EDGERTON PLANNING COMMISSION
REGULAR SESSION AGENDA
Edgerton City Hall
February 9, 2021
7:00 P.M.

COVID-19 Protocol

In compliance with the guidance issued by the State of Kansas Attorney General, the City of Edgerton remains subject to the Kansas Open Meetings Act (KOMA) and is taking actions as necessary and reasonable under the circumstances of the emergency declaration to advance the conduct of governmental affairs and ensure the transaction of government business is open to the public.

To reduce the spread of COVID-19, Edgerton Planning Commissioners will attend virtually, using Microsoft Teams, an online meeting tool, to conduct the meeting.

Any resident wishing to attend the Planning Commission meeting may do so and is required to practice the social distancing guidelines as established by the State of Kansas and Centers for Disease Control and Prevention (CDC). The room will be set up to be in compliance with these requirements. If the main meeting room reaches capacity, an overflow area will be available in the Johnson County Library across the street from City Hall 319 E Nelson. Live audio will be provided in the overflow area.

Any member of the public wishing to testify must sign in on the sign-up sheet provided at City Hall. You will be requested to provide your name and address and comments will be limited to three (3) minutes per person. If the main meeting room reaches capacity, those not in the meeting room must provide a cellphone number so they can be notified when it is their turn to provide public comment during the public hearing.

Any member of the public wishing to provide general public comment or comment about an agenda item without attending the meeting in person may do so by email to Kara Banks (kbanks@edgertonks.org). If you are unable to email the comments, you may call the following number, and staff will report your comment on your behalf. (913) 893-6231. Any comments should be submitted by phone or email by close of business (4:30 PM) on day of the scheduled meeting.

1. Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

4. **CONSENT AGENDA**
   (Consent Agenda items will be acted upon by one motion unless a Planning Commissioner requests an item be removed for discussion and separate action.)

   A. MINUTES
   Consider Planning Commission meeting minutes for January 12, 2021.

   B. EXTENSION OF SITE PLAN EXPIRATION DATE FOR FS2019-02 TSL- EDGERTON PHASE II

Consider request to extend the expiration date of Final Site Plan FS2019-02 for TSL-Edgerton Phase II, located at 31115 W 191st Street. Applicant: TSL Company Holdings, Ltd.; Agent: Chris Stara

5. **OLD BUSINESS**

A. REZONING APPLICATIONS ZA2020-02 through ZA2020-08
CONTINUED FROM JANUARY 12, 2021 PLANNING COMMISSION MEETING
Consider rezoning applications originally heard during the Public Hearing on January 12, 2021. Individual action to recommend approval, denial or to continue will be taken on each application.

APPLICATIONS ARE AS FOLLOWS:

1. **ZA2020-02 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF WEST 199TH STREET AND SOUTH GARDNER ROAD.** Applicant: Wellsville Farms, LLC; Agent: Brett Powell, NPD Management, LLC
2. **ZA2020-03 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF WEST 207TH STREET AND SOUTH GARDNER ROAD.** Applicant: Hillsdale Land and Cattle, LLC; Agent: Brett Powell, NPD Management, LLC
3. **ZA2020-04 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF WEST 207TH STREET AND SOUTH GARDNER ROAD.** Applicant: Hillsdale Land and Cattle, LLC; Agent: Brett Powell, NPD Management, LLC
4. **ZA2020-05 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF WEST 207TH STREET AND SOUTH GARDNER ROAD.** Applicant: Hillsdale Land and Cattle, LLC; Agent: Brett Powell, NPD Management, LLC
5. **ZA2020-06 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF WEST 207TH STREET AND SOUTH GARDNER ROAD.** Applicant: Hillsdale Land and Cattle, LLC; Agent: Brett Powell, NPD Management, LLC
6. **ZA2020-07 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF WEST 207TH STREET AND SOUTH GARDNER ROAD.** Applicant: East Kansas Land and Cattle, LLC; Agent: Brett Powell, NPD Management, LLC
7. **ZA2020-08 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF WEST 215TH STREET AND SOUTH GARDNER ROAD.** Applicant: South JOCO Farms, LLC; Agent: Brett Powell, NPD Management, LLC

6. **NEW BUSINESS**

A. PUBLIC HEARING – REZONING APPLICATIONS ZA2021-01 THROUGH ZA2021-05

Hold a public hearing in consideration of rezoning Applications **ZA2021-01 through ZA2021-05**. Individual action to recommend approval, denial or to continue will be taken on each application at the conclusion of the Public Hearing.

APPLICATIONS ARE AS FOLLOWS:

1. **ZA2021-01 – REZONING FOR ONE (1) PARCEL OF LAND LOCATED AT 32425 W 207TH STREET.** Applicant: Johnson County Land Company, LLC; Agent: Brett Powell, NPD Management, LLC.
2. **ZA2021-02 – REZONING FOR ONE (1) PARCEL OF LAND LOCATED AT 32295 W 207TH STREET.** Applicant: Wellsville Land Company, LLC; Agent: Brett Powell, NPD Management, LLC.
3. **ZA2021-03 – REZONING FOR ONE (1) PARCEL OF LAND LOCATED AT 32285 W 207TH STREET.** Applicant: Moonlight Farms, LLC; Agent: Brett Powell, NPD Management, LLC.
4. **ZA2021-04 – REZONING FOR ONE (1) PARCEL OF LAND LOCATED AT 32330 W 213TH STREET.** Applicant: Wellsville Farms, LLC; Agent: Brett Powell, NPD Management, LLC.
5. **ZA2021-05 – REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF W 213TH STREET AND S KILL CREEK ROAD.** Applicant: Wellsville Farms, LLC; Agent: Brett Powell, NPD Management, LLC.

B. FINAL PLAT FOR LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT – APPLICATION FP2020-04

Consider Application FP2020-04 for a Final Plat located north of the Hostess Distribution Facility at 30800 W 207th Street. Applicant: Hillsdale Farms, LLC; Agent: Brett Powell, NPD Management, LLC.

C. PUBLIC HEARING – FINAL SITE PLAN FOR INLAND PORT 52 – APPLICATION FS2020-11

Hold a public hearing in consideration of Application FS2020-11 for a Final Site Plan located north of the Hostess Distribution Facility at 30800 W 207th Street. Applicant: Hillsdale Farms, LLC; Agent: Brett Powell, NPD Management, LLC

D. TEMPORARY CONSTRUCTION USE FOR CONCRETE STRATEGIES BATCH PLANT – APPLICATION TU2021-01

Consider Application TU2021-01 for a Temporary Construction Use of a concrete batch plant to be located at 20520 Waverly Road. Applicant: Steve Schuering; Agent: Concrete Strategies

7. Future Meeting

   - Regular Session – March 9, 2021 at 7:00 PM

8. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
January 12, 2021

The Edgerton Planning Commission met in regular session with Chairperson John Daley calling the meeting to order at 7:00 PM.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Chairperson John Daley, Commissioner Jeremy Little via video conference, Commissioner Deb Lebakken via video conference, Commissioner Charlie Crooks via video conference, and Commissioner Tim Berger via video conference. Also present were City Administrator, Beth Linn, Marketing and Communications Director Kara Banks, Development Services Director Katy Crow, City Attorney Lee Hendricks and Planning and Zoning Coordinator Chris Clinton.

The Planning and Zoning Coordinator announced a quorum was present.

CONSENT AGENDA

MINUTES

The approval of the minutes from the Regular Session held on October 13, 2020 were considered.

Commissioner Crooks motioned to approve the consent agenda. Commissioner Berger seconded the motion. The consent agenda was approved, 4-0.

NEW BUSINESS

PUBLIC HEARING – REZONING APPLICATION ZA2020-02 THROUGH ZA2020-08

Chairperson Daley stated the role of the Planning Commission is that of a recommending body. A public hearing will be conducted to hear public comment and concerns and allow the applicant to present their information in order to make a recommendation to the Governing Body about the application before the Planning Commission. He stated the Planning Commission (the Commission) action is not final as it is a recommendation to the Governing Body who will make the final determination during a future City of Edgerton City Council meeting. Chairperson Daley explained any public comments will be taken and each speaker will be allotted three (3) minutes. He said due to Covid-19 and the social distancing constraints placed upon the meeting hall, overflow capabilities are available at Edgerton Library where the meeting is on speaker. Comments must be provided at City Hall.

Chairperson Daley introduced the item. He stated the public hearing will be opened and City Staff will review the applications. If the applicant is present, they will introduce their side of the proposal. At the conclusion of the applicant's presentation, public comment will be taken. City Staff will keep a list of the questions asked and the applicant will respond after all public comment has been received. Chairperson Daley stated public comment is only allowed during the public hearing. Once the hearing has been closed, the time for comment has passed and no further comments from the audience will be taken. He again stated each speaker is allowed 3 minutes.

Chairperson Daley reminded those in attendance the public hearing is regarding the rezoning

application. He explained that rezoning is about the change in use allowed on the land. Anything related to development of the land like the roads or what the building looks like or the stormwater plan will be discussed at a later meeting.

Chairperson Daley opened the public hearing.

Ms. Katy Crow, Development Services Director, stated the commissioners were each provided copies of the staff reports prior to the meeting. She explained the Golden Criteria were established by the Supreme Court of Kansas in 1978 and each parcel and application was reviewed using these Criteria. Ms. Crow said the entire Staff Report will be read for ZA2020-02, then for each following application, only the items that change between the properties will be highlighted.

Ms. Crow stated Application ZA2020-02 is an application to rezone from Johnson County Rural, RUR, to City of Edgerton Logistics Park, L-P, district that is generally located southeast of the intersection of West 199th street and South Gardner Road. The applicant is Brett Powell, an agent of NPD Management and the property is owned by Wellsville Farms, LLC. This parcel was annexed on December 17, 2020 as a part the expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility. The facility opened in late 2013 and is located approximately two miles north and west of the subject site. Ms. Crow explained maps and figures outlining the nearby zoning designations surrounding the subject parcel and the proximity to other L-P locations. She said the last figure provided outlines the nearby roads that Johnson County has designated as arterial roadways in the Comprehensive Arterial Road Network Plan (CARNP).

Ms. Crow stated the subject property was annexed into the City of Edgerton on December 17, 2020 and was in unincorporated Johnson County and was zoned Johnson County Rural (RUR), which it still holds. She explained the City's Unified Development Code (UDC) states the purpose of the Logistics Park (L-P) District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail, and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside store of material, noise, vibration, et cetera. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond property lines. Ms. Crow explained permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication, or assembly of commodity – limited; along with other permitted uses.

Ms. Crow then went through each of the Golden Criteria for application ZA2020-02:

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (106 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.
3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center, and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed

on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.

8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Today 199th Street is a two-lane road from Waverly Road to Moonlight Road. However, the Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type III/4-Lane Arterial Roadway designation to 199th Street and designates it as a main throughway. As this area continues to develop, 199th will be a crucial component to providing transportation access across southern Johnson County. Additionally, Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part

of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.

14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities, and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity, and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.1 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **Recommendation of professional staff** – City Staff recommends approval of proposed rezoning Application ZA2020-02 from Johnson County Rural (RUR), to City of Edgerton Logistics Park (L-P) with the following stipulations:
    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 be developed within accordance with a Site Plan reviewed and approved by the City.

Ms. Crow explained for application ZA2020-03, the reviews of the Golden Criteria stayed the same, but

the different information will be explained. She stated the application is for rezoning a parcel of land generally located northeast of the intersection of West 207th Street and South Gardner Road. The applicant is Brett Powell, who is an agent from NPD Management. The property is owned by Hillsdale Land & Cattle, LLC. The applicant has requested the same rezoning from Johnson County RUR to City of Edgerton L-P and the parcel is about 59.51 acres. She explained the maps in the Staff Report of showing nearby zoning designations and the proximity of the parcel to other L-P uses. She stated the last figure outlines the CARNP. She explained this parcel does not have any access from nearby streets. Access to the parcel would have to be constructed during development.

Ms. Crow outlined the Golden Criteria that were different from the previous application:

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (60 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Today this parcel is landlocked with no access to a major arterial. Should any development occur, it would need to be coordinated with the use of an adjacent parcel for roadway access. Homestead Lane and 207th Street east to Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. Today 199th Street is a two-lane road from Waverly Road to Moonlight Road. However, the Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type III/4-Lane Arterial Roadway designation to 199th Street and designates it as a main throughway. As this area continues to develop, 199th will be a crucial component to providing transportation access across southern Johnson County. Gardner Road is a paved 2-lane road from 199th Street south to 215th Street. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2-Lane Arterial Roadway designation to Gardner Road and designates it as a main throughway. As this area continues to develop, Gardner Road will be a crucial component to providing transportation access to southern Johnson County. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.

17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.3 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** – City Staff recommends approval of proposed rezoning Application ZA2020-03 from Johnson County RUR to City of Edgerton L-P with the following stipulations:
    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 be developed in accordance with a Site Plan reviewed and approved by the City.

Ms. Crow stated ZA2020-04 is an application for the same rezoning change on a parcel of land generally located northeast of the intersection of West 207th Street and South Gardner Road. She said it was applied by Brett Powell, agent of NPD Management, and is owned by Hillsdale Land & Cattle, LLC. The parcel is 58.36 acres in size. She explained the maps in the Staff Report of showing nearby zoning designations and the proximity of the parcel to other L-P uses. She stated the last figure outlines the CARNP. She explained access to this parcel is from 207th Street.

Ms. Crow outlined the different analysis of the Golden Criteria:

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (58 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property – The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** This parcel contains direct access to 207th Street. 207th Street to east of Waverly Road and Homestead Lane have been improved to accommodate the traffic that will accompany the Phase II expansion of LPKC. Gardner Road is a paved 2-lane road from 199th Street south to 215th Street. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2 Lane Arterial Roadway designation to Gardner Road and designates it as a main throughway. As this area continues to develop, Gardner Road will be a crucial component to providing transportation access to southern Johnson County. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.4 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - City staff recommends approval of proposed rezoning Application ZA2020-04 from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:
    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 be developed in accordance with a Site Plan reviewed and approved by the City.

Ms. Crow stated ZA2020-05 is an application for the same rezoning change on a parcel of land generally located southwest of the intersection of West 207th Street and South Gardner Road. She said it was applied by Brett Powell, agent of NPD Management, and is owned by Hillsdale Land & Cattle, LLC. The parcel is 38.21 acres in size. She explained the maps in the Staff Report of showing nearby zoning designations and the proximity of the parcel to other L-P uses. She stated the last figure outlines the CARNP. She explained access to this parcel is from 207th Street and Gardner Road.

Ms. Crow outlined the different analysis of the Golden Criteria:

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (38 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Both Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. The parcel is located 1.4 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - City staff recommends approval of proposed rezoning Application ZA2020-05 from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:
    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 be developed in accordance with a Site Plan reviewed and approved by the City.

Ms. Crow stated ZA2020-06 is an application for the same rezoning change on a parcel of land generally located southwest of the intersection of West 207th Street and South Gardner Road. She said it was applied by Brett Powell, agent of NPD Management, and is owned by Hillsdale Land & Cattle, LLC. The parcel is 38.98 acres in size. She explained the maps in the Staff Report of showing nearby zoning designations and the proximity of the parcel to other L-P uses. She stated the last figure outlines the CARNP. She explained access to this parcel is from Gardner Road.

Ms. Crow outlined the different analysis of the Golden Criteria:

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (approximately 39 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** As this area continues to develop, 207th Street and Gardner Road will be crucial components to providing transportation access across southern Johnson County. Both Homestead Lane and 207th Street to east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2 Lane Arterial Roadway to Gardner Road designating it as main throughway. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.4 miles from I-35. Development in the area is driven

by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.

18. **The recommendation of professional staff** - City staff recommends approval of proposed rezoning Application ZA2020-06 from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:
    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 be developed in accordance with a Site Plan reviewed and approved by the City.

Ms. Crow stated ZA2020-07 is an application for the same rezoning change on a parcel of land generally located southeast of the intersection of West 207th Street and South Gardner Road. She said it was applied by Brett Powell, agent of NPD Management, and is owned by East Kansas Land & Cattle, LLC. The parcel is 118.70 acres in size. She explained the maps in the Staff Report of showing nearby zoning designations and the proximity of the parcel to other L-P uses. She stated the last figure outlines the CARNP. She explained access to this parcel is from 207th Street.

Ms. Crow outlined the different analysis of the Golden Criteria:

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (approximately 120 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** This parcel contains direct access to 207th Street which along with Homestead Lane has been improved to east of Waverly Road to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the

applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.

17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.6 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - City staff recommends approval of proposed rezoning Application ZA2020-07 from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:
    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 be developed in accordance with a Site Plan reviewed and approved by the City.

Ms. Crow stated ZA2020-08 is an application for the same rezoning change on a parcel of land generally located northeast of the intersection of West 2157th Street and South Gardner Road. She said it was applied by Brett Powell, agent of NPD Management, and is owned by East Kansas Land & Cattle, LLC. The parcel is 215.94 acres in size. She explained the maps in the Staff Report of showing nearby zoning designations and the proximity of the parcel to other L-P uses. She stated the last figure outlines the CARNP. She explained access to this parcel is from 215th Street, Gardner Road, and Moonlight Road.

Ms. Crow outlined the different analysis of the Golden Criteria:

2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (approximately 216 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate

berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** As this area continues to develop, 207th Street, Gardner Road, and 199th Street will be crucial components to providing transportation access across southern Johnson County. Both Homestead Lane and 207th Street east to Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. Today 207th Street is paved half a mile past Waverly Road. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2 Lane Arterial Roadway to Gardner Road and a Type III/4 Lane Arterial Roadway designation to 199th Street, designating them both as main throughways. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.9 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - City staff recommends approval of proposed rezoning Application ZA2020-08 from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:
    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 be developed in accordance with a Site Plan reviewed and approved by the City.

Chairperson Daley requested the applicant to address the Commission and provide any additional information.

Mr. Patrick Robinson, Vice President of NorthPoint Development, spoke before the Commission. He said there is a total of about 640 acres requesting rezoning. At this time, NorthPoint does not have tenants

for buildings to utilize this land. He added the demand is there for additional buildings in the future. The COVID-19 pandemic has increased the demand of distribution and e-commerce and that demand will be there throughout 2021 and beyond. UPS is one of largest BNSF customers and the proximity to the BNSF intermodal has been extremely beneficial for the warehouses in Edgerton. Mr. Robinson thanked City Staff for their work and agreed with the Staff Reports and stipulations outlined. He explained Phase I and Phase II of LPKC have expanded quicker than expected and the rezoning applications are being done out of an abundance of caution so NorthPoint can develop the land as development progresses.

Chairperson Daley stated public comment will now be received. He asked if City Staff has received any written comments. Mr. Chris Clinton, Planning and Zoning Coordinator, stated testimony was received prior to the meeting. He read the list and addresses of those who provided written testimony:

- Dennis L. and Mary C. Koch – 27445 W 215th Street, Spring Hill, KS 66083
- Mary Koch – No address provided or found in the Johnson County database
- Brynn Brinkman – 207th Street and Moonlight provided, Johnson County shows a Brynn Brinkman at 277765 W 207th Street, Gardner, KS 66030
- Mark Hall – 23506 S Gardner Road, Spring Hill, KS 66083
- John Ingle – 28255 W 215th Street, Gardner, KS 66030
- Ben Johnson – 21365 S. Moonlight Road, Gardner, KS 66030
- Curt and Debra Kennon – 28155 W 215th Street, Spring Hill, KS 66083
- Staci Cook – 30103 Pinecrest Drive, Spring Hill, KS 66083
- Andrew Wayman – 28740 W 199th Street, Gardner, KS 66030
- Betsy Klinefus – PO Box 386, Spring Hill, KS
- LaDonna Buchman – No address provided or found in the Johnson County database
- Frank Bannister – 19815 S Gardner Road, Gardner, KS 66030
- Lisa Sutcliffe – 223rd Street in Spring Hill, KS
- Matt Combs – 20950 Moonlight Road, Gardner, KS 66030
- Paula Gardner – 22326 W 221st Street, Spring Hill, KS 66083
- Brandon Cain – 24795 Harmony Road, Paola, KS 66071
- Sarah Cain – 24795 Harmony Road, Paola, KS 66071
- Joyce Ghaisarnia – 21725 S Waverly Road, Spring Hill, KS 66083
- Brett Kuper – 22241 Moonlight Road, Spring Hill, KS 66083
- Christina Potter – near Harmony Road and 249th Street in Miami County

Mr. Clinton stated that all of the correspondence has been provided to the Commissioners and will be attached to the minutes.

Chairperson Daley said if a person is present to speak, they were to sign in and provide their name and address for the record and a phone number for City Staff to contact the speaker if they are not present in the meeting space when they are to speak. He stated each speaker will have 3 minutes and requested each speaker to speak loudly and clearly so those attending virtually can hear and understand each speaker.

Mr. Ben Johnson, 21365 S Moonlight Road, Gardner, KS 66030, spoke before the Commission. He said he lives to the east of the parcel addressed in application ZA2020-08. He understands the information and comments provided by the applicant, but states there are areas still available in Phase I for development. Mr. Johnson said the growth of LPKC has outpaced the demand of more warehousing. He

has noticed there are other warehouses available that are not located in LPKC as well. He stated if the pandemic has increased the draw for more distribution, that demand will decrease as the vaccine is made more readily available. Mr. Johnson stated the land use that surrounds the parcel in Application ZA2020-08 is all residential. He has seen the property value decrease in last year. All but maybe (one) 1 house faces the subject property of Application ZA2020-08. Mr. Johnson stated unless there is a large piece for residential development, the neighboring property values will go down and the nearby residents of the parcel are the ones who are going to suffer. He claimed that the City of Edgerton's City Code advises not to build near residences, but this is what will happen. He wants to know what will be done to protect those who live near LPKC. He claimed that nobody in the meeting room are current Edgerton residents but they are now neighbors of Edgerton. Mr. Johnson concluded the property owners are hiding behind the LLC's and their true causes.

Mr. Clifford Hunt, 21355 S Moonlight Road, Gardner, KS 66030, addressed the Council. He stated he does not have much to add what his neighbor, Mr. Johnson, said. He explained there are already trucks going down Moonlight Road and that will only increase. Mr. Hunt said he too is concerned about his property value decreasing. He warned that if nothing was done to improve Moonlight Road, there will be more accidents due to small one-lane bridges on that road.

Senator Molly Baumgardner, 29467 Master Court, Louisburg, KS 66053, spoke before the Commission. She said she is being responsive to constituents in the 37th district. She said Planning Commission meetings are to be perfunctory in process with people who are passionate about the community. She explained she has received calls and emails from constituents stating their hopes and dreams are being wasted away. She said transparency is to be a part of the process. Property owners are concerned as the rezoning applications were submitted before the property was annexed by the City of Edgerton. She said she is concerned about City Staff's analysis of Golden Criterion number thirteen (13). The roads in this area are not main throughways. The roads are simply two-lane roads and are designed for residential traffic and not for heavy freight traffic. She explained the issue of roads being used by farm equipment has been addressed at the State level. Some main throughways may be acceptable, but these roads are not designed as such at this time.

Mr. Dennis Kauffman, 25577 W. 215th Street, Spring Hill, KS 66083, next spoke to the Commission. He said he lives on 215th Street, east of Moonlight Road. He voiced his concern regarding the developer. He stated that notification letters were only sent a certain distance away from the property. He stated he saw the public notification signs and found on social media, a group of people trying to stop the development. He stated if the developer actually cared about the community, they should have gone door to door to notify residents and speak with them, but this did not happen. All this was done without anyone knowing about it. He explained 215th Street is chip and seal and is not for semis even though they drive that way now. Even as early as 6:00 AM. He stated that the people who vote on this do not live near these developments and they need to take the neighbors into consideration. Low density residential is only a term but this development will cause people to change their plans. He recommended people to go onto social media to fight the development and donate to help stop the development.

Mr. Timothy Smith, 21175 S Moonlight Road, Gardner, KS 66030 addressed the Commission. He said he and his family moved into the rural area in 2014 and lived in Gardner before then. They bought ten (10) acres to retire on, they purchased what he described as their forever home, and they absolutely love everything about where they live now. He explained this will all change with development

happening and that is what they are concerned about. This is the first time they have lived in a rural area and found out what it is like to have dark nights and being able to see many more stars in the night sky. He explained that will all be lost. He said as a homeowner, he is unsure how NorthPoint and the City did some of the things that were done. He alleged that NorthPoint hid their true identity by purchasing properties under LLC's. He asked why NorthPoint felt the need to hide and not be transparent. He stated the property was annexed on December 17, 2020. On December 23, 2020, a certified letter was sent by NorthPoint and he received a few days after Christmas. He referenced an article from the Gardner News that was published on December 25, 2020 which he stated had a quote from Ms. Kara Banks, Marketing and Communications Manager, stating no development plans have been provided at this point. He stated the timeline does not add up.

Mr. Jim Miller, 28755 W 215th Street, Gardner, KS 66030, approached the Commission. He said he and his wife and live on 215th Street next to the water tower. He said there is a good possibility that they might see the back end of a warehouse. There are trucks going up and down 215th Street and they stop on Gardner Road and end up going down dirt roads. The City has been unable to get drivers to use the expensive intersection that was constructed at Homestead Lan. Traffic is horrendous on Gardner Road and I-35 and that will just continue to get worse. He said property values have already dropped by 50%. He stated he wanted to be on the record as opposing the rezoning.

Mr. Ronald Rockel, 28920 W 199th Street, Gardner Road, Gardner, KS 66030, addressed the Commission. He stated he has lived in this area for forty-seven (47) and a half years. The watershed goes across his property and he is concerned about the increase of water that might go across his property. There are slight problems with this now, but he alleged it will increase due to the blacktop roads, buildings, and the changes in grading which he claimed will change the watershed. He wondered where the watershed changed routes. He does not know how far it goes now before it enters a tributary. He claimed it will be expensive to redo the ditches along the roads. He wants to know who will bear that expense. He stated looking at a warehouse is not appealing for any property owner.

Mr. Frank Bannister, 198155 S Gardner Road, Gardner, KS 66030, spoke before the Commission. He stated he opposes the rezonings for all the previous reasons, but primarily because of the impact on the neighboring residences. He likes living in the country and likes to be able to see livestock and animals. He claimed he found it very interesting that the City Staff analysis does not mention the detrimental impact placed on the people. He said the Staff Reports are all about the City of Edgerton and LPKC and therefore is biased. He explained that he believes there will be a devaluation of property and it is not addressed in any Staff Report. He claimed the residential properties have not been selling on the north for a couple years. He has spoken with many people who have paid a premium price to live in this area and nobody is in favor of the development. He said it is not right. He requested the Planning Commission either vote no or table the vote so City Staff can correctly address the issue with residents. He claimed that if the Commission votes yes, then they are drawing a deep line of animosity between themselves and the residents. He wants Staff Reports to be done accurately.

Mr. Wayne Davis, 29080 W 199th Street, Gardner, KS 66030, approached the Council. He said he lives across the street from the parcel in Application ZA2020-02. He said he knows NorthPoint has volunteered to answer questions, but he is not sure if everybody in attendance is aware of a master plan for the area. He said it is solid enough to be posted on the LPKC website. He said the master plan shows no room for berming or screening of any kind. A 1,300,000 square foot warehouse is shown

near his property that he bought property twenty-two (22) years ago. He has enjoyed raising kids on the property. He said the public should be privy to a recording of the City Council meeting held on December 17, 2020. He did state someone had the desire to show concern about the rural residential in the area. When he looks at the Kubota facility and the houses across the street, he does not see berming or screening. He said when each Staff Report was explained, each property will have berming and screening so the residents will not view a nuisance. It is a consideration that is not addressed in the master plan. He said there needs to be more input from NorthPoint.

Mr. Ron Dove, 22933 Bedford Road, Spring Hill, KS 66083, addressed the Commission. He said he lives south of the rezonings. He explained most people understand they are unable to stop the process but when it is not managed properly then land is not adequately used. He said was listening in the library, where it is hard to hear, but heard a traffic study will be done. He said he has lived here for nine (9) years and has yet to see a traffic study. He has been ran off the road and cut off from trucks using Gardner Road. The old saying of watch out for deer has changed to watch out for trucks. The drivers are not using the correct roads, and nobody is monitoring the traffic. The GPS maps the truckers are using do not show the correct route, just the fastest route. He is worried about his son driving in the area. Especially with the Gardner Road exit being so horrific and dangerous. He said there needs to be some sort of buffering and five (5) foot trees in front of a 1,000,000 square foot building is horrendous and not enough. He claimed the City code says there is to be no leapfrog development, but that is what this is. It will lead to a huge decrease in property values.

Mr. Shawn Winslow, 28640 W 207th Street, Gardner, KS 66030, spoke to the Commission. He said NorthPoint purchased property west of his. He claimed that the NorthPoint master plans shows a proposed building of 925,000 square feet and it is right on top of his property. He has lived there for fifteen (15) years and raised a family on a beautiful property and where they view beautiful sunsets. He and his family have poured a lot of money and work into the property. He claimed they will suffer from pollutants and does not see anybody wanting to buy this house with the warehouse there. He said there has been one death at Gardner Road and 207th Street. A man was hit who was trying to help direct a trucker who was lost.

Ms. Staci Cook, 30103 Pine Crest Drive, Spring Hill, KS, 66083, addressed the Commission. She stated after reading all of the documents, she believes there are some issues with the Staff Reports. She asked how likely somebody is to purchase a property next to a warehouse. Concerning Golden Criterion 6, the properties are located in the middle of a rural and conservation plan per the Johnson County plan for the area. The Southwest Area Plan does not show LPKC going south of 199th Street. In regard to the seventh criterion, the City of Edgerton Comprehensive Plan says this is not an efficient use of land. The plan says compact roads help build communities and does not encourage leapfrog development such as this. She stated that the Comprehensive Plan shows this land not being used for commercial development and only used agricultural. She said the land should remain in the County. The rezoning would continue to the uncontrolled urban sprawl. Criterion 10 is not addressed and use future development will lead to lower property values. She said Criterion 13 is not addressed properly as well because anyone who drives Gardner Road knows truck drivers are using roads not designed for that kind of traffic. The fourteenth criterion should state the Miami County Conservation has addressed the fact the development would have a detrimental effect will have on the Hillsdale Watershed.

Mr. Jeff Julian, 28466 W 207th Street, Gardner, KS 66030, approached the Commission. He said he is new to the area as he bought his property in October. Since he is a software developer, he researched

plans for the area. He lived in Lenexa in a private neighborhood but wanted to live in rural area. He said he knew the City of Gardner's residential plan was stopped at 199th Street. He wanted to know who did research for the City of Edgerton. The area was mapped as conservation and what it is designed as. He closed his business in downtown Kansas City. He looked at the map for LPKC and laid it over a map of downtown Kansas City. He said LPKC expands from the River Market to the Liberty Memorial and to Children's Mercy Hospital. He said 2 weeks is not enough time to notify the neighbors. He stated that City Staff did not do enough research. He requested the Commission to deny NorthPoint and the companies they hide behind.

Mr. James Oltman, President of ElevateEdgerton!, spoke to the Commission. He said he is in support of project. He said one thing that needs to be considered is what the project would provide for community. LPKC has created 4,500 jobs with an average wage of $20.00 an hour with full benefits for Edgerton and the surrounding area. The community has seen opportunities that have come up because of LPKC. There has been growth in Edgerton and other neighboring cities. New grocery stores, hotels, and restaurants have been constructed because of the growth and success of LPKC. Mr. Oltman knows and understands the concerns, but one of the main goals of LPKC is creating opportunity. The unprecedented growth has allowed the City to bring forth future growth and opportunities because of LPKC.

Ms. Tara Ingle, 28255 W 215th Street, Gardner, KS 66030, addressed the Commission. She said she lives across the street from the parcel addressed in Application ZA2020-08. She said Golden Criteria number 13 addresses the roads. Currently, 215th Street is chip and seal and is not a double lane road. She claimed that a truck and any another car will not fit down that road. Very few truckers take Homestead Lane to get to where they are going. She explained 207th Street east of the Hostess Distribution Center is a gravel road. She said she has almost been hit head on many times from trucks going down roads they should not be using. She claimed that Gardner Road is not made for semis and parts have been left on the side of roads. There has been a fatality on 207th Street. This development has been a detriment to families. She is trying to raise a family in the country. They have named cows nearby and her family has grown accustomed to seeing the animals. She is scared for kids getting off school buses. She said she does not want to see development in her front or back yard.

Mr. Chris Cardwel, Miami County Conservation, approached the Commission. He said they have heard many stories and personal testimony. He explained his purpose to have the Miami County Conservation's presence known. He said their goal is to help make these difficult decisions and bridge the gap from all stakeholders all the while preserving green spaces and water quality assets. He stated any zoning changes made regarding land use are made in an isolated watershed. Water should be Number 1 priority of everybody, especially in a closed loop watershed. All zoning and land use and impervious services built have stormwater impact and will affect the Hillsdale watershed. He said Miami County Conservation wants to work with all stakeholders to help build green infrastructure. He is aware the City of Edgerton doing a stormwater master plan with Olsson. He explained as LPKC continues to grow there has been a loss of six (6) delineated wetlands, not to mention the working lands. He said in the lake watershed, agricultural and work lands cannot be replaced.

Ms. Jennifer Williams, 21993 Moonlight Road, Gardner, KS 66030, spoke before the Commission. She claimed that there are some major items that need to be addressed regarding the Golden Criteria. Ms. Williams said the criteria are outdated and cannot be applied to this case. The original case was about office space being turned into a strip mall. It is not applicable to use the Golden Criteria in this case.

She stated the Staff Report calls the RUR zoning designation has a holding designation, but she said that is their life. She explained the people living in this area would lose their livelihood compared to the City losing the project. She said this is leapfrog development and NorthPoint is trying to squeeze out the little guys. Ms. Williams said there is money in their homes, but they are left with nothing when the land is bought for the square footage and not the entire property. She questioned the Staff Report saying there was little gain to denying the rezoning. She explained there is a lot to be gained if it is denied. She said the neighboring properties do not have representation as they are not within the City limits of Edgerton. She stated each neighbor has property and constitutional rights. Ms. Williams stated the rezoning is not American and fair. She said America was founded on representation and now the neighboring properties have none. It was their choice to move away from the city. She stated she is also worried about possible sex trafficking.

Mr. Devin Self, 27200 W 215th Street, Spring Hill, KS 66030, addressed the Commission. He said he and his wife moved into the area less than three (3) years ago. They would have never guessed the development was happening this close to them. They can barely see warehouses off Gardner Road as of right now. He stated the rezoning should not be done without more information first. The roads and infrastructure, there is no stormwater drainage, and no lighting which has already led to one death. They have not seen an increased law enforcement presence even with more people from out of town coming into the area. Mr. Self questioned the timeline of the applications. He said the fees were paid on December 11, 2020 then the annexation of the property was done on December 17, 2020. The newspaper comment said no development was planned, but that was obviously not the truth. He believes the whole process has been dishonest. He requested the Commission deny the rezonings until more plans and information can be provided.

Mr. Rod Murrow, 12228 S Gallery Street, Olathe, KS 66062, approached the Commission. He said he grew up in a house that his father built that is close to these properties. He said there are two (2) gas wells that border the parcel in application ZA2020-02. Those wells supply gas to eight (8) houses. He said it is inconceivable that the gas pocket does not extend under that property. He is concerned about any construction that could affect that pocket and cut off the gas supply to the houses nearby. He explained he has seen Gardner and Edgerton grow. People would be disturbed by the stories that have been shared here. He stated he understands some of the roads are a county issue but there has been one death and that could and most likely will increase with additional trucks in the area. Mr. Murrow said he was a lawyer and helped open LLC's for people before. He strongly recommended NorthPoint not to label their LLC's as land and cattle or farms as it just infuriates the neighbors when items like this come up.

Mr. Larry Wymer, 805 W 4th Street, Edgerton, KS 66021, spoke to the Commission. He stated he does not have to deal with property concerns as many other people who have spoken do. His family moved to Edgerton in 1978 and he grew up in Edgerton. He loves the community and the childhood he had here. As he became adult had to leave Edgerton as there were no jobs or housing, he did not want to leave but had to. He explained now his kids do not have to leave Edgerton. There are jobs nearby and opportunities for housing are growing. He understands the property concerns that have been raised but does not want to see the growth stop. He would like to see the growth be shaped to benefit everybody and done legally and just.

Chairperson Daley stated those who have signed in have been called upon to speak. He asked if there were others who wish to speak and stated that it is not an opportunity for previous speakers to add on

to their statements, but an opportunity for anybody else who wishes to speak to do so.

Mr. Ron Freund, 19880 S Gardner Road, Gardner, KS 66030, addressed the Commission. He said he was born in this area and could always find jobs. He asked Chairperson Daley how long he has lived in the area. Chairperson Daley responded forty-three (43) years. Mr. Freund said there is a good community here. He has seen the growth. He attempts to please everybody but that cannot always be done. He said the intermodal needs infrastructure for every road that can be built and drove on. He requested the infrastructure be improved all the way out.

Chairperson Daley recessed the meeting for a short break at 9:17 PM. The meeting resumed at 9:26 PM.

Chairperson Daley requested the applicant respond to the questions and concerns that were proposed.

Mr. Robinson approached the Commission. He stated NorthPoint is happy to respond to questions and concerns raised by members of the public and the Planning Commission. He addressed the comment of land being available in Phase I for development. Mr. Robinson explained all of the buildings that are owned by NorthPoint are currently leased. There is some land available for future rail served development but NorthPoint does not have any vacant buildings north of I-35. The concern of the need for warehouses decreasing once the pandemic is over will not change how Americans shop. Mr. Robinson explained the pandemic accelerated the transition to a more e-commerce economy. This leads to more tenants and the need for additional warehouses. He next addressed the notification requirements. Mr. Robinson stated NorthPoint complied with City's requirements set forth by the UDC and affidavits of required notifications were provided. He said NorthPoint looks to the ordinance and statutes that state how far the notifications need to be sent out and the time frame to send them. Ms. Beth Linn, City Administrator, requested clarification of the NorthPoint concept plan available online. Mr. Robinson replied that it is only a concept and nothing final. The plans are regularly produced to reflect acquired property to get an idea of what could be built. He explained what was is shown on a concept plan and what actually is built varies greatly. He said the plan that was brought up is not exactly how or where the warehouses will be built. Mr. Robinson explained the concept plans are mostly for internal use only. Ms. Linn stated a concept plan from any developer is not a full submittal to the City. She explained any full submittal would have notification to the public and City Staff analysis completed.

Mr. Robinson added there is landscaping and a berm in front of the Kubota facility that is intended to provide screening from 207th Street. He said there is a trail system that will be accessible to the public that will be constructed as well.

Ms. Linn addressed the concerns regarding the road infrastructure. She said many of the roadways discussed by those present are outside of the City of Edgerton and understands the roads were not constructed for truck traffic. City Staff has attempted to work with neighbors and partners in regulating the traffic. The City has attempted to get help from other jurisdictions, such as the County and State, but have not received enough help in regulating traffic on roadways outside of the City. She explained 207th Street has been paved south of I-35 that is within City limits and the gravel part of 207th Street is not in Edgerton.

Chairperson Daley stated the public will now be able to respond to the applicant. He stated each

speaker will be allowed two (2) minutes for their rebuttals. Chairperson Daley requested each speaker to state their name and address once more for the record and to have the speaker yield the floor to the next speaker. He explained this process will be continued until all those who wish to respond have done so. Chairperson Daley asked for those who are listening to the meeting outside of City Hall to inform City Staff if they wish to speak.

Mr. Bannister spoke before the Commission. He stated the key issue of those who live in the area is that not a lot of attention has been paid to the interest and devaluation of their property. He questioned if the Commission wanted to make friends with their new neighbors in Johnson County. He warned not many people would speak highly of the City. He stated he does not like an approval of the rezonings and wants long term information provided to the residents nearby. He explained this will happen to many families and the City and NorthPoint needs to come up with a better plan. He requested a win for both sides and not only Edgerton and NorthPoint.

Mr. Johnson addressed the Commission. He said NorthPoint says their properties are full but there is still land available. There is even a land for sale sign across the street from the entrance to the BNSF Intermodal.

Mr. Hunt approached the Commission. He inquired as to how the City can annex ground and not care about the road and infrastructure. He asked if the road can be annexed so the infrastructure can be constructed correctly. He stated people who come to work in LPKC mostly travel in and have not moved into the area.

Ms. Mary Freund, 19880 S Gardner Road, Gardner, KS 66030 spoke to the Commission. She said she is concerned about the right to the roads and wondered who has all of the responsibilities regarding the roads. She explained truck drivers are using roads unsuitable for truck drivers. She said taxpayers paid for the new interchange at Homestead Land and the City needs to be held accountable for the roads and traffic.

Mr. Smith addressed the Commission. He stated when the applicants spoke, the neighbors were not addressed, wildlife was not addressed. He said everything the applicant addressed was in their corner of business. Mr. Smith implored the residents to control the growth. He claimed he is still questioning the timeline of the rezoning applications that were filed on December 11, 2020, six (6) days before the land was annexed into Edgerton.

Mr. Self said to the Commission that if another traffic death occurs that it will not be at the fault of the residents.

Mr. Davis approached the Council. He said the City has not answered if the Kubota development was held to the same requirements of the berming and screening. He said there is no protection from the warehouse for the residents across the street. He does not want that to happen to anybody else, especially since there are more rural residents near these rezonings than the Kubota facility. He does not see any protection for the rural neighbors.

Chairperson Daley requested any comments from City Staff.

Ms. Linn stated there is a development schedule that indicates when a rezoning application is due. She

explained that an application was received on December 11, 2020 but was not considered complete until the legal descriptions were verified by the City Engineer, the notification letter addresses were verified, and the affidavit of the notification was received. The affidavit was the last piece to be received by the City and was received after the annexation was approved by the City Council on December 17, 2020. The annexation was a request made by the property owners and is contiguous to property within the City limits. This does not require a public hearing when those criteria are met, per city code and Kansas law.

Ms. Linn stated Kubota was held to the same requirements and stated there is berming and landscaping at that facility and at the Hostess Distribution Center.

Chairperson Daley explained the applicant will now have the ability to address and respond to any further questions or concerns brought up by the public. He reminded those in attendance that this is not a time for debate and requested that each speaker only address the Commission during their allotted time.

Mr. Robinson addressed the Commission. He stated he attempted to take notes during all of the public comment to address all of the concerns. He stated the Block real estate for sale signs are not on NorthPoint owned property. It stated the property owner is wanting to retain the property for possible commercial or retail development in the area. He restated that NorthPoint does not own that property and all of the property owned by NorthPoint has been developed at this point. Mr. Robinson stated he wished Senator Baumgardner was still in attendance to address the infrastructure. He stated this project started in 2007. There was conversation about relocating to 188th Street with the City of Gardner. The City of Gardner did not move forward and de-annexed the property. The City of Edgerton has been proactive on street infrastructure that is under their jurisdiction. Mr. Robinson wants ask Senator Baumgardner to help in having the infrastructure be completed throughout this area. He encouraged discussions to be held between Edgerton and Senator Baumgardner to help the infrastructure be constructed. He requested the audience to reach out to her for this help as well.

Mr. Robinson explained he and his family grew up in Allen County, Kansas and would be excited to have land sold for development in that area. He said he is not out of touch and is a Kansan who cares deeply about this area. He knows there was a lot of opposition raised by neighbors to the development north of I-35, but those parcels contain garages larger than his own house. He stated none of the homes in the City of Gardner were constructed until the warehouses built. He understands this is a big change, but there is opportunity for everybody. He said 1 out of every seven (7) or eight (8) employees in LPKC is a manager and could live closer to work as development continues. He said NorthPoint concurs with the Staff Reports and requested a recommendation for approval by the Planning Commission.

Chairperson Daley closed the public hearing after all testimony and responses had been heard. He inquired if any Commissioners had any questions or items to discuss.

Chairperson Daley asked why the development did not go south closer to the Kubota facility. Mr. Robinson answered NorthPoint attempted to acquire the property there but were unable to do so. He said it takes two parties to make a deal and not everybody was a seller at that moment in time.

Commissioner Berger said there is a request for more information from many residents. He asked if there is a negative to meeting that request and not vote tonight on the rezonings. When information is

requested, then there is a point in trying to find and provide that information. He inquired if there is an immediate need that requires a vote on the rezonings tonight. Commissioner Berger wanted to know what the risk is to listen to concerns and complaints. He believes it is good to know NorthPoint attempted to purchased properties to eliminate leapfrog development. He explained his background is to mitigate business risks and he is trying to find the immediate need for the rezonings. He stated if there were little losses and gains to vote on the rezoning's, then data should be gathered and provided. He said the residents want more information and he wants to know how much more information is needed to reach a decision and how much time would be required to get that information. Commissioner Berger said those are extremely valid questions and taking a minute to answer those questions is a valid option for the Planning Commission to take. Chairperson Daley stated the focus is on the rezoning of the land and not what is being done on the land. There will be a public hearing for that. Commissioner Berger recognized that and said that is not the information he is seeking. He explained he wanted to know what the impact of the rezoning is on the land and not the development of buildings.

Chairperson Daley said with the Commissioners questions and discussion time concluded, each rezoning application will require its own motion and vote.

Commissioner Berger inquired if there are different values of differently Rezoning properties and motioned to continue the vote of Application ZA2020-02 to February 9, 2021 at 7:00 PM when that information could be provided. Mr. Lee Hendricks, City Attorney, requested Commissioner Berger specify the focus of the information he is requesting to aid City Staff in understanding exactly what information is being requested and how it is to be presented. Commissioner Berger withdrew the motion.

Commissioner Berger motioned to continue the vote of Application ZA2020-02 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-02 was continued to the February 9, 2021 Planning Commission meeting to be held at 7:00 PM, 4-0.

Commissioner Berger motioned to continue the vote of Application ZA2020-03 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-03 was continued to the February 9, 2021 Planning Commission meeting to be held at 7:00 PM, 4-0.

Commissioner Berger motioned to continue the vote of Application ZA2020-04 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-04 was continued to the February 9, 2021 Planning Commission meeting to be held at 7:00 PM, 4-0.

Commissioner Berger motioned to continue the vote of Application ZA2020-05 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-05 was continued to the February 9, 2021 Planning

Commission meeting to be held at 7:00 PM, 4-0.

Commissioner Berger motioned to continue the vote of Application ZA2020-06 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-06 was continued to the February 9, 2021 Planning Commission meeting to be held at 7:00 PM, 4-0.

Commissioner Berger motioned to continue the vote of Application ZA2020-07 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-07 was continued to the February 9, 2021 Planning Commission meeting to be held at 7:00 PM, 4-0.

Commissioner Berger motioned to continue the vote of Application ZA2020-08 to February 9, 2021 at 7:00 PM and requested City Staff to assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Commissioner Little seconded the motion. Application ZA2020-08 was continued to the February 9, 2021 Planning Commission meeting to be held at 7:00 PM, 4-0.

Chairperson Daley stated any rezoning application heard by the Commission during this meeting that were recommended to be continued will be discussed further by the Planning Commission and City Staff at the February 9, 2021 Planning Commission Meeting. He said the action to be taken on Rezoning Applications ZA2020-02 through ZA2020-08 has concluded. He explained there is still business for the Commission to discuss and invited anybody who wants to stay to do so and requested if an audience member does leave, they do so quietly so the Commission may continue with the business agenda.

PUBLIC HEARING – UNIFIED DEVELOPMENT CODE AMENDMENTS – APPLICATION UDCA2020-01

Chairperson Daley introduced the item and opened the public hearing.

Ms. Crow stated the City of Edgerton's Unified Development Code (UDC) was adopted for the purpose of encouraging the most appropriate use of land and to ensure the logical and compatible growth of various districts within the City. The UDC is intended to implement the planning goals and policies contained in the Comprehensive Plan as well as other planning documents and policies set by the Commission and City Council. She said to date, the City has received 3 requests from Logistics Park Kansas City (LPKC) tenants to place above ground fuel tanks on their sites. 2 of the requests were made after the initial Final Site Plan was approved by the Commission. As noted in UDC Article 10 – *Site Plans and Design Standards*, these changes were considered significant modifications which required review and approval by the Commission. As part of the approval process, it was stipulated that the equipment be fully screened from the view of all adjacent parcels and any public right of way.

Ms. Crow said due to City Staff having multiple requests for the same type of Site Plan Amendment, City Staff has evaluated the UDC to see how above ground tanks should be addressed. Within the City of Edgerton, a Logistics Park (L-P) zoning designation specifically states that limitations are placed on

the uses in this district to significantly restrict the outside activities and outside storage of materials, noise, vibration, smoke, pollution, fire and explosive hazards, glare, and other potentially adverse influences. This zone is intended for industrial parks and larger, cleaner types of industries and any manufacturing uses should be conducted within a totally enclosed building. She explained while the above ground fuel tanks that have been approved by the Commission process have been screened from view, the presence of this type of equipment, even with screening, detracts from the overall aesthetics of parcels in LPKC. In addition, above ground tanks can become a safety hazard if not properly maintained.

Ms. Crow explained City Staff requests the Commission review the provided amendment to the district regulations for L-P zoned parcels. In keeping with the spirit and intent of the zoning designation description, the amendment would require any fuel tanks to be buried underground. This would help retain the clean look and feel of these sites and would contribute to the overall safety of having an onsite fuel tank. She said tanks installed below ground would require identification on either the Final Site Plan or a Revised Final Site Plan if installed after the initial Site Plan approval. Installation of any below ground fuel tanks would require adherence to all applicable building codes and all plans would be reviewed for code compliance.

Ms. Crow read the amendment. The additional regulation reads, "Any exterior fuel tank(s) must be located below ground. All below ground fuel tanks must meet, at a minimum, International Building Code (IBC), International Fire Code (IFC), and Kansas Department of Health and Environment (KDHE) requirements. Below ground fuel tanks must be shown on Final Site Plans and must meet the appropriate code requisite building line and property line setbacks. Below ground tanks may only be installed once Final Site Plan approval has been received and a building permit has been issued. This section applies to all fuel tanks installed after January 1, 2021. Any above ground fuel tanks installed prior January 1, 2021 which are moved, repaired or replaced, must be located underground and must comply with this section."

Ms. Crow stated the amendment has been reviewed and approved by the City Attorney and any changes made to the provided version will be reviewed by the City Attorney prior being presented to the Governing Body for adoption.

Chairperson Daley asked if the fuel tank would be underground and not required to be screened. Ms. Crow stated that is correct.

Commissioner Crooks asked what the benefit is of the tank being below ground. Ms. Crow replied an above ground tank distracts from the aesthetics of LPKC. Other equipment is not allowed to be exterior and thus requires screening and the tank being underground is safer than installed above ground. She stated requests have come forward for this equipment, so City Staff wanted to call out fuel tanks specifically to maintain the aesthetics and safety of LPKC.

Chairperson Daley inquired if there was any written testimony received by City Staff. Mr. Clinton answered there was not.

Chairperson Daley asked if there was anybody from the public who wished to address the Commission regarding the proposed amendment. No public comment was heard at this time. Chairperson Daley closed the public hearing.

Commissioner Lebakken motioned to recommend approval Application UDCA2020-01 which contains UDC Amendments to Article 5, Section 5.2 – *L-P Logistics Park District* of the UDC of the City of Edgerton. Commissioner Berger seconded the motion. Application UDCA2020-01 was recommended for approval, 3-1, with Commissioner Crooks voting nay.

Chairperson Daley stated the amendment will go before the Governing Body on February 11, 2021.

FUTURE MEETING

The next Planning Commission meeting is scheduled for February 9, 2021 at 7:00 PM and will be held virtually as well due to Covid-19 restrictions.

ADJOURNMENT

Motion by Commissioner Lebakken to adjourn the meeting, Commissioner Little seconded. Motion was approved, 4-0. The meeting was adjourned at 10:24 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator

Correspondence has been received from:

Dennis L. and Mary C. Koch – no address provided and unable to locate a property owner with this name in the Johnson County AIMS database.

Mary Koch – No address provided; unable to locate a property owner with this name in the Johnson County AIMS database.

Brynn Brinkman – 207 and Moonlight given as address; Johnson County AIMS shows a Brynn Brinkman at 27765 W. 207th, Gardner, KS 66030

Mark Hall – 23506 S. Gardner Road, Spring Hill, KS 66083

John Ingle – 28255 W. 215th Street, Gardner, KS 66030

Ben Johnson – 21365 S. Moonlight Road, Gardner, KS 66030

Curt and Debra Kennon – 28155 W. 215th , Spring Hill, KS 66083

Staci Cook – 30103 Pinecrest Drive, Spring Hill, KS 66083

Andrew Wayman- 28740 W 199th St, Gardner, KS 66030

Betsy Klinkefus-no address provided and unable to locate a property owner with this name in the Johnson County AIMS database

LaDonna Buchman- no address provided and unable to locate a property owner with this name in the Johnson County AIMS database

Frank Bannister- 19815 South Gardner Road, Gardner, KS 66030

Lisa Sutcliffe-223rd Street in Spring Hill

Matt Combs- 20950 MOONLIGHT RD, Gardner, KS 660300

Paula Gardner- 22326 W 221st ST, Spring Hill, KS 66083

Brandon Cain-no address provided and unable to locate a property owner with this name in the Johnson County AIMS database

Sarah Cain- 24795 Harmony Rd, Paola, KS 66071

Joyce Ghaisarnia - 21725 S. Waverly Road, Spring Hill KS 66083

Brett Kuper - 22241 Moonlight Rd, Spring Hill, KS 66083

Christina Potter- no exact address provided but lives near Harmony and 249th Street in Miami County

From:	Dennis L. Koch
To:	Kara Banks
Cc:	PLN-PlannerOnDuty@jocogov.org
Subject:	Rezoning
Date:	Wednesday, December 30, 2020 1:35:34 PM

I am writing in opposition the rezoning of the farm land located between 207th St. and 215th St. & Gardner Rd. To Moonlight Rd. In Johnson County.

I read that this land was a voluntary annexation by Edgerton and that the city of Edgerton would not force annexation on any property owners. That is a very noble statement, but does not take into consideration the effect that this annexation and rezoning has on the people that live in the area.

The Edgerton website says that THE property owners in the vicinity have petitioned for rezoning. The request for rezoning was made by NPD Management who purchased the center out of a two-mile-long tract between 199th & 215th, through a number of LLCs, with the intention of Edgerton Annexing it and the subsequent rezoning. No resident landowners got together and decided that rezoning would be good for the neighborhood. No resident in the area wants the land to be rezoned and the changes to the area that comes with that.

I don't think that this proposed rezoning will benefit any of the land owners on any of the streets surrounding the proposed site. Many of the affected land owners moved out here to live in a quite peaceful neighborhood. They have paid their taxes for years and do not deserve to have their County allow Edgerton to fill their back yards with warehouses and fill our roads with trucks.

In the last few years new residents have purchased existing homes on Moonlight Road as well as the general area around the land being considered for rezoning. The new residents, along with the residents who have lived in the area for decades, have built their homes and their lives around the understanding that the area was a quite country setting. I understand that sometimes things change and development happens over time. But it does strike me as deceitful to rezone the area in a way that causes such a drastic change. A changed rom country living to living among an industrial warehouse district, A change from neighbors waving as they pass on the road to worrying about the safety of children and pets among heavy truck traffic.

If the land is to be developed, I believe it would be much more reasonable to re-zone in a way that it could be developed as a large-lot residential area. A subdivision of lots ranging 1 – 3 acres would allow the land to be developed without completely changing the core characteristics of the area. It would be a much more equitable to the people who currently call the area home and much more equitable to the many new residents who purchased their homes in the last few years.

I've spoken to several of the new residents and none of them were aware that there was a possibility that this quite country area in which they chose to live would soon include an industrial warehouse district. Who would purchase a home knowing that the neighbors would soon include several warehouses and the quite country road would soon be filled with semi-trucks?

I have lived in this area for nearly forty years and many of my neighbors just as long. In all that time we have supported the school systems and local governments and think we deserve to have some consideration when our home values and peaceful existence is being threatened.

I'll bet that if you took a poll, no homeowners or farmers in this area would be in favor of this unreasonable and probably unlawful zoning proposal. The people in favor of rezoning are not the residents of the area

The mayor of Edgerton may not be forcing us to annex our land, but his annexation and rezoning is adversely affecting our property and our way of life.

The city of Edgerton decided to adopt the intermodal into their way of life but we did not. Keep it west of Gardner Rd.

Dennis L. & Mary C.Koch

From: Mary Koch
To: Kara Banks
Subject: Rezoning
Date: Monday, January 11, 2021 2:37:10 PM

Dear Ms Banks

I recently noticed a sign on my neighbors acreage stating notice that this land is being rezoned. We read in the Gardner New the week before that this tract of land had been annexed by Edgerton at the landowners request and that there was no plan for rezoning. I had heard by rumor that this land had been purchased from the farmer years ago by a development company. For years we have heard that is would be developed for use in conjunction with the intermodal at Edgerton. Those rumors included that they would build an airport to be used by FedEx, that they would be building warehouses there. Both of these uses of this land if very frightening to those of us who have lived quiet country lives here for 30 years or more. On the Edgerton website we learned that the tract of land was being rezoned for light manufacturing and distribution. I am not sure what this means. We have seen huge warehouses build up all around this area. We have seen semi truck/trailer traffic increase on our country roads making it dangerous for us walk, ride bicycles or even drive our cars on the roads by our homes. My family car was nearly hit by a semi that ran the stop sign at 207th and Gardner road just last weekend.
I understand that the plan for progress of the Intermodal at Edgerton is set by the state of Kansas, Johnson County and the City of Edgerton. I further understand that the notice of annexation and rezoning of the above stated tract of land is merely a formality. I also understand that there is little that we the taxpayers and property owners around this tract of land can do about the forward trajectory of the Plan. However,I don't understand why there is so much secrecy about the Plan. I believe that we the taxpayers and property owners who will be impacted by how this tract of land is developed have a fundamental right to know what the 5, 10, 15, 20 year plan is. I believe we have a right to know so that we can have our own plan for our future. I think it is unfair for this plan to go forward and destroy the land by covering this tract of land with concrete and steel I think it is unfair that the Intermodal and developers,with large financial resources, can buy favor with the state, county and city while existing property owners have no voice in how the development proceeds. All this said, I think the lack of transparency is the most disheartening part of all that has been going on since the inception of the Intermodal. Just be good neighbors

Sent from my iPad

From: Brynn
To: Kara Banks
Subject: Not in favor of annex 199-215
Date: Sunday, January 3, 2021 8:27:18 AM

I want it to be known I am not in favor and will never support the annexing of properties from 199-215st and gardner rd to moonlight.

These are agricultural properties that do not want to live next to or even miles from warehouses. Myself and my neighbors are banning together to prevent this encroachment.

We have worked hard to acquire acerage- we are tired of feeling the looming threat of having our homes and land taken from us.

My husband and I would love to make improvements on our home, but do you think we feel comfortable doing so? We have heard that if we are annexed that our home won't even be valued, just our land. We feel like we can't even invest in our own home because we'll be forced out by greedy corporations, or even worse we'll be forced out be Edgerton- a town we don't even live in!! We would loose our home, and our land and we would never recuperate financially.

If Edgerton wants more land for these warehouses, use your own town. Gardner never agreed to any of this.

Brynn Brinkman
207 and moonlight resident

From: Mark
To: Kara Banks
Subject: Warehouse Expansion
Date: Thursday, January 7, 2021 9:39:03 AM

Dear Kara,

I am writing you to express my serious concerns and many other families concerns who live in the vicinity of south gardner road regarding therezoning of land and warehouse expansion plans beyond the western side of gardner road.

Already the noise and light pollution to the area has affected the quality of life in this area and expansion to the east of gardner road will make things that much worse.

I hope to attend the meeting next week but if I can't I hope you will share my concerns with all commission members with the hope of my comments having a positive impact on making sure the rezoning as planned doesn’t happen.

Respectfully
Mark Hall
23506 S Gardner Road

>>

From:	John Ingle
To:	Kara Banks
Subject:	re-zoning meeting on 1/12
Date:	Tuesday, January 5, 2021 9:52:49 AM

My name is John Ingle and I have lived at 28255 W 215th St for the last 10 years. I moved here to raise my family in the peace and quiet that a country living brings. My daughter has often said she feels sorry for the people living in the city and the noise and light pollution it brings with it. The fact that she can look up in the night sky and see every single star and hear the crickets and frogs every night. I am opposing tract 6 (ZA2020-08) re-zoning for all the reasons listed below.

Increased Traffic

I don't know if any of you have actually driven down 215th street from Gardner Road to 169 Highway. This is the road that many new semi-trucks and workers will be driving. There are several steep grade changes and one place where you go over a blind hill to a one lane road. I encourage each of you to travel down this road and back one time and tell me honestly you think it is a good idea for additional traffic to be driving on this road. Also, the Gardner road exit off I-35 is already over compacity and often backs up a mile or two during peak times. These logistics parks should not even be considered till these issues are addressed.

Poor Road Conditions

Everyone who has gotten on or off I-35 at Gardner road has seen the condition of the road and bridge at that intersection and noticed that it is falling apart. Also, if there is going to be significantly more traffic of both semis and cars/trucks all the issues on 215th should be addressed including the one lane portion of the road just over a hill when coming from the east to west. This is a warning that if this is not addressed it will result in someone driving off the road resulting in significant injury or death.

Light Pollution

As stated in the opening paragraph one of the things my whole family enjoys about country living is the night sky. We look towards the cities and see the glow above all of them. This may not be something that someone who lives in the city even realizes. The glow of all the lights on all the buildings and streets. When someone in these areas looks up at the night sky they only see a fraction of what is there. Not only will re-zoning take away so many other things but it will be taking away our sky view at night as well. When these warehouses install and run the lighting on their buildings and their parking lots 24/7 we will no longer be able to see the sky like we used to.

Noise Pollution

Increased traffic especially from semi-trucks will result in increased noise pollution. That's one of the major selling points when it comes purchasing a home in the country and you will be taking that away from all of us.

Flooding

There are already flooding issues on Gardner road and other places when we have any kind of significant rains. When you take hundreds of acres of farmland and turn it into buildings and parking lots the amount of water runoff you create, no matter how many water retention ponds you build will not be enough to prevent the flooding. Your going to have more instances of water running over the road just north of 215th on Gardner road. Also, there is flooding that occurs on the road every time it rains on 215th halfway between Gardner road and Moonlight road that is also going to become significantly worse. Both of these issues are significant and increase the potential for accidents or death.

Decreased Property Values

A persons home is their number one asset and no one wants to live next to a logistics park. By re-zoning this area you are stealing hundreds of thousands of dollars in assets from people who never wanted this. Their only option to get away from it will be to sell their property at a decreased value.

Blight Created

If this re-zoning goes through, we have seen with the current re-zoned areas that homeowners that do not want to live where this is occurring try to sell their house to no avail and move out. No one is interested in purchasing these homes because no one is interested in living across from these logistics parks and the homes are remaining vacant. Leaving the area around these homes to become overgrown and run down.

Already Re-zoned Vacant Areas/Much Better Suited Areas

There is already a significant amount of real estate that has been zoned logistics park and is sitting vacant that is in a much better location to handle the additional traffic that will be put on the roads. There have been roads and highway interchanges built just for these types of areas that are just sitting vacant. That does not make much since to anyone that has any type of planning in mind and not just looking at the all mighty dollar and not looking at the impacts it will have to the surrounding communities. These types of areas should be getting developed along the Holmstead and 175th St corridor where roads are ready and the area already designated.

With all the reasons above it does not make much since to be re-zoning any of these areas but specifically tract 6 (ZA2020-08). The number of people adversely impacted and the amount of money and livelihood you will basically be stealing from them is not right.

From: Ben Johnson
To: Kara Banks
Subject: ZA2020-08 public comment
Date: Thursday, January 7, 2021 6:29:15 PM

Kara,

Per our phone conversation last week plus find my public comment for the ZA2020-08 property. I will present this at the meeting on the 12th. Thank you.

Ben Johnson

Dear Sir or Madame,

As a resident and owner of 21365 S. Moonlight Rd., across the street from the ZA2020-08 rezoning property I wanted to file a comment in hopes to convince the City of Edgerton NOT to rezone the property from its current classification. While much of the area North and West of us a few miles away is slowly turning into Logistics park we (my wife, myself and our neighbors) feel that expanding the logistic park into a section of land surrounded by rural/residences/farm property goes against the values of ourselves, our neighbors, the city of Edgerton, Johnson County and the surrounding cities of Gardner, Springhill, etc. In a recent survey of all but three residences surrounding the property in question, all residents were against the rezoning to L-P and any L-P development to come; it just doesn't match the surrounding properties. To further this argument I have found many examples within various city documents that: advise against, generally declare the city doesn't intend to do, or directly goes against the plans of the City of Edgerton, KS. Some of those examples are called out below. I intend to present this material for comment at the meeting on the 12th, but wanted to provide it early via email for your review and consideration should time not permit at the meeting.

Should the rezoning go through – all of the neighbors I spoke with prior to this email plan to file an appeal. I have reached out to the landowner of ZA2020-08 to inquire about the intended use, we have spoken, but no plans were shared during that phone conversation.

In reviewing the Edgerton, KS document outlining the duties of the planning commission and governing body – to rezone a property they must consider the following questions – I present my case and comments in response to those questions. They are:

a). The extent to which there is a need in the community for the uses allowed in the proposed zoning.

- Close to the Logistics Park and/or Homestead Rd interchange there are currently available ~10 vacant

properties and ~4 available warehouses for development/leasing indicating the market is not in immediate demand for more capacity. Further up I35 to the NE are multiple new L-P type properties for lease/sale with many vacancies. There is an over supply in SW Johnson County – let alone the greater Edgerton City area.

-While the community of Edgerton is trying to quickly grow with/for the logistics park – the land in question only recently became part of the city of Edgerton and is surrounded by Residential, Rural and agricultural use land – we do not have use or need of Logistics park land in contact with our properties.

b). The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density(residential), natural features and open space.

-The character of the neighborhood in an overwhelming majority of the surrounding land to the property in question are private residences. While the ~19 residences are not dense to the standard of a developed "neighborhood" inside the city limits of Gardner or elsewhere, these properties generally follow the form of the rural neighborhoods common to many parts of rural eastern Kansas.

c). Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of the nearby properties.

- Similar to the response to b) above – the proposed rezoning would be roughly the direct opposite use and zoning of the nearby and touching rural residential properties. The only exclusion from this case would be the additoinal property subject to rezoning to the North of the ZA2020-08 property in question.

- In addition to this consideration – The city of Edgerton in its Unified Development Code, tries to protect L-P Developers from residential complaints. In section 5.2 subset A. of the Industrial Zoning Districts chapter – the city states: ***Residential uses should be discouraged from locating near the L-P District to protect the industries from residential complaints.*** Shouldn't the city of Edgerton also apply the reverse and protect residential properties from L-P development?

- Until recently the land in question was rural Johnson county, in the period of 1.5 months it has become mostly the city of Edgerton, and possibly further extended growth of the Logistics park.

d). Suitability of the uses to which the property has been restricted under it existing zoning

- The ZA2020-08 property in question is currently farmland, with an existing farm residence onsite – it exemplifes the current zoning and intended use. The change in zoning would then contradict the residential use, but per the Unified Development Code not the Agricultural use. The concerns with the rezoning is not the Agricultural use; it's the possible and probable uses the L-P classification opens the door to. The possible uses do not match rural residential homes on almost all sides.

e). No comment

f). The extent to which the zoning amendment may detrimentally affect nearby property.

- In the nearby case of the Kubota properties and residential properties across the street – Generally the

have taken medium to large hits to their estimated value by the county. Since all but a small subset of the surrounding residences to ZA2020-08 face the property in question we can only expect to take make property value hits with the rezoning and future development across the street from us.

- Properties devaluation examples:

33295 W 199th St. – 2019-2020 loss in value - $31,540

19910 Pepper Tree LN – 2019-2020 loss in value $52,300

32717 W 207th – 2019-2020 loss in value $9,400

32185 W 207th St – 2019-2020 loss in value $28,100

g). No comment - Edgerton has future planning and code well covered for L-P

h). The availability and adequacy of required utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreationfacilities and services, and other similar public facitlites and services.

- While some of these services exist in the area to offer limited support for the rural residential and farm properties none of the infracture mentioned is in place to support extended and more remote development of L-P properties in a growing distance from the actual City of Edgerton or the LPKC core properties. In addition, what kind of strain will be placed on the services to the properties currently surrounding the ZA2020-08 property.

-Stormwater runoff is a major concern for many of the neighbors of the properties in question as they currently have creeks or small ponds that receive stormwater runnoff. Field erosion also falls into this concern. Even the SW Johnson county planning file from ~2013 consders this area a sensative environment for erosion and development.

i). The extent to which the uses allowed in the proposed zoning would adversly affect the capacity or safety of that portion of the road network influenced by the uses, or the present parking problems in the vicinity of the property.

- Currently outside of Gardner Rd. – which is an improved two lane road – the surrounding roads for the property ZA2020-08 are Gravel, or one level above gravel – the chip seal roads common to rural Johnson/Miami county – but not proper asphalt construction for heavy truck traffic.

- The roads in the area have narrow bridges, low trees, tight intersections – and as experienced in almost all areas connecting to and adjacent to the LPKC residents have witnessed truck and commercial traffic in unassociated areas, lost, turning around in larger residential driveways, stuck in ditches or pulling through tight intersections damaging rodeway signs and markings – and trucks and trailers.

j). The environmental impacts that the uses allowed in the propsed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution,

noise polution, excessive nighttime lighting or other environmental harm.

- The proposed L-P zoning for ZA2020-08(and others) allows for many different types of commercial/industrial activites – all of which directly cause and influece these impacts felt by the surrounding residences, wildlife, agriculture crops, etc.

- Currently the only night time lighting in the area are house and barn lights, the water tower light, the grain elevator light at 215th and Gardner road, the city of Gardner to the distant North/ Spring Hill to the distant east. Any new development of warehouse or other industry brings new and extensive lighting regardless of zoning codes for light pollution – as experienced with the rest of the LPKC development near Gardner and Edgerton.

- Stormwater runoff is a major concern for many of the nighbors of the properties in question as they currently have creeks or small ponds that receive stormwater runnoff. Field erosion also falls into this concern. Even the SW Johnson county planning file from ~2013 consders this area a sensative environment for development.

- Air/noise/water/environmental pollution from the supporting semi/forklift operations or the possible zoning uses of Laboratory and research facilities, Manufacturing/processing/or assembly of commodities, Medical/scientific/industrial research facilities, or electrical radiation from a communication tower by permitted use. All of these possible uses directly increase all forms of pollution compared to the current use of rural agricultural and the residential farm use the property in question and surrounding properties experience today.

k). The econmic impact on the community from the uses allowed in the proposed zoning.

- As stated to f) earlier and witnessed in other areas surrounding the LPKC - residential property values suffer dramtically from the direct contact with L-P zoned and developed properties.

l). The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning applicant from such a denial.

– By denying the requested rezoning, the relative gain for the public health, safety, and welfare of the surrounding residents and property owners is **HIGH**. Outside of the agricultural use allowed in both the current and proposed zoning (partially exercised today on ZA2020-08) the threat of higher heavy vehicle traffic, possible contaminated stormwater runoff from large facilities or parking lots, the loss of property values and the added noise, light and air pollution The properties can only continue to increase in value, the residents continue to enjoy and benefit from the rural residentail and agricultural properties they chose to own, occupy, and improve/flourish. As witnessed with other residential properties facing or in direct contact with L-P developments the properties often fall in to some form of disrepair, loss of value and the community falls apart as families try to move away or relocate when possible. As the city code warns residential developers to stay away from L-P this is an important case for the opposite under the protection of smart city leaders. L-P should not move into surrounding residential areas – like with the proposed ZA2020-08.

-The land owner in question is a multi billion dollar company with developments all over North America and extensively within the LPKC – the Welfare of the landowner in question will not be adversely affected when compared to each of the nighboring landowners surrounding ZA2020-08.

m). Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable sity codeof the City of Edgerton.

- The planned rezoning for the properties including ZA2020-08 go directly against the Edgerton, KS

Comprehensive Land Use Plan – by breaching the goal of compact growth, mixing L-P with residential property, creating unbalanced and unsustainable development in a manner that spreads resources thin over a large area. It brings heavy industry and logistics into small rural neighborhoods the characterize the areas surrounding the core of the actual Edgerton City itself and much of eastern Rural Kansas.

-The comprehensive plan looks to keep development compact to minimize the cost for infrastructure – the spread of the L-P zoning and City annexation directly contradicts this plan.

A good example of this are the following two items from chapter 2 section 2.2 of the Comprehensive Land Use Plan

5.Encourage future non-residential development to occur in an orderly manner and in locations appropriate for such development.

6.Maintain and promote a high quality of life that supports sustainable growth and economic prosperity.

- the following items are examples from the Comprehensive Land Use Plan dated 5/9/2011 and currently posted on the Edgerton, Kansas website for public consumption.

Page 4, Item 1. – Promote a balanced and sustainable community by providing a mix of different types of development.

Edgerton in the year 2040 is envisioned to have a mixture of industry, commercial businesses, and a variety of housing types. Edgerton will promote new development but not at the expense of losing its small town character and atmosphere.

Page 4, Item 4. – Propote a compact growth pattern…

Compact growth means building new development adjacent to existing water lines and sewers and roads. This promotes sound fiscal policy because it minimizes the cost to extend public infrastructure. It also means using land efficiently and not encouraging leapfrog development. Finally, compact growth can contribute to maintaining the sense of community.

Page 5, Item 6. – Ensure that new subdivisions are integrated…

The citizens want to ensure that new growth does not destroy the small town character of Edgerton. Creating a sense of neighborhood and community is critical. The physical design of a neighborhood with defined boundaries, a park, sense of human scale and proportions is imperative to maintaining a sense of character. Each neighborhood needs to offer "life cycle" housing, where residents can age in place. This contributes to creating diversity and vitality in the neighborhood. Streets must be designed with public space to encourage people to walk. A neighborhood needs to have a public space where people can congregate to visit or for children to play. Each development must be evaluated to ensure that it complements the creation of a human-scaled neighborhood.

Page 6, Item 10. – Develop and implement a strategy to ensure the coordination of land uses…

" (available on the Edgerton City website https://edgertonks.org/wp-content/uploads/Final-Draft-5.09.11no-rev-1.pdf)

-The examples from the Cities own plans and ordinances can continue to be shared – they however show the city **SHOULD NOT** rezone ZA2020-08 from its current classification.

n). No Comment.

As you can see – in response to the questions set up by the City of Edgerton for the Planning Commision and the Governing Body to answer/consider for any proposed rezoning – the only direction the city can take is to decline the rezoning of the ZA2020-08 property and possibly others.

Thank you for your time and consideration on this matter.

Yours respectfully,

Ben Johnson

21365 S. Moonlight Rd.

Gardner, KS

66030

Ph: 913-951-7224

From:	Curt Kennon
To:	Kara Banks
Cc:	Donald Roberts
Subject:	Land rezoning Track 6 (AZ2020-08)
Date:	Sunday, January 10, 2021 8:15:41 PM

To the Governing body of City of Edgerton. My name is Curt and Debra Kennon I live at 28155 W. 215th Street between Moonlight and Gardner road. I am writing you this email because I am protesting the rezoning of the listed track as well as the overall rezoning of all of the tracks involved. I have lived at my current house which I build myself since 1980. I have my retirement house and land only to watch it be destroyed you your proposed logistics park. The interstructure is not set up for this type of park. As you know this will only add to the current semi truck traffic. It will also bring water shead issues, noise, lights all night and dangerous traffic as well as criminal activity. There has already been a fatality at 207 and Gardner road involving a semi directly related to the current logistics park west of that intersection. Please dont destroy our future and dreams. Respectfully Curt Kennon

From:	Staci Cook
To:	Kara Banks; william.m.sutton@gmail.com; Molly Baumgardner; jay.leipzig@jocogov.org
Subject:	Intermodal Facility - Edgerton
Date:	Sunday, January 10, 2021 11:07:00 PM

Dear Ms. Banks, Mr. Sutton, Ms. Baumgardner, and Mr. Leipzig,

I wanted to reach out to you all and let you know that I am opposed to the extreme expansion of the Edgerton Intermodal facility into the rural residential and farmland in southern Johnson County. I live just south of the Johnson County line in Miami County and am concerned about how this will effect our rural way of life.

My family did not move to rural Miami County to have our neighborhood taken over by warehouses and semi trucks. When we, and all of our neighbors bought our land, we had no idea that Edgerton was going to completely disregard not only their comprehensive plan, but also the KDOT SW Johnson County Area Plan. I am asking you to step in and put a stop to their egregious overreach.

Not only have they shown they don't care about the residents whose lives and homes they are disrupting, they're also destroying our county roads by not installing appropriate infrastructure BEFORE allowing increasing traffic on the roads. Not to mention the fact that this unforeseen development will have a detrimental effect on the Hillsdale Lake watershed due to an extreme increase in runoff, pollution, and traffic.

My drive has been interrupted several times over the last year by semi trucks who are trying to use roads that are not designed for semi truck use and by truck drivers who simply get lost and then decide they have every right to disrupt traffic while they turn around on a 2 lane county road. In addition, a truck driver was killed at the intersection I'm referring to (207th & Gardner Road) 1 year ago after he got out of his vehicle to try to figure out how/where to turn. And this with just 2 warehouses on 207th Street. They want to put in countless others!

The fact that NorthPoint buys up all the land they can get their hands on using cattle company LLCs is deceitful and designed to pull the wool over the people's eyes. This, coupled with Edgerton choosing not to update their comprehensive plan to reflect their intended changes to land use in the area, has intentionally misled people. Please hold NorthPoint and Edgerton accountable.

I would encourage you to listen to the people and put a stop to this. As you enter your next congressional session tomorrow, Mr. Sutton and Ms. Baumgardner, please plan to address the overreach of Edgerton and NorthPoint and how they are destroying our rural way of life.

Respectfully,
Staci Cook
30103 Pinecrest Dr.
Spring Hill, KS 66083

From:	Andrew Wayman
To:	Kara Banks
Subject:	1-12-2021 public hearing testimony
Date:	Tuesday, January 12, 2021 2:36:15 PM
Attachments:	public hearing testimony.pdf

In regards to application ZA-2020-02, I have compiled several responses to the Staff Analysis from the perspective of a homeowner adjacent to the proposed zoning change. They are numbered according to the numbering in your packet.

6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** -- It is stated that "some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC." I think it is disingenuous to justify the residential density of adjacent parcels based on previous development in Phase 1 when some of that previous development was literally adjacent to existing Gardner residential neighborhoods (see development north of 183rd St). Why is it OK to put warehouses next to your neighbors in Gardner while you conveniently give your own residents a 2-3 mile buffer? This is not very neighborly.

7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** -- It is stated that "The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest." I don't feel that this property addresses the compatibility with the zoning *and* uses of nearby properties. In fact, the land use of about a dozen of the surrounding parcels is single family residential per the Johnson County AIMS.

10. **The extent to which the zoning amendment may detrimentally affect nearby property** -- It is stated that "The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest." What does that mean about property to the north and east? I don't feel that this properly addresses the affect on the more than a dozen homes that surround the property to the north.

14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm** -- It is stated that "Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process." The light pollution added by previous LPKC development a mile or more away from my home is already substantial, I can't imagine what having it across the street from my home will be like.

Something else of note is the Edgerton website (https://edgertonks.org/business/) states "The City also ensures that development complies with the City's Comprehensive Plan..." while the Future Land Use Map that accompanies that plan calls for Rural Residential south of I-35.

In conclusion, we protest the re-zoning of the north-most parcel on the grounds of it being out of character with the neighborhood, incompatible with the use of the surrounding parcels to the north, it's detrimental affect to nearby property to the north, environmental effects due to noise and light pollution, non-compliance with the City's Comprehensive Plan, and un-neighborly, aggressive expansion towards the residents of Gardner.

Respectfully,

Andrew and Miranda Wayman
homeowners
28740 W 199th St, Gardner, KS 66030

From: Betsy Klinkefus
To: Kara Banks
Subject: Rezoning meeting
Date: Tuesday, January 12, 2021 3:39:47 PM

I live in the neighborhood of the rezoning and I add my voice to the others that are against this annexation. I'm disheartened to see money be more important than quality of life.

Sent from my iPhone

From:	LaDonna Buchman
To:	Kara Banks
Cc:	mayor@edgerton.org; adam.thomas@house.ks.gov; william.m.sutton@gmail.com; jene.vickery@house.ks.gov; molly.baumgardner@senate.ks.gov; dgallagher@miamicountyks.org
Subject:	Rezoning Meeting 1/12/21
Date:	Tuesday, January 12, 2021 4:30:03 PM
Attachments:	NorthPoint Master Plan Map - REALLY.pdf

Ms Banks,

I am writing in regards to the rezoning efforts of the properties south of 199th Street to 215th Street, due west of S. Gardner Rd to S. Moonlight Rd (and beyond). I understand that since the City of Gardner passed on the development of the intermodal and logistics park that Edgerton saw an opportunity to go forward with their dealings with Northpoint. From what I have read about NorthPoint, they are the exact definition of the word "shyster". The definition of shyster - "someone who acts in a disreputable, unethical, or unscrupulous way, in the practice of law, politics or business". Northpoint has demonstrated this by representing themselves as various LLCs (ie" Hillsdale Land and Cattle, LLC, Wellsville Cattle Company, LC, etc.) so residents do not know who actually purchased the properties. It seems like that Northpoint knew that they would meet resistance if land owners and neighbors really knew who they were.

Whereas the City of Edgerton is the definition of Greed. Greed is defined as an "uncontrolled longing for increase in the acquisition or use: of material gain; or social value, such as status, or power. Greed has been identified as undesirable throughout known human history because it creates behavior-conflict between personal and social goals". The reason I say this is that the city is going at great lengths (and speed) to annex properties east of the city limits for the sole purpose of securing properties for their buddies at Northpoint. My question to to them would be "Why don't you sell your house and property to Northpoint, you already live in Edgerton." In fact why doesn't the entire town sell their homes to Northpoint? Well they have already made their deal with the devil to leave them alone and displace everyone that is in the "path of progress". I know I was told by the city employees that no one is annexed unless they ask to be. Well I throw the B.S.Hanky of that! I think that most people do not want to be annexed but are forced into a situation where they feel that they have no choice.

I moved to this area over 25 years ago to live in a rural setting to escape the development going on in Olathe, KS. Before that it was the development in the small town that my grandparents lived in, Lenexa,KS If I wanted to live next to an industrial park I wouldn't have moved south and I don't want to have to keep moving to escape the industrial development going on in Johnson County. There won't be any rural / agricultural land left. Pretty soon, if the Planning Commission authorizes the rezoning of the lands from RU/AG to LP, I won't be able to see the stars at night. I won't be able to hear the owls, coyotes and other wildlife because of the truck traffic in the area. I have also have concern that the Hillsdale watershed will be severely affected and if this development is allowed to continue south and east it will go into Miami County, down to Hillsdale Lake, which will affect our state's tourism; the safety of our school children on gravel roads that were not meant to be used by semi trucks and the list goes on.

I found this map on the Logistic Park and added in Miami County to it to show how many warehouses are proposed in this tiny area. (I count 10) What a stellar view of the country...NOT!

I will close this letter since my time is up but I ask that the planning council reconsider and decide NOT to REZONE this area to LP without careful consideration of who and what will be affected other than the pockets of the City of Edgerton.

Thank you,
LaDonna Buchman

From: Frank Bannister
To: Kara Banks
Subject: January 12, 2021 Rezoning Public Input Meeting
Date: Tuesday, January 12, 2021 4:15:37 PM

The purpose of this email is to document my opposition to the City of Edgerton's Rezoning Hearing Scheduled for tonight. My opposition focuses on the fact that the Council's Agenda Packet, pages 6-9, Staff Analysis, specifically items 3, 6, 7, 8, 10, 13, 14, 16, which have as their intent to comply or address the established Golden Criteria, fails significantly and is completely silent in mentioning impacts to property values of those citizens who live on parcels of land in the area where rezoning is planned. The rezone area is approximately an 8 square mile of land currently zone as RUR, Rural Residential. This area is occupied by hundreds of patrons who have lived on their rural property as long as the 1960's and prior as well as families who have within months of this date, purchased a small acreage and home, because they wanted to live in a rural area. People in the impacted area will experience devaluation of their property and in some cases may not be able to sell their property because it is close to, or across from the concrete, noise, lights and pollution of a Logistics Park. None of the long list of negative economic and lifelong impacts to the citizens of JOCO, Miami county, which are neighbors of Edgerton, are mentioned, eluded to or properly addressed in the Staff Analysis report. Therefore in my view, the Staff Analysis is widely inaccurate, leads to a false conclusion and fails to correctly characterize the full and accurate impact to property owners in the impacted area.

I respectfully request the Planning Council and/or City of Edgerton table a vote or vote no on the rezoning request until an accurate and representative Staff Analysis has been revised and reviewed.

Frank Bannister
19815 South Gardner Road
Gardner, KS 66030
913-269-8146

From: Lisa
To: Kara Banks
Subject: rezoning
Date: Tuesday, January 12, 2021 4:10:22 PM

I live on 223rd St in Spring Hill not far from where they want to annex the properties. Like everyone else in the neighborhood I'm against this. We have enough traffic on our roads and the roads were not built for this type of traffic. The intersection at 223rd and Gardner Rd is dangerous as it is. I can't even tell you how many wrecks we've had because they are driving fast and don't stop at the 4 way stop signs. Gardner Rd wasn't built for this type of traffic either. 199th is also dangerous.

This is beautiful country out here with a lot of farm land. It's peaceful. Some of the land has been in families for generations. Plus I wonder about being so close to the Hillsdale Watershed. How will that effect Hillsdale Lake?

This is a bad idea all the way around. We don't want his or need this in our neighborhood. And it isn't just a traffic problem, it's our lives. We are here because we love this area. It's home.

Thank you.

Lisa Sutcliffe

From: Matt Combs
To: Kara Banks
Subject: Concerned Citizen of Gardner - Rezoning Petition
Date: Monday, January 11, 2021 7:32:08 PM

Kara,

My name is Matt Combs and I'm a property owner in South Gardner. My property will be adjacent to what is showing as building 13 on the master plan posted recently for the rezoning and annexation.

I'm emailing as an official record to begin my personal petition to the plans.

As a concerned Citizen of Gardner I'm curious what additional direction can be provided on top of these initial steps being taken to petition this plan:

-Public hearing attendance on Jan 12
-District representatives (3 total) have been informed of our petition
-Secure 20% of property owners petitions

Is there official documentation that will be available at the hearing? When or how do I file this officially with the city of Edgerton?

While I'm pro-capitalism and a strong social Conservative I don't believe the further intrusion of big business into our beautiful part of rural Kansas is in the best interest of our community.

There are many reasons why this generational fight is not favorable to any of the property owners but here are 5 specific reasons why my neighbors and I plan to petition.

1) Heavy semi traffic on roads they don't belong
2) Displacement of wildlife and livestock
3) Noise pollution
4) Increases to local crime literally in our back yards
5) Decrease in overall property values

I would appreciate your direction so the appropriate avenues are taken.

Matt

From: pgardnerks
To: Kara Banks
Subject: Re: Planning Commission Rezoning Agenda Item 12Jan2021
Date: Tuesday, January 12, 2021 3:48:29 PM

22326 W 221st ST
Spring Hill, KS 66083

Paula Gardner
913-302-2059

> On Jan 12, 2021, at 3:45 PM, Kara Banks <kbanks@edgertonks.org> wrote:
>
> Paula,
>
> Can you please give me your address? This email will be shared with the Planning Commission.
>
> Thank you,
>
>
> Kara Banks • Marketing and Communications Manager
> 404 E Nelson St. Edgerton, KS 66061
> P: 913.893.6231 C:913.302.3962
>
>
>
> -----Original Message-----
> From: pgardnerks <pgardnerks@aol.com>
> Sent: Tuesday, January 12, 2021 3:40 PM
> To: Kara Banks <kbanks@edgertonks.org>
> Subject: Planning Commission Rezoning Agenda Item 12Jan2021
>
> Dear City of Edgerton,
>
> I would like to request that you deny the rezoning requests for the area near 199th Street and Gardner Road. These rezoning actions are inconsistent with the rural area and there is insufficient infrastructure to support warehousing operations and traffic.
>
> As a nearby resident, I'm deeply troubled at the speed of these actions after an end of year annexation of the area where there was no mention of immediate rezoning.
>
>
> Thank you for your attention to this matter.
>
> Paula Gardner
> 913-302-2059

From: Brandon Cain
To: Kara Banks
Subject: Rezoning of Gardner Road Comment
Date: Tuesday, January 12, 2021 2:52:29 PM

To whom it may concern,

I writing to voice my strong opposition to plan of rezoning the area of Gardner Rd. I do not feel that area should be rezoned to allow the light industrial or distribution facility that NorthPoint plans to construct. The current residents will be affected negatively by reduced property values and roads in the area are not suited for the increased semi truck traffic that will occur during and after construction. While I know that our CDL driver are some of the safest in the country, there has already been one fatal accident, a driver of a semi in this case, in the area of the newly built warehouses along Gardner Road.

Regarding the current residents, people move and live in rural areas to get away from these industrial-type facilities NorthPoint is planning to build. The current residents do not want to move, and if they elect to do so—if the rezoning is approved—they will have a more difficult time selling or have to sell at a greatly reduced cost.

I know the city stands to gain a lot of tax money if the rezoning is approved, but it's going to come at the expense of its citizens—particularly those in the immediate vicinity of the proposed project. Please keep in mind these newly added citizens to the city, and those most affected by an approval to rezone, will become new voters for the city. It's possible many of them may work to get council members replaced.

Thanks,

Brandon Cain

From: Sarah Cain
To: Kara Banks
Subject: Rezoning comment
Date: Tuesday, January 12, 2021 2:07:59 PM

To the Edgerton Planning Commission Members:
I am writing to express my strong opposition to the rezoning of properties in the vicinity of Gardner Road, between 199th and 215th Street from Johnson County RUR to Edgerton L-P Logistics Park. As a former resident of Gardner and current resident of Hillsdale, I travel on Gardner Road almost daily and experience the tremendous negative effects the truck traffic from existing warehouses on 207th has on safety and livability for residents.

Rezoning to allow for the continued expansion of a logistics park in areas not designed and without the proper infrastructure for the associated traffic will have significant negative safety repercussions. The trucks barely fit on the road and I have, on numerous occasions, witnessed unsafe driving practices and "near accidents" involving what I'm sure are good drivers on roads simply not designed for large trucks. As I believe you are aware, there have been accidents, including a fatality, involving trucks on the surrounding roads.

In addition, the building of warehouses — even those that are designed to have an office-like appearance — will have significant negative consequences for surrounding residents, who will have to live with exponential increase in traffic, plus air, noise, and light pollution. These negative impacts will decrease their property values and ability to sell for a fair price. These are good people who, like my family, moved "out to the country" to find quiet, safety, and the ability to see the stars at night. If we do not stand up for and support our neighbors, we will have no one to support us when we are in a "David vs. Goliath" situation.

Environmentally speaking, paving over existing farmland and native plants will further decrease habitat and food sources for our critical native insect and animal species. There has been a 99 percent decline in tallgrass prairie and a 68-percent decline in mixed-grass prairie from historic acreage. Prairie grasslands are considered North America's most endangered ecosystem.

I am not opposed to economic growth — quite the opposite. As a business coach with a specialty in Corporate Social Responsibility, I counsel business leaders on responsible growth every day. However, businesses must consider the impacts of their decisions and operations on ALL stakeholders, including their surrounding communities and the environment. I am a proponent of thoughtful and intentional growth that balances profit with being a good corporate citizen. There is a "right way" for Edgerton and the Logistics Park to grow and meet the needs of Edgerton's citizens and the Logistic Park's financial responsibilities to shareholders. However, in this case, it appears that little or no consideration is being given to what is good for the community, existing residents, and the environment.

I urge you to vote against the rezoning of the property in question and work with the Logistics Park and existing residents for a thoughtful solution that will benefit all stakeholders.

Sincerely,
Sarah M Cain
smcain12@gmail.com
24795 Harmony Rd
Paola, KS 66071
913-530-8489

From:	Joyce Ghaisarnia
To:	Kara Banks
Subject:	PUBLIC HEARING – REZONING APPLICATIONS ZA2020-02 through ZA2020-08
Date:	Tuesday, January 12, 2021 2:26:13 PM

My name is Joyce Ghaisarnia. My husband is Esmaeil Ghaisarnia. We live at 21725 S. Waverly Road, Spring Hill KS 66083 and have lived here for 10 years.

I am strenuously opposed to the approval of the REZONING APPLICATIONS ZA2020-02 through ZA2020-08. The areas covered by this rezoning are not just abandoned land. There are families living in this area and have been here many, many years. The 2013 KDOT Southwest Johnson County Area Plan took into account that we are in the Hillsdale Watershed and that all of this area from the highway and east of Gardner Road should remain conservation area and a rural residential with no warehouses or commercial property.

One of our concerns about this rezoning is the increased truck traffic on Gardner Road. It is a 2 lane road with no shoulders. The speed limit from 199th to 215th is 45 mph. As you cross into Miami county at 215th, the speed limit increases to 55mph. I drive this road every day. I have been passed by speeding vehicles going both north and south on the stretch of road north of 215th. I have seen vehicles pass a school bus on this section of road. I believe the rezoning of the above parcels will further increase the truck traffic on an unsafe road . When the Kabota project and the Hostess warehouse on 207th west of Gardner road opened, the truck traffic on Gardner road increased tremendously. There have been no improvements to Gardner road to account for this activity. Have any traffic studies been performed on Gardner Road to determine the impact this rezoning would have on this area. I have not seen any traffic counters as I drive Gardner road on a daily basis. There are no shoulders on Gardner Road to pull off in the event of a vehicle breakdown. The 2 lane road has very little room for driving error.

The intersection of 207th and Gardner road is dangerous. At this time, there are semi-trucks turning from Gardner road west on 207th which is a gravel road. The trucks can barely make the turn. The intersection has not been improved since the previous Logistic warehouses on 207th were opened. I am sure you are aware that a death occurred last year at this intersection when a truck driver stopped his vehicle and got out to help another motorist. The truck driver was hit by another vehicle and was killed. I work for Hy-Vee and the truck driver was a Hy-Vee employee. This was a terrible event among the Hy-Vee family. In addition, many truck drivers rely on a GPS system to get to the 207th st warehouses. I have had many semi-trucks on my gravel road at 217th and Waverly trying to find a shortcut to get to the warehouses. The gravel roads in this area cannot accommodate the semi-truck traffic.

Another concern I have is the Hillsdale Watershed. The rezoning area above encompasses a lot of acreage. Have any studies been conducted to determine what the flooding potential is when the soil that absorbs the water is turned into concrete and asphalt. The water has to go somewhere. Will this water drain into any of the creeks or areas that feed into Hillsdale Lake. What is the impact of possible pollution to the watershed. Did the city contact the rural water district in a timely manner? In the prior hearing on the rezoning that allowed the Logistics area on 207th west of Gardner road to be built there was a mention of an impact study to be conducted on the watershed. Was this ever done and what were the results.

Finally, the Gardner, Edgerton and Spring Hill areas cannot supply the amount of employees it would take to work at additional warehouses being built. This would then require an influx of traffic from out of our area. Has an impact study been done to determine how the increased traffic will be handled. Has Johnson County been contacted regarding the required infrastructure needed to provide for the construction of warehouse in this new rezoned area?

In conclusion, I was extremely disappointed when the press release of December 17, 2020 indicated that the area south of 199th to 215th and east of Gardner road to Moonlight road had been annexed. A statement was attached to the news release that said no rezoning was planned at that time. Less than 7 days later, the rezoning signs popped up in this area.

Again I am strenuously against the rezoning for the Applications ZA2020-02 thru ZA2020-08. I would be at the public hearing however I am under quarantine due to COVID-19 in my household.

Joyce Ghaisarnia
816-509-1222

From: Brett Kuper
To: Kara Banks
Subject: Re: Public Hearing Scheduled for Rezoning 199th to 215th St
Date: Tuesday, January 12, 2021 1:38:17 PM

Hi Kara,

Sure, our address is 22241 Moonlight Rd, Spring Hill, KS 66083.

Thanks,
Brett

On Tue, Jan 12, 2021 at 1:29 PM Kara Banks <kbanks@edgertonks.org> wrote:

> Hello Brett,
>
> Can you please provide your address? I will share this email with our planning commissioners.
>
> Thank you,
>
> EDGERTON™
> kansas global routes. local roots.
>
> **Kara Banks • Marketing and Communications Manager**
>
> 404 E Nelson St. Edgerton, KS 66061
>
> P: 913.893.6231 C:913.302.3962
>
> ---
>
> **From:** Brett Kuper <brett.kuper@gmail.com>
> **Sent:** Tuesday, January 12, 2021 1:20 PM
> **To:** Kara Banks <kbanks@edgertonks.org>
> **Subject:** Public Hearing Scheduled for Rezoning 199th to 215th St
>
> Hi Kara,

Please share below for the meeting tonight:

My wife and I are very concerned about the rezoning of the land that is being proposed all the way to 215th St. We moved out into the country to get away from the busyness and traffic of the city. We have 3 young children and we enjoy going on walks, runs, and bike rides in the country. The additional traffic and noise that would come along with any commercial businesses would be a big concern for us, especially from a safety standpoint. Because of this, we would strongly request that this land stay zoned as rural to preserve our safety and peaceful country landscape.

Sincerely,

Brett and Mindi Kuper

Phone call from Christina Potter, who lives near Harmony and 249th Terrace, at 4:08 p.m. on Tuesday, January 12, 2021.

She is very opposed to this rezoning of the land to LP-Logistics Park. She says this will destroy the community. Ms. Potter believes the rezoning will lead to a higher traffic volume on Gardner Road going south into her neighborhood. She says counters have already been put out to figure out the traffic volume and that it is very loud. She says there has not been any planning of the area for more warehouses and this is just an effort to make money, which is why she is opposed.

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Edgerton, KS 66021
P: 913.893.6231
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STAFF UPDATE

Date: February 9, 2021
To: Edgerton Planning Commission
From: Chris Clinton, Planning and Zoning Coordinator
Re: Request to extend the expiration date for Approved Final Site Plan - **FS2019-02** *TSL Edgerton Phase II*

BACKGROUND INFORMATION
On April 9, 2019 the Planning Commission approved **FS2019-02** Final Site Plan for *TSL Edgerton Phase II* located along the south side of 191st Street and the west side of Waverly Road. Pursuant to Article 10 – *Site Plans and Design Standards*, Section 10.4, Final Site Plan approval is for a period of one year from the date of approval. The Site Plan becomes null and avoid upon expiration, unless the applicant has been issued a building permit for the project or has requested an extension of time from the Planning Commission.

Because a building permit had not been issued for this project, **FS2019-02** was set to expire on April 9, 2020. Pursuant to Section 10.4, if requested prior to expiration, the Planning Commission may grant the applicant an extension of up to one year. On January 14, 2020, the Planning Commission extended the expiration date of **FS2019-02** to April 9, 2021.

On December 28, 2020 City Staff received a request from Chris Stara on behalf of TranSpec Leasing, Inc., to request an additional one-year extension to the expiration date of **FS2019-02**. Mr. Stara explained that there is a delay in the project start due to the ongoing COVID-19 global pandemic.

Staff has reviewed TranSpec Leasing's request and recommends granting an extension of the Final Site Plan **FS2019-02** for *TSL Edgerton Phase II* to April 9, 2022.

Attachment: Applicant request dated December 28, 2020
Staff Report dated April 9, 2019 for Application FS2019-02

December 28, 2020

City of Edgerton
Attn: Ms. Katy Crow
404 East Nelson Street
Edgerton, KS 66021

RE: TSL – Edgerton Phase II, Site Plan (FS2019-02)

Dear Ms. Katy Crow:

TranSpec Leasing, Inc. requests an extension of the Final Site Plan approval for TSL – Edgerton's Phase II expansion for a period of one year.

As the City is aware, our facility operates as a container yard and truck terminal. The expansion of our current facility has stalled since the Final Development Plan approval on April 9, 2019 due to the global COVID-19 pandemic. We are requesting a one-year extension to the Final Development Plan approval as our company analyzes the market and future demands.

Best regards,

Christopher Stara
Manager – Real Estate & Environmental Compliance

CC Tom Hastings, President and CEO (via email)
David Hastings, Vice President of Operations (via email)
Kristin Jackson, Chief Financial Officer (via email)
Beth Linn, City Administrator (via email)

10001 South 152nd Street
Omaha, Nebraska 68138

Phone: 402-895-6692
www.4tsl.com

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STAFF REPORT

April 9, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FS2019-02** Final Site Plan for *TSL Edgerton Phase II,* located along the south side of 191st Street, and the west side of Waverly Road.

APPLICATION INFORMATION

Applicant:	Chris Stara, representing Transpec Leasing Incorporated 10001 S. 152nd St. Omaha, Nebraska 68138
Property Owners:	Hastings Family Holdings, LLC 25830 W Dodge Rd Waterloo, NE 68069
Requested Action:	Final Site Plan approval for *TSL Edgerton Phase II*
Legal Description:	Part of the NE Quarter of Section 3, Township 15 South, Range 22 East; see attached application for complete legal description.
Site Address/Location:	Along the south side of 191st Street, and along the west side of Waverly Road.
Existing Zoning and Land Uses:	Existing zoning L-P (Logistics Park) District; Parcels are currently undeveloped.
Existing Improvements:	None.
Site Size:	29.44 acres

Subject Property





PROJECT DESCRIPTION

This request is for approval of Application **FS2019-02** Final Site Plan for the Phase II expansion of the current TSL Edgerton cargo container storage/maintenance facility and truck yard. The proposed expansion would occur on the adjacent parcels located directly south of current operations. Phase II includes a proposed 10,000 square foot Maintenance and Fueling Facility located near the southwestern corner of the property. If approved, this facility would include 6 (six) fueling pumps and 3 (three) above ground fuel tanks with containment basins. Also included is a proposed guard shack on the east side of the project, adjacent to Waverly Road. Increased demand for businesses which store and maintain cargo containers is a by-product of the activity in and around the intermodal facility.

A Preliminary Site Plan was not required due to the nature of the project and the proposed operation. Tracts A and B are to be utilized as part of the stormwater system. Building elevations for both the maintenance building and guard shack have been included. The Final Site Plan sheets include general information about the development including items such as overall layout, access, circulation and landscape plans.

Cargo container storage facilitates are permitted by condition on parcels containing L-P District zoning designation. As such, operators are required to obtain a Conditional Use Permit. TSL Edgerton currently possesses a Conditional Use Permit for Phase I of their operations. As part of the Phase II expansion, they have applied for a new Conditional Use Permit (Application CU2019-01) which would include both phases of the operation and will be considered under separate review from this Site Plan Application.

INFRASTRUCTURE AND SERVICES

1. Requested access to the project operations will be from 191st Street via one (1) existing private drive and two (2) private drives off of Waverly Road. Proposal is to remove the existing drive off of Waverly and add two new drives further south.
2. Utilities.
    a. Johnson County Rural Water District #7.
    b. Sanitary Sewer - City of Edgerton.
    c. Electrical Service - Kansas City Power & Light.
    d. Gas Service – Kansas Gas Service.
3. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
4. Fire protection is provided by Johnson County Fire District #1.
5. Located within the Bull Creek watershed.

FINAL SITE PLAN REVIEW

Staff has reviewed the Final Site Plan submittal for compliance with the requirements in Article 10, *Site Plans and Design Standards* and Section 5.2, *Logistics Park (L-P) District* of Article 5 of the Edgerton Unified Development Coder (UDC). Review comments are listed below.

Article 10 - Site Plan Requirements

1. Sheet #3
    a. Parking areas, paths, walkways with sizes and surfaces material specifications. *Driveway aprons should not exceed 30' in width at the throat.* ***Phase I driveway throats are 36', which was allowed as part of the approval of the original***

Phase I Site Plan in 2013. Phase II driveway throats are 36' and 34'. This meets the standard that was agreed upon for Phase I.

b. A sketch of the entry sign and all other free-standing, façade, and building signs to be used on the premises. *No signage was submitted with the application.* ***Signage proposed later shall receive separate approval from the Zoning Administrator according to the provisions of the UDC.***

c. Features to facilitate handicapped access. ***The accessible parking spaces and access areas should not exceed 2% slope in any direction. The accessible route to the building should meet ADAAG requirements. Applicant acknowledges.***

Section 5.2 – L-P Logistics Park District

1. District Regulations
   a. All storage of motorized machinery and equipment, materials, products or equipment shall be within a fully enclosed building, or in a storage area or yard. Said storage shall be limited to twenty percent (20%) of the ground floor area of the building or tenant space. All storage materials shall be one hundred (100) percent screened from public view, except when adjacent to another storage area, which is one hundred (100) percent screened from public view. For the purposes of this section, the phrase "screened from public view" means not visible at eye level from adjoining properties or any street right-of-way. Use of landscaping materials is encouraged in lieu of privacy fencing. All storage areas shall be paved or surfaced. ***Building elevations indicate exterior HVAC units on the west side of the maintenance facility building. Screening of this equipment from public view is necessary. Landscaping or vinyl fencing material may be used. Update Final Site Plan.***

2. Architectural Design Standards.
   a. Building Materials. One hundred percent (100%) of the surface of each exterior wall (excluding doors and windows) facing a public street, residential use or public open space shall consist of materials including but not limited to stone, brick, glass block, tile, cast metal, cast or cultured stone, concrete (tilt-up walls), glass, or a combination of these materials. The use of other cementitious products (e.g. stucco, Hardy Plank, or other similar materials) shall be limited to fifty percent (50%) of the buildings' exterior finishes where it is deemed important as a design feature and where it will be applied under the highest standards for quality and durability. However, stucco may not be located in the first eight feet (8') above grade on a façade visible from a public right-of-way or a public area. ***The proposed east façade of the maintenance facility building is shown with 100% complete coverage utilizing a stone veneer product. The proposed west façade shows 100% stucco finish. The north and south facades show the stone veneer in the first 8' above grade then stucco on the remaining height. All surfaces on this building should be finished with the same material as the front of the building that faces 191st Street. Update Final Site Plan.***
   b. Screening of Rooftop Equipment. For buildings within the L-P District, all rooftop mounted mechanical, air conditioning, electrical, and satellite dish equipment shall not be visible. Rooftop equipment shall be screened from ground and street level view with parapets or other architectural design features constructed of the same materials used on the exterior walls. *Site plan does show proposed location for rooftop equipment, but it does not confirm that the equipment will be screened from the ground.* ***If rooftop equipment is***

visible from the ground, street level parapets or screening to conceal it from the ground and the street shall be required.

3. Parking and Loading.
    a. Specific Requirements. Each establishment shall provide sufficient off-street parking spaces for all employees, customers, visitors and others who may spend time at the establishment during working hours. Such parking space shall be at lease nine (9) feet by twenty (20) feet. *There are no dimensions provided on the provided plans of the vehicular parking spaces. Update Site Plan.*

4. Landscape Standards.
    a. Perimeter Landscape Buffer Requirements. Perimeter landscape buffers shall be determined based upon adjacent land uses. Table 2, Perimeter Landscape Buffer Requirements, defines the required buffer to be provided.
        i. West side of project: Phase II operations are adjacent to another approved cargo container operation containing L-P District zoning designation and adjacent to walking trail easement. Per the UDC, Type 1 and Type 2 Buffers are not required along rear property lines or along interior side property lines behind the front face of the building. *Final Site Plan meets UDC requirements.*
        ii. North side of project: No landscaping is required on the north side of Phase II operations due to adjacency to Phase I operations. *Final Site Plan meets UDC requirements.*
        iii. East side of project: Phase II operations are adjacent to Waverly Road right-of-way. Applicant has indicated included a Right-of-Way Buffer on Landscaping Plans. *Landscaping requirements met.*
        iv. South side of project: South side of Phase II operations will be adjacent to private roadway for Inland Ports 32 and 33. *Full evaluation of Landscape Buffer cannot be performed by staff as no Line of Sight drawings were provided. Provide Line of Sight drawings for staff review or continue Landscape Buffer to west property line to ensure proper screening. Update Final Site Plan.*
    b. Dumpster and Compactor Screening. All dumpsters and compactors visible from public right-of-way and/or abutting residential, commercial, public, or civic property shall be screened with a consistent six (6) foot opaque screening wall with a solid metal gate. Chain link fences or wooden fences are not acceptable. Dumpsters shall be set back a minimum of twenty-five (25) feet from adjacent residential uses. *Final Site Plan indicates dumpster will be located on west side of project adjacent to Waverly Road right-of-way and landscape berm. Dimensions for dumpster and a Line of Sight drawing were not provided for this area. Staff is unable to evaluate if the dumpster will be fully screened from view. If deemed required, applicant may use landscaping or screening materials similar to those used for the building to screen dumpster from public view. Prior to issuance of Building Permit, this information must be provided to insure adequate landscaping and screening, especially adjacent to public right of way. Update Final Site Plan.*

5. Diesel Emission Requirements. No electrical hookups have been shown as they relate to the elimination of excessive truck idling. *Refer to Article 5, Section 5.2.Q to ensure all*

requirements are met regarding diesel emissions and idling. Applicant acknowledges and will address if necessary.

OTHER COMMENTS

1. Proposed black galvanized steel fencing which encloses the entire property is indicated. Edgerton UDC perimeter fencing requirements call for black vinyl coated 1" mesh chain link fencing.
2. A Stormwater management plan has been submitted for review by the City Engineer. The following comments must be addressed to the City Engineer's satisfaction prior to building construction:
    a. The site plan proposes to add 2.5 acres of impervious area which drains to the undetained Phase I portion of the TSL site. This results in an increase of runoff from the site. An increase in runoff from the site is not acceptable and stormwater management should be proposed to control the runoff from the site to no greater than the existing.

RECOMMENDATION

City staff recommends **approval** of **FS2019-02** Final Site Plan for *TSL Edgerton Phase II,* subject to compliance with the following stipulations:

1. The staff recommendations and comments noted related to building materials, landscaping, the stormwater plan and all else discussed as included in this Staff Report are included as stipulations as part of approval of this Final Site Plan.
2. A Final Site Plan with corrections must be submitted and approved prior to commencement of uses and the property shall be developed in accordance with the approved Final Site Plan, Landscaping Plan, Photometric Plan, Stormwater Study and SWPPP.
3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
4. No signage is proposed with this application. Signage proposed later shall receive separate approval according to the provisions of the UDC.
5. All construction plans for any public infrastructure shall be prepared to City standards and approved by the City. The property owner and/or developer shall work with City staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the Final Plat.
6. A Stormwater Management Plan has been submitted. However, all comments must be addressed to the satisfaction of the City Engineer.

ATTACHMENTS

- Application FS2019-02
- Final Site Plan for *TSL Edgerton Phase II*

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Site Plan Application
(Fee: $200 Plus $10 Per Acre)

■ PRELIMINARY SITE PLAN ☐ FINAL SITE PLAN

NAME OF PROPOSED SUBDIVISION: TSL Edgerton (Phase II Portion)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 31115 West 191st Street

LEGAL DESCRIPTION: See attached

CURRENT ZONING ON SUBJECT PROPERTY: Logistics Park CURRENT LAND USE: Vacant

TOTAL AREA: 30.14 Ac. (Phase II Area) Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 1,312,898.4 Sq. Ft.

DEVELOPER'S NAME(S): Chris Stara PHONE: 531-444-4820

COMPANY: Transpec Leasing Incorporated FAX: 402-895-7033

MAILING ADDRESS: 10001 South 152nd St. Omaha NE 68138
Street City State Zip

PROPERTY OWNER'S NAME(S): Hastings Family Holdings, LLC PHONE: 402-895-6692

COMPANY: Hastings Family Holdings, LLC FAX: 402-895-7033

MAILING ADDRESS: 10001 South 152nd St. Omaha NE 68138
Street City State Zip

ENGINEER'S NAME(S): Patrick Cassity PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX: N/A

MAILING ADDRESS: 5015 NW Canal St. Suite 100 Riverside MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____
If not signed by owner, authorization of agent must accompany this application.

NOTE: Three (3) copies of the site plan must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Case No.: S- _____ Amount of Fee Paid:$ _____ Date Fee Paid: _____ Receipt # _____

Received By: _____ Date of Hearing: _____

SITE PLAN INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least thirty (30) working days prior to the public hearing.

NOTICE REQUIREMENTS: The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper. The City shall make one copy available for public inspection at least fourteen (14) days in advance of the public hearing.

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Site Plan Application
(Fee: $200 Plus $10 Per Acre)

DESIGN STANDARDS: Applicants within the Logistics Park (L-P) District should abide by the district regulations and design standards set forth in Section 5.2 of the Edgerton Unified Development Code. These regulations and design standards include, but are not limited to, building placement, architectural design standards, parking and loading, access management, photometrics, landscaping, signage and diesel emissions.

PLANNING COMMISSION REVIEW: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the site plan to determine conformity with the design guidelines and other requirements included within the Edgerton Uniform Development Code.

APPROVAL LIMITATIONS: If the Final Site Plan is in conformance with an Approved Preliminary Site Plan, notice and publication of Planning Commission or City Council meetings is not required.

CHECKLIST

The following items shall be included on the site plan. All (FINAL) Site Plans must be submitted on superior quality paper in a 24 x 36 inches format (or a format specified by the Zoning Administrator). The scale shall be a professionally acceptable standard suitable to the area of the proposed project.

Front or Cover Sheet

- ☐ A scale, vicinity map showing the relationship of the site to surrounding neighborhoods, roads and other physical features.
- ☐ A project title, zoning designation and project sponsor.
- ☐ A street, lot or tract address of the project.
- ☐ An index to contents and a data table which includes:
  - ☐ Acreage of the site and number of units per acre (if applicable)
  - ☐ Gross square feet of the building(s) area
  - ☐ Proposed use of each building
  - ☐ Number of employees and the BOCA or Uniform Building Code or NEPA 101 Life Safety Code Occupancy Design Load
  - ☐ Total number of parking places
- ☐ Name of the architect, engineer, surveyor or draftsman.
- ☐ Following certificates and signature blocks:

CERTIFICATE:

Received and placed on record this_____ day of _____ , 20____ by

_____ (Zoning Administrator).

Approved by the Edgerton City Planning Commission this _____ day of_____ , 20____ by

_____ (Chair of Planning Commission).

I certify that I have reviewed this SITE PLAN and will comply with all specifications, changes, and amendments herein, and that this instrument creates a legally enforceable obligation to build and develop in accordance with all final agreements.

Applicant signature _____ Date _____

EDGERTON
global routes. local roots.

Site Plan Application
(Fee: $200 Plus $10 Per Acre)

Sheet #2

- ☐ A landscape plan drawn to scale, showing the site, building location, planting and seeding schedules, refuse and outdoor storage screening and boundary screening. All landscape features shall be shown in relation to sidewalks, paths, lawns, parking areas and drives.
- ☐ A table entitled "Planting Schedule" which lists the common name, size and condition of all planting materials, together with a timetable for planting.

Sheet #3

- ☐ A site map with the following features:
  - ☐ Topography at reasonable intervals
  - ☐ Exterior lot lines with any survey pins
  - ☐ Location of buildings
  - ☐ Parking areas, paths, walks with sizes and surfaces material specifications
  - ☐ Exterior lighting specifications
  - ☐ Site entrance and connections to streets
  - ☐ Location of easements
  - ☐ Connection point for utilities
- ☐ A sketch of the entry sign, and all other free-standing, façade, and building signs to be used on the premises
- ☐ Features to facilitate handicapped access
- ☐ Profile and detail for roads (if required)

Sheet #4

- ☐ Scale drawing of building floor plans
- ☐ Dimensions and use of rooms and areas
- ☐ Dimensions of entrances/exits and corridors
- ☐ Interior specifications for handicapped accessibility as required by ANSI 117.1 and this ordinance

Sheet #5 (if requested)

- ☐ Scale drawings of all building elevations
- ☐ Roof pitch and materials
- ☐ Siding type and materials, including facie

ADDITIONAL REQUIREMENTS: Depending upon circumstances (especially buildings used for assembly), the Planning Commission may require additional sheets for mechanical and electrical and building materials specifications. The Planning Commission may also require additional information for hazardous material or other environmental impacts.

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232 • EdgertonKS.org

TSL Edgerton
Final Site Plan

Of the Phase II Portion of Edgerton TSL

Zoning: L-P

Applicant: Transpec Leasing Incorporated

191st Street and Waverly Road

City of Edgerton, Johnson County, Kansas

PHASE II DESCRIPTION

That part of the Northeast Quarter of Section 3, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of said Southeast Quarter, South 88°19'51" West along the North line of said Southeast Quarter, a distance of 972.25 feet; thence North 01°09'47" West, a distance of 989.98 feet to the Point of Beginning of the herein described tract; thence South 88°22'56" West, a distance of 339.24 feet; thence North 01°20'55" West, a distance of 1,015.47 feet; thence North 88°09'08" East, a distance of 1,261.21 feet to the West right-of-way line of Waverly Street, as now established;
thence South 01°09'47" East along said West right-of-way line, a distance of 1,020.56 feet; thence South 88°22'56" West, a distance of 918.64 feet to the Point of Beginning,

containing 1,282,190.21 square feet, or 29.44 acres, more or less.

OVERALL PROPERTY DESCRIPTION

Part of the Northeast Quarter of Section 3, Township 15 South, Range 22 East in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of said Northeast Quarter; thence South 01°09'47" East, along the East line of said Northeast Quarter, a distance of 1,681.02 feet; thence departing said East line, South 88°21'32" West, along the North line and its easterly prolongation of LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT, a platted subdivision in said City, a distance of 1,311.45 feet to the Northwest corner of Tract A of said LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT, said point being on the West line of the East Half of said Northeast Quarter; thence North 01°20'47" West, along said West line, a distance of 1,676.20 feet to a point on the North line of said Northeast Quarter; thence North 88°09'02" East, along said North line, a distance of 1316.86 feet to the Point of Beginning, containing 2,205,869 square feet or 50.640 acres, more or less.

Note:

Overhead door positions to be used as loading spaces when necessary.

JOHNSON COUNTY BENCHMARK

JCVCN BM1181
Bernsten Aluminum Disk Stamped BM 1181, Located on center West End of the North Headwall RCB. from the Intersection of Waverly Road and 191st Street, go West 0.10 Miles to the RCB.
ELEV: 1010.97

UTILITIES

ELECTRIC
Kansas City Power & Light
Phone: 816.471.5275

GAS
Kansas Gas Service
11401 West 89th Street
Overland Park, Kansas
Phone: 913.599.8981

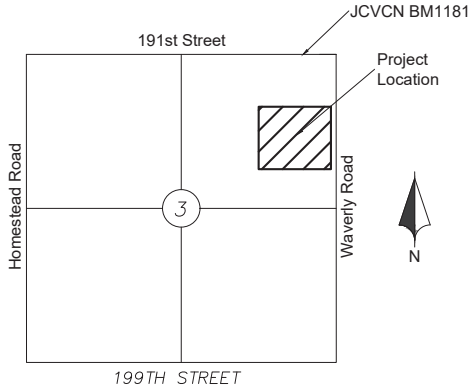
WATER
Johnson Rural Water District 7
534 West Main
P.O. Box 7
Gardner, Kansas
Phone: 913.856.7173

SANITARY SEWER
City of Edgerton
Phone 913.893.6801

CITY
City of Edgerton
404 East Nelson
P.O. Box 255
Edgerton, Kansas
Phone: 913.893.6231

TELEPHONE
Century Link
Phone: 800.788.3500

CABLE
Century Link
Phone: 800.788.3500



LOCATION MAP
SECTION 3-15-22
Scale 1" = 1000'

LEGEND

Existing Section Line	Proposed Right-of-Way
Existing Right-of-Way Line	Proposed Property Line
Existing Lot Line	Proposed Lot Line
Existing Easement Line	Proposed Easement
Existing Curb & Gutter	Proposed Curb & Gutter
Existing Sidewalk	Proposed Sidewalk
Existing Storm Sewer	Proposed Storm Sewer
Existing Storm Structure	Proposed Storm Structure
Existing Waterline	Proposed Fire Hydrant
Existing Gas Main	Proposed Waterline
Existing Sanitary Sewer	Proposed Sanitary Sewer
Existing Sanitary Manhole	Proposed Sanitary Manhole
Existing Contour Major	Proposed Contour Major
Existing Contour Minor	Proposed Contour Minor
	Future Curb and Gutter

INDEX OF SHEETS

C01	Title Sheet
C02	Existing Conditions
C03	General Layout
C04	Maintenance and Fueling Facility Detail
C05	Grading Plan
C06	Truck Turning Plan
L01-L02	Landscape Plan

SITE DATA TABLE

Existing Zoning:	L-P
Proposed Zoning:	L-P
Site Acreage:	29.44 acres (Phase II Area)
Building Area Building 1 Office:	2,000 SF
Building Area Building 1 Warehouse:	8,000 SF
Building Area Building 2:	300 SF
Future Building Area Building 3:	5,760 SF
Proposed Building Use:	Industrial and Office
Required Number of Automobile Stalls:	5 (UDC, 10.2.C, Table1, General Office (2400SF/ 1 per 300SF))
Required Number of ADA Stalls:	1
Total Number of Automobile Stalls:	23 Stalls
Total Number ADA Stalls:	2 Stalls (Included in total)
Number of Employees:	5
BOCA Building Code(500SF/person):	6.30
Building Coverage (15,760/1,282,406):	1.23%

Developer/Applicant/Sponsor

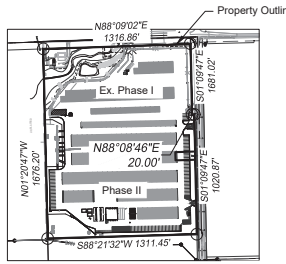
Transpec Leasing Incorporated
Thomas M. Hastings
10001 S. 152nd St.
Omaha, Nebraska 68138
Email: David.Hastings@4tsl.com

Project Surveyor

Renaissance Infrastructure Consulting, LLC
5015 NW Canal St. Suite 100
Riverside, Missouri 64150

Project Engineer

Renaissance Infrastructure Consulting, LLC
5015 NW Canal St. Suite 100
Riverside, Missouri 64150



Overall Property Layout (Included in Legal Description)
1"=500'

○ Set ½" Rebar With RIC KSCLS 234 Cap

CERTIFICATE:

Received and placed on record this _____ day of _____, 2019 by

_____
Katy Crow, Zoning Administrator

Approved by the Edgerton City Planning Commission, subject to any conditions outlined during the approval process, this _____ day of _____, 2019 by

_____
John E. Daley, Chair of the Planning Commission

I certify that I have reviewed this SITE PLAN and will comply with all specifications, changes, and amendments herein, and that this instrument creates a legally enforceable obligation to build and develop in accordance with all final agreements.

Applicant Signature _____ Date_____
Transpec Leasing Incorporated
Thomas M. Hastings, President

FLOOD PLAIN NOTE

According to the FEMA Flood Insurance Rate Map Number 20091C119G, revised August 3, 2009, portions of this tract lie in: OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain, OTHER FLOOD AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology, no Base Flood Elevations determined.

Kansas 811
Know what's below.
Call 811 before you dig.

Sheet
C01

Final Site Plan
15-0184
TSL Edgerton Phase II

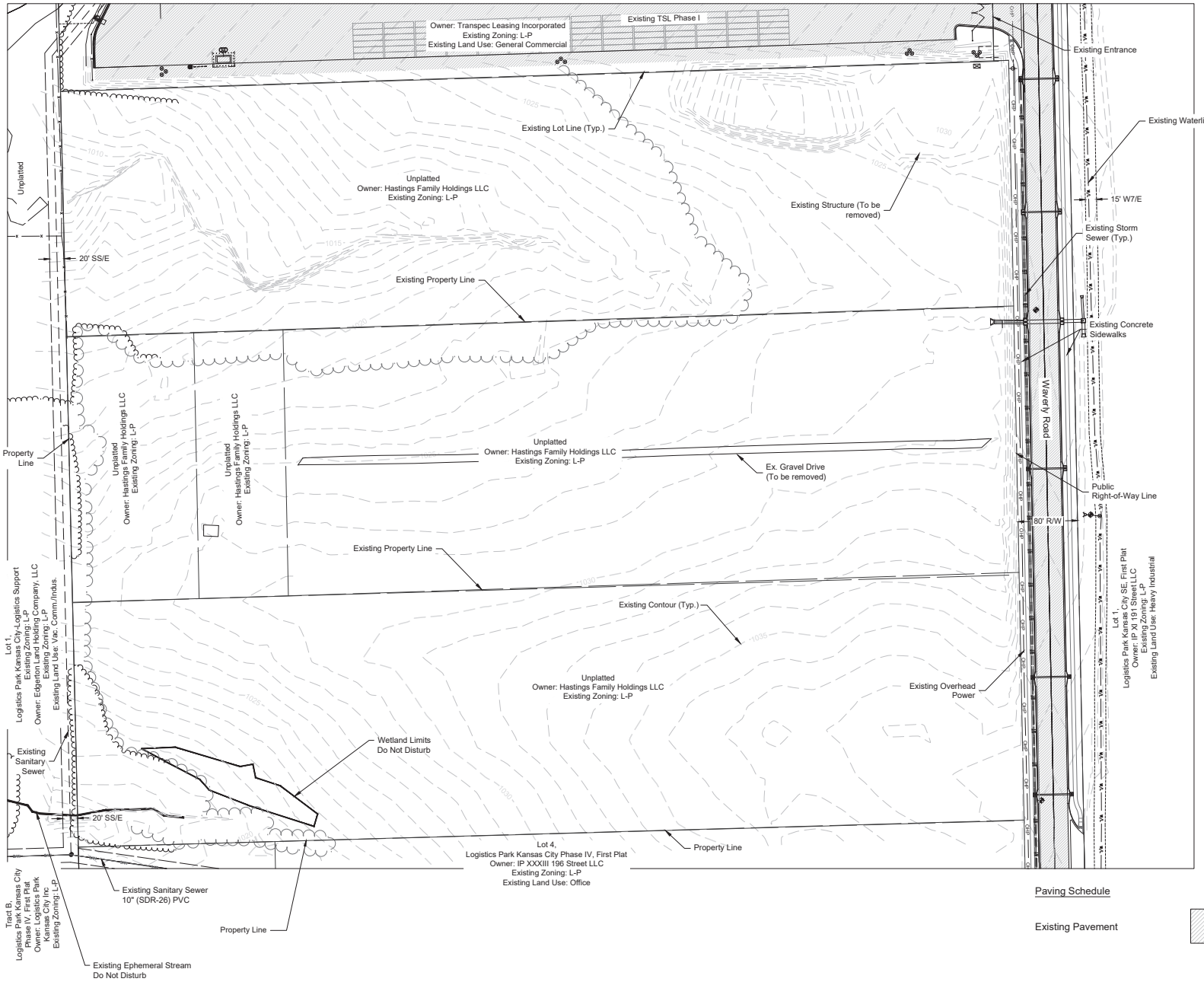
Title Sheet

NO	BY	DATE	REVISION
			PER CITY COMMENTS
PHC	SM/VE	03.29.19	ORIGINAL SUBMITTAL
PHC	SM/VE	03.29.19	

Renaissance Infrastructure Consulting
5015 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150
816.800.0950
WWW.RIC-CONSULT.COM

PROFESSIONAL ENGINEER
24975
3/25/19

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Sheet
C02

Final Site Plan

15-0184
TSL Edgerton Phase II

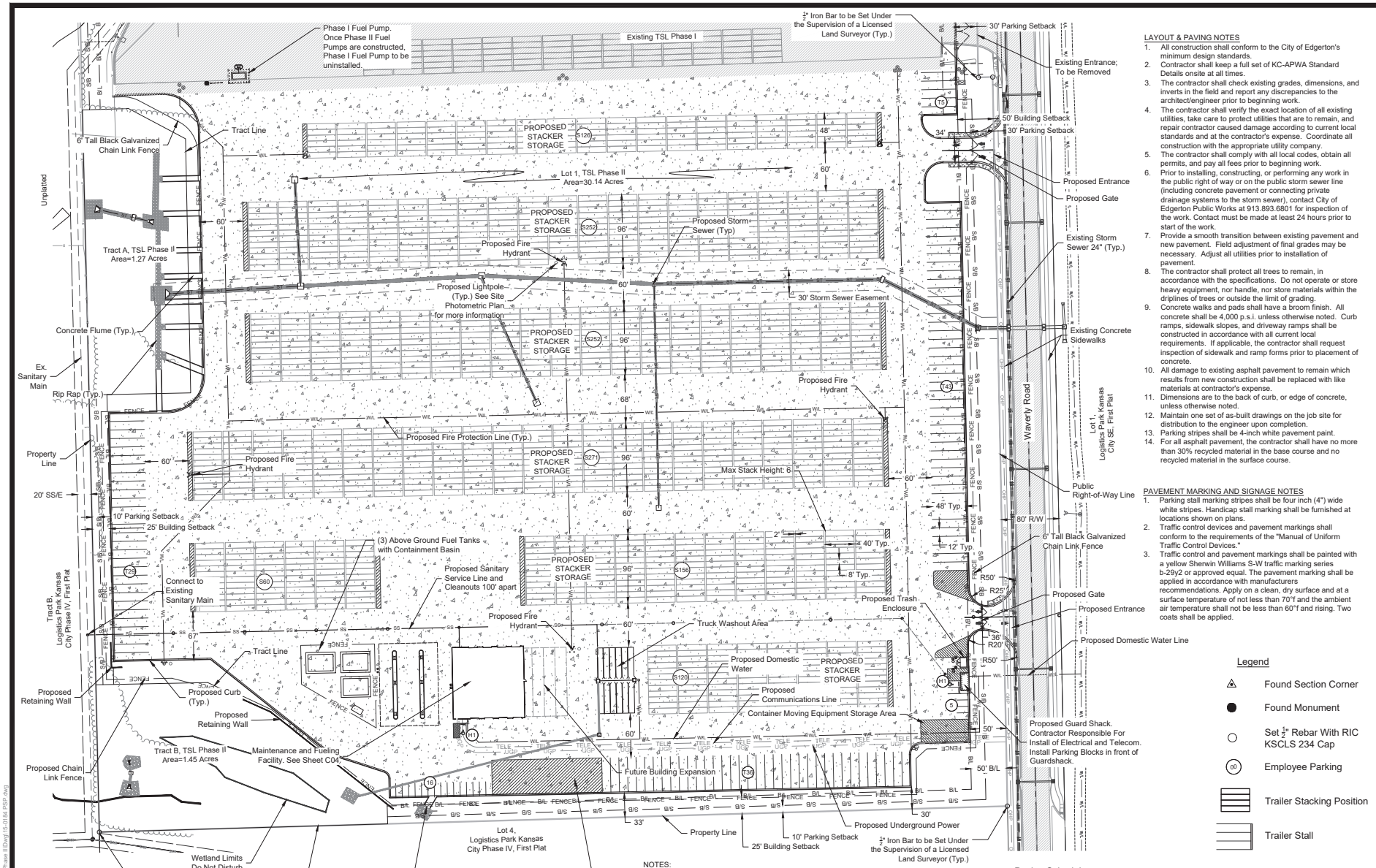
Existing Conditions

NO	BY	DATE	REVISION
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2	PHC	04.04.19	ORIGINAL SUBMITTAL

Renaissance Infrastructure Consulting
5015 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150
816.800.0950
WWW.RIC-CONSULT.COM

PATRICK H. CRAIG
NUMBER
2497S
4/25/19
REGISTERED PROFESSIONAL ENGINEER

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LAYOUT & PAVING NOTES

1. All construction shall conform to the City of Edgerton's minimum design standards.
2. Contractor shall keep a full set of KC-APWA Standard Details onsite at all times.
3. The contractor shall check existing grades, dimensions, and inverts in the field and report any discrepancies to the architect/engineer prior to beginning work.
4. The contractor shall verify the exact location of all existing utilities, take care to protect utilities that are to remain, and repair contractor caused damage according to current local standards and at the contractor's expense. Coordinate all construction with the appropriate utility company.
5. The contractor shall comply with all local codes, obtain all permits, and pay all fees prior to beginning work.
6. Prior to installing, constructing, or performing any work in the public right of way or on the public storm sewer line (including concrete pavement or connecting private drainage systems to the storm sewer), contact City of Edgerton Public Works at 913.893.6801 for inspection of the work. Contact must be made at least 24 hours prior to start of the work.
7. Provide a smooth transition between existing pavement and new pavement. Field adjustment of final grades may be necessary. Adjust all utilities prior to installation of pavement.
8. The contractor shall protect all trees to remain, in accordance with the specifications. Do not operate or store heavy equipment, nor handle, nor store materials within the driplines of trees or outside the limit of grading.
9. Concrete walks and pads shall have a broom finish. All concrete shall be 4,000 p.s.i. unless otherwise noted. Curb ramps, sidewalk slopes, and driveway ramps shall be constructed in accordance with all current local requirements. If applicable, the contractor shall request inspection of sidewalk and ramp forms prior to placement of concrete.
10. All damage to existing asphalt pavement to remain which results from new construction shall be replaced with like materials at contractor's expense.
11. Dimensions are to the back of curb, or edge of concrete, unless otherwise noted.
12. Maintain one set of as-built drawings on the job site for distribution to the engineer upon completion.
13. Parking stripes shall be 4-inch white pavement paint.
14. For all asphalt pavement, the contractor shall have no more than 30% recycled material in the base course and no recycled material in the surface course.

PAVEMENT MARKING AND SIGNAGE NOTES

1. Parking stall marking stripes shall be four inch (4") wide white stripes. Handicap stall marking shall be furnished at locations shown on plans.
2. Traffic control devices and pavement markings shall conform to the requirements of the "Manual of Uniform Traffic Control Devices."
3. Traffic control and pavement markings shall be painted with a yellow Sherwin Williams S-W traffic marking series b-29y2 or approved equal. The pavement marking shall be applied in accordance with manufacturers recommendations. Apply on a clean, dry surface and at a surface temperature of not less than 70°f and the ambient air temperature shall not be less than 60°f and rising. Two coats shall be applied.

Legend

- Found Section Corner
- Found Monument
- Set ½" Rebar With RIC KSCLS 234 Cap
- Employee Parking
- Trailer Stacking Position
- Trailer Stall

NOTES:

1. Stacked Storage Areas may be converted to trailer storage as demand and market dictates. However, stacked storage will be limited to designated areas shown in plans.
2. The entire facility will be an Intermodal Depot and Trucking Operation and will be used to accomodate the needs of that operation.
3. Stacked Storage areas will ONLY be in areas that are not along street frontage.
4. All stacking containers need to be setback from the property line a minimum distance equal to the stacked container height.
5. Number and Location of Truck Hookups Unknown. Owner Will Install As Needed.

Paving Schedule

11" Portland Concrete Pavement and 4" Concrete Sidewalk

Existing Pavement

NORTH

1"=60'

0 30' 60'

Sheet C03

Final Site Plan

15-0184 TSL Edgerton Phase II

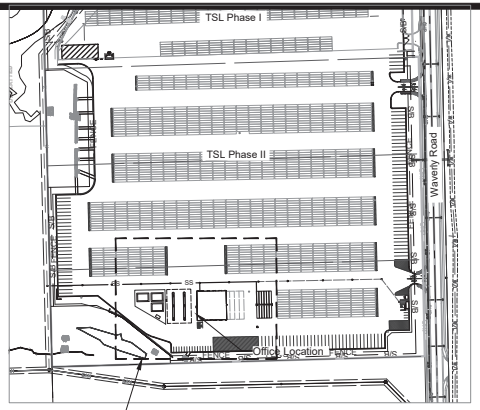
General Layout

NO	BY	DATE	REVISION
	GO	03.26.19	ORIGINAL SUBMITTAL
	PHC	08/08	PER CITY COMMENTS

Renaissance Infrastructure Consulting
5205 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150
816.800.0950
WWW.RIC-CONSULT.COM

PAUL H. CHANCELLOR — NUMBER 24975 — 3/25/19 — LICENSED PROFESSIONAL ENGINEER

Mar 25, 2019-3:22pm
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Maintenance and Fueling Facility Detail

Office Location 1:200

1031
1030
1025
1033
1032
1.5% Slope
Sanitary Sewer Service Line
Future Sanitary Service
Lightpole Bases Adjacent to Hydrants (Typ.)
Canopy Outline
(3) Fuel Pumps
Overhead Door (Typ.)
New Site Plan Approval Required
12 Truck Washout Locations
(3) Above Ground Fuel Tanks with Containment Basin
23' Typ.
35' Typ.
Proposed Building FF=1033.00
Office/Storage
HVAC Units
Proposed Future Building FF=1033.00 7,680 SF
Grate inlets and trench drain in sump between trailers.
Yard Hydrant and any necessary electrical hookups to be designed by MEP
Concrete Median
Trash Enclosure
Domestic Service (From Waverly)
Diversion Structure
(2) 4" Conduits for Communications
Underground Power Service
Retaining Wall
15 Employee Parking Stalls
NORTH
1"=20'
0 10' 20'

Sheet
C04

Final Site Plan

15-0184
TSL Edgerton Phase II

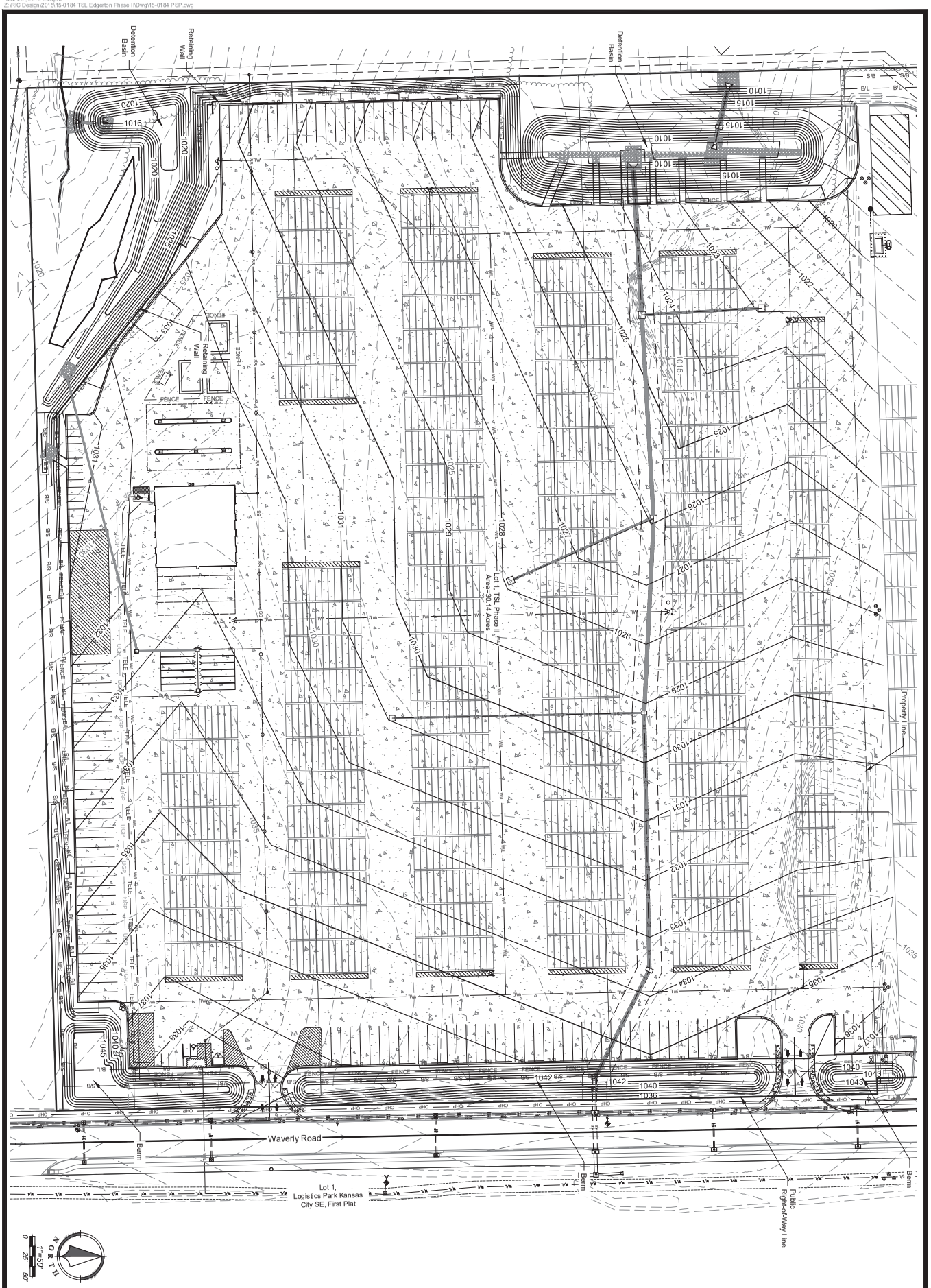
Maintenance and Fueling Facility Detail

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2	PHC	04.04.19	ORIGINAL SUBMITTAL

Renaissance Infrastructure Consulting
5015 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150
816.800.0950
WWW.RIC-CONSULT.COM

PROFESSIONAL ENGINEER
PHILIP H. CRAMER
NUMBER 24975
3/25/19
MISSOURI
PROFESSIONAL ENGINEER

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505 NW Canal Street, Suite 100
Riverside, Missouri 64150
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www.ric-consult.com

NO.	BY	CD	DATE	REVISION
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	PNC	BMW	02/26/19	ORIGINAL SUBMITTAL

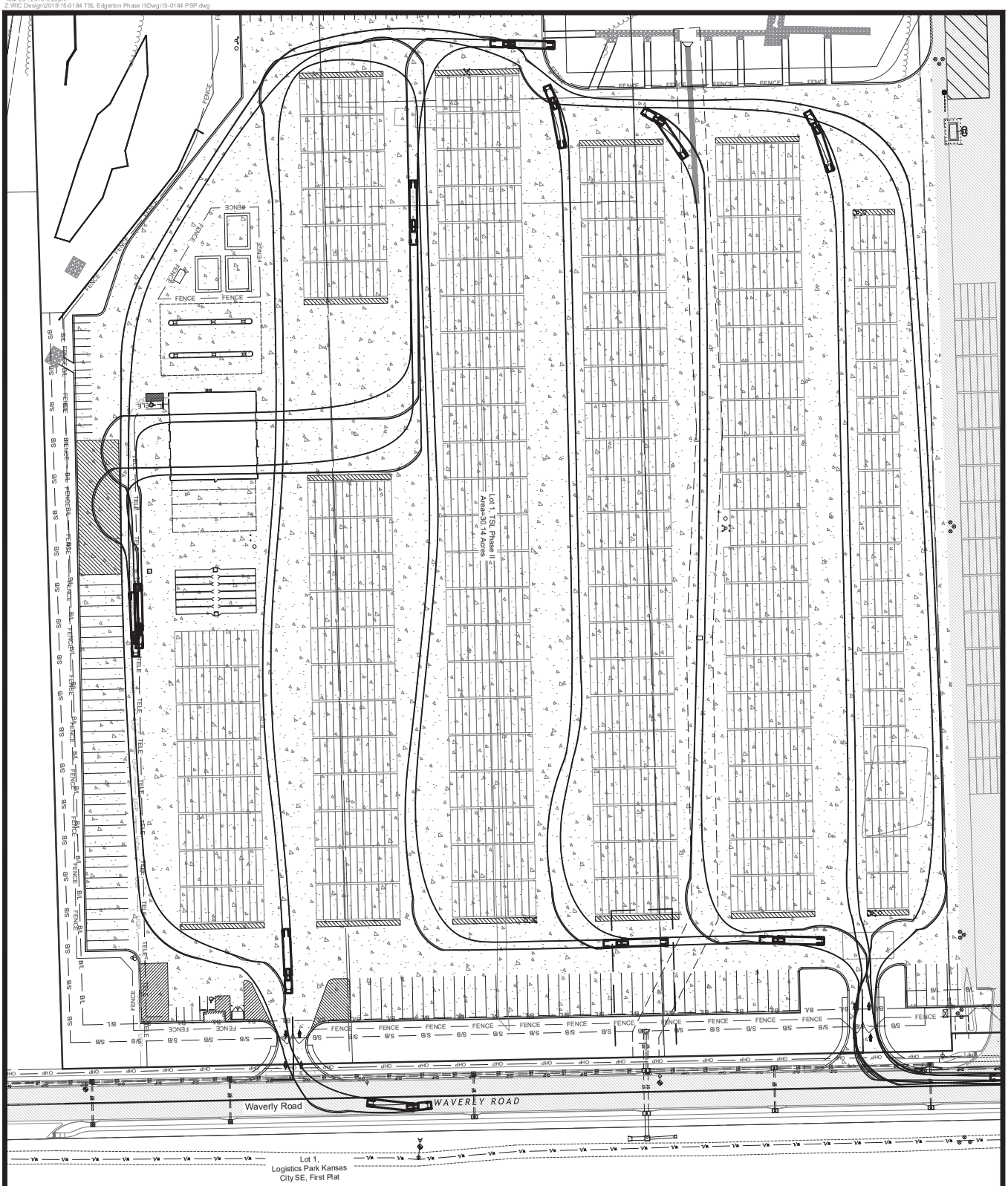
Grading Plan

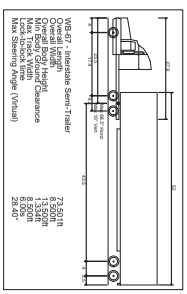
Final Site Plan

15-0184
TSL Edgerton Phase II

Sheet
C05

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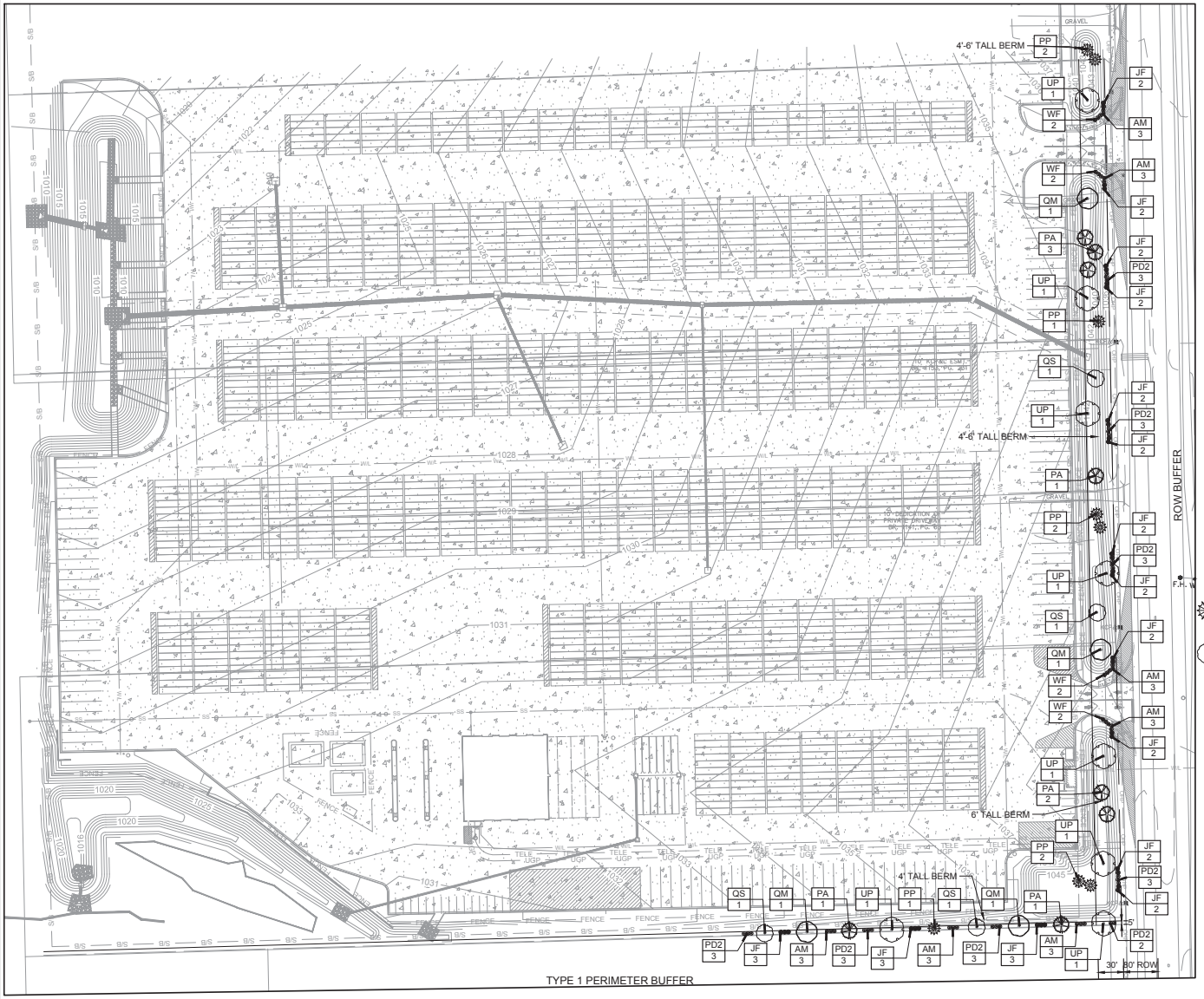
NO.	BY	CD	DATE	REVISION
	PNC	SMW	03/26/19	PER CITY COMMENTS
	PNC	SMW	02/26/19	ORIGINAL SUBMITTAL

Truck Turning Plan

Final Site Plan

15-0184
TSL Edgerton Phase II

Sheet C06



LANDSCAPE NOTES

1. LOCATE UTILITIES PRIOR TO COMMENCING LANDSCAPE OPERATIONS. ALL TREES SHALL BE FIELD POSITIONED AS TO AVOID CONFLICTS WITH EXISTING AND PROPOSED UTILITIES. NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS OR OBSTRUCTIONS.
2. CONTRACTOR SHALL STAKE ALL PLANTING AREAS IN THE FIELD PRIOR TO PLANTING FOR APPROVAL OF THE OWNER OR THEIR REPRESENTATIVE.
3. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO PLANTING. ANY DISCREPANCIES WITH THE PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE PLAN QUANTITIES SHALL SUPERCEDE SCHEDULED QUANTITIES.
4. ALL PLANT MATERIAL SHALL BE SPECIMEN QUALITY AND SHALL COMPLY WITH RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 THE 'AMERICAN STANDARD FOR NURSERY STOCK'.
5. ALL PLANTING BEDS & NATIVE GRASS STANDS SHALL BE EDGED AS SHOWN IN PLAN.
6. PREPARE PLANTING BEDS AND INCORPORATE AMENDMENTS ACCORDING TO PLANS.
7. SHREDDED HARDWOOD MULCH, PER SPECIFICATIONS SHALL BE USED AS A THREE INCH (3") TOP DRESSING IN ALL PLANTING BEDS AND AROUND ALL TREES. SINGLE TREES AND SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND.
8. ALL TREES SHALL BE STAKED PER DETAIL.
9. ALL PLANT MATERIAL SHALL BE INSTALLED TO ALLOW A ONE FOOT (1') CLEARANCE BETWEEN PLANT AND ADJACENT PAVEMENT.
10. THE LANDSCAPE CONTRACTOR SHALL NOT COMMENCE WORK UNTIL THE SITE IS FREE OF DEBRIS CAUSED BY ON-GOING CONSTRUCTION OPERATIONS. REMOVAL OF DEBRIS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. LANDSCAPE WORK SHALL NOT BEGIN UNTIL THE LANDSCAPE ARCHITECT AND OWNER HAVE GIVEN WRITTEN APPROVAL FOR SUCH. THERE SHALL BE NO DELAYS DUE TO LACK OF COORDINATION FOR THIS ACTIVITY.
11. THE LANDSCAPE ARCHITECT AND OWNER SHALL APPROVE GRADES AND CONDITION OF SITE PRIOR TO SODDING/SEEDING OPERATIONS.
12. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT DESIGNATED FOR OTHER PLANTINGS OR HARDSCAPE SHALL BE SODDED WITH TURF TYPE FESCUE.
13. ALL TURF AND SHRUB AREAS SHALL BE WATERED DURING THE ESTABLISHMENT PERIOD.
14. DECIDUOUS TREES ARE TO BE SELECTED BY CALIPER INCH. "N/A" HAS BEEN DESIGNATED IN THE PLANT SCHEDULE FOR THE SIZE CATEGORY TO INDICATE THIS CRITERIA DOES NOT APPLY.
15. EVERGREEN TREES ARE TO BE SELECTED BY SIZE OF HEIGHT MINIMUM. "N/A" HAS BEEN DESIGNATED IN THE PLANT SCHEDULE FOR THE CALIPER (CAL) CATEGORY TO INDICATE THIS CRITERIA DOES NOT APPLY.

PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY	
	PA	Picea abies / Norway Spruce	B&B	N/A	12' Ht. Min.	8	7%
	PP	Picea pungens `Fat Albert` / Colorado Spruce	B&B	N/A	12' Ht. Min.	8	7%
	QM	Quercus macrocarpa / Burr Oak	B&B	2.5" Cal.	N/A	4	3%
	QS	Quercus shumardii / Shumard Red Oak	B&B	2.5" Cal.	N/A	4	3%
	UP	Ulmus americana `Princeton` / American Elm	B&B	2.5" Cal.	N/A	8	7%
SHRUBS	**CODE**	**BOTANICAL NAME / COMMON NAME**	**CONT**			**QTY**	
	AM	Aronia melanocarpa `Morton` TM / Iroquis Beauty Black Chokeberry	5 Gal.			21	18%
	JF	Juniperus chinensis `Sea Green` / Sea Green Juniper	5 Gal.			33	28%
	PD2	Physocarpus opulifolius `Diablo` / Diablo Ninebark	1 Gal.			23	20%
	WF	Weigela florida `Alexandra` TM / Weigela	5 Gal.			9	7%
					TOTAL:	117	100%

PLANTING TIME TABLE

Spring 2019 - Fall 2019

TYPE 1 PERIMETER BUFFER South Property Line - 450 LF
REQUIRED
Buffer Width 5'
Evergreen Trees = 1 / 50 ' = 9
25% Coverage Shrubs @ 4' o.c. =29
PROVIDED
Buffer Width 10' w/Berm
Evergreen Trees = 23
Shrubs = 65

ROW BUFFER
Waverly Road - 1040 LF
REQUIRED
Buffer Width 5'
Evergreen Trees = 1 / 50 ' = 21
25% Coverage Shrubs @ 4' o.c. = 65
PROVIDED
Buffer Width 10' w/Berm
Evergreen Trees = 23
Shrubs = 65



SITE TRIANGLE



Sheet
L01

Final Site Plan
15-0184
TSL Edgerton SE Entrance

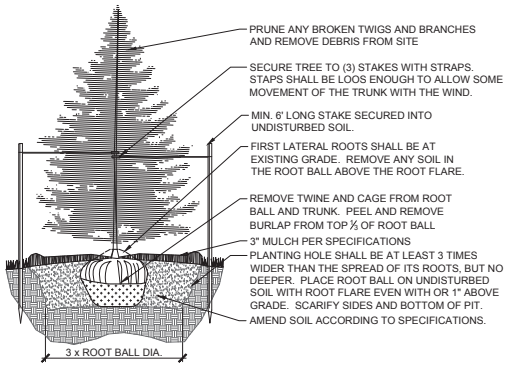
Landscape Plan

NO.	BY	CK	DATE	REVISION
4.	JMM	AC	03/26/19	PER COMMENTS
3.	JMM	AC	02/26/19	PER COMMENTS
2.	JMM	AC	1/10/2018	PER COMMENTS
1.	JMM	AC	10/23/18	ORIGINAL SUBMITTAL

Renaissance Infrastructure Consulting
8016 NW CANAL STREET, SUITE 100
RIVERSIDE, Missouri 64150
816.800.0950
www.RIC-CONSULT.com

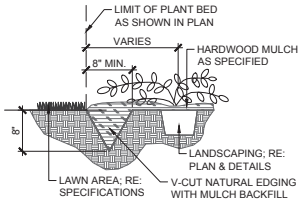
ANDREW C. GILBERT
LICENSED
714
3-25-19
KANSAS
LANDSCAPE ARCHITECT

Mar 25 , 2019 - 8:54am
Z:\RIC Design\2015\15-0184 TSL Edgerton Phase II\Dwg\15-0184 TSL Phase II Landscape 03-19-2019.dwg



EVERGREEN TREE PLANTING DETAIL
NTS

NOTES:
1. CONTRACTOR SHALL LOCATE AND MARK ALL PLANTBED LOCATIONS PRIOR TO EXCAVATING FOR FINAL APPROVAL BY OWNER OR LANDSCAPE ARCHITECT.
2. TRANSITION TO MULCH CONTAINMENT DETAIL AT ALL LOCATIONS ADJACENT TO CURBS & SIDEWALKS. RE: DETAIL, THIS SHEET.
3. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS PRIOR TO TRENCHING OR LANDSCAPE INSTALLATION.

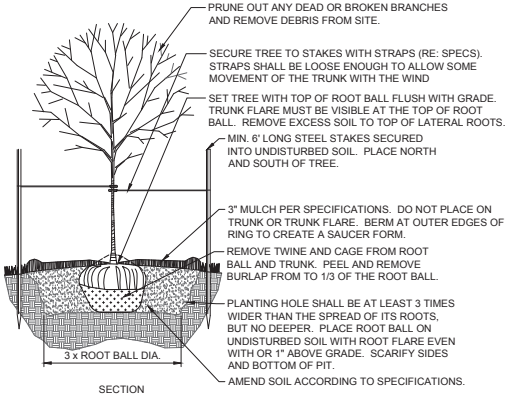


V-CUT / CULTIVATED EDGE
NTS



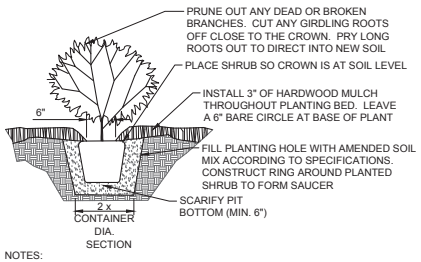
UTILITY BOX SCREENING DETAIL
NTS

NOTES:
1. TREES THAT DO NOT MEET THE SIZE REQUIREMENT WILL BE REJECTED
2. TREES SHALL BE INSPECTED BY OWNERS REPRESENTATIVE PRIOR TO INSTALLATION.



SECTION

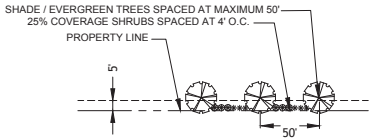
TREE PLANTING DETAIL
NTS



SECTION

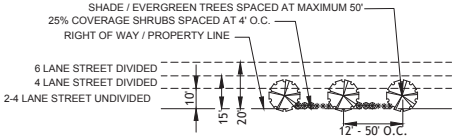
NOTES:
1. REFER TO SPECIFICATIONS FOR TOPSOIL BACKFILL MIX.
2. CONTRACTOR TO WATER THOROUGHLY AFTER PLANTING
3. INSTALLATION TO BE IN ACCORDANCE WITH PLANTING SPECIFICATIONS

SHRUB PLANTING DETAIL
NTS



MINIMUM PLANTING REQUIREMENTS
SHADE TREES: 2.5" CALIPER
EVERGREEN TREES: 6' TALL
SHRUBS: 24" TALL

TYPE 1 PERIMETER BUFFER
NTS



RIGHT OF WAY PLANTING REQUIREMENTS
2-4 LANE UNDIVIDED 10' BUFFER
4 LANE DIVIDED 15' BUFFER
6 LANE DIVIDED 20' BUFFER

MINIMUM PLANTING REQUIREMENTS
SHADE TREES: 2.5" CALIPER
EVERGREEN TREES: 6' TALL
SHRUBS: 24" TALL

RIGHT OF WAY BUFFER
NTS

Sheet
L02

Final Site Plan
15-0184
TSL Edgerton SE Entrance

Landscape Details

NO.	BY	CK'D	DATE	REVISION
4.	JMH	AG	10/23/19	PER COMMENTS
3.	JMH	AG	02/28/19	PER COMMENTS
2.	JMH	AG	11/27/18	PER COMMENTS
1.	JMH	AG	10/23/18	ORIGINAL SUBMITTAL

Renaissance Infrastructure Consulting
8015 NW CANAL STREET, SUITE 100
RIVERSIDE, MISSOURI 64150
816.800.0950
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774
12-25-19
KANSAS
LANDSCAPE ARCHITECT

Mar 21, 2019 - 2:10pm
Z:\RIC Design\2015\15-0184 TSL Edgerton Phase II\Dwg\15-0184 TSL Phase II Landscape 03-19-2019.dwg

Room Schedule					
Number	Name	Base Finish	Wall Finish	Floor Finish	Ceiling Finish
01	Driver's Lounge	4" rubber cove	Painted gyp. b'd	VCT	2x4 Suspended Acoustical
02	Men	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
03	Women	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
04	Hallway	4" rubber cove	Painted gyp. b'd	Carpet	2x4 Suspended Acoustical
05	Shop Foreman	4" rubber cove	Painted gyp. b'd	Carpet	2x4 Suspended Acoustical
06	Office	4" rubber cove	Painted gyp. b'd	Carpet	2x4 Suspended Acoustical
07	Women	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
08	Men	6" rubber cove	Epoxy Paint	VCT	2x4 Suspended Acoustical
09	Parts	4" rubber cove	Painted gyp. b'd	VCT	2x4 Suspended Acoustical
10	Warehouse	None	None	Concrete	None
11	Mech	4" rubber cove	Painted gyp. b'd	Concrete	2x4 Suspended Acoustical
12	Storage	None	Painted gyp. b'd	Deck	None

CEILING HEIGHT TO BE 9'.0" AFF

Wall Schedule		
Type Mark	Type	Type Comments
1a	Interior Partition-Metal Stud	3-5/8" Metal studs @ 16" o.c. w/ 3 1/2" fiberglass batt insulation and (1) layer 5/8" gyp. board each side. To 6" above ceiling
3a	Interior Furring wall metal studs	Furr out Columns
4a	Stone Veneer Wainscot	Thin Stone Veneer
5a	Exterior Wall - Metal Bldg w/ stucco finish	Per metal building mfr
6a	Interior Partition-Metal Stud 2	3-5/8" Metal studs @ 16" o.c. w/ 3 1/2" fiberglass batt insulation and (1) layer 5/8" gyp. board each side. To roof deck

Window Schedule					
Type Mark	Type	Height	Width	Sill Height	Count
1	36" x 48"	4' - 0"	3' - 0"		13

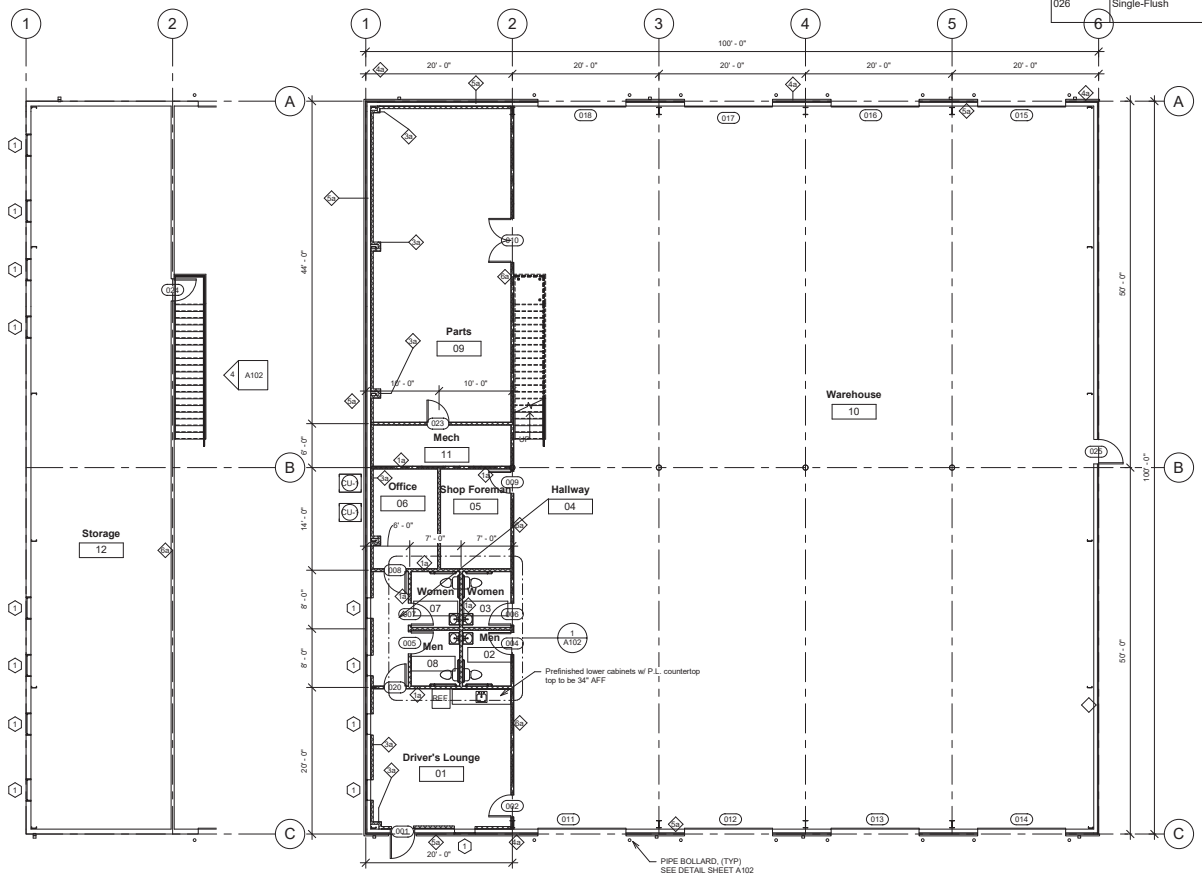
Door Schedule					
Mark	Family	Type	Door Finish	Frame Finish	hardware type
001	Single-Flush	3 x7 Exterior	HM	HM	Lockset w/ lever handles, strike plate, 1-1/2 hinges, closer, drip cap, gasketing, bottom sweep.
002	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 -1/2 pair hinges
004	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
005	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
006	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
007	Single-Flush	3 x 7 Toilet	HM	HM	Lockset w/ lever handles, strike plate, 1 - 1/2 pair hinges, closer.
008	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 -1/2 pair hinges
009	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 -1/2 pair hinges
010	Double-Flush	6x7 Interior	WD	HM	Lockset w/ lever handles, strike plate, 2 -1/2 pair hinges
011	Door-Overhead-Sectional	12 x 16	---	---	
012	Door-Overhead-Sectional	12 x 16	---	---	
013	Door-Overhead-Sectional	12 x 16	---	---	
014	Door-Overhead-Sectional	12 x 16	---	---	
015	Door-Overhead-Sectional	12 x 16	---	---	
016	Door-Overhead-Sectional	12 x 16	---	---	
017	Door-Overhead-Sectional	12 x 16	---	---	
018	Door-Overhead-Sectional	12 x 16	---	---	
020	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 -1/2 pair hinges
023	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 -1/2 pair hinges
024	Single-Flush	3 x 7 Office	WD	HM	Lockset w/ lever handles, strike plate, 1 -1/2 pair hinges
025	Single-Flush	3 x7 Exterior	HM	HM	Lockset w/ lever handles, strike plate, 1-1/2 hinges, closer, drip cap, gasketing, bottom sweep.
026	Single-Flush	3 x7 Exterior	HM	HM	Lockset w/ lever handles, strike plate, 1-1/2 hinges, closer, drip cap, gasketing, bottom sweep.

HM = 16 GA. HOLLOW METAL, PAINTED
WD = SOLID CORE RED OAK, STAINED
AL = ANODIZED ALUMINUM
IRP = IMPACT RESISTANT PLASTIC

HARDWARE SHALL BE MEDIUM DUTY COMMERCIAL GRADE. DOOR HARDWARE SHALL CONSIST OF BUTTS, LATCHSET OR LOCKSET, SILENCERS, SMOKE GASKETING FOR RATED DOORS, CLOSERS WHERE NOTED, PANIC DEVICES WHERE NOTED. EXTERIOR DOORS SHALL ALSO HAVE THRESHOLD, WEATHERSTRIPPING, SWEEP AND KEYED LOCK. CONTRACTOR SHALL COORDINATE ALL LATCH/LOCK FUNCTIONS AND KEYING OF LOCKS WITH OWNER. MAX. THRESHOLD = 1/2". ALL HARDWARE TO BE LEVER TYPE OR PUSH/PULL. ALL DOORS IN EGRESS PATHWAYS SHALL BE FREE TURNING FOR EXITING.

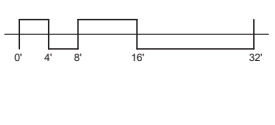
GLASS IN DOORS AND SIDELIGHTS SHALL BE SAFETY GLASS PER IBC SEC. 2406.1

OVERHEAD DOORS SHALL MEET DASMA WIND LOAD REQUIREMENTS



3 Mezzanine Floor Plan
1/8" = 1'-0"

1 Floor Plan
1/8" = 1'-0"





scharhag
HERMAN A SCHARHAG COMPANY, ARCHITECTS
6247 Brookside Blvd, #204 Kansas City, Mo 64113
Phone: 816-656-5055 Scharhag@att.net

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NEW BUILDING FOR
TSL EDGERTON
191st AND WAVERLY ROAD

J Jeffry Schrader Ks. Licence 2878
Herman Scharhag Co., Architects Cert. of Authority 7045149

No.	Description	Date
	Revision Schedule	

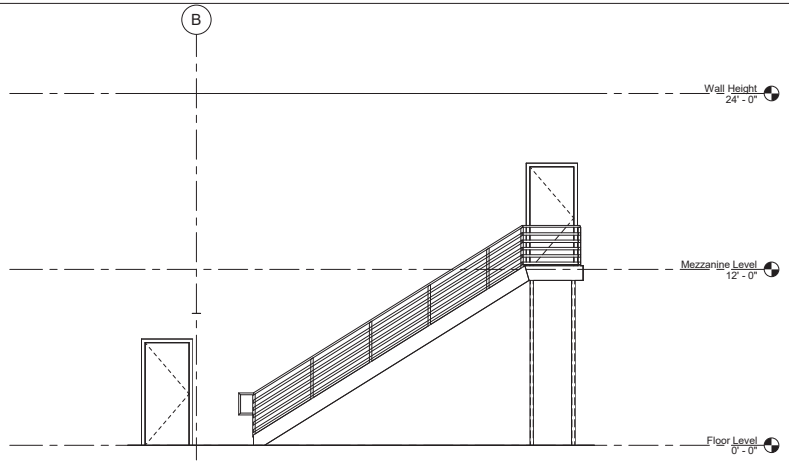
Floor Plan

Project number 2141
Date 02.15.2019

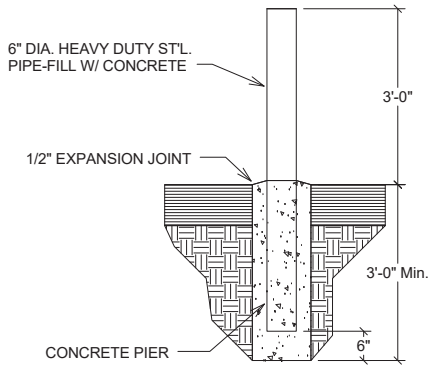
A101

Scale 1/8" = 1'-0"

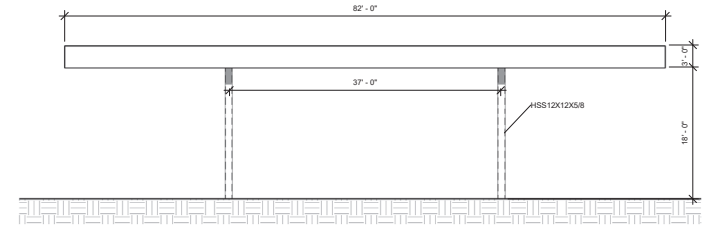
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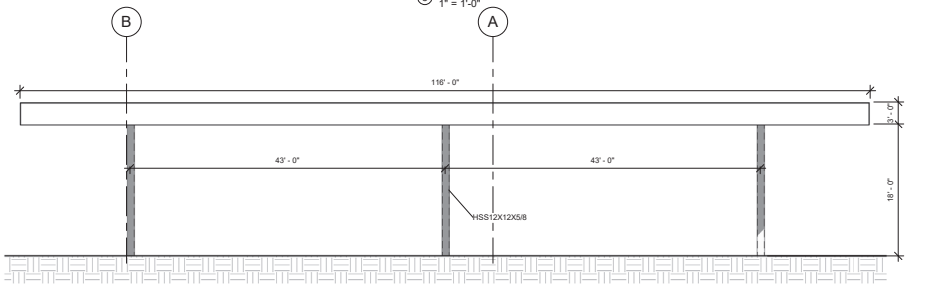
4 Stair Detail
1/4" = 1'-0"



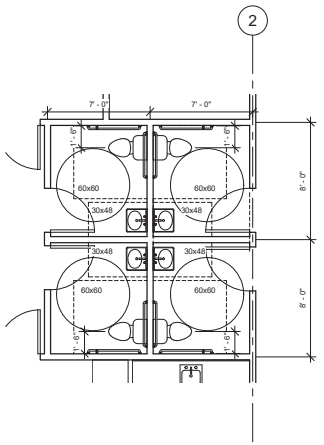
3 Pipe Bollard Detail
1" = 1'-0"



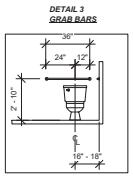
5 Canopy End View
1/8" = 1'-0"

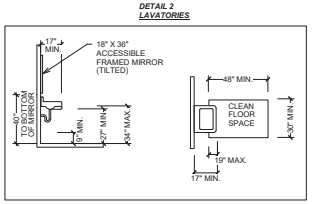


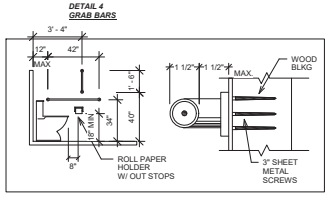
6 Canopy Side View
1/8" = 1'-0"



1 ADA Toilet Detail
1/4" = 1'-0"







2 ADA Toilet Notes
1/4" = 1'-0"

SANITARY FACILITIES ICC/ANSI A117.1-2009

1. ***GENERAL*** **- PROVIDE SUFFICIENT SPACE IN THE BATHROOM FOR A WHEELCHAIR MEASURING 30" WIDE X 48" LONG TO ENTER THE ROOM AND PERMIT THE DOOR TO CLOSE. THERE SHALL BE ROOM FOR A 60" DIA. TURNING CIRCLE AS SHOWN ON PLAN. THE WATER CLOSET SHALL BE LOCATED IN A SPACE WHICH PROVIDES A 60" WIDE CLEAR SPACE FROM A FIXTURE OR A WALL AT ONE SIDE AND 60" OF CLEAR SPACE IN FRONT OF THE WATER CLOSET.**
2. ***DOORS*** **- SANITARY FACILITY DOORS SHALL HAVE AN AUTOMATIC CLOSING DEVICE & BE 3'.0" WIDE**
3. ***GRAB BARS*** **- GRAB BARS SHALL BE AS PER DETAIL 3 & 4 AND SHALL BE CAPABLE OF CARRYING 250 LBS PER FT.**
4. ***LAVATORY*** **- LAVATORY HEIGHTS AND CLEARANCES SHALL COMPLY WITH DETAIL 2. INSULATE HOT WATER AND DRAIN PIPES UNDER LAVATORIES. NO SHARP OR ABRASIVE SURFACES ARE ALLOWED UNDER LAVATORIES. FAUCET CONTROLS AND OPERATING MECHANISMS ARE REQUIRED TO BE OPERABLE WITH ONE HAND AND CAN NOT REQUIRE GRASPING, PINCHING OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS IS NOT TO EXCEED 5 LB. LEVER-OPERATED, PUSH-TYPE, AND ELECTRONICALLY CONTROLLED MECHANISMS ARE EXAMPLES OF ACCEPTABLE DESIGNS. SELF-CLOSING VALVES ARE ALLOWED IF THE FAUCET REMAINS OPEN FOR AT LEAST 10 SECONDS.**
5. ***ACCESSORIES*** **- IF MIRRORS, PAPER TOWEL, SANITARY NAPKIN, WASTE RECEPTACLES AND SIMILAR DISPENSING AND DISPOSAL FIXTURES ARE PROVIDED, AT LEAST ONE OF EACH TYPE IS TO BE LOCATED WITH BOTTOM MAX. 40 INCHES ABOVE THE FLOOR.**
6. ***FINISHES*** **- FLOOR FINISH SHALL BE VCT WITH 6" RUBBER COVE BASE. WALL FINISHES WILL BE EPOXY PAINT**
7. ***URINAL*** **- IF PROVIDED, URINAL LIP SHALL BE MAX. 17" ABOVE FLOOR WITH A CLEAR SPACE OF 30" WIDE X 48" IN FRONT OF URINAL.**

scharhag
HERMAN A SCHARHAG COMPANY, ARCHITECTS
6247 Brookside Blvd, #204 Kansas City, Mo 64113
Phone: 816-656-5055 Scharhag@att.net

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NEW BUILDING FOR
TSL EDGERTON
191st AND WAVERLY ROAD

J Jeffry Schrader Ks. Licence 2678
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No.	Description	Date
	Revision Schedule	

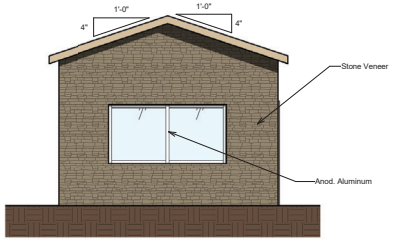
Architectural Details

Project number 2141
Date 02.15.2019

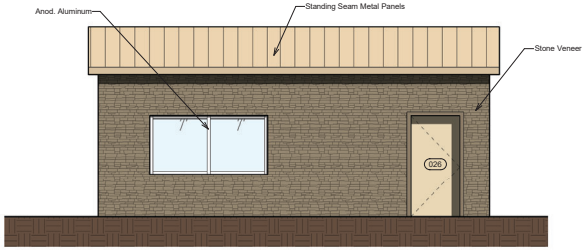
A102

Scale As indicated

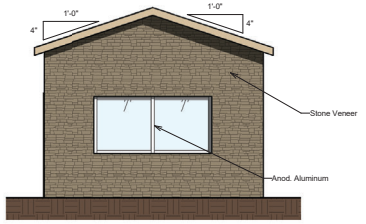
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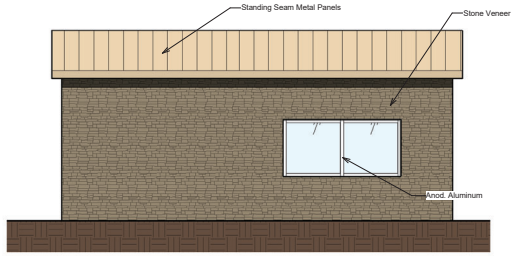
3 Elevation 2 - a
1/4" = 1'-0"



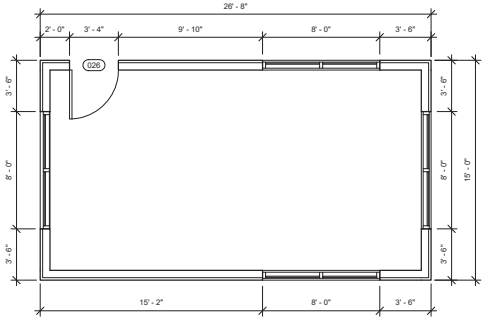
2 Elevation 1 - a
1/4" = 1'-0"



5 Elevation 4 - a
1/4" = 1'-0"



4 Elevation 3 - a
1/4" = 1'-0"



1 Guard Shack Floor Plan
1/4" = 1'-0"

scharhag
HERMAN A. SCHARHAG COMPANY, ARCHITECTS
6247 Brookside Blvd, #204 Kansas City, Mo 64113
Phone: 816-656-5055 Scharhag@att.net

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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

J Jeffry Schrader Ks. Licence 2878
Herman Scharhag Co., Architects Cert. of Authority 7045149

No.	Description	Date
1	City Comments	2.15

Revision Schedule

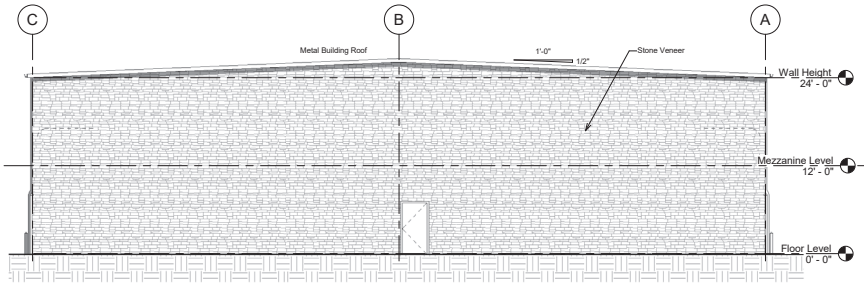
Guard Shack Plans

Project number 2141
Date 02.15.2019

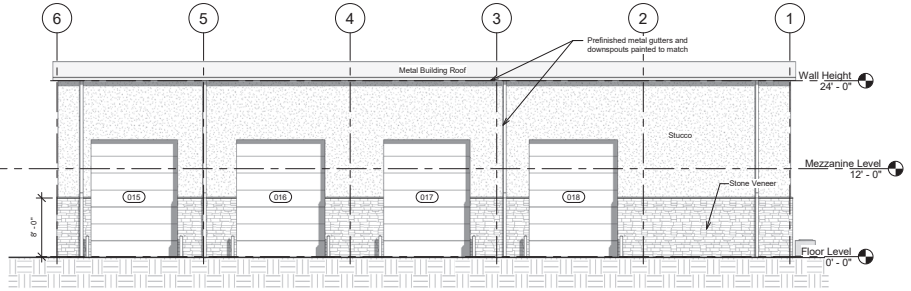
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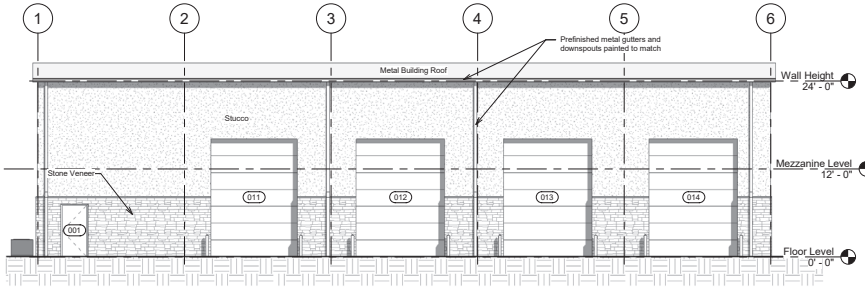
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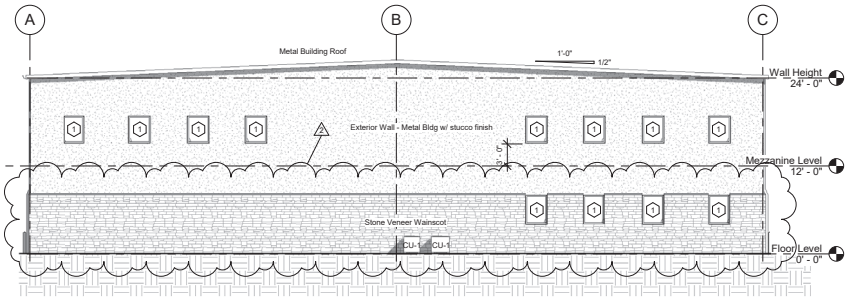
1 East
1/8" = 1'-0"



2 North
1/8" = 1'-0"



3 South
1/8" = 1'-0"



4 West
1/8" = 1'-0"

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HERMAN A. SCHARHAG COMPANY, ARCHITECTS
6247 Brookside Blvd, #204 Kansas City, Mo 64113
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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

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Herman Scharhag Co., Architects Cert. of Authority 7045149

No.	Description	Date
2	City Comments	3.21
1	City Comments	2.15

Revision Schedule

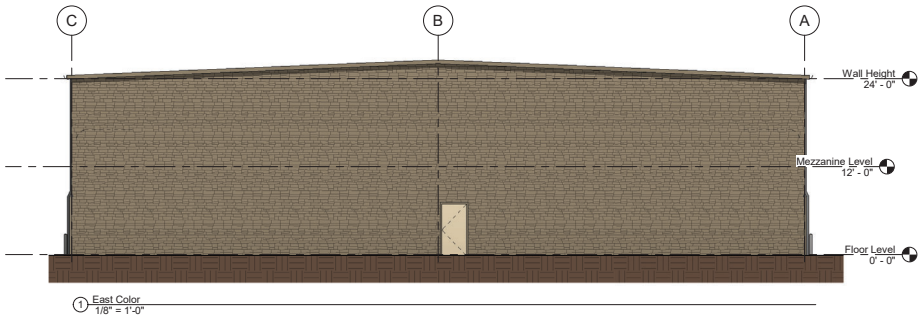
Elevations

Project number	2141
Date	02.15.2019

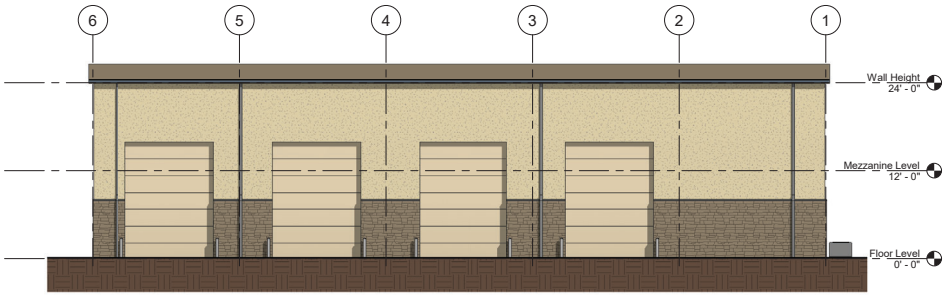
A201

Scale 1/8" = 1'-0"

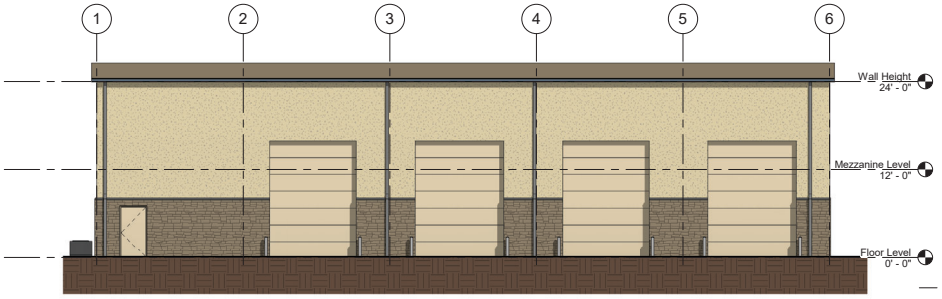
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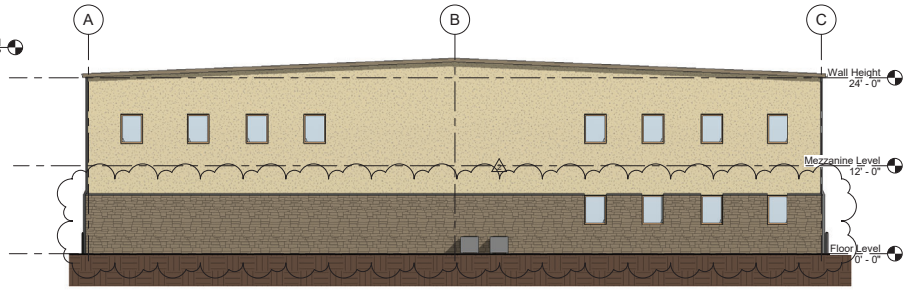
1 East Color
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2 North Color
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3 South Color
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4 West Color
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scharhag
HERMAN A. SCHARHAG COMPANY, ARCHITECTS
6247 Brookside Blvd, #204 Kansas City, Mo 64113
Phone: 816-656-5055 Scharhag@att.net

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NEW BUILDING FOR

TSL EDGERTON

191st AND WAVERLY ROAD

J Jeffry Schrader Ks. Licence 2878
Herman Scharhag Co., Architects Cert. of Authority 7045149

No.	Description	Date
2	City Comments	3.21
1	City Comments	2.15

Revision Schedule

Colored Elevations

Project number 2141

Date 02.15.2019

A202

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February 5, 2020

TO: Planning Commission Members

FROM: Beth Linn, City Administrator

SUBJECT: Economic Impact Analysis

On January 12th, the Edgerton Planning Commission directed staff to assemble a presentation of the possible economic impacts on the applicant properties and to neighboring properties as a result of the requested rezoning. In preparing that presentation staff has used Criteria No. 15 "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. The analysis below starts by examining the economic impact of the properties requested to be rezoned. The analysis then continues to get broader in nature to address the economic impact of the adjacent properties and finally the economic impact more regionally.

Economic Impact of Parcels Requested to be Rezoned

Property Tax Revenues

To determine the economic impact of the parcels requested to be rezoned the City's Financial Advisor, Columbia Capital Management (CCM), prepared the chart below of actual and projected revenues generated to all taxing jurisdictions for these properties. Below is a chart summarizing those revenues.

- Current Tax Generation - amount of taxes paid now based on 2020 mill levy rate and current appraised value
- Abatement Tax Generation – projected amount of taxes paid if the properties were developed as logistics park using a similar structure to other LPKC projects
- Post-Abatement Tax Generation – projected amount of taxes paid if the properties were developed as logistics park using a similar structure to other LPKC projects once the abatement expires (after ten years) based on estimated full appraised value

Taxing Jurisdiction	2020 Levy Rate	Current Tax Generation	Abatement Tax Generation	Post-Abatement Tax Generation
USD 231 (Non-Capital)	64.682	$6,346	$633,663	$7,837,599
USD 231 (Capital)	8.000	$785	$969,370	$969,370
JCCC	9.191	$902	$90,041	$1,113,685
City of Edgerton	30.381	$2,981	$297,630	$3,681,304
JoCo Fire #1	17.807	$1,747	$174,448	$2,157,696
JoCo Library	3.905	$383	$38,256	$473,174
JoCo Parks	3.093	$303	$30,301	$374,783
Johnson County	18.799	$1,844	$184,166	$2,277,898
State of Kansas	1.500	$147	$14,695	$181,757
TOTAL	**157.358**	**$15,439**	**$2,432,570**	**$19,067,266**

Note – NO site plan has been filed at the City for any of these properties. However, in order to complete the analysis of economic impact requested by the Planning Commission staff used logistics park development patterns similar to other areas of LPKC. Any development of these properties would still require all the development process steps to be completed, including but not limited to applications, public hearings, required approvals, etc.

Job Creation

Since opening in 2013, Logistics Park Kansas City has created 4,600 new direct jobs in Edgerton. These jobs range widely in responsibility from warehouse associates and forklift operators to human resources, distribution center managers and even corporate officers.

According to the Economic Policy Institute in January 2019, for every 100 jobs created in the transportation and warehousing sector, there are 276 indirect jobs created in “supplier and inducted jobs.” Using this multiplier, a total of 12,696 indirect jobs have been created. Adding direct and indirect job together results in 17,296 job created by LPKC.

Economic Impact to Adjacent Properties

In preparing this portion of the analysis, staff analyzed historical property valuations of residential property (traditional single family, two family/duplex and large lot rural single family) adjacent to the development of warehouse and distribution centers, manufacturing or other similar uses. Staff focused on two example areas for this analysis: area adjacent to Logistics Park Kansas City (LPKC) development in Edgerton; and area adjacent to I-35 Logistics Park/New Century Air Center development in Olathe. Below is a summary of the analysis. All property valuation data was provided by Johnson County.

Adjacent to LPKC/Edgerton

This analysis focuses on several types of residential development adjacent to Logistics Park Kansas City (LPKC). LPKC Phase I (north of Interstate 35) began construction in 2013. LPKC Phase II (south of Interstate 35) began construction in 2018.

- Traditional Single Family and Two Family/Duplex Residential – Staff analyzed property valuation data adjacent to LPKC Phase I in the BlueHawk and Genesis Farms developments located north of 181st Street and just east of the Edgerton city limits, which started in 2003. This area developed before, during and after LPKC.
    - This area had 85 new housing starts after LPKC opened in 2013.
    - The average appraised value in this area for properties constructed prior to 2013 increased 53% from 2013 to 2020. For those constructed after 2013, the average appraised value increased 48%.
    - In 2013, the average appraised value for properties in the area was $132,775.
    - In 2020, the average appraised value for properties in this area is $210,986.

- Traditional Single Family – Staff also examined valuation data in the Sherman Estates development located south of 181st Street just east of the Edgerton city limits. This area generally developed prior to the start of LPKC.
    - While most of the development was constructed prior to 2013, there were 6 new housing starts since 2013.
    - The average appraised value in this area for properties constructed prior to 2013 increased 45% from 2013 to 2020. For those constructed after 2013, the average appraised value increased 22%.
    - In 2020, the average appraised value for properties in this area was $258,517.

- Large Lot Rural Single Family Residential – Staff analyzed property valuation data for large lot rural single family residential properties located within LPKC and/or the Overweight Corridor (i.e. along 191st Street, Waverly Road, Homestead Lane, Four Corners Road).
    - The average appraised value for large lot rural single family residential within LPKC and/or in the Overweight Corridor has increased 697% since 2013.
    - In 2013, the average appraised value for properties in the area was $101,724.
    - In 2020, the average appraised value for properties in this area is $447,090.

- Large Lot Rural Single Family Residential – Staff analyzed property valuation data for large lot rural single family residential properties in the Peppertree neighborhood south of 199th Street and east of Homestead Lane. Most of these properties were developed before LPKC opened in 2013. One property in Peppertree was built in 2014.
    - The average appraised value for large lot rural single family residential in the Peppertree neighborhood has increased 56% since 2013.
    - In 2013, the average appraised value for properties in the area was $234,635.
    - In 2020, the average appraised value for properties in this area is $369,048.

- Large Lot Rural Single Family Residential – Staff analyzed property valuation data for large lot rural single family residential properties adjacent to LPKC Phase II across the street from the Kubota North American Distribution Center (207th Street from Homestead Lane to Waverly Road). Kubota began construction in 2018.
    - The average appraised value in this area has increased 13% since 2018.
    - In 2018, the average appraised value for properties in the area was $242,026.
    - In 2020, the average appraised value for properties in this area is $266,771.

Adjacent to I-35 Logistics Park/New Century Air Center

This area includes several uses similar and more intensive uses than what is permitted in the City of Edgerton Logistics Park (L-P) District such as warehouse and industrial at I-35 Logistics Park; various manufacturing at New Century Air Center; and an asphalt plant and quarry at Hamm Asphalt Plant and Quarry.

- Traditional Single Family Residential – This analysis examines property valuation data for the Reserve at Prairie Highlands development north of 151st Street and South Clare Road within one-half mile to the I-35 Logistics Park development and within one mile of New Century Area Center. This area developed before, during and after the development of the I-35 Logistics Park and New Century Air Center.
    - The average appraised value for traditional single family residential property constructed prior to 2013 has increased 34%.
    - This area included 76 new housing starts since 2013.
    - Average appraised value for homes constructed after 2013 have increased by 51%.
    - In 2013, the average appraised value for properties in the area was $265,616.
    - In 2020, the average appraised value for properties in this area is $351,103.

Economic Impact for Region

Finally, development of Logistics Park Kansas City has driven significant private investment regionally as well. Commercial construction projects in our neighboring jurisdictions including development of the Hampton Inn, Groundhouse South, Olathe Health Gardner Edgerton Urgent Care and the future Quik Trip in Gardner. Just down Interstate 35, the City of Wellsville is home to the newly constructed Bert's Truck Plaza, a full service truck stop with large parking area for trucks, truck wash on site, large drivers lounge, private showers and laundry machines. Located next to Bert's is the home of Keim Trucking including their commercial drivers license (CDL) training center.

Neighboring jurisdictions have also experienced significant growth in housing starts. Since LPKC opened in 2013, the City of Gardner had 879 residential building permits issued (both single family and multi family) and the City of Spring Hill had 702 residential building permits issued. While not all of these can be attributed directly to the development of Logistics Park Kansas City, certainly there is a link between growth in employment opportunity in this area with the demand for housing options in close proximity.

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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-02 -** Rezoning of a parcel of land generally located southeast of the intersection of West 199th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Wellsville Farms, LLC, 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located near the southeast corner of S Gardner Road and W 199th Street.
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	106.13 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red or blue on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels adjacent to the subject property. The green denotes Johnson County Rural (RUR) and City of Gardner – Agricultural (A) zoning designations. The light yellow indicates Johnson County Residential Low Density (RLD) zoned parcels. The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line.

Figure 1

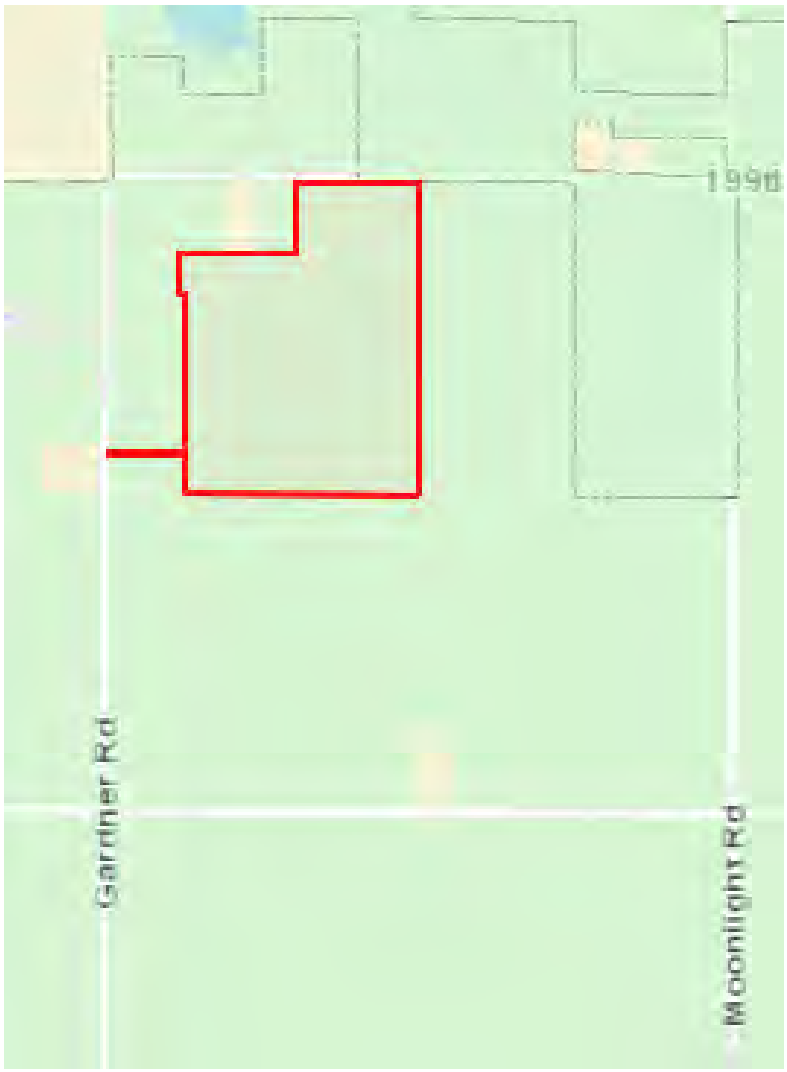


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east, south and west sides of the subject property are parcels located in unincorporated Johnson County. The majority of those parcels are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. There is one (1) parcel on the west side of the subject property that is zoned RLD. RLD zoned parcels are for single-family dwellings with a three (3) acre minimum lot size. North of the subject property there is one RLD zoned parcel as well. The northeast side of the subject parcel is adjacent to the City of Gardner. The zoning on those bordering parcels located in the City of Gardner is A, or Agricultural. Per the City of Gardner's website, the "Agricultural District provides agricultural and related uses in a manner that preserves the natural and open character of land, where infrastructure and facilities supporting development will not be provided within a reasonable time."

The subject property is outlined in red in the figures below.

Figure 2

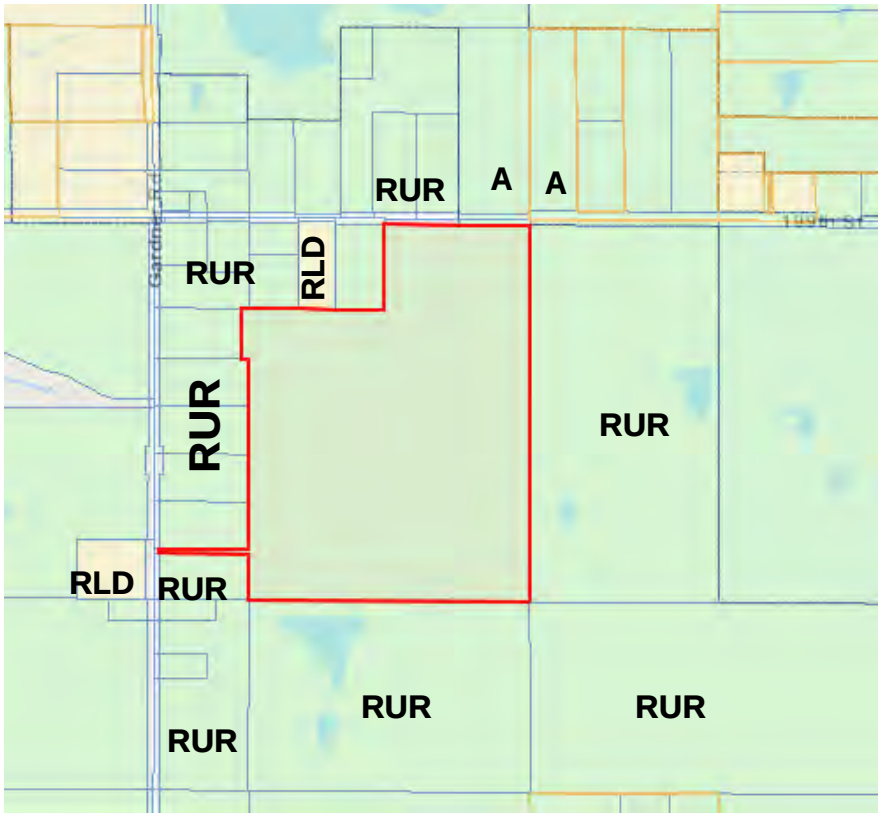


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.63 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.1 miles from I-35.

Figure 3

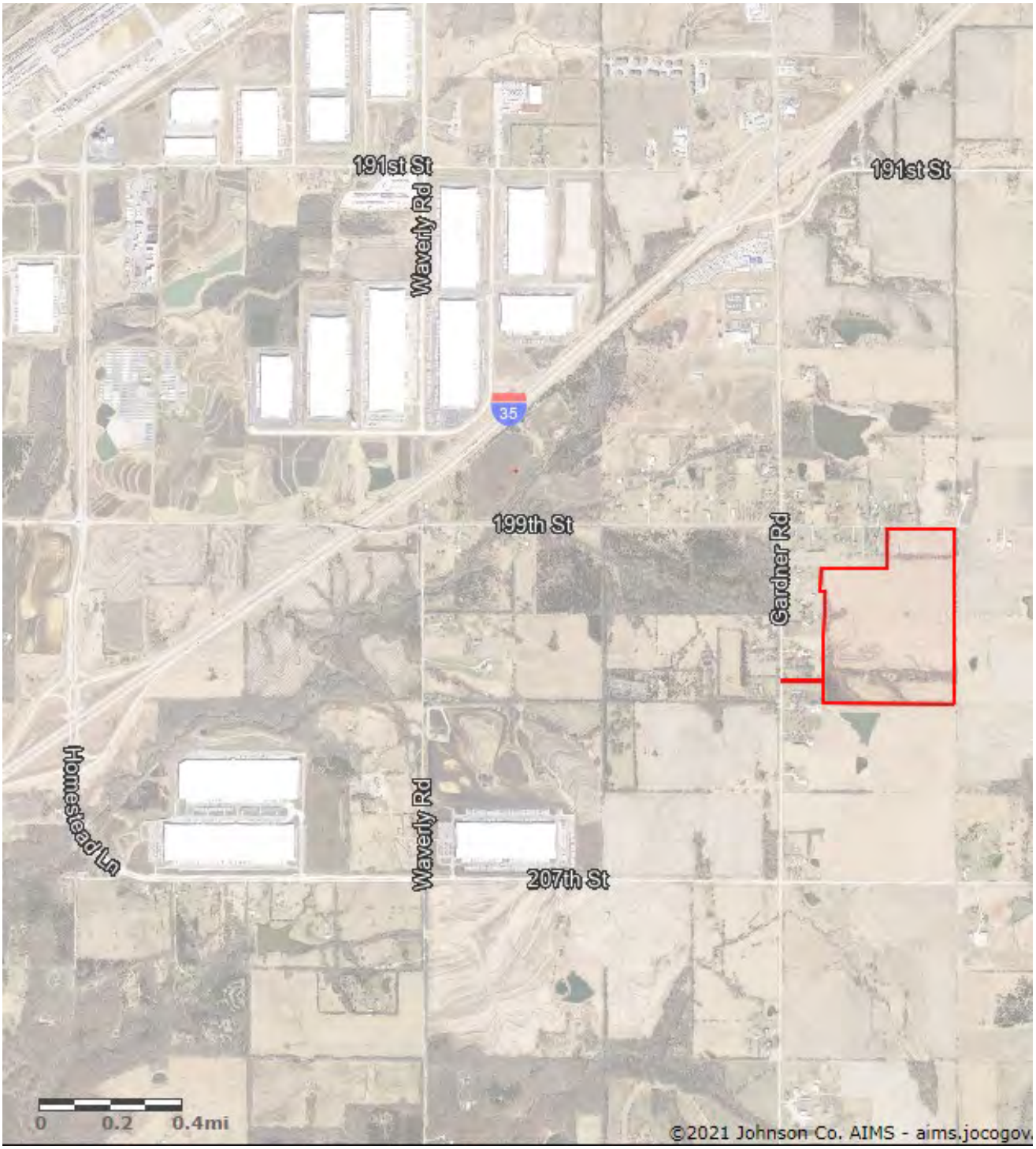
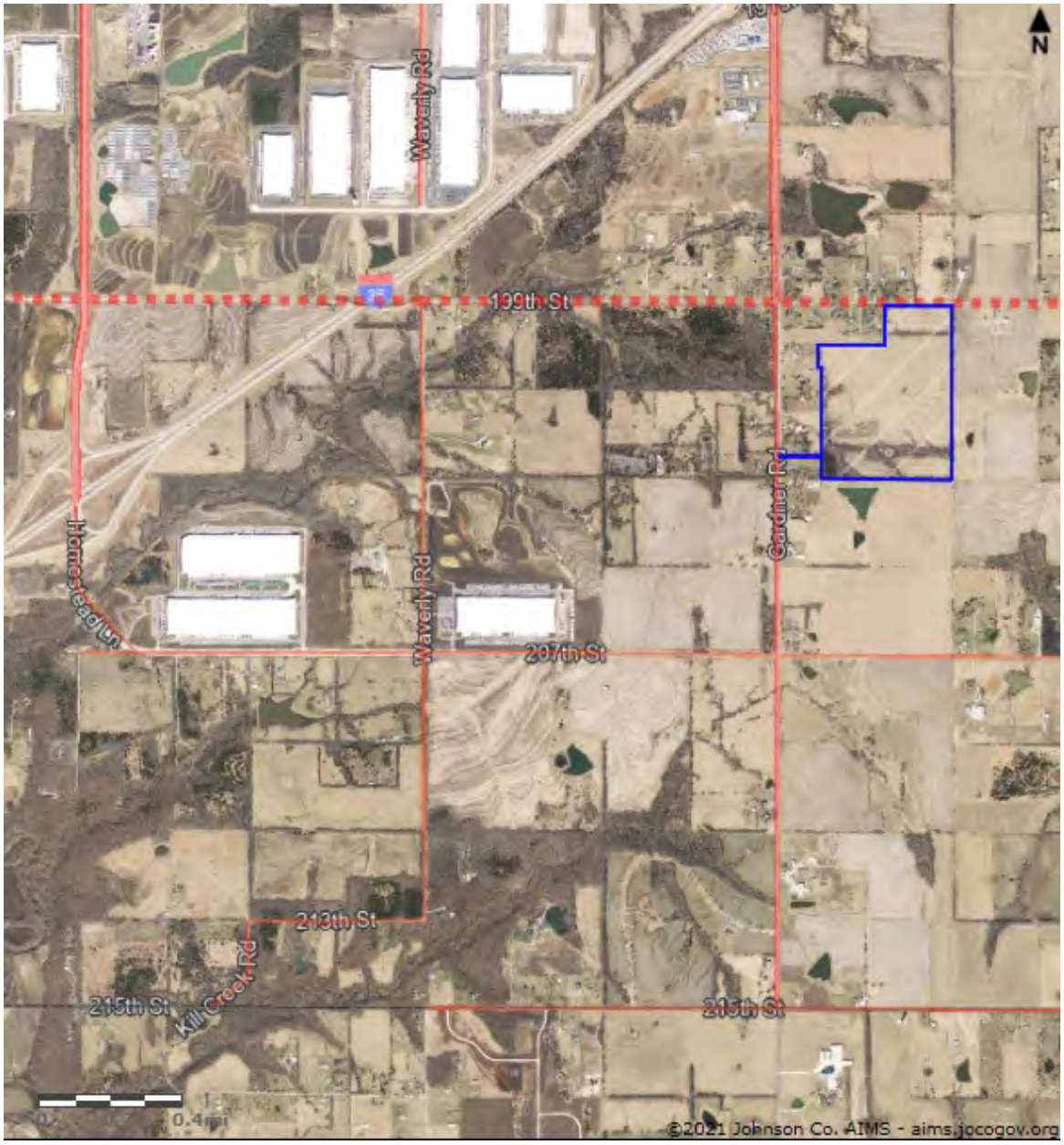


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



CARNP Roads
- Type I / 2 Lanes 120ft. ROW
- Type II / 2 Lanes 120ft. ROW
- Type II / 4 Lanes 120ft. ROW
- Type III / 2 Lanes 150-200ft. ROW
- Type III / 4 Lanes 150-200ft. ROW

INFRASTRUCTURE AND SERVICES

1. Access to the parcel is currently from 199th Street on the north and Gardner Road on the west.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently. Any development would connect to the City of Edgerton sanitary sewer system.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it

does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (106 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a

holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Today 199th Street is a two-lane road from Waverly Road to Moonlight Road. However, the Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type III/4-Lane Arterial Roadway designation to 199th Street and designates it as a main throughway. As this area continues to develop, 199th will be a crucial component to providing transportation access across southern Johnson County. Additionally, Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water**

pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.1 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:
City staff recommends **approval** of proposed rezoning **Application ZA2020-02** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:
- Rezoning Application ZA2020-02.
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located near SE Corner of 199th and Gardner Road. Reference attached for location and property boundaries

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Wellsville Farms, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st Street, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st Street, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal Street, Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-02 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

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of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-02

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 2020.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 2020.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

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Property Information for 2F221512-1001

Tax Property ID	2F221512-1001	*KS Uniform Parcel #*	0462011202001001000
Situs Address	Not Available	*Acres*	105.15 (4,580,320.96 ft^2)
Owner1 Name	WELLSVILLE FARMS LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9010	*Neighborhood Code*	804.5
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U12 (T-R-S: 15-22-12)	*Quarter Section*	NW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	4
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0135G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 12-15-22 NW1/4 EX BG NW CR E 1005' S 630' W 395' S 350' E 50' S 1320' W 660' N 2300' TO POB & EX BG NW CR E 1258' E 344' X S 630' & EX BG SW CR N 310' X W 660' EX 3.659 AC & EX .93 AC IN ST 106.756 ACS M/L

Property Map for 2F221512-1001

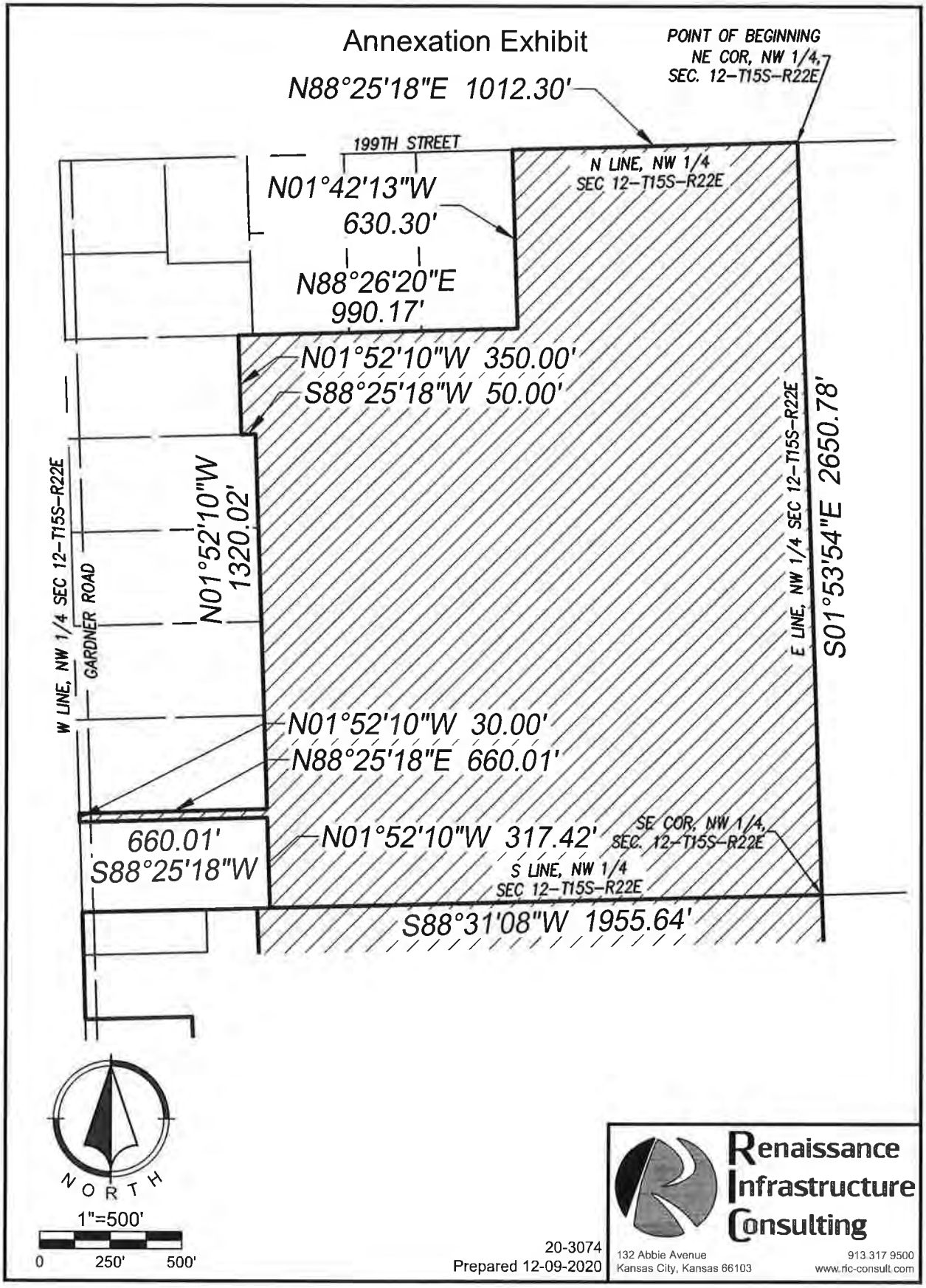


Property Description:

All that part of the Northwest Quarter of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, more particularly described as follows:

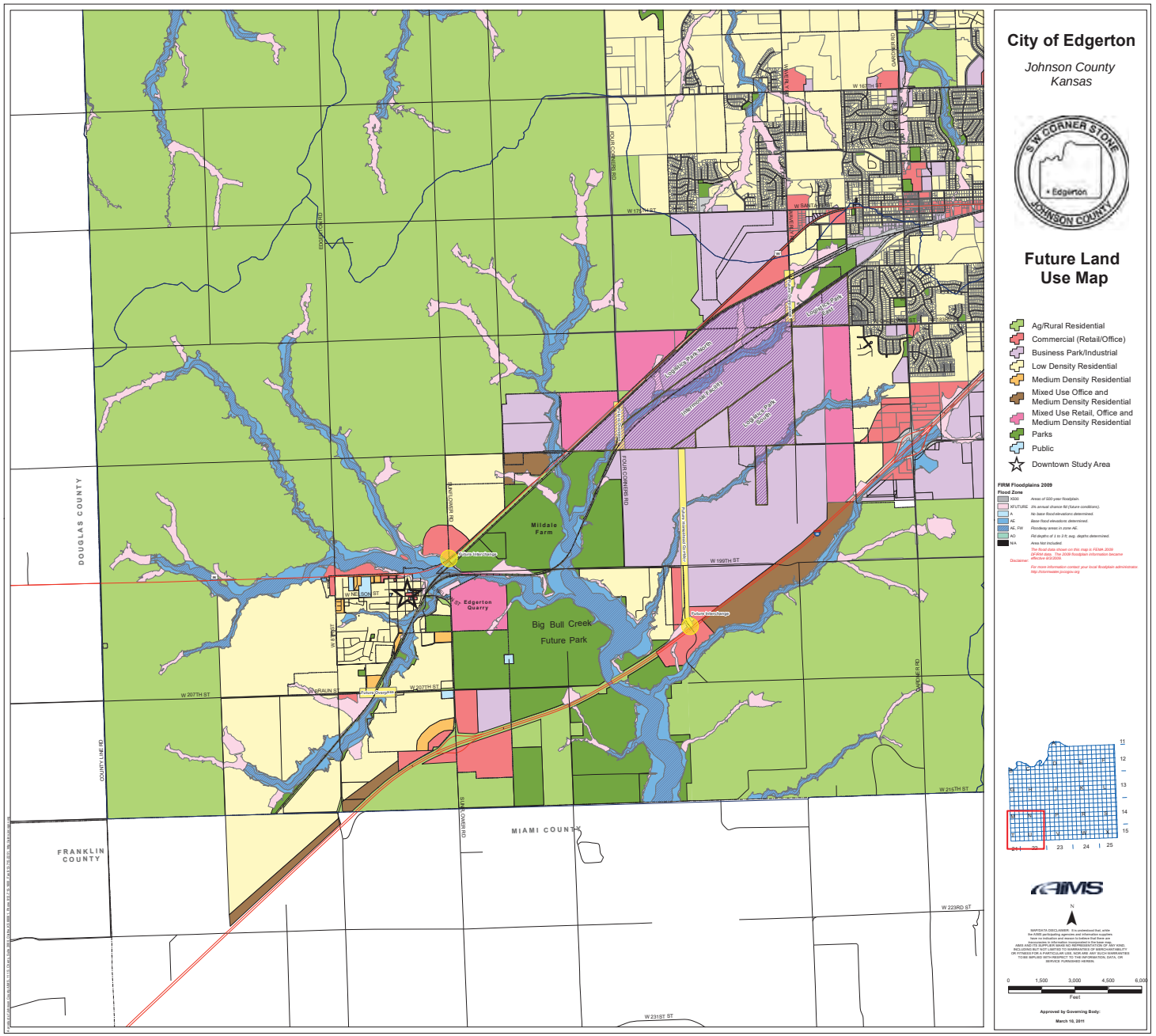
Beginning at the Northeast corner of said Northwest Quarter; thence South 01°53'54" East, coincident with the East line of said Northwest Quarter, a distance of 2,650.78 feet to the Southeast corner thereof; thence South 88°31'08" West, coincident with the South line of said Northwest Quarter, a distance of 1,955.64 feet to a point 660 feet east of the West line of said Northwest Quarter as measured at right angles thereto; thence North 01°52'10" West, parallel with the West line of said Northwest Quarter, a distance of 317.42 feet to a point 2,330 feet south of the North line of said Northwest Quarter as measured at right angles thereto; thence South 88°25'18" West, parallel with said North line, a distance of 660.01 feet to a point on the West line of said Northwest Quarter; thence North 01°52'10" West, coincident with said West line, a distance of 30.00 feet to a point 2,300 feet south of the North line of said Northwest Quarter as measured at right angles thereto; thence North 88°25'18" East, parallel with said North line, a distance of 660.01 feet to a point 660 feet east of the West line of said Northwest Quarter as measured at right angles thereto; thence North 01°52'10" West, parallel with said West line, a distance of 1,320.02 feet to a point 980 feet south of the North line of said Northwest Quarter as measured at right angles thereto; thence South 88°25'18" West, parallel with said North line, a distance of 50.00 feet to a point 610 feet east of the West line of said Northwest Quarter as measured at right angles thereto; thence North 01°52'10" West, parallel with said West line, a distance of 350.00 feet to a point 630 feet south of the North line of said Northwest Quarter as measured at right angles thereto; thence North 88°26'20" East, a distance of 990.17 feet; thence North 01°42'13" West a distance of 630.30 feet to a point on the North line of said Northwest Quarter; thence North 88°25'18" East, coincident with said North line, a distance of 1,012.30 feet to the Point of Beginning, containing 4,623,083 square feet, or 106.131 acres, more or less.

Annexation Exhibit



20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

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MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-03 -** Rezoning of a parcel of land generally located northeast of the intersection of West 207th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Hillsdale Land & Cattle LLC, 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located east of Gardner Road and between 199th Street and 207th Street.
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	59.51 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red or blue on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels adjacent to the subject property. The green indicates Johnson County Rural (RUR) and City of Gardner – Agricultural (A) zoning designations. The light yellow indicates Johnson County Residential Low Density (RLD) zoned parcels. The purple is City of Edgerton Logistics Park (L-P) zoning. The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line.

Figure 1

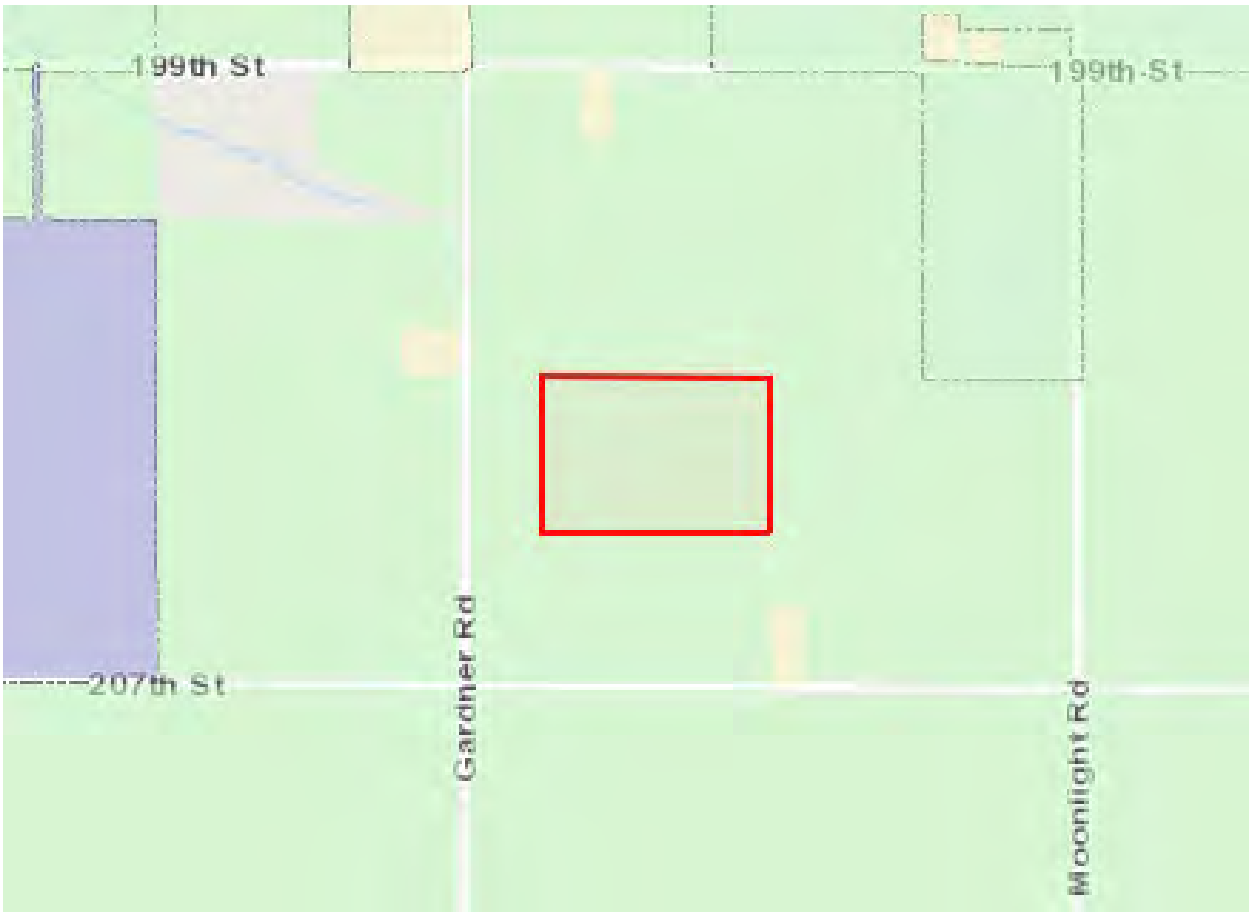


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east and west sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned Rural (RUR). Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. The parcels to the north and south of the subject property are currently zoned RUR. However, rezoning Applications ZA2020-02 and ZA2020-04 have been received which request rezoning to City of Edgerton Logistics Park (L-P) zoning.

Figure 2

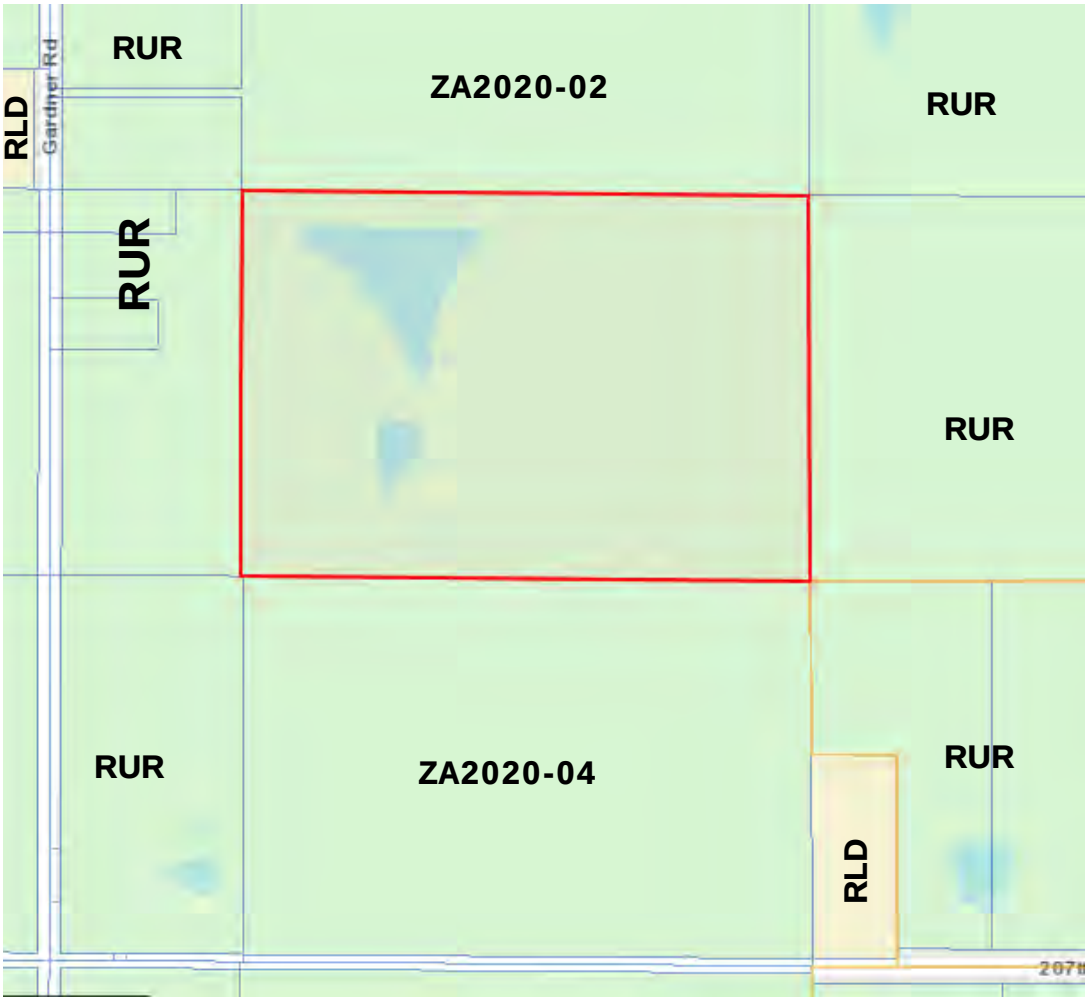


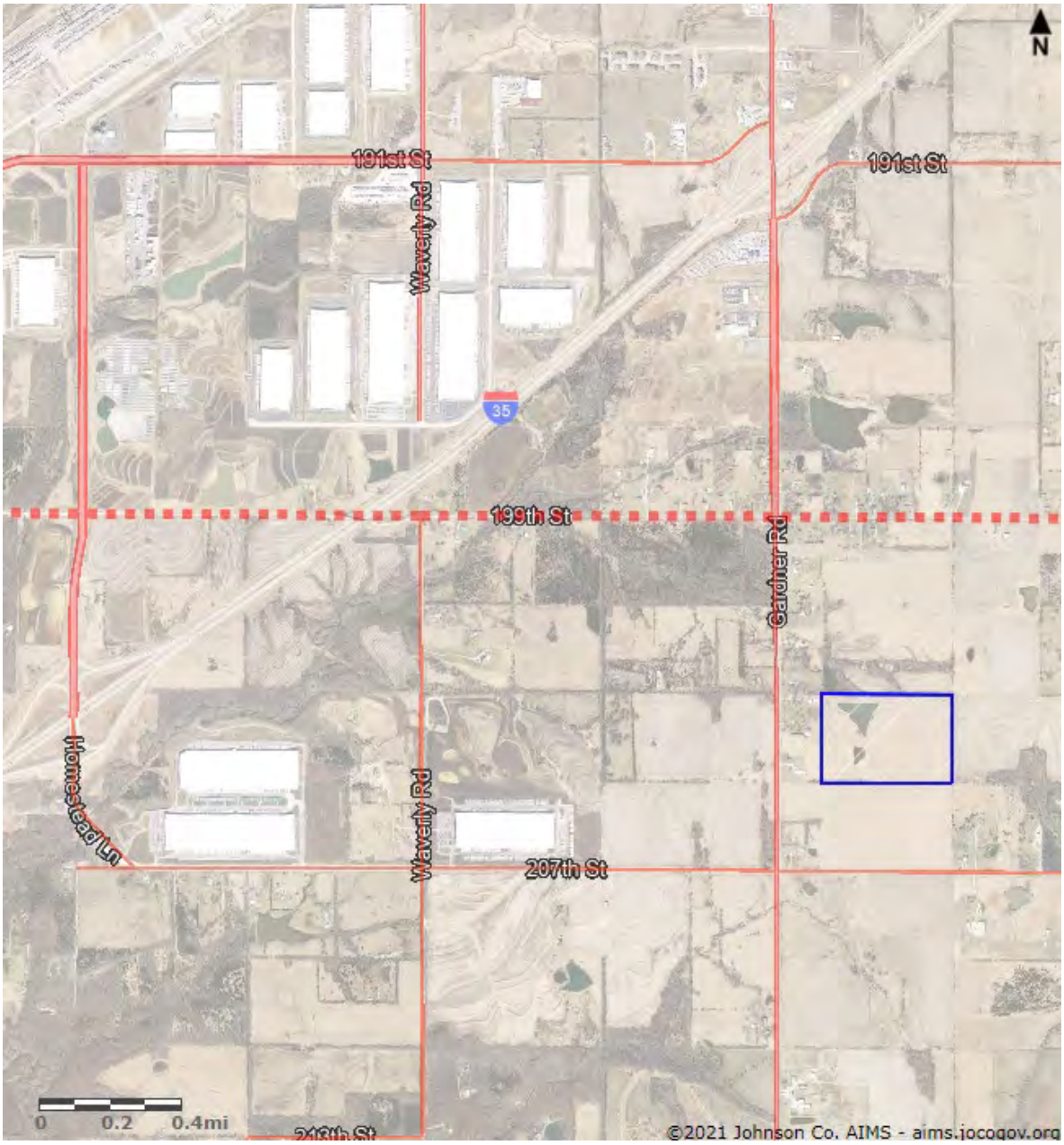
Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.64 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.3 miles from I-35.

Figure 3



Figure 4 shows the relation of the subject property, outlined blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Currently there is no access to this parcel from Gardner Road or 207th Street. Access to the parcel will have to be constructed during any project development.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently; any development would connect to the City of Edgerton sewer.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive

Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (60 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.

8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Today this parcel is landlocked with no access to a major arterial. Should any development occur, it would need to be coordinated with the use of an adjacent parcel for roadway access. Homestead Lane and 207th Street east to Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. Today 199th Street is a two-lane road from Waverly Road to Moonlight Road. However, the Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type III/4-Lane Arterial Roadway designation to 199th Street and designates it as a main throughway. As this area continues to develop, 199th will be a crucial component to providing transportation access across southern Johnson County. Gardner Road is a paved 2-lane road from 199th Street south to 215th Street. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2-Lane Arterial Roadway designation to Gardner Road and designates it as a main throughway. As this area continues to develop, Gardner Road will be a crucial component to providing transportation access to

southern Johnson County. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.

14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.3 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of proposed rezoning **Application ZA2020-03** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;

2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2020-03
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located between 199th and 207th st close to Gardner Rd. Reference attached for location and property boundaries.

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Hillsdale Land and Cattle, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal St. Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____ Nathaniel Hagedorn, Manager

If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-03 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-03

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 20 20

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 20 20.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

Property Information for 2F221512-2009

Tax Property ID	2F221512-2009	*KS Uniform Parcel #*	0462011203001001010
Situs Address	Not Available	*Acres*	59.51 (2,592,332.17 ft^2)
Owner1 Name	HILLSDALE LAND & CATTLE LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9010	*Neighborhood Code*	804.4
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U12 (T-R-S: 15-22-12)	*Quarter Section*	SW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	4
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0135G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike
Legal Desc. (abbreviated)	12-15-22 BG 660.01' E NW CR SW1/4 E 1955.64' S 1322.65' W 1964.56' N 1322.95' TO POB 59.52 ACS M/L		

Property Map for 2F221512-2009

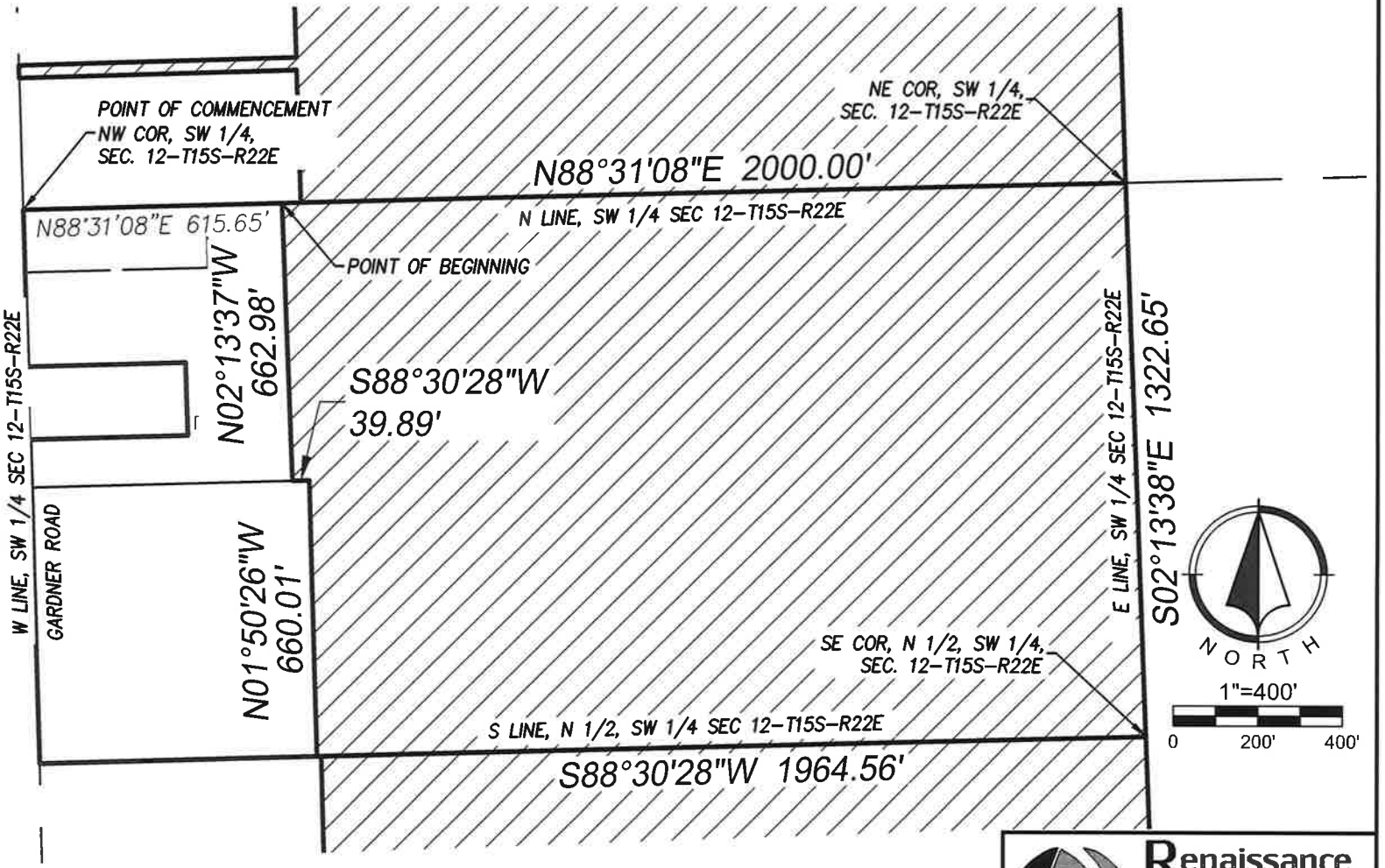


Property Description:

All that part of the North half of the Southwest Quarter of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, more particularly described as follows:

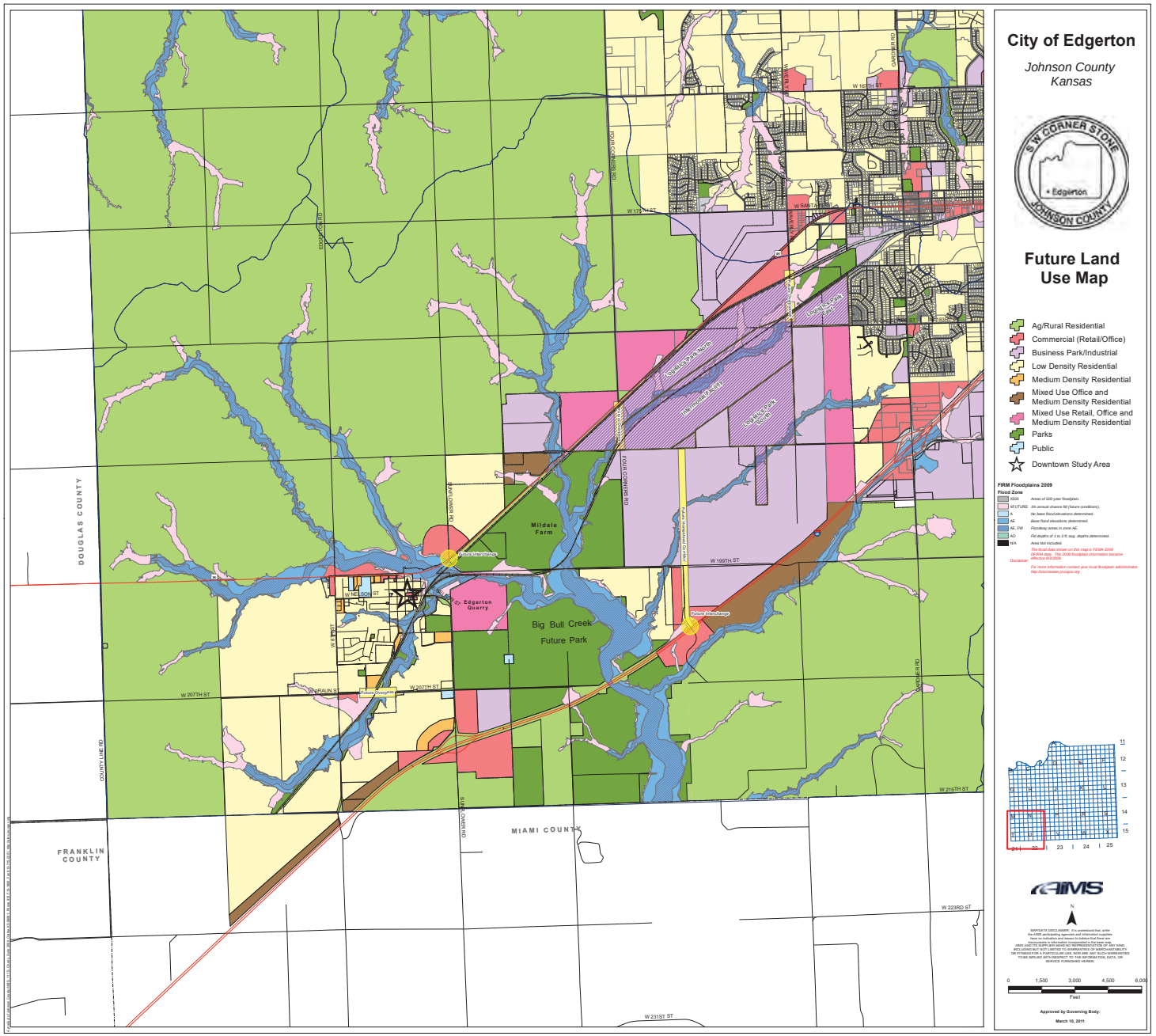
Commencing at the Northwest corner of said Southwest Quarter; thence North 88°31'08" East, coincident with the North line of said Southwest Quarter, a distance of 615.65 feet to the Point of Beginning; thence continuing North 88°31'08" East, coincident with said North line, a distance of 2,000.00 feet to the Northeast corner thereof; thence South 02°13'38" East, coincident with the East line of said Southwest Quarter, a distance of 1,322.65 feet to the Southeast corner of the North half of said Southwest Quarter; thence South 88°30'28" West, coincident with the South line of said North half, a distance of 1,964.56 feet; thence departing said South line, North 01°50'26" West a distance of 660.01 feet; thence South 88°30'28" West a distance of 39.89 feet; thence North 02°13'37" West a distance of 662.98 feet to the Point of Beginning, containing 2,620,604 square feet, or 60.161 acres, more or less.

Annexation Exhibit



20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

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MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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Edgerton, KS 66021
P: 913.893.6231
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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-04 -** Rezoning of a parcel of land generally located northeast of the intersection of West 207th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Hillsdale Land & Cattle LLC, 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located northeast of the intersection of Gardner Road and 207th Street.
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	58.36 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined in red and blue in the following figures.

Figure 1 indicates the zoning of the parcels adjacent to the subject property. The green indicates a Johnson County Rural (RUR) zoning designation. The purple indicates a City of Edgerton L-P (Logistics Park) zoning designation. The light yellow is a Johnson County Residential Low Density (RLD) zoning designation. The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line.

Figure 1



Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east and west sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned Johnson County RUR and RLD. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size and RLD zoned parcels are for single family dwellings with a three (3) acre minimum lot size. The parcels to the north and south of the subject property are currently zoned RUR. However, rezoning Applications ZA2020-03 and ZA2020-07 have been received which request rezoning to City of Edgerton Logistics Park (L-P) zoning.

Figure 2

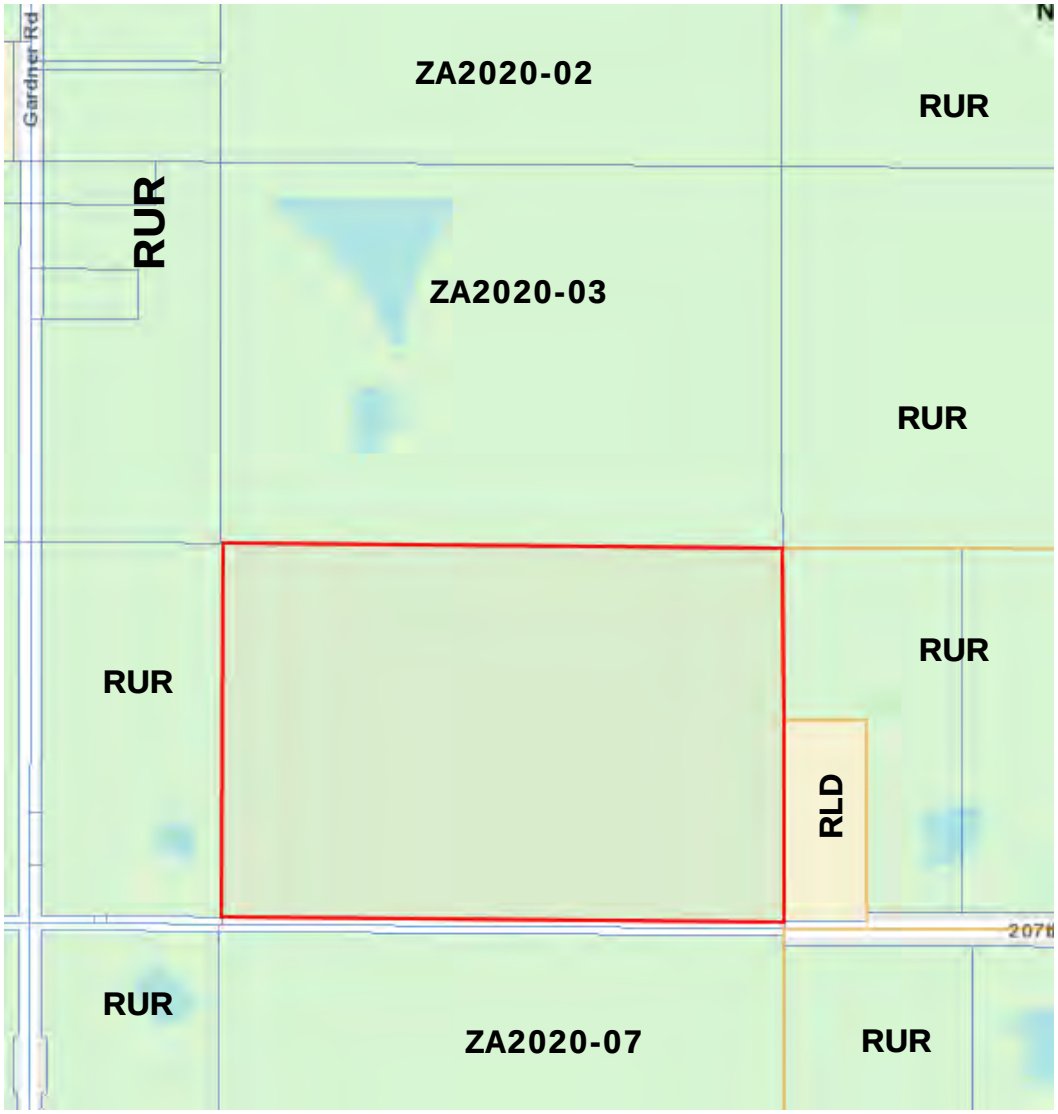


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.64 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.4 miles from I-35.

Figure 3

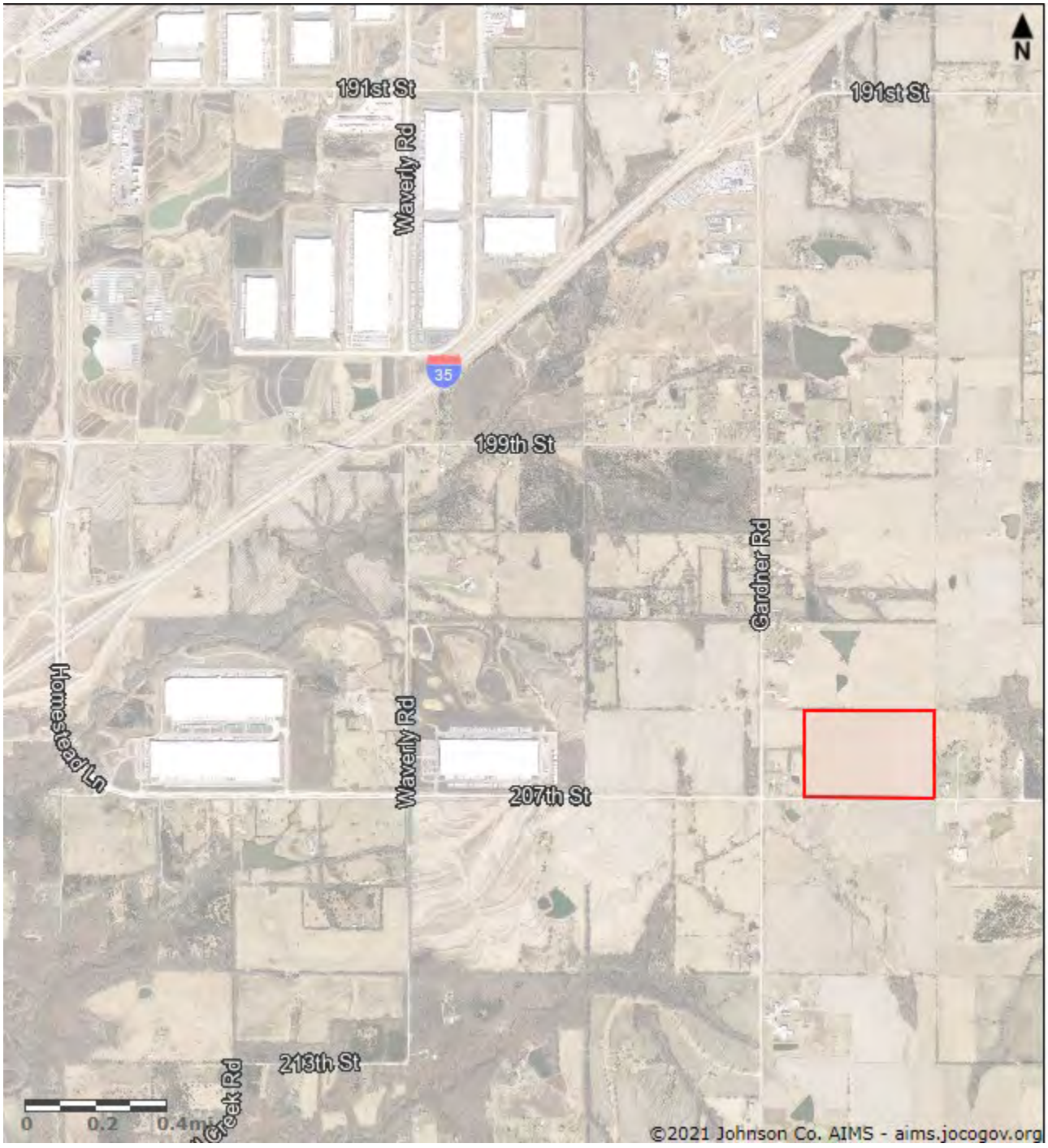
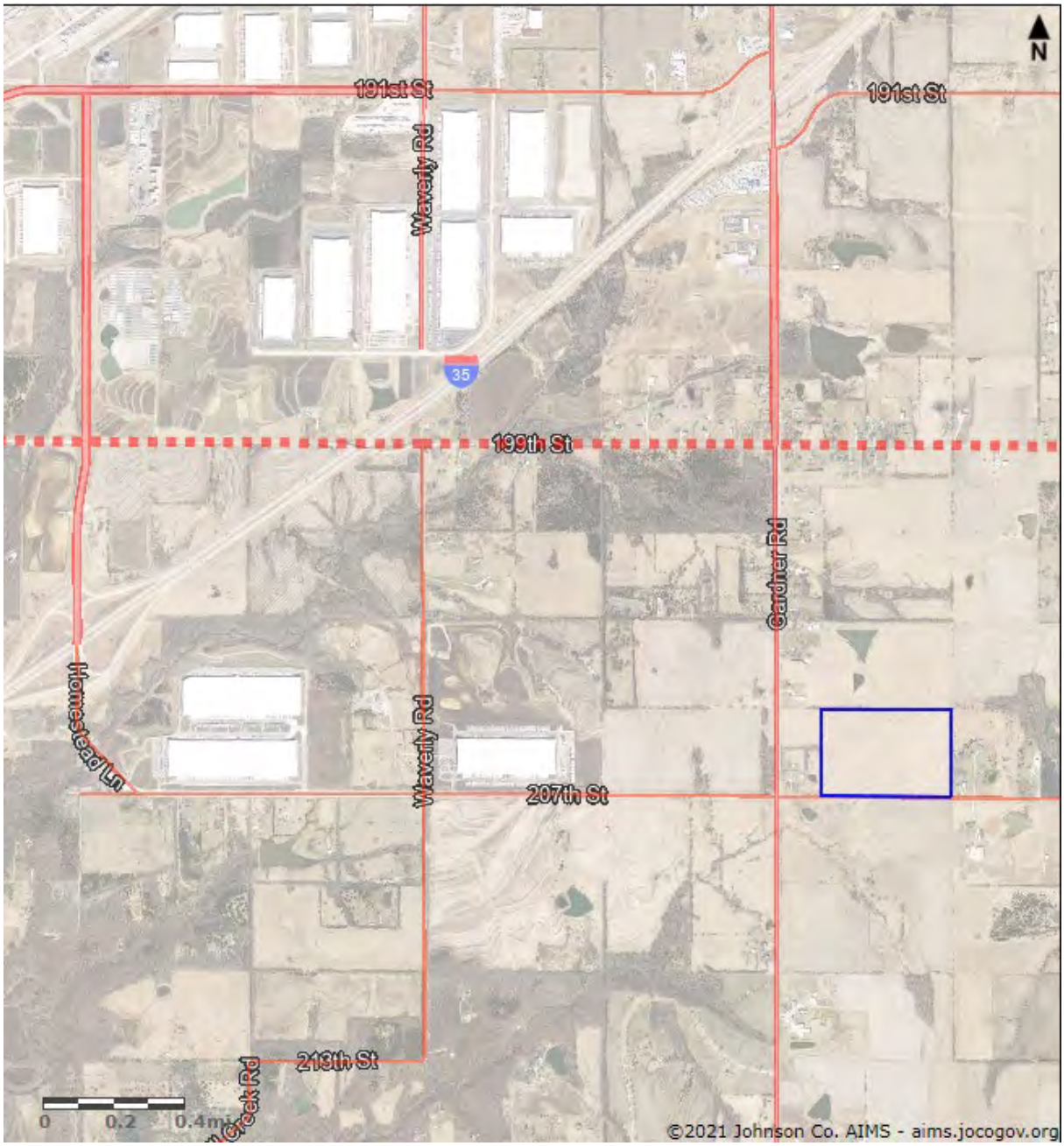


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Current access to the parcel is from 207th Street.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently; any development would connect to the City of Edgerton sewer.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it

does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (58 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a

holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property – The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** This parcel contains direct access to 207th Street. 207th Street to east of Waverly Road and Homestead Lane have been improved to accommodate the traffic that will accompany the Phase II expansion of LPKC. Gardner Road is a paved 2-lane road from 199th Street south to 215th Street. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2 Lane Arterial Roadway designation to Gardner Road and designates it as a main throughway. As this area continues to develop, Gardner Road will be a crucial component to providing transportation access to southern Johnson County. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate

the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.

14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.4 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of proposed rezoning **Application ZA2020-04** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2020-04
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located on 207th close to Gardner Rd. Reference attached for location and property boundaries.

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Hillsdale Land and Cattle, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal St. Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-04 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-04

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 2020.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 2020.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

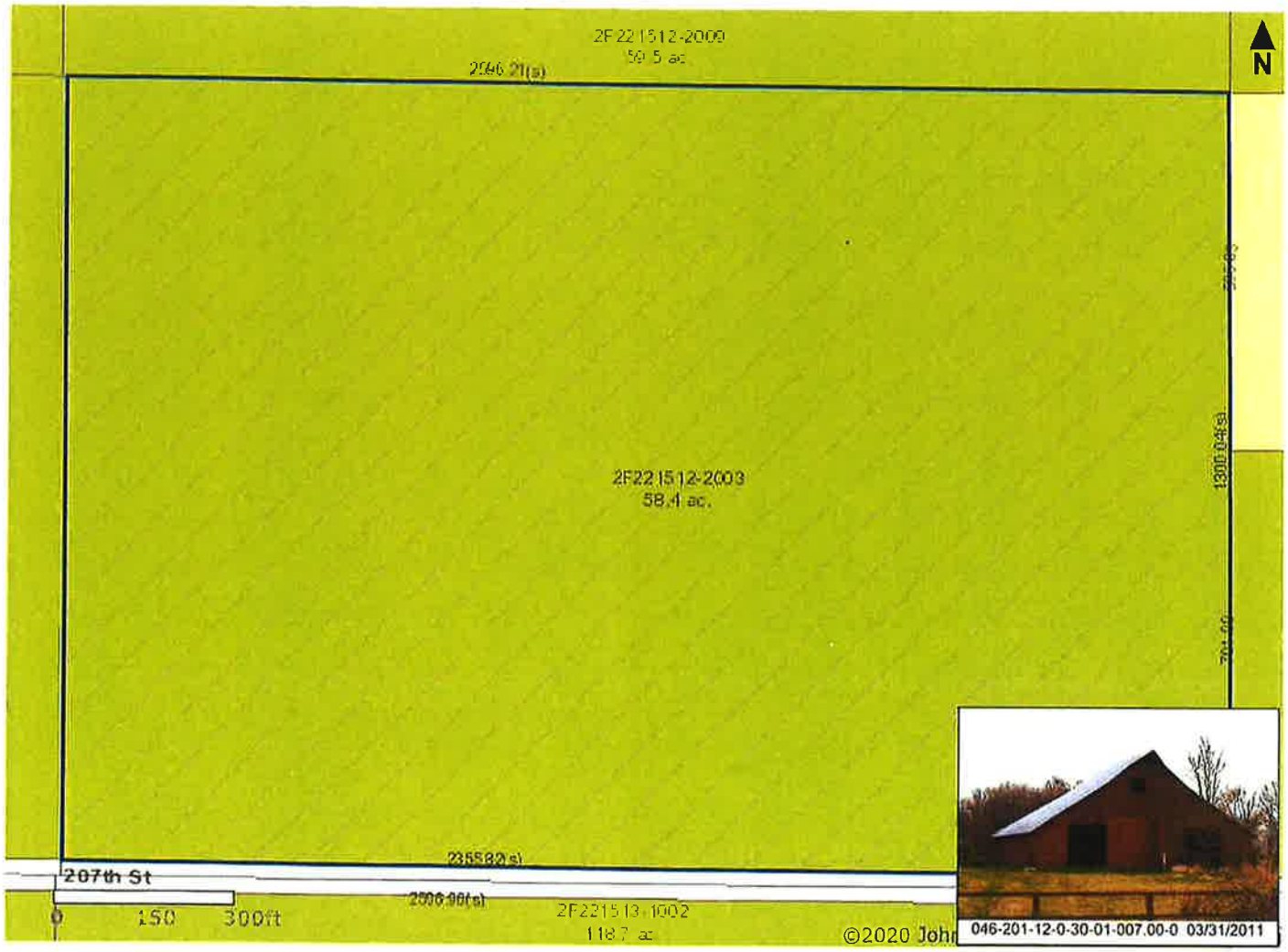
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EDGERTONKS.ORG

Property Information for 2F221512-2003

Tax Property ID	2F221512-2003	*KS Uniform Parcel #*	0462011203001007000
Situs Address	Not Available	*Acres*	58.36 (2,542,378.16 ft^2)
Owner1 Name	HILLSDALE LAND & CATTLE LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9010	*Neighborhood Code*	804.4
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U12 (T-R-S: 15-22-12)	*Quarter Section*	SW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	4
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0135G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 12-15-22 S 1/2 SW1/4 EX W 226'S 200' EX 1.10 AC EX .2075 AC& EX 17.993 AC 59.671 ACS M/L

Property Map for 2F221512-2003

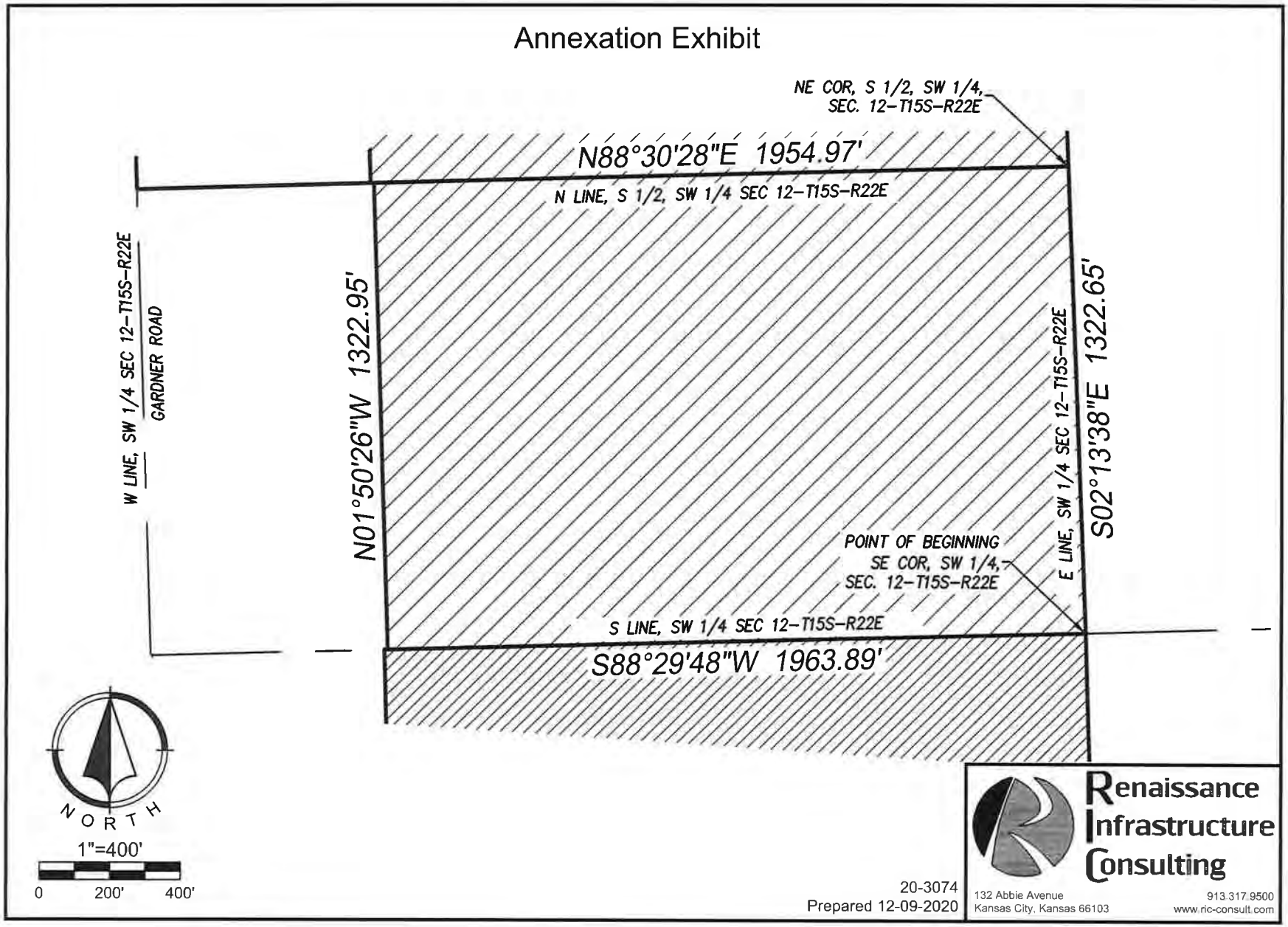


Property Description:

All that part the South Half of the Southwest Quarter of Section 12, Section 14, Township 15 South, Range 22 East of the Sixth Principal Meridian in Johnson County, Kansas, being more particularly described as follows:

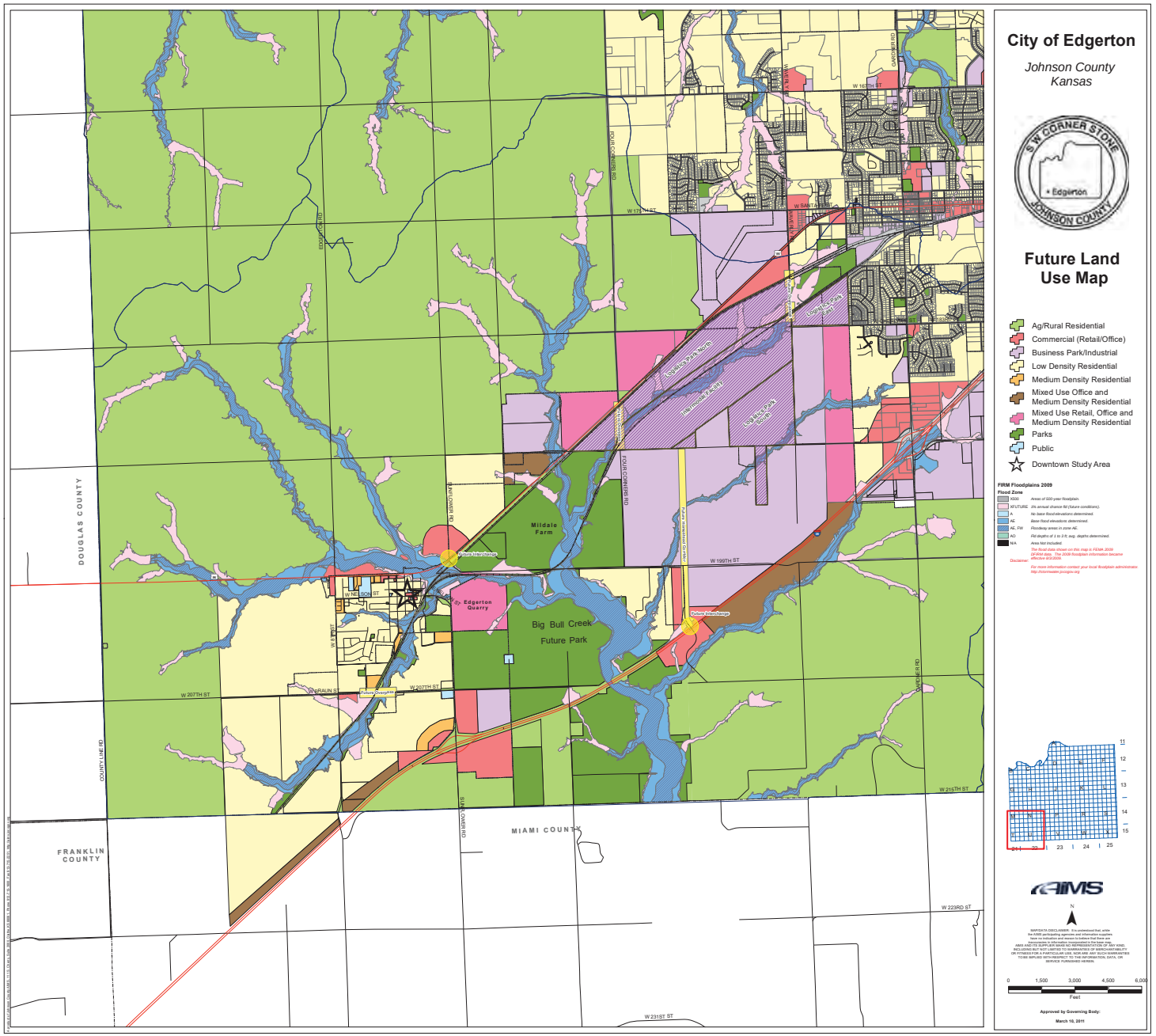
Beginning at the Southeast Corner of said Southwest Quarter; thence South 88°29'48" West, along the South line of said Southwest Quarter, a distance of 1,963.89 feet; thence North 01°50'26" West, a distance of 1,322.95 feet to a point on the North line of the South Half of said Southwest Quarter; thence North 88°30'28" East, along said North line, a distance of 1,954.97 feet to the Northeast Corner of said South Half; thence South 02°13'38" East, along the East line of said Southwest Quarter, 1,322.65 feet to the Point of Beginning. Containing 2,591,793 square feet or 59.499 acres, more or less.

Annexation Exhibit



20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-05 -** Rezoning of a parcel of land generally located southwest of the intersection of West 207th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Hillsdale Land & Cattle LLC, 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located southwest of the intersection of Gardner Road and 207th Street.
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	38.21 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red or blue on the following maps.

Figure 1 indicates the zoning of the parcels adjacent to the subject property. The green indicates a Johnson County Rural (RUR) zoning designation. The purple indicates City of Edgerton Logistics Park (L-P) zoning designation. The light yellow to the southwest of the subject parcel is Johnson County Residential Neighborhood 1 (RN1) zoning designation. The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line.

Figure 1



Figure 2 is a closer look at the adjacent parcels and their zoning designations. The subject parcel is outline in red.

On the east and west sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. RN1 zoned parcels are single family dwellings with a one (1) acre minimum lot size. North of the subject property is a parcel that is zoned RUR. Rezoning Application ZA2020-06 has been received which requests rezoning to City of Edgerton Logistics Park (L-P) for the parcel to the south.

Figure 2



Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.26 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. The parcel is located 1.4 miles from I-35.

Figure 3

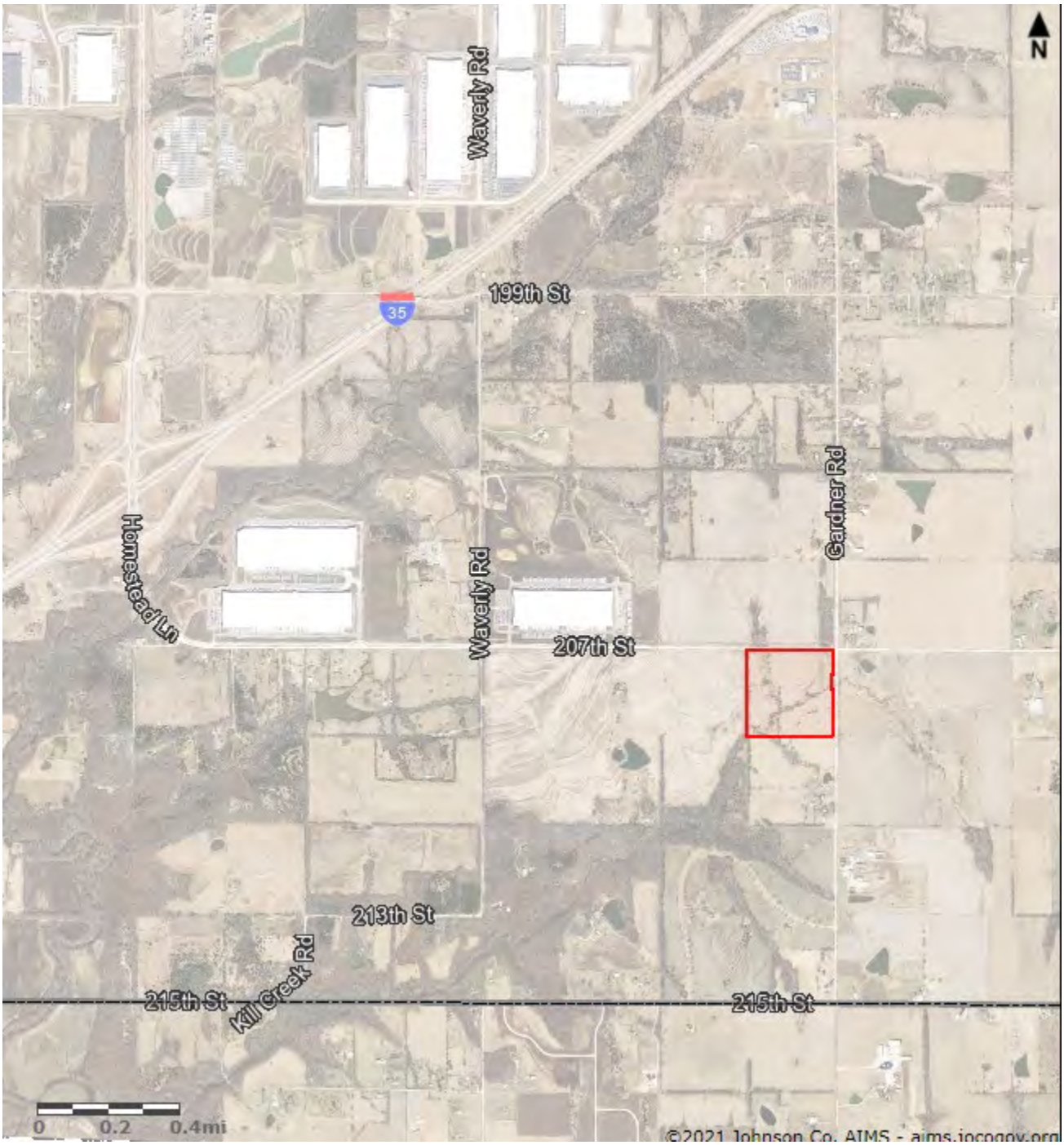
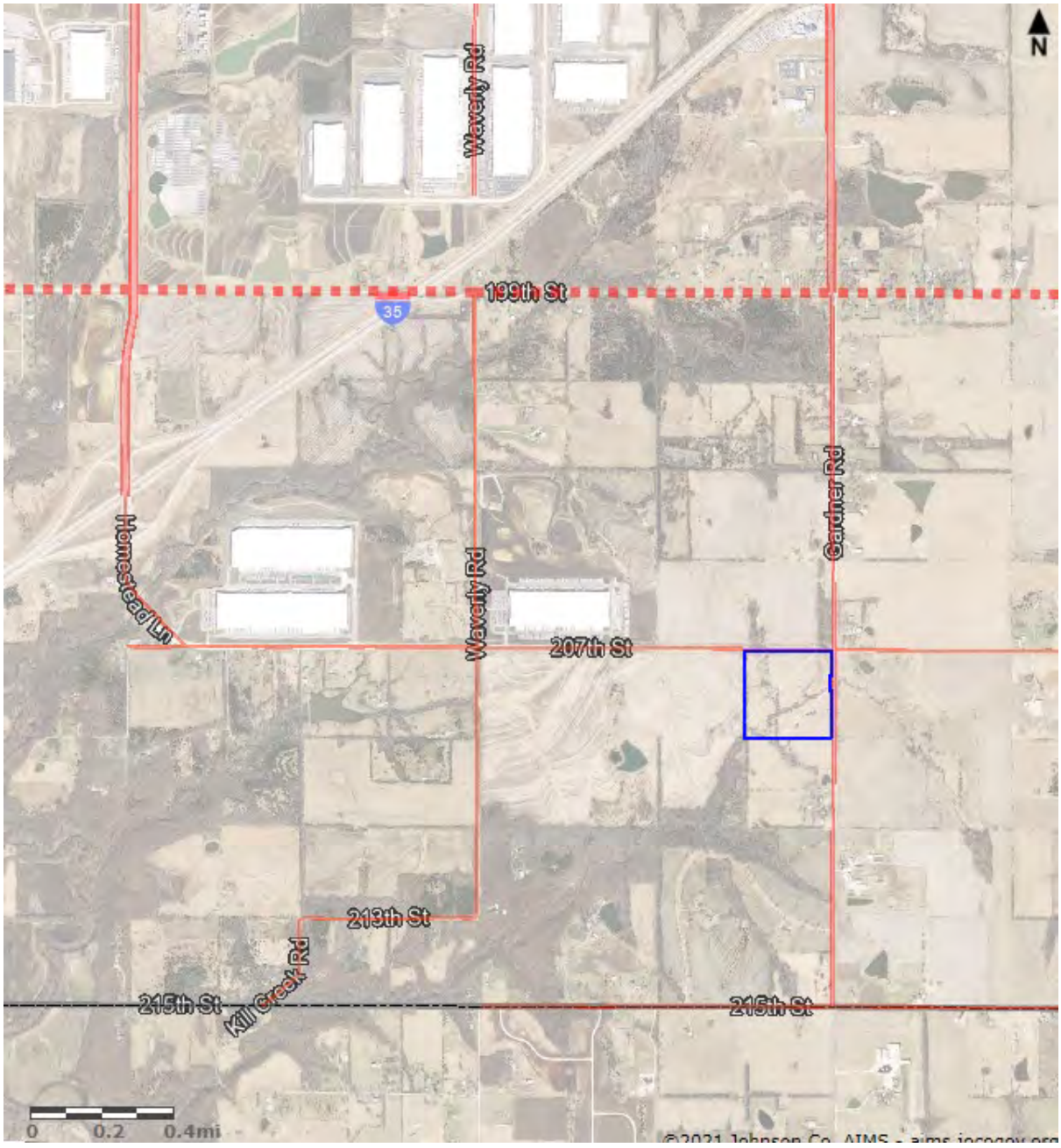


Figure 4 shows the relation of the subject property, outlined blue, to the transportation network with the Johnson County Comprehensive Arterial Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Current access to the parcel is from 207th Street and Gardner Road.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently; any development would connect to the City of Edgerton sewer.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it

does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (38 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a

holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Both Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the

property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. The parcel is located 1.4 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of proposed rezoning **Application ZA2020-05** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2020-05
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located near SW Corner of 207th and Gardner Rd. Reference attached for location and property boundaries.

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Hillsdale Land and Cattle, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal St. Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-05 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Digitally signed by Katy Crow DN: C=US, E=kcrow@edgertonks.org, O=City of Edgerton, OU=Community Development, CN=Katy Crow Date: 2020.12.14 16:42:33-06'00' Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-05

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 20 20.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 20 20.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

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EDGERTONKS.ORG

Property Information for 2F221514-3005

Tax Property ID	2F221514-3005	*KS Uniform Parcel #*	0462061401001001000
Situs Address	Not Available	*Acres*	38.21 (1,664,292.28 ft^2)
Owner1 Name	HILLSDALE LAND & CATTLE LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9010	*Neighborhood Code*	804.3
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U14 (T-R-S: 15-22-14)	*Quarter Section*	NE
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	3
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0135G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 14-15-22 N1/2 E1/2 NE1/4 40 ACS M/L GA 225 1

Property Map for 2F221514-3005

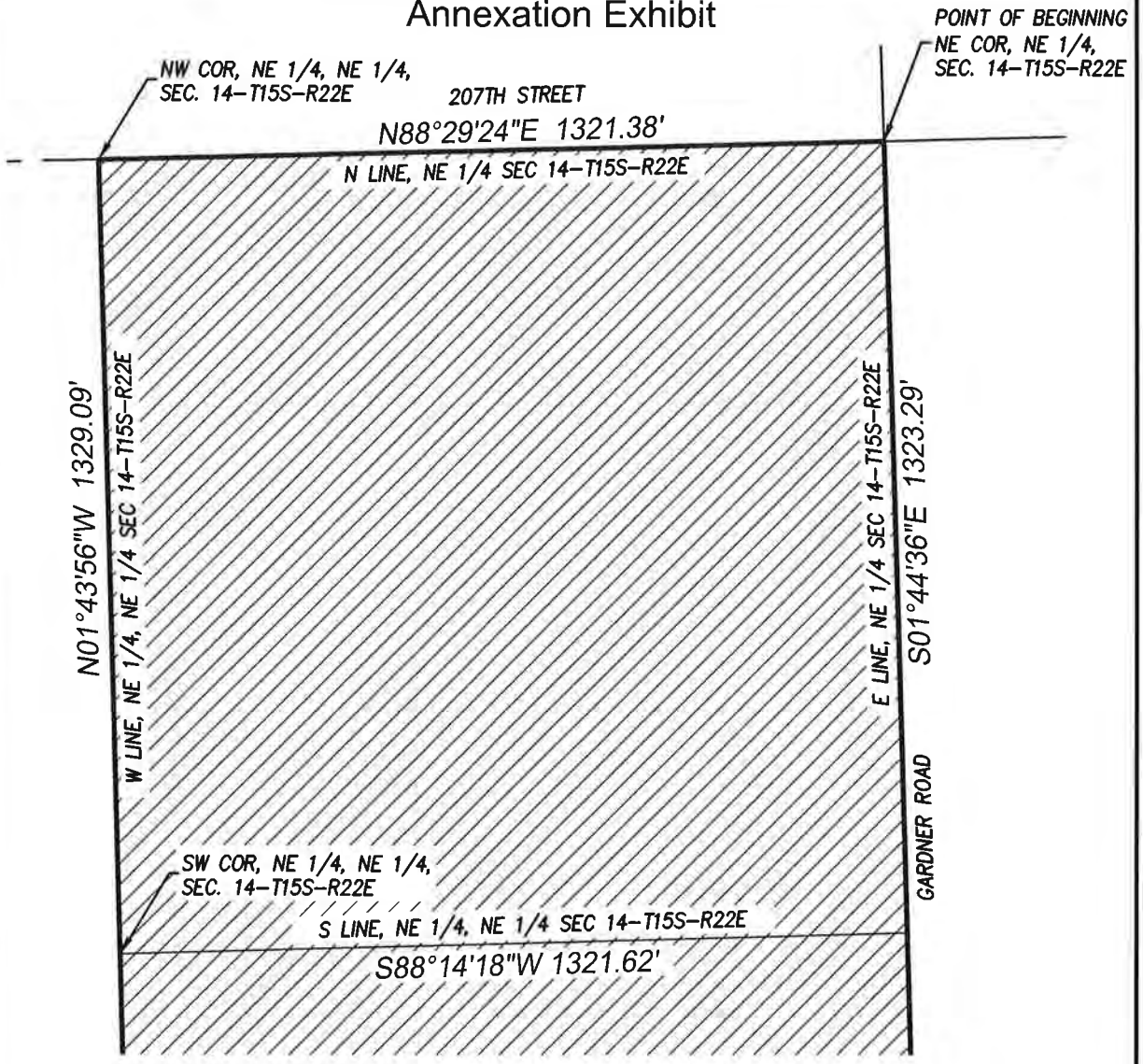


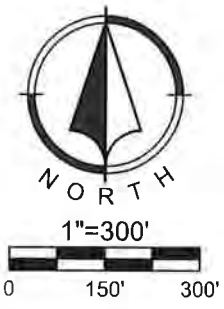
Property Description:

All of the Northeast Quarter of the Northeast Quarter of Section 14, Township 15 South, Range 22 East of the Sixth Principal Meridian in Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast Corner of the Northeast Quarter of said Section 14; thence South 01°44'36" East, along the East line of said Northeast Quarter, a distance of 1,323.29 feet to the Southeast Corner of the Northeast Quarter of said Northeast Quarter; thence South 88°14'18" West, along the South line of the Northeast Quarter of said Northeast Quarter, a distance of 1,321.62 feet to the Southwest Corner of the Northeast Quarter of said Northeast Quarter; thence North 01°43'56" West, along the West line of the Northeast Quarter of said Northeast Quarter, a distance of 1,329.09 feet to the Northwest Corner of the Northeast Quarter of said Northeast Quarter; thence North 88°29'24" East, along the North line of said Northeast Quarter, a distance of 1,321.38 feet to the Point of Beginning. Containing 1,752,553 square feet or 40.233 acres, more or less.

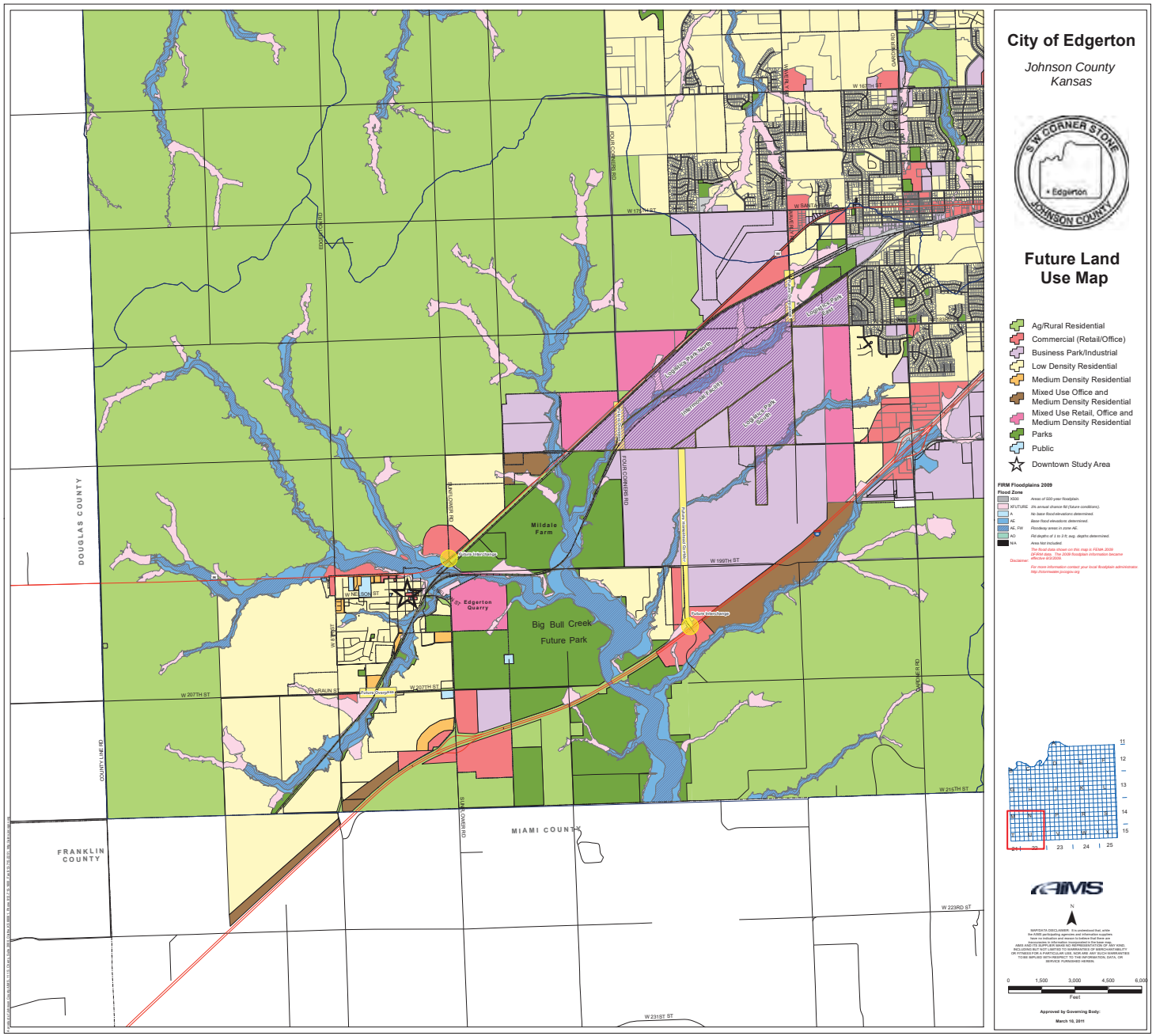
Annexation Exhibit





20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

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MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-06 -** Rezoning of a parcel of land generally southwest of the intersection of West 207th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Hillsdale Land & Cattle LLC, 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located south of 207th Street and west of Gardner Road.
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	38.98 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red or blue on the following maps.

Figure 1 indicates the zoning of the parcels adjacent to the subject property. The green and some of the yellow indicates a Johnson County Rural (RUR) zoning designation. The yellow also represents Johnson County Residential Neighborhood 1 (RN1) and Rural Low Density (RLD). The purple indicates a City of Edgerton Logistics Park (L-P) zoning designation. 215th Street is the Miami County line. The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line.

Figure 1



Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east and west sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. RN1 zoned parcels are adjacent to the south. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size, RN1 zoned parcels are for single family dwellings with a one (1) acre minimum lot size, and RLD parcels are for single family dwellings with a three (3) acre minimum lot size. Rezoning Application has been received for the parcel to the south, requesting rezoning to City of Edgerton Logistics Park (L-P) zoning.

Figure 2

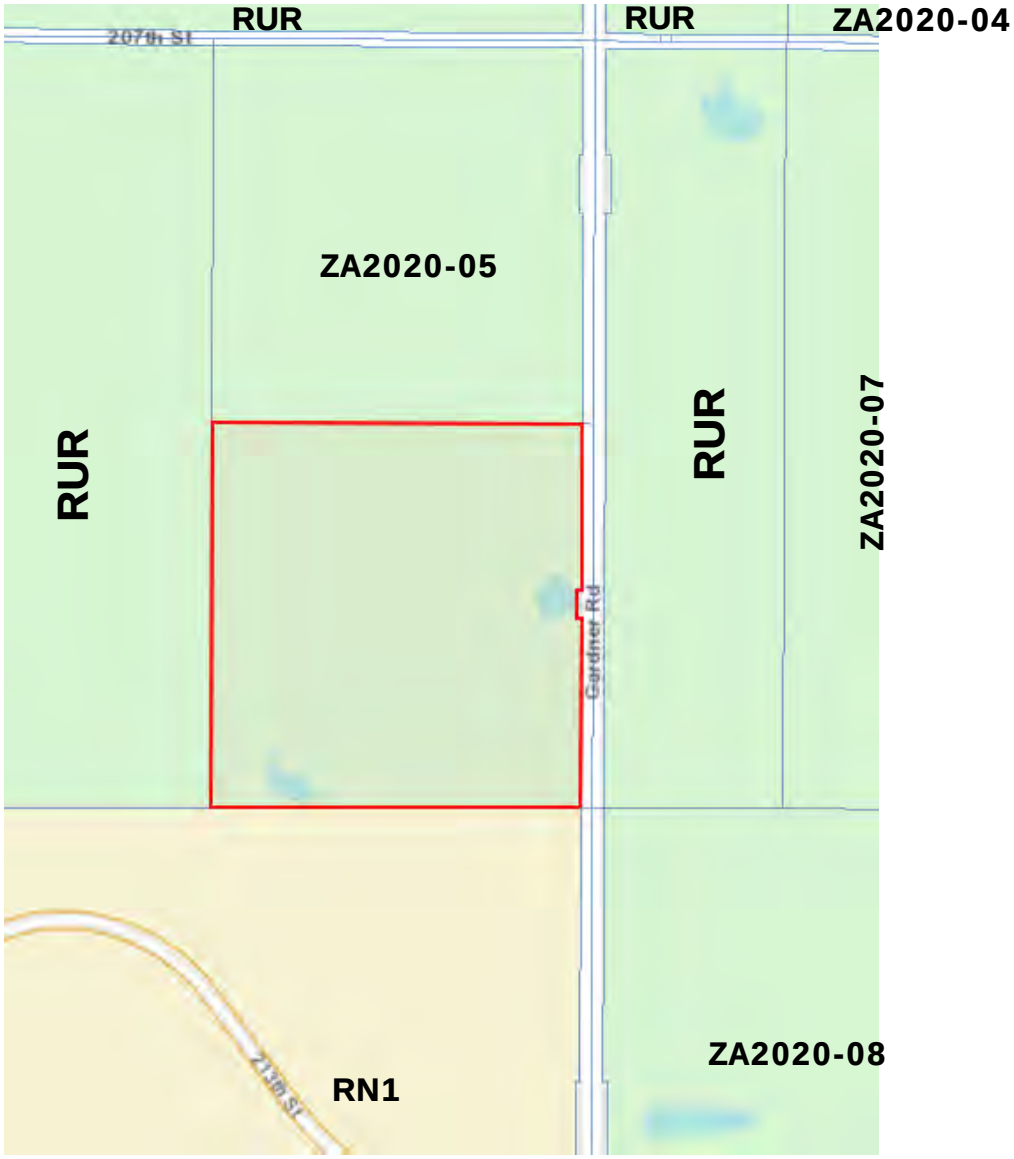


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.37 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.4 miles from I-35.

Figure 3

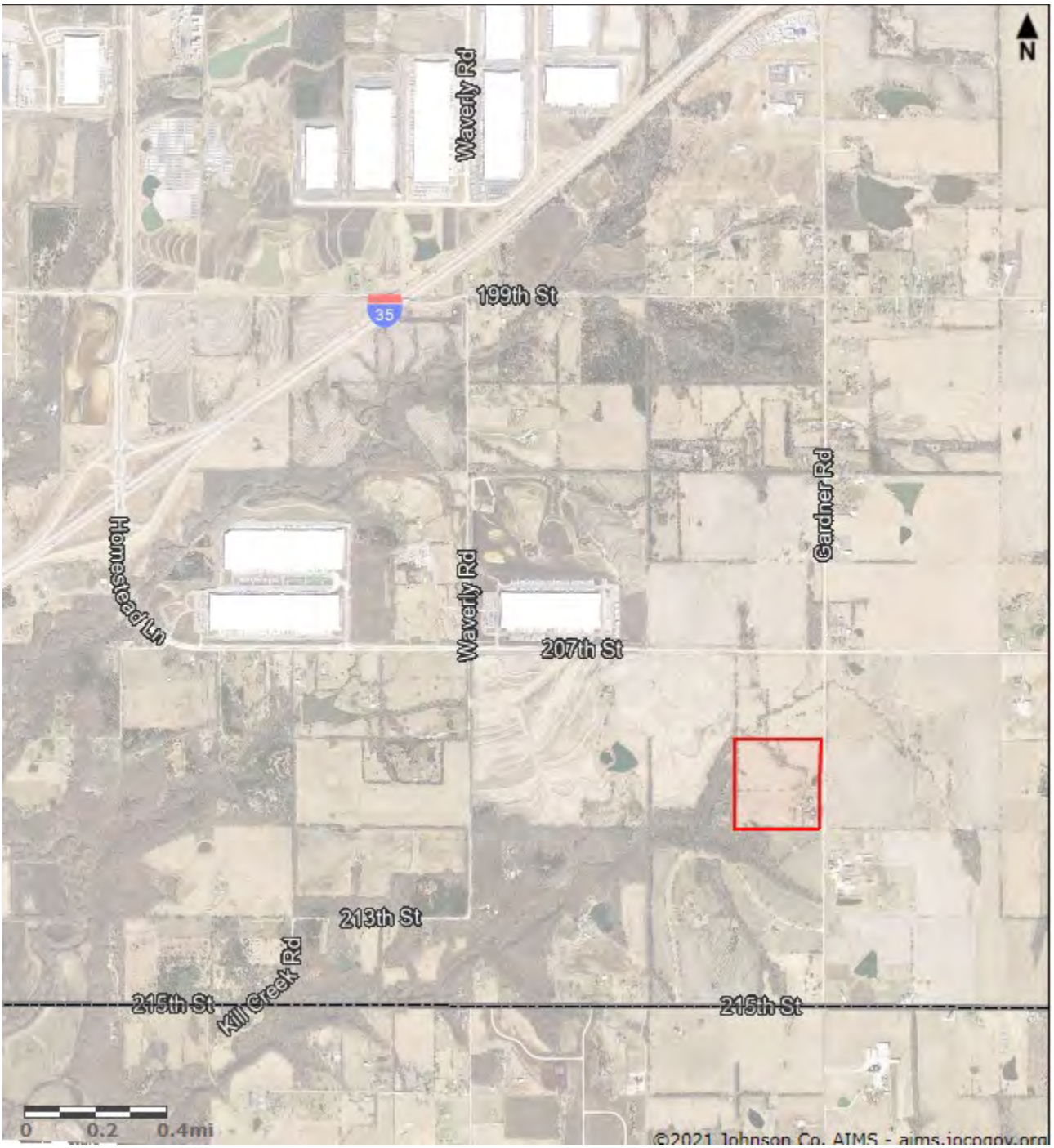
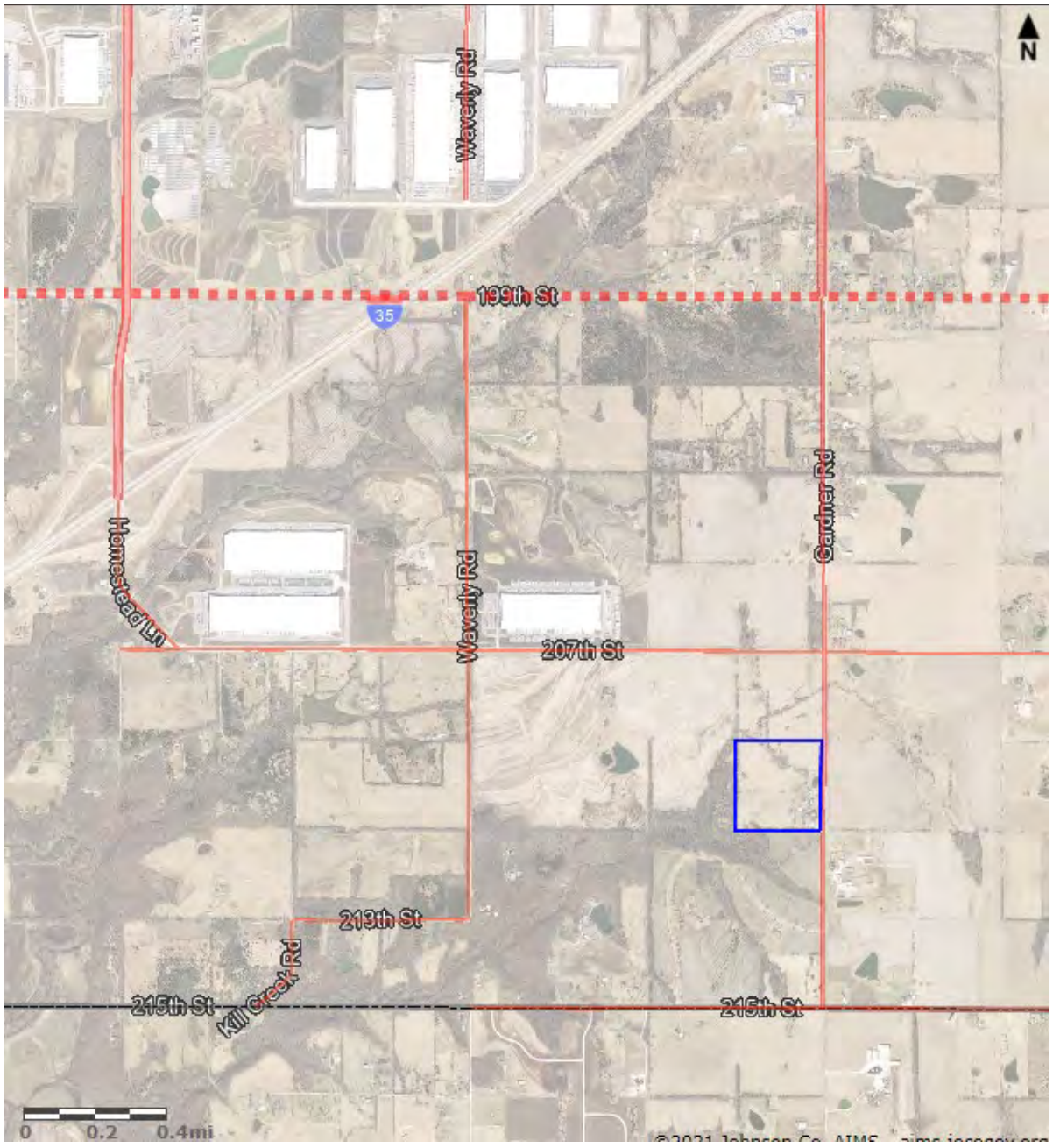


Figure 4 shows the relation of the subject property, outlined blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



CARNP Roads
- Type I / 2 Lanes 120ft. ROW
- Type II / 2 Lanes 120ft. ROW
- Type II / 4 Lanes 120ft. ROW
- Type III / 2 Lanes 150-200ft. ROW
- Type III / 4 Lanes 150-200ft. ROW

INFRASTRUCTURE AND SERVICES

1. Current access to the parcel is from Gardner Road.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently; any development would connect to the City of Edgerton sewer.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it

does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (approximately 39 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a

holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** As this area continues to develop, 207th Street and Gardner Road will be crucial components to providing transportation access across southern Johnson County. Both Homestead Lane and 207th Street to east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2 Lane Arterial Roadway to Gardner Road designating it as main throughway. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water**

pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.4 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of proposed rezoning **Application ZA2020-06** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2020-06
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located on Gardner Rd between 207th and 215th st. Reference attached for location and property boundaries.

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Hillsdale Land and Cattle, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal St. Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____ Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-06 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Digitally signed by Katy Crow DN: C=US, E=kcrow@edgertonks.org, O=City of Edgerton, OU=Community Development, CN=Katy Crow Date: 2020.12.14 17:14:06-06'00' Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-06

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 2020.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 2020.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

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Property Information for 2F221514-3004

Tax Property ID	2F221514-3004	*KS Uniform Parcel #*	0462061401001003000
Situs Address	21050 GARDNER RD	*Acres*	38.98 (1,698,167.18 ft^2)
Owner1 Name	HILLSDALE LAND & CATTLE LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	F	*Year Built*	1900
LBCS	9050	*Neighborhood Code*	804.1
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U14 (T-R-S: 15-22-14)	*Quarter Section*	NE
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	3
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0150G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike
Legal Desc. (abbreviated)	14-15-22 S1/2 E1/2 NE1/4 40 ACS M/L GA 225		

Property Map for 2F221514-3004

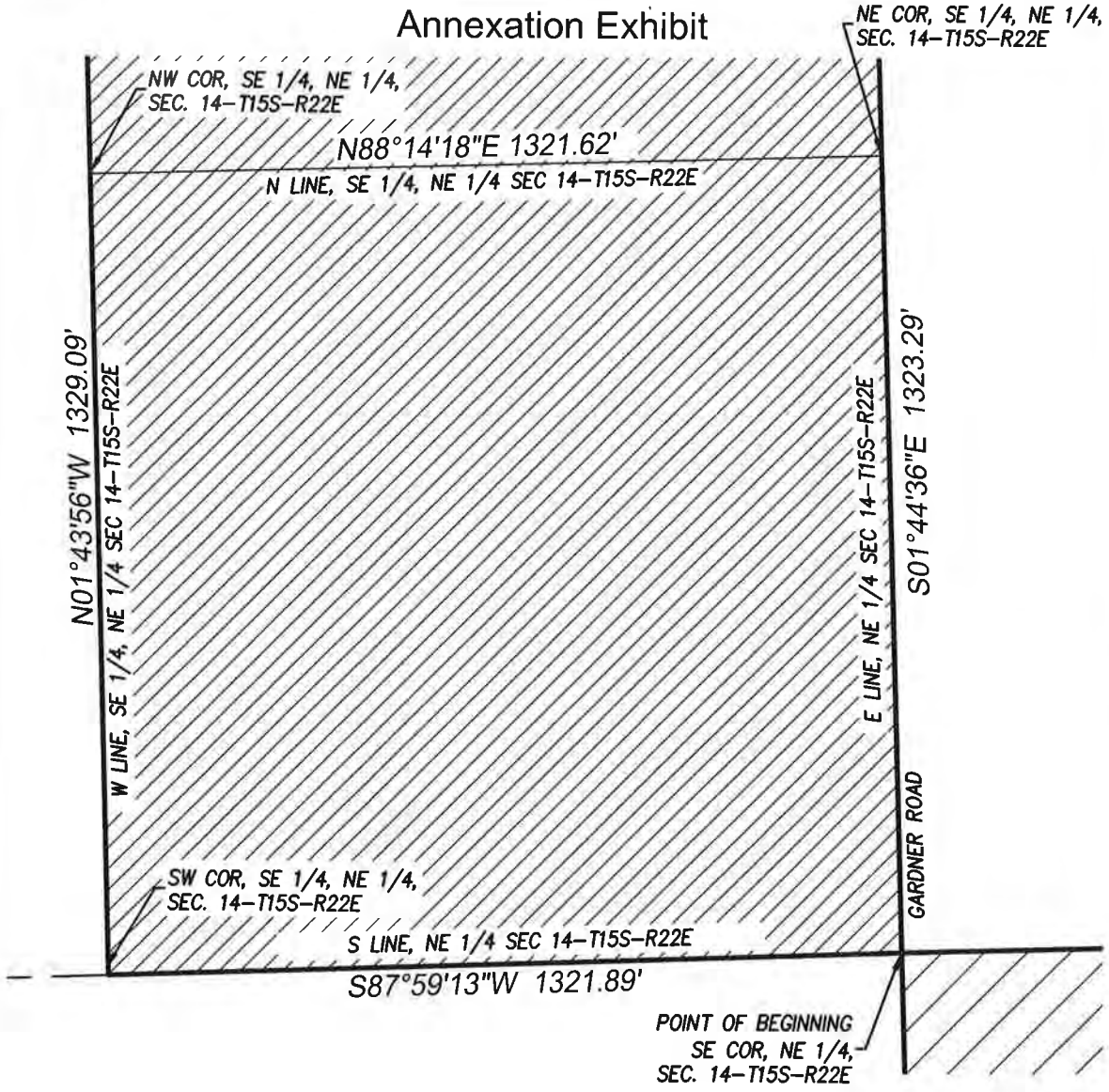


Property Description:

All of the Southeast Quarter of the Northeast Quarter of Section 14, Township 15 South, Range 22 East of the Sixth Principal Meridian in Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 14; thence South 87°59'13" West, along the South line of said Northeast Quarter, a distance of 1,321.89 feet to the Southwest corner of the Southeast Quarter of said Northeast Quarter; thence North 01°43'56" West, along the West line of the Southeast Quarter of said Northeast Quarter, a distance of 1,329.09 feet to the Northwest Corner of the Southeast Quarter of said Northeast Quarter; thence North 88°14'18" East, along the North line of the Southeast Quarter of said Northeast Quarter, a distance of 1,321.62 feet to the Northeast Corner of the Southeast Quarter of said Northeast Quarter; thence South 01°44'36" East, along the East line of said Northeast Quarter, a distance of 1,323.29 feet to the Point of Beginning. Containing 1,752,890 square feet or 40.241 acres, more or less.

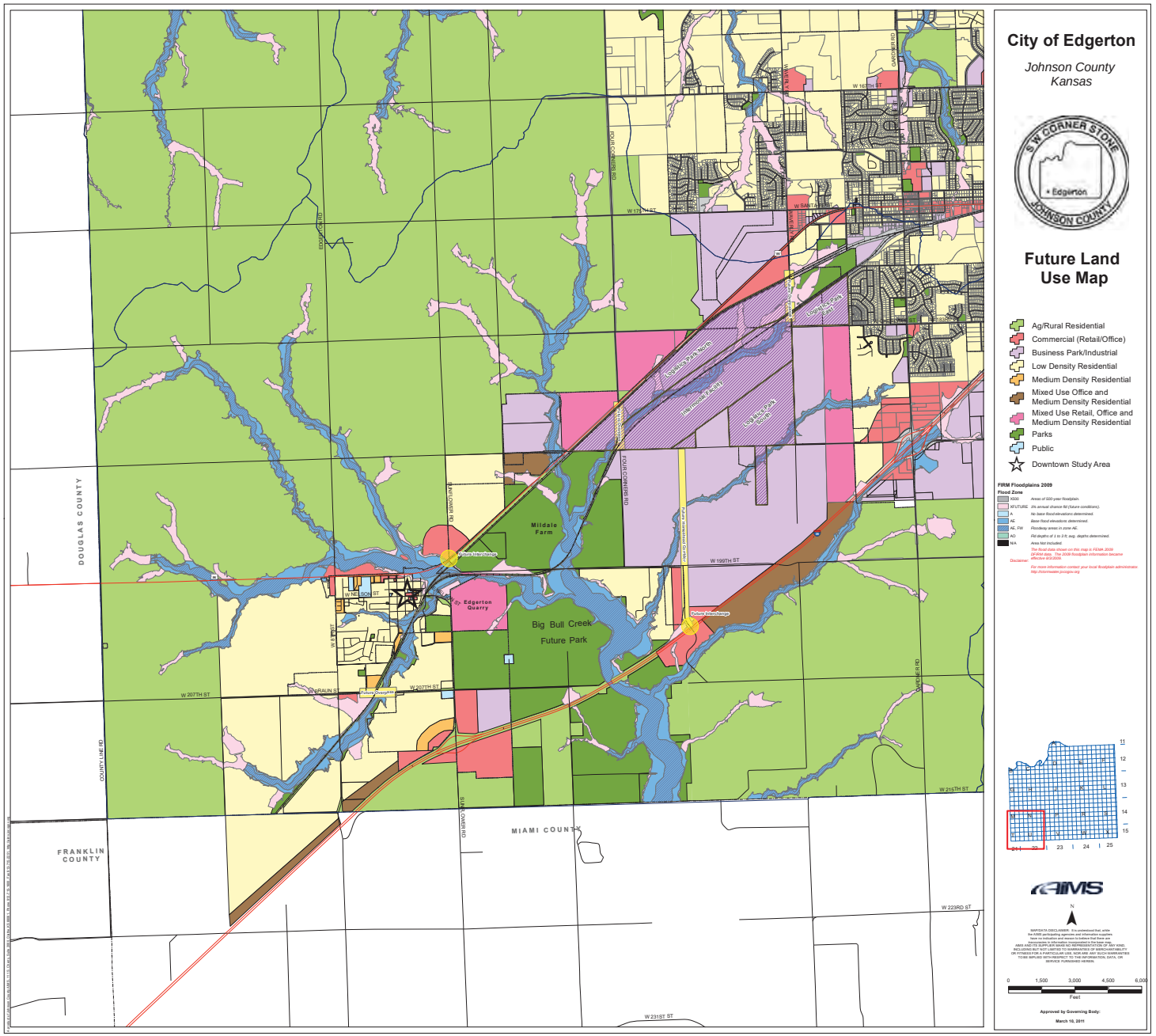
Annexation Exhibit





20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-07 -** Rezoning of a parcel of land generally located southeast of the intersection of West 207th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	East Kansas Land & Cattle LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located south of 207th Street and east of Gardner Road.
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	118.70 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red or blue on the following maps.

Figure 1 indicates the zoning of the parcels adjacent to the subject property. The green and orange indicates a Johnson County Rural (RUR) zoning designation. The purple indicates City of Edgerton Logistics Park (L-P) zoning designation. The light yellow at the north east corner is Johnson County Rural Low Density (RLD). The yellow further east is Johnson County Rural (RUR). The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line.

Figure 1



Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east and west sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. There is a parcel zoned Rural Low Density (RLD) to the northeast. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size, RLD zoned parcels are for single family dwellings with a three (3) acre minimum lot size. North of the subject property is a parcel requesting annexation to City of Edgerton Logistics Park (L-P) zoning on Application ZA2020-04. To the south is a parcel requesting rezoning to City of Edgerton Logistics Park (L-P) on Application ZA2020-08.

Figure 2

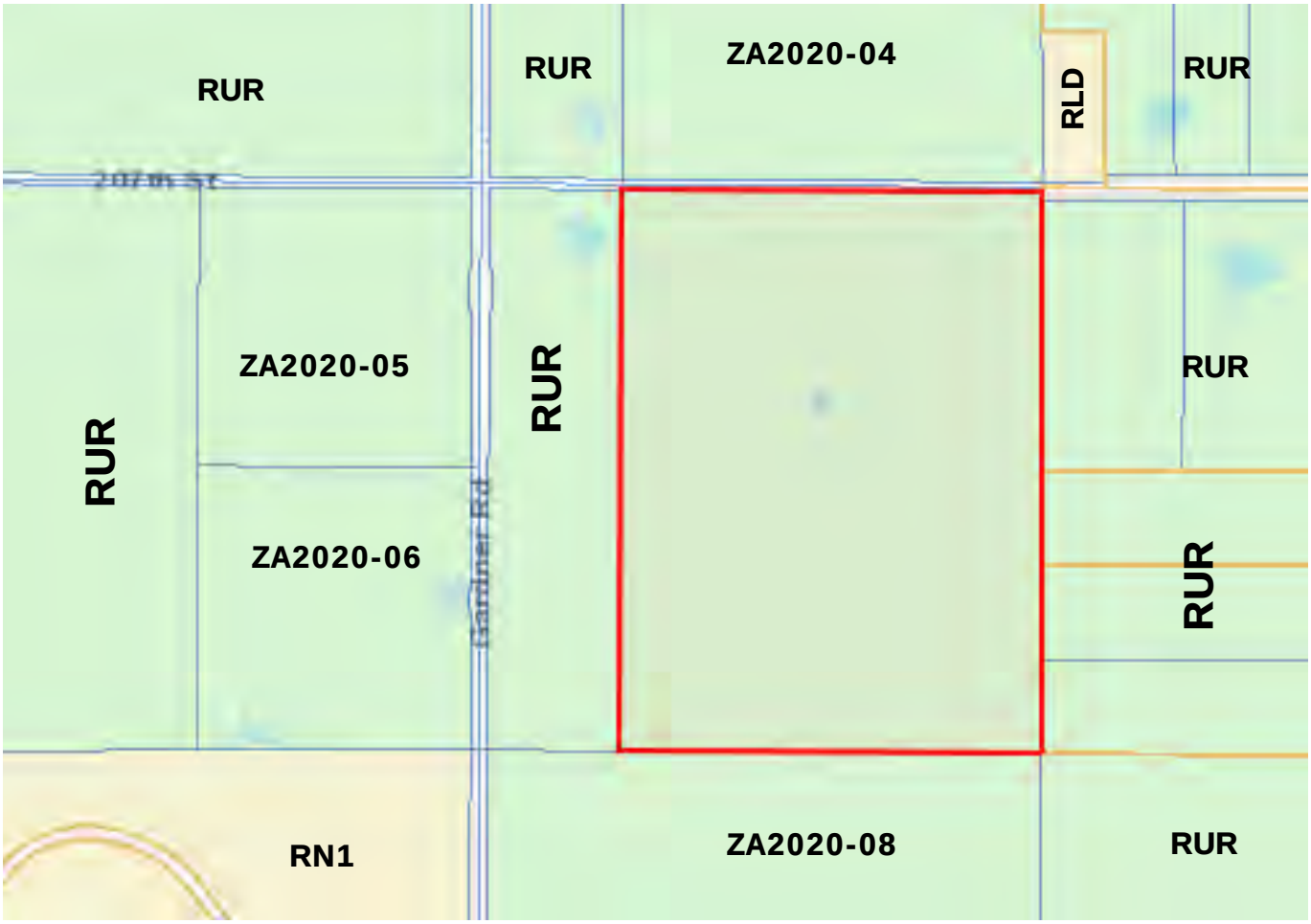


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.64 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.6 miles from I-35.

Figure 3

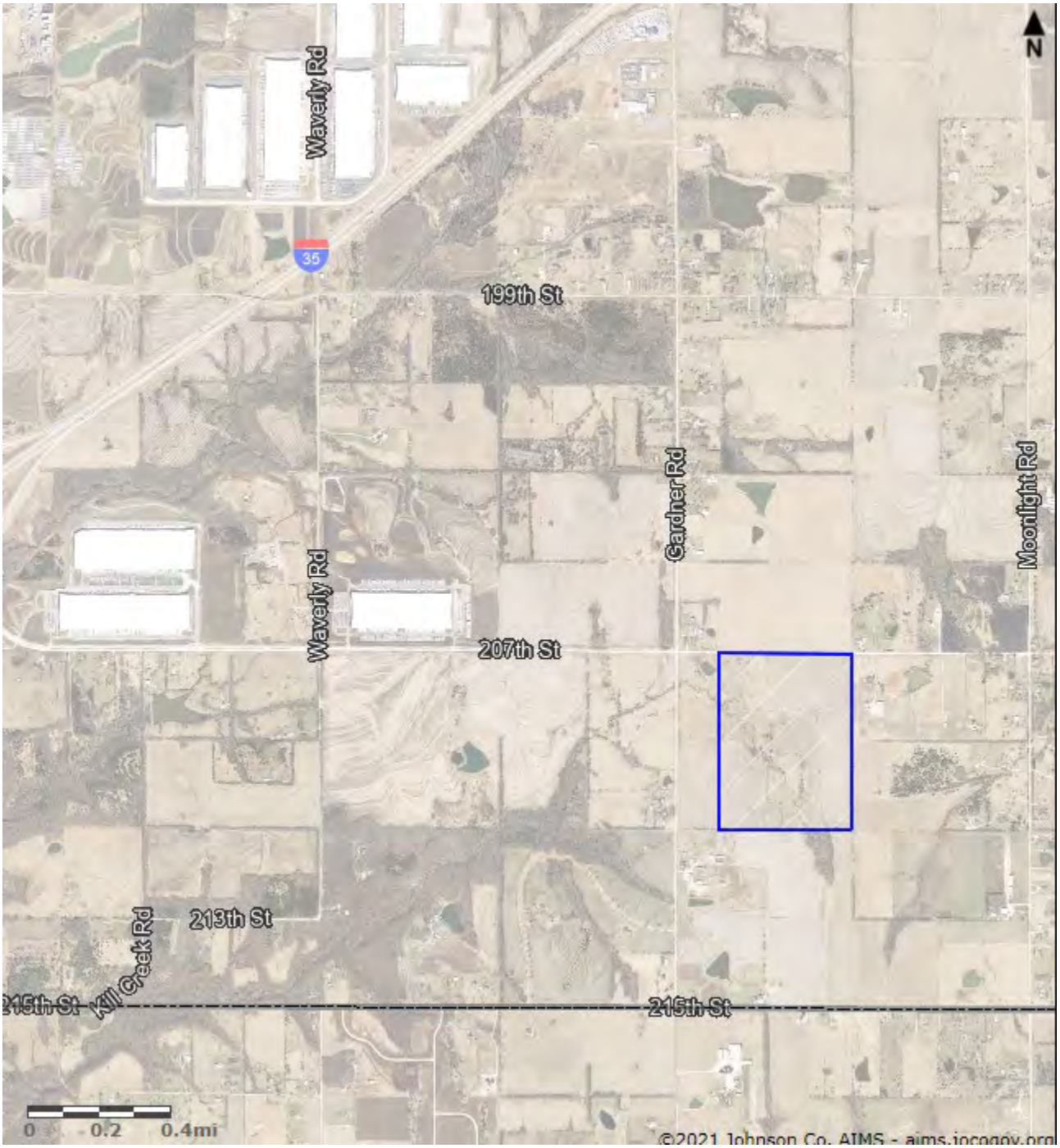
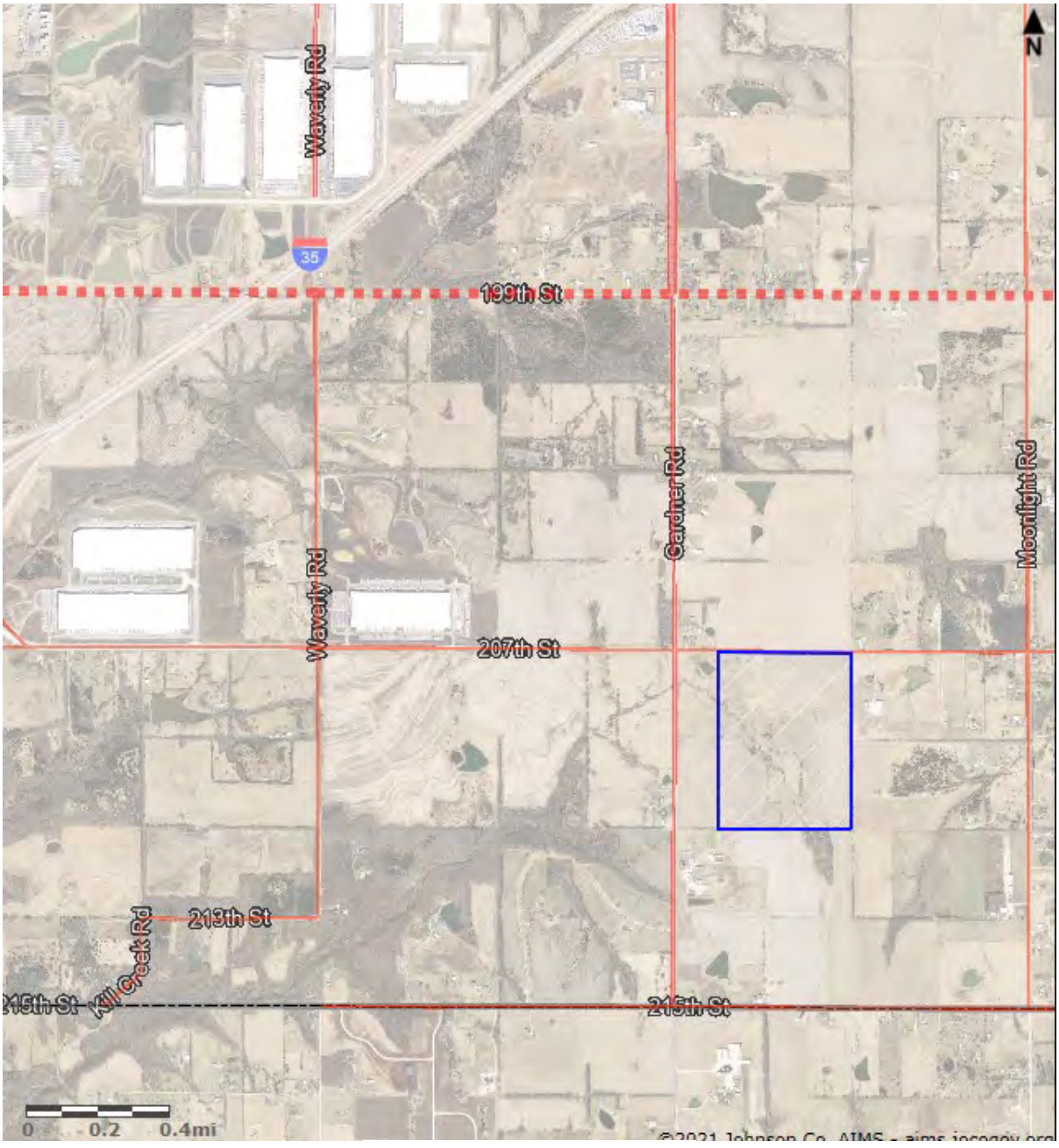


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Current access to the parcel is from 207th Street.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently; any development would connect to the City of Edgerton sewer.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it

does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (approximately 120 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a

holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** This parcel contains direct access to 207th Street which along with Homestead Lane has been improved to east of Waverly Road to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the

property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.6 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of proposed rezoning **Application ZA2020-07** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2020-07
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located near SE Corner of 207th and Gardner Rd. Reference attached for location and property boundaries.

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): East Kansas Land and Cattle, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal St. Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-07 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Digitally signed by Katy Crow DN: C=US, E=kcrow@edgertonks.org, O=City of Edgerton, OU=Community Development, CN=Katy Crow Date: 2020.12.14 17:23:48-06'00' Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-07

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 2020.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 2020.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

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Property Information for 2F221513-1002

Tax Property ID	2F221513-1002	*KS Uniform Parcel #*	0462061302001001010
Situs Address	Not Available	*Acres*	118.7 (5,170,623.95 ft^2)
Owner1 Name	EAST KANSAS LAND & CATTLE LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9010	*Neighborhood Code*	804.5
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U13 (T-R-S: 15-22-13)	*Quarter Section*	NW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	4
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0150G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike
Legal Desc. (abbreviated)	13-15-22 BG 660' E NW CR NW1/4 S 2645.58' E 1975.05' N 2642.79' W 1973.51' TO POB 119.74 ACS M/L		

Property Map for 2F221513-1002

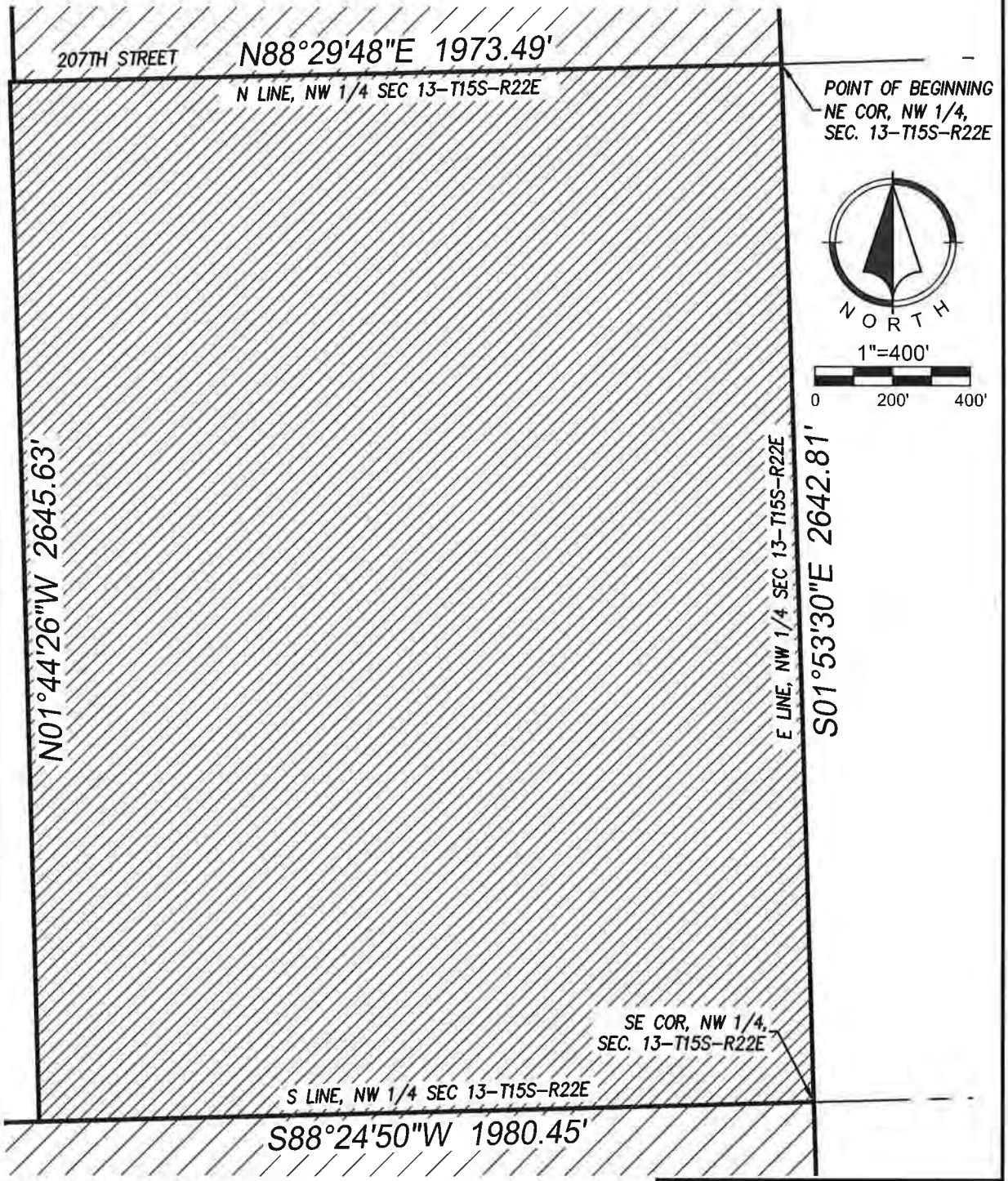


Property Description:

All that that part of Section 13, Township 15 South, Range 22 East of the Sixth Principal Meridian in Johnson County, Kansas, being more particularly described as follows:

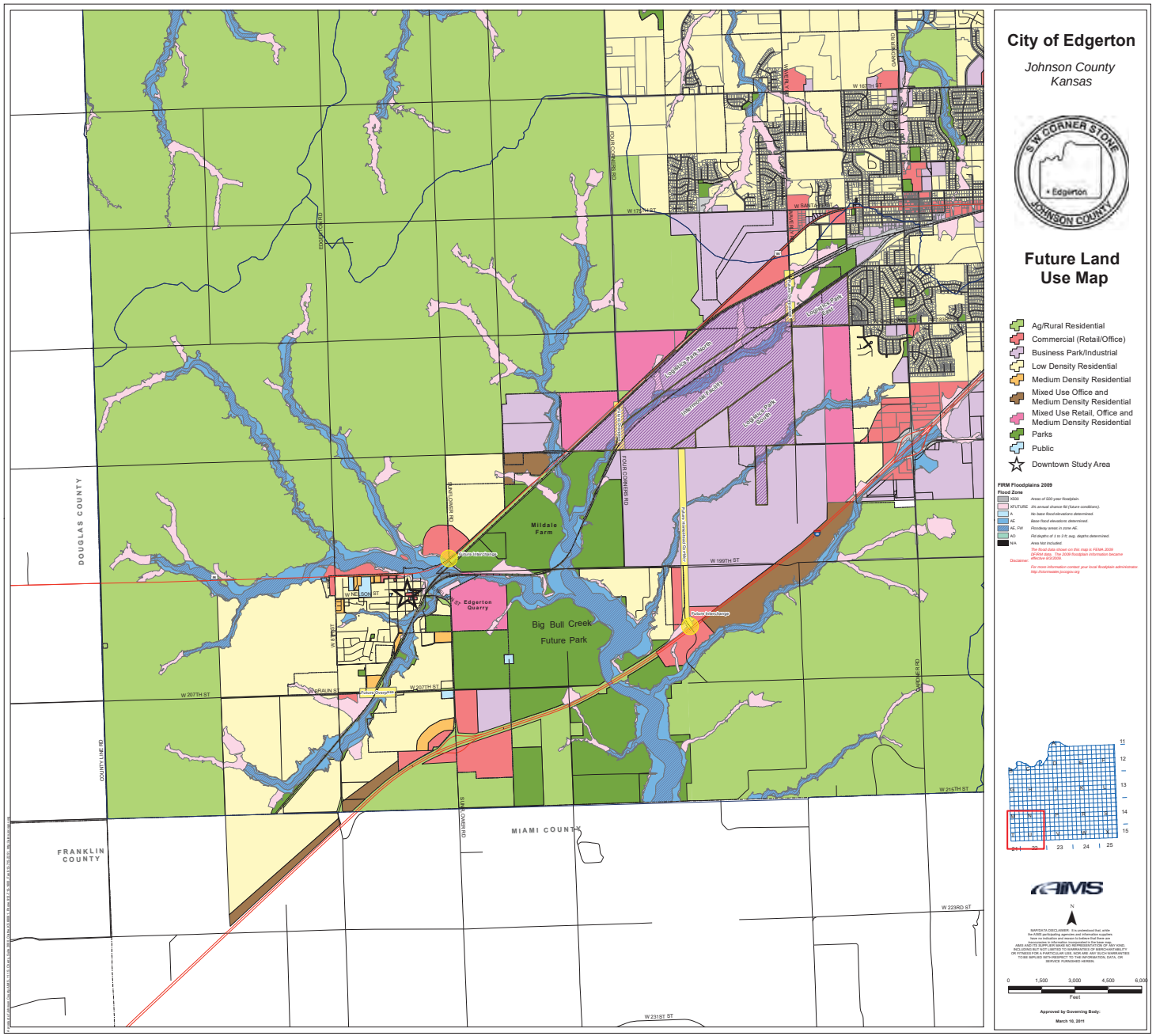
Beginning at the Northeast Corner of the Northwest Quarter of said Section 13; thence South 01°53'30" East, along the East line of said Northwest Quarter, a distance of 2,642.81 feet to the Southeast Corner of said Northwest Quarter; thence South 88°24'50" West, along the South line of said Northwest Quarter, a distance of 1,980.45 feet; thence North 01°44'26" West, a distance of 2,645.63 feet to a point on the North line of said Northwest Quarter; thence North 88°29'48" East, along said North line, a distance of 1,973.49 feet to the Point of Beginning. Containing 5,227,478 square feet or 120.006 acres, more or less.

Annexation Exhibit



20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913 317 9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

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MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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STAFF REPORT

January 12, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2020-08 -** Rezoning of a parcel of land generally located northeast of the intersection of West 215th Street and South Gardner Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	South JOCO Farms LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Generally located east of Gardner Road, west of Moonlight Road and north of 215th Street
Existing Zoning and Land Uses:	Johnson County Rural (RUR), no current development.
Existing Improvements:	None.
Site Size:	215.94 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on December 17, 2020 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north and west of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red or blue on the following maps.

Figure 1 indicates the zoning of the parcels adjacent to the subject property. The green indicates the Johnson County Rural (RUR) zoning designation. The light yellow is a Johnson County Residential Neighborhood 1 (RN1) zoning designation. The border between the City of Gardner and the City of Edgerton, prior to the annexation, is shown as a dotted and dashed line. Below 215th Street is Miami County.

Figure 1

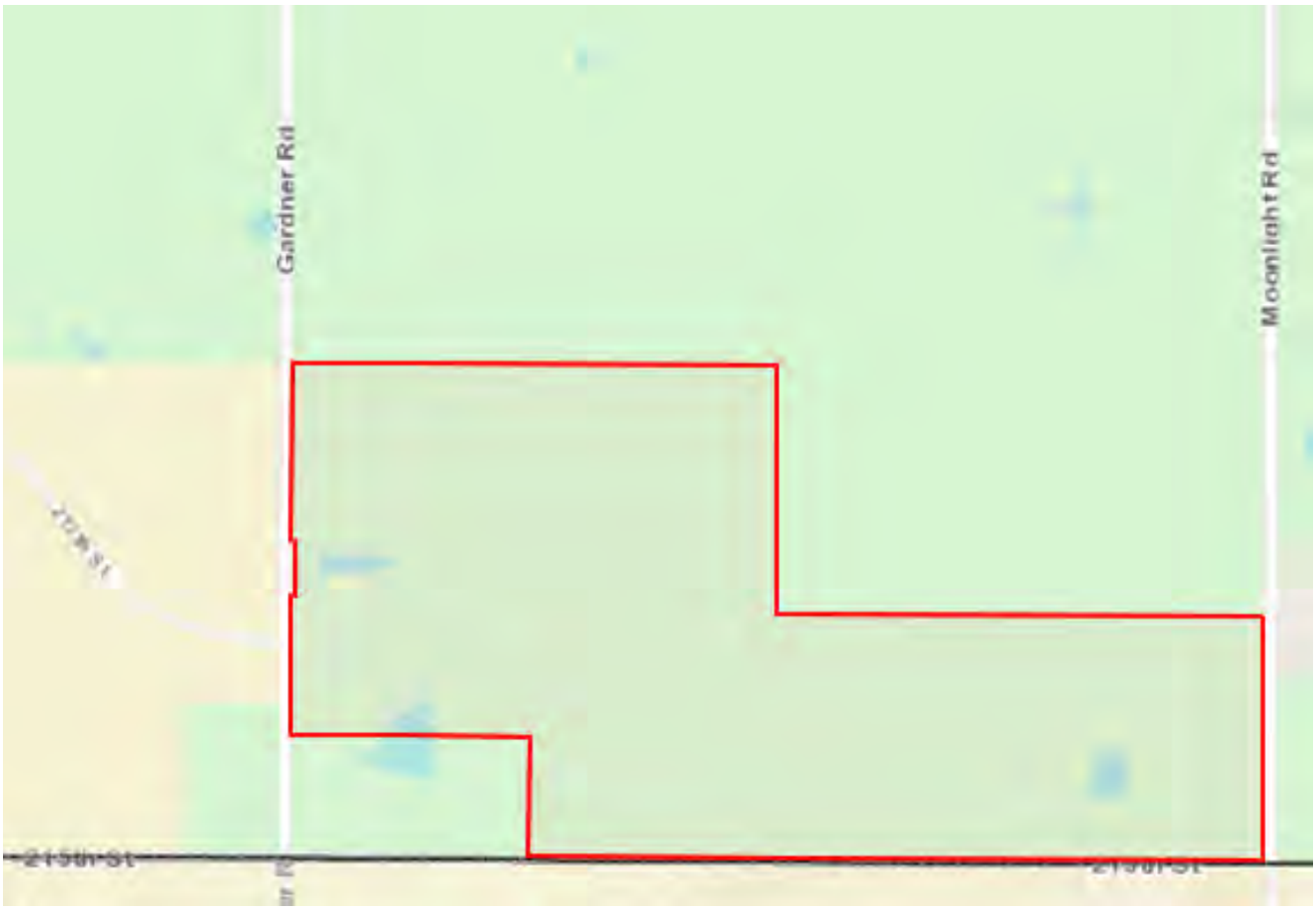


Figure 2 is a closer look at the adjacent parcels and their zoning designations. The subject parcel is outlined in red.

On the west side of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned Rural (RUR) and Residential Neighborhood 1 (RN1). To the east are also parcels zoned RUR. North of the subject property is a parcel zoned RUR and the parcel requesting rezoning to City of Edgerton Logistics Park (L-P) in application ZA2020-07. Parcels to the south are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size and RN1 zoned parcels are for single family dwellings with a one (1) acre minimum lot size. A large portion of parcels to the south are located in Miami County and zoned CD - Countryside. Per the Miami County website, the CS district does have similar uses to that of RUR of Johnson County and has the lot size requirement of fifteen (15) acres per single family dwelling.

Figure 2

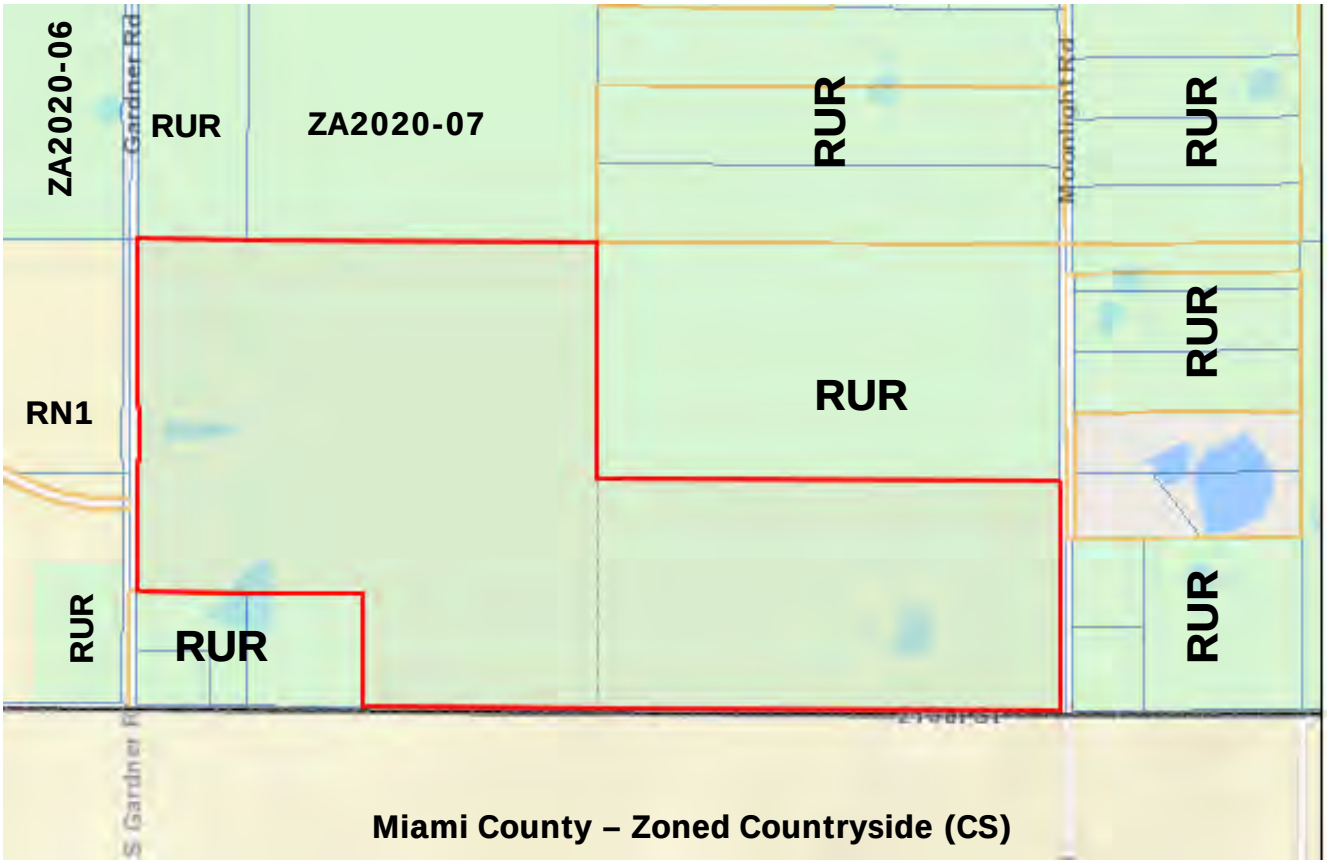


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.73 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.9 miles from I-35.

Figure 3

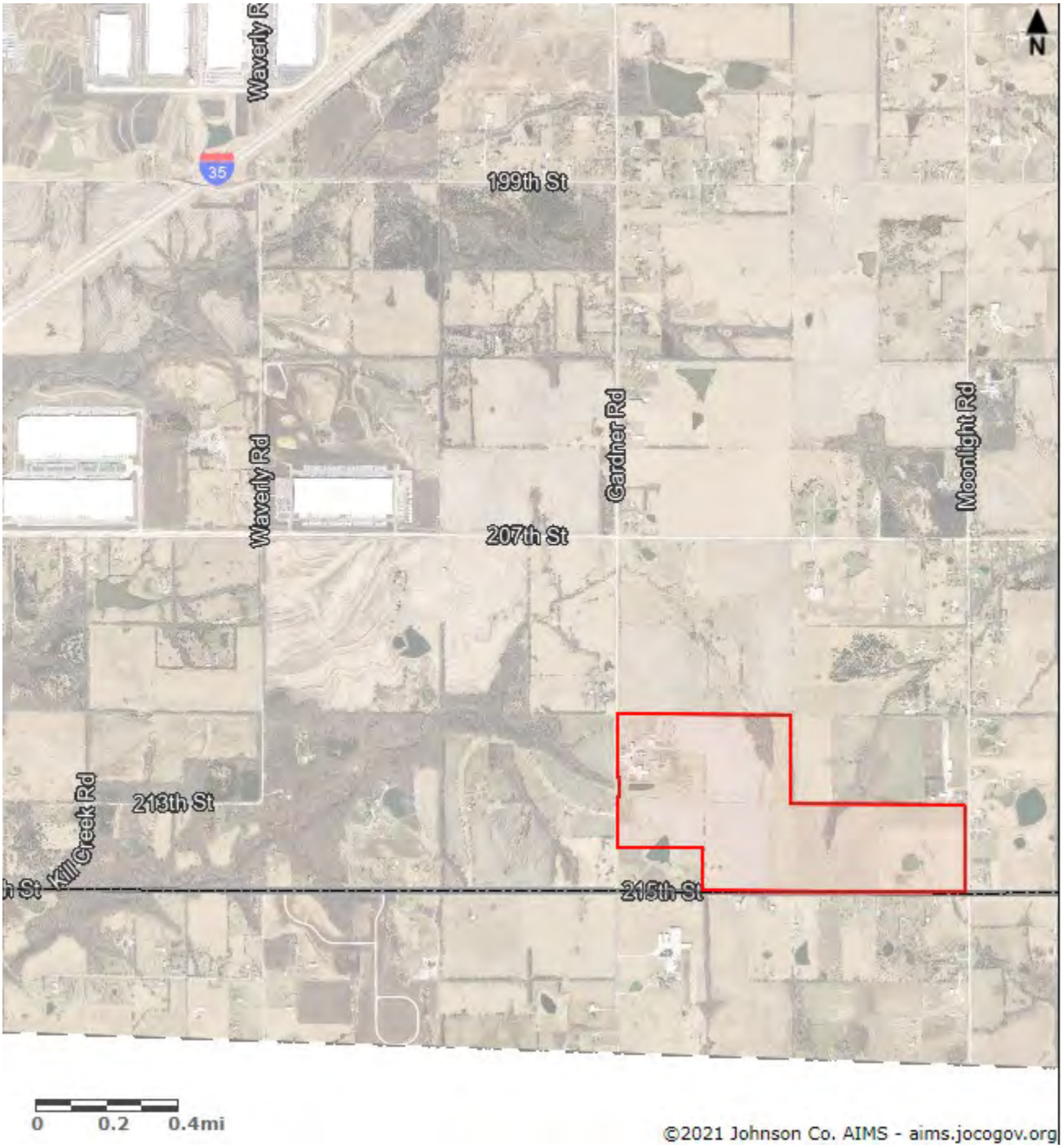
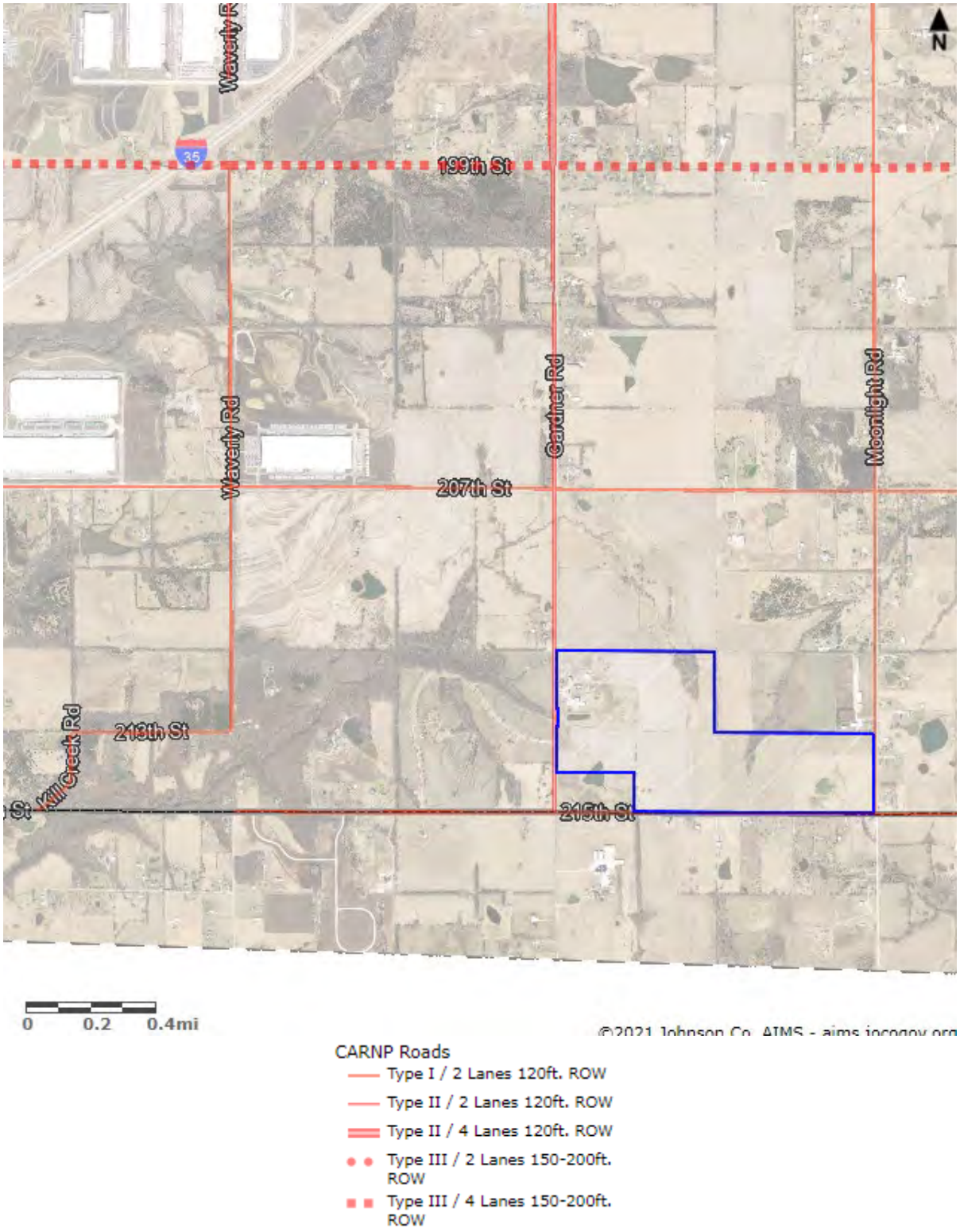


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Current access to the parcel is from Gardner Road, Moonlight Road, and 215th Street.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer – None currently; any development would connect to the City of Edgerton sewer.
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on December 17, 2020. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is necessary prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** When this parcel was part of Johnson County, it contained a zoning designation which only allowed for an agricultural use. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it

does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the Johnson County CARNP, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (approximately 216 acres) would be appropriately sized to accommodate an industrial development in order to allow for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of nearby parcels, specifically to the southwest. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a

holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the southwest. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** Utility providers have extended service to Hostess Distribution Center at the northeast corner of Waverly and 207th Street. As development continues in the area, the developer will be responsible for extending any additional necessary utilities not already in their service area. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** As this area continues to develop, 207th Street, Gardner Road, and 199th Street will be crucial components to providing transportation access across southern Johnson County. Both Homestead Lane and 207th Street east to Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. Today 207th Street is paved half a mile past Waverly Road. The Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type II/2 Lane Arterial Roadway to Gardner Road and a Type III/4 Lane Arterial Roadway designation to 199th Street, designating them both as main throughways. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.

14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 1.9 miles from I-35. Development in the area is driven by the Homestead Lane interchange and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be incompliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of proposed rezoning **Application ZA2020-08** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2020-08
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located North of 215th St between Gardner Rd. and Moonlight Rd. Reference attached for location and property boundaries.

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM RUR (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): South JOCO Farms, LLC PHONE: N/A

COMPANY: _____ FAX: N/A

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: _____

MAILING ADDRESS: 4825 NW 41st St, Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816.800.0950

COMPANY: Renaissance Infrastructure Consulting FAX: _____

MAILING ADDRESS: 5015 NW Canal St. Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: _____ Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Case No.: RZ- ZA2020-08 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/11/2020 Receipt #58500213

Received By: Katy Crow Digitally signed by Katy Crow DN: C=US, E=kcrow@edgertonks.org, O=City of Edgerton, OU=Community Development, CN=Katy Crow Date: 2020.12.14 17:26:41-06'00' Date of Hearing: 01/12/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

AFFIDAVIT OF COMPLIANCE: An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

PROTEST PERIOD: After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

GOVERNING BODY ACTION: After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: The area proposed to be rezoned is generally located between 199th St to the north, 215th St to the south, Gardner Rd to the west and Moonlight Rd to the east with some property to the southwest of the intersection of 207th St and Gardner Rd.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on January 12, 2021. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn - NorthPoint Development, LLC

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St, Suite 500 , Riverside, MO 64150

Street City State Zip

vs. 9-9-11

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Rezoning Application (Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2020-08

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the authorized signer (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 23rd day of December, 2020.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22nd day of December, 2020.

Notary Public

My Commission Expires: 2-24-23 (SEAL)
Date

HEATHER R. PFENDER
Notary Public - Notary Seal
Clay County - State of Missouri
Commission Number 15633521
My Commission Expires Feb 24, 2023

Property Information for 2F221513-2001

Tax Property ID	2F221513-2001	*KS Uniform Parcel #*	0462061303001001000
Situs Address	21195 GARDNER RD	*Acres*	215.94 (9,406,363.25 ft^2)
Owner1 Name	SOUTH JOCO FARMS LLC	*Owner2 Name*	
Owner Address	4187 LOUISIANA TER , OTTAWA, KS 66067		
Class	F	*Year Built*	1860
LBCS	9050	*Neighborhood Code*	804.1
Zoning	RUR	*Taxing Unit*	0059
City	Gardner Twp	*Zip Code*	66030
AIMS Map No.	U13 (T-R-S: 15-22-13)	*Quarter Section*	SE
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	4
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0150G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 13-15-22 SW1/4 EX 3.5 AC & EX 16.5 AC PLATTED & S 1/2 SE1/4 EX E 35' IN RD 218.94 ACS M/L GA 220

Property Map for 2F221513-2001

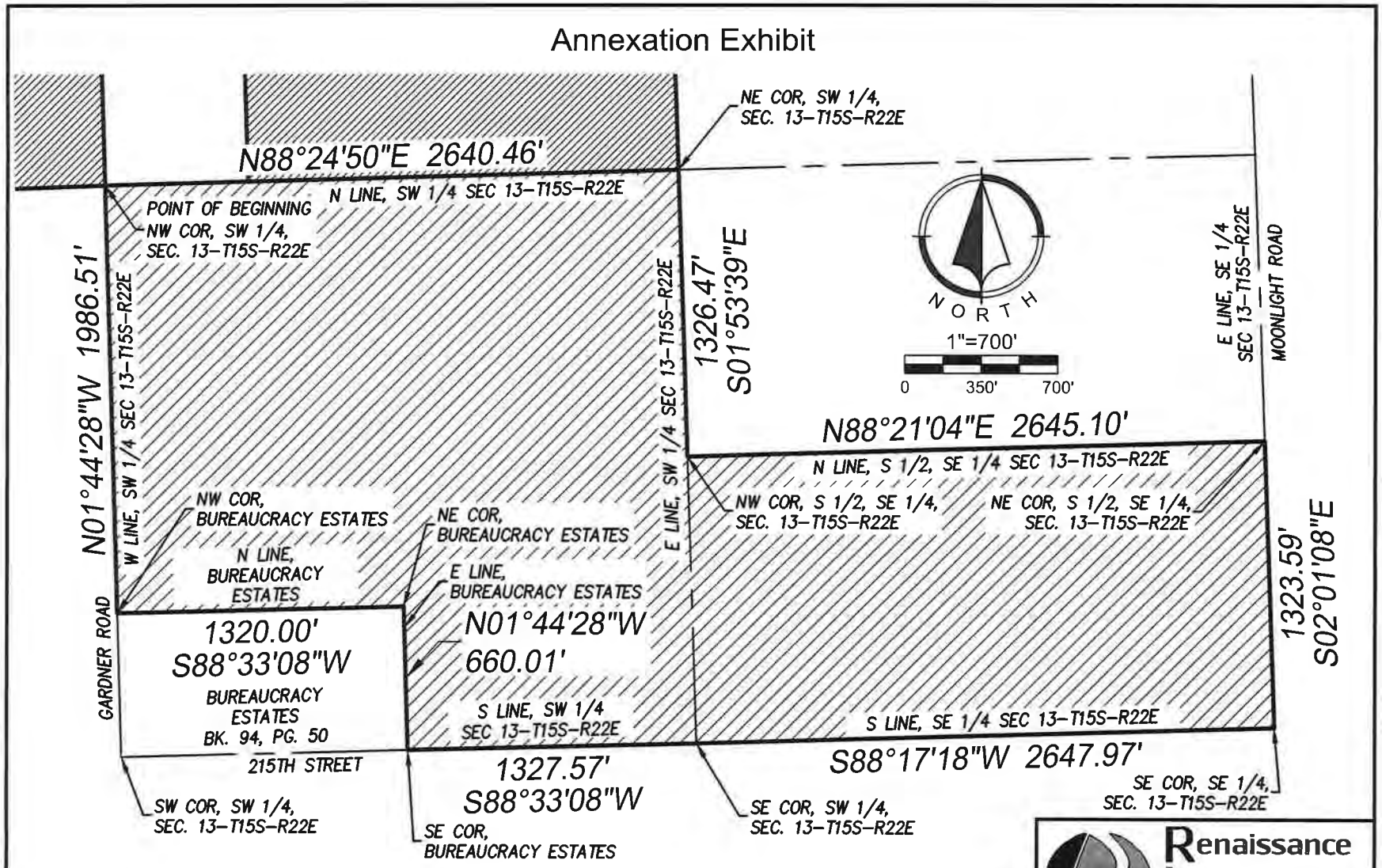


Property Description:

All that that part of Section 13, Township 15 South, Range 22 East of the Sixth Principal Meridian in Johnson County, Kansas, being more particularly described as follows:

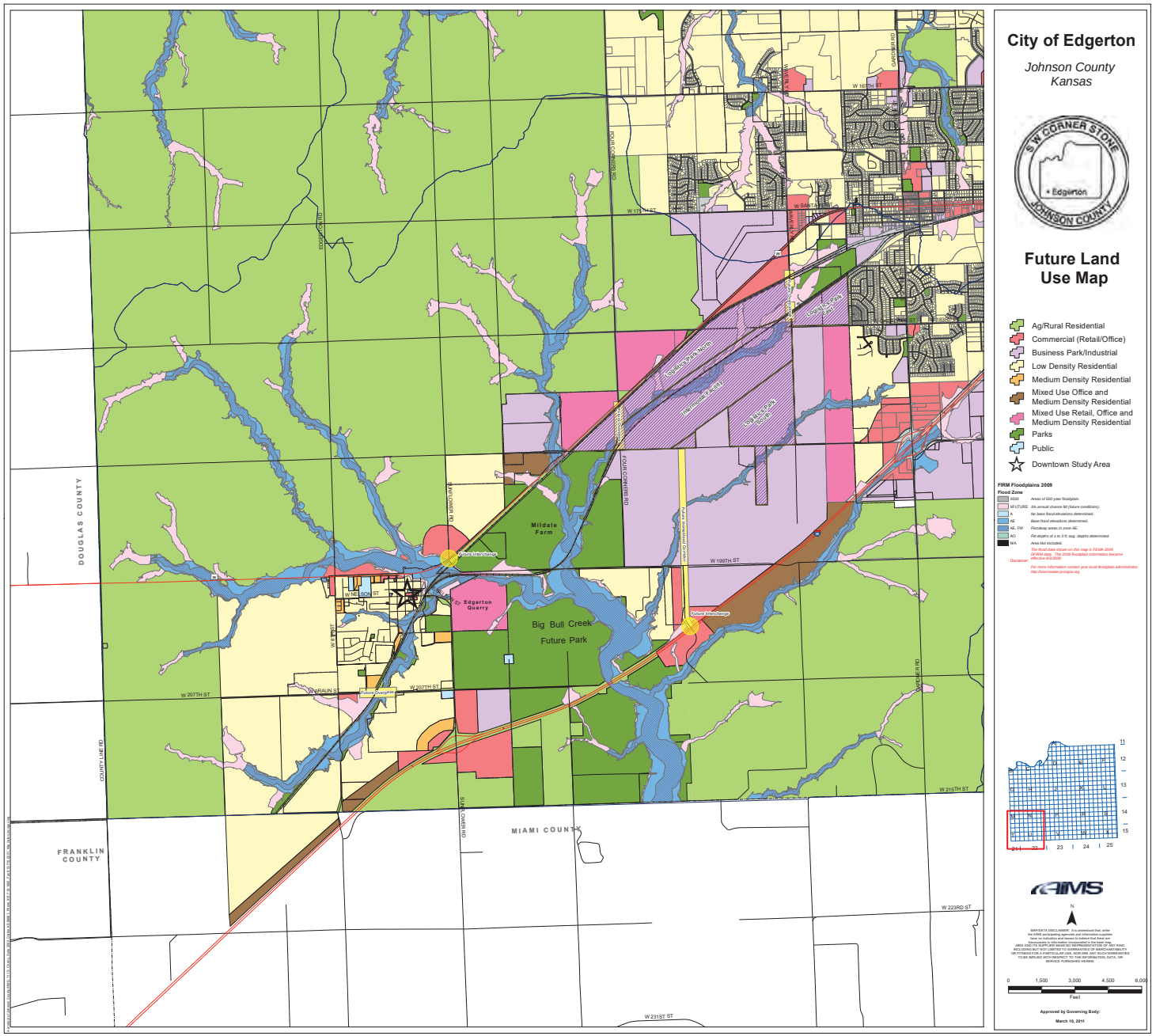
Beginning at the Northwest Corner of the Southwest Quarter of said Section 13; thence North 88°24'50" East, along the North line of said Southwest Quarter, a distance of 2,640.46 feet to the Northeast Corner of said Southwest Quarter; thence South 01°53'39" East, along the East line of said Southwest Quarter, a distance of 1,326.47 feet to the Northwest Corner of the South Half of the Southeast Quarter of said Section 13; thence North 88°21'04" East, along the North line of said South Half, a distance of 2,645.10 feet to the Northeast corner of said South Half; thence South 02°01'08" East, along the East line of said Southeast Quarter, a distance of 1,323.59 feet to the Southeast Corner of said Southeast Quarter; thence South 88°17'18" West, along the South line of said Southeast Quarter, a distance of 2,647.97 feet to the Southeast Corner of the Southwest Quarter of said Section 13; thence South 88°33'08" West, along the South line of said Southwest Quarter, a distance of 1,327.57 feet to the Southeast Corner of BUREAUCRACY ESTATES, a subdivision in said Johnson County, Kansas; thence North 01°44'28" West, along the East line of said BUREAUCRACY ESTATES, a distance of 660.01 feet to the Northeast Corner of said BUREAUCRACY ESTATES; thence South 88°33'08" West, along the North line of said BUREAUCRACY ESTATES, a distance of 1,320.00 feet to the Northwest Corner thereof, said point being on the West line of said Southwest Quarter; thence North 01°44'28" West, along said West line, 1,986.51 feet to the Point of Beginning. Containing 9,641,327 square feet or 221.334 acres, more or less.

Annexation Exhibit



20-3074
Prepared 12-09-2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913 317 9500
www.ric-consult.com



City of Edgerton

Johnson County
Kansas

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AMS

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MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of the information provided in information incorporated in the base map, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, INCLUDING TO SUPPLIER AND TO ITS AFFILIATES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2021-01 -** Rezoning of a parcel of land located at 32425 W 207th Street

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Johnson County Land Company, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	32425 W 207th Street Edgerton, KS 66021
Existing Zoning and Land Uses:	Johnson County Rural (RUR), Agricultural
Existing Improvements:	Agricultural Facilities
Site Size:	33.915 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on March 15, 2018 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels near and adjacent to the subject property. The green denotes Johnson County Rural (RUR) zoning designation. The light yellow indicates a Johnson County Residential Neighborhood 2 (RN2) zoned parcel. The purple indicates City of Edgerton Logistics Park (L-P) zoning. The pink denotes a City of Edgerton Heavy Service Commercial (C-2) zoning designation. The grey areas contain no zoning designation as those parcels are owned by the Kansas Department of Transportation and represent interstate right of way. The border between the City of Edgerton and unincorporated Johnson County is shown as a dotted and dashed line.

Figure 1

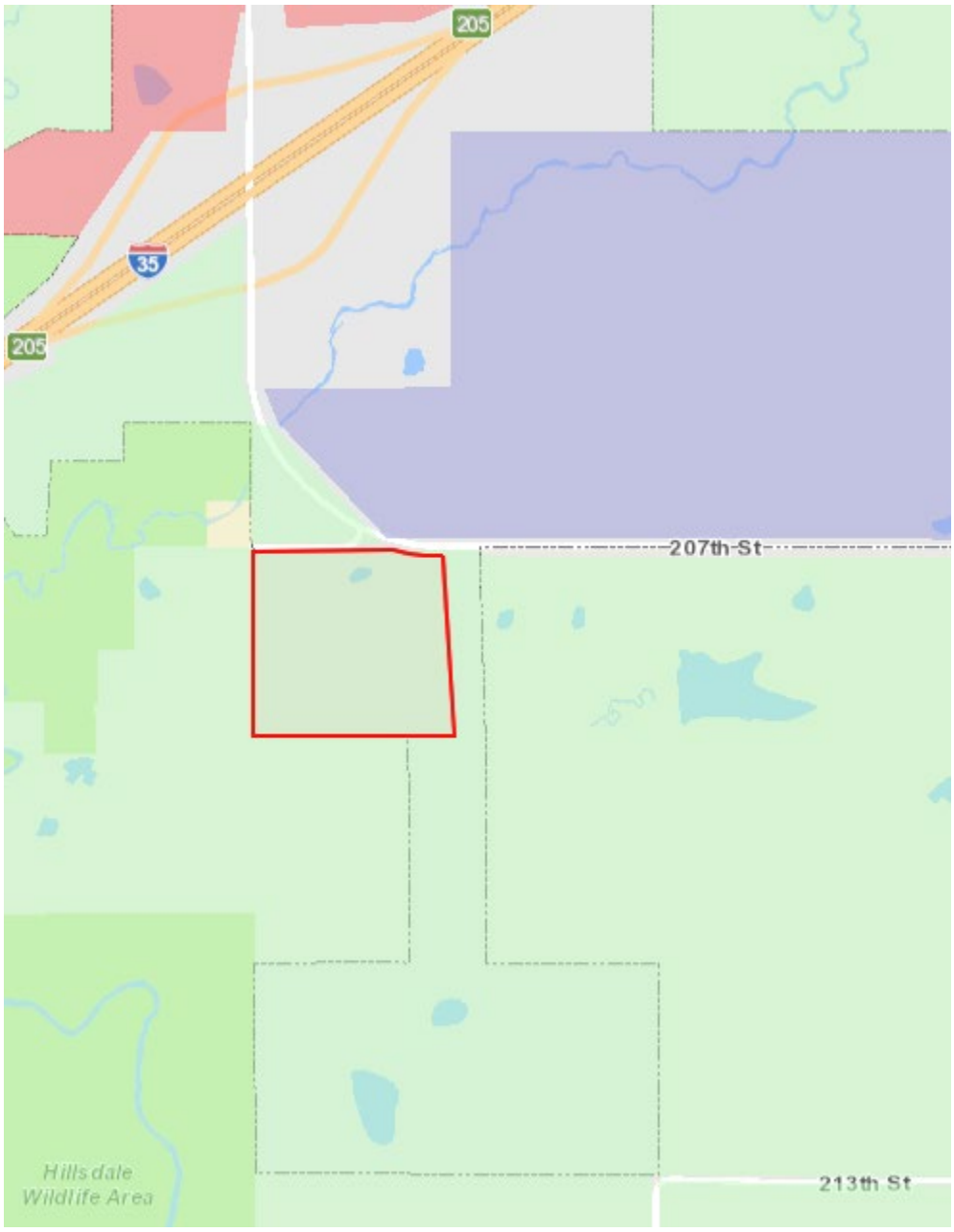


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the north, west and south sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. There is one (1) parcel on the northwest corner of the subject property that is zoned RN2. RN2 zoned parcels are for single-family dwellings with a two (2) acre minimum lot size. To the northeast of the subject property, across Homestead Lane and 207th Street, there is a large L-P zoned parcel. The east side of the subject parcel is adjacent to a parcel requesting rezoning to L-P District as outlined in application ZA2021-02. The parcel noted as ZA2021-03 to the south of the subject property is also requesting rezoning to L-P District.

Figure 2

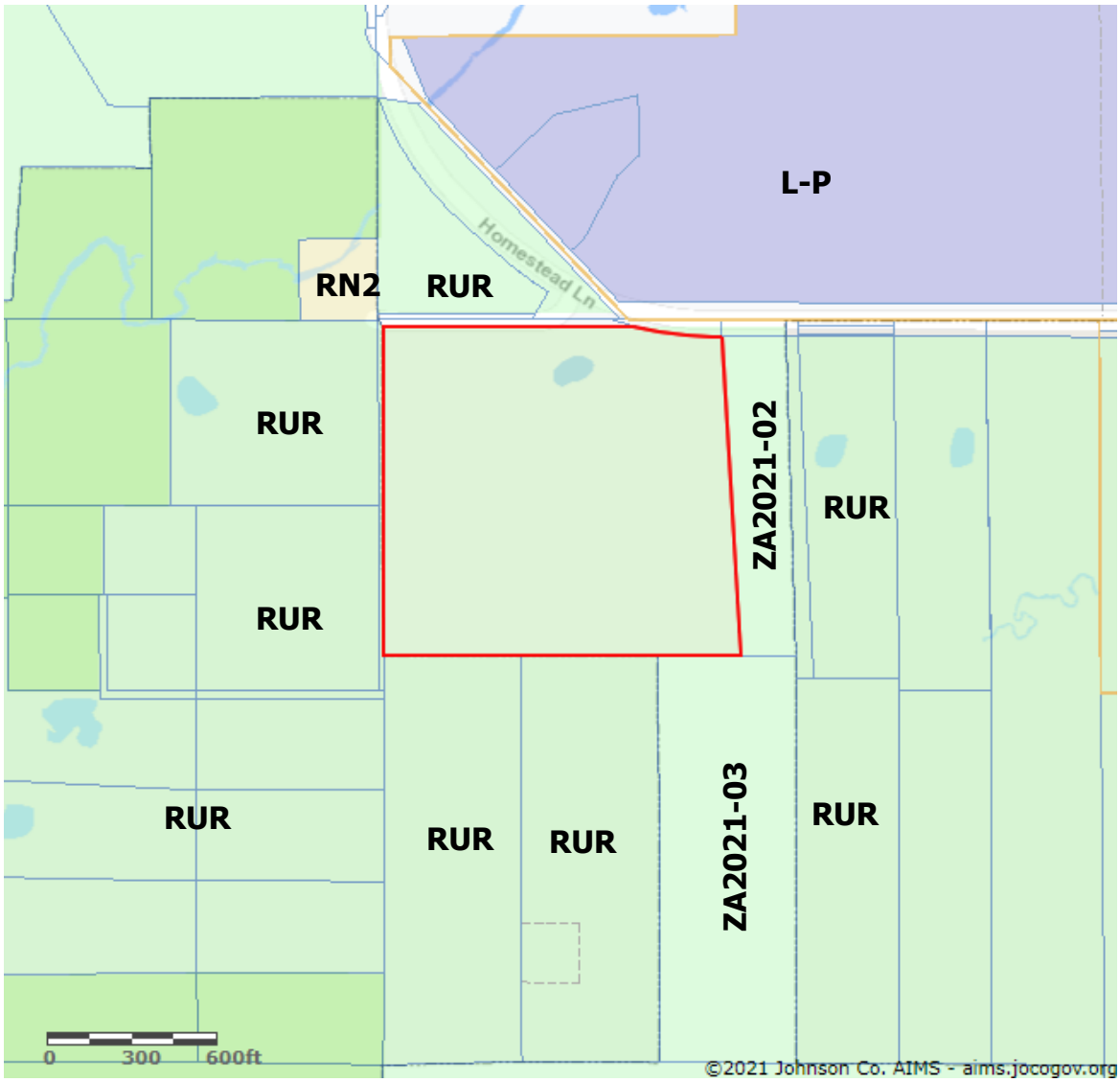


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.32 miles from I-35 and the Homestead Lane interchange.

Figure 3

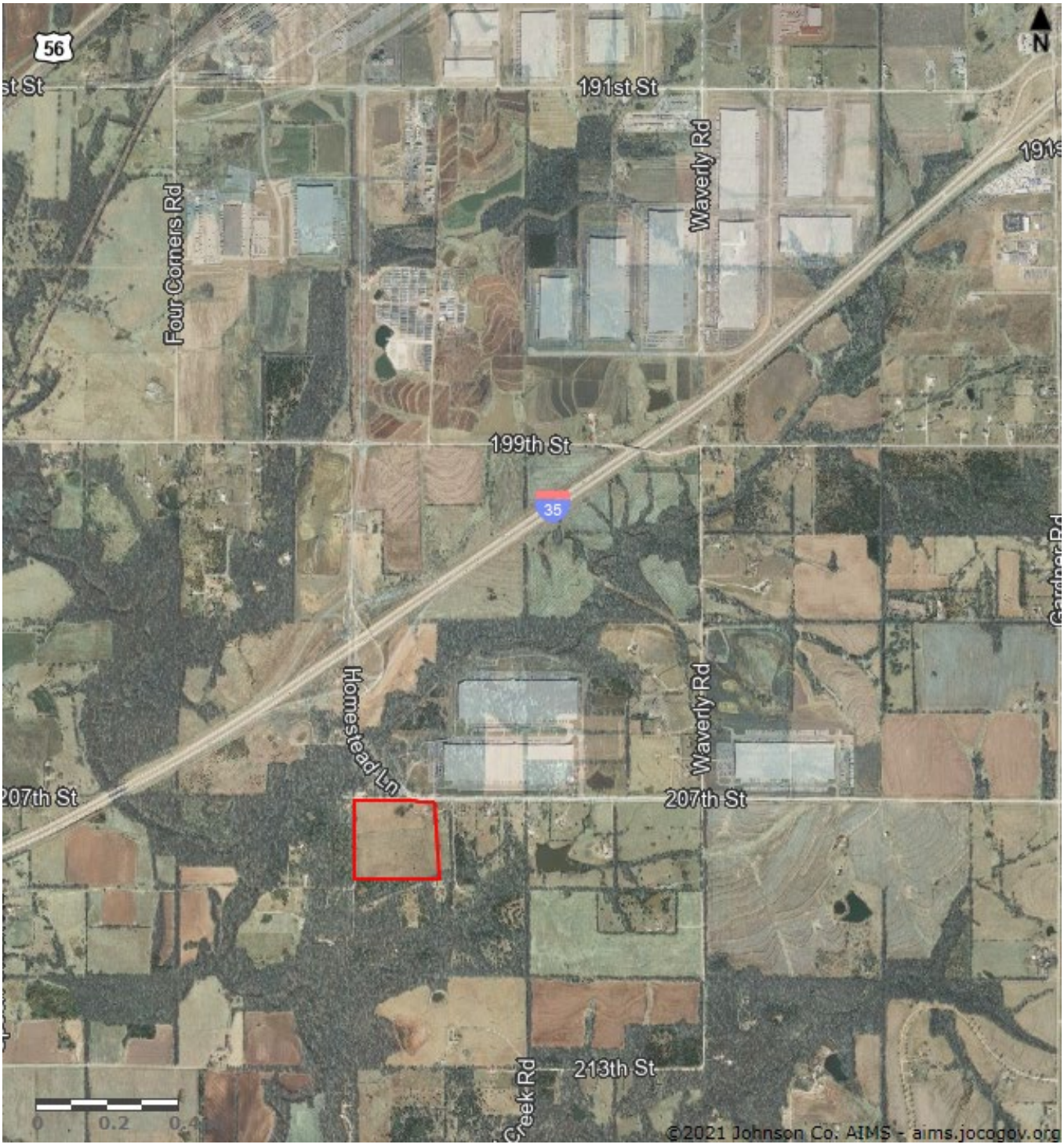
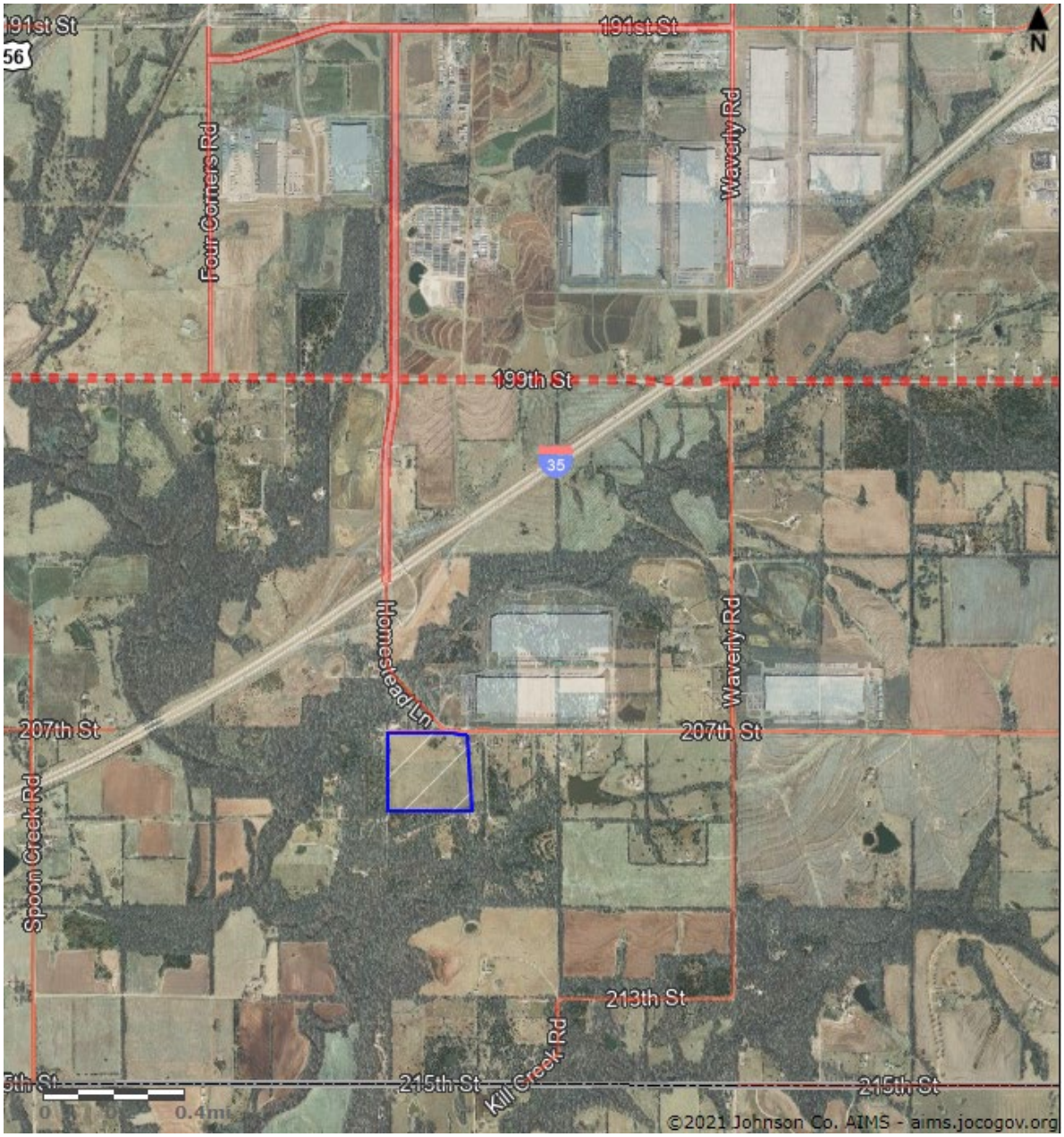


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



CARNP Roads
- Type I / 2 Lanes 120ft. ROW
- Type II / 2 Lanes 120ft. ROW
- Type II / 4 Lanes 120ft. ROW
- Type III / 2 Lanes 150-200ft. ROW
- Type III / 4 Lanes 150-200ft. ROW

INFRASTRUCTURE AND SERVICES

1. Access to the parcel is currently from 207th Street on the north.
2. Utilities and service providers.
    a. Water – Johnson County Water District #7
    b. Sanitary Sewer – City of Edgerton
    c. Electrical Service – Evergy
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on March 15, 2018. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail, and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When this parcel was annexed into Edgerton, it contained a Johnson County RUR zoning designation as assigned by the County. That zoning designation only allows for an agricultural use and it is considered a holding designation post annexation. Prior to any development occurring on the parcel, rezoning to a City of Edgerton zoning designation is necessary. The applicant has requested that this parcel be rezoned to L-P to allow for the future construction of projects similar to other projects in other L-P District areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility, I-35 and the Homestead interchange, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was

initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. Development in this area is driven by the Homestead Lane interchange and the proposed rezoning to L-P District is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the City of Edgerton UDC, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (33.915 acres) would be appropriately sized to accommodate an industrial development and the size allows for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and the appropriate transition between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements along 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR and RN2 contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible the existing zoning and existing use of the parcel across 207th Street (Kubota North America Distribution Center). The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is

primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** For any development which occurs on this parcel, it will be the responsibility of the developer to work with the utility companies to extend any necessary utilities not already in the service area. The parcel currently receives electric service and there is a connection point along 207th Street for gas service. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of

pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and the community in a positive way by providing jobs, economic opportunities, and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 0.32 miles from I-35 and the Homestead Lane interchange. Development in the area is driven by its proximity to the highway system and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be in compliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:
City staff recommends **approval** of proposed rezoning **Application ZA2021-01** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:
- Rezoning Application ZA2021-01.
- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 32425 W 207th St

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM A-G (Current Zoning) TO L-P Logistics Park (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Johnson County Land Co, LLC PHONE: N/A

COMPANY: Johnson County Land Co, LLC FAX: N/A

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816-888-7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX:

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX:

MAILING ADDRESS: 5015 NW Canal St., Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Receipt 55169563

Case No.: RZ- ZA2021-01 Amount of Fee Paid:$ 250.00 Date Fee Paid: 12/08/2021

Received By: Katy Crow Date of Hearing: 02/09/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

Property Information for BF221515-1006

Tax Property ID	BF221515-1006	*KS Uniform Parcel #*	0462051502001006000
Situs Address	32425 W 207TH ST	*Acres*	33.36 (1,453,023.89 ft^2)
Owner1 Name	JOHNSON COUNTY LAND COMPANY	*Owner2 Name*	LLC
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9020	*Neighborhood Code*	804.1
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U15 (T-R-S: 15-22-15)	*Quarter Section*	NW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	0
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0134G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 15-15-22 BG NW CR NW1/4 E 1210.1' S 1195.9' W 1277.30' N 1194.20' TO POB EX .379 AC IN ST 33.715 ACS M/L

Property Map for BF221515-1006



Exhibit A

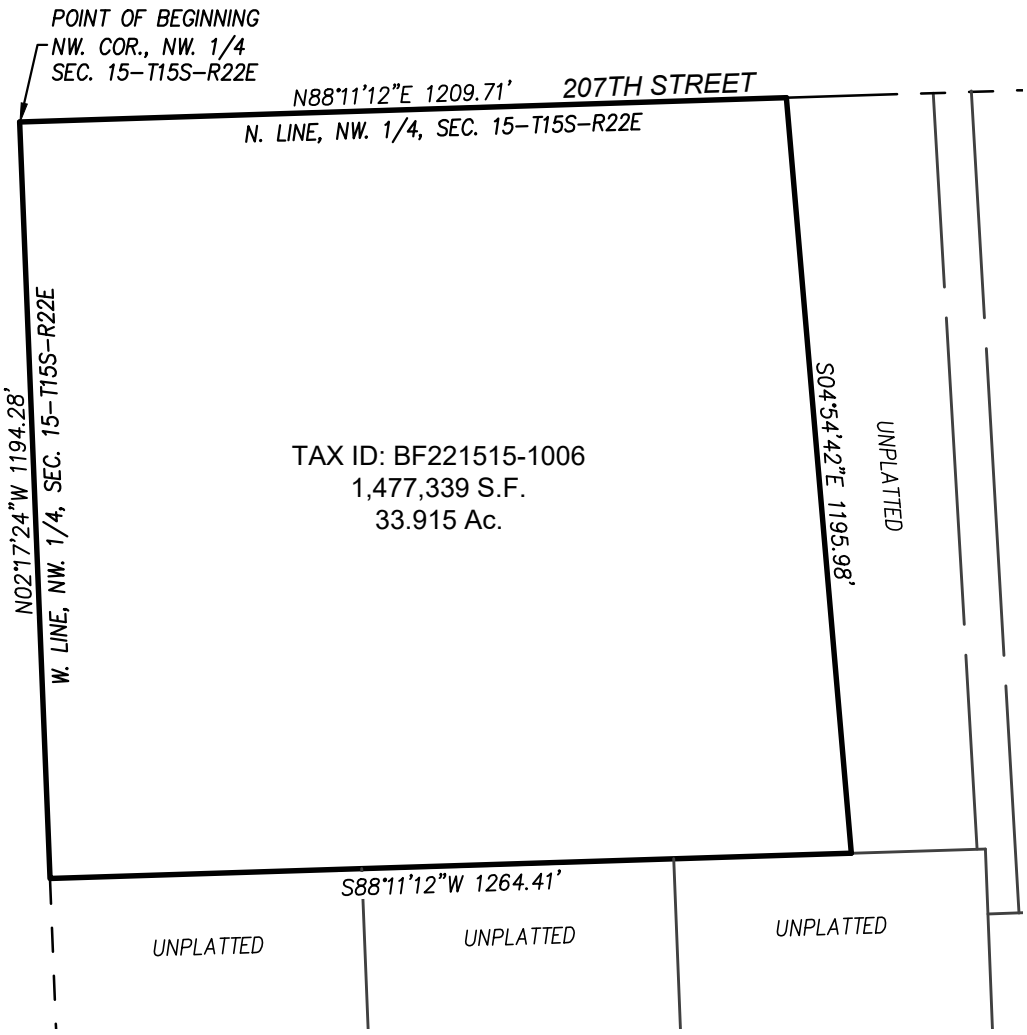
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet; thence departing said North line, South 04°54'42" East a distance of 1195.98 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 1264.41 feet to a point on the West line of the Northwest Quarter of said Section 15; thence North 02°17'24" West, along said West line, distance of 1194.28 feet to the Point of Beginning, containing 1,477,339 square feet or 33.915 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:18pm
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EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, ZA2021-05

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: Located approximately 3/4 of a mile west of Waverly between W. 207th St and W 213th St.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on February 9, 20 21. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St., Suite 500 , Riverside, MO 64150

Street City State Zip

EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the Authorized Person (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 18th day of January, 2021.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 18th day of January, 2021.

Notary Public

My Commission Expires: 10-19-2024 (SEAL)
Date

PHILECIA HOEPPNER
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 16493224
My Commission Expires Oct 19, 2024

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

Exhibit A

Rezoning Description:

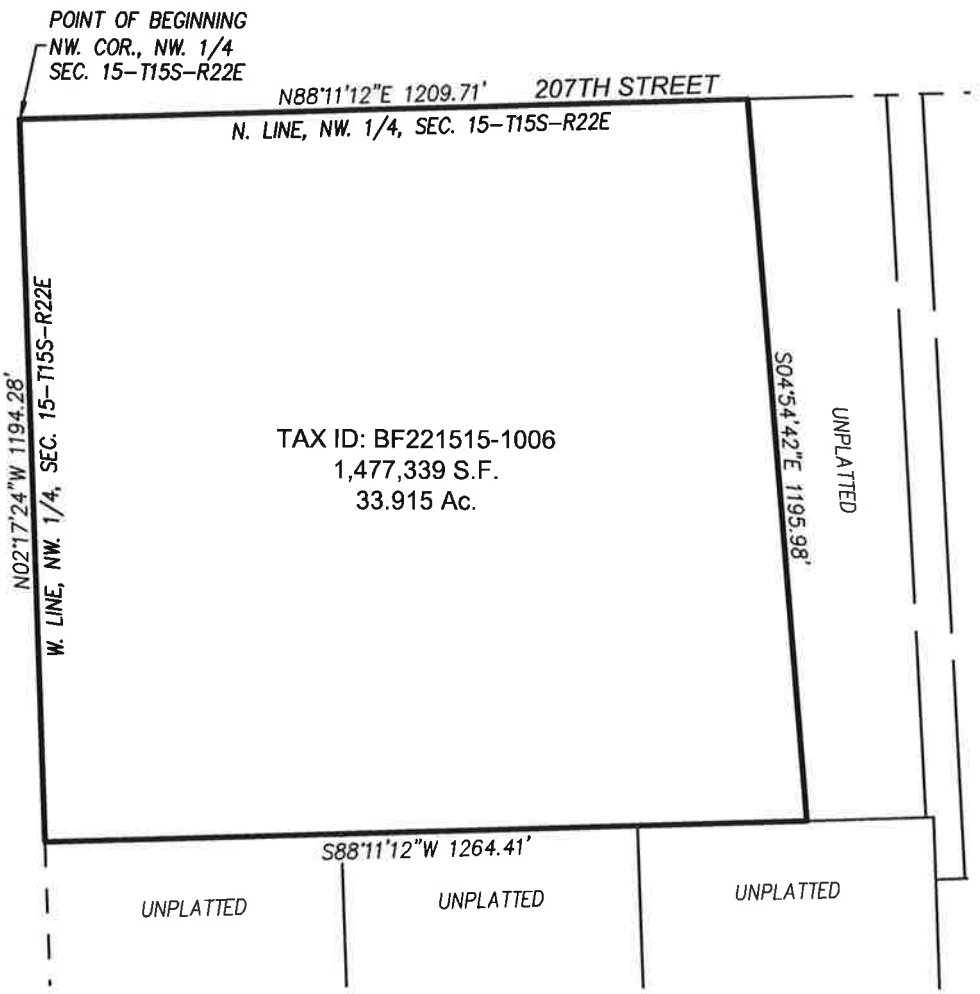
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet; thence departing said North line, South 04°54'42" East a distance of 1195.98 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 1264.41 feet to a point on the West line of the Northwest Quarter of said Section 15; thence North 02°17'24" West, along said West line, distance of 1194.28 feet to the Point of Beginning, containing 1,477,339 square feet or 33.915 acres, more or less.

ZA2021-01

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:18pm
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Exhibit A

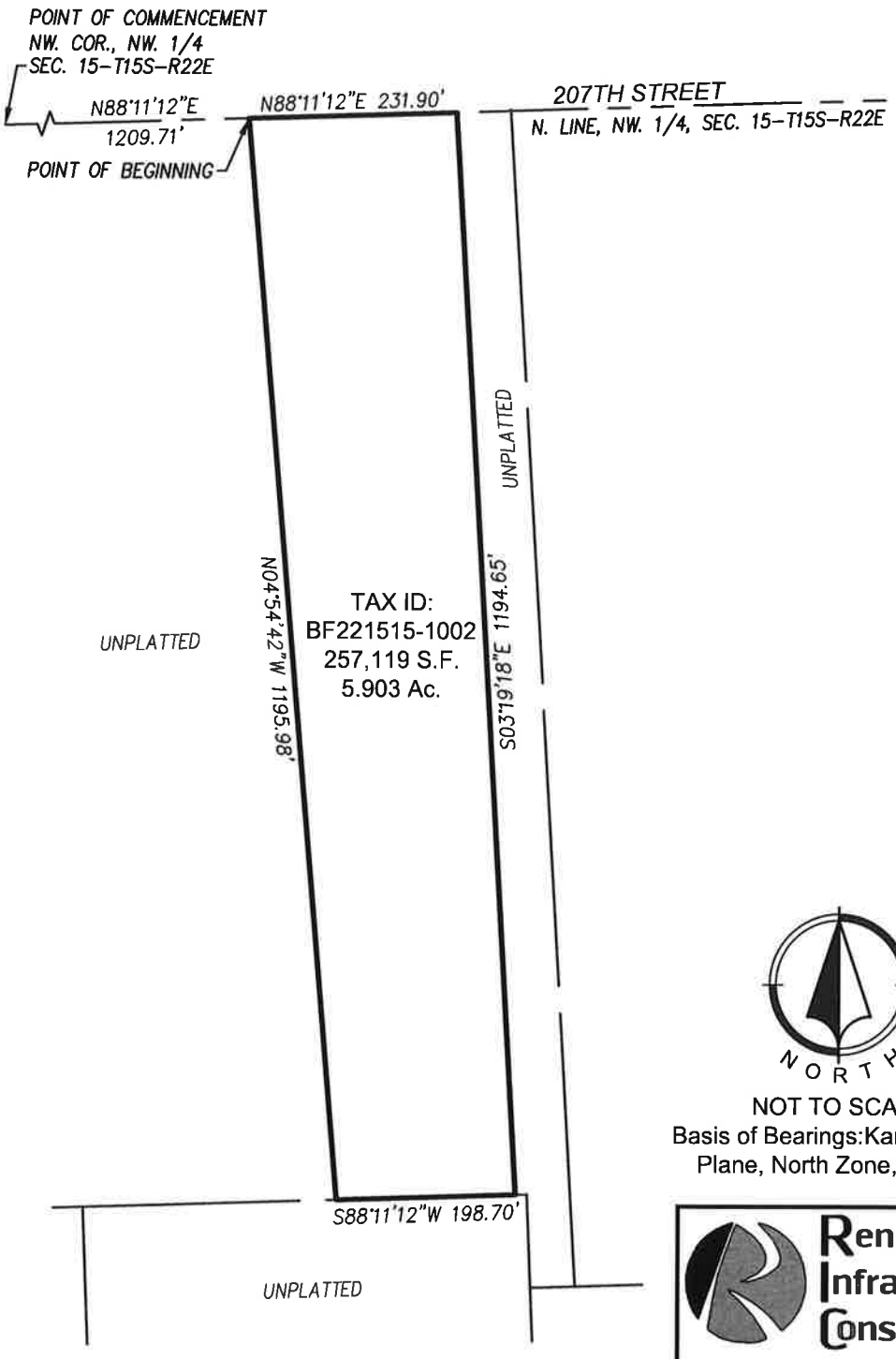
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet to the Point of Beginning; thence continuing North 88°11'12" East, along said North line, a distance of 231.90 feet; thence departing said North line, South 03°19'18" East a distance of 1194.65 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 198.70 feet; thence North 04°54'42" West a distance of 1195.98 feet to the Point of Beginning, containing 257,119 square feet or 5.903 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NOT TO SCALE
Basis of Bearings:Kansas State Plane, North Zone, NAD83

Jan 07, 2021-4:19pm
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Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
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Exhibit A

Rezoning Description:

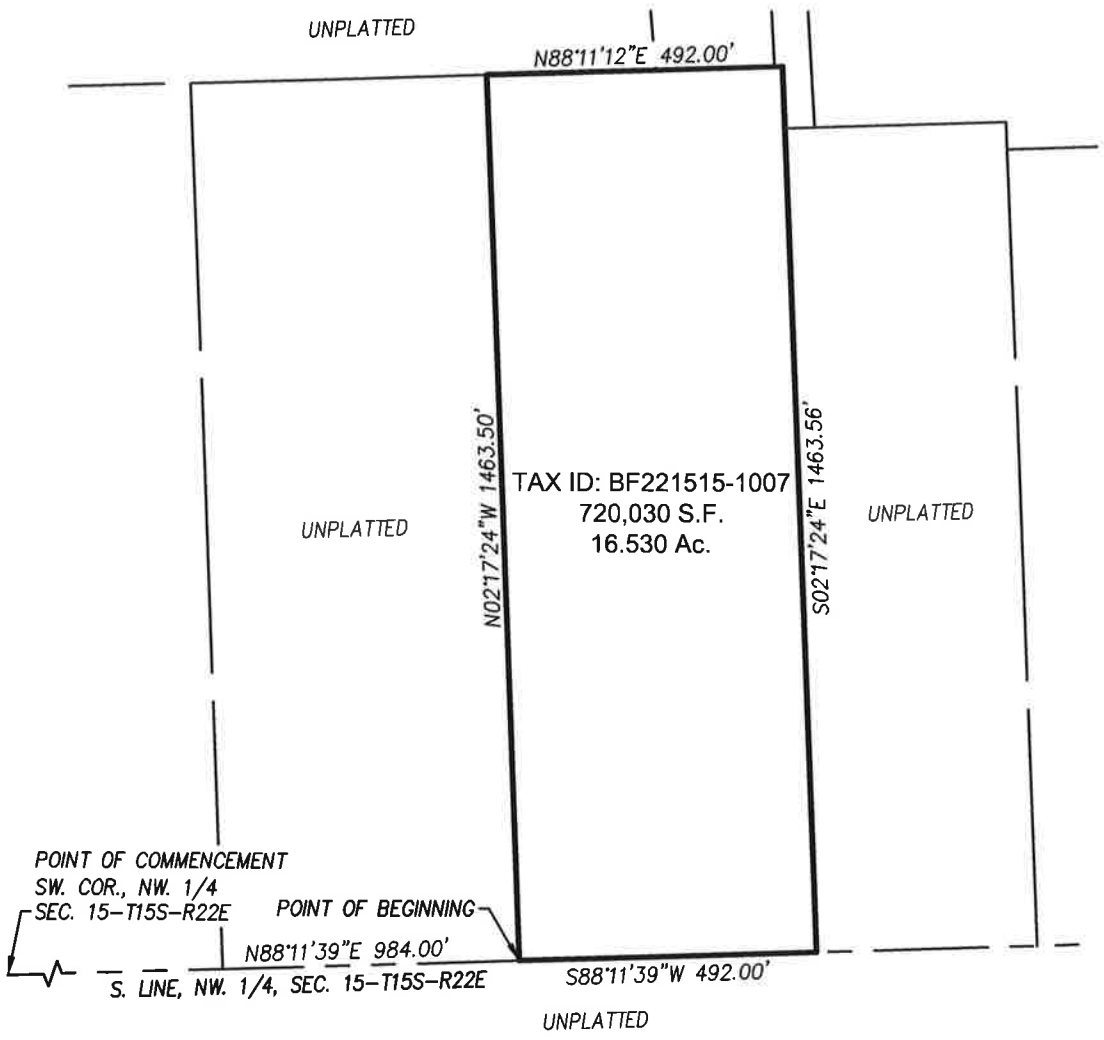
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 88°11'39" East, along the South line of said Northwest Quarter, a distance of 984.00 feet to the Point of Beginning; thence departing said South line, North 02°17'24" West, parallel with the West line of said Northwest Quarter, a distance of 1463.50 feet; thence North 88°11'12" East, parallel with the North line of said Northwest Quarter, a distance of 492.00 feet; thence South 02°17'24" East, parallel with the West line of said Northwest Quarter, a distance of 1463.56 feet to a point on the South line of said Northwest Quarter; thence South 88°11'39" West, along said South line, a distance of 492.00 feet to the Point of Beginning, containing 720,030 square feet or 16.530 acres, more or less.

ZA2021-03

Rezoning Area Exhibit

Exhibit A





NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Jan 08, 2021 - 7:56am
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Exhibit A

Rezoning Description:

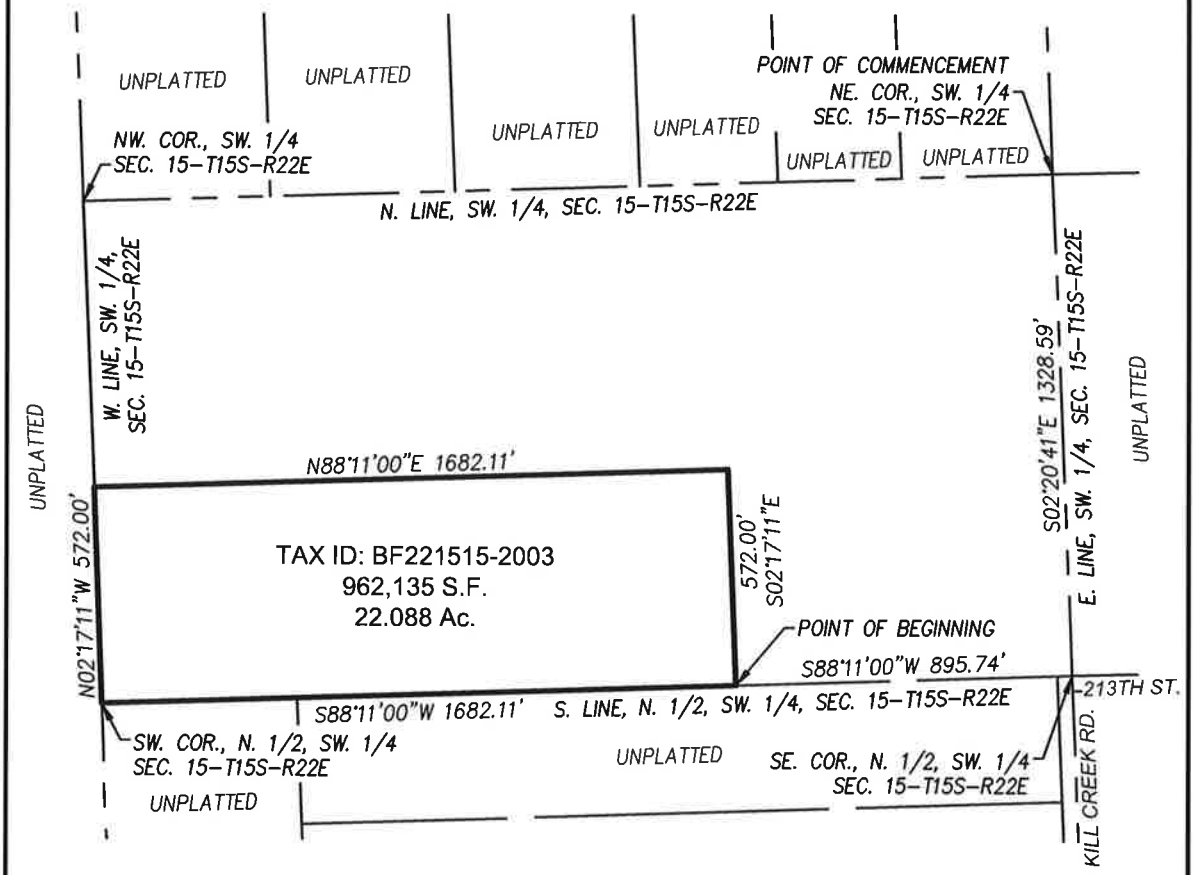
Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

ZA2021-04

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Sheet 2 of 2

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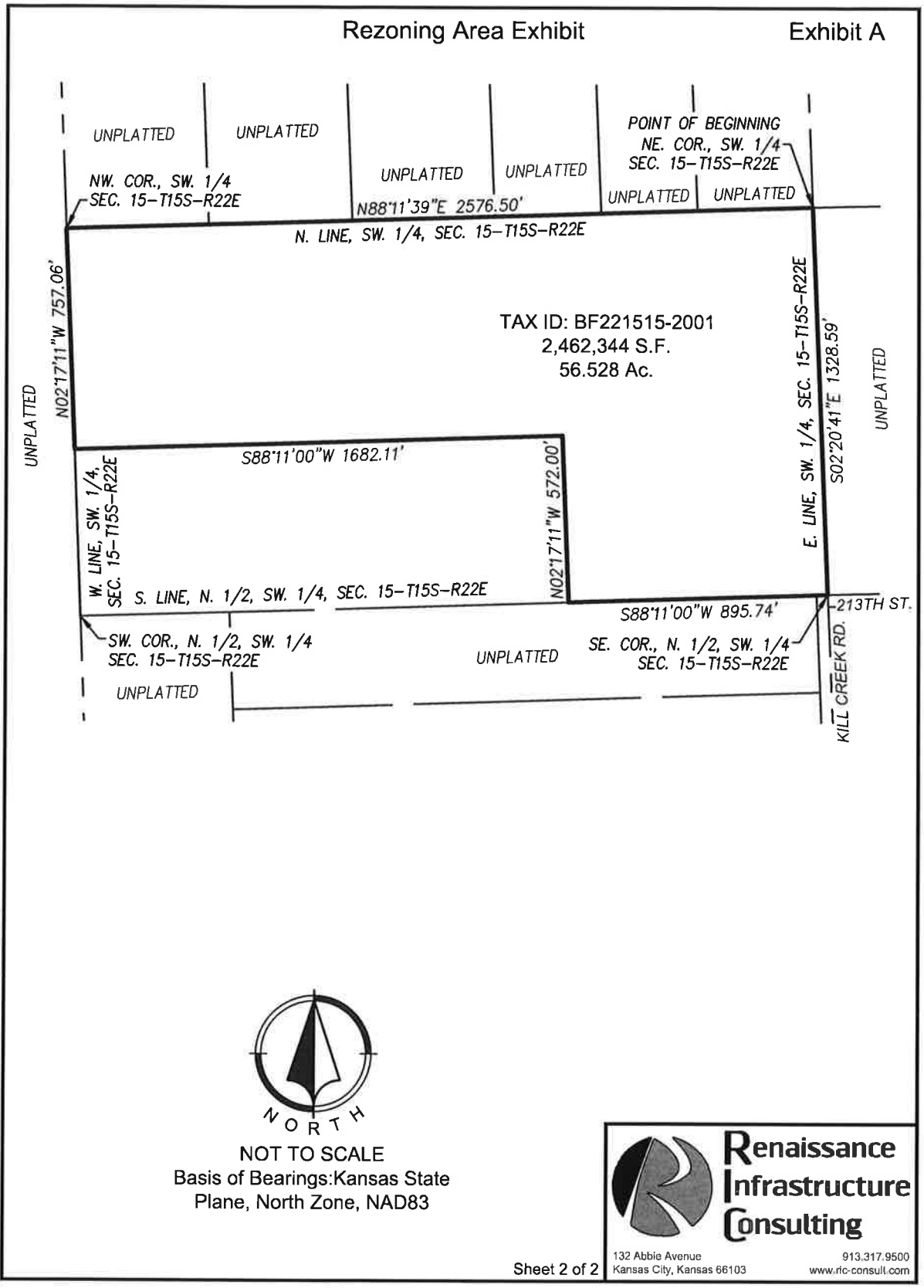
Exhibit A

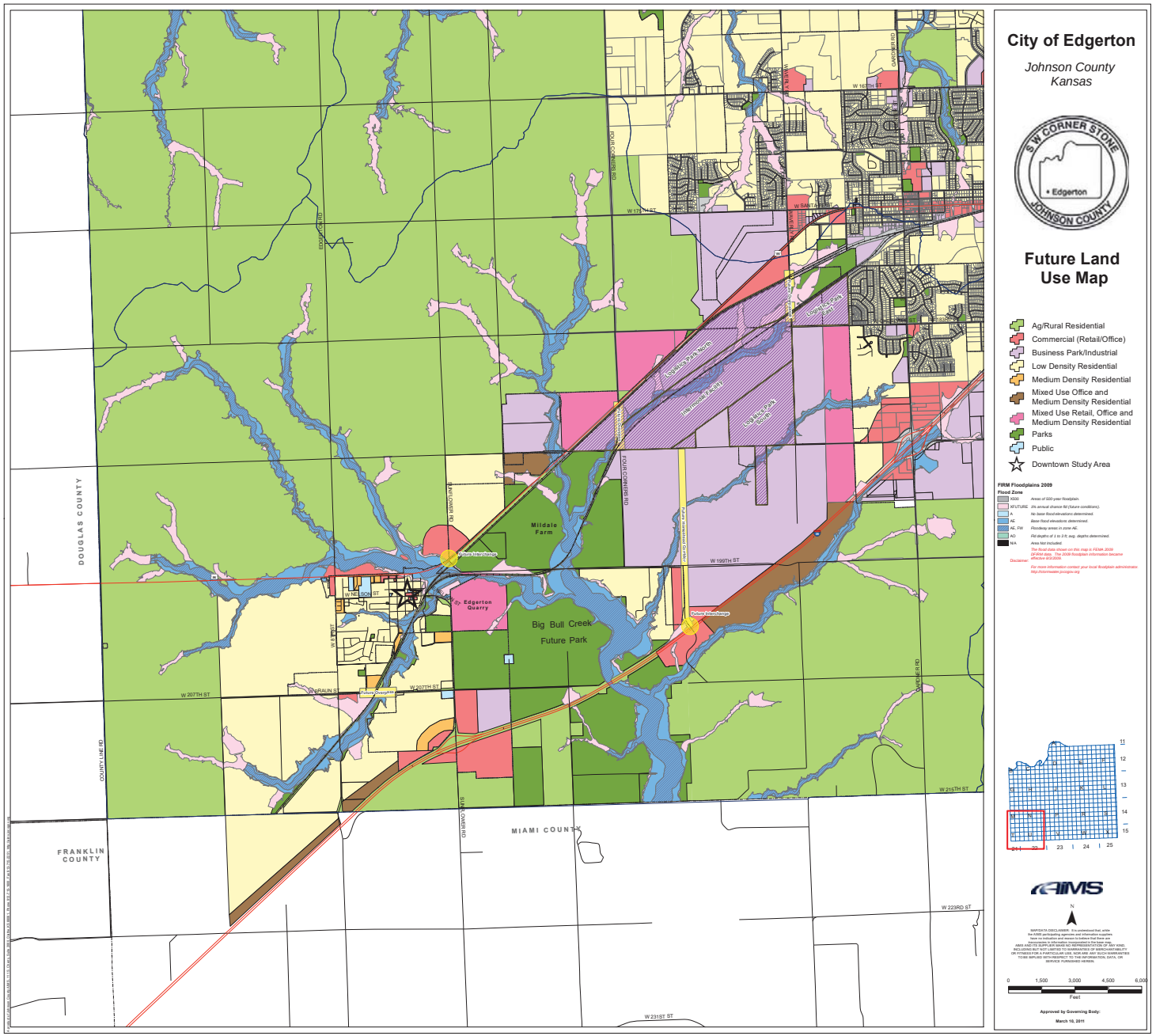
Rezoning Description:

Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet; thence departing said South line, North 02°17'11" West a distance of 572.00 feet; thence South 88°11'00" West a distance of 1,682.11 feet to a point on the West line of said Southwest Quarter; thence North 02°17'11" West, along said West line, a distance of 757.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 2,462,344 square feet or 56.528 acres, more or less.

ZA2021-05


Rezoning Area Exhibit
Exhibit A
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
POINT OF BEGINNING
NE. COR., SW. 1/4
SEC. 15-T15S-R22E
NW. COR., SW. 1/4
SEC. 15-T15S-R22E
N88°11'39"E 2576.50'
N. LINE, SW. 1/4, SEC. 15-T15S-R22E
N02°17'11"W 757.06'
TAX ID: BF221515-2001
2,462,344 S.F.
56.528 Ac.
E. LINE, SW. 1/4, SEC. 15-T15S-R22E
S02°20'41"E 1328.59'
S88°11'00"W 1682.11'
N02°17'11"W 572.00'
W. LINE, SW. 1/4, SEC. 15-T15S-R22E
S. LINE, N. 1/2, SW. 1/4, SEC. 15-T15S-R22E
S88°11'00"W 895.74'
213TH ST.
KILL CREEK RD.
SW. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
SE. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
UNPLATTED
UNPLATTED
NORTH
NOT TO SCALE
Basis of Bearings:Kansas State
Plane, North Zone, NAD83
Sheet 2 of 2
Renaissance
Infrastructure
Consulting
132 Abbie Avenue
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City of Edgerton

Johnson County
Kansas

SW CORNER STONE
• Edgerton
JOHNSON COUNTY

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AIMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of information incorporated in the base map, ANY AND ALL EXPRESS OR IMPLIED WARRANTIES OF ANY KIND (INCLUDING THE SUPPLIERS' WARRANTIES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

EDGERTON
global routes. local roots.
404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2021-02 -** Rezoning of a parcel of land located at 32295 W 207th Street

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Wellsville Land Company, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	32295 W 207th Street Edgerton, KS 66021
Existing Zoning and Land Uses:	Johnson County Rural (RUR), Agricultural
Existing Improvements:	Agricultural Facilities
Site Size:	5.903 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on March 15, 2018 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two miles north of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels adjacent to the subject property. The green denotes Johnson County Rural (RUR) zoning designation. The light yellow indicates a Johnson County Residential Neighborhood 2 (RN2) zoned parcel. The purple indicates City of Edgerton Logistics Park (L-P) zoning. The pink denotes a City of Edgerton Heavy Service Commercial (C-2) zoning designation. The grey areas contain no zoning designation as those parcels are owned by the Kansas Department of Transportation and represent interstate right of way. The border between the City of Edgerton and unincorporated Johnson County is shown as a dotted and dashed line.

Figure 1

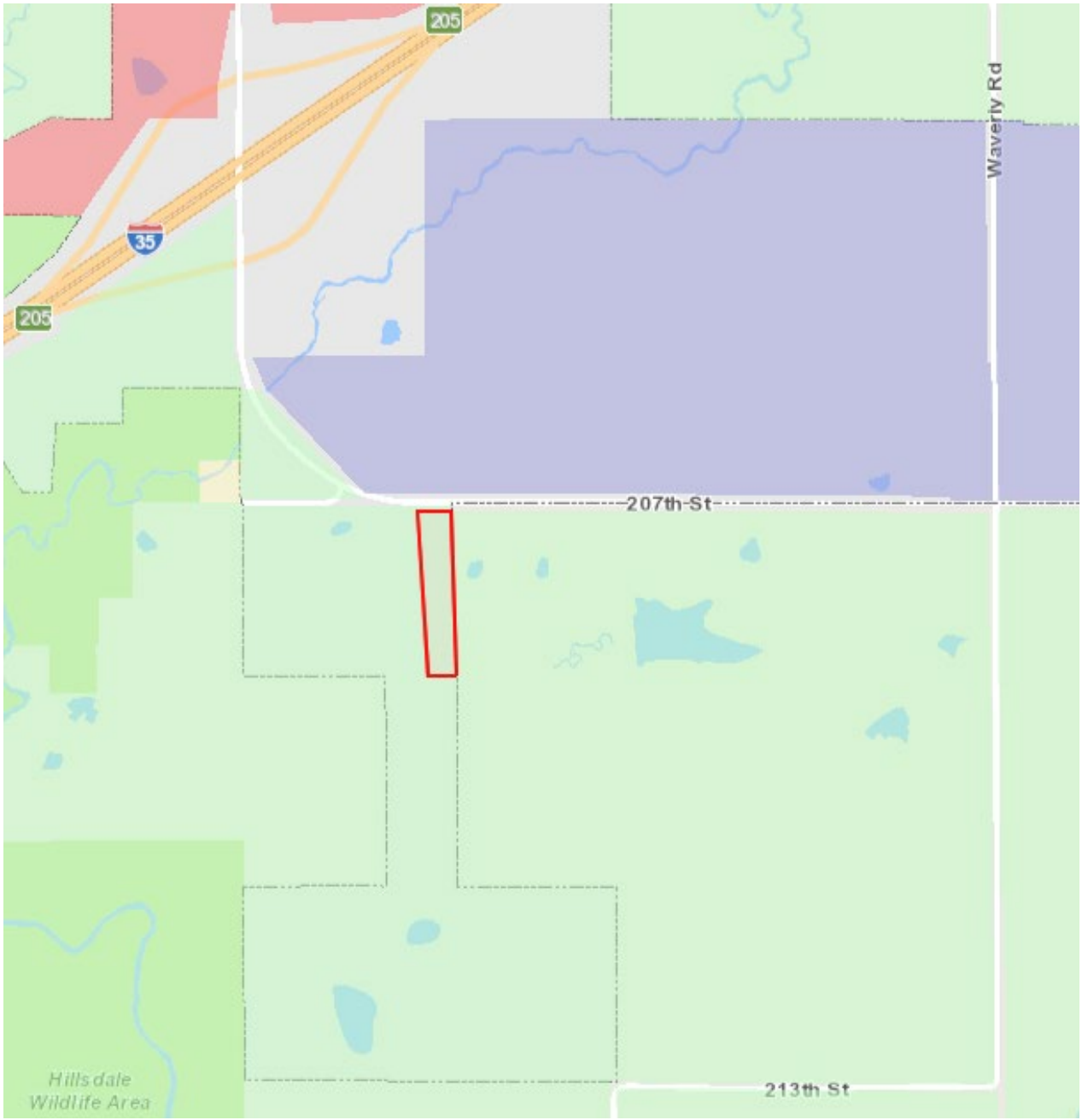


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east side of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. Northeast of the parcel, across Homestead Lane and 207th Street, there is a large L-P zoned parcel. The west side of the subject parcel is adjacent to the parcel that is addressed in application ZA2021-01. Two parcels zoned RUR and the parcel addressed in rezoning application ZA2021-03 are south of the subject property.

Figure 2

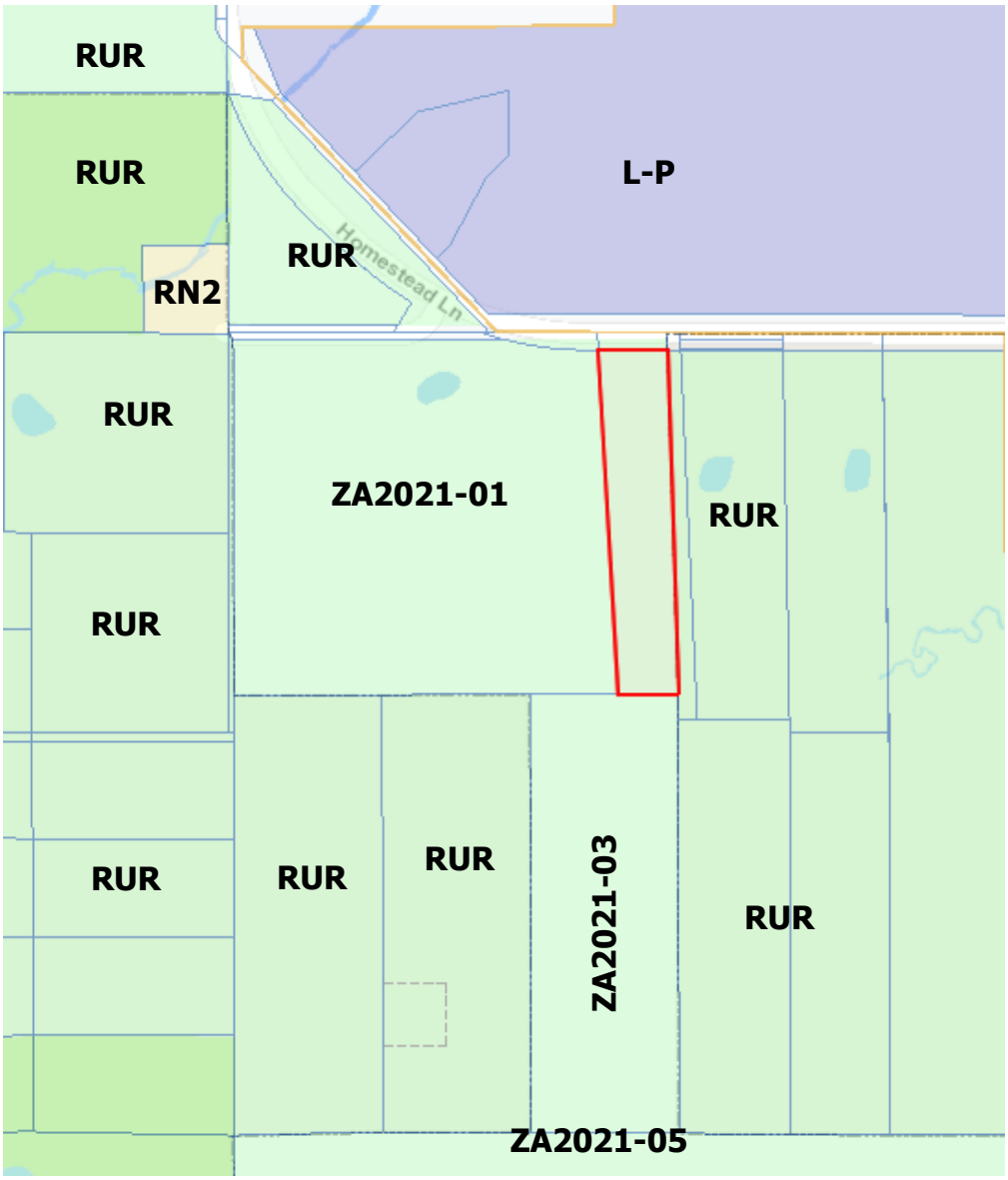


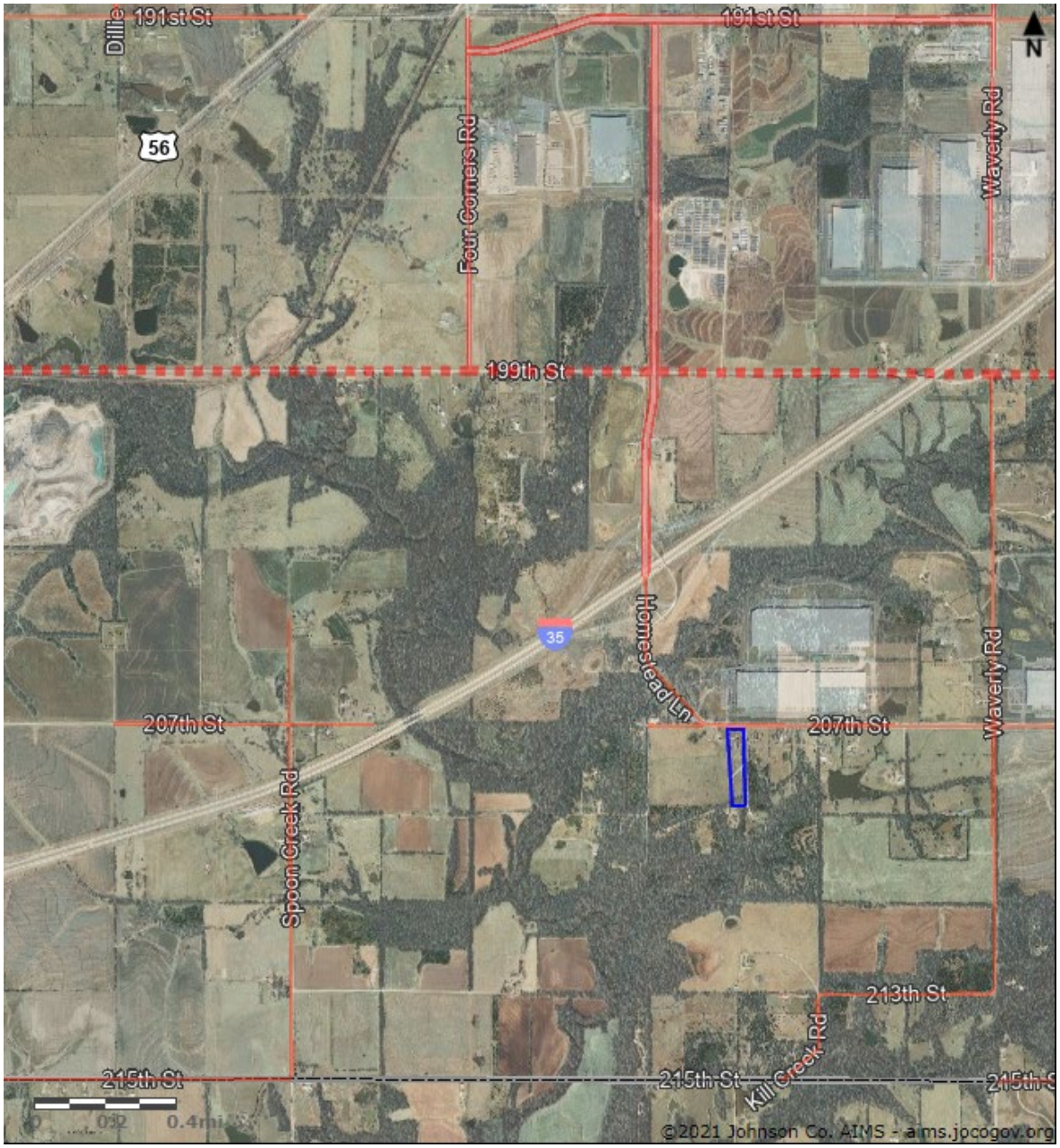
Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.40 miles from I-35 and the Homestead Lane interchange.

Figure 3



Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



CARNP Roads
- Type I / 2 Lanes 120ft. ROW
- Type II / 2 Lanes 120ft. ROW
- Type II / 4 Lanes 120ft. ROW
- Type III / 2 Lanes 150-200ft. ROW
- Type III / 4 Lanes 150-200ft. ROW

INFRASTRUCTURE AND SERVICES

1. Access to the parcel is currently from 207th Street on the north.
2. Utilities and service providers.
    a. Water – Johnson County Water District #7
    b. Sanitary Sewer – City of Edgerton
    c. Electrical Service – Evergy
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on March 15, 2018. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is required prior to any land development occurring. The applicant has requested an L-P Zoning District designation to allow for the future construction of projects similar to other projects in other L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility and I-35, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. Development in this area is driven by the Homestead Lane interchange and the

proposed rezoning to L-P District is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the City of Edgerton UDC, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements along 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR and RN2 contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible the existing zoning and existing use of the parcel across 207th Street (Kubota North America Distribution Center). The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** For any development which occurs on this parcel, it will be the responsibility of the developer to work with the utility companies to extend any necessary utilities not already in the service area. The parcel currently receives electric service and there is a connection point along 207th Street for gas service. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities, and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 0.40 miles from I-35 and the Homestead Lane interchange. Development in the area is driven by its proximity to the highway system and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be in compliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:
City staff recommends **approval** of proposed rezoning **Application ZA2021-02** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:
- Rezoning Application ZA2021-02.
- City of Edgerton Future Land Use Map

EDGERTON
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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 32295 W 207th St

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM A-G (Current Zoning) TO L-P Logistics Parkw (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Wellsville Land Co, LLC PHONE: N/A

COMPANY: Wellsville Land Co, LLC FAX: N/A

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816-888-7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX:

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX:

MAILING ADDRESS: 5015 NW Canal St., Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Receipt 041442004

Case No.: RZ- ZA2021-02 Amount of Fee Paid:$ 250.00 Date Fee Paid: 01/08/2021

Received By: Katy Crow Date of Hearing: 02/09/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

Property Information for BF221515-1002

Tax Property ID	BF221515-1002	*KS Uniform Parcel #*	0462051502001005000
Situs Address	32295 W 207TH ST	*Acres*	5.6 (243,772.93 ft^2)
Owner1 Name	WELLSVILLE LAND CO LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	R	*Year Built*	1950
LBCS	1101	*Neighborhood Code*	804.2
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U15 (T-R-S: 15-22-15)	*Quarter Section*	NW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	0
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0134G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. *(abbreviated)*: 15-15-22 BG 1210.1' E NW CR NW1/4 E 231.9' S 1194.65' W 198.7' N 1195.9' TO POB EX .321 AC IN ST 5.585 ACS M/L

Property Map for BF221515-1002

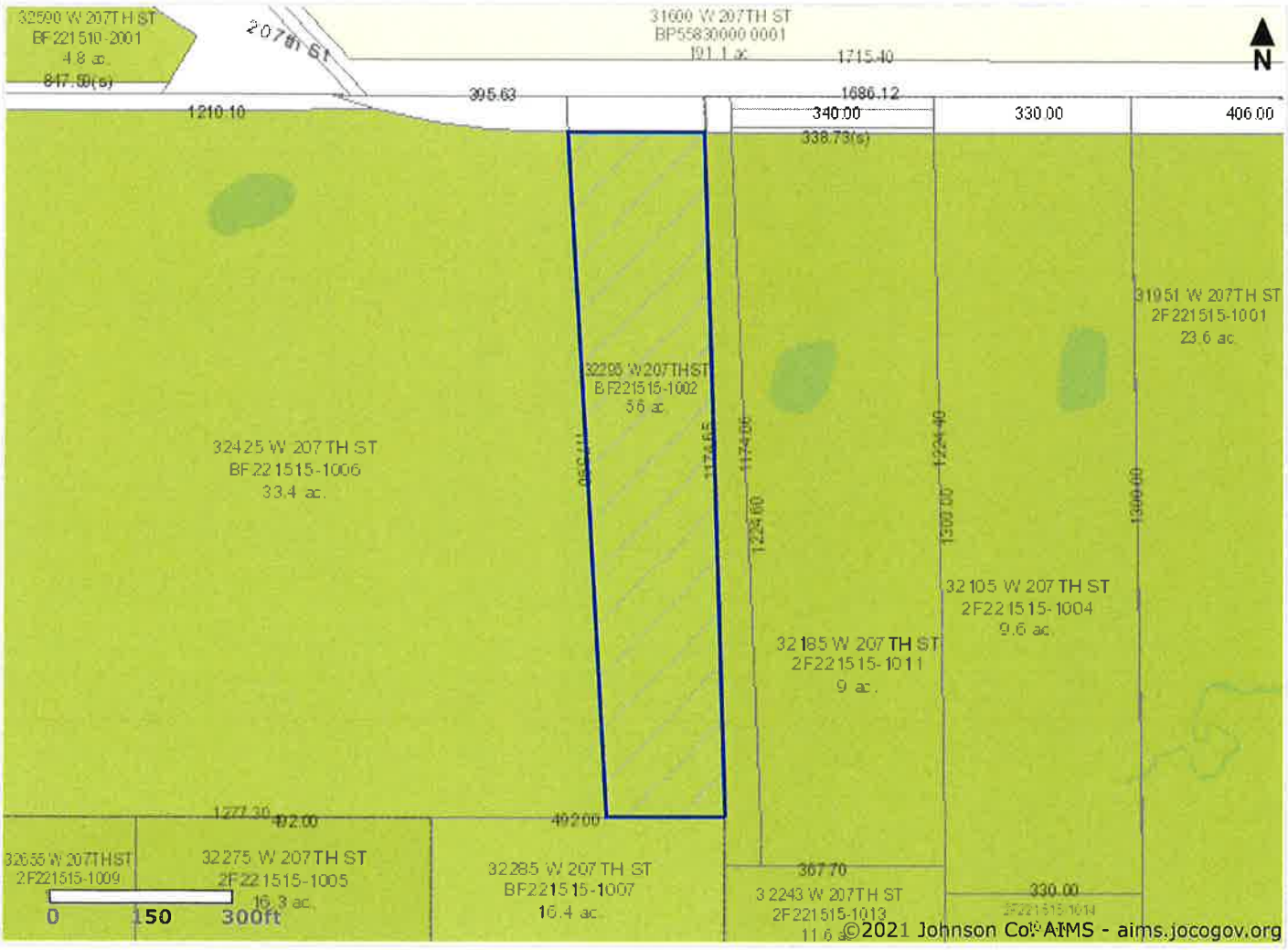


Exhibit A

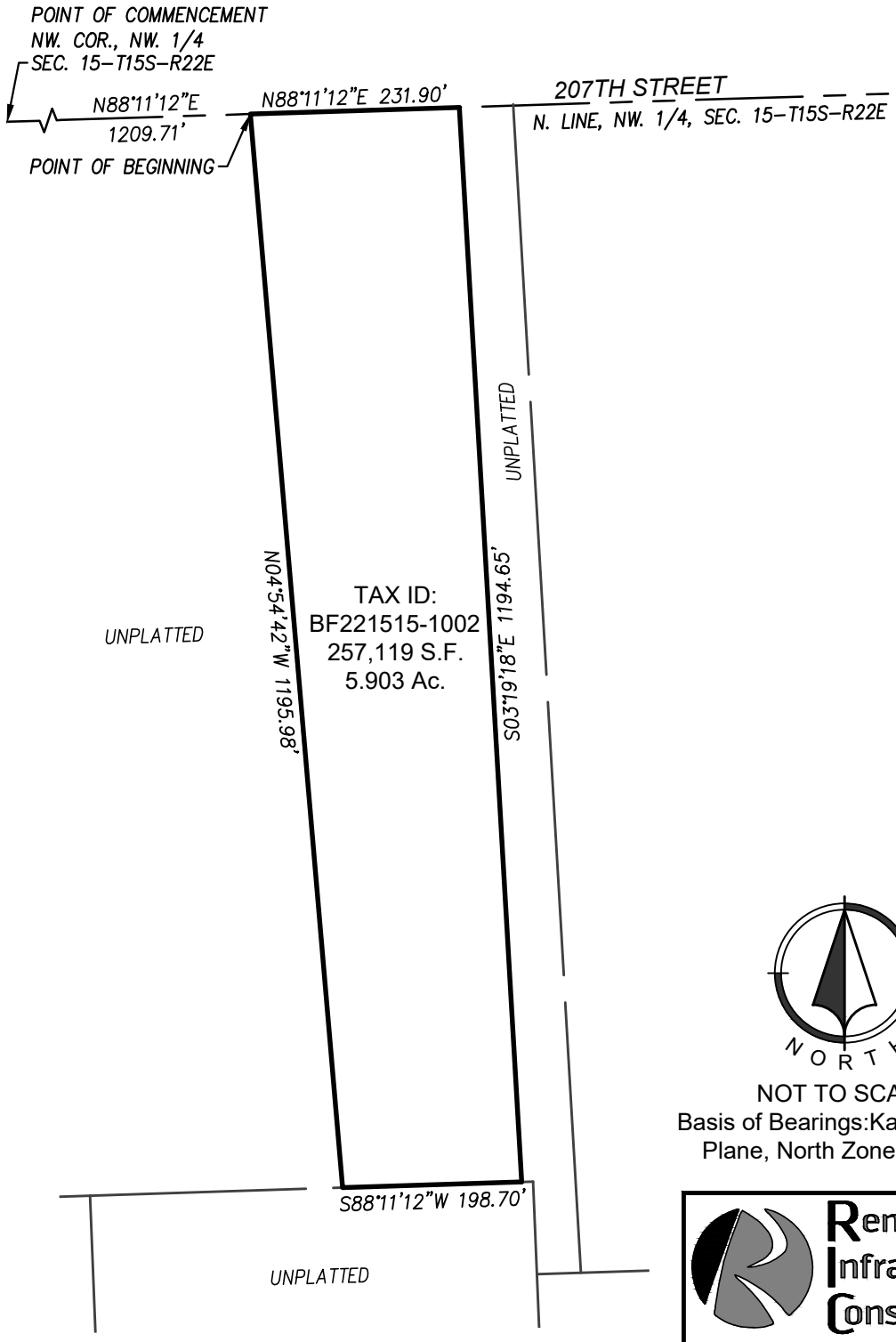
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet to the Point of Beginning; thence continuing North 88°11'12" East, along said North line, a distance of 231.90 feet; thence departing said North line, South 03°19'18" East a distance of 1194.65 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 198.70 feet; thence North 04°54'42" West a distance of 1195.98 feet to the Point of Beginning, containing 257,119 square feet or 5.903 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:19pm
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Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, ZA2021-05

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: Located approximately 3/4 of a mile west of Waverly between W. 207th St and W 213th St.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on February 9, 20 21. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St., Suite 500 , Riverside, MO 64150

Street City State Zip

EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the Authorized Person (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 18th day of January, 2021.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 18th day of January, 2021.

Notary Public

My Commission Expires: 10-19-2024 (SEAL)
Date

PHILECIA HOEPPNER
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 16493224
My Commission Expires Oct 19, 2024

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

Exhibit A

Rezoning Description:

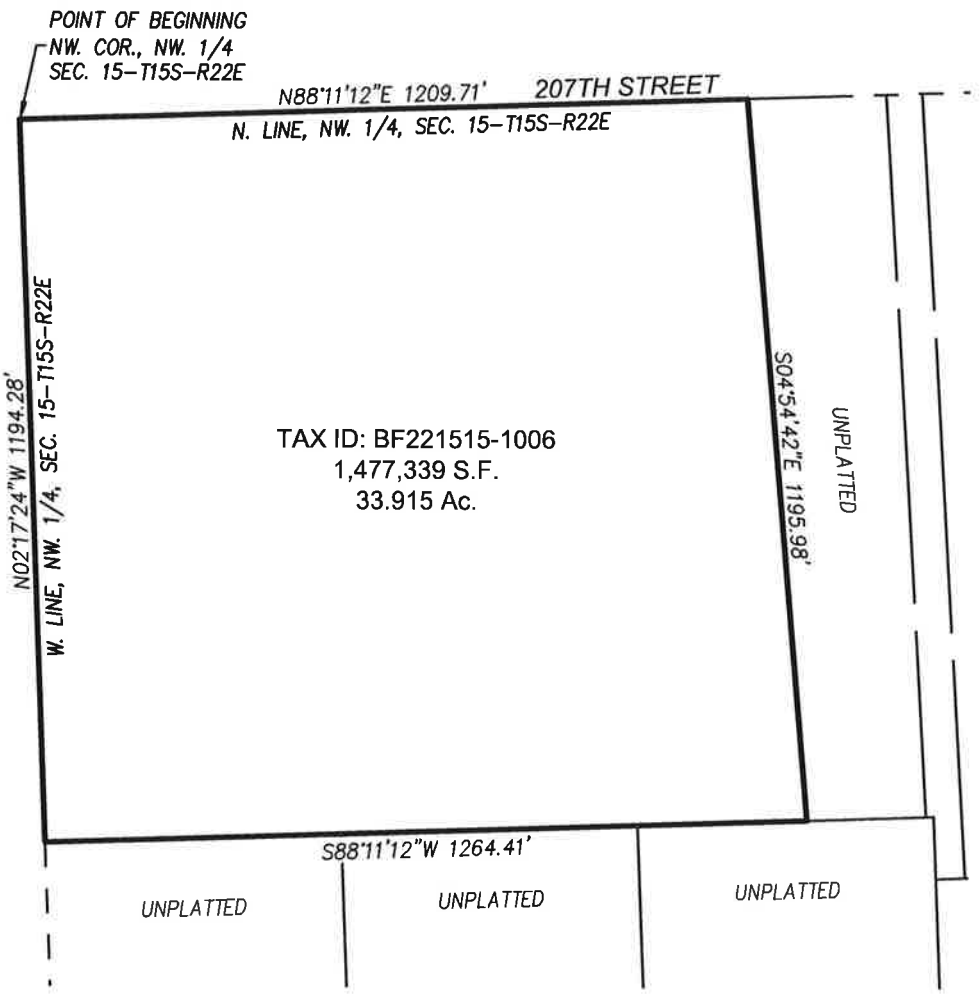
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet; thence departing said North line, South 04°54'42" East a distance of 1195.98 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 1264.41 feet to a point on the West line of the Northwest Quarter of said Section 15; thence North 02°17'24" West, along said West line, distance of 1194.28 feet to the Point of Beginning, containing 1,477,339 square feet or 33.915 acres, more or less.

ZA2021-01

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:18pm
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Exhibit A

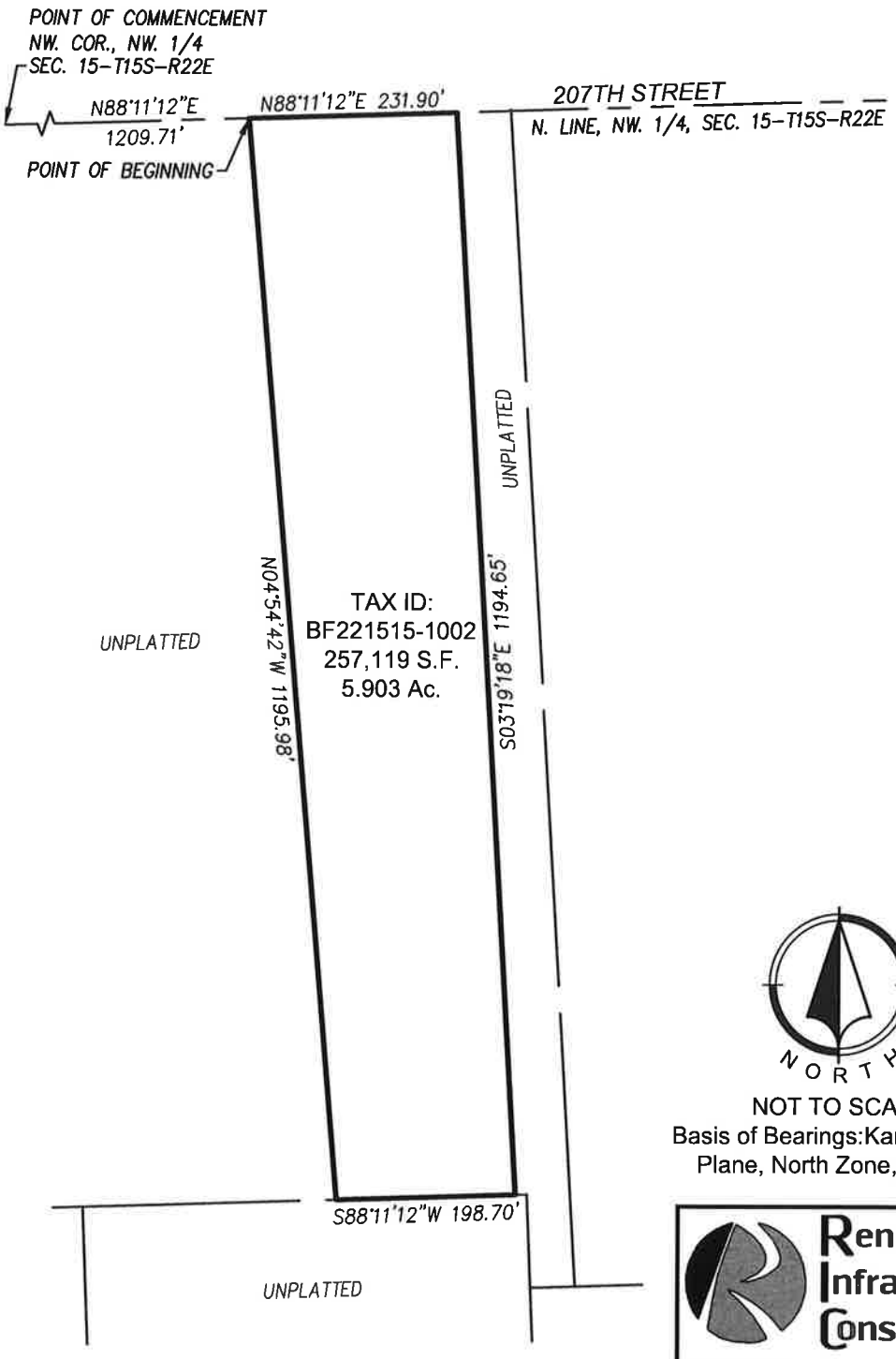
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet to the Point of Beginning; thence continuing North 88°11'12" East, along said North line, a distance of 231.90 feet; thence departing said North line, South 03°19'18" East a distance of 1194.65 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 198.70 feet; thence North 04°54'42" West a distance of 1195.98 feet to the Point of Beginning, containing 257,119 square feet or 5.903 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NOT TO SCALE
Basis of Bearings:Kansas State Plane, North Zone, NAD83

Jan 07, 2021-4:19pm
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Sheet 2 of 2

Renaissance Infrastructure Consulting
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Kansas City, Kansas 66103
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www.ric-consult.com

Exhibit A

Rezoning Description:

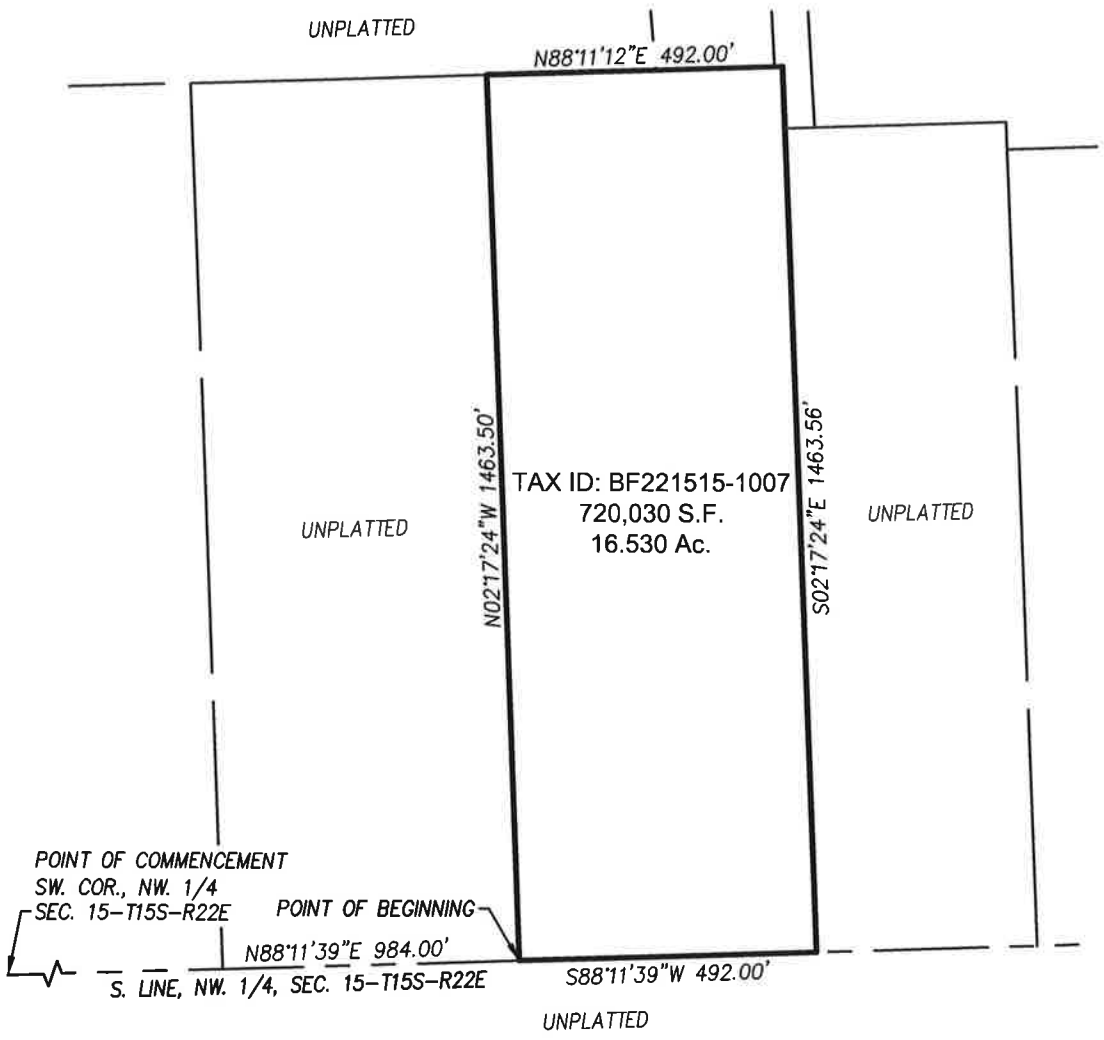
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 88°11'39" East, along the South line of said Northwest Quarter, a distance of 984.00 feet to the Point of Beginning; thence departing said South line, North 02°17'24" West, parallel with the West line of said Northwest Quarter, a distance of 1463.50 feet; thence North 88°11'12" East, parallel with the North line of said Northwest Quarter, a distance of 492.00 feet; thence South 02°17'24" East, parallel with the West line of said Northwest Quarter, a distance of 1463.56 feet to a point on the South line of said Northwest Quarter; thence South 88°11'39" West, along said South line, a distance of 492.00 feet to the Point of Beginning, containing 720,030 square feet or 16.530 acres, more or less.

ZA2021-03

Rezoning Area Exhibit

Exhibit A





NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Jan 08, 2021 - 7:56am
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Exhibit A

Rezoning Description:

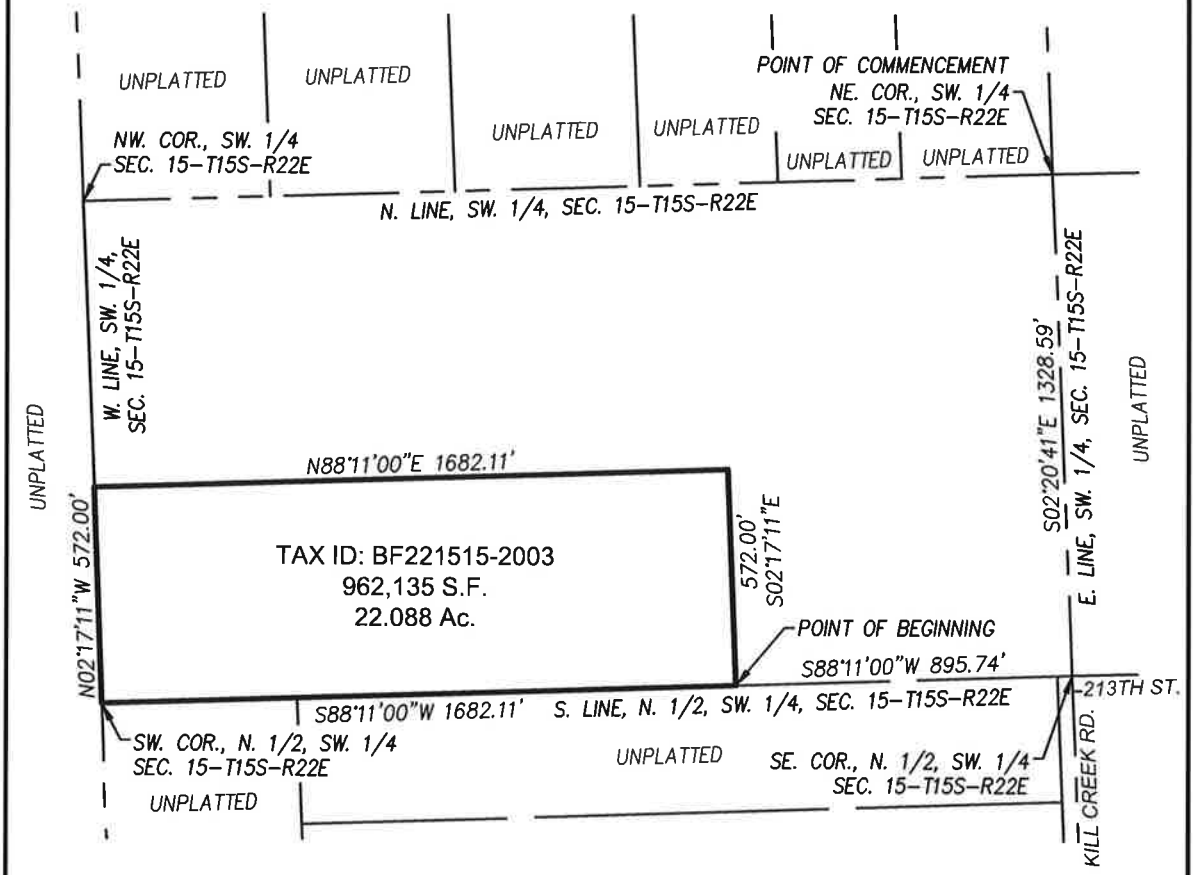
Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

ZA2021-04

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

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Kansas City, Kansas 66103

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Sheet 2 of 2

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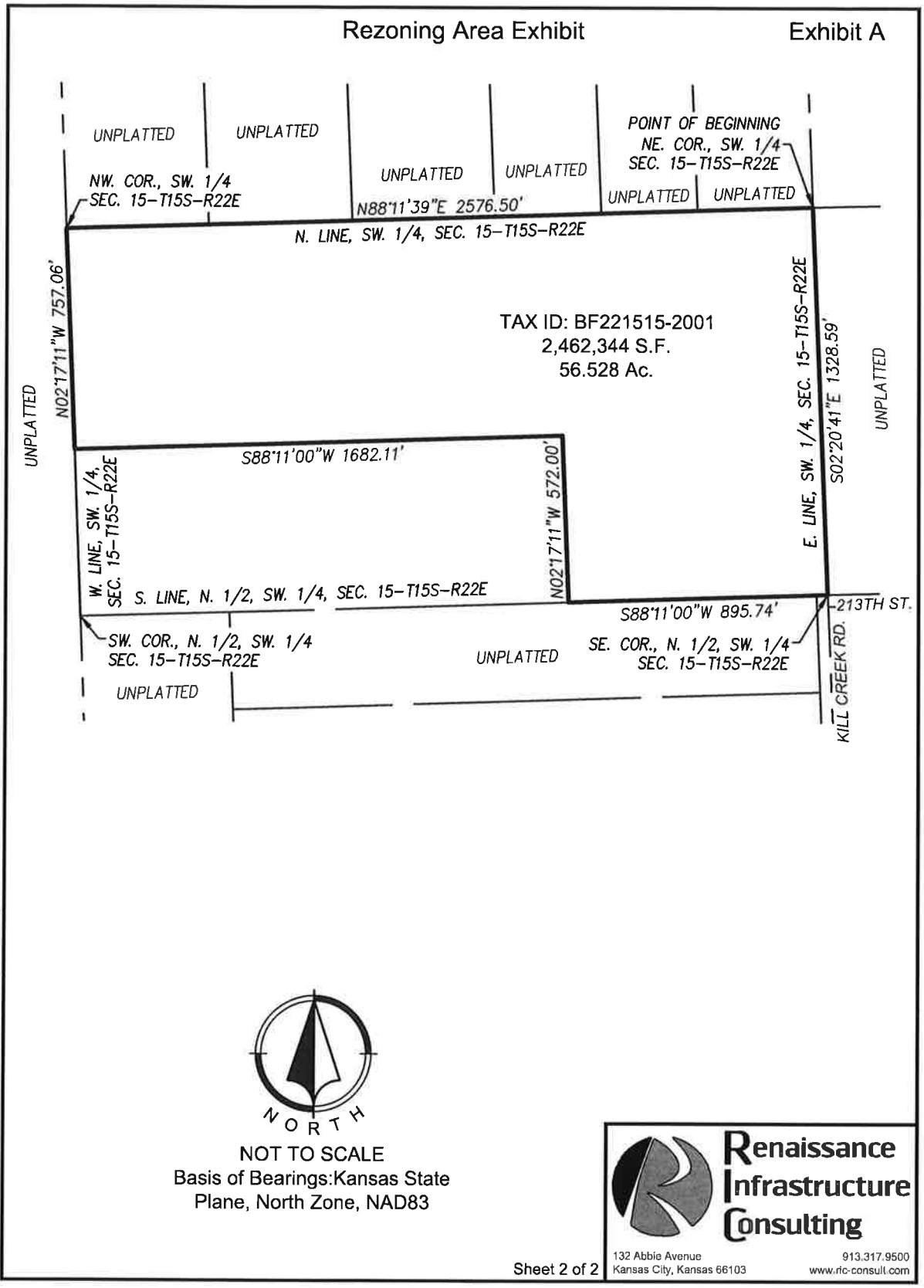
Exhibit A

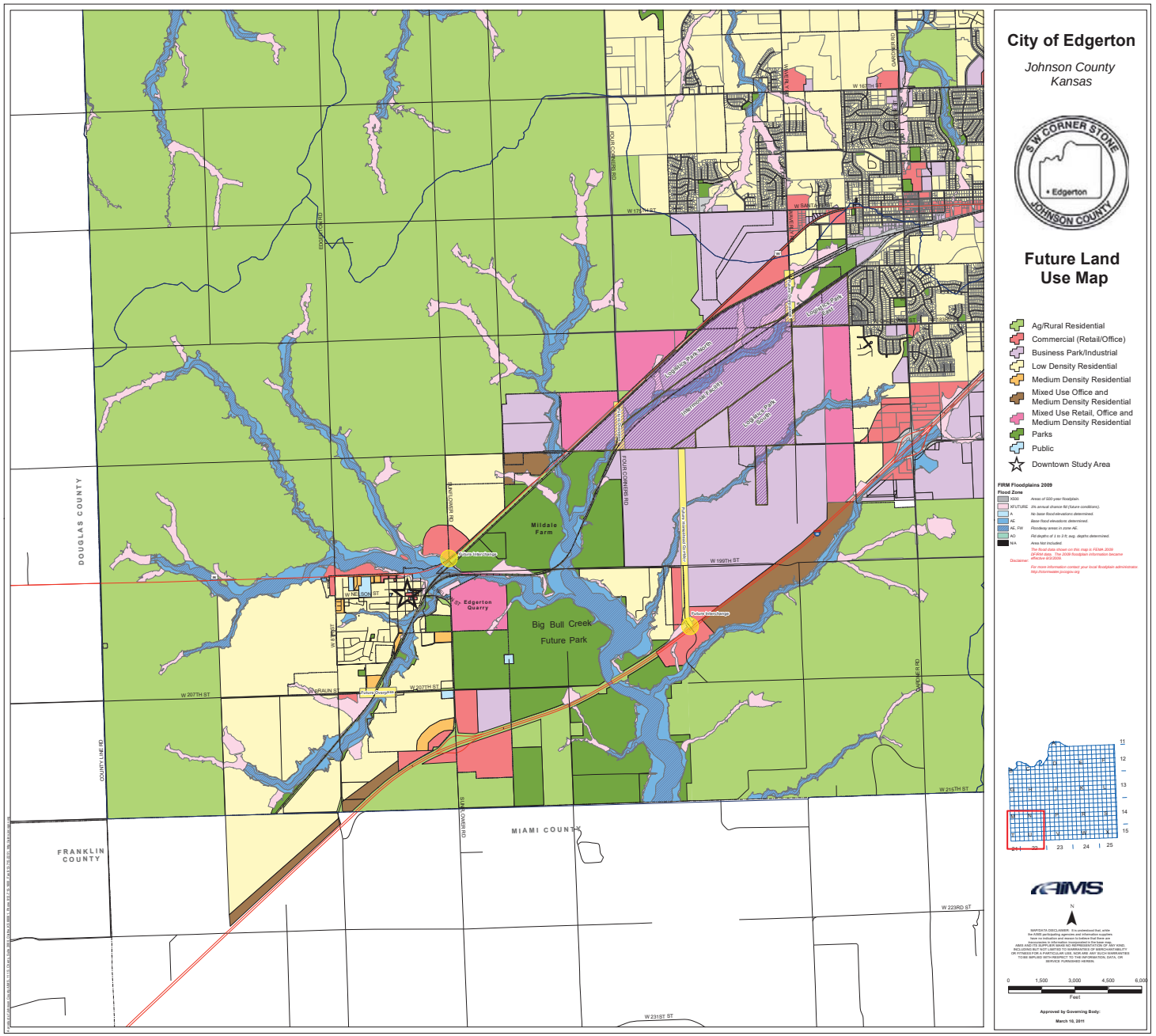
Rezoning Description:

Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet; thence departing said South line, North 02°17'11" West a distance of 572.00 feet; thence South 88°11'00" West a distance of 1,682.11 feet to a point on the West line of said Southwest Quarter; thence North 02°17'11" West, along said West line, a distance of 757.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 2,462,344 square feet or 56.528 acres, more or less.

ZA2021-05


Rezoning Area Exhibit
Exhibit A
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
POINT OF BEGINNING
NE. COR., SW. 1/4
SEC. 15-T15S-R22E
NW. COR., SW. 1/4
SEC. 15-T15S-R22E
N88°11'39"E 2576.50'
N. LINE, SW. 1/4, SEC. 15-T15S-R22E
N02°17'11"W 757.06'
TAX ID: BF221515-2001
2,462,344 S.F.
56.528 Ac.
E. LINE, SW. 1/4, SEC. 15-T15S-R22E
S02°20'41"E 1328.59'
S88°11'00"W 1682.11'
N02°17'11"W 572.00'
W. LINE, SW. 1/4, SEC. 15-T15S-R22E
S. LINE, N. 1/2, SW. 1/4, SEC. 15-T15S-R22E
S88°11'00"W 895.74'
213TH ST.
KILL CREEK RD.
SW. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
SE. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
UNPLATTED
UNPLATTED
NORTH
NOT TO SCALE
Basis of Bearings:Kansas State
Plane, North Zone, NAD83
Sheet 2 of 2
Renaissance
Infrastructure
Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
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City of Edgerton

Johnson County
Kansas

SW CORNER STONE
• Edgerton
JOHNSON COUNTY

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AIMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of information incorporated in the base map, ANY AND ALL EXPRESS OR IMPLIED WARRANTIES OF ANY KIND (INCLUDING THE SUPPLIERS' WARRANTIES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

EDGERTON
global routes. local roots.
404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2021-03 -** Rezoning of a parcel of land located at 32285 W 207th Street

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Moonlight Farms, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	32285 W 207th Street Edgerton, KS 66021
Existing Zoning and Land Uses:	Johnson County Rural (RUR), Agricultural
Existing Improvements:	Single Family Residence
Site Size:	16.530 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on March 15, 2018 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two and a half miles north of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels adjacent to the subject property. The green denotes Johnson County Rural (RUR) zoning designation. The light yellow indicates Johnson County Residential Neighborhood 2 (RN2) zoned parcel. The purple indicates City of Edgerton Logistics Park (L-P) zoning. The pink denotes a City of Edgerton Heavy Service Commercial (C-2) zoning designation. The grey areas contain no zoning designation as those parcels are owned by the Kansas Department of Transportation and are interstate right of way. The border between the City of Edgerton and unincorporated Johnson County is shown as a dotted and dashed line.

Figure 1

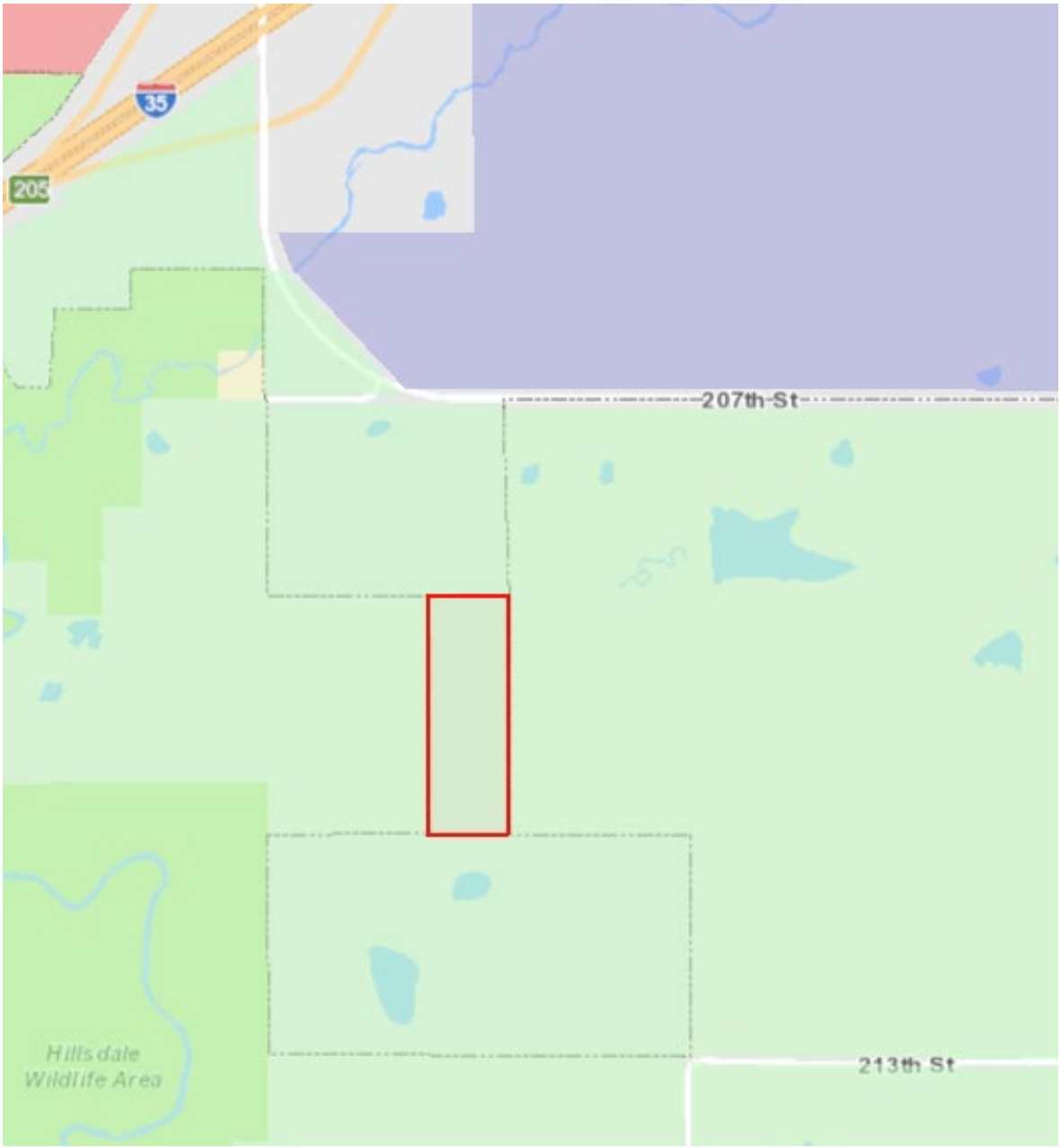


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east and west side of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. The north side of the subject parcel is adjacent to the parcels that are addressed in applications ZA2021-01 and ZA2021-02. Further north of the parcel, across Homestead Lane and 207th Street, there is a large L-P zoned parcel. The parcel requesting rezoning in application ZA2021-05 is south of the subject property.

Figure 2

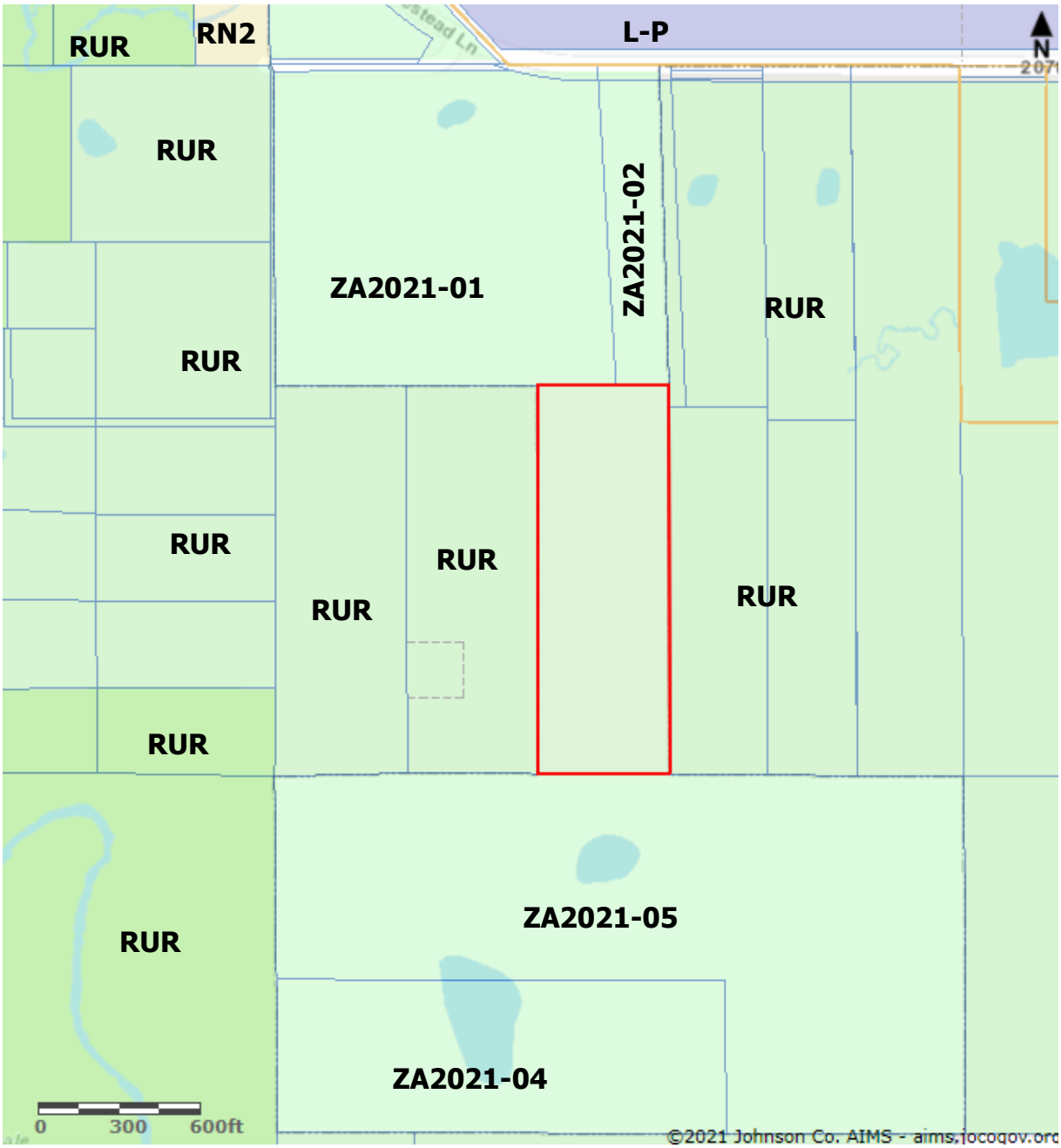


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.58 miles from I-35 and the Homestead Lane interchange.

Figure 3

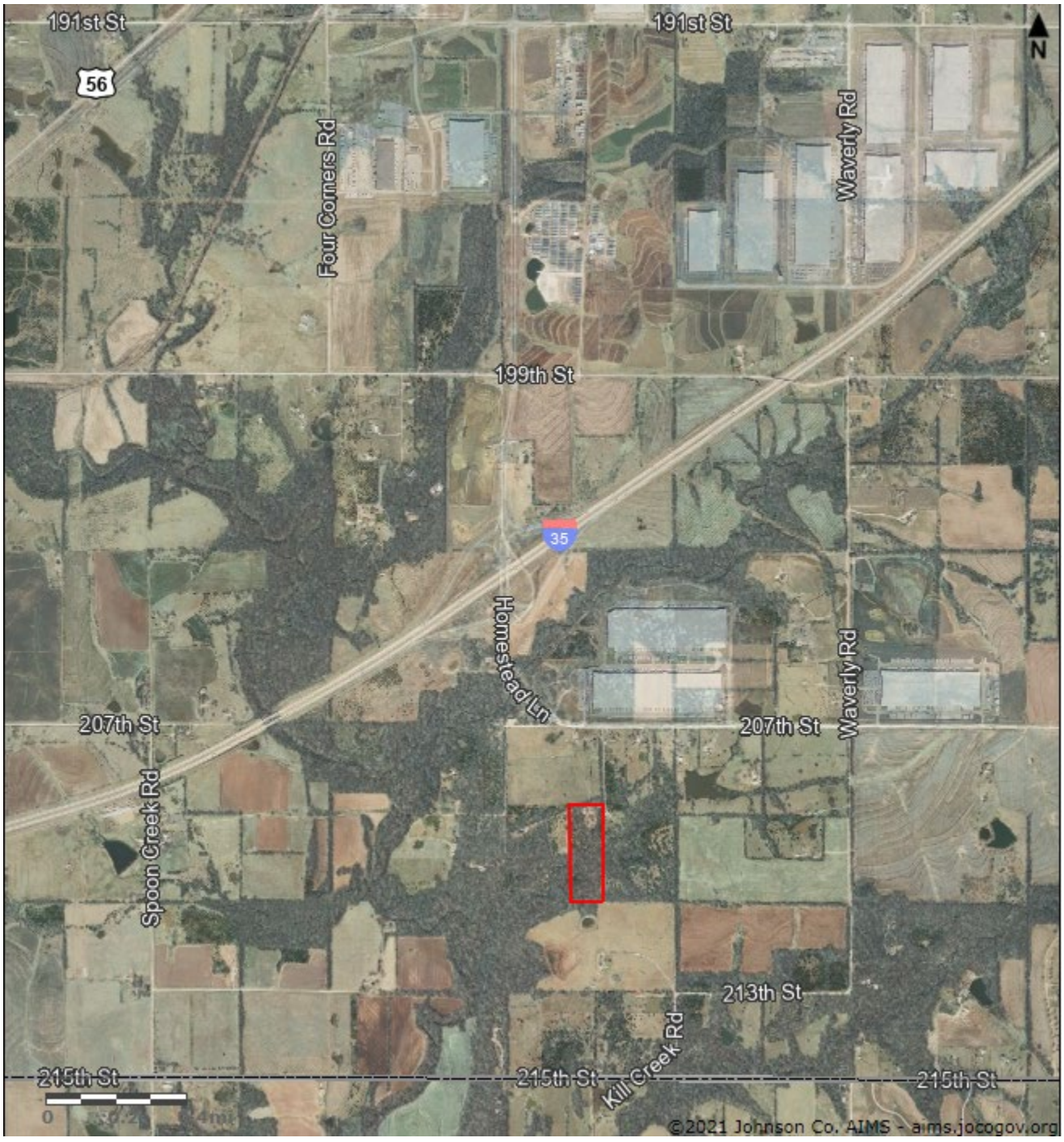
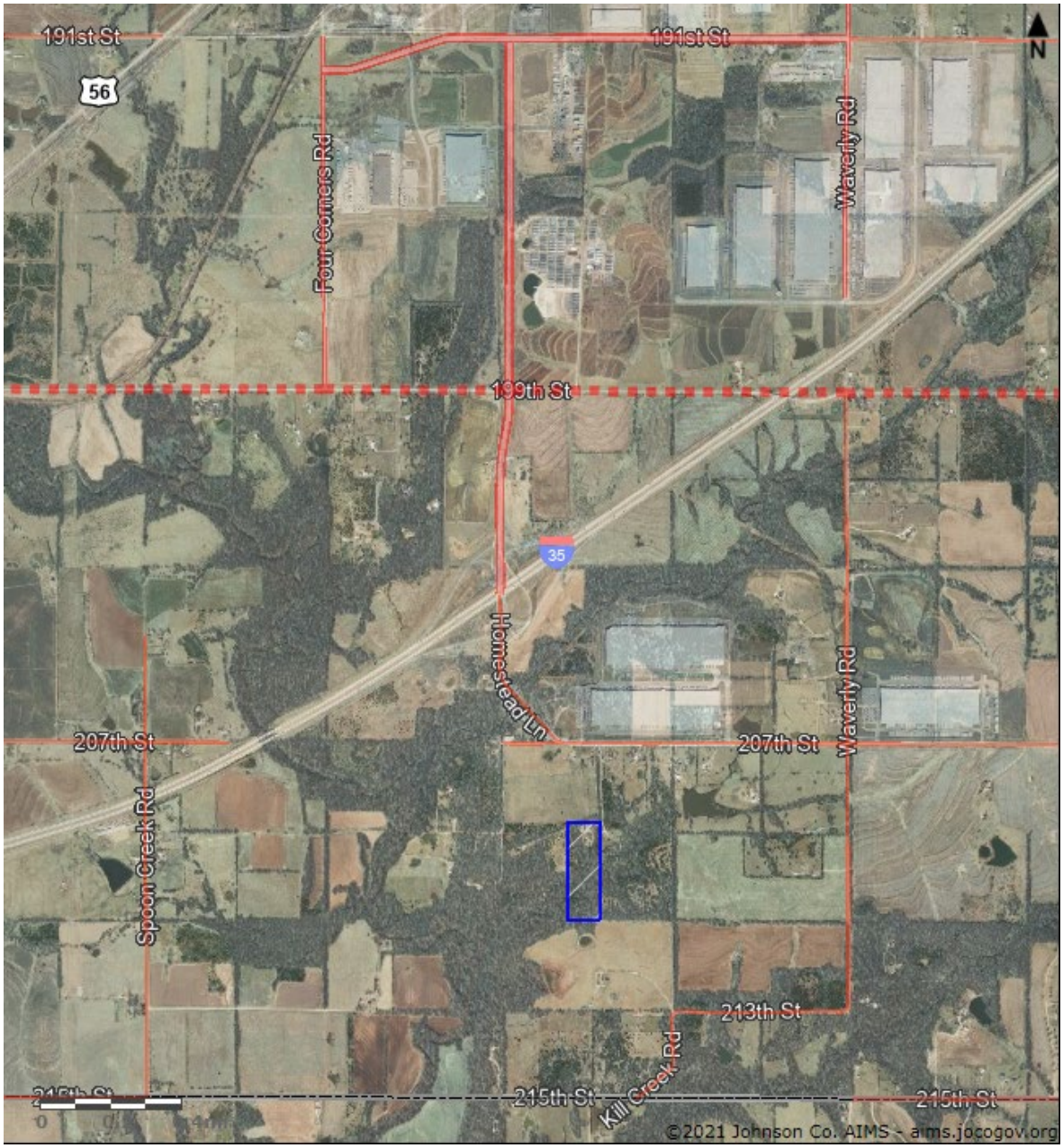


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Access to the parcel is currently from a shared access private drive which extends approximately 1200 feet south from 207th Street.
2. Utilities and service providers.
    a. Water – Johnson County Water District #7
    b. Sanitary Sewer – City of Edgerton
    c. Electrical Service – Evergy
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on March 15, 2018. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When the parcel was annexed into Edgerton, it contained a RUR zoning designation as assigned by Johnson County. That zoning designation is only a holding designation and a rezoning is required prior to any land development occurring. The applicant has requested L-P Zoning District designation to allow for the future construction of projects similar to other projects in L-P zoned areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility, I-35 and the Homestead interchange, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Due to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued

expansion. Development in this area is driven by the Homestead Lane interchange and the proposed rezoning to L-P District is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the City of Edgerton UDC, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located near the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR and RN2 contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the zoning requested on adjacent parcels north and south of the subject property. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** For any development which occurs on this parcel, it will be the responsibility of the developer to work with the utility companies to extend any necessary utilities not already in the service area. The parcel currently receives electric service and there is a connection point along 207th Street for gas service. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm -** The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 0.58 miles from I-35 and the Homestead Lane interchange. Development in the area is driven by its proximity to the highway system and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be in compliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:
City staff recommends **approval** of proposed rezoning **Application ZA2021-03** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:
- Rezoning Application ZA2021-03
- City of Edgerton Future Land Use Map

EDGERTON
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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 32285 W 207th St

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM A-G (Current Zoning) TO L-P Logistics Parkw (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Moonlight Farms, LLC PHONE: N/A

COMPANY: Moonlight Farms, LLC FAX: N/A

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816-888-7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX:

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX:

MAILING ADDRESS: 5015 NW Canal St., Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Receipt 80735437

Case No.: RZ- ZA2021-03 Amount of Fee Paid:$ 250.00 Date Fee Paid: 01/08/2021

Received By: Kayla Crow Date of Hearing: 02/09/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

Property Information for BF221515-1007

Tax Property ID	BF221515-1007	*KS Uniform Parcel #*	0462051502001011000
Situs Address	32285 W 207TH ST	*Acres*	16.37 (713,098.01 ft^2)
Owner1 Name	MOONLIGHT FARMS LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	R	*Year Built*	1979
LBCS	1101	*Neighborhood Code*	804.2
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U15 (T-R-S: 15-22-15)	*Quarter Section*	NW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	0
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0149G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 15-15-22 PT NW1/4 BG 984' E SW CR NW1/4 N 1441' E 492' S 1441' W 492' TO POB 16.27 ACS M/L GA 238 2B

Property Map for BF221515-1007

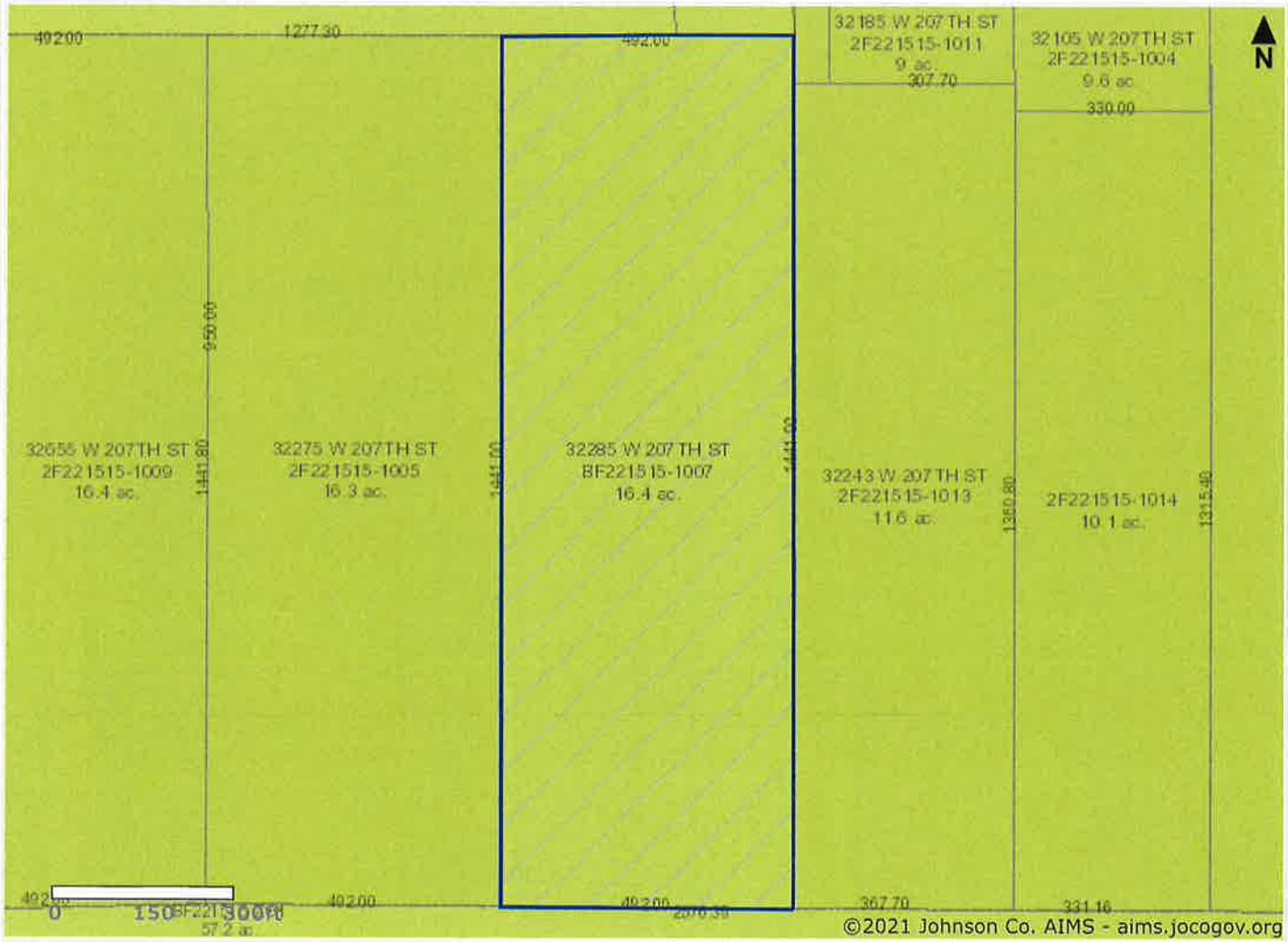


Exhibit A

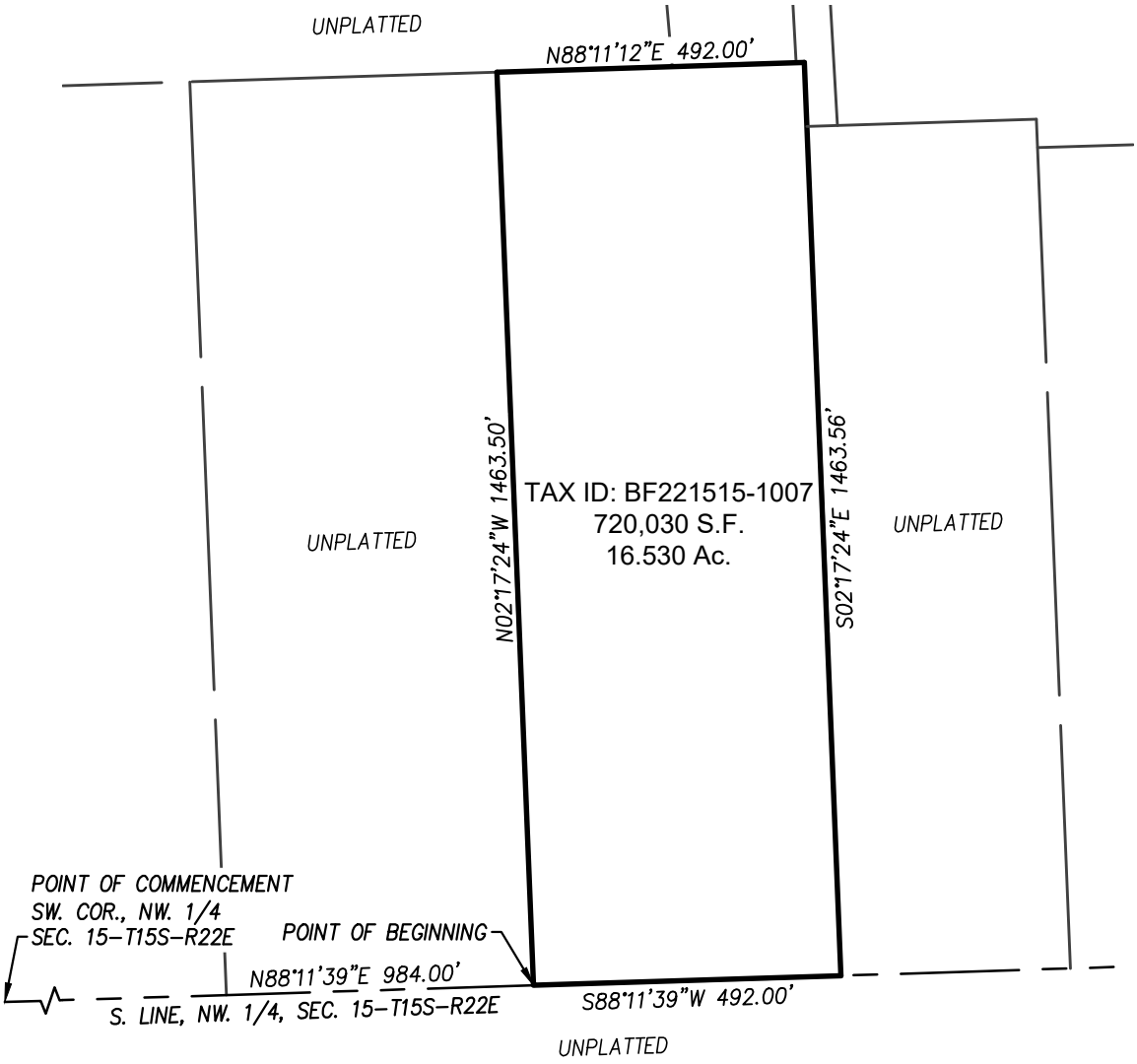
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 88°11'39" East, along the South line of said Northwest Quarter, a distance of 984.00 feet to the Point of Beginning; thence departing said South line, North 02°17'24" West, parallel with the West line of said Northwest Quarter, a distance of 1463.50 feet; thence North 88°11'12" East, parallel with the North line of said Northwest Quarter, a distance of 492.00 feet; thence South 02°17'24" East, parallel with the West line of said Northwest Quarter, a distance of 1463.56 feet to a point on the South line of said Northwest Quarter; thence South 88°11'39" West, along said South line, a distance of 492.00 feet to the Point of Beginning, containing 720,030 square feet or 16.530 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 08, 2021-7:56am
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Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, ZA2021-05

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: Located approximately 3/4 of a mile west of Waverly between W. 207th St and W 213th St.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on February 9, 20 21. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St., Suite 500 , Riverside, MO 64150

Street City State Zip

EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the Authorized Person (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 18th day of January, 2021.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 18th day of January, 2021.

Notary Public

My Commission Expires: 10-19-2024 (SEAL)
Date

PHILECIA HOEPPNER
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 16493224
My Commission Expires Oct 19, 2024

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

Exhibit A

Rezoning Description:

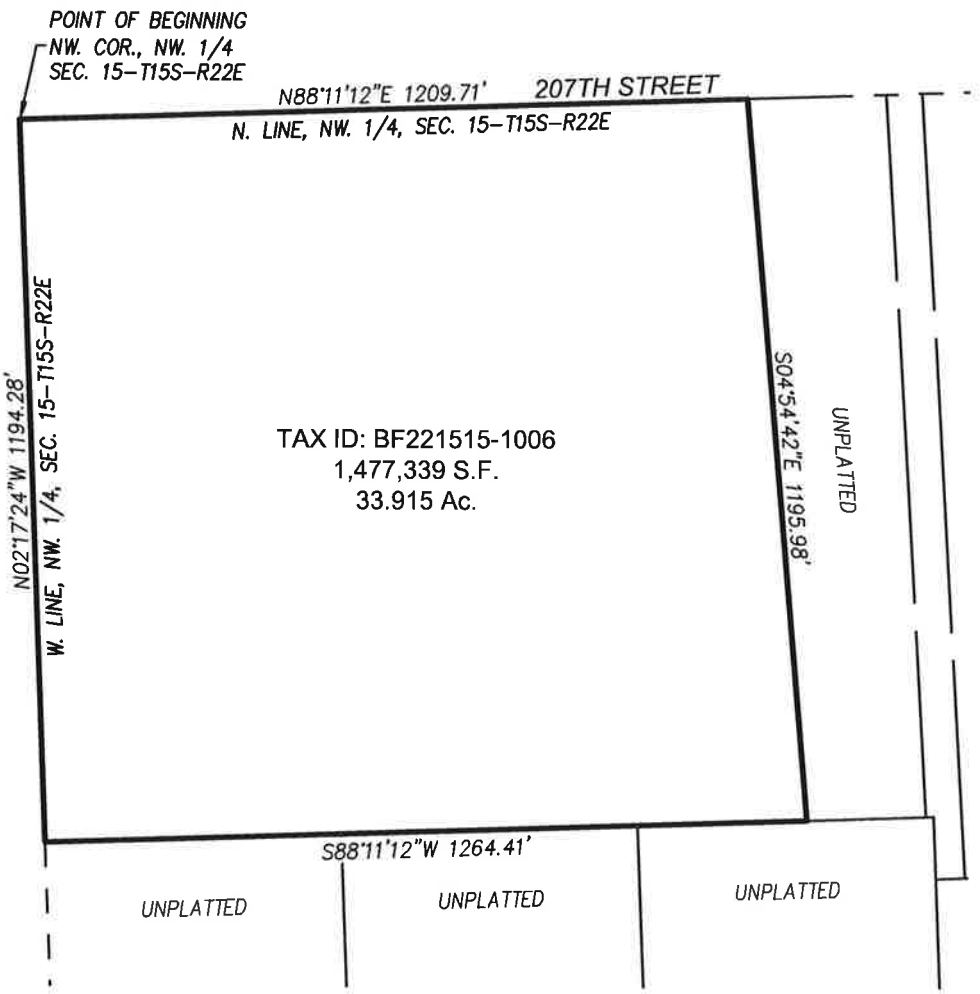
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet; thence departing said North line, South 04°54'42" East a distance of 1195.98 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 1264.41 feet to a point on the West line of the Northwest Quarter of said Section 15; thence North 02°17'24" West, along said West line, distance of 1194.28 feet to the Point of Beginning, containing 1,477,339 square feet or 33.915 acres, more or less.

ZA2021-01

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:18pm
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Exhibit A

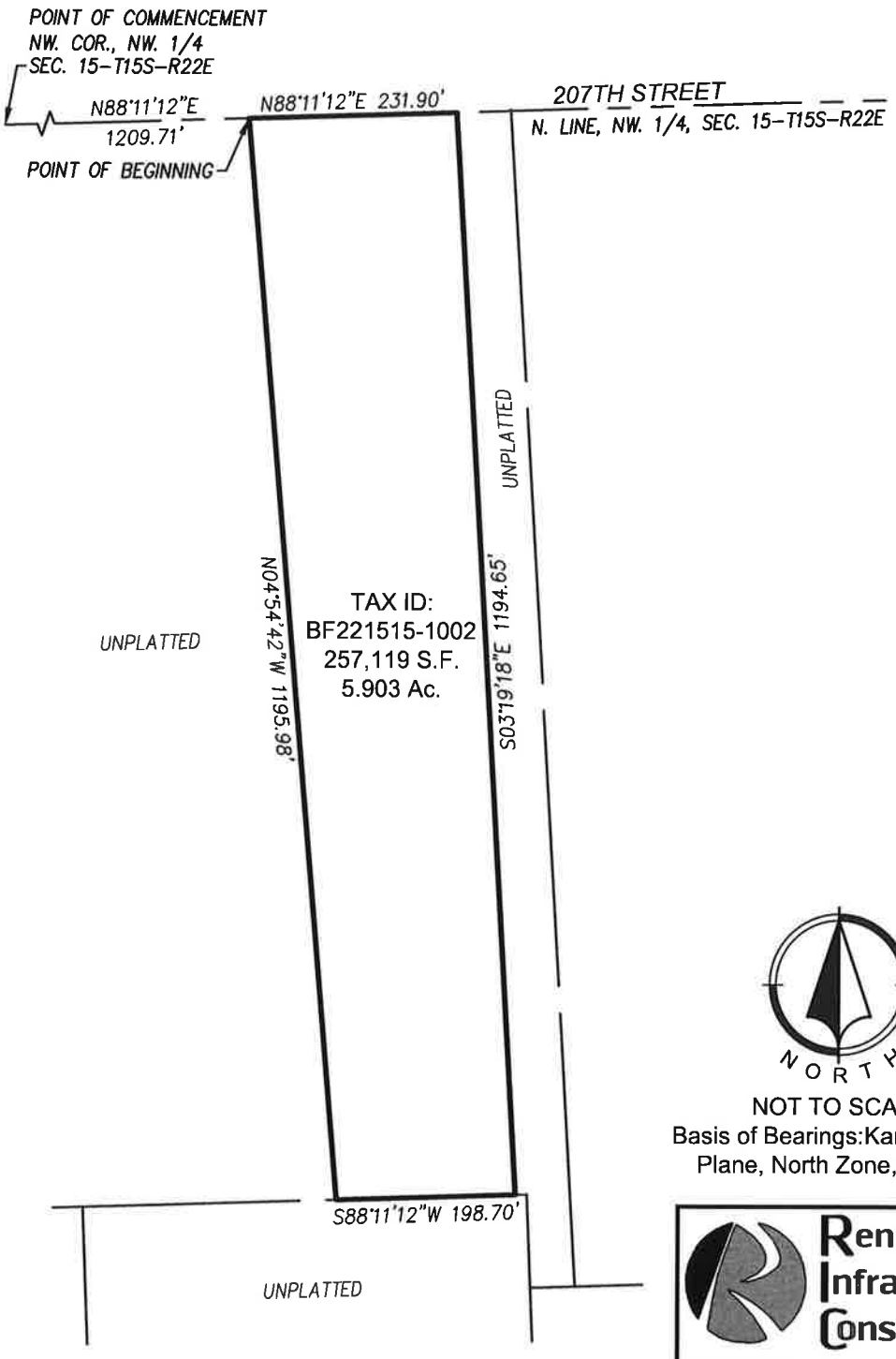
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet to the Point of Beginning; thence continuing North 88°11'12" East, along said North line, a distance of 231.90 feet; thence departing said North line, South 03°19'18" East a distance of 1194.65 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 198.70 feet; thence North 04°54'42" West a distance of 1195.98 feet to the Point of Beginning, containing 257,119 square feet or 5.903 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NOT TO SCALE
Basis of Bearings:Kansas State Plane, North Zone, NAD83

Jan 07, 2021-4:19pm
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Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Exhibit A

Rezoning Description:

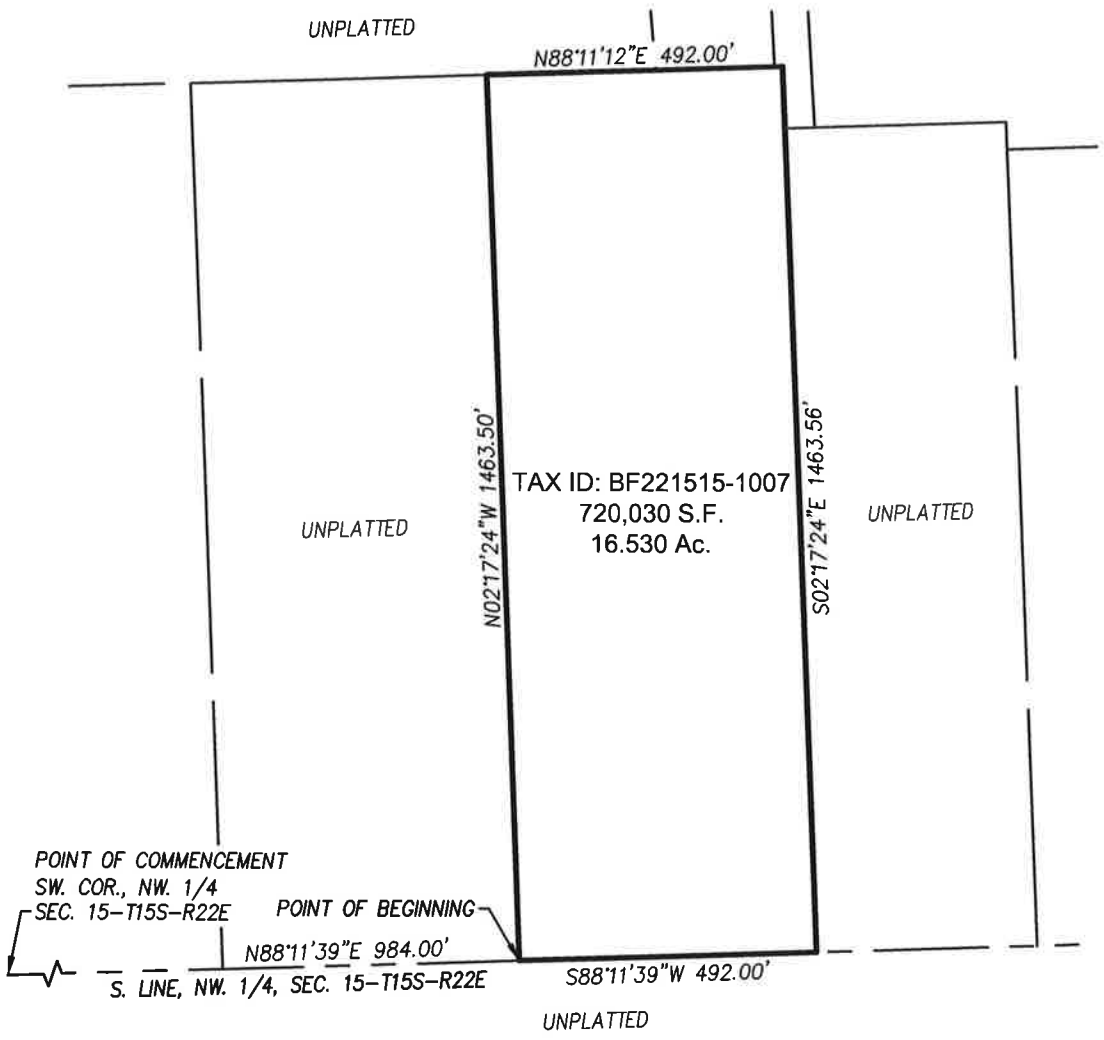
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 88°11'39" East, along the South line of said Northwest Quarter, a distance of 984.00 feet to the Point of Beginning; thence departing said South line, North 02°17'24" West, parallel with the West line of said Northwest Quarter, a distance of 1463.50 feet; thence North 88°11'12" East, parallel with the North line of said Northwest Quarter, a distance of 492.00 feet; thence South 02°17'24" East, parallel with the West line of said Northwest Quarter, a distance of 1463.56 feet to a point on the South line of said Northwest Quarter; thence South 88°11'39" West, along said South line, a distance of 492.00 feet to the Point of Beginning, containing 720,030 square feet or 16.530 acres, more or less.

ZA2021-03

Rezoning Area Exhibit

Exhibit A





NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Jan 08, 2021 - 7:56am
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Exhibit A

Rezoning Description:

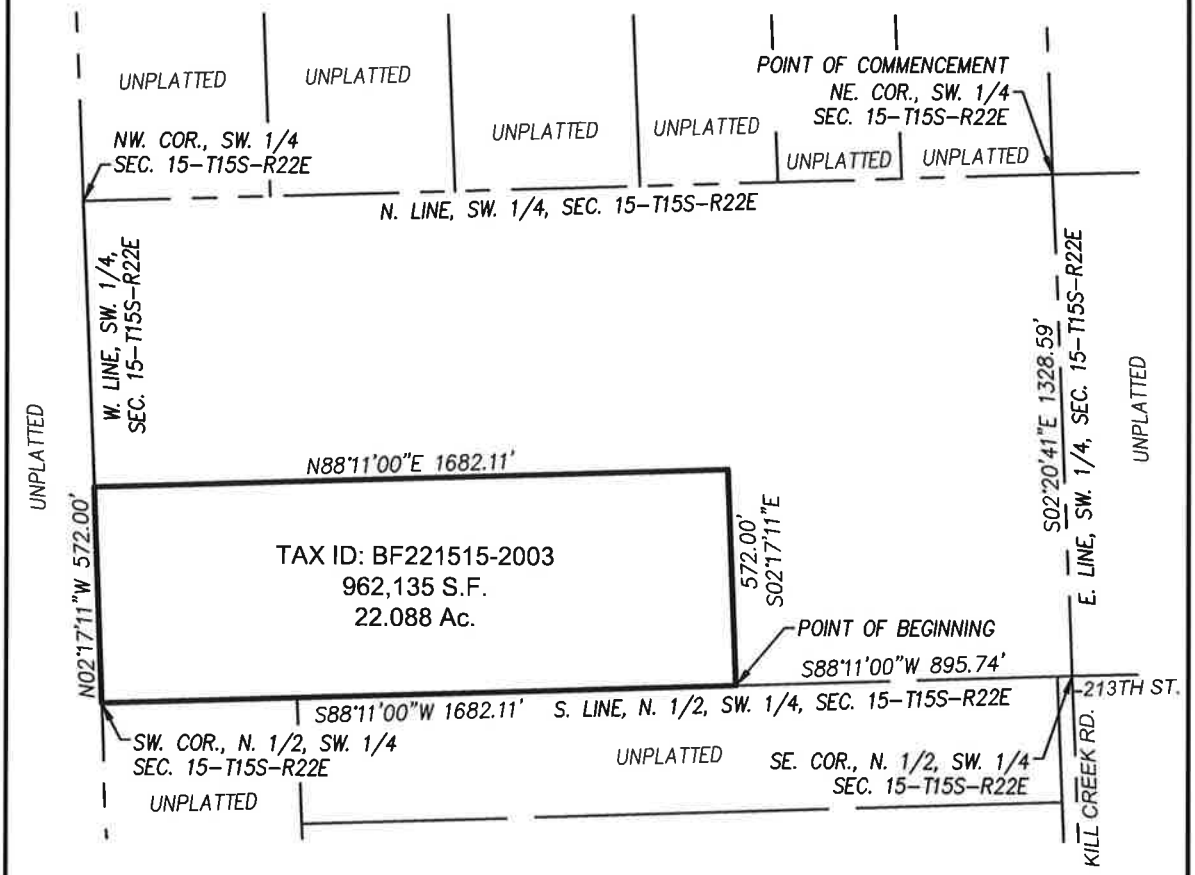
Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

ZA2021-04

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Sheet 2 of 2

Jan 14, 2021-5:10pm
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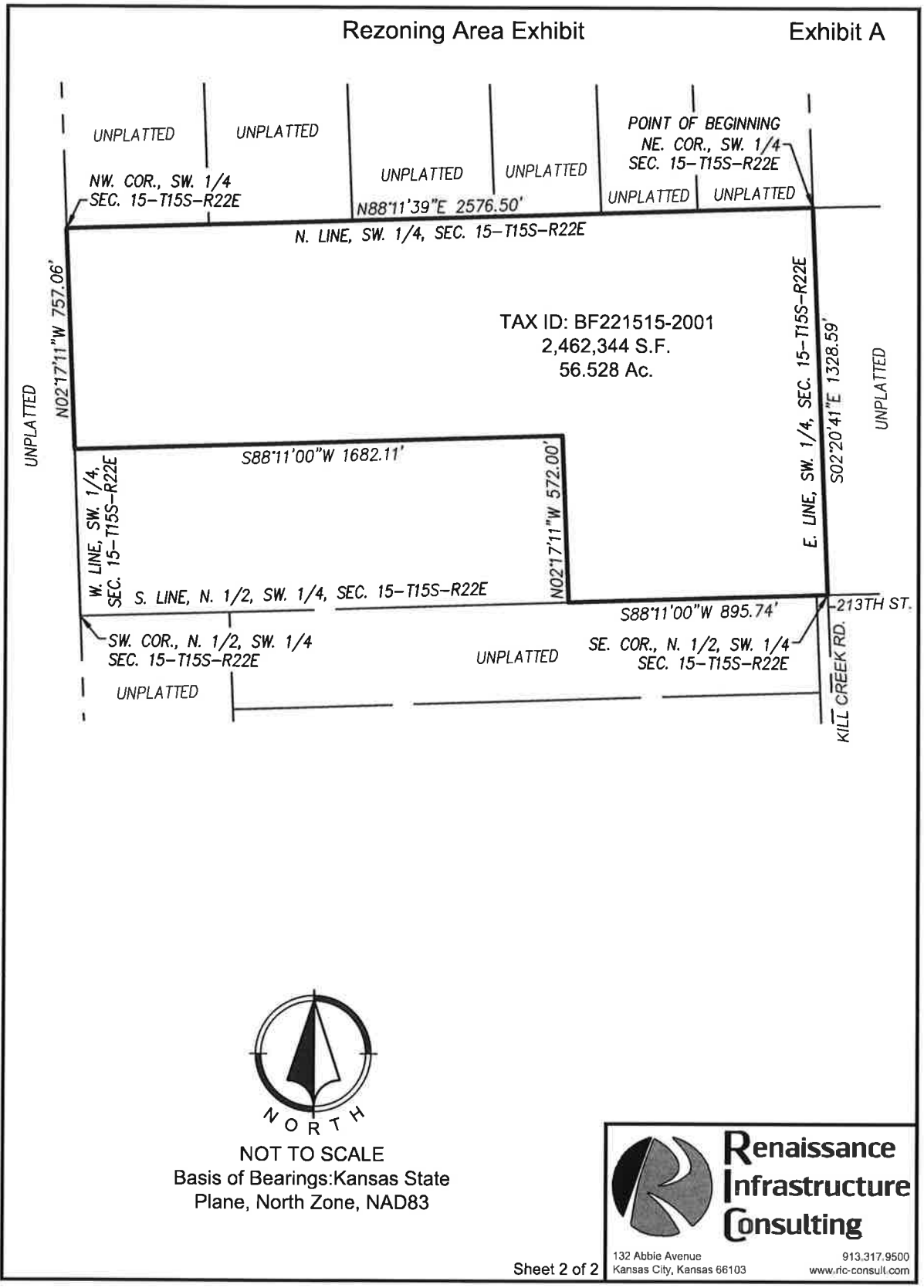
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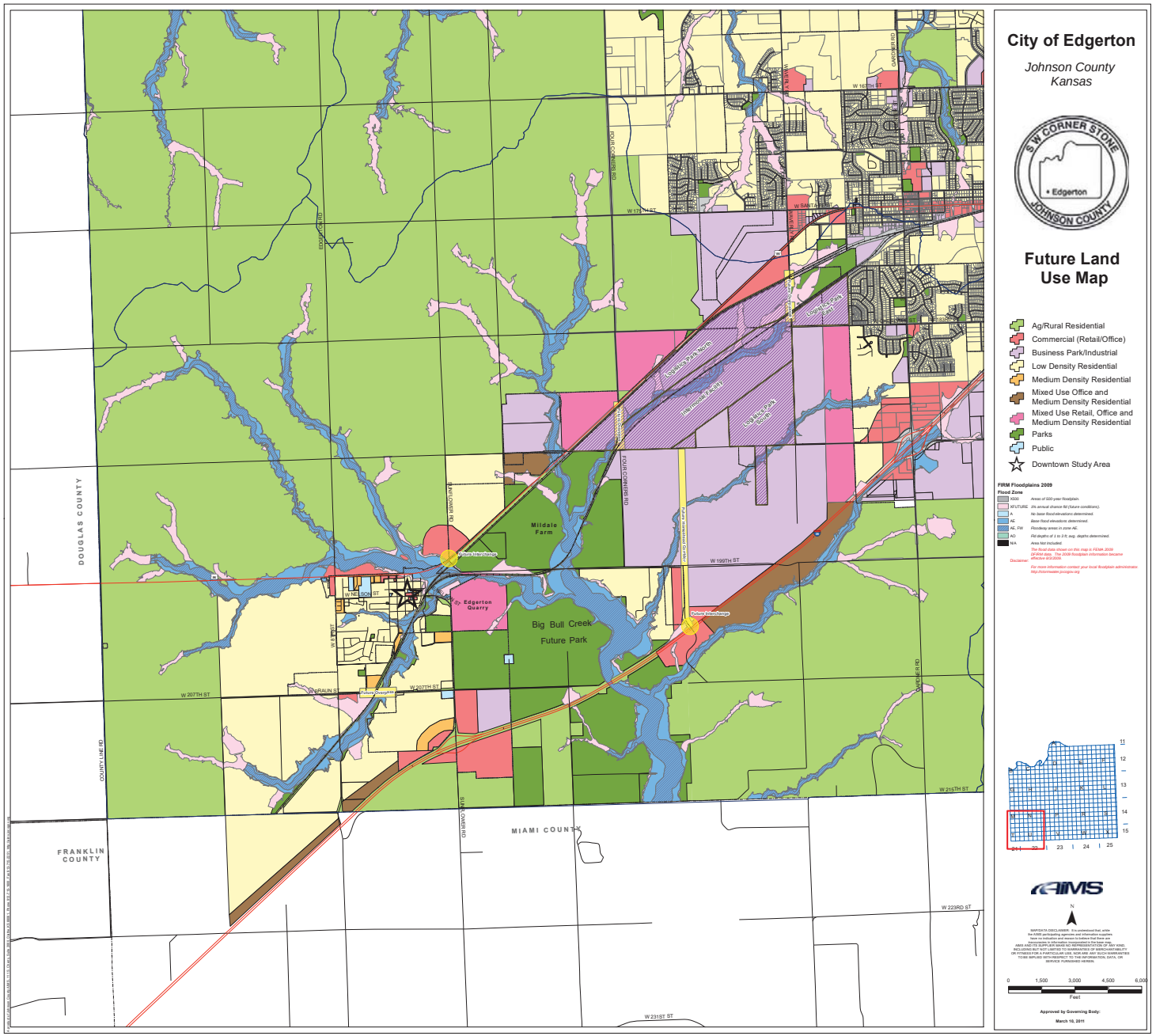
Rezoning Description:

Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet; thence departing said South line, North 02°17'11" West a distance of 572.00 feet; thence South 88°11'00" West a distance of 1,682.11 feet to a point on the West line of said Southwest Quarter; thence North 02°17'11" West, along said West line, a distance of 757.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 2,462,344 square feet or 56.528 acres, more or less.

ZA2021-05


Rezoning Area Exhibit
Exhibit A
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
POINT OF BEGINNING
NE. COR., SW. 1/4
SEC. 15-T15S-R22E
NW. COR., SW. 1/4
SEC. 15-T15S-R22E
N88°11'39"E 2576.50'
N. LINE, SW. 1/4, SEC. 15-T15S-R22E
N02°17'11"W 757.06'
TAX ID: BF221515-2001
2,462,344 S.F.
56.528 Ac.
E. LINE, SW. 1/4, SEC. 15-T15S-R22E
S02°20'41"E 1328.59'
S88°11'00"W 1682.11'
N02°17'11"W 572.00'
W. LINE, SW. 1/4, SEC. 15-T15S-R22E
S. LINE, N. 1/2, SW. 1/4, SEC. 15-T15S-R22E
S88°11'00"W 895.74'
213TH ST.
KILL CREEK RD.
SW. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
SE. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
UNPLATTED
UNPLATTED
NORTH
NOT TO SCALE
Basis of Bearings:Kansas State
Plane, North Zone, NAD83
Sheet 2 of 2
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City of Edgerton

Johnson County
Kansas

SW CORNER STONE
• Edgerton
JOHNSON COUNTY

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AIMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of information incorporated in the base map, ANY AND ALL EXPRESS OR IMPLIED WARRANTIES OF ANY KIND (INCLUDING THE SUPPLIERS' WARRANTIES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

EDGERTON
global routes. local roots.
404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2021-04 -** Rezoning of a parcel of land located at 32330 W 213th Street

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Wellsville Farms, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	32330 W 213th Street Edgerton, KS 66021
Existing Zoning and Land Uses:	Johnson County Rural (RUR), Agricultural
Existing Improvements:	Single Family Residence
Site Size:	22.088 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on March 15, 2018 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two and a half miles north of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels adjacent to the subject property. The green denotes Johnson County Rural (RUR) zoning designation. The light yellow indicates Johnson County Residential Neighborhood 2 (RN2) zoned parcel. The purple indicates City of Edgerton Logistics Park (L-P) zoning. The border between the City of Edgerton and unincorporated Johnson County is shown as a dotted and dashed line.

Figure 1

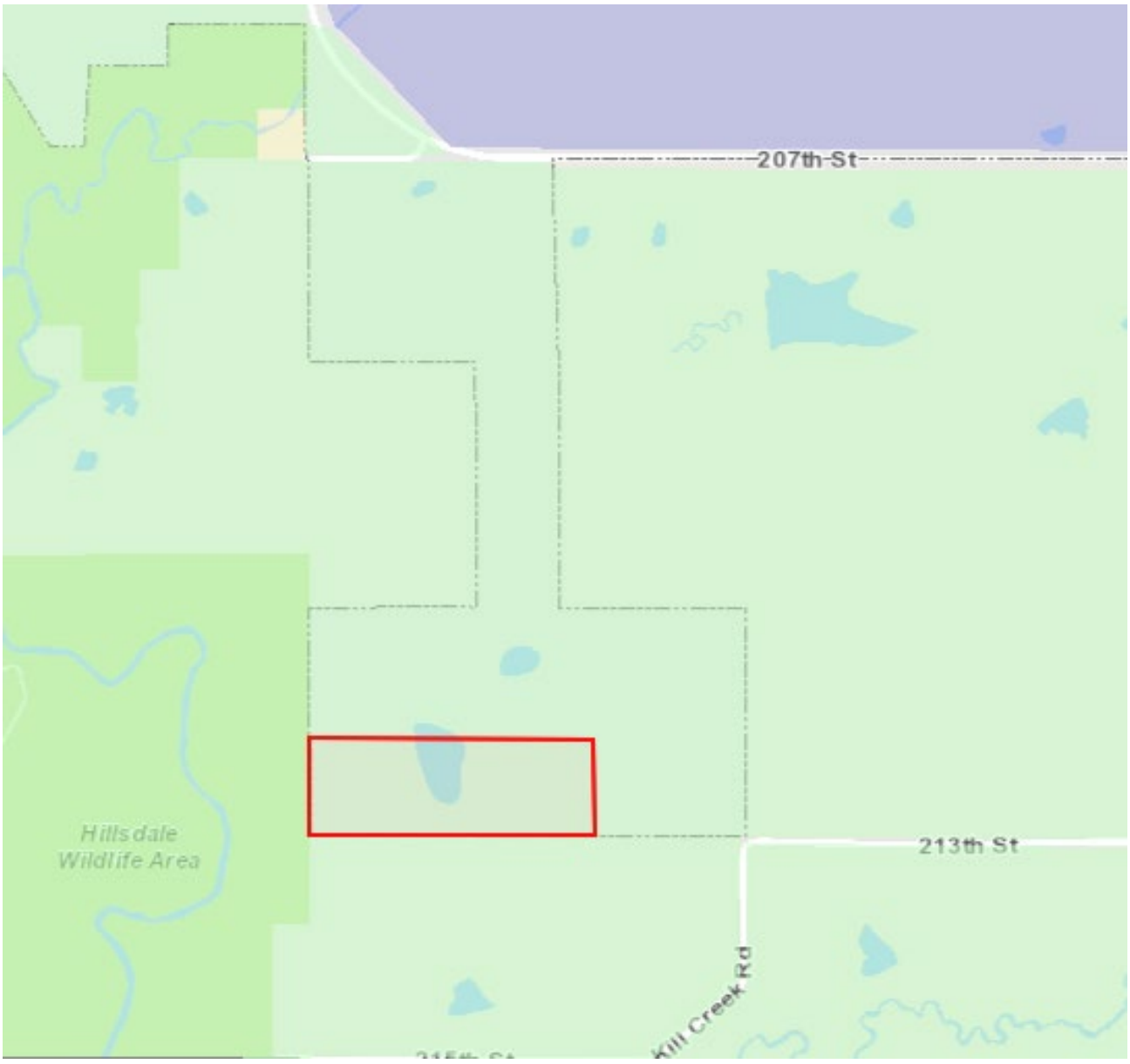


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the west and south sides of the subject property are parcels located in unincorporated Johnson County which are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. The north and east side of the subject parcel is adjacent to the parcel that is requesting rezoning to L-P District in application ZA2021-05.

Figure 2

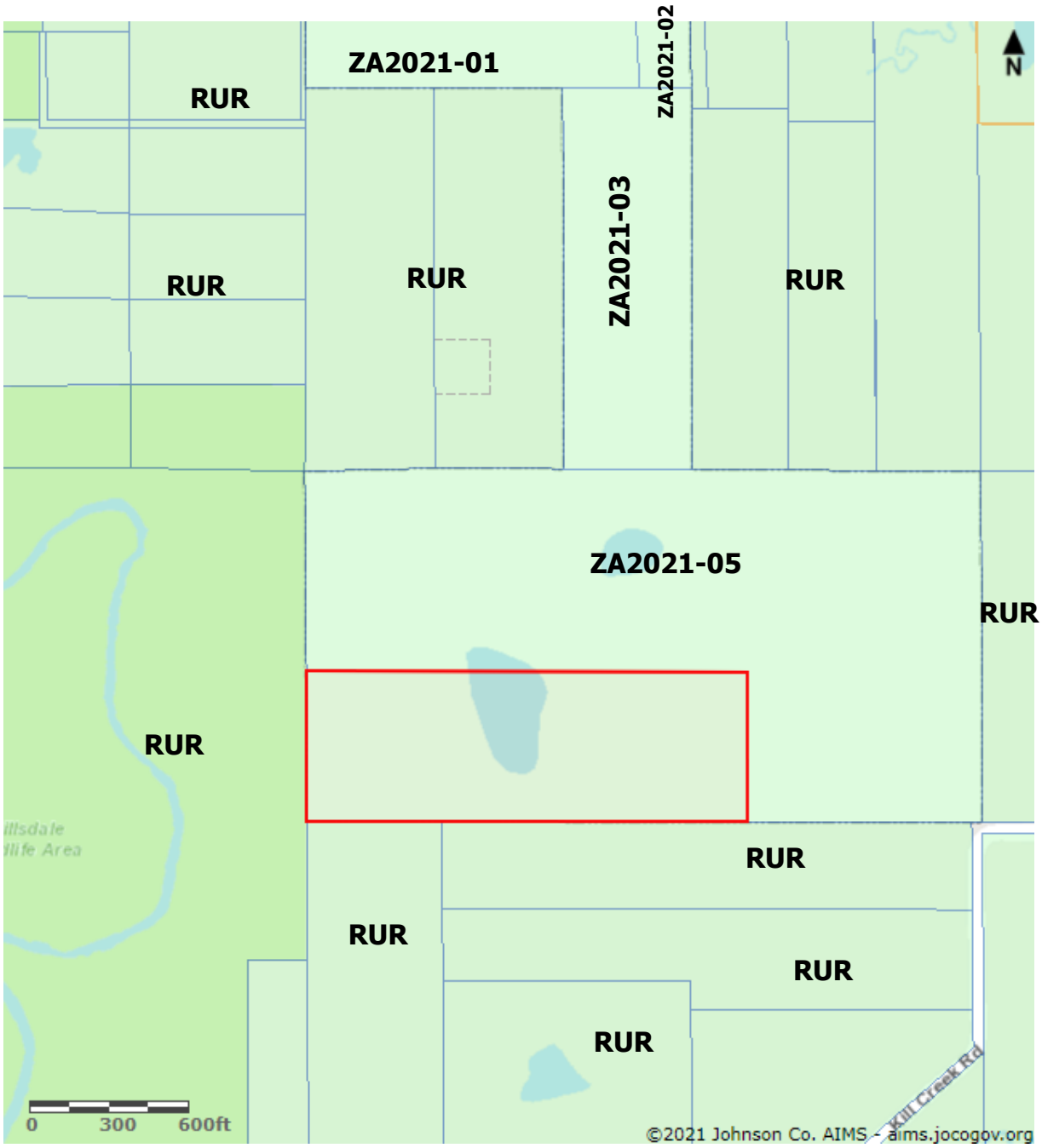


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.85 miles from I-35 and the Homestead interchange.

Figure 3

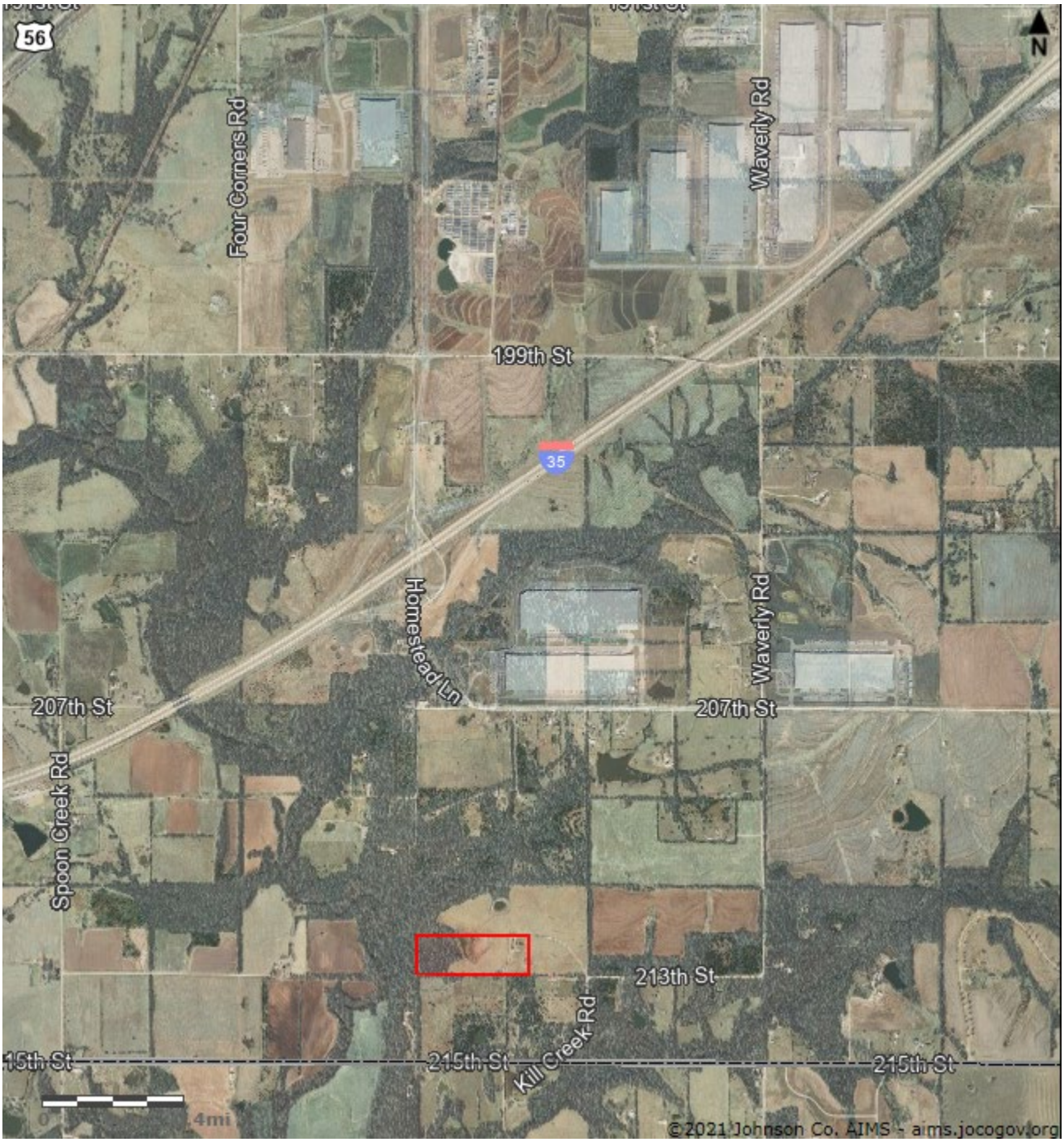
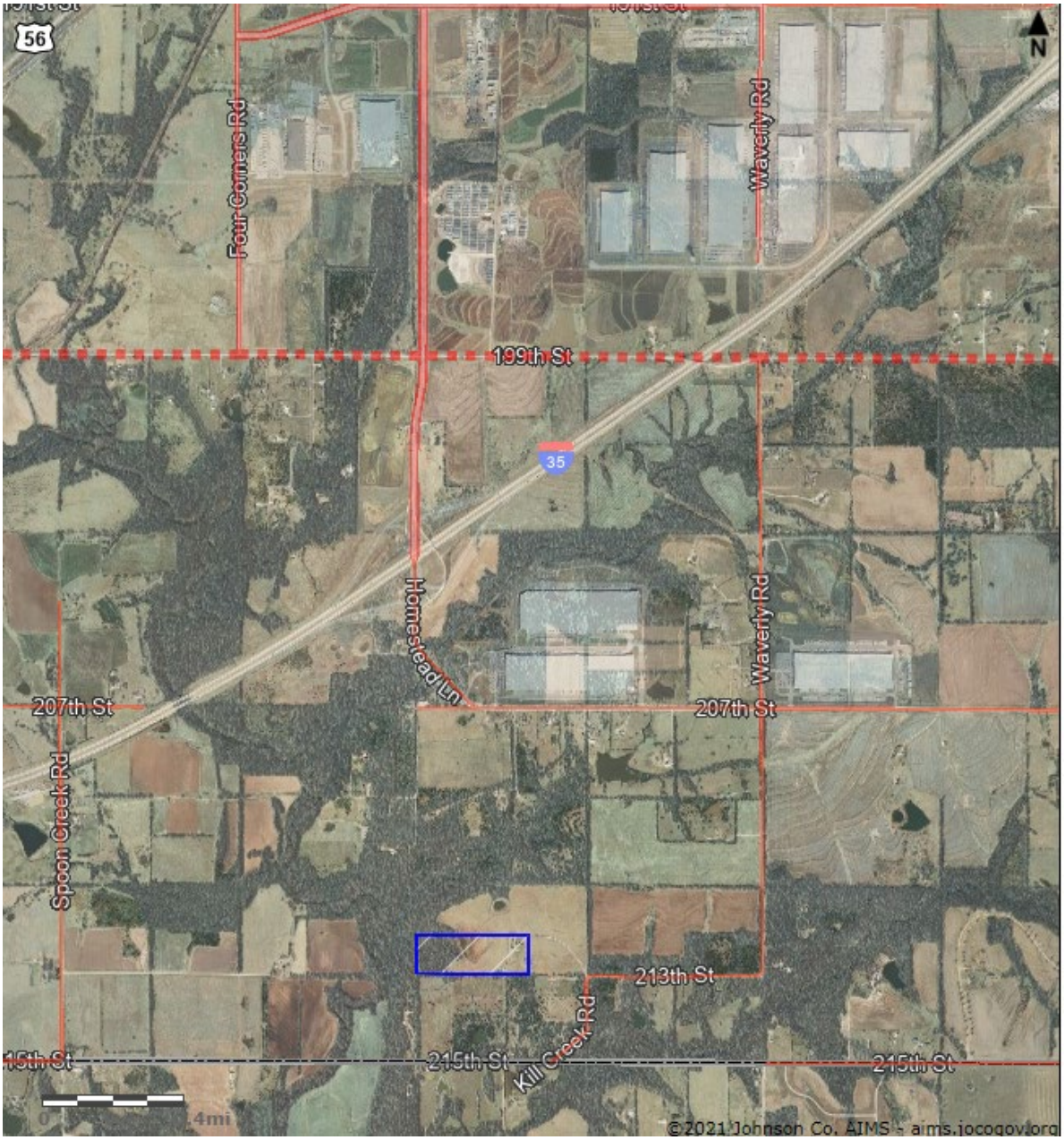


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



CARNP Roads
- Type I / 2 Lanes 120ft. ROW
- Type II / 2 Lanes 120ft. ROW
- Type II / 4 Lanes 120ft. ROW
- Type III / 2 Lanes 150-200ft. ROW
- Type III / 4 Lanes 150-200ft. ROW

INFRASTRUCTURE AND SERVICES

1. Access to the parcel is currently from a private drive at the corner of South Kill Creek Road and 213th Street.
2. Utilities and service providers.
    a. Water – Johnson County Water District #7
    b. Sanitary Sewer – City of Edgerton
    c. Electrical Service – Evergy
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on March 15, 2018. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When this parcel was annexed into Edgerton, it contained a Johnson County RUR zoning designation as assigned by the County. That zoning designation only allows for an agricultural use and it is considered a holding designation post annexation. Prior to any development occurring on the parcel, rezoning to a City of Edgerton zoning designation is necessary. The applicant has requested that this parcel be rezoned to L-P to allow for the future construction of projects similar to other projects in other L-P District areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility, I-35 and the Homestead interchange, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Due

to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. Development in this area is driven by the Homestead Lane interchange and the proposed rezoning to L-P District is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the City of Edgerton UDC, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (22.088 acres) would be appropriately sized to accommodate an industrial development and the size allows for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and the appropriate transition between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located less than a mile from the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR zoning and contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the zoning requested on the adjacent parcel to the north and east, and the parcels which connect straight north and adjacent to 207th Street. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.

8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** For any development which occurs on this parcel, it will be the responsibility of the developer to work with the utility companies to extend any necessary utilities not already in the service area. The parcel currently receives electric service and there is a connection point along 207th Street for gas service. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. Today 213th Street is a gravel road from Waverly Road to Kill Creek Road. Kill Creek Road is also a gravel road south of 213th Street. However, the Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type I/2-Lane Arterial Roadway designation to 213th Street and Kill Creek Road and designates them both as main throughways. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other**

environmental harm - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities, and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 0.85 miles from I-35 and the Homestead Lane interchange. Development in the area is driven by its proximity to the highway system and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be in compliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:
City staff recommends **approval** of proposed rezoning **Application ZA2021-04** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:
- Rezoning Application ZA2021-04

- City of Edgerton Future Land Use Map

EDGERTON
global routes. local roots.

Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: 32330 W 213th St

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM A-G (Current Zoning) TO L-P Logistics Parkw (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Wellsville Farms, LLC PHONE: N/A

COMPANY: Wellsville Farms, LLC FAX: N/A

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816-888-7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX:

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX:

MAILING ADDRESS: 5015 NW Canal St., Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager

If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Receipt 10126216

Case No.: RZ- ZA2021-04 Amount of Fee Paid:$ 250.00 Date Fee Paid: 01/08/2021

Received By: Katy Crow Date of Hearing: 02/09/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

Property Information for BF221515-2003

Tax Property ID	BF221515-2003	*KS Uniform Parcel #*	0462051503001002000
Situs Address	32330 W 213TH ST	*Acres*	22.03 (959,447.93 ft^2)
Owner1 Name	WELLSVILLE FARMS LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	F	*Year Built*	1973
LBCS	9050	*Neighborhood Code*	804.1
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U15 (T-R-S: 15-22-15)	*Quarter Section*	SW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	0
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0149G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike
Legal Desc. (abbreviated)	15-15-22 S 572' W 1682.11' N1/2 SW1/4 22.08 ACS M/L GA 240 1		

Property Map for BF221515-2003

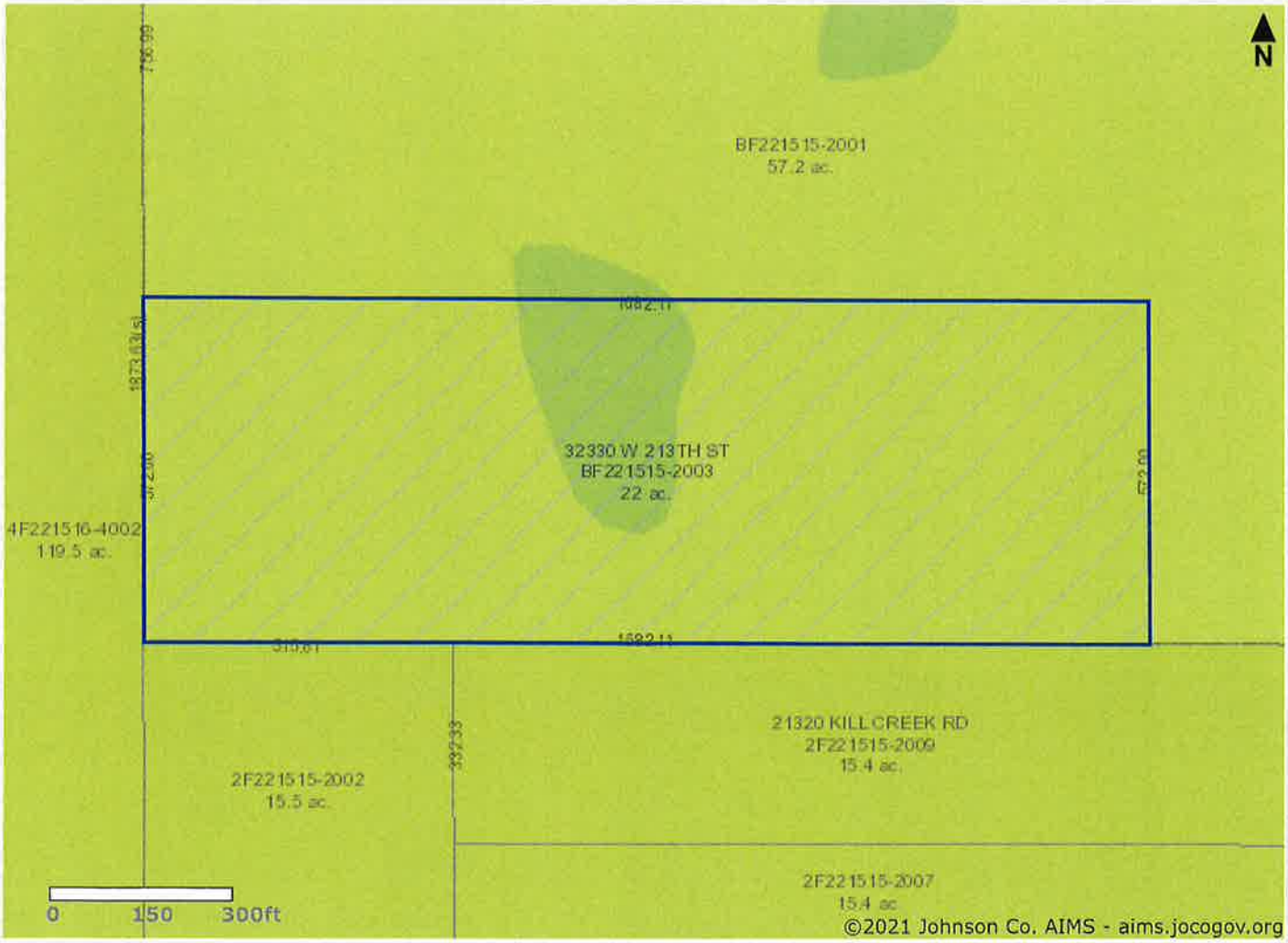


Exhibit A

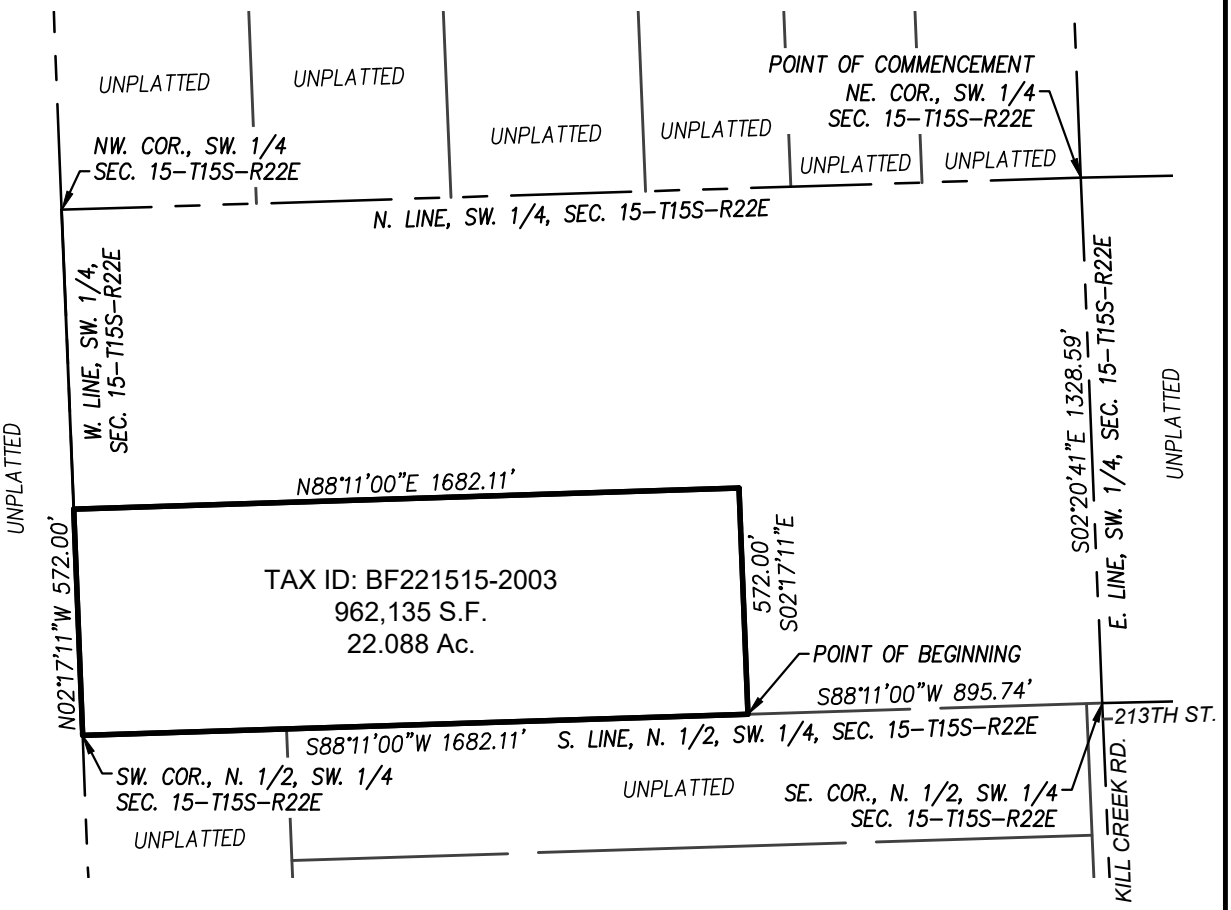
Rezoning Description:

Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

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EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, ZA2021-05

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: Located approximately 3/4 of a mile west of Waverly between W. 207th St and W 213th St.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on February 9, 20 21. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St., Suite 500 , Riverside, MO 64150

Street City State Zip

EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the Authorized Person (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 18th day of January, 2021.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 18th day of January, 2021.

Notary Public

My Commission Expires: 10-19-2024 (SEAL)
Date

PHILECIA HOEPPNER
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 16493224
My Commission Expires Oct 19, 2024

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

Exhibit A

Rezoning Description:

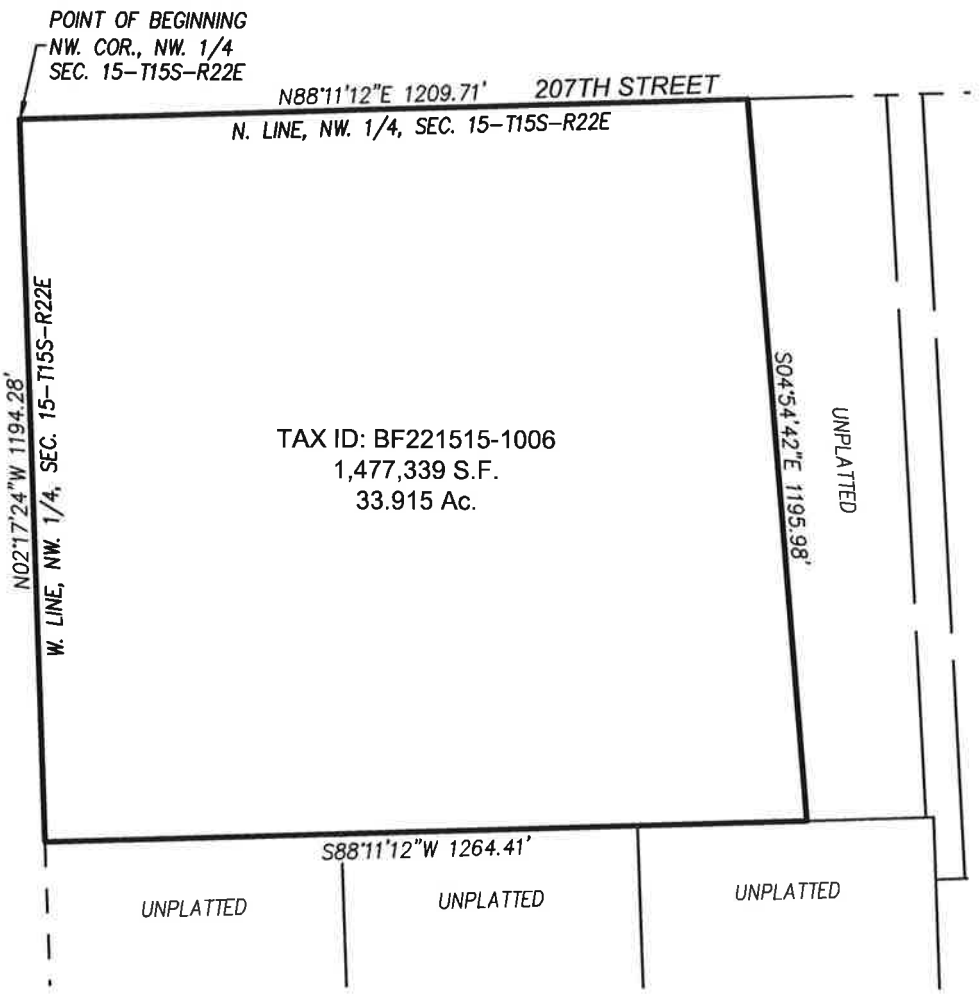
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet; thence departing said North line, South 04°54'42" East a distance of 1195.98 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 1264.41 feet to a point on the West line of the Northwest Quarter of said Section 15; thence North 02°17'24" West, along said West line, distance of 1194.28 feet to the Point of Beginning, containing 1,477,339 square feet or 33.915 acres, more or less.

ZA2021-01

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:18pm
Z:\RIC Design\2020\20-0212\Dwg\20-0212 Surv-Rezoning Exhibit.dwg

Exhibit A

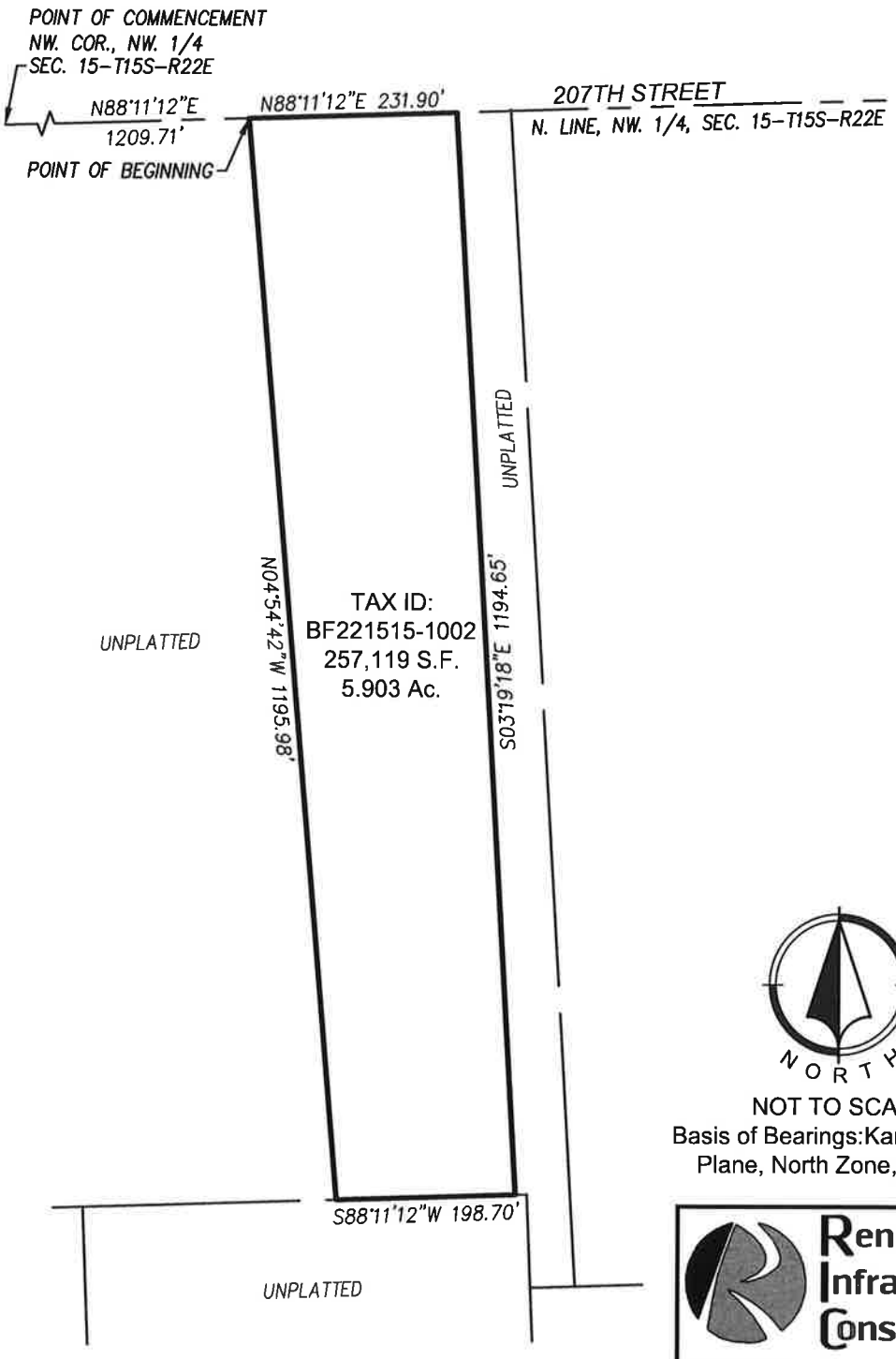
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet to the Point of Beginning; thence continuing North 88°11'12" East, along said North line, a distance of 231.90 feet; thence departing said North line, South 03°19'18" East a distance of 1194.65 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 198.70 feet; thence North 04°54'42" West a distance of 1195.98 feet to the Point of Beginning, containing 257,119 square feet or 5.903 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NOT TO SCALE
Basis of Bearings:Kansas State Plane, North Zone, NAD83

Jan 07, 2021-4:19pm
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Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Exhibit A

Rezoning Description:

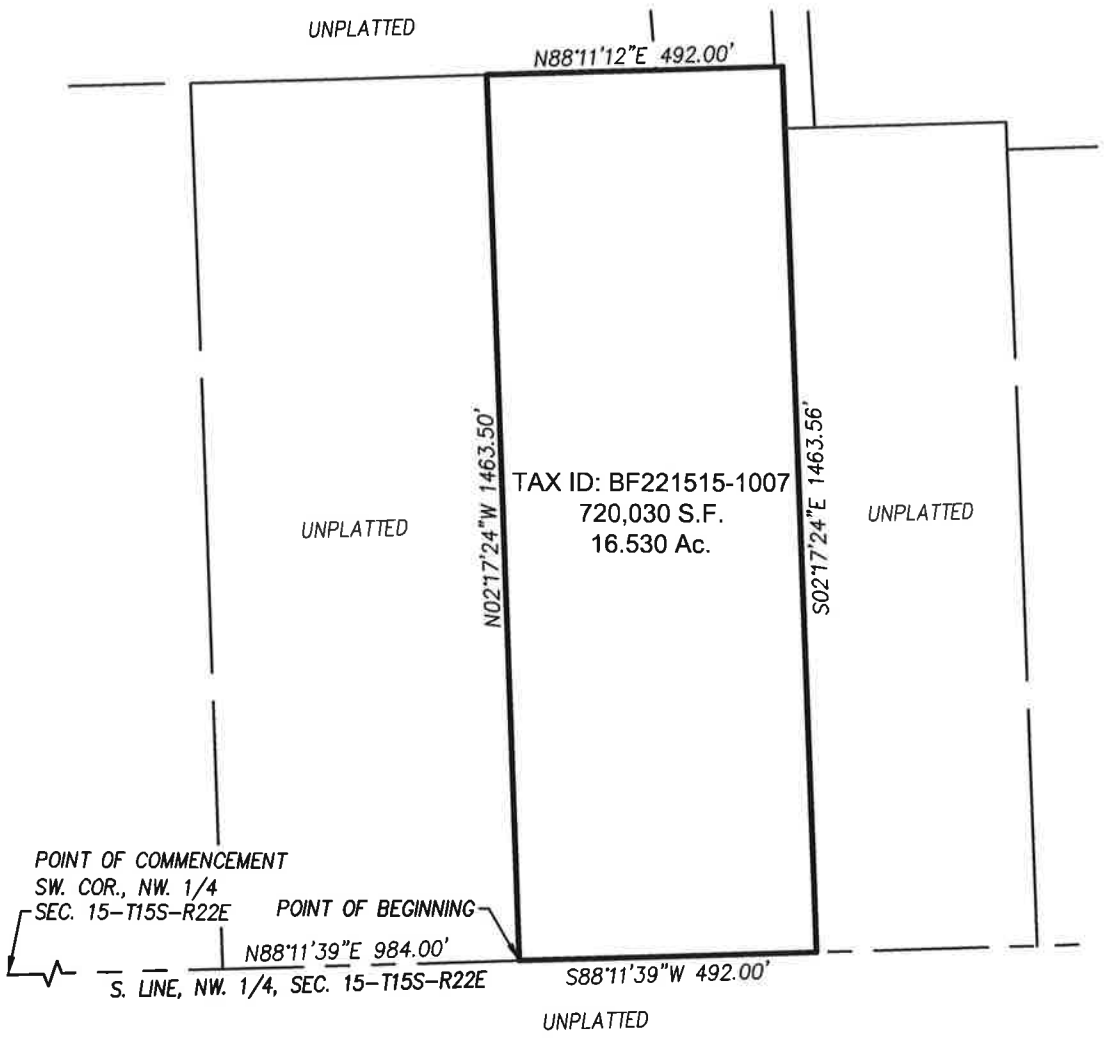
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 88°11'39" East, along the South line of said Northwest Quarter, a distance of 984.00 feet to the Point of Beginning; thence departing said South line, North 02°17'24" West, parallel with the West line of said Northwest Quarter, a distance of 1463.50 feet; thence North 88°11'12" East, parallel with the North line of said Northwest Quarter, a distance of 492.00 feet; thence South 02°17'24" East, parallel with the West line of said Northwest Quarter, a distance of 1463.56 feet to a point on the South line of said Northwest Quarter; thence South 88°11'39" West, along said South line, a distance of 492.00 feet to the Point of Beginning, containing 720,030 square feet or 16.530 acres, more or less.

ZA2021-03

Rezoning Area Exhibit

Exhibit A





NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Jan 08, 2021 - 7:56am
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Exhibit A

Rezoning Description:

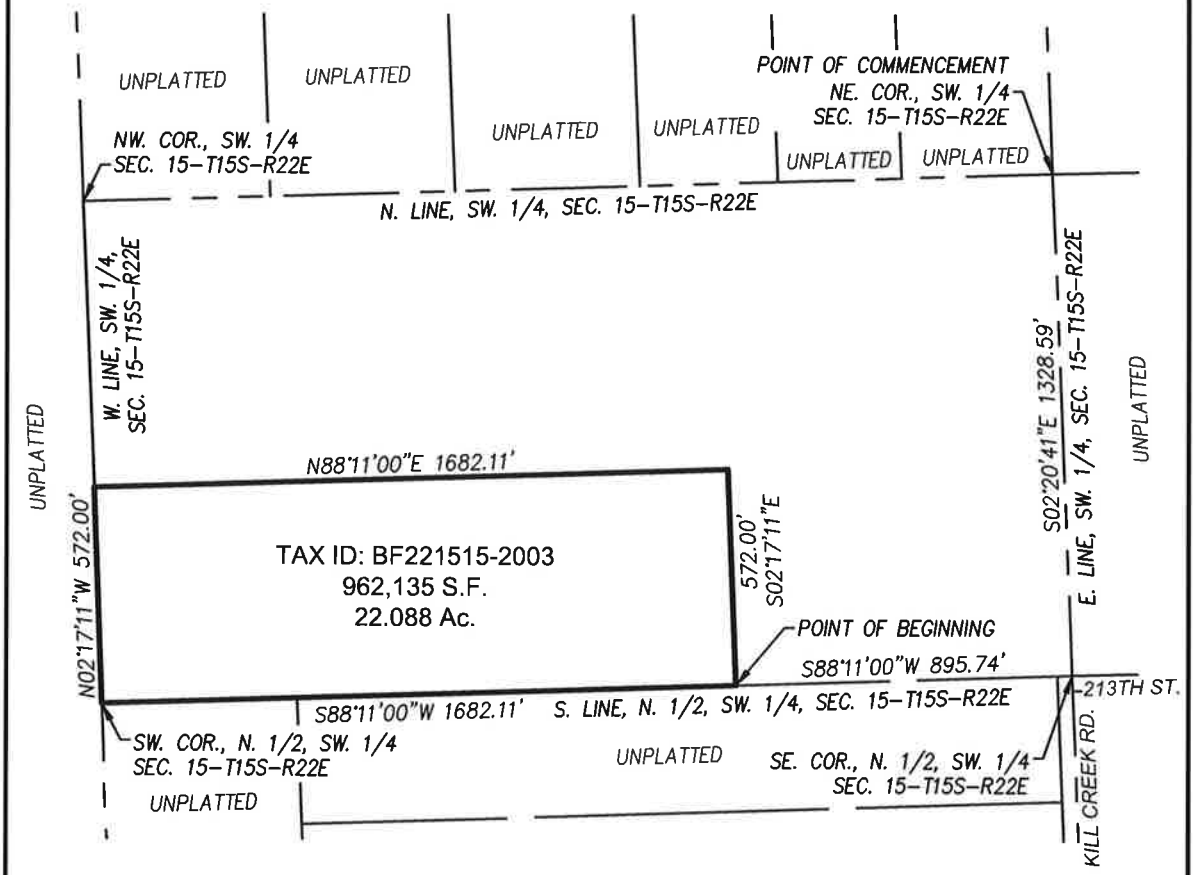
Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

ZA2021-04

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Sheet 2 of 2

Jan 14, 2021-5:10pm
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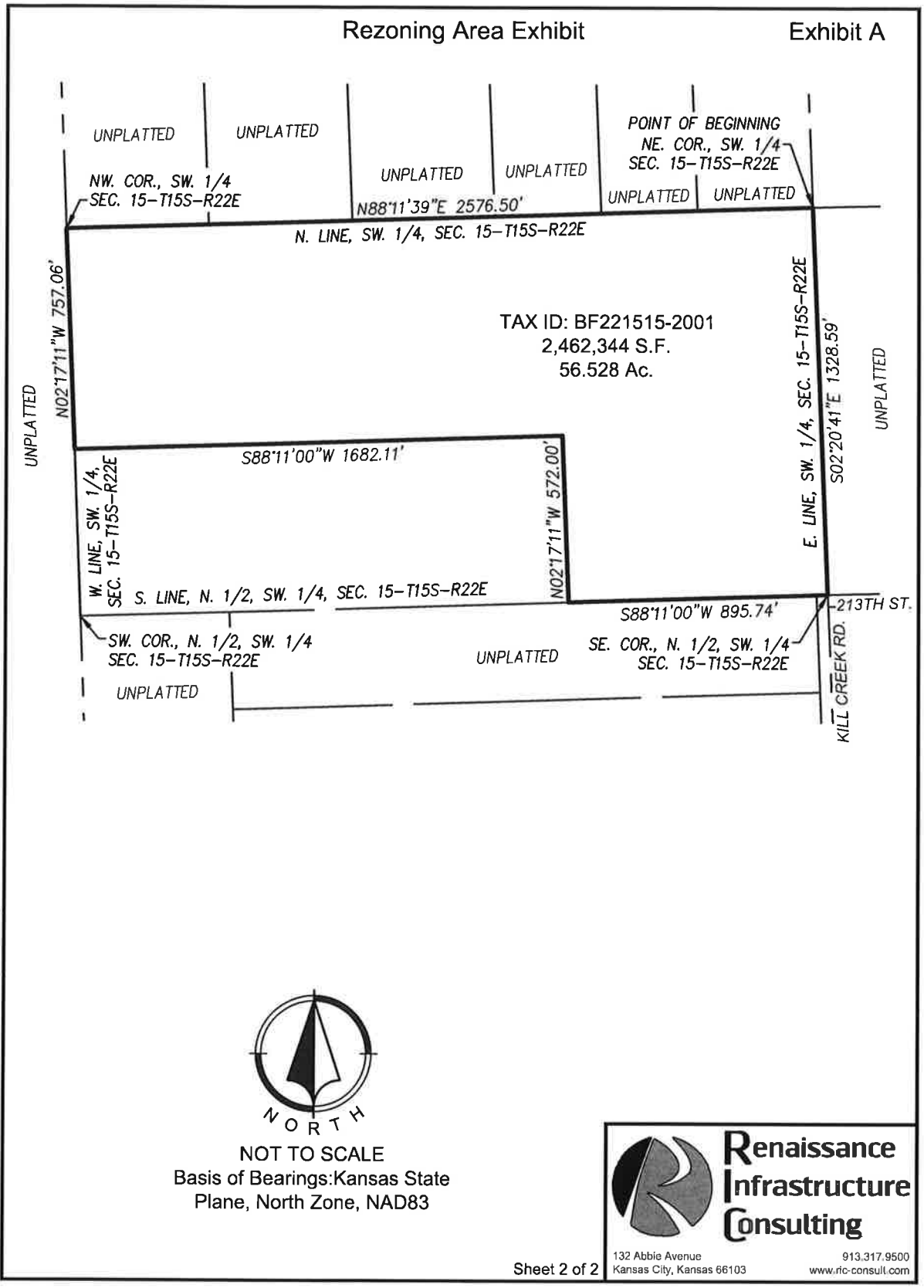
Exhibit A

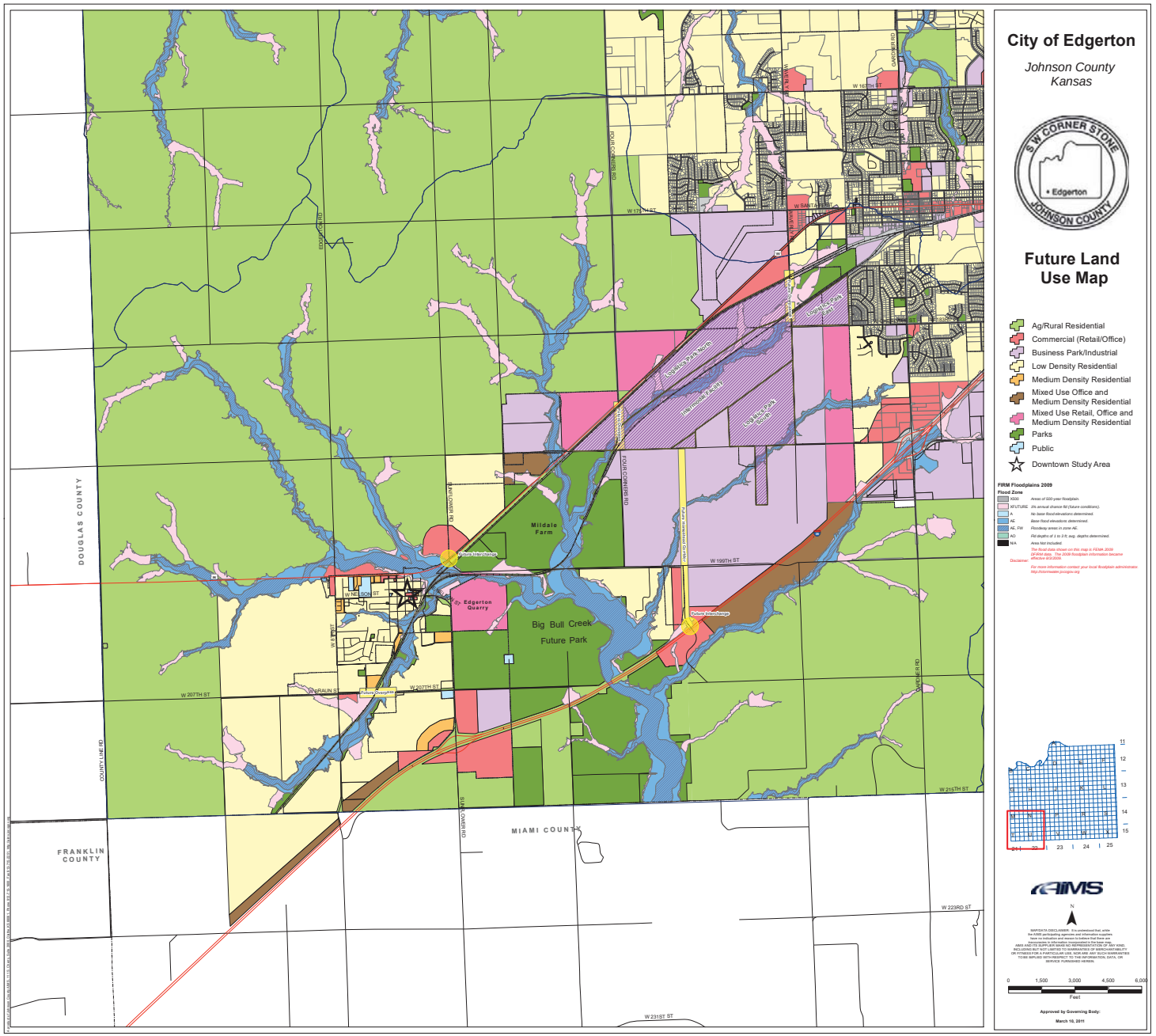
Rezoning Description:

Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet; thence departing said South line, North 02°17'11" West a distance of 572.00 feet; thence South 88°11'00" West a distance of 1,682.11 feet to a point on the West line of said Southwest Quarter; thence North 02°17'11" West, along said West line, a distance of 757.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 2,462,344 square feet or 56.528 acres, more or less.

ZA2021-05


Rezoning Area Exhibit
Exhibit A
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
POINT OF BEGINNING
NE. COR., SW. 1/4
SEC. 15-T15S-R22E
NW. COR., SW. 1/4
SEC. 15-T15S-R22E
N88°11'39"E 2576.50'
N. LINE, SW. 1/4, SEC. 15-T15S-R22E
N02°17'11"W 757.06'
TAX ID: BF221515-2001
2,462,344 S.F.
56.528 Ac.
E. LINE, SW. 1/4, SEC. 15-T15S-R22E
S02°20'41"E 1328.59'
S88°11'00"W 1682.11'
N02°17'11"W 572.00'
W. LINE, SW. 1/4, SEC. 15-T15S-R22E
S. LINE, N. 1/2, SW. 1/4, SEC. 15-T15S-R22E
S88°11'00"W 895.74'
213TH ST.
KILL CREEK RD.
SW. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
SE. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
UNPLATTED
UNPLATTED
NORTH
NOT TO SCALE
Basis of Bearings:Kansas State
Plane, North Zone, NAD83
Sheet 2 of 2
Renaissance
Infrastructure
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132 Abbie Avenue
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Jan 14, 2021-5:02pm
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City of Edgerton

Johnson County
Kansas

SW CORNER STONE
• Edgerton
JOHNSON COUNTY

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AIMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of information incorporated in the base map, ANY AND ALL EXPRESS OR IMPLIED WARRANTIES OF ANY KIND (INCLUDING THE SUPPLIERS' WARRANTIES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

EDGERTON
global routes. local roots.
404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Application **ZA2021-05 -** Rezoning of a parcel of land located on the northwest corner of W. 213th Street and S. Kill Creek Road

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Wellsville Farms, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Rezoning from Johnson County RUR (Rural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	See attached application for complete legal description.
Site Address/Location:	Northwest corner of 213th Street and Kill Creek Road
Existing Zoning and Land Uses:	Johnson County Rural (RUR), Agricultural
Existing Improvements:	None
Site Size:	56.528 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. This property was annexed into the City of Edgerton on March 15, 2018 as part of the Phase II expansion of Logistics Park Kansas City (LPKC). LPKC is a 2,300-acre master-planned distribution and warehouse development anchored by the Burlington Northern Santa Fe Railway (BNSF) intermodal facility, which opened in late 2013 and is located approximately two and a half miles north of the subject site. Companies located within LPKC benefit from significant transportation savings.

The subject property is outlined red on the following maps.

Figure 1 is color coded to indicate the zoning of the parcels adjacent to the subject property. The green denotes Johnson County Rural (RUR) zoning designation. The light yellow indicates Johnson County Residential Neighborhood 2 (RN2) zoned parcel. The purple indicates City of Edgerton Logistics Park (L-P) zoning. The border between the City of Edgerton and unincorporated Johnson County is shown as a dotted and dashed line.

Figure 1

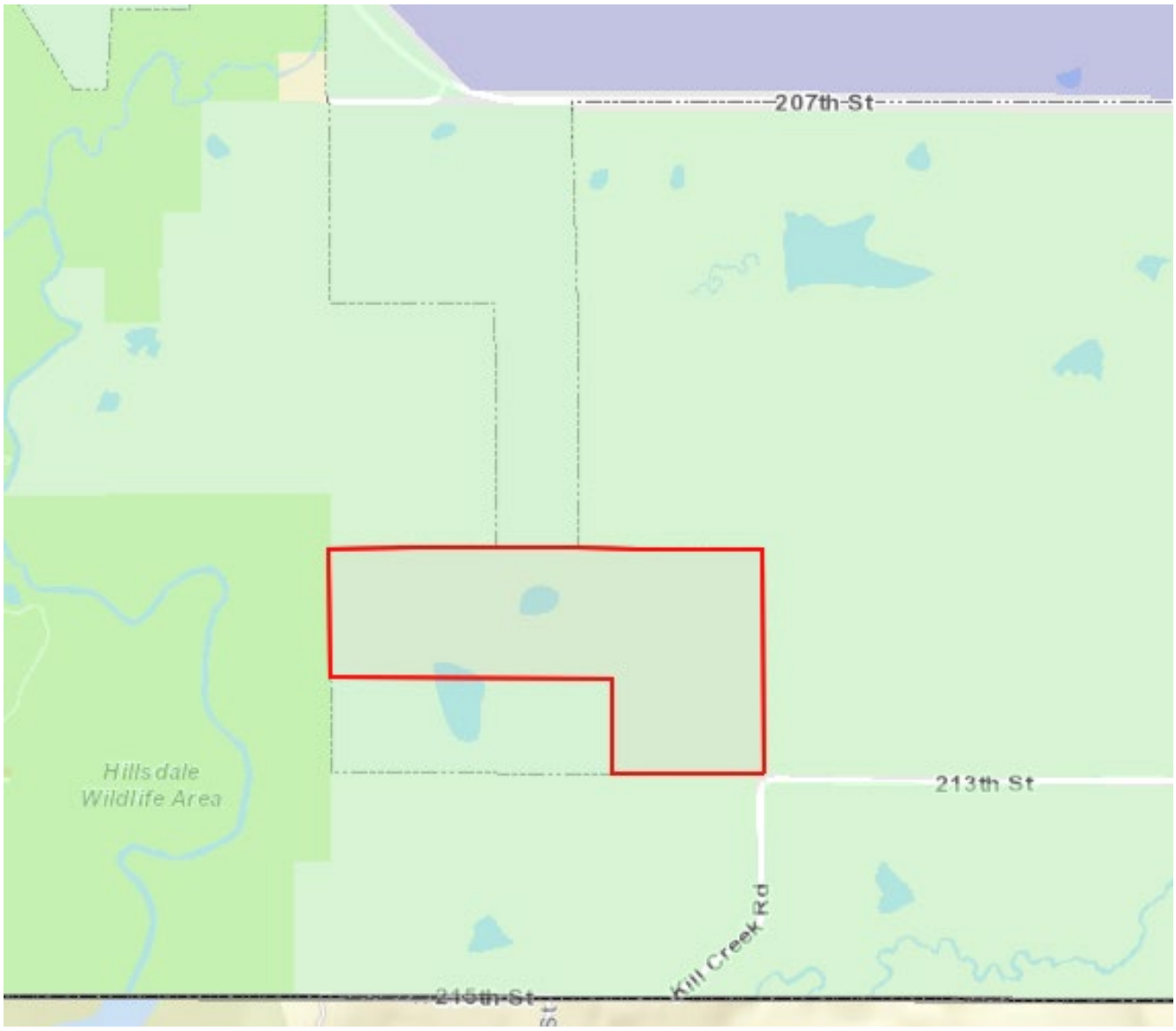


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

On the east and west sides of the subject property are parcels located in unincorporated Johnson County. Those parcels are zoned RUR. Per the Johnson County AIMS website, RUR zoned parcels are agricultural uses and single-family dwellings with a ten (10) acre minimum lot size. North of the subject parcel are parcels zoned RUR in unincorporated Johnson County and the parcel requesting rezoning in application ZA2021-03. South of the subject parcel is the parcel requesting rezoning in application ZA2021-04 along with other RUR zoned parcels in unincorporated Johnson County.

Figure 2

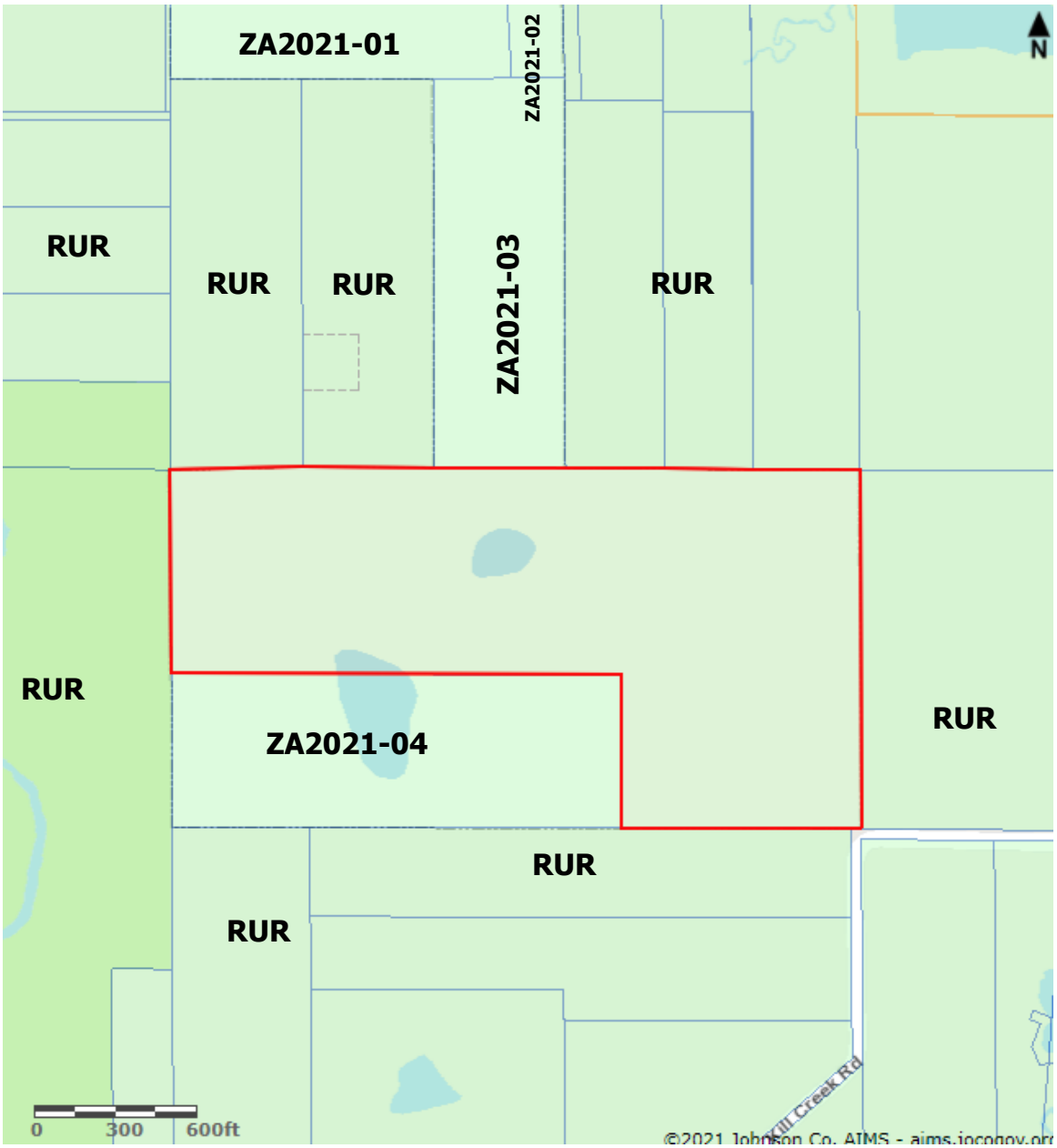


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.81 miles from I-35.

Figure 3

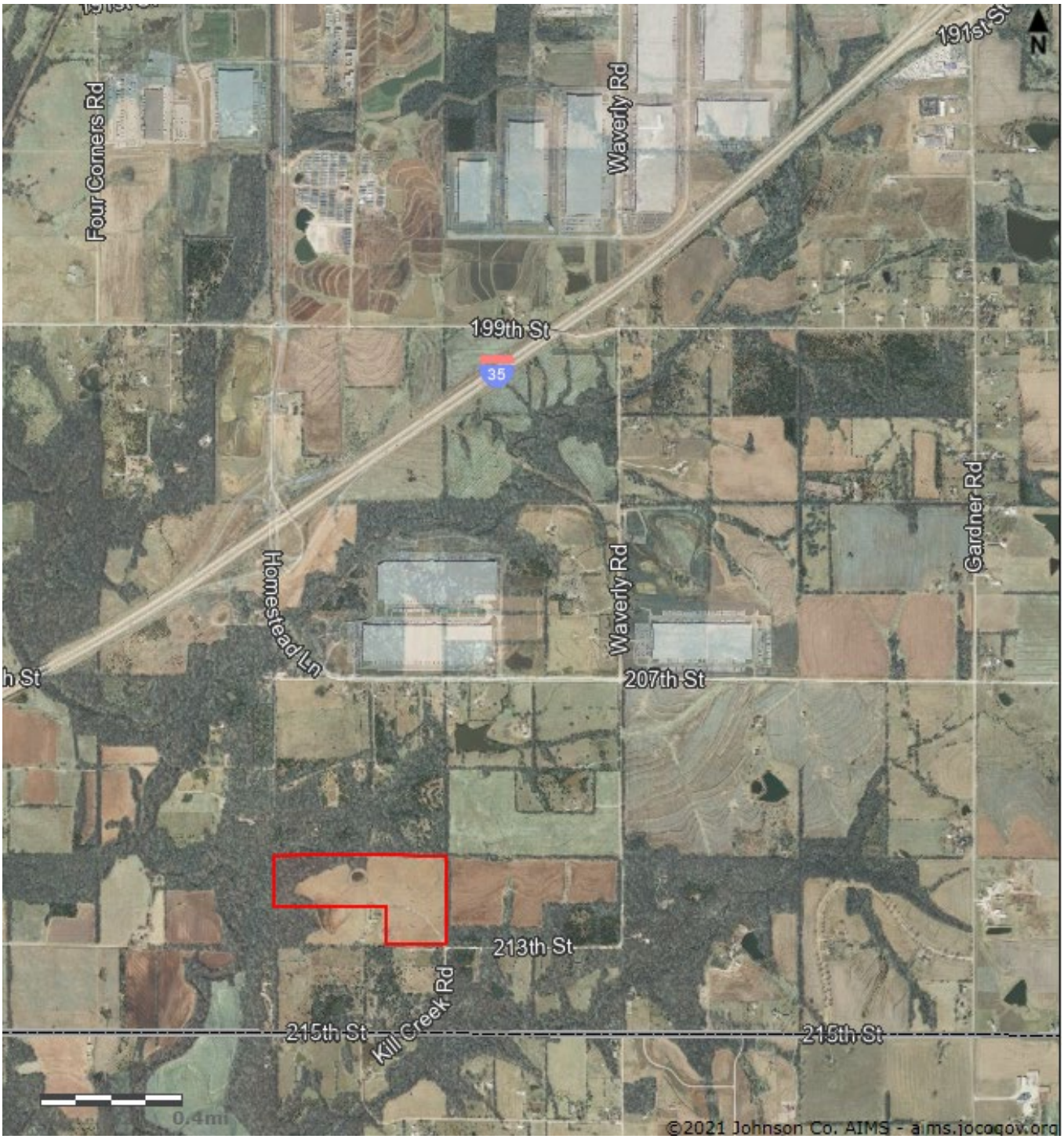
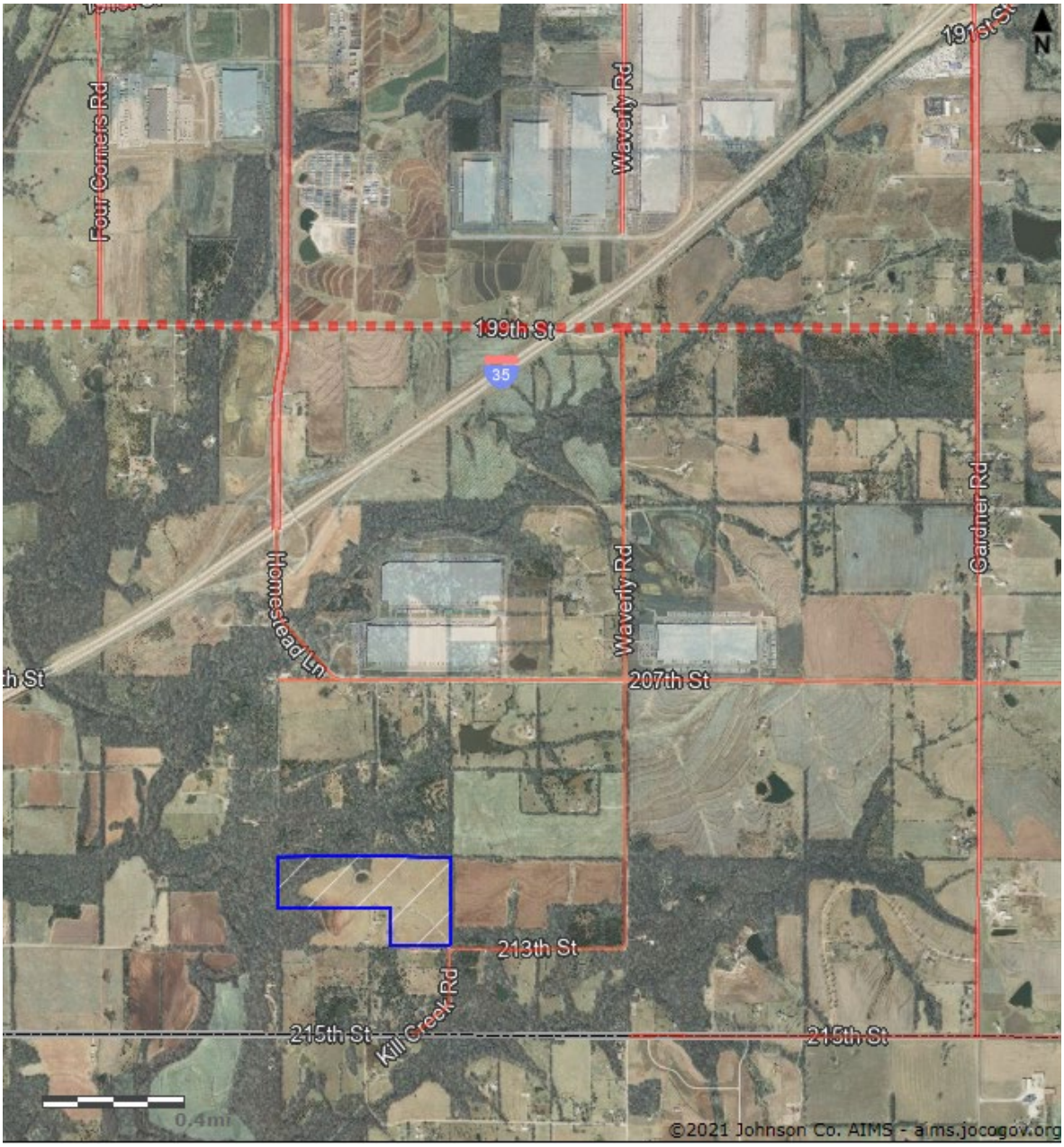


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



INFRASTRUCTURE AND SERVICES

1. Access to the parcel is currently from 213th Street/Kill Creek Road at the southeast corner of the property.
2. Utilities and service providers.
    a. Water – Johnson County Water District #7
    b. Sanitary Sewer – City of Edgerton
    c. Electrical Service – Evergy
    d. Gas Service – Kansas Gas Service
    e. Police services would be provided by the City of Edgerton through the Johnson County Sheriff's Office
    f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on March 15, 2018. Prior to that, the property was in unincorporated Johnson County and as of this application the parcels remain zoned Johnson County (RUR).

STAFF ANALYSIS

The applicant has requested rezoning to Logistics Park (L-P) District. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. The conduction of outdoor activities and outdoor storage is not allowed. External effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; along with other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** – When this parcel was annexed into Edgerton, it contained a Johnson County RUR zoning designation as assigned by the County. That zoning designation only allows for an agricultural use and it is considered a holding designation post annexation. Prior to any development occurring on the parcel, rezoning to a City of Edgerton zoning designation is necessary. The applicant has requested that this parcel be rezoned to L-P to allow for the future construction of projects similar to other projects in other L-P District areas. Given the parcels' proximity to LPKC Phases I and II, the BNSF Railway intermodal facility, I-35 and the Homestead interchange, L-P District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change –** The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35; however, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. Due

to the unexpected pace of development in Phase I of LPKC, a Phase II expansion of LPKC was initiated in 2018 and this parcel is part of the area which would comprise that continued expansion. Development in this area is driven by the Homestead Lane interchange and the proposed rezoning to L-P District is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. As is noted in the City of Edgerton UDC, landscaping and vegetation will be used to minimize adverse impacts to adjacent residential properties. Large size parcels like this one (56.5 acres) would be appropriately sized to accommodate an industrial development and the size allows for adequate berming and screening along adjacent parcels. Given the parcel's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Lane interchange, the magnitude of the change would not be considered unusual when the property is being used for industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by undeveloped acreage and low-density rural single-family residential. L-P zoning designations require significant berming and landscaping adjacent to any residential developments. If rezoned L-P, as requested, a separate Site Plan review and approval would be required prior to the issuance of any building permits. Part of a Site Plan review would include attention to buffering and setbacks, stormwater management and transition of uses between adjoining properties and any proposed industrial use. This Site Plan review will help mitigate impact that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location are an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the I-35 interstate system.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of warehousing, distribution, limited manufacturing and related uses near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – This parcel is located less than a mile from the new 207th Street corridor, Kubota Tractor North American Distribution Center and the Hostess Distribution Center. Continued development of the area includes intermodal related uses. With the extensive road improvements, including the interchange at I-35 and Homestead Lane and the improvements on 207th Street, the character of the area is changing from rural to industrial. Some nearby parcels zoned Johnson County RUR zoning and contain single family homes. However, the residential density in this area is lower than some of the parcels adjacent to development in Phase I of LPKC. As noted previously, the Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the zoning requested on the adjacent parcel to the north and east and the parcels which connect due north adjacent to 207th Street. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process is designed to mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.

8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is viewed as a holding designation related to the annexation of the parcel. Johnson County RUR zoning is primarily for agricultural and low-density residential use. An industrial use on a property zoned for agriculture would not be a permitted use therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use indicated by the applicant.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property has been used for agricultural purposes in unincorporated Johnson County dating back to at least 2006.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The Site Plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services –** For any development which occurs on this parcel, it will be the responsibility of the developer to work with the utility companies to extend any necessary utilities not already in the service area. Electrical service currently crosses the parcel and there is a connection point along 207th Street for gas service. The City of Edgerton Municipal Code requires that all properties within city boundaries connect to City of Edgerton sanitary sewer service. Should this parcel be developed, the developer would be responsible for the extension of and connection to City of Edgerton wastewater infrastructure.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property –** Homestead Lane and 207th Street to just east of Waverly Road have been constructed to accommodate the traffic that will accompany the Phase II expansion of LPKC. Today 213th Street is a gravel road from Waverly Road to Kill Creek Road. Kill Creek Road is also a gravel road south of 213th Street. However, the Johnson County Comprehensive Arterial Road Network Plan (CARNP) assigns a Type I/2-Lane Arterial Roadway designation to 213th Street and Kill Creek Road and designates them both as main throughways. During the Site Plan review process, both the type and volume of traffic associated with a new development are evaluated, often with the requirement that a traffic study be performed as part of the applicant's due diligence. This includes evaluating the transportation network in the area and any current and future access points to the parcel. Infrastructure upgrades to accommodate the new development's traffic volume and type are required and adequate off-street parking must be provided as on-street parking is not allowed.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other**

environmental harm - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Any construction that occurs on site will be required to get a NPDES permit from the State of Kansas and a land disturbance permit from the City. Those permits require a stormwater pollution prevention plan that is reviewed by the City and the State. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.

15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities, and tax revenues to respective jurisdictions. During the Covid-19 pandemic, supply chain logistics were instrumental to delivering food and supplies to areas across the United States. This type of commercial industry continues to be an important contributor to the economy of this area.
16. **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** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of these zoning applications. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - Due to the unexpected pace of development in Phases I and II of Logistics Park Kansas City, the Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35. However, it does address development of areas for industrial use due to their proximity to the intermodal and easy access to the interstate. This parcel is located 0.81 miles from I-35 and the Homestead Lane interchange. Development in the area is driven by its proximity to the highway system and the proposed rezoning is compatible with the spirit and intent of future development as outlined by the Edgerton Comprehensive Plan. Any development that would occur on this parcel would be required to be in compliance with the City of Edgerton UDC. L-P Zoning does not allow tenants to conduct exterior operations or have exterior storage. The review of strict parameters related to the aesthetics of development on L-P zoned parcels is conducted as part of a Site Plan review, including an evaluation of building materials, screening between adjacent parcels and parking requirements.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:
City staff recommends **approval** of proposed rezoning **Application ZA2021-05** from Johnson County Rural (RUR), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:
- Rezoning Application ZA2021-05

- City of Edgerton Future Land Use Map

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Rezoning Application (Fee: $250)

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Located on the NW corner of W 213th St and S Kill Creek Rd

PURPOSE FOR REZONING: For the purpose of constructing and operating a light manufacturing and/or distribution center.

REQUESTED REZONING CHANGE: FROM A-G (Current Zoning) TO L-P Logistics Parkw (Proposed Zoning)

LEGAL DESCRIPTION: See attached description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Wellsville Farms, LLC PHONE: N/A

COMPANY: Wellsville Farms, LLC FAX: N/A

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

APPLICANT/AGENTS NAME(S): Brett Powell (representing property owner) PHONE: 816-888-7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX:

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816-800-0950

COMPANY: Renaissance Infrastructure Consulting FAX:

MAILING ADDRESS: 5015 NW Canal St., Suite 100, Riverside, MO 64150
Street City State Zip

SIGNATURE OF OWNER OR AGENT: Nathaniel Hagedorn, Manager
If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLY

Receipt 96119002

Case No.: RZ- ZA2021-05 Amount of Fee Paid:$ 250.00 Date Fee Paid: 01/15/2021

Received By: Katy Crow Date of Hearing: 02/09/2021

REZONING INSTRUCTIONS

CERTIFIED LETTERS: The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

Property Information for BF221515-2001

Tax Property ID	BF221515-2001	*KS Uniform Parcel #*	0462051503001001000
Situs Address	Not Available	*Acres*	57.21 (2,492,064.03 ft^2)
Owner1 Name	WELLSVILLE FARMS LLC	*Owner2 Name*	
Owner Address	4825 NW 41ST ST STE 500, RIVERSIDE, MO 64150		
Class	A	*Year Built*	0
LBCS	9010	*Neighborhood Code*	804.4
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U15 (T-R-S: 15-22-15)	*Quarter Section*	SW
Fire Dist.	JoCo FD #1	*Sheriff Dist.*	0
Commissioner Dist.	6 (Mike Brown)	*FEMA Flood Panel #*	20091C0149G
School District	Gardner-Edgerton	*High School*	Gardner-Edgerton
Middle School	Trail Ridge	*Elementary School*	Nike

Legal Desc. (abbreviated) 15-15-22 BG SE CR N1/2 SW1/4 W895.30' N 572' W 1682.11' N 756.99' E 2576.39' S 1328.51' TO BG 56.537 ACS M/L GA 240

Property Map for BF221515-2001



Exhibit A

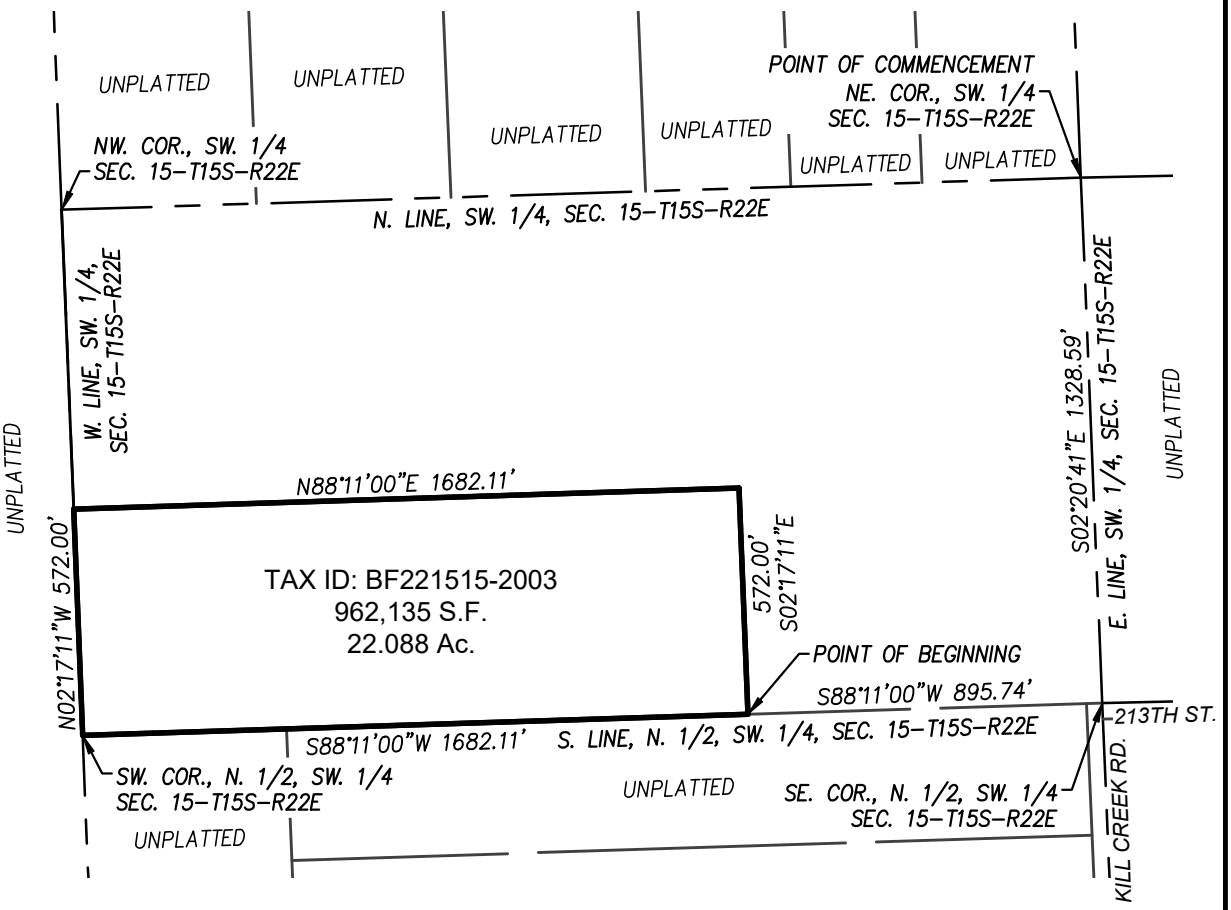
Rezoning Description:

Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 14, 2021-5:10pm
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Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION LETTER

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, ZA2021-05

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from RUR

(current zoning) to L-P Logistics Park

(proposed zoning), on the following described tract of land:

Legal Description: See attached

General Location: Located approximately 3/4 of a mile west of Waverly between W. 207th St and W 213th St.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on February 9, 20 21. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Nathaniel Hagedorn

Applicant (or Owner or Agent)

ADDRESS: 4825 NW 41st St., Suite 500 , Riverside, MO 64150

Street City State Zip

EDGERTON
global routes. local roots.

Rezoning Application
(Fee: $250)

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04

I, Nathaniel Hagedorn, of lawful age being first duly sworn upon oath, state:

That I am the Authorized Person (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 18th day of January, 2021.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 18th day of January, 2021.

Notary Public

My Commission Expires: 10-19-2024 (SEAL)
Date

PHILECIA HOEPPNER
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 16493224
My Commission Expires Oct 19, 2024

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

Exhibit A

Rezoning Description:

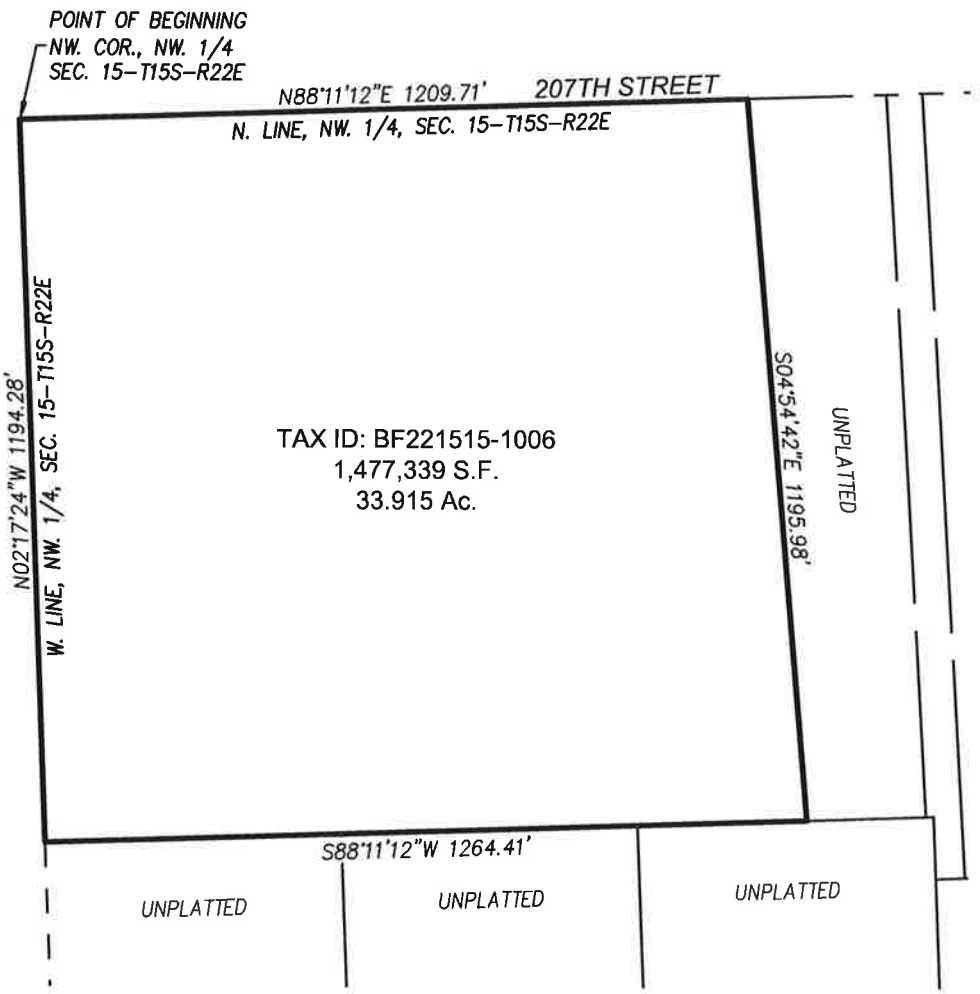
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet; thence departing said North line, South 04°54'42" East a distance of 1195.98 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 1264.41 feet to a point on the West line of the Northwest Quarter of said Section 15; thence North 02°17'24" West, along said West line, distance of 1194.28 feet to the Point of Beginning, containing 1,477,339 square feet or 33.915 acres, more or less.

ZA2021-01

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103

913.317.9500
www.ric-consult.com

Jan 07, 2021-4:18pm
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Exhibit A

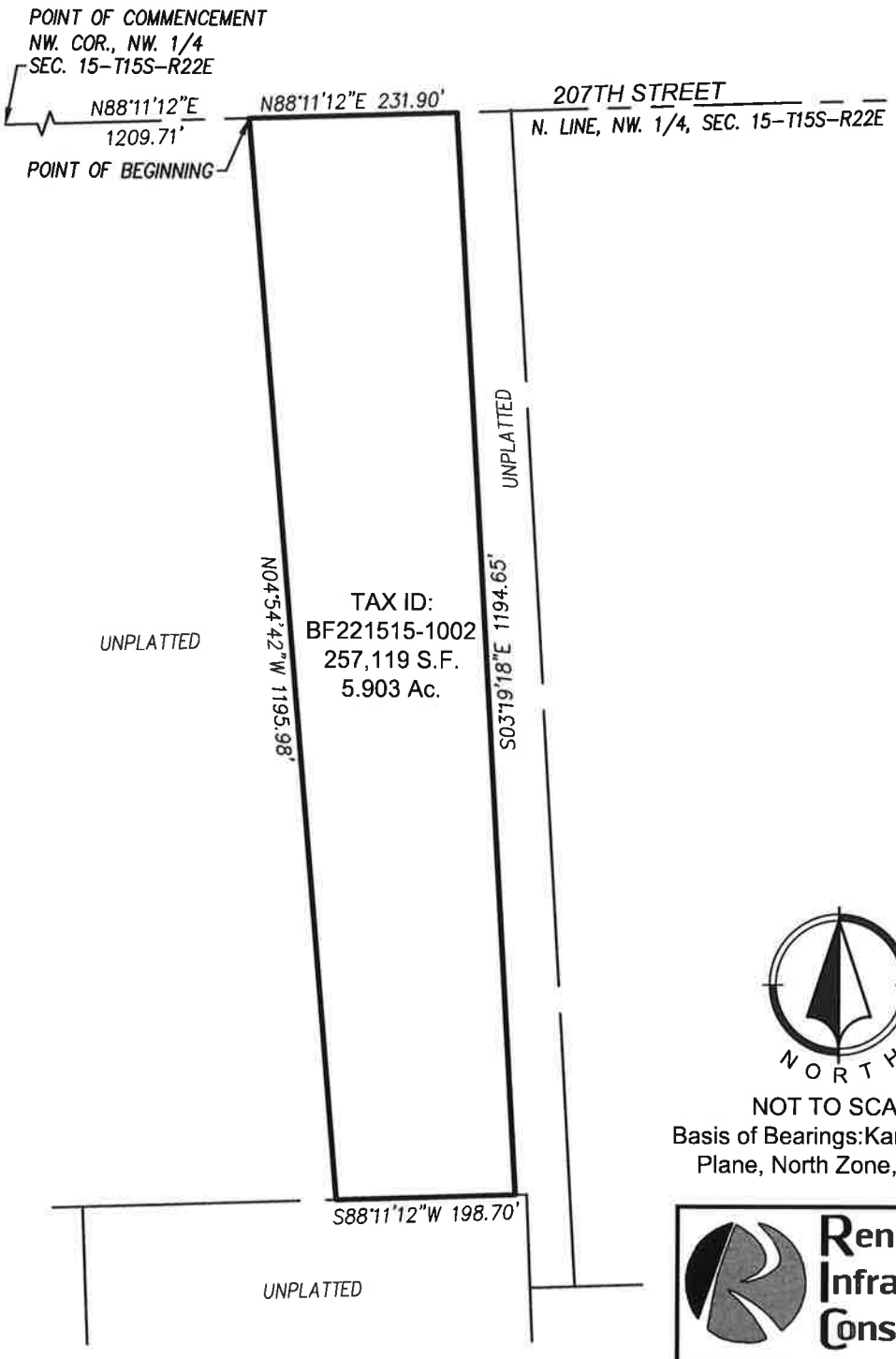
Rezoning Description:

All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence North 88°11'12" East, along the North line of said Northwest Quarter, a distance of 1209.71 feet to the Point of Beginning; thence continuing North 88°11'12" East, along said North line, a distance of 231.90 feet; thence departing said North line, South 03°19'18" East a distance of 1194.65 feet; thence South 88°11'12" West, parallel with the North line of said Northwest Quarter, a distance of 198.70 feet; thence North 04°54'42" West a distance of 1195.98 feet to the Point of Beginning, containing 257,119 square feet or 5.903 acres, more or less.

Rezoning Area Exhibit

Exhibit A



NOT TO SCALE
Basis of Bearings:Kansas State Plane, North Zone, NAD83

Jan 07, 2021-4:19pm
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Sheet 2 of 2

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913.317.9500
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Exhibit A

Rezoning Description:

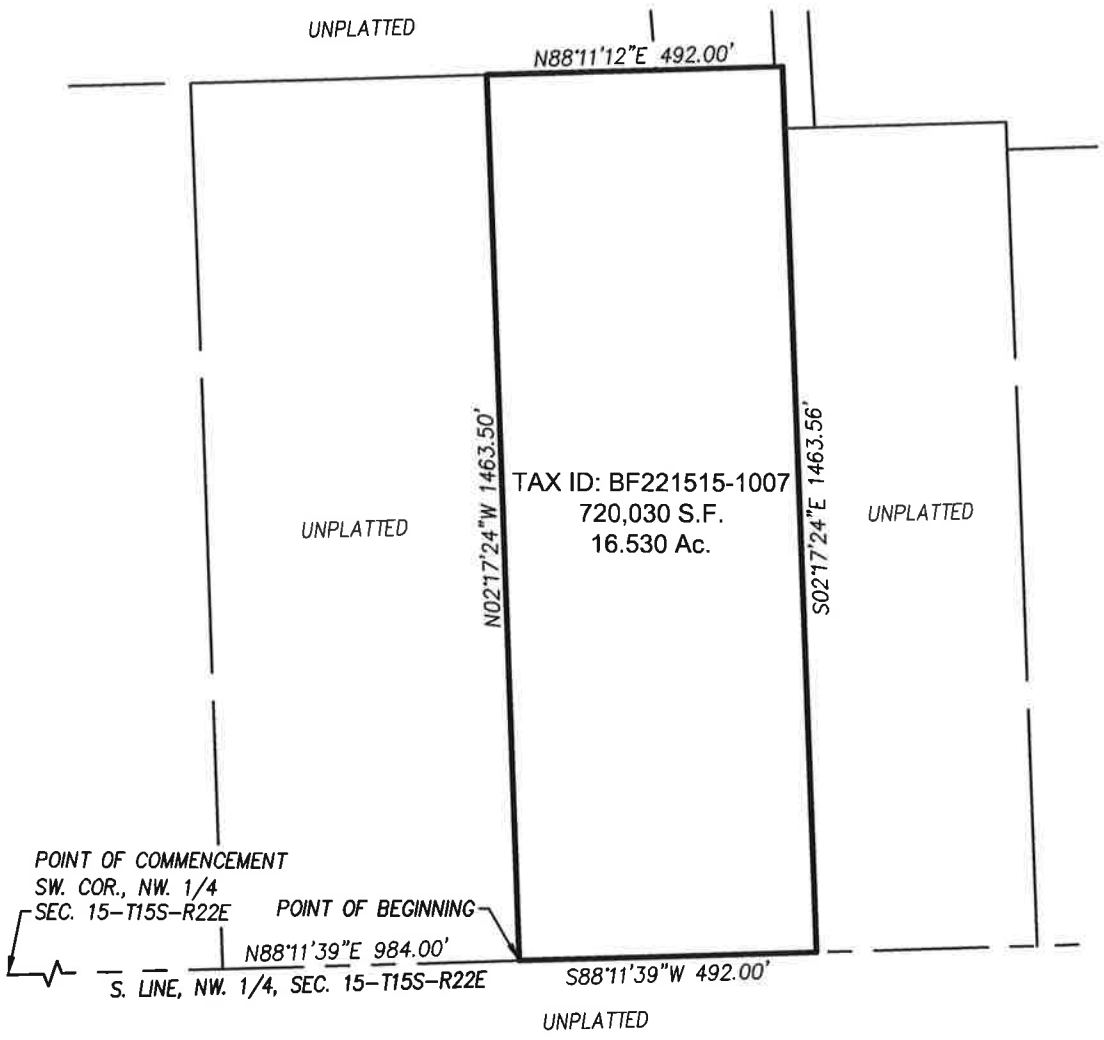
All that part of the Northwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 88°11'39" East, along the South line of said Northwest Quarter, a distance of 984.00 feet to the Point of Beginning; thence departing said South line, North 02°17'24" West, parallel with the West line of said Northwest Quarter, a distance of 1463.50 feet; thence North 88°11'12" East, parallel with the North line of said Northwest Quarter, a distance of 492.00 feet; thence South 02°17'24" East, parallel with the West line of said Northwest Quarter, a distance of 1463.56 feet to a point on the South line of said Northwest Quarter; thence South 88°11'39" West, along said South line, a distance of 492.00 feet to the Point of Beginning, containing 720,030 square feet or 16.530 acres, more or less.

ZA2021-03

Rezoning Area Exhibit

Exhibit A





NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

Sheet 2 of 2

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Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com

Jan 08, 2021 - 7:56am
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Exhibit A

Rezoning Description:

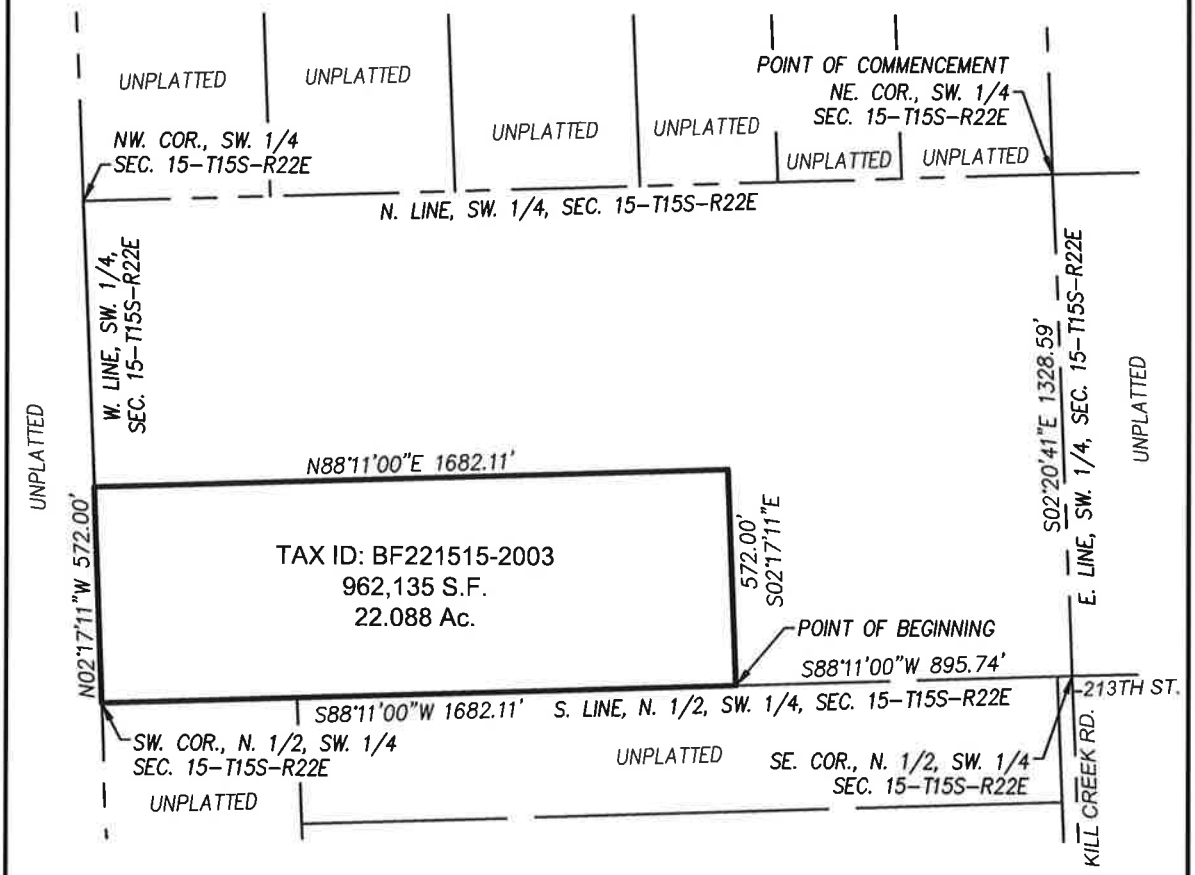
Part of the North Half of the Southwest Quarter of Section 15, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas, more particularly described as follows:

Commencing at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet to the Point of Beginning; thence continuing thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 1,682.11 feet to the Southwest corner thereof; thence North 02°17'11" West, along the West line of said Southwest Quarter, a distance of 572.00 feet; thence departing said West line, North 88°11'00" East a distance of 1,682.11 feet; thence South 02°17'11" East a distance of 572.00 feet to the Point of Beginning, containing 962,135 square feet or 22.088 acres, more or less.

ZA2021-04

Rezoning Area Exhibit

Exhibit A



NORTH

NOT TO SCALE

Basis of Bearings:Kansas State Plane, North Zone, NAD83

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132 Abbie Avenue
Kansas City, Kansas 66103

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Sheet 2 of 2

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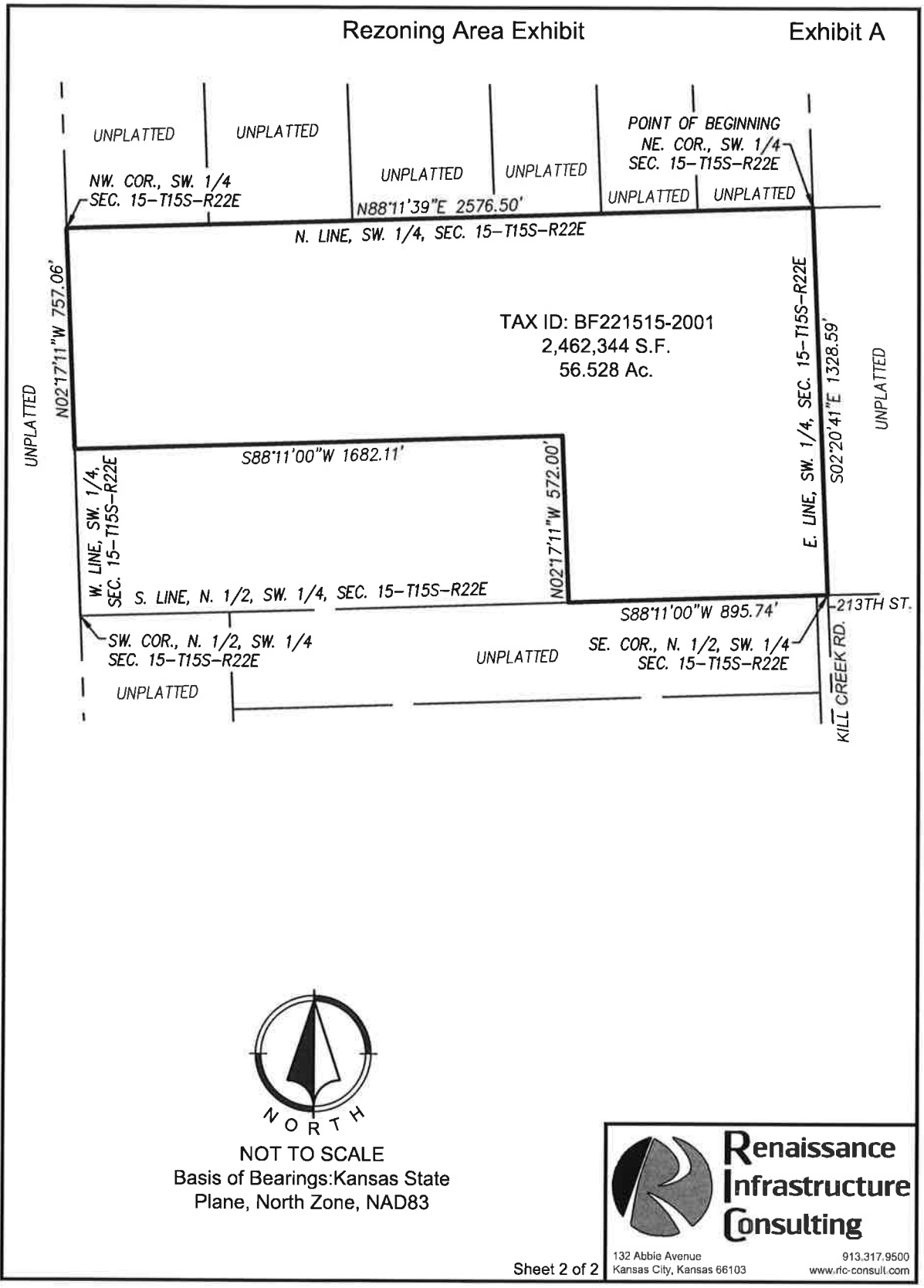
Exhibit A

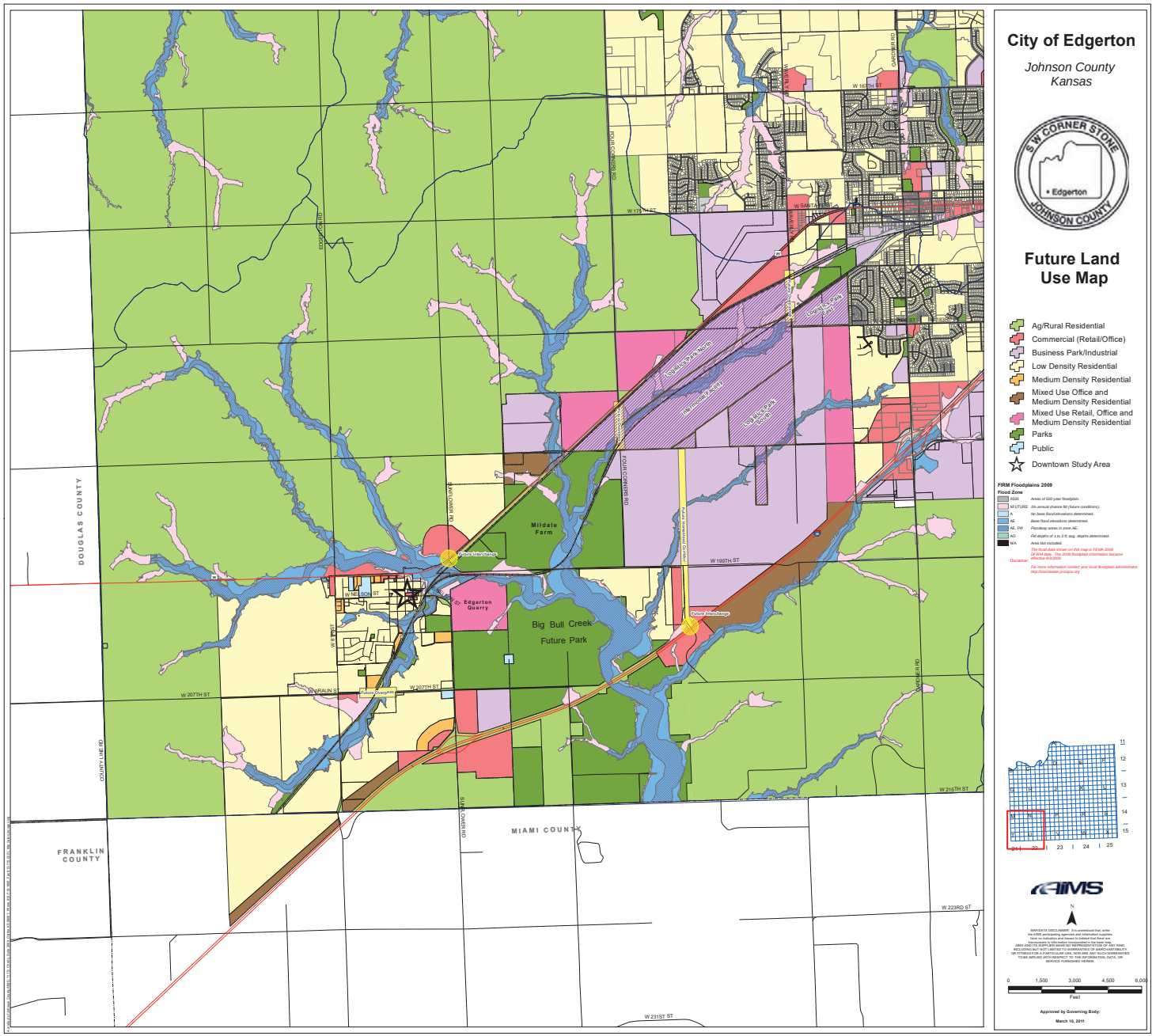
Rezoning Description:

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Beginning at the Northeast Corner of said Southwest Quarter; thence South 02°20'41" East, along the East line of said Southwest Quarter, a distance of 1,328.59 feet to the Southeast corner of the North Half of said Southwest Quarter; thence South 88°11'00" West, along the South line of the North Half of said Southwest Quarter, a distance of 895.74 feet; thence departing said South line, North 02°17'11" West a distance of 572.00 feet; thence South 88°11'00" West a distance of 1,682.11 feet to a point on the West line of said Southwest Quarter; thence North 02°17'11" West, along said West line, a distance of 757.06 feet to the Northwest corner of said Southwest Quarter; thence North 88°11'39" East, along the North line of said Southwest Quarter, a distance of 2,576.50 feet to the Point of Beginning, containing 2,462,344 square feet or 56.528 acres, more or less.

ZA2021-05


Rezoning Area Exhibit
Exhibit A
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
UNPLATTED
POINT OF BEGINNING
NE. COR., SW. 1/4
SEC. 15-T15S-R22E
NW. COR., SW. 1/4
SEC. 15-T15S-R22E
N88°11'39"E 2576.50'
N. LINE, SW. 1/4, SEC. 15-T15S-R22E
N02°17'11"W 757.06'
TAX ID: BF221515-2001
2,462,344 S.F.
56.528 Ac.
E. LINE, SW. 1/4, SEC. 15-T15S-R22E
S02°20'41"E 1328.59'
S88°11'00"W 1682.11'
N02°17'11"W 572.00'
W. LINE, SW. 1/4, SEC. 15-T15S-R22E
S. LINE, N. 1/2, SW. 1/4, SEC. 15-T15S-R22E
S88°11'00"W 895.74'
213TH ST.
KILL CREEK RD.
SW. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
SE. COR., N. 1/2, SW. 1/4
SEC. 15-T15S-R22E
UNPLATTED
UNPLATTED
NORTH
NOT TO SCALE
Basis of Bearings:Kansas State
Plane, North Zone, NAD83
Sheet 2 of 2
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Infrastructure
Consulting
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City of Edgerton

Johnson County
Kansas

SW CORNER STONE
• Edgerton
JOHNSON COUNTY

Future Land Use Map

- Ag/Rural Residential
- Commercial (Retail/Office)
- Business Park/Industrial
- Low Density Residential
- Medium Density Residential
- Mixed Use Office and Medium Density Residential
- Mixed Use Retail, Office and Medium Density Residential
- Parks
- Public
- Downtown Study Area

FIRM Floodplains 2009

Flood Zone

500	*Areas of 500-year floodplain.*
X-FUTURE	*1% annual chance fld (future conditions).*
A	*No base flood elevations determined.*
AE	*Base flood elevations determined.*
AE, FW	*Floodway areas in zone AE.*
AO	*Fld depths of 1 to 3 ft; avg. depths determined.*
N/A	*Area Not Included.*

The flood data shown on this map is FEMA 2009 DFIRM data. The 2009 floodplain information became effective 8/3/2009.

Disclaimer:

For more information contact your local floodplain administrator. http://stormwater.jocogov.org

AIMS

N

MAP/DATA DISCLAIMER: It is understood that, while the GIS participating agencies and information suppliers have used their best efforts to ensure the accuracy of information incorporated in the base map, ANY AND ALL EXPRESS OR IMPLIED WARRANTIES OF ANY KIND (INCLUDING THE SUPPLIERS' WARRANTIES OF NON-INFRINGEMENT OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN.

0 1,500 3,000 4,500 6,000

Feet

Approved by Governing Body:

March 15, 2011

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404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

STAFF REPORT

February 9, 2021

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FP2020-04** Final Plat for *Logistics Park Kansas City South, Third Plat* located northeast of the intersection of Waverly Road and 207th Street Edgerton, Kansas.

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owner:	Hillsdale Farms, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Requested Action:	Final Plat approval for *Logistics Park Kansas City South, Third Plat*
Legal Description:	SW Quarter of Section 11, Township 15 S, Range 22 E; see attached application for complete legal description.
Site Address/Location:	Northeast of the intersection of Waverly Road and 207th Street
Existing Zoning and Land Uses:	L-P (Logistics Park) District Zoning
Existing Improvements:	None
Site Size:	Approximately 61.961 acres

PROJECT DESCRIPTION

Application **FP2020-04**, Final Plat for *Logistics Park Kansas City South, Third Plat*, requests approval for the final platting of one (1) lot. The west side of the new lot would front the east side of Waverly Road right-of-way. The plat indicates a proposed street on the east side of the proposed lot which would be newly constructed. This Final Plat request is being made in preparation of construction of Inland Port 52. This Final Plat request aligns with the request made with Preliminary Plat Application **PP2019-02**, which was presented to and approved by the Planning Commission on August 9, 2019. This Final Plat application combines two smaller parcels which have not been platted, into one larger lot that totals 61.961 acres. The following maps show

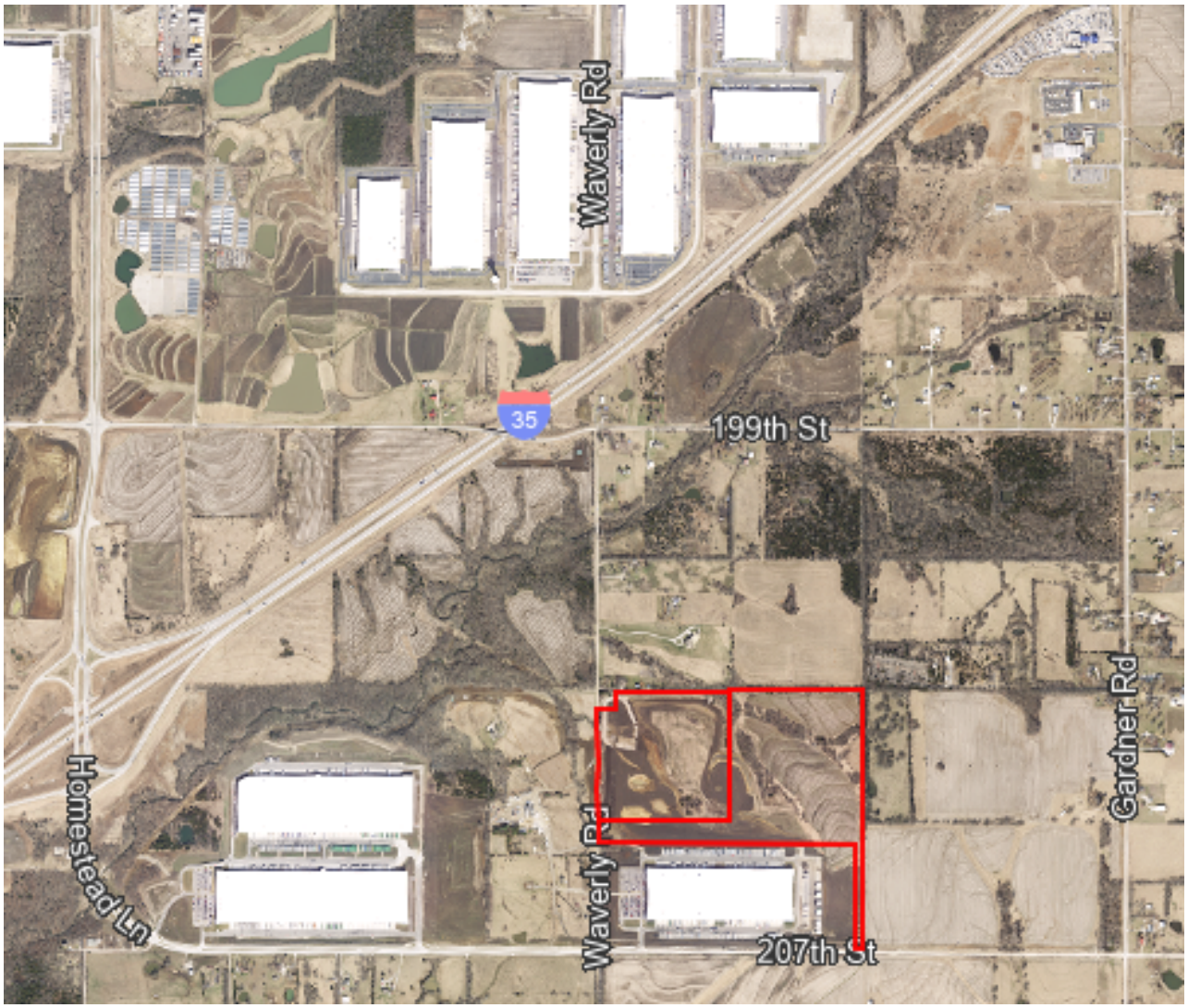
the parcels to be combined outlined red. The applicant has indicated the approximate location in the application attached to this Staff Report.

Subject Property

Figure 1



Figure 2



INFRASTRUCTURE AND SERVICES

1. Access to the site would be from Waverly Road on the west and from the proposed street A on the east.
2. Utilities and service providers.
    a. Water Service – Johnson County Water District 7.
    b. Sanitary Sewer – City of Edgerton.
    c. Electrical Service – Evergy.
    d. Gas Service – Kansas Gas Service.
    e. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
    f. Fire protection is provided by Johnson County Fire District #1.
3. Parcel is located within the Bull Creek watershed.

FINAL PLAT REVIEW
Staff has reviewed the Final Plat submittal for compliance with the Approved Final Plat requirements in Article 13, Section 13.3 of the Edgerton Unified Development Code. Review comments are listed below.

1. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. ***Upon recording of the plat, confirm monuments have been set. Applicant has acknowledged.***
2. All easements with widths, and roads with curve data. *Some of the existing easements do not have the book and page labeled.* ***Update Final Plat. Applicant has stated records are being obtained to determine book and page. If records cannot confirm easements have been recorded, they will be recorded with this Final Plat.***
3. Certificate of the Register of Deeds. *Certificate needs to be added to plat.* ***Upon filing Final Plat with Johnson County Records and Tax Administration the Book/Page information will be added.***
4. Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor. *Plat is not signed or sealed by a licensed Surveyor.* ***Update Final Plat. Applicant stated the Final Plat document will be sealed prior to Governing Body approval.***

RECOMMENDATION
City staff recommends **approval** of Application **FP2020-04** Final Plat for *Logistics Park Kansas City South, Third Plat,* subject to compliance with the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat by the Governing Body and the submittal and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat. The property owner and/or developer shall work with City staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the submitted Final Plat.
2. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code.
3. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
4. All City Engineer comments related to the Stormwater Management Plan must be addressed.
5. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
6. If the Final Plat is not recorded with the Johnson County Register of Deeds within one year after acceptance by the Governing Body, the plat will expire. Planning Commission re-approval and Governing Body re-acceptance is required for expired Final Plats.

ATTACHMENTS
- Application FP2020-04
- Final Plat, *Logistics Park Kansas City South, Third Plat*

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Final Plat Application

☐ INITIAL SUBMISSION ☐ RE-REVIEW

NAME OF PROPOSED SUBDIVISION: LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT

LOCATION OR ADDRESS OF SUBJECT PROPERTY: East of Waverly between 199th and 207th. See attached exhibit

LEGAL DESCRIPTION: See attached exhibit

CURRENT ZONING ON SUBJECT PROPERTY: L-P Logistics Park CURRENT LAND USE: AG

TOTAL AREA: 61.96 Acres NUMBER OF LOTS: 1 AVG. LOT SIZE: 2,481,613 Sq. Ft.

DEVELOPER'S NAME(S): Brett Powell (Representing property owner) PHONE: 816.888.7380

COMPANY: NPD Management, LLC; represented by NorthPoint Development, LLC FAX: bpowell@northpointkc.com

MAILING ADDRESS: 4825 NW 41st Street, suite 500, Riverside, MO 64150
Street City State Zip

PROPERTY OWNER'S NAME(S): Hillsdale Farms, LLC PHONE: 816.888.7380

COMPANY: FAX:

MAILING ADDRESS: 4825 NW 41st Street, Suite 500 Riverside MO 64150
Street City State Zip

ENGINEER'S NAME(S): Patrick Cassity PHONE: 913-317-9500

COMPANY: Renaissance Infrastructure Consulting FAX: pcassity@ric-consult.com

MAILING ADDRESS: 8653 Penrose Ln Lenexa KS 66219
Street City State Zip

SIGNATURE OF OWNER OR AGENT: By: Nathaniel Hagedorn, Manager of NPD Management, LLC, Manager of Hillsdale Farms, LLC

If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Application No.: FP2020-04 Application Fee Paid: $ 310.00 Date Fee Paid: 12/23/2020 Receipt # R#59048

Publication Fee Paid: $ _____ Date Fee Paid: _____ Receipt # _____

Received By: Kayla Crow

vs. 12.12.19

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Final Plat Application

FINAL PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the final plat and other material submitted with it to determine conformity preliminary plat. The Planning Commission shall act upon the final plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period.

GOVERNING BODY APPROVAL: Following the approval of a final plat by the Planning Commission, the Governing Body shall review the instrument for dedications and reservations and assure that the final plat and construction plans for all proposed streets, sidewalks, storm water sewers, sanitary sewers and water mains meet the standards of the City of Edgerton. The Governing Body may either approve the final plat, return the final plat and/or construction plans to the applicant with instructions and specifications to conform to City standards, or deny the final plat and/or construction plans with a refusal to accept dedication. If the Governing Body denies the final plat and/or construction plans, a set of written findings must be given to the applicant within 30 (thirty) days.

RECORDING OF FINAL PLAT: Upon approval of a final plat by the Governing Body, the applicant shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void. Before any final plat shall be signed by the Zoning Administrator and filed by the Register of Deeds, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the subdivision.

The applicant shall provide the Zoning Administrator with one copy of the final plat that was approved by the Governing Body on Mylar®. The applicant shall also return one copy of the final plat that was recorded by the Register of Deeds.

FEES DUE BEFORE ENDORSEMENT OF FINAL PLAT: Article 10 of Chapter IV of the Edgerton City Code imposes an excise tax $0.10 per square foot of Final Plat. Prior to endorsement of any final plat, all excise taxes must be paid or City staff must determine that an exemption from payment prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code. In addition, a New Street Light Fee of $250 each shall be submitted prior to the endorsement of any final plat.

VESTING AND CONFLICTING REQUIREMENTS: Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.

The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards. Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid, and shall be duly noted and enforced by building permits. Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

ASSURANCES: Developers are required to install all streets, storm water sewers, sanitary sewers and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs and speed limit signs.

Exceptions: The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.

Financial Assurance: Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond

or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.

Public Improvement Inspection Fee: If a Developer is required to construct any public improvements, including streets, sidewalks, storm water sewers, sanitary sewers and water mains, that construction must be inspected by city staff or their designee. Developers are required to pay 3% of construction costs to the City for those inspections.

As Builts: Prior to acceptance of public improvements by the City, the developer shall provide two (2) sets of prints for all public improvement projects, excluding sidewalks, corrected to show the project as constructed and shall accurately and completely denote all changes made during the construction. Each sheet within the prints shall be clearly marked as "Conforming to Construction Records" and shall include the date of revision and certifications by a Kansas licensed engineer. This set of plans shall be substantially similar to the set of construction plans that was approved by the Governing Body.

CHECKLIST

The following items shall be included on the final plat.

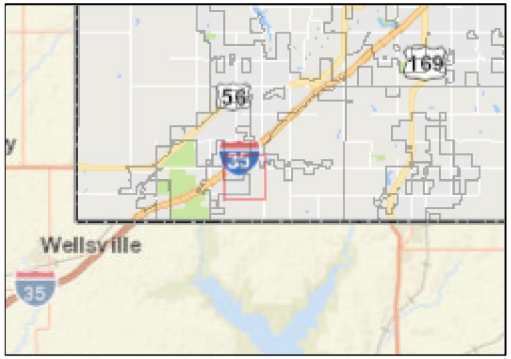
- ☐ Scale, the same used for the preliminary plat; North point; vicinity map.
- ☐ The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
- ☐ The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a 2" x 24" metal bar.
- ☐ A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1 in 5,000), with bearings and distances referenced to section or fractional section comers or other base line shown on the plat and readily reproducible on the ground.
- ☐ Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
- ☐ A number for each lot, starting (if practical) in the northwest corner.
- ☐ All easements with widths, and roads with curve data.
- ☐ Ingress/egress limitations, if required.
- ☐ The location of existing utility easements.
- ☐ A written legal description from the survey.
- ☐ An instrument of dedication for all roads and easements.
- ☐ Special notations required as a condition of platting by the Planning Commission.
- ☐ Approved phases – clearly delineated.
- ☐ Private travel easements.
- ☐ The Owner's Certificate with Notary Seal.
- ☐ Certificate of the Governing Body with City Clerk's attest and Seal.
- ☐ Edgerton City Planning Commission chair and secretary approval.
- ☐ Certificate of the Register of Deeds.
- ☐ Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.
- ☐ Certificate of the Zoning Administrator.



Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2020)



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JOHNSON COUNTY KANSAS
AIMS GIS & Mapping

12/21/2020

Legal Description For IP LII:

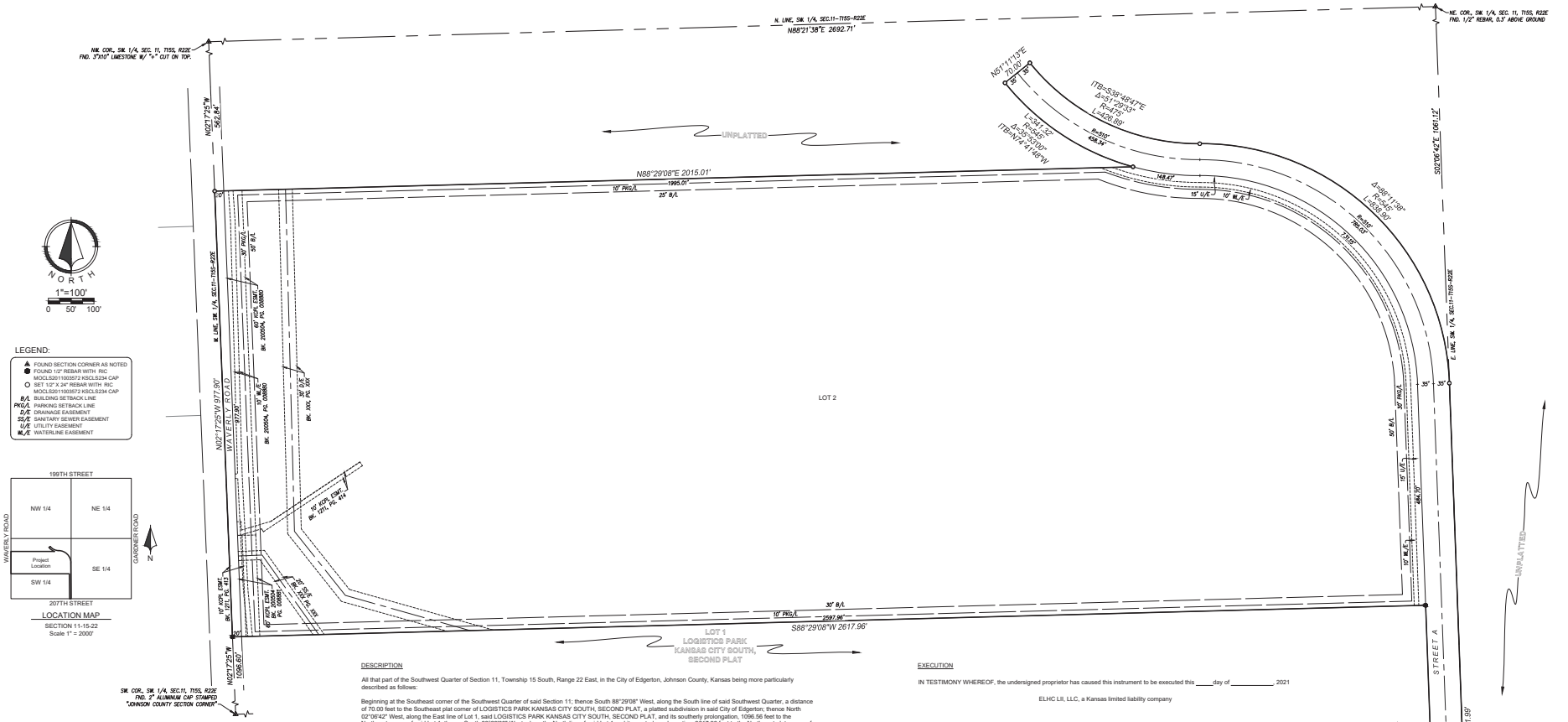
LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT

All that part of the Southwest Quarter of Section 11, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas being more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of said Section 11; thence South 88°29'08" West, along the South line of said Southwest Quarter, a distance of 70.00 feet to the Southeast plat corner of LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, a platted subdivision in said City of Edgerton; thence North 02°06'42" West, along the East line of Lot 1, said LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, and its southerly prolongation, 1096.56 feet to the Northeast corner of said Lot 1; thence South 88°29'08" West, along the North line of said Lot 1 and its westerly prolongation, 2617.96 feet to the Northwest plat corner of said LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, said point being on the West line of the Southwest Quarter of said Section 11; thence North 02°17'25" West, along said West line, 977.90 feet; thence departing said West line, North 88°29'08" East, 2015.01 feet; thence northwesterly along a curve to the right having an initial tangent bearing of North 74°41'48" West, a radius of 545.00 feet, and a central angle of 35°53'00", for an arc length of 341.32 feet; thence North 51°11'13" East, 70.00 feet; thence southeasterly along a non-tangent curve to the left having an initial tangent bearing of South 38°48'47" East, a radius of 475.00 feet, and a central angle of 51°29'33", for an arc length of 426.89 feet to a point of reverse curvature; thence southeasterly along a curve to the right having a radius of 545.00 feet, and a central angle of 88°11'38", for an arc length of 838.90 feet to a point on the East line of the Southwest Quarter of said Section 11; thence South 02°06'42" East, along said East line, 1581.99 feet to the Point of Beginning, containing 2,699,036 square feet, or 61.961 acres, more or less.

FINAL PLAT
LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT

PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 15 SOUTH, RANGE 22 EAST, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS



LEGEND:

- ▲ FOUND SECTION CORNER AS NOTED
- ● FOUND 1/2" REBAR WITH RIC MOCLS2011003572 KSCLS234 CAP
- ○ SET 1/2" X 24" REBAR WITH RIC MOCLS2011003572 KSCLS234 CAP
- B/L BUILDING SETBACK LINE
- PKQ/L PARKING SETBACK LINE
- D/E DRAINAGE EASEMENT
- SS/E SANITARY SEWER EASEMENT
- U/E UTILITY EASEMENT
- W./E WATERLINE EASEMENT

LOCATION MAP
SECTION 11-15-22
Scale 1" = 2000'

NOTES:

Basis of Bearings: S88°29'08"W along the South line of Section 11, T15S, R22E, as determined by GPS observations and referenced to the Kansas State Plane Coordinate System, North Zone (NAD 83).

CLOSURE CALCULATIONS:
Precision, 1 part in: 1672755.00'
Error distance: 0.006'
Error direction: N36°59'34"E
Perimeter: 10036.54'

All bearings and distances shown on this plat are measured unless otherwise noted.

Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Numbers 20091C0134G and 20091C0135G, revised August 3, 2009, this tract graphically lies in OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.

LOT INFORMATION					
LOT NO.	LOT AREA	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	BUILDING ENVELOPE
2	2,481,728 S.F. 56.973 Acres	50'	50'	25'	2,254,400 S.F. 51.754 Acres
ROW	217,308 S.F. 4.988 Acres	N/A	N/A	N/A	N/A
TOTALS	2,699,036 S.F. 61.961 Acres				

DESCRIPTION

All that part of the Southwest Quarter of Section 11, Township 15 South, Range 22 East, in the City of Edgerton, Johnson County, Kansas being more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of said Section 11; thence South 88°29'08" West, along the South line of said Southwest Quarter, a distance of 70.00 feet to the Southeast plat corner of LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, a platted subdivision in said City of Edgerton; thence North 02°06'42" West, along the East line of Lot 1, said LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, and its southerly prolongation, 1096.56 feet to the Northeast corner of said Lot 1; thence South 88°29'08" West, along the North line of said Lot 1 and its westerly prolongation, 2617.96 feet to the Northwest plat corner of said LOGISTICS PARK KANSAS CITY SOUTH, SECOND PLAT, said point being on the West line of the Southwest Quarter of said Section 11; thence North 02°17'25" West, along said West line, 977.90 feet; thence departing said West line, North 88°29'08" East, 2015.01 feet; thence northwesterly along a curve to the right having an initial tangent bearing of North 74°41'48" West, a radius of 545.00 feet, and a central angle of 35°53'00", for an arc length of 341.32 feet; thence North 51°11'13" East, 70.00 feet; thence southeasterly along a non-tangent curve to the left having an initial tangent bearing of South 38°48'47" East, a radius of 475.00 feet, and a central angle of 51°29'33", for an arc length of 426.89 feet to a point of reverse curvature; thence southeasterly along a curve to the right having a radius of 545.00 feet, and a central angle of 88°11'38", for an arc length of 838.90 feet to a point on the East line of the Southwest Quarter of said Section 11; thence South 02°06'42" East, along said East line, 1581.99 feet to the Point of Beginning, containing 2,699,036 square feet, or 61.961 acres, more or less.

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as:

"LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT"

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City of Edgerton, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Edgerton, Kansas with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement to lay construct, alter, repair, replace or operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "SS/E" on this plat are hereby dedicated to the City of Edgerton, Kansas. Utility easements shall be kept clear of obstructions that impair strength or interfere with the use and/or maintenance of public utilities located within the easement.

CONSENT TO LEVY

The undersigned proprietor of the above described tract of land hereby consents and agrees that the Board of County Commissioners and the City of Edgerton, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public use from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated, shall become and remain a lien on this land fronting and abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this ____day of _____, 2021.

Hillsdale Farms, LLC
By NPD Management, LLC

_____
Chad Meyer, Manager

STATE OF _____)
) SS
COUNTY OF _____)

BE IT REMEMBERED, that on this ____day of _____, 2021, before me a Notary Public in and for said County and State, came Chad Meyer, Manager of NPD Management, LLC who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said limited liability company, and he duly acknowledged the execution of the same to be the act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

_____ My Appointment Expires:_____
Notary Public

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this ____day of _____, 2021

ELHC LII, LLC, a Kansas limited liability company

_____
Nathaniel Hagedorn, Authorized Person

STATE OF _____)
) SS
COUNTY OF _____)

BE IT REMEMBERED, that on this ____day of _____, 2021, before me a Notary Public in and for said County and State, came Nathaniel Hagedorn, Authorized Person of ELHC LII, LLC, a Kansas limited liability company, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said limited liability company, and he duly acknowledged the execution of the same to be the act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

_____ My Appointment Expires:_____
Notary Public

APPROVALS

REVIEWED by the Planning Commission of the City of Edgerton, Johnson County, Kansas, on this ____ day of _____, 2021.

_____ _____
John E. Daley, Chairperson Jeremy Little, Secretary

REVIEWED by the Zoning Administrator, on this ____ day of _____, 2021.

_____
Katy Crow, Zoning Administrator

APPROVED by the Governing Body of the City of Edgerton, Johnson County, Kansas, on this ____ day of _____, 2021.

_____ Attest:_____
Donald Roberts, Mayor Alexandria Clower, City Clerk

I hereby certify that during December 2020, this field survey was completed on the ground by me or under my direct supervision, and that said survey meets or exceeds the current "Kansas Minimum Standards For Boundary Surveys" as established by the Kansas Board of Technical Professions.

_____
Chris R. Sprague, Kansas PS-1632
RIC KS CLS-234
csprague@ric-consult.com

20-0200

LOGISTICS PARK KANSAS CITY SOUTH, THIRD PLAT

Prepared For:
NPD Management, LLC
4825 NW 41st Street, Suite 500
Riverside, MO 64150
(816) 888-7380

Date of Preparation:
December 17, 2020

Renaissance Infrastructure Consulting
132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ric-consult.com