

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
November 12, 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 October 8, 2019.

B. REVISED FINAL SITE PLAN FOR INLAND PORT 51 – APPLICATION FS2019-06

Consideration of Application FS2019-06, a revision to Final Site Plan FS2019-03, located at 30800 W 207th Street.

Applicant: Brett Powell
Agent: NPD Management, LLC

5. **OLD BUSINESS**

A. PUBLIC HEARING – PRELIMINARY PLAT FOR LONE STAR DEVELOPMENT PHASE I – APPLICATION PP2019-04 – CONTINUED FROM OCTOBER 8, 2019 PLANNING COMMISSION MEETING

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. PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS – APPLICATION UDCA2019-03 - CONTINUED FROM OCTOBER 8, 2019 PLANNING COMMISSION MEETING

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. **NEW BUSINESS**

**A. PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS –
APPLICATION UDCA2019-04**

Consideration of Application UDCA2019-04 for Amendments to the sections pertaining to R-1 Zoning District in Article 7 and Article 12 of the Unified Development Code of the City of Edgerton

Applicant: City of Edgerton

Action: Applicant requests for this item to be continued to December 10, 2019 Planning Commission meeting

7. Future Meetings

- Regular Session – December 10, 2019 at 7:00 PM

8. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
October 8, 2019

The Edgerton Planning Commission met in regular session with Vice Chair Tim Berger 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 Vice Chair Tim Berger, Commissioner Jeremy Little, and Commissioner Charlie Crooks. Chair John Daley and Commissioner Josh Beem were absent from the meeting. Also present were City Administrator Beth Linn, Mayor Donald Roberts, 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 September 10, 2019 were considered.

REVISED FINAL SITE PLAN – APPLICATION FS2019-05

The approval of application FS2019-05, revisions to Final Site Plan FS2016-06, was considered.

EXTENSION OF FINAL SITE PLAN EXPIRATION DATE FOR FS2018-07

The approval of a request to extend the expiration date for Final Site Plan FS2018-07 was considered.

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

NEW BUSINESS

PUBLIC HEARING – PRELIMINARY PLAT FOR LONE STAR DEVELOPMENT – APPLICATION PP2019-04

Vice Chair Berger stated the applicant has requested this application to be continued to the November 12, 2019 meeting. He stated the public hearing will be opened so members of the public that are present may address the proposed application.

Vice Chair Berger opened the public hearing.

Ms. Linn informed the public there is no representative from applicant present but all comments will be taken and added to the record.

Mr. Cliff Cole, 19911 Pepper Tree Road, came before the Planning Commission. He stated nobody wants this development to come but understands it will. He wants to make sure all the details are looked at. He believes the Planning Commission and City Council has held applicants accountable for

their developments. He is concerned about public safety with 100 or more trucks parking and stopping nearby. Mr. Cole expressed his concern about trash and other pollutants, and he wants to know how they will be handled. The odors that will come from this development are another concern of his. Mr. Cole stated the traffic along 199th Street is already a nuisance and he is concerned about adding more truck traffic. He said an independent traffic study should be conducted to ensure all travelers in the area are safe. Mr. Cole is extremely concerned about the lack of water detention shown on the Preliminary Plat. He explained the water that will run off this site is water that runs into a tributary that feeds Big Bull Creek and the drinking water that people in Edgerton use. He cautioned there is a lot of water that will go off this development due to the high amount of impervious surface. Mr. Cole stated the developers are not considering the effect of their actions has and will continue to have on the residence nearby. He stated he had to alert City Staff to the fact that a silt fence was not installed as the land was disturbed and soil run off had already affected the neighbors. Mr. Cole stated there are no buffers from the development to the residence and he does not want to look out at a hotel that is proposed per the Preliminary Plat. The residence has received no communication from the developers. Mr. Cole concluded by stating the residences were established before this development and he wants to make sure that the developers are held accountable.

Mr. Don Scaro, 19913 Pepper Tree Road, approach the Planning Commission. He stated he has lived in this area for 20 years, he hunts in Hillsdale, Kansas and has seen all the rapid changes. He said he too is concerned about the water runoff. He informed the Planning Commission that 5.4 million gallons of water is generated by 4 inches of rain and close to 11 million gallons of water makes an 8-inch rain. He is worried about all that water flooding Big Bull Creek. He explained a recent 7-inch rain flooded his neighbors' basement. He stated this rain with all the pollution will enter the drinking water and this needs to be studied very carefully.

Lonny Vlieger, 19910 Pepper Tree Road, spoke to the Planning Commission. He wants safety and protection of his and the neighbors' property rights. He understands this development can be a huge attraction for Edgerton, he asks that the residential area be protected even with the development coming in.

Ms. Jane Scaro, 19913 Pepper Tree Road, came before the Planning Commission. She stated she lives in a residential neighborhood that backs up commercial property. She is requesting a safe and good project even though this is not something the residents had hoped would ever happen. Ms. Scaro stated she is concerned about the diesel trucks idling. She wants idling restrictions to be put in place. She stated there are ways for truckers to plug in and run electricity which is cheaper for them to use. She is concerned about an access point onto 199th street.

Mr. Eric Kirkendall with CleanAirNow, approached the Planning Commission. He explained diesel exhaust is extremely toxic as 30 to 40 different enter the lungs. The toxins then enter the bloodstream and travel to the brain and cause strokes and cancers throughout the body. Diesel exhaust has been linked to many brain abnormalities and harms every organ in body. Mr. Kirkendall stated 1000 yards is the typical area that can be contaminated and the people living next to a truck stop could be exposed to high level that can affect an unborn and the elderly. He insisted on the strongest amount of pollution control the Planning Commission can put into place. He stated ways to control pollution can be units for trucker to plug into or air filters that can be used by the trucks. He supplied informational handouts to the Planning Commission.

There were no further comments.

Mr. Little motioned to continue the public hearing to the November 12, 2019 Planning Commission meeting. Mr. Crooks seconded the motion. The public hearing regarding Preliminary Plat Application PP2019-12 was continued to November 12, 2019, 3-0.

Ms. Linn stated that the applicants' proposed concept plan or layout has not been through any kind of review by the City.

Mr. Vlieger requested a timeframe for a final plat for this project. Ms. Linn replied this Preliminary Plat has been continued to November 12, 2019 and no final plat applications have been submitted. She demonstrated how to view the Planning Commission packet on the City's website.

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

Vice Chair Berger introduced Application TU2019-08 as a temporary construction use to use the concrete batch plant for Inland Port (IP) VII. Ms. Crow stated the applicant is present and they foresee this project to be done in 6 months. Ms. Linn showed the proposed route highlighted on the screen. Ms. Crow stated all the roads proposed along the haul route are heavy haul roads. Ms. Linn corrected that, stating that 207th Street has not been designated as a heavy haul road by the Governing Body but has been designed to handle the capacity required. The question was raised on who maintains roads. Ms. Linn stated if there is any damage or debris in a public roadway then the applicant is responsible to correct the issue.

Mr. Crooks motioned to approve Application TU2019-08 with the following stipulations:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations for the City of Edgerton, including traffic control signage;
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or any other applicable chapter of City Code;
7. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies in regard to the tracking of debris onto public streets. Applicant agrees to not trail concrete onto paved roadways used for haul route and will clean up any spillage due to the improper use/cleaning of equipment;
8. 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 199th 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.

Mr. Little seconded to approve with stipulations. Temporary Construction Use TU2019-08 was approved with stipulations, 3-0.

TEMPORARY CONSTRUCTION USE REVISION FOR THE 207TH STREET EAST OF WAVERLY ROAD EXPANSION – APPLICATION TU2019-07

Vice Chair Berger introduced Application TU2019-07 as a revision for the expansion of 207th Street east of Waverly Road. Ms. Crow stated the applicant is present. She explained this revision is to revise the previously approved haul route for the 207th Street expansion east of Waverly Road. A different route needs to be utilized due to project constraints. Ms. Crow stated there are stipulations that Staff has indicated in the report. They are as followed:

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 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 207th 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 199th 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 207th Street Phase II Project by the Edgerton City Council.

Ms. Crow stated the project will finish upon final acceptance of the road and she does not have a projected timeline at this time. She stated the applicant's KDHE permit expires in April of 2020 and if the project goes longer than that, then the applicant will have to come back to the Planning Commission.

Mr. Crooks motioned to approve Application TU2019-07 with stipulations, Mr. Little seconded. Temporary Construction Use TU2019-07 was approved, 3-0.

PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS – APPLICATION UDCA 2019-03

Vice Chair Berger introduced Application UDCA2019-03 as amendments to the Unified Development Code (UDC). Ms. Crow stated there are small updates to Article 10. The requirement of the applicant to provide an electronic copy of the legal description in the form of a Word Document was added. Ms. Crow stated City Staff could retype the legal description to send to the newspaper, but this could cause errors. The other update is to require all site plans to have landscape plans submitted and not just Final Site Plans. This will allow the public to view and comment on the landscaping during public hearings. Vice Chair Berger stated he agrees with these amendments.

Vice Chair Berger opened the public hearing.

No comments were raised.

Mr. Crooks motioned to close the public hearing, Mr. Little seconded. The public hearing was closed, 3-0.

Mr. Crooks motioned to recommend approval of the amendments to Article 10 to the Governing Body, Mr. Little seconded. The Planning Commission recommended approval of the amendments to Article 10 of the UDC, 3-0.

Ms. Crow stated the Planning Commission started discussion regarding residential zoning last month. City Staff received some feedback from a few of the commissioners. Vice Chair Berger stated he feels it is vital for residence to have their mail delivered to each house. He stated the Post Office told him it depends on mailbox locations and possible routes. Ms. Crow stated that any feedback from the Post Office will be needed to aid in this. Ms. Linn stated the City can assist with this, but she is not sure if UDC is the place for this issue. Vice Chair Berger said he has seen community boxes used in some areas, but he would rather each house have their own mailbox. Ms. Linn stated she is not sure if this is in other municipalities' codes, but staff will investigate it.

Vice Chair Berger opened the public hearing.

Nancy Kirk Matthew, local real estate agent, informed the Planning Commission that landscaping that is installed by the developers is a set amount for each property. She stated landscaping does help maintain the value of the subdivision. Ms. Kirk Matthew explained the houses may seem old, but the trees help keep the neighborhood looking nice. She also stated a buffer between the curb and sidewalk aids in that as well. Ms. Crow asked if Ms. Kirk Matthew is referring to street trees and a green space between the curb and sidewalk. Ms. Kirk Matthew replied that she is. Ms. Crow read what a street tree is defined as in the UDC amendment. Ms. Kirk Matthew stated requesting trees in the front yard is not the same as street trees. She recommends landscaping requirements for residential yards to be installed by the developers.

Ms. Crow stated City Staff has done research to find which trees are good for this area, and that is how the list was decided on in the UDC. She stated there is one development in Olathe, Kansas that has a certain kind of tree per each street. She asked the Planning Commission to consider all this information.

Vice Chair Berger stated he has seen similar situations that were described but doesn't want to be too stringent. He would like to have guidelines for developers to work within. Ms. Crow stated a development plan would outline all requirements. Ms. Linn stated that a large-scale development will be a Planned Unit Development (PUD). She explained a PUD allows a whole neighborhood to be approved and not just one plat. Typically, there will be a tradeoff such as smaller lots being allowed if the developer gives the City green space for a trail. Ms. Linn stated the Planning Commission needs to consider all the material that has been presented and they should think about what new neighboring houses should look like as this article will regulate that. She agrees that parameters should be set but cookie cutter homes should be allowed as well.

Ms. Crow stated the red print is all new code content and the amendments are only in A-G and R-1 zoning districts. She stated next month, the signage regulations and conditional uses will be brought forth within these sections. Ms. Linn recommended that this public hearing and topic be continued so

all the information can be absorbed and understood. This would also allow the Planning Commissioners to obtain feedback from their neighbors.

Mr. Little motioned to continue the public hearing regarding Article 3 of the UDC to November 12, 2019, Mr. Crooks seconded. The public hearing was continued, 3-0.

Mr. Crooks asked if the utilities will still be above ground. Ms. Linn replied the UDC already has the requirement for the extension of new utilities to be placed underground. She clarified if the utility is existing above ground, then it does not have to be placed underground.

FUTURE MEETING

The next meeting is scheduled for November 12, 2019 at 7:00 p.m.

ADJOURNMENT

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

The meeting adjourned at 7:50 p.m.

Submitted by: Chris Clinton, Planning and Zoning Coordinator

STAFF REPORT

November 12, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FS2019-06** Final Site Plan revision to approved FS2019-03 for *Inland Port 51 – Logistics Park Kansas City South, Second Plat, Lot 1 (IP 51)* located at 30800 W 207th Street.

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41 st Street, Suite 500 Riverside, MO 64150
Property Owner:	ELHC LI, LLC 4825 NW 41 st Street, Suite 500 Riverside, MO 64150
Requested Action:	Final Site Plan approval for <i>IP 51</i>
Legal Description:	Logistics Park Kansas City South Second Plat, Lot 1
Site Address/Location:	30800 West 207 th Street
Existing Zoning and Land Uses:	L-P (Logistics Park) District. Warehousing.
Existing Improvements:	Warehouse and streets.
Site Size:	Approximately 62.27 Acres

PROJECT DESCRIPTION

Application FS2019-06 is a request for a revision to approved Final Site Plan FS2019-03, *Inland Port 51*. The parcel is on the northeast corner of Waverly Road and 207th Street. The revised Final Site Plan is for the addition of an aboveground diesel fuel tank at the northeast corner of the newly constructed warehouse and a break area for employees on the south side of the warehouse. This Staff Report and review will focus on the request to add the 520-gallon fuel tank and the break area, and not anything related to the warehouse. The Site Plan indicates the fuel tank to be 6' by 4'. A proposed beige vinyl fence is to surround the fuel tank, except the south side. The south side of the tank will face the warehouse. The vinyl fence will be 6' in height. The added break area is proposed to be on the south side of the building near the midpoint. There is a nearby building entrance and a green space area. No further information has been provided to City Staff at this time as to what will be in the break area.

Subject Property



INFRASTRUCTURE AND SERVICES

1. Access to the parking lot is from Waverly Road and a private drive off of 207th Street.
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* and Section 5.2, *L-P Logistics Park District* of the Edgerton Unified Development Code (UDC). Review comments are listed below.

1. The fencing provided for the enclosed patio needs to be black vinyl coated chain link.
Update Final Site Plan.
2. Johnson County Fire Department District Number One has reviewed the plans and requires the following:
 - a. The tank shall have secondary containment which can collect the maximum contents of the tank plus a 24-hour rainfall event in the event of a leak.
 - b. A 2A20BC or larger fire extinguisher shall be provided within 75 feet of the tank.
 - c. The nozzle shall be a breakaway style that will prevent spills in either direction when detached.
 - d. An emergency fuel shutoff shall be installed to terminate the transfer of fuel. It should be located at least 20 feet away from the tank but no further than 100 feet. A sign shall be placed near the shutoff indicating "EMERGENCY FUEL SHUTOFF".
 - e. Approved warning signs shall be installed. Those signs consist of:
 - i. DIESEL or DOT Placard on all four sides of the tank.
 - ii. An emergency procedures sign per IFC 2006 - 2204.3.5
 - iii. Warning signs shall be installed according to IFC 2006 - 2205.6

RECOMMENDATION

City staff recommends **approval** of **FS2019-06** Final Site Plan revisions to Final Site Plan FS2019-03 for *IP 51*, subject to compliance with the following stipulations:

1. The staff recommendations and comments included in this Staff Report are included as stipulations as part of approval of this revised Final Site Plan.
2. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.
3. Any items added must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance.
4. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and

notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

ATTACHMENTS

- Application FS2019-06
- Final Site Plan for this submission which revises to approved FS2019-03 for *Inland Port 51*

☐ PRELIMINARY SITE PLAN☐ FINAL SITE PLAN**Revise Final Site Plan**NAME OF PROPOSED SUBDIVISION: IP 51(LI)LOCATION OR ADDRESS OF SUBJECT PROPERTY: 30800 W 207th StLEGAL DESCRIPTION: See Attached.CURRENT ZONING ON SUBJECT PROPERTY: LP CURRENT LAND USE: ConstructionTOTAL AREA: 62.27 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: _____ Sq. Ft.DEVELOPER'S NAME(S): NPD Management, LLC PHONE: 816.888.7380COMPANY: NPD Management, LLC FAX: _____MAILING ADDRESS: 4825 NW 41st St suite 500; Riverside, MO 64150
Street City State ZipPROPERTY OWNER'S NAME(S): ELHC LI, LLC PHONE: 816.888.7380

COMPANY: _____ FAX: _____

MAILING ADDRESS: 4825 NW 41st St, suite 500; Riverside, MO 64150
Street City State ZipENGINEER'S NAME(S): Renaissance Infrastructure Consulting PHONE: 816.800.0950COMPANY: Renaissance Infrastructure Consulting FAX: _____MAILING ADDRESS: 5015 NW Canal St St #100, Riverside MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____

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

NOTE: Three (3) copies of the site plan must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.**FOR OFFICE USE ONLY**

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

Received By: _____ Date of Hearing: _____

SITE PLAN INSTRUCTIONS**SUBMITTAL DEADLINE:** The applicant shall submit an application at least thirty (30) working days prior to the public hearing.**NOTICE REQUIREMENTS:** The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper. The City shall make one copy available for public inspection at least fourteen (14) days in advance of the public hearing.



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

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

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

CHECKLIST

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

Front or Cover Sheet

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

CERTIFICATE:

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

_____ (Zoning Administrator).

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

_____ (Chair of Planning Commission).

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

Applicant signature _____ Date _____

Sheet #2

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

Sheet #3

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

Sheet #4

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

Sheet #5 (if requested)

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

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

Inland Port 51 Final Site Plan Lot 1, Logistics Park Kansas City South, Second Plat

Northeast Corner of 207th Street and Waverly Road
Edgerton, Johnson County, KS

Description

All that part of the Southwest Quarter of Section 11, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas being more particularly described as follows:

Beginning at the Southwest corner of said Southwest Quarter; thence North 02°17'25" West, along the West line of said Southwest Quarter, a distance of 1,096.60 feet; thence departing said West line, North 88°29'08" East, parallel with the South line of said Southwest Quarter, a distance of 2,687.79 feet to a point on the East line of said Southwest Quarter; thence South 02°07'16" East, along said East line, a distance of 1,096.56 feet to the Southwest corner of said Southwest Quarter; thence South 88°29'08" West, along the South line of said Southwest Quarter, a distance of 2,684.55 feet to the Point of Beginning, containing 2,945.384 square feet, or 67.617 acres, more or less.

Note:

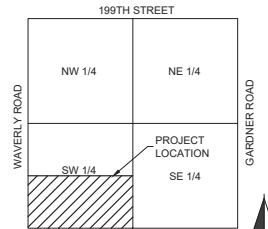
Screening of added site items and site signage will be the responsibility of the tenant. Tenant should adhere to the current City of Edgerton regulations.

Overhead door position to be used as loading spaces.

All trailer stalls and dock positions on the north side of the building are designed for 57' trailers.



LOCATION MAP
SECTION 11-15-22
Not to Scale



LOCATION MAP
SECTION 11-15-22
Scale 1" = 2000'

LEGEND

---	Existing Section Line	---	Proposed Right-of-Way
---	Existing Right-of-Way Line	---	Proposed Property Line
---	Existing Lot Line	---	Proposed Lot Line
---	Existing Easement Line	---	Proposed Easement
---	Existing Curb & Gutter	---	Proposed Curb & Gutter
---	Existing Sidewalk	---	Proposed Sidewalk
---	Existing Storm Sewer	---	Proposed Storm Sewer
---	Existing Storm Structure	---	Proposed Storm Structure
---	Existing Waterline	---	Proposed Fire Hydrant
---	Existing Gas Main	---	Proposed Waterline
---	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
---		---	Proposed Building Setback
---		---	Proposed Parking Setback

UTILITIES	
ELECTRIC	
Sewer	
Kansas City Power & Light	City of Edgerton
Phone: 816.471.5275	404 East Nelson
	P.O. Box 255
GAS	
Edgerton, Kansas	
Kansas Gas Service	Phone: 913.803.6231
11401 West 89th Street	
Overland Park, Kansas	TELEPHONE
Phone: 913.599.8981	Century Link
	Phone: 800.788.3500
WATER	
Johnson Rural Water District 7	CABLE
534 West Main	Century Link
P.O. Box 7	Phone: 877.837.5738
Gardner, Kansas	
Phone: 913.856.7173	

INDEX OF SHEETS

C01	Title Sheet
C02	Overall General Layout
C03	General Layout West
C04	General Layout East
C05	Site Dimension Plan West
C06	Site Dimension Plan East
C07	Grading Plan Northwest
C08	Grading Plan Northeast
C09	Grading Plan Southwest
C10	Grading Plan Southeast
C11	Site Utility Plan West
C12	Site Utility Plan East
A1.51	Overall Floor Plan
A4.01	Elevations
A4.02	Elevations
L01-L08	Landscaping Plan

SITE DATA TABLE

Existing Zoning:	L-P
Site Acreage:	62.27 Acres
Building Area:	765,000 SF
Proposed Building Use:	Industrial
Total Number of Proposed Stalls:	845 Stalls
Dock Parking/Loading Position:	148 Stalls
Trailer Parking:	310 Stalls
Employee Parking:	350 Stalls
Future Employee Parking:	36 Stalls
Total Number ADA Stalls:	10 Stalls
Number of Employees:	250
BOCA Building Code(500SF/person):	6.12
Building Coverage (765,000/1,712,481):	28.20%

PARKING CODE

Required Number of Employee Stalls=383 (1 per 2,000 Building Square Feet)
Provided Number of Employee Stalls=386 (346 Stalls, 10 ADA Stalls, and 36 Future Stalls)

CERTIFICATE:

Received and placed on record this _____ day of _____, 2019 by

Katy Crow, Zoning Administrator

Approved by the Edgerton City Planning Commission this _____ day of _____, 2019 by

John E. Daley, Chair of the Planning Commission

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

Applicant Signature _____ Date _____
Nathaniel Hagedorn, Manager
NPD Management, LLC

FLOOD PLAIN NOTE

According to the FEMA Flood Insurance Rate Map Number 20091C0134G, 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, and ZONE AE, Special Flood Hazard areas subject to inundation by the 1% annual chance flood, Base Flood Elevations determined.

Sheet
C01

Final Site Plan
19-0106
Inland Port 51

Title Sheet

REVIEW COMMENTS	
APPROVED FOR RECORD	
APPROVED FOR CONSTRUCTION	
APPROVED FOR SETBACKS	
APPROVED FOR UTILITIES	
APPROVED FOR FLOODING	
APPROVED FOR EROSION CONTROL	
APPROVED FOR LANDSCAPING	
APPROVED FOR SIGNAGE	
APPROVED FOR OTHER	

APPROVED FOR RECORD	
APPROVED FOR CONSTRUCTION	
APPROVED FOR SETBACKS	
APPROVED FOR UTILITIES	
APPROVED FOR FLOODING	
APPROVED FOR EROSION CONTROL	
APPROVED FOR LANDSCAPING	
APPROVED FOR SIGNAGE	
APPROVED FOR OTHER	

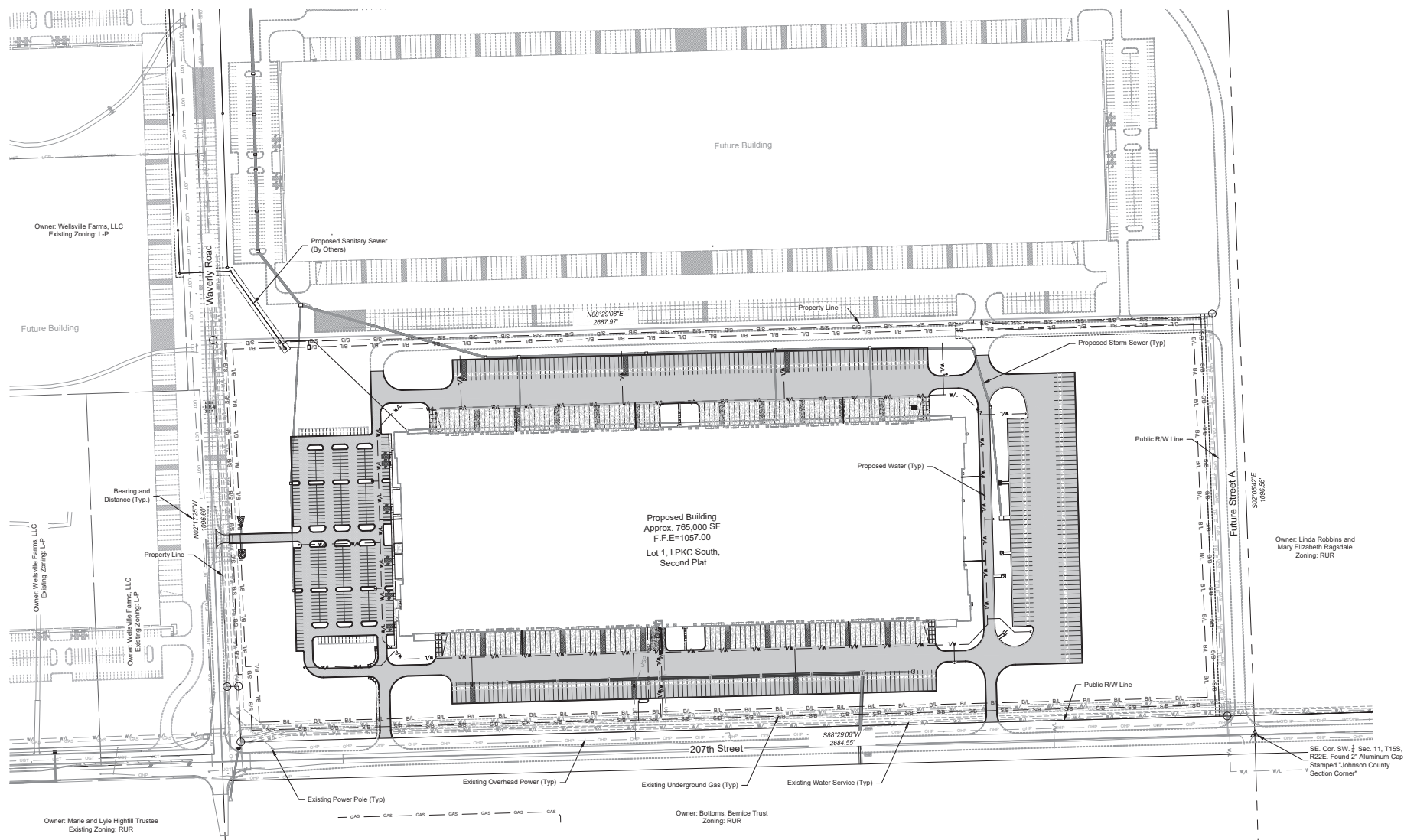
APPROVED FOR RECORD	
APPROVED FOR CONSTRUCTION	
APPROVED FOR SETBACKS	
APPROVED FOR UTILITIES	
APPROVED FOR FLOODING	
APPROVED FOR EROSION CONTROL	
APPROVED FOR LANDSCAPING	
APPROVED FOR SIGNAGE	
APPROVED FOR OTHER	

APPROVED FOR RECORD	
APPROVED FOR CONSTRUCTION	
APPROVED FOR SETBACKS	
APPROVED FOR UTILITIES	
APPROVED FOR FLOODING	
APPROVED FOR EROSION CONTROL	
APPROVED FOR LANDSCAPING	
APPROVED FOR SIGNAGE	
APPROVED FOR OTHER	

APPROVED FOR RECORD	
APPROVED FOR CONSTRUCTION	
APPROVED FOR SETBACKS	
APPROVED FOR UTILITIES	
APPROVED FOR FLOODING	
APPROVED FOR EROSION CONTROL	
APPROVED FOR LANDSCAPING	
APPROVED FOR SIGNAGE	
APPROVED FOR OTHER	



REVISION COMMENTS	DATE	BY	CHKD
REVISED THE LAYOUT	11/5/2019	WILLIAM	WILLIAM
REVISED THE LAYOUT	11/5/2019	WILLIAM	WILLIAM
ORIGINAL SUBMITTAL	11/5/2019	WILLIAM	WILLIAM



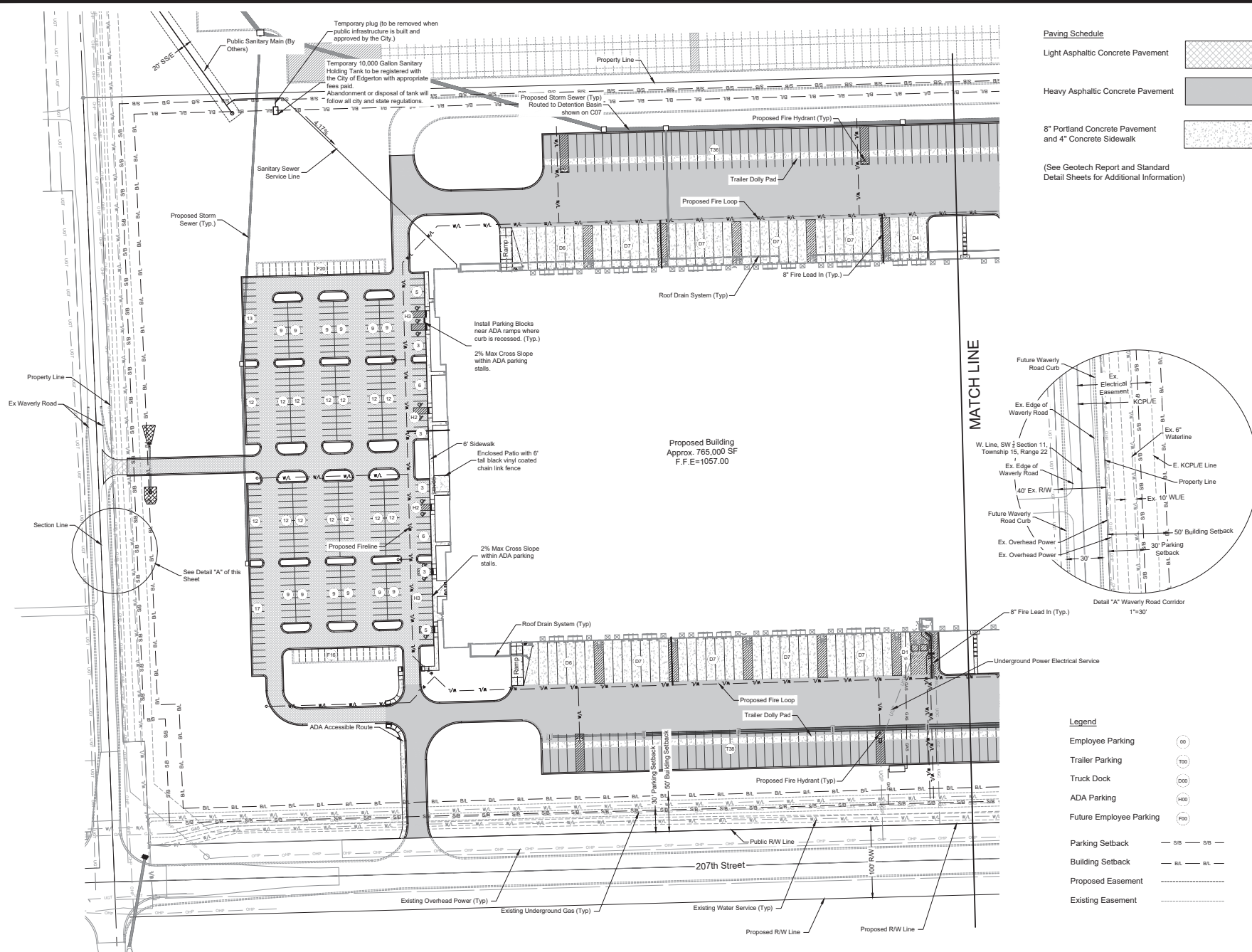
- Legend**
- ▲ Found Section Corner
 - Found Monument
 - Set 3" Rebar With RIC KSCLS 234 Cap

Paving Schedule

- Light Asphaltic Concrete Pavement
- Heavy Asphaltic Concrete Pavement
- 8" Portland Concrete Pavement and 4" Concrete Sidewalk

(See Geotech Report and Standard Detail Sheets for Additional Information)





Paving Schedule

Light Asphaltic Concrete Pavement



Heavy Asphaltic Concrete Pavement



8" Portland Concrete Pavement
and 4" Concrete Sidewalk



(See Geotech Report and Standard
Detail Sheets for Additional Information)

Legend

Employee Parking



Trailer Parking



Truck Dock



ADA Parking



Future Employee Parking



Parking Setback



Building Setback



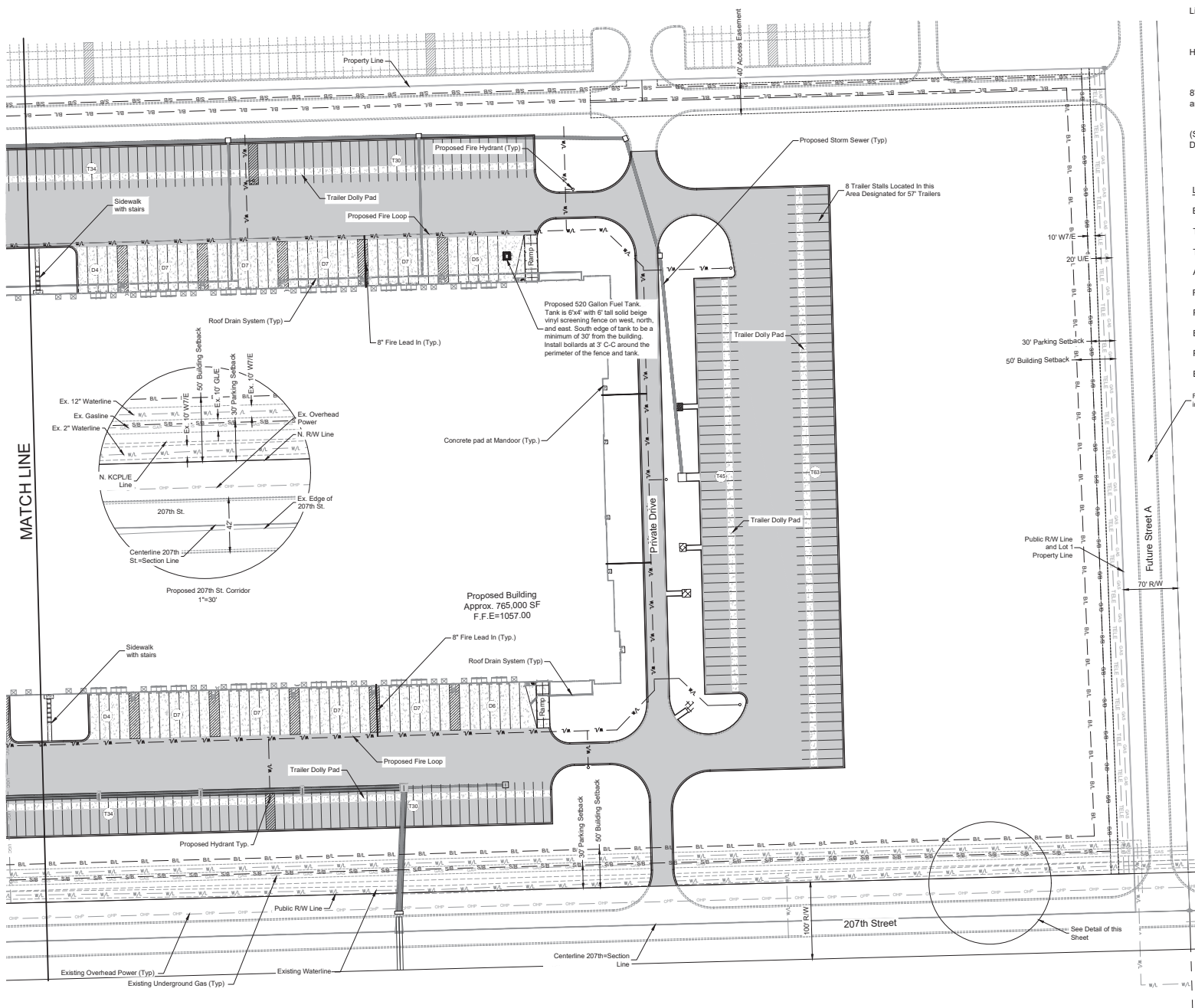
Proposed Easement



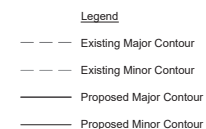
Existing Easement

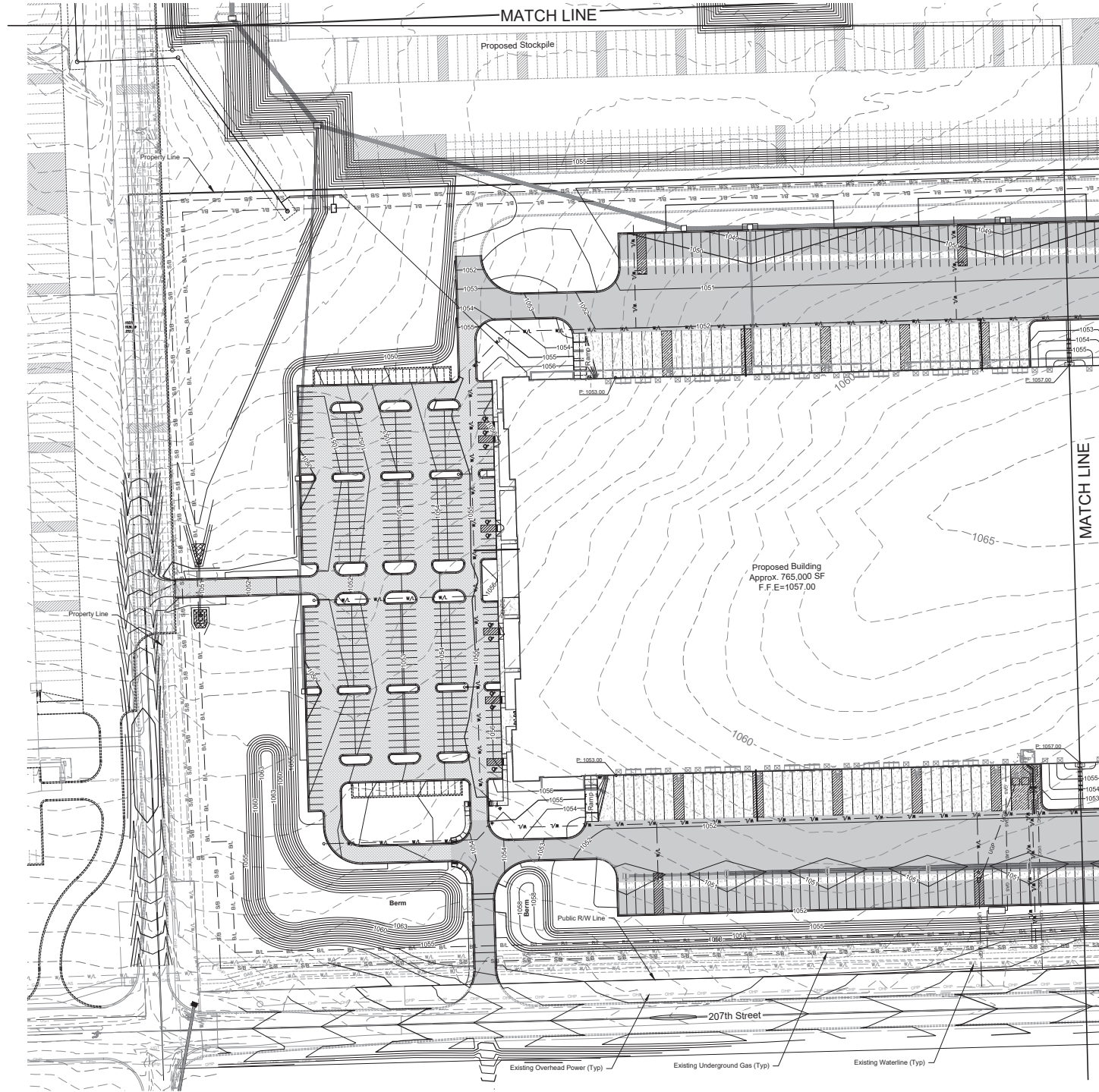


Future Street and associated
infrastructure By Others









- Legend**
- Existing Major Contour
 - Existing Minor Contour
 - Proposed Major Contour
 - Proposed Minor Contour



Sheet
C09

Final Site Plan
19-0106
Inland Port 51

Grading Plan
Southwest

REVIEW COMMENTS
APPROVALS
DESIGNED BY
CHECKED BY
PROJECT MANAGER
ORIGINAL SUBMITTAL

DATE
BY
DATE
BY
DATE
BY

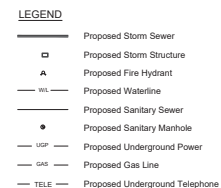
Renaissance Infrastructure Consulting
24975
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OUR CITY COMMENTS
ADDED FUEL TANK
OUR CITY COMMENTS
VARIED BTL LAYOUT
OUR CITY COMMENTS
ORIGINAL SUBMITTAL

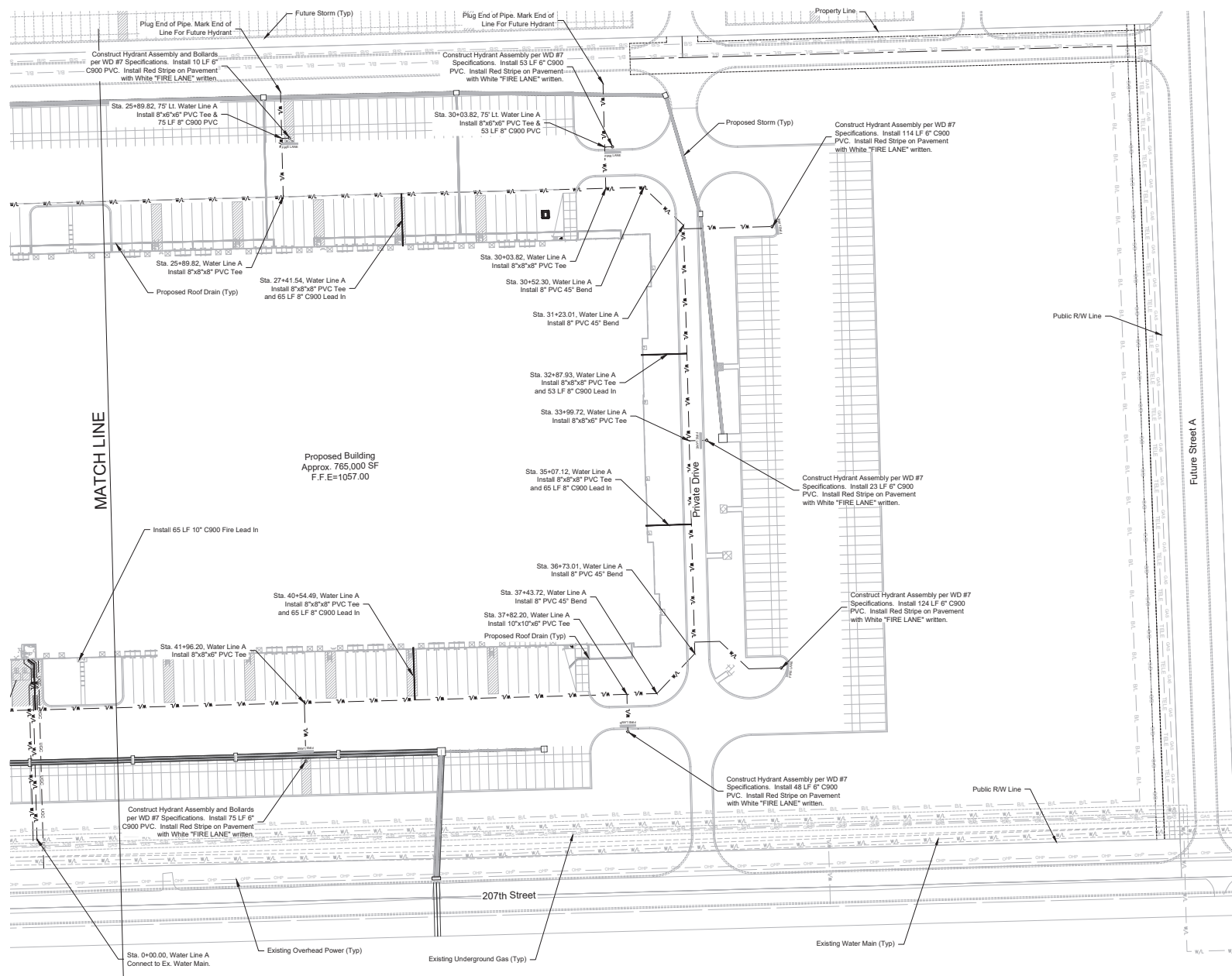
Renaissance	JWO	PMC	11/05/19
Infrastructure	JWO	PMC	10/07/19
Consulting	JWO	PMC	06/02/19
	JWO	PMC	03/27/19
	JWO	PMC	03/22/19
	JWO	PMC	02/26/19

SUITE 100 816.800.0950












<p> 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524</p>
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	P9A0	11/08/19
	P9A0	16/07/19
	P9A0	09/10/19
	P9A0	03/27/19
	P9A0	03/22/19
	P9A0	03/26/19



LEGEND

- | | |
|---|--------------------------------|
|  | Proposed Storm Sewer |
|  | Proposed Storm Structure |
|  | Proposed Fire Hydrant |
|  | Proposed Waterline |
|  | Proposed Sanitary Sewer |
|  | Proposed Sanitary Manhole |
|  | Proposed Underground Power |
|  | Proposed Gas Line |
|  | Proposed Underground Telephone |





STAFF REPORT

November 12, 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 twelve (12) lots. Applicant has proposed the development of three new roads that will allow 1) access to Homestead Lane, 2) 199th 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 199th 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 sheet is incorrect does not match the zonings on the title page. **Update Preliminary Plat.***
2. Date surveyed. *On the Cover Sheet, 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. 199th 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 extend 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 sheet and neither match what is listed on the Preliminary Plat 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. Information on how the existing wetlands on site will be handled needs to be provided.
5. The City has established the location of the Street A access point to Homestead Lane. **Update Preliminary Plat.**

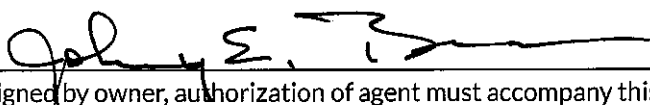
RECOMMENDATION

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 ONLYCase 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.

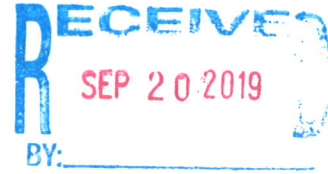
CHECKLIST

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

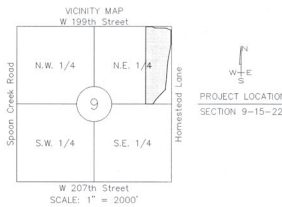
Driggs Design Group, PA
2727 Rory Road,
Manhattan, Kansas 66502

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

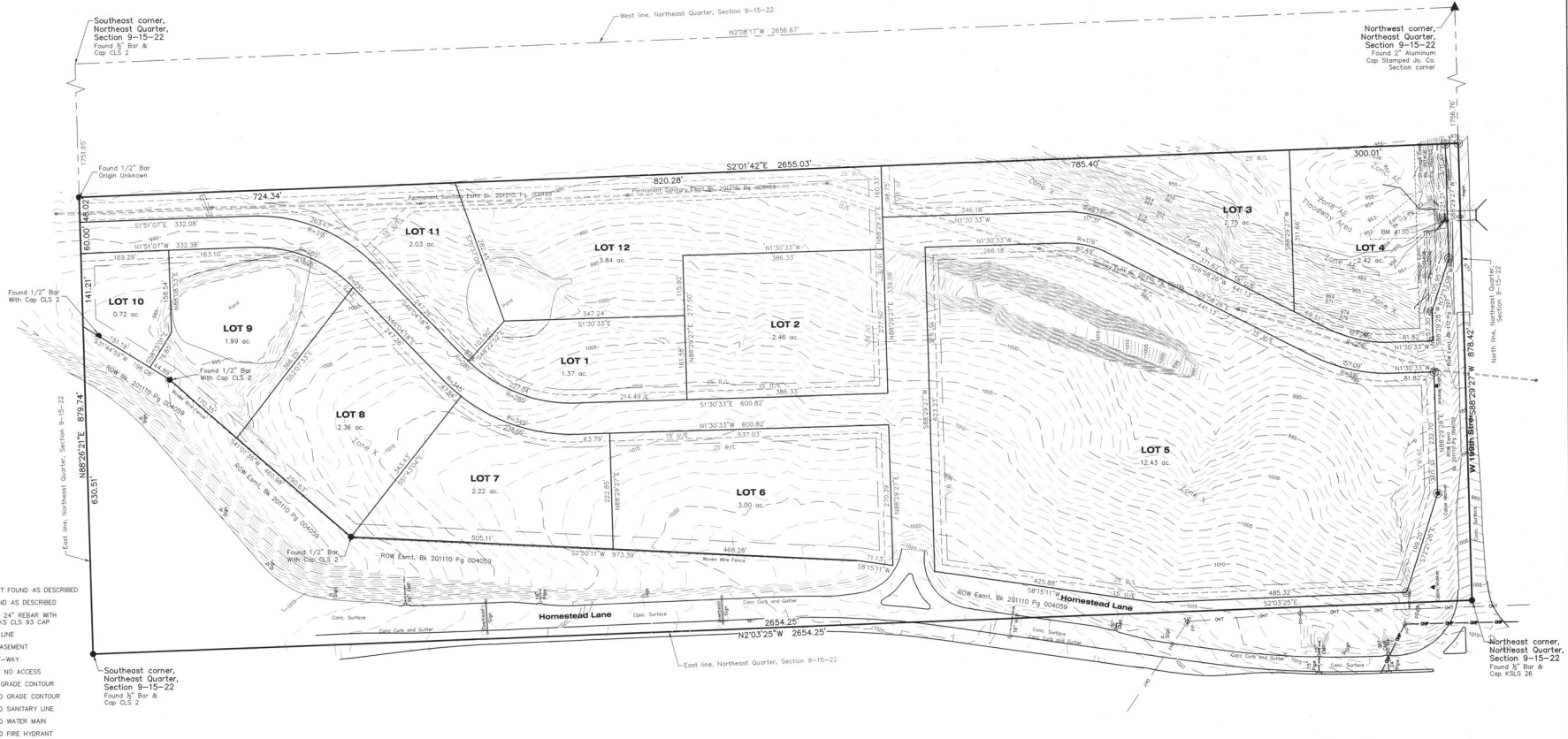


TITLE SHEET
PRELIMINARY PLAT
LONE STAR DEVELOPMENT

Sheet No.
1 of 3

TITLE SHEET

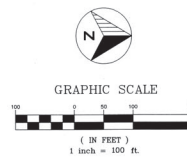
PRELIMINARY PLAT OF **LONE STAR DEVELOPMENT** CITY OF EDGERTON JOHNSON COUNTY, KANSAS



- 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
 - SAN 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. LUTHE
122 WATER STREET
PO BOX 1001
EDGERTON, KS 66521
PHONE: (816) 451-1076
FAX: (816) 764-8655

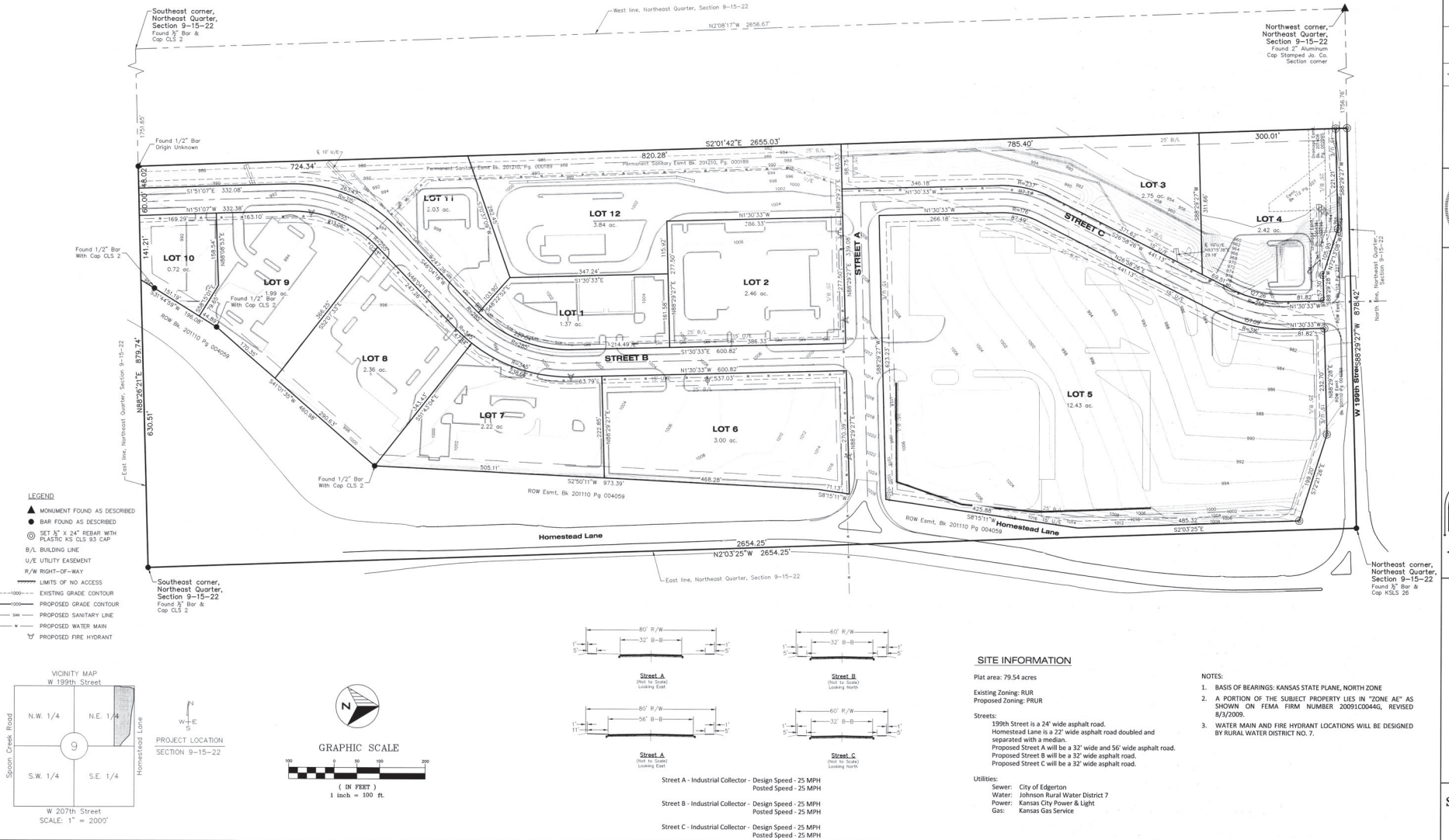


Designed By: RML
Drawn By: RML
Checked By: RML
Date: 09/15/2009
Job No.: 34878

Revisions:
By: []
Date: []

EXISTING CONDITIONS

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



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

ROBERT M. LAWTON
REGISTERED PROFESSIONAL SURVEYOR
KANSAS

CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS
14 W. PEDRIA
PAOLA, KANSAS 66071
TEL: (913) 744-6600
FAX: (913) 744-6603

PROPOSED CONDITIONS
PRELIMINARY PLAT
LONE STAR DEVELOPMENT

Sheet No.
3 of 3

STAFF UPDATE

Date: November 12, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: **UDCA2019-03** Continuation of public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 3 – *Agricultural & Residence Zoning Districts, Sections 3.1 and 3.2*.

BACKGROUND INFORMATION

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. At the October 8 Planning Commission Meeting, a public hearing was opened to collect public input on this topic.

The public hearing was continued to this Planning Commission meeting and a draft copy of proposed revisions was provided to the Commission for review and recommendation over the next month.

Staff requests that the Commissioners provide any additional feedback regarding Article 3 as it relates to Agricultural (A-G) and Single-Family Residence (R-1) Zoning Districts. Staff will 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 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'
Other Uses 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 fence~~ **ing 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 e~~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)

E. Setbacks, Yards and Area Regulations.

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)~~

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

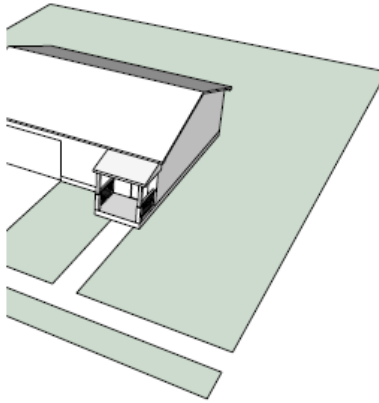
	Building Materials on front facades 70% from Category 1	Building Materials on front facades 30% from Category 2
Masonry		
Brick - solid or modular	✓	✓
Brick, panel/veneer		✓

	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		✓
Glass & Tile		
Clear Glass	✓	✓
Architectural block		✓
Opaque glass	✓	✓
Tile	✓	✓
Wood or Other Synthetics		
Engineered Wood Panel and Vertical Siding		✓
Vinyl siding		✓

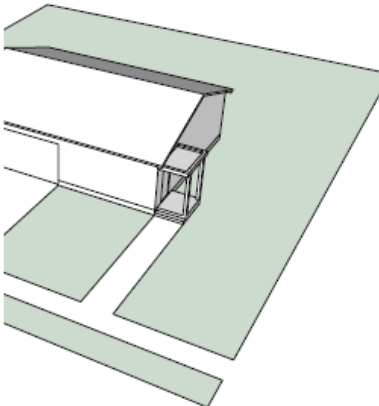
Imitation building materials, sheet metal, mirrored or opaque glazing and plastic materials are not allowed.

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:

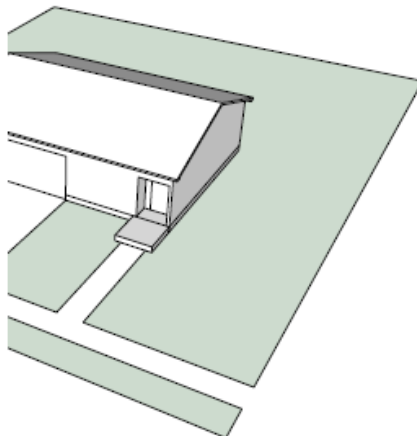
1. *Front Porch* – A roofed but unenclosed entry element with a minimum width of eight (8) feet and a depth of four (4) feet. Partial walls or railings may not exceed four (4) feet.



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.

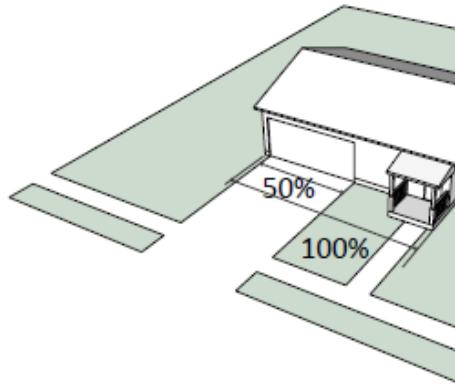
The submitted design for each residence must include a minimum of three off-street parking spaces, at least one of which must be in an enclosed, attached garage. The driveway may be used to provide the additional off-street parking spaces.

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.

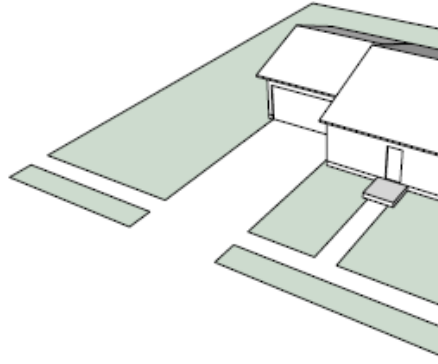
The appropriate maximum width of the driveway is determined by the final garage design and home elevation. Concrete paving square footage area in the front of any single-family home may not exceed 15% of the total lot square footage.

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:

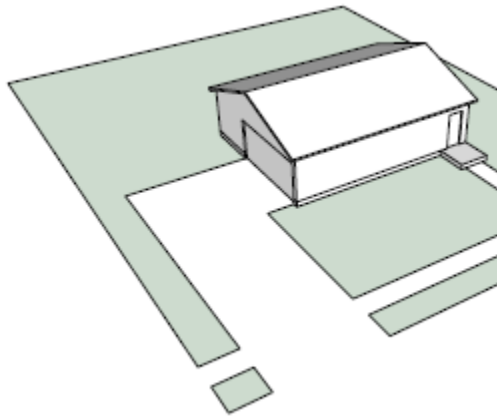
1. *Front-Facing Garage Door with Limited Width* – Front-facing garage door(s) extending a maximum of 50% of the primary façade width or twenty-eight (28) feet, whichever is greater.



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.

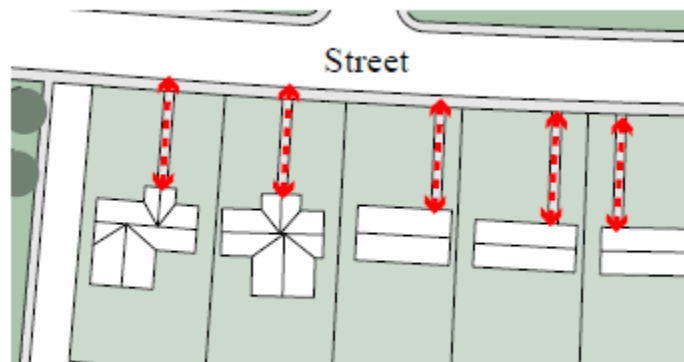


Fencing – No fence or wall shall be constructed in a manner which obstructs the intersection sight distance or presents a traffic hazard.

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.

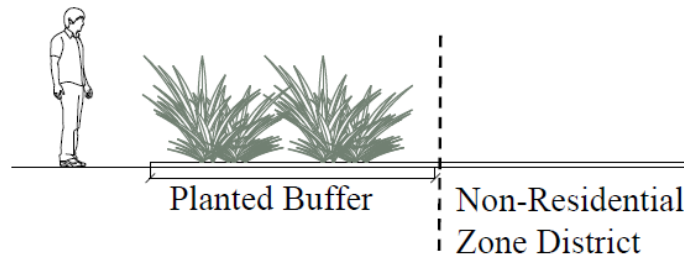
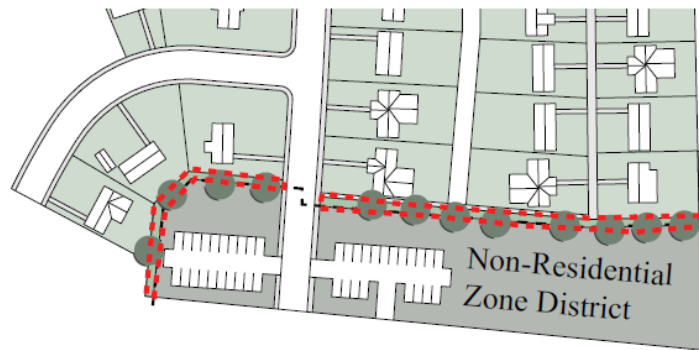
1. *Pedestrian Connections* – Individual homes must be connected to the surrounding pedestrian network using a walkway or driveway from a residence that connects directly to a public sidewalk.



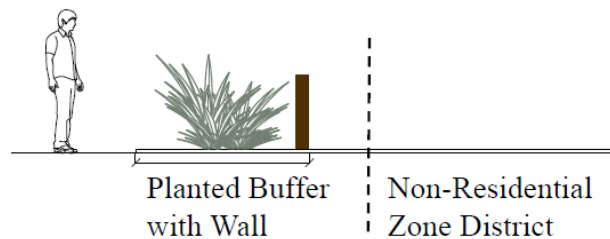
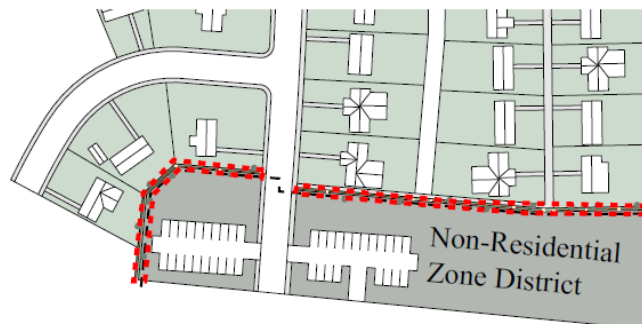
2. *Design Standards for Street Connectivity* – see Article 14, *Improvements and Standards of Design*.
3. *Required Landscaped Buffer Area* – Buffer standards apply to development that is located adjacent to any arterial street or any non-residential zoning district. Standards are intended to promote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

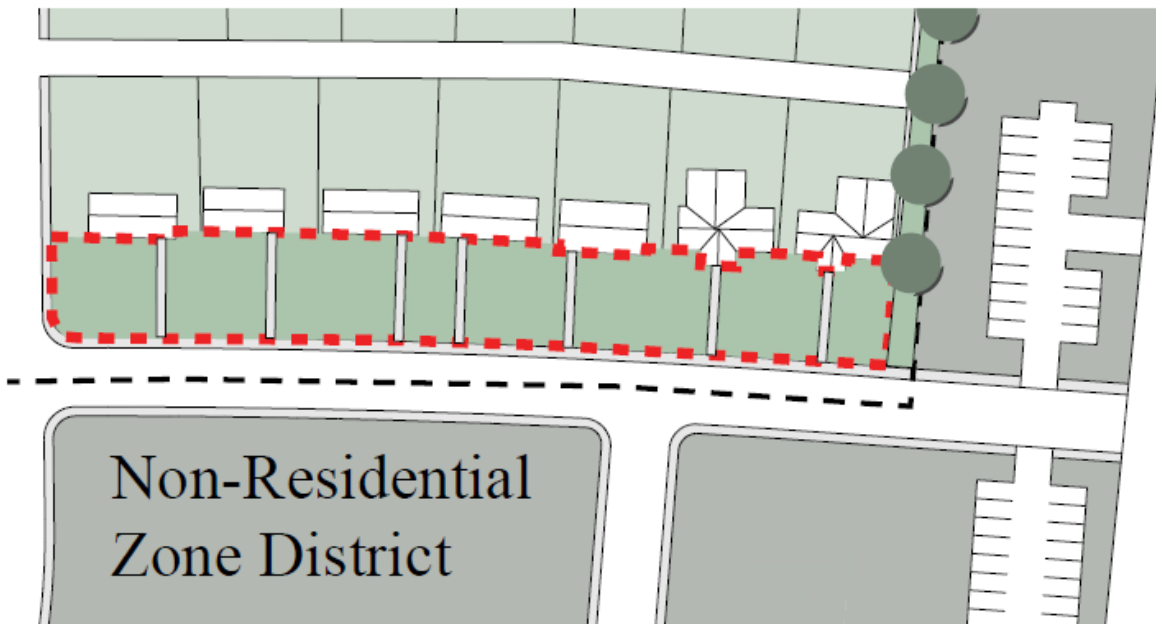
- a. *Planted buffer with no fence or wall* – A landscaped area that is at least ten (10) feet deep with a minimum of 70% porous permeable surfaces and 50% planted material.



- 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
saccharum var.	Sugar Maple
Carya illinoienses	Pecan
Celtis occidentalis	Hackberry
Cladrastis lutea	American Yellowwood
Ginkgo biloba	Ginkgo (male, seedless)
Gleditsia triacanthos inermis var.	Honeylocust (thornless, podless)
Gymnocladus dioicus	Kentucky Coffeetree
Liriodendron tulipifera	Tuliptree
Platanus x acerfolia	London Planetree
Quercus acutissima	Sawtooth Oak
bicolor	Swamp White Oak
borealis	Northern Red Oak
imbricaria	Shingle Oak
macrocarpa	Bur Oak
muhlenbergi	Chinquapin Oak
robur	English Oak
Tilia americana	American Linden
cordata var.	Little Leaf Linden
tomentosa	Silver Linden
Sophora japonica	Japanese Pagoda tree
Ulmus carpinus var. buisman	Buisman Elm
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 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.

STAFF UPDATE

Date: November 12, 2019
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Consideration of a public hearing to consider comments regarding amendments to the Unified Development Code pertaining to Article 7 – *Conditional Uses* and Article 12 – *Sign Regulations*.

BACKGROUND INFORMATION

The City of Edgerton's Uniform Development Code (UDC) was adopted for the purpose of encouraging the most appropriate use of land and to insure the logical and compatible growth of various districts within the City. The UDC is intended to implement the planning goals and policies contained in the Comprehensive Plan 2000-2020 and other planning documents and policies of the Planning Commission and City Council.

Because the Edgerton Planning Commission has recognized the importance of the UDC remaining relevant as it relates to growth and development within the boundaries of the City of Edgerton, staff has continued to work on the necessary updates to various Articles. Many of the Articles are inter-related with regard to permitted uses and zoning designations so it is important to have a logical, organized process for making these revisions.

At the October 8, 2019 Planning Commission Meeting, a public hearing was opened to gather input regarding Article 3 – *Agricultural and Residence Zoning Districts*, specifically R-1 Single Family. While each zoning designation includes a list of both permitted and conditional uses, there are also conditional use regulations and signage regulations for R-1 Single Family that will require updates and revisions.

In order to ensure that Article 7 – *Conditional Uses* and Article 12 – *Sign Regulations* are accurately updated, the revisions to Article 3 – *Single Family Residence District* must be completed. Staff is requesting a continuance of this public hearing to the December 10, 2019 Planning Commission meeting. At that time proposed amendments will be brought forward for consideration.