

ORDINANCE NO. 1088

AN ORDINANCE ADOPTING A RECOMMENDATION BY THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 15 ACRES OF LAND [LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF KILL CREEK ROAD AND 191ST STREET] IN EDGERTON, KANSAS FROM CITY OF EDGERTON "A-G" AGRICULTURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT

WHEREAS, the City of Edgerton received an application on July 13, 2018 from Michael A. and Pamela L. Gifford requesting their property located in Edgerton, Kansas at the Southwest corner of Kill Creek Road and 191st Street be rezoned from City of Edgerton A-G (Agricultural) District to L-P (Logistics Park) District zoning;

WHEREAS, all newspaper and mailed notifications were performed and a public hearing was properly held before the City Planning Commission on August 14, 2018.

WHEREAS, the Planning Commission has recommended that a rezoning request -- from City of Edgerton "A-G" Agricultural District to City of Edgerton "L-P" Logistics Park District -- be approved (with certain conditions) for approximately 15 acres of land, located at the southwest corner of the intersection of Kill Creek Road and 191st Street in Edgerton; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

Section 1. That the following legally described property (located at the southwest corner of Kill Creek Road and 191st Street, directly west of 31625 W. 191st Street) is hereby rezoned from City of Edgerton "A-G" (Agricultural) District to City of Edgerton "L-P" Logistics Park Zoning District, and City Staff is directed to reflect said rezoning in the City's Official Zoning map and other City records:

A tract of land in the Northeast Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, and described as follows:

Beginning at a point on the north line, 30.00 feet east of the Northwest corner of said Northeast Quarter;

thence east along said north line, a distance of 738.4 feet;

thence south and parallel with the west line of said Northeast Quarter, a distance of 925.00 feet;

thence west and parallel with the north line of said Northeast Quarter, a distance of 388.40 feet;

thence northwesterly a distance of 370.98 feet, more or less, to a point on a line 30.00 foot east of and parallel with said west line, said point being 802.00 feet south of the point of beginning;

thence north and parallel with said west line, 802.00 feet to the Point of Beginning.

Said tract contains 661,490 square feet, or 15.186 acres, more or less.

Section 2. The above rezoning is expressly conditioned on the following:

- a) All infrastructure requirements of the City shall be met.
- b) All platting requirements of the City shall be met.
- c) All Site Plan application requirements of the City shall be met.
- d) Prior to issuance of building permits, the property shall have an approved Site Plan reviewed and approved by the City.

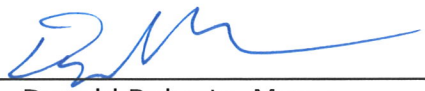
Section 3. That the Governing Body, in making its decision on the rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

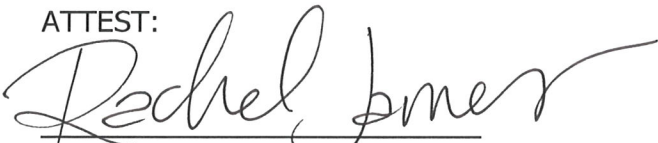
- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

Section 4. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

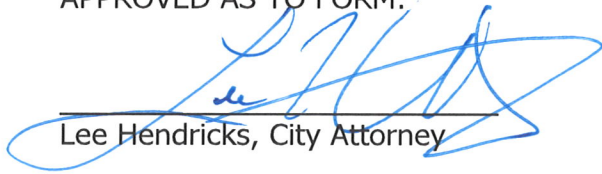
ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 13th DAY OF SEPTEMBER, 2018.

CITY OF EDGERTON, KANSAS

By: 
Donald Roberts, Mayor

ATTEST:

Rachel James, City Clerk

APPROVED AS TO FORM:



Lee Hendricks, City Attorney