EDGERTON PLANNING COMMISSION
REGULAR SESSION
Edgerton City Hall
March 12, 2019
7:00 P.M.

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)

MINUTES

A. Consideration of Minutes for Regular Session of February 12, 2019.

5. **NEW BUSINESS**

PUBLIC HEARING – ZA2019-01 (REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED SOUTH OF 199th STREET AND WAVERLY ROAD)

A. Consideration of opening a public hearing in regard to rezoning application ZA2019-01, pertaining to the rezoning of one (1) parcel from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located south of 199th Street and east of Waverly Road. Applicant: Brett Powell, Agent of NorthPoint Development, LLC.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend approval or denial to the Governing Body

PUBLIC HEARING – ZA2019-02 (REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED NORTH OF THE CORNER OF 207TH STREET AND WAVERLY ROAD)

B. Consideration of opening a public hearing in regard to rezoning application ZA2019-02, pertaining to the rezoning of one (1) parcel from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located north of the corner of 207th Street and east of Waverly Road. Applicant: Brett Powell, Agent of NorthPoint Development, LLC.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend approval or denial to the Governing Body

PUBLIC HEARING – ZA2019-03 (REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED NORTHEAST OF THE CORNER OF 207TH STREET AND WAVERLY ROAD)

C. Consideration of opening a public hearing in regard to rezoning application ZA2019-03, pertaining to the rezoning of one (1) parcel from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located northeast of the corner of 207th Street and east of Waverly Road. Applicant: Brett Powell, Agent of NorthPoint Development, LLC.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend approval or denial to the Governing Body

PUBLIC HEARING – ZA2019-04 (REZONING FOR ONE (1) PARCEL OF LAND GENERALLY LOCATED NORTH OF THE CORNER OF 207TH STREET AND WAVERLY ROAD)

D. Consideration of opening a public hearing in regard to rezoning application ZA2019-04, pertaining to the rezoning of one (1) parcel from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located north of the corner of 207th Street and east of Waverly Road. Applicant: Brett Powell, Agent of NorthPoint Development, LLC.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend approval or denial to the Governing Body

PUBLIC HEARING – PP2019-01 (PRELIMINARY PLAT FOR TSL EDGERTON)

E. Consideration of opening a public hearing in regard to Preliminary Plat PP2019-01, pertaining to the property located on the southwest corner of 191st Street and Waverly Road. Applicant: Transpec Leasing Incorporated.

Actions requested: Open the public hearing, receive comments, and consider motion to close or continue the public hearing.

Consider motion to recommend to approve, deny or table the Preliminary Plat.

FINAL PLAT – FP2019-01 (FINAL PLAT FOR TSL EDGERTON)

F. Consideration of Final Plat FP2019-01, requesting recommendation of approval of a final plat for the property located on the southwest corner of 191st Street and Waverly Road. Applicant: Transpec Leasing Incorporated.

Actions requested: Consider motion to recommend to approve, deny or table the request.

7. Future Meeting – April 9, 2018

8. Adjournment

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
February 12, 2019

The Edgerton Planning Commission met in regular session with Vice Chair Tim Berger calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Vice Chair Tim Berger, Secretary Jeremy Little, and Commissioner Charlie Crooks. Absent was Chair John Daley and Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, Planning and Zoning Coordinator Chris Clinton, and Administrative Assistant Debra Gragg.

The Planning and Zoning Coordinator announced a quorum was present.

CONSENT AGENDA

Motion by Crooks, seconded by Little, to approve the item as presented in the Consent Agenda. Motion was approved, 3-0.

MINUTES

The minutes for Regular Session of January 8, 2019 were considered and approved.

OLD BUSINESS

CONTINUED FROM THE DECEMBER 11, 2018 PLANNING COMMISSION MEETING PUBLIC HEARING – UNIFIED DEVELOPMENT CODE – AMENDMENTS TO ARTICLE 4, 10, AND 12; UDCA 2018-01

The re-opening of a public hearing to consider comments regarding amendments to the City of Edgerton's Uniform Development Code (UDC) pertaining to Articles 4, 10, and 12 was considered.

Vice Chair Tim Berger opened the Public Hearing.

There were no comments from the public or staff.

Motion by Little, seconded by Crooks, to close the Public Hearing. Motion was approved, 3-0.

PUBLIC HEARING – UNIFIED DEVELOPMENT CODE – AMENDMENTS TO ARTICLE 5; UDCA 2019-01

The opening of a public hearing to consider comments regarding amendments to the City of Edgerton's UDC pertaining to Article 5 was considered.

Vice Chair Tim Berger opened the Public Hearing.

There were no comments from the public or staff.

Motion by Crooks, seconded by Little, to close the Public Hearing. Motion was approved, 3-0.

FUTURE MEETING

The next meeting is scheduled for March 12, 2019.

ADJOURNMENT

Motion by Little, seconded by Crooks, to adjourn. Motion was approved, 3-0.

The meeting adjourned at 7:05 p.m.

Submitted by: Chris Clinton, Planning and Zoning Coordinator

EDGERTON
global routes. local roots.
404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

STAFF REPORT

March 12, 2019

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: Applications **ZA2019-01, ZA2019-02, ZA2019-03, and ZA2019-04 -** Rezoning of four (4) parcels of land generally located at the northeast corner of Waverly Road and 207th Street, and south of 199th Street.

APPLICATION INFORMATION

Applicant:	Brett Powell, Agent NPD Management, LLC 4825 NW 41st Street, Suite 500 Riverside, MO 64150
Property Owners:	Wellsville Farms, LLC, Hillsdale Farms, LLC, and East Kansas Land & Cattle Company, LLC 4187 Louisiana Ter Ottawa, KS 66067
Requested Action:	Rezoning from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.
Legal Description:	A tract of land in the Northeast Quarter of Section 11, Township 15 South, Range 22 East, Johnson County, Kansas and tracts of land in the Southwest Quarter of Section 11, Township 15 South, Range 22 East; see attached applications for complete legal description by parcel.
Site Address/Location:	Generally located south of 199th Street and northeast of the corner of 207th Street and Waverly Road
Existing Zoning and Land Uses:	City of Edgerton Agricultural (A-G)
Existing Improvements:	None.
Site Size:	201 acres

REASON FOR REZONING REQUEST:

This rezoning is being requested for future intermodal-related, logistics park development. These properties were 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 1,700-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 sites. Companies located within LPKC benefit from significant transportation savings with direct access to heavy-haul corridors.

The subject properties are outlined in red and shown on the following maps. **Figure 1** shows the parcels to be rezoned and the parcel numbers per Johnson County AIMS. **Figure 2** is color coded to show the current zoning designation for both the parcels requesting rezoning and the adjacent parcels.

Color coding is designated as follows:

- Green – RUR (Rural) or AG (Agricultural). The RUR zoning designation is for unincorporated Johnson County parcels and is defined as *rural, agricultural uses and single-family dwellings, 10-acre minimum lot size*. The AG Agricultural zoning designation is a City of Edgerton zoning designation for agricultural parcels.
- Purple – LP (Logistics Park) District. The LP zoning designation is a City of Edgerton zoning designation for parcels containing Logistics Park zoning and operations. The parcel shown in purple in Figure 2 is currently vacant.

Figure 1

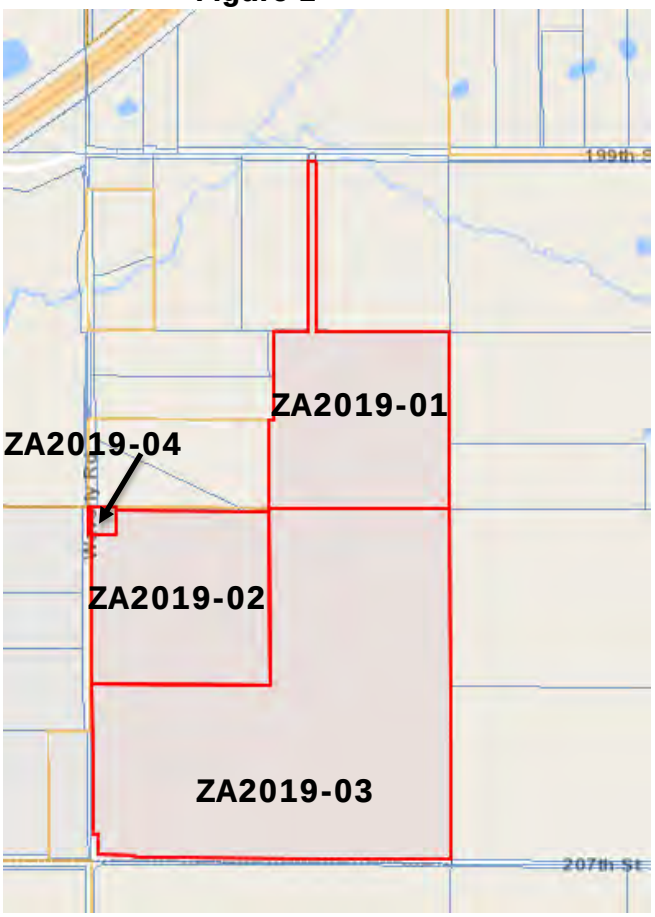
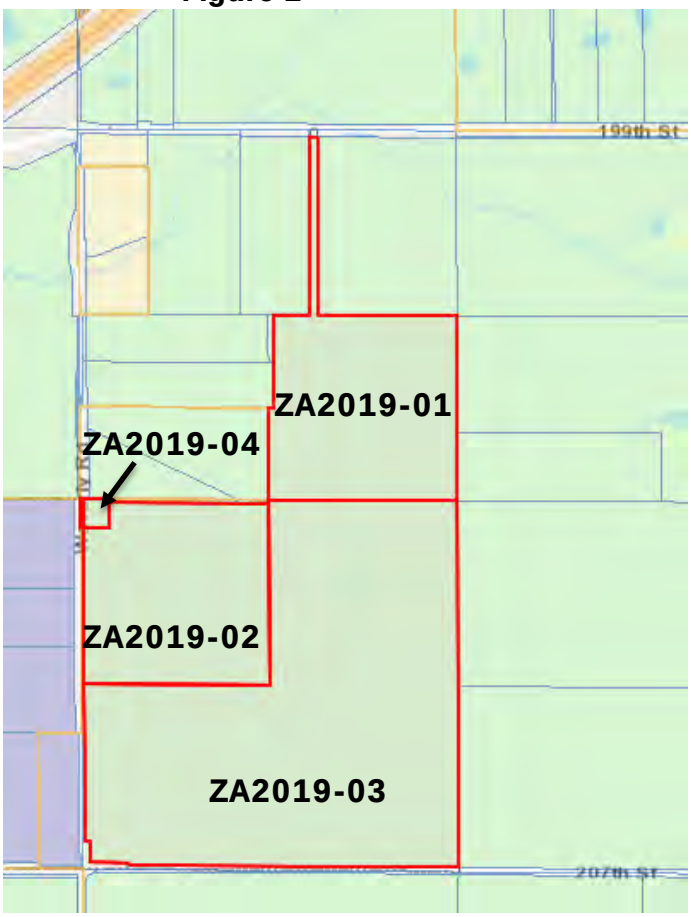


Figure 2

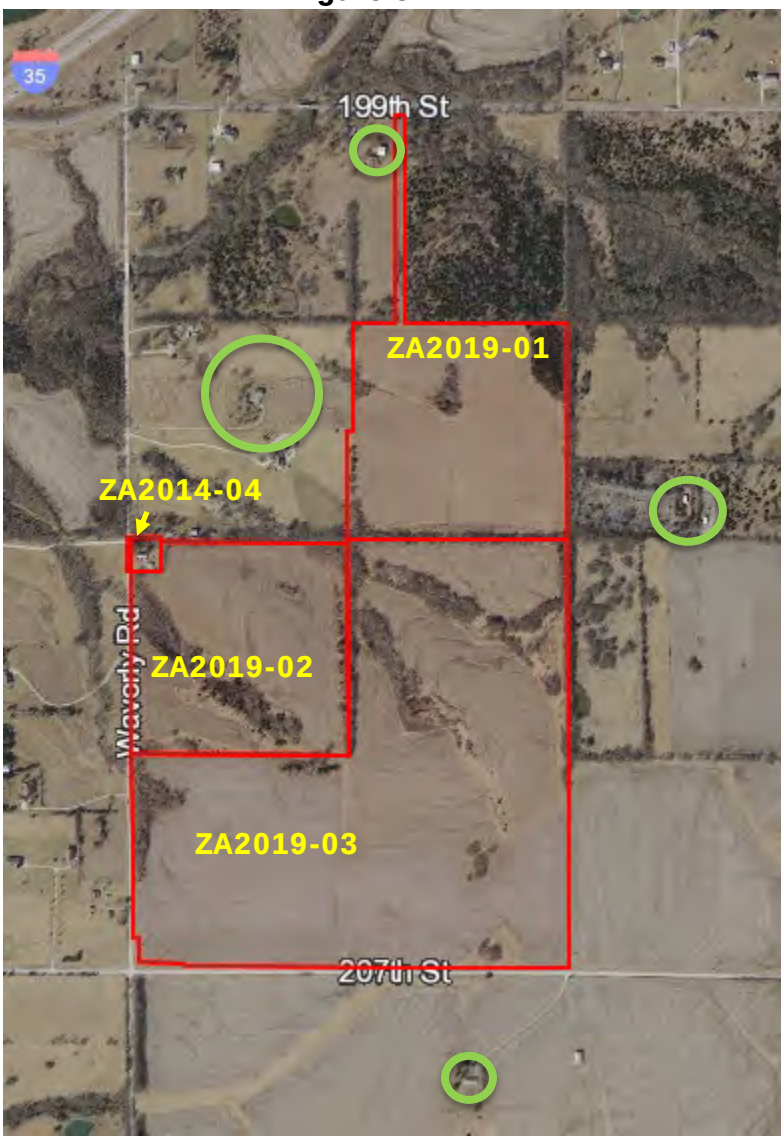


Adjacent zoning designation for each parcel to be rezoned is as follows:

- **ZA2019-01** – RUR zoning designation on parcels north, east and west; AG zoning designation on parcels to the south.
- **ZA2019-02** – RUR zoning designation on parcel north; AG zoning on parcels south and east; LP zoning designation on parcels to the west.
- **ZA2019-03** – RUR zoning designation on parcels north, south and east; LP zoning designation to the west.
- **ZA2019-04** – RUR zoning designation on parcels north, south and east; LP zoning designation to the west.

Figure 3 below shows aerial pictography which allows the viewing of buildings and/or structures on adjacent parcels. Those are circled in green.

Figure 3



INFRASTRUCTURE AND SERVICES

1. Access to the parcels would be from 207th Street, Waverly Road, and 199th Street.
2. Utilities and service providers.
    a. Water - Johnson County Water District #7
    b. Sanitary Sewer - City of Edgerton
    c. Electrical Service - Kansas City Power & Light
    d. Gas Service – Kansas Gas Service
    e. Police services are 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 properties were 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 City of Edgerton Agricultural (A-G).

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** - The applicant has requested L-P Zoning District designation to allow 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 -** The existing City zoning of these parcels is for Agricultural purposes only. Due to the unexpected pace of development in Phase I of LPKC, the need to expand has grown. These parcels are part of the area which would comprise the Phase II expansion of LPKC. The Comprehensive Plan for the City of Edgerton does not currently address properties south of I-35, however the proposed rezonings are compatible with the spirit and intent of future development as outlined by both the Edgerton Comprehensive Plan and the Southwest Johnson County Area Plan. Due to the property's proximity to LPKC, the BNSF Railway intermodal facility, I-35 and the Homestead Interchange, the magnitude of the

change is not considered extreme or rare when property is being developed for its planned end use, industrial development.

3. **Whether or not the change will bring harm to established property rights** - The subject properties are surrounded by undeveloped acreage and low-density rural single-family residential. If rezoned L-P, as requested, a separate Site Plan review and approval will be required before any building permits would be issued. 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 these locations 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** – These parcels are located adjacent to the new 207th Street corridor and Kubota Tractor North American Distribution Center, the first development in LPKC Phase II. 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. There are some parcels nearby which are zoned RUR which 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. 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 the surrounding property, specifically to the west. 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 can 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 Edgerton A-G zoning of the applicant properties is viewed as a holidng designation related to the annexation of the parcels. The Edgerton A-G zoning is primarily for agricultural use. An industrial use on a property zoned for agriculture, would not be compatible or appropriate. Therefore, a rezoning to the L-P District is the most appropriate designation for the proposed use.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the properties were agricultural use in unincorporated Johnson County, prior to annexation into the City of Edgerton in 2018.
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 west. 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 –** Homestead Lane and 207th Street are currently being upgraded into a four-lane, concrete roadway built to accommodate LPKC traffic. This upgrade includes the installation of new utility services to adjacent properties. Water 7, Kansas Gas, KCPL and Century Link have all updated their infrastructure to service adjacent parcels.
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 are under construction to accommodate the traffic that will accompany the Phase II expansion of LPKC. The City is in discussions regarding any improvements that will be required for Waverly Road or other adjacent streets. On-street parking will not be allowed, and the developer will need to provide adequate off-street parking for any development projects.
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.
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, the proposed rezoning is compatible with the spirit and intent of future development outlined by both the Edgerton Comprehensive Plan and the Southwest Johnson County Area Plan.

18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of the proposed rezoning applications ZA2019-01, ZA2019-02, ZA2019-03 and ZA2019-04 from City of Edgerton Agricultural (A-G), 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:

- Applications for Rezoning ZA2019-01, ZA2019-02, ZA2019-03, ZA2019-04
- City of Edgerton Future Land Use Map

OCATION O AD SS OF SUBJECT PROP TY: Reference attached parcel map

PURPOSE FOR REZONING: Anticipated L-P Development

REQUESTED REZONING CHANGE: FROM A-G (Current Zonin) TO L-P (Proposed Zoning)

LEGAL DESCRIPTION: Reference attached legal description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): East Kansas Land & Cattle, LLC PHON : 816.888.7380

COMPANY: FAX:

MAILING ADDRESS: 4187 Louisiana Ter, Ottawa, KS 66067
Street City State Zip

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

COMPANY: NorthPoint Development, LLC FAX:

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

ENGINEER/ARCHITECT'S NAME(S): PHONE: 816.888.7380

COMPANY: NP StudioNorth, LLC FAX:

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

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

FOR OFFICE USE ONLY

Case No.: ~~RZ-~~ ZA 2019-01 Amount of Fee Paid:$ 250- Date Fee Paid: 1/25/2019; ck 10023

Received By: K Crow Date of Hearing: 3/12/2019

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 OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2019-01

I, Brett Powell, of lawful age being first duly sworn upon oath, state:

That I am the Agent (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 8 day of February, 20 19.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 8 day of February, 20 17.

Notary Public

My Commission Expires: 4/23/21 (SEAL)
Date

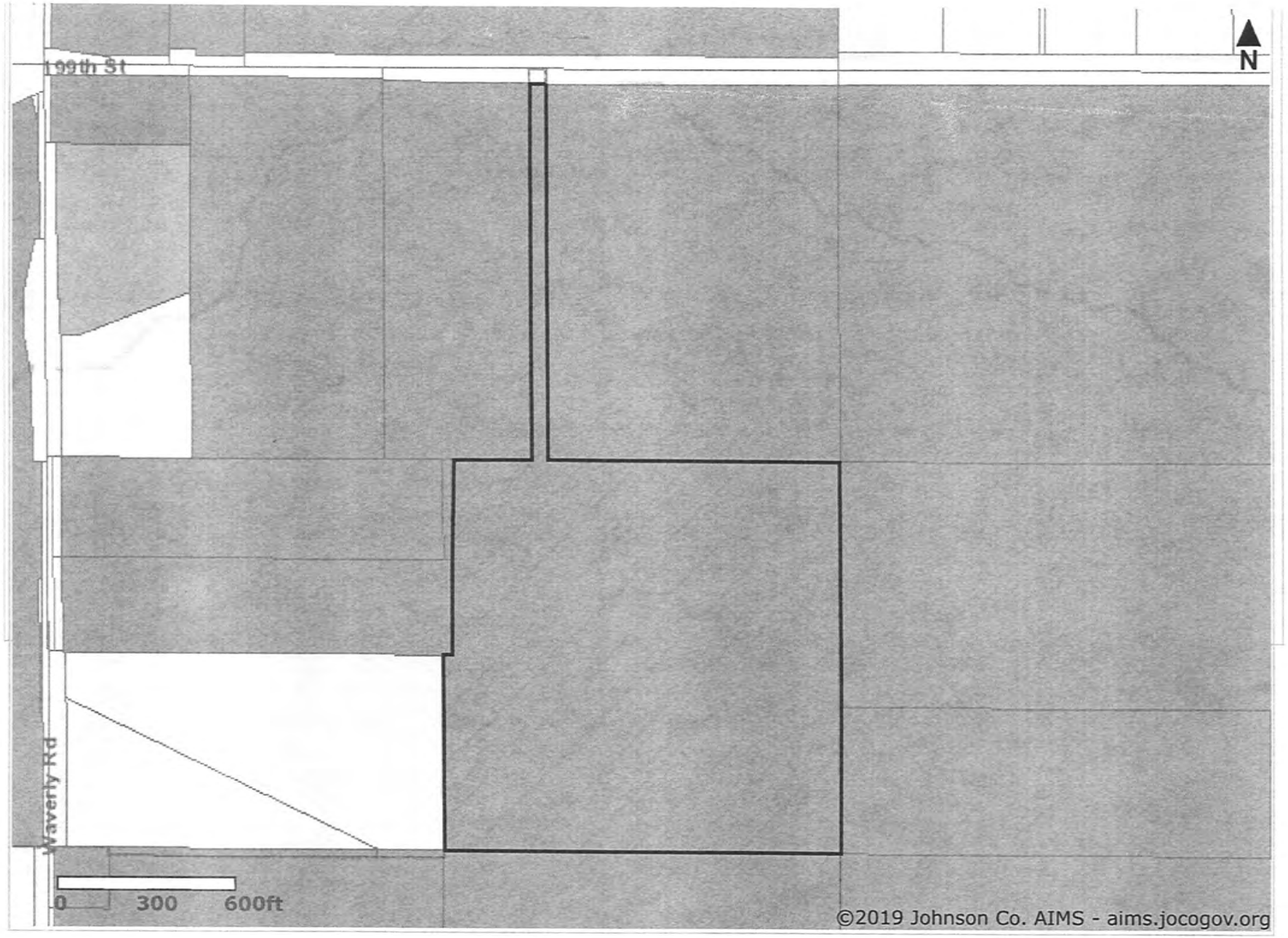
KRISTEN N JOHNSON
Notary Public, Notary Seal
State of Missouri
Jackson County
Commission # 14629414
My Commission Expires 04-23-2021

Property Information for BF221511-1015

Tax Property ID	BF221511-1015	*KS Uniform Parcel #*	0462011102001002010
Situs Address	Not Available	*Acres*	41.91 (1,825,483.61 ft^2)
Owner1 Name	EAST KANSAS LAND & CATTLE	*Owner2 Name*	COMPANY LLC
Owner Address	4187 LOUISIANA TER, OTTAWA, KS 66067		
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U11 (T-R-S: 15-22-11)	*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) 11-15-22 BG 1650.52' E NW CR NW1/4 E 60.12' S 1316.61' E 992.57' S 1316.78' W 1346.43' N 655.62' E 30.10' N 660.93' E 261.08' N 1316.60' TO POB EX .069 AC IN ST 41.251 ACS M/L

Property Map for BF221511-1015


199th St
N
Waverly Rd
0
300
600ft
©2019 Johnson Co. AIMS - aims.jocogov.org

All that part of an unplatted tract of land in the Northwest ¼ of Section 11, Township 15 South, Range 22 East, in Johnson County, Kansas described as follows:

Commencing at the Northwest corner of the Northwest ¼ Section 11, Township 15 South, Range 22 East; thence North 88 degrees 20 minutes 31 seconds East, along the North line of said northwest Quarter, a distance of 1650.52 feet to a point on the East line of a deed, as established in Book 200905, Page 001098, the POINT OF BEGINNING; thence North 88 degrees 20 minutes 31 seconds East, departing the East line of said deed, continuing along said North line, a distance of 60.12 feet to a point on the West line of the East 30 Acres of Northeast Quarter of said Northwest Quarter; thence South 02 degrees 05 minutes 12 seconds East, departing said North line, along the West line of said East 30 Acres, a distance of 1316.61 feet to a point on the South line of the Northeast Quarter of the Northwest Quarter of said Section 11, said point also being the Southwest corner of said East 30 Acres; thence North 88 degrees 21 minutes 07 seconds East, along the South line of said East 30 Acres and along the south line of the Northeast Quarter of said Northwest Quarter, a distance of 992.57 feet to the Southeast corner of the Northeast Quarter of said Northwest Quarter; thence South 02 degrees 05 minutes 12 seconds East, departing the South line of said East 30 Acres along the East line of the Southeast Quarter of said Northwest Quarter, a distance of 1316.78 feet to the Southeast corner of said Northwest Quarter; thence South 88 degrees 21 minutes 42 seconds West, along the South line of said Northwest Quarter, a distance of 1346.43 feet to the Southeast corner of Mertz Addition, a subdivision in the Southwest Quarter of the Northwest Quarter of Section 11, Township 15 South, Range 22 East of the 6th Principal Meridian, Johnson County, Kansas, said corner also being the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 11; thence North 02 degrees 11 minutes 57 seconds West, departing said South line, along the West line of the Southeast Quarter of said Northwest Quarter and along the East line of said Mertz Addition, a distance of 655.62 feet to the Northeast corner of said Mertz Addition; thence North 88 degrees 22 minute 30 seconds East, along the Easterly extension of the North line of said Mertz Addition, a distance of 30.10 feet to point; thence North 01 degree 45 minutes 10 seconds West, departing said Easterly extension, a distance of 660.93 feet to a point on the south line of a deed established in said Book 200905, Page 001098, said point also lying on the South line of the Northeast Quarter of the Northwest Quarter of said Section 11; thence North 88 degrees 21 minutes 07 seconds east along the South line of said deed, and along the South line of the Northeast Quarter of said Northwest Quarter, a distance of 261.08 feet to the Southeast corner of said deed; thence North 02 degrees 05 minutes 12 seconds West, departing the South line of the Northeast Quarter of said Northwest Quarter, along the East line of said deed, a distance of 1316.60 feet to the POINT OF BEGINNING, except part in road.

Notifications of Rezoning:

BF221511-1015

Owner 1 FENG, KUO-KUANG
Owner 2 FENG, EN LING
Own Addr Line 1 8630 OAKVIEW DR
Own Addr Line 2 LENEXA, KS 66215

Owner 1 L & J DEVELOPMENT, LLC
Own Addr Line 1 23173 OLD KANSAS CITY RD
Own Addr Line 2 SPRING HILL, KS 66083

Owner 1 HUSTON 40, L.L.C.
Own Addr Line 1 526 E MAIN ST
Own Addr Line 2 GARDNER, KS 66030

Owner 1 SINGLETON, RICHARD D.
Owner 2 SINGLETON, LORI M.
Own Addr Line 1 20115 WAVERLY RD
Own Addr Line 2 EDGERTON, KS 66021

Owner 1 FLAGEOLLE, HENRY V
Owner 2 FLAGEOLLE, JUDY B
Own Addr Line 1 20175 WAVERLY RD
Own Addr Line 2 GARDNER, KS 66021

Owner 1 MERTZ, THOMAS DALE
Owner 2 MERTZ, DONNA
Own Addr Line 1 20233 WAVERLY RD
Own Addr Line 2 EDGERTON, KS 66021

Owner 1 HILLSDALE FARMS LLC
Own Addr Line 1 4187 LOUISIANA TER
Own Addr Line 2 OTTAWA, KS 66067

Owner 1 WISE, PEARLENE
Own Addr Line 1 21732 W LIMESTONE RDG
Own Addr Line 2 PAOLA, KS 66071

Owner 1 BRYANT FAMILY TRUST
Own Addr Line 1 15007 S GLEN EYRIE ST
Own Addr Line 2 OLATHE, KS 66061

Owner 1 MURROW, RICHARD L. TRUSTEE
Owner 2 MURROW, JUANITA M. TRUSTEE
Own Addr Line 1 20225 GARDNER RD
Own Addr Line 2 GARDNER, KS 66030

Owner 1 WILSON, GAIL ANN
Own Addr Line 1 19508 HWY D
Own Addr Line 2 LAWSON, MO 64062

Owner 1 LEE, GARY SR

Owner 2	LEE, LISA J
Own Addr Line 1	30875 W 199TH ST
Own Addr Line 2	EDGERTON, KS 66021

PM_____

EDGERTON
global routes. local roots.

Rezoning Application (Fee: $250)

OCATION O AD SS OF SUBJECT PROP TY: Reference attached parcel map

PURPOSE FOR REZONING: Anticipated L-P Development

REQUESTED REZONING CHANGE: FROM A-G (Current Zonin) TO L-P (Proposed Zoning)

LEGAL DESCRIPTION: Reference attached legal description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Hillsdale Farms, LLC PHON : 816.888.7380

COMPANY: FAX:

MAILING ADDRESS: 4187 Louisiana Ter, Ottawa, KS 66067
Street City State Zip

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

COMPANY: NorthPoint Development, LLC FAX:

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

ENGINEER/ARCHITECT'S NAME(S): PHONE: 816.888.7380

COMPANY: NP StudioNorth, LLC FAX:

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

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

FOR OFFICE USE ONLY

Case No.: ~~RZ-~~ ZA 2019-02 Amount of Fee Paid:$ 250 - Date Fee Paid: 4/25/2019; Ck 10028

Received By: K Crow Date of Hearing: 3/12/2019

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

vs. 9-9-11

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2019-02

I, Brett Powell, of lawful age being first duly sworn upon oath, state:

That I am the Agent (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 8 day of Febrary, 20 19.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 8 day of February, 20 19.

Notary Public

My Commission Expires: 4/23/21 (SEAL)
Date

KRISTEN N JOHNSON
Notary Public, Notary Seal
State of Missouri
Jackson County
Commission # 14629414
My Commission Expires 04-23-2021

Property Information for BF221511-2004

Tax Property ID	BF221511-2004	*KS Uniform Parcel #*	0462011103001002000
Situs Address	Not Available	*Acres*	38.72 (1,686,783.37 ft^2)
Owner1 Name	HILLSDALE FARMS LLC	*Owner2 Name*	
Owner Address	4187 LOUISIANA TER, OTTAWA, KS 66067		
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U11 (T-R-S: 15-22-11)	*Quarter Section*	SW
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)	11-15-22 BG 208.71' S NW CR SW1/4 E 208.71' N 208.71' E 1140.95' S 1318.85' W 1347.50'TO W/L SW1/4 N TO POB SUBJ TO RDS EX .65 AC 39.18 ACS M/L GA 208B 1		

Property Map for BF221511-2004

2F221510-3001
109.6 ac.
20295 WAVERLY RD
2P49000000 0002
6.1 ac.
20233 WAVERLY RD
2P49000000 0001
13.3 ac.
BF221511-1015
41.9 ac.
N
1066.01
1140.65
20325
638.80
20370 WAVERLY RD
BP74100000 0001
11.9 ac.
1293.85
BF221511-2004
38.7 ac.
20450 WAVERLY RD
BP74100000 0002
7.7 ac.
414.01
BF221511-2001
119.5 ac.
20520 WAVERLY RD
BP74100000 0003
11.6 ac.
0
150
300ft
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A tract of land in the Southwest Quarter of Section 11, Township 15 South, Range 22 East, Johnson County, Kansas, legally described as follows:

Beginning at a point 208.71 feet South of the Northwest corner of the Southwest Quarter of Section 11, Township 15 South, Range 22 East, Johnson County, Kansas, said point being on the West line of said Quarter Section; thence East 208.71 feet; thence North 208.71 feet, thence East 1140.95 feet and parallel to the North line of said Quarter Section; thence South 1318.85 feet; thence West 1347.50 feet to a point on the West line of said Quarter Section; thence North along the West line of said Quarter Section to the point of beginning, all being a part of the Northwest Quarter of the Southwest Quarter of Section 11, Township 15 South, Range 22 East, Johnson County, Kansas, subject to that part, if any, in streets, roadways, highways or other public right-of-ways.

EXCEPT THEFOLLOWING:

The North 25 feet of the East 1140.95 feet of the Northwest Quarter of the Southwest Quarter of Section 11, Township 15, Range 22, Johnson County, Kansas; which exception is subject to an easement, being hereby transferred, as described in Book 6668 at Page 627.

Notifications of Rezoning:

BF221511-2004

MERTZ, THOMAS DALE
Owner 2 MERTZ, DONNA
Own Addr Line 1 20233 WAVERLY RD
Own Addr Line 2 EDGERTON, KS 66021

REED, CHRIS E.
Owner 2 REED, MICHELLE D.
Own Addr Line 1 20295 WAVERLY RD
Own Addr Line 2 EDGERTON, KS 66021

EAST KANSAS LAND & CATTLE
Owner 2 COMPANY LLC
Own Addr Line 1 4187 LOUISIANA TER
Own Addr Line 2 OTTAWA, KS 66067

WELLSVILLE FARMS LLC
Own Addr Line 1 4825 NW 41ST ST STE 500
Own Addr Line 2 RIVERSIDE, MO 64150

PM_____

EDGERTON
global routes. local roots.

Rezoning Application (Fee: $250)

OCATION O AD SS OF SUBJECT PROP TY: Reference attached parcel map

PURPOSE FOR REZONING: Anticipated L-P Development

REQUESTED REZONING CHANGE: FROM A-G (Current Zonin) TO L-P (Proposed Zoning)

LEGAL DESCRIPTION: Reference attached legal description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Hillsdale Farms, LLC PHON : 816.888.7380

COMPANY: FAX:

MAILING ADDRESS: 4187 Louisiana Ter, Ottawa, KS 66067
Street City State Zip

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

COMPANY: NorthPoint Development, LLC FAX:

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

ENGINEER/ARCHITECT'S NAME(S): PHONE: 816.888.7380

COMPANY: NP StudioNorth, LLC FAX:

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

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

FOR OFFICE USE ONLY

Case No.: ~~RZ-~~ ZA 2019-03 Amount of Fee Paid:$ 250.00 Date Fee Paid: 1/25/2019 Ck 10028

Received By: K Crow Date of Hearing: 3/12/2019

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 OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2019-03

I, Brett Powell, of lawful age being first duly sworn upon oath, state:

That I am the Agent (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 8 day of February, 2019.

Brett Powell

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 8 day of February, 2019.

Notary Public

My Commission Expires: 4/23/21 (SEAL)
Date

KRISTEN N JOHNSON
Notary Public, Notary Seal
State of Missouri
Jackson County
Commission # 14629414
My Commission Expires 04-23-2021

Property Information for BF221511-2001

Tax Property ID	BF221511-2001	*KS Uniform Parcel #*	0462011103001001000
Situs Address	Not Available	*Acres*	119.47 (5,204,230.03 ft^2)
Owner1 Name	HILLSDALE FARMS LLC	*Owner2 Name*	
Owner Address	4187 LOUISIANA TER, OTTAWA, KS 66067		
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U11 (T-R-S: 15-22-11)	*Quarter Section*	SW
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) 11-15-22 BG SW CR SW1/4 E 2662.46' TO SE CR N 2640.74' TO NE CR W 1349.66' S 1318.85' W 1347.50' TO W/L SW1/4 S 1318.75' TO POB EX .533 AC IN ST 121.227 ACS M/L

Property Map for BF221511-2001

Waverly
N
0 300 600ft
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A tract of land in the Southwest Quarter of Section 11, Township 15 South, Range 22 East, Johnson County, Kansas, described as follows:

Beginning at the Southwest corner of the Southwest Quarter of Section 11, Township 15 South, Range 22 East, Johnson County, Kansas, thence East 2684.38 feet and along the South line of said Quarter Section to the Southeast corner of said Quarter Section; thence North 2643.04 feet and along the East line of said Quarter Section to the Center of said Quarter Section; thence West 1342.65 feet and along the North line of said Quarter Section; thence South 1318.83 feet; thence West 1335.17 feet to a point on the West line of said Quarter Section; thence South 1318.37 feet and along the West line of said Quarter Section to the point of beginning, except that part, if any, in public right of ways.

Notifications of Rezoning:

BF221511-2001

Owner 1 MERTZ, THOMAS DALE
Owner 2 MERTZ, DONNA
Own Addr Line 1 20233 WAVERLY RD
Own Addr Line 2 EDGERTON, KS 66021

Owner 1 EAST KANSAS LAND & CATTLE
Owner 2 COMPANY LLC
Own Addr Line 1 4187 LOUISIANA TER
Own Addr Line 2 OTTAWA, KS 66067

Owner 1 CITY OF EDGERTON
Own Addr Line 1 PO BOX 255
Own Addr Line 2 EDGERTON, KS 66021

Owner 1 HIGHFILL, LYLE M. TRUSTEE
Owner 2 HIGHFILL, MARIE M. TRUSTEE
Own Addr Line 1 31881 W 207TH ST
Own Addr Line 2 EDGERTON, KS 66021

Owner 1 BOTTOMS, BERNICE TRUST
Own Addr Line 1 30485 W 207TH ST
Own Addr Line 2 GARDNER, KS 66030

Owner 1 UMB BANK, N.A. CO-TRUSTEE
Owner 2 DORSEY, GERALDINE A. CO-TTEE
Own Addr Line 1 PO BOX 419692
Own Addr Line 2 KANSAS CITY, MO 64141-6692

Owner 1 ROBINS, LINDA L
Owner 2 RAGSDALE, MARY ELIZABETH
Own Addr Line 1 876 COUNTY RD APT. 321
Own Addr Line 2 JEWETT, TX 75846

Owner 1 WISE, PEARLENE
Own Addr Line 1 21732 W LIMESTONE RDG
Own Addr Line 2 PAOLA, KS 66071

Owner 1 BRYANT FAMILY TRUST
Own Addr Line 1 15007 S GLEN EYRIE ST
Own Addr Line 2 OLATHE, KS 66061

Owner 1 MURROW, RICHARD L. TRUSTEE
Owner 2 MURROW, JUANITA M. TRUSTEE
Own Addr Line 1 20225 GARDNER RD
Own Addr Line 2 GARDNER, KS 66030

EDGERTON
global routes. local roots.

Rezoning Application (Fee: $250)

OCATION O AD SS OF SUBJECT PROP TY: Reference attached parcel map

PURPOSE FOR REZONING: Anticipated L-P Development

REQUESTED REZONING CHANGE: FROM A-G (Current Zonin) TO L-P (Proposed Zoning)

LEGAL DESCRIPTION: Reference attached legal description

CURRENT LAND USE: Agricultural

PROPERTY OWNER'S NAME(S): Wellsville Farms, LLC PHON : 816.888.7380

COMPANY: FAX:

MAILING ADDRESS: 4187 Louisiana Ter, Ottawa, KS 66067
Street City State Zip

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

COMPANY: NorthPoint Development, LLC FAX:

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

ENGINEER/ARCHITECT'S NAME(S): PHONE: 816.888.7380

COMPANY: NP StudioNorth, LLC FAX:

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

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

FOR OFFICE USE ONLY

Case No.: ~~RZ-~~ ZA 2019-04 Amount of Fee Paid:$ 250.00 Date Fee Paid: 1/31/19

Received By: K Crow Date of Hearing: 3/12/19

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

vs. 9-9-11

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA2019-04

I, Brett Powell, of lawful age being first duly sworn upon oath, state:

That I am the Agent (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 8 day of February, 2019.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 8 day of February, 2019.

Notary Public

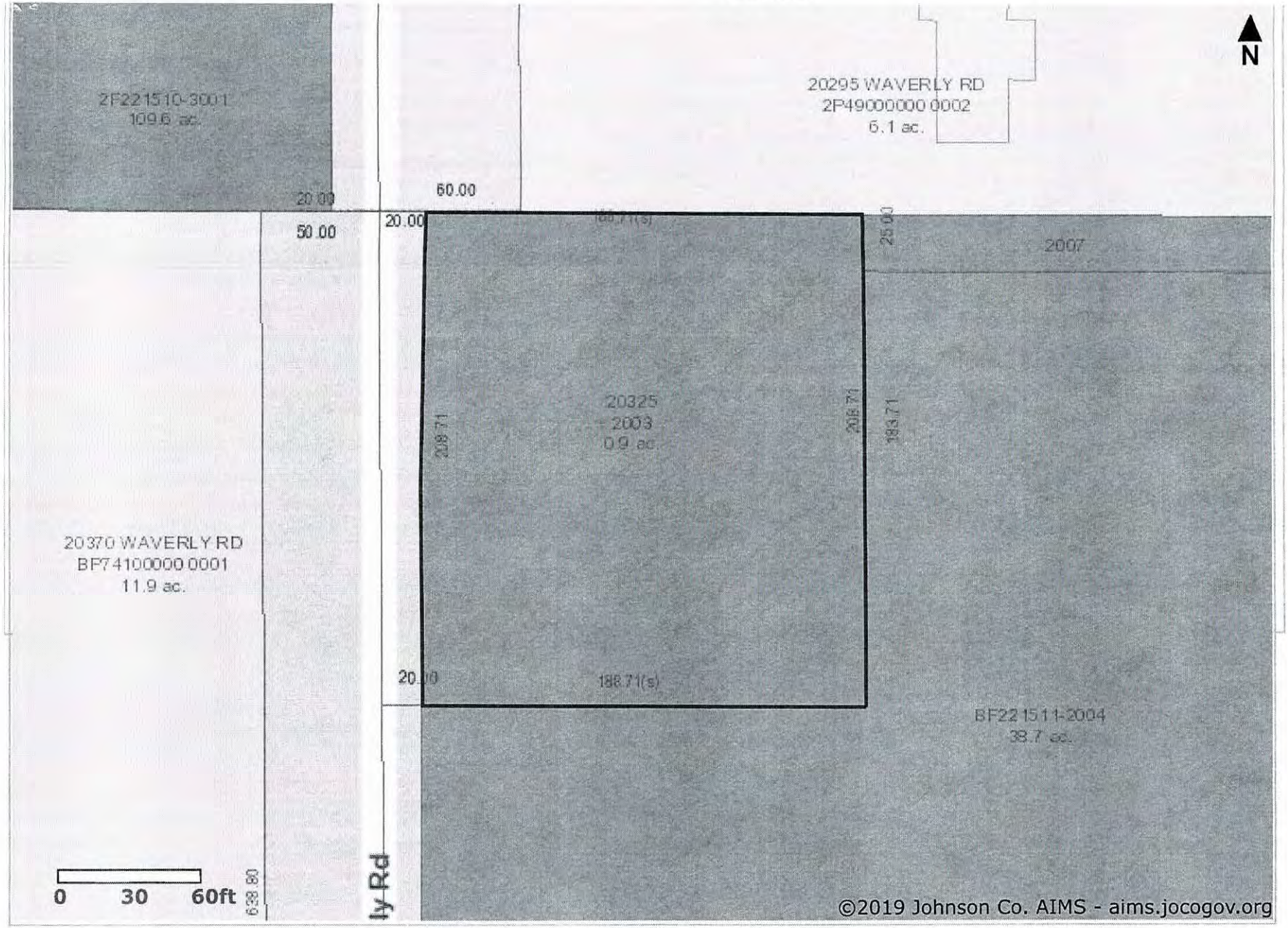
My Commission Expires: 4/23/21 (SEAL)
Date

KRISTEN N JOHNSON
Notary Public, Notary Seal
State of Missouri
Jackson County
Commission # 14629414
My Commission Expires 04-23-2021

Property Information for BF221511-2003

Tax Property ID	BF221511-2003	*KS Uniform Parcel #*	0462011103001003000
Situs Address	20325 WAVERLY RD	*Acres*	0.9 (39,081.74 ft^2)
Owner1 Name	WELLSVILLE FARMS LLC	*Owner2 Name*	
Owner Address	4187 LOUISANNA TER, OTTAWA, KS 66067		
Zoning	A-G	*Taxing Unit*	0913
City	Edgerton	*Zip Code*	66021
AIMS Map No.	U11 (T-R-S: 15-22-11)	*Quarter Section*	SW
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)	11-15-22 1 ACRE NW COR W 1/2 SW 1/4 1 ACRE GA -0208A		

Property Map for BF221511-2003


N
2F221510-3001
109.6 ac.
20295 WAVERLY RD
2P49000000 0002
6.1 ac.
20.00
60.00
50.00
20.00
25.00
2007
20325
2003
0.9 ac.
208.71
208.71
183.71
188.71(s)
20370 WAVERLY RD
BF74100000 0001
11.9 ac.
20.00
188.71(s)
BF221511-2004
38.7 ac.
0 30 60ft
638.80
ly Rd
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ONE SQUARE ACRE OF LAND IN THE NORTHWEST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS.

Notifications of Rezoning:

BF221511-2003

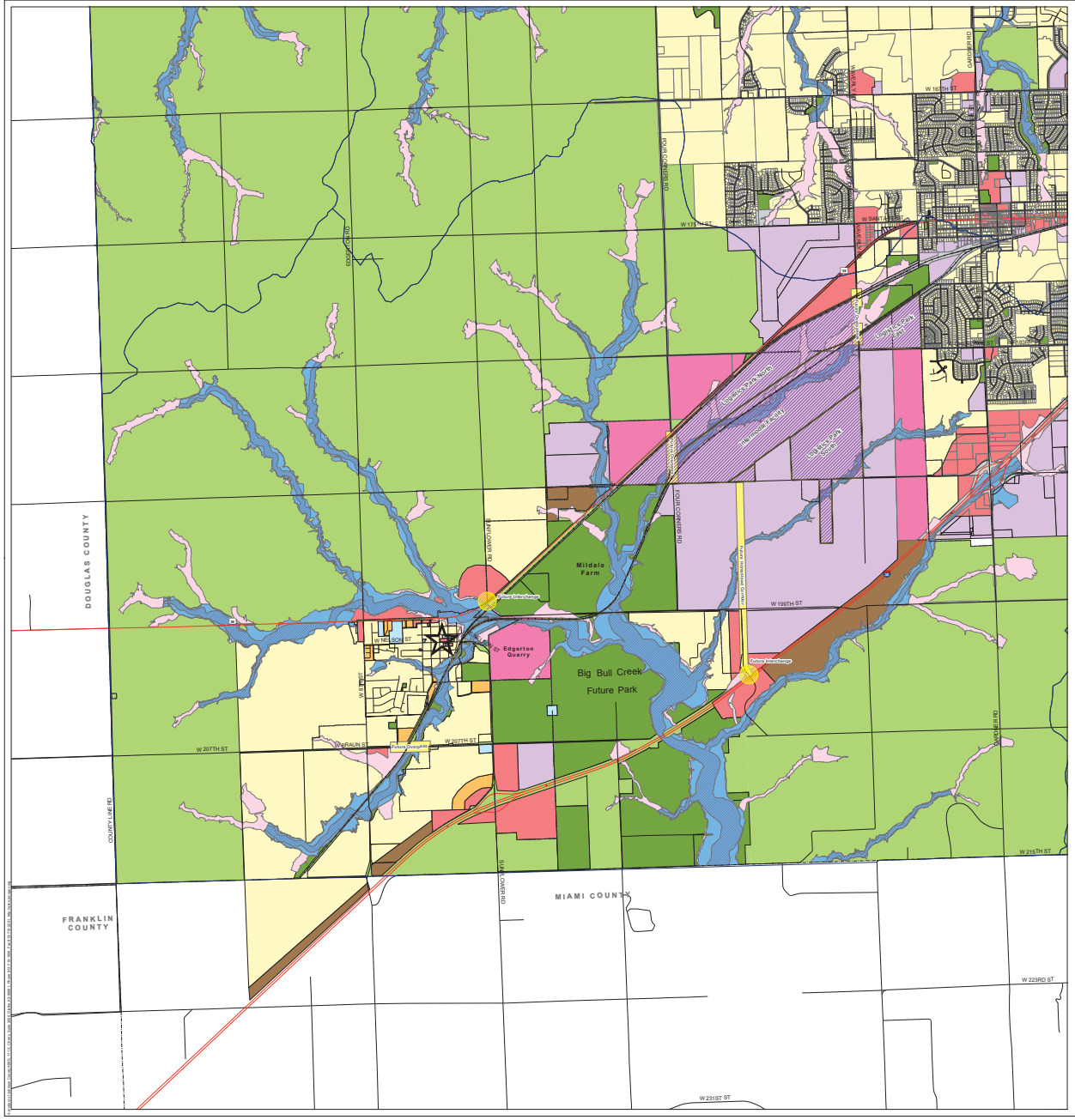
Owner 1 REED, CHRIS E.
Owner 2 REED, MICHELLE D.
Own Addr Line 1 20295 WAVERLY RD
Own Addr Line 2 EDGERTON, KS 66021

Owner 1 HILLSDALE FARMS LLC
Own Addr Line 1 4187 LOUISIANA TER
Own Addr Line 2 OTTAWA, KS 66067

Owner 1 WELLSVILLE FARMS LLC
Own Addr Line 1 4825 NW 41ST ST STE 500
Own Addr Line 2 RIVERSIDE, MO 64150

Owner 1 WISE, HARVEY G. TRUST
Own Addr Line 1 2103 BARNER RD
Own Addr Line 2 WESSON, MS 39191

PM_____



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

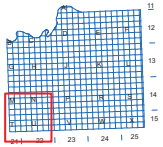
FIRM Floodplains 2009

Flood Zone

	X500	*Areas of 500-year floodplain.*
	XFUTURE	*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.*
	NA	*Area Not Included.*

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

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



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MAP/DATA DISCLAIMER: It is understood that, while the AMS participating agencies and information suppliers have made every effort to provide accurate and up-to-date information, inaccuracies in information incorporated in the base map, data, and other information sources are inevitable. THE AMS AND ITS SUPPLIERS DISCLAIM ANY REPRESENTATION OR WARRANTY, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY 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 10, 2011