GARDNER
KANSAS

CITY ADMINISTRATION

120 E. Main, Gardner, Kansas 66030 (913) 856-0939

September 24, 2007

Mr. Joshua Marx, Regulatory Project Manager
U.S. Army Corps of Engineers - Kansas City Regulatory Office
700 Federal Building
601 East 12th Street
Kansas City, Missouri 64106

RE: Permit No. 2006-1014

Dear Mr. Marx:

Attached is a copy of the Intermodal Review Committee (IRC) Report that was presented to the Gardner City Council and Planning Commission on July 10, 2006. This report constitutes a summary of the city's issues, concerns, and recommendations regarding the proposed BNSF facility and surrounding logistics park covered by the referenced permit.

The IRC was appointed by the City Council to identify issues related to the proposed BNSF intermodal facility and logistics park. The IRC met seven times between April 11 and June 27. All meetings were open to the public: The first two meetings were held in City Hall and, due to public interest and attendance, the final five meetings were held in the Gardner-Edgerton High School gymnasium. Additionally, a public information meeting was held in City Hall on June 6, 2006 and the City Council conducted a public hearing on the proposed BNSF project on July 19, 2006.

In addition to the IRC process, city staff has participated in the Break in Access study for a new I-35 interchange that was commissioned by BNSF and has participated in interagency reviews and discussions of the proposed rail project with the Kansas Department of Transportation, Johnson County, the City of Edgerton, and other state and federal agencies.

The City of Gardner has been actively engaged in the review of infrastructure planning with BNSF, The Allen Group, and the engineering firms retained by both parties.

As you know, the intermodal facility and logistics park site is within unincorporated Johnson County. The site is currently accessed by gravel roads, will require major upgrades to water and electric service, and is not served by sanitary sewer. Currently, the City of Gardner has made no decision regarding the possible annexation of the site. Additionally, the city has not made a decision regarding utility service to the site or the funding of infrastructure necessary to serve the site. A resolution on the funding and construction of the outstanding infrastructure issues, particularly the need to improve the local gravel roads leading to and from the intermodal facility, will need to be finalized prior to issuance of a permit and determination that this project is in compliance with National Environmental Policy Act (NEPA).

City staff has discussed BNSF's conceptual design for the conservation corridor with HDR Engineering. Though the preference would be to leave stream corridors untouched, City staff is comfortable with the conceptual design that was presented to them in Spring 2007.

Should you have any questions or need clarification on this IRC's report, please do hesitate call me or Melissa Mundt, Assistant City Administrator.

Sincerely,

Stewart Fairburn
City Administrator

cc: Mayor and City Council Members

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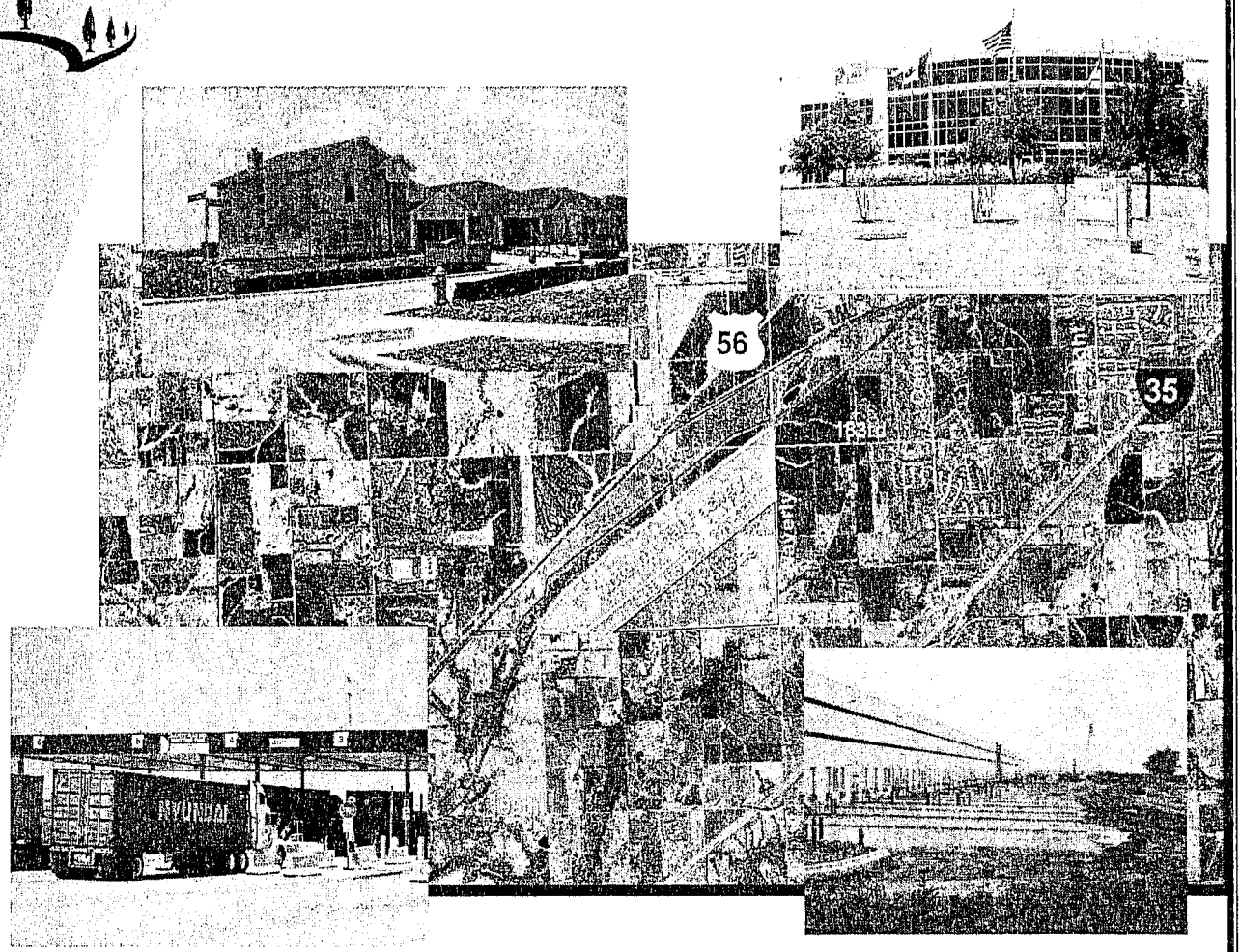

Intermodal Review Committee Report

Report prepared by Intermodal Review Committee for Presentation to the Gardner City Council and Planning Commission on Monday, July 10th, 2006 at 6 p.m. at Gardner City Hall.

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GARDNER
KANSAS

120 E. Main, Gardner, Kansas 66030 (913) 856-0939

CITY ADMINISTRATION

July 10, 2006

To the Mayor and fellow Councilmembers,

On behalf of the Intermodal Review Committee it is my pleasure to submit the following report for your consideration regarding the proposed BNSF Intermodal Facility and Logistics Park.

This committee is unprecedented in Gardner. Never before have we expended so much collective time and effort in the review of a proposed development. The review process for this development began publicly and remained open throughout. In fact, the public review of this proposed development began long before the public review of any other development during my tenure on either the planning commission or council. The scope of this proposed development is so large that complete, quick and open access to information was critical. The development was quickly labeled a "Gardner" issue, but we recognized the reach of this was well beyond the boundaries of our community. As the committee progressed, county, state and national representatives were kept informed about the meetings.

Gathering input from the public was an important element of this process. Links to a comment form as well as my e-mail address were placed on the committee's webpage. Through out this process, comments from citizens and area residents were gathered and distributed to the committee. A public forum was held providing the opportunity for dialogue with the committee, council and BNSF. The Citizens for Responsible Development, a group formed in opposition to the development, made a formal presentation to the committee as well.

The process for presentation of information about this proposed development has been transparent. Each meeting, including those in which the report was drafted and reviewed, has been open. The information presented was publicly available through our website. The members of this committee thoroughly reviewed the information presented to them. Several committee members also visited the two existing BNSF Intermodal and Logistic Parks.

This guidance document is a compilation of all that this committee has learned in the last ten weeks. It will provide the Council a solid foundation for making decisions regarding the BNSF Intermodal Facility and Logistics Park.

Please join me in thanking each member of the committee for their dedication in working through this public process. The work of this committee was as important as any I have been associated with and their work scrutinized like no other committee of which I am aware.

David C. Drovetta
Chairman Gardner Intermodal Review Committee

Gardner Intermodal Review Committee
Summary of Possible Benefits, Concerns and Recommendations

July 10, 2006

Economic Development

Benefits:

- Currently 85% of the total real property tax revenue paid to the City is paid by residents. Over time this project could shift the burden of those taxes to the commercial/industrial sector and reduce the residential burden to a projected 50%. This decreases the burden placed on residential property tax payers, while providing enhanced funding for new schools and expanded city services.
- The facility could create a daytime economy with new employee demand generating spin-off retail businesses.
- Increase in Property Tax generation:
    - Increase in City revenue - $50 million is projected over twenty years – Property tax revenue is currently $2 million per year; this project could double the City's annual real property tax revenue.
    - Increase in School revenue – $190 million projected over twenty years. This would help pay for the estimated $130 million in additional new schools projected to be required over the next ten years.

Concerns:

- Taxpayers throughout the city could have to partially pay for improvements for the Logistics Park if tax abatements or other incentives are used to assist in the development.
- Future tax revenues may be required for utility and road development, as well as maintenance of the infrastructure and other city services such as public safety.
- The number of employees at starting wages may create a demand temporary or less expensive housing.
- Major increases in truck traffic could adversely impact existing and future residential and retail development.

Recommendations:

- Use incentives carefully, if at all, to maximize revenue. However, some incentives may be necessary to compete with other local governments for desirable business relocations.
- Require that new infrastructure be constructed to the highest standards so that regular maintenance will keep it from needing major rehabilitation.
- Leverage federal, state and private funding to minimize city investment
- Continue to use impact fees for water, wastewater, parks, and streets so that the development pays for those impacts to the system.
- Utility rates paid by the facility will pay for maintaining the system.
- The new development must pay for the infrastructure improvements required for this project.
- City should undertake a time based (5, 10, 15 year) cost/benefit analysis of the project, and make every effort to insure that the new development would pay for the increased services the City would be required to provide.

City should review and update incentive policies prior to enacting any development and annexation agreements.

Gardner Intermodal Review Committee
Summary of Possible Benefits, Concerns and Recommendations

July 10, 2006

Transportation:

Benefits:

- Waverly Road, 191st Street, 183rd Street, Four Corners Road would be improved
- Center Street Bridge would be improved to four lanes, a need that is required without the Logistics Park.
- Reduction of most of the train horn sounds and making local traffic safer by eliminating certain at grade crossings, through road closures and overpasses.
- A new interchange designated for truck traffic is built - new traffic would be directed away from Gardner Road.
- The new interchange could spur the east/west major thoroughfare/bypass in Johnson County.

Concerns:

- Two thousand truck trips per day at inception to between five and eight thousand trucks trips at build out in approximately 15 years. While many are local within the logistics facility, I-35 will get additional traffic. At build out it is projected that there will be 59,000 total vehicle trips (cars and trucks) which includes the employee traffic.
- Gardner Road interchange cannot handle additional truck traffic generated by the intermodal and logistics facilities.
- Gardner Road interchange should not be used for Intermodal traffic because of the Nike School traffic.
- Loss of access to local cemetery.
- Trucks going through Edgerton if access to 56 Highway is too difficult.
- Conflict with trucks and school buses and high school students that drive 56 Hwy. from Edgerton to GEHS.
- Number of trailers allowed to exceed current regulations of two trailer per semi-tractor.
- Back ups on I-35 at State run weigh station between Gardner and Olathe, making more truck traffic come through town.
- Trucks traveling through Gardner and Edgerton and not following designated truck routes.
- Traffic during construction of the Intermodal and Logistics facilities.

Recommendations:

- New interchange must be completed in time to serve the opening of the intermodal facility, thereby directing traffic away from Gardner Road interchange.
- Trucks using I-35 must enter and exit using only the new interchange
- 183rd Street west of Center must be closed to trucks but available for auto use by employees in order to avoid the residential areas.
- Traffic standards should be in place to guide trucks to the appropriate roads, I-35 or 56 Highway, in order to keep trucks from residential or high traffic areas.
- Overpasses on Waverly and on 199th Street and other changes to at-grade crossings in Gardner and Edgerton must be completed before facilities open
- Waverly Road should be improved to four-lanes south of 56 Highway, and the skewed intersection of 56 Highway and Waverly should be realigned before facilities open.
- 183rd and 191st Streets should be constructed to manage the employee traffic.
- The truck entrance to the facility should be at a location near 191st Street and Four Corners Road. The roads from the entrance to the new interchange must be designed to handle the proposed traffic at build out, and to be built to standards to minimize road failures and ease of maintenance.
- Cities need to work with Johnson County, MARC (Mid-America Regional Council), KDOT (Kansas Department of Transportation), and FHWA (Federal Highway Administration) to plan long term improvements required for the development throughout the region.

- Identify ways to control directional traffic restrictions onto 56 Hwy. and designated truck routes.
- Work with new Logistics Park businesses to participate in Truck Highway Watch program. This program is run jointly between the Homeland Security Department and the American Trucking Association to train participants with the observational tools and the opportunity to exercise their expert understanding of the transportation environment to report safety and security concerns rapidly and accurately to the authorities. In addition to matters of homeland security - stranded vehicles or accidents, unsafe road conditions, and other safety related situations are reported eliciting the appropriate emergency responders. Highway Watch reports are combined with other information sources and shared both with federal agencies and the roadway transportation sector by the Highway Information Sharing and Analysis Center. (see www.highwaywatch.com)
- Obtain agreement from developer for access to local cemetery.
- Have State of Kansas relocate weigh station further southwest on I-35.
- No overnight parking on streets and roads coming in or out of facility.
- Develop State legislative program to maintain current state regulations restricting number of pull behind trailers to two on I-35.
- Evaluate impact and identify appropriate improvements to Waverly Road and 56 Hwy. intersection, including signalization and geometric intersection improvements.
- Examine improvements to 56 Hwy. westbound, including base improvements for increased vehicular weight, widening or expansion of roadway.
- The City should develop plans and a development agreement with BNSF regarding how construction traffic will flow between all related projects and the City.

Gardner Intermodal Review Committee
Summary of Possible Benefits, Concerns and Recommendations

July 10, 2006

Land Use

Benefits:

- Development of a tract of land that was not planned to be provided residential services by Gardner. This parcel has two major train tracks crossing it. All roads are gravel, with at grade crossings. The City's wastewater plan shows servicing just one large lot depth to the west of Waverly. This type of project, with a single owner and a master plan, can manage these development obstacles and allow for better design continuity, planning, construction and ongoing maintenance of development on the site.

Concerns:

- Location is within one-half mile of residential subdivisions to the north and east. Though it has not been shown at the other two logistics park sites in Alliance TX and Elwood IL, there is a concern about loss of home value. There may be a stigma attached to a rail project that may affect the surrounding area. Visibility of high industrial use during the day and lighting issues at night could adversely affect the area.
- Noise and lights may detract from the County Park to the west.
- Location of batch plant during construction of Intermodal and Logistics facilities.

Recommendations:

- The intermodal facility needs to be designed, built and landscaped with berms and plantings in a manner that reduces visibility of high industrial uses (cranes, container storage, etc.)
- The warehouses, especially those along the east edge of Waverly must be aligned so that the loading docks do not directly face housing.
- The warehouses should be built to serve as a buffer between the intermodal facility and the surrounding area.
- Buildings should be similar to those at the other intermodal sites – low profile, tilt up construction, with white or similar coloring, utilizing high quality and attractive design standards.
- An abundance of landscaping should be used and maintained to block visibility, muffle sounds, and create an attractive, aesthetically pleasing look.
- The cranes should be electric so that there would be less noise and work area lighting.
- General lighting should be as low to the ground as possible to minimize spillage beyond the intermodal facility. Lights should be directed down with proper shades.
- Establish a process to determine noise impact on adjacent neighborhoods and develop controls to abate this impact.
- Require appropriate buffer, ground and open space written into any plan for development.
- New cranes should have downward focused lighting to eliminate or reduce nighttime light spray.
- Enact night sky ordinance for this and similar developments.
- Planned Unit Zoning district should be required; not general zoning districts.
- As part of a final development agreement, City staff should work to identify a location for a batch plant required for construction of the Intermodal and Logistics facilities, on property owned by BNSF, in a location that would minimize potential impact on adjacent properties.

Gardner Intermodal Review Committee
Summary of Possible Benefits, Concerns and Recommendations

July 10, 2006

Environment

Benefits

- Train horn noise would decrease by eliminating several at grade crossings, negating the needs for horns at those intersections.
- Fewer trains would travel through Gardner if the intermodal was built west of town. Many trains would arrive from the west, unload and then return directly back to the west coast.

Concerns

- Lights may impact the residential neighborhoods.
- Additional storm runoff could adversely affect or damage the streams and Hillsdale Lake.
- Leaking containers could contaminate the streams and Hillsdale Lake.
- Leaking containers could contaminate the air.
- Noise could impact the residential neighborhoods.
- Diesel truck and engine fumes would add additional air pollution.
- Community concern about damage to quality of life, especially related to noise, air and water quality, and traffic.
- Dust during construction of Intermodal and Logistics facilities.

Recommendations

- Project would be required to meet all federal, state and local regulations. Work with Hillsdale Water Quality, KDHE, MARC, Blue Skyway Coalition and other groups and agencies to minimize impacts of pollution.
- Work with BNSF to obtain quiet zones at Poplar Street crossing, at the crossing for the cemetery, and Moonlight Road crossing.
- Use MARC for air quality modeling services, prior to project approval and development.
- State of the art detention ponds and holding facilities should be constructed to keep runoff to pre-construction levels, and to provide areas to treat or reduce pollutants in the runoff, utilizing independent lab to conduct tests and provide results to City.
- Appropriate containment facilities and procedures should be developed to handle possible leaking cargo.
- Appropriate containment facilities and procedures should be developed for any on-site fuel or chemical storage.
- A new interchange and road system must be constructed to bring in trucks quickly and divert them away from Gardner's residential areas.
- Berms, landscaping, buildings and open space must be constructed as noise buffers.
- Light poles should be installed low to the ground, and with state-of-art directional shades to minimize the nighttime glow of the facility. The number of lights should be kept to a minimum and only in areas as required for safety.
- Night sky ordinance should be implemented.
- Apply best new environmental technologies and practices to entire development site, i.e., use of alternate fuels and green buildings.
- Pass an ordinance to control jake braking and related braking noises.
- Investigate lower emission options of locomotives.
- Consider idling ordinance for locomotives and diesel trucks.
- Utilize landscaping and open spaces as a way to clean and mitigate air quality concerns –i.e. there are types of trees that clean the air better than others.
- Develop dust mitigation policies that would apply to the construction phase of the Intermodal and Logistics facilities, as well as similar types of developments.
- Encourage the use of "green technologies" in the development and operation of the entire site.

City Services (non-utility)

Benefits:

- The City would receive Park Impact Fees on all new development related to the Logistics Park and the development within.
- Property taxes would be generated in excess of site maintenance requirements that could be used to enhance city services throughout the city.

Concerns:

- Road surfaces would not hold up to truck traffic and require major repairs and quicker replacement.
- Possible impact to the Edgerton portion of 56 Highway without revenues for street improvements, and the impact on the regional road system.
- Public Safety could potentially be inundated by crime related to the facility.
- Public Safety could experience difficulties in controlling truck traffic.
- Fire suppression would become difficult to handle for extremely large facilities.
- Ability of city to respond to major hazmat situation.
- Increased alarm and false-alarm responses.
- City's ability to provide necessary construction time expertise and oversight.

Recommendations:

- Require pavement design to meet standards for the anticipated truck volume and weight; consider construction of concrete streets designed for heavy truck traffic.
- Designate truck routes to control truck traffic.
- Provide traffic calming measures where appropriate and possible to control truck traffic from using non-designated routes.
- Purchase required equipment to service the facility for Public Safety needs, which would also be a benefit to the community (e.g. an aerial fire truck. Aerial truck is currently within the City's capital acquisition plan and this development would provide the funding for the currently unfunded acquisition.)
- If necessary, require developer of Logistics Park to provide for fire suppression capacity onsite, or provide for city-wide capacity enhancement.
- Continue with current plans to build fire stations at 183rd east of Center and at 167th and Kill Creek.
- Consider fee based alarm response ordinance that charges for false alarms.
- Review possible regional and or developer based solutions for addressing Edgerton 56 highway roadway infrastructure issues and the regional impact on the road system.
- Make mutual aid response entities aware of development and coordinate training on facilities in future.
- Annexation process to be done to minimize impact on other service providers, such as fire district detachment.
- Because of the significant concerns and objections raised by Gardner residents, and citizens located close by in unincorporated Johnson County, the City should undertake public education effort to advise the community on the proposed development as more information becomes available, and undertake actions to begin a community healing process.
- The City should hire a project manager to oversee construction of the site to assure the project adheres to the agreed upon standards for development as well as City health and life safety regulations.
- City should work with BNSF to develop single point of contact for information to the public with dedicated website, phone numbers, etc.

City Services (Electric)

Benefits

- City would receive increased electric revenues that could minimize any needed rate increases.
- BNSF would be required to participate in second interconnection to KCPL's transmission line and in the fourth substation for the city system. This substation is required in the future even without the intermodal.
- Increased base electric load for city system increases the City's ability to secure lower cost energy supply resources.

Concerns

- City would incur costs to acquire service area from KCPL.
- Increased system maintenance represents a future cost for the City.
- Cost increases to purchase additional capacity would be required.

Recommendations

- The facilities would pay for the needed additional capacity (either through placement of generators or through participation with other companies in major coal fired generation plants.
- The facilities would pay for their portion of the second KCPL interconnect and fourth substation.
- The facilities would pay for the buyout of the KCPL service area.
- As with other developments, the facility pays for overhead and underground extensions, as required.
- If it is not advantageous to the city's current and future customers to provide the electricity, the City should consider letting KCPL provide the service to the area. The City would receive 5% of the revenue from franchise fees paid by KCPL.
- KCPL transmission lines need to be relocated at BNSF's expense.
- Environmental issues should be addressed in a coordinated fashion with MARC (Mid-America Regional Council) and KDHE (Kansas Department of Health and Environment).
- Cost/Benefit analysis needs to be conducted by an electric utilities expert.

City Services (Water)

Benefits

City Services (Water)

Benefits

- Provision of water services to the site would likely be shared between City Water and Rural Water District #7.
- The City currently has a 12" main serving that portion of the site within its boundary so no additional mains would need to be constructed.
- Water demand is anticipated to be low and would not require significant, if any, expansion in treatment, distribution, or water rights.

Concerns

- Inability to fight fires if proper pressure for fire flow cannot be achieved.

Recommendations

- Verify fire flow, and if inadequate the intermodal and logistics park must provide for water towers or other measures to ensure the pressure for fighting fires is adequate.

City Services (Wastewater)

There is no current wastewater service available to the area. The City of Gardner or Johnson County Wastewater could provide the service if significant infrastructure is provided.

Sewage could be pumped to either the City facility at Kill Creek and 159th, or to Johnson County Wastewater at New Century. Sewage could be treated on site by a package plant and run by either agency. The City of Gardner has a package plant that is being decommissioned soon and could be sold to and moved to the site.

Recommendation

- BNSF, working with the County and the City, undertakes a study as to how best to serve the area with sanitary sewers. This study must take into account future potential development within the watershed, and also along I-35 that could happen with the construction of the new interchange.
- As with other developments, the developer would pay for necessary infrastructure improvements.

Issues Associated with Proposed Intermodal and Logistics Park
Appendix A. -- Possible Benefits

Benefit Category	Description	Benefit/Impact
Economic Development		
Reduction in property tax burden placed on homeowners	Intermodal/Logistics Park project to increase commercial property burden from 15% to ~50%, lessening residential tax burden	Decreases need to raise property taxes
Daytime economy creation for retail	Workers at the Intermodal/Logistics Park would increase demand for retail services	Increase in local employment and service opportunities
Increased property tax revenues	~Projected City revenues = $58 million over 20 years, currently $2 million ~Projected School revenues = $190 million over 20 years	~Increase from $2M to $4M yearly to City ~New revenue to pay for $130M for new schools required in next 10 yrs.
Transportation		
Improvement of Waverly Rd., 191st St., 183rd St., and Four Corners Rd.	Waverly Road, 191st Street, 183rd Street, Four Corners Road would be improved	Development pays for improvements, not City
Widening of Center St. bridge	Center Street Bridge would be improved to four lanes, a need that is required without the Logistics Park.	Development pays for improvements, not City
Reduction of train horns and removal of at grade crossings	Reduction of most of the train horn sounds and making local traffic safer by eliminating certain at grade crossings because of road closures & construction of overpasses.	Less train horns and safer rail crossings
New I-35 interchange south of Gardner Road	New interchange designated for truck traffic is built - new traffic would be directed away from Gardner Road.	Safety and traffic improvements by not using Gardner Rd. interchange
East/West road enhancement for southern Johnson County	New interchange could spur the east/west major thoroughfare/bypass in Johnson County	Provide major east/west roadway improvement
Land Use		
Single developer of property	Development of proposed project area not easily accomplished; not planned for residential as parcel has 2 major tracks crossing it, roads are gravel with at grade crossings, City's wastewater plan only calls for servicing just one large lot depth to the west of Waverly. Because of these characteristics, a single owner with a master plan could better manage development obstacles and allow for better design continuity, planning, construction and ongoing maintenance of the development.	Single property owner can more efficiently & effectively develop a large parcel of property that has significant obstacles because of multiple rail lines
Environment		
At-grade crossings & train whistles	Train horn noise to decrease by eliminating several at-grade crossings, negating the need for horns at those intersections.	Elimination of at-grade crossings & need for train whistles
Number of trains that pass through Gardner	Fewer trains would travel through Gardner if the Intermodal was built west of town. Many trains would arrive from the west, unload, then return directly back to the west coast.	Reduction in number of trains
City Services (non-utility)		
Impact fee revenues to City	The City would receive Park Impact Fees on all new development related to the Logistics Park and the development within	City to receive additional park impact fee revenues
Property tax revenues	Property taxes would be generated in excess of site maintenance requirements; used to enhance city services throughout City	City to receive additional property taxes

Issues Associated with Proposed Intermodal and Logistics Park
Appendix A. -- Possible Benefits

City Services (Electric)		
Electric revenues	City would receive increased electric revenues that could minimize any needed rate increases.	City to receive increase in electric utility revenues
Second interconnection to KCPL for the City	BNSF would be required to participate in 2nd interconnection to KCPL's transmission line and in the 4th substation for the City. This substation is required in future w/o Intermodal.	New interconnection would improve grid system
Increased base load for City	Increased base electric load for city system increases City's ability to secure lower cost energy supply resources.	Increased base equates to lower cost to purchase electricity
City Services (Water)		
City and Rural Water District #7 can supply water	Provision of water services to the site would likely be shared between City Water & RW7.	Water supply is available for development
City has water main in area	The City currently has a 12" main serving that portion of the site within its boundary so no additional mains would need to be constructed.	No additional water mains required
Water demand is low	Water demand is anticipated to be low and would not require significant, if any, expansion in treatment, distribution, or water rights.	Low water use projected lessening impact on system
City Services (Wastewater)		
NA		

Issues Associated with Proposed Intermodal and Logistics Park
Appendix B. -- Possible Concerns

Concern Category	Description	Detailed Concern
Economic Development		
Public incentives	Taxpayers throughout the city could have to partially pay for improvements for the Logistics Park if tax abatements or other incentives are used to assist in the development.	Could reduce positive economic benefit
Future costs paid by City	Future tax revenues may be required for utility and road development, as well as maintenance of the infrastructure and other city services such as public safety.	Future revenues may be needed to help pay for services, utilities & infrastructure for development
Low wage jobs	The number of employees at starting wages may create a demand for temporary or less expensive housing	Low wage jobs could adversely affect economic mix of community
Truck traffic increases	Major increases in truck traffic could adversely impact existing and future residential and retail development	Traffic problems could impede residential & retail development
Transportation		
Increased truck traffic	2,000 truck trips per day at inception to between 5 to 8,000 truck trips at build-out in approximately 15 yrs. While many trips are local within logistics facility, I-35 will get significant additional traffic. Build- out projections are for 59,000 total vehicle trips (cars and trucks) which includes the employee traffic.	Up to 8,000 truck trips a day in 15 yrs. could cause hardship
Gardner Road & I-35 interchange	Gardner Road interchange cannot handle additional truck traffic generated by the Intermodal and logistics facilities.	Current interchanges unable to handle new truck traffic
Gardner Road & I-35 Interchange	Gardner Road interchange should not be used for Intermodal traffic because of the Nike School traffic located on the south side of I-35	Current & projected school traffic mixed with new truck traffic at interchange is a hazard
Access to cemetery	Loss of access to local cemetery	Cemetery must have public access
Edgerton traffic impact	Increased number of trucks going through Edgerton because of inability to use 56 Highway.	Increased truck traffic on unimproved roads in Edgerton
Students traveling on 56 Hwy	Conflict with trucks and School buses and high school students that drive 56 Hwy. from Edgerton to GEHS	School related traffic mixing with increased truck traffic on 56 Hwy
Trailers allowed to go to more than two	Number of trailers allowed to exceed current regulations of two trailers per semi-tractor	Longer semis on I-35
I-35 weigh stations	Back ups on I-35 at State run weigh stations between Gardner & Olathe, making more truck traffic come through town	Traffic congestion & backups at I-35 weigh stations
Trucks not following truck routes	Trucks traveling through Gardner & Edgerton; not following designated routes	Truck traffic off routes
Construction traffic	Traffic during construction of the Intermodal and Logistics facilities	Construction traffic in Gardner

Issues Associated with Proposed Intermodal and Logistics Park
Appendix B. -- Possible Concerns

Land Use		
Property values of adjacent homes	Location is within one-half mile of residential subdivisions to north & east. Though not shown at other two logistics park sites in Alliance TX and Elwood IL, there is concern about loss of home value. May be stigma attached to rail project that may affect surrounding area. Visibility of high industrial use during day & lighting issues could adversely affect the area.	Because of industrial of uses development could adversely affect home values
Noise & light pollution near park	Noise & lights may detract from the County Park to the west.	Noise & lighting could affect County Park
Batch plant location	Location of batch plant during construction of Intermodal and Logistics facilities	Batch plant could affect neighbors
Environment		
Lighting impact on neighborhoods	Lights may impact the residential neighborhoods	Lighting could affect neighbors
Storm water runoff	Additional storm runoff could adversely affect or damage the streams & Hillsdale Lake	Storm drainage could affect area
Water contamination from containers	Leaking containers could contaminate the streams & Hillsdale Lake	Liquid from leaking containers a possible environmental concern
Air contamination from containers	Leaking containers could contaminate the air.	Gas from leaking containers a possible environmental concern
Noise near residential homes	Noise could impact the residential neighborhoods	Noise could affect neighbors
Diesel truck air pollution	Diesel truck and engine fumes would add additional air pollution	Fumes detracts from air quality
Quality of life reduction	Community concern about damage to quality of life, especially related to noise, air and water quality, and traffic.	Potential to have adverse impact on general quality of life
Construction dust	Dust during construction of Intermodal and Logistics facilities	Dust could impact neighbors
City Services (non-utility)		
Damage to road surface from truck traffic	Road surfaces would not hold up to truck traffic & require major repairs & replacement	Current road infrastructure in area unable to handle truck traffic & weight
Edgerton road maintenance	Possible impact to the Edgerton portion of 56 Highway without revenues for street improvements, & impact on regional road system.	No funding stream available for Edgerton to improve streets
Crime increases	Public Safety potentially inundated by crime related to facility	Increase in public safety calls
Inability to control truck traffic	Public Safety could experience difficulties in controlling truck traffic	Enforcement of truck routes difficult
Fire suppression for warehousing	Fire suppression difficult to handle for extremely large facilities	Increase in need for fire suppression
Hazmat response	Ability of city to respond to major hazmat situations	Increase in hazmat response calls
False emergency alarms	Increased alarm and false-alarm responses	Increase in alarm responses
City's construction oversight expertise	City's ability to provide necessary construction time expertise and oversight	Additional project oversight required
City Services (Electric)		
Cost to buyout KCPL	City would incur costs to acquire service area from KCPL	Costs to acquire KCPL service area
Increased system maintenance costs	Increased system maintenance represents a future cost for the City	Increased system maint. costs
Cost to purchase additional capacity	Cost increases to purchase additional capacity would be required	Costs to buy system capacity
City Services (Water)		
Water pressure for fire suppression	Inability to fight fires if proper pressure for fire flow cannot be achieved.	Water pressure/fire flow improvements may be required
City Services (Wastewater)		
NA		

Issues Associated with Proposed Intermodal and Logistics Park
Appendix C. -- Recommendations

Recommendation Category	Description
Economic Development	
Use incentives wisely	Use incentives carefully to maximize revenue - some incentives may be necessary to compete with other local governments
Require infrastructure standards	Require infrastructure be constructed to the highest standards w/ regular maintenance to lessen major rehabilitation.
Find other investors	Leverage federal, state and private funding to minimize city investment
Require impact fees	Continue use of impact fees for water, wastewater, parks, and streets - new development should pay for impacts to system.
Set utility rates	Utility rates paid by the facility will pay for maintaining the system.
Development pays for infrastructure	The new development must pay for the infrastructure improvements required for this project.
Conduct cost/benefit analysis	City should begin a time-based cost/benefit analysis of the project
Review incentive policies	City should review& update incentive policies prior to approving development & annexation agreements
Transportation	
New interchange required	New interchange completed prior to opening Intermodal facilities, directing traffic away from Gardner Road interchange.
Intermodal Truck Traffic Restricted	Trucks using I-35 should be required to enter and exit using only the new interchange
183rd Street	183rd Street west of Center must be closed to trucks but available for auto use by employees to avoid residential areas.
Traffic standards for trucks	Traffic standards in place to direct trucks to appropriate roads, I-35 or 56 Hwy, restricting trucks from residential/ high traffic areas.
Overpass on Waverly & 199th	Overpasses improved on Waverly Rd. & 199th Street; other upgrades to at-grade crossings in Gardner/Edgerton; all completed prior to facilities opening
Waverly Road Improvements	Waverly Road improved to four-lanes south of 56 Hwy; intersection at 56 Hwy & Waverly realigned prior to opening
183rd and 191st Streets	183rd and 191st Streets should be constructed to handle employee traffic for the facilities.
Intermodal entrance at 191st and Four Corners Road	The truck entrance should be located near 191st & Four Corners Road; must be designed and constructed to handle projected traffic at build out, and to be constructed to standards to minimize road failures and provide ease of maintenance.
Long-term improvements plan for area	Work with Johnson County, MARC, KDOT, & FHWA to plan long-term improvements required for development in area
Devise plans to control traffic	Identify ways to control directional traffic restrictions onto 56 Hwy & designated truck routes.
Highway watch program	Initiate truck based hwy watch to leverage presence of trucks into added security net for motorists & strengthen cargo inspections
Access to cemetery	Obtain agreement from developer for public access to cemetery
Relocate weigh station	Work with State to relocate weigh station southwest on I-35
Parking on streets	Restrict and prohibit overnight parking on streets and roads coming in or out of the facility
Restrict trailer length	Develop State legislative program to maintain current state regulations restricting number of pull behind trailers to two on I-35
Study improvements to Waverly Rd. intersection with 56 Hwy.	Evaluate impact and identify appropriate improvements to Waverly Road and 56 Hwy. intersection, including signalization and geometric intersection improvements.
Study 56 Hwy. intersection improvements	Examine improvements to 56 Hwy. westbound; including base improvements for increased vehicular weight, widening or expansion of roadway.
Construction related traffic	City or develop plans to deal with construction traffic related to the Intermodal and Logistics facilities
Land Use	
Impact of industrial uses	The Intermodal facility to be designed, built and landscaped with berms & plantings to reduce visibility of high industrial uses (cranes, container storage, etc.)
Loading docks	Warehouses, especially along the east edge of Waverly, aligned so that loading docks do not face housing.

Issues Associated with Proposed Intermodal and Logistics Park
Appendix C. -- Recommendations

Recommendation Category	Description
Buffers for Intermodal facility	Warehouses built to serve as buffer between Intermodal facility and the surrounding areas.
Building design	Buildings should be high quality, low profile, tilt up construction, with white or similar earth tone coloring, utilizing high quality and attractive design standards.
Use of landscaping	An abundance of landscaping should be used and maintained to block visibility, muffle sounds, and create an attractive, aesthetically pleasing look.
Electric cranes	Cranes should be electric to minimize noise & work area lighting.
Facility lighting	Lighting should be as low to the ground as possible to minimize spillage beyond Intermodal facility. Lights directed down with proper shades.
Noise	Establish a process to determine noise impact on adjacent neighborhoods & develop controls to abate impact.
Open space	Require appropriate buffer, ground and open space integrated into any plan for development
Cranes for work site lighting	New cranes should have downward focused lighting to eliminate or reduce nighttime light spray
Night sky ordinance	Enact night sky ordinance for this and similar developments
Planned unit zoning	Planned Unit Zoning district should be required; not general zoning districts
Batch plant	City staff to work with railroad to locate batch plant, if required for facility construction, on property owned by BNSF in location to minimize potential impact on adjacent properties
Environment	
Environmental regulation and standards compliance	Project required to meet all federal, state and local regulations. Work with Hillsdale Water Quality, KDHE, MARC, Blue Skyway Coalition and others to minimize impacts of pollution.
Air quality modeling	Utilize MARC to help conduct air quality modeling services, prior to project development
Testing stormwater runoff	State of the art detention ponds & holding facilities should be constructed to keep runoff to pre-construction levels; provide areas to treat or reduce pollutants in runoff utilizing independent lab to conduct tests & provide results to City.
Containment facilities & procedures for cargo	Appropriate containment facilities & procedures should be developed to handle potential for leaking cargo
Containment facilities & procedures for fuel/chemicals	Appropriate containment facilities and procedures should be developed for any on-site fuel or chemical storage
Interchange for facility	A new interchange and road system must be constructed to bring in trucks quickly & divert away from residential areas.
Noise buffers	Berms, landscaping, buildings and open space must be constructed as noise buffers
Lighting	Light poles should be installed low to the ground, and with state-of-art directional shades to minimize the nighttime glow of the facility. The number of lights should be kept to a minimum and only in areas as required for safety.
Night sky ordinance	Night sky ordinance should be implemented.
New environmental technologies	Apply best new environmental technologies & practices to entire development site, i.e. use of alternate fuels & green buildings
Approve jake brake and related ordinances	Pass an ordinance to control jake braking and related braking noises
Require lower emission vehicles	Investigate lower emission options of locomotives
Approve idling ordinance	Consider idling ordinance for locomotives and diesel trucks
Landscaping & air quality	Utilize landscaping & open spaces as way to clean & mitigate air quality concerns, i.e. types of trees clean air better than others
Dust mitigation	Develop dust mitigation policies for construction phase of the Intermodal & Logistics facilities & similar developments

Issues Associated with Proposed Intermodal and Logistics Park
Appendix C. -- Recommendations

Recommendation Category	Description
City Services (non-utility)	
Road surface standards	Require pavement design to meet standards for the anticipated truck volume & weight; consider construction of concrete streets designed for heavy truck traffic.
Designate truck routes	Designate truck routes to control truck traffic.
Traffic calming	Provide traffic calming measures where appropriate & possible to control truck traffic from using non-designated routes.
Public Safety Equipment	Purchase required equipment to service the facility for Public Safety needs, (e.g. an aerial fire truck that is currently unfunded.)
Fire suppression needs	If necessary, developer required to provide for fire suppression capacity onsite, or provide for city-wide capacity enhancement.
Fire stations	Continue with current plans to build fire stations at 183rd east of Center and at 167th & Kill Creek.
New alarm response ordinance	Consider fee based alarm response ordinance that charges for false alarms
Area roadway & infrastructure issues	Review possible regional and or developer based solutions for addressing Edgerton 56 highway roadway infrastructure issues and regional impact on the road system
Mutual aid agreements	Make mutual aid response entities aware of development & coordinate training on facilities in future
Fire district detachment	Annexation process to be undertaken in way to minimize impact on other service providers, such as fire district detachment.
Public education campaign	City should undertake public education effort to advise community on proposal and begin healing process
Project manager during development	City should hire project manager to oversee construction of the site; assure the project adheres to the agreed upon standards for development & City's health and life safety regulations.
City Services (Electric)	
Additional capacity	Developer & facilities to pay for the needed additional capacity (either through placement of generators or through participation with other companies in major coal fired generation plants.)
2nd KCPL interconnect & 4th substation	The facilities/developer would pay for their portion of the second KCPL interconnect and fourth substation
Possible purchase of service area	The facilities/developer to pay for buyout of KCPL service area.
Infrastructure extensions	As with other developments, the facility/developer would pay for overhead & underground extensions, as required.
Determine whether City or KCPL should provide electric	If not advantageous to city's current & future customers to provide electricity, City to consider KCPL to provide service to area & City receives 5% revenue from franchise fees paid by KCPL.
Transmission lines relocated	KCPL transmission lines to be relocated at BNSF's expense
Address environmental impacts with MARC & KDHE	Environmental issues should be addressed in coordinated fashion with MARC & KDHE
Cost/benefit analysis on electric utility	Cost/Benefit analysis needs to be conducted by an electric utilities expert to determine best options
City Services (Water)	
Water pressure/fire flow	Verify capacity/pressure required for adequate fire flow; developer to provide for water towers or other measures to ensure the pressure for fighting fires is adequate before opening of facilities
City Services (Wastewater)	
Wastewater service	BNSF to work with County and City to study sanitary sewer options for area; account for future potential development within watershed, and also along I-35 in area of new interchange.
Development pays for improvements	As with other developments, the developer would pay for necessary infrastructure improvements.