

**EDGERTON PLANNING COMMISSION
MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
July 13, 2021
7:00 P.M.**

Two public hearings will be held during the July 13th Edgerton Planning Commission meeting. Any member of the public wishing to testify must sign in at the meeting and provide your name and address. Comments will be limited to three (3) minutes per person and must pertain to the item for which the public hearing is being held.

The Planning Commission Chairman may modify these procedures as needed to conduct an orderly and efficient meeting.

Call to Order

1. **Roll Call** _____ Daley _____ Berger _____ Crooks _____ Lebakken _____ Little
2. **Welcome**
3. **Pledge of Allegiance**

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

4. Approve Minutes from the June 8, 2021 Planning Commission Meeting.

Motion: _____ Second: _____ Vote: _____

Regular Agenda

5. **Declaration.** At this time Planning Commission members may declare any conflict or communication they have had that might influence their ability to impartially consider the agenda items.

Business Requiring Action

New Business

6. **HOLD A PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT APPLICATION CU2021-03 FOR ON THE GO TRAVEL CENTER LOCATED AT 32501 W 200TH STREET.**

Action Requested: Open the public hearing, receive comments regarding Application CU2021-03, and consider motion to close or continue the public hearing.

7. **CONSIDER CONDITIONAL USE PERMIT APPLICATION CU2021-03 FOR ON THE GO TRAVEL CENTER LOCATED AT 32501 W 200TH STREET.** Applicant: Moussa Sobaiti, Property Owner

Motion: _____ Second: _____ Vote: _____

8. **CONSIDER EXTENSION REQUEST FOR TEMPORARY CONSTRUCTION USE APPLICATION TU2021-05 TEMPORARY CONSTRUCTION USE FOR ROCK CRUSHING AT THE SOUTHEAST CORNER OF 199TH STREET AND HOMESTEAD LANE.** Applicant: Joshua Cooley, Agent – CY Edgerton, LLC

Motion: _____ Second: _____ Vote: _____

9. **HOLD A PUBLIC HEARING TO CONSIDER UNIFIED DEVELOPMENT CODE AMENDMENTS APPLICATION UDCA2021-01 FOR AMENDMENTS TO ARTICLE 5 SECTION 5.2(P) – L-P LOGISTICS PARK DISTRICT – SIGNAGE OF THE EDGERTON UNIFIED DEVELOPMENT CODE.**

Application: City of Edgerton

Action Requested: Open the public hearing, receive comments regarding Article 5, Section 5.2(P) of the Edgerton Unified Development Code, and consider motion to close or continue the public hearing.

10. **CONSIDER UNIFIED DEVELOPMENT CODE AMENDMENTS APPLICATION UDCA2021-01 FOR AMENDMENTS TO ARTICLE 5, SECTION 5.2(P) – L-P LOGISTICS PARK DISTRICT – SIGNAGE OF THE EDGERTON UNIFIED DEVELOPMENT CODE.** Application: City of Edgerton

Motion: _____ Second: _____ Vote: _____

11. Future Meeting Reminders

- Regular Session – August 10, 2021 at 7:00 PM
- Regular Session – September 14, 2021 at 7:00 PM

12. Adjourn

**EDGERTON CITY HALL
PLANNING COMMISSION MEETING
June 8, 2021**

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on June 8, 2021. The meeting convened when Commissioner Jeremy Little called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Charlie Crooks	present
Tim Berger	absent
Deb Lebakken	present
John Daley	absent

With a quorum present, the meeting commenced.

Staff in attendance: Development Services Director Katy Crow
 Planning and Zoning Coordinator Chris Clinton

2. **WELCOME** In the absence of a Chair or Vice-Chair, Secretary/Commissioner Little welcomed all in attendance for the meeting.
3. **PLEDGE OF ALLEGIANCE** All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Approve Minutes from the April 13, 2021 Planning Commission Meeting.

Commissioner Crooks moved to approve the consent agenda. Commissioner Lebakken seconded the motion. The consent agenda was approved, 3-0.

REGULAR AGENDA

5. DECLARATION

The Commissioners did not have anything to declare at this time.

BUSINESS REQUIRING ACTION

NEW BUSINESS

6. ELECTION OF PLANNING COMMISSION OFFICERS

Commissioner Little stated the Bylaws of the Planning Commission require an annual meeting in June of each year for the purpose of electing a Planning Commission Chair, Vice Chair, and a Secretary.

Commissioner Little inquired if there were any nominations for the Chair of the Commission. Commissioner Crooks moved to nominate Commissioner John Daley to retain the office of Chairperson. Commissioner Lebakken seconded the motion. Commissioner Daley was voted by the commissioners present to remain the Chairperson of the Commission through June 2022, 3-0.

Commissioner Little asked for any nominations for the office of Vice Chair. Commissioner Lebakken volunteered to be the Vice Chair. Commissioner Crooks moved to nominate Commissioner Lebakken as the Vice Chair of the Commission. Commissioner Little seconded the motion. Commissioner Lebakken was voted by the commissioners present to be the Vice Chair of the Commission through June 2022, 3-0.

Commissioner Lebakken nominated Commissioner Little to remain the Secretary of the Commission. The motion was seconded by Commissioner Crooks. Commissioner Little was voted by the commissioners present to remain the Secretary of the Commission through June 2022, 3-0.

7. CONSIDER REVISED FINAL SITE PLAN APPLICATION FS2021-07 FOR COLDPOINT LOGISTICS LOCATED AT 31301 W 181ST STREET.

Commissioner Little introduced Revised Final Site Plan Application FS2021-07 for ColdPoint Logistics.

Ms. Katy Crow, Development Services Director, stated this warehouse is located on the southwest corner of Waverly Road and 181st Street. She explained the Revised Final Site Plan is for the addition of a break and locker room on the west side of the existing warehouse. In order to construct the addition, part of the current employee parking area is being relocated across the private drive to the west. Ms. Crow showed the aerial view and the existing conditions of the warehouse. She said the utilities and infrastructure will not be changing with this Revised Final Site Plan.

Ms. Crow explained there are a few items City Staff documented during their review. The grading plan indicates grading crossing the property line. Ms. Crow said the applicant is to provide an agreement from the neighboring property owner which allows for the grading work to occur on the property not owned by the applicant. The applicant has acknowledged this requirement. Ms. Crow stated the handicap stalls shown in the west parking lot do not appear to match the as-built conditions and need to be revised. The proposed parking lot does not meet the parking setback of ten (10) feet and the setback needs to be noted on the Revised Final Site Plan. The applicant has stated there is to be no lighting for the proposed parking lot. If lighting is added in the future, all code requirements will need to be met. Ms. Crow said City Staff will continue to monitor the site to ensure all above ground facilities are screened from public view. The articulation requirements are met through varying paint colors and the inclusion of windows on the proposed addition. Ms. Crow said the proposed landscape meets the requirements in the Unified Development Code (UDC) and the applicant has acknowledge to meet the Diesel Emission Requirements. The City Engineer has requested an erosion control plan and a Stormwater Pollution Prevention Plan (SWPPP) be provided.

Ms. Crow said City Staff recommends approval of FS2021-07, the Revised Final Site Plan for ColdPoint Logistics with the following stipulations:

1. The City Staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan, and all else stated earlier and indicated in the Staff Report are included as stipulations as part of approval of the 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 stormwater easement and shall dedicate said stormwater 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 notation 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.

Commissioner Crooks inquired what the parking lot will be used for. Ms. Crow replied it is for employee parking. Commissioner Crooks asked if there would be a crosswalk for pedestrians. Ms. Crow answered there will be a crosswalk and sidewalk for pedestrians to use to access the building.

Commissioner Lebakken inquired where the grading crosses the property line. Mr. Patrick Cassity, Project Engineer, answered the proposed parking lot will be 10 feet from the property line and either an agreement with the neighboring property owner will be obtained or a retaining wall will be installed as the parking lot is higher than the grade of the neighboring property.

Mr. Patrick Robinson, NorthPoint, said ColdPoint is headquartered in Edgerton and many of their employees are from local cities. He stated roughly \$200,000,000 in investments have been made on this warehouse and this project is it to make the warehouse a more enjoyable work environment with a new breakroom and locker room. The addition is needed due to a boxing line installation which was needed because ColdPoint exported 1.2 billion pounds of pork, beef and chicken around the world last year.

Commissioner Crooks moved to approve Application FS2021-07, Revised Final Site Plan for ColdPoint Logistics with the stipulations outlined by City Staff. Commissioner Lebakken seconded the motion. Application FS2021-07 was approved with the stipulations, 3-0.

8. CONSIDER EXTENSION REQUEST FOR TEMPORARY CONSTRUCTION USE APPLICATION TU2021-02 TEMPORARY CONSTRUCTION USE FOR ROCK CRUSHING AT THE NORTHWEST CORNER OF 213TH STREET AND KILL CREEK ROAD.

Commissioner Little introduced the extension request.

Ms. Crow explained that on March 9, 2021, the Commission approved Application TU2021-02 to allow the temporary construction activity of rock crushing to occur on the Project Polaris site, which is the northwest corner of 213th Street and Kill Creek Road. The Commission approved the permit

for a period of four (4) months which ends on July 9, 2021. She said on May 25, 2021, Justin Haupt of Haupt Construction, the contractor for the rock crushing operation, reached out to City Staff to request an extension of the permit to August 9, 2021. Mr. Haupt cited several days of poor weather conditions, primarily the extensive rain the area has received in the past month. Mr. Haupt spoke before the Commission and stated they wish to amend their request to extend the operations to September 9, 2021. He explained the weather, scheduling conflicts, and issues with the pandemic have made it difficult to meet the expiration date of August 9, 2021. The letter requesting the extension was provided in the packet.

Commissioner Crooks moved to approve the extension of Application TU2021-02 with the following stipulations:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Commission.
2. All occupied buildings shall have access to potable water from an approved water source.
3. All signage shall be placed pursuant to applicable sign regulations in Article 12 of the UDC.
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use.
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied.
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton or other applicable chapters of City Code.
7. Off-site impacts from on-site construction related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition.
8. On-site Stormwater Management Plan shall be approved by the City prior to the disturbance of land.
9. 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.
10. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easement in a reasonable period of time.
11. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton.
12. Hours of operation shall be limited to from 7:00 AM to 3:00 PM, Monday through Saturday.
13. Holding tanks shall be used in lieu of sanitary sewer service and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code.
14. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan.
15. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
16. Applicant shall maintain a valid City of Edgerton Business License.
17. City Staff retains the ability to establish reasonable requirements for their operation.
18. All activities will be performed in compliance with Kansas Department of Health and Environment (KDHE) and the requirements of the KDHE Bureau of Air.
19. Permission for temporary construction activities is granted for a period ending September 9, 2021.

Commissioner Lebakken seconded the motion. TU2021-02 was extended, 3-0.

9. CONSIDER EXTENSION REQUEST FOR TEMPORARY CONSTRUCTION USE APPLICATION TU2021-03 TEMPORARY CONSTRUCTION USE FOR ROCK CRUSHING AT INLAND PORT 52 (IP 52) LOCATED AT 20500 CORLISS ROAD.

Commissioner Little introduced the extension request.

Ms. Crow explained on March 9, 2021, the Commission approved Application TU2021-03 to allow the temporary construction activity of rock crushing to occur on the site of IP 52, located north of 30800 W 207th Street. The Commission approved the permit for rock crushing to start March 10, 2021 and end by May 9, 2021. She said on April 29, 2021, Justin Haupt of Haupt Construction, the contractor for the rock crushing operation, reached out to City Staff to request an extension of the permit to July 9, 2021. Mr. Haupt stated his crew could not work due to weather delays due to rain on seventeen (17) of the thirty-six (36) days that crushing activities could occur. The wind also played a major role as the wind directed blasting dust toward residences and Haupt Construction was aware of those issues and delayed blasting, which further delayed crushing operations. The letter requesting the extension was provided in the packet. Mr. Haupt stated they only have a day or two left of rock crushing for this site but would appreciate the extra time to ensure all their work is completed by the expiration date.

Ms. Crow stated City Staff cannot grant the extension and the deadline for the May 2021 Commission meeting had past, City Staff reached out to Mayor Roberts to request determination of the extension. On May 8, 2021, Mayor Roberts granted an extension until this item could be heard by the Commission on June 8, 2021.

Commissioner Crooks moved to approve the extension of Application TU2021-03 with the following stipulations:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Commission.
2. All occupied buildings shall have access to potable water from an approved water source.
3. All signage shall be placed pursuant to applicable sign regulations in Article 12 of the UDC.
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use.
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied.
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton or other applicable chapters of City Code.
7. Off-site impacts from on-site construction related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition.
8. On-site Stormwater Management Plan shall be approved by the City prior to the disturbance of land.
9. 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.

10. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easement in a reasonable period of time.
11. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton.
12. Hours of operation shall be limited to from 7:00 AM to 3:00 PM, Monday through Saturday.
13. Holding tanks shall be used in lieu of sanitary sewer service and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code.
14. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan.
15. Property owner and/or general contractors shall provide a Construction Management Plan to the City.
16. Applicant shall maintain a valid City of Edgerton Business License.
17. City Staff retains the ability to establish reasonable requirements for their operation.
18. All activities will be performed in compliance with Kansas Department of Health and Environment (KDHE) and the requirements of the KDHE Bureau of Air.
19. Permission for temporary construction activities is granted for a period ending August 9, 2021.

Commissioner Lebakken seconded the motion. TU2021-03 was extended, 3-0.

10. **FUTURE MEETING**

The next Planning Commission meetings are scheduled for July 13, 2021 and August 10, 2021 at 7:00 PM.

Mayor Roberts thanked the Commission for their dedication to the community. He said everything they do benefits the community and while there are growing pains for any expanding community, he thanks them for volunteering their time to serve.

Commissioner Little inquired how people can become a Commissioner. Mayor Roberts said if somebody who want to serve their community, he will nominate them if there is an opening, and the City Council would then vote on the nomination. He said Commissioners are required to know a lot of information but City Staff does a great job of keeping the information brief yet potent. He understands sometimes the decisions are hard, but greatly appreciates their work.

11. **ADJOURNMENT**

Commissioner Lebakken moved to adjourn the meeting. Commissioner Crooks seconded the motion. The motion was approved, 3-0. The meeting was adjourned at 7:24 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator

STAFF REPORT

July 13, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **CU2021-03** request for a Conditional Use Permit for Interstate Pole Sign at 32501 W 200th Street, Edgerton, Kansas

APPLICATION INFORMATION

Applicant: Moussa Sobaiti
My Store III Inc.
14728 W 93rd Street
Lenexa, KS 66215

Property Owners: Moussa Sobaiti
My Store III Inc.
14728 W 93rd Street
Lenexa, KS 66215

Requested Action: Conditional Use Permit approval for one Interstate Pole Sign

Legal Description: *On the Go* Travel Center First Plat

Site Address/Location: 32501 W 200th Street

Site Size: Approximately 9.1 Acres

Existing Improvements: Travel Center and Truck Maintenance Facility Under Development

Current Zoning and Land Uses:

	<i>ZONING</i>	<i>LAND USE TODAY</i>	<i>USER/OWNER</i>
<i>SITE</i>	C-2, Heavy Service Commercial District	Under development for a travel center and truck maintenance facility	My Store III Inc.
<i>NORTH</i>	C-2, Heavy Service Commercial District	Agricultural	Paul and Naomi Middleton
<i>SOUTH</i>	C-2, Heavy Service Commercial District	Current use is under development for a detention basin	My Store III Inc.
<i>EAST</i>	C-2, Heavy Service Commercial District	Agricultural	My Store III Inc.
<i>WEST</i>	Interstate Right of Way and Homestead Lane	Interstate Right-of-Way	Kansas Department of Transportation and City of Edgerton

Figure 1: Subject parcel is outlined in blue. Pink indicates Heavy Service Commercial District (C-2) zoned parcels. The purple is Logistics Park (L-P) zoning. The yellow is Johnson County Residential Neighborhood 1 (RN1), defined as single family dwellings with a one-acre minimum lot size. The green indicates Johnson County RUR, defined as agricultural uses and single-family dwellings with a ten-acre minimum lot size. The light gray and tan adjacent to 199th, Interstate-35 and Homestead are dedicated right-of-ways.

Figure 1

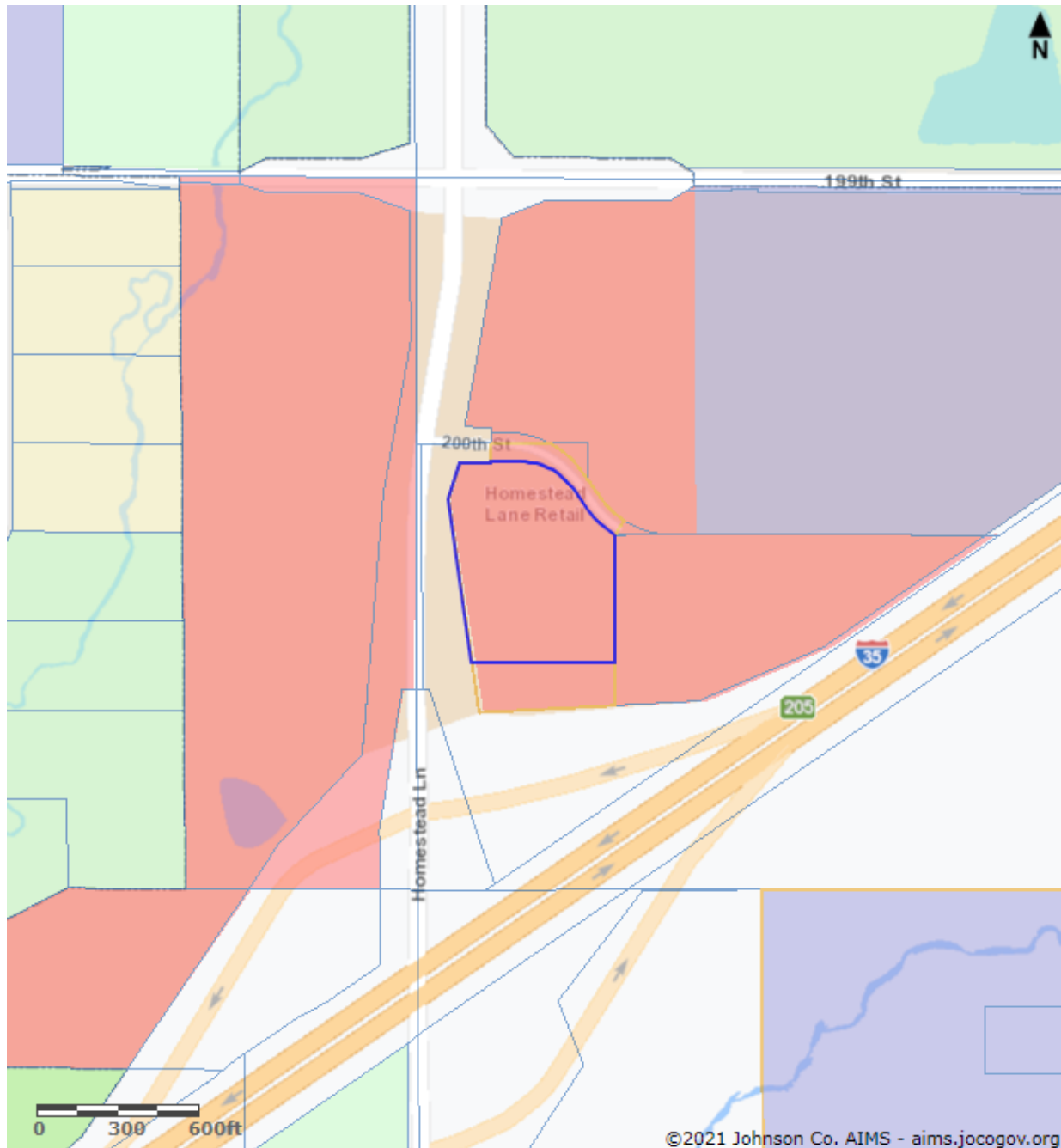


Figure 2: Subject parcel is outlined in Red. Nearby structures are shown in this figure. Aerial imagery on Johnson County AIMS does not reflect the Travel Plaza that is currently under construction on the parcel.

Figure 2



BACKGROUND AND PROJECT DESCRIPTION:

This parcel contains *On the Go Travel Plaza* approved Final Site Plan FS2019-04. The *On the Go Travel Plaza* project is currently under construction and will contain a travel center, restaurants, fueling stations for vehicles and trucks, and a truck maintenance facility. A Revised Final Site Plan was approved on March 9, 2021 which reflected updates to the initial Final Site Plan approved on August 13, 2019.

On March 9, 2021, the Planning Commission held a public hearing and recommended approval of application CU2021-01 for a Conditional Use Permit application for an Interstate Pole Sign. The Governing Body approved the Planning Commission's recommendation (Ordinance No. 2068) on April 8, 2021.

On June 7, 2021, City Staff received a new Conditional Use Permit application which proposed a new location proposed for the pole sign. The sign has been relocated out of the detention basin area and onto the paved surface adjacent to the parking lot. The applicant has indicated that the sign needs an access road so maintenance can be performed on the sign. The height of the sign has been changed to comply with the requirements outlined below. The sign display will remain the same. **The only changes made in Application CU2021-03 compared to Conditional Use Permit CU2021-01 is the height and location.**

The proposed sign is to have space for the businesses located onsite including fuel partner, Phillips 66, and the tenant of the travel center, TA Express, restaurant tenants and truck services. The applicant has also indicated a digital display area which will reflect gasoline and diesel prices. The sign will be double faced and internally illuminated. The height of the proposed sign is seventy-seven (77) feet from the grade where the pole is located. The sign will be supported by a single telescoping pipe.

EXISTING CONDITIONS POLE SIGN LOCATION



HOMESTEAD LANE CENTER LANE LOOKING EAST



HOMESTEAD LANE CENTER LANE LOOKING WEST



INFRASTRUCTURE AND SERVICES:

The subject parcel is located within the limits of the City. Site development is ongoing as the project moves towards completion. The only utility that would be required for this project would be electrical, which will be supplied by Evergy, and all infrastructure would be installed by the developer and applicant. This project is within the *On the Go* Tax Increment Financing (TIF) District and part of a Community Improvement District (CID).

STAFF ANALYSIS

City Staff reviewed the Site Plan and Sign Design to Article 7 – *Conditional Uses* and Article 12 – *Sign Regulations* of the Unified Development Code (UDC).

The purpose of this article is to provide for certain uses, which because of their unique characteristics cannot be distinctly listed as a permitted use in a particular zoning district. The Planning Commission may recommend approval of conditional uses to the Governing Body after consideration in each case, of the impact of such uses upon neighboring uses, the surrounding area, and the public need for the particular use at the particular location. Limitations and standards are herein established to ensure the use's consistency with the character, uses and activities in the zoning district. Before any conditional use shall be approved, the Governing Body shall review the record of the public hearing held by the Planning Commission.

The Planning Commission, in accordance with the procedures and standards of the UDC, may recommend the Governing Body authorize buildings, structures, and uses as conditional uses in specific instances and in particular districts set forth provided that:

- a. the location is appropriate and consistent with the Comprehensive Plan;
- b. that the public health, safety, morals, and general welfare will not be adversely affected;
- c. the necessary safeguards will be provided to surrounding property, persons, and neighborhood values; and
- d. further provide that additional standards of this Article be specified as a condition of approval.

No Conditional Use shall be authorized unless the Planning Commission finds that the establishment, maintenance, or operation of the Conditional Use meets the standards set forth in the UDC. The burden of proof and the burden of persuasion is on the applicant to bring forth the evidence on all questions of fact that are determined by the Planning Commission.

Section 7.1.C Issuance of Conditional Uses

1. **Criteria.** In order to recommend approval or disapproval of a proposed conditional use permit, both the Planning Commission and the Governing Body shall determine whether the proposed use is found to be generally compatible with surrounding development and is in the best interest of the City. In making such determination, the Planning Commission and Governing Body may consider all factors they deem relevant to the questions of compatibility and the best interest of the City, including the following:
 - a. The extent to which there is a need in the community for the proposed use. The recently approved travel center at the Homestead Lane exit is currently under construction. Having signage adjacent to the interstate can help direct travelers to businesses established within the Edgerton city limits and to a much needed ancillary service to travelers. Staff determination: **Positive**

- b. The character of the neighborhood, including but not limited to zoning, existing and approved land use, platting, density (residential), natural features, and open space. The location of the Interstate Pole Sign is on a parcel of land which borders I-35. The adjacent parcels are zoned C-2 or are designated interstate right-of-way. The next closest parcels are either across Homestead Lane, a four-lane divided roadway, or across I-35. The closest residentially zoned parcel property line is over 990 feet to the west from the *On the Go* northern parcel boundary. Because the pole sign will be located at the south end of the *On the Go* parcel, the distance from the pole sign to a residence is even greater. There are no restrictions posed by the neighboring area. Staff determination: **Positive**
- c. The nature and intensity of the proposed use and its compatibility with the zoning and uses of nearby properties. Such determination should include the location, nature, and height of structures, walls, fences, and other improvements connected with the proposed use, their relation to adjacent property and uses, and the need for buffering and screening. The immediate property to the west is interstate right of way and an actual interstate highway, I-35. There are no other structures, other than the travel plaza itself, near the Interstate Pole Sign. Those businesses are the ones that this Interstate Pole Sign would contain advertising for. Staff determination: **Positive**
- d. Suitability of the uses of the property without the proposed conditional use permit. The parcel is zoned C-2. In the current UDC, Article 4 – *Commercial Zoning Districts*, several permitted uses are allowed – all seventy-two (72) uses allowed in C-1 zoning districts, plus eight (8) additional C-2 specific uses. There are also four Conditional Uses allowed. One of the Conditional Uses is the installation of an Interstate Pole Sign. Staff determination: **Positive**
- e. Length of time the subject property has remained vacant without the proposed conditional use permit. Per the Johnson County AIMS system, the parcel was used as a residential property. The residential structure was demolished between 2014 and 2015 and has been vacant since that time. The Conditional Use Permit for the sign will help draw attention to the development on the property. Staff determination: **Positive**
- f. The extent to which the proposed use may detrimentally affect nearby property. This sign will help bring attention to businesses and operations within the City. These businesses in turn will provide a much-needed service to travelers along the I-35 corridor and to employees, vendors, and truck drivers traveling to Logistics Park Kansas City. The closest adjacent properties all contain the same C-2 zoning designation. The nearby properties are not affected detrimentally by the Interstate Pole Sign. Staff determination: **Positive**
- g. The adequacy of ingress and egress to and within the site of the proposed use, traffic flow and control, the adequacy of off-street parking and loading areas, the adequacy of required yard and open space requirements and sign provisions. The proposed location of the sign is in the southwest corner of the development. The location will not hinder any parking or traffic flow on the development. City Staff has reviewed the requirements set forth in the UDC outlined below. Staff determination: **Positive**
- h. The availability and adequacy of required utilities and services to serve the proposed use. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services. The only utility this Conditional Use Permit would require is electrical

for possible lighting. Every provides service to the parcel. Staff determination: **Positive**

- i. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the proposed use, or present parking problems in the vicinity of the property. The Interstate Pole Sign is out of any adjacent roadway and does not hinder the use of the parking. Staff determination: **Positive**
- j. The environmental impacts that the proposed use would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm. The only environmental impact related to the signage could potentially be excessive nighttime lighting. Even if approval is granted for a Conditional Use Permit on this site, any and all signage must still comply with the adopted sign code in Article 12 of the UDC. City Staff will monitor the site and any complaints received by City Staff will be addressed. Staff determination: **Neutral**
- k. The economic impact of the proposed use on the community. As was stated previously, the Interstate Pole Sign would be utilized to attract travelers along the I-35 corridor to the businesses located at this site. Additionally, the services provided by this development will provide a much need amenity for both the residents of Edgerton and the employees at LPKC. The businesses located in this development are part of both a Community Improvement District and a TIF District. Revenues received through sales generated at these businesses will provide a positive tax benefit to the City of Edgerton. Staff determination: **Positive**
- l. The relative gain (if any) to the public health, safety, and welfare from a denial of the application for conditional use permit as compared to the hardship imposed upon the conditional use applicant from such denial. There would be no gain to public health, safety, and welfare from denial. However, a denial of this permit would be detrimental to the development and its ability to attract business. Staff determination: **Neutral**
- m. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton, and the general safety, health, comfort, and general welfare of the community. The UDC only allows Interstate Pole Signs to be located on properties that are near an interstate and properly zoned. This application is for a parcel that abuts interstate right-of-way and has the correct zoning for an Interstate Pole Sign. This permit is consistent with the current zoning under the UDC. Staff determination: **Positive**
- n. In addition to the above criteria, the recommendation of professional staff is also required per Ordinance 798 (2005). Staff recommendation is addressed in the Recommendations Section of this Staff Report.

Section 7.2.D – Specific District Requirements for C-2, Heavy Service Commercial District

1. Interstate Pole Sign. Applicant must provide the following details in submission materials:
 - a. The use of the proposed Development. ***The requested pole sign is to advertise the businesses/services located at the On the Go Travel Plaza located on the adjacent parcel to the north. Requirement to provide met.***
 - b. The height of the proposed principal building. ***Applicant indicates the height of the principal building is 20'6". Requirement to provide met.***
 - c. The surrounding land uses and zoning districts. ***Applicant has provided land***

uses and zoning designations of neighboring properties. See Figure 1 on page 2 of the Staff Report for zoning designations. Requirement to provide met.

- d. The relationship to the Interstate (the property where the Interstate Pole Sign is to be placed must have 50% of the site within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an interstate). ***Parcel borders Interstate 35 right-of-way. Requirement met.***
- e. The elevation of the site in relationship to the elevation of the finished grade of adjacent city roadway. ***The elevation of the finished grade of the adjacent roadway is 1020 feet and the elevation of the sign is 1003 feet. Requirement to provide met.***
- f. The proposed height and signable area of the pole sign. ***Applicant has indicated the proposed pole sign will be 77' from finished grade in height. Requirement to provide met.***
- g. The applicant shall provide a line of sight drawing which includes evaluation of natural land grade and highway curvature for sign placement. Line of sight vantage should be shown at ½ mile and 1-mile distance from both directions. ***Applicant has provided line of sight drawings.***
- h. All requirements noted in Article 12 in the UDC related to size, height, number of signs, landscaping, etc. must be met by the proposed pole sign application. ***See staff review comments below.***

Table 12-3 Signs Permitted in Commercial Districts – CD, C-1, C-2, C-3

- 1. 900 square feet in area per sign side which include total of all sign faces; may be single or double sided. *Total area of all of the proposed signs is 872 square feet. Sign meets requirements.*
- 2. Sixty (60) feet above finished grade of adjacent city roadway to a maximum height of 100 feet. *The applicant indicates the grade of the centerline of Homestead Lane is 1020' and the finished grade of the sign is 1003' with a height of seventy-seven (77) feet. The height of the sign would be sixty (60) feet above the existing grade of Homestead Lane (1003' + 77' - 1020' = 60'). Sign meets requirements.*
- 3. Thirty (30) feet setback from property lines. *Applicant has shown the sign being twenty-four (24) feet from the end of the parking lot and the parking lot meets the ten-foot parking setback from the property line. Sign meets requirements.*
- 4. Sign permit is required. ***Applicant acknowledges.***
- 5. Internal illumination only. *Applicant indicates signs are to be internally illuminated pylon signs with gas prices. Sign meets requirements.*
- 6. Allowed in C-2/C-3 District only and also requires a conditional use permit. *Parcel is zoned C-2, and this application is for a conditional use permit. Sign meets requirements.*
- 7. May contain a changeable copy sign. *Applicant indicates the gas pricing sign for diesel will flash with a cash price. Sign meets requirements.*
- 8. No flashing, intermittent or moving lights; LED signs must display image for at least eight (8) seconds. *The Applicant has stated that the flashing cash price will be disabled. Sign meets requirements.*
- 9. Allowed if a minimum of half (50%) of the site is within 800 feet of the centerline or 500 feet of the right-of-way, whichever is less, of an Interstate. *The subject parcel borders I-35 right-of-way. Sign meets requirements.*
- 10. May only be placed on premise. *The sign location is on the same lot of the development the signs are advertising. Sign meets requirements.*

RECOMMENDATION

Based upon the above staff analysis, City staff recommends **approval** of Application **CU2021-03** for the Interstate Pole Sign as shown on the attached site plan for a period of ten (10) years with the following stipulations:

1. The staff recommendations and comments noted related to any requirements for the sign and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Conditional Use Permit;
2. Installation of the Interstate Pole Sign must follow all City of Edgerton building code requirements including a building permit application, plans review and contractor licensing.
3. The Interstate Pole Sign must be kept in good condition and should repairs be required, repaired in accordance with the time frame of the City of Edgerton UDC in effect at the time the repair is needed. Failure to properly maintain the Interstate Pole Sign shall be cause for revocation of the Conditional Use Permit(s);
4. Any major modifications to the Interstate Pole Sign, as defined by City Staff, will render Conditional Use Permit **CU2021-03** null and void. Should the Conditional Use Permit be determined to be null and void, the Interstate Pole Sign would then need to be removed within 60 days after notification to the property owner by the City;
5. This Conditional Use Permit shall be valid for ten (10) years from date of approval by the City of Edgerton Governing Body, regardless of ownership;
6. Should the Conditional Use Permit not be renewed and approved by the Governing Body prior to their expiration date, then the Interstate Pole Sign will be considered non-compliant with the UDC and will be required to be removed within 60 days of written notification to the property owner by the City.
7. Upon approval of application **CU2021-03**, permit CU2021-01 would be considered null and void.

ATTACHMENTS

- Application CU2021-03
- Sign Design
- Site Plan with Elevations



Please print or type.

PROPERTY INFORMATIONRequesting Conditional Use Permit For: On The Go Travel Center - Highway Pole SignLocation or Address of Subject Property: 32501 W 200th Street, Edgerton, KSLegal Description: Lot 1, On The Go Travel Center First Plat, a subdivision of land in the City of Edgerton, Johnson County, KansasZoning on Subject Property: C-2 Current Land Use: Commercial**PROPERTY OWNER INFORMATION**Property Owner's Name(s): Moussa Sobaiti Phone: (831) 905-1377Company: My Store III Inc Fax: moussasobaiti@hotmail.comMailing Address: 14728 W 93rd StreetCity: Lenexa State: KS Zip: 66215**APPLICANT/AGENT INFORMATION**Applicant/Agent's Name(s): Moussa Sobaiti Phone: (831) 905-1377Company: My Store III Inc Fax: moussasobaiti@hotmail.comMailing Address: 14728 W 93rd StreetCity: Lenexa State: KS Zip: 66215**ENGINEER/ARCHITECT INFORMATION**Engineer/Architect's Name(s): Judd D. Claussen, P.E. Phone: 913.393.1155Company: Phelps Engineering, Inc Fax: jclaussen@phelpsengineering.comMailing Address: 1270 N WinchesterCity: Olathe State: KS Zip: 66061**SIGNATURE**Signature of Owner or Agent: 

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

FOR OFFICE USE ONLYCase No.: CU- 2021-03Amount of Fee Paid: \$ 1,000 Rec# 60630Date Fee Paid: 6/7/2021Received By: Veronica HuffmanDate of Hearing: 7/13/2021



June 7, 2021

City of Edgerton
404 East Nelson
Edgerton, KS 66021

Re: CUP Application
Hi-Rise Sign at On The Go Travel Center

The proposed interstate pole sign meets all requirements of the Edgerton City Code including specific requirements outlined in Article 7 and Article 12 as outlined below.

1. Interstate Pole Sign. Applicant must provide the following details in submission materials:
 - a. The use of the proposed development.
The proposed use of the development is a convenience store with fuel for cars and trucks including a truck wash and a restaurant tenant with a drive thru.
 - b. The height of the proposed principal building.
Refer to architectural elevations included with the revised final site plan which indicates 20'-6".
 - c. The surrounding land uses and zoning districts.
Refer to the site plan which indicates surrounding zoning and land uses (right of way and C-2 undeveloped land).
 - d. The relationship to the Interstate (the property where the interstate pole sign is to be placed must have 50% of the site within 800 feet of the centerline or 500 feet of the right of way (whichever is less) of an Interstate);
See included overall site plan and line of site plans provided.
 - e. The elevation of the site in relationship to the elevation of the finished grade of adjacent city roadway.
Elevations provided on overall site plan in relationship to the adjacent roadway.
 - f. The proposed height and signable area of the pole sign.
See included color sign drawings with the height included.
 - g. The applicant shall provide a line of sight drawing which includes evaluation of natural land grade and highway curvature for sign placement. Line of sight vantage should be shown at ½ mile and 1-mile distances from both directions.
See included line of sight drawings.

PHELPS ENGINEERING, INC.

1270 N. Winchester – Olathe, Kansas 66061 – (913) 393-1155 – Fax (913) 393-1166 – www.phelpsengineering.com

- h. All requirements noted in Article 12 in the UDC related to size, height, number of signs, landscaping, etc. must be met by the proposed pole sign application.

Article 12 information is as follows:

Interstate Pole Sign	Permanent	900 sq. ft. in area per sign side which includes total of all individual sign faces; may be single or double sided.	60 ft. above finished grade of adjacent city roadway to a maximum height of 100 ft.	1	30 ft. setback from property lines.	Yes; Conditional Use Permit also required	Internal illumination only; see notes for changeable copy illumination.	<p>Allowed in C-2/C-3 District only and also requires a conditional use permit;</p> <p>May contain a changeable copy sign;</p> <p>No flashing, intermittent or moving lights; LED signs must display image for at least 8 seconds;</p> <p>Changeable copy content and logo are used to calculate total sq. ft. when calculating maximum sq. ft. per sign side;</p> <p>Allowed if a minimum of 50% of the site is within 800 ft. of the centerline or 500 ft. of the right of way (whichever is less) of an Interstate.</p> <p>May only be placed on premise.</p>
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See included site plan and color sign drawings which meet all requirements listed above.

Sincerely,

Phelps Engineering, Inc.

Daniel Finn, P.E.

PHELPS ENGINEERING, INC.

1270 N. Winchester – Olathe, Kansas 66061 – (913) 393-1155 – Fax (913) 393-1166 – www.phelpsengineering.com



NOTE: This signed affidavit is to be returned by the Thursday before the scheduled hearing.

Application No.: CU- 2021-03

I, Judd D. Claussen, P.E. of lawful age being first duly sworn upon oath, state:

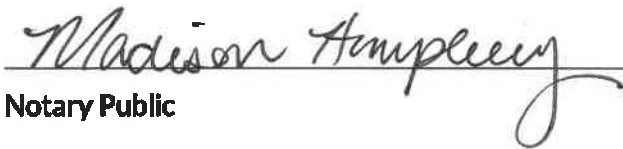
That I am the agent (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 22nd day of June, 2021.



Signature of Agent, Owner, or Attorney

Subscribed and sworn to before me this 8th day of July, 2021.



Notary Public

My Commission Expires:

05/04/2025

(SEAL)



Case No.: CU- CU2021-03

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton City Hall, 404 E. Nelson St., Edgerton, Kansas, to consider a Conditional Use Permit request for Interstate Pole Sign on the following described tract of land:

Legal Description: Lot 1, ON THE GO TRAVEL CENTER FIRST PLAT, a subdivision of land in the City of
Edgerton, Johnson County, Kansas

General Location: Northeast corner of Interstate 35 and Homestead Road.

General property address is 32501 W 200th Street, Edgerton, KS

A public hearing will be held to consider the Conditional Use Permit request on the above-described tract at 7:00 p.m. on Tuesday, July 13, 20 21. Any interested persons or property owners are invited to attend. Information regarding this Conditional Use Permit request is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this Conditional Use Permit request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If a valid protest petition is received from twenty (20) percent of the property owners within the notification area, a three-quarters ($\frac{3}{4}$) vote of the Governing Body is required to approve this Conditional Use Permit request.

Copies of the protest petition are available in the office of the City Clerk.

Respectfully,

Judd Claussen, P.E., Phelps Engineering, Agent for the property owner

Applicant (or Owner or Agent) email: jclaussen@phelpsengineering.com

Mailing Address: 1270 N Winchester

City: Olathe State: KS Zip: 66061

STATE OF KANSAS
JOHNSON COUNTY, SS

Brandon Humble, being first duly sworn, deposes and says: That he is the editor of **THE GARDNER NEWS** A weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas and that said newspaper is a bi-weekly published at least weekly, 52 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office in Gardner, Kansas in said county as second class matter.

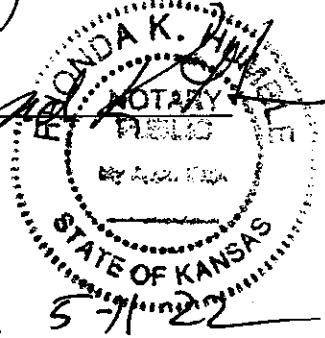
That the attached notice is a true copy there of and was published in the regular and entire issue of said newspaper for 1 consecutive weeks(s),

The first publication there of being made as aforesaid on June 23, 2021
Publications being made on the following :

EDITOR 

SUBSCRIBED AND SWORN TO ME THIS : Jun 23, 2021

NOTARY PUBLIC 



MY COMMISSION EXPIRES 5-11-22

COST-----

ADDITIONAL COPIES-----

IN THE DISTRICT COURT OF JOHNSON, COUNTY KANSAS-----

The within Proof Of Publication approved

-----JUDGE

Public Notice

First published in *The Gardner News* Wednesday, June 23, 2021

CITY OF EDGERTON, KANSAS NOTICE OF HEARING FOR CONDI- TIONAL USE PERMIT

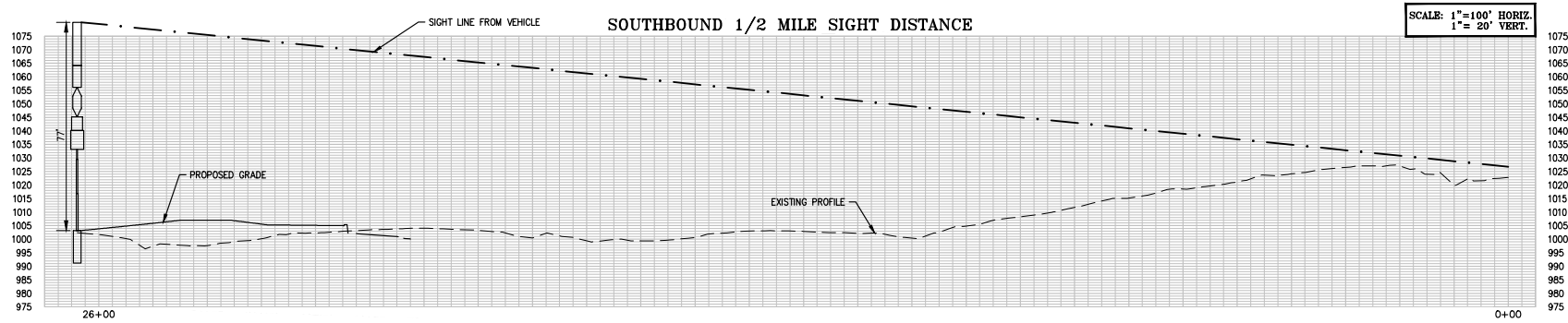
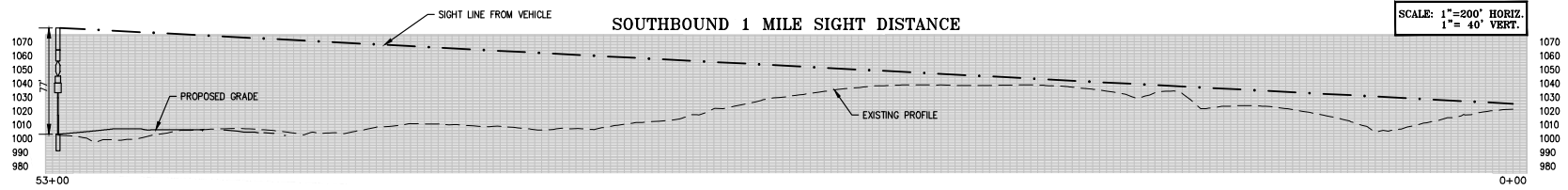
Case No.: CU2021-03

Notice is hereby given that the Planning Commission of the City of Edgerton, Kansas, will hold a Public Hearing at their regularly scheduled meeting on Tuesday, July 13, 2021 at the Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas at 7:00 p.m. at which time and place the public may be heard in regards to the Conditional Use Permit of the following described real property situated in the

City of Edgerton, Johnson County, Kansas to wit:
Judd Claussen, applicant representative, for the property located at 32501 W 200th Street requests approval for a Conditional Use Permit for one Interstate Pole Sign on the following real property, as noted and described:

On The Go Travel Center First Plat.
Dated this 23rd day of June, 2021.
John Daley, Chairperson
Edgerton Planning Commission
City of Edgerton, P.O. Box 255, 404 E.
Nelson St., Edgerton, KS 66021

\\V:\P\25-3878\1\Drawings\1\25030301.dwg (P:\25030301.dwg) 06/07/2021 10:43:00 AM 10/10/2021 10:43:00 AM 10/10/2021 10:43:00 AM 10/10/2021 10:43:00 AM



PAUL J. HARRINGTON, INC.
PAUL J. HARRINGTON
KANSAS PROFESSIONAL ENGINEER
No. 06/07/21
www.pjharrington.com

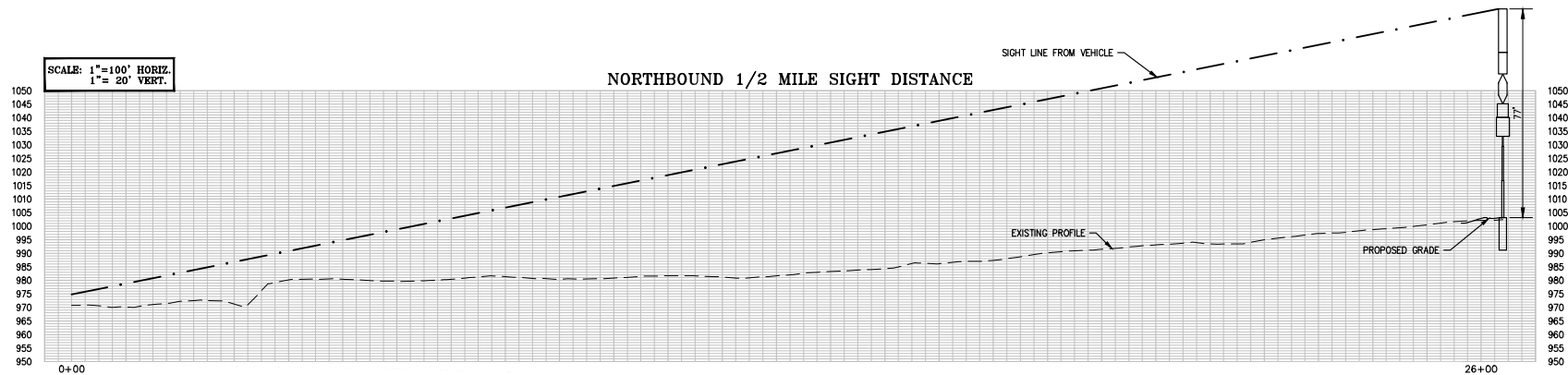


SIGN SIGHT DISTANCES - SOUTHBOUND
ON THE GO-TRAVEL CENTER-RESTAURANT EXPANSION
I-35 AND HOMESTEAD LANE
EDGERTON, JOHNSON COUNTY, KANSAS

DATE	BY	REVISION
06/07/21	JPH	1.0
06/07/21	JPH	1.1
06/07/21	JPH	1.2
06/07/21	JPH	1.3
06/07/21	JPH	1.4
06/07/21	JPH	1.5
06/07/21	JPH	1.6
06/07/21	JPH	1.7
06/07/21	JPH	1.8
06/07/21	JPH	1.9
06/07/21	JPH	2.0

SHEET
C2.1

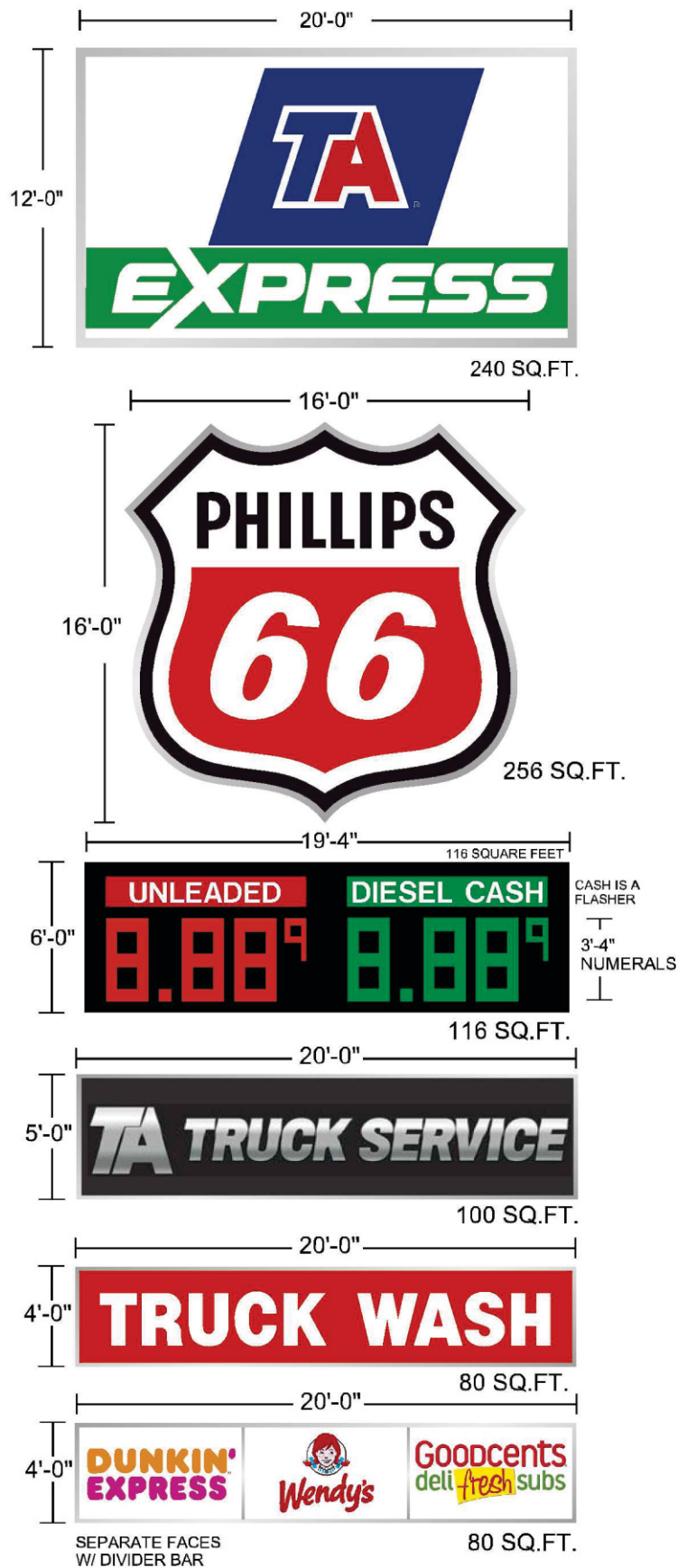






SIGN SPECIFICATIONS:

ONE, DOUBLE FACE, INTERNALLY ILLUMINATED PYLON SIGN WITH GAS PRICER.



FILE NAME	TAEXPRESSDR12021.PLT	DATE	1.21.21	% ALLOWED	N/A
ACCOUNT	TA EXPRESS	SCALE	ABOVE	BLDG SQ FT	
ADDRESS	32501 W. 200TH TERRACE	SALESPERSON	ROBIN D'ANGELO	SQ FT ALLOWED	900
	EDGERTON, KS.	DESIGNER	JAY JENSEN	SIGN SQUARE FT	872
		FONT	CUSTOM		

CUSTOMER INFORMATION

REQUIRED POWER SOURCE
PROVIDED BY CUSTOMER
FOR FINAL CONNECTION.

ANY ROOF MEMBRANE
PENETRATION BY OTHERS.

NOTES:
STRUCTURAL BLOCKING BEHIND WALL FOR MOUNTING
MUST BE SUFFICIENT FOR INSTALLATION.

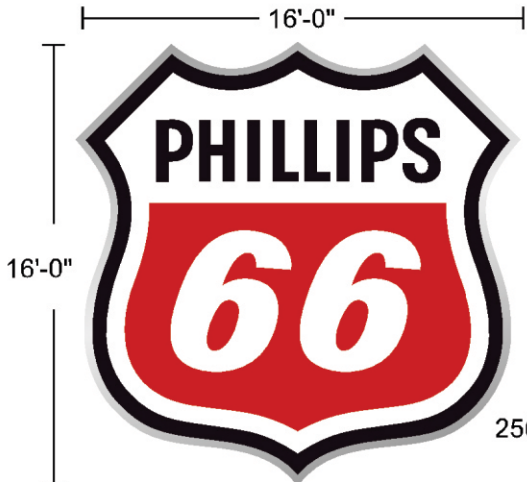
NECESSARY ACCESS MUST BE MADE AVAILABLE
INSIDE FOR INSTALLATION/WIRING.

"THIS ORIGINAL DESIGN AND ALL INFORMATION CONTAINED THEREON
IS THE PROPERTY OF KC SIGN EXPRESS, INC. AND ITS USE IN ANY WAY
OTHER THAN AS AUTHORIZED IS EXPRESSLY FORBIDDEN.
THIS DRAWING IS SUBJECT TO RETURN ON DEMAND."



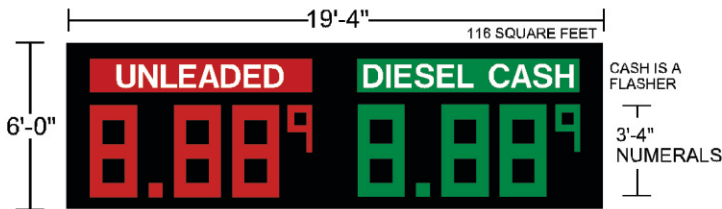
240 SQ.FT.

ONE DOUBLE FACE, INTERNALLY ILLUMINATED CABINET SIGN.
FACES: HIGH RESOLUTION GRAPHICS PRINTED
ON WHITE PANAFLEX.
CABINET: PAINTED BRUSHED ALUMINUM.



256 SQ.FT.

SHIP-IN ONE, DOUBLE FACE CABINET



116 SQUARE FEET

116 SQ.FT.

SHIP-IN TWO, SINGLE FACE PRICE SIGNS



100 SQ.FT.

TWO, SINGLE FACE, INTERNALLY ILLUMINATED CABINET SIGNS.
FACES: WHITE POLYCARBONATE
GRAPHICS: HIGH RESOLUTION TRANSLUCENT DIGITAL PRINTS ON VINYL.
CUSTOMER TO PROVIDE VECTOR OR HIGH RESOLUTION ART FILE.
CABINET: PAINTED BRUSHED ALUMINUM.



80 SQ.FT.

TWO, SINGLE FACE, INTERNALLY ILLUMINATED CABINET SIGNS.
FACES: WHITE POLYCARBONATE
GRAPHICS: HIGH RESOLUTION TRANSLUCENT DIGITAL PRINTS ON VINYL.
CABINET: PAINTED BRUSHED ALUMINUM.



SEPARATE FACES
W/ DIVIDER BAR

80 SQ.FT.

TWO SINGLE FACE, INTERNALLY ILLUMINATED CABINET SIGNS.
ALL INDIVIDUAL FACES, SEPARATED BY DIVIDER BARS.
FACES: WHITE POLYCARBONATE.
GRAPHICS: TRANSLUCENT VINYL PER CUSTOMER PROVIDED COLORS.
CABINETS: PAINTED BRUSHED ALUMINUM



FILE NAME	TAEXPRESSPYLONSPECSDR.PLT	DATE	1.21.21	% ALLOWED	N/A
ACCOUNT	TA EXPRESS	SCALE	ABOVE	BLDG SQ FT	
ADDRESS	32501 W. 200TH TERRACE	SALESPERSON	ROBIN D'ANGELO	SQ FT ALLOWED	900
	EDGERTON, KS.	DESIGNER	JAY JENSEN	SIGN SQUARE FT	872
		FONT	CUSTOM		

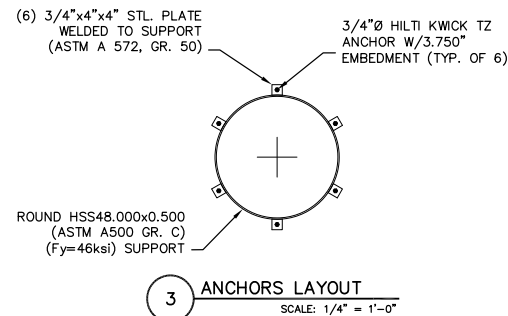
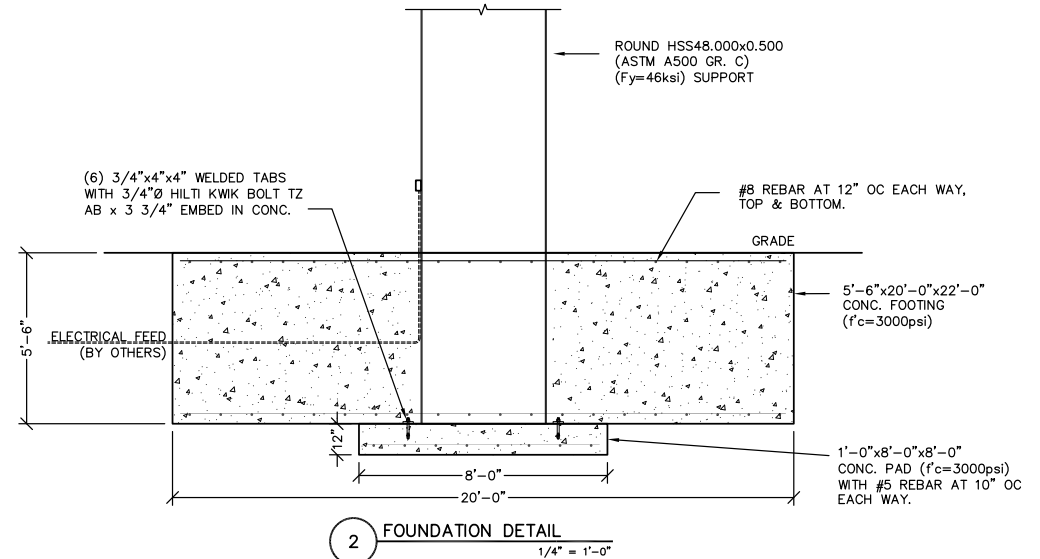
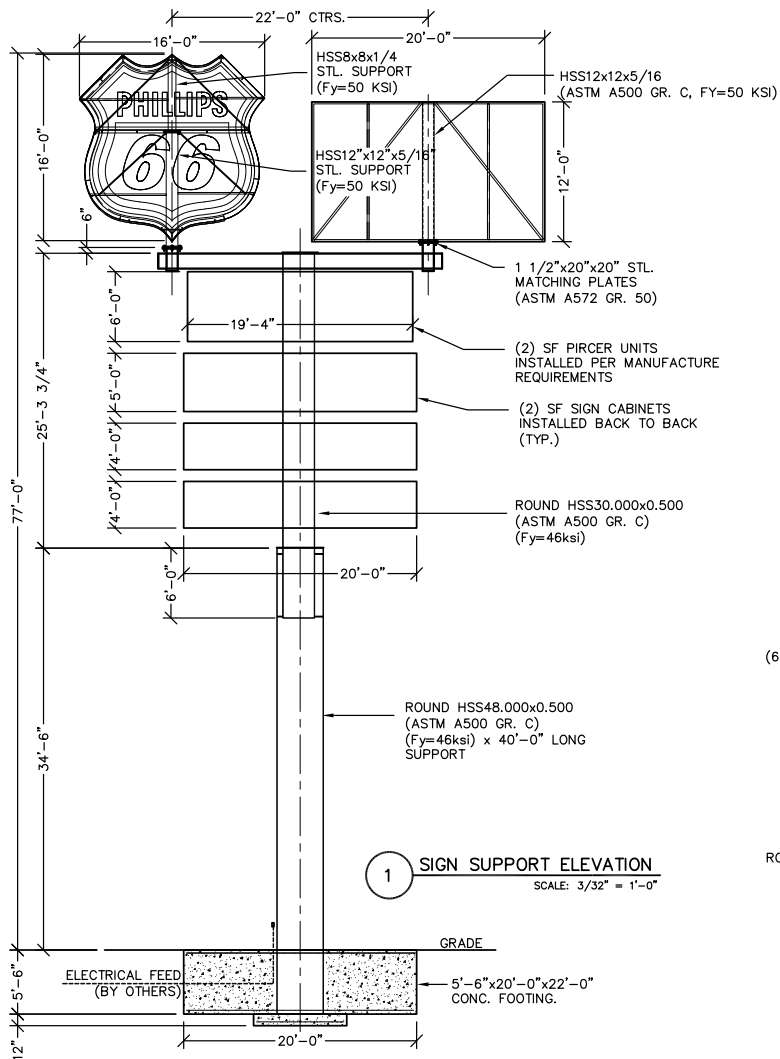
CUSTOMER INFORMATION

REQUIRED POWER SOURCE
PROVIDED BY CUSTOMER
FOR FINAL CONNECTION.

ANY ROOF MEMBRANE
PENETRATION BY OTHERS.

NOTES:
STRUCTURAL BLOCKING BEHIND WALL FOR MOUNTING
MUST BE SUFFICIENT FOR INSTALLATION.
NECESSARY ACCESS MUST BE MADE AVAILABLE
INSIDE FOR INSTALLATION/WIRING.

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OTHER THAN AS AUTHORIZED IS EXPRESSLY FORBIDDEN.
THIS DRAWING IS SUBJECT TO RETURN ON DEMAND."



INSTALL SEQUENCE:

1. SET 48"Ø AND 30"Ø SUPPORT PIPES.
2. SLIDE PRICE CHANGE AND TENANT FRAMES OVER 36"Ø SUPPORT AND SET WITHOUT SF CABINETS, TO PROTECT FACES FROM WELDING OF TORSION BAR.
3. SET HSS16"x16" TORSION BAR W/ CABINET SUPPORTS AND MATCH PLATES.
4. SET "PHILLIPS 66" CABINET TO MATCH PLATE.
5. SET "TA EXPRESS" CABINET TO MATCH PLATE.
6. BOLT ON SF TENANT CABINETS.

GENERAL NOTES:

1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON JOB SITE.
2. STRUCTURAL STEEL SHAPES AND PLATES SHALL CONFORM TO NOTED SPECIFICATIONS.
3. WELDING SHALL CONFORM TO AWS D 1.1 & AISC SPECS.
4. ALL WELDING TO BE PERFORMED BY CERTIFIED WELDER.
5. ISOLATE ALUMINUM FROM STEEL.
6. ALL BOLT HOLES TO BE DRILLED OR PUNCHED.
7. ALL ELECTRICAL WORK TO CONFORM TO THE REQUIREMENTS OF UL48 AND SECTION 600 OF NEC.
8. UL AND DATA LABELS REQUIRED.
9. SIGNS TO BE 6'-FT HORIZONTAL & 12'-FT VERTICAL FROM HIGH VOLTAGE WIRES.
10. CONCRETE TO HAVE F'C=3000 PSI MIN. @ 28 DAYS.
12. DESIGN IS BASED ON 115 MPH WIND, 3-SEC GUST, EXPOSURE C, ASCE 7-10.

FEDERAL
HEATH
VISUAL COMMUNICATIONS
4602 NORTH AVENUE, OCEANSIDE, CA. 92056
(760) 941-0715

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ART DESIGN REFERENCE #22-12834-20-R

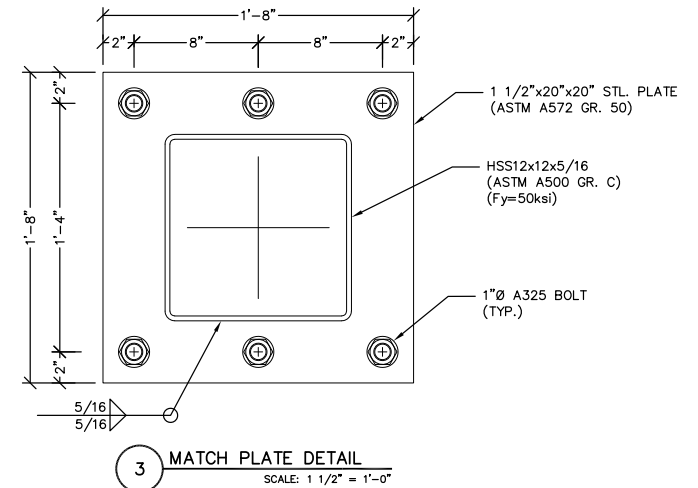
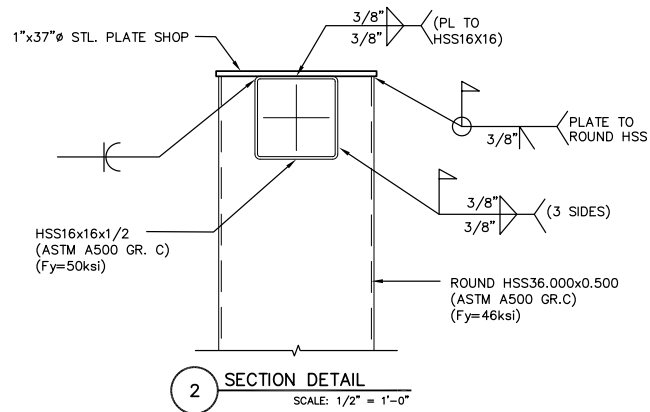
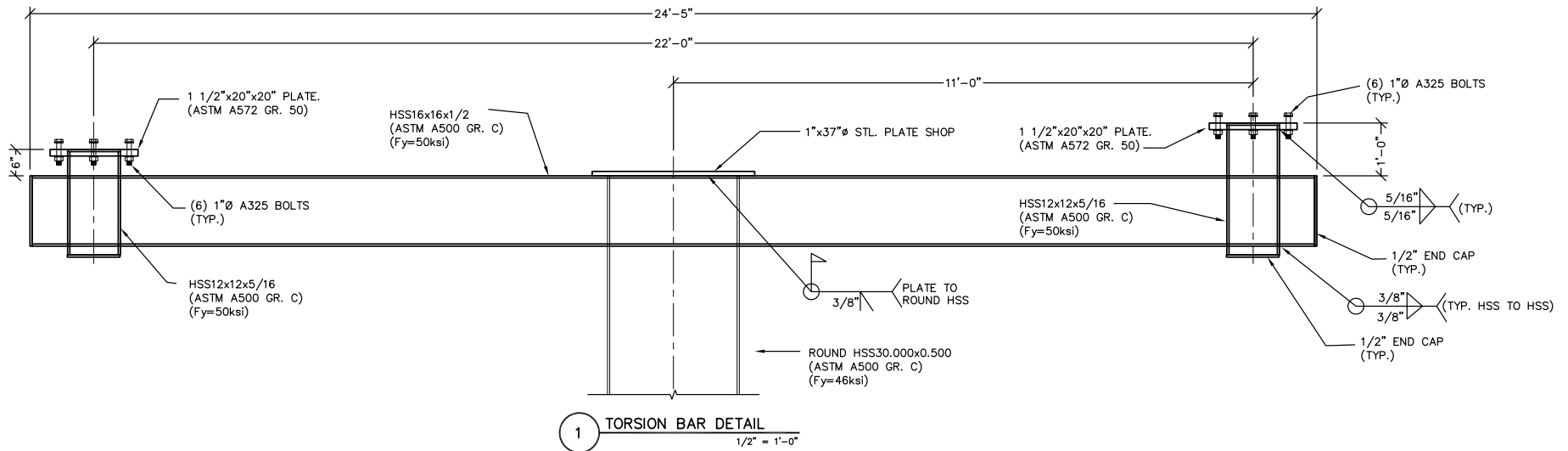
NO.	REVISIONS	DATE	BY
1	DAH REDUCED TO 77'-0"	05/24/21	SF
2			
3			
4			
5			
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7			
8			
9			
10			
11			
12			



199TH AND HOMESTEAD 135
EDGERTON, KS 66021

CONOCO (83FT PYLON) EDGERTON KS #22-12834-20 REV-A.dwg

DESIGN NO: S-0302621A	PROJECT MGR.: N. LACY	SHEET NO: S-1
DRAWN BY: SF/DD	DATE: 3/11/21	OF: 7
JOB NO: 22-12834-20		

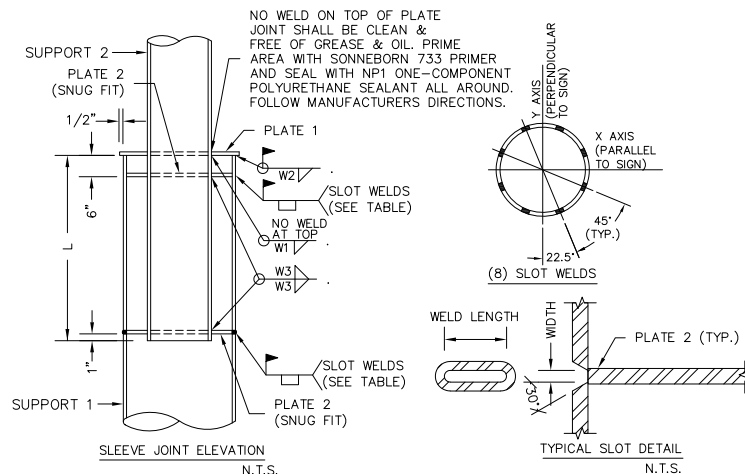


NO.	REVISIONS	DATE	BY
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10			



DESIGN NO: S-0302621A	PROJECT MGR.: N. LACY
DRAWN BY: SF/DD	DATE: 3/11/21
JOB NO: 22-12834-20	

SHEET NO: S-2
OF: 7



SUPPORT 1	SUPPORT 2	"L"	PLATE 1	PLATE 2	W1	W2	W3	SLOT WELD
48.00"x.500"	30.00"x.500"	6'-0"	1.50"	1.50"	5/16	5/16	5/16	8 @ 3/4"x3"

1

SUPPORT SPLICE DETAIL

SCALE: 1/4" = 1'-0"



VISUAL COMMUNICATIONS
4602 NORTH AVENUE, OCEANSIDE, CA. 92056
(760) 941-0715

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ART DESIGN REFERENCE #22-12834-20-R

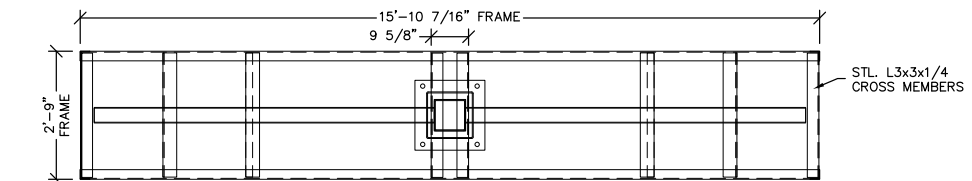
NO.	REVISIONS	DATE	BY
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8			



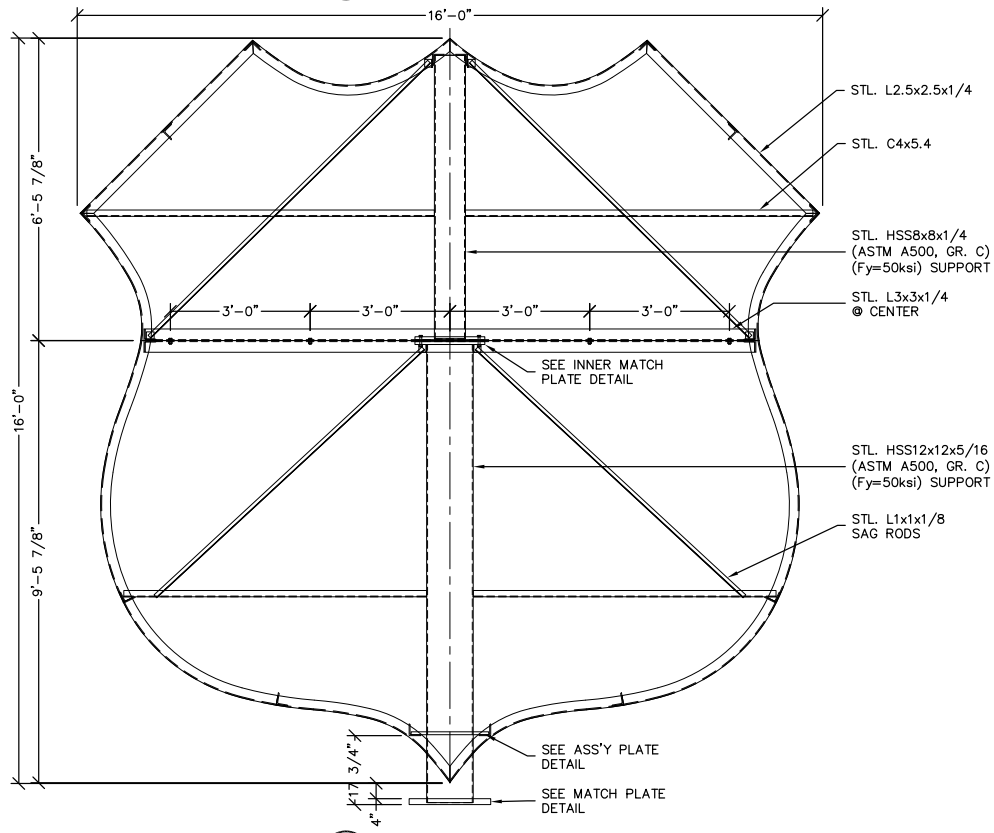
199TH AND HOMESTEAD 135
EDGERTON, KS 66021

DESIGN NO: S-0302621A	PROJECT MGR.: N. LACY
DRAWN BY: SF/DD	DATE: 3/11/21
JOB NO: 22-12834-20	

SHEET NO: S-3
OF: 7

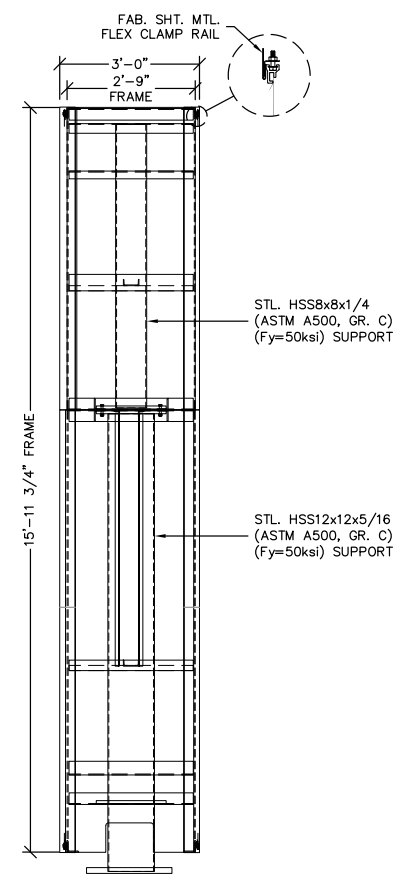


3 PLAN VIEW
SCALE: 3/8" = 1'-0"

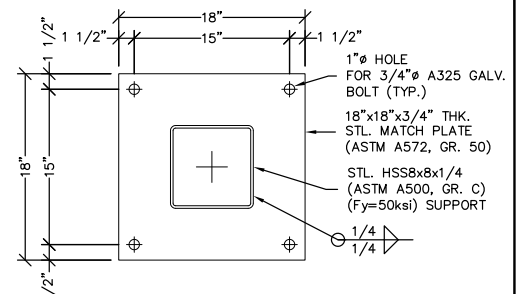


1 FRAME ELEVATION
SCALE: 3/8" = 1'-0"

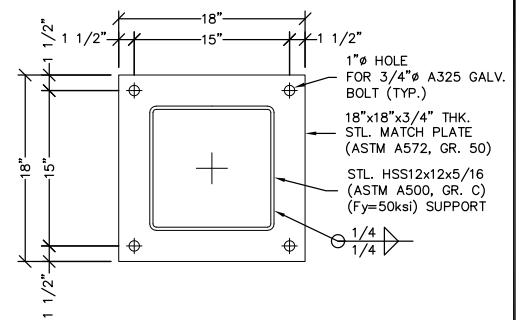
NOTE: SUPPORTS SIZES AND PLATE THICKNESS HAVE CHANGED FROM STANDARDS. OUR STANDARD DESIGNS DO NOT WORK FOR THIS APPLICATION.



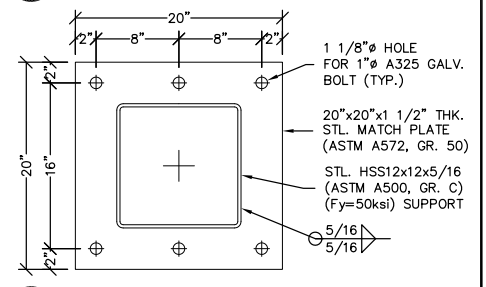
2 SIDE ELEVATION
SCALE: 3/8" = 1'-0"



4 INNER MATCH PLATE DETAIL
SCALE: 3/8" = 1'-0"



5 ASS'Y MATCH PLATE DETAIL
SCALE: 3/8" = 1'-0"



6 MATCH PLATE DETAIL
SCALE: 3/8" = 1'-0"



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ART DESIGN REFERENCE #22-12834-20-R

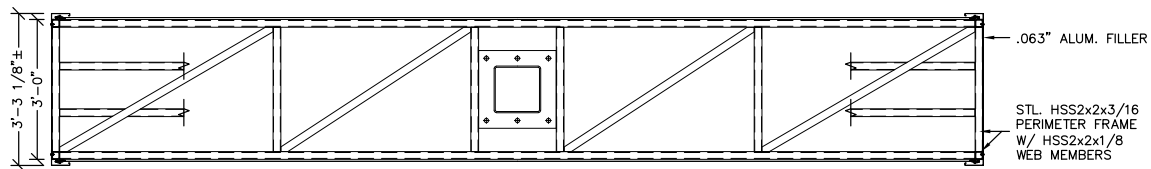
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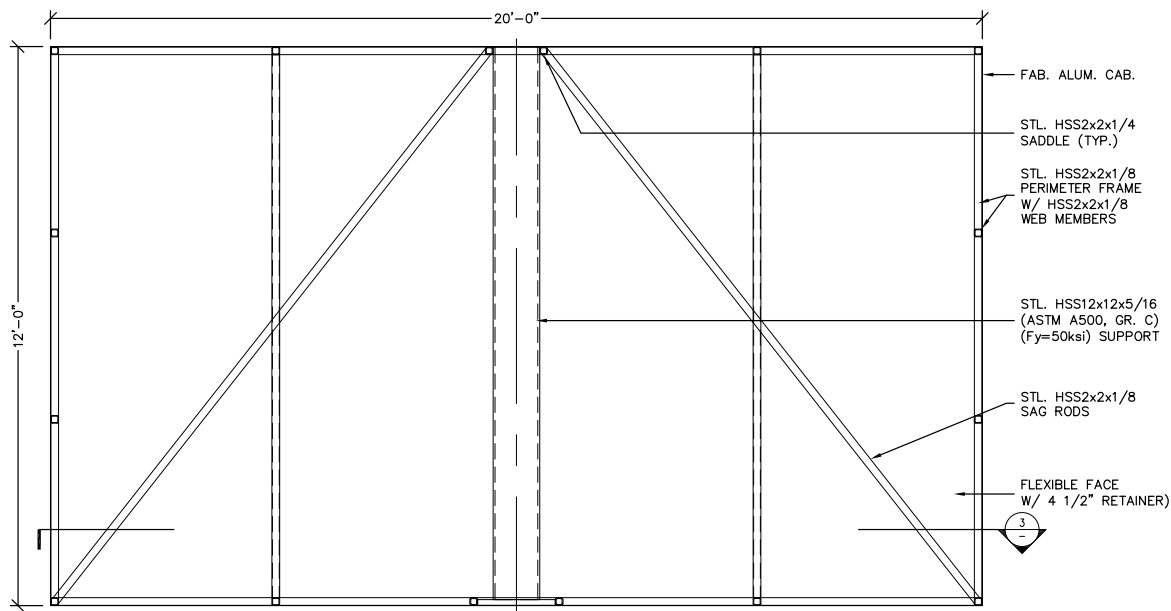
199TH AND HOMESTEAD 135
EDGERTON, KS 66021

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DRAWN BY: SF/DD	DATE: 3/11/21
JOB NO: 22-12834-20	

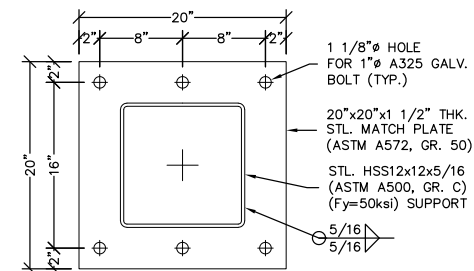
SHEET NO: S-4
OF: 7



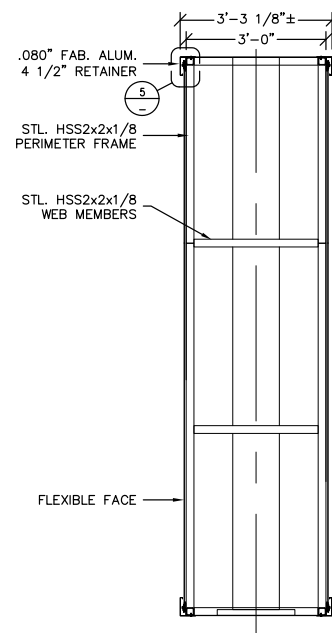
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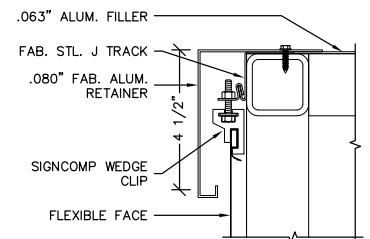
1 "TA" EXPRESS FRAME ELEVATION
SCALE: 3/8" = 1'-0"



4 MATCH PLATE DETAIL
SCALE: 1" = 1'-0"



2 SIDE ELEVATION
SCALE: 3/8" = 1'-0"



5 FACE DETAIL
SCALE: 3/8" = 1'-0"



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ART DESIGN REFERENCE #22-12834-20-R

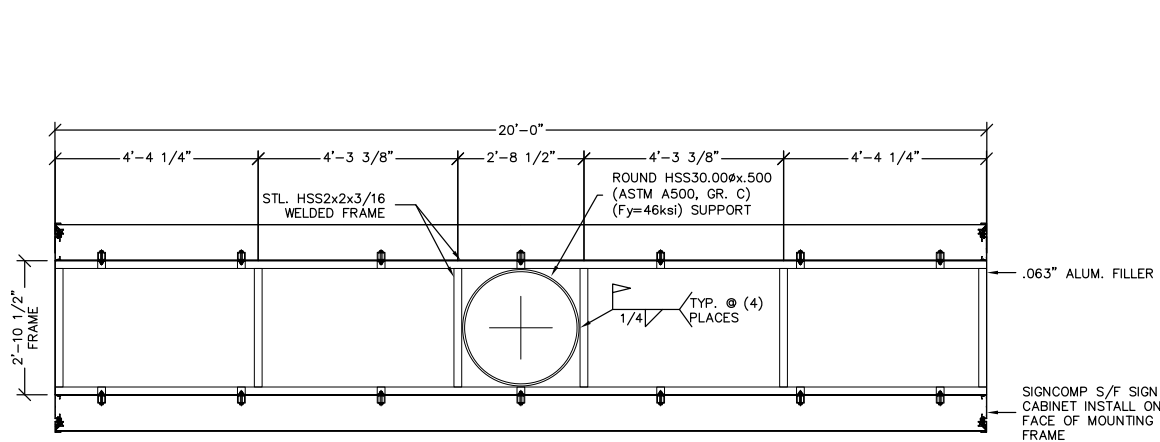
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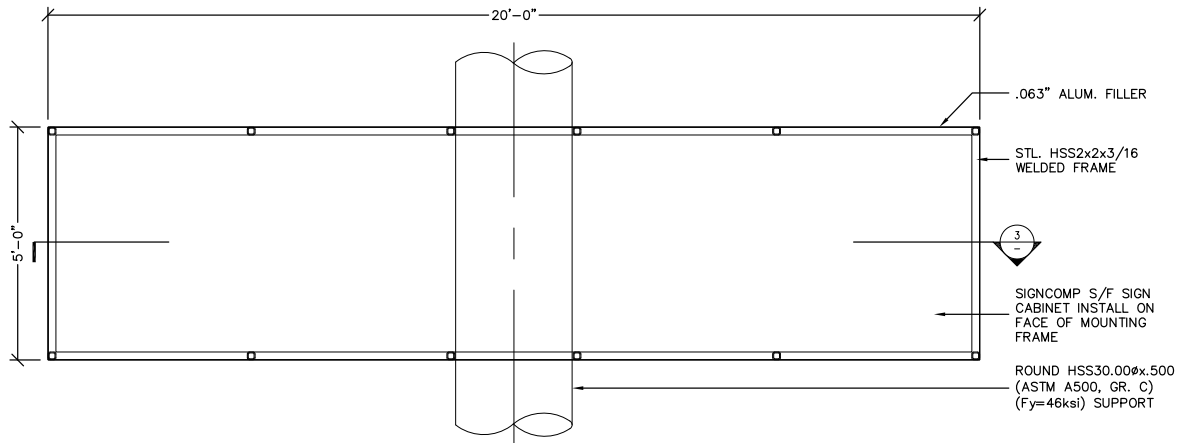
199TH AND HOMESTEAD 135
EDGERTON, KS 66021

DESIGN NO: S-0302621A	PROJECT MGR.: N. LACY
DRAWN BY: SF/DD	DATE: 3/11/21
JOB NO: 22-12834-20	

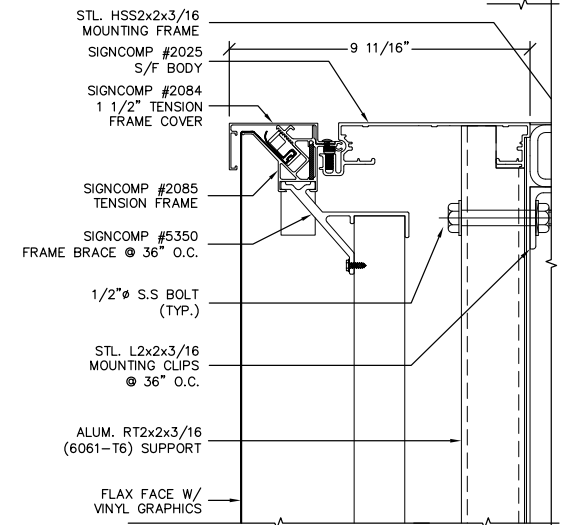
SHEET NO: S-5
OF: 7



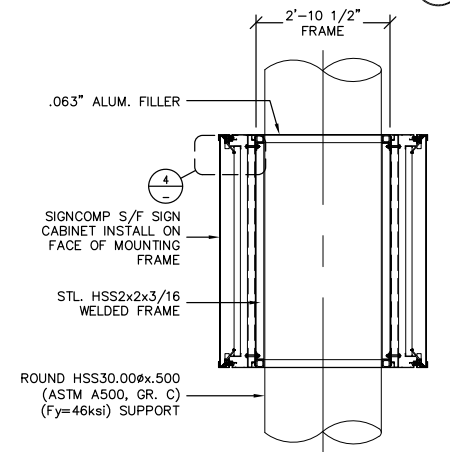
3 PLAN VIEW
SCALE: 3/8" = 1'-0"



1 TENANT FRAME ELEVATION
SCALE: 3/8" = 1'-0"



4 FACE DETAIL
SCALE: 3/8" = 1'-0"



2 SIDE ELEVATION
SCALE: 3/8" = 1'-0"

FEDERAL HEATH
VISUAL COMMUNICATIONS
4602 NORTH AVENUE, OCEANSIDE, CA. 92056
(760) 941-0715

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ART DESIGN REFERENCE #22-12834-20-R

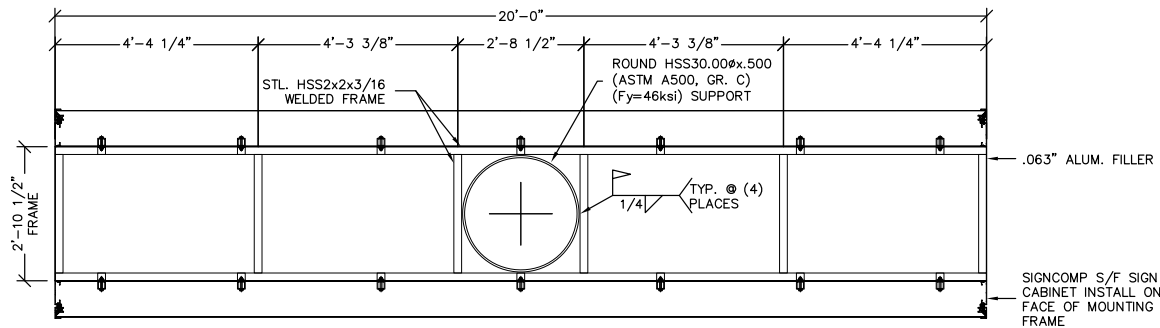
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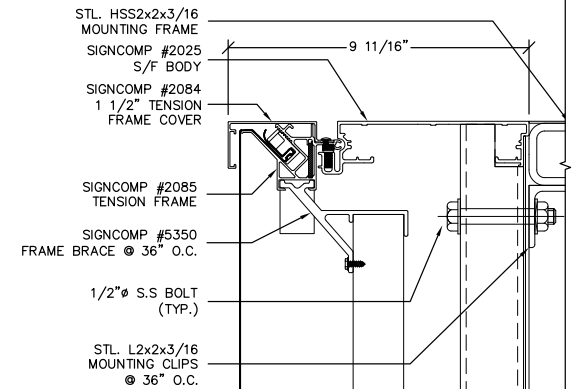
199TH AND HOMESTEAD 135
EDGERTON, KS 66021

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DRAWN BY: SF/DD	DATE: 3/11/21
JOB NO: 22-12834-20	

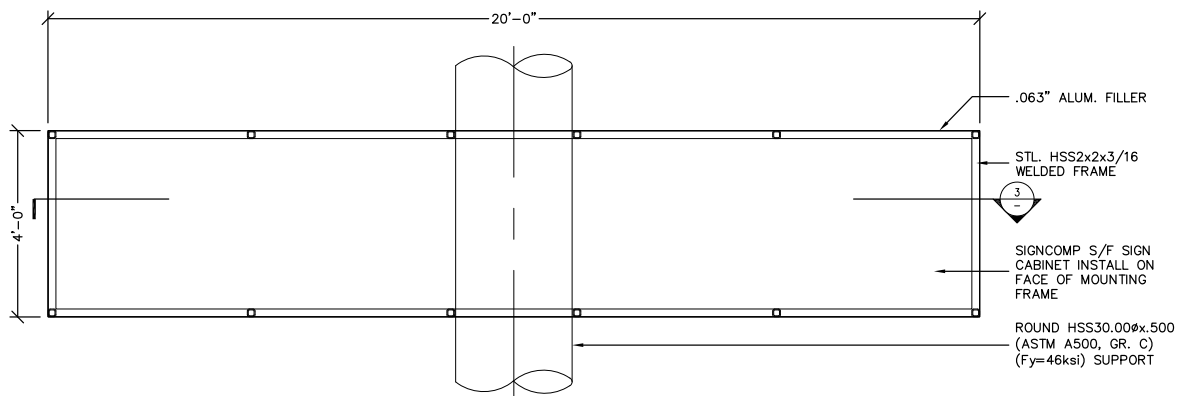
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OF: 7



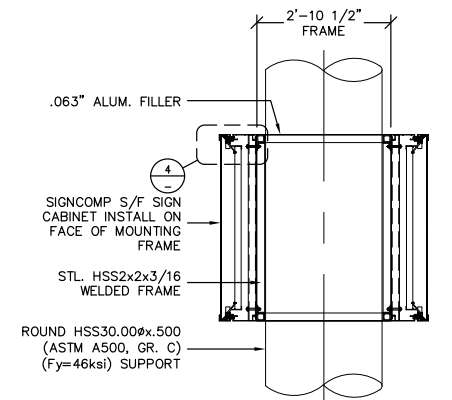
3 PLAN VIEW
SCALE: 3/8" = 1'-0"



4 FACE DETAIL
SCALE: 3/8" = 1'-0"



1 TENANT FRAME ELEVATION
QTY. X2 SCALE: 3/8" = 1'-0"



2 SIDE ELEVATION
SCALE: 3/8" = 1'-0"

FEDERAL HEATH
VISUAL COMMUNICATIONS
4602 NORTH AVENUE, OCEANSIDE, CA. 92056
(760) 941-0715

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199TH AND HOMESTEAD 135
EDGERTON, KS 66021

DESIGN NO: S-0302621A	PROJECT MGR.: N. LACY
DRAWN BY: SF/DD	DATE: 3/11/21
JOB NO: 22-12834-20	

SHEET NO: S-7
OF: 7

STAFF REPORT

Date: July 13, 2021
To: Edgerton Planning Commission
From: Chris Clinton, Planning and Zoning Coordinator
Re: Consider Renewal of Temporary Construction **Application TU2021-05** on property located on the southeast corner of 191st Street and Homestead Lane – Rock Crushing for Arrowhead Phase III

MATTERS TO BE CONSIDERED

On April 13, 2021, the City of Edgerton Planning Commission approved **Application TU2021-05** to allow the temporary construction activity of rock crushing and hauling to occur on the Arrowhead Phase III site (southeast corner of 191st Street and Homestead Lane). As is noted in the attached staff report, the Commission approved the permit for a period to end on July 31, 2021.

On June 10, 2021, Mr. Alex Bruggen of ARCO, general contractor for the project, reached out to City Staff to request an extension of the permit to September 30, 2021. Mr. Bruggen indicated the start of the operations was delayed due to the sale of the property not taking place on the date when it was originally anticipated. His email requesting the extension is included with this memo.

All operations noted in the attached staff memo from April 13, 2021 remain the same.

STAFF RECOMMENDATION

Staff recommends **approval** of Application **TU2021-05** a rock crushing operation, deemed to be temporary construction related activities pursuant to Article 9, Section 9.6.E of the Uniform Development Code of the City of Edgerton, located southeast corner of 191st Street and Homestead Lane, by ARCO for construction-related activities related to Arrowhead Phase III, conditioned as follows:

1. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
2. All occupied buildings shall have access to potable water from an approved water source;
3. All signage shall be placed pursuant to applicable sign regulations in Article 12 of the Unified Development Code of the City of Edgerton;
4. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
5. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
6. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or other applicable chapter of City Code;
7. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with City Regulations and Policies with regards to the tracking of debris onto public streets. Improvements for a construction entrance and the access road shall be required prior to operation and must be continually maintained in good condition;
8. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
9. 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;
10. Contractors agree to address any issues that affect off-site properties or public rights-of-way or easements in a reasonable period of time;
 11. All blasting shall be done according to Article 13 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
 12. Hours of operation shall be limited to from 7:00 AM to 5:00 PM, Monday through Friday and 7:00 AM to 3:00 PM Saturday;
 13. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
 14. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;
 15. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
 16. Applicant shall maintain a valid City of Edgerton Business License;
 17. Staff retains the ability to establish reasonable requirements for their operation;
 18. All activities will be performed in compliance with KDHE and the requirements of the KDHE Bureau of Air;
 19. Permission for temporary construction activities is granted for a **period ending September 30, 2021.**

ATTACHMENTS:

- Email request to extend permit duration from applicant
- Application including map and permission letter from property owner

From: Bruggen, Alex <abruggen@arco1.com>
Sent: Wednesday, June 23, 2021 11:08 PM
To: Chris Clinton
Cc: Katy Crow
Subject: RE: Rock Crushing/Hauling Extension

Chris,

The reasoning of the amendment is for a time extension. When we originally submitted the proposal we were anticipating starting crushing operations in April and being complete in July. The Client is anticipating on closing the property next week so we have yet to start the crushing operations or mobilize onsite. We are anticipating bringing the equipment onsite starting 7/6.

Alex Bruggen LEED® AP BD+C | Project Manager | **ARCO NATIONAL CONSTRUCTION – KC**
5015 NW Canal Street, Suite 110, Riverside, MO 64150
Office: (816)282.6324 Direct: (816)278.1047 Mobile: (816)868.1201 Fax: (816)623.9590
abruggen@arco1.com | www.arcokc.com

From: Chris Clinton <cclinton@edgertonks.org>
Sent: Wednesday, June 23, 2021 3:22 PM
To: Bruggen, Alex <abruggen@arco1.com>
Cc: Katy Crow <kcrow@edgertonks.org>
Subject: Rock Crushing/Hauling Extension

Alex,

In reviewing the items provided for the extension of the temporary construction use, I did not see the reasoning needed for the extension. In her email on June 10, 2021 at 2:29 PM, Katy did state the extenuating circumstances do need to be listed. Please provide that information when you can. And as a reminder, the \$250 fee will need to be paid prior to the meeting date of July 8, 2021.

Thanks,
Chris



Chris Clinton • Planning and Zoning Coordinator
City of Edgerton, KS
404 East Nelson • Edgerton, KS 66021
913.893.6231 x7300
www.edgertonks.org



Temporary Construction Use

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

PROJECT NAME: Arrowhead Intermodal - Phase 3

LOCATION OR ADDRESS OF SUBJECT PROPERTY: SE Corner of the intersection of W 191st Street and Homestead Lane. See attached exhibit

LEGAL DESCRIPTION: Northwest Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas. See attached exhibit

CURRENT ZONING ON SUBJECT PROPERTY: LP CURRENT LAND USE: Vacant

TOTAL AREA: 30.4 ACRES

APPLICANT NAME(S): Joshua Cooley PHONE: 914-287-2752

COMPANY: CY Edgerton, LLC EMAIL: jcooley@illinoistransport.com

MAILING ADDRESS: 32355 W. 191st St.
Street City State Zip

PROPERTY OWNER NAME(S): Omar J Holtgraver PHONE: 913-980-8310

COMPANY: N/A EMAIL: _____

MAILING ADDRESS: 1979 Haskell Rd., Ottawa, KS 66067
Street City State Zip

EXPLANATION OF ACTIVITIES: Previously stockpiled rock material is to be processed down to required gradations per our geotechnical report in order to be used as the subbase course in our floor slab, concrete, and asphalt paving sections. Excess material is to be hauled and stockpiled on the south side of the property

SIGNATURE OF OWNER OR AGENT: _____

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

FOR OFFICE USE ONLY

Application No.: TU2021-05 Application Fee Paid: \$ 250 Date Paid: 6/28/2021 Receipt #: 34739670

Planning Commission Meeting Date: 7/13/2021

Received By: Kathy Clark

v.1.2.2020

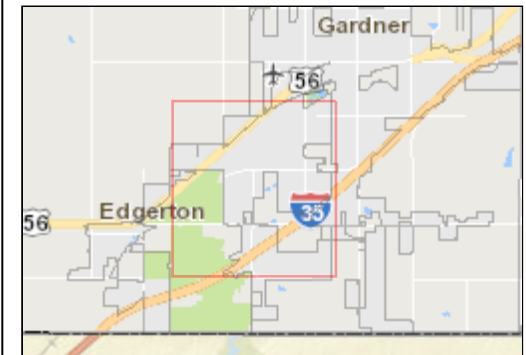


Johnson Co AIMS Map

LEGEND

AIMS Imagery: 2020

Property



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JOHNSON COUNTY
KANSAS
AIMS GIS & Mapping

3/9/2021

Property Information for BF221503-1001

<i>Tax Property ID</i>	BF221503-1001	<i>KS Uniform Parcel #</i>	0462020302001004000
<i>Situs Address</i>	Not Available	<i>Acres</i>	29.39 (1,280,225.21 ft ²)
<i>Owner1 Name</i>	OMAR J HOLTGRAVER REVOCABLE TRUST	<i>Owner2 Name</i>	INDIA L HOLTGRAVER REVOCABLE TRUST
<i>Owner Address</i>	1979 HASKELL RD , OTTAWA, KS 66067	<i>Year Built</i>	0
<i>Class</i>	V	<i>Neighborhood Code</i>	442.N
<i>LBCS</i>	9950	<i>Taxing Unit</i>	0591
<i>Zoning</i>	A-G		
<i>City</i>	Edgerton	<i>Zip Code</i>	66021
<i>AIMS Map No.</i>	U03 (T-R-S: 15-22-03)	<i>Quarter Section</i>	NW
<i>Fire Dist.</i>	JoCo FD #1	<i>Sheriff Dist.</i>	0
<i>Commissioner Dist.</i>	6 (Shirley Allenbrand)	<i>FEMA Flood Panel #</i>	20091C0134G
<i>School District</i>	Gardner-Edgerton	<i>High School</i>	Gardner-Edgerton
<i>Middle School</i>	Trail Ridge	<i>Elementary School</i>	Nike
<i>Legal Desc.</i> (abbreviated)	3-15-22 NW1/4 EX 80 AC EX 2.5 AC EX 18.789 AC IN HWY & EX 29.211 AC 29.5 ACS M/L EDC 191		

Property Map for BF221503-1001



[Hide map](#)

[Hide photo](#)

PROPERTY BOUNDARY LEGAL DESCRIPTION
FROM J&J SURVEY DATED: FEBRUARY 5, 2021

PROJECT: Arrowhead Intermodal - 3
20,000 SF New BTS
ARCO Job No. K-710

LOCATION: 32355 W. 191st Street
Edgerton, KS 66021

DATE: February 5, 2021

Deed descriptions

Book 5963, Page 691

A part of the Northwest Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, More Particularly described as follows:

Beginning at the Northwest corner of said Northwest Quarter; Thence North 90° East, along the North line of said Northwest Quarter, a distance of 1035.25 feet, Thence South 0° East, a distance of 740.36 feet; Thence South 90° East, a distance of 282.28 feet; Thence South 0°18'01" West, a distance of 1914.73 feet to a point on the South line of said Northwest Quarter; Thence North 89°44'38" West a distance of 1291.75 feet to the Southwest corner of said Northwest Quarter, Thence North 0°20'27" West, a distance of 2649.33 feet, to the point beginning, containing 74.72 acres.

Also, Lot1, Final PLAT of C Y EDGERTON, part of the Northwest Quarter of Section 3, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas

AND EXCEPT:

QUITCLAIM DEED Book 201204, Page 001961

a tract of land in the Northwest Quarter of Section 3, Township 15 South, Range 22 East of the 6th P.M., described as follows: Beginning at the Southwest corner of said Quarter Section: First course, Thence on an assumed bearing of North 88°26'03" East, 300.63 feet along the South line of said Quarter Section; Second course, Thence North 01°49'33" West, 319.56 feet; Third course, Thence North 23°37'38" West 53.85 feet; Fourth course, Thence North 01°49'33" West, 2148.99 feet; Fifth course, Thence North 43°14'32" East, 102.62 feet; Sixth course, Thence North 88°10'23" East 666.09 feet to the West line of a tract of land described in a deed recorded in Book 3047, Page 6 in the Register of Deeds office. JOHNSON COUNTY, KANSAS; Seventh course, Thence North 01°49'37" West, 30.00 feet along said West line; Eighth course, Thence North 88°10'23" East, 306.00 feet to the East line of said tract of land; Ninth course, Thence North 01°49'37" West 30.00 feet along said East line to the North line of said Quarter Section; Tenth course, Thence South 88°10'23" West, 1341.25 feet along said North line to the Northwest corner of said Quarter Section; Eleventh course, Thence South 02°10'09" East, 2649.70 feet along the West line of said Quarter Section to the point of beginning. The above described tract contains 19.00 acres, which includes 1.82 acres of existing right of way, resulting in an acquisition of 17.18 acres, more or less.

June 17, 2021

Alex Bruggen
ARCO National Construction – LC, LLC
5015 NW Canal Street, Suite 110
Riverside, MO 64150

Re: Arrowhead Intermodal – Phase 3 – Rock Crushing/Hauling Permit

To: Whom it May Concern,

Described below are the parameters of the proposed rock crushing and hauling operation for Arrowhead Intermodal Phase 3. The KDHE rock crusher permit is pending as we not under contract with our client at this time in order to release our subcontractor to perform the crushing operations. Once received this can be forwarded to those requested. The intent of our submission is to start crushing operations as soon as the Site Plan has been approved by the City of Edgerton, as this scope of work will be extensive given the amount of stockpiled stone on site.

- One (1) Metso 12-13S mobile rock crusher.
- One (1) Kleeman KW80 conveyor.
- KDHE permit and Land Disturbance Permit have been received. Crushing operations are estimated at 60 Days to complete (i.e., expected early October 2021).
- Rock crushing activities will be performed during of the hours of 7am-5pm Monday-Saturday.
- All crushing equipment will be mobile. Crushers will be relocated frequently throughout the site to ensure efficiency of the crushing process. As the onsite piles are reduced in size, the equipment will need to be adjusted.
- Total quantity of rock onsite to be processed is estimated at 121,000 tons. This represents the onsite visible rock piles.
- Crushed rock will be utilized in all available areas onsite (i.e., asphalt paving base, concrete paving base, and building pad LVC). Onsite usage will account for an estimated 45,000 tons of the onsite rock. Given the constraints of the site and the existing topography, we are estimating that we will need to export an estimated 76,000 tons of crushed stone.
- Stone to be used onsite will be hauled to place via tandem trucks. We assume this will require 5,625 haul loads for placement total. Depending on the proximity of the area of placement to the stockpiled processed stone, placement of stone will be done by front end loaders.
- Excess stone that is to be hauled and stockpiled on the south portion of the site. Hauled routes to the south will remain onsite. It is assumed around 4,500 cy of rock will need to be hauled off site once the south area is at capacity. This will require 563 haul loads.

- We will coordinate with KDHE to test silica dust air contamination on site prior to the commencement of major crushing activities. Proposed equipment will be equipped with water spray bars at transfer points.
- Haul roads onsite will be watered as needed using a water truck to ensure airborne dust does not spread to neighboring property owners.
- Denial of the permit will have a significant impact to the financial feasibility of this project. The onsite stockpiled stone would need to be exported in its entirety and the subbase courses would need to be imported. Given the constraints of the site and the existing cut/fill conditions, the rock pile would not be able to be kept onsite without being processed.

Request for Temporary Construction Activities (Rock Export):

- RD Johnson request to mobilize onsite rock crushing and processing operations at the property generally located at the Southeast Corner of W 191st St and Homestead Lane in Edgerton, Kansas as part of the Arrowhead Phase III project under the authorization of ARCO National Construction – KC, LLC. Processed rock will be utilized onsite for paving and building pad subbases, however excess material will need to be hauled offsite.

Traffic Routes:

- Triple Axel/Tandem Dump trucks will be used to haul the excess rock material. They will exit the site on W 191st Street and travel South on Homestead Lane towards the I-35 Interchange and exit North bound on I-35. From there they will travel roughly 8.5 miles and take exit 214 onto S Lone Elm Road. From there they will travel North roughly 1.25 miles and turn West onto W 151st Street and enter the quarry to offload the material.

Haul Frequency:

- An estimated 17 trucks will be running daily from the project site to the haul site. Each truck will make 8 trips per day which would equate to 136 haul trips per day. We assume this will take one week to haul the material offsite. The consistency of the travel will be impacted in processing of material for onsite use and truck availability so this duration could be shorter or longer.

Haul Trucks:

- Haul trucks are assumed to be triple axel/tandem dump trucks that will be licenses, insured, and DOT inspected. If there is availability, side dump trucks will be used that will increase the quantity of material hauled.

Road Cleaning:

- A vehicle tracking pad will be placed and maintained for all traffic entering and existing the project site. Street sweeping will be completed as needed along W 191st street. ARCO will be maintaining the SWPPP and will be in contact with the City of Edgerton if there are any items that need to be resolved.

Hours of Operation:

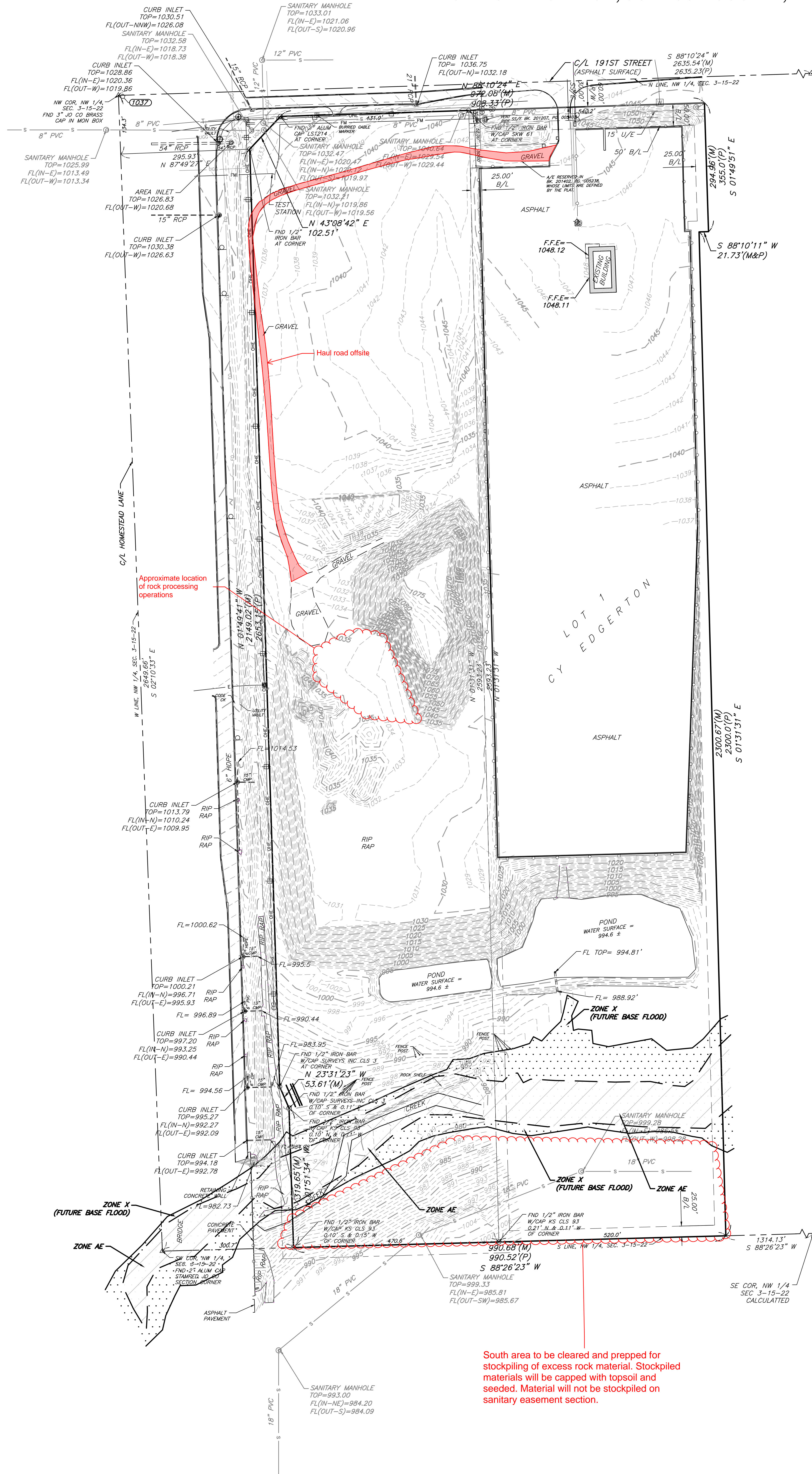
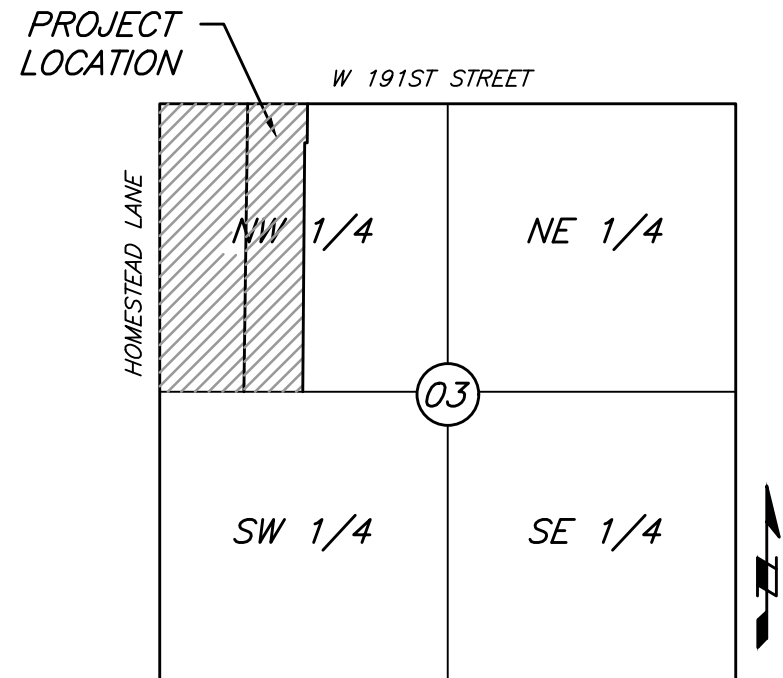
- Typical Hours – Monday through Friday 7:00am to 5:00pm and Saturdays 7:00am to 3:00pm
 - Saturday end time will be subject to change based on truck availability.

Sincerely,

ARCO National Construction-KC, LLC

Alex Bruggen
Project Manager
abruggen@arco1.com
Phone: 816-282-6324

BOUNDARY & TOPOGRAPHIC SURVEY
NW 1/4, SECTION 3, TOWNSHIP 15 SOUTH, RANGE 22 EAST
CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



CLIENT:
Alex Bruggen
ARCO CONSTRUCTION

PROPERTY ADDRESS:
W 191st & Homestead Road
Gardner, Kansas 66030

PROPERTY DESCRIPTION:

DEED descriptions
Book 5963, Page 691
A part of the Northwest Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, More Particularly described as follows:

Beginning at the Northwest corner of said Northwest Quarter; Thence North 90° East, along the North line of said Northwest Quarter, a distance of 1035.25 feet, Thence South 0° East, a distance of 740.36 feet; Thence South 90° East, a distance of 282.28 feet; Thence South 0°18'01" West, a distance of 1914.73 feet to a point on the South line of said Northwest Quarter; Thence North 89°44'38" West a distance of 1291.75 feet to the Southwest corner of said Northwest Quarter, Thence North 0°20'27" West, a distance of 2649.33 feet, to the point of beginning, containing 74.72 acres.

Also Lot 1, Final PLAT of C Y EDGERTON, part of the Northwest Quarter of Section 3, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas

AND EXCEPT:

QUITCLAIM DEED Book 201204, Page 001961
a tract of land in the Northwest Quarter of Section 3, Township 15 South, Range 22 East of the 6th P.M., described as follows: Beginning at the Southwest corner of said Quarter Section: First course, Thence on an assumed bearing of North 88°26'03" East, 300.63 feet along the South line of said Quarter Section; Second course, Thence North 01°49'33" West, 319.56 feet; Third course, Thence North 23°37'38" West, 53.85 feet; Fourth course, Thence North 01°49'33" West, 2148.99 feet; Fifth course, Thence North 43°14'32" East, 102.62 feet; Sixth course, Thence North 88°10'23" East, 666.09 feet to the West line of a tract of land described in a deed recorded in Book 3047, Page 6 in the Register of Deeds office, JOHNSON COUNTY, KANSAS; Seventh course, Thence North 01°49'37" West, 30.00 feet along said West line; Eighth course, Thence North 88°10'23" East, 306.00 feet to the East line of said tract of land; Ninth course, Thence North 01°49'37" West 30.00 feet along said East line to the North line of said Quarter Section; Tenth course, Thence South 88°10'23" West, 1341.25 feet along said North line to the Northwest corner of said Quarter Section; Eleventh course, Thence South 02°10'09" East, 2649.70 feet along the West line of said Quarter Section to the point of beginning. The above described tract contains 19.00 acres, which includes 1.82 acres of existing right of way, resulting in an acquisition of 17.18 acres, more or less.

GENERAL SURVEY NOTES:

- 1.) The plat of C Y EDGERTON FINAL PLAT part of the NORTHWEST QUARTER of SECTION 3, TOWNSHIP 15 SOUTH, RANGE 22 EAST, in the City of Edgerton, JOHNSON COUNTY, KANSAS is recorded in Plat Book 201708 at Page 006484 in the Register of Deeds Office in Johnson County, Kansas.
- 2.) No Title Report was provided by client at this time of the survey. Therefor, easements may not be shown.
- 3.) Bearings used on this survey are based on the KANSAS STATE PLANE NORTH ZONE of PT. of NW 1/4 SECTION 3-15-22 JOHNSON COUNTY, KANSAS SURVEY
- 4.) The subject property is located in Zone AE & Zone X areas. ZONE X is determined to be outside the 0.2% annual chance floodplain, as well as other flood areas, ZONE X, defined as areas of 1% annual chance of flood based on future conditions hydrology. No base flood elevations determined, is determined as shown on Flood Insurance Rate Map (FIRM) 20091C01340, effective August 3, 2009. Special Flood Hazard Areas (SFHAs) subject to inundation by 1% annual chance of flood, ZONE AE defined as base flood elevations determined.

SURVEY CONTROL POINTS				
Point #	Northing	Easting	Elevation	Description
1	176666.15	2174981.29	984.93	BM
5	178024.52	2180212.19	1029.85	SC 3" CAP
494	175519.75	2177880.34	994.03	CK
822	176159.32	2178779.75	1011.79	Z
1037	177938.17	2177587.64	1025.61	MF PLUS CUT

BENCHMARKS:

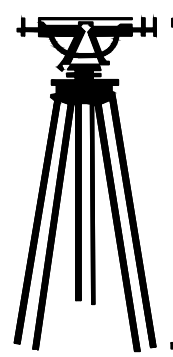
BM1138: Alum Disk center south end of the west headwall RCB. From the intersection of four corners Road and 191st street go south 0.20 miles to the RCB.
ELEVATION = 984.93

South area to be cleared and prepped for stockpiling of excess rock material. Stockpiled materials will be capped with topsoil and seeded. Material will not be stockpiled on sanitary easement section.

SHEET 1 OF 1

1	INITIAL SUBMITTAL	01-30-21

Location: S:\21.026-191st & Homestead\DRAWINGS\Bou&Topo REV 3-12-21 to client.dwg-Mar 12, 2021-10:01am



J & J
SURVEY
LLC

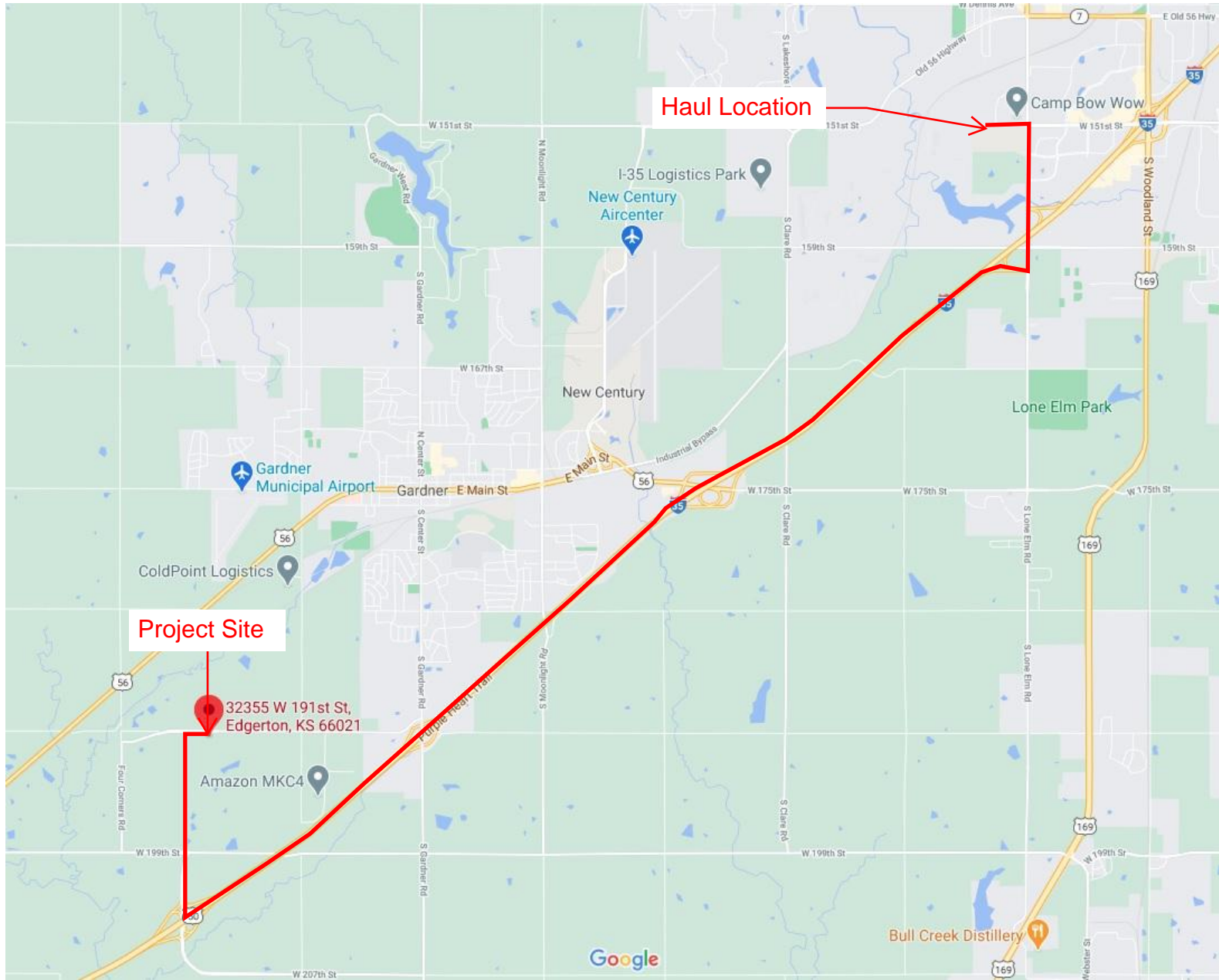
6500 NW TOWER DR., SUITE 102 • PLATTE WOODS, MO 64151
PHONE (816)741-1017 • FAX (816)741-1018

3-12-21
Date

John B. Young LS-1298

CERTIFICATION:

I hereby certify that this drawing is based on an actual field survey made by me or under my direct supervision on the 21st day of January, 2021 and that the results are correctly shown and said survey meets or exceeds the current Kansas Minimum Standards for a Plat or Certificate of Survey, to the best of my knowledge and belief.



Portable crushing and screening solutions

Metso NW Rapid™



Crush
& Go

When time, mobility, and capacity are of the essence

Today, work assignments in new locations can come at short notice, making it difficult for quarries to respond. The faster you can move from idea to action, the better your chances of success.

Civil engineering works, such as road, bridge, airport, and dam construction projects, usually last anything from a couple of months to a couple of years. Projects like these require high volumes of different types of high-precision aggregates. If the material can be sourced on-site or in the surrounding area, the construction company can realize significant economic and environmental benefits, meaning aggregate producers who can deliver on this demand gain a notable competitive edge.

We have designed our Metso NW Rapid™ Portable Crushing and Screening Solutions especially for the needs of multisite quarries that have to move their equipment between sites periodically. They are easy to tow by a standard truck. With Metso NW Rapid Portable Solutions, you can stop compromising between time, mobility and production capacity, and tap into new business opportunities.

NW Rapid™ Portable Solutions Crush and Go



Metso NW Rapid Portable Solutions are designed to deliver a faster return on investment. We have optimized all the critical milestones in the solution's lifetime – starting from purchase and continuing all the way to after-sales support.

Choose your winning combination

The modular design of Metso NW Rapid Portable Solutions allows you to choose the optimal equipment combination for your needs. Eleven ready-made layouts - and more to come - with related flowsheets ensure that you can specify your optimal solution in weeks instead of months.

Modularity and automation also make Metso NW Rapid extremely adaptive; you can add modules to existing worksites whenever your requirements change, or modify your equipment to serve different needs and sites.

Getting started

Step 1

1. How many different end products do you need to produce?

Step 2

2. What is the planned production capacity (tph)?
3. How consistent is your end product quality?

Step 3

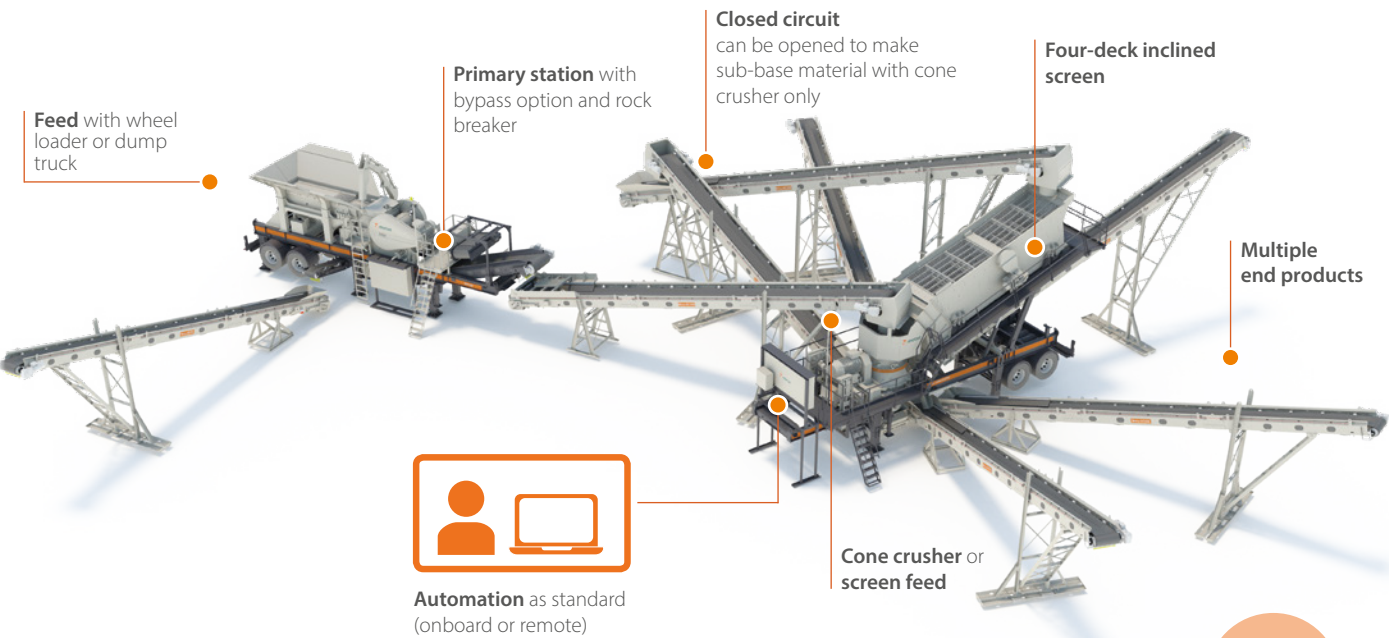
4. How often do you need to move the plant?
5. How important is production efficiency compared to site mobility?
6. What is the desired automation level (onboard or remote control)?

Your NW Rapid Solution

Feed material	Low to very abrasive rock					
Number of end products	4	5	4	4	4	7
Plant capacity tph/stph	250 / 275	250 / 275	250 / 275	350 / 375	350 / 375	350 / 375
Product cubicity	...	...	...	..	..	...
Mobility	..	.	...	..	..	.
Efficiency	...	...	..	...	...	...
Automation	Onboard/Remote	Onboard/Remote	Onboard/Remote	Onboard/Remote	Onboard/Remote	Onboard/Remote

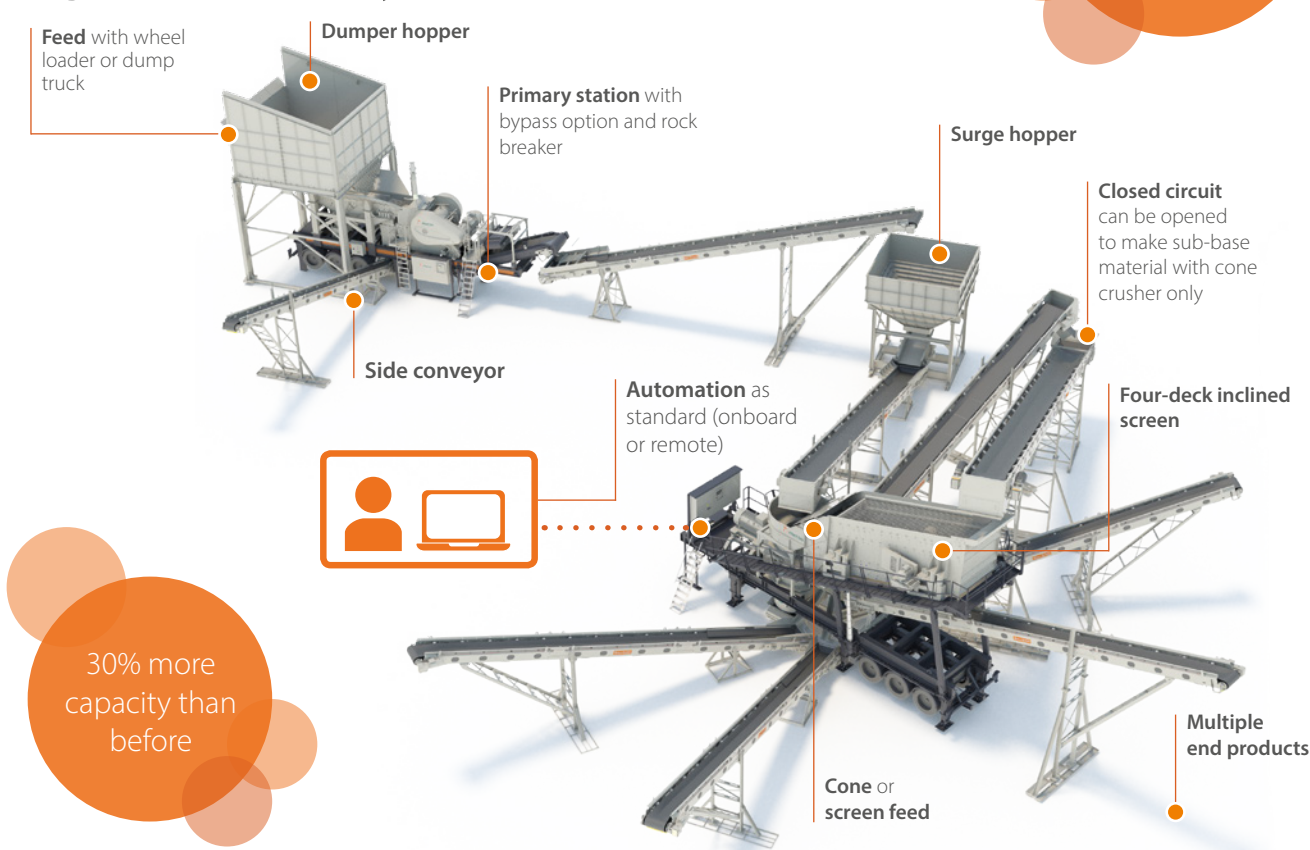
NW Rapid layout number	1	2	5B	9A	9B	10
Configuration	NW106/NW116 + NW200HPD/ NW220GPD	NW106/NW116+ NW200HPD + NW7150D	NW106 + NW220GPD	NW120 + NW300HPS	NW120 + NW300HPS/ NW330GPS	NW120 + NW330GPS/ NW300HPS + NW330GPS/ NW300HPS/ NW7150D
Process type	Feed to crusher	Feed to crusher	Feed to crusher	Feed to crusher	Feed to screen	Feed to crusher
Stages	2	3	2	2	2	3

NW Rapid Layout 5B Simple layout with high mobility



Hundreds of machines delivered since 2015

NW Rapid Layout 9A Close to stationary plant with high efficiency



30% more capacity than before



Metso IC™ Series Automation Solutions for NW Rapid

Crusher automation is a standard feature in Metso NW Rapid Portable Solutions. When automation and equipment are provided by the same partner, you can be confident that you're getting the most out of your crushing process.

Metso IC Series Automation Solutions automate, monitor, and control the crushing process, as well as optimizes it.

Unlike other crushing automation solutions, Metso IC Series Automation Solution offers a Remote User Interface (RUI). This means that instead of controlling the automation from an individual piece of equipment, you can do it centrally from a remote control-room using a PC without additional programming. This has a direct impact on the level of safety at your site and the well-being of your employees, as they don't have to go to the crushing station to start and stop it, or to change settings.

Automation allows you to adjust process without stopping it, leading to improved productivity and a reduction in unplanned downtime through preventive maintenance. Furthermore, the end product quality will be more consistent as the process is automatically controlled.



Metso IC Series Automation Solutions

A field-proven platform

Automatic **start and stop sequence** with single button

Choice of **automatic control options** (e.g. metal detector, magnetic separator, water sprays, etc.)

Touch display with **data logs** and option to export data to USB



Crusher condition monitoring and early warning of any problems

Automatic **crushing optimization** by feed-rate control, based on material level and crusher's load conditions

Automatic **CSS** (closed side setting) calibration and control

Automatic **lubrication** and **hydraulics** control for cooling, heating, and circulation

Easy configuration to meet alternative worksite layouts

- Devices can be enabled or disabled from the automatic sequence
- Switch between closed circuit and open circuit

Metso LCS & Metso Metrics

Together with Metso Life Cycle Services (LCS) Metso offers a digital solution to help further optimize your NW Rapid Portable Solutions. Through remote data monitoring, Metso Metrics Services gives you access to critical insights on your fleet's performance and maintenance needs, with optional access to expertise that will help you to analyze the data.



With Metso Metrics integration you get:

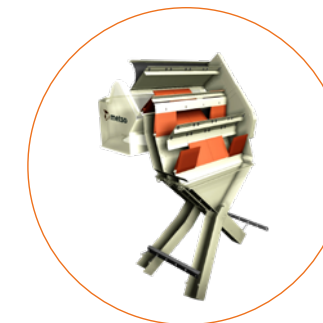
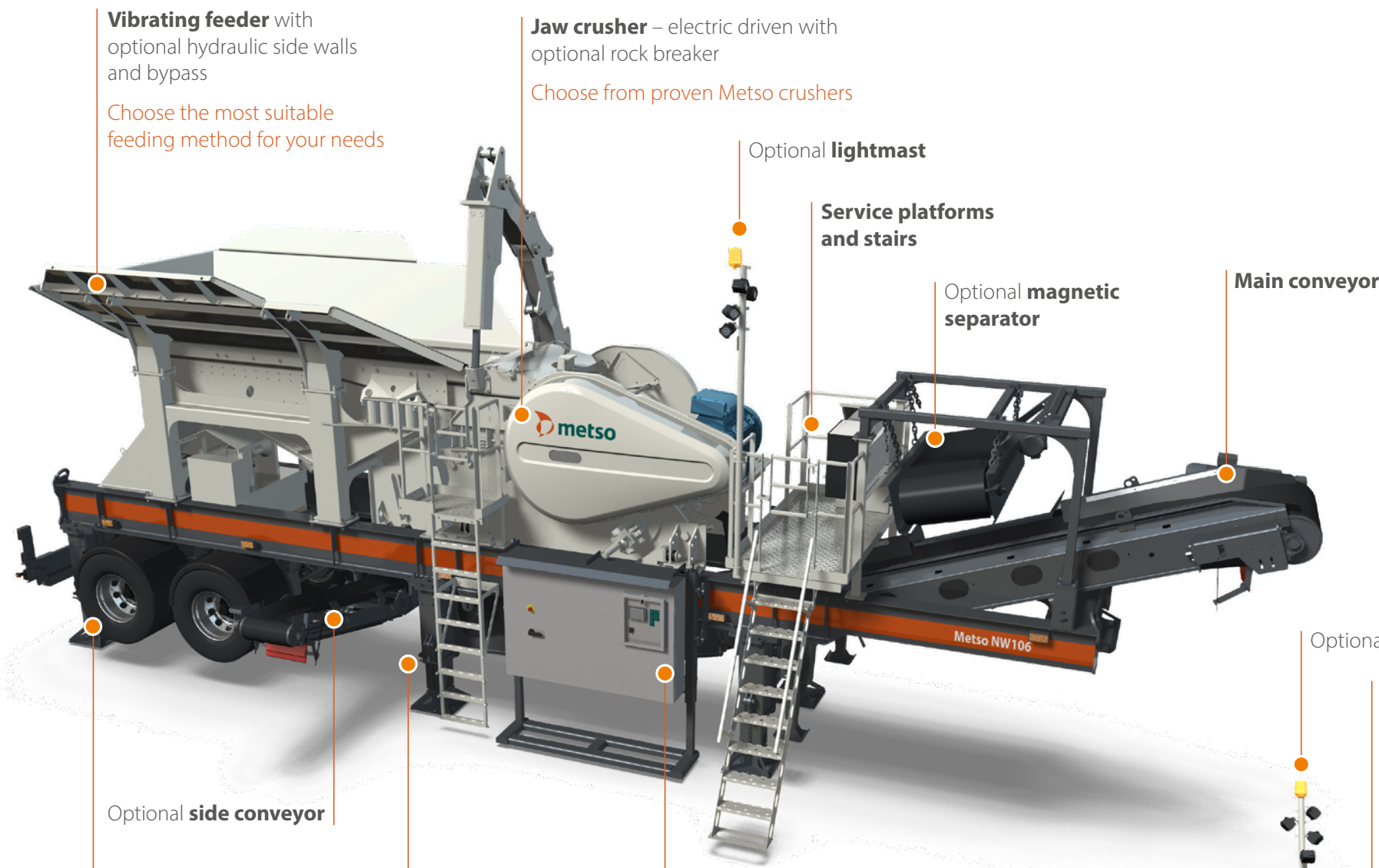
- **24/7 access to your data** via computer or tablet, using a secured cloud-based platform
- visibility on your equipment's **key operating data**, including utilization rates, energy consumption, alarms, and parameter changes
- **location data** for your entire fleet in map format



Scan the QR code to read more about Metso Metrics



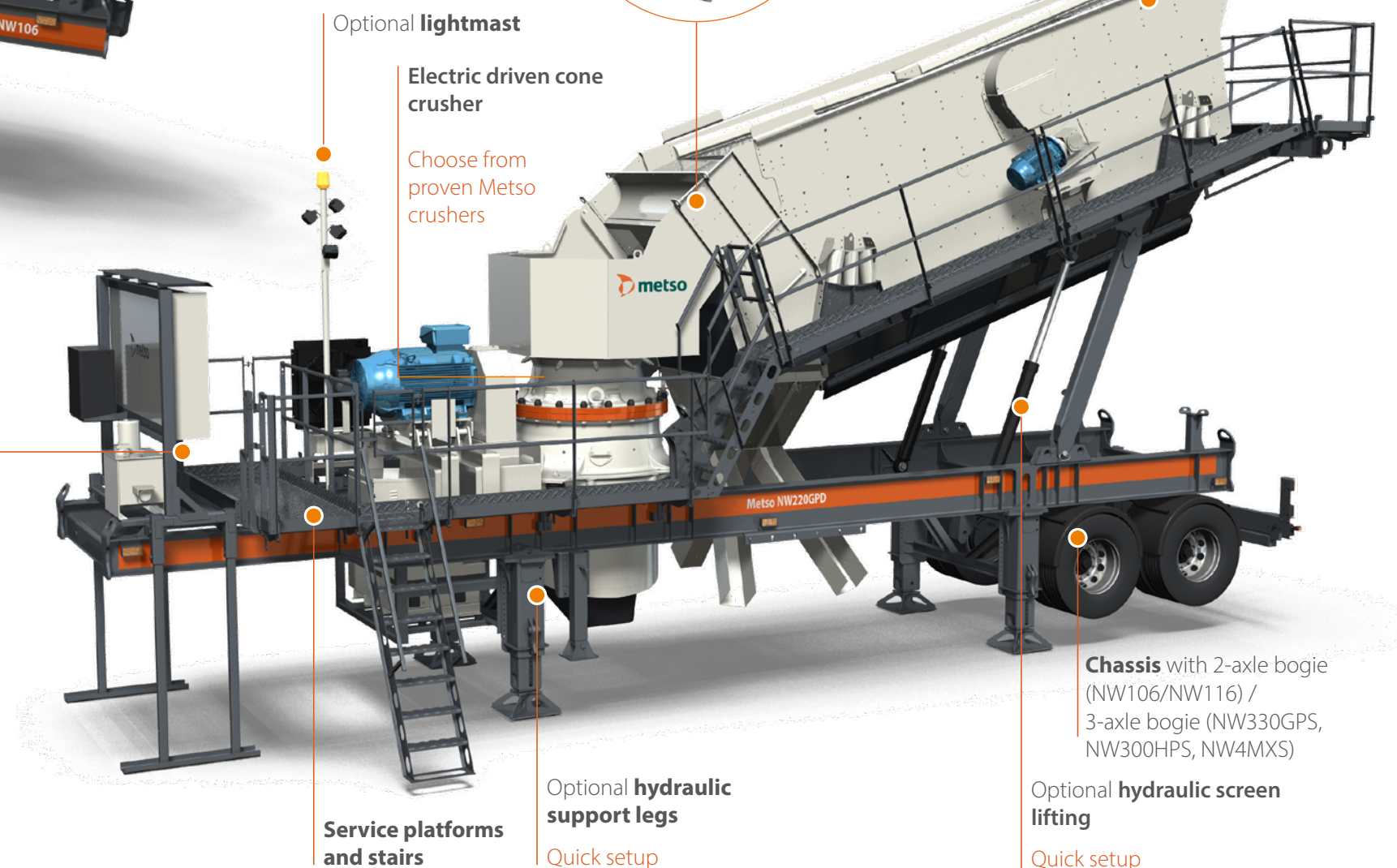
NW Rapid Secondary and tertiary units



Dividing hopper with multiple screening process configurations

Multiple end products – up to 7 variations

Four-deck inclined screen



NW Rapid Primary crushing units

Equipment Protection Services for NW Rapid

It's all about protecting your assets

As part of Metso's Life Cycle Services for aggregates, Equipment Protection Services (EPS) brings you added protection for your most valuable assets. The comprehensive EPS plan includes extended warranties, scheduled inspections with Metso-certified technicians, and Metso Metrics.

EPS gives you improved cost predictability by anticipating and minimizing unexpected equipment failures. Along with extended warranties that cover repairs or replacements on key wear parts, the plan includes comprehensive inspections and other services to keep your equipment running smoothly throughout its operational lifespan.



Extended warranty 10,000 h/5 yrs
for specified major components on designated equipment. Scheduled inspections with Metso-trained and certified technicians, as well as parts recommendations.



Annual maintenance contracts
Maintenance planning and reporting for mobile equipment through Metso Metrics.



Metso Metrics
Complete fleet visibility.



Scan the QR code to read more about EPS



Metso NW Rapid™ user experiences

Delivering timely results

With over 1000 plants delivered to more than 20 countries, Metso NW Rapid Portable Solutions have been helping quarries around the world succeed since 2015.



"With Metso's expert team by our side, our plants are always up and running, and Metso's services differentiates it from all the players in the market."

Chakresh Jain,
Managing Director
PNC Infratech Ltd



➤ Read the whole case



"Completing a project on time is the most crucial aspect for us, and Metso has indeed helped us in doing so by generating more production and saving costs."

Mr. Sandeep Reddy,
Managing Director, Gayatri Projects Ltd.



➤ Read the whole case



"We define Metso's NW Rapid plant as easy to fix and easy to move, which supports the biggest issue of mobility in the construction business. It is aptly suited for those who work on a project-to-project basis, since moving from one project to the next is very critical and involves cost, which can be minimized with the NW Rapid."

Udit Mittal,
Director, M/s M G Contractors Pvt Ltd.



➤ Read the whole case

Read more customer cases



"The new Metso NW Rapid™ plant is a perfect fit for our growing need for more eco-friendly, mobile, and economical solutions."

Udit Mittal, Director, M/s M G Contractors Pvt Ltd.

Key technical specifications

NW RAPID PRIMARY CRUSHING UNITS			
Jaw plants	Rapid NW106™	Rapid NW116™	Rapid NW120™
TRANSPORT DIMENSIONS			
Length	14 250 mm	13 730 mm	14 000 mm
Width	3 000 mm	3 000 mm	3 050 mm
Height	4 170 mm	4 750 mm	4 380 mm
Weight	35 500 kg	41 300 kg	51 000 kg
Bogie weight	18 950 kg	23 300 kg	30 000 kg
King pin weight	16 050 kg	18 000 kg	21 000 kg
CRUSHER			
Model	Nordberg® C106™	Nordberg® C116™	Nordberg® C120™
Feed opening (width x depth) (mm)	1 060 x 700	1 150 x 760	1 200 x 870
Setting range	70 - 200 mm	70 - 200 mm	70 - 200 mm
Motor power	110 kW	132 kW	160 kW
FEEDER			
Model	TKF11-42-2V	TKF11-48-2V	TKF12-48-2V
- length	4 200 mm	4 800 mm	4 800 mm
- width	1 100 mm	1 100 mm	1 200 mm



NW RAPID SECONDARY AND TERTIARY CRUSHING UNITS (CONE PLANTS)					NW RAPID SECONDARY AND TERTIARY CRUSHING UNITS (IMPACTOR PLANTS)			SCREEN ONLY	
Cone plants / Impactor plants	Rapid NW200HPD™	Rapid NW220GPD™	Rapid NW300HPS™	Rapid NW330GPS™	Rapid NW4MXS™	Rapid NW7150D™ Single drive	Rapid NW7150D™ Dual drive	Rapid NW1213™	Rapid NW1855D™
TRANSPORT DIMENSIONS									
Length	13 500 mm	13 500 mm	15 200 mm	15 000 mm	15 000 mm	13 500 mm	13 500 mm	15 600 mm / 14 200 mm	13 700 mm
Width	3 000 mm	3 000 mm	3 200 mm	3 200 mm	3 200 mm	3 000 mm	3 000 mm	2 500 mm	3 000 mm
Height	4 400 mm	4 400 mm	4 200 mm	4 200 mm	4 200 mm	4 400 mm	4 600 mm	4 100 mm	4 500 mm
Weight	33 500 kg	33 500 kg	53 600 kg	53 600 kg	53 600 kg	32 500 kg	33 000 kg	35 000 kg / 39 000 kg	33 500 kg
Bogie weight	19 000 kg	19 600 kg	34 500 kg	34 500 kg	34 500 kg	18 500 kg	18 600 kg	19 000 kg / 22 000 kg	18 200 kg
King pin weight	14 500 kg	13 900 kg	19 100 kg	19 100 kg	19 100 kg	14 000 kg	14 400 kg	16 000 kg / 17 000 kg	7 900 kg
CRUSHER									
Model	Nordberg® HP200™	Nordberg® GP220	Nordberg® HP300™	Nordberg® GP330™	Metso MX4™	Barmac® 7150SE™	Barmac® 7150SE™	Nordberg® NP1213™	-
Feed opening	25 - 185 mm	58 - 213 mm	25 - 230 mm	85 - 225 mm	25 - 257 mm	-	-	-	-
Max feed size	-	-	-	-	-	45 mm	45 mm	250 mm (belt feeder) / 600 mm (grizzly feeder)	-
Setting range	10 - 38 mm	8 - 35 mm	10 - 45 mm	8 - 35 mm	8 - 49 mm	-	-	-	-
Motor power	132 kW	220 kW	220 kW	315 kW	315 kW	220 kW	2x 150 kW	250 kW	-
SCREEN									
Model	DS1855-4	DS1855-4	CVB2060-4M	CVB2060-4M	CVB2060-4M	DS1855-4	DS1855-4	-	DS1855-4
- length	5 500 mm	5 500 mm	6 000 mm	6 000 mm	6 000 mm	5 500 mm	5 500 mm	-	5 500 mm
- width	1 800 mm	1 800 mm	2 000 mm	2 000 mm	2 000 mm	1 800 mm	1 800 mm	-	1 800 mm

See it in action



Find your local Metso sales team
or distributor

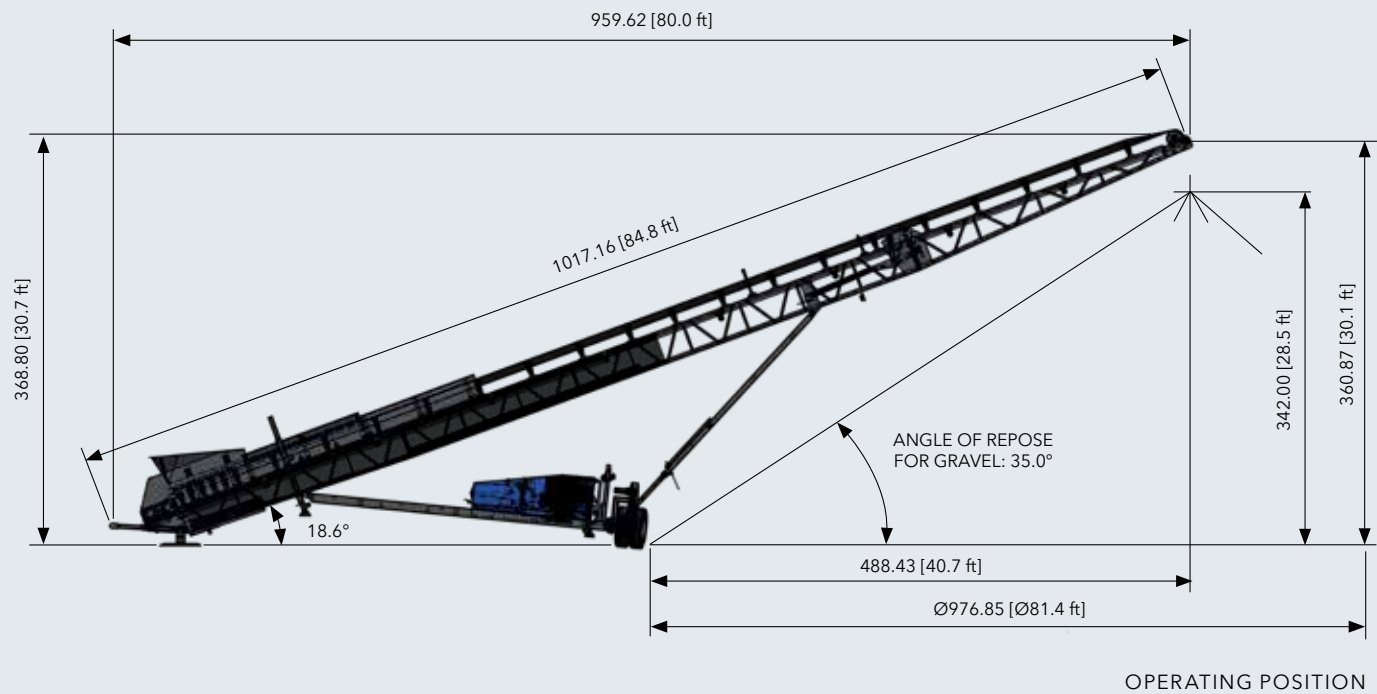




TECHNICAL INFORMATION | WHEELED MOBILE STACKER

MOBIBELT KW 80-2





TECHNICAL HIGHLIGHTS

- Heavy duty mobile tracked stockpiling conveyor
- 80' long conveyor
- Road towable
- Air brakes, mud flaps, lights
- Large feed hopper
- Hydraulic folding frame for easy transport, fast on site setup time (5 minutes)
- Abundant service room inside the power-pack
- Adjustable hopper height to optimize operational efficiency

TECHNICAL INFORMATION KW 80-2

Feeding unit

Feed capacity (t/h)	350
Hopper volume (yd³)	1.33

Conveyor

Width x length	3' x 80'
Discharge height at 23° conveyor incline	30.1'
Stockpile volume (yd³) at 23° conveyor incline	1,831
Belt specification	3-ply Vulcanized
Belt drive (cm³)	630
Belt trough angle	35°

Power supply unit

Drive concept	Diesel Hydraulic
Engine (Tier 4f/ Stage IV) (kW)	47.6 HP
Diesel tank capacity (gal)	73 gallons (275 liters)

Dimensions and weight

Working dimensions:	
Width x Length	10.8' x 80'
Height	30.7'
Transport dimensions:	
Transport height approx.	13.7'
Transport length	63.5'
Transport width	10.1'
Transport weight of basic plant (lbs)	22,600

Standard features: External belt alignment points / Auxiliary Guarding / External grease points / Axle Jacks / Engine safety shutdown systems / Full safety guarding for pinch points

STAFF UPDATE

Date: July 13, 2021
To: Edgerton Planning Commission
From: Katy Crow, Development Services Director
Re: **UDCA 2021-01** - Consider amendments to the Unified Development Code pertaining to
Article 5 – Industrial Zoning Districts, Section 5.2 (P) – Logistics Park District Signage

BACKGROUND INFORMATION

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

In August 2019, City staff worked with the Planning Commission to revise and update *Article 12* of the UDC, *Sign Regulations*. Revisions made to that Article addressed many of the challenging aspects of sign regulation – size, location, permits, nonconformance, etc. However, *Article 12* does not contain signage regulations for parcels containing an *L-P Logistics Park District* zoning designation. Signage regulations for L-P zoning designations are included in *Article 5 – Industrial Zoning Districts, Section 5.2 (P)*.

The first recommendation that staff would make is that all of the regulations related to signage for L-P zoning designations be removed from *Article 5, Section 5.2* and included in *Article 12* so as to standardize the UDC for ease of use and applicability.

As new tenants have been onboarded at Logistics Park Kansas City (LPKC) they have requested signage to assist with many aspects of their business – deliveries, hiring, onsite directional signage, etc. Staff has found that Section 5.2(P) contains some inconsistencies and deficiencies in the types of signage needed. Staff brings these areas to your attention so that you can provide feedback on how to amend the code most appropriately when *Article 5, Section 5.2* is merged into *Article 12* as discussed above.

The follow portions of *Section 5.2(P)* contain sections where clarification is needed prior to the merging of the two Articles:

Exempted Signs

Section 5.2(P)(3) *Exempted Signs* allows the following sign types to be exempted from regulation in L-P zoning designations (pages 5-20 and 5-21 of the UDC):

- f. One temporary sign not exceeding twelve (12) square feet in area.*

This exemption is in conflict with Section 5.2 (P)(17e) as the latter section requires a permit for 'portable signs, temporary banners, flags or inflatable signs.' Additionally, signs installed under Section 5.2 (P)(17e) contain a 14-day time limit for installation and installs are allowed four times per year.

Staff would recommend that temporary signs not be exempt and that permits be required. The same definition for 'temporary sign' that is used in *Article 12, Section 12.11 Sign Terminology and Definitions* should apply to temporary signs in L-P zoning designations: *Any sign that is not intended to remain on the premises on which it is located, on a permanent basis. A temporary sign may be displayed for no more than two, (14) day-periods within any calendar year.*

i. On-site directional signs necessary for the movement and circulation of traffic which are three (3) square feet or less in size.

This exemption has presented a challenge in that a better distinction is needed between 'on-site directional signage' and 'directional signage'. Staff would request the following definitions be added to help clarify the distinction between the two sign types:

Internal directional sign. A sign located on-premise which helps direct traffic *within* the site.

External directional sign. A sign adjacent to the driveway of the site that is used to direct traffic *onto* the site.

On-site directional signs should continue to be exempt from requiring a permit. Staff would recommend these signs be allowed to be 6 SF in size but be limited to four per parcel. They would not be allowed to be placed in the right of way, in a sight triangle or off premise.

Directional signs should continue to follow the regulations outlined in the code today – requirement of a sign permit, limited to 6 SF in area, and limited to one per street entrance. They would also not be allowed to be placed in the right of way, in a sight triangle, or off premise.

j. Signs which display "help wanted," and do not exceed six (6) square feet.

As was noted when *Article 12 – Sign Regulations* was revised in 2019, regulations should not refer to sign content but should instead refer to sign type. In this instance, the code should be amended to categorize these as 'temporary yard signs'.

Recognizing that the ability to staff businesses is important, there is also a need to balance the number of signs with the aesthetics of LPKC. Staff would recommend that temporary yard signs require a permit, be limited to 4 per parcel for a time limit of 14 days, up to four times per year. These signs should continue to be limited to 6 SF in size and would also not be allowed in the right of way, in a sight triangle or off premise.

STAFF RECOMMENDATION

At this time staff would ask the Planning Commission to convene a public hearing to discuss proposed amendments to the UDC related to signage in L-P Logistics Park District zoning designations. During the public hearing regarding Section 5.2 of the UDC, City staff would ask for your input, direction, and guidance in moving forward with any revisions.

City staff would then work the content of Section 5.2(P) into Article 12 and bring it back for your final review. Upon review and recommendation by the Planning Commission, the final form Article will go to the City Attorney for his review and then the Governing Body for approval and adoption.

P. Signage

1. **General.** The intent of this article is to promote the health, safety, welfare, convenience, and enjoyment of the public, and in part, to achieve the following:
 - a. The safety of the citizens of the City by prohibiting signs which create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or to read traffic signs.
 - b. To preserve landscape quality in the protection of the public welfare and to enhance the appearance and economic value of the landscape by providing that a sign does not create a nuisance to occupancy of adjacent and contiguous property by its brightness, height, size, or movement.
1. **Applicability and Effect.** A sign may be erected, placed, established, painted, created or maintained in the L-P District only in conformance with the standards, procedures, exemptions and other requirements of this ordinance. These regulations apply to all signs and their effect is:
 - a. To establish a permit system to allow a variety of types of signs subject to the standards and the permit procedures of the code; and
 - b. To prohibit all signs not expressly permitted by these regulations, except as approved through the appeals process established by these regulations.
2. **Exempted Signs.** The following signs shall be exempt from the requirements of this article with the exception of set back from property lines.
 - a. Signs of a duly constituted governmental body, including traffic or similar regulatory services, legal notices, warnings at railroad crossings, and other institutional or regulatory signs having to do with health, hazards, parking, swimming, dumping and of a similar nature.
 - a. Scoreboards, municipal golf course tee signs, sports field fencing, and park signs.
 - b. Signs incorporated on inside of the building/lease space on a window that is not readable from right-of-way.
 - c. Permanent signs designating historic tours, permanent direction signage, government facility or operation locations.
 - e. All City and State directional and traffic control signs.
 - f. One temporary sign not exceeding twelve (12) square feet in area.
 - g. The changing of messages or copy of signs designed and intended to be changed on a regular basis provided the sign is not altered. Examples of these type signs are theater marquees, menus, fuel prices, directories, and the like.
 - h. Signs which display date, time and temperature are permitted, providing they do not exceed six (6) square feet in addition to other signage on the property.
 - i. On-site directional signs necessary for the movement and circulation of traffic which are three (3) square feet or less in size.
 - j. Signs which display "help wanted," and do not exceed six (6) square feet.
3. **Prohibited Signs.**
 - a. Off-Premise Billboards. Off-premise pole signs and billboards are prohibited in the L-P District.
 - b. Trailer Mounted and Portable Read-a-Board Signs. Trailer mounted and portable read-a-board signs are strictly prohibited, and subject to the following:

1. **Enforcement.** The owner or occupant of any property upon which there is located a trailer mounted, or non-trailer mounted, portable read-a-board sign in violation of this Sub-Section or the owner or lessee of any trailer mounted, or non-trailer mounted, portable sign which is in violation of this Sub-Section as herein defined shall be given notice by the Building Official or designee, stating the nature of the violation and ordering that the violation be corrected or removed from said property within seventy two (72) hours.
2. **Notice.** Notice shall be given by one of the following methods:
 - a. A written notice may be attached to the sign in violation of this Sub-Section, or
 - b. Verbal notification may be made by telephone or in person.
 - c. No Response. If the owner, lessor, lessee, or the representative of the lessor of the trailer mounted or non trailer mounted portable sign fails to remove such sign within seventy two (72) hours of the notification, the owner, lessor or lessee shall be issued a citation.
 - d. Entrance onto Property. The Building Official or any duly authorized agent may enter upon private property which is accessible to the public for the purposes specified in this SubSection to examine signs or their location, obtain information as to the ownership of such signs and to declare the sign to be a violation pursuant to this Sub-Section.
- c. Obscene and Immoral Matter. It shall be unlawful for any person to display upon any sign any obscene, indecent or immoral behavior, as defined in the Black's Law Dictionary Fifth Edition.
- d. Painting or marking of streets, sidewalks or utility poles. No person shall attach any sign, paper or other material, or paint, stencil or write any name, number (except address numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public building, fence or structure except as otherwise allowed by the code.
- e. Hand Bills and Placards. No person, firm, corporation or association of persons, shall paste, stick, tack, nail or otherwise place any advertisement, handbill, placard or printed, pictured or written matter or thing for any purpose upon any fence, railing sidewalk or public telephone, electric or other utility pole, or any other public property, including trees thereon.
- f. Flashing Signs. Signs of any type with flashing, revolving or rotating lights shall not be permitted.
- g. Pole Signs/Pylon Signs. Pole signs shall be prohibited in the L-P District.
5. Illuminated signs are permitted in nonresidential districts, provided that they shall not be erected within one hundred (100) feet of any residential zoning district unless properly and adequately shielded so that light from such sign is not directed toward such residential district.
6. In no case can a sign be placed closer than fifteen (15) feet from a residential property.
7. No high intensity lights shall be permitted as part of a sign display visible from an adjacent street.
1. No sign shall be illuminated to intensity greater than two hundred (200) foot-candles. The restrictions of luminance in this Sub-Section shall be determined from any other premise or from any public street right-of-way other than an alley.
2. The maximum size of any temporary construction/development sign, that is not adjacent to a highway, is ninety (90) square feet per side, with a maximum height of twenty (20) feet and a maximum length of fifteen (15) feet.
3. The maximum size of a temporary construction/development sign adjacent to a highway is three hundred twenty five (325) square feet per side, with a maximum height of thirty (30) feet and maximum length of fifteen (15) feet.

4. No sign shall be located as to obstruct the vision or sight distance of vehicle operators or pedestrians at any intersection or street crossing. In order to maintain visual clearance and sight distance for vehicle operators and pedestrians:
 - a. A 20' x 20' Visibility Triangle shall be provided.
 - b. A sign in direct line of vision of any signal light, traffic control sign, or any other such device from any point in a moving traffic lane must be at least fifty (50) feet from such device, unless the Superintendent of Public Works, or designee, approves the placement of such sign.
5. No sign shall be constructed nearer than three (3) feet from any public or private underground utilities. No ground sign or accessories to such sign shall be located within ten (10) feet vertically and six (6) feet horizontally of electrical wires or conductors in free air carrying more than forty eight (48) volts, whether or not such wires or conductors are insulated or otherwise protected.
6. Signs Posted on Poles and Fences. No sign shall be posted upon any tree, utility pole, fence post, or any style or type of fence. No detached sign shall be suspended over any building or structure.
7. No cloth, paper, banner, flag, device, or other similar advertising matter shall be permitted to be attached, suspended from or allowed to hang loose from any sign, building, or structure, except as allowed by other provisions of this Section. Such advertising matter shall be a violation of this Section and shall be removed immediately upon notice by the Building Official. No person shall place on, or suspend from any building, pole, structure, sidewalk, parkway, driveway, or parking area, any goods, wares, merchandise, or other advertising object or structure for the purpose of advertising such items, except as otherwise permitted.
8. No portion of any sign shall be erected upon or over public property or public right-of-way, except as otherwise specifically permitted.
9. No signs shall be attached to a motorized vehicle, where the primary use of such vehicle is for sign purposes. Signs attached to or upon any motorized vehicle shall be prohibited where any such vehicle is allowed to remain parked in the same location or in the same vicinity, at frequent or extended periods of time where the intent is apparent to be one of using the vehicle for signage. Vehicles operating under a city Franchise shall be excluded from this provision. This provision does not restrict the identification signing or vehicles used for delivery service, interstate commerce, or any bona fide transportation activity.

10. Specific Sign Regulations

- a. **Attached Sign.** A sign attached to, painted on, or erected against a wall of a building which extends no more than twelve (12) inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building to which the sign is attached and may not extend above the roof line or roof façade, and must be at least eight (8) feet from grade.
- b. **Directional Signs.**
 1. Directional signs shall be allowed in the L-P District subject to the following:
 - a. Directional signs shall be limited to six (6) square feet in area for institutional uses, with one (1) sign per street entrance allowed.
 - b. Identification of services is permitted on such a sign, such as "emergency services entrance." Such signs are limited to two (2) square feet or less in area for non-institutional uses, with no limit on the number of signs permitted for such uses. For non-institutional uses, identification of services is not permitted on such sign.
- c. **Monument Signs.** Such signs will be governed by the requirements set forth in the following Table:

Monument Signs		
Attribute		Requirement
Number		<ul style="list-style-type: none"> – One (1) monument sign is permitted for each property. – On property of more than thirty (30) acres in size and with more than one (1) street frontage, a second monument sign is permitted on the additional street frontage. – Platted private roads may be considered a second street frontage.
Location		<ul style="list-style-type: none"> – 15 feet from all property lines. – Outside of site triangles and easements. – No closer than 400 feet to another freestanding sign located on the same property.
Size	Sign Face	<ul style="list-style-type: none"> – No element of a sign shall not exceed eight (8) feet above natural or average grade (including base, support structure or other architectural elements). – The sign face area shall not exceed one square foot per ten (10) lineal feet of street frontage up to a maximum of 60 square feet per sign.
	Base & Support Structure	<ul style="list-style-type: none"> – Base must be a minimum of two feet in height. – The base shall extend a minimum of $\frac{3}{4}$ the entire length of the sign. – The total area of the base and support structure shall be at least 75% of the sign face area. – The base and support structure shall not exceed the sign face area by more than 10 percent.
Material & Design	Sign face	<ul style="list-style-type: none"> – Cabinet-type signs with translucent panels or panels with reflective surfaces, including but not limited to acrylic fiberglass, plastic, or metal or channel letter signs with translucent backlit panels are prohibited. Artistic elements to the sign may include small areas of translucent, backlit surfaces that exceed no more than 5% of the total sign face. – Sign face shall provide individually cut letters including channel letter signs (may be Halo lit); stenciled panels with three-dimensional push-through graphics; cast letters and logos; cast metal; or engraved. – Background of Sign face is encouraged to be comprised of natural design materials that are compatible with the building façade. – Electrical transformer boxes and raceways shall be concealed from public view.
	Base & Support Structure	<ul style="list-style-type: none"> – Natural flagstone, rock, stone, river rock, brick, limited areas of cementitious stucco, concrete and similar materials designed to match the look of the building in texture and color are considered appropriate materials. – Architectural elements should be provided on the top and/or sides of the sign
Illumination		<ul style="list-style-type: none"> – The use of backlit (halo), individually cut reverse channel letter signs, or stenciled panels with three-dimensional push-through graphics is strongly encouraged. – The use of external lighting sources is permitted. External lighting shall be designed so that the light source is directed away or shielded from passersby, adjacent properties and motorists.
Landscaping		<ul style="list-style-type: none"> – The base of a monument sign shall be softened with landscaping sufficient to cover an area extending not less than 2½ feet around the base of the sign. – The applicant shall designate the area and type of plantings in the sign permit application. Said landscape area shall be landscaped appropriately. – Landscaping shall not obstruct the sign face. – Ordinance No. 1044, 2017

d. **Wall Signs.**

1. Construction: Attached signs that are illuminated internally shall be constructed only of materials that are noncombustible or slow burning in the case of plastic inserts and faces.
2. Maximum height: A wall sign shall not extend above the roofline or facade of a building.
3. Maximum area:
 - a). Frontage: Total square footage is equal to one (1) times the length of the building frontage or lease space frontage;
 - b). Sides: Total square footage is equal to one half (0.5) times the length of the side wall of building.
4. Minimum area: A wall sign shall be a minimum of twenty four (24) square feet.
5. Depth: A wall sign shall not extend more than twelve (12) inches from the building wall to which it is attached.
6. Placement: Painted or attached directly on the wall surface on a building intended to be viewed from the ground. Signs above roofline, fascia, or top of roofs are strictly prohibited.

e. **Portable Signs, Temporary Banners, Flags, or Inflatable Signs.** Prior to the use or placement of any portable sign, temporary banner, flags or inflatable signs, a permit must be obtained from the City. The maximum size of any such sign is 12 square feet. A permit for such signs can only be issued for a maximum continuous period of fourteen (14) days, and for a maximum number of four (4) times per calendar year. A minimum time of sixty (60) days must be elapsed between expiration and issuance of such permits. None of these signs shall be located in city rights-of-way, in any Visibility Triangle, or in any other location so as to impair traffic or pedestrian vision or safety. All such signs must be set back a minimum distance of five (5) feet from the property line. Such signs may be internally lighted; however, such lighting shall not be flashing or intermittent. Temporary electrical requirements shall be subject to the adopted electrical code.

1. Banners and other wind devices shall be securely attached to a wall surface or building element and shall not project above the apparent roof or building eave line. A fence or railing shall not be considered to be a building element. A banner shall not be used in lieu of a permanent sign, except in the case of new businesses where it may be used for a period not exceeding thirty (30) days. Banners shall be secured at all points of attachment. Torn or severely weathered banners shall not be permitted.
2. The number of banners displayed on any premises shall not exceed two (2).
3. No individual banner shall contain more than forty (40) square feet of area.
4. Banners found in violation of this Section must be removed or made to conform within 24 hours of notification.

f. **Kiosk Signs.**

1. Kiosk signs provide a uniform, coordinated method of providing information while minimizing the negative impacts to the City and its residents. A Kiosk sign is a sign containing individual panels and is generally used to provide direction to residential subdivisions from major thoroughfares or to provide direction to schools, amenities, information centers, community facilities and neighborhoods within a residential subdivision. Kiosk signs shall conform to the requirements set forth below. A "Sign Panel" is an individual sign placard displaying directional information on a kiosk sign.
2. All kiosk signs must have approval by the Planning Commission. Placement of Kiosk signs shall not distract traffic or create a traffic hazard. The

Superintendent of Public Works must approve the placement of all kiosk signs prior to installation. Kiosk sign structures shall not exceed 12 feet in height and 4 feet in width. Kiosk sign structures shall be ladder type with individual sign panels of uniform design. The color of all kiosk sign structures and panel background color will be approved by the City. The City may, by a duly executed services contract, grant to a qualified person or company the right to design, erect and maintain directional kiosk signs within the City.

4. Maintenance of Signs. All signs and sign support structures, together with all of their supports, braces, guys and anchors, shall be maintained in a proper state of preservation. No sign will be allowed to be kept in a dilapidated or deteriorated condition. Signs with broken or missing faces shall be repaired or replaced within fifteen (15) days of notice by the Building Official.

- a. Freestanding sign panels advertising a business that has vacated the premises must be replaced with the new business or a blank panel within thirty (30) days of vacancy.
- b. Any sign which the Building Official determines no longer serves a bona fide use conforming to this code, shall be removed by the owner, agent or person having the beneficial use of the land, buildings or structure upon which such signs is located within fifteen (15) days after written notification to do so from the Building Official. Upon failure to comply with such notice, the Building Official is hereby authorized to cause the removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon where it is erected.
- c. If the Building Official shall determine that any sign is unsafe or unsecure, or is a menace to the public, he shall give written notice to the person or persons responsible for such sign. If the permittee, owner, agent or person having the beneficial use of the premises fails to remove or repair the sign within fifteen (15) days after such notice, such sign may be removed by the Building Official at the expense of the permittee or owner of the property upon which it is located. The Building Official may cause any sign that is an immediate hazard to persons to be removed summarily and without notice.

19. Illegal Signs. An illegal sign is any sign that meets any of the following criteria:

- a. A sign erected without first obtaining a permit from the City and complying with all regulations in effect at the time of its construction or use;
- b. A sign that was legally erected but whose use has ceased because the business it identifies is no longer conducted on the premises;
- c. A nonconforming sign for which the amortization period has expired;
- d. A sign that was legally erected but which later became nonconforming and then was damaged to the extent of 50% or more of its current replacement value;
- e. A sign that is a danger to the public or is unsafe; or
- f. A sign that pertains to a specific event that has not been removed within five (5) days after the occurrence of the event.

20. Non-Conforming Signs.

- a. Non-conforming signs, except as otherwise provided by these regulations, may be continued subject to the following limitations:
 - 1). The owner of a non-conforming sign, upon receipt of a notice of non-conformity, may register the sign with the City as an existing, non-conforming sign.
 - 2). Registered, non-conforming signs may be maintained and repaired with like materials and the sign message may be changed, provided that there is no

extension, enlargement, change in location, or structural modification to any non-conforming aspects of the sign.

- 3). When a non-conforming sign is demolished or damaged to the extent that the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location, such sign shall be eliminated or made to conform to the current sign regulations.
 - b. Removal of Non-conforming Signs. The following non-conforming signs shall be eliminated or made to conform to the current sign regulations within thirty (30) days of the receipt of a notice of nonconformity. Signs subject to this Section are those whose characteristics constitute a public safety hazard.
 - 1). Signs that violate the sight triangle provision.
 - 2). Signs using the words "stop," "slow," "caution," "danger" or any other word, phrase, symbol or character in such a manner as is reasonably likely to be confused with traffic, directional and regulatory signs.
 - 3). Signs erected so that by their location, color, nature or message are likely to be confused with or obstruct the view of traffic signals or signs, or is likely to be confused with the warning lights or an emergency or public safety vehicle.
 - 4). Strings of lights not permanently mounted to a rigid background.
 - 5). Signs affixed to trees or utility poles.
 - 6). Temporary and portable signs, except those provisionally exempt signs listed in this Section as Exempted Signs, which violate building code provisions for wind loading, structural stability, electrical wiring or other code provisions.
21. **Forfeiture of Signs.** Any sign installed or placed on public property, except in conformance with the requirements of these regulations, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.
22. **Computation of Area of Individual Signs**
- a. The area of a sign shall be computed as the entire advertising area of the sign, including any framing or trim, contained within the respective sign cabinet. For the purposes of this computation the sign cabinet shall be defined as the structure or border used to differentiate a sign face from the structure against which a sign face is placed.
 - b. Where a sign consists of individual letters, words or symbols attached to a surface, building, canopy, awning or wall and all such elements are located in the same plane, the sign area shall be the area of the smallest rectangle which completely encompasses all such letters, words or symbols and any accompanying background of a color different than the natural color of the wall.
 - c. The permitted area for all monument signs shall not include the sign base or sign structure. In no case shall the overall sign structure, including the base, exceed the maximum allowed height nor the maximum allowed sign area. In no case shall the sign face of a monument sign exceed 50% of the overall sign structure.
23. **Computation of Area of Multi-faced Signs.** The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are substantially similar, and when such sign faces are part of the same sign structure the sign area shall be computed by the measurement of one of the faces.
24. **Computation of Height.** The height of a sign shall be computed as the mean distance from the base(s) of the sign at normal grade to the top of the highest

attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

25. **Computation of Sign Setback.** The spacing between a sign and a lot line or two (2) signs. The distance is measured horizontally from a vertical plane at the outer extremity of each sign.
26. **Computation of Maximum Number of Signs.** Pursuant to the standards provided in the L-P District, each lot is allocated the maximum number of signs allowed. Where indicated, additional signs beyond the identified allowance shall be determined by the lineal frontage of the lot or of the "artificial lot".
27. **Sign Permits, Applications and Inspections.**
 - a. It shall be unlawful for any person to paint on any wall or surface, construct, erect, alter, enlarge or repair any sign within the legal boundary of the L-P District without first obtaining a permit from the Building Official and paying the fee as listed elsewhere in the City Code.
 - b. Signs to be illuminated are subject to the electrical code, permit and fee requirements.
 - c. Applications for permits shall be made upon forms provided by the Building Official, and shall contain or have attached thereto the following information:
 - 1). Name, address and telephone number of the applicant.
 - 2). Location of building, structure, or lot to which or upon the sign or other advertising structure is to be attached or erected.
 - 3). Two (2) sets of plans to scale shall be submitted showing the sign location in relation to nearby buildings or structures, signs, property lines, driveways, public streets, fences, and sidewalks, and two sets of plans and specifications showing method of construction and attachment to the building or ground, size, type, height, construction materials, and such other information as the Building Official may require. The plans shall be one-eighth inch (1/8") to one foot (1'). Signs over ten (10) feet in height shall be engineered design.
 - 4). Name and address of person, firm, corporation, or association erecting any structure.
 - 5). Electrical permit shall be required for illuminated sign.
 - 6). Zoning classification carried by the property.
 - 7). Such other information as the Building Official may require in order to show full compliance with this and all other laws and ordinances of the city and state.
 - d. The Building Official may require plans to be prepared by a registered professional engineer. Original signature of engineer required. Engineer shall be certified by the State of Kansas.
 - e. It shall be the duty of the Building Official upon the filing of an application for a sign permit to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign, and if it shall appear that the proposed structure is in compliance with all the requirements contained in the building code, and all other laws and ordinances of the City of Edgerton. The Building Official shall then issue the sign permit. If the work authorized under a sign permit has not been completed within ninety (90) days after issuance, the said permit shall become null and void.
 - f. The Building Official shall be notified by the permittee when erection of the sign is

complete and he shall make an inspection to determine if the sign conforms to city ordinances and codes.

- g. Signs or signs with moving parts shall be approved by the Planning Commission.
- h. Signs shall meet all adopted building codes and fire codes.
- i. Signs in excess of fifty (50) square feet in area and taller than ten feet in height shall be designed by a structural engineer registered in the State of Kansas; these signs shall be constructed to withstand a minimum wind load of thirty (30) pounds per square foot and a minimum dead load as required by the adopted building code.

STATE OF KANSAS
JOHNSON COUNTY, SS

Brandon Humble, being first duly sworn, deposes and says: That he is the editor of **THE GARDNER NEWS** A weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas and that said newspaper is a bi-weekly published at least weekly, 52 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office in Gardner, Kansas in said county as second class matter.

That the attached notice is a true copy there of and was published in the regular and entire issue of said newspaper for 1 consecutive weeks(s),

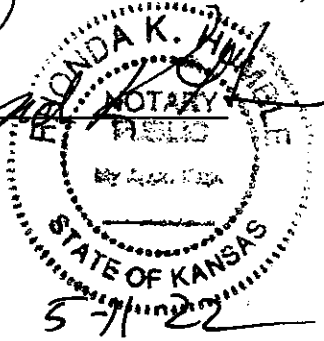
The first publication there of being made as aforesaid on June 23, 2021

Publications being made on the following :

EDITOR Brandon Humble

SUBSCRIBED AND SWORN TO ME THIS : Jun 23, 2021

NOTARY PUBLIC Shonda K. Hall



MY COMMISSION EXPIRES 5-7-22

COST-----

ADDITIONAL COPIES-----

IN THE DISTRICT COURT OF JOHNSON, COUNTY KANSAS-----

The within Proof Of Publication approved

-----JUDGE

Public Notice

First published in *The Gardner News* Wednesday, June 23, 2021

CITY OF EDGERTON, KANSAS
NOTICE OF HEARING FOR REVISIONS
TO UNIFIED DEVELOPMENT CODE
CASE: UDCA2021-01

Notice is hereby given that the Planning Commission of the City of Edgerton, Kansas, will hold a Public Hearing at their regularly scheduled meeting on Tuesday, July 13, 2021 at Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas at 7:00 p.m.

at which time and place the public may be heard in regard to revisions to the Edgerton Unified Development Code, specifically Article 5, Section 5.2(P) – L-P Logistics Park District – Signage.

Dated this 23rd day of June, 2021.

John Daley, Chairperson
Edgerton Planning Commission
City of Edgerton, P.O. Box 255, 404 E.
Nelson St., Edgerton, KS 66021