

404 East Nelson Edgerton, KS 66021 P: 913.893.6231 EDGERTONKS.ORG

#### **STAFF REPORT**

April 13, 2021

To: Edgerton Planning Commission

Fr: Chris Clinton, Planning and Zoning Coordinator

Re: **PP2021-01** Preliminary Plat for *Project Polaris* located at 32330 W. 213<sup>th</sup> Street, Edgerton,

Kansas.

#### **APPLICATION INFORMATION**

**Applicant:** Scott Uranich, Agent

Clayco

2199 Innerbelt Business Center Dr

St. Louis, MO 63114

**Property Owner:** Wellsville Farms, LLC

4825 NW 41st St

Suite 500

Riverside, MO 64150

**Requested Action:** Preliminary Plat approval for *Project Polaris* 

**Legal Description:** N ½ of the SW ¼ of Section 15, Township 15 South,

Range 22 East, in the City of Edgerton, Johnson County,

Kansas; see attached application for complete legal

description.

**Site Address/Location:** 32330 W 213<sup>th</sup> Street, Edgerton, KS 66021

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

**Existing Improvements:** None

**Site Size:** Approximately 78.62 acres including right of way

#### **DESCRIPTION**

Application **PP2021-01** requests approval of a Preliminary Plat to plat two (2) parcels in the City of Edgerton located near 32330 W 213<sup>th</sup> Street into one (1) lot and three (3) tracts. The current parcels consist of 57.21 and 22.03 acres. The proposed new lot will be 78.615 acres. The tracts will be designed for detention and are proposed to be 2.272, 1.424, and 0.988 acres in size. These parcels are being plated in preparation for new warehouse construction.

#### **INFRASTRUCTURE AND SERVICES**

- 1. Current accessed is from an access point that is located on the northwest corner of 213<sup>th</sup> Street and Kill Creek Road.
- 2. Utilities and service providers.
  - a. Water Service City of Edgerton
  - b. Sanitary Sewer City of Edgerton
  - c. Electrical Service Evergy
  - d. Gas Service Kansas Gas Service
  - e. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
  - f. Fire protection is provided by Johnson County Fire District #1.
- 3. Parcel is located within the Bull Creek watershed.

#### PRELIMINARY PLAT REVIEW

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

#### **Content of Preliminary Plat**

- 1. A legal description; and current zoning. *Some of the parcels shown on Sheet CO2 have the incorrect zoning designation.* **Update Preliminary Plat.**
- 2. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes. *No new easements have been proposed.* **Update Preliminary Plat as needed.**
- 3. Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains, and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot. The width of the existing right-of-way of Kill Creek Road and 213<sup>th</sup> Street is not labeled and does not appear to be correct. The City requests a 50 foot by 50 foot square of additional right-of-way be dedicated at the corner of Kill Creek Road and 213<sup>th</sup> Street. **Update Preliminary Plat.**
- 4. A copy of the proposed restrictive covenants. *None provided but applicant notified to provide at Final Plat if proposed.*

#### **OTHER COMMENTS**

The City Engineer noted a 100' wide access easement has been shown for the proposed access road. Within that access easement, there are proposed utility easements. When this access road changes from a private road to public road, the utility easements will prevail over the right-of-way access easement. Work with City Staff to determine appropriate designation of easements and right-of-way to include on Preliminary Plat document.
 Update Preliminary Plat with appropriate language.

#### **RECOMMENDATION**

City staff recommends **approval** of Application **PP2021-01** Preliminary Plat for *Project Polaris*, subject to compliance with the following stipulations:

- 1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
- 2. Preliminary Plat shall be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

#### **ATTACHMENTS**

- Application PP2021-01
- Preliminary Plat for *Project Polaris*



☑ INITIAL SUBMISSION	☐ RE-REVIEW			
NAME OF PROPOSED SUBDIVISION: Project	et Polaris			
LOCATION OR ADDRESS OF SUBJECT PROPE	<sub>RTY:</sub> 32330 W 213TH S	ST		
LEGAL DESCRIPTION: See Attached.				
CURRENT ZONING ON SUBJECT PROPERTY:	<u>L-P</u> (	CURRENT LAND	<sub>USE:</sub> <u>Vacant</u>	
TOTAL AREA: Acres	NUMBER OF LOTS: 1		AVG. LOT SIZE: _	3,220,648 <sub>Sq. Ft.</sub>
DEVELOPER'S NAME(S): Scott Uranich, Re	presentative of Clayco	PHONE: (314)	429-5100	
	F			
MAILING ADDRESS: 2199 Innerbelt Busin	ness Center Dr, St. Lou	uis, MO 63114		
Street	City		State	Zip
PROPERTY OWNER'S NAME(S):Brett Powell, Rep	resentative of Wellsville Farms	PHONE: 816-88	38-7380	
COMPANY: Wellsville Farms LLC	F	FAX: N/A		
MAILING ADDRESS: 4825 NW 41st St. S	Ste 500, Riverside MO	64150		
Street	City		State	Zip
ENGINEER'S NAME(S): Patrick Cassity	F	PHONE: 913-3	17-9500	
COMPANY: Renaissance Infrastructure Cons	ulting F	FAX: N/A		
MAILING ADDRESS: 8653 Penrose Ln, L	enexa KS 66219			
Street	City		State	Zip
SIGNATURE OF OWNER OR AGENT:				
	ned by owner, authorization	of agent must acc	company this appli	cation.
NOTE: Ten (10) copies of the proposed preliminary must also be submitted with the application.	plat must accompany this ap	oplication for staff	review. One (1) red	uced copy (8 ½ x 11)
must also be submitted with the application.	FOR OFFICE USE O	NIV		
DD2024-04				
Application No.: Application Application No.:	ration Fee Paid: \$	Date Fee	Paid: <u>02/25/2021</u> p	Receipt #_ <u>59644</u>
Kny Crow Public	ration Fee Paid: \$\frac{103.50}{}{}	Date Fee	Paid:I	Receipt #
Received By:				



#### PRELIMINARY PLAT INSTRUCTIONS

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

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

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

APPROVAL LIMITATIONS: The Planning Commission shall approve or deny the preliminary plat as submitted or may approve the plat as submitted subject to specified changes. Upon denial, the Planning Commission must give reason for the denial. If a preliminary plat is denied the applicant shall not submit the same proposal again for a period of one year without written approval of the Planning Commission. Tentative approval shall not constitute a final acceptance of the plat, but authorizes preparation of the final plat. No grading for streets or construction of improvements shall take place in the subdivision prior to approval and endorsement of the final plat and the submittal to and approval of construction plans and drainage plans by the Governing Body. The preliminary plat shall be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

#### GENERAL DESIGN STANDARDS

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

vs. 12.11.19



The following items shall be included on the preliminary plat.

	A North point and scale which is appropriate to the size of the development, one increquals 30, 100, 130 or 200 feet is typical.
	A legal description and current zoning.
	Names of: Applicant, Subdivision & Streets.
	Name and seal of surveyor/engineer.
	Date surveyed.
	Adequate legend and vicinity map.
	Signature blocks and date of review of Zoning Administrator, City Engineer, Chair of Planning Commission and Mayor.
	Complete outline drawing of all boundaries, lots and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines.
	Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access and other purposes.
	Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot.
	Total acreage and size of each lot.
	Contours at vertical intervals of 4 feet or less.
	Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used).
	A copy of the proposed restrictive covenants.
-	

#### **DESCRIPTION**

The North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 2,577.85 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 1,329.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 3,424,478 square feet or 78.615 acres, more or less.

## CLAYCO THE ART & SCIENCE OF BUILDING

#### PROJECT POLARIS

Title Sheet

DRAWING NO. CO1 20.005212

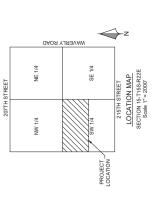
**Preliminary Plat Project Polaris** 

Southeast of 207th Street & I-35 Edgerton, Johnson County, KS

According to the FEMA Flood Insurance Rate Map Number 20091001496, revised August 3, 2009, portions of this tractile in: OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.



VICINITY MAP SECTION 11-15-22 Not to Scale



roposed Right-of-Way roposed Property Line

Prop		Existing Sanitary Sewer
Prop	- WATER	Existing Gas Main
Prop	۹	Existing Waterline
Prop	0	Existing Storm Structure
Prop		Existing Storm Sewer
Prop	200	Existing Sidewalk
Prop		Existing Ourb & Gutter
Prop		Existing Easement Line
Prop		Existing Lot Line

rotopood Lot Lie Proposed Lot Lie Proposed Selvenik Proposed Selvenik Proposed Selvenik Proposed Servenik Proposed Servenik Proposed Servenik Proposed Servenik Proposed Combar Major

Collaborative 7

Rendeance infrastructure (Dreutifie)

Site is composed of the following Assesor Parcels Address Unavailable

Owner
Wellsville Farms, LLC
Wellsville Farms, LLC

Parcel ID BF221515-2001 BF221515-2003

32330 W 213TH ST

DATE OF SURVEY:

CERTIFICATE

day of

WATER
Johnson County Rural Water E
534 Water Main
P.O. Box 7
Gardner, Kansas
Phone: 913.856,7173

UTILITY CONTACTS ELECTRIC Evergy Phone: 816.471.5275

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

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

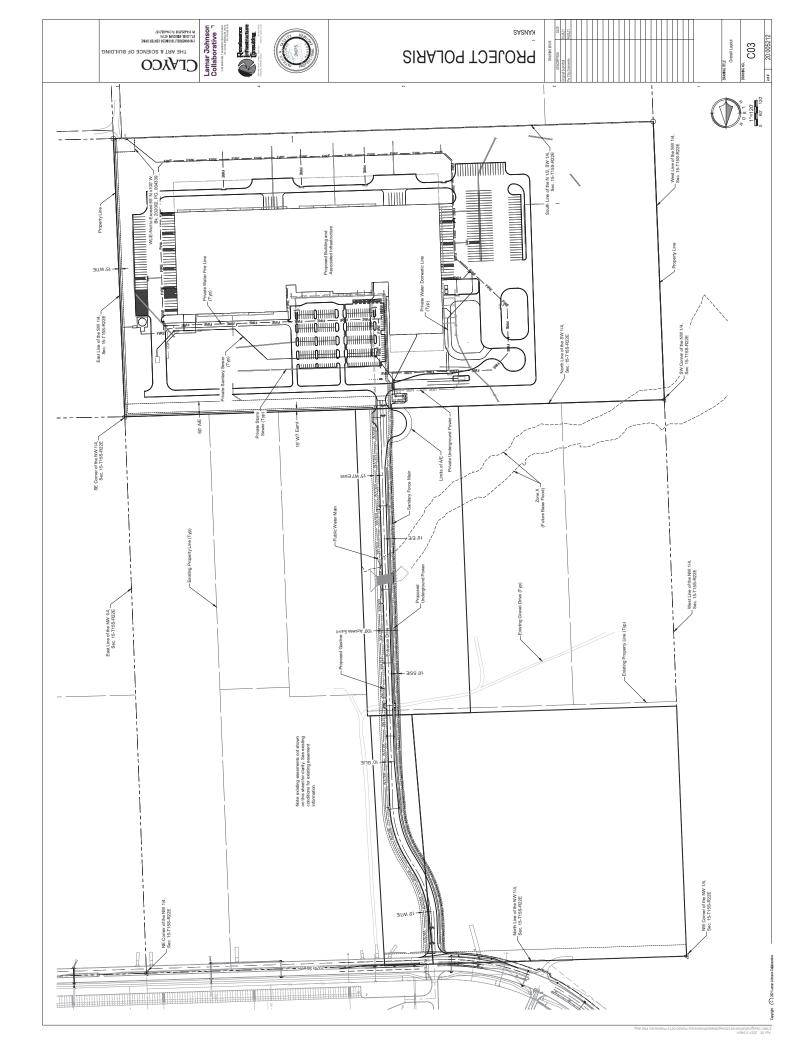
Project Engineer

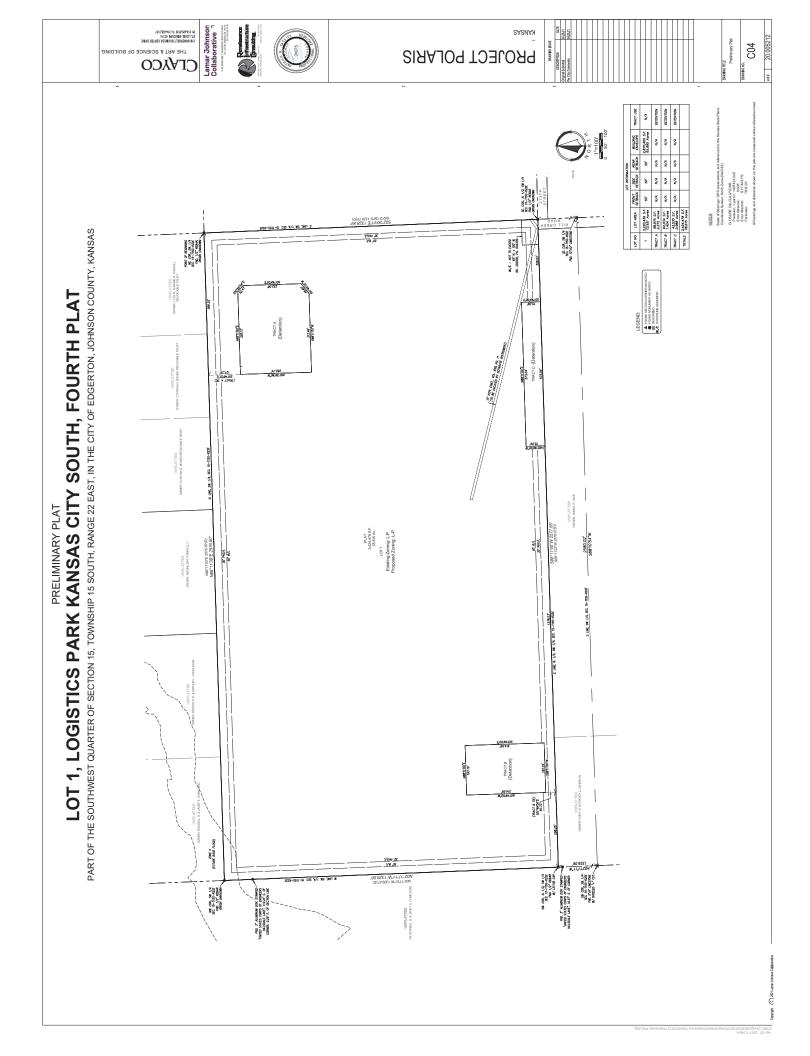
Project Surveyor

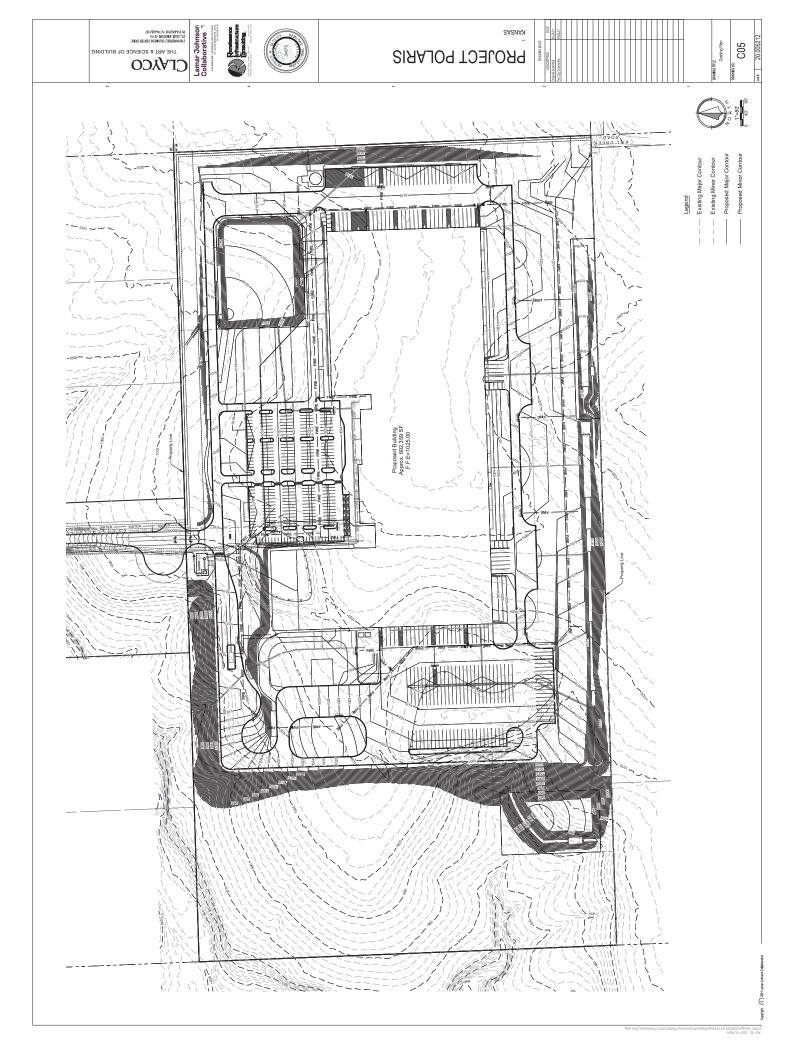
Property Owner Wellsville Farms, LLC 4825 NW 41st St. Ste 500 Riverside, Missouri 64150

Project Applicant Clay.co 2199 Innerbelt Business Center Drive St. Louis, MO 63114

SANITARY
City of Edgerton
City of Edgerton
P.O. Box 256
Edgerton, Kansas
Prone, 913,893,6231
TELEPHONE
TELEPHONE
Prone: 800,788,3500 GAS Kansas Gas Service 11401 West 89th Street Overland Park, Kansas Phone: 913.599.8981









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#### **STAFF REPORT**

April 13, 2021

To: Edgerton Planning Commission

Fr: Chris Clinton, Planning and Zoning Coordinator

Re: **FP2021-01** Final Plat for *Logistics Park Kansas City Fourth Plat, Lot 1 (Project Polaris)* 

generally located at the northwest corner of Kill Creek Road and 213th Street.

#### **APPLICATION INFORMATION**

**Applicant:** Scott Uranich, Agent

Clayco

2199 Innerbelt Business Center Dr

St. Louis, MO 63114

**Property Owner:** Wellsville Farms LLC

4825 NW 41<sup>st</sup> St, Suite 500 Riverside, MO 64150

Riverside, MO 64150

**Requested Action:** Final Plat approval for *Project Polaris*.

**Legal Description:** N ½ of the SW ¼ of Section 15, Township 15 S, Range

22 E, in the City of Edgerton, Johnson County, Kansas; see attached application for complete legal description.

**Site Address/Location:** Northwest corner of Kill Creek Road and 213<sup>th</sup> Street

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

**Existing Improvements:** None

**Site Size:** Approximately 78.62 acres

#### PROJECT DESCRIPTION

Application **FP2021-01**, Final Plat for *Project Polaris*, requests approval for one (1) lot and three (3) tracts. The new lot would have minimal frontage at the current access point along the north side of 213<sup>th</sup> Street right-of-way and Kill Creek Road right-of-way at the intersection. This Final Plat request is being made in preparation of construction of a new warehouse. This Final Plat request aligns with the request made with Preliminary Plat Application PP2021-01, also presented to the Planning Commission on April 13, 2021. This Final Plat application combines two (2) lots that have not been platted.

#### **Subject Property**





#### **INFRASTRUCTURE AND SERVICES**

- Current access to these parcels is from a private access point at the intersection of 213<sup>th</sup> Street and Kill Creek Road.
- 2. Utilities and service providers.
  - a. Water Service City of Edgerton.
  - b. Sanitary Sewer City of Edgerton.
  - c. Electrical Service Evergy.
  - d. Gas Service Kansas Gas Service.
  - e. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
  - f. Fire protection is provided by Johnson County Fire District #1.
- 3. Parcel is located within the Bull Creek watershed.

#### **FINAL PLAT REVIEW**

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

- 1. All easements with widths, and roads with curve data. The City requests a 50 foot by 50 foot square of additional right-of-way be dedicated at the corner of Kill Creek Road and 213<sup>th</sup> Street.. Utility providers should review Final Plat. Update Final Plat after Utility Companies have reviewed and provided comment.
- 2. Certificate of the Register of Deeds. Certificate needs to be added to plat. Upon filing Final Plat with Johnson County Records and Tax Administration the Book/Page information will be added. Applicant acknowledges.

#### **RECOMMENDATION**

City staff recommends **approval** of Application **FP2021-01** Final Plat for *Project Polaris,* subject to compliance with the following stipulations:

- The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat by the Governing Body and the submittal and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat. 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 submitted Final Plat.
- 2. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code.
- 3. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
- 4. All City Engineer comments related to the Stormwater Management Plan must be addressed.
- 5. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
- 6. If the Final Plat is not recorded with the Johnson County Register of Deeds within one year after acceptance by the Governing Body, the plat will expire. Planning Commission re-approval and Governing Body re-acceptance is required for expired Final Plats.

#### **ATTACHMENTS**

- Application FP2021-01
- Final Plat, *Project Polaris*



	☐ RE-REVIEW			
NAME OF PROPOSED SUBDIVISION:	Logistics Park Kansa	s City Fourth	Plat, Lot 1	
LOCATION OR ADDRESS OF SUBJECT	PROPERTY: 32330 W 2	213TH ST		
LEGAL DESCRIPTION: See Attache				
CURRENT ZONING ON SUBJECT PRO	PERTY: L-P	CURREN	NT LAND USE: Vacant	
TOTAL AREA: 78.62 Acres				: 3,220,648 Sq. Ft.
DEVELOPER'S NAME(S): Scott Urani	ch, Representative of	Clayco <sub>PHONE</sub>	:(314) 429-5100	
COMPANY: Clayco		FAX:	N/A	
MAILING ADDRESS: 2199 Innerbe	It Business Center Dr,	St. Louis, MC	O 63114	
Street	Cit	zy .	State	Zip
PROPERTY OWNER'S NAME(S): Brett	Powell, Representative of Wellsville F	arms PHONE	<u>816-888-7380</u>	
COMPANY: Wellsville Farms LL	С	FAX: <b>^</b>	N/A	
MAILING ADDRESS: 4825 NW 41s	st St. Ste 500, Riversio	le MO 64150		
Street	Cit		State	Zip
ENGINEER'S NAME(S): Patrick Cas	ssity	PHONE	913-317-9500	
COMPANY: Renaissance Infrastructu	re Consulting	FAX: _ <b>N</b>	N/A	
MAILING ADDRESS: 8653 Penros	se Ln, Lenexa KS 662	19		
Street	Cit		State	Zip
By: NPD Management,LLC, Manager of V	Vellsville Farms, LLC	_		
_	f not signed by owner, authoriel Hagedorn, Manager	orization of agen	t must accompany this app	olication.
NOTE: Ten (10) copies of the proposed pr must also be submitted with the applicati	eliminary plat must accompo	iny this applicatio	n for staff review. One (1) re	educed copy (8 ½ x 11)
	FOR OFFICE	USE ONLY		
Application No.: FP2021-01	Application Fee Paid: \$ _	\$310.00	Date Fee Paid: 02/25/202	1 Receipt # 59644
Received By	Publication Fee Paid: $\frac{1}{2}$	03.50	Date Fee Paid:	_Receipt#
Received By:				



#### **FINAL PLAT INSTRUCTIONS**

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

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

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

**RECORDING OF FINAL PLAT:** Upon approval of a final plat by the Governing Body, the applicant shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void. Before any final plat shall be signed by the Zoning Administrator and filed by the Register of Deeds, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the subdivision.

The applicant shall provide the Zoning Administrator with one copy of the final plat that was approved by the Governing Body on Mylar<sup>®</sup>. The applicant shall also return one copy of the final plat that was recorded by the Register of Deeds.

FEES DUE BEFORE ENDORSEMENT OF FINAL PLAT: Article 10 of Chapter IV of the Edgerton City Code imposes an excise tax \$0.10 per square foot of Final Plat. Prior to endorsement of any final plat, all excise taxes must be paid or City staff must determine that an exemption from payment prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code. In addition, a New Street Light Fee of \$250 each shall be submitted prior to the endorsement of any final plat.

**VESTING AND CONFLICTING REQUIREMENTS:** Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.

The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards. Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid, and shall be duly noted and enforced by building permits. Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

**ASSURANCES:** Developers are required to install all streets, storm water sewers, sanitary sewers and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs and speed limit signs.

<u>Exceptions</u>: The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.

<u>Financial Assurance</u>: Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond

vs. 12.12.19

#### **Final Plat Application**

vs. 12.12.19

or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.

<u>Public Improvement Inspection Fee</u>: If a Developer is required to construct any public improvements, including streets, sidewalks, storm water sewers, sanitary sewers and water mains, that construction must be inspected by city staff or their designee. Developers are required to pay 3% of construction costs to the City for those inspections.

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

#### **CHECKLIST**

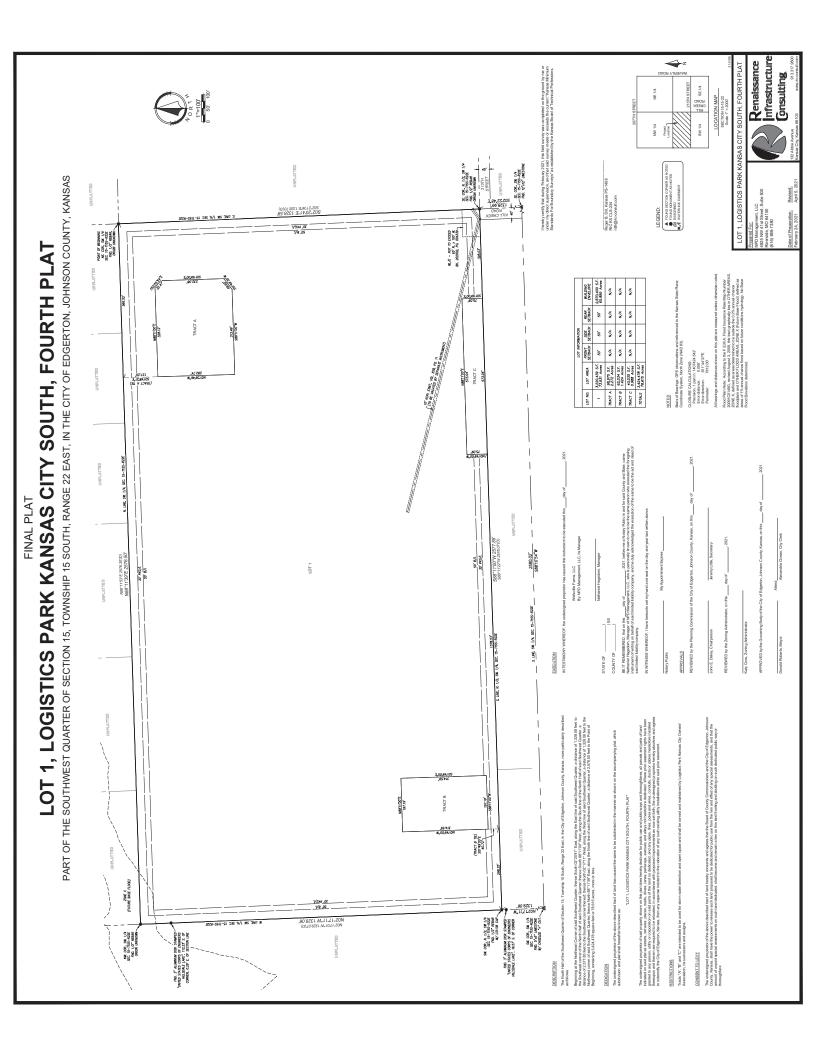
The following items shall be included on the final plat.

Scale, the same used for the preliminary plat; North point; vicinity map.
The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a $2" \times 24"$ metal bar.
A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1 in 5,000), with bearings and distances referenced to section or fractional section comers or other base line shown on the plat and readily reproducible on the ground.
Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
A number for each lot, starting (if practical) in the northwest corner.
All easements with widths, and roads with curve data.
Ingress/egress limitations, if required.
The location of existing utility easements.
A written legal description from the survey.
An instrument of dedication for all roads and easements.
Special notations required as a condition of platting by the Planning Commission.
Approved phases – clearly delineated.
Private travel easements.
The Owner's Certificate with Notary Seal.
Certificate of the Governing Body with City Clerk's attest and Seal.
Edgerton City Planning Commission chair and secretary approval.
Certificate of the Register of Deeds.
Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.
Certificate of the Zoning Administrator.

#### **DESCRIPTION**

The North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 2,577.85 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 1,329.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 3,424,478 square feet or 78.615 acres, more or less.





404 East Nelson Edgerton, KS 66021 P: 913.893.6231 EDGERTONKS.ORG

#### **STAFF REPORT**

April 13, 2021

To: Edgerton Planning Commission

Fr: Chris Clinton, Planning and Zoning Coordinator

Re: **FS2021-04** Final Site Plan Application for *Lot 1, Logistics Park Kansas City South, Fourth* 

Plat (Project Polaris) generally located at the northwest corner of 213th Street and Kill Creek

Road.

#### **APPLICATION INFORMATION**

**Applicant:** Scott Uranich, Agent

Clayco

2199 Innerbelt Business Center Dr

St. Louis, MO 64150

**Property Owner:** Wellsville Farms, LLC

4825 NW 41st Street, Suite 500

Riverside, MO 64150

**Requested Action:** Final Site Plan approval for *Project Polaris*.

**Legal Description:** N ½ of the SW ¼ of Section 15, Township 15 S, Range

22 E; see full legal description attached.

**Site Address/Location:** Northwest corner of 213<sup>th</sup> Street and Kill Creek Road

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

**Existing Improvements:** None.

**Site Size:** Approximately 78.62 Acres

#### PROJECT DESCRIPTION

Application **FS2021-04** is a request to for a Final Site Plan *Lot 1, Logistics Park Kansas City South, Fourth Plat*, also known as Project Polaris. This parcel is on the northwest corner of Kill Creek Road and 213<sup>th</sup> Street and is in conjunction with Preliminary Plat Application PP2021-01 and Final Plat Application FP2021-01 also being presented to the Planning Commission on April 13, 2021. The Final Site Plan is for the construction of a warehouse and supporting infrastructure.

#### **Subject Property**





#### **INFRASTRUCTURE AND SERVICES**

- 1. Access to the project area is currently provided from one (1) private access point at the intersection of 213<sup>th</sup> Street and Kill Creek Road.
- 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, *Site Plans and Design Standards* and Section 5.2, *L-P Logistics Park District* of the Edgerton Unified Development Code (UDC).

#### **Article 10 – Section 10.1 Site Plans**

- 1. A scale vicinity map showing the relationship of the site to surrounding neighborhoods, zoning of surrounding properties, roads and other physical features. *The zoning of properties on sheet CO2 are shown prior to not correct. Update Final Site Plan.*
- 2. Parking areas, paths, sidewalks with sizes and surface material specifications. *Plans for the proposed entrance and proposed access road need to be provided, including a typical section of proposed access road. The City will work with the applicant to determine appropriate placement of a crosswalk on 207<sup>th</sup> Street and pedestrian connection points. The applicant has acknowledged and is working toward submitting public improvement plans for 207<sup>th</sup> Street and the entrance drive.*
- 3. Exterior lighting specifications including a preliminary photometric plan. A final photometric plan will be required at the time the applicant applies for a Building Permit. Lighting should be installed in an effort to minimize spillover onto adjacent properties and streets. The maximum light level at any point on a property line shall not exceed 0.0 foot-candles when adjacent to an agricultural or residential property or 0.2 foot-candles when adjacent to a nonresidential district, measured five (5) feet above grade. Lights shall be aimed away from adjacent properties and streets and may need to be shielded to meet the foot-candle requirements. The maximum height for luminaries shall not exceed 25 feet as measured between the bottom of the luminaire and grade. The applicant has provided a preliminary photometric plan that does meet the requirements of the UDC regarding the foot-candle readings. However, the height of the light poles to be used on site is more than what is allowed by the UDC. Update Final Site Plan. Applicant has indicated the pole height will not exceed City specifications.
- 4. Site entrance and connections to streets. The traffic study provided to determine the layout of the 207th Street connection is still being reviewed by City Staff. Remove the proposed "Entrance for Future Drive" shown on C18. The alignment of the access road and the turnaround need to be reviewed. The south end of the drive, as it is currently shown with a turnaround bulb on the west, is not an appropriate design for conversion to public roadway at a future date. **Update Final Site Plan.**
- 5. 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. City Staff will monitor the site to ensure all equipment is properly screened.

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

- 1. District Regulation
  - a. All storage of motorized machinery and equipment, material, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase "screened from public view" means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping material is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced. The applicant has shown a tank farm on the west side of the warehouse. City Staff has informed the applicant that screening material for the tank farm must be constructed out of concrete-tilt up panels to match the proposed building. City Staff will monitor the site to ensure the tank yard remains screened from public view. Applicant acknowledges.

#### 2. Architectural Design Standards

a. <u>Building Materials.</u> One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of material including but not limited to stone, brick, glass clock, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials.

The use of other cementitious products (e.g. stucco, Hardy Planck, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight feet (8') above grade on a façade visible from a public right-of-way or a public area.

Exceptions to this requirement maybe allowed on a case by case basis by the City upon submission and approval of elevation drawings of the subject structure, and material samples. The applicant has proposed a prefinished composite metal panel canopy. The canopy comprises roughly 745.6 square feet of the building facades. The remaining area will be comprised of concrete tilt-up panels. City Staff feels the minor amount of exposed metal as an accent color and design component will enhance the aesthetics of the building and recommend approval of this deviation.

b. <u>Horizontal Articulation</u>. 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.
- c. 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. City staff has performed an analysis of the articulation with detailed calculations not included here. While the horizontal and vertical articulation shown does not meet the exact calculation requirements 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 exception.

#### 3. 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. City Staff recommends allowing the sixty (60) feet loading space deviation for Project Polaris with the applicant acknowledging that parking lot will be reconfigured and restriped should sixty (60) feet not be deemed adequate for tenant operations.

#### 4. Landscape Standards

- a. <u>Screening from Residential Uses.</u> Property adjacent to or across from residential uses shall be landscaped in accordance with the standards set for in Article 5, Section 5.2.0 of the Edgerton UDC. *This proposed development is adjacent to Johnson County RUR zoned parcels on the north, east, south, and west property lines. The following was noted:* 
  - i. North side of the project: 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. <u>East side of the project:</u> 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.*
  - iii. <u>South side of the project:</u> 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.*
- iv. West side of the project: 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.
- b. <u>Dumpster and Compactor Screening.</u> 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 due to the adjacency of residential property. Applicant has acknowledged this requirement and will provide a screening plan with the submittal of any tenant finish plans. Applicant has acknowledged.*
- 5. <u>Diesel Emission Requirements.</u> 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. A storm water management report has been submitted. *The following comments must be addressed prior to site plan approval:* 
  - a. In the Proposed Conditions paragraph, the text says "nine sub basins" but only eight are listed in the text and table. Revise as necessary.
  - b. In the Access Road paragraph, correct the typo "increase in *park* discharge."

#### RECOMMENDATION

City staff recommends **approval** of **FS2021-04** Final Site Plan for *Project Polaris,* 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. 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 FS2021-04
- Final Site Plan FS2021-04



□ PRELIMINARY SITE PLAN ■ FIN	AL SITE PLAN			
PROJECT NAME: Project Polaris				
LOCATION OR ADDRESS OF SUBJECT PRO	<sub>PERTY:</sub> 32330 W 213TI	H ST		
LEGAL DESCRIPTION: See Attached				
CURRENT ZONING ON SUBJECT PROPERTY	y: <u>L-P</u>	CURREN	NT LAND USE: Vacant	
TOTAL AREA: 78.62 Acres	NUMBER OF LOTS: 1		AVG. LOT SIZE: _	3,220,648 Sq. Ft.
DEVELOPER'S NAMES: Scott Uranich, Re	presentative of Clayco	PHONE:	(314) 429-5100	
COMPANY: Clayco		EMAIL:	UranichS@Claycorp	com
MAILING ADDRESS: 2199 Innerbelt Bu	siness Center Dr, St.	Louis,	MO 63114	
Street PROPERTY OWNER'S NAME(S): Brett Powell, F	City		State	Zip
COMPANY: Wellsville Farms, LLC		EMAIL:	bpowell@northpoint	KC.com
MAILING ADDRESS: 4825 NW 41st St.		10 641		 Zip
Street  ENGINEER'S NAME(S): Patrick Cassity	City	DUONE	State 913-317-9500	ZIP
COMPANY: Renaissance Infrastructu				.com
MAILING ADDRESS: 8653 Penrose Ln.		EMAIL:	, , ,	
MAILING ADDRESS: Street	City		State	Zip
By: NPD Management,LLC, Manager of Wellsv	ille Farms, LLC			
		an must a	ccompany this application fo	
,	•	·	, ,	
Applicant is to provide the legal description e	electronically as a word doct	iment to	the City of Eagerton.	
FOR OFFICE USE ONLY				
Case No.: FS2021-04 Amount of F	ee Paid:\$ <u>1037.80</u>	Date Fee	e Paid: <u>02/25/2021</u> Receipt #	59644
Case No.: FS2021-04 Amount of F	Publication Fee: \$103.50	_Date of I	Hearing:	





Site Plan Application (Fee: \$200 Plus \$10 Per 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.
П	Location of buildings, proposed and existing if existing buildings will remain.

v. 12.09.19





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

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 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.





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

#### 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.

#### **DESCRIPTION**

The North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 2,577.85 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 1,329.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 3,424,478 square feet or 78.615 acres, more or less.

# Lot 1, Logistics Park Kansas City South, Fourth Plat **Project Polaris** Final Site Plan

Southeast 207th Street and I-35 Edgerton, Johnson County, KS

Lamar Johnson Collaborative

INDEX OF SHEETS

CLAYCO

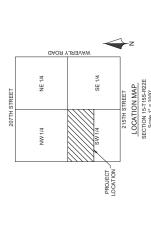
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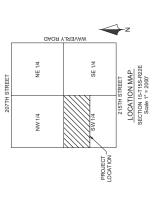


Project Surveyor



PROJECT POLARIS





Required Number of Employee Stalls=328 (1 per 2,000 Building Square Feet) Provided Number of Employee Stalls=459 (299 Stalls, 7 ADA Stalls, and 153 Future Stalls)

PARKING CODE

CERTIFICATE:

id amendments herein, and with all final agreements.



VICINITY MAP SECTION 11-15-22 Not to Scale

Project Applicant Clayoo 2199 Innerbelt Business Center Drive St. Louis, MO 63114

Lamar Johnson Collabritive 2199 Innerbelt Business Center Drive St. Louis, MO 63114

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

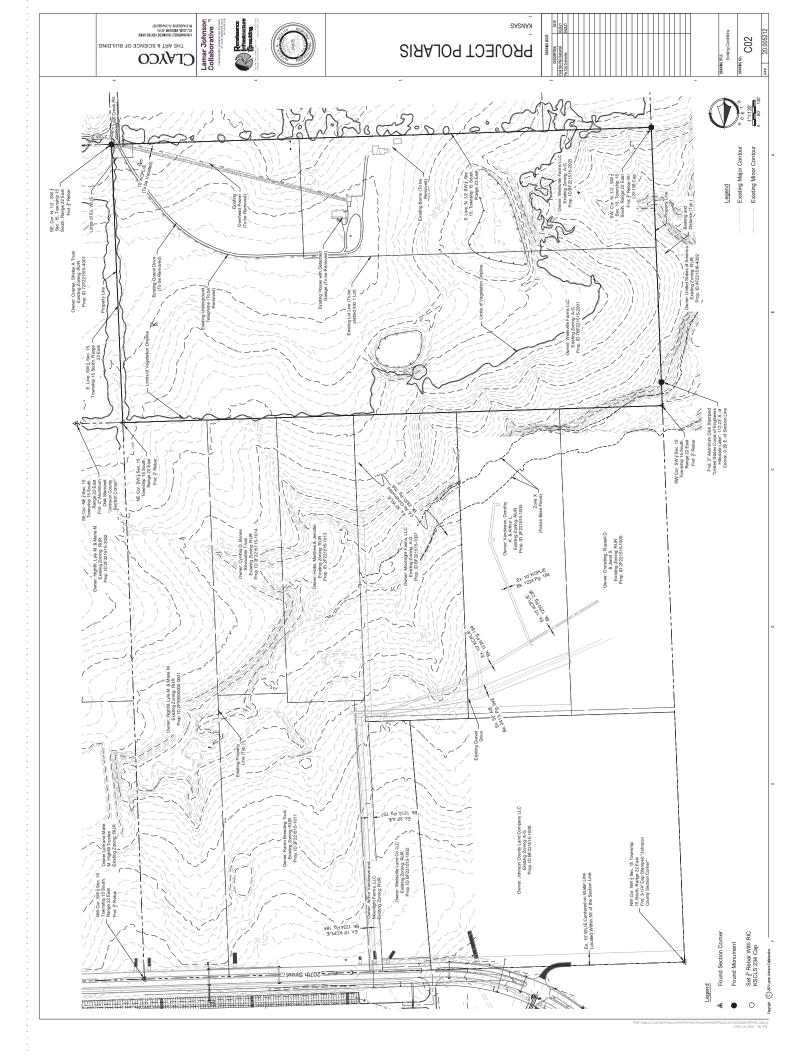
Renaissance Infrastructure Consulting, LLC 5015 NW Canal St. Suite 100 Riverside, Missouri 64150

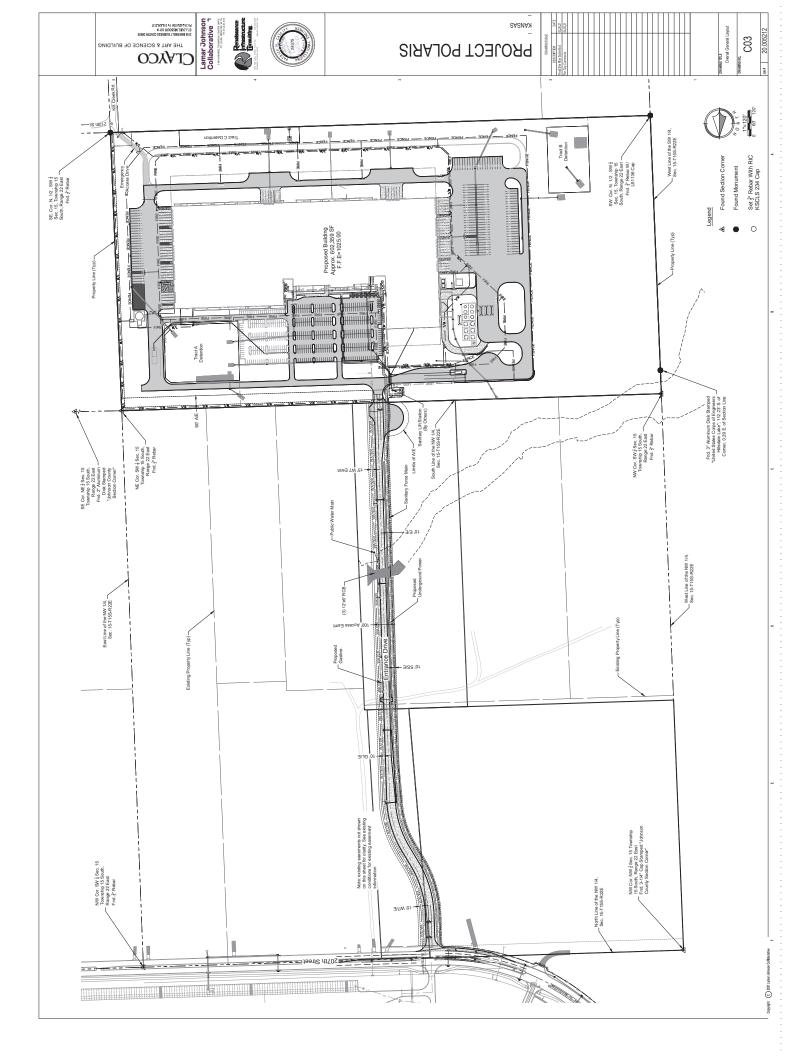
LEGEND

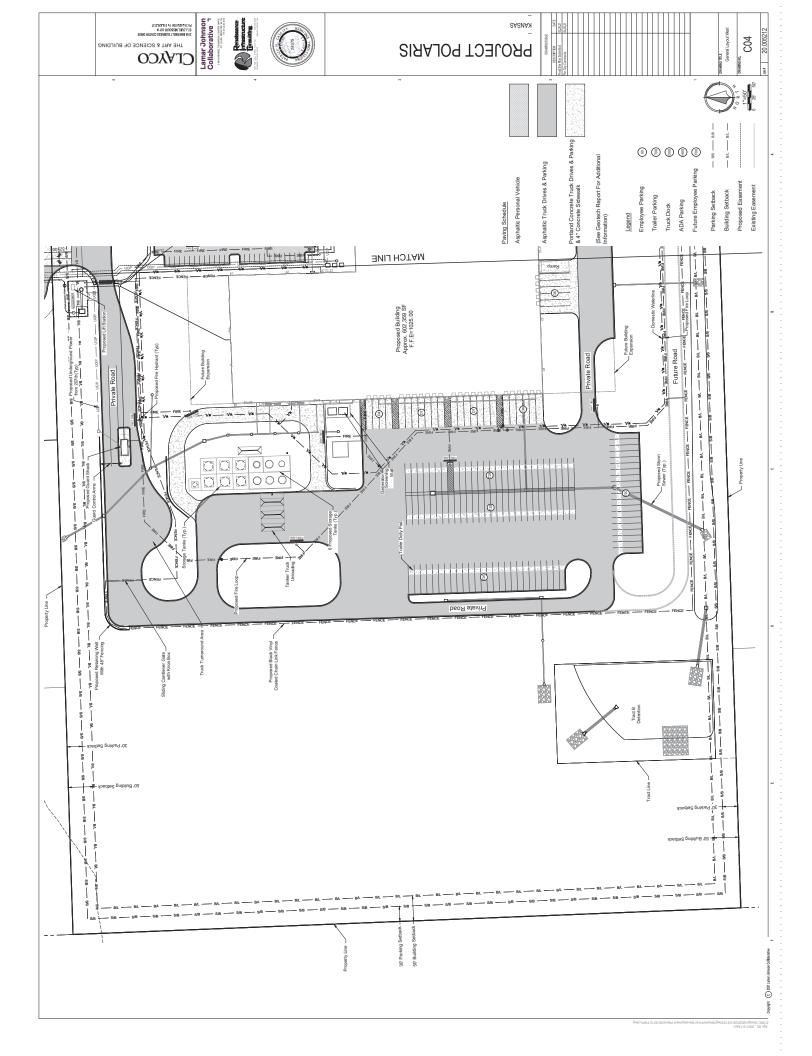
According to the FEMA Flood Insurance Rate Map Number 2009IC0H49G, revised August 3, 2009, postores of the trust lie in: OTHER AREAS, ZONE Careford as areas determined to be outside the 0.2% arrural chance foodgain. FLOOD PLAIN NOTE

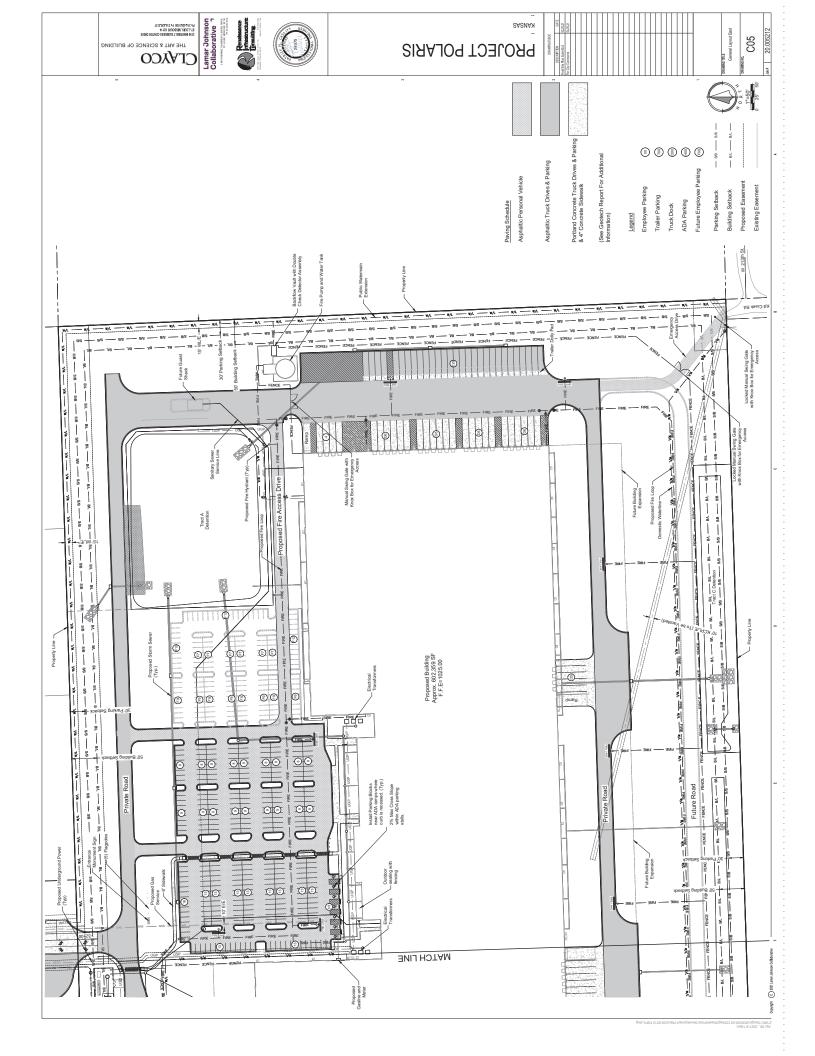
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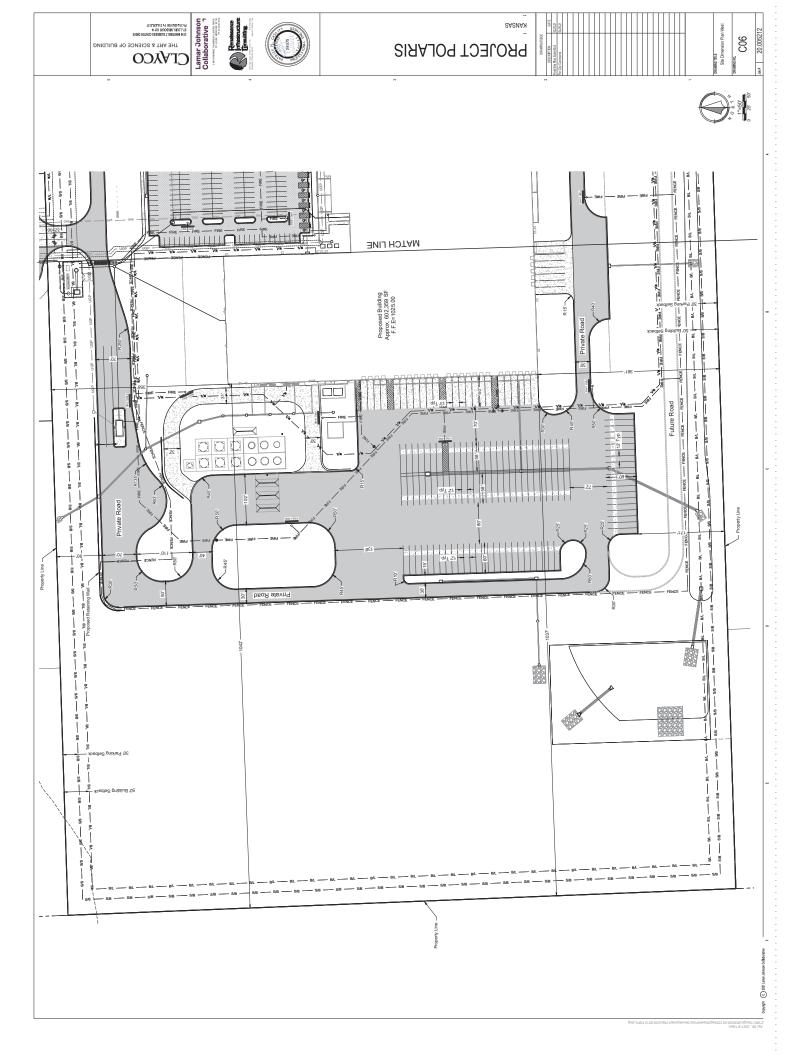
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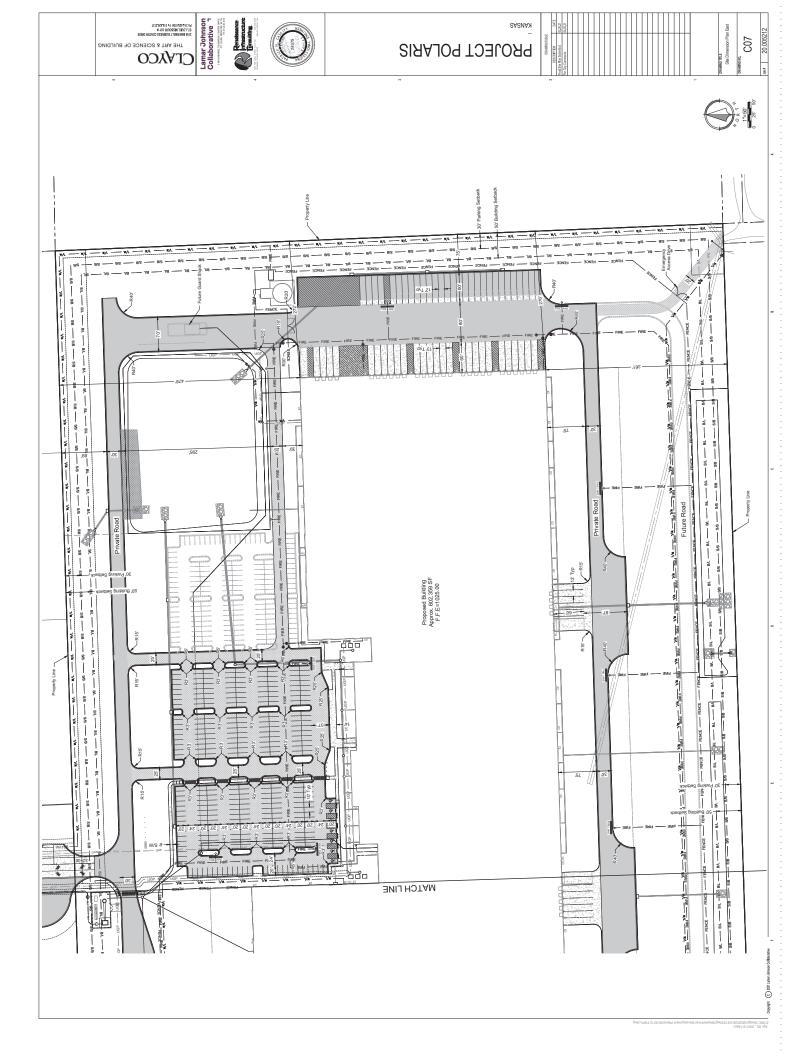


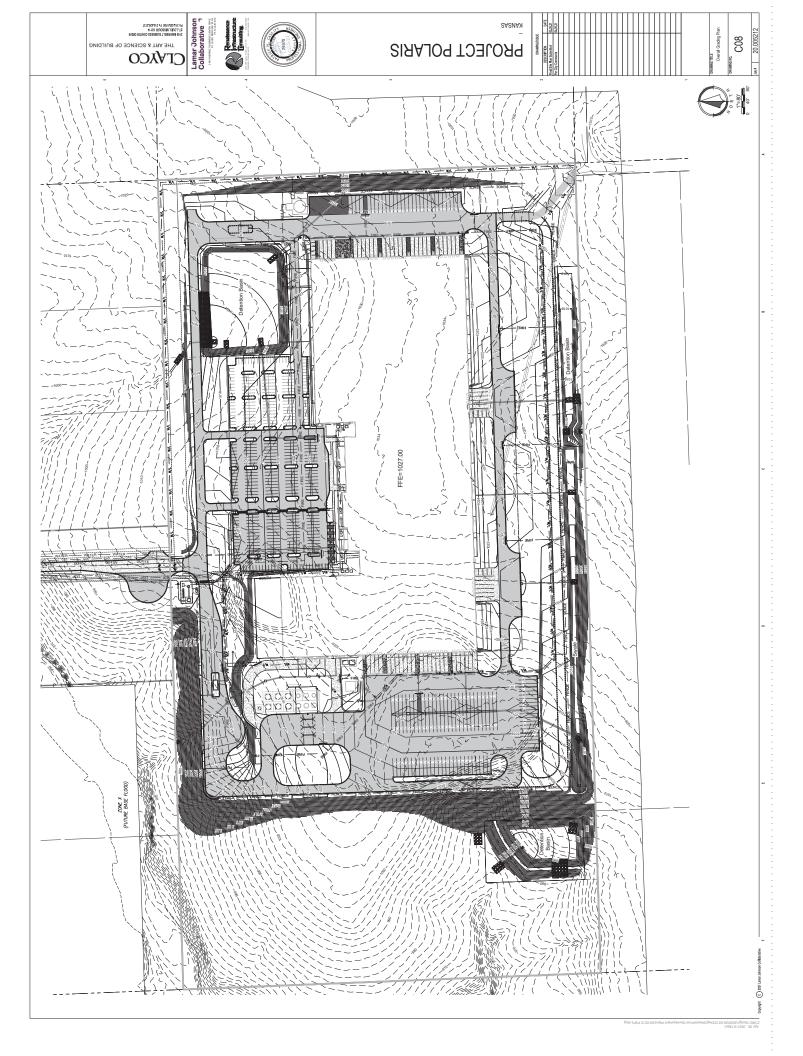


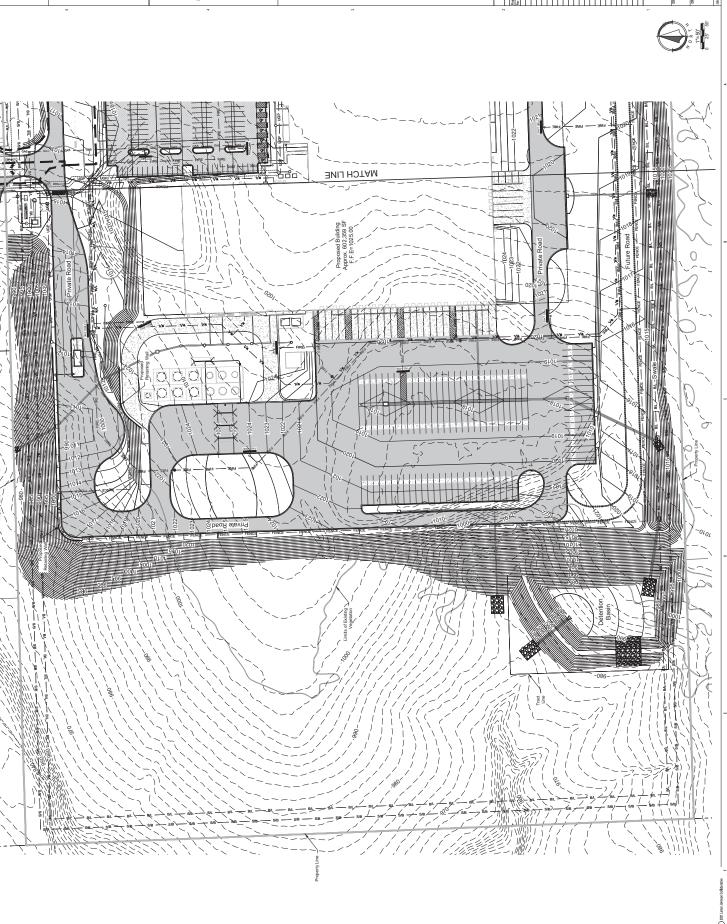










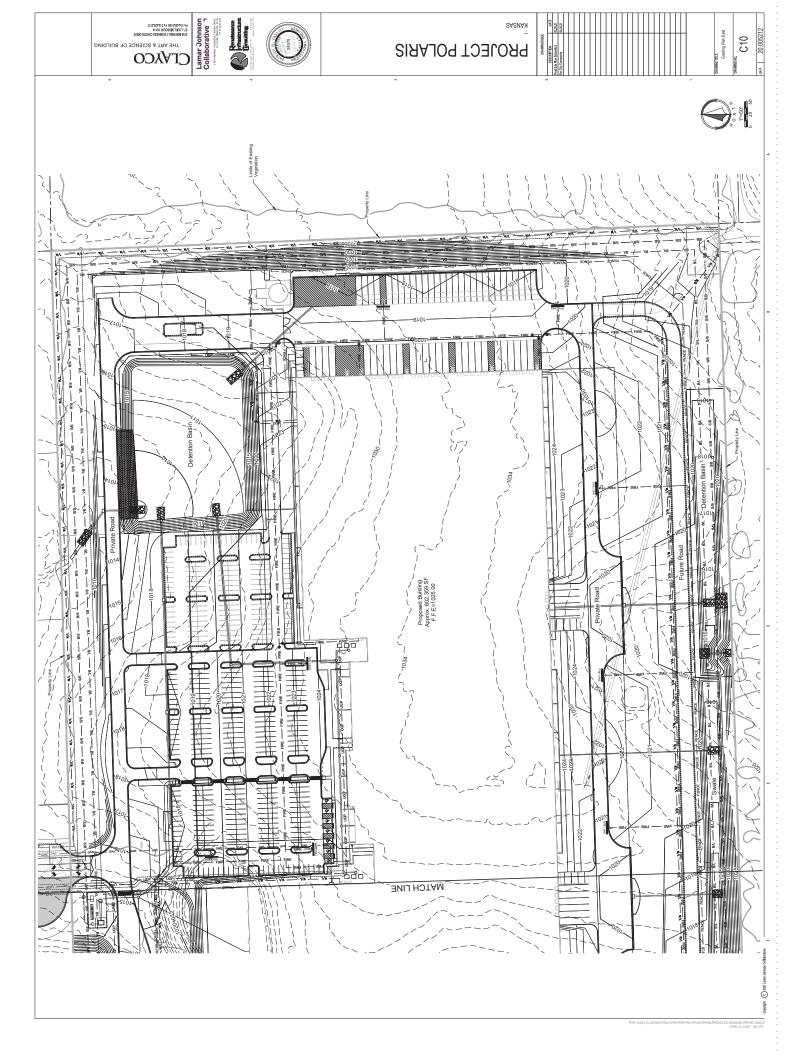


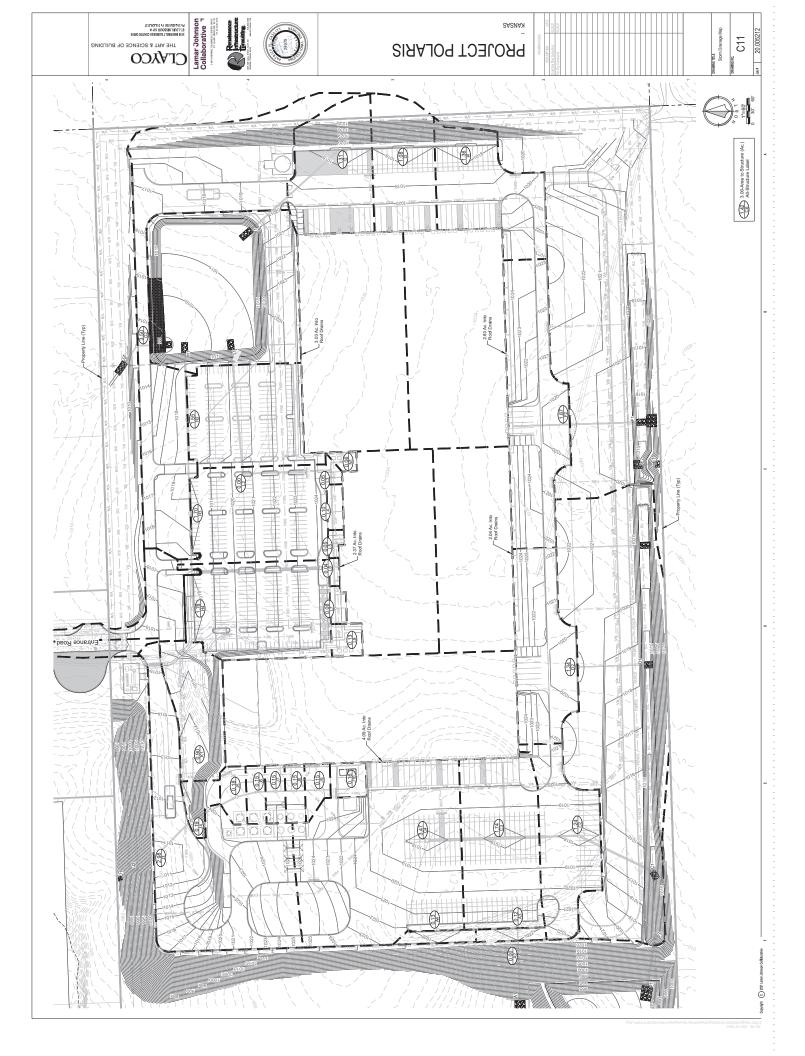
PROJECT POLARIS

CLAYCO

THE ART & SCIENCE OF BUILDING

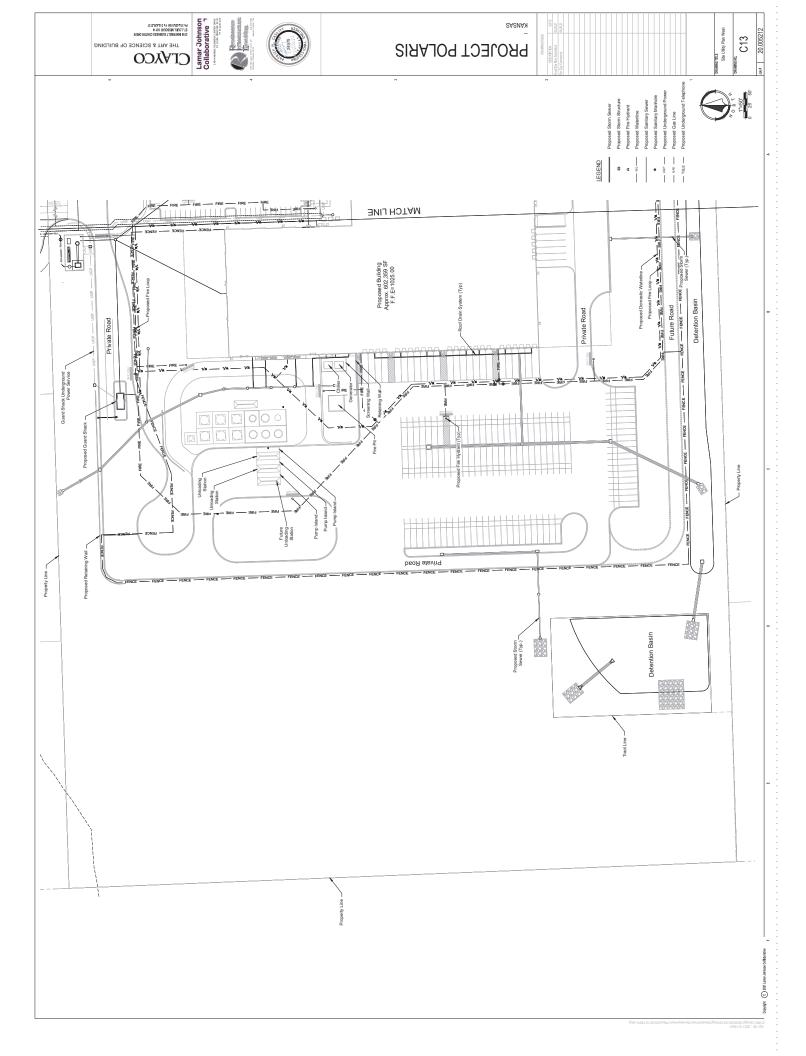


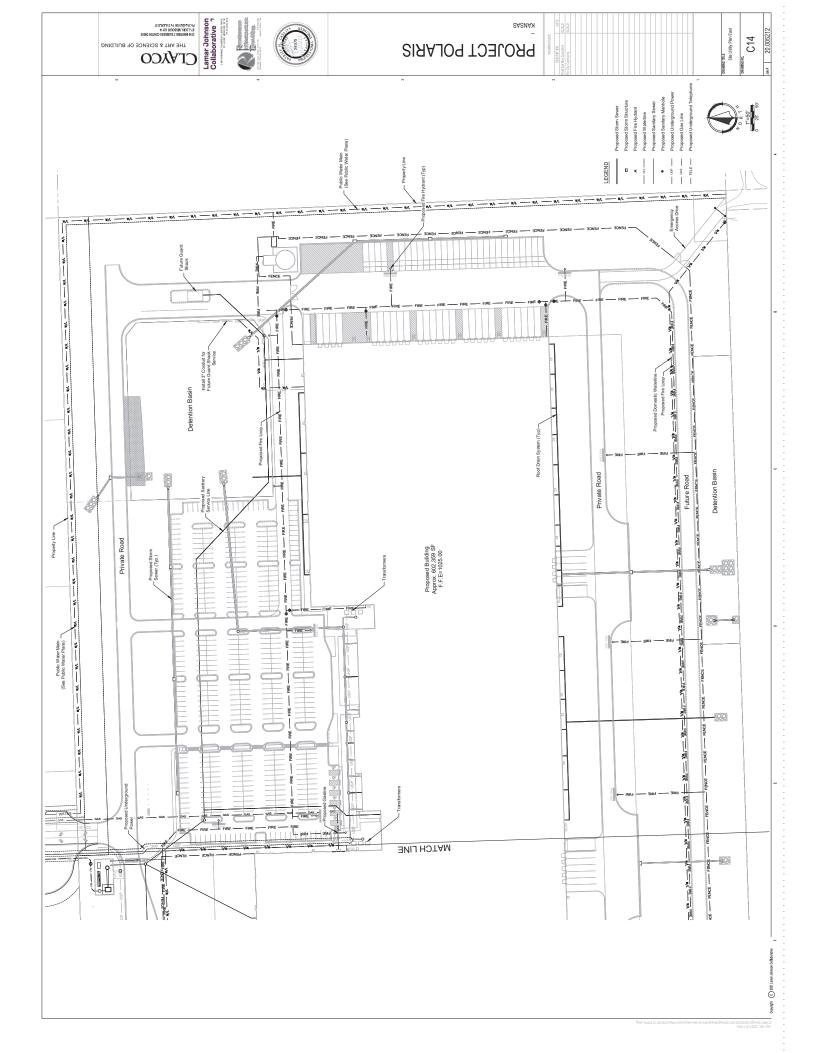


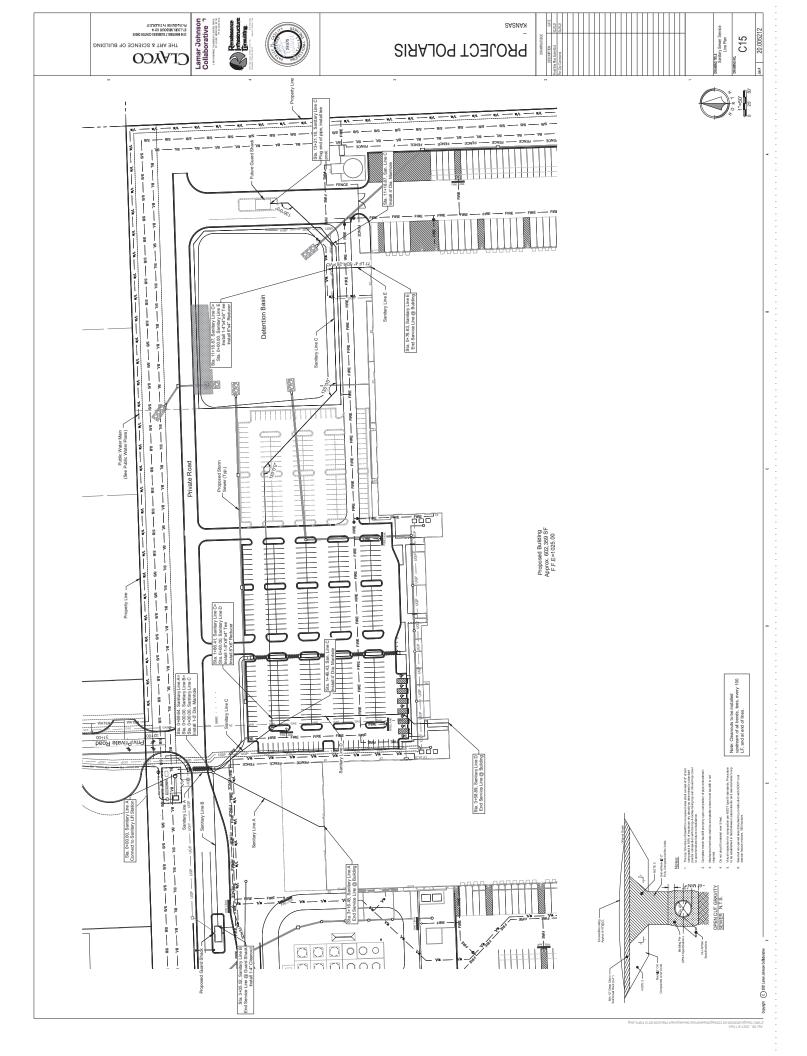


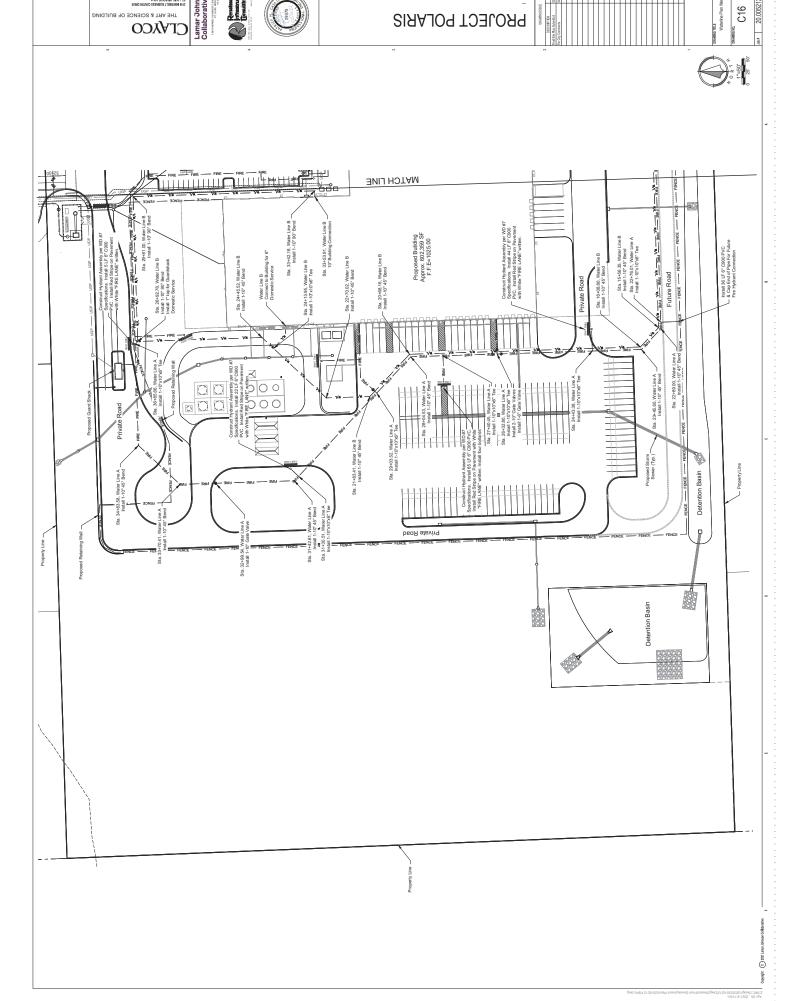
Top Elevation	1022.00	1022.00	1007.00	980.47	1017.50	1017.50	1017.50	1013.00	4040 20	00'8101	1020.00	1019.70	1018.50	1040.80	1013.45	1020.00	1017.70	1017.70	1017.70	OF HOLE	1036.00	1017.75	1017.75	1017.75	1036.00	1023.50	200000	1023.50	1023.50	1023.50	1023.50	1023.50	1011.00	1011.00	991.50	978.00	1013.00	1011.00	1024.50	1024.50	1024.50	1024.50	1024.50	1024.70	1023.25	978.00	1024.50	1023.50
ture Design InterOuter Control	-	-	-		-	0	٥		-	-		-		-	0		-	-	c	,		MON#	-	-		-		-	-	-	0	-	-	0	0		-		-	-	0	-	-	-	-		-	
Struct Headwater Outlet Elev. (EGL)	1006.75	997.50	980.25		1017.18	1017.11	1015.12		4046.62	2000		1019.34	ı	1010.99	1014.73		1017.41	1015.80	1014.21	17101		ANCMI	1017.71	1015.27		1022.96	200	1022.44	1021.96	1021.62	1021.09	1008.58	1006.59	891.52	984.92		1008.76		1021.56	1021.11	1022.09	1020.92	1019.96	1019.24	1014.94		1022.44	
Headwater Intet Elev. (EGL)	1021.11	1004.18	867.03		1017.54	1017.01	1014.32		4047 40	1017.10		1019.55	Ì	1011.28	1011.47		1018.04	1016.99	1014 05	2014101		ANUM	1017.77	1016.51		1023.07	incom.	1022.55	1022.18	1021.94	1020.92	1008.90	1007.37	28.698	962.31		1011.38		1022.16	1021.79	1021.34	1020.96	1020.07	1019.43	1015.53	Γ	1022.75	
DvS Depth of Cover (ft.)	16.35	10.39	122		1.00	0.80	00'0		8	8	İ	0000	İ	0.95	10.00		0.70	2.70	23.00	20.00		0.75	0.25	21.50		0.60	900	120	1.70	2.20	3.00	2.00	4.40	1.50	-4.50		#REF!		MREFI	3.50	4.00	4.00	5.70	425	-36.50		0.25	
US Depth of Cover (ft.)	1.10	18.10	19.00		000	-	1.20		900			0.20		27.80	1.25		-0.30	0.80	-			2.50	0000	0.50		0.50				1.80	1.80	13.50	2.50	20.20	8.00		2.00		2.60	3.20	3.10	3.60	4.50	830			0.75	
Dis Crown El.	1005.65	996.61	979.25		1016.50	-	1013,00	_	1014 60	_		1018.50		1012.50	1010.00		1017.00	1015.00	_	_		1017.00	1017.50	1014.50		1022.90	+	1022	1021.80	1021.30	1020.50	1009.00	1006.60	890.00	962.50		1008.00		1021.40	1021.00	1020.50	1020.50	1019.00	1019.00	_		1023.25	
D/S II Invert El.	5 1004.40	86.36	978.00		50 1014.00	-	0000000	_	00 5040	_	-	0 1016.00		1010,50	0 1008.00		1015.00	0 1013.00	_	_		5 1015.50	00'9101	5 1012.00		1021.90	1	1021	0 1020.80	0 1020.30	0 1019.00	0 1007.00	0 1004.60	887.50	00'096		0 1007.00		1020.40	0 1020.00	0 1019.00	0 1018.50	0 1017.00	0 1016.50			1022.00	
U.S. Crown El.	0 1022.15	1005.15	0088800		1017	1017	-	-	4047 60	_	-	0 1019.50		0 1013.00	0 1012.20		1018.00	0 1016.90	-	_		5 1015.25	5 1017.75	5 1017.25		1023.00	-	-	-	0 1021.70	0 1021.70	0 1010.00	0 1008.50	08'00'8	983.50	8	0 1011.00		0 1021.90	0 1021.30	0 1021.40	0 1020.90	0 1020.00	0 1019.40	_	-	0 1023.75	
UNS Invert EL	1020.90	1003.90	986.75		1015.00	$^{\dagger}$	Ħ	-	4046.00	Н	-	1017.00		1011.00	1010.20		1016.00	1014.90		$\forall$		1013.75	1015.25	1014.75		1022 00	+	1021	1021.00	1020.70	1020.20	1008.00	1006.50	888.33	981.00		1010.00		1020.90	1020.30	1019.90	1018.90	1018.00	1016.90	tt	-	1022.50	
Time (min.)	0.42	0.13	0.12		Н	0.50	+	-	0.29	Н	ŀ	0.34	-	0.25	+		Н	Н	0.52	-	- 1		ш	0.52	1	Н	0.76	Н	0.25	+	+	-	0.30	Н			0.30		0.61	Н	0.00	Н	0.19	Н	+		0.24	
Plow Flow (n.)	Н	24	H		Н	35.5	$\mathbb{H}$		9.4	Н	H	30.0	-	3.4			Н	Н	140	-	- 1	-	$\vdash$	15.0	1	Н			H	+	+				11.7		10.2			H		Н	+	Н	18.0	1	23	-
w Design ty Flow Velocity (fps)	Н	9.00	Н		Н	5.73	₩	-	9.02	Ч	ŀ	7.36		3.68			517	Н	+	+		_	-	8.94		Н	+	3.19	Н	4	Ш		Ш				7.98		3.19	Ш	10.04	Н	8.51	Н	98 8		3.13	
Pipe Design Full Flow city Velocity (fps)	16.74	17.96	18.45		663	-	-	-	000	-	-	3 7.36		7.43	8 17.72		5.17	71.17	+	$\dashv$		MI ANUM	1 3.69	80		1.74		+	-	4.51	10.15	2 7.11	3 9.30	12.00	15.20	8	1 7.02		3.19	2.69	3 9.47	5.18	7.81	+	-	-	2 6.05	
Pip Design Pipe Flow Capacity (cfs) (cfs)	2 20.54		22.64		32.53	58.40 64.35	-	-	8.56	Н		48.47 36.13	ŀ	23.34	36.71 55.68		16.23	22.54	+			ANUM PROUM	18.11	22.42 43.88		137	1.83		Н	388	7.42 17.93	5 22.32	2 2923	22 58.90	39.12 74.62		5.51 15.51		251	2 2.12	10.88 16.73	16.26	24.54	1	28.56 17.73 28.03		7.42	
Pipe Des Stope Pic (%) (cf	868	10.00 1.30	10.55		0.54 22	+	++	-	8,6	4	H	0.66 30		0.91 0.64	5.19 22		11 18	0.85 21	3462			-1.17 80	0.17 14	0.98 22		0.13 1.0	+	1	0.43 4.59	0.85 3.	2.50 4.7	0.83 5.65	1.43 6.7	1.76 24	2.83 24		2.06 5.73		0.43 4.04	0.30 7.3	2.18 10	0.44 14	+	H	+		1.13 0.38	
Mannings P	0.012 8	0.012 10	0.012 10		0.012 0	-	0.012	-	0000	+	$\perp$	0.012 0	ŀ	0.012 0	0.012 5		0.012 0	0 012 0	+	-		-1 -1	0.012 0	0.012 0		0.012	+	+	$\dashv$	0.012 0	0.012 2	0.012 0	1 0.012	1 2100	0.012 2		0.012 2		0.012 0	0.012 0	0.012 2	0.012 0	1 210.0	0 012 0	-	1	1 0.012	
Pipe Mr (ft.)	190.00	85.43	82.93		188.00	_	190.84		00 00			150.78		54.88	42.42		227.00	223.61	-			150.00	150.00	281.13		78.93	+		-	46.97	48.02	119.98	132.61	45.65	35.35		145.85		117.61	88.84	41.35	90.41	20.27	209.64	_		44.12 (	
Pipa Diamder (in.	15	15	15		98	_	-	-	ę	2	ľ	8		75	24		28	24	+	-		18	30	8		12	+	_	-	12	18	24	24	8	98		12		12	12	18	24	24	+	_		5	
Pipe Shape	Round	Round	Round		Round	Round	Round		Dornor	None		Round		Round	Round		Round	Round	Brund	Noun		Round	Round	Round		Round	Noon I	Round	Round	Round	Round	Round	Round	Round	Round		Round		Round	Round	Round	Round	Round	Round	Round		Round	
Type	ЭИОН	ЭАОН	ЭИОН		ЭДОН	ЭНОН	HDPE		9	2		HDPE		HDPE	ЭИОН		ЭДСН	HDPE	HUDE	2		HDPE	ЭИОН	ЭАОН		ЭДОН		ЭОН	HDPE	ЭИСН	ЭДСН	ЭИОН	ЭЬОН	ЭИОН	ЭдОН		ЭИОН		ЭИОН	ЭИОН	ЭИОН	ЗАСН	ЭИОН	ЭМОН	ЭИОН		ЭИОН	
DIS Node	A3		14		8	-	+	+	ě	-	ŀ	Ε		8	5		왚	2	+	-		13	22	Ξ		2	+	+	+	96	35	74	13	75	5	8	13		ט	97	57	3		H	-	-	13	
arge Node	8 2 8	00 A3	4 0		20	+	1	4	92	Н	H	22	ŀ	8 8	8 8		¥ 81	42 H3		-		7	20 00	2 2 2		210	+		-	2 2	9 2	29 50	22 24	21 22	12 12		5 x		81 2	2 17	93 72	8 2		-	+		8 E	
Intensity System i Discharge (In.fhr.) (cfs)	Н	211 2.11	Н		$\vdash$	7.22 58.40	+	-	92.8	ш	-	10.32 48.47	- 1	32 1.03	-		$\vdash$	ш	30.40	_	- 1	-	ш	22.42	1	$\perp$	7.15 1.93	н	9.97 4.59	+	+	-	6.86 6.7 9.66 10.	Н	6.76 24.16 9.63 39.12		10.32 5.73		32 6.52	-	7.17 10.88	$\vdash$	++	+	17.73	1	7.35 0.38	
D 0	8.83	9.25 6.24	9.40 62		5.00	++	++	$\dashv$	7.35	$\neg$	H	5.00 7.3	ŀ	5.00 7.35	5.29 7.3		5.29 7.3	27 769	988			5.00 7.	_	6.61 6.89		27	+	-	Н	6.12 7.0	628 65	6.37 6.9	6.71 6.8	7.01 6.7	7.07		5.00 7.3		5.00 7.35	5.00 7.3	5.61 7.1	5,68	5.94 7.0	6.13 7.0	6.91 6.81	1	5.00 7.3	
System Total Time (K'A'C) Conc		0.24 9			Н	8.09		-	1.16	Н	H	4.70	ł	0.09	_		-		4.38	-		-		3.26 6		Н	0.16		0.46				1.13			8	0.90		0.63				1	-	2.61	201	0.05	
Area (K	0.125	0.240	0.240		3.469	+	+	_	4 330		-	4.696		0.100	3.598		1,783	3.485				1,355	2.431	3,742		0.162	+	4	щ	0.610	0.756	0.935	1.126	4,108	4.108		0.895		0.631	1.206	1,744	2.283	2.889	2.994	++		0.059	
Total Runoff (cfs)		0.74			22.19	+	7.90	-	9720	_	-	19.26		1.03	_				9.92	_				8.38		Н	+	153	$\forall$	$\overline{}$	$\overline{}$			Н	000		5.94		1.36						8 0 0 0		0.38	
Bypess flow (cfs)	000	$\vdash$	Н		0.00	0.00	0.00	0.00	0.00	00.00	-	0.00	Ì	000	000		000	Н	+	-		0.00	00.00	0.00		00.00	0.00	000	000	+	+	-	Н-	-	0.00		0.00			-	-	Н	++	₩	0.00	1	0000	
Trib Runoff (cfs)	0.69	1.19	000		22.19	11.12	7.90	12.75	8.56	13.81	90.00	19.26		1.03	22.38		11.41	10.89	9.92	16.01				8.38		1.04	1.67	1.53	1.56	1.55	1.51	1.15	1.22	19.06	000		5.73		1.36	0.48	0.24	0.32	0.61	0.30	0.00	any	0.38	
Intensity 	6.33				7.35	7.35	7.35	10.32	7.35	10.32	200	10.32 19.28	Ì	10.32	10.32		7.35	7.35	7.35	10.32		10.32	7.35	7.35		7.35	7.35	10.32	10.32	10.32	10.32	7.35	7.35	7.35	7.35		7.35								7.35		7.35	
Overland Flow "K" Time of Value Conc. (mn.)	8.83	900	9.00		900	9.00	909		8	86		200		8.00	200		200	8.00	88	3		900	9.00	200			-	200	8,00	200	9.00	200	900	9.00			9.00		9009		900	8.00	200	8.00	8,00		200	
Overla "K" Value	1.25	1.25	1.25		-	-	- 120	1.25		1.25	,	100 1.25		1.25	1.25		100 125	r	1.25	1.25		1.25	1.28	1 20		-	1.25	1.25	1.25	1.25	1.25	1.25	1.25		1.25		10 1.25		1.25	1.25	125	- 5	1.00	1	100 125		10 1	
Design Storm		100			10	01	100	8	10	92	4	100		100	100		100	10	9 0	100		001	100	10		10	100	100	91	100	001	100	01	100	100		100		100	100	100	10	0 0	9 0	8 6 8		100	
value Value	0.87		6:0		0.87	_	0.87		0 02	0.0	-	0.87		0.87	0.87		0.87	0.87	-	_		0.87	0.87	0.87		0.87	_	_	_	0.87	0.87	0.87	0.87	0.87	0.87		0.87		0.87	0.87	0.87	0.87	_	-	-		0.87	
Trib. Area (Ac.)	0.125				3,469		-	_	4.330	+	+	1,866		0.100	3,498		1,783	1,702	+	-		1,355	1.076	1,311		0.162	-	_	-	_			0.191	2.980	0.000		0.895		0.131		0.038			_		L	0.059	
Point	A	A3	Ø	A1	3	8	8	5	8	8 8	5	23	Ξ	8	8	5	Ŧ	2	9	2	Ŧ	4	22	22	Ξ	19	2	9	9,	75	97	35	3	13	75	5	2	23	83	17	97	2	3	2	2	5	Σ	2

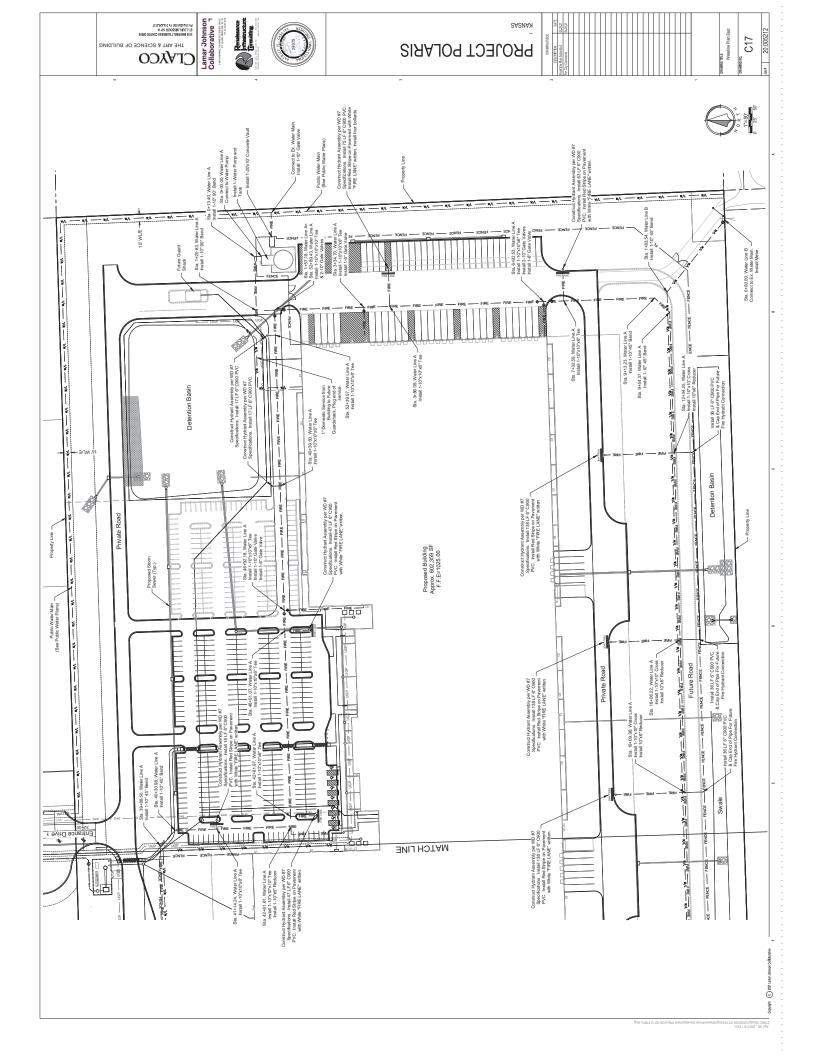
PROJECT POLARIS

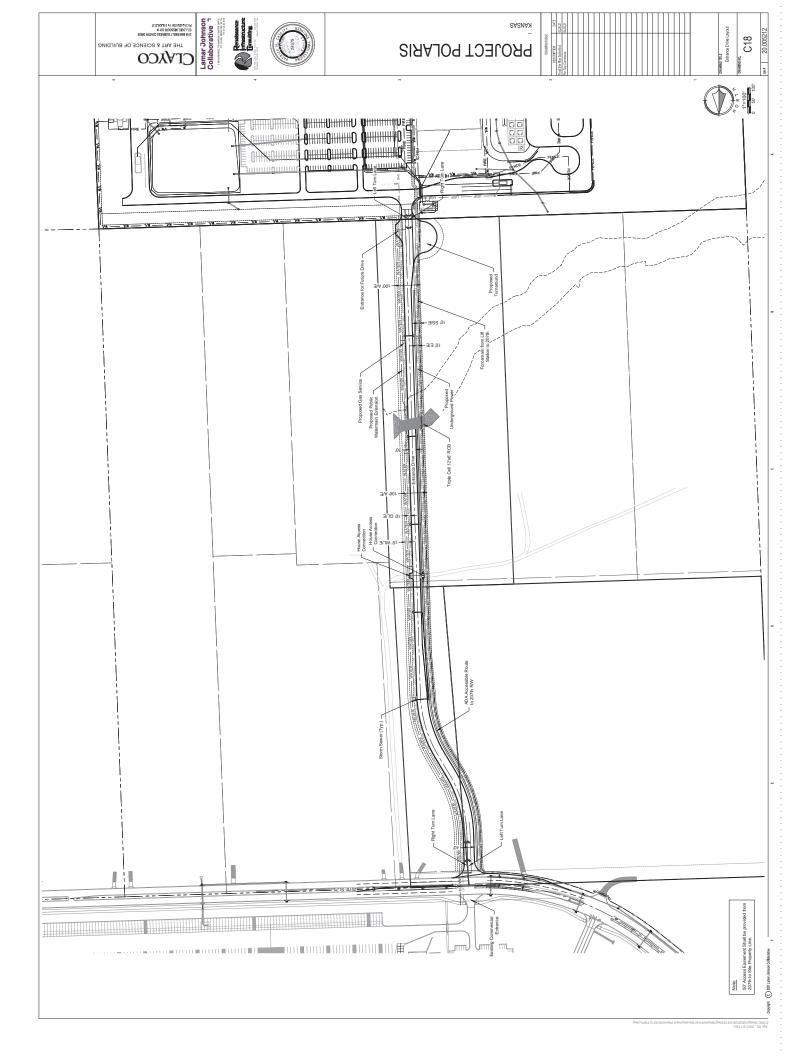


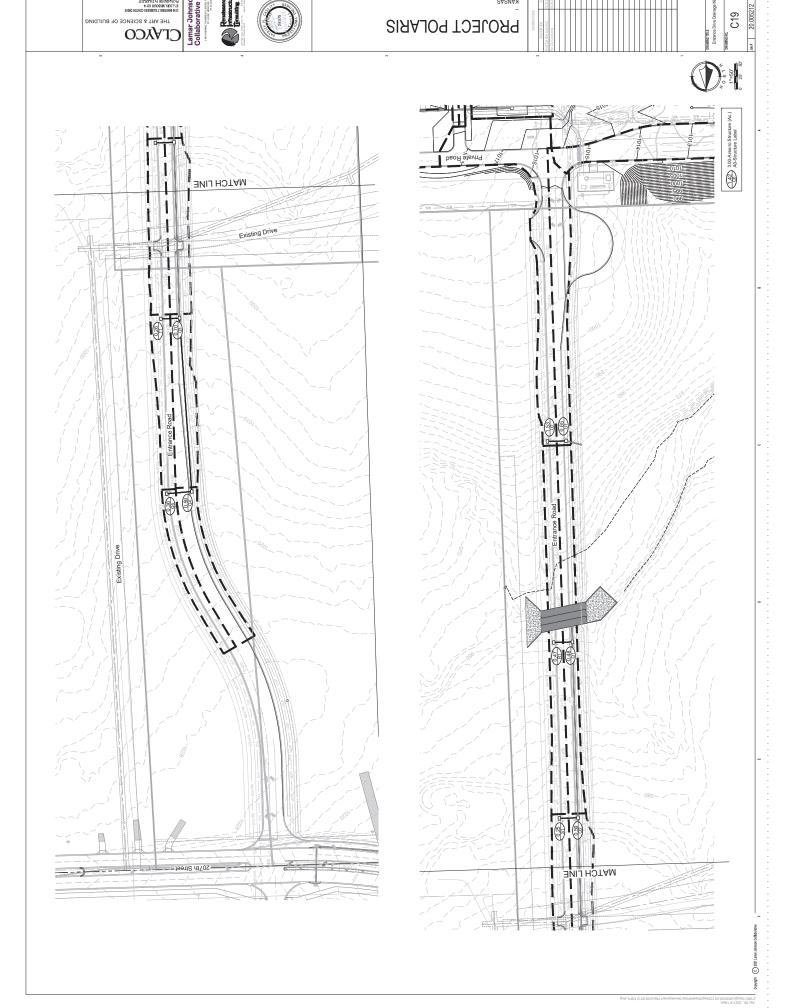


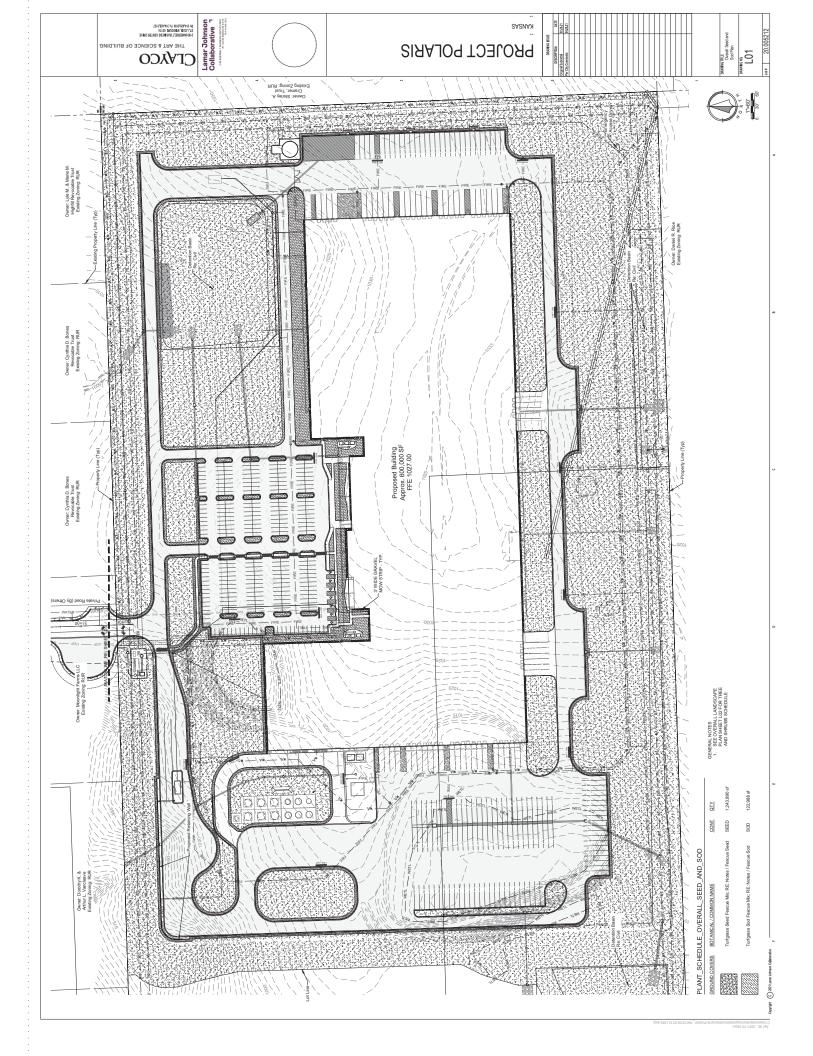


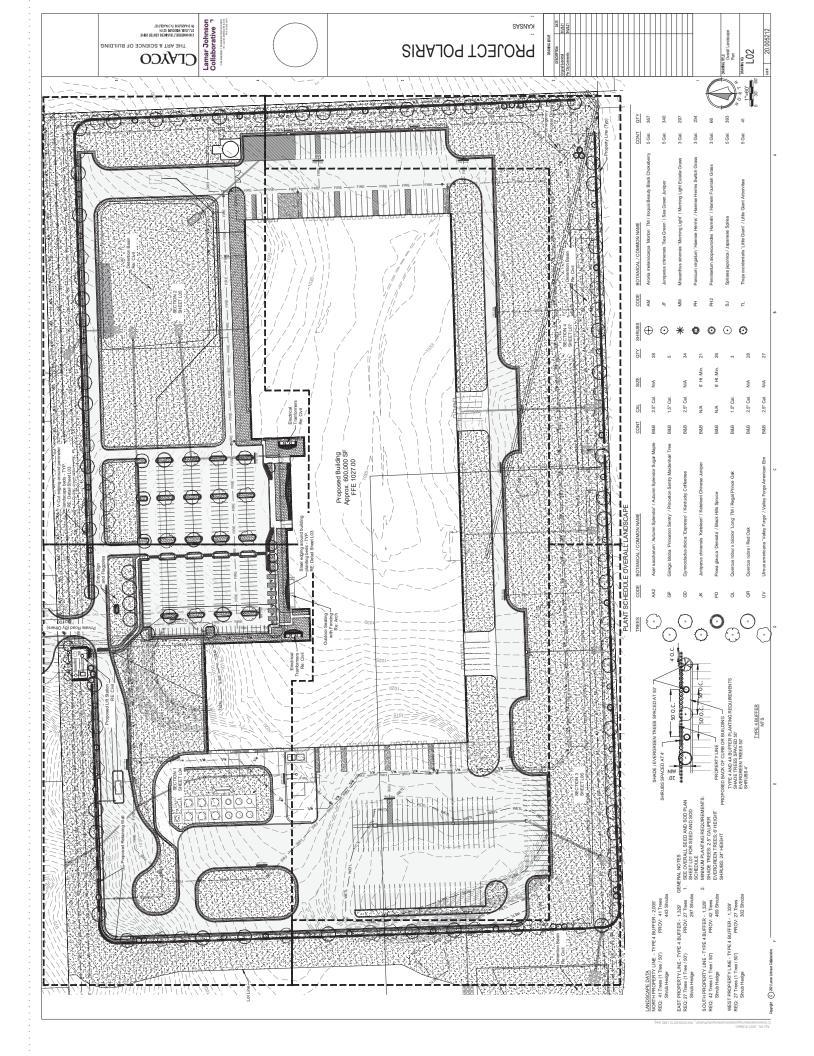


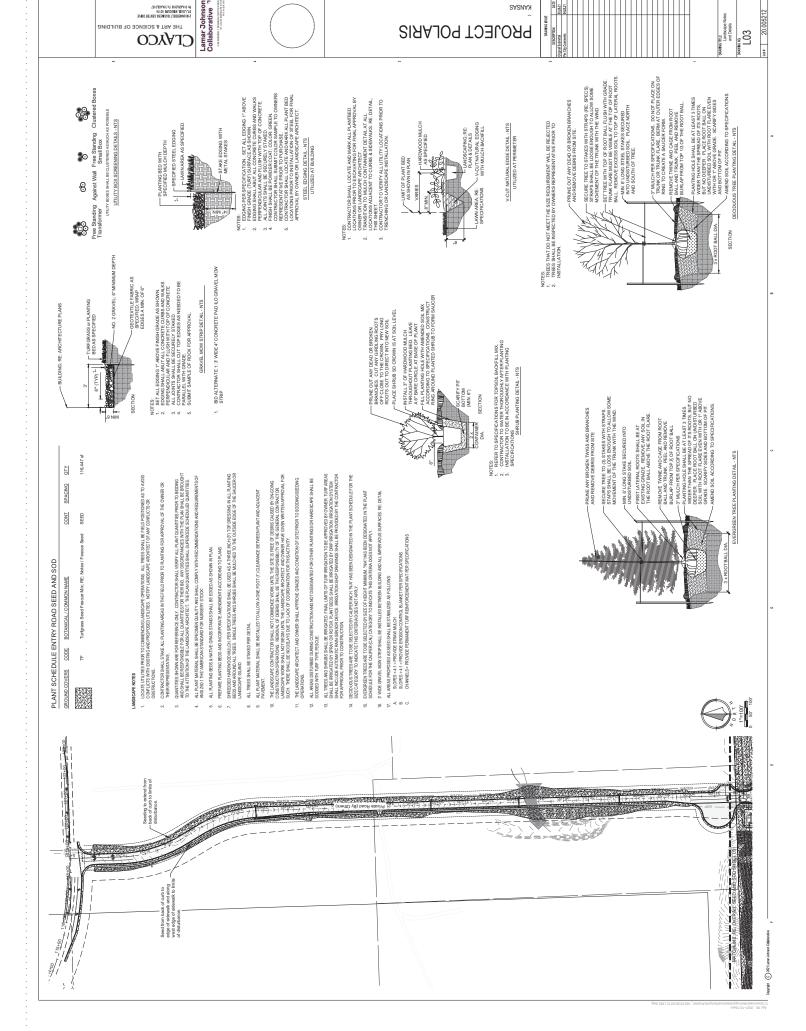


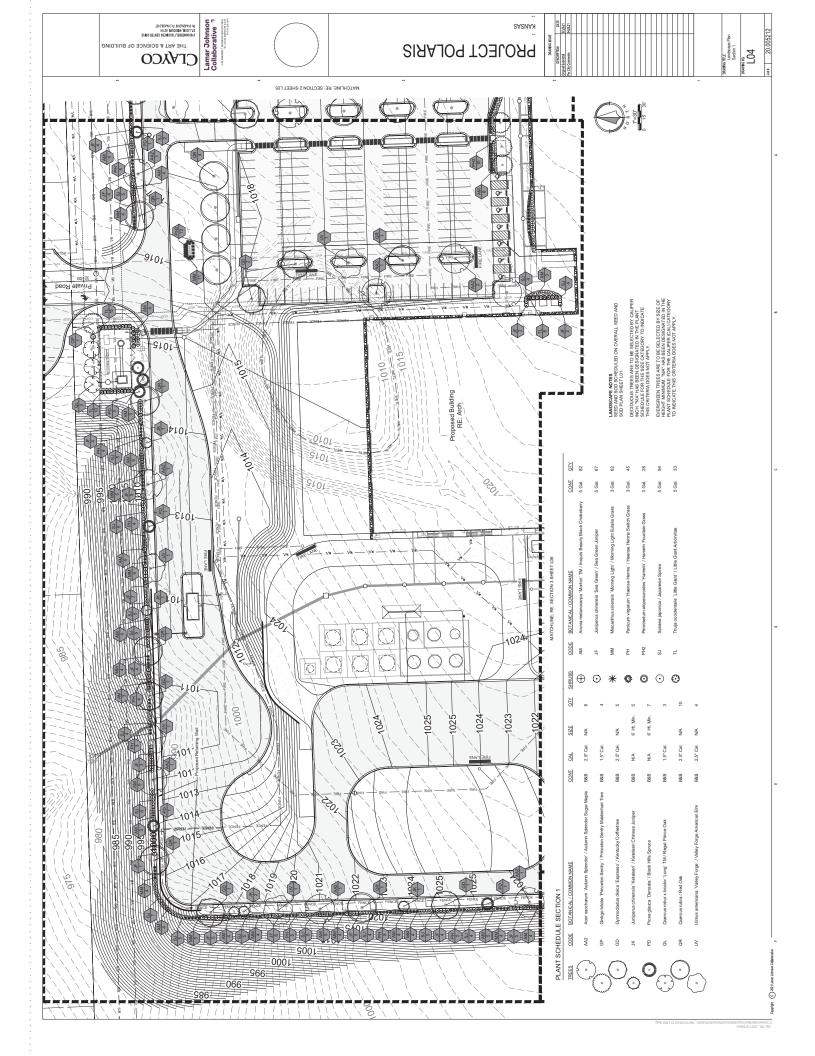


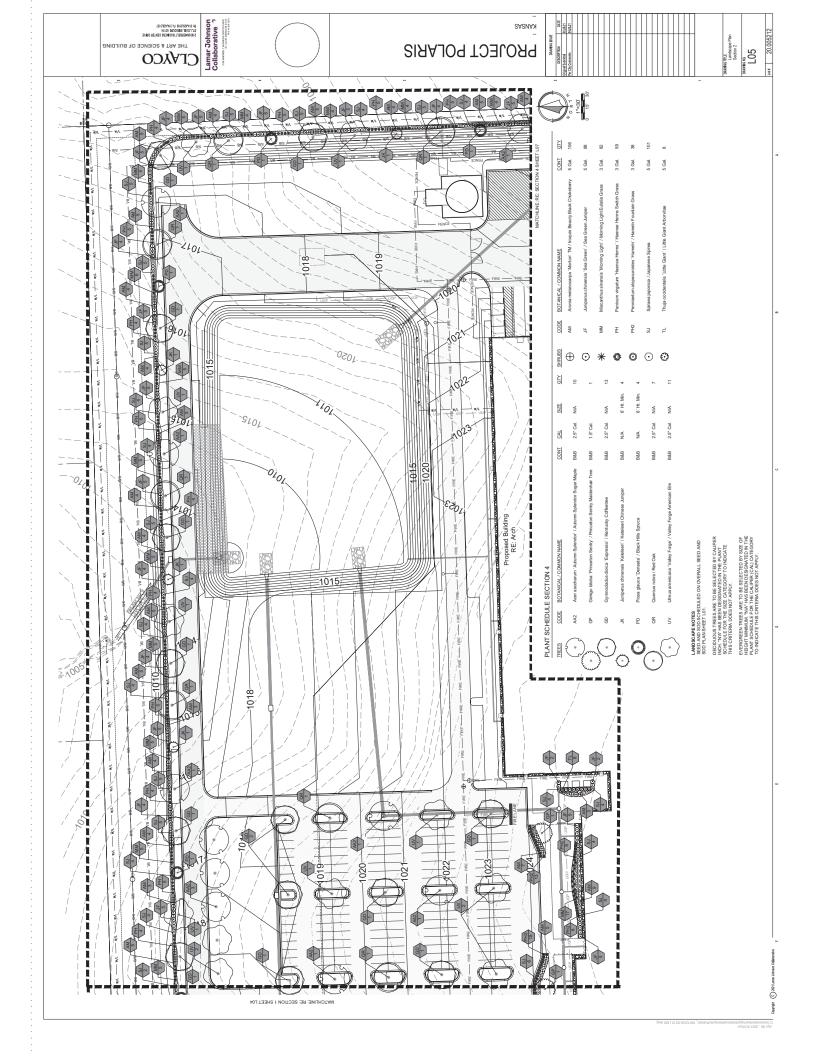


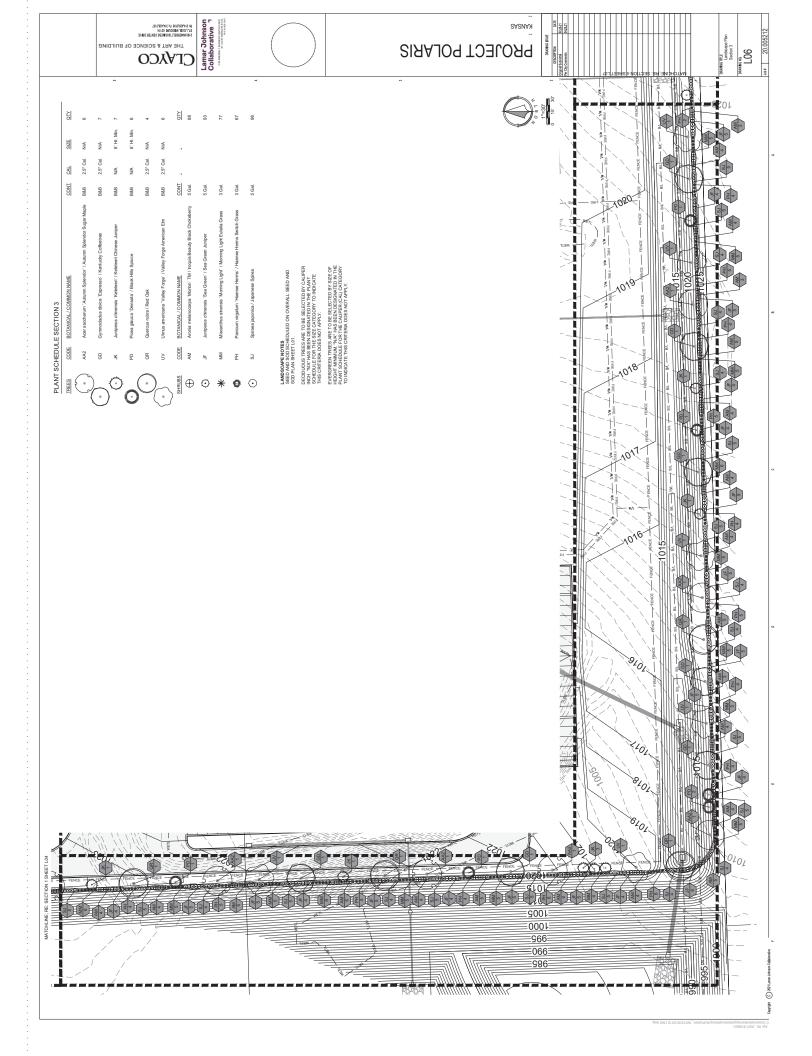


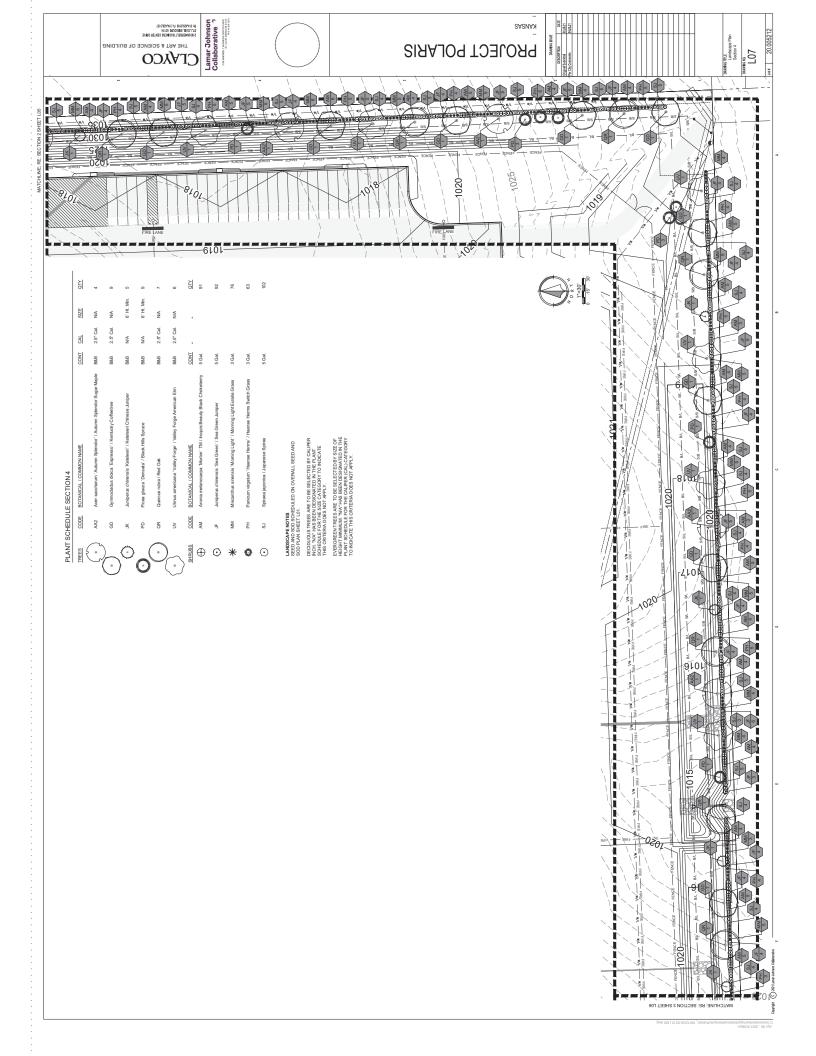


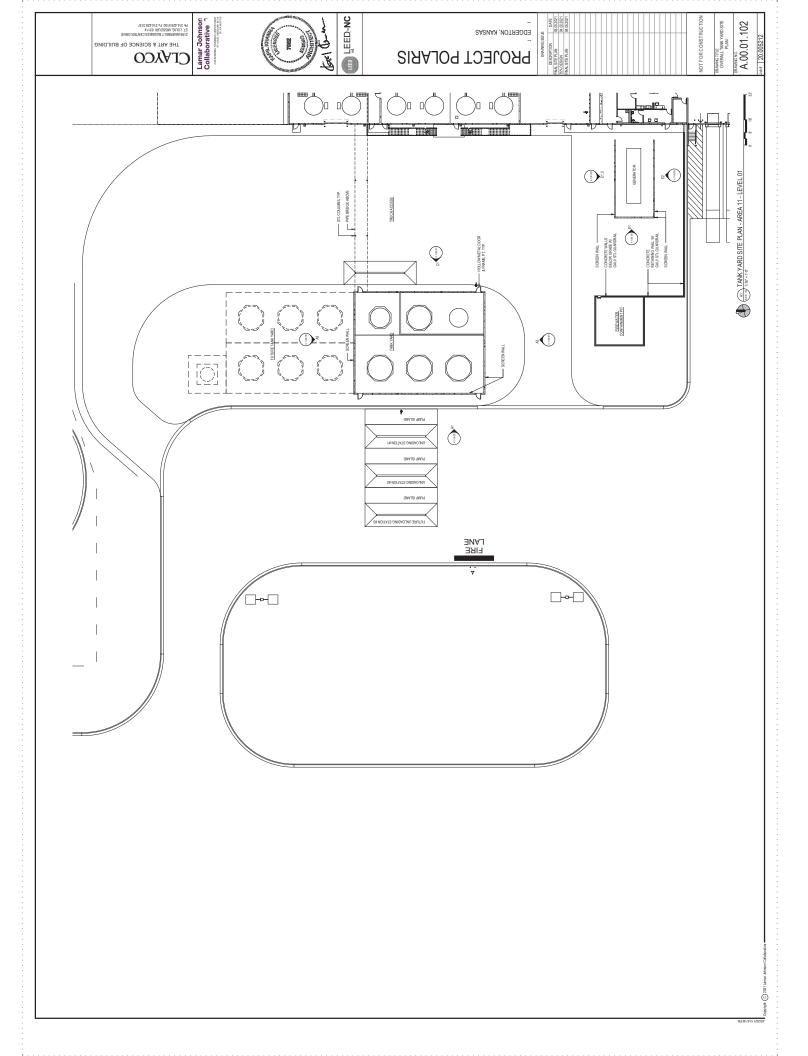


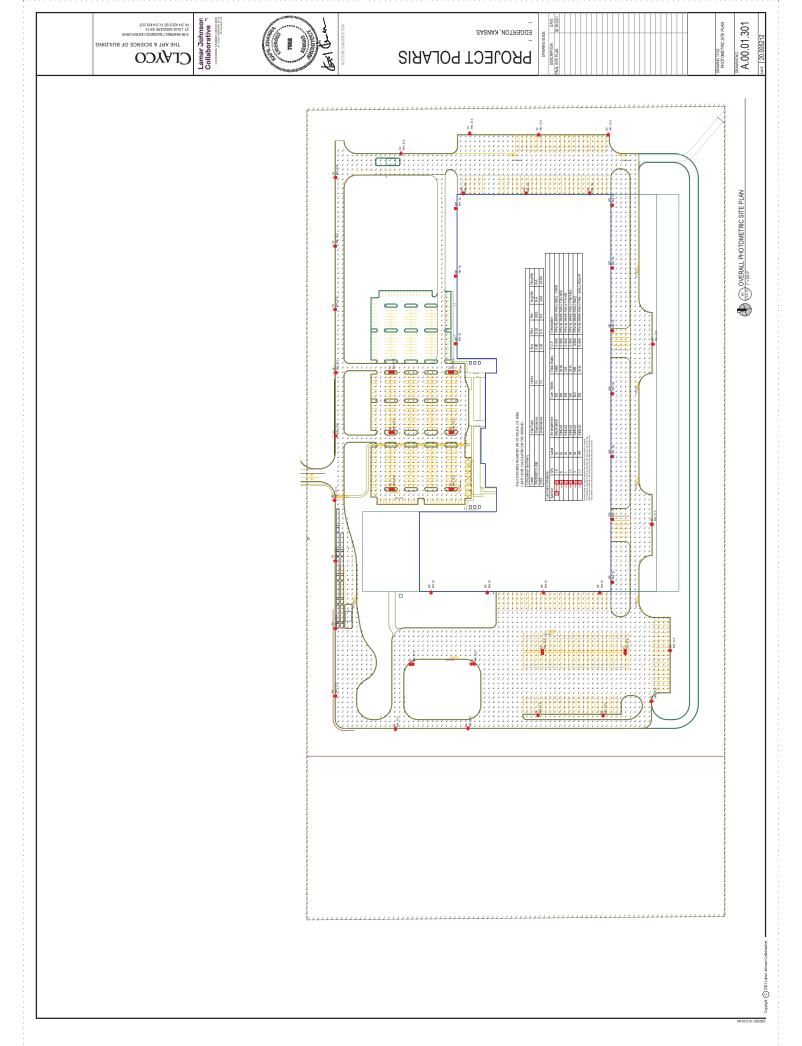


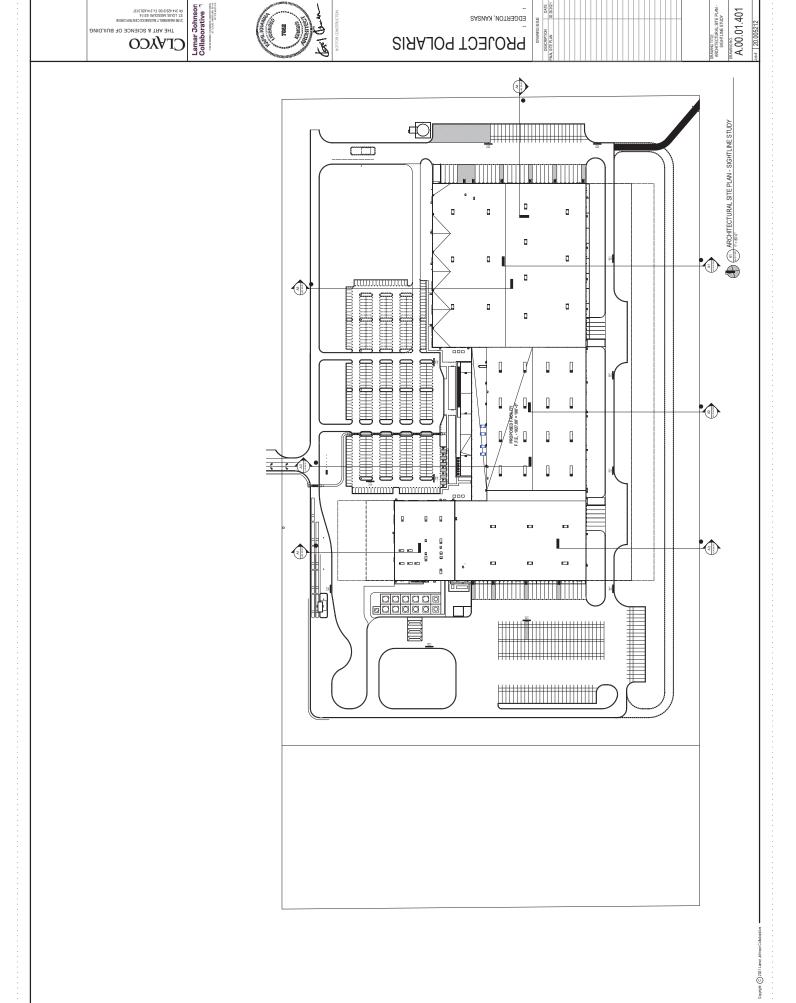


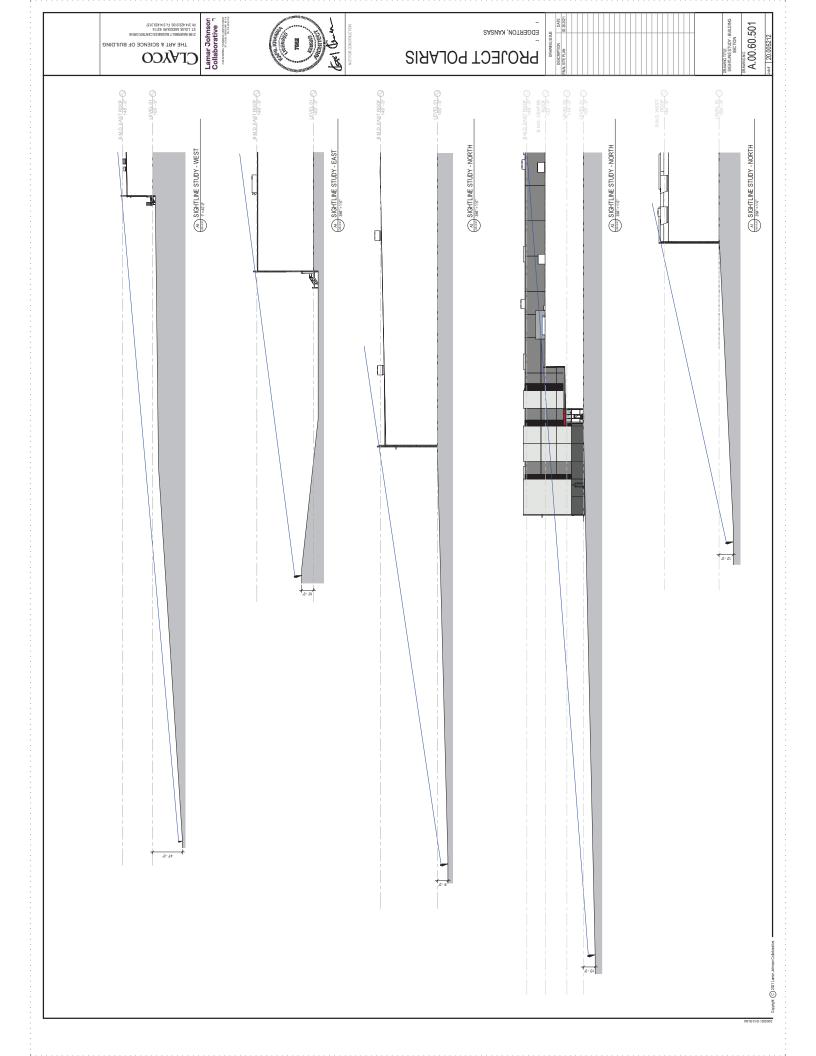


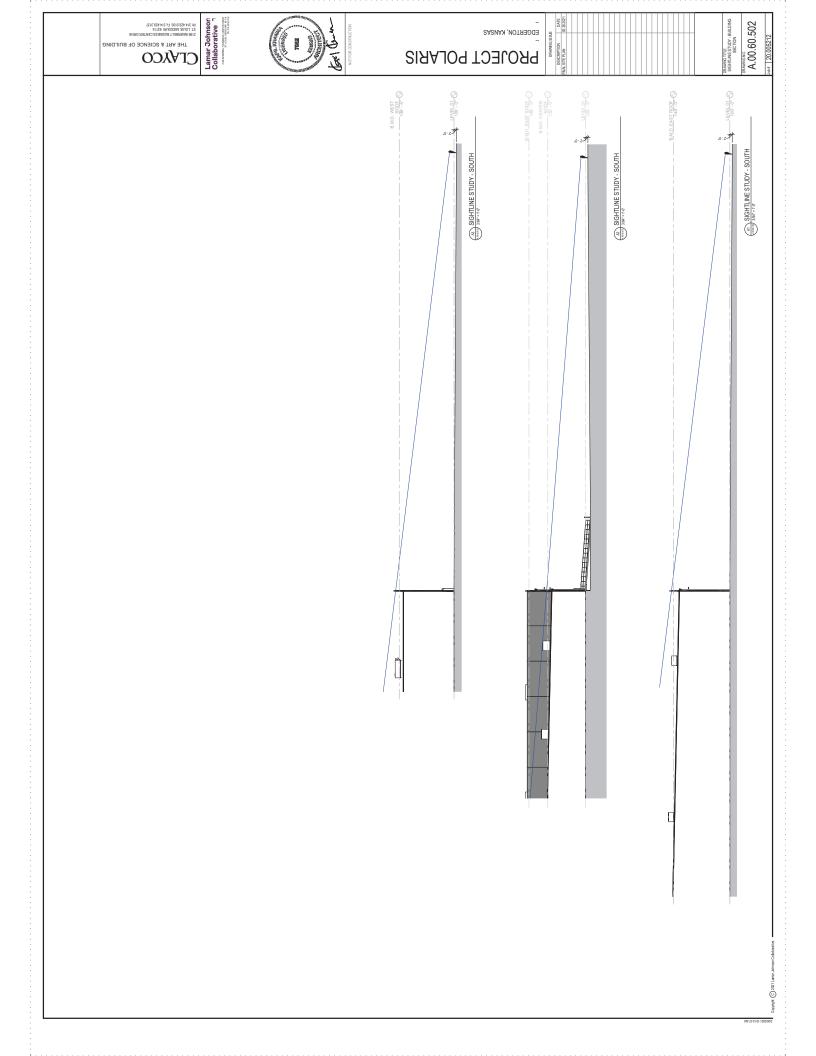


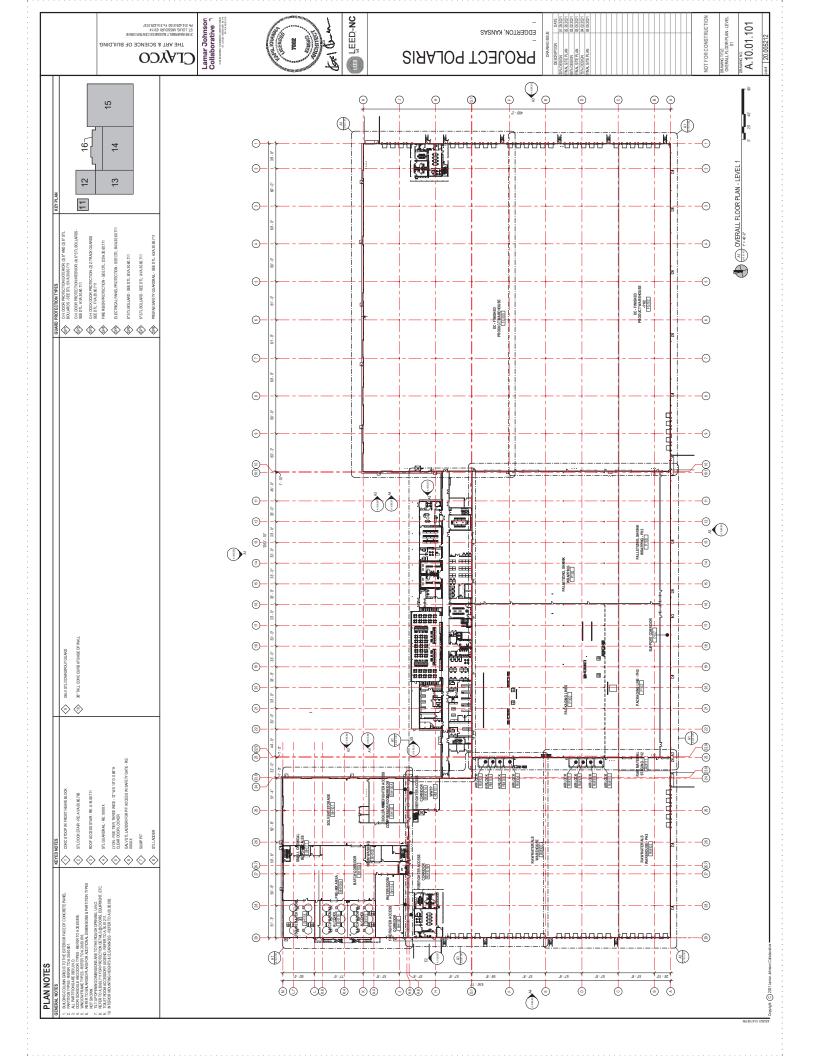


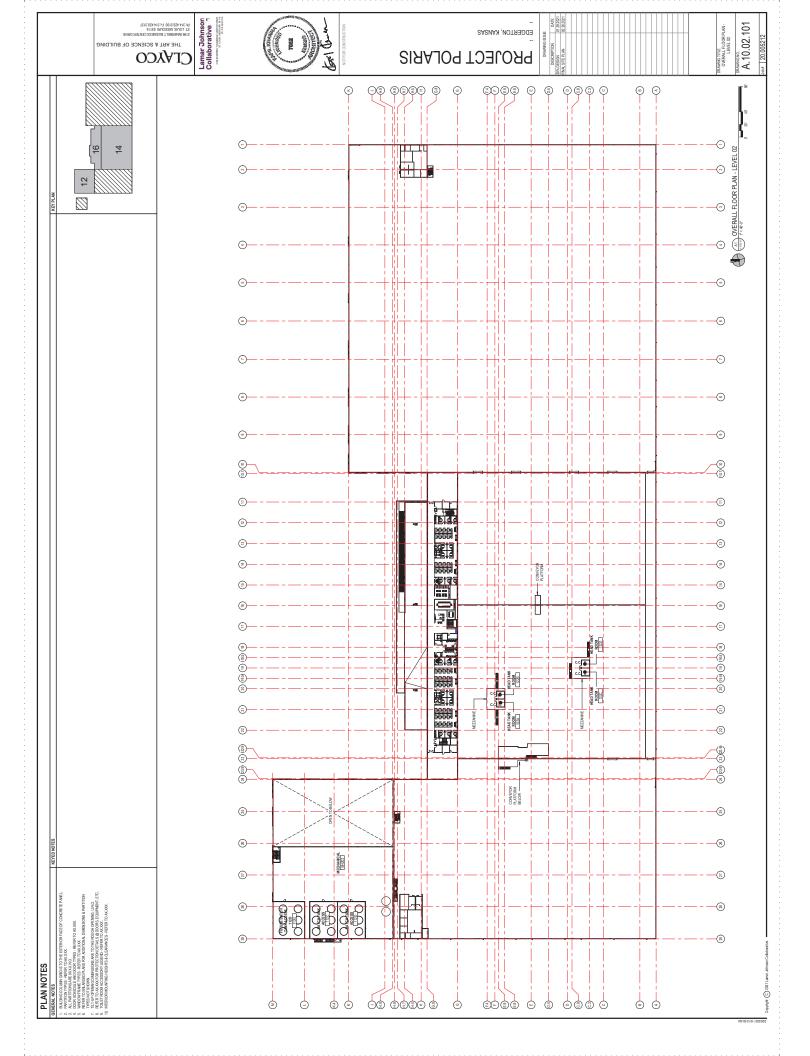




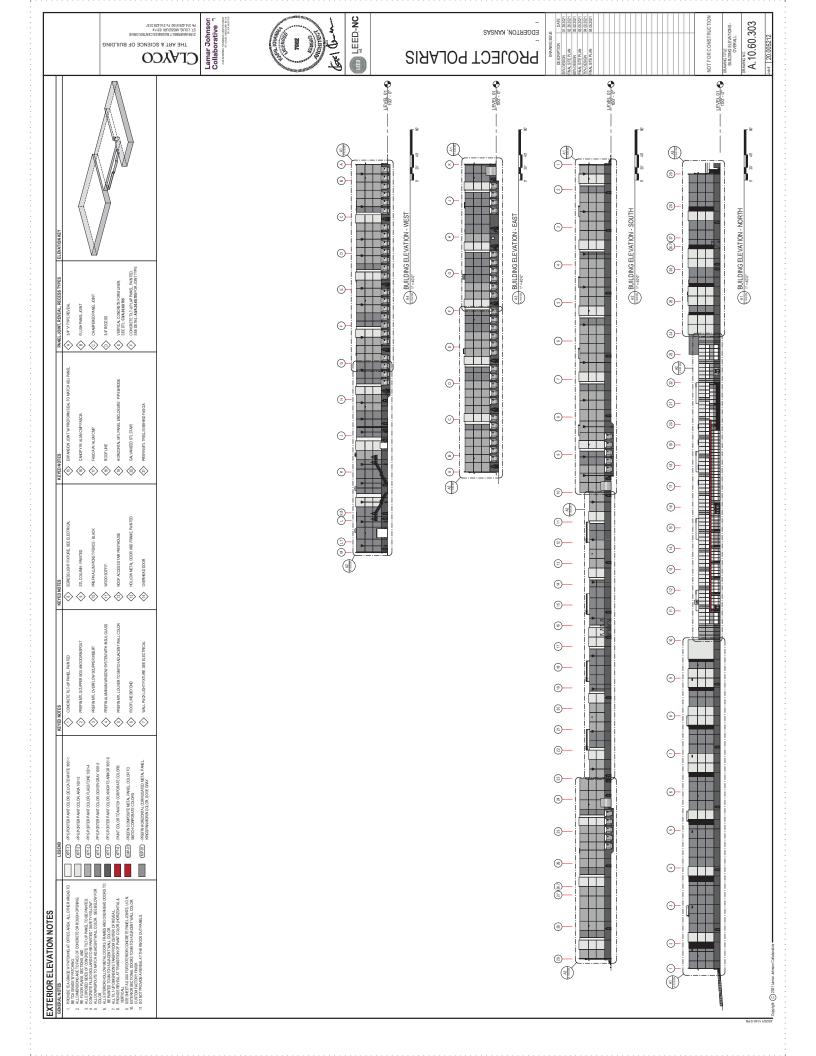


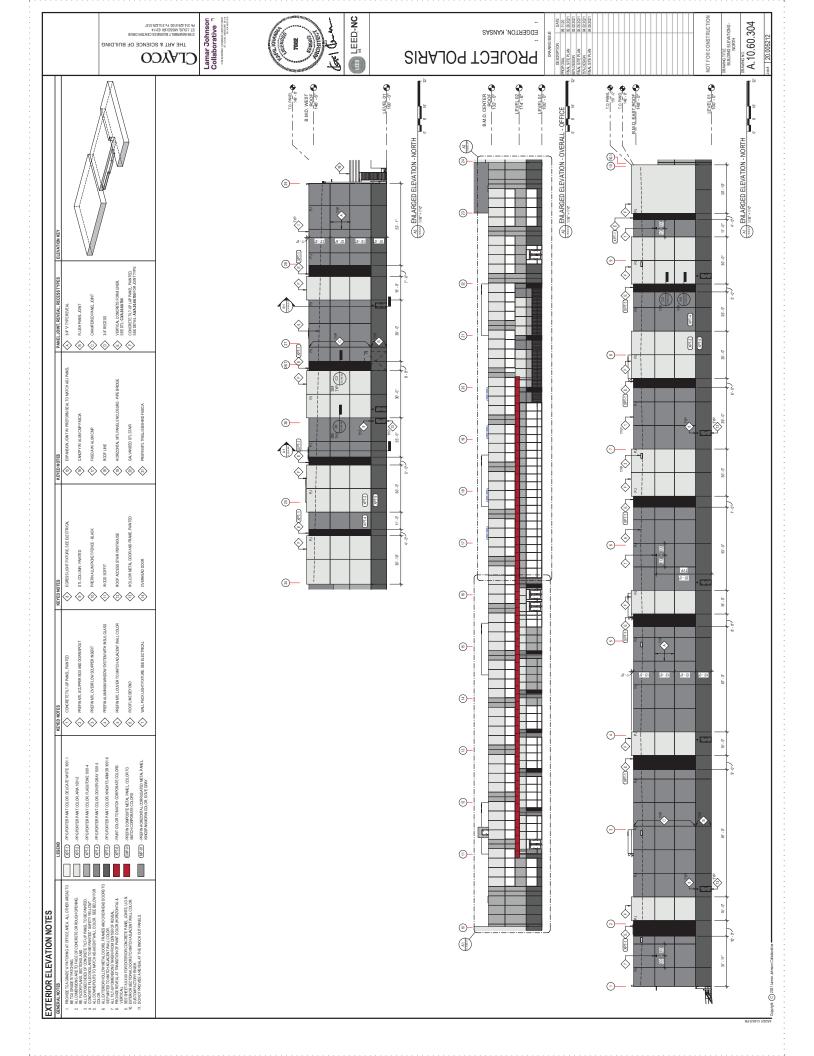


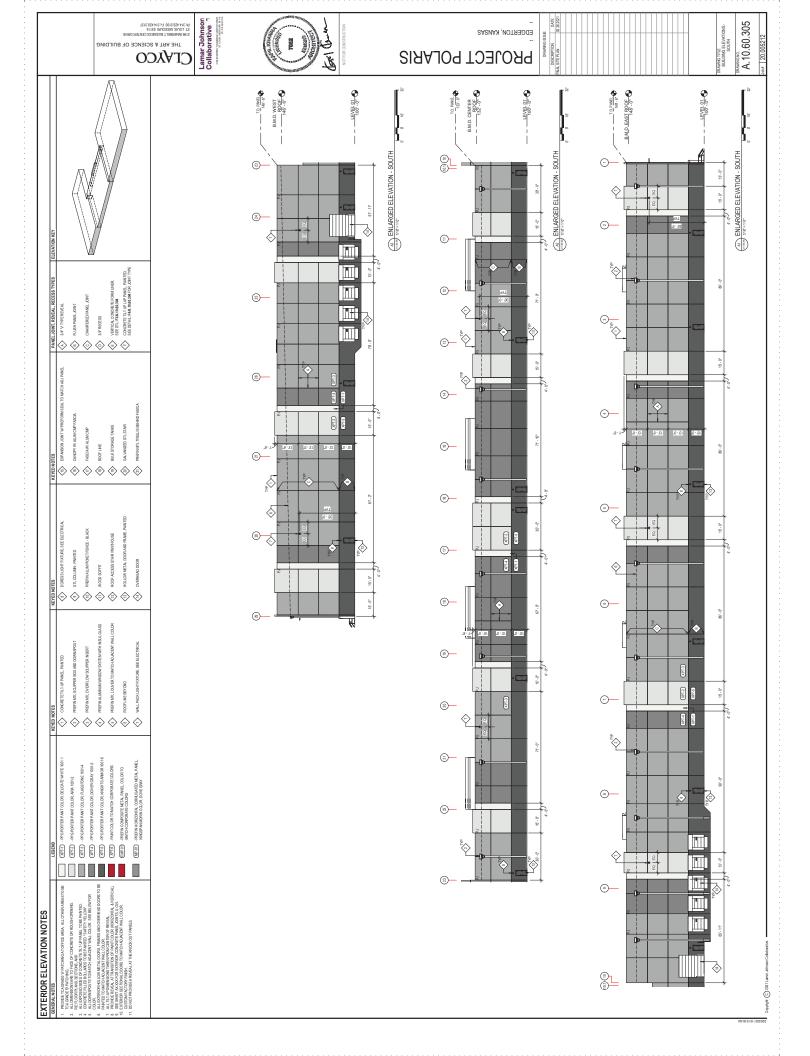


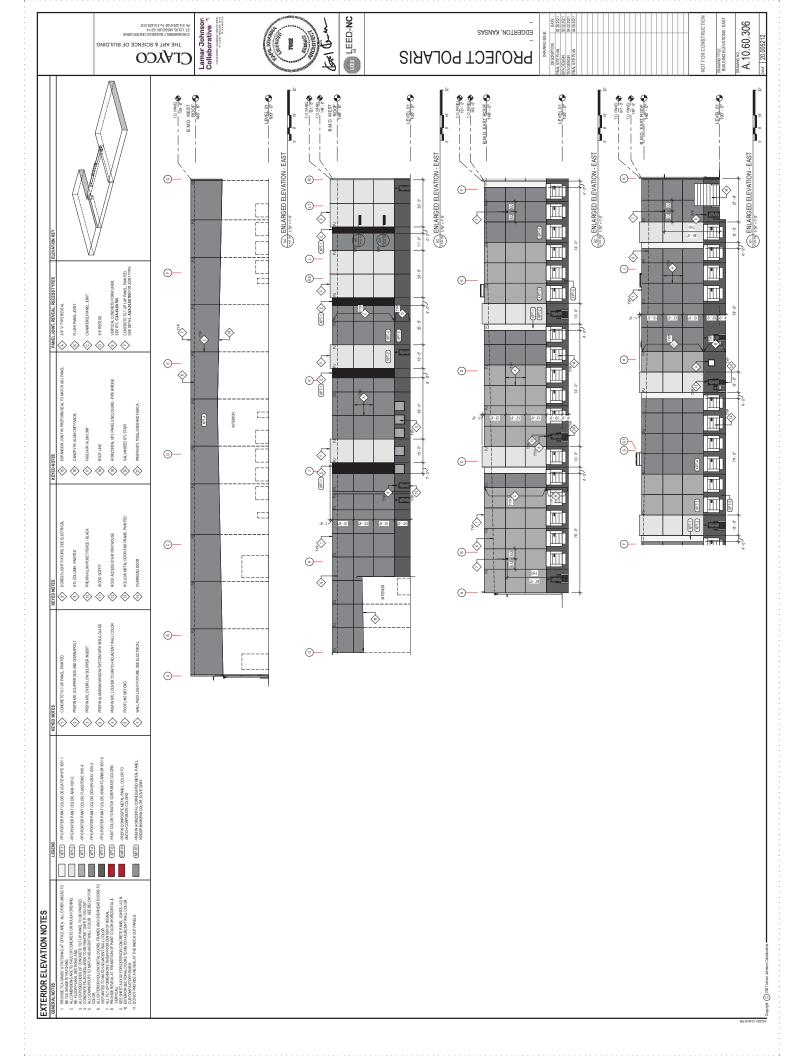


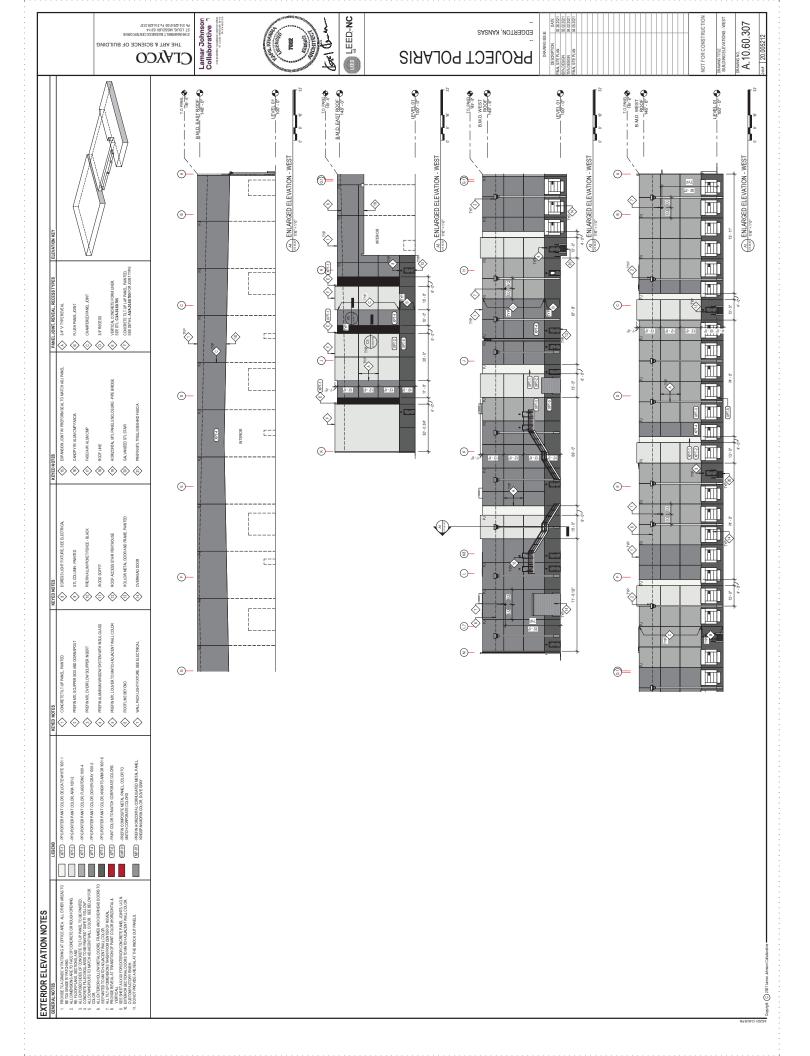


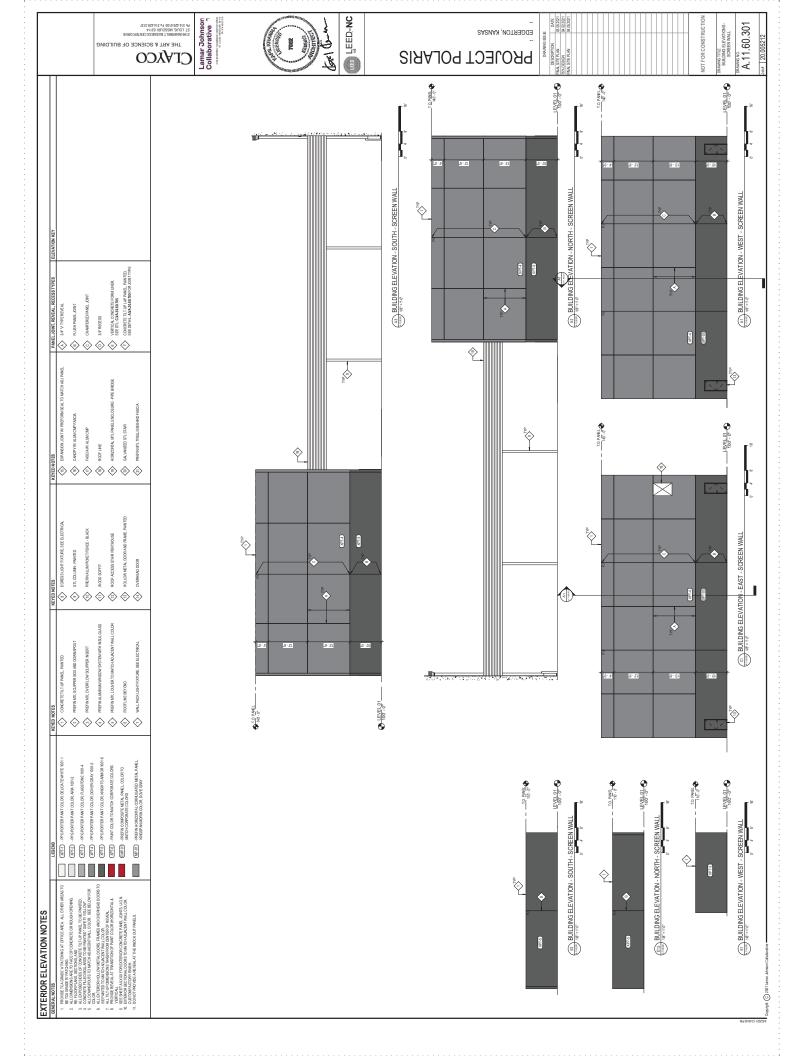


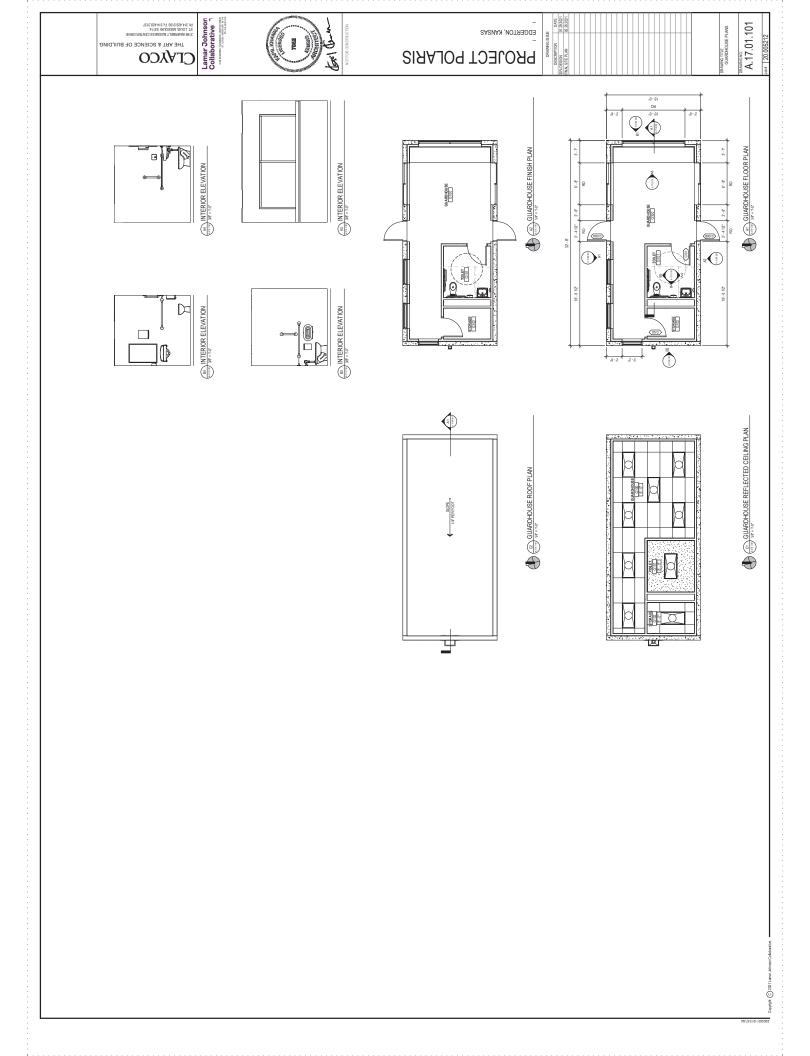


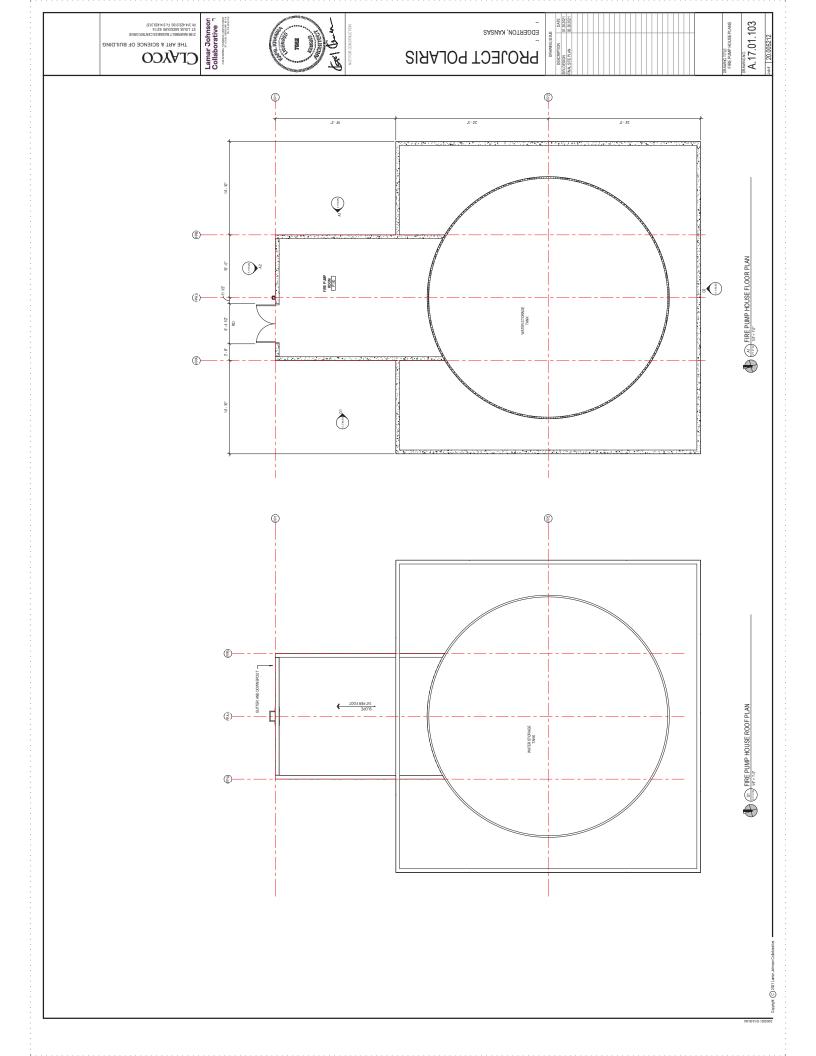


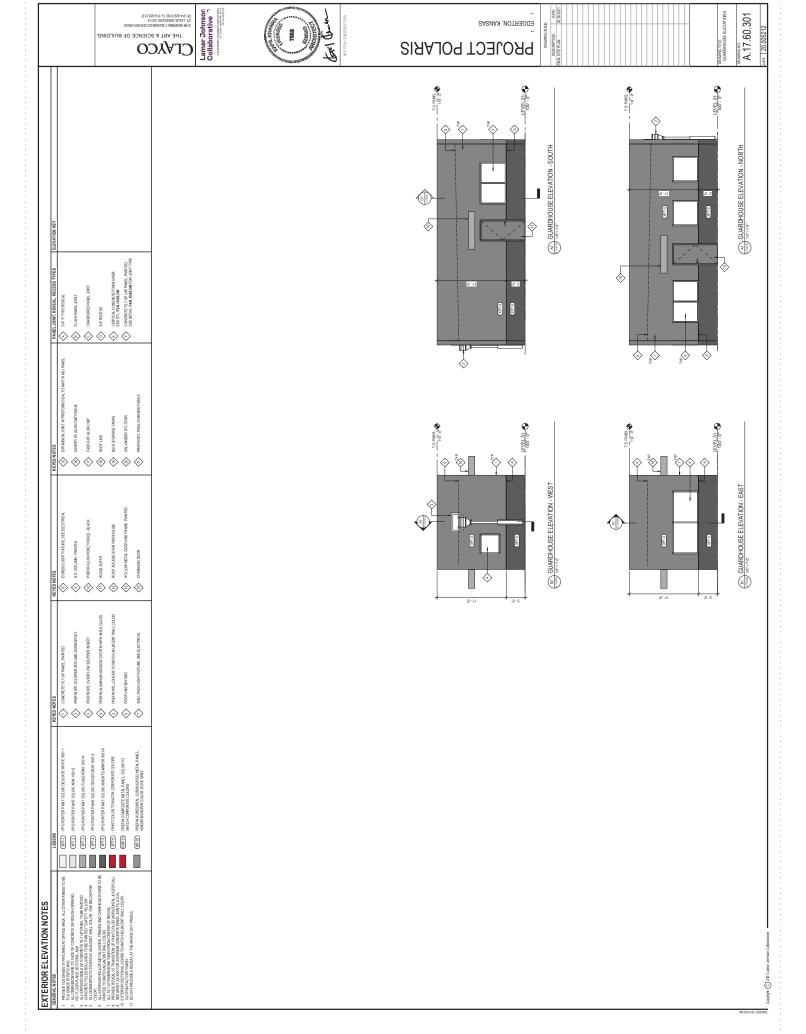


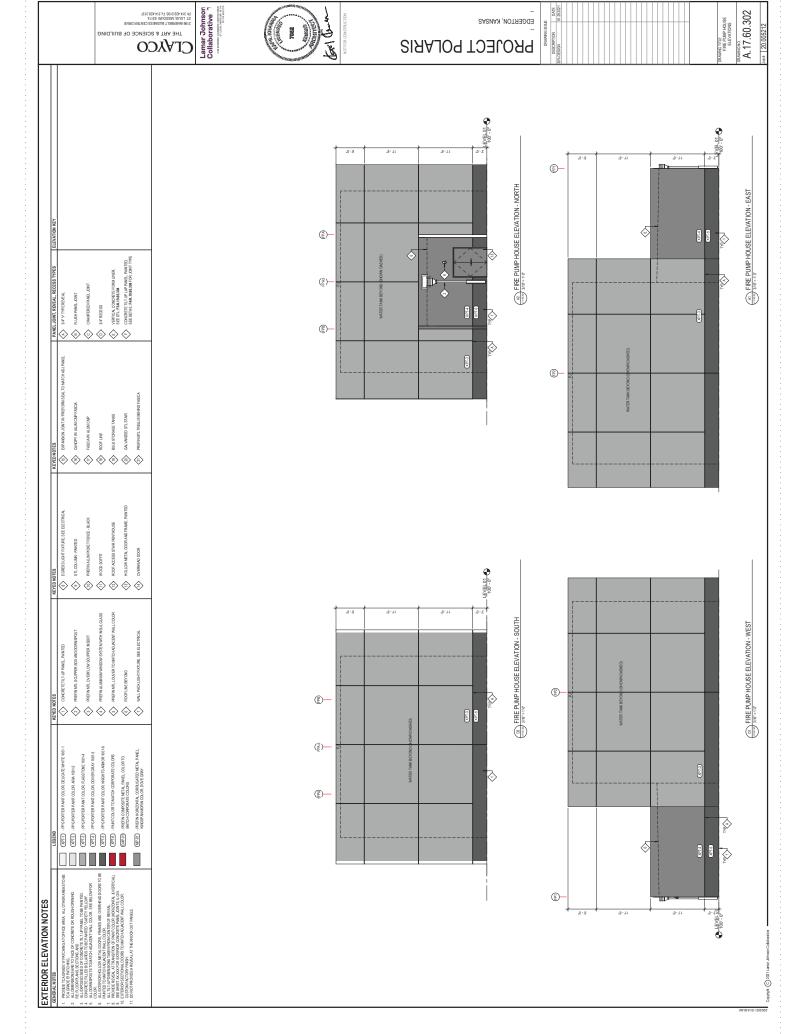






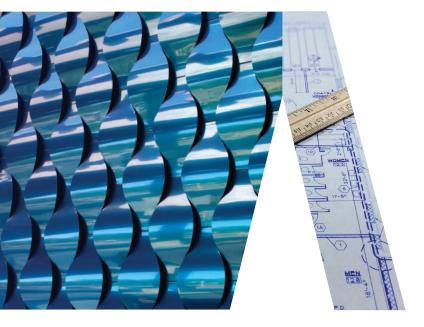






## **ALUCOBOND® PLUS**

GIVING SHAPE TO GREAT IDEAS



As the original "aluminum composite material," ALUCOBOND PLUS consists of two sheets of smooth .020" aluminum thermobonded to a solid, fire retardant core and has been developed exclusively to allow architects and designers to meet today's fire performance requirements set by the International Building Code (IBC) while using ACM as the material of choice. Proven product properties and benefits of ALUCOBOND PLUS include:

- Flatness & Rigidity
- Formability
- Durability
- Ease of fabrication
- Ability to be perforated
- Wide range of colors & finishes

The versatile characteristics of ALUCOBOND PLUS provide for a plethora of applications such as exterior and interior cladding, column covers, canopies, soffits and even signage, allowing architects to offer inspiring, creative, and innovative designs while meeting the standards of sustainable planning.

ALUCOBOND PLUS is available in all of our current finishes and custom colors.

#### PRODUCT DESCRIPTION

#### **MATERIAL COMPOSITION**

- Aluminum interior and exterior facings in 0.020" nominal thickness
- 4mm total nominal thickness, including proprietary fire retardant core

#### **SHEET WIDTHS**

- Standard coil-coated width of 62"\*
  - \*Some finishes are stocked in 40", 49.2" or 50". Please refer to stock material list
- Custom widths of 40" and 50" available on request

#### SHEET LENGTHS

- Standard coil-coated length of 196"
- Reflect Mirror is offered in 146"
- Custom lengths for coil coating: maximum 400"
- Custom lengths for anodized: maximum 216"

#### MINIMUM BENDING RADIUS

- The minimum bending radius of ALUCOBOND PLUS without routing the interior skin is 15 times the thickness
- $-4mm \times 15 = 60mm (2.36")$

#### **MANUFACTURING**

- ALUCOBOND PLUS is made in Benton, Kentucky USA

#### **TECHNICAL SUMMARY**

#### TEMPERATURE RESISTANCE

- Withstands environmental temperature changes from -55°F to +180°F
- Coefficient of linear expansion is governed by the aluminum sheet

#### TECHNICAL PROPERTIES

- Nominal thickness: 4mm

- Nominal weight: 1.56 lb/ft²

- Moment of intertia: .000212 in⁴/in

- Section of modulus: .00275 in³/in

- Rigidity: 2143 lb-in²/in

#### SUSTAINABILITY DESIGN

- LEED 3
- LEED v4/4.1
  - LCA Industry Standard
  - EPD Industry Standard

#### **ACCEPTED EVALUATION REPORTS**

- ICC-ES: 1185
- Florida Product Approval: FL29842
- Miami Dade County NOA: 15-0923.03
- Los Angeles Research Report: 24868
- Underwriters Laboratory: 19980

#### WALL ASSEMBLY FIRE TESTING

- CAN/ULC S134\*\*
- NFPA 285\*\*

To download PDF or AutoCAD details and specifications, visit our website at www.alucobondusa.com

Information contained herein, or related to, is intended for use at one's own discretion. Such information is believed to be reliable, but 3A Composites shall have no responsibility or liability for results obtained or damages resulting from such use. 3A Composites USA, Inc. does not make any warranties, expressed or implied.





#### GIVING SHAPE TO GREAT IDEAS

### TECHNICAL DATA SHEET

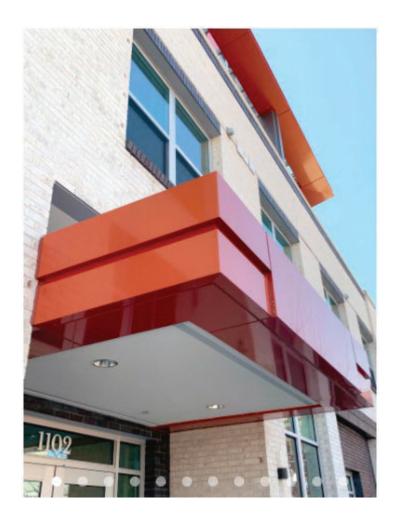
# **Engineering Properties for ALUCOBOND PLUS Material**

Standard Test Method*	Description	Category	4mm
ASTM C-365	Flatwise Compression Strength (Ultimate)	Mechanical	9291 psi
ASTM C-393	Core Shear Properties (Perpendicular) Ultimate Facing Bending Stress	Mechanical	24,720 psi
ASTM C-393	Core Shear Properties (Parallel) Ultimate Facing Bending Stress	Mechanical	22,732 psi
ASTM D-790	Flexural Modulus (Perpendicular)	Mechanical	1891 ksi
ASTM D-790	Ultimate Flexural (Perpendicular)	Mechanical	18,573 psi
ASTM D-790	Flexural Modulus (Parallel)	Mechanical	1815 ksi
ASTM D-790	Ultimate Flexural (Parallel)	Mechanical	17,703 psi
ASTM D-790	Yield Flexural Stress (Perpendicular)	Mechanical	6667 psi
ASTM D-790	Yield Flexural Stress (Parallel)	Mechanical	6930 psi
ASTM D-638	Modulus of Elasticity (Perpendicular)	Mechanical	2930 ksi
ASTM D-638	Tensile Strength (Perpendicular)	Mechanical	7750 psi
ASTM D-638	Tensile Yield at 0.2% Offset (Perpendicular)	Mechanical	6570 psi
ASTM D-638	Elongation (Perpendicular)	Mechanical	14.2%
ASTM D-732	Punching Shear (Maximum Shear Load)	Mechanical	2198 lbs.
ASTM D-732	Punching Shear (Shear Strength)	Mechanical	4615 psi
ASTM C-518	Thermal Conductivity	Thermal	U=6.5 Btu/hr ft <sup>2</sup> °F
ASTM C-518	Thermal Resistance	Thermal	R=0.16
ASTM C-518	Thermal Conductance	Thermal	6.25
ASTM D-648	Deflection Temperature - Perpendicular	Thermal	185°F
ASTM D-648	Deflection Temperature - Parallel	Thermal	189°F
ASTM C-273	Shear Test in Flatwise Plane (Ultimate Core Shear Strength)	Bond Integrity	765 psi
ASTM C-297	Tensile Bond Strength Test in Flatwise Plane (Ultimate)	Bond Integrity	1016 psi
ASTM D-1781	Bond Integrity	Bond Integrity	> 22.5 in-lb/in
ASTM E-90	Sound Transmission (STC)	Acoustical	30
ASTM E-90	Sound Transmission (OITC)	Acoustical	24
ASTM C-272	Water Absorption	Physical	0.003%
ASTM D-696	Coefficient of Linear Thermal Expansion	Physical	1.11x10 <sup>-5</sup> in/in °F
ASTM D-635	Rate of Burning	Fire Performance	Classified CC1
ASTM D-1929	Ignition Temperature - Self	Fire Performance	783°F
ASTM D-1929	Ignition Temperature - Flash	Fire Performance	784°F
ASTM E-84	Surface Burning Characteristics (Flame Spread)	Fire Performance	< 25
ASTM E-84	Surface Burning Characteristics (Smoke Development)	Fire Performance	< 100
CAN/ULC-S102	Surface Burning Characteristics (Flame Spread)	Fire Performance	< 25
CAN/ULC-S102	Surface Burning Characteristics (Smoke Development)	Fire Performance	< 100
CAN/ULC-S134	Flame Spread of Exterior Wall Assemblies	Fire Performance	Meets Criteria**
NFPA 285	Flame Spread of Exterior Wall Assemblies	Fire Performance	Meets Criteria**

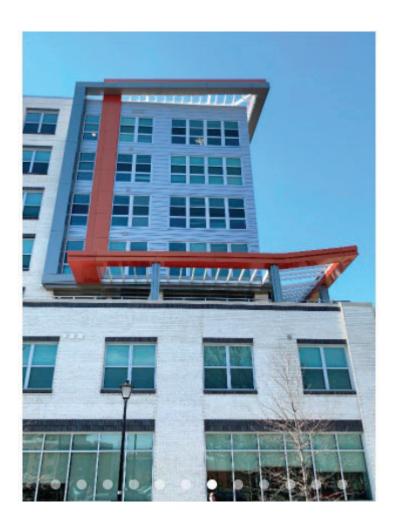
<sup>\*</sup>The ASTM (American Society for Testing & Materials) Standard Test Method defines the way a test is performed and the precision of the result. The result of the test is then used to assess compliance with a standard specification.

<sup>\*\*</sup> Results based upon tests made with ALUCOBOND PLUS panels in specific wall assemblies. For more information about assemblies that have been tested, please contact technical support: Thomas.rogers@3acomposites.com











404 East Nelson Edgerton, KS 66021 P: 913.893.6231 EDGERTONKS.ORG

#### **STAFF REPORT**

Date: April 13, 2021

To: Edgerton Planning Commission

From: Chris Clinton, Planning and Zoning Coordinator

Re: Consider Approval of Temporary Construction Activities **Application TU2021-04** on

property located at 20520 Waverly Road - Concrete Batch Plant use for construction of

**Project Polaris** 

#### **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 City Staff.

#### **MATTER TO BE CONSIDERED**

On March 5, 2021 City Staff received an application from Concrete Strategies Inc. (CSI) to construct a batch plant which would provide concrete for the construction of Project Polaris located south of the Kubota North America Distribution Center across 207<sup>th</sup> Street.

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 March 23, 2021. In this letter, the owner gives permission for the batch plant to operate on their property with a fixed end date of May 24, 2022 and a restriction that the batch plant only be used for projects for which explicit permission is granted (Project Polaris 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. Initially the applicant will route concrete trucks south on Waverly Road, then west on 213<sup>th</sup> Street to access the construction site. This will occur for approximately 9 to 10 weeks while an access road from

207<sup>th</sup> Street to the Project Polaris site is being constructed. Traffic flaggers will be in place on pour dates and will be present during the entire duration of the pour. Once an access road has been constructed, the applicant will haul mixed concrete south on Waverly Road, then turn west on 207<sup>th</sup> Street and turn south on the construction entrance to the Project Polaris site. Raw materials deliveries will use Homestead Lane south to 207<sup>th</sup> Street, east to Waverly Road and then north to the plant entrance. The applicant is required to maintain Waverly Road between the batch plant haul route road and 207<sup>th</sup> Street.

Footing 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 May 24, 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 Project Polaris 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 May 24, 2022.

#### STAFF RECOMMENDATION

Staff recommends **approval** of batch plant Application **TU2020-04** 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 Project Polaris subject to the following conditions:

- 1. No trucks of any kind, including delivery of materials, may use Waverly Road north of the site to travel to 199<sup>th</sup> Street;
- 2. 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;
- 3. 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;

- 4. Any damage caused to any public infrastructure along the haul route due to concrete operations is the responsibility of the applicant to repair;
- 5. 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;
- 6. 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;
- 7. Applicant shall maintain a valid City of Edgerton Business License;
- 8. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
- 9. 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;
- 10. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
- 11. All occupied buildings shall have access to potable water from an approved water source;
- 12. All signage shall be placed pursuant to applicable sign regulations for the City of Edgerton, including traffic control signage;
- 13. 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;
- 14. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land:
- 15. 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;
- 16. 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;
- 17. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
- 18. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
- 19. This Temporary Construction Use is **only** for the construction of Project Polaris. 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;
- 20. Permission for temporary construction activities is granted for a period **ending May 24, 2022,** with permission subject to the revocation before that by the property owner per the attached letter.
- 21. Additionally, prior to full site vacation on May 24, 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: Project Polaris - Temporary Concrete B	atch Plant			
LOCATION OR ADDRESS OF SUBJECT PROPERTY: 20520 Waverly	Rd Edgerton,			
LEGAL DESCRIPTION: Rockwall Estates LT 3 EX PT F				
CURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND US	Vacant			
	E:			
TOTAL AREA: 11.6 ACRES				
APPLICANT NAME(S): Steve Schuering	PHONE: 314-462-2694			
Concrete Strategies LLC	Schuerings@concretestrategies.com			
MAILING ADDRESS: 2199 Innerbelt Business Center   Street   City	Dr St. Louis, MO 63114			
PROPERTY OWNER NAME(S): Brett Powell	PHONE: (816) 888-7380			
COMPANY: Wellsville Farms, LLC	bpowell@northpoint.com			
MAILING ADDRESS: 4825 NW 41st Street Suite 500 Street City	Riverside, MO 64150			
Street City	State Zip			
EXPLANATION OF ACTIVITIES: Concrete production for Project Polaris				
EXPERIMITION OF ACTIVITIES.				
	<u></u>			
SIGNATURE OF OWNER OR AGENT:	*			
If not signed by owner, authorization of a	agent must accompany this application.			
	,			
FOR OFFICE USE ONLY Application No.: TU2021-04 Application Fee Paid: \$500	Date Paid: 3/8/2021 Receipt #: 83245948			
Application No.: 10202101 Application Fee Paid: \$000	Planning Commission Meeting Date: 4/13/2021			
Received By: Chris Clinton				
Keceived By: Kinia Kinian				



March 5th, 2021

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

Re: Temporary Batch Plant Request

Dear Katy 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 Project Polaris.

Concrete Strategies respectfully request the City add this item to the April, 13th 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 Project Polaris until the project completion (Current TCO date of May 24<sup>th</sup>, 2022).

#### **Traffic Routes:**

- Option 1 Concrete Mixer Trucks would leave the batch plant site on Waverly road and head south to 207<sup>th</sup> street, west on 207<sup>th</sup> street to construction entrance of Project Polaris before Homestead Lane.
- Option 2 Concrete Mixer Trucks would leave the batch plant site on Waverly road and head south to 213<sup>th</sup>
   Street, west on 213<sup>th</sup> street to temporary construction entrance of Project Polaris

#### **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 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**

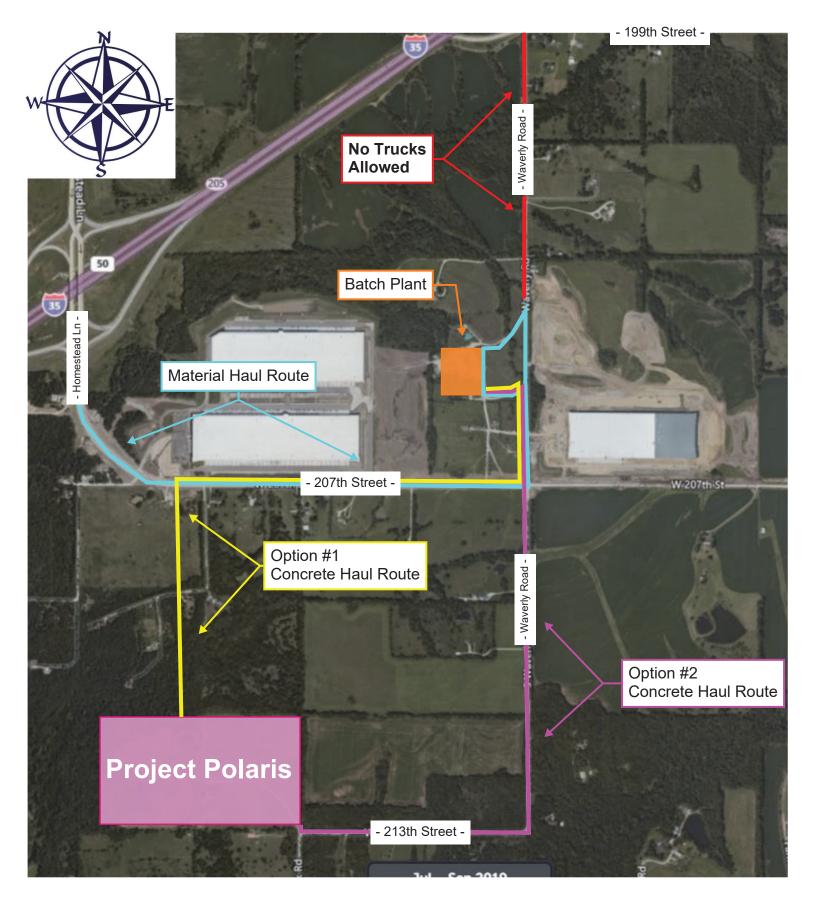
A street sweeper will be available at the batch plant to clean the roadway if any concrete dribbles occur.
 Concrete strategies will monitor the roadways throughout concrete operations. Any issues will be addressed immediately.

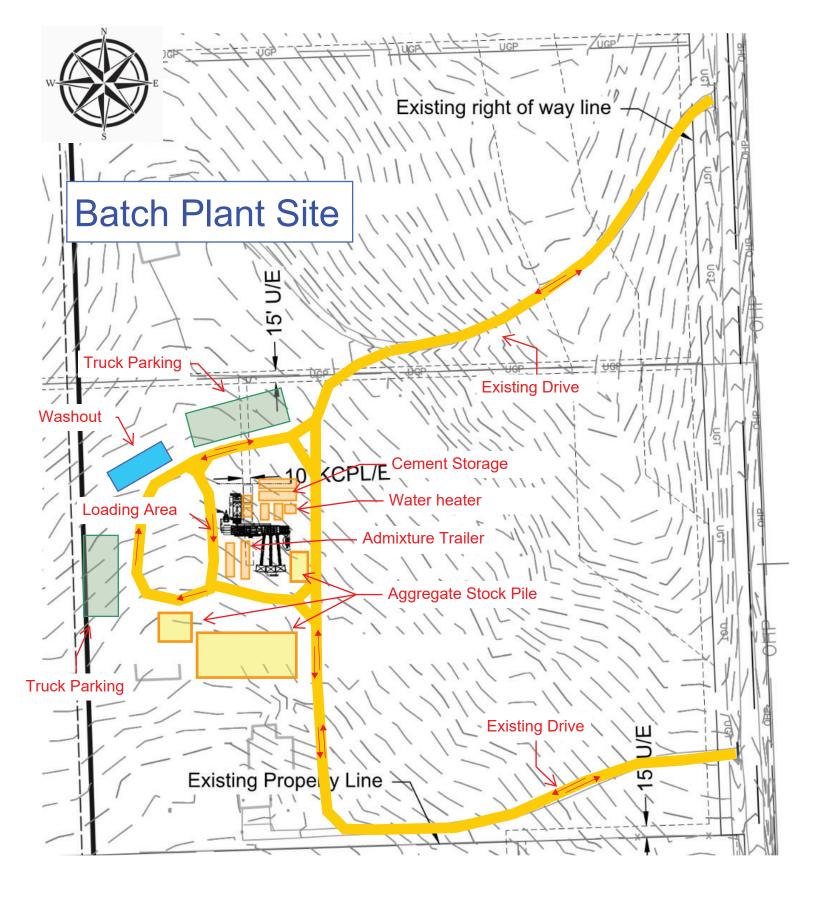
#### **Hours of Operation:**

- 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 207<sup>th</sup> street, East on 207<sup>th</sup> street to Waverly road, North on Waverly road to the Batch Plant Site Entrance.







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 <a href="michael.boothe@jocogov.org">michael.boothe@jocogov.org</a>.

Sincerely.

Todd A. Rogers

**Environmental Division Director** 

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

TDD: 800-766-3777

jocogov.org

#### 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.

Pease 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

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 <a href="Deborah.Mendenhall@ks.gov">Deborah.Mendenhall@ks.gov</a>. 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

Thomas C. Sules

pc:

NE - District ES- Permit File General Permit No.: G-CONC-2017-1 Kansas Permit No.: I-MC08-PR02 Federal Permit No.: KSG110273

#### 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 toiltes. 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

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Secretary - Kansas Department of Health and Environment

May 31, 2019
Date of Issuance

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#### 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. <u>Pollution Prevention Team</u> Individuals or positions who are responsible for implementing the SWP2 Plan must be clearly identified.
- b. <u>Description of Potential Pollution Sources</u>—An inventory and map identifying potential pollution sources associated with industrial activity must be identified in the plan.
- c. <u>Measures and Controls</u> A description of pollution controls appropriate for the facility must be identified in the plan.
- d. <u>Comprehensive Site Compliance Evaluation</u> As part of this permit an annual Comprehensive Site Evaluation must be submitted annually by October 1<sup>st</sup>.
- e. <u>Monitoring and Record Keeping</u> 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. <u>Maintaining the SWP2 Plan</u>: 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. <u>Description of Non-Overflowing Wastewater Facilities (Containment Structures)</u> —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.

<u>Single Cell Plastic Lined Earthen Wash Basin</u> – Basin A: Latitude <u>To Be Determined</u> Longitude <u>To Be</u> <u>Determined</u>

Description of Discharging Wastewater Facilities (Settlement Structures)

NONE

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#### B. DISCHARGE LIMITS AND MONITORING REQUIREMENTS

NONE

#### C. PERMIT SCHEDULES:

- 1. <u>Permit Renewal/Reissuance</u> 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. <u>Permit Modification/New Permit</u> 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. <u>Settlement and Containment Structure Compliance</u> 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.

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#### 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. <u>Water Quality Standards</u> 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. <u>Changes in Discharges of Toxic Substances</u> 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);
    - 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  $\mu$ g/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.

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#### D. SUPPLEMENTAL CONDITIONS (Continued)

- 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. <u>Limits on Coverage</u>; <u>Director required replacement of this permit with a different NPDES Permit</u> 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. <u>Discharge to Outstanding Natural Resource Waters (ONRW)</u> 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.
- 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.
- 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. <u>Permit Transfer</u> This permit may be transferred to a new permit holder using the Permit Transfer Request form from the KDHE website at <u>www.kdheks.gov/water/tech.html</u>.
- 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 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.

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#### SUPPLEMENTAL CONDITIONS (Continued)

- 17. <u>Closure of Settlement & Containment Structures and Abandonment and Closure of Wastewater Retention</u>
  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 <a href="https://www.kdheks.gov/directions/index.html">www.kdheks.gov/directions/index.html</a> or by calling 785.296.5506.
  - 18. <u>Notice of Permit Termination</u> A Notice of Permit Termination form can be downloaded from the KDHE website at <u>www.kdheks.gov/water/tech.html</u>.
  - 19. <u>Discharge of Process Wastewater and Sanitary Sewage</u> 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.
  - 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.

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#### 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;

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).
- 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

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#### 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.
- 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.

<sup>1</sup> 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: <a href="http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008">http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008</a> swppp. Additional guidance documents are available on-line at: <a href="http://cfpub.epa.gov/npdes/stormwater/indust.cfm">http://cfpub.epa.gov/npdes/stormwater/indust.cfm</a> or <a href="http://nepis.epa.gov/or the KDHE website: http://kdheks.gov/stormwater.">http://cfpub.epa.gov/npdes/stormwater/indust.cfm</a> or <a href="http://nepis.epa.gov/or the KDHE website: http://kdheks.gov/stormwater.">http://cfpub.epa.gov/npdes/stormwater/indust.cfm</a> or <a href="http://nepis.epa.gov/or the KDHE website: http://kdheks.gov/stormwater.">http://cfpub.epa.gov/npdes/stormwater/indust.cfm</a> or <a href="http://nepis.epa.gov/or the KDHE website: http://kdheks.gov/stormwater.">http://nepis.epa.gov/or the KDHE website: http://kdheks.gov/stormwater.</a>

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- 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 Activities2.

<sup>2</sup> The KWPC General Permit for Stormwater Runoff from Industrial Activities issued November 1, 2011 is available online at: <a href="http://www.kdhcks.gov/stormwater/download/KDHE\_Complete\_SW\_Ind\_GP\_Signed\_2011-11-01.pdf">http://www.kdhcks.gov/stormwater/download/KDHE\_Complete\_SW\_Ind\_GP\_Signed\_2011-11-01.pdf</a>.

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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
  - 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.

<sup>3</sup> 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: <a href="http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008\_swppp">http://cfpub.epa.gov/npdes/stormwater/msgp.cfm#msgp2008\_swppp</a>.

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# 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 <a href="mailto:dmr4kdhe@kdheks.gov">dmr4kdhe@kdheks.gov</a>, 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.

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- 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.
- 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.
- 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.

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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 <a href="https://www.kdheks.gov/water/tech.html">www.kdheks.gov/water/tech.html</a>.

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.

- 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.
- 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.
- 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.
- 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.

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- 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.
- 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.
- 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.



March 23, 2021

City of Edgerton, KS 404 East Nelson, Edgerton, KS 66021

Attn: Katy Crow – Development Services Director

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

Condition 1: The permitted term expires May 24th, 2022.

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

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.

Respectfully,

Nathaniel Hagedorn

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