AGENDA

Planning Commission Meeting
Monday February 22, 2021
7:00 pm
Gardner City Hall
120 E. Main Street

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Planning Commission for study. These items are considered to be routine and will be enacted upon by one motion with no separate discussion. If separate discussion is desired on an item, from either the Planning Commission or from the floor, that item may be removed from the Consent Agenda and placed on the Regular Agenda.

1. Standing approval of the minutes as written for the meeting on January 26, 2021

REGULAR AGENDA

1. **Freddy's SP-20-09**
2. **Consideration of proposed Title 17 Land Development Code amendments (Public Hearing)**

DISCUSSION ITEMS

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Gardner will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact the City Clerk's office at 856-0945 a minimum of 48 hours prior to the meeting.

PLANNING COMMISSION STAFF REPORT **NEW BUSINESS ITEM NO. 1**
MEETING DATE: FEBRUARY 22, 2021
PREPARED BY: ROBERT CASE, PLANNER

PROJECT NUMBER / TITLE: SP-20-09: Site Plan Review for Freddy's and a Small Commercial Pad Site

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PROCESS INFORMATION

Type of Request: Site Plan Review
Date Received: December 15, 2020

APPLICATION INFORMATION

Applicant: Austin Lange, BHC Rhodes Architecture and Engineering
Owner: Henzlik Real Estate Companies, LLC, Douglas Henzlik
Parcel ID: CP07000000 0001, CP07000000 0001A and CP07000000.0002
Location: Lot 1 and 2 of Blue Valley Subdivision, and more specifically located on the northeast corner of N Cedar Street and E Main Street.

REQUESTED ACTION

The applicant requests approval of a site plan review for a restaurant and a commercial pad site on an approximately 1.8 acres.

EXISTING ZONING AND LAND USE

The subject properties are currently vacant on platted land zoned C-2 (General Commercial) District.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
C-2 (General Commercial) District and R-2 (Two Family) District	Grocery Store, Single-Family House
East of subject property	
C-2 (General Business) District	Convenient Store
South of subject property	
C-3 (Heavy Commercial) District	Retail Store
West of subject property	
C-3 (Heavy Commercial) District and R-2 (Two Family) District	Restaurant, Single-Family House

EXISTING CONDITIONS

The site plan is for the vacant lots south of the new Price Chopper Grocery Store along Main Street. The lots will eventually be surrounded by commercial uses. All utilities are located on the site.

BACKGROUND / HISTORY

Annexation of this development in its entirety occurred at different times over a 40 year period, from 1954 through 1994. Several plats and site plans have been approved over a 20+ year period, and results today in a partially completed development with a strip center, small retail / office strip building along Lincoln Lane, large grocery store for Price Chopper, and three outparcel buildings along US 56 Highway. Today, there are still several vacant lots.

The most recent project to be approved by the City was for the Price Chopper. The Administrative Plat was approved by the Planning Department and recorded in January 2021.

CONSISTENCY WITH COMPREHENSIVE PLAN

Recently, the City adopted the *Gardner Main Street Corridor Plan* and incorporated that plan into the *2014 City of Gardner Comprehensive Plan* by reference. This plan built upon previous planning studies to bring a cohesive vision to enhance the quality of life and provide a sense of place, among other goals, to the Main Street corridor. This development is included in the study area of the Main Street Corridor Plan, and has been identified as "Community Mixed Use" on the

Future Land Use map. The *Future Land Use* map included in the Main Street Corridor Plan supersedes the *Future Land Use* map in the Comprehensive Plan on those parcels within the study area.

A 2018 amendment to the Comprehensive Plan describes the "Community Mixed Use" future land use in part as: "intended to provide retail and professional services for the everyday needs of the people residing or working in the community. Uses should be limited to those that meet the needs of residents such as civic uses, grocery and retail stores, restaurants, hotels, professional services, and entertainment venues, as well as office and medical commercial uses." The proposed restaurant use is consistent with the future land use description of the Comprehensive Plan.

STAFF ANALYSIS

SITE PLAN

17.03.060 (B) Review Criteria:

1. In general, any site plan in compliance with all requirements of this Code shall be approved.

Staff Comment: *The following elements have been added by the applicant for optimal compliance with the Code:*

- *Sidewalks will be moved to the north off of Main Street to allow pedestrians to safely walk along the street.*

2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:

a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.

Staff Comment: *The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.*

b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.

Staff Comment: *The design and arrangement of the building is consistent with good planning and landscaping design principles and practices.*

c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.

Staff Comment: *This is a small building that offers a variety of complementary materials and parapet heights to add interest. Staff finds this criteria is met.*

d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.

Staff Comment: *The site is beneficially related to adjacent parcels by the shared access drive and public sidewalk along Main, Cedar and Shawnee Streets. The materials used are compatible with the adjacent properties. Staff finds this criteria is met.*

e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.

Staff Comment: *No additional site specific conditions are necessary for this project.*

3. The application meets the criteria for all other reviews needed to build the project as proposed.

Staff Comment: *The Traffic and Stormwater Management Plans are pending approval by Public Works. The final plat will also need to be recorded before the building permit is approved. These are all recommended conditions of approval.*

4. The recommendations of professional staff.

Staff Comment: *Staff recommends approval of the site plan SP-20-09 with conditions outlined in the staff recommendation below.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

WATER, SANITARY SEWER, STORMWATER, ELECTRIC, GAS –

Existing utilities are located either within or adjacent to the site.

ROADWAY NETWORK, VEHICULAR ACCESS –

There are no new points of access being proposed for this site. Per the City Engineer access off of Cedar Street will be through a right-in-right out, access off of Shawnee Street will be a joint drive servicing both lots 1 and 2, and lot 2 will have secondary access through the adjacent property to the east.

SIDEWALKS –

All sidewalks will be located along all streets, with a new 5' wide sidewalk along Main Street being located at least 6' from the back of curb. This will be a condition of approval.

ATTACHMENTS

I. Site Plan
II. Application

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Site Plan and Design Review – Approval of a site plan and design review shall authorize the applicant to apply for a building permit and other applicable permits. The Director may approve

minor amendments to approved site plans and design reviews without the refiling of a new application, but in no event shall the Director approve any change that does not qualify for an administrative site plan, or any change that is different from any condition of approval of the site plan and design review. **An approved site plan and design review shall expire and be of no further effect if an application for a building permit for one or more buildings shown on the site plan is not filed within two years of the approval.** The Planning Commission may grant an extension for up to one additional year. Any other element of the plan not submitted for permits within two years shall expire, unless the application proposes a different schedule that is approved.

RECOMMENDATION

Staff recommends approval of the Site Plan with conditions outlined in the Recommended Motion section:

Recommended Motion:

After review of Application SP-20-09, a site plan for Freddy's, located at the northeast corner of Main and Cedar Streets, and site plan dated January 22, 2021, and staff report dated February 22, 2021, the Planning Commission approves the application provided the following conditions are met:

1. Moving the sidewalk along Main Street to at least 6' from the back of curb and coordinate construction of the sidewalk with the City Engineer;
2. Approval of the Traffic Impact Study and Stormwater Management Plan by the City Gardner Public Works Department prior to the issuance of a building permit; and
3. Before any development can occur on Lot 2, a site plan application will need to be submitted and approved.

LOT 1 BLUE VALLEY SUBDIVISION
SITE DEVELOPMENT PLANS

GARDNER, KANSAS 66030

E MAIN ST. & N CEDAR ST.

SHEET LIST

C01 - COVER SHEET
C02 - EXISTING CONDITIONS
C03 - GENERAL LAYOUT
C04 - DIMENSION PLAN
C05 - TURNING TRASH TRUCK
SA1 - ARCHITECTURAL SITE PLAN
SA2 - SITE PLAN DETAILS
SA3 - TRASH ENCLOSURE PLAN & DETAILS
A3 - EXTERIOR ELEVATIONS
A4 - EXTERIOR ELEVATIONS
MB1- MATERIALS BOARD-1
ES-1 - SITE PHOTOMETRIC

LOCATION MAP

NOT TO SCALE

SURVEYOR OF RECORD

RENAISSANCE INFRASTRUCTURE CONSULTING
1815 MCGEE STREET
KANSAS CITY, MISSOURI 64108
P (913) 317-9500
CONTACT: DUSTIN BURTON
EMAIL: DBURTON@RIC-CONSULT.COM

CIVIL ENGINEER

BHC RHODES
7101 COLLEGE BOULEVARD, SUITE 400
OVERLAND PARK, KANSAS 66210
P (913) 663-1900
F (913) 663-1633
CONTACT: AUSTIN LAGE P.E.
EMAIL: AUSTIN.LAGE@IBHC.COM

OWNER/DEVELOPER

FREDDY'S FROZEN CUSTARD & STEAKBURGERS
260 N. ROCK ROAD, SUITE 200
WICHITA, KS 67206
PHONE: 316-719-7824
CONTACT: GREG WALDO
EMAIL: GREGW@FREDDYSUSA.COM

UTILITY CONTACTS

Spectrum
P.O. Box 25567
Overland Park, Kansas 66225
Office (913) 451-5858
Fax (913) 451-7652

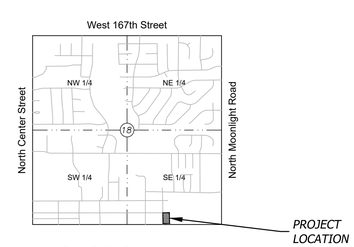
City of Gardner (Utilities Deparments)
(Electric, Water & Wastewater)
1150 East Santa Fe
Gardner, Kansas 66030
Office (913) 856-0980
Fax (913) 856-7325

Kansas Gas Service
11401 W. 89th Street
Overland Park, Kansas 66214
Office (913) 599-8991
Fax (913) 599-8989

City of Gardner Electric Distribution
1450 East Santa Fe
Gardner, Kansas 66030
Office (913) 856-0980
Fax (913) 856-0237

All existing utility locations shown are approximate only and are not guaranteed to be accurate or all inclusive. Contractor shall be responsible for contacting all utility companies and verifying the actual field locations of all utilities prior to any construction activity. Contractor shall keep all utility locations current. Utilities damaged through the negligence of the contractor to obtain the proper field locations shall be the responsibility of the contractor to repair or replace at their expense and at the direction of the utility company. The contractor shall pothole and survey all utility crossings prior to construction of any portion of storm sewer, sanitary sewer laterals, underdrains, conduit and any other subsurface element of the project. The survey information shall be forwarded to the project engineer for review. The contractor shall not begin construction on any subsurface element on the project without the approval of the project engineer. Utility coordination, potholing/surveying shall be subsidiary to other bid items.

Dig Safely. 811
Kansas One-Call
1-800-344-7233



SECTION MAP

SCALE: 1" = 2000'
SECTION 24-T14S-R22E
JOHNSON COUNTY, KANSAS

SUBMITTED BY:

***BHC** RHODES*
OVERLAND PARK, KANSAS

Austin Lage, P.E. *Date*
State P.E. No. 28006

Rev.	Date	Description	By	App.

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Prepared For:
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GREG WALDO
260 N. ROCK ROAD, SUITE 200
WICHITA, KS 67206
316-719-7824

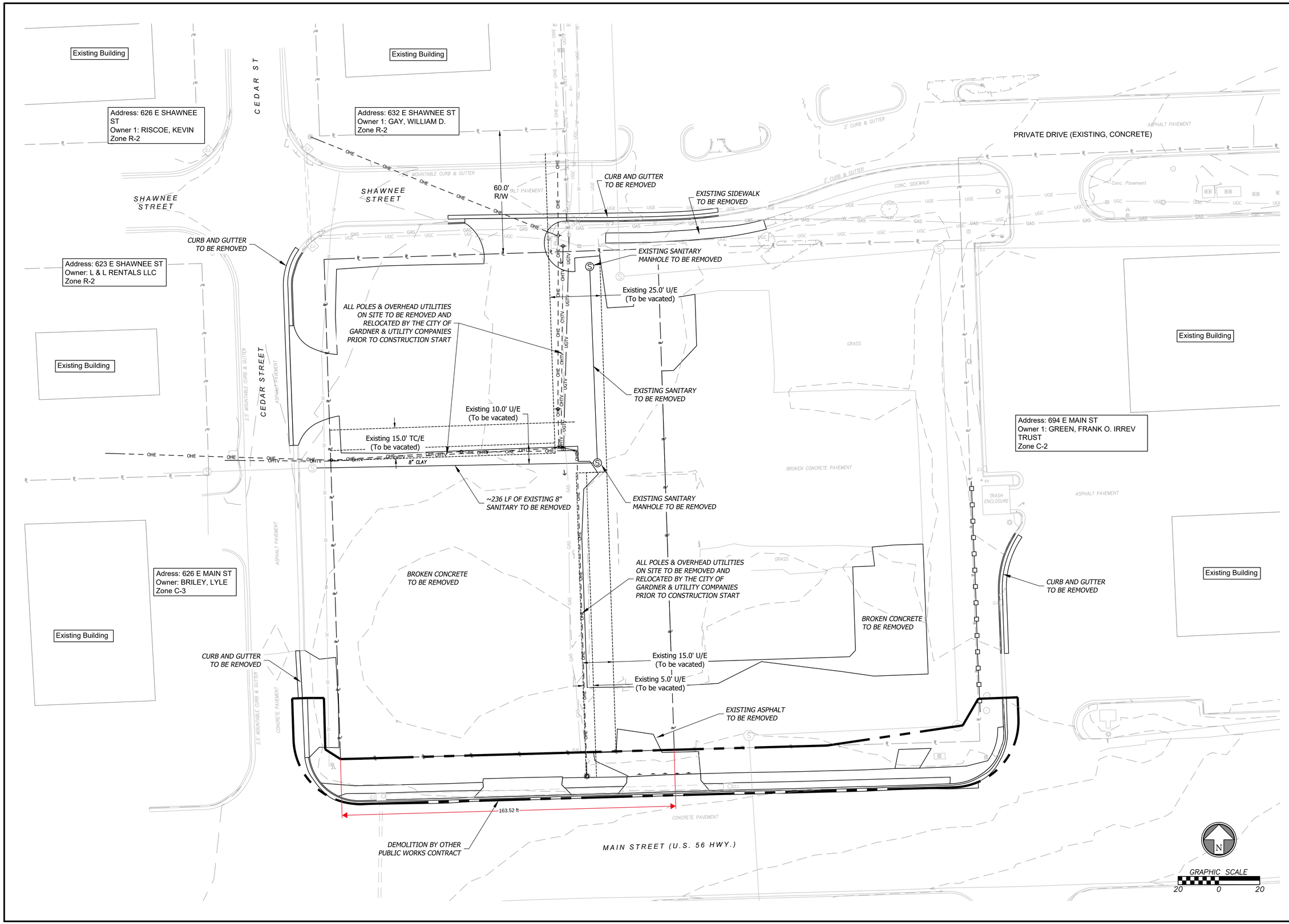
SITE DEVELOPMENT PLANS
LOT 1 BLUE VALLEY SUBDIVISION
GARDNER, KANSAS 66030

COVER SHEET

Design: AKL	Drawn: AKL
Checked: AKL	
Issue Date: 01/21/2021	
Project Number: 021720.09	

C01

Jan 22, 2021 – 9:19am Plotted By: austin.lage V:\021720-Freddy's Master\021720.09-Freddy's – Gardner\04-DWG\Eng\Sheet\SDP\021720.09-SHTS-COVR.dwg Layout: COVER SHEET



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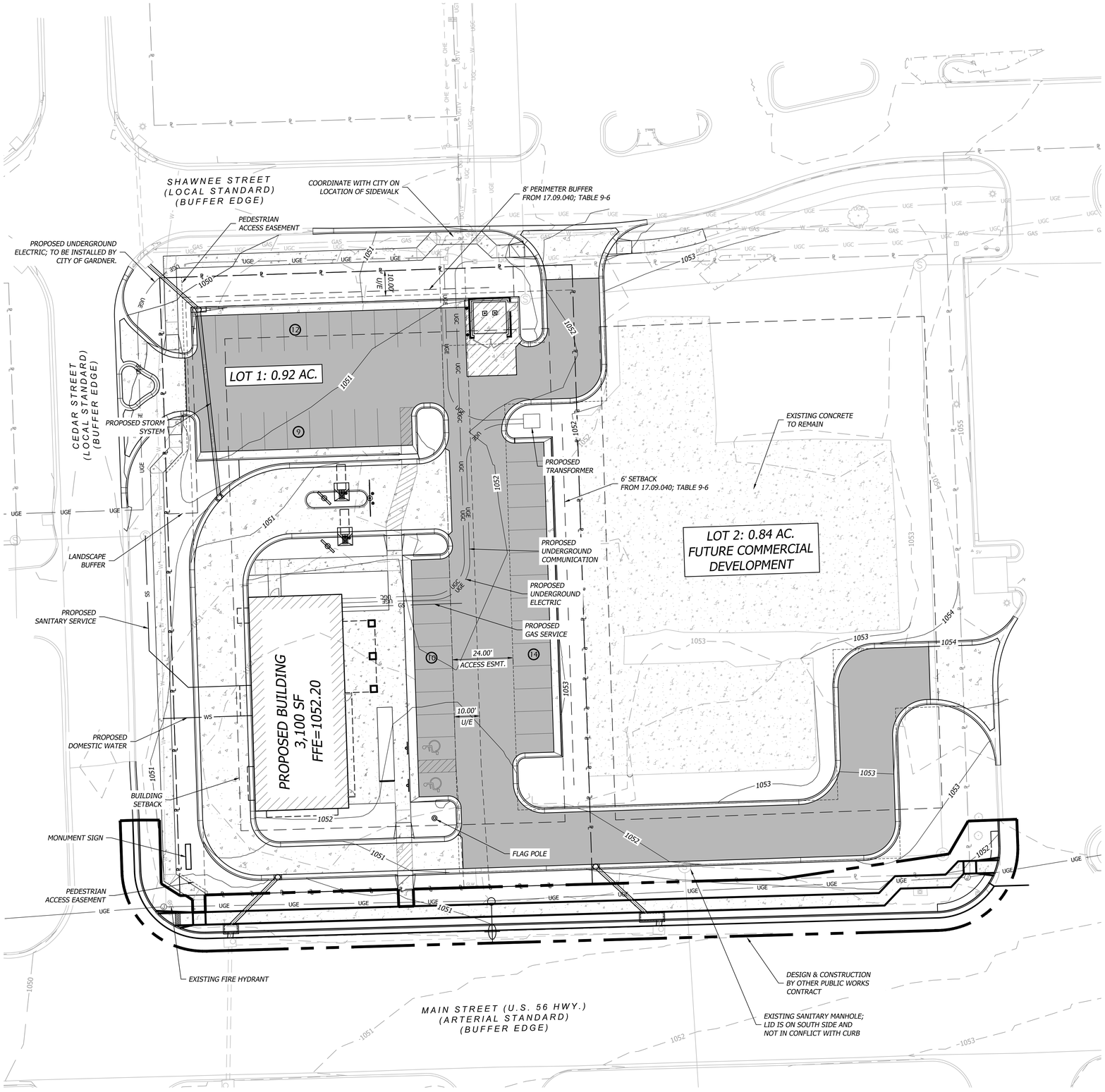
LOT 1 BLUE VALLEY SUBDIVISION
GARDNER, KANSAS 66030

EXISTING CONDITIONS

Design: AKL	Drawn: AKL
Checked:	AKL
Issue Date:	01/21/2021
Project Number:	021720.09

C02

Jan 22, 2021 – 9:19am Plotted By: austin.loge V:\021720-Freddy's Master\021720.09-Freddy's - Gardner\04-DWG\Eng\Sheet\SDP\027120.09-SHTS-DEMO.dwg Layout: EXISTING CONDITIONS



SITE DATA

SITE		
SITE AREA:	0.92	AC
	40,127	SF
IMPERVIOUS AREA:	30,878	SF (77.0%)
BUILDING		
BUILDING AREA:	3,100	SF (7.7%)
PARKING		
PARKING PROVIDED:	45	STANDARD
	2	HANDICAP (1 VAN)
PARKING REQUIRED:		
CUSTOMER & EMPLOYEE STALLS: (1 STALLS/3 SEATS; 134 SEATS)	45	
ADA STALLS: (BASED ON 15 CUSTOMER & EMPLOYEE PARKING)	2	
BIKE PARKING		
PARKING PROVIDED:	3	
PARKING REQUIRED: (5% OF PARKING STALLS; 45 STALLS)	3	

ZONING

C-3 (COMMERCIAL DISTRICT)

BUILDING TYPE

GENERAL COMMERCIAL

SITE LEGEND

PROPOSED BUILDING	PARKING STALL COUNT
ASPHALT PAVEMENT	CURB WITH NO GUTTER
LIGHT DUTY PCC PAVEMENT	STANDARD CURB & GUTTER
MEDIUM DUTY PCC PAVEMENT	ROLLOVER CURB & GUTTER
CONCRETE SIDEWALK	ZERO HEIGHT CURB
CONCRETE PAD	FREDDY'S CURB & GUTTER

GRAPHIC SCALE
20 0 20

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SITE DEVELOPMENT PLANS
LOT 1 BLUE VALLEY SUBDIVISION
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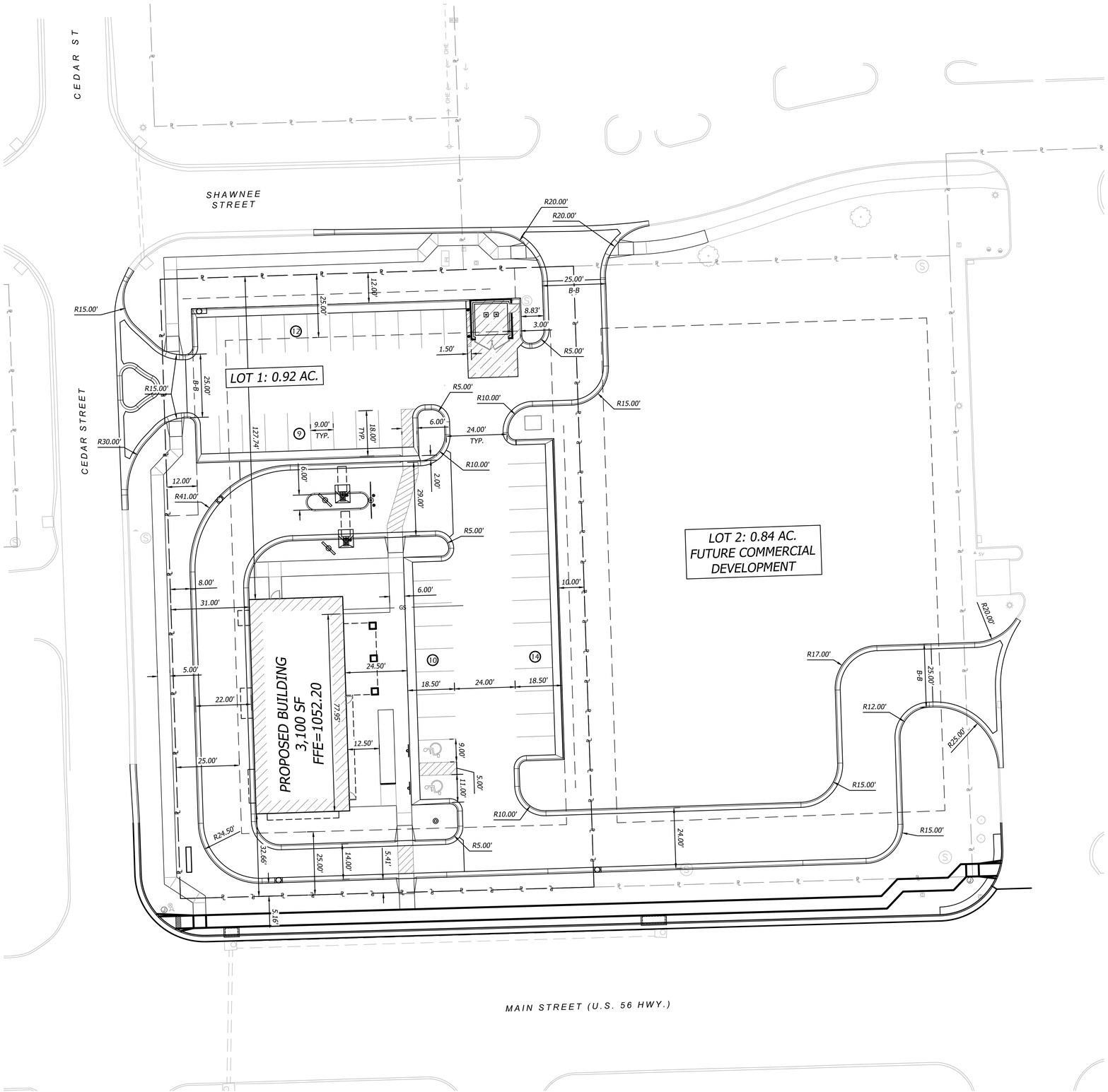
GENERAL LAYOUT

Design: AKL	Drawn: AKL
Checked:	AKL
Issue Date:	01/21/2021
Project Number:	021720.09

C03

Jan 22, 2021 – 9:19am Plotted By: austin.loge V:\021720-Freddy's Master\021720.09-Freddy's - Gardner\04-DWG\Eng\Sheet\SDP\021720.09-SHTS-PROP-SITE.dwg Layout: GENERAL LAYOUT



SITE LEGEND

PROPOSED BUILDING	PARKING STALL COUNT
MEDIUM DUTY ASPHALT PAVEMENT	CURB WITH NO GUTTER
LIGHT DUTY PCC PAVEMENT	STANDARD CURB & GUTTER
MEDIUM DUTY PCC PAVEMENT	ROLLOVER CURB & GUTTER
CONCRETE SIDEWALK	ZERO HEIGHT CURB
CONCRETE PAD	FREDDY'S CURB & GUTTER

GRAPHIC SCALE
20 0 20

Rev.	Date	Description	By	App.

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DIMENSION PLAN

Design: AKL	Drawn: AKL
Checked: AKL	
Issue Date: 01/21/2021	
Project Number: 021720.09	

C04

Jan 22, 2021 – 9:19am Plotted By: austin.loge V:\021720-Freddy's Master\021720.09-Freddy's - Gardner\04-DWG\Eng\Sheet\SDP\021720.09-SHTS-PROP-SITE.dwg Layout: DIMENSION PLAN

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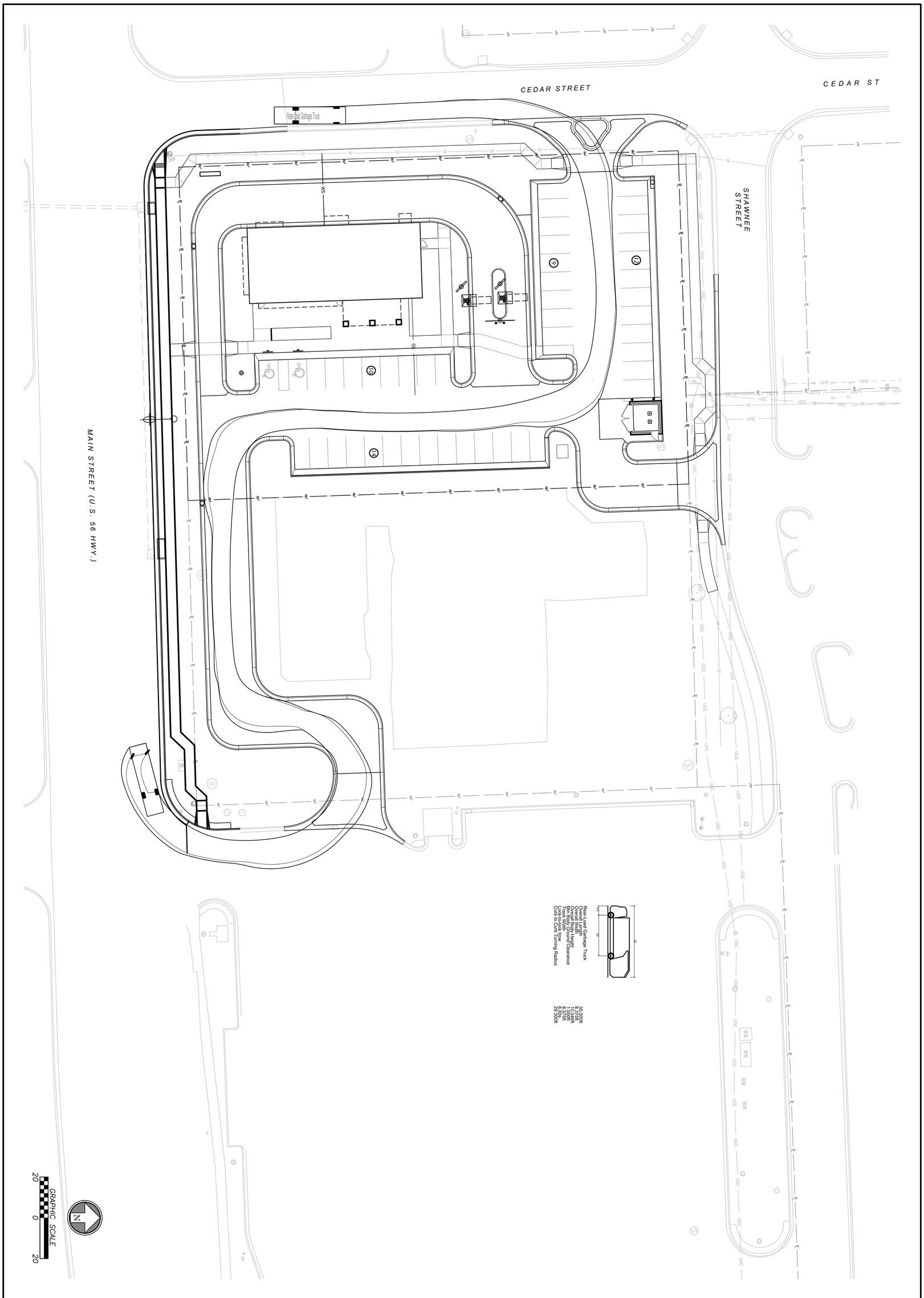

Design: AKL	Drawn: AKL	Checked:	Issue Date: 01/21/2021
Project Number: 021720.09			

C05

SITE DEVELOPMENT PLANS
LOT 1 BLUE VALLEY SUBDIVISION
GARDNER, KANSAS 66030

TURNING TRASH TRUCK

Prepared For:

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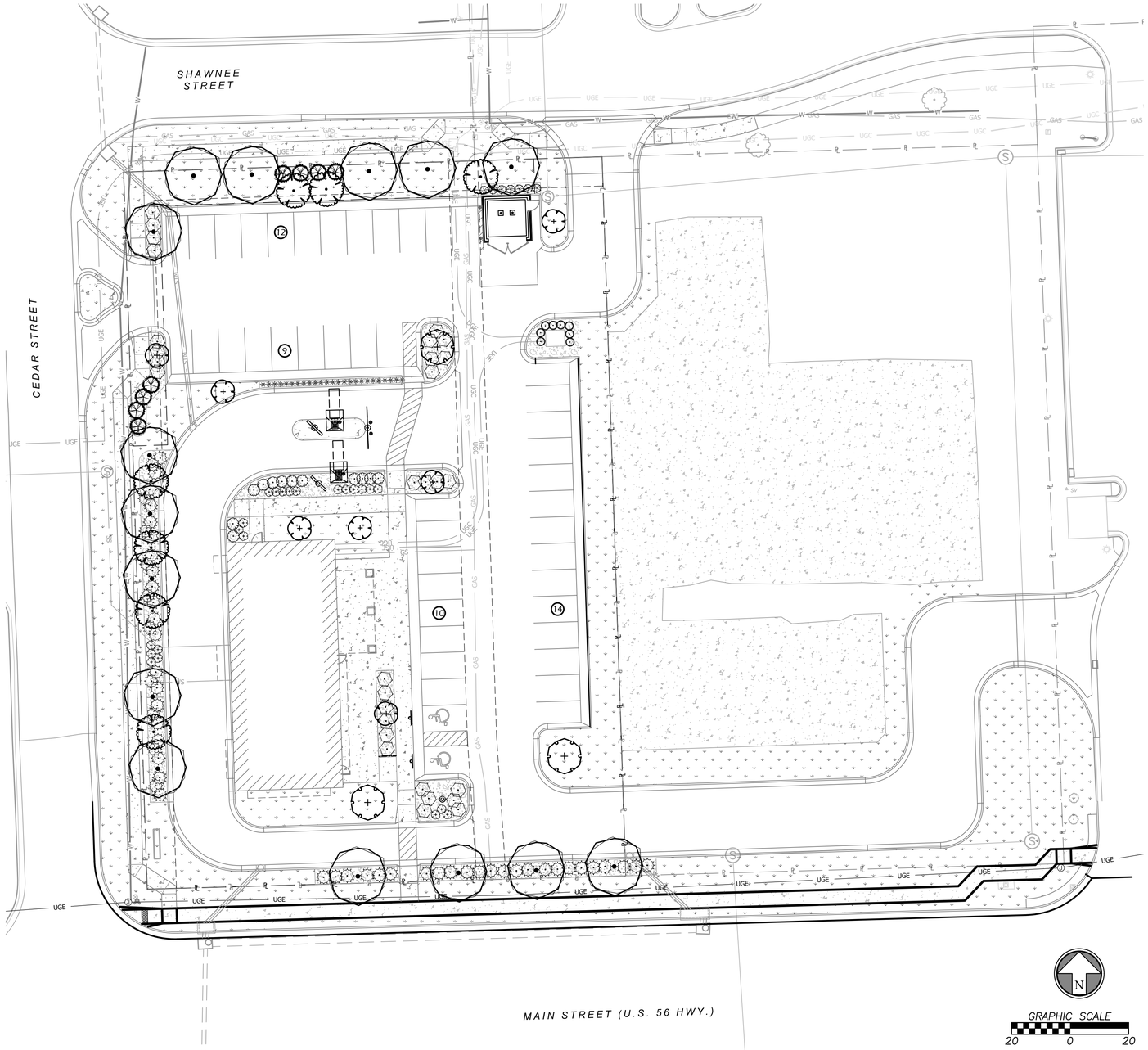

PLANT SCHEDULE

EVERGREEN TREE	QTY	BOTANICAL / COMMON NAME	CONT	CAL	HEIGHT
	8	Picea abies `Cupressina` / Norway Spruce	B & B	2"Cal	12` Ht.
ORNAMENTAL TREE	**QTY**	**BOTANICAL / COMMON NAME**	**CONT**	**CAL**	**HEIGHT**
	7	Prunus cerasifera `Cripoizam` / Crimson Pointe Plum	B & B	2"Cal	
STREET TREE	**QTY**	**BOTANICAL / COMMON NAME**	**CONT**	**CAL**	**HEIGHT**
	7	Acer platanoides `Crimson Sentry` / Crimson Sentry Maple	B & B	2"Cal	
	3	Acer x freemanii `Armstrong` / Armstrong Freeman Maple	B & B	2"Cal	
	15	Quercus x warei `Regal Prince` / Regal Prince Oak	B & B	2"Cal	
SHRUBS	**QTY**	**BOTANICAL / COMMON NAME**	**CONT.**	**HEIGHT**	
	25	Euonymus fortunei / Wintercreeper	1 gal		
	22	Hibiscus syriacus `Purple Pillar` / Purple Pillar Rose of Sharon	3 gal	8` Ht	
	30	Rhus aromatica `Gro-Low` / Gro-Low Fragrant Sumac	5 gal	18"- 24" H	
EVERGREEN SHRUB	**QTY**	**BOTANICAL / COMMON NAME**	**CONT.**	**HEIGHT**	
	12	Buxus microphylla japonica `Green Beauty` / Green Beauty Boxwood	3 gal		
	54	Juniperus chinensis `Sea Green` / Sea Green Juniper	5 gal	24"- 30" H	
UPRIGHT EVERGREEN	**QTY**	**BOTANICAL / COMMON NAME**	**CONT.**	**HEIGHT**	
	7	Juniperus scopulorum `Skyrocket` / Skyrocket Juniper	7 gal	6` Ht	
	8	Taxus x media `Hicksii` / Hicks Yew	B & B	36" height	
GROUND COVERS	**QTY**	**BOTANICAL / COMMON NAME**	**CONT**		
	17,975 sf	Festuca arundinacea `Watersaver Blend` / Watersaving Blend of Tall Fescue	sod		

MULCH SCHEDULE

	ROCK MULCH SAMPLE OF ROCK MULCH TO BE PROVIDED TO OWNER AND ARCHITECT FOR APPROVAL. Buffalo River Rock or Regional Equal. SIze: 1"-3" Rock. Depth: 3" Depth -	3,189 sf

SITE DATA

	Quantity	Required	Provided
Frontage	C-3		
Street Trees			
Local : 1 tree / 40 LF of street			
Cedar St	245	6.13	7
Shawnee St	164	4.1	5
Collector : 1 tree / 50 LF of street			
Main St	164	3.28	4
Foundation Planting			
25% of street facad @ 8' depth	121	30.00	
1 tree/ 40 LF		0.75	1
1 shrub/ 10 LF		3	
Parking Landscape			
Perimeter	254		
1 tree/30 LF		8.47	9
1 shrub/5 LF along frontage		50.8	54
Island/Interior Landscape			
Parking provided	45		
1 tree/40 spaces		1.125	2
Groundcover on all interior areas		Y	Y
Buffer - Level 2			
12' width			
North - R-2	120		
1 lg tree/ 40 LF		3	3
1 evergreen tree/ / 30 LF		4	4
1 shrub/ 10 LF		12	12
West - R-2	104		
1 lg tree/ 40 LF		2.6	3
1 evergreen tree/ / 30 LF		3.47	4
1 shrub/ 10 LF		10.4	11
Utility Screening			
Above ground cabinets should be screened w/landscaping		Y	Y

GENERAL LANDSCAPE NOTES

1. The Contractor shall verify and coordinate all final grade with the Landscape Architect and or design team prior to completion.
2. Location and placement of all plant material shall be coordinate with the Landscape Architect prior to installation.
3. Location of all utilities are approximate, the Contractor shall field verify locations prior to commencement of construction operations.
4. Refer to Civil Drawings for all grading and berming, erosion control, storm drainage, utilities and site layout.
5. The Contractor shall arrange and conduct a pre-construction meeting onsite with Landscape Architect prior to work.
6. Plant quantities are for information only drawing shall prevail if conflict occurs. Contractor is responsible for calculating own quantities and bid accordingly.
7. Tree locations in areas adjacent to drives, walks, walls and light fixtures may be field adjusted as approved by Landscape Architect.
8. The Contractor shall report subsurface soil or drainage problems to the Landscape Architect.
9. The plan is subject to changes based on plant size and material availability. All changes or substitutions must be approved by the City of Gardner, Kansas and the Landscape Architect.
10. Aluminum landscape edging to be used on all landscape beds abutting turf areas as noted on landscape plans.
11. Landscape Contractor shall to be responsible for watering all plant material until the time that a permanent water source is ready.
12. The Contractor shall show proof of procurement, sources, quantities, and varieties for all shrubs, perennials, ornamental grasses, and annuals within 21 days following the award of the contract.
13. Contractor shall provide full maintenance for newly landscaped areas for a period of 30 days after the date of final acceptance. At the end of the maintenance period, a healthy, well-rooted, eve-colored, viable turf and landscaped area must be established. The landscaped areas shall be free of weeds, open joints, bare areas, and surface irregularities.
14. Landscape Contractor shall provide rock mulch sample to owner for approval.

GENERAL IRRIGATION NOTES

GENERAL CONTRACTOR TO SUBMIT IRRIGATION PLAN TO FREDDY'S CONSTRUCTION MANAGER AND LANDSCAPE ARCHITECT PRIOR TO ORDERING MATERIALS.

1. Irrigation plan to not interfere with any proposed improvements show within plans.
2. Irrigation system design to be based on available psi - min operating pressure for spray heads shall be 30 psi and min operating for drip zones shall be 40 psi.
3. The mechanical contractor shall be responsible for electrical power service to the controller and shall make all hook-ups from the electrical service to the automatic controller. All exposed low voltage wire shall be enclosed in a conduit.
4. Place valve boxes 12" minimum from and parallel to curbs and walks, grouped valves to be equally spaced.
5. Install all mainlines to slope at 1% minimum to drain valves located at low points of main system.
6. General contractor shall provide 110v, non-interrupted electrical service for the irrigation controller.
7. Irrigation controller and rain sensor shall be located in owner approved locations.

Rev.	Date	Description	By	App.

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Overland Park, Kansas 66210
p. (913) 663-1900 f. (913) 663-1633
BHC RHODES is a trademark of Burgerpit Hannaman & Company, P.A.

Prepared For:
FREDDY'S FROZEN CUSTARD & STEAKBURGERS
GREG WALDO
260 N. ROCK ROAD, SUITE 200
WICHITA, KS 67206
316-719-7824

SITE DEVELOPMENT PLANS
LOT 1 BLUE VALLEY SUBDIVISION
GARDNER, KANSAS 66030

LANDSCAPE PLAN

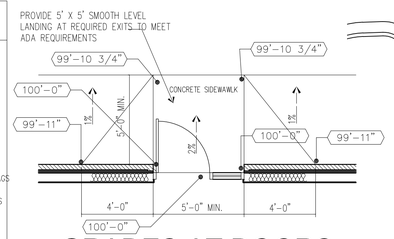
Design: AKL	Drawn: AKL
Checked:	AKL
Issue Date:	01/21/2021
Project Number:	021720.09

L1.0

Jan 22, 2021 – 9:20am Plotted By: austin.lage V:\021720-Freddy's Master\021720.09-Freddy's – Gardner\04-DWG\Eng\Sheet\SDP\027120.09-SHFS-LNSC.dwg Layout: LANDSCAPE PLAN

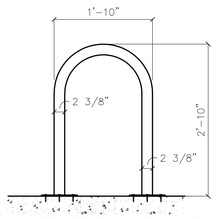
ADA SIDEWALK AND RAMP NOTES

1. THE CROSS SLOPE OF A SIDEWALK SHALL BE 2% (1/4" / PER 12") MAX. AND 1% (1/8" / PER 12") MIN. THE SLOPE CAN BE TOWARD THE PAVEMENT OR AWAY FROM THE PAVEMENT AS LONG AS POSITIVE DRAINAGE IS MAINTAINED.
2. CURB RAMPS SHALL HAVE A MIN. WIDTH OF 48 INCHES. THE CURB RAMPS SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF (1" / PER 12")
3. A LANDING THE WIDTH (W) OF THE CURB RAMP AND FIVE FEET IN LENGTH SHALL BE CONSTRUCTED AT THE TOP OF CURB RAMPS. THE SLOPE OF THE LANDING SHALL NOT EXCEED 2% IN ANY DIRECTION.
4. CARE SHALL BE TAKEN TO ENSURE A UNIFORM GRADE ON RAMPS, FREE OF SAGS AND SHORT GRADE CHANGES.
5. THE NORMAL GUTTER LINE PROFILE SHALL BE MAINTAINED THROUGH THE AREAS OF RAMPS.
6. SIDEWALKS THAT ARE PART OF A ADA ACCESSIBLE ROUTE AND ALL CURB AND ADA RAMPS SHALL BE CONSTRUCTED TO MEET ALL ADA REQUIREMENTS AND TOLERANCES.
7. SIDEWALKS ABUTTING ASPHALT SHALL HAVE A THICKENED EDGE.
8. PROVIDE CONTROL JOINTS AT INTERVALS EQUAL TO CONCRETE SIDEWALK WIDTH, BUT IN NO CASE GREATER THAN 10'-0".
9. CONTROL JOINTS MAY BE MADE WITH A GROOVING TOOL AT HE TIME OF FINISHING OR WITH A CONCRETE SAW AFTER CONCRETE HAS SUFFICIENTLY CURED.
10. CONTROL JOINTS SHALL BE 1" DEEP AND 1/4" WIDE.
11. PROVIDE EXPANSION JOINTS AT MAXIMUM OF 32'-0" INTERVALS AND AT EXISTING STRUCTURES OR CONCRETE.



3 GRADES AT DOORS

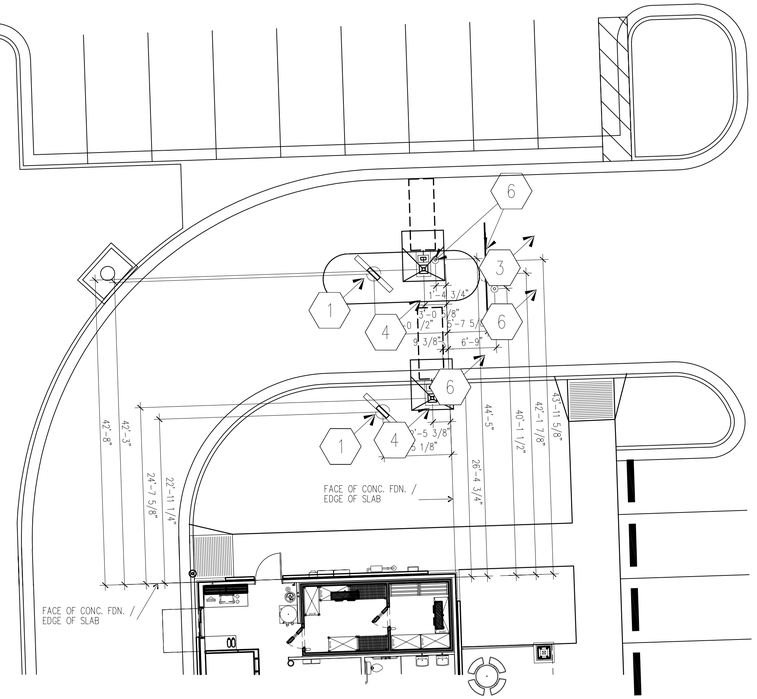
NO SCALE



OWNER SUPPLIED. G.C. TO ANCHOR BOLT TO CONCRETE SIDEWALKS

5 BIKE RACK

3/4" = 1'-0"



B ENLARGED MENU BD. DIM. PLAN

1" = 10'-0"

NORTH

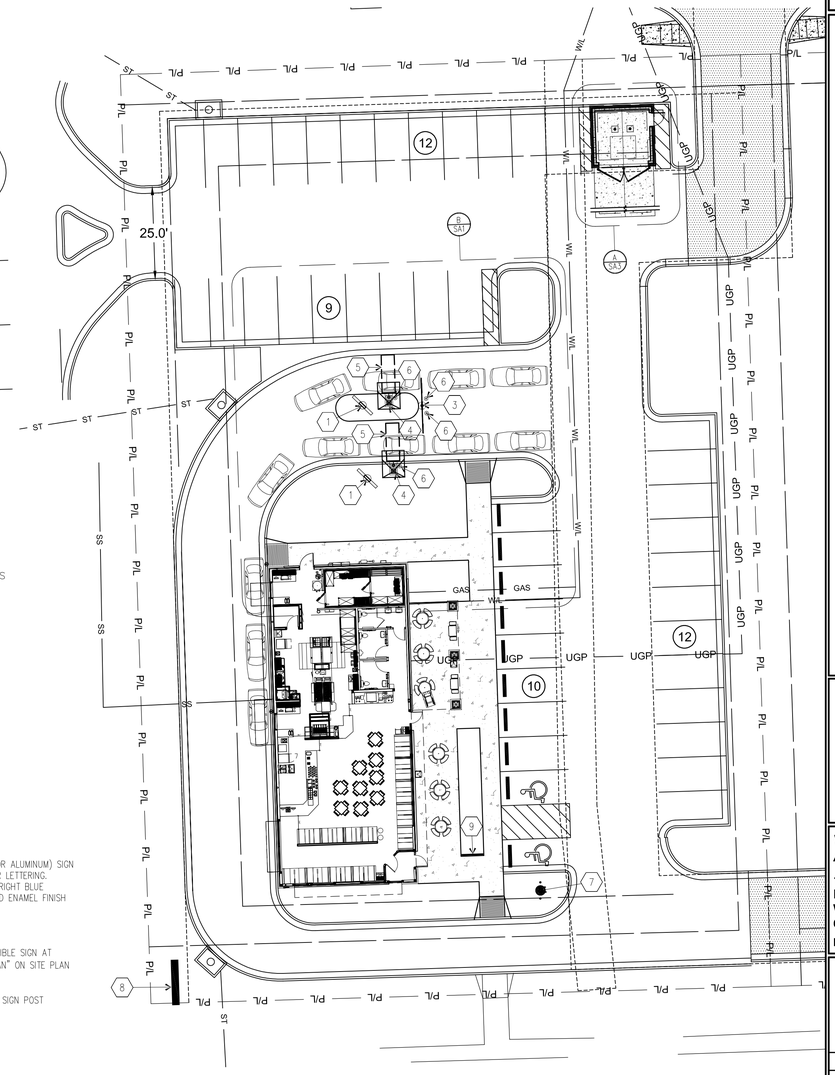
NOTES TO G.C.:
1. REFERENCE DETAILS SHEET SA3 FOR MAINSTREET MENU BOARD & CLEARANCE BAR FOUNDATIONS. REFERENCE DETAIL SHEET SA3 FOR THOMAS ORDER CONFIRMATION BOARD & DRIVE THRU CANOPY FOUNDATION
2. REFERENCE MAINSTREET DOCUMENTS FOR MENU BOARD & CLEARANCE BAR INSTALLATION DETAILS
3. REFERENCE SHEET E5 FOR ELECTRICAL CONNECTIONS TO MAINSTREET MENU BOARD, THOMAS ORDER CONFIRMATION SYSTEM, LOOP DETECTOR, DRIVE THRU CANOPY AND DT TIMING SYSTEM LOOP DETECTOR.

NOTE: ALL DIMENSIONS ARE FROM FACE OF BUILDING SLAB TO CENTERLINE OF SUPPORTS UNLESS NOTED ON PLAN.
COORDINATE ACTUAL LOCATIONS WITH CURBS.

NOTE: COORDINATE CONC. FDN. LOCATIONS & UNDERGROUND UTILITY SERVICES PRIOR TO BEGINNING CONSTRUCTION.

LEGEND

1. NEW MENU BD. REF. 2/SA2 FOR FDN. DTL'S
2. NOT USED
3. NEW CLEARANCE BAR 3/SA2
4. NEW ORDER CANOPY 4/SA2
5. DETECTOR LOOP
6. NEW BOLLARD REF. 2/SA1



A ARCHITECTURAL SITE PLAN

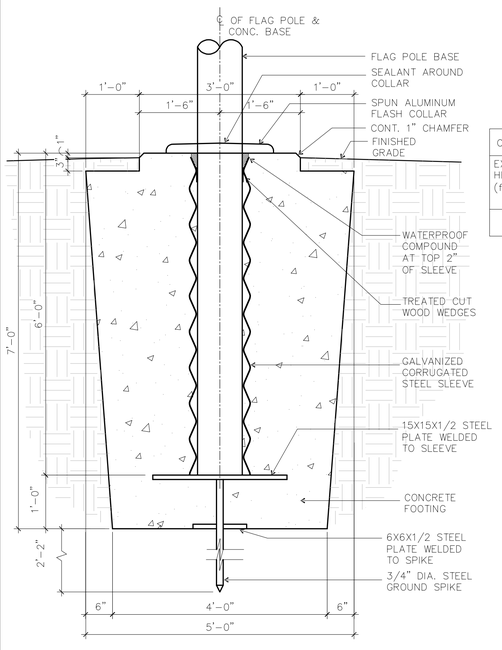
1"=20'-0"

NORTH

FREDDY'S FROZEN CUSTARD
GARDNER, KS.

SITE AREA: 40,940 SQ. FT. – 0.94 ACRE
BUILDING AREA: 3,017 SQ. FT.
88 SEATS
43 PARKING SPACES

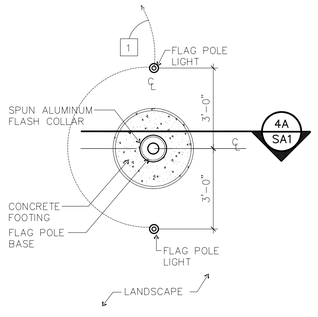
1. NEW MENU BD. REF. 4/SA2 FOR FDN. DTL'S
2. NOT USED
3. NEW CLEARANCE BAR 2/SA2
4. NEW ORDER CANOPY 1/SA2
5. DETECTOR LOOP
6. NEW BOLLARD REF. 5/SA2
7. FLAGPOLE
8. MONUMENT SIGN
9. BIKE RACK



4A FLAG POLE BASE DETAIL

3/4" = 1'-0"

CONCORD INDUSTRIES FLAG POLE SPECIFICATIONS						
EXPOSED HEIGHT (feet)	SHAFT DIAMETER (inch)	MAXIMUM WALL THICKNESS (inch)	MAXIMUM UNFLAGGED WINDSPEED (mph)	RECOMMENDED FLAG SIZE (feet)	FLAGGED WINDSPEED (mph)	CONCORD CONTINENTAL CATALOG PART NUMBER
35'-0"	7	.156	165	6X10	110	ESR35C75-ACL



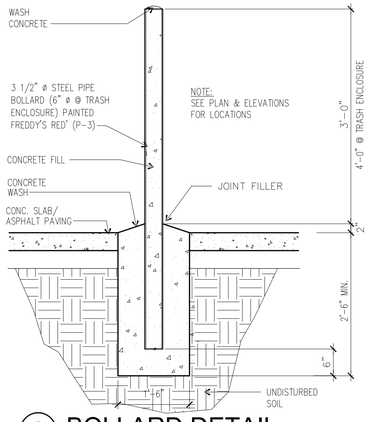
LIGHT FIXTURES:
KICHLER – 120V LED 29W 10 DEG. S 42K AZT MODEL NO. 16204AZT42 (TEXTURED ARCHITECTURAL BRONZE)

LIGHT FIXTURES STAKE:
KICHLER – ACCESSORY STAKE 120V – MODEL NO. 15276BK (BLACK (PAINTED)

4 FLAG POLE PLAN VIEW

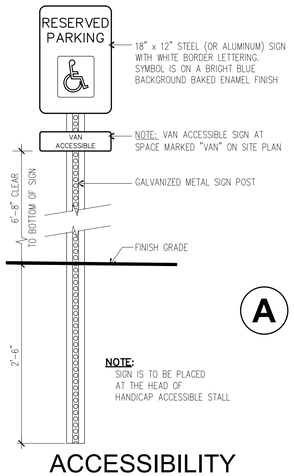
3/8" = 1'-0"

1 ROUTE CIRCUIT TO PANEL INDICATED VIA 120V PHOTCELL. LOCATE PHOTOCELL ON ROOF OF BUILDING FACING NORTH.



2 BOLLARD DETAIL

3/4" = 1'-0"



NOTE:
SIGN IS TO BE PLACED AT THE HEAD OF HANDICAP ACCESSIBLE STALL

1 ACCESSIBILITY PARKING SIGN

SCALE: 1" = 1'-0"

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DAN WINTER, ARCHITECT

FREDDY'S FROZEN CUSTARD

N. CEDAR & E. MAIN ST.
GARDNER, KS.

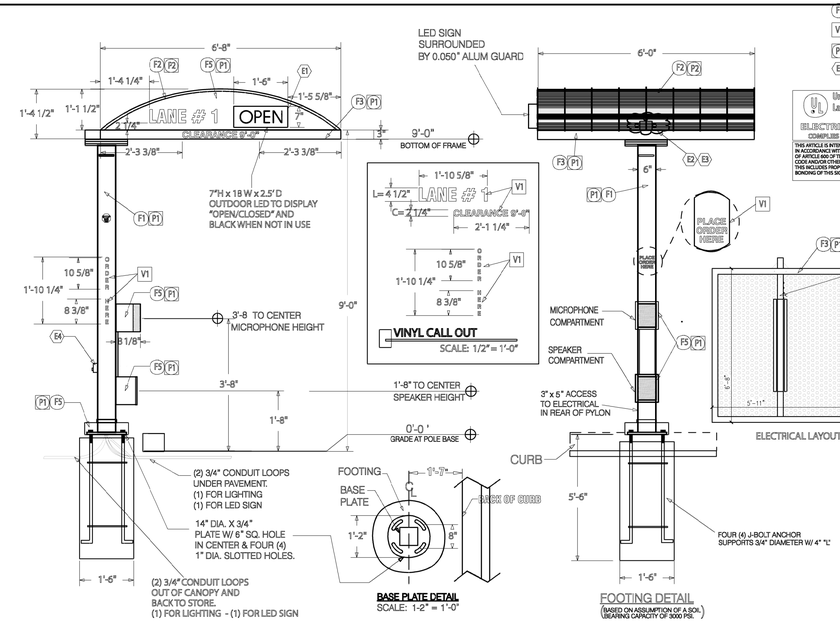
WINTER ARCHITECTS
1024 EAST FIRST STREET
WICHITA, KS. 67214
PH. 316-267-7142

ARCHITECTURAL SITE PLAN

DATE
1/21/2021

DRAWN BY: RB
CHECKED BY: DW

SHEET NO.
SA1



Drive Up View - Drive Thru Canopy
Scale: 1/2"=1'

Front View - Drive Thru Canopy
Scale: 1/2"=1'

4 DRIVE-UP CANOPY DRAWINGS
SCALE: 1/2" = 1'-0"

F1 FABRICATION NOTES
V1 VINYL COLORS
P1 PAINT NOTES
E1 ELECTRICAL NOTES

Underwriters Laboratories Inc® LISTED ELECTRIC SIGN COMPLIES TO UL 48

THIS ARTICLE IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THIS SIGN.

TOTAL SQFT=	
PART # FREDDRIVETHRU8A	
ESTIMATE # 97731	

FABRICATION NOTES
1) 6"x 6" STEEL POST
2) STANDING SEAM ROOF
3) 3" X 3" X 1/8" ALUM. TUBE FRAME U.N.O (WITER CUT AND WELDED AT CORNERS)
4) 3" X 3" X 1/8" ALUMINUM TUBE MEMBER
5) .080" ALUM. FABRICATED SPEAKER BOXES AND CANOPY SIDES, PLATE COVER

VINYL COLORS
1) 3M 1197 #7725-10 GLOSS WHITE
2) X
3) X
4) X

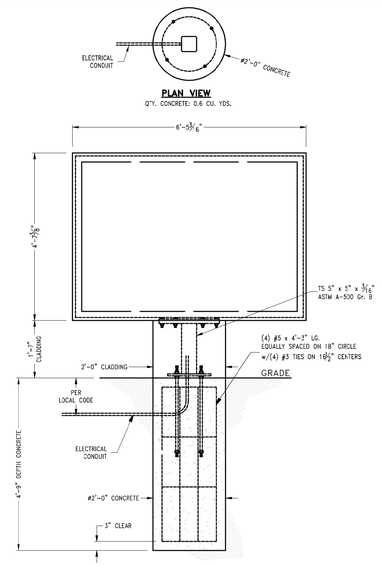
PAINT COLORS
1) ACCO MOBILE GRIP GUARD ACRYLIC POLYURETHANE TO MATCH M630-23 CARDINAL RED
2) KYWAR FINISH TO MATCH M630-23 CARDINAL RED
3) X

ELECTRICAL NOTES
1) 7"(18H) X 18"(W)(W) X 2.5" DEEP OUTDOOR LED SIGN GREEN/RED LED TO DISPLAY OPEN/CLOSED AND BLACK WHEN NOT IN USE
2) (1) 3 LAMP FIXTURE W/ ICL OUTDOOR RATED
3) (2) 48" COOL DLX FLUORESCENT LAMPS T-12 INCIDENT THERMAL PROTECTION
4) DISCONNECT SWITCH

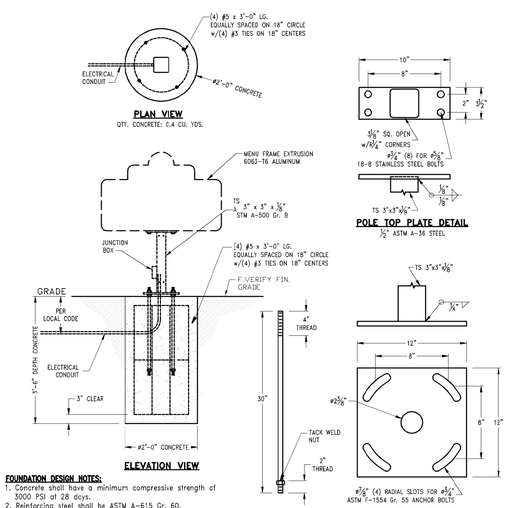
ELECTRICAL SPECIFICATIONS
PLACE ON BALLAST AND OUTPUT WIRE AS IT WOULD NEXT

BALLAST #	LAMP CURRENT	MAX LINE CURRENT AMPS	MAX INPUT WATTS	OPEN CIRCUIT VOLTAGE
2	L2460/ID	.800	3.16	165	400
1	X	V	X	X	X
X	X				
		TOTAL	3.16	165	

(1) 20 AMP-120 VOLT CIRCUIT REQUIRED



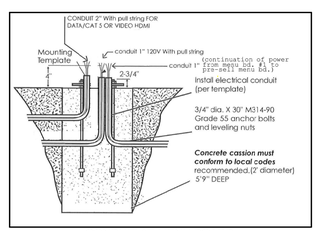
1 NOT USED



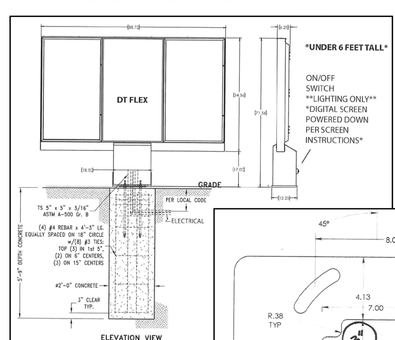
FOUNDATION DESIGN NOTES:
1. Concrete shall have a minimum compressive strength of 3000 PSI at 28 days.
2. Reinforcing steel shall be ASTM A-615 Gr. 60.
3. Caisson footing designed using a soil bearing force of 150 PSF per foot Lateral. If this soil condition does not exist, it is the Erector's responsibility to have a new base designed for the existing soil conditions by a Licensed Structural Engineer.
4. Anchor bolts shall be ASTM F-1554 Gr. 55 steel.

DESIGN WIND LOAD:
Based on the Building Code (2012 IBC) using Risk Category II, Exposure C and 130 mph wind speed.

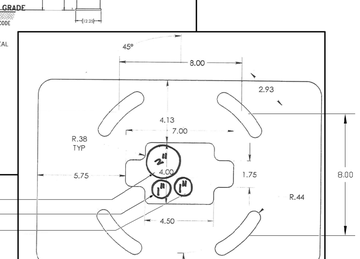
3 DIRECTIONAL SIGN DETAIL
SCALE: NO SCALE



CONDUIT AT MENU BOARD



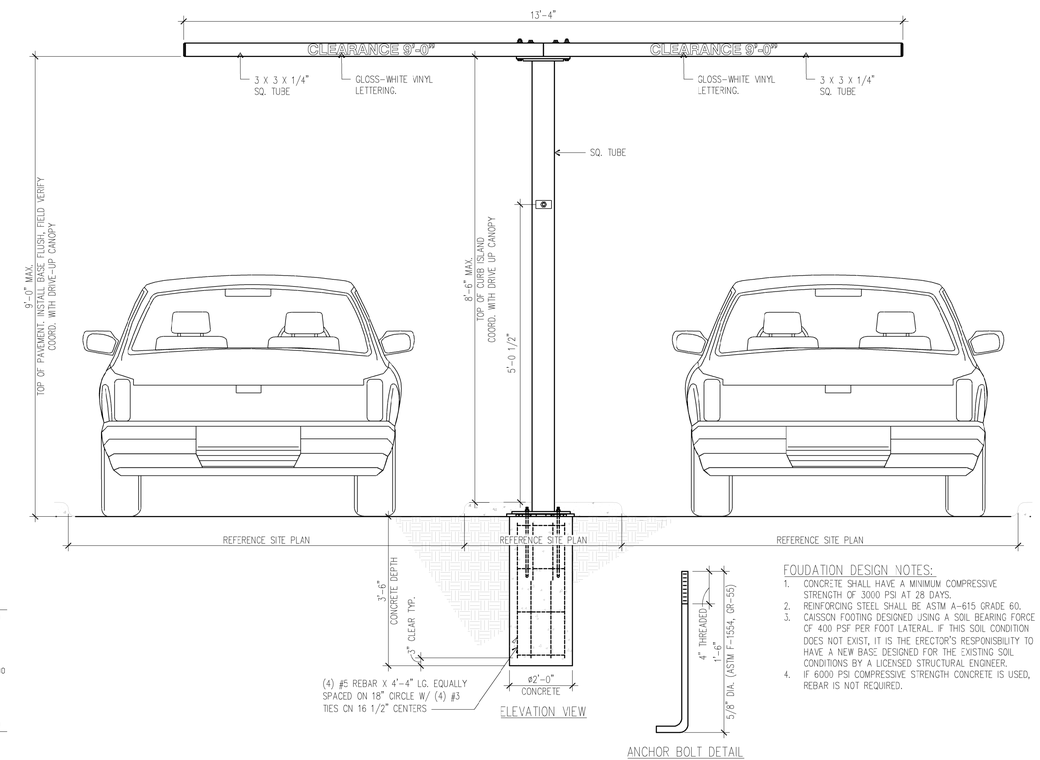
FOUNDATION DTL.



BASE PLATE (PLAN VIEW)

2" CONDUIT (FOR DATA CABLE)
1" CONDUIT (FOR POWER)
1" CONDUIT (FOR CONTINUATION OF POWER FROM MENU BD. #1 TO PRE-SELL MENUBOARD - TYP. OF MENU BD. #1 ONLY)

2 MENU BOARD DETAILS
SCALE: NO SCALE



FOUDATION DESIGN NOTES:
1. CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS.
2. REINFORCING STEEL SHALL BE ASTM A-615 GRADE 60.
3. CAISSON FOOTING DESIGNED USING A SOIL BEARING FORCE OF 400 PSF PER FOOT LATERAL. IF THIS SOIL CONDITION DOES NOT EXIST, IT IS THE ERECTOR'S RESPONSIBILITY TO HAVE A NEW BASE DESIGNED FOR THE EXISTING SOIL CONDITIONS BY A LICENSED STRUCTURAL ENGINEER.
4. IF 6000 PSI COMPRESSIVE STRENGTH CONCRETE IS USED, REBAR IS NOT REQUIRED.

5 DOUBLE ARM CLEARANCE BAR DETAILS
N.T.S.

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N. CEDAR & E. MAIN ST.
GARDNER, KS.

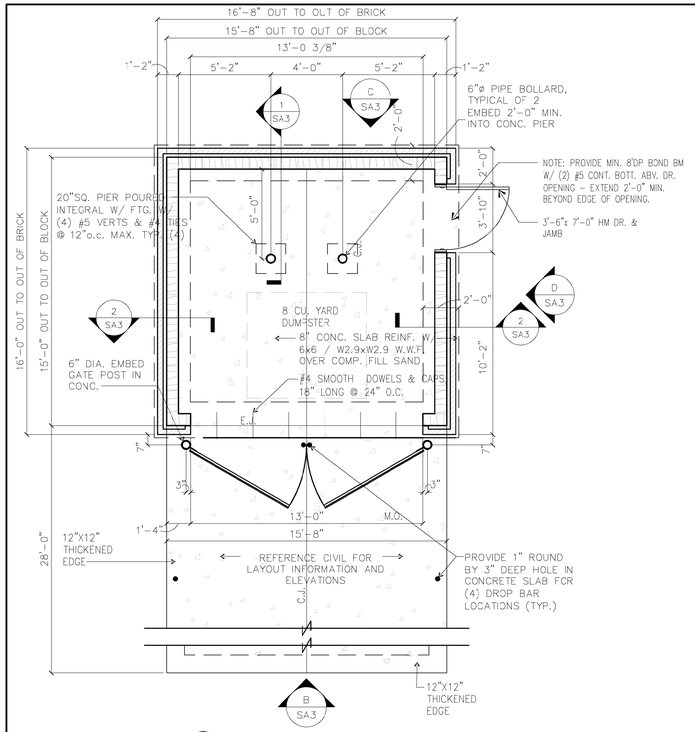
WINTER ARCHITECTS
1024 EAST FIRST STREET
WICHITA, KS. 67214
PH. 316-267-7142

SITE PLAN DETAILS

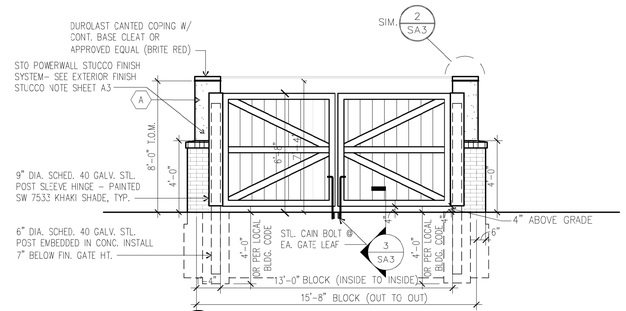
DATE
1/21/2021

DRAWN BY: RB
CHECKED BY: DW

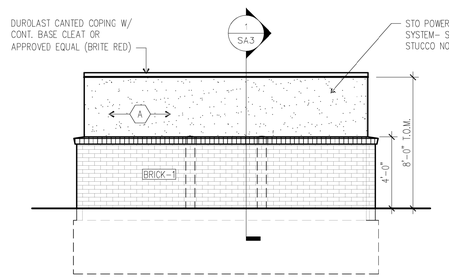
SHEET NO.
SA2



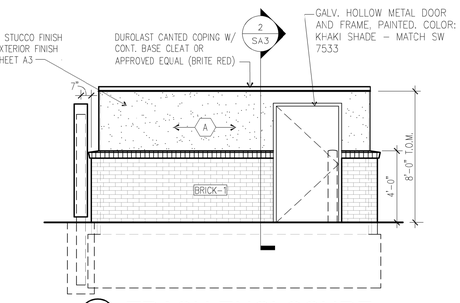
A TRASH ENCLOSURE PLAN
1/4" = 1'-0"



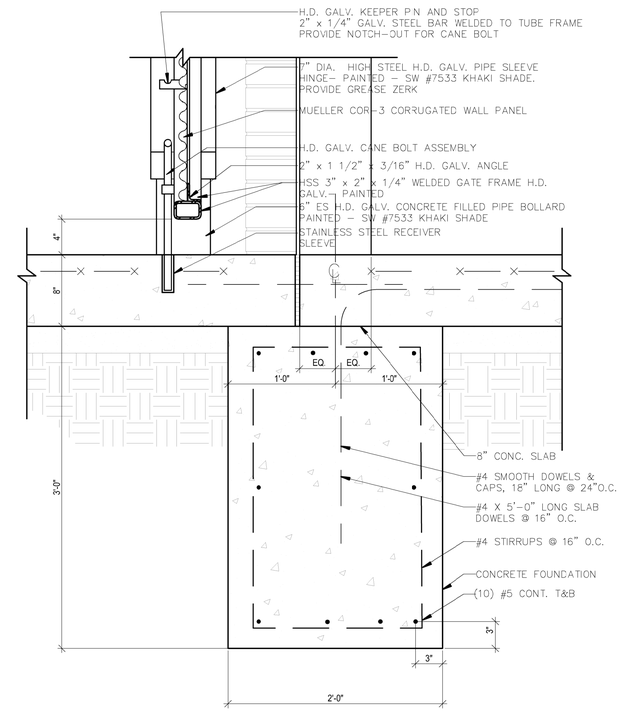
B TRASH ENCLOSURE
1/4" = 1'-0"



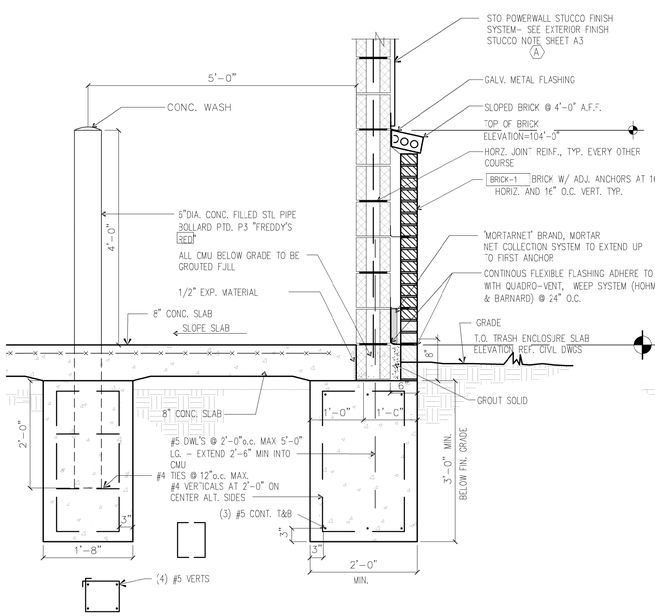
C TRASH ENCLOSURE
1/4" = 1'-0"
REAR ELEVATION



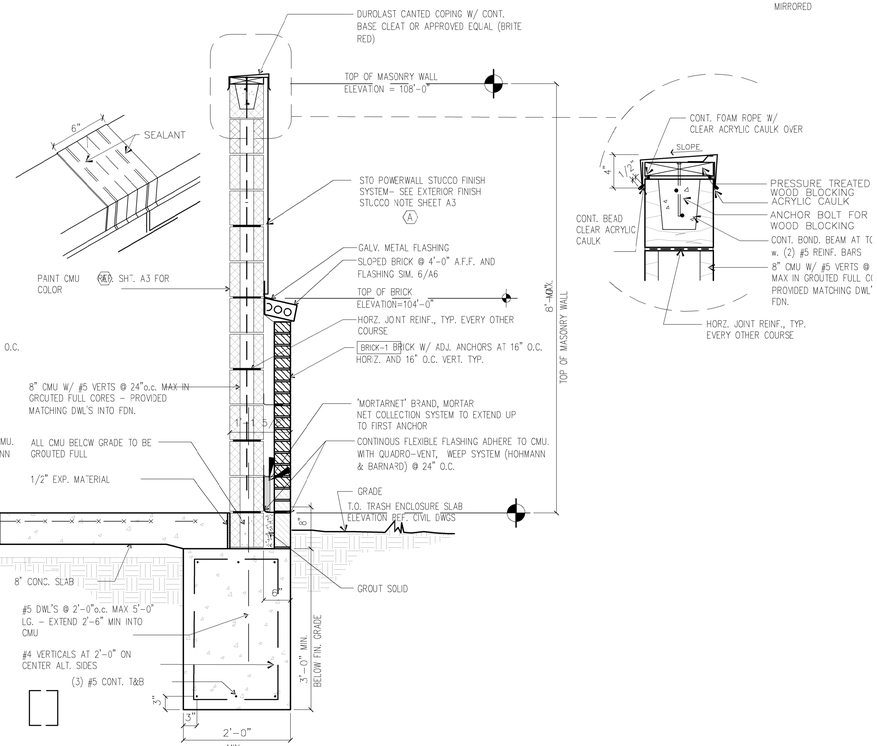
D TRASH ENCLOSURE
1/4" = 1'-0"
RIGHT SIDE ELEVATION
LEFT SIDE ELEVATION MIRRORED



3 GATE SECTION DETAIL
3/4"=1'-0"



1 TRASH ENCLOSURE WALL
3/4"=1'-0"



2 TRASH ENCLOSURE WALL
3/4"=1'-0"

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N. CEDAR & E. MAIN ST.
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WINTER ARCHITECTS
1024 EAST FIRST STREET
WICHITA, KS. 67214
PH. 316-267-7142

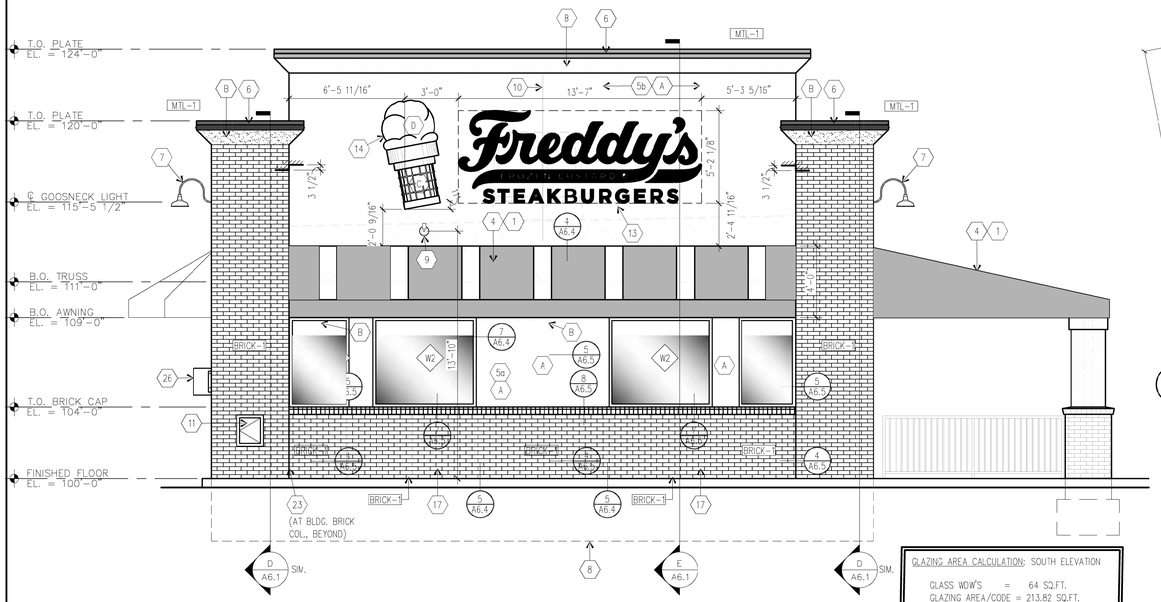
DATE
1/21/2021

DRAWN BY:

CHECKED BY:

Trash Enclosure Plan and Details

SHEET NO.
SA3



(A) SOUTH ELEVATION

1/4"= 1'-0"

GLAZING AREA CALCULATION: SOUTH ELEVATION

GLASS WDW'S = 64 SQ.FT.
GLAZING AREA/CODE = 213.82 SQ.FT.

PERCENT OF GLAZING AREA = 30%

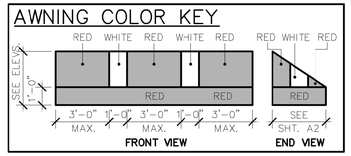
SIGNAGE AREA: SOUTH ELEVATION

FREDDY'S = 74 SQ.FT.
CONE = 15 SQ.FT.(ARCHITECTURAL FEATURE)

TOTAL = 85 SQ.FT.

TOTAL SIGNAGE ALLOWED IS 10% OF FACADE AREA OR 85 SQ.FT. MAX

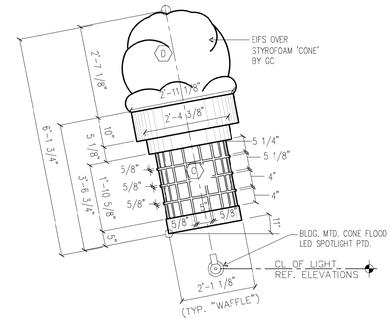
AWNING COLOR KEY



NOTE TO AWNING MANUFACTURER AND AWNING INSTALLER. AWNING FRAME TO BE ENGINEERED FOR APPROVAL BY LOCAL CODE AND DESIGNED TO MISS ALL BUILDING PROTRUSIONS NOT SHOWN ON PLANS.

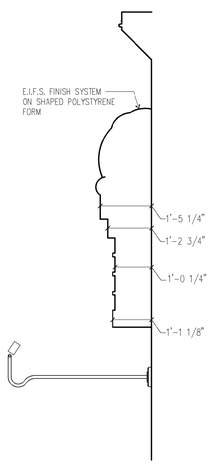
NOTE TO AWNING MANUFACTURER AND AWNING INSTALLER. AWNING FRAME TO BE ENGINEERED FOR APPROVAL BY LOCAL CODE AND DESIGNED TO MISS ALL BUILDING PROTRUSIONS NOT SHOWN ON PLANS.

CAULKING COLOR NOTE:
-AT EIFS / BRICK - MATCH EIFS
-AT BRICK / BRICK - MATCH BRICK
-AT EIFS / EIFS - MATCH EIFS
-AT EIFS / STOREFRONT - MATCH DARK BRONZE FRAME



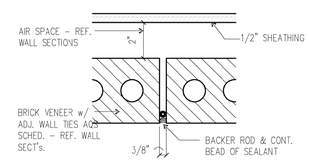
(1) "CUSTARD" ELEV.

1/2"= 1'-0"



(2) SECTION

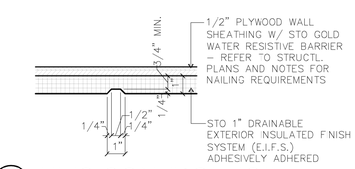
1/2"= 1'-0"



(3) BRICK CONTROL JOINT

3"= 1'-0"

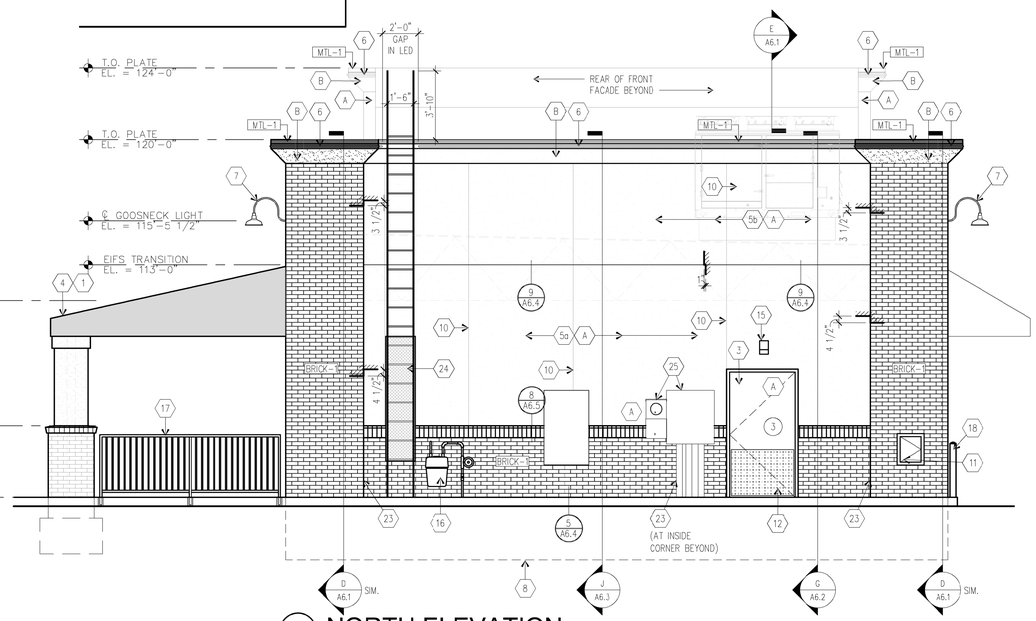
MARKED CJ ON EXTERIOR ELEVATIONS SHEETS A3 & A4



(4) EIFS CONTROL JOINT

3"= 1'-0"

MARKED CJ ON EXTERIOR ELEVATIONS SHEETS A3 & A4



(B) NORTH ELEVATION

1/4"= 1'-0"

EXTERIOR FINISH SCHEDULE

SHERWIN WILLIAMS - PARENT NUMBER: BE37 FREDDY'S FROZEN CUSTARD

EXTERIOR PAINT	DESCRIPTION	FINISH NO.	MFGR.	MFGR. NO.	COLOR	REMARKS
BUILDING WALLS	PAINT *	A	SHERWIN WILLIAMS	#7533	KHAKI SHADE	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
BUILDING TRIM	PAINT *	B	SHERWIN WILLIAMS	#6126	FREDDY'S PEARL	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
CONE	PAINT *	C	SHERWIN WILLIAMS	#17-143	BISCUIT FREDDY'S CONE	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
CUSTARD	PAINT *	D	SHERWIN WILLIAMS	#17-313	FREDDY'S ICE WHITE	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
BOLLARD	PAINT	P-3	SHERWIN WILLIAMS	#17-572	FREDDY'S RED	PAINT WITH TWO COATS HIGH PERFORMANCE ACRYLIC (GLOSS)
GUARD RAIL	PAINT	P-4	SHERWIN WILLIAMS	#B66B300	FREDDY'S JET BLACK	PAINT WITH TWO COATS HIGH PERFORMANCE ACRYLIC (GLOSS)

* NOTE: ALL EXTERIOR INSULATED FINISH SYSTEM (E.I.F.S.) IS PRE-MIXED WITH SHERWIN-WILLIAMS COLORS AS SPEC'D. ABOVE, NO PAINTING OF BUILDING E.I.F.S. (INCL. CONE) IS REQUIRED.

EXTERIOR BRICK	DESCRIPTION	FINISH NO.	MFGR.		COLOR & TEXTURE	REMARKS
BUILDING BRICK (OPT. #1)	BRICK MODULAR (OPT. #1)	BRICK-1	THE LAKEWOOD BRICK COMPANY	ACME BRICK CO. P: 316-941-3594	WELLSHIRE	GROUT COLOR - GRAY MODULAR & TIN - MADE RUMBLED
BUILDING BRICK (OPT. #2)	BRICK MODULAR (OPT. #2)	BRICK-1	INTERSTATE BRICK-UTAH		MOUNTAIN RED	GROUT COLOR - GRAY MODULAR & TIN - RUMBLED EXTRA CHARGE

METAL COPING	DESCRIPTION	FINISH NO.			COLOR	REMARKS
BUILDING COPING	COPING	MTL-1	DUROLAST		BRITE RED	2 PC COMPRESSION COPING CAP. SLOPE TOWARDS ROOF.

GENERAL NOTES:

SIGNS SHOWN ON THESE ELEVATIONS ARE FOR CODE REVIEW PURPOSES ONLY. THESE SIGN ELEVATIONS ARE NOT TO BE USED AS OR CONSTRUED AS SHOP DRAWINGS FOR SIGN CONSTRUCTION. SIGN SHOP DRAWINGS ARE PRODUCED BY THE SIGN MANUFACTURER FOR REVIEW AND APPROVAL BY THE OWNER.

NOTE TO AWNING MANUFACTURER AND AWNING INSTALLER. AWNING FRAME TO BE ENGINEERED FOR APPROVAL BY LOCAL CODE AND DESIGNED TO MISS ALL BUILDING PROTRUSIONS NOT SHOWN ON PLANS.

ELEVATION KEY NOTES:

1. (2)-TUBE, STRIP LED FIXTURES WITH CLEAR LENS COVERS TO BACK LIGHT AWNINGS, TYP, SUPPLIED BY OWNER. WIRED & INSTALLED BY ELEC. CONTR.
2. OVERFLOW DRAIN WITH GAMBS TONGUE
3. HOLLOW METAL EXIT DR. REF. DOOR SCHED.
4. EXTERIOR VINYL AWNING & ALUM FRAME BY OWNER AND AWNING MANUF, TYP REF. AWNING COLOR KEY SHT'S A3 & A4
5a. STO 1 1/2" DRAINABLE EXTERIOR INSULATED FINISH SYSTEM (E..F.S.) ADHESIVELY ADHERED "SAND PEBBLE FIN."
5b. STO 2 1/2" DRAINABLE EXTERIOR INSULATED FINISH SYSTEM (E..F.S.) ADHESIVELY ADHERED "SAND PEBBLE FIN."
6. LED STRIP LIGHTING BY SIGN MFGR. TYP.
7. GOOSENECK LIGHT FIXTURE "RED"
8. CONCRETE FOUNDATION REFER TO STRUCTL. PLANS FOR SIZE AND DETAILS
9. BLDG. MTD. CONE LIGHT FIXTURE PTD.
10. EIFS CONTROL JOINT REF. DETAIL 4/A3
11. RECESSED SS EASIWASH CAB.
12. 42"x 30" DIAMOND TREAD PLATE
13. SIGNAGE BY OWNER - INSTALLATION BY SIGNAGE MANUF., ELEC. CONNECTIONS BY G.C.
14. EIFS OVER STYROFOAM "CONE" BY GC APPROVED BY OWNER PRIOR TO INSTALLATION SEE DETAIL 1,2/A3.0
15. WALL PACK LIGHT FIXTURE, ABOVE REAR DOOR - REF. ELECT. PLANS
16. GAS METER PTD. VERIFY LOC.
17. REFER TO DETAIL 5/A2 FOR GUARD RAIL DETAILS. (IF REQUIRED. NOT SHOWN ON PROTOTYPE)
18. 4" CONC. FILLED PIPE BOLLARD. FREDDY'S RED
19. ILLUMINATED CHANNEL LETTERS BY SIGN MANUF.
20. READY ACCESS MODEL AA300 CURTAIN - 275 PASS-THRU AIR CURTAIN SYSTEM W/ STATUARY BRONZE FIN. ELECTRICAL CONTRACTOR TO VERIFY ELECTRICAL REQ'MTS. SEE MANUFACTURER FOR APPROPRIATE AIR CURTAIN CONFIGURATION BASED ON GEOGRAPHY.
21. READY ACCESS MODEL 275 WINDOW/ MANUAL, SINGLE PANEL SLIDER, 48"W x 60" H, R.O. (INCL. AIR CURTAIN ABOVE). MANUAL OPEN/ ELECTRONIC RELEASE - OPENS ON SIDE THE CAR APPROACHES. BRONZE FINISH -PROVIDED BY & INSTALLED BY G.C.
22. RECESSED KNOX BOX
23. BRICK EXPANSION JOINT REF. DETAIL 3/A3
24. STEEL MESH HINGED GATE (W/LOCK) TO ENCLOSE BOTTOM OF ACCESS LADDER. (PAINT TO MATCH EIFS).
25. ELECTRICAL CT CABINET & DISCONNECT - PTD., VERIFY LOCATION
26. FREDDY'S PEDESTRIAN CROSSING SIGN. BOTTOM OF SIGN @ 56" A.F.F.
27. SIAMESE FIRE DEPARTMENT CONNECTION.

THE DESIGN AND DETAILS DISCLOSED HEREIN ARE THE EXCLUSIVE PROPERTY OF WINTER ARCHITECTS INC. AND SHALL NOT BE COPIED OR REPRODUCED IN WHOLE OR IN PART WITHOUT ITS PRIOR WRITTEN CONSENT.

DAN WINTER, ARCHITECT

FREDDY'S FROZEN CUSTARD

N. CEDAR & E. MAIN ST.
GARDNER, KS.

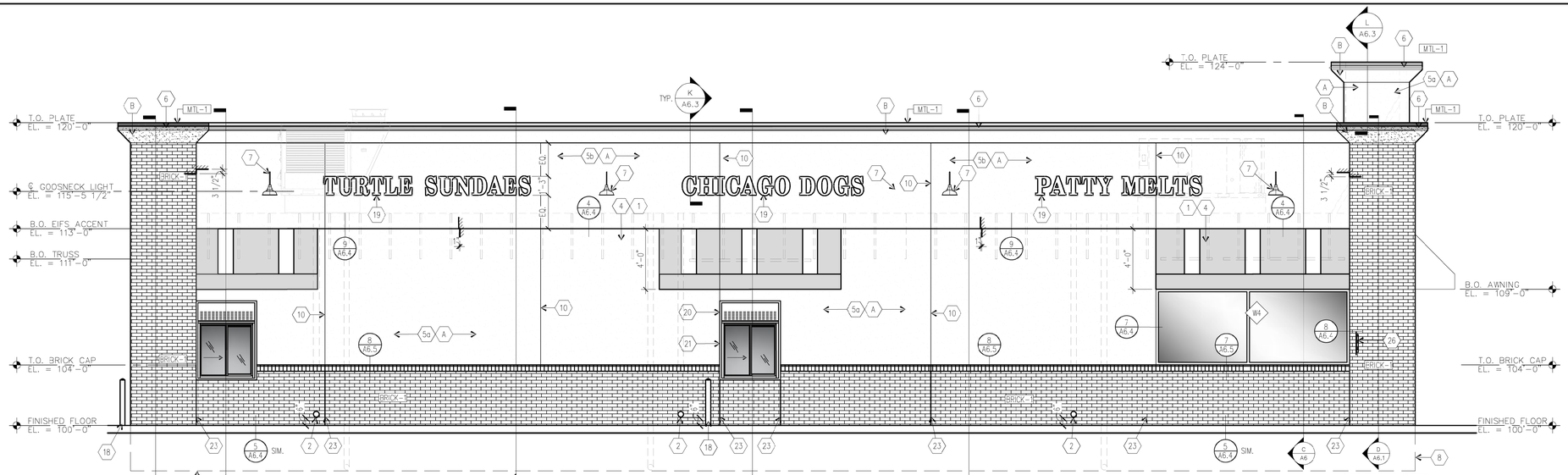
WINTER ARCHITECTS
1024 EAST FIRST STREET
WICHITA, KS. 67214
PH. 316-267-7142

EXTERIOR ELEVATIONS

DATE
1/21/2021

DRAWN BY: TDF, RC
CHECKED BY: DW

SHEET NO.
A3



(A) WEST ELEVATION

1/4"= 1'-0"

SIGNAGE AREA: WEST ELEVATION

PATTY MELTS = 14 SQ.FT.
CHICAGO DOGS = 15 SQ.FT.
TURTLE SUNDAES = 17 SQ.FT.

TOTAL = 46 SQ.FT.

TOTAL SIGNAGE ALLOWED IS 10% OF THE FACADE AREA OR 169 SQ.FT. MAX

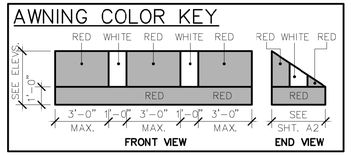
SIGNAGE AREA: EAST ELEVATION

PATTY MELTS = 14 SQ.FT.
CHICAGO DOGS = 15 SQ.FT.
TURTLE SUNDAES = 17 SQ.FT.

TOTAL = 46 SQ.FT.

TOTAL SIGNAGE ALLOWED IS 10% OF THE FACADE AREA OR 169 SQ.FT. MAX

AWNING COLOR KEY



NOTE TO AWNING MANUFACTURER AND AWNING INSTALLER. AWNING FRAME TO BE ENGINEERED FOR APPROVAL BY LOCAL CODE AND DESIGNED TO MISS ALL BUILDING PROTRUSIONS NOT SHOWN ON PLANS.

NOTE TO AWNING MANUFACTURER AND AWNING INSTALLER. AWNING FRAME TO BE ENGINEERED FOR APPROVAL BY LOCAL CODE AND DESIGNED TO MISS ALL BUILDING PROTRUSIONS NOT SHOWN ON PLANS.

CAULKING COLOR NOTE:
- AT EIFS / BRICK – MATCH EIFS
- AT BRICK / BRICK – MATCH BRICK
- AT EIFS / EIFS – MATCH EIFS
- AT EIFS / STOREFRONT – MATCH DARK BRONZE FRAME

EXTERIOR FINISH SCHEDULE

SHERWIN WILLIAMS – PARENT NUMBER: BE37 FREDDY'S FROZEN CUSTARD

EXTERIOR PAINT	DESCRIPTION	FINISH NO.	MFGR.	MFGR. NO.	COLOR	REMARKS
BUILDING WALLS	PAINT *	A	SHERWIN WILLIAMS	#7533	KHAKI SHADE	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
BUILDING TRIM	PAINT *	B	SHERWIN WILLIAMS	#6126	FREDDY'S PEARL	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
CONE	PAINT *	C	SHERWIN WILLIAMS	#17-143	BISCUIT FREDDY'S CONE	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
CUSTARD	PAINT *	D	SHERWIN WILLIAMS	#17-313	FREDDY'S ICE WHITE	PAINT WITH TWO COATS ACRYLIC LATEX (SATIN)
BOLLARD	PAINT	P3	SHERWIN WILLIAMS	#17-572	FREDDY'S RED	PAINT WITH TWO COATS HIGH PERFORMANCE ACRYLIC (GLOSS)
GUARD RAIL	PAINT	P4	SHERWIN WILLIAMS	#B66B300	FREDDY'S JET BLACK	PAINT WITH TWO COATS HIGH PERFORMANCE ACRYLIC (GLOSS)

* NOTE: ALL EXTERIOR INSULATED FINISH SYSTEM (E.I.F.S.) IS PRE-MIXED WITH SHERWIN-WILLIAMS COLORS AS SPEC'D. ABOVE, NO PAINTING OF BUILDING E.I.F.S. (INCL. CONE) IS REQUIRED.

EXTERIOR BRICK	DESCRIPTION	FINISH NO.	MFGR.		COLOR & TEXTURE	REMARKS
BUILDING BRICK (OPT. #1)	BRICK MODULAR (OPT. #1)	BRICK-1	THE LAKEWOOD BRICK COMPANY	ACME BRICK CO. P: 316-941-3594	WELLSHIRE	GROUT COLOR – GRAY MODULAR & TIN – MADE RUMBLED
BUILDING BRICK (OPT. #2)	BRICK MODULAR (OPT. #2)	BRICK-1	INTERSTATE BRICK-UTAH		MOUNTAIN RED	GROUT COLOR – GRAY MODULAR & TIN – RUMBLED EXTRA CHARGE

METAL COPING	DESCRIPTION	FINISH NO.			COLOR	REMARKS
BUILDING COPING	COPING	MTL-1	DUROLAST		BRITE RED	2 PC COMPRESSION COPING CAP. SLOPE TOWARDS ROOF.

GENERAL NOTES:

SIGNS SHOWN ON THESE ELEVATIONS ARE FOR CODE REVIEW PURPOSES ONLY. THESE SIGN ELEVATIONS ARE NOT TO BE USED AS OR CONSTRUED AS SHOP DRAWINGS FOR SIGN CONSTRUCTION. SIGN SHOP DRAWINGS ARE PRODUCED BY THE SIGN MANUFACTURER FOR REVIEW AND APPROVAL BY THE OWNER.

NOTE TO AWNING MANUFACTURER AND AWNING INSTALLER. AWNING FRAME TO BE ENGINEERED FOR APPROVAL BY LOCAL CODE AND DESIGNED TO MISS ALL BUILDING PROTRUSIONS NOT SHOWN ON PLANS.

ELEVATION KEY NOTES:

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3. HOLLOW METAL EXIT DR. REF. DOOR SCHED.
4. EXTERIOR VINYL AWNING & ALUM FRAME BY OWNER AND AWNING MANUF, TYP REF. AWNING COLOR KEY SHT'S A3 & A4
5a. STO 1 1/2" DRAINABLE EXTERIOR INSULATED FINISH SYSTEM (E.I.F.S.) ADHESIVE;Y ADHERED "SAND PEBBLE FIN."
5b. STO 2 1/2" DRAINABLE EXTERIOR INSULATED FINISH SYSTEM (E.I.F.S.) ADHESIVE;Y ADHERED "SAND PEBBLE FIN."
6. LED STRIP LIGHTING BY SIGN MFGR. TYP.
7. GOOSENECK LIGHT FIXTURE 'RED'
8. CONCRETE FOUNDATION REFER TO STRUCTL. PLANS FOR SIZE AND DETAILS
9. BLDG. MTD. CONE LIGHT FIXTURE PTD.
10. EIFS CONTRO. JOINT REF. DETAIL 4/A3
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16. GAS METER PTD. VERIFY LOC.
17. REFER TO DETAIL 5/A3 FOR GUARD RAIL DETAILS. (IF REQUIRED. NOT SHOWN ON PROTOTYPE)
18. 4" CONC. FILLED PIPE BOLLARD. FREDDY'S RED
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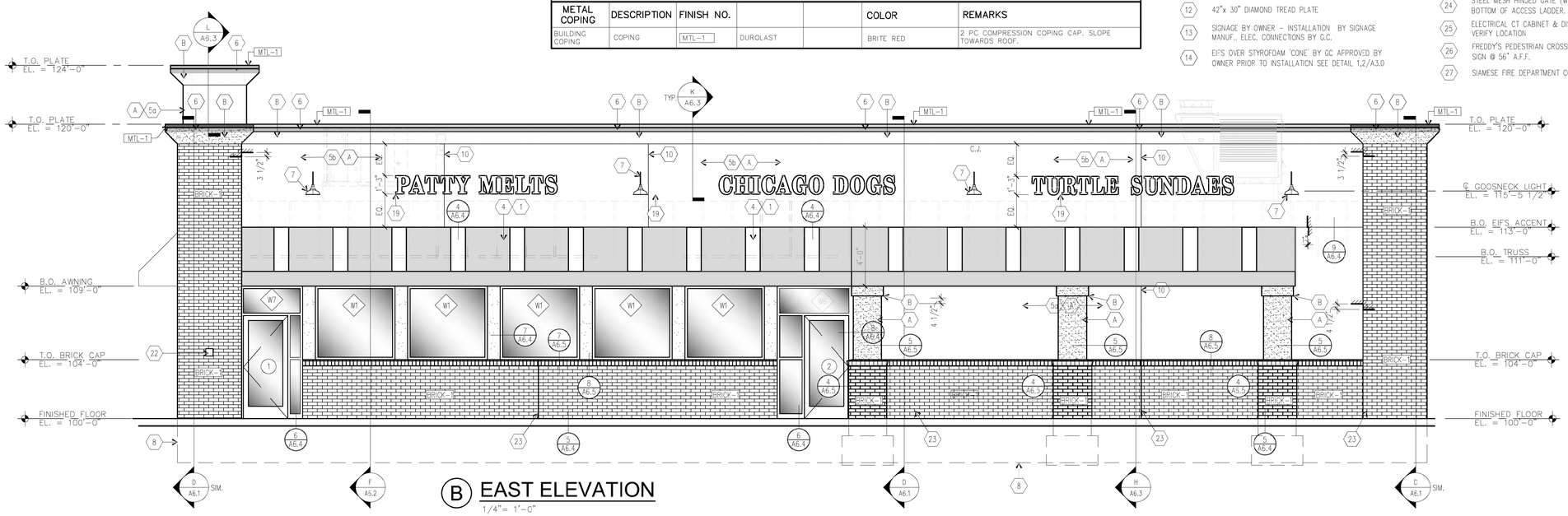
25. ELECTRICAL CT CABINET & DISCONNECT – PTD., VERIFY LOCATION
26. FREDDY'S PEDESTRIAN CROSSING SIGN. BOTTOM OF SIGN @ 56" A.F.F.
27. SIAMESE FIRE DEPARTMENT CONNECTION.



(B) EAST ELEVATION

1/4"= 1'-0"

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N. CEDAR & E. MAIN ST.
GARDNER, KS.

WINTER ARCHITECTS
1024 EAST FIRST STREET
WICHITA, KS. 67214
PH. 316-267-7142

EXTERIOR ELEVATIONS

DATE
1/21/2021

DRAWN BY: TDF, RC
CHECKED BY: DW

SHEET NO.
A4

METAL COPING

2 PIECE COMPRESSION COPING CAP (BRITE RED) BY DUROLAST MTL-1 SLOPE TOWARDS ROOF

CEMENT STUCCO CORNICE

STO POWERWALL STUCCO FINISH SYSTEM WITH STOGUARD WATERPROOFING/AIR BARRIER WITH SW #6126 FREDDY'S PEARL MIXED INTO FIN. COAT

STUCCO CONE

SW 17-313 FREDDY'S ICE WHITE
SW 17-143 FREDDY'S BISCUIT CONE

CEMENT STUCCO

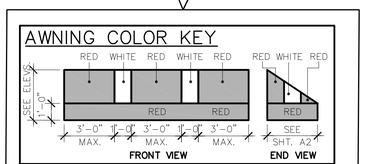
STO POWERWALL STUCCO FINISH SYSTEM WITH STOGUARD WATERPROOFING/AIR BARRIER WITH SW #7533 KHAKI SHADE MIXED INTO FIN. COAT

LIGHT FIXTURE

GOOSENECK LIGHT FIXTURE (RED) PROVIDE BLOCKING FOR ATTACHMENT

THE LAKEWOOD BRICK CO.
WELLSHIRE

BRICK VENEER

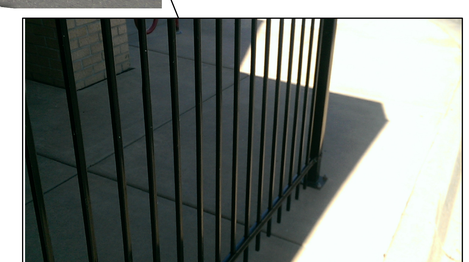


RED & WHITE STRIPED VINYL AWNING

VINYL AWNING

DK. BRONZE ALUM. STOREFRONT FRAMES

STOREFRONT WDWS. & DOORS



PATIO GUARDRAIL

SW B66B300 FREDDY'S JET BLACK

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FREDDY'S FROZEN CUSTARD

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GARDNER, KS.

WINTER ARCHITECTS
1024 EAST FIRST STREET
WICHITA, KS. 67214
PH. 316-267-7142

MATERIALS BOARD-1

DATE
1/21/2021

DRAWN BY:

CHECKED BY:

SHEET NO.
MB1

Cimarron CL1

Area/Site Lighting

AREA/SITE

*3000K and warmer CCTs only

Stylish vertically finned die-cast solid top housing and lower heat sink optimize heat dissipation;

- Isolated electrical compartment with integral heat sinking for cooler operation and longer driver life
- Drivers have greater than 90% power factor and less than 20% THD
- 0-10V dimming driver standard, order CD option to have dimming leads extended
- Automatic thermal self protection
- 20KA surge protection with an end of life LED indicator
- 60,000 hours life (L90 @ 40°C)*
- Shipped with upswept or straight arm for uniform look and ease of installation
- -40 deg C to 40 deg C ambient operation
- Lektrocote TGIC polyester powder coat finish
- 3000K, 80 CRI; 4000K, 70 CRI; 5000K, 67 CRI
- Stainless steel bezel(s)
- Choice of 72 high brightness LED configurations with individual acrylic lenses aimed to produce IES type II, III, IV and V distributions and auto optics
- Backlight control option reduces spill light behind pole by 85%, doesn't change fixture appearance or EPA
- IP65
- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations
- Increased lumen output with use of 1050mA driver (90L only)
- DesignLights Consortium (DLC) qualified, consult DLC website for more details: http://www.designlights.org/QPL
- Turtle friendly Amber available

MADE-TO-ORDER ORDERING INFORMATION

CL1 - ___ - ___ - ___ - ___ - ___ - ___ - ___

SERIES

CL1 Cimarron LED

MOUNTING

A Arm mount construction (6" straight rigid arm included & acceptable for 90° configurations)

AD Decorative arm mount const. (6" decorative upswept arm incl. & acceptable for 90° configurations)

MAF Mast arm fitter for mounting to standard ø 3/8" mast arm bracket. Includes 6" straight rigid arm

NO. OF LEDS

90L 90 High brightness LEDs

60L 60 High brightness LEDs

30L 30 High brightness LEDs

VOLTAGE

U Universal 120V-277V, 50/60 Hz

1 120V

2 208V

3 240V

4 277V

5 480V, 60 Hz

F 347V, 60 Hz

E* 220V, 50 Hz

CCT

3K 3000K, 80CRI

4K 4000K, 70CRI

5K 5000K, 67CRI

AM Amber (590 nm available for "Turtle Friendly" applications - (consult factory)

DRIVE CURRENT

Leave blank for 700mA (standard)

035 350mA Amber CCT only

105 1050mA (not for use with 30L)

DISTRIBUTION

2 Type II

3 Type III

4 Type IV

5S Type V Short

5M Type V Medium

5W Type V Wide

2L Type II Rotated 90° left

3L Type III Rotated 90° left

4L Type IV Rotated 90° left

2R Type II Rotated 90° right

3R Type III Rotated 90° right

4R Type IV Rotated 90° right

1A Auto Front Row Type I

1AR Auto Front Row Type I Rotated 90° right

1AL Auto Front Row Type I Rotated 90° left

2A Auto Front Row Type II

2AR Auto Front Row Type II Rotated 90° right

2AL Auto Front Row Type II Rotated 90° left

COLOR

DB Dark Bronze

BL Black

WH White

GR Gray

PS Platinum Silver

CC Custom Color

OPTIONS

BC Backlight control

CD Continuous dimming

WB Wall bracket

RPA3 3" Round pole adapter

RPA4 4" Round pole adapter

RPA5 5" Round pole adapter

RPA6 6" Round pole adapter

F(X) Fusing (replace X with voltage: 1-120V, 2-208V, 3-240V, 4-277V, 5-480V, F-347V)

VG Vandal guard

7PR Photocell receptacle (7-pin ANSI C136.41—2013 receptacle for use with standard Twist-Lock® photo controls, shorting caps, and ANSI C136.41 external wireless control devices. Select SCL option to add occupancy sensing capability when using with compatible external wireless devices.

MOTION CONTROL OPTIONS

SCO No light output when no motion detected / On/ Off control

SCL Add-on occupancy sensor

SCP Programmable dimming control

SCPW Programmable dimming control wireless

WIRELESS CONTROL OPTIONS

WIR wiSCAPE

WIRSC wiSCAPE with motion control

ADDITIONAL ACCESSORIES ON PG. 226-227

*See specification page for complete fixture data

HUBBELL Outdoor Lighting

224

Visit www.hubbelloutdoor.com/products for up-to-date availability information

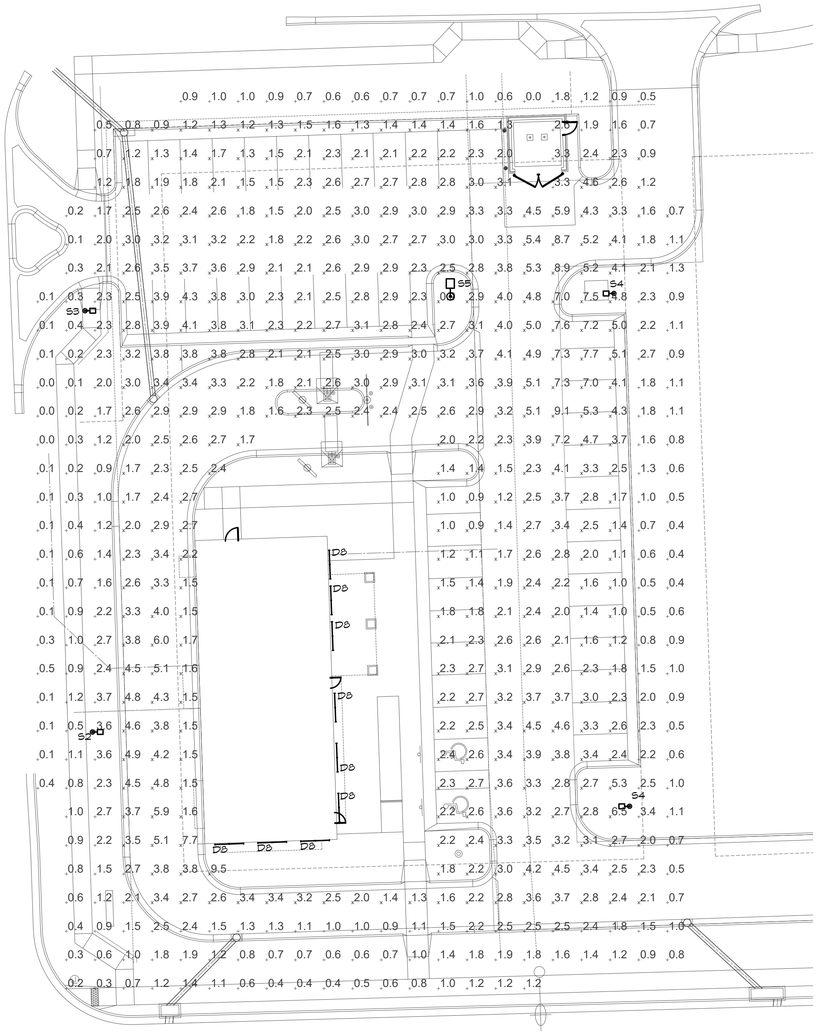
LIGHT FIXTURE SCHEDULE

MARK NO.	MANUFACTURER & CATALOG NUMBER	VOLTS WATTS	LAMPS	DESCRIPTION
*D8	TEXAS FLUORESCENTS SKDW8-MV-R8L-H144W14000L-MV-40K-WH	120 114	INCL LED 14000 LUMENS 4000K	LED SURFACE MOUNTED AWNING LIGHT. WITH WHITE LENS AND WHITE FINISH.
S2	SPAULDING LIGHTING CL1-A-90L-U-4K-2-DB-BC	UNV 210	LED INCL	POLE MOUNTED AREA LIGHT WITH INTEGRAL LED LIGHT ENGINE AND DRIVER - TYPE 2 DISTRIBUTION. MOUNT ON 22' POLE WITH 3' HIGH CONCRETE BASE (25' TOTAL MOUNTING HEIGHT). BRONZE FINISH WITH A HOUSE SIDE SHIELD.
S3	SPAULDING LIGHTING CL1-A-90L-U-4K-3-DB-BC	UNV 210	LED INCL	POLE MOUNTED AREA LIGHT WITH INTEGRAL LED LIGHT ENGINE AND DRIVER - TYPE 3 DISTRIBUTION. MOUNT ON 22' POLE WITH 3' HIGH CONCRETE BASE (25' TOTAL MOUNTING HEIGHT). BRONZE FINISH WITH A HOUSE SIDE SHIELD.
S4	SPAULDING LIGHTING CL1-A-90L-U-4K-4-DB	UNV 210	LED INCL	POLE MOUNTED AREA LIGHT WITH INTEGRAL LED LIGHT ENGINE AND DRIVER - TYPE 4 DISTRIBUTION. MOUNT ON 22' POLE WITH 3' HIGH CONCRETE BASE (25' TOTAL MOUNTING HEIGHT). BRONZE FINISH WITH A HOUSE SIDE SHIELD.
S5	SPAULDING LIGHTING CL1-A-90L-U-4K-5-DB	UNV 210	LED INCL	POLE MOUNTED AREA LIGHT WITH INTEGRAL LED LIGHT ENGINE AND DRIVER - TYPE 5 DISTRIBUTION. MOUNT ON 22' POLE WITH 3' HIGH CONCRETE BASE (25' TOTAL MOUNTING HEIGHT). BRONZE FINISH WITH A HOUSE SIDE SHIELD.

*FIXTURES SHOWN FOR REFERENCE ONLY. ACTUAL LOCATIONS AND QUANTITY WILL VARY.

ALL NEW LIGHT FIXTURES ARE TO BE PROVIDED BY OWNER THROUGH AGENT LIGHTING. CONTACT PAUL GRAF @ 316-636-1278 WITH QUESTIONS. ALL LAMPS TO BE SUPPLIED BY OWNER.

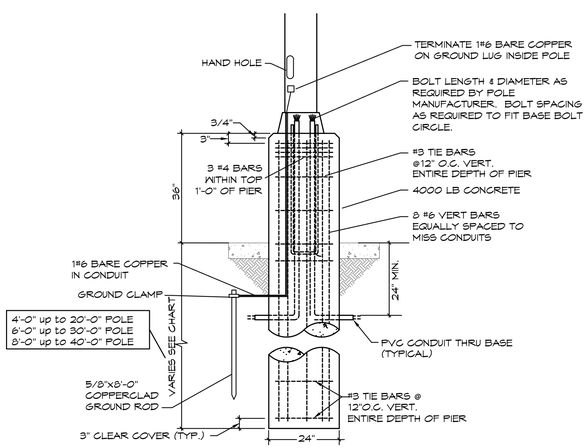
PARKING STATISTICS			
AVG	MAX	MIN	AVG:MIN
3.0	9.5	0.7	4.3:1



NORTH

ELECTRICAL SITE PLAN

SCALE: 1"=20'



POLE FOUNDATION DETAIL

SCALE: NONE

BC ENGINEERS INCORPORATED
5720 Reeder
Shawnee, Ks. 66203
(913)262-1772

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KANSAS PE COA #E-359

1/22/2021

LARIN T. SEIFERT LICENSED 20659 KANSAS PROFESSIONAL ENGINEER

BC PROJECT #20781

FREDDY'S FROZEN CUSTARD
260 N. ROCK ROAD, SUITE 200
WICHITA, KS 67206

A PROJECT FOR:
FREDDY'S FROZEN CUSTARD
GARDNER, KS

ISSUE DATE:
1/12/21

REVISION:

SHEET TITLE
SITE PHOTOMETRIC

ES-1

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

SITE PLAN AND DESIGN REVIEW FINAL DEVELOPMENT PLAN APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) See Attached Affidavits

Contact _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) Henzlik Real Estate Companies, LLC

Contact Douglas Henzlik

Address 7121 W 79th Street

City Overland Park State Kansas Zip 66204

Phone 913.725.0406 Email doug@henzlikrealestate.com

SITE INFORMATION

Property Address/Location: NE corner of the intersection between U.S. 56 Highway and N. Cedar Street in Gardner, Kansas.

Legal Description (Attach If Necessary) _____

Number of Existing Lots 2 Number of Proposed Lots 2

Total Site Area 1.84 Present Zoning C-2 & C-3

Proposed Use _____ Present Land Use _____

Proposed Street Design Type(s) & Class N/A

Proposed Type(s) Open & Civic Space N/A

Proposed Frontage Type(s) N/A

Proposed Building Types(s) Drive-through restaurant

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 a site plan and design review or final development plan as indicated above.

Signature(s): _____ Date 9-11-20

_____ Date _____

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

SITE PLAN AND DESIGN REVIEW, AND FINAL DEVELOPMENT PLAN APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

	Yes	No	
	X		1. **Complete application packet**
	X		2. **Application fee**
	X		3. **10 complete sets of full sized plans printed including color elevations, folded**
	X		4. **Digital copies (PDF) of the completed application, plans, and legal description**
N/A			5. **Copy of all covenants and restrictions applicable to the development**, if applicable.
	X		6. **Sign posting affidavit.**
N/A			7. **Evidence of the establishment of the agency for the ownership and maintenance of any common** open space and all assurances of the financial and administrative ability of such agency or document dedicating the facilities to the city.
N/A			8. **Deeds of dedication for all rights-of-way or easements** required as a result of preliminary development plan approval if conveyance thereof is not to be made by plat or by the filing of the final development plan.
N/A			9. **Evidence of satisfaction of any conditions of the preliminary development plan approval** which were conditions precedent to consideration of the final development plan.
	X		10. **Final Stormwater Management Plan** (2 printed and 1 digital copy)
N/A			11. **Final Traffic Impact Study** (TIS) as required by the Access Management Code. (2 printed and 1 digital copy)

PLAN REQUIREMENTS

	X		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'.)
	X		2. **Boundary lines of the subdivision** shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
	X		3. **Scale, legend, and north arrow** clearly shown, with orientation at top or left as north (not less than 1"=100' scale).
	X		4. **Dates of plan preparation** and/or plan revisions.
	X		5. **Ownership, zoning, and land use of the site and surrounding properties** within 200 feet; both existing and proposed.
	X		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.)
	X		7. **Setback lines:** building and parking with dimensions in feet.

	Yes	No	
	X		8. **Setback lines:** building and parking with dimensions in feet.
	X		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.
N/A			10. **Note on the plan indicating intended ownership, purpose, and maintenance responsibilities** for any parcels labeled as tracts.
	X		11. **Setback lines:** building and parking with dimensions in feet.
	X		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.
	X		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.
	X		14. **Proposed street network**, including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street.
	X		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.
N/A			16. **Intersection site distance analysis**.
	X		17. **Driveways, parking lots and stalls, aisles, and loading** and service areas and docks and dimensions.
	X		18. **Median breaks and turning lanes**, including sizes and radii; both existing and proposed.
	X		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.
	X		20. **Existing and proposed sidewalks** and/or trail locations including proposed widths.
	X		21. **Proposed utilities**, including approximate location of sanitary sewer, water main, and street lights.
	X		22. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
	X		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).
	X		24. **Stream corridor boundary** and dimensions.
N/A			25. **Phasing Plan**, if applicable.

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Yes	No	
	X	26. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
X		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.).
X		28. **Distances between all buildings**, between buildings and property lines, and between parking areas and property lines.
X		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.
X		31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
X		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.
X		33. **Table indicating required and proposed parking spaces**.
X		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.
	X	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.
	X	37. **Outdoor storage areas**, including location, dimensions and design.
	X	38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
X		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 site plan and design review, or final development plan 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

9-11-20
Date

Community Development

MEMORANDUM

TO: Gardner Planning Commission

FROM: David Knopick, Community Development Director

DATE: February 22, 2021

SUBJECT: Regular Item 2: Consideration of proposed Title 17 Land Development Code amendments (PUBLIC HEARING).

BACKGROUND

Periodically the Governing Body or Planning Commission or staff, through the activities associated with the administration of Title 17 Land Development Code (LDC) of the Gardner Municipal Code, may identify the need to make text amendments to the LDC. The process to be used to consider and make such changes is prescribed as follows:

Section 17.03.110 Text Amendments

*A. **Applicability.** Text amendments to these regulations may be initiated by the Governing Body or the Planning Commission, or by staff on behalf of these entities.*

*B. **Specific Procedures.** In addition to the general procedures in Table 3-1, and GMC 17.03.010, applications for text amendments shall be processed according to the following specific procedures:*

1. Public Hearing. The Planning Commission shall hold a public hearing on all proposed amendments.

2. Recommendations. Upon the conclusion of the public hearing, the Planning Commission shall prepare and adopt its recommendations in the form of a proposed development regulation and shall submit it with a record of the hearing to the Governing Body.

3. Action by the Governing Body. When the Planning Commission submits a recommendation of approval or disapproval of such amendment and the reasons therefor, the Governing Body may:

a. Adopt. Adopt such recommendation by ordinance,

b. Override. Override the Planning Commission's recommendation by at least a two-thirds vote of the membership of the Governing Body, or

c. Return. Return such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove. If the Governing Body returns the Planning Commission's recommendation, the Planning Commission after considering the same may resubmit its original recommendation giving the reasons therefor or submit new and amended recommendations. Upon the receipt of such recommendation, the Governing Body by a simple majority thereof may adopt or may revise or amend and adopt such recommendation by ordinance or it need take no further action thereon. If the Planning Commission fails to deliver its recommendation to the Governing Body following the Planning Commission's next regular meeting after receipt of the Governing Body's report, the Governing Body shall consider such

course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly.

4. Publication. If the Governing Body approves an application, it shall adopt an ordinance to that effect, but the ordinance shall not become effective until its publication in the official newspaper. (Ord. 2518 § 2 (LDC § 3.11))

Over the past few months staff has encountered several sections of the LDC that require adjustment, clarification or updating in the various chapters of the LDC. The proposed amendments were provided to the Planning Commission at the January 26, 2021 meeting. Subsequently, the proposed amendments have been reviewed by the City Attorney and a public hearing notice has been published.

PROPOSED AMENDMENTS

Draft language related to potential changes is provided below and organized by chapter. A summary paragraph is provided in regard to the nature of the proposed amendments. After the summary paragraph the existing language from the LDC is provided in black font (language proposed to be remove is in black strikeout font) and proposed new language is provided in red font.

Chapter 17.01 General Provisions

The proposed language in this section is related to the zoning of annexed land. The current language, which states that the zoning classification of property changes from the prior jurisdiction's zoning district to a corresponding City zoning district when the land is annexed into the City, is in conflict with State of Kansas court rulings / findings. Therefore, it is proposed that the following sections be changed to address the rezoning of annexed land and nonconformities resulting from such annexation and rezoning activities. The language provided below has been adjusted since it was provided to the Planning Commission on January 26, 2021 as a result of the City Attorney's review.

17.01.030 Establishment of Districts

C. Annexed Land ~~All land which may be annexed to the City shall be classified as the corresponding district most similar to the zoning classification in effect under the prior jurisdiction, until otherwise changed in accordance with these regulations. (Ord. 2518 § 2 (LDC § 1.03))~~

1. **Zoning Classification at the Time of Annexation.** Upon annexation, the City shall initiate a petition to rezone an annexed property to the zoning district most similar to the zoning classification in effect under the prior jurisdiction. Alternatively, an annexed property owner may request that the aforementioned city initiated rezoning petition be deferred and may initiate an application to rezone an annexed property to an appropriate district(s) associated with a development plan / plat for the property.
2. **Zoning Classification and Regulations After Annexation**
    a. Any owner of land within the area annexed may apply for rezoning under the laws and procedures of the City, and as granted by KSA 12-756 and 12-757, after the effective date of annexation.
    b. If property annexed before the effective date of this Title is rezoned to a City zoning district, all zoning requirements and regulations of the City take effect, and the regulations of the prior zoning jurisdiction terminate, within the annexed area.
3. **Enforcement.** The City may secure civil remedies for violations of prior zoning jurisdiction regulations to the same extent that it may secure civil remedies for violations of this ordinance pursuant to GMC 17.01.050.

17.01.060 Nonconformances

E. Nonconformances Created by Annexation. All nonconformances created as a result of the application of the corresponding zoning district at the time of annexation (per GMC 17.01.030 (C) (1)) shall be allowed to remain in place. Improvements to property, in support of the use of the property at the time of annexation, will be reviewed on a case-by-case basis and may allow for:

1. An expansion of the nonconforming structure(s) or site condition(s) to which the improvement / investment is not greater than 50 percent of the appraised value of the property or applicable structure.
2. An expansion of the nonconforming structure(s) or site condition(s) that is in closer conformance, than the condition that existed at the time of annexation, with the applicable zoning district requirements but not necessarily full compliance, to which the improvement / investment is not greater than 50 percent of the appraised value of the property or applicable structure.

Such case-by-case determinations shall be made by the Director with appeals of such determinations going to the Planning Commission.

Chapter 17.02 Definitions

Current and past staff, through previous review of the LDC, identified the need for clarification of several existing definitions and the addition of a few new definitions to assist with the administration / interpretation of the regulations.

17.02.010 Definitions

All terms used in these regulations shall have their commonly accepted meaning based upon the context of their use within this Code. The following terms shall have the meaning given below, unless more specifically described, limited or qualified within the standards of this Code.

A

Accessible in reference to a lot, means one or both of the following: 1) having a driveway (or an area for a driveway) that provides vehicular access to an existing street; and/or 2) having a public or private access easement that provides vehicular access, or shared vehicular access, to an existing street while meeting all applicable access location and design standards.

ADA Ready refers to a building that is more easily retrofitted for future ADA compliance including features such as: 1) Zero level entry, 2) Bathrooms large enough to achieve ADA compliance, and 3) Hallways and doorways that are framed for ADA compliant widths.

B

Block means a piece or parcel of land entirely surrounded by public highways ~~or~~ / streets, other than alleys, or bounded by the presence or a combination of other features such as parks / open spaces, cemeteries, railroad or other utility rights-of-way, exterior boundaries of a subdivision or other existing development, shorelines, and/or corporate boundaries. In cases where the platting is incomplete or disconnected, or the development pattern proposed as the result of curvilinear streets, cul-de-sacs or other features creates a scenario which does not meet the definition of a block, the Director shall determine the outline of the block.

L

Landscape area means an area that is designed and maintained for landscape plantings. Landscape areas may include nonplant landscape features and be surfaced with mulch or rock;

however, areas without living plants shall not be considered landscape areas. For the purposes of the Land Development Code xeriscaping features and direct pedestrian walks from front entries to public sidewalks are considered to be part of the landscape area.

P

Parking block means a grouping of parking spaces with edges that are defined by landscape areas. Parking blocks may include a variety of different configurations of parking spaces (per Table 9-6 GMC 17.09.040 (B)).

S

Small Format Home(s) generally refers to housing types which are smaller than 1,500 square feet. Such homes may be traditional stick-built, manufactured, mobile, modular, or tiny houses, but do not include recreational vehicles or travel trailers.

Street Tree means a tree placed in the public right-of-way along the street which may be in front or behind a sidewalk, or within a designated landscape tract or easement adjacent to a public roadway. Typical location is identified as Frontage (A) in Figure 8-1 of GMC section 17.08.030.

T

Tree, Street see Street Tree above.

Chapter 17.03 Applications and Procedures

Last September the Planning Commission heard a case related to a mobile home community. As part of the case there were two issues related to the LDC that were identified. The first issue was related to the length of time a conditional use permit shall be valid. The proposed language changes to Section 17.03.050 are intended to address the establishment of a period of time associated with a conditional use permit and the allowance for an extension of such permit.

In regard to the administrative adjustment process there has been some confusion related to the use of this terminology and when the Director is authorized to make administrative adjustments and when the Planning Commission is authorized to do so. The suggested changes clarify the role of the Director and the Planning Commission, and provide additional flexibility to both in regard to the consideration of administrative adjustments. Since January 26, 2021 a minor adjustment has been made to the language associated with the administrative adjustment amount allowed.

17.03.050 Conditional Use Permit

A. **Applicability.** A conditional use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses under certain conditions. Due to the varying design and operational characteristics of the use or due to conditions in the area where the use is proposed, these uses are not generally appropriate in that district, but may be considered through a case-specific review to determine the compatibility in a specific context and location.

Conditional use permits may be initiated by the owners or authorized agents of any property affected. In addition to the general requirements in Table 3-1 and GMC 17.03.010, the following requirements are specific to conditional use applications.

B. **Review Criteria.** A 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.

C. **Effect of Decision.** Approval of a conditional use permit by the Governing Body shall authorize the applicant to apply for a building permit~~,~~ and other applicable permits, and establish the conditional use. Approval shall be valid for ~~two years~~ a period of time determined through the review process and the Governing Body ~~may grant a one-year extension;~~ provided, that approvals for communication facilities for wireless services shall be for a term of not less than 10 years. Any application not acted upon according to the approval and conditions within 1 year of approval ~~this time period~~ shall be void; although the Governing Body may grant a one-time one year extension if justified. Any amendment to a conditional use permit shall require the same process as the original approval. (Ord. 2546 § 1; Ord. 2518 § 2 (LDC § 3.05))

17.03.080 Administrative Adjustments

A. **Applicability.** The administrative adjustment process is intended to provide flexibility for application of specific standards to sites where it is clear that an alternative approach with minor or de minimis modifications of the standards will equally or better meet the purpose, intent or design objectives of these regulations. Specifically it applies to:

1. Altering a building standard, such as setback, area or height ~~by less than five percent of the stated standard~~.
2. Reducing a site design standard, such as a landscape requirement, parking quantity or location, open space requirement or dimension ~~by less than 10 percent of the required standard~~.
3. Deviating from any building design standard, where an alternative "equal or better" standard is proposed by the applicant.
4. In any of these cases the adjustment cannot create conflicts with any other applicable standard.

B. **Specific Procedures and Allowances.** Applications for administrative adjustments shall follow the same procedures required for a site plan and design review or administrative site plan,

whichever is applicable. In administrative site plan cases where the Director is the decision authority, administrative adjustments may be granted by the Director. In the case of site plan and design review where the Planning Commission is the decision authority, administrative adjustments may be granted only by the Planning Commission.

1. Administrative Site Plan cases:
    a. Altering a building standard, such as setback, area or height by up to 10% of the stated percent (e.g. the stated percent is 30% then the adjustment allowed is up to 3 percentage points) or numeric (e.g. the stated number is 30 then the adjustment allowed is up to 3) standard respectively.
    b. Reducing a site design standard, such as a landscape requirement, parking quantity or location, open space requirement or dimension by up to 10% of the stated percent (e.g. the stated percent is 30% then the adjustment allowed is up to 3 percentage points) or numeric (e.g. the stated number is 30 then the adjustment allowed is up to 3) standard respectively.
    c. Deviating from any building design standard, where an alternative "equal or better" standard is proposed by the applicant.
2. Site Plan and Design Review cases:
    a. Altering a building standard, such as setback, area or height by up to 20% of the stated percent (e.g. the stated percent is 30% then the adjustment allowed is up to 6 percentage points) or numeric (e.g. the stated number is 30 then the adjustment allowed is up to 6) standard respectively.
    b. Reducing a site design standard, such as a landscape requirement, parking quantity or location, open space requirement or dimension by up to 20% of the stated percent (e.g. the stated percent is 30% then the adjustment allowed is up to 6 percentage points) or numeric (e.g. the stated number is 30 then the adjustment allowed is up to 6) standard respectively.
    c. Deviating from any building design standard, where an alternative "equal or better" standard is proposed by the applicant.

C. **Review Criteria.** In considering an administrative adjustment, the Director and Planning Commission shall find that the following criteria are met.

1. The relief requested is compatible with the surrounding area in terms of building scale, building form, and landscape and site design.
2. The relief requested supports the intent and applicability of the zoning district.
3. The relief requested is based upon sound planning and urban design principles that are consistent with the intent and objectives behind the applicable standard.
4. Compliance with the standard is not practical due to some factors specific to the site or context.
5. The relief requested is not strictly for the convenience of the applicant or a specific tenant, and is the minimum necessary to result in the best design for the site.
6. The relief requested produces no perceived impact on the adjacent property or public realm, than would otherwise occur if the standard were met.
7. The relief requested may be limited to specific conditions, or proposed alternatives that equally or better meet the intent of the applicable standard.
8. In the case of any specific standard where exceptions or alternative compliance is identified in this Code, the relief shall be limited only to the extent identified with that standard. (Ord. 2518 § 2 (LDC § 3.08))

Chapter 17.05 Zoning Districts and Use Standards

The second issue previously identified in relation to a mobile home community was the requirement of a conditional use permit for a manufactured / mobile / micro home community within the only zoning district which allows such use. The RM-P Residential Manufactured and Mobile Home Planned District is a special district that addresses a variety of development standards per Section 17.06.020. The proposed adjustment would change such use from a conditional use to a permitted use in the RM-P district subject to the standards in Section 17.06.020.

The second set of proposed changes has to do with the placement of temporary offices at residential construction and development sites. Recently staff has received an inquiry regarding the placement of such an office on a residential development site. Such an office would be considered a temporary use and as such would not be allowed in a residential zoning district. The potential changes would allow the placement of temporary construction / sales offices on residential construction / development sites in residential districts within the parameters outlined. Minor language adjustments have been made since January 26, 2021 to clarify that such offices are in support of residential development.

17.05.030 General Use Standards

A. **Permitted Uses.** In order to implement the intent of each zoning district, facilitate complementary transitions between districts, and to regulate a variety of compatible uses within zoning districts, use categories and general uses have been established for principal uses of land and buildings. Table 5-2 indicates permitted uses (P) subject to general district and building type standards, permitted accessory uses (A) subject to specific accessory use standards, temporary uses (T) subject to limited permits, and conditional uses (C) subject to the discretionary review process in GMC 17.03.050. All uses may be subject to more specific standards, limitations and performance criteria as identified by an asterisk in Table 5-2 and in GMC 17.05.040, 17.05.050 and Chapter 17.11 GMC. Use categories, general uses and specific types of uses are more specifically described in subsection (B) of this section.

Table 5-2: Use Table

	Residential Districts								Nonresidential Districts							
	A	RE	R-1	R-2	R-3	R-4	R-5	RM-P	C-O	CO-A	C-1	C-2	C-3	M-1	M-2	REC
RESIDENTIAL DWELLINGS																
Manufactured/Mobile/Micro Home Community								~~C~~P*								
Temporary Use (See Section 17.05.050 Y)	T*								T*	T*	T*	T*	T*	T*	T*	T*

17.05.050 Specific Use Standards

Y. Temporary Use. Where temporary are permitted (as indicated in Table 5-2), all of the following standards shall be met:

4. No portion of the temporary use, or accessory activities associated with the temporary use, shall be located within 30 feet of the property line of an existing residence or a residentially zoned district except for the following:~~.~~

a. *Temporary Offices at Residential Construction / Development Sites may be placed within* a residentially zoned district (see item 8 below) subject to applicable setbacks and separation distances.

8. The duration of the temporary event / use shall be limited as follows (does not apply to Food and Beverage – Mobile uses):

a. Special events – no more than seven days.
b. General merchandise sales or services – no more than seven days.
c. Seasonal sales – no more than 90 days.
d. Temporary Offices at Construction / Development Sites –
   1. May be used on the site of a construction / development project if they are removed upon completion of the project. A temporary use permit and building permit is required for all temporary offices.
   2. In residential districts, any temporary offices may only be located in a model home and must cease upon the issuance of a certificate of occupancy for the last residential dwelling unit for the subdivision or project or, in the case of a subdivision or project for which approval has been given for phased development, for the last dwelling unit for that phase.
   3. Temporary trailers may be used for temporary construction / sales offices associated with residential development, but the placement of such cannot occur until a building permit for a model home is issued and the trailer is allowed only until the model home is completed. All trailers shall be removed once the model home is completed and ready for use.

~~d~~e. Or other appropriate administrative limitation based on the specific use and context of the proposed location.

ACTION / RECOMMENDATION

Planning Commission shall conduct a public hearing, as published, per Section 17.03.110 in order to consider public comment related to the proposed text amendments. After closing the public hearing the Planning Commission shall discuss the proposed amendments and make a motion to recommend one of the following:

1. Approval of the proposed amendments as presented, or
2. Approval of the proposed amendments with modifications, or
3. Disapproval of the proposed amendments.

Planning staff recommends that the Planning Commission recommend approval of the proposed amendments and forward such recommendation to the Governing Body.