Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

CONDITIONAL USE PERMIT APPLICATION

Pre-App Date _____
App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) _____

Contact _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) _____

Contact _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

SITE & PROPOSED USE INFORMATION

Property Address/Location _____

Legal Description (Attach If Necessary) _____

Total Site Area _____ Present Zoning _____

Present Land Use _____ Proposed Land Use _____

Will The Use Include New Buildings or Utilize Existing Buildings _____

Proposed Building Type(s) _____

Anticipated daily traffic _____

Hours of operation/Duration of use (if temporary) _____

Anticipated external sensory impacts (such as sound, odor, residue, etc.) _____

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SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for conditional use permit as indicated above.

Signature(s): _____ Date _____

_____ Date _____

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CONDITIONAL USE PERMIT APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
☐	☐	1. **Complete application packet**
☐	☐	2. **Application fee**
☐	☐	3. **10 complete sets of a site plan printed**
☐	☐	4. **Digital copies (PDF) of the completed application, plans, and legal description (Word)**
☐	☐	5. **Sign posting affidavit**
☐	☐	6. **Copies of any other applicable license/permits**
☐	☐	7. **Final Stormwater Management Plan** (2 printed and 1 digital copy)
☐	☐	8. **Final Traffic Impact Study** (TIS) as required by the Access Management Code. (2 printed and 1 digital copy)

SITE PLAN REQUIREMENTS

☐	☐	1. **Vicinity map** to scale with north point showing railroads, major streams or rivers, and public streets in the vicinity of the site. (Suggested scale of 1" = 1000'.)
☐	☐	2. **Boundary lines of the subdivision** shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
☐	☐	3. **Scale, legend, and north arrow** clearly shown, with orientation at top or left as north (not less than 1"=100' scale).
☐	☐	4. **Dates of plan preparation** and/or plan revisions.
☐	☐	5. **Ownership, zoning, and land use of the site and surrounding properties** within 200 feet; both existing and proposed.
☐	☐	6. **Names, addresses, and phone numbers of all companies, firms, or individuals involved** in the preparation of the plan (i.e. developer, property owner, architect, landscape architect, planner, engineer, surveyor, etc.)
☐	☐	7. **Setback lines:** building and parking with dimensions in feet.
☐	☐	8. **Setback lines:** building and parking with dimensions in feet.
☐	☐	9. **Lots and tracts identified clearly**, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet and acres.
☐	☐	10. **Note on the plan indicating intended ownership, purpose, and maintenance responsibilities** for any parcels labeled as tracts.

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Yes	No	
☐	☐	11. **Setback lines:** building and parking with dimensions in feet.
☐	☐	12. **Location of existing open space, alleys, parks, streams, ponds, vegetation** or other similar features within plan area, and whether they are to be retained or removed.
☐	☐	13. **Existing utilities**, including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection.
☐	☐	14. **Proposed street network**, including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street.
☐	☐	15. **All public streets within the plan conform** to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. Design of crosswalks, on street parking, shoulder, pavement and lane dimensions.
☐	☐	16. **Intersection site distance analysis**.
☐	☐	17. **Driveways, parking lots and stalls, aisles, and loading** and service areas and docks and dimensions.
☐	☐	18. **Median breaks and turning lanes**, including sizes and radii; both existing and proposed.
☐	☐	19. **Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.
☐	☐	20. **Existing and proposed sidewalks** and/or trail locations including proposed widths.
☐	☐	21. **Proposed utilities**, including approximate location of sanitary sewer, water main, and street lights.
☐	☐	22. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
☐	☐	23. **Any area within a federally designated floodplain**. Location, stations, and elevations of the 100-year floodplain within the plan area and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).
☐	☐	24. **Stream corridor boundary** and dimensions.
☐	☐	25. **Phasing Plan**, if applicable.
☐	☐	26. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
☐	☐	27. **Any buildings within the plan area** which are existing or proposed, with status indicated including dimensions (i.e. to remain, remodel, new, to be demolished as part of Phase 2, etc.).
☐	☐	28. **Distances between all buildings**, between buildings and property lines, and between parking areas and property lines.

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Yes	No	
☐	☐	29. **Existing Topography and Proposed Grading** of the area contained in the plan area and within 20 feet of the boundary shown by 2-foot contour intervals. Contour lines shall be legible but not overpowering.
☐	☐	30. **Building elevations** depicting the architectural style, size, exterior construction materials, and colors for each type of building proposed, and dimensions. If an architectural theme is planned, elaboration on the intent and extent of the scheme and details shall be provided. Elevations shall provide sufficient information to determine relationships between various elements, building height, proportion, bedroom counts, approximate square footage, etc. Rooftop and ground-mounted mechanical equipment shall be shown on elevations.
☐	☐	31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
☐	☐	32. **Table indicating lots, land areas, buildings, number of stories, building coverage, and all other quantities relative** to the submitted plan that are required to determine compliance with City codes. For commercial buildings, indicate service floor areas and number of tenant spaces, if applicable. For residential buildings, indicate dwelling units; if multiple building types, provide an additional table indicating dwelling units by building type.
☐	☐	33. **Table indicating required and proposed parking spaces**.
☐	☐	34. **Landscaping plan and table** indicating all proposed landscaping, noting common and botanical names, numbers, and planting sizes. Note all other areas to be sodded.
☐	☐	35. **All exterior sign locations**. Include elevations and details.
☐	☐	36. **All outside lighting facilities:** Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas.
☐	☐	37. **Outdoor storage areas**, including location, dimensions and design.
☐	☐	38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
☐	☐	39. **Preliminary design and location of all proposed storm drainage** conveyance, detention and treatment facilities and locations of existing drainage facilities.

I hereby submit all information required for a conditional use permit application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.

_____ _____
Signature of Applicant Date

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OWNER AFFIDAVIT

I/WE_____, hereby referred to as the "Undersigned", being of lawful age, do hereby on this _____ day of _____, 20__, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

   See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation of partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

   IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

   _____ _____

   Owner Owner

   STATE OF _____

   COUNTY OF _____

   The foregoing instrument was acknowledged before me on this _____ day of _____, 20__, by

   _____.

   My Commission Expires: _____

   Notary Public

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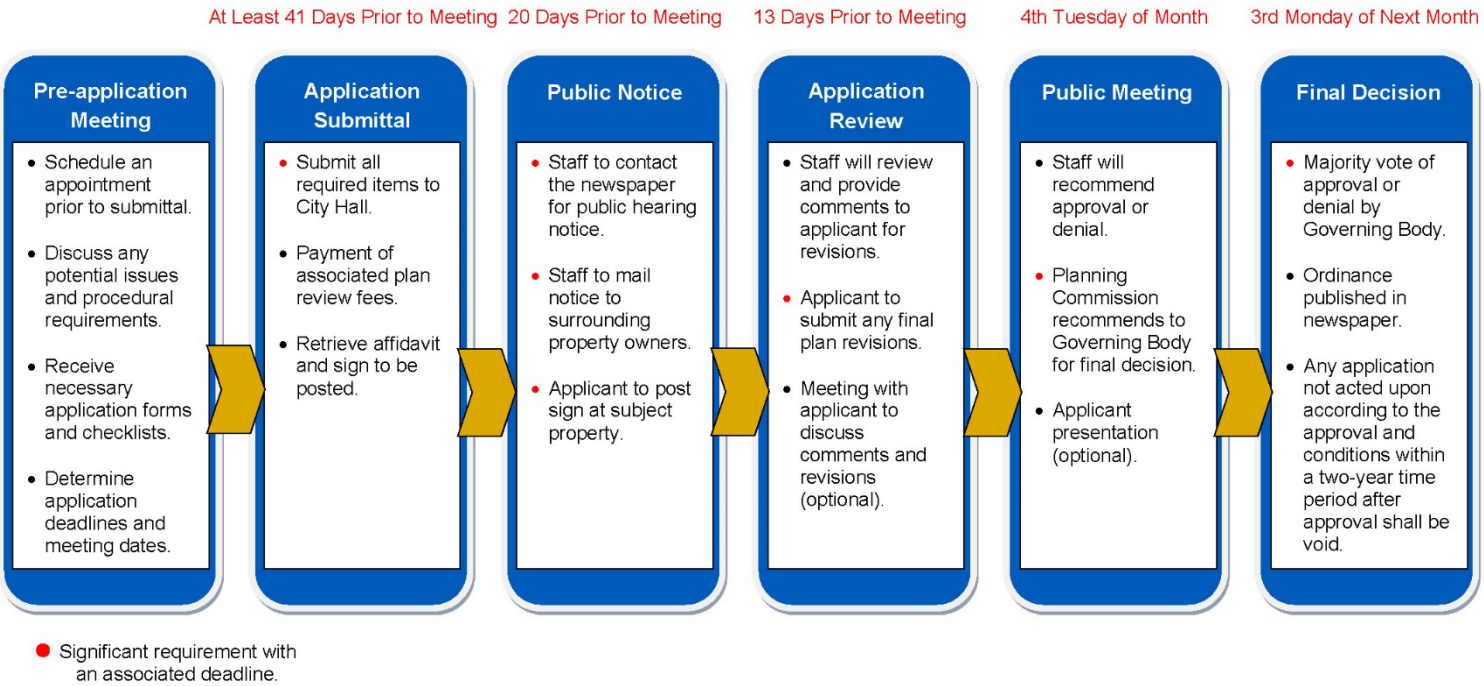
CONDITIONAL USE PERMIT APPLICATION PROCESS



* Please refer to the Planning Commission "Schedule and Submittal Deadline" calendar for upcoming submission deadlines and meeting dates.

REVIEW CRITERIA

The review of a conditional use permit is based on the regulations of the Land Development Code, Title 17 of the Gardner Municipal Code at www.gardnerkansas.gov/documents/city-code.

The conditional use permit shall be reviewed according to the following criteria:

1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts.
2. Compliance of any proposed development with the requirements of this Code.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this Code and the intent or design objectives of any applicable subsections of this Code.
4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.
9. The long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
10. The recommendations of professional staff.