

MONDAY ** OCTOBER 2, 2017 ** CITY HALL ** 7:00 P.M.

HUXLEY CITY COUNCIL CHAMBERS

A SESSION OF THE CITY OF HUXLEY'S PLANNING AND ZONING COMMISSION

PUBLIC NOTICE IS HEREBY GIVEN THAT THE <u>PLANNING AND ZONING COMMISSION</u> OF THE CITY OF HUXLEY, IOWA, WILL MEET IN THE HUXLEY CITY COUNCIL CHAMBERS, 515 NORTH MAIN AVE., HUXLEY, IOWA, <u>AT 7:00 P.M. ON MONDAY THE 2ND DAY OF OCTOBER, 2017</u> TO CONSIDER THE MATTERS ENUMERATED IN THE AGENDA BELOW:

1.0) ROLL CALL

COMMISSION AGENDA ITEMS:

- 2.0) MOTION TO APPROVE THE MINUTES FROM THE FOLLOWING MEETINGS: 2.1) July 12, 2017 – Regular Meeting
- 3.0) PUBLIC HEARING: NONE
- 4.0) DISCUSSION AND RECOMMENATION ITEMS:
 - 4.1) DISCUSSION AND POSSIBLE RECOMMENDATION ON SITE PLAN FOR INNOVATIVE TECHNOLOGY AT 1545 BLUE SKY BOULEVARD.
 - 4.2) DISCUSSION AND POSSIBLE RECOMMENDATION ON SITE PLAN FOR CONTINENTAL MANUFACTURING CHEMIST (CMC) AT 1502 BLUE SKY BOULEVARD.
 - 4.3) DISCUSSION AND POSSIBLE RECOMMENDATION ON APPROVING AMENDMENT TO THE BULK REGULATIONS FOR LOT 53 IN PRAIRIE RIDGE PLAT 1 PUD.
 - 4.4) DISCUSSION AND POSSIBLE RECOMMENDATION FINAL PLAT FOR BLUE SKY COMMONS.
 - 4.5) DISCUSSION AND POSSIBLE RECOMMENDATION FOR ORDINANCE AMENDING THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT REGULATIONS OF SECTION 165.27 OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, AND THE M-1 INDUSTRIAL DISTRICT REGULATIONS OF SECTION 165.30 OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, TO AUTHORIZE SALE OR DISPLAY OF FIREWORKS AS A PERMITTED USE IN C-1, C-2, C-3 AND M-1 DISTRICTS.
 - 4.6) DISCUSSION AND POSSIBLE RECOMMENDATION ON ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, BY AMENDING THE ZONING ORDINANCE TO ADD NEW SECTION 165.47 PROVIDING REGULATIONS FOR SOLAR ENERGY SYSTEMS.

5.0) MISCELLANEOUS

- 5.1) Residential Subdivision
- 6.0) COMMENTS AND UPDATES

City Staff and Engineer, Mayor and Council and Public

7.0) ADJOURNMENT

THIS NOTICE IS HEREBY GIVEN AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE MEETING SPECIFIED ABOVE. THIS WAS DONE BY ADVISING THE NEWS MEDIA WHO HAVE FILED A REQUEST FOR NOTICE AND BY POSTING THE NOTICE ON THE FRONT WINDOW IN THE LOBBY AREA IN CITY HALL THAT IS ACCESSIBLE TO THE PUBLIC. THIS WAS ALL PURSUANT TO CHAPTER 21 OF THE CODE OF IOWA.

John Haldeman, City Administrator/Zoning Administrator



Roger Bierbaum, Chairman

Planning and Zoning Commission Minutes

Date of Approval

Wednesday July 12, 2017 Huxley Council Chambers 6:30 P.M.

					6:30 P.N
1.0)	CAL	L TO ORDER AND ROLL CAI	LL:	22	
Chair	man Rog	ger Bierbaum called the P&Z Mee Roger Bierbaum Cheryl Patterson Mike Schonhorst Gordon Mosher	ting to order at 6:30 F	PM. P&Z members pres Larry Wilson Mark Johnson Nate Easter	sent: ☑ ☑ ☑
Staff		John Haldeman, Zoning Administ Amy Kaplan, Zoning Clerk	rator		
Consu	ıltants pı	resent: Jim Nervig, City Attorney			
мот	ION TO	APPROVE THE MINUTES F	ROM THE FOLLO	WING MEETING:	
	1.1)	JUNE 5, 2017 REGULAR ME minutes. Roll was taken. 4 AY		Easter and seconded by	Johnson to appro ve
Mike	Schonh	orst entered the meeting.			
COM	MISSIC	ON AGENDA ITEMS:			
2.0)	PUBL	IC HEARING: NONE			
4.0)	DISC!	USSION AND POSSIBLE ACT Discussion and possible actio Jim Nervig will update the ord law." Motion by Schonhorst ar	n on zoning ordinan inance to add "must p	rovide proof of insurance	
5.0)	COM	MENTS AND UPDATES: A company is looking to purch No update on the relocation of Website and minutes have been Council is still unsure what dir sidewalk is not currently present The next Planning and Zoning	Kreg Tool n updated on the webs ection they want to taint	site as requested ke regarding sidewalk re	equirements where a
6.0)	ADJO	URNMENT – Motion by Wilson	ı to adjourn at 6:52 PI	M, seconded by Easter.	5 AYE. 0 NAY.
	Amy K	Kaplan, Zoning Clerk	_		



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320 515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

September 27, 2017

John Haldeman City Administrator City of Huxley 515 N. Main Avenue Huxley, Iowa 50124

HUXLEY, IOWA
INNOVATIVE TECHNOLOGIES SITE
SITE PLAN

We have reviewed the revised site plan for the Innovative Technologies Site and find it acceptable.

If you have any questions or comments, please contact us at 515-225-8000.

VEENSTRA & KIMM, INC.

Original Signed By Forrest S. Aldrich

Forrest S. Aldrich

FSA:dml 45229—017

cc: Nate Easter, Easter & Associates (e-mail)
Jeff Peterson, City of Huxley (e-mail)
Luke Well, Woodruff Construction (e-mail)
Mindy Bryngelson, Clapsaddle-Garber Associates (e-mail)

Roll Call	Aye	Nay	Absent
Roger Bierbaum	_		
Cheryl Patterson	1. <u>1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1</u>	_	
Gordon Mosher			
Mark Johnson	_		
Mike Schonhorst	-		
Nate Easter			
Larry Wilson			



September 18, 2017

Mr. Nate Easter Easter & Associates

RE: Innovative Technologies Site 1545 Blue Sky Boulevard Internal City Comments Response Huxley, Iowa

Mr. Nate Easter,

Attached are updated plan sheets for the Site Plan Review for the Innovative Technologies site. Please find our responses to the Internal City Comments (application date 09/07/2017) below:

Public Works – Jeff Peterson 515-450-1707

- 1. Comments: We do not allow taps in manholes. Please verify and hook to tap that was provided for lot.
 - Response: Please see updated plan set. The sanitary sewer routing was updated to hook to the tap provided. Notes were added to field verify location.
- 2. Comments: Sanitary lateral line should be labeled either 6" Schedule 40 or SDR 23.5. Response: Pipes were labeled as 6" Sch. 40 on C.200.
- 3. Comments: Show two inch copper water line. Two inch or less requires Type K copper. Response: The two inch copper water service is labeled with Note (D) on C.200.
- 4. Comments: Show 6" fire line. Ductile or DR19 C900.

 Response: The 6" fire line, either Ductile or DR19 C900, is labeled with Note (C) on C.200.
- 5. Comments: Provide and install Watts RPZ backflow assembly for two inch line. Response: Installation of a Watts RPZ backflow assembly is labeled with Note (D) on C.200.
- 6. Comments: Provide back flow as per state plumbing code for fire line.

 Response: Installation of a back flow for the fire line is labeled with Note (C) on C.200.

September 18, 2017 Mr. Nate Easter Innovative Technologies Site Plan Review

7. Comments: Label water and sewer on plan

Response: Please see sheet C.200 for the labeling of water and sewer lines.

8. Comments: Add on the plan that not only SUDAS needs to be followed but the City's standards and specifications as well.

Response: Please see Note (5) of the General Utility Notes on C.200

- 9. Comments: Pressure tests on sanitary manholes and lateral piping will be required. Response: Please see Note (6) of the General Utility Notes on C.200
- 10. Comments: Water and sewer will be inspected by water superintendent. Keith Vitzthum 515-290-7512

Response: Please see Note (7) of the General Utility Notes on C.200

- 11. Comments: Any street signs damaged or removed will be replaced by owner. Response: Please see Note (8) of the General Utility Notes on C.200
- 12. Comments: Pipe depth for water main and service line is a minimum of 5.5 feet. Response: Please see the note under Utility Companies on C.101.
- 13. Comments: To our knowledge, Joe Loonan Jr. is the contact for both Alliant gas and Alliant electric. Joe Loonan's cell number is 515-450-8600.

Response: The contact for Alliant Energy has been changed on C.101.

Preliminary Engineering – Nate Easter 515-290-4481

- 1. Comments: Section 167.05, 2E Calls for 1 island per 20 spaces. Since parking stalls provided are just over 20 spaces, we are OK with 1 island.
 - Response: A landscaped island was added to the middle of the northern parking row. Please see C.200 and C.400 to accommodate this change.
- 2. Comments: Code calls for a traffic analysis. However, we will not require a full traffic analysis, but would like a statement as to what to expect in delivery vehicles (size, numbers, and times).
 - Response: The 10 full-time employees will be working typically from 7 AM 4 PM and will be driving standard cars and trucks. There will typically be 1 freight truck and trailer delivery each day and that is usually in the morning. UPS and FedEx deliveries are daily at their normal times.
- 3. Comments: Is there any proposed signage? The City will need to review any signage before installation.
 - Response: At this time we are not sure on the exact method of signage, but it will most likely be building mounted. We will prepare the required application and review at the time when the signage is determined.

September 18, 2017 Mr. Nate Easter Innovative Technologies Site Plan Review

- 4. Comments: The general notes state that lighting will be determined by owner. Prior to installation and approval, Owner will need to provide a photometric/lighting plan according to 167.05, 3B for review/approval by the City.
 Response: The current plan is for the lighting to be building mounted and we will submit along with the architectural drawings for the building permit. We will submit the proper photometric/lighting plan to the city for approval. Also, the general notes on C.200 were changed to read this required review/approval as well.
- 5. Comments: A sidewalk from the right-of-way to the front door should be provided. Response: A sidewalk was added from the front door to the public right-of-way. Please see these changes in C.200 and C.300.
- 6. Comments: Please mark/designate accessible stalls.

 Response: With 25 parking spaces, ADA requires (1) single-accessible stall. This is shown in the front entrance of the building. Please see C.200 and detail 5 on C.500
- 7. Comments: Gravel vehicular parking isn't allowed by code. Can you elaborate on the intent/desire for the gravel/rock portion of the site?

 Response: The gravel portion will be used for temporary storage of equipment. All required parking is met by paved surface. This is in accordance with the standard set by Ditch Witch in the adjacent property.
- 8. Comments: Please provide documentation of where the CN values for row crops and other number were derived. Also, please provide documentation that the outflow pipe slop in the pond routing matches the pipe slope shown in the plans. Please review pipe velocities on the outlet side of the pond—we want to avoid downstream erosion.

 Response: The CN of 85 for Row Crop, 98 for paved surface and 74 for Good (grass cover > 75%) came from the textbook Hydrology & Hydraulic Systems, by Ram S. Gupta. A scanned copy of the table is attached to this letter. The outflow of the detention pipe is 48° @ 0.84%. This slope and length is now reflected in the storm water report. Our hydraflow modeling determines at a 100 year flood it will release at 4.076 cfs. This relates to a velocity (through a 12" CMP pipe) of 5.19 ft/s. To avoid downstream ersion, a 6" nominal size aggregate will be sufficient in controlling a maximum velocity of 5.19 ft/s. See Detail 4 on C.503.
- 9. Comments: The public street and public utilities need to be extended to the property line. Response: The street and utilities extension is currently being designed by Snyder and Associates. We will coordinate between our designs on this development.

September 18, 2017 Mr. Nate Easter Innovative Technologies Site Plan Review

Please contact me with any questions at (515) 232-1784.

Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC

Mindy M. Bryngelson, P.E.

Vice President

Enclosures

Cc: Luke Wall, Woodruff Construction



September 26, 2017

Mr. Forrest S. Aldrich Veenstra & Kimm, Inc.

RE: Innovative Technologies Site 1545 Blue Sky Boulevard Site Plan Review Huxley, Iowa

Mr. Forrest Aldrich,

Attached are updated plan sheets for the Site Plan Review for the Innovative Technologies site. Please find our responses to the Final Site Plan Review (application date 09/07/2017) below:

1. Comments: The SUDAS Design Standards, section 2G-1, Par. F.1 requires a minimum detention basin bottom cross slope of 2%. The proposed basin has a flat bottom. Please provide a sloped bottom at a minimum of 2% slope or provide a concrete paved swale or channel bottom cunette and subsurface drains. The detention pond volume will need to be recalculated to verify adequate storage is still provided.

Response: Please see updated plan set and storm water report. The detention basin was adjusted to have a minimum of 2% slope towards the CMP outlet pipe.

2. Comments: The same SUDAS Design Standards paragraph requires a 1-foot of freeboard above the emergency spillway discharge or 2 feet of freeboard above the 100 year surface elevation. The proposed freeboard is approximately 3 inches. Please provide 2 feet of freeboard or an emergency spillway with 1 feet of freeboard.

Response: Please see updated plan set. The detention basin has a 100 year surface elevation of 983.93 and top of basin elevation of 985. There is an emergency spillway to the outlet of the CMP pipe on the southwest of the site for storms larger than the 1-foot freeboard. Building FFE is 990.

September 26, 2017 Mr. Forrest Aldrich Innovative Technologies Site Plan Review

Please contact me with any questions at (515) 232-1784.

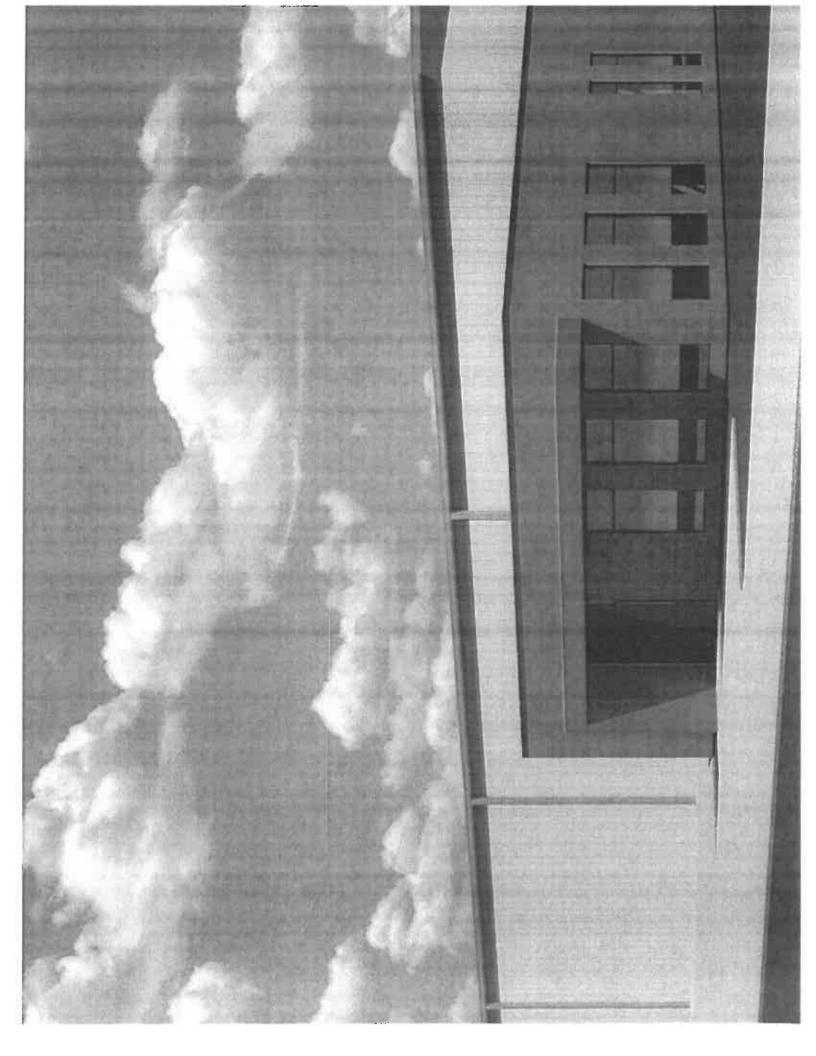
Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC

Mack M. Mattke, E.I.

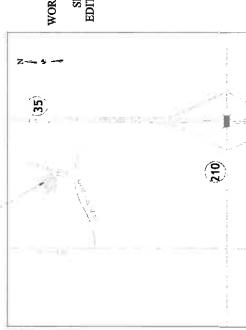
Enclosures

Cc: Luke Wall, Woodruff Construction



INNOVATIVE TECHNOLOGIES SITE PLAN HUXLEY, IOWA

PROJECT LOCATION



WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH THE IOWA STATEWIDE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS, 2017 EDITION (SUDAS) AND THE CITY OF HUXLEY STANDARD SPECIFICATIONS

INDIEX OF SHEETS

DESCRIPTION	TITLE SHEET	SYMBOLS, LEGEND AND GENERAL INFORMATION	EXISTING CONDITIONS & DEMOUTION PLAN	LAYOUT & UTILITY PLAN	GRADING PLAN	STORM WATER POLLUTION PREVENTION PLAN	LANDSCAFE FLAN	
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VICINITY MAP NOT TO SCALE







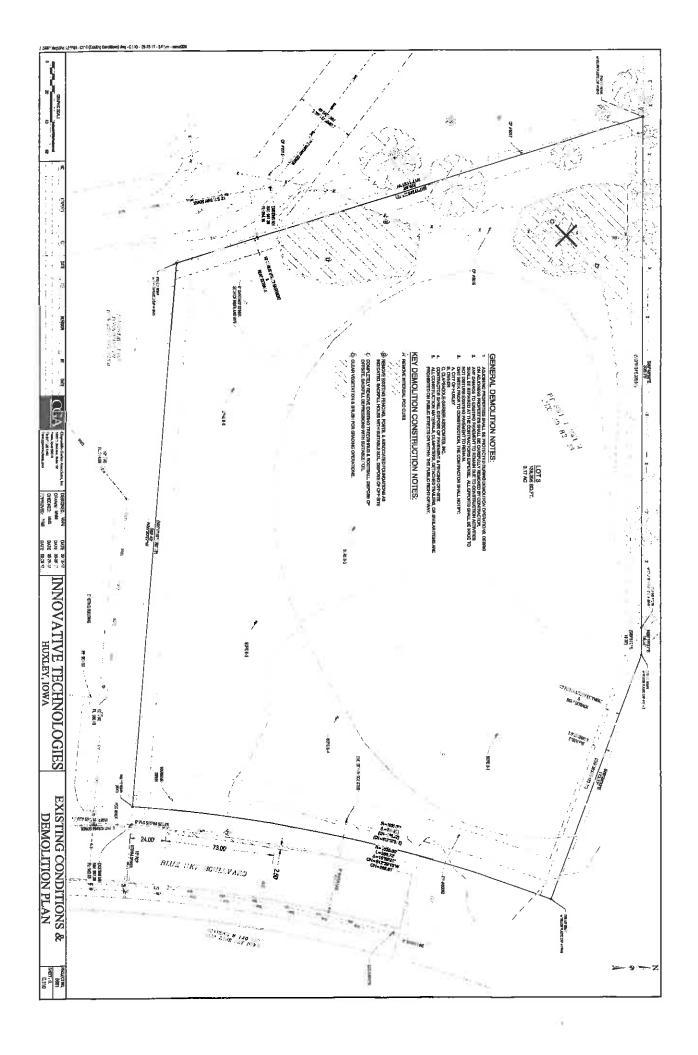
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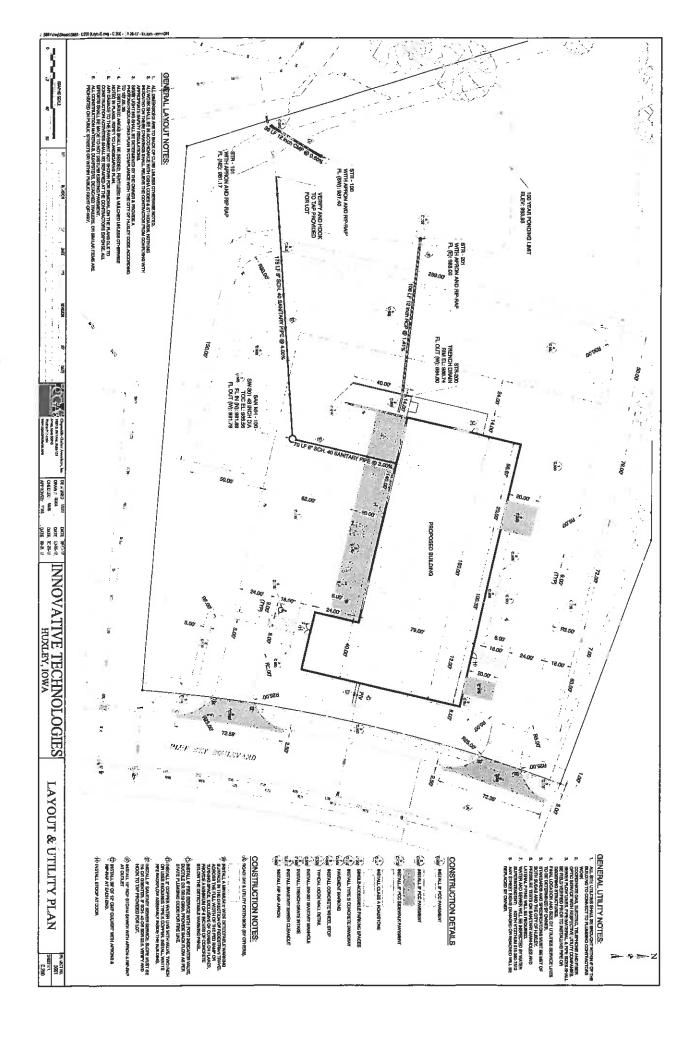
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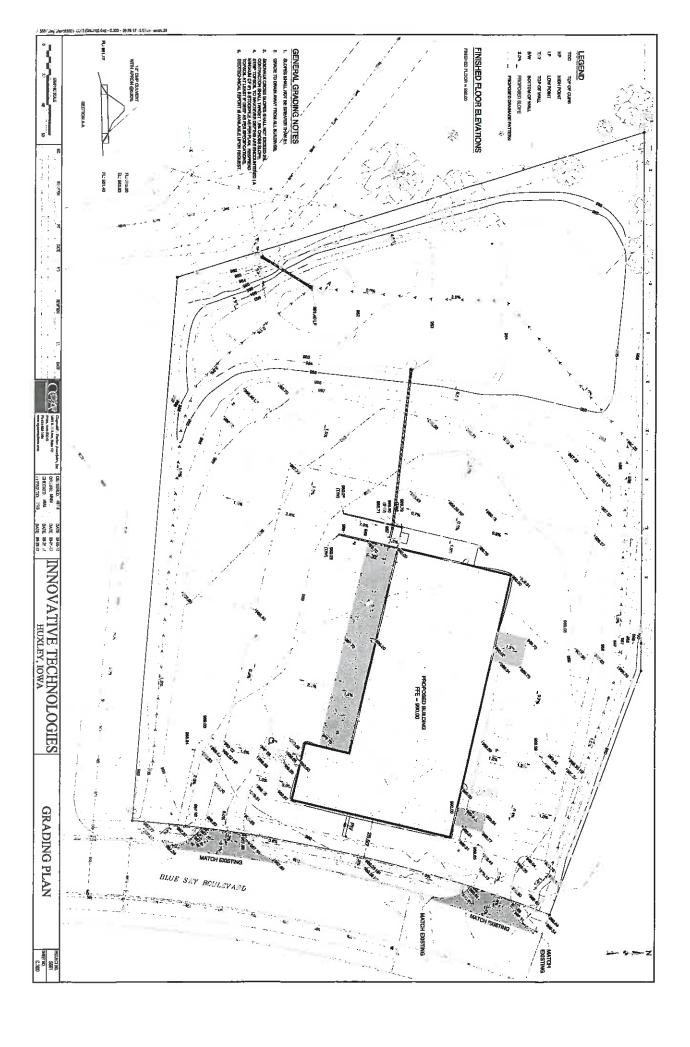
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STORY COUNTY, CITY OF HUXLEY

POLLUTION PREVENTION PLAN

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LAWS, RULES OR RESULVATIONS SHALL APPLY.

5. APPROVED STATE OR LOCAL PLANS
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MATERIALS WILL BE HOLOUNTERED. THE WELL SITUATIONS ARE ENCOUNTERED, THEY WILL BE HANDLED
ACCORDING TO ALL FEDERAL, STATE AND LOCAL REGULATIONS IN EFFECT AT THE TIME.

THIS WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS.

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B. MAINTENANCE
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7. NIGEDITIONS
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8. GENERAL NOTES

A. THE ASONE PLAN IS NOT THE COMPLETE STORM WATER PREVENTION PLAN (SWIPPR), BUT RATHER A PART OF THE ASONE PLAN IS TO BE UPONTED REGULATION WATER PREVENTION PLAN (SWIPPR), BUT RATHER A PART OF THE SWIPPR THAT IS TO BE UPONTED REGULATION WATER PREVENTION PLAN (SWIPPR), BUT RATHER A PART OF THE SWIPPR THAT IS TO BE UPONTED REGULATION WATER PROVINCES AND AND AS WELL AS CONDUCT ANY MECESSARY. RESPONSIBILITY TO DEPELD & MAD UPDATE THE SHPEP PLAN AS HEED AS WELL AS CONAULT ANY INCRESSARY INSPERTMENTS AN ADDITIONAL THE SHAPP WAS ADDITIONAL THE CONTRACTION SHAP THE CONTRACTION SHAP THE CONTRACTION SHAP THE SHAPP AND LIBREAGHED AND LIBREAGHED AND LIBREAGHED AND LIBREAGHED AND LIBREAGHED AND LIBREAGHED AND THE CONTRACTION SHAP THE SHAPP ALL EMBRICH CURRENTS COUNTRY THE SHAPP ALL EMBRICH CURRENTS COUNTRY THE TUPP RESPONDED THAT SHALL BE REMOVED AT THE END OF THE PROJECT.

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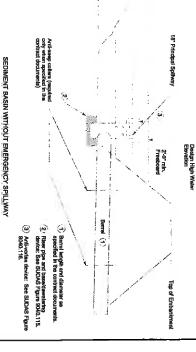
CONTRACTOR SHALL TAKE PRECAUTIONS TO INSURE THAT EQUIPMENT, VEHICLES, AND PLANTING OPERATIONS DO NOT DISTURE OR DAMAGE EXISTING ORACES, WALLS, DEVES, PAYSHAPT, UTLITIES, PLANTS, LAWNS, IRRIGATION SYSTEMS, AND OTHER PRACUITES, REPAIR, REPAIRS, AND/OR RETURN TO ORIGINAL CONDITION ANY DAMAGED FIEM, WITHOUT ADDITIONAL COMPENSATION.

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F. THE COST FOR THIS WORK SHALL BE INCLUDED IN THE CONTRACTOR'S BASE BID.

10. CONSTRUCTION NOTES:

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- INSTALL CONCRETE WASH OUT AREA TO SERGITHE PROJECT.



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INNOVATIVE TECHNOLOGIES
HUXLEY, 10WA

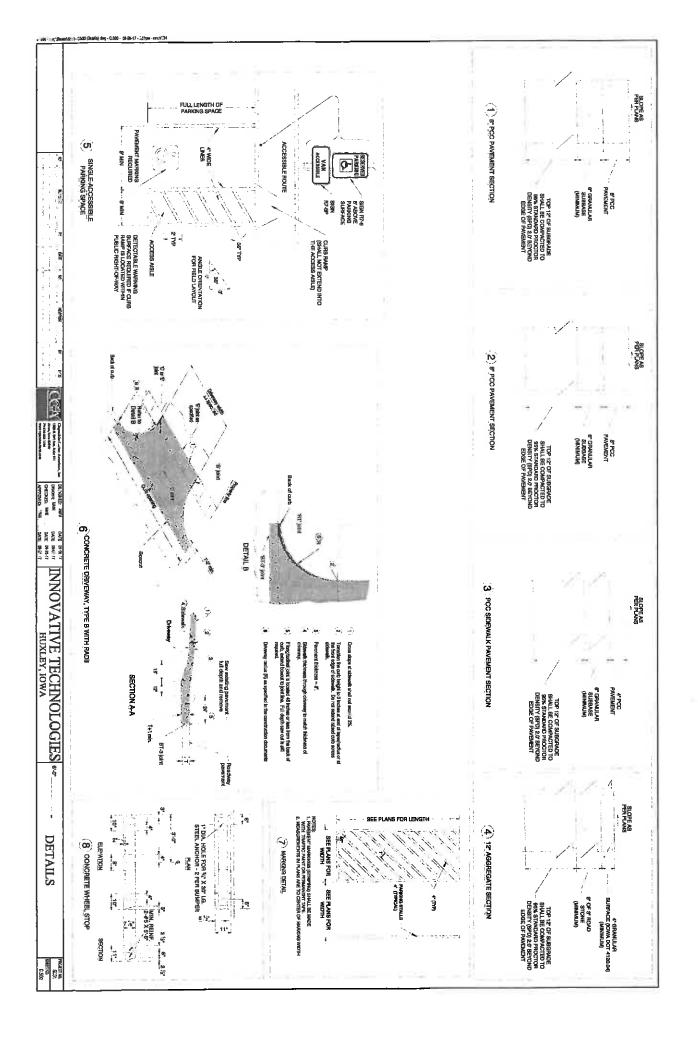
STORM WATER POLLUTION

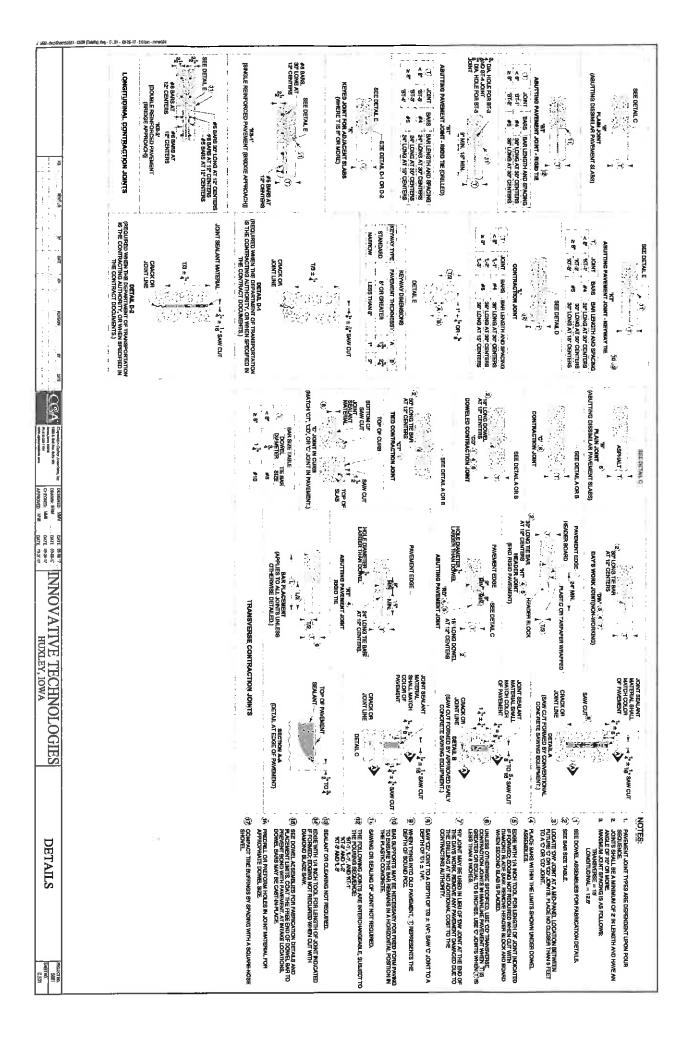
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BASIN AS A SEDIMENT BASIN DURING CONSTRUCTION.
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CONTRACTOR MASS REMOVE SEMINENT & REPLACE RISER
WITH AFRON BEFORE COMPLETION OF PROJECT.

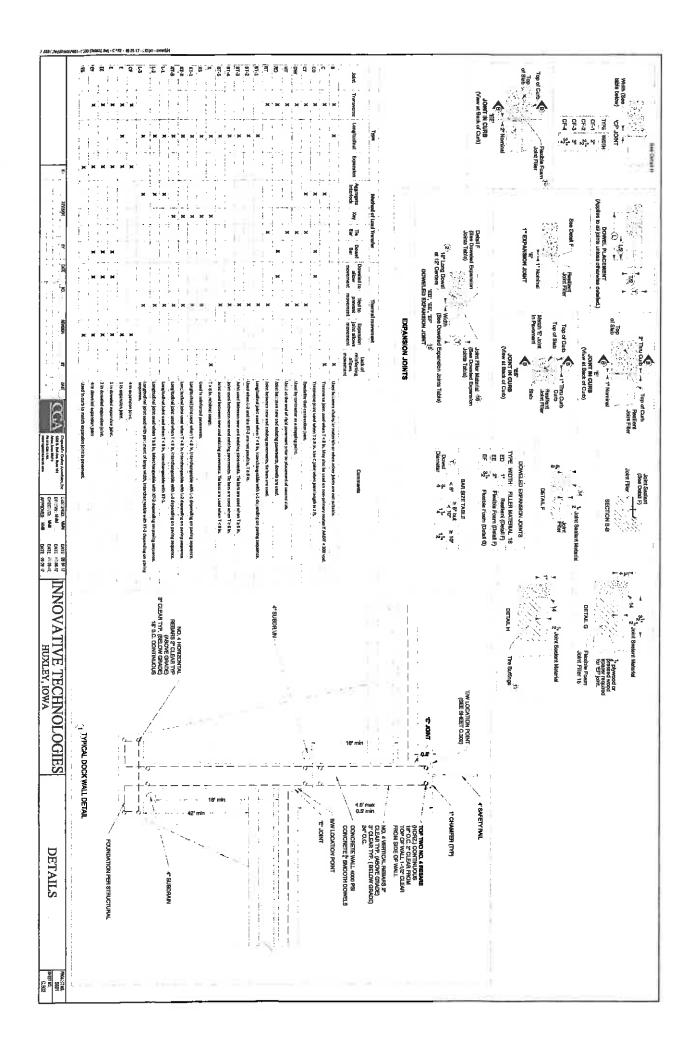
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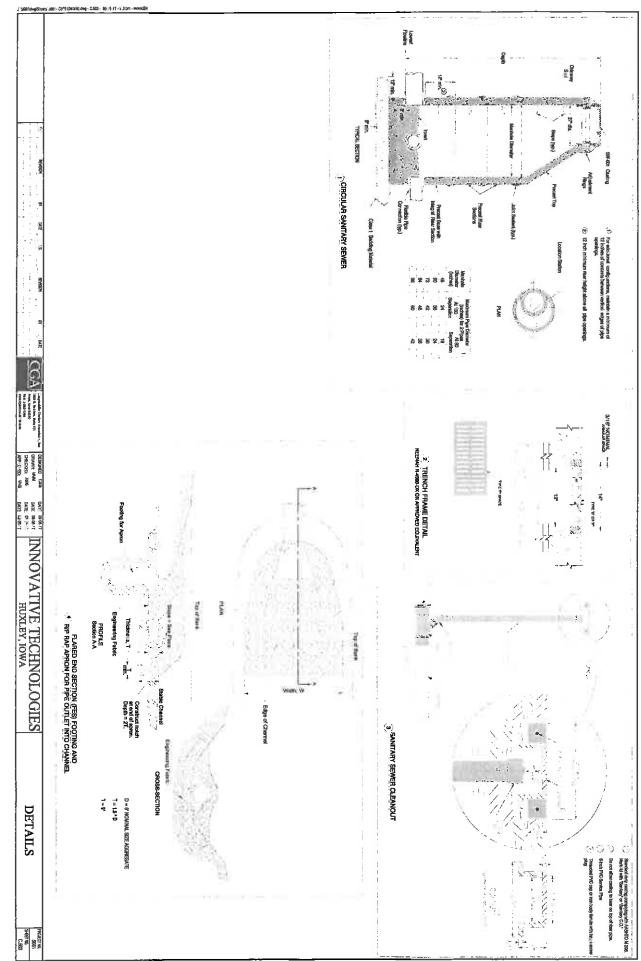
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PREVENTION PLAN











VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320 515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

September 29, 2017

John Haldeman City Administrator City of Huxley 515 N. Main Avenue Huxley, Iowa 50124

HUXLEY, IOWA CONTINENTAL MANUFACTURING CHEMIST (CMC) 1500 BLUE SKY COMMONS SITE PLAN

We have reviewed the site plan for Continental Manufacturing Chemist (CMC) at 1500 Blue Sky Commons and find it acceptable.

However, the constituents proposed to be discharged into the sanitary sewer collection system are still being evaluated.

If you have any questions or comments, please contact us at 515-225-8000.

VEENSTRA & KIMM, INC.

Forrest S. Aldrich

FSA:dml 45229-019

cc: Nate Easter, Easter & Associates (e-mail)
Jeff Peterson, City of Huxley (e-mail)
Eric Cannon, Snyder & Associates (e-mail)

SITE PLAN

Sheet 1 of 5

\$280.711

FOR

BLUE SKY COMMONS

CITY OF HUXLEY, STORY COUNTY, IOWA

VICINITY MAP PROJECT LOCATION

INDEX OF SHEETS

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HUXLEY, IOWA

- 1. TITLE SHEET
- 2. PROJECT INFORMATION
- 3. DIMENSION AND UTILITY PLAN
- 4. GRADING, STORM SEWER AND EROSION CONTROL PLAN
 - 5. PLANTING PLAN

SUYDER & ASSOCIATES, INC.







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TITLE SHEET

BLUE SKY COMMONS

SNYDER	P:vject No: 117,0852	Sheet 1 of 5
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WTERSTATE LAND PROPERTIES LLC. PO BOX 575 PORENT, IONA 50220-0573 JOSH POTTER (575) 793-3400 OWNER/DEVELOPER

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UTILITY QUALITY SERVICE LEVELS

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MELLY LEZE, ANS REPROBLEM. AND VERTICAL POSITION OF INDERGROUND UTLITES OBTAINED BY ACTUAL EPICOSIAE OR VERRICATION OF PREVIOUSY EXPOSED SUBSURFACE UTLITIES, AS THE TYPE, SCONDION, MATERIAL, AND OTHER CHARACTERSTICS.

UTILITY WARNING

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A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND A PART OF THE SOUTHWEST 1/4 OF SECTION 3D, TOWNISHP 32, NORTH, ANNE 23 MEST OF THE STH P.M., IN THE CITY OF HOXLEY, STORY COMPTY, OWN. AND DESCRIBED AS FOLLOWS!

C. LENGTH OF UTILITIES SHOWN ON PLANS ARE DIMENSIONED FROM CENTERLINE OF STRUCTURE TO CENTERLINE OF STRUCTURE. CONSTRUCTION OF ALL STREET AND UTILITY IMPROVEMENTS SHALL CONFORM TO THE URBAN STANDARD SPECIFICATIONS FOR PUBLIC IMPROVEMENTS.

AL TARFIC CONTROL SHALL BE PROVICED IN ACCORDANCE WHIT PROJEKENTS SET FORTH IN THE MANUE ON UNITOR THE FILE CONTROL DEVICES MALICID. WHIS LOSSINGLY OFFICES OF THE ROADWAY, FLAGGESS SHALL BE PROVIDED. I ACCORD SHALL CORPORAT OF THE MATCH WHIS ON THE WITCO IN APPERANCE, EQUIPMENT AND ACTIONS.

E. NOTEY OWNER, ENGINEER, AND CITY OF HUXLEY AT LEAST 48 HOURS PRIOR TO BECHNANG WORK.

CONSTRUCT MANHOLES AND APPURTENANCES AS WORK PROGRESSES. BACKFILL WITH SUITABLE MATERIAL AND COMPACT TO 95X MAXIMUM DENSITY.

H. ALL FIELD TILES ENCOUNTERED DURING CONSTRUCTION SHALL BE RECONNECTED AND NOTED ACCORDINGLY ON THE AS-BUILT DOCUMENTS. G, IN THE EVENT OF A DISCREPANCY BETWEEN THE QUANTITY ESTIMATES AND THE DETAILED PLANS, THE DETAILED PLANS SHALL GOVERN.

PROPERTY ADDRESS

PROPERTY AREA

WEGENERING BLADNE LOCATION, UNITED SAD GRADON OF THE STEEP OF MAKE DOES HADEL WEGENERING AT THE TOP DESCRIPTION OF STEEP CHARGES OF CONTINCE STEEP THE OF DESCRIPTION OF THE CONTINCE OF CONTINCE OF STEEP THE REPORTED TO THE ARCHITECT-TRANSFER PROBY TO STAFFING COASTRUCTION. THE COMPRACT OF CONSTRUCTION OF ALL STEE MPROVEMENTS PRIOR TO STAFFING STAFFING THE CONSTRUCTION.

CONTRACTOR TO LOAD TRANSPORT ALL MATERIALS CONSIDERED TO BE UNDESIRABLE TO BE INCORPORATED INTO THE PROJECT TO AN APPROVED OFF-SITE WASTE SITE.

M-t ROUSTRIAL DISTRICT
MINIMAN FROM AREA 6,000 SF
MINIMAN FROWT YARD - 25MINIMAN FROM YARD - 12MINIMAN FRAR YARD - 10MAKINAM FERR YARD - 10MAKINAM FERR YARD - 10-

BULK REGULATIONS

ZONING N-1: INDUSTRIAL DISTRICT

L. ALL PROPOCED CONTOURS AND SPOT ELEVATIONS SHOWN ARE FINISHED GRADES AND/OR TOP OF PAVING SLAB (GUTTER), UALESS OTHERWISE NOTED. K. CONTRACTOR TO STRIP AND STOCKPILE TOPSOIL FROM ALL AREAS TO BE CUT OR FILLED. RESPREAD TO MINIMUM 6" DEPTH TO FINISH GRADES.

M. THE CONTRACTOR IS RESPONSIBLE FOR CLEANING DIRT AND DEBRIS FROM NEICHBORING STREETS, DRIVEWAYS, AND SIDEWALKS CAUSED BY CONSTRUCTION ACTIVITIES IN A TIMELY MANNER.

BUILDING DESCRIPTION

GENERAL USE

UTILITY BUILDING TOTAL BUILDING HEIGHT + 122.0"

N. THE ADJUSTMENT OF ARY EXISTING UTILITY APPURTAMENCES TO FINAL GRADE IS CONSIDERED INCIDENTAL TO THE SITE WORK,

O. THE CONTRACTOR SHALL BE RESPONSBILE FOR INSTALLING EROSON CONTROL MEASURES AS EXESSARY. CONTRACTOR SHALL AS DE RESPONSBILE FOR MARITANINA EXPERSIVE PROSPERIOR UNITED MEASURES. ON STILE AT THE THE OF CONSTRUCTION, CHARDING AND SOLL RESOURCE CONTROL CHARD. COST REQUIREMENTS SHALL BE WET BY CONTRACTOR. A GRADING PERMIT IS REQUIRED FOR THIS PROJECT.

CONTRACTOR TO CODEDNATE NATURAL GAS, ELECTRICAL, TELEPHONE AND ANY OTHER PRESENTED TRANSPECT UTLLY SERVICE PROVIDER, AND THE DWNER PRESENT TO CONSTRUCTION.

DFICE: 1 SPACE PER 300 SF OF GROSS FLOOR AREA 14,618 SF/300 SF x 1 PARKING SPACE + 49 SPACES REQUIRED

PARKING REQUIREMENTS TOTAL FLOOR AREA BB.000 SF OFFICE AREA H.618 SF WAREHOUSE AREA 45,200 SF MARALFACTURING AREA 28,182 SF

MANUFACTURING: 19PACE PER 3 EMPLOYEES 70 EMPLOYEES/3 SF x 1 PARKING SPACE x 20 SPACES REQUIRED WAREHOUSE: 1 SPACE PER 5,000 SF OF GROSS FLOOR AREA 45,200 SF75,000 x 1 PARKING SPACE * 9 SPACES REQUIRED

CONTRACTOR TO VERFY ALL UTILITY CROSSINGS AND MAINTAIN MAINDAIL HE" VERTICAL AND HAINTAIN CLUBARANCE BETHER UTILIES. CONTRACTOR TO COROSINATE. UTILITY ROUTING TO BULDING AND VERFY CONNECTION. LOCATIONS AND INJERTS PRIOR TO CONSTRUCTION.

HORIZONTAL CONTROL

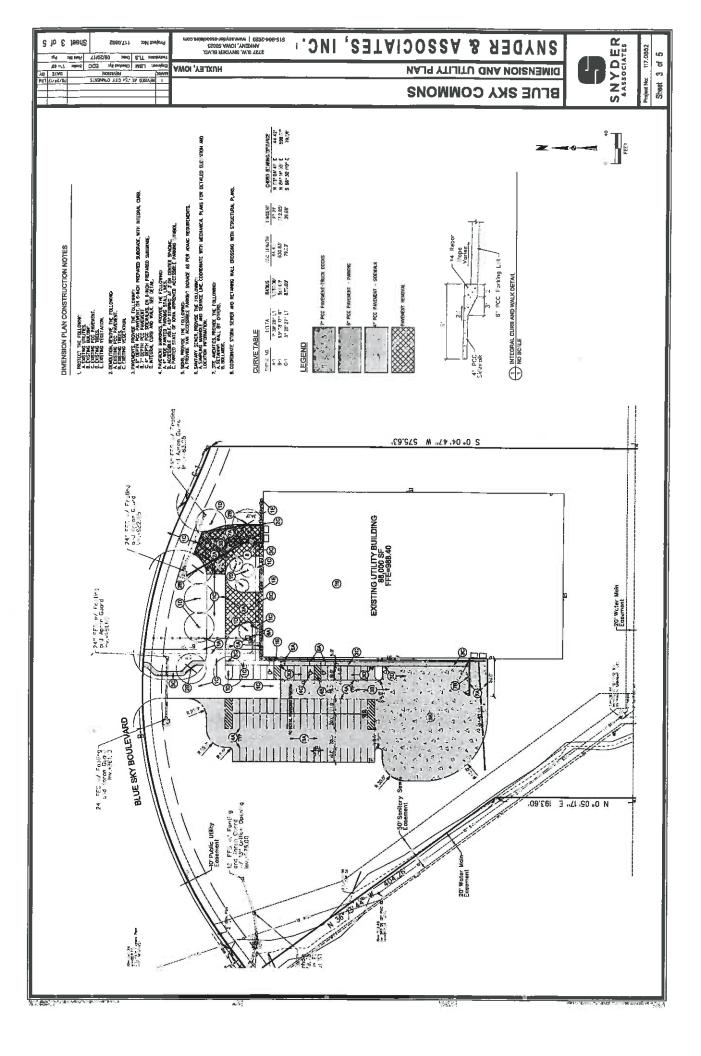
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N 3421713.98 E 4900171,378 ELEV.979.466

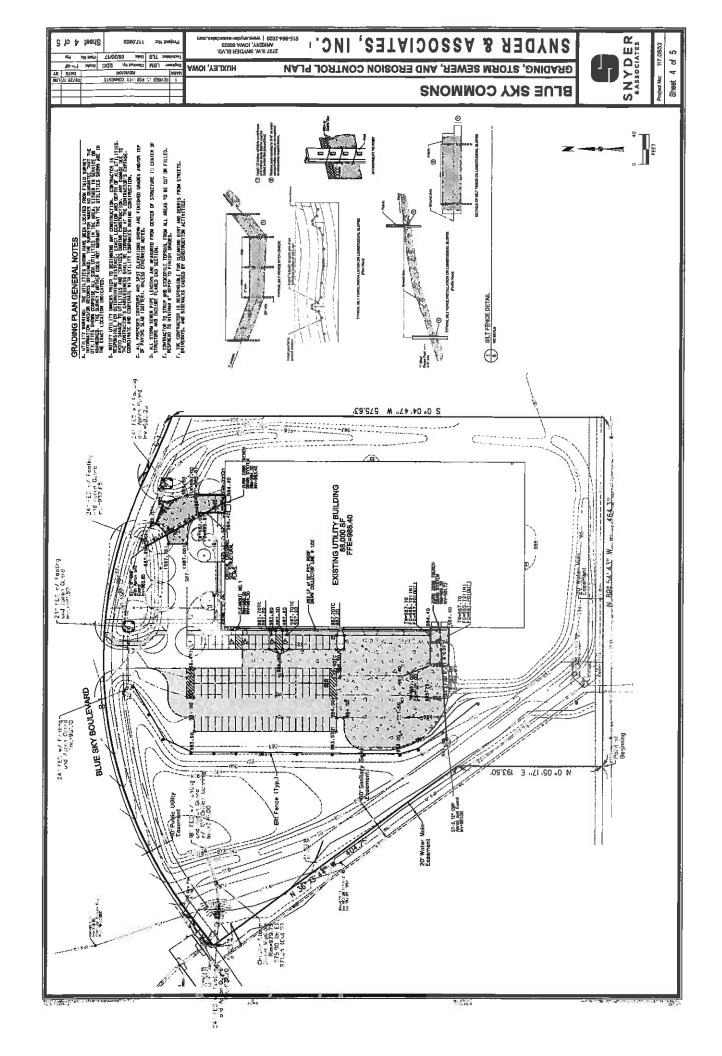
WEST BURY TAG BOLT HEAD WATEROUS HYDRANT £75'NW OF LARGE CONCRETE SANTARY STRUCTURE, ±600'SE END OF STREET, 2.SET CUT "X" ON TOP OF CURB BETWEEN DOUBLE INTAKES AT SE END OF STREET. BENCHMARKS

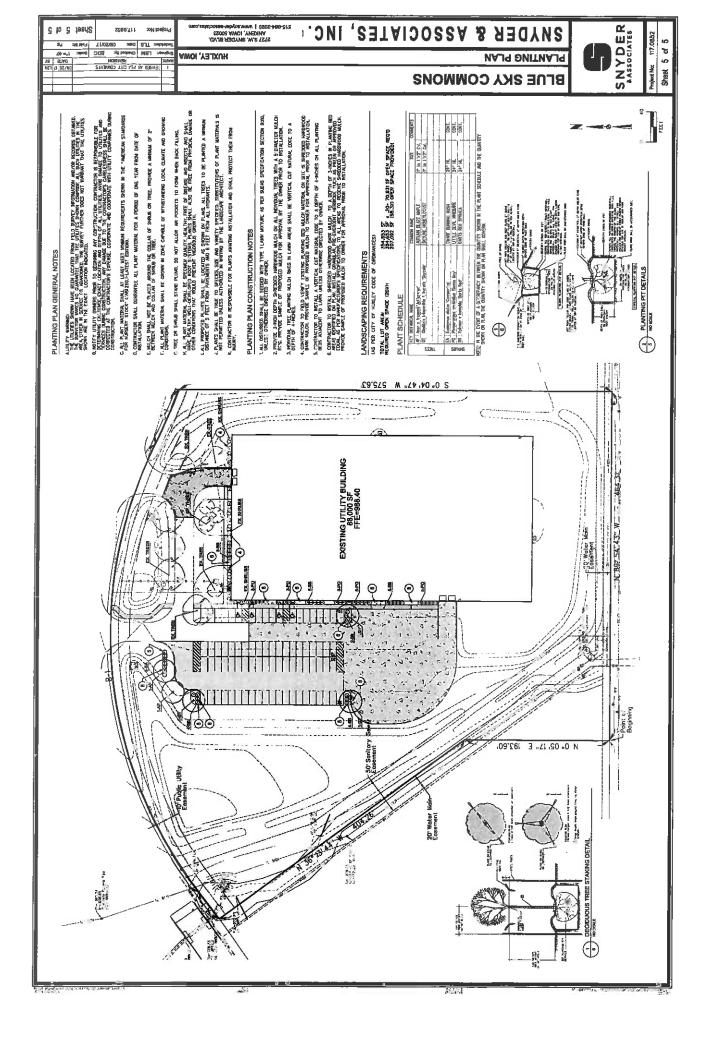


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September 28, 2017

Mr. John Haldeman City Administrator City of Huxley 515 N Main Avenue Huxley, Iowa 50124-9416

RE: BLUE SKY COMMONS = SITE PLAN

COMMENT RESPONSE FOR TECHNICAL REVIEW COMMENTS

Dear John:

On behalf of Interstate Land Properties, LLC please find attached revised site development plan submittal for the Blue Sky Commons project. Included are the following items:

- 1. Revised Site Plan,
- 2. Storm Water Drainage Calculations

The following are our written responses to the September 25th, 2017 City comments letter:

- 1. There will be an average of 4 semis per day between 9am to 3:30pm.
- 2. A signage packet will be submitted by the owner at a later date.
- 3. Contractor to coordinate RPZ backflow for service and fire line as part of the building plans.
- 4. A sampling manhole has been shown in the site plan.
- 5. No parking lot lighting will be installed. There will only be wall packs.
- 6. A sidewalk from the right-of-way to front door has been provided.
- 7. The original storm water management report is included in this submittal.
- 8. There will be a total of 70 employees and 60 of which is for manufacturing building. As discussed, the site plan includes a total of 80 parking stalls which will provide 10 extra visitor spaces.

Please let me know if you have any questions or require further information. Thank you.

Sincerely,

SNYDER & ASSOCIATES, INC.

Eric D. Cannon, P.E.

Roll Call	Aye	Nay	Absent
Roger Bierbaum		-	_
Cheryl Patterson	 3	-	 2
Gordon Mosher			
Mark Johnson	<u></u> -		_
Mike Schonhorst			
Nate Easter	_		_
Larry Wilson			

MOTION APPROVING AMENDMENT TO BULK REGULATIONS FOR LOT 53 IN PRAIRIE RIDGE PLAT 1 PUD.

WHEREAS, the City Council of the City of Huxley believes it to be in the best interest of the City of Huxley to change the bulk regulations for Lot 53 in Prairie Ridge Plat 1 ("Property") owned by the Prairie Drive LC; and

WHEREAS, the Property is included in the Prairie Ridge 1 PUD Development; and

WHEREAS, there is interest in redevelopment of the Property for Multifamily Residential usage, specifically with postage stamp development of row house units; and

WHEREAS, the City believes that development of the Property for Multifamily Residential usage with postage stamp development of row house units will further the objectives of the Council to preserve and create an environment which will protect the health, safety and general welfare of City residents and maintain taxable values, to encourage and support development which will enhance and make the best possible use of public facilities, resources and investments, and to provide housing that will meet the housing needs of the City of Huxley; and

WHEREAS, the City Planning and Zoning Commission has filed a report with the City Council recommending in favor of the proposed change in the bulk regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huxley, Iowa, that:

- 1. The bulk regulations for Lot 53 in Prairie Ridge Plat 1 owned by Prairie Drive LC, as shown on the PUD Master Plan for the Prairie Ridge 1 PUD Development, is hereby amended to the following:
 - a. Bulk regulations shall be as provided in section 165.24(2) of the Multifamily District regulations except with a minimum lot width of 32.00 feet and a minimum square footage of 1,700 square feet to allow for postage stamp development of row house units encompassed within the common lot to be owned and maintained by a home owners association.

Roll Call	Aye	Nay	Absent
Roger Bierbaum			-
Cheryl Patterson	 -		
Gordon Mosher		5 <u>0</u> 8	
Mark Johnson			
Mike Schonhorst	-		-
Nate Easter			
Larry Wilson			



VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320 515-225-8000 • 515-225-7848 (FAX) • 800-241-8000 (WATS)

September 29, 2017

John Haldeman City Administrator City of Huxley 515 N. Main Avenue Huxley, Iowa 50124

HUXLEY, IOWA BLUE SKY COMMONS PLAT 2 SITE PLAN

We have reviewed the plat and construction plans for Blue Sky Commons Plat 2 and find it acceptable.

If you have any questions or comments, please contact us at 515-225-8000.

VEENSTRA & KIMM, INC.

Forrest S. Aldrich

FSA:dml 45229—018

cc: Nate Easter, Easter & Associates (e-mail)
Jeff Peterson, City of Huxley (e-mail)
Brent Culp, Snyder & Associates (e-mail)



September 28, 2017

Mr. John Haldeman City Administrator City of Huxley 515 N Main Avenue Huxley, Iowa 50124-9416

RE:

BLUE SKY COMMONS – SITE PLAN

COMMENT RESPONSE FOR TECHNICAL REVIEW COMMENTS

Dear John:

On behalf of Interstate Land Properties, LLC please find attached revised site development plan submittal for the Blue Sky Commons project. Included are the following items:

- 1. Revised Site Plan,
- 2. Storm Water Drainage Calculations

The following are our written responses to the September 25th, 2017 City comments letter:

- 1. There will be an average of 4 semis per day between 9am to 3:30pm.
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- 8. There will be a total of 70 employees and 60 of which is for manufacturing building. As discussed, the site plan includes a total of 80 parking stalls which will provide 10 extra visitor spaces.

Please let me know if you have any questions or require further information. Thank you.

Sincerely,

SNYDER & ASSOCIATES, INC.

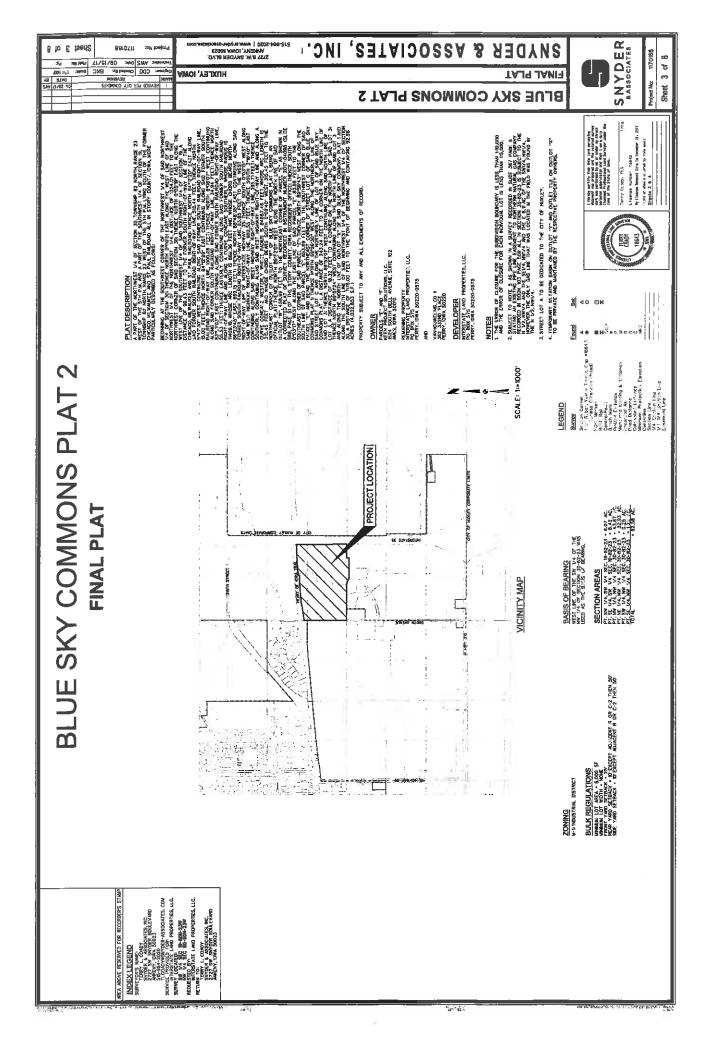
Eric D. Cannon, P.E.

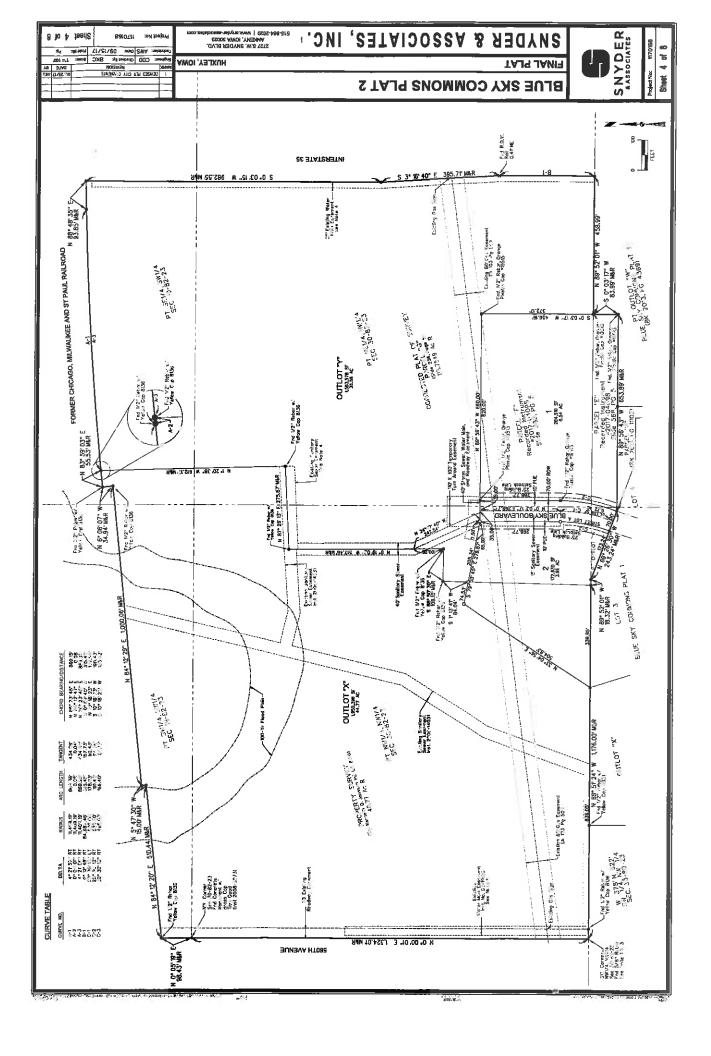
Name Company September 28, 2017 Page 2 of 2

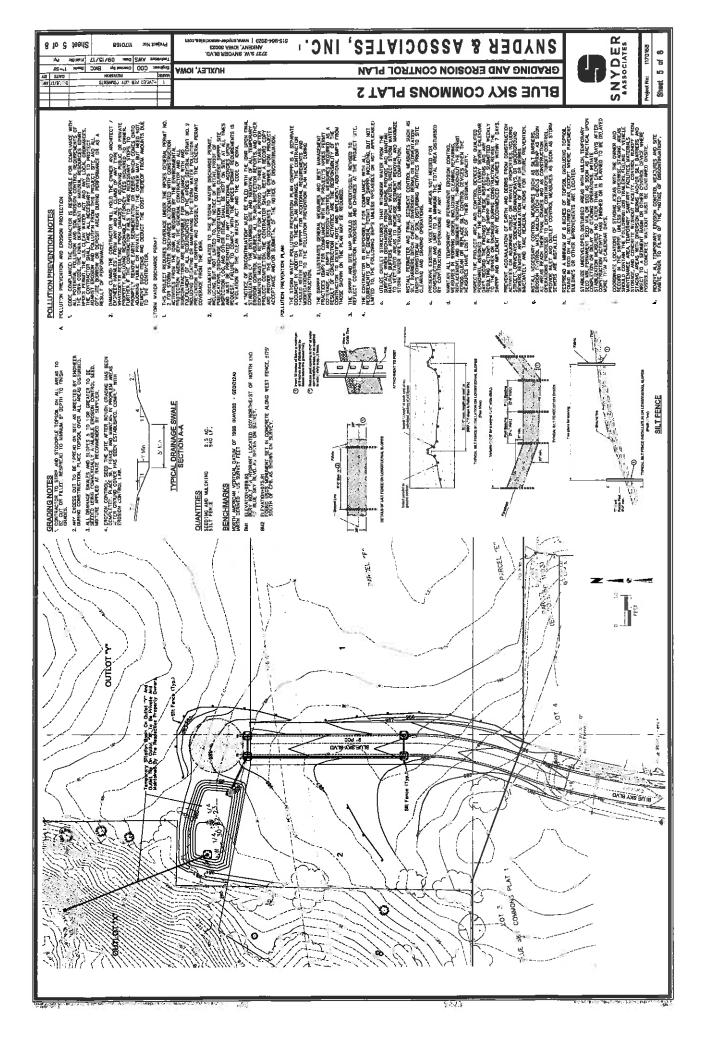
cc: Don Van Houweling, Interstate Land Properties, LLC

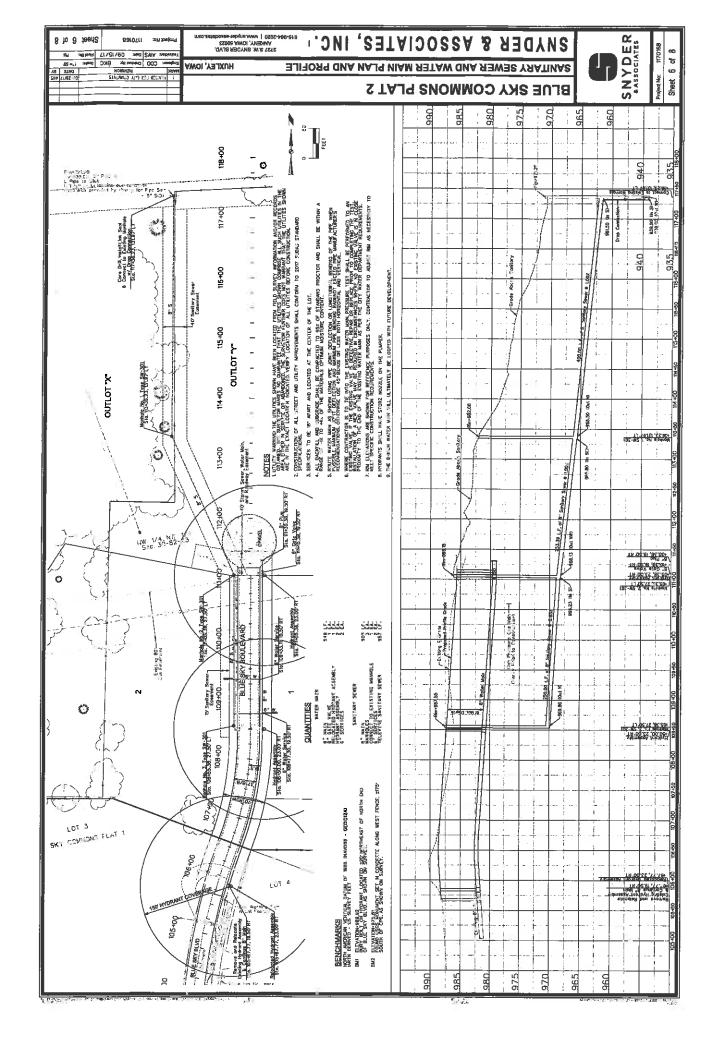
Jim Elliot, Jensen Builders

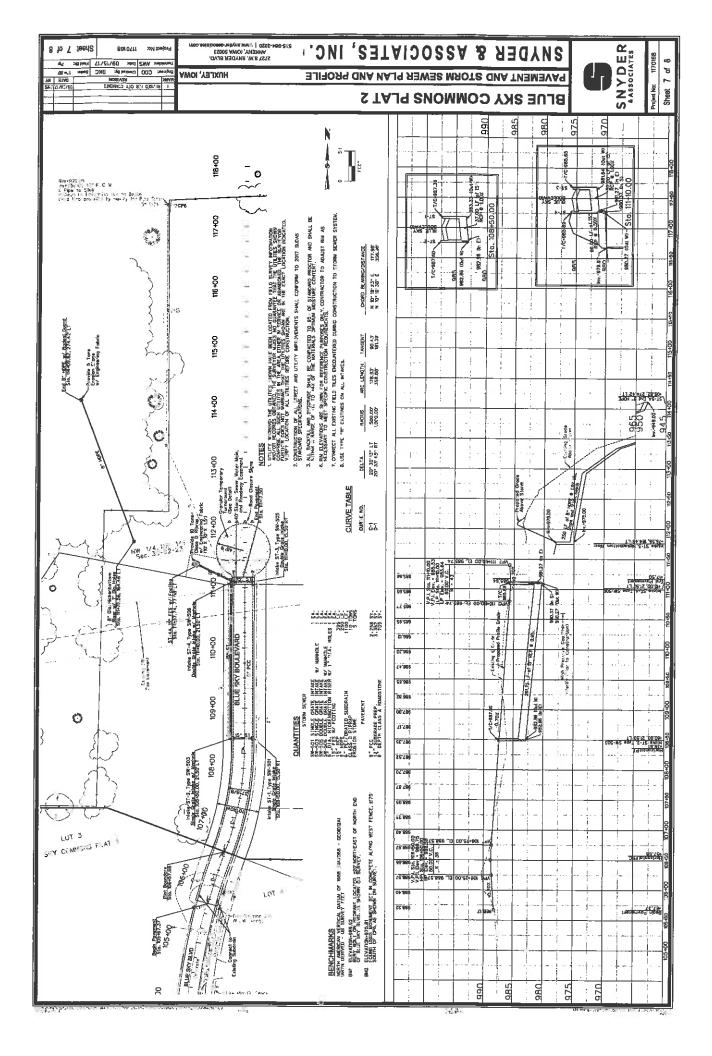
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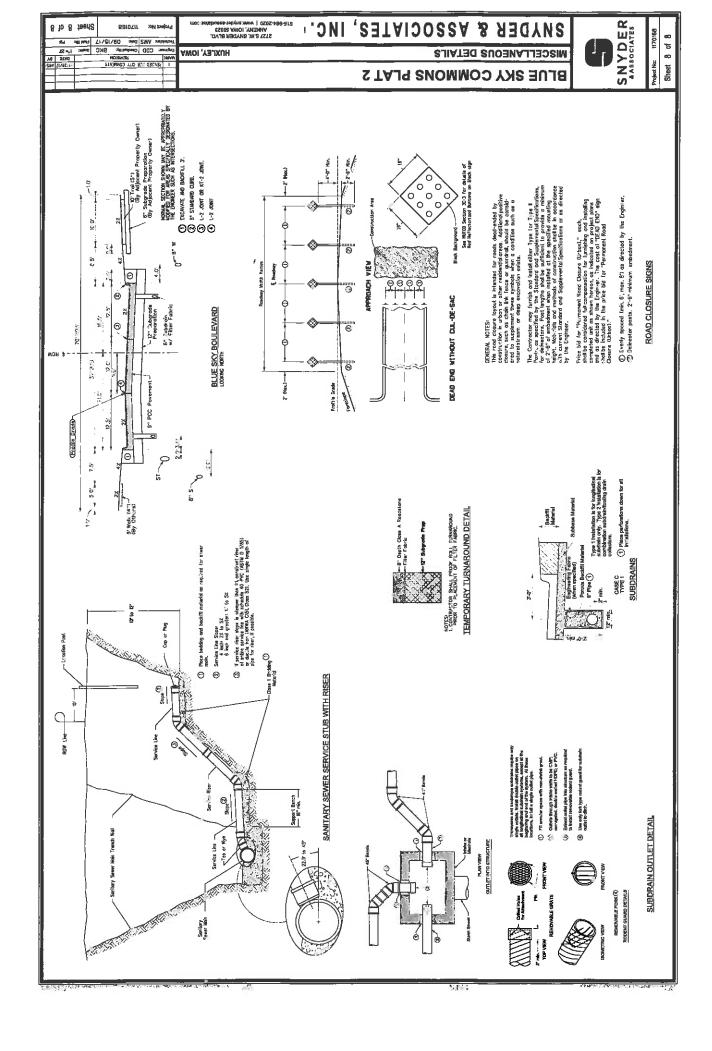












John Haldeman

From:

Jim Nervig@brickgentrylaw.com>

Sent:

Wednesday, August 23, 2017 9:39 AM

To: Cc: John Haldeman

Subject:

Amy Beattie Fireworks Ordinance

Attachments:

17.8.22.OrdinanceAllowingFireworksSaleInM&C.pdf; ATT00001.htm; 17.8.23.OrdinanceAllowingFireworksSaleInM&C.pdf; ATT00002.htm

Follow Up Flag: Flag Status:

Follow up Flagged

Categories:

Red category

John:

Pursuant to your request, I have prepared two separate alternative fireworks ordinances. You asked me to revise the original ordinance draft to expand permitted districts to include C-1, C-2, C-3 and M-1. You also asked to include provisions relating to a requirement for hard-surfaced parking. The longer of the two draft ordinances includes specific requirements for hard-surfaced parking that cross reference applicable sections of the City Code. It is not recommended that this version be adopted by the City. Ankeny is involved in litigation over its fireworks ordinance. Outside counsel representing Ankeny in the litigation have advised us that there is a reasonable likelihood that requirements for hard-surfaced parking may violate state law.

To avoid litigation in Huxley on the issue of hard-surfaced parking, I have drafted the second attached alternative ordinance. The second version eliminates reference to a requirement for hard-surfaced parking. While not specifically requiring hard-surfaced parking in the fireworks ordinance, we are not prohibited from reviewing each proposed fireworks facility, on a case by case basis, to determine whether hard-surfaced parking is required by current sections of the City Code such as 165.33 and 167.01. The failure to specifically mention hard-surfaced parking in the fireworks ordinance would not prejudice our ability to apply separate hard-surface parking regulations applicable to similar uses in the zoning district (unless of course the courts ultimately determine that the recent fireworks statutory amendments exempt fireworks facilities from those regulations).

Jim Nervig

Brick Gentry P.C. 6701 Westown Parkway, Suite 100 West Des Moines, Iowa 50266 Phone: 515-274-1450 Fax: 515-274-1488 jim.nervig@brickgentrylaw.com

ORDINANCE NO. #/

AN ORDINANCE AMENDING THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT REGULATIONS OF SECTION 165.27 OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, AND THE M-1 INDUSTRIAL DISTRICT REGULATIONS OF SECTION 165.30 OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, TO AUTHORIZE SALE OR DISPLAY OF FIREWORKS AS A PERMITTED USE IN C-1, C-2, C-3 AND M-1 DISTRICTS

WHEREAS, the City Council determines it to be in the best interests of the City to amend the zoning regulations of Chapter 165 of the Code of Ordinances to allow the sale or display of fireworks within all "C" commercial and "M" industrial zoning Districts, subject to certain restrictions:

WHEREAS, Section 165.27 provides the zoning regulations for C-1 Neighborhood Commercial Districts, and the amendments include an amendment to Section 165.27, subsection 1, subsection G, to permit sale or display of fireworks in permanent and temporary structures in the C-1 District, subject to certain restrictions;

WHEREAS, the C-2 regulations of Section 165.28 and the C-3 regulations of Section 165.29 provide that uses permitted in the C-2 and C-3 Districts include the same uses permitted in the zoning regulations for C-1 Neighborhood Commercial Districts; and it therefore is not necessary to separately amend the C-2 and C-3 District regulations;

WHEREAS, Section 165.30 provides the zoning regulations for M-1 Industrial Districts, and the amendments include an amendment to Section 165.30, subsection 1, subsection U, to permit sale or display of fireworks in permanent and temporary structures in the M-1 District, subject to certain restrictions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA:

Section 1: Section 165.27, subsection 1, of the Municipal Code of the City of Huxley, Iowa, is hereby amended by the addition of new subsection 165.30(1)(G), as follows:

- G. Sale or display of fireworks is permitted in permanent and temporary structures, subject to the following restrictions:
 - (1) No person may sell or display any fireworks without providing proof of insurance coverage as required by Iowa law.
 - (2) Hard-surfaced off-street parking shall be provided for each structure. A minimum of one parking space for each 120 feet of gross floor area of the structure shall be provided. Construction of off-street parking areas shall comply with the regulations of Section 165.33 of this

Code of Ordinances. Pursuant to Section 167.01 of this Code of Ordinances, Site Plan Review is required for any parking lot construction of eight or more parking spaces.

- **Section 2:** Section 165.30, subsection 1, of the Municipal Code of the City of Huxley, Iowa, is hereby amended by the addition of new subsection 165.30(1)(U), as follows:
 - U. Sale or display of fireworks is permitted in permanent and temporary structures, subject to the following restrictions:
 - (1) No person may sell or display any fireworks without providing proof of insurance coverage as required by Iowa law.
 - (2) Hard-surfaced off-street parking shall be provided for each structure. A minimum of one parking space for each 120 feet of gross floor area of the structure shall be provided. Construction of off-street parking areas shall comply with the regulations of Section 165.33 of this Code of Ordinances. Pursuant to Section 167.01 of this Code of Ordinances, Site Plan Review is required for any parking lot construction of eight or more parking spaces.
- **Section 3:** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- **Section 4:** This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Roll Call	Aye	Nay	Absent
Roger Bierbaum			
Cheryl Patterson	<u> </u>		
Gordon Mosher		-	
Mark Johnson		_	
Mike Schonhorst		-	
Nate Easter	(455)		
Larry Wilson			

ORDINANCE NO. #2

AN ORDINANCE AMENDING THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT REGULATIONS OF SECTION 165.27 OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, AND THE M-1 INDUSTRIAL DISTRICT REGULATIONS OF SECTION 165.30 OF THE MUNICIPAL CODE OF THE CITY OF HUXLEY, IOWA, TO AUTHORIZE SALE OR DISPLAY OF FIREWORKS AS A PERMITTED USE IN C-1, C-2, C-3 AND M-1 DISTRICTS

WHEREAS, the City Council determines it to be in the best interests of the City to amend the zoning regulations of Chapter 165 of the Code of Ordinances to allow the sale or display of fireworks within all "C" commercial and "M" industrial zoning Districts, subject to certain restrictions;

WHEREAS, Section 165.27 provides the zoning regulations for C-1 Neighborhood Commercial Districts, and the amendments include an amendment to Section 165.27, subsection 1, subsection G, to permit sale or display of fireworks in permanent and temporary structures in the C-1 District, subject to certain restrictions;

WHEREAS, the C-2 regulations of Section 165.28 and the C-3 regulations of Section 165.29 provide that uses permitted in the C-2 and C-3 Districts include the same uses permitted in the zoning regulations for C-1 Neighborhood Commercial Districts; and it therefore is not necessary to separately amend the C-2 and C-3 District regulations;

WHEREAS, Section 165.30 provides the zoning regulations for M-1 Industrial Districts, and the amendments include an amendment to Section 165.30, subsection 1, subsection U, to permit sale or display of fireworks in permanent and temporary structures in the M-1 District, subject to certain restrictions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA:

- **Section 1:** Section 165.27, subsection 1, of the Municipal Code of the City of Huxley, Iowa, is hereby amended by the addition of new subsection 165.30(1)(G), as follows:
 - G. Sale or display of fireworks is permitted in permanent and temporary structures, provided that no person may sell or display any fireworks without providing proof of insurance coverage as required by Iowa law.
- **Section 2:** Section 165.30, subsection 1, of the Municipal Code of the City of Huxley, Iowa, is hereby amended by the addition of new subsection 165.30(1)(U), as follows:
 - U. Sale or display of fireworks is permitted in permanent and temporary structures, provided that no person may sell or display any fireworks without providing proof of insurance coverage as required by Iowa law.

- **Section 3:** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- **Section 4:** This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Roll Call	Aye	Nay	Absent
Roger Bierbaum			
Cheryl Patterson			(
Gordon Mosher	T_=_		7
Mark Johnson	s	-	
Mike Schonhorst	-		
Nate Easter	· 	.==	s
Larry Wilson			

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ORDINANCE NO.	
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AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY CITY OF HUXLEY, IOWA, BY AMENDING THE ZONING ORDINANCE TO ADD NEW SECTION 165.47 PROVIDING REGULATIONS FOR SOLAR ENERGY SYSTEMS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA:

Section 1: <u>Purpose</u>. The purpose of this Ordinance is to enact amendments to the Zoning Ordinance providing regulations for solar energy systems.

Section 2: Amendment. The Municipal Code of the City of Huxley, Iowa, be and it is hereby amended by the addition to the Zoning Ordinance of a new Section 165.47, entitled "Solar Energy Systems," the text of which provides as follows:

165.45 SOLAR ENERGY SYSTEMS

- 1. <u>Intent</u>. The intent of the regulations of this Section is to balance the need for clean, renewable energy resources with the need to protect the public health, safety and welfare. The regulations of this Section are found to be necessary to ensure that solar energy conversion systems are appropriately designed, sited and installed.
- 2. <u>Definitions</u>. For use in this Section, the following definitions shall be controlling:
 - A. "Solar Energy System (SES)" means an aggregation of parts including the base, supporting structure, photovoltaic or solar thermal panels, inverters and accessory equipment such as utility interconnect and battery banks, in such configuration as necessary to convert radiant energy from the sun into mechanical or electrical energy.
 - B. "Large Solar Energy System (LSES)" means a solar energy system that has a nameplate rated capacity of over fifteen kilowatts in electrical energy or fifty KBTU of thermal energy for nonsingle-family residential uses and districts and which is incidental and subordinate to a principal use on the same parcel. A system is considered an LSES only if it supplies electrical power or thermal energy solely for use by the owner on the site, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed by the owner for on-site use may be used by the utility company in accordance with section 199, chapter 15.11(5) of the Iowa Administrative Code, as amended from time to time.
 - C. "Small Solar Energy System (SSES)" means a solar energy system that has a nameplate rated capacity of up to fifteen kilowatts in electrical energy or fifty KBTU of thermal energy for residential uses and districts and that is

incidental and subordinate to a principal use on the same parcel. A system is considered an SSES only if it supplies electrical power or thermal energy solely for use by the owner on the site, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed by the owner for on-site use may be used by the utility company in accordance with section 199, chapter 15.11(5) of the Iowa Administrative Code, as amended from time to time.

- D. "Solar Energy System, Building Mounted" means a SES that is securely fastened to any portion of a building roof, whether attached directly to a principal or accessory building.
- E. "Solar Energy System, Ground Mounted" means a SES that is not located on a building and is installed on the ground.
- F. "<u>Total System Height for Building Mounted System</u>" means the height above roof surface measured perpendicular to the roof specific to the installation on a sloped roof or the height above the roof surface specific to the installation on a flat roof.
- G. "<u>Total System Height for Ground Mounted System</u>" means the height above grade from the highest point, including the supporting structure, related equipment and the collector panels. Adjustable angle systems shall be measured from the highest point when the system is at its maximum vertical extension.
- H. "Off Grid" means an electrical system that is not connected to a utility distribution grid.
- I. "Solar Access" means a property owner's right to have sunlight shine on his land.
- J. "Solar Energy" means radiant energy received from the sun at wavelengths suitable for heat transfer, photosynthetic use or photovoltaic use.
- K. "Solar Energy System, Building Integrated" means a solar photovoltaic system that is constructed as an integral part of a principal or accessory building and where the collector component maintains a uniform profile or surface with the building's vertical walls, window openings, and roofing. Such a system is used in lieu of an architectural or structural component of the building. A building integrated system may occur within vertical facades, replacing glazing or other facade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building or structure envelope systems. To be considered a building integrated solar energy system, the appearance of the collector components must be consistent with the surrounding materials.
- L. "<u>Utility Scale Solar Energy System</u>" means a solar energy system that supplies electrical power or thermal energy solely for use by off-site consumers.

- M. "Kilowatt" (kW) is equal to 1,000 watts.
- N. "Watt" (W) is the International System of Units' standard unit of power, the equivalent of one joule per second.
- 3. <u>Permitted SES</u>. The following solar energy systems (SES) are permitted in all zoning districts within the City of Huxley, subject to the stated limitations:
 - A. A building integrated system.
 - B. A building mounted system attached to the roof of an accessory or primary structure.
 - C. A ground mounted system as a detached accessory structure to a primary structure.
 - D. Large solar energy systems (LSES) are not allowed in A-1, R-1 and R-1A districts.
 - E. Utility scale solar energy systems are not allowed.
- 4. <u>Building Permit Required</u>. It shall be unlawful to construct, erect, install, alter or locate any solar energy system (SES) within the City of Huxley, unless approved with a building permit. The application for building permit shall include:
 - A. A site plan showing the location of the system on the site, the area of the base of the system and the total height of the system;
 - B. Standard drawings and dimensional representations of the system and all its components, including the supporting frame and footings;
 - C. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the national electrical code; and
 - D. For systems to be mounted on existing buildings, an engineering analysis showing sufficient structural capacity of the receiving structure to support the SES per the applicable code regulations, certified by an lowa licensed professional engineer.
- 5. <u>Compliance with All Governmental Regulations</u>. The owner/operator of the SES shall obtain any other permits required by other federal, state and local agencies/departments prior to erecting the system.
- 6. <u>Installation</u>. Installation must be done according to manufacturer's recommendations. All work must be completed according to the applicable

- building, fire and electric codes. All electrical components must meet code recognized test standards.
- 7. <u>Color.</u> The SES shall be a neutral color. All surfaces shall be non-reflective to minimize glare that could affect adjacent or nearby properties. Measures to minimize nuisance glare may be required including modifying the surface material, placement or orientation of the system, and if necessary, adding screening to block glare.
- 8. <u>Lighting</u>. No lighting other than required safety lights or indicators shall be installed on the SES.
- 9. <u>Signage</u>. No advertising or signage other than required safety signage and equipment labels shall be permitted on the SES.
- 10. <u>Maintenance</u>. The SES shall be well maintained in an operational condition that poses no potential safety hazard. Should the SES fall into disrepair and be in such dilapidated condition that it poses a safety hazard or would be considered generally offensive to the senses of the general public, the SES may be deemed a public nuisance and will be subject to abatement as such.
- 11. <u>Displacement of Parking Prohibited</u>. The location of the SES shall not result in the net loss of minimum required parking.
- 12. <u>Utility Notification</u>. No SES that generates electricity shall be installed until evidence has been given that the utility company has been informed of and is in agreement with the customer's intent to install an interconnected customer owned generator. Off grid systems shall be exempt from this requirement.
- 13. <u>Interconnection</u>. The SES, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth by the utility and the Iowa Utilities Board.
- 14. Restriction on Use Of Energy Generated. An SES shall be used exclusively to supply electrical power or thermal energy for on-site consumption, except that excess electrical power generated by the SES and not presently needed for on site use may be used by the utility company in accordance with section 199, chapter 15.11(5) of the Iowa Administrative Code.
- 15. <u>Shutoff.</u> A clearly marked and easily accessible shutoff for any SES that generates electricity will be required as determined by the Fire Marshal.
- 16. <u>Electromagnetic Interference</u>. All SESs shall be designed and constructed so as not to cause radio and television interference. If it is determined that the SES is causing electromagnetic interference, the operator shall take the necessary corrective action to eliminate this interference including relocation or removal of

the facilities, subject to the approval of the appropriate city authority. A permit granting an SES may be revoked if electromagnetic interference from the SES becomes evident.

- Solar Access Easements. The enactment of this Section does not constitute the granting of an easement by the city. The owner/operator may need to acquire covenants, easements, or similar documentation to assure sufficient solar exposure to operate the SES unless adequate accessibility to the sun is provided by the site. Such covenants, easements, or similar documentation is the sole responsibility of the owner/operator. Should the owner/operator pursue a solar access easement, the extent of the solar access should be defined and the easement document executed in compliance with the regulations contained in Iowa Code chapter 564A (access to solar energy).
- 18. Removal. If the SES remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned. The owner/operator shall remove the abandoned system at their expense. Removal of the system includes the entire structure, collector panels and related equipment from the property excluding foundations. Should the owner/operator fail to remove the system, the SES will be considered a public nuisance and will be subject to abatement as such.
- 19. <u>Nonconforming Systems</u>. An SES that has been installed on or before the effective date of this Section and is in active use and does not comply with any or all of the provisions of this Section shall be considered a legal nonconforming structure under the provisions of the Zoning Ordinance.
- 20. <u>Unsafe Condition</u>: Nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition of any SES or associated building or structure, or any part thereof, declared to be unsafe by the appropriate authority.

21. Bulk Regulations.

A. Location.

- (1) No more than one SES may be placed on any zoned lot unless otherwise specifically approved by the City Council.
- (2) No SES shall be constructed within twenty feet laterally from an overhead electrical power line, excluding secondary electrical service lines or service drops.

(3) Ground Mounted SES.

(a) No part of an SES shall be located within or over drainage, utility or other established easements, or on or over property lines.

- (b) The SES shall be located in accordance with the regulations for detached accessory structures in Zoning Ordinance or not less than one foot from the property line for every one foot of the system height measured at its maximum height, whichever is most restrictive.
- (c) A LSES shall not be located in the front yard setback.
- (d) A SES shall not be located in any required buffer.
- (e) The setback from underground electric distribution lines shall be at least five feet.
- (f) No SES shall be located which may obstruct vision between a height of thirty inches and ten feet on any corner lot within a vision triangle of twenty-five feet formed by intersecting street right of way lines.

(4) <u>Building Mounted SES</u>.

- (a) The SES shall be set back not less than one foot from the exterior perimeter of the roof for every one foot the system extends above the parapet wall or roof surface.
- (b) Should the SES be mounted on an existing structure that does not conform to current setback requirements, the SES shall be installed to meet the current setback requirements applicable to the structure.
- (c) The SES shall be designed to minimize its visual presence to surrounding properties and public thoroughfares. Panel arrangement shall take into account the proportion of the roof surface, and panels shall be placed in a consistent manner without gaps unless necessary to accommodate vents, skylights or equipment.
- (d) Access pathways for the SES shall be provided in accordance to all applicable building, fire and safety codes.
- (e) The SAS shall be located in such a manner that fall protection railings are not required or are not visible from the public thoroughfare.

(5) Building Integrated SES:

- (a) No setback required.
- (b) Access pathways for the SES shall be provided in accordance to all applicable building, fire and safety codes.
- (c) The SES shall be located in such a manner that fall protection railings are not required or are not visible from the public thoroughfare.

B. Height.

(1) Ground Mounted SES. The maximum height of the SES shall not exceed ten feet in height as measured from existing grade.

(2) Building Mounted SES.

- (a) The collector panel surface and mounting system shall not extend higher than eighteen inches above the roof surface of a sloped roof.
- (b) The collector panel surface and mounting system shall not extend higher than seven feet above the roof surface of a flat roof.
- (3) <u>Building Integrated SES</u>: The collector panel shall maintain a uniform profile or surface with the building's vertical walls, window openings, and roofing.

C. Size.

(1) Size of the SES is calculated by measuring the total surface area of the collector panels for the system.

(2) Ground Mounted SES.

- (a) In A-1, R-1 and R-1A districts, the SES is restricted in size to no more than the allowed area for detached accessory structures on the specific property. The SES would be included in the collective total of all detached accessory structures.
- (b) In all other zoning districts, the SES is restricted in size to no more than fifty percent of the area of the footprint of the largest primary structure.
- (3) <u>Building Mounted SES</u>. System size will be determined by the available roof area subject to the installation, minus the required setbacks or access pathways.

- (4) Building Integrated SES: System size will be determined by the available building surface area subject to the installation, minus the required access pathways.
- Section 3: Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.
- **Section 4:** Savings Clause. If any provision, section, subsection, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.
- Section 5: <u>Violations and Penalties</u>. Any violation of the provisions of this Ordinance shall be a municipal infraction and shall be punishable as set forth in Chapter 3 of the Municipal Code of the City of Huxley, Iowa.
- Section 6: Other Remedies. In addition to the provisions set out in the Violations and Penalties Section herein, pursuant to Section 165.44 of the Zoning Ordinance, the City may proceed in law or in equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.
- Section 7: <u>Effective Date</u>. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.





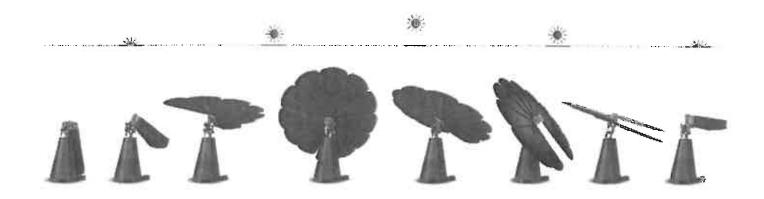
Dear Future Smartflower owner,

Thank you for your interest in Smartflower! Energy Doctor Inc is proud to announce we're one of the very first authorized dealers in North America and will be Iowa's home of the Smartflower.

Smartflower is a fully integrated, all-in-one solar system that can live anywhere. Designed to be a plug-and-play system, smartflower makes solar simple. All it takes is a quick setup by one of our installers and you'll be producing clean energy for your home or business. And if you ever have to move it, smartflower can be easily packed up and moved to a new site.

Energy Doctor has enjoyed almost 30 years of providing exemplary customer service and we look forward to answering your questions about being one of the first home or business owners in North America to have their very own Smartflower.

Sincerely,
Robert Crawford
Energy Doctor President
602 N Main Ave., Suite 105
Huxley, IA 50124
515-445-1052



Solar Made Simple

Simply set up, connect and start producing clean energy 40% more efficient in energy production than traditional solar

smartflower's intelligent tracking system avoids the major limitations of traditional solar



As the suri rises in the morning, smartflower automatically unfolds, directs its solar modular fam toward the sun, and begins producing electricity for you.

All Day

Thanks to dual-axis sun the long, the modular fan follows the sun throughout the day, staying at the optimal angle for energy production, even when it's cloudy.

Sunset

of the sun's rays in the waning hours of daylight.

Once the sun goes down, smartflower automatically folds itself back into a secure position and waits for sunrise.

smartflower installed:











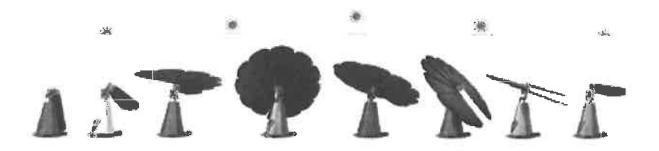


FREQUENTLY ASKED QUESTIONS

Q: Why is the smartflower more efficient than other forms of solar pv generation?

A: For three reasons.

- First, the smartflower tracks the sun from dawn to dusk, ensuring that its solar panels are always at a 90 degree angle to the sun, optimizing the radiation it receives, unlike most other solar setups. Smartflower does this through a GPS tracking device aligned to the specific longitude and latitude of the site where it is installed. This precise tracking can increase productivity by as much as 40%.
- Second, the smartflower's unique design allows for natural cooling of its solar panels. Rather than positioning the panels close to a roof or the ground, smartflower's panels are elevated and naturally cooled by the air that passes behind each of its panels throughout the day. This natural cooling can increase each panel's productivity by as much as 10%, depending on the region in which the smartflower is installed.



• Third, the smartflower automatically self-cleans its panels, every morning and every evening. Each of the panels cleans the panel beneath it each time the smartflower opens or closes, using the long brush on its outer under edge. This allows the smartflower to avoid the loss in production that typically occurs with other solar pv devices, which naturally become dirty over time. This automatic cleaning feature improves productivity by anothr 1-2%.

Q: How much electricity does the smartflower produce?

• The best measurement of productivity is the kilowatt hour, usually shown as kWh. smartflower typically produces anywhere from 4,000 to over 6,200 kWh per year depending on where it is located. Particularly sunny climates, like the Arizona desert cities, will produce at the top of the range. More temperate climates with fewer sunny days like in the Midwest or Northeast will most likely produce in the lower half of that range.

Q: Is the electricity from the smartflower enough to power a home or business?

- In the United States and Canada, most homes consume more electricity in a year than can be produced by one smartflower or the typical rootop system. And certainly the same is true for most American and Canadian businesses. For most homes and businesses, which are already connected to the grid, a solar system serves to reduce, not eliminate, the customer's reliance on the grid. For those customers who are focused on entirely meeting meet their electricity requirements from a renewable source they control, the best approach is to use several smartflowers or to pair smartflowers with other renewable energy generators, like a wind turbine, or geothermal, or even rooftop or ground mounted solar panels.
- One smartflower may, however, provide more than enough energy to power a cabin, cottage or tiny house. One smartflower may well also provide enough electricity to power a remote

agricultural watering station, a highway rest stop, an electric bike recharger, or myriad other uses that do not have heavy energy needs. For all of these customers, their limited energy requirements can be fully satisfied by the smartflower.

Q: How does the owner know how much energy the smartflower is producing?

• At the moment, energy production is determined by reviewing the information provided by the control box inside the smartflower. Within the next few months all smartflowers will be upgraded to allow for remote monitoring. That means, using a smartphone/tablet, the owner and/or the dealer may determine the energy production and whether there are any problems from virtually anywhere in the world.

Q: Can the customer install the smartflower?

• Installation requires a certificed technician. The smartflower is already fully assembled before it reaches the installation location and, thus, is very simple to install. However, placement of the smartflower requires a crane or large forklift, and connection to the building's distribution by law requires a licensed electrician. Additionally, to ensure proper setup of the smartflower, it is very important that the initial operational programming be performed by a SmartFlower Solar™ certified technician. For the warranties to apply we do require that a certified technician handle the installation.

Q: Does installation of the smartflower require any special permit or other government approval?

There is no general rule on what, if any, permit or other approval
may be needed for installation, as the applicable governmental
requirements vary from location to location and site to site.
 For most jurisdictions in the United States, it is likely that some
form of permit will be required and setback requirements

satisfied. Unless the customer wishes to do it themselves, the authorized smartflower reseller will research and obtain any necessary permitting for your location.

Q: How much area is needed for the smartflower to operate effectively and safely?

- Effective operation will be determined by your installer. They will
 perform a site assessment that includes a shading analysis, which
 is key to determining whether nearby trees or buildings might cast
 shade on the smartflower at some point during the day. Since
 each site is different, there is no definitive answer, but of course
 the more unblocked or unshaded access to the sunlight, the
 better.
- At a minimum, for installation and safety, the smartflower must have a clear area of 16 feet around it.

Q: What happens to the smartflower in extreme weather conditions, such as hail, heavy snow and cold or desert heat?

- The smartflower has been tested to confirm full operation at temperatures as hot as 104 degrees Farenheit and as cold as -4 degrees Farenheit. At extreme temperatures outside of that wide range, the smartflower may have some diminished operation but should not be permanently harmed.
- The smartflower has been tested under significant hail conditions and easily passed the test.
- In heavy wind conditions, the smartflower is designed to protect itself before there is a problem. If winds reach 30 mph, the smartflower panels move automatically into horizontal position (Safety Position 1) to allow the wind to pass over and under the panels but remain open to continue producing energy. If the winds increase to 39 mph or higher the panels automatically fold up and down into secure position (Safety Position 2). And so long