

EDGERTON PLANNING COMMISSION  
REGULAR SESSION  
Edgerton City Hall  
October 8, 2019  
7:00 P.M.

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

4. **CONSENT AGENDA**

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

**A. MINUTES**

Consideration of Minutes for Regular Planning Commission Session of September 10, 2019.

**B. REVISED FINAL SITE PLAN FOR COLDPOINT TRAILER PARKING WESTSIDE – APPLICATION FS2019-05**

Consideration of Application FS2019-05, a revision to Final Site Plan FS2016-06, located at 31301 W 181<sup>st</sup> Street.

Applicant: Aaron Burks  
Agent: ColdPoint Logistics Real Estate, LLC

**C. EXTENSION OF SITE PLAN EXPIRATION DATE FOR FS2018-07 LPKC – LOGISTICS SUPPORT PHASE I**

Consideration of the extending the expiration date of Final Site Plan FS2018-07 for LPKC Logistics Support Phase I, located along the south side of 191st Street, one-half mile west of Waverly Road.

Applicant: Aaron Burks  
Agent: NPD Management, LLC

5. **NEW BUSINESS**

**A. PUBLIC HEARING – PRELIMINARY PLAT FOR LONE STAR DEVELOPMENT PHASE I – APPLICATION PP2019-04**

Hold a public hearing in consideration of Application PP2019-04 for Preliminary Plat located at the northwest corner of Homestead Lane and Interstate 35.

Applicant: Johnny Brown  
Agent: D&J Development

**B. TEMPORARY CONSTRUCTION USE FOR INLAND PORT VII BATCH PLANT – APPLICATION TU2019-08**

Consideration of Application TU2019-08 for Temporary Construction Use for Inland Port VII located at 30901 W 185<sup>th</sup> Street.

Applicant: Steve Schuering  
Agent: Concrete Strategies LLC

**C. TEMPORARY CONSTRUCTION USE REVISION FOR NEW HAUL ROUTE FOR THE 207<sup>TH</sup> STREET EAST OF WAVERLY ROAD EXPANSION – APPLICATION TU2019-07**

Consideration of a revision to Application TU2019-07 for a new haul route to supply concrete to the 207<sup>th</sup> Street expansion project.

Applicant: Jim Berry  
Agent: Concrete Strategies LLC

**D. PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS – APPLICATION UDCA2019-03**

Consideration of Application UDCA2019-03 for Amendments to Article 3 and Article 10 of the Unified Development Code of the City of Edgerton.

Applicant: City of Edgerton

6. Future Meetings

- Regular Session – November 12, 2019 at 7:00 PM

7. Adjourn



EDGERTON CITY HALL  
PLANNING COMMISSION MEETING  
REGULAR SESSION  
September 10, 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 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 August 13, 2019 were considered.

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

**NEW BUSINESS**

**PUBLIC HEARING – CONDITIONAL USE PERMITS – APPLICATIONS CU2019-02 & CU2019-03**

Chairman Daley introduced Application CU2019-02 and CU2019-03 as the 2 billboards located at 36450 Frontage Road.

Mr. Curt Petersen, agent, Polsinelli Law Firm, came before the Commission as a representative of the property owner, MICO, Inc. He stated the billboards are located just south of the Sunflower Road interchange with Interstate-35 (I-35) and can be seen by travelers along I-35. MICO, Inc. entered into a lease agreement with Ad Trend about 10 years ago to have billboards located on the southern and northern tip of the parcel. The agreement was for a 30-year land lease. At that time, a billboard required a Conditional Use Permit (CUP) per the Unified Development Code (UDC). The UDC has recently been updated to not allow billboards in the City of Edgerton. The original 5-year CUP has expired and an application to renew the CUP was not made by the property owner due to administrative error and oversight. MICO, Inc. is requesting a new CUP to cover the balance of the lease term, which is 20 years. Mr. Petersen agreed with all the stipulations outlined in the Staff Report except for the limitation of the CUP to a the 5-year term, as recommended by City Staff. He requested the Planning Commission consider a 20-year CUP term which would cover the remaining time of the lease agreement. Mr. Petersen stated that MICO, Inc. is at risk with an ever-changing environment and he wants MICO to be able to uphold their end of the lease agreement. Mr. Petersen stated the billboard will be maintained up to City standards.

Ms. Crow confirmed there are 2 billboards on the parcel. The original CUP application was issued in 2010 and issued for 5 years, so it expired in 2015. The applicant has applied for a new CUP. City Staff requested a CUP application be on file for each billboard in case the sale of the parcel results in a land split at some point in the future. Ms. Crow explained a CUP stays with the land, even if property owners change. She informed the Planning Commission a CUP is treated like a rezoning as it is based upon the use of the land. Therefore, the same Golden Factors considered during a rezoning are used in the CUP process and they are outlined in the Staff Report. She stated most of the Factors for the billboards have been deemed positive by Staff, with a few neutral determinations. City Staff has not received any questions or concerns regarding these applications. MICO, Inc. has provided public hearing notices to the surrounding property owners as is required. Ms. Crow explained 5 years is the typical time limit for a CUP. The first CUP was issued for 5 years even with the 30-year lease agreement being in place. The Staff Report does outline some stipulations for approval, which Mr. Petersen stated the property owner does agree with.

Mr. Crooks asked if the billboards will be removed once the lease agreement expires. Ms. Crow answered that the UDC, as of now, does not allow billboards in the City of Edgerton, so it is a risk if an applicant wishes to apply for a CUP. Chairman Daley asked if the billboards would be grandfathered in under the previous UDC. Ms. Crow replied the billboards are considered a non-conforming use and they would not be allowed per the UDC if the CUP expires. Mr. Crooks stated the Planning Commission could split the difference of Staff's recommendation and the applicants request and recommend the CUP for 10 years. He stated there are pros and cons to each. Ms. Linn stated it is up to the Planning Commission to weigh those pros and cons. She stated the applicant is requesting an unusually large amount of time for a CUP. Ms. Linn wants the Planning Commission to keep in mind the investments other property owners have put into the community that have CUPs for less than 20 years. Ms. Linn stated the Planning Commission will send forth a recommendation to the Governing Body as a CUP is adopted by ordinance. Chairman Daley requested clarification if the Governing Body could deny the CUP time limit the Planning Commission recommends. Ms. Linn replied the Governing Body can change the stipulations of approval in the ordinance they adopt.

Mr. Petersen replied the other projects that have larger investments don't have a legal nonconforming use as billboards are no longer allowed per the UDC. He stated the applicant wants to discuss the length of the CUP now as the details could change in 5 years from now with a new Planning Commission, Governing Body, and UDC. Chairman Daley stated the original 5-year CUP was approved even with the 30-year lease agreement in place. He asked if the lease could be transferred to a new property owner. Mr. Petersen stated he is unsure at this time.

Chairman Daley opened the public hearing. No comments were made. Mr. Crooks motioned to close the public hearing, Mr. Little seconded. The public hearing was closed, 3-0.

Chairman Daley stated the original CUP was for 5 years and it is always a possibility for the property to be sold. Mr. Crooks agreed and stated 5 years is the typical time limit for a CUP, but he does understand the request for longer. Chairman Daley inquired about what happens to the CUP if the property is sold. Ms. Linn stated the CUP is transferred with the land and gave the example of a cargo container storage lot that was approved then sold to a new company that is currently operating in Logistics Park Kansas City. She explained that is why CUP applications are treated like a rezoning application.

Mr. Crooks motioned to recommend approval with the following stipulations:

1. Conditional Use Permits CU2019-02 (north) and CU2019-03 (south) are each attached to one sign as described in the Staff Report. If ownership of the parcel changes, each CUP allowance will run with the billboard sign to which it is assigned with any change of ownership reported to the City so that permit records can be updated.
2. Each sign must be kept in good condition and should repairs be required, repaired in accordance with the time frame of the City of Edgerton UDC in effect at the time the repair is needed. Failure to properly maintain the sign shall be cause for revocation of the CUP(s).
3. Any major modifications to the billboard sign, as defined by City Staff, will render CU2019-02 (north) and CU2019-03 (south) null and void. Should the CUP be determined to be null and void, the billboards would then need to be removed within 60 days after notification to the property owner by the City.
4. As a legal non-conforming use, these CUPs are subject to the restrictions outlined in Article 9, Section 9.7.
5. Each CUP shall be valid for 5 (five) years from date of approval by the City of Edgerton Governing Body, regardless of ownership.
6. Should either of the CUPs not be renewed and approved by the Governing Body prior to their expiration date, then the billboards will be considered non-compliant with the UDC and will be required to be removed within 60 days of written notification to the property owner by the City.

Mr. Little stated he would consider approving the CUPs for 10 years. Mr. Daley stated the UDC was updated to not allow billboards in the City of Edgerton. Mr. Crooks stated the Governing Body could change the time if they are not happy with what the Planning Commission recommends. Mr. Little agreed and seconded the motion to recommend approval with the 5-year limit. Conditional Use Permit applications CU2019-02 and CU2019-03 were recommended for approval to the Governing Body, 3-0.

Ms. Linn stated the CUPs will be presented to the Governing Body at the September 26, 2019 meeting.

### **FUTURE MEETING**

The next meeting is scheduled for October 8, 2019 at 7:00 p.m. Chairman Daley asked if there would be any items before the Board of Zoning Appeals (BZA). Ms. Crow replied there are no items to go before the BZA. Chairman Daley confirmed the time of the next meeting to be 7:00 p.m.

### **ADJOURNMENT**

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

The meeting adjourned at 7:17 p.m.

Submitted by: Chris Clinton, Planning and Zoning Coordinator

**STAFF REPORT**

October 8, 2019

To: Edgerton Planning Commission  
Fr: Chris Clinton, Planning and Zoning Coordinator  
Re: **FS2019-05** Final Site Plan revision to approved FS2016-06 for *Inland Port XL (ColdPoint Logistics)* located at 31301 W 181<sup>st</sup> Street.

**APPLICATION INFORMATION**

**Applicant:** Aaron Burks, Agent  
ColdPoint Logistics Real Estate, LLC  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150

**Property Owner:** ColdPoint Logistics Real Estate, LLC  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150

**Requested Action:** Final Site Plan approval for *Inland Port XL*

**Legal Description:** Logistics Park Kansas City Rail Served – First Plat, Lot 1

**Site Address/Location:** 31301 West 181<sup>st</sup> Street

**Existing Zoning and Land Uses:** L-P (Logistics Park) District. Warehousing.

**Existing Improvements:** Warehouse and streets.

**Site Size:** Approximately 61.34 Acres

**PROJECT DESCRIPTION**

Application FS2019-05 is a request for a revision to approved Final Site Plan FS2016-06, *Inland Port XL*. The parcel is on the southeast corner of Waverly Road and 181<sup>st</sup> Street. This project is for additional trailer parking on the westside of the existing warehouse. This Staff Report and review will focus on the request to add 58 trailer parking stalls, and not anything related to the warehouse. These stalls would allow onsite trailer parking, with no loading or unloading activities. The proposed parking area is located on the far west end of the property, with the entrance located outside of the fenced area that surrounds warehouse operations. The lot exit shows trucks entering the fenced area past the guard shack to the south. The project is proposed to occur in two phases. The first phase is closer to the guard shack and is proposed to have 30 parking stalls. Phase II will include the remaining 28 stalls. Each stall is shown with wheel stops over lapping the stall line. The applicant has also included a landscape plan to provide screening for the proposed parking area.

## Subject Property



## **INFRASTRUCTURE AND SERVICES**

1. Access to the parking lot is from 181<sup>st</sup> Street by a private drive.
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 5.2, *L-P Logistics Park District*, 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. A scale vicinity map showing the relationship of the site to surrounding neighborhoods, zoning of surrounding properties, roads and other physical features. *On sheet C01, the parking area does not appear to be in Section 34 and the W Santa Fe Street on the vicinity map needs to be corrected. Update Final Site Plan.*
2. All Final Site Plan submissions shall include a landscape plan sealed by a landscape architect licensed to practice in the state of Kansas which is in conformance with applicable zoning district requirements. *The Final Development Plan sheet L01 shows proposed landscaping placed over the rail spur line. Remove landscaping in rail service track area. Update Final Site Plan.*
3. The submitted Site Plan shall include the following features:
  - a. 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. *No photometric plan was provided for the Final Development Plan or the Plan for the Westside Trailer Parking. Applicant must provide a photometric plan for staff to review.*

### **Article 5 – Section 5.2 – L-P Logistics Park District**

1. Design Guidelines. *No building architectural drawings or elevations provide. The building on the Site has already been erected. The main focus of this review is for the addition of the trailer parking stalls on the westside of the parcel.*

### **Article 16 – Section 16.2 – Design Standards and Required Dimensions**

1. Wheel Stops. Parking areas shall have adequate wheel stops to prevent extension or overhang of vehicles beyond property lines or outside of parking areas. If vehicles overhang sidewalks, the sidewalks shall be widened to accommodate pedestrians as well as ADA Standards. *The angled wheel stops in the proposed trailer parking area could lead to overhang into the drive aisle. The City Engineer states the wheel stops do not need to be centered at the lane lines as the portion on the south side of the lines will not be utilized.*

*The City Engineer also requires to the 2 northern wheel stops be removed as the trailer wheel will not go that far. **Updated Final Site Plan.***

## **OTHER COMMENTS**

1. The wheel stops are not shown correctly on the Final Development Plan for the overall site. ***Update Final Site Plan.***
2. A stormwater management report has been submitted. The following comments must be addressed to the City Engineer's satisfaction:
  - a. The study dated September 12, 2019 matches the study dated June 29, 2016. It has not been updated to reflect the proposed parking area.
  - b. Calculate the proposed impervious area percentage for Bf3\_1, Bf3\_2 and Bf\_5 and compare to the "Existing with Project" scenario in the original BNSF stormwater study.
  - c. The study should be sealed.
3. The proposed parking area is shown as asphalt with rip rap around the perimeter edge. Concrete curb and gutter are required adjacent to all paved surfaces. ***Update Final Site Plan.***
4. Applicant has indicated that the project will be phased and has requested that they be allowed to place rip rap along the west edge where the Phase II expansion will be installed. City staff will require that if Phase II is not installed by May 1, 2021, the applicant remove rip rap and add curb and gutter to the west edge of the parking area. ***Update Final Site Plan.***
5. With this application, the applicant has submitted an updated Final Development Plan for FS2016-06 which shows all post approval revisions including this parking area. The following items require correction on that updated Final Development Plan:
  - a. Update for the same location map issues mentioned previously (Incorrection Section number and Santa Fe Street Name). ***Update Final Development Plan.***
  - b. The fire loop is also labeled as future. The fire loop needs to be in place and not "future" as the building is being finished. ***Update Final Development Plan.***
  - c. The sanitary sewer service line along the west side of the building is significant length with no cleanouts. Adequate cleanouts need to be provided for the sanitary sewer. ***Update Final Development Plan.***

## **RECOMMENDATION**

City staff recommends **approval** of **FS2019-05** Final Site Plan revisions to Final Site Plan FS2016-06 for *Inland Port XL*, subject to compliance with the following stipulations:

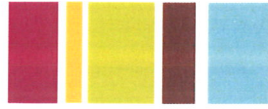
1. The staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan, curb and gutter, rip rap, and all else discussed as included in this Staff Report are included as stipulations as part of approval of this revised Final Site Plan.
2. Prior to the start of Phase II of the parking area project, the applicant will provide a letter from BNSF (adjacent property owner) stating that spoils placement on their adjacent parcel is allowed or the applicant will secure a construction easement from BNSF for the duration of the Phase II build out.
3. If Phase II of the project is not completed by May 1, 2021, all rip rap must be removed and curb and gutter added in its place around the parking lot edge.
4. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.

5. Any items added must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance.
6. 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.

#### **ATTACHMENTS**


- Application FS2019-05
- Final Site Plan for revision to approved FS2016-06 for *Inland Port XL (ColdPoint Logistics)*



☐ PRELIMINARY SITE PLAN☒ FINAL SITE PLANPROJECT NAME: Inland Port XL Westside Trailer AdditionLOCATION OR ADDRESS OF SUBJECT PROPERTY: 31301 W. 181st St.LEGAL DESCRIPTION: Logistics Park Kansas City Rail Served-First Plat, Lot 1CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: WarehouseTOTAL AREA: 61.34 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 2,671,970.4 Sq. Ft.DEVELOPER'S NAMES: Aaron Burks PHONE: 816-888-7380COMPANY: ColdPoint Logistics Real Estate, LLC EMAIL: aburks@northpointkc.comMAILING ADDRESS: 4825 NW 41st St., Suite #500 Riverside MO 64150  
Street City State ZipPROPERTY OWNER'S NAME(S): Same as Above

PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ EMAIL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
Street City State ZipENGINEER'S NAME(S): Patrick Cassity PHONE: 816-800-0950COMPANY: Renaissance Infrastructure Consulting EMAIL: pcassity@ric-consult.comMAILING ADDRESS: 5015 NW Canal St., Suite #100 Riverside MO 64150  
Street City State ZipSIGNATURE OF OWNER OR AGENT:   
If not signed by owner, authorization of agent must accompany this application.**NOTE:** Two (2) 34"x42" paper copies plus an electronic copy of the site plan must accompany this application for staff review. All Site Plan requirements may be found in Article 10 of the Edgerton Unified Development Code (UDC).

Applicant is to provide the legal description electronically as a Word document to the City of Edgerton.

**FOR OFFICE USE ONLY**Case No.: ES2019-05 Amount of Fee Paid: \$ ~~813.40~~ 200 Date Fee Paid: 9-17-19 Receipt # 10877838Received By: Christy Ann Hunt Date of Hearing: 10-8-19

# Inland Port XL Westside Trailer Addition Final Site Plan Logistics Park Kansas City - Phase V, First Plat, Lot 1

183rd Street and Waverly Road  
City of Edgerton, Johnson County, Kansas

## LEGAL DESCRIPTION:

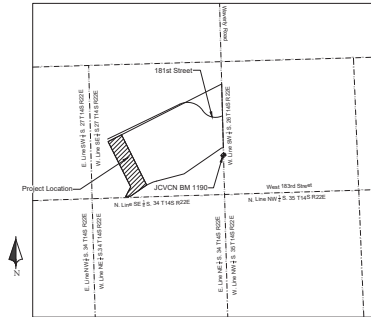
A tract of land in the Southeast Quarter of Section 27, Township 14 South, Range 22 East, and in the Northeast Quarter of Section 34, Township 14 South, Range 22 East, Johnson County, Kansas being more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter of Section 27; thence North 02°08'36" West, along the East line of the Southeast Quarter of said Section 27, a distance of 915.04 feet to the Point of Beginning; thence departing said East line, South 87°51'30" West, a distance of 40.00 feet to the Northeast property corner of an unplatted tract of land owned by BNSF Railway Company; thence South 55°23'51" West, continuing along said North property line, a distance of 909.51 feet; thence South 75°19'51" West, continuing along said North line, a distance of 564.59 feet to a point of curvature; thence Southwesterly, continuing along said North line and along a curve to the left, having a radius of 800.00 feet and a central angle of 19°59'15", an arc distance of 279.08 feet to a point of tangency; thence South 55°20'16" West, continuing along said North line, a distance of 650.86 feet; thence departing said North line, North 48°58'35" East, a distance of 82.85 feet to a point of curvature; thence Northeasterly, along a curve to the left, having a radius of 578.80 feet and a central angle of 20°09'26", an arc distance of 203.63 feet to a point of tangency; thence North 28°49'09" East, a distance of 172.50 feet; thence North 26°50'41" West, a distance of 969.23 feet to the Southern right-of-way line of BNSF Mainline, as now established; thence North 63°09'10" East, along said Southern right-of-way line, a distance of 606.39 feet; thence South 88°25'01" West, continuing along said Southern right-of-way line, a distance of 117.16 feet; thence North 63°09'19" East, continuing along said Southern right-of-way line, a distance of 2,035.09 feet to the East line of said Southeast Quarter of Section 27; thence South 02°08'36" East, along said East line, a distance of 1,271.36 feet to the Point of Beginning. Containing 2,672,037 square feet, or 61.34 acres, more or less.

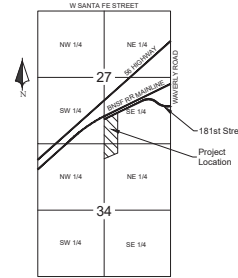
## JOHNSON COUNTY BENCHMARK

JCVN BM1190  
Bernstein Aluminum Disk Stamped BM 1190, Located on center North end of the West headwall RCB. From the intersection of Waverly Road and 183rd Street, go West 0.15 Miles to the RCB. ELEV: 1023.06

UTILITIES	
<b>ELECTRIC</b>	<b>Sewer</b>
Kansas City Power & Light	City of Edgerton
Phone: 816.471.5275	404 East Nelson
	P.O. Box 255
<b>GAS</b>	Edgerton, Kansas
Kansas Gas Service	Phone: 913.893.6231
11401 West 89th Street	
Overland Park, Kansas	<b>TELEPHONE</b>
Phone: 913.599.8981	Century Link
	Phone: 800.786.3500
<b>WATER</b>	<b>CABLE</b>
Johnson Rural Water District 7	CenturyLink
534 West Main	Phone: 800.786.3500
P.O. Box 7	
Gardner, Kansas	
Phone: 913.856.7173	



LOCATION MAP



LOCATION MAP

## LEGEND

-----	Existing Section Line	-----	Proposed Right-of-Way
-----	Existing Right-of-Way Line	-----	Proposed Property Line
-----	Existing Lot Line	---	L/L
-----	Existing Easement Line	---	U/E
-----	Existing Curb & Gutter	-----	Proposed Curb & Gutter
-----	Existing Sidewalk	-----	Proposed Sidewalk
-----	Existing Storm Sewer	-----	Proposed Storm Sewer
□	Existing Storm Structure	□	Proposed Storm Structure
-----	Existing Waterline	A	Proposed Fire Hydrant
-----	Existing Gas Main	-----	Proposed Waterline
--- SAN ---	Existing Sanitary Sewer	-----	Proposed Sanitary Sewer
●	Existing Sanitary Manhole	●	Proposed Sanitary Manhole
-----	Existing Contour Major	-----	Proposed Contour Major
-----	Existing Contour Minor	-----	Proposed Contour Minor
		-----	Future Curb and Gutter

## INDEX OF SHEETS

C01	Title Sheet
C02	General Layout
C03	Grading Plan
L01	Landscape Plan

## Zoning

The project is currently zoned L-P.

## SITE DATA TABLE

Site Acreage:	61.34 Acres
Street Right-of-Way:	5.47 Acres
Net Land Area:	55.87 Acres
Existing Zoning:	L-P
Total Building Area:	N/A
Proposed Building Use:	N/A
NFPA Occupant Load:	N/A
Total Number of Stalls:	58 Stalls
Trailer Parking:	58 Stalls

## DEVELOPER/APPLICANT:

ColdPoint Logistics Real Estate, LLC  
Contact: Aaron Burks  
4825 NW 41st Street, Ste. 500  
Riverside, MO 64150  
Email: aburks@northpointdc.com

## CERTIFICATE:

Received and placed on record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
(Zoning Administrator)

Katy Crow, Zoning Administrator

Reviewed by the Edgerton City Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
(Chair of Planning Commission)

John Daley

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 \_\_\_\_\_  
Nathaniel Hagedorn, Manager, Northpoint Development, LLC

## FLOOD PLAIN NOTE

According to the FEMA Flood Insurance Rate Map Number 20091C119G, revised August 3, 2009, portions of this tract lie in: OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain, OTHER FLOOD AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology, no Base Flood Elevations determined.

Sheet  
C01

Final Site Plan

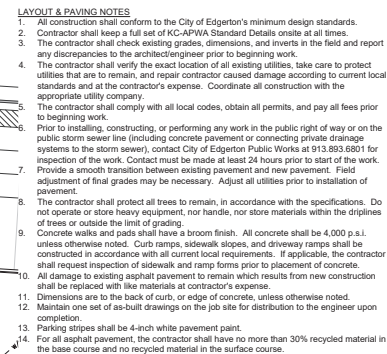
15-0204  
Inland Port XL-Westside Trailer Addition

Title Sheet

ORIGINAL SUBMITTER  
DATE

DATE FILED  
BY





### Paving Schedule

Existing Pavement

### Asphaltic Concrete Pavement

Portland Concrete Pavement

**Legend**

 Trailer Parking









TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
AR	Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B&B	2.5"		6
NSW	Nyssa sylvatica 'Wildfire' / Black Gum	B&B	2.5"		2
QR2	Quercus rubra / Red Oak	B&B	2.5"		7
EVERGREEN TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
JVH	Juniperus virginiana 'Hillspire' / Hillspire Juniper	B&B		6" - 8" Ht.	9
SHRUBS	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
CSA	Cornus stolonifera 'Arcadia' / Arcadia Fire Dogwood	2 G&E			54
EAC	Euonymus alatus 'Compactus' / Compact Burning Bush	5 Gal.			76
JCG	Juniperus chinensis 'Gold Lace' / Gold Lace Juniper	5 Gal.			81
MSM	Miscanthus sinensis 'Morning Light' / Eulalia Grass	5 Gal.			48
GROUND COVERS	BOTANICAL / COMMON NAME	CONT		SPACING	QTY
SEED	Turfgrass Sod Fescue Mix; Re: Notes / Fescue Seed	SEED			42.19 21'

- 
- PRUNE ANY DEAD OR  
BROKEN BRANCHES. CUT ANY  
GIRDLING ROOTS OFF CLOSE TO  
THE CROWN. PRY LONG ROOTS  
OUT TO DIRECT INTO NEW SOIL.
- PLACE SHRUB SO CROWN IS  
AT SOIL LEVEL.
- INSTALL 3" OF HARDWOOD  
MULCH THROUGHOUT PLANTING  
BED. LEAVE A 6" BARE CIRCLE  
AT BASE OF PLANT
- FILL PLANTING HOLE WITH  
AMENDED SOIL MIX ACCORDING  
TO SPECIFICATIONS. CONSTRUCT  
RING AROUND PLANTED SHRUB  
TO FORM SAUCER
- 6"
- CONTAINER DIA
- 2 x
- SECTION
- SCARIFY PIT  
BOTTOM  
(MIN. 6")
- NOTES:
1. REFER TO SPECIFICATIONS FOR TOPSOIL BACKFILL MIX.
  2. CONTRACTOR TO WATER THOROUGHLY AFTER PLANTING
  3. INSTALLATION TO BE IN ACCORDANCE WITH PLANTING SPECIFICATIONS
- SHRUB PLANTING DETAIL - NTS

- #### LANDSCAPE NOTES
1. LOCATE UTILITIES PRIOR TO COMMENCING LANDSCAPE OPERATIONS. ALL TREES SHALL BE FIELD POSITIONED AS TO AVOID CONFLICTS WITH EXISTING AND PROPOSED UTILITIES. NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS OR OBSTRUCTIONS.
  2. CONTRACTOR SHALL STAKE ALL PLANTING AREAS IN FIELD PRIOR TO PLANTING FOR APPROVAL OF THE OWNER OR THEIR REPRESENTATIVE.
  3. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO PLANTING. ANY DISCREPANCIES WITH THE PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE PLAN QUANTITIES SHALL SUPERCEDE SCHEDULED QUANTITIES.
  4. ALL PLANT MATERIAL SHALL BE SPECIMUM QUALITY AND SHALL COMPLY WITH RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 THE 'AMERICAN STANDARD FOR NURSERY STOCK'.
  5. ALL PLANTING BEDS & NATIVE GRASS STANDS SHALL BE EDGED AS SHOWN IN PLAN.
  6. PREPARE PLANTING BEDS AND INCORPORATE AMENDMENTS ACCORDING TO PLANS.
  7. SHREDED HARDWOOD MULCH: PER SPECIFICATIONS SHALL BE USED AS A THREE INCH (3") TOP DRESSING IN ALL PLANTING BEDS AND AROUND ALL TREES. SINGLE TREES AND SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE PLANT.
  8. ALL TREES SHALL BE STAKED PER DETAIL.
  9. ALL PLANT MATERIAL SHALL BE INSTALLED TO ALLOW A ONE FOOT (1') CLEARANCE BETWEEN PLANT AND ADJACENT PAVEMENT.
  10. THE LANDSCAPE CONTRACTOR SHALL NOT COMMENCE WORK UNTIL THE SITE IS FREE OF DEBRIS CAUSED BY ON-GOING CONSTRUCTION OPERATIONS. REMOVAL OF DEBRIS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. LANDSCAPE WORK SHALL NOT BEGIN UNTIL THE LANDSCAPE ARCHITECT AND OWNER HAVE GIVEN WRITTEN APPROVAL FOR SUCH. THERE SHALL BE NO DELAYS DUE TO LACK OF COORDINATION FOR THIS ACTIVITY.
  11. THE LANDSCAPE ARCHITECT AND OWNER SHALL APPROVE GRADES AND CONDITION OF SITE PRIOR TO SOONCEING/SEEDING OPERATIONS.
  12. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT DESIGNATED FOR OTHER PLANTINGS OR HARDSCAPE SHALL BE SOGGED WITH TURF TYPE FESCUE.
  13. ALL LANDSCAPE AREAS SHALL BE IRRIGATED. TURF AREAS SHALL BE IRRIGATED BY SPRINKLER OR ROTOR. PLANT BEDS SHALL BE SOGGED WITH DRIP IRRIGATION. IRRIGATION SYSTEM SHALL INCLUDE A BACKFLOW PREVENTER.

183rd Street and Waverly Road  
City of Edgerton, Johnson County, Kansas



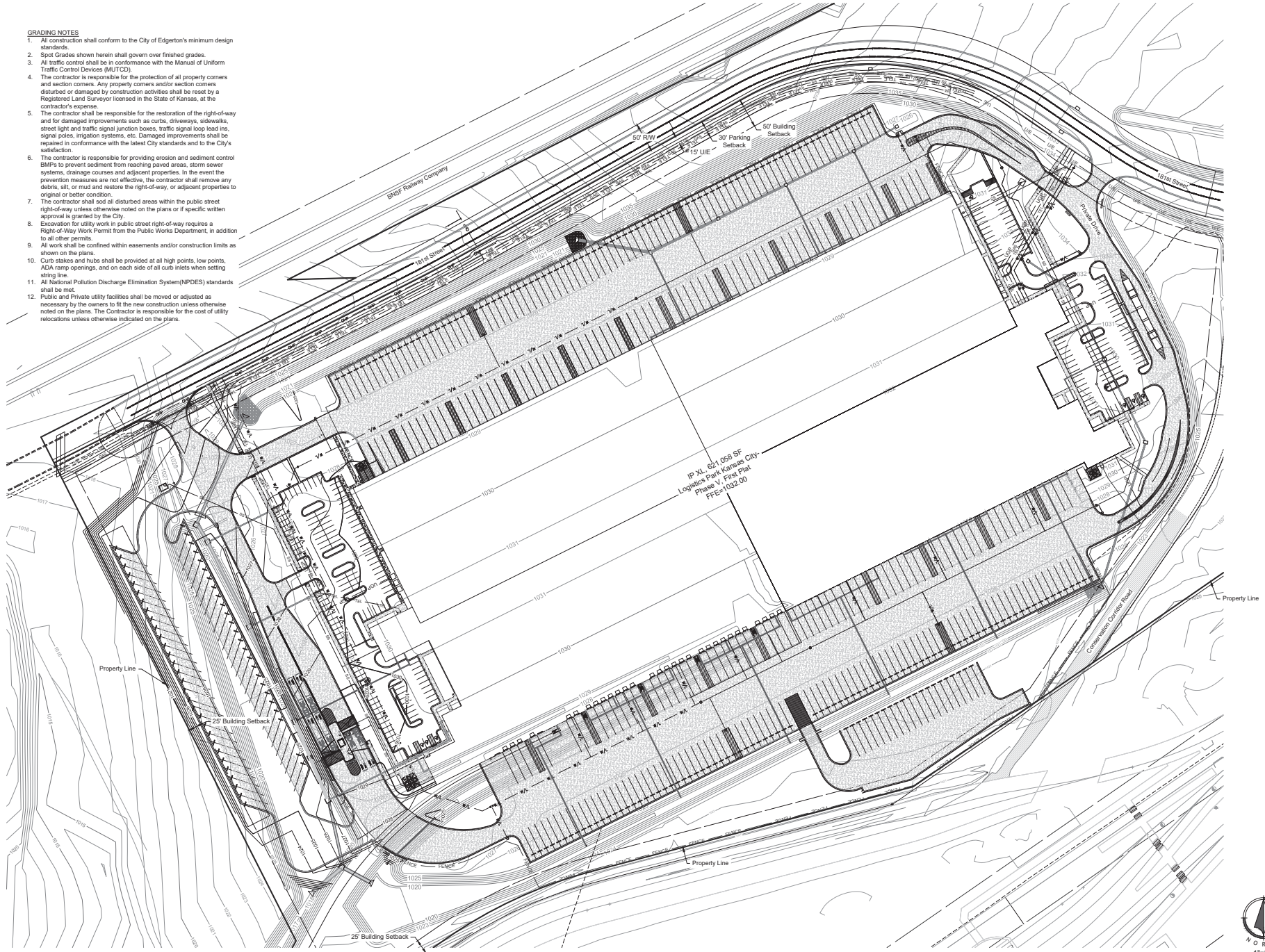






# GRADING NOTES

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



Sheet  
C04

Final Development Plan

4.5' OCC1  
Weekly Road  
Inland Fort XL-All Phases

Grading Plan

Renaissance  
Infrastructure  
Consulting

500 NW CAMEL STREET, SUITE 500  
PORTLAND, OREGON 97209  
503.555.1234  
WWW.RENAISSANCEINFRASTRUCTURE.COM

DATE: 08/11/2014  
DRAWN: J. B. BENTLEY  
CHECKED: J. B. BENTLEY  
APPROVED: J. B. BENTLEY



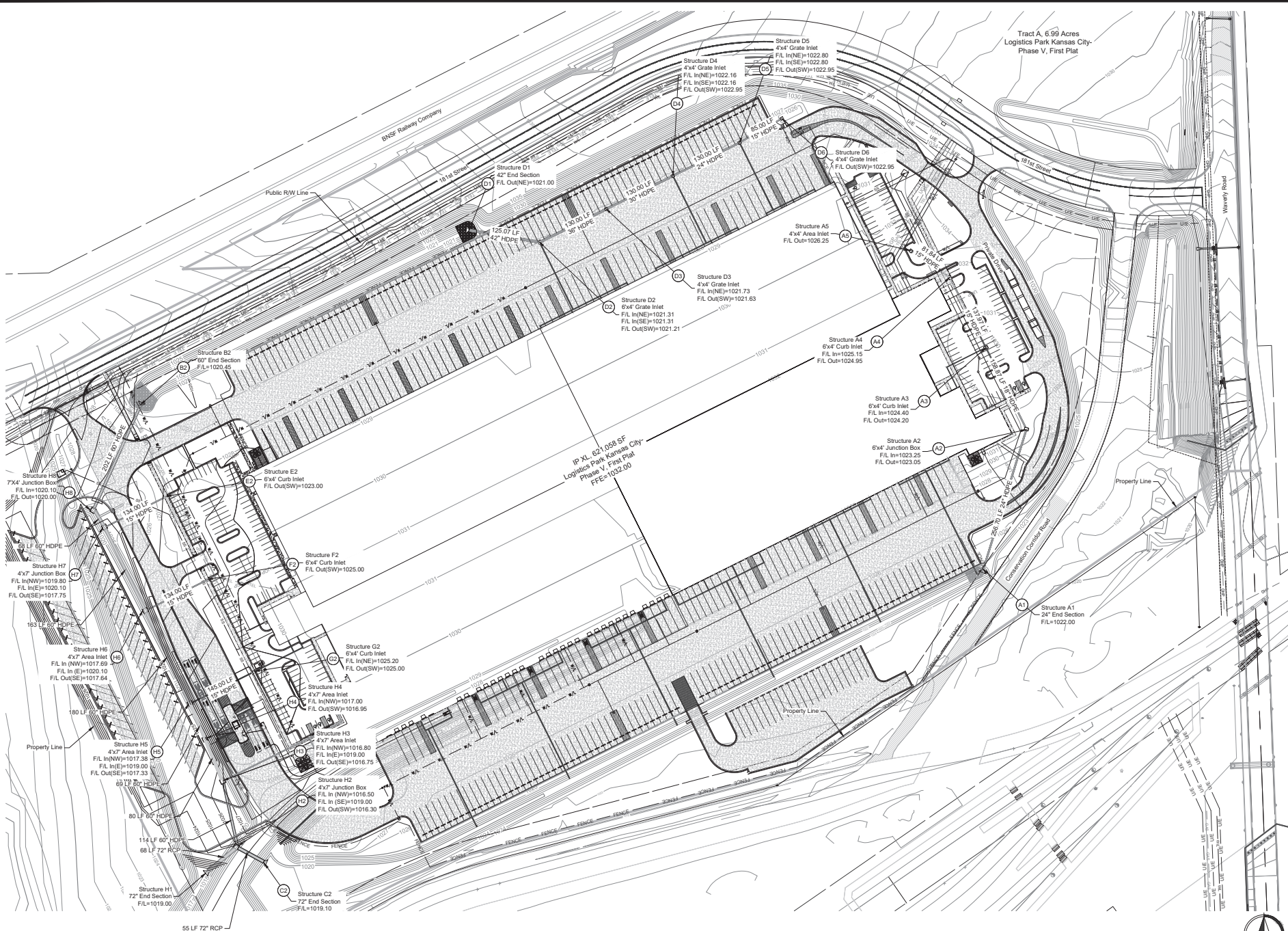


Overland Flow														System Flow				Pipe Design														Structure Design										
Line	Point	Trib. Area (Ac.)	10' Value	Design Storm	"K" Value	Time of Conc. (min.)	Intensity (in./hr.)	Trib. Runoff (cfs)	Bypass flow (cfs)	Total Runoff (cfs)	Total Area (Ac.)	Total ("K"/A")	Time of Conc. (min.)	Intensity (in./hr.)	System Discharge (cfs)	US Node	D/S Node	Pipe Type	Pipe Shape	Pipe Diameter (in.)	Pipe Length (ft.)	Manning's "n" value	Pipe Slope (%)	Design Flow (cfs)	Pipe Capacity (cfs)	Full Flow Velocity (ft/s)	Design Flow Velocity (ft/s)	Depth of Flow (ft.)	Flow Time (min.)	US Invert El.	US Crown El.	D/S Invert El.	D/S Crown El.	US Depth of Cover (ft.)	D/S Depth of Cover (ft.)	Headwater Inlet Elev. (EGL)	Headwater Outlet Elev. (EGL)	Inlet Control	Top Elevation			
A	A5	0.389	0.87	10	1	5.00	7.35	2.49	0.00	2.49	0.389	0.34	5.00	7.35	2.49	A5	A4	HDPE	Round	15	81.84	0.012	0.79	2.49	6.21	5.06	4.78	6.8	0.29	1026.25	1027.50	1025.50	1026.85	3.50	4.65	1026.86	1026.50	I	1031.00			
				100	1.25	5.00	10.32	4.02	0.00	4.02	0.39	0.40	5.00	10.32	4.02																											
	A4	0.075	0.87	10	1	5.00	7.35	0.48	0.00	0.48	0.40	0.40	5.29	7.27	2.59	A4	A3	HDPE	Round	15	137.97	0.012	0.80	2.83	6.22	5.07	4.96	7.2	0.48	1026.50	1026.75	1024.40	1025.65	4.75	5.10	1026.18	1025.39	I	1031.50			
				100	1.25	5.00	10.32	0.77	0.00	0.77	0.464	0.46	10.21	4.74																												
A3	A3	0.922	0.87	10	1	5.00	7.35	5.90	0.00	5.90	1.306	1.21	5.79	7.13	8.60	A3	A2	HDPE	Round	18	159.87	0.012	0.80	8.77	7.77	4.96	56.6	14.4	0.47	1024.20	1025.70	1023.25	1024.75	3.45	6.15	1025.81	1024.95	I	1029.15			
				100	1.25	5.00	10.32	9.52	5.12	14.54	1.39	1.39	10.02	13.89																												
	A2	0.000	0.87	10	1	5.00	7.35	0.00	0.00	0.00	1.39	1.21	6.21	7.00	8.44	A2	A1	HDPE	Round	24	296.70	0.012	0.41	8.44	15.64	4.98	5.06	12.5	0.85	1023.05	1025.05	1022.00	1024.00	5.85	0.00	1024.12	1023.44	I	1030.00			
				100	1.25	5.00	10.32	0.00	0.00	0.00	1.39	1.21	6.21	7.00	8.44																											
A1																																										1024.00
B	B2	16.810	0.87	10	1	5.00	7.35	107.53	0.00	107.53	16.810	14.62	8.00	6.53	95.50	B2	B1	HDPE	Round	48	212.42	0.012	0.47	95.50	106.77	8.50	9.59	35.0	0.37	1021.00	1025.00	1020.00	1024.00	5.00	0.00	1023.94	1024.35	O	1030.00			
B1				100	1.25	5.00	10.32	179.52	46.03	221.55		16.810		9.21	154.80																									1024.00		
C	C2	26.986	0.87	10	1	5.00	7.35	172.63	0.00	172.63	26.986	23.48	10.00	6.56	142.86	C2	C1	RCP	Round	72	65.75	0.013	0.15	142.66	165.39	5.85	6.57	51.1	0.17	1019.10	1025.10	1019.00	1025.00	4.90	0.00	1023.37	1023.93	O	1030.00			
C1			100	1.25	5.00	10.32	278.57	66.44	345.00		26.986		26.99	8.99	231.83																								1025.00			
D	D6	0.840	0.46	10	1	6.00	7.92	2.73	0.00	2.73	0.840	0.39	6.00	7.92	2.73	D6	D5	HDPE	Round	15	85.00	0.012	0.18	2.73	2.93	2.39	2.71	11.4	0.52	1022.95	1024.20	1022.80	1024.05	1.47	1.62	1023.98	1023.96	I	1025.67			
D5		2.600	0.72	100	1.25	5.00	9.60	4.79	1.88	6.65	0.48	0.92	4.79	0.48	0.49	D5	D4	HDPE	Round	24	130.00	0.012	0.42	15.61	15.76	5.02	5.72	19.4	0.38	1022.00	1024.70	1022.16	1024.16	0.97	1.51	1024.39	1024.29	I	1025.67			
D4		1.650	0.87	10	1	5.00	10.32	20.45	11.79	35.93	3.440	3.10	6.52	9.73	35.11	D4	D3	HDPE	Round	30	130.00	0.012	0.25	15.12	22.35	4.55	4.50	30.0	0.48	1022.05	1024.56	1022.13	1024.53	0.93	1.11	1.44	1024.61	1024.55	I	1025.67		
D3		1.630	0.87	100	1.25	5.00	10.32	17.03	21.94	38.97	5.09	5.09	6.99	48.80	D3	D2	HDPE	Round	36	130.00	0.012	0.25	34.16	35.81	5.07	5.77	28.1	0.38	1021.63	1024.63	1021.31	1024.31	1.04	1.36	1024.00	1024.17	O	1025.67				
D2		1.620	0.87	10	1	5.00	7.35	16.83	24.59	41.42	6.720	6.72	7.38	9.42	63.30	D2	D1	HDPE	Round	42	125.07	0.012	0.17	43.04	44.64	4.64	5.28	32.8	0.39	1021.21	1024.71	1021.00	1024.50	0.96	0.00	1023.96	1024.16	O	1025.67			
D1			100	1.25	5.00	10.32	16.83	31.47	48.30	8.300	6.53	6.53	7.75	6.89	43.94																							1024.50				
E	E2	0.390	0.87	10	1	5.00	7.35	2.49	0.00	2.49	0.390	0.39	5.00	7.35	2.49	E2	E1	HDPE	Round	15	134.00	0.012	2.24	2.49	10.43	8.50	6.95	5.0	0.32	1023.00	1024.25	1020.00	1021.25	2.55	0.00	1023.48	1021.16	I	1026.80			
E1			100	1.25	5.00	10.32	2.49	0.00	4.03	0.390	0.39	0.39	5.00	10.32	4.03																							1021.25				
F	F2	0.320	0.87	10	1	5.00	7.35	2.06	0.00	2.06	0.320	0.28	5.00	7.35	2.06	F2	F1	HDPE	Round	15	134.00	0.012	3.73	2.05	13.47	19.97	7.86	3.9	0.28	1025.00	1026.25	1020.00	1021.25	1.45	0.00	1025.38	1021.28	I	1027.70			
F1			100	1.25	5.00	10.32	3.35	0.00	3.35	0.320	0.32	0.32	5.00	10.32	3.35																							1021.25				
G	G2	0.656	0.87	10	1	5.00	7.35	4.29	0.00	4.29	0.656	0.66	5.00	7.35	4.29	G2	G1	HDPE	Round	15	145.00	0.012	4.14	4.20	14.18	11.56	10.02	5.6	0.24	1025.00	1026.25	1019.00	1020.25	1.45	0.00	1025.57	1021.02	I	1027.70			
G1			100	1.25	5.00	10.32	5.77	0.00	6.77	0.656	0.66	0.66	5.00	10.32	6.77																							1020.25				
H	H8	17.000	0.87	10	1	5.00	7.35	106.75	0.00	106.75	17.000	14.79	5.00	7.35	106.75	H8	H7	HDPE	Round	48	35.50	0.012	0.56	106.75	116.80	9.29	10.50	36.5	0.06	1020.00	1024.00	1019.80	1023.80	2.00	1.70	1023.07	1024.57	O	1026.00			
H7		0.000	0.87	10	1	5.00	7.35	0.00	0.00	0.00	17.960	15.10	5.00	7.34	110.98	H7	H6	HDPE	Round	60	162.50	0.012	0.17	110.98	116.08	5.91	6.73	46.8	0.09	1017.75	1022.75	1017.69	1022.69	2.75	1.31	1021.66	1022.39	O	1025.50			
H6		2.030	0.87	10	1	5.00	7.35	19.99	0.00	19.99	17.710	14.41	5.14	7.31	112.81	H6	H5	HDPE	Round	60	180.00	0.012	0.16	112.81	113.94	5.76	6.56	46.6	0.41	1017.84	1023.64	1017.38	1023.38	1.36	1.62	1021.70	1022.30	O	1024.00			
H5		0.690	0.87	100	1.25	5.00	10.32	20.95	0.00	20.95	15.300	13.88	5.96	10.10	185.30	H5	H4	HDPE	Round	60	98.5	0.012	0.18	114.76	120.90	6.16	7.00	45.2	0.43	1017.33	1022.33	1017.00	1022.00	1.67	2.00	1021.19	1021.61	O	1024.00			
H4		4.000	0.87	100	1.25	5.00	7.35	25.59	0.00	25.59	22.360	19.40	6.90	10.10	127.30	H4	H3	HDPE	Round	60	80.20	0.012	0.19	137.35	122.11	6.22	6.22	60.0	0.21	1016.95	1021.95	1016.80	1021.80	2.05	2.20	1021.96	1022.40	O	1024.00			
H3		0.390	0.87	100	1.25	5.00	7.35	2.49	0.00	2.49	22.360	19.45	6.90	7.00	136.17	H3	H2	HDPE	Round	60	114.00	0.012	0.22	136.17	132.23	6.73	7.67	50.4	0.25	1016.75	1021.75	1016.50	1021.50	2.25	5.50	1020.96	1021.61	O	1024.00			
H2		0.000	0.87	100	1.25	5.00	10.32	0.00	0.00	0.00	49.360	42.64	6.45	6.53	297.55	H2	H1	HDPE	Round	72	68.00	0.012	0.44	297.65	306.15	10.79	12.29	56.9	0.09	1016.30	1022.30	1016.00	1022.00	4.70	0.00	1021.05	1023.09	O	1027.00			
H1							10.32	0.00	0.00	0.00		46.35		9.75	467.41																								1022.00			









Page 17, 2019-10-08  
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**STAFF UPDATE**

Date: October 8, 2019  
To: Edgerton Planning Commission  
From: Katy Crow, Development Services Director  
Re: **FS2018-07** Request to extend the expiration date for Application **FS2018-07 LPKC - Logistics Support KC Phase I**

**BACKGROUND INFORMATION**

On October 9, 2018 the Planning Commission approved a **FS2018-07** Final Site Plan for *LPKC – Logistics Support Phase I* located along the south side of 191<sup>st</sup> Street, one-half mile west of Waverly Road. Pursuant to Article 10 – *Site Plans and Design Standards*, Section 10.4, Final Site Plan approval is for a period of one year from the date of approval providing the applicant has been issued a building permit for the project or has requested an extension of time from the Planning Commission.

Because a building permit has not been issued for this project, **FS2018-07** is set to expire on October 9, 2019. Upon expiration, the Site Plan becomes null and void. Pursuant to Section 10.4, if requested prior to expiration, the Planning Commission may grant the applicant an extension of up to one year.

On September 20, 2019 city staff received a request from Aaron Burks on behalf of NPD Management, to request a one-year extension to the site plan effective date due to a delay in project start. This delay is due to the loss of a project operator and the applicant is working to secure a new operator for the project.

Staff recommends granting an extension of the Final Site Plan **FS2018-07** for LPKC - Logistics Support Phase 1 to October 9, 2020.

**Attachment:** Applicant request dated September 20, 2019  
Staff Report dated October 9, 2018 for Application FS2018-07





September 20, 2019

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

RE: Logistics Park Kansas City – Logistics Support Phase I

Dear Katy,

NPD Management LLC requests the extension of the Final Site Plan approval for Project Logistics Park Kansas City – Logistics Support Phase I for a period of one year.

As the City is aware, the facility is to be operated as a container yard. The project has stalled since the Final Development Plan approval on October 9, 2018 due to a dissolution between our client and their planned operator. The loss of the planned operator caused our client to stop work on the project until a new operator could be secured.

At this time, our client has secured a new operator and stated that the project shall move forward. We are requesting the one-year extension to the Final Development approval as this business relationship has just been formed and our client and their operator need adequate time to analyze the market and future demands.

Respectfully,

NPD Management LLC or it's assignee (represented by NorthPoint Development LLC)

A handwritten signature in blue ink, appearing to read "A. J. Burks", followed by a horizontal line.

Aaron J. Burks

## STAFF REPORT

October 9, 2018

To: Edgerton Planning Commission  
Fr: Katy Crow, Development Services Director  
Re: **FS-2018-07** Final Site Plan for *LPKC - Logistics Support Phase 1*, located along the south side of 191<sup>st</sup> Street, one-half mile west of Waverly Road.

## APPLICATION INFORMATION

### **Applicant:**

Aaron Burks representing  
NPD Management, LLC  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150

### **Property Owners:**

BNSF Railway Company (BNSF)  
PO Box 961089  
Fort Worth, TX 76131

Edgerton Land Holding Company, LLC (ELHC LLC)  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150

Logistics Park Kansas City, Inc. (LPKC, Inc.)  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150

Michael A. and Pamela L. Gifford  
13995 W. 157<sup>th</sup> Street  
Olathe, KS 66062

### **Requested Action:**

Final Site Plan approval for *LPKC – Logistics Support Phase I*.

### **Legal Description:**

NW Quarter of Section 3, Township 15 South, Range 22 East; see attached application for complete legal description.

### **Site Address/Location:**

Along the south side of 191<sup>st</sup> Street, one-half mile west of Waverly Road; directly east of 32285 W. 191<sup>st</sup> Street.



**Existing Zoning and Land Uses:**

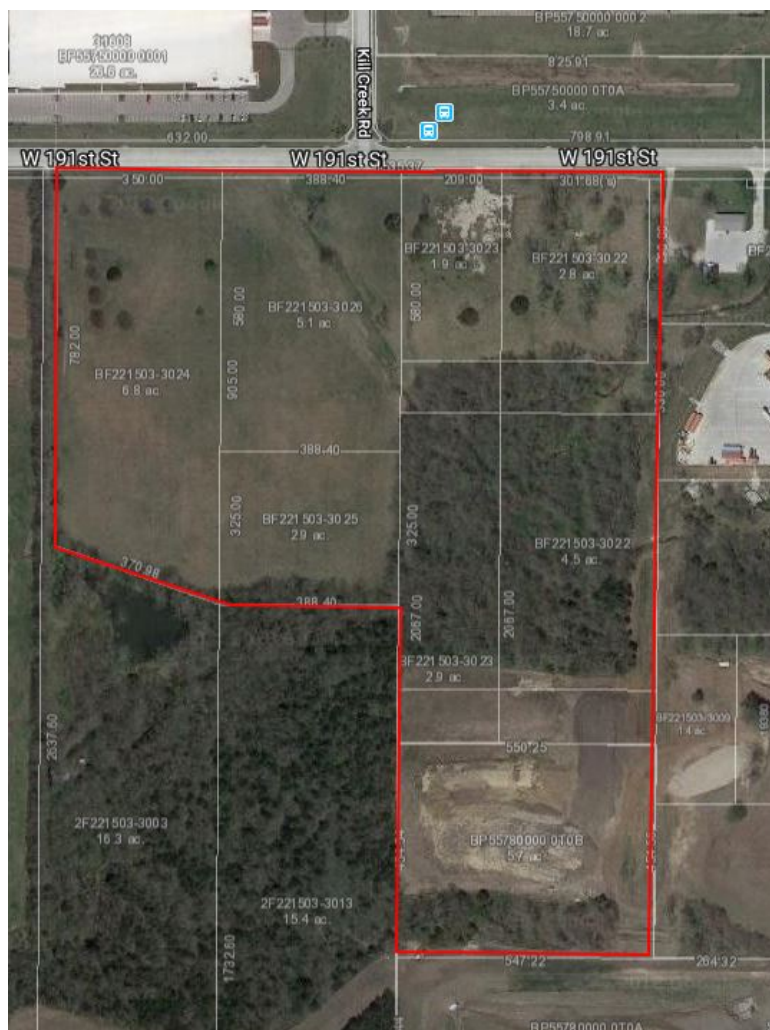
L-P - (BNSF, ELHC LLC, LPKC, Inc. properties);  
A-G - (Gifford property – request for rezoning to L-P  
will be heard by City Council on September 13,  
2018);  
Parcels are currently undeveloped.

**Existing Improvements:**

None.

**Site Size:**

Lot 1 – 31.315 acres  
Tract A – 0.997 acres  
Tract B – 1.177 acres  
Tract C - 1.015 acres  
R/W – 1.773 acres  
Total – 36.277

**PROJECT DESCRIPTION****Subject Property**

The current request is for Final Site plan approval to construct a cargo container storage/maintenance facility and truck yard. The western storage lot would also contain a 17,000 SF office building, two (2) guard shacks for access control, and a fueling station. The BNSF intermodal facility is located about 1/2 mile to the northwest and the Logistics Park Kansas City (LPKC) industrial park surrounds this parcel. Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity in and around the intermodal facility. LPKC's primary function is to transport and redistribute containers and the products they contain.

A Preliminary Site Plan was not required due to the nature of the project and the proposed operation. Tracts A, B, & C are to be utilized as part of the stormwater system. Building elevations submitted have been included. The Final Site Plan sheets include general information about the development including items such as overall layout, access (including sight distance considerations), circulation and landscape plans.

Cargo container storage facilities are considered a Conditional Use in LP Zoning Districts and as such operate are required to obtain a Conditional Use Permit. The applicants request for a Conditional Use Permit (CU2018-01) will be considered under separate review from this Site Plan application.

## **INFRASTRUCTURE AND SERVICES**

- a. Access to the property and development will be from 191<sup>th</sup> Street via three (3) private drives.
- b. Utilities and service providers.
  1. Johnson County Rural Water District #7.
  2. Sanitary Sewer - City of Edgerton.
  3. Storm Sewer – City of Edgerton.
  4. Electrical Service - Kansas City Power & Light.
  5. Gas Service – Kansas Gas Service.
- c. Police is provided by the city of Edgerton through the Johnson County Sheriff's Office.
- d. Fire protection is provided by Johnson County Fire District #1.
- e. Located within the Bull Creek watershed.

## **STAFF ANALYSIS**

Staff has reviewed the Final Site Plan submittal for compliance with Article 10, *Site Plans and Design Standards* and Section 5.2 *Logistics Park (L-P) District*. The combined details of that review are listed below.

### **Article 10**

#### **Section 10.1 - Site Plan requirements**

1. Sheet C02 thru C08.
  - a) A site map with the following features:
    - i. Topography at reasonable intervals. *The proposed plan shows fill located in the floodplain. A City of Edgerton Flood Plain Permit and State permits are required. **Submit copies of the approved permits to the City.***
  - b) A sketch of the entry sign, and all other free-standing, façade, and building signs to be used on the premises. *No signage was submitted with the application. **Signage proposed later shall receive separate approval according to the***

*provisions of the UDC. Applicant acknowledges.*

## **Section 5.2 Logistics Park (L-P) District regulations**

### **DISTRICT REGULATIONS:**

1. All operations other than limited storage of motorized machinery and equipment, materials, products or equipment, shall be conducted within a fully enclosed building. The L-P District regulations require that all activities shall be conducted within a totally enclosed building. Any outside activities or outside storage of materials within the L-P District should be screened and buffered, and external effects such as excessive noise or odor should not extend beyond the property lines. *Applicant plans include an outdoor fueling station. Additional screening is required for this activity. Applicant has submitted plans for 6' solid vinyl fencing to screen the fueling facility from view.*

### **BUILDING MATERIALS:**

1. One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast cultured stone, concrete (tilt-up walls), glass or a combination of these materials. *The Submitted plans show the rear wall and one wall extending from the building on the west elevation as pre-finished metal panel system. These walls may be viewable from 196<sup>th</sup> Street and/or the public trail system. All surfaces on this building should be finished with the same material as the front of the building that faces 191<sup>st</sup> Street. Additionally, the entrance canopy is shown as a metal panel system. It should be screened with some sort of façade or surfacing that complies with the approved building materials listed above. Update Final Site Plan.*

### **FAÇADE GUIDELINES**

1. Screening of Rooftop Equipment. For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls. *Applicant has represented that this project will have no rooftop equipment.*

### **OFF-STREET LOADING STANDARDS**

1. Number of Loading Spaces Required. A use which receives or distributes material, supplies or merchandise by motor vehicle is required to provide spaces based upon the following requirement: (a) 0-9,999 square feet – None; (b) 10,000-100,000 square feet – 1 spaces; 50,000-100,000 – 2 spaces; and, 100,001+ - 1 additional space per 100,000 square feet. *Based upon this standard the buildings need to provide the following number of loading spaces;*
  - a. *Office Building: 1 loading space.**The Final Site Plan depicts no dedicated loading spaces for the office building. Update Final Site Plan.*
2. Temporary Outdoor Storage Regulations for Cargo Containers, Operational Trailers, and Tractors. The L-P District requires that outdoor parking or storage spaces for cargo

containers, operational trailers and tractors must be screened from view by either a masonry wall 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. The height of the screening must be sufficient to block view of the equipment or vehicles from a public right-of-way. Where a masonry wall is used to satisfy this requirement, foundation planting must be provided on the exterior face of the wall. These spaces must be clearly demarcated solely for tractor and trailer storage.

***The north end of the site contains cargo container storage and fronts along the 191<sup>st</sup> Street right-of-way. It is anticipated significant activity will occur in the trailer storage lot areas and storage in these areas will be ongoing. Applicant has included a Type 4 Landscape Buffer in this area which will provide appropriate buffering and screening.***

#### **LANDSCAPE STANDARDS:**

1. Right-of-way Buffer Width Requirements. *ROW buffer requirements for a 2 lane or 4 lane undivided road includes 1 tree per 50 LF of ROW within a 10-foot buffer width. Lot 1 abuts 191<sup>st</sup> Street right-of-way along the northern property line.*
2. Perimeter Landscape Buffer Requirements. *The perimeter landscape requirements are based upon the use of the adjacent property. The Final Site Plan under consideration is adjacent to road right-of way, L-P (Logistic Park) land uses and other rural/residential zoning and uses. Given the nature of the proposed use, operations on the site will result in the outdoor storage of tractor trailers, refrigeration trailers and shipping containers.*
3. Buffer Composition Requirements. *Deciduous trees and/or evergreen trees shall be a minimum of 2.5" caliper and 12' in height at installation. Bushes shall be a minimum 24" high and planted on centers a maximum of 48" apart. All plant material needs to comply with these minimum requirements. No single species of tree or plant material shall comprise more than 30% of the cumulative total of plantings on a site.*

***Proposed landscape buffer submitted exceeds these requirements. Final Site Plan complies.***

4. Dumpster screening. ***Trash enclosures and their required screening are not shown. Plans shall be updated to satisfy the dumpster screening requirements in Article 5.2 K 8. Applicant acknowledges.***

#### **DIESEL EMISSION REQUIREMENTS:**

The following diesel emission requirements shall apply:

1. Except for loading and unloading operations, heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds shall be restricted from idling on-site for no more than 5 minutes in any 60-minute period. For loading and unloading operations, idling shall be restricted to no more than 30 minutes in any 60-minute period.
2. One electrical hook-up shall be provided for "trucker plug-ins" equal to a minimum of one-third (1/3) of the total number of truck bays at the facility to eliminate excessive idling by heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds. Approval to use alternative technologies to eliminate excessive idling may be requested but shall not be approved unless the applicant demonstrates that they are at least as effective as electrical hook-ups. Hook-ups must be indicated on site plan.

3. Signs shall be posted by owner(s) of the facility at each vehicle entrance to the facility notifying drivers of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds to turn off engines when not in use.
4. The operation and idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds, including circulation, shall be restricted within 300 feet of any property zoned for or committed to residential use, or the owner/developer shall provide alternative measures including the possible installation of a wall or other mitigating measures to assure buffering of residences from heavy-duty truck operations, unless the owners of property located adjacent to said heavy duty diesel truck operations consent and agree, in writing to:
  - a. Allow the location of heavy-duty diesel truck operations within 300 feet of their property zoned for and committed to residential use, and
  - b. Restrict areas of their property located within 300 feet of adjacent trucking operations to only non-residential uses;
5. Warehouse managers and employees shall be trained by the employer(s) or operator(s) of the facility to use efficient scheduling and load management to eliminate unnecessary operation, queuing, or idling of heavy duty diesel vehicles with a gross vehicle weight of over 14,001 pounds.
6. Warehouse managers and employees shall be provided by the employer(s) or operator(s) of the facility with information about the possible effects of diesel emissions on their own health and the importance of being a good neighbor by minimizing idling and avoiding other potentially adverse impacts on adjacent or nearby residences;
7. On-site services shall be made available to vehicle drivers to reduce idling. These services may include restroom facilities, seating for drivers waiting for their cargo to be loaded or unloaded, and/or food/beverage vending machines.
8. Any motorized equipment used within the proposed development should utilize clean technology propulsion and/or alternative fuels such as biodiesel, electricity, or propane;
9. If fuel dispensing facilities are provided on-site, alternative clean fuels such as (but not limited to) bio-diesel blended fuel should be provided at these dispensing facilities.

#### **OTHER COMMENTS**

1. A storm water study has not been submitted.
2. A SWPPP plan has been submitted and is currently under review by the City Engineer.
3. Applicant has indicated they will not seek additional access to 191<sup>st</sup> Street.
4. All edges of paved surfaces for this project are to be treated with curb and gutter in compliance with APWA recommended standards.

#### **RECOMMENDATION**

City staff recommends **approval** of proposed FS2018-07 Final Site Plan for *LPKC Logistics Support Phase I*, with the following stipulations:

1. The Final Site Plan must be approved prior to commencement of uses and the property must be developed in accordance with the approved Final Site Plan, Landscaping Plan, and Photometric Plan as required by City approval of the submitted Final Site Plan, as amended by these stipulations, and approved by the City.
2. All Final Site Plan requirements of the City listed above shall be met or addressed as part of the plan set submitted for construction permits as identified above.

3. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
4. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.
5. A stormwater study must be submitted and all staff comments will be addressed to the satisfaction of the City Engineer.
6. All comments from the City Engineer related to the SWPPP submission must be addressed to the full satisfaction of the City Engineer.
7. An Edgerton Flood Plain Permit must be obtained prior to work commencing on the project.
8. A Land Disturbance Permit is required, and plans must be submitted prior to permit issuance. All staff comments regarding land disturbance will be addressed to the satisfaction of the City Engineer.
9. The City will not require at time of site plan approval the construction of sidewalks along 191st Street adjacent to the subject property. Prior to obtaining a building permit, the property owner will execute the necessary agreement to waive and relinquish any right he/she may have under K.S.A. 12-6a06 to protest the formation of a benefit district to pay for the construction of the sidewalk improvements adjacent to the above described property for a period of thirty (30) years, and that such agreement is intended to be a covenant running with the land for said period of time.
10. The above recommendations are stipulated as a part of granted approval and are incorporated into the Final Site Plan document set.
11. The Final Site Plan is contingent upon the approval of Conditional Use Application CU2018-01 which will be heard at the November 13, 2018 Planning Commission Meeting.

## **ATTACHMENTS**

- Application FS2018-07
- Final Site Plan, *LPKC Logistics Support*
- Building Elevations

## STAFF REPORT

October 8, 2019

To: Edgerton Planning Commission  
Fr: Chris Clinton, Planning and Zoning Coordinator  
Re: **PP2019-04** Preliminary Plat for *Lone Star Development* located at the northwest corner of Homestead Lane and Interstate-35 (I-35).

### APPLICATION INFORMATION

**Applicant:** Johnny Brown, Agent  
D & J Development  
2955 Wanamaker Drive  
Topeka, KS 66614

**Property Owners:** Johnny Brown, Agent  
D & J Development  
2955 Wanamaker Drive  
Topeka, KS 66614

**Requested Action:** Preliminary Plat approval for *Lone Star Development*

**Legal Description:** The east 1/3 of the NE ¼, excluding that part in roads and highways of Section 9, Township 12, Range 22, in the City of Edgerton, Johnson County, Kansas

**Site Address/Location:** Northwest 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:** 57.57 acres

### DESCRIPTION

Application PP2019-04 requests approval of a Preliminary Plat for the Lone Star Development located at the northwest corner of Homestead Lane and Interstate 35. This parcel was annexed into the City of Edgerton on February 24, 2011 and was rezoned from RUR, Johnson County Rural, to C-2, Heavy Service Commercial on July 14, 2011. This Preliminary Plat application shows thirteen (13) lots. Applicant has proposed the development of three new roads that will allow 1) access to Homestead Lane, 2) 199<sup>th</sup> Street, and 3) the proposed Street B will allow access to the south as development occurs. 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**

1. Proposed access to the property and development will be via as follows:
  - a. Proposed Street A off of Homestead Lane;
  - b. Street B will provide access to the southern end of the parcel and any development which might occur at that end of the parcel;
  - c. Street C will allow full access from 199<sup>th</sup> Street to Street A.
2. Utilities and service providers.
  - a. Johnson County Rural Water District #7.
  - b. Sanitary Sewer - City of Edgerton.
  - c. Electrical Service - Kansas City Power & Light.
  - d. Gas Service – Kansas Gas Service.
  - e. Police protection 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. 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. A legal description; and current zoning. *The zonings listed on the Proposed Conditions does not match the zonings on the title page. **Update Preliminary Plat.***
2. Date surveyed. *There is a typo on the date of survey. It reads "Date o Survey:". **Update Preliminary Plat.***
3. Complete outline drawing of all boundaries, lots, and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines. *The proposed right-of-way width needs to be dimensioned. The easements have not been shown and/or labeled on the Preliminary Plat. If a Lot is to be used for detention and stormwater conveyance, it needs to be labeled as a Tract. Lot 4 may not be a viable lot once the floodplain/floodway is shown. Curve information needs to be provided on the street centerline of all proposed streets. **Update Preliminary Plat.***
4. 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 all proposed streets. City Engineer will review infrastructure plans when submitted to ensure city standards are met. Right of way should be dedicated as follows:*
  - a. 2-lane roadways – 80' right of way
  - b. 3-lane roadways (2 lane with center turn lane) – 100' right of way
  - c. 199<sup>th</sup> Street – 60' off the section line right of way*Street C should be realigned so it is not located over the existing sanitary sewer. **Update Preliminary Plat.***
5. 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. *Sanitary sewer does not go to each lot and connection of the service lines to the interceptor sewer*



*will not be allowed. Stormwater collection system has not been shown. Streets must include sidewalks on both sides. **Update Preliminary Plat.***

6. Total acreage, and size of each lot. *The acreage listed on the Title Page does not match the acreage listed on the Proposed Conditions and neither match what is listed on the Preliminary Site Plan Application. **Update Preliminary Plat.***
7. Contours at vertical intervals of 4 feet or less. *The proposed contours have been shown but exceed the maximum slopes of 3:1 and proposed retaining walls need to be shown. The proposed contours seem to be incorrect in the creek area and do not match the proposed improvements in Lot 4. The City will not accept slopes greater than 3:1. **Update Preliminary Plat.***
8. Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used). *Access restriction areas from Kansas Department of Transportation need to be noted. **Update Preliminary Plat.***
9. A copy of the proposed restrictive covenants. *None provided. **Provide restrictive covenants on Final Plat if any are present.***

#### **OTHER COMMENTS**

1. All public and private easements that are to be dedicated must be labeled properly.
2. The existing floodplain and floodway boundaries along with the base flood elevations need to be shown. **Update Preliminary Plat.**
3. Provide information on how existing wetlands on the site will be handled. **Update Preliminary Plat.**
4. The "Streets" paragraph on the cover page has incorrect information. **Update Preliminary Plat.**
5. Information on how the existing wetlands on site will be handled needs to be provided.
6. The City will determine the exact location of the Street A access point to Homestead Lane.

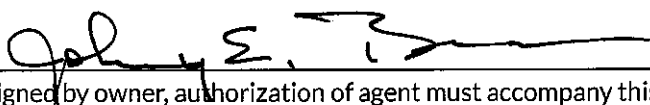
#### **RECOMMENDATION**

City staff recommends **approval** of Application **PP2019-04** Preliminary Plat for *Lone Star Development*, 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 PP2019-04
- Preliminary Plat for Lone Star Development

NAME OF PROPOSED SUBDIVISION: Lone Star DevelopmentLOCATION OR ADDRESS OF SUBJECT PROPERTY: Edgerton, KS 66021LEGAL DESCRIPTION: Lone Star Development (S9, T12, R22)CURRENT ZONING ON SUBJECT PROPERTY: Heavy Service Commercial CURRENT LAND USE: AgriculturalTOTAL AREA: 57.57 Acres NUMBER OF LOTS: 13 AVG. LOT SIZE: 192,903 Sq. Ft.DEVELOPER'S NAME(S): Johnny Brown PHONE: (785) 224-5310COMPANY: D&J Development FAX: \_\_\_\_\_MAILING ADDRESS: 2955 Wanamaker Drive Topeka KS 66614  
Street City State ZipPROPERTY OWNER'S NAME(S): Johnny Brown PHONE: (785) 224-5310COMPANY: D&J Development FAX: \_\_\_\_\_MAILING ADDRESS: 2955 Wanamaker Topeka KS 66614  
Street City State ZipENGINEER'S NAME(S): Buck Driggs PHONE: (785) 313-1346COMPANY: Driggs Design Group, PA FAX: \_\_\_\_\_MAILING ADDRESS: 2727 Rory Road Manhattan KS 66502  
Street City State ZipSIGNATURE OF OWNER OR AGENT:   
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.: PP 2019-04 Amount of Fee Paid: \$ 430 Date Fee Paid: 8-23-19 Receipt # 54397Received By: Christopher Clinton Date of Hearing: 10-8-2019**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.

**PLANNING COMMISSION REVIEW AND DECISION:** The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the preliminary plat and other material submitted with it to determine conformity with the comprehensive plan and these regulations. The Planning Commission shall act upon the plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period. If the subdivider submits the preliminary and final plats concurrently, the time period shall be ninety (90) days.

**APPROVAL LIMITATIONS:** The Planning Commission shall approve or deny the preliminary plat as submitted or may approve the plat as submitted subject to specified changes. Upon denial, the Planning Commission must give reason for the denial. If a preliminary plat is denied the applicant shall not submit the same proposal again for a period of one year without written approval of the Planning Commission. Tentative approval shall not constitute a final acceptance of the plat, but authorizes preparation of the final plat. No grading for streets or construction of improvements shall take place in the subdivision prior to approval and endorsement of the final plat and the submittal to and approval of construction plans and drainage plans by the Governing Body. The 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.

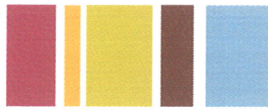
## GENERAL DESIGN STANDARDS

1. Rights-of-way must conform to the current standards of the American Public Works Association, and greater widths may be required by the Zoning Administrator after preliminary review; utility easements must be a minimum of fifteen (15) feet wide or seven and one-half (7.5) feet for appurtenant utility easements on interior lots. Street lighting and fire hydrants must be indicated in areas planned for residential use. Cul-de-sacs are limited to eight hundred (800) feet in length.
2. All portions of the tract being subdivided shall be taken up in lots (or phases), streets, planned open areas or other uses so that remnants and landlocked areas are not created.
3. All lots must front on a public right-of-way. The Zoning Administrator may grant a waiver from this requirement and allow permanent travel easements when appropriate. When a subdivision is located along arterial roads, adequate buffers must be maintained between the right-of-way and the building line. Residential structures shall have their front on interior roads.
4. Corner lots shall have minimum side-yard setbacks of twenty (20) feet to the street right-of-way and nine (9) feet to the property line of the adjacent interior lot unless approved by the Zoning Administrator.
5. Side lot lines shall be substantially at right angles to street lines.
6. Drainage and watercourse easements are required. Building setbacks from watercourses should be measured from the thread of the stream. Flowage easements may be used to calculate required minimum lot sizes.
7. The lot depth to front lot width ratio shall be no more than 3 to 1.
8. If the development is to be served with public water or sewer, the plat must bear a notation that the subdivision is to be served by these facilities. The Zoning Administrator may not issue a building permit for a lot notated "SERVICED BY PUBLIC WATER/SEWER" without written verification from the public water or sewer district that all distribution or collection lines have been installed and that all lots are either connected or are capable of being connected to central utilities.

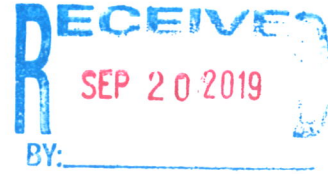
## CHECKLIST

The following items shall be included on the preliminary plat.

- ☐ A North point and scale which is appropriate to the size of the development: one inch equals 50, 100, 150 or 200 feet is typical.
- ☐ A legal description and current zoning.
- ☐ Names of: Applicant, Subdivision & Streets.
- ☐ Name and seal of surveyor/engineer.
- ☐ Date surveyed.
- ☐ Adequate legend and vicinity map.
- ☐ Signature blocks and date of review of Zoning Administrator, City Engineer, Chair of Planning Commission and Mayor.
- ☐ Complete outline drawing of all boundaries, lots and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines.
- ☐ Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access and other purposes.
- ☐ Proposed location of streets, sidewalks, sanitary sewers, storm water 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.
- ☐ Total acreage and size of each lot.
- ☐ Contours at vertical intervals of 4 feet or less.
- ☐ Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used).
- ☐ A copy of the proposed restrictive covenants.

**PROPERTY OWNER NOTIFICATION LETTER**Case No.: PP2019-04 (Preliminary Plat)

Dear Sir or Madam:



This letter is to notify you that a public hearing will be held at the Edgerton City Hall, 404 E. Nelson St., Edgerton, Kansas, to consider a Preliminary Plat for the proposed Lone Star Addition located along the south side of 199th Street and west side of Homestead Lane.

on the following described tract of land:

Legal Description: The East One-Third (1/3) of the Northeast Quarter (NE 1/4) excluding that part in roads and Highways of Section 9, Township 12, Range 22 in the City of Edgerton, Johnson County, Kansas.

General Location: The project is located in the southwest quadrant of 199th Street & Homestead Lane in Edgerton, Kansas

A public hearing will be held to consider the request on the above-described tract at 7:00 p.m. on October 8th, 2019. Any interested persons or property owners are invited to attend. Information regarding this application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this request.

Respectfully,

Buck Driggs, PE - Project Manager

Applicant (or Owner or Agent)

ADDRESS: <u>2955 Wanamaker</u>	<u>Topeka</u>	<u>KS</u>	<u>66614</u>
Street	City	State	Zip

CITY OF EDGERTON, KANSAS  
NOTICE OF HEARING FOR PRELIMINARY PLAT  
Case No.: PP2019-04

Notice is hereby given that the Planning Commission of the City of Edgerton, Kansas, will hold a Public Hearing at their regular scheduled meeting on Tuesday, October 8, 2019 at the Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas at 7:00 p.m. at which time and place the public may be heard in regards to the Preliminary Plat of the following described real property situated in the City of Edgerton, Johnson County, Kansas to wit:

Lone Star Development, represented by Buck Driggs, Driggs Design Group, requests approval for a Preliminary Plat of the real property located on the northwest corner of Homestead Lane and Interstate 35, as noted and described:

The East One-Third (1/3) of the Northeast Quarter (NE 1/4) excluding that part in roads and Highways of Section 9, Township 12, Range 22, in the City of Edgerton, Johnson County, Kansas.

Dated this 23rd day of September, 2019.

John Daley, Chairperson  
Edgerton Planning Commission

City of Edgerton, P.O. Box 255, 404 E. Nelson St., Edgerton, KS 66021

PRELIMINARY PLAT  
OF  
**LONE STAR DEVELOPMENT**  
CITY OF EDGERTON  
JOHNSON COUNTY, KANSAS

Legal Description Per Kansas Warranty Deed Book 20190329, Page 007185:

The East One-Third (1/3) of the Northeast Quarter (NE 1/4) excluding that part in roads and Highways of Section 9, Township 12, Range 22, in the City of Edgerton, Johnson County, Kansas.

NOTES:

1. BASIS OF BEARINGS: KANSAS STATE PLANE, NORTH ZONE
2. A PORTION OF THE SUBJECT PROPERTY LIES IN "ZONE AE - BASE FLOOD ELEVATIONS DETERMINED" AND "ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SHOWN ON FEMA FIRM NUMBER 20091C0134G, REVISED 8/3/2009.
3. PROJECT BENCHMARK - JOHNSON COUNTY VERTICAL CONTROL BENCHMARK BM #130, ELEV. +965.39 NAVD 88

Plat area: 56.57 acres

Existing Zoning: C-2  
Proposed Zoning: C-2

Streets:

199th Street is a 24' wide asphalt road.  
Homestead Lane is a 22' wide asphalt road doubled and separated with a median.  
Proposed Street A will be a 32' wide and 56' wide asphalt road.  
Proposed Street B will be a 32' wide asphalt road.  
Proposed Street C will be a 32' wide asphalt road.

Utilities:

Sewer: City of Edgerton, 404 East Nelson, P.O. Box 255, Edgerton, Kansas Phone: (913) 893-6231

Water: Johnson Rural Water District #7 534 West Main, P.O. Box 7, Gardner, Kansas Phone: (913) 856-7173

Power: Kansas City Power & Light, Phone: (816) 471-5275

Gas: Kansas Gas Service, 11401 West 89th Street, Overland Park, Kansas, Phone: (913) 599-8981

Project Surveyor

Allenbrand-Drews & Associates, Inc.  
122 N. Water Street  
Olathe, Kansas 66061

Project Engineer

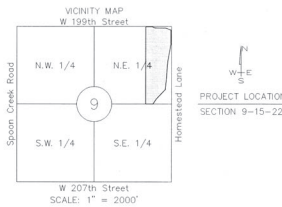
Driggs Design Group, PA  
2727 Rory Road,  
Manhattan, Kansas 66502

Project Applicant

D & J Land and Development, LLC  
5841 SW 29th Street  
Topeka, Kansas 66614

NOTES:

Screening of added site items and site signage will be the responsibility of the Tenant should adhere to the current City of Edgerton regulations.



PROJECT LOCATION  
SECTION 9-15-22

INDEX OF SHEETS

- |    |                     |
|----|---------------------|
| 01 | Title Sheet         |
| 02 | Existing Conditions |
| 03 | Proposed Conditions |

TOPOGRAPHIC LEGEND

● IRON BAR FOUND	① 0" - 6" TREE
⊙ IRON BAR SET	② 7" - 12" TREE
▲ MONUMENT FOUND	③ 13" - 18" TREE
⬢ BENCHMARK	④ 19" - 24" TREE
→ GUY ANCHOR	⑤ 25" - 30" TREE
⊕ POWER POLE	⑥ 31" - 36" TREE
⊗ GAS METER	⑦ 37" - 42" TREE
⊘ GAS VALVE	⑧ 43" - 48" TREE
⊙ WATER METER	⑨ 49" - UP TREE
● WATER VALVE	—SW— STORM SEWER
● FIRE HYDRANT	—SAN— SANITARY SEWER
● STORM MANHOLE	—W— WATER MAIN
● SANITARY MANHOLE	—GAS— GAS MAIN
● CURB INLET	—OHP— OVERHEAD POWER LINES
● JUNCTION BOX	—UGT— UNDERGROUND TELEPHONE
● POWER BOX	—UGP— UNDERGROUND POWER
⊕ TELEPHONE PEDESTAL	—FENCE— FENCE
⊙ LIGHT POLE	—EXIST— EXISTING CONTOUR LINE
▲ SIGN	—PROP— PROPOSED CONTOUR LINE
● BUSH	

Date of Survey:

Survey of this property was completed 8/05/2019 to 8/09/2019.

CERTIFICATE:

Reviewed by the Edgerton City Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by

\_\_\_\_\_  
City Engineer.

David Hamby

Received and placed on record this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by

\_\_\_\_\_  
Katy Crow, Zoning Administrator.

Reviewed and authorized preparation of Final Plat by the Edgerton City Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by

\_\_\_\_\_  
Chair Planning Commission.

John E. Daley

Approved by the Governing Body of the City of Edgerton, Johnson County, Kansas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Attest:  
Donald Roberts, Mayor Rachel James, City Clerk



CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS  
14 W. PEDRIA  
PO BOX 1000  
TOPEKA, KANSAS 66601  
PHONE: (913) 784-1078  
FAX: (913) 784-8833



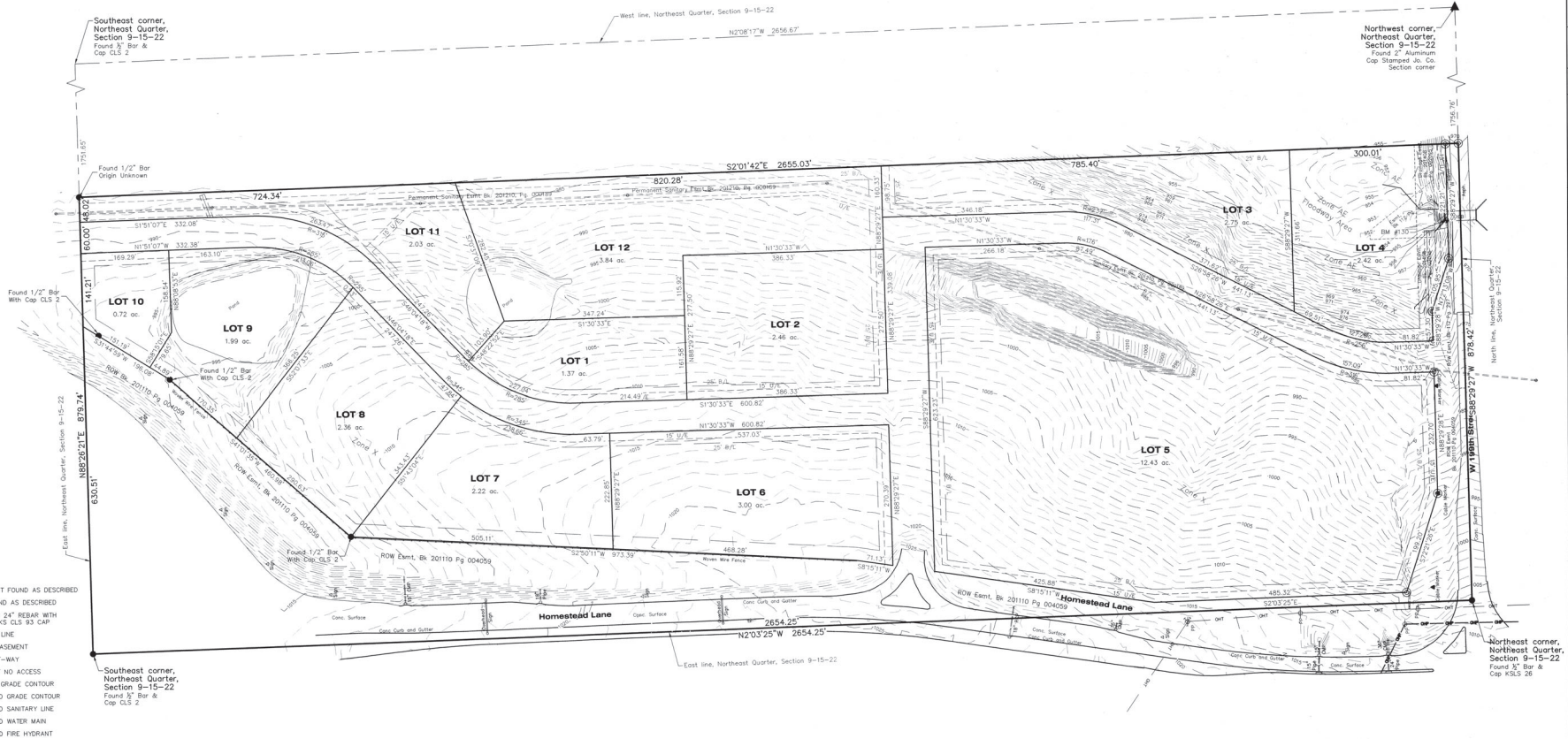
TITLE SHEET  
PRELIMINARY PLAT  
LONE STAR DEVELOPMENT

Sheet No.  
1 of 3

TITLE SHEET



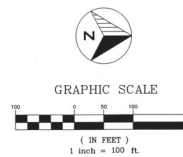
PRELIMINARY PLAT  
OF  
**LONE STAR DEVELOPMENT**  
CITY OF EDGERTON  
JOHNSON COUNTY, KANSAS



- LEGEND**
- ▲ MONUMENT FOUND AS DESCRIBED
  - BAR FOUND AS DESCRIBED
  - ⊙ SET 1/2" X 24" REBAR WITH PLASTIC X'S CLS 93 CAP
  - ⊖ B/L BUILDING LINE
  - U/E UTILITY EASEMENT
  - R/W RIGHT-OF-WAY
  - LIMITS OF NO ACCESS
  - EXISTING GRADE CONTOUR
  - PROPOSED GRADE CONTOUR
  - PROPOSED SANITARY LINE
  - PROPOSED WATER MAIN
  - ⊕ PROPOSED FIRE HYDRANT



PROJECT LOCATION  
SECTION 9-15-22



- NOTES:**
1. BASIS OF BEARINGS: KANSAS STATE PLANE, NORTH ZONE
  2. A PORTION OF THE SUBJECT PROPERTY LIES IN "ZONE AE" AS SHOWN ON FEMA FIRM NUMBER 20091C0044G, REVISED 8/1/2009.
  3. WATER MAIN AND FIRE HYDRANT LOCATIONS WILL BE DESIGNED BY RURAL WATER DISTRICT NO. 7.

EXISTING CONDITIONS  
**PRELIMINARY PLAT  
LONE STAR DEVELOPMENT**

Sheet No.  
2 of 3

**CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS**  
R. M. LATHAM  
122 WATER STREET  
PO BOX 1001  
EDGERTON, KS 66521  
PHONE: (816) 451-1076  
FAX: (816) 764-8655



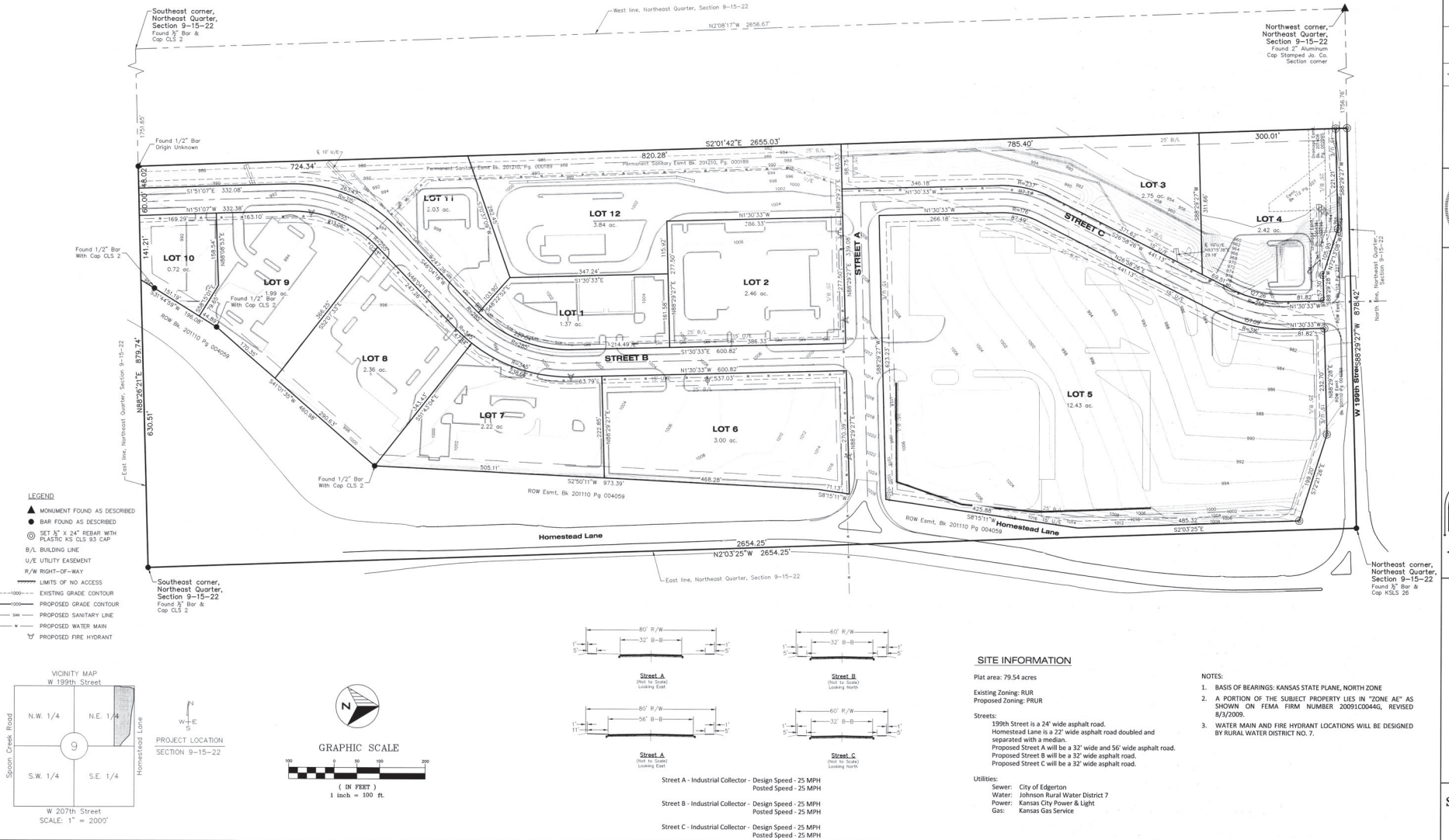
Designed By: RML  
Drawn By: RML  
Checked By: RML  
Date: 09/15/2009  
Job No.: 34878

Revisions:  
By: [ ]  
Date: [ ]  
No.: [ ]

EXISTING CONDITIONS



# PRELIMINARY PLAT OF **LONE STAR DEVELOPMENT** CITY OF EDGERTON JOHNSON COUNTY, KANSAS



Designed By	3	4
Drawn By	2	3
Checked By	1	2
Date	09/13/2009	
Job No.	34678	
No.		
Date		
Revisions		
By		

**CIVIL ENGINEERS  
LAND SURVEYORS - LAND PLANNERS**  
14 W. PEDRIA  
PAOLA, KANSAS 66071  
TEL: (913) 744-8606  
FAX: (913) 744-8603

**PROPOSED CONDITIONS**  
**PRELIMINARY PLAT**  
**LONE STAR DEVELOPMENT**

Sheet No.  
**3 of 3**

**PROPOSED CONDITIONS**

## STAFF REPORT

Date: October 8, 2019  
To: Edgerton Planning Commission  
From: Chris Clinton, Planning and Zoning Coordinator  
Re: Consider Approval of Temporary Construction Activities **Application TU2019-08** on property located at 20520 Waverly Road - Concrete Batch Plant use for construction of Inland Port VII (IP VII)

### 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 the construction of building IP 51 – Hostess Distribution Center. Permission for these activities was granted with an ending date of June 20, 2020. On August 13, 2019 the Planning Commission approved a request from CSI to utilize this same batch plant to provide concrete to the Phase II rebuild of 207<sup>th</sup> Street east of Waverly Road. On September 6, 2019 City Staff received a request from CSI to utilize the batch plant to provide concrete for the construction of IP 7 located at 30901 W 185<sup>th</sup> Street.

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 September 10, 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 November 1, 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 are

weather dependent. Applicant has agreed to keep City Staff updated with any schedule changes.

The proposed haul route to the project site with mixed concrete will be south on Waverly Road to 207<sup>th</sup> Street, west on 207<sup>th</sup> Street to Homestead Lane, east on 191<sup>st</sup> Street, and north on Waverly Road. Access to the IP 7 site will be from Waverly road, not 185<sup>th</sup> Street. A map of the haul route has been provided with the application. Raw materials deliveries will use Homestead Lane south to 207<sup>th</sup> Street, east to Waverly Road 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 207<sup>th</sup> Street. Applicant is also required to provide dust remediation on all haul roads used for the project. Applicant has stated agitator, mixer and dump trucks will be used during this project. The applicant has utilized dump trucks for product delivery to previous LPKC projects. These trucks have left concrete dribbles along City owned roadways. Applicant has stated they will clean trucks off on construction site during pours and any concrete dribbled onto new intersection of 207<sup>th</sup> and Waverly will be immediately swept. Applicant has stated all agitator and dump trucks will be rinsed prior to entering public roadway and all detachable chutes will be hung and fastened before leaving the pour site. Applicant will provide personnel to monitor roadway and cleanliness of the trucks.

The concrete slab on grade pours will require between 13-15 truck per hour. The paving and tilt up wall pours will require slightly less, 9-10 truck per hour. Footing and site work require the least amount of hauling at 1-4 trucks per hour.

### **STAFF RECOMMENDATION**

Staff recommends **approval** of batch plant Application **TU2019-08** 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. for operation of a concrete batch plant for the construction of IP VII 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 any public infrastructure along the haul route due to concrete operations is the responsibility of the applicant to repair;
  9. Dump trucks cannot be used to transport wet concrete and all possible precautions must be taken to ensure that concrete is not dribbled onto public roadways by mixer or agitator trucks;
  10. No trucks of any kind, including delivery of materials, may use Waverly Road north of the site to travel to 199<sup>th</sup> Street.
  11. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
  12. 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;
  13. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
  14. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
  15. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
  16. Applicant 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;
  17. Hours of operation shall be limited to from 6:00 AM to 5:00 PM unless otherwise approved by staff for special weather dependent hours;
  18. Applicant shall maintain a valid City of Edgerton Business License;
  19. Upon removal of the batch plant when permit expires, the property must be restored to a planted condition and no debris, equipment, concrete, etc. may be left behind; and
  20. Permission for temporary construction activities is granted for a period **ending April 30, 2020 in conjunction with the expiration of the applicant's KDHE permit.**

## **ATTACHMENTS**

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



September 5th, 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 construction of Inland Port 7.

Concrete Strategies respectfully request the City add this item to the October 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,

A handwritten signature in dark ink, appearing to read "Steve Schuering".

Steve Schuering  
Director Operations - KC

Attachments:

Site plan, Northpoint approval, KDHE Permit, SWPPP

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

## Request for Temporary Construction Activities

Concrete Strategies request their mobile concrete batch plant to remain at the current location of 20520 Waverly Rd Edgerton, KS. Concrete strategies is requesting to provide concrete service for the construction of Inland Port 7 through the duration of the project.

### Traffic Route:

- Trucks would leave the batch plant site on Waverly road and head south to 207<sup>th</sup> street, west on 207<sup>th</sup> street to Homestead lane, north on Homestead Lane to 191<sup>st</sup> street, east on 191<sup>st</sup> street to Waverly road, north on Waverly road to the construction entrance of Inland Port 7.
- Trucks would use the same route to and from the construction site.

### Haul Frequency:

- Slab on Grade pours will require 13-15 trucks
- Paving and Tilt Up Wall pours will require 9-10 trucks
- Footings and Site Work pours will require 1-4 trucks

### Concrete trucks:

- All trucks (mixers, agitators, and dumps) are licensed, insured and DOT inspected.
- All drivers must have a current Commercial Driver License.
- All mixer trucks will be cleaned of any loose and or fresh concrete prior to touching public roadways.
- All dump trucks and agitator trucks will be cleaned at a wash station setup at the batch plant and onsite.
  - A portable water truck or water buffalo will be setup on site to clean outsides of the trucks (agitators and dumps) prior touching a public roadways.
  - Concrete Strategies will have a person on site to ensure trucks have all concrete cleaned from the outsides of the trucks prior to touching public roadways.
- Any detachable chutes must be hung and fastened prior to touching public roadways.

### Road Cleaning

- A street sweeper will be available at the batch plant to clean the roadway if any concrete dribbles occur. Concrete Strategies drivers and washing personnel shall monitor the roadway throughout the pour and communicate immediately to sweep the roadway.

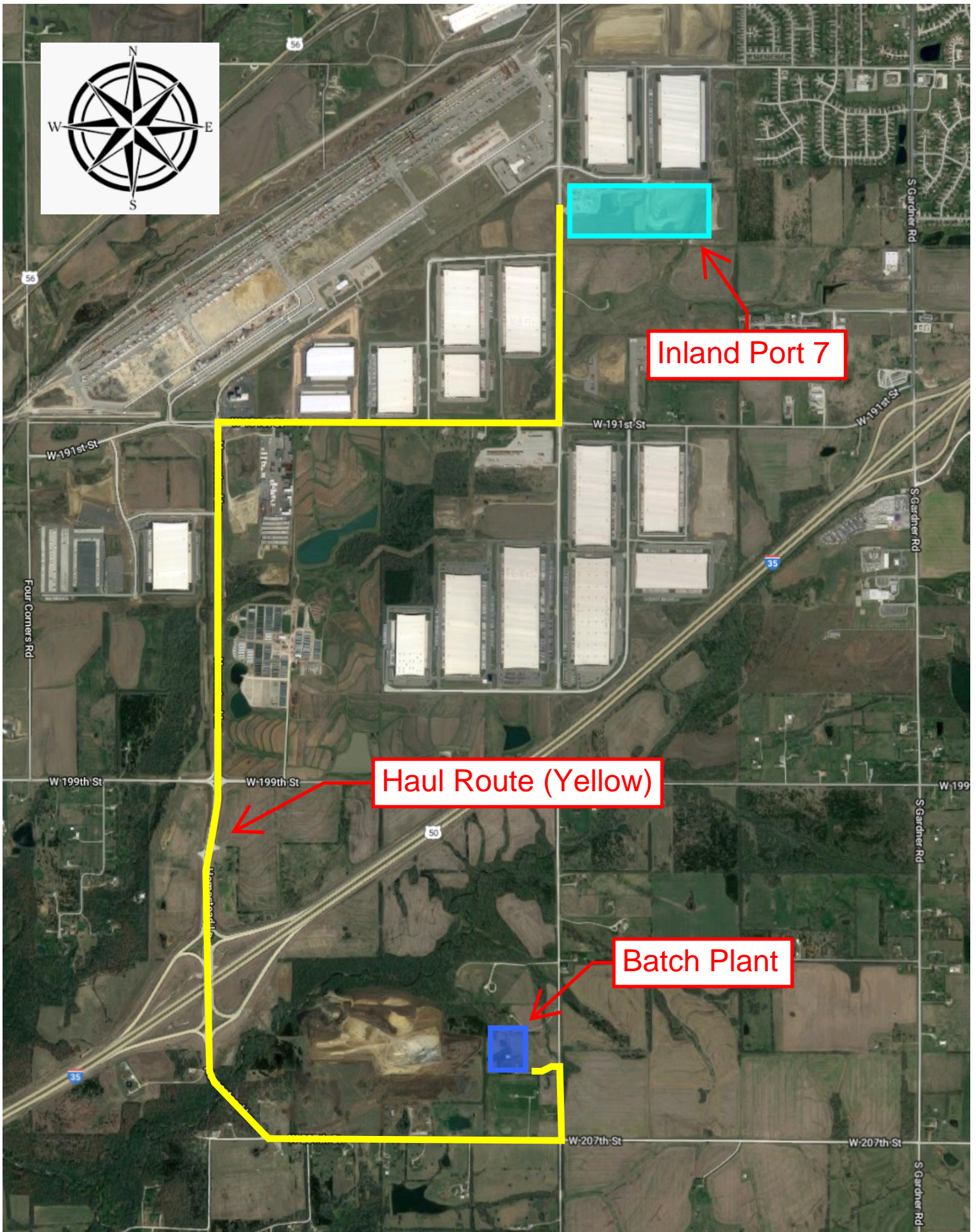
### Hours of Operation

- Typical Hours – Monday through Friday 6:00 am to 5:00 pm
- Overnight Hours – Monday through Friday 10:00 pm to 9:00 am
  - Overnight operations are based on weather conditions. Due to a combination of factors such as ambient temperature, wind speeds, solar radiation, and low humidity. But generally when the ambient temperature is 80 degrees or higher. Any of these factors can impair the quality of concrete by accelerating the rate of moisture loss and rate of cement hydration.
  - It is rare that overnight pours will occur past September, but could occur due to unpredictable weather.
- Hours of operation will vary depending on job schedule. Weekend operations are infrequent.
- We will keep the City of Edgerton informed and updated with our scheduled pours.

### Material Deliveries

- All material deliveries will use Homestead Lane to 207<sup>th</sup> street, east on 207<sup>th</sup> street to Waverly road, north on Waverly road to batch plant entrance.
- Night time deliveries are infrequent.





Inland Port 7

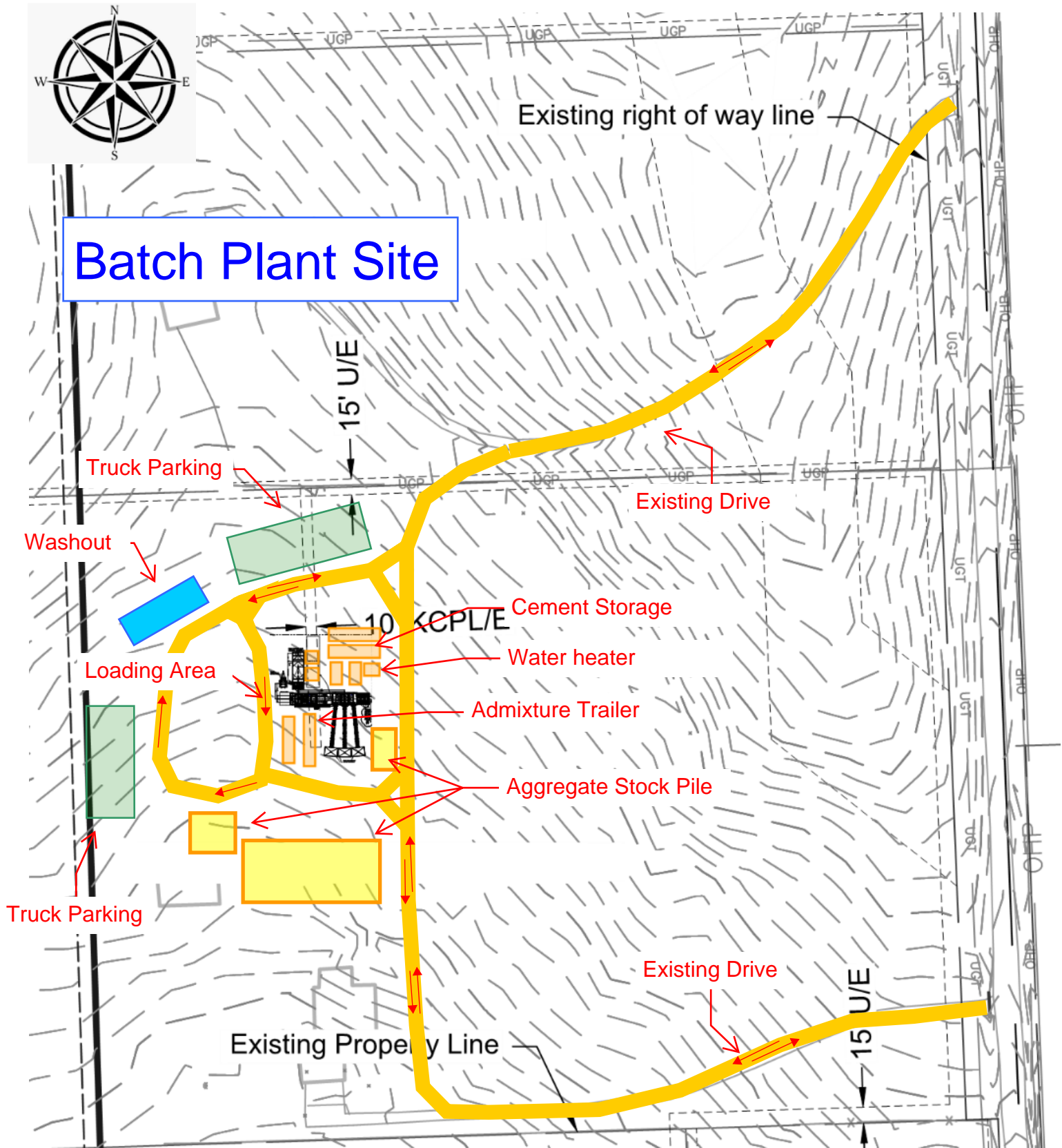
Haul Route (Yellow)

Batch Plant





# Batch Plant Site





**JOHNSON COUNTY**  
KANSAS  
**Health & Environment**

March 30, 2018

Mr. Rodney Mills  
Concrete Strategies, LLC  
2199 Innerbelt Business Center  
St. Louis, MO 63114

Re: Relocation of concrete batch plant, #7770938

Dear Mr. Mills:

On March 13, 2018, the Johnson County Department of Health and Environment (JCDHE) was notified by Heider Environmental Consulting on your behalf that your firm's concrete batch plant would be relocated to 20520 Waverly Road, Edgerton, Kansas. Operations of the plant at this location will begin on May 1, 2018. The equipment is expected to be in operation for approximately ten months from that date.

Having been advised of the scheduled relocation, the JCDHE, acting as the designated agent for Kansas Department of Health and Environment, considers that Concrete Strategies, LLC is in compliance with K.A.R. 28-19-9(c) Time Schedule For Compliance for installation/operation of the concrete batch plant at the above location.

When you decide to relocate this portable plant to any location in Kansas, you are required to report the move at least 10 days prior to moving the plant. If it is another location outside of Johnson County, you will need to notify KDHE in Topeka. Please send the notice to Ms. Vivien Smith at the Bureau of Air, Curtis State Office Building, Suite 310, Topeka, KS 66612-1366. The written notification shall include the plant's identification number, manufacturer and model number, description or address of the new location, and provide the estimated date of when the project should be completed.

If you have any questions, please contact Mike Boothe, Environmental Compliance Manager-Air Quality at 913-715-6939. Once the plant is operational, please send an email to Mike at [michael.boothe@jocogov.org](mailto:michael.boothe@jocogov.org).

Sincerely,

  
Todd A. Rogers  
Environmental Division Director *by MB*

TR\MB\cmd\G:\Environmental\Admin\Air Quality\2018\Concrete Strategies relocation ltr 7770938.docx

c: Curtis Heider, Heider Environmental Consulting  
Vivien Smith, Kansas Department of Health & Environment  
Mike Boothe, Environmental Compliance--Air Quality

**Health**  
11875 S. Sunset, Suite 300, Olathe, KS 66061  
6000 Lamar, Suite 140, Mission, KS 66202  
(913) 826-1200 • fax (913) 826-1300  
TDD: 800-766-3777

[jocogov.org](http://jocogov.org)



**Environmental & Child Care Licensing**  
11811 S. Sunset, Suite 2700, Olathe, KS 66061  
Environmental (913) 715-6900 • fax (913) 715-6970  
Child Care (913) 477-8339 • fax (913) 477-8035  
TDD: 800-766-3777

## Jim Berry

---

**From:** Curtis Heider <heiderenv@centurytel.net>  
**Sent:** Wednesday, March 13, 2019 8:16 AM  
**To:** Jim Berry; Rodney Mills  
**Subject:** [EXTERNAL] FW: Concrete Strategies portable batch plant, permit #7770938

See KDHE's email below—you may continue operating the concrete plant.

Curtis Heider  
Heider Environmental Consulting  
14 Bright Star Drive  
Columbia, MO 65203  
Ph: 573-445-3033  
Fax: 573-445-3058  
Cell: 573-639-1410  
Email: [Curtis@heiderenv.com](mailto:Curtis@heiderenv.com)

---

**From:** Vivien Smith [KDHE] [mailto:Vivien.Smith@ks.gov]  
**Sent:** Tuesday, March 12, 2019 4:50 PM  
**To:** Curtis Heider  
**Cc:** Boothe, Michael, DHE  
**Subject:** RE: Concrete Strategies portable batch plant, permit #7770938

I apologize for not being clear, Concrete Strategies may continue operations at the 20250 Waverly Road location.  
Thanks for checking in!  
Vivien

Vivien Smith  
Environmental Specialist  
Air Compliance and Enforcement Section  
*Facility Inspections, Complaints, Open Burn Exceptions*  
KDHE, Bureau of Air  
1000 SW Jackson, Ste 310  
Topeka KS 66612  
785-296-0757 office

---

**From:** Curtis Heider [<mailto:heiderenv@centurytel.net>]  
**Sent:** Tuesday, March 12, 2019 1:13 PM  
**To:** Vivien Smith [KDHE] <[Vivien.Smith@ks.gov](mailto:Vivien.Smith@ks.gov)>  
**Subject:** FW: Concrete Strategies portable batch plant, permit #7770938

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello Vivien,  
Concrete Strategies was wondering whether they need to wait for your letter approving the extension of their permit or whether they can go ahead and operate their plant. If they still need to wait, how soon do you expect the letter to be issued?

Thank you,  
Curtis Heider  
Heider Environmental Consulting  
14 Bright Star Drive  
Columbia, MO 65203  
Ph: 573-445-3033  
Fax: 573-445-3058  
Cell: 573-639-1410  
Email: [Curtis@heiderenv.com](mailto:Curtis@heiderenv.com)

---

**From:** Curtis Heider [<mailto:heiderenv@centurytel.net>]  
**Sent:** Wednesday, March 6, 2019 4:03 PM  
**To:** 'vivien.smith@ks.gov'  
**Cc:** 'Rodney Mills'; 'Jim Berry'  
**Subject:** Concrete Strategies portable batch plant, permit #7770938

Hello Vivien,  
Per your request, in regard to Concrete Strategies portable batch plant (permit #7770938), they expect to remain at their current location, 20250 Waverly Road, Edgerton, Kansas (Johnson County) until April 30, 2020.  
Thank you,  
Curtis Heider  
Heider Environmental Consulting  
14 Bright Star Drive  
Columbia, MO 65203  
Ph: 573-445-3033  
Fax: 573-445-3058  
Cell: 573-639-1410  
Email: [Curtis@heiderenv.com](mailto:Curtis@heiderenv.com)

# **STORM WATER POLLUTION PREVENTION PLAN**

**prepared  
May 20, 2019**

**for**

**Concrete Strategies, LLC  
20250 Waverly Road  
Edgerton, KS 66021**

**Prepared By:**

**Heider Environmental Consulting  
14 Bright Star Drive  
Columbia, MO 65203  
(573) 445-3033**



# **STORM WATER POLLUTION PREVENTION PLAN**

**prepared  
May 20, 2019**

**for**

**Concrete Strategies, LLC  
20250 Waverly Road  
Edgerton, KS 66021**

**Prepared By:**

**Heider Environmental Consulting  
14 Bright Star Drive  
Columbia, MO 65203  
(573) 445-3033**

## **TABLE OF CONTENTS**

SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION	1
SECTION 2: POTENTIAL POLLUTANT SOURCES	3
SECTION 3 STORMWATER CONTROL MEASURES/BEST MANAGEMENT PRACTICES (BMPS)	5
SECTION 4: SCHEDULES AND PROCEDURES FOR MONITORING AND REPORTING	8
SECTION 5 INSPECTIONS	9
SECTION 6: CORRECTIVE ACTIONS	13
SECTION 7: SWPPP CERTIFICATION	15

## **ATTACHMENTS**

Attachment A	TOPOGRAPHIC MAP
Attachment B	AERIAL PHOTO & SCALED MAPS SHOWING SITE DETAILS
Attachment C	COPY OF NOI AND ASSOCIATED CORRESPONDENCE
Attachment D	COPY OF PERMIT
Attachment E	INSPECTION FORMS
Attachment F	EMPLOYEE TRAINING OUTLINE & RECORDKEEPING FORM
Attachment G	INCIDENT RECORDKEEPING FORM
Attachment H	ADDITIVES LOG
Attachment I	COPIES OF DISCHARGE MONITORING REPORTS



## **SECTION 1: FACILITY DESCRIPTION AND CONTACT INFORMATION**

### **1.1 Facility Information**

#### Facility Name and Address:

Concrete Strategies, LLC  
20250 Waverly Road  
Edgerton, Kansas 66021

County: Johnson County  
Permit No.: General permit G-CONC-2017-1 (a Notice of Intent is being submitted for this site)  
Latitude: 38.756798°N  
Longitude: 94.948016°W  
Method: Via <https://getlatlong.net/>.  
Area: 2.82 acres.

Note: This facility is not a "Federal Facility" and is not located in "Indian Country".

#### Discharge Information:

Note: Storm water is not discharged into an "MS4".

Receiving stream for discharges: Unnamed tributary to Bull Creek.

Note: Bull Creek and its tributaries are not on the list of impaired waterways.

25-year, 24-hour rainfall event for this location: 6.48".

Primary SIC Code: 3273  
MSGP Sector E, Subsector E2

Secondary SIC Code: NA

### **1.2 Contact Information/Responsible Parties**

Facility Operator: Concrete Strategies, LLC  
20250 Waverly Road  
Edgerton, KS 66021  
Ph.: 913-680-5385  
Email: [berryj@concretestrategies.com](mailto:berryj@concretestrategies.com)

Facility Owner: Concrete Strategies, LLC  
2199 Innerbelt Business Center  
St. Louis, MO 63144  
Ph.: 314-592-2222  
Email: millsr@concretestrategies.com  
Fax: 314-890-7610

### **1.3 Stormwater Pollution Prevention Team**

Jim Berry, Project Engineer

Responsibilities: Signatory authority; oversee & help conduct inspections; coordinate employee training; spill response coordinator; coordinate implementation of plan.

Reid Lenhart

Responsibilities: Help conduct inspections; help with spill response; help with implementation of plan.

John Loges

Responsibilities: Help conduct inspections; help with spill response; help with implementation of plan.

### **1.4 Activities at the Facility**

Ready mix concrete manufacture.

### **1.5 General Location Map**

See Attachment A.

### **1.6 Site Maps**

See Attachment B.



## **SECTION 2: POTENTIAL POLLUTANT SOURCES**

### **2.1 Industrial Activity and Associated Pollutants**

Activity: Diesel storage—approximately 2,500 gallons total in two tanks.

Associated Pollutants: Oil & grease.

Activity: Lube oil & used lube oil storage—approximately 300 gallons total in a container at the NW section of the plant area.

Associated Pollutants: Oil & grease.

Activity: Fueling of vehicles.

Associated Pollutants: Oil & grease.

Activity: Sand/aggregate storage—approximately 4,800 tons total.

Associated Pollutants: Settleable solids; high pH.

Activity: Hauling sand/aggregate, cement, fuel/oil, & concrete, plus sand/aggregate storage piles.

Associated Pollutants: Settleable solids.

Activity: Washing trucks—300 gallons total truck cleaner in a tote on the west side of the plant.

Associated Pollutants: Settleable solids.

Activity: Storage of ad-mixtures—6,500 gallons total in tanks.

Associated Pollutants: High pH.

### **2.2 Spills and Leaks**

Areas of site where potential spills/leaks could occur:

1. Fuel storage area & lube oil storage area. Outfall affected: #1.
2. Ad-mixtures/truck wash detergent storage areas. Outfall affected: #1.

There have been no known past spills.

### **2.3 Non-Stormwater Discharges Documentation**

Date of evaluation: April 11, 2019

Description of evaluation criteria used: Observations by project engineer, plus knowledge of permit conditions and potential discharges.

List of outfalls/onsite drainage points directly observed during the evaluation: Outfall #1.

Different types of non-stormwater discharges and source locations: Washing of central mixer and concrete trucks; however, all wash water is contained as noted below.

Action taken: A settlement basin was built to contain the wash water so that any discharged wash water will be contained. It is a plastic lined basin located to the northwest of the plant. The basin is in compliance with KDHE Industrial Waste Lagoon Requirements (K.A.R. 28-16-160 through 174). Periodically the solids are cleaned out of the basin, allowed to dry, and hauled offsite.

### **2.4 Salt Storage**

Calcium chloride is stored in solution in a tank at the site. There are no salt storage piles at the site.

### **2.5 Sampling Data Summary**

Copies of discharge monitoring reports are contained in Attachment H.

## **SECTION 3: STORMWATER CONTROL MEASURES/BEST MANAGEMENT PRACTICES (BMPS)**

### **3.1 Minimize Exposure**

Spills and leaks will be cleaned up promptly using dry methods (absorbents). Drip pans will be used under leaky vehicles/equipment when parked and repairs made in a timely manner. Calcium chloride will always be stored inside a tank or other enclosed structure. See also Sections 3.4 and 3.5 of this plan.

### **3.2 Good Housekeeping**

The tank areas are observed whenever the tanks or vehicles are being filled. See also Section 3.11 of this plan.

Any paved areas (and any other areas where sweeping or other cleanup is practical) will be swept/cleaned up regularly to prevent a buildup of sediment, spilled cement, fly ash, aggregate (including sand and gravel), or other materials that would cause visible emissions to cross the property lines. If the plant is inactive, paved areas will be observed during monthly inspections and swept if needed to prevent visible emissions from crossing the property lines.

Cement, fly ash, and any other fine granular solids are stored in enclosed silos, hoppers, buildings, or under other covering. Any other materials will be stored in appropriate containers, which are labeled and stored in an orderly manner. A material inventory will be kept and double-checked during each quarterly inspection to insure that it is up-to-date.

### **3.3 Preventive Maintenance**

Vehicles and equipment are observed daily during normal operations and repairs are made as necessary. While this was done onsite in the past, all maintenance and repairs are now done at a different location. Also, vehicles are serviced after every 500 hours of usage, with maintenance on other equipment performed as needed or as specified in the owner's manual, whichever is more frequent. Equipment will also be checked for any faults during the quarterly inspections.

The settlement basin is cleaned out as needed by removing settlement material, drying the material, and hauling it offsite. This basin and other structural controls will be checked during each quarterly inspection to ensure that they are working as intended.



### **3.4 Spill Prevention and Response**

All tanks will be placed within secondary containment structures as spelled out in the site's Spill Prevention Control and Countermeasure (SPCC) Plan. Tanks and drums are labeled to show what liquid they contain. The secondary containment walls serve as a barrier between the storage area and traffic areas. While the tank areas are observed daily during normal operations, formal monthly inspections are conducted as specified in the SPCC Plan.

The SPCC Plan also contains procedures for training personnel, for containing and cleaning up any leaks, spills, etc., and for notifying the appropriate facility personnel, emergency response agencies, and regulatory agencies. Spills and leaks will be cleaned up promptly using dry methods (absorbents) and spill cleanup equipment will be kept readily accessible.

Water within secondary containment structures will be visually inspected prior to storm water being released to assure that it contains no unnatural turbidity, color, oil films, foams, settleable solids, or deposits before it is discharged. Drip pans will be used under leaky vehicles/equipment when parked and repairs made in a timely manner.

### **3.5 Erosion and Sediment Prevention/Controls**

The terrain at the site is graded toward the outfalls. The terrain next to the outfalls and the plant is kept relatively flat to prevent erosion. Also, grass/vegetation is in place around the edges of the property.

Berms and silt fencing are located around to the outside of the site as shown in the detailed site maps. The settlement basin noted in Section 2.3 is at the northwest corner of the plant site.

### **3.6 Management of Runoff**

As mentioned above, the terrain next to the outfall and the plant is kept relatively flat to prevent erosion. Also, the plant area is graded to ensure that all storm water in the plant area flows toward the outfall.

### **3.7 Salt Storage Piles or Piles Containing Salt**

There are no salt storage piles at the site and no calcium chloride storage tanks.

### **3.8 MSGP Sector-Specific Non-Numeric Effluent Limits**

Section B (page 3) of the permit list the effluent limits of 100 mg/L of total suspended solids (TSS), 15 mg/L of Oil and Grease and pH between 6.0 and 9.0, with monitoring

also required for total recoverable iron and visual water quality.

### **3.9 Employee Training**

All employees who work in areas where industrial materials or activities are exposed to stormwater, who handle any chemicals or materials at this site, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of the Pollution Prevention Team, will undergo training.

Training will cover both the specific control measures at the site, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Training will also include material handling and storage as well as emergency response procedures. Training will be conducted annually and a log will be kept on which specific employees receive training.

### **3.10 Waste, Garbage, and Floatable Debris**

Exposed areas will be kept free of waste, garbage, and floatable debris so that they are not discharged to receiving waters. Trash receptacles and recycling bins are available onsite and trash will be sent to a landfill as needed. The receptacles and bins have lids on them which are closed when they are not in use.

### **3.11 Dust Generation and Vehicle Tracking of Industrial Materials**

All unpaved haul roads and vehicular traffic areas are watered as needed to prevent visible emissions from crossing the property lines (except on days when 0.25" or more of precipitation has occurred within the previous 24 hours, or when freezing conditions would cause such watering to be a safety hazard). Records are kept of such watering as specified in the permit.



## **SECTION 4: SCHEDULES AND PROCEDURES FOR MONITORING AND REPORTING**

The schedules and procedures for monitoring are found in Section B (pp. 3) of General NPDES Permit G-CONC-2017-1, along with Attachment A (page 11) and page 12 of the permit. See Attachment D for a copy of this permit. Page 3 of the permit has a table of pollutant parameters to be sampled (also listed in Section 3.8 of this plan). Benchmark monitoring must be done quarterly as specified on page 3 of the permit, with additional sampling only required during the permit term if monitoring data exceed the benchmarks.

Sampling procedures: Samples will be collected within the first 60 minutes of a discharge occurring as a result of precipitation events in excess of 0.1 inches. Precipitation events include rainfall as well as run-off from the melting of frozen precipitation. Samples will be collected prior to or at the property boundary, or before the discharge enters waters of the state on the property (at outfall #1, shown on the site map). Samples will be taken to a laboratory for analysis in a timely manner, within the holding time limit specified by the lab and following their directions to keep the sample at the proper temperature and conditions so that accurate analyses can be made.

As mentioned in Section 2.3 of this plan, there will be no non-storm water discharges at this site as a containment/washout basin was built to contain the wash water so that any wash water evaporates.

Site-specific visual monitoring is detailed in Section 5 of this plan.

If, as a result of exceedances of benchmarks or for other reasons, there are any major changes to the design, construction, operation, or maintenance of this facility, this plan will be revised as appropriate.

Quarterly reports which include the results of the quarterly monitoring and inspections, including identification of any spills and releases which may have occurred during the year, will be submitted to the Kansas Department of Health & Environment (KDHE) within 28 days after the end of each quarter, as specified on page 3 of the permit. The reports shall remain on file for at least 3 years.



## **SECTION 5: INSPECTIONS**

### **5.1 Routine Facility Inspections**

Routine facility inspections will be performed quarterly (and within 24 hours after any event which could reasonably be expected to affect the integrity of the controls, i.e., 3" or more of rainfall within 24 hours) by qualified personnel with at least one member of the SWPPP team participating. Areas inaccessible during the inspection due to flooding shall be inspected within 72 hours of becoming accessible.

When planning the inspection, inspectors will consider the following:

1. The results of recent past visual and analytical monitoring;
2. Locations where industrial materials, residue, or trash may have or could have come in contact with storm water;
3. Locations where leaks or spills from equipment or storage containers may have occurred;
4. Entrances or exits where industrial materials, waste materials, or sediment may have been tracked offsite.
5. Locations onsite where materials may have been blown or tracked from areas not exposed to storm water to areas exposed to storm water;
6. Control measures which may need replacement, maintenance, or repair.

During an inspection, all control measures mentioned in this plan must be inspected to ensure that they are working properly, along with all outfalls. If any outfalls are inaccessible, nearby downstream locations must be inspected. Inspectors will document the following:

1. The inspection date and time;
2. The name(s) and signature(s) of the inspector(s);
3. Weather information (including flooding events) and a description of any discharges occurring at the time of the inspection;
4. Any outfall not inspected due to flooding conditions;

5. Any previously unidentified discharges of pollutants from the site;
6. Any control measures needing maintenance or repairs;
7. Any failed control measures that need replacement;
8. Any incidents of noncompliance observed (or that have the potential for pollutants entering the drainage system);
9. Any additional control measures needed to comply with the permit requirements; and
10. Any corrective action required as a result of the inspection.

## **5.2 Quarterly Visual Monitoring/Inspections**

A visual assessment of stormwater discharges will be performed once each quarter. These samples should be collected in such a manner that the samples are representative of the stormwater discharge.

The visual assessment must be made:

1. During daylight hours. If no storm event resulted in runoff from the facility during daylight hours on normal work days during a quarter, no visual observation is required for that quarter, provided that Concrete Strategies, LLC keeps documentation (signed by the responsible official) that no observable runoff occurred during that quarter;
2. Of a sample in a clean, clear glass, or plastic container, and examined in a well-lit area;
3. On samples collected within 1 hour of an actual discharge from a storm event equal to or greater than 0.25 inch in 24 hours. If it is not possible to collect the sample within the first hour of discharge, the sample must be collected as soon as practicable after the first hour and documentation must be made as to why it was not possible to take samples within the first hour. In the case of snowmelt, samples must be taken during a period with a measurable discharge from your site; and
4. For storm events, on discharges that occur at least 72 hours (3 days) from the previous discharge: The 72-hour (3-day) storm interval does not apply if it is documented that less than a 72-hour (3-day) interval is representative for local storm events during the sampling period.

5. Qualified personnel must visually inspect the sample for the following water quality characteristics:
  - Unnatural color;
  - Odor;
  - Clarity;
  - Floatable solids;
  - Settled solids;
  - Suspended solids;
  - Foam;
  - Oil sheen; and
  - Other obvious indicators of stormwater pollution.
6. If visual observations indicate any of the above indicators of storm water pollution, a sample shall be obtained and analyzed for the pollutants specified in Sections 1.1, 2.1, and 3.8.

Results of the visual assessments must be maintained onsite with this SWPPP. At a minimum, the documentation of the visual assessment must include:

1. Sample location(s);
2. Visual assessment date and time for each sample;
3. Personnel collecting the sample and performing the visual assessment, and their signatures;
4. Nature of the discharge (i.e., runoff or snowmelt);
5. Visual quality of the stormwater discharge;
6. Probable sources of any observed stormwater contamination; and
7. If applicable, why it was not possible to take samples within the first hour.

A waiver of the visual observation requirement may be exercised if the facility is inactive and unstaffed, as long as there are no industrial materials or activities exposed to storm water. If this waiver is exercised, a certification must be maintained with this SWPPP that the facility is inactive and unstaffed and that there are no industrial materials or activities exposed to storm water.

If this facility has two or more outfalls that are believed to discharge substantially identical effluents, based on similarities of the industrial activities, significant materials, size of drainage areas, and storm water management practices occurring within the drainage areas of the outfalls, visual observations of the discharge may be conducted at just one



of the outfalls and report that the results also apply to the substantially identical outfall(s).

### **5.3 Annual Comprehensive Site Compliance Evaluation**

Annual comprehensive site inspections must be conducted by qualified personnel with at least one member of the stormwater pollution prevention team participating in the comprehensive site inspection. See Attachment E for inspection forms.

Your comprehensive site inspections must cover all areas of the facility affected by the requirements in this permit, including the areas identified in the SWPPP as potential pollutant sources where industrial materials or activities are exposed to stormwater, any areas where control measures are used to comply with the effluent limits, and areas where spills and leaks have occurred in the past 3 years. The inspections must also include a review of monitoring data collected. Inspectors must consider the results of the past year's visual and analytical monitoring when planning and conducting inspections. Inspectors must examine the following:

Industrial materials, residue, or trash that may have or could come into contact with stormwater;

Leaks or spills from industrial equipment, drums, tanks, and other containers;

Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site;

Tracking or blowing of raw, final, or waste materials from areas of no exposure to exposed areas; and

Control measures needing replacement, maintenance, or repair.

Your annual comprehensive site inspection may also be used as one of the routine inspections, as long as all components of both types of inspections are included

You must document the findings of each comprehensive site inspection and maintain this documentation onsite with your SWPPP. At a minimum, your documentation of the comprehensive site inspection must include:

- The date of the inspection;
- The name(s) and title(s) of the personnel making the inspection;
- Findings from the examination of areas of your facility identified in Part 4.3.1;
- All observations relating to the implementation of your control measures including:

previously unidentified discharges from the site,

previously unidentified pollutants in existing discharges,

evidence of, or the potential for, pollutants entering the drainage system;

evidence of pollutants discharging to receiving waters at all facility outfall(s), and the condition of and around the outfall, including flow dissipation measures to prevent scouring, and

additional control measures needed to address any conditions requiring corrective action identified during the inspection.

- Any required revisions to the SWPPP resulting from the inspection;
- Any incidents of noncompliance observed or a certification stating the facility is in compliance with this permit (if there is no noncompliance); and
- A statement (see Section 6), signed by the plant owner, certifying that the inspection was prepared under his direction and is believed to be accurate.

## SECTION 6: CORRECTIVE ACTIONS

Qualified personnel will review this plan whenever any of the following conditions occur:

1. An unauthorized release or discharge occurs at the facility;
2. Control measures were not stringent enough for a discharge to meet applicable water quality standards or the conditions of the NPDES permit;
3. A required control measure was never installed, was installed incorrectly, or is not being properly operated or maintained;
4. Visual observations indicate signs of storm water pollution;
5. The average of four quarterly sampling results exceeds any benchmark monitoring concentration—if less than four samples have been taken but the results are such that an exceedance is mathematically certain, this is considered to be a benchmark exceedance, triggering this review;
6. Construction or a change in the design, operation, or maintenance at the facility that modifies the type or concentration of pollutants discharged in storm water from the facility, or increases the quantity of the pollutants discharged.

Corrective actions and deadlines are as follows:

1. If an unauthorized release or discharge occurs at the facility, authorized personnel must immediately take all reasonable steps necessary to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.
2. If it is determined that additional changes are necessary beyond those previously implemented as noted above, repairs or new or modified controls must be installed and made operational before the next storm event, if possible, and within 14 calendar days from the time of discovery. If the 14-day deadline is infeasible, documentation must be kept as to why completion of the work is infeasible, along with a schedule for completing the work as soon as practicable but no longer than 45 days after discovery.
3. Documentation of the existence of an unauthorized release or discharge at the facility must occur within 24 hours of personnel becoming aware of such a condition. (Note: Corrective action documentation is not required to be submitted



to the KDHE.) Include the following documentation:

- A. Identification and description of the condition triggering the need for corrective action. For spills and leaks include a description of the incident including material, date/time, amount, location, reason for the spill, and any related discharges of pollutants to waters of the State.
- B. Date the condition was identified.
- C. For any spills/leaks, include response actions, the date/time clean-up completed, notifications made, staff involved, and any measures taken to prevent the recurrence of such releases.
- D. Corrective actions taken as a result of the unauthorized release/discharge, including the dates when each corrective action was initiated and completed (or is expected to be completed). If necessary, document why completion of the work is infeasible within 14 days, along with the schedule for completing the work as soon as practicable after the 14-day deadline.

If the event triggering corrective action occurs at an outfall that represents other substantially identical outfalls, the review must assess the need for corrective action at each outfall represented by the outfall that triggered the review. Any necessary changes to control measures that affect these outfalls must also be made before the next storm event if possible, or as soon as practicable following that storm event. This plan must be modified to include any control measures required as noted in this section.

## **SECTION 7: SWPPP CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information contained therein. I also certify that any waste water discharged from washing trucks or other equipment is contained in a settling basin and recycled. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

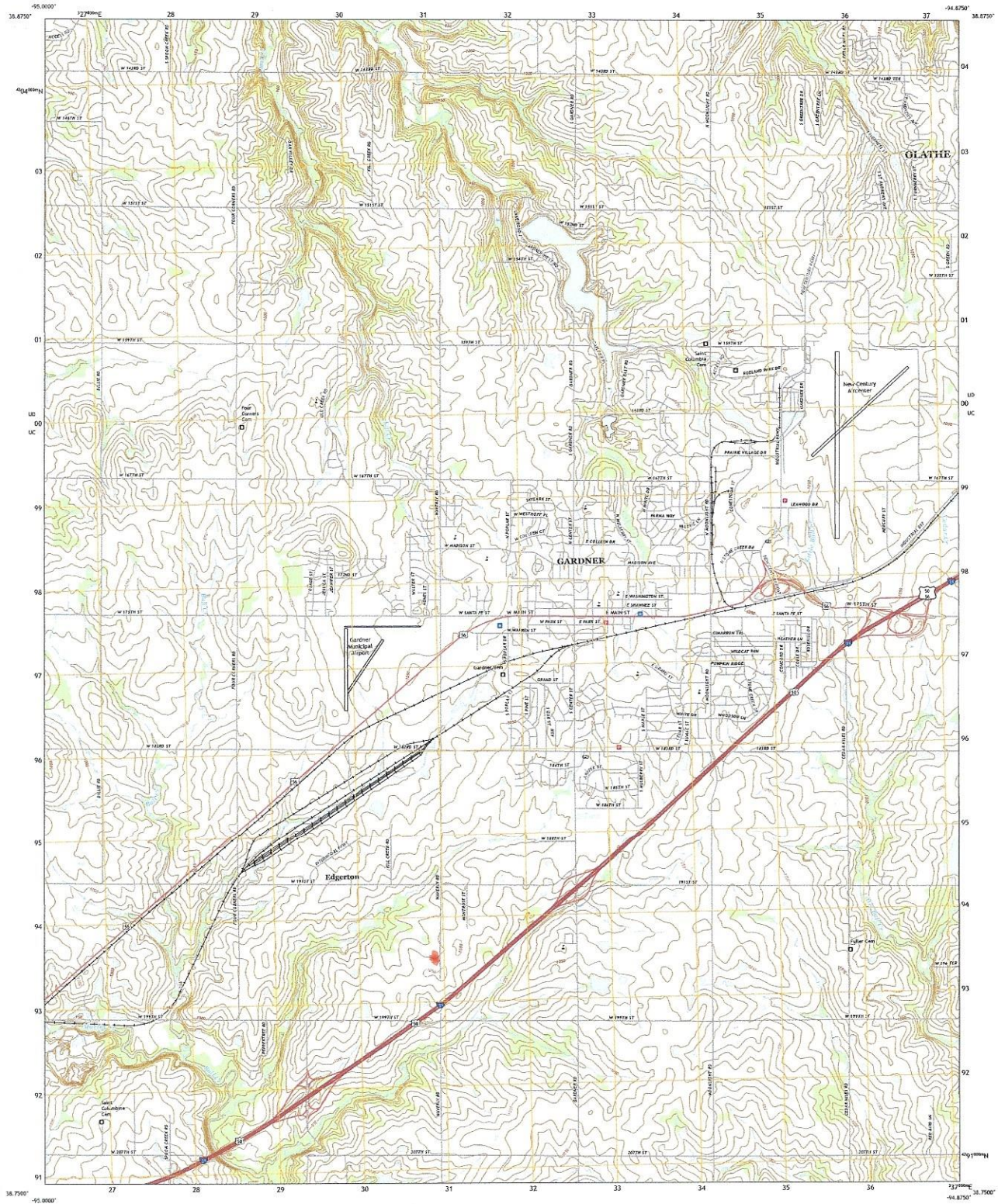
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Jim Berry, Project Engineer

Date

**ATTACHMENT A**  
**TOPOGRAPHIC MAP**

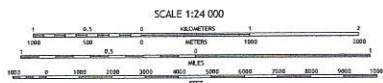
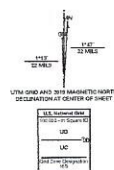




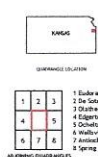
Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84) Projection and  
180-meter grid interval. Transverse Mercator, Zone 15S  
This map is not a legal document. Boundaries may be  
generalized for the map scale. Private land within government  
ownership may not be shown. Official permission is  
required for private land.

Imagery: NAD83, August 2017 - September 2017  
Data: U.S. Census Bureau, 2010  
Hydrography: National Hydrography Dataset, 2010  
Contours: National Elevation Dataset, 2010  
Boundaries: National Boundary File, 2010  
Public Land Survey System: BLM, 2010  
Waterbodies: National Wetlands Inventory, 1985



CONTOUR INTERVAL IS FEET  
NORTH AMERICAN VERTICAL DATUM OF 1983  
This map was produced to conform with the  
National Geospatial Program US Topo Product Standard, 2011.  
A metadata file associated with this product is available at 0.6.15



**ROAD CLASSIFICATION**

- Expressway
- Secondary Hwy
- Ramp
- Interstate Route
- US Route
- State Route
- Local Connector
- Local Road
- 4WD

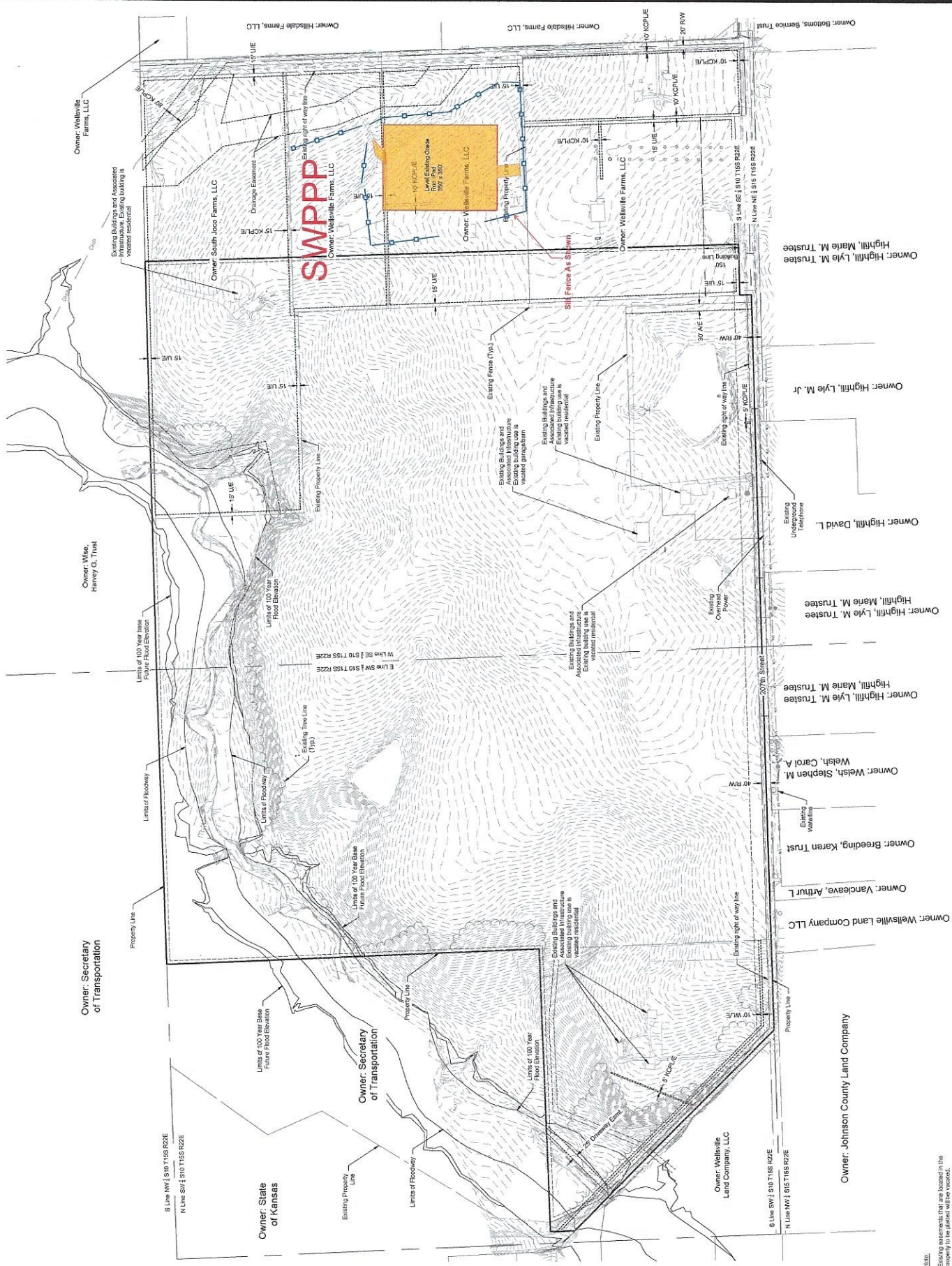
GARDNER, KS  
2018



## **ATTACHMENT B**

### **AERIAL PHOTO & SCALED MAPS SHOWING SITE DETAILS**

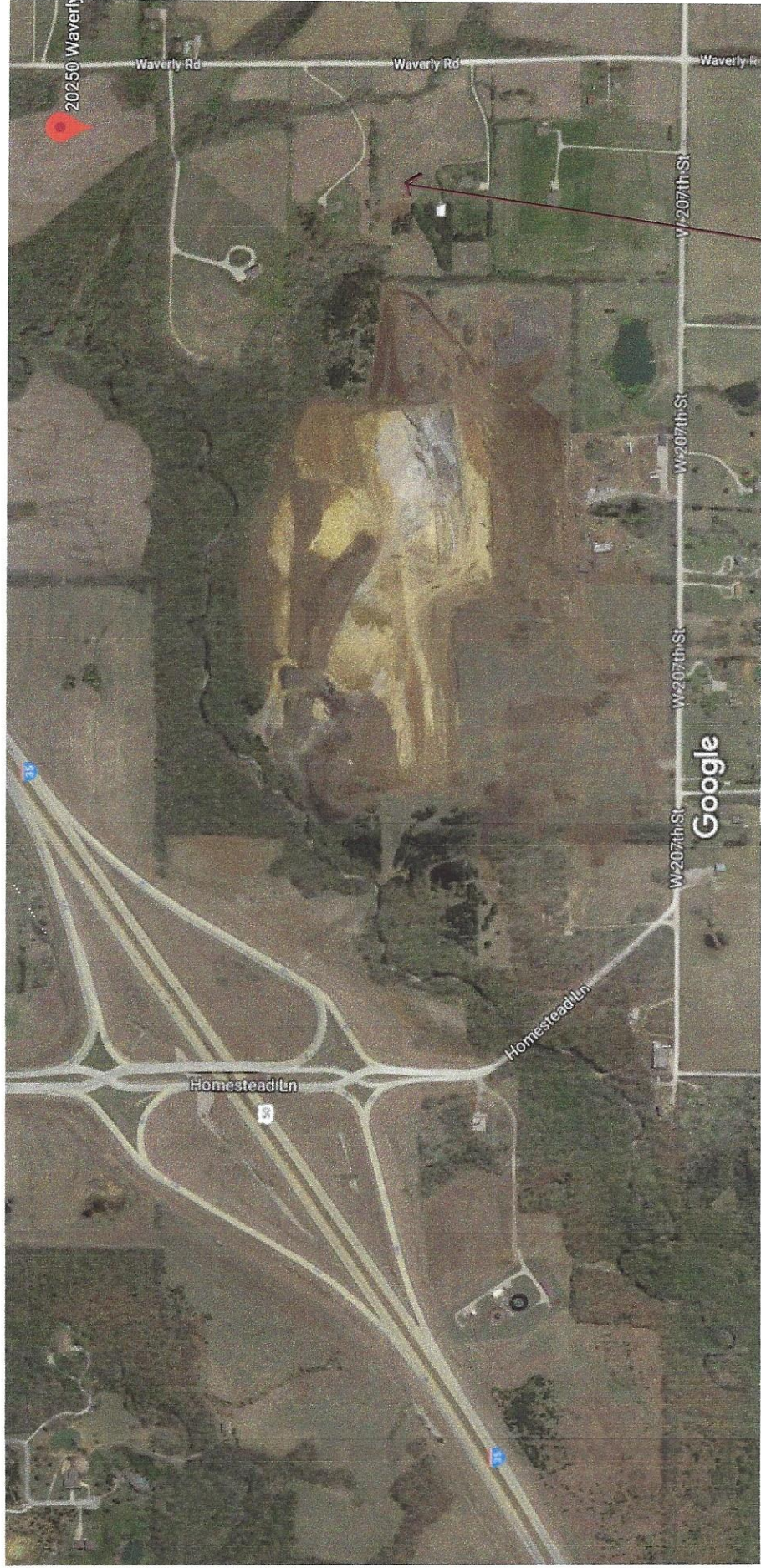




note:



Google Maps 20250 Waverly Rd



Imagery ©2019 Google, Map data ©2019 Google

500 ft

Location of concrete plant







Owner: Wellsville Farms, LLC

Existing right of way line

15' U/E

Truck Parking

Containment Basin

Washout

10' KCPL/E

Cement Storage

Admixture Trailer

Aggregate Stock Pile

Diesel Fuel

Existing Drive

Existing Property Line

15' U/E

Owner: Wellsville Farms, LLC

Existing right of way line

15' U/E

## Truck Parking

Containment Basin  
Washout

Existing Drive

## Cement Storage

## Admixture Trailer

### Aggregate Stock Pile

### Diesel Fuel

### Existing Drive

Existing Property Line

15 U/E

## **ATTACHMENT C**

### **COPIES OF NOI AND ASSOCIATED CORRESPONDENCE**



**NOTICE OF INTENT (NOI)**

UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
**FOR READY-MIXED CONCRETE PLANTS, CONCRETE PRODUCTS PLANTS AND THEIR ASSOCIATED FACILITIES**  
 AUTHORIZED BY A KANSAS WATER POLLUTION CONTROL GENERAL PERMIT

This application is for: ☒ New Permit ☐ Permit Renewal ☐ Permit Modification

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form requests authorization for coverage under a Kansas Water Pollution Control general permit issued for ready-mix concrete plants, concrete products plants and their associated facilities, in the State of Kansas. Becoming a permittee obligates the discharger to comply with the terms and conditions of the general permit. **Completion of this NOI does not provide automatic coverage under the general permit. The permittee will receive a properly signed and dated general permit from the Kansas Department of Health and Environment (KDHE) authorizing the storage/discharge of wastewater/stormwater. ONLY COMPLETE APPLICATIONS CAN BE PROCESSED. A separate NOI is required for each noncontiguous site (temporary or permanent). Payment must accompany the NOI or the NOI will not be processed. Please Print or Type.**

**I PROPOSED PERMITTEE & PROJECT/FACILITY LOCATION INFORMATION**

A. Proposed Permittee's Name: Concrete Strategies, LLC

B. Mailing Address: 2199 Innerbelt Business Center City: St. Louis State: MO Zip: 63114

C. Facility Name: Concrete Strategies, LLC

Facility Site Address: 20250 Waverly Road, Edgerton, KS 66021

Facility Mailing Address: 2199 Innerbelt Bus. Ctr. City: St. Louis State: MO Zip: 63114

D. Facility Location:

Legal Description: SE 10 15 S 22 E/W Johnson  
                                   ¼      Section      Township      Range      County

Decimal Degrees Latitude: 38.756798 Decimal Degrees Longitude: -94.948016

Receiving Stream: Unnamed tributary to Bull Creek

E. Contact Person: Jim Berry Phone #: 314-592-2222 Cell #: 913-680-5385

Fax #: 314-890-7610 Email Address: berryj@concretestrategies.com

F. Maps: Attach appropriate map(s) showing all information as detailed in the instructions. This map will become an enforceable part of the permit.

**For Official Use Only:**

Received	Paid: _____	Accepted <input type="checkbox"/> Y; <input type="checkbox"/> N
	Date: _____	
	Initials: _____	
	Check No.: _____	
Secretary, Kansas Department of Health & Environment		Date _____
Kansas Permit No.: _____ Federal Permit No.: _____		

II INFORMATION (for new facilities or modifications only)

- A. Is any part of the facility or discharge(s) located on Indian Land? If Yes, STOP. See NOI Instructions ☐ Y; ☒ N
- B. Are there any known soil contamination areas which will be disturbed by construction or operation of this facility? ☐ Y; ☒ N
- C. Are any threatened or endangered species known to be present near the site or in the receiving water body? KDWPT has been notified to check whether any such species are onsite. ☐ Y; ☒ N  
If yes, list species and describe habitat location in relation to discharge location:

- D. Do you plan to disturb one or more acres of surface area? ☒ Y; ☐ N  
If yes, See NOI Instructions. Note: NorthPoint Development has already submitted an NOI for the overall land disturbance.
- E. Anticipated Start Date of Project 5/1/2018

III FACILITY DESCRIPTION [Attach additional page(s) if necessary]

A concrete plant which includes aggregate storage piles, truck parking and hauling.

IV LOCATION AND TYPE OF STRUCTURES AND OUTFALLS:\*

This permit identifies two types of discharges: stormwater runoff discharges associated with ready-mixed concrete industrial activity; and process wastewater primarily from washing concrete trucks and appurtenances, and which is either settled in a settlement structure and discharged, or is contained in a non-discharging containment structure. Process waters may be commingled with stormwater. Identify these discharges as follows:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Process Wastewater settlement structures             | Number of (discharging) settlement structures:     |   |
| <input checked="" type="checkbox"/> Process Wastewater containment structures | Number of (non-discharging) containment structures | 1 |
| <input checked="" type="checkbox"/> Stormwater Runoff                         | Number of Stormwater Outfalls                      | 1 |

\* Attach a Ready-Mixed Concrete Additives Log for each Structure if cleaners, detergents, or chemical additives are used.

Does this operation recycle: ☐ Process wastewater and/or ☐ Stormwater  
☐ Yes ☒ No

- A. During a normal calendar year, when is this facility used?  
Year Around \_\_\_\_\_ Certain Months (How Many?) 10 (March - Dec.)
- B. Approximately how much concrete is produced at this facility per year? 50,000 Cubic Yards
- C. Operations which generate wastewater:  
Wash outside of trucks ☐ Estimated gallons/day \_\_\_\_\_  
Wash out beds/drums of trucks/equipment ☒ Estimated gallons/day 500 - 3,000  
Describe Other/Additional sources of wastewater \_\_\_\_\_



D. What is the source of the water used for makeup water?

City/Rural Water District water ☒

Untreated well water ☐

Stormwater ☐

Stream (Identify): \_\_\_\_\_

Lake (Identify): \_\_\_\_\_

Other (Describe): \_\_\_\_\_

E. Does this facility use retention basins to contain water used to wash equipment?

☒ Y

☐ N

If yes, Answer question #F. If no, skip to question G.

F. Description of Wastewater/Stormwater Containment and Settlement Basins:

What is the material of construction of the basins? **Add Basin C (if present)**

Basin A

Basin B (if present)

☐

☐

Concrete structures. (Self Supporting)

☐

☐

Concrete lined earthen basins.

☐

☐

Asphalt lined earthen basins.

☒

☐

Plastic or other type lined earthen basins

☐

☐

Unlined earthen basins.

☐

☐

Other; Please describe: \_\_\_\_\_

G. How does this facility get rid of wastewater? (Check all that apply)

1 ☐

No Controls – the wastewater seeps into the ground, evaporates, or runs off the site.

2 ☐

The wastewater overflows/flows from the retention basin.

3 ☒

Evaporation and percolation only (no discharge to a ditch or waterway)

4 ☐

Re-use wastewater in production of concrete

5 ☐

Dust control on roads and/or sand/gravel piles.

6 ☐

Haul to another site/plant. (Identify site or plant) \_\_\_\_\_

7 ☐

Irrigation of adjacent land.

8 ☐

Other; Please describe: \_\_\_\_\_

H. How are solids from the retention basins disposed of/re-used?

They are removed, dried, & hauled off-site.

I. How is domestic wastewater (from showers, sinks, toilets) disposed of?

Connected to a centralized wastewater treatment plant ☐

Hauled off to a wastewater treatment plant ☐

Septic Tank/Lateral Field ☐

Domestic Wastewater Lagoon ☐

Portable Toilets ☒

Other (Describe) \_\_\_\_\_

## V STORMWATER POLLUTION PREVENTION PLAN

A. Permit Renewal/Reissuance - Permit renewals for existing facilities without any proposed modifications shall submit a SWP2 Plan Certification Completion Form and updated site map with the first annual report, within one year of permit issuance. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.

B. Permit Modification/New Permit - Permits for new facilities and existing facilities proposing modifications to the site shall submit a SWP2 Plan Certification Completion Form and an up-to-date site map with the NOI. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.

C. Settlement and Containment Structure Compliance - At the time of SWP2 Plan Certification Completion, identified settlement and containment structures must indicate whether each structure is in compliance with KDHE Industrial Wastewater Lagoon Requirements (K.A.R. 28-16-160 through 174). For any structure not meeting these requirements, a structure upgrade schedule shall be provided to bring the facility into compliance with the regulations. Earthen structures must meet the requirements of KDHE lagoon liner regulations or a variance must be issued.

**VI ANNUAL FEE**

Enclose a check for the first year of the annual fee (\$60.00) payable to "KDHE-Water Pollution Control Permit". APPLICATIONS SUBMITTED WITHOUT PERMIT FEE ARE INCOMPLETE AND WILL NOT BE PROCESSED UNTIL THE FEE IS PAID.

**VII COORDINATION WITH OTHER STATE AND LOCAL AGENCIES**

The proposed permittee is responsible for compliance with the requirements relating to the protection of Threatened or Endangered Species identified in K.A.R. 115-15-1 et seq. and requiring authorization from the Kansas Department of Wildlife and Parks; sites listed or eligible for listing on the National Register of Historic Places which are likely to be adversely affected; water appropriation from Kansas Department of Agriculture - Water Resources Division; and any other appropriate and applicable federal, state and local government laws.

**VIII APPLICANT CERTIFICATIONS**

*I, the undersigned, certify that I have read and understand the requirements and conditions of the NPDES general permit for ready-mix concrete plants, concrete products plants and their associated facilities (as available on the KDHE web page at "<http://www.kdheks.gov/water/tech.html>"). I understand that continued coverage under the NPDES general permit for these discharges is contingent upon maintaining eligibility as provided for in the requirements and conditions of the general permit.*

*The undersigned hereby agrees the Settlement Structure(s)/Containment Structure(s) shall meet the criteria listed on page 3 in the instructions for this Notice of Intent - "Provisions for Construction of Settlement Structure(s)/Containment Structure(s)"; and if not an existing facility, the water pollution controls will be constructed prior to any discharge to surface waters in conformance with design plans, which are maintained at the facility site and shall be made available to KDHE personnel on request.*

*Further, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on the inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.*

---

Signature

---

Date

Jim Berry, Project Engineer

Name and Official Title (Please Print)





**STORMWATER POLLUTION PREVENTION PLAN  
COMPLETION CERTIFICATION FORM (SWP2 Plan CCF)**

For Ready Mixed Concrete Plants, Concrete Product Plants, and their Associated facilities  
Authorized by a Kansas Water Pollution Control General Permit  
Under the National Pollutant Discharge Elimination System

Kansas Water Pollution Control General Permit No. G-CONC-2017-1

Submission of this SWP2 Plan Completion Certification form (SWP2 Plan CCF) constitutes notice that the facility has complied with SWP2 Plan requirements for the Ready Mixed Concrete Plants, Concrete Product Plants, and their Associated facilities. This includes development and implementation of a SWP2 Plan which is specific to the industrial activity and site characteristics occurring at the location described in the authorized NOI.

**TO BE COMPLETED BY THE PERMITTEE**

I certify under penalty of law that the Stormwater Pollution Prevention Plan (SWP2 Plan) required by this General Permit has been completed, retained on site and fully implemented at this facility. The SWP2 Plan document and all attachments were prepared on my behalf in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based upon the information gathered and the belief formed after a reasonable inquiry, the statements and information contained in the SWP2 Plan, to the best of my knowledge and belief, is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I certify, under penalty of law that, based upon inquiry of persons directly under my supervision, to the best of my knowledge and belief, the SWP2 Plan adheres to the stormwater control provisions of this General Permit for the development and implementation of a Stormwater Pollution Prevention Plan (SWP2 Plan) and that the SWP2 plan will be complied with.

Name of Facility: Concrete Strategies, LLC

Address: City: 20250 Waverly Rd., Edgerton County: Johnson State: KS Zip Code: 66021

Kansas Permit No. Not yet issued Federal Permit No. NA

Date of SWP2 Plan: May 20, 2019

Has the SWP2 Plan identified any unauthorized, non-stormwater (dry weather) discharges?

Y; ☒ N

If yes, has KDHE been notified of all such discharges? Y; ☐ N

Signature: \_\_\_\_\_

Owner, Operator or Duly or Authorized Representative, Name (typed or printed):

Jim Berry

Title: Project Engineer

Date: \_\_\_\_\_

Send completed form with original signatures to:

KDHE Contact Information:

Kansas Department of Health and Environment  
Bureau of Water, Industrial Programs Section  
1000 SW Jackson, Suite 420  
Topeka, KS 66612 - 1367

Phone: (785) 296-4347  
e-mail: Eric.Staab@ks.gov



**ATTACHMENT D**

**COPY OF PERMIT**

**ATTACHMENT E**  
**INSPECTION FORMS**

Concrete Strategies, LLC, Edgerton, KS  
Quarterly Routine SWPPP Inspection

Date & Time: \_\_\_\_\_ Weather Conditions: \_\_\_\_\_

Outfalls and Discharges		Yes	No	NA
1	Were any outfalls not inspected due to flooding conditions?			
2	<b>Stormwater Discharges</b> - Condition satisfactory? Describe the discharge, its location and cause of any problems and actions taken below.			
3	<b>Non-Stormwater Discharges</b> - Are there any non-stormwater discharges? Describe the discharge, etc. below.			
4	Were any of the discharges noted below previously unidentified?			

Water Quality Standards (For all questions, if "No" was checked, describe below.)		Yes	No	
5	Are waters free from substances in sufficient amounts to cause the formation of <b>putrescent, unsightly or harmful bottom deposits</b> , or prevent full maintenance of beneficial uses?			
6	Are waters free from <b>oil, scum and floating debris</b> in sufficient amounts to be unsightly or prevent full maintenance of beneficial uses?			
7	Are waters free from substances in sufficient amounts to cause unsightly <b>color or turbidity, offensive odor</b> or prevent full maintenance of beneficial uses?			
8	Is the water free from any <b>solid waste</b> such as used tires, appliances, equipment, and all other debris?			

BMP Conditions & Control Measures		Yes	No	NA
9	<b>Stabilized site entrances/exits</b> - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
10	<b>Berms</b> - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
11	<b>Settlement pond</b> - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
12	<b>Trash receptacles &amp; recycling bins</b> - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
13	<b>Silt Fencing</b> - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
14	<b>Was a buildup of dust, etc. on paved areas observed that needs to be swept?</b> Describe below.			
15	<b>Were any incidents of non-compliance (or potential for pollutants entering the drainage system) observed?</b> Describe below.			
16	<b>Are additional control measures needed for compliance with permit compliance?</b> Describe below.			
17	<b>Was any corrective action required as a result of this inspection?</b> Describe below.			

Please note the location, cause and action taken to correct any unsatisfactory conditions below:

Inspector \_\_\_\_\_ Signature: \_\_\_\_\_



Concrete Strategies, LLC, Edgerton, KS  
 Quarterly Visual Monitoring/Inspection of Storm Water Discharges

Date & Time: \_\_\_\_\_ Weather Conditions: \_\_\_\_\_

Outfall #:		Yes	No	NA
1	Did an observable runoff occur during daylight hours on a normal workday during the quarter? If no, skip to the bottom and sign the form.			
2	Was a storm water sample collected within 1 hour of an actual discharge from an applicable storm event? If not, explain below.			
3	Was any unnatural color, odor, clarity, floatable solids, settled solids, or suspended solids observed in the sample? Describe below.			
4	Was any foam, oil sheen, or other obvious indicators of pollution observed in the sample? Describe below.			

For each sample:		Yes	No	NA
5	Note the location where the sample was collected and the time when collected:	NA	NA	
6	If the answer to 3 or 4 above was "yes", note the probable sources of the observed contamination:	NA	NA	
7	If the answer to 3 or 4 above was "yes", was a sample obtained for analysis?			
8	Was the discharge runoff or snowmelt?	NA	NA	

Inspector: \_\_\_\_\_ Printed Name \_\_\_\_\_ Signature: \_\_\_\_\_

Concrete Strategies, LLC, Edgerton, KS  
Annual Comprehensive Site Compliance Evaluation

Date & Time: \_\_\_\_\_ Weather Conditions: \_\_\_\_\_

BMP Conditions & Control Measures		Yes	No	NA
1	Stabilized site entrances/exits - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
2	Berms - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
3	Settlement pond - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
4	Trash receptacles & recycling bins - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
5	Silt Fencing - Condition satisfactory? Describe location and cause of any problems and actions taken below.			
6	Are the dust control measures for the storage piles, haul roads, and vehicular traffic areas adequate & effective? If not, describe below.			
7	Is the collection system for routing wash water to the sediment pond adequate and effective? If not, describe below.			
8	Is the secondary containment for fuel, oil, & chemical containers adequate and effective? If not, describe below.			
9	Are all vehicles & equipment free of leakage of fluids and are being regularly maintained? If not, describe below.			
10	Is a sufficient amount of spill response equipment and containment drums readily available and in good condition? If not, describe below.			
11	Are sufficient trash receptacles readily available and in good condition? If not, describe below.			
12	Are there any previously unidentified discharges at the site? If so, describe below.			
13	Are there any previously unidentified pollutants in existing discharges at the site? If so, describe below.			
14	Is the outfall in good condition with no scouring and no pollutants observed discharging? If not, describe below.			
12	Are additional control measures needed for compliance with permit compliance? Describe below.			
13	Was there any non-compliance observed or any corrective action required as a result of this inspection? Describe below.			

Please note the location, cause and action taken to correct any unsatisfactory conditions below:

Inspector: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name

## **ATTACHMENT F**

### **EMPLOYEE TRAINING OUTLINE & RECORDKEEPING FORM**



The following items are recommended topics for the training of employees that will be involved in the implementation of the SWPPP:

1. Company Environmental Policy.
2. Review and identification of significant materials and appropriate storage and handling procedures. If the facility has Employee or Community Right-to-Know training requirements, then this would be an appropriate time to review these also.
3. Discuss the location, use and re-stocking requirements for sweeping brushes, shovels, clean and used spill absorbent, foams and any other spill response equipment on site.
4. Best Management Practices for:
  - Fuel tanks
  - Oil/Lubricant/Grease Storage
  - Used Oil/Solvents
  - Truck washout
  - Used Batteries
  - Vehicle and container cleaning/washing
5. Possible spill areas and drainage routes: Include information on past spills and causes.
6. Reporting spills to facility management and governmental agencies.
7. Material handling procedures and storage requirements.
8. Implementing spill response procedures. If the facility has an SPCC Plan, this should also be reviewed at this time.
9. Onsite contractors and temporary personnel should also be informed of the facility operations and design features in order to help prevent accidental discharges or spills from occurring.

Training sessions should be held at least annually and provided to all new employees, unless otherwise directed by regulation.

## EMPLOYEE AWARENESS and TRAINING PROGRAM

**Coordinator:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Title:** \_\_\_\_\_

<b>Training Topic Presented</b> (circle category)	<b>Personnel in Attendance</b>	<b>Comments</b>
<b>Goals and Components of SWPPP</b>		
<b>Spill Response Procedures</b>		
<b>Good Housekeeping</b>		
<b>Preventive Maintenance</b>		
<b>Best Management Practices Erosion and Sediment Control</b>		
<b>Inspections</b>		
<b>Monitoring &amp; Sampling Storm Water</b>		

**ATTACHMENT G**  
**INCIDENT RECORDKEEPING FORM**



Checklist:

1. Date of spill: \_\_\_\_\_.
2. Time of spill: \_\_\_\_\_.
3. Material spilled: \_\_\_\_\_.
4. Location of spill, including specific tank or storage vessel: \_\_\_\_\_  
\_\_\_\_\_.
5. Estimate of total quantity spilled \_\_\_\_\_.
6. Estimated rate of release \_\_\_\_\_.
7. Direction of release \_\_\_\_\_.
8. Estimated quantity discharged into waterways (creeks, ponds, etc.) or adjoining shorelines: \_\_\_\_\_.
9. Cause of spill: \_\_\_\_\_  
\_\_\_\_\_.
10. List any damages or injuries caused by the spill: \_\_\_\_\_  
\_\_\_\_\_.
11. Actions taken by plant personnel to stop, remove, and mitigate the effects of the spill + list the names of employees involved: \_\_\_\_\_  
\_\_\_\_\_.
12. Date/time clean-up completed? \_\_\_\_\_.
13. Names of individuals and/or organizations contacted in response to the spill: \_\_\_\_\_  
\_\_\_\_\_.
14. Actions taken by other response services to stop, remove, and mitigate the effects of the spill (if applicable): \_\_\_\_\_  
\_\_\_\_\_.
15. Equipment repairs or replacements made as a result of the spill + date completed \_\_\_\_\_.
16. Additional preventive measures which have been taken or contemplated to minimize the possibility of a recurrence + date completed \_\_\_\_\_  
\_\_\_\_\_.
17. Attach sketch and/or map(s) of site showing location of spill, flow of spill, and any relevant control structures, etc.
18. If corrective actions could not be completed within 14 days, explain why along with the schedule for completing the work as soon as practicable after the 14-day deadline  
\_\_\_\_\_  
\_\_\_\_\_.
21. Use space below for any additional comments.

## **ATTACHMENT H**

### **ADDITIVES LOG**

**Ready-Mixed Concrete  
Containment Structure  
Cleansers, Detergents and  
Chemical Additives Log**

Basin No.: 1

Chemical Name	Estimated Annual Quantity Used	Operating Dosage*	No Observed Effect Concentration** If available	
			Lowest Aquatic Toxicity (mg/l)	Species
	Gallons per Year	Concentration (mg/l)		

\*Operating Dosage means the concentration of the chemical as used in the system

\*\* Attach Material Data Safety Sheets. If available, toxicity data for Pimephales promelas (fathead minnow) and Ceriodaphnia dubia (water flea) should be provided. Other species with similar sensitivities can be provided if the data for these species are not available.

## **ATTACHMENT I**

### **COPIES OF DISCHARGE MONITORING REPORTS**



September 10, 2019

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

RE: Concrete Batch Plant – Near 207<sup>th</sup> 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 Inland Port VII. Permission is granted with the following conditions.

Condition 1: The permitted term expires on November 1, 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 Inland Port VII 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

## STAFF REPORT

Date: October 8, 2019  
To: Edgerton Planning Commission  
From: Chris Clinton, Planning and Zoning Coordinator  
Re: Consider Approval of revisions to Temporary Construction Activities **Application TU2019-07** on property located at 20520 Waverly Road - Concrete Batch Plant use for Phase II of 207<sup>th</sup> Street rebuild east of Waverly Road

### 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 August 13, 2019 the Planning Commission approved a request from Concrete Strategies (CSI) to conduct concrete batch plant operations on property located at 20520 Waverly Road which would supply concrete for the Phase II rebuild of 207<sup>th</sup> Street east of Waverly Road. Permission for these activities will end upon final acceptance by Edgerton City Council of the project. On September 17, 2019 City Staff received a request from CSI to amend their haul route due to project constraints.

The applicant states the roadway is being constructed in two phases and thus access to the area is limited for their concrete trucks when conducting lane pours. The newly proposed route shows trucks traveling south on Waverly Road, west on 207<sup>th</sup> Street to Homestead Lane, north on Homestead Lane to 199<sup>th</sup> Street east to Gardner Road, south on Gardner Road to 207<sup>th</sup> Street, and west on 207<sup>th</sup> Street to the project site. CSI is also proposing to travel through the Inland Port 51 project area to reach the 207<sup>th</sup> Street project and is working to secure approval from that project's developer.

The applicant has stated that all mixer trucks will be cleaned of any loose and/or fresh concrete prior to entering public roadways. Additionally, all detachable chutes will be hung and fastened before exiting the work site and a street sweeper will be available at the batch plant to clean the roadway if any concrete does dribble onto the roadway. Drivers and washing personnel will monitor the roadway throughout the project and will immediately communicate if any roadway cleaning or sweeping is necessary. The requirement of the applicant to maintain Waverly Road between the batch plant haul route and 207<sup>th</sup> Street will remain. Dust remediation on all non-paved haul roads used for the project is required on an as needed basis.

## STAFF RECOMMENDATION

Staff recommends **approval** of the revised haul route for Application **TU2019-07** 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 207<sup>th</sup> 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 caused to any City of Edgerton roadway due to concrete operations is the responsibility of the applicant to repair;
9. Only agitator and mixer trucks are allowed to be used for this project. Dump trucks will not be allowed to haul concrete;
10. The newly approved route may only be used for transporting concrete for Phase II of the 207<sup>th</sup> Street rebuild. This route is not approved for any other operations CSI may have;
11. No trucks of any kind, including delivery of materials, may use Waverly Road north of the site to travel to 199<sup>th</sup> Street.
12. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
13. 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;
14. 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;
15. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
16. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
17. 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;
18. 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;
19. Applicant shall maintain a valid City of Edgerton Business License;

20. 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
21. Permission for temporary construction activities is granted for a period **ending upon final acceptance of the 207<sup>th</sup> Street Phase II Project by the Edgerton City Council.**

#### **ATTACHMENTS**

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



September 17th, 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 207<sup>th</sup> Street Road Project east of Waverly road.

Concrete Strategies respectfully request the City add this item to the October 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, KDHE Permit, SWPPP

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

## Revised Haul Route

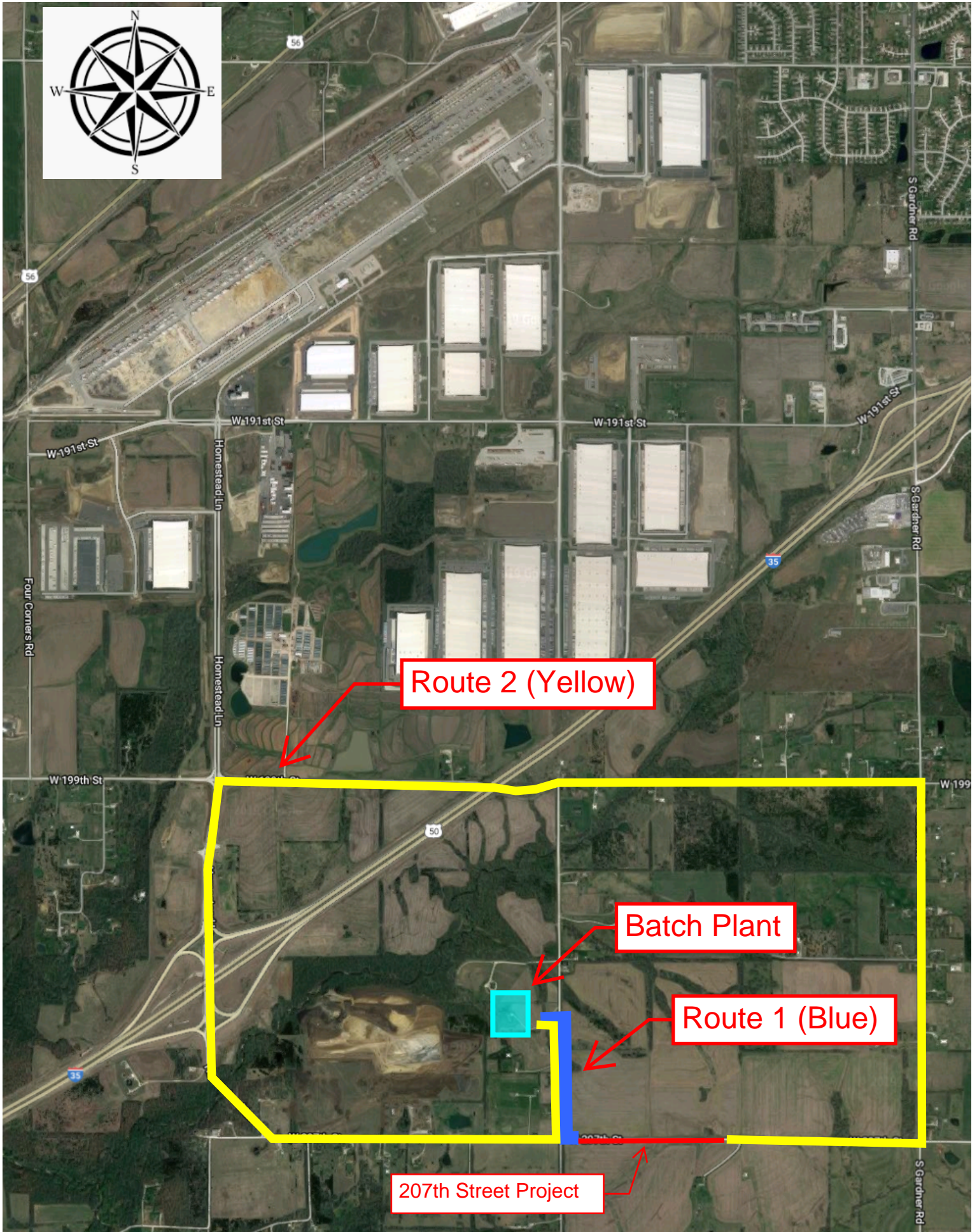
- Due to the constraints of the project, the roadway is going to be constructed in two phases. This limits the access of the project and changes the original haul route as previously submitted. To be able to access the project we are asking for approval of an additional route (Route 2).
- When the site allows, the preferred route will be Route 1.
- Route 1 - Concrete trucks would leave the batch plant site onto Waverly road and then head south on Waverly road to 207<sup>th</sup> street, then east on 207<sup>th</sup> street to construction project.
- Route 2 - Trucks would leave the batch plant site on Waverly road and head south to 207<sup>th</sup> street, west on 207<sup>th</sup> street to Homestead lane, north on Homestead Lane to 199<sup>st</sup> street, east on 199<sup>st</sup> street to Gardner road, south on Gardner road to 207<sup>th</sup> street, and west on 207<sup>th</sup> street.
- Upon developer access approval, concrete trucks could travel thru project Inland Port 51 to and from 207<sup>th</sup> Street Roadway Extension Project.

### Concrete trucks:

- All trucks are licensed, insured and DOT inspected.
- All drivers must have a current Commercial Driver License.
- All mixer trucks will be cleaned of any loose and or fresh concrete prior to touching public roadways.
- Any detachable chutes must be hung and fastened prior to touching public roadways.

### Road Cleaning

- A street sweeper will be available at the batch plant to clean the roadway if any concrete dribbles occur. Concrete Strategies drivers and washing personnel shall monitor the roadway throughout the pour and communicate immediately to sweep the roadway.



Route 2 (Yellow)

Batch Plant

Route 1 (Blue)

207th Street Project



July 25<sup>th</sup>, 2019

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

RE: Concrete Batch Plant – Near 207<sup>th</sup> 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 207<sup>th</sup> street road improvement – phase 2. Permission is granted with the following conditions.

Condition 1: The permitted term expires on June 30<sup>th</sup>, 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 207<sup>th</sup> 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 UPDATE

Date: October 8, 2019  
To: Edgerton Planning Commission  
From: Katy Crow, Development Services Director  
Re: **UDCA2019-03** Public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 10 – *Site Plans and Design Standards* and Article 3 – *Agricultural & Residence Zoning Districts, Sections 3.1 and 3.2.*

### BACKGROUND INFORMATION

In June of this year, the Planning Commission approved a substantial set of updates to Article 10 – *Site Plans and Design Standards*. In reviewing upcoming development projects staff noted that two corrections were necessary.

The first amendment is on page 10-2 of *Section 10.1(E)*, where a submittal requirement was left off. Site Plan submissions require a public hearing and as such a notice is published in the newspaper. Staff needs the legal description electronically in a Microsoft Word document. Having the document in this format ensures that no errors occur due to re-typing the notice when it is sent to the newspaper for publishing.

The second update is on page 10-3 of *Section 10.1(G)(8)*. The code currently states that only *Final* Site Plan submissions must include a landscape plan. This update would require *all* Site Plan submissions, Final and Preliminary, to contain a landscape plan. It is important to include the landscape plan with both types of Site Plans because the public hearing component can occur with either one. Including a landscape plan for review and public comment allows for a more complete and transparent presentation of the final development project.

At the Planning Commission Work Session on September 10, staff began presenting information related to the Unified Development Code requirements for single family residential development within the City of Edgerton. Article 3 – *Agricultural & Residence Zoning Districts, Sections 3.1 and 3.2* is the UDC chapter which addresses this particular zoning designation. Staff has begun working on revisions to this chapter and would request that a public hearing be held to collect public input on this topic. Staff will continue to work on this section and make revisions based upon Planning Commission direction. At this time a draft copy of proposed revisions is included in the packet. Red lined copy indicates new code content; black copy to be removed is lined out.

Staff requests that the Commissioners review these Article 3 recommendations over the next month. Depending upon the amount of feedback received at the November 2019 Planning Commission Meeting, staff would collect any final comments or feedback and incorporate them into a final version of these sections which would be recommended to the Governing Body for approval that same evening or at the December 2019 Planning Commission meeting.

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

### Article 3

## Agricultural & Residential Zoning Districts

Section 3.1	A-G Agricultural District
Section 3.2	R-1 Single Family Residence District
Section 3.3	Reserved
Section 3.4	R-2 Two Family Residence District
Section 3.5	R-3 Multi Family Zoning District
Section 3.6	MHP Manufactured Home Park

### 3.1 A-G Agricultural District

- A. Purpose.** This district is intended to conserve rural character and promote the preservation of productive agricultural land, contribute to the safe, convenient and efficient conduct of farming; to support the social and economic convenience of the farm family; to lessen the conflict between urban development and agriculture, and to allow certain uses convenient to and appropriate for the general Edgerton community. In addition, the agricultural district may serve as a "holding-zone ~~zone~~ **designation**" for land where future urban expansion is possible, but not yet appropriate due to the lack of urban level facilities and services.
- B. Use Restrictions.** In District A-G, 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, conditional use and contained below, ~~except~~ However, ~~that~~ any building or use of the land ~~used~~ **that is** for an agricultural purpose shall be exempt from all rules and regulations of this UDC. ~~However, a~~ All buildings and all land not used for crop raising or animal husbandry shall be subject to F.E.M.A. floodplain regulations and any adopted setbacks from public roads.
- C. Permitted Uses.**
1. Single family dwelling units.
  2. Residentially-designed manufactured homes. (See definitions)
  3. Places of worship and customary accessory residential uses **as defined in Article 9.**
  4. Publicly owned and operated community buildings, **governmental and public utilities facilities.**
  5. ~~Public administrative buildings, police and fire stations, public animal control facilities.~~
  6. ~~Public utilities; governmental office(s) and storage facilities; public water and sewer service facilities.~~
  7. Cemeteries.
  8. Club or lodge.
  9. Public parks and playgrounds, including service buildings.
  10. Nurseries and truck gardens limited to the propagation, cultivation and sale of plants; provided that no obnoxious fertilizer is stored upon the premises and no obnoxious soil or fertilizer renovation is conducted thereon.
  11. Veterinary and veterinary supplies.
  12. Botanical gardens, wood lots, commercial orchards.

13. A hobby shop may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation; provided such use shall not be obnoxious or offensive by reason of vibration, noise, odor, heat, dust, smoke or fumes or electrical interference.
14. Riding academies or stables.
15. ~~Communication towers 60 feet or less in height.~~
16. Home occupations, subject to the provisions of Article 9, Accessory Uses.
17. Accessory uses, subject to the provisions of Article 9, Accessory Uses.

**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.

1. ~~E.C.H.O. (Elderly Cottage Housing Opportunity) accessory residential design dwelling unit for care of family, elderly or disabled. The accessory residence may be a 16' or wider residential design manufactured dwelling unit, a site built accessory dwelling unit, or a slide in manufactured ECHO unit, provided that such additional unit complies with the Sanitary Code.~~
2. ~~Bed and Breakfast facility, subject to the provisions of Article 7.~~
3. Conversion or adaptation of existing non-residential buildings for office, crafts, hobbies, or studio.
4. Golf courses and clubhouses (except miniature golf courses, driving ranges and other similar activities operated as a business).
5. Public and private schools, and institutions of higher learning, including stadium and dormitories in conjunction, if located on the campus.
6. ~~Communications towers over 60 feet in height, subject to the provisions of Article 7.~~
9. Airport or landing strip.
10. A commercial kennel or animal sanctuary, subject to the provisions of Article 7.
11. Quarries and mining extraction, subject to the provisions of Article 7.
12. Asphalt or concrete plant.
13. Oil and gas drilling.
14. Camps, travel trailer, or RV parks.
15. ~~Attendant care homes, subject to the provisions of Article 7. Included in this category are the following types of operations as defined by the State of Kansas (See K.S.A. 39-923): Nursing facility, nursing facility for mental health, intermediate care facility for the mentally retarded, assisted living facility, residential health care facility, boarding care home and adult day care facility.~~
16. ~~Child or elder care for six (6) persons or more, subject to the provisions of Article 7. Included in this category are the following types of day care operations as defined by the State of Kansas: family day care homes, licensed; group day care homes; child care centers and preschools. (See K.S.A. 65-517, K.A.R. 28-4-113, and K.A.R. 28-4-420)~~
17. **Wireless facilities or wireless support structures.**

**E. Setback, Yard and Area Regulations.** The minimum lot for all non-farm residential uses in the A-G district shall be 40 acres. ~~†The owner of any contiguous parcel of 40 acres or more, may shall be entitled to sell off one lot of five (5) acres or more greater than 5 acres, exclusive of the original permitted dwelling — one time for the explicit purpose of residential development. The one-time split parcel may NOT contain the original permitted dwelling.~~ No further divisions of the land (including the subdivision of the selloff lot) shall be allowed unless the land is rezoned to a residential use district and platted.

Table 3-1 Setbacks, Yards, and Area for A-G Zoning District								
Use	Minimum Lot Area	Minimum Lot Width	Minimum Lot Depth	Maximum Lot Coverage	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Residential Uses	5 acres	150'	150'	30%	50'	25'	35'	35'
<del>Other Uses</del> Non-Residential and Conditional Uses	3 acres	100'	150'	30%	50'	25'	5'	35'
*Regardless of side or rear yard restrictions, no structure may be placed closer than 3' to a dedicated easement.								

**F. District Regulations.** In areas that are not used for an agricultural purpose, scrap materials, non-operative motor vehicles or machinery, dis-assembled machinery, debris, solid waste containers, construction materials or equipment, and used machinery parts must be stored within a defined area behind a screening fence.

At a minimum, the screening must be ~~a six feet in height and constructed of solid six-foot wood, vinyl or slat filled metal fencing materials~~ in combination with landscaping and shrubbery and trees, or earth berms, or any combination of these three methods. The Planning Commission is authorized to grant waivers when unusual conditions prevent storage and screening.

### 3.2 R-1 Single Family Residence Districts

**A. Purpose.** The intent of this district is to encourage single-family, detached residential dwellings together with school sites, churches, civic buildings and parks necessary to create stable neighborhoods.

**B. Use Restrictions.** In District R-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 and contained below.

**C. Permitted Uses.**

1. Single family detached residences.
2. Residential designed manufacture homes. (See definitions)
3. Child or elder day care homes for less than six persons, or less, subject to registration by the State of Kansas.
4. Public parks and playgrounds.
5. Public administrative buildings, police and fire stations, public animal control facilities.
6. Public utilities; governmental office(s) and storage facilities; public water and sewer service facilities.
7. Home occupations, subject to the provisions of Article 9, Accessory Uses.
8. Accessory uses, subject to the provisions of Article 9, Accessory Uses.
- ~~9. Communications towers less than 60 feet in height.~~
10. Reserved for future amendments.
11. Places of worship



**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.

1. ~~Places of worship and~~ Customary accessory residential uses.
2. Bed and Breakfast facility, subject to the provisions of Article 7.
3. Golf courses and clubhouses (except miniature golf courses, driving ranges and other similar activities operated as a business).
4. Public and private schools, and institutions of higher learning, including stadium and dormitories in conjunction, if located on the campus.
5. E.C.H.O. (Elderly Cottage Housing Opportunity) ~~or an~~ accessory residential design dwelling unit for care of family, elderly or disabled. The accessory residence may be a site built accessory dwelling unit, or a slide-in manufactured ECHO unit.
6. Libraries and museums.
7. Hospitals and health clinics.
8. ~~Communications towers over 60 feet in height, subject to the provisions of Article 7.~~
9. ~~Quarries and mining extraction, subject to the provisions of Article 7.~~
10. ~~Oil and gas drilling.~~
11. Attendant care homes, subject to the provisions of Article 7. Included in this category are the following types of operations as defined by the State of Kansas (See K.S.A. 39-923): Nursing facility, nursing facility for mental health, intermediate care facility for the mentally retarded, assisted living facility, residential health care facility, boarding care home and adult day care facility.
12. Child care for six (6) persons or more, subject to the provisions of Article 7. Included in this category are the following types of day care operations as defined by the State of Kansas: family day care homes, licensed; group day care homes; child care centers and preschools. (See K.S.A. 65-517, K.A.R. 28-4-113, and K.A.R. 28-4-420)

**Commented [KC1]:** Review accessory uses needing a CUP.

**Commented [KC2]:** If we want to allow a second accessory residential unit on the same parcel, we could regulate it through requirements/stipulations as part of the CUP review.

**E. Setbacks, Yards and Area Regulations.**

**Commented [KC3]:** Are these lot size requirements OK for R-1? Do we need a different zoning designation with smaller lots or do we just use a PUD? PUD has no design standards – can we reference the design standards here or do we make them the same and adjust for lot size?

Table of Setbacks, Yards, and Area for R-1 Zoning District							
Use	Minimum Lot Area (square feet)	Minimum Lot Width	Minimum Lot Depth	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Maximum Building Height
Principal Buildings	7,700	70'	110'	35'	9'	20% of lot depth up to 40'	35'
Corner Lots	8,800	80'	110'	35'	9' and 20'	20% of lot depth up to 40'	35'
Accessory Buildings				35'	9'	6'	35'
Detached accessory buildings in District R-1 shall not exceed ten (10) percent of the total lot size or one thousand five hundred (1500) square feet. Regardless of side or rear yard restrictions, no structure may be placed closer than two (2) feet to a dedicated easement. Principal buildings shall have an area of no less than one thousand (1000) square feet.							

1. In the event a dwelling is to be built upon a tract of land not included in a recorded subdivision plat and/or is not connected to municipal sanitary sewers, the minimum lot size shall be two (2) acres with a minimum frontage of 150 feet, provided that

where a lot in single ownership, at the time of the adoption this ordinance, has less lot area or width than required herein, this regulation shall not prohibit the construction of a single-family dwelling.

**F. District Regulations.**

- 1. Storage or use of accessory uses such as boats, boat trailers, camper trailers, jet skis, and other similar recreational vehicles up to a maximum of three such uses or devices is allowed, provided said uses are located within required rear yards or within established side yards. Such uses shall not include the outdoor storage or parking of commercial trucks or buses that exceed a three-ton manufacturer's rating hauling capacity, except school buses parked in driveways during the daylight hours.
- ~~2. Three off-street parking places shall be provided for each residence, one of which may be in the garage. Such parking space shall be at least nine (9) feet by twenty (20) feet. (parking addressed in section G below)~~
- 3. All driveways to a single family residential unit must be at eighteen (18) feet in width and constructed with concrete or asphalt. (parking addressed in section G below)
- ~~4. Each new single family dwelling unit constructed after the adoption of this ordinance shall construct one attached garage. A garage connected by a breezeway shall comply with this provision. (parking addressed in section G below)~~

**Commented [KC4]:** This should be removed from the UDC and added to the Municipal Code. Staff will request direction from Council on proceeding.

**G. Design Guidelines**

**Building Materials & Façade Expression.** The architectural design of single-family residences, including their building materials and color scheme, shall be visually harmonious to the overall appearance of the community and natural environment. The exterior appearance of single-family residences shall consist of complimentary building materials and design features that provide a variation in amenities and features and incorporate high quality standards into the building layout, open space, natural topography, sustainability practices and overall character. The visual elements and amenities will be proportional to the relationships and patterns of the built and natural environment while providing decorative detailing and utilizing high quality materials.

**Table 3-2 – R-1 District Permitted Building Materials**

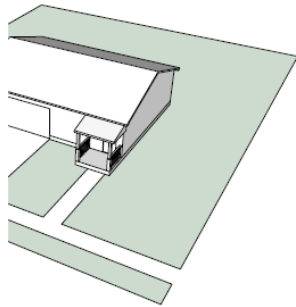
	Building Materials on front facades 70% from Category 1	Building Materials on front facades 30% from Category 2
<b>Masonry</b>		
Brick - solid or modular	✓	✓
Brick, panel/veneer		✓

	Building Materials on front facades 70% from Category 1	Building Materials on front facades 30% from Category 2
Stone – modular, veneer, synthetic	✓	✓
Stucco, genuine, detailed	✓	✓
Stucco, synthetic/panels		✓
Concrete, plain finish		✓
Concrete, detailed	✓	✓
Concrete Masonry Unit, split faced		✓
Concrete Masonry Unit, burnished	✓	✓
Cement fiber board		✓
<b>Glass &amp; Tile</b>		
Clear Glass	✓	✓
Architectural block		✓
Opaque glass	✓	✓
Tile	✓	✓
<b>Wood or Other Synthetics</b>		
Engineered Wood Panel and Vertical Siding		✓
Vinyl siding		✓

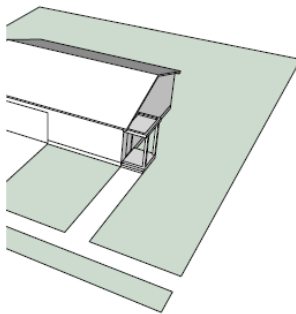
Imitation building materials, sheet metal, mirrored or opaque glazing and plastic materials are not allowed.

**Entry Elements.** In order to signal a connection between the sidewalk and the house, all residences must incorporate a front-facing entry element (porch, stoop, portico, etc.). The entry element shall be placed either placed on the front façade of the house or must be visible from the street. It may extend into the minimum front setback area by a maximum of five (5) feet, not including stairs or landing areas. The following are examples of entry elements which meet this requirement:

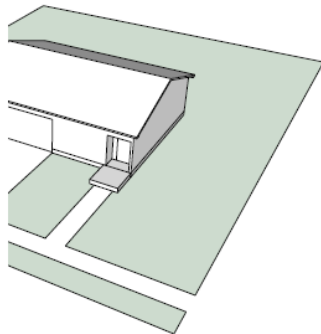
1. *Front Porch* – A roofed but unenclosed entry element with a minimum width of eight (8) feet and a depth of four (4) feet. Partial walls or railings may not exceed four (4) feet.



2. *Side Entry* – A roofed but unenclosed entry element with a minimum depth of four (4) feet projecting from a side facing doorway.



3. *Recessed Entry* – An entry recessed at least two (2) feet into the primary façade.





**Parking, Driveway and Garage Standards.** Each new single-family dwelling unit constructed after the adoption of this ordinance shall include an attached garage as part of the home design.

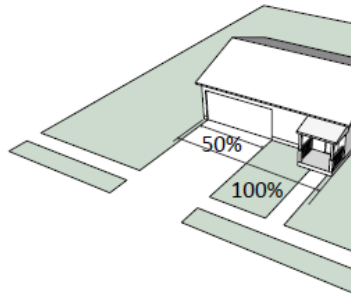
The submitted design for each residence must include a minimum of three off-street parking spaces, at least one of which must be in an enclosed, attached garage. The driveway may be used to provide the additional off-street parking spaces.

All driveways to a single-family residential unit ~~must be at least nine (9)~~ **ten (10)** feet in width by ~~at least twenty (20)~~ **twenty-four (24)** feet in length and constructed of concrete. A driveway can be expanded to 30 feet wide to provide direct access to a three-car garage with openings for 3 cars.

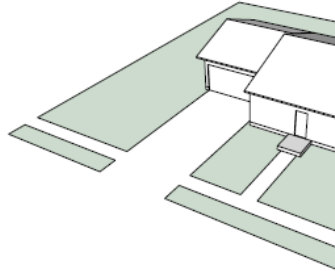
The appropriate maximum width of the driveway is determined by the final garage design and home elevation. Concrete paving square footage area in the front of any single-family home may not exceed 15% of the total lot square footage.

Homes that are less than two-stories in height must have garage doors that are subordinate to the front façade to minimize visual impacts and encourage pedestrian orientation. The following options meet this requirement:

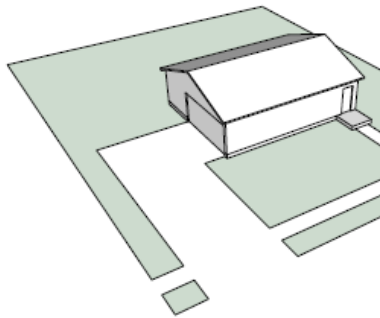
1. *Front-Facing Garage Door with Limited Width* – Front-facing garage door(s) extending a maximum of 50% of the primary façade width or twenty-eight (28) feet, whichever is greater.



2. *Garage Door Set Back from Primary Façade* – Front facing garage door(s) set back at least five (5) feet from the primary façade.



3. *Side or Rear Facing Garage Doors* – Garage door(s) oriented perpendicular to the street or facing the opposite direction from the street.

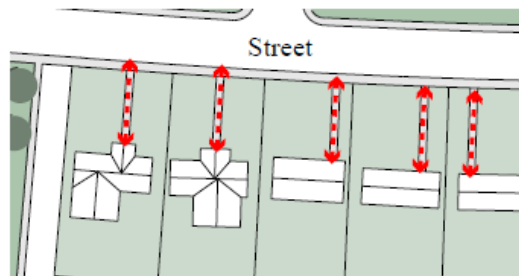


**Fencing** – No fence or wall shall be constructed in a manner which obstructs the intersection sight distance or presents a traffic hazard.

1. Barb wire, razor wire and above ground electric fencing are prohibited on parcels with an R-1 zoning designation.
2. Fences in R-1 zoning districts may be constructed to a maximum height of six (6) feet on rear or interior side yards. Fences or walls in **front or corner side yards** (beyond the front of the house or structure), shall not exceed four (4) feet in height, shall be at least fifty (50) percent open, and shall not include chain link or any other metal or wire type fencing.
3. Fences in R-1 zoning districts are limited to the following types of construction: brick or stone walls or pillars, wood stockade, split rail, wood rail, wrought iron, wooden or vinyl spaced picket, or solid vinyl.
4. Fence posts must be placed on the interior side of the fence facing the residence.

**H. Single Family Residential Site Design.** Site design standards are required in standard subdivision, single family residential neighborhood areas to ensure a pleasing aesthetic with appropriate pedestrian and street connections. The following general site design standards apply to all neighborhoods designed for single family R-1 zoning designation.

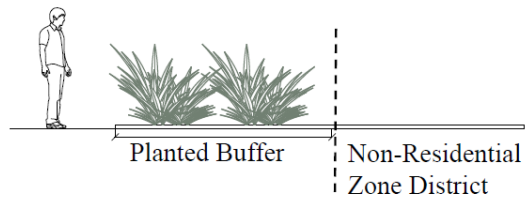
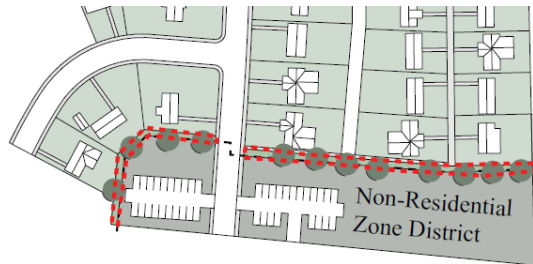
1. *Pedestrian Connections* – Individual homes must be connected to the surrounding pedestrian network using a walkway or driveway from a residence that connects directly to a public sidewalk.



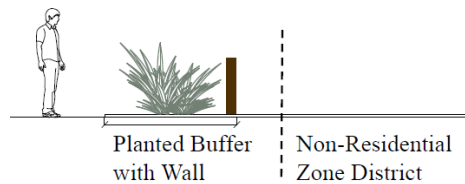
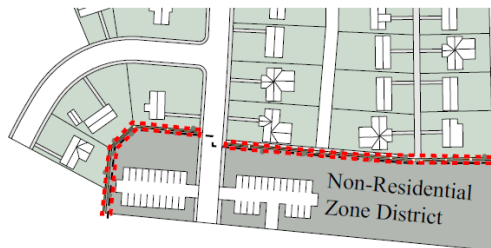
2. *Design Standards for Street Connectivity* – see Article 14, *Improvements and Standards of Design*.
3. *Required Landscaped Buffer Area* – Buffer standards apply to development that is located adjacent to any arterial street or any non-residential zoning district. Standards are intended to promote a pedestrian-friendly edge for the development and enhance community image.

One of the following landscape strategies must be used within the required minimum setback area on the edges of a residential site adjacent to an arterial street or any nonresidential zoning district.

- a. *Planted buffer with no fence or wall* – A landscaped area that is at least ten (10) feet deep with a minimum of 70% porous permeable surfaces and 50% planted material.

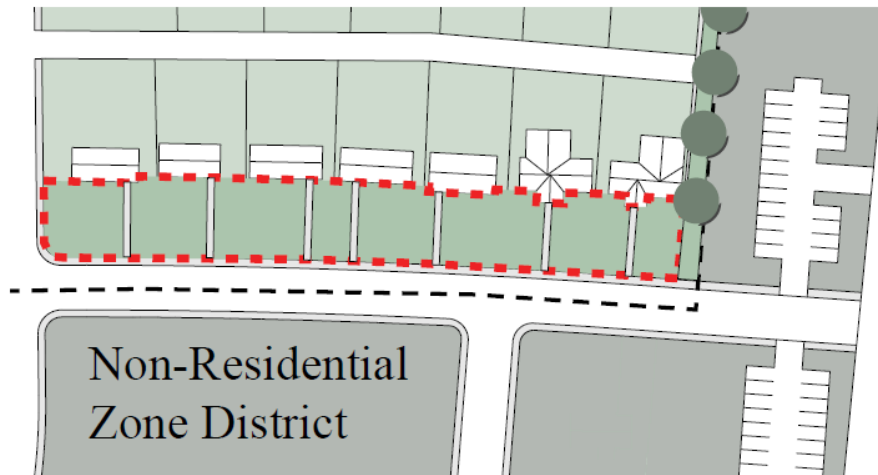


- b. Planted buffer with a fence or wall* – A landscaped area that is at least seven (7) feet deep with a minimum of 70% porous/permeable surfaces and 50% planted material. A fence or wall shall be located within the landscape area and should include posts, columns, and/or pedestrian gateways a minimum of every 100 feet. Fence design must comply with design standards allowed in this Article for R-1 zoning districts.



- c. Street-facing Yard* – A landscaped area between the public sidewalk and the front(s) of residences that is a minimum of 20 feet deep.





**I. Landscaping along Arterial/Collector Streets (Master Fence/Screening Plan)**

The purpose of the master fence/screening plan is to increase privacy, mitigate noise, reduce glare and enhance the aesthetics of the streetscape through the use of fences, walls, berms and professional landscaping to separate residential units from thoroughfare streets.

**Applicability.** Where a subdivision for property zoned R-1 through R-3 or MHP is adjacent to an arterial street or where rear lot lines are adjacent to a collector roadway, a master fence/screening plan for all areas abutting the arterial street shall be submitted for approval by the Zoning Administrator prior to recording the final plat.

**Required Landscape Area.**

- a. Landscape tracts shall have a landscape area with a minimum width of **twenty-five (25) feet along an arterial** roadway and **fifteen (15) feet along a collector** roadway.
- b. This landscape area is in addition to the minimum required lot width and yard setback requirements of the zoning district.

**Master Fence/Screening Plan Approval.**

- a. The Zoning Administrator, or designee, shall review the plans with regard to proper building and plant materials, setbacks, height, grading and their effectiveness in creating privacy and mitigating noise.
- b. Improvements indicated on the master fence/screening plan are considered a private subdivision improvement.
- c. The applicant may:
  - (1) Complete the landscaping improvements prior to the issuance of any building permit for any lots within the affected phase covered by the master landscape/screening plan, or
  - (2) Submit a bond or irrevocable letter of credit of up to two (2) years, equal to the value of the landscaping material as outlined in bids from the developer's

landscape installer or contractor. The bond or letter shall be held by the City until all landscaping is installed per the approved plan after inspection and acceptance by the City.

**Landscaping.** The landscape area shall not impair drainage and utility placements. The required minimum landscape area shall not be located within a utility easement. The approved master fence/screening plan shall contain the following landscaping materials as a minimum for each one hundred (100) linear feet, or portion thereof, of arterial street frontage.

- (1) Eight (8) evergreen trees. Minimum 6 to 8 feet in height.
- (2) Two (2) shade trees. Minimum caliper 2.5 to 3 inches, measured 6 inches above the ground.
- (3) One (1) ornamental tree. Minimum caliper 2.5 to 3 inches, measured 6 inches above the ground.

**Grass areas.** Grass areas located within the arterial street right-of-way as well as the landscape tract shall be sodded. Use of appropriate drought-tolerant ground cover to reduce grass areas is encouraged in landscape tracts when approved through the planning process.

**Fences/Walls.**

- a. Fences or walls are not required as part of the master landscape/screening plan.
- b. In cases where the developer of the subdivision chooses to install a fence or wall, all types of fences installed by the developer, except wrought iron, split rail or similar see-through fence/wall types, must be located one (1) foot inside the boundaries of the landscape tract along the residential side of the tract. Wrought iron or similar see-through fences may be installed by the developer anywhere within the landscape tract, except they may be no closer than five (5) feet from the right-of-way line of the abutting arterial street.

**Berms.** Berms are not required as part of the master fence/screening plan. In cases when the developer chooses to install a berm, the following standards apply:

- (1) The slope of all installed berms shall not exceed three (3) to one (1);
- (2) All berms shall be consistent with good engineering and landscape architectural design; and
- (3) The grading plan for berms within the landscape tract shall be consistent with the approved subdivision grading plan and shall be approved by the City Engineer.

**Maintenance/Irrigation:**

**a. Maintenance**

The final plat and deed restrictions shall contain language as approved by the City Planner which identifies the organization (e.g., a homes association) that will be the entity having permanent responsibility and authority to enter upon the said landscape tract to maintain, plant, replant, replace, mow, clip, trim, spray, chemically treat, repair, and otherwise maintain any and all grass, trees, shrubs, flowers, plants, fences, and walls. Said deed restrictions shall be recorded with the Register of Deeds of Johnson County concurrently with the recording of the final plat.

**b. Irrigation**

Landscape areas shall be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation systems shall comply with the following standards:

- (1) All landscape areas shall be provided with a readily available water supply with at least one (1) outlet within one hundred (100) feet of the plants to be maintained. The use of nonpotable water for irrigation purposes shall be encouraged.
- (2) No permanent irrigation system is required for an area set aside on approved plans for preservation of existing natural vegetation.
- (3) Temporary irrigation systems installed pursuant to acceptable xeriscape landscape practices may be used to meet the standards of this section. Xeriscape means to landscape using vegetation that is drought tolerant or water conserving in character.
- (4) Irrigation systems shall be continuously maintained in working order and shall be designed so as not to overlap water zones, or to water impervious areas.
- (5) Whenever practical, irrigation systems shall be designed in zones to apply water onto shrub and tree areas on a less frequent schedule than those irrigating grass areas. When technically feasible, a rain-sensor switch shall be installed on systems with automatic controllers.
- (6) No irrigation system shall be installed or maintained abutting any public street which causes water from the system to spurt onto the roadway or to strike passing vehicular traffic.
- (7) The use of irrigation-quality effluent or reused water shall be encouraged.

**Street Trees** – Street trees are required in all residential districts along all local and collector streets, along street right-of-way of public or private street frontage, excluding areas where perimeter landscaping is required by the prior section.

1. Street trees shall be spaced as uniformly as possible with an average spacing of forty (40) linear feet between trees, resulting in at least one (1) tree per lot in residential districts.
2. Corner lots require a minimum of two (2) street trees.
3. Exceptions to the location and spacing of trees may be allowed to accommodate for the location of utilities, streetlights, driveways, storm drain structures, sidewalks and traffic sight distance triangle areas.
4. At least six (6) feet of space is required between the right of way or sidewalk and the back of curb for the planting of street trees.
5. The developer, its successor and/or subsequent owners and their agents shall maintain street trees on a continuing basis for the life of the development.
6. The applicant shall coordinate adequate clearance between street trees and other infrastructure to allow for the location of street trees within the right-of-way, wherever practical, and shall promote the longevity of the street trees to avoid premature loss of the trees. The street tree plan shall coordinate the locations of street trees to allow access to utilities with minimal disruption to the street trees and their supporting root systems while avoiding increased service costs to the utilities.
7. No tree shall be planted within a distance of ten (10) feet from any fire hydrant or fire department connection (FDC).
8. No tree shall be planted within fifteen feet of a street light.
9. Street trees shall be 2" caliper as measured six (6) inches above ground and shall be guaranteed by a one (1) year warranty period.
10. If street trees are located in the right-of-way, the adjoining property owner shall maintain them. The adjoining property owner shall remove and replace street

trees within the right of way that are dead, dying, diseases or otherwise unsafe at any time.

11. The following species are allowed:

Botanical Name	Common Name	
Acer platanoides var.	Norway Maple	
rubrum var.	Red Maple	Commented [CC5]: K-State article says overplanted and to plant with caution
saccharum var.	Sugar Maple	
Carya illinoienses	Pecan	Commented [CC6]: Not named in K-State article
Celtis occidentalis	Hackberry	
Cladrastis lutea	American Yellowwood	Commented [CC7]: Not named in K-State article
Ginkgo biloba	Ginkgo (male, seedless)	
Gleditsia triacanthos inermis var.	Honeylocust (thornless, podless)	
Gymnocladus dioicus	Kentucky Coffeetree	
Liriodendron tulipifera	Tuliptree	Commented [CC8]: Not named in K-State article
Platanus x acerfolia	London Planetree	
Quercus acutissima	Sawtooth Oak	Commented [CC9]: Lots of acorns in fall
bicolor	Swamp White Oak	
borealis	Northern Red Oak	Commented [CC10]: Quercus rubra (Red Oak) is named in article, this one is not
imbricaria	Shingle Oak	
macrocarpa	Bur Oak	
muhlenbergi	Chinquapin Oak	Commented [CC11]: Not named in article
robur	English Oak	Commented [CC12]: Great for open area
Tilia americana	American Linden	
cordata var.	Little Leaf Linden	
tomentosa	Silver Linden	Commented [CC13]: Not named in article
Sophora japonica	Japanese Pagoda tree	Commented [CC14]: Not named in article
Ulmus carpinus var. buisman	Buisman Elm	Commented [CC15]: Not named in article
parvifolia	Lacebark Elm	



**Botanical Name    Common Name**

Zelkova serrata    Zelkova

12. Prohibited trees include those that are invasive or potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations. Specifically, prohibited species for street trees include Bradford/Callery Pears, Ailanthus, White and Silver Birch, Box Elder, Catalpa, Cottonwood, Siberian Elm, "Fruit" trees, Silver Maple, Mimosa, Pin Oak, Russian Olive, Poplar, weeping trees, Willows and all Ash species.

**Transition Adjacent to Other Zoning Designations. – Content to be added**

**3.3    Reserved**

**3.4    R-2, Two Family Residence District**

- A. Purpose.** The purpose of the R-2 district is to provide two family residential structures in neighborhood locations close to the community facilities and services.
- B. Use Restrictions.** In District R-2, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved, or altered, except for those listed as permitted, conditional use and contained below.
- C. Permitted Uses.** Any use permitted in the R-1 district.
  - 1. Two-family dwelling units.
  - 2. Single -Family Attached Dwelling, no more than two dwelling units may be attached in this 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.
  - 1. Any use permitted by condition in the R-1 district.
- E. Setback, Yards and Area Regulations.**

**Table of Setbacks, Yards, and Area for R-2 Zoning District**

Use	Minimum Lot Area (square feet)		Minimum Lot Width		Minimum Lot Depth	Front Yard Setback	Side Yard Setback (2)	Side Yard (Street) Setback (2)	Rear Yard Setback (2)	Maximum Building Height
	Interior Lot	Corner Lot	Interior Lot	Corner Lot						
Single-Family Detached Dwelling	7,700	8,800	80'	90'	115'	35'	9'	20'	20% of lot depth up to 40'	35'

Two-Family Dwelling	9,200	10,350	80'	90'	115'	35'	9'	20'	20% of lot depth up to 40'	35'
Single-Family Attached Dwelling	4,600	5,750	35'	40'	115'	35'	9' (3)	20'	20% of lot depth up to 40'	35'
Accessory Buildings (1)						35'	9'	20'	6'	35'
(1) Detached accessory buildings in District R-2 shall not exceed one hundred twenty (120) square feet per dwelling unit. (2) Regardless of side or rear yard restrictions, no structure may be placed closer than two (2) feet to a dedicated easement. (3) No side yard setback shall be required along the common party wall										

**F. District Regulations.**

1. No equipment other than non-commercial passenger motor vehicles shall be stored in the R-2 district.
2. Three off-street parking places shall be provided for each dwelling unit, one of which may be in the garage. Such parking space shall be at least nine (9) feet by twenty (20) feet.
3. Each new dwelling unit of a duplex constructed after the adoption of this ordinance shall construct one attached garage. (Ord. 1052, 2017)

**3.5 R-3 Multi-Family Zoning District**

- A. Purpose.** The purpose of the R-3 multi-family zoning district is to provide for medium density residential dwellings in planned settings convenient to community facilities and services.
- B. Use Restrictions.** In District R-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 use, and contained below.
- C. Permitted Uses.**
1. Any use permitted by right in the R-1 and R-2 Districts.
- 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.
1. Any use permitted by condition in the R-1 district.
  2. Professional offices.
  3. Clinics and health care services.

**E. Setback, Yards and Area Regulations.**

Table of Setbacks, Yards, and Area for R-3 Zoning District						
Use	Maximum Lot Coverage	Net Site Area per Multi-Family Dwelling Unit		Side Yard Setback	Rear Yard Setback	Maximum Building Height
		Per Dwelling Unit	Units per Net Acre			
Principal Buildings	40 percent for 5 units or more.	3,500	12.4	12'	25'	2 stories not to exceed 35'
Corner Lots				12' and 20' adjacent to street r.o.w.	25'	2 stories not to exceed 35'

1. The minimum distance between buildings is fifteen feet.

**F. District Regulations.**

1. Prior to rezoning or issuance of any building permit, site plan approval shall be obtained as set forth in Article 10.
2. Total parking spaces for tri-plex and quad-plex units shall be provided at the rate of three (3) spaces per unit. Such parking space shall be at least nine (9) feet by twenty (20) feet. Parking for garden apartments shall be provided at the following rates:

Table of Parking Spaces Garden Apartments	
Dwelling Unit	Number of Spaces Required per Unit
Studio/efficiency	1.33
1 bedroom	1.5
2 bedroom	1.8
More than 2 bedrooms	2.0

3. No equipment other than passenger motor vehicles, light service commercial or panel trucks shall be stored in the R-3 district.
4. Garden apartments may not be constructed where adequate sanitary sewers are not available for connection thereto.
5. A minimum of ten (10) percent of the landscaped open space shall be provided on each site as common or semi-common areas open for use and available to all persons who may reside on the premises.
6. All drives and parking surfaces shall be surfaced with asphalt or concrete.
7. All multi-family developments containing ten (10) or more units shall provide parking to the rear of the principal buildings unless the Planning Commission waives this requirement.
8. No home occupation shall be permitted in the R-3 district.

9. Any multi-family development containing 15 or more units shall front on a collector or arterial street.
10. Any multi-family development containing five (5) or more units, and has a common side yard abutting an area zoned for R-1, shall provide a twenty (20) foot buffer zone. The Planning Commission may modify this requirement and require a solid wood fence no less than six (6) feet in height.
11. Parking lots, paths, and entrances to all ground floor units shall be accessible for the disabled.
12. Pedestrian circulation systems (sidewalks, walkways and paths) shall be located and designed to provide adequate physical separation from vehicles along all public and private streets and drives and within any parking areas.
13. No accessory buildings or structures are permitted in any R-3 zone.
14. Landscaping features must be incorporated into all site plans submitted for multi-family developments containing more than five (5) units.
15. Parking control in the form of marked spaces and handicapped signed areas must be incorporated in all multi-family developments containing more than five (units).
16. Any multi-family development shall include a gated 6-foot wood screening fence around each trash dumpster or trash receptacles.

### **3.6 MHP Manufactured Home Park**

- A. Purpose. The purpose of the MHP manufactured homes park district is to provide a well-planned and separate neighborhood for manufactured homes.
- B. Use Restrictions. In District MHP, 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 use, and contained below.
- C. Permitted Uses.
  1. Manufactured homes built on or after July 1, 1976. However, nothing in this section shall preclude a home manufactured before this date from remaining in an existing park provided that it remains unaltered after the date of adoption of ordinance.
  2. Park, club or meeting facility.
  3. Park operated laundry.
  4. Sales offices.
  5. Day care facilities.
  6. Accessory uses, excluding garages, subject to the provisions of Article 9, Section 9.6B1, accessory uses, including decks, patios, storage buildings, and carports. Restrictions include: a limit of 3 total structures per lot, all structures must be temporary in nature, all storage buildings shall be single level with a maximum



area of 120 square feet, no carport shall be constructed for more than 2 vehicles. (Ord. 808; 2006)

D. Special Regulations.

1. Unless bounded by a street, each boundary of any mobile home park must be at least two hundred (200) feet from any permanent residential building located outside the mobile home park unless separated there from by a natural or artificial barrier (any artificial barrier must be at least five (5) feet in height).
2. It shall be unlawful for any person to park, place or abandon any mobile home upon any street, alley, highway or any public place or upon any premises or tract of land located within the corporate limits of the city and which is situated outside a licensed mobile home park without first having secured a temporary permit as herein provided.
3. The application for a mobile home occupancy permit for an individual mobile home as provided herein shall be filed at the office of the City Clerk. The application shall be in writing on forms provided by the city and shall include the following:
  - a). The name and address of the applicant.
  - b). The location of the licensed mobile home park in which the mobile home is to be placed and the location of the lot within such mobile home park upon which the mobile home is to be placed.
  - c). The size and license number of the mobile home.
  - d). The signature of the applicant.
4. All applications for mobile home occupancy permits for individual mobile homes as herein provided shall be approved by the Building Inspector or their designated representative in accordance with the provisions of this ordinance and subject to any other limitations that may be imposed by other ordinances of the city. Upon such approval by the City Clerk or their representative, the office of the City Clerk shall issue the manufacture home occupancy permit upon payment of the fees herein provided.
5. Exceptions. After a public hearing and approval by the Governing Body, a mobile home may be placed upon premises or a tract of land located within the corporate limits of the city for purposes of temporary relief from a local disaster, such as fire, wind or flood damage; provided, however, that such manufactured homes shall be removed from the premises within six (6) months of its original placement.

E. Park Design Standards.

1. The park shall be located on a well-drained site, properly graded to insure rapid storm drainage and freedom from stagnant pools of water.
2. Manufactured home parks hereafter approved shall have a maximum density of six (6) manufactured homes per gross acre, unless waived by the Planning Commission; all manufactured home parks created under the provisions of this section shall have a minimum capacity of 20 homes and shall be no less in the area than 3 and 1/3 acres.
3. Each manufactured home space shall be at least 50 feet wide and be clearly defined, unless waived by the Planning Commission.

4. All manufactured home spaces shall front upon a private roadway of not less than 25 feet in width, including curbs on each side; provided, however, that no on-street parking is permitted. If parallel parking is permitted on one side of the street, the width shall be increased to 30 feet, and if parallel parking is permitted on both sides of the street, the width shall be increased to 36 feet. All roadways shall have unobstructed access to a public street.
5. Each manufactured home space shall be provided for two off-street parking spaces. Each space shall have a minimum dimension of 9' x 20'.
6. All roadways, parking spaces, and sidewalks within the manufactured home park shall be of all-weather surfacing and shall be adequately lighted at night, unless waived by the Planning Commission. Parking spaces shall be located adjacent to the street frontage.
7. A community building may be provided which may include recreation facilities, laundry facilities, and other similar uses.
8. The perimeter of all manufactured homes shall be fully skirted.
9. Storm shelters shall be required sufficient to accommodate all of the residents.
10. A play and recreation area shall be provided to the park residents. The size of the area shall be determined by the Planning Commission, but in no case shall it be less than 500 square feet per pad space.
11. Sidewalks shall be required on one side of all streets, unless waived by the Planning Commission.
12. Landscaping shall be shown on the development plan.
13. All roadways shall meet the design standards for city streets.
14. A building permit shall be obtained before moving any manufactured home or permitted use into a MHP District.

F. Water and Sewer Requirements.

1. Water Supply Standards.
  - a). Water shall be supplied to the park by a public water system.
  - b). The size, location and installation of water lines shall be in accordance with the requirements of the codes of the city.
  - c). Individual water service connections shall be provided at each manufactured home space.
2. Sewage Disposal.
  - a). An adequate and environmentally safe public sewer system shall be installed in each park.

G. Tie-Downs and Ground Anchors.

1. All manufactured homes shall be secured to the ground by the tie-downs and ground anchors in accordance with the Manufactured Home and Recreational Vehicle Code, K.S.A. 75-1211 to 75-1234, as amended.

H. Electrical.

1. Each manufactured home space shall be provided with an individual electrical outlet supply, a disconnected device, and overcurrent protective equipment that shall be installed in accordance with the building codes of the City and the National Electric Code.

I. Natural Gas.

1. All parks using natural gas shall be equipped with an approved manual and breakaway connections with automatic shutoff valve installed upstream of the gas outlet.
2. All parks using liquefied gas systems shall be provided with safety devices to relieve excessive pressure; all storage bottles or tanks shall be fastened to prevent accidental overturning. No LNG vessel shall be stored underneath the manufactured home.

J. Refuse and Garbage Handling.

1. All refuse shall be stored in portable dumpsters. Containers shall be provided in sufficient number and capacity to properly store all refuse.

K. Blocking.

1. All manufactured homes shall be blocked at a maximum of ten (10) foot centers around the perimeter of each manufactured home in accordance with the manufactured home and recreational vehicle code, K.S.A. 75-1211 to 75-1234, as amended.

L. Pad Requirements.

1. Pads shall be hard surfaced, constructed to discharge water, and edged to prohibit fraying or spreading of surfacing materials.

M. Application.

1. The applicant for MHP Manufactured Home Park District shall prepare a preliminary Manufactured Home Park plan, drawn to scale of not less than 1" = 100', with 6 copies of the plan submitted to the Planning Commission for its review and recommendations. Said plan shall be designed in accordance with the minimum design standards herein and shall have contours shown at two-foot intervals.
2. Content of the Plan.
  - a). Proposed street and drive pattern and existing abutting streets.
  - b). Proposed layout of manufactured home spaces.
  - c). Location and sizes of parking spaces.
  - d). Location of park offices and accessory buildings.
  - e). Screening and landscaping.
  - f). Location of park play area.
  - g). Legal description of the tract.
  - h). Plans and specifications of all buildings, improvements and other facilities such as electrical wiring, water service pipes, gas service pipes and sewer service constructed or to be constructed within the mobile home park.
  - i). Location and specifications for the park storm shelter.
  - j). Name of the project, developer, and firm preparing the plans.
  - k). North point and scale.
  - l). Any other information requested by the Planning Commission deemed relevant to the project.

3. Upon approval of the preliminary Manufactured Home Park plan by the Planning Commission, the applicant shall prepare and submit a final plan that shall incorporate any changes or alterations requested. The final plan and the Planning Commission recommendations shall be forwarded to the Governing Body for their review and final action.
4. Any substantial deviation from the approved plan, as determined by the Zoning Administrator, shall constitute a violation of these regulations. Changes in plans shall be resubmitted for reconsideration and approval by the Planning Commission and Governing Body prior to the occupancy of the Manufactured Home Park.

N. Responsibilities of Park Management.

1. To notify all occupants of the park's rules and regulations.
2. To comply with all zoning regulations governing mobile home parks.
3. To provide for the required storm shelter and to maintain such structure in good condition, free from rodents and insects, and to assure that it is open and accessible to the residents.
4. The park manager shall maintain a register of all current residents identification by lot number; lot numbers and addresses shall be prominently displaced on each home.
5. The park manager shall notify the Zoning Administrator in writing of individual violations of these regulations.

O. Responsibilities of Park Residents.

1. To maintain all lots and structures in good order, free from materials stored outside; debris, inoperative machines and motor vehicles not in operating condition.
2. Abide by all park rules.
3. Obtain the necessary manufactured home permits.

P. License to Operate a Manufactured Home Park.

1. Hereafter, it shall be unlawful for any person or firm to operate a manufactured home park unless a valid permit has been issued annually by the Zoning Administrator. The fee for such permit is published in the Schedule of Fees in this ordinance.
2. The charge for a late application for a license (25 days or more after the annual license is due) shall be an additional twenty-five (\$25) dollars.
3. The Zoning Administrator shall refuse to issue a license to a park that is in violation of these regulations (except for previously legally conforming uses). The reason for the refusal shall be put in writing and sent to the park owner and operator.
4. The owner/operator shall have sixty (60) days to either appeal to the Board of Zoning Appeals or comply with an order of the Zoning Administrator. If the violations are not resolved after sixty (60) days, the Zoning Administrator shall seek a court order restraining the owner/operator from further operation of the park.



5. The Zoning Administrator is hereby empowered to make such inspections as necessary to enforce these regulations at reasonable hours without prior notice to the park owner/operator.

Q. Violations. The Board of Zoning Appeals is hereby empowered to suspend and/or revoke the operating license of any manufactured homes park that fails to comply with a valid enforcement order. The Board shall hold a special hearing, following the notification to the park owner, to consider suspension/revocation orders. The Board shall have 30 days to render a final decision and shall state in writing the reasons for its action(s).

~~R. Appeals to the Board of Zoning Appeals.~~

- ~~1. The Board of Zoning Appeals is hereby empowered to hear appeals from and grant exceptions to owners of manufactured home parks that have been refused a license by the Zoning Administrator. The Board of Zoning Appeals may uphold, reverse, modify or grant exceptions to the ruling of the Zoning Administrator if:~~
  - ~~a). The requested modification does not in any way endanger the health, safety or welfare of the park residents or neighbors.~~
  - ~~b). The requested modification must arise from a physical necessity and must constitute a hardship greater than a mere inconvenience to the owner.~~
  - ~~c). All applications to the Board of Zoning Appeals shall be made in writing and set forth the reasons why the requested modification or exception is necessary.~~

S. Conditions for Holding A Manufactured Homes Park License.

1. All MHP Manufactured Homes Parks shall be platted as a single, distinct lot or tract and continue to be held as a single ownership: i.e. a corporation, partnership, sole proprietorship, or limited liability company.
2. All MHP Manufactured Homes Parks shall be constructed with, and continue to remain under, unified street systems, utilities, play areas, and common lands.

T. Inspections.

1. The Zoning Administrator shall inspect annually all Manufactured Home Parks prior to issuance of the yearly license.

U. Fees.

1. A Manufactured Home Park License Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted annually by the park owner with the manufactured home park license application.
2. Application and license fees shall be due by January 15 of each calendar year.
3. A Temporary Mobile Home Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with the temporary mobile home application.

Final Site Plan is also reviewed by staff for compliance with the Unified Development Code prior to presentation to the Planning Commission. Once approved by the Planning Commission, any conditions or stipulations outlined during the review process must be made and an amended Final Site Plan must be submitted. If all conditions/stipulations are met by the submitted Final Site Plan, staff may review and provide final administrative approval.

**D. Public Hearing.**

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

**E. Submission Requirements.**

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

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

CERTIFICATE:

Received and placed on record this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Zoning Administrator

Approved by the Edgerton City Planning Commission this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
Chair of the Planning Commission

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

Applicant signature : \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_ Organization \_\_\_\_\_

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

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