

STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FS2020-11** Final Site Plan for *Inland Port 52* located at northeast of the intersection of 207th Street and Waverly Road

APPLICATION INFORMATION

Applicant: Brett Powell, Agent
NPD Management, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150

Property Owner: Hillsdale Farms, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150

Requested Action: Final Site Plan approval for *Inland Port 52*

Legal Description: SW Quarter of Section 11, Township 15 S, Range 22 E;
see attached for full legal description

Site Address/Location: Near the north east corner of 207th Street and Waverly Road

Existing Zoning and Land Uses: L-P (Logistics Park) District zoning. No existing uses.

Existing Improvements: None.

Site Size: Approximately 56.87 Acres

PROJECT DESCRIPTION

Application **FS2020-11** is a request for Final Site Plan approval for Inland Port 52 (IP 52). The parcel is located on the northeast corner of Waverly Road and 207th Street. This project would continue the expansion of Logistics Park Kansas City (LPKC) Phase II south of Interstate 35 (I-35). The proposed 1,007,321 square foot warehouse would contain intermodal related development similar to existing operation in LPKC Phase I and Phase II. The proposed construction would take place just north of the Hostess Distribution Center (IP 51). The maps below show the two parcels that will be combined into one lot as proposed by Final Plat Application FP2020-04, also heard by the Planning Commission on February 9, 2021.

**Subject Property
Figure 1**

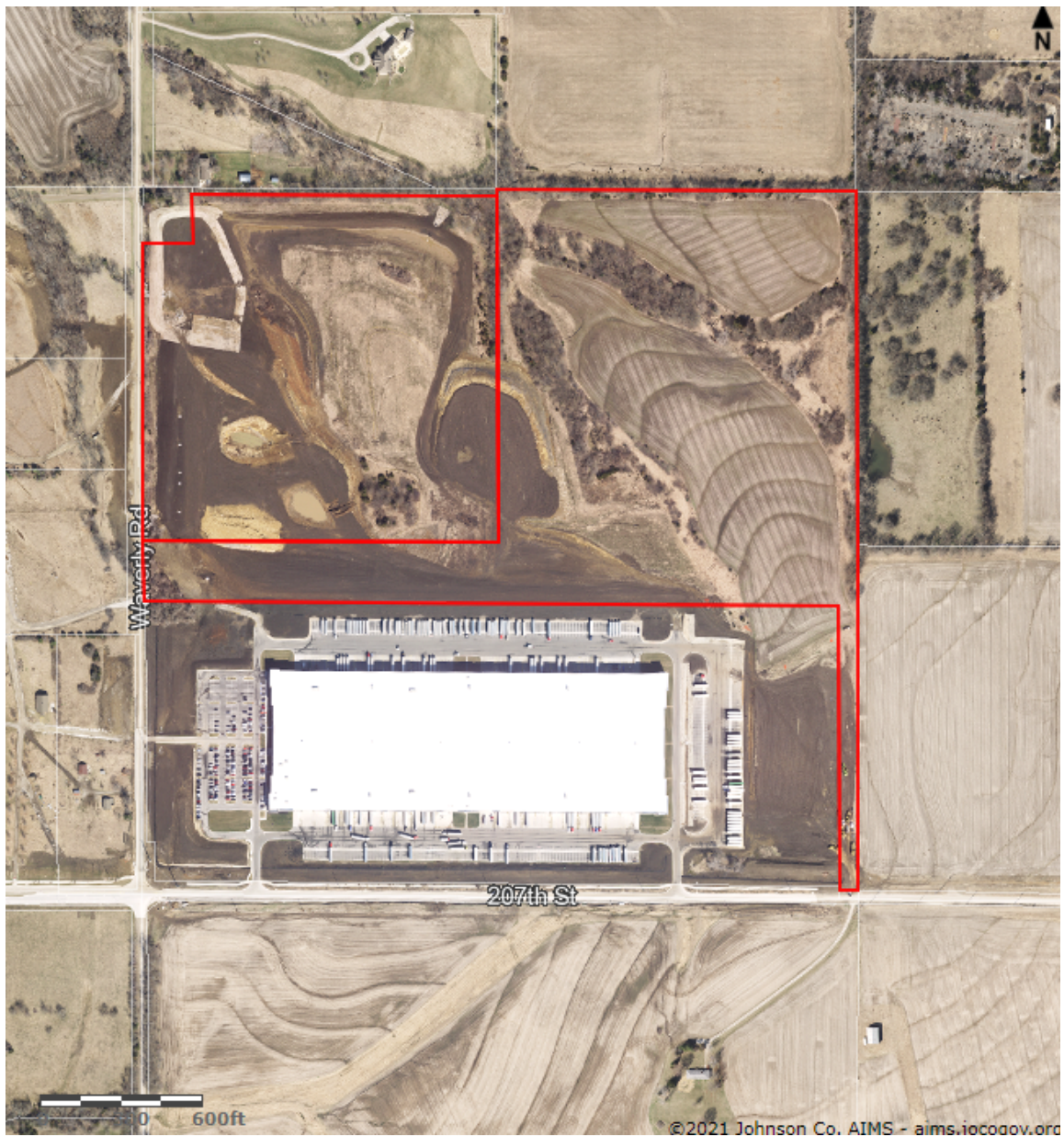


Figure 2



INFRASTRUCTURE AND SERVICES

1. Access to the project would be from private drives off of proposed Public Street A on the east side of the parcel.
2. Utilities and service providers.
 - a. Water - Johnson County Water District #7
 - b. Sanitary Sewer - City of Edgerton
 - c. Electrical Service - Evergy
 - d. Gas Service – Kansas Gas Service
 - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office.
 - f. Fire protection is provided by Johnson County Fire District #1.
3. Development proposal is located within the Bull Creek watershed.

FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the requirements of Article 10, Section 10.1 *Site Plans* and Article 5, Section 5.2, *L-P Logistics Park District* of the Edgerton Unified Development Code (UDC). Review comments are listed below.

Article 10, Section 10.1 *Site Plans*

1. Parking area, paths, sidewalks with sizes and surface material specifications. *The accessible parking areas and accessible routes shall meet ADA requirements. **Applicant acknowledges.***
2. Exterior lighting specification including a preliminary photometric plan. A final photometric plan will be required at the time the applicant applies for a Building Permit. Lighting should be installed in an effort to minimize spillover onto adjacent properties and streets. The maximum light level at any point on a property line shall not exceed 0.0 foot-candles when adjacent to an agricultural or residential property or 0.2 foot-candles when adjacent to a nonresidential district, measured five (5) feet above grade. Lights shall be aimed away from adjacent properties and streets and may need to be shielded to meet the foot-candle requirements. The maximum height for luminaires shall not exceed 25 feet as measured between the bottom of the luminaire and grade. *Photometric plan does not extend to the property lines. The height of the luminaires is listed as 35 feet – 10 feet above height allowed by UDC. **Update Final Site Plan.***
3. Site entrance and connections to streets. *Provide widths of proposed driveways at the edge of the Proposed Street A. For the north entrance, a width of 30' is shown at the throat but it appears that the connection at the back of the curb is wider than typical. Provide that dimension so that the City Engineer may review. **Update Final Site Plan***
4. The location of any HVAC systems (roof or ground), utility boxes and any other above ground facilities. *The location of the Back Flow Preventer for the irrigation and any rooftop HVAC units has not been provided. **Pursuant to Article 5, Section 5.2.J(4)(c) all roof top equipment must be fully screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on exterior walls. City Staff will monitor the site to ensure all above ground facilities are screened from public view and all irrigation appurtenances are appropriately screened. Applicant has indicated that screening of added site items is the responsibility of the tenant. However, the Site Plan represents a binding agreement with the owner applicant, and they will be held responsible for code compliance.***

Article 5, Section 5.2 *L-P Logistics Park District*

- a. Architectural Design Standards – Façade Guidelines
 - a. Horizontal Articulation. Walls facing a public right-of-way, or a residentially zoned property shall not extend for a distance greater than four (4) times the wall's height without having an off-set of ten percent (10%) of the wall's height (maximum of five (5) feet); the new plane shall extend for a distance equal to a minimum of twenty percent (20%) of the maximum length of the first plane. The City may allow exceptions to this requirement upon review and approval of a typical façade elevation. Walls not facing a public right-of-way or a residentially zoned property and loading dock doors are exempt from the horizontal articulation requirement. **Three (3) of the walls on IP 52 are adjacent to public right of way or residentially zoned property. On**

the north façade of the building (adjacent to residential) there are a series of dock doors. The Applicant should provide a depth offset of 4.8 feet (10% of the average wall height of forty-three (48) feet) after a distance of 192 feet (the first plane calculated at four (4) times the average wall height). Per the calculation method outlined above, this offset should extend for 38.4 feet (20% of the 192-foot first plane). On the north side of the building, the applicant provided a plane change of close to 3 feet after a span of over 400 feet. While this does not meet the requirements of the calculations, the applicant has instead met the horizontal articulation requirement through changes in paint color. City Staff feels the articulation provided coupled with the change in paint colors meets the spirit and intent of the code and recommends approval of this deviation.

- b. Vertical Articulation. Walls facing a public right-of-way, or a residentially zoned property shall not extend for a distance greater than four (4) times the height of the wall without changing height by a minimum of ten percent (10%) of the wall's height (maximum of five (5) feet). The City may allow exceptions to this requirement upon review and approval of a typical façade elevation. Walls not facing a public right-of-way or residentially zoned properties are exempt from the vertical articulation requirement. ***Three of the walls on IP 52 are adjacent to public right of way or residentially zoned property. On the long building sides which contain dock doors, the Applicant should provide an offset of 4.8 feet (10% of the average wall height of forty-three (48) feet) in height after a distance of 192 feet (the first plane calculated at four (4) times the average wall height). This offset should extend for 34.4 feet (20% of the 172-foot first plane). On the long dock door sides, the applicant has provided a plane change of 2 feet for twenty-six (26) feet of horizontal wall length and an additional 4 feet at the mid articulation points. While the articulation does not meet the exact calculations of the UDC, City Staff feels the articulation provided coupled with the change in paint colors meets the spirit and intent of the code and recommends approval of this deviation.***

2. Off Street Loading Standard

- a. Minimum Loading Space Dimensions. Loading spaces shall be a minimum of twelve (12) feet in width, sixty-five (65) feet in length and fourteen (14) feet in height except as may otherwise be approved by the City. ***Applicant has provided loading space dimensions of thirteen (13) feet wide by sixty (60) feet long, which is consistent with previous projects built at LPKC. Applicant states sixty (60) feet in length is adequate for logistics park warehousing operations. Staff recommends allowing the sixty (60) feet loading space deviation for IP 52 with the applicant acknowledging that parking lot will be reconfigured and restriped should sixty (60) feet not be deemed adequate for tenant operations.***

3. Landscape Standards

- a. Screening from Residential Uses. Property adjacent to or across from residential uses shall be landscaped in accordance with the standards set for in Article 5, Section 5.2.O of the Edgerton UDC. ***This proposed development is adjacent to Johnson County RUR zoned parcels on the east and south property lines. There are also Johnson County PRUR zoned parcels north of the proposed development that would be in the line of***

sight of the project should no additional building occur to the north. The following was noted:

- i. West side of project: This side of the parcel is adjacent to Waverly Road. Applicant has utilized a standard Type 4 Landscape Buffer. Per the UDC, this type of buffer is utilized adjacent to Residential uses and requires 1 (one) tree per every 50 linear feet. Additionally, hedge/shrub evergreens are to be installed every 4 feet. ***Landscaping shown meets code requirements.***
 - ii. North side of project: This side of the parcel is adjacent to a parcel containing PRUR Zoning and contains no proposed landscaping. Per the UDC, a Type 4 Buffer is required along rear property lines or along interior side property lines behind the front face of the building. ***Landscaping shown meets code requirements.***
 - iii. East side of project: The landscaping plan provided by the Applicant indicates a Type 4 Buffer along the eastern perimeter property line, adjacent to proposed Street A and facing Johnson County RUR zoned parcels. Per the UDC, this type of buffer is utilized for Residential adjacent uses requiring 1 (one) tree per every 50 linear feet. Hedge/Shrub Evergreens are to be installed every 4 feet. ***Landscaping shown meets code requirements.***
 - iv. South side of project: This side of the project abuts the Hostess Distribution Center. The applicant has proposed a private drive between the two buildings that would allow access to both buildings and be located on the Hostess site. The UDC requires a Type 1 buffer between property lines up to the front face of the building. ***The applicant has not shown any landscaping between the two buildings. However, a Type 1 buffer was provided on the Hostess site that would be between these buildings. There is also a proposed berm on the IP 52 site between the buildings and along the private load. Landscaping extends from Waverly Road east and Proposed Road A west along the private road to the building corners of IP 52. Landscaping shown meets code requirements.***
 - 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 does not contain any information regarding dumpster location and screening materials to be used. Prior to issuance of Building Permit for Tenant Finish, this information must be provided to ensure adequate landscaping and buffering, especially related to the adjacent residential property. Applicant has acknowledged this requirement and will provide a screening plan with the submittal of any tenant finish plans.***
4. 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. The City of Edgerton desires to permanently remove all through LPKC traffic on Waverly Road between 207th Street and 199th Street. City staff is working with the applicant to develop a plan to bifurcate Waverly Road. Applicant must construct a plan approved by the City Engineer to accomplish this goal prior to the issuance of a Certificate of Occupancy for IP 52.
2. Private road is shown on the Hostess parcel. A Revised Final Site Plan will be needed for the Hostess (IP 51) site to show this addition. The private road is also shown going over a private sanitary stub. ***Applicant has submitted revised Final Site Plan of IP 51 for staff to review.***
3. A storm water management report has been submitted. This site was originally studied as part of the IP 51-54 Storm Water Drainage Study. The supplied memo states that the proposed development is in conformance with the original study.
4. A SWPPP and an erosion and sediment control plan have been submitted.
5. A land disturbance permit from the City will be required prior to construction.

RECOMMENDATION

City staff recommends **approval** of **FS2020-11** Final Site Plan *LPKC South, Third Plat (IP 52)*, subject to compliance with the following stipulations:

1. The staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Final Site Plan.
2. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
3. 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.
4. Any items added as part of a tenant finish must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance.
5. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads, and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

ATTACHMENTS

- Application FS2020-11
- Final Site Plan for *Inland Port 52 - LPKC South, Third Plat*


☐ PRELIMINARY SITE PLAN☐ FINAL SITE PLAN☐ REVISED SITE PLAN☐ RE-REVIEWPROJECT NAME: Inland Port LII (aka IP 52, aka IP LII)LOCATION OR ADDRESS OF SUBJECT PROPERTY: East of Waverly between 199th and 207th. See attached exhibitLEGAL DESCRIPTION: See attached exhibitCURRENT ZONING ON SUBJECT PROPERTY: LP - Logistic Park CURRENT LAND USE: AGTOTAL AREA: 56.97 ACRES NUMBER OF LOTS: 1 AVG. LOT SIZE: 2,481,613 Sq. Ft.DEVELOPER NAME(S): Brett Powell (Representing property owner) PHONE: 816.888.7380COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC EMAIL: bpowell@northpointkc.comMAILING ADDRESS: 4825 NW 41st Street, suite 500, Riverside, MO 64150
Street City State ZipPROPERTY OWNER NAME(S): Hillsdale Farms, LLC PHONE: 816.888.7380

COMPANY: _____ EMAIL: _____

MAILING ADDRESS: 4825 NW 41st Street, Suite 500 Riverside MO 64150
Street City State ZipENGINEER NAME(S): Patrick Cassity PHONE: 913-317-9500COMPANY: Renaissance Infrastructure Consulting EMAIL: pcassity@ric-consult.comMAILING ADDRESS: 8653 Penrose Ln Lenexa KS 66219
Street City State ZipSIGNATURE OF OWNER OR AGENT:  By: Nathaniel Hagedorn, Manager of NPD Management, LLC,
Manager of Hillsdale Farms, LLC
If not signed by owner, authorization of agent must accompany this application.

NOTE: Two (2) 34"x42" paper copies plus an electronic copy of the site plan must accompany this application for staff review. All Site Plan requirements may be found in Article 10 of the Edgerton Unified Development Code (UDC).

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

FOR OFFICE USE ONLYApplication No.: FS2020-11 Application Fee Paid: \$ 820.00* Date Paid: 12/23/2020 Receipt #: R#59048Publication Fee Paid: \$ 138 Date Paid: 02/03/2021 Receipt 79155101Received By:  *\$200 plus \$620 (\$10/acre)

SITE PLAN INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) calendar days prior to the public hearing.

NOTICE REQUIREMENTS: A public hearing is required for Site Plan applications at either the Preliminary or Final Site Plan stage, depending upon which is submitted first. If a public hearing is held for a Preliminary Site Plan, a public hearing does not need to be held for the Final Site Plan. The City shall publish notice of the public hearing at least twenty (20) days in advance of the hearing in the official City newspaper. One copy of the proposed Site Plan shall be made available for public inspection at least twenty (20) days prior of the public hearing.

DESIGN STANDARDS: Applicants should abide by the district zoning regulations and design standards set forth in the Edgerton UDC as noted in the appropriate Articles for the proposed development. 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 Edgerton 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 UDC.

APPROVAL LIMITATIONS: The Site Plan approval expires after one year from the date of approval and becomes null and void unless the applicant has been issued a building permit for the project or has requested an extension of time from the Planning Commission.

CHECKLIST

The following items shall be included on the site plan, and the scale shall be a professionally acceptable standard suitable to the area of the proposed project:

- ☐ A scale vicinity map showing the relationship of the site to surrounding neighborhoods, zoning of surrounding properties, roads and other physical features.
- ☐ A project title, zoning designation and applicant name. A street, lot or tract address of the project.
- ☐ An index of content pages.
- ☐ The data table as outlined in Section 10.1, Subsection G of the UDC.
- ☐ The name of the architect, engineer, surveyor and landscape architect, all licensed in the State of Kansas, who prepared the Site Plan.
- ☐ Engineer's seal with original signature.
- ☐ A landscape plan sealed by a landscape architect licensed to practice in the state of Kansas which is in conformance with applicable zoning district requirements. All landscape features shall be shown in relation to sidewalks, paths, lawns, parking areas and drives. The submitted landscape plan drawn to scale, shall show the requirements as shown in Section 10.1, Subsection G.
- ☐ Existing and proposed topography including contours at two (2) foot intervals unless the property is too flat and then spot elevations shall be provided.
- ☐ Exterior lot lines with any survey pins.
- ☐ Location of buildings, proposed and existing if existing buildings will remain.
- ☐ Parking areas, paths, sidewalks with sizes and surface material specifications.

- ☐ Exterior lighting specifications including a preliminary photometric plan. A final photometric plan will be required at the time the applicant applies for a Building Permit.
- ☐ Site entrance and connections to streets.
- ☐ The location of existing and proposed easements.
- ☐ Connection point for utilities and the location and size of all utility lines including but not limited to sewer lines and manholes; water lines and fire hydrants; telephone, cable, fiber, and electrical systems; and storm drainage systems including inlets, catch basins, lines and other appurtenances, existing and proposed.
- ☐ Vehicular and pedestrian circulation within the site, entrances and exits, loading and unloading areas, and adjacent curb cuts.
- ☐ Scale drawings of all proposed signage including location, height, size, area, materials and design to be used on the premises with construction drawings required when applying for a sign permit in accordance with Article 12, Sign Regulations, of the UDC.
- ☐ Features to facilitate handicapped access.
- ☐ Profile and detail for roads the location and width of sidewalks and the location of trails.
- ☐ Storm Drainage Systems and Facilities shall be provided in connection with the proposed development of land in accordance with the Kansas City Metropolitan chapter of the American Public Works Association Construction and Material Specifications Section 5600 Storm Drainage Systems and Facilities. Said Site Plan shall show, by use of directional arrows, the proposed flow of storm drainage from the site. A summary table shall be provided on the Site Plan in the format outlined in Section 10.1, Subsection G of the UDC.
- ☐ A Storm Water Pollution Prevention Plan (SWPPP) shall also be provided and shall meet the known requirements of the National and Kansas General Permit. A signed and dated copy of the NOI shall be provided to the City prior to any disturbance of the soil on the construction site.
- ☐ Scale drawing of building floor plans with dimensions and square foot calculations.
- ☐ Scale drawings in full color with dimensions of all building facades or elevations including the labeling of exterior materials and color.
- ☐ Roof pitch and materials.
- ☐ The location of any HVAC systems (roof or ground), utility boxes and any other above ground facilities. Include line of sight drawings which indicate view from the street, right of way, and/or adjacent properties. Ground-based mechanical equipment shall be located away from property lines adjacent to public streets and residential property. Include type of screening that will be used around equipment.
- ☐ Areas or facilities used for trash, trash compacting, recycling containers, service and loading are to be located out of public view from streets, adjacent to residential properties, and other highly visible areas such as parking lots, access drives, and similar areas. Refer to the regulations in Section 10.1, Subsection G of the UDC.
- ☐ Layout and design of all property designed required parking and loading areas in accordance with Article 16, Parking and Loading Regulations, of the UDC.

POSSIBLE ADDITIONAL REQUIREMENTS

Depending upon circumstances the Zoning Administrator may require additional information related to business operations and their impact on adjacent properties including, but not limited to the requirement of additional information for hazardous material or other environmental impacts.

The Zoning Administrator may also require a detailed traffic impact study prepared by a Traffic Engineer, licensed in the State of Kansas, for large uses, mixed use and multi-tenant developments, or for developments in heavy traffic or congested areas to include:

- The projected number of motor vehicle trips to enter and leave the site, estimated for daily and peak hour traffic levels;
- The projected traffic flow pattern including vehicular traffic movements at all major intersections likely to be affected by the proposed use of the site;
- The impact of the proposed traffic upon existing, public and private ways in relation to existing and projected daily and peak hour road capacities;
- A recommendation of whether additional improvements would be needed such as turning lanes or traffic signals to accommodate the projected traffic;
- Any other information as determined by the City Engineer.

Outdoor Storage Requirements. Include adequate details on Site Plan to confirm individual District requirements are met.

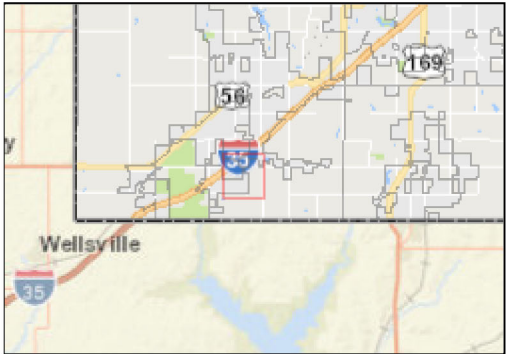
- **Permanent Outdoor Storage** – If applicable and allowed within the zoning designation, permanent outdoor storage areas, attached to the main structure and enclosed with screening or fencing, may be allowed if the enclosure meets aesthetic guidelines. Permanent outdoor storage areas must be indicated on the Site Plan.
- **Seasonal Outdoor Storage** - If applicable and allowed within the zoning designation, placement and dimensions of Seasonal Outdoor Storage area must be shown on the Site Plan. Administrative approval for a Seasonal Outdoor Storage Permit is granted by the Zoning Administrator upon the submission of a permit application which includes, but is not limited to, parking implications, time parameters (hours of operation and duration of display), signage, pedestrian and vehicular traffic flow, lighting requirements, security, maintenance of merchandise, and fencing.
- **Temporary Sales Area** – Temporary Sales Areas may be allowed within certain zoning designations. If the applicant wishes to request a Temporary Sales Permit, the Temporary Sales Area must be indicated on the Site Plan.



Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2020)



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JOHNSON COUNTY
KANSAS
AIMS GIS & Mapping

Legal Description For IP LII:

LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT

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

Beginning at the Southeast corner of the Southwest Quarter of said Section 11; thence South $88^{\circ}29'08''$ West, along the South line of said Southwest Quarter, a distance of 70.00 feet to the Southeast plat corner of LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, a platted subdivision in said City of Edgerton; thence North $02^{\circ}06'42''$ West, along the East line of Lot 1, said LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, and its southerly prolongation, 1096.56 feet to the Northeast corner of said Lot 1; thence South $88^{\circ}29'08''$ West, along the North line of said Lot 1 and its westerly prolongation, 2617.96 feet to the Northwest plat corner of said LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, said point being on the West line of the Southwest Quarter of said Section 11; thence North $02^{\circ}17'25''$ West, along said West line, 977.90 feet; thence departing said West line, North $88^{\circ}29'08''$ East, 2015.01 feet; thence northwesterly along a curve to the right having an initial tangent bearing of North $74^{\circ}41'48''$ West, a radius of 545.00 feet, and a central angle of $35^{\circ}53'00''$, for an arc length of 341.32 feet; thence North $51^{\circ}11'13''$ East, 70.00 feet; thence southeasterly along a non-tangent curve to the left having an initial tangent bearing of South $38^{\circ}48'47''$ East, a radius of 475.00 feet, and a central angle of $51^{\circ}29'33''$, for an arc length of 426.89 feet to a point of reverse curvature; thence southeasterly along a curve to the right having a radius of 545.00 feet, and a central angle of $88^{\circ}11'38''$, for an arc length of 838.90 feet to a point on the East line of the Southwest Quarter of said Section 11; thence South $02^{\circ}06'42''$ East, along said East line, 1581.99 feet to the Point of Beginning, containing 2,699,036 square feet, or 61.961 acres, more or less.

Inland Port 52

Final Site Plan

Lot 2, Logistics Park Kansas City South, Third Plat

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

DESCRIPTION

Lot 2 Description

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

Beginning at the Northeast corner of Lot 1, LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, a platted subdivision in said City of Edgerton; thence South 88°29'08" West, along the North line of said Lot 1, a distance of 2597.96 feet to the Northwest corner of said Lot 1, said point also being in the East right-of-way line of Waverly Road, as it now exists; thence North 02°17'25" West, along said East right-of-way line, 977.90 feet; thence departing said East right-of-way line, North 88°29'08" East, 1995.01 feet; thence easterly along a non-tangent curve to the left having an initial tangent bearing of South 74°41'48" East, a radius of 545.00 feet, and a central angle of 15°36'32", for an arc length of 148.47 feet to a point of reverse curvature; thence southeasterly along a curve to the right having a radius of 475.00 feet, and a central angle of 88°11'38", for an arc length of 731.15 feet; thence South 02°06'42" East, 484.70 feet to the Point of Beginning, containing 2,481,728 square feet, or 56.973 acres, more or less.

Note:

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

Overhead door position to be used as loading spaces.

Project Sponsor

ELHC LII, LLC
4825 NW 41st Street, Suite 500
Riverside, Missouri 64150

Project Architect

Studio North Architecture
4825 NW 41st Street, Suite 500
Riverside, Missouri 64150

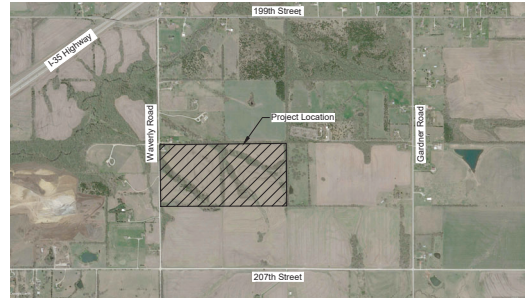
Project Engineer

Renaissance Infrastructure Consulting, LLC
5015 NW Canal St. Suite 100
Riverside, Missouri 64150

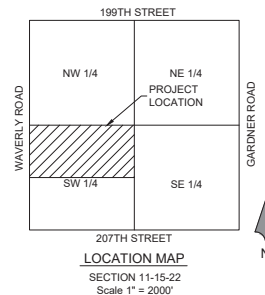
Project Surveyor

Renaissance Infrastructure Consulting, LLC
5015 NW Canal St. Suite 100
Riverside, Missouri 64150

UTILITIES	
ELECTRIC	Sewer
Evergy	City of Edgerton
Phone: 816.471.5275	404 East Nelson
	P.O. Box 255
GAS	Edgerton, Kansas
Kansas Gas Service	Phone: 913.893.6231
11401 West 80th Street	
Overland Park, Kansas	TELEPHONE
Phone: 913.599.8981	Century Link
	Phone: 800.788.3500
WATER	
Johnson Rural Water District 7	CABLE
534 West Main	Century Link
P.O. Box 7	Phone: 877.837.5738
Gardner, Kansas	
Phone: 913.856.7173	



VICINITY MAP
SECTION 11-15-22
Not to Scale



LEGEND

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

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C08	Grading Plan East
C09	Site Utility Plan West
C10	Site Utility Plan East
C11	Storm Drainage Map
C12	Storm Drainage Calculations
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L01-L08	Landscape Plan

SITE DATA TABLE

Existing Zoning:	L-P
Proposed Zoning:	L-P
Site Acreage:	56.87 Acres
Building Area:	1,007,320 SF
Proposed Building Use:	Industrial
Total Number of Proposed Stalls:	1,064 Stalls
Dock Parking/Loading Position:	294 Stalls
Trailer Parking:	268 Stalls
Employee Parking:	562 Stalls (Includes ADA Stalls)
Required Number of ADA Stalls:	12 Stalls
Total Number ADA Stalls:	12 Stalls
Number of Employees:	300
BOCA Building Code/2005/Person:	6.72
Building Coverage (1,007,321 SF / 2,477,257 SF):	40.6%

PARKING CODE

Required Number of Employee Stalls=504 (1 per 2,000 Building Square Feet)
Provided Number of Employee Stalls=592

CERTIFICATE:

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

Katy Crow, Zoning Administrator

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

John E. Daley, Chair of the Planning Commission

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

ELHC LII, LLC, a Kansas limited liability company

By: _____
Nathaniel Hagedorn, Authorized Person

Date _____

FLOOD PLAIN NOTE

According to the FEMA Flood Insurance Rate Map Number 20091C0134G, revised August 3, 2009, portions of this tract lie in: OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.



Sheet
C01

Final Site Plan
20-0200
Inland Port 52

Title Sheet

REVISIONS
DATE
BY
DESCRIPTION

1. L.P. 11/15/22
2. L.P. 11/15/22
3. L.P. 11/15/22
4. L.P. 11/15/22







Overland Flow										System Flow										Pipe Design										Structure Design												
Line	Point	Trib Area (Ac.)	10' Value	Design Storm	K ^x Value	Time of Conc. (min)	Intensity (in./hr)	Trib Runoff (cfs)	Bypass flow (cfs)	Total Runoff (cfs)	Total Area (Ac.)	Intensity (in./hr)	System Discharge (cfs)	USB Node	D/S Node	Pipe Type	Pipe Slopes	Pipe Diameter (in.)	Pipe Length (ft)	Manning's n	Pipe Slopes (in.)	Design Pipe Capacity (cfs)	Pipe Flow Velocity (ft/s)	Design Pipe Velocity (ft/s)	Depth of Flow (ft.)	Flow Time (min)	USB Invert E.	USB Crown E.	D/S Invert E.	D/S Crown E.	USB Depth of Cover (ft.)	D/S Depth of Cover (ft.)	Headwater Inlet Elev. (ft.)	Headwater Outlet Elev. (ft.)	Inlet/Outlet Control	Top Elevation						
A	A4	1100	0.87	10	1	5.00	7.35	7.04	0.00	7.04	1.100	0.96	5.00	7.35	7.04	A4	A3	HDPE	Round	24	334.20	0.012	0.18	7.04	10.36	3.30	3.54	14.4	1.57	1035.50	1037.50	1034.90	1036.90	3.30	3.90	1037.53	1037.07	I	1040.80			
				100	1.25	10.32	11.30	0.00	11.30	1.100	5.10	11.30	1.25	11.35	10.32	11.35	11.35	3.30	3.30	24.0	1.69																					
				10	1	5.00	7.35	0.00	0.00	0.00	5.10	0.00	5.10	0.00	6.57	0.00	6.57	5.10	6.57	36.00	0.12	0.42	57.56	48.95	6.64	6.64	30.0	0.83	1033.90	1036.90	1032.50	1035.50	3.90	5.30	1036.93	1036.19	I	1040.80				
				10	1	5.00	7.35	0.00	0.00	0.00	5.93	0.00	5.93	0.00	7.33	0.00	7.33	5.93	7.33	60	121.93	0.012	0.41	110.85	100.81	9.21	10.50	48.6	0.19	1020.50	1025.50	1020.00	1025.00	15.30	25.55	1024.56	1025.76	O	1040.80			
				100	1.25	5.00	10.32	14.66	0.00	14.66	18.99	0.00	18.99	0.00	16.82	0.00	16.82	18.99	16.82																							
B	B7	2300	0.87	10	1	5.00	7.35	14.71	0.00	14.71	2.300	2.00	5.00	7.35	14.71	B7	B6	HDPE	Round	24	211.75	0.012	0.04	14.71	23.76	7.56	7.62	13.4	0.45	1042.50	1044.50	1040.50	1042.50	2.00	4.00	1044.18	1043.37	I	1046.50			
				100	1.25	10.32	23.74	0.00	23.74	2.300	2.50	10.32	23.74	2.300	10.32	23.74	2.300	10.32	23.74	3.00	1.22	22.29	17.1	7.67	17.1	7.67	19.4	0.41														
				10	1	5.00	7.35	0.00	0.00	0.00	3.09	0.00	3.09	0.00	3.55	0.00	3.55	3.09	3.55	Round	30	38.50	0.012	0.65	36.00	35.75	7.28	8.30	24.6	0.08	1042.50	1042.50	1039.75	1042.25	4.00	4.25	1042.09	1042.87	O	1046.50		
				10	1	5.00	7.35	0.00	0.00	0.00	3.96	0.00	3.96	0.00	5.45	0.00	5.45	3.96	5.45	Round	30	38.50	0.012	0.65	36.00	35.75	7.28	8.30	24.6	0.08	1042.50	1042.50	1039.75	1042.25	4.00	4.25	1042.09	1042.87	O	1046.50		
				100	1.25	5.00	10.32	12.90	0.00	12.90	3.550	0.00	3.55	0.00	5.45	0.00	5.45	3.55	5.45	Round	30	38.50	0.012	0.65	36.00	35.75	7.28	8.30	24.6	0.08	1042.50	1042.50	1039.75	1042.25	4.00	4.25	1042.09	1042.87	O	1046.50		
B8	1250	0.87	10	1	5.00	7.35	6.40	0.00	6.40	1.500	3.96	5.00	7.35	14.71	B8	B4	HDPE	Round	36	211.75	0.012	0.45	28.47	33.53	6.84	7.11	19.8	0.50	1039.25	1039.25	1038.30	1041.30	4.25	5.20	1041.58	1041.30	I	1046.50				
			100	1.25	10.32	10.32	0.00	10.32	1.500	4.55	10.32	1.25	11.35	10.32	11.35	11.35	4.55	10.32	36	211.75	0.012	0.45	28.47	33.53	6.84	7.11	19.8	0.50	1039.25	1039.25	1038.30	1041.30	4.25	5.20	1041.58	1041.30	I	1046.50				
			10	1	5.00	7.35	0.00	0.00	0.00	4.80	0.00	4.80	0.00	6.03	0.00	6.03	4.80	6.03	Round	36	405.64	0.012	0.57	55.21	54.36	7.69	7.76	29.7	0.47	1037.80	1040.80	1035.50	1038.50	5.70	2.80	1040.32	1039.18	I	1046.50			
			10	1	5.00	7.35	0.00	0.00	0.00	4.80	0.00	4.80	0.00	6.03	0.00	6.03	4.80	6.03	Round	36	405.64	0.012	0.57	55.21	54.36	7.69	7.76	29.7	0.47	1037.80	1040.80	1035.50	1038.50	5.70	2.80	1040.32	1039.18	I	1046.50			
			100	1.25	5.00	10.32	10.32	0.00	10.32	5.070	0.00	5.07	0.00	6.03	0.00	6.03	5.07	6.03	Round	36	405.64	0.012	0.57	55.21	54.36	7.69	7.76	29.7	0.47	1037.80	1040.80	1035.50	1038.50	5.70	2.80	1040.32	1039.18	I	1046.50			
B3	1530	0.87	10	1	5.00	7.35	8.79	0.00	8.79	7.100	6.18	6.86	6.82	42.13	B3	B2	HDPE	Round	36	300.25	0.012	0.33	42.13	41.66	5.89	6.72	29.9	0.79	1035.00	1038.00	1034.00	1037.00	3.30	3.90	1038.03	1037.54	I	1041.30				
			100	1.25	10.32	15.32	0.00	15.32	7.100	7.02	15.32	1.25	16.82	10.32	16.82	16.82	7.02	15.32	36	300.25	0.012	0.33	42.13	41.66	5.89	6.72	29.9	0.79	1035.00	1038.00	1034.00	1037.00	3.30	3.90	1038.03	1037.54	I	1041.30				
			10	1	5.00	7.35	0.00	0.00	0.00	6.83	0.00	6.83	0.00	8.61	0.00	8.61	6.83	8.61	Round	48	331.37	0.012	0.30	125.26	85.49	6.80	6.80	48.0	0.81	1033.00	1037.00	1032.00	1036.00	3.90	4.60	1037.02	1036.72	I	1040.80			
			10	1	5.00	7.35	0.00	0.00	0.00	6.83	0.00	6.83	0.00	8.61	0.00	8.61	6.83	8.61	Round	48	331.37	0.012	0.30	125.26	85.49	6.80	6.80	48.0	0.81	1033.00	1037.00	1032.00	1036.00	3.90	4.60	1037.02	1036.72	I	1040.80			
			100	1.25	5.00	10.32	14.66	0.00	14.66	13.410	0.00	13.41	0.00	16.82	0.00	16.82	13.41	16.82	Round	48	331.37	0.012	0.30	125.26	85.49	6.80	6.80	48.0	0.81	1033.00	1037.00	1032.00	1036.00	3.90	4.60	1037.02	1036.72	I	1040.80			
A2	B1	1420	0.87	10	1	5.00	7.35	0.00	0.00	0.00	8.82	7.61	9.34	79.39	B1	A2	HDPE	Round	48	330.88	0.012	0.91	49.31	148.17	11.79	11.90	18.7	0.52	1031.00	1035.00	1028.00	1032.00	5.80	8.80	1033.09	1032.31	I	1040.80				
				100	1.25	5.00	10.32	14.66	0.00	14.66	18.99	0.00	18.99	0.00	16.82	0.00	16.82	18.99	16.82																							
				10	1	5.00	7.35	0.00	0.00	0.00	9.98	0.00	9.98	0.00	12.90	0.00	12.90	9.98	12.90	Round	24	184.05	0.012	0.26	9.98	12.41	3.65	4.38	16.1	0.74	1036.50	1038.50	1036.00	1038.00	2.80	2.90	1038.54	1038.24	I	1041.30		
				100	1.25	10.32	16.83	0.00	16.83	6.68	0.00	6.68	0.00	5.74	10.32	65.96	5.74	10.32	Round	48	247.59	0.012	0.40	65.96	45.89	6.49	6.49	36.0	0.64	1035.00	1038.00	1034.00	1037.00	2.90	3.90	1037.02	1037.85	I	1040.80			
				10	1	5.00	7.35	0.00	0.00	0.00	7.88	0.00	7.88	0.00	6.68	0.00	6.68	7.88	6.68	Round	42	247.59	0.012	0.20	47.19	46.96	5.09	5.09	32.8	0.71	1033.00	1037.00	1033.00	1037.00	3.90	4.40	1037.02	1036.90	I	1040.80		
C4	A20	1420	0.87	10	1	5.00	7.35	0.00	0.00	0.00	9.200	8.00	7.91	9.55	87.83	C4	C3	HDPE	Round	42	333.94	0.012	0.27	87.83	56.56	5.88	5.88	42.0	0.85	1032.90	1036.45	1032.00	1035.50	4.50	5.40	1036.42	1036.04	I	1040.80			
				100	1.25	10.32	14.66	0.00	14.66	16.200	14.09	7.85	6.57	92.56	16.200	14.09	7.85	6.57	92.56	Round	48	331.11	0.012	0.45	82.56	104.74	8.33	8.41	35.0	0.59	1031.50	1035.50	1030.00	1034.00	5.40	6.00	1035.52	1035.08	I	1040.80		
				10	1	5.00	7.35	0.00	0.00	0.00	9.80	0.00	9.80	0.00	15.40	0.00	15.40	9.80	15.40	Round	48	331.01	0.012	0.88	98.96	106.83	10.93	10.41	33.6	0.54	1029.90	1033.90	1028.00	1032.00	7.90	10.10	1033.92	1033.34	I	1040.80		
				100	1.25	10.32	15.48	0.00	15.48	17.70	17.70	8.43	9.07	100.48	17.70	8.43	9.07	100.48	Round	48	100.83	0.012	0.80	102.49	120.04	9.55	9.55	48.0	0.19	1029.90	1033.90	1028.00	1032.00	13.50	13.10	1033.92	1032.72	O	1042.15			
				10	1	5.00	7.35	0.00	0.00	0.00	10.20	0.00	10.20	0.00	12.90	0.00	12.90	10.20	12.90	Round	60	284.42	0.012	0.21	119.73	128.78	6.56	6.37	42.6	0.85	1027.20	1032.20	1026.60	1031.60	12.20	16.40	1032.21	1032.27	O	1044.00		
D	D2	0.710	0.87	10	1	5.00	7.35	4.54	0.00	4.54	0.710	0.62	5.00	7.35	4.54	D2	D1	HDPE	Round	18	37.69	0.012	1.33	4.54	13.06	7.39	6.67	7.2	0.90	1040.00	1041.50	1039.00	1041.00	3.75	4.25	1040.85	1041.19	I	1045.25			
				100	1.25	10.32	7.33	0.00	7.33	0.710	0.62	5.00	1.25	7.33	10.32	7.33	7.33	0.62	5.00	18	37.69	0.012	1.33	4.54	13.06	7.39	6.67	7.2	0.90	1040.00	1041.50	1039.00	1041.00	3.75	4.25	1040.85	1041.19	I	1045.25			
				10	1	5.00	7.35	0.00	0.00	0.00	4.54	0.00	4.54	1.420	1.24	5.09	7.32	9.55	D1	Ex	HDPE	Round	18	64.50	0.012	1.15	9.55	14.12	7.69	8.47	10.4	0.13	1039.00	1038.00	1039.50	4.75	7.20	1040.39	1040.56	O	1045.25	
				100	1.25	5.00	10.32	14.66	0.00	14.66	20.200	0.00	20.20	0.00	16.82	0.00	16.82	20.200	16.82																							
				10	1	5.00	7.35	0.00	0.00	0.00	4.54	0.00	4.54	1.420	1.24	5.09	7.32	9.55	D1	Ex	HDPE	Round	18	64.50	0.012	1.15	9.55	14.12	7.69	8.47	10.4	0.13	1039.00	1038.00	1039.50	4.75	7.20	1040.39	1040.56	O	1045.25	



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P: 602.498.1780
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Kansas Certificate of Authorization No. A-1088

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LANDSCAPE RENAISSANCE INFRASTRUCTURE CONSULTING
FOUNDATIONS KRWIGS STRUCTURAL ENGINEERS, INC.
STRUCTURAL KRWIGS STRUCTURAL ENGINEERS, INC.
PLUMBING
MECHANICAL
ELECTRICAL
FIRE PROTECTION
CONTRACTOR



Inland Port 52
W. 207th | Edgerton, KS

Project No.	2020-117	
Date:	01/24/21	
Issued For:	PRELIM. DEVELOPMENT PLAN	
Revisions:	FINAL DEVELOPMENT PLAN	
No.	Date	Description
	02/21	PLANNING COMMENTS

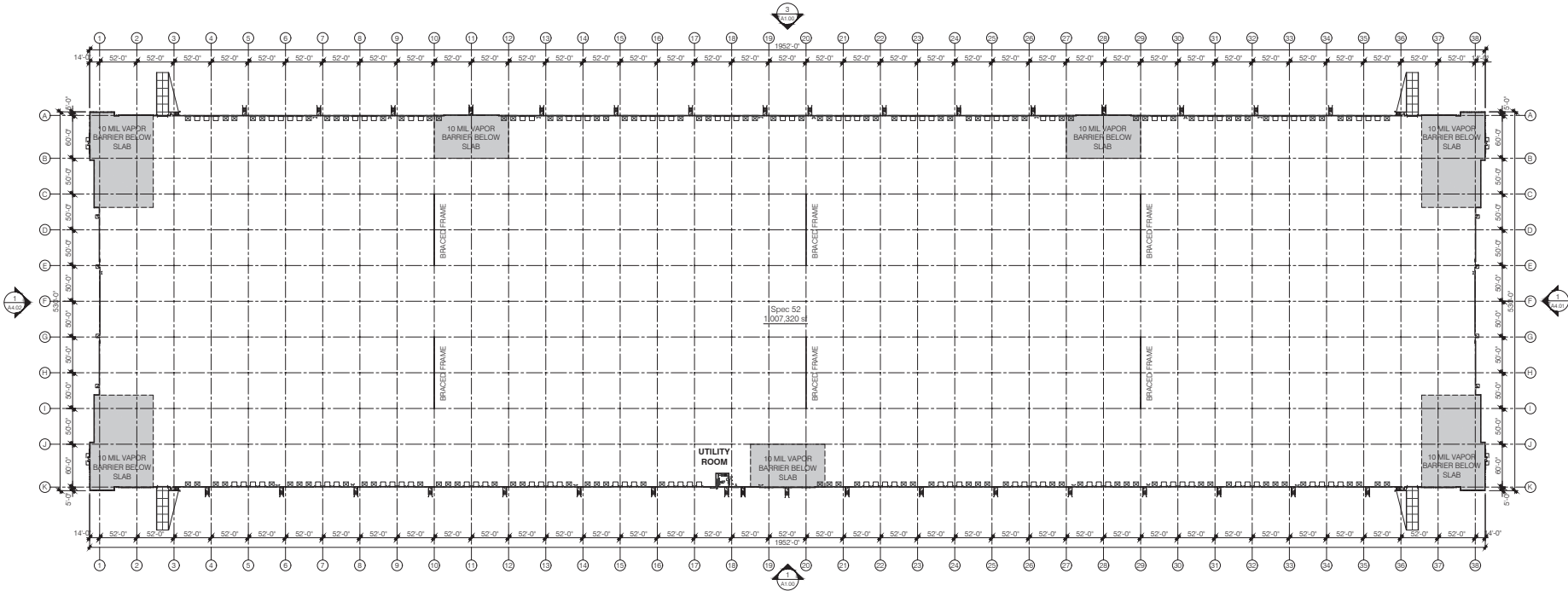
Preliminary
Not For Construction

Robert H. Watson, P.E., Architect
Kansas License No. 4587

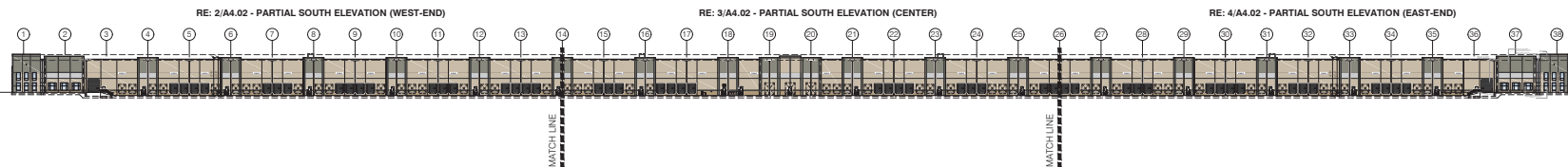
A1.52
OVERALL FLOOR PLAN



3 OVERALL NORTH ELEVATION
Scale: 1/80



2 OVERALL FLOOR PLAN
Scale: 1/80



1 OVERALL SOUTH ELEVATION
Scale: 1/80



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LANDSCAPE: RENAISSANCE INFRASTRUCTURE CONSULTING
FOUNDATIONS: KRWILSON STRUCTURAL ENGINEERS, INC.
STRUCTURAL: KRWILSON STRUCTURAL ENGINEERS, INC.
PLUMBING:
MECHANICAL:
ELECTRICAL:
FIRE PROTECTION:
CONTRACTOR:

NorthPoint
DEVELOPMENT

Logistics PARK
KANSAS CITY

Inland Port 52
W. 20th | Edgerton, KS

Project No: 2020-117
Date: 01/24/21
Issued For: PRELIM DEVELOPMENT PLAN
Revisions:
No. Date Description
1. 01/22/21 PLANNING COMMENTS

Preliminary
Not For Construction

Robert Williams, AIA, Architect
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A4.01
ELEVATIONS



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CIVIL RENAISSANCE INFRASTRUCTURE CONSULTING
LANDSCAPE RENAISSANCE INFRASTRUCTURE CONSULTING
FOUNDATIONS KRWIGSON STRUCTURAL ENGINEERS, INC.
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ELECTRICAL
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CONTRACTOR



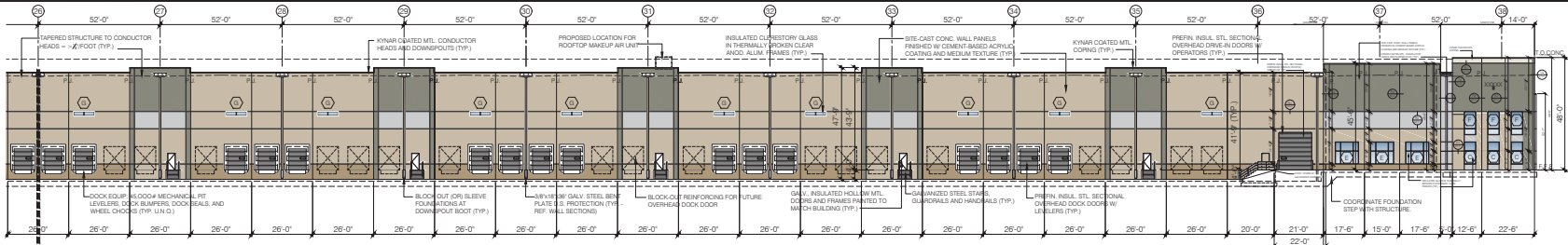
Inland Port 52
W. 25th | Edgerton, KS

Project No.	2020-117	
Date:	01/24/21	
Issued For:	PRELIM DEVELOPMENT PLAN	
Revisions:	FINAL DEVELOPMENT PLAN	
No.	Date	Description
	02/02/21	PLANNING COMMENTS

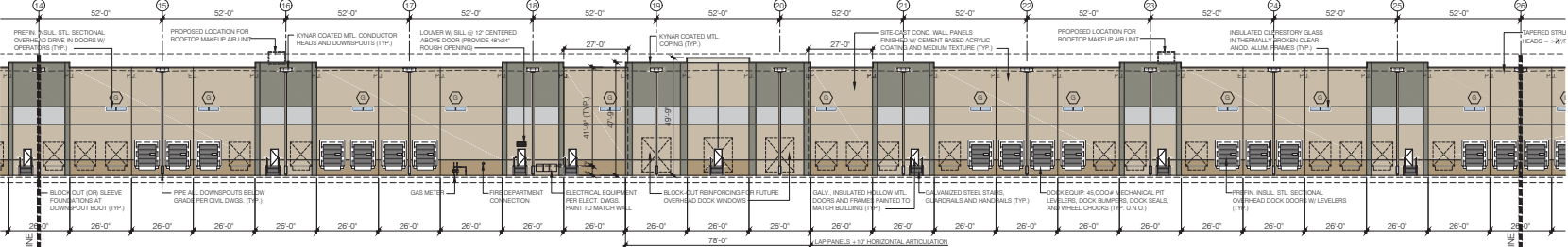
Preliminary
Not For Construction

Robert Williams, AIA, Architect
Kansas License No. 6267

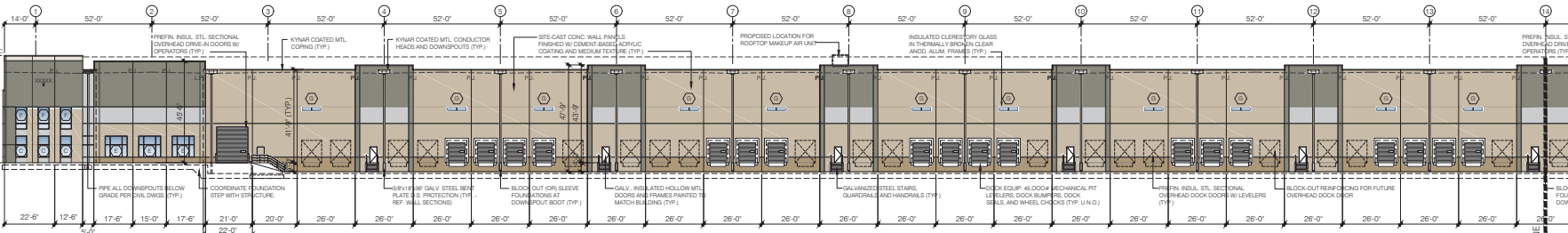
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ELEVATIONS



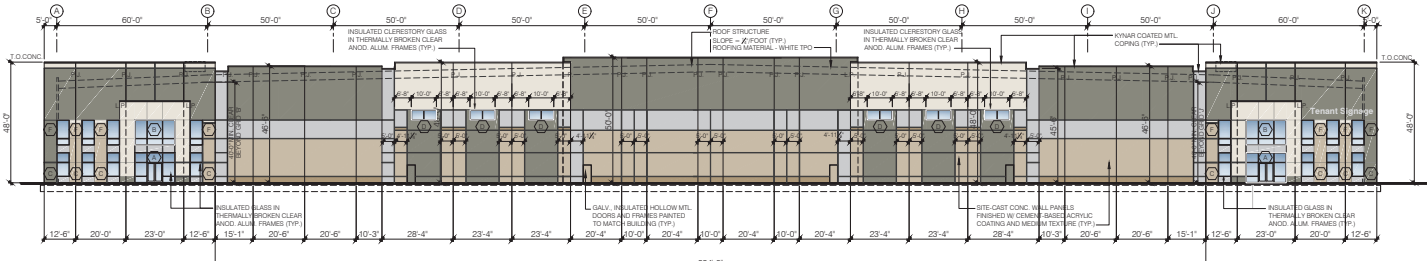
4 PARTIAL SOUTH ELEVATION
Scale: 1"=20'-0"



3 PARTIAL SOUTH ELEVATION
Scale: 1"=20'-0"



2 PARTIAL SOUTH ELEVATION
Scale: 1"=20'-0"

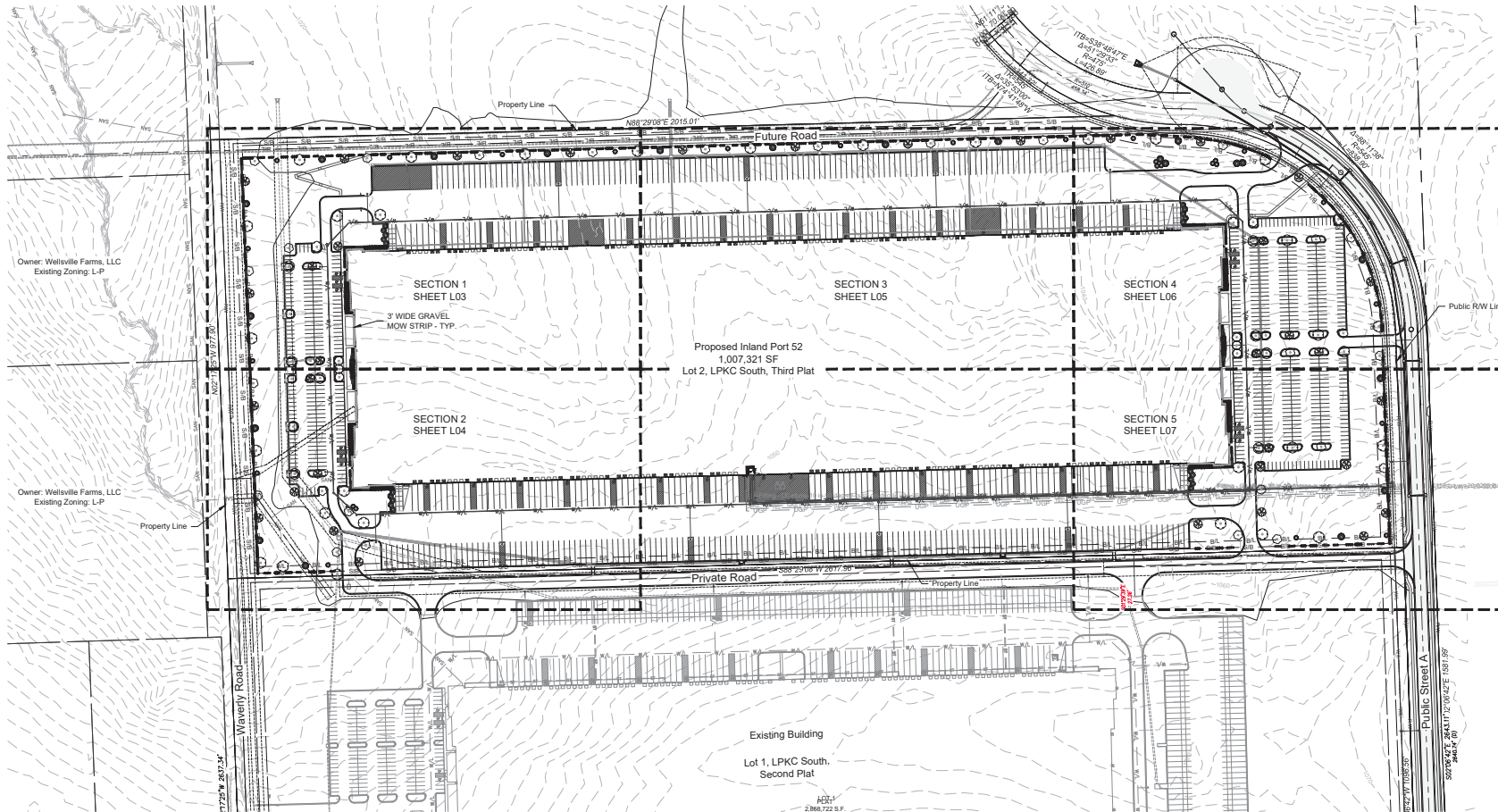


1 WEST ELEVATION
Scale: 1"=20'-0"

- GENERAL NOTES:
1. ROOFTOP UNITS SHOWN FOR ILLUSTRATION PURPOSES ONLY.
2. ROOF STRUCTURE SLOPE = 1/2" FOOT GENERAL SLOPE
3/8" FOOT AT SPREAD WAY
3. TAPERED STRUCTURE FOR DIRECTIONAL FLOW TO CONDUCTOR
HEADS = 1/2" FOOT

COLOR COATING LEGEND

- SHERWIN WILLIAMS: PEPPERCORN
- SHERWIN WILLIAMS: SATIN ANTIMONY
- SHERWIN WILLIAMS: SHADOW TONIC PALETTE
- SHERWIN WILLIAMS: SATIN42 "WORLDLY GRAY"
- SHERWIN WILLIAMS: "MONTAGE NEEDLES"



PLANT SCHEDULE OVERALL LANDSCAPE

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	AR2	Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B&B	2.5" Cal.	N/A	35 2%
	JK	Juniperus chinensis 'Keteleeri' / Keteleeri Chinese Juniper	B&B	N/A	6' Ht. Min.	27 1.4%
	PD	Picea glauca 'Densata' / Black Hills Spruce	B&B	N/A	6' Ht. Min.	21 1.2%
	PP	Picea pungens 'Fat Albert' / Colorado Spruce	B&B	N/A	6' Ht. Min.	20 1.3%
	QRR	Quercus robur 'Regal Prince' / Regal Prince English Oak	B&B	1.5" Cal.	N/A	6 0.4%
	QRR2	Quercus rubra / Red Oak	B&B	2.5" Cal.	N/A	32 1.9%
	UV	Ulmus americana 'Valley Forge' / American Elm	B&B	2.5" Cal.	N/A	43 2.4%
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	EA	Euonymus alatus 'Compactus' / Compact Burning Bush	5 Gal.			311 17%
	JF	Juniperus chinensis 'Sea Green' / Sea Green Juniper	5 Gal.			373 20%
	MS4	Miscanthus sinensis 'Morning Light' / Eulalia Grass	5 Gal.			254 16%
	PV	Panicum virgatum 'Hanse Herms' / Hanse Herms Switch Grass	5 Gal.			187 11%
	PH2	Pennisetum alopecuroides 'Hamelin' / Hamelin Dwarf Fountain Grass	3 Gal.			212 14%
	SW	Spiraea japonica 'Anthony Waterer' / Japanese Spiraea	3 Gal.			232 12%
TOTAL			1536			100%

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. QUANTITIES SHOWN ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO BIDDING AND SHALL BE RESPONSIBLE FOR ALL QUANTITIES FOR THEIR BID. ANY DISCREPANCIES WITH THE PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE PLAN QUANTITIES SHALL SUPERSEDE 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 SOODING/SEEDING OPERATIONS.
12. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT DESIGNATED FOR OTHER PLANTINGS OR HARDSCAPE SHALL BE SOODED WITH TURF TYPE RESCUE.
13. ALL LANDSCAPE AREAS SHALL BE IRRIGATED. TURF AREAS SHALL BE IRRIGATED BY SPRAY OR ROTOR. PLANT BEDS SHALL BE IRRIGATED BY DRIP IRRIGATION. IRRIGATION SYSTEM SHALL INCLUDE AUTOMATIC RAIN-SENSOR DEVICE. IRRIGATION SHOP DRAWINGS SHALL BE PROVIDED BY THE CONTRACTOR FOR APPROVAL PRIOR TO CONSTRUCTION.
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.
16. 3' WIDE GRAVEL MOW STRIP SHALL BE INSTALLED BETWEEN BUILDING AND ALL IMPERVIOUS SURFACES. RE: DETAIL.
17. ALL AREAS PROPOSED AS SEED SHALL BE STABILIZED AS FOLLOWS:
A. SLOPES < 4:1 = PROVIDE STRAW MULCH
B. SLOPES > 4:1 = PROVIDE EROSION CONTROL BLANKET PER SPECIFICATIONS
C. CHANNELS = PROVIDE PERMANENT TURF REINFORCEMENT MAT PER SPECIFICATIONS

GENERAL NOTES

1. SEE OVERALL SEED AND SOD PLAN SHEET L01 FOR SEED AND SOD SCHEDULE.
2. MINIMUM PLANTING REQUIREMENTS
SHADE TREES: 2.5" CALIPER
EVERGREEN TREES: 6' TALL
SHRUBS: 24" TALL



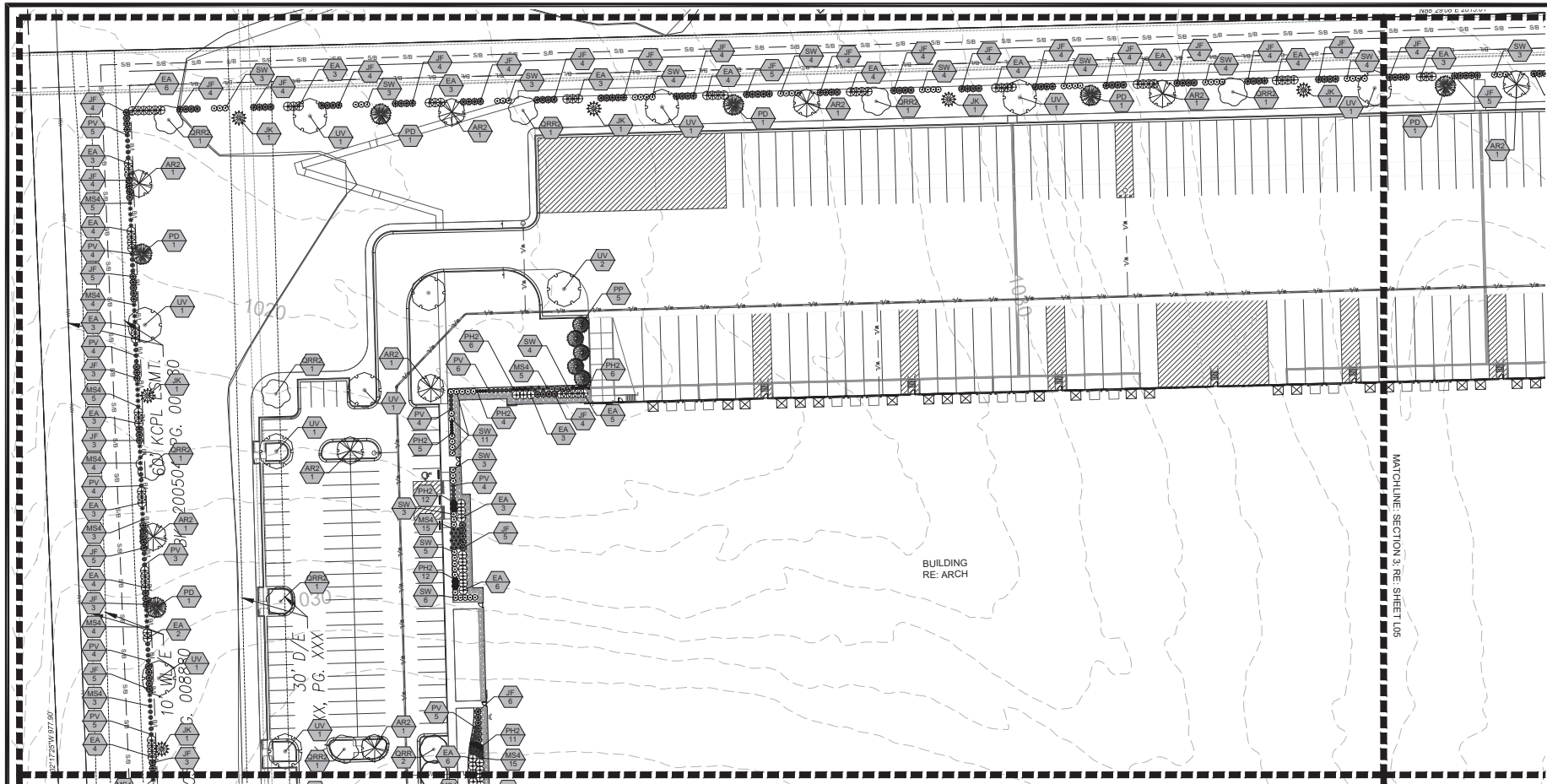
Sheet
L02

Final Site Plan

20-0200
Inland Port 52

Overall Landscape Plan





MATCHLINE: SECTION 2; RE: SHEET L04

PLANT SCHEDULE SECTION 1

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	AR2	Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B&B	2.5" Cal.	N/A	8
	JK	Juniperus chinensis 'Keteleeri' / Keteleeri Chinese Juniper	B&B	N/A	6' Ht. Min.	6
	PD	Picea glauca 'Densata' / Black Hills Spruce	B&B	N/A	6' Ht. Min.	5
	PP	Picea pungens 'Fat Albert' / Colorado Spruce	B&B	N/A	6' Ht. Min.	5
	QRR	Quercus robur 'Regal Prince' / Regal Prince English Oak	B&B	1.5" Cal.	N/A	2
	QRR2	Quercus rubra / Red Oak	B&B	2.5" Cal.	N/A	8
	UV	Ulmus americana 'Valley Forge' / American Elm	B&B	2.5" Cal.	N/A	11
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	EA	Euonymus alatus 'Compactus' / Compact Burning Bush	5 Gal.			83
	JF	Juniperus chinensis 'Sea Green' / Sea Green Juniper	5 Gal.			120
	MS4	Miscanthus sinensis 'Morning Light' / Eulalia Grass	5 Gal.			63
	PV	Panicum virgatum 'Hanse Herms' / Hanse Herms Switch Grass	5 Gal.			48
	PH2	Pennisetum alopecuroides 'Hamel' / Hamel Dwarf Fountain Grass	3 Gal.			56
	SW	Spiraea japonica 'Anthony Waterer' / Japanese Spiraea	3 Gal.			65

LANDSCAPE NOTES

SEED AND SOD SCHEDULED ON OVERALL SEED AND SOD PLAN SHEET L01.

DECIDUOUS TREES ARE TO BE SELECTED BY CALIPER NOT "N/A" HAS BEEN DESIGNATED IN THE PLANT SCHEDULE FOR THE SIZE CATEGORY TO INDICATE THIS CRITERIA DOES NOT APPLY.

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.



Sheet
L03

Final Site Plan
20-0200
Inland Port 52

Landscape Plan
Section 1

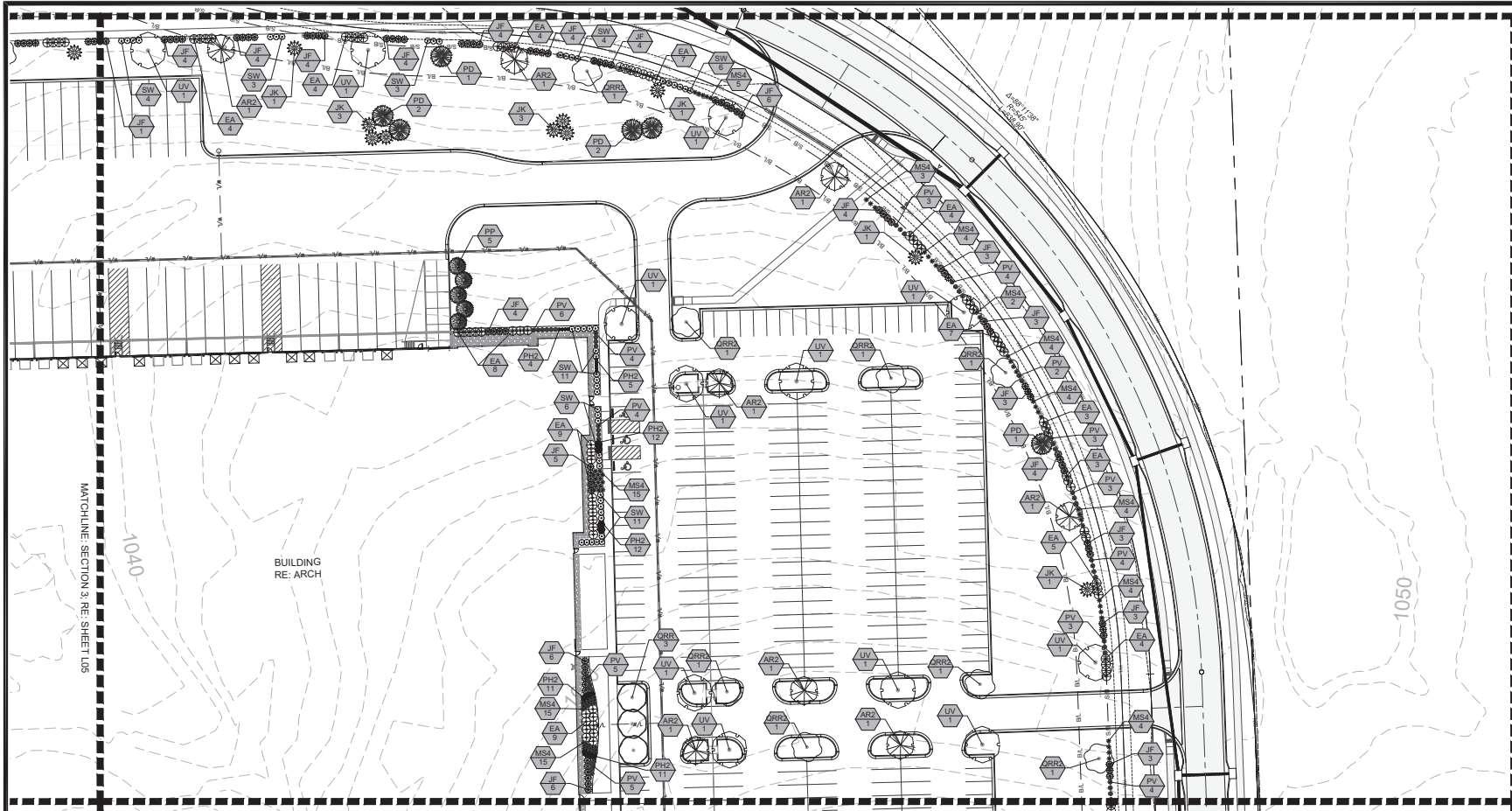
ORIGIN: LANDFALL
REVISION:

Renaissance
Infrastructure
Consulting



ANDREW G. SMITH
LICENSED PROFESSIONAL ENGINEER
NO. 14333
STATE OF CALIFORNIA
EXPIRATION DATE: 12/31/2024
T. Andrew G. Smith - 12/31/24



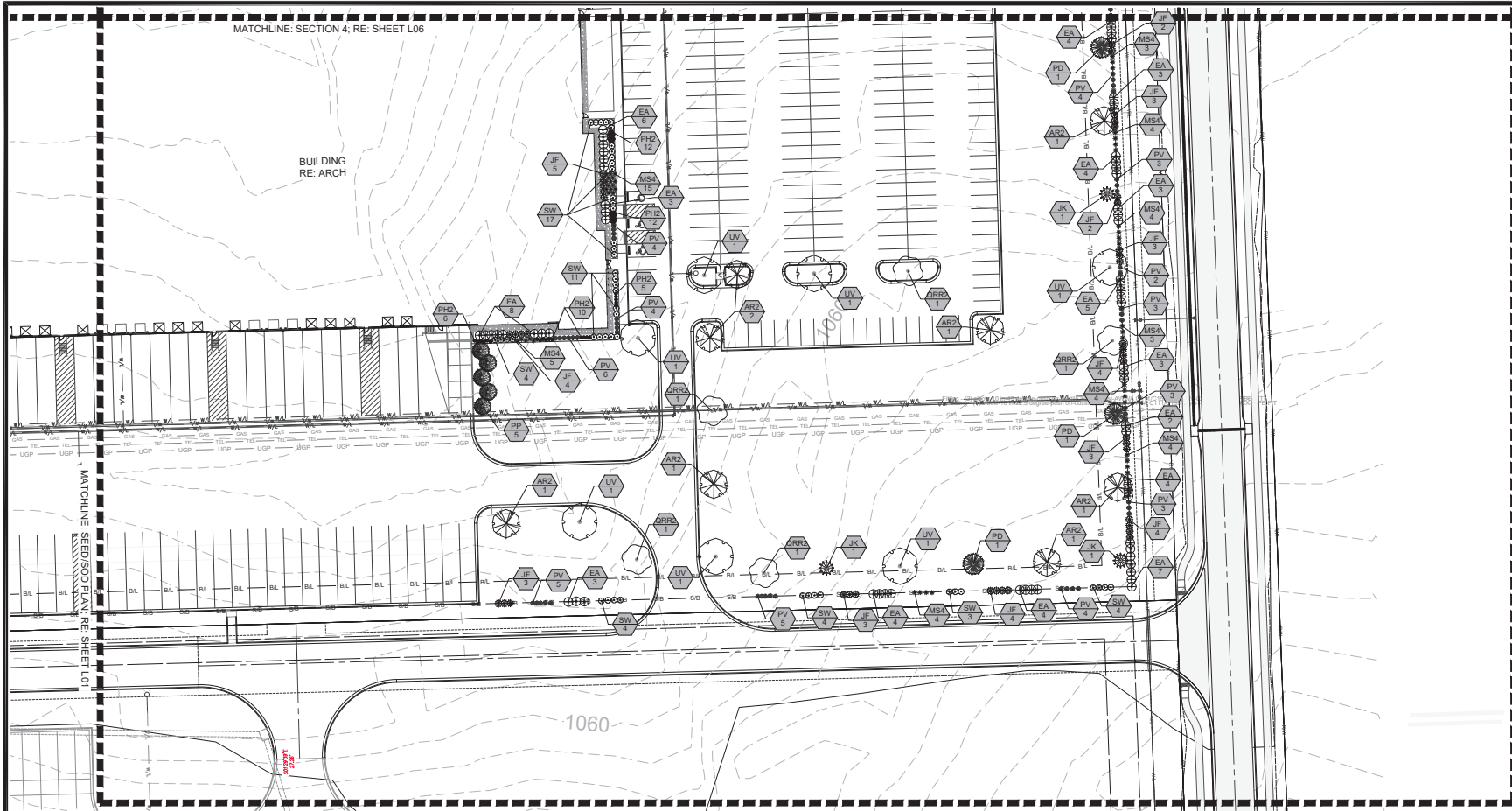


PLANT SCHEDULE SECTION 4

TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	AR2	Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B&B	2.5" Cal.	N/A	8
	JK	Juniperus chinensis 'Keteleeri' / Keteleeri Chinese Juniper	B&B	N/A	6' Ht. Min.	10
	PD	Picea glauca 'Densata' / Black Hills Spruce	B&B	N/A	6' Ht. Min.	6
	PP	Picea pungens 'Fat Albert' / Colorado Spruce	B&B	N/A	6' Ht. Min.	5
	QRR	Quercus robur 'Regal Prince' / Regal Prince English Oak	B&B	1.5" Cal.	N/A	3
	QRR2	Quercus rubra / Red Oak	B&B	2.5" Cal.	N/A	8
	UV	Ulmus americana 'Valley Forge' / American Elm	B&B	2.5" Cal.	N/A	12
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	EA	Euonymus alatus 'Compactus' / Compact Burning Bush	5 Gal.			71
	JF	Juniperus chinensis 'Sea Green' / Sea Green Juniper	5 Gal.			83
	MS4	Miscanthus sinensis 'Morning Light' / Eulalia Grass	5 Gal.			79
	PV	Panicum virgatum 'Hanse Herms' / Hanse Herms Switch Grass	5 Gal.			50
	PH2	Pennisetum alopecuroides 'Hamelin' / Hamelin Dwarf Fountain Grass	3 Gal.			55
	SW	Spiraea japonica 'Anthony Waterer' / Japanese Spiraea	3 Gal.			48

LANDSCAPE NOTES
SEED AND SOD SCHEDULED ON OVERALL SEED AND SOD PLAN SHEET L01.
DECIDUOUS TREES ARE TO BE SELECTED BY CALIPER. "N/A" HAS BEEN DESIGNATED IN THE PLANT SCHEDULE FOR THE SIZE CATEGORY TO INDICATE THIS CRITERIA DOES NOT APPLY.
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PLANT SCHEDULE SECTION 5

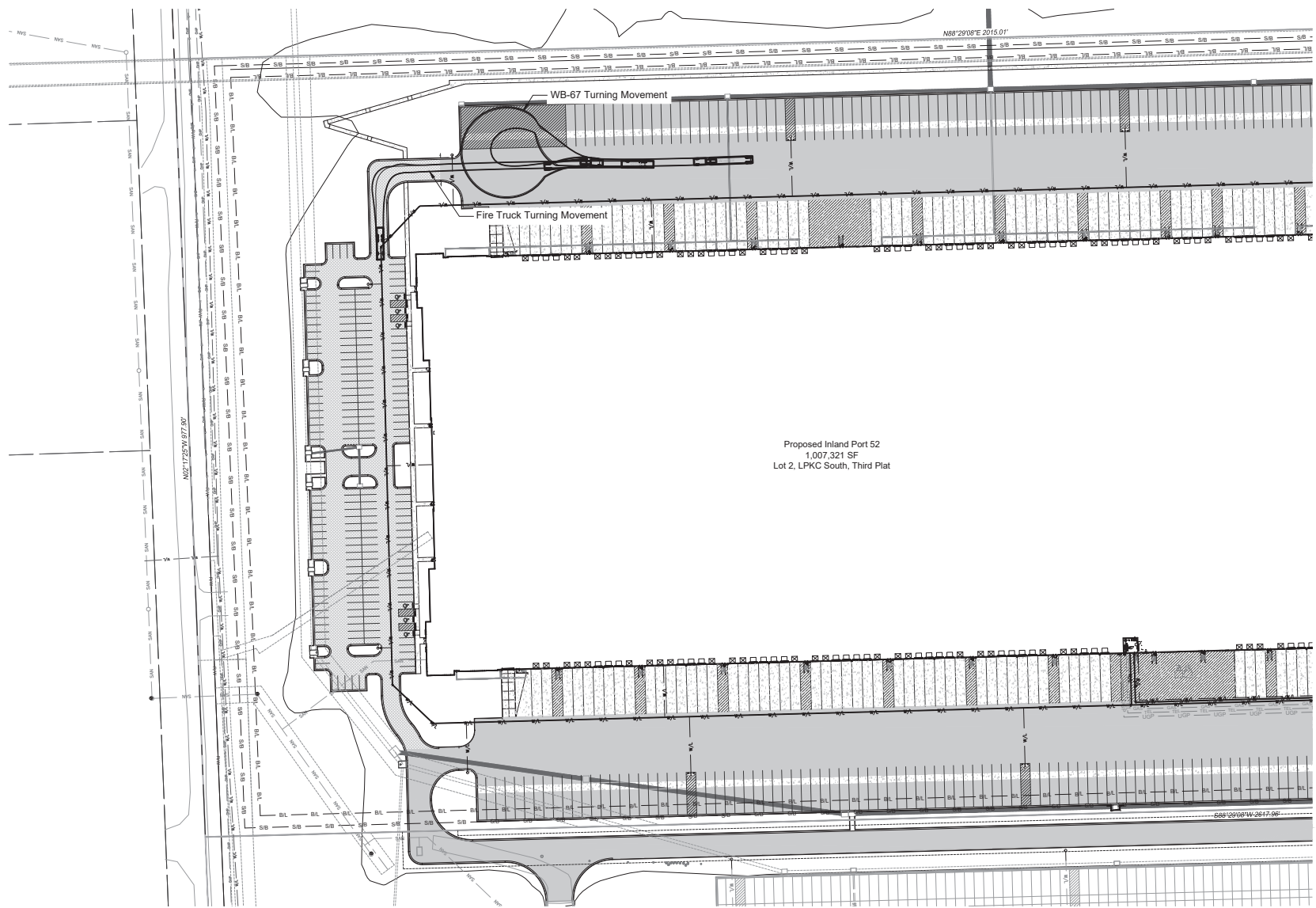
TREES	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
	AR2	Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B&B	2.5" Cal.	N/A	8
	JK	Juniperus chinensis 'Keteleeri' / Keteleeri Chinese Juniper	B&B	N/A	6' Ht. Min.	3
	PD	Picea glauca 'Densata' / Black Hills Spruce	B&B	N/A	6' Ht. Min.	3
	PP	Picea pungens 'Fat Albert' / Colorado Spruce	B&B	N/A	6' Ht. Min.	5
	QRR2	Quercus rubra / Red Oak	B&B	2.5" Cal.	N/A	5
	UV	Ulmus americana 'Valley Forge' / American Elm	B&B	2.5" Cal.	N/A	7
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT			QTY
	EA	Euonymus alatus 'Compactus' / Compact Burning Bush	5 Gal.			63
	JF	Juniperus chinensis 'Sea Green' / Sea Green Juniper	5 Gal.			40
	MS4	Miscanthus sinensis 'Morning Light' / Eulalia Grass	5 Gal.			46
	PV	Panicum virgatum 'Hanse Herms' / Hanse Herms Switch Grass	5 Gal.			46
	PH2	Pennisetum alopecuroides 'Hamel' / Hameln Dwarf Fountain Grass	3 Gal.			45
	SW	Spiraea japonica 'Anthony Waterer' / Japanese Spirea	3 Gal.			47

LANDSCAPE NOTES
SEED AND SOD SCHEDULED ON OVERALL SEED AND SOD PLAN SHEET L01.

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.

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Sheet
E01

Final Site Plan
20-0200
Inland Port 52

Photometric Plan



North Trailer Lot	
AVERAGE FOOT-CANDLES	1.61
MAXIMUM FOOT-CANDLES	5.6
MINIMUM FOOT-CANDLES	0.1
AVERAGE TO MINIMUM FC RATIO	15.64

West Trailer Lot	
AVERAGE FOOT-CANDLES	2.79
MAXIMUM FOOT-CANDLES	5.5
MINIMUM FOOT-CANDLES	0.7
AVERAGE TO MINIMUM FC RATIO	4.12

South Trailer Lot	
AVERAGE FOOT-CANDLES	1.62
MAXIMUM FOOT-CANDLES	4.6
MINIMUM FOOT-CANDLES	0.2
AVERAGE TO MINIMUM FC RATIO	6.53

East Trailer Lot	
AVERAGE FOOT-CANDLES	1.79
MAXIMUM FOOT-CANDLES	4.1
MINIMUM FOOT-CANDLES	0.2
AVERAGE TO MINIMUM FC RATIO	7.18

LUMINAIRE SCHEDULE

CALLOUT	SYMBOL	QUANTITY	MODEL	WATTAGE	MOUNTING	MOUNTING HEIGHT	LAMP DEPRECIATION
P1		4	Hubbell Lighting Inc, dba Beacon Products, VP-L-96L-395-4K7-5QM	220 W	POLE	35 FT.	0.9
P2		29	Hubbell Lighting Inc, dba Beacon Products, VP-L-80L-235-4K7-3	180 W	POLE	35 FT.	0.9
W		36	Hubbell Lighting Inc, dba Beacon Products, VP-L-96L-395-4K7-4	220 W	WALL	35 FT.	0.9

Renaissance Infrastructure Consulting
 1915 PAGE STREET, SUITE 200
 KANSAS CITY, MISSOURI 64108
 816.860.0955
 WWW.RIC-CONSULT.COM
 E-201003933
 MO Certificate of Authority

STAFF REPORT

Date: February 9, 2021
To: Edgerton Planning Commission
From: Chris Clinton, Planning and Zoning Coordinator
Re: Consider Approval of Temporary Construction Activities **Application TU2021-01** on property located at 20520 Waverly Road - Concrete Batch Plant use for construction of Inland Port 52 (IP 52)

BACKGROUND INFORMATION

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

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

MATTER TO BE CONSIDERED

On January 19, 2021 City Staff received an application from Concrete Strategies Inc. (CSI) to construct a batch plant which would provide concrete for the construction of IP 52 located north of the Hostess Distribution Center.

The property where the batch plant is located is owned by Wellsville Farms, LLC and is part of Logistics Park Kansas City Phase II. Pursuant to Article 9, Section 9.6E of the Unified Development Code, the use of privately owned property for temporary construction activities requires the property owner's permission. With their application, CSI has provided a letter from NPD on behalf of Wellsville Farms, LLC dated January 19, 2021. In this letter, the owner gives permission for the batch plant to operate on their property with a fixed end date of January 1, 2022 and a restriction that the batch plant only be used for projects for which explicit permission is granted (IP 52 in this instance). The owner retains the right to evict CSI from the property at any time with 30 days advance notice.

As part of their application, CSI has indicated typical operating hours would be from 6:00 AM to 5:00 PM. However, overnight operations from 10:00 PM to 9:00 AM are requested during warmer months. The applicant has indicated that ambient temperature, wind speeds, solar radiation, and low humidity are all factors which can impair the quality of concrete by accelerating the rate of moisture loss and rate of cement hydration. These conditions are weather dependent. Applicant has agreed to keep apprise City Staff of when overnight operations will occur and will update City Staff with any schedule changes.

Maps of the haul routes have been provided with the application. The proposed haul route to the project site with mixed concrete will be to cross Waverly Road into the construction site of IP 52. A secondary route has been proposed of going south on Waverly Road, then east on

207th Street to access the construction site. Raw materials deliveries will use Homestead Lane south to 207th Street, east to Waverly Road and then north to the plant entrance. Staff has stipulated that stop signs must be present at both Waverly Road access points and if uninterrupted traffic flow is requested, flaggers must be present. If flaggers are used, City Staff must be notified in advance. The applicant is required to maintain Waverly Road between the batch plant haul route road and 207th Street, including the cross-access area on Waverly Road.

Footings and site work require the least amount of hauling at 1-4 trucks per hour. This will increase when slab work begins and require 7-10 trucks per hour. When paving and tilt up walls start being poured, 6-8 trucks will be needed per hour. Dump trucks for the hauling of wet concrete are prohibited by the City. Applicant has stated agitator and mixer trucks will be used during this project. Applicant has stated they will clean trucks off onsite during pours and any concrete dribbled onto City roads will be immediately swept and cleaned. Applicant has stated all trucks will be rinsed prior to entering public roadway and all detachable chutes will be hung and fastened before leaving the pour site. Applicant will provide personnel to monitor roadway and cleanliness of the trucks.

In their letter, the property owner has stated that permission to use their property will expire on January 1, 2022. Because temporary construction uses are for active construction activities only, and not for the storage of non-operating equipment, staff is recommending the batch plant only be given permission to operate through the expiration of the property owner's permission or the completion of IP 52 and the issuance of a Certificate of Occupancy, whichever comes first. If a new project arises in the future that would require the use of the batch plant, a new Temporary Construction Use Permit Application must be submitted to the City.

The applicant is required to fully restore the site to its original condition prior to batch plant installation. This includes, but is not limited to, the planting of seed to deter possible erosion onto adjacent properties and roadways. This site restoration must be completed by the vacation date of January 1, 2022.

STAFF RECOMMENDATION

Staff recommends **approval** of batch plant Application **TU2020-01** for property located at 20520 Waverly Road for construction-related activities pursuant to Article 9, Section 9.6E of the Unified Development Code, by Concrete Strategies, Inc. for operation of a concrete batch plant for the construction of IP 52 subject to the following conditions:

1. Stop Signs must be placed at both sides of haul road adjacent to Waverly Road. Should applicant wish to have an uninterrupted haul across Waverly, flaggers must be present to manage cross traffic on Waverly Road. Applicant must notify City staff and Public Safety of the presence of flaggers prior to implementing use;
2. No trucks of any kind, including delivery of materials, may use Waverly Road north of the site to travel to 199th Street;
3. Dump trucks cannot be used to transport wet concrete and all possible precautions must be taken to ensure that concrete is not dribbled onto public roadways by mixer or agitator trucks;
4. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with all City regulations and policies

- related to the tracking of debris onto public streets. Applicant agrees to not trail concrete onto paved roadways used for haul route and will clean up any spillage due to the improper use/cleaning of equipment;
5. Any damage caused to any public infrastructure along the haul route due to concrete operations is the responsibility of the applicant to repair;
 6. Applicant and any subcontractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable time period;
 7. Hours of operation shall be limited to from 7:00 AM to 5:00 PM unless otherwise approved by staff for special weather dependent hours;
 8. Applicant shall maintain a valid City of Edgerton Business License;
 9. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
 10. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
 11. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
 12. All occupied buildings shall have access to potable water from an approved water source;
 13. All signage shall be placed pursuant to applicable sign regulations for the City of Edgerton, including traffic control signage;
 14. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or any other applicable chapter of City Code;
 15. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
 16. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
 17. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
 18. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
 19. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
 20. This Temporary Construction Use is **only** for the construction of Inland Port 52. Should any other projects be awarded to the applicant, a new Temporary Construction Use permit must be obtained including the submittal of a new application, a new permission letter from the owner, and a review by the Planning Commission;
 21. Permission for temporary construction activities is granted for a period **ending January 1, 2022**, with permission subject to the revocation before that by the property owner per the attached letter.
 22. Additionally, **prior to full site vacation on January 1, 2022 the property must be restored to a planted condition** and no debris, equipment, concrete, gravel piles, etc. may be left behind. Applicant must contact city staff for an onsite inspection to review site conditions when the property is vacated. Failure to do so may result in disapproval of future activities.

ATTACHMENTS

- Temporary Construction Use Application
- Property Owner Permission Letter



Temporary Construction Use

☒ NEW/EXPIRED PERMIT (\$500) ☐ AMENDED APPLICATION (\$250)

PROJECT NAME: Inland Port 52 - Temporary Concrete Batch Plant

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 20520 Waverly Rd Edgerton,

LEGAL DESCRIPTION: Rockwall Estates LT 3 EX PT Replatted

CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: Vacant

TOTAL AREA: 11.6 ACRES

APPLICANT NAME(S): Steve Schuering PHONE: 314-462-2694

COMPANY: Concrete Strategies LLC EMAIL: Schuering@concretestrategies.com

MAILING ADDRESS: 2199 Innerbelt Business Center Dr St. Louis, MO 63114
Street City State Zip

PROPERTY OWNER NAME(S): Brett Powell PHONE: (816) 888-7380

COMPANY: Wellsville Farms, LLC EMAIL: bpowell@northpoint.com

MAILING ADDRESS: 4825 NW 41st Street Suite 500 Riverside MO 64150
Street City State Zip

EXPLANATION OF ACTIVITIES: Concrete Production for Inland Port 52

SIGNATURE OF OWNER OR AGENT: _____

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

FOR OFFICE USE ONLY

Application No.: TU2021-01 Application Fee Paid: \$ 500.00

Date Paid: 01/19/2021 Receipt #: 08330631

Planning Commission Meeting Date: 02/09/2021

Received By: _____

Kathy Crow

January 9th, 2021

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

Re: Temporary Batch Plant Request

Dear Ms. Crow

This letter serves as request for the City's approval of Concrete Strategies LLC for use of our temporary concrete batch plant operation on 20520 Waverly Road for the construction of Inland Port 52.

Concrete Strategies respectfully request the City add this item to the February, 9th Planning Commission session, and that the City recommend the approval of the referenced plant for temporary use through project completion. The proposed site plan of the proposed batch plant operation is attached.

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

Sincerely,



Steve Schuering
Director Operations - KC

Attachments:

Site plan, Northpoint approval, KDHE Permit, SWPPP

CC: Jim Berry, Concrete Strategies, Inc.
John Loges, Concrete Strategies, Inc.

Request for Temporary Construction Activities:

Concrete Strategies request their mobile concrete batch plant to setup at 20520 Waverly Rd Edgerton, KS. Concrete Strategies is requesting to provide concrete service for the construction of Inland Port 52 through the duration of the project.

Traffic Routes:

- Concrete Mixer Trucks would leave the batch plant site on Waverly road and cross to the construction entrance of Inland Port 52. Alternate option: Waverly road, head east on 207th Street, access the jobsite from east of Inland Port 51.

Haul Frequency:

- Footings and Site Work pours will require 1-4 trucks
- Slab On Grade pours will require 7-10 trucks
- Tilt up wall and Paving pours will require 6-8 trucks

Concrete Trucks:

- All trucks (mixers and agitators) are licensed, insured and DOT inspected.
- All trucks will be cleaned of any loose or fresh concrete prior to touching public roadways.
- Any detachable chutes must be hung and fastened prior to touching public roadways

Road Cleaning

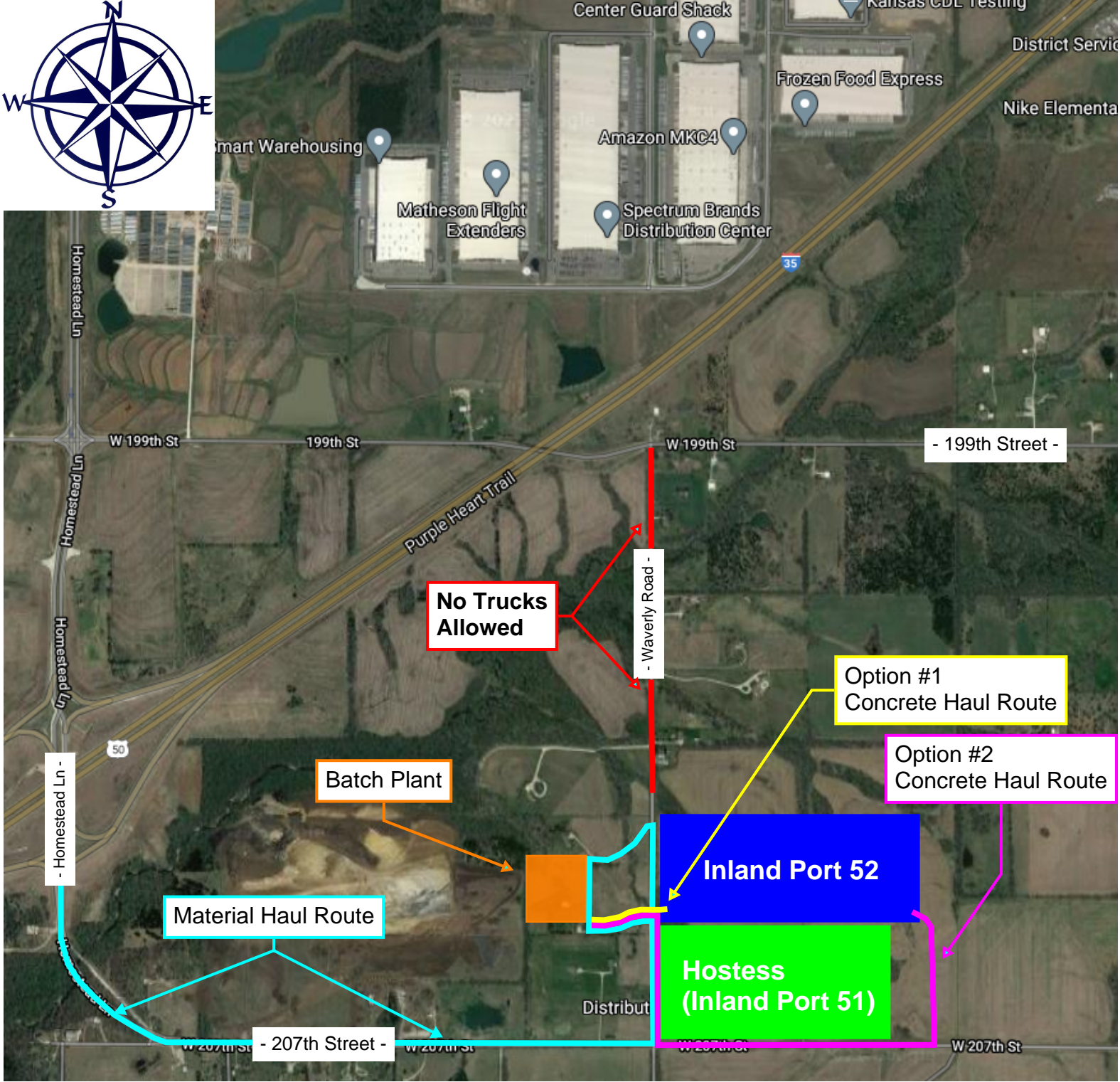
- A street sweeper and skidsteer will be available at the batch plant to clean the gravel roadway if any concrete dribbles occur. Concrete strategies will monitor the roadways throughout concrete operations. Any issues will be addressed immediately.

Hours of Operation:

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

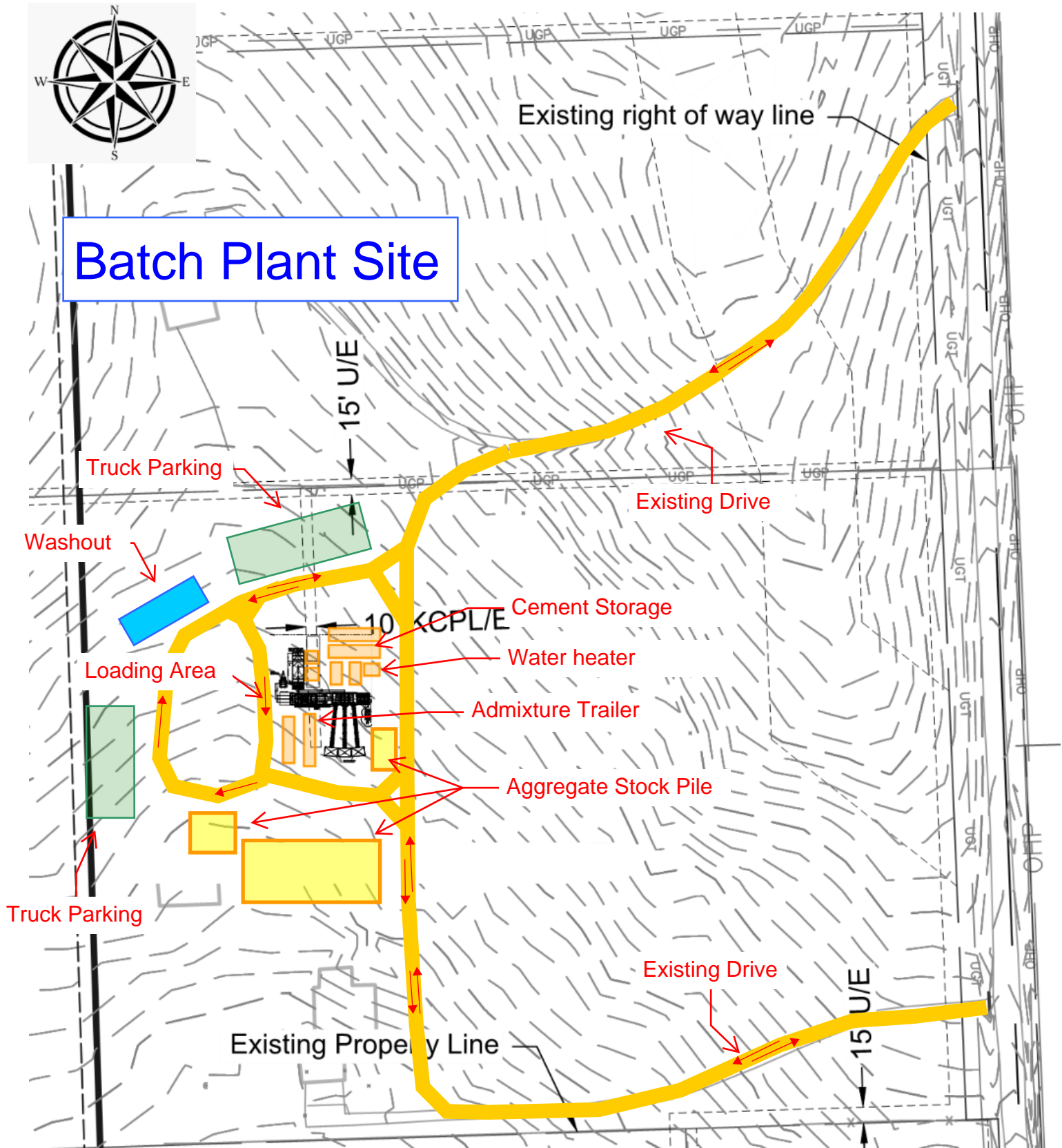
Material Deliveries:

- All material deliveries will use Homestead Lane to 207th street, East on 207th street to Waverly road, North on Waverly road to the Batch Plant Site Entrance.





Batch Plant Site



JOHNSON COUNTY
KANSAS
Health & Environment

March 30, 2018

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

Re: Relocation of concrete batch plant, #7770938

Dear Mr. Mills:

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

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

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

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

Sincerely,


Todd A. Rogers
Environmental Division Director *by MB*

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

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

Health

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

jocogov.org



Environmental & Child Care Licensing

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

Jim Berry

From: Curtis Heider <heiderenv@centurytel.net>
Sent: Wednesday, January 22, 2020 11:04 AM
To: Jim Berry
Subject: [EXTERNAL] FW: Concrete Strategies portable batch plant, permit #7770938

Jim,
See KDHE's email below stating that the permit has no expiration date.
Thank you,
Curtis Heider
Heider Environmental Consulting
14 Bright Star Drive
Columbia, MO 65203
Ph: 573-445-3033
Fax: 573-445-3058
Cell: 573-639-1410
Email: Curtis@heiderenv.com

From: Vivien Smith [KDHE] [mailto:Vivien.Smith@ks.gov]
Sent: Wednesday, January 22, 2020 10:44 AM
To: Curtis Heider
Cc: 'Boothe, Michael, DHE'
Subject: RE: Concrete Strategies portable batch plant, permit #7770938

Unless there have been any changes to the equipment (adding capacity) the Air permit is valid. There is no expiration. Please notify Mike Boothe if the plant relocates. There may be local permits that Mike can help you with.
Thank you,
Vivien

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

Paper forms will no longer be accepted by Bureau of Air beginning January 1, 2020. Login or create an account in the Kansas Environmental Information Management System (KEIMS) for all submissions.
<http://www.kdheks.gov/bar/keims-BOA.html>

This electronic communication is from the Kansas Department of Health and Environment and may contain information that is confidential, privileged and intended only for the use of the recipient named above. If you are not the intended recipient or the employee or agent responsible for delivering this information to the intended recipient, unauthorized disclosure, copying, distribution or use of the contents of this transmission is strictly prohibited. If you have received this message in error, please notify the sender immediately at the following email address: vivien.smith@ks.gov or by calling 785-296-0757 and delete the email. Thank you.

From: Curtis Heider [<mailto:heiderenv@centurytel.net>]
Sent: Wednesday, January 22, 2020 10:35 AM
To: Vivien Smith [KDHE] <Vivien.Smith@ks.gov>
Cc: 'Boothe, Michael, DHE' <Michael.Boothe@jocogov.org>
Subject: RE: Concrete Strategies portable batch plant, permit #7770938

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

Hello Vivien,
Concrete Strategies is bidding on another project in the area and would like to know if their permit is good for another year or if they need to do anything to extend their permit through 2021.
Thank you,
Curtis Heider
Heider Environmental Consulting
14 Bright Star Drive
Columbia, MO 65203
Ph: 573-445-3033
Fax: 573-445-3058
Cell: 573-639-1410
Email: Curtis@heiderenv.com

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

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

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

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

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

Hello Vivien,

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

Thank you,

Curtis Heider

Heider Environmental Consulting

14 Bright Star Drive

Columbia, MO 65203

Ph: 573-445-3033

Fax: 573-445-3058

Cell: 573-639-1410

Email: Curtis@heiderenv.com

From: Curtis Heider [<mailto:heiderenv@centurytel.net>]

Sent: Wednesday, March 6, 2019 4:03 PM

To: 'vivien.smith@ks.gov'

Cc: 'Rodney Mills'; 'Jim Berry'

Subject: Concrete Strategies portable batch plant, permit #7770938

Hello Vivien,

Per your request, in regard to Concrete Strategies portable batch plant (permit #7770938), they expect to remain at their current location, 20250 Waverly Road, Edgerton, Kansas (Johnson County) until April 30, 2020.

Thank you,

Curtis Heider

Heider Environmental Consulting

14 Bright Star Drive

Columbia, MO 65203

Ph: 573-445-3033

Fax: 573-445-3058

Cell: 573-639-1410

Email: Curtis@heiderenv.com

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



Phone: 785-296-1535
Fax: 785-559-4264
www.kdheks.gov

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

June 6, 2019

Concrete Strategies, LLC
2199 Innerbelt Business Center
St Louis, MO 63114

RE: Kansas Water Pollution Control
Permit No. I-MC08-PR02
Concrete Strategies, LLC

Dear Permittee:

You have fulfilled all the filing requirements for a Kansas Water Pollution Control Permit and Authorization to Discharge under the National Pollutant Discharge Elimination System (NPDES). We are pleased to forward your new permit. While it is permissible to make as many copies as needed for monitoring and reporting purposes, you need to retain the original permit for your files.

We suggest you carefully read the terms and conditions of your permit and understand these terms and conditions are enforceable under both State and Federal law.

Please note the reporting paragraph on page 2 of your permit. If required, all discharge monitoring reports are to be processed by the eDMR software program. If KDHE has not contacted you concerning the use of the eDMR software program, please contact Debbie Mendenhall at 785.296.5561 or Deborah.Mendenhall@ks.gov. If this requirement applies to your facility, please share this permit with your certified operator and laboratory.

Any additional reports shall be submitted to the Kansas Department of Health and Environment, Bureau of Water-TSS, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

If you have any questions concerning this permit, contact Shelly Shores-Miller at (785) 296-2856.

Sincerely,

Thomas C Stiles
Director, Bureau of Water

pc: NE - District
ES- Permit File

Kansas Water Pollution Control General Permit & Authorization to Discharge

UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

FOR READY-MIXED CONCRETE PLANTS, CONCRETE PRODUCTS PLANTS AND THEIR ASSOCIATED FACILITIES

Pursuant to the provisions of the Federal Water Pollution Control Act, as amended, 33 U.S.C. '1251 et seq. (the "ACT"), the Kansas Water Pollution Control Statutes Annotated 65-164 and 65-165, and rules and regulations adopted thereunder,

Permittee Name: CONCRETE STRATEGIES, LLC
Permittee Address: 2199 INNERBELT BUSINESS CENTER
City: ST LOUIS State: MO ZIP: 63114
Facility Name: CONCRETE STRATEGIES, LLC
Facility Address: 20250 WAVERLY ROAD
City: EDGERTON State: KS ZIP: 66021
Facility Location: SE¼, SECTION 10, TOWNSHIP 15S, RANGE 22E, JOHNSON COUNTY, KS
Latitude: 38.756798 Longitude: -94.948016
Receiving Stream: BULL CREEK VIA UNNAMED TRIBUTARY
River Basin: MARAIS DES CYGNES

is authorized to discharge stormwater runoff and process wastewater associated with industrial activities from ready-mixed concrete plants, concrete products plants and their associated facilities to surface waters of the State described above, in accordance with the effluent limits, monitoring requirements and other conditions set forth herein.

Permittee is also authorized to operate associated overflowing settlement structures and/or non-overflowing containment structures in accordance with permit conditions as herein described.

This permit is effective June 4, 2019, and expires on September 30, 2022.

A. FACILITY DESCRIPTION:

This facility is a portable concrete batch plant. Make-up water is from City/Rural Water district potable water supply. Wastewater generated from the washout of beds, drums, equipment, and the outside of trucks is directed to a plastic lined basin. Solids are removed, dried and hauled off site. Domestic wastewater is directed to portable toilets. No detergents, cleansers or other process wastewater additives are allowed to be used on-site for washing. No discharge from the plastic lined basin is allowed.

Facility Description Continued on Next Page



Secretary - Kansas Department of Health and Environment

May 31, 2019
Date of Issuance

A. FACILITY DESCRIPTION: (Continued)

1. Description of Stormwater Runoff Associated with Industrial Activity

This permit authorizes stormwater runoff associated with industrial activities at the facility. The stormwater pollution prevention plan (SWP2 Plan), inspection reports, a copy of the permit and any discharge monitoring reports and any laboratory test results shall be kept at the facility or if no office is maintained at the site, at the main office or closest affiliated field office, and shall be made available for review by EPA and KDHE representatives upon request. The SWP2 Plan shall be updated as necessary to comply with state and federal requirements and minimize or eliminate pollutants in from stormwater runoff from the facility using Best Management Practices and other controls. The SWP2 Plan shall include the following minimum measures and controls, in accordance with Attachment "A" of this permit.

- a. Pollution Prevention Team – Individuals or positions who are responsible for implementing the SWP2 Plan must be clearly identified.
- b. Description of Potential Pollution Sources – An inventory and map identifying potential pollution sources associated with industrial activity must be identified in the plan.
- c. Measures and Controls – A description of pollution controls appropriate for the facility must be identified in the plan.
- d. Comprehensive Site Compliance Evaluation – As part of this permit an annual Comprehensive Site Evaluation must be submitted annually by October 1st.
- e. Monitoring and Record Keeping – In addition to discharge monitoring requirement for overflowing structure(s) specified in Part B below, the facility must comply with the inspection and record keeping requirements for stormwater runoff as described in the SWP2 Plan.
- f. Maintaining the SWP2 Plan: The permittee must maintain, modify, and implement the existing stormwater pollution prevention (SWP2) Plan in accordance with the Attachment A. A copy of the SWP2 Plan shall be kept on site and be available for KDHE or EPA inspection upon request.

2. Description of Non-Overflowing Wastewater Facilities (Containment Structures) – The following non-overflowing facilities may receive wastewater containing cleansers, detergents and/or other additives approved by KDHE, and are included in this permit. This wastewater may be comingled with direct rainfall and stormwater runoff associated with industrial activity. Discharge from these structure(s) is not permitted.

Single Cell Plastic Lined Earthen Wash Basin – Basin A: Latitude To Be Determined Longitude To Be Determined

3. Description of Discharging Wastewater Facilities (Settlement Structures)

NONE

B. DISCHARGE LIMITS AND MONITORING REQUIREMENTS

NONE

C. PERMIT SCHEDULES:

1. Permit Renewal/Reissuance - Permit renewals for existing facilities without any proposed modifications shall submit a SWP2 Plan Certification Completion Form and updated site map with the first annual report renewal, within one year of permit issuance. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.
2. Permit Modification/New Permit - Permits for new facilities and existing facilities proposing modifications to the site shall submit a SWP2 Plan Certification Completion Form and an up-to-date site map with the NOI. All settlement and containment structures being permitted must be identified in the SWP2 Plan and on the map, and the legal location (latitude and longitude) of each structure must be identified.
3. Settlement and Containment Structure Compliance - At the time of SWP2 Plan Certification Completion, identified settlement and containment structures must indicate whether each structure is in compliance with KDHE Industrial Wastewater Lagoon Requirements (K.A.R. 28-16-160 through 174). For any structure not meeting these requirements, a structure upgrade schedule shall be provided to bring the facility into compliance with the regulations. These regulations include provisions for liners, groundwater separation distance, protection of sensitive groundwater area, and the Equus Beds, maximum seepage rates, wastewater treatment, and variances.

D. SUPPLEMENTAL CONDITIONS

1. Discharging wastewater settlement structures are permitted for washing concrete trucks and chutes, tools, forms and associated concrete handling equipment. Exterior washing of concrete trucks is allowed but no detergents, cleansers, or other additives may be used. Aggregate material from the settlement structure is periodically removed and reused in concrete production, as fill material or in another KDHE acceptable use. Earthen structures must meet the requirements of KDHE lagoon liner regulations or a variance must be issued.
2. Non-Discharging wastewater containment structures are permitted for interior and exterior washing of concrete trucks, tools and equipment. Washing with only KDHE approved detergents, cleansers, and/or additives on file with KDHE is allowed. No discharge from the containment structure to any surface or groundwater is permitted. Earthen structures must meet the requirements of KDHE lagoon liner regulations or a variance must be issued.

Permit Standard Conditions incident operation and reporting requirements, including telephone notifications as written follow up, must be met for any discharge from a non-discharging containment structure (such as a discharge resulting from excessive rainfall, equipment failure, etc.).

3. Permit Reopener - This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301 (b)(2), (C), and (D), 304 (b)(2), and 307 (a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - a. Contains different conditions or is otherwise more stringent than any effluent limitation in the permit, or
 - b. Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

4. All containment structures, settlement structures, and stormwater and process wastewater outfalls covered by this permit must be clearly identified on the facility site map and in the field.

D. SUPPLEMENTAL CONDITIONS (Continued)

5. Modification or expansion of facilities must be approved and a new site map must be accepted by the Department prior to construction.
6. Water Quality Standards - Discharge is authorized from the permitted outfall(s) provided the discharge does not cause a violation of Kansas Surface Water Quality Standards, K.A.R. 28-16-28b through 28-16-28e. The permittee shall not discharge the following:
 - a. Oil or grease in concentrations which cause any visible film or sheen to form upon the surface of the receiving water;
 - b. Oil or grease which causes a sludge or emulsion to be deposited beneath the surface of the receiving water, upon submerged substrate, or upon adjoining shorelines;
 - c. Turbidity or color producing substances causing any change in the natural appearance of the stream or water body;
 - d. Substances in the wastewater which cause objectionable odors in the vicinity of the receiving water;
 - e. Floating debris, scum, foam, froth, or other floating material in other than trace amounts; or
 - f. Materials which create deposits of sludge or fine solids causing aesthetic or environmental concerns downstream of the outfall.

The permittee shall, at a minimum, inspect the outfall(s) and receiving stream(s) quarterly to ensure compliance with the above Water Quality Standards. The permittee shall maintain a log documenting the results of any monitoring or inspections performed and shall provide the log to KDHE staff for review upon request.

Any violation of the above general Water Quality Standards shall be reported within 24 hours of discovery, to either the Kansas Department of Health and Environment, Division of Environment at (785) 296-5517 or the appropriate KDHE District Office followed by a letter, within 5 days of discovery, explaining the cause of the water quality violation, the actions taken to correct the violation, and actions taken to prevent recurrence.

7. Changes in Discharges of Toxic Substances - The permittee shall notify the Director as soon as it knows or has reason to believe:
 - a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) One hundred micrograms per liter (100 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application.
 - b. That any activity has occurred or will occur which result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit if that discharge will exceed the highest of the following notification levels".
 - (1) Five hundred micrograms per liter (500 µg/l);
 - (2) One milligram per liter (1 mg/l) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application.

D. SUPPLEMENTAL CONDITIONS (Continued)

8. Reporting "No Discharge" - If no discharge occurs from a permitted outfall during a reporting period, reporting is still required. For each such outfall reporting, the discharge report must state "No discharge" for the permitted outfall.
9. Additional Electronic Data Monitoring Report (EDMR) Information - EPA has promulgated a final rule requiring regulated entities to report DMR data and/or permit applications electronically. Also, KAR 28-16-63 requires permittees to report NPDES information in a form required by KDHE. KDHE has developed electronic reporting tools to assist permittees in complying with the EPA electronic reporting rule and KAR 28-61-63. Unless a waiver has been approved by KDHE, permittees are required to submit reports and/or applications electronically.
10. Limits on Coverage; Director required replacement of this permit with a different NPDES Permit - The Director may require the permittee to request coverage and obtain an alternative individual permit or general NPDES permit if:
 - a. the permittee is not in compliance with the conditions of this general permit;
 - b. the discharge no longer qualifies for this general permit due to changed site conditions;
 - c. Information becomes available indicating water quality standards have been, or may be violated.
11. Discharge to Outstanding Natural Resource Waters (ONRW) - For antidegradation purposes, this general permit does not authorize new discharges to waters designated as Tier 3 Waters (ONRW), as defined in the Kansas Surface Water Register.
12. Issuance of this permit does not relieve the permittee of any responsibility to satisfy any requirements the Kansas Department of Agriculture - Division of Water Resources, Kansas Department of Wildlife, Parks and Tourism, the Kansas Historical Society, the Kansas Department of Transportation or any local, city, county, state or federal government agency may have regarding the facility.
13. Contribution to Existing Impairment - Discharge shall not contribute to existing impairment of a waterbody. KDHE will provide notification of additional limits or controls that are necessary for the discharge to comply with water quality standards or that are necessary to be consistent with wasteload allocations for an established TMDL, or if coverage under an individual NPDES permit is necessary.
14. Facility Relocation - Permittees relocating the facility covered under this general permit to another site must submit a Notice of Permit Termination to terminate this permit, a Notice of Intent to apply for a new general permit at the new location and a construction stormwater general permit if the facility is to continue to operate in the State of Kansas. This includes both permanent and portable facilities.
15. Permit Transfer - This permit may be transferred to a new permit holder using the Permit Transfer Request form from the KDHE website at www.kdheks.gov/water/tech.html.
16. Discharges Ineligible for this permit - This permit does not authorize discharge of waters containing solvents, detergents or other chemical additives. To be permitted, the chemicals used with these waters must be listed in chemical additives log for the facility, and the waters must be contained on-site in a non-discharging containment structure. To discharge such waters, the facility must first apply for and obtain coverage under an individual permit.

D. SUPPLEMENTAL CONDITIONS (Continued)

17. Closure of Settlement & Containment Structures and Abandonment and Closure of Wastewater Retention Basin(s) -
- a. Permittee shall properly maintain the water pollution control structures and keep the permit active until the structures are properly abandoned and the permit terminated.
 - b. Water pollution control structures shall be considered abandoned and shall be properly closed if not used for five years, not properly maintained or if the permit is allowed to become inactive by failure to pay the annual permit fee when due or failure to apply for a permit renewal via the Notice of Intent prior to the permit expiring.
 - c. Permittee shall properly abandon the water pollution control structures according to the procedures provided below.
 - (1) Remove fences and above ground structures around the control structure.
 - (2) Dispose of the water by irrigation on the facility property or road / facility area for dust suppression, re-use, etc. Permittee shall ensure there is no run off of the wastewater beyond the facility boundaries.
 - (3) Unless otherwise required by contract or other legal requirements, permittee may push any concrete walls, asphalt aprons or plastic liners into the bottom of the basin. Cover the debris with at least 24 inches of clean soil. Grade the filled area to its original contours to minimize water accumulation (ponding). Reseed the disturbed area with grass to minimize soil erosion.
 - (4) After completion of the pond closure, inform the appropriate KDHE district office so a post closure inspection can be performed. Locations of the KDHE district offices can be found at www.kdheks.gov/directions/index.html or by calling 785.296.5506.
18. Notice of Permit Termination - A Notice of Permit Termination form can be downloaded from the KDHE website at www.kdheks.gov/water/tech.html.
19. Discharge of Process Wastewater and Sanitary Sewage - This permit does not authorize discharge of sanitary sewage or any process wastewater that is not specifically identified in the permit description. No floor drains shall be discharged to surface drainage. Solid waste accumulations, including mud trap waste, shall be handled in accordance with KDHE Bureau of Waste Management (BWM) policy, guidance, and regulation and records of the quantity, date and disposition of these wastes shall be maintained and made available to KDHE upon request.
20. Quarterly Inspections: The permittee shall inspect the system of pollution controls on a quarterly basis and within 24 hours after any event which could reasonably be expected to affect the integrity of the controls (3" rainfall even within 24 hour, unless another intensity storm event is justified by the permittee based on a written record of past performance). The inspection shall be adequate to verify that the site drainage conditions and potential pollution sources identified in the SWP2 Plan remain accurate, and that the best management practices prescribed in the SWP2 Plan are being implemented, properly operated and adequately maintained. An inspection report shall be completed for each inspection which shall include: the inspection date, inspection personnel, scope of the inspection, major observations, and any revisions needed in the SWP2 Plan.

D. SUPPLEMENTAL CONDITIONS (Continued)

21. Stormwater Pollution Prevention (SWP2) Plan Amendments - The SWP2 Plan shall be re-evaluated and modified in a timely manner, but in no case more than 90 days after:
 - a. site expansion, production increases, process modifications, changes in materials or materials handling or storage or other activities are planned which will result in significant increases in the exposure of pollutants to stormwater discharged either to waters of the state or to stormwater treatment devices. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to control pollutant loads, an estimate of the new or increased discharge of pollutants following treatment and, when appropriate, a description of the effect of the new or increased discharge on existing stormwater treatment facilities;
 - b. the permittee's inspections indicate deficiencies in the SWP2 Plan or in any BMP requiring the BMP to be significantly changed or upgraded;
 - c. a visual inspection of contributing areas or a visual inspection of the stormwater discharges or monitoring of the stormwater discharges indicate the Plan appears to be ineffective in eliminating or significantly minimizing pollutants from the facility;
 - d. written notice that the Department finds the SWP2 Plan to be deficient or stormwater controls to be ineffective in achieving compliance with this permit, Kansas and Federal law.
22. Construction Activity Permit Requirements - This permit does not cover industrial activity specified in 40 CFR 122.26(b)(14)(x), i.e. stormwater runoff from construction activity where new construction is the primary purpose of the request. Development of a new site, expansion of an existing site, and/or closure of an existing site, disturbing 1 acre or more of soil requires a separate Kansas construction stormwater general permit.
23. This general permit is intended to regulate the discharge of facility wastewater and stormwater associated with industrial activities from ready-mix concrete plants, concrete products plants, and their associated facilities (SIC Codes 3271, 3272, and 3273).
24. Discharge On Indian Lands - This permit does not authorize discharge on Indian Lands - For information on permitting and location of Indian Lands, contact the Bureau of Indian Affairs at (785) 486-2161 or the EPA Region VII Office of Tribal Affairs - Regional Indian Coordinator at (913) 551-7969.
25. The permittee is required to have Settlement Structures/Containments Structures meeting or equivalent to the criteria provided on page 3 of the instructions for the Notice of Intent (permit application) under the "Provisions for Construction of Settlement Structures and Containment Structures" as found on the KDHE website at www.kdheks.gov/water/tech.html or available by telephone at 785.296.4347.
26. Forms and Guidance Documents for this permit are available on the KDHE Website at:

www.kdheks.gov/water/tech.html

ATTACHMENT A**STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS AND GUIDELINES**

The Stormwater Pollution Prevention (SWP2) plan shall be specific to the industrial activities and site characteristics occurring at the location described in this permit. The permittee shall fully implement the provisions of the SWP2 plan required under this permit as a condition of this permit.

The purpose of the SWP2 plan is to ensure the design, implementation, management, and maintenance of Best Management Practices (BMPs) in order to reduce the amount of pollutants in stormwater discharges associated with the industrial activities at the facility. The SWP2 plan shall evaluate BMPs from each of three major classes: managerial/administrative; structural controls and non-structural controls.

As guidance, the permittee shall evaluate, select, install, utilize, operate and maintain the BMPs in accordance with best professional judgment, generally accepted and scientifically defensible guidance, and the concepts and methods described in Environmental Protection Agency (EPA) document number EPA 833-B-09-002, entitled *Developing Your Stormwater Pollution Prevention Plan, a Guide for Industrial Operators*, published in February, 2009¹ and the U.S. EPA National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP); as modified effective May 27, 2009, and subsequent modifications.

The SWP2 plan and any amendments shall be developed by an individual knowledgeable in stormwater management and control and familiar with the site characteristics of the facility. Due to technical and site specific requirements in developing a SWP2 plan, KDHE highly encourages and recommends that the SWP2 plan and any amendments be prepared by, or under the supervision of a Kansas licensed professional engineer. The SWP2 plan shall be reviewed and re-certified for compliance with accepted standards for stormwater pollution prevention at least once every five years. If KDHE determines the SWP2 plan to be inadequate KDHE reserves the right to require the permittee to obtain the services of a qualified consultant to correct any deficiencies in the SWP2 plan. The SWP2 plan shall contain, at a minimum, the following items:

1. Pollution Prevention Team - Specific individuals or positions shall be identified within the facility organization as members of a Stormwater Pollution Prevention Team who are responsible for developing, implementing, maintaining and revising the SWP2 plan. Each member's responsibilities shall be clearly identified in the SWP2 plan. The activities and responsibilities of the team shall address all aspects of the facility's SWP2 plan.
2. Description of Potential Pollutant Sources - pollutant sources which may reasonably be expected to add significant amounts of pollutants to the stormwater discharge shall be described. The description shall include, at a minimum:
 - a. Site Map - a site map identifying the following: the outline of drainage area(s) for each stormwater outfall; the location of significant materials exposed to precipitation; storage tanks; scrap yards and general refuse areas; fuel storage and distribution areas; vehicle and equipment maintenance and storage areas; loading/unloading areas; waste treatment, storage or disposal areas; short and long term material storage areas (including but not limited to: supplies, construction materials, plant equipment, oils, fuels, used and unused solvents, cleaning materials, paint, water treatment chemicals, fertilizers, and pesticides); landfills; construction sites; stock piles; major spills or leaks; surface water bodies and existing structural control measures to reduce pollutants in stormwater runoff (such as bermed areas, grassy swales, etc.).
 - b. Inventory of Exposed Materials - a narrative description of significant materials handled, treated, stored, leaked, spilled or disposed of in a manner to allow exposure to stormwater within the period starting three years prior to the date of this permit; existing structural and nonstructural control measures to reduce pollutants in stormwater runoff; and any treatment the stormwater receives. A list of significant spills and leaks of toxic/hazardous materials in exposed areas shall be maintained and kept updated.
 - c. Sampling Data - a summary of existing sampling data, if available.
 - d. Risk Identification and Summary of Potential Pollutant Sources - A narrative description of the potential pollutant sources and pollutant parameter of concern shall be identified.

¹ The EPA Manual entitled *Developing Your Stormwater Pollution Prevention Plan, a Guide for Industrial Operators*, published in February, 2009; and the U.S. EPA National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP); as modified effective May 27, 2009 are available online at: http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008_swppp. Additional guidance documents are available on-line at: <http://cfpub.epa.gov/npdes/stormwater/indust.cfm> or <http://nepis.epa.gov/> or the KDHE website: <http://kdheks.gov/stormwater>.

1. Measures and Controls - A description of stormwater management controls appropriate for the facility which addresses the following minimum components, including a schedule for implementing such controls to the extent practical:
 - a. Good housekeeping requiring the maintenance of areas in a clean, orderly manner including handling and storage areas (exposed to precipitation) for raw metals, scrap metals, fuels, paints and other process areas.
 - b. Preventive Maintenance - Including timely inspection and maintenance of stormwater management devices, like oil water separators, catch basins, etc.
 - c. Spill Prevention and Response Procedures - Appropriate material handling procedure, storage requirements, use of equipment such as diversion valves, and procedures for cleaning up spills should be identified. Availability of the necessary equipment to implement a clean-up should be addressed. The following areas should be addressed:
 - (1) Metal fabrication and finishing areas - include measures for maintaining clean, dry, orderly conditions and use of dry clean-up techniques;
 - (2) Receiving, Unloading and Storage Areas and Raw Material Storage Areas - include measures to prevent spills & leaks; easy access for spill clean-up; quick and correct identification of materials; and train employees on clean-up techniques.
 - (3) Storage of Equipment - include procedures for proper clean-up and/or covering of equipment before storing outdoors.
 - (4) Storage of Metal Working Fluids - measures to identify proper controls.
 - (5) Cleaners and Rinse Water - include measures to control spills, build-up and disbursement of sand from sand blasting, and use of less toxic cleaners.
 - (6) Lubricating Oils and Hydraulic Fluids - include procedures for using detecting and control devices to reduce, prevent, and contain leaks and overflows.
 - (7) Chemical Storage Areas - include a program to inspect containers, and identify proper disposal and spill controls to prevent stormwater contamination.
 - d. Inspections: Identification of qualified facility personnel to inspect, at appropriate intervals, designated storage areas for raw metal, finished product, materials and chemicals, recycling, equipment, paint, fueling and maintenance; and loading, unloading, and waste management areas. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained on-site for at least three years after the date of the inspection.
 - e. Employee Training: Employee training programs to inform personnel responsible for implementing activities identified in the SWP2 plan or otherwise responsible for stormwater management, at all levels of responsibility, of the components and goals of the SWP2 plan. The SWP2 plan shall provide for training existing and new staff.
 - f. Record keeping and Internal Reporting Procedures: A log, along with other information, needs to be developed and maintained to document a description of incidents (i.e., spills or other discharges) that may impact the quality and quantity of stormwater discharges. Reporting procedures, inspections and maintenance activities shall be developed and included in the SWP2 plan.
 - g. Non-stormwater Discharges - The SWP2 plan must identify all unauthorized, non-stormwater (dry weather) discharges directed to surface or groundwater. KDHE shall be notified of all unauthorized discharge(s) within 5 days, and identify and ensure the implementation of appropriate pollution prevention measures for the dry weather flow component(s) of the discharge. A list of authorized non-stormwater discharges is contained in the *Kansas Water Pollution Control (KWPC) General Permit for Stormwater Runoff from Industrial Activities*².

² The *KWPC General Permit for Stormwater Runoff from Industrial Activities* issued November 1, 2011 is available online at: http://www.kdheks.gov/stormwater/download/KDHE_Complete_SW_Ind_GP_Signed_2011-11-01.pdf.

Attachment A (Continued)

- h. Sediment and Erosion Control: Measures to minimize erosion in areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion. At a minimum consider structural, vegetative, and/or stabilization measures to limit erosion. Must include measures to minimize erosion related to the high volume of traffic from heavy equipment for delivery to and from the facility and for equipment operating at the facility on a daily basis such as forklifts, cranes etc.
 - i. Management of Runoff: Describe existing and/or proposed stormwater management practices (practices other than those which control the generation or source(s) of pollutants) to divert, infiltrate, reuse or otherwise manage stormwater runoff in a manner that reduces pollutants in stormwater discharges from the site. The pollutant sources at the facility identified in Item 2 above, Description of Potential Pollutant Sources, with potential to contribute pollutants to stormwater discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures to implement.
2. Comprehensive Site Compliance Evaluation - Qualified personnel shall conduct site compliance evaluations at least once a year. Such evaluations shall provide for:
- a. Visual inspection of areas contributing to a stormwater discharge associated with industrial activity for evidence of, or the potential for, pollutants entering the drainage system. Evaluation of measures to reduce pollutant loadings to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. A visual evaluation of equipment needed to implement the plan, such as spill response equipment and containment drums, shall be made to determine it is functioning properly and drums are not corroded.
 - b. A report summarizing the scope of the evaluation, personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP2 plan, and any actions taken shall be made and retained as part of the SWP2 plan.
 - c. The report shall include resolution to any incident of non-compliance determined from the comprehensive site evaluation within 90 days.
- If the comprehensive site evaluation does not identify any incidents of non-compliance, the report shall include a statement that the facility is in compliance with the SWP2 plan and the conditions of this permit.
3. Monitoring and Record Keeping Requirements.
- a. Visual Examination of Stormwater Quality: The permittee shall periodically perform and document a visual examination of a stormwater discharge associated with industrial activity from each identified stormwater outfall. Visual examination reports shall be maintained on-site and be made available for KDHE & EPA inspection upon request. Each report shall include the date and time, name of the person performing examination, nature of discharge (runoff or snow melt), visual quality of the discharge (i.e., color, odor, clarity, floating solids, suspended solids, foam, oil sheen, and other indicators of stormwater pollution) and probable sources of any observed contamination.
 - b. Records of all stormwater monitoring data³, unless otherwise indicated in this permit, shall be kept on file for three (3) years.
4. The SWP2 plan shall be re-evaluated and modified in a timely manner, but in no case more than 90 days after:
- a. A change in design, construction, operation or maintenance that has a significant effect on the potential for the discharge of pollutants to the waters of the State, or
 - b. the permittee's inspections (including the regular comprehensive site compliance evaluation required herein) indicate deficiencies in the SWP2 plan or any BMP; or
 - c. a visual inspection of contributing areas or a visual inspection of the stormwater discharges or monitoring of the stormwater discharges indicate the plan appears to be ineffective in eliminating or significantly minimizing pollutants from sources identified in the plan.
 - d. Written notification from KDHE or EPA determining the site best management practices are or will not be effective in eliminating or minimizing pollutants in the stormwater discharges.

³ For sampling methods and procedures please refer to *Industrial Stormwater Monitoring and Sampling Guide*, EPA 832-B-09-003, March 2009 Final Draft available online at: http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008_swppp.

STANDARD CONDITIONS FOR
KANSAS WATER POLLUTION CONTROL AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS

1. Representative Sampling and Discharge Monitoring Report Submittals:

- A. Samples and measurements taken as required herein shall be representative of the quality and quantity of the monitored discharge. Test results shall be recorded for the day the samples were taken. If sampling for a parameter was conducted across more than one calendar day, the test results may be recorded for the day sampling was started or ended. All samples shall be taken at the locations designated in this permit, and unless specified, at the outfall/monitoring location(s) before the wastewater joins or is diluted by any other water or substance.
- B. Monitoring results shall be recorded and reported on forms acceptable to the Division and submitted no later than the 28th day of the month following the completed reporting period. Signed and certified copies of other reports, required herein, prepared in accordance with KAR 28-16-59, may be faxed to 785.296.0086, e-mailed as scanned attachments to dmr4kdhe@kdheks.gov, or sent by U.S. mail to:

Kansas Department of Health & Environment
Bureau of Water-Technical Services Section
1000 SW Jackson Street, Suite 420
Topeka, KS 66612-1367

2. Definitions:

- A. Unless otherwise specifically defined in this permit, the following definitions apply:
 - 1. The "Daily Maximum" is the total discharge by weight or average concentration, measurement taken, or value calculated during a 24-hour period. The parameter, pH, is limited as a range between and including the values shown.
 - 2. The "Weekly Average" is the arithmetic mean of the value of test results from samples collected, measurements taken or values calculated during four monitoring periods in each month consisting of calendar days 1-7, 8-14, 15-21 and 22 through the end of the month.
 - 3. The "Monthly Average", other than for E. coli bacteria, is the arithmetic mean of the value of test results from samples collected, measurements taken or values calculated during a calendar month. The monthly average is determined by the summation of all calculated values or measured test results divided by the number of calculated values or test results reported for that parameter during the calendar month. The monthly average for E. coli bacteria is the geometric average of the value of the test results from samples collected in a calendar month. The geometric average can be calculated by using a scientific calculator to multiply all the E. coli test results together and then taking the nth root of the product where n is the number of test results. Non-detect values shall be reported using the less than symbol (<) and the minimum detection or reportable value. To calculate average values, non-detects shall be defaulted to zero (or one for geometric averages). Greater than values shall be reported using the greater than symbol (>) and the reported value. To calculate average values, the greater than reported value shall be used in the averaging calculation.
- B. A "grab sample" is an individual sample collected in less than 15 minutes. A "composite sample" is a combination of individual samples in which the volume of each individual sample is proportional to the flow, or the sample frequency is proportioned to the flow rate over the sample period, or the sample frequency is proportional to time.
- C. The terms "Director", "Division", and "Department" refer to the Director, Division of Environment, Kansas Department of Health and Environment, respectively.
- D. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of an in-plant diversion. Severe property damage does not mean economic loss caused by delays in production.
- E. "Bypass" means the intentional diversion of waste streams from any portion of the treatment facility.

3. **Schedule of Compliance:** No later than 14 calendar days following each date identified in the "Schedule of Compliance," the permittee shall submit via mail, e-mail or fax per paragraph 1.B above, either a report of progress or, in the case of specific action being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirements, or, if there are no more scheduled requirements, when such noncompliance will be corrected.
4. **Test Procedures:** All analyses required by this permit shall conform to the requirements of 40 CFR Part 136, unless otherwise specified, and shall be conducted in a laboratory accredited by the Department. For each measurement or sample, the permittee shall record the exact place, date, and time of measuring/sampling; the date and time of the analyses, the analytical techniques or methods used, minimum detection or reportable level, and the individual(s) who performed the measuring/sampling and analysis and, the results. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved procedures, the results shall be included in the Discharge Monitoring Report form required in 1.B. above. Such increased frequencies shall also be indicated.
5. **Change in Discharge:** All discharges authorized herein shall be consistent with the permit requirements. The discharge of any pollutant not authorized by this permit or of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of this permit. Any anticipated facility expansions, production or flow increases, or production or wastewater treatment system modifications which result in a new, different, or increased discharge of pollutants shall be reported to the Division at least one hundred eighty (180) days before such change.
6. **Facilities Operation:** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the requirements of this permit and Kansas and Federal law. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the requirements of this permit. The permittee shall take all necessary steps to minimize or prevent any adverse impact to human health or the environment resulting from noncompliance with any effluent limits specified in this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge. When necessary to maintain compliance with the permit requirements, the permittee shall halt or reduce those activities under its control which generate wastewater routed to this facility.
7. **Incidents:**

"Collection System Diversion" means the diversion of wastewater from any portion of the collection system.

"In-Plant Diversion" means routing the wastewater around any treatment unit in the treatment facility through which it would normally flow.

"In-Plant Flow Through" means an incident in which the wastewater continues to be routed through the equipment even though full treatment is not being accomplished because of equipment failure for any reason.

"Spill" means any discharge of wastewater, sludge or other materials from the treatment facility other than effluent or as more specifically described by other "Incidents" terms.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance or anticipated noncompliance with permit effluent limits because of factors beyond the reasonable control of the permittee, as described by 40 C.F.R. 122.41(n).
8. **Diversions not Exceeding Limits:** The permittee may allow any diversion to occur which does not cause effluent limits to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Such diversions are not subject to the Incident Reporting requirements shown below.

9. **Prohibition of an In-Plant Diversion:** Any in-plant diversion from facilities necessary to maintain compliance with this permit is prohibited, except: (a) where the in-plant diversion was unavoidable to prevent loss of life, personal injury, or severe property damage; (b) where there were no feasible alternatives to the in-plant diversion, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime and (c) the permittee submitted a notice as required in the Incident Reporting paragraph below. The Director may approve an anticipated in-plant diversion, after considering its adverse effects, if the Director determines that it will meet the three conditions listed above.
10. **Incident Reporting:** The permittee shall report any unanticipated collection system diversion, in-plant diversion, in-plant flow through occurrences, spill, upset or any violation of a permitted daily maximum limit within 24 hours from the time the permittee became aware of the incident. A written submission shall be provided within 5 days of the time the permittee became aware of the incident. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. An Incident Report form is available at www.kdheks.gov/water/tech.html.

For an anticipated incident or any planned changes or activities in the permitted facility that may result in noncompliance with the permit requirements, the permittee shall submit written notice, if possible, at least ten days before the date of the event.

For other noncompliance, the above information shall be provided with the next Discharge Monitoring Report.
11. **Removed Substances:** Solids, sludges, filter backwash, or other pollutants removed in the course of treatment of water shall be utilized or disposed of in a manner acceptable to the Division.
12. **Power Failures:** The permittee shall provide an alternative power source sufficient to operate the wastewater control facilities or otherwise control pollution and all discharges upon the loss of the primary source of power to the wastewater control facilities.
13. **Right of Entry:** The permittee shall allow authorized representatives of the Division of Environment or the Environmental Protection Agency upon the presentation of credentials, to enter upon the permittee's premises where an effluent source is located, or in which are located any records required by this permit, and at reasonable times, to have access to and copy any records required by this permit, to inspect any facilities, monitoring equipment or monitoring method required in this permit, and to sample any influents to, discharges from or materials in the wastewater facilities.
14. **Transfer of Ownership:** The permittee shall notify the succeeding owner or controlling person of the existence of this permit by certified letter, a copy of which shall be forwarded to the Division. The succeeding owner shall secure a new permit. This permit is not transferable to any person except after notice and approval by the Director. The Director may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.
15. **Records Retention:** Unless otherwise specified, all records and information resulting from the monitoring activities required by this permit, including all records of analyses and calibration and maintenance of instruments and recordings from continuous monitoring instruments, shall be retained for a minimum of 3 years, or longer if requested by the Division. Biosolids/sludge records and information are required to be kept for a minimum of 5 years, or longer if requested by the Division. Groundwater monitoring data, including background samples results, shall be kept for the life of the facility regardless of ownership.
16. **Availability of Records:** Except for data determined to be confidential under 33 USC Section 1318, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement on any such report or tampering with equipment to falsify data may result in the imposition of criminal penalties as provided for in 33 USC Section 1319 and KSA 65-170c.

17. Permit Modifications and Terminations: As provided by KAR 28-16-62, after notice and opportunity for a hearing, this permit may be modified, suspended or revoked or terminated in whole or in part during its term for cause as provided, but not limited to those set forth in KAR 28-16-62 and KAR 28-16-28b through g. The permittee shall furnish to the Director, within a reasonable amount of time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish upon request, copies of all records required to be kept by this permit. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
18. Toxic Pollutants: Notwithstanding paragraph 17 above, if a toxic effluent standard or prohibition (including any schedule of compliance specified at such effluent standards) is established under 33 USC Section 1317(a) for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit, this permit shall be revised or modified in accordance with the toxic effluent standard or prohibition. Nothing in this permit relieves the permittee from complying with federal toxic effluent standards as promulgated pursuant to 33 USC Section 1317.
19. Administrative, Civil and Criminal Liability: The permittee shall comply with all requirements of this permit. Except as authorized in paragraph 9 above, nothing in this permit shall be construed to relieve the permittee from administrative, civil or criminal penalties for noncompliance as provided for in KSA 65-161 et seq., and 33 USC Section 1319.
20. Oil and Hazardous Substance Liability: Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject to under 33 USC Section 1321 or KSA 65-164 et seq. A municipal permittee shall promptly notify the Division by telephone upon discovering crude oil or any petroleum derivative in its sewer system or wastewater treatment facilities.
21. Industrial Users: A municipal permittee shall require any industrial user of the treatment works to comply with 33 USC Section 1317, 1318 and any industrial user of storm sewers to comply with 33 USC Section 1308.
22. Property Rights: The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights nor any infringements of or violation of federal, state or local laws or regulations.
23. Operator Certification: The permittee shall, if required, ensure the wastewater facilities are under the supervision of an operator certified by the Department. If the permittee does not have a certified operator or loses its certified operator, appropriate steps shall be taken to obtain a certified operator as required by KAR 28-16-30 et seq.
24. Severability: The provisions of this permit are severable. If any provision of this permit or any circumstance is held invalid, the application of such provision to other circumstances and the remainder of the permit shall not be affected thereby.
25. Removal from Service: The permittee shall inform the Division at least three months before a pumping station, treatment unit, or any other part of the treatment facility permitted by this permit is to be removed from service and shall make arrangements acceptable to the Division to decommission the facility or part of the facility being removed from service such that the public health and waters of the state are protected.
26. Duty to Reapply: A permit holder wishing to continue any activity regulated by this permit after the expiration date, must apply for a new permit at least 180 days prior to expiration of the permit.



January 19, 2021

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

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

Dear Katy:

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

Condition 1: The permitted term expires January 1, 2022.

Condition 2: The batch plant can be used only for project for which explicit permission has been provided by NPD Management. Permission is being provided by way of this letter for the Inland Port LII project.

Condition 3: NPD Management, LLC reserves the right to cancel any written or implied agreement related to the permission of CSI to utilize the noted property for the purposes of operation a concrete batch plant at any time during the allotted term, provided a minimum of 30 days notice of eviction is provide to CSI.

Condition 4: CSI is responsible for all permits required local, State, or Federal Jurisdiction.

Condition 5: CSI shall indemnify and hold Manager, Owner, and each of their affiliates harmless from any losses, liabilities or damages caused by CSI or resulting from CSI's occupancy of the property. CSI shall provide Manager with a certificate of commercially reasonable commercial general liability insurance naming Manager and Owner as additional insureds prior to commencing operations upon the property. The failure to do so shall in no way limit CSI's indemnification stated herein.

Respectfully,

Brett Powell

Brett Powell
NPD Management, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150