

EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
January 14, 2020
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 the Planning Commission meeting minutes for November 12, 2019.

**B. EXTENSION OF SITE PLAN EXPIRATION DATE FOR FS2019-02 TSL-
EDGERTON PHASE II**

Consideration of extending the expiration date of Final Site Plan FS2019-02 for TSL-Edgerton Phase II, located on the southwest corner of 191st Street and Waverly Road.

Applicant: Chris Stara

Agent: TSL Company Holdings, Ltd.

5. **NEW BUSINESS**

**A. PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS –
APPLICATION UDCA2019-05**

Consideration of Application UDCA2019-05 regarding amendments to the City of Edgerton Unified Development Code *Article 13 - Subdivision Approval Procedures*.

Applicant: City of Edgerton

6. Future Meetings
 - Regular Session – February 11, 2020 at 7:00 PM
7. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
November 12, 2019

The Edgerton Planning Commission (the Commission) met in regular session with Chair John Daley calling the meeting to order at 7:21 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Chair John Daley, Commissioner Jeremy Little, and Commissioner Charlie Crooks. Commissioner Josh Beem and Vice Chair Tim Berger were absent from the meeting. Also present were City Administrator Beth Linn, Mayor Donald Roberts, Development Services Director Katy Crow, City Attorney Lee Hendricks, 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 October 8, 2019 were considered.

REVISED FINAL SITE PLAN – APPLICATION FS2019-06

The approval of application FS2019-06, revisions to Final Site Plan FS2019-03, was considered.

Mr. Crooks motioned to approve the consent agenda, Mr. Little seconded the motion. The consent agenda was approved, 3-0.

OLD BUSINESS

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

Chair Daley introduced Application PP2019-04 as a Preliminary Plat for the Lone Star Development on the Southwest corner of 199th Street and Homestead Lane.

Mr. Doug Hutchinson, agent for applicant D&J Development, came before the Commission and stated they are looking to develop the parcel at that location. He stated there were a few bumps in the road that delayed the project. He explained the developer was negotiating with a client to construct multi-family housing that moved to another city and the client with the travel plaza has backed out. He stated the developer has been in talks with other clients and would like to move forward with the project and solve any issues that neighbors and City Staff might have with the project.

Ms. Katy Crow, Development Services Director, reviewed the Staff report, listing items which require corrections. In addition to a few typos on the plat, Ms. Crow pointed out the applicant will need to address the right-of-way width being dimensioned, the easements not having been shown and/or labeled properly, a Lot used for stormwater detention and conveyance must be labeled as a Tract, Lot

4 may not be viable once the floodway and floodplain is shown, and curve information needs to be provided on the street centerlines of all proposed streets.

She explained all public infrastructure plans need to be submitted and approved by the City Engineer and the right-of-way should be dedicated as 80 feet for a 2-lane roadway, 100 feet for a 3-lane roadway, and 60 feet off the section line for 199th Street. Additionally, the streets should not be aligned over the existing sanitary sewer. Ms. Crow informed the Commission the sanitary sewer does not extend to each proposed lot and connection of the service lines to the interceptor sewer will not be allowed, the stormwater collection system is not indicated on the plat, and the streets must have sidewalk on both sides. She explained there are discrepancies regarding the acreage between the application and the preliminary plat document. She explained the contours show a slope that exceeds the maximum allowed 3:1 slope and proposed retaining walls have not been indicated. While the contours appear to be incorrect in the creek area, they do not match the proposed improvements in Lot 4.

Ms. Crow said there are access restrictions along Homestead Lane imposed by Kansas Department of Transportation that needs to be shown on the plat and any restrictive covenants need to be listed as well. She explained all public and private easements that are to be dedicated need to be labeled properly, the floodplain and floodway need to be shown, along with information on how existing wetlands on the site will be handled. The City has established the location of the Homestead Lane interchange and that also needs to be corrected on the plat.

Mr. Lee Hendricks, City Attorney, presented two emails that were sent to Mayor Donald Roberts and Mr. Chris Clinton, Planning and Zoning Coordinator. He recommended the emails be attached to the minutes of the meeting. He stated Ms. Jane Scaro, 19913 Pepper Tree Road, addresses four matters: air quality, water retention, traffic safety, and area lighting. Those topics would be addressed at the Site Plan stage if this development continues to move forward. Mr. Hendricks explained the plat is for the division of the land only and not what is to be built there. He also explained the public hearing is a format for neighbors and citizens to voice their opinions and concerns regarding the project and not a back and forth discussion with the applicant.

Chairman Daley agreed the public hearing is best for comments and not necessarily time for a discussion. He reminded the public the application is for a Preliminary Plat to where the details that were brought up last meeting and in Ms. Scaro's letter will be worked out later on a Site Plan application. He stated the Commissioners will take notes on what is asked and said by neighbors to make sure answers are provided either on this application or future applications.

Mr. Lonny Vlieger, 19910 Pepper Tree Road, asked the Planning Commission, City Staff, and the applicant to consider adding a barrier wall along the property line that would allow for sound protection. He stated this would be a nice safety feature for the neighbors.

Mr. Cliff Cole, 19911 Pepper Tree Road, asked where the information is that is provided to the Planning Commission. Chairman Daley replied all the information is in the packets that are uploaded on the City's website. Mr. Cole asked if neighbors can be informed when new applications are submitted. Ms. Crow answered a public hearing will be required for a Site Plan and explained there will be notices sent to the newspaper and to neighboring properties. Mr. Cole asked if the Site Plan or other applications can be viewed before the meeting. Ms. Crow replied all the documents in the packet are available on

the website the Friday before the Planning Commission Meeting. Ms. Beth Linn, City Administrator, showed where to view the agenda and packet on the website.

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

Chairman Daley asked when a berm or sound barrier would be discussed. Ms. Crow replied the plat is about the division of land and the Site Plan would discuss those type of features.

Mr. Crooks inquired when street studies would be completed. Ms. Crow answered those would be done at the Site Plan phase as well.

Mr. Crooks motioned to approve Preliminary Plat Application PP2019-04 with the following stipulations:

1. All Preliminary Plat requirements of the City mentioned earlier shall be met or addressed,
2. All infrastructure requirements of the City shall be met,
3. All City Engineer Comments related to the Stormwater Management Plan must be addressed,
4. 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.

Mr. Little seconded to approve Application PP2019-04 with stipulations. Preliminary Plat PP2019-04 was approved with stipulations, 3-0.

Chairman Daley informed the public what is being built, including building materials and appearance, will be considered during the Site Plan phase, as well as the concerns raised by neighboring property owners.

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

Chairman Daley introduced Application UDCA2019-03 as amendments to the City of Edgerton Unified Development Code (UDC), Articles 3 and 10. Ms. Crow stated the amendments to Article 10 were recommended for approval to the Governing Body and Article 3 was provided to the Planning Commission for feedback last meeting and the discussion of the amendments will continue during this meeting.

Chairman Daley continued the public hearing. There were no comments made by the public.

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

Mr. Crooks asked if a lot width had been decided. Ms. Crow stated the current update requires a 70-foot lot width. She stated there would also be sidewalks on both sides of new streets to allow access to pedestrians. Ms. Crow explained City Staff discussed having a total side yard setback and allow

developers decide where the house lays on the plot. She gave the example of a total side yard setback of 18-feet and a developer could have it in the middle of the lot with 9 feet on each side or move the house over to have 5 feet on one side and 13 feet on the other. This would allow for more spacing between houses if it is consistent between lots.

Mr. Crooks inquired what the setback from the street would be and if that would set the driveway length. Ms. Crow answered the driveway length and house setback from the property would match. She noted that larger trucks and vehicles are prevalent in this area so a 35-foot setback might not be enough for 2 of those types of vehicles to be parked in the driveway and not block a portion of the sidewalk but it is enough for at least one large vehicle. Chairman Daley stated he believes 2 vehicles should be able to park in a driveway with minimal blockage of the sidewalk. He said he believes the garage should also count as a parking space. Mr. Crooks asked if the setback was from the back of the curb or the center line of the street. Ms. Crow answered it is from the property line which is typically a few feet from the back of curb. She explained that the property line varies from street to street as the right-of-way may differ between streets. Ms. Linn pulled up a map and showed the property line on a lot. It showed that the property line does not extend to the road as the rest of that lot is right-of-way. Mayor Roberts stated that the particular area being shown on the map is an older area of town where the lots are not uniform in size but there are newer developed areas of the City that do have uniformity in lot size. Mr. Hendricks pointed out that the sidewalk is typically located in the right-of-way, but it is still the property owner's responsibility to maintain the right-of-way.

Mr. Crooks asked if the front setback is then from that property line shown on the map. Ms. Crow stated that is correct. Ms. Crow asked if Mr. Little if his vehicles can be parked in his driveway without impeding pedestrians on the sidewalk. Ms. Linn showed Mr. Little's property on the map and measured the distance from the property line to the front face of the house on the lot. Ms. Crow stated is 40 feet from the property line. Mr. Little explained it is close, but his truck and trailer can fit in his driveway with minimal overhang into the sidewalk.

Mr. Crooks stated he thinks it is best to keep the streets free of cars parked so police and fire can easily get through the street. Mayor Roberts stated there is an area in town where the streets are not wide enough. Johnson County Fire District Number 1 Division Chief Jerry Holly stated the fire department needs 18 feet for a fire truck get through a street. Ms. Linn stated the minimum standard should be set then if a developer wants to go beyond that minimum, they can. Mr. Little did state he does block a good portion of the road if he parks his truck in the street and not in his driveway. Mayor Roberts stated a 28-foot back of curb to back of curb is a standard width for a residential street, which is what Mr. Little's street is. Ms. Linn stated that parking directly across from another car in the street is dangerous but requiring the street to be wider would just make the cost to the developer increase, and therefore increase the cost of the houses being built.

Mr. Crooks said he has heard complaints that the cost of a building permit is too high. Mayor Roberts replied they are within range of neighboring cities.

Mr. Crooks stated he is concerned about another development coming in a being similar to the neighborhood of West Martin Street and West McDonald Street with narrow lots and streets. Ms. Linn agreed with the lots and street widths are not up to the standards set forth in the UDC, but those standards were not in place when that development occurred. She stated the City has learned each development that has occurred will present new challenges and the City will learn how to deal with them when they arise. Mayor Roberts commented side yard setbacks would help alleviate many issues

that are found in that area of the City and allowing the developer to shift the house on the lot would be beneficial to the City and the developer. He stated City Council and Planning Commission did agree to require a driveway that fits 4 cars, with 2 being in the garage but people don't use their garages for the cars anymore and ultimately vehicles end up in the driveway or parked in the street.

Mr. Crooks asked if the minimums could be set and allow leeway in what is to be built. Ms. Linn stated that is correct and the developer will decide how to lay out the lots. She stated there is always the possibility of a Planned Unit Development (PUD) where an agreement could be met. An example of a PUD agreement would be for the City to allow for smaller lots, but the developer sets aside space for a City Park. Mayor Roberts agreed a developer could always make the lots larger than what is set by the UDC, but smaller lots would have to be in a PUD agreement.

Mr. Crooks asked the Commissioners if the front setback should be left at 35 feet or move back to 40 feet. Mr. Little stated it would allow for more room and increase the greenspace in front of the house. Mr. Crooks commented the increased front setback would also allow more room for cars to be off the streets and clear of the sidewalk. Ms. Crow cautioned there would be the added cost of more concrete for the driveway. Mayor Roberts also informed the Commission of the added cost for waterline, sewer line, electrical and other utilities as the connection to the house would be move back 5 more feet. Mr. Little wondered if these added costs would really dissuade a serious developer. Mayor Roberts asked each Commissioner what they would like to see the front setback at. Mr. Crooks answered 40 feet. Mr. Little answered 40 feet as well. Chairman Daley stated 35 feet. After a brief discussion, the Planning Commission reached a consensus that a 40-foot front yard setback would be best.

Mayor Roberts pointed out another factor that makes a huge difference in appearance is the addition of street trees. Ms. Crow said requiring trees in the yard is another aspect to consider. Mayor Roberts agreed and stated developments with street trees won't necessarily have other trees in the yard but developments without street trees will have yard trees. Ms. Crow stated the updated article does have requirements regarding street trees and how they should be spaced and maintained. She asked if the width of the greenspace between back of the curb to the sidewalk needs to be increased. Ms. Linn answered it is measured from the end of the right-of-way, not the back of curb, and this space is adequate and is vital as it is where snow is piled up once plowed and there must be enough space for turf to take root.

Ms. Linn stated it is best to set minimum standards and design guidelines that outline different elements that can be added to make the houses look different. She clarified the City does not want to dictate what the house looks like and allow variety. This is to prevent the City being filled with houses that all look the same. She stated City Staff still needs to research building materials but elements such as front porches and the placement of the garage can be changed to add character to each house. She reassured the Commissioners that decisions on these topics don't need to be made tonight, as there is still a lot of work still to be done in this article. Ms. Linn asked if the Planning Commission would allow City Staff to continue to investigate different codes and ideas to allow variety in homes. Mr. Crooks answered it is best to have variety in styles of houses and not to have cookie-cutter homes. The Planning Commission agreed to allow City Staff to continue their research.

Ms. Linn said there is new language that discusses connecting to streets and fencing materials. Mr. Crooks commented that driveway approaches are a big benefit as well. He also said that a third car driveway could be utilized. Ms. Linn explained there should be a limit of the width of the driveway at the right-of-way line, but the developer could add a wing out to a third car garage to the driveway.

Mayor Roberts stated it is a rarity to allow a 30-foot drive access at the street. Mr. Crooks thinks it would be best to leave the width of the whole driveway up to the developer. Mayor Roberts replied if there is a waterline break under the approach, the City replaces the approach if they have to dig under it. Ms. Linn also pointed out the approaches are replaced by the City during street reconstruction, so the width does matter to the City in terms of cost.

Chairman Daley said he is concerned about the UDC being too stringent and limiting and the amount of regulations that are being placed are too high. He has helped build new houses that this updated UDC would not allow. Mayor Roberts asked him to consider the price point of those houses. Chairman Daley requested the average price of new homes in other cities that are building many houses. Ms. Crow stated City Staff will work on comprising a list for the Planning Commission to review. Mayor Roberts mentioned the price of the land must be right for development to occur and the cheaper land will require infrastructure to be built out to it, which costs.

Ms. Linn informed the Commission the area of West Martin Street and West McDonald Street has a lot width of 60 feet and a 30-foot front setback. She wants the Commissioner to use this as an example for visualization of the size of the lots. She is a firm believer in the idea of allowing the developer to add diversity in the style of houses, but she understands that others may have a differing opinion.

Ms. Crow said fence material was discussed in September but needs to be reviewed as well. Mr. Crooks questioned why chain link isn't allowed to be utilized as fencing material. Ms. Crow answered chain link can be used for a fence in the rear, but not in the front or on corner lot side yards. Mr. Crooks asked why chain link isn't allowed in the front yard. Ms. Crow replied it is for aesthetics purposes to not allow chain link in a front yard and it is not very common in newly developed areas. Mr. Crooks stated it is possible for chain link to comeback in popularity and the black vinyl coated chain link in Logistics Park Kansas City looks nice. Mayor Roberts replied while it does look nice it is expensive and not commonly used in residential areas. He also pointed out the fact that if somebody needs to do something that is not in agreement with the UDC, they can apply for a variance. Mr. Crooks stated he does not want any fence in the front yard. Ms. Linn clarified the UDC would need to state that the fence must be on private property and can't be in the right-of-way. Mayor Roberts stated that wrought iron fences look good in front yards but there is a safety issue with some styles as there are styles of wrought iron that have tops that could impale somebody falling onto them.

Ms. Crow wants the Planning Commission to read the article presented carefully and come back to City Staff with thoughts and ideas. Mayor Roberts agreed the Planning Commission needs to consider these items carefully. He explained there are two trains of thoughts with Development Codes. There are no requirements or there are many. Developers want consistency throughout the development, and they do not want another builder coming in and constructing a completely different house next to theirs. There can be variations, but nothing drastic.

Ms. Crow told the Planning Commission City Staff will review what has been discussed and present a new update in January as there is a lot of things for both the Commissioners and City Staff to consider.

NEW BUSINESS

PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS – APPLICATION UDCA2019-04

Chairman Daley introduced Application UDCA2019-04 as amendments to Articles 7 and 12 of the Edgerton Unified Development Code.

Chairman Daley opened the public hearing.

Ms. Crow explained the sections of these articles are regarding the signage and conditional uses for the residential zoning district that is being amended by Application UDCA2019-03. She recommended that the Planning Commission close this public hearing, and another can be held once Application UDCA2019-03 is approved.

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

FUTURE MEETING

The next meeting is scheduled for December 10, 2019 at 7:00 p.m.

ADJOURNMENT

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

The meeting adjourned at 8:58 p.m.

Submitted by: Chris Clinton, Planning and Zoning Coordinator

Chris Clinton

From: Jane Scaro <janescaro@yahoo.com>
Sent: Thursday, November 07, 2019 2:42 PM
To: Donald Roberts; Chris Clinton
Subject: Truck Plaza Projects at Homestead Lane and 199th Street

My name is Jane Scaro, I live at 19913 Pepper Tree Road, Edgerton, Kansas. I'm addressing the Mayor, the City Council and the City Planning Commission with my concerns regarding the proposed development around the Homestead Lane and 199th Street area. Please include this letter in the public comments of your next meetings.

Air Quality

Please consider restricting the amount of time trucks and buses may idle their engines while inside Edgerton city limits. The Kansas City, Missouri area (including Clay, Platte and Jackson counties) limits idling to no more than 5 minutes in any 60 minute time period.

Long-duration idling is costly to the driver, the fleet owner and the environment. Idle reduction technology (IRT) exists that allows long-haul drivers to remain comfortable in their vehicles while resting. These IRT devices allow engine operators to reduce long-duration idling of the main propulsion engine by using an alternative energy source. An IRT device may be installed on the vehicle or at a specific location, reduces main engine idling and/or provides services (heating, A/C and electricity) that would otherwise require the operation of the main drive engine while the vehicle is temporarily parked or remains stationary. There are five types of IRT's the EPA has found to reduce emissions on long-haul trucks:

1. Auxiliary Power Units and Generator Sets 2. Fuel Operated Heaters and Direct Fired Heaters 3. Battery Air Conditioning Systems 4. Thermal Storage Systems 5. Electrified Parking Spaces or Truck Stop Electrification

Water Retention

Please ensure the water retention basins, screening ponds and berms are designed to prevent an increase in water run-off to adjacent land. The addition of paved areas leads to more water run-off from rain fall. A four inch rain on fifty acres drops 5.4 million gallons of water. In recent years it's not unusual to have several six to eight inch rain falls in the spring and in the fall leading to the flooding of the creek to the west of Homestead Lane.

Traffic Safety

Please eliminate the proposed access points (drive ways) to 199th Street. Access points from either truck plaza directly on to 199th Street are far too close to the existing intersection of Homestead Lane and 199th Street (which is stop-light controlled) to be safe. The KDOT traffic study is projected to give both truck plazas full access to Homestead Lane for traffic coming from the north or the south. The addition of the left and right turning lanes from Homestead Lane provide the necessary safe access points to the new truck plazas.

Area Lighting

Please allow only down lighted street lights with low intensity that provide enough lighting for safety and do not unnecessarily light up the neighboring homes.

Thank you for your time and consideration of my comments which apply to the Lone Star project and On The Go Travel Center.

Sincerely,

Jane Scaro

Chris Clinton

From: Eric Kirkendall <kirkendall1@gmail.com>
Sent: Monday, November 11, 2019 4:46 PM
To: Donald Roberts; Chris Clinton
Cc: Don Scaro; To: Matt Nichols; Amber Nichols; Don Scaro (dscaro@benefitsdesigngrp.cc); 'janescaro@yahoo.com'; Steve Holtgraver; Pamela Sanders (pcoukoulis1@embarqmail.com); TOM KREISER (jhawkgrad@embarqmail.com); Mike Hume (MDHUME@EMBARQMAIL.COM); Lonny Vlieger (lonny.vlieger@sial.com); Jenny Vlieger; marshall WOLF (marshallwolfe@embarqmail.com); Judy Wolfe (judywolfe@embarqmail.com); Cliff Cole; Colleen Cole
Subject: Diesel exhaust and health effects of the proposed truck stop near residents

Hi Don and Chris,

I used to live just outside of Gardner, and know Don and Jane Scaro. I care about their health, so encourage you not to allow construction of a truck stop so near their home and others.

My understanding is that the property line of this truck stop would be 50 feet from a nearby resident's front door, and that, frankly, is unthinkable. Some reputable truck stop operators (e.g., Love Travel Stops) will not build within 500 feet of a residential area, which is still an unhealthy distance.

Diesel exhaust is a known carcinogen, and exposure can also cause cardiovascular and respiratory problems. Traffic pollution, including diesel exhaust, has been linked to many other health problems, including low birth weight and a wide variety of neurological problems in children and adults, including dementia.

Here are a few articles with more information:

[Living Near Highways and Air Pollution](#), American Lung Association

[Neighbors concerned about effects of new truck stop](#), Dayton Daily News

[More Evidence Links Air Pollution to Dementia](#), Medscape

[Dementia Risk Rises With Proximity to Major Roads](#), Medscape

[Diesel exhaust may raise risk of neurological disease](#), Medical News

[How diesel fumes could cause 'flare up' of respiratory symptoms](#), Science Daily

Traffic air pollution has the most pronounced health effects on those who live within 300 yards of a roadway or polluting facility (e.g., a truck stop) so I encourage you NOT to approve a truck stop within 300 yards of residential areas.

One other factor you should consider is how much it will change the character of Edgerton and the cost of policing. As reported in the [Dayton Daily News](#), concerning one truck stop:

“...police had received more than 2,400 complaints to the truck stop, including almost 600 complaints of prostitution and more than 400 complaints of “serious crimes” including thefts, drugs and criminal damaging since the truck stop opened in 1999.”

Regards,

Eric Kirkendall
CleanAirNow
785-550-3408

STAFF UPDATE

Date: January 14, 2020
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Request to extend the expiration date for Application **FS2019-02** *TSL Edgerton Phase II*

BACKGROUND INFORMATION

On April 9, 2019 the Planning Commission approved **FS2019-02** Final Site Plan for *TSL Edgerton Phase II* located along the south side of 191st Street and the west side of Waverly Road. Pursuant to Article 10 – *Site Plans and Design Standards*, Section 10.4, Final Site Plan approval is for a period of one year from the date of approval providing the applicant has been issued a building permit for the project or has requested an extension of time from the Planning Commission.

Because a building permit has not been issued for this project, **FS2019-02** is set to expire on April 9, 2020. Upon expiration, the Site Plan becomes null and void. Pursuant to Section 10.4, if requested prior to expiration, the Planning Commission may grant the applicant an extension of up to one year.

On January 3, 2020 city staff received a request from Chris Stara on behalf of TranSpec Leasing, Inc., to request a one-year extension to the site plan effective date due to a delay in the project start. This delay is due to an ongoing U.S. trade dispute with foreign trade partners and the applicant is analyzing the market and future demands.

Staff recommends granting an extension of the Final Site Plan **FS2019-02** for LPKC - Logistics Support Phase 1 to April 9, 2021.

Attachment: Applicant request dated January 2, 2020
Staff Report dated April 9, 2019 for Application FS2019-02



January 2, 2020

City of Edgerton
Attn: Ms. Katy Crow
404 East Nelson Street
Edgerton, KS 66021

RE: TSL – Edgerton Phase II, Site Plan (FS2019-02)

Dear Ms. Katy Crow:

TranSpec Leasing, Inc. requests an extension of the Final Site Plan approval for TSL – Edgerton's Phase II expansion for a period of one year.

As the City is aware, our facility operates as a container yard and truck terminal. The expansion of our current facility has stalled since the Final Development Plan approval on April 9, 2019 due to the ongoing U.S. trade dispute with China and other foreign trading partners. We are requesting a one-year extension to the Final Development Plan approval as our company analyzes the market and future demands.

Best regards,

A handwritten signature in blue ink, appearing to read 'C. Stara', with a long horizontal flourish extending to the right.

Christopher Stara
General Manager of Real Estate Services

TranSpec Leasing, Inc.
10001 S 152nd Street
Omaha, NE 68138-3801

STAFF REPORT

April 9, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FS2019-02** Final Site Plan for *TSL Edgerton Phase II*, located along the south side of 191st Street, and the west side of Waverly Road.

APPLICATION INFORMATION

Applicant:	Chris Stara, representing Transpec Leasing Incorporated 10001 S. 152 nd St. Omaha, Nebraska 68138
Property Owners:	Hastings Family Holdings, LLC 25830 W Dodge Rd Waterloo, NE 68069
Requested Action:	Final Site Plan approval for <i>TSL Edgerton Phase II</i>
Legal Description:	Part of the NE Quarter of Section 3, Township 15 South, Range 22 East; see attached application for complete legal description.
Site Address/Location:	Along the south side of 191 st Street, and along the west side of Waverly Road.
Existing Zoning and Land Uses:	Existing zoning L-P (Logistics Park) District; Parcels are currently undeveloped.
Existing Improvements:	None.
Site Size:	29.44 acres

Subject Property



PROJECT DESCRIPTION

This request is for approval of Application **FS2019-02** Final Site Plan for the Phase II expansion of the current TSL Edgerton cargo container storage/maintenance facility and truck yard. The proposed expansion would occur on the adjacent parcels located directly south of current operations. Phase II includes a proposed 10,000 square foot Maintenance and Fueling Facility located near the southwestern corner of the property. If approved, this facility would include 6 (six) fueling pumps and 3 (three) above ground fuel tanks with containment basins. Also included is a proposed guard shack on the east side of the project, adjacent to Waverly Road. Increased demand for businesses which store and maintain cargo containers is a by-product of the activity in and around the intermodal facility.

A Preliminary Site Plan was not required due to the nature of the project and the proposed operation. Tracts A and B are to be utilized as part of the stormwater system. Building elevations for both the maintenance building and guard shack have been included. The Final Site Plan sheets include general information about the development including items such as overall layout, access, circulation and landscape plans.

Cargo container storage facilities are permitted by condition on parcels containing L-P District zoning designation. As such, operators are required to obtain a Conditional Use Permit. TSL Edgerton currently possesses a Conditional Use Permit for Phase I of their operations. As part of the Phase II expansion, they have applied for a new Conditional Use Permit (Application CU2019-01) which would include both phases of the operation and will be considered under separate review from this Site Plan Application.

INFRASTRUCTURE AND SERVICES

1. Requested access to the project operations will be from 191st Street via one (1) existing private drive and two (2) private drives off of Waverly Road. Proposal is to remove the existing drive off of Waverly and add two new drives further south.
2. Utilities.
 - 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.
3. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
4. Fire protection is provided by Johnson County Fire District #1.
5. Located within the Bull Creek watershed.

FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the requirements in Article 10, *Site Plans and Design Standards* and Section 5.2, *Logistics Park (L-P) District* of Article 5 of the Edgerton Unified Development Code (UDC). Review comments are listed below.

Article 10 - Site Plan Requirements

1. Sheet #3
 - a. Parking areas, paths, walkways with sizes and surfaces material specifications.
Driveway aprons should not exceed 30' in width at the throat. Phase I driveway throats are 36', which was allowed as part of the approval of the original

Phase I Site Plan in 2013. Phase II driveway throats are 36' and 34'. This meets the standard that was agreed upon for Phase I.

- b. A sketch of the entry sign and all other free-standing, façade, and building signs to be used on the premises. *No signage was submitted with the application. Signage proposed later shall receive separate approval from the Zoning Administrator according to the provisions of the UDC.*
- c. Features to facilitate handicapped access. *The accessible parking spaces and access areas should not exceed 2% slope in any direction. The accessible route to the building should meet ADAAG requirements. Applicant acknowledges.*

Section 5.2 – L-P Logistics Park District

1. District Regulations

- a. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase "screened from public view" means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced. *Building elevations indicate exterior HVAC units on the west side of the maintenance facility building. Screening of this equipment from public view is necessary. Landscaping or vinyl fencing material may be used. Update Final Site Plan.*

2. Architectural Design Standards.

- a. Building Materials. One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials. The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight feet (8') above grade on a façade visible from a public right-of-way or a public area. *The proposed east façade of the maintenance facility building is shown with 100% complete coverage utilizing a stone veneer product. The proposed west façade shows 100% stucco finish. The north and south facades show the stone veneer in the first 8' above grade then stucco on the remaining height. All surfaces on this building should be finished with the same material as the front of the building that faces 191st Street. Update Final Site Plan.*
- b. Screening of Rooftop Equipment. For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls. *Site plan does show proposed location for rooftop equipment, but it does not confirm that the equipment will be screened from the ground. If rooftop equipment is*

visible from the ground, street level parapets or screening to conceal it from the ground and the street shall be required.

3. Parking and Loading.

- a. Specific Requirements. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at least nine (9) feet by twenty (20) feet. ***There are no dimensions provided on the provided plans of the vehicular parking spaces. Update Site Plan.***

4. Landscape Standards.

- a. Perimeter Landscape Buffer Requirements. Perimeter landscape buffers shall be determined based upon adjacent land uses. Table 2, Perimeter Landscape Buffer Requirements, defines the required buffer to be provided.
 - i. West side of project: Phase II operations are adjacent to another approved cargo container operation containing L-P District zoning designation and adjacent to walking trail easement. Per the UDC, Type 1 and Type 2 Buffers are not required along rear property lines or along interior side property lines behind the front face of the building. ***Final Site Plan meets UDC requirements.***
 - ii. North side of project: No landscaping is required on the north side of Phase II operations due to adjacency to Phase I operations. ***Final Site Plan meets UDC requirements.***
 - iii. East side of project: Phase II operations are adjacent to Waverly Road right-of-way. Applicant has indicated included a Right-of-Way Buffer on Landscaping Plans. ***Landscaping requirements met.***
 - iv. South side of project: South side of Phase II operations will be adjacent to private roadway for Inland Ports 32 and 33. ***Full evaluation of Landscape Buffer cannot be performed by staff as no Line of Sight drawings were provided. Provide Line of Sight drawings for staff review or continue Landscape Buffer to west property line to ensure proper screening. Update Final Site Plan.***
- b. Dumpster and Compactor Screening. All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Chain link fences or wooden fences are not acceptable. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses. ***Final Site Plan indicates dumpster will be located on west side of project adjacent to Waverly Road right-of-way and landscape berm. Dimensions for dumpster and a Line of Sight drawing were not provided for this area. Staff is unable to evaluate if the dumpster will be fully screened from view. If deemed required, applicant may use landscaping or screening materials similar to those used for the building to screen dumpster from public view. Prior to issuance of Building Permit, this information must be provided to insure adequate landscaping and screening, especially adjacent to public right of way. Update Final Site Plan.***

5. Diesel Emission Requirements. No electrical hookups have been shown as they relate to the elimination of excessive truck idling. ***Refer to Article 5, Section 5.2.Q to ensure all***

requirements are met regarding diesel emissions and idling. Applicant acknowledges and will address if necessary.

OTHER COMMENTS

1. Proposed black galvanized steel fencing which encloses the entire property is indicated. Edgerton UDC perimeter fencing requirements call for black vinyl coated 1" mesh chain link fencing.
2. A Stormwater management plan has been submitted for review by the City Engineer. The following comments must be addressed to the City Engineer's satisfaction prior to building construction:
 - a. The site plan proposes to add 2.5 acres of impervious area which drains to the undetained Phase I portion of the TSL site. This results in an increase of runoff from the site. An increase in runoff from the site is not acceptable and stormwater management should be proposed to control the runoff from the site to no greater than the existing.

RECOMMENDATION

City staff recommends **approval** of **FS2019-02** Final Site Plan for *TSL Edgerton Phase II*, subject to compliance with the following stipulations:

1. The staff recommendations and comments noted related to building materials, landscaping, the stormwater plan and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Final Site Plan.
2. A Final Site Plan with corrections must be submitted and approved prior to commencement of uses and the property shall be developed in accordance with the approved Final Site Plan, Landscaping Plan, Photometric Plan, Stormwater Study and SWPPP.
3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
4. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
5. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. The property owner and/or developer shall work with City staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the Final Plat.
6. A Stormwater Management Plan has been submitted. However, all comments must be addressed to the satisfaction of the City Engineer.

ATTACHMENTS

- Application FS2019-02
- Final Site Plan for *TSL Edgerton Phase II*

☒ PRELIMINARY SITE PLAN☐ FINAL SITE PLANNAME OF PROPOSED SUBDIVISION: TSL Edgerton (Phase II Portion)LOCATION OR ADDRESS OF SUBJECT PROPERTY: 31115 West 191st StreetLEGAL DESCRIPTION: See attachedCURRENT ZONING ON SUBJECT PROPERTY: Logistics Park CURRENT LAND USE: VacantTOTAL AREA: 30.14 Ac. (Phase II Area) Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 1,312,898.4 Sq. Ft.DEVELOPER'S NAME(S): Chris Stara PHONE: 531-444-4820COMPANY: Transpec Leasing Incorporated FAX: 402-895-7033MAILING ADDRESS: 10001 South 152nd St. Omaha NE 68138
Street City State ZipPROPERTY OWNER'S NAME(S): Hastings Family Holdings, LLC PHONE: 402-895-6692COMPANY: Hastings Family Holdings, LLC FAX: 402-895-7033MAILING ADDRESS: 10001 South 152nd St. Omaha NE 68138
Street City State ZipENGINEER'S NAME(S): Patrick Cassity PHONE: 816-800-0950COMPANY: Renaissance Infrastructure Consulting FAX: N/AMAILING ADDRESS: 5015 NW Canal St. Suite 100 Riverside MO 64150
Street City State ZipSIGNATURE OF OWNER OR AGENT: 

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

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

Case No.: 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

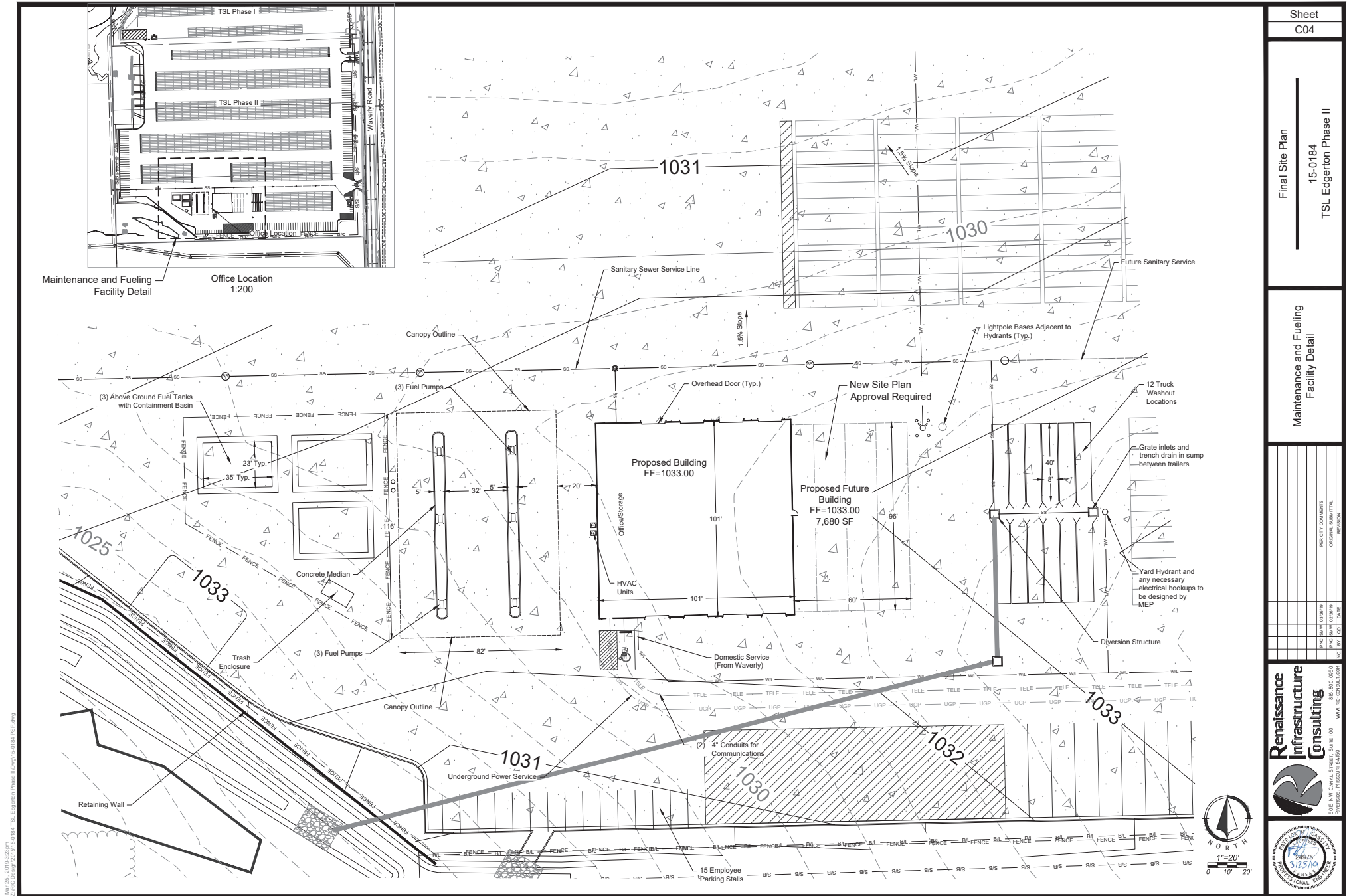
Sheet #5 (if requested)

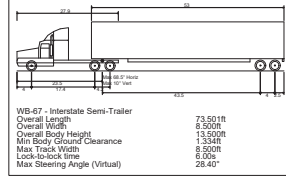
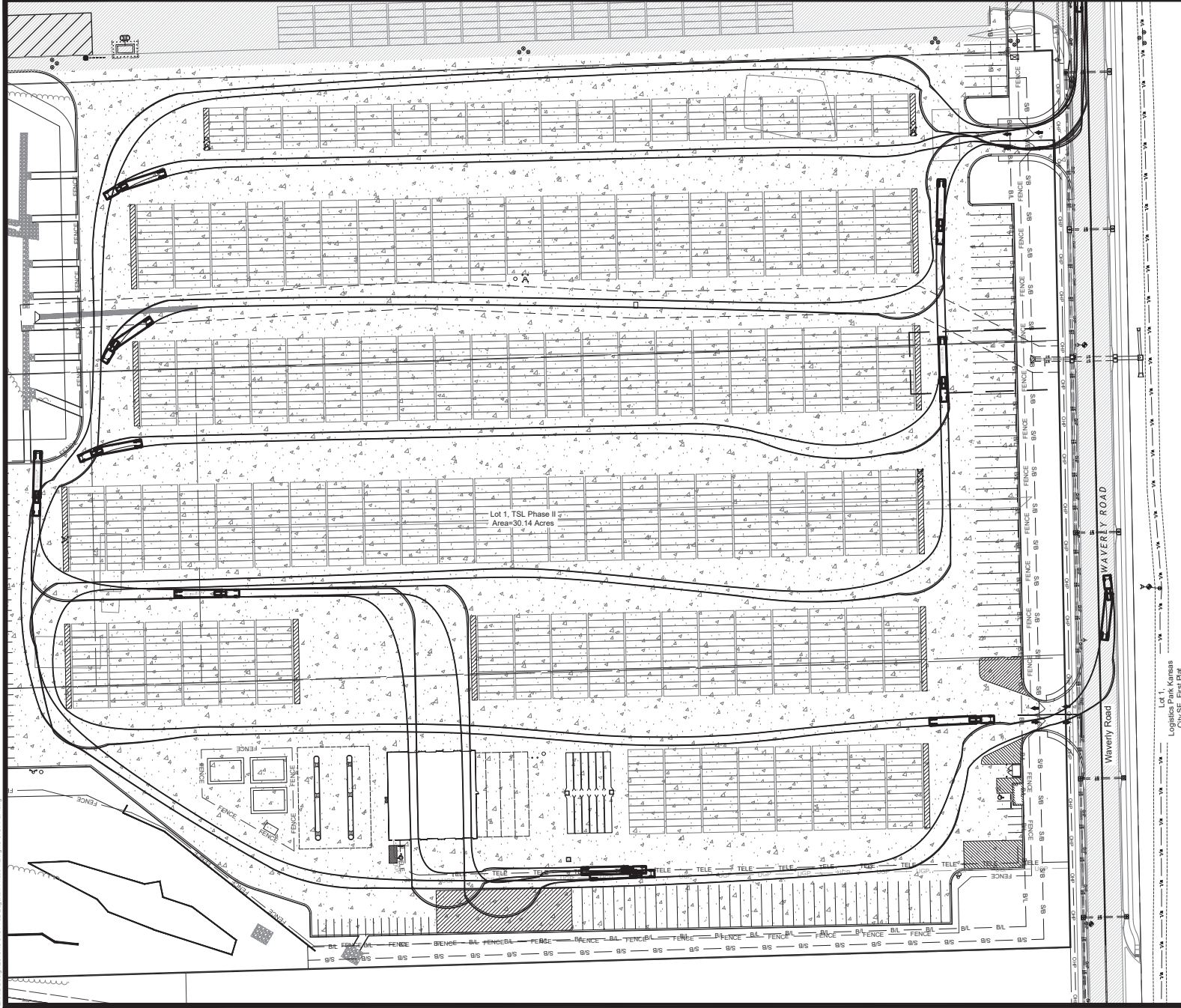
- ☐ Scale drawings of all building elevations
- ☐ Roof pitch and materials
- ☐ Siding type and materials, including facade

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



1. Stacked Storage Areas may be converted to trailer storage as demand and market dictates. However, stacked storage will be limited to designated areas shown in plans.
2. The entire facility will be an Intermodal Depot and Trucking Operation and will be used to accommodate the needs of that operation.
3. Stacked Storage areas will ONLY be in areas that are not along street frontage.
4. All stacking containers need to be setback from the property line a minimum distance equal to the stacked container height.
5. Number and Location of Truck Hookups Unknown. Owner Will Install As Needed.





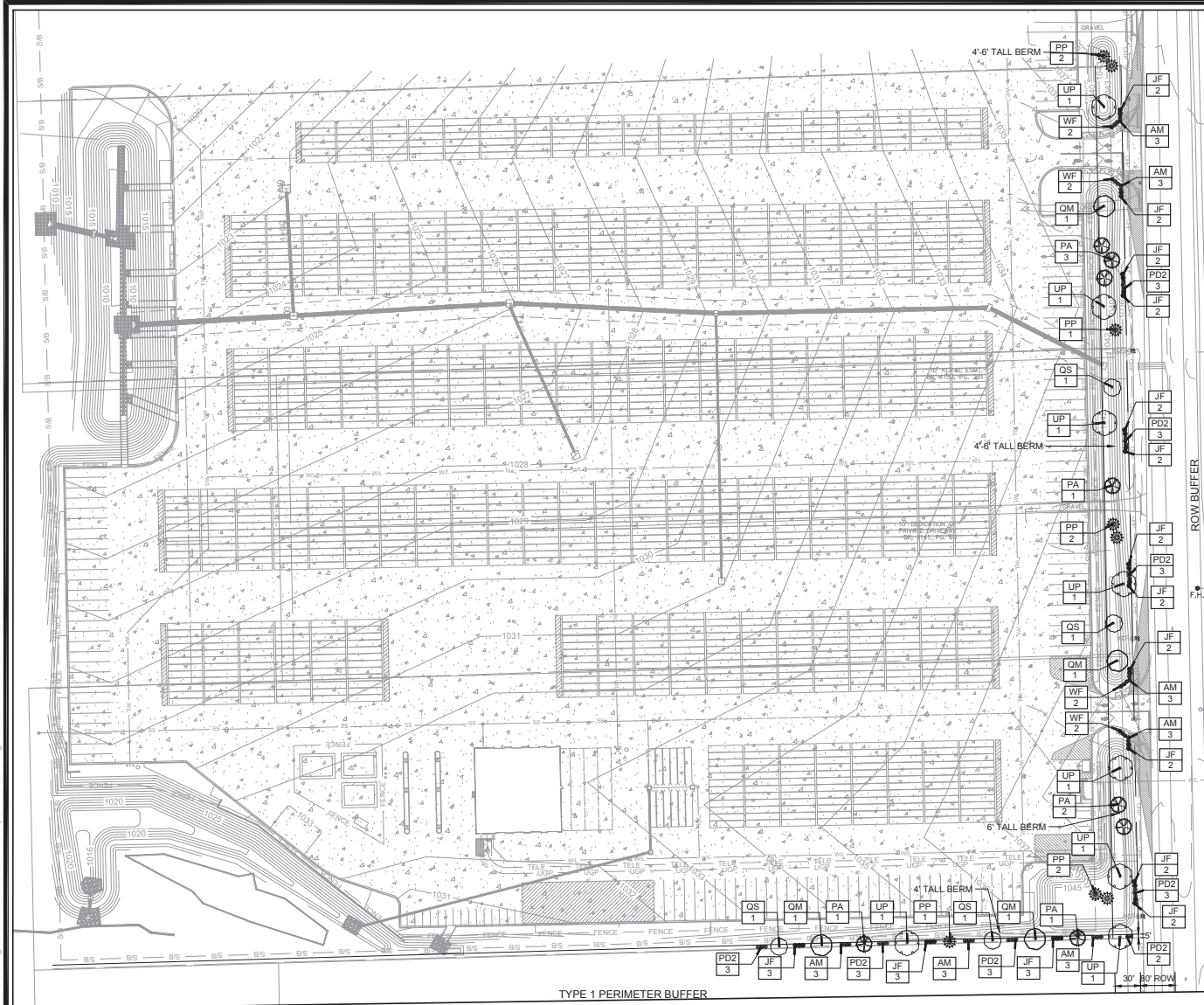
Lot 1
Logistics Park Kansas
City SE, First Plat



Sheet C06	Final Site Plan 15-0184 TSL Edgerton Phase II	Truck Tuning Plan	Renaissance Infrastructure Consulting	
			505 NW Canal Street, Suite 300 Lawrence, Kansas 66044 www.irc-consult.com	816.850.0950 24975 24975 24975

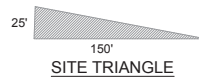
NO.	DATE	BY	CHKD	APP'D	DESCRIPTION
1	05/25/16	JD			ORIGINAL SUBMITTAL
2	05/25/16	JD			REVISED: REVISION 1

Mar 25, 2019, 8:54am
Z:\RCD\Design\2019\15-0184-TSL Edgerton Phase II Landscape 03-19-2019.dwg



TYPE 1 PERIMETER BUFFER South Property Line - 450 LF
REQUIRED
Buffer Width 5'
Evergreen Trees = 1 / 50' = 9
25% Coverage Shrubs @ 4' o.c. = 29
PROVIDED
Buffer Width 10' w/Berm
Evergreen Trees = 23
Shrubs = 65










ROW BUFFER
Waverly Road - 1040 LF
REQUIRED
Buffer Width 5'
Evergreen Trees = 1 / 50' = 21
25% Coverage Shrubs @ 4' o.c. = 65
PROVIDED
Buffer Width 10' w/Berm
Evergreen Trees = 23
Shrubs = 65



LANDSCAPE NOTES

1. LOCATE UTILITIES PRIOR TO COMMENCING LANDSCAPE OPERATIONS. ALL TREES SHALL BE FIELD POSITIONED AS TO AVOID CONFLICTS WITH EXISTING AND PROPOSED UTILITIES. NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS OR OBSTRUCTIONS.
2. CONTRACTOR SHALL STAKE ALL PLANTING AREAS IN THE FIELD PRIOR TO PLANTING FOR APPROVAL OF THE OWNER OR THEIR REPRESENTATIVE.
3. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO PLANTING. ANY DISCREPANCIES WITH THE PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE PLAN QUANTITIES SHALL SUPERCEDE SCHEDULED QUANTITIES.
4. ALL PLANT MATERIAL SHALL BE SPECIMEN QUALITY AND SHALL COMPLY WITH RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 THE AMERICAN STANDARD FOR NURSERY STOCK.
5. ALL PLANTING BEDS & NATIVE GRASS STANDS SHALL BE EDGED AS SHOWN IN PLAN.
6. PREPARE PLANTING BEDS AND INCORPORATE AMENDMENTS ACCORDING TO PLANS.
7. SHREDDED HARDWOOD MULCH, PER SPECIFICATIONS SHALL BE USED AS A THREE INCH (3") TOP DRESSING IN ALL PLANTING BEDS AND AROUND ALL TREES. SINGLE TREES AND SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND.
8. ALL TREES SHALL BE STAKED PER DETAIL.
9. ALL PLANT MATERIAL SHALL BE INSTALLED TO ALLOW A ONE FOOT (1') CLEARANCE BETWEEN PLANT AND ADJACENT PAVEMENT.
10. THE LANDSCAPE CONTRACTOR SHALL NOT COMMENCE WORK UNTIL THE SITE IS FREE OF DEBRIS CAUSED BY ON-GOING CONSTRUCTION OPERATIONS. REMOVAL OF DEBRIS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. LANDSCAPE WORK SHALL NOT BEGIN UNTIL THE LANDSCAPE ARCHITECT AND OWNER HAVE GIVEN WRITTEN APPROVAL FOR SUCH. THERE SHALL BE NO DELAYS DUE TO LACK OF COORDINATION FOR THIS ACTIVITY.
11. THE LANDSCAPE ARCHITECT AND OWNER SHALL APPROVE GRADES AND CONDITION OF SITE PRIOR TO SODDING/SEEDING OPERATIONS.
12. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT DESIGNATED FOR OTHER PLANTINGS OR HARDSCAPE SHALL BE SODDED WITH TURF TYPE FESCUE.
13. ALL TURF AND SHRUB AREAS SHALL BE WATERED DURING THE ESTABLISHMENT PERIOD.
14. DECIDUOUS TREES ARE TO BE SELECTED BY CALIPER INCH. "N/A" HAS BEEN DESIGNATED IN THE PLANT SCHEDULE FOR THE SIZE CATEGORY TO INDICATE THIS CRITERIA DOES NOT APPLY.
15. EVERGREEN TREES ARE TO BE SELECTED BY SIZE OF HEIGHT MINIMUM. "N/A" HAS BEEN DESIGNATED IN THE PLANT SCHEDULE FOR THE CALIPER (CAL) CATEGORY TO INDICATE THIS CRITERIA DOES NOT APPLY.

PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY
	PA	Picea abies / Norway Spruce	B&B	N/A	12" Ht. Min.	8 7%
	PP	Picea pungens 'Fat Albert' / Colorado Spruce	B&B	N/A	12" Ht. Min.	8 7%
	OM	Quercus macrocarpa / Burr Oak	B&B	2.5" Cal.	N/A	4 3%
	OS	Quercus shumardi / Shumard Red Oak	B&B	2.5" Cal.	N/A	4 3%
	UP	Ulmus americana 'Princeton' / American Elm	B&B	2.5" Cal.	N/A	8 7%
<u>SHRUBS</u>						
	CODE	BOTANICAL NAME / COMMON NAME	CONT			QTY
	AM	Aconia melanocarpa 'Morton' TM / Inquis Beauty Black Chokeberry	5 Gal.			21 18%
	JF	Juniperus chinensis 'Sea Green' / Sea Green Juniper	5 Gal.			33 28%
	PD2	Physocarpus opulifolius 'Diablo' / Diablo Ninebark	1 Gal.			23 20%
	WF	Weigelia florida 'Alexandra' TM / Weigelia	5 Gal.			8 7%
TOTAL:						117 100%



-
- Diagram illustrating a landscape bed cross-section. The diagram shows a cross-section of a landscape bed. The top layer is labeled "LIMIT OF PLANT BED AS SHOWN IN PLAN". Below this, a layer is labeled "VARIES". A dimension line indicates a minimum depth of "8\" MIN.". Below this is a layer labeled "HARDWOOD MULCH AS SPECIFIED". The bottom layer is labeled "LANDSCAPING, RE: PLAN & DETAILS". The entire bed is contained within a "V-CUT NATURAL EDGING". The area below the bed is labeled "LAWN AREA; RE: SPECIFICATIONS". A dimension line on the left indicates a depth of "to".

V-CUT / CULTIVATED EDGE
NTS



UTILITY BOX SCREENING DETAIL

NTS

-
- Diagram illustrating the planting process for a tree, showing the root ball, trunk, and surrounding soil. The diagram includes the following instructions:
- PRUNE OUT ANY DEAD OR BROKEN BRANCHES AND REMOVE DEBRIS FROM SITE.
 - SECURE TREE TO STAKES WITH STRAPS (RE: SPECS). STRAPS SHALL BE LOOSE ENOUGH TO ALLOW SOME MOVEMENT OF THE TRUNK WITH THE WIND.
 - SET TREE WITH TOP OF ROOT BALL FLUSH WITH GRADE. TRUNK FLARE MUST BE VISIBLE AT THE TOP OF ROOT BALL. REMOVE EXCESS SOIL TO TOP OF LATERAL ROOTS.
 - MIN. 6' LONG STEEL STAKES SECURED INTO UNDISTURBED SOIL. PLACE NORTH AND SOUTH OF TREE.
 - 3" MULCH PER SPECIFICATIONS. DO NOT PLACE ON TRUNK OR TRUNK FLARE. BERM AT OUTER EDGES OF RING TO CREATE A SAUCER FORM.
 - REMOVE TWINE AND CAGE FROM ROOT BALL AND TRUNK. PEEL AND REMOVE BURLAP FROM 1/3 OF THE ROOT BALL.
 - PLANTING HOLE SHALL BE AT LEAST 3 TIMES WIDER THAN THE SPREAD OF ITS ROOTS, BUT NO DEEPER. PLACE ROOT BALL ON UNDISTURBED SOIL WITH ROOT FLARE EVEN WITH OR 1" ABOVE GRADE. SCARIFY SIDES AND BOTTOM OF PIT.
 - AMEND SOIL ACCORDING TO SPECIFICATIONS.
- SECTION
- 3 X ROOT BALL DIA.

TREE PLANTING DETAIL
NTS



SHRUB PLANTING DETAIL
NTS



TYPE 1 PERIMETER BUFFER
NTS



RIGHT OF WAY BUFFER
NTS

PER COMMENTS
PER COMMENTS
PER COMMENTS
ORIGINAL SUBMITTAL REVISION

[illegible]

Room Schedule					
Number	Name	Base Finish	Wall Finish	Floor Finish	Ceiling Finish
01	Driver's Lounge	4" rubber cove	Painted gyp. b/d	VCT	2x4 Suspended Acoustical
02	Men	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
03	Women	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
04	Hallway	4" rubber cove	Painted gyp. b/d	Carpet	2x4 Suspended Acoustical
05	Shop Foreman	4" rubber cove	Painted gyp. b/d	Carpet	2x4 Suspended Acoustical
06	Office	4" rubber cove	Painted gyp. b/d	Carpet	2x4 Suspended Acoustical
07	Women	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
08	Men	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
09	Parts	4" rubber cove	Painted gyp. b/d	VCT	2x4 Suspended Acoustical
10	Warehouse	None	None	Concrete	None
11	Mech	4" rubber cove	Painted gyp. b/d	Concrete	2x4 Suspended Acoustical
12	Storage	None	Painted gyp. b/d	Deck	None

CEILING HEIGHT TO BE 9'-0" AFF

Wall Schedule		
Type Mark	Type	Type Comments
1a	Interior Partition-Metal Stud	3-5/8" Metal studs @ 16" o.c. w/ 3 1/2" fiberglass batt insulation and (1) layer 5/8" gyp. board each side. To 6" above ceiling
3a	Interior Furring wall metal studs	Furr out Columns
4a	Stone Veneer Wainscot	Thin Stone Veneer
5a	Exterior Wall - Metal Bldg w/ stucco finish	Per metal building mfr
6a	Interior Partition-Metal Stud 2	3-5/8" Metal studs @ 16" o.c. w/ 3 1/2" fiberglass batt insulation and (1) layer 5/8" gyp. board each side. To roof deck

Window Schedule					
Type Mark	Type	Height	Width	Sill Height	Count
1	36" x 48"	4' - 0"	3' - 0"		13

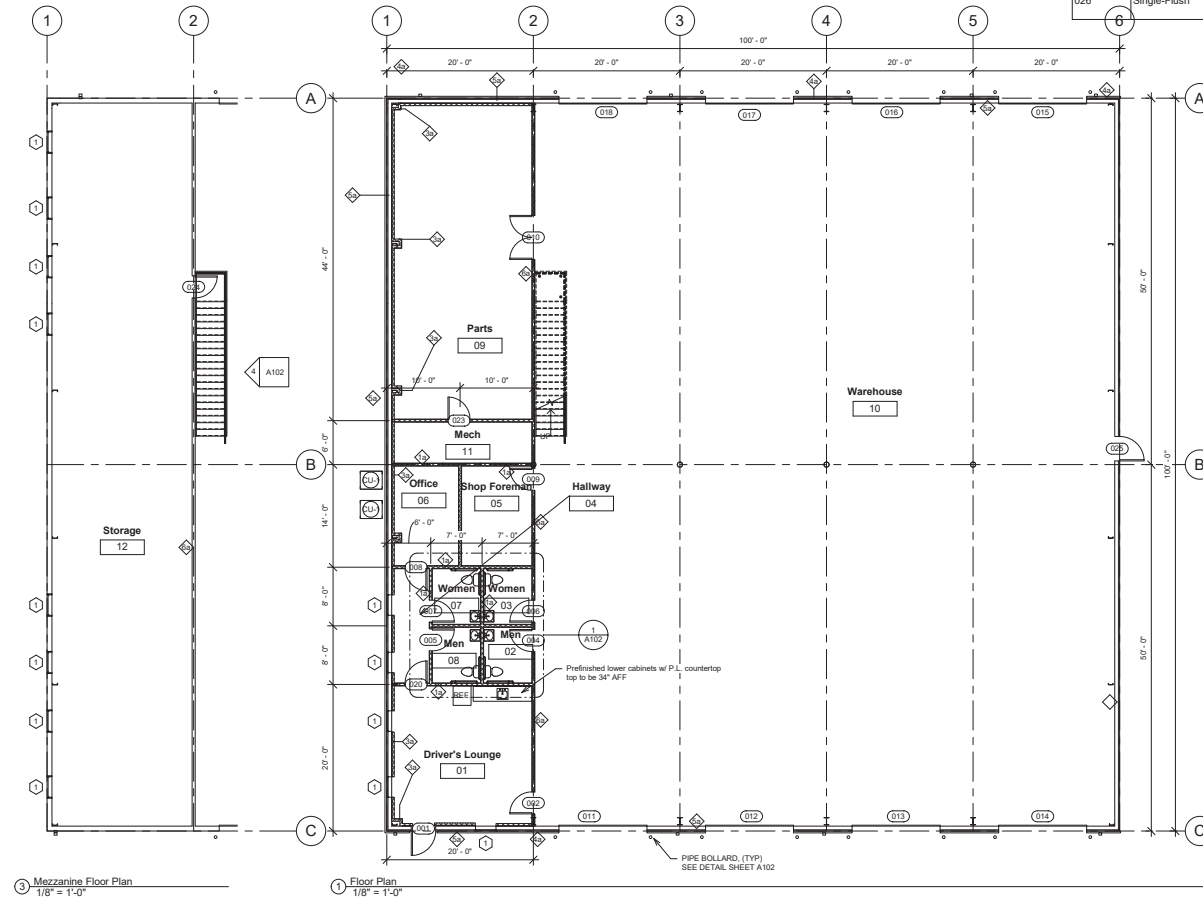
Door Schedule					
Mark	Family	Type	Door Finish	Frame Finish	hardware type
001	Single-Flush	3 x 7 Exterior	HM	HM	Lockset w/ lever handles, strike plate, 1-1/2 hinges, closer, drip cap, gasketing, bottom sweep.
002	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges
004	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
005	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
006	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
007	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
008	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges
009	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges
010	Double-Flush	6x7 Interior	WD	HM	Lockset w/ lever handles, strike plate, 2 - 1/2 pair hinges
011	Door-Overhead-Sectional	12 x 16	---	---	
012	Door-Overhead-Sectional	12 x 16	---	---	
013	Door-Overhead-Sectional	12 x 16	---	---	
014	Door-Overhead-Sectional	12 x 16	---	---	
015	Door-Overhead-Sectional	12 x 16	---	---	
016	Door-Overhead-Sectional	12 x 16	---	---	
017	Door-Overhead-Sectional	12 x 16	---	---	
018	Door-Overhead-Sectional	12 x 16	---	---	
020	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges
023	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges
024	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges
025	Single-Flush	3 x 7 Exterior	HM	HM	Lockset w/ lever handles, strike plate, 1-1/2 hinges, closer, drip cap, gasketing, bottom sweep.
026	Single-Flush	3 x 7 Exterior	HM	HM	Lockset w/ lever handles, strike plate, 1-1/2 hinges, closer, drip cap, gasketing, bottom sweep.

HM = 16 GA. HOLLOW METAL, PAINTED
WD = SOLID CORE RED OAK, STAINED
AL = ANODIZED ALUMINUM
IRP = IMPACT RESISTANT PLASTIC

HARDWARE SHALL BE MEDIUM DUTY COMMERCIAL GRADE. DOOR HARDWARE SHALL CONSIST OF BUTTS, LATCHSET OR LOCKSET, SILENCERS, SMOKE GASKETING FOR RATED DOORS, CLOSERS WHERE NOTED, PANIC DEVICES WHERE NOTED. EXTERIOR DOORS SHALL ALSO HAVE THRESHOLD, WEATHERSTRIPPING, SWEEP AND KEYED LOCK. CONTRACTOR SHALL COORDINATE ALL LATCH/LOCK FUNCTIONS AND KEYING OF LOCKS WITH OWNER. MAX. THRESHOLD = 1/2". ALL HARDWARE TO BE LEVER TYPE OR PUSH/PULL. ALL DOORS IN EGRESS PATHWAYS SHALL BE FREE TURNING FOR EXITING.

GLASS IN DOORS AND SIDELIGHTS SHALL BE SAFETY GLASS PER IBC SEC. 2406.1

OVERHEAD DOORS SHALL MEET DASHA WIND LOAD REQUIREMENTS



3 Mezzanine Floor Plan
1/8" = 1'-0"

1 Floor Plan
1/8" = 1'-0"

scharhag
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NEW BUILDING FOR
TSL EDGERTON
191st AND WAVERLY ROAD

J. Jeffrey Schneider, P.E., License 0078
Herman Schragg Co., Architects, Cert. of Authority 000100

No.	Description	Date
Revision Schedule		

Floor Plan

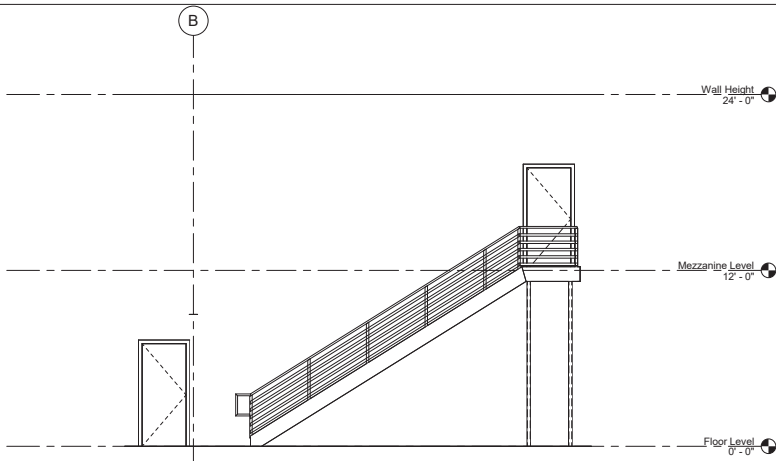
Project number 2141

Date 02.15.2019

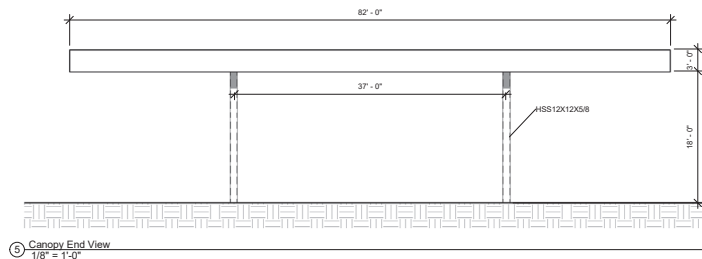
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Scale 1/8" = 1'-0"

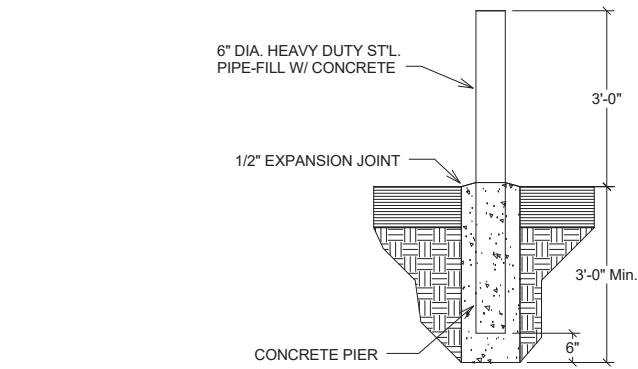
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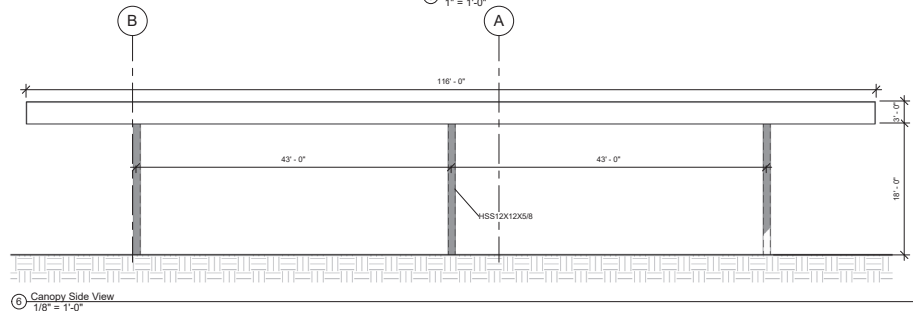
4 Stair Detail
1/4" = 1'-0"



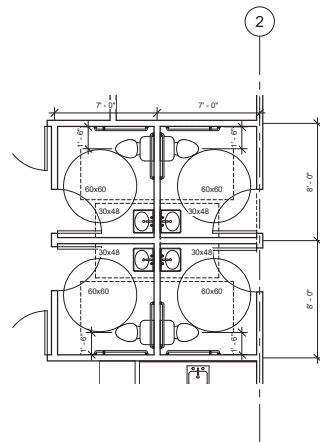
5 Canopy End View
1/8" = 1'-0"



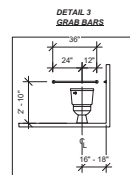
3 Pipe Bollard Detail
1" = 1'-0"



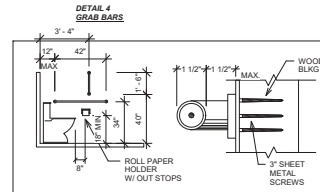
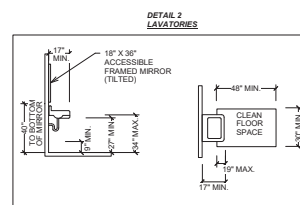
6 Canopy Side View
1/8" = 1'-0"



1 ADA Toilet Detail
1/4" = 1'-0"



2 ADA Toilet Notes
1/4" = 1'-0"



SANITARY FACILITIES		ICC/ANSI A117.1-2009
1.	GENERAL - PROVIDE SUFFICIENT SPACE IN THE BATHROOM FOR A WHEELCHAIR MEASURING 30" WIDE X 48" LONG TO ENTER THE ROOM AND PERMIT THE DOOR TO CLOSE. THERE SHALL BE ROOM FOR A 60" DIA. TURNING CIRCLE AS SHOWN ON PLAN. THE WATER CLOSET SHALL BE LOCATED IN A SPACE WHICH PROVIDES A 60" WIDE CLEAR SPACE FROM A FIXTURE OR A WALL AT ONE SIDE AND 60" OF CLEAR SPACE IN FRONT OF THE WATER CLOSET.	
2.	DOORS - SANITARY FACILITY DOORS SHALL HAVE AN AUTOMATIC CLOSING DEVICE & BE 3'0" WIDE	
3.	GRAB BARS - GRAB BARS SHALL BE AS PER DETAIL 3 & 4 AND SHALL BE CAPABLE OF CARRYING 250 LBS PER FT.	
4.	LAVATORY - LAVATORY HEIGHTS AND CLEARANCES SHALL COMPLY WITH DETAIL 2. INSULATE HOT WATER AND DRAIN PIPES UNDER LAVATORIES. NO SHARP OR ABRASIVE SURFACES ARE ALLOWED UNDER LAVATORIES. FAUCET CONTROLS AND OPERATING MECHANISMS ARE REQUIRED TO BE OPERABLE WITH ONE HAND AND CAN NOT REQUIRE GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS IS NOT TO EXCEED 5 LB. LEVER-OPERATED, PUSH-TYPE, AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS. SELF-CLOSING VALVES ARE ALLOWED IF THE FAUCET REMAINS OPEN FOR AT LEAST 10 SECONDS.	
5.	ACCESSORIES - IF MIRRORS, PAPER TOWEL, SANITARY NAPKIN, WASTE RECEPTACLES AND SIMILAR DISPENSING AND DISPOSAL FIXTURES ARE PROVIDED, AT LEAST ONE OF EACH TYPE IS TO BE LOCATED WITH BOTTOM MAX. 48 INCHES ABOVE THE FLOOR.	
6.	FINISHES - FLOOR FINISH SHALL BE VCT WITH 6" RUBBER COVE BASE. WALL FINISHES WILL BE EPOXY PAINT	
7.	URNAL - IF PROVIDED, URINAL LIP SHALL BE MAX. 17" ABOVE FLOOR WITH A CLEAR SPACE OF 30" WIDE X 48" IN FRONT OF URINAL.	

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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

J. Jeffrey Schneider, K.C., Licensed 2018
Herman A. Schramm Co., Architects, Cert. of Authority 1268140

No.	Description	Date
Revision Schedule		

Architectural
Details

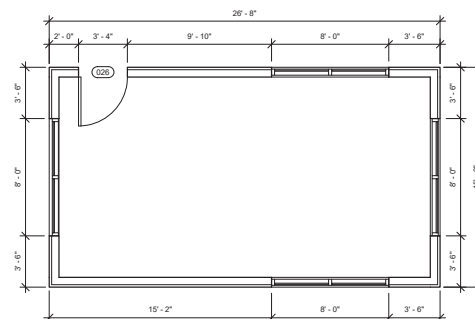
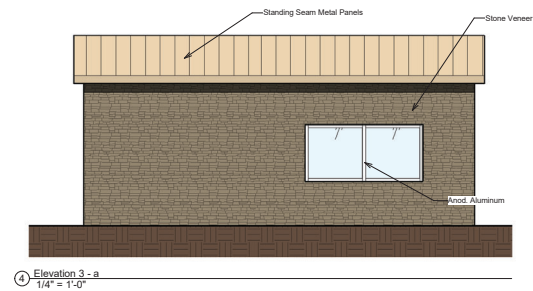
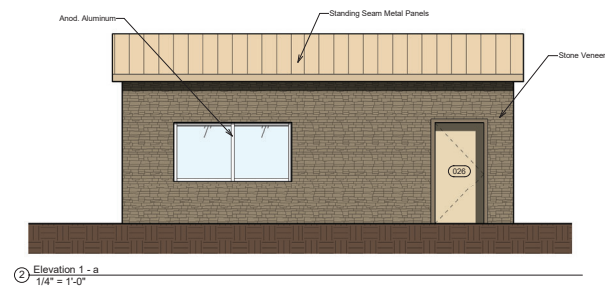
Project number 2141

Date 02.15.2019

A102

Scale As indicated

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① Guard Shack Floor Plan
1/4" = 1'-0"

scharhag
BUILDING CONDUIT ARCHITECTS

LEEDMAN & SCHINDLER COMPANY ARCHITECTS

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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

J. Jeffrey Schneider Ka. Licence 2078
Herman Scharfag Co., Architects Cert. of Authority 704514

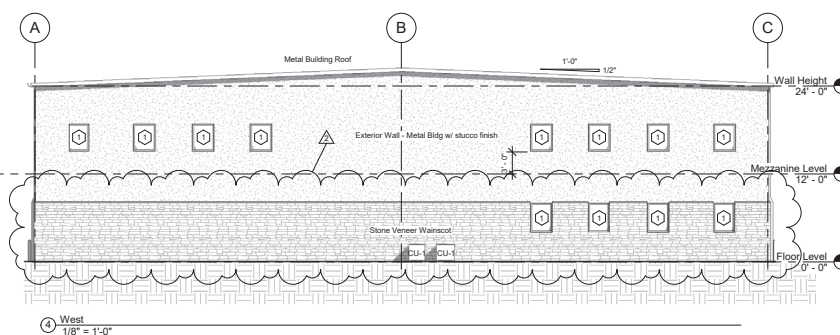
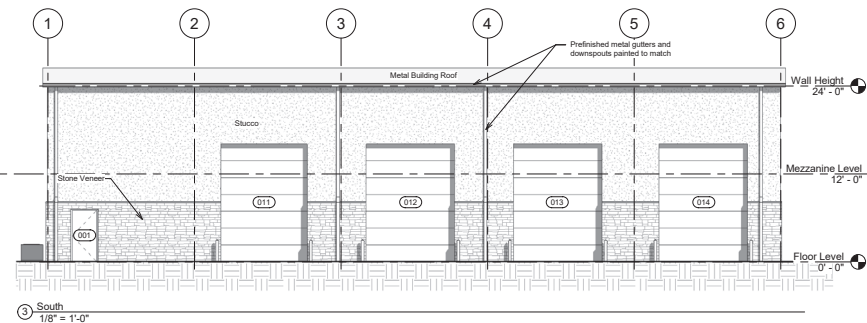
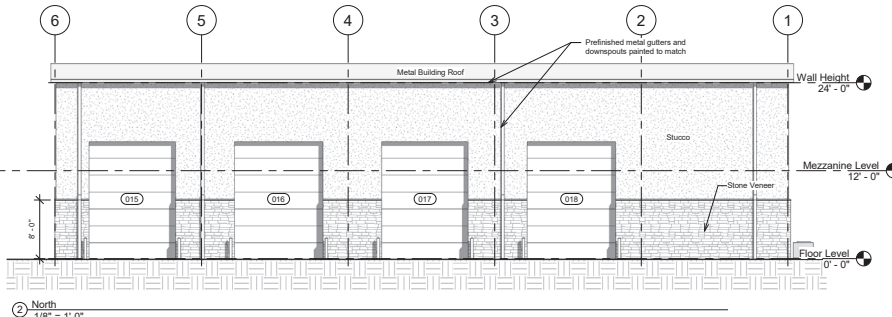
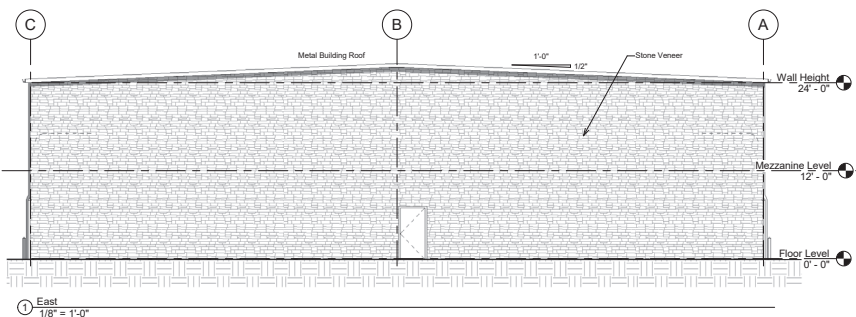
1	City Comments	2.15
No.	Description	Date
Revision Schedule		

Guard Shack
Plans

Project number	2141
Date	02.15.2019

A103

Scale $1/4" = 1'-0"$



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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

J. Jeffrey Schneider, K.S. Lawrence 2018
Herman Scharhag Co., Architects, Inc. of Authority 15041403

2	City Comments	3.21
1	City Comments	2.15
No.	Description	Date
Revision Schedule		

Elevations

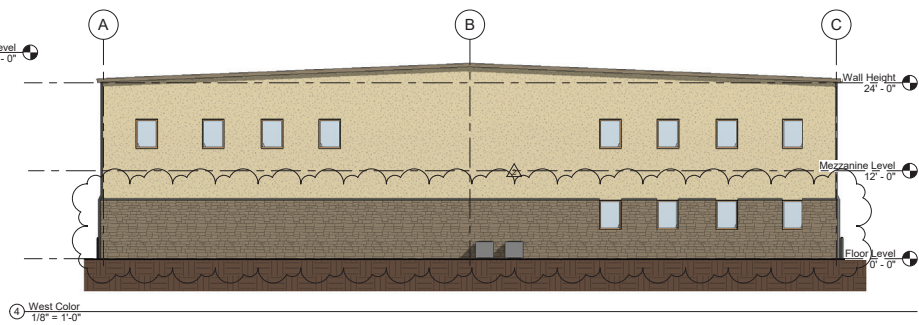
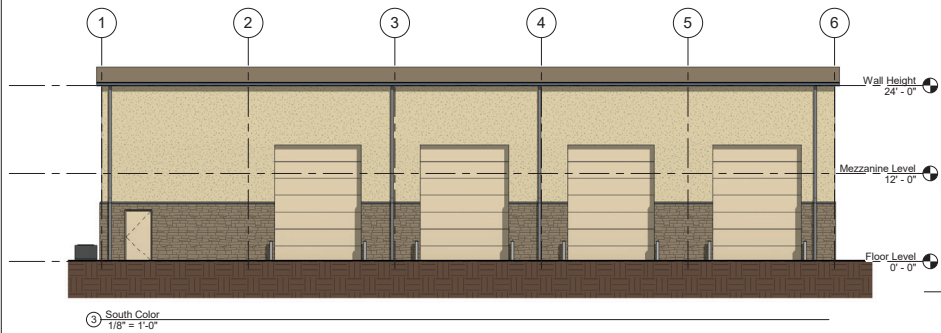
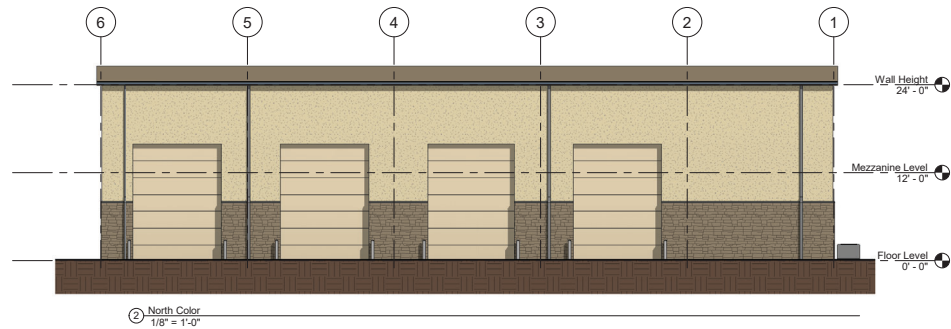
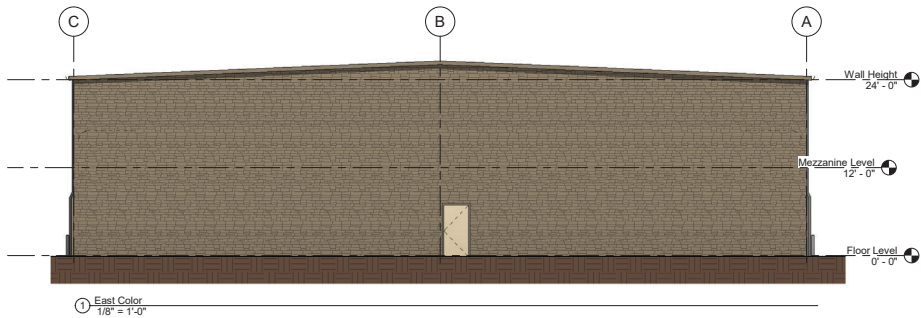
Project number 2141

Date 02.15.2019

A201

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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

J. Jeffrey Schneider, K.A. Licentia 2018
Herman Scharhag Co., Architects, Inc. of Authority 1040140

2	City Comments	3.21
1	City Comments	2.15
No.	Description	Date
Revision Schedule		

Colored
Elevations

Project number 2141

Date 02.15.2019

A202

Scale 1/8" = 1'-0"

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STAFF UPDATE

Date: January 14, 2020
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: Application UDCA2019-05 – Revisions to Article 13 – *Subdivision Approval Procedures*
Consideration of a public hearing to consider public comments regarding proposed amendments to the Unified Development Code

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 continues to work on updating each chapter.

Article 13 – Subdivision Approval Procedures is the section of the UDC which governs the division of land and the platting process. Enclosed in the packet is a draft of the proposed revised Article 13 along with a copy of Article 13 as it exists today.

Staff has worked to clarify the verbiage of this chapter so that the intent of what is required during the platting process is clearly outlined for applicants. The format of the Article has been rearranged to flow in a manner that makes more sense and is easier to use. The General Design Standards section has been revised to include a more detailed list. The sections on Preliminary Plat and Final Plat have been refined to include information specific to those two document types.

Staff received a checklist from the Johnson County RTA which contains specific information their staff reviews when a plat document is presented to them for recording. Staff has incorporated the county's list into this section to help streamline the recording process at the RTA. A platting document can be rejected if it is missing any of the required information – the inclusion of this checklist will help to alleviate rejections.

We continue to ask for your input, direction, guidance and oversight in incorporating these changes which will create an important framework for development activity in the City of Edgerton for years to come.

At this time, staff is requesting that the public hearing be opened, any public comment be accepted, and the hearing closed. Staff will take the feedback received tonight and incorporate

it into the Article as necessary. With recommendation from the Planning Commission, the final form Article will go to the Governing Body for approval and adoption.

Prior to the Article being provided to the Governing Body for adoption, staff will provide the amended Article to the City Attorney and City Engineer for their review.

Article 13

Subdivision Approval Procedures

Section 13.1	Development Conference
Section 13.2	Lot Splits
Section 13.3	General Design Standards for All Plats
Section 13.4	Preliminary Plat
Section 13.5	Final Plat
Section 13.6	Governing Body Approval
Section 13.7	Recording of Final Plat
Section 13.8	Vesting and Conflicting Requirements
Section 13.9	Assurances
Section 13.10	Re-subdivision or Replats

13.1 Development Conference

The development conference affords the applicant an opportunity to review the city development codes and procedures and for City Staff to comment on the proposed development.

1. Contact the Zoning Administrator to schedule an appointment.
2. With city assistance, determine the current zoning designation and applicable zoning classification for the property to be developed or subdivided. If the land is not zoned for the intended use City Staff will review the Comprehensive Plan to determine if a rezoning of the parcel is necessary.
3. City Staff will review pertinent requirements for platting, including, but not limited to, roads, easements, physical arrangement and density, general city, state and federal regulations for public water/sewer connections, sanitary regulations and flood plains.
4. At this point in the platting process, sketch plan may be submitted which includes:
 - a. Name, address and phone number of applicant.
 - b. Name and legal description of the tract.
 - c. Proposed boundaries including north arrow designation.
 - d. Very general topographic features at reasonable intervals.
 - e. General drainage features.
 - f. Roads adjacent to tract.
 - g. Proposed general street and lot layout.
5. Once a determination has been made to move forward with any additional platting or subdivision action, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the area being addressed by the action.

13.2 Lot Splits

Owners of a lot of record may divide the lot one time, into no more than two tracts, without replatting the parcel. Once a lot is split, it may not be divided again without going through the City of Edgerton platting process. All lots resulting from the split must conform in all respects to the current district zoning regulations.

1. Applicant shall complete a Lot Split Application and submit with a Lot Split Fee, established within the Fee Schedule for the Unified Development Code, to the Zoning Administrator.
2. The submitted lot split filing will be reviewed by City Staff and must include a Certificate of Survey, sealed by a Licensed Land Surveyor in Kansas. The Certificate of Survey must contain a signature block for the Register of Deeds.
3. Prior to recording with the Register of Deeds, the Certificate of Survey must be reviewed by the County Surveyor or another designated land surveyor.
4. The Zoning Administrator may require that reasonable service and right-of-way easements accompany the survey.
5. Once approved by the Zoning Administrator, the applicable documents shall be recorded with the Register of Deeds by the City of Edgerton.

13.3 General Design Standards for All Plats

All submitted plats must meet the following general design standards. Incomplete submissions (i.e. missing application, unpaid fees, correct number of copies, etc.) will be rejected and will not undergo a staff review until such time as all required components are received.

1. All plats must be on 24# bond paper, a maximum of 36" x 30" in size.
2. Three rolled (3) paper copies plus one electronic copy must be submitted to the Zoning Administrator when the application is filed.
3. No white out or correction tape is allowed on the original submission.
4. A section vicinity map (1" = 2000 scale) is required and shall show major roadways, section, township and range with a small north arrow adjacent.
5. Plats shall be accurately drawn to standard scale (30, 50, 100, 150 or 200 feet) and have a north arrow pointing to the "top" or to the "left". The scale shall be indicated under the north arrow and include a graphic scale.
6. Plat names shall be unique and follow this format:
 - a. Plats shall be filed in numerical order with that order included in the name of the plat.
 - b. On all plat phases, the notation of the numerical order must be consistent (i.e. all numerals or all spelled).
 - c. If the plat is a replat, the title shall so indicate either under the plat name or above the legal description.
 - d. Plat and replat names are limited to 70 characters including spaces.
 - e. The text shall include the statement "Shall hereafter be known as ('name of subdivision')".
7. The legal description shall match the exterior boundary of the drawing and shall have no exceptions.
8. In metes and bounds descriptions the point of beginning shall be indicated in the legal description and shown on the drawing.
9. The overall acreage within the plat shall be included in the legal description.

10. A metes and bounds description is not required on a replat of whole lots in the same block.
11. Monument requirements are as follows:
 - a. All exterior corners in the boundary of a subdivision of land shall be monumented prior to recording of the plat submitted for recording.
 - b. The monuments shall be a metallic bar or pie which is in accordance with Kansas law at the time the survey is made.
 - c. Where any United States public land survey corner or section center is involved in the control establishing the location of a subdivision boundary or other property boundary, such corners shall be monumented before being used in the control of the survey.
12. The following legend shall be used for all plat documents:
 - a. Solid lines – streets and lot lines
 - b. Dashed lines – easements and setbacks
 - c. Dark heavy lines – outside boundaries which match the legal description.
 - d. Light dashed lines – shall signify portions of adjoining plats with appropriate names and lot and block numbers or labeled unplatted. Perimeter bearings and dimensions are to coincide with adjoining plats or the record deed. If not, show the recorded bearings and distances of adjoining plats or record deed and indicate that they are the same line.
 - e. Document shading should be kept to a minimum and should be as light as possible. Shading and lines shall not obscure text or numbers.
13. Plats shall be one enclosed tract with one continuous line. There shall be no separate or isolated tracts and no excepted tracts within the interior boundary.
14. 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.
15. All blocks and lots are to be identified by number; all tracts are to be identified by letter.
16. 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.
17. 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.
18. Side lot lines shall be substantially at right angles to street lines.
19. 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.
20. The road right of way width shall be shown on each street. All streets shall be named that appear on the plat and shall coincide with previously named and number streets.

21. If the adjacent road right of way has not been platted, the plat should extend to the section line.
22. Utility easements must be a minimum of fifteen (15) feet wide or, 7.5 feet for appurtenant utility easements on interior lots.
23. Street lighting and fire hydrants must be indicated in areas planned for residential use.
24. Cul-de-sacs are limited to 800 feet in length.
25. 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.
26. A statement shall be made dedicating all easements, streets, alleys, access control and all other public areas not previously dedicated.
27. The lot depth to front lot width ratio shall be no more than 3 to 1.
28. 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.
29. Adequate control and dimensions shall be shown so that the survey can be retraced, this is usually the bearing and distance to monuments found to establish the exterior boundary of the subdivision.
30. The bearings and dimensions of each lot and other tracts shall be shown on the drawing. Along the exterior boundary the sum of the interior dimensions must equal the exterior dimensions.
31. Signatory requirements for all plats:
 - a. Adequate space for required notary stamp and signature.
 - b. Original signatures and seals must be in blue or black ink.
 - c. Certified and sealed by a licensed land surveyor.
 - d. Proper endorsement from the appropriate Governing Body and Planning Commission.
 - e. The appropriate name shall be lettered under each signature, including the notary public.
 - f. Plats shall have notarized signatures of all owners who have an interest in the property. If the plat is signed by an officer of a corporation, the name of the corporation shall be shown, and the titles shall be lettered under all signature lines.
32. Divided ownerships: When two or more owners have separate tracts, a statement describing the exact ownership in accordance with the new plat shall be included. If the separate owners split a new lot, the statement shall clearly define the parts of the new lots owned by the various owners.

13.4 Preliminary Plat.

The Preliminary Plat is the actual review instrument used by the Planning Commission. The Planning Commission must approve the Preliminary Plat, with any notations, variances and changes, before the applicant can proceed to the Final Plat stage.

The Planning Commission shall have the following authority, options and powers:

1. A Preliminary Plat must be submitted at least forty-five (45) days prior to a scheduled meeting.
2. Notice and a Public Hearing are required at the Preliminary Platting stage. Notice to the Public shall be in the official City newspaper at least twenty (20) days in advance of the hearing.
3. The applicant must provide the legal description for the Preliminary Plat electronically, in Microsoft Word document format, when the application is filed with the City.
4. A Preliminary Plat Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with each Preliminary Plat application.
5. The Planning Commission has the authority to:
 - a. Require the modification of any plat to conform to this Unified Development Code, or to modify or add conditions to any plat when such action increases the public convenience, the goals of the city comprehensive plan, supports property values, or secures the public health, safety and welfare.
 - b. Vary setbacks and yard sizes to overcome practical difficulties, or to promote good land design. The authority to vary yard size and placement in planned unit developments, or if the plat contains zero lot line or cluster provisions.
 - c. Compel applicants to file easements that are necessary to serve the potential residents of a subdivision, protect the use and value of neighboring property and to promote the public safety and welfare;
 - d. Compel applicants to offer for dedication or reservation such property as necessary to safely, conveniently and effectively serve the general welfare, promote good standards of land design and land use, and to advance the practice of agricultural (and other natural resources) preservation.
6. The Planning Commission shall review the Preliminary Plat, and other material submitted with, it to determine conformity with the comprehensive plan and these regulations.
7. The Planning Commission shall act upon the Preliminary Plat within ninety (90) days after submission, unless the applicant waives or consents to an extension of the ninety (90) day period. If the applicant submits the preliminary and final plats concurrently, the time period shall be ninety (90) days in totality.

A. Preliminary Plat Required Content.

In addition to the General Design Standards outlined in section 13.3, Preliminary Plats require the following information:

1. A full legal description including current zoning.
2. Name of applicant, subdivision and any streets bordering or included in the development.
3. Name and original seal of surveyor/engineer.
4. Date surveyed.
5. Adequate and accurate legend.

6. Signature block and date for review by Zoning Administrator.
7. Signature block and date for review by City Engineer.
8. Signature block and date for review by Chair of Planning Commission.
9. Signature block and date for review by Mayor.
10. Complete outline drawing of all boundaries, lots, and streets, together with courses, distances and areas.
11. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes must be shown.
12. Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains, and fire hydrants must be shown.
13. Preliminary 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.
14. Overall total parcel acreage and acreage size of each individual lot and/or tract must be included.
15. Contours at vertical intervals of 4 feet or less.
16. Setbacks, yards and any entrance restrictions must be shown. This includes K-DoT restrictions for parcels adjacent to KDoT right of way. 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).
17. A copy of the proposed restrictive covenants related to the parcel, if applicable.

B. Preliminary Plat Approval Limitations.

1. 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.
2. Tentative approval shall not constitute a final acceptance of the Preliminary 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.
3. 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 any portion of the land covered under the Preliminary Plat within one year, the Preliminary Plat shall be ruled null and void.
4. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the Preliminary Plat.
5. Requests to extend the approval must be received prior to plat expiration and at least 14 days prior to the Planning Commission meeting at which the extension is to be considered.

13.5 Final Plat.

The commencement of any improvements shall not occur in any subdivision prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body.

1. A final plat and construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat must be submitted at least forty-five (45) days prior to a scheduled meeting.
2. A Final Plat Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with each final plat application.
3. Sanitary sewer and water main drawings and specifications must be submitted to and approved by the Kansas Department of Health and Environment prior to the commencement of any improvements.
4. A New Public Improvement Inspection Fee will be charged in accordance with the established Fee Schedule for the Unified Development Code.
5. All final plats and construction plans must comply with the regulations in effect at the time that the final plat and construction plans are submitted.
6. The Planning Commission shall act upon the final plat within ninety (90) days of submission of the final plat and construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains as required by these regulations, unless the applicant consents to an extension or waiver of the time limitation.

A. Final Plat Required Content.

In addition to the General Design Standards outlined in section 13.3, Final Plats require the following information:

1. Provide at least a 4" x 2" blank area in the upper left corner for the Register of Deeds stamp and seal.
2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a 2" x 24" metal bar
4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1' in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground.
5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
6. All easements with widths, and roads with curve data.
7. Ingress/egress limitations if required.
8. The location of existing utility easements.

9. A written legal description from the survey which meets all requirements in the General Design Standards section of this Article.
10. An instrument of dedication for all roads and easements
11. Special notations required as a condition of platting by the Planning Commission.
12. Clear delineation of approved phases.
13. Private travel easements.
14. Setbacks, yards and any entrance restrictions must be shown. This includes K-DoT restrictions for parcels adjacent to KDoT right of way. 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).
15. Include a "consent and agreement" clause on the plat.
16. The Owner's Certificate with Notary Seal.
17. Certificate of the Governing Body with City Clerk's Attest and Seal.
18. Certificate of the Zoning Administrator.
19. Signature block for Planning Commission Chair and Secretary approval.
20. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.

13.6 Governing Body Approval

Following the approval of a final plat by the Planning Commission, the Governing Body shall review the plat instrument for dedications and reservations and assure that the final plat meets the standards of the City of Edgerton.

The Governing Body may either approve the final plat, return the final plat to the applicant with instructions and specifications to conform to City standards, or deny the final plat with a refusal to accept dedication.

If the Governing Body denies the final plat a set of written findings must be given to the applicant within 30 (thirty) days.

13.7 Recording of Final Plat

- A. Upon approval of a final plat by the Governing Body the City of Edgerton shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void.
- B. All real estate taxes due and owing must be paid at the time of recording per K.S.A. 19-1207 as amended by SB 193.
- C. As part of the recording process, the applicant shall provide a digital computer aided drafting (CAD) file to the Johnson County RTA, to an email address at the RTA provided by the Zoning Administrator.
- D. *Chapter IV – Article 10* of the Edgerton Municipal Code imposes an Excise Tax on platting and building within the City. Prior to endorsement of any final plat, all excise taxes must be paid, or City Staff must determine that an exemption from payment

prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code.

E. A New Street Light Fee, established by the Fee Schedule for the Unified Development

Code, shall be submitted prior to the endorsement of any final plat. (Ord. 800; 2005)

13.8 Vesting and Conflicting Requirements

- A. Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers, and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.
- B. The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards.
- C. Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid and shall be duly noted and enforced by building permits.
- D. Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

13.9 Assurances

- A. Developers are required to install all streets, storm water sewers, sanitary sewers, and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs, and speed limit signs.
- B. **Exceptions.** The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.
- C. **Financial Assurance.** Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be

equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.

- D. As Built Plan Set.** Prior to acceptance of public improvements by the City, the developer shall provide two (2) sets of prints for all public improvement projects, excluding sidewalks, corrected to show the project as constructed and shall accurately and completely denote all changes made during the construction. Each sheet within the prints shall be clearly marked as "Conforming to Construction Records" and shall include the date of revision and certifications by a Kansas licensed engineer. This set of plans shall be substantially similar to the set of construction plans that was approved by the Governing Body. (Ord. 801; 2005)

13.10 Re-subdivision or Replats

- A.** Any previously subdivided tract(s) may be re-subdivided after submission of a new or corrected plat. Re-subdivided plats may be used for the following purposes:
1. The division of any existing lot into two or more additional lots.
 2. The reconfiguration of any lot(s).
 3. The correction of any monument, distances, and/or bearing.
 4. The addition or removal of any easement or right-of-way.
 5. The vacation of a lot(s) from an existing subdivision.
- B.** All re-subdivision plats shall
1. Contain the title RE-SUBDIVISION or REPLAT
 2. Followed by the original title of the plat and, if applicable,
 3. The lot(s) that are to be divided: i.e., A Replat of Lots 1 and 2 of _____ Subdivision.
- C.** Renumbering of existing lots using re-subdivision.
1. When one or more lots are created from an existing numbered (or lettered) lot(s), the new lot(s) shall be numbered as follows:
 - a). Abandoning lot lines between two or more lots to create one or more lots: the lowest lot number plus the letter beginning with (A). Example - abandoning lot lines between lots 1 and 2 and 2 and 3 to create a new, single lot; the lot is now numbered 1A. If the lot originally contained a letter designation, then the new lot shall contain the lowest letter plus the numeric character one (1).
 - b). Creating two or more new lots from an existing lot: the letters A, B ... and so forth for each new lot created preceded by the original lot number. Example: lot 4 is split into four (4) lots - the new lots would be lots 4A, 4B, 4C, and 4D.
 - c). Adding new lots (one or more) to an existing subdivision: as far as practicable, the lots shall continue in a consecutive fashion - or by direction of the Zoning Administrator.

- d). Creating new lots from a lot or lots previously re-subdivided: as far as practicable, the lots shall continue using a numbered system. Example: lot 4 was re-subdivided into lots 4A, 4B and 4C. If lot 4A were re-subdivided into three lots, the new numbers would be lot 4A-1, lot 4A-2, and lot 4A-3.

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Article 13

Subdivision Approval Procedures

Section 13.1	Lot Splits
Section 13.2	Development Conference
Section 13.3	Regular Land Development Process
Section 13.4	Governing Body Approval
Section 13.5	Recording Final Plat
Section 13.6	Vesting and Conflicting Requirements
Section 13.7	Assurances
Section 13.8	Resubdivision or Replats

13.1 Lot Splits

A. General.

1. Owners of a lot of record may divide such lots into no more than two tracts without recourse to replatting. Once a lot is split, it may not again be divided without replatting. The resulting lots must conform in all respects to the current district zoning regulations.
2. A Lot Split Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with each lot split.
3. Lot splits must be filed with the Zoning Administrator, with a signature block for the Register of Deeds. A lot split must be submitted as a certificate of survey, and sealed by a Licensed Land Surveyor in Kansas and reviewed by the County Surveyor or another designated land surveyor. The Zoning Administrator may require that reasonable service and right-of-way easements accompany the survey. Such instruments shall be recorded with the Register of Deeds.

13.2 Development Conference

A. Purpose. The development conference affords the applicant an opportunity to review the city development codes and procedures and for the Zoning Administrator or consultant to comment on the proposed development.

1. STEP ONE. Contact the Edgerton, Kansas Zoning Administrator at (913-893-6231) for an appointment.
2. STEP TWO. With city assistance, determine the legal description and legal ownership of the land. Second, determine the current zoning designation and intended use for the property to be subdivided. If the land is not zoned for the intended use, review the Comprehensive Plan and read the contents of the plan with regard to future intentions. Amendments to both the Comprehensive Plan and the Zoning Map may be necessary, and a waiting period of 30 to 90 days may be required to process the required amendments.
3. STEP THREE. The Zoning Administrator will review pertinent requirements for platting, including roads, easements, physical arrangement and density, and general regulations for public water/sewer connections.
4. STEP FOUR. The applicant must review all Sanitary Regulations and Flood Plain Elevation maps that are currently in force in Edgerton.

5. STEP FIVE. Seek a Licensed Land Surveyor or Registered P.E. or Landscape Architect to begin the initial phase of subdivision. Please note that only a Licensed Land Surveyor (Kansas) may issue the actual Certificate of Survey.

13.3 Regular Land Development Process

A. Sketch Plan. The purpose of the sketch plan is to afford an applicant the opportunity to confer early and informally with the Planning Commission. If warranted, the Zoning Administrator may waive the sketch plan, and the applicant may proceed to the preliminary platting process.

1. A sketch plan must be submitted at least twenty (20) days prior to a scheduled meeting. The Zoning Administrator must sign all sketch plans, indicating the date of review.
2. The sketch plan is an informal scale drawing and may be submitted on normal quality paper of any size larger than 8 1/2 by 11 inches. No fee is required for the sketch plan.
3. The sketch plan must contain the following information:
 - a). Name, address and phone number of Applicant.
 - b). Name and legal description of the tract.
 - c). Proposed boundaries, North point.
 - d). Very general topographic features at reasonable intervals.
 - e). General drainage features.
 - f). Roads adjacent to tract.
 - g). Proposed general street and lot layout.

B. Preliminary Plat. The Preliminary Plat is the actual review instrument used by the Planning Commission. The Planning Commission must approve the preliminary plat, with any notations, variances and changes, before the applicant can proceed with the Final Platting Stage. To accomplish this end, the Planning Commission shall have the following authority, options and powers:

1. A preliminary plat must be submitted at least forty-five (45) days prior to a scheduled meeting.
2. A Preliminary Plat Fee, established within the Fee Schedule for the Unified Development Code, shall be submitted with each preliminary plat application.
3. The authority to require the modification of any plat to conform to this Unified Development Code, or to modify or add conditions to any plat when such action increases the public convenience, the goals of the city comprehensive plan, supports property values, or secures the public health, safety and welfare.
4. The authority to vary setbacks and yard sizes to overcome practical difficulties, or to promote good land design. The authority to vary yard size and placement in planned unit developments, or if the plat contains zero lot line or cluster provisions.
5. The authority to compel applicants to file easements that are necessary to serve the potential residents of a subdivision, protect the use and value of neighboring property and to promote the public safety and welfare; the authority to compel applicants to offer for dedication or reservation such property as necessary to safely, conveniently and effectively serve the general welfare, promote good standards of land design

and land use, and to advance the practice of agricultural (and other natural resources) preservation.

6. Notice and a Public Hearing are required at the preliminary platting stage. Notice to the Public shall be in the official City newspaper at least twenty (20) days in advance of the hearing.
7. The Planning Commission shall review the preliminary plat and other material submitted with it to determine conformity with the comprehensive plan and these regulations and it 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.

C. Content of Preliminary Plat.

1. 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.
2. A legal description; and current zoning.
3. Names of: Applicant, Subdivision & Streets.
4. Name and seal of surveyor/engineer.
5. Date surveyed.
6. Adequate legend; vicinity map.
7. Signature block and date for review of Zoning Administrator.
8. Signature block and date for review of City Engineer.
9. Signature block and date for review of Chair of Planning Commission.
10. Signature block and date for review of Mayor.
11. 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.
12. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes.
13. 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.
14. Total acreage, and size of each lot.
15. Contours at vertical intervals of 4 feet or less.
16. 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).
17. A copy of the proposed restrictive covenants.

D. 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, 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 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.
8. The lot depth to front lot width ratio shall be no more than 3 to 1.
9. 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.
10. Ten (10) copies of a preliminary plat must be submitted to the Zoning Administrator. The plat should be on regular quality paper, either 18 x 24 or 24 x 36 inches.

E. Approval Limitations.

1. 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.
2. 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.
3. 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.
4. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

F. Final Plat and Construction Plans

1. A final plat and construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat must be submitted at least forty-five (45) days prior to a scheduled meeting.
1. A Final Plat Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with each final plat application.
2. The commencement of any improvements shall not occur in any subdivision prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body. Sanitary sewer and water main drawings and specifications must be submitted to and approved by the Kansas Department of Health and Environment prior to the commencement of any improvements.
3. A New Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
5. All final plats and construction plans must comply with the regulations in effect at the time that the final plat and construction plans are submitted.
6. The Planning Commission shall act upon the final plat within ninety (90) days of submission of the final plat and construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains as required by these regulations, unless the subdivider consents to an extension or waiver of the time limitation.

G. Final Plat. Required Contents

1. Scale, the same used for the preliminary plat; North point; vicinity map
2. The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
3. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a 2" x 24" metal bar
4. A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1 in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground.
5. Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
6. A number for each lot, starting (if practical) in the northwest corner.
7. All easements with widths, and roads with curve data.
8. Ingress/egress limitations if required.
9. The location of existing utility easements.
10. A written legal description from the survey.

11. An instrument of dedication for all roads and easements
12. Special notations required as a condition of platting by the Planning Commission.
13. Approved phases – clearly delineated.
14. Private travel easements.
15. The Owner's Certificate with Notary Seal.
16. Certificate of the Governing Body with City Clerk's attest and Seal.
17. Edgerton City Planning Commission chair and secretary approval.
18. Certificate of the Register of Deeds.
19. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.
20. Certificate of the Zoning Administrator.

13.4 Governing Body Approval

- A. Required Review.** Following the approval of a final plat by the Planning Commission, the Governing Body shall review the instrument for dedications and reservations and assure that the final plat and construction plans for all proposed streets, sidewalks, storm water sewers, sanitary sewers, and water mains meet the standards of the City of Edgerton. The Governing Body may either approve the final plat, return the final plat and/or construction plans to the applicant with instructions and specifications to conform to City standards, or deny the final plat and/or construction plans with a refusal to accept dedication. If the Governing Body denies the final plat and/or construction plans a set of written findings must be given to the applicant within 30 (thirty) days.

13.5 Recording of Final Plat

- A.** Upon approval of a final plat by the Governing Body the applicant shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void.
- B.** Before any final plat shall be signed by the Zoning Administrator and filed by the Register of Deeds, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the subdivision.
- C.** The applicant shall provide the Zoning Administrator with one copy of the final plat that was approved by the Governing Body on Mylar®. The applicant shall also return one copy of the final plat that was recorded by the Register of Deeds.
- D.** Article 10 of Chapter IV of the Edgerton City Code imposes an excise tax on platting and building within the City. Prior to endorsement of any final plat, all excise taxes must be paid or city staff must determine that an exemption from payment prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code.
- E.** A New Street Light Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted prior to the endorsement of any final plat. (Ord. 800; 2005)

13.6 Vesting and Conflicting Requirements

- A.** Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers, and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.
- B.** The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards.
- C.** Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid, and shall be duly noted and enforced by building permits.
- D.** Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

13.7 Assurances

- A.** Developers are required to install all streets, storm water sewers, sanitary sewers, and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs, and speed limit signs.
- B. Exceptions.** The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.
- C. Financial Assurance.** Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.
- D. As Built.** Prior to acceptance of public improvements by the City, the developer shall provide two (2) sets of prints for all public improvement projects, excluding sidewalks, corrected to show the project as constructed and shall accurately and completely denote all changes made during the construction. Each sheet within the prints shall be clearly marked as "Conforming to Construction Records" and shall include the date of revision and certifications by a Kansas licensed engineer. This set of plans shall be substantially

similar to the set of construction plans that was approved by the Governing Body. (Ord. 801; 2005)

13.8 Resubdivision or Replats

- A.** Any previously subdivided tract(s) may be resubdivided after submission of a new or corrected plat. Resubdivided plats may be used for the following purposes:
 - 1. The division of any existing lot into two or more additional lots.
 - 2. The reconfiguration of any lot(s).
 - 3. The correction of any monument, distances, and/or bearing.
 - 4. The addition or removal of any easement or right-of-way.
 - 5. The vacation of a lot(s) from an existing subdivision.
- B.** All resubdivision plats shall contain the title RESUBDIVISION or REPLAT followed by the original title of the plat and, if applicable, the lot(s) that are to be divided: ie, A Replat of Lots 1 and 2 of _____ Subdivision.
- C.** Renumbering of existing lots using resubdivision.
 - 1. When one or more lots are created from an existing numbered (or lettered) lot(s), the new lot(s) shall be numbered as follows:
 - a). **Abandoning lot lines between two or more lots to create one or more lots:** the lowest lot number plus the letter beginning with (A). Example - abandoning lot lines between lots 1 and 2 and 2 and 3 to create a new, single lot; the lot is now numbered 1A. If the lot originally contained a letter designation, then the new lot shall contain the lowest letter plus the numeric character one (1).
 - b). **Creating two or more new lots from an existing lot:** the letters A, B ... and so forth for each new lot created preceded by the original lot number. Example: lot 4 is split into four (4) lots - the new lots would be lots 4A, 4B, 4C, and 4D.
 - c). **Adding new lots (one or more) to an existing subdivision:** as far as practicable, the lots shall continue in a consecutive fashion - or by direction of the Zoning Administrator.
 - d). **Creating new lots from a lot or lots previously resubdivided:** as far as practicable, the lots shall continue using a numbered system. Example: lot 4 was resubdivided into lots 4A, 4B and 4C. If lot 4A were resubdivided into three lots, the new numbers would be lot 4A-1, lot 4A-2, and lot 4A-3.