day Monday through Saturday, and to allow rock crushing on Sundays from 7:00 AM through 4:30 PM. The current approved application does not include Sunday operating hours.

This request is being made due to the inclement weather which has been experienced in the area, specifically the amount of rainfall that has occurred since the application was approved.

Applicant is requesting that they be allowed to operate 24 hours a day on dry days so that they can make up for lost production time and keep with the proposed construction schedule for the project. They have outlined a timetable in their request which indicates that if they were allowed to operate at a 24 hour a day rate, they would be able to perform two days of rock crushing work in one 24-hour period, allowing them to catch up on lost operations. Applicant states that if they are not allowed to work extended hours during dry days, they may have to request an extension to the length of time for crushing rock (August 9, 2019 expiration date) to allow for project completion. If the weather cooperates and the extended hours were allowed, the activities could potentially finish before the August 9, 2019 expiration date.

While the attached request letter is from Haupt Construction, permission to conduct this type of operation has been granted by the property owner, Wellsville Farms, LLC as represented by NPD Management, LLC. Property owner has indicated they would be in support of the extended operating hours so that the project could be concluded in a timely manner.

Applicant has indicated that operation lighting would be necessary in order to illuminate overnight activities. A map of that lighting is included. The closest occupied residential dwelling to the rock crushing site is located 931 feet from the site. Outside of the change in hours of operation, no other operational matters related to the rock crushing operation would change.

STAFF RECOMMENDATION

Due to the intensity of this type of operation, staff recommends that operations only be allowed to increase from 7:00 PM to 9:00 PM Monday through Saturday, and operations be allowed on Sundays from noon to 7:00 PM. This change in hours and days of operation would be until the permit expires on August 9, 2019.

Staff recommends that the Planning Commission allow staff the ability to adjust hours contingent upon feedback received from adjacent residents due to noise, lighting and dust concerns. Staff would also request that if the opportunity arises and additional rock crushing machinery is available, applicant increase operations to meet their deadline requirements utilizing additional requirement and not necessarily extended operating hours.

Should the Planning Commission agree to allow these extended daily hours of operation, **approval** of amended Application **TU2019-01** for a rock crushing operation (deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton), located near Homestead Lane and 207th Street, by Haupt Construction for construction-related activities related to Inland Port 51, would be conditioned as follows:

1. All stipulations listed during the initial approval on April 9, 2019 would still be in effect, except for the hours of operation;
2. Hours of operation are allowed to occur 15 hours a day Monday through Saturday, from 7:00 AM to 9:00 PM. Sunday operations would be allowed for 8 hours a day, from 12:00 PM (Noon) until 7:00 PM.
3. Staff retains the ability to make adjustments to operating hours based upon feedback from adjacent residents regarding noise, lights and dust;
4. Under these hours of operation, permission for the temporary construction activity of rock crushing would still expire on **August 9, 2019**.

ATTACHMENTS:

- Letter from applicant
- Aerial map showing project location
- Original Application TU2019-01 from April 9, 2019 Planning Commission Meeting



May 7th, 2019
Katy Crow
City of Edgerton, KS
404 East Nelson
Edgerton, Ks 66021

RE: Inland Port 51 – Rock Crushing Permit Addendum #1

Katy,

We would like to propose a change to the rock crushing time and day restraints currently set on the Inland Port 51 rock crushing temporary use permit. We would like to propose to be able to operate crushing activities 24 hours per day Monday-Saturday. Also, we would like to be able to operate crushing activities on Sundays from 7:00 am – 4:30 pm.

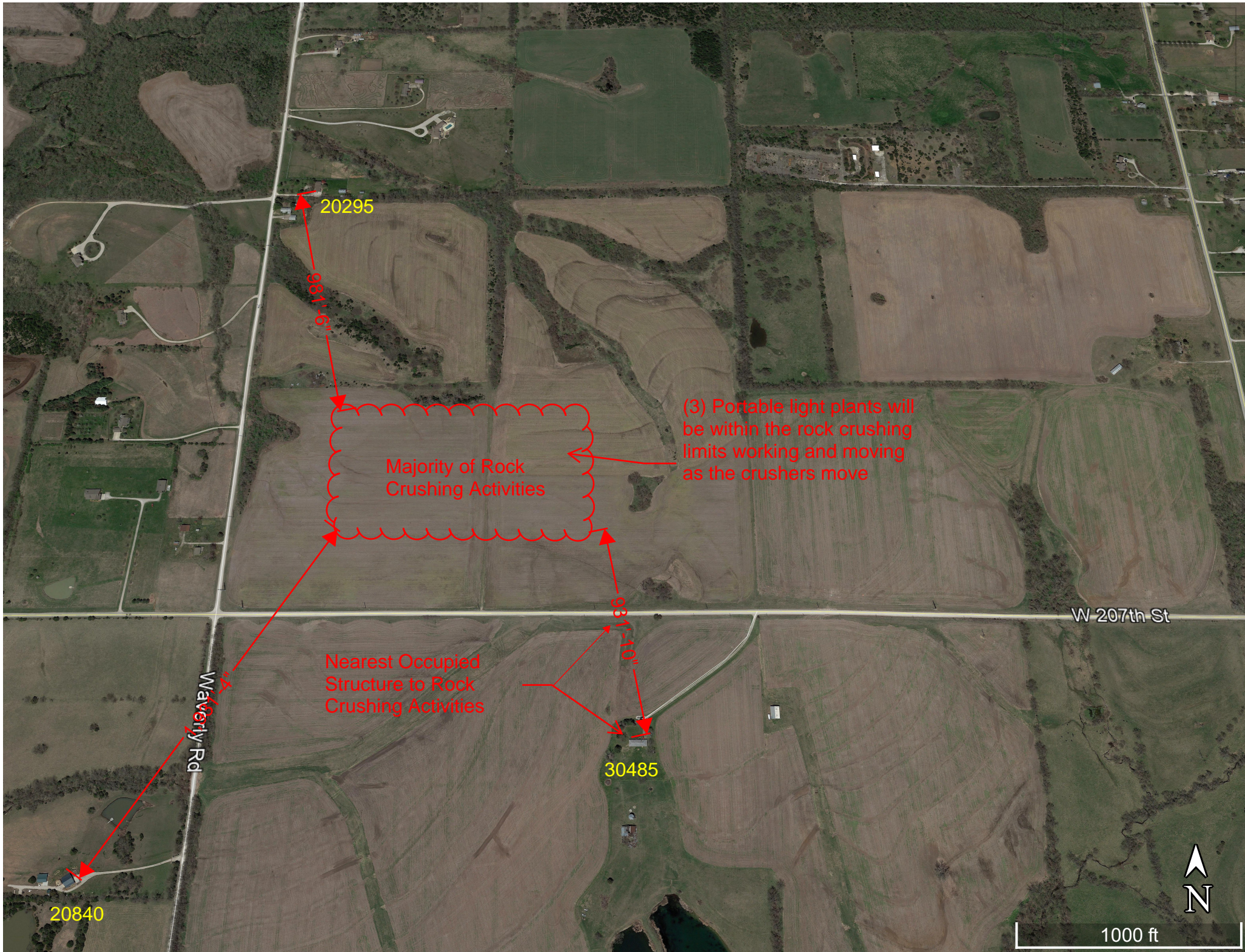
The reason we are proposing this change is due to the inclement weather we have been getting over the last weeks. All the rain that we have already received and all the rain that is in the foreseeable forecast is very concerning for the original schedule of the project as well as the overall rock crushing duration that was originally estimated. If we keep up with the current operating hours, we will have to submit for an extension in the months to come and drag out rock crushing operations.

Being able to operate rock crushing activities 24 hours per day gives us the opportunity to take advantage of every dry hour of each day. For example (pending approval), if we get a 3-day window without any rain we can essentially get 6 normal working days out of those 3 calendar days. This would be a huge boost to the schedule of the project in the current conditions we are having, as well as drastically reduce overall durations on the rock crushing time frame. As you can see from the example above, in normal weather conditions we could potentially reduce the overall crushing time frame by 30-50 percent. But, if we continue to have above average rainfall, this will give us the opportunity to stay within our current time frame by taking advantage of every dry hour that we get. Without approval, the project schedule will be unattainable as well as the current allotted time frame for rock crushing activities.

Respectfully Submitted,

A handwritten signature in black ink that reads "Justin Haupt". The signature is written in a cursive, flowing style.

Justin Haupt



STAFF REPORT

Date: April 9, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Consider Approval of Temporary Construction **Application TU 2019-01** on property located near Waverly Road and 207th Street – Rock Crushing for IP 51

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 construction-related activities associated with the BNSF Intermodal Facility and Logistics Park Kansas City (LPKC) developments subject to the approval of staff and conditioned with appropriate stipulations.

MATTERS TO BE CONSIDERED

On March 19, 2019, staff received a request from Haupt Construction, to construct a temporary rock crushing operation on property located on the northeast corner of Waverly Road and 207th Street. This temporary operation will be for the construction of IP 51. If approved, operations would commence on April 15, 2019 and end on August 9, 2019. Applicant requests performing rock crushing activities Monday through Saturday, 7:00 AM to 7:00 PM.

While the attached request letter is from Haupt Construction, permission to conduct this type of operation has been granted by the property owner, Wellsville Farms, LLC as represented by NPD Management, LLC. A of the letter granting permission is included with the application

Application materials submitted describe the proposed operation as mobile rock crushing equipment that will move around the site as the rock is excavated. Crushers will be moved around the site to ensure efficiency of the crushing process. Areas in red on the attached map indicate where rock to be crushed is located. Trucks will be used onsite to move the rock where it is needed for building pads and as base rock in paved areas. The rock crushing equipment contains a dust containment system and the Kansas Department of Health & Environment (KDHE) will be engaged to test the air prior to the start of crushing activities. Monitoring equipment on the crushers will test the air to make sure it does not exceed the level allowed by KDHE. The applicant indicates the operator will be responsible for mitigating dust and maintaining haul roads on site will be kept wet to ensure that airborne dust does not spread to neighboring properties.

If this permit is not approved, applicant has stated that the rock blasted on-site would need to be hauled away would equate to 14,000 haul loads and an additional 8,000 truckloads would be needed to haul in aggregate material for construction applications. If this occurs, the increased truck traffic on adjacent roadways would be detrimental to the flow of local traffic.

STAFF RECOMMENDATION

Staff recommends **approval** of Application **TU2019-01** a rock crushing operation, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton, located near Homestead Lane and 207th Street, by Haupt Construction for construction-related activities related to Inland Port 51, conditioned as follows:

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 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. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
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 period of time;
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, Monday through Saturday;
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. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
15. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
16. Applicant shall maintain a valid City of Edgerton Business License;
17. Staff retains the ability to establish reasonable requirements for their operation;
18. All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air;
19. Permission for temporary construction activities is granted for a **period ending August 9, 2019.**

ATTACHMENTS:

- Application including map and permission letter from property owner



March 18, 2019

Mr. Brett Powell
Northpoint Development
4825 NW 41st Street
Riverside, MO 64150

RE: Inland Port 51 – Rock Crushing Permit

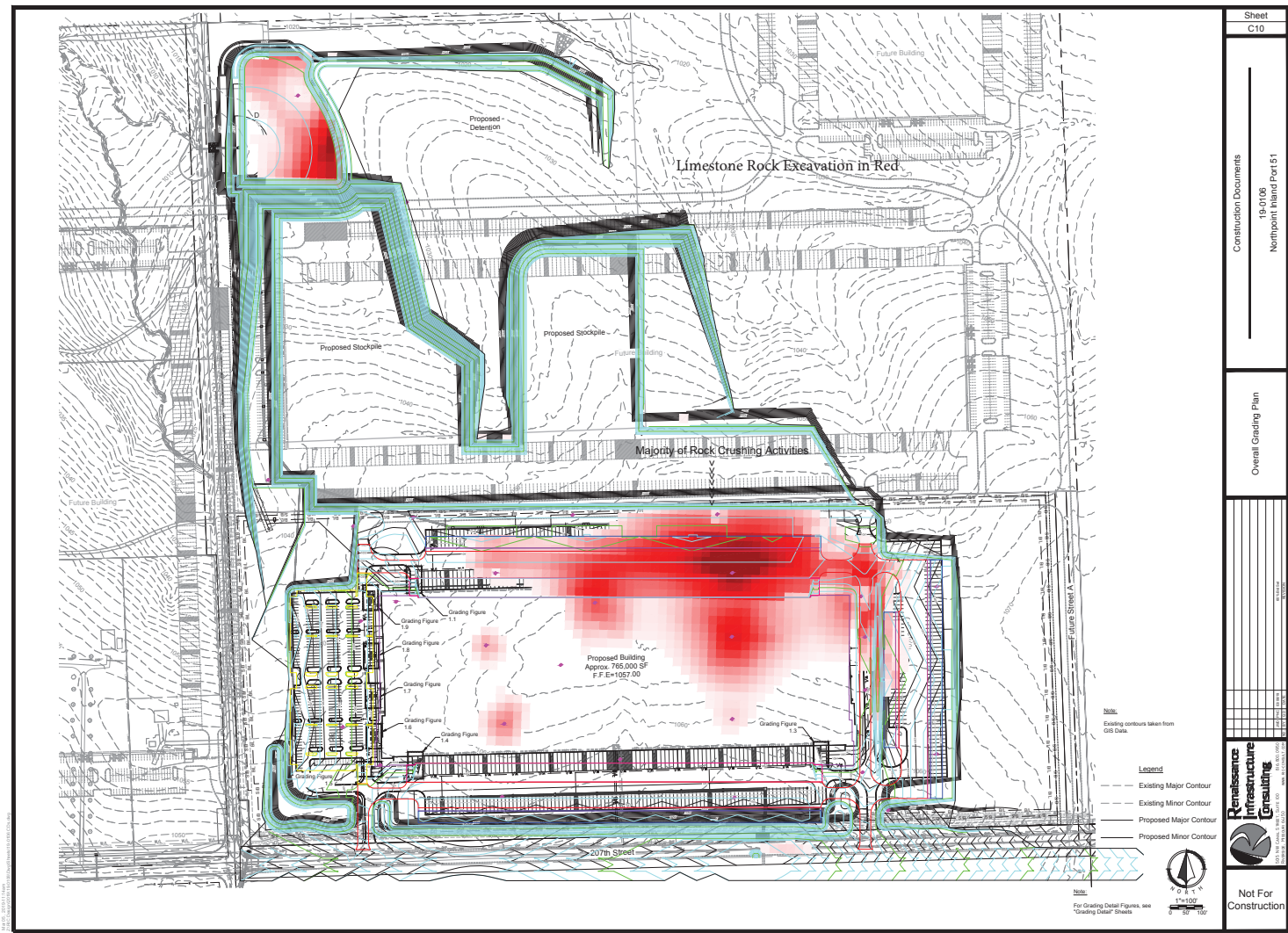
Brett,

Described below are the parameters of the proposed rock crushing operations for Inland Port 51. Our KDHE permit has already been obtained and upon request we can forward a copy to whoever would like one.

- (2) FT4250 KPI-JCI mobile rock crushers
- (2) Warrior 1800 Powerscreen mobile screening plants
- Crushing will commence April 15, 2019 and finish by August 9, 2019.
- Operating hours will range from 7:00 A.M. - 7:00 P.M.
- Rock crushing activities will be performed Monday-Saturday.
- All crushing equipment will be mobile. Crushers will be relocated frequently throughout the site to ensure efficiency of the crushing process.
- Total quantity of crushed rock generated from the project site will be 163,000 tons.
- All crushed rock will be utilized on site for construction applications (LVC on pad and base rock in paved areas).
- Due to crushed rock remaining on site, there will be no exporting of material.
- KDHE will test silica dust air contamination on site prior to the commencement of major crushing activities. Crushers are equipped with water spray bars at transfer points.
- Haul roads on site will be watered as needed using a water truck to ensure airborne dust does not spread to neighboring property owners.
- The denial of this permit will change the overall scope of the project; including but not limited to exporting large quantities of shot rock and importing all required LVC material. This hauling would negatively impact local traffic and infrastructure. Additionally, the denial of this permit will result in drastic changes to the civil design.
- The denial of this permit would require 14,000 haul trucks to export blasted rock material and import clay. An additional 8,000 trucks would be required to import aggregate material for construction applications. These hauling activities would severely hinder local traffic.

Respectfully Submitted,

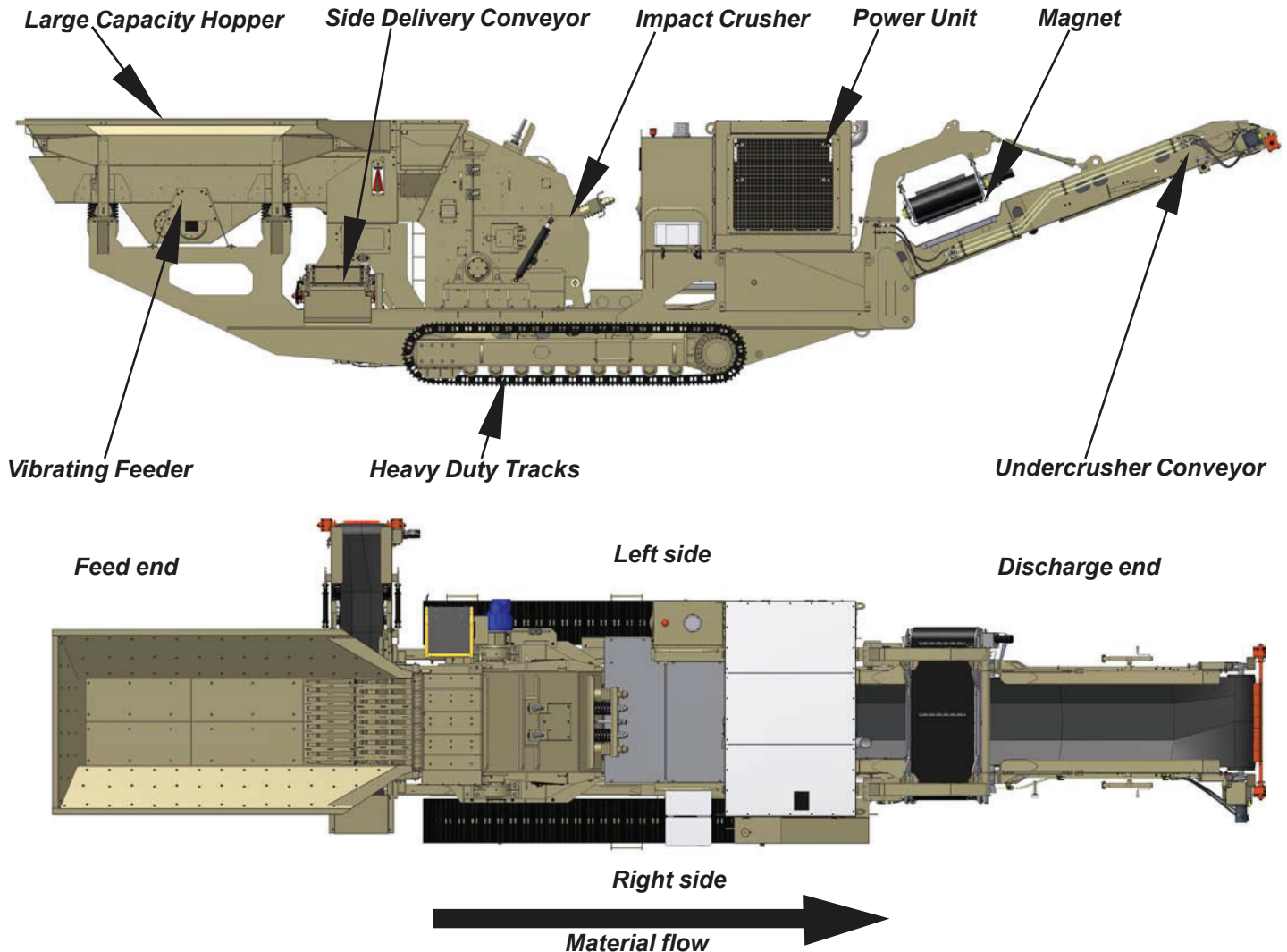

Justin Haupt





TRACK MOUNTED HORIZONTAL SHAFT IMPACTOR

Model FT4250OC Spec Sheet



● VIBRATING GRIZZLY FEEDER

- 50" X 15' Vibrating Pan Feeder
- 5' Grizzly Fingers 1-1/2" spacing

● HSI CRUSHER

- 4250 Horizontal Impactor
- Hydraulic driven variable speed
- MPR rotor

● CHASSIS

- Sculpted frame design
- 24" 600mm tracks with dual drive
- Track width 10'9"/3.276m
- Balanced for zero cribbing
- Dust suppression
- 200 gal/757 L Oil Reservoir

● UNDERCRUSHER CONVEYOR

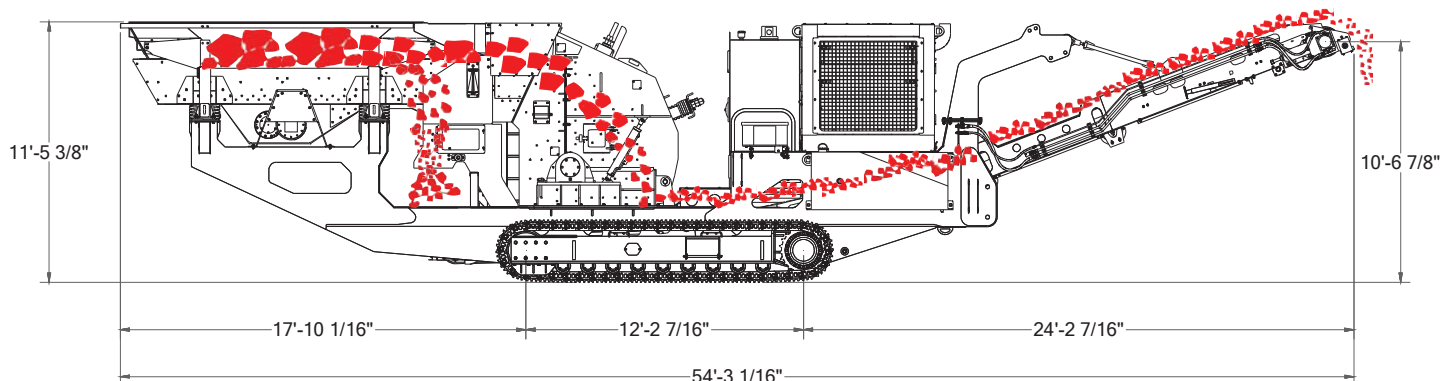
- 48" x 40' Under crusher conveyor
- Impact bed
- 440 PIW single ply belt

● POWER UNIT

- Cat C13 440hp/328 kw Tier IV i
- Cat C13 440hp/328 kw Tier III (International)
- 180gal/681L fuel tank
- Fuel Consumption 10-12 gal

● OPTIONS

- 24" x 12' Side delivery conveyor
- Permanent magnet
- Return conveyor
- 50" x 18' Vibrating feeder
- Electrical/Hydraulic Control Valve (CE Certification)



● CRUSHER

Max Feed Size..... 21"/533mm

Plant Capacity up to.....600 STPH/544 MTPH

● PHYSICAL/OPERATING CHARACTERISTICS

Overall Length.....54' 3"/16.510m
 Operating Height..... 11' 6"/3.505m
 Travel Height.....11' 6"/3.505m
 Ground Clearance.....10' -1/2"/266.7mm

Travel Width.....11' 5"/3.480m
 Feed Height..... 11' 6"/3.505m
 Discharge Height..... 10'/3.048m
 Unit Weight.....95,400 lbs/43272kg

● OPERATING SLOPE

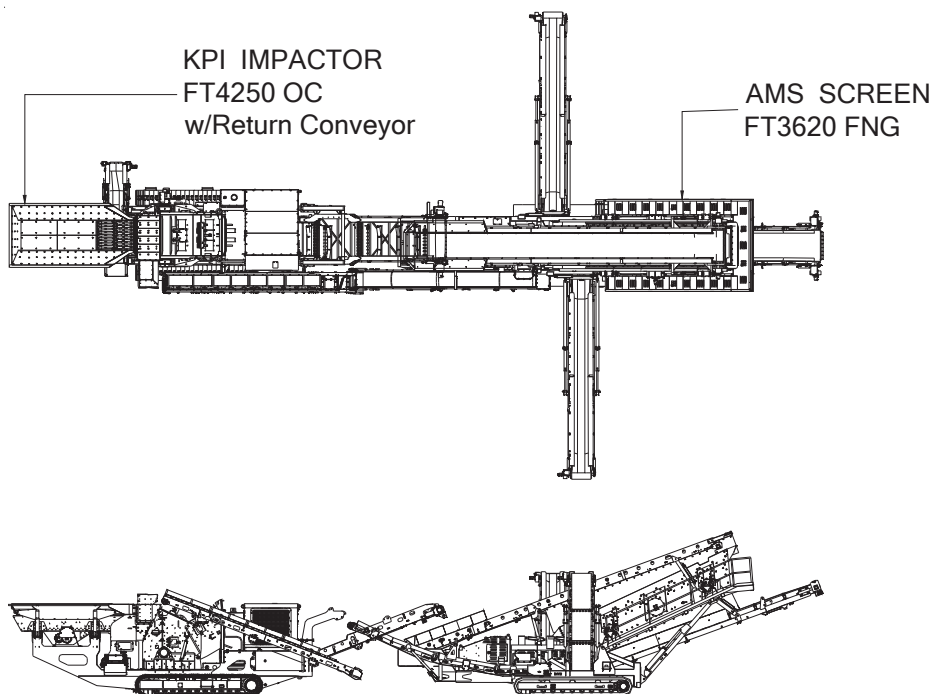
Side to Side..... 1% grade

Front to Back.....3% grade

● PERFORMANCE WHEN MOVING

Travel Speed..... .68MPH
 Total Tractice Effort.....69,016 lbf

Gradability..... 50%
 Ground Pressure..... 2460PSF



NOTE: Specifications are subject to change without notice.

Because KPI-JCI may use in its catalog & literature, field photographs of its products which may have been modified by the owners, products furnished by KPI-JCI may not necessarily be as illustrated therein. Also continuous design progress makes it necessary that specifications be subject to change without notice. All sales of the products of KPI-JCI are subject to the provisions of its standard warranty. KPI-JCI does not warrant or represent that its products meet any federal, state, or local statutes, codes, ordinances, rules, standards or other regulations, including OSHA and MSHA, covering safety, pollution, electrical wiring, etc. Compliance with these statutes and regulations is the responsibility of the user and will be dependent upon the area and the use to which the product is put by the user. In some photographs, guards may have been removed for illustrative purposes only. This equipment should not be operated without all guards attached in their normal position. Placement of guards and other safety equipment is often dependent upon the area and how the product is used. A safety study should be made by the user of the application, and, if required additional guards, warning signs and other safety devices should be installed by the user, wherever appropriate before operating the products.



700 W 21st. St., Yankton, SD 57078
 1-800-542-9311 Fax: 605-665-8858

Email: mail@kpijci.com
 www.kpijci.com
 Mdl FT4250OC 10/11 rev 1

Powerscreen® Warrior 1800

2 Deck Heavy Duty Incline Screen

Specification - Rev 12. 01/01/2017



POWERSCREEN

CELEBRATING 50 YEARS
OF POWER 2016

50



Powerscreen® Warrior 1800

Specification - Rev 12. 01/01/2017

Specification

		Three Way Split	Two Way Split
Total weight	Incline Belt	29,000kg (63,934lbs)*	27,800kg (61,300lbs)*
	Incline Apron	31,500kg (69,445lbs)*	30,300kg (66,800lbs)*
Transport	Length	15.38m (50' 6")	14.99m (49' 2")
	Width	2.96m (9' 8")	2.96m (9' 5")
	Height	3.39m (11' 2")	3.39m (11' 2")
Operation	Length	14.3m (47' 2")	14.03m (46')
	Width	12.6m (41' 4")	7.74m (25' 5")
	Height	4.57m (14' 11")	4.55m (14' 11")
Screenunit		4.88m x 1.5m (16' x 5')	4.88m x 1.5m (16' x 5')
Powerunit		Diesel / Hydraulic	Diesel / Hydraulic
Plant Colour		RAL 5021 , 7024 & 9005	RAL 5021, 7024 & 9005

Features & Benefits

- High capacity up to 600 tph / 661 stph (depending on feed size, mesh size & material type)
- Maximum feed size 600mm. Maximum allowable feed size may vary depending on material
- Suitable for scalping or stockpiling as a 3 Way Split or 2 Way Split machine
- Heavy duty inclined hopper & belt feeder featuring impact bars & impact rollers
- Hydraulic folding hopper sides & twin drive belt feeder
- Jack up screen facility for access to screen media & collection conveyor
- Unique hydraulic slide out facility on tail conveyor to aid screen media removal
- Heavy-duty aggressive 2 bearing screenbox with 10mm stroke (optional 12mm stroke)
- Maximum mobility with heavy duty, low ground pressure crawler tracks
- Quick set up time typically under 15 minutes
- Hydraulically folding conveyors for transport
- Heavy duty crawler tracks, complete with removable pendant remote control system
- High performance hydraulic system

Application

Aggregate

- Sand & gravel
- Blasted rock
- River rock

Recycling

- Top soil
- C&D waste
- Composted materials
- Wood by-products
- Overburden
- Foundry waste

Mining

- Processed ores
- Processed minerals

Abbreviations:

**T=Track, W=Wheel, Std= Standard, Hyd= Hydraulic, W/O= Without, C/W= Complete with
EXT= Extended, DDVG= Double deck vibrating grid, Inc= Including, Aux= Auxillary,
Conv= Conveyor, 3WS= 3 Way Split, 2WS= 2 Way Split, *= depending on machine specification**

POWERSCREEN
CELEBRATING 50 YEARS
OF POWER 2016



All specifications subject to change without prior notice



Powerscreen® Warrior 1800

Specification - Rev 12. 01/01/2017

Hopper

Target area: 4.4m (14' 5") long x 2.7m (8' 10") wide
Hopper capacity: 6.8m³ (8.9 cu. yd.)
Feed in height: 4.23m (13' 10") (side)
Feed in height: 3.63m (11' 11") (rear)
Feed in height: 3.20m (10' 8") (collapsed hopper)

Hydraulic folding hopper sides, manufactured from wear resistant steel

Rear wall collapsible for direct feeding

Hydraulic slide & raise facilities for transport



Heavy Duty Feed Conveyor

1300mm (51") 4 ply heavy duty grade belt
3.43m (11' 3") drum centres
Driving speed: 15rpm

Heavy duty impact bars & impact rollers

Heavy duty drive featuring twin gearbox drive

Variable speed control

Supergrip drive drum as standard



Screenbox

Heavy Duty 4.88m x 1.5m (16' x 5') 2 deck, 2 bearing incline screen with highly aggressive screen drive

Self adjusting belt driven screen drive, increased flexibility over direct drive alternatives, adjustable stroke: 10mm - 12mm (3/8" - 1/2")

Side tensioned or modular top deck

End tensioned or modular bottom deck

Hydraulic screen angle adjustment 14° - 18°

Jack up screen facility for access to screen media

Galvanised maintenance platforms on both sides of screen

Modular screen suitable for bofor, finger, punch



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Powerscreen® Warrior 1800

Specification Rev 12 01/01/2017

Underscreen Conveyor

1200mm (48") wide 3 ply plain belt
3.97m (11' 9") drum centres
Accessible via jack up screen facility



Fines - Side Conveyor

900mm (35") wide 3 ply plain belt (chevron option)
7.07m (23' 2") drum centres
3.70m (12' 2") stockpile height
76m³ (99 cu. yd.) stockpile capacity
Impact bars under feedboot area
Variable speed control
Hydraulically folding, angle adjustable 14° - 25°
Operates on separate hydraulic circuit



Midsize - Side Conveyor

900mm (35") wide 3 ply plain belt (chevron option)
7.07m (23' 2") drum centres
3.44m (11' 3") stockpile height
61m³ (80 cu. yd.) stockpile capacity
Impact bars under feedboot area
Variable speed control
Hydraulically folding, angle adjustable 14° - 25°
Removed during 2 Way Split operation



Oversize - Tail Conveyor

1400mm (55") wide 4 ply chevron belt
5.15m (16' 10") drum centres
3.73 m (12' 3") stockpile height 3WS mode
77m³ (101 cu. yd.) stockpile capacity
3.0m (9' 10") stockpile height 2WS mode
40m³ (52 cu. yd.) stockpile capacity
Hydraulic raise & lower facility
Impact bar/ roller combination
Hydraulic slide out facility to aid screen access
Angle adjustable 10° - 24°
Variable speed control



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Powerscreen® Warrior 1800

Specification - Rev 12 01/01/2017

Power unit & Hydraulics

Engine:

Tier 3 equivalent — Caterpillar C4.4 ATAAC 4 cylinder engine

Performance:

83 kW (111hp) @ 2200rpm

Tank Capacities:

Fuel: 336 L (88 US Gal)
Hydraulic Oil (Tier 3): 564 L (149 US Gal)
Hydraulic Oil (Tier 4): 450 L (99 US Gal)

Pumps:

Flywheel: Cast iron 46/46/33/33cc/rev quad pump
PTO 'A': Cast iron 23/23cc/rev tandem

Motors:

Belt feeder:	125cc/rev
Tail conveyor:	Cast iron 800cc/rev
Mid fines side conveyor:	Cast iron 500cc/rev
Under screen:	Cast iron 500cc/rev
Fines conveyor :	Cast iron 500cc/rev
Screen:	Cast iron 101.1
Optional apron feeder:	400cc/rev

Optional Diesel Engine:

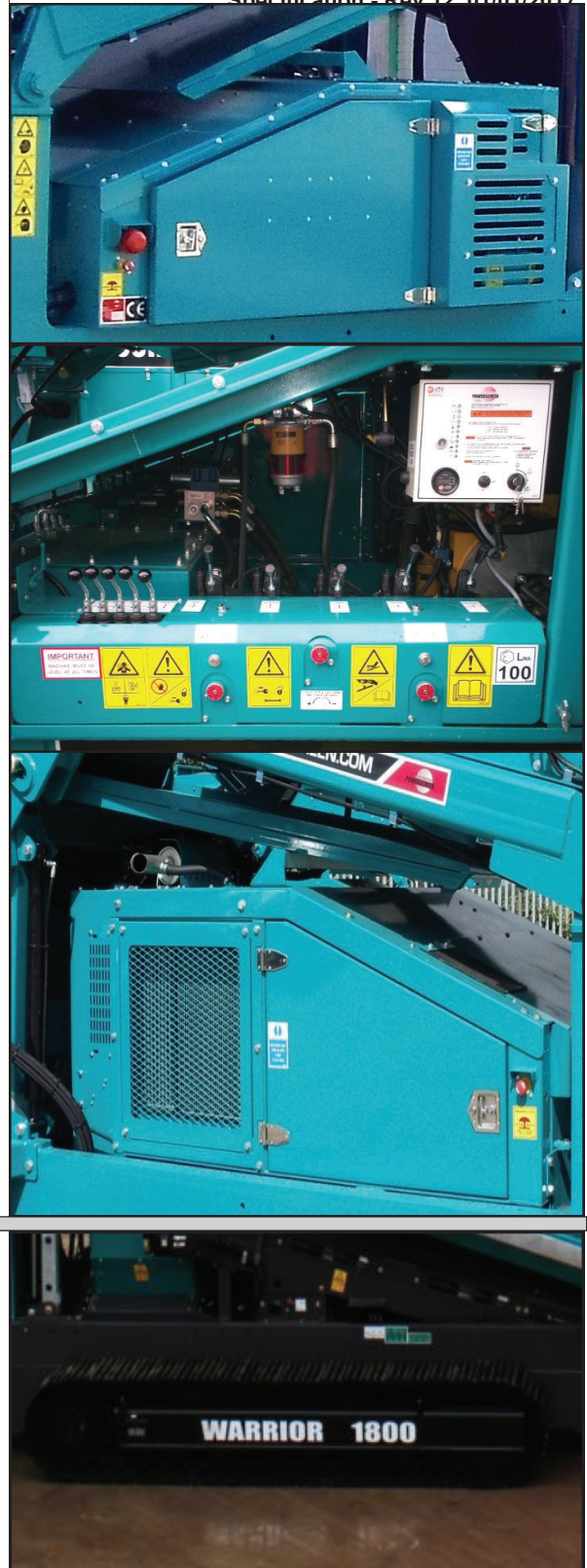
Tier 4f / Stage IV —Caterpillar C4.4 4 cylinder engine developing 82kW (110hp) @ 2200rpm

Optional Constant Speed Engine (EU Only):

Stage 3A: Constant Speed:
CAT C4.4 4 cylinder engine, 98kW (131hp) @ 1800rpm

Crawler Track Data

Track width:	500mm
Speed:	1.0 kph (0.62mph)
Flow rate:	101 Lpm



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Powerscreen® Warrior 1800 Options

Specification Rev 12 01/01/2017

Incline Apron Feeder

1200mm (51") wide wear resistant feed apron
3.39m (11' 1") apron centres
Fitted with single gearbox drive
Variable speed control



2 Way Split Configuration

Mid sized side conveyor removed
Machine built as 2 Way Split
Top deck & bottom deck oversize material fed on to tail conveyor



Dual Power

Dual Power System:
2 of electric motors: 37 kW (50hp) & 37 kW (50hp)
Diesel engine
Integrated control system
This controls either diesel-hydraulic or electric-hydraulic functions

Note: This option may alter transport dimensions and feed access. For further details please contact engineering for detailed drawings and dimensions.



Other Options

Different coloured machine
Side conveyor telescopic hydraulic extensions (1.8m)
Chevron side conveyor belts
Optional engine
Auto lubrication system
Radio controlled tracking
Dust suppression
Powerscreen Pulse

Other Media Options

Top Deck

Grizzly / Bofor deck: Max Feed Size = 600mm
Finger screens: Max Feed Size = 400mm
Punch plate: Max Feed Size = 600mm
Screen mesh: Max Feed Size = 600mm
Combined Finger & Punch Plate
3D Punch Plate

Bottom Deck

Finger screens
Punch plate: mild steel or wear resistant steel

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Powerscreen® Warrior 1800 Options

Specification - Rev 12. 01/01/2017

Powerscreen Pulse

Powerscreen Pulse is a system which allows the machine to relay data via phone networks, or by satellite when there's no cellular signal, to any device with a web browser, such as a PC, tablet or Smartphone.

Please contact the factory for further information.

POWERSCREEN® PULSE



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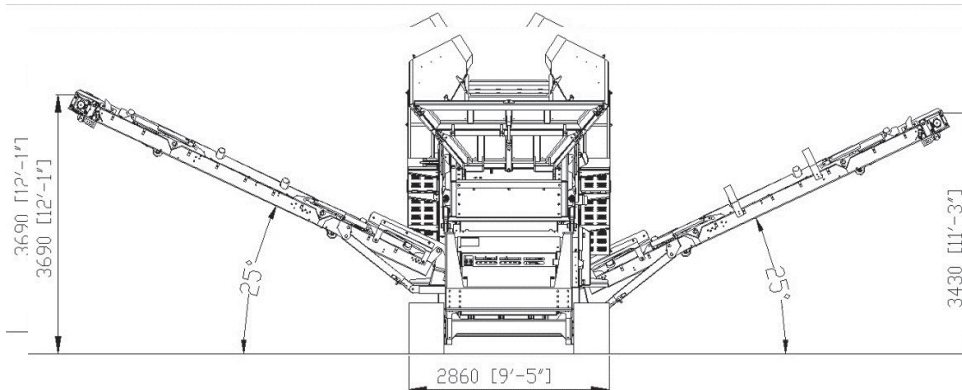
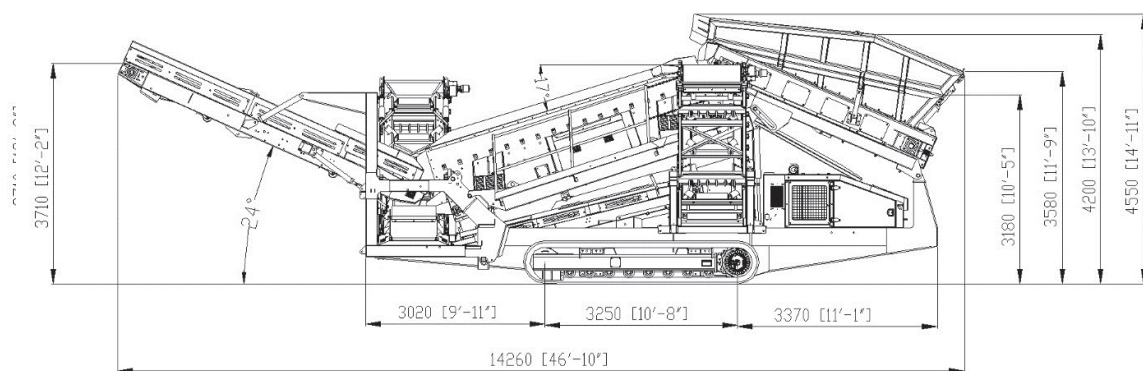
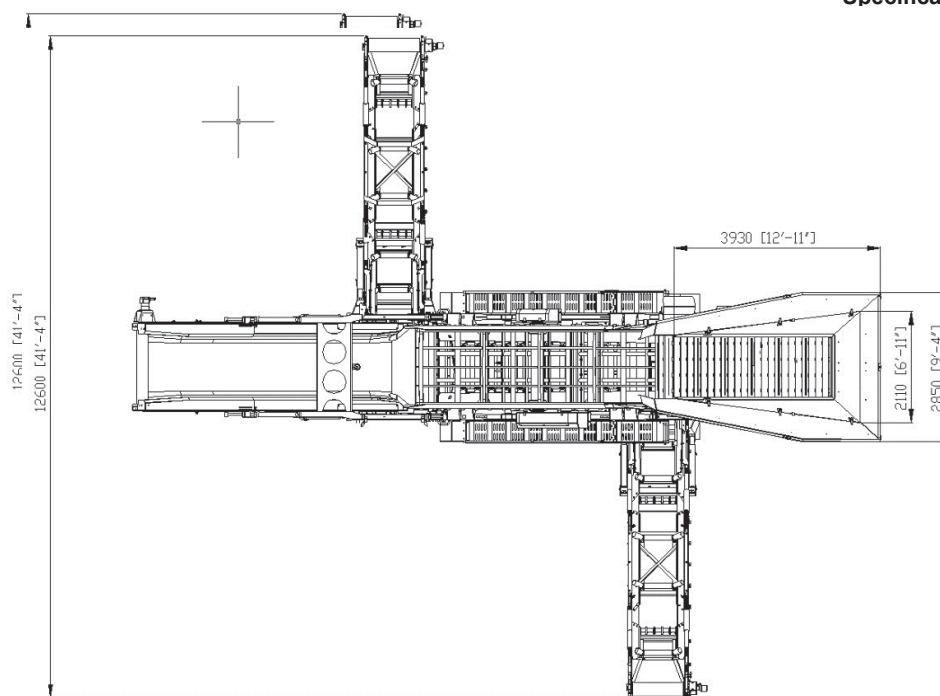


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**Figure 1: Warrior 1800 2 Deck Track
3 Way Split
Working Position**

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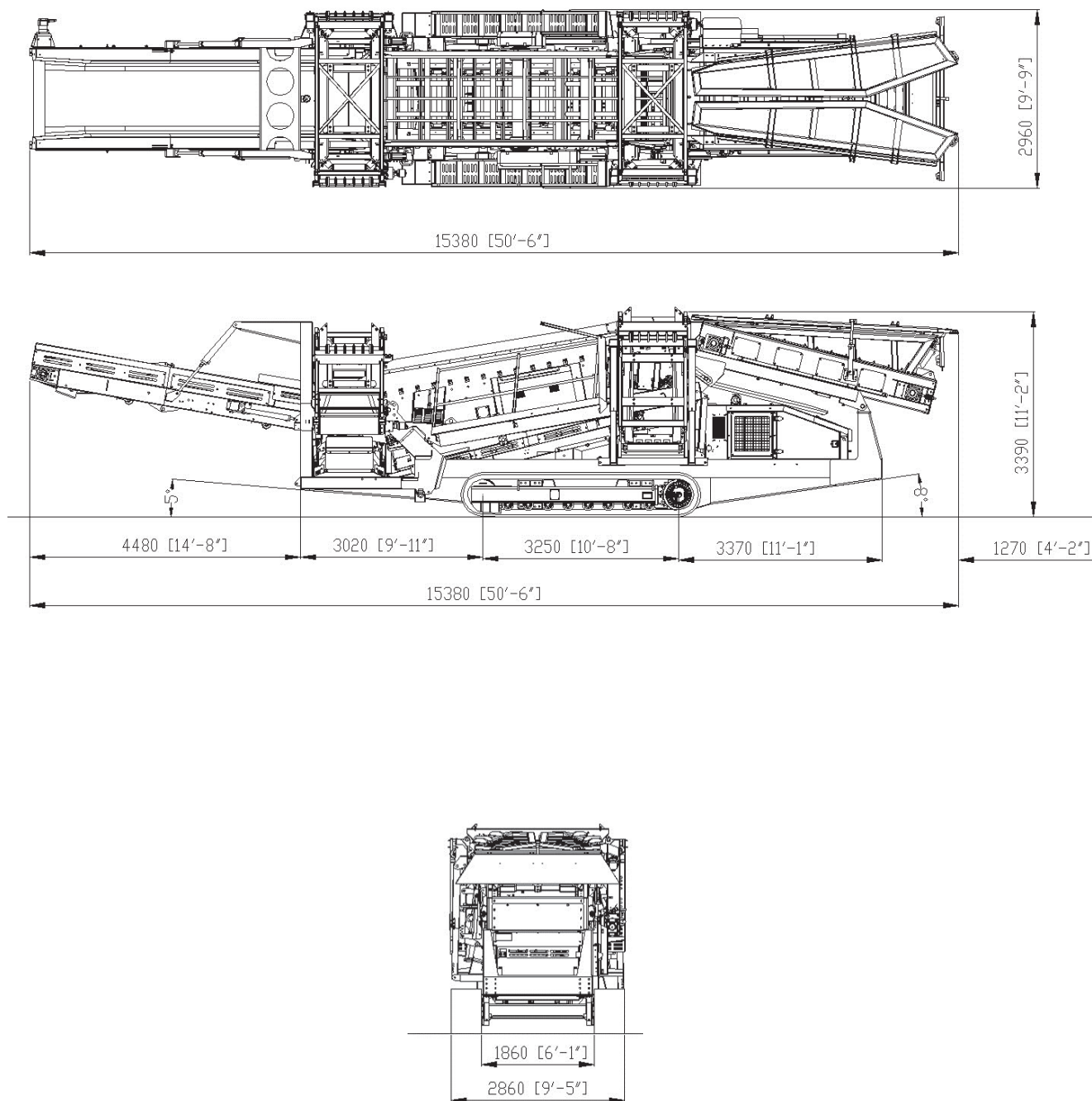


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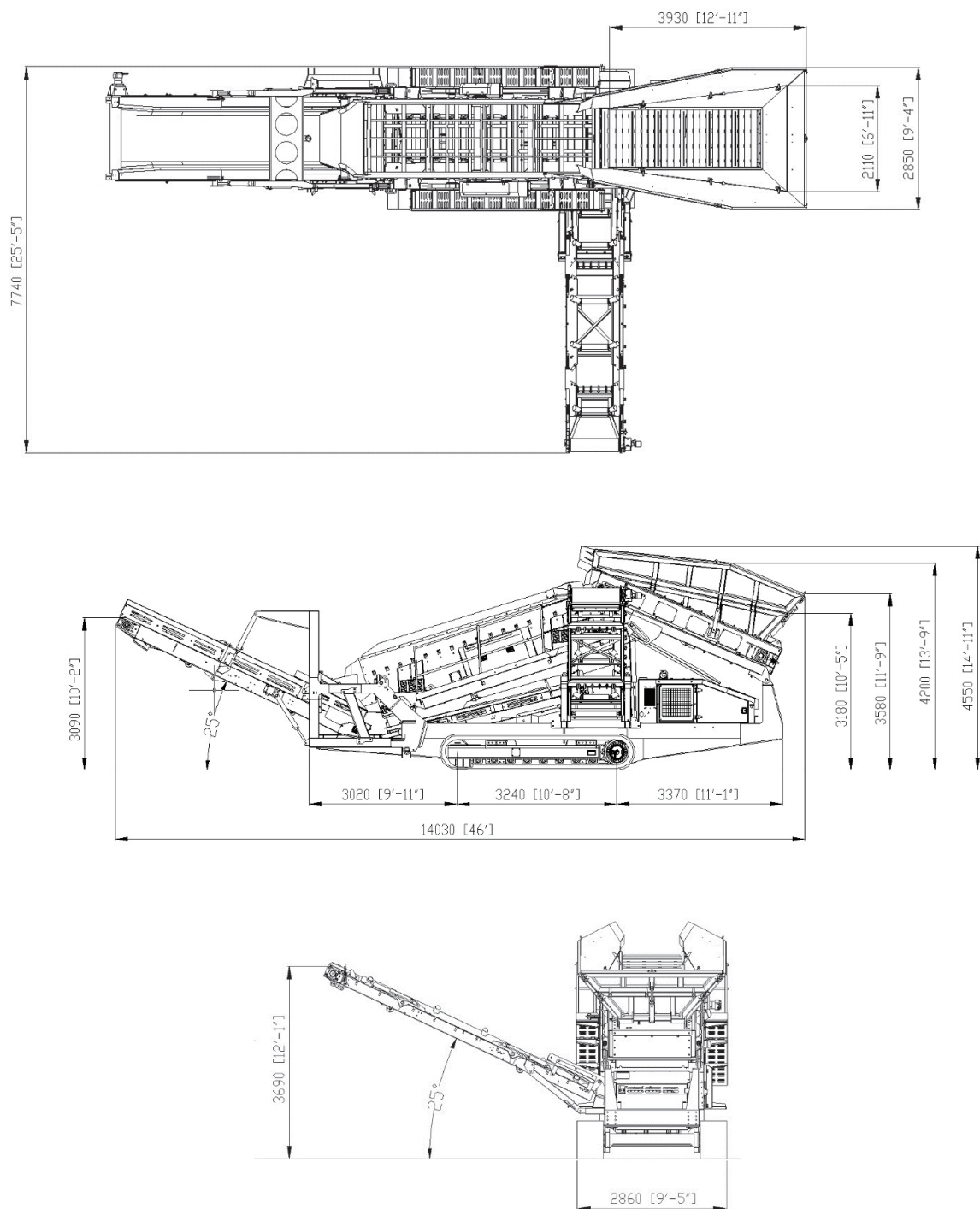


**Figure 2: Warrior 1800 2 Deck Track
3 Way Split
Transport Position**

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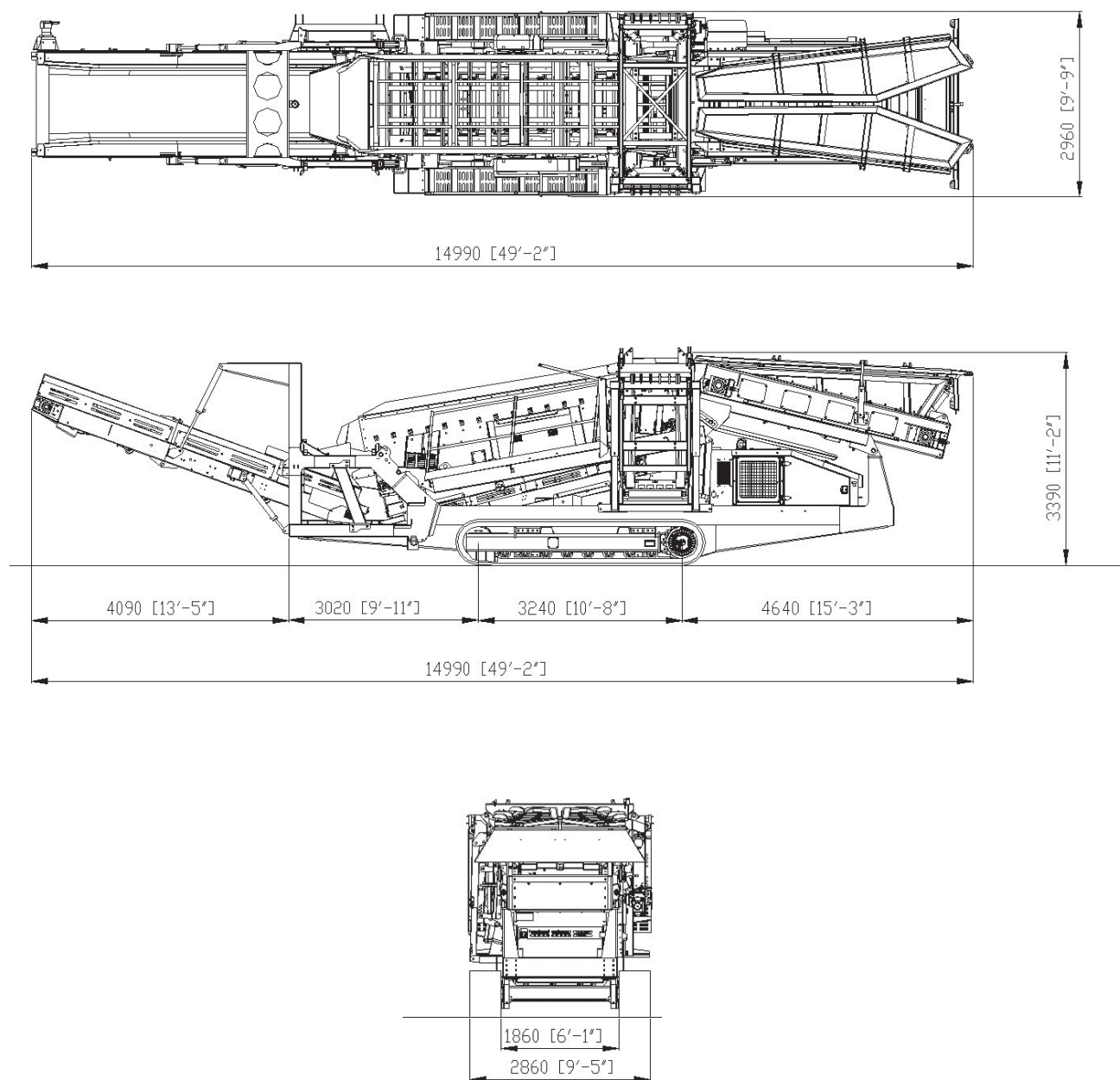


**Figure 3: Warrior 1800 2 Deck Track
2 Way Split
Working Position**

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**Figure 4: Warrior 1800 2 Deck Track
2 Way Split
Transport Position**

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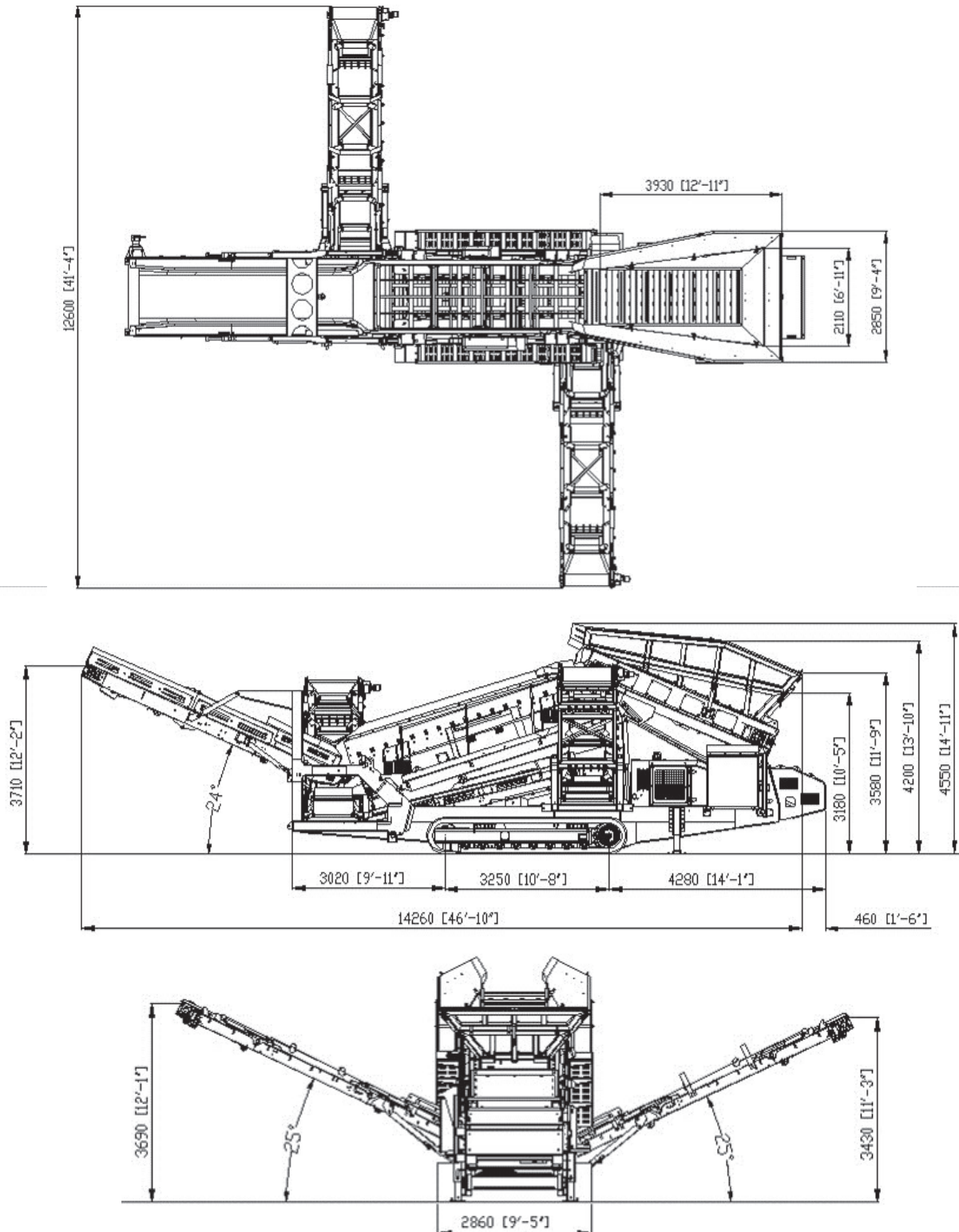


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**Figure 5: Warrior 1800 2 Deck Track
3 Way Split
Dual Power
Working Position**

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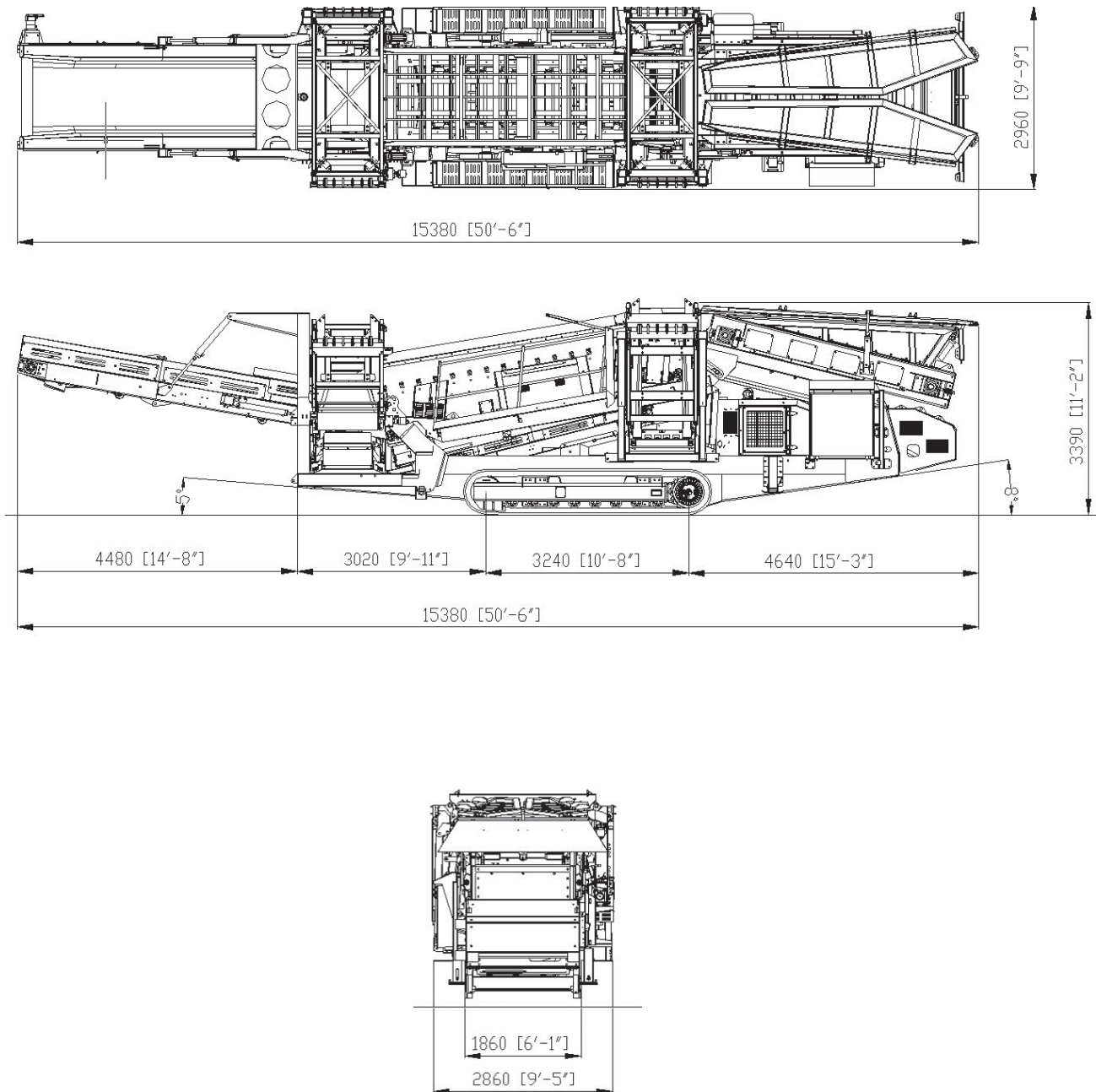
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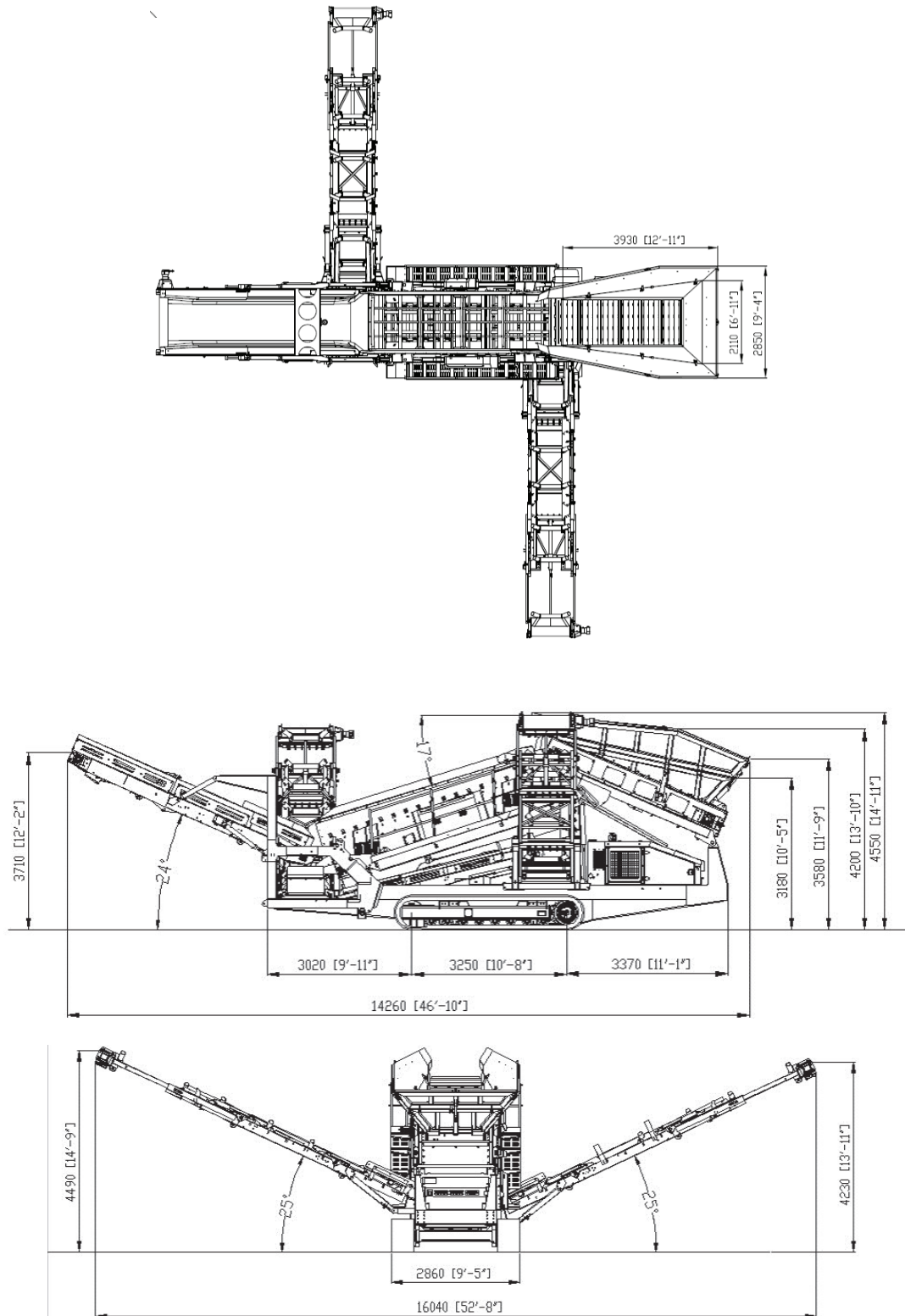


**Figure 6: Warrior 1800 2 Deck Track
3 Way Split
Dual Power
Transport Position**

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**Figure 7: Warrior 1800 2 Deck Track
3 Way Split
Telescopic Side Conveyors
Working Position**

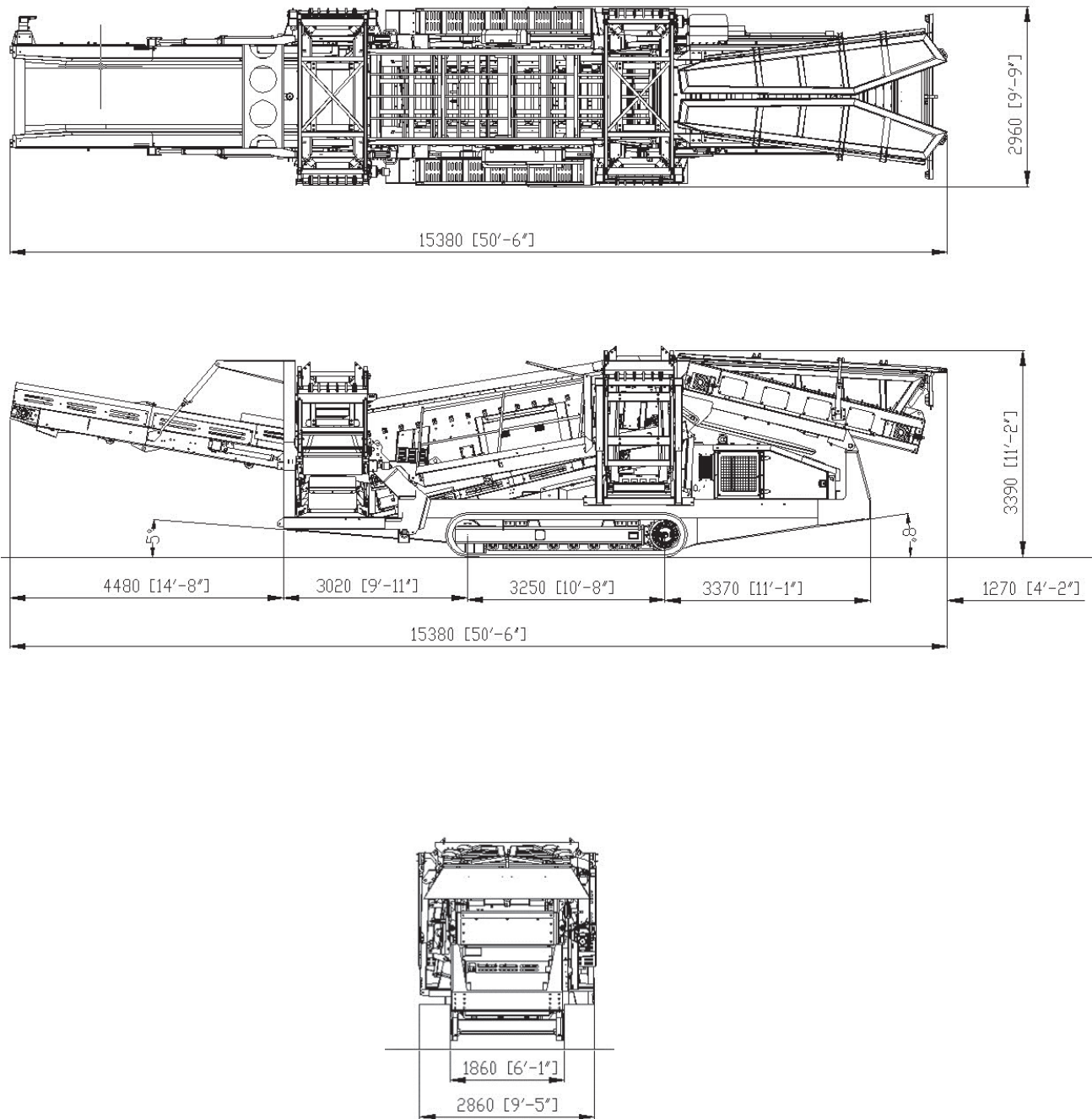
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**Figure 8: Warrior 1800 2 Deck Track
3 Way Split
Telescopic Side Conveyors
Transport Position**

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Powerscreen® Warrior 1800

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Powerscreen equipment complies with CE requirements.

Please consult Powerscreen if you have any other specific requirements in respect of guarding, noise or vibration levels, dust emissions, or any other factors relevant to health and safety measures or environmental protection needs. On receipt of specific requests, we will endeavour to ascertain the need for additional equipment and, if appropriate, quote extra to contract prices.

All reasonable steps have been taken to ensure the accuracy of this publication, however due to a policy of continual product development we reserve the right to change specifications without notice.

It is the importers' responsibility to check that all equipment supplied complies with local legislation regulatory requirements.

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March 18, 2019

City of Edgerton, KS
404 East Nelson, Edgerton, KS 66021
Attn: Katy Crow - Development Services Director

RE: IP 51 - Project Cupcake - Rock Crushing Operation

Dear Katy:

As the representative for NPD Management, LLC (Manager) On behalf of Wellsville Farms, LLC (Owner) please consider this letter as written permission for Contegra Construction, their subsidiaries or subcontractors to implement rock crushing operations for the purpose of constructing IP-51 – Project Cupcake on the property as illustrated in their permit submission packet and attached herein.

Respectfully,


Nathaniel Hagedorn
(Manager)

Attachment

STAFF UPDATE

Date: May 14, 2019

To: Edgerton Planning Commission

From: Katy Crow, Development Services Director

Re: **UDCA 2018-01** - Consider amendments to the Unified Development Code pertaining to Article 4 – *Commercial Zoning Districts* (Section 4.1 *C-D Downtown Commercial District*, Section 4.2 *C-1 General Commercial District*, Section 4.3 *C-2 Heavy Service Commercial District*, and Section 4.4 *C-3 Highway Service Commercial*), Article 10 – *Site Plans and Design Standards*, and Article 16 – *Parking and Loading Regulations*

BACKGROUND INFORMATION

At the December 11, 2018 Planning Commission Meeting, a public hearing was opened for Application UDCA2018-01 regarding revisions to Articles 4, 10 and 12 of the City of Edgerton's Uniform Development Code (UDC). The public hearing was continued during the January 8, 2019 Planning Commission Meeting and was closed during the February 12, 2019 meeting. During each continuance of the public hearing, an opportunity for the public to provide input was given. No public comments were provided.

Enclosed in the packet are revised versions of – Article 4 - *Commercial Zoning Districts* (Section 4.1 *C-D Downtown Commercial District*, Section 4.2 *C-1 General Commercial District*, Section 4.3 *C-2 Heavy Service Commercial District*, and Section 4.4 *C-3 Heavy Service Commercial District*), Article 10 – *Site Plans and Design Standards*, and Article 16 – *Parking and Loading Regulations*. Articles 4 and 10 are existing UDC articles which have been updated with content discussed during the public hearing process and through related Work Sessions. Article 16 - *Parking and Loading Regulations* was created utilizing parts of Article 10 and additional content obtained through review of industry standards and discussions with the City Engineer.

Articles 10 and 16 have undergone very few revisions since the Planning Commission reviewed these articles with Staff during the public hearings. Staff is requesting that these two Articles be recommended to the Governing Body for adoption at the June 13, 2019 City Council Meeting.

Sections 4.1, 4.2, 4.3 and 4.4 of Article 4 contain a great deal of new content. The majority of the change is in the Design Guidelines section for each use type. New content was added related to building materials, roofing, awnings, gutters and downspouts, rooftop screening, ground or building mounted equipment, horizontal and vertical articulation, architectural design standards, façade guidelines and focal point elements. Staff took feedback from the Planning Commissioners and incorporated it into the existing UDC. Some areas only required minor tweaking to bring the code up to date and more in line with the vision of the Planning Commission. Other areas were completely lacking content and needed to be written from scratch.

Section 4.1 *C-D Downtown Commercial District* specifically incorporates information recommended by the Downtown Edgerton Plan which was adopted by the Governing Body on March 8, 2018. Design guidelines, building materials, roofing, awnings, architectural design standards, service areas, site plan approval, parking and loading and landscaping sections have all been added. These areas of content are

not present in the current Article 4 of the UDC but are necessary to carry out the vision of the adopted Downtown Edgerton Plan.

Also included in the packet are guidelines for awnings and fuel stations/convenience stores. Staff will work to incorporate these sections into the code where appropriate and will include this information in final draft versions of Article 4 brought forward in June.

Staff requests that the Commissioners review these Article 4 sections over the next month. At the June 11, 2019 Planning Commission Meeting staff would collect any final comments or feedback and incorporate them into a final version of these sections which would be recommended to the Governing Body for approval that same evening.

Upon review and recommendation by the Planning Commission, the final form Articles will go to the Governing Body for approval and adoption. Prior to presentation to the Governing Body, staff will provide a copy of the revised UDC to the City Attorney for review, so that adopted code is not in conflict with Kansas statutory requirements.

Article 4 Commercial Zoning Districts

Section 4.0	C-O Office District
Section 4.1	C-D Downtown Commercial District
Section 4.2	C-1 General Commercial District
Section 4.3	C-2 Heavy Service Commercial District
Section 4.4	C-3 Highway Service Commercial District
Section 4.5	C-4 Transitional Mixed-Use District

4.1 C-D, Downtown Commercial District

A. Purpose. This district is intended to accommodate civic, limited commercial services, housing, and offices in Downtown. Uses are restricted to civic, housing, light retail, offices, personal services, and public services to serve the needs of Edgerton residents. The intent is to allow creative reuse and rehabilitation of existing buildings.

B. Use Restrictions. In District C-D, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional as follows in sections C and D below.

C. Permitted Uses.

1. Uses listed in C-1, General Commercial District, except for the following:
 - i. Convenience stores, with or without gasoline sales.
 - ii. Drive through food service.
 - iii. Restaurants and other eating establishments, can include drive through facilities.
2. Farmers Markets
3. Restaurants without drive-through facilities.
4. Bed and breakfast.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code:

1. Parking lots detached from the principal use.

E. Setback, Yard and Area Regulations.

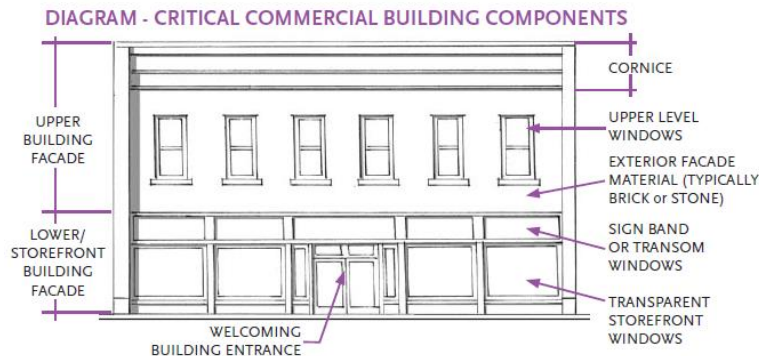
Table 4-4 - Setbacks, Yards, and Area for C-D Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
No front yard setback is required. If a setback is desired, maximum allowed distance is five (5) feet.	Required side yard setback is ten (10) feet, with the following exceptions: <ul style="list-style-type: none"> - No side yard is required when adjacent buildings share a common wall. - When a side lot line abuts a residential property, a fifteen (15) foot side yard setback is required. 	Required rear yard setback is twenty (20) feet from the building wall and/or mechanical equipment used to service the premises when the lot abuts a residential property. When adjacent to other commercial, the rear setback shall be 10 (ten) feet).	No building in the C-D district shall be constructed to a height greater than 2 stories.

F. District Regulations. No merchandise or equipment shall be stored or displayed outside a building. However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession. Uses which would detract from the desired functionality and character of Downtown are not allowed.

G. Design Guidelines. The Downtown Commercial District in Edgerton provides for a unique opportunity to embrace the past while bridging the future. The design of proposed buildings in the Downtown Commercial District should be inspired by the characteristics of existing traditional buildings but should not try to recreate traditional building style with new construction. Infill buildings should ensure that setbacks, building heights and land coverage are sensitive to the surrounding spatial context. Development within the Downtown Commercial District should incorporate the following items in implementing development design:

1. Commercial buildings should continue traditional building elements displayed in traditional buildings such as storefront display and transom windows, sign boards, upper level windows, and cornices.
2. Street level transparency should be maintained through building design. Blocking storefront windows with opaque materials is not allowed.
3. Infill buildings located in the Downtown Commercial District should be designed and constructed in a manner which complements existing traditional architecture using context sensitive materials and architectural elements.
4. Infill buildings should front the sidewalk zone in line with adjacent buildings.
5. Proposed buildings with non-traditional architectural styles should visually complement the character of existing traditional buildings.
6. Multiple architectural styles should not be mixed within the façade of a single building or continuous storefront.
7. Buildings should be massed at limited heights to prevent overwhelming adjacent existing buildings. Building heights should vary to create an attractive rhythm for the building blocks as a whole.
8. Entrance doors are encouraged to be recessed to emphasize entry and reduce potential pedestrian conflicts.
9. All areas used for refuse collection shall be screened from view.

10. Primary entrances to buildings at ground level shall face street rights-of-way rather than parking lots.



Building Materials - Façade materials for proposed buildings should be predominantly composed of materials which complement traditional buildings. Building materials should be high quality, timeless and well maintained. Building colors should be non-intrusive and compliment other colors present in the surrounding context and adjacent properties. The following are recommended building materials for the Downtown Commercial District:

- Brick with an appropriate range of colors
- Stone veneer, cast stone, or architectural concrete
- High quality and appropriately sized wood or fiber cement siding
- Wood, composite wood, vinyl, stone or fiber cement trim and accent materials
- Cast or wrought iron accent materials
- Sheet metal coping
- Clear glass windows
- Textured, beveled, stained, faceted or glass block windows should only be used as accents or for portions of windows.

Vertical or panel siding, imitation building materials, sheet metal, mirrored or opaque glazing and plastic materials are not allowed.

Roofing - Roofing materials in the Downtown Commercial District is limited to asphalt shingles, standing-seam metal, membrane or slate roofing materials. Sheet metal coping should be used at roof edges. Wood shakes and/or clay tile roofing are not allowed.

Awnings - If awnings are to be used, see *Awnings* section at the end of this Article related to awning design guidelines.

Architectural Design Standards - Design Guidelines: The majority of the building(s) of a development shall possess an architectural character that respects traditional design principles, such as:

1. Variation in the building form such as recessed or projecting bays;
2. Expression of architectural or structural modules and detail;
3. Diversity of window size, shape or patterns that relate to interior functions;
4. Emphasis of building entries through projecting or recessed forms, detail, color or materials;
5. Variations of material, material modules, expressed joints and details, surface relief, color, and texture to scale;

6. Tight, frequent rhythm of column/bay spacing, subdividing the building façade into small, human scaled elements.
7. Building walls facing a street, pedestrian walkway, or adjacent residential development shall incorporate architectural features such as columns, ribs, pilaster or piers, changes in plane, changes in texture or masonry pattern, or an equivalent element that subdivides the wall into human scale proportions.

Service Areas – Service areas in the Commercial Downtown District shall utilize the following guidelines related to service areas:

1. Service areas and refuse storage areas shall not front onto streets and public open spaces.
2. Service areas shall be located to the rear or side of buildings and screened from view from the street and/or public open space.
3. Ground-based mechanical equipment shall be located away from property lines adjacent to public streets and screened from view at the street.
4. Refuse storage and pick-up areas shall be combined with other service and loading areas.
5. Developments shall provide access for service vehicles via alleys or parking lots.

H. Site Plan Approval.

1. All development proposals in the C-D District shall be subject to approval of a site plan in accordance with Article 10.
2. If application is made for a building permit for a building or structure, that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have been used previously on said building or is not of the quality acceptable to the Zoning Administrator, the plans for said building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

I. Parking and Loading. Uses in the C-D District are exempt from Article 16, Section 16.3 *Required Spaces* and Section 16.4 *Off-Street Loading and Unloading*. The following parking stipulations are required in the C-D District:

1. Off-street parking is not required in the C-D District.
2. Off-street parking shall be located behind or to the side of buildings.
3. Surface parking areas must be screened from the street by low hedges or walls at least three (3) feet and up to four (4) feet in height.
4. Parking structures with exposed street frontage shall not be oriented toward residential uses.

J. Signs. See Article 12 for *Sign Regulations*.

K. Landscaping. Landscaping is important to the Downtown Commercial District in that it softens the hardness of the roadway and sidewalk paving materials, improves the visual appearance, and contributes to a sense of place. Street tree canopy provides shade during hot summer months, reduces heat island effect, and helps with traffic calming efforts. Below are the recommended guidelines to follow when implementing landscaping and street trees in the Downtown Commercial District:

1. Landscape plans should be designed to require minimal maintenance.

2. Native plantings should be considered for use where possible since these are most adapted to the local conditions and will generally require the least amount of maintenance.
3. It is recommended that an automatic irrigation system be used for landscaping and street trees located with Commercial Downtown District, as part of streetscape improvement project. Water-efficient irrigation components such as drip irrigation should be used.
4. Landscape beds and street tree planting areas should ensure that adequate volumes of high-quality planting soil is provided to allow for optimum plant growth.
5. Landscape beds should consist of large masses of durable low maintenance, preferably native plantings. It is recommended to limit the number of plant species in landscape beds to two or three species to help reduce maintenance needs.
6. Trees and shrubs that produce profuse amounts of fruit are not allowed.
7. Tree species with invasive roots systems are not allowed adjacent to pavements and building foundations.
8. Street trees and landscaping must be located and pruned appropriately to prevent screening of and encroachment on adjacent properties.
9. Tree canopies must be pruned to maintain a minimum 7 (seven) foot clearance from ground level as the tree matures in size. Newly planted trees in a streetscape setting should be selected to ensure this clearance requirement can be achieved as quickly as possible.
10. Landscaping adjacent to businesses, intersections, cross streets, and business entries should not be taller than 3 (three) feet.
11. Clump form trees and evergreen plantings should be avoided. Exception may be made in areas where visibility of adjacent property is undesirable (i.e. screening of utility sub stations, dumpster enclosures).
12. Larger shrubs (greater than 3 (three) feet) should be used sparingly to prevent sight conflicts at intersections and blocking of businesses. Larger shrubs may be used to screen utilities or other areas where sight conflicts are not an issue.
13. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut a residential property.

Recommended Planting Palette - Deciduous plants should be mixed with evergreen plants, and spring with fall blooming plants to help create year-round interest. The following is a recommended planting palette for consideration when creating a landscape plan for areas containing Downtown Commercial District zoning designation.

1. Appropriate mature size and growth habit (Low profile desired)
2. Ornamental characteristics (Flowering, Fall Color, Etc.)
3. Hardiness and resistance to disease/pests
4. Adaptability to different soil types
5. Tolerant of urban conditions (Air pollution, salt tolerance, tolerant of poor soil)
6. Drought tolerance
7. Species which provide options for various environmental conditions (wet, dry, sun , shade, etc.)
8. Low maintenance
9. Non-invasive

4.2 C-1, General Commercial District

A. Purpose. This district is intended to provide limited commercial services and offices to the community or residential neighborhoods. Uses are restricted to light retail, offices, personal services, and public services to serve the daily needs of residents. The intent is to encourage harmonious integration of retail centers at a neighborhood scale or accommodate limited commercial services and sale of goods situated along thoroughfares in the City. Operations and all equipment must be wholly contained within the building and the conduction of operations outside is strictly prohibited.

B. Use Restrictions. In District C-1, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional uses as noted in sections C and D following.

C. Permitted Uses.

1. Ambulance service.
2. Amusement and video arcades.
3. Alterations and tailoring.
4. Apparel.
5. Antiques.
6. Apartments located above the first floor of a business.
7. Appliance and electronics repair.
8. Art galleries and studios.
9. Automotive parts, retail only.
10. Automated teller machine.
11. Bakeries and confectionery establishments.
12. Barbers, hair styling and similar personal services.
13. Books and periodicals sales.
14. Bus passenger station.
15. Café.
16. Cameras and photo equipment.
17. Crafts.
18. Church or place of worship.
19. Clubs or cultural group.
20. Computer sales and service.
21. Carpeting and floor covering.
22. Caterer.
23. Convenience stores, with or without gasoline sales.
24. Drugs and cosmetics.
25. Dry cleaners.
26. Discount stores.
27. Drive through food service.
28. Exterminator, pest.
29. Florist and gift shops.
30. Food store.
31. Financial institutions, including drive-through banks.
32. Fuel stations, no car wash.
33. Furniture store.
34. Funeral home, mortuary.
35. Greeting cards and stationery.

36. Hardware stores.
37. Health or fitness clubs.
38. Health related sales and services.
39. Home lighting and fixtures.
40. Housewares and kitchenware.
41. Interior decorating.
42. Internet providers.
43. Jewelry.
44. Laundry, self-serve.
45. Locksmiths.
46. Medical services and offices.
47. Microbrewery.
48. Music and musical instruments.
49. Neighborhood market.
50. Office, general.
51. Office supplies.
52. Optical shops.
53. Package sales of alcoholic liquor or cereal malt beverages.
54. Paint and wallpaper.
55. Pet stores.
56. Photocopying and retail printing.
57. Picture framing.
58. Postal and mailing services.
59. Publicly owned and operated offices, community buildings, public museums, public libraries, or meeting facilities.
60. Restaurants and other eating establishments, can include drive through facilities.
61. Shoe repair.
62. Sporting goods and bicycles.
63. Taxidermist.
64. Taverns and bars.
65. Theaters, indoor.
66. Toys and hobby supplies.
67. Public utilities, offices only.
68. U.S. Post offices.
69. Veterinarian (domesticated pets only).
70. Video rentals, except adult videos.
71. Accessory uses.
72. Any commercial or office use that meets the intent and purpose of this section and is keeping with the general character of the district. (Ord. 843; 2008)

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Parking lots detached from the principal uses

E. Setback, Yard and Area Regulations.

Table 4-5 - Setbacks, Yards, and Area for C-1 Zoning District				
Minimum Open Space	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
20 percent of net site area.	Twenty-five (25) feet	No side yard is required, except: - When a side lot line abuts residential property, a twenty (20) foot side yard setback is required. - On a corner lot, a side yard setback of fifteen (15) feet is required adjacent to the side street.	All buildings in the C-1 District shall maintain a twenty-five (25) foot rear yard setback from the building wall and/or equipment used to service the premises.	Thirty-five (35) feet

F. District Regulations.

1. No merchandise or equipment shall be stored or displayed outside a building. However, the Zoning Administrator may issue a *Temporary Sales Permit* for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.
2. Building tones and color shall be in keeping with the general appearance of the adjacent properties.

- G. Design Guidelines.** Design standards provided are the minimum requirements. Applicants are encouraged to use higher quality materials, more frequent building articulation, higher connectivity, a greater amount of open or civic spaces, or a greater percentage of sustainable or green building design or materials. Building tones and scale shall be in keeping with the general appearance of neighboring properties.

Building Materials Building material standards are required to ensure appropriate quality and visually appealing building design. Permitted high quality building materials for the primary (front) and secondary (sides and rear) building façades shall be selected from **Table 4-6** below according to the percentage specified for each façade and material type. Applicant must provide percentage calculations for each material type.

Fuel Stations, Convenience Stores and/or Drive-Throughs have additional Design Guidelines. See section entitled “*Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C-1, C-2, and C-3 only)*” at the end of this Article.

Table 4-6 – C-1 District Permitted Building Materials by Materials Category

	Materials Category 1 Primary - 80% (must include 30% transparent glass) Secondary - 60%	Materials Category 2 Primary - 20% Secondary - 40%
Masonry		
Brick, solid	✓	✓
Brick, modular	✓	✓
Brick, panel/veneer		✓
Stone, modular	✓	✓
Stone, veneer	✓	✓
Stone, synthetic	✓	✓
Stucco, genuine, detailed	✓	✓
Stucco, synthetic/panels		✓
Concrete, plain finish		✓
Concrete, detailed	✓	✓
Concrete Masonry Unit, split faced		✓
Concrete Masonry Unit, burnished	✓	✓
Cement fiber board		✓
Glass & Tile		
Clear Glass	✓	✓
Architectural panels	✓	✓
Architectural block		✓
Mirror glass	✓	✓
Opaque glass	✓	✓
Tile	✓	✓
Wood		

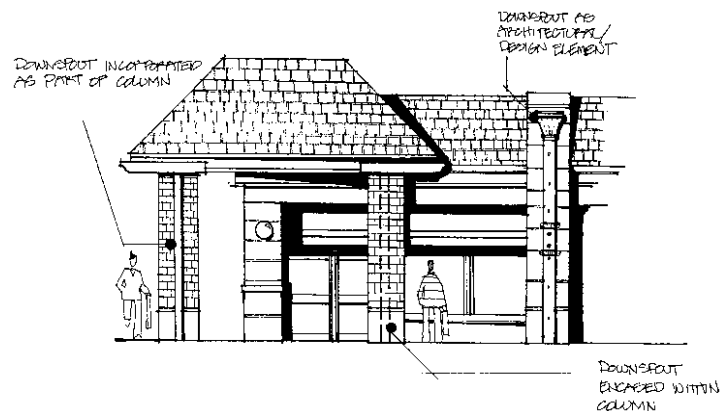
	Materials Category 1 Primary - 80% (must include 30% transparent glass) Secondary - 60%	Materials Category 2 Primary - 20% Secondary - 40%
Other Synthetics		
Synthetic stucco/EIFS (detail only)		✓

Awnings – If awnings are used as a design element, see *Awnings* section at the end of this Article related to awning design guidelines.

Roofing - Mansard and other visibly sloped roofs for commercial or mixed uses shall consist of tile, slate, standing seam metal, or textured metal that resembles asphalt or tile. Metal, asphalt or composition shingle, or other materials with a synthetic or plastic appearance are not allowed.

Gutters and Downspouts

1. The location and design of exposed gutters and downspouts shall be identified on building elevations submitted for approval.
2. Exposed gutters and downspouts that are located on the primary façades of nonresidential structures shall meet the following criteria:
 - a. Downspouts are to be incorporated as part of a column, an architectural design element or encased within a column.
 - b. Exposed downspouts must be designed by the architect as decorative architectural elements that are an integral component of the building design and coordinated with vertical elements such as towers, columns, or pilasters; or located only at interior corners of the building and painted to match or coordinate with the façade in order to minimize their appearance.
 - c. Exposed gutters and downspouts shall be constructed of high-quality, commercial-grade metal.
 - d. Exposed gutters are prohibited for use with flat roofs.



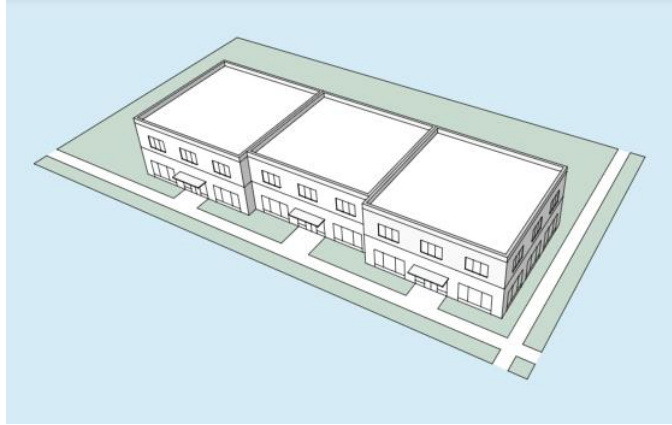
Rooftop Screening - All applications for preliminary or final development plan approval shall include information regarding anticipated rooftop equipment, including mechanical units, vents, pipes, and other appurtenances. Such equipment shall be indicated on building elevations where the size and location of such equipment is known, and any anticipated equipment or equipment locations not yet determined shall be described in the notes on the building elevations along with the estimated maximum dimensions of such equipment and the intended methods of screening.

1. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture and integral to the overall appearance of the building. An example includes a parapet wall that includes the same building materials as the lower levels of the building façade.
2. For purposes of this Article, the phrase “architectural treatment compatible with the building architecture” does not include painted or prefinished rooftop equipment.
3. For rooftop equipment not adequately screened by the parapet, a supplementary screen shall be provided by the use of prefinished architectural metal panels, stucco panels, masonry walls, or similar building materials.
4. The height of the screen shall be no lower than the height of the equipment.
5. Screening shall not interfere with Fire Department access to the roof.
6. In the event that any rooftop equipment has not yet been determined at the time of final development plan approval, or changes are made to rooftop equipment after the final development plan is approved, the applicant must provide suitable screening to meet the above criteria, subject to review and approval by the Zoning Administrator.

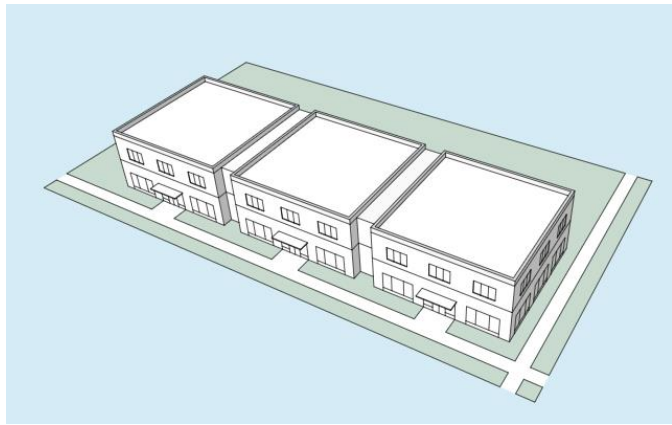
Ground or Building Mounted Equipment - Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities’ meter banks and coolers shall be screened from public view with three (3) sided landscaping or with an architectural treatment compatible with the building architecture. Utility structures shall be located on the interior façade of the building, away from arterial or collector streets, and when possible, recessed into the wall of the structure. Utility structures shall not be placed along collector or arterial streets except when approved by the City. Utility structures shall be located behind the sidewalk and are subject to approval by the City Engineer. When requested within public right-of-way a landscaping plan shall be required with the right-of-way permit. Landscaping selected for screening shall be provided for on three (3) sides of the structure and shield the structure from public view.

Horizontal and Vertical Articulation - All buildings must incorporate horizontal and vertical primary façade articulation to divide building mass into human scale modules.

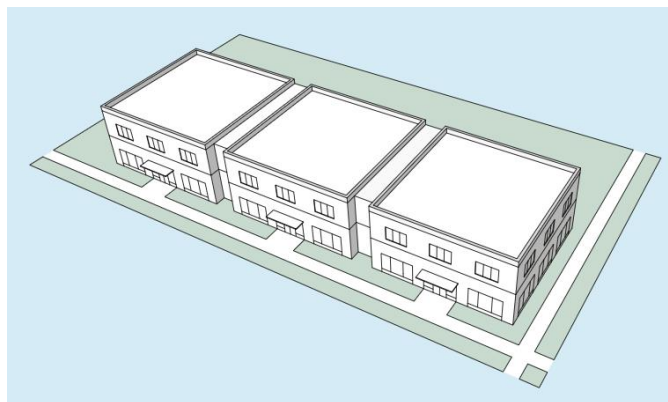
1. **Horizontal Articulation:** One or more of the following horizontal articulation tools must be used a minimum of every 50 feet of linear façade width:
 - a. *Wall offset* – a horizontal wall plane offset of at least 4 feet extending for the full height of the façade;



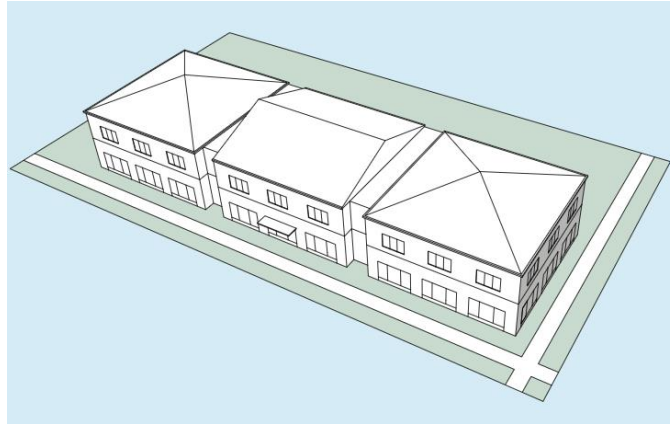
- b. Wall notch* – a setback or notch in the wall plane at least 4 feet deep and 8 feet wide for the full height of the façade



2. Vertical Articulation. One or more of the following vertical articulation tools must be used a minimum of every 50 feet of linear façade width:
 - a. *Variation in Height as viewed from the street* – A variation in building or parapet height of at least 2 feet (or 4 feet for buildings greater than two stories in height).



- b. *Variations in Roof Form* - Use of more than one roof form to express different building modules



Focal Point Elements - All buildings must incorporate focal point design elements to help define the character of the structure. Select one or more of the following focal point design elements:

1. *Tower or Raised Parapet Element* - Towers or raised roof parapets that produce variations in building height of at least 4 feet and project at least 1 foot from the front and rear of the primary façade plane.



2. *Cap Element* - A design element projecting above the roofline and incorporating clerestory windows or other transparent areas.



3. *Pitched Roof Elements* - A design element incorporating a pitched roof or gable roof end.



H. Site Plan Approval.

1. All development proposals in the C-1 General Commercial District shall be subject to approval of a site plan in accordance with Article 10.
2. If application is made for a building permit for a building or structure that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials that have been used previously on said building or is not of the quality acceptable to the Zoning Administrator, the plans for said building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

I. Parking and Loading. See Article 16 for *Parking and Loading Regulations*.

J. Signs. See Article 12 for *Sign Regulations*.

K. Landscaping. All land area subject to a Final Site Plan and issued a building permit, which is not paved or covered by buildings, shall be brought to finished grade and planted with turf, native grasses, or other appropriate ground covers. Trees, shrubs and other landscaping materials depicted on the approved Final Site Plan are considered site improvements in the same manner as parking, building materials and other details. If landscaping is not installed, maintained and replaced as needed to comply with the approved plan and/or building permit plans, the owner and its agent or agents are considered in violation of the terms of the certificate of occupancy and in violation of the Unified Development Code.

The following conditions apply to all landscaping within the C-1 General Commercial District:

1. Landscape design and species shall be used to create visual continuity throughout the development with landscape coordination occurring among all phases of the development area.
2. A variety of different species (including both deciduous and evergreen species) shall be incorporated into the site design to provide visual interest, as well as disease and pest resistance. At least one-third ($\frac{1}{3}$) of the plantings shall be evergreen species.

3. Plant materials shall be placed intermittently against long expanses of building walls, fences and other barriers to create a softening effect.
4. Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of a site.
5. Required landscape plantings shall be coordinated with the location of utilities, driveways and traffic sight distance triangle areas.
6. Trees shall not be placed within public utility easements, but within adjacent areas that do not conflict with such public easements and meet site landscaping requirements.
7. Planting design shall coordinate the locations of trees to allow access to utilities with minimal disruption to the trees and their supporting root systems, while avoiding increased service costs to the utilities.
8. The Zoning Administrator may approve exceptions to the location and spacing of trees to accommodate the location of public utilities.
9. Any area of a site not intended for a specific use, including a commercial pad site intended for future development, shall be seeded unless retained in its natural state. In all cases the site shall be maintained.
10. Vegetative stabilization and management techniques shall be used at a site after construction is completed. The applicant shall protect disturbed areas from any unnecessary run-on of stormwater from adjacent sites.
11. Selected species should be adaptable to the climate and growing conditions of northeastern Kansas and not an invasive species.
12. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut a residential property.
13. Prohibited plants include those that are invasive or potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations.
14. All buildings or additions shall provide a solid screen fence or wall at least six (6) feet in height adjacent to all rear yards abutting property zoned for residential purposes. The screening shall be placed so the required perimeter landscape area is located between the fence/wall and the development. The screening shall not be placed on property lines and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.
15. All buildings or additions shall provide landscape screening and/or berming adjacent to all side yards abutting property zoned for residential purposes. The landscaping shall be placed so that it is located between the property line and any parking or pavement areas. The screening shall not be placed on property lines and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.
16. Landscaping utilized as screening around ground or building mounted equipment are subject to planting specifications and maintenance requirements outlined in this section.

Minimum Plant Specifications - Required landscaping as outlined in this Article shall be installed at the minimum planting specifications listed as follows:

Category	Specifications
Deciduous shade trees	2½- to 3-inch caliper measured 6 inches above ground (the minimum size of newly installed street trees may be reduced to two (2) inch caliper)
Evergreen trees	6 to 8 feet in height
Small deciduous or ornamental trees	1- to 1½-inch caliper measured 6 inches above ground. For multi-trunk clusters (3 or more trunks) the smallest trunk shall be ¾ inch.
Deciduous and Evergreen Shrubs	24-inch-high plant size. Spacing from 3 to 5 feet apart depending upon species. Native plants should use the largest size available in the area. The seed stock for native plants shall be grown within a 200-mile radius of the job site.
Ground cover plants	Ground cover shall be planted in a number as appropriate by species to provide 50 percent surface coverage.

Landscape Buffers. Landscape buffering is required along all lot lines of abutting uses and varies depending upon adjacent zoning district. In addition to the below criteria, see table 4-7 Landscape Buffer Requirements in the C-1 – General Commercial District for minimum landscape buffer requirements.

1. The required perimeter landscape area shall be located outside of any required fenced area of the development between the fence and the street.
2. The buffer may be included in the required yard or building setback.
3. Parking is permitted within the building setback but not within the minimum width of the buffer.
4. The buffer requirements may be reduced where a buffer exists on an abutting property, and the net buffer satisfies the minimum buffer requirements of this section.
5. The applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.
6. A double row of evergreen trees may be substituted for a screening wall but may not be counted toward minimum requirements for trees, shrubs, and ornamental grasses.

Table 4-7 Landscape Buffer Requirements in the C-1 – General Commercial District

Adjacent Zoning	Minimum Buffer Width	Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Shrubs and Ornamental Grasses per 100 Linear Feet	Additional Features
A-G	10	1	1	1	20	None
R-1, R-2, R-3, MHP	Front – 10' Side – 10'	2	1	2	35	6' Berm

Adjacent Zoning	Minimum Buffer Width	Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Shrubs and Ornamental Grasses per 100 Linear Feet	Additional Features
	Rear – 10'					
C-D	N/A	N/A	N/A	N/A	N/A	None
C-O, C-1, C-2	Front – 10' Side – 10' Rear – 10'	1	1	1	20	None
C3,	10	3	3	3	35	
C4	Front – 10' Side – 10' Rear – N/A	2	3	2	35	None
B-P, L-P	25	4	2	3	40	9' Wall and Berm Combination
IG, IH	40	5	4	5	50	11' Wall and Berm Combination

Building Façade/Foundation Landscaping - Landscaping and planting areas provide a buffer between the parking lot or drives and building walls or pedestrian circulation. Landscape areas may be placed adjacent to the building wall or adjacent to the curb to coordinate with building overhangs and canopies, if any.

1. Building landscaping is encouraged to include a variety of shrubs, ornamental trees and/or shade trees. Any trees used should accommodate pedestrian circulation.
2. Along any building façade or foundation that fronts upon a public right-of-way or a parking lot provided for the building, landscape areas shall be provided equivalent to a minimum of twenty-five (25) percent of each building façade or foundation. The landscape area may be a continuous area or comprised of several areas. Applicant shall provide calculations to show coverage area.
3. Building façades along service areas are excluded, unless the service area fronts upon a public right-of-way or common access drive.
4. Landscape areas may be placed adjacent to the building wall or adjacent to the curb, with walkways, overhangs or canopies between the landscape area and building wall. Landscape areas shall generally not be placed under overhangs and canopies.
5. Each landscape area shall be planted with shrubs capable of reaching three (3) feet in height above the adjacent parking area or drive, covering a minimum of seventy-five (75) percent of the length of the landscape area.
6. A mixture of evergreen and deciduous shrubs shall be used to maintain seasonal interest.
7. Ornamental trees (where appropriate), or shade trees should be included in the landscape design to further buffer the building façade from the drives and parking lot areas. In areas where pedestrian circulation is anticipated, trees with a branching habit conducive to walking under shall be used. For example, Pin Oaks are not acceptable due to their descending branching habit.
8. Appropriate plant species should be installed so that mature tree limbs can be maintained at a minimum eight (8) foot clearance from ground level and so that

- shrubs do not exceed two and one-half (2½) feet in height for areas where it is important to maintain visibility for security and safety purposes.
9. Berms may be incorporated in the landscape areas if positive drainage from the building is provided.
 10. Planting areas shall have a minimum width of either six (6) feet or the equivalent of twenty (20) percent of the building façade height as measured from the ground elevation to the top of the wall or parapet, whichever is greater. Applicant shall provide calculations.
 11. Building façade and foundation landscape areas shall be irrigated.

Parking Islands - Parking islands shall include landscaping which at a minimum includes 1 (one) deciduous tree and 3 (three) shrubs. Parking island landscaping shall have the same maintenance requirements as all other landscape areas.

Turf - Turf shall be used when necessary to provide coverage and soil stabilization. Seeding may be approved in lieu of turf at the time of Final Site Plan approval by the Planning Commission.

Native Vegetation, Drought Resistance/Xeriscape and Irrigation - Native vegetation and drought resistant plant material shall be used wherever possible. If native vegetation or drought resistant plant materials are not used then an irrigation system shall be installed to provide water during a three (3) year establishment period.

Maintenance - The developer, its successor and/or subsequent owners and their agents shall maintain landscaping on the property on a continuing basis for the life of the development.

1. Plant materials which exhibit evidence of insect pests, disease and/or damage shall be appropriately treated. Dead plants shall be promptly removed and replaced.
2. All landscaping is subject to periodic inspection by the Zoning Administrator or designee. The property owner shall maintain landscape areas in good condition and in a way that presents a healthy, neat and orderly appearance. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, in accordance with acceptable horticultural practices.
3. The City may require the removal of any dead or diseased trees, plants and shrubs on private property within the City, when those trees, plants and shrubs constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees, plants or shrubs within the City. If the Zoning Administrator determines that removal of any diseased tree, plant or shrub is necessary, the property owner shall receive written notice of the required maintenance or removal.

4.3 C-2, Heavy Service Commercial

A. Purpose. The C-2 district is composed of certain uses that require extensive lot frontages, large scale multi-tenant retail centers, promote heavy traffic generation, and potentially with extended hours of operation. Operations must be wholly contained within the building except where permitted in the District Regulations.

B. Use Restrictions. In district C-2, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed,

reconstructed, moved, or altered, except for those listed as permitted or conditional uses as noted in sections C and D following.

C. Permitted Uses.

1. All uses permitted by right or condition in the C-1 District.
2. Automotive service/maintenance centers, all operations fully contained.
3. Car/Truck wash, fully enclosed.
4. Discount Department Store, indoor operations only.
5. Fuel Stations with fully enclosed car/truck wash operations.
6. Grocery stores.
7. Motels/hotels with meeting facilities.
8. Truck stops/travel plazas.
9. Vehicle showroom, indoor display only.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a conditional use permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Adult entertainment – sexually oriented businesses.
2. Pole Sign subject to conditions set out in Article 12 Section 12.9.
3. Wireless facilities.
4. Wireless support structures.

E. Setback, Yard and Area Regulations

Table 4-8 - Setbacks, Yards, and Area for C-2 Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
A twenty-five (25) foot front yard setback shall be required.	<p>No side yard is required except:</p> <ul style="list-style-type: none"> - When a side lot line abuts a residential property, a twenty (20) foot side yard setback is required. - In areas where there are no adjacent commercial uses, all commercial buildings must maintain a 16' wall-to-wall separation. - When located on a corner lot, a fifteen (15) foot side yard setback is required on the side street 	<p>All buildings in the C-2 district must maintain a twenty-five (25) foot rear yard setback from the building wall and/or mechanical equipment used to service the premise.</p> <p>No building shall be placed closer than three (3 feet) to a dedicated utility, service, or travel easement.</p>	No building in the C-2 district shall be constructed to a height greater than three (3) stories.

F. District Regulations.

1. No merchandise or equipment shall be stored or displayed outside a building. However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.
2. A Seasonal Outdoor Storage Permit may be issued annually to businesses who wish to conduct onsite seasonal sales of landscaping equipment and supplies, and seasonal materials. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit

application which includes, but is not limited to, parking regulations, time parameters (hours of operation and duration of display), signage, pedestrian traffic flow, lighting requirements, security, maintenance of merchandise and fencing. Seasonal Outdoor Storage areas must be indicated on Site Plan. See Article 10 for further information.

3. All building composed of stone, brick, wood, custom siding, tile or a combination of these materials.
4. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut residential property.
5. Building tones and color shall be in keeping with the general appearance of the adjacent properties.

G. Design Guidelines.

Building Materials - Building material standards are required to ensure appropriate quality and visually appealing building design. Permitted high quality building materials for the primary (front) and secondary (sides and rear) building façades shall be selected from **Table 4-9** below according to the percentage specified for each façade and material type. Applicant must provide percentage calculations for each material type.

Fuel Stations, Convenience Stores and/or Drive-Throughs have additional Design Guidelines. See section entitled “*Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C1, C2, and C3 only)*” at the end of this Article.

Table 4-9 – C-2 District Permitted Building Materials by Materials Category

	Materials Category 1 Primary - 70% (must include 20% transparent glass) Secondary - 60%	Materials Category 2 Primary - 30% Secondary - 40%
Masonry		
Brick, solid	✓	✓
Brick, modular	✓	✓
Brick, panel/veneer		✓
Stone, modular	✓	✓
Stone, veneer	✓	✓
Stone, synthetic	✓	✓
Stucco, genuine, detailed	✓	✓
Stucco, synthetic/panels		✓

	Materials Category 1 Primary - 70% (must include 20% transparent glass) Secondary - 60%	Materials Category 2 Primary - 30% Secondary - 40%
Concrete, plain finish		✓
Concrete, detailed	✓	✓
Concrete Masonry Unit, split faced		✓
Concrete Masonry Unit, burnished	✓	✓
Cement fiber board		✓
Glass & Tile		
Clear Glass	✓	✓
Architectural panels	✓	✓
Architectural block		✓
Mirror glass	✓	✓
Opaque glass	✓	✓
Tile	✓	✓
Wood		
Other Synthetics		
Synthetic stucco EIFS (detail only)		✓

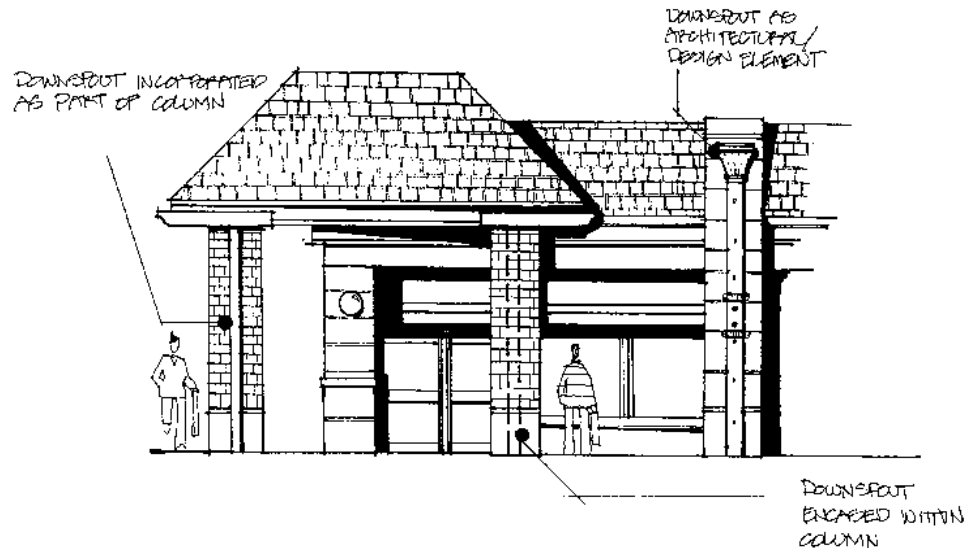
Awnings – If awnings are used as a design element, see *Awnings* section at the end of this Article related to awning design guidelines.

Roofing - Mansard and other visibly sloped roofs for commercial or mixed uses shall consist of tile, slate, standing seam metal, or textured metal that resembles asphalt or tile. Metal, asphalt or composition shingle, or other materials with a synthetic or plastic appearance are not allowed.

Gutters and Downspouts

1. The location and design of exposed gutters and downspouts shall be identified on building elevations submitted for approval.
2. Exposed gutters and downspouts that are located on the primary façades of nonresidential structures shall meet the following criteria:

- a. Downspouts are to be incorporated as part of a column, an architectural design element or encased within a column.
- b. Exposed downspouts must be designed by the architect as decorative architectural elements that are an integral component of the building design and coordinated with vertical elements such as towers, columns, or pilasters; or located only at interior corners of the building and painted to match or coordinate with the façade in order to minimize their appearance.
- c. Exposed gutters and downspouts shall be constructed of high-quality, commercial-grade metal.
- d. Exposed gutters are prohibited for use with flat roofs.



Rooftop Screening. All applications for preliminary or final development plan approval shall include information regarding anticipated rooftop equipment, including mechanical units, vents, pipes, and other appurtenances. Such equipment shall be indicated on building elevations where the size and location of such equipment is known, and any anticipated equipment or equipment locations not yet determined shall be described in the notes on the building elevations along with the estimated maximum dimensions of such equipment and the intended methods of screening.

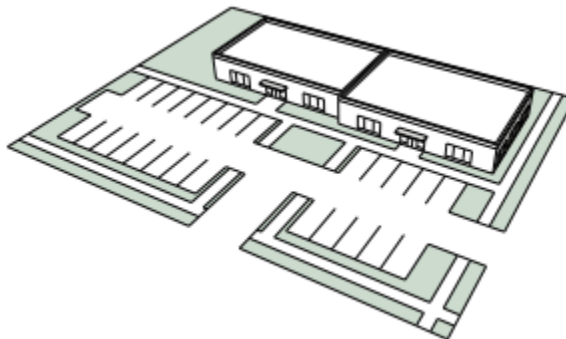
1. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture and integral to the overall appearance of the building. An example includes a parapet wall that includes the same building materials as the lower levels of the building façade.
2. For purposes of this Article, the phrase “architectural treatment compatible with the building architecture” does not include painted or prefinished rooftop equipment.
3. For rooftop equipment not adequately screened by the parapet, a supplementary screen shall be provided by the use of prefinished architectural metal panels, stucco panels, masonry walls, or similar building materials.
4. The height of the screen shall be no lower than the height of the equipment.
5. Screening shall not interfere with Fire Department access to the roof.
6. In the event that any rooftop equipment has not yet been determined at the time of final development plan approval, or changes are made to rooftop equipment after the final development plan is approved, the applicant must

provide suitable screening to meet the above criteria, subject to review and approval by the Zoning Administrator.

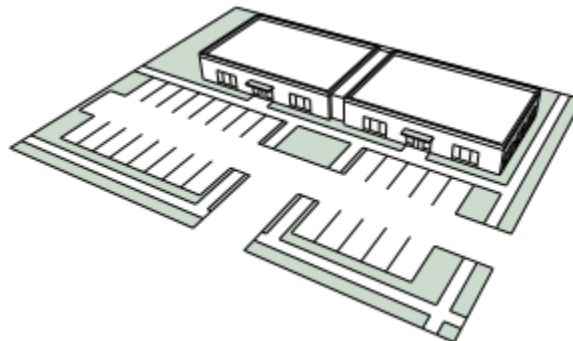
Ground or Building Mounted Equipment. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities' meter banks and coolers shall be screened from public view with three (3) sided landscaping or with an architectural treatment compatible with the building architecture. Utility structures shall be located on the interior façade of the building, away from arterial or collector streets, and when possible, recessed into the wall of the structure. Utility structures shall not be placed along collector or arterial streets except when approved by the City. Utility structures shall be located behind the sidewalk and are subject to approval by the City Engineer. When requested within public right-of-way a landscaping plan shall be required with the right-of-way permit. Landscaping selected for screening shall be provided for on three (3) sides of the structure and shield the structure from public view.

Horizontal and Vertical Articulation. All buildings must incorporate horizontal and vertical primary façade articulation to divide building mass into human scale modules.

1. **Horizontal Articulation:** One or more of the following horizontal articulation tools must be used a minimum of every 75 feet of linear façade width:
 - a. *Wall offset* – a horizontal wall plane offset of at least 4 feet extending for the full height of the façade;

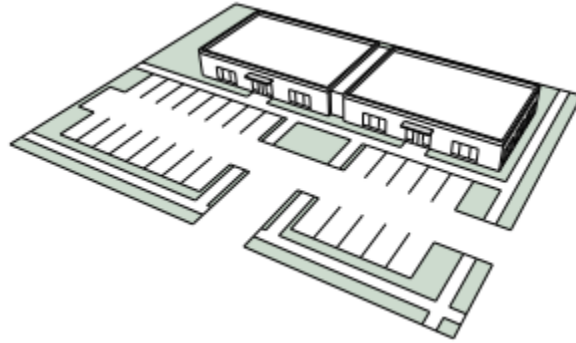


- b. *Wall notch* – a setback or notch in the wall plane at least 4 feet deep and 8 feet wide for the full height of the façade.

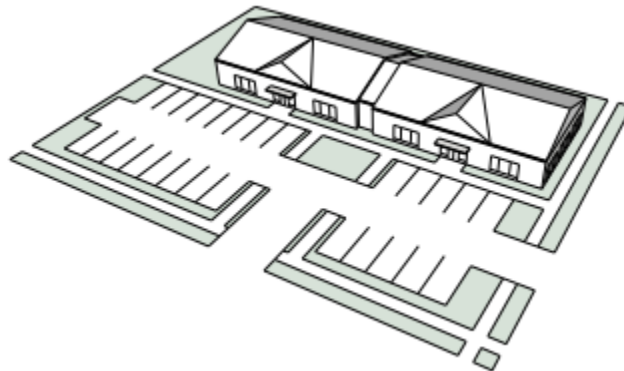


2. **Vertical Articulation.** One or more of the following vertical articulation tools must be used a minimum of every 75 feet of linear façade width:

a. *Variation in Height as viewed from the street* – A variation in building or parapet height of at least 2 feet (or 4 feet for buildings greater than two stories in height).

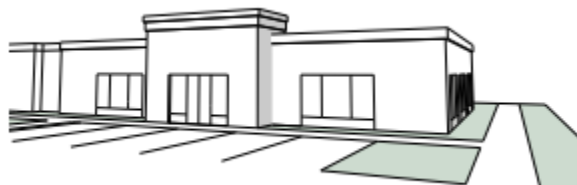


b. *Variations in Roof Form* - Use of more than one roof form to express different building modules



Focal Point Elements. All buildings must incorporate focal point design elements to help define the character of the structure. Select one or more of the following focal point design elements:

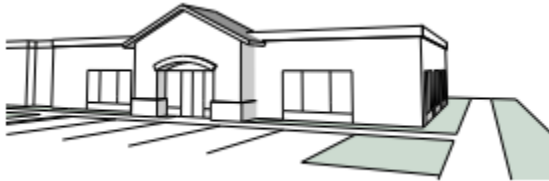
1. *Tower or Raised Parapet Element* - Towers or raised roof parapets that produce variations in building height of at least 4 feet and project at least 1 foot from the front and rear of the primary façade plane.



2. *Cap Element* - A design element projecting above the roofline and incorporating clerestory windows or other transparent areas.



3. *Pitched Roof Elements* - A design element incorporating a pitched roof or gable roof end.



H. Site Plan Approval.

1. All development proposals in the C-2 Heavy Service Commercial District shall be subject to approval of a site plan in accordance with Article 10.
2. If application is made for a building permit for a building or structure, that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials that have been used previously on said building or is not of the quality acceptable by the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

I. Parking and Loading. See Article 16 for *Parking and Loading Regulations*.

J. Signs. See Article 12 for *Sign Regulations*.

L. Landscaping. All land area subject to a Final Site Plan and issued a building permit, which is not paved or covered by buildings, shall be brought to finished grade and planted with turf, native grasses, or other appropriate ground covers. Trees, shrubs and other landscaping materials depicted on the approved Final Site Plan are considered site improvements in the same manner as parking, building materials and other details. If landscaping is not installed, maintained and replaced as needed to comply with the approved plan and/or building permit plans, the owner and its agent or agents are considered in violation of the terms of the certificate of occupancy and in violation of the Unified Development Code.

The following conditions apply to all landscaping within the C-2 Heavy Service Commercial District:

1. Landscape design and species shall be used to create visual continuity throughout the development with landscape coordination occurring among all phases of the development area.

2. A variety of different species (including both deciduous and evergreen species) shall be incorporated into the site design to provide visual interest, as well as disease and pest resistance. At least one-third ($\frac{1}{3}$) of the plantings shall be evergreen species.
3. Plant materials shall be placed intermittently against long expanses of building walls, fences and other barriers to create a softening effect.
4. Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of a site.
5. Required landscape plantings shall be coordinated with the location of utilities, driveways and traffic sight distance triangle areas.
6. Trees shall not be placed within public utility easements, but within adjacent areas that do not conflict with such public easements and meet site landscaping requirements.
7. Planting design shall coordinate the locations of trees to allow access to utilities with minimal disruption to the trees and their supporting root systems, while avoiding increased service costs to the utilities.
8. The Zoning Administrator may approve exceptions to the location and spacing of trees to accommodate the location of public utilities.
9. Any area of a site not intended for a specific use, including a commercial pad site intended for future development, shall be seeded unless retained in its natural state. In all cases the site shall be maintained.
10. Vegetative stabilization and management techniques shall be used at a site after construction is completed. The applicant shall protect disturbed areas from any unnecessary run-on of stormwater from adjacent sites.
11. Selected species should be adaptable to the climate and growing conditions of northeastern Kansas and not an invasive species.
12. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut a residential property.
13. Prohibited plants include those that are invasive or potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations.
14. All buildings or additions shall provide a solid screen fence or wall at least six (6) feet in height adjacent to all rear yards abutting property zoned for residential purposes. The screening shall be placed so the required perimeter landscape area is located between the fence/wall and the development. The screening shall not be placed on property lines and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.
15. All buildings or additions shall provide landscape screening and/or berming adjacent to all side yards abutting property zoned for residential purposes. The landscaping shall be placed so that it is located between the property line and any parking or pavement areas. The screening shall not be placed on property lines and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.
16. Landscaping utilized as screening around ground or building mounted equipment are subject to planting specifications and maintenance requirements outlined in this section.

Minimum Plant Specifications - Required landscaping as outlined in this Article shall be installed at the minimum planting specifications listed as follows:

Category	Specifications
Deciduous shade trees	2½- to 3-inch caliper measured 6 inches above ground (the minimum size of newly installed street trees may be reduced to two (2) inch caliper)
Evergreen trees	6 to 8 feet in height
Small deciduous or ornamental trees	1- to 1½-inch caliper measured 6 inches above ground. For multi-trunk clusters (3 or more trunks) the smallest trunk shall be ¾ inch.
Deciduous and Evergreen Shrubs	24-inch-high plant size. Spacing from 3 to 5 feet apart depending upon species. Native plants should use the largest size available in the area. The seed stock for native plants shall be grown within a 200-mile radius of the job site.
Ground cover plants	Ground cover shall be planted in a number as appropriate by species to provide 50 percent surface coverage.

Landscape Buffers. Landscape buffering is required along all lot lines of abutting uses and varies depending upon adjacent zoning district. In addition to the below criteria, see table 4-7 Landscape Buffer Requirements in the C2 – Heavy Service Commercial District for minimum landscape buffer requirements.

1. The required perimeter landscape area shall be located outside of any required fenced area of the development between the fence and the street.
2. The buffer may be included in the required yard or building setback.
3. Parking is permitted within the building setback but not within the minimum width of the buffer.
4. The buffer requirements may be reduced where a buffer exists on an abutting property, and the net buffer satisfies the minimum buffer requirements of this section.
5. The applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.
6. A double row of evergreen trees may be substituted for a screening wall but may not be counted toward minimum requirements for trees, shrubs, and ornamental grasses.

Table 4-10 Landscape Buffer Requirements in the C-2 – Heavy Service Commercial District

Adjacent Zoning	Minimum Buffer Width	Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Shrubs and Ornamental Grasses per 100 Linear Feet	Additional Features
A-G	10	1	1	1	20	None
R-1, R-2, R-3, MHP	Front – 10' Side – 10'	2	1	2	35	6' Berm

Adjacent Zoning	Minimum Buffer Width	Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Shrubs and Ornamental Grasses per 100 Linear Feet	Additional Features
	Rear – 10'					
C-D	N/A	N/A	N/A	N/A	N/A	None
C-O, C-1, C-2	Front – 10' Side – 10' Rear – 10'	1	1	1	20	None
C3,	10	3	3	3	35	
C4	Front – 10' Side – 10' Rear – N/A	2	3	2	35	None
B-P, L-P	25	4	2	3	40	9' Wall and Berm Combination
IG, IH	40	5	4	5	50	11' Wall and Berm Combination

Building Façade/Foundation Landscaping - Landscaping and planting areas provide a buffer between the parking lot or drives and building walls or pedestrian circulation. Landscape areas may be placed adjacent to the building wall or adjacent to the curb to coordinate with building overhangs and canopies, if any.

1. Building landscaping is encouraged to include a variety of shrubs, ornamental trees and/or shade trees. Any trees used should accommodate pedestrian circulation.
2. Along any building façade or foundation that fronts upon a public right-of-way or a parking lot provided for the building, landscape areas shall be provided equivalent to a minimum of twenty-five (25) percent of each building façade or foundation. The landscape area may be a continuous area or comprised of several areas. Applicant shall provide calculations to show coverage area.
3. Building façades along service areas are excluded, unless the service area fronts upon a public right-of-way or common access drive.
4. Landscape areas may be placed adjacent to the building wall or adjacent to the curb, with walkways, overhangs or canopies between the landscape area and building wall. Landscape areas shall generally not be placed under overhangs and canopies.
5. Each landscape area shall be planted with shrubs capable of reaching three (3) feet in height above the adjacent parking area or drive, covering a minimum of seventy-five (75) percent of the length of the landscape area.
6. A mixture of evergreen and deciduous shrubs shall be used to maintain seasonal interest.
7. Ornamental trees (where appropriate), or shade trees should be included in the landscape design to further buffer the building façade from the drives and parking lot areas. In areas where pedestrian circulation is anticipated, trees with a branching habit conducive to walking under shall be used. For example, Pin Oaks are not acceptable due to their descending branching habit.
8. Appropriate plant species should be installed so that mature tree limbs can be maintained at a minimum eight (8) foot clearance from ground level and so that

- shrubs do not exceed two and one-half (2½) feet in height for areas where it is important to maintain visibility for security and safety purposes.
9. Berms may be incorporated in the landscape areas if positive drainage from the building is provided.
 10. Planting areas shall have a minimum width of either six (6) feet or the equivalent of twenty (20) percent of the building façade height as measured from the ground elevation to the top of the wall or parapet, whichever is greater. Applicant shall provide calculations.
 11. Building façade and foundation landscape areas shall be irrigated.

Parking Islands - Parking islands shall include landscaping which at a minimum includes 1 (one) deciduous tree and 3 (three) shrubs. Parking island landscaping shall have the same maintenance requirements as all other landscape areas.

Turf - Turf shall be used when necessary to provide coverage and soil stabilization. Seeding may be approved in lieu of turf at the time of Final Site Plan approval by the Planning Commission.

Native Vegetation, Drought Resistance/Xeriscape and Irrigation - Native vegetation and drought resistant plant material shall be used wherever possible. If native vegetation or drought resistant plant materials are used then an irrigation system shall be installed to provide water during a three (3) year establishment period.

Maintenance - The developer, its successor and/or subsequent owners and their agents shall maintain landscaping on the property on a continuing basis for the life of the development.

1. Plant materials which exhibit evidence of insect pests, disease and/or damage shall be appropriately treated. Dead plants shall be promptly removed and replaced.
2. All landscaping is subject to periodic inspection by the Zoning Administrator or designee. The property owner shall maintain landscape areas in good condition and in a way that presents a healthy, neat and orderly appearance. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, in accordance with acceptable horticultural practices.
3. The City may require the removal of any dead or diseased trees, plants and shrubs on private property within the City, when those trees, plants and shrubs constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees, plants or shrubs within the City. If the Zoning Administrator determines that removal of any diseased tree, plant or shrub is necessary, the property owner shall receive written notice of the required maintenance or removal.

4.4 C-3, Highway Service Commercial

- A. Purpose.** This district is designed to provide commercial locations for uses which serve as a convenience to the travelling public, require a large lot, or require a location on a highway or arterial street in order to have an efficient operation. It is further intended that each use be of a single-purpose character and not be of a nature in which people walk from store to store as in a nucleated or strip center.

B. Use Restrictions. In District C-3, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted or conditional uses as noted in sections C and D following.

C. Permitted Uses.

1. Agricultural implement sales, rental and service; new and used.
2. Bus passenger station.
3. Car/Truck Wash with self-service stations.
4. Commercial truck sales and service, new and used.
5. Construction and farm equipment sales, rental and service; new and used.
6. Discount department store.
7. Farm & home stores.
8. Garden center.
9. Home improvement center.
10. Lumber yards.
11. Manufactured home sales.
12. Motor vehicle sales, rental and service; new and used; includes body shops.
13. Trailer sales, rental and service; new and used.
14. Any commercial use that is similar to those uses listed, meets the intent and purpose of this district and is keeping with the general character of the district.

D. Uses Permitted by Condition (Conditional Uses). The following uses may be permitted with a Conditional Use Permit obtained pursuant to the provisions of Article 7 of the Unified Development Code.

1. Wireless facilities.
2. Wireless support structures.
3. Campgrounds
4. Outdoor amusement establishments such as miniature golf, driving ranges, pitch and put courses amusement parks and other similar establishments.
5. Pole signs subject to the conditions set out in Article 12 Section 12.9
6. Motor vehicle repair, general.
7. Outdoor display and sales of merchandise and equipment.

E. Setback, Yard and Area Regulations

Table 4-11 - Setbacks, Yards, and Area for C-3 Zoning District			
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
A twenty-five (25) foot front yard setback is required.	No side yard is required, except: - When a side lot line abuts a residential property, a twenty (20) foot side yard setback is required; -On a corner lot, a side yard setback of 15 feet is required adjacent to the side street.	All buildings in the C-3 district must maintain a twenty-five (25) foot rear yard setback from the building wall and/or mechanical equipment used to service the premise. No building shall be placed closer than three (3 feet) to a dedicated utility, service, or travel easement.	No building in the C-3 district shall be constructed to a height greater than thirty-five (35) feet.

F. District Regulations.

1. No merchandise or equipment shall be stored or displayed outside a building. However, the Zoning Administrator may issue a Temporary Sales Permit for outdoor displays and sales of merchandise up to four times a year with a limit of seven days per each sales permit issuance. Permit periods may run in succession.
2. A Seasonal Outdoor Storage Permit may be issued annually to businesses who wish to conduct onsite seasonal sales of landscaping equipment and supplies, and seasonal materials. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking regulations, time parameters (hours of operation and duration of display), signage, pedestrian traffic flow, lighting requirements, security, maintenance of merchandise and fencing. Seasonal Outdoor Storage areas must be indicated on Site Plan. See Article 10 for further information.
3. Permanent outdoor storage areas, attached to the main structure and enclosed with screening or fencing, may be allowed if the enclosure meets aesthetic guidelines. Permanent outdoor storage areas must be indicated on the Site Plan. See Article 10 for further information.
4. All building elevations shall be composed of stone, brick, wood, custom siding, tile or a combination of these materials.
5. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut an area zoned or planned for residential zoning and public right of way.
6. Building tones and color shall be in keeping with the general appearance of the adjacent properties.

G. Design Guidelines

Building Materials - Building material standards are required to ensure appropriate quality and visually appealing building design. Permitted high quality building materials for the primary (front) and secondary (sides and rear) building façades shall be selected from **Table 4-12** below according to the percentage specified for each façade and material type. Applicant must provide percentage calculations for each material type.

Fuel Stations, Convenience Stores and/or Drive-Throughs have additional Design Guidelines. See section entitled “*Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C1, C2, and C3 only)*” at the end of this Article.

Table 4-12 – C-3 District Permitted Building Materials by Materials Category

	Materials Category 1 Primary - 70% (must include 20% transparent glass) Secondary - 60%	Materials Category 2 Primary - 30% Secondary - 40%
Masonry		
Brick, solid	✓	✓
Brick, modular	✓	✓
Brick, panel/veneer		✓
Stone, modular	✓	✓
Stone, veneer	✓	✓
Stone, synthetic	✓	✓
Stucco, genuine, detailed	✓	✓
Stucco, synthetic/panels		✓
Concrete, plain finish		✓
Concrete, detailed	✓	✓
Concrete Masonry Unit, split faced		✓
Concrete Masonry Unit, burnished	✓	✓
Cement fiber board		✓

	Materials Category 1 Primary - 70% (must include 20% transparent glass) Secondary - 60%	Materials Category 2 Primary - 30% Secondary - 40%
Glass		
Clear Glass	✓	✓
Architectural panels	✓	✓
Architectural block		✓
Mirror glass	✓	✓
Opaque glass	✓	✓
Wood		✓
Other Synthetics		
Synthetic stucco EIFS (detail only)		✓

Awnings – If awnings are used as a design element, see *Awnings* section at the end of this Article related to awning design guidelines.

Roofing - Mansard and other visibly sloped roofs for commercial or mixed uses shall consist of tile, slate, standing seam metal, or textured metal that resembles asphalt or tile. Metal, asphalt or composition shingle, or other materials with a synthetic or plastic appearance are not allowed.

Gutters and Downspouts

1. The location and design of exposed gutters and downspouts shall be identified on building elevations submitted for approval.
2. Exposed gutters and downspouts that are located on the primary façades of nonresidential structures shall meet the following criteria:
 - a. Downspouts are to be incorporated as part of a column, an architectural design element or encased within a column.
 - b. Exposed downspouts must be designed by the architect as decorative architectural elements that are an integral component of the building design and coordinated with vertical elements such as towers, columns, or pilasters; or located only at interior corners of the building and painted to match or coordinate with the façade in order to minimize their appearance.
 - c. Exposed gutters and downspouts shall be constructed of high-quality, commercial-grade metal.
 - d. Exposed gutters are prohibited for use with flat roofs.



Rooftop Screening. All applications for preliminary or final development plan approval shall include information regarding anticipated rooftop equipment, including mechanical units, vents, pipes, and other appurtenances. Such equipment shall be indicated on building elevations where the size and location of such equipment is known, and any anticipated equipment or equipment locations not yet determined shall be described in the notes on the building elevations along with the estimated maximum dimensions of such equipment and the intended methods of screening.

1. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture and integral to the overall appearance of the building. An example includes a parapet wall that includes the same building materials as the lower levels of the building façade.
2. For purposes of this Article, the phrase “architectural treatment compatible with the building architecture” does not include painted or prefinished rooftop equipment.
3. For rooftop equipment not adequately screened by the parapet, a supplementary screen shall be provided by the use of prefinished architectural metal panels, stucco panels, masonry walls, or similar building materials.
4. The height of the screen shall be no lower than the height of the equipment.
5. Screening shall not interfere with Fire Department access to the roof.
6. In the event that any rooftop equipment has not yet been determined at the time of final development plan approval, or changes are made to rooftop equipment after the final development plan is approved, the applicant must provide suitable screening to meet the above criteria, subject to review and approval by the Zoning Administrator.

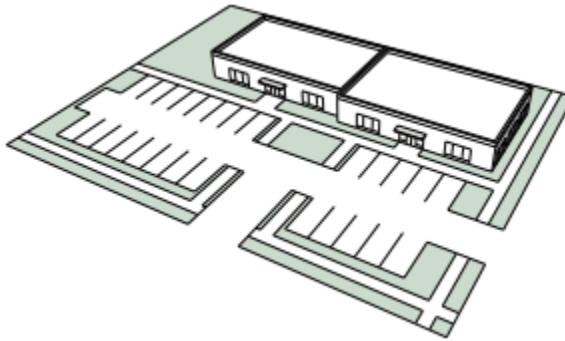
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sidewalk and are subject to approval by the City Engineer. When requested within public right-of-way a landscaping plan shall be required with the right-of-way permit. Landscaping selected for screening shall be provided for on three (3) sides of the structure and shield the structure from public view.

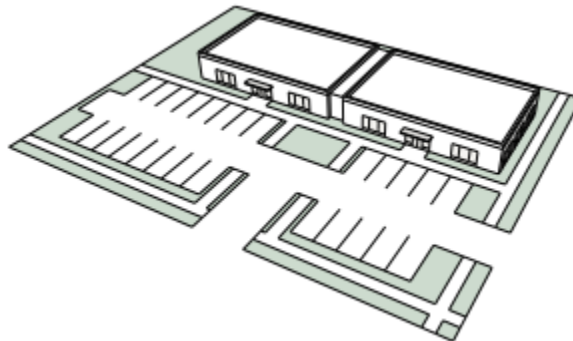
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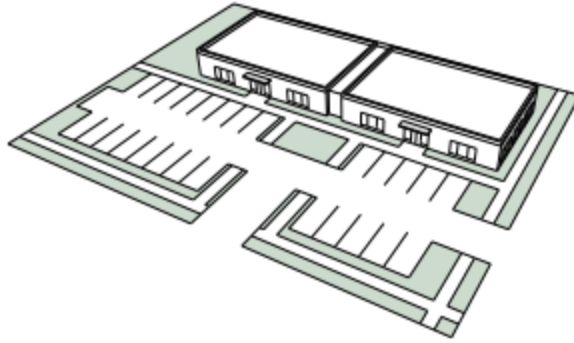


- b. *Wall notch* – a setback or notch in the wall plane at least 4 feet deep and 8 feet wide for the full height of the façade.

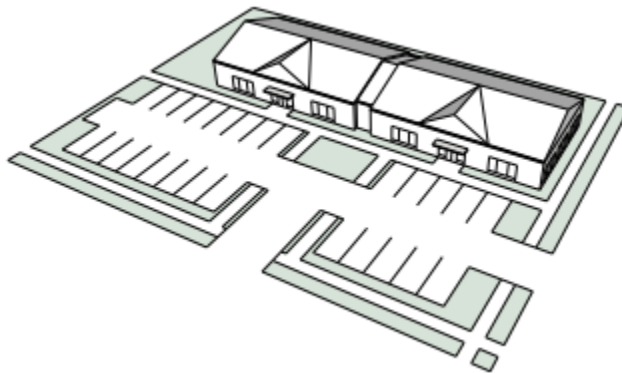


2. **Vertical Articulation.** One or more of the following vertical articulation tools must be used a minimum of every 75 feet of linear façade width:

- a. *Variation in Height as viewed from the street* – A variation in building or parapet height of at least 2 feet (or 4 feet for buildings greater than two stories in height).

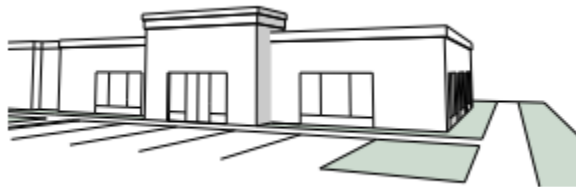


- b. *Variations in Roof Form* - Use of more than one roof form to express different building modules

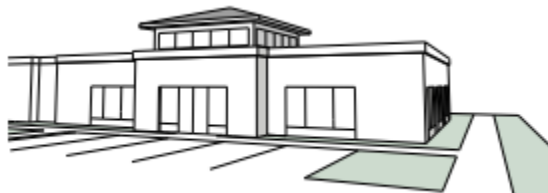


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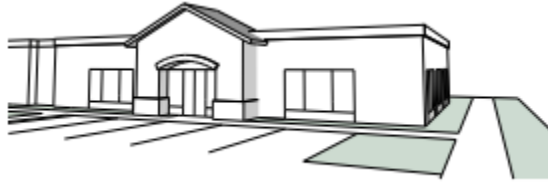
1. *Tower or Raised Parapet Element* - Towers or raised roof parapets that produce variations in building height of at least 4 feet and project at least 1 foot from the front and rear of the primary façade plane.



2. *Cap Element* - A design element projecting above the roofline and incorporating clerestory windows or other transparent areas.



3. *Pitched Roof Elements* - A design element incorporating a pitched roof or gable roof end.



H. Site Plan Approval.

1. See Article 10 for site plan approval requirements.
2. If application is made for a building permit for a building or structure that does not require site plan approval and whose architectural style or exterior materials in the opinion of the Zoning Administrator varies substantially from such style and materials which have been used previously on said building or is not of the quality desired by the Zoning Administrator, the plans for such building or structure shall be submitted to the Planning Commission for site plan approval in accordance with Article 10.

I. Parking and Loading. See Article 16 for *Parking and Loading Regulations*.

J. Signs. See article 12 for *Sign Regulations*.

K. Landscaping. All land area subject to a Final Site Plan and issued a building permit, which is not paved or covered by buildings, shall be brought to finished grade and planted with turf, native grasses, or other appropriate ground covers. Trees, shrubs and other landscaping materials depicted on the approved Final Site Plan are considered site improvements in the same manner as parking, building materials and other details. If landscaping is not installed, maintained and replaced as needed to comply with the approved plan and/or building permit plans, the owner and its agent or agents are considered in violation of the terms of the certificate of occupancy and in violation of the Unified Development Code.

The following conditions apply to all landscaping within the C-3 Highway Service Commercial District:

1. Landscape design and species shall be used to create visual continuity throughout the development with landscape coordination occurring among all phases of the development area.
2. A variety of different species (including both deciduous and evergreen species) shall be incorporated into the site design to provide visual interest, as well as disease and pest resistance. At least one-third ($\frac{1}{3}$) of the plantings shall be evergreen species.
3. Plant materials shall be placed intermittently against long expanses of building walls, fences and other barriers to create a softening effect.
4. Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of a site.

5. Required landscape plantings shall be coordinated with the location of utilities, driveways and traffic sight distance triangle areas.
6. Trees shall not be placed within public utility easements, but within adjacent areas that do not conflict with such public easements and meet site landscaping requirements.
7. Planting design shall coordinate the locations of trees to allow access to utilities with minimal disruption to the trees and their supporting root systems, while avoiding increased service costs to the utilities.
8. The Zoning Administrator may approve exceptions to the location and spacing of trees to accommodate the location of public utilities.
9. Any area of a site not intended for a specific use, including a commercial pad site intended for future development, shall be seeded unless retained in its natural state. In all cases the site shall be maintained.
10. Vegetative stabilization and management techniques shall be used at a site after construction is completed. The applicant shall protect disturbed areas from any unnecessary run-on of stormwater from adjacent sites.
11. Selected species should be adaptable to the climate and growing conditions of northeastern Kansas and not an invasive species.
12. Landscaping materials, open space buffering, and/or screening materials are required for all buildings that abut a residential property.
13. Prohibited plants include those that are invasive or potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations.
14. All buildings or additions shall provide a solid screen fence or wall at least six (6) feet in height adjacent to all rear yards abutting property zoned for residential purposes. The screening shall be placed so the required perimeter landscape area is located between the fence/wall and the development. The screening shall not be placed on property lines and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.
15. All buildings or additions shall provide landscape screening and/or berming adjacent to all side yards abutting property zoned for residential purposes. The landscaping shall be placed so that it is located between the property line and any parking or pavement areas. The screening shall not be placed on property lines and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.
16. Landscaping utilized as screening around ground or building mounted equipment are subject to planting specifications and maintenance requirements outlined in this section.

Minimum Plant Specifications - Required landscaping as outlined in this Article shall be installed at the minimum planting specifications listed as follows:

Category	Specifications
Deciduous shade trees	2½- to 3-inch caliper measured 6 inches above ground (the minimum size of newly installed street trees may be reduced to two (2) inch caliper)
Evergreen trees	6 to 8 feet in height

Category Specifications

Small deciduous or ornamental trees	1- to 1½-inch caliper measured 6 inches above ground. For multi-trunk clusters (3 or more trunks) the smallest trunk shall be ¾ inch.
Deciduous and Evergreen Shrubs	24-inch-high plant size. Spacing from 3 to 5 feet apart depending upon species. Native plants should use the largest size available in the area. The seed stock for native plants shall be grown within a 200-mile radius of the job site.
Ground cover plants	Ground cover shall be planted in a number as appropriate by species to provide 50 percent surface coverage.

Landscape Buffers. Landscape buffering is required along all lot lines of abutting uses and varies depending upon adjacent zoning district. In addition to the below criteria, see table 4-7 Landscape Buffer Requirements in the C-3 – Highway Service Commercial District for minimum landscape buffer requirements.

1. The required perimeter landscape area shall be located outside of any required fenced area of the development between the fence and the street.
2. The buffer may be included in the required yard or building setback.
3. Parking is permitted within the building setback but not within the minimum width of the buffer.
4. The buffer requirements may be reduced where a buffer exists on an abutting property, and the net buffer satisfies the minimum buffer requirements of this section.
5. The applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.
6. A double row of evergreen trees may be substituted for a screening wall but may not be counted toward minimum requirements for trees, shrubs, and ornamental grasses.

Table 4-13 Landscape Buffer Requirements in the C-3 – Highway Service Commercial District

Adjacent Zoning	Minimum Buffer Width	Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Shrubs and Ornamental Grasses per 100 Linear Feet	Additional Features
A-G	10	1	1	1	20	None
R-1, R-2, R-3, MHP	Front – 10' Side – 10' Rear – 10'	2	1	2	35	6' Berm
C-D	N/A	N/A	N/A	N/A	N/A	None
C-O, C-1, C-2	Front – 10' Side – 10' Rear – 10'	1	1	1	20	None
C3,	10	3	3	3	35	
C4	Front – 10' Side – 10'	2	3	2	35	None

Adjacent Zoning	Minimum Buffer Width	Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Shrubs and Ornamental Grasses per 100 Linear Feet	Additional Features
	Rear – N/A					
B-P, L-P	25	4	2	3	40	9' Wall and Berm Combination
IG, IH	40	5	4	5	50	11' Wall and Berm Combination

Building Façade/Foundation Landscaping - Landscaping and planting areas provide a buffer between the parking lot or drives and building walls or pedestrian circulation. Landscape areas may be placed adjacent to the building wall or adjacent to the curb to coordinate with building overhangs and canopies, if any.

1. Building landscaping is encouraged to include a variety of shrubs, ornamental trees and/or shade trees. Any trees used should accommodate pedestrian circulation.
2. Along any building façade or foundation that fronts upon a public right-of-way or a parking lot provided for the building, landscape areas shall be provided equivalent to a minimum of twenty-five (25) percent of each building façade or foundation. The landscape area may be a continuous area or comprised of several areas. Applicant shall provide calculations to show coverage area.
3. Building façades along service areas are excluded, unless the service area fronts upon a public right-of-way or common access drive.
4. Landscape areas may be placed adjacent to the building wall or adjacent to the curb, with walkways, overhangs or canopies between the landscape area and building wall. Landscape areas shall generally not be placed under overhangs and canopies.
5. Each landscape area shall be planted with shrubs capable of reaching three (3) feet in height above the adjacent parking area or drive, covering a minimum of seventy-five (75) percent of the length of the landscape area.
6. A mixture of evergreen and deciduous shrubs shall be used to maintain seasonal interest.
7. Ornamental trees (where appropriate), or shade trees should be included in the landscape design to further buffer the building façade from the drives and parking lot areas. In areas where pedestrian circulation is anticipated, trees with a branching habit conducive to walking under shall be used. For example, Pin Oaks are not acceptable due to their descending branching habit.
8. Appropriate plant species should be installed so that mature tree limbs can be maintained at a minimum eight (8) foot clearance from ground level and so that shrubs do not exceed two and one-half (2½) feet in height for areas where it is important to maintain visibility for security and safety purposes.
9. Berms may be incorporated in the landscape areas if positive drainage from the building is provided.
10. Planting areas shall have a minimum width of either six (6) feet or the equivalent of twenty (20) percent of the building façade height as measured from the ground elevation to the top of the wall or parapet, whichever is greater. Applicant shall provide calculations.
11. Building façade and foundation landscape areas shall be irrigated.

Parking Islands - Parking islands shall include landscaping which at a minimum includes 1 (one) deciduous tree and 3 (three) shrubs. Parking island landscaping shall have the same maintenance requirements as all other landscape areas.

Turf - Turf shall be used when necessary to provide coverage and soil stabilization. Seeding may be approved in lieu of turf at the time of Final Site Plan approval by the Planning Commission.

Native Vegetation, Drought Resistance/Xeriscape and Irrigation - Native vegetation and drought resistant plant material shall be used wherever possible. If native vegetation or drought resistant plant materials are not used then an irrigation system shall be installed to provide water during a three (3) year establishment period.

Maintenance - The developer, its successor and/or subsequent owners and their agents shall maintain landscaping on the property on a continuing basis for the life of the development.

1. Plant materials which exhibit evidence of insect pests, disease and/or damage shall be appropriately treated. Dead plants shall be promptly removed and replaced.
2. All landscaping is subject to periodic inspection by the Zoning Administrator or designee. The property owner shall maintain landscape areas in good condition and in a way that presents a healthy, neat and orderly appearance. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, in accordance with acceptable horticultural practices.
3. The City may require the removal of any dead or diseased trees, plants and shrubs on private property within the City, when those trees, plants and shrubs constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees, plants or shrubs within the City. If the Zoning Administrator determines that removal of any diseased tree, plant or shrub is necessary, the property owner shall receive written notice of the required maintenance or removal.

Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C1, C2, and C3 only)

Design Guidelines –

Site plans for fuel stations, convenience stores (C-Store) or businesses with drive-through operations should create an architectural relationship between the building and the canopy structure that covers the fuel pump islands or drive-through area. The canopy structure can enhance the aesthetics of a business property, provide weather protection for customers and promote a business identification. All amenities such as lighting fixtures, trash receptacles, and other features shall be coordinated in design with the building.

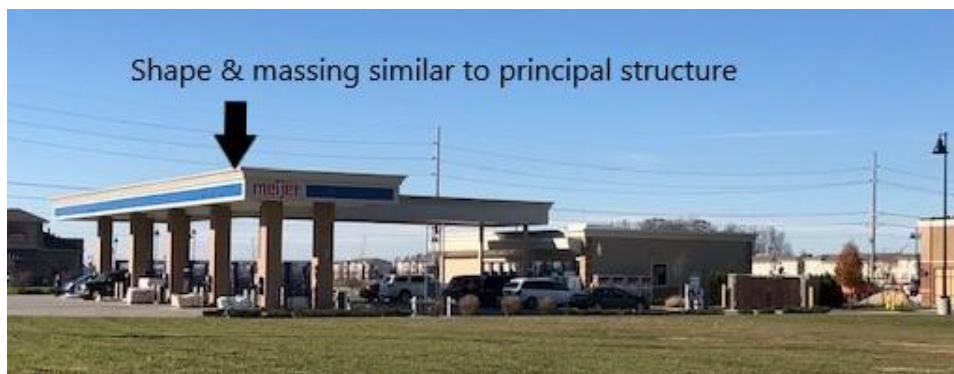
- Building elevations should incorporate architectural features that are visually interesting with pronounced massing and provide direct pedestrian connections to adjacent sidewalks.
- Architectural features should include changes in wall plane and materials, roof overhangs, cornice lines, prominent entrance areas, varied building volume or accent elements, and varied yet complementary building materials.
- Architectural detailing and materials should be of a high and durable quality. Exterior building materials and cladding shall achieve a high standard of life-cycle, visual and aesthetic quality.
- One hundred percent (100%) of the surface of each exterior wall of the principal building (excluding doors and windows) shall consist of materials including but not limited to brick or stone masonry, stucco, glass block, tile, ornamental cast metal, cast or cultured stone, concrete (tilt-up) walls, glass, or a combination of these materials. A minimum of three (3) different types of building materials should be used in order to provide architectural interest, coordinated accents and varied articulation. Stucco use should be limited.
- Vision glass on the building must provide unobstructed views in and out of the building.
- Loading and dumpster areas visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Screening wall materials should incorporate materials similar to what is used on the main building. Chain link fences or wooden fences are not acceptable. Inclusion of a man door access is encouraged to minimize the need to open the metal gate during business hours. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses.
- When a retail use is located in the same building or on the same property as the service station, there shall be distinct parking areas for each use to allow for separation between fueling areas and parking.
- All fencing visible from a public right-of-way shall be either masonry of a type and style complementary to the primary materials of the building, wrought iron, decorative metal, living plant material or a combination of these. Fencing containing barbed wire, razor wire, or an equivalent is prohibited. No fencing visible from a public right-of-way shall be located within a Parkway Buffer or a Right-of-Way Buffer.

Canopy Design Standards

Canopies are roof structures and should be patterned after traditional roof types and structural supports in the area. As an accessory feature to the primary uses, which center around the principal building, canopies should never visually dominate the site. A freestanding canopy covering a drive-through service area shall be developed in accordance with the following criteria:

- Canopy height shall relate to adjoining buildings both within and outside the service center site.
- The canopy over the drive-through shall be integrated into the roof design of the principal structure or it shall incorporate roof shapes or massing that is similar to the principal structure.
- Design of gas pumps and pneumatic tube stations should thoughtfully integrate with canopy supports, graphics and signage.
- All exterior canopy surfaces shall incorporate the following:
 - The exterior surface shall be clad in composite or masonry materials matching or compatible with materials used on the primary structure.
 - Materials used on the canopy must have a matte finish (nothing shiny or reflective).
 - The canopy fascia must include an architectural element (building material) which also matches the canopy structure and principal building. A standard flat fascia is not permitted.
- Canopy columns shall incorporate the following:
 - Columns shall be clad primarily in composite materials which match or are compatible with materials used on the primary structure and canopy roof.
 - Cladding must extend from the base of the column to the canopy roof.
 - Columns must be at least eighteen (18) inches in width.
- Canopy sides or top may not be illuminated in any way. Canopies shall not contain strips or bands of light (neon or otherwise).
- All light fixtures mounted on the canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy, or the lighting of the canopy shall use indirect lighting through which light is beamed upward and then reflected down from the underside of the canopy by light fixtures that are shielded so that illumination is focuses exclusively on the underside of the canopy. Glare should not be created, and spillover to adjacent residential properties must be minimized.
- Illuminance under the canopy shall be no more than an average of thirty-five (35) footcandles.
- Canopies may contain illuminated signage which contains either the business logo and/or a digital display which reflects the price per gallon of fuel sold. See Article 12 *Sign Regulations* of the UDC for complete regulations related to allowed signage.

Canopy Design Examples





Car or Truck Washes

- Downgrading of exterior materials for ancillary structures such as car or truck washes is not permitted.
- Car or truck wash elements shall be located to the rear or back portion of side yards or service centers to mitigate the impact of traffic.
- Where they are adjacent to residential uses, orientation and design shall minimize noise and lighting impacts.
- Car or truck wash exits must face away from abutting residential properties or be fully screened from neighboring residential views.
- Lighting for drive-through bays used for car or truck wash, must be fully shielded so as not to spillover onto adjacent residentially zoned parcels.

Awnings (Permitted Use in Districts Zoned CO, CD, C1, C2, C3, C4)

Design Guidelines

Awnings can enhance the aesthetics of a business property, provide weather protection and service as a business identification. The inclusion of awnings as a design feature is allowed when designed and installed in accordance with these regulations.

- For new developments, awnings should be included on the approved site plan and indicated on any building elevations.

- For existing buildings, the addition of awnings must be reviewed by the Zoning Administrator to determine if the addition is appropriate and allowed by the UDC. This review may be done in conjunction with the Building Permit submission.
- Awnings shall be designed to project over individual window and door openings and not as a single continuous feature extending over architectural piers or arches.
- Awnings should have a pedestrian scale and be placed so as to provide weather protection and/or business identification to potential patrons of a business.
- Awnings should be an enhancement to the building façade and should be of a proportional width and complimentary to nearby buildings and awnings.
- Awnings should be mounted in locations that respect the design of the building and do not obscure ornamental features over storefronts (i.e., rooflines, arches, lighting materials, or banding).
- Awnings are not allowed in locations which already have a covered walkway.
- In multi-tenant shopping centers, awnings should be coordinated to complement the overall architecture of the center.

Awning Appearance, Materials & Maintenance

- Awning materials with reflective or shiny finishes are prohibited; standard residential aluminum awnings are not allowed.
- Awning shall be composed of noncombustible acrylic fabric, in a matte finish, suitable for outdoor use and U/V resistant.
- The awning color should complement and enhance the building, not overwhelming the building scheme or calling more attention to the awnings than the building.
- Awnings shall not be torn, frayed, ripped, faded, stained, soiled or dirty. Damaged awnings must be replaced within 30 days of notification from the Zoning Administrator or Codes Enforcement Officer.
- The awning frame shall be constructed of steel or aluminum.
- Awning frame finish should match the metal storefront system color or awning fabric color.
- Awnings should have open ends (shed awnings) which allow a less obstructed view of storefronts. Wrapped awnings are allowed if they complement the building architecture (i.e., at the corner of a building).
- Awning valances shall be more than 10 (ten) inches in height.
- Decorative downlights should be included as a design element. Number and placement of fixtures should be chosen to provide a wash of illumination on the awning without providing hot spots. Frequency of fixtures should be no less than 3 (three) feet on center with no more than 6 (six) fixtures in a row.
- Awning graphics and text are governed by Article 12, Sign Regulations.

Awning Installation

- Awnings must meet International Building Code requirements with regards to building permit plan review, manufacturer's installation instructions and building placement when adjacent to a sidewalk.
- When projecting from the side of the building and not adjacent to sidewalk, awning must meet a 15' setback requirement and height requirements to accommodate any traffic using adjacent driveway.

- The lowest point of any awning shall be minimum of 8 (eight) feet above the sidewalk or ground over which it projects.
- Awnings without signs may be allowed above the ground floor if they complement the architecture.

Awning Design Example



Article 10 Site Plans and Design Standards

Section 10.1	Site Plans
Section 10.2	Streets and Access
Section 10.3	Building Permit
Section 10.4	Final Approved Site Plan

10.1 Site Plans

- A. Obligation.** The Site Plan (i.e., scaled drawings of existing and proposed buildings/structures, landscaping, outdoor lighting, parking areas, utilities, easements, roads and other city requirements used in physical development), when approved by the Planning Commission, or the Governing Body when required, shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the Site Plan instrument. The applicant prior to the issuance of any development or building permit shall provide a final approved Site Plan (paper and electronic) containing authorized signature of the developer or applicant.
- B. Site Plans Are Required.** For all of the following application types:
1. All development applications involving mixed-use development (when more than one type of land use is to be integrated into one site); Planned Unit Development; Multi-family residential; Office; Commercial; and Industrial projects.
 2. All new buildings and proposed expansions and enlargements of more than ten percent (10%) of the existing floor area of the existing building or structure except single-family dwellings, two-family dwellings, group homes and residential designed single-family and two-family manufactured homes shall prepare and submit a Site Plan for Planning Commission approval in accordance with Article 10 prior to the issuance of a building permit.
 3. When required by the specific provisions of this Unified Development Code.
 4. For a proposed change in use to determine if additional requirements are necessary for site access, parking, etc.
- C. Preliminary and Final Site Plans.** Preliminary and/or Final Site Plans may be required depending upon the type of development.
- a. Preliminary Site Plans may be utilized to determine the acceptability of a detailed design concept and are reviewed by staff for compliance with the Unified Development Code prior to presentation to the Planning Commission. Preliminary Site Plans are required when a development contains multiple buildings, several streets/roads, complex layout, extensive landscaping, trails, sidewalks, etc. Preliminary Site Plans are required for office, commercial, business complexes, planned unit developments, and multi-family developments. If a Preliminary Site Plan is approved with conditions or stipulations, the applicant should incorporate those conditions/stipulations into a Final Site Plan for staff review. If all conditions/stipulations are met by the submitted Final Site Plan, staff may provide final administrative approval.
 - b. Final Site Plans may be used in lieu of a Preliminary Site Plan if the detailed design concept is fairly simple and does not involve multiple buildings. The Final Site Plan is also reviewed by staff for compliance with the Unified Development Code prior to presentation to the Planning Commission. Once

approved by the Planning Commission, any conditions or stipulations outlined during the review process must be made and an amended Final Site Plan must be submitted. If all conditions/stipulations are met by the submitted Final Site Plan, staff may review and provide final administrative approval.

D. Public Hearing.

1. A public hearing is required for Site Plan applications at either the Preliminary or Final Site Plan stage, depending upon which is submitted first.
2. Notice of the public hearing shall be published in the official city newspaper at least twenty (20) days prior to the date of the hearing.
3. The public hearing shall be conducted in accordance with Article 8, Section 8.1.F.1 through 3, *The Conduct of Hearings*.
4. The Planning Commission may approve the Site Plan, deny or approve with conditions/stipulations.

E. Submission Requirements.

1. A fully completed Site Plan Application with the Site Plan Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the complete set of Site Plan documents.
2. Two paper copies of the Site Plan plus an electronic copy must be submitted to the Zoning Administrator at least forty-five (45) calendar days in advance of a scheduled Planning Commission meeting and/or public hearing.
3. All paper copies of Site Plans must be submitted on superior quality paper (sized 34" by 42"). The scale shall be a professionally acceptable standard suitable to the area of the proposed project.
4. One copy of the proposed Site Plan shall be made available for public inspection at least twenty (20) days in advance of a public hearing.

F. Certifications. Unless otherwise specified, each Site Plan shall contain the following certifications on the front sheet of the submittal:

CERTIFICATE:

Received and placed on record this _____ day of _____,
20____.

Zoning Administrator

Approved by the Edgerton City Planning Commission this _____ day of _____, 20____.

Chair of the Planning Commission

I certify that I have reviewed this SITE PLAN and will comply with all specifications, changes, conditions required during Site Plan approval and amendments herein, and that this instrument creates a legally enforceable obligation to build and develop in accordance with all final agreements.

Applicant signature : _____ Date: _____
Title: _____ Organization _____

G. Contents of Site Plan Drawings. All materials shall be adequately labeled and should provide complete details which show compliance with District requirements.

1. A scale vicinity map showing the relationship of the site to surrounding neighborhoods, zoning of surrounding properties, roads and other physical features.
2. A project title, zoning designation and applicant name.
3. A street, lot or tract address of the project.
4. An index of content pages.
5. A data table which, at a minimum, includes: acreage of the site and number of units per acre (if applicable); gross square feet of the building(s) area; the proposed use of each building; number of employees and, the total number of parking spaces to be provided.
6. The name of the architect, engineer, surveyor and landscape architect, all licensed in the State of Kansas, who prepared the Site Plan.
7. Engineer's seal with original signature.
8. All Final Site Plan submissions shall include a landscape plan sealed by a landscape architect licensed to practice in the state of Kansas which is in conformance with applicable zoning district requirements. All landscape features shall be shown in relation to sidewalks, paths, lawns, parking areas and drives. The submitted landscape plan drawn to scale, shall show the following:
 - a. All sides of the parcel site;
 - b. Name/type and size of existing trees to be retained;
 - c. Proposed building locations;
 - d. Planting timetable and seeding/sodding schedules;
 - e. All landscaping and screening;
 - f. A table entitled "Planting Schedule" which lists botanical name, the common name, size and condition of all planting materials.
9. The submitted Site Plan shall include the following features.
 - a. Existing and proposed topography including contours at two (2) foot intervals unless the property is too flat and then spot elevations shall be provided;
 - b. Exterior lot lines with any survey pins;
 - c. Location of buildings, proposed and existing if existing buildings will remain;
 - d. Parking areas, paths, sidewalks with sizes and surface material specifications;
 - e. Exterior lighting specifications including a preliminary photometric plan. A final photometric plan will be required at the time the applicant applies for a Building Permit. Lighting should be installed in an effort to minimize spillover onto adjacent properties and streets. The maximum light level at any point on a property line shall not exceed 0.0 foot-candles when adjacent to an agricultural or residential property or 0.2 foot-candles when adjacent to a nonresidential district, measured five (5) feet above grade. Lights shall be aimed away from adjacent properties and streets and may need to be shielded to meet the foot-candle requirements. The maximum height for luminaries shall not exceed 25 feet as measured between the bottom of the luminaire and grade.
 - f. Site entrance and connections to streets.
 - g. The location of existing and proposed easements.

- h. Connection point for utilities and the location and size of all utility lines including but not limited to sewer lines and manholes; water lines and fire hydrants; telephone, cable, fiber, and electrical systems; and storm drainage systems including inlets, catch basins, lines and other appurtenances, existing and proposed.
- i. Vehicular and pedestrian circulation within the site, entrances and exits, loading and unloading areas, and adjacent curb cuts.
- j. Storm Drainage Systems and Facilities shall be provided in connection with the proposed development of land in accordance with the Kansas City Metropolitan chapter of the American Public Works Association Construction and Material Specifications Section 5600 Storm Drainage Systems and Facilities. Said Site Plan shall show, by use of directional arrows, the proposed flow of storm drainage from the site. A summary table shall be provided on the Site Plan in the following format:

<u>PROPERTY SURFACE SUMMARY</u>			
<u>Summary of Existing Conditions</u>		<u>Summary after project completion</u>	
<u>Total Buildings</u>	<u># ft.²</u>	<u>Total Buildings</u>	<u># ft.²</u>
<u>Total Pavement</u>	<u># ft.²</u>	<u>Total Pavement</u>	<u># ft.²</u>
<u>Total Impervious</u>	<u># ft.²</u>	<u>Total Impervious</u>	<u># ft.²</u>
<u>Total Pervious</u>	<u># ft.²</u>	<u>Total Pervious</u>	<u># ft.²</u>
<u>Total Property Area</u>	<u># ft.²</u>	<u>Total Property Area</u>	<u># ft.²</u>

A Storm Water Pollution Prevention Plan (SWPPP) shall also be provided and shall meet the known requirements of the National and Kansas General Permit. A signed and dated copy of the NOI shall be provided to the City prior to any disturbance of the soil on the construction site;

- k. Scale drawings of all proposed signage including location, height, size, area, materials and design to be used on the premises with construction drawings required when applying for a sign permit in accordance with Article 12, *Sign Regulations*, of the Unified Development Code;
- l. Features to facilitate handicapped access;
- m. Profile and detail for roads the location and width of sidewalks and the location of trails;
- n. Scale drawing of building floor plans with dimensions and square foot calculations;
- o. Scale drawings in full color with dimensions of all building facades or elevations including the labeling of exterior materials and color.
- p. Roof pitch and materials;
- q. The location of any HVAC systems (roof or ground), utility boxes and any other above ground facilities. Include line of sight drawings which indicate view from the street, right of way, and/or adjacent properties. Ground-based mechanical equipment shall be located away from property lines adjacent to public streets and residential property. Include type of screening that will be used around equipment;
- r. Areas or facilities used for trash, trash compacting, recycling containers, service and loading are to be located out of public view from streets, adjacent

residential properties, and other highly visible areas such as parking lots, access drives, and similar areas.

- i. Refuse storage and pick-up areas shall be combined with other service and loading areas.
 - ii. Service areas and refuse storage areas shall not front onto streets and open public places. Service areas shall be located to the rear or side of buildings and screened from view from the street and/or public open space.
 - iii. The enclosure shall provide full screening on all four (4) sides and be constructed with permanent building materials that are similar to or complement the building materials and colors used on the principal building on the site. One screening side may be a gate.
- s. Depending upon circumstances the Zoning Administrator may require additional information related to business operations and their impact on adjacent properties including, but not limited to the requirement of additional information for hazardous material or other environmental impacts;
- t. The Zoning Administrator may also require a detailed traffic impact study prepared by a Traffic Engineer, licensed in the State of Kansas, for large uses, mixed use and multi-tenant developments, or for developments in heavy traffic or congested areas to include:
 - i. The projected number of motor vehicle trips to enter and leave the site, estimated for daily and peak hour traffic levels;
 - ii. The projected traffic flow pattern including vehicular traffic movements at all major intersections likely to be affected by the proposed use of the site;
 - iii. The impact of the proposed traffic upon existing, public and private ways in relation to existing and projected daily and peak hour road capacities.
 - iv. A recommendation of whether additional improvements would be needed such as turning lanes or traffic signals to accommodate the projected traffic;
 - v. Any other information as determined by the City Engineer;
- u. Site Plan shall include the layout and design of all property designed required parking and loading areas in accordance with Article 16, *Parking and Loading Regulations*, of the Unified Development Code;
- v. If applicable and allowed within the zoning designation, location of permanent outside storage including building materials which meet aesthetic guidelines must be included on the Site Plan;
- w. Outdoor Storage Requirements. Include adequate details on Site Plan to confirm individual District requirements are met.
 - i. *Permanent Outdoor Storage* – If applicable and allowed within the zoning designation, permanent outdoor storage areas, attached to the main structure and enclosed with screening or fencing, may be allowed if the enclosure meets aesthetic guidelines. Permanent outdoor storage areas must be indicated on the Site Plan.
 - ii. *Seasonal Outdoor Storage* - If applicable and allowed within the zoning designation, placement and dimensions of Seasonal Outdoor Storage area must be shown on the Site Plan. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking

implications, time parameters (hours of operation and duration of display), signage, pedestrian and vehicular traffic flow, lighting requirements, security, maintenance of merchandise, and fencing.

- iii. **Temporary Sales Area** – Temporary Sales Areas may be allowed within certain zoning designations. If the applicant wishes to request a Temporary Sales Permit, the Temporary Sales Area must be indicated on the Site Plan.

H. Standard of Approval. The Planning Commission shall give consideration to the following criteria in approving or disapproving a Site Plan:

1. The site is capable of accommodating the building or buildings, parking areas and drives with appropriate open space and landscaping.
2. Utilities are available or can be extended to serve the proposed development.
3. The proposed plan provides for adequate management of stormwater runoff.
4. The plan provides for safe and easy ingress, egress and internal traffic circulation.
5. The plan is consistent with good land planning and site engineering design principles.
6. An appropriate degree of compatibility will prevail between the architectural quality of the proposed building or buildings and the surrounding neighborhood.
7. The plan provides adequate landscaping, screening and buffering for the benefit of adjacent properties.
8. The plan represents an overall development pattern that is consistent with the Comprehensive Plan and other adopted City policies.

I. Improvements. The Planning Commission may require the construction or installation of infrastructure improvements such as sidewalks, trails, traffic signals, street improvements, turn lanes or and channelization, acceleration and deceleration lanes, storm drainage improvements and other similar improvements that are related to the proposed project and may require the dedication of any necessary easements.

J. Site Plan Modifications. Minor modifications may be made to an approved Site Plan by the applicant with the approval of the Zoning Administrator and without resubmittal to the Planning Commission provided that the modifications do not meet or exceed the basic requirements of the district in which the project is located and do not:

1. Substantially change the pedestrian or vehicular flow;
2. Alter the juxtaposition of land uses;
3. Alter the relationship of open space in the development;
4. Reduce the degree of screening or buffering and the architectural appearance and building design approved for the project;
5. Vary the proposed gross residential density or intensity by more than 5 percent;
6. Increase the floor area of nonresidential buildings by more than 5 percent;
7. Increase the ground coverage or height of the buildings by more than 5 percent;
8. Alter utility locations and connections so as to adversely affect the quality of the project.

If, in the opinion of the Zoning Administrator, a Site Plan has substantially changed from the approved plan, the applicant is required to resubmit the revised Site Plan to

the Planning Commission for approval. If the revised Site Plan contains significant changes, a new Public Hearing may be required.

- K. Planning Commission Action and Appeals** Building permits shall not be issued for use of any land or proposed construction in which a Site Plan approval is required, until such time as Site Plan approval has been granted by the Planning Commission. The Planning Commission may require revisions to the Site Plan, building designs and materials, landscaping, screening or any other element in order to improve the compatibility of the proposed project.

The applicant may appeal the decision of the Planning Commission to the Governing Body by filing a letter detailing the reason for appeal of the decision, with the City Clerk within fourteen (14) calendar days after the decision has been rendered by the Planning Commission.

10.2 Streets and Access

A. General Design and Layout Criteria.

1. **Relation to Adjoining Street System.** The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining subdivisions (or their proper projection where adjoining property is not subdivided) where required by the Planning Commission or the Governing Body.
2. **Street Provisions for Future Development.** Where appropriate, right-of-way shall be platted for future street usage in conjunction with the development of adjacent tracts and said street shall be paved to the property line by the applicant.
3. **Lot Access.** The Planning Commission may disapprove any point of ingress or egress to any lot, tract, or development from any street or highway when the proposed ingress or egress would create unsafe conditions, reduce the capacity of the adjoining street or highway, or result in substandard circulation and impaired vehicle movement.
4. **Construction Standards.** All streets shall be built to standards established by the City of Edgerton.

10.3 Building Permits

- A.** A building permit shall not be issued for any building, structure or addition required to have a Site Plan, until such time as said Site Plan has been approved.
- B.** An application for a building permit shall include a complete set of construction drawings based on the approved Site Plan. If in the opinion of the Zoning Administrator, the submitted drawings are significantly different from the approved Site Plan, the applicant shall either revise the drawings to comply with the approved Site Plan or resubmit Site Plan to the Planning Commission for consideration. See Section 10.1 (J).

10.4 Final Approved Site Plan

- A.** Within sixty (60) calendar days after the approval of the Site Plan, the applicant shall submit one signed set of paper drawings plus an electronic copy to the Zoning Administrator. All corrections/stipulations outlined during the Planning Commission meeting must be listed on a cover letter submitted with the revised plans.
- B.** The Site Plan shall be approved for a period of one year from the date of approval provided the applicant has been issued a building permit for the project or has requested an extension of time from the Planning Commission. If a building permit has not been issued for the project or an extension of time has not been requested from the Planning Commission, the Site Plan approval shall expire and become null and void. Prior to the one-year expiration date, the applicant may request an extension of time, for a maximum of one year, from the Planning Commission. If an extension is not granted, the approved Site Plan shall become null and void.

Article 16

Parking and Loading Regulations

Section 16.1 General Provisions
Section 16.2 Design Standards and Required Dimensions
Section 16.3 Required Spaces
Section 16.4 Off-Street Loading and Unloading

16.1 General Provisions

- A.** When an existing structure or use is expanded, parking for the expansion shall be provided in accordance with these regulations.
- B.** Parking stalls and spaces shall be used by motor vehicles in operating condition by patrons, occupants, or employees.
- C.** All parking shall be located on a hard surface (asphalt or concrete) driveway and not in a required front, side or rear yard.
- D.** As part of a Site Plan submission, the layout and design of all required parking and loading areas shall be shown and properly designed in accordance with this Article.
- E.** When a determination of the number of off-street parking spaces required by this Article results in a fraction, the fraction of 0.5 or less may be disregarded and the fraction of greater than 0.5 shall be counted a one parking space.
- F.** When a building or development contains a mix of uses, the parking requirement shall be calculated for each use and the total parking requirement shall be the sum of all the individual parking requirements. If a building or tenant space changes use, parking for the new use shall be provided in accordance with Section 16.3 Required Spaces.
- G.** Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours.

16.2 Design Standards and Required Dimensions

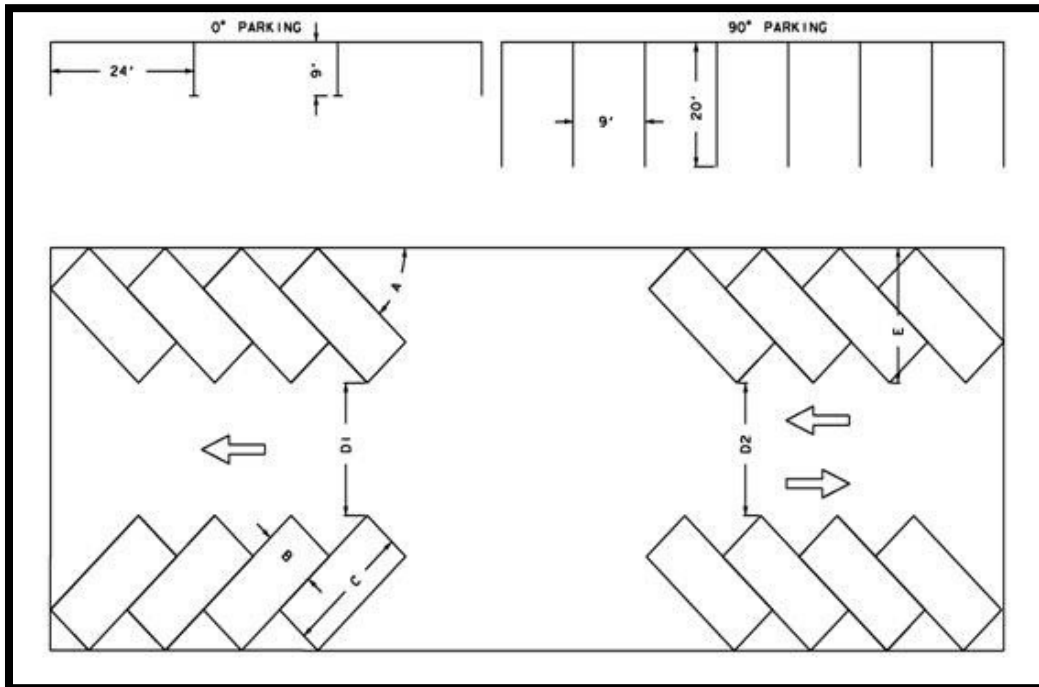
- A. Access.** Each required parking space shall open directly on an aisle or driveway to provide safe and efficient means of ingress and egress.
- B. Location.** All parking shall be located on the same zoning lot as the structure or use served, or an adjacent lot under the same taxpayer's name, unless a Conditional Use Permit is obtained for offsite parking as allowed by District regulations.
- C. Lighting.** All lighting used to illuminate parking areas shall be directed away or shielded from adjacent properties and in compliance with all District regulations. The maximum height of a luminaire shall not exceed twenty-five (25) feet as measured from the grade to the bottom of the luminaire.

- D. Wheel Stops.** Parking areas shall have adequate wheel stops to prevent extension or overhang of vehicles beyond property lines or outside of parking areas. If vehicles overhang sidewalks, the sidewalks shall be widened to accommodate pedestrians as well as ADA Standards.
- E. Screening.** At a minimum, all parking areas containing more than six (6) spaces shall be screened on each side that adjoins any property situated in a residential or agricultural district. Screening shall be by a wall, or fence, or evergreen hedge not less than six (6) feet more than eight (8) feet in height. Parking areas shall be arranged and designed so as to prevent damage to, or intrusion into, walls, fences, or hedges. Additional screening may be necessary due to District regulations.
- F. Paving Surface and Marking.** All required parking and loading spaces, driveways and aisles shall be graded and paved with asphalt, concrete or asphaltic concrete on an approved base and said spaces shall be striped with paint or other approved striping material. Parking areas shall have adequate markings for channelization and movement of vehicles.
- G. ADA Accessibility.** Accessible parking spaces shall be provided in accordance with the ADA, American with Disabilities Act, Accessibility Guidelines
- H. Minimum dimensions for parking lots.** See Diagrams 16.1 and 16.2
- I. Miscellaneous.**
- a. Unless a zoning district has specific parking setback requirements, all new parking spaces shall be located at least ten (10) feet from the front side and rear property lines and said setback areas shall be landscaped utilizing district requirements related to adjacent use.
 - b. A reduction in the dimensions for compact car or motorcycle spaces may be granted by the Planning Commission as part of the Site Plan approval. Said spaces shall be identified by signs or other similar methods that are clear to the users.
 - c. Minimum parking standards may be adjusted to greater capacities by the Planning Commission in the approval of the site plan to account for location, expected circulation flows and the likelihood of a use conversion.
 - d. If an unloading area is shown on the plan, a truck circulation plan shall be included showing the truck size and circulation route. All maneuvering of delivery vehicles shall be on site and no public right-of-way shall be used except an alley.
 - e. When parking requirements refer to the number of employees, it shall mean the largest working-shift. Calculations should include any influxes or overlaps of traffic that would occur during shift changes.
 - f. No portion of a parking or loading area (including maneuvering areas but not the necessary entrance and exit drives), shall be located closer than 30 feet from a public street right-of-way or property line.

Diagram 16.1 – Parking Space and Driving Aisle Dimensions

A - Parking Angle	B - Stall Width	C - Stall Length	D1 - One-Way Aisle Width	D2 - Two-Way Aisle Width	E - Stall to Curb
0 Degrees	9 Feet	24 Feet	18 Feet	24 Feet	9 Feet
45 Degrees	9 Feet	20 Feet without overhang; 18 Feet with overhang	18 Feet	25 Feet	20.5 Feet
60 Degrees	9 Feet	20 Feet without overhang; 18 Feet with overhang	18 Feet	25 Feet	22 Feet
90 Degrees	9 Feet	20 Feet without overhang; 18 Feet with overhang	25 Feet	25 Feet	20 Feet

Diagram 16.2 – Parking Space Illustrations



16.3. Required Spaces. Off-street parking spaces shall be provided based upon specified use as outlined below. Minimum parking standards may be adjusted to greater amounts to account

for location, expected circulation flows, and conversion probabilities by the Planning Commission and will be evaluated by staff and the City Engineer during Site Plan review.

A. Dwelling Uses.

1. Single-family through four-family dwelling units: three spaces per dwelling unit, however, for single-family and two-family dwellings one space shall be in a garage.
2. Multi-family (5 units and more): two spaces per dwelling unit.
3. Nursing homes: one space per each four beds plus one space for each employee working on the premises during the largest shift.
4. Senior independent living: one space per dwelling unit plus one space for each transportation bus or vehicle.
5. Senior assisted living: one space per four dwelling units plus one space for each employee working on the premises during the largest shift plus one space for each transportation bus or vehicle.
6. Child or elder care homes: one space per each two sleeping rooms.
7. Manufactured homes: three spaces per dwelling unit.

B. Business and Commercial Uses (NOTE: Spaces for oversize vehicles shall be required when restaurant or hotel operations are adjacent to truck service operations).

1. Automobile, truck, recreational vehicle and manufactured home sales and rental lots: one space for each 3,000 square feet of sales or lot area plus one space for each employee.
2. Bank or financial institution – one space per each 300 square feet of floor area plus room to accommodate stacking of two vehicles per drive-through lane.
3. Day care center - commercial: one space per each 8 children plus one space for each employee plus one space for each transportation bus or vehicle.
4. Day care - home: one parking space plus one loading/unloading space plus one for each employee (full or part time).
5. Funeral Homes and mortuaries: one space for each three seats based on the maximum designed capacity of the facility plus one additional space for each employee.
6. Retail specialized mercantile (furniture, home sales, housewares and appliance stores: one space for each 400 square feet of gross floor area.
7. General office and research: one space for each 300-square feet of gross floor area.
8. Restaurants, private clubs, event spaces and taverns: one space for every two seats based on the maximum designed capacity including outdoor dining areas.
9. Restaurants fast food: one space for every two seats based on the maximum design capacity plus one space per each employee plus adequate stacking spaces when a drive-in or drive through is included.
10. Restaurant express: one space for each two seats plus one space per each employee but not less than ten (10) spaces.
11. Retail convenience store: one space per 200 square feet of gross floor area.
12. Retail stores and shops general merchandise: one space for each 250 square feet of gross floor area.
13. Service stations: one space per each employee plus one space for each service bay.

14. Hotels and motels: one space per rental unit plus additional consideration for oversized vehicles including but not limited to semi-trucks with trailers, recreational vehicles, trailers, etc.
15. Medical services, clinics and offices one space per 200 sq. ft. of gross floor area.

C. Industrial Uses.

1. Manufacturing – light: one space per 100 square feet of gross floor area.
2. Manufacturing – general: one space per 150 square feet of gross floor area.
3. Manufacturing – heavy: one space per 200 square feet of gross floor area.
4. Warehouse and distribution facilities: one space for each 1,000 square feet of gross floor area.

D. Other Uses.

1. Churches and places of worship: one space for every four seats based on the maximum design capacity of the largest meeting space including choir lofts.
2. Elementary, junior high and equivalent private schools: two spaces for each classroom plus one space for each employee.
3. High schools, colleges and universities: eight spaces per classroom plus one space for each employee.
4. Hospitals: one space for each four beds plus one space for each resident or doctor plus one space for each two employees.
5. Public and semi-public offices: one space for each 300 square feet of gross floor area or a minimum of 10 spaces plus one for each employee whichever is greater.
6. Places of public assembly - indoors: one space for each four seats based upon the maximum designed capacity of the facility.
7. Carwash: 5 stacking spaces and 2 exit spaces per stall.

- E. Uses Not Listed.** The parking requirement for any use not listed in Sections A, B, C and D shall be determined by the Planning Commission based on commonly accepted parking standards, recommendations from staff and a parking analysis prepared by the applicant if requested by the Zoning Administrator.

16.4 Off-Street Loading and Unloading Requirements

On premises loading and unloading spaces shall be provided off-street in the side or rear yard for all uses involving receipt or distribution of materials or merchandise by motor vehicle or rail. All loading and unloading operations shall be located so as to avoid undue interference with traffic on public or private streets, and said activity shall not occur in public streets, alleys and/or on walkways.