

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
August 13, 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** - Approval of Minutes for Regular Planning Commission Session of July 9, 2019.
- B. **TU2019-07** – Approval of Application TU2019-07, expanded use of CSI concrete batch plant related to Phase II expansion of 207th Street east of Waverly.

5. **NEW BUSINESS**

A. **PUBLIC HEARING – PRELIMINARY PLAT – APPLICATION PP2019-03 –
CONTINUED FROM JULY 9, 2019 PLANNING COMMISSION MEETING**

Hold a public hearing in consideration of Application PP2019-03 for Preliminary Plat for On the Go Travel Center located on the northeast corner of Interstate 35 and Homestead Lane, Edgerton, KS.

Applicant: David Anderson
Agent: KBS Constructors, Inc.

B. **FINAL PLAT – APPLICATION FP2019-03 – CONTINUED FROM JULY 9,
2019 PLANNING COMMISSION MEETING**

Consideration of Application FP2019-03 for Final Plat for On the Go Travel Center located on the northeast corner of Interstate 35 and Homestead Lane, Edgerton, KS.

Applicant: David Anderson
Agent: KBS Constructors, Inc.

C. **PUBLIC HEARING – PRELIMINARY SITE PLAN – APPLICATION PS2019-01 –
CONTINUED FROM JULY 9, 2019 PLANNING COMMISSION MEETING**

Hold a public hearing in consideration of Application PS2019-01 for Preliminary Site Plan for On the Go Travel Center located on the northeast corner of Interstate 35 and Homestead Lane, Edgerton, KS.

D. FINAL SITE PLAN – APPLICATION FS2019-04 – CONTINUED FROM JULY 9, 2019 PLANNING COMMISSION MEETING

Consideration of Application FS2019-04 for Final Site Plan for On the Go Travel Center located on the northeast corner of Interstate 35 and Homestead Lane, Edgerton, KS.

Applicant: David Anderson
Agent: KBS Constructors, Inc

E. PUBLIC HEARING – UDC AMENDMENTS – APPLICATION UDCA2019-02

Hold a public hearing in consideration of Application UDCA2019-02 for amendments to Article 7, *Conditional Uses* of the City of Edgerton's Unified Development Code.

Applicant: City of Edgerton

6. Future Meetings
 - Regular Session – September 10, 2019 at 7:00 PM
7. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
July 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 Jeremy Little, and Commissioner Charlie Crooks. Commissioners Tim Berger and Josh Beem were absent from the meeting. Also present were Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, and Planning and Zoning Coordinator Chris Clinton.

The Planning and Zoning Coordinator announced a quorum was present.

CONSENT AGENDA

MINUTES

The approval of the minutes from the Regular Session held on June 11, 2019 were considered.

Mr. Little motioned to approve the item as presented in the Consent Agenda, Mr. Crooks seconded. The consent agenda was approved, 3-0.

NEW BUSINESS

PUBLIC HEARING – PRELIMINARY PLAT – APPLICATION PP2019-03

Chairman Daley opened the public hearing. Chairman Daley stated that the applicant has requested to continue this public hearing, the Final Plat application, Preliminary Site Plan application and public hearing, and the Final Site Plan application to the August 13, 2019 Planning Commission meeting. There were no public comments at this time. Mr. Little motioned to continue the public hearing to the August 13, 2019 Planning Commission meeting. Mr. Crooks seconded. The public hearing for Application PP2019-03 was continued to the August 13, 2019 Planning Commission meeting, 3-0.

FINAL PLAT – APPLICATION FP2019-03

Mr. Little motioned to continue the application to the August 13, 2019 Planning Commission meeting, Mr. Crooks seconded. Application FP2019-03 was continued to the August 13, 2019 Planning Commission meeting, 3-0.

PUBLIC HEARING – PRELIMINARY SITE PLAN – APPLICATION PS2019-01

Chairman Daley opened the public hearing. The question of what kind of travel plaza is proposed was raised. Ms. Linn stated this project includes a truck stop with a truck wash and some maintenance facilities, diesel and gasoline pumps, and a quick service eatery inside. Mr. Little motioned to continue the public hearing to the August 13, 2019 Planning Commission meeting, Mr. Crooks seconded. The

public hearing for Application PS2019-01 was continued to the August 13, 2019 Planning Commission meeting, 3-0.

FINAL SITE PLAN – APPLICATION FS2019-04

Mr. Little motioned to continue the application to the August 13, 2019 Planning Commission meeting, Mr. Crooks seconded. Application FS2019-04 was continued to the August 13, 2019 Planning Commission meeting, 3-0.

UDCA2018-01 – AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC)

Chairman Daley introduced Application UDCA2018-01 by stating City Staff has updates to Article 12 of the UDC. Ms. Crow expanded and told the Planning Commission Article 12 outlines the requirements for signage in Edgerton. These updates were made after a public hearing and work sessions were held with feedback received taken into consideration.

Ms. Crow explained after the updates to Article 4, Commercial Districts, were approved, the signage for the commercial districts needed to be updated drastically. She explained the UDC dictates what kind of signs are allowed in each zoning district and how the size and construction requirements of each kind of sign. The UDC cannot regulate the content of signs. The UDC will inform applicants permits are required for sign except for official signs erected by a city, county, State of Kansas, or the federal government and signs erected for public information, safety or direction by any utility, governmental authority, or public service district.

Ms. Crow reviewed the general sign designs prohibited in the sign article -- a sign cannot be erected in any location where it interferes with pedestrian or vehicular traffic; signs that are designed to gain the attention of any passersby that have moving components are not allowed; a sign which could be confused with a traffic control sign or devised is also prohibited; roof or rooftop signs are prohibited, exposed neon tube signs are only allowed inside a window; flashing signs or signs that convey movement are also not allowed.

She also outlined the provisions of an abandoned sign by stating it will have to be removed within 30 days of notification.

Ms. Crow explained to the Planning Commission that certain sign types are restricted to certain zoning districts. For example, pole signs are only allowed in C-2 and C-3 zoning designations. In addition, they require a Conditional Use Permit.

Ms. Crow stated that while flashing signs or signs that convey movement are not allowed, electronically changeable copy signs (like digital gas station signs that show the prices of gasoline) are not included in that category. Those images must be displayed for a minimum of 8 seconds and a new image must reappear in 2 seconds or less. Ms. Crow stated the only place the electronic changeable copy signs are allowed are on Pole Signs. Ms. Crow continued with the specific prohibited signs by stating Off-Premises signs are not allowed unless the type of sign is allowed in a certain Zoning District. Billboards, signs with glaring illumination, and signs mounted or displayed on a trailer or motor vehicle are prohibited. Ms. Crow explained obscene material is prohibited as defined by Kansas Statute 21-6401.

While some of these prohibited signs already existed in the existing UDC and others have been added after the discussions of the Planning Commission.

She implored the Planning Commission to consider if electronic changeable copy should be allowed on Monument Signs as well. She explained if the Planning Commission does want to allow electronic changeable copy on Monument Signs, it can be a stipulation of the Planning Commission recommendation for approval for City Council. Chairman Daley asked if changeable copy would be required on Monument Signs. Ms. Crow stated that it would not be required but staff was looking to the Planning Commission for direction on whether it should be allowed.

Ms. Crow stated the UDC does have provisions for Nonconforming Signs which would include signs that were erected or established before this version of the UDC. She explained the UDC will allow for the sign to remain in its current location as long as it is not altered. The sign may be repaired or maintained, but not altered. If the sign has been abandoned for 60 days, then it will have to be removed. If the sign becomes damaged and requires repairs to 50% or more of the sign, then it must be replaced. The Nonconforming Sign can stay erected as long as there are no violations of any state or federal law or regulation. Ms. Crow stated if a sign was installed without a permit and not in compliance with prior versions of the code, then the sign must be brought into compliance or removed.

Chairman Daley asked if this would include older signs. Ms. Crow replied the sign would have to be removed only if it was not in compliance with the UDC at the time it was erected. Chairman Daley and Mr. Crooks asked what would happen if the sign is rotted and in disrepair. Ms. Crow answered that it is a stipulation in the UDC for the signs to be maintained and if it is not, a notice will be sent to the owner and the sign will have to be brought up to standards in 10 days. Chairman Daley asked about the signs that are being removed by the State of Kansas along 56 Highway. Ms. Linn replied since the Kansas Department of Transportation is replacing them, the signs will have to be reinstalled in accordance with the UDC at time of installation.

Ms. Crow informed the Planning Commission that the definitions in the Article have been updated to include every sign that is mentioned in the UDC. She explained the sign type tables are now orientated horizontally so more information can be included. There were no updates made to Residential or Industrial zoning districts at this time. Those tables will be updated when staff updates the applicable zoning district regulations articles. Ms. Crow illustrated the charts currently in the UDC and explained each zoning district will have its own chart, essentially giving each district its own sign code. The sign code will gradually increase in density to match the intensity of the zoning of the parcel.

Ms. Crow started with the Downtown Commercial District, C-D. She informed the Planning Commission about the different signs that are allowed in the C-D District. Awning Signs, Banner Signs, Blade/Projection Sign, Monument Sign, Portable Signs or Devices, Post Signs, Wall Sign for the main building and accessory buildings, Window Signs, and Yard Signs are all allowed in the C-D District. Ms. Crow explained while the sign may be allowed in many districts, each district might differ in size or the number of signs. She used the example of the Monument Sign. A Monument Sign cannot have a sign face larger than 36 square feet in the C-D zoning district, but in a C-1 zoning district the sign face can be expanded to a maximum of 120 square feet. Ms. Crow explained the sign code has been updated to allow sign size to be building based rather than a set size.

A major change within commercial districts with a more intensive use is the allowance of larger Interstate Pole Signs. Interstate Pole Signs would be allowed only in C-2, Heavy Service Commercial

District and C-3, Highway Service Commercial District and would require a Conditional Use Permit. Ms. Crow explained the previous version of the UDC stated a Pole Sign's maximum height was 8 feet taller than the building. City Staff looked at neighboring cities, other cities in the metro area along interstate highways and cities in other states also located along interstate highways, to determine what the best option would be for Edgerton development.

It was determined that interstate pole sign height should be based on the finished grade of adjacent city roadway. The updated UDC allows for a pole sign to be 25 feet above the finished grade of the adjacent city roadway to a maximum height of 100 feet. This would allow a building that is below grade of the adjacent roadway to still have a Pole Sign that extends 25 feet above the roadway height, allowing visibility to those passing on the interstate. City Staff felt it would be appropriate to match the State of Kansas maximum sign face square footage which is 900 square feet. All of the signage located on the pole will count towards the maximum allowed sign face area. If an applicant wishes to have a changeable copy and a logo, both signs will be counted towards the total square footage of sign facing.

In addition, interstate pole signs require a 30-foot setback from all property lines, have to be located on the premise of the advertising agent, and 50% of the parcel has to be within 800 feet of the centerline or 500 feet of the right-of-way, which ever is less, of an interstate highway. Ms. Crow stated all illumination of a Pole Sign is required to be internal. City Staff hopes to bring Article 7, Conditional Permits, before the Planning Commission at the August 13, 2019 meeting so applicants will know what information is required for an Interstate Pole Sign application.

Ms. Crow explained that another option added for parcels adjacent to the interstate are Interstate Adjacent Monument Signs. This type of monument sign is allowed to be 30 feet above natural or average grade, taller than what is allowed for monument signs on parcels not adjacent to an interstate.

Ms. Crow explained staff attempted to include all types of signs for all different kind of uses. Some of the signs are clear as to what they are like Monument Signs or Wall Signs, while others are not as quite as obvious. One of the more obscure signs included is a Parked Vehicle Service Sign, which can be found in a fast-food restaurant with parking bays that have a menu board and communication system to order at. Other signs that are new are the Vehicle Drive Lane Sign which is a fast-food menu board. Vehicle Drive Lane Accessory Signs are the directional signs to aid drivers to locate the drive through station. Ms. Crow reminded the Planning Commission there will be a chart in each district so there can't be any confusion as to what sign is allowed in each district.

Charmain Daley stated he believes changeable copy should be allowed on Monument Signs as well as Pole Signs. Ms. Linn cautioned changeable copy should be allowed in certain zoning districts and the Planning Commission should consider which districts to allow it in. Chairman Daley inquired about gas station signs. Ms. Linn replied changeable copy is allowed on Pole Signs and could be allowed on Monument Signs but asked if the Planning Commission wants to allow Monument Signs to have changeable copy in all districts close to neighborhoods like banks. Mr. Crooks raised his concern regarding the line of sight of drivers who are attempting to exit a facility. Ms. Linn answered all signs, regardless of type, have to be out of the vision triangle to allow adequate line of sight. Ms. Crow stated the landscaping is considered for each sign and permit application and the requirement to keep all landscaping trimmed is by the property owner. Ms. Crow acknowledged there are some minor changes – typos - which have to be made before this article will go before City Council.

Mayor Roberts approached the Planning Commission and staff to ask about regulations regarding Political Signs being excluded from the UDC and being in compliance with Kansas State Statutes. Ms. Crow replied only the commercial districts have been updated and the City Attorney, who was consulted before Article 12 was brought before the Planning Commission, recommended Political Signs be excluded from the UDC as sign content cannot be regulated. She ensured Mayor Roberts and the Planning Commission that all of the updates in the UDC have been reviewed by the City Attorney to verify the updates follow state, county, and federal laws.

Mayor Roberts expressed a concern regarding Real Estate Signs stating there should be limitations to how long they should be allowed at a property. He is afraid a Real Estate Sign might be placed on a lot of land and becomes neglected and is there for years. Ms. Linn replied the section of the UDC regarding Real Estate Signs has not been updated at this time.

Mayor Roberts inquired about the requirements of Temporary Banners, specifically to the length of time they can be displayed. He read in the updates to the UDC, a Banner can only be displayed for a 14-day period twice a year. He stated any retail outlet could not use any Banner that is provided to the store by a manufacturer as a promotion for a product. Ms. Crow explained Banners can be displayed as a Window Sign or elsewhere indoors but are limited to the stipulations outlined in the UDC if displayed outdoors.

Mayor Roberts explained a new practice for some institutions to have a video board with an auditory component for the patron to interact with. He invited the Planning Commission and staff to consider this type of component in a drive-through setting.

Mayor Roberts then informed the Planning Commission about the size requirements for Flags and stated a company who is known for displaying enormous Flags will have to reduce the size or apply for a variance from the Board of Zoning Appeals.

Mayor Roberts requested clarification about the rate of the changing copy. Ms. Crow replied that each image or phrase has to be displayed for a minimum of 8 seconds with the new message appearing in 2 seconds or less. Ms. Linn stressed the importance of the transition time. Ms. Crow agreed and stated if the message changes too quickly, it will seem like the sign is flashing. The transition needs to be smooth, yet quick enough to not distract drivers. Ms. Linn asked if the 2 second transition time could be removed since there is already a prohibition against flashing, therefore it can't change too quickly, and any issue will be resolved just by the 8 second display time. Mr. Crooks and Mayor Roberts replied the 8 second display time requirement will allow drivers to see one or two images before they pass the sign at highway speeds. Ms. Linn recommended the 2 second transition rule be removed because flashing signs are not allowed. Mr. Little stated he has come across signs that a driver can see for miles before they actually arrive at the sign and it can be distracting. Mayor Roberts stressed he does not want Edgerton to turn into Las Vegas with illuminated signs everywhere. Ms. Crow asked if the 8 second display time is too long. Mayor Roberts replied it will depend on the speed on travel. The Planning Commission came to the consensus that the 8 second display time is satisfactory and agreed that the 2 second transition limit should be removed.

Chairman Daley asked about the on-premise requirement. Ms. Linn answer a sign has to be on the same lot of land where the business that is advertised is conducted. She explained there was a Supreme Court case regarding municipalities and the ability to regulate content. The Supreme Court ruled a municipality cannot regulate content, therefore municipalities can only regulate the type and

size of a sign. City Staff has to work in the guidelines of this ruling in all zoning districts and since development is driving the need for an updated commercial sign code, it was imperative for City Staff to update this are of the sign code before the undertaking of the residential sign code. Mayor Roberts praised the Planning Commission and Staff for the large amount of work put forth on advancing the aesthetics and atmosphere of Edgerton. These are massive strides that need be done before development is brought forth and erected.

Ms. Linn wanted to touch on some of the topics Mayor Roberts mentioned. Banners and Flags in Commercial Districts are updates to the UDC so there should be discussion held regarding parameters. Mr. Crooks asked if the content or message of the Flag can be regulated. Ms. Crow stated content cannot be regulated but obscene material per the State Statute cannot be displayed as it is a State law. Mayor Roberts agreed the right to display certain content of a Flag is Constitutional and attempting to regulate it can lead to many legal issues. Ms. Linn stated some companies and corporations are known for the size of their flag. She asked the Planning Commission if there should be a size limit placed on flags. Mayor Roberts said the need for a variance on a flag larger than what is allowed per the UDC is a reasonable option for applicants. The Planning Commission agreed and wanted to leave the size limit in the UDC.

Ms. Linn stated that banners are listed as a temporary use at this time in the UDC. Chairman Daley is concerned about the affect on any small commercial service. Ms. Crow explained when staff was updating the UDC, a banner attached to a building was not considered and staff focused more a free-standing banner similar to how a church displays their upcoming Vacation Bible School. Chairman Daley stated a limit can still be placed on the amount of time a banner is displayed and how often it can be changed to a different banner. Ms. Crow asked if a permit should still be required for these temporary banners. Mr. Crooks recommended a yearly permit be required for a set number of signs to be maintained and could be changed with a timeline of when the banners are changed. Ms. Crow inquired about the Planning Commission's opinions on Grand Opening banners and other special events for businesses. She said a yard sign for small events could have a time limit based on the event but needs input on how long after the event should be advertised for and the requirements of how quickly the sign has to be removed after the event. Ms. Linn is concerned about a sign timeline based on an event could be considered as an attempted to regulate content.

Ms. Linn recommended the Planning Commission move forward the permanent sign regulations and allow staff to review the temporary sign regulations in regard to the Supreme Court case regarding content and events. Chairman Daley agreed there are still many questions regarding temporary signs. Ms. Linn said the Supreme Court case has weighed heavily on temporary signs. Mayor Roberts informed the Planning Commission could recommend approval of the whole document and allow staff to work on the temporary signs and allow City Council to review those regulations.

Chairman Daley stated Monument Signs should have changeable copy and the 2 second transition rule on the changeable copy be removed. Mayor Roberts asked about the lumen requirements of the signs. Ms. Crow stated glaring illumination, which is defined as light of such brilliance and so positioned as to blind or impair the vision or affect the aesthetic value of the area, is prohibited. Ms. Crow asked if the allowance of changeable copy on Monument Signs and removal of the transition time rule should be applied to all of the commercial districts. Chairman Daley stated that is correct. Mr. Little added the zoning districts should be separated out, so each district has its own sign code. Mr. Crooks moved to recommend approval to the City Council the permanent signage requirements and general rules with the stipulations of adding a video and audio component of drive-through stations, changeable copy

being allowed on Monument Signs, the removal of the transition rule and allow City Staff to make changes to the temporary sign regulations and general rules. Mr. Little seconded. The motion carried, 3-0.

Ms. Crow stated staff will work to have updated UDC go before the City Council on July 25, 2019.

FUTURE MEETING

The next meeting is scheduled for August 13, 2019 at 7:00 p.m. Ms. Crow stated there will be some amendments to the recently approved Article 4 of the UDC. Mayor Roberts stated City Council was extremely pleased with the work of the Planning Commission and staff with the UDC updates they received.

ADJOURNMENT

Motion by Mr. Crooks, seconded by Mr. Little, to adjourn. Motion was approved, 3-0.

The meeting adjourned at 8:06 p.m.

Submitted by: Chris Clinton, Planning and Zoning Coordinator

STAFF REPORT

Date: August 13, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Consider Approval of Temporary Construction Activities **Application TU 2019-07** on property located at 20520 Waverly Road - Concrete Batch Plant use at Phase II of 207th Street rebuild.

BACKGROUND INFORMATION

Article 9, Section 9.6E of the Unified Development Code of the City of Edgerton, Kansas states that the Planning Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses.

On previous occasions, the Edgerton Planning Commission has approved the use of certain property for construction-related activities associated with Logistic Park Kansas City (LPKC) subject to stipulations and the approval of staff.

MATTER TO BE CONSIDERED

On April 9, 2019 the Planning Commission approved a request from Concrete Strategies (CSI) to conduct concrete batch plant operations on property located at 20520 Waverly Road for use in building IP 51 – Hostess Distribution Center. Permission for these activities was granted with an ending date of June 20, 2020. On July 26, 2019 City Staff received an application from CSI to utilize this batch plant in order to provide concrete to the Phase II rebuild of 207th Street east of Waverly Road.

The property where the batch plant is located is owned by Wellsville Farms, LLC. This property is considered part of Logistics Park Kansas City Phase II. Because this property is privately owned, staff required the property owner's permission in order to use the property for temporary construction activities as allowed by Article 9, Section 9.6E of the Unified Development Code. Staff received notification on July 26, 2019 from NPD Management, as agent for the landowner, Wellsville Farms, LLC, granting conditional permission to allow batch plant operations on the parcel. The conditions stipulated by the owner include a fixed end date of June 30, 2020, the restriction that the batch plant only be used for projects for which explicit permission has been granted, and the right to evict CSI from the property at any time with 30 days advance notice.

As part of their application, CSI has indicated typical operating hours would be from 6:00 AM to 5:00 PM. However, overnight operations from 10:00 PM to 9:00 AM are requested during warmer months. Applicant has indicated that ambient temperature, wind speeds, solar radiation, and low humidity are all factors which can impair the quality of concrete by accelerating the rate of moisture loss and rate of cement hydration. These conditions could exist from June through September but could extend longer, depending upon the weather. Applicant has agreed to keep City Staff updated with any schedule changes.

Access to the project site with mixed concrete will be south on Waverly Road to 207th and then east on 207th Street. A map of the haul route has been provided with the application. Materials deliveries will use Homestead Lane south to 207th Street, east to Waverly and then north to the plant entrance.

As was required on the prior approval for batch plant use at IP 51, the applicant is required to maintain Waverly Road between the batch plant haul route road and 207th Street. Applicant is also required to provide dust remediation on all haul roads used for the project. Applicant has stated they will clean trucks off on construction site during pours and any concrete dribbled onto new intersection of 207th and Waverly will be immediately swept.

Pavement pours will see a haul rate of 20 trucks/hour while smaller pours for sidewalks will see traffic of 4 trucks or less per hour.

STAFF RECOMMENDATION

Staff recommends **approval** of batch plant Application **TU 2019-02** for property located at 20520 Waverly Road for construction-related activities pursuant to Article 9, Section 9.6E of the Unified Development Code, by Concrete Strategies, Inc. and Clayco, Inc., for operation of a concrete batch plant for the Phase II rebuild of 207th Street subject to the following conditions:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations 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. Any damage cause to 207th Street due to concrete operations is the responsibility of the applicant to repair;
9. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
10. 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;
11. 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;

12. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
13. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
14. 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;
15. 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;
16. Applicant shall maintain a valid City of Edgerton Business License;
17. 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
18. Permission for temporary construction activities is granted for a period **ending upon final acceptance by Edgerton City Council of the 207th Street Project.**

ATTACHMENTS

- Request letter from Concrete Strategies including site plan with aerial map of batch plant operations and permission from property owner Wellsville Farms.

July 22, 2019

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

Re: Temporary Batch Plant Request

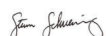
Dear Ms. Crow

This letter serves as request for the City's approval of Concrete Strategies LLC for use of our temporary concrete batch plant operation on 20520 Waverly Road for the 207th Street Road Project east of Waverly road.

Concrete Strategies respectfully request the City add this item to the August Planning Commission session, and that the City recommend the approval of the referenced plant for temporary use through project completion. The proposed site plan of the proposed batch plant operation is attached.

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

Sincerely,



Steve Schuering
Director Operations - KC

Attachments:

Site plan, Northpoint approval, SWPPP, KDHE Permit

CC: Jim Berry, Concrete Strategies, Inc.
Joe Vitale, Concrete Strategies, Inc.

Request for Temporary Construction Activities:

Concrete Strategies mobile batch plant at 20520 Waverly Rd Edgerton, KS would supply concrete service to the 207th Street Road Project east of Waverly in Edgerton, Kansas through the completion of the project.

Hours of Operation:

- Typical Hours – Monday through Friday 6:00 am to 5:00 pm
- Summer Hours - Monday through Friday 10:00 pm to 9:00 am
 - * Overnight operations are based on weather conditions. Due to a combination of factors in the summer (ambient temperature, wind speeds, solar radiation, and low humidity). But generally when the ambient temperature is 80 degrees or higher, it can impair the quality of concrete by accelerating the rate of moisture loss and rate of cement hydration.
 - * Typical time frame for overnight operations would be June through September. But it can extend further due to unpredictable weather conditions.
- Hours of operation will vary depending of job schedule. Weekend operations are infrequent.
- We will keep the city of Edgerton's staff informed and updated with our schedule pour times

Traffic Routes:

Concrete trucks would leave the batch plant site onto Waverly road, then head south on Waverly road to 207th street, then east on 207th street to construction project.

Haul Frequency:

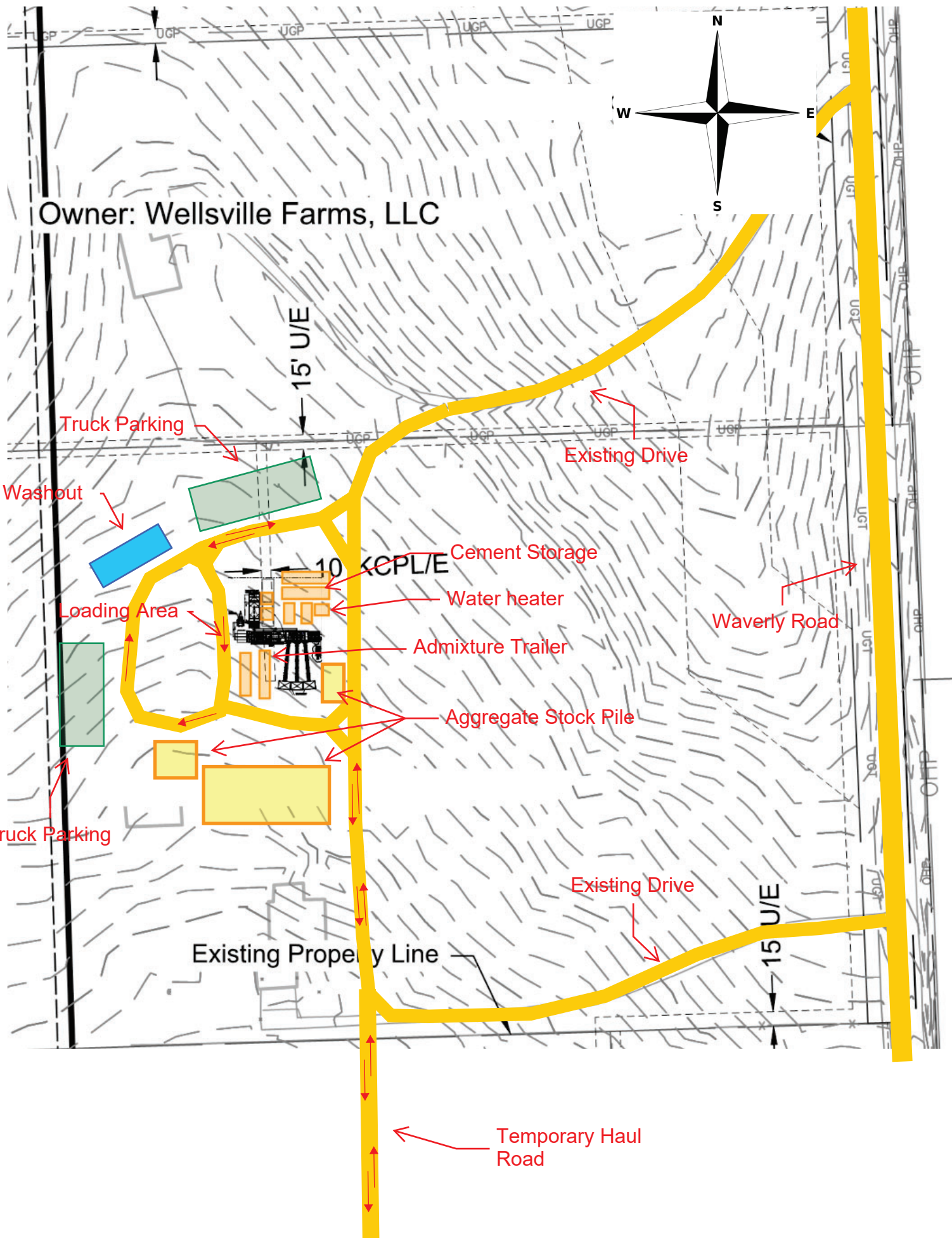
- There are approximately 2-4 large concrete pavement pours that would average 20 trucks per hour.
- Smaller concrete sidewalks and other miscellaneous pours would average 4 or less trucks per hour.

Truck Cleanup:

- Trucks will be cleaned off on construction site during concrete pours.
- If any remaining concrete dribbles onto new intersection of 207th and Waverly, Concrete Strategies will sweep away immediately.

Material Deliveries:

- Cement and aggregate deliveries will use Homestead Land to 207th street, east on 207th street to Waverly road, and north on Waverly road to batch plant entrance.
- Night time deliveries are extremely infrequent.





July 25th, 2019

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

RE: Concrete Batch Plant – Near 207th St and Waverly Rd.

Dear Katy:

As the representative for NPD Management, LLC (Manager) on behalf of Wellsville Farms, LLC (Owner) please consider this letter the written permission for Concrete Strategies, LLC (CSI), their subsidiaries or subcontractors to implement a concrete batch plant for the purpose of constructing the 207th street road improvement – phase 2. Permission is granted with the following conditions.

Condition 1: The permitted term expires on June 30th, 2020.

Condition 2: The batch plant can be used only for projects for which explicit permission has been provided by NPD Management. Permission is being provided by way of this letter for the 207th street road improvement listed above.

Condition 4: NPD Management, LLC reserves the right to cancel any written or implied agreement related to the permission of CSI to utilize the noted property for the purpose of operating a concrete batch plant at any time during allotted term, provided a minimum of 30 days' notice of eviction is provided to CSI.

Respectfully,



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

Attachment

STAFF REPORT

August 13, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **PP2019-03** Preliminary Plat for *On the Go Travel Center, First Plat* located at the northeast corner of Homestead Lane and Interstate-35 (I-35).

APPLICATION INFORMATION

Applicant:	David Anderson, Agent KBS Constructors, Inc. 14955 W. 117 th Street Olathe, KS 66062
Property Owners:	Moussa Sobaiti My Store III, Inc. 14728 W. 93 rd Street Lenexa, KS 66215
Requested Action:	Preliminary Plat approval for <i>On the Go Travel Center, First Plat</i>
Legal Description:	All that part of the NW ¼ of Section 10, Township 15, Range 22, in Johnson County, Kansas; see attached application for complete legal description.
Site Address/Location:	Northeast corner of Homestead Lane and I-35
Existing Zoning and Land Uses:	Parcel contains a C-2 (Heavy Service Commercial) District Zoning Designation; parcel is undeveloped.
Existing Improvements:	None
Site Size:	25.25 acres

DESCRIPTION

Application PP2019-03 requests approval of a Preliminary Plat for On the Go Travel Center located at the northeast corner of Homestead Lane and Interstate 35. This parcel was annexed into the City of Edgerton on January 1, 2015 and subsequently rezoned from RUR to C-2 on March 26, 2015. This Preliminary Plat application shows two lots and one tract. Applicant has proposed the development of West 200th Terrace which would allow access to northern parcels and any future development on the east end of the parcel. This Preliminary Plat request is being made in

preparation of commercial development that will serve the patrons and employees of Logistics Park Kansas City as well as travelers along the I-35 corridor.

INFRASTRUCTURE AND SERVICES

- a. Proposed access to the property and development will be via the proposed West 200th Terrace off of Homestead Lane.
- b. Utilities and service providers.
 1. Johnson County Rural Water District #7.
 2. Sanitary Sewer - City of Edgerton.
 3. Electrical Service - Kansas City Power & Light.
 4. Gas Service – Kansas Gas Service.
 5. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
 6. Fire protection is provided by Johnson County Fire District #1.
- c. Parcel is located within the Bull Creek watershed.

PRELIMINARY PLAT REVIEW

Staff has reviewed the Preliminary Plat submittal for compliance with the requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

Content of Preliminary Plat

1. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes. *Prior to road construction, applicant is required to submit public infrastructure plans for West 200th Terrace. City Engineer will review infrastructure plans when submitted to ensure city standards are met. City Engineer recommends a 12-foot utility/pedestrian easement be provided on the north side of West 200th Terrace and dedicate by a separate instrument. The water easement should be dedicated to the north of the utility/pedestrian easement. **Applicant acknowledges and will provide documentation to dedicate right-of-way, any necessary easements and private property construction. If the applicant is unable to provide documentation, the project will need to be revised to be located entirely on this property.***
2. Proposed location of streets, sidewalks, sanitary sewers, stormwater sewers, water mains, and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot. *The easement for the water line is outside the plat. **Applicant acknowledges and will provide documentation to dedicate the water easement. If the applicant is unable to provide documentation, the project will need to be revised to be located entirely on this property.***
3. A copy of the proposed restrictive covenants. *None provided. **Applicant has indicated that no restrictive covenants exist.***

OTHER COMMENTS

1. Once an easement has been dedicated, it can not be switched with other utility easements unless the property is replatted. If this impacts location of landscaping on the Site Plan, a revised Final Site Plan must be submitted.

2. The name of the Planning Commission Secretary and City Clerk are incorrect. The UDC does not state those signatures are required and therefore should be removed. ***Update Preliminary Plat.***

RECOMMENDATION

City staff recommends **approval** of Application **PP2019-03** Preliminary Plat for *On the Go Travel Center*, subject to compliance with the following stipulations:

1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
2. All infrastructure requirements of the City shall be met.
3. All City Engineer comments related to Stormwater Management Plan must be addressed.
4. Preliminary plat shall 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 or 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.

ATTACHMENTS

- Application PP2019-03
- Preliminary Plat for On the Go Travel Center

NAME OF PROPOSED SUBDIVISION: ON THE GO TRAVEL CENTER

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 199TH AND HOMESTEAD LANE

LEGAL DESCRIPTION: NW1/4, SEC. 10-15-22

CURRENT ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: N/A

TOTAL AREA: 25.25 Acres NUMBER OF LOTS: 2 AVG. LOT SIZE: _____ Sq. Ft.

DEVELOPER'S NAME(S): DAVID ANDERSON PHONE: 913-422-5300

COMPANY: KBS CONSTRUCTORS, INC. FAX: _____

MAILING ADDRESS: 14955 W. 117TH STREET, OLATHE, KS 66062

Street City State Zip

PROPERTY OWNER'S NAME(S): MOUSSA SOBAITI PHONE: _____

COMPANY: MY STORE III INC. FAX: _____

MAILING ADDRESS: 14728 W. 93RD STREET, LENEXA, KS 66215

Street City State Zip

ENGINEER'S NAME(S): JUDD CLAUSSEN PHONE: 913-393-1155

COMPANY: PHELPS ENGINEERING, INC. FAX: 913-393-1166

MAILING ADDRESS: 1270 N. WINCHESTER, OLATHE, KS 66061

Street City State Zip

SIGNATURE OF OWNER OR AGENT: (SEE ATTACHED)

If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 1/2 x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.: PP2019-03 Amount of Fee Paid: \$ 320 Date Fee Paid: 4-26-19 Receipt # _____

Received By: _____ Date of Hearing: 6-7-19

PRELIMINARY PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting.

NOTICE REQUIREMENTS: The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper.

NAME OF PROPOSED SUBDIVISION: ON THE GO TRAVEL CENTERLOCATION OR ADDRESS OF SUBJECT PROPERTY: 199TH AND HOMESTEAD LANELEGAL DESCRIPTION: NW1/4, SEC. 10-15-22CURRENT ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: N/ATOTAL AREA: 25.25 Acres NUMBER OF LOTS: 2 AVG. LOT SIZE: _____ Sq. Ft.DEVELOPER'S NAME(S): DAVID ANDERSON PHONE: 913-422-5300COMPANY: KBS CONSTRUCTORS, INC. FAX: _____MAILING ADDRESS: 14955 W. 117TH STREET, OLATHE, KS 66062

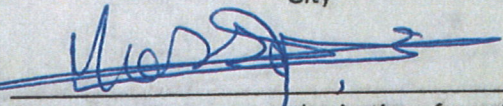
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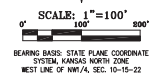
FOR OFFICE USE ONLY

Case No.: RZ-_____ Amount of Fee Paid: \$ _____ Date Fee Paid: _____ Receipt #: _____

Received By: _____ Date of Hearing: _____

PRELIMINARY PLAT INSTRUCTIONS**SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting.**NOTICE REQUIREMENTS:** The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper.

All that part of the NW 1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW 1/4 of said Section 10; thence S 2° 03' 46" E, along the West line of the NW 1/4 of said Section 10, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 280.86 feet, to a point on the North right-of-way line of Interstate Highway No. 35, as established in the Warranty Deed recorded in Book 201108 at Page 001191, in the Office of the Register of Deeds, Johnson County, Kansas, said point also being the true point of beginning; thence continuing N 87° 35' 22" E, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the right having a radius of 390.00 feet, a central angle of 32° 01' 48" and whose initial tangent bearing is S 69° 47' 26" E, an arc distance of 218.02 feet, to the point of tangency; thence S 37° 45' 38" E, a distance of 93.64 feet, to a point of curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 320.00 feet and a central angle of 54° 01' 35", an arc distance of 301.74 feet, to a point on the North line of the South Half of the NW 1/4 of said Section 10; thence N 88° 12' 46" E, a distance of 1181.66 feet, to a point on the North right-of-way line of said Interstate Highway No. 35; thence S 53° 32' 58" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 736.88 feet; thence S 64° 51' 34" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 509.90 feet; thence S 85° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 821.52 feet; thence N 10° 04' 47" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.50 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' 08" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 0° 38' 21" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning, containing 25.250 acres, more or less.



LEGEND

GW 3 = GUY WIRE
PP 0 = POWER POLE
PPTR 0 = POWER POLE WITH TRANSFORMER(S)
WM 0 = WATER METER
WV 0 = WATER VALVE
F 0 = FIRE HYDRANT
B/L = BUILDING LINE
D/E = DRAINAGE EASEMENT
L/E = LANDSCAPE EASEMENT
U/E = UTILITY EASEMENT
P/E = PEDESTRIAN EASEMENT
R/W = RIGHT-OF-WAY

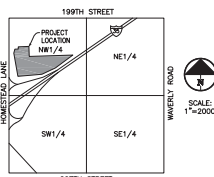
Applicant: David Anderson, Agent
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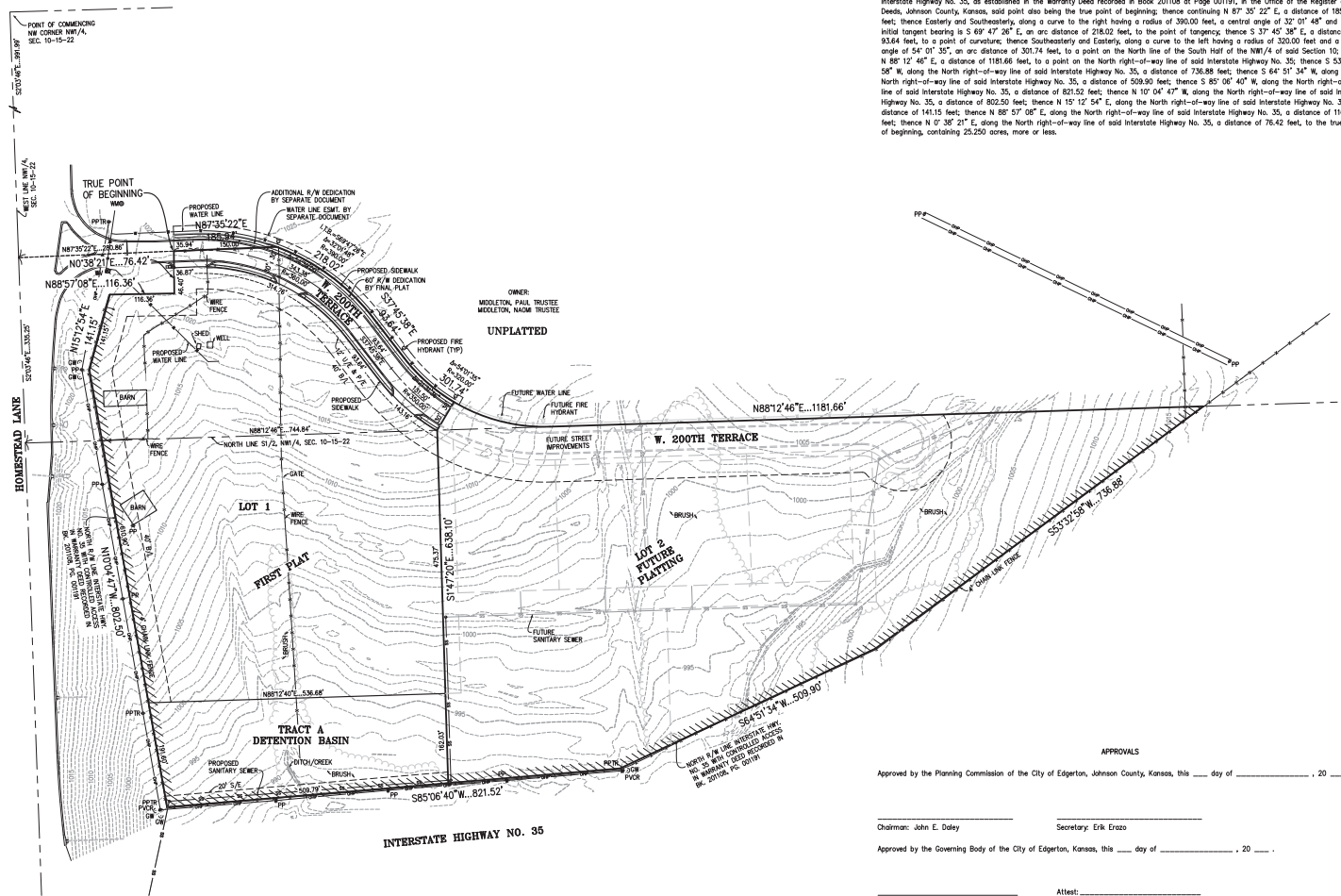
CURRENT ZONING: C-2, HEAVY SERVICE COMMERCIAL DISTRICT

FLOOD NOTE:

THIS PROPERTY LIES WITHIN FLOOD ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE LIMITS OF THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE INCORPORATED AREAS OF JOHNSON COUNTY, KANSAS, COMMUNITY NO. 200158, PANEL NO. 0134G, DATED AUGUST 3, 2009.



VICINITY MAP
SEC. 10-T15S-R22E



LOT AREA TABULATION - FIRST PLAT		
LOT NO.	AREA (SQ.FT.)	ACRES
1	405,500± SQ.FT.	9.309± ACRES
TRACT A	92,116± SQ.FT.	2.115± ACRES
ROW	32,179± SQ.FT.	0.738± ACRES
LOT AREA TABULATION - FUTURE PLATING		
2	514,997± SQ.FT.	11.823± ACRES
ROW	55,090± SQ.FT.	1.265± ACRES
TOTAL	1,099,882± SQ.FT.	25.250± ACRES

I, THOMAS D. PHELPS, HEREBY CERTIFY THAT IN NOVEMBER 2018, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.



LEGAL DESCRIPTION

All at part of the NW¼ of Section 10, Township 15S, Range 12W, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of the NW¼ of said John Jones, thence S 7° 03' 48" E, along the West line of the NW¼ of said John Jones, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 286.96 feet, to a point on the North right-of-way line of Interstate Highway No. 35, 35, a distance of 150.95 feet; thence S 87° 35' 22" E, along the North right-of-way line of Interstate Highway No. 35, a distance of 185.94 feet; thence Southwesterly, along the East line of said John Jones, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the right having a radius of 350.00 feet, a central angle of 33° 01' 48" and where the bearing is S 87° 35' 22" E, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the left having a radius of 320.00 feet and a central angle of 54° 01' 35", an arc distance of 301.74 feet, to a point on the North line of the Southwest ¼ of said John Jones, thence Northwesterly, along the North line of said John Jones, a distance of 137.32 feet; thence S 87° 35' 22" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 73.88 feet; thence S 65° 14' 34" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 50.90 feet; thence S 65° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 11.05 feet; thence S 65° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.50 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' 08" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 88° 32' 28" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning.

PRELIMINARY PLAT
ON THE GO TRAVEL CENTER
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS
199TH STREET AND HOMESTEAD LANE

PROJECT NO.	No.	Date	Revisions:	By
105-46	1.	6-29-19	PER CITY COMMENTS	edc JC
	2.	7-12-19	STREET NAME CHANGE	edc JC
CITY OF ALBUQUERQUE DEPARTMENT OF PUBLIC WORKS DIVISION OF ENGINEERING				
OFFICE OF AUTHORIZATION 100 N. GARDEN AVE., SUITE 200 ALBUQUERQUE, NM 87102 (505) 243-3000 FAXING: 2007001128				

SHIFT

1
OF 1

STAFF REPORT

August 13, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FP2019-03** Final Plat for *On the Go Travel Center, First Plat* located at the northeast corner of Homestead Lane and Interstate 35 (I-35).

APPLICATION INFORMATION

Applicant: David Anderson, Agent
KBS Constructors, Inc.
14955 W. 117th Street
Olathe, KS 66062

Property Owners: Moussa Sobaiti
My Store III Inc.
14728 W. 93rd Street
Lenexa, KS 66215

Requested Action: Final Plat approval for *On the Go Travel Center, First Plat*

Legal Description: W 1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas; see attached application for complete legal description.

Site Address/Location: Northeast corner of Homestead Lane and I-35

Existing Zoning and Land Uses: Existing zoning – C-2 (General Commercial) District; parcel is currently undeveloped.

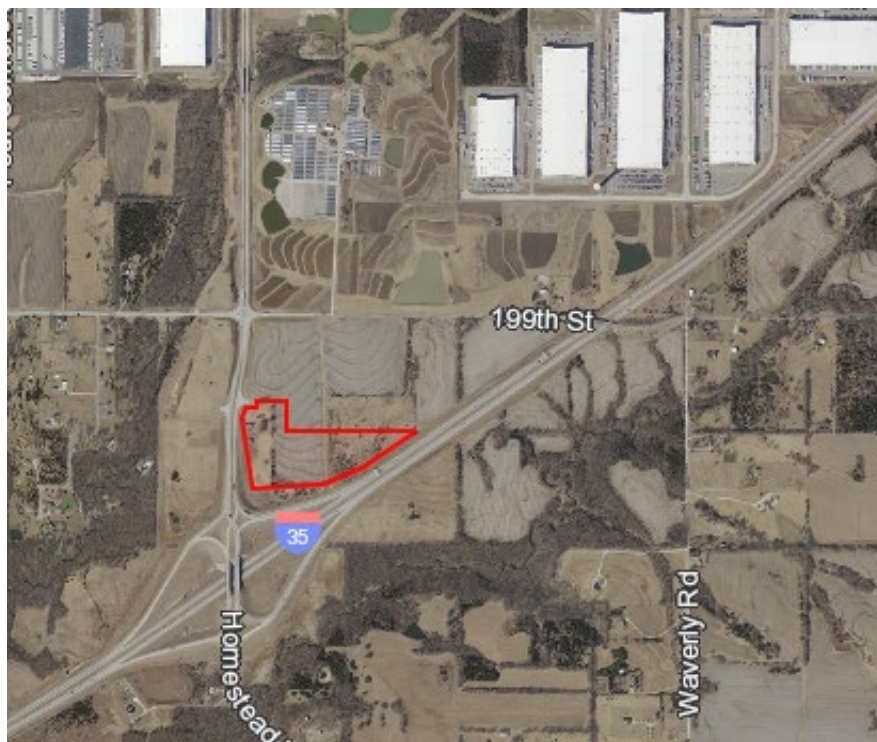
Existing Improvements: None.

Site Size: Approximately 12.162 Acres

PROJECT DESCRIPTION

Application FP2019-03, Final Plat for *On the Go Travel Center, First Plat*, requests approval for one (1) lot and one (1) tract. The new lot would have frontage along the east side of Homestead Lane right-of-way and the North side of Interstate 35 (I-35) right-of-way. This Final Plat request is being made in preparation of commercial development that will serve the patrons and employees of Logistics Park Kansas City along with travelers along the I-35 corridor. This Final Plat request aligns with the request made with Preliminary Plat Application PP2019-03. While this Final Plat application splits an existing parcel and only plats part of it, the remaining remnant parcel would be platted in the future with any accompanying development.

Subject Property



INFRASTRUCTURE AND SERVICES

- a. Per the proposed Final Plat, access to the property will be from proposed West 200th Terrace, east of Homestead Lane and constructed by the developer.
- b. Utilities and service providers.
 1. Johnson County Rural Water District #7.
 2. Sanitary Sewer - City of Edgerton.
 3. Electrical Service - Kansas City Power & Light.
 4. Gas Service – Kansas Gas Service.
 5. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
 6. Fire protection is provided by Johnson County Fire District #1.
- c. Parcel is located within the Bull Creek watershed.

FINAL PLAT REVIEW

Staff has reviewed the Final Plat submittal for compliance with the Approved Final Plat requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

1. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corner, boundaries must be mounted with a 2" x 24" metal bar. ***Confirm monuments have been set after the plat has been recorded with Johnson County, Register of Deeds. Applicant acknowledges.***
1. An instrument of dedication for all roads and easements. ***Prior to road construction, applicant is required to submit public infrastructure plans for East Nelson Street. Additional ROW width may be needed, and additional easements may be required by utilities. City Engineer will review infrastructure plans when submitted to ensure city standards are met. Applicant acknowledges and will provide documentation to dedicate right-of-way, any necessary easements and private property construction. If the applicant is unable to provide documentation, the project will need to be revised to be located entirely on this property.***
2. Certificate of the Register of Deeds. ***Certificate needs to be added to plat. Upon filing Final Plat with Johnson County, Register of Deeds Certificate (Book/Page) will be added. Applicant acknowledges.***

RECOMMENDATION

City staff recommends **approval** of Application **FP2019-03** Final Plat for *On the Go Travel Center, First Plat*, subject to compliance with the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat by the Governing Body. The property owner and/or developer shall work with City staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the Final Plat.
2. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial

assurance as defined in Section 13.7 prior to the commencement of any improvements.

3. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
4. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
5. All City Engineer comments related to the Stormwater Management Plan must be addressed.
6. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
7. If the Final Plat is not recorded with the Johnson County Register of Deeds within one year after acceptance by the Governing Body, the plat will expire. Planning Commission re-approval and Governing Body re-acceptance is required for expired Final Plats.

ATTACHMENTS

- Application FP2019-03
- Final Plat, *On the Go Travel Center, First Plat*

NAME OF PROPOSED SUBDIVISION: ON THE GO TRAVEL CENTER, FIRST PLAT

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 199TH AND HOMESTEAD LANE

LEGAL DESCRIPTION: NW1/4, SEC. 10-15-22

CURRENT ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: N/A

TOTAL AREA: 12.16 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 405K Sq. Ft.

DEVELOPER'S NAME(S): DAVID ANDERSON PHONE: 913-422-5300

COMPANY: KBS CONSTRUCTORS, INC. FAX: _____

MAILING ADDRESS: 14955 W. 117TH STREET, OLATHE, KS 66062

Street City State Zip

PROPERTY OWNER'S NAME(S): MOUSSA SOBAITI PHONE: _____

COMPANY: MY STORE III INC. FAX: _____

MAILING ADDRESS: 14728 W. 93RD STREET, LENEXA, KS 66215

Street City State Zip

ENGINEER'S NAME(S): JUDD CLAUSSEN PHONE: 913-393-1155

COMPANY: PHELPS ENGINEERING, INC. FAX: 913-393-1166

MAILING ADDRESS: 1270 N. WINCHESTER, OLATHE, KS 66061

Street City State Zip

SIGNATURE OF OWNER OR AGENT: (SEE ATTACHED)

If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.: ~~NZ~~-FP2019-03 Amount of Fee Paid: \$ 310 Date Fee Paid: 4-26-19 Receipt #: _____

Received By: _____ Date of Hearing: 6-7-19

FINAL PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

NAME OF PROPOSED SUBDIVISION: ON THE GO TRAVEL CENTER, FIRST PLAT

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 199TH AND HOMESTEAD LANE

LEGAL DESCRIPTION: NW1/4, SEC. 10-15-22

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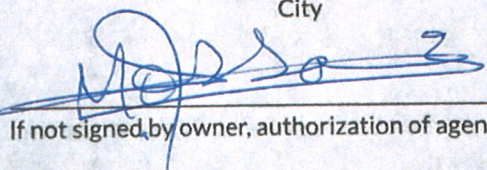
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4-26-2019

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Case No.: RZ-_____ Amount of Fee Paid: \$_____ Date Fee Paid: _____ Receipt # _____

Received By: _____ Date of Hearing: _____

FINAL PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

vs. 9-9-11

This is a survey and subdivision of all that part of the NW 1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW 1/4 of said Section 10; thence S 2° 03' 46" E, along the West line of the NW 1/4 of said Section 10, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 280.86 feet, to a point on the North right-of-way line of Interstate Highway No. 35, as established in the Warranty Deed recorded in Book 201108 at Page 001191, in the Office of the Register of Deeds, Johnson County, Kansas, said point also being the true point of beginning; thence continuing N 87° 35' 22" E, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the right having a radius of 390.00 feet, a central angle of 32° 01' 48" and whose initial tangent bearing is S 69° 47' 26" E, an arc distance of 218.02 feet, to the point of tangency; thence S 37° 45' 38" E, a distance of 93.64 feet, to a point of curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 320.00 feet and a central angle of 21° 31' 36", an arc distance of 120.23 feet; thence S 30° 41' 48" W, a distance of 59.41 feet, to a point on the North line of the South Half of the NW 1/4 of said Section 10; thence S 1° 47' 20" E, a distance of 638.10 feet, to a point on the North right-of-way line of said Interstate Highway No. 35; thence S 85° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 509.79 feet; thence N 10° 04' 47" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.50 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 0° 38' 21" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning, containing 12.162 acres, more or less.

FINAL PLAT OF ON THE GO TRAVEL CENTER, FIRST PLAT

PART OF THE NW1/4 OF SECTION 10, TOWNSHIP 15 S, RANGE 22 E
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION

This is a survey and subdivision of all that part of the NW1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW1/4 of said Section 10; thence S 2° 03' 46" E, along the West line of the NW1/4 of said Section 10, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 280.86 feet, to a point on the North right-of-way line of Interstate Highway No. 35, as established in the Warranty Deed recorded in Book 20108 at Page 10119, in the Office of the Register of Deeds, Johnson County, Kansas, said point also being the true point of beginning; thence continuing N 87° 35' 22" E, a distance of 185.94 feet; thence East and Southeast, along a curve to the right having a radius of 390.00 feet, a central angle of 32° 01' 48" and whose initial tangent bearing is S 69° 47' 26" E, an arc distance of 218.02 feet, to the point of tangency; thence S 37° 45' 38" E, a distance of 93.64 feet, to a point of curvature; thence Southeast and East, along a curve to the left having a radius of 320.00 feet and a central angle of 21° 31' 30", an arc distance of 120.33 feet; thence S 20° 41' 48" W, a distance of 59.41 feet, to a point on the North line of the South Half of the NW1/4 of said Section 10; thence S 1° 47' 20" E, a distance of 638.10 feet, to a point on the North right-of-way line of said Interstate Highway No. 35; thence S 85° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 509.79 feet; thence N 10° 04' 47" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.20 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' 08" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 0° 38' 21" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning, containing 12.162 acres, more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ON THE GO TRAVEL CENTER, FIRST PLAT".

DEDICATION

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, plazas, roads, drives, lanes, parkways, overways and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cable heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby agrees and agrees to indemnify the City of Edgerton, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under those areas outlined hereon and designated on this plat as "U/E" or "Utility Easement" is hereby granted to the City of Edgerton, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easement shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement to lay, construct, alter, repair, replace or operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "sanitary sewer easement" or "S/E" on this plat are hereby dedicated to the City of Edgerton, Kansas. Sanitary Sewer Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of sanitary sewer facilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and under those areas outlined and designated on this plat as "D/E" or "Drainage Easement" is hereby granted to the City of Edgerton, Kansas. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

An easement or license for the public to enter upon and utilize a sidewalk for pedestrian cross access through the subject property is hereby granted over those areas outlined and designated on this plat as "P/E" or "Pedestrian Easement".

Tract A as shown herein shall be designated and used for storm water drainage easement and/or treatment or detention facilities, and shall be owned and maintained by the undersigned proprietors, their successors and/or assigns.

In accordance with KSA 12-512b, all rights, obligations, reservations, easements, or interests not shown on this plat shall be vacated as to use and as to title, upon filing or recording of this plat.

CONSENT TO LEVY

The undersigned proprietor of the above described land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Edgerton, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietor has caused this instrument to be executed on this ____ day of _____, 20 ____.

MY STORE II, INC., a Kansas corporation

By: _____
Moussa Sobottli

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) SS

BE IT REMEMBERED that on this ____ day of _____, 20 ____ before me, the undersigned, a Notary Public in and for said County and State, came Moussa Sobottli, President of MY STORE II, INC., who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said corporation, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

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

Chairman: John E. Daley Secretary: Jeremy Little

Approved by the Governing Body of the City of Edgerton, Kansas, this ____ day of _____, 20 ____.

Mayer: Donald Roberts Attest: _____
City Clerk: Rachel James

APPROVED by the Zoning Administrator of the City of Edgerton, Johnson County, Kansas, this ____ day of _____, 20 ____.

Zoning Administrator: Katy Crow

L. THOMAS D. PHELPS, HEREBY CERTIFY THAT IN NOVEMBER 2011, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

BY: _____
L.S. 1076
L. THOMAS D. PHELPS, K.S.A. 24-2107-1076
CERTIFICATE OF AUTHORIZATION
RECORDING: 2010/01/28
EXPIRATION: 2010/03/28

CERTIFICATE OF AUTHORIZATION
PAGES: 1
RECORDING: 15-42
RECORDING: 2010/01/28
EXPIRATION: 2010/03/28

PHILIPS ENGINEERING, INC.
LARRY W. WILSON
CRAIG R. KANDLER
PHILIPS ENGINEERING, INC.
LARRY W. WILSON
CRAIG R. KANDLER
PHILIPS ENGINEERING, INC.
LARRY W. WILSON
CRAIG R. KANDLER

Error Closure: North: -0.001812 East: -0.0022310 Precision: 1: 1018251.979



SCALE: 1"=100'
0' 100' 200'

BEARING BASE: STATE PLANE COORDINATE
SYSTEM, KANSAS NORTH ZONE
WEST LINE OF NW1/4, SEC. 10-15-22
BEARING N 2° 03' 46" W

LEGEND

- DENOTES SET 1/2"X24" REBAR W/PHILIPS CORP. CLS-82 PLASTIC CAP IN CONCRETE
- DENOTES FOUND MONUMENT AS DESCRIBED
- B/A = BUILDING LINE
- D/E = DRAINAGE EASEMENT
- L/E = LANDSCAPE EASEMENT
- U/E = UTILITY EASEMENT
- P/E = PEDESTRIAN EASEMENT
- R/W = RIGHT-OF-WAY
- (P) = PLATTED
- (D) = DESIRED
- (M) = MEASURED

FLOOD NOTE:

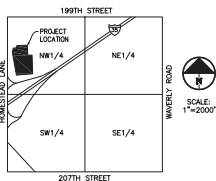
THIS PROPERTY LIES WITHIN FLOOD ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE LIMITS OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE INCORPORATED AREAS OF JOHNSON COUNTY, KANSAS, COMMUNITY NO. 2001058, PANEL NO. 01342, DATED AUGUST 3, 2009.

LOT AREA TABULATION

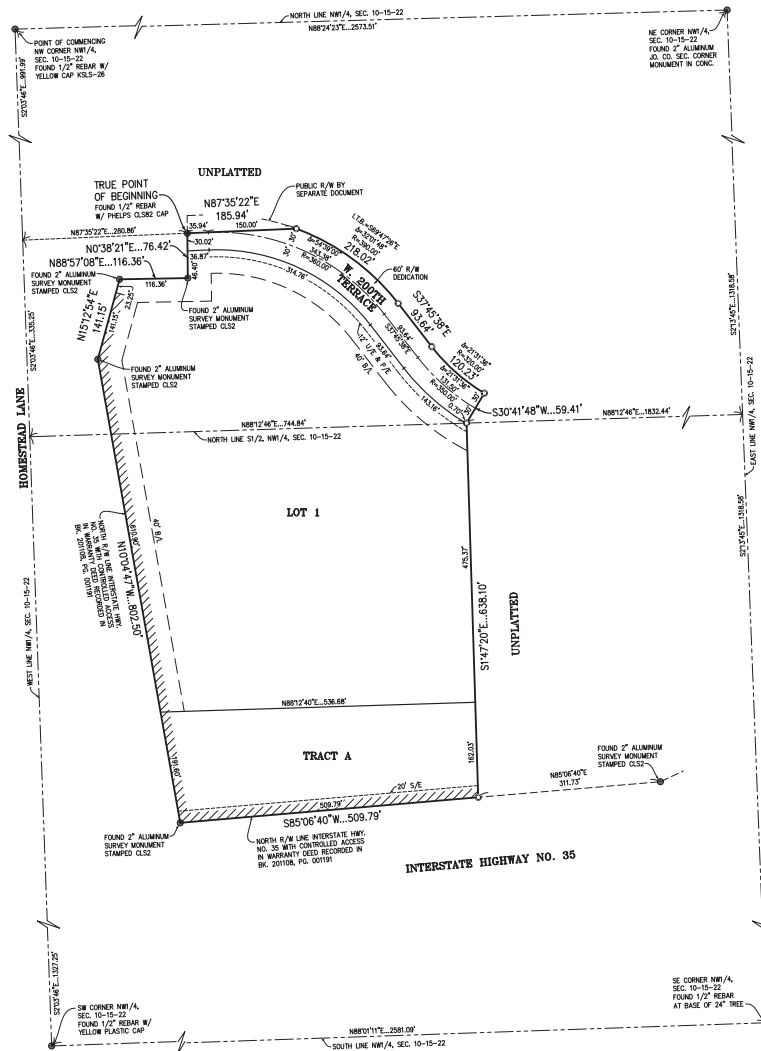
LOT NO.	ACRES	BUILDING ENVELOPE
1	405,209 SQ.FT. 9.3094 ACRES	348,734 SQ.FT.
TRACT A	92,164 SQ.FT. 2.1151 ACRES	N/A
ROW	32,784 SQ.FT. 0.7384 ACRES	N/A
TOTAL	528,796 SQ.FT. 12.1624 ACRES	

SETBACK TABULATION

LOT NO.	FRONT	REAR	SIDE
1	40 FEET	N/A	N/A
TRACT A	N/A	N/A	N/A



VICINITY MAP
SEC. 10-T15S-R22E



STAFF REPORT

August 13, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **PS2019-01** Preliminary Site Plan for *On the Go Travel Center*, located on the northeast corner of Homestead Lane and Interstate 35 (I-35).

APPLICATION INFORMATION

Applicant: David Anderson, Agent
KBS Constructors, Inc.
14955 W. 117th Street
Olathe, KS 66062

Property Owner: Moussa Sobaiti
My Store III, Inc.
14728 W. 93rd Street
Lenexa, KS 66215

Requested Action: Preliminary Site Plan for *On the Go Travel Center*.

Legal Description: All that part of the NW ¼ of Section 10, Township 15, Range 22, in Johnson County, Kansas; see attached application for complete legal description.

Site Address/Location: On the northeast corner of Homestead Lane and I-35.

Existing Land Use: None

Existing Zoning and Uses: Existing zoning – C-2 (Heavy Service Commercial) District.

Existing Improvements: none

Site Size: Approximately 25.250 Acres

Background Information

The current Preliminary Site Plan depicts one (1) proposed building with fueling stations for vehicles and trucks. Operations also include a proposed truck service facility and truck wash. A proposed detention basin is located to the south of the first lot. The second of the two (2) lots is labeled for future development. The Preliminary Plan shows four (4) possible locations for restaurants and two (2) possible hotels. The Preliminary Site Plan sheet includes general information about the development including items such as overall layout, access from Homestead Lane, and proposed public street development. Additionally, more detailed information was submitted as part of the Final Site Plan.

Subject Property



Infrastructure and Services:

1. Access to the property and development will be from a newly constructed public street, West 200th Terrace, which will turn east off Homestead Lane and run adjacent to the north side of the parcel. The applicant has proposed three (3) private drives from West 200th Terrace into the project. There is also a proposed future road which would allow access from 199th Street to West 200th Terrace. This future road would also allow southbound traffic on Homestead Lane access to the development and provide an opportunity for traffic to access southbound Homestead Lane at 199th Street. Exact location of future road is uncertain at this time.
2. Utilities and service providers.
 - a. Water - Johnson County Water District #7
 - b. Sanitary Sewer - City of Edgerton
 - c. Electrical Service - Kansas City Power & Light
 - d. Gas Service – Kansas Gas Service
 - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office.
 - f. Fire protection is provided by Johnson County Fire District #1.
3. Development proposal is located within the Bull Creek watershed.

STAFF ANALYSIS

Staff has reviewed the Preliminary Site Plan submittal for compliance with the requirements of Article 10, *Site Plans and Design Standards*; Section 4.3, *Heavy Service Commercial (C-2) District*; Section 4.6, *Awning and Fencing*; Section 4.7, *Fuel Stations, Convenience Stores and/or Drive-Throughs* of Article 4; and Article 16, *Parking and Loading Regulations* of the Edgerton Unified Development Code (UDC). Review comments are listed below.

Article 10 – Section 10.1 – Site Plan requirements

1. Certifications. *Preliminary Site Plan does not include Certification as outlined in UDC. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.*
2. Contents of Site Plan Drawings. All material shall be adequately labeled and should provide complete details which show compliance with District requirements.
 - a. 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. *Estimated number of employees not included in data table provided with the Site Plan. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.*
 - b. The submitted Site Plan shall include the following features.
 - i. 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. *Electronic copy provided. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.*

- ii. The location of existing and proposed easements. *Utility easements not shown, either proposed or existing. Applicant acknowledges and will provide documentation to dedicate right-of-way, any necessary easements and private property construction. If the applicant is unable to provide documentation, the project will need to be revised to be located entirely on this property.*
- iii. 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. *The City Engineer recommends further discussion between the City and Developer's Engineer prior to proceeding with the design of the sanitary sewer. Provide information on Final Site Plan.*
- iv. 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. *Signage detail is not outlined. Applicant acknowledges, and a signage package will be submitted at a later time.*
- v. Features to facilitate handicapped access. *While 3 handicap stalls have been provided, information related to slope and curb access has not been provided. Provide updated information on Final Site Plan.*

Article 4 – Section 4.3 – C-2, Heavy Service Commercial

1. No merchandise or equipment shall be stored or displayed outside a building. *Applicant has indicated a storage area adjacent to the northeast side of the Truck Wash/Service building. This is not allowed per the UDC. Remove area or provide screening in compliance with the UDC on Final Site Plan.*
2. All building composed of stone, brick, wood, custom siding, tile or a combination of these materials. *Building materials for fuel island have not been provided. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.*
3. Gutters and Downspouts 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.

Gutters and downspouts have been identified on building elevations by architect, but these design guidelines have not been met. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.

- 4. 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. *Applicant has indicated there will be rooftop equipment and screening will be required. Screening type, color and location information will be required at Building Permit submittal. Final approval for said screening will be given at Building Permit issuance. Applicant Acknowledges.*

Article 4 – Section 4.6 – Awnings & Fencing

- 1. Awning shall be composed of noncombustible acrylic fabric, in a matte finish, suitable for outdoor use and U/V resistant.
 - a. *Applicant has indicated that awnings will be included on building and will be either prefinished standing seam metal or fabric. Only fabric is an allowed material for awnings. Proposed updates to the UDC will be brought forth to the Planning Commission at the same meeting at which this item is being heard which would allow prefinished standing seam metal awnings. Upon acceptance by the Governing Body, this material would be allowed per the UDC and thus approved for this project.*

Article 4 – Section 4.7 – Fuel Stations, Convenience Stores and/or Drive Throughs

- 1. 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. *The applicant has not provided details on the canopy or any of the other buildings in the Preliminary Site Plan. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.*

Article 16 – Section 16.2 – Design Standards and Required Dimensions

- 1. Minimum dimensions for parking lots. *No dimensions are located on the Preliminary Site Plan. Staff is unable to determine if the parking stalls meet the requirements outlined in this Section. Applicant acknowledges and has provided information on submitted*

Final Site Plan dated July 22, 2019.

Article 16 – Section 16.3 – Required Spaces

1. Retail convenience store: one space per 200 square feet of gross floor area. *Gross floor area has not been provided. Staff is unable to determine if the number of provided space meets this requirement. Applicant acknowledges and has provided information on submitted Final Site Plan dated July 22, 2019.*

OTHER COMMENTS

1. Kansas Department of Transportation (KDOT) controls access to this property from Homestead Lane. KDOT recently completed a traffic study contemplating the conversion of this entrance to full access. The City is working with KDOT staff to review this project and its access to Homestead Lane. *Any requirements on public or private property by the City of Edgerton or KDOT determined necessary for the improvement of the intersection shall be incorporated in the Final Site Plan by the applicant.*

RECOMMENDATION

City staff recommends **approval** of Application **PS2019-01** for *On the Go Travel Center*, with the following stipulations:

1. The above recommendations are stipulated as a part of an approval and are incorporated into the Preliminary Development/Site Plan document set.
2. A 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, Landscaping Plan, Photometric Plan, Stormwater Study and SWPPP as required by City approval of the submitted Preliminary Site Plan, as amended by these stipulations and approved by the City.
3. All Preliminary Development/Site Plan requirements of the City listed above shall be met or addressed during Final Development/Site Plan submittal as identified above.
4. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
5. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.

ATTACHMENTS

- Application PS2019-01
- Preliminary Plan for *On the Go Travel Center*



Site Plan Application
(Fee: \$200 Plus \$10 Per Acre)

*Request is to hear preliminary and final site plans together.

☒ PRELIMINARY SITE PLAN

☐ FINAL SITE PLAN

NAME OF PROPOSED SUBDIVISION: ON THE GO TRAVEL CENTER, FIRST PLAT

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 199th and Homestead Lane

LEGAL DESCRIPTION: Lengthy, See attached.

CURRENT ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: N/A

TOTAL AREA: 12.16 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 405K Sq. Ft.

DEVELOPER'S NAME(S): David Anderson PHONE: 913-422-5300

COMPANY: KBS Constructors, Inc. FAX: davidanderson@kbsci.com

MAILING ADDRESS: 14955 W 117th Street, Olathe, KS 66062

Street City State Zip

PROPERTY OWNER'S NAME(S): Moussa Sobaiti

PHONE: _____

COMPANY: My Store III, Inc.

FAX: moussasobaiti@hotmail.com

MAILING ADDRESS: 14728 W 93rd Street, Lenexa, KS 66215

Street City State Zip

ENGINEER'S NAME(S): Judd D. Claussen, P.E.

PHONE: 913-393-1155

COMPANY: Phelps Engineering, Inc.

FAX: jclaussen@phelpsengineering.com

MAILING ADDRESS: 1270 N Winchester, Olathe, KS 66061

Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____

(Signature) 4-29-2019
If not signed by owner, authorization of agent must accompany this application.

NOTE: Three (3) copies of the site plan must accompany this application for staff review. One (1) reduced copy (8 1/2 x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.: PS2019-01 Amount of Fee Paid: \$ 321.62 Date Fee Paid: _____ Receipt # _____

Received By: _____ Date of Hearing: 7-11-19

SITE PLAN INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least thirty (30) working days prior to the public hearing.

NOTICE REQUIREMENTS: The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper. The City shall make one copy available for public inspection at least fourteen (14) days in advance of the public hearing.

PRELIMINARY PLAT LEGAL DESCRIPTION:

All that part of the NW1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW1/4 of said Section 10; thence S 2° 03' 46" E, along the West line of the NW1/4 of said Section 10, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 280.86 feet, to a point on the North right-of-way line of Interstate Highway No. 35, as established in the Warranty Deed recorded in Book 201108 at Page 001191, in the Office of the Register of Deeds, Johnson County, Kansas, said point also being the true point of beginning; thence continuing N 87° 35' 22" E, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the right having a radius of 390.00 feet, a central angle of 32° 01' 48" and whose initial tangent bearing is S 69° 47' 26" E, an arc distance of 218.02 feet, to the point of tangency; thence S 37° 45' 38" E, a distance of 93.64 feet, to a point of curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 320.00 feet and a central angle of 54° 01' 35", an arc distance of 301.74 feet, to a point on the North line of the South Half of the NW1/4 of said Section 10; thence N 88° 12' 46" E, a distance of 1181.66 feet, to a point on the North right-of-way line of said Interstate Highway No. 35; thence S 53° 32' 58" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 736.88 feet; thence S 64° 51' 34" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 509.90 feet; thence S 85° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 821.52 feet; thence N 10° 04' 47" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.50 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' 08" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 0° 38' 21" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning, containing 25.250 acres, more or less.

STAFF REPORT

August 13, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FS2019-04** Final Site Plan for *On the Go Travel Center, First Plat* located at the northeast corner of Homestead Lane and Interstate 35 (I-35).

APPLICATION INFORMATION

Applicant: David Anderson, Agent
KBS Constructors, Inc.
14955 W. 117th Street
Olathe, KS 66062

Property Owner: Moussa Sobaiti
My Store III Inc.
14728 W. 93rd Street
Lenexa, KS 66215

Requested Action: Final Site Plan approval for *On the Go Travel Center, First Plat*

Legal Description: W 1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas; see attached application for complete legal description.

Site Address/Location: Northeast corner of Homestead Lane and I-35.

Existing Zoning and Land Uses: Existing zoning – C-2 (Heavy Service Commercial) District.

Existing Improvements: None.

Site Size: Approximately 12.162 Acres

PROJECT DESCRIPTION

Application FS2019-04 is a request for Final Site Plan approval for *On the Go Travel Center, First Plat*. The parcel is on the northeast corner of Homestead Lane and I-35. This project would service highway traffic along the I-35 corridor and traffic specific to Logistics Park Kansas City. The 7,200 square foot travel center proposes fuel pumps for both passenger vehicles and semi-trucks with a truck wash and truck service facility. The floor plan provided indicates a proposed quick service food provider inside the travel center building.

Subject Property



INFRASTRUCTURE AND SERVICES

1. Access to the property and development will be from a newly constructed public street, West 200th Terrace, which will turn east off Homestead Lane and run adjacent to the north side of the parcel. The applicant has proposed three (3) private drives from East Nelson Street into the project. There is also a proposed future road which would allow access from 199th Street to West 200th Terrace. This future road would also allow southbound traffic on Homestead Lane access to the development and provide an opportunity for traffic to access southbound Homestead Lane at the 199th Street intersection. Exact location of the future road is uncertain at this time.
2. Utilities and service providers.
 - a. Water - Johnson County Water District #7
 - b. Sanitary Sewer - City of Edgerton
 - c. Electrical Service - Kansas City Power & Light
 - d. Gas Service – Kansas Gas Service
 - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office.
 - f. Fire protection is provided by Johnson County Fire District #1.
3. Development proposal is located within the Bull Creek watershed.

FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the requirements of Article 10, *Site Plans and Design Standards*; Section 4.3, *Heavy Service Commercial (C-2) District*; Section 4.6, *Awning and Fencing*; Section 4.7, *Fuel Stations, Convenience Stores and/or Drive-Throughs* of Article 4; and Article 16, *Parking and Loading Regulations* of the Edgerton Unified Development Code (UDC). Review comments are listed below.

Article 10 - Section 10.1 – Site Plan

1. Contents of Site Plan Drawings. All material shall be adequately labeled and should provide complete details which show compliance with District requirements.
 - a. Engineer's seal with original signature. *Sheets A100 to A304 reflecting the floor plans and building elevations have not been stamped by an architect or engineer. Update Final Site Plan.*
 - b. Planting timetable and seeding/sodding schedules. *A timetable of plantings has not been provided. Applicant acknowledges that a timetable has not been provided and states they are unable to do so at this time due to uncertainty of when plantings will actually take place. Applicant acknowledges necessity of planting and understands Building Permit will not be closed until landscaping is completed.*
 - c. Exterior lighting specifications including a preliminary photometric plan. The maximum height for luminaries shall not exceed 25 feet as measured between the bottom of the luminaire and grade. *Proposed luminaries are to be 35' from grade to the top of the luminaire. Update Final Site Plan.*
 - d. Site entrance and connections to streets. *Kansas Department of Transportation (KDOT) controls access to this property from Homestead Lane. KDOT recently completed a traffic study contemplating the conversion of this entrance to full access. The City is working with KDOT staff to review this project and its access to Homestead Lane. The City Engineer noted the entrance width for the east entrance exceeds the City standard and it should be lengthened as well. Update Final Site Plan.*

- e. 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. *The City Engineer recommends further discussion between the City and Developer's Engineer prior to proceeding with the design of the sanitary sewer. **Update Final Site Plan.***
- f. Vehicular and pedestrian circulation within the site, entrances and exits, loading and unloading area, and adjacent curb butts. *Per the City Engineer, the sidewalk ramps shown do not meet PROWAG requirements and revised ramps can be shown on the public infrastructure plans. **Update Final Site Plan.***
- g. 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 UDC. *A rendering of proposed signage has been submitted by the applicant. Proposed signage is not in compliance with the existing UDC. **Revisions to proposed signage are required along with Sign Permit Applications for each proposed sign. The Zoning Administrator will review for UDC compliance. Any signs not found to be in compliance will require revisions or a variance from the Board of Zoning Appeals. Applicant acknowledges.***
- h. Features to facilitate handicapped access. *The applicant has provided 3 ADA accessible parking stalls for the proposed Travel Center. While this does meet the standards set forth by the ADA (including proposed spaces for future retail space), City Staff recommends additional ADA accessible parking stalls be added once the future retail space is built in order to provide ADA access at all entrances.*
- i. Profile and details for roads, the location and width of sidewalks, and the location of trails. *Public improvement plans will be required for the proposed road. It appears that the storm sewer for the road has not been included on the plans. **Provide documentation to dedicate right-of-way, any necessary easements and private property construction. If the applicant is unable to provide documentation, the project will need to be revised to be located entirely on this property. Update Final Site Plan.***
- j. 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. *There is rooftop equipment proposed and is screened from public view. **City Staff will continue to monitor the project development to ensure proper screening of all equipment is provided. Applicant acknowledges that if rooftop equipment can be seen from adjacent public streets, additional screening will be required and an elevation of such will be required before Building Permit issuance.***

Article 4 – Section 4.6 – Awnings & Fencing

- 1. Awning Appearance, Material & Maintenance
 - a. Awning shall be composed of noncombustible acrylic fabric, in a matte finish, suitable for outdoor use and U/V resistant. *Proposed awnings on the Travel Center*

are metal. Proposed updates to the UDC will be brought forth to the Planning Commission at the same meeting at which this item is being heard which would allow prefinished standing seam metal awnings. Upon acceptance by the Governing Body, this material would be allowed per the UDC and thus approved for this project.

Article 4 – Section 4.7 – Fuel Stations, Convenience Stores and/or Drive-Throughs

1. Canopy Design Standards. *When final product determination is made, Applicant will provide details to staff for final review and approval. Applicant acknowledges requirements of canopies. Update Final Site Plan.*

OTHER COMMENTS

1. A storm water management report has been submitted. The following comments should be addressed prior to approval:
 - a. The detention basin bottom has been shown with the bottom completely flat. APWA requires a minimum slope of 2% in the bottom draining to the outlet.
2. A SWPPP and Land Disturbance Permit have not been submitted at this time. ***LDP has to be approved before any work can begin on site.***
3. Diesel emission regulations set forth by KDHE must be complied with. ***Applicant acknowledges.***
4. Applicant has indicated an outdoor storage area on the north side of the truck wash building and it will be screened with an 8-foot-tall cut block fence. At no time shall the stored items be visible to the public or be stacked above the fence height. The gate for the storage area must be constructed of a sturdy and solid material and kept in good operating condition. Any damage must be repaired immediately.

RECOMMENDATION

City staff recommends **approval** of **FS2019-04** Final Site Plan for *On the Go Travel Center, First Plat*, subject to compliance with the following stipulations:

1. The staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Final Site Plan.
2. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.
3. Any items added must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance.
4. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, 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. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.
5. Any requirements on public or private property by the City of Edgerton or KDOT determined necessary for the improvement of the intersection shall be adhered to.

ATTACHMENTS

- Application FS2019-04
- Final Site Plan for *On the Go Travel Center, First Plat* including Architectural drawings and renderings.



Site Plan Application
(Fee: \$200 Plus \$10 Per Acre)

☐ PRELIMINARY SITE PLAN

☒ FINAL SITE PLAN

*Request is to hear preliminary and final site plans together.

NAME OF PROPOSED SUBDIVISION: ON THE GO TRAVEL CENTER, FIRST PLAT

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 199th and Homestead Lane

LEGAL DESCRIPTION: Lengthy, See attached.

CURRENT ZONING ON SUBJECT PROPERTY: C-2 CURRENT LAND USE: N/A

TOTAL AREA: 12.16 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 405K Sq. Ft.

DEVELOPER'S NAME(S): David Anderson PHONE: 913-422-5300

COMPANY: KBS Constructors, Inc. FAX: davidanderson@kbsci.com

MAILING ADDRESS: 14955 W 117th Street, Olathe, KS 66062

Street City State Zip

PROPERTY OWNER'S NAME(S): Moussa Sobaiti

PHONE: _____

COMPANY: My Store III, Inc.

FAX: moussasobaiti@hotmail.com

MAILING ADDRESS: 14728 W 93rd Street, Lenexa, KS 66215

Street City State Zip

ENGINEER'S NAME(S): Judd D. Claussen, P.E.

PHONE: 913-393-1155

COMPANY: Phelps Engineering, Inc.

FAX: jclaussen@phelpsengineering.com

MAILING ADDRESS: 1270 N Winchester, Olathe, KS 66061

Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____

If not signed by owner, authorization of agent must accompany this application.

NOTE: Three (3) copies of the site plan must accompany this application for staff review. One (1) reduced copy (8 1/2 x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.: FS2019-04 Amount of Fee Paid: \$ 321.62 Date Fee Paid: _____ Receipt # _____

Received By: _____ Date of Hearing: 7-11-19

SITE PLAN INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least thirty (30) working days prior to the public hearing.

NOTICE REQUIREMENTS: The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper. The City shall make one copy available for public inspection at least fourteen (14) days in advance of the public hearing.

DESIGN STANDARDS: Applicants within the Logistics Park (L-P) District should abide by the district regulations and design standards set forth in Section 5.2 of the Edgerton Unified Development Code. These regulations and design standards include, but are not limited to, building placement, architectural design standards, parking and loading, access management, photometrics, landscaping, signage and diesel emissions.

PLANNING COMMISSION REVIEW: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the site plan to determine conformity with the design guidelines and other requirements included within the Edgerton Uniform Development Code.

APPROVAL LIMITATIONS: If the Final Site Plan is in conformance with an Approved Preliminary Site Plan, notice and publication of Planning Commission or City Council meetings is not required.

CHECKLIST

The following items shall be included on the site plan. All (FINAL) Site Plans must be submitted on superior quality paper in a 24 x 36 inches format (or a format specified by the Zoning Administrator). The scale shall be a professionally acceptable standard suitable to the area of the proposed project.

Front or Cover Sheet

- ☐ A scale, vicinity map showing the relationship of the site to surrounding neighborhoods, roads and other physical features.
- ☐ A project title, zoning designation and project sponsor.
- ☐ A street, lot or tract address of the project.
- ☐ An index to contents and a data table which includes:
 - ☐ Acreage of the site and number of units per acre (if applicable)
 - ☐ Gross square feet of the building(s) area
 - ☐ Proposed use of each building
 - ☐ Number of employees and the BOCA or Uniform Building Code or NEPA 101 Life Safety Code Occupancy Design Load
 - ☐ Total number of parking places
- ☐ Name of the architect, engineer, surveyor or draftsman.
- ☐ Following certificates and signature blocks:

CERTIFICATE:

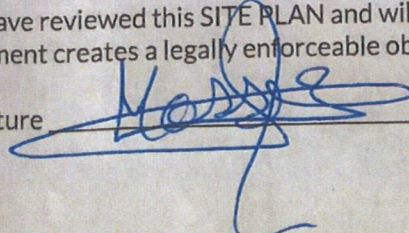
Received and placed on record this _____ day of _____, 20____ by

_____ (Zoning Administrator).

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

_____ (Chair of Planning Commission).

I certify that I have reviewed this SITE PLAN and will comply with all specifications, changes, 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 4-29-2019

Sheet #2

- A landscape plan drawn to scale, showing the site, building location, planting and seeding schedules, refuse and outdoor storage screening and boundary screening. All landscape features shall be shown in relation to sidewalks, paths, lawns, parking areas and drives.
- A table entitled "Planting Schedule" which lists the common name, size and condition of all planting materials, together with a timetable for planting.

Sheet #3

- A site map with the following features:
 - Topography at reasonable intervals
 - Exterior lot lines with any survey pins
 - Location of buildings
 - Parking areas, paths, walks with sizes and surfaces material specifications
 - Exterior lighting specifications
 - Site entrance and connections to streets
 - Location of easements
 - Connection point for utilities
- A sketch of the entry sign, and all other free-standing, façade, and building signs to be used on the premises
- Features to facilitate handicapped access
- Profile and detail for roads (if required)

Sheet #4

- Scale drawing of building floor plans
- Dimensions and use of rooms and areas
- Dimensions of entrances/exits and corridors
- Interior specifications for handicapped accessibility as required by ANSI 117.1 and this ordinance

Sheet #5 (if requested)

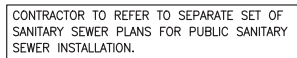
- Scale drawings of all building elevations
- Roof pitch and materials
- Siding type and materials, including facade

ADDITIONAL REQUIREMENTS: Depending upon circumstances (especially buildings used for assembly), the Planning Commission may require additional sheets for mechanical and electrical and building materials specifications. The Planning Commission may also require additional information for hazardous material or other environmental impacts.

FINAL PLAT LEGAL DESCRIPTION:

All that part of the NW1/4 of Section 10, Township 15, Range 22, in Johnson County, Kansas, more particularly described as follows: Commencing at the Northwest corner of the NW1/4 of said Section 10; thence S 2° 03' 46" E, along the West line of the NW1/4 of said Section 10, a distance of 991.99 feet; thence N 87° 35' 22" E, a distance of 280.86 feet, to a point on the North right-of-way line of Interstate Highway No. 35, as established in the Warranty Deed recorded in Book 201108 at Page 001191, in the Office of the Register of Deeds, Johnson County, Kansas, said point also being the true point of beginning; thence continuing N 87° 35' 22" E, a distance of 185.94 feet; thence Easterly and Southeasterly, along a curve to the right having a radius of 390.00 feet, a central angle of 32° 01' 48" and whose initial tangent bearing is S 69° 47' 26" E, an arc distance of 218.02 feet, to the point of tangency; thence S 37° 45' 38" E, a distance of 93.64 feet, to a point of curvature; thence Southeasterly and Easterly, along a curve to the left having a radius of 320.00 feet and a central angle of 21° 31' 36", an arc distance of 120.23 feet; thence S 30° 41' 48" W, a distance of 59.41 feet, to a point on the North line of the South Half of the NW1/4 of said Section 10; thence S 1° 47' 20" E, a distance of 638.10 feet, to a point on the North right-of-way line of said Interstate Highway No. 35; thence S 85° 06' 40" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 509.79 feet; thence N 10° 04' 47" W, along the North right-of-way line of said Interstate Highway No. 35, a distance of 802.50 feet; thence N 15° 12' 54" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 141.15 feet; thence N 88° 57' 08" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 116.36 feet; thence N 0° 38' 21" E, along the North right-of-way line of said Interstate Highway No. 35, a distance of 76.42 feet, to the true point of beginning, containing 12.162 acres, more or less.

\\PHEI-PS-SERVER\Projects\p\160346\diag\Permit Plans-(TDP)\cpe\COVER.dwg Jul 24, 2019 - 2:43pm Broday Out



PROJECT LOCATION



KANSAS GAS SERVICE CO. (913) 344-8808
MS. LYN LEET (LLEET@KGS.COM)
7421 W. 129TH ST. #100
OVERLAND PARK, KS. 66213

KANSAS CITY POWER AND LIGHT CO. (913) 681-7369
MS. NANCY MARTIN (NANCY.MARTIN@KCPL.COM) (913) 681-7365-FAX
P.O. BOX 159
STILWELL, KANSAS 66085

CITY OF EDGERTON - (SANITARY & STORM) (913) 893-6231-PHONE
404 EAST NELSON,
EDGERTON, KANSAS 66021

WATER DISTRICT NO. 7, JOHNSON COUNTY (913) 856-7375--PHONE
534 W. MAIN STREET, (913) 856-7173--FAX
P.O. BOX 7
GARDNER, KANSAS 66030

THE SUBJECT PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR COMMUNITY NO. 200159, JOHNSON COUNTY, KANSAS, MAP NO. 20091C01340, AND DATED AUGUST 3, 2009.

[illegible]

NOTE: THIS SURVEYOR WAS NOT SUPPLIED A ZONING REPORT OR LETTER FOR THIS SURVEY.

BENCHMARK: (VERTICAL DATUM = NAVD88 BASED ON JOHN BM# 130.) SQUARE CUT ON TOP OF CURB EAST NOSE OF SOUTHEAST CONCRETE ISLAND AT INTERSECTION OF HOMESTEAD LANE AND 199TH STREET. ELEVATION= 1013.81

BM# 997 = PLUS CUT TOP CURB ON NORTH SIDE OF CONCRETE ENTRANCE TO SUBJECT PROPERTY. ELEVATION=1025.89

- C0 COVER SHEET
- C0.1 DEMOLITION PLAN
- C1 OVERALL SITE PLAN--PRELIMINARY
- C1.1 SITE PLAN
- C1.2 TYPICAL STREET SECTIONS
- C1.3 TRUCK TURN PLAN
- C2 GRADING PLAN
- C2.1--C2.2 GRADING PLAN--ENLARGEMENTS
- C2.3 DETENTION PLAN
- C3 OVERALL--UTILITY PLAN
- C3.1 UTILITY PLAN
- C4 DRAINAGE CALCULATIONS
- C5--C7 STORM SEWER PLAN & PROFILES
- C8 EROSION CONTROL PLAN
- C9 EROSION CONTROL DETAILS
- C10--C11 PAVEMENT DETAILS
- C12 STORM SEWER DETAILS
- C13 WATER & WASTEWATER DETAILS
- L1 LANDSCAPE PLANS

RECEIVED AND PLACED ON RECORD THIS _____ DAY OF _____, 20____.

APPROVED BY THE EDGERTON CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____.

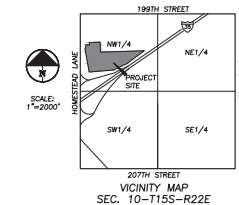
I certify that I have reviewed this SITE PLAN and will comply with all specifications, changes, conditions required during Site Plan approval and amendments herein, and that this instrument creates a legally enforceable obligation to build and develop in accordance with all final agreements.

OWNER:
MY STORE III INC.
14728 W. 93RD STREET
LENEXA, KANSAS 66215
MR. MOUSSA SOBAITI

ARCHITECT:
BCS DESIGN, INC.
19920 WEST 161ST STREET
OLATHE, KANSAS 66062

SURVEYOR:
PHELPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KANSAS 66061
(913) 393-1155
(913) 393-1166 (FAX)

ENGINEER:
PHELPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KANSAS 66061
(913) 393-1155
(913) 393-1166 (FAX)



Know what's below.
Call before you dig.

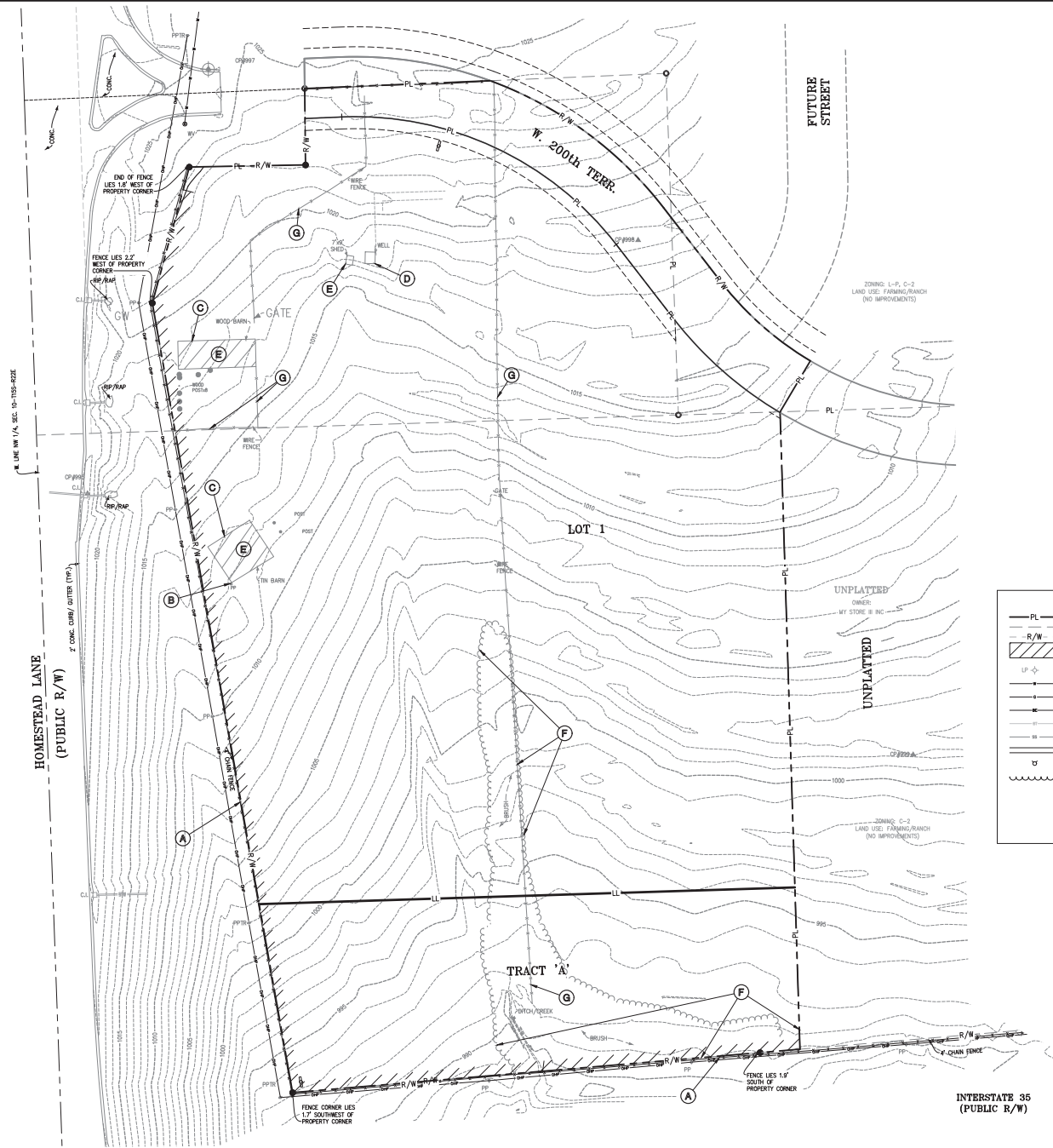
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COVER SHEET
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

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SHEET
C0

HOMESTEAD LANE
(PUBLIC R/W)



INTERSTATE 35
(PUBLIC R/W)

DEMOLITION NOTES:

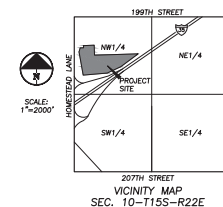
1. THE CONTRACTOR IS RESPONSIBLE FOR THE DEMOLITION, REMOVAL, AND DISPOSAL (IN A LOCATION APPROVED BY ALL COVERING AUTHORITIES) ALL CURBS, PARKING, DRIVES, DRAINAGE STRUCTURES, UTILITIES, ETC., SUCH THAT THE IMPROVEMENTS SHOWN ON THE REMAINING PLANS CAN BE CONSTRUCTED. ALL FACILITIES TO BE REMOVED SHALL BE UNDERCUT TO SUITABLE MATERIAL AND BROUGHT TO GRADE WITH SUITABLE COMPACTED FILL MATERIAL.
2. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL DERRIS FROM THE SITE AND DISPOSING THE DERRIS IN A LAWFUL MANNER. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS REQUIRED FOR DEMOLITION AND DISPOSAL.
3. DAMAGE TO ALL EXISTING CONDITIONS TO REMAIN WILL BE REPLACED AT CONTRACTOR'S EXPENSE.
4. CONTRACTOR MUST COORDINATE WITH OWNER PRIOR TO ANY CONSTRUCTION TO ESTABLISH CUSTOMER ACCESS AND TRAFFIC FLOW DURING ALL PHASES.

DEMOLITION KEY NOTES:

- A. RIGHT-OF-WAY FENCE ALONG THE EAST & SOUTH PROPERTY LINE SHALL REMAIN IN PLACE THROUGHOUT THE PROJECT. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT ANY DAMAGE TO RIGHT-OF-WAY FENCE. TYPICAL LOCATION.
- B. THE CONTRACTOR SHALL REMOVE ALL UNDERGROUND/OVERHEAD ELECTRICAL SERVICES, TELEPHONE AND CABLE SERVICE LINES AND THEIR APPURTENANCES WITHIN THE PROJECT BOUNDARY. THE UTILITY SERVICES SHALL BE DISCONNECTED ALONG THE PROJECT BOUNDARY. TYPICAL LOCATION.
- C. THE CONTRACTOR SHALL REMOVE ALL UNDERGROUND GAS LINES, WATER LINES, SANITARY AND STORM SEWER SERVICE LINES AND THEIR APPURTENANCES. APPURTENANCES INCLUDE, BUT NOT LIMITED TO, ALL PIPES, MANHOLES, JUNCTION BOXES, CATCH BASINS, YARD INLETS, FLUMES AND METER PITS. THE UTILITY SERVICES SHALL BE DISCONNECTED ALONG THE PROJECT BOUNDARY LINE TO THE EXISTING HOME TO BE DEMOLISHED.
- D. CONTRACTOR TO REMOVE EXISTING WELL PER KDHE REQUIREMENTS.
- E. THE CONTRACTOR SHALL REMOVE ALL PRE-EXISTING STRUCTURES, FOUNDATIONS, FOOTINGS, PIERS, WATER WELLS, SEPTIC TANKS, LATERAL LINES, BURIED DERRIS, MISCELLANEOUS CONCRETE, ETC. WHICH MAY BE ENCOUNTERED DURING DEMOLITION ACTIVITIES. THE CONTRACTOR SHALL DISPOSE OF THESE MATERIALS IN A LOCATION APPROVED BY ALL COVERING AUTHORITIES.
- F. SHADDED AREAS INDICATE MAIN STRUCTURES AND OUTBUILDINGS TO BE DEMOLISHED. IN ADDITION TO SHADDED DEMOLITION AREAS, ALL MISCELLANEOUS CONCRETE, STONE STRUCTURES, OUTBUILDINGS, PRIVATE SIDEWALKS, RETAINING WALLS, SIGNS, PATIOS, FOUNDATION WALLS AND FOOTINGS ASSOCIATED WITH THE STRUCTURES SHALL BE REMOVED UNLESS OTHERWISE NOTED ON THE PLANS. TYPICAL LOCATION.
- G. THE CONTRACTOR SHALL BE REQUIRED TO BACKFILL ALL EXCAVATIONS/DEPRESSIONS CREATED BY THE REMOVAL OF STRUCTURES, FOUNDATIONS, FOOTINGS, PAVING, SEPTIC TANKS, WELLS, PIPES, TREE ROOTS, DERRIS AND UTILITY STRUCTURES, ETC. ALL EXCAVATIONS SHALL BE BACKFILLED TO EXISTING GROUND ELEVATIONS ON ALL SIDES OF THE EXCAVATION.
- H. THE CONTRACTOR SHALL REMOVE ALL GROUND VEGETATION, TREES, SHRUBS, BRUSH AND DERRIS SPECIFICALLY SHOWN TO BE REMOVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSAL OF CLEARED ITEMS.
- I. THE CONTRACTOR SHALL REMOVE EXISTING FENCE WITHIN PROPERTY BOUNDARY.

LEGEND

- PL — PROPERTY LINE
- LOT LINE
- R/W — RIGHT-OF-WAY
- EXISTING BUILDING TO BE REMOVED
- EXISTING LIGHT POLE
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING BURIED ELECTRIC
- EXISTING BURIED TELEPHONE
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING FIRE HYDRANT
- EXISTING TREELINE VEGETATION



UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN. UNDERGROUND LOCATIONS SHOWN AS FURNISHED BY THEIR LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL FIELD LOCATIONS OF UNDERGROUND UTILITIES.

SHEET
C0.1

DEMOLITION PLAN
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

PROJECT NO.	DATE	BY	CHK	REVISED PER	COMMENTS
10-1155-R222	7-24-18	JMM	JMM		
DATE: 7-24-18	PROJECT CHG.	BY	CHK	REVISED PER	COMMENTS
CHANGED BY: JMM	DATE: 7-24-18	PROJECT CHG.	BY	CHK	REVISED PER
DATE: 7-24-18	PROJECT CHG.	BY	CHK	REVISED PER	COMMENTS
DATE: 7-24-18	PROJECT CHG.	BY	CHK	REVISED PER	COMMENTS



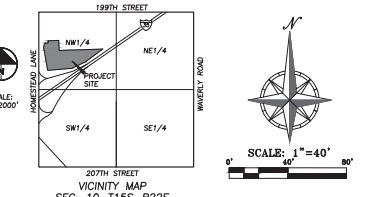
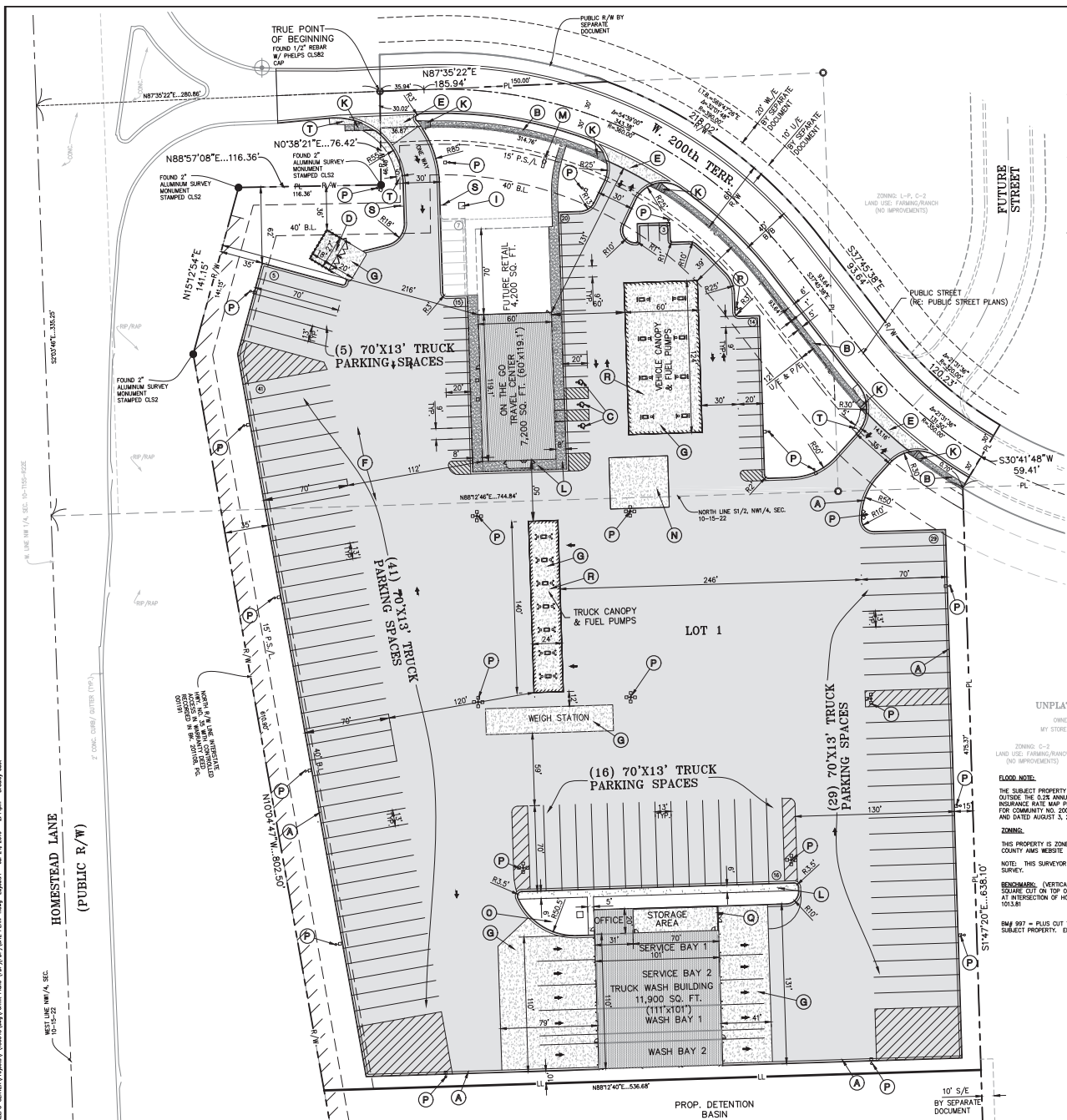
Professional Engineer
JMM
State of Kansas
No. 7-22-19



DEMOLITION PLAN
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS



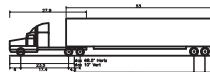
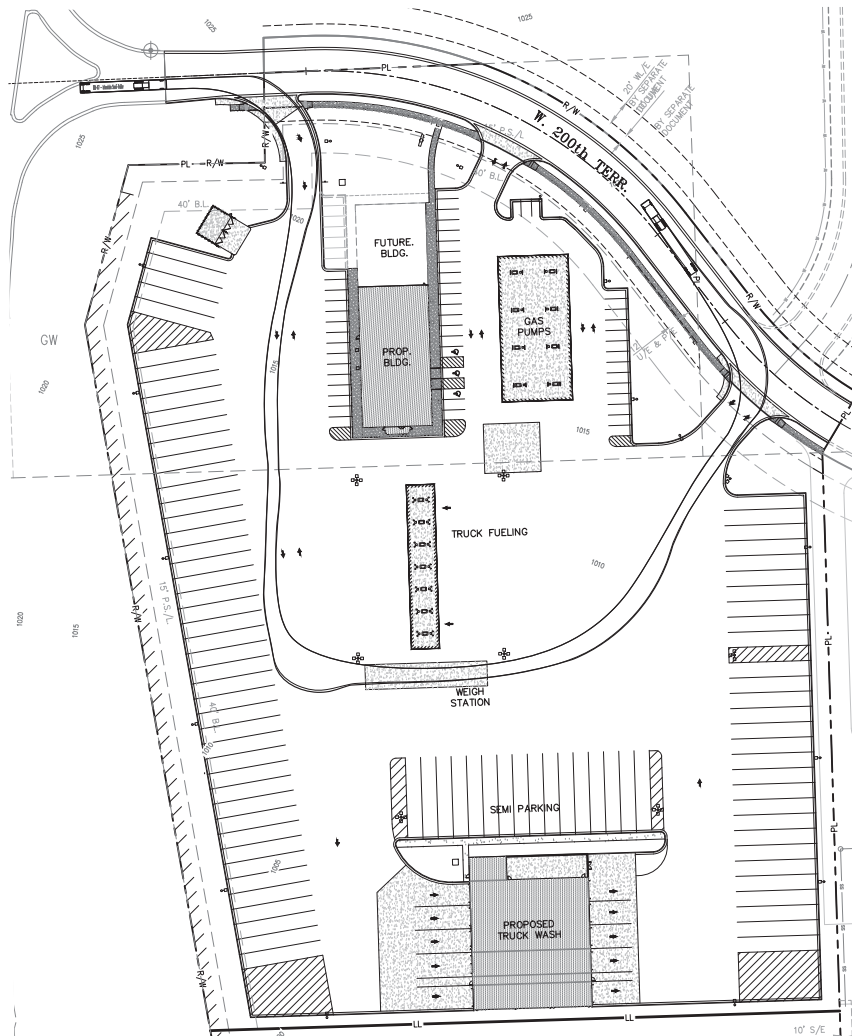
C1



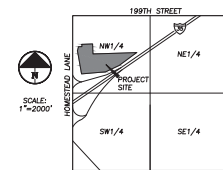
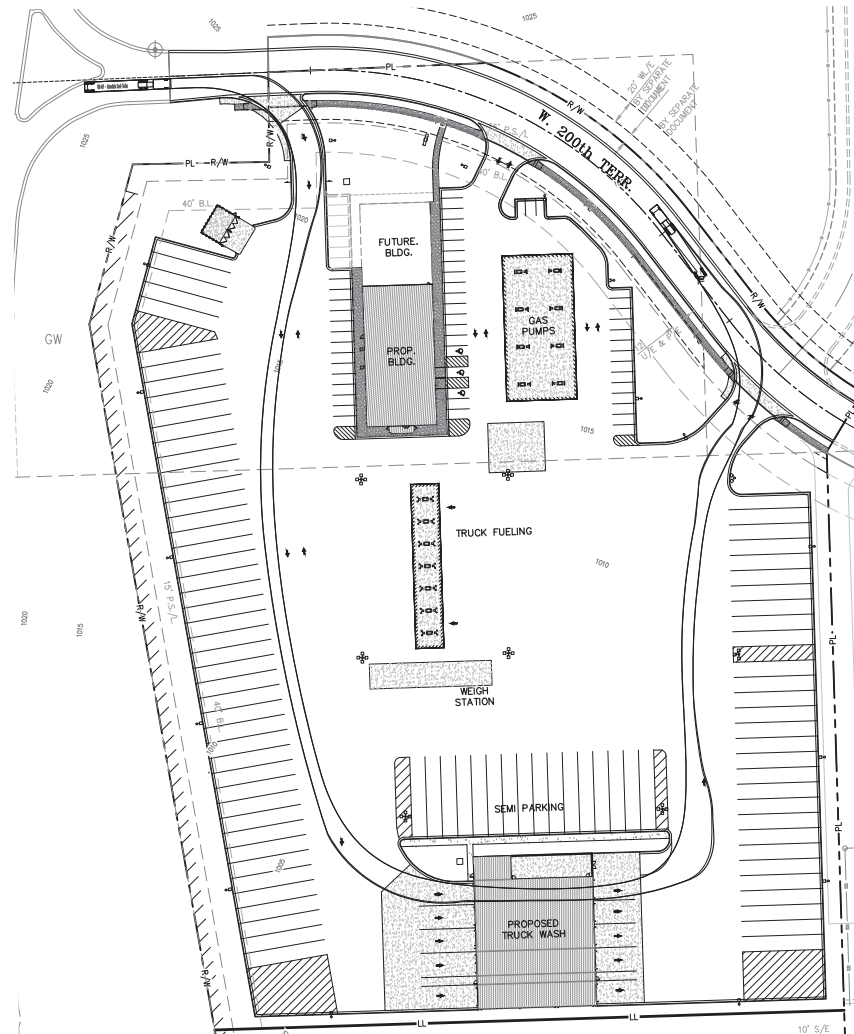
Know what's below.
Call before you dig.

UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.
UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THE
LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN
THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL
FIELD LOCATIONS OF UNDERGROUND UTILITIES.





WB-67 - Interstate Semi-Trailer
 Overall Length: 100'-0"
 Overall Width: 8'-6"
 Overall Height: 8'-6"
 Max. Gross Weight: 80,000 lbs
 Max. Gross Weight per Axle: 20,000 lbs
 Max. Gross Weight per Wheel: 10,000 lbs
 Max. Gross Weight per Tire: 5,000 lbs
 Max. Gross Weight per Hub: 2,500 lbs
 Max. Gross Weight per Axle Assembly: 10,000 lbs
 Max. Gross Weight per Wheel Assembly: 5,000 lbs
 Max. Gross Weight per Tire Assembly: 2,500 lbs
 Max. Gross Weight per Hub Assembly: 1,250 lbs



SCALE: 1"=2000'



SCALE: 1"=50'

TRUCK TURN PLAN ON THE GO-TRAVEL CENTER I-35 AND HOMESTEAD LANE EDGERTON, JOHNSON COUNTY, KANSAS

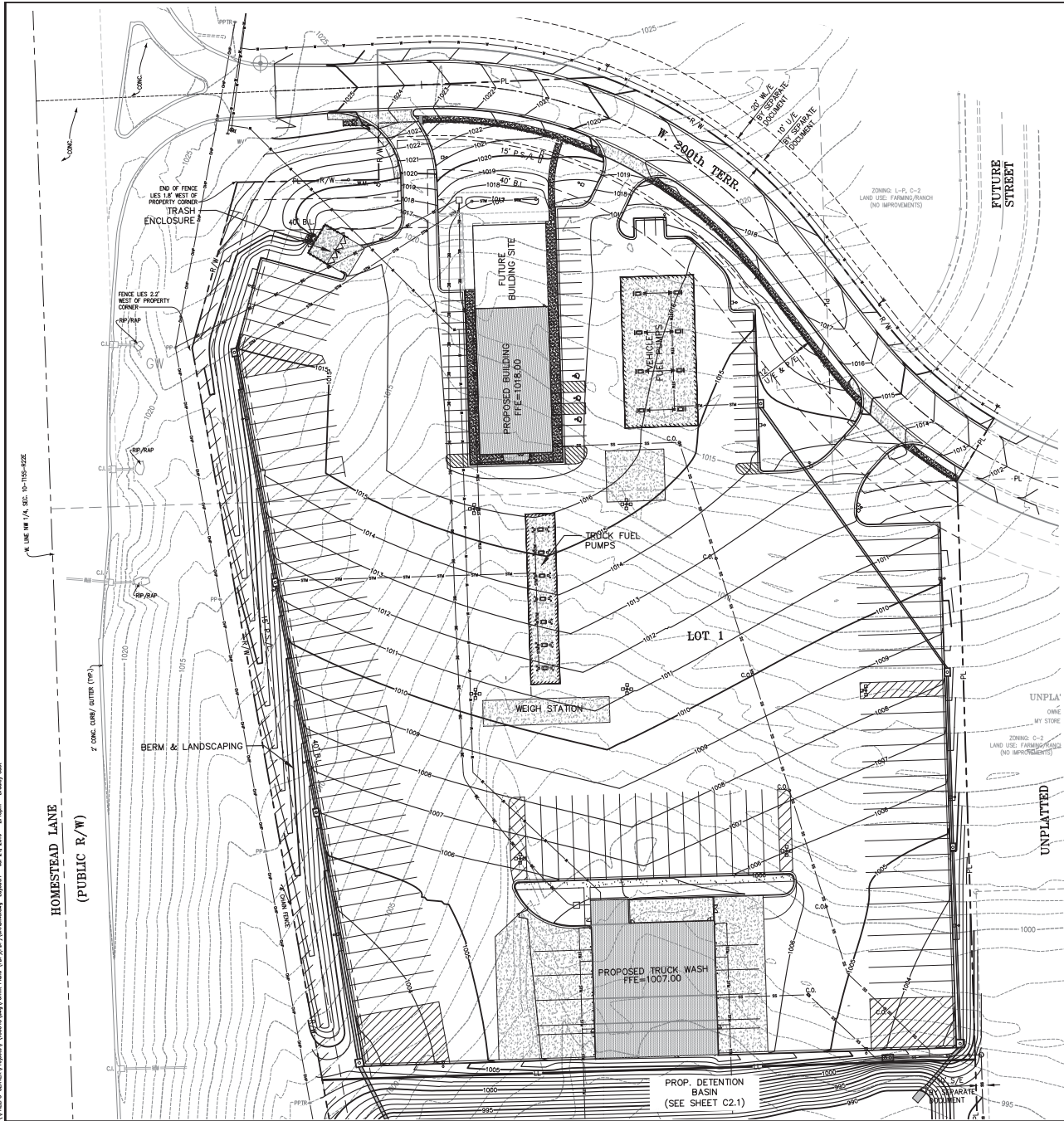
NO.	DATE	REVISIONS	BY	CHK
1	7-23-19	REVISED PER STAFF COMMENTS	ML	ML
2				
3				
4				
5				
6				
7				
8				
9				
10				

SHEET
C1.3



Professional Engineering and
 Surveying Services
 J. L. King
 1000 S. Main Street
 Edgerton, KS 66528
 Phone: (913) 231-1111
 Fax: (913) 231-1112
 Email: jking@jkingeng.com





Earthwork Summary
On The Go Travel Center
4/24/2019

Raw Excavation	16,978 Cu. Yds.
In Place Compaction (+15%)	-54,968 Cu. Yds.
Building Adjustment	1,143 Cu. Yds. (assume 24" of additional excavation)
Pavement Adjustment	10,962 Cu. Yds. (assume 12" of additional excavation)
On Site Net	-25,885 Cu. Yds.

* EARTHWORK COMPUTATIONS BY PHELPS ENGINEERING, INC. ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND SHALL BE VERIFIED BY CONTRACTORS BY THEIR CHOSEN METHOD PRIOR TO PLACING BIL. ALL EARTHWORK SHALL BE CONSIDERED UNCLASSIFIED. 15% WAS ADDED INTO RAW BILL QUANTITY TO ACCOUNT FOR SHRINKAGE.

FLOOD NOTE:

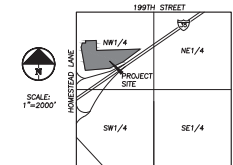
THE SUBJECT PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR COUNTY NO. 200159, JOHNSON COUNTY, KANSAS, MAP NO. 2009103146, AND DATED AUGUST 3, 2009.

ZONING:

THIS PROPERTY IS ZONED C-2 (HEAVY SERVICE COMMERCIAL) PER JOHNSON COUNTY AIMS WEBSITE. NOTE: THIS SURVEYOR WAS NOT SUPPLIED A ZONING REPORT OR LETTER FOR THIS SURVEY.

BENCHMARK: (VERTICAL DATUM = NAVD83 BASED ON JOHN BM# 130). SQUARE CUT ON TOP OF CURB EAST NOSE OF SOUTHEAST CONCRETE ISLAND AT INTERSECTION OF HOMESTEAD LANE AND 199TH STREET. ELEVATION= 1013.81

BM# 997 = PLUS CUT TOP CURB ON NORTH SIDE OF CONCRETE ENTRANCE TO SUBJECT PROPERTY. ELEVATION=1025.89



207TH STREET
VICINITY MAP
SEC. 10-T155-R22E

LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED SPOT ELEVATION
- LG LIP OF GUTTER
- TC TOP OF CURB
- SW SIDEWALK
- ME MATCH EXISTING
- HP HIGH POINT
- LP LOW POINT
- P TOP OF PAVEMENT
- TE TOP OF STRUCTURE
- OR GROUND ELEVATION



UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN. UNDERGROUND LOCATIONS SHOWN AS FURNISHED BY THEIR LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL FIELD LOCATIONS OF UNDERGROUND UTILITIES.

SHEET
C2

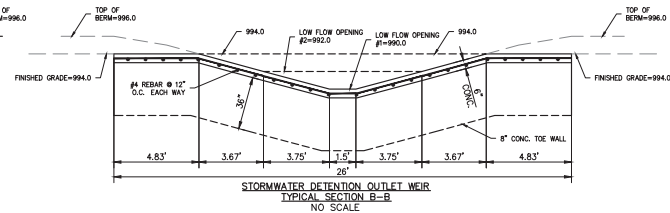
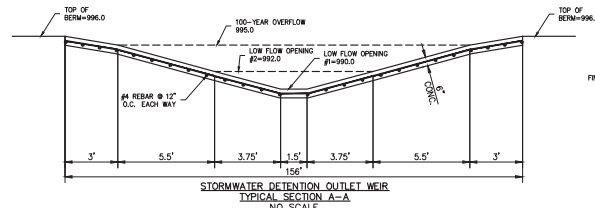
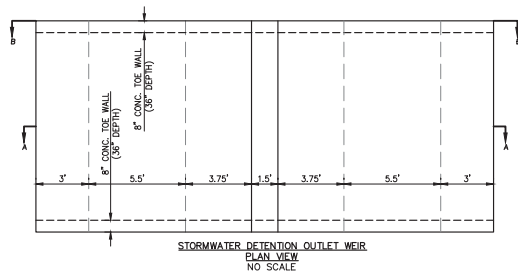
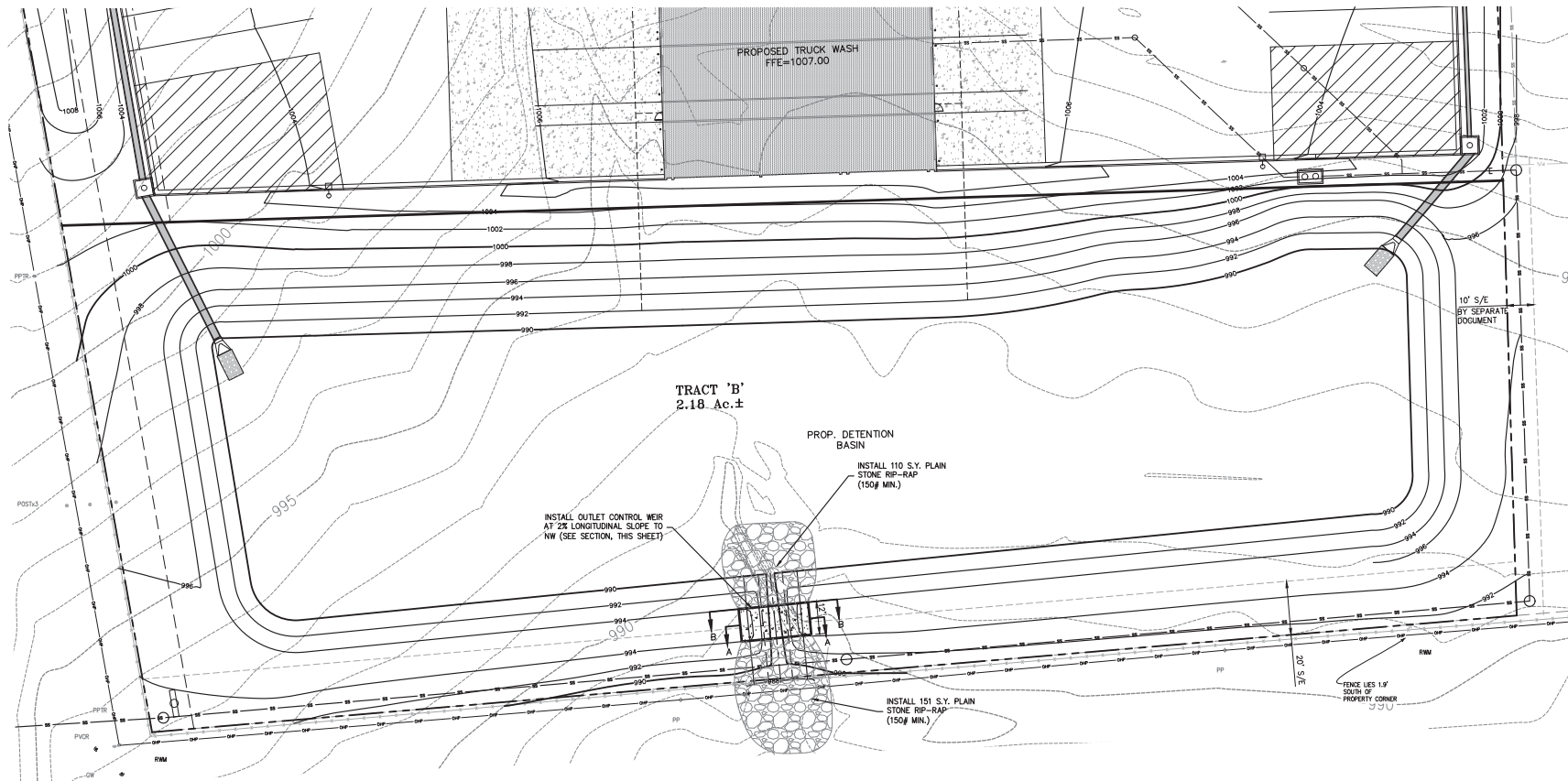
GRADING PLAN
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS



Phelps Engineering, Inc.
1501 N. Main Street
Edgerton, KS 66528
Phone: (781) 333-1111
Fax: (781) 333-1112
www.phelpseng.com



\\V:\GIS\GIS-SERVICES\Projects\10-T155-R222\10-T155-R222.dwg (Project) Plotted: 10/24/2019 2:42pm Plotter: HP-GL/PS2 PLOTTER (HP-GL/PS2) Plot Size: 24" x 36" (Sheet) Plot Scale: 1"=20'



FLOOD HAZARD

THE SUBJECT PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR COMMUNITY NO. 200156, JOHNSON COUNTY, KANSAS, MAP NO. 20091001340, AND DATED AUGUST 3, 2009.

ZONING

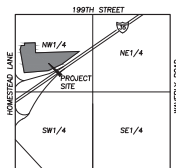
THIS PROPERTY IS ZONED C-2 (HEAVY SERVICE COMMERCIAL) PER JOHNSON COUNTY AIMS WEBSITE. NOTE: THIS SURVEYOR WAS NOT SUPPLIED A ZONING REPORT OR LETTER FOR THIS SURVEY.

BENCHMARK: (VERTICAL DATUM = NAVD83 BASED ON JOHN BM# 130.) SQUARE CUT ON TOP OF CURB EAST NOSE OF SOUTHEAST CONCRETE ISLAND AT INTERSECTION OF HOMESTEAD LANE AND 199TH STREET. ELEVATION= 1213.81

BM# 997 = PLUS CUT TOP CURB ON NORTH SIDE OF CONCRETE ENTRANCE TO SUBJECT PROPERTY. ELEVATION=1025.89



SCALE: 1"=2000'



207TH STREET
VICINITY MAP
SEC. 10-T155-R222

LEGEND

- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED SPOT ELEVATION
- LG UP OF CUTTER
- TC TOP OF CURB
- SW SIDEWALK
- ME MATCH EXISTING
- HP HIGH POINT
- LP LOW POINT
- P TOP OF PAVEMENT
- TE TOP OF STRUCTURE
- OR GROUND ELEVATION



Know what's below.
Call before you dig.

UTILITY NOTES:
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Professional Engineering and
Surveying
David L. Hester
State of Kansas
No. 24132
7-22-19

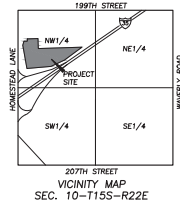
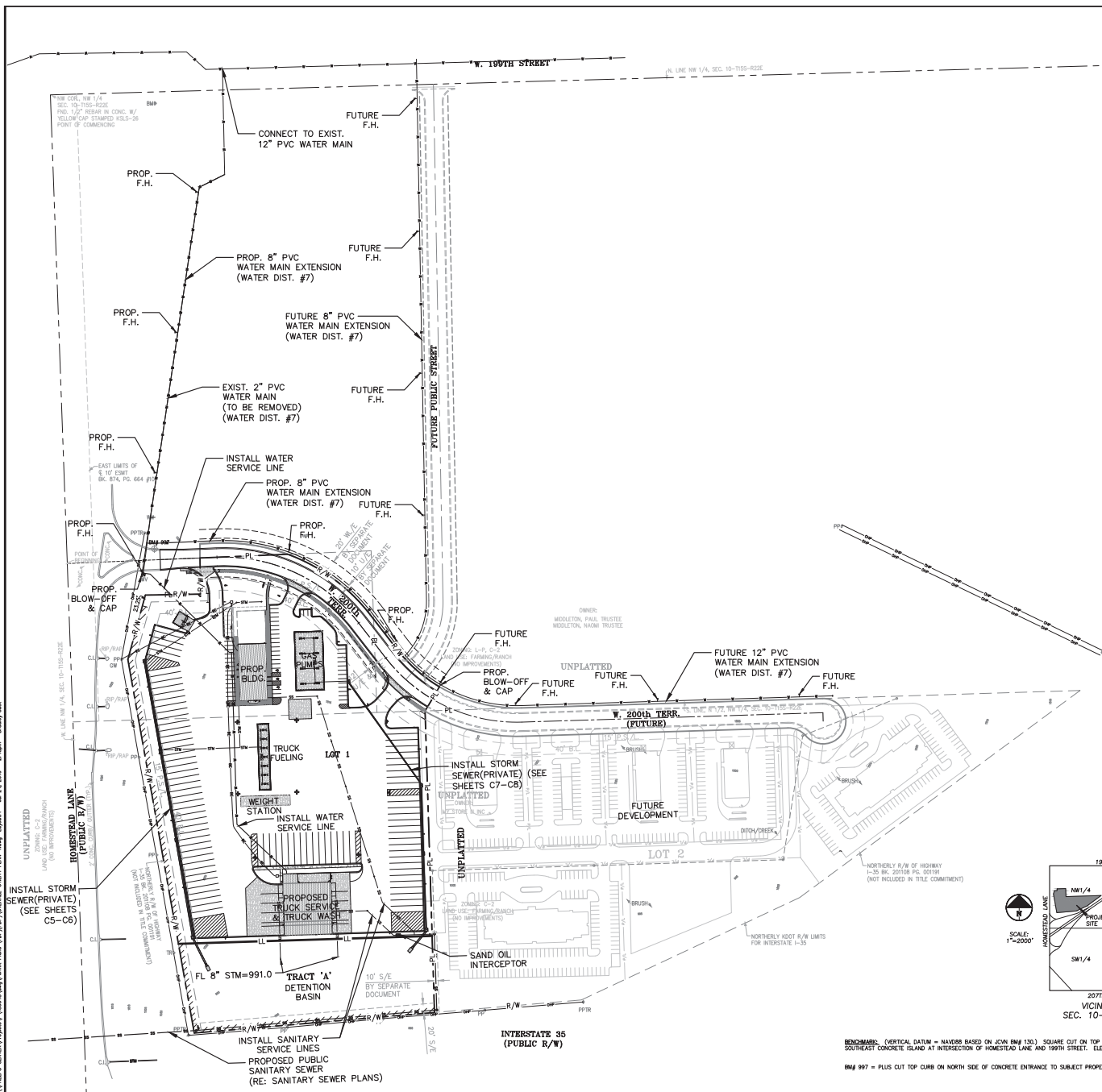


DETENTION PLAN
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

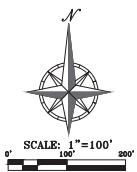
NO.	DATE	BY	CHKD.	REVISED PER STAFF COMMENTS
1	7-23-19	DWH	DWH	
2	10-24-2019	DWH	DWH	

SHEET
C2.3

V:\WORKSPACE\SEWER\Projects\10-T155-R22E\10-T155-R22E.dwg (Sheet) Plotted: 10/24/2008 2:48pm User: jgallagher



- LEGEND**
- PL — PROPERTY LINE
 - LOT LINE
 - R/W — RIGHT-OF-WAY
 - EXISTING GAS LINE
 - EXISTING BURIED ELECTRIC LINE
 - EXISTING TELEPHONE LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING OVERHEAD POWER LINE
 - EXISTING WATER LINE
 - EXISTING STORM SEWER
 - PROPOSED STORM SEWER
 - PROPOSED ROOF DRAIN / UNDERDRAIN
 - PROPOSED SANITARY SEWER LINE
 - PROPOSED WATER LINE
 - PROPOSED GAS LINE
 - PROPOSED BURIED ELECTRICAL LINE
 - PROPOSED BURIED TELEPHONE LINE
 - C/O — PROPOSED CLEAN OUT



UTILITY NOTES:
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UTILITY COMPANIES:

KANSAS GAS SERVICE CO. (913) 344-8808
MS. LYN LEE (LLEE@KAS.COM)
7421 W. 129TH ST. #100
OVERLAND PARK, KS. 66213

KANSAS CITY POWER AND LIGHT CO. (913) 681-7369
MS. NANCY MARTIN (NANCY.MARTIN@KCPL.COM) (913) 681-7365-FAX
P.O. BOX 159
STILWELL, KANSAS 66085

CITY OF EDGERTON - (SANITARY & STORM) (913) 893-6231-PHONE
404 EAST NELSON, EDGERTON, KANSAS 66021

WATER DISTRICT NO. 7, JOHNSON COUNTY (913) 856-7375-PHONE
534 W. MAIN STREET, (913) 856-7173-FAX
P.O. BOX 7
GARDNER, KANSAS 66030

BENCHMARK: (VERTICAL DATUM = NAVD83 BASED ON JOHN BM# 135). SQUARE CUT ON TOP OF CURB EAST NOSE OF SOUTHEAST CONCRETE ISLAND AT INTERSECTION OF HOMESTEAD LANE AND 190TH STREET. ELEVATION=1025.89

BM# 997 = PLUS CUT TOP CURB ON NORTH SIDE OF CONCRETE ENTRANCE TO SUBJECT PROPERTY. ELEVATION=1025.89

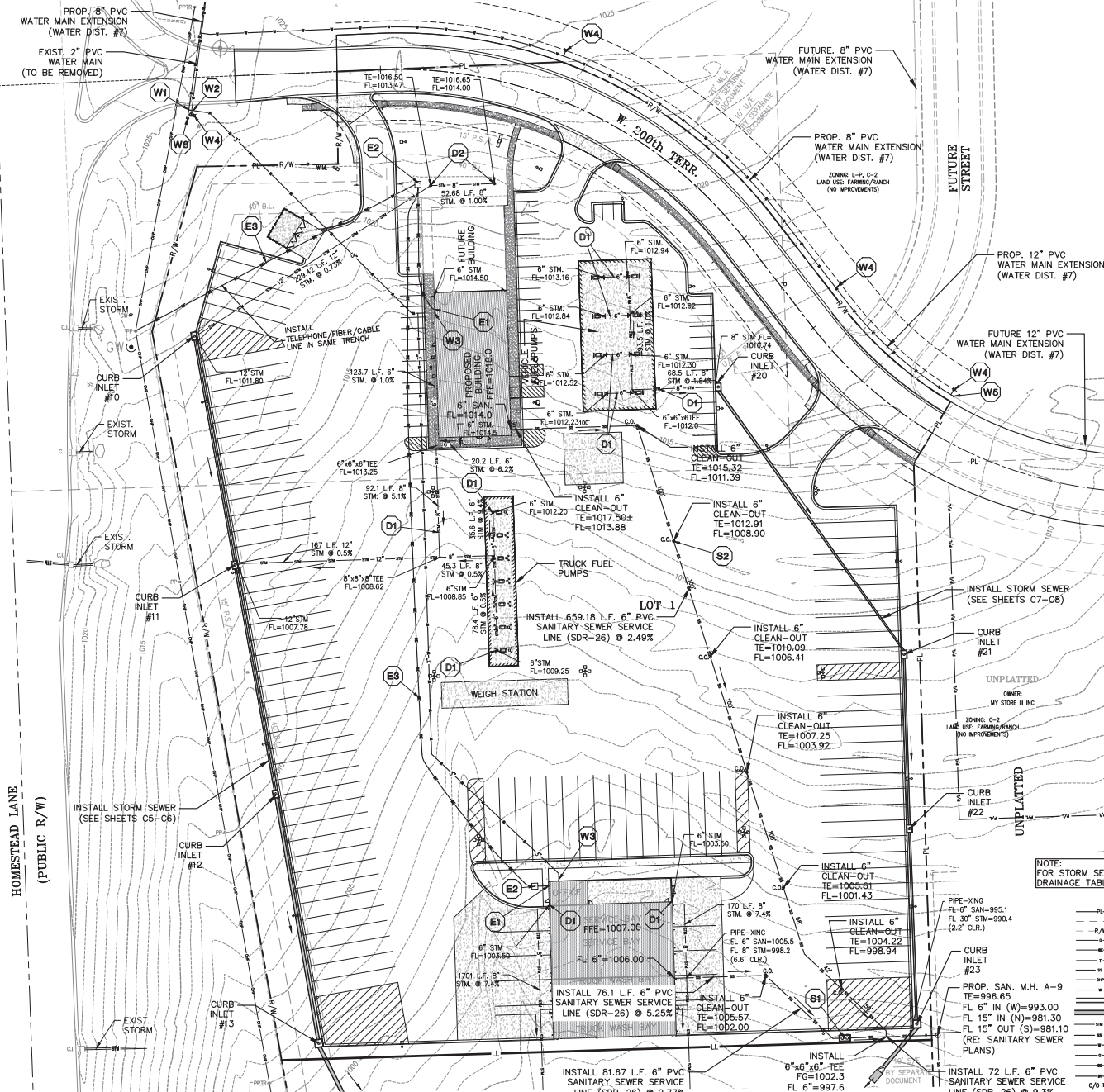
Overall Utility Plan
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

NO.	DATE	REVISION	REVISION PER STATE COMMENTS
1	7-23-19		

PROJECT NO. 10-T155-R22E
DATE: 7-23-19
DRAWN BY: JGALLAGHER
CHECKED BY: JGALLAGHER
SCALE OF SHEET: 1"=100'
SCALE OF PLANS: 1"=200'

SHEET
C3

HOMESTEAD LANE
(PUBLIC R/W)



UTILITY NOTES:

- The contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the utility companies, and where available, records taken by the field. The information is not to be relied on as being exact or complete. The contractor must call the appropriate utility companies at least 48 hours before any excavation to ensure exact field location of utilities. It shall be the responsibility of the contractor to coordinate with and relocate &/or remove all existing utilities which conflict with the proposed improvements shown on the plans.
- The construction of storm sewers on this project shall conform to the requirements of the APWA 5600 Technical Specifications and Design Criteria.
- The contractor shall verify the exact location and elevation of the existing storm sewer lines and the existing elevation at locations where the proposed storm sewer lines are to be installed. If discrepancies are encountered from the information shown on the plans, the contractor shall contact the design engineer. No pipes shall be laid until direction is received from the design engineer.
- It will be the contractor's responsibility to field adjust the top of all manholes and boxes as necessary to match the grade of the adjacent areas. Tops of existing manholes shall be raised as necessary to be flush with proposed pavement elevations, and to be 6-inches above finished ground elevations in non-paved areas. No separate or additional compensation will be made to the contractor for making field adjustments to the manholes and boxes.
- Inlet locations, horizontal pipe information and vertical pipe information is shown to the center of the structures. Deflection angles shown for storm sewer pipes are requested from the owner of such lines and manholes. The contractor shall adjust the horizontal location of the pipes to go to the face of the lines. All roof drains shall be connected to storm sewer structures. Provide cleanouts on roof drain lines at 100' max. Spacing and at all dead ends. Do not connect roof drains directly to storm sewer pipes.
- The contractor shall be responsible for furnishing and installing all fire and domestic water lines, meters, backflow devices, pipes, valves and all other incidentals required for a complete operating fire protection and domestic water system. All costs associated with the complete water system for the buildings shall be the responsibility of the contractor. All work shall conform to the requirements of City.
- The contractor shall be responsible for furnishing and installing all sanitary sewer service lines from the buildings to the public line. All work shall conform to the requirements of the City.
- The contractor shall be responsible for securing all permits, bonds and insurance required by the contract documents, City, and all other governing agencies (including local, county, state and federal authorities) having jurisdiction over the work proposed by these construction documents. The cost for all permits bonds and insurance shall be the contractor's responsibility and shall be included in the bid for the work.
- By the use of these construction documents the contractor hereby agrees that he/she shall be solely responsible for the safety of the construction workers and the public. The contractor agrees to hold the engineer and owner harmless for any and all injuries, claims, losses or damages related to the project.
- The Contractor shall be responsible for furnishing all materials, tools and equipment and installation of electrical power, telephone and gas service from a point of connection from the public utility lines to the building structures. This will include all conduits, service lines, meters, concrete pads and all other incidentals required for a complete and operating system as required by the owner and the public utilities. Refer to building plans for exact line locations of all utilities. Contractor shall verify connection points prior to installation of utility line.
- All fill material is to be in place, compacted, and consolidated before installation of proposed utilities. On-site geotechnical engineer shall provide written confirmation that this requirement has been met and that utilities may proceed in the fill area. All utilities are to be placed in trench conditions.
- Contractor shall notify the utility authorities inspectors 48 hours before connecting to any existing line.
- Water lines shall be as follows (unless otherwise shown on plans):
 - 1. Pipes less than 3-inches that are installed below outside building shall comply with the following:
 - 1. Seamless Copper Tubing - Type "K" soft copper, ASTM B88.
 - 2. Filtrite: Braught copper (See Antimony water joint), ASME B 16.22.
 - Minimum trench width shall be 2 feet.
- Contractor shall maintain a minimum of 42" cover on all utilities. All water line joints are to be mechanical joints with thrust blocking as called out in specifications and construction plans. Water mains and service lines shall be constructed in accordance to City's Water Main Specifications.
- All waterlines shall be kept min. two (2') apart (parallel) from sanitary sewer lines or manholes. Or when crossing, on 24" vertical clearance (outside edge of pipe to outside edge of pipe) of the water line above the sewer line is required.
- Sanitary conflicts will be resolved prior to permit issuance.
- All underground storm, sanitary, water and other utility lines shall be installed, inspected and approved before backfilling. Failure to have inspection approved prior to backfilling will constitute rejection of work.
- All necessary inspections and/or certifications required by codes and/or utility service companies shall be performed prior to enclosed building construction and the final construction of the building. Contractor shall coordinate with all utility companies for installation requirements and schedule of work.
- Refer to building plans for site lighting electrical plan, irrigation, parking lot security system and associated conduit requirements. Coordinate with Owner that all required conduits are in place & tested prior to paving.
- When a building utility connection from site utilities leading up to the building cannot be made immediately, temporarily mark at such site utility terminations.

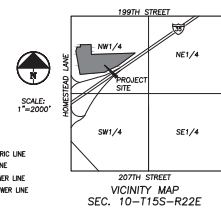
UTILITY KEY NOTES:

- TYPICAL STORM WATER DRAIN LINE FROM ROOF OR FOUNDATION DRAIN. SEE ARCH. PLANS FOR BUILDING CONNECTION LOCATIONS. ROOF DRAIN LINES SHALL BE PVC SDR 35. MINIMUM SLOPE SHALL BE 1/2%.
- INSTALL 8" NYLOPLAST DRAIN BASIN WITH 12" STANDARD GRATE.
- WALL METER & ELECTRIC ENTRY INTO BUILDING. FOLLOW KOPAL REQUIREMENTS (REFER TO BUILDING ELECTRICAL PLAN).
- INSTALL CONCRETE TRANSFORMER PAD. CONTRACTOR TO VERIFY EXACT LOCATION AND SIZE WITH KOPAL PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION OF CONCRETE PAD AND CONDUIT AS REQUIRED BY THE ELECTRIC COMPANY. CONTRACTOR SHALL COORDINATE S&W WORK WITH THE ELECTRIC COMPANY.
- INSTALL 2-4" PVC SCHEDULE 40 SECONDARY ELECTRICAL CONDUIT. FOLLOW KOPAL WORKORDER AND SPECIFICATIONS FOR PRIMARY ELECTRICAL SERVICE. (BY KOPAL).
- INSTALL 1,200 GALLON SAND OIL INTERCEPTOR. (SEE DETAIL SHEET C14).
- INSTALL 6" PVC CLEAN-OUTS EVERY 100' SPACING MAX, TYPICAL. (SEE DETAIL SHEET C14).
- CONTRACTOR TO PERFORM AND COORDINATE 8" AT" TAP ON EXISTING MAIN FOR PROPOSED 3" DOMESTIC SERVICE LINE. CONTACT WATER DISTRICT NO. 7, JOHNSON COUNTY FOR TAPPING REQUIREMENTS. CONTRACTOR TO PAY ALL FEES FOR WATER MAIN TAP. OWNER WILL REMISE. CONTRACTOR FOR ACTUAL METER AND SYSTEM EQUIPMENT FEES ASSESSED BY WATER DISTRICT NO. 7, JOHNSON COUNTY.
- PROVIDE AND INSTALL 3" PRIMARY WATER METER PIT PER WATER DISTRICT NO. 7, JOHNSON COUNTY REQUIREMENTS. CONTRACTOR TO COORDINATE AND PAY ALL FEES. ALL LABOR AND MATERIALS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR'S PLUMBER IN ACCORDANCE WITH WATER DISTRICT NO. 7, JOHNSON COUNTY STANDARDS.
- 3" DOMESTIC WATERLINE ENTRY TO BUILDING. CONTRACTOR SHALL USE TYPE K COPPER FROM THE MAIN TO 3 FEET OUTSIDE OF THE METER PIT. CONTRACTOR MAY TRANSITION TO HDPE FROM THE POINT 3 FEET OUTSIDE OF THE METER PIT TO THE BUILDING ENTRY. CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ANY APPROPRIATE(S) OF THE DOMESTIC LINE SUCH AS BLOWDOWN PREVENTION DEVICES (RE: BUILDING PLANS), GATE VALVES, REDUCERS, BENDS, TEES, ETC., WHICH MAY BE REQUIRED. CONTRACTOR TO COORDINATE WITH WATER UTILITY.
- INSTALL PUBLIC FIRE HYDRANT ASSEMBLY (PER WATER DISTRICT #7 REQUIREMENTS).
- INSTALL BLOW-OFF AND CAP ON 12" WATER LINE. (PER WATER DISTRICT #7 REQUIREMENTS).
- INSTALL BLOW-OFF AND CAP ON 8" WATER LINE. (PER WATER DISTRICT #7 REQUIREMENTS).

NOTE:
FOR STORM SEWER DESIGN &
DRAINAGE TABLE, SEE SHEET C4

LEGEND

- PL — PROPERTY LINE
- R/W — RIGHT-OF-WAY
- — — EXISTING GAS LINE
- — — EXISTING BURIED ELECTRIC LINE
- — — EXISTING TELEPHONE LINE
- — — EXISTING SANITARY SEWER LINE
- — — EXISTING OVERHEAD POWER LINE
- — — EXISTING WATER LINE
- — — EXISTING STORM SEWER
- — — PROPOSED STORM SEWER
- — — PROPOSED ROOF DRAIN / UNDERDRAIN
- — — PROPOSED SANITARY SEWER LINE
- — — PROPOSED WATER LINE
- — — PROPOSED GAS LINE
- — — PROPOSED BURIED ELECTRICAL LINE
- — — PROPOSED BURIED TELEPHONE LINE
- — — PROPOSED CLEAN OUT
- — — DIRECTIONAL FLOW ARROW



267TH STREET
VICINITY MAP
SEC. 10-1155-R22E

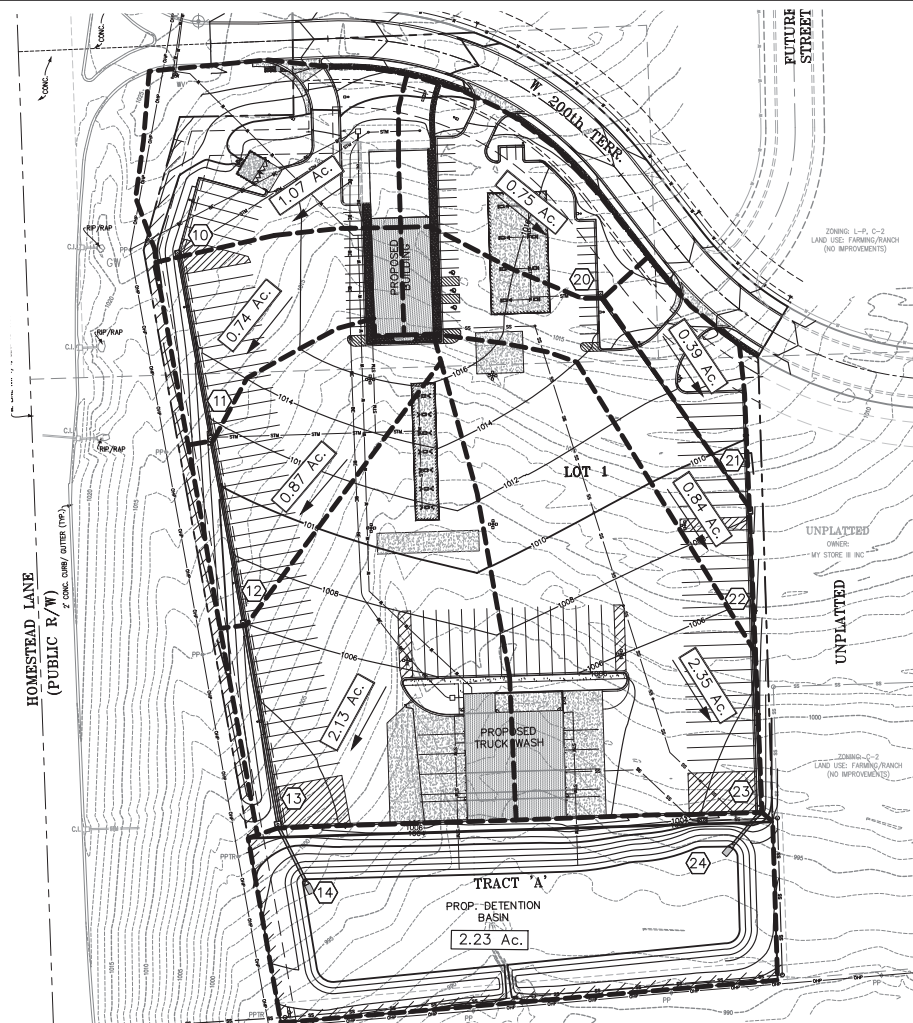


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UTILITY PLAN
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

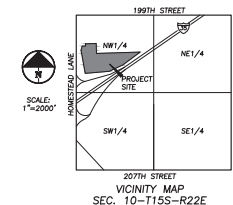
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C3.1

\\V:\P\25-28\25-28\Drawings\25-28\25-28.dwg User: jlp Date: 7/22/19 Time: 10:00:00 AM Plot Date: 7/22/19 Plot Time: 10:00:00 AM Plot User: jlp



LEGEND

- XXXX --- EXISTING CONTOURS
- XXXX --- PROPOSED CONTOURS
- XXXX --- DENOTES DRAINAGE AREA
- XXXX --- DENOTES FLOW DIRECTION
- X.XX Ac. DENOTES DRAINAGE AREA TO STRUCTURE
- XX DENOTES STRUCTURE NUMBER



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DESIGN CRITERIA:										III. PIPE DESIGN										REMARKS					
I. RUNOFF										II. STRUCTURE															
STATION NUMBER	INCREMENTAL			CUMULATIVE		SYSTEM TIME OF CONCENTRATION "T" AT STRUCTURE (MIN)	RAINFALL CONCENTRATION "I" /1.1" (IN/HR)	ANTECIPETED PRECIPITATION FACTOR "K _{sc} " /1.1"	RUNOFF Q ₁ = Q ₂ (CFS)	STRUCTURE		PIPE													
	RUNOFF CONCENTRATION "C"	AREA A ₁ (ACRES)	C ₁ A	AREA A ₂ (ACRES)	C ₂ A					Upstream Structure Number	Downstream Structure Number	Upstream Structure Run Elevation	Height of Structure (FT)	Diameter "D" (IN)	Length "L" (FT)	Upstream Inlet Elevation	Downstream Inlet Elevation	Slope "S" (FT/FT)	Travel Time in Pipe "T" (min)	Velocity Full V ₁ (FPS)	Runoff Q ₁ (CFS)	Runoff Q ₂ (CFS)	Full Flow Q ₃ (CFS)		
1	10	0.90	1.07	0.06	1.07	0.96	5.00	8.53	1.10	9.0	10	11	1015.31	4.00	18	191.99	1011.31	1007.78	0.0184	0.39	8.1	9.0	12.4	14.2	
								10.32	1.25	12.4															
	11	0.90	0.74	0.67	1.81	1.63	5.00	8.53	1.10	15.3	11	12	1011.78	4.20	18	191.98	1007.58	1002.30	0.0275	0.32	9.9	15.3	21.0	17.4	
									10.32	1.25	12.4														
2	12	0.90	0.87	0.78	2.68	2.41	5.00	8.53	1.10	22.6	12	13	1006.37	4.57	24	208.83	1001.80	997.01	0.0229	0.32	11.0	22.6	0.0	34.3	
								12.93	1.25	0.0															
	13	0.90	2.13	1.92	4.81	4.33	5.00	8.53	1.10	40.6	13	14	1003.09	12.38	30	61.31	990.71	990.10	0.0099	0.12	8.4	40.6	8.8	40.9	
									12.93	1.25	0.0														
2	20	0.90	0.75	0.68	0.75	0.68	5.00	8.53	1.10	6.4	20	21	1014.74	4.00	15	268.91	1010.74	1004.57	0.0229	0.56	8.0	6.4	8.8	9.8	
								10.32	1.25	8.8															
	21	0.90	0.39	0.35	1.14	1.03	5.00	8.53	1.10	9.7	21	22	1008.57	4.50	18	144.00	1004.07	1001.06	0.0289	0.28	8.7	9.7	13.3	15.2	
									10.32	1.25	13.3														
2	22	0.90	0.84	0.76	1.98	1.79	5.00	8.53	1.10	16.8	22	23	1005.06	4.20	18	161.41	1000.86	996.82	0.0290	0.28	9.5	16.8	25.1	17.0	
								10.32	1.25	25.1															
2	23	0.90	2.55	2.12	4.53	3.91	5.00	8.53	1.10	36.7	23	24	1003.15	12.62	30	42.57	990.53	990.10	0.0101	0.08	8.4	36.7	50.5	42.2	
								10.32	1.25	50.5															



Professional Engineering and
Surveying
John A. Hensley
State of Kansas
License No. 24132
Expiry Date 7-22-19
www.jahensley.com

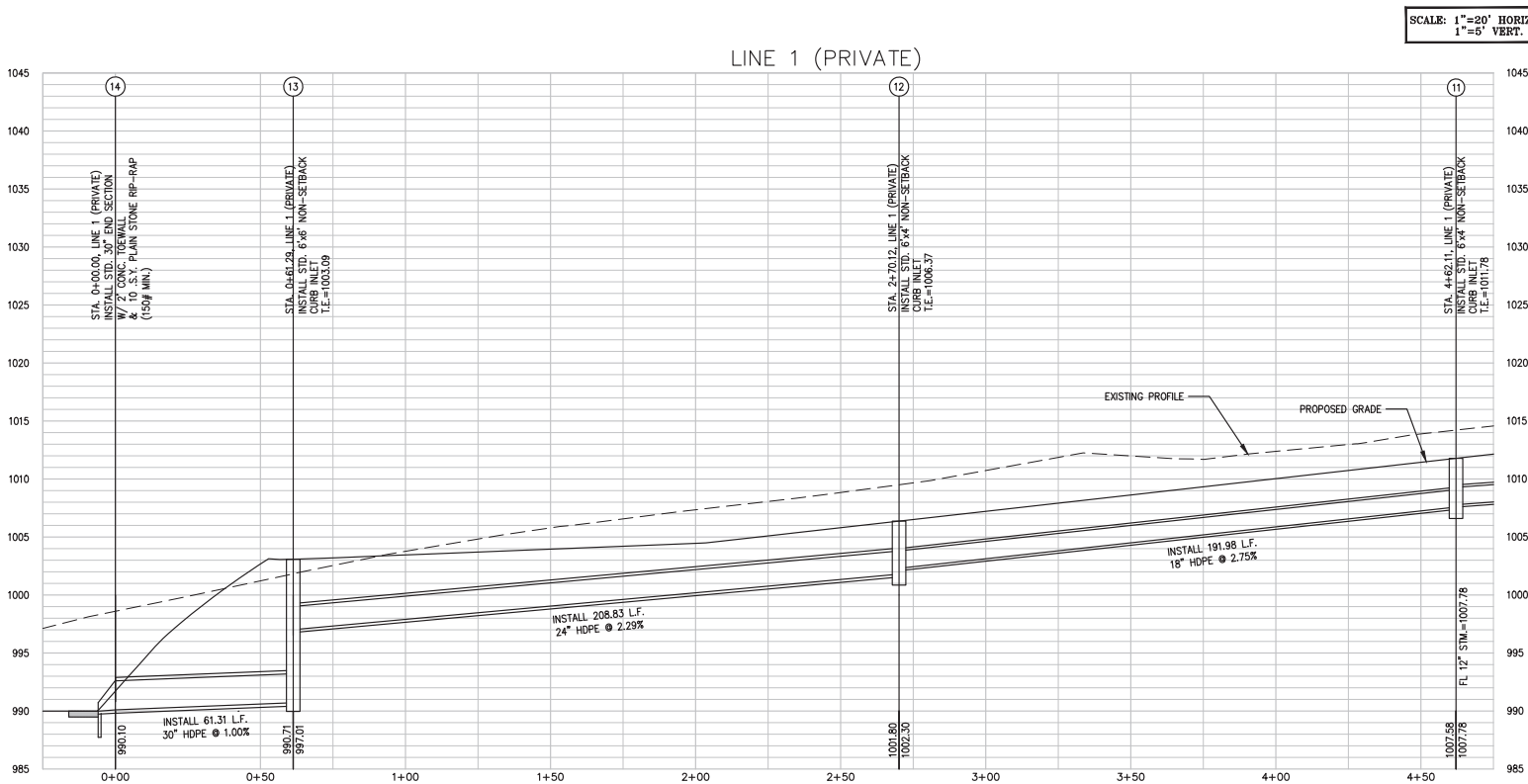
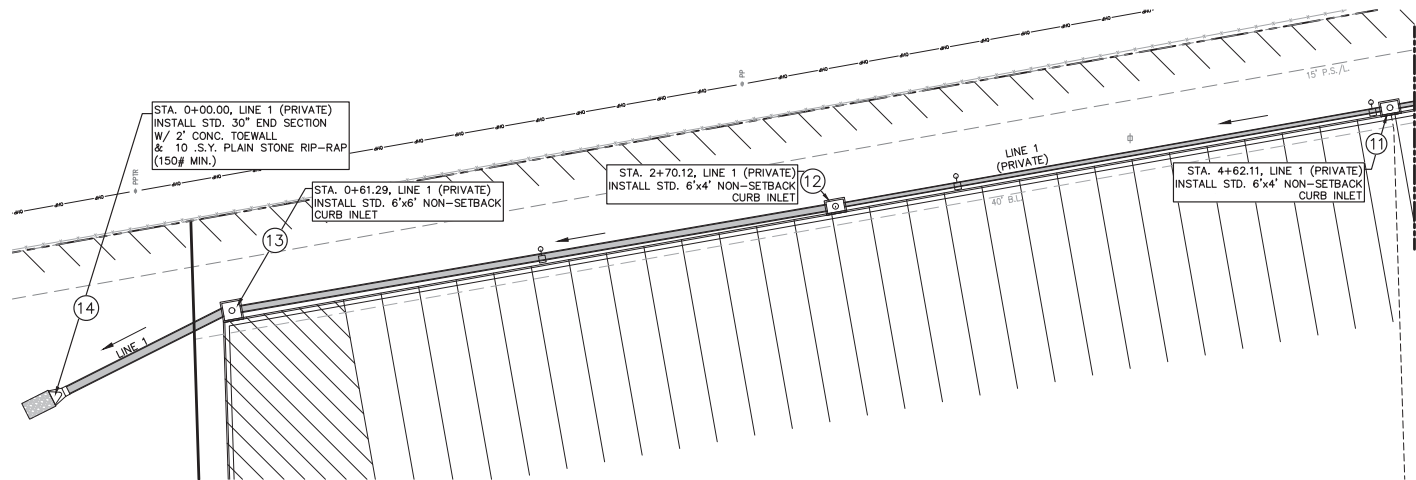


DRAINAGE MAP

ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

NO.	DATE	REVISION	BY	CHK	APP
1	7-22-19	REVISED PER STAFF COMMENTS			

SHEET
C4



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Professional Engineering and
Surveying Services
Jay D. Davis
P.E.
No. 20132
State of Missouri
www.jayddavis.com



STORM SEWER PLAN & PROFILE
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

NO.	DATE	REVISIONS
1	7-23-19	REVISED PER STAFF COMMENTS
2		
3		
4		
5		
6		
7		
8		
9		
10		

SHEET
C5



UTILITY NOTES:
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UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR
LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN
THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL
FIELD LOCATIONS OF UNDERGROUND UTILITIES.

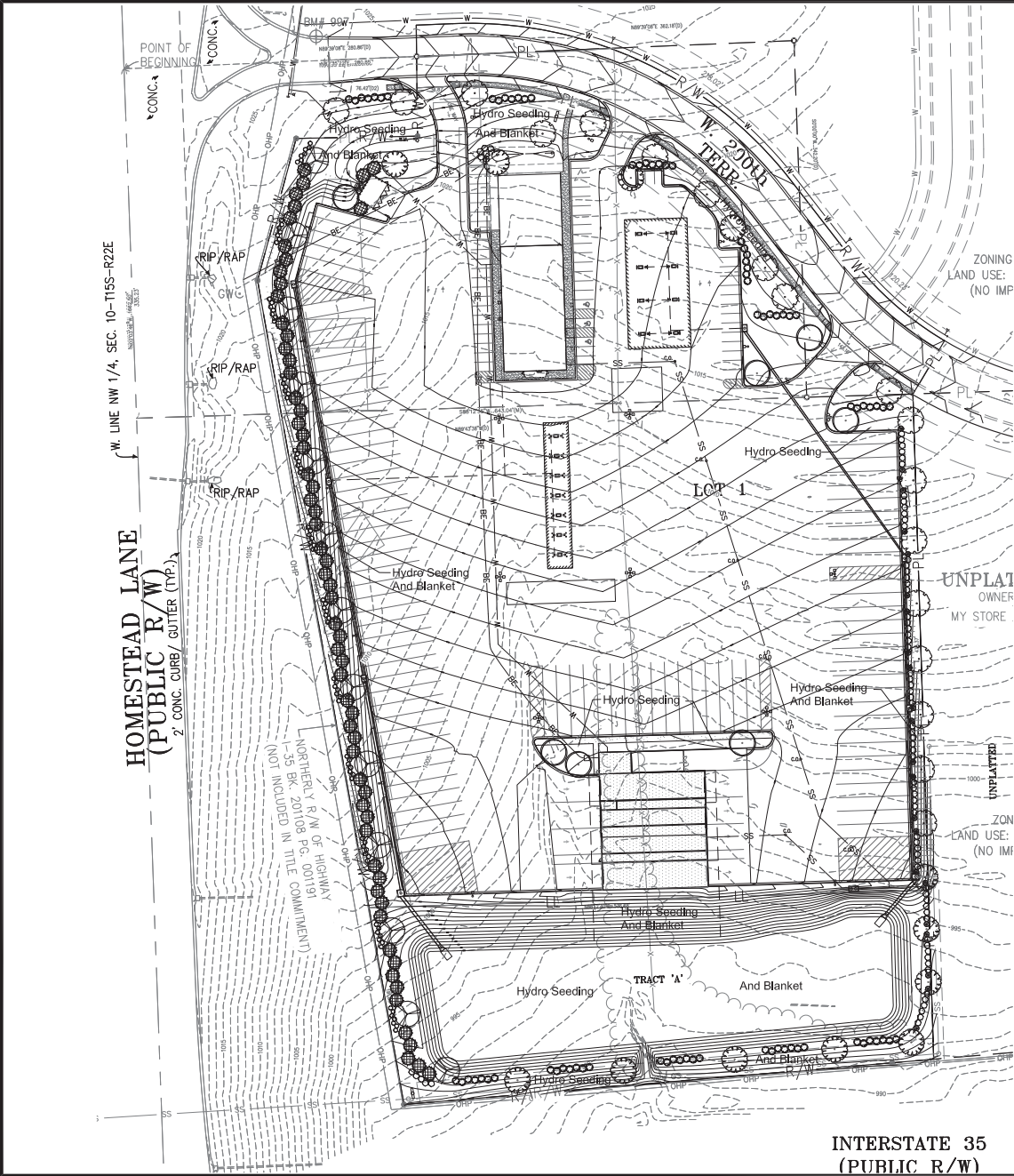
[illegible]

STORM SEWER PLAN & PROFILE
ON THE GO-TRAVEL CENTER
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

[illegible]

SHEET

C6



PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	7	Acer platandides 'Superform' / Superform Maple	B & B	2"	cal.
	18	Acer rubrum 'Red Pointe' / Red Pointe Red Maple	B & B	2"	Cal
	63	Juniperus virginiana 'Hillsire' / Hillsire Juniper	B & B		6' hgt.
	13	Quercus bicolor / Swamp White Oak	B & B	2"	Cal
	12	Ulmus americana 'Valley Forge' / American Elm	B & B	2"	cal.
SHRUBS	QTY	BOTANICAL / COMMON NAME	CONT		
	84	Aronia arbutifolia 'Brilliantissima' / Brilliant Red Chokeberry/Red Chokeberry	3 gal		
	77	Forsythia x Intermedia 'Beatrix Farrand' / Golden-bells	3 gal		
	22	Juniperus chinensis 'Sea Green' / Sea Green Juniper	5 gal		
	76	Rhus aromatica / Fragrant Sumac	3 gal		



**Landscape Plan
On The Go
Travel Center**
Edgerton, Kansas



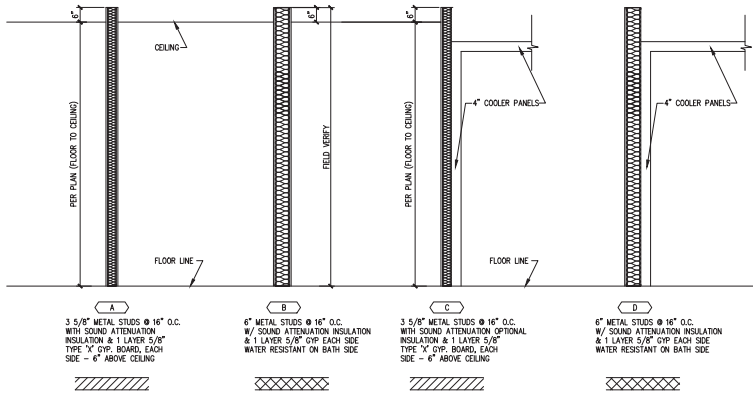
Oppermann LandDesign, LLC
Land Planning & Landscape Architecture
18000 West 117th Street
Clerhe, Kansas 66061
opperrmannlanddesign.com
paul@opperrmannland.com
913.894.9407

**INTERSTATE 35
(PUBLIC R/W)**

Utility Note:
Utilities shown on plan are diagrammatic and some may be missing. Before starting any construction call appropriate locating service. In Kansas call 1-800-DIG-SAFE (344-7233) to have utilities located.

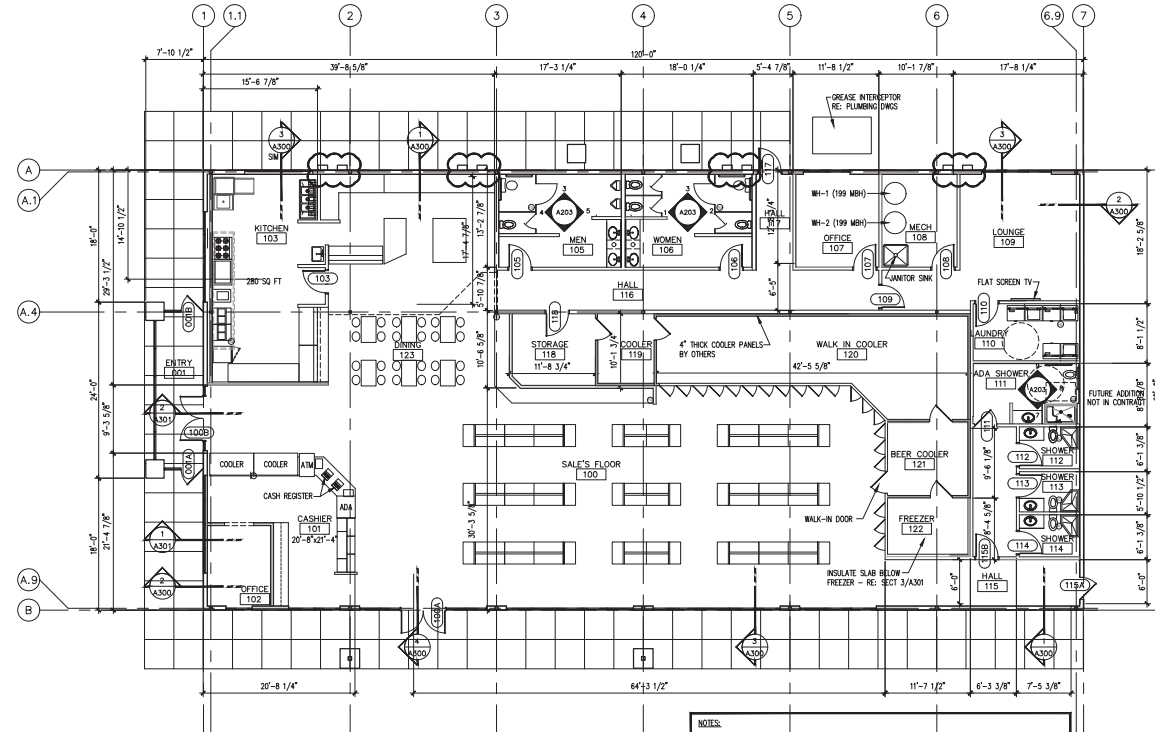
07/23/2019

LS-1



2 WALL TYPES

1/2" = 1'-0"



NOTES:

ALL DIMENSIONS ARE GIVEN FROM THE FACE OF STUD.
REFER TO SHEET A100 FOR WALL TYPE CONSTRUCTION.

CONTRACTOR TO VERIFY ACTUAL FIELD CONDITIONS
BEFORE PROCEEDING WITH ANY WORK.

FURR OUT EXISTING WALLS AND ROOF AS REQUIRED.
DO NOT GO TO DECK DUE TO PLENUM.

REFER TO SHEET A100 FOR PARTITION TYPES
DESIGNATED BY HATCH AND SYMBOL.

ALL STOREFRONT WINDOWS ARE TO BE TINTED -
COLOR PER TENANT - WINDOW TINT IS TO BE
APPROVED BY THE LANDLORD.

MECHANICAL FASTENING TO THE WINDOW SYSTEMS
IS NOT PERMITTED.

1 NEW WORK FLOOR PLAN

1/8" = 1'-0"



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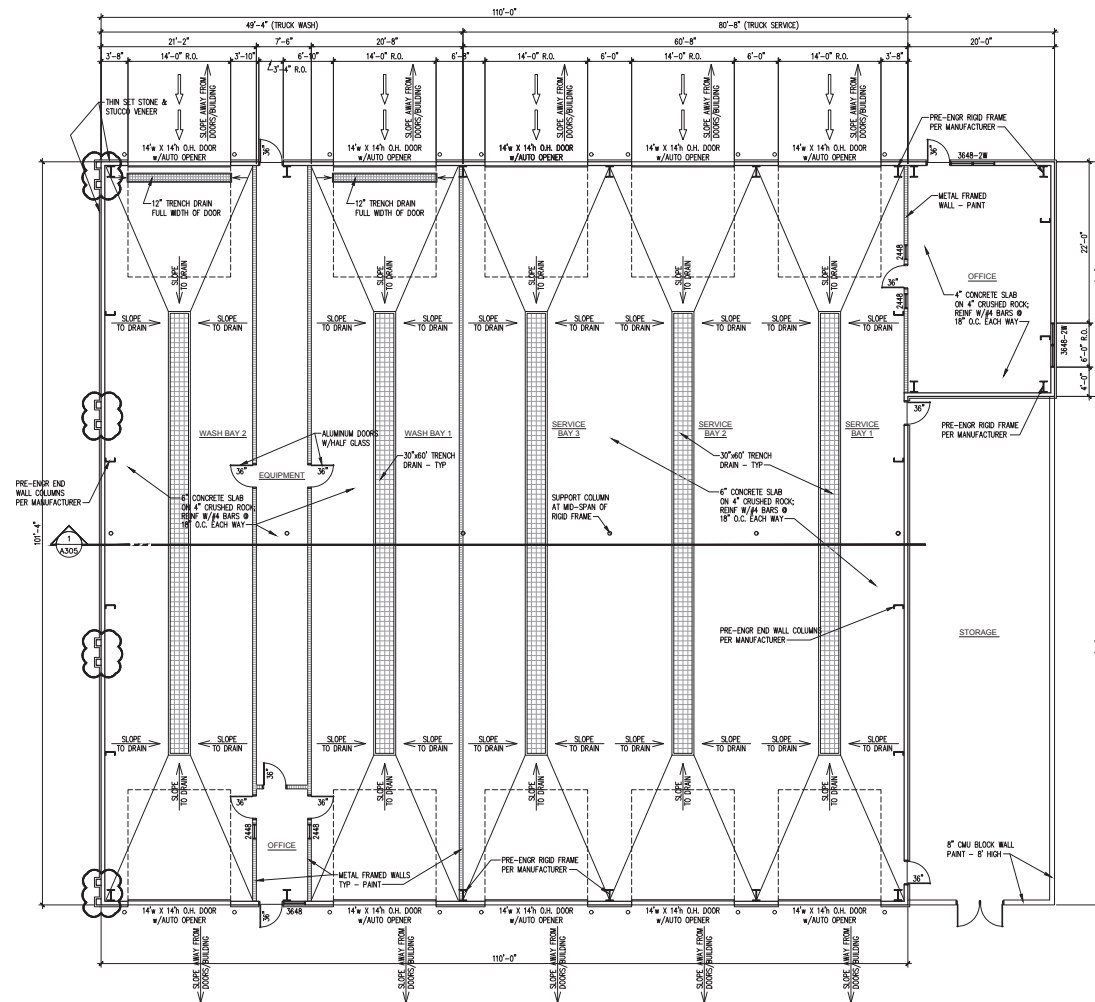
Pricing Set for:
On The Go Travel Center
1-35 and Homestead
Edgerton, Kansas 66021

PROJECT NO.: 2019-12
DATE: 05.13.2019
DRAWN BY: BCS STAFF
REVIEWED BY:

REVIEWED: 07.23.2019

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1 TRUCK WASH/SERVICE FLOOR PLAN
1/8" = 1'-0"

Pricing Set NOT FOR CONSTRUCTION

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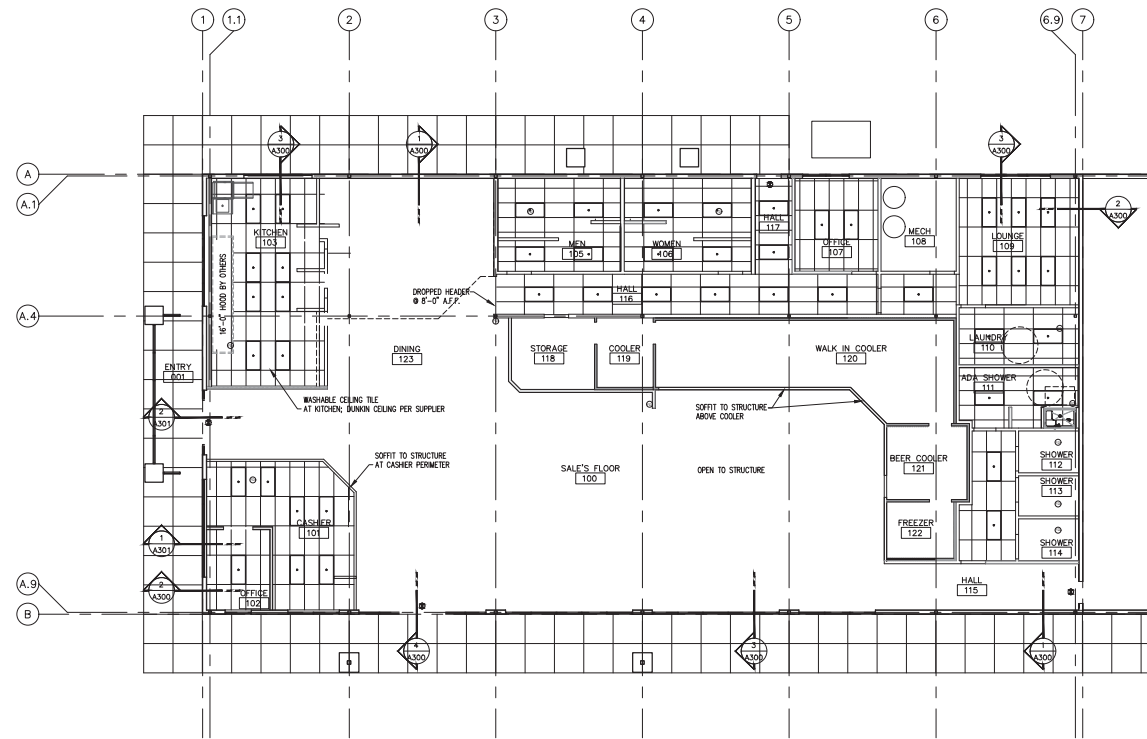
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I-35 and Homestead
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PROJECT NO.: 2019-12
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REVISED:

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1 REFLECTED CEILING PLAN
1/8" = 1'-0"



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(913) 422-5300
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1. IT IS THE RESPONSIBILITY OF THE ROOFING CONTRACTOR COORDINATE EXACT LOCATIONS OF MECHANICAL EQUIPMENT AND OTHER ROOF PENETRATIONS THAT MAY OCCUR.
2. COORDINATE ALL OTHER FLASHING w/ MANUFACTURER'S TYPICAL DETAILS.
3. ROOFING SHALL BE CLASS B OR BETTER
4. ALL FOAM PLASTIC INSULATION SHALL MEET OR EXCEED U STANDARD 1256 PER IBC 1507.11

COORDINATE LOCATIONS OF MECHANICAL ROOFTOP UNITS.
PROVIDE CRICKETS AND FLASHING TO MAINTAIN
POSITIVE DRAINAGE TOWARD ROOF DRAINS

Pricing Set NOT FOR CONSTRUCTION

Pricing Set for:

Pricing Set for:
On The Go Travel Center
I-35 and Homestead
Edgerton, Kansas 66021

PROJECT NO. : 2019-12
DATE : 05.13.2019
DRAWN BY : BCS STAFF
REVIEWED BY :

REVISÉ: 06.25.2019

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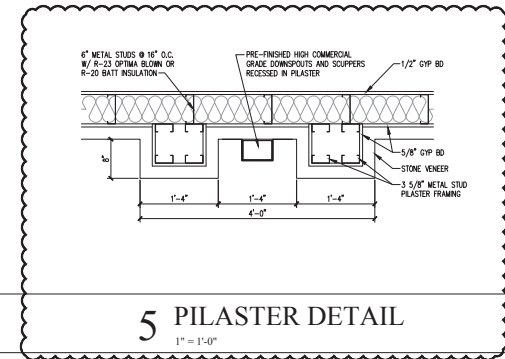
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A102

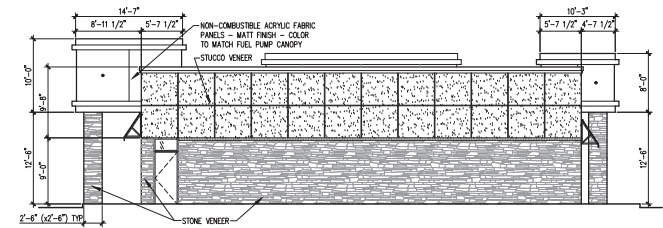
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1 ROOF PLAN

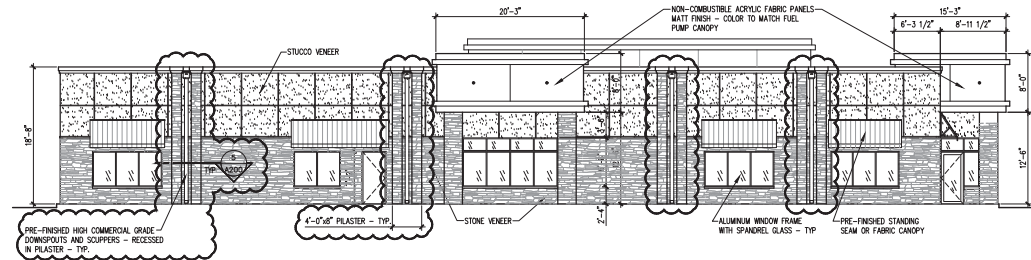




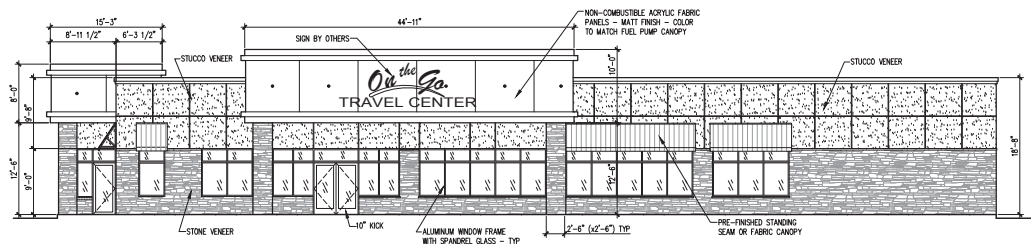
5 PILASTER DETAIL
1" = 1'-0"



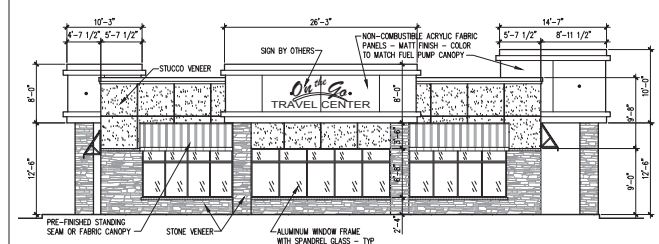
3 NORTH ELEVATION
1/8" = 1'-0"



4 WEST ELEVATION
1/8" = 1'-0"

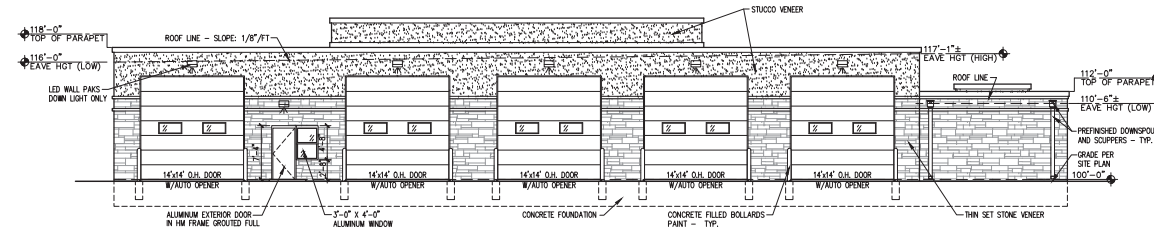


2 EAST ELEVATION
1/8" = 1'-0"

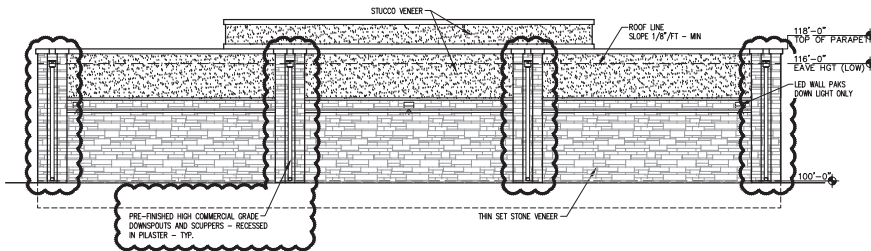


1 SOUTH ELEVATION
1/8" = 1'-0"

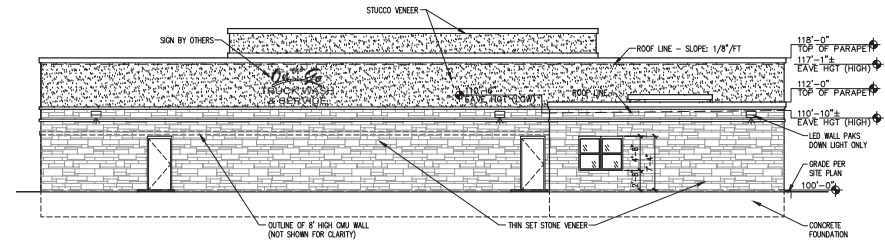
Pricing Set NOT FOR CONSTRUCTION



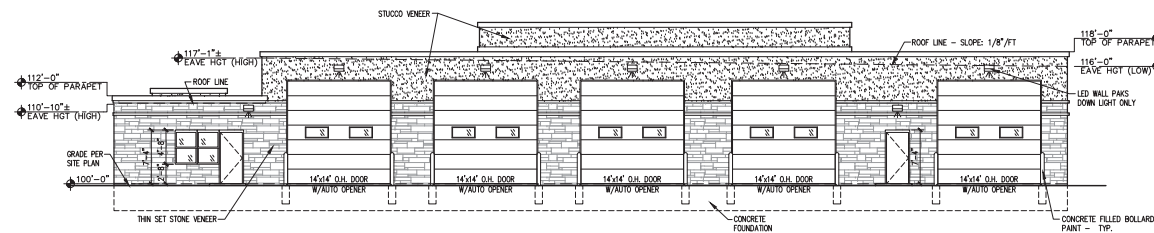
4 EAST ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



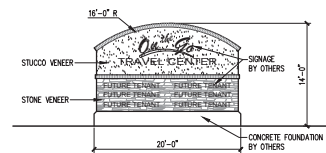
1 WEST ELEVATION
1/8" = 1'-0"

New Building for:
On The Go Truck Wash
1-35 and Homestead
Edgerton, Kansas 66021

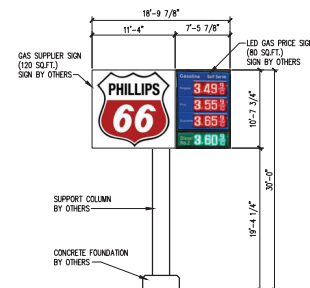
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DRAWN BY: BCS STAFF
REVIEWED BY:
REVISED: 06.25.2019
07.23.2019

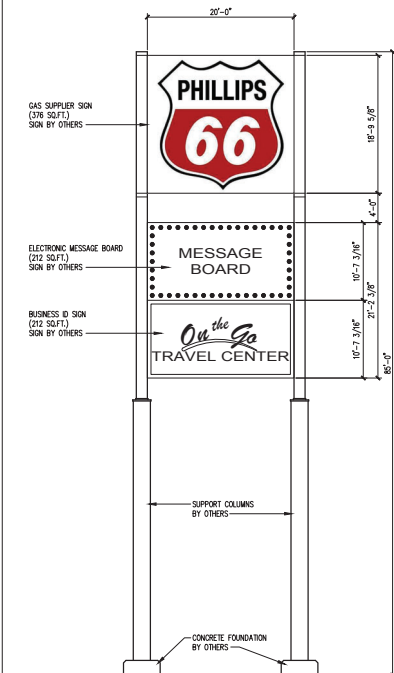
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3 ALTERNATE MONUMENT SIGN
1/8" = 1'-0"



2 POLE SIGN
1/8" = 1'-0"



1 HI-RISE SIGN
1/8" = 1'-0"



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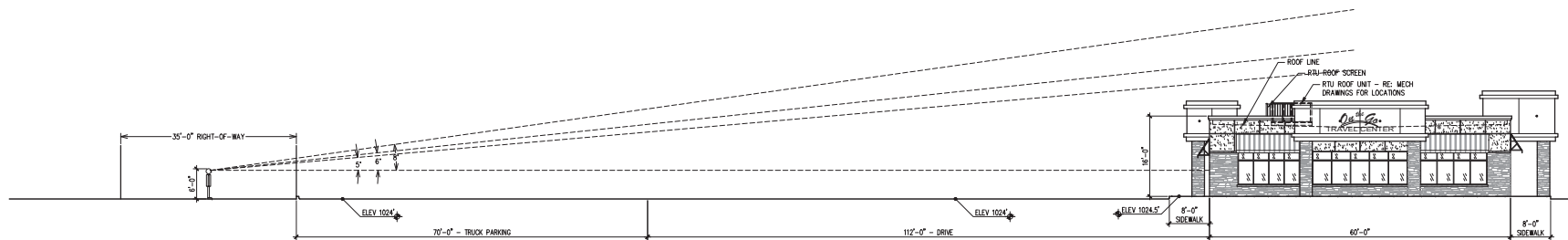
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(913) 422-5300
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I-35 and Homestead
Edgerton, Kansas 66021

PROJECT NO.: 2019-12
DATE: 05.13.2019
DRAWN BY: BCS STAFF
REVIEWED BY:

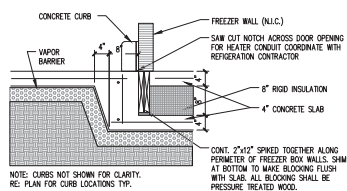
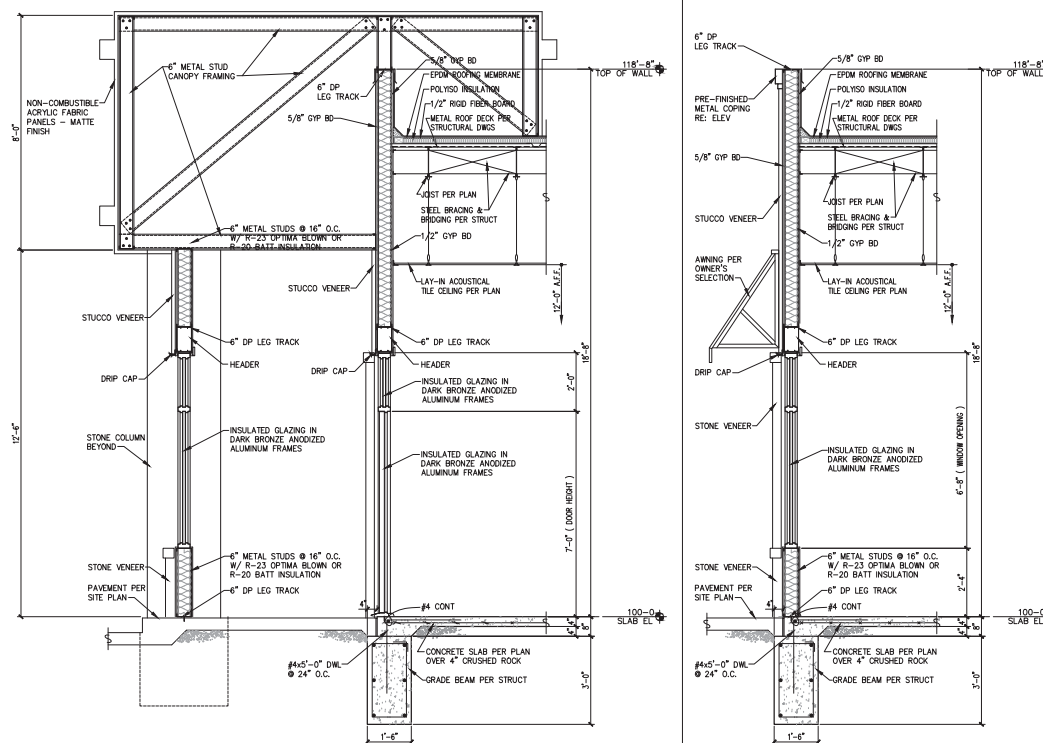
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4 CROSS SECTION

3/32" = 1'-0"



3 RECESSED SLAB DETAIL @ FREEZER

3/4" = 1'-0"

2 WALL SECTION

1/2" = 1'-0"

1 WALL SECTION

1/2" = 1'-0"



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DATE: 05.13.2019
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REVIEWED BY:
REVISED: 06.25.2019

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New Building for:
On The Go Truck Wash
I-35 and Homestead
Edgerton, Kansas 66021

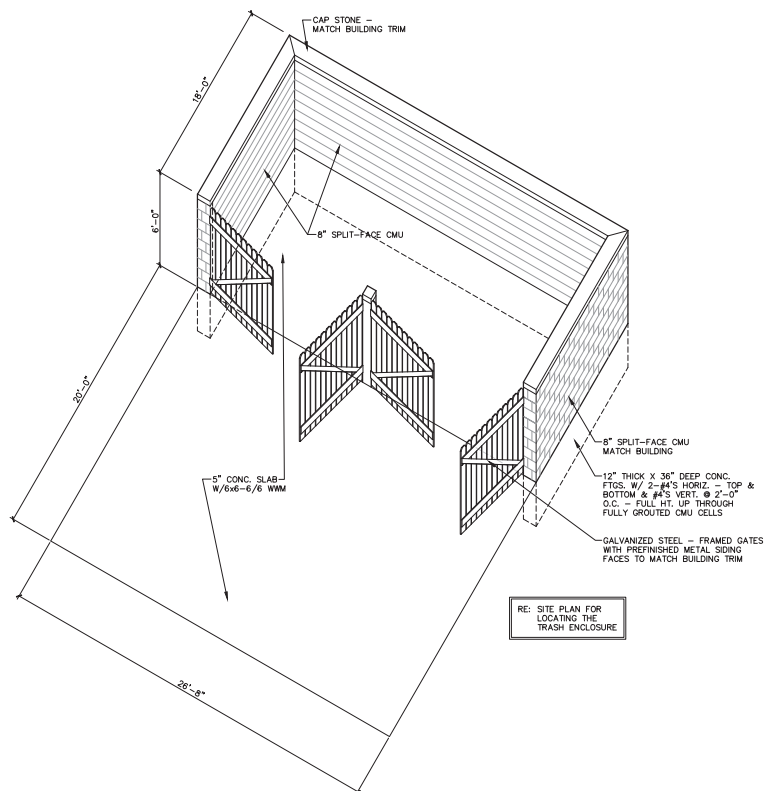
PROJECT NO. :	2019-xx
DATE :	05.13.2019
DRAWN BY :	BCS STAFF
REVIEWED BY :	
REVISED:	06.25.2019

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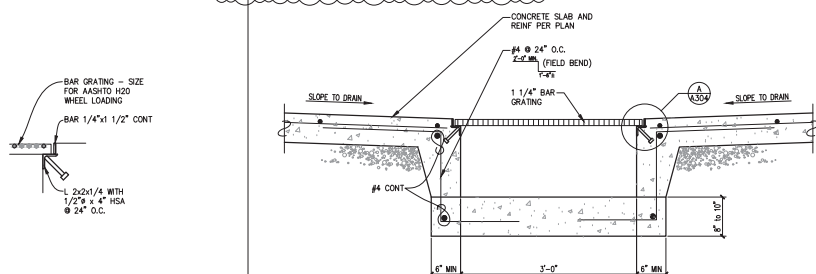
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A304

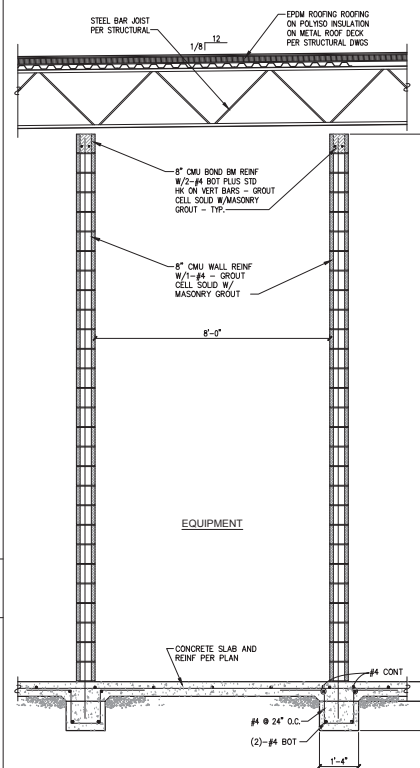
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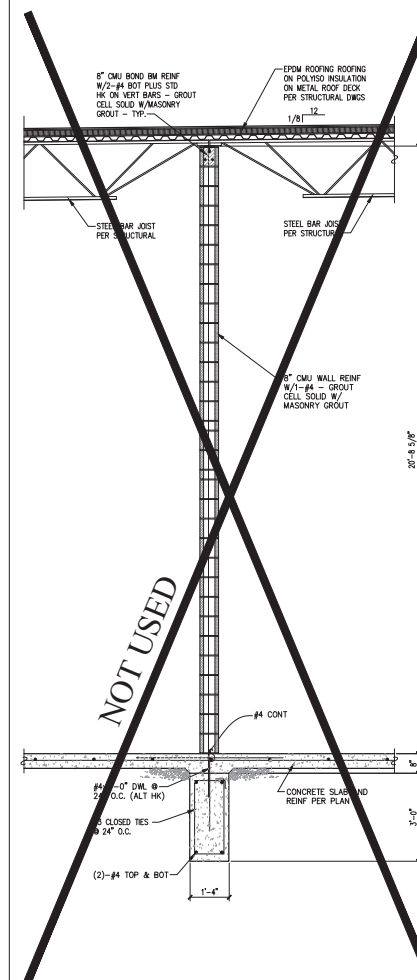
4 TRASH ENCLOSURE

$$41'' = 1'-0''$$


A DETAIL
1 1/2" = 1'-0"

 $1\frac{1}{2}'' = 1'-0''$ 

2 WALL SECTION

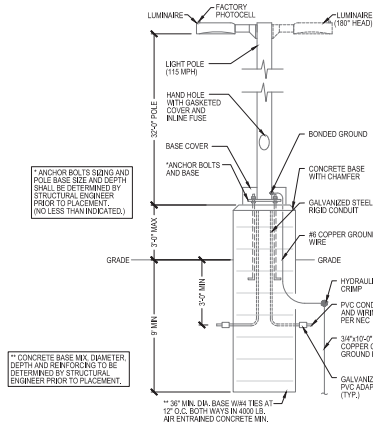
$$1/2'' = 1'-0''$$


1 WALL SECTION

$$1/2'' = 1'-0''$$

Pricing Set NOT FOR CONSTRUCTION

NOT USED



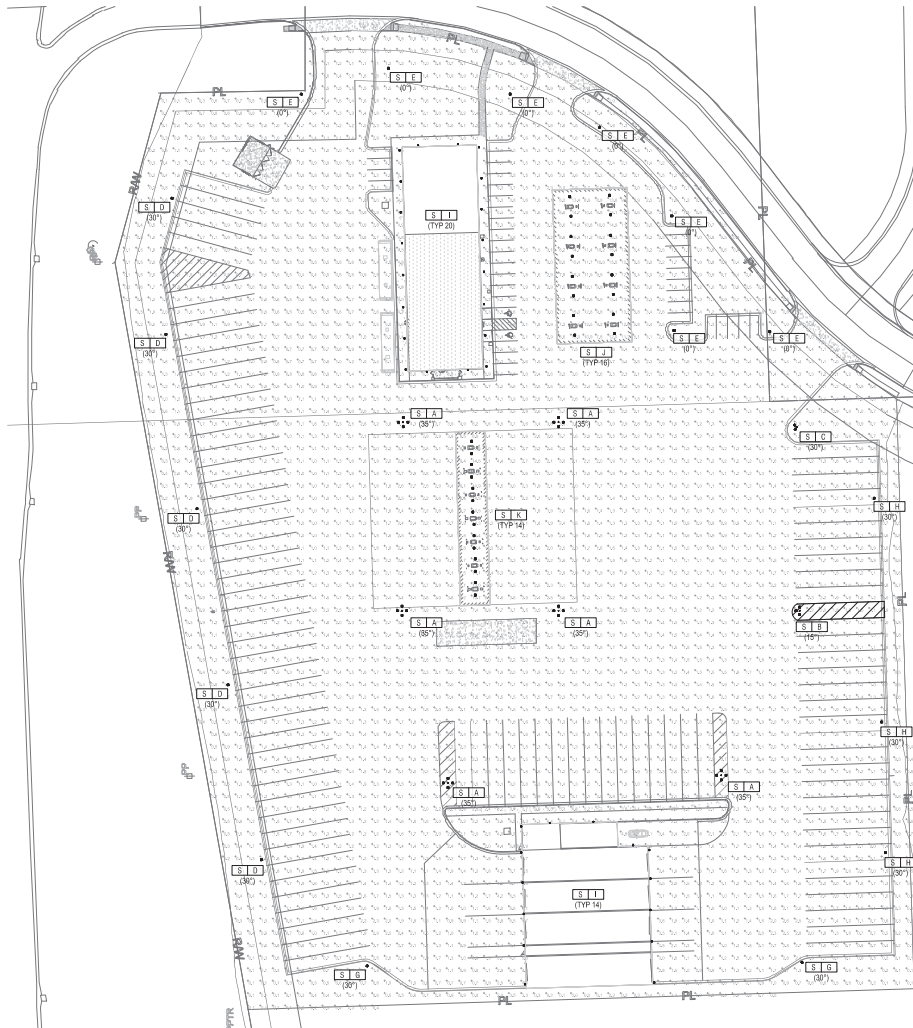
AREA LIGHT & POLE

NO SCALE

SITE LIGHT FIXTURE SCHEDULE

TYPE	MANUFACTURER	LAMP	VOLTS	WATTS	DESCRIPTION
S I A	VISIONAIRE VLX-1-TSW-192L-C-4K-UNV-CLS	42W LED (3) (4000°K)	208	603	OWNER SELECTED-SITE LIGHTING PLATFORM QUAD HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I B	VISIONAIRE VLX-1-TSW-192L-C-4K-UNV-CLS	20W LED (3) (4000°K)	208	616	OWNER SELECTED-SITE LIGHTING PLATFORM TYPE 1 HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I C	VISIONAIRE VLX-1-TSW-192L-C-4K-UNV-CLS	20W LED (2) (4000°K)	208	412	OWNER SELECTED-SITE LIGHTING PLATFORM TWIN HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I D	VISIONAIRE VLX-1-TSW-192L-C-4K-UNV-CLS	42W LED (1) (4000°K)	208	421	OWNER SELECTED-SITE LIGHTING PLATFORM SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I E	VISIONAIRE VLX-1-TSW-192L-C-4K-UNV-CLS	20W LED (1) (4000°K)	208	208	OWNER SELECTED-SITE LIGHTING PLATFORM SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I F	VISIONAIRE VLX-1-T4-192L-C-4K-UNV-CLS	42W LED (1) (4000°K)	208	421	OWNER SELECTED-SITE LIGHTING PLATFORM SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I H	VISIONAIRE VLX-1-T4-192L-C-4K-UNV-CLS	20W LED (1) (4000°K)	208	206	OWNER SELECTED-SITE LIGHTING PLATFORM SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 39' AG
S I I	HUBBELL NRG-4-30L-4K-9354Z	40W LED (1) (4000°K)	208	49	OWNER SELECTED-BUILDING OUTRIG SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 14' AG
S I J	HUBBELL NRG-4-30L-4K-9354Z	70W LED (1) (4000°K)	208	70	OWNER SELECTED-CANOPY LOWWAY SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 18' AG
S I K	HUBBELL NRG-4-30L-4K-9354Z	35W LED (1) (4000°K)	208	35	OWNER SELECTED-CANOPY LOWWAY SINGLE HEAD-BRONZE-DIRECT MOUNT MOUNTED AT 18' AG

GENERAL CONTRACTOR HAS SELECTION AUTHORITY OF FIXTURES THAT MEET DESIRED OPERATIONAL AND CONSTRUCTION CHARACTERISTICS. PHOTOMETRIC CALCULATIONS AT 80% LIGHT LUMEN DEPRESSION AND DIRTY LENS FACTOR.



SITE PHOTOMETRIC PLAN

SCALE: 1"= 50'-0"

GENERAL NOTES:

- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, CLEARANCES, DEETS, AND COORDINATE WITH OTHER TRADES PRIOR TO START OF PROJECT WORK AND SUBMIT COORDINATED PROJECT WORK ON SHOP DRAWINGS FOR REVIEW AND APPROVAL.
- CONTRACTOR SHALL COORDINATE ALL SERVICE UTILITY WORK WITH UTILITY COMPANY PRIOR TO COMMENCING WORK.
- INSTALLATION SHALL COMPLY WITH LATEST EDITION OF I.E.C. AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION, NFPA, NEC, ALL FEDERAL, STATE AND LOCAL CODE.
- CONTRACTOR SHALL BE LICENSED TO PERFORM WORK IN MUNICIPALITY WHERE PROJECT IS LOCATED, OBTAIN AND PAY FOR ALL PERMIT AND INSPECTION FEES.
- FOR THE PURPOSES OF THIS CONTRACT THE TERM PROVIDE MEANS FURNISH AND INSTALL.

PLAN NOTES:



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A Full Service
Architectural Firm
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CONSULTING • DESIGN/BUILD

New Building For:
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**PRICING SET
NOT FOR
CONSTRUCTION**

PROJECT NO.: 134.19.03
DATE: 05.16.2019
DRAWN BY: SMP
REVIEWED BY: JHS

REVISED:

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SHEET NO.

ES1

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Know what's
underfoot.
Call before you dig.



UTILITIES ONE-CALL SYSTEM, INC.

UTILITY WARNING:
In addition to Utility One call, the contractor is required to submittal location services for underground utility, piping, lines, wiring, etc. The contractor is required to take due precautionary measures to locate and protect all underground utilities, etc., prior to the initiation of the actual portion of their work.



EAST ELEVATION

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



NORTHWEST ELEVATION

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTH ELEVATION

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTHEAST ELEVATION

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



WEST ELEVATION

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



VIEW OF VEHICLE CANOPY

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



VIEW OF TRUCK CANOPY

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTHEAST VIEW (FULL VIEW)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



NORTHEAST VIEW

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



NORTHEAST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



NORTHWEST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTHEAST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTHWEST VIEW
(HI-RISE SIGN)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



NORTHEAST VIEW
(POLE SIGN)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



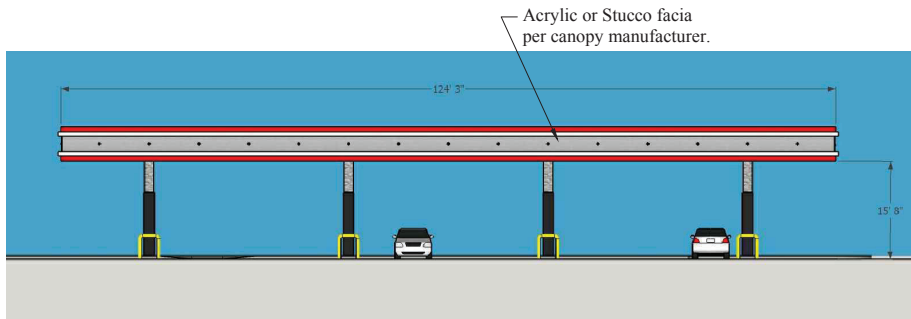
NORTHWEST VIEW
(ALTERNATE MONUMENT SIGN)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021

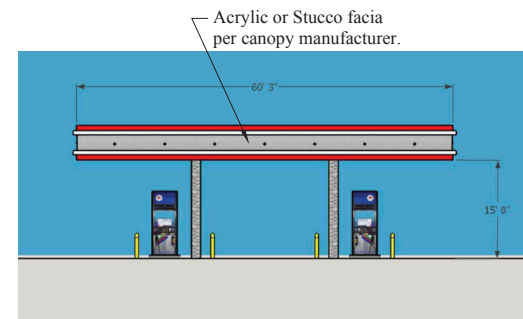


NORTHEAST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



VEHICLE CANOPY - FRONT ELEVATION



VEHICLE CANOPY - END ELEVATION



NOTE:
Clearance dimension will vary from 14'-0" to 16'-0", but not more than 17'-0" per canopy manufacturer. 15'-8" clear shown on canopy.



VEHICLE CANOPY

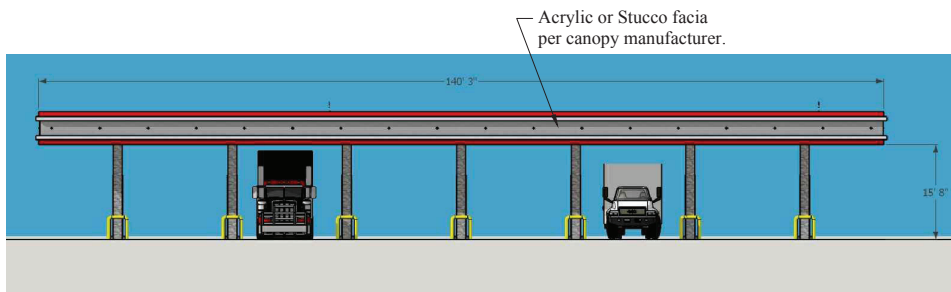
ON THE GO TRAVEL CENTER

I-35 and Homestead
Edgerton, Kansas 66021

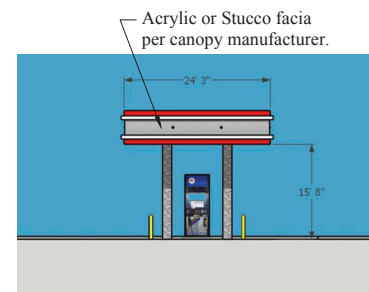


NORTHWEST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



TRUCK CANOPY - FRONT ELEVATION



TRUCK CANOPY - END ELEVATION



NOTE:
Clearance dimension will vary from 14'-0" to 16'-0", but not more than 17'-0" per canopy manufacturer. 15'-8" clear shown on canopy.



TRUCK CANOPY

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTHWEST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021



SOUTHEAST VIEW
(TRUCK WASH & SERVICE)

ON THE GO TRAVEL CENTER
I-35 and Homestead
Edgerton, Kansas 66021

STAFF UPDATE

Date: August 13, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: **UDCA 2019-02** Public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 4 – *Commercial Zoning Districts, Sections 4.3, 4.4 and 4.6* and Article 7 - *Conditional Uses*.

BACKGROUND INFORMATION

In June of this year, the Planning Commission approved a substantial set of updates to Article 4 – *Commercial Zoning Districts*. In reviewing upcoming development projects staff noted that two corrections were necessary.

First, on pages 4-19 and 4-30 of *Sections 4.3* and *4.4* respectively, there is a reference to Article 12, *Section 12.9* related to pole signs and Conditional Use Permit requirements. With the subsequent revisions made to Article 12 – *Signs Regulations*, this reference is no longer correct. The reference to Article 7 related to conditional uses on those same pages is adequate and accomplishes the intended reference. Staff proposes deleting the sentence red-lined as shown in the attached document.

Additionally, in *Section 4.6 – Awnings & Fencing*, it was noted that staff had neglected to include standing seam metal as an appropriate finish for awnings. We recognize that this type of material should be included in addition to noncombustible fabric. At this time, staff also would like to include a verbiage related to “extended awnings.” An awning would be an apparatus which extends over one window or door, while an extended awning would extend over several windows or doors. Staff feels the distinction is necessary so that an extended awning is not confused with a canopy which has different design features and requirements.

In the continued effort to update Edgerton’s Unified Development Code, staff also brings forward Article 7 – *Conditional Uses*. This Article has been updated to correspond to conditional use updates made to Article 4 in Commercial Development zoning districts. The document included in your packet is a red-lined version which indicates new content in red. Items deleted are in black and lined through.

Conditional uses are called out from permitted uses due to their unique characteristics. Upon review by the Planning Commission, a recommendation may be made to the Governing Body for final approval. Conditional Use permits are reviewed much like a zoning application in that they are reviewed with several things in mind: the impact on the neighborhood, the surrounding area, the public need for such a use, etc. This Article is an important component of the Unified Development Code in that it helps provide the standards by which the conditional use may operate.

Under Section 7.2, *Specific District Requirements*, the Commercial Districts were updated to match the updated uses in Article 4. Some conditional uses were not new, but they may have been reclassified to a different zoning district. Several conditional uses, such as pole signs and detached parking lots, are new conditional uses and as such had to be added to Article 7 so that guidelines for review are in place. In addition, the City Attorney was consulted to determine if amended content was within the legal confines of both state and federal regulations. His revisions have been included.

At this time, staff is requesting that these public hearings be opened, any additional public comments be accepted, and both hearings be closed. Staff requests that any recommendations for changes or revisions be provided and the updates be recommended to the Governing Body for adoption at the August 22, 2019 City Council Meeting.

Article 4

Commercial Zoning Districts

- Section 4.0 Reserved for Future Use
- 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 Reserved for Future Use
- Section 4.6 Awnings and Fencing
- Section 4.7 Fuel Stations, Convenience Stores and/or Drive-Throughs

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

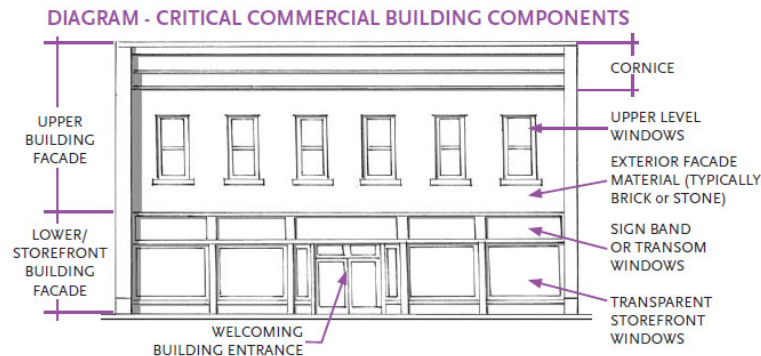
Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
No front yard setback is required. If a setback is desired, maximum allowed distance is five (5) feet.	Required side yard setback is ten (10) feet, with the following exceptions: <ul style="list-style-type: none"> - No side 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 are 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 as a design element, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to awning design guidelines.

Fencing – If fencing is used, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to fencing 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. Alterations and tailoring.
2. Ambulance service.
3. Amusement and video arcades.
4. Antiques.
5. Apartments located above the first floor of a business.
6. Apparel.
7. Appliance and electronics repair.
8. Art galleries and studios.
9. Automated teller machine.
10. Automotive parts, retail only.
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. Carpeting and floor covering.
18. Caterer.
19. Church or place of worship.
20. Clubs or cultural group.
21. Convenience stores, with or without gasoline sales.
22. Computer sales and service.
23. Crafts.
24. Discount stores.
25. Drive through food service.
26. Drugs and cosmetics.
27. Dry cleaners.
28. Exterminator, pest.
29. Financial institutions, including drive-through banks.
30. Florist and gift shops.
31. Food store.
32. Fuel stations, no car wash.
33. Funeral home, mortuary.
34. Furniture store.
35. Greeting cards and stationery stores.

36. Hardware stores.
37. Health or fitness clubs.
38. Health related sales and services.
39. Home lighting and fixtures stores.
40. Housewares and kitchenware stores.
41. Interior decorating studios.
42. Internet providers - customer service operations.
43. Jewelry stores.
44. Laundry, self-serve or drop off.
45. Locksmiths.
46. Medical services and offices.
47. Microbrewery.
48. Music and musical instruments – lessons, service, sales.
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. Taverns and bars.
64. Taxidermist.
65. Theaters, indoor.
66. Toys and hobby supply stores.
67. Public utilities, offices only.
68. U.S. Post offices.
69. Veterinarian (domesticated pets only).
70. Video rentals, except adult videos.
71. Accessory uses related to the permitted uses listed.
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 4.7 “*Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C1, C2, and C3 only)*” for additional requirements.

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	✓	✓

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

Awnings - If awnings are used as a design element, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to awning design guidelines.

Fencing – If fencing is used, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to fencing 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.

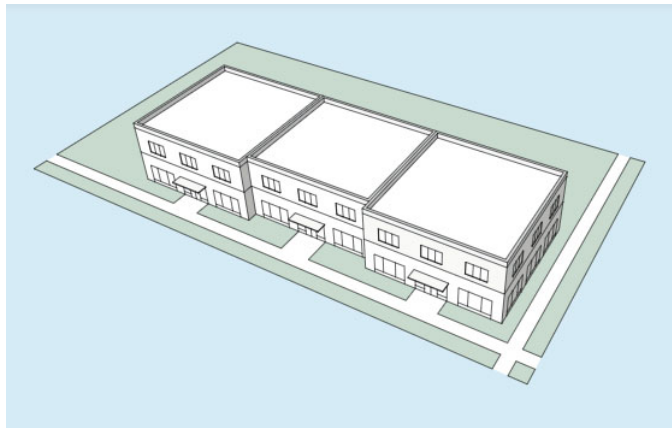
Ground or Building Mounted Equipment - Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities’ meter banks and coolers shall be screened from public view with three (3) sided landscaping or with an architectural treatment compatible with the 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.

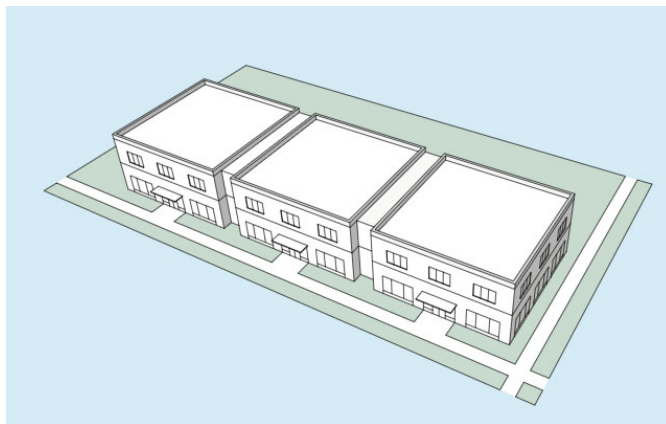
Horizontal and Vertical Articulation - All buildings must incorporate horizontal and vertical primary façade articulation to divide building mass into human scale modules.

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;

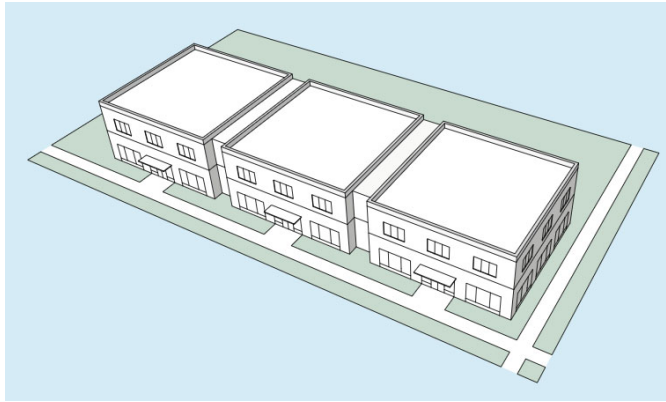


- b. *Wall notch* – a setback or notch in the wall plane at least 4 feet deep and 8 feet wide for the full height of the façade

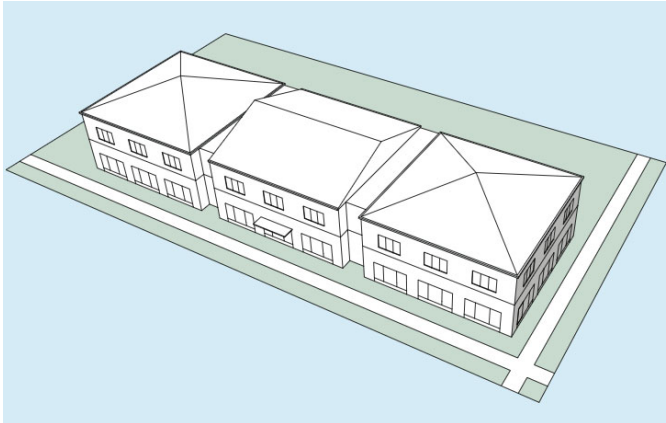


2. **Vertical Articulation.** One or more of the following vertical articulation tools must be used a minimum of every 50 feet of linear façade width:

- 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 or Land Use	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
Adjacent to Public Right of Way <u>or</u> Private Street	2 lane/4 lane Undivided – 10' 4 Lane Divided – 15' 6 Lane Divided – 20'	1	1	1	15	Clustering of trees shall be allowed & encouraged to create a more natural appearing environment.
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' 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 have the potential for extended hours of operation. Operations must be wholly contained within the building except where permitted in the District Regulations.

B. Use Restrictions. In the C-2 district, 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. Interstate 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.	No side yard is required except: - 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	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. No building shall be placed closer than three (3 feet) to a dedicated utility, service, or travel easement.	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 4.7 “*Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C1, C2, and C3 only)*” for additional requirements.

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		✓

	Materials Category 1 Primary - 70% (must include 20% transparent glass) Secondary - 60%	Materials Category 2 Primary - 30% Secondary - 40%
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		
Other Synthetics		
Synthetic stucco EIFS (detail only)		✓

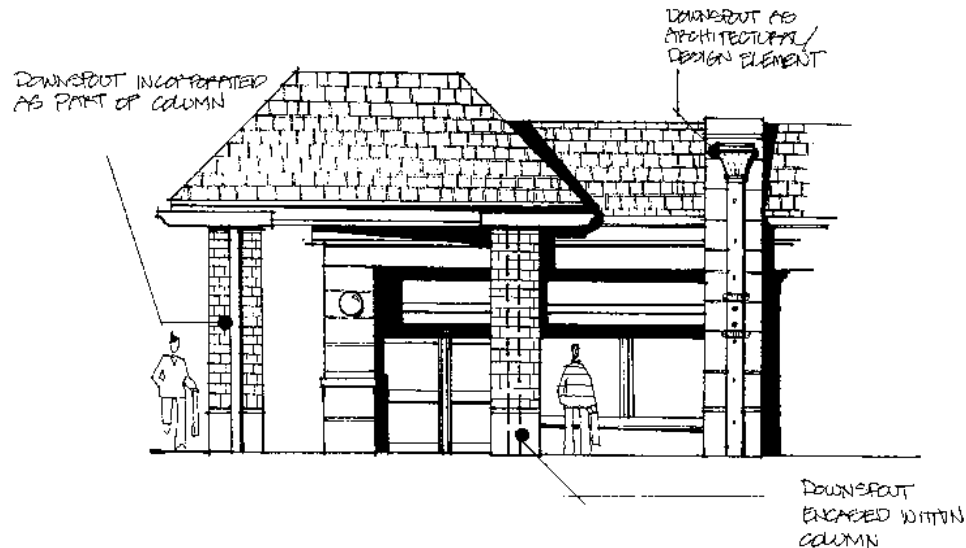
Awnings - If awnings are used as a design element, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to awning design guidelines.

Fencing – If fencing is used, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to fencing 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.

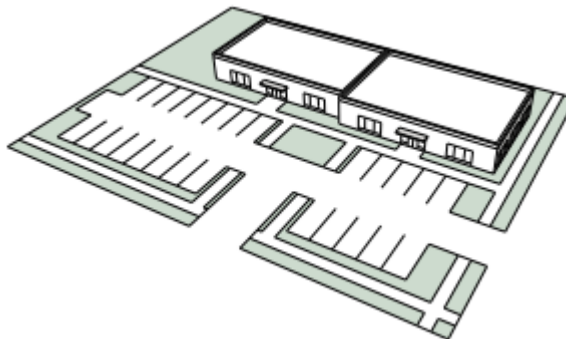
1. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture and integral to the

- 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.

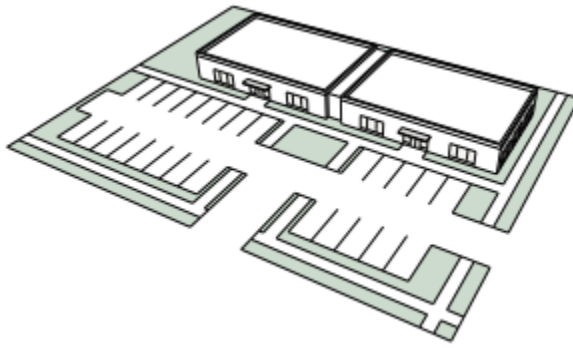
Ground or Building Mounted Equipment. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities’ meter banks and coolers shall be screened from public view with three (3) sided landscaping or with an architectural treatment compatible with the 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;

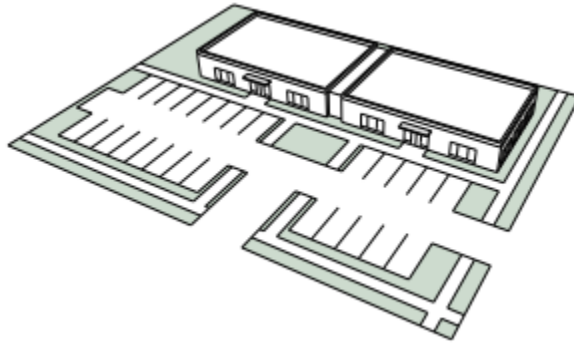


- b. *Wall notch* – a setback or notch in the wall plane at least 4 feet deep and 8 feet wide for the full height of the façade.

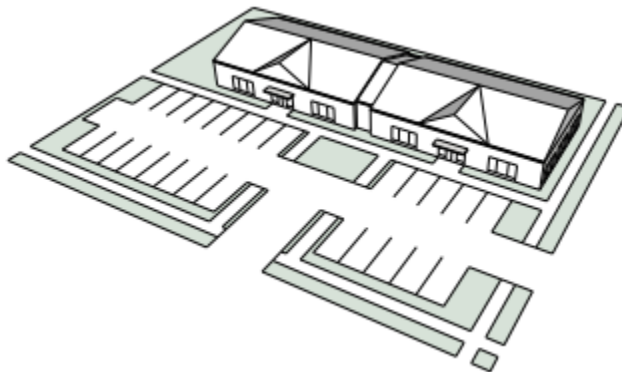


2. Vertical Articulation. One or more of the following vertical articulation tools must be used a minimum of every 75 feet of linear façade width:

- 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).

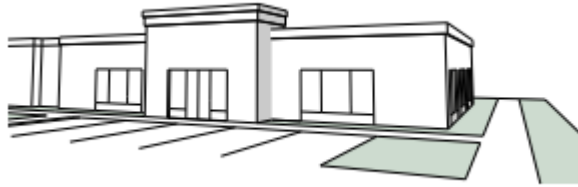


- b. *Variations in Roof Form* - Use of more than one roof form to express different building modules

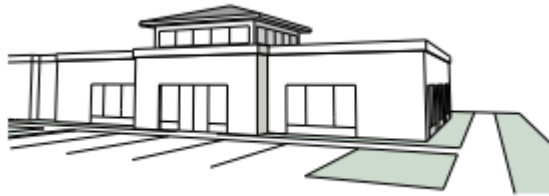


Focal Point Elements. All buildings must incorporate focal point design elements to help define the character of the structure. Select one or more of the following focal point design elements:

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*.

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-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
Adjacent to Public Right of Way <u>or</u> Private Street	2 lane/4 lane Undivided – 10' 4 Lane Divided – 15' 6 Lane Divided – 20'	1	1	1	15	Clustering of trees shall be allowed & encouraged to create a more natural appearing environment.
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' 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. ~~Interstate Pole signs subject to 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 4.7 “*Fuel Stations, Convenience Stores and/or Drive-Throughs (Permitted Use in Districts Zoned C1, C2, and C3 only)*” for additional requirements.

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		✓
Glass		

	Materials Category 1 Primary - 70% (must include 20% transparent glass) Secondary - 60%	Materials Category 2 Primary - 30% Secondary - 40%
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 and Fencing* details in Section 4.6 at the end of this Article related to awning design guidelines.

Fencing – If fencing is used, see *Awnings and Fencing* details in Section 4.6 at the end of this Article related to fencing 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.

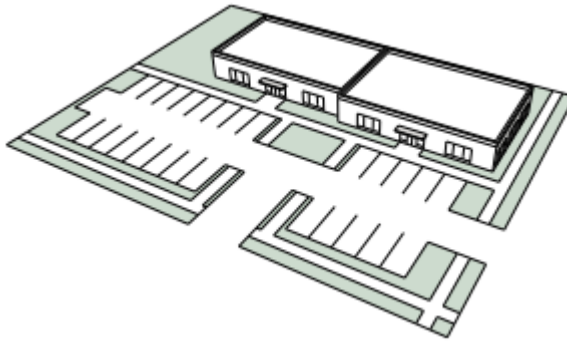
1. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture and integral to the overall appearance of the building. An example includes a parapet wall that includes the same building materials as the lower levels of the 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

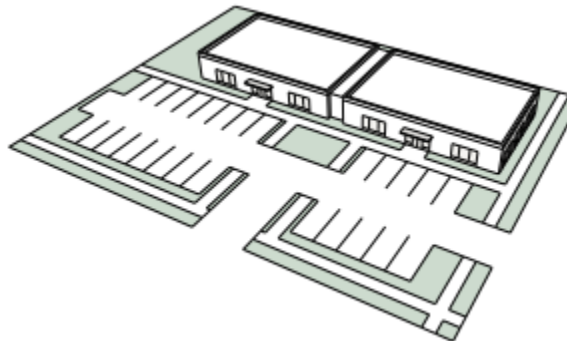
sidewalk and are subject to approval by the City Engineer. When requested within public right-of-way a landscaping plan shall be required with the right-of-way permit. Landscaping selected for screening shall be provided for on three (3) sides of the structure and shield the structure from public view.

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

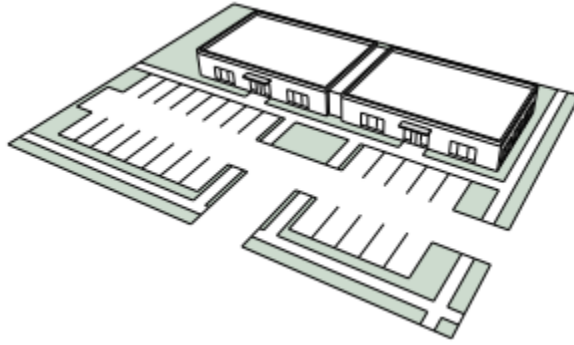
1. **Horizontal Articulation:** One or more of the following horizontal articulation tools must be used a minimum of every 75 feet of linear façade width:
 - a. *Wall offset* – a horizontal wall plane offset of at least 4 feet extending for the full height of the façade;



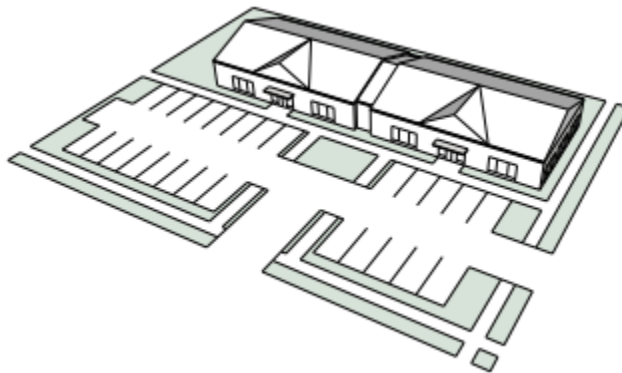
- b. *Wall notch* – a setback or notch in the wall plane at least 4 feet deep and 8 feet wide for the full height of the façade.



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).

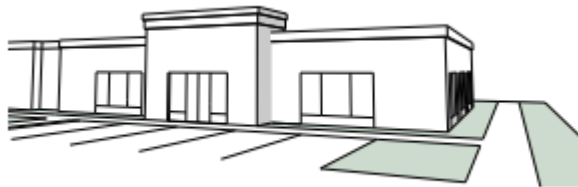


- b. *Variations in Roof Form* - Use of more than one roof form to express different building modules

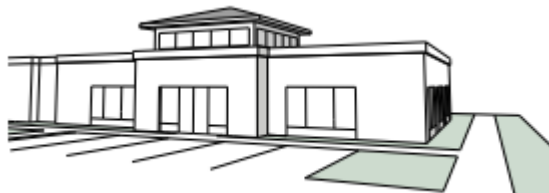


Focal Point Elements. All buildings must incorporate focal point design elements to help define the character of the structure. Select one or more of the following focal point design elements:

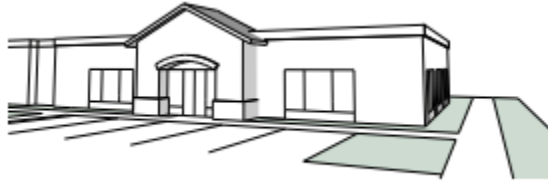
1. *Tower or Raised Parapet Element* - Towers or raised roof parapets that produce variations in building height of at least 4 feet and project at least 1 foot from the front and rear of the primary façade plane.



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. 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
Adjacent to Public Right of Way <u>or</u> Private Street	2 lane/4 lane Undivided – 10' 4 Lane Divided – 15' 6 Lane Divided – 20'	1	1	1	15	Clustering of trees shall be allowed & encouraged to create a more natural appearing environment.
A-G	10	1	1	1	20	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
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' 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.

4.6 Awnings, Extended Awnings & Fencing

Awnings/Extended Awnings - Awnings and extended awnings can enhance the aesthetics of a business property, provide weather protection and serve as a business identification. The inclusion of awnings as a design feature is allowed when designed and installed in accordance with these regulations. An individual awning shall be designed to project over any one window or door opening and shall not be a single continuous feature extending over architectural piers

or arches. An extended awning is designed to project over more than one window or door opening, or any combination thereof. Extended awnings may be attached to the building using either internal or external supports.

A. General Guidelines

1. For new developments, awnings or extended awnings should be included on the approved site plan and indicated on any building elevations.
2. For existing buildings, the addition of awnings or extended 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.
3. ~~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.~~
4. Awnings or extended 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.
5. Awnings or extended awnings should be an enhancement to the building façade and should be of a proportional width and complimentary to nearby buildings, ~~and~~ awnings, and extended awnings.
6. Awnings and extended 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).
7. Awnings are not allowed in locations which already have a covered walkway or attached canopy.
8. In multi-tenant shopping centers, awnings should be coordinated to complement the overall architecture of the center.

B. Awning/Extended awning Appearance, Materials & Maintenance

1. Awning or extended awning materials with reflective or shiny finishes are prohibited; standard residential aluminum awnings are not allowed.
2. Awnings ~~may shall~~ be composed of noncombustible acrylic fabric, in a matte finish, suitable for outdoor use and U/V resistant, or matte finish standing seam metal.
3. The awning or extended awning color should complement and enhance the building, not overwhelm the building scheme or call more attention to the awnings/extended awnings than the building.
4. ~~Fabric A~~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.
5. The awning frame shall be constructed of steel or aluminum.
6. Awning frame finish should match the metal storefront system color or awning fabric or metal color.
7. Awnings and extended awnings should have open ends (shed awnings) which allow a less obstructed view of storefronts. Wrapped awnings are allowed if they ~~compliment~~complement the building architecture (i.e., at the corner of a building).
8. Awning valances shall be more than 10 (ten) inches in height.

9. 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.
10. Awning graphics and text are governed by Article 12, Sign Regulations.

C. Awning/Extended Awning Installation

1. 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.
2. 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.
3. The lowest point of any awning or extended awning shall be minimum of 8 (eight) feet above the sidewalk or ground over which it projects.
4. Awnings without signs may be allowed above the ground floor if they complement the architecture.

Awning and Extended Awning Design Examples



Awnings over individual doors and windows



Extended awnings over sever doors and windows



Example of individual awnings and extended awning

Fencing - All fences and walls shall comply with the City's fence regulations and follow these design standards:

A. Placement

1. Fences, walls or hedges shall be outside of the sight distance triangle.
2. Fences, walls, or hedges shall not be placed in the setback area from street rights-of-way or within the perimeter landscape area.
3. Retaining walls are permitted where the wall is reasonably necessary due to topography, where the wall is located at least two (2) feet from any street right-of-way, and where the wall does not extend more than six (6) inches above the ground level of the land being retained.

B. Allowed Fencing Materials

1. **Subject to the Minimum Fencing Design Standards listed in section C below**, fences are to be constructed of customarily used materials such as chain-link, welded wire mesh, wrought iron, aluminum, wood, polyvinyl chloride (PVC), ornamental wire or other similar material unless otherwise herein.
2. The use of materials such as sheet metal, chicken wire, temporary construction fencing, snow fencing, woven wire commonly used for penning of livestock or other animals, or similar materials shall not be permitted as permanent fencing. Barb wire is strictly prohibited.
3. Wood fences shall be constructed of treated lumber, cedar, redwood or similar type of wood that are resistant to decay.
4. Chain-link or woven wire type fences shall not include plastic or wood slats or strips, bamboo or reed.
5. A fence shall not be constructed or covered with paper sheets/strips; cloth/fabric tarps, sheets, or strips; plastic/vinyl tarps, sheets, mesh or strips; bamboo; reed; or plywood sheeting. An exception may be approved by the City for sun and/or wind screen material applied to fences directly associated with a sports or recreation facility such as tennis court fences, baseball field fences, or basketball courts.
6. Walls are to be constructed of brick, stone, textured concrete, precast concrete, tile block, etc.

7. All walls and fences must be an earth tone, neutral, or natural color.
8. Pictures, images, lettering, logos, graphics, or artwork are not permitted on fences.
9. Any fence determined by the City not to be a standard or customarily styled or constructed fence is prohibited.

C. Minimum Fencing Design Standards

1. In Commercial Districts no chain-link, woven wire, or similar type fence shall be permitted where visible from a public street.
2. Any fence over four (4) feet tall located in any yard adjacent to a public street or located closer to a public street than the closest corner of any structure, shall meet one of the following conditions:
 - a. Columned: Masonry columns with a minimum cross section of 16 inches by 16 inches placed at a maximum interval of 24 feet on center along the length of the fence. Additional columns shall also be required at all fence corners and turning points and at all fence termination points.
 - b. Capped and Trimmed: Upgraded wood fences, including exposed wood posts, top caps, and trim boards.
 - c. Decorative Metal: Wrought iron and decorative metal style fencing.



Capped and trimmed wood fence

D. Retaining Walls

1. Retaining walls shall be set back from the property line one foot for every one foot of height unless a mutual written agreement on the height and location of the retaining wall has been made with the adjoining property owner.
2. Retaining walls which are more than four (4) feet in height shall be structurally engineered. The design specifications, elevations, and the exact location of the wall shall be provided on the Site Plan.
3. No single retaining wall face shall be greater than 6 (six) feet in height without terraces to break e up the wall expanse. A minimum of one foot of terrace shall be used for each 2 feet of wall height. Each terrace shall contain vegetation.
4. Any retaining wall above three (3) feet shall have wrought iron fencing.
5. Retaining wall construction is subject to approval by the City Engineer and Building Inspector.



Retaining wall

4.7 Fuel Stations, Convenience Stores and/or Drive-Throughs (C1, C2, C3, CO)

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.

A. General Design Standards

1. Building elevations should incorporate architectural features that are visually interesting with pronounced massing and provide direct pedestrian connections to adjacent sidewalks.
2. 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.
3. 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.
4. 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.

5. Vision glass on the building must provide unobstructed views in and out of the building.
6. 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.
7. 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.
8. 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.

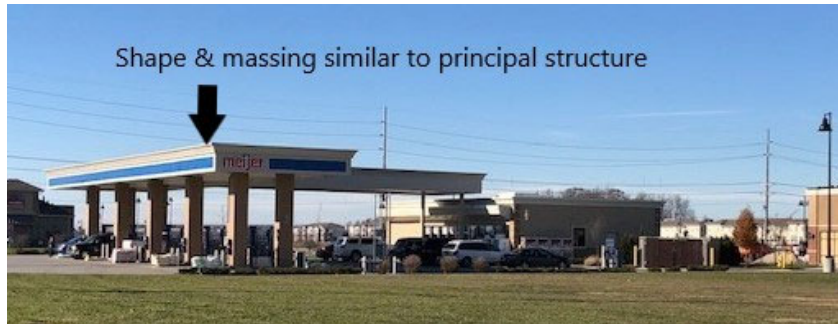
B. Canopy Design Standards

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 or attached canopy covering a drive-through service area shall be developed in accordance with the following criteria:

1. Canopy height shall relate to adjoining buildings both within and outside the service center site.
2. 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.
3. Design of gas pumps and pneumatic tube stations should thoughtfully integrate with canopy supports, graphics and signage.
4. All exterior canopy surfaces shall incorporate the following:
 - a. The exterior surface shall be clad in composite or masonry materials matching or compatible with materials used on the primary structure.
 - b. Materials used on the canopy must have a matte finish (nothing shiny or reflective).
 - c. 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.
5. Canopy columns shall incorporate the following:
 - a. Columns shall be clad primarily in composite materials which match or are compatible with materials used on the primary structure and canopy roof.
 - b. Cladding must extend from the base of the column to the canopy roof.

- c. Columns must be at least eighteen (18) inches in width.
- 6. Canopy sides or top may not be illuminated in any way. Canopies shall not contain strips or bands of light (neon or otherwise).
- 7. 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.
- 8. Illuminance under the canopy shall be no more than an average of thirty-five (35) footcandles.
- 9. 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





C. Car or Truck Washes

1. Downgrading of exterior materials for ancillary structures such as car or truck washes is not permitted.
2. 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.
3. Where they are adjacent to residential uses, orientation and design shall minimize noise and lighting impacts.
4. Car or truck wash exits must face away from abutting residential properties or be fully screened from neighboring residential views.
5. 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.

Article 7 Conditional Uses

Section 7.1	Issuance of Conditional Uses
Section 7.2	Specific District Requirements

7.1 Issuance of Conditional Uses

- A. Intent. The purpose of this article is to provide for certain uses, which; because of their unique characteristics cannot be distinctly listed as a permitted use in a particular **zoning** district. The Planning Commission may **recommend approval of** ~~approve~~ these conditional uses **to the Governing Body** after consideration in each case, of the impact of such uses upon neighboring uses; the surrounding area and the public need for the particular use at the particular location. Limitations and standards are herein established to insure the use's consistency with the character, uses and activities in the **zoning** district. Before any conditional use shall be approved, the Governing Body shall review the record of the **public hearing held by the Planning Commission**.
- B. Standards. The Planning Commission, in accordance with the procedures and standards of this UDC, may **recommend the Governing Body** authorize buildings, structures, and uses as conditional uses in the specific instances and particular districts set forth provided that the location is appropriate, consistent with the Comprehensive Plan, that the public health, safety, morals, and general welfare will not be adversely affected, and that necessary safeguards will be provided surrounding property, persons, and neighborhood values, and further provided that the additional standards of this Article specified as a condition of approval. Unless otherwise specified in this Article or as a condition of approval, the height, yard, lot area, design, environmental, and sign requirements shall be the same as other uses in the district in which the conditional use is located. No conditional use shall be authorized unless the Planning Commission finds that the establishment, maintenance, or operation of the Conditional Use meets the standards set forth in this Article. The burden of proof is on the applicant to bring forth the evidence and the burden of persuasion on all questions of fact that are determined by the Planning Commission.
- C. Criteria. In order to recommend approval or disapproval of a proposed conditional use permit, **both** the Planning Commission and Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, the Planning Commission and Governing Body may consider all factors they deem relevant to the questions of compatibility and the best interest of the City, including the following:
1. The extent to which there is a need in the community for the proposed use.
 2. The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
 3. 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.

4. Suitability of the uses of the property without the proposed conditional use permit.
5. Length of time the subject property has remained vacant without the proposed conditional use permit.
6. The extent to which the proposed use may detrimentally affect nearby property.
7. 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.
8. 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.
9. 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.
10. 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.
11. The economic impact of the proposed use on the community.
12. 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.
13. 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.
14. The recommendation of professional staff. (Ord. 798; 2005)

7.2 Specific District Requirements

In addition to the specific use requirements outlined by zoning district and use type listed below, the applicant **must provide a site plan for review and approval** with special emphasis given to parking, circulation, loading, landscaping and screening. Staff may request additional information deemed necessary to provide a comprehensive review of the conditions listed in Section 7.1c above.

A. Districts A-G, R-1, R-2 and R-3.

1. Bed and Breakfast. (A-G, R-1, R-2, R-3)
 - a. Conditions listed in 7.1 (C) above.
 - b. No more than four (4) **sleeping** units for rent.
 - c. Proprietor must reside on the premises.
 - d. Food service limited to a breakfast meal.
 - e. No change or adaptation to the exterior of the structure that would alter the residential appearance.

- f. Advertising limited to one monument sign ~~no larger than four feet x four feet (4x4)~~ which is subject to the limitations of Article 12 related to "Home Based Businesses."
2. In Home Child or Elder Care. (A-G, R-1, R-2, R-3)
 - a. Approved state operating permit.
 - b. No more than 12 children and two supervisors may be employed on the premises.
 - c. The operation must be located in a safe and convenient area that will facilitate the delivery of and pickup of clients.
3. Communications Towers Over 60' in Height. (A-G, R-1, R-2, R-3)
 - a. Facility must not be located in an area used or planned for residential purposes.
 - b. The facility must be located a horizontal distance equal to its total height plus 50 feet from any building used for human habitation (other than the principal use), and/or any road.
 - c. The applicant must demonstrate the necessity for the tower by demonstrating that this facility cannot reasonably be co-located on an existing tower or structure.
 - d. The applicant shall show that the new tower is designed to accommodate additional antennae equal in number to the applicant's present and future need and will accommodate two co-located antennae requested by public or private concerns.
 - e. Submission of an acceptable agreement to remove the tower and or antenna within 180 days after cessation of use.
4. Airport or Landing Strip (A-G only)
 - a. ~~Conditions listed in 7.1 (C) above.~~
5. Attendant Care ~~of or~~ Nursing Home (A-G, R-1, R-2, R-3)
 - a. ~~Conditions listed in 7.1 (C) above.~~
6. ~~Private Commercial~~ Kennels or Animal Sanctuary (A-G only)
 - a. Facility must be located a minimum of 1,000 feet from the nearest residence.
 - b. Operator must maintain a current license.
 - c. ~~Conditions listed in 7.1 (C) above.~~ Facility is subject to inspection by Codes Enforcement/Animal Control Officer twice per calendar year following the provision of reasonable notice.
7. Quarries and Sand/Gravel Extraction (A-G, R-1, R-2, R-3)
 - a. Facility must be located a minimum of 1,000 feet from the nearest residence.
 - b. The road network must be capable of supporting the anticipated truck traffic.
 - c. ~~Conditions listed in 7.1 (C) above.~~
8. Camps, Travel Trailer or RV Parks (A-G only)
 - a. ~~Conditions listed in 7.1 (C) above.~~
9. E.C.H.O (Elderly Cottage Housing Opportunity) Housing. (A-G, R-1, R-2, R-3)
 - a. ~~Conditions listed in 7.1 (C) above.~~

~~10. Nursery Stock – Nursery Office.~~

- ~~a. Conditions listed in 7.1 (C) above.~~
- ~~b. Sufficient off street parking to accommodate all employees.~~
- ~~c. No accessory building located in the front yard.~~

~~11. Riding Academies and Stables – Veterinary and Veterinary Supplies~~

- ~~a. Conditions listed in 7.1 (C) above.~~

Commented [KC1]: These are permitted uses in A-G; not sure why they are listed as CUP required.

10. All other uses Listed as Condition in Article 3 – R-1 Districts

- a. Approval of a site plan that demonstrates adequate parking, circulation, and open space.
- b. Screening and barrier separation as deemed necessary by the Planning Commission.
- c. Conditions listed in 7.1 (C) above.

B. Districts C-1 and C-2 only. C-D, Downtown Commercial District.

1. Parking lots detached from the principal use. Site plan provided for review and approval should give special emphasis to:

- a. Parking and circulation as required by Article 16.
- b. Landscaping Plan as determined by zoning district requirements in Article 4.
- c. Applicant shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted for staff review at application.
- d. Onsite signage plan for site circulation shall be provided at time of application.

2. All uses in the C (Commercial) zoning districts listed as conditional must submit a site plan for review and approval with special emphasis given to:

- a. Parking and circulation.
- b. Screening of outdoor materials.
- c. Conditions listed in 7.1 (C) above.

3. Adult Entertainment – Sex Oriented Businesses.

- a. Must be located a minimum of 1,000 feet or more from the nearest residence, school, day care center, cemetery, or another adult entertainment/Sex Oriented Business.
- b. No service of alcoholic or cereal malt beverages.

C. Districts C-1, C-2, and C-D C-1, General Commercial District.

1. If a single family residential structure was inhabited and being used as a residence at the time the landowner made application for rezoning, and the residential use was a previously legal conforming use, such use may be continued in such structure with special emphasis given to:

- a. Conditions listed in 7.1 (C) above.
- b. Accessory uses are prohibited except for any existing use which is accessory to a previously legal conforming use.
- c. Use may not be changed, altered, or expanded beyond 25% in area unless the contemplated change would:
 - 1. Results in greater conformity.
 - 2. Correct deficiencies required for licenses or permits.

- ~~3. Correct deficiencies that would endanger the life, safety, or health of the public or property owners.~~

~~Any conditional use permit granted pursuant to this provision shall have a duration of no more than one year after the effective date of the ordinance approving the conditional use permit. (Ord. 845; 2008)~~

1. Parking lots detached from the principal use. Site plan provided for review and approval should give special emphasis to:
 - a. Parking and circulation as required by Article 16.
 - b. Landscaping Plan as determined by zoning district requirements in Article 4.
 - c. Applicant shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted for staff review at application.
 - d. Onsite signage plan for site circulation shall be provided at time of application.

D. ~~Districts B-P, L-P, IG and I-H.~~ C-2, Heavy Service Commercial District.

1. Adult Entertainment – Sex-Oriented Businesses.
 - a. ~~Must be located a minimum of 1,000 feet or more from the nearest residential dwelling, school, day care center, cemetery, liquor store, or another adult entertainment or sex-oriented business.~~
 - b. ~~No service of alcoholic or cereal malt beverages is allowed.~~
 - c. The surrounding land uses, and zoning districts must be provided including distance to nearest structure.
 - d. Additional screening is required on the perimeter of the property. Screening shall be a combination of fencing and landscaping. Berming may be allowed if the topography of the parcel allows for adequate screening as determined by a line of sight drawing from any adjacent right of way. Landscape and screening plan must be submitted at time of application for staff review.
 - e. Applicant shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted for staff review at application.
2. Interstate Pole Sign. Applicant must provide the following details in submission materials:
 - a. The use of the proposed development.
 - b. The height of the proposed principal building.
 - c. The surrounding land uses and zoning districts.
 - d. The relationship to the Interstate (the property where the interstate pole sign is to be placed must have 50% of the site within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an Interstate);
 - e. The elevation of the site in relationship to the elevation of the finished grade of adjacent city roadway.
 - f. The proposed height and signable area of the pole sign.
 - g. The applicant shall provide a line of sight drawing which includes evaluation of natural land grade and highway curvature for sign placement. Line of sight vantage should be shown at ½ mile and 1-mile distances from both directions.
 - h. All requirements noted in Article 12 in the UDC related to size, height, number of signs, landscaping, etc. must be met by the proposed pole sign application.

Commented [KC2]: These two are the only additional requirements listed in our code today. See where it is deleted out of the prior C-1/C-2 section above which was combined section for those districts.

3. Wireless Facilities/Wireless Support Structures

- a. Facility must not be located in an area used or planned for residential purposes.
- b. The facility must be located a horizontal distance equal to its total height plus 50 feet from any building used for human habitation (other than the principal use), and/or any road.
- c. The applicant must demonstrate the necessity for the tower by demonstrating that this facility cannot reasonably be co-located on an existing tower or structure.
- d. The applicant shall show that the new tower is designed to accommodate additional antennae equal in number to the applicant's present and future need and will accommodate two co-located antennae requested by public or private concerns.
- e. Submission of an acceptable agreement to remove the tower and or antenna within 180 days after cessation of use.

Commented [KC3]: Current requirements; just copied from the AG/R1/R2/R3 section above.

E. Additional Regulations for Conditional Uses C-3, Highway Service Commercial District.

1. Wireless Facilities/Wireless Support Structures

- a. Facility must not be located in an area used or planned for residential purposes.
- b. The facility must be located a horizontal distance equal to its total height plus 50 feet from any building used for human habitation (other than the principal use), and/or any road.
- c. The applicant must demonstrate the necessity for the tower by demonstrating that this facility cannot reasonably be co-located on an existing tower or structure.
- d. The applicant shall show that the new tower is designed to accommodate additional antennae equal in number to the applicant's present and future need and will accommodate two co-located antennae requested by public or private concerns.
- e. Submission of an acceptable agreement to remove the tower and or antenna within 180 days after cessation of use.

2. Campgrounds

- a. A fully developed Site Plan with requirements as listed in Article 10.
- b. Parking and circulation as required by Article 16.
- c. Landscaping Plan as determined by zoning district requirements in Article 4.
- d. Applicant shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted for staff review at application.

3. Outdoor amusement establishments such as miniature golf, driving ranges, pitch and put courses amusement parks and other similar establishments.

- a. A fully developed Site Plan with requirements as listed in Article 10.
- b. Parking and circulation as required by Article 16.
- c. Screening and Landscaping as determined by zoning district requirements in Article 4. Additional screening may be required on the perimeter of the property if adjacent to or across from A-G or any residential zoned districts.

Screening shall be a combination of fencing and landscaping. Berming may be allowed if the topography of the parcel allows for adequate screening as determined by a line of sight drawing from any adjacent right of way.

- d. Additional screening may be required on the perimeter of the property if adjacent to or across from A-G or any residential zoned districts. Screening shall be a combination of fencing and landscaping. Berming may be allowed if the topography of the parcel allows for adequate screening as determined by a line of sight drawing from any adjacent right of way.
 - e. Applicant shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted for staff review at application.
4. Interstate Pole Sign. Applicant must provide the following details in submission materials:
- a. The use of the proposed development.
 - b. The height of the proposed principal building.
 - c. The surrounding land uses and zoning districts.
 - d. The relationship to the Interstate (the property where the interstate pole sign is to be placed must have 50% of the site within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an Interstate);
 - e. The elevation of the site in relationship to the elevation of the finished grade of adjacent city roadway.
 - f. The proposed height and signable area of the pole sign.
 - g. The applicant shall provide a line of sight drawing which includes evaluation of natural land grade and highway curvature for sign placement. Line of sight vantage should be shown at ½ mile and 1-mile distances from both directions.
 - h. All requirements noted in Article 12 in the UDC related to size, height, number of signs, landscaping, etc. must be met by the proposed pole sign application.
5. Motor vehicle repair, general.
- a. A fully developed Site Plan with requirements as listed in Article 10.
 - b. Parking and circulation as required by Article 16.
 - c. Landscaping Plan as determined by zoning district requirements in Article 4.
 - d. Screening and Landscaping as determined by zoning district requirements in Article 4. Additional screening may be required on the perimeter of the property if adjacent to or across from A-G or any residential zoned districts. Screening shall be a combination of fencing and landscaping. Berming may be allowed if the topography of the parcel allows for adequate screening as determined by a line of sight drawing from any adjacent right of way.
 - e. Applicant shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted for staff review at application.
6. Outdoor display and sales of merchandise and equipment
- a. A fully developed Site Plan with requirements as listed in Article 10 is required.
 - b. If applicable, parking and circulation as required by Article 16. If parking spaces are going to be used for outdoor display/sales area, applicant must provide a parking plan which provides for accommodation of lost spaces.
 - c. Signage must be placed in accordance with Article 12.

- d. Screening and Landscaping as determined by zoning district requirements in Article 4. Additional screening may be required on the perimeter of the property if adjacent to or across from A-G or any residential zoned districts. Screening shall be a combination of fencing and landscaping. Berming may be allowed if the topography of the parcel allows for adequate screening as determined by a line of sight drawing from any adjacent right of way.
- e. Exterior Lighting: Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved.

F. B-P, Business Park District.

- 1. Communication Transmission Towers Over Sixty (60) Feet in Height
 - a. The facility must be located a horizontal distance equal to its total height plus 50 feet from any building used for human occupancy (other than the principal use), and/or any road.
 - b. The applicant must demonstrate the necessity for the tower by demonstrating that this facility cannot reasonably be co-located on an existing tower or structure.
 - c. The applicant shall show that the new tower is designed to accommodate additional antennae equal in number to the applicant's present and future need and will accommodate two co-located antennae requested by public or private concerns.
 - d. Submission of an acceptable agreement to remove the tower and or antenna within 180 days after cessation of use.

G. L-P, Logistics Park District

All uses in the L-P (Logistics Park) Zoning District listed as Conditional Uses must submit a site plan for review subject to the following requirements:

- 1. Communication Transmission Towers Over Sixty (60) Feet in Height
 - a. The facility must be located a horizontal distance equal to its total height plus 50 feet from any building used for human habitation (other than the principal use), and/or any road.
 - b. The applicant must demonstrate the necessity for the tower by demonstrating that this facility cannot reasonably be co-located on an existing tower or structure.
 - c. The applicant shall show that the new tower is designed to accommodate additional antennae equal in number to the applicant's present and future need and will accommodate two co-located antennae requested by public or private concerns.
 - d. Submission of an acceptable agreement to remove the tower and or antenna within 180 days after cessation of use.
- 2. Truck stops with fuel and accessory services
- 3. Private or public owned playground, playfields, and recreational facilities (e.g. public or private golf courses, tennis or other courts, and swimming pools) open for public or commercial use;

4. Auditoriums, convention centers, and conference facilities
5. Colleges and universities.
6. Transportation storage and trucking yards
7. Cargo container storage, repair or maintenance. ~~Cargo Container Storage Facilities and Cargo Repair and Maintenance Facilities:~~ All cargo container storage and cargo container repair and maintenance facilities (collectively referred to as "facilities") shall be subject to the following performance provisions:
 - a. 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.
 - b. Exterior Lighting: Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved.
 - c. Minimum Lot Size: Facilities shall have a minimum lot size of twenty (20) acres.
 - d. 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.
 - e. Paving: All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation:
 1. Paving shall mean concrete or asphalt; and
 2. 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.
 - f. 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.
 - g. Cargo Container Stacking: Cargo containers shall not be stacked more than five (5) in number.
 - h. 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.
 - i. 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.
 - j. 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:

1. 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);
2. 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);
3. 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;
4. When abutting (~~trouching~~) (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; and
5. For purposes of Stipulations 3 and 4 above, measurements shall be made between the nearest property line of the residentially zoned property or the nearest edge of a dwelling, and the nearest cargo container, semi-trailer (either on or off a chassis), or chassis.
- k. 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.
- l. Site Plan: A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9.1 (B) (3) of these regulations.
- m. 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.
- n. Deviations: In the event that an applicant desires to deviate from the above performance standards and provisions for certain Conditional Uses, the applicant shall submit written information to the Governing Body indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a list of alternative materials, designs or methods that are equivalent to the performance standards and provisions for the L-P Zoning District, Section 5.4, Sections G through Q in the regulations. The application may only be approved if findings are made by the Governing Body that 1) due to the circumstances of the application, it would be unnecessary to impose the standards(s) and equivalent alternatives should be allowed, b) that the spirit and intent of the regulations are being met, c) that granting the deviation shall not adversely affect adjacent or nearby property, and d) the application shall otherwise comply with all building code(w) and safety requirements. (Ord. 915, 2012)

H. I-G, General Industrial District and I-H, Heavy Industry District.

1. All uses listed as conditional in the I (Industrial) Zoning Districts must comply with the following ~~listed as conditional: must submit a site plan for review and approval with special emphasis given to:~~

- a. Applicant shall submit a site plan for review and approval with special emphasis given to parking, **site** circulation, and loading; and screening of outdoor materials.
- b. Conditions listed in 7.1(C) above. (Ord. 845; 2008)

I. Additional Regulations for Conditional Uses.

- 1. A Conditional Use Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the conditional use application.
- 2. The ~~Board of Zoning Appeals~~/**Governing Body** or Planning Commission may impose any additional condition(s) that it deems necessary to preserve the harmonious design of the community, lessen congestion, or preserve the public health, safety, and welfare.
- 3. The ~~Board of Zoning Appeals~~/**Governing Body** or Planning Commission may recommend denial of any conditional use/special use listed in this Unified Development Ordinance that, in its opinion, would adversely impact the public health, safety, or welfare.