

**EDGERTON PLANNING COMMISSION
MEETING AGENDA
EDGERTON CITY HALL - 404 EAST NELSON STREET
September 12, 2023
7:00 P.M.**

The City of Edgerton encourages public participation in local governance issues. To facilitate an efficient and effective meeting, persons wishing to address the Planning Commission must sign-up before the meeting begins. During public hearings, comments must be limited to three (3) minutes per speaker. The maximum time limit for all speakers during each public hearing will be one (1) hour.

The chair may modify these provisions, as necessary. Speakers should state their name and address and then make comments that pertain to the public hearing item.

The chair may limit any unnecessary, off-topic, or redundant comments or presentations. Speakers should address their comments to Planning Commission members only and should not speak to fellow audience members. Commission members will not engage in a dialogue or debate with speakers. Speakers and audience members should conduct themselves in a civil and respectful manner. Disruptive conduct may result in removal from the meeting.

Call to Order

1. **Roll Call** _____ Daley _____ Draskovich _____ Crooks _____ Little _____ Mueller
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 July 11, 2023 Planning Commission Meeting.

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. **CU2023-03: RENEWAL OF A CONDITIONAL USE PERMIT APPLICATION FOR A CARGO CONTAINER STORAGE, REPAIR OR MAINTENANCE FACILITY FOR US MMG PROPERTIES E LOT, LLC LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF W. 191ST STREET AND WAVERLY ROAD**

Applicant: Brian Kaplan, Agent – Kaplan Holdings, LLC

- a. Public Hearing for CU2023-03
- b. Consideration of CU2023-03

7. **CONTINUED FROM JULY 11, 2023 - PP2023-03: PRELIMINARY PLAT APPLICATION FOR NORTHPOINT DEVELOPMENT LOCATED SOUTHEAST OF THE INTERSECTION OF W. 191ST STREET AND KILL CREEK ROAD**

Applicant: Kevin White, Agent – NorthPoint Development, Developer/Property Owner

The applicant has requested this application be withdrawn.

8. **CONTINUED FROM JULY 11, 2023 - FS2023-06: FINAL SITE PLAN APPLICATION FOR NORTHPOINT DEVELOPMENT LOCATED SOUTHEAST OF THE INTERSECTION OF W. 191ST STREET AND KILL CREEK ROAD**

Applicant: Kevin White, Agent – NorthPoint Development, Developer/Property Owner

The applicant has requested this application be withdrawn.

9. **CONTINUED FROM APRIL 11, 2023 - CU2023-01: CONDITIONAL USE PERMIT APPLICATION FOR A CARGO CONTAINER STORAGE, REPAIR OR MAINTENANCE FACILITY FOR WHIMSY EDGERTON, LLC LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF W. 199TH STREET AND HOMESTEAD LANE**

Applicant: Clayton Rule, Agent – Whimsy Edgerton, LLC, Property Owner

- a. Public Hearing for CU2023-01
- b. Consideration of CU2023-01

10. **CONTINUED FROM APRIL 11, 2023 - PP2023-02: PRELIMINARY PLAT APPLICATION FOR WHIMSY EDGERTON, LLC LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF W. 199TH STREET AND HOMESTEAD LANE**

Applicant: Clayton Rule, Agent – Whimsy Edgerton, LLC, Property Owner

- a. Consideration of PP2023-02

11. **FP2023-04: FINAL PLAT APPLICATION FOR WHIMSY EDGERTON, LLC LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF W. 199TH STREET AND HOMESTEAD LANE**

Applicant: Clayton Rule, Agent – Whimsy Edgerton, LLC, Property Owner

- a. Consideration of FP2023-04

12. **FS2023-07: FINAL SITE PLAN APPLICATION FOR WHIMSY EDGERTON, LLC LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF W. 199TH STREET AND HOMESTEAD LANE**

Applicant: Clayton Rule, Agent – Whimsy Edgerton, LLC, Property Owner

- a. Public Hearing for FS2023-07
- b. Consideration of FS2023-07

13. Future Meeting Reminders

- October 10, 2023 at 7:00 PM – Regular Session
- November 14, 2023 at 7:00 PM – Regular Session
- December 12, 2023 at 7:00 PM – Regular Session

14. Announcements

- Planning Commission Chair Announcements
- Development Services Director Announcements

15. Adjourn

PLANNING COMMISSION
July 11, 2023

A special session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas on July 11, 2023. The meeting convened when Chair John Daley called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	present
Charlie Crooks	present
Adam Draskovich	absent
John Daley	present
Jordyn Mueller	absent

With a quorum present, the meeting commenced.

Staff in attendance: Zachary Moore, Development Services Director
Chris Clinton, Planning and Zoning Coordinator/Deputy City Clerk

- 2. WELCOME** Chairperson Daley welcomed all in attendance to the meeting.
- 3. PLEDGE OF ALLEGIANCE** All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Approve Minutes from the June 13, 2023 Planning Commission Meeting.
5. Approve Minutes from the June 20, 2023 Planning Commission Special Session.

Commissioner Crooks moved to approve the Consent Agenda. The motion was seconded by Commissioner Little. The Consent Agenda was approved, 3-0.

REGULAR AGENDA

6. DECLARATION

Chairperson Daley asked the Commissioners to declare any correspondence they have received or communication they have had regarding the matters on the agenda. If they have received correspondence or have had any communication, he asked if it may influence their ability to impartially consider the agenda items.

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

BUSINESS REQUIRING ACTION

NEW BUSINESS

7. **PP2023-03: PRELIMINARY PLAT APPLICATION FOR NORTHPOINT DEVELOPMENT LOCATED SOUTHEAST OF THE INTERSECTION OF W. 191ST STREET AND KILL CREEK ROAD**

Commissioner Crooks moved to continue Preliminary Plat Application PP2023-03 to August 8, 2023 meeting. Commissioner Little seconded the motion. Preliminary Plat Application PP2023-03 was continued to the August 8, 2023 meeting, 3-0.

8. **FS2023-06: FINAL SITE PLAN APPLICATION FOR NORTHPOINT DEVELOPMENT LOCATED SOUTHEAST OF THE INTERSECTION OF W. 191ST STREET AND KILL CREEK ROAD**

Commissioner Crooks moved to continue Final Site Plan Application FS2023-06 to August 8, 2023 meeting. Commissioner Little seconded the motion. Final Site Plan Application FS2023-06 was continued to the August 8, 2023 meeting, 3-0.

9. **UDCA2023-02: AMENDMENTS TO ARTICLE 4 (COMMERCIAL ZONING DISTRICTS) AND ARTICLE 7 (CONDITIONAL USES) OF THE UNIFIED DEVELOPMENT CODE (UDC)**

Chairperson Daley opened the public hearing.

Mr. Zachary Moore, Development Services Director, stated that during a recent audit of the UDC, City staff identified an area of the UDC that should be updated for clarity to readers. Articles 3, 4, and 5 of the UDC list out uses that are permitted by right and uses that require a conditional use permit (CUP) in each zoning district. Article 7, which is titled 'Conditional Uses', has individual sections for each different zoning district, but only lists the uses that have specifically prescribed conditions required for consideration. City staff recommends an update to Article 7 to include the full listing of each use that is permitted with a CUP in that district. No changes to the conditions themselves are proposed, and only minor changes to language to align with current industry standards are proposed.

Mr. Moore explained City staff has been reviewing opportunities to help promote business in the Downtown Area along Nelson Street. One way to do this is to allow for sidewalk sales, which will draw attention to local businesses and will help invigorate the Downtown Area.

Chairperson Daley inquired to what a sidewalk sale is. Mr. Moore explained it is when a business places merchandise for shoppers to look at and purchase on the sidewalk.

Mr. Moore explained the UDC currently requires a Temporary Sales Permit to allow outdoor displays and sales of merchandise in the Downtown District. Chairperson Daley asked if the sidewalks was wide enough for the sales. Mr. Moore explained new sidewalk that will most likely be installed will be around six (6) feet in width. He said if a Temporary Sales Permit is approved under the current code, the outdoor display and sales of merchandise would be approved for up to four (4) times per year, up to seven (7) days per each permit. These permits may run consecutively, therefore allowing outdoor displays and sales for a total of twenty-eight (28) days, but the business owner would not be permitted to have additional Temporary Sales Permits for outdoor displays and sales throughout the year. With this

recommended update to the UDC, City staff is recommending that sidewalk sales be permitted with approval of a Sidewalk Sales Permit, which must be obtained annually. Mr. Moore stated City staff is also recommending the following amendment regarding the Sidewalk Sales Permit:

Businesses in the C-D District that are immediately adjacent to a sidewalk may display merchandise on the public sidewalk for sale, pursuant to the following conditions:

1. A Sidewalk Sales Permit must be reviewed and approved by the Zoning Administrator prior to the display of merchandise for sale or storage on a Downtown sidewalk.
 - i. Sidewalk Sales Permits must be renewed annually.
 - ii. Sidewalk Sales Permits run with the business, not the property. If a new business moves into a Downtown storefront, a new Sidewalk Sales Permit must be obtained prior to sidewalk sales occurring.
 - iii. Additional conditions may be added to the Sidewalk Sales Permit, as determined by the Zoning Administrator.
2. A sketch identifying the merchandise display area must be provided with the Sidewalk Sales Permit.
 - i. Clear ingress and egress a minimum of 4 feet in width must be maintained from the entry of the structure to the curb.
 - ii. A clear 4-foot path must be maintained in front of the store along the public sidewalk. Mr. Moore stated City staff might require a diagram be provided.
 - iii. All ADA requirements must be met.
3. All material displayed outdoors during business hours must be moved indoors upon the close of business.

Commissioner Crooks stated that the Dollar General store, which is zoned C-1, has had items outside. Mr. Moore replied that he has been in contact with the manager of that store to correct that issue. Commissioner Crooks asked if outdoor sales were allowed at all for that district. Mr. Moore stated that the Temporary Sales Permit can be applied for in that zoning district.

Commissioner Little moved to close the public hearing. The motion was seconded by Commissioner Crooks. The public hearing was closed, 3-0.

Commissioner Little moved to recommend approval of the amendments of Article 4 and 7 to the City Council. Commissioner Crooks seconded the motion. The amendments to the UDC outlined in Application UDCA2023-02 were approved, 3-0.

10. FUTURE MEETING REMINDERS

Chairperson Daley stated that the next regular sessions are scheduled for August 8, 2023; September 12, 2023; and October 10, 2023.

11. ADJOURN

Commissioner Little moved to adjourn the meeting. Commissioner Crooks seconded the motion. The meeting was adjourned at 7:10 PM, 3-0.

DRAFT

US MMG PROPERTIES E LOT, LLC

Application CU2023-03
30830 W 191st Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting a renewal of a Conditional Use Permit for a cargo container storage/maintenance facility located at 30830 W 191st Street.

**A Public Hearing is
required.**

Owner and Applicant

US MMG Properties E Lot, LLC, property owner, represented by Brian Kaplan, Agent of Kaplan Holdings, LLC

Existing Zoning and Land Use

The property is zoned City of Edgerton L-P (Logistics Park) and is currently used as a cargo container storage lot under an existing approved Conditional Use Permit.

Parcel Size

22.67 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. Proposal

This Conditional Use Permit request is being made to renew Conditional Use Permit No. CU-08-09-2013, which was approved with Ordinance 951. The previously approved Conditional Use Permit was approved for ten (10) years and has an expiration date of September 26, 2023. The existing use of a cargo container facility currently occurs on two (2) acres on the subject property. The containers on the lot typically rotate every two (2) to three (3) days and the applicant plans for Trans Services, Inc. to be headquartered on the subject property. Their operations are proposed to include trucking operations, a cross dock facility, a repair and maintenance facility, load and empty container ground stack operations, and load and empty container wheeled storage operations. Any proposed new development on-site will require a Final Site Plan approval. Cargo container storage facilities in the L-P District require approval of a Conditional Use Permit pursuant to Articles 5 and 7 of the Unified Development Code (UDC).

2. Subject Site

The 22.67-acre subject property was annexed in 2013 (Ordinance 939). That annexation inadvertently included a 0.13 acre tract of land, which is owned by the City of Gardner, and a revisionary ordinance (Ordinance 943) was passed on August 22, 2013, clarifying that the Tract was not annexed into Edgerton. The property was rezoned from CTY RUR to the City's L-P (Logistics Park) District, and the City Council approved the Conditional Use Permit for the cargo container storage facility (CU-08-09-2013) on September 26, 2013. The Planning Commission approved the Final Site Plan (S-08-09-2013) on September 10, 2013, contingent upon City Council approval of the related rezoning and conditional use permit. The Final Site Plan was later updated in February 2015 to include fencing and additional landscaping and to remove a previously proposed building on site.

3. Service Providers and Watershed

- a. Water Provider – Water 7.
- b. Sanitary Sewer – City of Edgerton.
- c. Electrical Service – Evergy.
- d. Gas Service – Kansas Gas Service.
- e. Police Protection – City of Edgerton through the Johnson County Sheriff's Office.
- f. Fire protection – Johnson County Fire District #1.
- g. Watershed – Bull Creek

CONDITIONAL USE PERMIT REVIEW

City Staff reviewed the Conditional Use Permit under the requirements outlined in Article 7 – Conditional Uses 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 may 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 7.2.G.7 – Conditional Use Permit Requirements – Cargo Container Storage, Repair or Maintenance

The following items are required conditions for Conditional Use Permits for Cargo Container Storage, Repair, or Maintenance facilities. All applicable conditions will be included as a stipulation of staff's recommendation, which can be found on page seven (7) of this report, and each of these items will be reviewed at the time of Final Site Plan review.

1. **Access** – No cargo containers or semi-trailers (either on or off a chassis), or a chassis, may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings.
2. **Exterior Lighting** – Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved.
3. **Minimum Lot Size** – Facilities shall have a minimum lot size of twenty (20) acres.
4. **Noise** – Noise from businesses and facilities shall not exceed 60 dB(A) in any adjacent residential district or 70 dB(A) in any adjacent commercial or industrial district or property.
5. **Paving** – All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation:
 - a. Paving shall mean concrete or asphalt: and
 - b. Dust-free shall mean that all interior driveways and storage area surfaces shall be kept free of dust, dirt or other materials to prevent the migration of dust off-site.
6. **Parking** – Facilities shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), cassis or similar storage devices.
7. **Cargo Container Stacking** – Cargo containers shall not be stacked more than five (5) in number.
8. **Chassis Stacking/Racking** – Empty chassis may be stored on end (racking), or may be stacked. When stacked, chassis shall not be more than five (5) in number.
9. **Screening and Landscaping** – Screening may be required on the perimeter of the property. Screening shall be a combination of fencing and landscaping or berming and landscaping. Screening shall comply with requirements Article 5.2 L-P District Landscape Standard.
10. **Setbacks and Separation Distance** – All buildings, structures, parking and other uses on the property, shall be subject to the setback requirements in Article 5.2 L-P District

Setback, Yard, Area Regulations, except, however, the parking or storage of cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked) shall be subject to the following setback standards that may vary depending upon the difference scenarios set forth below:

- a. When abutting (touching), or across the street from non-residentially zoned property, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked or stacked).
 - b. When abutting (touching) public right-of-way, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked).
 - c. When abutting (touching), or across the street from residentially zoned property, such parking and storage shall be setback a minimum of 250 feet from the nearest property line of the residentially zoned property.
 - d. When abutting (touching), or across the street from, a habitable dwelling, such parking and storage shall be setback a minimum of 300 feet from the nearest dwelling.
 - e. For purposes of Stipulations c and d above, measurements shall be made between the nearest edge of a dwelling, and the nearest cargo container, semi-trailer (either on or off a chassis), or chassis.
11. **Signage** – Business signs shall be allowed according to Article 12 Signs. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer or chassis.
 12. **Site Plan** – A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9.1(B)(3) or these regulations.
 13. **Other Rules and Regulations** – All facilities shall abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to the permit or the use of the property by the applicant/landowner.
 14. **Deviations** – In the event that an applicant desires to deviate from the above performance standards and provisions for certain Conditional Uses, the applicant shall submit written information to the Governing Body indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a list of alternative materials, designs or methods that are equivalent to the performance standards and provisions for the L-P Zoning District, Section 5.4, Section G through Q in the regulations. The application may only be approved if findings are made by the Governing Body that 1) due to the circumstances of the application, it would be unnecessary to impose the standard(s) and equivalent alternatives should be allowed, 2) that the spirit and intent of the regulations are being met, 3) that granting the deviation shall not adversely affect adjacent or nearby property, and 4) the application shall otherwise comply with all building code and safety requirements.

Section 7.1 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.
 - i. *Demand for businesses to store and maintain cargo containers and chassis, such as*

the facility proposed here, is a by-product of the activity in and around the intermodal facility and Logistics Park Kansas City (LPKC). The primary function of LPKC is to transport and redistribute containers and the products they contain. Continuance of the existing use will continue to fill a need for this type of support service in LPKC.

- 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.
 - i. The approved existing land use will not change with the approval of this application. The property to the north is zoned RUR (County Rural) with one (1) dwelling located on the property. The property to the east is the same use as is being requested to continue, and is currently being expanded. The property to the south is zoned L-P and is developed with a warehouse. The property to the west is undeveloped and zoned L-P.*
- 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.
 - i. The proposed use of cargo container storage and maintenance is an ancillary use to the overall LPKC development and is compatible with the L-P zoning designations of properties to the east, south and west. The existing residential dwelling to the north is zoned County RUR, and the cargo container storage use will be setback a significant distance from the dwelling and flood zone to provide a buffer from the residential use.*
- d. Suitability of the uses of the property without the proposed conditional use permit.
 - i. The zoning designation of the L-P District allows many logistics park uses to be developed on the subject property without a Conditional Use Permit, including, but not limited to, warehousing/distribution centers, auto and truck motor fuel vehicles and repair, and towing/impound yards. The subject parcel is smaller than the typical parcels developed for large warehouses, the location of other ancillary uses of LPKC are suitable for this location.*
- e. Length of time the subject property has remained vacant without the proposed conditional use permit.
 - i. The subject property has been partially developed as a cargo container storage facility for ten (10) years.*
- f. The extent to which the proposed use may detrimentally affect nearby property.
 - i. No long-term detrimental effects are anticipated for the continuation of the use of the property as a cargo container storage facility. The use requested is not extraordinary at LPKC as there are currently three (3) other cargo container storage facilities in operation at LPKC, that have been harmonious with surrounding development.*
- 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.
 - i. City staff has not received nor noticed any issues regarding the ingress or egress or the traffic flow around the subject property. The provided access is adequate currently. Any future development may require a traffic study to ensure there are no changes to the traffic flow on public streets.*
- 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.
 - i. The utilities are either onsite or in the near vicinity for the applicant to expand and*

connect to.

- 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.
 - i. *City staff is not aware of any present parking problems in the vicinity of the property or other traffic issues. The current operations do not adversely affect the capacity or safety of the portion of the road network around the subject property.*
- 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.
 - i. *The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City in addition to other required City approvals. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State.*
- k. The economic impact of the proposed use on the community.
 - i. *Future expansion of the site as a cargo container storage facility will generate an increase of the property taxes for the City, and will provide another option for container storage to support LPKC as it continues to grow. This type of use is a necessary support for warehousing and other related LPKC uses.*
- 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.
 - i. *There would be little to no gain to the public health, safety, and welfare of the City of Edgerton and the property owner should this request be denied.*
- 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.
 - i. *The Future Land Use Map within the Comprehensive Plan designates the subject property Business Park/Industrial. The proposed cargo container storage facility is a support use for the surrounding LPKC and aligns with the Future Land Use Map designation of Business Park/Industrial.*
- 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.

Existing Site Conditions

1. The above ground fuel tank just to the right of the gate must be either enclosed in a structure, placed underground, or removed from the site, per UDC, Article 5.2.H.4.
The applicant has indicated they will be removing the above ground fuel tank from the site. The tank is anticipated to be removed before August 15. Staff will continue to monitor the site and ensure its removal.
2. The fence in the southwest corner of the paved lot is damaged and must be repaired.
The applicant is actively working to have the fence repaired. At the time of writing the staff report, they are working to get bids for the fence. Staff will continue to monitor the site and ensure the fence is replaced in a timely manner.

3. There is a dumpster on site that must be screened.
The applicant has indicated that the dumpster will be removed from the site and it is anticipated to be removed before August 15th. Staff will continue to monitor the site and ensure its removal.
4. The shrubs along the west line of the southern portion of the paved lot are missing and trees and shrubs are missing from the southwest corner of the site and must be planted.
At the time of writing this staff report, the applicant is working to get bids for the trees and shrubs and anticipates that the work will be completed by the end of the month. Staff will continue to monitor the site and ensure the plantings are replaced in a timely manner.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for CU2023-03	07/05/2023
C100	2015 Revised Final Site Plan	02/02/2015
L.100	2015 Revised Landscape Plan	02/02/2015

STAFF RECOMMENDATION

City Staff recommends approval of Conditional Use Permit **Application CU2023-03** for *US MMG Properties E Lot, LLC* with the following stipulations:

1. The Conditional Use Permit for 'Cargo Container Storage, Repair, or Maintenance' is valid for a period of ten (10) years following the date of Governing Body approval.
2. The following conditions of UDC, Article 7.2.G.7 apply to the Conditional Use Permit:
 - a. No cargo containers or semi-trailers (either on or off a chassis), or a chassis may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings.
 - b. Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved.
 - c. Facilities shall have a minimum lot size of 20 acres.
 - d. Noise from the facility shall not exceed 60 dB(A) in any adjacent residential district and 70 dB(A) in any adjacent commercial or industrial district or property.
 - e. All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For the purposes of this stipulation:
 - i. Paving shall mean concrete or asphalt; and
 - ii. Dust-free shall mean that all interior driveways and storage area surfaces shall be kept free of dust, dirt or other materials to prevent the migration of dust off-site.
 - f. The facility shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices.
 - g. Cargo containers shall not be stacked more than five (5) in number.
 - h. Stacked chassis shall not be stacked more than five (5) in number.

- i. All signage must meet the requirements of UDC, Article 12 related to signage. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer, or chassis.
- j. All facilities shall abide by any and all governmental rules, regulations, codes, and specifications now in effect or hereafter adopted that would be applicable to this permit or the use of the property by the applicant/landowner.

Note: For Application CU2023-03 the Planning Commission is the recommending body for the application to the Governing Body. The Application will be presented to the Governing Body on September 14, 2023.



Please print or type.

PROPERTY INFORMATION

Requesting Conditional Use Permit For: Intermodal drayage, cargo container storage, maintenance, & repair facilities.

Location or Address of Subject Property: 30830 W. 191st Street

Legal Description: (See Attached)

Zoning on Subject Property: L-P (Logistics Park) Current Land Use: Cargo container storage

PROPERTY OWNER INFORMATION

Property Owner's Name(s): Ryan Temple Phone: (225) 268-2592

Company: US MMG PROPERTIES E LOT LLC

Fax: _____

Mailing Address: 7901 Wrenwood Blvd., Suite C

City: Baton Rouge State: Louisiana Zip: 70809

APPLICANT/AGENT INFORMATION

Applicant/Agent's Name(s): Brian Kaplan Phone: (713) 562-3641

Company: Kaplan Holdings, LLC

Fax: _____

Mailing Address: 7575 San Felipe St., Suite 333

City: Houston State: Texas Zip: 77063

ENGINEER/ARCHITECT INFORMATION

Engineer/Architect's Name(s): Tom Smith Phone: (913) 307-2522


Company: McClure

Fax: _____

Mailing Address: 110311 Strang Line Road

City: Lenexa State: Kansas Zip: 66215

SIGNATURE

Signature of Owner or Agent: 

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

FOR OFFICE USE ONLY

Application No.: CU- 2023-03

Received by: Christopher Clinton

Permit Fee Paid: \$ 1,000

Date Fee Paid/Receipt #: 07/05/2023 6384

Publication Fee Paid: \$ _____

Date Fee Paid/Receipt #: _____

Hearing Date August 8, 2023

June 30, 2023

CUP Description

TRACT 1:
LOT 1, NICKELL INTERMODAL FIRST PLAT, A SUBDIVISION IN THE CITIES OF EDGERTON AND GARDNER, JOHNSON COUNTY, KANSAS.

TRACT 2:
TRACT A, NICKELL INTERMODAL FIRST PLAT, A SUBDIVISION IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS.

TRACT 3:
THE WEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST, OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART PLATTED AS NICKELL INTERMODAL FIRST PLAT, A SUBDIVISION IN THE CITIES OF EDGERTON AND GARDNER, JOHNSON COUNTY, KANSAS AND ALSO EXCEPT ANY PART USED OR DEDICATED FOR STREETS, ROADS, OR PUBLIC RIGHTS OF WAY.

TRACT 4:
THE EAST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST, OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART PLATTED AS NICKELL INTERMODAL FIRST PLAT, A SUBDIVISION IN THE CITIES EDGERTON AND GARDNER, JOHNSON COUNTY, KANSAS AND ALSO EXCEPT ANY PART USED OR DEDICATED FOR STREETS, ROADS, OR PUBLIC RIGHTS OF WAY.

ALSO EXCEPT...

A TRACT OF LAND IN THE WEST ONE QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST OF THE 6TH P.M. IN JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 606.25 FEET N.1°56'08"W. (BEING AN ASSUMED BEARING) AND 60.00 FEET N.88°03'52"E. FROM THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE PARALLEL TO AND 60.00 FEET EASTERLY OF (MEASURED PERPENDICULAR TO) THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35
N.1°56'08"W. 100.00 FEET; THENCE
N.88°09'56"E. 54.77 FEET; THENCE
S.1°50'04"E. 100.00 FEET; THENCE
S.88°10'30"W. 9.55 FEET; THENCE
S.43°09'40"W. 16.30 FEET; THENCE
S.88°09'47"W. 15.00 FEET; THENCE
N.1°50'13"W. 11.53 FEET; THENCE
S.88°10'04"W. 18.52 FEET TO THE POINT OF BEGINNING, CONTAINING 0.131 ACRES.



June 30, 2023

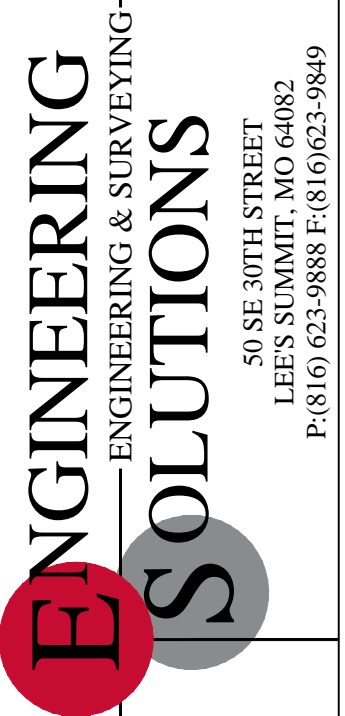
**191st & Waverly CUP
Statement of Purpose of Use**

Intermodal drayage, cargo container storage, maintenance, & repair facilities:

For the past 10 years we have used E Lot as a storage facility for loaded and empty containers. These containers average a 2 to 3 day dwell in their rotation through E Lot. We are currently using roughly 2 acres which is paved and fenced.

Moving forward, E Lot will be the headquarters for Trans Services, INC. On site operations will include:

1. Trucking operations.
2. Cross dock facility.
3. Repair & Maintenance facility.
4. Load and empty container ground stack operations.
5. Load and empty container wheeled storage operations.



Professional Registration
Missouri
Engineering 2005002186-D
Surveying 2005008319-D
Kansas
Engineering E-1695
Surveying LS-218
Oklahoma
Engineering 6254
Nebraska
Engineering CA2821

NICKELL INTERMODAL CENTER
JOHNSON COUNTY, KANSAS

Project:
NICKELL GARDNER

Issue Date:
September, 2013

SITE PLAN
Construction Plans for:
Nickell Intermodal
Johnson County, Kansas

Matthew J. Schlicht
MO PE 2006019708
KS PE 19071
OK PE 25226
NE PE E-14335

REVISIONS

5/8/14

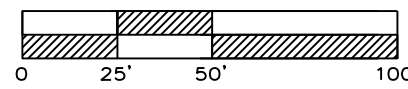
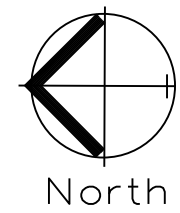
6/30/14

10/9/14

11/25/14

2/2/15

C.100



SCALE: 1" = 50'

PLANTING GUIDE

SYMBOL	QUANT.	KEY	NAME	SIZE
	21	TA	AMERICAN BASSWOOD LINDEN TILIA AMERICANA	2.5" CAL
	14	WF	WHITE FIR ABIES CONCOLOR	12' HL
	108	CB	CHRRMSOM BARBERRY ATROPURPUREA NANA	24" HL

GENERAL LANDSCAPE NOTES:

PLANT MATERIAL

- ALL PLANT MATERIAL SHALL BE FIRST CLASS REPRESENTATIVES OF SPECIFIED SPECIES, VARIETY OR CULTIVAR, IN HEALTHY CONDITION WITH NORMAL WELL DEVELOPED BRANCHES AND ROOT PATTERNS. PLANT MATERIAL MUST BE FREE OF OBJECTIONABLE FEATURES. PLANTS SHALL COMPLY IN ALL APPLICABLE RESPECTS WITH PROPER STANDARDS AS SET FORTH IN THE AMERICAN ASSOCIATION OF NURSERMEN'S "AMERICAN STANDARD OF NURSERY STOCK", ANSI Z601-2004.
- SHRUBS SHALL BE CONTAINER GROWN AND WILL BE FREE OF DISEASE AND PESTS. NO BARE ROOT. ALL PLANT BEDS TO BE MULCHED TO A DEPTH OF 3" WITH DARK BROWN, HARDWOOD MULCH. PLANTING BEDS ARE TO BE FREE OF WEEDS AND GRASS. TREAT BEDS WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLANTING AND MULCH PLACEMENT. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICE.
- HOLE AREA FOR TREE TO BE TWICE (2x) THE DIAMETER OF THE ROOT BALL AND ROOT BALL SHALL BE SLIGHTLY MOUNDED FOR WATER RUN-OFF.
- ALL PLANT MATERIALS SHALL BE PROTECTED FROM THE DRYING ACTION OF THE SUN AND WIND AFTER BEING DUG, WHILE BEING TRANSPORTED, AND WHILE AWAITING PLANTING. BALLS OF PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY SHALL BE PROTECTED FROM DRYING ACTION BY COVERING THEM WITH MOIST MULCH. PERIODICALLY, APPLY WATER TO MULCH-COVERED BALLS TO KEEP MOIST. IF PLANTING SHOULD OCCUR DURING GROWING SEASON, APPLY ANTI-DESICCANT TO LEAVES BEFORE TRANSPORT TO REDUCE THE LIKELIHOOD OF WINDBURN. REAPPLY ANTI-DESICCANT AFTER PLANTING TO REDUCE TRANSPIRATION. REMOVE TWINE AND BURLAP FROM ROOT BALLS. SOIL ON TOP OF CONTAINERIZED OR BALLED PLANTS IS TO BE REMOVED UNTIL ALL PLANTS' ROOT FLARES ARE EXPOSED. THIS IS THE NATIVE SOIL LINE AT WHICH PLANTING DEPTHS SHOULD BE MEASURED.
- AFTER PLANTING IS COMPLETED, PRUNE MINIMALLY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE THE NATURAL HABIT OR SHAPE OF THE PLANT. MAKE CUTS BACK TO BRANCH COLLAR, NOT FLUSH. DO NOT PAINT ANY CUTS WITH TREE PAINT. CENTRAL LEADERS SHALL NOT BE REMOVED.
- GUARANTEE TREES, SHRUBS, GROUND COVER PLANTS FOR ONE CALENDAR YEAR FOLLOWING PROVISIONAL ACCEPTANCE OF THE OVERALL PROJECT. DURING THE GUARANTEE PERIOD, PLANTS THAT DIE DUE TO NATURAL CAUSES OR THAT ARE UNHEALTHY OR UNSIGHTLY IN CONDITION, SHALL BE REPLACED BY THE CONTRACTOR.

LAWN AND TURF AREAS

- ALL LAWN AREAS TO BE SODDED OR SEEDED AS SHOWN ON PLANS. SOD SHALL COMPLY WITH US DEPT. OF AGRICULTURE RULES AND REGULATIONS UNDER THE FEDERAL SEED ACT AND EQUAL IN QUALITY TO STANDARDS FOR CERTIFIED SEED. SOD SHALL BE HEALTHY, THICK TURF HAVING UNDERGONE A PROGRAM OF REGULAR FERTILIZING, MOWING AND WEED CONTROL. SEED AND SOD SHALL BE A TURF-TYPE TALL FESCUE (3 WAY BLEND). SEED BLEND SHALL CONSIST OF THE FOLLOWING:

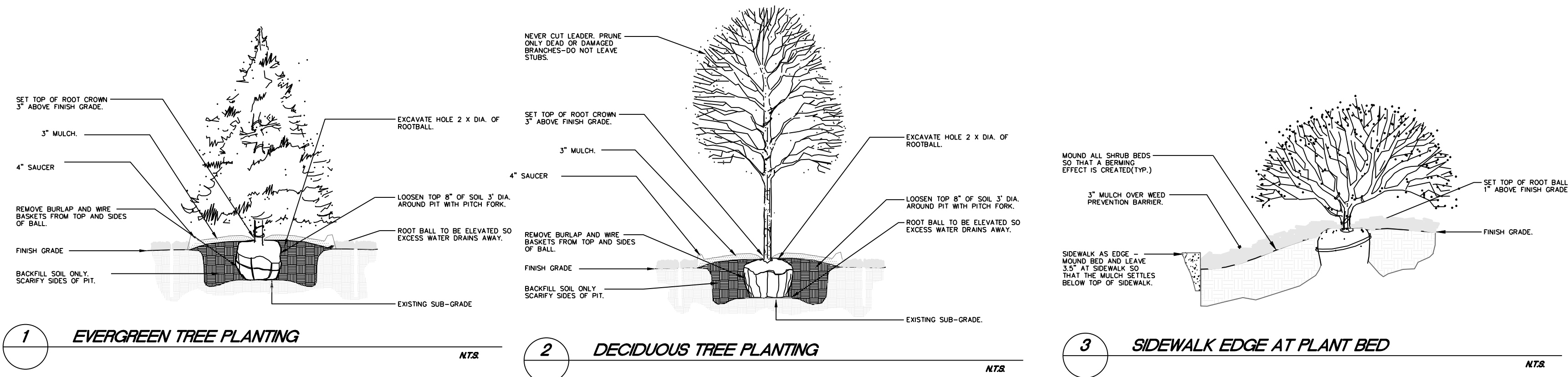
TURF-TYPE TALL FESCUE	90%
KENTUCKY BLUEGRASS	10%
- ALL SEEDED AREAS ARE TO BE MULCHED WITH STRAW OR HYDROMULCH AT TIME OF INSTALLATION UNTIL SEED HAS ESTABLISHED.

INSTALLATION

- THE INSTALLATION OF ALL PLANT MATERIALS SHALL BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF EDGERTON, KS, AND LANDSCAPE INDUSTRY STANDARDS.
- ALL LANDSCAPE AREAS TO BE FREE OF ALL BUILDING DEBRIS AND TRASH, BACK FILLED WITH CLEAN FILL SOIL AND TOP DRESSED WITH 4" OF TOPSOIL. TOPSOIL SHALL HAVE A pH RANGE OF 5.5 TO 7 AND A 4% ORGANIC MATERIAL MINIMUM, ASTM D5268.
- PLANT BEDS TO BE "MOUNDED". ALL PLANT MATERIAL, PLANT BEDS, MULCH AND DUG EDGE ARE TO BE INSTALLED PER LANDSCAPE PLANS, DETAILS, AND MANUFACTURER'S RECOMMENDATIONS.
- REESTABLISH FINISH GRADES TO WITHIN ALLOWABLE TOLERANCES ALLOWING 3/4" FOR SOD AND 3" FOR MULCH IN PLANT BEDS. HAND RAKE ALL AREAS TO SMOOTH EVEN SURFACES FREE OF DEBRIS, CLODS, ROCKS, AND VEGETATIVE MATTER GREATER THAN 1".
- ALL PLANT BEDS, SHRUBS AND TREES SHALL BE MULCHED WITH 3" OF DARK BROWN, HARDWOOD MULCH, EXCEPT IF NOTED AS ROCK. DARK BROWN, HARDWOOD MULCH SHALL BE INSTALLED OVER DEWITT PRO 5 WEED CONTROL FABRIC IN PLANT BEDS ONLY.
- CONTRACTOR IS RESPONSIBLE FOR INITIAL WATERING UPON INSTALLATION.
- DUG CODES ARE TO BE DUG WHERE MULCH BEDS ARE ADJACENT TO TURF AREAS. NO EDGING IS REQUIRED ADJACENT TO PAVEMENT OR CURB.
- THE EXACT LOCATION OF ALL UTILITIES, STRUCTURES, AND UNDERGROUND UTILITIES SHALL BE DETERMINED AND VERIFIED ON SITE BY THE LANDSCAPE CONTRACTOR PRIOR TO INSTALLATION OF THE MATERIALS. DAMAGE TO EXISTING UTILITIES AND/OR STRUCTURES SHALL BE REPLACED TO THEIR ORIGINAL CONDITION BY THE LANDSCAPE CONTRACTOR AT NO COST TO THE OWNER.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND APPROVALS AND RECORD INSPECTIONS BY LEGAL AUTHORITIES.
- PROVISIONS SHALL BE MADE FOR READILY ACCESSIBLE IRRIGATION WITHIN 100' MAX. OF ALL LANDSCAPED AREAS INCLUDING ALL PLANT BEDS, INDIVIDUAL TREES, AND TURF AREAS. ALL LAWN AREAS (AS SHOWN ON PLANS) WILL BE IRRIGATED BY AN AUTOMATIC SPRINKLER SYSTEM. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF ALL IRRIGATION COMPONENTS, SLEEVING, PIPE AND CONTROL. DESIGN DRAWINGS OF IRRIGATION SYSTEM SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT AND OWNER FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
- ANY SUBSTITUTIONS OR DEVIATIONS SHALL BE REQUESTED IN WRITING BY THE CONTRACTOR FOR APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF PLANT MATERIALS. ALL PLANTS ARE TO BE LOCATED AS SPECIFIED ON DRAWINGS.

MAINTENANCE BY OWNER

- ALL SHRUBS ARE TO BE MAINTAINED IN THEIR NATURAL SHAPE TO ALLOW EVENTUAL GROWTH INTO A HEDGE.
- MAINTAIN NATURAL HABIT OF ALL SPECIFIED PLANT MATERIAL.
- NEW SOD TO BE THOROUGHLY WATERED UNTIL ROOTS "TAKE HOLD" OF SOD BED. CONTINUE WATERING AS REQUIRED, UNTIL COMPLETELY ESTABLISHED.



**MEMORANDUM**

Date: August 8, 2023

To: City of Edgerton Planning Commission

From: Chris Clinton, Planning and Zoning Coordinator/Deputy City Clerk

Re: PP2023-03: Preliminary Plat for Logistics Park Kansas City Sixth Plat

The City received an application for a preliminary plat for Logistics Park Kansas City Sixth Plat. On August 22, 2023, City Staff received a request from the applicant to withdraw this application.





MEMORANDUM

Date: September 12, 2023

To: City of Edgerton Planning Commission

From: Chris Clinton, Planning and Zoning Coordinator/Deputy City Clerk

Re: FS2023-06: Final Site Plan for Logistics Park Kansas City Snow Depot

The City received an application for a Final Site Plan for Logistics Park Kansas City Snow Depot. On August 22, 2023, City Staff received a request from the applicant wishing to withdraw this application.



WHIMSY TRUCKING

Application CU2023-01

Northwest corner of the intersection of Homestead Lane and 199th Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Conditional Use Permit for a cargo container storage/maintenance facility located at the northwest corner of the intersection of Homestead Lane and 199th Street.

A Public Hearing is required.

Owner and Applicant

Clayton Rule, Agent of
Whimsy Edgerton, LLC

Existing Zoning and Land Use

The property was rezoned to City of Edgerton L-P (Logistics Park) on May 11, 2023 (Ord. 2135). There is one (1) existing single-family residence on the western portion of the subject property.

Parcel Size

20.14 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. Proposal

This Conditional Use Permit request is being made to permit development of a cargo container storage lot on a 20.14-acre lot located northwest of the intersection of 199th Street and Homestead Lane. The property is currently zoned L-P (Logistics Park), and approval of this application would allow the use of the cargo container storage and maintenance use but does not permit any site plan details. Details of the proposed development will be shown on the Final Site Plan application FS2023-07. That Final Site Plan application proposes 391 wheeled or stacked storage stalls and fifty-five (55) tractor stalls throughout the property. It also proposes a 32,000 square foot maintenance facility and a truck scale. Cargo container storage facilities require approval of a Conditional Use Permit pursuant to Articles 5 and 7 of the Unified Development Code (UDC).

2. Subject Site History

The 20.14-acre subject property is located within the Bull Creek watershed. The western 19.57 acres of the property were annexed on December 28, 2017 (Ordinance 1070) and the remaining 2.35 acres, along with additional property to the east, was annexed on June 9, 2022 (Ordinance 2110). The western parcel currently contains a single-family residential structure. The structure has been on this site since 2000 when it was constructed. The eastern parcel is vacant with no development and has been that way since 2006 per Johnson County AIMS. The Planning Commission recommended Rezoning ZA2023-02 to the Governing Body on April 11, 2023. On May 11, 2023, the Governing Body adopted Ordinance 2135 which rezoned the subject property to City of Edgerton L-P (Logistics Park). This application and Preliminary Plat application (PP2023-02) was continued by the Planning Commission to a date uncertain at the April 11, 2023, meeting. The applicant has brought forward the Preliminary Plat application (PP2023-02) as well as a Final Plat application (FP2023-04) and a Final Site Plan application (FS2023-07) to be heard at the August 8, 2023, Planning Commission meeting in conjunction with this application.

3. Service Providers and Watershed

- a. Water Provider – Water 7
- b. Sanitary Sewer – City of Edgerton
- c. Electrical Service – Evergy
- d. Gas Service – Kansas Gas Service
- e. Police Protection – City of Edgerton through the Johnson County Sheriff's Office
- f. Fire Protection – Johnson County Fire District #1
- g. Watershed – Bull Creek

CONDITIONAL USE PERMIT REVIEW

City Staff reviewed the Conditional Use Permit under the requirements outlined in Article 7 – *Conditional Uses* 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 may 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 7.2.G.7 – Conditional Use Permit Requirements – Cargo Container Storage, Repair or Maintenance

The following items are required conditions for Conditional Use Permits for Cargo Container Storage, Repair, or Maintenance facilities. Each of these items will be included as a stipulation of staff's recommendation, which can be found on page seven (7) of this report, and these items will be reviewed at the time of Final Site Plan review.

1. **Access** – No cargo containers or semi-trailers (either on or off a chassis), or a chassis, may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings.
2. **Exterior Lighting** – Facilities shall provide lighting on-site, including at all vehicular entrances and exits. A lighting plan shall be submitted and approved.
3. **Minimum Lot Size** – Facilities shall have a minimum lot size of twenty (20) acres.
4. **Noise** – Noise from businesses and facilities shall not exceed 60 dB(A) in any adjacent commercial or industrial district or property.
5. **Paving** – All interior driveways, parking, loading, and storage areas shall be paved and dust-free. For purposes of this stipulation:
 - a. Paving shall mean concrete or asphalt; and
 - b. Dust-free shall mean that all interior driveways and storage area surfaces shall be kept free of dust, dirt or other materials to prevent the migration of dust off-site.

6. **Parking** – Facilities shall comply with the Article 5.2 L-P District Off Street Parking and Loading regulations. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices.
7. **Cargo Container Stacking** – Cargo containers shall not be stacked more than five (5) in number.
 - a. *The applicant has stated that their operations will not stack more than three (3) cargo containers in number.*
8. **Chassis Stacking/Racking** – Empty chassis may be stored on end (racking), or may be stacked. When stacked, chassis shall not be more than five (5) in number.
9. **Screening and Landscaping** – Screening may be required on the perimeter of the property. Screening shall be a combination of fencing and landscaping or berming and landscaping. Screening shall comply with requirements Article 5.2 L-P District Landscape Standard.
10. **Setbacks and Separation Distance** – All buildings, structures, parking and other uses on the property, shall be subject to the setback requirements in Article 5.2 L-P District Setback, Yard, Area Regulations, except, however, the parking or storage of cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked) shall be subject to the following setback standards that may vary depending upon the difference scenarios set forth below:
 - a. When abutting (touching), or across the street from non-residentially zoned property, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo container or semi-trailer (either on or off a chassis), and chassis (racked or stacked).
 - b. When abutting (touching) public right-of-way, such parking or storage shall be setback from any exterior property line of the subject property a distance equal to the height of the cargo containers or semi-trailers (either on or off a chassis), and chassis (racked or stacked).
 - c. When abutting (touching), or across the street from residentially zoned property, such parking and storage shall be setback a minimum of 250 feet from the nearest property line of the residentially zoned property.
 - d. When abutting (touching), or across the street from, a habitable dwelling, such parking and storage shall be setback a minimum of 300 feet from the nearest dwelling.
 - e. For purposes of Stipulations c and d above, measurements shall be made between the nearest edge of a dwelling, and the nearest cargo container, semi-trailer (either on or off a chassis), or chassis.
11. **Signage** – Business signs shall be allowed according to Article 12 Signs. No signage, other than shipping company identification logos and placards, shall be allowed on any cargo container, semi-trailer or chassis.
12. **Site Plan** – A site plan shall be submitted with the application. The site plan shall be prepared in accordance with the requirements of Article 9.1(B)(3) or these regulations.
13. **Other Rules and Regulations** – All facilities shall abide by any and all governmental rules, regulations, codes and specifications now in effect or hereafter adopted that would be applicable to the permit or the use of the property by the applicant/landowner.
14. **Deviations** – In the event that an applicant desires to deviate from the above performance standards and provisions for certain Conditional Use, the applicant shall submit written information to the Governing Body indicating the circumstances which are believed to necessitate the need for a deviation(s), and the applicant shall provide a list of alternative materials, designs or methods that are equivalent to the performance standards and provisions for the L-P Zoning District, Section 5.4, Section G through Q in

the regulations. The application may only be approved if findings are made by the Governing Body that 1) due to the circumstances of the application, it would be unnecessary to impose the standard(s) and equivalent alternatives should be allowed, 2) that the spirit and intent of the regulations are being met, 3) that granting the deviation shall not adversely affect adjacent or nearby property, and 4) the application shall otherwise comply with all building code and safety requirements.

Section 7.1 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.
 - i. *Demand for businesses to store and maintain cargo containers and chassis, such as the facility proposed here, is a by-product of the activity in and around the intermodal facility and Logistics Park Kansas City (LPKC). The primary function of LPKC is to transport and redistribute containers and the products they contain. The proposed use would fill a need for this type of support service in LPKC.*
 - 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.
 - i. *The property to the west and north is zoned to be developed as additional logistic park uses. There is low density residential to the south of the subject property across W. 199th Street, and the property is bordered on the east with a creek. The creek on the subject property does have associated flood zone and floodway that will act as a natural open space between the subject property and any development to the east.*
 - 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.
 - i. *The proposed use of cargo container storage and maintenance is an ancillary use to the overall LPKC development and is compatible with the L-P zoning designations of properties to the north and west. The C-2 zoned parcels to the east across the creek, will be buffered with the existing tree grove in the floodway area that surrounds the creek. The existing low-density residential development to the south across 199th Street is zoned County RN-1, and the cargo container storage use will be setback a significant distance from the roadway, providing a buffer from these residential uses.*
 - d. Suitability of the uses of the property without the proposed conditional use permit.
 - i. *The zoning designation of the L-P District allows many logistics park uses to be developed on the subject property without a Conditional Use Permit, including, but not limited to, warehousing/distribution centers, auto and truck motor fuel vehicles and repair, and towing/impound yards. The subject parcel is smaller than the typical parcels developed for large warehouses, the location of other ancillary uses of LPKC are suitable for this location.*
 - e. Length of time the subject property has remained vacant without the proposed conditional use permit.
 - i. *There is a residential building and accessory buildings on the subject property. Per Johnson County AIMS, these structures were constructed in 2000. Thus, the property*

- has not been vacant for at least twenty-three (23) years.*
- f. The extent to which the proposed use may detrimentally affect nearby property.
 - i. No long-term detrimental effects are anticipated for the use of the property as a cargo container storage facility. The use requested is not extraordinary at LPKC as there are currently three (3) other cargo container storage facilities in operation at LPKC, that have been harmonious with surrounding development.*
 - 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.
 - i. Ingress and egress requirements, traffic requirements, and parking and loading requirements were reviewed and commented on during the review of Final Site Plan application FS2023-07 which is also on this agenda.*
 - 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.
 - i. The utilities are either onsite or in the near vicinity for the applicant to expand and connect to. The applicant will be responsible for expanding sanitary sewer to the site and decommissioning of the current septic tank.*
 - 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.
 - i. A Traffic Impact Study was provided and reviewed by the City Engineer. Any comments that need to be addressed are shown on the review of Final Site Plan application FS2023-07, which is also on this agenda.*
 - 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.
 - i. This project will increase the amount of impervious surface. The stormwater report was reviewed by the City Engineer to ensure all stormwater stays on site and does not impact nearby properties. The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Final Site Plan review process.*
 - k. The economic impact of the proposed use on the community.
 - i. Development of the site as a cargo container storage facility will generate increased property taxes for the City, and will provide another option for container storage to support LPKC as it continues to grow. This type of use is a necessary support for warehousing and other related LPKC uses.*
 - 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.
 - i. There would be little gain to the public health, safety, and welfare of the City of Edgerton and the property owner should this request be denied.*
 - 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.

- i. *The Future Land Use Map within the Comprehensive Plan designates the subject property Business Park/Industrial. The proposed cargo container storage facility is a support use for the surrounding LPKC and aligns with the Future Land Use Map designation of Business Park/Industrial.*
- 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.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for CU2023-01	03/31/2023

STAFF RECOMMENDATION

City Staff recommends approval of Conditional Use Permit **Application CU2023-01** for *Whimsy Trucking* with the following stipulations:

1. The Conditional Use Permit for 'Cargo Container Storage, Repair, or Maintenance' is valid for a period of ten (10) years following the date of Governing Body approval.
2. The following conditions of UDC, Article 7.2.G.7 apply to the Conditional Use Permit:
 - a. The maximum height of cargo container stacking along the west property line is 30 feet.
 - b. No cargo containers or semi-trailers (either on or off a chassis), or a chassis may be stored in a manner that impedes access to public rights-of-way, public utility or drainage easements, structures, and buildings.
 - c. A lighting plan is to be submitted showing adequate onsite lighting.
 - d. Noise from the facility may not exceed 60 dB(A) in any adjacent residential district and 70 dB(A) in any adjacent commercial or industrial district or property.
 - e. All interior driveways, parking, loading, and storage areas shall be paved with concrete or asphalt and are to be kept free of dust, dirt or other materials.
 - f. No portion of any required off-street parking or loading/unloading areas shall be used for the storage of cargo containers, semi-trailers (either on or off a chassis), chassis or similar storage devices.
 - g. Cargo containers shall not be stacked more than five (5) in number.
 - h. Stacked chassis shall not be stacked more than five (5) in number.
 - i. Screening comprised of fencing and landscaping or berming and landscaping will be installed along all property lines in accordance with UDC, Article 5.2 and UDC, Article 7.2.G.7.i.
 - j. All signage must comply with Article 12 of the UDC.
 - k. All site plan requirements in Article 10 and all site requirements in Section 5.2 must be met.

Note: For Application CU2023-01 the Planning Commission is the recommending body for the application to the Governing Body. The Application will be presented to the Governing Body on September 14, 2023.



Please print or type.

PROPERTY INFORMATION

Requesting Conditional Use Permit For: Allow for storage of shipping containers.

Location or Address of Subject Property: NW corner of 199th Street and Homestead Lane

Legal Description: See attached

Zoning on Subject Property: Proposed L-P Current Land Use: Rural - Agricultural
(single family)

PROPERTY OWNER INFORMATION

Property Owner's Name(s): Clayton Rule Phone: 619-415-5846

Company: Whimsy Edgerton, LLC Fax: _____

Mailing Address: 1901 S. Busse Road

City: Mount Prospect State: Illinois Zip: 60056

APPLICANT/AGENT INFORMATION

Applicant/Agent's Name(s): Same as owner Phone: _____

Company: _____ Fax: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

ENGINEER/ARCHITECT INFORMATION

Engineer/Architect's Name(s): Daniel Finn Phone: 913-393-1155

Company: Phelps Engineering, Inc. Fax: _____

Mailing Address: 1270 N Winchseter

City: Olathe State: KS Zip: 66061

SIGNATURE

Signature of Owner or Agent: Clayton Rule

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

FOR OFFICE USE ONLY

Application No.: CU- 2023-01 Received by: Christopher Unton

Permit Fee Paid: \$ 1,000 Date Fee Paid/Receipt #: 03/31/2023 00003785

Publication Fee Paid: \$ 64.67 Date Fee Paid/Receipt #: 03/31/2023 00003785

Hearing Date April 11, 2023

WHIMSY TRUCKING

Application PP2023-02

Northwest corner of the intersection of Homestead Lane and 199th Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Preliminary Plat located at the northwest corner of the intersection of Homestead Lane and 199th Street.

Owner and Applicant

Clayton Rule, Agent of
Whimsy Edgerton, LLC

Existing Zoning and Land Use

The property was rezoned to City of Edgerton L-P (Logistics Park) on May 11, 2023 (Ord. 2135). There is one (1) existing single-family residence on the western portion of the subject property.

Parcel Size

37.39 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. Proposal

This Preliminary Plat request is being made in preparation for development of a cargo container storage lot on the west side of the creek and commercial development to the east of the creek. This Preliminary Plat anticipates one (1) L-P zoned lot as well as four (4) commercial lots, along with proposed dedication of land for use of public right-of-way and public easements. Development requirements and details of the any proposed buildings are provided in Final Site Plan Application FS2023-07, which is also on this agenda. Preliminary Plat approval is required prior to a Final Plat application being presented to the Planning Commission per Article 13 of the Unified Development Code (UDC).

2. Subject Site History

The 37.39-acre subject property is located within the Bull Creek watershed. The western 19.57 acres of the property were annexed on December 28, 2017 (Ordinance 1070) and the eastern 18.17 acres of the property were annexed on June 9, 2022 (Ordinance 2110). The western parcel currently contains a single-family home. The structure has been on this site since 2000 when it was constructed. The eastern parcel is vacant with no development and has been that way since 2006 per Johnson County AIMS. The Planning Commission recommended Rezoning ZA2023-02 to the Governing Body on April 11, 2023, and on May 11, 2023, the Governing Body adopted Ordinance 2135 which rezoned the subject property to City of Edgerton L-P (Logistics Park). This application and Conditional Use Permit application (CU2023-01) were continued by the Planning Commission to a date uncertain at the April 11, 2023, meeting. The applicant has brought forward the Conditional Use Permit application (CU2023-01) as well as a Final Plat application (FP2023-04) and a Final Site Plan application (FS2023-07) to be heard at the August 8, 2023, Planning Commission meeting in conjunction with this application.

PRELIMINARY PLAT REVIEW

Staff has reviewed the Preliminary Plat submittal for compliance with the requirements in Section 13.3.C of Article 13 of the Edgerton UDC. Review comments are listed below.

Content of Preliminary Plat

1. A legal description; and current zoning.
 - a. *The current zoning of the property listed on the Preliminary Plat is not correct.*
2. Signature block and date for review of the Zoning Administrator.
 - a. *Signature block is missing.*
3. Signature block and date for review of City Engineer.
 - a. *Signature block is missing.*
4. Signature block and date for review of Chair of Planning Commission.
 - a. *Signature block is missing.*
5. Signature block and date for review of Mayor.
 - a. *Signature block is missing.*
6. Complete outline drawing of all boundaries, lots, and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines.
 - a. *The City Engineer recommends that the 100-year floodplain be in a tract or drainage easement. Please note that a CLOMR-F and LOMR-F will be required for any fill in the floodplain.*
 - i. *The applicant wishes to keep the tract as shown on the plat to reserve lot depth on the east side of the creek. The applicant is aware that depending on the type of commercial development, a floodplain development permit would be required.*

City staff is agreeable to leaving the floodplain out of a tract or drainage easement provided the applicant obtains the appropriate permits for development.
7. Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access, and other purposes.
 - a. *The proposed and current access restrictions on Homestead Lane and 199th Street need to be shown.*
 - b. *All existing easements on the parcel need to be shown and labeled.*
 - c. *The "Sanitary Sewer Easement to City of Gardner, KS" has two grantees and that needs to be reflected on the document.*
 - d. *Additional easements may be required.*
8. A copy of the proposed restrictive covenants.
 - a. *No restrictive covenants have been shown.*

Any restrictive covenants will need to be submitted with the Final Plat.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for PP2023-02	2/21/2023
1	Preliminary Plat	3/28/2023

STAFF RECOMMENDATION

City Staff recommends approval of Preliminary Plat **Application PP2023-02** *Whimsy Trucking*, subject to the following stipulations:

1. All Preliminary Plat requirements of the City listed on page 3 shall be met or addressed prior to Certification by the Zoning Administrator.
2. All infrastructure requirements of the City shall be met throughout development.
3. All City Engineer comments related to Stormwater Management Plan must be addressed throughout development.
4. The preliminary plat shall be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

Note: For Application PP2023-02 the Planning Commission is the final authority for approval.



PRELIMINARY PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-nine (49) days prior to a scheduled meeting.

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

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

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

GENERAL DESIGN STANDARDS

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

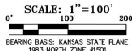
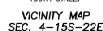
CHECKLIST

The following items shall be included on the preliminary plat.

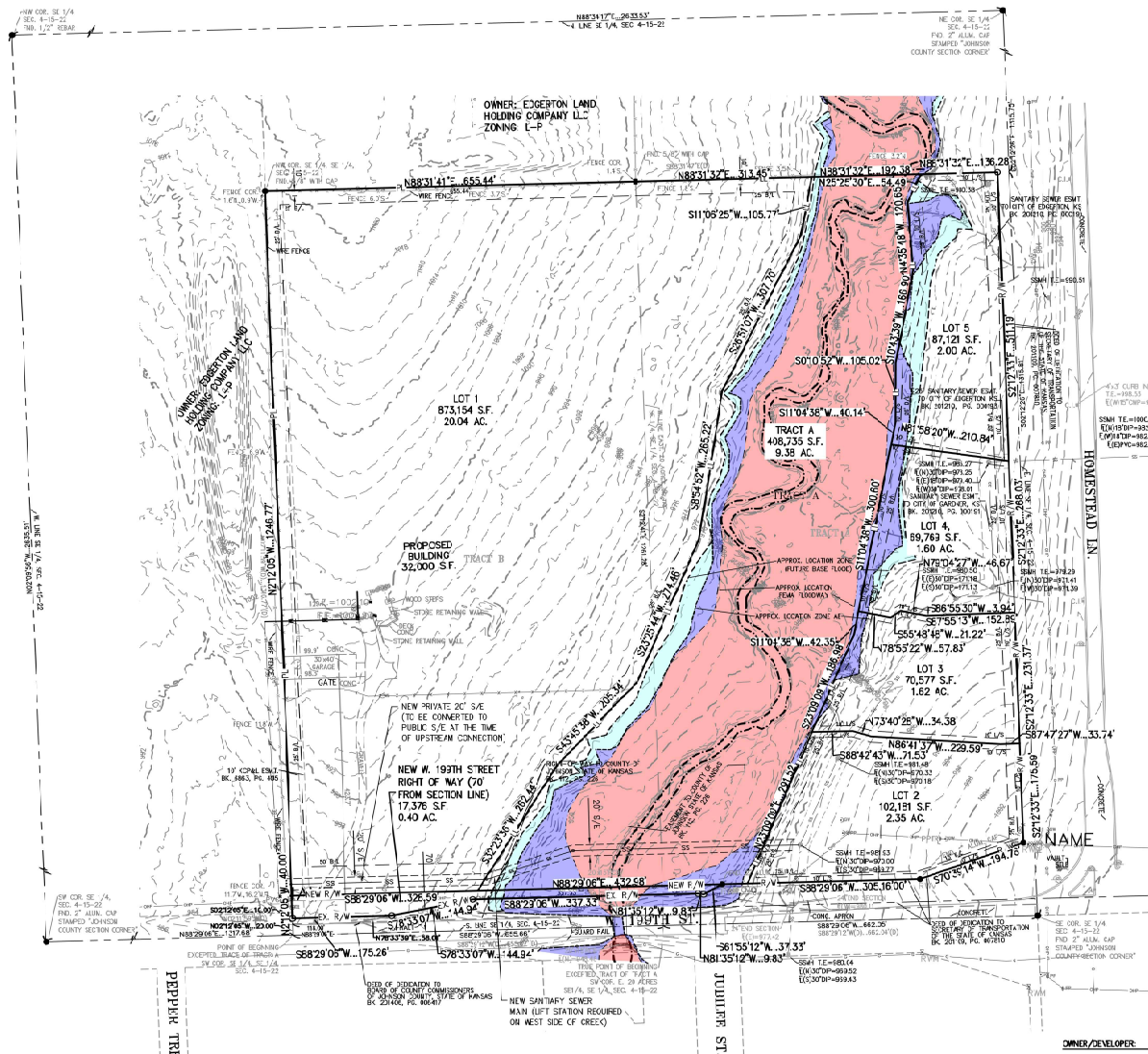
- ☒ A North point and scale which is appropriate to the size of the development: one inch equals 50, 100, 150 or 200 feet is typical.
- ☒ A legal description and current zoning.
- ☒ Names of: Applicant, Subdivision & Streets.
- ☒ Name and seal of surveyor/engineer.
- ☒ Date surveyed.
- ☒ Adequate legend and vicinity map.
- ☒ Signature blocks and date of review of Zoning Administrator, City Engineer, Chair of Planning Commission and Mayor.
- ☒ Complete outline drawing of all boundaries, lots and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines.
- ☒ Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access and other purposes.
- ☒ Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot.
- ☒ Total acreage and size of each lot.
- ☒ Contours at vertical intervals of 4 feet or less.
- ☒ Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used).
- ☐ A copy of the proposed restrictive covenants.

A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
OF SECTION 4, TOWNSHIP 15, RANGE 22, IN THE CITY OF EDGERTON,
JOHNSON COUNTY, KANSAS

ALL OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 22 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN JOHNSON COUNTY, KANSAS, SUBJECT TO THAT PART IN STREETS AND ROADS.



- [illegible]



REMARK: VERTICAL DATUM = NAVD83 BASED ON GPS OBSERVATION USING SMARTNET GPS NETWORK

1. FOUND JOHNSON COUNTY PUBLIC WORKS BENCH MARK BM 1138 CENTER SOUTH END OF WEST HEADWAY ELEVATION = 184.93
2. FOUND JOHNSON COUNTY PUBLIC WORKS BENCH MARK BM 1028 SOUTHEAST CORNER OF NORTH HEADWAY ELEVATION = 184.45. (NO CHECKED BESSER OF BENCHMARK. MAINTAINING CORNER IN FIELD)

THIS PROPERTY IS ZONED SUB. DEFINED AS RURAL.

OWNER/DEVELOPER:
WHIMES/EDGERTON, L.L.C.
1301 S. BUSSE ROAD
MOUNT PROSPECT, ILLINOIS 60056
(815) 415-5846

ENGINEER:
PHELPS ENGINEERING INC.
1270 N. WINCHESTER
DLA THE, KS. 66061
(913) 363-1155



I, SCOTT G. CHRISMAN, HEREBY CERTIFY THAT IN DECEMBER 2022, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAN.



**PLANNING
ENGINEERING
IMPLEMENTATION**

WHIMSY TRUCKING

Application FP2023-04

Northwest corner of the intersection of Homestead Lane and 199th Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Final Plat located at the northwest corner of the intersection of Homestead Lane and 199th Street.

Owner and Applicant

Clayton Rule, Agent of
Whimsy Edgerton,
LLC

Existing Zoning and Land Use

The property was rezoned to City of Edgerton L-P (Logistics Park) on May 11, 2023 (Ord. 2135). There is one (1) existing single-family residence on the western portion of the subject property.

Parcel Size

21.92 acres

Staff Report Prepared by

Chris Clinton



BACKGROUND

1. Proposal

This Final Plat request is being made in preparation for development of a cargo container storage lot on the west side of the creek. This Final Plat is requesting to establish one (1) lot for development in the L-P (Logistics Park) District, containing 20.14 acres, while also dedicating 1.79 acres of land for public right-of-way for 199th Street, as well as public utility easements, sanitary sewer easements, and drainage easements. Other development requirements and details of the any proposed buildings will be provided in Final Site Plan Application FS2023-07, which is included on this agenda as well. A Final Plat is required prior to commencement of construction for public improvements per UDC, Section 13.3.F.

2. Subject Site History

The 21.92-acre subject property is located within the Bull Creek watershed. The western 19.57 acres of the property were annexed on December 28, 2017 (Ordinance 1070) and the remaining 2.35 acres, along with additional property to the east, was annexed on June 9, 2022 (Ordinance 2110). There is currently a single-family residential structure on the western portion of the parcel. The structure has been on this site since 2000 when it was constructed. The eastern parcel is vacant with no development and has been that way since 2006 per Johnson County AIMS. The Planning Commission recommended Rezoning ZA2023-02 to the Governing Body on April 11, 2023. On May 11, 2023, the Governing Body adopted Ordinance 2135 which rezoned the subject property to City of Edgerton L-P (Logistics Park). Also at the April 11, 2023, the Planning Commission continued Preliminary Plat Application PP2023-02 and Conditional Use Permit Application CU2023-02 to a date uncertain. The applicant has brought those applications back for consideration, as well as Final Site Plan Application FS2023-07 to be heard at the August 8, 2023, Planning Commission meeting in conjunction with this application.

FINAL PLAT REVIEW

Staff has reviewed the Final Plat submittal for compliance with the requirements in Section 13.3.G of Article 13 of the Edgerton UDC. Review comments are listed below.

Content of Preliminary Plat

1. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a ½" x 24" metal bar.
 - a. *Confirm section corner reports have been submitted.*
2. All easements with widths, and roads with curve data.
 - a. *There are proposed easements outside the boundary of this plat. These cannot be dedicated with this plat. Provide easement documentation to the City for dedication of these easements. Remove non-existing easements outside the boundaries of this plat.*
 - b. *Additional utility easements may be necessary. Plat should be reviewed by Utility Companies.*
 - c. *Provide locations for the utility easement (U/E).*

General Comments

1. The plat must meet the Johnson County Subdivision Plat requirements.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for FP2023-04	6/20/2023
1	Final Plat	5/22/2023

STAFF RECOMMENDATION

City Staff recommends approval of Final Plat **Application FP2023-04 Whimsy Trucking**, subject to the following stipulations:

1. Prior to the recording of the Final Plat, an agreement on the ownership, maintenance, and responsibility for the sanitary sewer extension and required upgrades to 199th Street must be reached between the City and developer must be reached.

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

Note: For Application FP2023-04 the Planning Commission will be the approving authority for the application. However, the Governing Body must accept all dedication of land for public use, and the Final Plat will be presented to the Governing Body on August 24, 2023.

☐ INITIAL SUBMISSION☐ RE-REVIEW

NAME OF PROPOSED SUBDIVISION: Whimsy Trucking

LOCATION OR ADDRESS OF SUBJECT PROPERTY: NW corner of 199th Street and Homestead Lane

LEGAL DESCRIPTION: See attached

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

TOTAL AREA: 21.92 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 20.14 Sq. Ft.

DEVELOPER'S NAME(S): Clayton Rule PHONE: 619-415-5846

COMPANY: Whimsy Edgerton, LLC FAX: crule@whimsytrucking.com

MAILING ADDRESS: 1901 S. Busse Road Mount Prospect Illinois 60056
Street City State Zip

PROPERTY OWNER'S NAME(S): same as developer

PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____

Street
City
State
Zip

ENGINEER'S NAME(S): Daniel Finn PHONE: 913-393-1155

COMPANY: Phelps Engineering, Inc. FAX: dfinn@phelpsengineering.com

MAILING ADDRESS:	1270 N Winchester	Olathe	KS	66061
	Street	City	State	Zip

SIGNATURE OF OWNER OR AGENT:

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

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Application No.: FP2023-04 Application Fee Paid: \$ 305 Date Fee Paid: 6/20/2023 Receipt # 6173

Cashier Code: FINALPLAT Received By: Chris Clinton

FINAL PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-nine (49) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

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

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

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

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

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

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

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

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

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

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

vs. 6.1.22

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

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

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

CHECKLIST

The following items shall be included on the final plat.

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

FINAL PLAT OF
WHIMSY EDGERTON
A SUBDIVISION OF LAND IN THE SOUTHEAST QUARTER OF
SECTION 4, TOWNSHIP 15 SOUTH, RANGE 22 EAST,
IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

DESCRIPTION

This description was prepared by Scott G. Chrisman, KS LS #1306 on May 19, 2023, for project no. 220808. All that part of the Southeast Quarter of Section 4, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 4; thence S 88°29'06" W, along the South line of the Southeast Quarter of said Section 4, a distance of 206.97 feet, to the Point of Beginning; thence continuing S 88°29'06" W, along the South line of the Southeast Quarter of said Section 4, a distance of 1110.74 feet, to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 4; thence N 27°02'00" W, along the West line of the Southeast Quarter of the Southeast Quarter of said Section 4, a distance of 1316.77 feet, to the Northwest corner of the Southeast Quarter of the Southeast Quarter of said Section 4; thence N 88°31'38" E, along the North line of the Southeast Quarter of the Southeast Quarter of said Section 4, a distance of 968.89 feet; thence S 93°37'35" W, a distance of 102.56 feet; thence S 27°02'00" W, a distance of 308.00 feet; thence S 89°00'00" W, a distance of 270.00 feet; thence S 24°00'00" W, a distance of 275.00 feet; thence S 44°00'00" W, a distance of 206.00 feet; thence S 33°02'00" W, a distance of 262.00 feet, to a point 70.00 feet North of the South line of the Southeast Quarter of said Section 4; thence N 88°29'06" E, along a course being 70.00 feet North of and parallel with the South line of the Southeast Quarter of said Section 4 and along the Northern right-of-way line of 1909th Street, as now established and its westerly extension, a distance of 762.88 feet; thence S 1°00'54" E, a distance of 70.00 feet, to the Point of Beginning, containing 21.9235 acres, more or less, unplatted land.

DEDICATION

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "WHIMSY EDGERTON".

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land as dedicated, and any pipes, lines, poles and wires, conduits, ducts or cable heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby assumes and agrees to indemnify the City of Edgerton, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under those areas outlined hereon and designated on this plat as "U/E" or "Utility Easement" is hereby granted to the City of Edgerton, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easement shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement to lay, construct, alter, repair, replace or operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "sanitary sewer easement" or "S/E" on this plat are hereby dedicated to the City of Edgerton, Kansas. Sanitary Sewer Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of sanitary sewer facilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, under and through those areas outlined and designated on this plat as "D/E" or "Drainage Easement" is hereby granted to the City of Edgerton, Kansas. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

In accordance with KSA 12-512b, all rights, obligations, reservations, easements, or interests not shown on this plat shall be vacated as to use and as to title, upon filing or recording of this plat.

CONSENT TO LEVY

The undersigned proprietor of the above described land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Edgerton, Johnson County, Kansas, shall have the power to relocate for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietor has caused this instrument to be executed on this ____ day of _____, 20 ____.

Whimsy Edgerton LLC, an Illinois limited liability company

By: _____
Matthew O'Mara, member

ACKNOWLEDGMENT

STATE OF _____ } SS
COUNTY OF _____ }

BE IT REMEMBERED that on this ____ day of _____, 20 ____, before me, the undersigned, a Notary Public in and for said County and State, came Matthew O'Mara, member of Whimsy Edgerton LLC, an Illinois limited liability company, who is personally known to me to be such person who executed as such officer, the within instrument on behalf of said corporation, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

Approved by the Planning Commission of the City of Edgerton, Johnson County, Kansas, this ____ day of _____, 20 ____.

Chairman: John E. Daley

Secretary: Charlie Crooks

Approved by the Governing Body of the City of Edgerton, Kansas, this ____ day of _____, 20 ____.

Mayer: Donald Roberts City Clerk: Alex Clower

APPROVED by the Zoning Administrator of the City of Edgerton, Johnson County, Kansas, this ____ day of _____, 20 ____.

Zoning Administrator: Zachary Moore

I, SCOTT G. CHRISMAN, HEREBY CERTIFY THAT IN MAY 2023, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

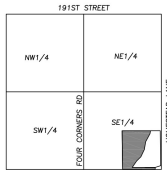


BY: SCOTT G. CHRISMAN, KS LS-1306

CERTIFICATE OF AUTHORIZATION
KANSAS ENGINEERING - LS-307
ENGINEERING - E-307
CERTIFICATE OF AUTHORIZATION
KANSAS LAND SURVEYING - LS-1306
ENGINEERING - E-307



PHILIPS ENGINEERING, INC.
1420 N. Winchmore
Olathe, Kansas 66061
(913) 393-1185
Fax: (913) 393-1185



VICINITY MAP
SEC. 4-15-22



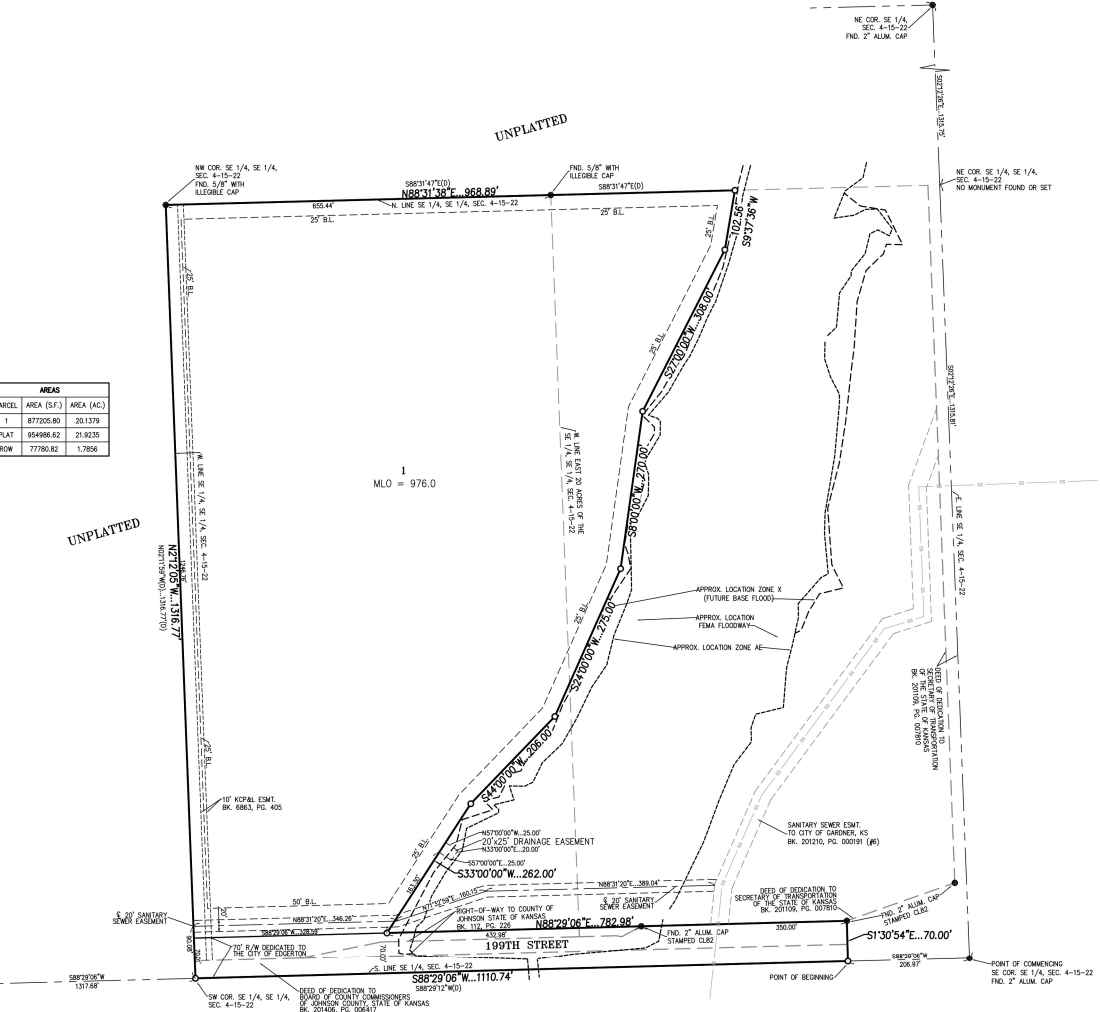
SCALE: 1"=100'
BEARING BASIS: KANSAS STATE PLANE 1983
NORTH ZONE #1501

LEGEND

- DENOTES SET 1/2"x24" REBAR W/PHILIPS CORP. CLS-B2 PLASTIC CAP
- DENOTES FOUND 1/2" REBAR W/PHILIPS CORP. CLS-B2 PLASTIC CAP, (UNLESS OTHERWISE NOTED (ORIGIN UNKNOWN UNLESS DESCRIBED))
- U/E DENOTES UTILITY EASEMENT
- S/E DENOTES SEWER EASEMENT
- B.L. DENOTES BUILDING LINE
- M.O. DENOTES MINIMUM LOW OPENING

PARCEL	AREA (S.F.)	AREA (AC.)
1	877255.80	20.1379
PLAT	954886.82	21.9235
ROW	77780.82	1.7856

MLO = 976.0



FLOOD NOTE:

A PORTION OF THIS PROPERTY LIES WITHIN ZONE AE, DEFINED AS SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD.

THE REMAINDER OF THE PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR JOHNSON COUNTY, KANSAS, COMMUNITY NO. 200159, MAP NO. 2009C0134G, AND DATED AUGUST 3, 2009.

WHIMSY TRUCKING

Application FS2023-07

Northwest corner of the intersection of Homestead Lane and 199th Street

QUICK FACTS

PROJECT SUMMARY AND REQUESTED APPROVALS

The Applicant is requesting approval of a Final Site Plan located at the northwest corner of the intersection of Homestead Lane and 199th Street.

A Public Hearing is required.

Owner and Applicant

Clayton Rule, Agent of
Whimsy Edgerton, LLC

Existing Zoning and Land Use

The property was rezoned to City of Edgerton L-P (Logistics Park) on May 11, 2023 (Ord. 2135). There is one (1) existing single-family residence on the western portion of the subject property.

Parcel Size

20.14 acres

Staff Report Prepared by

Zachary Moore and
Chris Clinton



BACKGROUND

1. Proposal

This Final Site Plan request is being made in preparation for development of a cargo container storage lot just northwest of the intersection of 199th Street and Homestead Lane. The existing structure will be demolished to clear the land for the proposed development. Conditional Use Permit (CUP) Application CU2023-01 is on the same Planning Commission agenda to permit the use of a cargo container storage lot and maintenance facility in the L-P District. The applicant is proposing a 32,000 square foot maintenance building and truck scale with 391 wheeled or stacked storage stalls and fifty-five (55) tractor stalls throughout the property on the lot. Site Plans are required for all new non-residential buildings per Article 10.1.B of the Unified Development Code (UDC).

2. Subject Site History

The 20.14-acre subject property is located within the Bull Creek watershed. The western 19.57 acres of the property were annexed on December 28, 2017 (Ordinance 1070) and the remaining 2.35 acres, along with additional property to the east, was annexed on June 9, 2022 (Ordinance 2110). There is currently a single-family residential structure on the western portion of the parcel. The structure has been on this site since 2000 when it was constructed. The Planning Commission recommended Rezoning ZA2023-02 to the Governing Body on April 11, 2023. On May 11, 2023, the Governing Body adopted Ordinance 2135 which rezoned the subject property to City of Edgerton L-P (Logistics Park). Also at the April 11, 2023, the Planning Commission continued Preliminary Plat Application PP2023-02 and Conditional Use Permit Application CU2023-02 to a date uncertain. The applicant has brought those applications back for consideration, as well as Final Plat Application FP2023-04 to be heard at the August 8, 2023, Planning Commission meeting in conjunction with this application.

3. Zoning and Development Requirements

A. Setback, Yard and Area Regulations

- a. Floor Area Ratio (FAR): The maximum FAR allowed in the L-P District is 3:1. The proposed building has a FAR of 0.07:1, which is less than the maximum allowed by the UDC.
- b. Building Coverage: The maximum building coverage permitted in the L-P District is 50%. The proposed 32,000 square foot building covers approximately 3.65% of the subject property, which is less than the maximum allowed by the UDC.
- c. Setbacks:
 - a. Front: The minimum front yard setback in the L-P District is 50 feet. The proposal exceeds the minimum front yard setback requirement by the building being setback approximately 534 feet from 199th Street.
 - b. Side: The minimum side yard setback in the L-P District is 25 feet for side yards not adjacent to a residential district. The proposal exceeds the minimum side yard setback requirements by providing an approximately 117 foot setback to the western property line, and an approximately 249 foot setback to the east property line.
 - c. Rear: The minimum rear yard setback in the L-P District is 25 feet for yards not adjacent to a residential district. The proposal exceeds the minimum rear yard setback by providing an approximately 611 foot setback to the northern property line.

- d. Maximum Building Height: The L-P District has a maximum height allowance of 110 feet. The proposal is compliant with the L-P height requirement, as the proposed building has a maximum height of 41 feet.
- e. Building Separation: All buildings in the L-P District must have a minimum building separation of 20 feet. The proposal is compliant with this requirement as there is only one building proposed on the parcel and all setbacks exceed 20 feet, as described above.

B. Architectural Design Guidelines

- a. Large Expanses: Building façades greater than 100 feet long facing public right-of-way or residential property must break up the façade by using a minimum of three (3) architectural elements provided in UDC, Section 5.2.J.2. The southern façade of the building is greater than 100 feet in length, and faces 199th Street and a rural residential neighborhood, therefore, the aforementioned elements are required on this façade. The applicant has provided a design that 1) articulates details around doors, 2) uses varied wall treatments, and 3) provides a variation in the roof line, meeting this requirement.
- b. Building Materials: The proposed building will be primarily clad with tilt-up panels and storefront glass, while Trex vertical panels will be used near the pedestrian entrances as a design feature to anchor the ends of the building and to draw visual attention to the pedestrian areas. Products such as the Trex panels are limited to a maximum of 50% of use on buildings' exterior finishes, and the proposed building will use 22%, compliant with the UDC.
- c. Horizontal Articulation: Walls facing a public right-of-way or residentially zoned property shall not extend for a distance greater than four (4) times the wall's height, without having an off set of 10% of the wall's height (maximum of 5 feet); the new plane shall extend for a distance equal to a minimum of 20% of the maximum length of the first plane.
 - a. The southern façade is required to provide horizontal articulation of 4.5 feet for spans of 180 feet in length. The applicant is providing 4.5-foot wall offsets at spans of 98 and 105 feet for distances of 39 feet, at the pedestrian entries. This design provides articulation more frequently than is required by the UDC.
- d. Vertical Articulation: Walls facing a public right-of-way, or a residentially zoned property shall not extend for a distance greater than four (4) times the height of the wall without changing height by a minimum of 10% of the wall's height (maximum 5 feet).
 - a. The southern façade is required to provide vertical articulation of 4.5 feet every 180 linear feet. Vertical offsets by roof pitch change are provided at 126- and 139-foot-wide spans, meeting this UDC requirement.
- e. Color Palette: Buildings in the L-P District are permitted to utilize muted hues, natural and earth tones as the color palette, with use of brighter hues limited to use as an accent color. The building's primary colors will be white and a light gray, with a more vibrant gray used near the pedestrian entries as the main accent color, which is proposed to be used at the maximum allowed 20%. A thin band of red is proposed approximately 30 feet above ground level as the second accent color, within the permitted 10% maximum allowed.

C. Parking and Loading

- a. Parking: The proposed 32,000 square foot building requires a minimum of 32 parking stalls per UDC, Section 5.2.K.2. This proposal includes 47 stalls for employee parking

in addition to 54 tractor stalls, exceeding the minimum parking requirements of the L-P District. Each of the parking stalls will meet or exceed minimum UDO standards for length and width and will be paved with standard duty asphalt.

- b. Maneuvering: The UDC requires that all maneuvering of vehicles shall take place on site or within a mutual access easement. The proposal includes approximately 370 feet of drive lane from the southernmost property line abutting 199th Street to the automatic gates on site to allow for queueing. The applicant has indicated that truck processing will be conducted on site rather than at the gate to alleviate queueing, and there will be adequate paved space on site for trucks and equipment to maneuver without needing off-site space. The applicant has agreed to a stipulation that will allow staff to monitor the site, and if, while not anticipated, queueing at the gates occurs and trucks back up onto 199th Street, that staff can require an additional drive-in lane for stacking.
- c. Loading: Per Section 5.2.M.2.f, one (1) loading spaces is required to be provided adjacent to a public access-way or private service drive, due to the 32,000 square foot building that is proposed. The proposal includes 10 loading spaces that are accessible from a private accessway on the north side of the building, therefore meeting the requirements of the UDC.

D. Landscaping and Fencing

The applicant is providing an approximately 22-foot-wide buffer along the 199th Street right-of-way, which exceeds the UDC requirement of 15 feet wide. Seven (7) trees are proposed along the 199th Street right-of-way spaced 50 feet apart on average, meeting UDC requirements. Those 7 trees will be planted on top of a five (5) foot berm inside the buffer, which would exceed the UDC requirements. A row of evergreen trees is proposed to be provided to the south of the proposed parking lot to provide additional screening. Existing vegetation will be preserved along the eastern property line adjacent to the commercially zoned property to meet UDC requirements. Prior to certification of the Final Site Plan by the Zoning Administrator, the applicant will submit a landscape survey to confirm that the vegetation to be preserved meets minimum Code requirements. If the material on the landscape survey does not show adequate landscaping to meet UDC requirements, then a revised landscape plan showing compliance with the UDC's landscaping standards will be required to be provided by the applicant.

The applicant is proposing an 8' tall black vinyl-coated chain link fence around the perimeter of the property compliant with the City's fencing requirements.

E. Traffic and Access

The site is along the north side 199th Street and there is currently an approximately 20-foot-wide residential access driveway connecting to 199th. The applicant's proposal includes a 32-foot-wide drive that connects to 199th Street with an apron flare that is approximately 80 feet wide at its widest point near the asphalt of 199th Street to accommodate the turning motions of trucks.

The applicant submitted a Traffic Impact Study (TIS) in support of their application that identified the existing conditions of the road network today, the proposed conditions of the road network should this Final Site Plan be approved and should a conceptual commercial development on the property to the east of the subject property be approved.

The TIS analyzes the trips that will be added with the anticipated traffic and makes recommendations as to how the road network in the area should be improved to accommodate the development described in the report. Additionally, staff is recommending that 199th Street be improved to a 3-lane concrete roadway from Homestead Lane to the western property line of the subject property, with appropriate transition to existing conditions to the west. This 3-lane section will include a center lane allowing for opposing left turns to accommodate anticipated traffic.

The TIS identifies proposed uses for the subject property to be a trans-loading and yard storage facility for shipping containers and the conceptual commercial development on the property to the east to consist of two drive-through fast food restaurants, a sit-down restaurant, and a retail building. The TIS also identifies 'Site Drive A' as the driveway to the subject property, for the proposed development for Whimsy Trucking. The comments in this report will focus on Site Drive A into the subject property, but the entire Conditions, Analyses, and Summary & Recommendations of the TIS are included in this packet as an attachment.

Site Drive A, providing access to the subject property for Whimsy Trucking is located approximately 370 feet east of Pepper Tree Road, which meets the KDOT access management policy spacing requirements between unsignalized intersections, which identifies the minimum spacing as 365 feet. The TIS also states that the intersection sight distance, as is based on the American Association of State Highway and Transportation Officials (AASHTO) *Policy on Geometric Design of Highways and Streets 7th Edition*, is sufficient for both passenger cars and trucks that are both left and right turning from the site, with 199th being constructed to a 3-lane section.

The City of Edgerton uses Johnson County's Comprehensive Arterial Road Network Plan (CARNP) to guide dedication of right-of-way and access management. 199th Street is classified as a Parkway (Type III – High). However, based on traffic counts, today it functions more similar to a Major Arterial (Type II – Medium). As a Type II roadway, properties along 199th Street with at least 660 feet of frontage are allowed one driveway. Both of the original parcels for the Whimsy development had 660 feet warranting them each a driveway to 199th Street.

The TIS also identified the proposed trip generation, based on the business model of the applicant and the ITE *Trip Generation Handbook*. The proposed 32,000 square foot Whimsy Trucking Facility is estimated to add 156 Average Daily Trips (ADTs) to the road network, including 32 Vehicles Per Hour (VPH) in both the AM (6:30 – 9:00 AM) and PM (4:00 – 6:00 PM) peak hours. Additionally, only 10% of both inbound and outbound traffic in the AM and PM peak hours, respectively, are estimated to travel inbound to the proposed trucking facility westbound on 199th Street. The City Engineer reviewed the TIS and has no outstanding comments.

F. Stormwater

The subject property is located within the Bull Creek watershed, and a stormwater pond is proposed to the south of the employee parking lot on the site. The applicant submitted a stormwater study, which the City Engineer has reviewed and has provided comment on. There are some outstanding items identified in the General Comments section on the next page that must be addressed and approved by the City Engineer prior to certification of the Final Site Plan by the Zoning Administrator. All drainage on the site will eventually be

routed to the creek on the east side of the subject property. The creek to the east of the subject property is proposed to be included in a tract that includes flood zone and floodplain.

FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the requirements in Section 10.1 of Article 10 and Section 5.2 of Article 5 of the Edgerton UDC. Review comments are listed below in bold and must be addressed prior to certification of the Final Site Plan by the Zoning Administrator.

Section 10.1 Contents of Site Plans

1. Parking areas, paths, sidewalk with sizes and surface material specifications.
 - a. *City staff recommends an additional queueing lane for the entrance to the site to reduce the chances of stacking along 199th Street.*
The applicant states the estimated number of trips from the traffic study and length between 199th Street and the entrance gate, the additional queueing lane does not anticipate as being needed. The applicant has explained vehicles will not be checked at the gate, but within the facility so they do not anticipate a significant delay at the gate.
2. Exterior lighting specifications including a preliminary photometric plan.
 - a. *A photometric plan meeting the requirements set forth in the UDC will need to be provided.*
The applicant has acknowledged the requirements for the photometric plan outlined in the UDC and will provide the plan at the time of submittal of the building permit.
3. The location of existing and proposed easements.
 - a. *Easements will be needed on the property to the east for the proposed storm sewer pipes.*
 - b. *Easement widths will be reviewed once the utility plan is provided.*
4. The location of any HVAC systems (roof or ground), utility boxes and any other above ground facilities.
 - a. *City staff will monitor the site to ensure that all HVAC systems, utility boxes and any other above ground facilities are screened from view.*
Applicant acknowledges this requirement and will provide screening material as needed at the time of permit submittal.

Section 5.2 L-P Logistics Park District

1. **Perimeter Landscape Buffer Requirements.** Perimeter landscape buffers shall be determined based upon adjacent land uses.
 - a. *The applicant has indicated that existing landscaping will be used along the north, east, and west property lines. A Landscape Survey needs be done and provided to show existing vegetation meets or exceeds requirements in the UDC.*
Applicant will submit a landscape survey prior to the submittal of a building permit to ensure that the requirements of the UDC are being met. Additional landscaping will be added to supplement the existing landscaping as needed.
2. **Buffer Composition Requirements.** No single species of tree or plant material shall comprise more than 30% of the cumulative total of planting on a site.

- a. The applicant has proposed a total of 121 new plantings with forty-two (42) of those plantings being Sea Green Juniper, which would be 34.7% of the total plantings.*

General Comments

1. A storm water management report has been submitted. The following comments should be addressed prior to approval:
 - a. Summary Memo
 - i. Sheet 2 –The BFE of 974.0 appears to be incorrect.
 - ii. Sheet 3 – The proposed storm sewer system will most likely need to be designed to accommodate the 100-year storm event. Inlet and drainage calculations will need to be submitted prior to issuance of the building permit.
 - iii. Sheet 3 – NOAA Atlas 14 rainfall rates should be used. While the memo states these rates have been used they are not correct. Atlas 14 rainfall rerates are:
 1. 1% Storm – 8.36 inches
 2. 10% Storm – 5.31 inches
 3. 50% Storm – 3.59 inches
 - iv. This site has two outlet points. The memo states that the southwest area drains east to the creek but the contours on AIMS indicate that it drains west and then across 199th Street to the South. This drainage flows into an existing pond south of 199th Street. The southwest outlet point should maintain approximately the same amount of flow as existing. p
 - b. Hydrographs (Existing)
 - i. Update for Atlas 14 rainfall rates.
 - c. Hydrographs (Proposed)
 - i. Update for Atlas 14 rainfall rates.
 - ii. Detention Pond
 1. An emergency spillway should be provided. Provide calculations demonstrating compliance with APWA Section 5600.
2. An erosion control plan has not been submitted. A SWPPP has not been provided. A NOI and Edgerton Floodplain Development Permit is required prior to construction.

NOTICE OF CITY CODES AND PERMITS

The Applicant is subject to all applicable City codes – whether specifically stated in this report or not – including, but not limited to, Zoning, Buildings and Construction, Subdivisions, and Sign Code. The Applicant is also subject to all applicable local, State, and Federal laws.

Various permits may be required in order to complete this project. Please contact the Building Codes Division of the Community Development Department for more information about City permits. The project may also be subject to obtaining permits and/or approvals from other local, County, State, or Federal agencies.

DOCUMENTS INCLUDED IN PACKET

Sheet #	Title	Date on Document
Application	Application for FS2023-07	06/20/2023
1	C0 Cover Sheet	07/25/2023

2	C1 Overall Site Plan	07/25/2023
3	C1.1 Enlarged Site Plan	07/25/2023
4	C1.2 Enlarged Site Plan	07/25/2023
5	C2 Overall Grading Plan	07/25/2023
6	C2.1 Enlarged Grading Plan	07/25/2023
7	C2.2 Enlarged Grading Plan	07/25/2023
8	C2.3 Enlarged Grading Plan	07/25/2023
9	C3 Utility Plan	07/25/2023
10	C4 Storm Sewer Plan & Profile	07/25/2023
11	C4.1 Storm Sewer Plan & Profile	07/25/2023
12	C4.2 Storm Sewer Plan & Profile	07/25/2023
13	C4.3 Storm Sewer Plan & Profile	07/25/2023
14	C4.4 Storm Sewer Plan & Profile	07/25/2023
15	C5 Grading Plan – Lot 3	07/25/2023
16	C5.1 Outlet Structure Details	07/25/2023
17	C6 Drainage Map	07/25/2023
18	C6.1 Drainage Map	07/25/2023
19	LS-1 Landscape Plan	07/25/2023
20	LS-2 Landscape Details	07/25/2023
21	A17 Proposed Ext. Elevations	
22	A18 Proposed Ext. Elevations	
23	A19 Proposed Ext. Elevations	
24	A17 Proposed Ext. Elevations (Color)	
25	A18 Proposed Ext. Elevations (Color)	
26	A19 Proposed Ext. Elevations (Color)	
27	Traffic Impact Study – Whimsy Trucking	07/24/2023

STAFF RECOMMENDATION

City Staff recommends approval of Final Site Plan **Application FS2023-07** *Whimsy Trucking*, subject to the following stipulations:

1. Approval of this Final Site Plan application is contingent upon City Council approval of the related Conditional Use Permit (CU2023-03). If CU2023-03 is denied by City Council, this plan will be null and void.
2. Prior to certification of the Final Site Plan by the Zoning Administrator, the following must be completed.
 - a. A photometric plan meeting or exceeding the requirements of the Unified Development Code must be submitted and approved.
 - b. The stormwater management plan submitted by the applicant must be approved by the City Engineer.
3. All required off-site easements must be dedicated by separate instrument prior to installation of utilities.
4. An erosion control plan must be submitted and a SWPPP must be provided. A NOI and Edgerton Floodplain Development Permit is required prior to construction.
5. 199th Street must be constructed as a 3-lane, concrete roadway, with the center lane allowing left turns in both directions. 199th Street must be improved in this nature from Homestead

Lane to the west property line with appropriate transition into the existing road section.

6. All signage will be reviewed by City staff and must meet the requirements outlined in Article 12 of the UDC.
7. The staff recommendations and comments noted related to infrastructure, landscaping, the stormwater plan and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Final Site Plan and must be completed prior to certification by the Zoning Administrator.
8. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City.
9. Applicant/Owner Obligation. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads, and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notations contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

Note: For Application FS2023-07 the Planning Commission will be the approving authority for the application.

☐ PRELIMINARY SITE PLAN☒ FINAL SITE PLAN☐ REVISED SITE PLAN☐ RE-REVIEWPROJECT NAME: Whimsy TruckingLOCATION OR ADDRESS OF SUBJECT PROPERTY: NW corner of 199th Street and Homestead LaneLEGAL DESCRIPTION: See attachedCURRENT ZONING ON SUBJECT PROPERTY: L-P CURRENT LAND USE: AgriculturalTOTAL AREA: 20.14 ACRES NUMBER OF LOTS: 1 AVG. LOT SIZE: 20.14 Sq. Ft.DEVELOPER NAME(S): Clayton Rule PHONE: 619-415-5846COMPANY: Whimsy Edgerton, LLC EMAIL: crule@whimsytrucking.comMAILING ADDRESS: 1901 S. Busse Road Mount Prospect Illinois 60056
Street City State ZipPROPERTY OWNER NAME(S): same as developer PHONE: _____

COMPANY: _____ EMAIL: _____

MAILING ADDRESS: _____
Street City State ZipENGINEER NAME(S): Daniel Finn PHONE: 913-393-1155COMPANY: Phelps Engineering, Inc. EMAIL: dfinn@phelpsengineering.comMAILING ADDRESS: 1270 N Winchester Olathe KS 66061
Street City State ZipSIGNATURE OF OWNER OR AGENT: 

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

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

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

FOR OFFICE USE ONLYApplication No.: FS2023-07 Application Fee Paid: \$ 401.40 Date Paid: 6/20/2023 Receipt #: 6173Code: SITEPLAN or PUBLISH Publication Fee Paid: \$ 139 Date Paid: 7/20/23 #6965Received By: Chris Clinton

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

Application No.: CU- 2023-01

I, DANIEL FINN 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 19th day of JULY, 2023.



Signature of Agent, Owner, or Attorney

Subscribed and sworn to before me this 19th day of July, 2023.

Marc McGill

Notary Public

NOTARY PUBLIC - State of Kansas
MARC MCGILL
MY APPT. EXPIRES 9-3-25

My Commission Expires:

(SEAL)

9-3-25

FINAL SITE DEVELOPMENT PLANS FOR WHIMSY TRUCKING

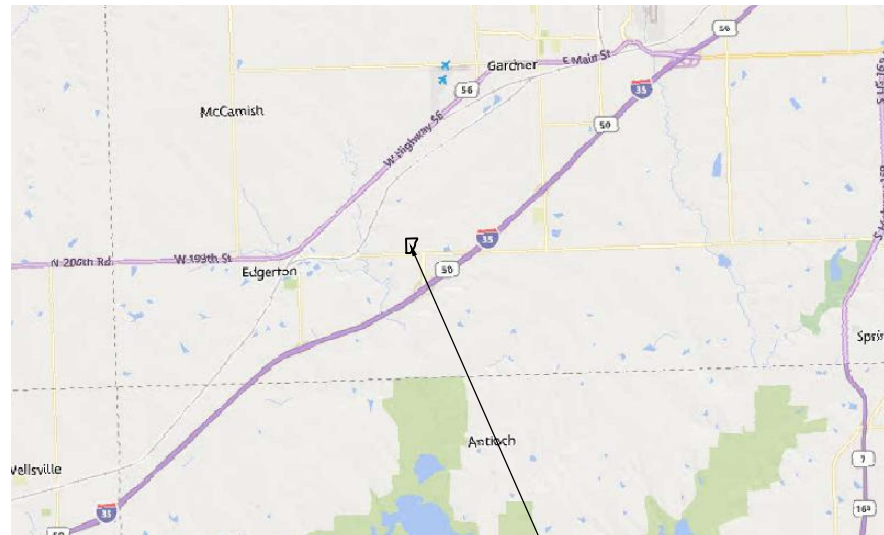
PLAT NAME: WHIMSY EDGERTON

CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

ADDRESS: 199TH & HOMESTEAD LANE

CONTRACTOR TO REFER TO SEPARATE SET OF
SANITARY SEWER PLANS FOR PUBLIC SANITARY
SEWER INSTALLATION.

CONTRACTOR TO REFER TO SEPARATE SET OF
PLANS FOR PUBLIC STREET & STORM SEWER
INSTALLATION.



UTILITY COMPANIES:

KANSAS GAS SERVICE CO. (913) 344-8808
MS. LYN LEET (LLEET@KAS.COM)
7421 W. 129TH ST. #100
OVERLAND PARK, KS. 66213

EVERGY (913) 681-7369
MS. NANCY MARTIN (NANCY.MARTIN@CPL.COM)
P.O. BOX 159
STILWELL, KANSAS 66085 (913) 681-7365-FAX

CITY OF EDGERTON - (SANITARY & STORM) (913) 893-6231-PHONE
404 EAST NELSON,
EDGERTON, KANSAS 66021

WATER DISTRICT NO. 7, JOHNSON COUNTY (913) 856-7375-PHONE
534 W. MAIN STREET, (913) 856-7173-FAX
P.O. BOX 7
GARDNER, KANSAS 66030

FLOOD NOTES:

A PORTION OF THIS PROPERTY LIES WITHIN ZONE AE, DEFINED AS SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO
FLOODING BY THE 1% ANNUAL CHANCE FLOOD.

A PORTION OF THIS PROPERTY LIES WITHIN ZONE XUT (FLOOD BASE FLOOD), DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD;
AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1
SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE FLOOD
BASED ON FUTURE CONDITIONS HYDROLOGY. NO BASE FLOOD ELEVATIONS DETERMINED.

THE REMAINDER OF THE PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL
CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY FOR JOHNSON COUNTY, KANSAS, COMMENT NO. 200509, MAP NO. 2005020346, AND DATED AUGUST 3, 2006.

- BENCHMARK:** VERTICAL DATUM = NAVD83 BASED ON GPS OBSERVATION USING QUARTZNET GPS NETWORK.
1. FOUND JOHNSON COUNTY PUBLIC WORKS BENCH MARK BM 1138 CENTER SOUTH END OF WEST HEADWALL RCH
ELEVATION = 964.93
 2. FOUND JOHNSON COUNTY PUBLIC WORKS BENCH MARK BM 1138 CENTER SOUTH END OF WEST HEADWALL RCH
ELEVATION = 964.88, (NO PUBLISHED RECORD OF BENCHMARK, MONUMENT FOUND IN FIELD)

LEGAL DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY SCOTT C. CHRISTMAN, K.S. L.S. #306 ON MAY 18, 2023, FOR PROJECT NO. 220808. ALL THAT PART
OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 22 EAST, IN THE CITY OF EDGERTON, JOHNSON COUNTY,
KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, THENCE S 89°00'00" W, ALONG THE SOUTH
LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 304.97 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING S
89°00'00" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 110.74 FEET, TO THE
SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, THENCE S 27°00'00" W, ALONG THE
WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 177.07 FEET, TO THE
NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, THENCE S 89°00'00" W, ALONG THE
NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 177.07 FEET, THENCE S
27°00'00" W, A DISTANCE OF 177.07 FEET, THENCE S 89°00'00" W, A DISTANCE OF 177.07 FEET, THENCE S 89°00'00" W, A DISTANCE OF
270.00 FEET, THENCE S 27°00'00" W, A DISTANCE OF 270.00 FEET, THENCE S 89°00'00" W, A DISTANCE OF 270.00 FEET, THENCE S
27°00'00" W, A DISTANCE OF 270.00 FEET, TO A POINT 75.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID
SECTION 4, THENCE S 89°00'00" W, ALONG A COURSE BEING 75.00 FEET NORTH-OF AND PARALLEL WITH THE SOUTH LINE OF THE
SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 75.00 FEET, TO THE POINT OF BEGINNING, BEING 21.9235 ACRES, MORE OR LESS, UNPLATTED LAND.

INDEX	
C0	COVER SHEET
C1	OVERALL SITE PLAN-PRELIMINARY
C1.1-C1.2	SITE PLAN
C2	GRADING PLAN
C2.1-C2.3	GRADING PLAN-ENLARGEMENTS
C3	OVERALL-UTILITY PLAN
C4-C4.4	STORM SEWER PLAN & PROFILES
C5-C5.1	DETENTION PLAN
C6-C6.1	DRAINAGE MAP
LS1-LS2	LANDSCAPE PLANS
A17-A19	ARCHITECTURE PLANS

CERTIFICATE:

RECEIVED AND PLACED ON RECORD THIS _____ DAY OF _____, 20____

ZONING ADMINISTRATOR
ZACH MOORE

APPROVED BY THE EDGERTON CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20____

CHAIR OF THE PLANNING COMMISSION:
JOHN DALEY

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

APPLICANT SIGNATURE _____ DATE _____
TITLE _____ ORGANIZATION _____

OWNER:

WHIMSY TRUCKING
CLAYTON RULE
CRULE@WHIMSYTRUCKING.COM

ARCHITECT:

WARREN JOHNSON ARCHITECTS, INC.
19 N. GREELEY ST.
PALATINE, IL 60067
(847) 359-9616

SURVEYOR:

PHELPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KANSAS 66061
(913) 393-1155
(913) 393-1166 (FAX)

ENGINEER:

PHELPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KANSAS 66061
(913) 393-1155
(913) 393-1166 (FAX)

Note:
These plans have been prepared in accordance with the City of
Edgerton Design Guidelines and Storm Water Drainage Standards. The
City Staff and Engineer's review is only for general conformance with
these standards. The City did not verify and is not responsible for the
accuracy and adequacy of the design, dimensions, elevations, and
quantities. The City of Edgerton and SO Consultants Inc. shall be held
harmless for errors and omissions as stated herein. The Design
Engineer is responsible for complying with all city standards as well as
generally accepted engineering design standards and principles, including
items which may have been overlooked during the City's review.



Know what's below.
Call before you dig.



PHILIPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KANSAS 66061
(913) 393-1155
(913) 393-1166 (FAX)
www.phelps-engineering.com

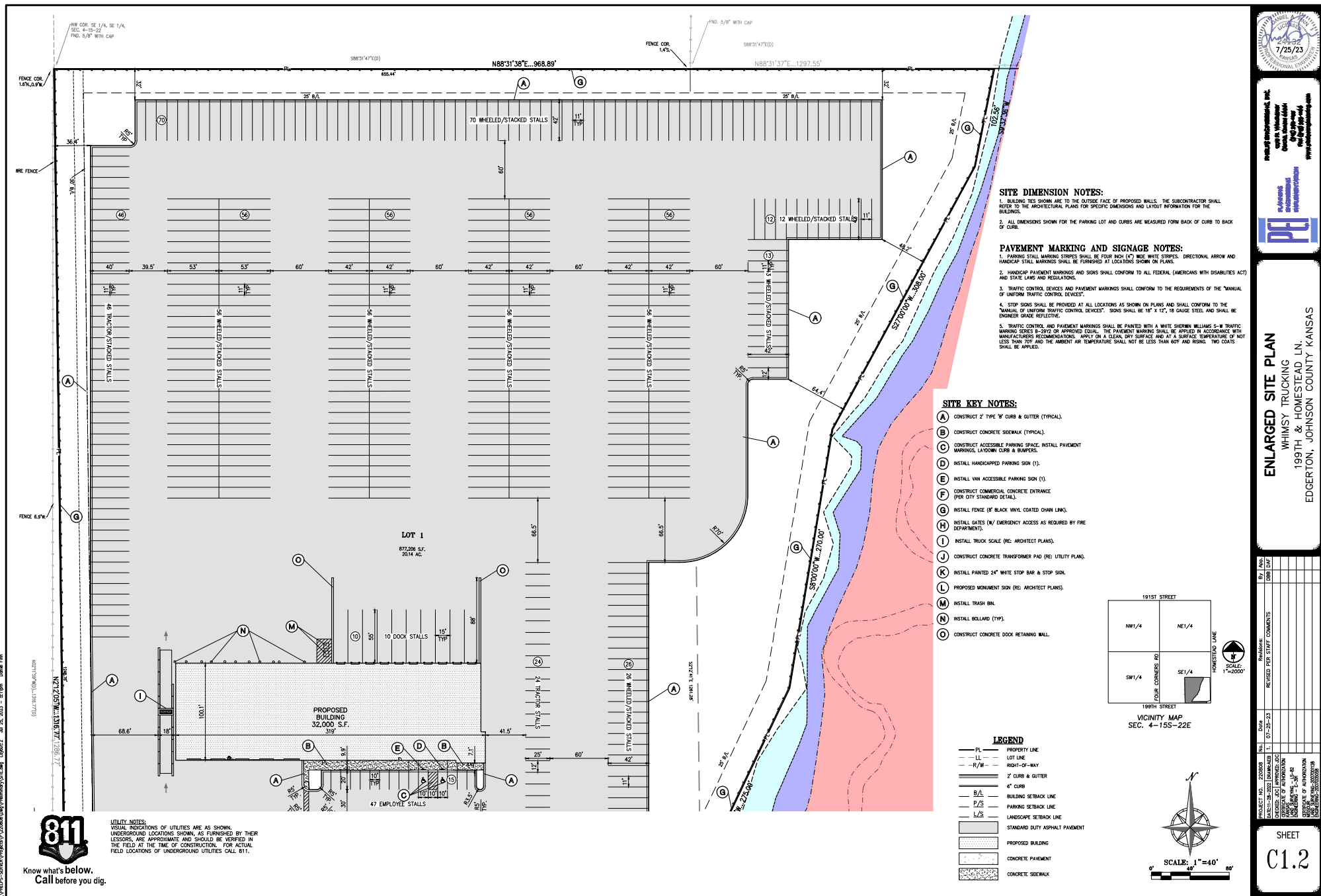


COVER SHEET
WHIMSY TRUCKING
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS

No.	Date	Revisions
1	07-25-23	REQUEST FOR STAFF COMMENTS
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UNPLATTED
OWNER: EDGERTON LAND
HOMESTEAD COMPANY LLC
EDGERTON, KS

NE COR. SE 1/4, SE 1/4
SEC. 4-15-22
PND. 5/12" WITH CAP

PND. 5/12" WITH CAP

LOT 1
877,206 S.F.
2014 AC.

UNPLATTED
OWNER: EDGERTON LAND
HOMESTEAD COMPANY LLC
EDGERTON, KS

PROPOSED
BUILDING
32,000 S.F.
FFE=1002.50

DETENTION BASIN

199TH ST.

JUBILEE ST.

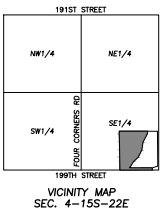
HOMESTEAD LN.

UTILITY KEY NOTES:

- (W1) DOMESTIC SERVICE LINE TAP WATER DISTRICT NO. 7 TO MAKE CONNECTION TO PUBLIC WATER MAIN. CONTRACTOR TO PAY ALL FEES FOR WATER MAIN TAP. OWNER WILL REIMBURSE CONTRACTOR FOR ACTUAL METER AND SYSTEM DEVELOPMENT FEES ASSESSED BY WATER DISTRICT NO. 7, EDGERTON, KANSAS.
- (W2) PROPOSED 1-1/2" PRIMARY WATER METER. WATER DISTRICT NO. 7 TO INSTALL THE 1-1/2" INCH SERVICE LINE UP TO AND INCLUDING THE METER PIT. CONTRACTOR TO COORDINATE AND PAY ALL FEES.
- (W3) 1-1/2" DOMESTIC WATERLINE ENTRY TO BUILDING. CONTRACTOR SHALL USE TYPE "C" COPPER FROM THE METER PIT TO THE POINT OF ENTRY. CONTRACTOR MAY TRANSITION TO HDPE OR PVC FROM THE POINT 3 FEET OUTSIDE OF THE METER PIT TO THE BUILDING ENTRY. CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ANY APPURTENANCES ON THE DOMESTIC LINE SUCH AS BACKFLOW PREVENTION DEVICES (RE: BUILDING PLANS), GATE VALVES, REDUCERS, BENDS, TEES, ETC., WHICH MAY BE REQUIRED. CONTRACTOR TO COORDINATE WITH WATER UTILITY.
- (W4) CONTRACTOR TO PERFORM AND COORDINATE "X" TAP ON EXISTING MAIN FOR PROPOSED 4" FIRE PROTECTION LINE. FIRE PROTECTION LINE SHALL BE PRESSURE CLASS 350 D.I.P. WITH RESTRAINED JOINTS AND POLYWRAP. CONTRACTOR TO ALL FEES FOR WATER MAIN TAP. OWNER WILL REIMBURSE CONTRACTOR FOR ACTUAL METER AND SYSTEM DEVELOPMENT FEES ASSESSED BY CITY.
- (W5) BACKFLOW PREVENTION: BACKFLOW PIT CONTAINING BACKFLOW PREVENTION DEVICE (DOUBLE CHECK DETECTOR ASSEMBLY (DCCA)) FOR 4" FIRE LINE. POST INDICATOR VALVE (PIV) IS NOT REQUIRED.
- (W6) 6" BUILDING FIRE PROTECTION ENTRY (RE: MEP PLANS).
- (W7) INSTALL PRIVATE FIRE HYDRANT ASSEMBLY.
- (E1) INSTALL PRIMARY ELECTRICAL CONDUIT. FOLLOW ELECTRIC COMPANY WORKORDER AND SPECIFICATIONS FOR PRIMARY ELECTRICAL SERVICE.
- (E2) INSTALL CONCRETE TRANSFORMER PAD. CONTRACTOR TO VERIFY EXACT LOCATION AND SIZE WITH ELECTRIC COMPANY PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION OF CONCRETE PAD AND CONDUIT AS REQUIRED BY THE ELECTRIC COMPANY. CONTRACTOR SHALL COORDINATE AND WORK WITH THE ELECTRIC COMPANY.
- (E3) METER ON WALL & ELECTRIC ENTRY INTO BUILDING. FOLLOW ELECTRIC COMPANY REQUIREMENTS (RE: BUILDING ELECTRIC PLAN).
- (S1) CONNECT TO EXISTING PUBLIC SANITARY SEWER MANHOLE (RE: SEPARATE SET OF PLANS).
- (S2) 2" HDPE LOW PRESSURE SEWER FORCE MAIN FOR CREEK CROSSING. (RE: SEPARATE SET OF PLANS).
- (S3) INSTALL SANITARY SEWER LIFT STATION (RE: SEPARATE SET OF PLANS).
- (S4) 8" PVC (SDR-26) SANITARY SEWER MAIN EXTENSION (RE: SEPARATE SET OF PLANS).
- (S5) INSTALL SANITARY SEWER MANHOLE (RE: SEPARATE SET OF PLANS).
- (S6) CONNECT TO BLDG. INTERIOR PLUMBING (RE: MEP PLANS).
- (S7) INSTALL 4" PVC (SDR-26) PRIVATE SANITARY SEWER SERVICE LINE AT 10% MINIMUM SLOPE. INSTALL SANITARY SEWER CLEANOUTS AT 100 FT MAXIMUM SPACING.
- (S8) CONNECT TO 8" SANITARY SEWER MAIN "Y" TEE CONNECTION. FL 8"=XXX.XX FL 8"=XXX.XX FL 8"=XXX.XX

LEGEND

- PL PROPERTY LINE
- LL LOT LINE
- R/W RIGHT-OF-WAY
- CTV EXISTING CABLE TELEVISION LINE
- FO EXISTING FIBER OPTIC LINE
- GE EXISTING GAS LINE
- EE EXISTING BURIED ELECTRIC LINE
- EP EXISTING OVERHEAD POWER LINE
- ET EXISTING BURIED TELEPHONE LINE
- ES EXISTING SANITARY SEWER LINE
- ST EXISTING STORM SEWER LINE (A SIZE)
- EW EXISTING WATER LINE (A SIZE)
- CTV PROPOSED CABLE TELEVISION LINE
- FO PROPOSED FIBER OPTIC LINE
- G PROPOSED GAS LINE
- BE PROPOSED BURIED ELECTRIC LINE
- SS PROPOSED SANITARY SEWER LINE
- CHD PROPOSED OVERHEAD POWER LINE
- BT PROPOSED BURIED TELEPHONE LINE
- W PROPOSED WATER LINE (A SIZE)
- ST PROPOSED STORM SEWER LINE (A SIZE)



UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.
UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.



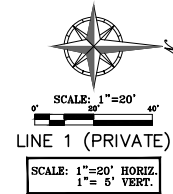
David L. Johnson, Inc.
David L. Johnson
Professional Engineer
07/25/23
www.davidjohnsoninc.com



UTILITY PLAN
WHIMSY TRUCKING INC.
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS

PROJECT NO. 230008	No.	Date	Revisions	By	App.
DATE: 07-25-2023 [DRAWN]	1	07-25-23	REVISED PER STAFF COMMENTS		
DESIGNED BY: JAC					
APPROVED BY: JAC					
DATE OF APPROVAL					
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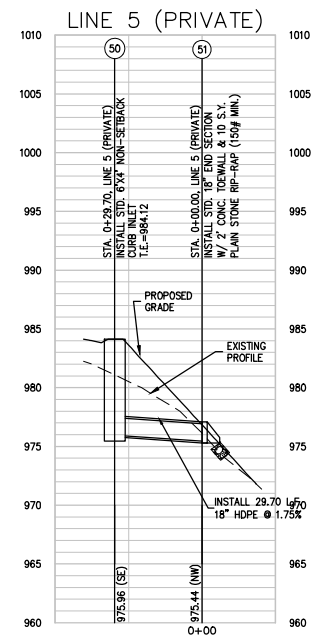
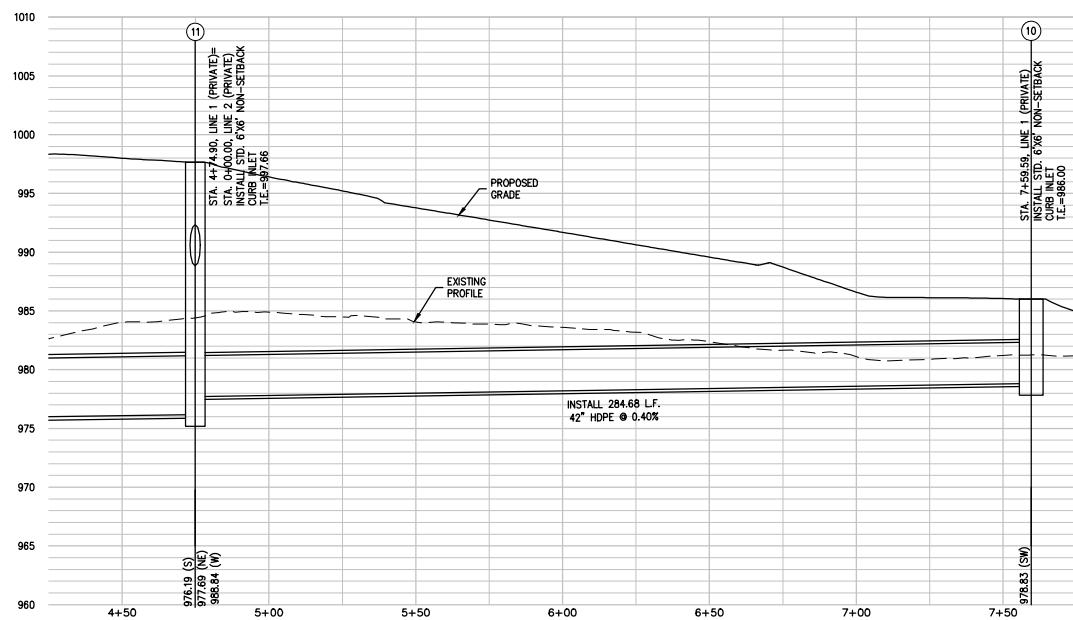
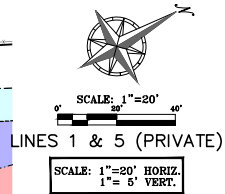


STORM SEWER PLAN & PROFILE

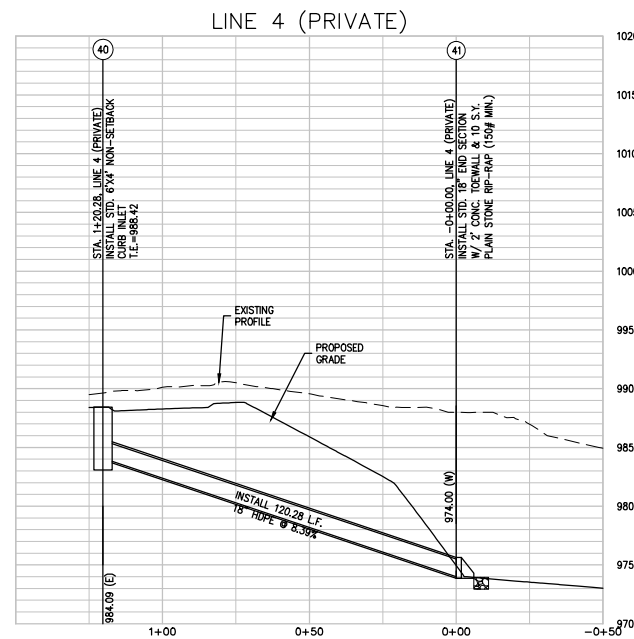
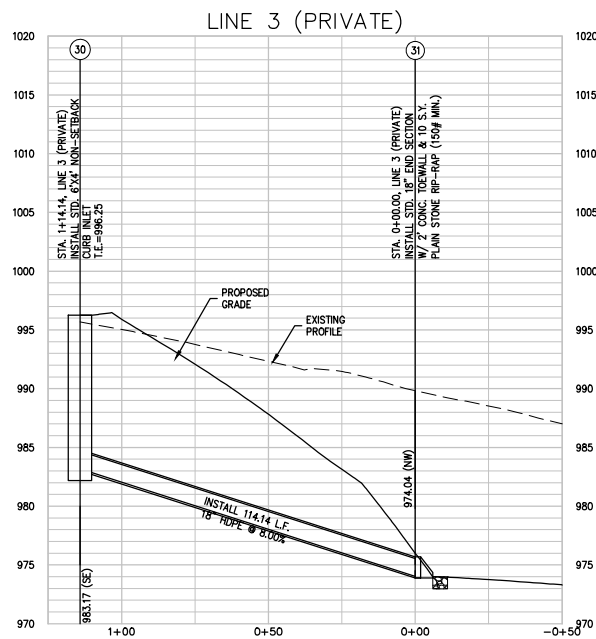
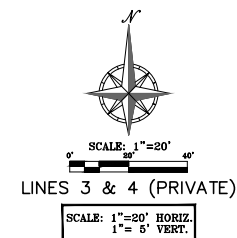
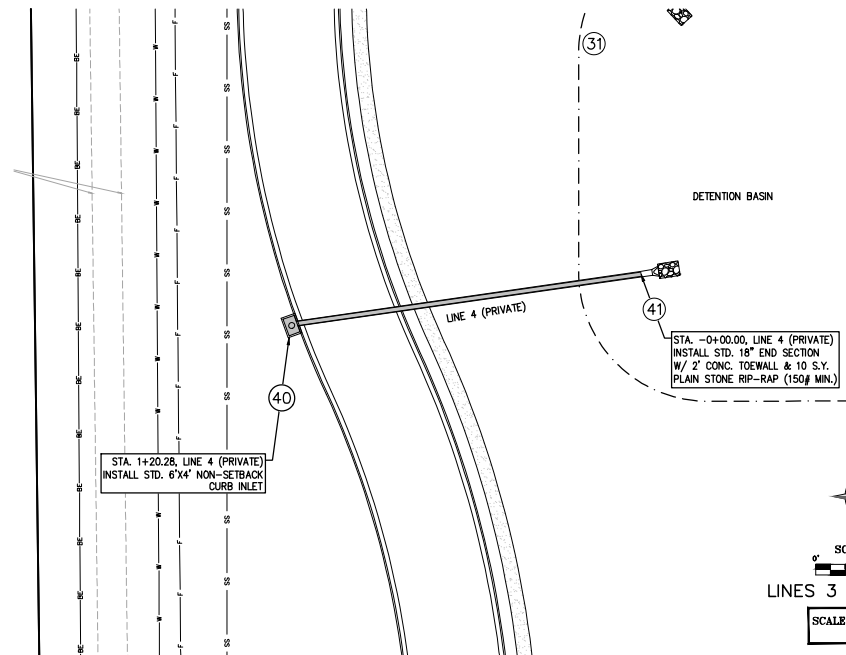
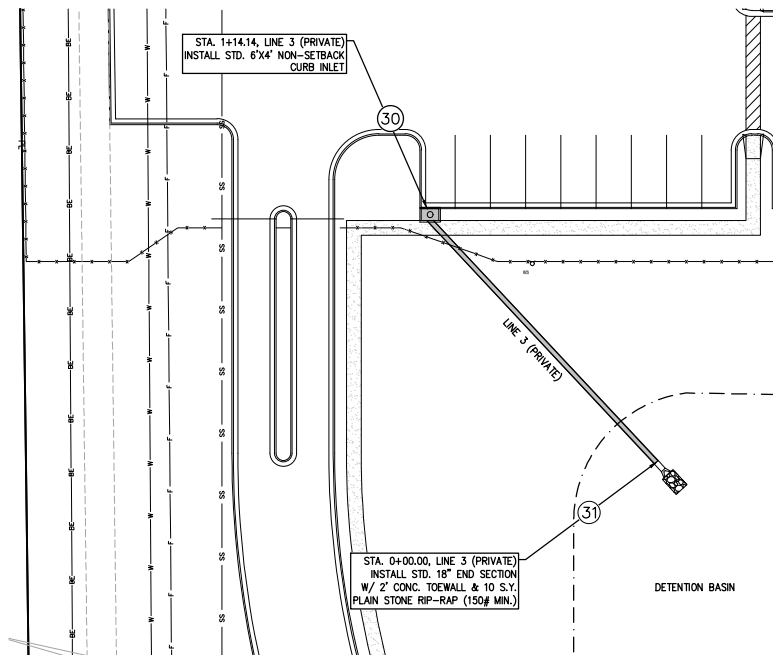
WHIMSY TRUCKING
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS

PROJECT NO.	No.	Date	Revisions:	By
220808				
11-28-2002	1.	07-25-23	REVISED PER STAFF COMMENTS	DBB DAF
CHORDS, JAC				
STATE OF ARIZONA				
DEPARTMENT OF				
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David L. Williams
Professional Engineer
No. 12208
State of Kansas
7/25/23



STORM SEWER PLAN & PROFILE
WHIMSY TRUCKING
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS

PROJECT NO.	NO.	DATE	REVISIONS	BY	APP.
1220808	1	07-25-23	REVISED PER STAFF COMMENTS	DBB	DAW
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CHECKED BY					
DATE OF APPROVAL					
APPROVED BY					
DATE OF APPROVAL					
APPROVED BY					

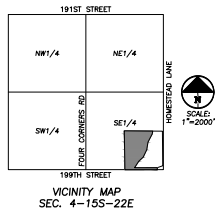
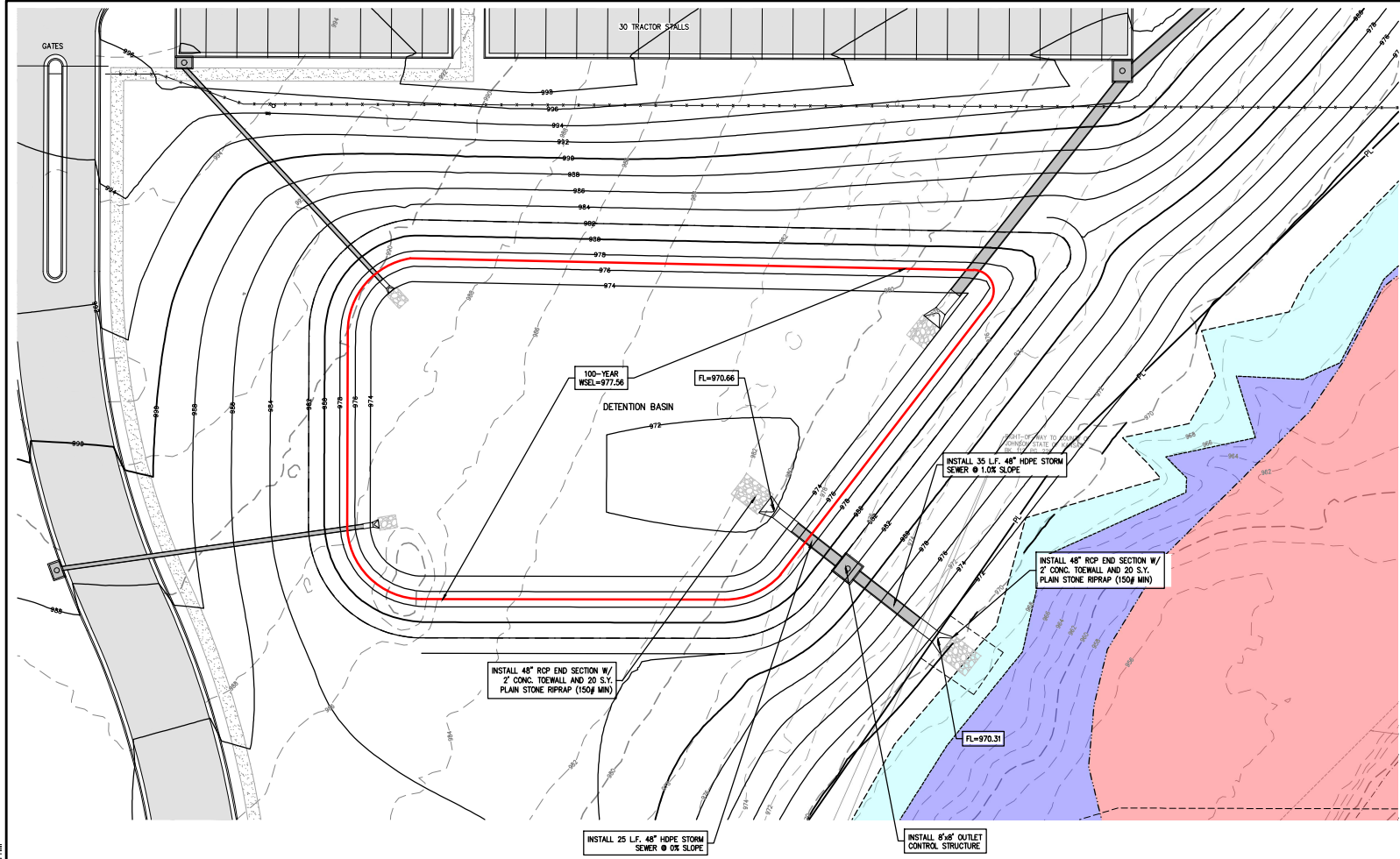
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\\VHUPUS-SEHWP\Projects\172008\Drawings\172008\172008.dwg Export1 - Jul 25, 2013 - 4:13pm David Fries



Know what's below.
Call before you dig.

UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.
UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR
LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN
THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL
FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.



- LEGEND**
- FL - PROPERTY LINE
 - LL - LOT LINE
 - R/W - RIGHT-OF-WAY
 - 2' CURB & GUTTER
 - EXISTING CONTOURS
 - PROPOSED CONTOURS
 - PROPOSED SPOT ELEVATION
 - LG - TOP OF GUTTER
 - TC - TOP OF CURB
 - SW - SIDEWALK
 - NE - MATCH EXISTING
 - HP - HIGH POINT
 - LP - LOW POINT
 - P - TOP OF PAVEMENT
 - TE - TOP OF STRUCTURE
 - GR - GROUND ELEVATION
 - BS - BOTTOM OF STEPS
 - TS - TOP OF STEPS
 - BM - BOTTOM OF WALL
 - TW - TOP OF WALL
 - EXISTING STORM SEWER
 - PROPOSED STORM PIPE
 - PROPOSED RETAINING WALL



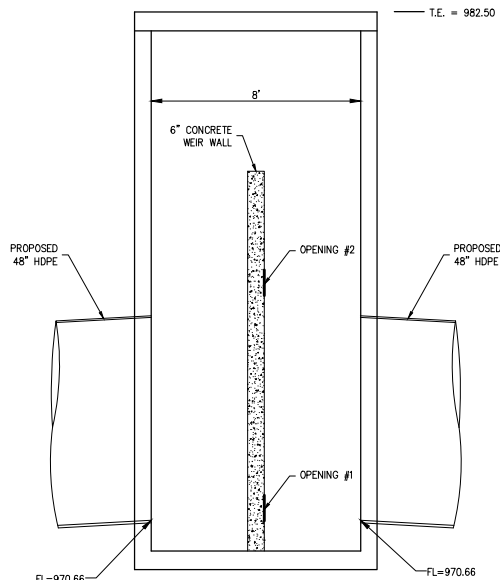
David Fries, Inc.
Professional Engineer
State of Kansas
No. 220508
7/25/23



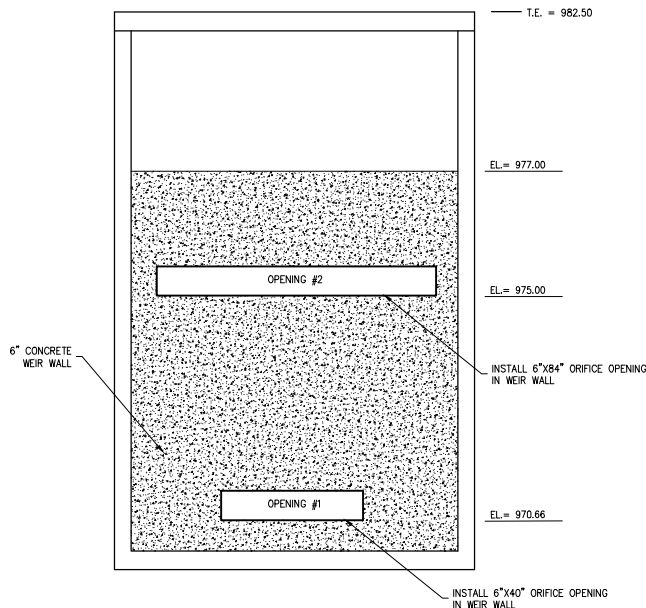
GRADING PLAN - LOT 3 WHIMSY TRUCKING 199TH & HOMESTEAD LN. EDGERTON, JOHNSON COUNTY KANSAS

PROJECT NO.	NO.	DATE	REVISIONS	BY	APP.
172008	1	07-25-23	REVISION FOR STAFF COMMENTS		

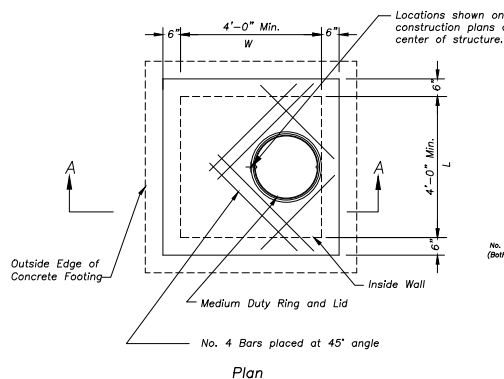
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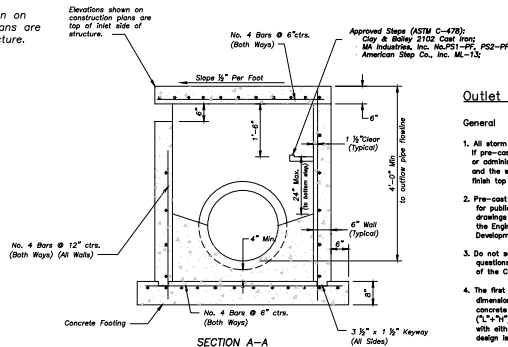
SPECIAL 8'x8' OUTLET CONTROL STRUCTURE
NORTH WALL



SPECIAL 8'x8' OUTLET CONTROL STRUCTURE
WEST WALL



Plan



OUTLET CONTROL DETAIL
SCALE: N.T.S.

Outlet Control Structure Notes

General

- All storm sewer structures shall be pre-cast or poured in place. If pre-cast structures are used for publicly financed, maintained or administered construction, the top shall be poured in place and the wall steel shall be left exposed to a height 2" below the finish top elevation, or as directed by the City Engineer.
- Pre-cast shop drawings are to be approved by the City Engineer for publicly financed or administered projects. Pre-cast shop drawings for privately financed projects are to be submitted to the Engineering Services Division of the Planning and Development Services Department.
- Do not scale these drawings for dimensions or clearances. Any questions regarding dimensions shall be brought to the attention of the City Engineer prior to construction.
- The first dimension listed in the construction notes is the "L" dimension. The second dimension is the "W" dimension. The concrete thickness and reinforcement shown is for boxes with (CL=7'x7') and (CL=6'x7') less than or equal to 20. For boxes with either of these calculations greater than 20, a special design is required.

Concrete

- Concrete used in this work shall be KCM&BAC, as approved by the Kansas City Metropolitan Materials Board, and shall meet the requirements of the Edgerton Municipal Code.
- Concrete construction shall meet the applicable requirements of Standard Specifications for State Road and Bridge Construction, Kansas Department of Transportation, latest edition, except as modified in the Edgerton Municipal Code.
- Initial faces shall be shaped with non-reinforced concrete inverts to provide smooth flow.
- Bevel at exposed edges with 3/4" triangular mounding.

Reinforcing Steel

- Reinforcing steel shall be new billet, minimum Grade 60 as per ASTM A615, and shall be bent cold.
- All dimensions relative to reinforcing steel are to centerline of bars. 2" clearance shall be provided throughout unless noted otherwise. Tolerance of +/- 1/2" shall be permitted.
- All lap splices not shown shall be a minimum of 40 bar diameters in length.

- All reinforcing steel shall be supported on fabricated steel bar supports @ 3'-0" maximum spacing.
- All dowels shall be accurately placed and securely tied in place prior to placement of bottom slab concrete. Staking of dowels into fresh or partially hardened concrete will not be acceptable.
- The bottom slab shall be at least 24 hours old before placing sidewalk concrete. All sidewalk forms shall remain in place a minimum of 24 hours after sidewalks are poured before removal, and after removal shall be immediately treated with membrane curing compound.
- Pipe connections to pre-cast structures shall have a minimum of 6" of concrete around the entire pipe within 2' of the structure.
- Material selection and composition requirements for backfill around structures shall be as specified in the Manual of Infrastructure Standards, as promulgated by the City Engineer.



David L. Whimsy, Inc.
Civil & Mechanical
Engineering
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS
www.whimsyengineering.com



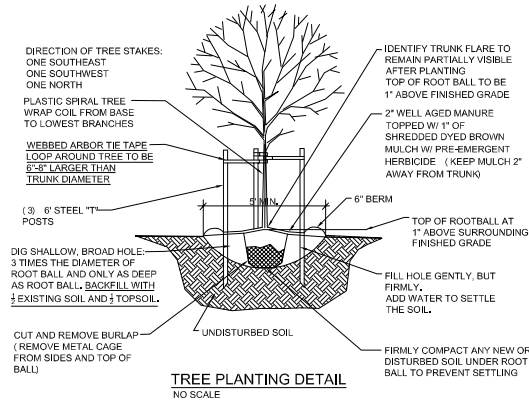
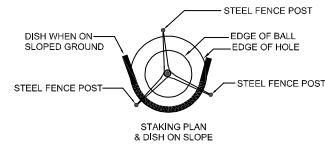
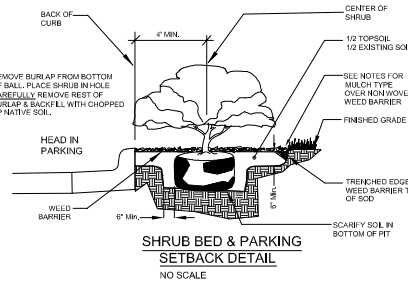
OUTLET STRUCTURE DETAILS
WHIMSY TRUCKING
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS

PROJECT NO.	DATE	BY	APP.	REVISIONS
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STORM DRAINAGE CALCULATIONS

DESIGN CRITERIA: K15 =1.5; K16 =1.26; n=0.019 (RCP); STORM FREQUENCY =25 YEAR; A= AREA INLET; JB = JUNCTION BOX C.I. = CURB INLET; C.C. = CURB OUT; G.I. = GRATE INLET; HEIGHT OF STRUCTURE=4m; ELEV MINUS FLOW INLET OUT																	REMARKS		
S T R U C T U R E	I D U S T R I A L U S E	I. RUNOFF				SYSTEM TIME OF CONCENTRATION "T" AT STRUCTURE (MINS)	RAINFALL EXCESSIVE "I" INLET (IN/HR)	ANTHERBENT PROPORTION FACTOR " K_{10} " " K_{11} " " K_{12} "	RUNOFF "Q ₁ " "Q ₂ " "Q ₃ " (CFS)	II. PIPE DESIGN			25 YEAR CHICK						
		INCREMENTAL		CUMULATIVE						STRUCTURE		PIPE							
		RUNOFF COEFFICIENT "C"	AREA "A" (ACRES)	C.I. "A" (ACRES)	C.I. "A" (ACRES)					Upstream Section Number	Downstream Section Number	Diameter "D" (IN)			Slope "S" (FT/FT)	Velocity Fall Velocity "V" (FPS)	Baseflow "Q ₄ " (CFS)	Baseflow "Q ₅ " (CFS)	Full Flow "Q ₆ " (CFS)
1	10	0.90	5.52	4.97	5.52	4.97	6.00	8.19	1.10	44.8	10	11	42	0.0040	6.6	44.8	61.6	63.6	OK
	11	0.90	0.24	0.22	10.25	9.24	6.00	8.19	1.10	83.2	11	12	60	0.0040	8.4	83.2	114.0	164.7	OK
	12	0.90	0.59	0.53	10.84	9.77	6.00	8.19	1.10	88.0	12	13	60	0.0040	8.4	88.0	121.2	164.7	OK
	13	0.90	0.94	0.85	11.78	10.62	6.00	8.19	1.10	95.6	13	14	60	0.0030	7.3	95.6	131.7	142.7	OK
	20	0.90	1.81	1.63	18.1	1.63	6.00	8.19	1.10	147	20	21	34	0.0100	7.2	147	202	22.6	OK
2	21	0.90	1.64	1.48	3.45	3.11	6.00	8.19	1.10	28.0	21	22	30	0.0100	8.4	28.0	38.6	41.0	OK
	22	0.90	1.04	0.94	4.49	4.05	6.00	8.19	1.10	36.5	22	12	42	0.0100	10.5	36.5	50.2	100.6	OK
	30	0.90	0.55	0.50	0.55	0.50	6.00	8.19	1.10	4.5	30	31	18	0.0800	16.9	4.5	6.2	29.7	OK
4	20	0.90	0.74	0.67	0.74	0.67	6.00	8.19	1.10	6.0	40	41	18	0.0800	16.9	6.0	8.3	29.7	OK
	50	0.90	0.87	0.78	0.87	0.78	6.00	8.19	1.10	7.0	50	51	18	0.0775	7.9	7.0	9.7	13.9	OK
5	60	0.90	1.70	1.53	14.77	13.32	6.00	8.19	1.10	119.9	60	61	60	0.0100	13.2	119.9	165.2	210.3	OK
	70	0.90	0.29	0.26	0.29	0.26	6.00	8.19	1.10	2.7	70	70	15	0.0086	4.9	2.3	3.2	6.0	OK



GENERAL LANDSCAPE NOTES:

- CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES BEFORE STARTING ANY WORK.
- CONTRACTOR SHALL VERIFY ALL LANDSCAPE MATERIAL QUANTITIES AND SHALL REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- CONTRACTOR SHALL MAKE NO SUBSTITUTIONS WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL STAKE LAYOUT PLAN IN THE FIELD AND SHALL HAVE THE LAYOUT APPROVED BY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING WITH THE INSTALLATION.
- ALL LANDSCAPE BEDS SHALL BE TREATED WITH THE PRE-EMERGENT HERBICIDE PIRE M 60 DG (GRANULAR) OR AN APPROVED EQUAL IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
- ALL LANDSCAPE BEDS SHALL RECEIVE A TRENCHED EDGE. SEE SHRUB PLANTING DETAIL.
- FERTILIZER FOR FESCUE SEEDING LAWN, TREES AND CONTAINER STOCK AREAS SHALL BE A BALANCED FERTILIZER BASED ON RECOMMENDATIONS FROM A SOIL TEST SUPPLIED BY THE LANDSCAPE CONTRACTOR FROM AN APPROVED TESTING LAB.
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE PLANTS UNTIL COMPLETION OF THE JOB AND ACCEPTANCE BY THE OWNER.
- CONTRACTOR SHALL WARRANTY ALL LANDSCAPE WORK AND PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE OF THE WORK BY THE OWNER.
- CONTRACTOR SHALL PROVIDE MAINTENANCE OF ALL TREES AND SHRUBS FOR A PERIOD OF ONE YEAR AFTER THE DATE OF SUBSTANTIAL COMPLETION IF CONTRACTED BY THE OWNER.
- ANY PLANT MATERIAL WHICH DIES DURING THE ONE YEAR WARRANTY PERIOD SHALL BE REPLACED BY THE CONTRACTOR DURING NORMAL PLANTING SEASONS.
- ALL PLANT NAMES ON THE PLANT LIST CONFORM TO THE STANDARDIZED PLANT NAMES PREPARED BY THE AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE OR TO NAMES GENERALLY ACCEPTED IN THE NURSERY TRADE.
- ALL PLANT MATERIAL SHALL BE SPECIMEN QUALITY STOCK AS DETERMINED IN THE AMERICAN STANDARDS FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSEYMAN FREE OF PLANT DISEASES AND PESTS, OF TYPICAL GROWTH OF THE SPECIES AND HAVING A HEALTHY, NORMAL ROOT SYSTEM.
- SIZES INDICATED ON THE PLANT LIST ARE THE MINIMUM ACCEPTABLE SIZE. IN NO CASE WILL SIZES LESS THAN THE SPECIFIED SIZES BE ACCEPTED.
- PLANTS SHALL NOT BE PRUNED PRIOR TO DELIVERY TO THE SITE OR AFTER INSTALLATION EXCEPT FOR THOSE BRANCHES THAT HAVE BEEN DAMAGED IN SOME WAY.
- PLANTS SHALL NOT HAVE NAME TAGS REMOVED PRIOR TO FINAL INSPECTION.
- ALL PLANTINGS SHALL RECEIVE A COMMERCIAL TRANSPLANT ADDITIVE PER MANUFACTURER'S RECOMMENDED RATES AND INSTRUCTIONS FOR APPLICATION.
- MULCH SHALL BE A DYED BROWN SHREDDED HARDWOOD 3\"/>

Transplant Additives:

- Apply a commercial transplant additive (approved by the Landscape Architect) to all trees, shrubs and groundcover at rates recommended by the manufacturer during the planting. This item shall be subsidiary to other planting items.
- Transplant additive shall be Horticultural Alliance "DEHARD Transplant" (or approved equal) mycorrhizal fungal transplant inoculant or equivalent equal containing the appropriate species of mycorrhizal fungi and bacteria, fungi stimulant, water retaining agents, mineral & organic nutrients and inert ingredients.
- Demonstrate installation of all transplant additives for this project to the Landscape Architect. Provide actual additive product as evidence of sufficient quantity of product. (Empty product bags to be stockpiled for inspection by the Landscape Architect prior to disposal).
- Number of transplant additive packets per tree, shrub or groundcover shall be applied according to the manufacturer's recommended rates and instructions. For all plants the packet mix shall be evenly distributed into the upper approximately 6\"/>

Utility Note:
Utilities shown on plan are diagrammatic and some may be missing. Before starting any construction call appropriate locating service. In Kansas call 1-800-DIG-SAFE (344-7233) to have utilities located.

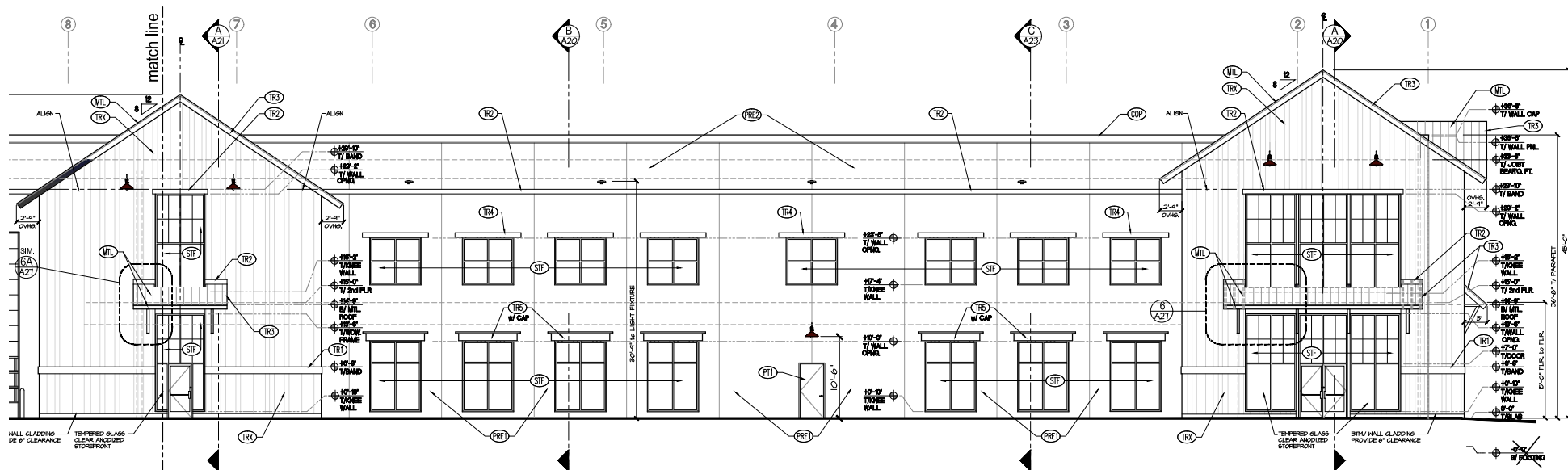


07/25/2023

**Landscape Plan
Whimsy Trucking**
Homestead Lane and 199th Street
Edgerton, Kansas

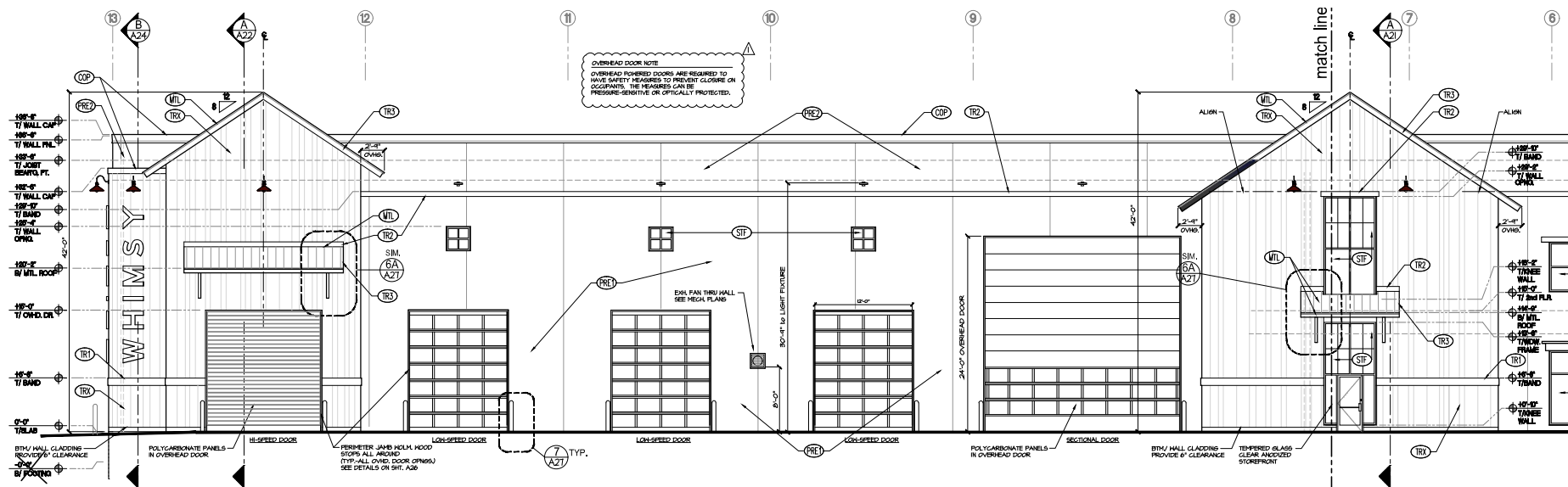
Oppermann LandDesign, LLC
Land Planning • Landscape Architecture
92 Debra Lane
New Windsor, New York 12553
pete@oppermans56@gmail.com
913.589.1598

LS-2



PROP. SOUTH ELEVATION- EAST END

SCALE: 3/16" = 1'-0"



PROP. SOUTH ELEVATION- WEST END

SCALE: 3/16" = 1'-0"

NOTE:
ALL OVERHEAD DOORS SHOWN
HERE CAN BE PROVIDED BY
'OVERHEAD DOOR'.

'OVERHEAD DOOR' CONTACT:
DAN KOTT (224) 833-1895
dan@chdchl.com

FINAL DOOR & DOOR RELATED
COMPONENTS TO BE SELECTED
BY OWNER

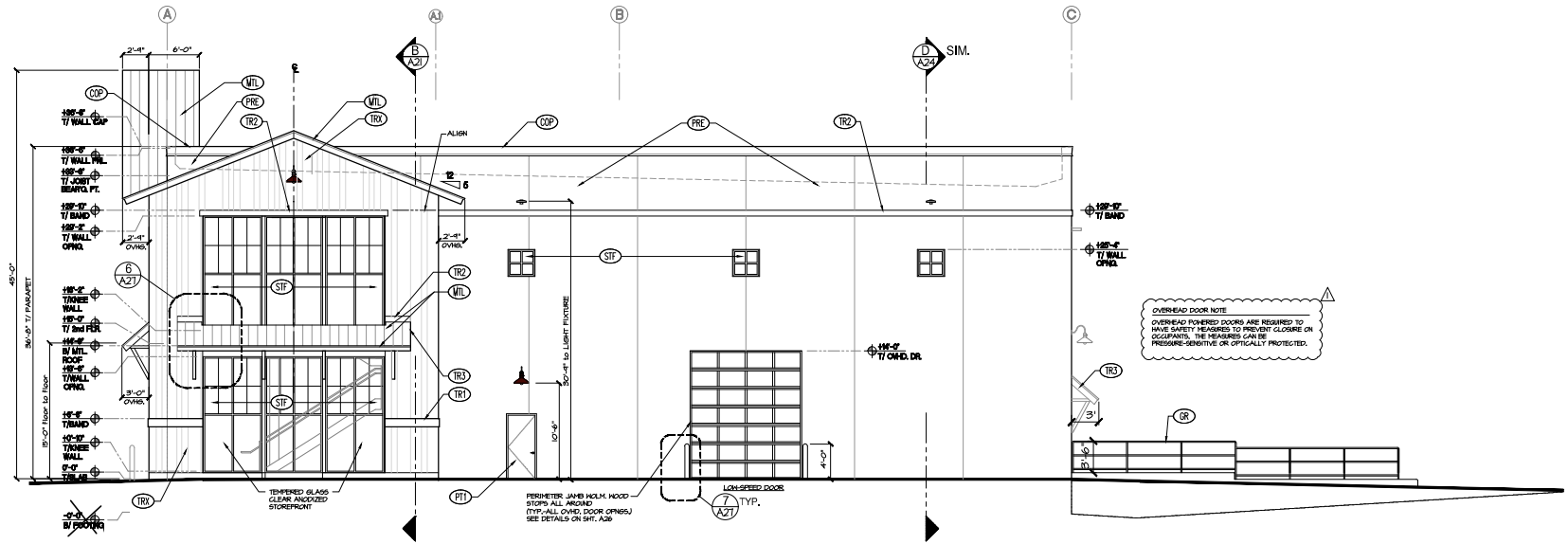
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MARK		DESCRIPTION	MODEL/COLOR	MODEL/COLOR	MARK	DESCRIPTION	MODEL/COLOR	MODEL/COLOR	
WALLS	(16)	TRIM VERTICAL PANELS	BLADE WHITE	FINA COLOR SELECTION BY OWNER	(17)	GLASS / ALUMINUM CORROSION	CLEAR ANODIZED	TEXTURED GLASS	
	(18)	PRECAST T-SHAPE PANELS	WHITE	FINA COLOR SELECTION BY OWNER	(18)	4" SQUARE ALUMINUM CORROSION SET	CLEAR ANODIZED	TEXTURED GLASS	PROVIDE SHIP DRAWINGS FOR REVIEW
TRIM	(19)	TRIM BAND T-SHAPE (S) (M)	WHITE-TRIM	PANT SHENIN HELLAINS SHERRED TOWARD SH 1005	(19)	42" METAL GROUND RAIL			
	(20)	TRIM BAND T-SHAPE (S) (M)	WHITE-TRIM	PANT SHENIN HELLAINS SHERRED TOWARD SH 1005	(20)	STANDARD STEEL RAIL, ROOF	PAC-GLAD THERMAST BRONZE		
	(21)	RAISE BOWERS 5/8" (S) (M)	WHITE-TRIM	GLAD TO MATCH PAC-GLAD THERMAST BRONZE	(21)	CORRUGATED METAL, GUTTER	MATCH PAC-GLAD THERMAST BRONZE		
	(22)	TRIM BOWERS 5/8" (S) (M)	WHITE-TRIM	PANT SHENIN HELLAINS REGISTRE GRAY SH 1028					
	(23)	TRIM BOWERS 5/8" (S) (M)	WHITE-TRIM	PANT SHENIN HELLAINS REGISTRE GRAY SH 1028					
	(24)	TRIM BOWERS 5/8" (S) (M)	WHITE-TRIM	PANT SHENIN HELLAINS REGISTRE GRAY SH 1028					

ALL FINA SELECTIONS TO BE APPROVED BY OWNER

PROPOSED
EXT. ELEVATIONS

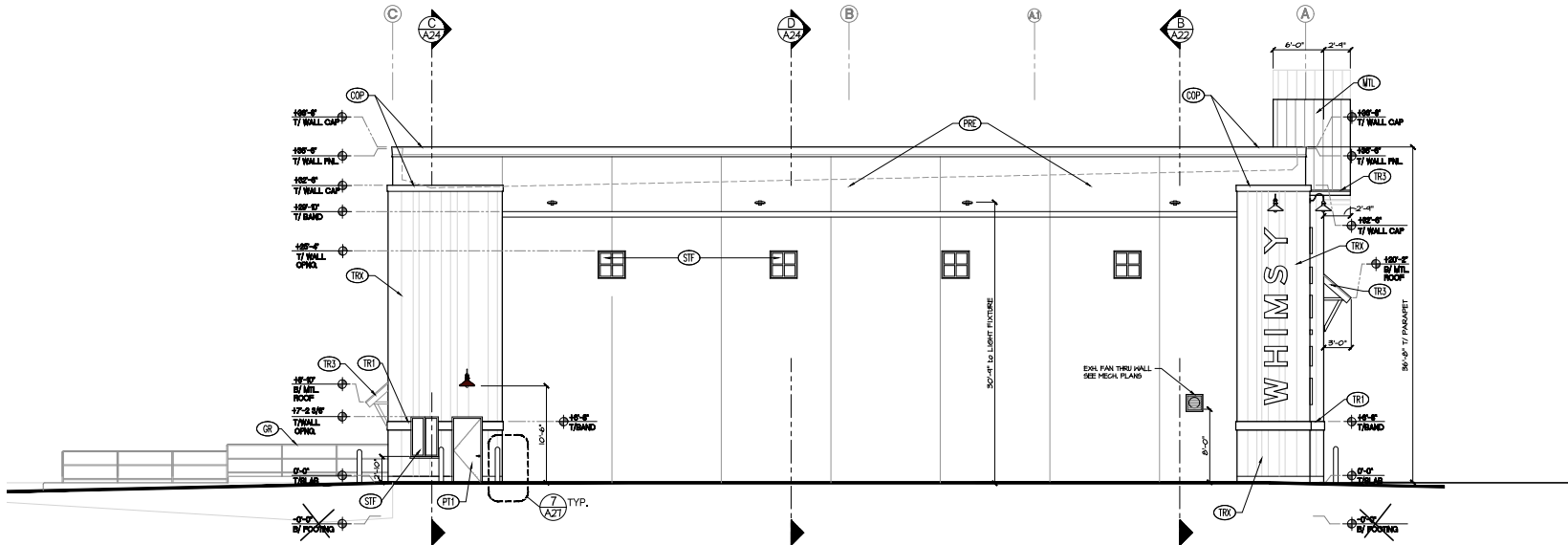
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PROP. EAST ELEVATION

SCALE: 3/16" = 1'-0"



PROP. WEST ELEVATION

SCALE: 3/16" = 1'-0"

NOTE:
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DAN KOTT (224) 833-1045
dan@dkdhl.com

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EXTERIOR MATERIAL LEGEND

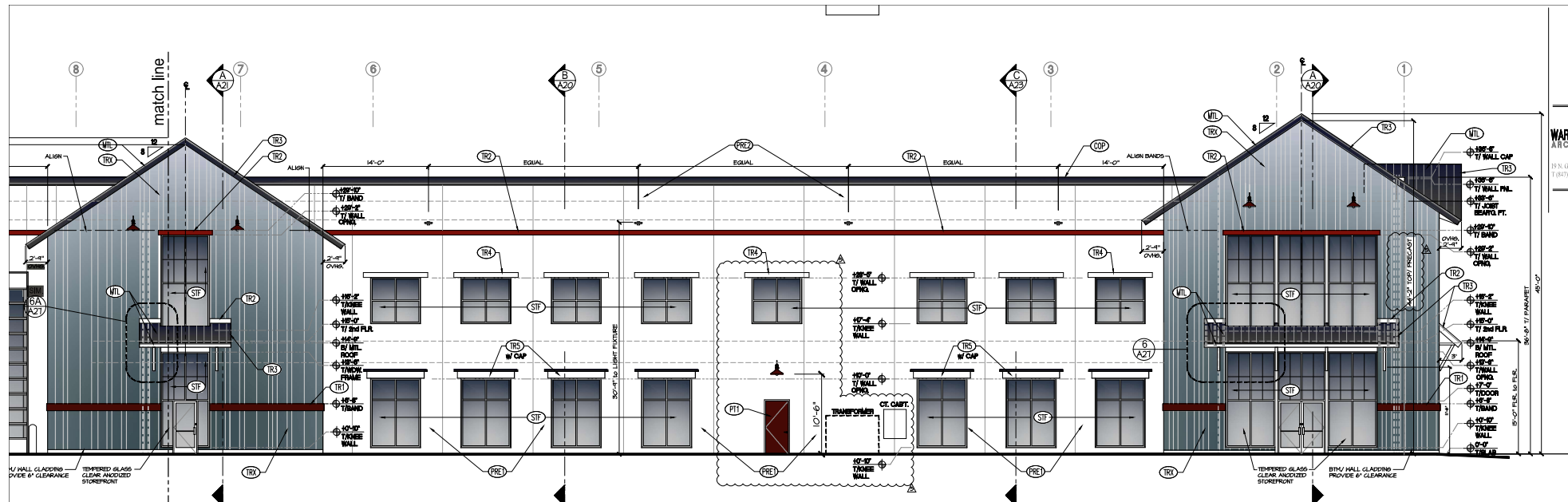
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(10)	TRX VERTICAL PANELS	SLAND 1001	GLASS / ALUMINUM STOREFRONT	2" SHIMULE 4" OPTICAL GRIND SET	CLEAR ANODIZED
(11)	PRECAST TILT-UP PANELS	PROVIDE SHOP DRAWINGS FOR REVIEW	(12)	42" W6 METAL GUARD-RAIL	TERNEPED GLASS / CLEAR ANODIZED
		(13)	PAIN SHERRIN HELLANDS 'REDESTATE GRAY' SH 1025		PROVIDE SHOP DRAWINGS FOR REVIEW
		(14)	PAIN SHERRIN HELLANDS 'REDESTATE GRAY' SH 1025		
ROOF					
(15)	TRX BAND 3/4" 12" 12"	SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005	(16)	PAIN	PAIN SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005
(16)	TRX BAND 3/4" 12" 12"	SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005	(17)	STANLEY SEAM HILL ROOF	PAC-GLAD METAL BRONZE
(17)	TRX BAND 3/4" 12" 12"	SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005	(18)	CONTINUOUS METAL COFFIN	HATCH PAC-GLAD METAL BRONZE
(18)	TRX BAND 3/4" 12" 12"	SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005			
(19)	TRX BAND 3/4" 12" 12"	SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005			
(20)	TRX BAND 3/4" 12" 12"	SHERRIN HELLANDS 'SHERRIN TOMATO' SH 1005			

ALL FINISH SELECTIONS TO BE APPROVED BY OWNER

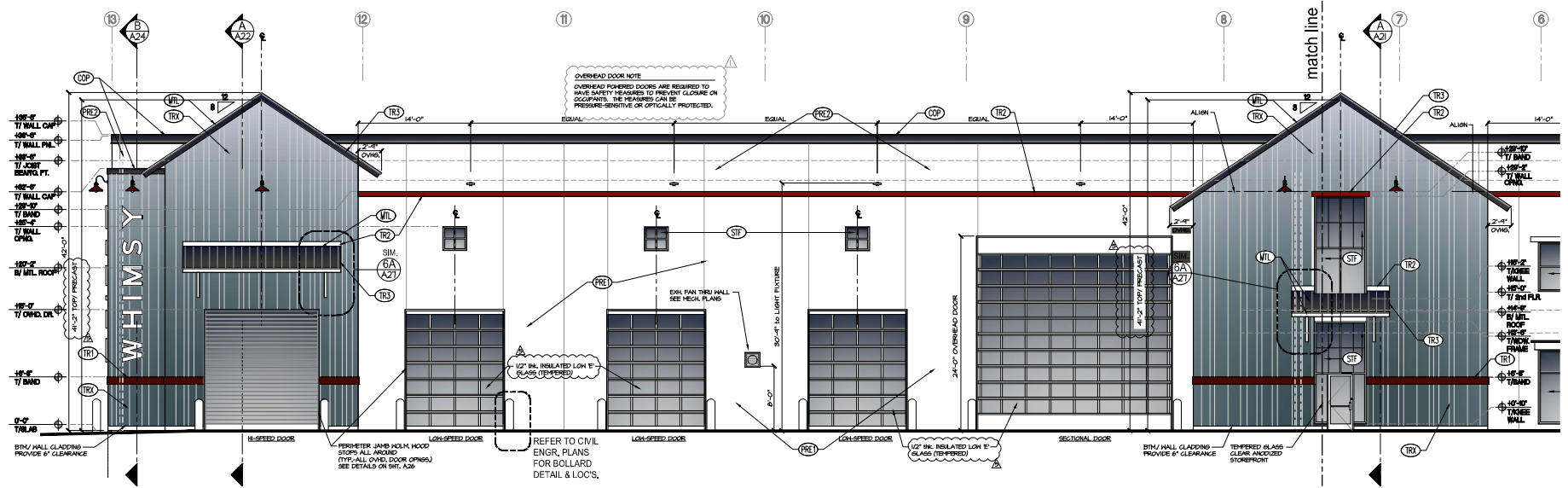
PROPOSED
EXT. ELEVATIONS

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A19



PROP. SOUTH ELEVATION - EAST END
SCALE: 3/16" = 1'-0"



PROP. SOUTH ELEVATION - WEST END
SCALE: 3/16" = 1'-0"

NOTE:
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dan@chicki.com

FINAL DOOR & DOOR-RELATED
COMPONENTS TO BE SELECTED
BY OWNER

EXTERIOR MATERIAL LEGEND			
MARK	DESCRIPTION	MODEL/COLOR	
WALLS	(16) TRX VERTICAL PANELS	GLASS TRX	FINAL COLOR SELECTION BY OWNER
	(17) PRECAST TILT-UP PANELS	PROVIDE SHOP DRAWINGS FOR REVIEW	
	(18) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
TRIM	(19) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
	(20) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
	(21) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
ROOF	(22) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
	(23) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
	(24) TRX BAND, 3/4" x 1/2" x 1/2"	PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025	
SPECIALTY	(25) GLASS / ALUMINUM GLAZING	2" SHIMLINE, 4" DEPTH, CENTER SET	CLEAR ANODIZED
	(26) 4" x 4" METAL, GUARD RAIL		PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025
	(27) 4" x 4" METAL, GUARD RAIL		PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025
DOOR	(28) 4" x 4" METAL, GUARD RAIL		PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025
	(29) 4" x 4" METAL, GUARD RAIL		PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025
	(30) 4" x 4" METAL, GUARD RAIL		PAINT SHOWN WILLIAMS' SHERWOOD WHITE SH 1025



FINAL DOOR & DOOR-RELATED
COMPONENTS TO BE SELECTED
BY OWNER

ALL FINISH SELECTIONS TO BE APPROVED BY OWNER

SHEET

A18



FINAL DOOR & DOOR-RELATED
COMPONENTS TO BE SELECTED
BY OWNER

EXTERIOR MATERIAL LEGEND									
MARK		COLOR/COLOR	MARK		COLOR	MARK		COLOR	THIRED GLAZ
WALLS	(M)	WEEK VERTICAL PANELS	BLAND HEST	FINAL COLOR SELECTION BY OWNER	(M)	GLASS / ALUMINUM SCREENING	GLASS / ALUMINUM	THIRED GLAZ	THIRED GLAZ
	(M)	WEEK TILT-UP PANELS	BLAND HEST	FINAL COLOR SELECTION BY OWNER	(M)	GLASS / ALUMINUM SCREENING	GLASS / ALUMINUM	THIRED GLAZ	THIRED GLAZ
	(M)	WEEK TILT-UP PANELS	BLAND HEST	FINAL COLOR SELECTION BY OWNER	(M)	GLASS / ALUMINUM SCREENING	GLASS / ALUMINUM	THIRED GLAZ	THIRED GLAZ
TERRACE	(M)	WEEK TILT-UP PANELS	BLAND HEST	FINAL COLOR SELECTION BY OWNER	(M)	GLASS / ALUMINUM SCREENING	GLASS / ALUMINUM	THIRED GLAZ	THIRED GLAZ
	(M)	WEEK TILT-UP PANELS	BLAND HEST	FINAL COLOR SELECTION BY OWNER	(M)	GLASS / ALUMINUM SCREENING	GLASS / ALUMINUM	THIRED GLAZ	THIRED GLAZ
	(M)	WEEK TILT-UP PANELS	BLAND HEST	FINAL COLOR SELECTION BY OWNER	(M)	GLASS / ALUMINUM SCREENING	GLASS / ALUMINUM	THIRED GLAZ	THIRED GLAZ

SHEET

TRAFFIC IMPACT STUDY

WHIMSY TRUCKING

EDGERTON, KANSAS

Prepared For:
Phelps Engineering, Inc.

Prepared By:
Michael Hare, PE, PTOE

July 24, 2023



7-24-2023



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- Appendix B – Raw Turning Movement Traffic Counts
- Appendix C – Trip Generation and Distribution
- Appendix D – Capacity Analysis Output Files
- Appendix E – Turn Lane Warrants Analysis

INTRODUCTION

This traffic impact study has been completed for the proposed Whimsy Trucking development to be located in the northwest quadrant of the 199th Street & Homestead Lane intersection in Edgerton, Kansas. The location of the proposed development relative to major streets in the area is shown below on **Figure 1**. This study includes a description of the proposed development, existing and future conditions, intersection capacity analyses, and a summary of findings.

Figure 1: Location Map



Source: Google Earth

EXISTING CONDITIONS

Existing Traffic Volumes: Existing weekday turning-movement traffic volume counts were collected at the following study intersections via video camera:

- 199th Street & Four Corners Road
- 199th Street & Pepper Tree Road
- 199th Street & Homestead Lane
- Homestead Lane and TA Express Drive

Peak-period counts were collected at the study intersections during the hours of 6:30 to 9:00 A.M. and 4:00 to 6:00 PM on Tuesday, May 16, 2023, and Wednesday, May 17, 2023. Based on the data, the AM peak hour generally occurs between 7:00 and 8:00 A.M., and the PM peak hour generally occurs between 4:45 and 5:45 P.M. The existing AM and PM peak-hour volumes are shown in **Appendix A** on **Figure A-1**. The raw traffic counts were processed by Miovision Technologies, Inc. and can be found in **Appendix B**.

Daily traffic counts were also recorded along 199th Street west of Homestead Lane on Tuesday, May 16, 2023. The recorded average daily traffic (ADT) on 199th Street was 3,343 vehicles per day (vpd): 1,711 vpd eastbound and 1,632 vpd westbound. These counts are included in **Appendix B**.

Existing Land Use: The existing property is mostly vacant land with one residential home. There are a couple of large industrial warehouse buildings north of the project site. Vacant land primarily surrounds the project site on the east and west. Across 199th Street to the south are some large-lot single family homes along with a planned Pilot Travel Center development that is currently being constructed. A lawn and garden nursery growing center is located to the northeast across Homestead Lane.

Existing Roadway Network: Current roadway characteristics near the study area are summarized below in **Table 1**.

Table 1: Existing Roadway Characteristics

Roadway	Classification	Section	Median Type	Posted Speed Limit
Homestead Lane	Arterial	4-Lane w/ curb and gutter	Divided	40 mph
199 th Street	Arterial	Rural 2-Lane w/ shoulders	Undivided	45 mph
Pepper Tree Road	Residential	Rural 2-Lane w/ no curb and gutter	Undivided	None posted
Four Corners Road	Arterial	Rural 2-Lane w/ no curb and gutter	Undivided	45 mph

The 199th Street & Homestead Lane intersection currently operates under signal control with dedicated left-turn lanes and channelized right-turn movements on all intersection approaches. Dedicated right-turn lanes are included on each intersection approach except in the westbound direction. The 199th Street & Pepper Tree Road and 199th Street & Four Corners Road intersections currently operate under stop control on the minor movement north/south approaches with the east/west approaches being uncontrolled.

Existing Crash Analysis: Crash data was provided by the Kansas Department of Transportation (KDOT) for the years 2019-2022 along 199th Street between Four Corners Road and Homestead Lane. During the 4-year study period, nine crashes occurred along the study corridor and associated intersections. Intersection and segment crash summaries are included below in **Tables 2 and 3**.

Table 2: Existing Intersection Crash Summary

Intersection with 199 th Street	Number of Crashes	Severity Breakdown
Four Corners Road	1	PDO - 1
Pepper Tree Road	0	---
Homestead Lane	6	PDO – 3 Injury- 3

The crash at 199th Street & Four Corners Road involved a vehicle leaving the roadway and striking a culvert. This crash occurred under slick roadway conditions at night. Of the six crashes that occurred at 199th Street & Homestead Lane, three of them involved eastbound drivers striking a vehicle from behind that was attempting to make a right-turn onto southbound Homestead Lane. One of the crashes resulted in an injury. These crashes were primarily due to inattentive driving and following too closely. Two of the three remaining crashes involved southbound drivers entering the intersection on a red traffic signal and striking either an eastbound vehicle or a northbound left-turn vehicle. Both crashes resulted in personal injury. The last crash at 199th Street & Homestead Lane involved a northbound left-turn driver striking a vehicle waiting at a red traffic signal to make a northbound left turn. The driver indicated that they did not see the vehicle stopped in front of them.

Table 3: Existing Segment Crashes

199 th Street Segment Between	Number of Crashes	Severity Breakdown
Four Corners Road and Homestead Lane	2	PDO - 2

Both the segment crashes involved a driver striking an animal that was crossing 199th Street. These both occurred under no adverse weather conditions. One of the crashes occurred during daylight, while the other occurred at night without the presence of streetlights.

PROPOSED CONDITIONS

Proposed Land Use: The proposed development consists of a trans-loading and yard storage facility for shipping containers, and a commercial development. Based on discussions with the project team, the commercial portion will include two fast-food restaurants with drive-throughs, a sit-down restaurant, and a retail building. There is a creek that divides the site in half. The trans-load facility is located on the western half of the site, and the commercial portion will be located on the eastern half of the site. The layout of the commercial portion of the development is not known at this time; therefore, it is not shown on the proposed site plan included in **Figure 2**.

Figure 2: Proposed Site Plan



Proposed Access Plan: The development will be accessed from three site driveways. Two along 199th Street, and one along Homestead Lane. The City of Edgerton plans to widen 199th Street between Four Corners Road and Homestead Lane to include a three-lane cross-section with one through lane in each direction and a center two-way left-turn lane. **Table 4** summarizes the access locations.

Table 4: Proposed Site Access

Access Name	Intersecting Roadway	Access Type	Access Location ¹
Site Drive A	199 th Street	Full Access	Approx. 370' east of Pepper Tree Road
Site Drive B	199 th Street	Full Access	Approx. 530' west of Homestead Lane at existing property entrance
Site Drive C	Homestead Lane	Partial Access (right-in-right-out)	Approx. 760' north of 199 th Street

¹ Distances are taken from the center of the intersection.

Site Drive A will provide access to the trans-loading portion of the development from 199th Street. Site Drives B and C provide access to the commercial portion of the development from 199th Street and Homestead Lane, respectively.

KDOT's *Access Management Policy*, dated January 2013, provides guidance on the locations of intersections and access points along a roadway. The policy indicates that "access points should not be located within the functional area of an intersection." The functional area extends in both the upstream and downstream traffic flow directions. Based on information in the Policy and the existing roadway characteristics of 199th Street and Homestead Lane, the functional areas of the existing intersections adjacent to the site drives were calculated. **Table 5** summarizes this information.

Table 5: Intersection Functional Areas

Intersection	Leg	Functional Area (ft)	
		Upstream	Downstream
199 th St & Pepper Tree Rd	East	385	360
199 th St & Homestead Ln	West	600	360
	North	520	305
Homestead Ln & 193 rd St	South	N/A	305

Site Drive A is located approximately 370' east of Pepper Tree Road. This proposed location falls within the functional area of the 199th Street & Pepper Tree Road intersection. However, the access management policy states that the access spacing between unsignalized intersections should be at least 365'. The distance between Site Drive A and Pepper Tree Road meets this access spacing criteria. As discussed in subsequent sections, the capacity analysis of these two

intersections shows that they are projected to operate acceptably, and the projected queues are not anticipated to block the adjacent intersections.

The functional area of the 199th Street & Homestead Lane intersection extends 600' to the west. Site Drive B falls within this functional area; however, due to the existing topography and adjacent culvert, Site Drive B cannot be shifted to the west to meet KDOT's criteria. The capacity analyses of the 199th Street & Homestead Lane and 199th Street & Site Drive B intersections show that they are projected to operate acceptably, and the projected queues are not anticipated to block the adjacent intersections.

Site Drive C is located outside the upstream functional area of the 199th Street & Homestead Lane intersection and downstream functional area of the Homestead Lane & 193rd Street intersection.

Intersection Sight Distance: Intersection sight-distance measurements were reviewed in the field for the proposed site driveway intersection approaches. Based on the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* 7th Edition, the amount of passenger car sight distance that is desirable for roadways intersecting 199th Street which is anticipated to be widened to a three-lane cross section with a 45-mph posted speed limit, is 530' for a left-turning vehicle (Case B1) and 430' for a right-turning vehicle (Case B2). The desirable combination truck (semi and trailer) sight distance for roadways intersecting 199th Street is 810' for left-turning vehicles (Case B1) and 695' for right-turning vehicles (Case B2). The desirable passenger car sight distance for roadways intersecting Homestead Lane, which has a 40-mph posted speed limit, is 385' for a right-turning vehicle (Case B2). The results of the intersection sight distances recorded in the field are summarized below. The intersection sight distance at Site Drive A was evaluated for both passenger vehicles and combination trucks, since a majority of the traffic exiting this location will include trucks. It should be noted that if available sight distance was excessively over the recommended value, a field measured value of ">distance" is recorded below. If the sight distance requirements were not easily reached by simple observation, actual distances were recorded.

199th Street & Site Drive A

	<u>AASHTO</u> <u>Recommended</u>	<u>Field Measured</u>
Left-Turning Passenger Car	530'	>530'
Left-Turning Combination Truck	810'	890'
Right-Turning Passenger Car	430'	>430'
Right-Turning Combination Truck	695'	>695'



199th Street & Site Drive A
Looking Right (W) – Left-Turn



199th Street & Site Drive A
Looking Left (E) – Right-Turn

It should be noted that at the 199th Street & Site Drive A intersection, there were a lot of overgrown trees and bushes that prevented the measurement from being taken at distance of 15' back from the edge of travel. As construction progresses on the development, the contractor and designer should make sure that any overgrown vegetation is removed to provide adequate intersection sight-distance at the driveway.

199th Street & Site Drive B

	<u>AASHTO Recommended</u>	<u>Field Measured</u>
Left-Turning Vehicle	530'	<530'
Right-Turning Vehicle	430'	<430'



199th Street & Site Drive B
Looking Right (W) – Left-Turn

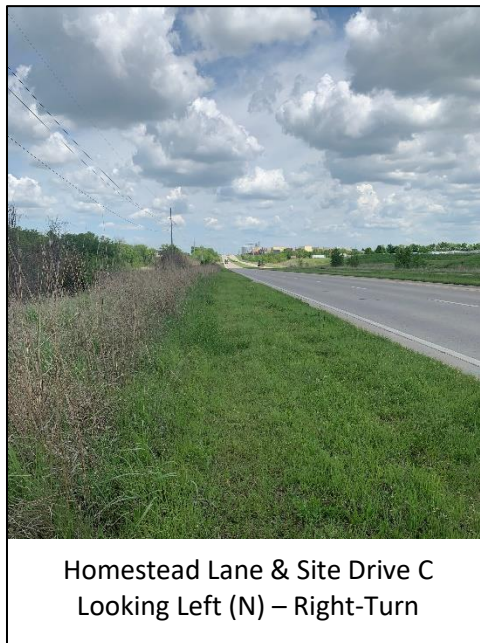


Randolph Road & Site Drive B
Looking Left (E) – Left-Turn

At the 199th Street & Site Drive B intersection, the sight distances for vehicles turning onto 199th Street from Site Drive B do not meet AASHTO's recommended values at a distance of 15' back from the edge of travel. This is due to the existing brush along the edge of the road. However, at 7.5' back from the edge of travel, adequate sight distance is provided for vehicles turning left and right onto 199th Street. It is expected that drivers will move up closer to 199th Street if they cannot see oncoming traffic. As construction progresses on the development, the contractor and designer should make sure that adequate intersection sight-distance is being provided at the driveway.

Homestead Lane & Site Drive C

	<u>AASHTO Recommended</u>	<u>Field Measured</u>
Right-Turning Vehicle	385'	>385'



Trip Generation: The estimated trip generation for the proposed Whimsy Trucking development was based upon site-specific data provided by the development team and the 11th Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. Outputs from this manual are included in **Appendix C**.

The *Trip Generation Manual* does not include an appropriate land use to calculate the number of trips to and from a trans-loading and yard-storage facility for a facility of this size. The range of trans-load facility sizes in the *Trip Generation Manual* is 240,000 – 2,900,000 square feet. The Whimsy facility is 32,000 square feet. Therefore, the trip generation for this portion of the site was developed based on information from Whimsy Trucking. In general, the facility plans to employ 30 truck drivers that will drive to the site in their personal vehicle and drive off in their truck to complete their delivery. They will then return in their truck at the end of the day and drive off in their personal vehicle. Approximately 30 percent of these drivers are expected to

arrive and depart during peak times. A few of these trips will be between this development and the nearby intermodal facility to the north. In addition, the facility will employ five mechanics and five office staff that are expected to arrive and depart during peak times. The facility is not expected to generate any traffic with outside clients or vendors on a routine basis.

All the anticipated trips to and from the proposed commercial development are not all new trips on the roadway network. Some of the trips associated with this portion of the development will be “pass-by” trips that were already on the adjacent street network. A pass-by trip is made when drivers stop at a destination in route to their final destination without a route diversion; therefore, they are not making a specific trip to the site. Pass-by traffic is common for the two restaurant land uses. For this development, pass-by trips would be the traffic that is already traveling along 199th Street or Homestead Lane and now stops in at one of the restaurants on their way to their destination.

Pass-by trip reductions were determined utilizing the ITE *Trip Generation Handbook*. The calculated pass-by trips were found to be unreasonably high compared to the adjacent street volume. The calculations resulted in pass-by trips that were about 20% to 35% of the existing 199th Street and Homestead Lane traffic volume. However, based on engineering judgement and the surrounding development and street network, the pass-by trip reduction utilized for this study represents approximately 15% of the adjacent street traffic volume. **Table 6** shows the expected trips to be generated by the proposed development with the peak-hour pass-by trip reductions.

Table 6: Proposed Trip Generation

Land Use	Qty	Unit	ADT (VPD)	AM Peak Hour (VPH)			PM Peak Hour (VPH)		
				TOTAL	IN	OUT	TOTAL	IN	OUT
Whimsy Trucking Facility	1	32,000 sq. ft Facility	156	32	19	13	32	13	19
822 – Strip Retail Plaza (<40k)	15,750	sq. ft	894	39	23	16	107	54	53
932 – High-Turnover (Sit- Down) Restaurant	5,500	sq. ft	590	53	29	24	50	30	20
934 – Fast Food Restaurant w/ Drive-Thru	8,730	sq. ft	4,081	389	199	190	288	150	138
<i>Subtotal Site Trips</i>			5,721	513	270	243	477	247	230
<i>High-Turnover (Sit-Down) Restaurant Pass-By Trips (40%-PM)</i>			---	---	---	---	20	12	8
<i>Fast-Food Restaurant w/ Drive-Thru (30%)</i>			---	117	60	57	86	45	41
Total New Site Trips			5,721	396	210	186	371	190	181

Trip Distribution: The estimated trips generated by the proposed Whimsy Trucking development were distributed onto the surrounding street system based on the trip distributions summarized in **Tables 7** and **8**. These distributions are based on the existing traffic flow and engineering judgement. The trucking facility and commercial area of the development are expected to have

different distributions. The detailed distributions through the study intersections are included in **Appendix C**.

Table 7: Trucking Facility Trip Distribution

Direction To/From	Inbound Percentage		Outbound Percentage	
	AM	PM	AM	PM
North on Homestead Lane	10%	30%	30%	10%
East on 199 th Street	0%	0%	0%	0%
South on Homestead Lane	80%	70%	70%	80%
West on 199 th Street	10%	0%	0%	10%
Total	100%	100%	100%	100%

Table 8: Commercial Trip Distribution

Direction To/From	Percentage
North on Homestead Lane	10%
East on 199 th Street	10%
South on Homestead Lane	55%
West on 199 th Street	25%
Total	100%

Existing + Site Volumes: The expected Whimsy Trucking development-related traffic volumes were added to the existing volumes and were assigned to the existing and planned street system according to the trip distributions discussed above. The *Existing + Site* AM and PM peak-hour volumes are shown in **Appendix A** on **Figures A-2** and **A-3**, respectively.

Existing + Site + Planned Volumes: The planned Pilot Travel Center development located in the southwest quadrant of the 199th Street & Homestead Lane intersection has been approved by the City. All the trips to and from this development are expected to utilize 199th Street and Homestead Lane through the study intersections. Therefore, the *Planned* traffic volumes for this development presented in the trip generation update letter dated February 24, 2022, were added to the *Existing + Site* volumes to determine the *Existing + Site + Planned* AM and PM peak-hour volumes. The resulting volumes are shown in **Appendix A** on **Figures A-4** and **A-5**, respectively.

Future Year 2043 + Site + Planned Traffic Volumes: To develop the future traffic projections, a growth rate was calculated using the 2019 and 2040 traffic volumes presented in the *Proposed Site Access Evaluation* for Homestead Lane between I-35 and 199th Street that was prepared for KDOT in May 2019. The 2040 traffic volumes in this study accounted for the planned and future industrial developments in the area. This included the planned Pilot Travel Center development

along with some land use assumptions for the Whimsy Trucking development site. The annual growth rate along 199th Street and Homestead Lane that was calculated from the previous study was six percent per year.

Using the six-percent growth rate as a target, future background traffic was added to the *Existing + Site + Planned* traffic volumes through an iterative process until the resulting growth rate between the *Existing* and *Future + Site + Planned* traffic volumes reached approximately six percent along 199th Street and Homestead Lane. The *Future + Site + Planned* AM and PM peak-hour traffic volumes are shown in **Appendix A** on **Figures A-6** and **A-7**, respectively.

ANALYSES

This study analyzes the traffic impacts of the proposed Whimsy Trucking development on the surrounding roadway network for the following scenarios:

- Existing Conditions
- Existing + Site Conditions
- Existing + Site + Planned Conditions
- Future Year 2043 + Site + Planned Conditions

Intersection capacity analyses were completed using the Synchro 11 traffic analysis software package based on methodologies outlined in the Transportation Research Board's (TRB) *Highway Capacity Manual (HCM)*, 6th Edition. Although a 7th Edition of the HCM has recently been released, Synchro only accommodates the 6th Edition. The operating conditions at an intersection are evaluated by the level of service (LOS) experienced by drivers with LOS "A" representing little or no delay, and LOS "F" representing excessive delays. LOS B, C, D, and E reflect incremental increases in delay per vehicle. The control delay thresholds in seconds per vehicle for the varying LOS for signalized and unsignalized intersections are shown below in **Table 9**. The HCM 7th Edition LOS delay thresholds remain unchanged from the HCM 6th edition.

Table 9: Level of Service Delay Thresholds

Level of Service (LOS)	Signalized Intersection Average Control Delay (sec/veh)	Unsignalized Intersection Average Control Delay (sec/veh)
A	<10	<10
B	<20	<15
C	<35	<25
D	<55	<35
E	<80	<50
F	≥80	≥50

Source: HCM 6th Edition

Queues were also evaluated as part of this study. The 95th percentile queue, or the queue that has only a 5% chance of being exceeded during the peak hour, was used for this analysis. All capacity analysis output files are included in **Appendix D**.

Existing Conditions: The results of the *Existing* analysis scenario are shown in **Appendix A** on **Figures A-8** and **A-9** for the AM and PM peak-hour traffic volumes, respectively. As shown on the figures, all individual movements at the unsignalized study intersections currently operate at LOS “C” or better during both peak hours. The signalized intersection of 199th Street & Homestead Lane currently operates at LOS “B” and “C” during the AM and PM peak hours, respectively. All queues are contained in the existing storage.

Existing + Site Conditions: The results of the *Existing + Site* analysis scenario are shown in **Appendix A** on **Figures A-10** and **A-11** for the AM and PM peak-hour traffic volumes, respectively. These results reflect optimized signal-timing cycle lengths and splits for the 199th Street & Homestead Lane intersection.

Turn-lane warrants were analyzed for this scenario in conjunction with KDOT’s *Access Management Policy*, dated January 2013, at the proposed site driveway intersections using the *Existing + Site* AM and PM peak-hour traffic volumes. Based on this analysis, the following turn lanes are warranted under this analysis scenario. The detailed results of this analysis are included in **Appendix E**.

- 199th & Site Drive B
 - Eastbound left-turn lane with a minimum 315’ of storage plus appropriate taper.
 - Westbound right-turn lane with a minimum 255’ of storage plus appropriate taper. Due to the close proximity of Site Drive B to Homestead Lane, there may not be enough room to construct the full storage length and taper. Therefore, the storage may be reduced to allow for the full taper.

Additionally, it would be appropriate to construct a southbound right-turn lane with 125’ of storage plus appropriate taper along Site Drive B at 199th Street.

As shown on **Figures A-10** and **A-11**, all individual movements at the unsignalized study intersections are projected to operate at LOS “C” or better with the turn-lane improvements described above during both peak hours. The signalized intersection of 199th Street & Homestead Lane is projected to operate at LOS “C” and “D” during the AM and PM peak hours, respectively. All queues are contained in the existing and proposed storage.

Existing + Site + Planned Conditions: The results of the *Existing + Site + Planned* analysis scenario are shown in **Appendix A** on **Figures A-12** and **A-13** for the AM and PM peak-hour traffic volumes, respectively. These results reflect optimized signal timing cycle lengths and splits at the signalized study intersections. This analysis scenario included all the turn-lane improvements discussed in the *Existing + Site* scenario along with the addition of the planned traffic signal at the Homestead Lane and TA Express intersection which is associated with the Pilot Travel Center development. This development plans to have two access points; one along Homestead Lane that aligns with the TA Express drive, and another along 199th Street located just west of Site Drive B. The offset driveways along 199th Street will have conflicting left-turn movements for eastbound and westbound vehicles turning into the commercial portion of Whimsy Trucking and the Pilot Travel Center. This offset is not ideal, and if possible, every effort should be made to get these driveways to align.

Turn lane warrants were analyzed for this scenario in conjunction with KDOT's *Access Management Policy*, dated January 2013, at the proposed site driveway intersections using the *Existing + Site + Planned AM* and PM peak-hour traffic volumes. Based on this analysis, no additional turn lanes are warranted under this scenario. The detailed results of the analysis are included in **Appendix E**.

As shown on **Figures A-12** and **A-13**, all the individual movements at the unsignalized study intersections are projected to operate at LOS "D" or better during both peak hours. The signalized intersections of 199th Street & Homestead Lane and 199th Street & TA Express are projected to operate at LOS "D" and "C", respectively. All queues are contained in the existing and proposed storage.

Future Year 2043 + Site + Planned Conditions: The results of the *Future Year 2043 + Site + Planned* analysis scenario are shown in **Appendix A** on **Figures A-14** and **A-15** for the AM and PM peak-hour traffic volumes, respectively. These results reflect optimized signal timing cycle lengths and splits at the signalized study intersections. This analysis scenario included all the improvements discussed above along with optimized signal timings at the two signalized intersections. Some additional left-turn lane improvements may be required at the 199th Street and Homestead Lane intersection to achieve satisfactory operations should the future 20-year volumes develop as projected.

Turn lane warrants were analyzed for this scenario in conjunction with KDOT's *Access Management Policy*, dated January 2013, at the proposed site driveway intersections using the *Future Year 2043 + Site + Planned AM* and PM peak-hour traffic volumes. Based on this analysis, no additional turn lanes are warranted under this scenario. The detailed results of the analysis are included in **Appendix E**.

As shown on **Figures A-14** and **A-15**, all individual movements at the unsignalized study intersections are projected to operate at LOS "D" or better during both peak hours except the southbound left turn at Site Drive B which is projected to operate at LOS "F" and "E" during the AM and PM peak hour, respectively. It is not uncommon for stop-controlled side-street approaches to incur longer delays during the peak hours. Mitigation measures are not appropriate at this location since alternate routes are available for drivers if delays become excessive. During the peak hours, the signalized intersections of 199th Street & Homestead Lane and 199th Street & TA Express are projected to operate at either LOS "C" or "D". All queues are contained in the existing and proposed storage.

SUMMARY & RECOMMENDATIONS

This traffic study summarizes the anticipated traffic impacts of the proposed Whimsy Trucking development on the surrounding transportation system.

The locations of the proposed site driveways were reviewed against criteria outlined in KDOT's *Access Management Policy*. Based on this guidance, Site Drive A is located within the functional area of the 199th Street & Pepper Tree Road intersection. However, the distance between Site

Drive A and Pepper Tree Road meets the unsignalized intersection spacing criteria outlined in the policy. Site Drive B falls within this functional area of the 199th Street & Homestead Lane intersection; however, due to the existing topography and adjacent culvert, Site Drive B cannot be shifted to the west to meet KDOT's criteria. Site Drive C is not located within the upstream or downstream functional areas of the adjacent intersections.

Turn-lane warrants were analyzed at the proposed site driveway intersections using the *Existing + Site* AM and PM peak-hour traffic volumes in conjunction with KDOT's *Access Management Policy*. Based on this analysis, an eastbound left-turn lane and westbound right-turn lane are warranted at the 199th Street & Site Drive B intersection. Additionally, it would be appropriate to construct a southbound right-turn lane along Site Drive B at 199th Street to improve intersection operations.

The following improvements are identified for the *Existing + Site* scenario to meet turn-lane warrant criteria and provide acceptable traffic operations at the study intersections.

- 199th & Site Drive B
 - Construct an eastbound left-turn lane with a minimum 315' of storage plus appropriate taper.
 - Construct a westbound right-turn lane with a minimum 255' of storage plus appropriate taper. Due to the close proximity of Site Drive B to Homestead Lane, there may not be enough room to construct the full storage length and taper. Therefore, the storage may be reduced to allow for the full taper.
 - Construct a southbound right-turn lane with 150' of storage plus appropriate taper.
- 199th Street & Homestead Lane
 - Optimize traffic signal timings.

The *Existing + Site + Planned* analysis scenario included additional improvements at the Homestead Lane & TA Express intersection identified in the Pilot Travel Center development trip generation memo, dated February 24, 2022. The Pilot Travel Center development plans to have two access points; one along Homestead Lane that aligns with the TA Express drive, and another along 199th Street located just west of Site Drive B. The offset driveways along 199th Street are not ideal, and if possible, every effort should be made to get these driveways to align. The results of the *Existing + Site + Planned* analysis scenario indicate that all individual movements at the unsignalized study intersections are projected to operate at LOS "D" or better, and the signalized study intersections are projected to operate at LOS "D" or better during both peak hours.

To achieve acceptable operations in the *Future Year 2043 + Site + Planned* analysis scenario, the signal timing cycle lengths and splits will need to be optimized at the signalized study intersections, and some additional geometric improvements will be needed at the 199th Street and Homestead Lane intersection. However, the southbound left-turn movement at the 199th Street & Site Drive B intersection is projected to operate unacceptably. No additional mitigation

measures are appropriate at this location since alternate routes are available for drivers if delays become excessive.

We appreciate the opportunity to serve you on this very important project. Please feel free to contact us if you should have any questions.

Respectfully submitted,
Merge Midwest Engineering, LLC

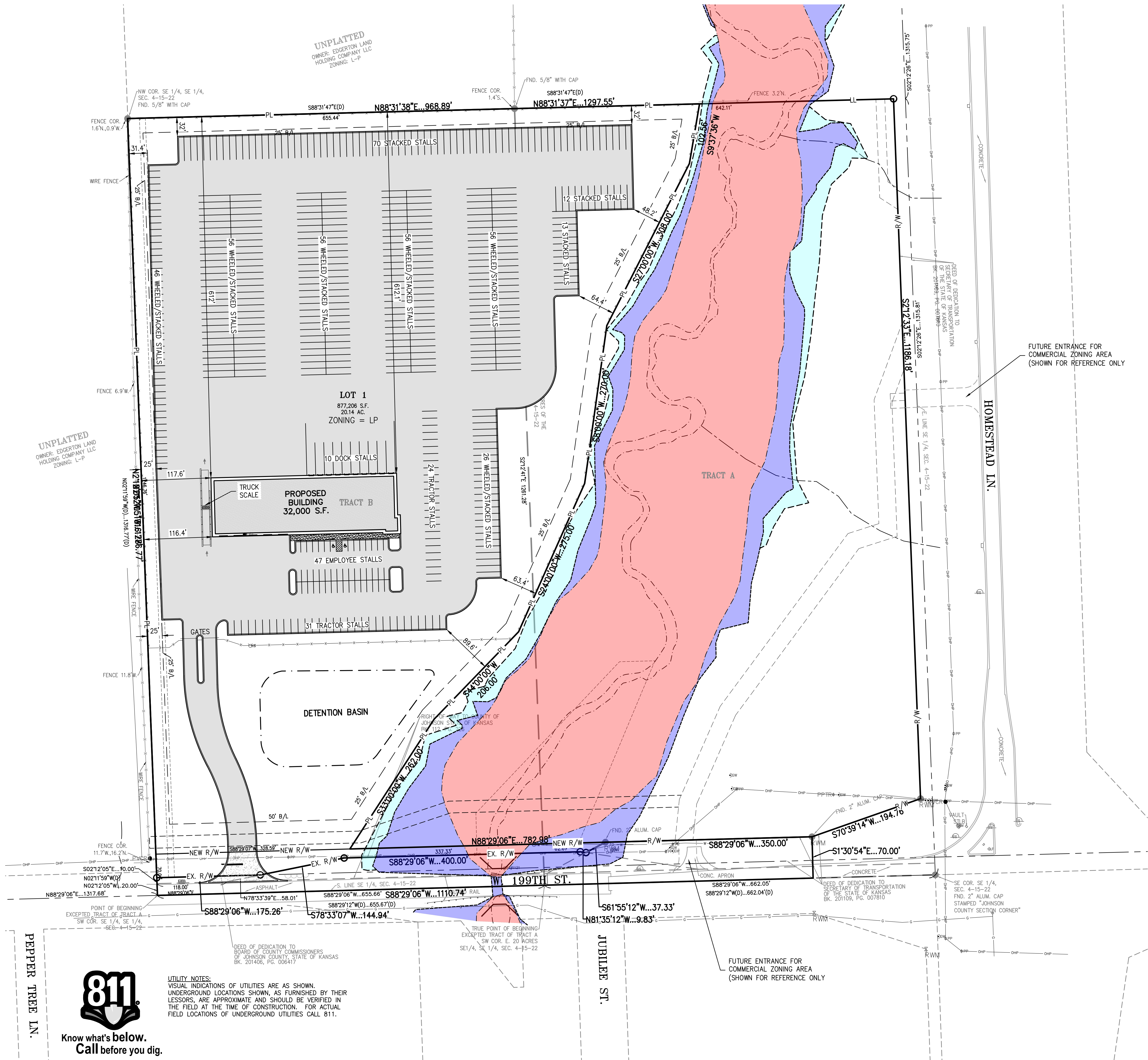


Michael Hare, P.E., PTOE
Sr. Engineer



Janelle M. Clayton , P.E., PTOE
Manager / Co-Owner

\\PHILIPS-SERVER\Projects\1\220808\Drawings\PRELIMINARY\DEVELOPMENT\PLANS\Layout1 Jun 17, 2023 - 2:19pm Daniel Finn



LEGAL DESCRIPTION

TRACT A DESCRIPTION: (PER TITLE COMMITMENT NO.2203420)

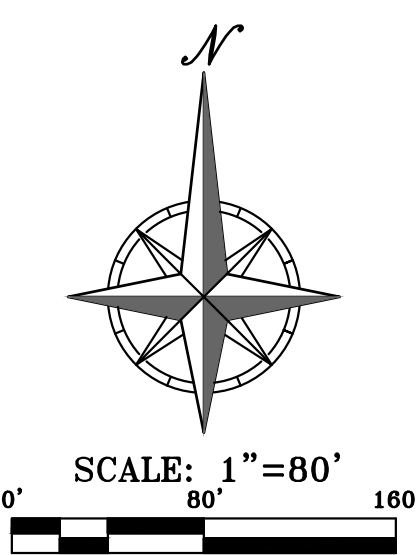
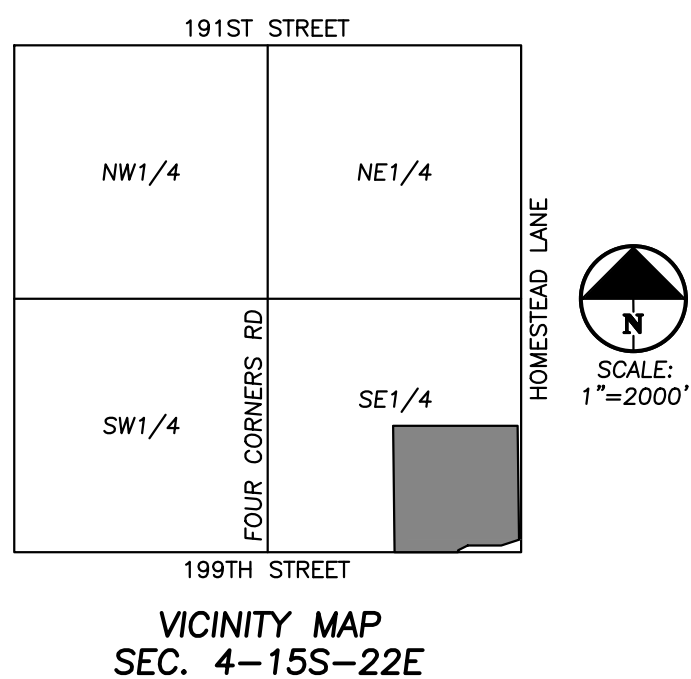
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE S 88°29'06"W, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 206.97 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING S 88°29'06"W, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 1110.74 FEET, TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE N 27°20'51"W, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 1316.77 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE N 88°31'38"E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 968.89 FEET; THENCE S 93°37'36"W, A DISTANCE OF 102.56 FEET; THENCE S 27°00'00"W, A DISTANCE OF 308.00 FEET; THENCE S 87°00'00"W, A DISTANCE OF 270.00 FEET; THENCE S 24°00'00"W, A DISTANCE OF 275.00 FEET; THENCE S 44°00'00"W, A DISTANCE OF 206.00 FEET; THENCE S 33°00'00"W, A DISTANCE OF 262.00 FEET, TO A POINT 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4; THENCE N 88°29'06"E, ALONG A COURSE BEING 70.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 4 AND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF 199TH STREET, AS NOW ESTABLISHED AND ITS WESTERLY EXTENSION, A DISTANCE OF 782.88 FEET; THENCE S 1°30'54"E, A DISTANCE OF 70.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 21.9235 ACRES, MORE OR LESS, UNPLATTED LAND.

BUILDING & LOT DATA

SITE AREA - LOT 1	877,206 S.F./20.14 AC.
ZONING	LP
PROPOSED BUILDING NO. OF STORIES	2 STORIES
TOTAL BUILDING S.F.	32,000 S.F.
FLOOR AREA RATIO (FAR)	0.04
PROPOSED IMPERVIOUS AREA	566,052 S.F.
PROPOSED PERVIOUS AREA	311,154 S.F.

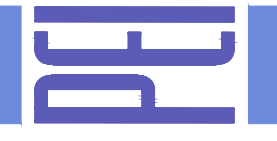
PARKING SUMMARY

PROPOSED PARKING	
WHEELED/STACKED STALLS	391
TRACTOR STALLS	55
EMPLOYEE AUTO STALLS	45
ACCESSIBLE AUTO STALLS	2
TOTAL AUTO STALLS	47
REQUIRED ACCESSIBLE STALLS	
TOTAL STALLS	26-50
REQUIRED ACCESSIBLE STALLS	2



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PLANNING
ENGINEERING
IMPLEMENTATION



OVERALL SITE PLAN

WHIMSY TRUCKING
199TH & HOMESTEAD LN.
EDGERTON, JOHNSON COUNTY KANSAS

PROJECT NO.	220808	DATE	11-28-2022	DRAWN	AEB	CHECKED	JOC	APPROVED	JOC
DATE	11-28-2022	DRAWN	AEB	CHECKED	JOC	APPROVED	JOC		
CERTIFICATE OF AUTHORIZATION									
LAND SURVEYING - LS-82									
ENGINEERING - E-361									
CERTIFICATE OF AUTHORIZATION									
LAND SURVEYING-200701028									
ENGINEERING-220700028									

SHEET

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