

ORDINANCE NO. 1081

AN ORDINANCE ADOPTING A RECOMMENDATION BY THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 120 ACRES OF LAND [LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF FOUR CORNERS ROAD AND 199TH STREET] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT

WHEREAS, the Planning Commission has recommended that a rezoning request -- from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District -- be approved (with certain conditions) for approximately 120 acres of land, located at the northeast corner of the intersection of Four Corners Road and 199th Street in Edgerton; and

WHEREAS, all newspaper and mailed notifications were performed and a public hearing was properly held before the City Planning Commission on May 8, 2018.

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

Section 1. That the following legally described property (located at the northeast corner of the intersection of Four Corners Road and 199th Street) is hereby rezoned from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park Zoning District, and City Staff is directed to reflect said rezoning in the City's Official Zoning map and other City records:

Overall (Tract 1 & 2)

THE NORTH HALF OF THE SOUTHEAST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 15, RANGE 22 IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 34 MINUTES 30 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2633.20 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 02 DEGREES 12 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 1315.72 FEET; THENCE SOUTH 88 DEGREES 32 MINUTES 43 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER A DISTANCE OF 1317.46 FEET; THENCE SOUTH 02 DEGREES 11 MINUTES 37 SECONDS EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER A DISTANCE OF 1316.95 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 1317.65 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 02 DEGREES 09 MINUTES 20 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 2635.26 FEET TO THE POINT OF BEGINNING. CONTAINS: 5,202,152 SQUARE FEET OR 119.425 ACRES MORE OR LESS. SUBJECT TO THAT PART TAKEN AND USED FOR ROAD RIGHT OF WAY.

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

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

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

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

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

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 24th DAY OF MAY, 2018.

CITY OF EDGERTON, KANSAS

By: _____



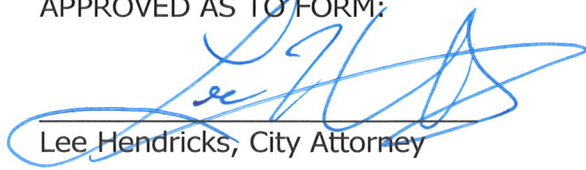
Donald Roberts, Mayor

ATTEST:



Scott Peterson, Interim City Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to be 'Lee Hendricks', written over a horizontal line. The signature is stylized with large, sweeping loops and a prominent 'H'.

Lee Hendricks, City Attorney