

ORDINANCE NO. 2004

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2019-02 FOR THE REZONING OF APPROXIMATELY 38.72 ACRES OF LAND [GENERALLY LOCATED AT THE NORTHEAST CORNER OF WAVERLY ROAD AND 207TH STREET] IN EDGERTON, KANSAS FROM CITY OF EDGERTON "A-G" (AGRICULTURAL) DISTRICT TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT

WHEREAS, the Planning Commission of the City of Edgerton, Kansas received a request on January 24, 2019 from Hillsdale Farms, LLC, the owner(s) of approximately 38.72 acres of land, generally located at the northeast corner of Waverly Road and 207th Street in Edgerton, Kansas to rezone that property from City of Edgerton "A-G" (Agricultural) District to City of Edgerton "L-P" (Logistics Park) District; and

WHEREAS, following a public hearing in front of the Planning Commission on March 12, 2019 the Planning Commission has recommended that the rezoning request for that property -- from City of Edgerton "A-G" (Agricultural) District to City of Edgerton "L-P" (Logistics Park) District -- be approved subject to certain conditions; and

WHEREAS, all required newspaper and mailing notifications were performed.

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

Section 1. That the following legally described property (generally located northeast of the intersection of Waverly Road and 207th Street) is hereby rezoned from City of Edgerton "A-G" (Agricultural) District to City of Edgerton "L-P" (Logistics Park) District, and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 15 SOUTH, RANGE 22 EAST, JOHNSON COUNTY, KANSAS, LEGALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 02°17'37" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°21'42" EAST A DISTANCE OF 208.71 FEET; THENCE NORTH 02°17'37" WEST A DISTANCE OF 183.71 FEET; THENCE NORTH 88°21'42" EAST ALONG A LINE 25 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1137.68 FEET; THENCE SOUTH 02°12'06" EAST A DISTANCE OF 1295.12 FEET; THENCE SOUTH 88°25'25" WEST A DISTANCE OF 1344.33 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 02°17'37" WEST, ALONG SAID WEST LINE, A DISTANCE OF 1109.98 FEET TO THE POINT OF BEGINNING.

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

- a) All infrastructure requirements of the City for a property located in the "L-P"

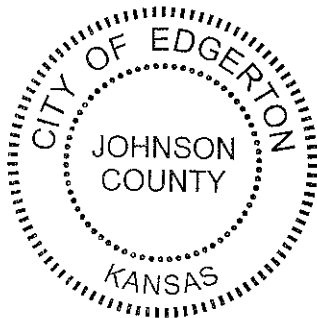
- Logistics Park District shall be met.
- b) All platting requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
 - c) All Site Plan application requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
 - d) Prior to issuance of building permits, the property shall have a Site Plan which has been 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 from and after its publication once in the official city newspaper.

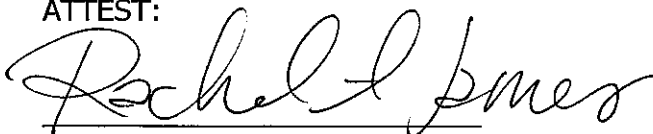
ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 28th DAY OF MARCH 2019.



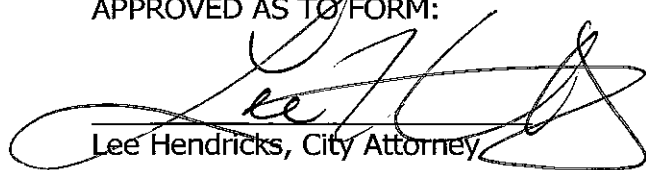
CITY OF EDGERTON, KANSAS

By: 
Donald Roberts, Mayor

ATTEST:


Rachel James, City Clerk

APPROVED AS TO FORM:



Lee Hendricks, City Attorney