

CITY OF
TOPEKA

A G E N D A

TOPEKA PLANNING COMMISSION

MONDAY, APRIL 15, 2024
6:00 P.M.

214 EAST 8TH STREET
CITY COUNCIL CHAMBERS, 2ND FLOOR
MUNICIPAL BUILDING
TOPEKA, KANSAS 66603

MEETINGS ARE LIVESTREAMED AT WWW.TOPEKASPEAKS.ORG

Persons addressing the Planning Commission will be limited to four minutes of public address on a particular agenda item. Debate, questions/answer dialogue or discussion between Planning Commission members will not be counted towards the four-minute time limitation. The Commission by affirmative vote of at least five members may extend the limitation an additional two minutes. The time limitation does not apply to the applicant's initial presentation.

Items on this agenda will be forwarded to the City Council for final consideration.

All information forwarded to the City Council can be accessed via the internet on Thursday prior to the City Council meeting at: <https://www.topeka.org/calendar>



ADA Notice: For special accommodations for this event, please contact the Planning Division at 785-368-3728 at least three working days in advance.

PUBLIC HEARING PROCEDURES

Public Hearings will occur in the following manner:

1. The Topeka Planning Staff will introduce each agenda item and present the staff report and recommendation. Commission members will then have an opportunity to ask questions of staff.
2. If the public hearing involves a rezoning or conditional use permit application, the Chairperson will call for a presentation by the applicant followed by questions from the Commission.
3. Chairperson will then open the public hearing. Each speaker must come to the podium and state his/her name. The time limit is 4 minutes. At the end of each speaker's comments, the Commission will have the opportunity to ask questions.
4. The applicant will be given an opportunity to respond to the public comments.
5. Chairperson will close the public hearing at which time no further public comments will be received. Planning Commission members may inquire of the applicant or staff.
6. Chairperson will then call for a motion on the item. Upon a second to the motion, the Chairperson will call for a roll call vote. Commission members will vote yes, no, or abstain.

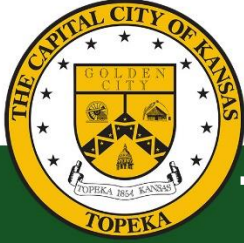
Your cooperation and attention to the above noted hearing procedure will ensure an orderly meeting and afford an opportunity for all to participate. Please Be Respectful! Each person's testimony is important regardless of his or her position. **All questions and comments shall be directed to the Chairperson from the podium and not to the applicant, staff or audience.**

Members of the Topeka Planning Commission

Donna Rae Pearson, 2024 Chairperson
William Naeger, 2024 Vice Chairperson
Willie Brooks
Corey Dehn
Jennifer Hannon
Del-Metrius Herron
Jim Kaup
Katy Nelson
Jim Tobaben

Topeka Planning Staff

Rhiannon Friedman, Director, Planning & Development Dept.
Dan Warner, AICP, Director, Planning Division
Carlton Scroggins, AICP, Transportation Planning Manager
Mike Hall, AICP, Land Use Planning Manager
Annie Driver, AICP, Planner
Bryson Risley, Planner
William Sharp, Planner
Paul Turner, Intern Planner
Megan Rodecap, Zoning Inspector
Amanda Tituana-Feijoo, Administrative Officer
Quinn Cole, Management Analyst



CITY OF
TOPEKA

TOPEKA PLANNING COMMISSION

Agenda for Monday, April 15, 2024

A. Roll call

B. Approval of Minutes – February 19, 2024

**C. Declaration of Conflict of Interest/Ex Parte Communications
by members of the commission**

D. Action Items

- 1. A24-01 Annexation, Reser's Fine Foods** requesting annexation of approximately 41.7 acres located on the north side of SE 6th Avenue and approximately 1,100 feet west of SE Croco Road.
- 2. PUD16/5B Reser's Fine Foods** requesting a major amendment to the Master PUD Plan located at 3728 SE 6th Avenue to include approximately 40 acres of land on the west side of the existing processing facility to allow development of a storage lot for semi-truck trailers.

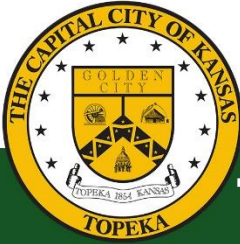
E. Updates

1. Accessory Dwelling Units (ADU) and Missing Middle Parking
2. Planning Commission Incentive Committee
3. Monroe School World Heritage Site (Proposed)

F. Public Comment

G. Communications to the Commission

H. Adjournment



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, February 19, 2024

6:00PM

Members present: Willie Brooks, Corey Dehn, Jennifer Hannon, Del-Metrius Herron, Jim Kaup, William Naeger, Katy Nelson, Donna Rae Pearson, and Jim Tobaben, (9)

Members Absent: (0)

Staff Present: Rhiannon Friedman, Planning & Development Director, Dan Warner, Planning Director; Annie Driver, Planner; Bryson Risley, Planner; Will Sharp, Planner; Amanda Tituana-Feijoo, Administrative Officer; Matthew Mullen, Legal

Roll Call – 2023 Chairman Corey Dehn called the meeting to order with 9 members present for a quorum.

Approval of Minutes from December 18, 2023

Motion by Mr. Kaup to approve; **second** by Mr. Tobaben. **APPROVED** 9-0-0.

Election of 2024 Officers

Nomination of Donna Rae Pearson as 2024 Chair (Motion by Ms. Herron/ second by Mr. Kaup)

Nomination of William Naeger as 2024 Vice Chair (Motion by Ms. Pearson / second by Ms. Nelson)

Both motions passed 9-0-0 by completion of print vote cards.

Ms. Pearson took the gavel.

Declaration of conflict of interest/ex parte communications – NA

Public Hearing of CU23/06 City of Topeka Utilities Department (MTAA Billard Airport Pump Station) requesting a Conditional Use Permit to re-locate and re-build the public utility facility (sanitary sewer pump station) on property zoned “R-1” Single Family Dwelling District and located at 3500 NE Seward Avenue as part of Billard Airport operated by the Metropolitan Topeka Airport Authority (MTAA).

Staff:

Annie Driver presented the staff report and staff’s recommendations of approval.

Questions/Comments from Commissioners:

Commissioner Kaup asked for clarification on the CUP. Ms. Driver stated that it only covers the .22 acres of the easement.

Commissioner Naeger asked for clarification regarding the sound decibel allowed. Ms. Driver stated that there is an antenna associated with the pump station that has a height of 50 feet, and the decibel level for the noise is 55.

Owner Representative:

Angela Sharp, Bartlett and West

Ethan Meyer, Bartlett and West Design Engineer

Zach Stueve, City of Topeka Project Engineer

The purpose of the project is required to provide wastewater services and reliability for the basin. Highway Patrol and MTAA were notified, and both were excited about the project for the reliability of their wastewater service.

Commissioner Kaup asked if there was an existing decibel level associated with the pump station. Ms. Sharp stated that there was not an existing decibel level. Commissioner Kaup stated that he thought the sound of aircraft would be much louder than the decibel level mentioned in the staff report. Ms. Sharp thought the reason the sound decibel was apart of the Conditional Use Permit, was because they have dealt with pump stations in more residential settings. The city did not have an issue with it.

Commissioner Pearson declared the **public hearing open**. With no one coming forward to speak, Commissioner Dehn declared the **public hearing closed**.

Discussion by Commissioners: NA

Motion by Commissioner Kaup **second** by Commissioner Herron **to a recommend APPROVAL of the Conditional Use Permit CU23/06 for use and development of the site in accordance with the approved site plan and operational statement. Approved 9-0-0**

Public Hearing of P23/16 Southland Subdivision #3 A two lot and two tract subdivision on 4.73 acres for duplex development located at the northeast corner of SE Colfax Place and SE 38th Street. This plat provides right-of-way dedication previously shown as a tract on the existing Southland Subdivision No. 2.

Staff:

Bryson Risley presented the staff report and staff's recommendations of approval.

Questions/Comments from Commissioners:

Commissioner Brooks asked for clarification about "tract B" as presented during the presentation, and if the city would be responsible for maintaining that road. Mr. Risley stated that "tract B" is northeast of the property, and that has been identified as a potential issue should the site be developed. At this time, that lot has been identified as not developable. If that area wanted to be relooked at, the developer would have to replat and look at the PUD again. The land is not currently owned by the developer, and that would be a different project completely.

Owner Representative:

Joshua Bielinski, SSB Engineers

Connor Menard, Excel Development Group

Commissioner Pearson declared the **public hearing open**. With no one coming forward to speak, Commissioner Dehn declared the **public hearing closed**.

Discussion by Commissioners: NA

Motion by Commissioner Naeger, **second** by Commissioner Brooks **to recommend APPROVAL of the final plat for Southland Subdivision No. 3 to the Governing Body for acceptance of land to be dedicated for public purpose subject to the conditions in the staff report. Approved 9-0-0**

Public Hearing of CU24/01 by Don Phillippi & Candi Bryant requesting a Conditional Use Permit (CUP) on approximately 0.11 acre located at 116 SW The Drive, presently zoned "R-2" Single Family Dwelling District. The CUP will allow for a non-owner-occupied Type II Short-Term Rental (STR) at this location. A CUP is required because the property is within 500 feet of another Type II STR in the neighborhood with a certificate to operate.

Staff:

Will Sharp presented the staff report and staff's recommendations of approval.

Questions/Comments from Commissioners:

Commissioner Kaup asked about the 500-foot distance limitation. Mr. Sharp confirmed that it couldn't be met. Commissioner Kaup also inquired about the short-term rental ordinance which considers the concern of clustering, and whether this case was only being presented as unique set of circumstances from the staff's perspective. Mr. Sharp confirmed the ordinance referring to the anti-clustering. Mr. Sharp also stated that the 500 feet standard is the average length of a residential block, and although the two short term rentals are close together they are on different streets.

Commissioner Pearson asked if the short-term rental permit for theirs (116 SW The Drive) hadn't lapsed then the other one would have had to seek approval. Mr. Sharp confirmed that was correct.

Commissioner Naeger asked if in the future if someone sees a short-term rental permit about to expire, can they try and swoop in or would there be a sort of "back and forth". Mr. Sharp stated that there was a miscommunication between the planning staff and the applicant. Commissioner Naeger acknowledged that things happen, but asked if there would switching "back and forth" rentals within the neighborhood. Mr. Hall stated that Mr. Naeger's concern is shared by the Planning Department as well. Mr. Hall also informed the commissioners of a map that is on the website which shows all the short-term rentals, but confirmed there are some disadvantages to using it too. Mr. Hall also stated that one thing the Planning Department isn't currently doing is notifying people when they're due for a renewal; however, that doesn't address the main concern shared by Mr. Naeger.

Commissioner Hannon asked if this was only being considered because it was previously allowed. Mr. Sharp stated it would be handled on a case by case basis. Mr. Hall stated it would still have to meet the test of all the factors. Mr. Hall stated that the history is important as the owners have done a good job of maintaining the property.

Commissioner Pearson asked about the distance between the two properties. Mr. Sharp confirmed approximately 260 feet.

Owner Representative:
Don Phillippi & Candi Bryant

Mr. Phillippi stated that a mailing address with a 66205-zip code (Mission, Kansas) was used, and they live in the 66502-zip code. None of the notifications were received by Mr. Phillippi or his wife. Mr. Phillippi stated that the other house was the manager for them. The Planning Enforcement Officer reached out to Candi via phone and left a voicemail.

Commissioner Dehn inquired about the cliental of the property. Mr. Phillippi stated that there are some that are from around town staying to be closer to the hospital, and then some that are just passing through. Commissioner Dehn commented on the beauty of the home.

Commissioner Pearson declared the **public hearing open**.

Nancy Harms, address unknown, stated that the house was originally bought by Candi as her personal property. The only reason it is being used as a short – term rental is because Candi and Don reside in Manhattan now. It is quite the gem of that area, and it is on both historic registries.

With no one else coming forward to speak, Commissioner Dehn declared the **public hearing closed**.

Discussion by Commissioners:

Commissioner Kaup asked for clarification regarding the third condition of the staff recommendation. He would prefer it to state "within six months prior to" the date of expiration. Mr. Hall stated that it was intended to give the applicant some flexibility on either side. Commissioner Kaup expressed concern of the "vagueness" and would prefer it to state "within six months prior to or following the expiration."

With no further questions from commissioners, Ms. Pearson called for a motion.

Motion by Commissioner Dehn, **second** by Commissioner Herron **to a recommend APPROVAL of the Conditional Use Permit for 116 SW The Drive to the Governing Body for acceptance, subject to the following three conditions as amended by Commissioner Kaup. Approved 9-0-0**

Communications to the Commission

1. Mr. Matthew Mullen, City of Topeka Legal Department, was introduced to the commissioners. Mr. Mullen is currently filling Mary Feighny's position.

2. There will be no meeting for March 2024.

3. ADU Update: There will be some public meetings (Citizen Advisory Council, Tennessee Town Neighborhood, and College Hill Neighborhood) in early March and then hopefully some public hearings at upcoming Planning Commission meetings. Commissioner Pearson inquired if Commissioners could attend these meetings, and if information would be sent out to them. Mr. Warner stated that staff would get them that information.

4. Commissioner Kaup spoke about the "Land Value Capture in the United States" article presented by the Lincoln Institute. Mr. Kaup was interested in what other cities are doing to fund their infrastructure, affordable housing programs, and other programs. Mr. Kaup acknowledges some things will not work for Topeka, and asks the Commissioners to look at Chapter 4.

Commissioner Pearson asked how other commissioners could get together to discuss the topic presented by Mr. Kaup. City Staff asked for a select few to work together to lead that, and have a point of action to go through. Commissioners Kaup, Herron, Nelson, and Naeger are interested in meeting to discuss everything. City Staff stated that they would reach out to collaborate schedules.

With no further agenda items, the meeting was adjourned at 7:00PM.



CITY OF TOPEKA

Planning Division
620 SE Madison, Unit 11
Topeka, KS 66607

Dan Warner, AICP, Planning Division Director
Tel: 785-368-3728
www.topeka.org

MEMORANDUM

To: Topeka Planning Commission
From: Dan Warner, AICP; Planning Division Director
Date: April 15, 2024
RE: A24/01 – Annexation request by Reser’s Fine Foods for the two parcels addressed 3600 SE 6th Avenue and 3620 SE 6th Avenue

Proposal

Reser’s Fine Foods Inc. has consented to annexation of 41.7-acres located at 3600 SE 6th Avenue and 3620 SE 6th Avenue (see Map 1). The owner will construct a surface parking lot for semi-trucks and trailers (see Map 2).

The proposed use will not require connection to City of Topeka water or sanitary sewer. However, the site adjoins the already annexed Reser’s Fine Foods on the east. Annexation of this property is appropriate as the proposed development is an intensification of the current land use and annexation will make for a cohesive City boundary.

Background

Unilateral annexations of this type, one in which the property owner has consented to the annexation and the property is contiguous to the City, requires City of Topeka Governing Body approval. However, the Land Use and Growth Management Plan 2040 (LUGMP) established a policy that the Planning Commission review annexations greater than 10 acres for consistency with growth management principles of the LUGMP.

LUGMP Review

The property lies within Tier 3 of the Urban Growth Area (see Map 1). Tier 3 areas are the bulk of the UGA outside of Tier 1. Generally speaking, Tier 3 areas of the UGA are not ready for urbanization because investments have not been made in all five of Topeka’s urban services (fire, police, water, sewer, and streets).

All five of the required services are available to the site because it adjoins the already annexed Reser’s development and land to the south. Water and Sewer, while not requiring connection, are found along SE 6th Avenue. The development will take access from the minor arterial SE 6th Avenue, which is already annexed. City of Topeka Fire Department and Police Department already serve the Reser’s development to the east of the proposed annexation.

The subject property is designated as Urban Growth Area (residential) and Mixed-Use Employment Corridor and Tier 2 by the Topeka Future Land Use Map (see Map 3). The proposed use aligns with the Future Land Use identified in the Land Use and Growth Management Plan 2040.

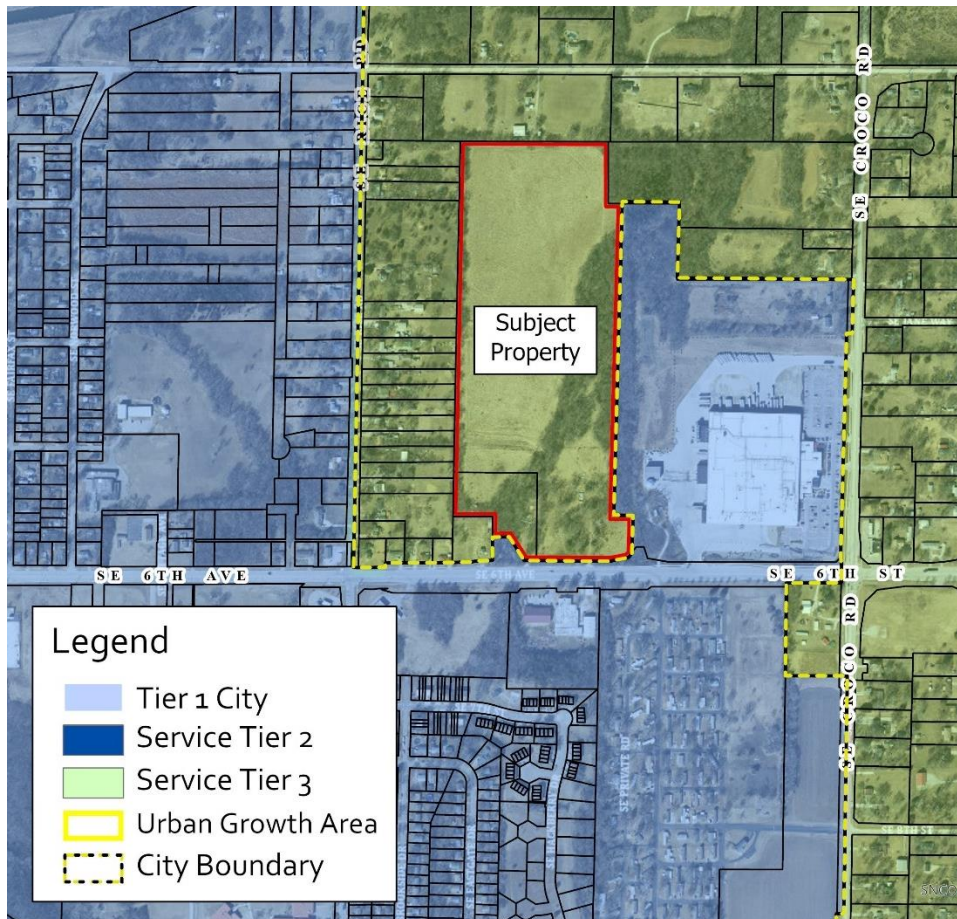
Street Network

Future access to the parking lot will come from SE 6th Avenue, which is a four-lane minor arterial.

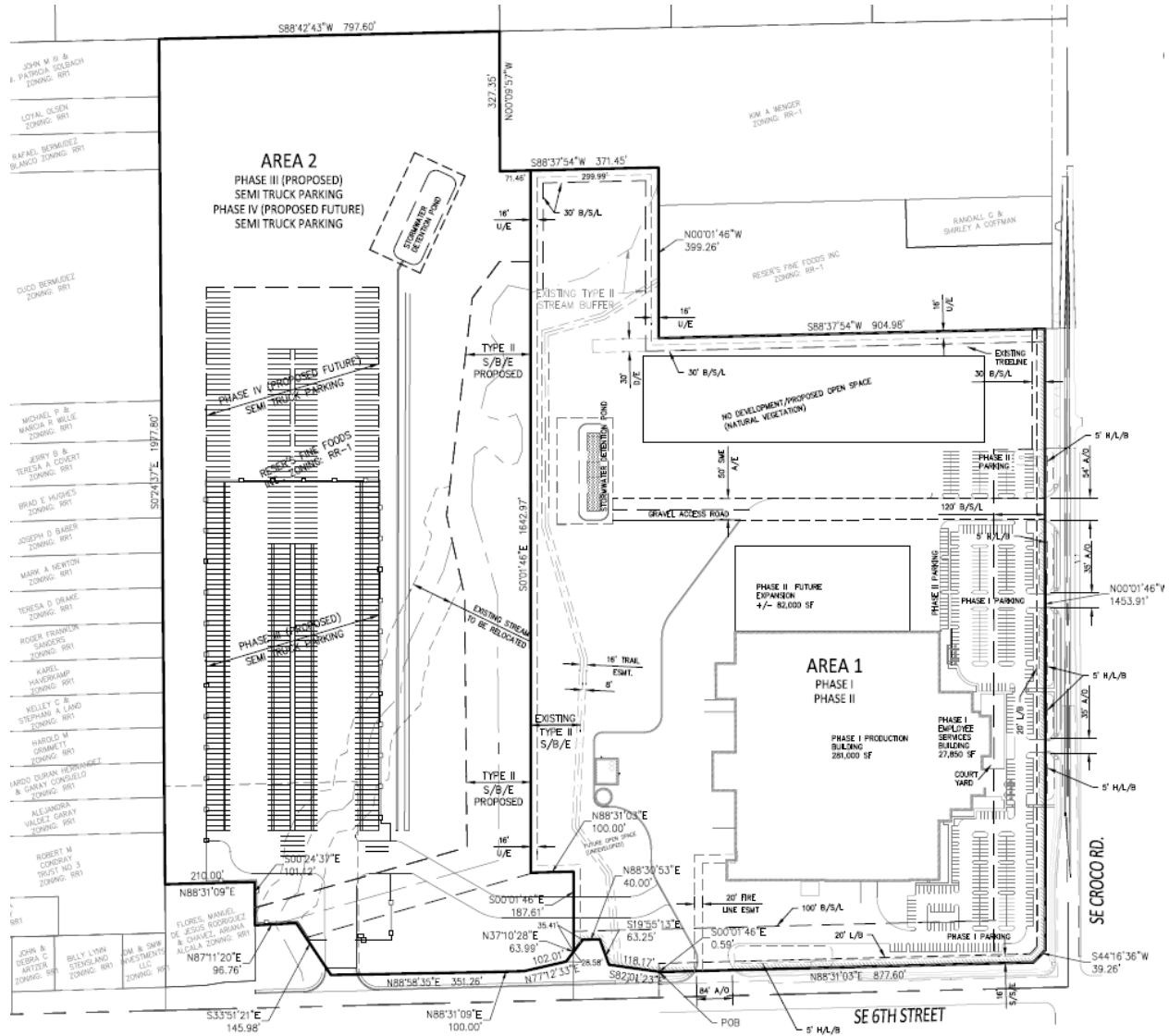
Recommendation

Annexing the subject property is consistent with the Comprehensive Plan.

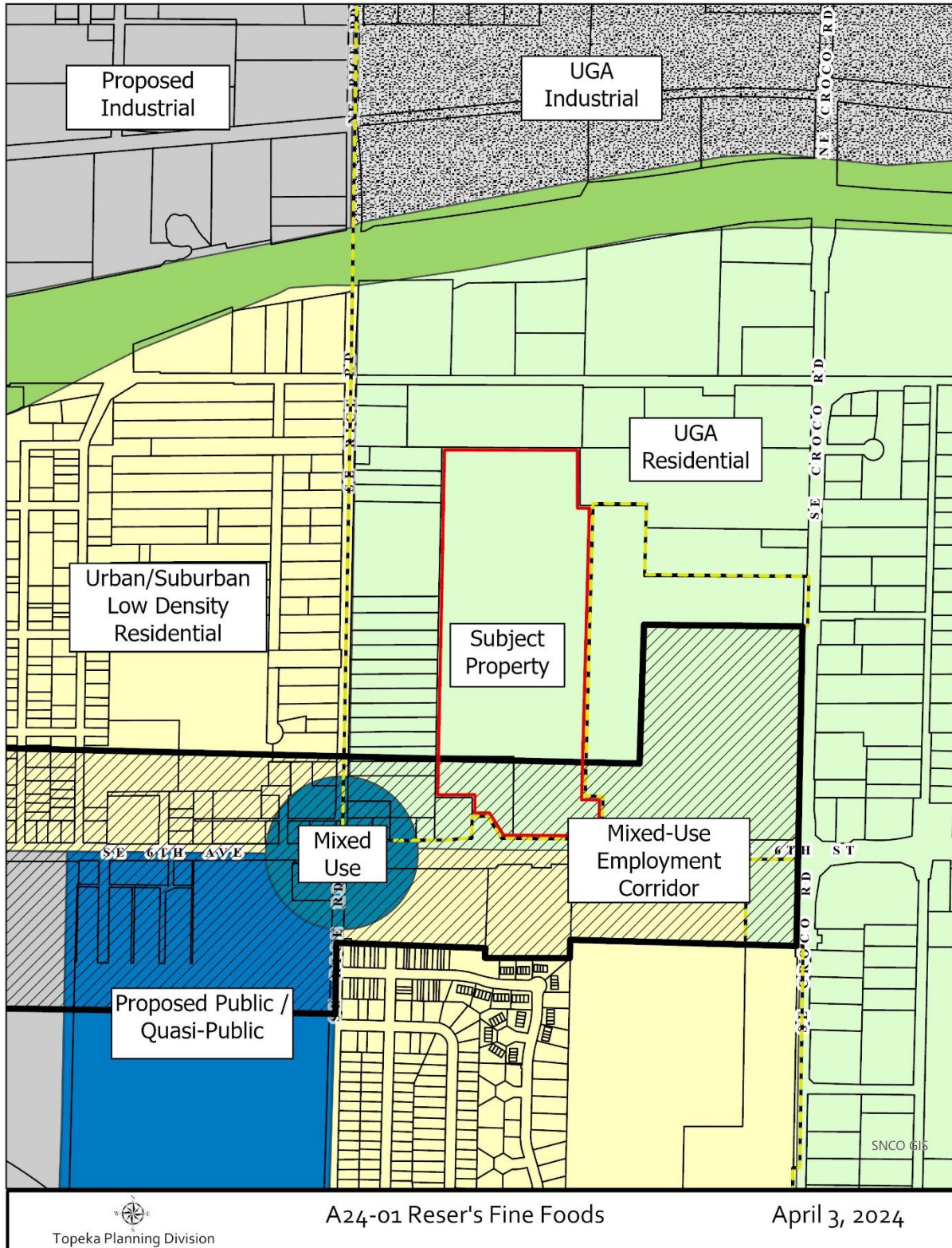
Map 1 – Property Location Relative to the UGA



Map 2 – Preliminary concept from PUD



Map 3 – Future Land Use



Attachments:
Reser's Fine Foods Annexation Fact Sheet

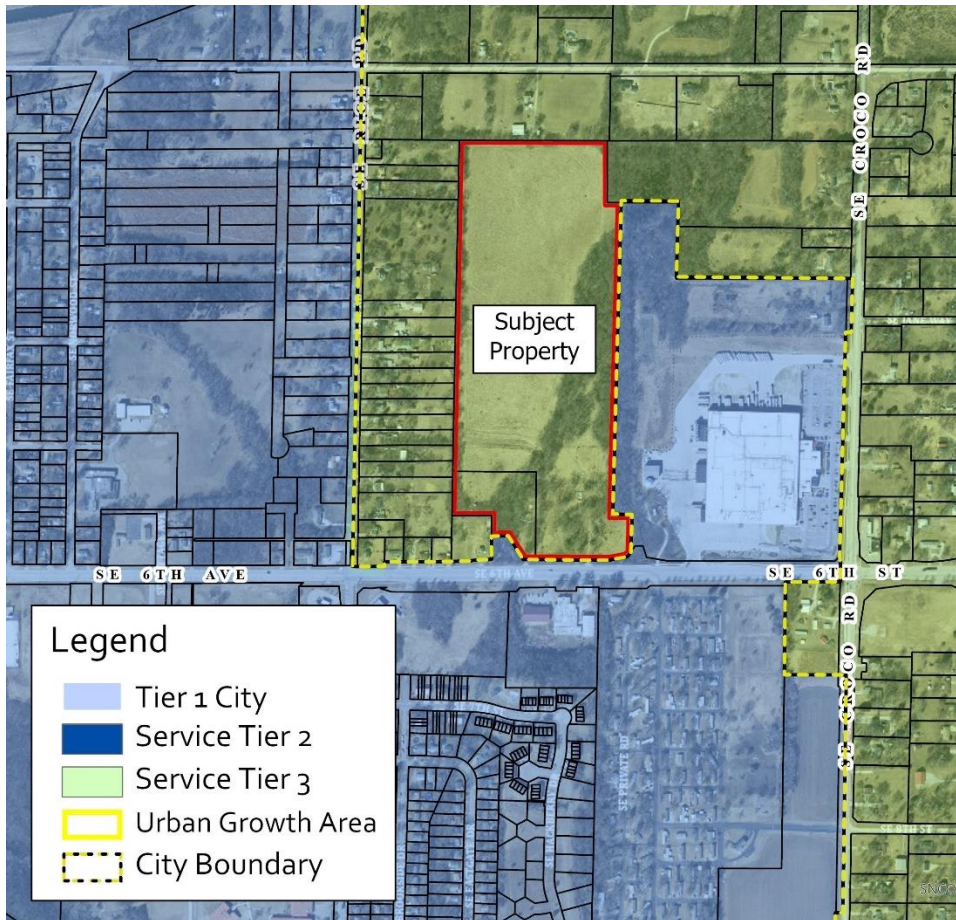
Annexation Proposal
Properties located at 3620 and 3600 SE 6th Avenue
Fact Sheet & Department Comments

Site

Address/Location: 3620 SE 6th Avenue and 3600 SE 6th Avenue
Owner: Reser's Fine Foods Inc
Size: Approximately 41.7 acres
Existing Land Use: Accessory residential support use (garage/shed)
Proposed Land Use: Surface parking
Subdivision: Property will be platted following annexation

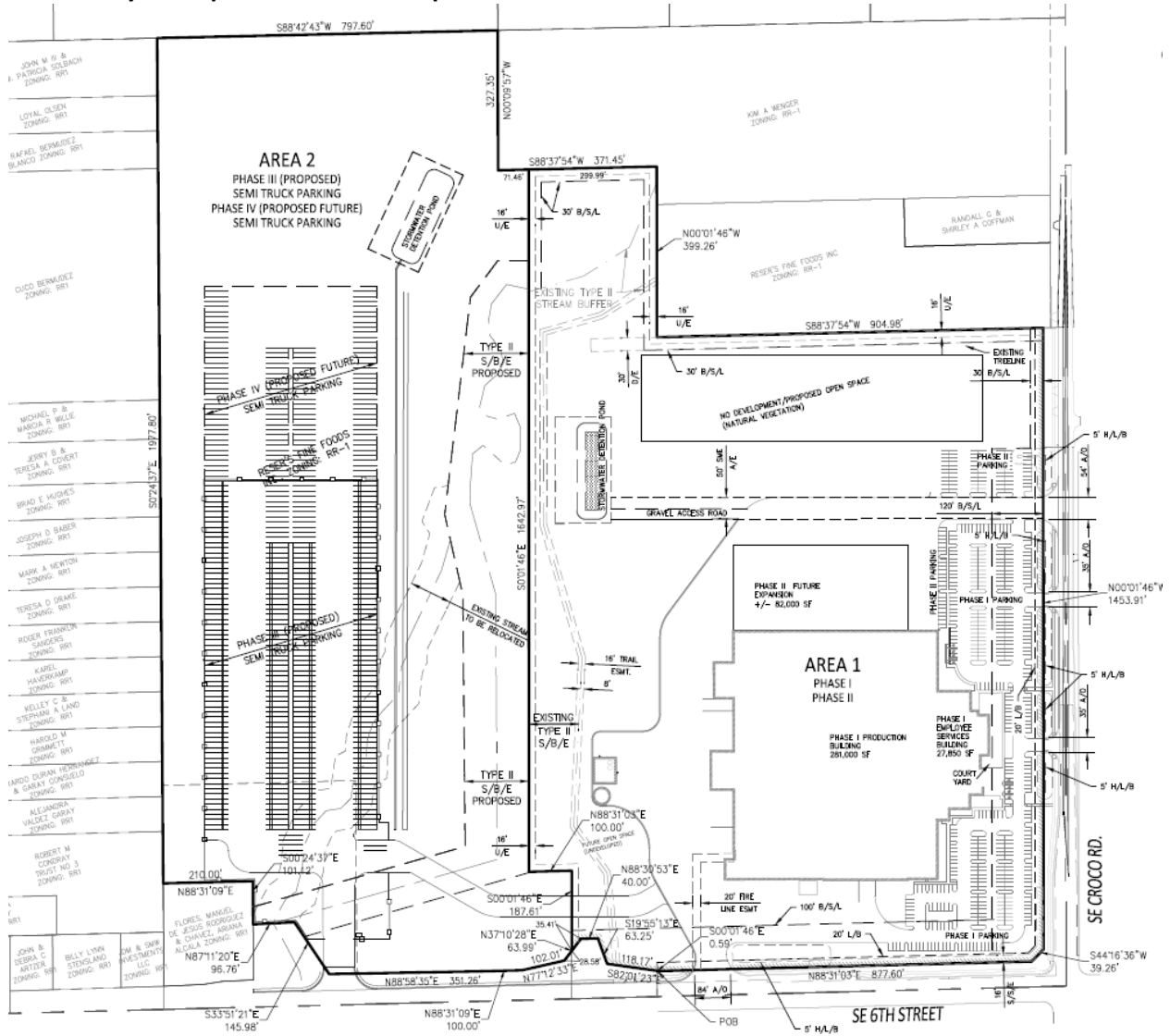
Planning

Existing Zoning: RR-1
Proposed Zoning: PUD with I-1 use group
Current Population: 0 residents
Projected Population: 0 residents
Density: N/A
Comprehensive Plan: Urban Growth Area – Tier 3 (ready for annexation due to all five services being available)
Primary Service Area (Sewer Required): Sewer service is available along the south and east sides of 3620 SE 6th Avenue. The proposed land use will not require sewer service.
Urban Growth Area Map



Annexation Proposal
Properties located at 3620 and 3600 SE 6th Avenue
Fact Sheet & Department Comments

Preliminary concept for future development



Annexation Procedure

Contiguous?: Yes

Consent?: Yes. Owner provided a written consent.

Requirements: Eligible for annexation under KSA 12-520(7). No required hearings or notices. No service extension plan is required.

Approval Method: COT governing body passes ordinance.

Revenue/Expenses Estimates

Annexation Proposal
 Properties located at 3620 and 3600 SE 6th Avenue
Fact Sheet & Department Comments

Property tax revenue to the City of Topeka in 2024 would be approximately **\$374.04** before any development takes place. **Future annual property tax revenue** to the City of Topeka upon build-out of the parking lot is estimated to be greater than **\$813.13**. Current property tax revenue to Tecumseh Township was **\$186.91** in 2023.

There is no existing **utility revenue**. **Future annual COT Stormwater revenue** to the City of Topeka upon development of the property is estimated to be approximately **\$22,008**. Due to the use of the property there will be no sanitary sewer or water revenues.

There are no additional costs to serve the proposed annexation for Fire, Police, and Forestry.

Streets will incur no additional operations or maintenance cost due to the property being annexed at the property line, all new pavement improvements will be privately owned and maintained.

Stormwater will have an annualized operations and maintenance cost of \$240 per year.

Water will not have no additional annualized infrastructure operational and replacement cost.

Sanitary sewer will not have any yearly expenses or revenues.

Utility and Service Providers

	Current	Proposed
Water	COT	COT – N/A
Wastewater	COT	COT – N/A
Fire	Tecumseh Township	COT
Police	Shawnee County	COT
Streets – Local	N/A	N/A
Parks	Shawnee County	Shawnee County
Governing Body	Shawnee County (#2)	COT (#3)

Utilities

The subject property is proposed for a surface parking lot for semi-trailer parking. This use will not require the extension of water or sewer lines. Stormwater will be the only utility that is impacted by the proposed annexation and development.

Streets

The proposed development will utilize the existing SE 6th Avenue (minor arterial) for access. Private drives will be utilized for interior circulation and privately owned by Reser’s Fine Foods, meaning there will be no impact of the COT streets budget.

Metro Bus Service

Fixed-route service is currently offered to this area through bus route #3 which runs from Downtown Topeka to the south and east sides of Reser’s Fine Foods.

Ability to Provide Adequate Public Services

FIRE

Annexation Proposal
Properties located at 3620 and 3600 SE 6th Avenue
Fact Sheet & Department Comments

- 1) What is the estimated cost (operational and capital) to your Department/Division to provide adequate service to the proposed annexation?**

N/A

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes.

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

No additional impacts are anticipated.

Ability to Provide Adequate Public Services
FORESTRY

- 1) What is the estimated cost (operational and capital) to your Department/Division to provide adequate service to the proposed annexation?**

No cost at this time, no trees appear in R-O-W for maintenance.

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

Yes

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

Single small annexations can be taken care of by forestry. However, the cumulative effects of multiple small annexations will ultimately not be sustainable.

Ability to Provide Adequate Public Services
POLICE

- 1) What is the estimated cost (operational and capital) to your Department/Division to provide adequate service to the proposed annexation?**

If completed the proposed annexed area, and stated purpose of proposed construction (parking lot), would not necessitate additional resource expenditure outlay from the Police Department. Adequate service could be accommodated without addition.

- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**

The Police Department resources currently adjacent to the proposed annexed area are capable of providing adequate police service coverage to the proposed development.

Annexation Proposal
Properties located at 3620 and 3600 SE 6th Avenue
Fact Sheet & Department Comments

- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**

There are no identified issues that would negatively impact the ability to provide adequate police service to the annexation area nor any negative impact to police service levels to the existing residents/businesses within the city.

Ability to Provide Adequate Public Services
STREETS

- 1) What is the estimated cost/benefit of providing adequate service to the proposed annexation (in current year \$'s):**
N/A
- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**
N/A
- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**
N/A

Ability to Provide Adequate Public Services
STORMWATER

- 1) What is the estimated cost/benefit of providing adequate service to the proposed annexation (in 2023 \$'s):**
- a. Estimate annualized operations/maintenance cost over the lifecycle of the assets \$1,200 every 5 years.
 - b. Estimate annualized replacement cost of the asset This is based on 100-year replacement cycle.
N/A
 - c. Estimate annualized revenue over the lifecycle of the assets).
\$22,008
- 2) Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**
Yes
- 3) Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**
Appropriate utility easements and stream buffers must be applied.

Ability to Provide Adequate Public Services
WASTEWATER

Annexation Proposal
Properties located at 3620 and 3600 SE 6th Avenue
Fact Sheet & Department Comments

- 1) **What is the estimated cost/benefit of providing adequate service to the proposed annexation (in 2023 \$'s):**
N/A
- 2) **Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**
N/A
- 3) **Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**
N/A

Ability to Provide Adequate Public Services

WATER

- 1) **What is the estimated cost/benefit of providing adequate service to the proposed annexation (in 2023 \$'s):**
N/A
- 2) **Can the estimated cost of service be carried out under your current or anticipated future budget? If not, what would it take to do so?**
N/A
- 3) **Describe any other issues that would affect your ability to provide adequate service to the annexation area, or impact service levels to existing residents/businesses of the city.**
N/A

Ability to Provide Adequate Public Services

Topeka Metro Bus Service

- 1) **Do you currently provide service to this subdivision/immediate area?**
Yes, service is provided on the south side of the property and on the east side of Reser's.
- 2) **If not, can you provide service?**
N/A
- 3) **What is the estimated cost of providing service to this subdivision?**
Service already provided.

**STAFF REPORT – PLANNED UNIT DEVELOPMENT
TOPEKA PLANNING DEPARTMENT**

PLANNING COMMISSION DATE: Monday, April 15, 2024

APPLICATION CASE NO

PUD16/5B – Reser’s Fine Foods Planned Unit Development

REQUESTED ACTION / CURRENT ZONING:

AMENDMENT to the Master Planned Unit Development (PUD) Master Plan (I-1 uses) to include the property to the west at 3620 SE 6th Avenue/Street in the Reser’s Fine Food Master Planned Unit Development Plan, which will enable the construction of storage lot for the parking of approximately 405 semi-truck trailers.

APPLICANT / PROPERTY OWNER:

Reser’s Fine Foods

APPLICANT REPRESENTATIVE:

Kevin Holland, Cook, Flatt, and Strobel Engineers

PROPERTY ADDRESS & PARCEL ID:

Generally lying at the northwest intersection of SE 6th Street and SE Croco Road, addressed as 3620 SE 6th Avenue and 3728 SE 6th Avenue

Parcels being added to the PUD master plan:
3600 SE 6th Avenue / 1083404001031020
3620 SE 6th / 1083404001031000

PARCEL SIZE:

84.7 acres (all parcels)

STAFF PLANNER(S):

Michael Hall, AICP, Land Use Planning Manager

RECOMMENDATION:

APPROVAL subject to conditions in the staff report

RECOMMENDED MOTION:

I move to recommend **APPROVAL** to the Governing Body of the proposed amended PUD Master Plan subject to the conditions recommended by staff.



Site of Semi-Truck Trailer Parking Area as seen from SE 6th Ave.



Existing Reser's Plant, View from SE 6th and Croco Rd.



Existing Reser's Plant, Northernmost Driveway on Croco Rd.

PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY:

The PUD allows the construction of a 560,000 sf truck trailer storage lot for approximately 405 semi-truck trailers associated with Reser's at the NW corner of SE 6th and Croco Road and other Reser's operations at SE 6th and Deer Creek Parkway and SE 10th and Deer Creek Parkway.

Truck and Trailer Storage: The proposed parking facility is intended primarily for the parking of semi-trailers. Its primary use for the parking and staging of trailers. Parking and staging of tractors (trucks) and trailers combined is secondary. The staging of trucks and trailers in combination will, for the most part, be for not more than two hours and will occur mainly at the south end of the lot near the guard shack. Most trailers stored without trucks will be refrigerated and contain raw materials waiting for unloading and processing or will contain finished goods waiting to be picked

up. Refrigerated trailers will generate noise. The owner expects up to one half of the potential 250 parked trailers will have their refrigeration units running. That number could increase at times of high peak demand which may occur during Summer.

DEVELOPMENT / CASE HISTORY:

The location of the existing plant was annexed, platted and rezoned to accommodate a Reser's manufacturing and processing facility in 2017 from "RR-1" to "PUD" (I-1 zoning).

**PUD MASTER PLAN ELEMENTS
(PROPOSED):**

The PUD Master Plan is a regulating plan and not intended as a site plan or landscape plan. The owner/applicant will be required to submit a Site Development Plan (Site Plan Review application) for review prior to application for building permits. The Site Development Plan will be reviewed for compliance with the conditions and requirements on the PUD Master Plan.

**DEVELOPMENT PHASING
SCHEDULE:**

The applicant proposes a two – phased development of the site for parking, along with any associated storm water detention to detain and treat water runoff. Phase 1 of the semi-truck trailer lot includes 255 spaces for trailers and Phase 2 includes and additional 150 spaces. The Stormwater Management Plan will be approved by the City of Topeka Department of Utilities at the time of subdivision plat.

**PARKING, CIRCULATION &
TRAFFIC:**

Semi-trucks will enter the parking lot on Area 2 directly from 6th Avenue and across the stream channel from the plant on the east and directly from SE 6th Avenue.

SETBACKS, AND DESIGN:

For the semi-truck trailer parking lot (as shown on the master plan):

- North – Approximately 500 ft. setback
- South– 100' parking setback
- East – Not applicable / separated from east line by existing plant
- West – 100 ft. and minimum 60ft. required setback

LANDSCAPING:

A Landscape Plan subject to TMC 18.235 including parking lot front yard setback and residential buffer yards will be required at the time of Site Plan Review Application. The PUD Master Plan gives the Planning Department the discretion to approve the required setbacks and landscaping greater than what is typically required by code.

SIGNAGE:

"I-1" Light Industrial District use group unless otherwise stated

PROJECT DATA:

Use: "I-1" use group for "Manufacturing and Processing, Types I and II only.

VARIANCES REQUESTED:

A variance to the stream buffer requirements (chapter 17.10 of municipal code) from the City of Topeka Department of Utilities to relocate the west stream has not been approved yet. The variance

is required to allow the current location of the parking lot. If the variance is not approved, the parking lot may need to be re-located further west and north, moving it closer to the residential lots along Rice Road.

COMPLIANCE WITH DEVELOPMENT STANDARDS AND GUIDELINES

The Master PUD Plan establishes development standards and guidelines, as indicated above.

OTHER FACTORS

SUBDIVISION PLAT:

The site is not platted as a subdivision. An approved subdivision plat including all un-platted property is required prior to issuance of any permits.

Ion TRANSPORTATION/MTPO:

SE 6th Street is classified as a minor arterial and is a full five lane arterial street extending east to the K-4 Highway/6th Street interchange. SE Croco Road is classified as a minor arterial and is two lanes north and three lanes south of SE 6th Street. A sidewalk along SE 6th between the subject site and Rice Rd, bus stop on Croco and improvements to SE Croco were made by Reser's at the time of site development. There is an existing sidewalk along SE 6th where the proposed truck & trailer parking area fronts on 6th.

The CUP application includes a Level 2 – Traffic Impact Study performed by the applicant. The traffic study with review comments by the Topeka engineering staff are attached. Per the traffic study, SE 6th and other affected streets have the capacity to accommodate the proposed development without need for substantial improvements to the existing streets.

UTILITIES:

If required, utilities will be extended at the expense of the developer..

The existing Reser's plant includes wastewater and water utilities. The proposed truck trailer storage facility will not generate wastewater. Use of additional water will be minimal and perhaps may include irrigation for landscaping.

FLOOD HAZARDS, STREAM BUFFERS:

The property is affected by a Type II stream buffer transecting the property southwest to northeast. The conceptual location of the storage lot will require approval of the stream channel relocation by the Department of Utilities. Otherwise, the storage lot will be shifted north and west of the currently depicted location on the master plan.

HISTORIC PROPERTIES:

There are no "listed" historic properties in the neighborhood.

NEIGHBORHOOD MEETING:

The applicant held a Neighborhood Information Meeting on Thursday, March 14, 2024. The major issues expressed at the meeting were primarily related to: Landscape buffering and fencing for screening, noise and light pollution from trucks, and existing truck circulation at the plant. The applicant’s latest revision to the PUD Master Plan (received April 2, 2024) and the conditions recommended by staff are intended to address these issues. The applicant’s report to the City is attached and outlines some substantial concerns of the neighborhood with both the proposed and existing development.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

ENGINEERING/STORMWATER:	Detention and stormwater treatment for water quality are required to address any increase in runoff from the new impervious surface contained within Area 2 attributed to two 100 year storms. The existing Stormwater Report and Management Plan (February 28, 2017) and detention pond only addressed water quantity and quality requirements for Area 1. A separate detention and treatment facility is required for Area 2, as well as, approval of the relocation of the stream channel by the Department of Utilities.
ENGINEERING/TRAFFIC:	A Level 2- Traffic Impact Study was completed by the consultant as required by the City Traffic Engineers assessing new trips generated compared to existing trips, on-site circulation, and location of new proposed driveway openings along SE 6 th Avenue. The traffic study with review comments by the Topeka engineering staff are attached. Per the traffic study, SE 6 th and other affected streets have the capacity to accommodate the proposed development without need for substantial improvements to the existing streets.
FIRE:	The Fire Department has indicated they do not foresee issues with the proposed PUD amendment and will review and approve future plans prior to construction for access and fire suppression requirements.
DEVELOPMENT SERVICES:	Parking Lot Permits and Site Construction Activity Permits are required with each phase of development prior to any land clearing, disturbance or grading on the site

KEY DATES

SUBMITTAL:	February 16, 2024
NEIGHBORHOOD INFORMATION MEETING:	March 14, 2024
LEGAL NOTICE PUBLICATION:	March 20, 2024
PROPERTY OWNER NOTICE MAILED:	March 22, 2024

STAFF ANALYSIS

CHARACTER OF THE NEIGHBORHOOD:

The character of the surrounding neighborhood is varied. The lands immediately west and south of the property fronting on SE Rice Road and SE 2nd Street consist of residential properties, mostly on narrow lots, so approximately 1 to 8 acres in size (average lot size 2.8 acres). The primary commercial properties on the south side of SE 6th Avenue and south of the site include Casey's Convenience Store and a cabinet manufacturing establishment. A City of Topeka fire station and the grounds of the women's state penitentiary are at the southwest corner of SE 6th and Rice Road about 900 feet west of the subject property. There is a convenience and liquor store at the NE corner of SE 6th and Croco Road approximately ½ mile to the east of the subject site.

The proposed PUD master plan, with conditions recommended by Planning staff, will not substantially alter the physical character of the neighborhood. The master plan includes a requirement that many of the mature trees on the site be preserved.

The applicant will take primary access to the site across a stream channel from SE 6th and their immediate property to the east. A new gated access off of SE 6th Avenue will be provided with guard house on the SE 6th Avenue frontage.

The native vegetated area transecting the south and east property boundaries will provide a setback of 200 feet or more and a natural buffer from SE 6th Avenue. The applicant has proposed relocating the channel. However, relocation of the channel requires the approval by the State Division of Water Resources and City of Topeka Department of Utilities and the site design is contingent upon this relocation of the channel. Staff has recommended minimum setbacks to the west property line in the event the parking lot has to shift north and west to circumvent the channel.

ZONING OF PROPERTIES NEARBY:

The zoning of surrounding properties is "RR-1" Rural Residential Dwelling District to the west, "C-4" Commercial District to the south and "I-1" Light Industrial District to the immediate south (Casey's Convenience Store and Mobile Home Park), and "R-1" Single Family Dwelling District to the southwest (Women's State Prison). The existing Reser's processing plant (PUD / I-1) is located to the immediate east, separated by the stream channel, which provides a native vegetated buffer strip. For now and the immediate future properties along the west and north boundaries of the site will remain outside city limits and thus subject to Shawnee County zoning regulations.

LENGTH OF TIME THE PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER THE PRESENT CLASSIFICATION:

The properties being added into the PUD Master Plan to allow trailer parking has been a rural single family residential site since at least 1959 and intended for agricultural uses in the County. Until recently there was a single family residence on the property. That residence has been removed. The surrounding properties west of Rice and south of 6th were annexed in 1969 and 1986, respectively, and have remained predominantly for a mix of uses and rural residential lots.

SUITABILITY OF USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED:

The property (Area 2 on the master plan; west of the existing Reser's plant) appears to be suitable for uses under its current RR-1 zoning. There may be other uses other than the current zoning to which the site is also well-suited. The property may be suitable for single family or medium density residential development as the Reser's plant (a light industrial use) to the east is separated from the site by a stream buffer, which provides for a natural and native transition and barrier to encroachment of incompatible development.

Area 2 on the master plan is also suitable for light industrial land use. The original PUD master plan was approved in 2017 and established the area for industrial development. Furthermore, the site is easily accessible to and from the major highways of K-4, I-70 and the Kansas Turnpike. All infrastructure investments that have been made contribute to making

the property desirable for industrial uses. These factors remain unchanged with the current rezoning and annexation proposal.

CONFORMANCE TO THE COMPREHENSIVE PLAN:

If the annexation is approved, the subject property will lie within Tier 1 of the Urban Growth Area. The Land Use and Growth Management Plan-2040 (LUGMP) indicates these areas are the first priority for future growth/urban development if the full suite of urban infrastructure is readily available to the property or can be extended by the developer at a reasonable cost. Therefore, approval of the annexation is required concurrently with approval of the PUD rezoning.

The proposed amended PUD master plan is consistent with The Land Use and Growth Management Plan (LUGMP) The Comprehensive Plan Amendment case approved in 2017 amended the LUGMP and designated the area along SE 6th Avenue/from Deer Creek Parkway to SE Croco Road “6th Avenue/Street Mixed Use Employment Corridor”. This “Employment Corridor” was created because of the significant infrastructure investments made in transportation and utilities. The category “permits employment related land uses if developed as a Planned Unit Development (PUD) with high standards to mitigate the impacts upon residential. The standards should include landscaping, site design, operational and building design considerations that meet the goal of a ‘clean’ land use compatible to surrounding properties while promoting an appealing mixed-use corridor...”

As recommended, the PUD Master Plan is expected to exhibit a high standard of design to ensure a compatible development with adjacent residential land uses along the north and west property boundaries.

THE EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTAL AFFECT NEARBY PROPERTIES:

The change in zoning to accommodate parking of truck trailers has the potential to detrimentally affect nearby residential properties because of changes in the physical character of the site and noise for the staging of idling trucks and refrigerated trailers. To a lesser extent there is potential for odor, pollution, lighting, stormwater, and traffic.

Requirements of the master plan will help to mitigate negative effects associated with noise, odor, lighting and other negative external effects associated with unloading/loading and storage of semi-trucks on the site where it is adjacent to residential use or zoning. The primary negative effect of the land use is anticipated to be from the noise generated by refrigerated semi trailers waiting to load or unload. Information from various sources on the internet indicate the noise level of refrigerated trailers to be 74 decibels, measured at the specific location of the refrigerated trailer, and is comparable to the level of noise generated by a home vacuum cleaner (75 decibels) but much less than a snow blower (85 decibels) or lawn mower (90 decibels). The PUD Master Plan requires a combination of berms, fencing, and setbacks to reduce noise. The PUD Master Plan includes a requirement that the noise level be no more than 60 decibels measured along the west and north property lines. The noise level of normal conversation is 60 decibels according to various sources. A landscape plan that demonstrates compliance with these requirements will be required at the time of site plan review.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER’S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER:

The proposed PUD master plan strikes an appropriate balance among the interests of adjacent property owners, the general public, and the owner of the subject property. Potential negative effects of the development are mitigated by setbacks, landscaping, fencing, landscaping and other requirements. The proposed PUD zoning provides for a light industrial use but with development standards far exceeding what is required under I-1 light industrial zoning required for truck and truck trailer parking. The proposed rezoning allows a large manufacturer and employer to maintain operations and flourish, which benefits the general public Restricting the property to its current zoning prevents the owner from using the site for truck trailer parking needed to support business operations. It is far from clear that restricting the property to its current zoning or another low or medium density residential zoning will lead to residential development.

AVAILABILITY OF PUBLIC SERVICES:

All essential public utilities, services and facilities are available to the area and will be extended at the expense of the developer, if required. The applicant prepared a traffic impact study indicating the current adjacent street system to have capacity to support the proposed land use without substantial improvements to transportation infrastructure.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

The PUD Master Plan establishes development standards and guidelines as indicated or as conditioned in the staff report. A subdivision plat for Reser's Croco Subdivision #3 that will merge this parcel with Reser's is required. Approval of a Stormwater Management Plan will be required as a part of the subdivision plat approval process.

STAFF RECOMMENDATION

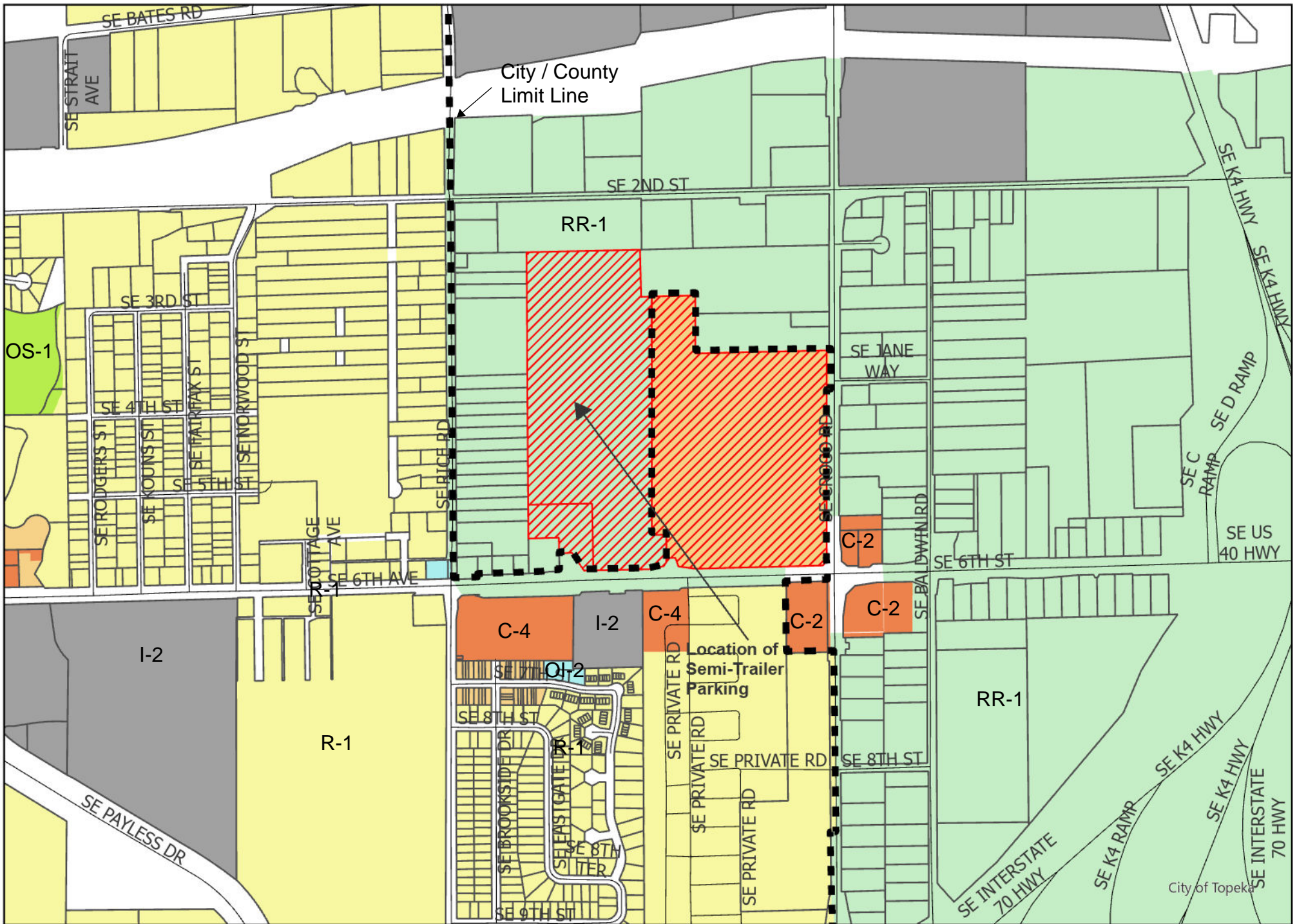
Based upon the above findings and analysis the Planning Department recommends **APPROVAL** of the proposed PUD amendment, subject to the following conditions being depicted on the PUD Master Plan.

1. Add note under General Notes: *"Use and development of the site in accordance with the Planned Unit Development Master Plan for Reser's Fine Foods-Amendment #2 as recorded and amended with the Office of the Shawnee County Register of Deeds, submittal and administrative approval of a Site Plan Review Application that demonstrates satisfactory compliance with all conditions and requirements established by the PUD Master Plan, the construction and continued implementation of all conditions of approval that have been established by the PUD Master Plan."*
2. Revise Phasing Schedule for Area 2 to reflect the phasing of the truck trailer parking area as the current note is not correct.
3. Add the following to the end of Note #1: "...unless stated otherwise on the PUD Master Plan."
4. Revise note #2 under General Notes to include: "... approved by the Planning Director for each phase..."
5. Under General Notes, in note #8, replace "60' along the west and north property line" with *A minimum of 60 feet along the west property line and 200 feet along the north property line*". The minimum 60' and 20' setbacks shall be depicted graphically on the master plan.
6. Under General Notes, in note #9, add *"adjacent to the truck trailer parking area"* at the end of the first sentence. In the second sentence add *"onto the site"* after "allowed."
7. Under General Notes, add note: Semi trucks and trailers north of the primary building and waiting to load or unload materials or products shall park no closer than 200 feet from the east property line along Croco Road.
8. Under Variance Notes, delete note #1.
9. Revise note #2 under Variances to state: *"Relocation of the western stream channel transecting Area 2 shall require approval of a variance to TMC 17.10.080 by the City of Topeka Department of Utilities and approval by the Division of Water Resources, if needed. If the variance is not approved, the trailer parking lot may be shifted north and west with the exact location determined at the time of Site Plan Review Application provided a minimum 75' building setback is still maintained from the edge of the parking lot to the west property line."*
10. Under Circulation, Parking & Traffic Notes, replace note #1 with *1. The quantity and design of accessible parking shall comply with the Americans with Disabilities Act (ADA).*

11. Under Signage Notes, delete note #1.
12. Under Signage Notes add note: *One freestanding sign is permitted at each vehicular entrance from SE Croco Road and SE 6th Avenue but shall be limited in size to 40 square feet and in height to 10 feet on Croco Road and limited in size to 50 square feet and height to 15 feet on SE 6th Avenue.*
13. The Landscape Notes heading, add “*and Fencing*” after “Landscape.”
14. Under Landscaping and Fencing Notes replace note #4 with: To mitigate noise from the truck and trailer parking, provide combination of a landscape berm and opaque fence along the south, west, and north property boundary adjacent to the truck trailer parking area where the site abuts lands zoned or used for a residential land use. The combination of berm and opaque fence shall obtain a minimum height of 8 feet above the finished grade of the truck trailer parking and storage area located, and the finished grade of the truck trailer parking area shall be at an elevation of no less than 10 feet from the west property boundary.
15. Under Landscaping and Fencing Notes, in note # 5 add “*shall be preserved and maintained*” at the end of the first sentence.
16. Under Building Notes, replace note #5 with “*The noise level from buildings, equipment, and trucks on site shall be maintained to 60 decibels or less within five feet of the property line.*”
17. Add the following under Utility Notes: “Sewer and water shall be provided by the City of Topeka. Connections and any required extensions shall be made at the expense of the developer.”
18. The owner shall add a fence, landscaping, or a combination of both to the berm along the east property line south of the northernmost driveway entrance. The combination of berm, fence, and landscaping shall provide a visual screen extending to a height of 6 feet measured from the current finished grade at the property line.

ATTACHMENTS:

Aerial Map
Zoning Map
Future Land Use Map
Master PUD Plan
Traffic Impact Study with City Engineering Staff Comments
NIM report/attendance



PUD16/5B Reser's Fine Foods Inc. - Revision #2- Zoning Map



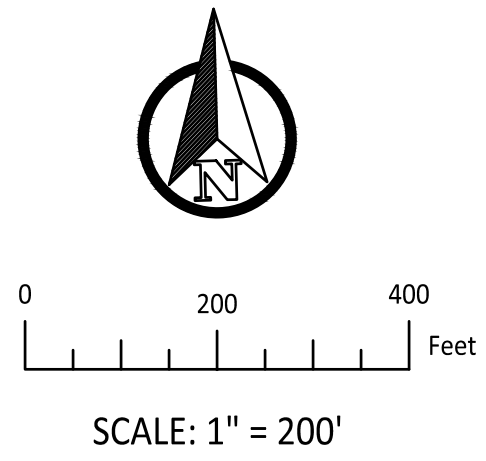
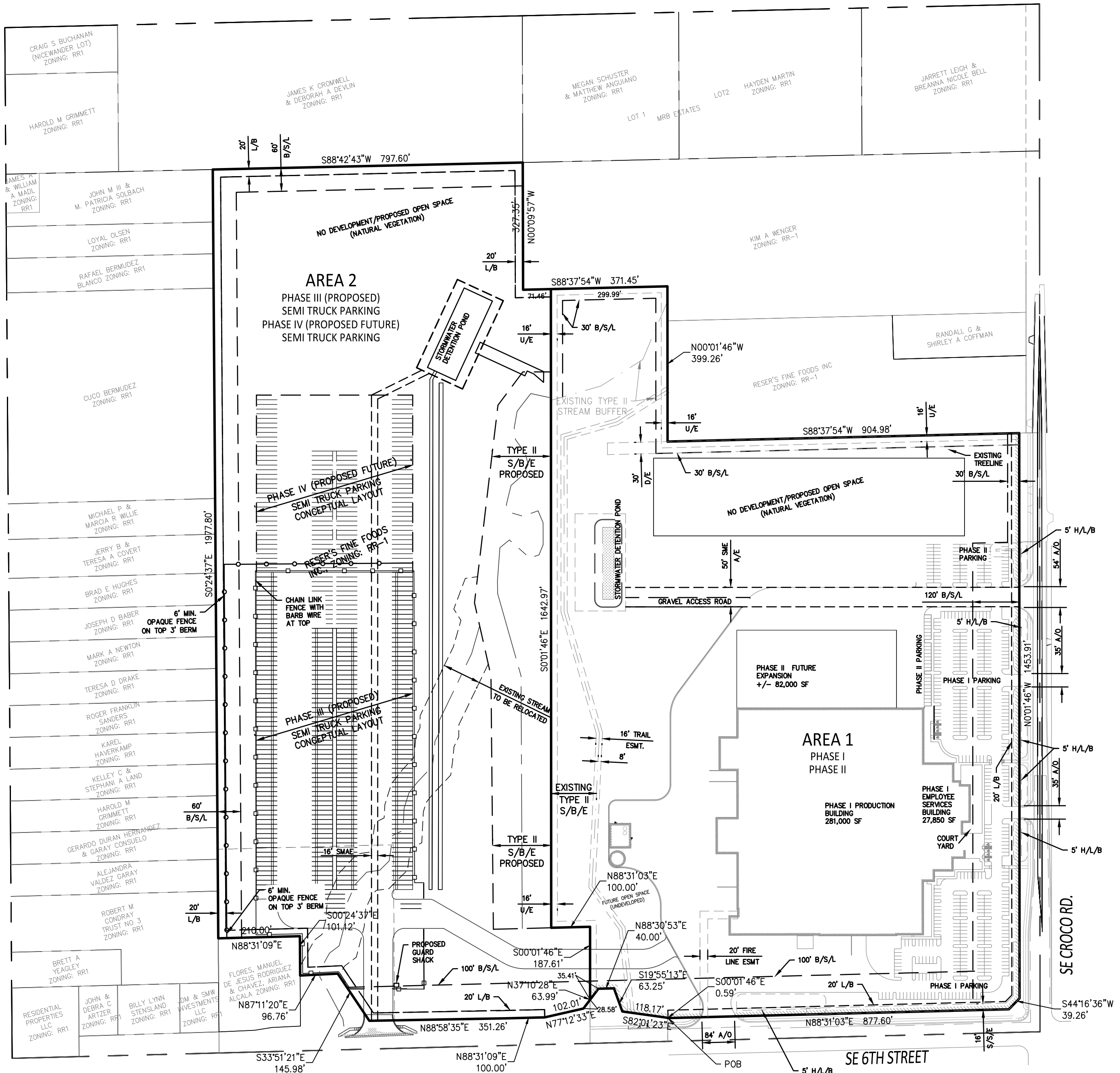
MASTER PLANNED UNIT DEVELOPMENT PLAN

RESER'S FINE FOODS EAST DEVELOPMENT

AMENDMENT NO. 2

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS

REBECCA J. NIOCE, REGISTER OF DEEDS



LEGEND

POB	POINT OF BEGINNING
B/S/L	BUILDING SETBACK LINE
D/E	DRAINAGE EASEMENT
U/E	UTILITY EASEMENT
H/L/B	HIGH LANDSCAPE BERM
L/B	LANDSCAPE BUFFER
S/S/E	SANITARY SEWER EASEMENT
SMAE	STORM MANAGEMENT ACCESS EASEMENT
SME	STORMWATER SEWER EASEMENT
A/E	ACCESS EASEMENT
A/O	ACCESS OPENING
—————	PROPERTY LINE
- - - - -	EASEMENT LINE

DESCRIPTION

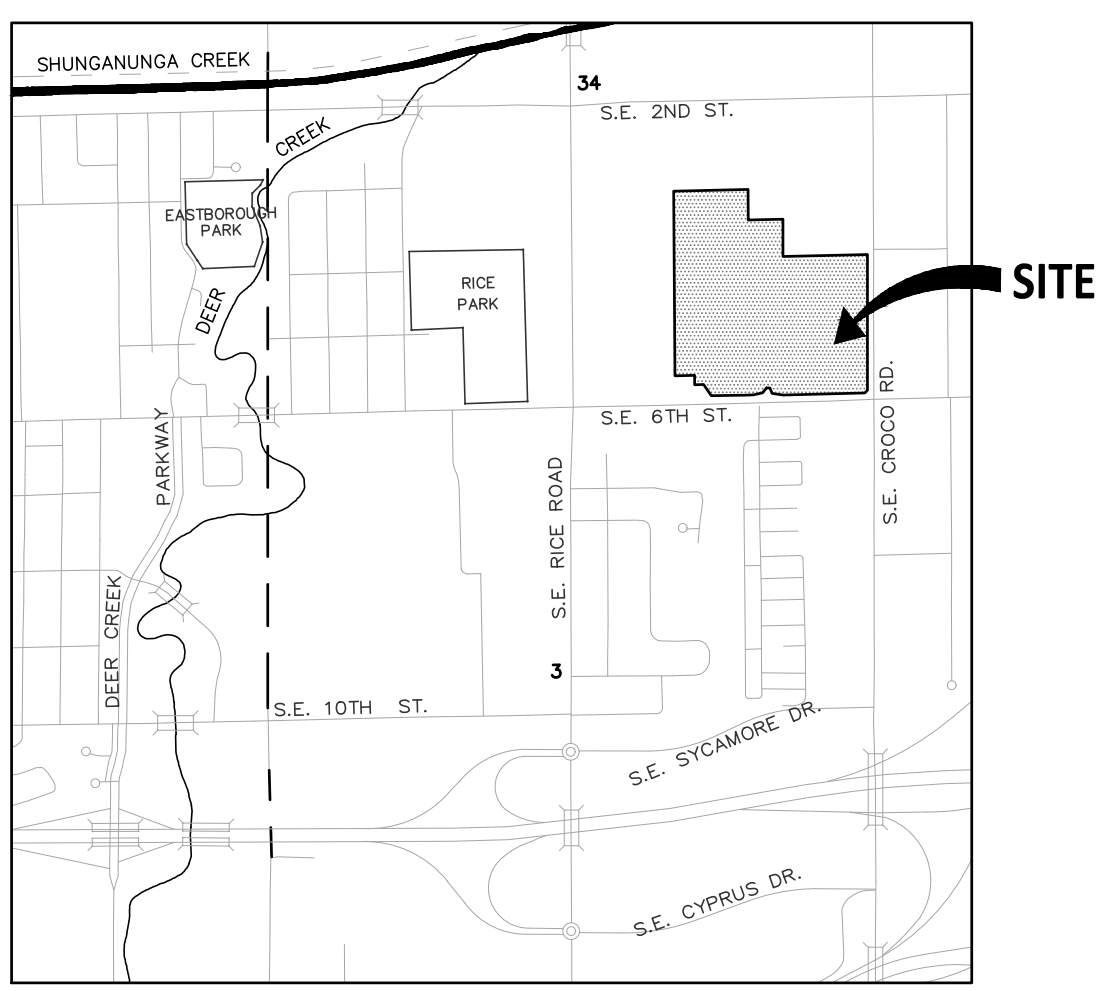
AREA 1 LEGAL DESCRIPTION:
LOT 1, BLOCK A, RESER'S CROCO SUBDIVISION NO. 2, IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE 6TH P.M., ALL IN SHAWNEE COUNTY, KANSAS.

AREA 2 LEGAL DESCRIPTIONS
INSTRUMENT NO. 2018R16128:
A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SOUTHWEST QUARTER, THENCE EAST 741.96 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 123 FEET PARALLEL TO THE WEST LINE OF SAID QUARTER SECTION TO THE TRUE POINT OF BEGINNING; THENCE EAST 90.00 FEET PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE ON AN ANGLE TO THE SOUTHEAST TO A POINT ON THE SOUTH LINE OF THE QUARTER SECTION, 904.96 FEET EAST OF THE SOUTHWEST CORNER; THENCE CONTINUING EAST ALONG SOUTH LINE 65.00 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION, 460.00 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, 438.00 FEET; THENCE SOUTH PARALLEL WITH THE WEST (SOUTH DESCRIBED) LINE OF SAID QUARTER SECTION, 229.00 FEET; THENCE EAST 210.00 FEET, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 108.00 FEET PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING, IN SHAWNEE COUNTY, KANSAS.

INSTRUMENT NO. 2018R16057:
BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE 6TH P.M., 957.75 FEET WEST OF THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID QUARTER SECTION 204.7 FEET TO A LIMESTONE SET NEAR A BLACK WALNUT TREE, SAID TREE MARKED BY THREE HACKS; THENCE WEST AT RIGHT ANGLES TO THE EAST LINE OF SAID QUARTER SECTION 372.45 FEET TO AN OSAGE ORANGE HEDGE; THENCE NORTH ALONG SAID HEDGE AND PARALLEL WITH THE EAST LINE OF SAID QUARTER SECTION, 327 FEET TO A POINT 377.75 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER SECTION; THENCE WEST ALONG AN OSAGE ORANGE HEDGE PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION, 778.04 FEET TO A POINT 531.96 FEET EAST OF THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID QUARTER SECTION, 2374 FEET TO THE SECTION LINE; THENCE EAST ALONG SECTION LINE 1150.49 FEET TO THE PLACE OF BEGINNING;

EXCEPT THE FOLLOWING DESCRIBED TRACT, STARTING AT A POINT ON THE NORTH SIDE OF THE PUBLIC HIGHWAY, 532 FEET EAST FROM THE WEST LINE OF THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 16; THENCE EAST 210 FEET; THENCE NORTH 265 FEET; THENCE WEST 210 FEET; THENCE SOUTH 265 FEET TO THE PLACE OF BEGINNING, IN SHAWNEE COUNTY, KANSAS;

AND LESS A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SAID SOUTHWEST QUARTER, THENCE EAST 741.96 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 123 FEET PARALLEL TO THE WEST LINE OF SAID QUARTER SECTION TO THE TRUE POINT OF BEGINNING; THENCE EAST 90.00 FEET PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE ON AN ANGLE TO THE SOUTHEAST TO A POINT ON THE SOUTH LINE OF THE QUARTER SECTION, 904.96 FEET EAST OF THE SOUTHWEST CORNER; THENCE CONTINUING EAST ALONG SOUTH LINE 65.00 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION, 460.00 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, 438.00 FEET; THENCE SOUTH PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION, 229.00 FEET; THENCE EAST 210.00 FEET, PARALLEL WITH THE SOUTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 108.00 FEET PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING.

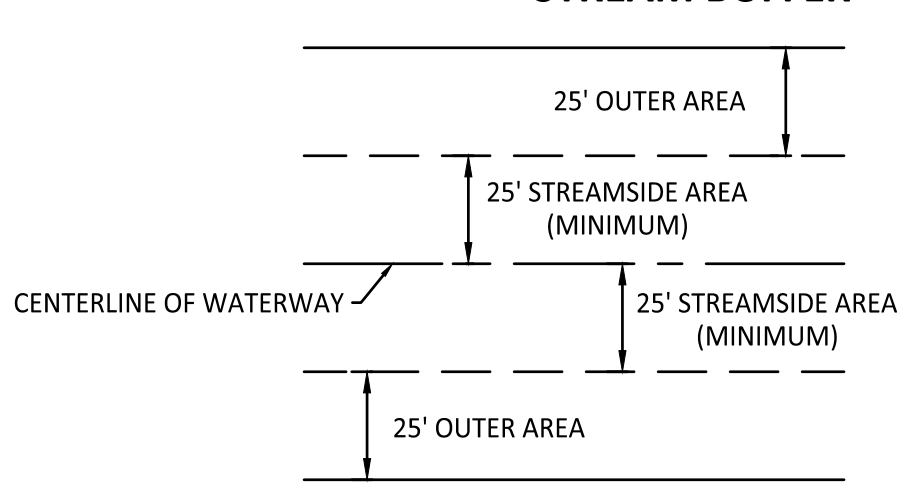


VICINITY MAP
No Scale

STREAM BUFFER NOTES

- RESTRICTION: - THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION EXCEPT AS PERMITTED UNDER SECTION 17.10.060 OF THIS CODE OR AS APPROVED BY THE PUBLIC WORKS DIRECTOR OR HIS OR HER DESIGNEE.
- STREAM BUFFER EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR INFORMAL GREEN SPACE AND THE NATURAL UNOBSTRUCTED OVERLAND FLOW OF SURFACE WATER IN EXISTING DRAINAGE WAYS. PROPERTY OWNER(S) SHALL NOT PLACE PERMANENT OR SEMI-PERMANENT OBSTRUCTIONS IN SAID EASEMENT. ALL MAINTENANCE WITHIN THE STREAM BUFFER EASEMENT (SBE) SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) OF THE PROPERTY IN WHICH THE EASEMENT IS SO LOCATED, HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE DIRECTOR OF THE APPLICABLE DEPARTMENT OF PUBLIC WORKS, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORNE UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE APPLICABLE DEPARTMENT OF PUBLIC WORKS SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE.

TYPICAL TYPE II STREAM BUFFER



STREAMSIDE AREA - USES ALLOWED
1.) NATIVE VEGETATION
2.) FLOOD CONTROL
3.) FOOT PATHS/ROAD CROSSINGS
4.) UTILITY CORRIDORS

OUTER AREA - USES ALLOWED
1.) NATIVE VEGETATION OR MANAGED LAWN
2.) BIKING/HIKING PATHS
3.) FLOOD CONTROL
4.) DETENTION/RETENTION STRUCTURE
5.) UTILITY CORRIDORS
6.) STORMWATER BMP'S
7.) RESIDENTIAL YARDS/LANDSCAPE AREAS

G:\Shared Drive\240326\CADD\Planning\Zoning and Legal Survey\PLD\240326 PLD - Amend No. 2.dwg

CFS ENGINEERS
cfse.com
2930 SW Woodside Dr, Topeka, KS 66614
o. 785-272-4706 f. 785-272-4736

PROPERTY OWNER'S:
RESER'S FINE FOODS INC.
OWNER ADDRESS: 3728 SE 6TH STREET
P.O. BOX 8 TOPEKA, KS 66607

DATE:
APRIL 2ND, 2024
PUD 16 / 05B

MASTER PLANNED UNIT DEVELOPMENT PLAN

RESER'S FINE FOODS EAST DEVELOPMENT

AMENDMENT NO. 2

BOOK _____ PAGE _____
DATE _____ TIME _____

PERFORMANCE OBJECTIVE

AREA 1
TO CONSTRUCT A FOOD PROCESSING AND PACKAGING FACILITY WITHIN A RESIDENTIAL/AGRICULTURAL SETTING WHILE REASONABLY ACCOMMODATING THE OWNERS OF THE FACILITY AND SURROUNDING NEIGHBORHOOD.

AREA 2
TO ALLOW FOR THE CONSTRUCTION OF A PARKING LOT FOR SEMI-TRUCK TRAILERS INTENDED SOLELY FOR DIRECT USE BY SEMI-TRUCK TRAILERS SERVING THE RESER'S PLANT FACILITIES LOCATED IN EAST TOPEKA WITHIN PROXIMITY TO THE SITE. ANY EXPANSION OF BUILDINGS WITHIN AREA 2 SHALL REQUIRE A MAJOR PUD AMENDMENT.

DEVELOPMENT PHASING SCHEDULE

AREA 1
PHASE I (2017-2018) - CONSTRUCT 318,000 SF FACILITY, CONSTRUCT DECELERATION LANE INTO WEST ENTRANCE OFF SE 6TH ST., WIDENING OF SE CROCO RD. TO ACCOMMODATE INDUSTRIAL WIDTH 3 LANE ROADWAY THROUGH THE NORTH PROPERTY BOUNDARY ALONG SE CROCO RD. AND THEN TAPERING TO EXISTING WIDTH. (NOT SHOWN), CONSTRUCT SIDEWALK (6' BACK OF CURB OR 5' STANDARD) ALONG THE NORTH SIDE OF SE 6TH ST TO CONNECT WITH THE SIDEWALK THAT TERMINATES JUST EAST OF RICE RD., CONSTRUCT SIDEWALK (6' BACK OF CURB OR 5' STANDARD) ALONG THE WEST SIDE OF SE CROCO RD. THE LENGTH OF THE PROPERTY'S FRONTAGE.
PHASE II (2022-2028) CONSTRUCT 85,000 SF STORAGE AND DISTRIBUTION BUILDING THAT WILL BE ATTACHED TO THE PHASE I MAIN STRUCTURE. (NORTH OF EXISTING BUILDING WITHIN EXISTING PARCEL)

AREA 2
NO PHASING

PROJECT DATA

AREA 1
ZONING: I-1 USES FOR WAREHOUSING/DISTRIBUTION AND MANUFACTURING AND PROCESSING, TYPES I AND II AND II ONLY ALL OTHER USES LISTED IN 18. 60 ARE NOT PERMITTED.
MAXIMUM DENSITY: N/A PER I-1 STANDARDS
MAXIMUM BUILDING COVERAGE RATIO: 85%
MINIMUM LOT AREA: 10,000 SF
TOTAL STRUCTURES (PROPOSED): SINGLE STORY BUILDING
TOTAL MAXIMUM BUILDING AREA: 317,190 SF
281,000 SF PRODUCTION
27,850 SF OFFICE/EMPLOYEE SERVICE
640 SF COVER OUTDOOR BREAK AREA
5,000 SF COVERED TRASH COLLECTION AREA
2,700 SF AMMONIA ROOM
PARCEL SIZE: 43.03 ACRES±
PARKING CALCULATIONS: PH I & PH II
508 SPACES PROVIDED (499 STANDARD + 9 HANDICAP)
417 REQUIRED (1 SPACE / 600 SQ. FT UP TO 25,000 SQ. FT.; 1 SPACE / 1000 SQ. FT. THEREAFTER)
24 BIKE SPACES PROVIDED

AREA 2
ZONING: I-1, USES, FOR SEMI-TRUCK TRAILER PARKING LOT.
PARCEL SIZE: 42.04 ACRES ±
PARKING CALCULATIONS: PH III & PH IV
255 SEMI TRUCK SPACES PROVIDED, PHASE III
150 SEMI TRUCK SPACES PROVIDED, PHASE IV

GENERAL NOTES

- THE BASE ZONING OF I-1 SHALL APPLY UNLESS OTHERWISE STATED
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL INDIVIDUAL SITE DEVELOPMENT PLANS SUBJECT TO TMC 18. 190. 060(C) HAVE BEEN REVIEWED AND APPROVED BY THE PLANNING DIRECTOR. THESE SITE PLANS SHALL ADDRESS INDIVIDUAL BUILDING SITE LOCATIONS, OFF-STREET PARKING AND INTERNAL CIRCULATION, FIRE HYDRANTS, LANDSCAPING, PEDESTRIAN CONNECTIVITY, EXTERNAL LIGHTING, SIGNAGE, BUILDING ELEVATIONS, UTILITIES, STORM WATER, RELATIONSHIP TO ADJACENT LOTS, ETC.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL THE PROPERTY DESCRIBED AS AREA 2 IS PLATTED.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL STORMWATER MANAGEMENT PLANS PURSUANT TO TMC 13.335 ARE APPROVED, INCLUDING GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS.
- PURSUANT TO TMC 18.190, THE APPLICANT MUST RECORD THE MASTER PUD PLAN WITH THE SHAWNEE COUNTY REGISTER OF DEEDS WITHIN SIXTY (60) DAYS UPON APPROVAL OF THE GOVERNING BODY. FAILURE BY THE APPLICANT TO RECORD THE PLAN WITHIN THE PRESCRIBED TIME PERIOD AND PROVIDE THE PLANNING DEPARTMENT WITH THE REQUIRED NUMBER OF COPIES OF THE RECORDED PLAN WITHIN NINETY (90) DAYS OF THE DATE OF ACTION BY THE GOVERNING BODY SHALL RENDER THE ZONING PETITION NULL AND VOID.
- ANY EXPANSION OR INCREASE IN FLOOR AREA EXCEEDING 10% OF THE EXISTING BUILDINGS OR AS OTHERWISE INDICATED BY TMC 18.190.070 SHALL ONLY BE APPROVED BY MAJOR AMENDMENT TO THE PLANNED UNIT DEVELOPMENT MASTER PLAN.
- STORMWATER MANAGEMENT EASEMENTS (SME) ARE HEREBY ESTABLISHED AS SHOWN OR DESCRIBED TO PROVIDE FOR THE MANAGEMENT OF STORM WATER INCLUDING, BUT NOT LIMITED TO, DETENTION, RETENTION, STORAGE AND TREATMENT OF STORM WATER. PROPERTY OWNERS AND THEIR ASSIGNS AND SUCCESSORS (PROPERTY OWNERS) AGREE TO INSTALL, CONSTRUCT, RECONSTRUCT, REPLACE, ENLARGE, REPAIR, OPERATE AND PROVIDE PERPETUAL MAINTENANCE OF PIPE, FLUME, DITCH, SWALE, VEGETATIVE AREAS OR MECHANICAL DEVICES FOR STORM WATER CONVEYANCE AND/OR TREATMENT, OR ANY IMPROVEMENTS IN THE SME FOR THE DRAINAGE AND/OR TREATMENT OF SAID STORM WATER. NO CHANGE TO THE GRADE, TOPOGRAPHY OR STORM WATER MANAGEMENT STRUCTURES AND IMPROVEMENTS IN THE SME SHALL BE MADE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE APPLICABLE PUBLIC WORKS DIRECTOR OR DESIGNEE.
- SETBACKS FOR TRUCK/TRAILER PARKING AREA: 60' ALONG THE WEST AND NORTH PROPERTY LINES CORRESPONDING WITH AREA 2. SEE PLAN GRAPHIC.
- A DECIBEL LEVEL OF 60 OR LESS SHALL BE MAINTAINED ALONG WEST AND NORTH PROPERTY LINES. CITY STAFF SHALL BE ALLOWED TO CONDUCT PERIODIC NOISE MEASUREMENTS AS NEEDED OR PROVIDE MEASUREMENTS FROM A THIRD PARTY.

VARIANCE NOTES

- THE 6' WIDE RESIDENTIAL LANDSCAPE BUFFER PURSUANT TO TMC 18.235.060(d)(1) ALONG THE LENGTH OF THE WEST PROPERTY LINE IS WAIVED DUE TO THE PRESENCE OF A TYPE II STREAM BUFFER WITHIN THIS AREA THAT RESTRICTS CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE WITHIN THE BUFFER, ONLY RELEVANT TO AREA 1.
- RELOCATION OF THE STREAM CHANNEL TRANSECTING AREA 2 NORTH - SOUTH SHALL REQUIRE APPROVAL OF A VARIANCE SUBJECT TO TMC 17.10.080 AND THE STATE OF KANSAS DIVISION OF WATER RESOURCES, KANSAS DEPARTMENT OF AGRICULTURE SUBJECT TO THE IF THE VARIANCE IS NOT APPROVED, THE TRAILER PARKING LOT MAY BE SHIFTED NORTH AND WEST WITH EXACT LOCATION DETERMINED AT THE TIME OF SITE PLAN REVIEW APPLICATION.

UTILITY NOTES

- LIGHTING SHALL BE FULL CUT OFF, SHIELDED & RECESSED WITH CUT-OFF ANGLES TO PREVENT THE CAST OF LIGHTING BEYOND THE PROPERTY & NOT EXCEED 3 FOOT CANDLES AS MEASURED AT THE PROPERTY LINE. EXTERIOR LIGHTING SHALL FOLLOW ACCEPTED NATIONAL GUIDELINES FOR PARKING LOT LIGHTING (I.E. CPTED). THE TYPE, ILLUMINATION, POLE HEIGHT & QUANTITY OF NEW PARKING LOT LIGHTING SHALL BE APPROVED BY THE TOPEKA PLANNING DEPARTMENT AT THE TIME OF PERMIT APPROVAL BY DEVELOPMENT SERVICES. A FOOT CANDLE ANALYSIS WILL BE APPROVED AT THE SITE DEVELOPMENT PLAN STAGE.
- ALL UTILITIES SHALL BE PLACED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.

CIRCULATION, PARKING & TRAFFIC NOTES

- HANDICAP SPACES SHALL MEET MINIMUM ADA CRITERIA WITH A MINIMUM OF NINE(9) HANDICAP SPACES PER 401-500 PARKING SPACES.
- A 40 FT. SIGHT TRIANGLE, MEASURED FROM THE FACE OF CURB EXTENDED, SHALL BE MAINTAINED AT ALL ENTRANCES; NO OBSTRUCTIONS GREATER THAN (30) INCHES ABOVE GRADE OF ANY ADJACENT STREET OR ENTRANCE MAY BE PLACED WITHIN THIS AREA.
- ACCESS OPENINGS SHALL BE ALLOWED AS DEPICTED ON THE PLAN.
- ALL NEW DRIVES, STREETS, PARKING AREAS, APPROACHES AND WALKS SHALL BE CONSTRUCTED TO CITY OF TOPEKA STANDARDS.
- ALL DRIVES, LANES & PRIVATELY OWNED ACCESS WAYS PROVIDING ACCESSIBILITY TO STRUCTURES, BUILDINGS AND USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE CONSIDERED AND SERVE AS MUTUAL RIGHTS OF ACCESS TO OWNERS, TENANTS, INVITED GUESTS, CLIENTS, EMPLOYEES, CUSTOMERS, SUPPORT AND UTILITY PERSONNEL AND EMERGENCY SERVICE PROVIDERS, INCLUDING LAW ENFORCEMENT, FIRE PROTECTION AND AMBULANCE SERVICES. ALL ACCESS WAYS PROVIDING GENERAL ACCESSIBILITY TO, AND CIRCULATION AMONG, THE USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE MAINTAINED AT ALL TIMES IN GOOD SERVICEABLE CONDITION WITH THE MAINTENANCE OF SAID ACCESS WAYS BEING THE RESPONSIBILITY OF THE OWNER.
- IF ANY IMPROVEMENTS TO THE SITE ARE REQUIRED BY THE TRAFFIC ANALYSIS AS APPROVED BY THE CITY TRAFFIC ENGINEER, THEY SHALL BE COMPLETED BY THE DEVELOPER PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR EACH PHASE OF DEVELOPMENT.

SIGNAGE NOTES

- ALL SIGNAGE SHALL BE CONSISTENT WITH I-1 ZONING REQUIREMENTS AND RESTRICTIONS.
- SIGNS SHALL BE APPROVED BY SEPARATE SIGN PERMIT APPLICATION.
- TMC 18.10 SHALL GOVERN ALL OTHER SIGNS UNLESS SPECIFICALLY STATED HEREIN. ALL INCIDENTAL SIGNAGE SHALL COMPLY WITH TMC 18.10.130(i) BY ZONING USE GROUP.

LANDSCAPING NOTES

- ALL LANDSCAPING SHALL BE CONSISTENT WITH I-1 ZONING REQUIREMENTS AND RESTRICTIONS UNLESS PRESCRIBED OTHERWISE STATED IN THIS DOCUMENT. SITE SPECIFIC LANDSCAPE PLANS ADDRESSING POINT QUANTITIES, SPECIES, AND LOCATION SHALL BE SUBMITTED AND APPROVED PRIOR TO ISSUANCE OF ANY PERMITS.
- LANDSCAPE PLANS SHALL BE PROVIDED THAT ARE CONSISTENT WITH TMC 18.235 LANDSCAPE REGULATIONS. THE SPECIFIC TYPES, AND QUANTITIES SHALL BE APPROVED BASED ON THE LANDSCAPE PLAN SUBMITTED AT THE SITE PLAN REVIEW APPLICATION STAGE. "AN ATTRACTIVE MIX OF EVERGREEN, SHRUBS, AND DECIDUOUS TREES ALONG THE PROPERTY'S STREET FRONTAGES AND WHERE ADJACENT TO SINGLE-FAMILY RESIDENCES ON THE WEST AND NORTH SIDES AT THE TIME OF DEVELOPMENT OF FUTURE PHASES. AN IMPERVIOUS SCREENING BARRIER, BERMS OR COMBINATION LANDSCAPING AND BERMS SHALL BE PROVIDED ALONG THE LENGTH OF THE WEST PROERTY LINE SUBJECT TO TMC 18.235.060(d).
- THE CARE, MAINTENANCE, AND OWNERSHIP OF COMMON OPEN SPACE, PARKING AREAS, UTILITIES, PRIVATE STREETS, ACCESS WAYS, STORMWATER MANAGEMENT EASEMENTS, FENCING, AND LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNERS. ALL LANDSCAPING SHALL BE INSTALLED PURSUANT TO PHASING SCHEDULE AND PROPERLY MAINTAINED. IF ANY PORTION OF THE LANDSCAPED MATERIAL DIES, IT SHALL BE REPLACED BY THE NEXT PLANTING SEASON.
- THERE SHALL BE A 3' MINIMUM BERM CONSTRUCTED TO ACHIEVE NEAR 6' HIGH OPACITY WITH BERM PLUS LANDSCAPING.
- EXISTING MATURE (6 INCH DBH OR GREATER) TREES ALONG WEST AND NORTH PROPERTY LINE. FUTURE SITE DEVELOPMENT PLAN MUST INCLUDE A LANDSCAPE PLAN IDENTIFYING TREES TO BE PRESERVED.

BUILDING NOTES

- ALL BUILDINGS/STRUCTURES SHALL BE CONSISTENT WITH I-1 ZONING REQUIREMENTS AND RESTRICTIONS.
- THE OUTSIDE STORAGE OF VEHICLES (OTHER THAN TRUCKS UNLOADING/LOADING), EQUIPMENT AND MACHINERY SHALL NOT BE PERMITTED. ALL DOCKS AND/OR LOADING AREAS SHALL BE ERRECTED TO THE SIDE AND REAR YARDS AND NOT FRONT ON TO ANY PUBLIC STREET RIGHTS OF WAY. THERE SHALL BE NO LOADING/UNLOADING OF TRUCKS FROM THE SOUTH SIDE OF THE BUILDING. OVERNIGHT PARKING OF SEMI-TRUCK TRAILERS IS NOT PERMITTED WITHIN AREA 1 ALONG THE SE CROCO OR SE 6th STREET STREET FACING FRONTAGES. ALL OVERNIGHT PARKING AND PARKING OF SEMI-TRUCKS NOT DIRECTLY UNLOADING AND LOADING SHALL BE CONTAINED WITHIN AREA 2 ON AN APPROVED HARD SURFACE.
- A MINIMUM OF 50% OF THE MAIN ENTRY OF THE FRONT FACADE (EAST FACING) SHALL BE COMPRISED OF WINDOWS, DOOR OPENINGS. THE MAIN ENTRY OF THE FRONT FACADE SHALL BE TREATED WITH ARCHITECTURAL FINISHES AND BE OF HIGH QUALITY DESIGN. THE 6TH ST. FACADE (SOUTH FACING) SHALL CONTAIN A FORM OF ARCHITECTURAL VARIATIONS WITH RESPECT TO MATERIALS, TEXTURE, RELIEF, COLOR, ETC. MECHANICAL, HEATING, AIR CONDITIONING/COOLING, AND ROOF MOUNTED EQUIPMENT SHALL BE SCREENED OR NOT VISIBLE FROM PUBLIC RIGHTS OF WAY AND LOCATED TO THE SIDE OR REAR YARDS.
- BUILDING ELEVATIONS TO BE APPROVED AT THE TIME OF SITE DEVELOPMENT PLAN REVIEW AND SHALL BE SUBSTANTIALLY COMPLIANT WITH THOSE SUBMITTED AS AN EXHIBIT TO THE PUD MASTER PLAN.
- THE NOISE LEVEL OF OUTDOOR EQUIPMENT SHALL BE MAINTAINED TO 60 DECIBELS AT THE PROPERTY LINE.
- MAINTAIN ACCEPTABLE MINIMUM AIR QUALITY STANDARDS AS REGULATED BY KDHE.
- THERE SHALL BE NO DISCERNABLE OODORS EMITTING FROM THE WASTE WATER PRE-TREATMENT PROCESS BEYOND ANY PROPERTY LINES.
- THE LOCATION OF TRASH AND RECYCLING RECEPTACLES SHALL BE DETERMINED AT THE SITE DEVELOPMENT STAGE TO ENSURE TRASH AREAS ARE NOT OVERLY CONCENTRATED, ARE EFFECTIVELY SCREENED FROM PUBLIC AREAS, AND PROVIDE ADEQUATE CIRCULATION WITHIN THE OVERALL DEVELOPMENT. ALL SAID RECEPTACLES SHALL HAVE ENCLOSURES THAT SCREEN THE RECEPTACLES FROM VIEW AND ARE CONSTRUCTED WITH MATERIALS COMPATIBLE WITH THE FRONT FACADE OF THE PRINCIPAL BUILDING.

OWNER'S CERTIFICATE

RESER'S FINE FOODS INC. OWNER, AGREES TO COMPLY WITH THE CONDITIONS AND RESTRICTIONS AS SET FORTH ON THE MASTER PUD PLAN.

IN TESTIMONY WHEREOF: THE OWNERS OF THE ABOVE DESCRIBED PROPERTY, RESER'S FINE FOOD INC. HAS SIGNED THESE PRESENTS THIS _____ DAY OF _____, 2024.

PAUL LEAVY, CHIEF FINANCIAL OFFICER
RESER'S FINE FOODS INC.

STATE OF KANSAS) ss
COUNTY OF SHAWNEE) ss
BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME PAUL LEAVY, CHIEF FINANCIAL OFFICE, RESER'S FINE FOODS INC., WHO IS PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

CERTIFICATION OF MASTER PUD PLAN APPROVAL

THIS PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN HAS BEEN REVIEWED AND APPROVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18.190 OF THE COMPREHENSIVE ZONING REGULATIONS OF THE CIT Y OF TOPEKA, SHAWNEE COUNTY, KANSAS AND MAY BE AMENDED ONLY AS PRESCRIBED IN TMC 18.190.070 OF SAID CHAPTER AND AS SET FORTH ON THIS DOCUMENT OR AS MAY SUBSEQUENTLY BE APPROVED AND RECORDED. A MAJOR AMENDMENT APPROVAL TO CONSTRUCT A TRAILER PARKING LOT ON THE PORTION DESCRIBED AS AREA 2. USE AND MAINTENANCE OF THE PARKING LOT SHALL BE BY RESER'S FINE FOOD INC OR TO ALLOW STORAGE OF TRAILERS SERVING OPERATIONS WITHIN THE VICINITY OF SE 6TH AND CROCO.

DAN WARNER, PLANNING DIRECTOR
DATE

STATE OF KANSAS) ss
COUNTY OF SHAWNEE) ss
BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2024, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME DAN WARNER, PLANNING DIRECTOR, WHO IS PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

AMENDMENT NOTE:

"THIS PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN HAS BEEN REVIEWED AND APPROVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18.190 OF THE COMPREHENSIVE ZONING REGULATIONS OF THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, AND MAY BE AMENDED ONLY AS PRESCRIBED IN TMC 18.190.070 AND AS SET FORTH ON THIS DOCUMENT OR AS MAY SUBSEQUENTLY BE APPROVED AND RECORDED."

PROPERTY OWNER'S:
RESER'S FINE FOODS INC.
OWNER ADDRESS:
P.O. BOX 8
BEAVERTON, OR 97075

PROPERTY ADDRESS
3728 SE 6TH STREET
TOPEKA, KS 66607

DATE:
APRIL 2ND, 2024

g:\shared_areas\240209\CADD\Planning Zoning and Legal Services\PUA\446208 PDG - Amend No 2.dwg



Development of New Parking Facility
3620 SE 6th Street
Topeka, Kansas 66607

Level 2 - Traffic Impact Study

February 16, 2024



Prepared by:
Reser's
3728 SE

Traffic Engineering Conditional Approval
Benesch
3/12/2024

Traffic Engineering Approval subject to the following conditions:
1. TIA has some cleanup and clarifications needed, but Public Works staff is confident that these changes/clarifications will not result in issues/problems with future approval of parking lot permits, etc. TIA shall be updated per attached comments and resubmitted before or with appropriate permit applications.



Prepared by:
Xiang Yu, P.E.
Cook, Flatt & Strobel Engineers, P.A.
1421 E. 104th Street, Suite 100
Kansas City, MO 64131
816.333.4477



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1. Introduction

This Level 2 traffic impact study for the proposed parking facility featuring 250 truck parking spaces at 3620 SE 6th Street, Topeka, KS 66607, has been prepared. The aim of constructing the parking facility is to relocate the current parking for trucks and semi-trailers from food manufacturers and cold storage warehouses (Site 1 - 6, see **Figure 1**) to a newly proposed parking lot. Following the relocation, the available space at each location will enable the potential expansion of existing facilities in the future. Currently, trucks and semi-trailers travel to Reser’s Crossroads for loading/unloading and then return along the same route for parking. For departures, trucks and semi-trailers proceed southbound on SE Deer Creek Pkwy to access I-70. Following the completion of construction, an estimated 60 trucks and semi-trailers from the parking facility are expected to travel eastbound on SE 6th Street, proceed towards Hwy 40, and then access I-70. Concurrently, there will be a corresponding reduction of 60 southbound trucks and semi-trailers on SE Deer Creek Parkway. With the relocation and consolidation of all trucks and semi-trailers parking at the new facility, this transition will lead to an increase in truck and semi-trailer volumes from 9 trucks per hour to 12 trucks per hour on SE 6th Street.

Please briefly explain calculation behind this this based on current data from owner? Please document



Figure 1. Site Location Map (Source: Google Earth)

(New Access 1)

Figure 2 illustrates the detailed design for the new parking facility. The upcoming parking facility will feature an access point to SE 6th Street with a width of 75 feet. In addition, a new access, with a width of 50 feet, has been planned to link the new parking facility to the existing parking lot on the west side of Reser's Crossroads. The advantage is that trucks and semi-trailers requiring parking after loading/unloading at Reser's Crossroads do not need to travel on SE 6th Street.

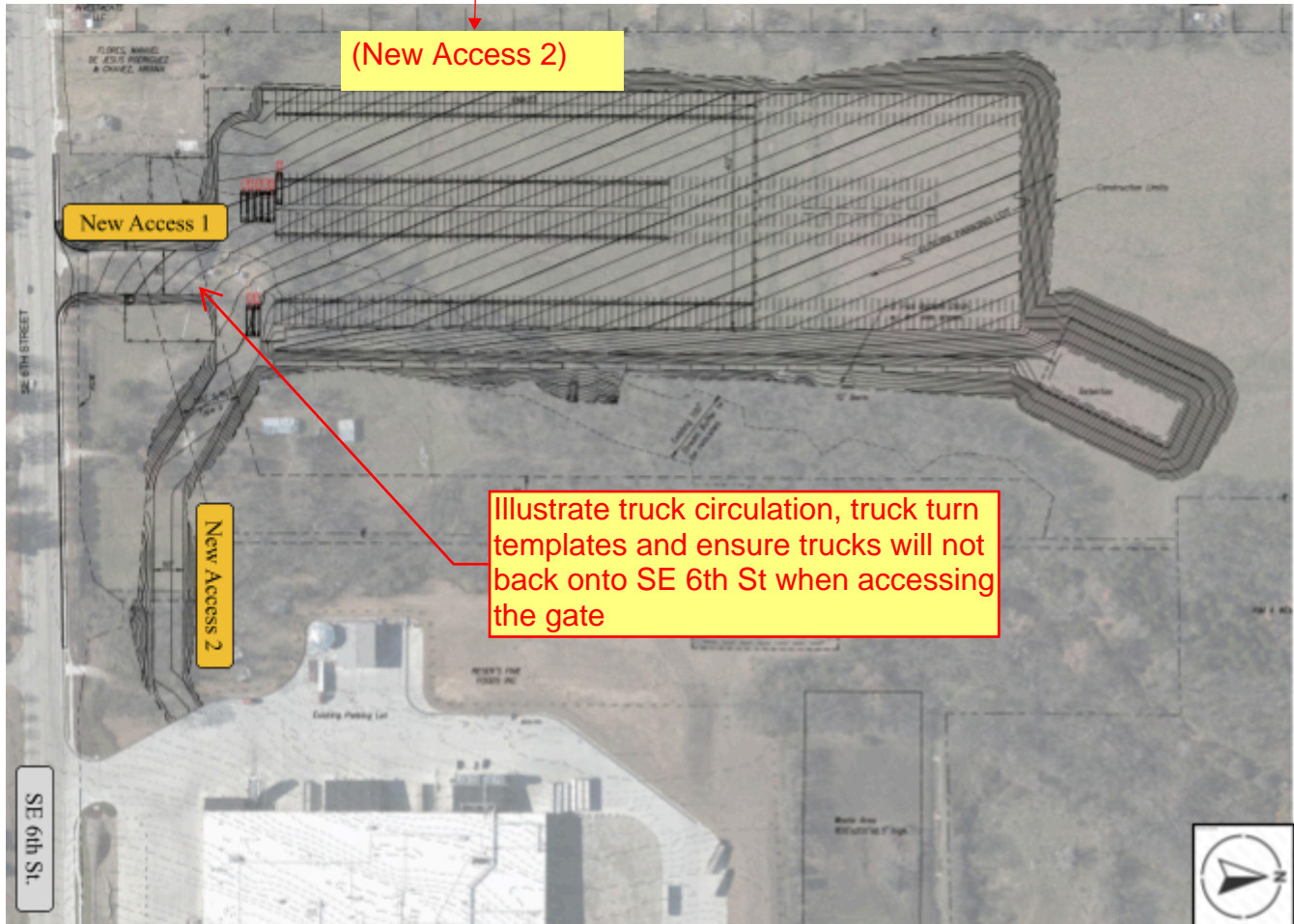


Figure 2. The Detailed Design for the New Parking Facility

2. Existing Site Conditions

2.1 Existing Roadway

Please show the proposed location on figure

Figure 3 illustrates an overview of functional classifications of the roadways adjacent to the site. The specific characteristics and functional classifications are detailed in **Table 1**.

Table 1. Characteristics and Functional Classification of Surrounding Roadways

Street Name	Characteristics	Functional Classification	Speed Limit
SE 6th Street	Five Lane with a Two-Way Left-Turn Lane	Minor Arterial	45 mph
SE Croco Road	Three Lane with a Two-Way Left-Turn Lane	Minor Arterial	40 mph
SE Rice Road	Two Lane	Major Collector	30 mph
SE Deer Crk Pkwy	Four Lane Divided	Major Collector	45 mph



Figure 3. Topeka Roadway Functional Classification Maps

(Source: <https://www.ksdot.gov/Assets/wwwksdotorg/bureaus/burTransPlan/maps/FunclassMaps/Urban/Topeka.pdf>)

2.2 Existing Land-Use

The planned truck and semi-trailers parking facility is located on a 38.50-acre site, under the ownership of Reser's Fine Foods, INC, and is identified by the parcel ID 1083404001031000. Presently, the land use category is 1199-Accessory Residential. **Figure 4** provides detailed location information for the development site, including property address, parcel number, owner information.

To the north and west of the site lies a residential area classified as 1101-Single Family Residence (Detached). On the eastern side of the site is Reser’s Fine Foods (Crossroads), categorized as 3110-Food and Beverage Manufacturer. To the south of the site, across SE 6th Street, there is a Casey’s pizza store with a gas station, classified under land use category 2152-Convenience Store. Adjacent to it is Wood N Stuff Cabinets, INC, falling under the category of 3400-Miscellaneous Manufacturing. Additionally, there is a residential area classified as 1165-Manufactured Home Park.



Figure 4. Existing Property Information (Source: <https://gis.sncoapps.us/propertysearch/index.html>)

Considering the intention to relocate all truck and semi-trailer parking from warehouses and food manufacturers under Reser's Fine Foods, INC to the new parking facility, the land use category of each warehouse or food manufacturer was examined, as illustrated in **Figure 4** and **Figure 5**. In **Figure 4**, to the east of the proposed parking facility, the land use classification (Site 6) is 3110-Food and Beverages

Manufacturers. Within **Figure 5**, Site 4 is located at the southwest corner of SE 6th Street & SE Deer Creek Parkway, with a land use category classified as 3660-Cold Storage Warehouse; Site 5 is positioned at the southeast corner of SE 6th Street & SE Deer Creek Parkway, and its land use category is classified as 3111-Meat Product Manufacturer. Site 1, 2, and 3 are all located at the northwest corner of SE Deer Creek Parkway & Ramp of I-70 and are adjacent to each other. The land use category for Site 1 and 3 is classified as 3660-Cold Storage Warehouse, while Site 2 is categorized as 3111-Meat Product Manufacturer.

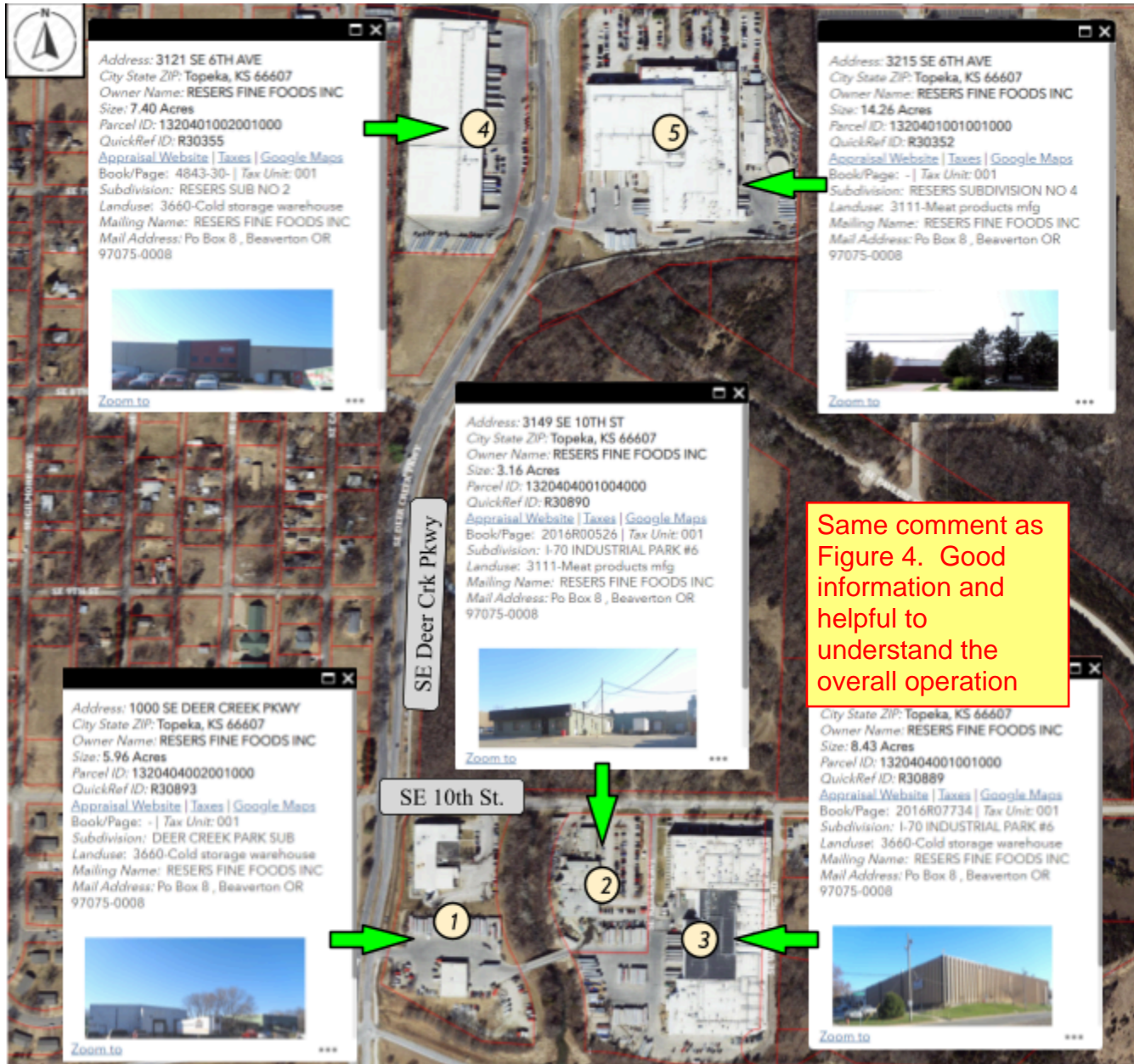


Figure 5. Existing Warehouses and Manufacturers Property Information Along SE Deer Crk Pkwy (Source: <https://gis.sncoapps.us/propertysearch/index.html>)

2.3 Existing Zoning

The current zoning class designated for the proposed parking facility is RR1-Residential Reserve District, as illustrated in **Figure 6**. To the west and north of the site, there are residential areas classified under the zoning class RR1-Residential Reserve District. To the east of the site lies Reser's Fine Foods (Crossroads), zoned as PUD-Planned Unit Development. On the south side of the site, across SE 6th Street, the zoning class for Casey's store with the gas station is C4-Commercial District. Adjacent to it, the zoning class for Wood N Stuff Cabinets, INC, is I1-Light Industrial District. East of the cabinet maker, there is a small commercial area zoned as C4-Commercial District. Additionally, there is a residential area zoned as M2-Multifamily Dwelling District.

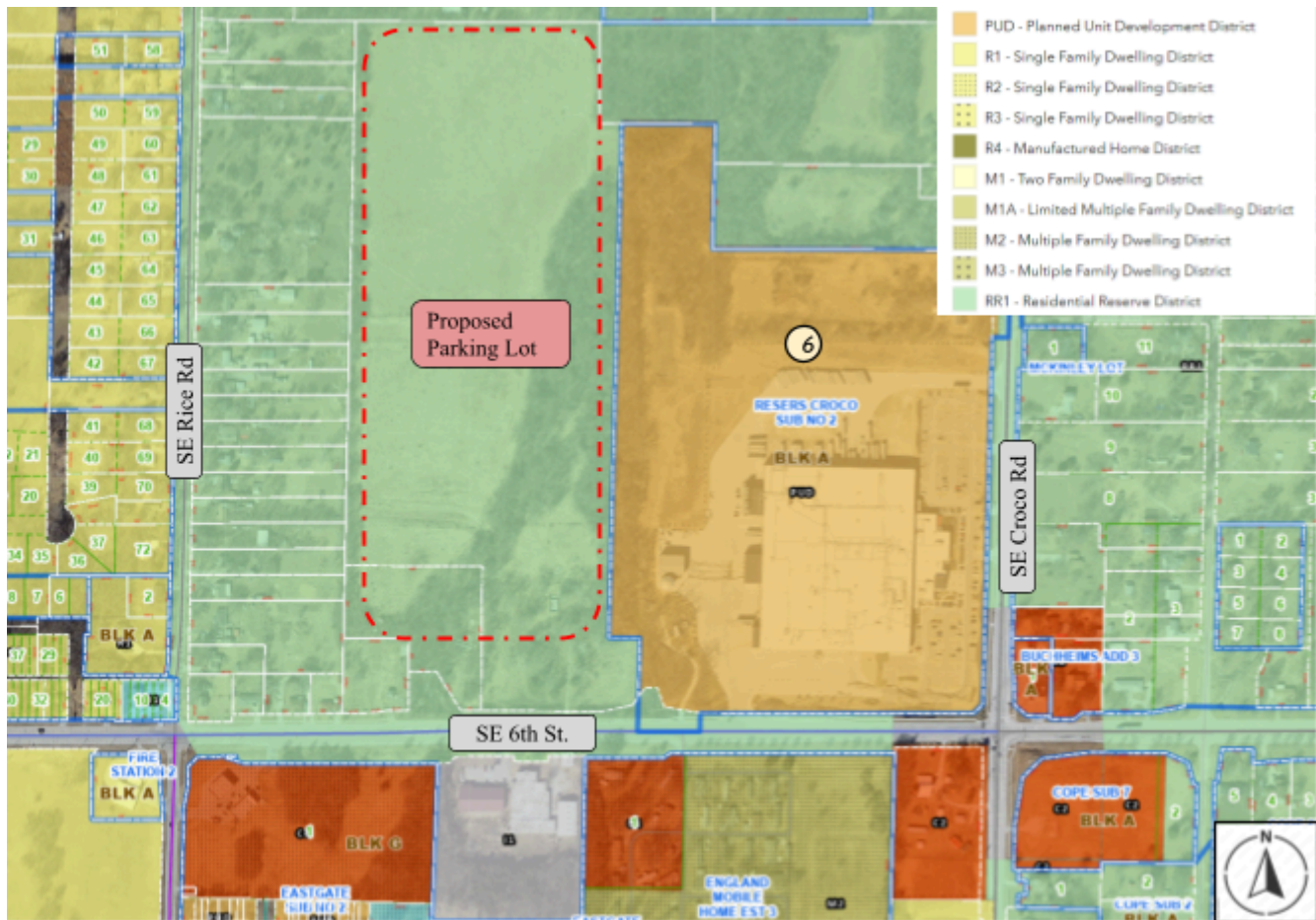


Figure 6. Existing Zoning Map

(Source: <https://topeka.maps.arcgis.com/apps/webappviewer/index.html?id=b7452fa2680e42f08e41a998831b19eb>)

The zoning of properties under Reser's Fine Foods, INC., along SE Deer Creek Parkway, was also checked. As illustrated in **Figure 7**, the zoning classifications for Site 1-5 are all I1-Light Industrial District.



Figure 7. Existing Zoning Map Along SE Deer Creek Parkway

(Source: <https://topeka.maps.arcgis.com/apps/webappviewer/index.html?id=b7452fa2680e42f08e41a998831b19eb>)

3. Existing Conditions

3.1 Existing Traffic Volume

The Annual Average Daily Traffic (AADT) data for surrounding roadways were obtained from the KDOT Urban City Traffic Count Map (see **Figure 8**). The detailed traffic volume data has been summarized in **Table 2**.

Traffic data correct. Document assumptions that a direction distribution of 50/50 was used to estimate direction daily volumes

Table 2. Summary of Traffic Volumes on Surrounding Roadways

Street Name	Annual Average Daily Traffic (AADT)	Volumes in each Direction	
SE 6th Street	5,915	5,915/2 = 2,958 (EB)	5,915/2 = 2,957 (WB)
SE Croco Road	4,700	4,700/2 = 2,350 (NB)	4,700/2 = 2,350 (SB)
SE Rice Road	1,150	1,150/2 = 575 (NB)	1,150/2 = 575 (SB)
SE Deer Creek Parkway	3,800	3,800/2 = 1,900 (NB)	3,800/2 = 1,900 (SB)



Figure 8. Topeka Traffic Count Maps

(Source: https://www.ksdot.gov/Assets/wwwksdotorg/bureaus/burTransPlan/maps/CountMaps/Cities/top_eka.pdf)

3.2 Existing Sidewalk and Bike Route

According to the Topeka Bike Routes by KDOT (see **Figure 9**), the Deer Creek Trail located on the eastern side of SE Deer Creek Parkway serves as a bike path. In addition to this, there is no bike path along SE 6th Street, SE Rice Road, and SE Croco Road.

Sidewalks are present on both sides of SE 6th Street from SE Deer Creek Parkway to SE Rice Road. Additionally, there is a sidewalk along the north side of SE 6th Street from SE Rice Road to SE Croco Road. However, no sidewalk is present along SE 6th Street east of SE Croco Road.

Add an exhibit would be beneficial



Figure 9. Site Location Map (Deer Creek Parkway)

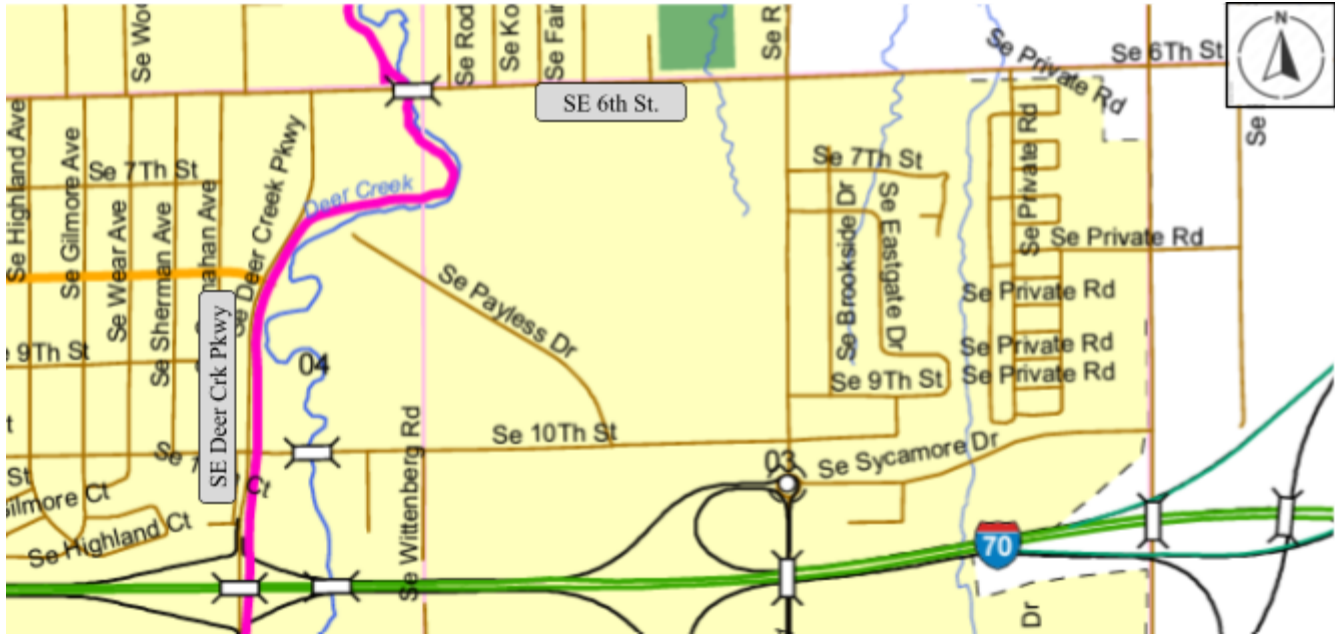


Figure 9. Topeka Bike Routes Map by KDOT
(Source: <https://biketopeka.com/bike-topeka-map/>)

4. Projected Traffic

4.1 Background (Future No-Build) Forecasting

As indicated by data from the United States Census Bureau (Source: <https://www.census.gov/quickfacts/fact/table/topekacitykansas/PST045223>), the population of Topeka City, Kansas, was 127,473 on April 1, 2010, and decreased to 126,587 on April 1, 2020. This indicates a population decline over the decade from 2010 to 2020. Upon further examination, the population for the year 2000 was recorded at 122,377. Therefore, the population figures for the year 2000 and 2020 were utilized to calculate the growth rate. The annual constant percent growth rate is calculated utilizing the formula $(126,587/122,377)^{(1/20)} - 1$, resulting in a rate of 0.17%. This 0.17% annual constant percent growth rate is employed for projecting future traffic conditions in the year 2044. The determination of the growth factor constant followed this calculation:

$$\begin{aligned} \text{Growth Factor Constant} &= (1 + \text{Constant \% Growth Rate})^{\text{Projected Years}} \\ &= (1 + 0.0017)^{(2044-2020)} \\ &= 1.04 \end{aligned}$$

The 1.04 growth factor was applied to the existing traffic volumes to account for growth of background traffic conditions over the next two decades. Detailed calculations are presented in Table 3.

On future studies please look at historical traffic volumes. Traffic volumes in this area have been level so very little. Some roads have actually decreased. Fine for this project and good assumption to have some growth

Table 3. Summary of Traffic Volumes on Surrounding Roadways in Year 2044

Street Name	Annual Average Daily Traffic (AADT)	Volumes in each Direction	
SE 6th Street	5,915*1.04 = 6,152	6,152/2 = 3,076 (EB)	6,152/2 = 3,076 (WB)
SE Croco Road	4,700*1.04 = 4,888	4,888/2 = 2,444 (NB)	4,888/2 = 2,444 (SB)
SE Rice Road	1,150*1.04 = 1,196	1,196/2 = 598 (NB)	1,196/2 = 598 (SB)
SE Deer Creek Parkway	3,800*1.04 = 3,952	3,952/2 = 1,976 (NB)	3,952/2 = 1,976 (SB)

Can you please explain how the truck volume data was derived? Is this based on existing traffic operations and anticipated operation growth between facilities. Data source for this case appears to be data from the client, which is okay to use for this study but just reference the source.

...ly available, upon the completion of the new parking facility, is anticipated to increase from 9 to 12 per hour. From a daily perspective, the figure is expected to elevate from 1,190 to 1,484 per week. **Table 4** illustrates the specific details regarding the volumes of trucks and semi-trailers.

Table 4. Truck and Semi-Trailer volumes on SE 6th Street

Timeline	Hourly	Daily	Weekly
Current	9	170	1,190
After Construction	12	212	1,484

4.2.2 Truck Volumes Distribution

Upon the completion of construction, it is anticipated that approximately 60 trucks and semi-trailers originating from the parking facility will travel in an eastbound direction on SE 6th Street. They will continue their route towards Hwy 40, subsequently accessing I-70. Simultaneously, a corresponding reduction of 60 southbound trucks is expected.

Do the trucks currently access I-70 from Deer Creek? With the new parking lot, trucks will now leave from Site 6 to access I-70 and will not need to go back to Deer Creek site?

The movements of trucks and semi-trailers are essential for loading and unloading activities between warehouses and manufacturers. However, due to a lack of specific information on the exact number of trucks and semi-trailers for each manufacturer-warehouse pairing, we have made two assumptions in this study: 1) The number of trucks and semi-trailers traveling between the warehouses and Crossroads on SE 6th Street is consistent in both eastbound and westbound directions. 2) After construction, all added truck and semi-trailer trips are attributed to be eastbound on SE 6th Street. **Figure 10** illustrates the current circulation volume and pathway of trucks and semi-trailers on SE 6th Street. Meanwhile, **Figure 11** depicts the after-construction circulation volume and pathway of trucks and semi-trailers on SE 6th Street. **Table 5** offers a summary of the traffic volumes on nearby roadways following the construction. Additionally, **Table 6** provides a summary of the projected traffic volumes on nearby roadways after the construction in the year 2044.

Existing Truck and Semi-Trailer Trips Distribution

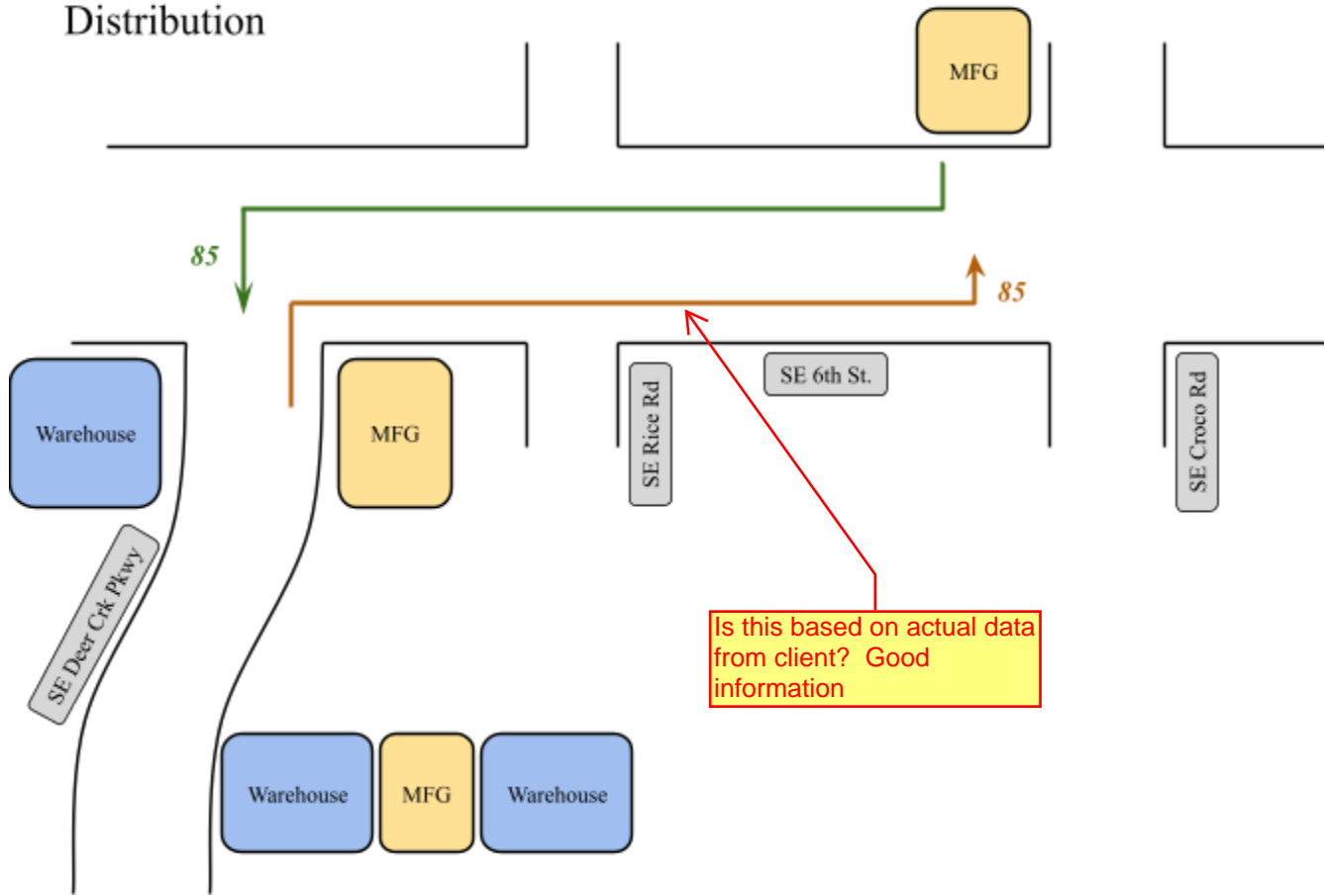
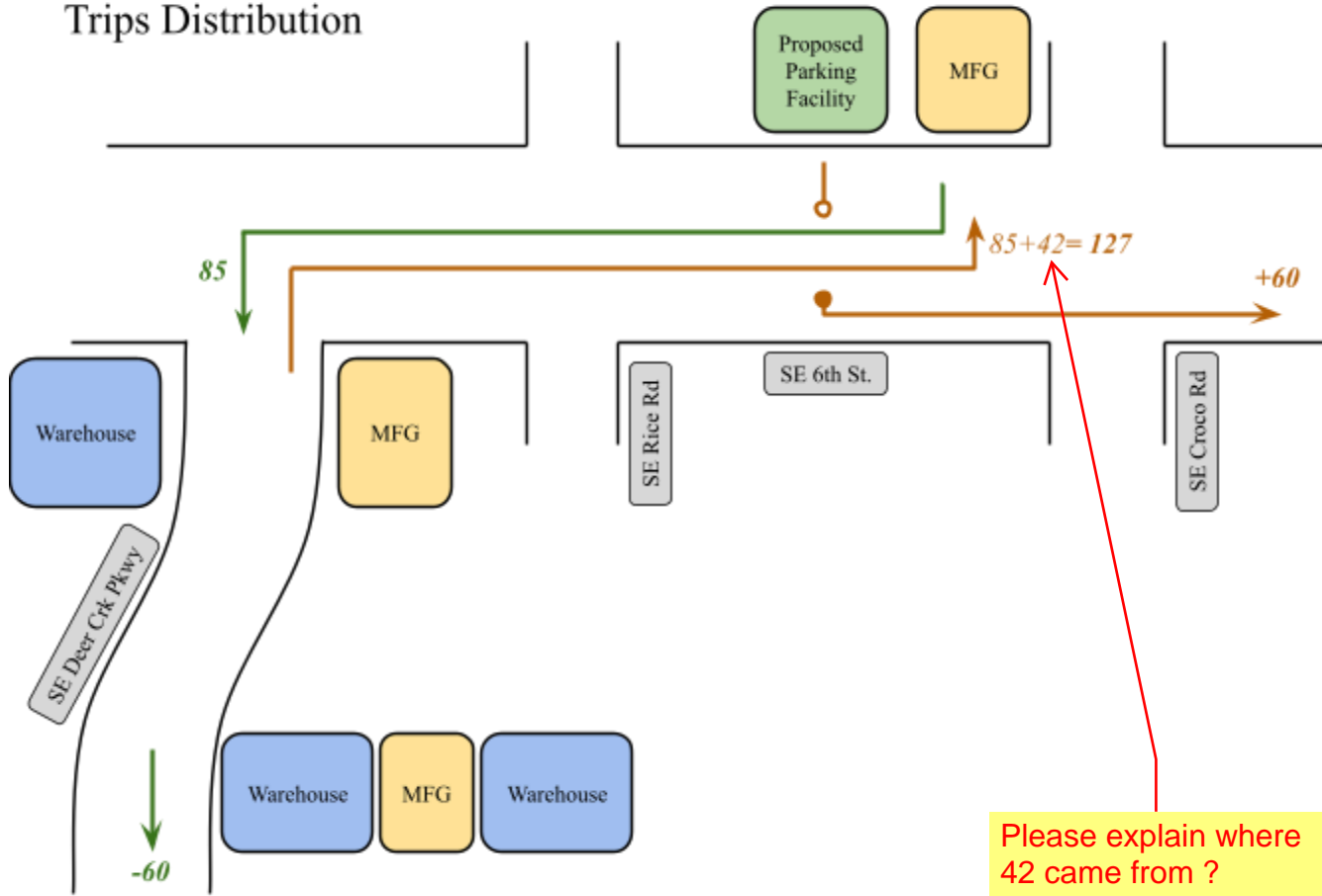


Figure 10. Existing Truck and Semi-Trailer Daily Trips Distribution

After Construction Truck and Semi-Trailer
Trips Distribution



Please explain where 42 came from ?
Similar comment from page 13

Figure 11. After Construction Truck and Semi-Trailer Daily Trips Distribution

Table 5. After-Construction Surrounding Roadway Daily Traffic Volume Summary

Street Name	AADT	Volumes in each Direction	
SE 6th Street	5,915	2,958+42 = 3,000 (EB)	2,957 (WB)
SE Croco Road	4,700	2,350 (NB)	2,350 (SB)
SE Rice Road	1,150	575 (NB)	575 (SB)
SE Deer Creek Parkway	3,800	1,900+42 = 1,942 (NB)	1,900-60 = 1,840 (SB)

Table 6. After-Construction in Year 2044 Surrounding Roadway Daily Traffic Volume Summary

Street Name	AADT	Volumes in each Direction	
SE 6th Street	5,915*1.04 = 6,152	3,076+42 = 3,118 (EB)	3,076 (WB)
SE Croco Road	4,700*1.04 = 4,888	2,444 (NB)	2,444 (SB)
SE Rice Road	1,150*1.04 = 1,196	598 (NB)	598 (SB)
SE Deer Creek Parkway	3,800*1.04 = 3,952	1,976+42 = 2,018 (NB)	1,976-60 = 1,916 (SB)

Please include a figure, or photos from the location. Also, the extent of the current obstruction and the amount it has to be changed to make it work is also not clear.

5. Analysis of Traffic and Improvements

5.1 Site Access Performance

Intersection Sight Distance (ISD) is assessed for the access point on SE 6th Street. ISD represents the distance the driver of a vehicle approaching an intersection needs to have an unobstructed view of the entire intersection, including any traffic control devices, and sufficient lengths along the intersecting major roadway to permit the driver on the approaching roadway to anticipate and avoid potential collisions. According to the KDOT Access Management Policy Table 4-14, the Intersection Sight Distance (ISD) for a Left-Turn on a 4-Lane Highway with a posted speed of 45 mph is specified as 530 feet. Following a careful examination of the proposed access point location on SE 6th Street and an assessment of the roadway vertical profile of SE 6th Street, it has been observed that the view of vehicles may be obstructed by trees and shrubs near the access. Upon the removal of these trees and shrubs in close proximity to the access, visibility at the access point is anticipated to be significantly improved.

Stopping Sight Distance (SSD) is also evaluated for the access point on SE 6th Street. The SSD should be measured in order to determine if there is sufficient sight distance to enable a vehicle traveling at the posted speed limit to stop before reaching an object in its path. The designated speed limit on SE 6th Street is 45 mph. In accordance with the KDOT Access Management Policy Table 4-11, the Stopping Sight Distance (SSD) for level terrain is specified as 360 feet when the posted speed limit is 45 mph. Similarly, the trees and shrubs near the access point may obstruct the view of eastbound and westbound vehicles on SE 6th Street. Except for this matter, there is no stopping sight distance concern.

Corner clearance is the distance required between a highway intersection and the nearest access on the crossroad at a corner development. According to KDOT Access Management Policy Table 4-10, the minimum corner clearance specified for the developed area is 115 feet. The proposed access point on SE 6th Street satisfies this warrant.

In the roadway segment of SE 6th Street between SE Rice Road and SE Croco Road, there exists a sidewalk positioned on the northern side of SE 6th Street. Therefore, the construction of the new access point and sidewalk should adhere to KDOT standards.

5.2 Circulation Review

At present, trucks and semi-trailers under the direction of the Traffic Engineer's Crossroads, after which they retrace their path to the parking area. For departures, trucks and semi-trailers follow a southbound route along SE Deer Creek Pkwy to access I-70. Following the completion of construction, the parking of trucks at all distribution centers along SE Deer Creek Pkwy will be consolidated and centralized to the new parking facility. For outbound journeys, an estimated 60 trucks and semi-trailers from the new parking facility are expected to travel eastbound on SE 6th Street, proceed towards Hwy 40, and then access I-70. Concurrently, there

Please provide a site circulation figure to document how truck circulate on site. Also, please confirm that trucks will not impact and will stay clear of 6th Ave when accessing gate.

will be a corresponding reduction of approximately 60 southbound semi-trailers on SE Deer Creek Parkway. After construction, all added truck and semi-trailer traffic is expected to be eastbound on SE 6th Street.

In previous section (4.2.1), there was an increase documented. Please summarize in this section too

6. Conclusion and Recommendation

With the proposal of a new parking facility on the west side of Crossroads and the planned consolidation of truck parking from all distribution centers along SE Deer Creek Parkway to this new facility, this Level 2 traffic impact study is designed to evaluate the effects of changes in the circulation patterns of trucks and semi-trailers on the surrounding roadways. Currently, the daily traffic on SE 6th Street comprises approximately 170 trips (85 westbound trips, 85 eastbound trips) made by trucks and semi-trailers. Following the construction of the new parking facility, the daily volume of trucks and semi-trailers is expected to rise from approximately 170 trips to around 212 trips (85 westbound trips, 127 eastbound trips). It is anticipated that approximately 60 trucks and semi-trailers originating from the parking facility will travel in an eastbound direction on SE 6th Street. They will continue their route towards Hwy 40, subsequently accessing I-70. Simultaneously, a corresponding reduction of 60 southbound trucks and semi-trailers on SE Deer Creek Parkway is expected.

In the roadway segment of SE 6th Street between SE Rice Road and SE Croco Road, there exists a sidewalk positioned on the northern side of SE 6th Street. Therefore, the construction of the new access point and sidewalk should adhere to KDOT standards.

City of Topeka standards

Following an examination of the Intersection Sight Distance (ISD) and Stopping Sight Distance (SSD) at the proposed access point on SE 6th Street, the recommendation is to clear the trees and shrubs located on both sides of the access.

Need to illustrate on an exhibit in previous sections

What is your recommendation?

Attendees

Public: see attached sheets

City of Topeka: Rhiannon Friedman
 Dan Warner
 Mike Hall
 Annie Driver

CFS Engineers: Kevin Holland
 Travis Haizlip

Reser's: Brian Thurlow

Issues / Clarifications:

- What is the parking space count / 250 spaces phase III, additional 150 spaces in phase IV.
- How full will the parking lot be / It is designed to operate at full capacity but will more than likely never be full.
- Will there be a noise barrier / The trees and grading will provide a natural barrier and the new parking lot will follow the City of Topeka noise ordinance code.
- Noise pollution from existing plant / The existing plant operates under the current approved PUD regulations and the resulting operational noise created falls within the City of Topeka noise ordinance limits. A topic for the Planning Commission meeting.
- Will these improvements cause an increase in traffic / It should actually reduce truck traffic.

- How will the fence height be / The fence heights will be approved through the site plan process at the City of Topeka.
- What are the locate flags on the east side of Croco / the flags are placed along both sides of the road per standard procedure from the tickets called in. Nothing is happening along the east side of Croco at this time.
- Truck lights glaring through neighbors windows / Lighting from the operations taking place at the existing plant are within current code approved through previous PUD. A topic for the Planning Commission meeting.
- Snow plows pushing snow onto neighbors drive / This would be a City of Topeka Public Works operational issue and not necessarily a concern for Reser's.
- Will this make us have to annex our property into the city / These improvements will not cause neighbors to have to annex.
- Will this affect my property value / There are no indicators that these parking lot improvements will affect property values in the area.
- The truck circulation at the plant needs improvement / Will take this information to the owner for consideration to see if adjustments should be made. The approved PUD states circulation on the north side of the existing building is permitted.
- The landscaping doesn't look like I thought it should / All landscaping was done as per the landscape plan approved by the City of Topeka & is complete.
- Will everything be fenced / Around the parking lot & through the route to the existing plan with additional fencing around parts of the north, south & western parking lot property perimeter. Fencing will follow City of Topeka design standards & guidelines.
- Noise pollution from idling trucks at the existing facility / The decibel level of the trucks falls within the current City of Topeka code. A topic for the Planning Commission meeting.

- Light pollution from the existing plant onto the east side of Croco Rd / Lighting was installed per plans approved through the City of Topeka and operate within lighting regulations set upon the approved PUD. A topic for the Planning Commission meeting.
- When & where is the Planning Commission meeting / April 15th, 2024, 6pm at the Topeka City Council chambers.

