EDGERTON CITY COUNCIL
AMENDED MEETING AGENDA
CITY HALL, 404 EAST NELSON STREET
March 11, 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.

Any person wishing to attend the City Council 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 seating 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 address the Governing Body must sign in on the sign-up sheet provided at City Hall on the night of the meeting. 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. Any member of the public wishing to provide public comment without attending the meeting may do so by email to Kara Banks (kbanks@edgertonks.org). If you are unable to email the comments, you may call City Hall at (913) 893-6231, and staff will record your comment and report it on your behalf. Any comments must include a name and address for the record and be submitted by phone or email by noon (12:00 PM) on day of the scheduled meeting. Any written testimony provided in advance (up to noon on Thursday, March 11, 2021) will be shared with the Governing Body.

Call to Order

1. **Roll Call** ___ Roberts ____ Longanecker ____ Conus ____ Lewis ____ Smith ___ Beem
2. **Welcome**
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes from February 25, 2021 Regular City Council Meeting
5. Approve the Issuance of a Cereal Malt Beverage License for My Store III, Inc. DBA On the Go Travel Plaza, TA Express at 35201 W 200th St. for 2021

Regular Agenda

6. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called

upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.

7. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Business Requiring Action

Public comment for all rezoning applications (Agenda items 8 – 19) will be taken before Council votes on any item. Anyone wishing to provide public comment will be limited to 3 minutes per person, you will be requested to provide your name and address for the record.

8. **CONSIDER 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

   Motion: _____ Second: _____ Vote: ____

9. **CONSIDER 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

   Motion: _____ Second: _____ Vote: ____

10. **CONSIDER 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

    Motion: _____ Second: _____ Vote: ____

11. **CONSIDER 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

    Motion: _____ Second: _____ Vote: ____

12. **CONSIDER 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

    Motion: _____ Second: _____ Vote: ____

13. **CONSIDER 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

    Motion: _____ Second: _____ Vote: ____

14. **CONSIDER 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

    Motion: _____ Second: _____ Vote: ____

15. **CONSIDER ORDINANCE NO. 2062 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2021-01 FOR THE REZONING OF APPROXIMATELY 33.915 ACRES OF LAND AT 32425 W. 207TH STREET IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) ZONING TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT.**

    Motion: _____ Second: _____ Vote: ____

16. **CONSIDER ORDINANCE NO. 2063 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2021-02 FOR THE REZONING OF APPROXIMATELY 5.903 ACRES OF LAND AT 32295 W. 207TH STREET IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) ZONING TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT.**

    Motion: _____ Second: _____ Vote: ____

17. **CONSIDER ORDINANCE NO. 2064 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2021-03 FOR THE REZONING OF APPROXIMATELY 16.530 ACRES OF LAND AT 32285 W. 207TH STREET IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) ZONING TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT.**

    Motion: _____ Second: _____ Vote: ____

18. **CONSIDER ORDINANCE NO. 2065 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2021-04 FOR THE REZONING OF APPROXIMATELY 22.088 ACRES OF LAND AT 32330 W. 213TH STREET IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) ZONING TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT.**

Motion: _____ Second: _____ Vote: ____

19. **CONSIDER ORDINANCE NO. 2066 ADOPTING THE RECOMMENDATION OF THE EDGERTON PLANNING COMMISSION TO APPROVE APPLICATION ZA2021-05 FOR THE REZONING OF APPROXIMATELY 56.528 ACRES OF LAND ON THE NORTHWEST CORNER OF W. 213TH STREET AND SOUTH KILL CREEK ROAD IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" (RURAL DISTRICT) ZONING TO CITY OF EDGERTON "L-P" (LOGISTICS PARK) ZONING DISTRICT.**

    Motion: _____ Second: _____ Vote: ____

20. **PUBLIC HEARING FOR RESOLUTION 03-11-21A DETERMINING THE INTENT OF THE CITY OF EDGERTON, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN ONE OR MORE SERIES, THE AGGREGATE AMOUNT OF ALL SERIES NOT TO EXCEED $238,000,000, TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A COMMERCIAL AND INDUSTRIAL FACILITY FOR THE BENEFIT OF WELLSVILLE FARMS, LLC, OR ITS ASSIGNS**

21. **CONSIDER RESOLUTION 03-11-21A DETERMINING THE INTENT OF THE CITY OF EDGERTON, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN ONE OR MORE SERIES, THE AGGREGATE AMOUNT OF ALL SERIES NOT TO EXCEED $238,000,000, TO PAY THE COST OF ACQUIRING, CONSTRUCTING AND EQUIPPING A COMMERCIAL AND INDUSTRIAL FACILITY FOR THE BENEFIT OF WELLSVILLE FARMS, LLC, OR ITS ASSIGNS**

    Motion: _____ Second: _____ Vote: ____

22. **Report by the City Administrator**
    - Monthly update on 502 E 2nd St.

23. **Report by the Mayor**

24. **Future Meeting Reminders:**
    - March 25th: City Council Meeting – 7:00 PM
    - April 8th: City Council Meeting – 7:00 PM
    - April 13th: Planning Commission Meeting – 7:00 PM
    - April 22nd: City Council Meeting – 7:00 PM

25. **Adjourn** Motion: _____ Second: _____ Vote: ____

EVENTS

March 20th: Low-Cost Animal Vaccine Clinic

May 8th: City Wide Garage Sale

May 15th: City Wide Clean Up

City of Edgerton, Kansas
Minutes of City Council Regular Session
February 25, 2021

A Regular Session of the City Council (the Council) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on February 25, 2021. The meeting convened at 7:00 PM with Mayor Roberts presiding.

1. ROLL CALL

Ron Conus	present via videoconference
Clay Longanecker	present
Josh Lewis	absent
Katee Smith	present via videoconference
Josh Beem	present via videoconference

With a quorum present, the meeting commenced.

Staff in attendance: City Administrator Beth Linn
City Attorney Lee Hendricks (via videoconference)
City Clerk Alexandria Clower
Development Services Director Katy Crow
Finance Director Karen Kindle (via videoconference)
Accountant Justin Vermillion (via videoconference)
Public Works Director Dan Merkh
Marketing and Communications Manager Kara Banks

2. WELCOME

3. PLEDGE OF ALLEGIANCE

Consent Agenda

4. Approve Minutes from February 11, 2021 Regular City Council Meeting
5. Consider Application FP2020-04, Final Plat for Logistics Park Kansas City South, Third Plat, Generally Located Near the Northeast Corner of Waverly Road and 207th Street, Edgerton, Kansas.

Ms. Beth Linn, City Administrator, requested item 4 be removed for approval. She stated the minutes sent in the packet were draft minutes and the minutes council now has, are minutes that have been approved by City Attorney with minor changes. Ms. Linn asked for council approval on final minutes.

Councilmember Longanecker motioned to approve item number 4, Approving the Minutes from February 11, 2021 City Council Meeting. Motion seconded by councilmember Beem. The item was approved 4-0.

Councilmember Lewis signed on at 7:02 PM

Mayor Roberts requested item 5 be removed for further discussion. He questioned the ability to see what is happening on Waverly Road related to final plat application FP2020-04. Ms. Crow, Development Services Director, addressed the council. She stated that this is the final plat for Inland Port 52, which will be located directly north of the current Hostess facility on 207th Street in LPKC. She stated that the Planning Commission had met on February 9, 2021 and recommended approval of this final plat application.

Mayor Roberts asked if the new roadway will curve as is shown on this plat. Ms. Linn stated that the Planning Commission discussed moving the road further east towards the eastern property line and straightening it. Ms. Crow stated that the applicant agreed to have the road straighten out and end in a cul-de-sac to address concerns from the neighbors, but that those changes were not currently shown on the final plat. Ms. Crow stated the Governing Body has the options to table this item until staff can have conversations with the applicant about the changes that need to be made and staff will return with an updated plat submitted by the applicant that reflects those changes. In addition, the applicant is working on a bifurcation of Waverly Road to help eliminate truck traffic between 199th and 207th along Waverly Road. That will not be reflected on this plat but any vacation of right of way that occurs will come back to council at a future date for their approval.

Mayor Roberts stated he is concerned with approving the plat as it is shown today, and once it is adopted the city would not have the ability to enforce the necessary changes. He suggested tabling this item until the plat is updated to reflect what was discussed at the Planning Commission meeting.

Councilmembers Conus and Longanecker agreed that the plat application should be tabled until the updates could be made by the applicant.

Councilmember Smith motioned to table item number 5, Application FP2020-04, Final Plat for Logistics Park Kansas City South, Third Plat. Councilmember Conus seconded the motion to table the item. All councilmembers were in favor of tabling this item, 5-0.

Regular Agenda

6. **Public Comments.**

Mr. Darwin Lawyer, 45 E 2300 Rd., addressed the council. He stated the morning of February 15, 2021 he woke up to having no water and called City Hall right away. Due to the national holiday, City Hall was closed, but the on-call person, Bryce Webster, answered right away. He stated he talked to Bryce and explained his situation, and at that time, Bryce stated he would call his supervisor and be back with Mr. Lawyer as soon as he could. He stated not long after getting off the phone with Bryce, Trey Whitaker, Public Works Superintendent, called him back to explain there would be a couple maintenance techs heading his way to assess the water problem. Mr. Lawyer stated when the Public Works crews showed up to start work, they pulled the lid off the meter and found it was frozen. Mr. Lawyer stated he received further communication

from Mr. Dan Merkh, Public Works Director and Ms. Kara Banks, marketing and communications manager, both of which treated him with upmost respect. He stated the City of Edgerton has hired an exemplary team, and the men who came out to restore his water service would not stop until the job was finished. Mr. Lawyer stated he would like to thank the people who helped him that day, especially Chase Forrester, Peter Cappalleti, Dan Merkh, Trey Whitaker, and Kara Banks.

Mayor Roberts thanked Mr. Lawyer for coming by and expressing his thankfulness to the staff.

7. **Declaration.** There were no declarations made by any of the councilmembers.

Business Requiring Action

8. **CONSIDER RENEWAL OF CORPORATE INSURANCE POLICY FOR APRIL 1, 2021 – MARCH 31, 2022**

Ms. Karen Kindle, Finance Director, addressed the council and introduced Kevin O'Brien with The Reilly Company, the City's Insurance Advisor. She stated annually, the City considers the renewal of its corporate insurance policies. The corporate insurance policies include several coverages, such as Property, Crime, Inland Marine, General Liability, etc.

Ms. Kindle stated in 2019, the City received notice that the previous insurance company, OneBeacon, would no longer be renewing the City's insurance policies. She stated Mr. O'Brien, the city's insurance agent, began work to bid the city's insurance program for 2020-2021 renewal, after receiving two bids, Mr. O'Brien recommended Travelers. She stated Council approved the program with Travelers at the March 26, 2020 City Council Meeting. In December 2020, staff began working with Mr. O'Brien to complete the renewal process for 2021-2022 and Mr. O'Brien began working with Travelers to renew the City's program.

Ms. Kindle stated at the renewal in 2019, council directed staff to determine which property was to be insured in which manner, replacement cost, actual cash value, or self-insured. A comprehensive list was developed with those methods of coverage valuation and council adopted those methods of replacement on March 28, 2019. Ms. Kindle stated the premiums this year did not go up nearly as much as they have in the past. She stated the City budgeted $105,000 and the premiums are just over $86,000, well within the planned budget.

Ms. Kindle introduced Mr. Kevin O'Brien to give a further breakdown of the city's policies. He referenced the renewal proposal document provided in the council packet. Mr. O'Brien recommends the same pollution liability coverage from Crum & Forster for an amount of $5,671, which is a zero increase in premium. He stated he recommends changing the cyber liability coverage to a new company, HDI Global, due to similar coverage at a much lower premium cost. The new premium is $1,943, a savings of $1,687.
Mr. O'Brien stated overall, the proposed cost of the City's insurance program renewal will increase $987, or 1.2%, over the cost of the 2020-2021 program, primarily due to the 8% increase in property values from last year.

Councilmember Longanecker motioned to approve the renewal of the City's Insurance Policy for April 2021 – March 2022. Motion seconded by councilmember Beem. The item was approved 5-0.

9. CONSIDER AGREEMENT WITH TREKK DESIGN GROUP LLC FOR THE DESIGN OF THE 2021 CDBG 7TH & NELSON SANITARY SEWER PROJECT

Mr. Dan Merkh, Public Works Director, addressed the council. He stated on May 28, 2020 City Council approved the submission of an application to Johnson County for the 7th & Nelson Sanitary Sewer Project for Community Development Block Grant (CDBG) funding.

Mr. Merkh stated in September of 2020 Johnson County notified staff of the proposed award of the full funding request of $200,000. The amount is based on estimated funding, as the County has yet to receive their allocation from U.S. Department of Housing and Urban Development (HUD). He stated the program year starts at the new year, and costs can be incurred after that date. Final authorization is dependent on Congress approving the budget, at that time City Staff will coordinate with Johnson County appropriately.

Mr. Merkh stated on December 11, 2020, the City of Edgerton issued a Request for Qualifications seeking engineering teams for the design of the 2021 CDBG 7th & Nelson Sanitary Sewer Project. The project includes inventory and analysis of the existing collection system, as well as design of the improvements. He stated most of the proposed work will be replacement of Vitrified Clay Pipe (VCP) with Polyvinyl Chloride (PVC). Some areas within the project area will include various forms of repairs. The manholes within the project area would also be prioritized and lined as needed. He stated to maximize the usage of the funds provided by CDBG, the proposed project area is larger than the proposed scope of the project.

Mr. Merkh stated the work proposed will reduce the amount of Inflow and Infiltration (I&I) from this area. I&I is the wastewater system receiving stormwater, then conveying it to the plant for treatment. Currently the City has a Wastewater Master Plan underway. This plan identifies this project area as an area of emphasis for I&I reduction within the City.

Mr. Merkh stated there was a total of five submissions and the selection committee (made up of the City Engineer, Public Works Director, Public Works Superintendent, and Utilities Superintendent) recommends TREKK Design Group, LLC as the best, most qualified team for the project. He stated this final selection is pending final approval of the contract from City Attorney and City Engineer. He stated the selection committee recommends TREKK Design Group, LLC team based on their existing experience providing these services to municipalities both of similar size and larger populations, as well as experience working with the grant funding.

Mr. Merkh stated the funding source for the project is identified as the Sewer Fund as well as the CDBG funding, by the CIP. The budget for the project listed in the CIP is $518,000. The agreement with TREKK will be a not-to-exceed contract. Any changes to approved scope will need authorization, in compliance with our purchasing policies. Staff is currently working with TREKK to finalize the scope and fee for the project. Upon final approval from City Attorney and City Engineer staff recommends authorizing the Mayor to execute the agreement.

If approved, staff anticipates beginning the design of the project immediately with construction to be completed in 2021. He stated Amy Gralapp, with TREKK Design Group was available via videoconference to answer any questions council might have.

Councilmember Longanecker asked if the $200,000.00 is paid for by CDBG and if what's left is then paid for by the sewer fund. Mr. Merkh stated the CIP proposed a lower amount from CDBG and the City was granted a higher amount, so the City will replace more bad pipe.

Councilmember Longanecker motioned to approve the agreement with TREKK Design Group, LLC for the design of the 2021 CDBG 7th & Nelson Sanitary Sewer Project. Motion seconded by councilmember Smith. The agreement was approved 5-0.

10. **CONSIDER AN AGREEMENT WITH BG CONSULTANTS FOR CONSTRUCTION INSPECTION SERVICES FOR THE CONSTRUCTION OF THE 207TH GRADE SEPARATION AND AUTHORIZE THE MAYOR TO EXECUTE THE CONTRACT**

Mr. Dan Merkh, Public Works Director, addressed the council. He stated at the 2017 Capital Improvement Program Work Session, the City Council provided direction to allocate $15,000,000 from the Public Infrastructure Fund from LPKC Phase I for 2018, 2019, and 2020 and Johnson County Assistance Roads System (CARS).

He stated, at the November 8, 2017 City Council Meeting, the Council approved the design of the "Off-Alignment" bridge presented by HDR and chose to forego the acceptance of federal funding in order to free up time for staff and decrease the cost of federal prevailing wage requirements.

At the January 11, 2018 City Council Meeting, the Council approved the Preliminary Design Agreement with HDR for design services for the 207th Street Grade Separation Project.

Mr. Merkh stated on February 14, 2018 City Council approved an amendment to the owner-engineering agreement between the City and HDR, Inc. for the Final Design of the project. The 207th Street Grade Separation Project is funded entirely from CARS and the Public Infrastructure Fund as part of the City's agreements with BNSF Railway and Edgerton Land Holding Company for Logistics Park Kansas City (LPKC). He stated no city general fund dollars will be used for this project.

On February 11, 2021, City Council approved the selection of Pyramid Contractors to construct the project. Of the four bids, Pyramid Contractors was the lowest and best bid. The project includes an off-alignment road, bridge, storm inlets, storm pipes, sidewalks, street lighting, and utilities realignments.

Mr. Merkh stated, similar to other large infrastructure projects constructed by the City of Edgerton, a critical component to the success of the expansion of a major road and utility relocation is partnering with a firm to perform the construction administration and observation services. On January 21, 2021 City staff solicited two companies for a proposal to inspect the project. Within this proposal the scope was included, the company rate sheet, an estimated cost, and a list of opportunities to capture savings to the overall inspection costs. These Requests for Proposals (RFP) were received on February 10, 2021. BG provided a lower cost

($330,547.92) as well as identified an opportunity to capture savings ($45,630.00) by careful selection of construction items that do not typically need complete inspections, for example, forming, all of the rebar placement, and curing of the deck. He stated BG has noted they are already providing these services on a nearby project for the same contractor, allowing streamlining of the schedule.

Mr. Merkh sated BG Consultants has prepared the attached Agreement to provide the construction inspection services for the 207th Grade Separation Project. The Agreement includes a scope of work to include such services as performing inspections, notification of the City of any significant issues or changes to the plans, providing detailed daily reports of construction activity, reviewing testing reports and pay estimates, etc.

He stated the Proposals were based on 100% inspections, but the Agreement is structured to only pay for hours worked on the project. The Agreement includes an hourly rate schedule applicable for the term of the Agreement. He stated this Agreement is structured like the Agreement for City Engineer services where the City is only billed for actual hours of work performed. Mr. Merkh stated staff will work with BG to best prioritize the use of their services to limit the project budget.

Mr. Merkh stated funding for this project was included in the 2021-2025 Capital Improvement Program, with an overall project cost of $15,000,000. The estimate for BG to conduct construction inspection is within budget.

Councilmember Longanecker motioned to approve the Agreement with BG Consultants for Construction Inspection Services. Motion seconded by Councilmember Conus. The Agreement was approved 5-0.

11. **Report by the City Administrator**

Ms. Beth Linn, City Administrator, addressed the council. She stated she wanted to give an update related to future events. She stated the City has not scheduled any events through the end of March, typically, the city would be scheduling the Easter Egg Hunt, but guidelines prevent from hosting any events until after March 31st.

She stated the City will be hosting the annual late spring/summer events as scheduled this year, unless otherwise notified per CDC guidelines.

- City Wide Garage Sale on May 8th
- City Wide Clean Up on May 15th
- Summer Kick Off Block Party to include movie night on June 5th
- Frontier Days will be celebrating their 50th Anniversary on June 18th-20th
- Community Picnic and Fireworks Show on July 3rd

Ms. Linn stated the city is currently recruiting for recreation coordinator and fully anticipates that person being hired prior to the start of these events.

Councilmember Longanecker asked for an update on the Building Inspector position. Ms. Linn stated based on priority approved by council, the city is currently filling the CIP Project Manager, next the city will work to fill the Recreation Coordinator and finally, the city will work to fulfill the position of Building Inspector.

Ms. Linn stated KDOT is rebuilding the bridge at 199th Street over I-35 and after several delays, the final schedule for demolition is set for this weekend, beginning at 5am Saturday and reopening by 5am Sunday.

She stated as a reminder that the Governing Body gave direction to staff to prepare for council to be back in person at City Hall on March 11th for the council meeting.

Ms. Linn introduced Dan Merk to give an update related to Winter Weather Operations.

Mr. Merkh stated to-date, the city has had 8 winter weather events. He stated during these times, crews are split into two teams of 4 and work 12 hour shifts for 24-hour coverage. He stated the city has added 1 additional plow to the fleet and has utilized the wheel loader when needed for the season.
He stated priority 1 roads are those that are major trafficways for the city, priority 2 are neighborhood roads and priority 3 are cul-de-sacs, dead ends, and alley ways.
Mr. Merkh stated the City's Municipal Code states all vehicles must be moved off of roadways within two hours of a snow event being declared. He stated sidewalks are the responsibility of the property owner and are required to be cleared within 48 hours after snowfall has ended. He stated the clearing of sidewalks is not tied to a declared snow event.

Mr. Merkh stated the most recent winter weather event proved to be difficult one. He stated this storm had extreme cold temperatures, with a low of around -11 degrees and below freezing for the entirety of the event. Mr. Merkh stated these extreme cold temperatures played havoc on City equipment and infrastructure. He stated the city had 3 pieces of equipment fail to operate and throughout the city, there were a number of frozen meters and no water calls. He stated the amount of precipitation was manageable, but when combined with the extreme temperatures, the effectiveness of salt and brine treatment was very limited.

Mr. Merkh stated during this event, snowfall ranged around 1.5" in the first round of snow, and the second round of snow dropped just under 2". He stated City Staff was nearly done running curb to curb when the second round of snow fall began to start. This reset priorities, taking staff back to the priority list described earlier. He stated once the second round of snow was cleared curb to curb, staff began the removal of snow on sidewalks, trails and facility lots.

Mayor Roberts stated he would like to add that during this snow event and the closure of City Hall due to the holiday, City Hall experienced IT issues with the on-call phone. He stated City Hall staff stepped in to take phone calls, etc. to help keep the call volume manageable and residents at ease.

Ms. Linn stated Councilmember Conus had asked about the crews 12-hour shift, 24-hour coverage. She stated staff switches monthly from day to night shift.

Ms. Linn stated Councilmember Beem asked questions related to the Highway 56 Trail and the clearing of snow. She stated this trail is apart of the trail network and currently it is cleared as a Priority 3. She stated because this trail fulfills a safety component for the public to access essential business city staff will evaluate the trail in priority over some of the other trail locations.

12. **Report by the Mayor**

Mayor Roberts stated Frontier Days Committee is looking at adding the 20th to the weekend events and having a car show, but it is not for sure yet.

He stated March 6th is scheduled for Lewis Indoor Athletics ribbon cutting ceremony and March 20th is the city's annual low-cost animal vaccine clinic at City Hall.

13. **Future Meeting Reminders:**
    - March 9th: Planning Commission Meeting – 7:00 PM
    - March 11th: City Council Meeting – 7:00 PM
    - March 25th: City Council Meeting – 7:00 PM
    - April 8th: City Council Meeting – 7:00 PM
    - April 13th: Planning Commission Meeting – 7:00 PM
    - April 22nd: City Council Meeting – 7:00 PM

14. **CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319(B)(2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY, CITY ADMINISTRATOR, BOND COUNSEL AND FINANCIAL ADVISOR FOR THE CITY, FOR THE PURPOSES OF CONTRACT NEGOTIATIONS**

Councilmember Longanecker motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for consultation with an attorney deemed privileged in the attorney-client relationship to include the City Attorney, City Administrator, City Bond Counsel and City Financial Advisor, for the purposes of contract negotiations for 15 minutes. Councilmember Smith seconded the motion. The meeting recessed into executive session at 8:12 PM, 5-0.

Councilmember Longanecker motioned to return to open session with no action being taken. Councilmember Smith seconded the motion. Open session resumed at 8:27 PM, 5-0.

Councilmember Longanecker motioned to recess into executive session pursuant to K.S.A 75-4319(B)(2) for an additional 15 minutes. Councilmember Smith seconded the motion. The meeting recessed into executive session at 8:27 PM, 5-0.

Councilmember Longanecker motioned to return to open session with no action being taken. Councilmember Smith seconded the motion. Open session resumed at 8:42 PM, 5-0.

15. **CONSIDER ORDINANCE NO. 2061 AUTHORIZING THE CITY OF EDGERTON, KANSAS, TO ISSUE HOME RULE REVENUE BONDS (LOGISTICS PARK INFRASTRUCTURE PHASE ONE PROJECTS) SERIES 2021A, AND A SERIES 2021A NOTE, FOR THE PURPOSE OF REFUNDING CERTAIN PRIOR BONDS OF THE CITY, PAYING OR REIMBURSING THE COSTS OF PUBLIC INFRASTRUCTURE IMPROVEMENTS AND FOR OTHER PURPOSES; AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.**

Mr. Scott Anderson, Bond Counsel, addressed the council. He stated the City entered into a Master Indenture in 2015 with UMB Bank, as trustee (successor trustee to Commerce Bank). Pursuant to the Master Indenture, the City issued its Series 2015A Bonds in 2015 and its Series 2018A Bonds in 2018 (together, the "Prior Bonds"). The Prior Bonds were issued on a tax-exempt basis for the purpose of financing public infrastructure improvements at the Logistics Park. All of the Prior Bonds were purchased by ELHC.

Mr. Anderson stated there are approximately $16 million in Prior Bonds outstanding. Kansas City Financial Corporation (an affiliate of UMB Bank) desires to purchase approximately $12.5 million of the Prior Bonds at an interest rate of 2%. The current interest rate on the Prior Bonds is slightly under 6%. He stated this low interest rate will result in significant savings to the public infrastructure fund.

He stated as part of the refinancing, we have negotiated a new Amended and Restated Master Trust Indenture. The new Master Indenture authorizes approximately $12.5 million in Series 2021A Bonds to be placed with Kansas City Financial Corporation and an approximately $4.5 million Series 2021A Note that will be placed with ELHC. ELHC will then surrender all of the Prior Bonds.

Mr. Anderson stated the Ordinance authorizes the City to issue the Series 2021A Bonds and the Series 2021A Note. The Ordinance also authorizes the City to enter into various other documents.

The new Master Indenture does authorize additional bonds to be issued for future infrastructure, but only if future projects generate enough revenue to pay all of the outstanding obligations plus the additional bonds. He said this is a situation where the project pays for itself.

He stated the Series 2021A Bonds and the Series 2021A Note are not general obligations of the City, but are paid solely from funds deposited in the Public Infrastructure Fund (PIF) or otherwise transferred to the Trustee for such purpose. Councilmember Conus asked what the total amount of GO debt converted to the PIF Fund is. Mr. Anderson stated about $242,000of the City 2020A General Obligation bonds will be converted and that the refinancing will allow Edgerton to pay off the debt used to finance the construction of the Quiet Zone Improvements along Nelson Street and the State Revolving Fund Loan for construction of the Big Bull Creek Wastewater Treatment Plant.

Mayor Roberts stated this will save over $10 million in interest, which allows the city to pay off debt sooner and allows the residents to collect 100 percent of the money after that. He stated the city is looking at roughly 19 years to be debt free if this Ordinance passes today.

Councilmember Longanecker motioned to approve passing Ordinance No. 2061. Motion seconded by Councilmember Conus. The item was approved, 5-0.

16. **Adjourn**

Councilmember Smith motioned to adjourn, seconded by councilmember Beem. All in favor. Meeting adjourned at 8:58 PM.

EVENTS

March 6th: Lewis Indoor Athletics, Ribbon Cutting Ceremony at 10:00 AM

March 20th: Low-Cost Animal Vaccine Clinic

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

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Administration

Agenda Item: Consider Issuance of a Cereal Malt Beverage License Application for 2021

Background/Description of Item:
Application for the following business has met the necessary requirements for issuance of cereal malt beverage license and recommended for approval by staff. License fees are established in 3-109 of the Edgerton Code in the amount of $35.00 for retail. A separate stamp fee of $25.00 for the State of Kansas has been collected.

The application and recommendations are available for review in the City Clerk's Office.

License	Name	Address
#2	My Store III, Inc. DBA On the Go Travel Plaza TA Express	35201 W 200th St.

Related Ordinance(s) or Statue(s): Ordinance 574

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Approve Issuance of Cereal Malt Beverage License for My Store III, Inc. DBA On the Go Travel Plaza, TA Express at 35201 W 200th St. for 2021

Prepared by: Alexandria Clower, City Clerk

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

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-02 Comprising Approximately 106.13 Acres Of Land Generally Located Southeast of the Intersection of West 199th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning application ZA2020-02 from Wellsville Farms LLC requesting the rezoning of a 106.13 acre parcel generally located southeast of the intersection of W. 199th Street and S. Gardner Road in Edgerton, from Johnson County RUR zoning to City of Edgerton L-P Logistics Park zoning.

A portion of this parcel is adjacent to 199th Street and current access to the parcel is from both 199th Street and Gardner Road. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021 regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to recommend denial of the application for rezoning.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-02:

- 33 total Protest Petitions received
    - 18 Petitions were received from INSIDE the statutory notification area
    - 15 petitions were received from OUTSIDE the statutory notification area
- Of those 18 received within the notification area, 30.56% are within the buffer area that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code; 12-757 – Zoning Amendments

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-02
- Approved minutes from the January 12, 2021 Planning Commission Meeting
- Economic Impact Analysis Staff Memo dated February 5, 2020
- Draft minutes from the February 9, 2021 Planning Commission Meeting
- Public comment received following close of Public Hearing
- Staff response to public comments
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside Statutory Area received for Application ZA2020-02
- Protest Petitions Outside Statutory Area received for Application ZA2020-02

Prepared by: Katy Crow, Development Services Director

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

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

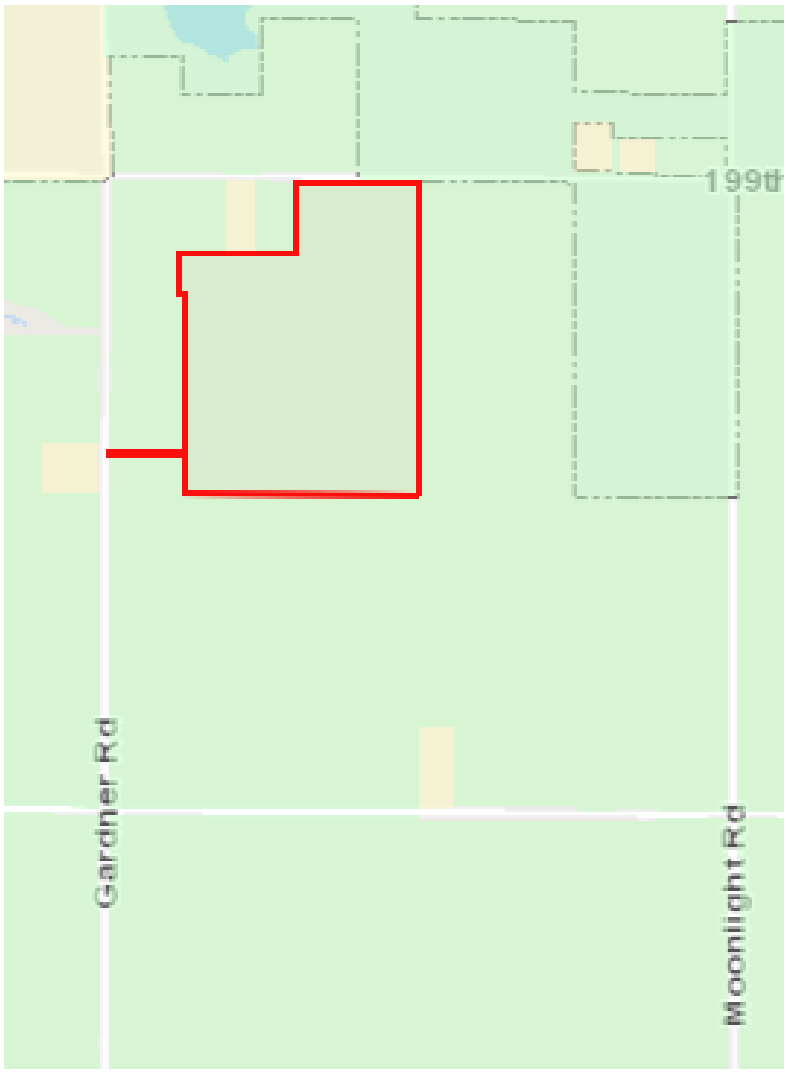


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

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

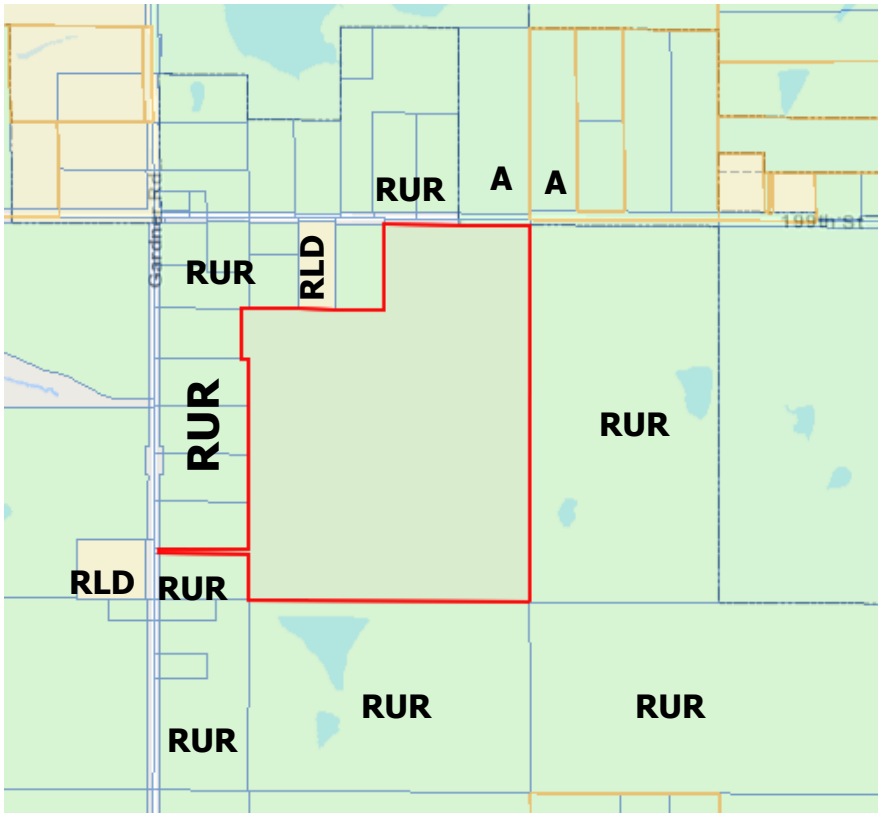


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.63 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly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

Figure 3

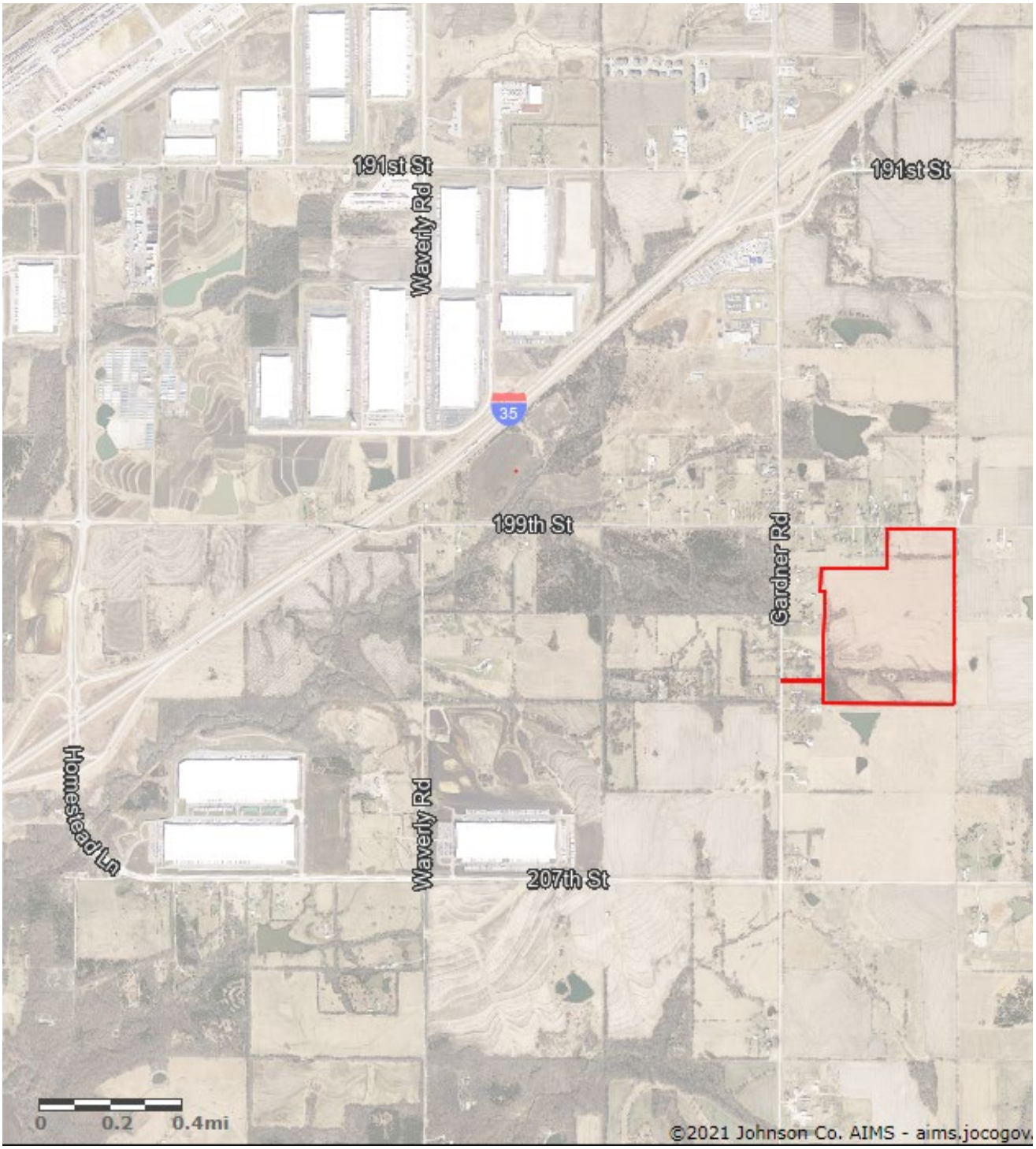
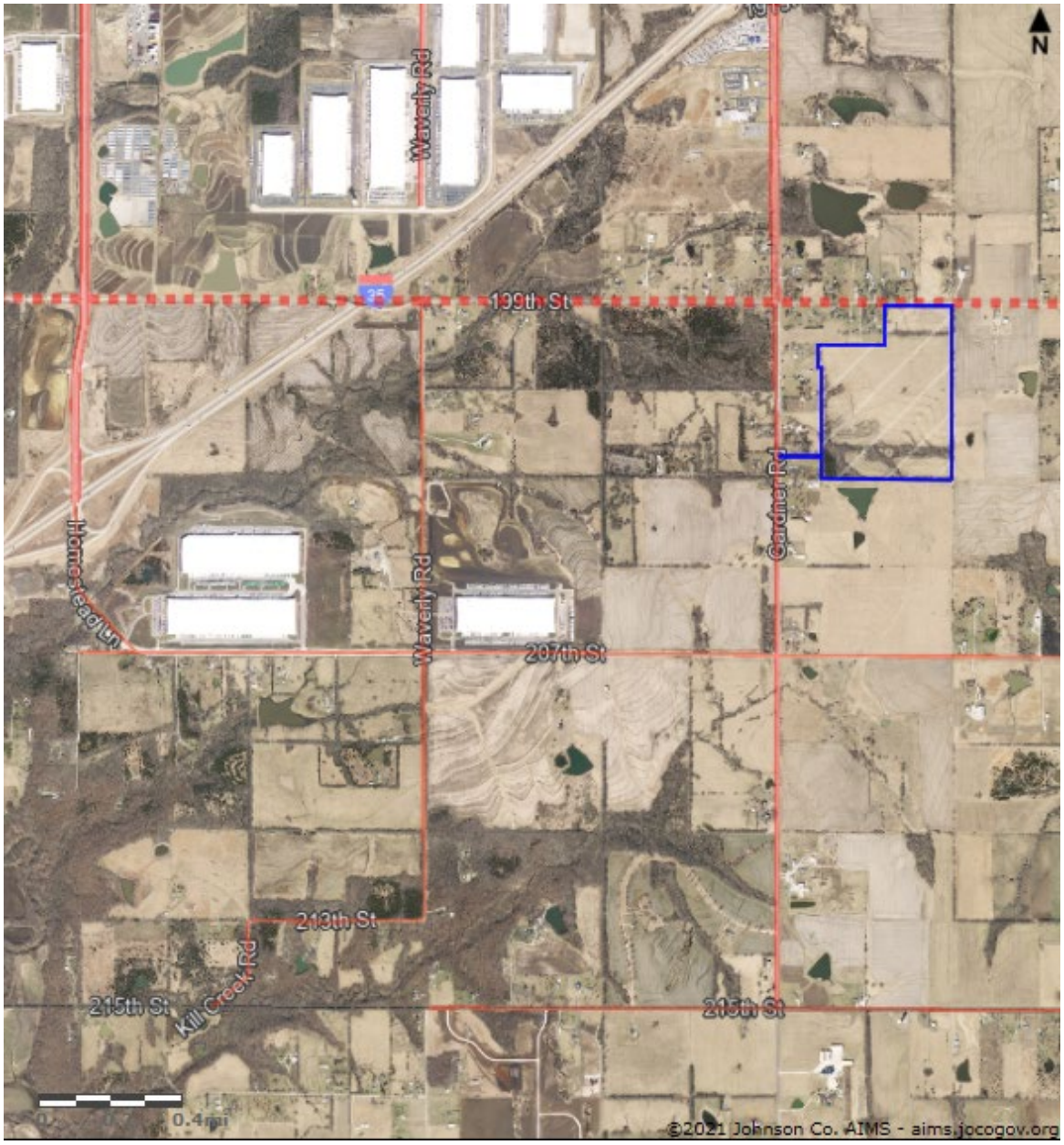


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

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

EDGERTON
global routes. local roots.

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 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 13:17:34-06'00' 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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON
global routes. local roots.

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.

Heather R. Pfender

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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

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

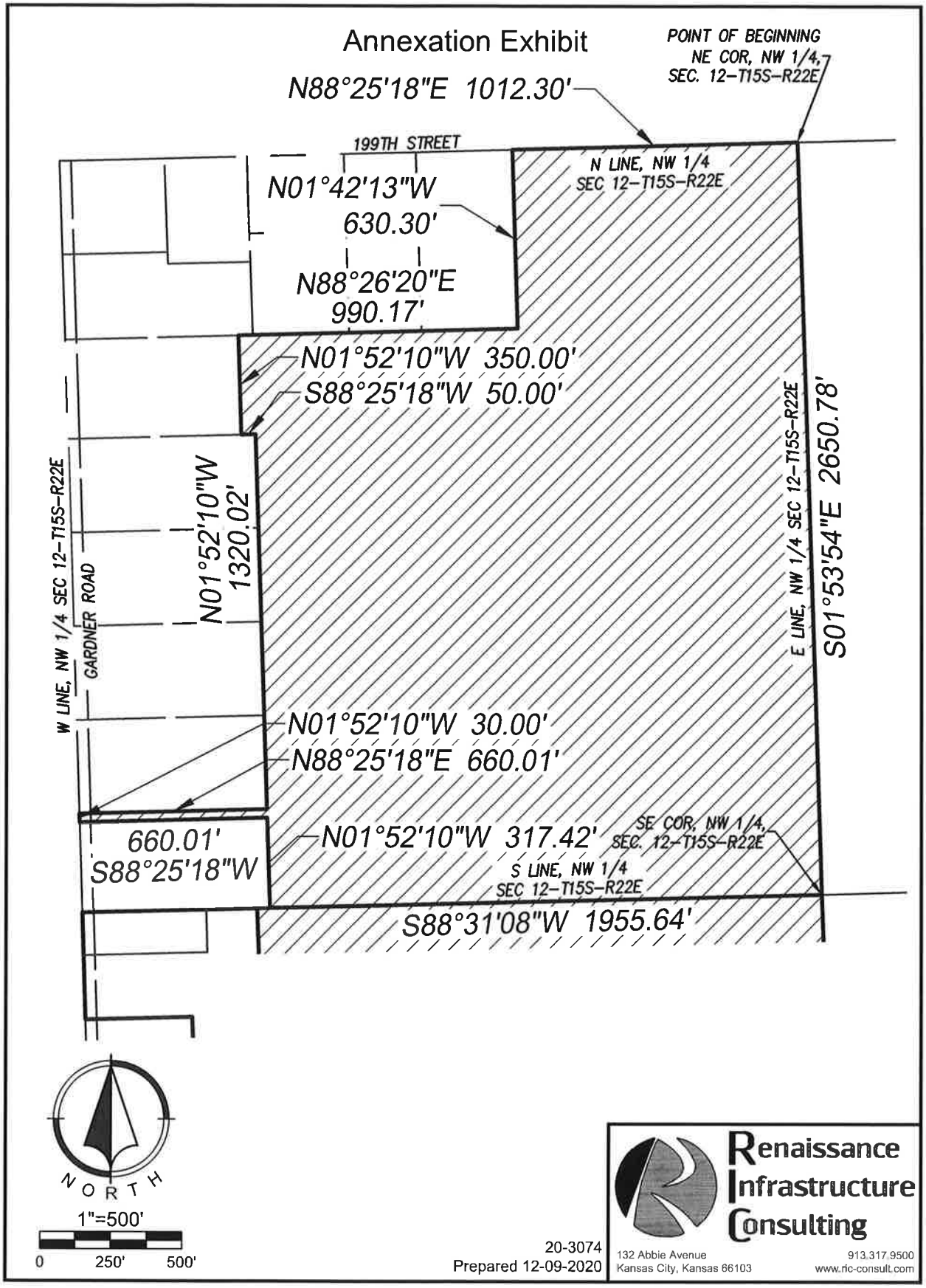


Property Description:

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:

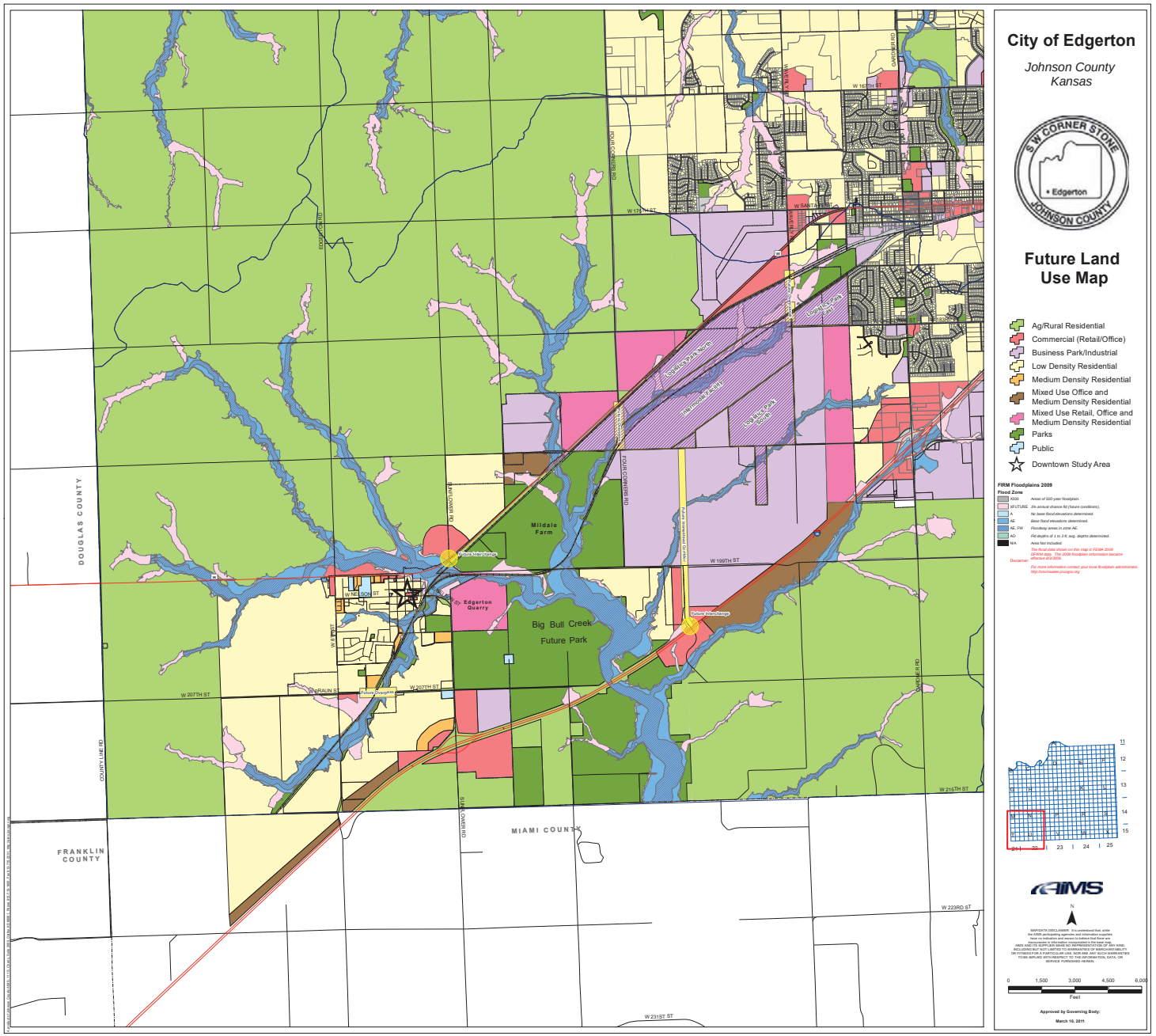
Beginning at the Northeast corner of said Northwest Quarter; thence South 01°53'54" East, coincident with the East line of said Northwest Quarter, a distance of 2,650.78 feet to the Southeast corner thereof; thence South 88°31'08" West, coincident with the South line of said Northwest Quarter, a distance 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

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 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, LLC, 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™
> e 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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

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.

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
February 9, 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.

Chairperson Daley requested the Planning Commissioners declare any correspondences that have been received or any communications that might influence their ability to impartially consider the agenda items.

Commissioner Berger stated a packet was left at his door and letters were forwarded from the City.

Commissioner Crooks said a packet was left on his doorstep, a few letters were forwarded to him from the City, and three phone calls were received.

Commissioner Little explained there was a packet on his doorstep, his wife said someone came to his home while he was at work, and he received an email from the City with letters forwarded to him.

Commissioner Lebakken stated she received packet at her house as well, she was stopped by somebody as she was leaving her house, and letters were forwarded to her by the City.

Chairperson Daley said he received packet at his house, had somebody come to his door, and a reporter called City Hall to speak with him as well. He asked the Commissioners if the receipt of any of the correspondence or the communication might influence their ability to impartially consider the agenda items. All Commissioners responded it would not influence their ability.

CONSENT AGENDA

Commissioner Lebakken motioned to approve the minutes. Mr. Lee Hendricks, City Attorney, clarified if Commissioner Lebakken wanted to approve only the minutes, or the entire Consent Agenda. Ms. Beth Linn, City Administrator, stated there is also a requested expiration date extension for FS2019-02. Commissioner Lebakken motioned to approve the consent agenda. Commissioner Crooks seconded the motion. The consent agenda was approved, 4-0.

For the benefit of those attending via video conference, Ms. Katy Crow, Development Service Director, stated which city staff members were present in the meeting room.

DRAFT

OLD BUSINESS

REZONING APPLICATIONS ZA2020-02 THROUGH ZA2020-08

Chairperson Daley explained these applications were continued from the previous month's Planning Commission (the Commission) meeting. He reminded all in attendance that the role of the Commission in the rezoning process is that of a recommending body. The action taken this evening on any rezoning is not final, it is a recommendation to the Governing Body, who will make the final decision at a future City of Edgerton City Council meeting.

Chairperson Daley stated that on January 12, 2021, the Commission held a public hearing related to Rezoning Applications ZA2020-02 through ZA2020-08. He explained that the public hearing for those items was opened and closed during that meeting. After the public hearing and discussion, Commissioner Berger made separate motions to continue each application to this meeting. Chairperson Daley said Commissioner Berger also requested City Staff assemble a presentation of the possible economic impacts on the applicant properties and neighboring properties as a result of the requested rezoning. Chairperson Daley stated that each of those motions carried. He explained the Commission is here to review the results of that request and take action on these applications. Chairperson Daley asked if City Staff had that information available.

Ms. Beth Linn, City Administrator, stated City Staff did have it available. She said on January 12, 2021, the Commission directed City 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. She explained in preparing the presentation, City Staff used Golden Criteria Number fifteen (15), "the economic impact on the community from the uses allowed in the proposed rezoning," as a guide. The analysis starts by examining the economic impact of the properties requested to be rezoned. Ms. Linn explained 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.

Ms. Linn explained in order to determine the economic impact of the parcels requested to be rezoned, the City's Financial Advisor, Columbia Capital Management (CCM), prepared a chart of actual and projected revenues generated to all taxing jurisdictions for the properties. She stated the current tax generation is the amount of taxes paid now based on the 2020 mill levy rate and current appraised value. The abatement tax generation is the projected amount of taxes paid if the properties were developed as logistics park using a similar structure to other Logistics Park Kansas City (LPKC) projects. Ms. Linn said the post-abatement tax generation projected the amount of taxes paid the properties were developed as logistics park using a similar structure to other LPKC projects once the abatement expires, which is ten (10) years, based on estimated full appraised value. Ms. Linn explained each column is the annual amount for each taxing jurisdiction on each property. The final row shows the annual total per property.

Ms. Linn informed the Commission there has not been any site plans submitted to the City for any of the properties. In order to complete the analysis of the economic impact requested by the Commission, City 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 hearing, and required approvals.

DRAFT

Ms. Linn said since opening in 2013, LPKC has created 4,600 new direct jobs in Edgerton. The jobs range widely in responsibility from warehouse associates and forklift operators to human resources, distribution center managers and even corporate officers. She explained that 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. Ms. Linn said by using this multiplier, a total of 12,696 indirect jobs have been created. This makes for a total job creation of 17,296 jobs by LPKC.

Ms. Linn explained in the preparation of the analysis of the economic impact to adjacent properties, City Staff analyzed historical property valuations of residential property, which is 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. City Staff focused on two example areas for the analysis. The first area is the area adjacent to LPKC development in Edgerton and the other is an area adjacent to the I-35 Logistics Park/New Century Air Center development in Olathe. She explained all of the data was provided by Johnson County.

Ms. Linn stated the analysis for adjacent properties to LPKC and Edgerton focuses on several types of residential development. LPKC Phase I, which is north of Interstate 35 (I-35), began construction in 2013 and Phase II, south of I-35, started construction in 2018. City Staff analyzed property valuation of traditional single family and two family or duplex residential development 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 construction in 2003. She explained this area developed before, during, and after LPKC development. Eight-five (85) new houses have been constructed after LPKC opened in 2013 and the average appraised value in this area for properties constructed prior to 2013 increased fifty-three percent (53%) from 2013 to 2020. For the properties constructed after 2013, the average appraised value increased by forty-eight percent (48%). Ms. Linn stated the average appraised value for properties in this area in 2013 was $132,775 and the average appraised value for properties in this area in 2020 was $210,986.

Ms. Linn continued by stating City Staff also examined valuation data from traditional single-family properties in the Sherman Estates development located south of 181st Street just east of the Edgerton city limits. This area was generally developed prior to the start of LPKC, however there were six (6) new housing permits constructed since 2013. The appraised value in this area for properties constructed prior to 2013 increased by forty-five percent (45%) from 2013 to 2020 and for the properties constructed after 2013, the average appraised value increased by twenty-two percent (22%).

Ms. Linn explained that large lot rural single family residential properties were the next data City Staff analyzed. She said the data was gathered from properties located within LPKC and/or the Overweight Corridor, which is along 191st Street, Waverly Road, Homestead Lane, and Four Corners Road. She informed the Commission that the average appraised value for large lot rural single family residential within LPKC and/or in the Overweight Corridor has increased 697% since 2013. The average appraised value pf properties in the area in 2013 was $101,724 and increased to an average appraised value in 2020 of $447,090.

Ms. Linn stated that City Staff analyzed property valuation data for large lot rural single family residential properties in the Peppertree neighborhood south of 199th Street and west of Homestead

Lane. She said that most of the properties were developed before LPKC opened in 2013, but one property in Peppertree was built in 2014. Ms. Linn said the average appraised value for the properties in this area increased fifty-six percent (56%). In 2013, the average appraised valued for properties in the area was $234,635 and in 2020, the average appraised value increased to $369,048.

Ms. Linn said the next area of large lot rural single family residential properties City Staff analyzed were properties adjacent to LPKC Phase II across the street from the Kubota North American Distribution Center, which began construction in 2018. The properties are along 207th Street from Homestead Lane to Waverly Road. The average appraised value of these properties has increased thirteen (13%) since 2018. In 2018 the average appraised value was $242,026 and in 2020 it was $266,771.

Ms. Linn explained City Staff looked at the area adjacent to the I-35 Logistics Park and the New Century Air Center. This area includes several similar uses and more intensive uses than what is permitted in the City of Edgerton Logistic 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. She said City Staff looked at traditional single family residential development. The analysis examines property valuation data for the Reserve at Prairie Highlands development north of 151st Street and South Clare Road within one-half mile of the I-35 Logistics Park development and within one mile of New Century Air Center. This area developed before, during, and after the development of the I-35 Logistics Park and New Century Air Center. Ms. Linn stated the average appraised value for traditional single family residential property constructed prior to 2013 has increased by thirty-four percent (34%). This area has had seventy-six (76) new housing starts since 2013. The average appraised value for homes constructed after 2013 has increased by fifty-one percent (51%). The average appraised value in the area in 2013 was $265,616. In 2020, the average appraised value for properties in this area increased to $351,103.

Ms. Linn said that City Staff concluded by analyzing the economic impact for the region. She said LPKC has driven significant private investment regionally as well. Commercial construction projects in nearby jurisdiction including the development of the Hampton Inn, Groundhouse South, Olathe Health Gardner, Edgerton Urgent Care, and the future Quick Trip in Gardner. She stated that south of Edgerton along I-35, the City of Wellsville is home to the newly constructed Bert's Travel Plaza, which is a full-service truck stop with a 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 driver license (CDL) training center.

Ms. Linn explained that neighboring jurisdictions have also experience significant growth in housing starts as well. Since LPKC opened in 2013, the City of Gardner had 879 residential building permits issued, both single family and multifamily dwellings, and the City of Spring Hill had 702 residential building permits issued. Ms. Linn said these may not all be attributed directly to the development of LPKC, but certainly there is a link between growth in employment opportunity in this area with the demand for housing options in close proximity.

Chairperson Daley inquired if any of the Commissioners had any questions for City Staff. He reminded the Commissioners that the public hearing has been closed and not open to discussion with the public.

Commissioner Berger stated that upon his reading of the economic impact study, he thought the areas selected by City Staff have been good examples, however this area for the rezoning is more unique

than the selected areas. He expressed his appreciation the effort but forth by City Staff in the report.

Commissioner Little stated one of the items that was just read related to the proximity to Logistics Park Kansas City (LPKC) and intermodal. It is brought up in the Golden Criteria a few times. He asked what is the definition of 'proximity' as used in the Staff Reports and how close are the parcels to LPKC and other Logistics Park (L-P) District zoned parcels? Commissioner Little stated the Commissioners use the Golden Criteria to review rezoning applications and he wants to know the proximity that was used. Ms. Linn replied there is not a definition or a set distance to be used outlined in the Golden Criteria. She said the term proximity can be defined differently by different individuals. Mr. Hendricks agreed with Ms. Linn and stated that 'proximity' is defined by each situation.

Commissioner Little said he has been thinking about the statements provided at the previous meeting, especially regarding Golden Criteria number thirteen (13), which discusses traffic impact. He stated the Comprehensive Arterial Road Network Plan (CARNP) shows Gardner Road and 199th Street as four (4) lane wide roadways. As of right now those roads are two lanes with no shoulders. Commissioner Little asked why there is a discrepancy between the CARNP and what is actually there. Ms. Linn replied it is a comprehensive plan for the road network and is what the county wide plan is for major arterial roads. She explained the CARNP was a plan that was constructed over a few years and has been in place for a while. CARNP is what the County road network needs to be at full development of the County. It is what the roadway is to be in the future. Mr. David Hamby, City Engineer, agreed with Ms. Linn and said it is a future plan and it is the anticipated full buildout. She explained as LPKC has developed, there were lot of roadways that were not suitable for truck traffic and those roads have been improved as development has happened. Commissioner Little said that if the rezoning is approved it could be years before the roadways are improved for the traffic. Ms. Linn stated the rezoning is first step in the development process and changes the land use. After that is the platting process which divides the land. Finally, is the site plan which is when the infrastructure and buildings are looked at and how the project connects to the road network. She said the roadway was upgraded while the Kubota facility was built. Ms. Linn said she is aware of trucks driving on other roadways that are not fit for them and are outside of Edgerton's jurisdiction, but the way the warehouses connect to the roadways that are fit for the trucks are reviewed in the site plan. Commissioner Little understood he is looking ahead in the development process. Commissioner Berger explained the future is alluded to in the reports and it is difficult to not use that information to make the Commissioners' decisions.

Chairperson Daley reminded the Commissioners that each application requires a motion and vote.

Commissioner Berger motioned to recommend denial of Application ZA2020-02. Commissioner Lebakken seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-02, 4-0.

Commissioner Berger motioned to recommend denial of Application ZA2020-03. Commissioner Little seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-03, 4-0.

Commissioner Berger motioned to recommend denial of Application ZA2020-04. Commissioner Lebakken seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-04, 4-0.

DRAFT

Commissioner Berger motioned to recommend denial of Application ZA2020-05. Commissioner Little seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-05, 4-0.

Commissioner Berger motioned to recommend denial of Application ZA2020-06. Commissioner Lebakken seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-06, 4-0.

Commissioner Berger motioned to recommend denial of Application ZA2020-07. Commissioner Lebakken seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-07, 4-0.

Commissioner Berger motioned to recommend denial of Application ZA2020-08. Commissioner Little seconded the motion. The Commission recommended the Governing Body deny Application ZA2020-08, 4-0.

Chairperson Daley stated any recommendations made by the Planning Commission during this meeting related to rezoning Application ZA2020-02 through ZA2020-08 will be heard by the Governing Body at the March 11, 2021 City Council Meeting. He explained the action for those applications has completed and he requested anybody leaving to do so in a manner that would allow the Commission to continue onto the next items.

NEW BUSINESS

Chairperson Daley explained during the remainder of the meeting, there will be public hearings for new items and an opportunity to hear public comment and concerns. He said the applicant will be allowed to present their information in order for the Commission to make a recommendation to the Governing Body. Anyone willing to speak during the public comments portion of the meeting will be able to do. Chairperson Daley requested speakers provide their name, address, and cell phone number on a sign in sheet. He stated each speaker will be limited to three (3) minutes. Due to Covid-19 and the social distancing constraints placed upon the meeting room, there is an overflow area available at the Edgerton Library across the street where live audio of the meeting is provided. City Staff will contact anyone wishing to speak at City Hall.

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

Chairperson Daley introduced the applications. He stated City Staff will review the application received then the applicant will introduce their side of the proposal. After the applicant has presented, public comment will be received, and City Staff will keep a list of questions. The applicant will have the opportunity to respond to any comments received. Chairperson Daley reminded all in attendance that 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.

The Chairperson reminded everyone present that the public hearing is for the rezoning applications and nothing further. Rezoning is about the proposed change in use of the land. Anything related to the development of the land like the roads, what a building looks like, or a stormwater plan, will be discussed at a future meeting which would include future public hearings related to those items, in the

event the rezoning is approved by the City Council. Chairperson Daley stated the public hearing is strictly to discuss the use of the land.

Chairperson Daley opened the public hearing.

Ms. Katy Crow, Development Service Director, stated Application ZA2021-01 was applied for by Brett Powell who is an agent for NPD Management. The property owner is Johnson County Land Company, LLC and is requesting a rezoning from Johnson County Rural (RUR) to the City of Edgerton Logistics Park (L-P). The property is located at 32425 W 207th Street and is 33.915 acres in size. Ms. Crow said the rezoning is being requested for future intermodal-related, logistics park development. The 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). Ms. Crow explained 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. The companies located within LPKC benefit from significant transportation saving. Ms. Crow explained the 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 explains the nearby roads that Johnson County has designated as arterial roadways in the Comprehensive Arterial Road Network Plan (CARNP). Ms. Crow said access to the parcel is from 207th Street from the north. The water provider is Johnson County Water District #7, the sanitary sewer will be provided by the City of Edgerton, gas will be provided by Kansas Gas Service, and the electrical provider is Evergy. She said police service will be provided by the City of Edgerton through the Johnson County Sheriff's Office and Johnson County Fire District #1 will provide fire protection. The property is located within the Bull Creek watershed.

Ms. Crow stated the subject property was annexed into the City of Edgerton on March 15, 2018 and at the time it held a Johnson County Rural (RUR) zoning designation, which it still holds today. She explained 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 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 ZA2021-01:

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.

DRAFT

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** – 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:
    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.

DRAFT

Ms. Crow explained for application ZA2021-02, a majority of the review comments 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 located at 32295 W 207th Street. The applicant is Brett Powell, who is an agent from NPD Management. The property is owned by Wellsville Land Company, LLC. The applicant has requested the same rezoning from Johnson County RUR to City of Edgerton L-P and the parcel is about 5.903 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 access to this parcel is from 207th Street from the north.

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

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.

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.
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** - 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:
    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 ZA2021-03 is an application for the same rezoning change on a parcel of land located at 32285 W 207th Street. She said it was applied by Brett Powell, agent of NPD Management, and is owned by Moonlight Farms, LLC. The parcel is 16.530 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 a private drive which extends approximately 1,200 feet south from 207th Street.

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

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.

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.

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** - 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:
    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 ZA2021-04 is an application for the same rezoning change on a parcel of land located at 32330 W 213th Street. She said it was applied by Brett Powell, agent of NPD Management, and is owned by Wellsville Farms, LLC. The parcel is 22.088 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 a private drive at the corner of South Kill Creek Road and 213th Street.

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

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.

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.

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** - 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:
    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 ZA2021-05 is an application for the same rezoning change on a parcel of land located on the northwest corner of the intersection of West 213th Street and South Kill Creek Road. She said it was applied by Brett Powell, agent of NPD Management, and is owned by Wellsville Farms, LLC. The parcel is 56.528 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 213th Street and Kill Creek Road at the southeast corner of the property.

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

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.

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.

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** - 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:
    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 make their presentation.

Mr. Patrick Robinson, Vice President of NorthPoint Development, addressed the Commission. He stated that the Homestead Lane interchange was constructed in 2013 which indicated a big change in this area. The interchange has brought forth the anticipation of commercial uses. He stated the map and rezoning application shows the infrastructure improvements have been made. This project is close to the new wastewater treatment plant and all of the other utility infrastructure is nearby and can easily be extended to this project. Mr. Robinson addressed access on Application ZA2021-05. He said the current access is from 213th Street, but access will be limited to only allow access from 207th Street. He stated that NorthPoint has been in contact with neighbors to provide easements and with other nearby residents on 213th Street regarding the project. He knows some of the residents in the area have been hired by companies in LPKC. Mr. Robinson represented that there is a family-owned company that wants to build on the parcels associated with these applications. He said he is willing to answer any questions and agrees with the Staff Report and stipulations.

Chairperson Daley asked City Staff if any written testimony was received prior to the meeting. Mr. Chris Clinton, Planning and Zoning Coordinator, replied City Staff has received comments that have been provided to the Commission prior to the meeting and will be added to the minutes. City Staff has received comments from:

- Tim and Lee Dye – 31308 W 217th Street, Spring Hill, KS 66083
- Matt Hotle – 32243 W 207th Street, Edgerton, KS 66021

- Curtis and Debra Kennon – 28155 W 215th Street, Gardner, KS 66030
- Charles and Charlene Soetaert – 31120 W 217th Street, Spring Hill, KS 66083
- Carl and Pat Peer – 32695 W 215th Street, Spring Hill, KS 66083
- Kelly and Janice Craven – 32953 W 207th Street, Edgerton, KS 66021
- Geneva Muro – 29345 W 199th Street, Gardner, KS 66030
- Brett and Mindi Kuper – 22241 Moonlight Road, Gardner, KS 66021
- Mark Hall – 23506 S Gardner Road, Spring Hill, KS 66083
- Joyce Ghaisarnia – 21725 S Waverly Road, Spring Hill, KS 66083
- Rick Speck 32915 W 207th Street, Edgerton, KS 66021
- Russ Robinson – S Gardner Road

Chairperson Daley stated that if someone is present to speak, they were asked to sign in and provide their name and address for the record along with a number so City Staff can inform them it is their turn to speak. He reminded everybody that 3 minutes is how long each speaker will be given. He requested all speakers speak clearly and slowly so that all Commissioners can hear the speaker.

Mr. Ben Johnson, 21365 S Moonlight Road, Gardner, KS 66030, spoke before the Commission. He said he has some comments regarding the parcels outlined in Applications ZA2021-03, ZA2021-04, and ZA2021-05. The parcel regarding ZA2021-03 is a narrow strip of land that connects the other parcels to the City. The proposed rezoning goes against the planning of the area. Bull Creek Park is nearby and is a place for the citizens of the County to enjoy the countryside. He stated a 1,000,000 square foot building is shown to be on the shores of Bull Creek. This will create runoff that goes to Hillsdale Lake where many residents get their drinking water. Mr. Johnson questioned the fact that City Staff has not been able to update the Edgerton Comprehensive Plan which has not been updated and reviewed since 2011.

Mr. Tim Smith, 21175 S Moonlight Road, Gardner, KS 66030, addressed the Commission. He said when Ms. Crow was reading the Golden Criteria, under number three (3), undeveloped acreage was mentioned in the Staff Report. He said he and others nearby bought land has homeowners and bought it for their families and chose to live in rural environment. He stated he is now working from home while schools are in session and have students in class. He sees school buses drive by. He thought about how rural communities have long driveways and kids wait at the end of the drive for the bus. He asked what the truck traffic is going to do for the children. Mr. Smith stated that the development is going to bring in a lot of traffic. He also stated water runoff is going into the watershed and that is where residents get their drinking water. Mr. Smith wants to know how NorthPoint values the land they buy. He asked if they value only the land, or if the houses are included in the valuations. The residents have invested in their properties and now the investments are being upset by LPKC. Mr. Smith said he agrees growth needs to happen but only in the correct format. He requested the Planning Commission recommend denial of the rezoning applications.

Mr. Wayne Davis, 29080 W 199th Street, Gardner, KS 66030, approached the Commission. He stated he has a few concerns about the rezonings. He questioned who the author actually was of the Staff Reports but does note the UDC says residential uses should be planned away from LPKC, he believes it should also be the other way around. LPKC development should be done away from residential properties to protect the residents. Mr. Davis said he has seen residential properties around most of the parcels developed for LPKC. He stated that NorthPoint cherry-picks which properties to purchase and have less fees to pay and then they link the properties together to be annexed. Mr. Davis said the

remaining property owners are the ones who pay after NorthPoint purchases and develops the land. He stated that the properties lose value. He told the story of a neighbor who has put their house for sale due to previous meeting and the possibility of a warehouse to be nearby. The fear is that the warehouse will affect property value and the quality of life of nearby residences. He explained the house has not sold yet, but many prospective buyers have looked at the property. Part of the selling process is the full disclosure commitment, and the rezoning request was part of that commitment the seller disclosed. He speculates that is why there has not been an offer put on the property. Mr. Davis said no property should be considered for rezoning unless the infrastructure is already provided.

Mr. Frank Bannister, 19815 S Gardner Road, Gardner, KS, 66030, spoke to the Commission. He stated he opposes the rezoning request. He asked the Commission to fall back on good common sense and vote against these applications for the same reasons as the previous applications. He said there is no difference between the land use and the incompatibility and lack of infrastructure. Mr. Bannister believes there is no need to approve the rezonings as it is the same scenario as the applications from the previous meeting. He said it is a cookie cutter Staff Report that does not take into accountability the surrounding area and does not mention the negative impacts to the residents. He said these parcels are zoned rural residential for a reason. He likened putting warehouses in this area is like putting a square peg into a round hole. Mr. Bannister asked if NorthPoint has traveled 199th Street and Gardner Road. He stated there are truckers getting lost and kids getting to school at the same time. He demanded trucks to stay on I-35 and if development stopped on the north side of I-35, there would not be any issues. Now that the development has crossed I-35, there are issues. Mr. Bannister said there is no way in the world it makes sense to approve the applications and asked the Commission to vote the same way for the same reasons as ZA2020-02 through ZA2020-08.

Mr. Brent Cunningham, 29245 W 199th Street, Gardner, KS 66030, informed the Commission his main concern is the truck traffic. He requested the Commissioners go to Spring Hill and watch as the trucks crowd yellow lines and force other drivers out of their way. He said when and if NorthPoint develops behind his house, rock blasting is a concern. He wondered what will happen when a gas deposit ignites. He asked if a representative from NorthPoint would want to live in a home that backs up to a 1,000,000 square foot warehouse. He speculated nobody from NorthPoint would want to live there.

Mr. Charlie Koch, 27449 W 215th Street, Spring Hill, KS 66083, approached the Commission. He thanked the Commission for their earlier vote to recommend denial of the rezonings. He referenced the economic study done by City Staff. He does not remember the growth being as high as the study claims and does not agree with the numbers presented. He stated this area is a neighborhood and they walk the streets for exercise and go to each other's' houses. It is a traditional neighborhood with bigger yards. Mr. Koch stated LPKC development would not fit in any suburban neighborhood if it were to fill an empty lot. Mr. Koch represented that industrial use does not fit into their way of life and does not fit in this area. He handed the Commissioners maps that show which parcels have a rural residential development on. The maps have been attached to these minutes.

Ms. Jennifer Whitlow, 31700 W 217th Street, Spring Hill, KS 66083, spoke before the Commission. She said her and her family bought their dream home in 2017 on eleven (11) acres. This was shortly after Project Mustang, which is now the Kubota facility, was announced. Since then, the area has been infringed upon by NorthPoint. She stated she is proud of the Commission on their previous vote. Ms. Whitlow said the same things apply to these applications. She knows the warehouses are there but the infrastructure in the area is not working. There was a fatally accident on 207th Street and Gardner Road

where a driver was hit. She explained the truck drivers are not using Homestead Lane and are turning away from the interstate. She stated if a person driving in that area is not looking, they could end up in a fatality accident. She said the recent accommodations that have been made do not do enough to deter drivers from going away from I-35. She acclaimed rezoning a property is not for future development, it is for development to happen now. She requested the Commission reject all of the rezoning applications. If not all of the applications, then at least ZA2021-03, ZA2021-04 and ZA2021-05 as those parcels are close to rural homes. She stated if someone is looking for a home in the country, they would not look in this area. She alleged it is not right for a company to infringe on their rights like NorthPoint is.

Ms. Tomina Meyers, 21354 S Clare Road, Spring Hill, 66083, addressed the Commission. She said she lives two (2) blocks east of a parcel that requested rezoning that was denied. She said she is also concerned about these applications. She inquired to who is paying for the infrastructure upgrades. She said Homestead Lane has been improved but the trucks are using 215th Street, 207th Street, and 199th Street more than Homestead Lane. She has had to help drivers backing down Clare Road many times. She stated when asked why the trucks are there, the driver tells her they were told to use this route. There have been fatalities from truckers avoiding ditches. She asked how many people have to die before the development stops. She stated trucks are not using the proper infrastructure and they are using gravel or chip and seal roads. The development is causing home values to drop. She said the home values presented by City Staff have gone up because of the federal rate. The development is going to hurt five (5), ten (10), and twenty (20) acre lots. She said the residences do not want to be next to warehouses with trucks. She acclaimed NorthPoint will try again and implored the Commission to reject the applications. She said the Commission should reject ZA2021-03, ZA2021-04, and ZA2021-05 at the very minimum because those roads are not fit for the trucks. She asked the Commissioners if they want the warehouses next to their houses.

Ms. Staci Cook, 30103 Pinecrest Drive, Spring Hill, KS 66083, spoke before the Commission. She stated there are too many inconsistencies with what City Staff has presented. She said Mr. Koch addressed the economic study, which, ignores the bad side of the development. She said this area is rural and does not fit the character of LPKC. She stated the Comprehensive Plan does not allow leapfrog development, that is what is happening with these applications and growth should be used to control urban sprawl. She noted the Staff Report mentions no future adverse effect, but she acclaimed there would negative affect now. She stated she drives Gardner Road and sees many semitrucks on that road. Miami County Conservation has said hard surfaces increase runoff and this development is not nice to the watershed. She said this leads to a decreased property value and a dangerous way of living. She mentioned Golden Criteria number 17 states exterior uses are not allowed but a batch plant can be used at night. She accused the City of Edgerton of disregarding its own plans and allowing development in incorrect areas. She said the Commission is to review the Comprehensive Plan annually to make sure what is approved is in line with that per State statute.

Mr. James Oltman, President of ElevateEdgerton!, spoke before the Commission. He said he has seen how quickly and efficiently the City of Edgerton can get projects moving with a lower tax burden to the residents. He understands the increased concern about the truck traffic, but this is the ideal place for development. There is not a location any closer to I-35 with access to 207th Street near the Kubota facility. He said there is no better location for potential development as the infrastructure is there. The utilities are just to the north and wastewater to the west is closer still. He stated this is exactly why the improvements were made earlier. He requested the Commission consider the improvements that have

already been done. This is a great way and place to keep trucks from other roadways.

Ms. Jennifer Williams, 21993 Moonlight Road, Spring Hill, KS 66083, approached the Commission. She said what has been stated is a consensus of the residents. She said they do not want the roads to be improved, they are not a holding pattern, and they are a neighborhood. She said nobody wants to be bought out of their property. She said Johnson County addressed this land as an asset to the County. She warned that without this land, there would be no County Fair and no 4-H projects. She stated that the development would render this land unsafe. She said NorthPoint was not supposed to be in this area. She said her friends and neighbors were the only ones that knew about the development. She stated that nobody knew about who was buying the land and LPKC was not supposed to be here. She warned that development will continue to 169 Highway and into Miami County. She wondered where the development will stop. She said Councilmember Ron Conus was on the board that wanted to keep LPKC north of I-35. Ms. Williams said the economic study is from 2013 to 2020. She said the country was recovering from a recession and the County had to flatten property values to get through it. She said that is when Johnson County started bouncing back. She proclaimed this bounce back is not because of NorthPoint. She said they can list a home in the rural area, and it will not be bought quickly. She requested the Commission to stop the cancer and push it back north of I-35 to where it belongs.

Mr. Eric Twente, 705 W Meriwood Lane, Edgerton, KS 66021, spoke to the Commission. He thanked the Commission who voted against the previous rezonings. He wants to know who pays for the infrastructure improvement. He asked if the tenants will also get a tax abatement to where they don't pay for the land. He also worries about the traffic and water quality. He stated the City and nearby residences will not get better with more warehouses. He requested to keep the area rural. He said he does not want to live in a big city. He asked when will the development stop.

Mr. Devin Self, 27200 W 215th Street, Spring Hill, KS 66083 addressed the Commission. He thanked the Commission for denial of the other applications as it shows they care about the area. He said the concerns is not only about easy access to the interstate. He asked when does the rezoning not fit the vague definition of proximity. He said this project will not make the development end and it will continue south and east. He stated Gardner Road is the prime example that there is an effect of the rezonings. He is sick of trucks driving on Gardner Road which is not a designated truck route. There has been a fatality off of 207th Street and now there is a small sign pointing toward the warehouses. He said he has not heard of any improvements for the infrastructure in this area. He stated safety should come first and not warehouses.

Chairperson Daley stated that concludes the list of those who have signed in. He asked if there were any additional speakers. He stated this time is not to add on to previous statements, but for those who wish to add statements can do so. There were no further comments made.

Chairperson Daley requested City Staff review the questions and comments for responses from the applicant. The applicant would be given the opportunity to respond to the questions asked, grouped by similar theme. Chairperson Daley recessed the meeting for a short break at 9:05 PM and the meeting reconvened at 9:12 PM.

Mr. Robinson addressed the Commission. He acknowledged many of the speakers live on Moonlight Road. He noted the City of Gardner's Comprehensive Plan shows Moonlight Road as a preferred location for an interchange with I-35. The claim that this area was never going to develop is hard for

Mr. Robinson to understand. He said there are many people who have lived in Johnson County who can remember when main throughfares were gravel roads. Mr. Robinson stated Johnson County is the fastest growing county in Kansas. The Homestead Lane interchange makes this the ideal location for LPKC related development. Mr. Robinson said regarding the watershed, the farming uses nearby with the chemicals used are harder on the Hillsdale Lake watershed than the increased runoff of the warehouses.

Mr. Robinson said he has heard that many of the residences are pro-growth, and they always have a catch. This could be the resident does not want a certain type of growth or in a certain time. He acknowledged NorthPoint does own a lot of land, but he also pointed out that they, as property owners, have property rights as well. NorthPoint owns land close to the Homestead Lane interchange and the proper infrastructure is built for LPKC related development. Mr. Robinson noted an alternative development has not been provided either. He said these parcels are zoned RUR and it is a holding designation. He explained Johnson County gives the RUR zoning to every parcel outside of a city because the County wants development to occur in cities.

Mr. Robinson addressed the accusations that NorthPoint is cherry picking properties to develop. He said NorthPoint only purchased land from owners who were willing to sell. NorthPoint has talked to neighbors and has tried their best to find a solution for everybody involved. Mr. Robinson said he was willing to talk to residents who were interested in selling their property. He said everybody is passionate about their property values for when they do sell their homes, but he received only one phone call after the previous meeting. He said apparently not that many people are actually wanting to sell their property. Mr. Robinson states that he is irritated at all the assertions as NorthPoint has property rights too.

Mr. Robinson stated the requested zoning designation of L-P is appropriate because of the location in relation to LPKC and 207th Street. He addressed the comment made by a resident regarding NorthPoint preparing the Staff Report is insulting to City Staff and that person should apologize to City Staff and the Commission. He stated the zoning designation of RUR is a placeholder in Johnson County and that it states that on their website. In regard to trucks on driving on 199th Street, Mr. Robinson said the road is a County designated truck route. Johnson County does show 199th Street as a future four (4) lane road. He stated the City has limited jurisdiction on 199th Street and the City of Gardner annexed a lot of property in the area of 199th Street and Gardner Road and they have some jurisdiction there as well. The issues brought up about the infrastructure needs to be a regional discussion and not only with the City of Edgerton. He said NorthPoint would welcome a round table discussion with all stakeholders to address the concerns with the roads. Mr. Robinson said some of the residents said they didn't move into the area for 4 lane roads, but there are multiple instances when the County plans for the roads in this area being 4 lanes. The improvement of the roads to 4 lanes has always been the County's plan.

Regarding development north of I-35, Mr. Robinson stated that there are about 5,000,000 square feet designated for rail served development. There is no more room north of I-35 for development on NorthPoint owned property. He said these applications are reflection of the demand for LPKC development. Mr. Robinson stated many people used Amazon for Christmas gift shopping and Amazon has an agreement with BNSF to carry all of Amazon's domestic containers. This leads to the demand of warehouses and that demand has to be met somewhere. It could be close to the intermodal or it will go somewhere else and the truck traffic will increase to those other areas. Mr. Robinson commented there are areas in Olathe that are being developed with warehouses that are off gravel roads. He

explained everybody is meeting some sort of demand and the interconnectivity of buying activity reflects the demand of warehouses. The City of Edgerton is in the best position to handle the development. He said there are many multijurisdictional roadways and those other jurisdictions have not aided in the development of the streets. Mr. Robinson understands there is a lot of emotion in the room. He has been working on this project since 2007 and wants to continue the partnership with the City of Edgerton and nearby residents. He reminded everyone of the gentleman who spoke in favor of the rezoning with his son by his side. Mr. Robinson said he is here speaking for people like him and his family who want opportunities in Edgerton.

Chairperson Daley explained the public will now be allowed time to respond to the applicant's comments. Each speaker will be allotted two (2) minutes during this time. He requested each speaker to step up to the podium and state their name and address. He explained this will continue until all of those wanting to respond to the applicant's comments have done so. Chairperson Daley requested that comments not repeat.

Mr. Johnson addressed the Commission. He said he used to live on north side of Gardner and now has moved to the south side. Gardner residents are ready for an interchange at Moonlight Road, so they do not have to deal with the truck traffic. The interchanges are backed up from LPKC employees coming to and leaving from work. He said the City of Edgerton cannot fix the roads, but the City is rerouting the truck traffic through their downtown and they will not allow warehouses to be built in their neighborhood. He said NorthPoint bought the land as Land and Cattle companies and when it became the right time, they flipped the name of the owner and now NorthPoint is putting the blame on the rural residents.

Ms. Williams spoke before the Commission. She said Moonlight Road goes north quite a way and also goes south to Hillsdale Lake. She stated the RUR zoning designation is not a holding designation, it is a way of life. She mentioned the other throughfares in the County grew in the appropriate manner. Many of the residents have been able to find jobs in this area. She told Mr. Robinson people do not want to sell their property. The residents have to abide by the laws of their zoning designations. The residents respect each other and talk to one another when a project is proposed. She argued the County does not agree with the RUR being a place holder. 199th Street is proposed to be a 4-lane road in the future and is not currently a 4-lane road at this time. She said trucks are passing on solid yellow lines and the City of Gardner does not pull them over.

Mr. Bannister approached the Commission. He said the reason why Mr. Robinson only had 1 person call to sell their property is because people are not interested in selling their property. Some of the properties are fifth generation owners of family-owned farms and do not want to back up to warehouses. He said just because the warehouses are not built here and are built elsewhere does not make it right. This area is not the right fit for the warehouses. He has lived on his property since 2007 and he does not know a single person who works in Amazon or Kubota or any other LPKC tenant. Most of the employees at LPKC use Exit 207 and most are not from Johnson County. He agrees that jobs and job creation are good, but he does not know anybody who works there.

Mr. Koch came before the Commission. He said north of 56 Highway is wide open for development. He said there is 1 house per thirty (30) acres, and it is not the same landscape as this area. He said NorthPoint bought 1,000 acres in a neighborhood and the neighborhood totals more acreage and was there first. He claimed Johnson County has low employment rates and Amazon is looking to automate

their facilities. This development is not doing any good just ruining the rural way of life.

Ms. Whitlow addressed the Commission. She stated her and her family did not move into their house to end up moving again. She knows other have this feeling and that is why there were not many calls to Mr. Robinson. She said she used to live in Gardner but realized her and her family wanted more acreage, so they moved. To have somebody buy land and annex and expand the City of Edgerton where it is not supposed to be is insulting. She claimed her neighbors and her family should not have to be focusing on Edgerton City Council and Planning Commission items. She requested NorthPoint not hide behind LLCs and come clean. She told Mr. Robinson not to pretend NorthPoint are farmers. She would rather see NorthPoint buy a large chuck of land and put up a huge buffer space between the warehouses and any nearby buildings. She said her family can't see the stars on 217th Street. She claimed the City of Edgerton is darker than where they live. She does not want to be forced to move. She implored NorthPoint to go away.

Mr. Davis spoke before the Commission. He repeated Mr. Robinson by stating NorthPoint only bought land that was sold, but most of the land was purchased under land and cattle LLCs or farm LLCs and the intended use for industrial was hidden. He said he used to be a truck driver and understands industrial uses are needed. He explained most cities are well developed to where industrial and residential uses are separated to where there are concise pockets of similar uses. He explained he lives on 199th Street for twenty-two (22) plus years and it was a 2-lane road. In 2019 the County purchased fifteen (15) feet of right-of-way to add ditches and shoulders to the road. This was only enough to make the road marginally safer for truck traffic coming to LPKC.

Ms. Meyers approached the Commission. She agrees with what the other residents has said. She stated Mr. Robinson explained 199th Street is to be a 4-lane road. She explained that is a future plan by the County to be done at some point. She said if the goal was to construct warehouses when NorthPoint purchased their land, then they should have warned the sellers. She said 207th Street and 215th Street are being used are not planned to be 4-lane roads. The roads are currently chip and seal or gravel roads and trucks using those streets make it unsafe for those who live in that area. She requested to who is going to pay for the infrastructure and the maintenance of it. She said NorthPoint is not paying for the upkeep of the gravel roads that are being used now. There are no shoulders and are not paved but truck drivers are already using those roads. She asked if there would be a tax abatement to where there will be no taxes paid for ten (10) years. She stated the public will pay for NorthPoint's improvements.

Mr. Smith came before the Commission. He said whenever NorthPoint spoke that they have property owner rights, he agreed with that. But NorthPoint's property rights do not infringe on the residents' property rights. He is not trying to rezone his property and there is no obligation to the City of Edgerton to rezone. The residents bought rural property and it does not have to change.

Ms. Gilliam Power, 21015 Moonlight Road, Gardner, KS 66030 spoke to the Commission. She stated she built a house on good faith. She rarely got to knew her neighbors when living in the suburbs but now knows her neighbors. She stated there are a lot of people of faith in this area. It is not a coincidence that the Golden Criteria is not that much different than the golden rule. She said nobody in good conscience would approve the rezonings that harms others like this.

Chairperson Daley requested the applicant respond to the latest comments and questions.

Mr. Robinson addressed the Commission. He said he has heard about the Johnson County master plan many times. He said many people who have looked at the plan know the zoning designation of RUR is a holding designation. He stated 199th Street is planned to become a 4-lane road with 5 acre lots eventually. He explained the areas that have been developed recently have employment zones. There are residential areas off of one of the main throughfares then areas with retail or other places for people to work. Mr. Robinson alleged College Boulevard has more people who work in an address off of it than downtown Kansas City does. He explained people have to work somewhere. He believes 199th Street will be a major road to connect the southwest area of Johnson County. Approval of these rezoning requests will allow people to work right at the Homestead Lane interchange. The roadway is built, and it looks like any other arterial roadway.

Mr. Robinson said there will be 1,500 high school students who do not go to college and enter the workforce after graduation. NorthPoint is working on starting an internship program for logistics as a career path. Studies have shown full time benefits can be more important than pay because they want to be able help on farms during the weekends and they need the health insurance. He said these are graduates from nearby schools. He said saying a warehouse does not belong in this location is like saying Edgerton does not belong in the area. However, the annexation did happen, and this is the best location for development. Mr. Robinson said there is no other proposed use that best fits these parcels.

Ms. Linn stated there are a few comments for City Staff to address. She said the CARNP is a future plan and has been in place for decades and it does show a different roadway than what is currently constructed. She stated the City agrees that the trucks should utilizing the proper infrastructure that has been constructed. The City of Edgerton continues to ask for help with other jurisdictions. She said the City and NorthPoint are willing to listen to proposals and seek the aid of other jurisdictions to help with the infrastructure. Ms. Linn explained the Homestead Lane and 207th Street improvement was completed with grants and funding from NorthPoint. The City of Edgerton does have jurisdiction as to who accesses the roadway and where in that area. She stated the City has worked with partners for funding of the infrastructure. She stated there has been no infrastructure improvements made with taxpayer dollars. All of the funding has come from funds raised from LPKC. Ms. Linn explained how the tax abatement process works. She showed an example that was provided in the economic study presented earlier. She said there are still payments that have to be made, it is just less than what the taxes would be at that moment in time. This exampled provides just less than $1,000,000 to the Gardner-Edgerton School District.

Chairperson Daley stated with all testimony and related rebuttals being heard, the public hearing is closed. He asked if any of the Commissioners had any questions.

Chairperson Daley said it is hard to believe that with the expensive bridge that was constructed that there would not be any development of the land to the south of I-35. NorthPoint does not have land to the north of I-35 for another project. He stated the City of Gardner is to the east, then Big Bull Creek Park is to the west. Chairperson Daley said the development has to go south of I-35. He said there are areas nearby that are growing and constructing warehouses near residential areas.

Mr. Lee Hendricks, City Attorney, informed the Commission that as a recommending body, the Commissioners will need to include a rationale for their recommendation of approval or denial. He recommended the Commissioners use the findings in the Staff Reports as guidance on their rationale

provided, whether they agree or disagree with those findings. He stated the rationale does not need to be restated in full for subsequent motions if their reasoning is identical to previous motions. They can just refer to the prior justification.

Commissioner Berger asked if the Commissioners needed to defend their motions. Mr. Hendricks replied he should have been clearer about this for the previous motions made. He stated that the Commissioners are not required to defend their motions but rather to explain their rationale for voting so that the City Council can understand that rationale when considering their approval or denial.

Commissioner Berger stated he would want to prepare comments beforehand as he feels like he has to justify his voting. Mr. Hendricks explained the Golden Criteria presented in the Staff Report are the factors that provide justification to the votes. He said as the Commission moves forward, the Golden Criteria and public comments should be considered and the rationale for the Commission's recommendation needs to be expressed. Ms. Linn explained this is typically done during the Commission's discussion and captured in the minutes. Mr. Hendricks agreed and stated there does not need to be a presentation, just a discussion where the rationale is expressed. Commissioner Berger inquired if Chairperson Daley is voting. Chairperson Daley answered only if there is a tie, but he can still provide his opinion during the discussion. Commissioner Berger asked if the space that already zoned L-P is needs to be developed first. Ms. Linn replied each property owner can provide an application for rezoning at any time and does not need to be developed in a certain time from when the property is rezoned. This applicant said the infrastructure is already constructed while there will be some improvements that need to be constructed. Chairperson Daley stated it is directly across from a L-P developed parcel.

Chairperson Daley reminded the Commissioners each application will require a motion and a vote.

Commissioner Crooks motioned to recommend approval of Application ZA2021-01, rezoning of 1 parcel of land located at 32425 W 207th Street. Commissioner Lebakken seconded the motion. Application ZA2021-01 was recommended for approved, 3-1. Commissioner Berger voted against the motion stating parcels that have already been zoned L-P should be developed before more parcels are rezoned. He understands the infrastructure is there but there are other parcels that do not require this step.

Commissioner Crooks motioned to recommend approval of Application ZA2021-02, rezoning of 1 parcel of land located at 32295 W 207th Street. Commissioner Lebakken seconded the motion. Application ZA2021-02 was recommended for approval, 3-2. Commissioners Berger and Little voting against the motion and Chairperson Daley breaking the tie.

Commissioner Lebakken motioned to recommend approval of Application ZA2021-03, rezoning of 1 parcel of land located at 32285 W 207th Street. Commissioner Crooks seconded the motion. Application ZA2021-02 was recommended for approval, 3-2. Commissioners Berger and Little voting against the motion and Chairperson Daley breaking the tie.

Commissioner Crooks motioned to recommend approval of Application ZA2021-04, rezoning of 1 parcel of land located at 32330 W 213th Street. Commissioner Lebakken seconded the motion. Application ZA2021-04 was recommended for approval, 3-2. Commissioners Berger and Little voting against the motion and Chairperson Daley breaking the tie.

Commissioner Crooks motioned to recommend approval of Application ZA2021-05, rezoning of 1 parcel of land generally located at the northwest corner of W 213th Street and S Kill Creek Road. Commissioner Lebakken seconded the motion. Application ZA2021-05 was recommended for approval, 3-2. Commissioners Berger and Little voting against the motion and Chairperson Daley breaking the tie.

Chairperson Daley stated the action on rezoning Applications ZA2021-01 through ZA2021-05 has been completed. He requested those leaving the meeting do so in an orderly fashion, so the Commission may continue with the further business on the agenda.

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

Chairperson Daley introduced the application and requested City Staff provide the Commission with their report.

Ms. Crow stated 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 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.

Ms. Crow stated access to the site would be from Waverly Road on west and from the proposed street on the east. She said the water service is provided by Johnson County Water District 7, sanitary sewer is provided by the City of Edgerton, electrical service is provided by Evergy, and gas service is provided by Kansas Gas Service. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office and fire protection is provided by Johnson County Fire District #1. Ms. Crow stated the parcel is located within the Bull Creek watershed.

Ms. Crow explained City Staff 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 (UDC). She said City Staff had the following comments:

- The instrument of survey which shows the point of beginning, corners, bearing, 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. The applicant has acknowledged that upon recording of the plat, confirmation of the monuments being set will be required.
- All easements with widths, and road with curve data. The applicant has not provided the book and page on some of the exiting easements. Ms. Crow explained the applicant stated records are still being obtained to determine the book and page. If the records cannot confirm the easements, the easements will be recorded with this Final Plat.
- Certificate of the Register of Deeds. Applicant has acknowledged that the certificate will be added upon filling the Final Plat with Johnson County.
- Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or

designated Land Surveyor. The plat is not currently signed by the engineer. Ms. Crow informed the Commission the applicant will have the document sealed prior to Governing Body approval.

Ms. Crow said 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, stormwater 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 stormwater easement and shall dedicate said stormwater easement on the submitted Final Plat.
2. The applicant shall meet all requirement of Recording a Final Plat as defined in Section 13.5 of the Edgerton UDC.
3. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton UDC.
4. All City Engineer comments related to the Stormwater Management Plat must be addressed.
5. All Final Plat requirements of the City listed earlier 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 Plat.

Chairperson Daley asked if the applicant wanted to discuss any items regarding the Final Plat.

Mr. Robinson stated he agrees with the Staff Report with the stipulations and requested approval of the application.

Chairperson Daley said this is regarding the division of the land. He said it is zoned properly and this application is not regarding what is being built.

Commissioner Crooks motioned to approve Application FP2020-04 with the stipulations. Commissioner Little seconded the motion. Application FP2020-04 was approved, 4-0.

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

Chairperson Daley introduced the item. He explained City Staff will review the application and then the applicant can add any additional information. After that, the floor will be open for public comment. During which, City Staff will keep a list of questions and the applicant will have time to respond to the questions. He said public comment is only allowed during the public hearing and once the public hearing has been closed, no further comments will be taken. Chairperson Daley said each speaker will be limited to 3 minutes.

Chairperson Daley opened the public hearing for Final Site Plan Application FS2020-11.

Ms. Katy Crow stated this application is for a Final Site Plan for a new warehouse to be called Inland Port 52 (IP 52). This warehouse is to be constructed at the northeast corner of the intersection of 207th

DRAFT

Street and Waverly Road and to be north of the Hostess Distribution Center, which is Inland Port 51. The applicant is Brett Powell, an agent of NPD Management, LLC who is representing the property owner, Hillsdale Farms, LLC. She explained Application FS2020-11 will be on the lot that was proposed on Final Plat Application FP2020-04. Water would be provided by Johnson County Water District #7, sanitary sewer will be provided by the City of Edgerton, Evergy will provide electrical service and Kansas Gas Service is to provide gas to the development. Ms. Crow said police service will be provided by the City of Edgerton through the Johnson County Sheriff's Office and Johnson County Fire District #1 is to provide fire protection. She stated the development is located within the Bull Creek watershed.

Ms. Crow stated City Staff reviewed the Final Site Plan for compliance with the requirements of Article 10, Section 10.1 and Article 5, Section 5.2 of the UDC. The applicant has acknowledged all accessible parking areas and accessible routes are to meet ADA requirements. She explained the provided photometric plan does not extend to the property lines and the height of the luminaries is listed at thirty-five (35) feet which is 10 feet higher than allowed. The applicant will need to update the Final Site Plan. The City Engineer has requested the northern most connection at the back of the curb be provided on the Final Site Plan for review. Ms. Crow said City Staff will monitor the site to ensure all above ground facilities are screened from public view and all irrigation appurtenances are appropriately screened. The applicant has indicated that screening of added site items is the responsibility of the tenant. However, the Site Plan represents a binding agreement with the owner applicant, and they will be held responsible for code compliance.

Ms. Crow explained the applicant has provided articulation that does not meet the exact calculations of the UDC, City Staff feels the articulation provided coupled with the changes in paint colors meet the spirit and intent of the code. She said City Staff does recommend approval of the deviation. The deviation would apply to the horizontal and vertical articulation. Ms. Crow noted another deviation with the parking stalls on the site. The applicant is proposing thirteen (13) by sixty (60) truck parking stall, which is consistent with previous projects in LPKC. If the future tenant of the building requires different parking spaces, then the applicant has stated they will restripe the parking lot to accommodate those needs. Ms. Crow stated the proposed landscaping does meet the code requirements. The applicant has acknowledged the screening of dumpsters will be addressed when the building permit for the Tenant Finish is applied for. She said the applicant will also address any diesel emission requirements as needed.

Ms. Crow explained the City of Edgerton desires to permanently remove all through LPKC traffic on Waverly Road between 207th Street and 199th Street. City Staff is working with the applicant to develop a plan to bifurcate Waverly Road. The applicant must construct a plan approved by the City Engineer to accomplish this goal prior to the issuance of a Certificate of Occupancy for IP 52. The plan proposes the construction of a private road that runs parallel between the two buildings. This new road is shown on the Hostess Distribution Center parcel. A Revised Final Site Plan will be needed for the IP 51 site to show this road on that site. The private road is also shown going over a private sanitary sewer stub. Ms. Crow said the applicant has submitted a revised Final Site Plan for IP 51 for City Staff to review. She explained a stormwater management report has been submitted. The site was originally studied as part of the IP 51-54 Stormwater Drainage Study. The supplied memo states that the proposed development is in conformance with the original study. A SWPPP and an erosion and sediment control plan has been submitted and a land disturbance permit from the City will be required prior to construction.

Ms. Crow stated City Staff recommends approval of Application FS2020-11 with the following stipulations:

1. The recommendations and comments noted before related to infrastructure, landscaping, the stormwater plans and all else discussed are included as stipulations as part of approval of the Final Site Plan;
2. Signage proposed later shall receive separate approval according to the provisions of the UDC;
3. 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 stormwater easement and shall dedicate said easement on the Final Plat;
4. Any items added as part of a tenant finish must comply with the Edgerton UDC and it is the building owner's ultimate responsibility to ensure code compliance;
5. The site plan, a scale map of proposed buildings, structures, parking areas, easements, roads, and other city requirements (landscaping/berm plan, lighting plan) used in physical development, when approved by the Planning Commission shall create an enforceable obligation to build and develop in accordance with all specifications and notation contained in the site plan instrument. The applicant prior to the issuance of any development permit shall sign all site plans. A final site plan filed for record shall indicate that the applicant shall perform all obligations and requirements contained therein.

Chairperson Daley stated the applicant may present any additional information at this time.

Mr. Robinson addressed the Commission. He stated NorthPoint wanted to contact the Planning Commission during the continued rezoning applications but understood that was not an option as the Commission is a quasi-judicial body. However, NorthPoint does desire to formulate a working partnership with the Commission. He explained there is a demand for the product and there are very few sites for a building this size. NorthPoint has constructed the largest spec building five (5) times in Edgerton. These buildings have brought in great tenants for LPKC. He stated there is less than 5,000,000 square feet available to the north of I-35. He said IP VII was the largest spec in the Kansas City area and has been leased by PepsiCo and NorthPoint hopes PepsiCo is just as generous as Hostess has been. Mr. Robinson explained there are thirty-five (35) fully loaded cargo vessels off the west coast to unload. This is more ships than the last slowdown in 2013. He said there are limited sites but there have been rewards realized for building the larger warehouses like IP 52.

Mr. Robinson stated that even before the Waverly Road bifurcation was discussed by staff tonight, NorthPoint has been looking at ways to prohibit trucks on Waverly Road. NorthPoint has thought about 2 cul-de-sacs with a truck barrier that would allow vehicular traffic only, but that did not work. NorthPoint has been discussing solutions. The current thought is two cul-de-sacs and adding a green space to protect the nearby residents. NorthPoint does want to fix issues as they arrive. The temporary cul-de-sacs on the east side just pass the northeast entrance will eventually tie into a road that goes north. NorthPoint is discussing the alignment of the road with the residents to the north.

Chairperson Daley stated public comment will now be accepted. He asked if City Staff has received any written testimony prior to the meeting. Mr. Clinton stated City Staff and has received items from Mr. Tom and Donna Mertz – 20233 Waverly Road, Edgerton, KS 66021 and an email signed by Michelle and Chris Reed – 20295 Waverly Road, Edgerton, KS 66021; Judy and Hank Flageolle – 20175 Waverly

Road, Edgerton, KS 66021; Laura and Rick Singleton – 20115 Waverly Road 20115 Waverly Road, Edgerton, KS 66021; and Mr. and Mrs. Mertz. Mr. Clinton stated these items have been provided to the Commissioners and will be attached to the minutes.

Chairperson Daley stated if a person is present to speak, they were to sign in and provide their name and address for the record along with a phone number so City Staff could inform you it was your turn to speak. He said each speaker will have 3 minutes to speak at the podium in City Hall. He requested all speakers speak clearly and slowly so all Commissioners are able to hear.

Mr. Mertz addressed the Commission. He provided drawings to the Commission, which will be attached to the minutes. He stated the key for the residents on Waverly Road is that as development comes, the new road should stay to the east and have a green space in the area to limit lighting on residents.

Mr. Reed spoke before the Commission. He stated he is concerned that the building will be twenty (20) feet above grade and the lighting will come into their house. The proposed warehouse is just to the south of his residence. He requested additional buffering to stop the lighting.

Mr. Flageolle approached the Commission. He explained he bought his property in 2016 and moved in last March. He and his family love the place and knew there would be warehouses coming. There are no trucks on their property and closing Waverly Road to truck traffic would be wonderful. He said he agrees with the map that was provided by Mr. Mertz.

Mr. Oltman addressed the Commission. He said he supports this project as this space is needed to continue growth. LPKC is full to the north of I-35. If there is a warehouse that is needed next month, it is not availability as all places are leased. More warehouse space is needed. The City of Edgerton and the City's partners have excelled at constructing well thought out infrastructure and development all around. He explained he provides tours around LPKC to those who could be in real estate, elected officials, or possible tenants and they are all impressed with the facility. He said when something gets done a lot, it gets numbing, but the work done in Edgerton is exceptional.

Chairperson Daley asked if there were other present who wanted to speak. With no further comments, Chairperson Daley request City Staff compile the questions for the applicant. Ms. Linn asked about the additional screening to the north.

Mr. Robinson replied it has not been customary for detention to be allowed to just grow but can be done with the vacation of Waverly Road. He stated he is willing to work with Mr. Reed to help protect their property from light getting to their home. This could be adding landscaping on NorthPoint's property or providing some on Mr. Reed's property. He explained north of I-35, some residents wanted berming and landscaping, others wanted a walking trail and NorthPoint was happy to accommodate that. Related to the proposed roadway extending north, Mr. Robinson explained there is property they own to the north, but they would have to acquire additional property to get the exact alignment proposed by Mr. Mertz. Mr. Robinson stated that NorthPoint will talk to the property owners to discuss options.

Chairperson Daley stated anybody wishing to respond to the comments may do so. They will be allotted 2 minutes. He requested those wishing to respond to step up to the podium and state their name and address.

Mr. Flageolle spoke before the Commission. He explained his property would be west of proposed building 3 and stated if anything can be done to add the green space, it would be greatly appreciated.

Mr. Reed inquired if the master plan showed exactly what is going to be built and where.

Ms. Linn stated NorthPoint compiles concepts plans but the Final Site Plan is the binding document, and the master plan differs from what the Final Site Plans show.

Chairperson Daley stated the applicant may address any further items brought up by the public. He explained this is not a time for debate.

Mr. Robinson said he has no further comments at this time.

Chairperson Daley closed the public hearing.

Chairperson Daley opened the floor to discussion and questions from the Commissioners.

Ms. Linn stated City Staff wants to address two items. She stated City Staff has requested moving the location of the cul-de-sac on the east side of the property and NorthPoint has agreed to moving it east as far as they can on land they own. She stated City Staff does have some concerns in letting the detention areas naturally grow as they can get overgrown and could be an eyesore, but the City will work with the applicant to find a balance of aesthetics and functionality in the detention areas.

Chairperson Daley inquired about light spilling onto other properties. Ms. Linn replied the UDC requires zero-foot candles of light at 5 feet above grade at the property line, but that is different than being able to see the light. She acknowledged Mr. Robinson and NorthPoint is willing to work with the property owners to add items to the neighboring property to mitigate any issues.

Commission Crooks asked if the application should be tabled to the next month. Ms. Linn replied if the Commissioners have questions that cannot be answered at this time, then yes. She explained it is not unusual for City Staff and the Commission to add stipulations. She explained the applicant has testified that they will work with neighboring properties owners to mitigate issues. Mr. Hendricks agreed. Ms. Linn said City Staff recommends approving the application and adding the two stipulations she stated earlier related to the landscaping and location of the cul de sac for the Waverly bifurcation.

Commissioner Berger motioned to approve Final Site Plan Application FS2020-11 with the stipulations listed by Ms. Crow and Ms. Linn. Commissioner Crooks seconded the motion. FS2020-11 was approved with the stipulations, 4-0.

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

Chairperson Daley introduced the item and request City Staff present their findings.

Ms. Crow stated Article 9, Section 9.6E of the UDC states that the Commission is authorized to review and approve the use of property during times of construction, reconstruction, or adaptation to permit

temporary living quarters for construction personnel, offices, buildings for storage, outdoor storage, machinery yards, portable concrete or asphalt mixing plants, sanitary facilities, and similar uses. On previous occasions, the Commission has approved the use of certain property for construction-related activities associated with LPKC subject to stipulations and the approval of City Staff.

Ms. Crow explained City Staff received an application from Concrete Strategies Inc. (CSI) to construct a batch plant which would provide concrete for the construction of IP 52 located north of the Hostess Distribution Center on January 19, 2021. The property where the batch plant is located is owned by Wellsville Farms, LLC and is part of LPKC Phase II. Pursuant to Article 9, Section 9.6E of the UDC, the use of privately owned property for temporary construction activities requires the property owner's permission. She said with their application, CSI has provided a letter from NPD on behalf of Wellsville Farms, LLC dated January 9, 2021. In the letter, the owner giver permission for the batch plant to operate on their property with a fixed end date of January 1, 2022 and a restriction that the batch plan only be used for project for which explicit permission is granted, IP 52 in this instance. The owner retains the right to evict CSI from the property at any time with 30 days advance notice.

Ms. Crow stated CSI has indicated typical operating hours would be from 6:00 AM to 5:00 PM. However, overnight operations from 10:00 PM to 9:00 AM are requested during warmer months. The applicant has indicated that ambient temperature, wind speeds, solar radiation, and low humidity are all factors which can impair the quality of concrete by accelerating the rate of moisture loss and rate of cement hydration. She said these conditions are weather dependent and the applicant has agreed to apprise City Staff of when overnight operations will occur and will update City Staff with any schedule changes. She said maps of the haul routes have been provided with the application as well. The proposed haul route to the project site with mixed concrete will be to cross Waverly Road into the construction site of IP 52. A secondary route has been proposed of going south on Waverly Road, then east on 207th Street to access the construction site. Raw materials deliveries will use Homestead Lane south to 207th Street, east to Waverly Road and then north to the plant entrance. City Staff has stipulated that stop signs must be present at both Waverly Road access points and if uninterrupted traffic flow is requested, flaggers must be present. If flaggers are used, City Staff must be notified in advance. The applicant is required to maintain Waverly Road between the batch plant haul route road and 207th Street, including the cross-access area on Waverly Road.

Ms. Crow said footing and site work require the least amount of hauling at 1-4 trucks per hour. This will increase when slab work begins and require 7-10 trucks per hour. When paving and tilt up walls start being poured, 6-8 trucks will be needed per hour. Dump trucks for the hauling of wet concrete are prohibited by the City. Applicant has stated agitator and mixer trucks will be used during this project. Applicant has stated they will clean trucks off onsite during pours and any concrete dribbled onto City roads will be immediately swept and cleaned. Applicant has stated all trucks will be rinsed prior to entering public roadway and all detachable chutes will be hung and fastened before leaving the pour site. Applicant will provide personnel to monitor roadway and cleanliness of the trucks.

Ms. Crow indicated that the property owner has stated that permission to use their property will expire on January 1, 2022. She explained because temporary construction uses are for active construction activities only, and not for the storage of non-operating equipment, City Staff is recommending the batch plant only be given permission to operate through the expiration of the property owner's permission or the completion of IP 52 and the issuance of a Certificate of Occupancy, whichever comes first. If a new project arises in the future that would require the use of the batch plant, a new

Temporary Construction Use Permit Application must be submitted to the City. She said the applicant is required to fully restore the site to its original condition prior to batch plant installation. This includes, but is not limited to, the planting of seed to deter possible erosion onto adjacent properties and roadways. This site restoration must be completed by the vacation date of January 1, 2022.

Ms. Crow said City Staff does recommend approval of Application TU2021-01 with the following stipulations:

1. Stop Signs must be placed at both sides of haul road adjacent to Waverly Road. Should applicant wish to have an uninterrupted haul across Waverly, flaggers must be present to manage cross traffic on Waverly Road. Applicant must notify City staff and Public Safety of the presence of flaggers prior to implementing use;
2. No trucks of any kind, including delivery of materials, may use Waverly Road north of the site to travel to 199th Street;
3. Dump trucks cannot be used to transport wet concrete and all possible precautions must be taken to ensure that concrete is not dribbled onto public roadways by mixer or agitator trucks;
4. Off-site impacts from on-site construction-related activities shall be minimized to the extent possible. This shall include compliance with all City regulations and policies related to the tracking of debris onto public streets. Applicant agrees to not trail concrete onto paved roadways used for haul route and will clean up any spillage due to the improper use/cleaning of equipment;
5. Any damage caused to any public infrastructure along the haul route due to concrete operations is the responsibility of the applicant to repair;
6. Applicant and any subcontractors agree to address any issues that affect off-site properties or public rights-of- way or easements in a reasonable time period;
7. Hours of operation shall be limited to from 7:00 AM to 5:00 PM unless otherwise approved by staff for special weather dependent hours;
8. Applicant shall maintain a valid City of Edgerton Business License;
9. All buildings, outdoor storage, machinery yards, and similar uses shall be able to be fully secured when not in use;
10. All vertical structures shall require a building permit pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton prior to being occupied;
11. Temporary living quarters are not permitted on-site unless prior authorization has been provided by the Planning Commission;
12. All occupied buildings shall have access to potable water from an approved water source;
13. All signage shall be placed pursuant to applicable sign regulations for the City of Edgerton, including traffic control signage;
14. Contractors shall obtain all required permits pursuant to the Code of Regulations for Buildings and Construction, 2010 Edition or any other applicable chapter of City Code;
15. On-site Stormwater Management Plan shall be approved by City prior to the disturbance of land;
16. Land disturbance activities shall be done pursuant to Article 12 of the Code of Regulations for Buildings and Construction, 2010 Edition of the City of Edgerton;
17. Holding tanks shall be used in lieu of sanitary sewer service, and shall be permitted and inspected pursuant to the Johnson County Environmental Sanitary Code;
18. Property owner and/or general contractors shall provide City and emergency response agencies a copy of a site-specific Safety Action Plan;

DRAFT

19. Property owner and/or general contractors shall provide a Construction Management Plan to the City;
20. This Temporary Construction Use is only for the construction of Inland Port 52. Should any other projects be awarded to the applicant, a new Temporary Construction Use permit must be obtained including the submittal of a new application, a new permission letter from the owner, and a review by the Planning Commission;
21. Permission for temporary construction activities is granted for a period ending January 1, 2022, with permission subject to the revocation before that by the property owner per the attached letter.
22. Additionally, prior to full site vacation on January 1, 2022 the property must be restored to a planted condition and no debris, equipment, concrete, gravel piles, etc. may be left behind. Applicant must contact city staff for an onsite inspection to review site conditions when the property is vacated. Failure to do so may result in disapproval of future activities.

Chairperson Daley asked if the applicant wanted to make any additional statements. The applicant declined to speak at this time.

Chairperson Daley asked if this application is not approved, where would the concrete come from. Mr. Steve Schuering, CSI, replied it would have to come from the north, about 25 minutes away and at least with the same number of trucks. Chairperson Daley confirmed there is no hauling allowed on Waverly Road north to 199th Street. Ms. Crow replied that is correct.

Commissioner Berger motioned to approve Application TU2021-01 with the stipulations outlined by City Staff. Commissioner Lebakken seconded the motion. Application TU2021-01 was approved with the stipulations, 4-0.

FUTURE MEETING

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

ADJOURNMENT

Motion by Commissioner Berger to adjourn the meeting, Commissioner Little seconded. Motion was approved, 4-0. The meeting was adjourned at 11:15 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator

DRAFT

From: Tim & Lee Dye
To: Kara Banks
Subject: Rezoning
Date: Monday, February 8, 2021 3:42:18 PM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender leeleetimbo@sbcglobal.net

Dear Kara,
We wish to notify the City of Edgerton, Ks that we OPPOSE the rezoning of the 5 parcels of land in and around W 213th St & S Kill Creek Road. Please share our opposition notice with the Planning Commission in regards to the February 9, 2021 Public Hearing.
Thank you,
Tim Dye
Lee Dye
31308 W 217th St
Spring Hill KS 66083

From: Matt Hotle
To: Kara Banks
Subject: PLEASE HELP!!!
Date: Monday, February 8, 2021 8:44:36 PM
Attachments: image.png

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender mhotle@gmail.com

Hello,

My name is Matt Hotle and I live at 32243 W 207th st in Edgerton. (across from KUBOTA) I moved here last year with my wife and our 4 kids. It was always our dream to have a beautiful home out in the country. After years of saving we finally were able to come up with the $160,000 down payment we needed to make our life long dream come true. It is so beautiful and peaceful and is pure heaven here and to still be in the Gardner/Edgerton school district is amazing!

Now not only a year later and the dream looks like it could become a nightmare. After seeing a map of Northpointe's "plan" it seems that my property could be among the worst affected by them creating swiss cheese out of our beautiful community. I understand they must develop but they need to either buy everyone out or go somewhere else!

Is northpoint going to build roads through peoples yards and warehouses right next to homes all through Gardner and Springhill? Here is a picture where my property is in red.



Under this "plan" **Northpoint is building 3 of their tiniest warehouses surrounding us? Why not just buy everyone out instead of being petty and building super small warehouses surrounding people and building inefficient roads through properties to get**

there? Speaking of roads the road they will build along my property line is about 50-70feet from my master bedroom window and garage. **The re-grading of the 50-100 foot valley that's right there, will put the road 30 feet above us** looking down into our now private yard. This will cause our home value to plument!

Please someone come out to my house and see what clearing the property next to me for a 1/2 mile road to reach the 2 tiniest warehouses would look like. A road 30 feet up will destroy our home's value!

All the properties surrounding us are for sale. Why can't they just buy people out instead of destroying our community and home values? I understand that all they care about is money that makes sense but isn't there anyone to stand up for the residents of the community? Please help us save our home! (or at least require that northpoint buy people's land vs destroying their home values.

Thank you,
Matt Hotle

From: Curt Kennon
To: Kara Banks
Subject: Opposing the Rezoning of ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, and ZA2021-05
Date: Monday, February 8, 2021 9:44:11 PM

My reasons for opposing the rezoning is that it would destroy rural residential property values, it is dangerously close to Bull Creek and an environmental hazard on the Hillsdale Watershed and Hillsdale Lake, and the increased traffic would destroy our peace and quiet of living in a rural property. The rezoning violates the Johnson County and Southwest Corridor Plans.

Respectfully,

Curtis W. & Debra J. Kennon
28155 W. 215th Street
Gardner, KS 66030
913-271-2944
email - “kennonhd55@gmail.com"

From: cescms522@aol.com
To: Kara Banks
Subject: annexation
Date: Monday, February 8, 2021 6:46:20 PM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender cescms522@aol.com

Dear Kara,

We are notifying the city of Edgerton that we OPPOSE THE REZONING of 5 parcels of land around 213th and south Kill Creek Road. We would like our opinion expressed to the Planning Commission at the 2/9/21 hearing.

We have lived south of Gardner for over 40 years. There has been no improvement to single lane traffic or shoulder allowance on Gardner Road in this amount of time.
The majority of roads in this area are gravel.

The amount of semitruck traffic in our area has increased immensely since the Intermodel and surrounding warehouses have come in.
Someone needs to be accountable for the road improvements that should have come with the increased use.

Thank you,
Charles/Charlene Soetaert

From: Carl and Pat Peer
To: Kara Banks
Subject: Rezoning
Date: Monday, February 8, 2021 4:48:17 PM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender carlandpatpeer@hotmail.com

We wish to notify the City of Edgerton that we OPPOSE the rezoning of the five parcels of land in and around W. 213th St. and south Kill Creek Rd. Please share our opposition notice with the planning commission in regards to the February 9, 2021 public hearing. Thank you, Carl G. Peer and Patricia A. Peer 32695 W. 215th St. Spring Hill, Ks 66083

From: Kelly Craven
To: Kara Banks
Cc: rick.speck@gmail.com
Subject: Rezoning change request
Date: Tuesday, February 9, 2021 9:30:20 AM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender klcraven1@outlook.com

We are writing this letter to protest the rezoning request and expect it to be read aloud and into the record at the public hearing on Tuesday Feb 9th. Unfortunately my wife and I cannot attend as we both have underlying conditions relative to COVID.

Janice and I built our home in 2005 with the expectations that we would be living out our lives in a wonderful rural area. Unfortunately ours and seven of our neighbors have been encroached on with the building of the warehouses. The light and noise pollution have already to a degree changed our attitude on where we live. With this new proposed warehouse at the west end of 207 St [3/4 mile west of Waverly] the light and noise pollution will get even worse, not to mention the property values of our single family homes. Please, someone on the council step up and put yourselves in our position. I understand your thoughts that this is "progress"; progress for who is my question, certainly not the families that live in our neighborhood. Please vote against this proposal.

Having asked you to vote against this change I fully expect there will be some hardliners on the council that will disregard the many requests you've had to stop this expansion. If this rezoning is approved, pleased consider our points and to at least some degree help us to nullify the noise and light pollution, as well as the visual aspect that will degrade our property and living standards.

Please consider the requests below:

- Build a landscaped 20 ft. high earth berm along the west side of the property from 207th to 213th st.
- Improve / pave our private road along with the appropriate drainage to ensure mitigation of runoff issues.
- Pavement needs to be extended to the end of 207th St again to mitigate runoff issues created by this change.

Sincerely,

Kelly and Janice Craven

32953 W 207 St.

Edgerton, KS. 66021

913-558-1756

From: geneva muro
To: Kara Banks
Subject: Rezoning Rural Johnson County South of Gardner City Proper
Date: Tuesday, February 9, 2021 11:08:59 AM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender murogeneva@hotmail.com

Gentlemen and Ladies, Thank you for the opportunity to address my opposition to this rezoning. I choose to not attend in person because of the extreme cold, and because you are not there in person, either.
To have a logistics park in my backyard, and to have all our neighborhood homes buffering warehouses or light industrial buildings is an outrage and extreme stretch of use of agricultural land. The impact on the hard working, protectors of the their homes, always improving our homes, and being good stewards of our properties is immeasurable. It would be harder for me to put a shed up on my ground than what you are trying to pass. You want me to just live with your warehouses. How will this benefit me and my neighbors? Are the trucks demanded to be “green”? Are there any other protections for us other than a “berm”? So, in essence, I have to sacrifice the equity in my home, my hard earned dollars invested in my home to have unknown persons from counties or states unknown live in my backyard.
There are plenty of parcels of ground along and north of I-35 from Gardner to Wellsville that would be more well suited for warehouses. The damage done to long term residents of rural Johnson County far outweighs the benefit of a fifteen dollar an hour job.
Thank you, Geneva Muro
29345 W. 199th Street
Gardner, KS
913-634-3023

Sent from my iPad

From:	Brett Kuper
To:	Kara Banks
Subject:	Rezoning of ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, and ZA2021-05
Date:	Tuesday, February 9, 2021 11:13:55 AM

Hi Kara,

I am writing to let you know that we strongly oppose the rezoning of ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, and ZA2021-05. We are very concerned about the excess truck traffic on narrow roads that were not meant for large trucks. My family and I were driving north down Gardner Road about a week ago and a truck going south pulled 1-2 feet into our lane to make the wide turn, which forced us far over to the edge of the road. This safety risk will only get worse as more warehouses are built in areas that were not developed to handle truck traffic.

We are also concerned that the warehouses built will greatly reduce residential property values in the area. This rezoning also goes against the Johnson County and Southwest Corridor Plans and will be an environmental hazard on the Hillsdale Watershed.

Sincerely,
Brett and Mindi Kuper
Address: 22241 Moonlight Rd, Spring Hill, KS 66083

From: Mark
To: Kara Banks
Cc: mark hall
Subject: Rezoning Opposition
Date: Tuesday, February 9, 2021 11:23:48 AM

Kara,

I am writing to let you know that I am in strong opposition to the rezoning of land ZA2021-01, ZA2021-02, ZA2021-03, ZA2021-04, and ZA2021-05 for the following reasons;

1. the rezoning violates the Johnson County and Southwest Corridor plans

2. it is close to Bull Creek and the rezoning and the eventual building of commercial warehouses in and around the area is an environmental risk/hazard to the Hillsdale Watershed and Hillsdale lake from which many of us count on for drinking water

3. the rezoning and building of warehouses in the area is having a negative economic impact on home owners home values making it difficult for those that want to sell their homes or get loans to make additional invests in their homes

4. increased commercial semi-truck traffic at all hours of the day and night is already making driving on roads in the area dangerous and rezoning and building more warehouses will make it that much worse

I hope to attend the meeting tonight but if I can't I trust you will share my concerns with all council members and hope my comments will have a positive impact on a no vote in regard to the rezoning of the above properties.

Respectfully
Mark Hall
23506 S Gardner Road

From: Joyce Ghaisarnia
To: Kara Banks
Subject: Rezoning Applications ZA 2021-01 thru ZA 2021-05
Date: Tuesday, February 9, 2021 7:14:15 AM

My name is Joyce Ghaisarnia. My husband Esmaeil and I live 21725 S Waverly Rd, Spring Hill KS 66083.

I am contacting you to reject the above rezoning applications. I drove by Kubato and the Hostess warehouse last night on my drive home from work. As I approached the warehouses on the north side of 207th street, I realized there were several homes on the south side of 207th. I am appalled that those residents are met with a constant glaring white light directly across the street. There is no way that the warehouse development was not detrimental to the property value and quality of life for the residents in those homes.

As Edgerton continues the land grab and lets Northpoint continue with developing warehouse within a rural agricultural region, the property values of the homeowners near the those facilities are immediately impacted. There should be no further development of warehouses south of 207th and west of Gardner road. I have looked at the FEMA land maps regarding the flood zone area. Has FEMA been contacted to perform an impact study on the result of taking the farmland away from the ability to absorb rain water during a heavy rain. By building warehouses and paving over acres of property, this will unfortunately have an impact on the Bull Creek tributary that feeds into Hillsdale lake. Thousands of residents get their drinking water from the lake.

In addition, since no one making a decision on this rezoning lives in this area, how is the city of Edgerton going to handle the light pollution. As I go outside my property at night and look to the northwest, there is a constant glow from the warehouses. Continuing to build these huge conglomerates, the light pollution will only worsen. This has a direct impact on the residents health living in this area. It is like being in a jail cell with bright lights shining on your during an interrogation. There is no relief from it.

If Northpoint is truly concerned about the residents in this area, they should be building low density subdivisions to provide housing for the employees of their warehouses already built. That is what would benefit the residents the best instead of hiding behind the different shell companies and Edgerton making a land grab.

Thank you

From:	Rick Speck
To:	Kara Banks
Subject:	Rezoning Proposal For The L-P Logistics Park Approximately Between 3/4 of a Mile West of Waverly between W 207th Street and W 213th Street
Date:	Tuesday, February 9, 2021 1:04:08 PM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender rick.speck@gmail.com

Please present this email to the Council this evening. Thank you.

Thank you for allowing me to write a response to the property rezoning proposal referenced above. Unfortunately, due to Covid restrictions, my wife and I are reluctant to attend and voice our objections and concerns to this rezoning to our home area. We live at 32951 W. 207th Street at the West end of the proposed rezoning proposal. We have lived in this area for approximately 6 years and during this time we have made substantial improvements to our property in anticipation of staying in the nice rural county area. It has been especially nice with the announcement of the addition of the Johnson County Parks adding the Big Bull Creek Park which is adjacent to our property.

With all of that being said, you can understand how we are not happy with hearing that development is being planned that encroaches on our planned living peaceful living environment. It threatens our property values and our future plans of living out a happy and valued life. In our area, there are 5 families - some are retirees, some young with children, some are working people.

We all have been watching this large investment group buying large pieces of property in our area from the farmers we all knew. They have no attachment to the community only the bottom line for their investors and slick short-term gains for the City of Edgerton. Those of us living out here next to the proposed L-P Logistic Park risk more than financial issues and inconvenience of changes to the peace and joy we have living in the county. It's just a shame.

Prior to approving this proposed zoning: A joint study needs to be completed with the Johnson County Parks Department concerning possible conflicts with rezoning and future development of Stage 3 of the Big Bull Creek Park at the West end of 207th Street where the JCP had announced the possibility of entending the egress of this road for horse trails and hiking trails.

In closing, I am not in favor of the rezoning of this rural area that disturbs so many families' lives for the profit of a group of investment people who have no tie back to the community. Like I said previously, it's a shame.

Regards,
Rick Speck
32951 W. 207th St
Edgerton, Ks 66021

From: Donald Roberts
To: Russ Robinson
Cc: Beth Linn; Kara Banks
Subject: RE: Open Letter to Edgerton Council and Planning Commission
Date: Tuesday, February 9, 2021 2:06:01 PM

Thanks for your email Russ! Can I please have your address for the record?

Sincerely,
Donald Roberts

From: Russ Robinson <rrussrobinson@gmail.com>
Sent: Tuesday, February 9, 2021 1:43 PM
To: Donald Roberts <mayor@edgertonks.org>; Clay Longanecker <clonganecker@edgertonks.org>; Ron Conus <rconus@edgertonks.org>; Katee Smith <ksmith@edgertonks.org>; Josh Lewis <jlewis@edgertonks.org>; Josh Beem <jbeem@edgertonks.org>
Subject: Open Letter to Edgerton Council and Planning Commission

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender rrussrobinson@gmail.com

Dear Mayor and City Council Members:

My name is Russ Robinson. I live just off South Gardner Road in the watershed. I have lived in Johnson County for more than 20 years and in the Gardner-Edgerton area for the last seven years. I am writing you because the city website fails to provide the names and email addresses for Planning Commission members. I urge you to forward this to them, since it is unlikely that I will be able to get into the scheduled hearing.

I have read the LPKC Master Plan, the land use documents and plans for the Hillsdale watershed and the Big Bull Creek Master Plan. My research indicates that the decisions the council and planning commission make on rezoning the parcels off South Gardner Road between 207th St. and 215th St. (Gardner Road Parcel) will go far beyond Edgerton city boundaries. Your decision will impact more 300,000 residents of Johnson and Miami counties.

Have you stepped outside your house lately at 6 p.m. and just listened? You can hear activity at the intermodal at Hillsdale Lake. And it will only get worse if you allow another warehouse on the Gardner Road Parcel. It is up to you to protect the quality of life in Edgerton, Gardner, south Johnson County, north Miami County and south to the lake.

The Edgerton Master Plan and LPKC development plan indicate that the Gardner Road Parcel was designated for “rural housing.” Such development is compatible with the residential/commercial project now under construction at Clare Road and 56 Highway.

In your web site bios, each of you said your goal is “to do the right thing” for the 1,700 or so citizens of Edgerton. Your responsibility goes far beyond the borders of Edgerton. Expanding warehousing

development by gerrymandering city boundaries, violating the LPKC Master Plan, endangering the watershed and cow-towing to a wealthy developer are not actions that have the best interests of the citizens of Edgerton at heart.

Please consider very carefully the decision you must make and reject the proposal to expand warehousing in our area. Your decision will have a major impact on thousands of families.

--
Regards,

Russ Robinson

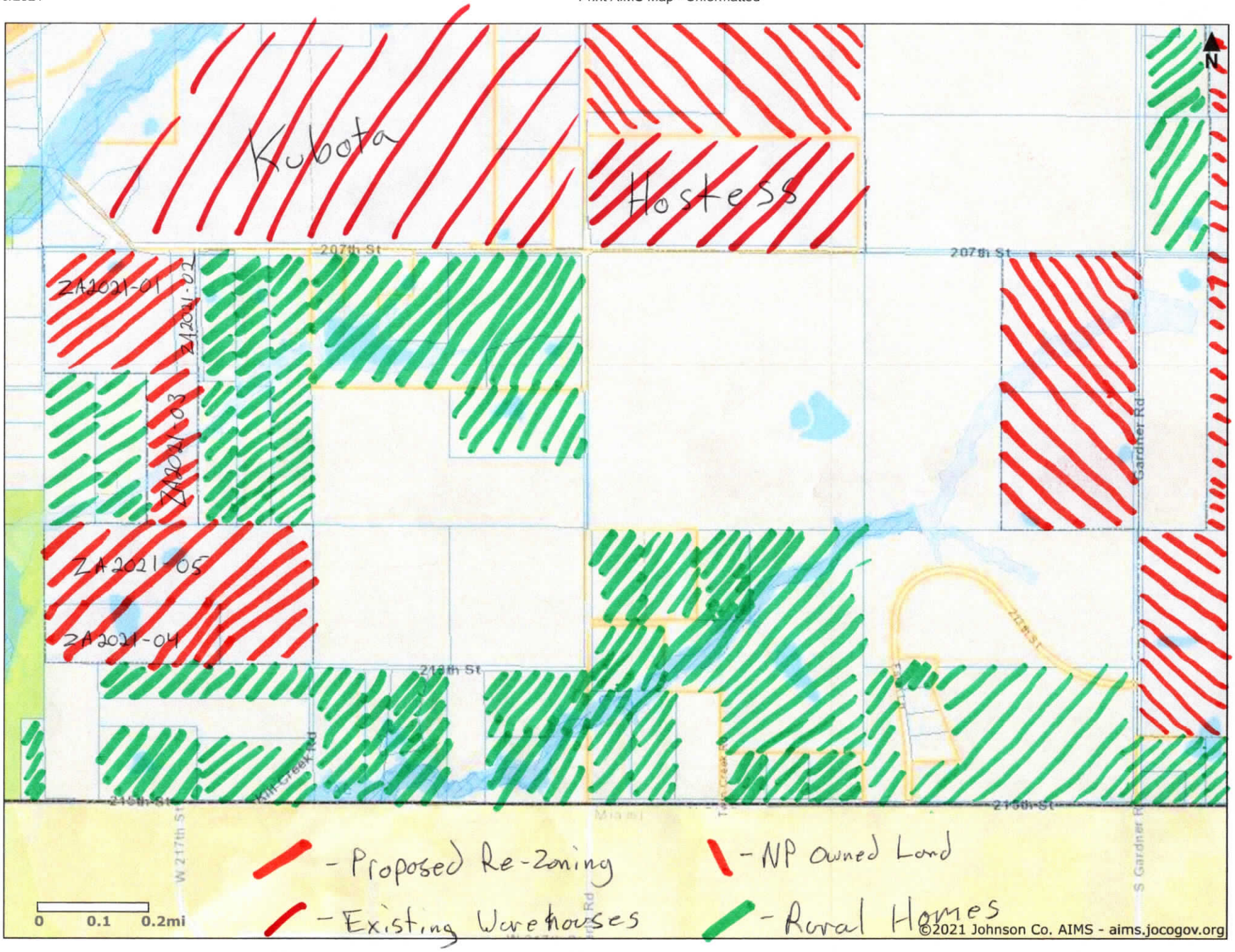
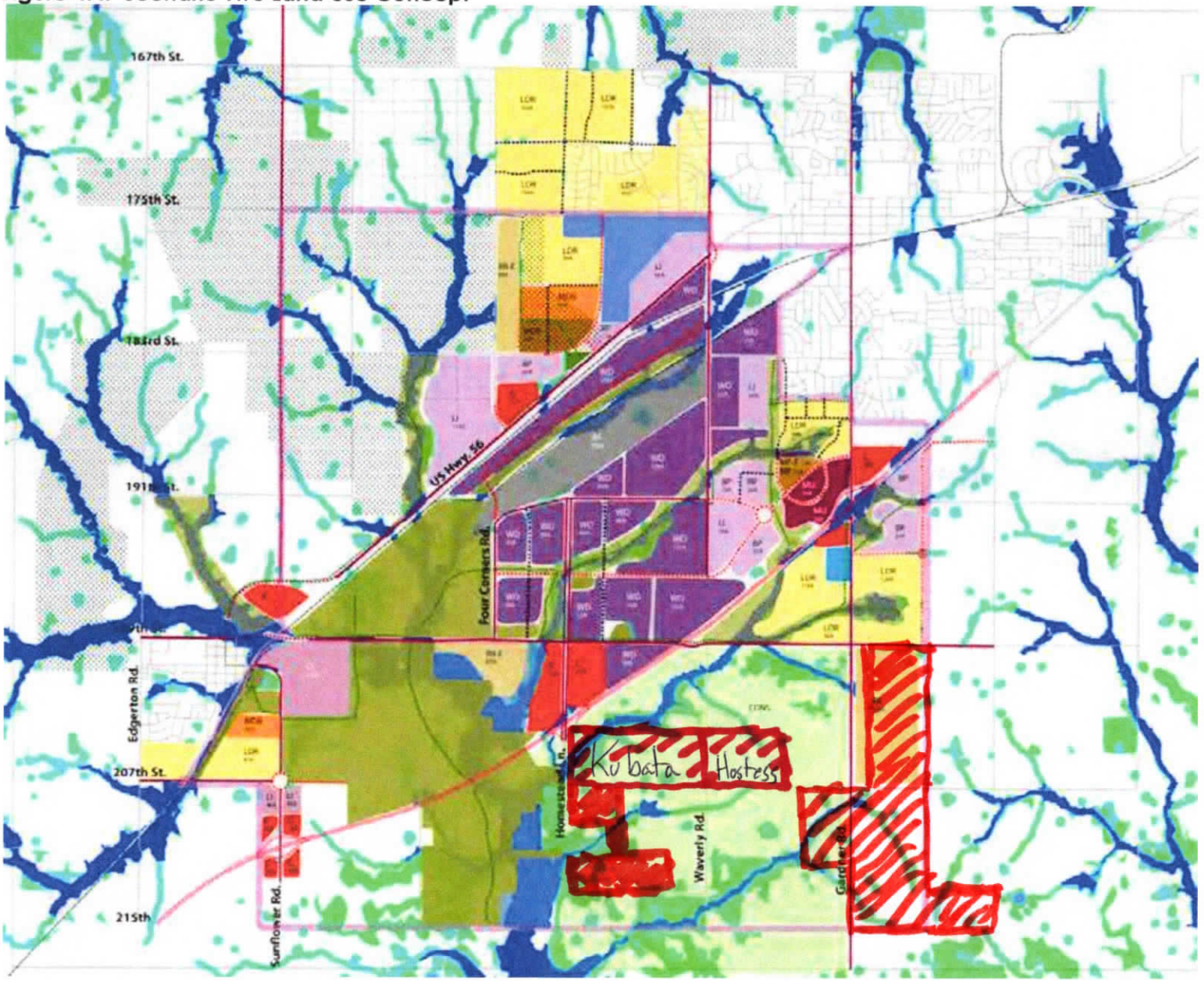

Kubota
Hostess
207th St
207th St
ZA2021-01
ZA2021-02
ZA2021-03
ZA2021-05
ZA2021-04
Gardner Rd
215th St
215th St
W 217th St
S Gardner Rd
- Proposed Re-Zoning
- NP owned Land
- Existing Warehouses
- Rural Homes
0 0.1 0.2mi
N
©2021 Johnson Co. AIMS - aims.jocogov.org



Figure 4.4: Scenario Two Land Use Concept



SCENARIO TWO

Land Use Concept

- Rural Residential (RR)
- Conservation Development (CONS)
- Low Density Urban Residential (LDR)
- Medium Density Urban Residential (MDR)
- High Density Urban Residential (HDR)
- Commercial (C)
- Mixed Use (MU)
- Business Park or Limited Industry (BP and LI)
- Warehousing and Distribution (WD)
- Civic
- Parks and Open Space
- Areas with Concentrations of Oil Wells

From: Tom Mertz
To: Kara Banks
Cc: creed@kcbuilding.com
Subject: Site Plan for property north of Hostess
Date: Monday, February 1, 2021 1:55:08 PM
Attachments: image003.png

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender TMertz@tradenetpublishing.com

Kara,

I apologize first if I did not capture your correct first name. Please share this with the Edgerton Planning Commission and City Council.

Chris and Michelle Reed and Donna and I are landowners on the north side of this property. We understand development of warehouses will take place in this property. At this point in time we have not been able to see a site plan. Is that available?

Our concern is relative to this image and the road shown.



Plans had been presented with a major heavy haul road going on east side of Hostess north. Is that still part of the plan? We seriously object to the road plan shown in this drawing versus a heavy haul street on the east side of these properties. We are already losing value and being damaged with these warehouses coming to our neighborhood. Having heavy truck traffic on our property line when there is a reasonable alternative on the east side of the warehouses would further erode our property values beyond what they would be if the street was on the east side of the warehouses. The heavy haul street going down the center section line would also open up development on the east half of the section.

We are sharing our concerns. We will pursue legal recourse to make sure that the road shown does

not happen. Please share this with the Planning Commission and appropriate parties. Any information you can share with us would be helpful. We don't wish to injure or cause harm to NorthPoint, the City of Edgerton, and associated parties. We do feel however that there are better "plans" than the road design shown in this image and we will aggressively pursue that premise.

I would expect this communication to become part of the public record and shared with the Planning Commission and Edgerton City Council.

Thanks,

Tom Mertz

913 908 7201

The best way to reach me is via email at tmertz@tradenetpublishing.com

From: Tom Mertz
To: Kara Banks
Subject: RE: Waverly Rd Warehouses
Date: Thursday, February 4, 2021 11:21:44 AM
Attachments: image002.png
image003.png

Edgerton Planning Commission,

I am making these comments based simply on a drawing on NorthPoint's website. I have not had opportunity to see any site plans so they may be relevant or irrelevant.

In visiting with our neighbors one of them pointed out that if the road is built along our property lines there will only be value added to one side of the road. If the street is on the half section line east of the warehouses there will be value add for the entire section. As public servants since this road will become a city street it would serve a larger tax base located east of warehouses and add value for the east half of the section.

Thanks,

Tom Mertz

The best way to reach me is via email at tmertz@tradenetpublishing.com

---

From: Kara Banks <kbanks@edgertonks.org>
Sent: Thursday, February 4, 2021 11:04 AM
To: Tom Mertz <TMertz@tradenetpublishing.com>
Subject: RE: Waverly Rd Warehouses

Mr. Mertz,

Did you want me to include this with your comments for the planning commission?

Thanks,
Kara

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: Tom Mertz <TMertz@tradenetpublishing.com>
Sent: Wednesday, February 3, 2021 6:31 PM
To: aburks@northpointkc.com
Cc: Kara Banks <kbanks@edgertonks.org>; Forward DMertz <dmertz@firesideridge.com>; creed@kcbuilding.com; hankflageolle@gmail.com; mmjjssmm@gmail.com
Subject: Waverly Rd Warehouses

Aaron,

I live just north of the Hostess building. We realize there is going to be additional development both north and west of it. We (our neighbors along Waverly) would prefer that Waverly be dead ended at the half section line and that a main heavy haul road be built on the half section line east of Hostess going north. I have attached a image.



The detention pond north of Hostess could be allowed to return to native vegetation without impacting it's retention value. Overtime the lighter green area could be allowed to fill in.
With your recent purchase in the northeast corner of the section you have a greater ability to make the north south route work on the half section line. You currently control property on at least one side of the proposed road it's entire length.

We are losing value in our properties with the warehouses coming in. This plan on your website showing a road right against our south and east property lines would lower values even further.



We ask that you strongly consider the road plan we have submitted.

Thanks,

Tom Mertz
913 908-7201
The best way to reach me is via email at tmertz@tradenetpublishing.com

From:	Tom Mertz
To:	Kara Banks; Patrick Robinson (patrick@northpointkc.com)
Cc:	Rick Singleton; hankflageolle@gmail.com; creed@kcbuilding.com; Forward DMertz; Stanley N. Woodworth
Subject:	Objection to FS2020-11 Final Site Plan for Inland Port 52 located at northeast of the intersection of 207th Street and Waverly Road
Date:	Monday, February 8, 2021 9:03:02 AM
Attachments:	image001.png image002.png

Edgerton Planning Commision and Edgerton City Council,

We object to the street design of the north east corner of Inland Port 52 as shown on page 24 of the agenda PDF. Per NorthPoint's website they also own and plan to build additional warehouses west and north of Inland Port 52. We recommend that the street on the east side of Hostess and Inland Port 52 continue north along the half section line to serve the EAST side of future warehouse north of Inland Port 52. This would give trucks a straight shot without curves from future warehouse to 207th street. In addition with the recent purchase by NorthPoint of property on the southwest corner of 199th and Gardner Road the developer has contingent property from 199th to 207th along the half section line. With minor additional purchases NorthPoint could complete this street. If this is not an option the street could curve west on north end of future warehouse then go north on right of way currently owned by NorthPoint.

We suggest that the City of Edgerton abandon Waverly Road from 207th north to the half section line of Section 11. Johnson County can dead end Waverly at the half section line with access to 199th Street. Any streets needed by developer north of 207th can become private streets. Developer can provide easement for electric transmission lines.

We suggest that City of Edgerton require developer to put in a private street running west to east on north side of future Kubota building, future warehouse west of Hostess, and north side of Inland Port 52. This private street would intersect with north south street at northeast corner of Inland Port 52. This street easement would supply utilities and sewer to all future warehouses.

The plans discussed here are actually less street footage than the site plans on NorthPoint's website. The number of public streets to be maintained by the City of Edgerton would decrease as Waverly is abandoned and the west east street becomes an internal private drive of the development. Developing a major north south street on the half section line would service more acres already annexed by the City of Edgerton including the recently developer purchased property at 199th and Gardner Road. It would also serve future development on the east half of Section 11. The road plan on NorthPoint's website with road on west side of future warehouse north of Inland Port 52 would not serve any additional development.

We would also suggest that the City of Edgerton allow property north of new west east private drive return to native habitat. This is part of the Bull Creek watershed and would allow for natural vegetation and wildlife to offset some of the impacts of the warehouse development in the area. Any increase in natural vegetation would help offset the increase of diesel emissions caused by the increased truck traffic. Encouraging natural areas should be part of the City of Edgerton's strategic

plan. It is a common development strategy to require acres of “park space” to offset acres of development. As our country strives to become carbon neutral any increases in natural vegetation to offset diesel emissions would reflect positively on the City of Edgerton.

The presence of warehouses in our “backyards” is already negatively impacting us with increased noise, light, traffic, and a reduction in property values. An additional road on the east side of our properties with truck traffic will deteriorate our values even further. There are no economic or business reasons for the City of Edgerton to run the street on the west side versus the east side of the future warehouse north of Inland Port 52. In fact we have shared economic and business benefits for the road being on the east side. In light of this we would feel damaged economically if the City of Edgerton puts the street on the west side of future warehouse and would pursue a legal effort to collect those damages. We feel very comfortable arguing this case in a court of law particularly since we have raised our objections and presented a fair and reasonable alternative.

Here is a drawing showing proposed streets and green space.



This is the drawing referred to on NorthPoint’s website.



Thanks,

Donna and Tom Mertz
20233 Waverly Rd, Edgerton Ks. 66021
913 9087201
The best way to reach me is via email at tmertz@tradenetpublishing.com

Michelle and Chris Reed
20295 Waverly Rd, Edgerton Ks. 66021
creed@kcbuilding.com

Judy and Hank Flageolle
20175 Waverly Rd, Edgerton Ks. 66021
hankflageolle@gmail.com

Laura and Rick Singleton
20115 Waverly Rd, Edgerton Ks. 66021
mmjjssmm@gmail.com

35
BLDG 3
784,000 SF
BLDG 2
1,109,000 SF
KUBOTA
BLDG 4
784,000 SF
BLDG 1
HOSTESS

PUBLIC COMMENT RECEIVED FOLLOWING CLOSE OF PUBLIC HEARING

From: Donald Roberts
To: Kara Banks
Cc: Beth Linn
Subject: FW: Neighbors
Date: Wednesday, January 20, 2021 10:15:50 PM

From: Kara Stubbs <stubbs.kara@yahoo.com>
Sent: Wednesday, January 20, 2021 9:46 PM
To: Donald Roberts <mayor@edgertonks.org>
Subject: Re: Neighbors

Hello Mr. Roberts-

Thank you for your response. My address is 22435 Bridlewood Ln. Spring Hill, KS 66083.

Kara Stubbs

> On Jan 20, 2021, at 6:08 PM, Donald Roberts <mayor@edgertonks.org> wrote:
>
> Good evening Ms. Stubbs,
>
> Can you please share your address for the record?
>
> We will be happy to share your email when this issue appears before the Edgerton City Council for their consideration.
>
> Sincerely,
> Donald Roberts
>
> ---
>
> **From:** Kara Stubbs <stubbs.kara@yahoo.com>
> **Sent:** Wednesday, January 20, 2021 5:00 PM
> **Subject:** Neighbors
>
> Hello Edgerton City Council Members-
>
> I am writing to you today to ask you to consider your fellow neighbors, families your children and grandchildren go to school with, families that looked to live their lives in the country so their children and grandchildren enjoy the great outdoors.
>
> I challenge you all to take a drive to the southeast and drive around the plots of land where the warehouses are proposed to be built. Drive the entire block of 199th to Moonlight to 215th and back on Gardner Rd. Take a good look at the homes that will be stuck looking at warehouses forever because they will never be able to sell their house. Those families where their home might be their only “savings” or where they

planned to hand the house down to the kids later in life. Those homes will be worth nothing. Would you want to live there? Do you want your home to be right across from a warehouse? Take a drive down 199th and see how dangerous it is right now with all the semi's that take that route across the county. Send your children to drive down that road daily.

We do not live within the blocks where the warehouses are going to be built but we live south of there. Unfortunately it is going to become extremely dangerous for my new drivers to drive to school safely because every road we have to take will be inundated with truck traffic. (more so than it already is)

I read through each of your bio's on the city's web page. (see below) The underlying theme for why each of you ran for city council was because you loved the community feel, you care about your neighbors, you want to "do the right thing", you love the hometown feel, you grew up in the community and want the same for your growing children. Tell me something….do the warehouses feel very neighborly to you? Does the community have the same feel as it did when you were growing up? Is NorthPoint the kind of neighbor you would like to have living next to you? Do warehouses give you that "hometown feel"? If you can honestly answer "yes" to these questions I know of about 100 people who might be willing to sell you their house.

I am asking you today to put your neighbors before money, put your children's friend's family before money, your neighbors need to see something good right now. Money doesn't fix all problems and it definitely causes problems for so many others. Right now NorthPoint is sitting on gorgeous land. These families have build their lives around country living. There are other options to bring tax dollars to the area. Maybe not as much but consider switching it over to residential land. So many people want to get out of the city, make a gorgeous neighborhood with 5 acre plots and decent sized houses, similar to the area near Blue Valley Southwest. Encourage people to set their roots here, not drive in to work and back out again. Make this a great community to live again. Help your neighbors, care about your neighbors.

Thank you for your time
Kara Stubbs

"My goal as mayor is to provide opportunities for future generations. I love this city and it's people. Neighbors are always willing to help each other. We can accomplish so much when we work together." - Donald Roberts, Mayor

"I ran for city council because I want to continue to represent the citizens and help build Edgerton in a positive manner. I like knowing that all the elected officials and city staff have Edgerton's best interests in mind." - Clay Longanecker, Council President

"I ran for city council for several reasons. First, to serve the citizens of

Edgerton. Second, to always do the "right thing." Third, to ensure the City meets the needs and desires of its citizens. And finally, to always push for lower taxes." - Ron Conus, Council Member

"Edgerton has so much happening right now and I wanted to be a part of it. I ran for City Council because I thought this would be a great opportunity to serve my community and help make Edgerton better. My favorite part of the city is how we care about our neighbors." - Katee Smith, Council Member

"I ran for City Council to contribute to my community and the great citizens of Edgerton. My favorite thing about Edgerton is the hometown feel." - Josh Lewis, Council Member

"I've lived in Edgerton for 31 out of my 34 years, so this city is home. I ran for Council because I wanted to voice my opinion from the younger generation that has seen the growth of our town first hand. I grew up with this community and I'd like the same experience for my growing children." - Joshua Beem, Council Member

---

Scanned by McAfee and confirmed virus-free.

Scanned by McAfee and confirmed virus-free.

From: Donald Roberts
To: Kara Banks
Subject: Fwd: Please say NO to NorthPoint along Gardner Road and 215th Street
Date: Monday, March 8, 2021 10:03:59 AM

Sent from my iPhone

Begin forwarded message:

> **From:** Krista Stines-Mealman <kstines@hotmail.com>
> **Date:** March 8, 2021 at 7:47:09 AM CST
> **To:** Donald Roberts <mayor@edgertonks.org>
> **Subject: RE: Please say NO to NorthPoint along Gardner Road and 215th Street**
>
> 21883 S. Waverly Rd, Spring Hill
>
> Sent from my Sprint Samsung Galaxy S10.
>
> -------- Original message --------
> From: Donald Roberts <mayor@edgertonks.org>
> Date: 3/7/21 8:47 PM (GMT-06:00)
> To: Krista Stines-Mealman <kstines@hotmail.com>
> Cc: Kara Banks <kbanks@edgertonks.org>
> Subject: RE: Please say NO to NorthPoint along Gardner Road and 215th Street
>
> Thanks for reaching out Krista! Can we please have you address to include in the record.
>
> Sincerely,
> Donald Roberts
>
> ---
>
> **From:** Krista Stines-Mealman <kstines@hotmail.com>
> **Sent:** Sunday, March 7, 2021 6:52 PM
> **To:** Kara Banks <kbanks@edgertonks.org>; Donald Roberts <mayor@edgertonks.org>; Clay Longanecker <clonganecker@edgertonks.org>; Ron Conus <rconus@edgertonks.org>; Katee Smith <ksmith@edgertonks.org>; Josh Lewis <jlewis@edgertonks.org>; Josh Beem <jbeem@edgertonks.org>; sshute@gardnerkansas.gov; Presidenttwinters@gardnerkansas.gov;

Planner@jocogov.org; ed.eilert@jocogov.org; shirley.allenbrand@jocogov.org; charlotte.ohara@jocogov.org
Subject: Please say NO to NorthPoint along Gardner Road and 215th Street

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender kstines@hotmail.com

No one that bought out here thought we would be living surrounded by warehouses. We moved outside of town to live around nature, not trucks and huge buildings. We had hoped to live here forever because of the peace and quiet and being in nature. But if we are surrounded by warehouses, we would want to find somewhere else but not be able to sell. It will be not only devastating to use emotionally but also financially.

Northpoint is buying land under other names and then getting the people of Edgerton to rezone. Please tell me you can see how this is sneaky and wrong! Everyone involved knows it is wrong or it wouldn't be done on the sly.

Not only do we not want to live near the warehouse (but will have no choice because we will be stuck financially), we do not want to share our small country roads with big rigs. It is already ridiculously dangerous to drive down Gardner Road with the number of trucks coming down to the 215th street warehouses. EVEN THOUGH THEY ARE SUPPOSE TO USE THE NEXT EXIT!

There has to be other land in less populated areas to build, even land already in "Edgerton".

It speaks volumes when you see the salary increases for those that are supposed to work for Edgerton but seem to work for North Point!

Please do what is right for the people that live in the community you represent! Our future literally depends on it!

Krista

From: Kris
To: Kara Banks
Subject: Resident opposition to NorthPoint Project
Date: Wednesday, January 27, 2021 10:55:36 AM

Hello Ms. Banks,

My name is Kristopher Camp, I am a rural JoCo resident living in the area of the NorthPoint Warehouse Project along Gardner Road/207th Street. I'm writing to you to express my emphatic opposition to warehouse construction in this area. In September, my wife and I spent the better part of our life savings to move out of southwestern Gardner to escape the noise pollution and heavy traffic generated by the Intermodal and the nearby warehouse complex. Now that I have bought a house along Gardner road and settled down with my wife and kids, the threat of living next to an expanding industrial complex is a concern again. I feel that if the city of Edgerton and the NorthPoint company need to develop more land for warehouses there are several areas to the South along the interstate that are more appropriate and less impactful than the areas currently chosen along Gardner Road. It is clear that most of the residents who live along Gardner Road, myself included, chose to move here because of its peaceful rural setting. Allowing this development will diminish the area's appeal and land values significantly and will no doubt ensure further expansion of an industrial warehousing district in what is clearly a residential setting.

Please help us keep this area's rural charm that brought my family here in the first place and resist the construction of the warehouse development along Gardner Road.

Thank you for your time,

Kris Camp
913-515-7856

From: Kristy Kural
To: Kara Banks
Subject: NorthPoint Annexation Warehouses
Date: Monday, January 25, 2021 4:27:54 PM

To Ms Banks and To All This May Concern;

We are writing to you to express our concern regarding the NorthPoint annexation, rezoning and warehouse expansion to the south and east of Gardner. We purchased our home and land 5 years ago, we moved from our home of 9+ years because BNSF built in our backyard and took away the quiet surroundings and replaced it with day and night noise and nighttime light. After this disappointment we chose to raise our four children in the country with quiet nature and farm views, and if your project is approved all of this will be taken away from us again.

The reason many of us oppose this project is because the location does not make any sense, the locations you want to put these monstrous warehouses is yet again in our backyards. I'd like for you to at least think about the effect you are placing upon so many residents, farms and nature. Residents that have vocally opposed your ridiculous overtake of another city's land to build warehouses around people who have lived and built their lives outside of the cities to escape the very surroundings you want to impose upon us. Why can these buildings not be built along the highways or close to the already existing warehouses by the airport next to the Coleman warehouse, next to BNSF or even better in your city. The City of Edgerton has already taken land from our residents and built warehouses in our neighbors backyards disrupting their way of life. The City of Edgerton has provided ZERO infrastructure to the roads, the roads that we now have to share with countless semis, semis who have continuously fall off the road because they can not make the turns safely, create traffic, destroy the roads because of their weight, and create extremely dangerous travel ways on a two lane road. We have struggled for the past year semis passing vehicles on the back roads to avoid the highway weigh stations . Company semis that include UPS, FedEx, Amazon, Walmart and so many more.

We have been unable to attend any of the rezoning meetings, but we want our voices to be heard. We stand with ALL of our fellow neighbors by voting against your stealing of our cities land and having little regard for the families that have spent decades building our lives in the country. #notowarehouses #notoEdgertonannex #nototakingourland

Sincerely,
Kristin and Emrah Kural
30181 W 231st Street
Spring Hill, KS 66083

2-9-2021

Michael Duffield, 27555 W. 207 Street, Gardner, KS 66030

1. Thankyou for hearing my comments.

2. I agree with previously stated comments & reasons by other residents to not allow rezoning of the Parcels ZA2020-02 through ZA2020-08 from Johnson County Rural (RUR) to City of Edgerton Logistics Park District (L-P).

3. I feel the rezoning might be improper because the Annexations of those properties during the Edgerton City Council Special Meeting on Dec 17, 2020 violated in part Kansas Statute (K.S.A.) 12-520 when the Council approved Ordinance No. 2058, for Annexation.

K.S.A. 12-520 states - Conditions which permit annexation; ordinance; severability of ordinance where annexation invalid; limitations.

The violation , I feel, is under,
Section (h) and reads - No city may utilize any provision of this section to annex a narrow corridor of land to gain access to noncontiguous tracts of land. The corridor of land must have a tangible value and purpose other than for enhancing future annexations of land by the city.

The Tracts of land that created a "Narrow Corridor" were annexed on Dec 10, 2020 by Ordinance No. 2057 during the City of Edgerton City Council Regular Session.
Tract 1, Parcel BF221511-3006 , which barely touched on its S.W. corner to Edgerton annexed land. On Tract 1 S.E. corner a "Narrow Corridor" touches Tract 2, BF221512-1011, also annexed in Ordinance No. 2057. These properties then adjoined those Annexed in Ordinance No. 2058 to other Edgerton annexed properties in a snake like fashion. Making Parcels ZA2020-02 through ZA2020-08 not properly Annexed so they should not be allowed to be rezoned.

Thankyou

Michael Duffield

From: Sandy
To: Kara Banks
Subject: Citizens Against NorthPoint and Warehouse Warriors
Date: Wednesday, February 3, 2021 11:36:10 AM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender srcorder01@live.com

Hello Ms. Banks,

My name is Sandy Corder and I would like to voice my objection to NorthPoint building any warehouses/industrial sights from 199th St. to 215th St. in Gardner and Spring Hill, Ks.

I live approximately 3/4 mile east of Moonlight Rd. on 215th St. We are a family of five and have lived there for almost 33 years. Our house and property are designated to be inherited by our children when we pass. They live within city limits and this property allows them to relax and enjoy the country life whenever they visit. Allowing Edgerton to annex the proposed land and NorthPoint to build anything like warehouses would ruin and destroy the landscape of the area we live in. In my opinion, our property will become worthless.

When the railroad built the intermodal, they assured us we wouldn't even know they were there. What a false statement that was. We have semi-tracker trailer trucks passing our home several times daily as a cut through from 169 highway to Gardner Road. It has gotten worse since the warehouse was constructed on 207th St. 215th St. cannot support that kind of weight or size of the trucks. There are several places along 215th where only a single car can pass. The road is starting to crown in the middle and deteriorate. It is a tragedy waiting to happen allowing semi-trucks to use 215th St. We have a lot of walkers and bike riders who shouldn't have to worry about a huge truck going by.

It's hard for me to understand why land cannot be annexed along I-35 between Edgerton and Wellsville or along 56 highway between Edgerton and Baldwin City. There are miles and miles of open farmland without homes whose lives will be forever altered.

Because of the Covid-19 virus and our age, we are unable to attend the open hearings in Edgerton. I am very proud and appreciative of the "standing room only" appearance that my neighbors and friends made at the last open hearing. We will be there in spirit at the next meeting scheduled for Feb. 9th supporting any and all objections to this huge project moving forward.

I have donated to Protect Rural SW Johnson and N Maimi County in an effort to help finance funds needed to support all organizations fighting this proposal. I will also post signs hoping to spread the word about how wrong this will be for our community. I am waiting to sign a petition to add my signature to the opposition for this unreasonable and unnecessary attempt

to create an industrial complex.

I appreciate you handling emails sent in by concerned citizens and thank you for your assistance.

Sandy Corder
26507 W 215th St.
Spring Hill, KS 66083
913-608-1778

From:	Devin Self
To:	Kara Banks; Beth Linn
Cc:	Frank Bannister
Subject:	Planning Commission Meeting (2/9/21)
Date:	Tuesday, February 9, 2021 5:37:16 PM
Attachments:	photos.zip

Kara/Beth,

I would like to submit the following photos to be included in the agenda for tonight's meeting.

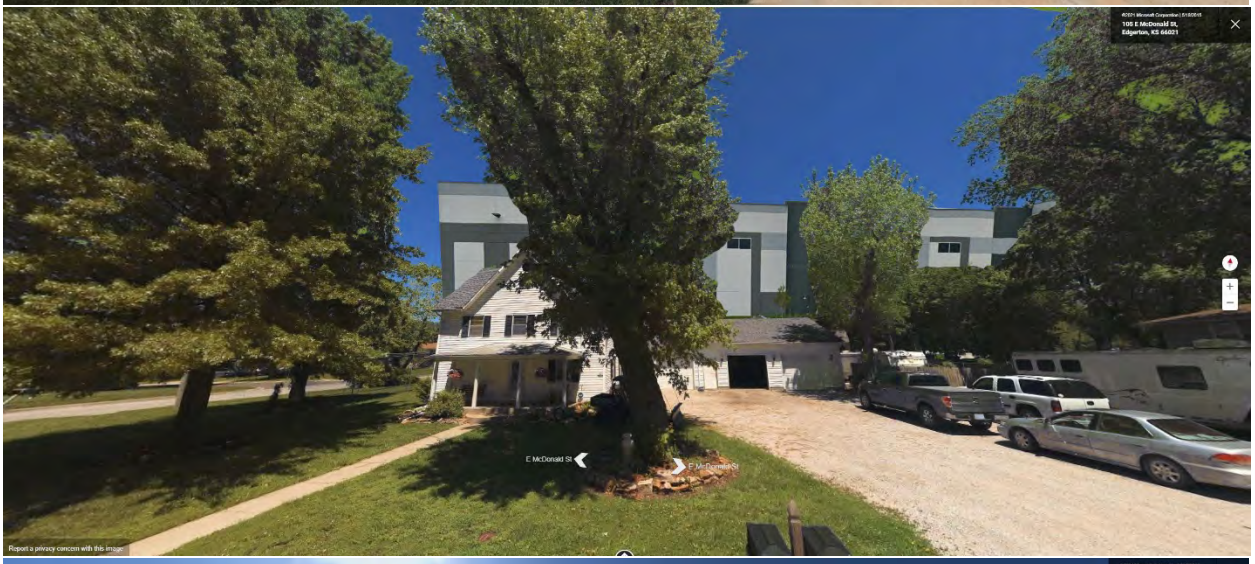
Please the attached ZIP file. It is not password protected.

These photos pertain to the rezoning applications for the seven parcels of land discussed at the January 14th meeting. I believe it's important that each member of this planning commission be able to visualize what it would be like to have one of these complexes/buildings in their backyard before they vote tonight.

If neither of you are the correct persons to receive this information please let me know who those persons would be.

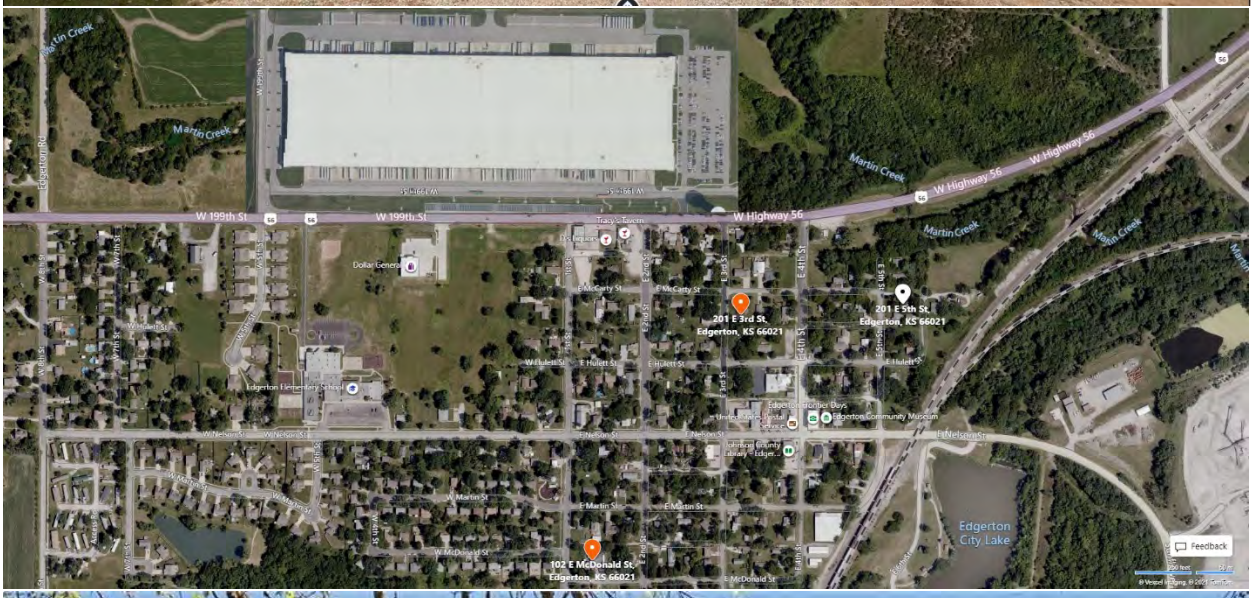
Thanks,
Devin Self


404 W Merlewood Ln,
Edgerton, KS 66021


105 E McDonald St,
Edgerton, KS 66021
E McDonald St
Report a privacy concern with this image


900 W 7th St, Edgerton, KS 66021
W 7th St
W 7th St
Report a privacy concern with this image


©2021 Microsoft Corporation | 5/10/2019
201 E 5th St, Edgerton, KS 66021
E 5th St
Report a privacy concern with this image


Martin Creek
Edgerton Rd
W 199th St
W Highway 56
Dollar General
Tracy's Tavern
201 E 3rd St, Edgerton, KS 66021
201 E 5th St, Edgerton, KS 66021
Edgerton Elementary School
Edgerton Frontier Days
Edgerton Community Museum
Edgerton City Lake
102 E McDonald St, Edgerton, KS 66021
Feedback



Economic Impact Study:

RURAL RESIDENTIAL JOCO TO L-P

February 6, 2021

Study of the economic impact to citizens surrounding the area referred to in Case No: RZ-ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Introduction and reason for this study:

On January 12, 2021 the public expressed a wide range of concerns regarding the proposed rezoning of the property between 215th St. and 199th St. between Gardner Rd and Moonlight Rd to the Edgerton Planning Commission. After the public comments, the Commission decided to table the vote until their February 9, 2021 meeting so that staff could pull together information regarding the economic impact of the proposed zoning change on the neighboring properties. The narrative around the economic impact of rezoning property to L-P and the subsequent development consistent with that zoning often focuses on the economic impact of the region, the state and/or municipality. The purpose of this report is to illustrate and quantify the economic impact to the residents who live in the area immediately surrounding the land being considered for rezoning.

Effect on property value in the area immediately surrounding the proposed rezoning:

The market value per acre for raw land that is zoned for commercial development is higher than the price per acre for a similar sized parcel of raw land that is zoned for agricultural use. However, the property surrounding the area being considered for rezoning and development is not raw land.

A vast majority of the properties are small acreage homesites that were built or purchased for the purpose of rural residential living. Rural residential properties are sought after, in part, for the open space, quiet, connection to nature, participation in small scale agriculture, and the close-knit community that they offer. These core attributes to rural residential living are derived from the attributes of the broader area as a whole, in addition to the attributes of each individual property. Factors such as being in close proximity to industrial developments and all the noise, traffic, smell and the presence of thousands of people from outside the community effectively destroy the value of a property for the purpose of rural living.

If the proposed rezoning is allowed, the market for these properties will change entirely. Property owners who wish to continue their current lifestyle elsewhere will be forced to sell their properties for commercial use rather than to other rural residential buyers. The attributes of each property that add to its value for the purpose of rural living will be worth little to nothing in the new commercial market.

Each rural residential property includes structures that are indispensable for rural living but have no value or application in a large-scale warehouse and light manufacturing development. These structures include single family homes, detached garages, horse barns, man sheds, fences, corrals and workshops. To people who want to live in a rural residential environment, these structures are valuable additions to the property. However, to the commercial development buyers, these structures have absolutely no value and are often burned to the ground or otherwise destroyed.

In the area immediately surrounding the land being considered which is defined here as properties on 215th St., 207th St. and a 199th St. between Gardner Rd. and Moonlight Rd. and on Gardner Rd. and Moonlight Rd. between 199th St and 215th St. These properties are either in one of the two sections of land that contain the area for which the zoning change is being considered or across the street from one of those two sections of land.

According to AIMS (Automated Information Mapping System) data for Johnson County and Beacon data for the properties in Miami County, there are **75 properties** immediately surrounding the proposed rezoning. The aggregate appraised value of only the rural residential structures on these properties, not including land, is **$17,659,130**. On a per property basis **the average structure value per property is $235,455**.

Total appraised value of adjacent properties in Johnson & Miami counties
$17,659,130
Property count
75
Average building value per property
$235,455.07

According to jocogov.org, since 2012 properties in Spring Hill and Gardner have sold above their appraised value indicating that the true market value of these properties is greater than the value indicated by appraisal. The average percent above appraisal for the two towns in 2019 was 21%. When this data is applied to the appraised building value of the properties immediately next to the proposed zoning change area to reflect the market value of those properties, **the loss of market value in residential buildings totals $21,364,865**. When that loss in value is spread over the 75 properties adjacent to the proposed zoning change, **the average market value loss per property is $284,865**.

JOCOGOV.ORG

Average Appraisal vs. Sale Price

Spring Hill

	Average Appraisal	Average Sale Price	Sale - Appraisal	% Sale over Appraisal
2012	$133,922	$187,541	$53,619	40.0%
2013	$135,564	$220,559	$84,995	62.7%
2014	$146,781	$233,618	$86,837	59.2%
2015	$158,088	$226,328	$68,240	43.2%
2016	$171,129	$262,969	$91,840	53.7%
2017	$184,384	$265,966	$81,582	44.2%
2018	$199,499	$288,626	$89,127	44.7%
2019	$225,623	$290,068	$64,445	28.6%

Gardner

	Average Appraisal	Average Sale Price	Sale - Appraisal	% Sale over Appraisal
2012	$150,188	$157,502	$7,314	4.9%
2013	$149,167	$171,009	$21,842	14.6%
2014	$153,935	$183,317	$29,382	19.1%
2015	$164,763	$192,492	$27,729	16.8%
2016	$173,536	$210,295	$36,759	21.2%
2017	$191,303	$219,365	$28,062	14.7%
2018	$206,086	$234,651	$28,565	13.9%
2019	$214,053	$242,750	$28,697	13.4%

Average % Over Appraisal	**21%**
Appraised Building Value Adjacent to Rezoning	**$17,659,130**
Estimated Market Value of Buildings	**$21,364,865**
Average Market Value per Property	**$284,865**

Effect on properties near similar developments:

The effect that the proposed zoning change and commercial construction will have on nearby properties can be estimated by analyzing data from AIMS data for building and land values for 2019 and 2020 of properties that are similarly situated to like warehouse operations. The following statistics were derived from a sample of 15 properties that are similar in size and nature to the properties surrounding the proposed rezoning.

In the one year between 2019 and 2020, the aggregate value of the land that makes up these properties increased by 11.22% while the aggregate building value decreased by (9.25%)

In 2019, 82% of the value of these properties came from the value of the buildings while 18% of the value came from the land. In 2020, just one year later, the building value had decreased to 79% while the land value moved to 21% of the overall property value.

Property Value Components	
2019	
% Land	18%
% Building	82%
2020	
% Land	21%
% Building	79%

Because buildings make up such a large portion of the property value, the increase in land value is not nearly enough to offset the decline in building value. Over this one-year time period, the overall value of the sample properties declined by (6%). In contrast, the JOCO 2020 Revaluation Report indicates an increase in the value of residential farm homes of 6% over the same time period. In dollar terms that equates to a loss of $6,000 per $100,000 in value for the properties near the existing warehouses in a single year while similar properties county wide increased in value of $6,000 per $100,000 in value over the same time.

In 2019, the average sale price in Western Rural Johnson County was $539,100. In relation to the change in value of properties near warehouses, the average property of this type in Western Johnson County fell to $506,754 while properties that are not impacted by their proximity to warehouses appreciated to $571,446. A difference in value of ($64,692) per property on average in a single year. According to the US Census, the median home value in Johnson County is $259,600. In comparison the rural properties in the western part of the county have an average value of over twice the median for the county as a whole. Moreover, the rural residential properties in this part of the county are some of the most valuable properties in the county. This data indicates that further rezoning in this area for industrial projects is not only confiscatory to the owners of those properties but also degrades the value of some of the most valuable residential properties in the county.

In contrast, properties in the area identified for this type of development by multiple land use plans, including the Edgerton Future Land Use Map, north of I-35 and Edgerton are far less valuable for rural residential use. Properties in that area are made up in large part of one house per 80-160 acres and many of the houses date to around 1900 – 1930s. A zoning change of the type being proposed in that

area would greatly reduce the financial impact to residential properties when compared to the area for which a zoning change is being considered.

Limited Marketability:

According to several property owners and their real estate agents near the current Kubota and Hostess warehouses it is very difficult to find a buyer for their property once warehouses are constructed nearby. The owners of smaller acreage properties have had varying experiences depending on how close their property is to the existing warehouses. Some have had their properties listed for sale for years with multiple showings but no offers. These people have a received various feedback from prospective buyers but the common theme is that they don't want to buy a property that is so close to warehouses and that they don't like the volume of truck traffic. Some properties that did sell in the area had to be deeply discounted to find a residential buyer. Other properties that sold were marketed without disclosing the fact that area was being rezoned for warehouse construction. Many property owners in the area feel completely defeated, expressing that they are ultimately stuck. They don't have sufficient resources to forfeit the equity in their home and purchase a home in a different area. They are unable to find a buyer willing to give them a price that is near what their home was worth as a typical rural residential property, the status the property had when they purchased it.

Rural residential property owners in this area face some very difficult decisions in the near future. As the industrial presence in the area expands, they will be forced to live among those industrial operations rather than the rural setting they've become accustomed to or sell their property for much less than they bought it for. The first scenario comes with a significant decrease in quality of life while the second comes with significant decrease to their financial health.

Owners of large acreage properties in the area face a different set of choices but are still in a very difficult position. Some large acreage property owners in the area have had their properties under contract with commercial buyers that where outside the NorthPoint / Edgerton partnership. Once those buyers completed their due diligence, they found that there would be significant obstacles to overcome to build and operate on the property. Specifically, the presence of "spite strips" along the roadway would make the project cost prohibitive. In addition, they found the City of Edgerton to not be receptive to working with them on the annexation and zoning required to complete the project. As a result, the commercial buyers backed out of the contracts to purchase the property.

One account from the owner of a large acreage property near the Hostess warehouse received an offer of $35,000 per acre from Patrick Robinson, Vice President of Development at NorthPoint Development. Believing that this offer was below the commercial market value for his property, he declined to accept. After, the construction of the Kubota and Hostess facilities and the infrastructure improvements directly surrounding them, this gentleman received another offer from Mr. Robinson for $17,000 per acre. When an inquiry was made as to the reason for the significant decrease in the offering price per acre, it was indicated that Mr. Robinson expressed that the property was now worth less per acres because the warehouses and infrastructure development had been done. Presumably because the "spite strips" that came with the infrastructure now made the property not financially viable for any other commercial purchaser. It was reported that Mr. Robinson crassly communicated that the property owner and NorthPoint would be neighbors for a long time, referring to the owner's inability to secure a buyer other than NorthPoint.

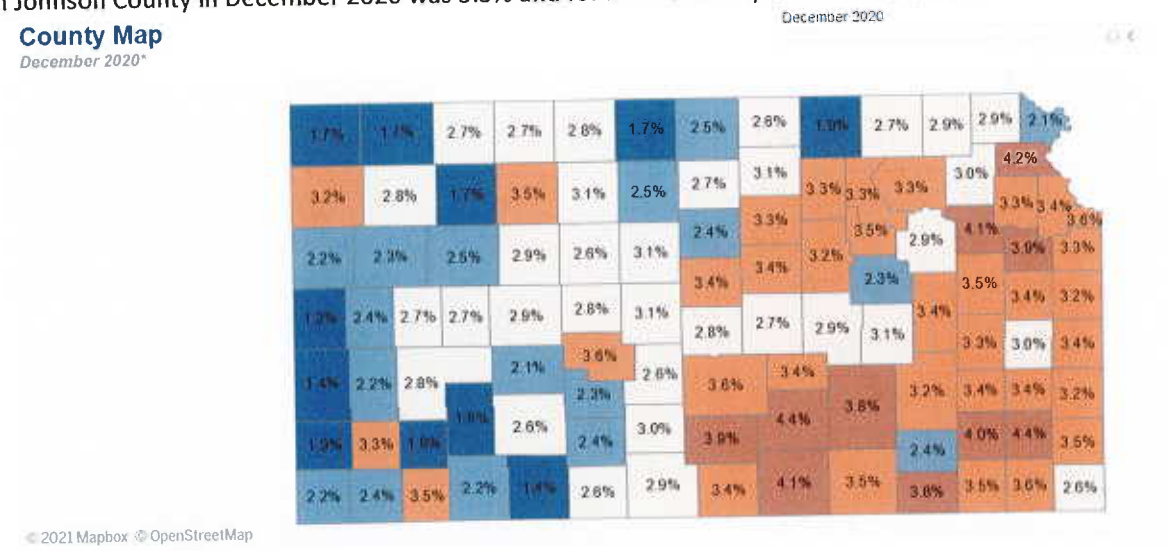
Considering the experiences of property owners in the area, the overwhelming conclusion is that many of property owners will find that NorthPoint is their only viable buyer. Such a monopolistic environment leaves the property owners at an overwhelming disadvantage. In this environment, NorthPoint is able to buy property and build warehouses which restricts large acreages from successfully selling to other commercial buyers and causes small acreage properties to have no value to rural residential buyers. The fact that "spite strips" are part of road improvements and that Edgerton is not consistent in their willingness to annex and rezone for non-NorthPoint projects deters competing commercial buyers. NorthPoint being the only viable buyer takes all pricing power from the property owners and leaves NorthPoint in full control of the price and timing of any purchase. Property owners will ultimately be left with two choices, live in a warehouse district or sell their property for whatever NorthPoint will offer for the land, forfeiting the value of their home and other buildings.

While some properties have sold to Northpoint at what would be considered a high price, after considering the information available, it seems that these properties were in the minority. The primary motivation for the premium pricing seems to be the strategic value of a specific property rather than the properties intrinsic value for commercial use. At least two small properties had strategic value in the property's positioning between a large tract of NorthPoint owned land and the edge of the Edgerton City limits. In the case of larger acreages, premium prices were offered to property owners who sold to NorthPoint early on in their warehouse construction efforts, but more recent large acreage purchases where at or below the typical agricultural price per acre.

The negative economic impact described above would be mitigated significantly if NorthPoint was required to pay residential owners based on each property's appraised rural residential value, consistent with Kansas State law in cases of eminent domain for economic development. For large parcels of raw land, the negative impact of the current monopolistic structure would be mitigated by disallowing "spite strips" and ensuring land owners can get a true market price for their land by treating all commercial buyers including NorthPoint equally in the annexing and rezoning process.

Jobs:

One point that is cited in favor of the proposed zoning change is that it will bring jobs to the area. According to Kansas DOL (https://klic.dol.ks.gov/gsipub/index.asp?docid=697), the unemployment rate in Johnson County in December 2020 was 3.3% and for Miami County the rate was 3.2%.



According to the US Bureau of Labor Statistics, the national unemployment rate in December 2020 was 6.3%. According to the Federal Reserve bank of St. Louis, the natural rate of unemployment 4.7% which is nearly 1.5% higher than the unemployment rate in the area of proposed zoning change, Johnson and Miami counties. Considering that local unemployment rates are at near half the national unemployment rate, and significantly below the natural rate of unemployment, infringing upon the property rights and lifestyle of the area's residents for the purpose of creating jobs cannot be justified.

Deviation from Comprehensive Plans:

Property owners rely heavily on city, county and jointly produced land use plans when deciding where to buy property. With property being the largest investment that many families own, the information in these plans is a key part of the due diligence that property owners do before investing in property in a city or county. The proposed rezoning not only goes far outside the development area indicated in the Edgerton Future Land Use Map, currently on the Edgerton City website. The area is also designated to remain rural residential or is not addressed at all in all scenarios laid out in the "The Southwest Johnson County Area Plan" produced by KDOT, Johnson County, Edgerton, Gardner & Mid-America Regional Council (KDOT PROJECT NO. 046-KA-2641-01). Deviating from all public land use plans in such a severe and sudden way is a gross betrayal of residents who placed trust in those plans when making the decision to invest in their properties.

Multiple property owners on Moonlight Rd. and on 207th St. gave first-hand accounts of how the trust they placed in these plans was betrayed. They detail how they purchased their properties only after reviewing all available plans and were shocked to hear that Edgerton annexed and intended to rezone the area directly adjoining their property or across the street with the intention of building "Mega-Warehouses". Some had moved in just months or weeks before receiving notice of the annexation and

proposed rezoning in the area. At least one family moved into a house that they had just finished building before those notices were issued.

The following point from "The Southwest Johnson County Area Plan" has already been violated by the construction of the Mustang project.

"Very low density development south of I-35. In all scenarios, the area south of I-35 and 199th Street between Waverly Road and the future Big Bull Creek Park is designated for very low-density conservation development, encouraging lot clustering to preserve environmental features and take advantage of soil characteristics conducive to green infrastructure. Very low intensity use is the desirable future for this part of the study area because of topography, existing residential use patterns, high cost of providing urban infrastructure to this area, and the availability of other land to meet projected urban development demands. In addition, it is particularly important to minimize land disturbing activity in this area to minimize downstream effects, including negative impact on Hillsdale Lake."

Homeowners on the west side of Gardner Rd. have already been significantly damaged through a reduction in their property value and being deprived of the quiet enjoyment of their property.

Zoning changes have a significant effect on property value:

During the January 12, 2021 City of Edgerton Planning Commission meeting, there were 18 points that were covered to evaluate the proposed zoning change. These can be found in the Staff Analysis section on Pg. 15 of the agenda packet for that meeting. Unfortunately, the responses given to each of the 18 points were grossly one sided by referring back to existing warehouse areas rather than the properties neighboring the proposed area to be rezoned. Below is a more honest response to each of the 18 points.

1. Need for the proposed change – Amazon & Hostess have expressed a need for warehouse and production space. NorthPoint needs the zoning to be changed on the proposed property in order to be able to provide that space before one of their competitors does.

2. Magnitude of the change – Maximum magnitude. The current rural zoning is very low impact on the environment and the existing residents who live in the area enjoy a quiet lifestyle in close connection to nature and agriculture. The zoning change would be a complete 180 degree change to every aspect of the area and its residents.

3. Whether or not the change will bring harm to established property rights – The impact to established properties will be confiscatory in nature. Property value in the area is largely derived by the rural lifestyle the area provides its residents and the quiet atmosphere. The presence of warehouses and manufacturing facilities will completely diminish all of those attributes that the area currently enjoys to zero.

4. Effective use of land – Rezoning the proposed area of approximately 600 acres to L-P and the construction of warehouses and manufacturing facilities will destroy the property values and lifestyles of the residents in the entire area. The area north of Edgerton is far less populated and would have a significantly lower cost in terms of rural residential value.

5. The extent to which there is a need in the community for the uses allowed in the proposed zoning – The community surrounding the proposed area have no need whatsoever for warehouses or light manufacturing facilities. The community would incur significant harm if the zoning on the proposed area is changed to L-P.

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 – The proposed rezoning does not at all fit with the existing character of the neighborhood which is made up of retired people and young families with children. L-P zoning is in complete contrast with the characteristics of the existing rural residential use. Other properties in the area made up of single-family homes, accessories buildings and livestock barns. The mega-warehouses that would be constructed as a result of the proposed zoning change does not at all fit with this character.

7. Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties – Nearby properties are used for rural residential living by families and retired people. Mega-Warehouses and manufacturing facilities are not only incompatible, they are prohibitive to the current use of nearby properties.

8. Suitability of the uses to which the property has been restricted under its existing zoning – Current RUR zoning does not restrict the use of any other property in the area.

9. Length of time the subject property has remained vacant under the current zoning designation – Although the property itself is currently vacant and has been used for agricultural use in the past, its entire border is not vacant and is currently occupied by families who would be significantly negatively impacted by the proposed zoning change.

10. The extent to which the zoning amendment may detrimentally affect nearby property – The zoning amendment would detrimentally affect nearby properties in multiple ways. In part, it would significantly reduce the market value of nearby properties and deprive the residents of those properties of the quite enjoyment of them.

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 – The proposed rezoning does not match any development plans that have ever been published by any county or city in the area. Including Edgerton.

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 – Utilities will be brought in by the developer at the expense of and intrusion on surrounding properties.

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 – 199th and Gardner Rd. are two lane paved roads with no shoulder. One death has already occurred on Gardner Rd. and serious safety concerns are witnessed daily. 215th St., 207th St. and Moonlight Rd. are chip seal or gravel roads designed for agricultural and residential use. All roadways surrounding the proposed area are completely inadequate to accommodate the heavy traffic that will come with the rezoning. A warehouse complex of the size, use and scale of the one proposed presents a serious risk to the safety of the area.

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 ZA2020-02 Staff Report - Rezoning Page 9 of 9 pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm - The proposed area is within the Little Bull Creek and Big Bull Creek water sheds which run into the east and west branch of Hillsdale lake respectively. The proposed zoning change has significant risk of negatively affecting Hillsdale Lake, the water source for approximately 55,000 people. The proposed area also contains two flood plain areas. There is significant risk that storm water runoff will flood nearby family homes. The large number of additional trucks as well as operations of a large-scale bakery will significantly decrease air quality. 24/7 operations of Amazon facilities and the coming and going of workers throughout the day and night will significantly increase the noise and light pollution in the area. There is significant risk that the current residents and their property will be more frequently victimized by crime.

15. The economic impact on the community from the uses allowed in the proposed zoning – The economic impact on the community would be a loss in property of value of approximately $21,000,000. The market value of the residential buildings on the properties immediately surrounding the proposed area. The loss of property value increases exponentially as properties that are in surrounding area are considered. Depending on traffic patterns, crime, noise and other factors, the value of most residential properties is likely to be negatively impacted for several miles in all directions of the proposed 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 – The denial of this application would result in safer roads, less pollution, less flooding, no loss of property value, and current lifestyle un-intruded to name just a few. Applicant would have to find a location that is appropriate for their project as they should have done initially rather than trying to force it on a rural residential neighborhood.

17. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton - The proposed rezoning not only goes far outside the development area indicated in the Edgerton Future Land Use Map, currently on the Edgerton City website. The area is also designated to remain rural residential or is not addressed at all in all scenarios laid out in the "The Southwest Johnson County Area Plan" produced by KDOT, Johnson County, Edgerton, Gardner & Mid-America Regional Council (KDOT PROJECT NO. 046-KA-2641-01).

18. The recommendation of professional staff – In virtually any other setting, outside of the NorthPoint / Edgerton partnership, the proposed rezoning would not receive serious consideration of any kind. It

goes against the spirit of every single statute and precedence that has ever existed to prevent inappropriate re-zoning. It is a hazard to the safety, financial well-being, and health to everyone around it.

Properties surrounding proposed area:

Miami County

Street Address	2020 Appraised Building Value
21727 GARDNER RD	$558,710
29000 W 223RD ST	$97,070
28755 W 215TH ST	$185,000
28655 W 215TH ST	$32,170
28535 W 215TH ST	$191,770
28415 W 215TH ST	$188,730
28387 W 215TH ST	$167,750
28255 W 215TH ST	$323,800
28265 W 215TH ST	$508,290
28065 W 215TH ST	$243,130
Total Appraised Value	**$2,496,420**

Johnson County

Street Address	2020 Appraised Building Value
29440 W 215TH ST	$214,860
29220 W 215TH ST	$226,550
21280 MOONLIGHT RD	$190,280
21070 S MOONLIGHT RD	$350,360
20950 MOONLIGHT RD	$227,120
20900 MOONLIGHT RD	$126,300
9416 W 164TH ST	$199,240
27985 W 207TH ST	$164,160
28145 W 207TH ST	$337,520
28255 W 207TH ST	$9,480
28595 W 207TH ST	$779,390
20685 GARDNER RD	$107,490
28640 W 207TH ST	$351,270
28572 W 207TH ST	$259,180
28358 W 207TH ST	$477,960
28572 W 207TH ST	$3,870
20685 MOONLIGHT RD	$70,220
27865 W 207TH ST	$181,730
20745 MOONLIGHT RD	$224,760
20865 MOONLIGHT RD	$458,480
20915 S MOONLIGHT RD	$323,960
20965 MOONLIGHT RD	$416,780
21015 MOONLIGHT RD	$436,000

21065 S MOONLIGHT RD	$309,050
21145 MOONLIGHT RD	$278,200
21175 MOONLIGHT RD	$299,390
21225 MOONLIGHT RD	$391,200
21355 MOONLIGHT RD	$186,840
21455 MOONLIGHT RD	$132,030
20540 MOONLIGHT RD	$253,460
20230 MOONLIGHT RD	$145,610
28515 W 199TH ST	$133,460
29085 W 199TH ST	$244,250
29175 W 199TH ST	$282,120
29245 W 199TH ST	$212,350
29345 W 199TH ST	$225,420
29445 W 199TH ST	$198,750
20005 GARDNER RD	$175,540
20085 GARDNER RD	$201,470
20185 S GARDNER RD	$262,150
20225 GARDNER RD	$231,810
20275 S GARDNER RD	$191,610
20315 S GARDNER RD	$205,370
20315 S GARDNER RD	$101,490
20365 GARDNER RD	$163,050
20480 GARDNER RD	$173,120
20300 GARDNER RD	$187,650
20260 GARDNER RD	$528,050
20225 GARDNER RD	$66,290
19880 GARDNER RD	$199,230
19885 GARDNER RD	$190,950
19855 GARDNER RD	$131,990
29270 W 199TH ST	$190,030
29140 W 199TH ST	$372,120
29080 W 199TH ST	$205,200
29000 W 199TH ST	$275,590
28920 W 199TH ST	$234,650
28130 W 199TH ST	$233,450
28150 W 199TH ST	$225,390
28060 W 199TH ST	$306,770
27960 W 199TH ST	$204,460
20195 MOONLIGHT RD	$128,510
20335 MOONLIGHT RD	$196,000
18720 MOONLIGHT RD	$151,680
Total Appraised Value	**$15,162,710**

15 properties near warehouses that have lost value:

				2019			2020			% Change			
Address	**City**		**Acreage**	**Land**	**Building**	**Total**	**Land**	**Building**	**Total**	**Land**	**Building**	**Total**	**Land**
32185 W 207TH ST	Gardner	KS	9.04	$85,840	$401,960	$487,800	$90,240	$369,460	$459,700	5.13%	-8.09%	-5.76%	$4,400
32105 W. 207th St.	Edgerton	KS	9.55	$96,730	$269,160	$365,890	$118,140	$200,770	$318,910	22.13%	-25.41%	-12.84%	$21,410
31755 W 207th	Edgerton	KS	9.09	$86,240	$251,660	$337,900	$90,670	$231,930	$322,600	5.14%	-7.84%	-4.53%	$4,430
32655 W 217th	Edgerton	KS	16.4	$142,530	$209,370	$351,900	$153,540	$190,460	$344,000	7.72%	-9.03%	-2.24%	$11,010
019445 Gardner Rd.	Gardner	KS	5.54	$63,480	$615,120	$678,660	$74,830	$558,870	$633,700	17.88%	-9.14%	-6.62%	$11,350
31300 W. 2017th	Edgerton	KS	11.74	$114,940	$471,050	$585,990	$141,790	$372,270	$514,060	23.36%	-20.97%	-12.27%	$26,850
30260 W. 199th St.	Gardner	KS	10.19	$102,080	$753,560	$855,640	$125,050	$729,420	$854,470	22.50%	-3.20%	-0.14%	$22,970
16380 Lone Elm Rd	Olathe	KS	5	$104,600	$422,600	$527,200	$104,600	$406,800	$511,400	0.00%	-3.74%	-3.00%	$0
33295 W 199th St	Edgerton	KS	4.18	$54,980	$244,410	$299,390	$68,030	$199,820	$267,850	23.74%	-18.24%	-10.53%	$13,050
33415 W 199th St	Edgerton	KS	10.58	$111,850	$327,520	$439,370	$142,340	$273,970	$416,310	27.26%	-16.35%	-5.25%	$30,490
19903 Pepper Tree Ln	Edgerton	KS	4.79	$53,330	$205,870	$259,200	$54,420	$199,580	$254,000	2.04%	-3.06%	-2.01%	$1,090
20265 Pepper Tree Ln	Edgerton	KS	21.62	$182,970	$792,390	$975,360	$191,700	$772,170	$963,870	4.77%	-2.55%	-1.18%	$8,730
19909 Pepper Tree Ln	Edgerton	KS	6.77	$73,690	$608,210	$681,900	$70,720	$586,580	$657,300	-4.03%	-3.56%	-3.61%	-$2,970
20090 Pepper Tree Ln	Edgerton	KS	5.01	$55,030	$352,460	$407,490	$56,180	$307,470	$363,650	2.09%	-12.76%	-10.76%	$1,150
19910 Pepper Tree Ln	Edgerton	KS	4.81	$53,490	$338,880	$392,370	$54,580	$285,490	$340,070	2.04%	-15.75%	-13.33%	$1,090
				$1,381,780	$6,264,220	$7,646,060	$1,536,830	$5,685,060	$7,221,890	11.22%	-9.25%	-5.55%	$155,050

From: Russ Robinson
To: Donald Roberts
Cc: Beth Linn; Kara Banks
Subject: Re: Open Letter to Edgerton Council and Planning Commission
Date: Tuesday, February 9, 2021 3:27:43 PM

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender rrussrobinson@gmail.com

Certainly.

31667 W 231st St, Spring Hill, KS 66083

I am on the north end of Hillsdale Lake in Miami County, I fully realize I am not one of your constituents but this proposal impacts me and my neighbors significantly. I live less than two miles as the crow flies from the proposed project.

Russ

On Tue, Feb 9, 2021 at 2:06 PM Donald Roberts <mayor@edgertonks.org> wrote:

> Thanks for your email Russ! Can I please have your address for the record?
>
> Sincerely,
>
> Donald Roberts

From: Russ Robinson <rrussrobinson@gmail.com>
Sent: Tuesday, February 9, 2021 1:43 PM
To: Donald Roberts <mayor@edgertonks.org>; Clay Longanecker <clonganecker@edgertonks.org>; Ron Conus <rconus@edgertonks.org>; Katee Smith <ksmith@edgertonks.org>; Josh Lewis <jlewis@edgertonks.org>; Josh Beem <jbeem@edgertonks.org>
Subject: Open Letter to Edgerton Council and Planning Commission

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender rrussrobinson@gmail.com

Dear Mayor and City Council Members:

My name is Russ Robinson. I live just off South Gardner Road in the watershed. I have lived in Johnson County for more than 20 years and in the Gardner-Edgerton area for the last seven years. I am writing you because the city website fails to provide the names and email addresses for Planning Commission members. I urge you to forward this to them, since it is unlikely that I will be able to get into the scheduled hearing.

I have read the LPKC Master Plan, the land use documents and plans for the Hillsdale watershed and the Big Bull Creek Master Plan. My research indicates that the decisions the council and planning commission make on rezoning the parcels off South Gardner Road between 207th St. and 215th St. (Gardner Road Parcel) will go far beyond Edgerton city boundaries. Your decision will impact more 300,000 residents of Johnson and Miami counties.

Have you stepped outside your house lately at 6 p.m. and just listened? You can hear activity at the intermodal at Hillsdale Lake. And it will only get worse if you allow another warehouse on the Gardner Road Parcel. It is up to you to protect the quality of life in Edgerton, Gardner, south Johnson County, north Miami County and south to the lake.

The Edgerton Master Plan and LPKC development plan indicate that the Gardner Road Parcel was designated for "rural housing." Such development is compatible with the residential/commercial project now under construction at Clare Road and 56 Highway.

In your web site bios, each of you said your goal is "to do the right thing" for the 1,700 or so citizens of Edgerton. Your responsibility goes far beyond the borders of Edgerton. Expanding warehousing development by gerrymandering city boundaries, violating the LPKC Master Plan, endangering the watershed and cow-towing to a wealthy developer are not actions that have the best interests of the citizens of Edgerton at heart.

Please consider very carefully the decision you must make and reject the proposal to expand warehousing in our area. Your decision will have a major impact on thousands of families.

--

Regards,

Russ Robinson

--

Regards,

Russ Robinson

From: Ron Conus
To: Kara Banks
Subject: Fwd: rezoning
Date: Tuesday, February 2, 2021 12:25:45 AM

Received this today.

Sent from my iPad

Begin forwarded message:

From: "Dennis L. Koch" <dennislkoch@centurylink.net>
Date: February 1, 2021 at 10:27:28 AM CST
To: Ron Conus <rconus@edgertonks.org>
Subject: rezoning

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender dennislkoch@centurylink.net

There is a house on moonlight Rd.that used to belong to a good friend of mine, right across from the land that is up for rezoning.
He passed away a few years ago and his wife died more recently. The house went up for sale less than a year ago.
It is a beautiful home with a huge pond behind it.
A couple purchased the home and a few acres a couple of months ago.
They put money down and signed a thirty year mortgage about 60 days before the rezoning signs went up.
They checked all the county and city records to see if there were any plans for development that might be coming and found nothing that would change the area.
Now they are faced with living across the street from a warehouse. They are devastated.

North Point claims that the value of their property will increase. Would you purchase their home?
The price of ground with larger acreage may increase but not a home with three acres.
The per acre price could double or triple but the increase won't be enough to cover their investment.
There are at least 6 new owners that I know of in the same situation. Plus the dozens that have lived out here longer.
You can't explain that kind of a life changing event in 3 minutes.
Try to put yourself in their situation before you vote.
I hope that you are a fair minded person and care about your neighbors.
I hope that after the vote you will be proud of the person you see in the mirror.

Dennis Koch

From: Ron Conus
To: Kara Banks
Subject: Fwd: Safety Concerns for Family
Date: Monday, February 8, 2021 2:45:19 PM

FYI

Sent from my iPad

Begin forwarded message:

> **From:** Brett Kuper <brett.kuper@gmail.com>
> **Date:** February 8, 2021 at 10:35:32 AM CST
> **To:** Ron Conus <rconus@edgertonks.org>
> **Subject: Safety Concerns for Family**
>
> **IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender brett.kuper@gmail.com**
>
> Dear Mr. Conus,
>
> I am writing in regards to the rezoning decision that will happen on February 9th for the properties between 199th and 215th St. My wife and I moved just south of 215th St and Moonlight Rd several years ago in hopes that we could raise our kids in a safe and quiet rural area, away from the noise of the city. We have a 6, 4, and 3 year old, and we love going on walks and ATV rides. There are several young families on our stretch of Moonlight Rd and if warehouses are built so close to our home, I am very concerned about their safety due to the excessive truck traffic on extremely narrow country roads. We are already having issues with truck traffic with the existing warehouses, so it will only get worse.
>
> From your online City Council profile, I can tell that you are an honest person and that you want to make sure things are done the right way. From what I have seen, I don't think Northpoint has been honest in their dealings to acquire the land or their plans to develop it, so I am not convinced that they will be very concerned about our safety either. I am sure you are under a lot of pressure from both sides, but I just wanted to reach out and voice my concerns about this situation as this decision will have a huge impact on our family and many young families around us. Thank you for your consideration and your service to the community.
>
> Sincerely,
> Brett and Mindi Kuper

Economic Impact Study:

RURAL RESIDENTIAL JOCO TO L-P

February 6, 2021

Study of the economic impact to citizens surrounding the area referred to in Case No: RZ-ZA2020-02, ZA2020-03, ZA2020-04, ZA2020-05, ZA2020-06, ZA2020-07, ZA2020-08

Introduction and reason for this study:

On January 12, 2021 the public expressed a wide range of concerns regarding the proposed rezoning of the property between 215th St. and 199th St. between Gardner Rd and Moonlight Rd to the Edgerton Planning Commission. After the public comments, the Commission decided to table the vote until their February 9, 2021 meeting so that staff could pull together information regarding the economic impact of the proposed zoning change on the neighboring properties. The narrative around the economic impact of rezoning property to L-P and the subsequent development consistent with that zoning often focuses on the economic impact of the region, the state and/or municipality. The purpose of this report is to illustrate and quantify the economic impact to the residents who live in the area immediately surrounding the land being considered for rezoning.

Effect on property value in the area immediately surrounding the proposed rezoning:

The market value per acre for raw land that is zoned for commercial development is higher than the price per acre for a similar sized parcel of raw land that is zoned for agricultural use. However, the property surrounding the area being considered for rezoning and development is not raw land.

A vast majority of the properties are small acreage homesites that were built or purchased for the purpose of rural residential living. Rural residential properties are sought after, in part, for the open space, quiet, connection to nature, participation in small scale agriculture, and the close-knit community that they offer. These core attributes to rural residential living are derived from the attributes of the broader area as a whole, in addition to the attributes of each individual property. Factors such as being in close proximity to industrial developments and all the noise, traffic, smell and the presence of thousands of people from outside the community effectively destroy the value of a property for the purpose of rural living.

If the proposed rezoning is allowed, the market for these properties will change entirely. Property owners who wish to continue their current lifestyle elsewhere will be forced to sell their properties for commercial use rather than to other rural residential buyers. The attributes of each property that add to its value for the purpose of rural living will be worth little to nothing in the new commercial market.

Each rural residential property includes structures that are indispensable for rural living but have no value or application in a large-scale warehouse and light manufacturing development. These structures include single family homes, detached garages, horse barns, man sheds, fences, corrals and workshops. To people who want to live in a rural residential environment, these structures are valuable additions to the property. However, to the commercial development buyers, these structures have absolutely no value and are often burned to the ground or otherwise destroyed.

In the area immediately surrounding the land being considered which is defined here as properties on 215th St., 207th St. and a 199th St. between Gardner Rd. and Moonlight Rd. and on Gardner Rd. and Moonlight Rd. between 199th St and 215th St. These properties are either in one of the two sections of land that contain the area for which the zoning change is being considered or across the street from one of those two sections of land.

According to AIMS (Automated Information Mapping System) data for Johnson County and Beacon data for the properties in Miami County, there are **75 properties** immediately surrounding the proposed rezoning. The aggregate appraised value of only the rural residential structures on these properties, not including land, is **$17,659,130**. On a per property basis **the average structure value per property is $235,455**.

Total appraised value of adjacent properties in Johnson & Miami counties
$17,659,130

Property count
75

Average building value per property
$235,455.07

According to jocogov.org, since 2012 properties in Spring Hill and Gardner have sold above their appraised value indicating that the true market value of these properties is greater than the value indicated by appraisal. The average percent above appraisal for the two towns in 2019 was 21%. When this data is applied to the appraised building value of the properties immediately next to the proposed zoning change area to reflect the market value of those properties, **the loss of market value in residential buildings totals $21,364,865**. When that loss in value is spread over the 75 properties adjacent to the proposed zoning change, **the average market value loss per property is $284,865**.

JOCOGOV.ORG

Average Appraisal vs. Sale Price

Spring Hill

	Average Appraisal	Average Sale Price	Sale - Appraisal	% Sale over Appraisal
2012	$133,922	$187,541	$53,619	40.0%
2013	$135,564	$220,559	$84,995	62.7%
2014	$146,781	$233,618	$86,837	59.2%
2015	$158,088	$226,328	$68,240	43.2%
2016	$171,129	$262,969	$91,840	53.7%
2017	$184,384	$265,966	$81,582	44.2%
2018	$199,499	$288,626	$89,127	44.7%
2019	$225,623	$290,068	$64,445	28.6%

Gardner

	Average Appraisal	Average Sale Price	Sale - Appraisal	% Sale over Appraisal
2012	$150,188	$157,502	$7,314	4.9%
2013	$149,167	$171,009	$21,842	14.6%
2014	$153,935	$183,317	$29,382	19.1%
2015	$164,763	$192,492	$27,729	16.8%
2016	$173,536	$210,295	$36,759	21.2%
2017	$191,303	$219,365	$28,062	14.7%
2018	$206,086	$234,651	$28,565	13.9%
2019	$214,053	$242,750	$28,697	13.4%

Average % Over Appraisal	**21%**
Appraised Building Value Adjacent to Rezoning	**$17,659,130**
Estimated Market Value of Buildings	**$21,364,865**
Average Market Value per Property	**$284,865**

Effect on properties near similar developments:

The effect that the proposed zoning change and commercial construction will have on nearby properties can be estimated by analyzing data from AIMS data for building and land values for 2019 and 2020 of properties that are similarly situated to like warehouse operations. The following statistics were derived from a sample of 15 properties that are similar in size and nature to the properties surrounding the proposed rezoning.

In the one year between 2019 and 2020, the aggregate value of the land that makes up these properties increased by 11.22% while the aggregate building value decreased by (9.25%)

In 2019, 82% of the value of these properties came from the value of the buildings while 18% of the value came from the land. In 2020, just one year later, the building value had decreased to 79% while the land value moved to 21% of the overall property value.

Property Value Components	
2019	
% Land	18%
% Building	82%
2020	
% Land	21%
% Building	79%

Because buildings make up such a large portion of the property value, the increase in land value is not nearly enough to offset the decline in building value. Over this one-year time period, the overall value of the sample properties declined by (6%). In contrast, the JOCO 2020 Revaluation Report indicates an increase in the value of residential farm homes of 6% over the same time period. In dollar terms that equates to a loss of $6,000 per $100,000 in value for the properties near the existing warehouses in a single year while similar properties county wide increased in value of $6,000 per $100,000 in value over the same time.

In 2019, the average sale price in Western Rural Johnson County was $539,100. In relation to the change in value of properties near warehouses, the average property of this type in Western Johnson County fell to $506,754 while properties that are not impacted by their proximity to warehouses appreciated to $571,446. A difference in value of ($64,692) per property on average in a single year. According to the US Census, the median home value in Johnson County is $259,600. In comparison the rural properties in the western part of the county have an average value of over twice the median for the county as a whole. Moreover, the rural residential properties in this part of the county are some of the most valuable properties in the county. This data indicates that further rezoning in this area for industrial projects is not only confiscatory to the owners of those properties but also degrades the value of some of the most valuable residential properties in the county.

In contrast, properties in the area identified for this type of development by multiple land use plans, including the Edgerton Future Land Use Map, north of I-35 and Edgerton are far less valuable for rural residential use. Properties in that area are made up in large part of one house per 80-160 acres and many of the houses date to around 1900 – 1930s. A zoning change of the type being proposed in that

area would greatly reduce the financial impact to residential properties when compared to the area for which a zoning change is being considered.

Limited Marketability:

According to several property owners and their real estate agents near the current Kubota and Hostess warehouses it is very difficult to find a buyer for their property once warehouses are constructed nearby. The owners of smaller acreage properties have had varying experiences depending on how close their property is to the existing warehouses. Some have had their properties listed for sale for years with multiple showings but no offers. These people have a received various feedback from prospective buyers but the common theme is that they don't want to buy a property that is so close to warehouses and that they don't like the volume of truck traffic. Some properties that did sell in the area had to be deeply discounted to find a residential buyer. Other properties that sold were marketed without disclosing the fact that area was being rezoned for warehouse construction. Many property owners in the area feel completely defeated, expressing that they are ultimately stuck. They don't have sufficient resources to forfeit the equity in their home and purchase a home in a different area. They are unable to find a buyer willing to give them a price that is near what their home was worth as a typical rural residential property, the status the property had when they purchased it.

Rural residential property owners in this area face some very difficult decisions in the near future. As the industrial presence in the area expands, they will be forced to live among those industrial operations rather than the rural setting they've become accustomed to or sell their property for much less than they bought it for. The first scenario comes with a significant decrease in quality of life while the second comes with significant decrease to their financial health.

Owners of large acreage properties in the area face a different set of choices but are still in a very difficult position. Some large acreage property owners in the area have had their properties under contract with commercial buyers that where outside the NorthPoint / Edgerton partnership. Once those buyers completed their due diligence, they found that there would be significant obstacles to overcome to build and operate on the property. Specifically, the presence of "spite strips" along the roadway would make the project cost prohibitive. In addition, they found the City of Edgerton to not be receptive to working with them on the annexation and zoning required to complete the project. As a result, the commercial buyers backed out of the contracts to purchase the property.

One account from the owner of a large acreage property near the Hostess warehouse received an offer of $35,000 per acre from Patrick Robinson, Vice President of Development at NorthPoint Development. Believing that this offer was below the commercial market value for his property, he declined to accept. After, the construction of the Kubota and Hostess facilities and the infrastructure improvements directly surrounding them, this gentleman received another offer from Mr. Robinson for $17,000 per acre. When an inquiry was made as to the reason for the significant decrease in the offering price per acre, it was indicated that Mr. Robinson expressed that the property was now worth less per acres because the warehouses and infrastructure development had been done. Presumably because the "spite strips" that came with the infrastructure now made the property not financially viable for any other commercial purchaser. It was reported that Mr. Robinson crassly communicated that the property owner and NorthPoint would be neighbors for a long time, referring to the owner's inability to secure a buyer other than NorthPoint.

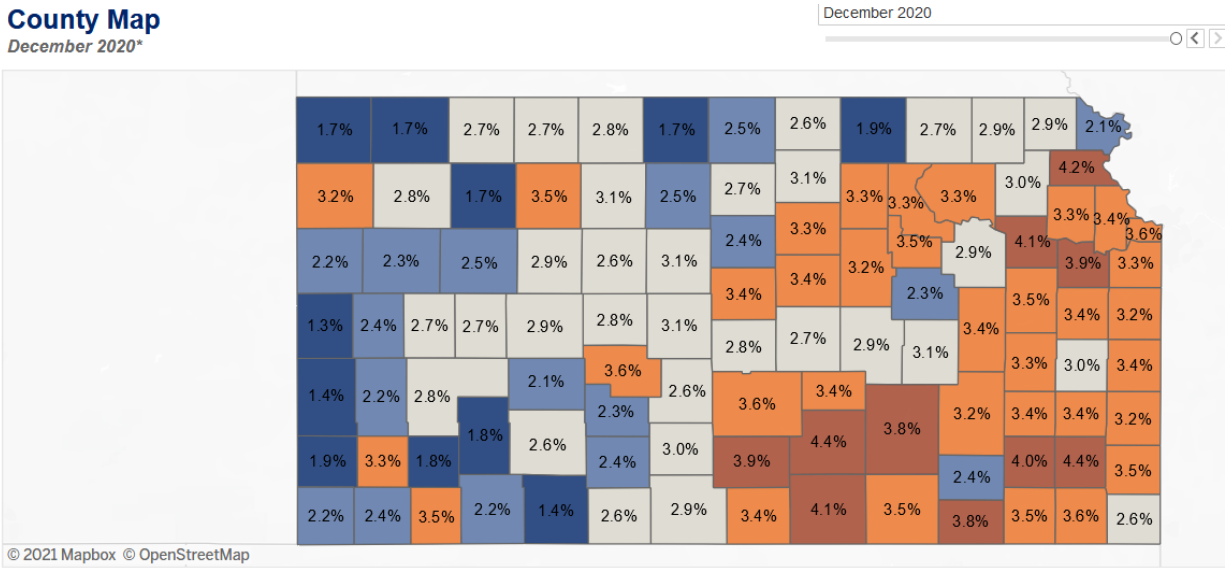
Considering the experiences of property owners in the area, the overwhelming conclusion is that many of property owners will find that NorthPoint is their only viable buyer. Such a monopolistic environment leaves the property owners at an overwhelming disadvantage. In this environment, NorthPoint is able to buy property and build warehouses which restricts large acreages from successfully selling to other commercial buyers and causes small acreage properties to have no value to rural residential buyers. The fact that "spite strips" are part of road improvements and that Edgerton is not consistent in their willingness to annex and rezone for non-NorthPoint projects deters competing commercial buyers. NorthPoint being the only viable buyer takes all pricing power from the property owners and leaves NorthPoint in full control of the price and timing of any purchase. Property owners will ultimately be left with two choices, live in a warehouse district or sell their property for whatever NorthPoint will offer for the land, forfeiting the value of their home and other buildings.

While some properties have sold to Northpoint at what would be considered a high price, after considering the information available, it seems that these properties were in the minority. The primary motivation for the premium pricing seems to be the strategic value of a specific property rather than the properties intrinsic value for commercial use. At least two small properties had strategic value in the property's positioning between a large tract of NorthPoint owned land and the edge of the Edgerton City limits. In the case of larger acreages, premium prices were offered to property owners who sold to NorthPoint early on in their warehouse construction efforts, but more recent large acreage purchases where at or below the typical agricultural price per acre.

The negative economic impact described above would be mitigated significantly if NorthPoint was required to pay residential owners based on each property's appraised rural residential value, consistent with Kansas State law in cases of eminent domain for economic development. For large parcels of raw land, the negative impact of the current monopolistic structure would be mitigated by disallowing "spite strips" and ensuring land owners can get a true market price for their land by treating all commercial buyers including NorthPoint equally in the annexing and rezoning process.

Jobs:

One point that is cited in favor of the proposed zoning change is that it will bring jobs to the area. According to Kansas DOL (https://klic.dol.ks.gov/gsipub/index.asp?docid=697), the unemployment rate in Johnson County in December 2020 was 3.3% and for Miami County the rate was 3.2%.



According to the US Bureau of Labor Statistics, the national unemployment rate in December 2020 was 6.3%. According to the Federal Reserve bank of St. Louis, the natural rate of unemployment 4.7% which is nearly 1.5% higher than the unemployment rate in the area of proposed zoning change, Johnson and Miami counties. Considering that local unemployment rates are at near half the national unemployment rate, and significantly below the natural rate of unemployment, infringing upon the property rights and lifestyle of the area's residents for the purpose of creating jobs cannot be justified.

Deviation from Comprehensive Plans:

Property owners rely heavily on city, county and jointly produced land use plans when deciding where to buy property. With property being the largest investment that many families own, the information in these plans is a key part of the due diligence that property owners do before investing in property in a city or county. The proposed rezoning not only goes far outside the development area indicated in the Edgerton Future Land Use Map, currently on the Edgerton City website. The area is also designated to remain rural residential or is not addressed at all in all scenarios laid out in the "The Southwest Johnson County Area Plan" produced by KDOT, Johnson County, Edgerton, Gardner & Mid-America Regional Council (KDOT PROJECT NO. 046-KA-2641-01). Deviating from all public land use plans in such a severe and sudden way is a gross betrayal of residents who placed trust in those plans when making the decision to invest in their properties.

Multiple property owners on Moonlight Rd. and on 207th St. gave first-hand accounts of how the trust they placed in these plans was betrayed. They detail how they purchased their properties only after reviewing all available plans and were shocked to hear that Edgerton annexed and intended to rezone the area directly adjoining their property or across the street with the intention of building "Mega-Warehouses". Some had moved in just months or weeks before receiving notice of the annexation and

proposed rezoning in the area. At least one family moved into a house that they had just finished building before those notices were issued.

The following point from "The Southwest Johnson County Area Plan" has already been violated by the construction of the Mustang project.

"Very low density development south of I-35. In all scenarios, the area south of I-35 and 199th Street between Waverly Road and the future Big Bull Creek Park is designated for very low-density conservation development, encouraging lot clustering to preserve environmental features and take advantage of soil characteristics conducive to green infrastructure. Very low intensity use is the desirable future for this part of the study area because of topography, existing residential use patterns, high cost of providing urban infrastructure to this area, and the availability of other land to meet projected urban development demands. In addition, it is particularly important to minimize land disturbing activity in this area to minimize downstream effects, including negative impact on Hillsdale Lake."

Homeowners on the west side of Gardner Rd. have already been significantly damaged through a reduction in their property value and being deprived of the quiet enjoyment of their property.

Zoning changes have a significant effect on property value:

During the January 12, 2021 City of Edgerton Planning Commission meeting, there were 18 points that were covered to evaluate the proposed zoning change. These can be found in the Staff Analysis section on Pg. 15 of the agenda packet for that meeting. Unfortunately, the responses given to each of the 18 points were grossly one sided by referring back to existing warehouse areas rather than the properties neighboring the proposed area to be rezoned. Below is a more honest response to each of the 18 points.

1. Need for the proposed change – Amazon & Hostess have expressed a need for warehouse and production space. NorthPoint needs the zoning to be changed on the proposed property in order to be able to provide that space before one of their competitors does.

2. Magnitude of the change – Maximum magnitude. The current rural zoning is very low impact on the environment and the existing residents who live in the area enjoy a quiet lifestyle in close connection to nature and agriculture. The zoning change would be a complete 180 degree change to every aspect of the area and its residents.

3. Whether or not the change will bring harm to established property rights – The impact to established properties will be confiscatory in nature. Property value in the area is largely derived by the rural lifestyle the area provides its residents and the quiet atmosphere. The presence of warehouses and manufacturing facilities will completely diminish all of those attributes that the area currently enjoys to zero.

4. Effective use of land – Rezoning the proposed area of approximately 600 acres to L-P and the construction of warehouses and manufacturing facilities will destroy the property values and lifestyles of the residents in the entire area. The area north of Edgerton is far less populated and would have a significantly lower cost in terms of rural residential value.

5. The extent to which there is a need in the community for the uses allowed in the proposed zoning – The community surrounding the proposed area have no need whatsoever for warehouses or light manufacturing facilities. The community would incur significant harm if the zoning on the proposed area is changed to L-P.

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 – The proposed rezoning does not at all fit with the existing character of the neighborhood which is made up of retired people and young families with children. L-P zoning is in complete contrast with the characteristics of the existing rural residential use. Other properties in the area made up of single-family homes, accessories buildings and livestock barns. The mega-warehouses that would be constructed as a result of the proposed zoning change does not at all fit with this character.

7. Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties – Nearby properties are used for rural residential living by families and retired people. Mega-Warehouses and manufacturing facilities are not only incompatible, they are prohibitive to the current use of nearby properties.

8. Suitability of the uses to which the property has been restricted under its existing zoning – Current RUR zoning does not restrict the use of any other property in the area.

9. Length of time the subject property has remained vacant under the current zoning designation – Although the property itself is currently vacant and has been used for agricultural use in the past, its entire border is not vacant and is currently occupied by families who would be significantly negatively impacted by the proposed zoning change.

10. The extent to which the zoning amendment may detrimentally affect nearby property – The zoning amendment would detrimentally affect nearby properties in multiple ways. In part, it would significantly reduce the market value of nearby properties and deprive the residents of those properties of the quite enjoyment of them.

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 – The proposed rezoning does not match any development plans that have ever been published by any county or city in the area. Including Edgerton.

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 – Utilities will be brought in by the developer at the expense of and intrusion on surrounding properties.

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 – 199th and Gardner Rd. are two lane paved roads with no shoulder. One death has already occurred on Gardner Rd. and serious safety concerns are witnessed daily. 215th St., 207th St. and Moonlight Rd. are chip seal or gravel roads designed for agricultural and residential use. All roadways surrounding the proposed area are completely inadequate to accommodate the heavy traffic that will come with the rezoning. A warehouse complex of the size, use and scale of the one proposed presents a serious risk to the safety of the area.

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 ZA2020-02 Staff Report - Rezoning Page 9 of 9 pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm - The proposed area is within the Little Bull Creek and Big Bull Creek water sheds which run into the east and west branch of Hillsdale lake respectively. The proposed zoning change has significant risk of negatively affecting Hillsdale Lake, the water source for approximately 55,000 people. The proposed area also contains two flood plain areas. There is significant risk that storm water runoff will flood nearby family homes. The large number of additional trucks as well as operations of a large-scale bakery will significantly decrease air quality. 24/7 operations of Amazon facilities and the coming and going of workers throughout the day and night will significantly increase the noise and light pollution in the area. There is significant risk that the current residents and their property will be more frequently victimized by crime.

15. The economic impact on the community from the uses allowed in the proposed zoning – The economic impact on the community would be a loss in property of value of approximately $21,000,000. The market value of the residential buildings on the properties immediately surrounding the proposed area. The loss of property value increases exponentially as properties that are in surrounding area are considered. Depending on traffic patterns, crime, noise and other factors, the value of most residential properties is likely to be negatively impacted for several miles in all directions of the proposed 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 – The denial of this application would result in safer roads, less pollution, less flooding, no loss of property value, and current lifestyle un-intruded to name just a few. Applicant would have to find a location that is appropriate for their project as they should have done initially rather than trying to force it on a rural residential neighborhood.

17. Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton - The proposed rezoning not only goes far outside the development area indicated in the Edgerton Future Land Use Map, currently on the Edgerton City website. The area is also designated to remain rural residential or is not addressed at all in all scenarios laid out in the “The Southwest Johnson County Area Plan” produced by KDOT, Johnson County, Edgerton, Gardner & Mid-America Regional Council (KDOT PROJECT NO. 046-KA-2641-01).

18. The recommendation of professional staff – In virtually any other setting, outside of the NorthPoint / Edgerton partnership, the proposed rezoning would not receive serious consideration of any kind. It

goes against the spirit of every single statute and precedence that has ever existed to prevent inappropriate re-zoning. It is a hazard to the safety, financial well-being, and health to everyone around it.

Properties surrounding proposed area:

Miami County

Street Address	2020 Appraised Building Value
21727 GARDNER RD	$558,710
29000 W 223RD ST	$97,070
28755 W 215TH ST	$185,000
28655 W 215TH ST	$32,170
28535 W 215TH ST	$191,770
28415 W 215TH ST	$188,730
28387 W 215TH ST	$167,750
28255 W 215TH ST	$323,800
28265 W 215TH ST	$508,290
28065 W 215TH ST	$243,130
Total Appraised Value	**$2,496,420**

Johnson County

Street Address	2020 Appraised Building Value
29440 W 215TH ST	$214,860
29220 W 215TH ST	$226,550
21280 MOONLIGHT RD	$190,280
21070 S MOONLIGHT RD	$350,360
20950 MOONLIGHT RD	$227,120
20900 MOONLIGHT RD	$126,300
9416 W 164TH ST	$199,240
27985 W 207TH ST	$164,160
28145 W 207TH ST	$337,520
28255 W 207TH ST	$9,480
28595 W 207TH ST	$779,390
20685 GARDNER RD	$107,490
28640 W 207TH ST	$351,270
28572 W 207TH ST	$259,180
28358 W 207TH ST	$477,960
28572 W 207TH ST	$3,870
20685 MOONLIGHT RD	$70,220
27865 W 207TH ST	$181,730
20745 MOONLIGHT RD	$224,760
20865 MOONLIGHT RD	$458,480
20915 S MOONLIGHT RD	$323,960
20965 MOONLIGHT RD	$416,780
21015 MOONLIGHT RD	$436,000

21065 S MOONLIGHT RD	$309,050
21145 MOONLIGHT RD	$278,200
21175 MOONLIGHT RD	$299,390
21225 MOONLIGHT RD	$391,200
21355 MOONLIGHT RD	$186,840
21455 MOONLIGHT RD	$132,030
20540 MOONLIGHT RD	$253,460
20230 MOONLIGHT RD	$145,610
28515 W 199TH ST	$133,460
29085 W 199TH ST	$244,250
29175 W 199TH ST	$282,120
29245 W 199TH ST	$212,350
29345 W 199TH ST	$225,420
29445 W 199TH ST	$198,750
20005 GARDNER RD	$175,540
20085 GARDNER RD	$201,470
20185 S GARDNER RD	$262,150
20225 GARDNER RD	$231,810
20275 S GARDNER RD	$191,610
20315 S GARDNER RD	$205,370
20315 S GARDNER RD	$101,490
20365 GARDNER RD	$163,050
20480 GARDNER RD	$173,120
20300 GARDNER RD	$187,650
20260 GARDNER RD	$528,050
20225 GARDNER RD	$66,290
19880 GARDNER RD	$199,230
19885 GARDNER RD	$190,950
19855 GARDNER RD	$131,990
29270 W 199TH ST	$190,030
29140 W 199TH ST	$372,120
29080 W 199TH ST	$205,200
29000 W 199TH ST	$275,590
28920 W 199TH ST	$234,650
28130 W 199TH ST	$233,450
28150 W 199TH ST	$225,390
28060 W 199TH ST	$306,770
27960 W 199TH ST	$204,460
20195 MOONLIGHT RD	$128,510
20335 MOONLIGHT RD	$196,000
18720 MOONLIGHT RD	$151,680
Total Appraised Value	**$15,162,710**

15 properties near warehouses that have lost value:

				2019			2020			% Change			
Address	**City**		**Acreage**	**Land**	**Building**	**Total**	**Land**	**Building**	**Total**	**Land**	**Building**	**Total**	**Land**
32185 W 207TH ST	Gardner	KS	9.04	$85,840	$401,960	$487,800	$90,240	$369,460	$459,700	5.13%	-8.09%	-5.76%	$4,400
32105 W. 207th St.	Edgerton	KS	9.55	$96,730	$269,160	$365,890	$118,140	$200,770	$318,910	22.13%	-25.41%	-12.84%	$21,410
31755 W 207th	Edgerton	KS	9.09	$86,240	$251,660	$337,900	$90,670	$231,930	$322,600	5.14%	-7.84%	-4.53%	$4,430
32655 W 217th	Edgerton	KS	16.4	$142,530	$209,370	$351,900	$153,540	$190,460	$344,000	7.72%	-9.03%	-2.24%	$11,010
019445 Gardner Rd.	Gardner	KS	5.54	$63,480	$615,120	$678,660	$74,830	$558,870	$633,700	17.88%	-9.14%	-6.62%	$11,350
31300 W. 2017th	Edgerton	KS	11.74	$114,940	$471,050	$585,990	$141,790	$372,270	$514,060	23.36%	-20.97%	-12.27%	$26,850
30260 W. 199th St.	Gardner	KS	10.19	$102,080	$753,560	$855,640	$125,050	$729,420	$854,470	22.50%	-3.20%	-0.14%	$22,970
16380 Lone Elm Rd	Olathe	KS	5	$104,600	$422,600	$527,200	$104,600	$406,800	$511,400	0.00%	-3.74%	-3.00%	$0
33295 W 199th St	Edgerton	KS	4.18	$54,980	$244,410	$299,390	$68,030	$199,820	$267,850	23.74%	-18.24%	-10.53%	$13,050
33415 W 199th St	Edgerton	KS	10.58	$111,850	$327,520	$439,370	$142,340	$273,970	$416,310	27.26%	-16.35%	-5.25%	$30,490
19903 Pepper Tree Ln	Edgerton	KS	4.79	$53,330	$205,870	$259,200	$54,420	$199,580	$254,000	2.04%	-3.06%	-2.01%	$1,090
20265 Pepper Tree Ln	Edgerton	KS	21.62	$182,970	$792,390	$975,360	$191,700	$772,170	$963,870	4.77%	-2.55%	-1.18%	$8,730
19909 Pepper Tree Ln	Edgerton	KS	6.77	$73,690	$608,210	$681,900	$70,720	$586,580	$657,300	-4.03%	-3.56%	-3.61%	-$2,970
20090 Pepper Tree Ln	Edgerton	KS	5.01	$55,030	$352,460	$407,490	$56,180	$307,470	$363,650	2.09%	-12.76%	-10.76%	$1,150
19910 Pepper Tree Ln	Edgerton	KS	4.81	$53,490	$338,880	$392,370	$54,580	$285,490	$340,070	2.04%	-15.75%	-13.33%	$1,090
				$1,381,780	$6,264,220	$7,646,060	$1,536,830	$5,685,060	$7,221,890	11.22%	-9.25%	-5.55%	$155,050

From: Ron Conus
To: Kara Banks
Subject: Fw: Rezoning
Date: Saturday, March 6, 2021 9:01:26 AM

FYI

From: Zach Bader <zachbader@ymail.com>
Sent: Friday, March 5, 2021 4:13 PM
To: Ron Conus <rconus@edgertonks.org>
Subject: Rezoning

IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender zachbader@ymail.com

Dear Ron,
>
> I hope this email finds you well. The purpose of me reaching out is regarding the upcoming vote to rezone large parcels of land along Gardner Rd.
>
> My family of 5 just broke ground on our dream home off 216th and Kilmer rd and are very excited that we have had the opportunity to buy a piece of land and build our dream home on. This is a serious financial commitment as you can imagine but worth it to enjoy the country life.
>
> I am putting this project on hold as I'm concerned about what the future looks like pertaining the land around me and the future RE-zoning for North Point. Every single road that surrounds the proposed new warehouses is not equipped to manage the semi truck traffic that is already becoming a safety issue. There has already been one person killed on this rd involving a semi and also there is an elementary school right down the street where my children go to school. Drive by there between 3pm and 3:30pm everyday and you will see a large backlog of traffic mostly semis.
>
> They also pose a significant threat to home values in the area and contaminate the hillsdale watershed.
>
> I just ask that you take this into consideration and do the right thing and vote no as there are numerous other locations that could be targeted without destroying the values of so many residential properties.
>
> Thanks
> Zach Bader
> 913-271-0272
>
>

From: Katee Smith
To: Kara Banks
Subject: Facebook message for the record
Date: Monday, February 8, 2021 11:41:23 AM

IRONSCALES finds this email suspicious! We know Katee Smith by name, but the email was sent from an unfamiliar address kateelm@gmail.com | Know this sender?

Hi Kara, I just wanted to forward a conversation i just had via Facebook messenger. He should be emailing you as well, but I wanted to pass this along to ensure transparency, and so everyone can see it.

Brett: Hi Katee, I wasn't sure if it was ok to message you, but it looks like we have some mutual friends, Jason and Janelle Watson. I work with Jason and we are good friends with Jason and Janelle. I asked him and he said you were the type of person who wouldn't mind hearing my perspective, so hopefully this is ok. I am writing in regards to the rezoning decision that will happen on February 9th for the properties between 199th and 215th St. My wife and I moved just south of 215th St and Moonlight Rd several years ago in hopes that we could raise our kids in a safe and quiet rural area, away from the noise of the city. We have a 6, 4, and 3 year old, and we love going on walks and ATV rides. There are several young families on our stretch of Moonlight Rd and if warehouses are built so close to our home, I am very concerned about their safety due to the excessive truck traffic on extremely narrow country roads. We are already having issues with truck traffic with the existing warehouses, so it will only get worse.

From what I have seen, I don't think Northpoint has been honest in their dealings to acquire the land or their plans to develop it, so I am not convinced that they will be very concerned about our safety either. I am sure you are under a lot of pressure from both sides, but I just wanted to reach out and voice my concerns about this situation as this decision will have a huge impact on our family and many young families around us. Thank you for your consideration and your service to the community.

Me: Hi Brett, thank you for reaching out! I am definitely open to hearing from anyone and everyone about your concerns. I am on City Council in Edgerton, and the meeting tomorrow is actually with the the City Planning Commission. It will eventually Come to City Council too though. Would you mind emailing this to Kara Banks as well? That way it can be shared with everyone else at the meeting.

Her email is kbanks@edgertonks.org.
I would hate for this to get shared with only me. Everyone needs to hear all the concerns!

Brett: Sure, I will email Kara about this as well, thanks for letting me know.

Me: Really, thank you for reaching out! I appreciate it!!

Brett: Sure! We love it out here and have a great community of young families. We were kind of blind-sided when this all started happening, so just trying to figure out what to do.

Me: I can definitely understand that.

Brett: Anyway, I appreciate your time and your advice. Have a great day

Me: You as well!

Thanks Kara!
Katee Smith

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

March 8, 2021

TO: Mayor and City Council Members

FROM: Beth Linn, City Administrator

SUBJECT: Response to Public Comment

Throughout the public process related to Rezoning Applications, the City has received many public comments. In response to those comments, staff has compiled information for the Governing Body related to several recurring themes.

Inadequate Current Infrastructure

During public comment, citizens expressed concern that the existing infrastructure adjacent to the rezoning applications is not adequate for the types of uses that would be permitted within Logistics Park L-P District.





The City of Edgerton has a proven track record of requiring new development to upgrade adjacent infrastructure to properly handle the type and volume of traffic anticipated for the new development. Examples of this type of infrastructure are visible throughout LPKC, most recently on 207th Street from south of I-35 to east of Waverly Road.

If development applications are brought forward for the properties, the City would perform the same analysis at time of SITE PLAN to determine the appropriate level and type of upgraded infrastructure. This analysis and any requirements are determined at time of site plan, not rezoning to have a better understanding of the development including access points, building layout, possible tenants, etc.

Additionally, several of the roads adjacent to these applications have been designated as corridors for future development for over twenty years. Johnson County Comprehensive Arterial Road Network Plan (CARNP) was adopted by the Board of County Commissioners on January 7, 1999 and described as a plan for future roadways in southern and western Johnson County. The CARNP plan references the progression of upgrades to infrastructure related to

development in Johnson County. "In general, major road improvements typically occur in a progression as an area develops. For example, an original 2-lane gravel road is improved to a 2-lane asphalt road then ultimately to a 4-lane thoroughfare after the area has been annexed into a city and become fully developed." This description illustrates the pattern of upgrading adjacent infrastructure in conjunction with new development that has occurred in many similar corridors throughout Johnson County.

For this area specifically, several of the roads adjacent to the development are noted as corridors of significance. For example CARNP assigns a Type III/4-Lane Arterial Roadway designation to 199th Street and designates it as a main throughway. CARNP assigns Gardner Road a Type II/2-Lane Arterial Roadway designation to Gardner Road and designates it as a main throughway.

Truck Traffic



Several citizens expressed concerns regarding truck traffic in this area on roads not intended for truck traffic. The City of Edgerton agrees with those concerns and has requested assistance many times from Johnson County in prohibiting trucks on routes not intended nor constructed for that type of traffic. However, Johnson County has repeatedly stated that all county roads allow truck traffic.

The City of Edgerton would welcome the opportunity for a regional effort from all of our surrounding jurisdictions related to truck traffic in southwest Johnson County and adjacent Miami County. The City of Edgerton, together with our partners, has invested millions of dollars in road infrastructure to provide LPKC related traffic a safe, streamlined transportation network and welcome regulations from our surrounding jurisdictions to support those efforts.

Decrease in Property Value

Planning Commission directed staff to prepare an analysis of the possible economic impact on the application properties and neighboring properties as a result of the rezoning. That memo is included with your packet.

During public comment, several citizens cited adjacent or nearby logistics park zoning causing zero or significant decrease in property value. Appraisal data from Johnson County for properties adjacent to LPKC and other logistics park development shows an INCREASE in appraised value. The analysis in the economic impact study includes several neighborhoods such as Peppertree and large lot rural residential adjacent to the Kubota North American Distribution Center. In both instances, staff included all of the properties along those corridors rather than using specific ones within a neighborhood. In both instances the average property

values continue to increase and properties within those neighborhoods have sold during the development of LPKC. Even more telling are those large lot rural residential properties located WITHIN LPKC and/or ON the Overweight Corridor which have increased significantly with the average increase at 697% since 2013.

Citizens have said that their Johnson County appraised value is set as much as 21% below the market value shown by property sales. The Johnson County Appraiser's Annual Report states that the County continued to be in compliance with the mandated compliance ratio from the State of Kansas, which means county appraisals are maintained to a "market ratio of between 90-110%."

Revenue Generated by LPKC

During public comment, citizens have raised concern that LPKC does not provide sufficient revenue or only provides that revenue to the City of Edgerton. As part of the economic impact analysis, the City's Financial Advisor, Columbia Capital Management (CCM), prepared a chart illustrating the projected annual revenues to all taxing jurisdictions for the rezoning application properties.

- 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

PROJECTED ANNUAL REVENUE FROM REZONING APPLICATIONS

Taxing Jurisdiction	2020 Levy Rate	Current Annual Tax Generation	Abatement Annual Tax Generation	Post-Abatement Annual 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.

The chart above clearly illustrates a significant increase in revenues provided to all taxing jurisdictions (even during abatement period), including USD#231. For the City of Edgerton those revenues have been used to fund several projects significantly bettering the community and the quality of life for our residents.

Investment by Edgerton of LPKC Revenues



The City of Edgerton has invested revenues from Logistics Park Kansas City (LPKC) in several projects bettering our community and significantly improving the quality of life for our citizens. Every other year, the City does a citizen survey sent to every household in Edgerton. That survey provides citizens the opportunity to rank their top priorities for investment by the City. Since 2013, those priorities have remained constant: investment in street infrastructure, existing parks and park equipment and new trails and sidewalks to increase connectivity in our community.

Based on those priorities, the City of Edgerton has touched every street in the residential area, except Nelson, since 2014. This includes in 2019 the largest street reconstruction project in the City's history completed in less than six months. The City has built or reconstructed miles of new trails at Martin Creek Park and along Highway 56, both adding critical links for residents walking or biking in our community. In 2016, the City of Edgerton completed the renovation of Manor Park, our first park improvement project in many years. This year we will renovate Glendall Acres Park with improved park equipment, landscaping and additional sidewalk connections. Most significant in 2021, the City will construct the new 207th Street Grade Separation Project providing uninterrupted access for public safety to access the residential community when the railroad crossing at 207th Street and Co-op Road is



occupied. This $15 million project has been discussed in Edgerton for decades and would not be possible without funding available from revenues from development of LPKC. Upon completion, this critical project will provide an immediate safety improvement for the residents.

Stormwater and Impact to Hillsdale Lake

Residents have shared concerns about the impact to Hillsdale Lake as a result of future development of the parcels requested to be rezoned. The City of Edgerton purchases our drinking water from Rural Water District No. 2 sourced from Hillsdale Lake. Additionally, the City of Edgerton is a member of the Hillsdale Area Water Cooperative (HAWC) group.



The City of Edgerton joins other stakeholders in the Hillsdale Watershed Coalition, which includes cities, counties, water suppliers, landowners, farmer, etc, interested in protecting Hillsdale Lake as a source of drinking water. The Hillsdale Watershed is 144 square miles (92,000 acres) in Douglas, Johnson, Miami and Franklin counties. Reducing the pollutant load, particularly a reduction in nitrogen, phosphorous and sedimentation, is critical for the future of the region. In a presentation to the Edgerton City Council, Lesley Rigney with Miami County Conservation District stated that the HILLSDALE WRAPS GRANT EFFORTS IN 2019 MET OR EXCEEDED ALL LOAD REDUCTION GOALS. This exciting achievement occurred as the City completed nearly 12 million square feet of development at LPKC. The City of Edgerton prioritized these important accomplishments by contributing matching dollars to this grant to fund activities that help make these efforts possible.

In researching additional information specifically related to nitrogen and phosphorus for water quality. Please find enclosed a publication from the Environmental Protection Agency (EPA) "Protecting Water Quality from Agricultural Resources." This publication describes nonpoint source (NPS) pollution. NPS (unlike pollution from point sources such as industrial and sewage treatment plants) comes from many diffuse sources. "In the 2000 National Water Quality Inventory, states reported that agricultural nonpoint sources (NPS) pollution is the leading source of water quality impacts on surveyed rivers and lakes, the second largest source of impairments to wetlands, and a major contributor to contamination of survey estuaries and ground water." As stated above, these types of improvements are currently done by the Hillsdale Watershed Coalition.



Proper stormwater management practices are an important component to the City's development process. 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.

EPA
United States
Environmental Protection
Agency

EPA 841-F-05-001

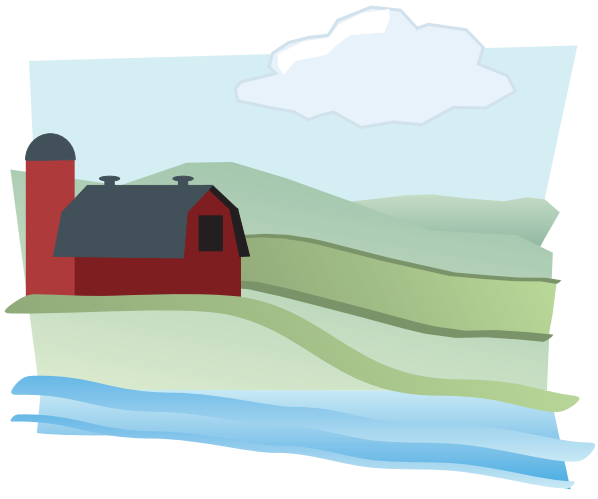
Protecting Water Quality *from* Agricultural Runoff

Clean Water Is Everybody's Business

The United States has more than 330 million acres of agricultural land that produce an abundant supply of food and other products. American agriculture is noted worldwide for its high productivity, quality, and efficiency in delivering goods to the consumer. When improperly managed however, activities from working farms and ranches can affect water quality.

In the 2000 *National Water Quality Inventory,* states reported that agricultural nonpoint source (NPS) pollution is the leading source of water quality impacts on surveyed rivers and lakes, the second largest source of impairments to wetlands, and a major contributor to contamination of surveyed estuaries and ground water. Agricultural activities that cause NPS pollution include poorly located or managed animal feeding operations; overgrazing; plowing too often or at the wrong time; and improper, excessive, or poorly timed application of pesticides, irrigation water, and fertilizer.

Pollutants that result from farming and ranching include sediment, nutrients, pathogens, pesticides, metals, and salts. Impacts from agricultural activities on surface water and ground water can be minimized by using management practices that are adapted to local conditions. Many practices designed to reduce pollution also increase productivity and save farmers and ranchers money in the long run.



What Is Nonpoint Source Pollution?

Nonpoint source (NPS) pollution, unlike pollution from point sources such as industrial and sewage treatment plants, comes from many diffuse sources. Polluted runoff is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into watersheds through lakes, rivers, wetlands, coastal waters, and even our underground sources of drinking water.

Did you know that runoff from farms is the leading source of impairments to surveyed rivers and lakes?

There are many government programs available to help farmers and ranchers design and pay for management approaches to prevent and control NPS pollution. For example, over 40 percent of section 319 Clean Water Act grants have been used to control NPS pollution from working farms and ranches. Also, many programs funded by the U.S. Department of Agriculture and by states provide cost-share, technical assistance, and economic incentives to implement NPS pollution management practices. Many local organizations and individuals have come together to help create regional support networks to adopt technologies and practices to eliminate or reduce water quality impacts caused by agricultural activities.

Sedimentation

The most prevalent source of agricultural water pollution is soil that is washed off fields. Rain water carries soil particles (sediment) and dumps them into nearby lakes or streams. Too much sediment can cloud the water, reducing the amount of sunlight that reaches aquatic plants. It can also clog the gills of fish or smother fish larvae. In addition, other pollutants like fertilizers, pesticides, and heavy metals are often attached to the soil particles and wash into the water bodies, causing algal blooms and depleted oxygen, which is deadly to most aquatic life. Farmers and ranchers can reduce erosion and sedimentation by 20 to 90 percent by applying management practices that control the volume and flow rate of runoff water, keep the soil in place, and reduce soil transport.

Nutrients

Farmers apply nutrients such as phosphorus, nitrogen, and potassium in the form of chemical fertilizers, manure, and sludge. They may also grow legumes and leave crop residues to enhance production. When these sources exceed plant needs, or are applied just before it rains, nutrients can wash into aquatic ecosystems. There they can cause algae blooms, which can ruin swimming and boating opportunities, create foul taste and odor in drinking water, and kill fish by removing oxygen from the water. High concentrations of nitrate in drinking water can cause methemoglobinemia, a potentially fatal disease in infants, also known as blue baby syndrome. To combat nutrient losses, farmers can implement nutrient management plans that help maintain high yields and save money on fertilizers.

Animal Feeding Operations

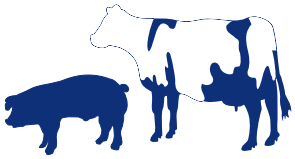
By confining animals in small areas or lots, farmers and ranchers can efficiently feed and maintain livestock. But these confined areas become major sources of animal waste. An estimated 238,000 working farms and ranches in the United States are considered animal feeding operations, generating about 500 million tons of manure each year. Runoff from poorly managed facilities can carry pathogens such as bacteria and viruses, nutrients, and oxygen-demanding organics and solids that contaminate shellfishing areas and cause other water quality problems. Ground water can also be contaminated by waste seepage. Farmers and ranchers can limit discharges by storing and managing facility wastewater and runoff with appropriate waste management systems.

Livestock Grazing

Overgrazing exposes soils, increases erosion, encourages invasion by undesirable plants, destroys fish habitat, and may destroy streambanks and floodplain vegetation necessary for habitat and water quality filtration. To reduce the impacts of grazing on water quality, farmers and ranchers can adjust grazing intensity, keep livestock out of sensitive areas, provide alternative sources of water and shade, and promote revegetation of ranges, pastures, and riparian zones.

Irrigation

Irrigation water is applied to supplement natural precipitation or to protect crops against freezing or wilting. Inefficient irrigation can cause water quality problems. In arid areas, for example, where rainwater does not carry minerals deep into the soil, evaporation of irrigation water can concentrate salts. Excessive irrigation can affect water quality by causing erosion, transporting nutrients, pesticides, and heavy metals, or decreasing the amount of water that flows naturally in streams and rivers. It can also cause a buildup of selenium, a toxic metal that can harm waterfowl reproduction. Farmers can reduce NPS pollution from irrigation by improving water use efficiency. They can measure actual crop needs and apply only the amount of water required. Farmers may also choose to convert irrigation systems to higher efficiency equipment.



Pesticides

Insecticides, herbicides, and fungicides are used to kill agricultural pests. These chemicals can enter and contaminate water through direct application, runoff, and atmospheric deposition. They can poison fish and wildlife, contaminate food sources, and destroy the habitat that animals use for protective cover. To reduce contamination from pesticides, farmers should use Integrated Pest Management (IPM) techniques based on the specific soils, climate, pest history, and crop conditions for a particular field. IPM encourages natural barriers and limits pesticide use and manages necessary applications to minimize pesticide movement from the field.

Farm Bill Conservation Funding

In May 2002 President Bush signed the Farm Bill, providing up to $13 billion for conservation programs for six years. This Farm Bill represents an 80 percent increase above current levels of funding available for conservation programs designed to prevent polluted runoff. For more information, visit www.usda.gov/farmbill.

Related Publications and Web Sites

National Management Measures to Control Nonpoint Source Pollution from Agriculture

epa.gov/nps/agmm

This technical guidance and reference document is for use by state, local, and tribal managers in the implementation of nonpoint source pollution management programs. It contains information on effective, readily available, and economically achievable means of reducing pollution of surface and ground water from agriculture.

Agricultural Nonpoint Source Pollution Management Web Site

epa.gov/nps/agriculture.html

This web site features a collection of links to helpful documents, federal programs, partnerships and nongovernmental orrganizations that convey advice and assistance to farmers and ranchers for protecting water quality.

National Agriculture Compliance Assistance Center

epa.gov/agriculture or call toll-free: 1-888-663-2155

EPA's National Agriculture Compliance Assistance Center is the "first stop" for information about environmental requirements that affect the agricultural community.

Animal Feeding Operations (AFO) Web Sites

AFO Virtual Information Center: epa.gov/npdes/afovirtualcenter
Overview of regulations and helpful links: epa.gov/npdes/afo

Funding Sources

Searchable Catalog of Federal Funding Sources for Watershed Protection

epa.gov/watershedfunding

Agricultural Management Assistance Database

www.nrcs.usda.gov/programs/ama

Clean Water Act Section 319(h) funding (epa.gov/nps/319hfunds.html) is provided to designated state and tribal agencies to implement approved nonpoint source management programs.

Environmental Quality Incentives Program (www.nrcs.usda.gov/programs/eqip) offers financial, technical, and educational assistance to install or implement structural, vegetative, and management practices designed to conserve soil and other natural resources.

Conservation Reserve and Conservation Reserve Enhancement Programs (www.fsa.usda.gov/dafp/cepd/default.htm) implemented by the U.S. Department of Agriculture provide financial incentives to encourage farmers and ranchers to voluntarily protect soil, water, and wildlife resources.

For More Information

U.S. Environmental Protection Agency
Nonpoint Source Control Branch (4503T)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

epa.gov/nps

Revised
March 2005

Notification Area for Application ZA2020-02

Property ID	Area (ft²)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft²)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2F221501-2009	202,990	4.66	19815 GARDNER RD	BANNISTER, FRANK T.	BANNISTER, KAREN S.	19815 GARDNER RD	GARDNER, KS 66030	RUR	9,008	0.21	4.40%	0.08%	Yes
2F221512-1006	196,456	4.51	20275 GARDNER RD	BETTGE LIVING TRUST		20275 S GARDNER RD	GARDNER, KS 66030	RUR	196,430	4.51	100.00%	1.74%	Yes
2F221512-1008	95,396	2.19	29445 W 199TH ST	BROWN, SHANE B.	BROWN, TARA L.	29445 W 199TH ST	GARDNER, KS 66030	RUR	95,569	2.19	100.00%	0.85%	Yes
2F221512-1002	172,933	3.97	0 NS NT	BROWN, SHANE B.	BROWN, TARA L.	29445 W 199TH ST	GARDNER, KS 66030	RUR	172,938	3.97	100.00%	1.54%	Yes
2F221512-4001	3,435,142	78.86	0 NS NT	CAENEN FARMS, L.L.C.		PO BOX 283	GARDNER, KS 66030	RUR	779,924	17.9	22.70%	6.92%	No
2F221501-2011	16,988	0.39	0 NS NT	CALDER, WILLIAM A.		PO BOX 73	GARDNER, KS 66030-0073	RUR	16,935	0.39	100.00%	0.15%	Yes
2F221501-2002	27,443	0.63	19885 GARDNER RD	CALDER, WILLIAM A.		PO BOX 73	GARDNER, KS 66030	RUR	27,573	0.63	100.00%	0.24%	Yes
2F221501-2010	206,039	4.73	29000 W 199TH ST	CALVIN, DUSTIN J.	CALVIN, JOANNE RENEE	29000 W 199TH ST	GARDNER, KS 66030	RUR	205,886	4.73	100.00%	1.83%	Yes
2F221512-1012	130,244	2.99	0 NS NT	CUNNINGHAM, BRENT R.	CUNNINGHAM, MARY J.	29245 W 199TH ST	GARDNER, KS 66030	RUR	130,410	2.99	100.00%	1.16%	No
2F221512-1004	73,181	1.68	29245 W 199TH ST	CUNNINGHAM, BRENT R.	CUNNINGHAM, MARY J.	29245 W 199TH ST	GARDNER, KS 66030	RUR	73,140	1.68	100.00%	0.65%	No
2F221512-3001	3,433,835	78.83	28515 W 199TH ST	DALE R GEORGE REVOCABLE TRUST	VERETA DELORES GEORGE REVOCABLE TRUST	16230 S LONE ELM RD	OLATHE, KS 66062	RUR	2,609,393	59.9	76.00%	23.17%	No
2F221501-2004	560,617	12.87	29080 W 199TH ST	DAVIS, WAYNE A	DAVIS, CONSTANCE R	29080 W 199TH ST	GARDNER, KS 66030	RUR	337,244	7.74	60.10%	2.99%	Yes
2F221512-1015	152,896	3.51	29175 W 199TH ST	ELKINTON, DEBORAH L. CO-TTEE	ELKINTON, ELDON L. CO-TRUSTEE	29175 W 199TH ST	GARDNER, KS 66030	RLD	153,002	3.51	100.00%	1.36%	No
BF221512-2009	2,592,256	59.51	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,958,775	44.97	75.60%	17.39%	No
2F221512-1014	202,990	4.66	29085 W 199TH ST	LANGE, ERIC	LANGE, HEATHER	29085 W 199TH ST	GARDNER, KS 66030	RUR	202,957	4.66	100.00%	1.80%	No
2F221512-1010	204,732	4.7	20085 GARDNER RD	LUNDY LIVING TRUST		P O BOX 164	GARDNER, KS 66030	RUR	204,597	4.7	100.00%	1.82%	No
CP34000000 0001	414,256	9.51	28720 W 199TH ST	MATTHEWS, SIDNEY G	MATTHEWS, REVA R	28720 W 199TH ST	GARDNER, KS 66030	A	12,424	0.29	3.00%	0.11%	Yes
2F221512-2005	58,370	1.34	20365 GARDNER RD	MAYBERRY, CONNIE L.		20365 GARDNER RD	GARDNER, KS 66030	RUR	58,289	1.34	100.00%	0.52%	Yes
2F221511-3005	193,406	4.44	20260 GARDNER RD	MCGUIRE, MICHAEL L.	MCGUIRE, ROBYN R.	20260 GARDNER RD	GARDNER, KS 66021	RLD	193,518	4.44	100.00%	1.72%	Yes
2F221511-3002	2,532,143	58.13	20190 GARDNER RD	MURROW, RICHARD L. TRUSTEE	MURROW, JUANITA M. TRUSTEE	20225 GARDNER RD	GARDNER, KS 66030	RUR	812,687	18.66	32.10%	7.22%	Yes
2F221512-1009	204,732	4.7	20225 GARDNER RD	MURROW, RICHARD L. TRUSTEE	MURROW, JUANITA M. TRUSTEE	20225 GARDNER RD	GARDNER, KS 66030	RUR	204,597	4.7	100.00%	1.82%	Yes
BF221512-2001	27,878	0.64	0 NS NT	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	27,927	0.64	100.00%	0.25%	No
2F221512-2001	674,744	15.49	20465 GARDNER RD	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	433,108	9.94	64.20%	3.85%	Yes
2F221512-2002	59,242	1.36	20315 GARDNER RD	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	59,249	1.36	100.00%	0.53%	Yes
2F221511-4003	41,818	0.96	20300 GARDNER RD	PORTER, JASON C.	PORTER, CHRISTELLE L.	20300 GARDNER RD	GARDNER, KS 66021	RUR	42,000	0.96	100.00%	0.37%	No
2F221501-2014	206,039	4.73	28920 W 199TH ST	ROCKEL, RONALD AND	ROCKEL, MARILYN JT REV TRUST	28920 W 199TH ST	GARDNER, KS 66030	RUR	205,886	4.73	100.00%	1.83%	Yes
2F221501-2007	133,729	3.07	19855 GARDNER RD	SADLER, DENISE KAY		19855 GARDNER RD	GARDNER, KS 66030	RUR	116,039	2.66	86.60%	1.03%	No
2F221512-1005	199,505	4.58	20005 GARDNER RD	STEPHENS, RICHARD N.	STEPHENS, JOY A.	20005 GARDNER RD	GARDNER, KS 66030	RUR	199,497	4.58	100.00%	1.77%	Yes
2F221501-2012	204,732	4.7	29270 W 199TH ST	STEPHENSON, KELLY L.		29270 W 199TH ST	GARDNER, KS 66030	RUR	163,038	3.74	79.60%	1.45%	No
2F221501-2013	210,395	4.83	29140 W 199TH ST	SWOPES, STACY	SWOPES, TERRA K	29140 W 199TH ST	GARDNER, KS 66030	RUR	210,410	4.83	100.00%	1.87%	No
BF221511-3006	2,044,271	46.93	0 NS NT	TREADSTONE ACQUISITIONS - FUND VIII LLC		10484 MARTY ST	OVERLAND PARK, KS 66212	RUR	19,217	0.44	0.90%	0.17%	No
BF221512-1011	203,425	4.67	20101 GARDNER RD	TREADSTONE ACQUISTIONS-FUND VIII LLC		10484 MARTY ST	OVERLAND PARK, KS 66212	RUR	203,563	4.67	100.00%	1.81%	No
2F221512-1007	201,683	4.63	20185 GARDNER RD	TROUTMAN, JACE R	TROUTMAN, STACY R	20185 S GARDNER RD	GARDNER, KS 66030	RUR	201,631	4.63	100.00%	1.79%	Yes
2F221512-1003	101,495	2.33	29345 W 199TH ST	WALKER, DAVID W.	MURO, GENEVA	29345 W 199TH ST	GARDNER, KS 66030	RUR	101,618	2.33	100.00%	0.90%	No
CF221501-2003	635,540	14.59	28740 W 199TH ST	WAYMAN, ANDREW C	WAYMAN, MIRANDA C	28740 W 199TH ST	GARDNER, KS 66030	A	59,424	1.36	9.30%	0.53%	No
2F221511-3001	1,298,959	29.82	19920 GARDNER RD	WILSON, GAIL ANN		PO BOX 586	LAWSON, MO 64062	RUR	385,181	8.84	29.60%	3.42%	No
2F221511-4001	3,411,619	78.32	20480 GARDNER RD	WISE FAMILY LLC		20480 GARDNER RD	GARDNER, KS 66030	RUR	380,417	8.73	11.20%	3.38%	No
								Totals:	11,263,501	258.55		30.56%	18

PROTEST PETITIONS
INSIDE NOTIFICATION AREA

RECEIVED
JAN 19 2021
3:06 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-02, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank T. Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen S. Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank & Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead
My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-02

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.

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23 day of January, 2021, before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-02

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.

RECEIVED
JAN 25 2021
10:57 AM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan., 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-02

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	2F221512-1002
	Tara L Brown	2F221512-1002

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021, before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

STATE OF KANSAS NOTARY PUBLIC
MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-02

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 S 180' W 242' S ½ SW ¼ EX. 344 AC IN RD & EX .023 AC IN ST .633 AC S M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-02

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William P. Calder	William P Calder	PO Box 73 19885 S. Gardner Rd, Gardner Kansas 66030

Legal Description of Protestor's Property:

1-15-22 BG 242'E SW COR SW1/4N 180'XE 121'.50 ACS M/L GA-0181 0005A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-02

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St Gardner, KS 66030
D. Calvin	Dustin Calvin	29000 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10' W 297.5' E 1090' S 1/2 SW 1/4
EX. 273 AC IN ST 4.727 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 28nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-02

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.

RECEIVED
JAN 21 2021
12:20 pm TW

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan, 2021, before me came Wayne A Davis and Constance R Davis to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2021

NOTARY PUBLIC STATE OF KANSAS
MICHELLE LYBARGER
My Appt. Exp. 3/14/2021

ZA2020-02

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.

RECEIVED
JAN 22 2021
11:59am MKE

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St, Gardner, KS 66030
	Reva R Matthews	28720 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G. Matthews and Reva R. Matthews to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-02

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.

RECEIVED
JAN 22 2021
12:48 pm AL KC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie L Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

NOTARY PUBLIC STATE OF KANSAS SARA FOLAND My Appt. Exp. 1/22/2024

ZA2020-02

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L McGuire Robyn R. McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24 day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024



ZA2020-02

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-02

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rockel	Ronald & Marilyn Rockel Joint Revocable Trust Settlor: Ronald A. Rockel	28920 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

The South 732.1 feet of the West 297.5 feet of the East 792.5 feet of the Southwest quarter of section 1, Township 15, Range 22, Johnson County, KS except that part in roads or streets. (28920 W. 199th St. Gardner, KS, 66030)
Lot 2014

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rockel to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

ZA2020-02

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

STATE OF KANSAS NOTARY PUBLIC
KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-02

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.

RECEIVED
JAN 25 2021
8:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Jace R Troutman Signature	Jace R Troutman Owner's Name(Printed)	20185 S Gardner Rd., Gardner, KS 66030 Owner's Address
Stacy R Troutman Signature	Stacy R Troutman Owner's Name (Printed)	20185 S Gardner Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12,

Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R Troutman | Stacy R Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: [signature]

My Commission Expires: 12/18/23

NOTARY ... of Kansas
My Appt ... 12/18/23

ZA2020-02

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.

Protest Petitions Received Outside of Notification Area for Application ZA2020-02

Count	Protestor(s)	Address	City
1	Boydston, Andre and Karen	28415 W 215th St	Spring Hill, KS
2	Combs, Matthew and Heather	20950 Moonlight Rd	Gardner, KS
3	Dougan, Conway II	28065 W 215th St	Spring Hill, KS
4	England, Marla	28535 W 215th St	Gardner, KS
5	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
6	Harlow, Thomas and Diana	21225 Moonlight Rd	Gardner, KS
7	Hunt, Clifford and Cherry	21355 Moonlight Rd	Gardner, KS
8	Ingle, John and Tara	28255 W 215th St	Gardner, KS
9	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
10	Kennon, Curtis and Debra	28155 W 215th St	Spring Hill, KS
11	Meisinger , Dan, Lisa and Gretchen	25800 W 199th St	Gardner, KS
12	Morgan, Daniel and Kelly	21070 Moonlight Rd	Gardner, KS
13	Slyter, Rachelle	28600 W 199th St	Gardner, KS
14	Smith, Timothy and Karen	21175 Moonlight Rd	Gardner, KS
15	Winslow, Shawn and Lora	28640 W 207th St	Gardner, KS

PROTEST PETITIONS
OUTSIDE
NOTIFICATION AREA

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Andre L Boydston	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L Boydston + Andre L. Boydston

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-2023

NOTARY PUBLIC -- State of Kansas
TAMMY R DAULTON
My Appt. Exp. 09-18-2023

ZA2020-02

RECEIVED
JAN 25 2021
10:39
14 pgs total

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.

RECEIVED
JAN 26 2021
3:31 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

1/26/21	Matthew Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
1/26/21	Heather Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22,

Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 2021, before me came Matthew & Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt Exp. 6/28/21

ZA2020-02

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.

RECEIVED
JAN 25 2021
3:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020 -02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

C E Dougan II	C E Dougan II	28065 W. 215th St., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
	Shirley Y Dugan	28065 W. 215th St., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Conway Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Springer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPRINGER
My Appt. Exp. 6/20/2023

ZA2020-02

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Marla E. England	Marla E. England	28535 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marla Haig

My Commission Expires: 12/01/2023

MARLEE HAIG
Notary Public-State of Kansas
My Appt. Expires 12/01/2023

RECEIVED
JAN 21 2021
2:09 pm

ZA2020-02

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.

RECEIVED
JAN 21 2021
10:17 am

Zoning/Special Use Protest Petition

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-03, ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06, ZA 2020-07, ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

009725

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0
Property Address:
019880 GARDNER RD GARDNER KS
Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1:

Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2:

Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@embarqmail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas
County of Johnson } ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A. Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23rd day of January, 2021, before me came Thomas and Diana Harlow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-02

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.

RECEIVED
JAN 19 2021

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as: T. Glenn AL 14pages

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Cherry L. Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of Jan, 2021, before me came Clifford E Hunt + Cherry L Hunt

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye Denham

My Commission Expires: 5/11/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/11/2024

ZA2020-02

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.

RECEIVED
JAN 19 2021
MH 4:08PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for ~~property generally~~ located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cotting

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

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.

RECEIVED
JAN 21 2021
9:24 am MLC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20th day of January, 2021, before me came Curtis & Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-02

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.

RECEIVED
JAN 21 2021
12:13 pm

Zoning/Special Use Protest Petition

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA2020-02.

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

Plat Name: See attachment.

Lot Number: — **Block:** —
(if applicable)

For property described by metes and bounds, attach the legal description to this document.

PROPERTY OWNER SIGNATURE(S)

(All owners of record for the above-described property must sign)

Owner #1:
Signature
Gretchen M. Meisinger
Typed or Printed Name
913 592 3551
Phone number
margarethe.pearl@yahoo.com
E-mail

Owner #2:
Signature
Lisa L. Meisinger
Typed or Printed Name
913-237-9692
Phone number
lisalynn24@embarqmail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss

Be it remembered that on this 14 day of January, 20 21, before me, a notary public in and for said County and State, came Gretchen & Lisa Meisinger, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My Commission expires 10/4/23

JAMES PRUETTING
Notary Public, State of Kansas
My Appointment Expires
10/4/2023

ALL SIGNATURES MUST BE ACKNOWLEDGED

Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 21 2021

Zoning/Special Use Protest Petition

SECTION I.

12:13 pm TV

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA2020-02.

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

Plat Name: See attached

Lot Number: — **Block:** —
(If applicable)

For property described by metes and bounds, attach the legal description to this document.

PROPERTY OWNER SIGNATURE(S)

(All owners of record for the above-described property must sign)

Owner #3: Dan L. Meisinger Jr.
Signature

Dan L. Meisinger Jr.
Typed or Printed Name

C 913-626-6028
Phone number

spinningearthpottery@planetkc.com
E-mail

~~Owner #2:~~
Signature

Typed or Printed Name

Phone number

E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas }
County of Johnson } ss

Be it remembered that on this 19th day of January, 2021, before me, a notary public in and for said County and State, came Dan L. Meisinger, Jr., to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My Commission expires October 4, 2023

JAMES PRUETTING
Notary Public, State of Kansas
My Appointment Expires
10/4/2023

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 21 2021
12:13 pm

20061228-0008436 12/28/2006
P: 1 of 2 F: $12.00 10:47:37 AM
Register of Deeds T20060063313
JO CO KS BK:200612 PG:008436

PARCEL ID NO.
2F221501-2001
Dec. 28, 2006 PJ

Kansas General Warranty Deed

Ex: 4

THIS INDENTURE made this 27th day of December, 20 06 by and between **Linda S. Meisinger, a married person**, as GRANTOR, and **Dan L. Meisinger, Jr, a married person and Lisa L. Meisinger and Gretchen M. Meisinger, both single people** as GRANTEE, whose mailing address is: 25800 W. 199th Street Gardner, Kansas 66030

WITNESSETH: THAT SAID GRANTOR in consideration of the sum of Ten DOLLARS ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, by GRANTOR, does hereby Grant, Bargain, Sell, Convey and Warrant to GRANTEE, the following described real estate, situated in the County of **Johnson** and State of Kansas, to-wit:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION I, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS, AND,

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION I, TOWNSHIP 15, RANGE 22, JOHNSON COUNTY, KANSAS, THENCE EAST 1,309.6 FEET, THENCE SOUTH 644.26 FEET; THENCE WEST 644.49 FEET, THENCE NORTH 311.61 FEET, THENCE WEST 660 FEET, THENCE NORTH 332 FEET TO THE BEGINNING, EXCEPT THAT PART IN STREETS AND ROADS

Subject to all easements, restrictions, reservations and covenants, if any, now of record.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, forever. And said GRANTOR for GRANTOR'S heirs, executors or administrators, does hereby covenant, promise, and agree to and with GRANTEE that at the delivery of these presents GRANTOR lawfully seized in GRANTOR'S own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged, and encumbered of and from all former and other grants, title, charges, estates, judgments, taxes, assessments, and encumbrances, of whatsoever nature or kind soever except as hereinabove stated and except for all taxes and assessments, general or special, not now due and payable; and GRANTOR will warrant and forever defend the same unto the said GRANTEE, their heirs and assigns, against said

GRANTOR, GRANTOR'S heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

If two or more persons constitute the GRANTOR or GRANTEE, the words GRANTOR and GRANTEE shall be construed to read GRANTORS or GRANTEES whenever the sense of this Deed requires.

IN WITNESS WHEREOF, The said GRANTOR has executed this instrument the day and year first above written.

Linda S. Meisinger

Dan L. Meisinger, Sr.

State of Missouri
County of Platte

On this 27th day of December, 20 06, before me personally appeared

Linda S. Meisinger and Dan L. Meisinger, Wife and Husband,

to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notorial seal in said County and State, the day and year last above written.

My commission expires: July 14, 2008

Notary Public

DEBBIE JEANS
Notary Public - Notary Seal
State of Missouri
Platte County
My Commission Expires July 14, 2008

When recorded return to:
Dan L. Meisinger, Sr
25400 West 199th Street
Springhill, KS 66030

20061228-0008436 12/28/2006
Pg 2 of 2 10:47:37 AM
Register of Deeds T20060063313
JO CO KS BK:200612 PG:008436

RECEIVED
JAN 25 2021
1:18 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R. Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-02

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.

RECEIVED
JAN 22 2021
11:59am MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Rachelle B Slyter	Rachelle B Slyter	28600 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public

My Commission Expires: 8-24-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-02

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Karen Smith Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A

KUPN 046-194-18-0-30-01-003.01-0

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16th day of January, 2021, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021
11:03am

ZA2020-02

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.

RECEIVED
JAN 22 2021
11:59 Am AUKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St, Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of Janury, 2021, before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 6-27-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp 6-27-21

ZA2020-02

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-02, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Shawn Winslow & Lora Winslow

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-02

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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-03 Comprising Approximately 59.51 Acres Of Land Generally Located Northeast of the Intersection of West 207th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning Application ZA2020-03 from Hillsdale Land & Cattle, LLC requesting the rezoning of a 59.51 acre parcel generally located northeast of the intersection of West 207th Street and South Gardner Road in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

The parcel is located between the parcels requesting rezoning in Applications ZA2020-02 and ZA2020-04. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to recommend denial of the application for rezoning.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-03:

- 33 total Protest Petitions received
    - 10 Petitions were received from INSIDE the statutory notification area
    - 23 petitions were received from OUTSIDE the statutory notification area
- Of those 10 received within the notification area, 17.20% are within the buffer area that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code; 12-757 – Zoning Amendments

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-03
- Approved minutes from the January 12, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Economic Impact Analysis Staff Memo dated February 5, 2020 – included with Application ZA2020-02
- Draft minutes from the February 9, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Public comment received following close of Public Hearing – included with Application ZA2020-02
- Staff response to public comments – included with Application ZA2020-02
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside Statutory Area received for Application ZA2020-03
- Protest Petitions Outside Statutory Area received for Application ZA2020-03

Prepared by: Katy Crow, Development Services Director

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

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

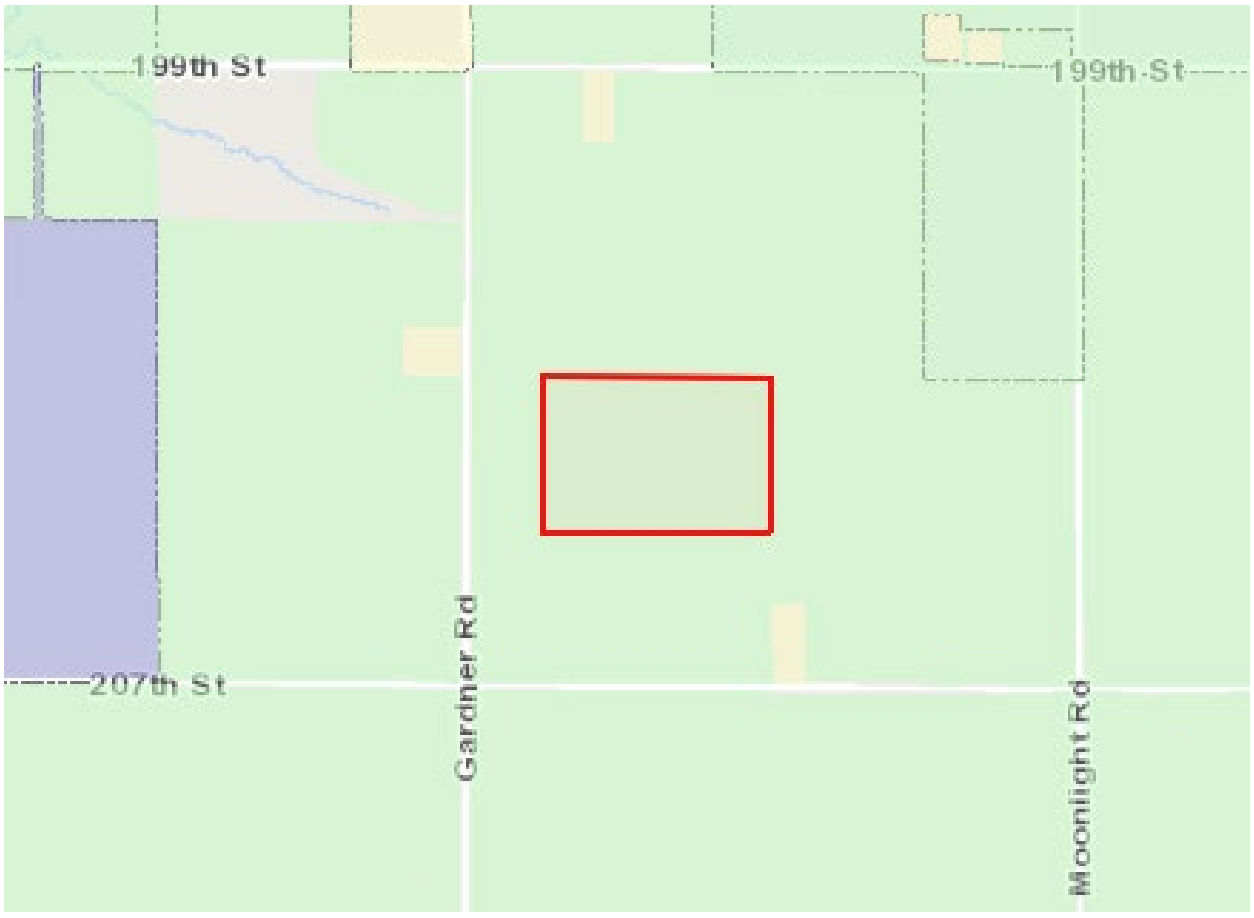


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

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

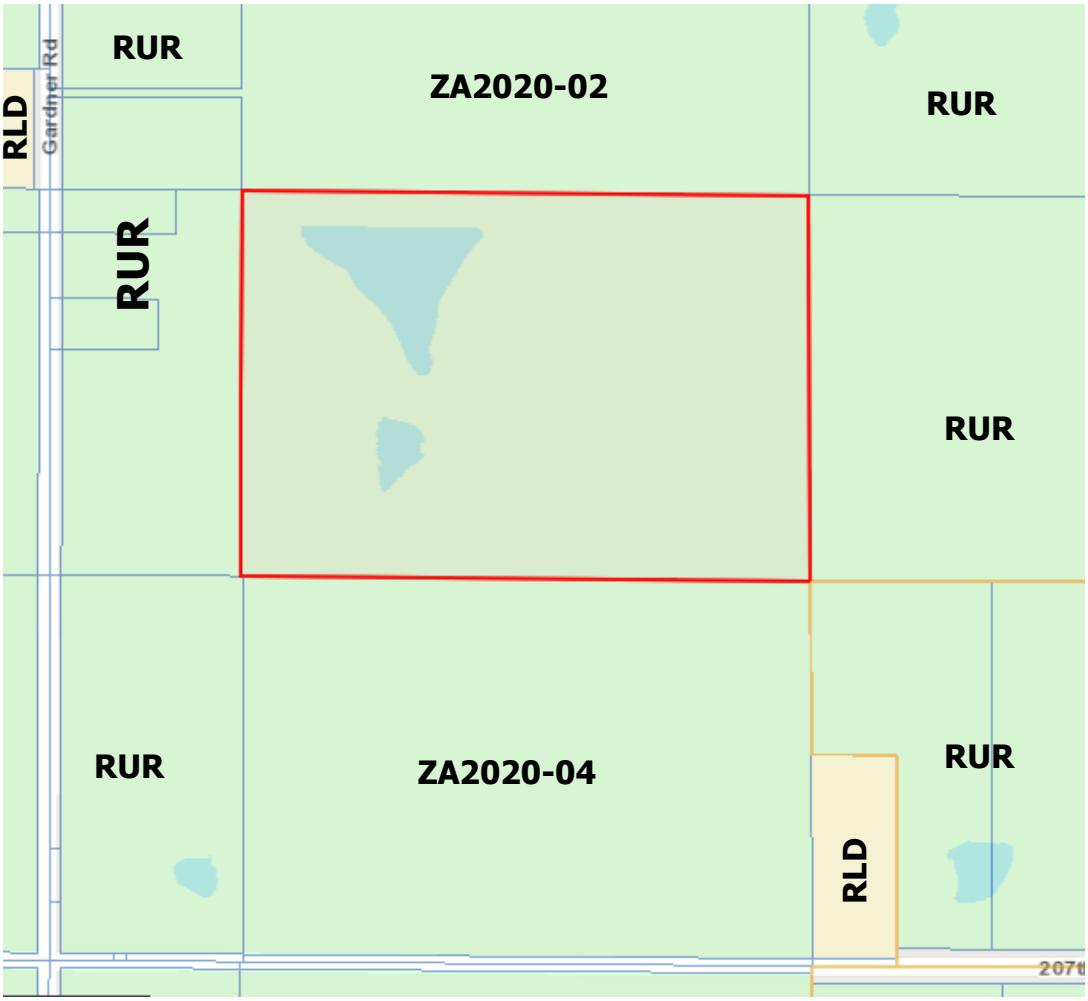


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.64 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly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

Figure 3

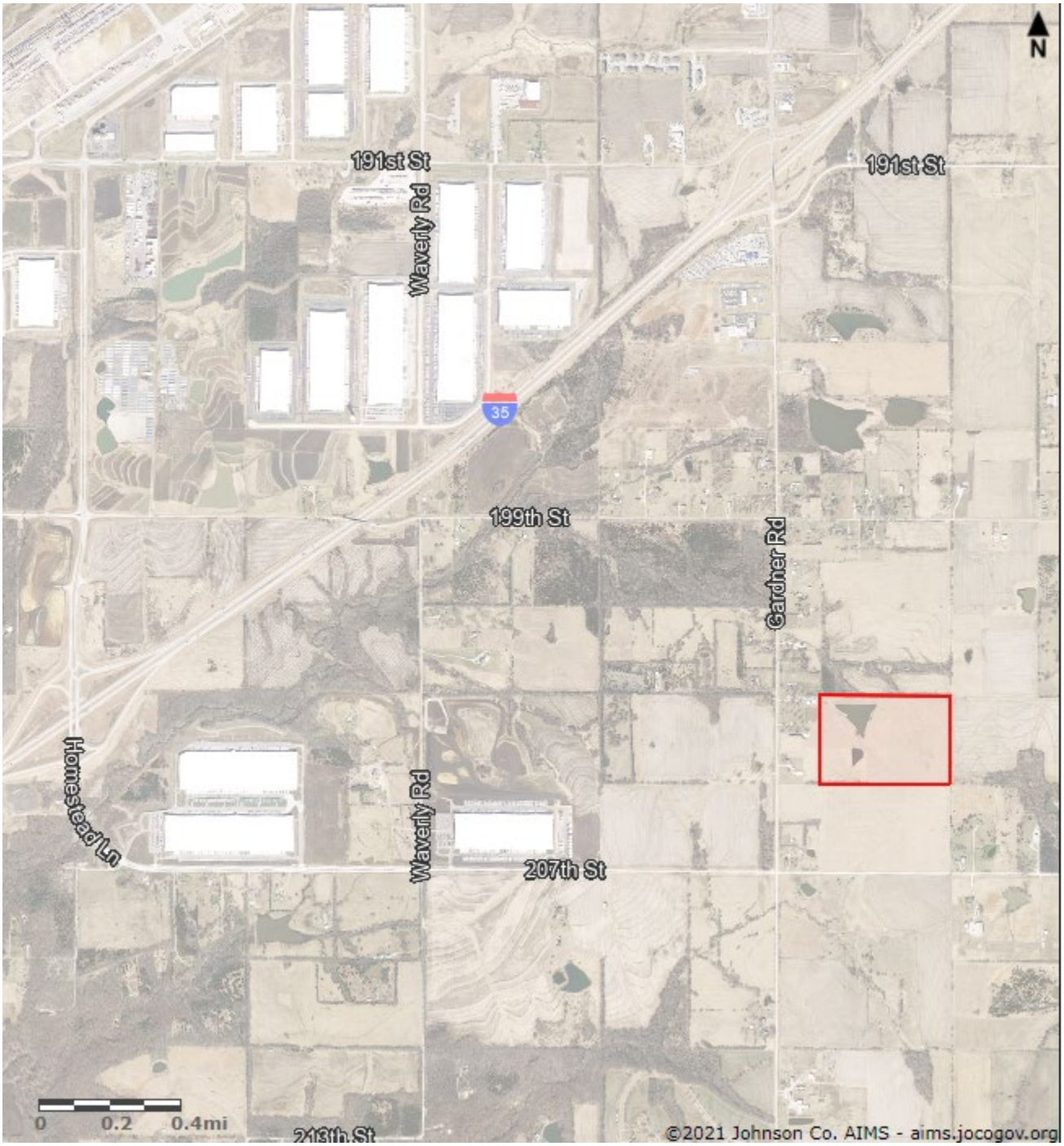
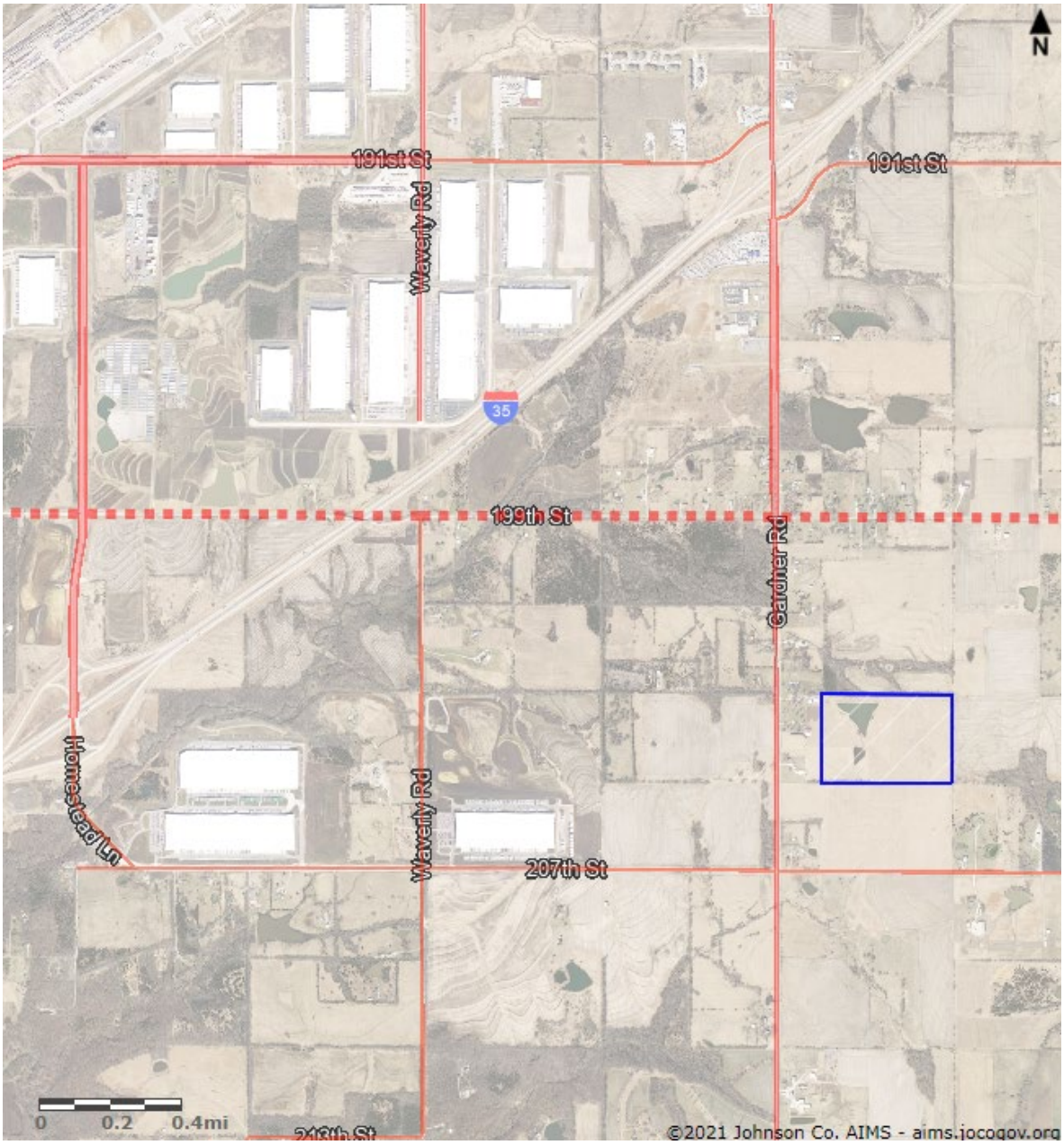


Figure 4 shows the relation of the subject property, outlined blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

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

EDGERTON
global routes. local roots.

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 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 16:13:37 -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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON™
global routes. local roots.

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

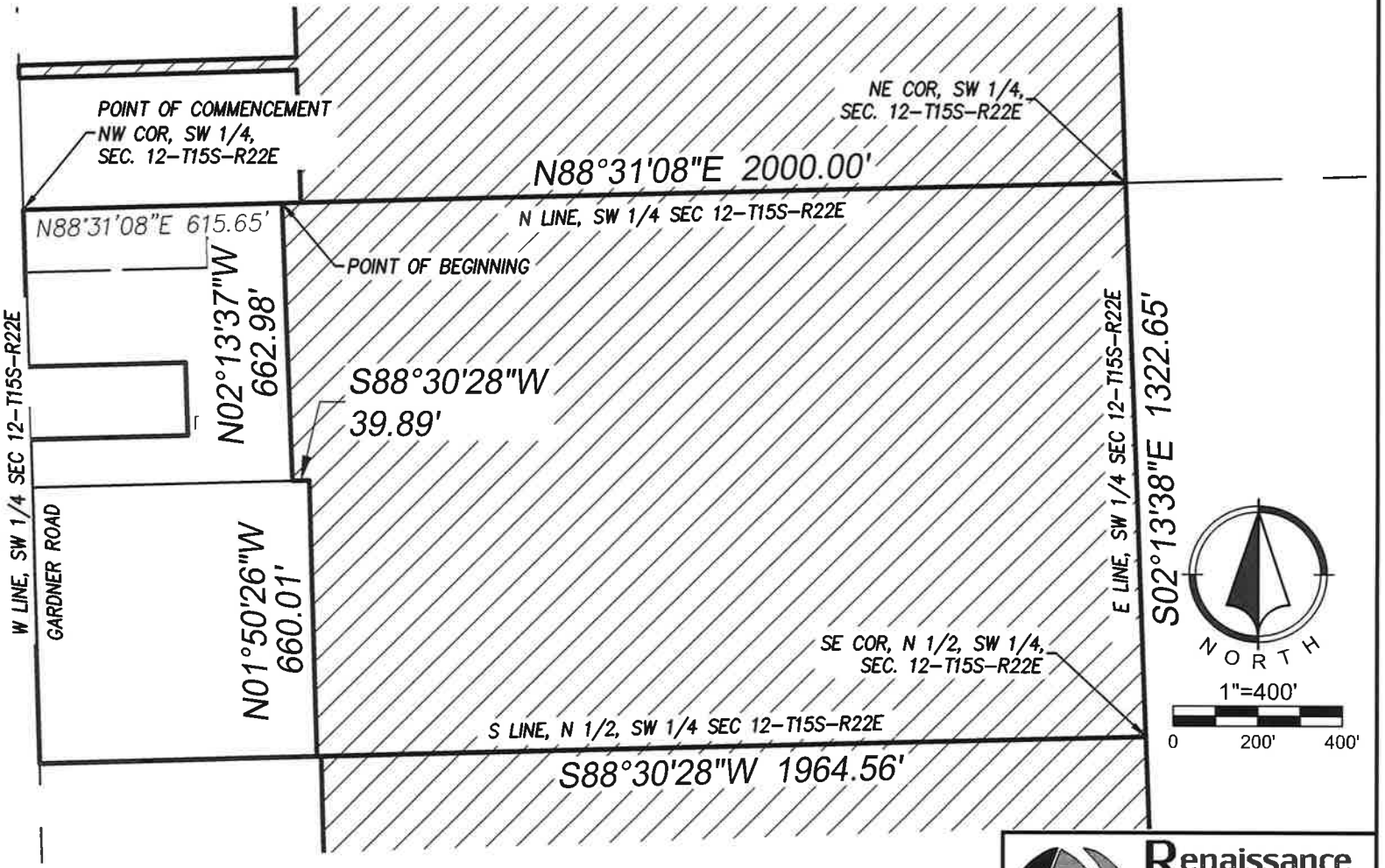


Property Description:

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:

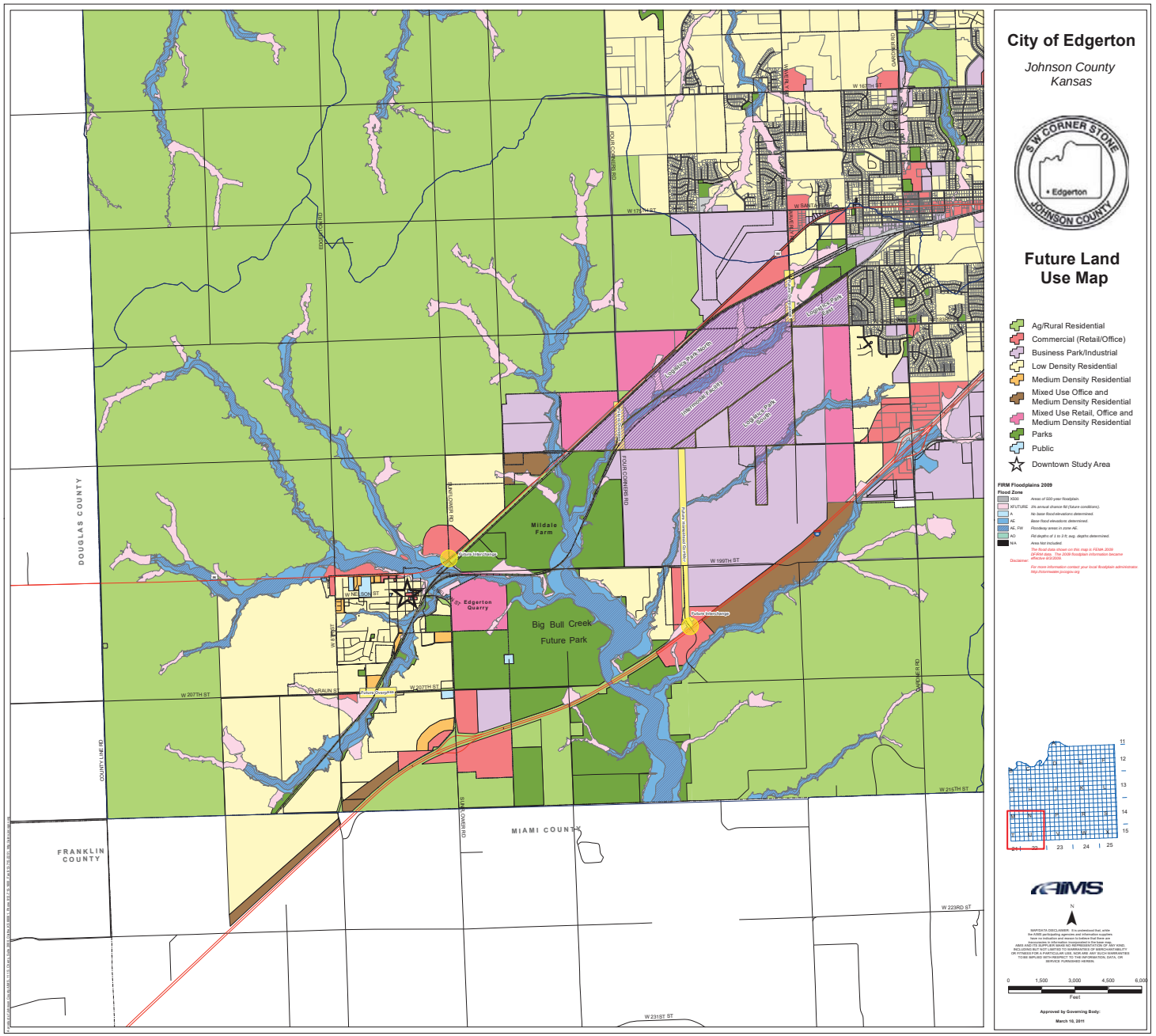
Commencing at the Northwest corner of said Southwest Quarter; thence North 88°31'08" East, coincident with the North line of said Southwest Quarter, a distance of 615.65 feet to the Point of Beginning; thence continuing North 88°31'08" East, coincident with said North line, a distance of 2,000.00 feet 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

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

Notification Area for Application ZA2020-03

Property ID	Area (ft^2)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft^2)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2F221512-1006	196,456	4.51	20275 GARDNER RD	BETTGE LIVING TRUST		20275 S GARDNER RD	GARDNER, KS 66030	RUR	196,430	4.51	100.00%	2.07%	Yes
2F221512-2004	817,186	18.76	20685 GARDNER RD	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	588,108	13.5	72.00%	6.21%	No
2F221512-4001	3,435,142	78.86	0 NS NT	CAENEN FARMS, L.L.C.		PO BOX 283	GARDNER, KS 66030	RUR	1,322,030	30.35	38.50%	13.96%	No
2P08000000 0001	592,416	13.6	28572 W 207TH ST	CASEY, MICHAEL P.	CASEY, KAREN S.	28572 W 207TH ST	GARDNER, KS 66030	RUR	465,328	10.68	78.50%	4.91%	No
2F221512-3001	3,433,835	78.83	28515 W 199TH ST	DALE R GEORGE REVOCABLE TRUST	VERETA DELORES GEORGE REVOCABLE TRUST	16230 S LONE ELM RD	OLATHE, KS 66062	RUR	786,889	18.06	22.90%	8.31%	No
BF221512-2003	2,542,162	58.36	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,958,246	44.96	77.00%	20.68%	No
2P08000000 0002	435,600	10	28466 W 207TH ST	JULIAN, MICHELLE	JULIAN, JEFF	21204 BITTERSWEET DR	LENEXA, KS 66220	RUR	197,299	4.53	45.30%	2.08%	No
2F221512-2005	58,370	1.34	20365 GARDNER RD	MAYBERRY, CONNIE L.		20365 GARDNER RD	GARDNER, KS 66030	RUR	58,289	1.34	100.00%	0.62%	Yes
2F221511-3005	193,406	4.44	20260 GARDNER RD	MCGUIRE, MICHAEL L.	MCGUIRE, ROBYN R.	20260 GARDNER RD	GARDNER, KS 66021	RLD	102,355	2.35	52.90%	1.08%	Yes
2F221512-1009	204,732	4.7	20225 GARDNER RD	MURROW, RICHARD L. TRUSTEE	MURROW, JUANITA M. TRUSTEE	20225 GARDNER RD	GARDNER, KS 66030	RUR	204,597	4.7	100.00%	2.16%	Yes
2F221511-3002	2,532,143	58.13	20190 GARDNER RD	MURROW, RICHARD L. TRUSTEE	MURROW, JUANITA M. TRUSTEE	20225 GARDNER RD	GARDNER, KS 66030	RUR	35,310	0.81	1.40%	0.37%	Yes
BF221512-2001	27,878	0.64	0 NS NT	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	27,927	0.64	100.00%	0.29%	Yes
2F221512-2002	59,242	1.36	20315 GARDNER RD	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	59,249	1.36	100.00%	0.63%	Yes
2F221512-2001	674,744	15.49	20465 GARDNER RD	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	674,795	15.49	100.00%	7.13%	Yes
2F221511-4003	41,818	0.96	20300 GARDNER RD	PORTER, JASON C.	PORTER, CHRISTELLE L.	20300 GARDNER RD	GARDNER, KS 66021	RUR	42,000	0.96	100.00%	0.44%	No
2F221511-4002	3,375,029	77.48	0 NS NT	ROBINS, LINDA L	RAGSDALE, MARY ELIZABETH	876 COUNTY RD 321	JEWETT, TX 75846	RUR	148,960	3.42	4.40%	1.57%	No
2P08000000 0003	435,600	10	28358 W 207TH ST	STOUGHTON, SHELDON A	STOUGHTON, CYNTHIA M	28358 W 207TH ST	GARDNER, KS 66030	RUR	4,692	0.11	1.10%	0.05%	No
2F221512-1007	201,683	4.63	20185 GARDNER RD	TROUTMAN, JACE R	TROUTMAN, STACY R	20185 S GARDNER RD	GARDNER, KS 66030	RUR	156,444	3.59	77.60%	1.65%	Yes
BF221512-1001	4,580,334	105.15	0 NS NT	WELLSVILLE FARMS LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,973,660	45.31	43.10%	20.84%	No
2F221512-4004	203,861	4.68	28640 W 207TH ST	WINSLOW, SHAWN M.	WINSLOW, LORA M.	28640 W 207TH ST	GARDNER, KS 66030	RLD	113,057	2.6	55.40%	1.19%	Yes
2F221511-4001	3,411,619	78.32	20480 GARDNER RD	WISE FAMILY LLC		20480 GARDNER RD	GARDNER, KS 66030	RUR	354,800	8.15	10.40%	3.75%	No
								Totals:	9,470,465	217.42		17.20%	10

PROTEST PETITIONS INSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23 day of January, 2021 before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-03

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.

RECEIVED
JAN 22 2021
12:48 pm MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie L Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

NOTARY PUBLIC STATE OF KANSAS SARA FOLAND My Appt. Exp. 1/22/2024

ZA2020-03

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R. McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L McGuire Robyn R. McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-03

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-03

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-03

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/7/2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-03

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.

RECEIVED
JAN 25 2021
8:54 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name(Printed)	Owner's Address
	Jace R Troutman	20185 S Gardner Rd., Gardner, KS 66030
	Stacy R Troutman	20185 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12, Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R Troutman | Stacy R Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/18/23

NOTARY PUBLIC - State of Kansas
Courtney James
My Appt. Expires 12/18/23

ZA2020-03

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Shawn Winslow and Lora Winslow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-03

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.

Protest Petitions Received Outside of the Notification Area of Application ZA2020-03

Count	Protestor(s)	Address	City
1	Bannister, Frank and Karen	19815 Gardner Rd	Gardner, KS
2	Boydston, Andre and Karen	28415 W 215th St	Spring Hill, KS
3	Brown, Shane and Tara	29445 W 199th St	Gardner, KS
4	Brown, Shane and Tara	2F221512-1002	Gardner, KS
5	Calder, William	19885 Gardner Rd	Gardner, KS
6	Calder, William	19885 Gardner Rd	Gardner, KS
7	Calvin, Joanne and Dustin	29000 W 199th St	Gardner, KS
8	Combs, Matthew and Heather	20950 Moonlight Rd	Gardner, KS
9	Davis, Wayne and Constance	29080 W 199th St	Gardner, KS
10	Dougan II, Conway	28065 W 215th St	Spring Hill, KS
11	England, Marla	28535 W 215th St	Gardner, KS
12	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
13	Harlow, Thomas and Diana	21225 Moonlight Rd	Gardner, KS
14	Hunt, Clifford and Cherry	21355 Moonlight Rd	Gardner, KS
15	Ingle, John and Tara	28255 W 215th St	Gardner, KS
16	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
17	Kennon, Curtis and Debra	28155 W 215th St	Spring Hill, KS
18	Matthews, Sidney and Reva	28720 W 199th St	Gardner, KS
19	Morgan, Daniel and Kelly	21070 Moonlight Rd	Gardner, KS
20	Rockel, Ronald	28920 199th St	Gardner, KS
21	Slyter, Rachelle	28600 W 199th St	Gardner, KS
22	Smith, Timothy and Karen	21175 Moonlight Rd	Gardner, KS
23	Stephens, Richard and Joy	20005 Gardner Rd	Gardner, KS

PROTEST PETITIONS OUTSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 19 2021
BH 3:09pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-03, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank T. Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen S. Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank + Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:
My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-03

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Andre L Boydston	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L & Andre L Boydston.

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-2023

NOTARY PUBLIC -- State of Kansas
TAMMY R DAULTON
My Appt. Exp. 09-18-2023

ZA2020-03

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan., 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

STATE OF KANSAS NOTARY PUBLIC
MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-03

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	2F221512-1002
Tara Brown	Tara L Brown	2F221512-1002

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

NOTARY PUBLIC STATE OF KANSAS
MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-03

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd, Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 S 180' W 242' S ½ SW ¼ EX .344 AC IN RD & EX .023 AC IN ST .633 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-03

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.

RECEIVED
JAN 25 2021
1:30 pm 5

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S Gardner Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 BG 242' E SW CR SW 1/4 N 180' X E121'
EX. 11 IN ST. 39 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-03

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St. Gardner, KS 66030
D. Calvin	Dustin Calvin	29000 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10'W 297.5' E 1090'S 1/2 W 1/4
EX .273 AC IN ST 4.727 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-03

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.

RECEIVED
JAN 26 2021
3:39 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

1/26/21	Matthew Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
1/26/21	Heather Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22, Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 2021, before me came Matthew + Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-03

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.

RECEIVED
JAN 21 2021
12:20 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan, 2021, before me came Wayne A. Davis and Constance R. Davis to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2021

NOTARY PUBLIC STATE OF KANSAS
MICHELLE LYBARGER
My Appt. Exp. 3/14/21

ZA2020-03

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.

RECEIVED
JAN 25 2021
3:54 pm E

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
C E Dougan II	C E Dougan II	28065 W. 215th St., Gardner, KS 66030
	Shirley Y Dugan	28065 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of JANUARY, 2021, before me came Conway E Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Springer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPRINGER
My Appt. Exp. 6/20/2023

ZA2020-03

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Marla E. England — Signature
Marla E. England — Owner's Name (Printed)
28535 W. 215th St., Gardner, KS 66030 — Owner's Address

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E. England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/01/2023

MARLEE HAIG
Notary Public-State of Kansas
My Appt. Expires 12/01/23

RECEIVED
JAN 21 2021
2:09 pm

ZA2020-03

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.

RECEIVED
JAN 21 2021

Zoning/Special Use Protest Petition

10:17 am

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-03; ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06; ZA 2020-07; ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0
Property Address:
019880 GARDNER RD GARDNER KS
Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1:

Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2:

Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@embarqmail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22rd day of January, 2021, before me came Thomas and Diana Harlow

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-03

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.

RECEIVED
JAN 19 2021
1:56 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Cherry L Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of Jan, 2021, before me came Clifford E Hunt - Cherry L Hunt

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye Denham

My Commission Expires: 5/11/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/11/2024

ZA2020-03

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.

RECEIVED
JAN 19 2021
4:08pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for ~~property generally~~ located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cottingham

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

ZA2020-03

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.

RECEIVED
JAN 22 2021
11:59 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St. Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 8-24-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-03

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.

RECEIVED
JAN 21 2021
9:24am KLC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Curtis + Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-03

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.

RECEIVED
JAN 22 2021
11:59AM LUCE

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. ~~Protestor(s)~~

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St. Gardner, KS 66030
	Reva R Matthews	28720 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G. Matthews and Reva R. Matthews

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-03

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.

RECEIVED
JAN 25 2021
1:18 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

STATE OF KANSAS NOTARY PUBLIC
TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-03

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rockel	Ronald & Marilyn Rockel Joint Revocable Trust Settlor: Ronald A Rockel	28920 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

The South 732.1 feet of the West 297.5 feet of the East 792.5 feet of the Southwest quarter of section 1, Township 15S, Range 22E, Johnson County, Kansas, except that part in roads or streets

Lot 2014

ACKNOWLEDGMENT (28920 W. 199th St. Gardner, KS 66030)

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rockel

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

ZA2020-03

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.

RECEIVED
JAN 22 2021
11:59 AM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Rachelle B Slyter	Rachelle B Slyter	28600 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 8-24-21

STATE NOTARY PUBLIC KANSAS
NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-03

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Karen Smith Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A
KUPN 046-194-18-0-30-01-003.01-0

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16th day of January, 2021, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021
11:03am

ZA2020-03

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-03, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-03

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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-04 Comprising Approximately 58.36 Acres Of Land Generally Located Northeast of the Intersection of West 207th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning Application ZA2020-04 from Hillsdale Land & Cattle, LLC requesting the rezoning of a 58.36 acre parcel generally located northeast of the intersection of West 207th Street and South Gardner Road in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

The parcel is adjacent to 207th Street and located between the parcels requesting rezoning in Applications ZA2020-03 and ZA2020-07. Current access to the parcel is from 207th Street. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to recommend denial of the application for rezoning.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-04:

- 32 total Protest Petitions received
    - 3 Petitions were received from INSIDE the statutory notification area
    - 29 petitions were received from OUTSIDE the statutory notification area
- Of those 3 received within the notification area, 8.33% are within the buffer area that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code; 12-757 – Zoning Amendments

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-04
- Approved minutes from the January 12, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Economic Impact Analysis Staff Memo dated February 5, 2020 – included with Application ZA2020-02
- Draft minutes from the February 9, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Public comment received following close of Public Hearing – included with Application ZA2020-02
- Staff response to public comments – included with Application ZA2020-02
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside Statutory Area received for Application ZA2020-04
- Protest Petitions Outside Statutory Area received for Application ZA2020-04

Prepared by: Katy Crow, Development Services Director

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

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

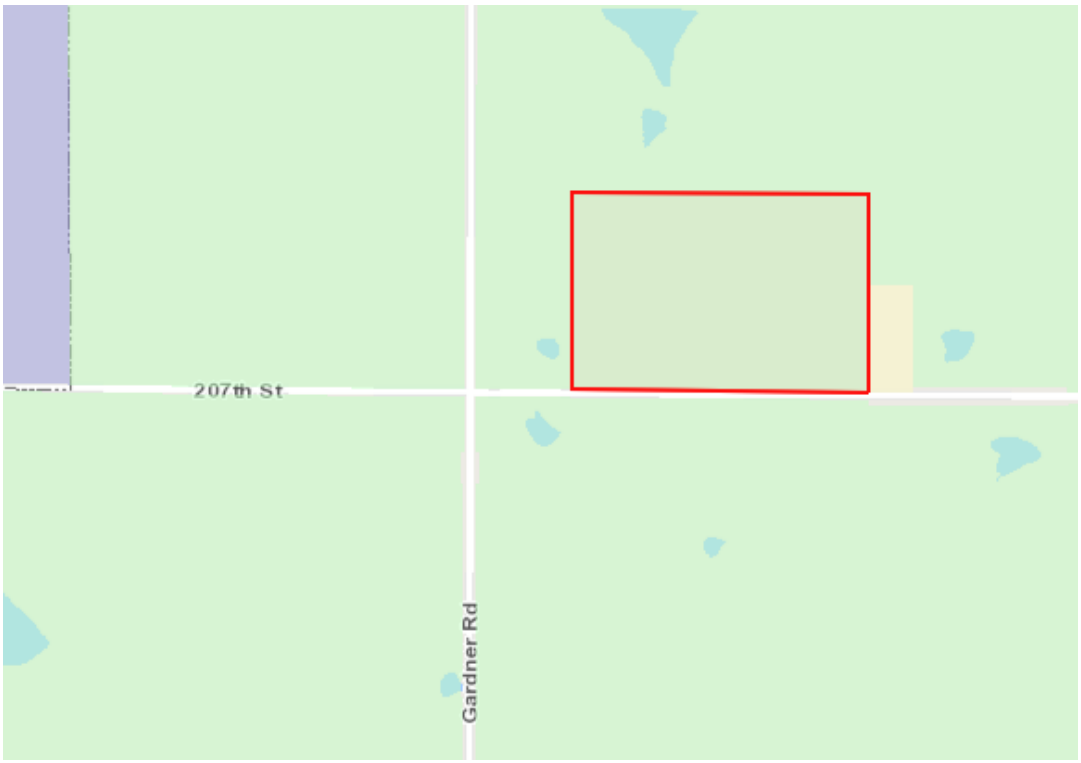


Figure 2 is a closer look at the adjacent parcels and their zoning designations.

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

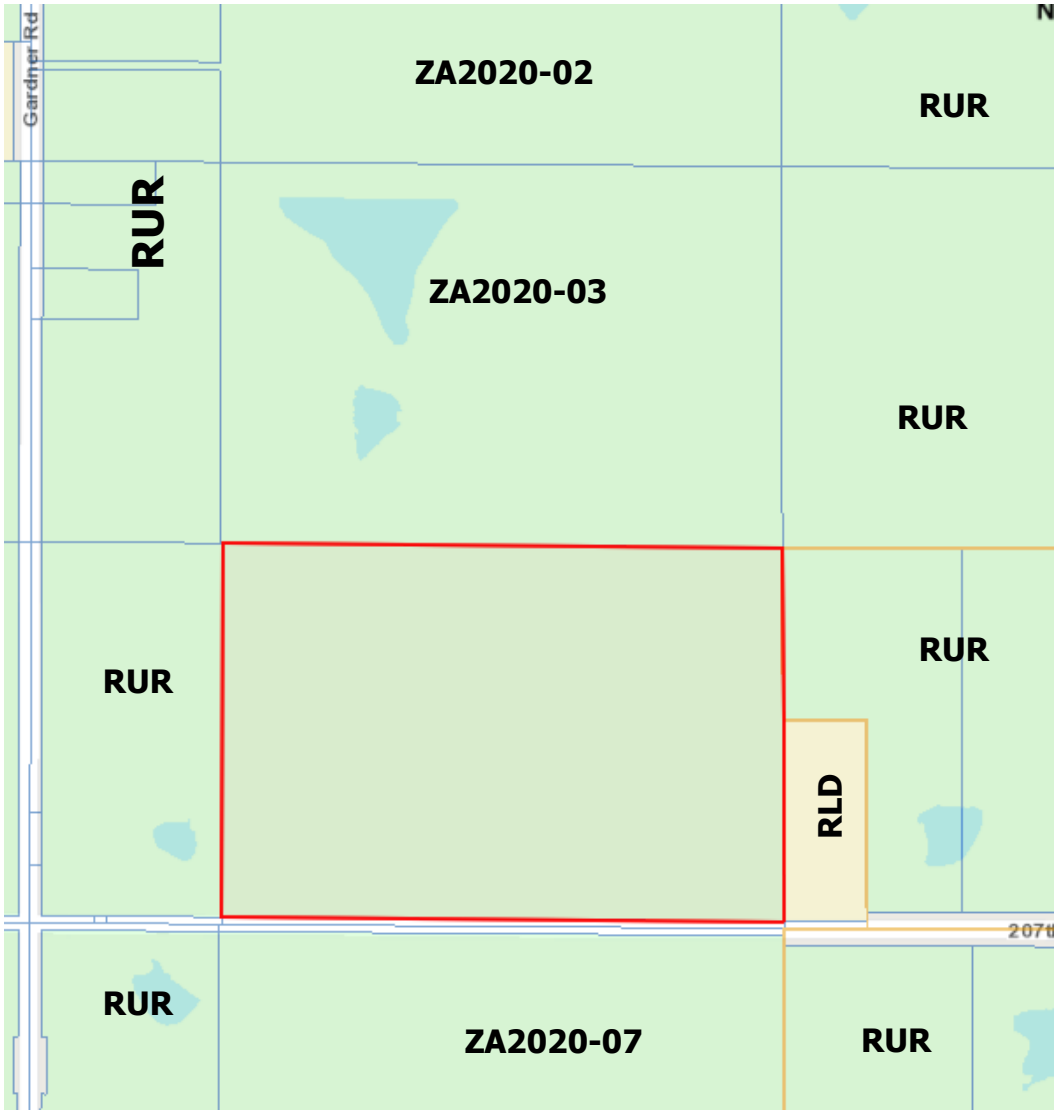


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.64 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly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

Figure 3

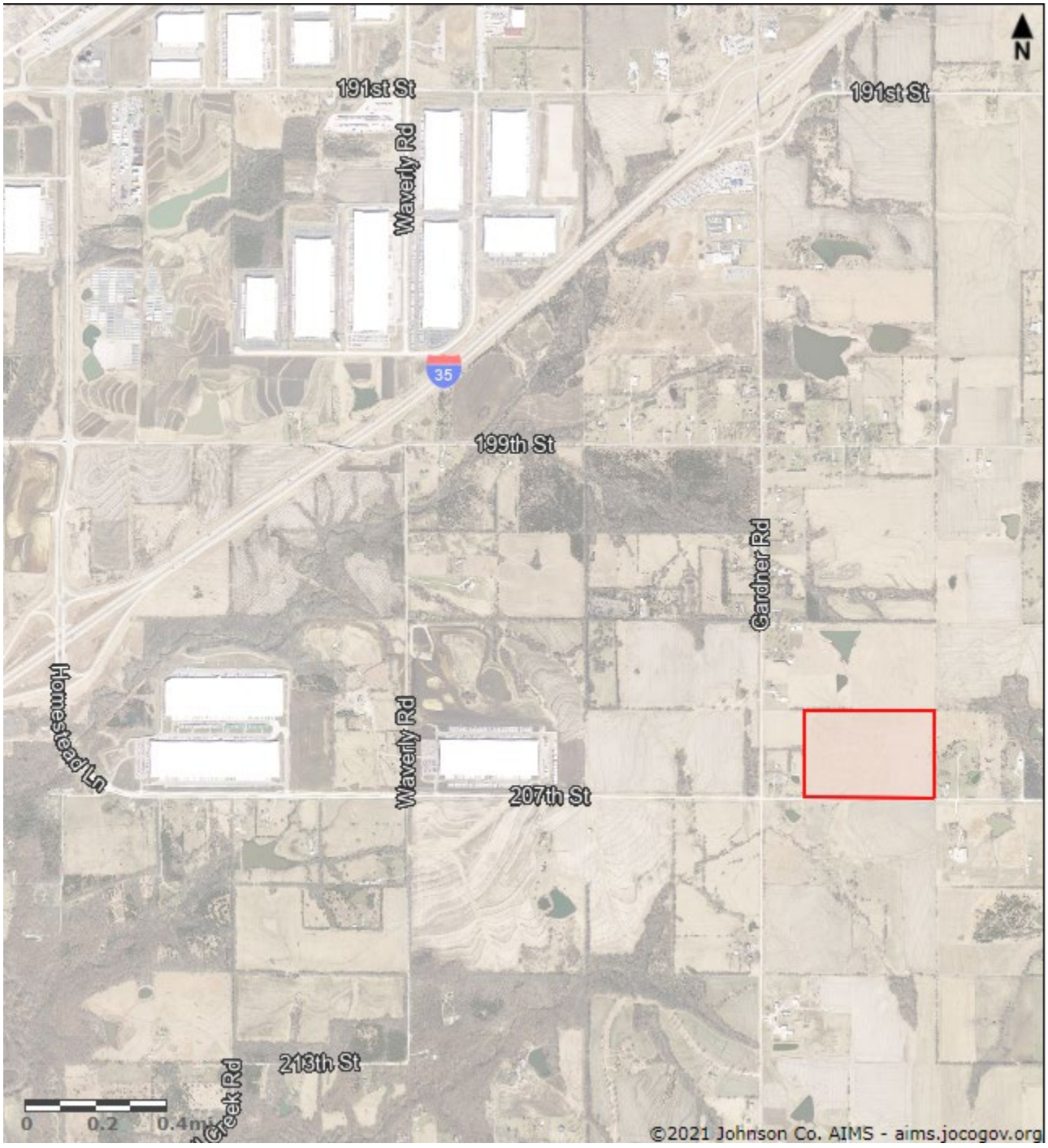
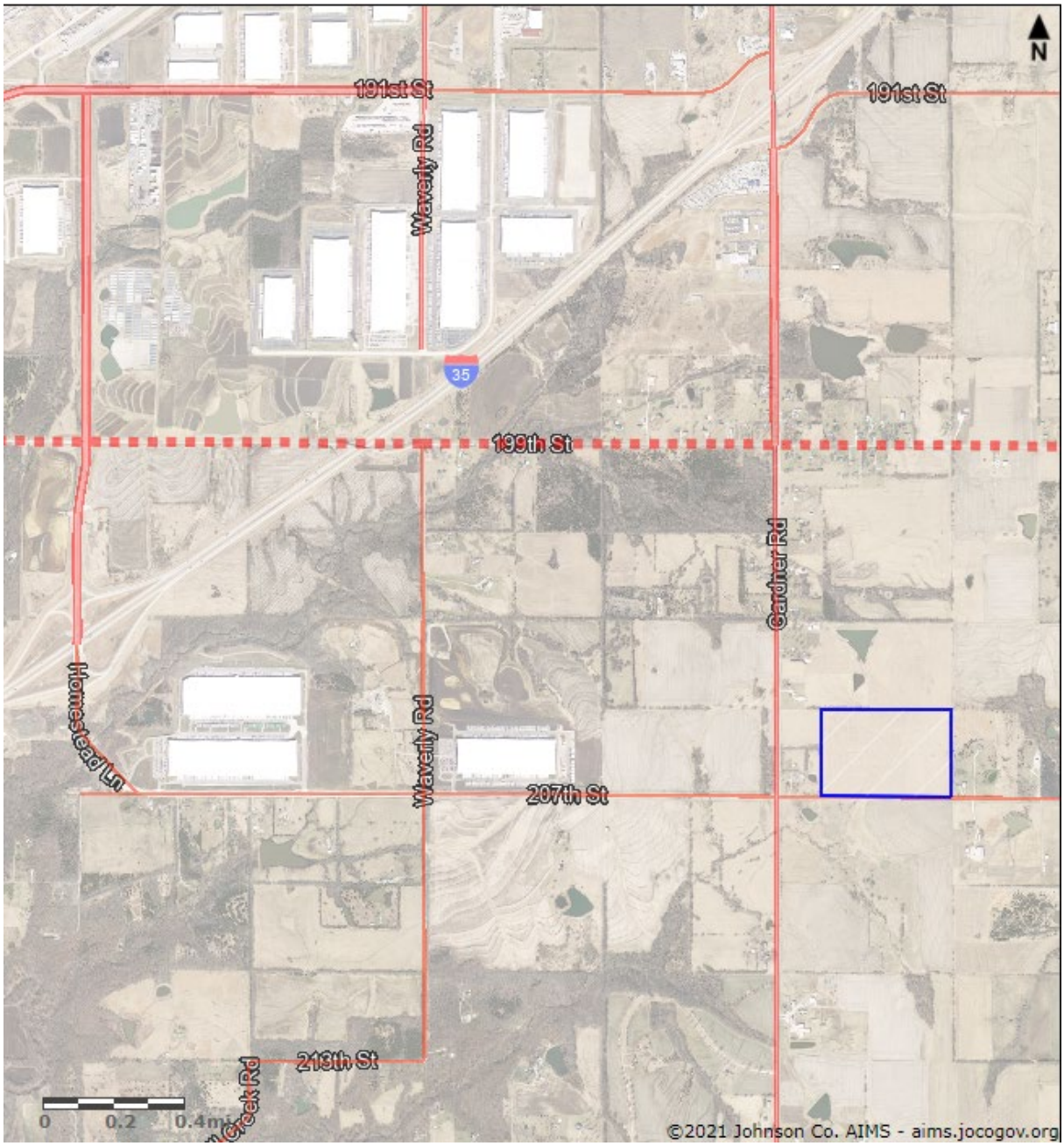


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

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

EDGERTON
global routes. local roots.

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 Digitally signed by Katy Crow DN: C=US, E=krcrow@edgertonks.org, O=City of Edgerton, OU=Community Development, CN=Katy Crow Date: 2020.12.14 16:19:56-06'00' 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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON
global routes. local roots.

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

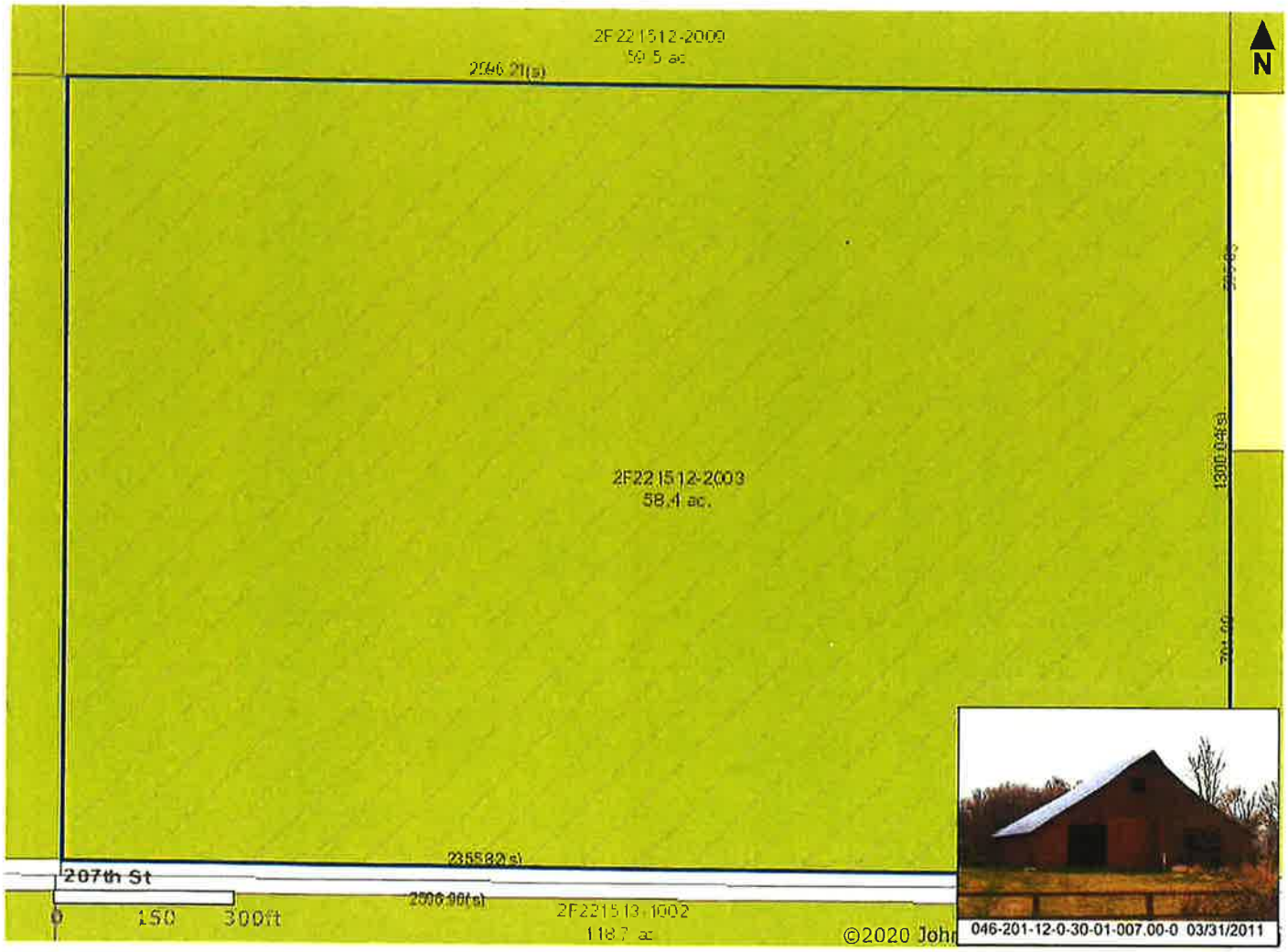
404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

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

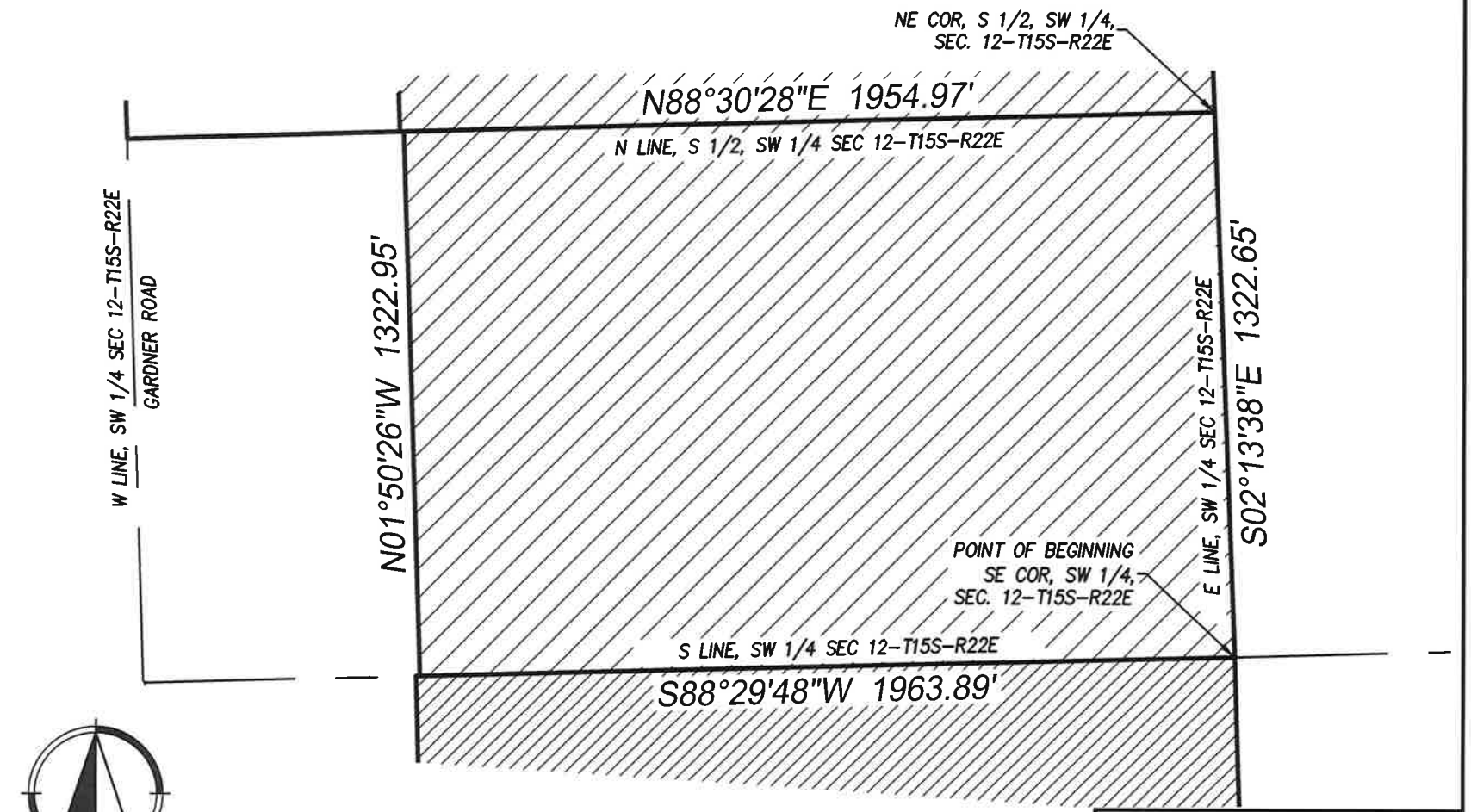


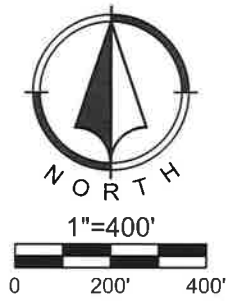
Property Description:

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.

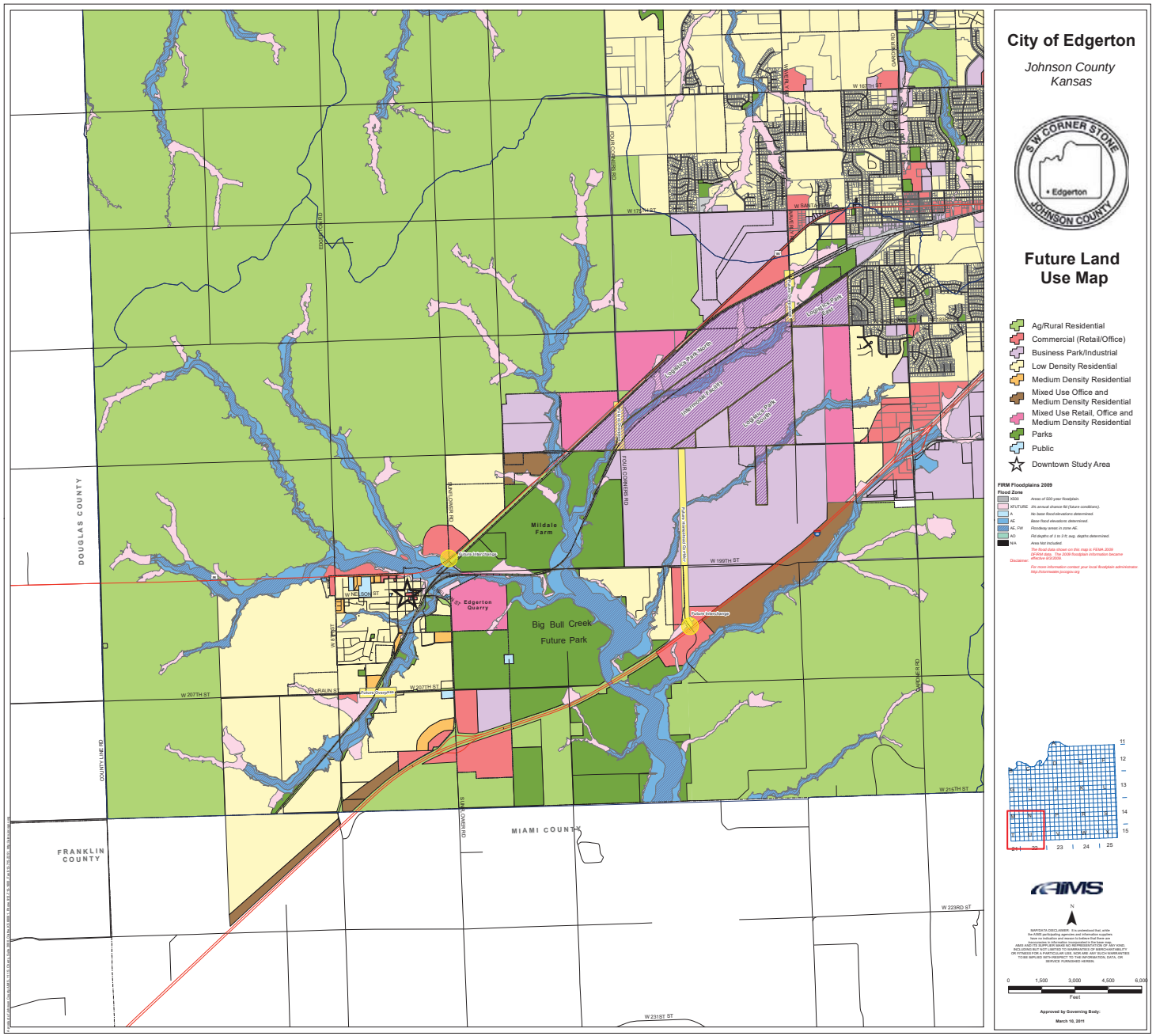
Annexation Exhibit





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

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

Notification Area for Application ZA2020-04

Property ID	Area (ft^2)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft^2)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2P04300000 0001	832,867	19.12	28595 W 207TH ST	BAKER GROUP LC		PO BOX 226	GARDNER, KS 66030-0226	RUR	551,655	12.66	66.20%	6.01%	No
2P04300000 0002	833,738	19.14	0 NS NT	BAKER GROUP LC		PO BOX 226	GARDNER, KS 66030-0226	RUR	148,567	3.41	17.80%	1.62%	No
2F221513-1001	1,620,868	37.21	29425 W 207TH ST	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	541,227	12.42	33.40%	5.90%	No
2F221512-2004	817,186	18.76	20685 GARDNER RD	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	817,070	18.76	100.00%	8.91%	No
2F221512-4001	3,435,142	78.86	0 NS NT	CAENEN FARMS, L.L.C.		PO BOX 283	GARDNER, KS 66030	RUR	789,728	18.13	23.00%	8.61%	No
2P08000000 0001	592,416	13.6	28572 W 207TH ST	CASEY, MICHAEL P.	CASEY, KAREN S.	28572 W 207TH ST	GARDNER, KS 66030	RUR	592,439	13.6	100.00%	6.46%	No
BF221513-1002	5,170,572	118.7	0 NS NT	EAST KANSAS LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,875,077	43.05	36.30%	20.44%	No
BF221514-3005	1,664,428	38.21	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	124,439	2.86	7.50%	1.36%	No
BF221512-2009	2,592,256	59.51	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,960,830	45.01	75.60%	21.38%	No
2P08000000 0002	435,600	10	28466 W 207TH ST	JULIAN, MICHELLE	JULIAN, JEFF	21204 BITTERSWEET DR	LENEXA, KS 66220	RUR	435,542	10	100.00%	4.75%	No
2F221512-2005	58,370	1.34	20365 GARDNER RD	MAYBERRY, CONNIE L.		20365 GARDNER RD	GARDNER, KS 66030	RUR	34,507	0.79	59.20%	0.38%	Yes
2F221512-2001	674,744	15.49	20465 GARDNER RD	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	525,838	12.07	77.90%	5.73%	Yes
BF221512-2001	27,878	0.64	0 NS NT	PEARCE, LARRY L. CO-TRUSTEE	PEARCE, DONNA D. CO-TRUSTEE	20315 S GARDNER RD	GARDNER, KS 66030	RUR	13,920	0.32	49.80%	0.15%	No
2F221511-4002	3,375,029	77.48	0 NS NT	ROBINS, LINDA L	RAGSDALE, MARY ELIZABETH	876 COUNTY RD 321	JEWETT, TX 75846	RUR	376,892	8.65	11.20%	4.11%	No
2P08000000 0003	435,600	10	28358 W 207TH ST	STOUGHTON, SHELDON A	STOUGHTON, CYNTHIA M	28358 W 207TH ST	GARDNER, KS 66030	RUR	40,245	0.92	9.20%	0.44%	No
2F221512-4004	203,861	4.68	28640 W 207TH ST	WINSLOW, SHAWN M.	WINSLOW, LORA M.	28640 W 207TH ST	GARDNER, KS 66030	RLD	204,029	4.68	100.00%	2.22%	Yes
2F221511-4001	3,411,619	78.32	20480 GARDNER RD	WISE FAMILY LLC		20480 GARDNER RD	GARDNER, KS 66030	RUR	139,466	3.2	4.10%	1.52%	No
								Totals:	9,171,471	210.53		8.33%	3

PROTEST PETITIONS INSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 22 2021
12:48pm MLC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie L. Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

NOTARY PUBLIC STATE OF KANSAS SARA FOLAND My Appt. Exp. 1/22/24

ZA2020-04

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-04

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Shawn Winslow & Lora Winslow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-04

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.

Protest Petitions Received Outside the Notification Area of Application ZA2020-04

Count	Protestor(s)	Address	City
1	Bannister, Frank and Karen	19815 Gardner Rd	Gardner, KS
2	Bettge Living Trust, Christopher Bettge for	20275 Gardner Rd	Gardner, KS
3	Boydston, Andre and Karen	28415 W 215th St	Spring Hill, KS
4	Brown, Shane and Tara	29445 W 199th St	Gardner, KS
5	Brown, Shane and Tara	2F221512-1002	Gardner, KS
6	Calder, William	19885 Gardner Rd	Gardner, KS
7	Calder, William	19885 Gardner Rd	Gardner, KS
8	Calvin, Joanne and Dustin	29000 W 199th St	Gardner, KS
9	Combs, Matthew and Heather	20950 Moonlight Rd	Gardner, KS
10	Davis, Wayne and Constance	29080 W 199th St	Gardner, KS
11	Dougan II, Conway	28065 W 215th St	Spring Hill, KS
12	England, Marla	28535 W 215th St	Gardner, KS
13	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
14	Harlow, Thomas and Diana	21225 Moonlight Rd	Gardner, KS
15	Hunt, Clifford and Cherry	21355 Moonlight Rd	Gardner, KS
16	Ingle, John and Tara	28255 W 215th St	Gardner, KS
17	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
18	Kennon, Curtis and Debra	28155 W 215th St	Spring Hill, KS
19	Matthews, Sidney and Reva	28720 W 199th St	Gardner, KS
20	McGuire, Michael and Robyn	20260 Gardner Rd	Gardner, KS
21	Morgan, Daniel and Kelly	21070 Moonlight Rd	Gardner, KS
22	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
23	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
24	Pearce, Larry and Donna	20315 Gardner Rd	Gardner, KS
25	Rockel, Ronald	28920 199th St	Gardner, KS
26	Slyter, Rachelle	28600 W 199th St	Gardner, KS
27	Smith, Timothy and Karen	21175 Moonlight Rd	Gardner, KS
28	Stephens, Richard and Joy	20005 Gardner Rd	Gardner, KS
29	Troutman, Jace and Stacy	20185 Gardner Rd	Gardner, KS

PROTEST PETITIONS OUTSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 19 2021
PM 3:09PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-04, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank T. Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen S. Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank & Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead
My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-04

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.

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 13 day of January, 2021, before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-04

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Andre L Boydston	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L. + Andre Lane Boydston

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-2023

NOTARY PUBLIC - State of Kansas
TAMMY R DAULTON
My Appt Exp. 09-18-2023

ZA2020-04

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021, before me came Shane + Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-04

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
[signature]	Shane B Brown	2F221512-1002
[signature]	Tara L Brown	2F221512-1002

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane & Tara Brown

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-04

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	Po Box 73 19885 S. Gardner Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 BG 242' E SW CR SW 1/4 N 180' X E 121' EX .11 IN ST .39 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-04

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-4, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William G. Calder	William A Calder	Po Box 73 19885 S. Gardner Rd Gardner, KS 66030

Legal Description of Protestor's Property:

15-22 S 180' W 242' S 1/2 SW 1/4 EX .344 AC IN RD & EX .023 AC IN ST .633 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-04

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St. Gardner, KS 66030
D. Calvin	Dustin Calvin	29000 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10' W 297.5' E 1090' S 1/2 SW 1/4
EX .273 AC IN ST 4.727 M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-04

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.

RECEIVED
JAN 26 2021
3:39 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature 1/26/21	Matthew Combs	20950 Moonlight Rd.,Gardner, KS 66030
	Owner's Name (Printed)	Owner's Address
Signature 1/26/21	Heather Combs	20950 Moonlight Rd.,Gardner, KS 66030
	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22,

Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 2021, before me came Matthew + Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-04

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.

RECEIVED
JAN 21 2021
12:20 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan, 2021, before me came Wayne A. Davis and Constance R Davis to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2021

NOTARY PUBLIC STATE OF KANSAS
MICHELLE LYBARGER
My Appt. Exp. 3/14/21

ZA2020-04

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.

RECEIVED
JAN 25 2021
3:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	C E Dougan II Owner's Name (Printed)	28065 W. 215th St., Gardner, KS 66030 Owner's Address
Signature	Shirley Y Dugan Owner's Name (Printed)	28065 W. 215th St., Gardner, KS 66030 Owner's Address
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Conway E Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Springer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPRINGER
My Appt. Exp. 6/20/2023

ZA2020-04

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Marla E. England | Marla E. England | 28535 W. 215th St., Gardner, KS 66030
Signature | Owner's Name (Printed) | Owner's Address

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E. England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

My Commission Expires: 12/01/2023

MARLEE HAIG
Notary Public-State of Kansas
My Appt. Expires 12/01/2023

RECEIVED
JAN 21 2021
2:07 pm

ZA2020-04

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.

RECEIVED

JAN 21 2021

10:17 am

Zoning/Special Use Protest Petition

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-02, ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06, ZA 2020-07, ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0

Property Address:
019880 GARDNER RD GARDNER KS

Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1: Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2: Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@embarqmail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23rd day of January, 2021, before me came Thomas and Diana Harlow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Karlee Ranz

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-04

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.

RECEIVED
JAN 19 2021
1:56 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Cherry L. Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of Jan, 2021, before me came Clifford E Hunt Cherry L Hunt to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye D Denham

My Commission Expires: 5/11/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/11/2024

ZA2020-04

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.

RECEIVED
JAN 19 2021
MH 4:08PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cottingham

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

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.

RECEIVED
JAN 22 2021
11:59AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St, Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021 before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 6-27-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 6-27-21

ZA2020-04

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.

RECEIVED
JAN 21 2021
9:24 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20th day of January, 20 21, before me came Curtis & Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-04

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.

RECEIVED
JAN 22 2021
11:59 AM - ALLC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St. Gardner, KS 66030
	Reva R Matthews	28720 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G Matthews and Reva R Matthews to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-04

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L McGuire Robyn R. McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

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.

RECEIVED
JAN 25 2021
1:58 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R. Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-04

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
App't Exp. 4-15-22

ZA2020-04

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-04

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.

RECEIVED
JAN 22 2021
2:40 pm R

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-04

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rocke	Ronald & Marilyn Rocke/ Joint Revocable Trust settlor: Ronald A. Rocke/	28920 W. 199th St. Gardner KS 66030

Legal Description of Protestor's Property:

The South 732.1 feet of the West 297.5 feet of the East 792.5 feet of the Southwest quarter of Section 1, Township 15S, Range 22E, Johnson County, Kansas, except that part in roads or streets Lot 2014 (28920 W. 199th St. Gardner KS 66030)

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rocke

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

ZA2020-04

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.

RECEIVED
JAN 22 2021
11:59 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Rachelle B Slyter	Rachelle B Slyter	28600 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public

My Commission Expires: 8-24-21

STATE NOTARY PUBLIC KANSAS
NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-04

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A

KUPN 046-194-18-0-30-01-003.01-0

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16th day of January, 2020, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021
11:03 am

ZA2020-04

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

NOTARY PUBLIC STATE OF KANSAS
KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-04

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.

RECEIVED
JAN 25 2021
8:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-04, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name(Printed)	Owner's Address
	Jace R Troutman	20185 S Gardner Rd., Gardner, KS 66030
	Stacy R Troutman	20185 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12,

Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R Troutman / Stacy R Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/18/23

NOTARY PUBLIC - State of Kansas
Courtney James
My Appt. Expires 12/18/23

ZA2020-04

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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-05 Comprising Approximately 38.21 Acres Of Land Generally Located Southwest of the Intersection of West 207th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning Application ZA2020-05 from Hillsdale Land & Cattle, LLC requesting the rezoning of a 38.21 acre parcel generally located southwest of the intersection of West 207th Street and South Gardner Road in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

The parcel is adjacent to the corner of West 207th Street South Gardner Road. It is located adjacent to the parcel requesting rezoning in Application ZA2020-06. Current access to the parcel is from both 207th Street and Gardner Road. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to recommend denial of the application for rezoning.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-05:

- 32 total Protest Petitions received
    - 0 Petitions were received from INSIDE the statutory notification area
    - 32 petitions were received from OUTSIDE the statutory notification area
- Of those 0 received within the notification area, 0.0% are within the buffer area that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-05
- Approved minutes from the January 12, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Economic Impact Analysis Staff Memo dated February 5, 2020 – included with Application ZA2020-02
- Draft minutes from the February 9, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Public comment received following close of Public Hearing – included with Application ZA2020-02
- Staff response to public comments – included with Application ZA2020-02
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside Statutory Area received for Application ZA2020-05
- Protest Petitions Outside Statutory Area received for Application ZA2020-05

Prepared by: Katy Crow, Development Services Director

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

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

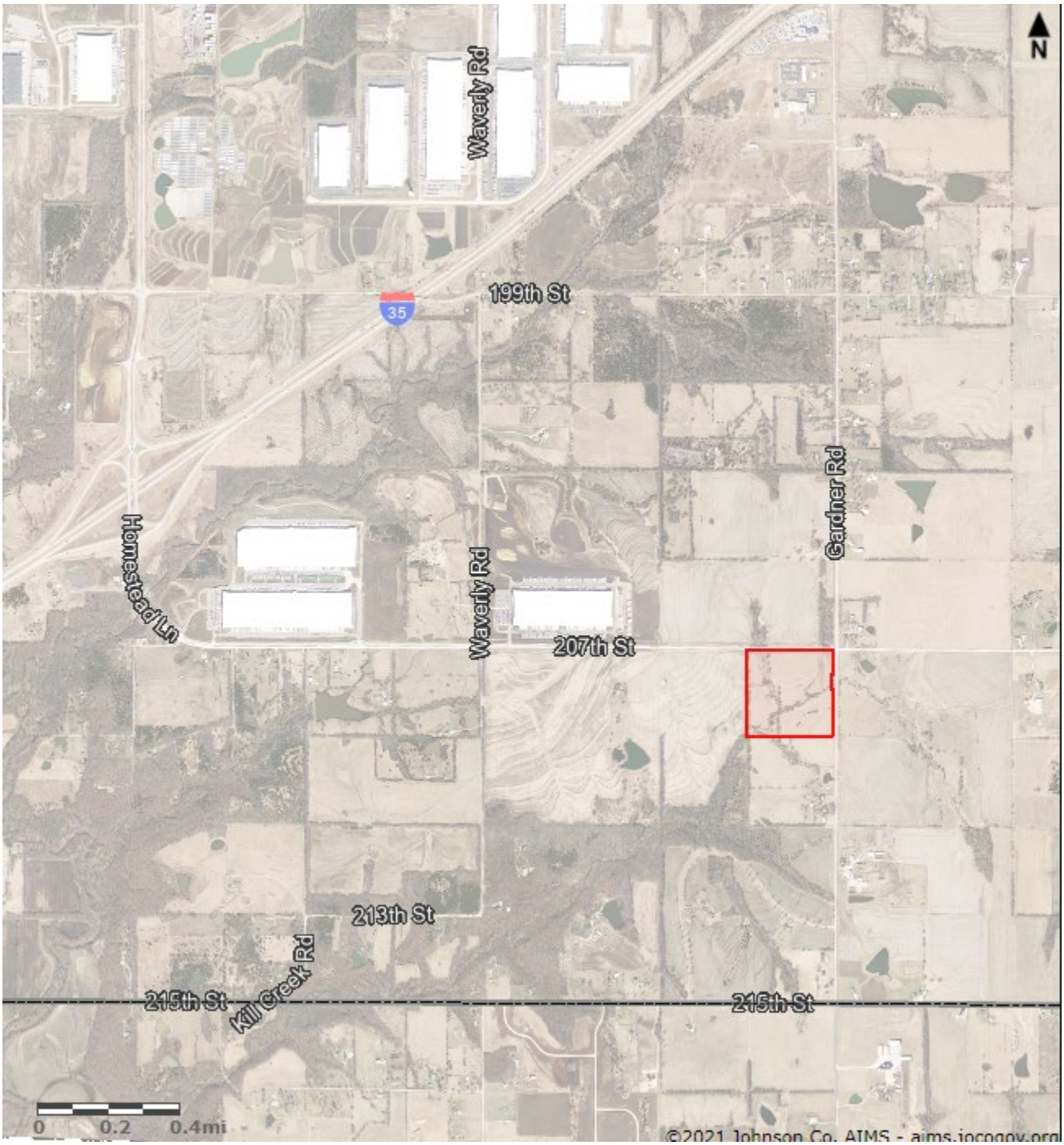
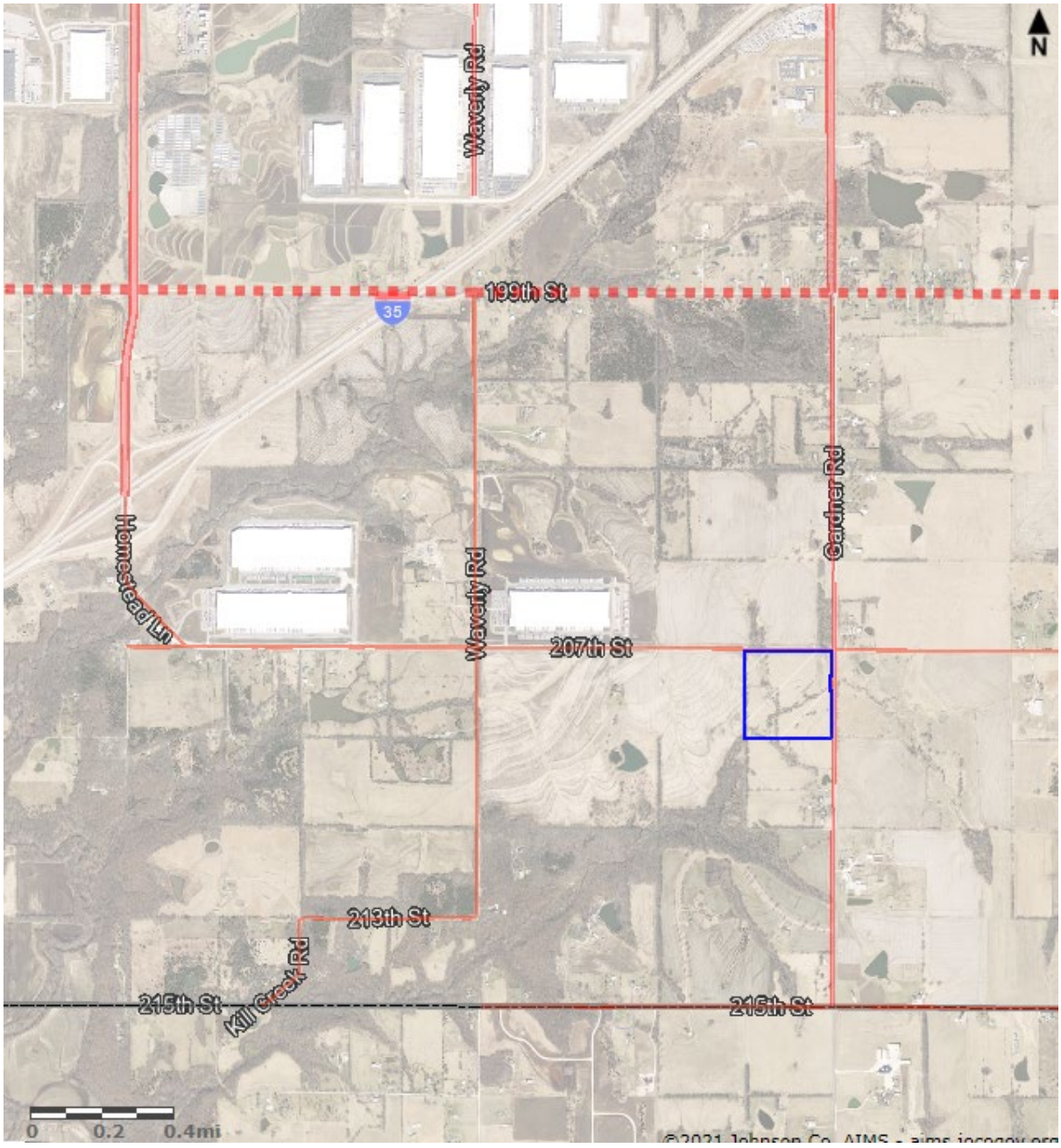


Figure 4 shows the relation of the subject property, outlined blue, to the transportation network with the Johnson County Comprehensive Arterial Network Plan (CARNP) routes highlighted.

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

EDGERTON
global routes. local roots.

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=krow@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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON™
global routes. local roots.

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, 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

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

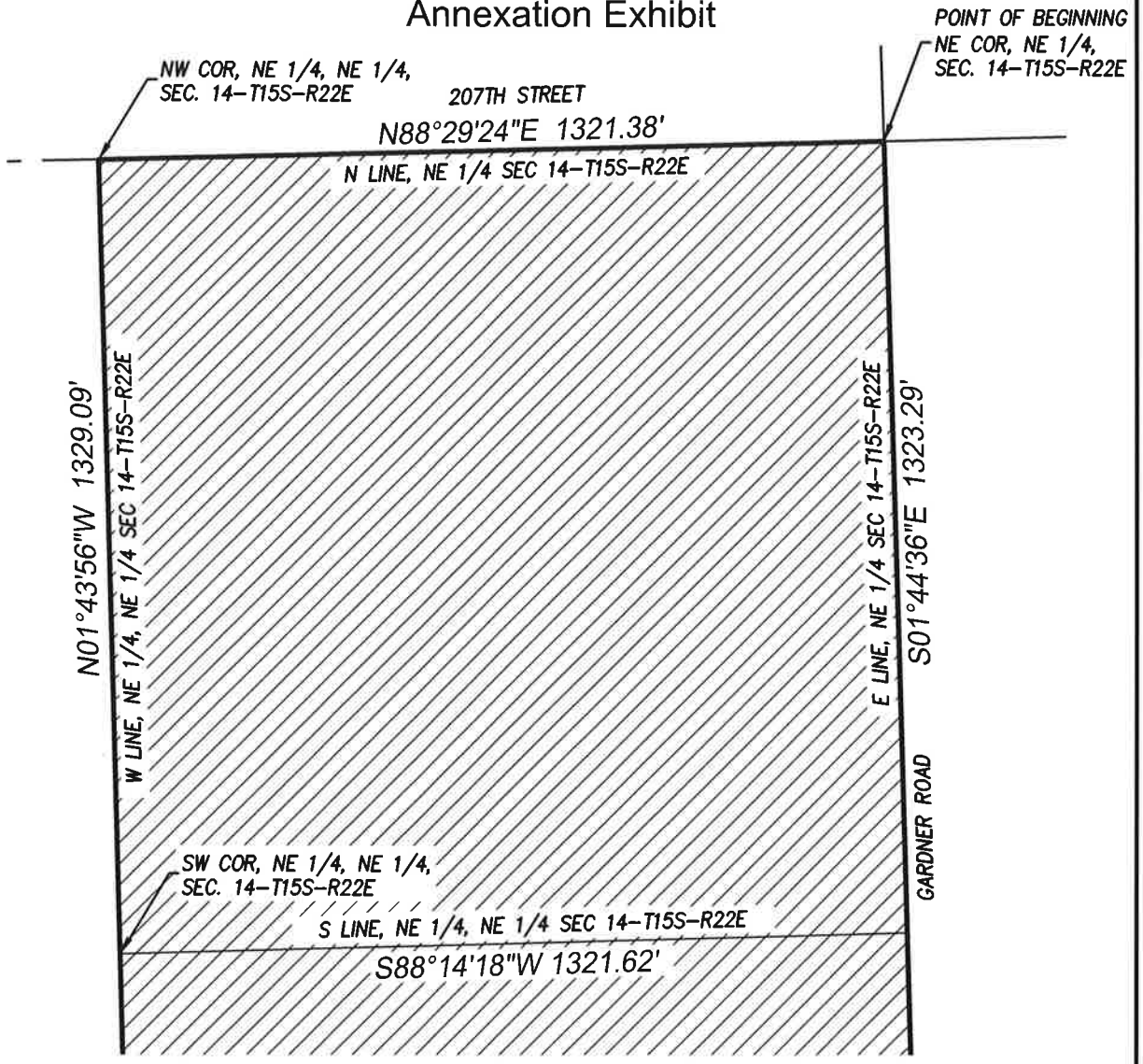


Property Description:

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.

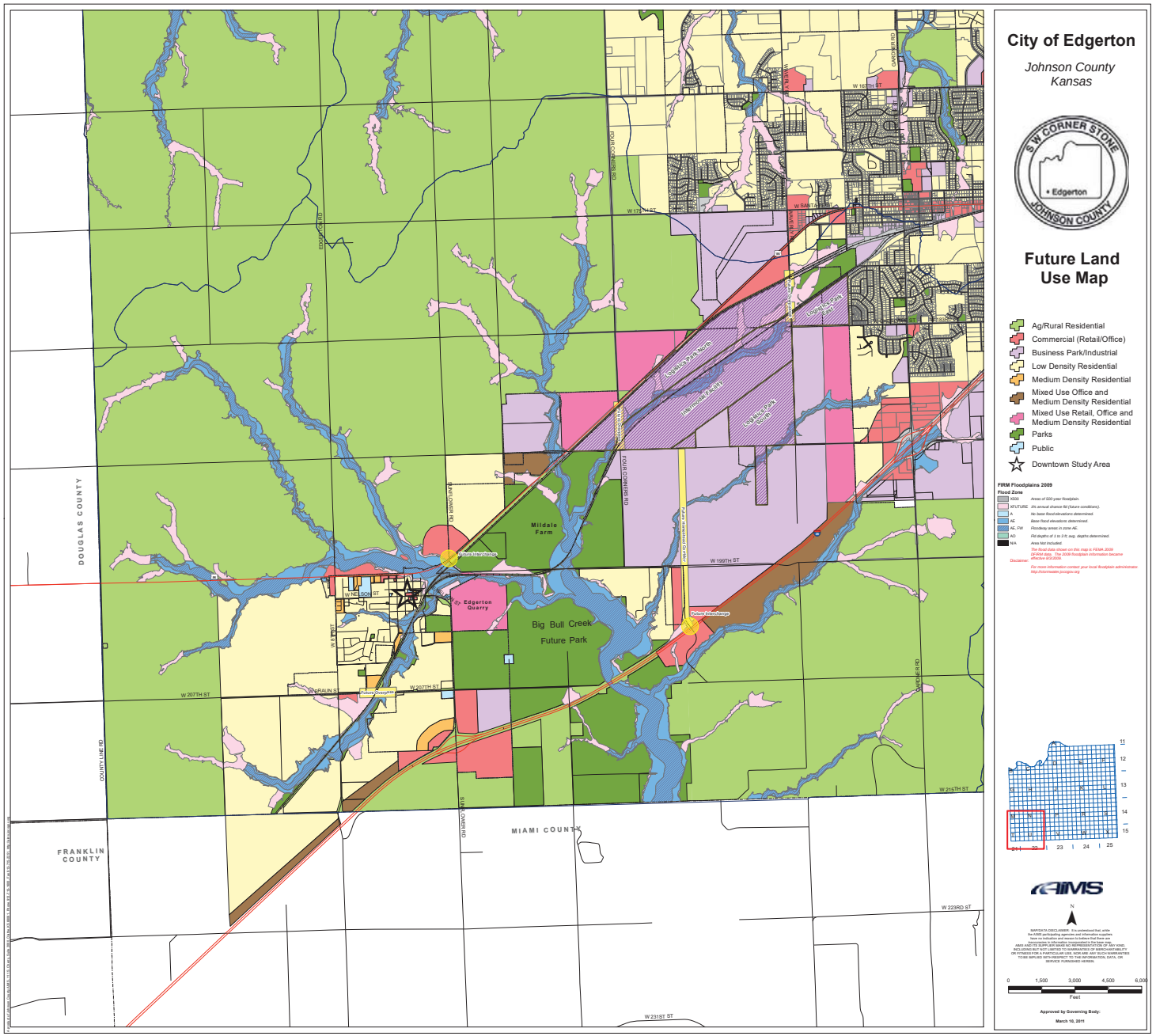
Annexation Exhibit





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

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

Notification Area for Application ZA2020-05

Property ID	Area (ft^2)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft^2)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2F221512-2004	817,186	18.76	20685 GARDNER RD	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	534,223	12.26	65.40%	5.40%	No
2F221513-1001	1,620,868	37.21	29425 W 207TH ST	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	1,357,426	31.16	83.70%	13.60%	No
BF221513-1002	5,170,572	118.7	0 NS NT	EAST KANSAS LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	535,583	12.3	10.40%	5.40%	No
BF221514-3004	1,697,969	38.98	21050 GARDNER RD	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,280,247	29.39	75.40%	12.80%	No
BF221512-2003	2,542,162	58.36	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	127,610	2.93	5.00%	1.30%	No
2F221511-4002	3,375,029	77.48	0 NS NT	ROBINS, LINDA L	RAGSDALE, MARY ELIZABETH	876 COUNTY RD 321	JEWETT, TX 75846	RUR	1,946,963	44.7	57.70%	19.50%	No
2F221514-3001	3,492,205	80.17	0 NS NT	UMB BANK, N.A. CO-TRUSTEE	DORSEY, GERALDINE A. CO-TTEE	PO BOX 419692	KANSAS CITY, MO 64141-6692	RUR	2,092,881	48.05	59.90%	21.00%	No
								Totals:	7,874,933	180.79		0.00%	0

Protest Petitions Received Outside of the Notification Area for Application ZA2020-05

Count	Protestor(s)	Address	City
1	Bannister, Frank and Karen	19815 Gardner Rd	Gardner, KS
2	Bettge Living Trust, Christopher Bettge for	20275 Gardner Rd	Gardner, KS
3	Boydston, Andre and Karen	28415 W 215th St	Spring Hill, KS
4	Brown, Shane and Tara	29445 W 199th St	Gardner, KS
5	Brown, Shane and Tara	2F221512-1002	Gardner, KS
6	Calder, William	19885 Gardner Rd	Gardner, KS
7	Calder, William	19885 Gardner Rd	Gardner, KS
8	Calvin, Joanne and Dustin	29000 W 199th St	Gardner, KS
9	Combs, Matthew and Heather	20950 Moonlight Rd	Gardner, KS
10	Davis, Wayne and Constance	29080 W 199th St	Gardner, KS
11	Dougan II, Conway	28065 W 215th St	Spring Hill, KS
12	England, Marla	28535 W 215th St	Gardner, KS
13	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
14	Harlow, Thomas and Diana	21225 Moonlight Rd	Gardner, KS
15	Hunt, Clifford and Cherry	21355 Moonlight Rd	Gardner, KS
16	Ingle, John and Tara	28255 W 215th St	Gardner, KS
17	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
18	Kennon, Curtis and Debra	28155 W 215th St	Spring Hill, KS
19	Matthews, Sidney and Reva	28720 W 199th St	Gardner, KS
20	Mayberry, Connie	20365 Gardner Rd	Gardner, KS
21	McGuire, Michael and Robyn	20260 Gardner Rd	Gardner, KS
22	Morgan, Daniel and Kelly	21070 Moonlight Rd	Gardner, KS
23	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
24	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
25	Pearce, Larry and Donna	20315 Gardner Rd	Gardner, KS
26	Pearce, Larry and Donna	20465 Gardner Rd	Gardner, KS
27	Rockel, Ronald	28920 199th St	Gardner, KS
28	Slyter, Rachelle	28600 W 199th St	Gardner, KS
29	Smith, Timothy and Karen	21175 Moonlight Rd	Gardner, KS
30	Stephens, Richard and Joy	20005 Gardner Rd	Gardner, KS
31	Troutman, Jace and Stacy	20185 Gardner Rd	Gardner, KS
32	Winslow, Shawn and Lora	28640 W 207th St	Gardner, KS

PROTEST PETITIONS OUTSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 19 2021
PM 3:09pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-05, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank J Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen J Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank & Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead
My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-05 & ZA2020-06

Property Description:

All of the East Half 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 2,646.58 feet to the Southeast Corner of said Northeast Quarter; 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 East Half of said Northeast Quarter; thence North 01°43'56" West, along the West line of said East Half, a distance of 2,658.18 feet to the Northwest Corner of said East Half; 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 3,505,443 square feet or 80.474 acres, more or less.

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Christopher A. Bettge	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23 day of January, 2021, before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-05

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Andre L Boydston	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L + Andre L. Boydston

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-2023

NOTARY PUBLIC - State of Kansas
TAMMY R DAULTON
My Appt Exp. 09-18-2023

ZA2020-05

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Melissa Marie Brown

My Commission Expires: 10/15/2024



ZA2020-05

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.

RECEIVED
JAN 25 2021
10:57 am

3

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	2F221512-1002
Tara L Brown	Tara L Brown	2F221512-1002

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan., 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-05

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd, Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 BG 242' E SW CR SW 1/4 N 180' W E 121' Ex. 11 IN ST .39 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-05

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 S 180' W 242' S 1/2 SW 1/4 EX .344 AC IN RD & EX .023 AC IN ST .633 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-05

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St. Gardner, KS 66030
D. Calvin	Dustin Calvin	29000 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10' W 297.5' E 1090' S 1/2 SW 1/4
EX .273 AC IN ST 4.727 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-05

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.

RECEIVED
JAN 26 2021
3:39 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature 1/26/21	Matthew Combs	20950 Moonlight Rd.,Gardner, KS 66030
	Owner's Name (Printed)	Owner's Address
Signature 1/26/21	Heather Combs	20950 Moonlight Rd.,Gardner, KS 66030
	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22, Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 2021, before me came Matthew + Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-05

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.

RECEIVED
JAN 21 2021
12:20 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan, 2021, before me came Wayne A Davis and Constance R Davis to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2021

NOTARY PUBLIC STATE OF KANSAS
MICHELLE LYBARGER
My Appt. Exp. 3/14/21

ZA2020-05

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.

RECEIVED
JAN 25 2021
3:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
C.E. Dougan II	C E Dougan II	28065 W. 215th St., Gardner, KS 66030
	Shirley Y Dugan	28065 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Conway E Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Springer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPRINGER
My Appt. Exp. 6/20/2023

ZA2020-05

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Marla E. England	Marla E. England	28535 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E. England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: [signature]

MARLEE HAIG
Notary Public-State of Kansas
My Appt. Expires 12/01/23

My Commission Expires: 12/01/2023

RECEIVED
JAN 21 2021
2:09 pm

ZA2020-05

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.

RECEIVED

JAN 21 2021

10:17 am

Zoning/Special Use Protest Petition

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-03, ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06, ZA 2020-07, ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0

Property Address:
019880 GARDNER RD GARDNER KS

Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1: Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2: Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@sunflowermail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23rd day of January, 2021, before me came Thomas and Diana Harlow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Karlee Ranz

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-05

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.

RECEIVED
JAN 19 2021
1:56 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property ~~generally located at or~~ legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Cherry L. Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of Jan, 2021, before me came Clifford E Hunt Cherry L Hunt

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye Denham

My Commission Expires: 5/4/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/4/2024

ZA2020-05

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.

RECEIVED
JAN 19 2021
4:08 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cottingham

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

ZA2020-05

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.

RECEIVED
JAN 22 2021
11:59 AM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St, Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 6-27-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 6-27-21

ZA2020-05

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.

RECEIVED
JAN 21 2021
9:24 Am MLC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20th day of January, 20__, before me came Curtis + Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-05

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.

RECEIVED
JAN 22 2021
11:59 Am MCC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St, Gardner, KS 66030
	Reva R Matthews	28720 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G Matthews and Reva R. Matthews to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Kristen Andersen

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-05

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.

RECEIVED
JAN 22 2021
12:48pm MCC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

SARA FOLAND
STATE OF KANSAS
My Appt. Exp. 1/22/24

ZA2020-05

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R. McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L. McGuire Robyn R. McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-05

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.

RECEIVED
JAN 25 2021
1:18 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R. Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 20 21, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

STATE OF KANSAS NOTARY PUBLIC
TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-05

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-05

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-05

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/24

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-05

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-05

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rockel	Ronald & Marilyn Rockel Joint Revocable Trust settlor: Ronald A. Rockel	28920 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

The south 732.1 feet of the west 297.5 feet of the East 792.5 feet of the southwest quarter of Section 1, Township 15S, Range 22E, Johnson County, Kansas, except that part in roads or streets.

Lot 2014 28920 W 199th St Gardner KS 66030

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rockel to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

ZA2020-05

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.

RECEIVED
JAN 22 2021
11:59 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Rachelle B Slyter	Rachelle B Slyter	28600 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

My Commission Expires: 8-24-21

ZA2020-05

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Karen Smith Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A

KUPN 046-194-18-0-30-01-003.01-0

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16th day of January, 2021, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021

ZA2020-05

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-05

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.

RECEIVED
JAN 25 2021
8:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name(Printed)	Owner's Address
	Jace R Troutman	20185 S Gardner Rd., Gardner, KS 66030
	Stacy R Troutman	20185 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12, Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R. Troutman | Stacy R. Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Courtney James

My Commission Expires: 12/18/23

NOTARY PUBLIC - State of Kansas
Courtney James
My Appt. Expires 12/18/23

ZA2020-05

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-05, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Shawn Winslow & Lora Winslow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-05

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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-06 Comprising Approximately 38.98 Acres Of Land Generally Located Southwest of the Intersection of West 207th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning Application ZA2020-06 from Hillsdale Land & Cattle, LLC requesting the rezoning of a 38.98 acre parcel generally located southwest of the intersection of West 207th Street and South Gardner Road in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

The parcel is located adjacent to South Gardner Road and adjacent to the parcel requesting rezoning in Application ZA2020-05. Current access to the parcel is from South Gardner Road. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to recommend denial of the application for rezoning.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-06:

- 32 total Protest Petitions received
    - 0 Petitions were received from INSIDE the statutory notification area
    - 32 petitions were received from OUTSIDE the statutory notification area
- Of those 0 received within the notification area, 0.0% are within the buffer area that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-06
- Approved minutes from the January 12, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Economic Impact Analysis Staff Memo dated February 5, 2020 – included with Application ZA2020-02
- Draft minutes from the February 9, 2021 Planning Commission Meeting – included with Application ZA2020-02
- Public comment received following close of Public Hearing – included with Application ZA2020-02
- Staff response to public comments – included with Application ZA2020-02
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside Statutory Area received for Application ZA2020-06
- Protest Petitions Outside Statutory Area received for Application ZA2020-06

Prepared by: Katy Crow, Development Services Director

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

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

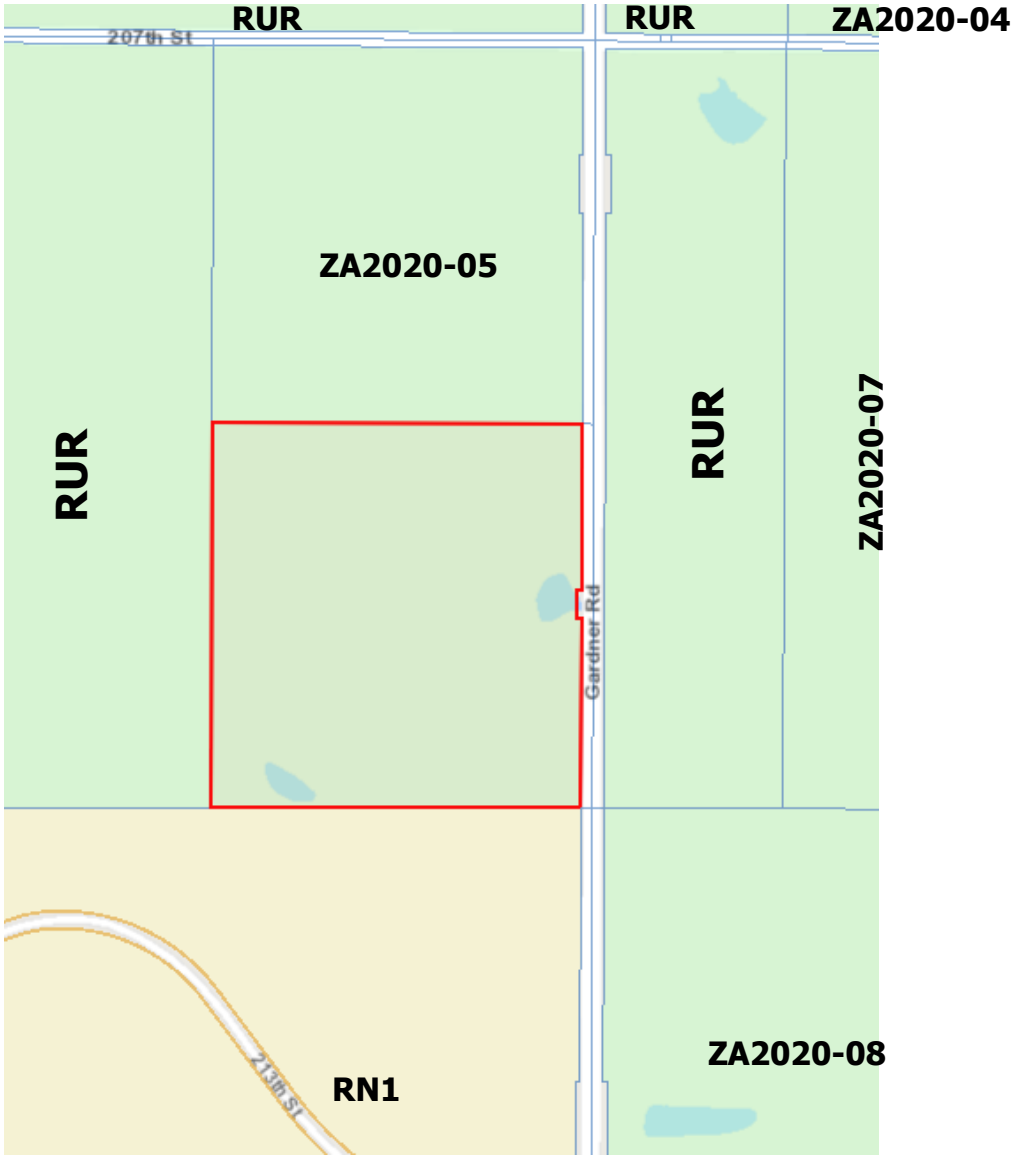


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.37 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.4 miles from I-35.

Figure 3

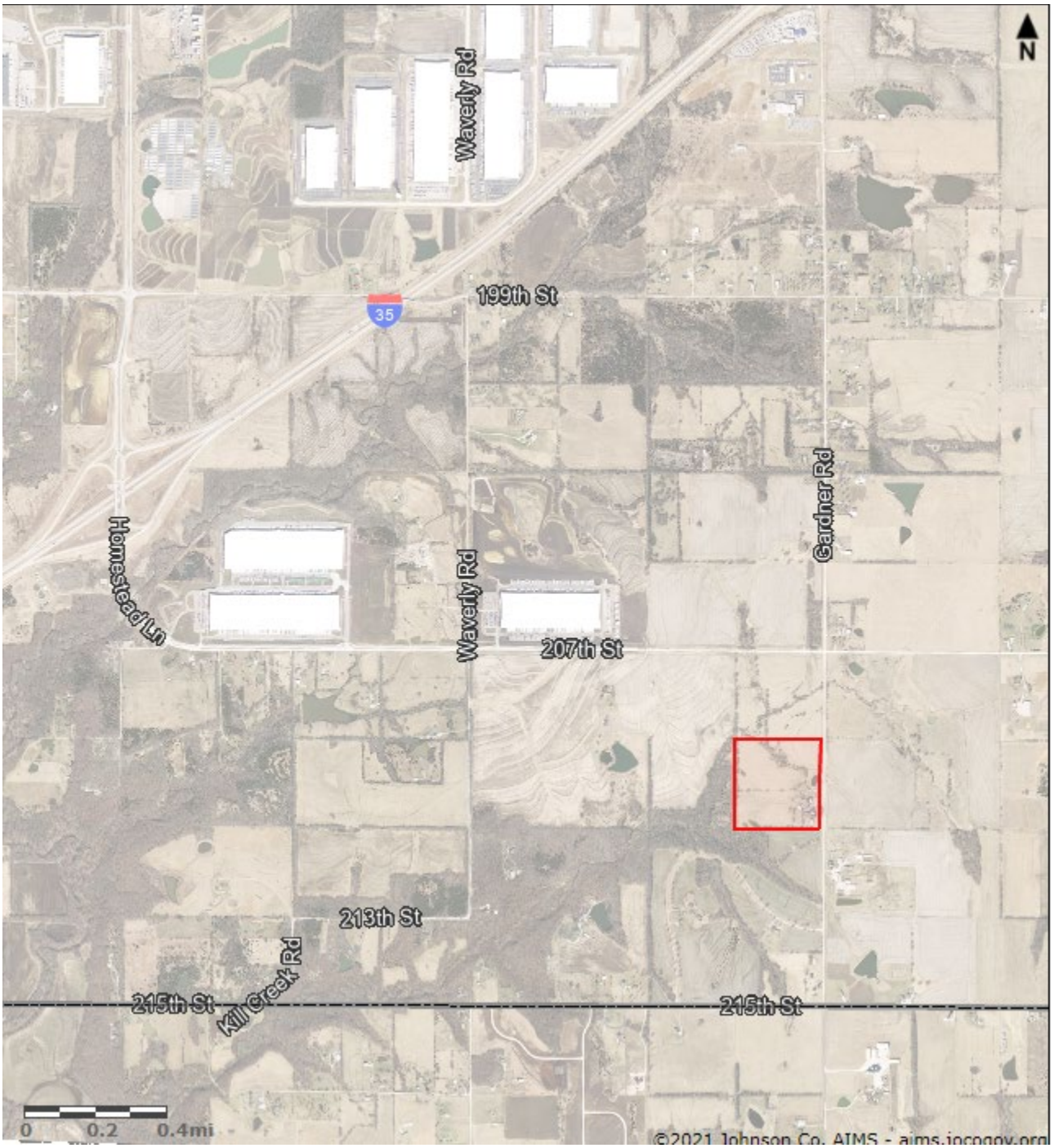
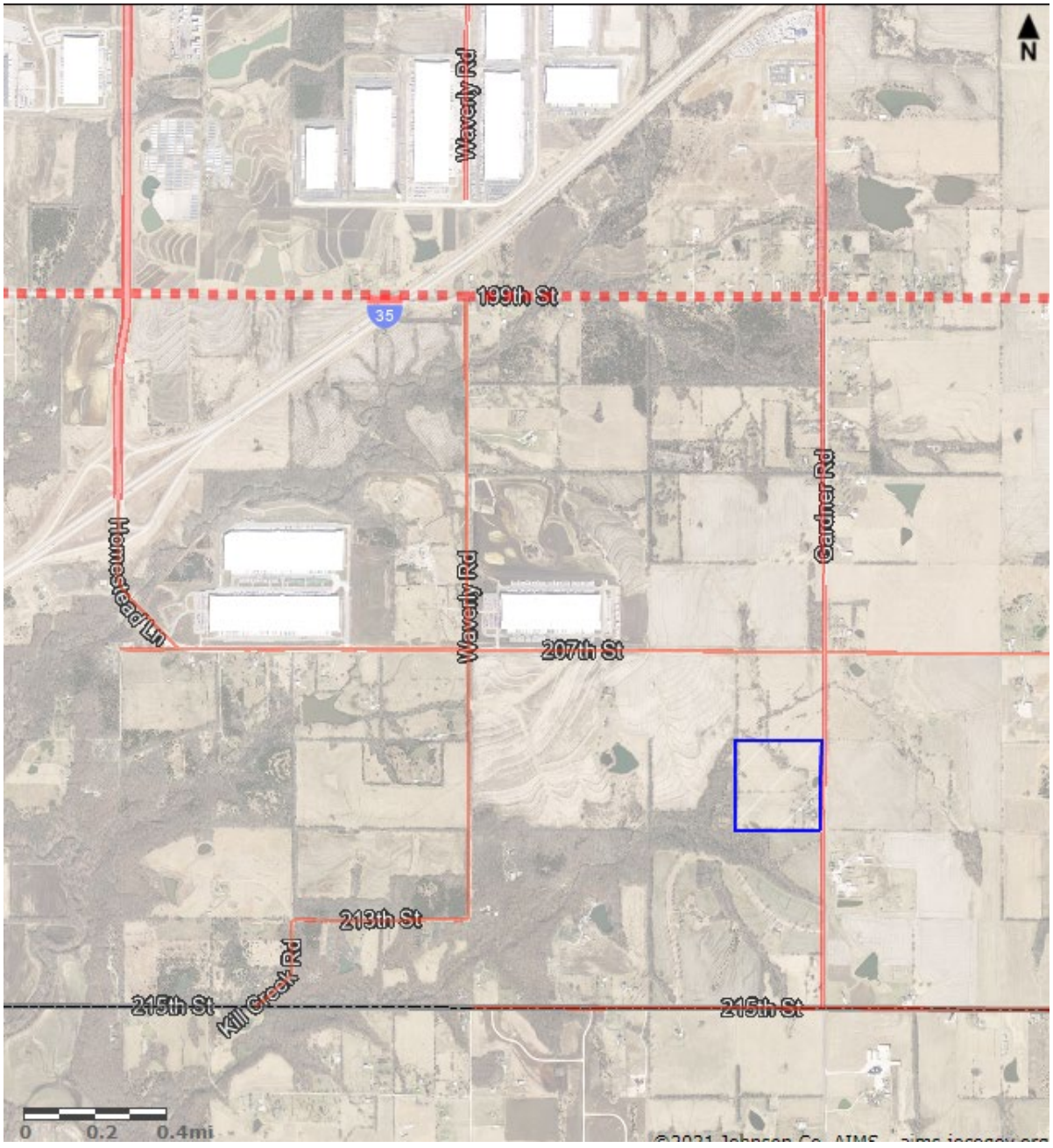


Figure 4 shows the relation of the subject property, outlined blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

Figure 4



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

EDGERTON
global routes. local roots.

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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON™
global routes. local roots.

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

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

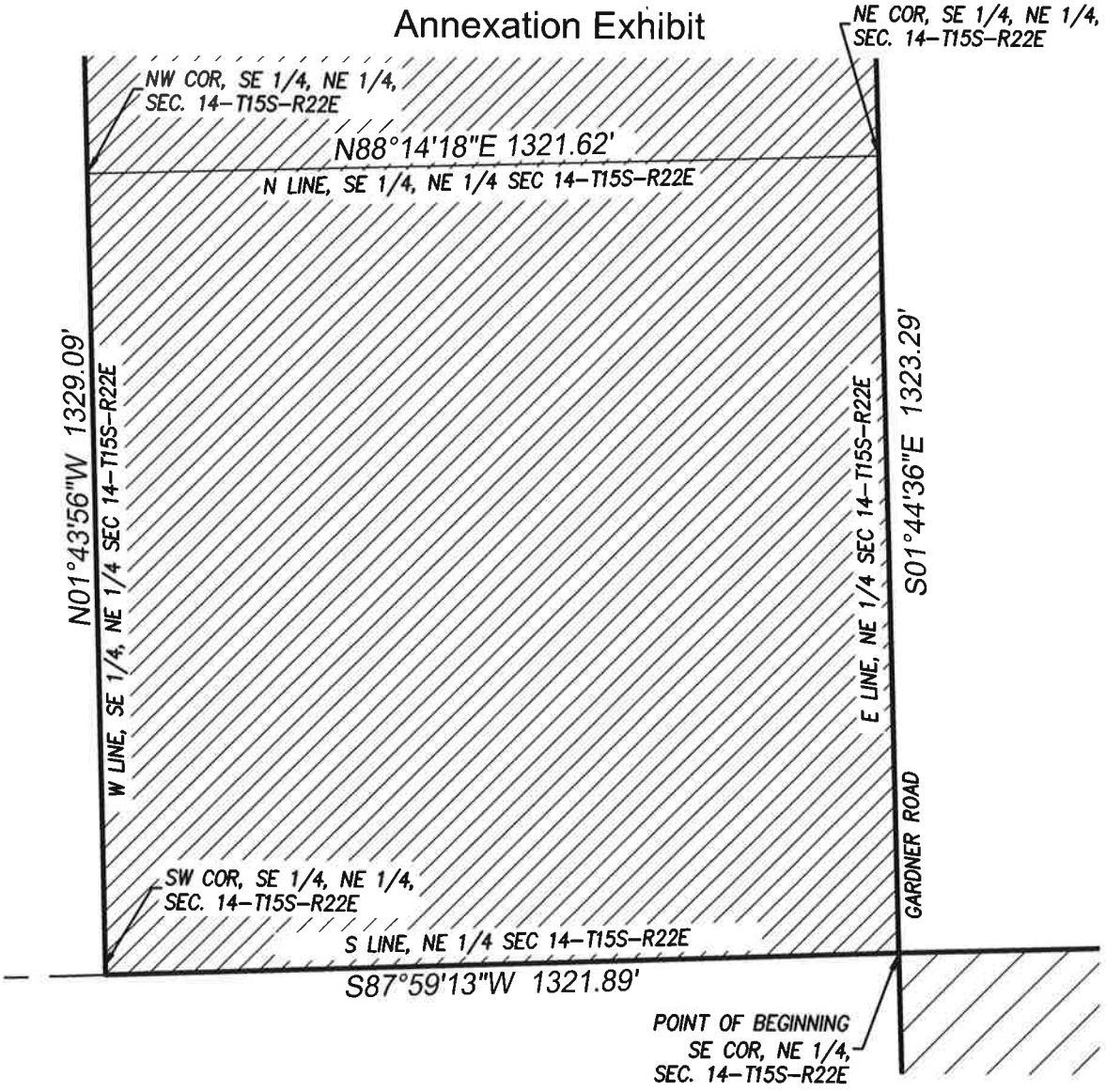


Property Description:

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.

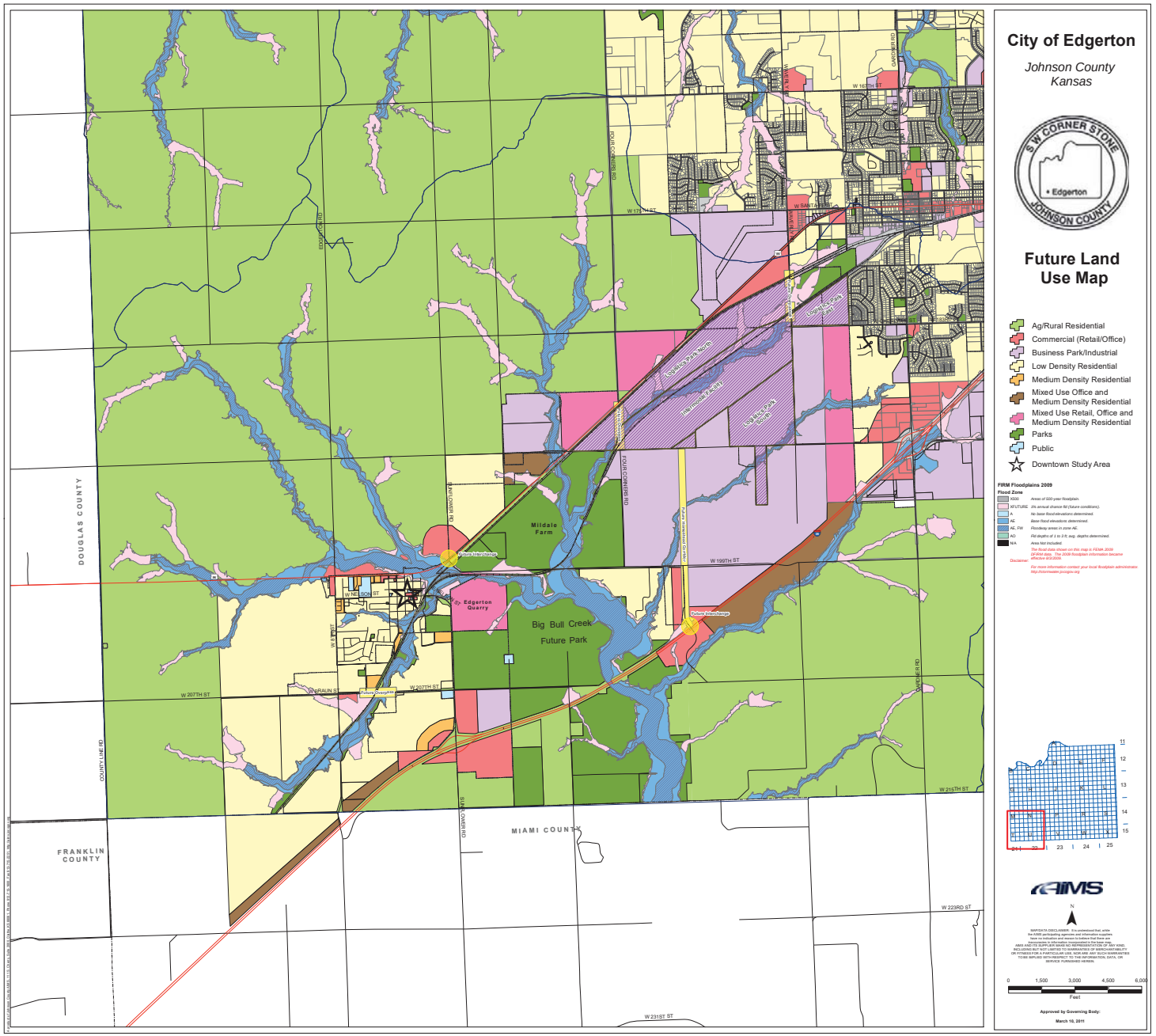
Annexation Exhibit





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

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

Notification Area for Application ZA2020-06

Property ID	Area (ft^2)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft^2)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2F221513-1001	1,620,868	37.21	29425 W 207TH ST	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	1,374,375	31.55	84.80%	13.70%	No
BF221513-1002	5,170,572	118.7	0 NS NT	EAST KANSAS LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	545,130	12.51	10.50%	5.40%	No
BF221514-3005	1,664,428	38.21	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,278,445	29.35	76.80%	12.70%	No
BF221513-2001	9,406,346	215.94	21195 GARDNER RD	SOUTH JOCO FARMS LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	703,167	16.14	7.50%	7.00%	No
2F221514-4001	2,310,858	53.05	0 NS NT	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	RN1	1,624,139	37.29	70.30%	16.20%	No
2F221514-4001	927,828	21.3	0 NS NT	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	RN1	354,816	8.15	38.20%	3.50%	No
2F221514-3001	3,492,205	80.17	0 NS NT	UMB BANK, N.A. CO-TRUSTEE	DORSEY, GERALDINE A. CO-TTEE	PO BOX 419692	KANSAS CITY, MO 64141-6692	RUR	2,116,036	48.58	60.60%	21.00%	No
								Totals:	7,996,108	183.57		0%	0

Protest Petitions Received Outside of the Notification Area for ZA2020-06

Count	Protestor(s)	Address	City
1	Bannister, Frank and Karen	19815 Gardner Rd	Gardner, KS
2	Bettge Living Trust, Christopher Bettge for	20275 Gardner Rd	Gardner, KS
3	Boydston, Andre and Karen	28415 W 215th St	Spring Hill, KS
4	Brown, Shane and Tara	29445 W 199th St	Gardner, KS
5	Brown, Shane and Tara	2F221512-1002	Gardner, KS
6	Calder, William	19885 Gardner Rd	Gardner, KS
7	Calder, William	19885 Gardner Rd	Gardner, KS
8	Calvin, Joanne and Dustin	29000 W 199th St	Gardner, KS
9	Combs, Matthew and Heather	20950 Moonlight Rd	Gardner, KS
10	Davis, Wayne and Constance	29080 W 199th St	Gardner, KS
11	Dougan II, Conway	28065 W 215th St	Spring Hill, KS
12	England, Marla	28535 W 215th St	Gardner, KS
13	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
14	Harlow, Thomas and Diana	21225 Moonlight Rd	Gardner, KS
15	Hunt, Clifford and Cherry	21355 Moonlight Rd	Gardner, KS
16	Ingle, John and Tara	28255 W 215th St	Gardner, KS
17	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
18	Kennon, Curtis and Debra	28155 W 215th St	Spring Hill, KS
19	Matthews, Sidney and Reva	28720 W 199th St	Gardner, KS
20	Mayberry, Connie	20365 Gardner Rd	Gardner, KS
21	McGuire, Michael and Robyn	20260 Gardner Rd	Gardner, KS
22	Morgan, Daniel and Kelly	21070 Moonlight Rd	Gardner, KS
23	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
24	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
25	Pearce, Larry and Donna	20315 Gardner Rd	Gardner, KS
26	Pearce, Larry and Donna	20465 Gardner Rd	Gardner, KS
27	Rockel, Ronald	28920 199th St	Gardner, KS
28	Slyter, Rachelle	28600 W 199th St	Gardner, KS
29	Smith, Timothy and Karen	21175 Moonlight Rd	Gardner, KS
30	Stephens, Richard and Joy	20005 Gardner Rd	Gardner, KS
31	Troutman, Jace and Stacy	20185 Gardner Rd	Gardner, KS
32	Winslow, Shawn and Lora	28640 W 207th St	Gardner, KS

PROTEST PETITIONS OUTSIDE STATUTORY NOTIFICATION AREA

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-06, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank T. Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen S. Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank + Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:
My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

Property Description:

All of the East Half 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 2,646.58 feet to the Southeast Corner of said Northeast Quarter; 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 East Half of said Northeast Quarter; thence North 01°43'56" West, along the West line of said East Half, a distance of 2,658.18 feet to the Northwest Corner of said East Half; 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 3,505,443 square feet or 80.474 acres, more or less.

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23 day of January, 2021, before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-06

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Andre L B	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L + Andre L. Boydston

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-23

NOTARY PUBLIC -- State of Kansas
TAMMY R DAULTON
My Appt. Exp. 09-18-2023

ZA2020-06

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
Tara L Brown	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane + Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2021

NOTARY PUBLIC
MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-06

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.

RECEIVED
JAN 25 2021
10:57 am

5

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Shane B Brown Owner's Name (Printed)	2F221512-1002 Owner's Address
Signature	Tara L Brown Owner's Name (Printed)	2F221512-1002 Owner's Address

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021, before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-06

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. CPA 2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William G. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 BG 240' E SW CR SW 1/4 N 180' X E 121' EX. 11 IN ST .39 AC S M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-06

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.

RECEIVED
JAN 25 2021
1:30 pm TS

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 S 180 W 242' S 1/2 SW 1/4 EX .344 AC IN RD & EX. 023 AC IN ST .633 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-06

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St. Gardner, KS 66030
Dustin Calvin	Dustin Calvin	29000 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10' W 297.5' E 1090'S 1/2 SW 1/4
EX .273 AC IN ST 4.727 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-06

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.

RECEIVED
JAN 28 2021
3:39 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

1/26/21	Matthew Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
1/26/21	Heather Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22, Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 20 21, before me came Matthew & Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-06

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.

RECEIVED
JAN 21 2021
12:20 pm TV

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan., 2021, before me came Wayne A Davis and Constance R Davis

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2021

NOTARY PUBLIC STATE OF KANSAS
MICHELLE LYBARGER
My Appt. Exp. 3/14/21

ZA2020-06

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.

RECEIVED
JAN 25 2021
3:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

C E Dougan II	C E Dougan II	28065 W. 215th St., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
	Shirley Y Dugan	28065 W. 215th St., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Conway E Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Springer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPRINGER
My Appt. Exp. 6/20/2023

ZA2020-06

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Marla E. England — Signature
Marla E. England — Owner's Name (Printed)
28535 W. 215th St., Gardner, KS 66030 — Owner's Address

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E. England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/01/2023

MARLEE HAIG
Notary Public-State of Kansas
My Appt. Expires 12/01/23

RECEIVED
JAN 21 2021
2:09 pm

ZA2020-06

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.

Zoning/Special Use Protest Petition

RECEIVED
JAN 21 2021
10:17 am

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-03, ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06, ZA 2020-07, ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0

Property Address:
019880 GARDNER RD GARDNER KS

Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1: Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2: Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@embarqmail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas
County of Johnson } ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23rd day of January, 2021, before me came Thomas and Diana Harlow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Karlee Ranz

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-06

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.

RECEIVED
JAN 19 2021
1:56 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Cherry L. Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of Jan, 2021, before me came Clifford E Hunt Cherry L Hunt to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye W. Denham

My Commission Expires: 5/11/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/11/2021

ZA2020-06

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.

RECEIVED
JAN 19 2021
bh 9:08 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cottingham

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

ZA2020-06

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.

RECEIVED
JAN 22 2021
11:59 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St, Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 6-24-21

STATE NOTARY PUBLIC KANSAS
NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 6-24-21

ZA2020-06

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.

PROTEST PETITION

JAN 21 2021
9:24 am MEC

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20th day of January, 2021, before me came Curtis & Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-06

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.

RECEIVED
JAN 22 2021
11:59 Am MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St, Gardner, KS 66030
	Reva R Matthews	28720 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G Matthews and Reva R. Matthews to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-06

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.

RECEIVED
JAN 22 2021
12:48pm MK C

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie L Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

NOTARY PUBLIC STATE OF KANSAS SARA FOLAND My Appt. Exp. 1/22/24

ZA2020-06

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.

RECEIVED

JAN 25 2021

12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R. McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS)
ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L McGuire Robyn R. McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-06

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.

RECEIVED
JAN 25 2021
1:18 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

STATE OF KANSAS NOTARY PUBLIC
TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-06

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita B. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-06

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-06

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-06

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-06

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rockel	Ronald & Marilyn Rockel Joint Revocable Trust Settlor: Ronald A. Rockel	28920 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

The South 732.1 feet of the West 297.5 feet of the East 792.5 feet of the southwest quarter of Section 1, Township 15S, Range 22E, Johnson County, Kansas, except that part in roads or streets.

Lot 2014 28920 W. 199th St. Gardner KS 66030

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rockel to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

ZA2020-06

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.

RECEIVED
JAN 22 2021
11:57 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Rachelle B Slyter	Rachelle B Slyter	28600 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 6-24-21

STATE NOTARY PUBLIC KANSAS
NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 6-24-21

ZA2020-06

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Karen Smith Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A

KUPN 046-194-18-0-30-01-003.01-0

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 14th day of January, 2021, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021
11:00am KC

ZA2020-06

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

STATE OF KANSAS NOTARY PUBLIC
KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-06

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.

RECEIVED
JAN 25 2021
8:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Jace R Troutman Owner's Name(Printed)	20185 S Gardner Rd., Gardner, KS 66030 Owner's Address
Signature	Stacy R Troutman Owner's Name (Printed)	20185 S Gardner Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12, Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R Troutman | Stacy R Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/18/23

NOTARY PUBLIC - State of Kansas
Courtney James
My Appt. Expires 12/18/23

ZA2020-06

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-06, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Shawn Winslow & Lora Winslow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-06

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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-07 Comprising Approximately 118.70 Acres Of Land Generally Located Southeast of the Intersection of West 207th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning Application ZA2020-07 from Hillsdale Land & Cattle, LLC requesting the rezoning of a 118.70 acre parcel generally located southwest of the intersection of West 207th Street and South Gardner Road in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

The parcel is located adjacent to 207th Street and between the parcels requesting rezoning in Applications ZA2020-04 and ZA2020-08. Current access to the parcel is from 207th Street. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to deny the application for rezoning.

.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-07:

- 30 total Protest Petitions received
    - 3 Petitions were received from INSIDE the statutory notification area
    - 27 Petitions were received from OUTSIDE the statutory notification area
- Of those 3 received within the notification area, 6.20% are within the buffer area around the parcel requesting rezoning. This falls short of the 20% amount that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code; 12-757 – Zoning Amendments

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-07
- Approved minutes of the January 12, 2021 Planning Commission Meeting – included with the report for Application ZA2020-02
- Economic Impact Analysis Staff Memo dated February 5, 2020 – included with the report for Application ZA2020-02
- Draft minutes from the February 9, 2021 Planning Commission Meeting – included with the report for Application ZA2020-02
- Public comment received following close of Public Hearing – included with the report for Application ZA2020-02
- Staff response to public comments – included with the report for Application ZA2020-02
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside the Statutory Notification Area received related to Application ZA2020-07
- Protest Petitions Outside the Statutory Notification Area received related to Application ZA2020-07

Prepared by: Katy Crow, Development Services Director

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

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

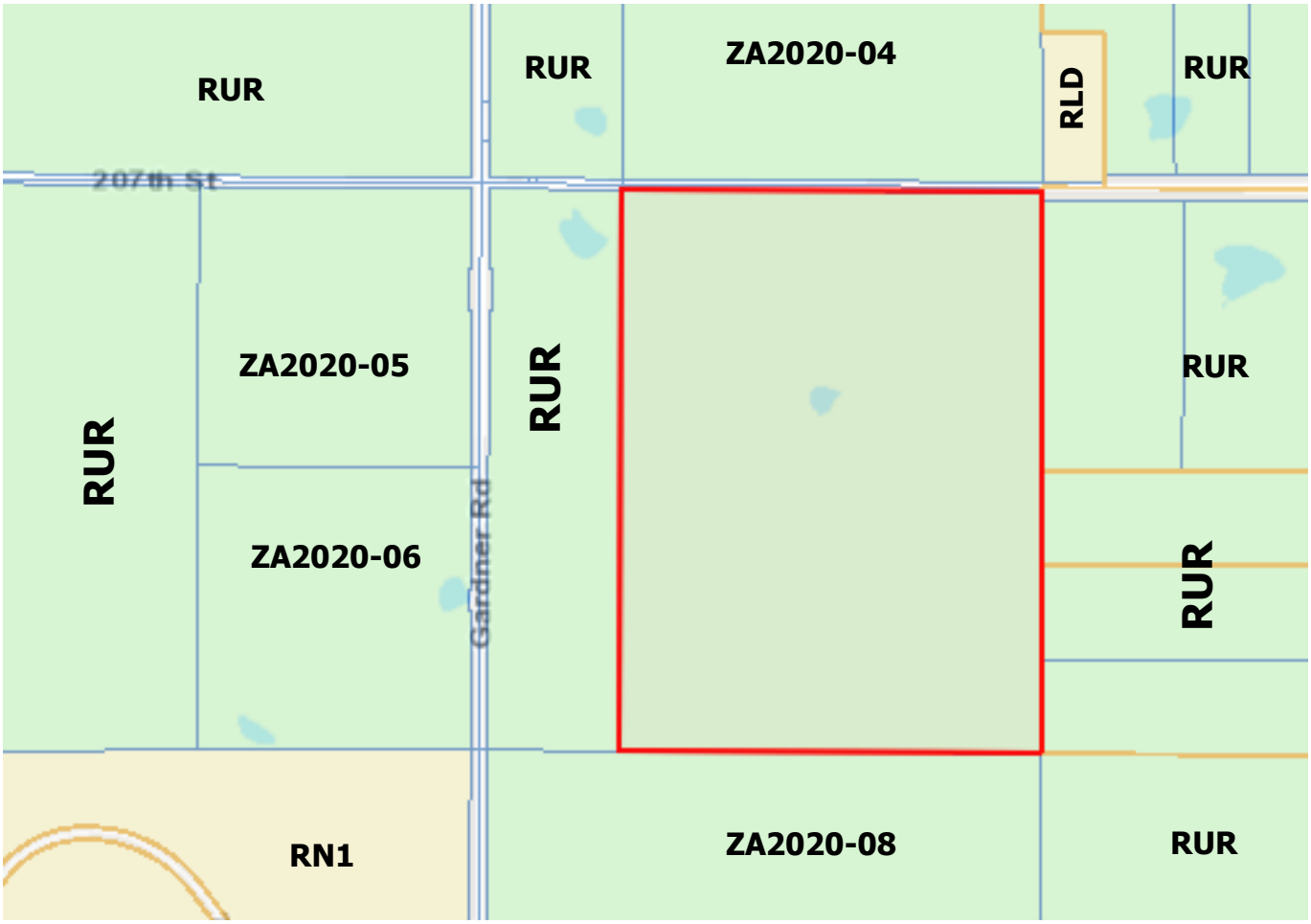


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.64 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.6 miles from I-35.

Figure 3

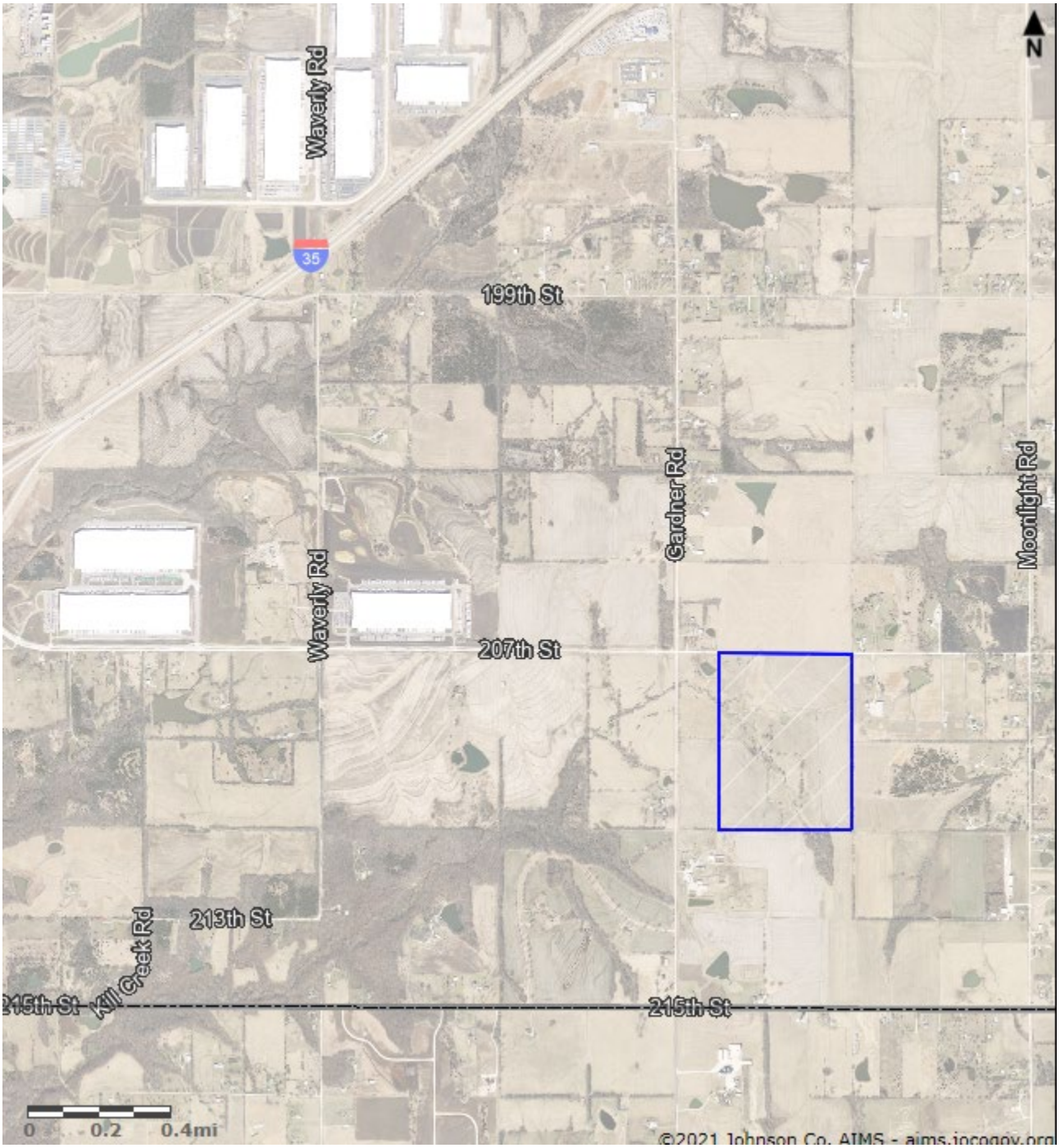
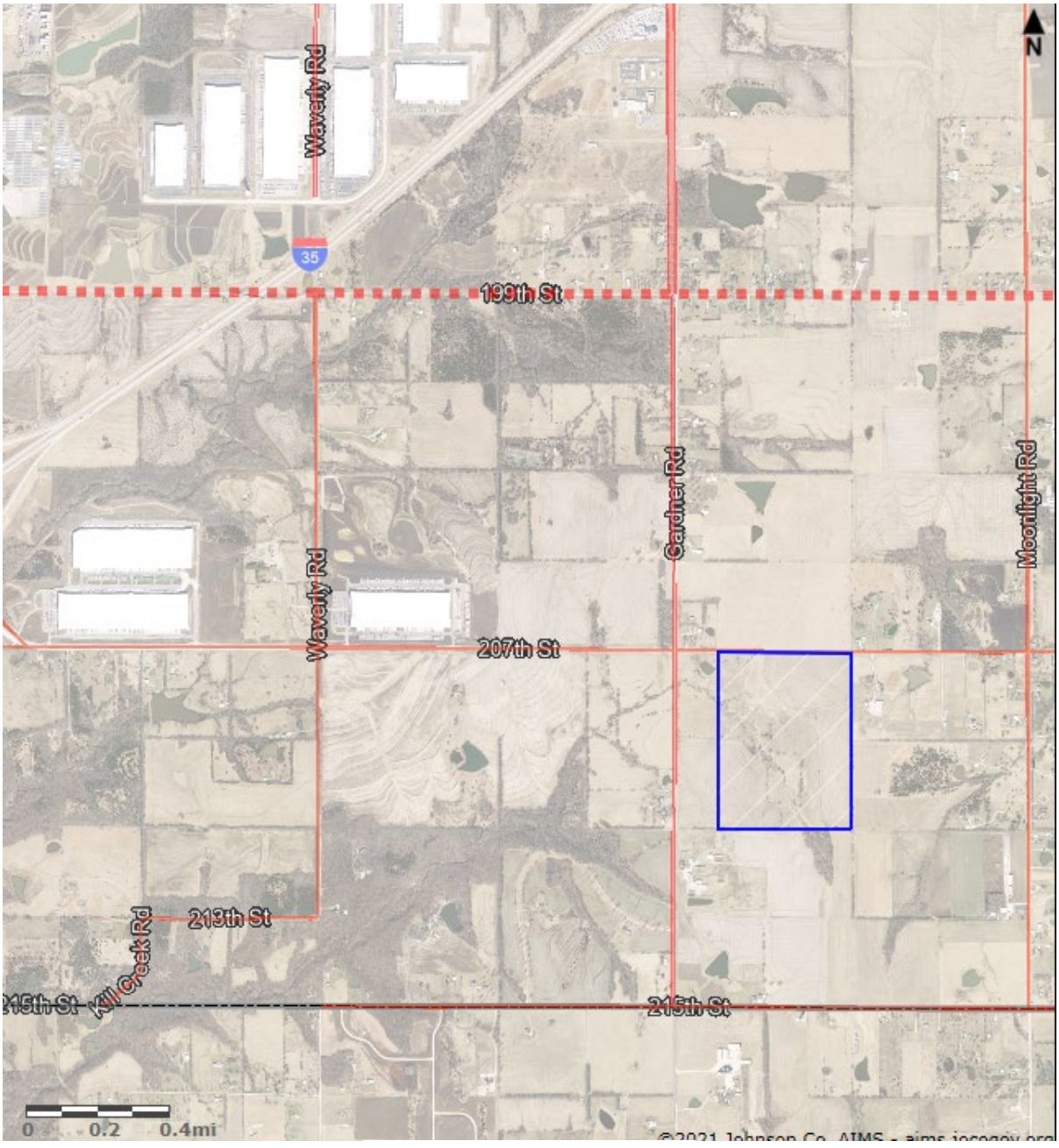


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

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

EDGERTON
global routes. local roots.

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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON
global routes. local roots.

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

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

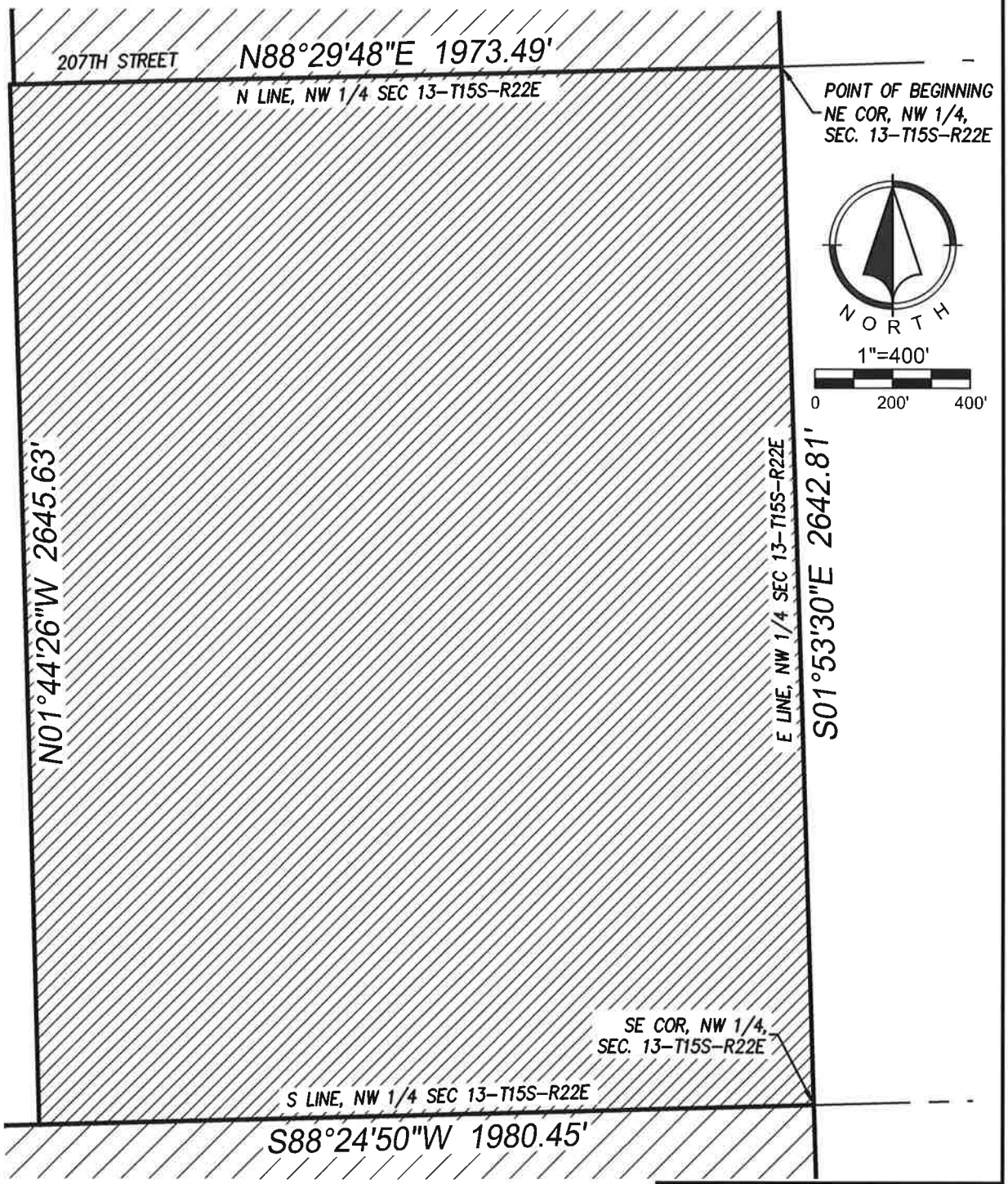


Property Description:

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:

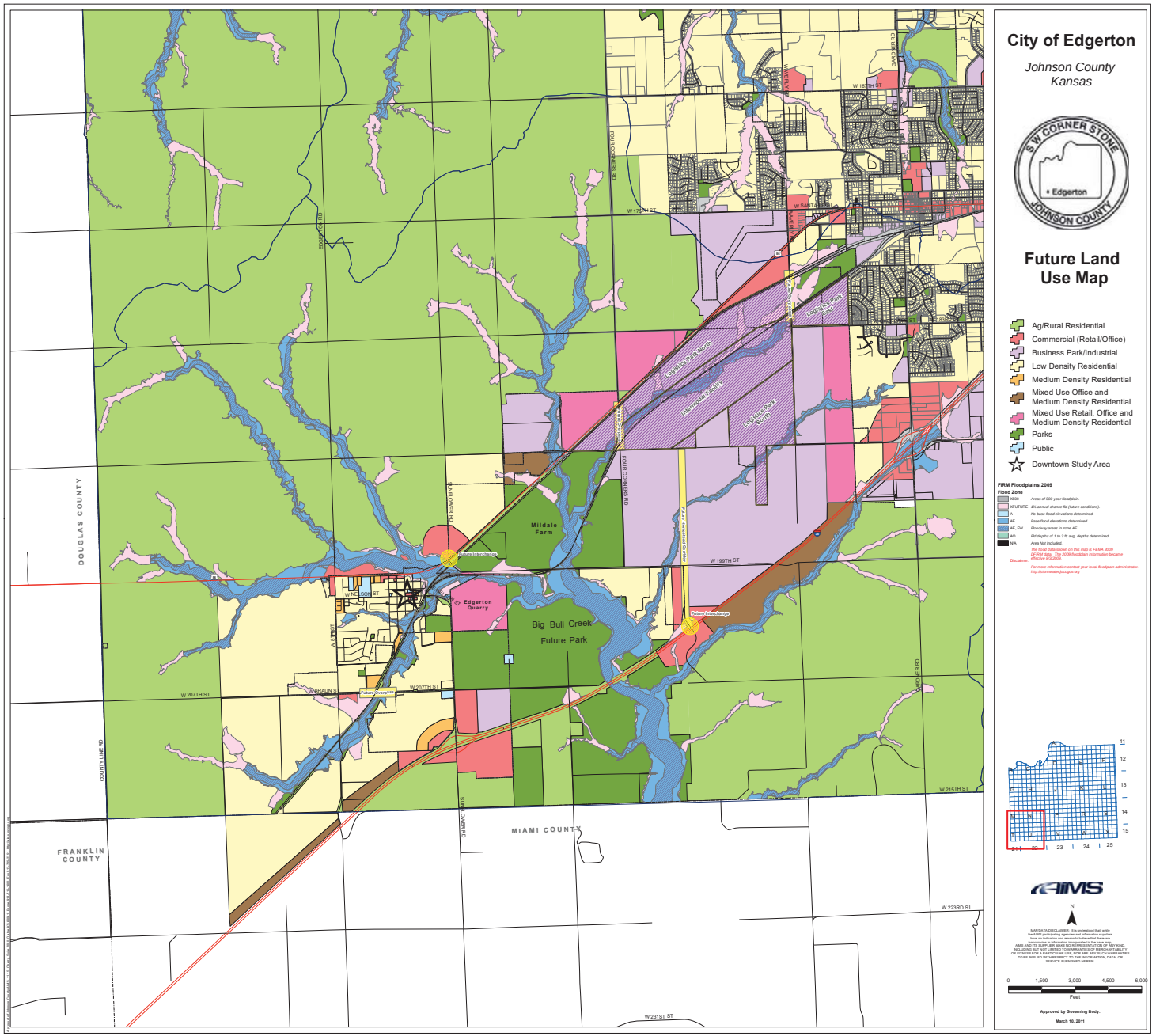
Beginning at the Northeast Corner of the Northwest Quarter of said Section 13; thence South 01°53'30" East, along the East line of said Northwest Quarter, a distance of 2,642.81 feet to the Southeast Corner of said Northwest Quarter; thence South 88°24'50" West, along the South line of said Northwest 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

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 maps, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTIES OF ANY KIND, INCLUDING NO EXPRESS OR IMPLIED 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

Notification Area for Application ZA2020-07

Property ID	Area (ft^2)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft^2)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2P04300000 0002	833,738	19.14	0 NS NT	BAKER GROUP LC		PO BOX 226	GARDNER, KS 66030-0226	RUR	429,341	9.86	51.50%	2.50%	No
2P04300000 0001	832,867	19.12	28595 W 207TH ST	BAKER GROUP LC		PO BOX 226	GARDNER, KS 66030-0226	RUR	832,918	19.12	100.00%	4.80%	No
2F221513-1001	1,620,868	37.21	29425 W 207TH ST	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	1,620,859	37.21	100.00%	9.30%	No
2F221512-2004	817,186	18.76	20685 GARDNER RD	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	554,472	12.73	67.90%	3.20%	No
2P08000000 0001	592,416	13.6	28572 W 207TH ST	CASEY, MICHAEL P.	CASEY, KAREN S.	28572 W 207TH ST	GARDNER, KS 66030	RUR	334,037	7.67	56.40%	1.90%	No
2F221513-3011	1,144,757	26.28	20950 MOONLIGHT RD	COMBS, MATTHEW	COMBS, HEATHER	20950 MOONLIGHT RD	GARDNER, KS 66030	RUR	439,951	10.1	38.40%	2.50%	Yes
2P31400000 0001	1,155,211	26.52	0 NS NT	GAY, RICHARD G		7066 SW 156TH AVE	BEAVERTON, OR 97007	RUR	442,166	10.15	38.30%	2.50%	No
BF221512-2003	2,542,162	58.36	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,862,420	42.76	73.30%	10.60%	No
BF221514-3005	1,664,428	38.21	0 NS NT	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	386,637	8.88	23.20%	2.20%	No
BF221514-3004	1,697,969	38.98	21050 GARDNER RD	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	395,748	9.09	23.30%	2.30%	No
2P08000000 0002	435,600	10	28466 W 207TH ST	JULIAN, MICHELLE	JULIAN, JEFF	21204 BITTERSWEET DR	LENEXA, KS 66220	RUR	173,060	3.97	39.70%	1.00%	No
2F221513-4001	3,461,713	79.47	21280 MOONLIGHT RD	MACKEY, DAVID P.	VIRGINIA A MACKEY TRUST	21280 MOONLIGHT RD	GARDNER, KS 66030	RUR	781,581	17.94	22.60%	4.50%	No
2P31400000 0002	1,146,935	26.33	21070 MOONLIGHT RD	MORGAN, DANIEL R	MORGAN, KELLY	21070 S MOONLIGHT RD	GARDNER, KS 66030	RUR	440,011	10.1	38.40%	2.50%	Yes
2F221511-4002	3,375,029	77.48	0 NS NT	ROBINS, LINDA L	RAGSDALE, MARY ELIZABETH	876 COUNTY RD 321	JEWETT, TX 75846	RUR	131,284	3.01	3.90%	0.80%	No
BF221513-2001	9,406,346	215.94	21195 GARDNER RD	SOUTH JOCO FARMS LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	2,555,188	58.66	27.20%	14.60%	No
2F221514-4001	2,310,858	53.05	0 NS NT	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	RN1	148,008	3.4	6.40%	0.80%	No
2P08000000 0003	435,600	10	28358 W 207TH ST	STOUGHTON, SHELDON A	STOUGHTON, CYNTHIA M	28358 W 207TH ST	GARDNER, KS 66030	RUR	3,137	0.07	0.70%	0.00%	No
2F221512-4004	203,861	4.68	28640 W 207TH ST	WINSLOW, SHAWN M.	WINSLOW, LORA M.	28640 W 207TH ST	GARDNER, KS 66030	RLD	204,029	4.68	100.00%	1.20%	Yes
								Totals:	11,734,847	269.40		6.20%	3

PROTEST PETITIONS INSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 26 2021
3:39 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

1/26/21	Matthew Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
1/26/21	Heather Combs	20950 Moonlight Rd.,Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22, Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 20 21 before me came Matthew + Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp 6/28/21

ZA2020-07

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.

RECEIVED
JAN 25 2021
1:18 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R. Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-07

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Shawn Winslow & Lora Winslow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-07

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.

Protest Petitions Received Outside of the Notification Area of Application ZA2020-07

Count	Protestor(s)	Address	City
1	Bannister, Frank and Karen	19815 Gardner Rd	Gardner, KS
2	Bettge Living Trust, Christopher Bettge for	20275 Gardner Rd	Gardner, KS
3	Boydston, Andre and Karen	28415 W 215th St	Spring Hill, KS
4	Brown, Shane and Tara	29445 W 199th St	Gardner, KS
5	Brown, Shane and Tara	2F221512-1002	Gardner, KS
6	Calder, William	19885 Gardner Rd	Gardner, KS
7	Calder, William	19885 Gardner Rd	Gardner, KS
8	Calvin, Joanne and Dustin	29000 W 199th St	Gardner, KS
9	Davis, Wayne and Constance	29080 W 199th St	Gardner, KS
10	Dougan II, Conway	28065 W 215th St	Spring Hill, KS
11	England, Marla	28535 W 215th St	Gardner, KS
12	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
13	Harlow, Thomas and Diana	21225 Moonlight Rd	Gardner, KS
14	Hunt, Clifford and Cherry	21355 Moonlight Rd	Gardner, KS
15	Ingle, John and Tara	28255 W 215th St	Gardner, KS
16	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
17	Kennon, Curtis and Debra	28155 W 215th St	Spring Hill, KS
18	Matthews, Sidney and Reva	28720 W 199th St	Gardner, KS
19	Mayberry, Connie	20365 Gardner Rd	Gardner, KS
20	McGuire, Michael and Robyn	20260 Gardner Rd	Gardner, KS
21	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
22	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
23	Pearce, Larry and Donna	20315 Gardner Rd	Gardner, KS
24	Pearce, Larry and Donna	20465 Gardner Rd	Gardner, KS
25	Rockel, Ronald	28920 199th St	Gardner, KS
26	Slyter, Rachelle	28600 W 199th St	Gardner, KS
27	Smith, Timothy and Karen	21175 Moonlight Rd	Gardner, KS
28	Stephens, Richard and Joy	20005 Gardner Rd	Gardner, KS
29	Troutman, Jace and Stacy	20185 Gardner Rd	Gardner, KS

PROTEST PETITIONS OUTSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 19 2021
PM 3:09 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-07, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank T. Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen S. Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank & Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:
My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-07

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.

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23 day of January, 2021, before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-07

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Andre L B	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L + Andre L. Boydston

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-2023

NOTARY PUBLIC - State of Kansas
TAMMY R DAULTON
My Appt. Exp. 09-18-2023

ZA2020-07

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane + Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-07

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	2F221512-1002
	Tara L Brown	2F221512-1002

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-07

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A Calder	PO Box 23 19885 S. Gardner Rd, Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 BG 242' E SW CR SW 1/4 N 180' X E121' EX. 11 IN ST .39 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-07

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William D. Calder	PO Box 73 19885 S. Gardner Rd, Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 S 180' W 242' S ½ SW ¼ EX. .344 AC IN RD & EX. .023 AC IN ST. .633 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-07

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St. Gardner, KS 66030
Dustin Calvin	Dustin Calvin	29000 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10' W 297.5' E 1090'S 1/2 SW1/4 Ex .273 AC IN ST 4.727 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-07

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.

RECEIVED
JAN 21 2021
12:20 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan, 2021, before me came Wayne A Davis and Constance R Davis to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2024

NOTARY PUBLIC STATE OF KANSAS — MICHELLE LYBARGER My Appt. Exp. 3/14/24

ZA2020-07

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.

RECEIVED
JAN 25 2021
3:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
C E Dougan II	C E Dougan II	28065 W. 215th St., Gardner, KS 66030
	Shirley Y Dugan	28065 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Conway E Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Spencer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPENCER
My Appt. Exp. 6/20/2023

ZA2020-07

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Marla E. England — Marla E. England — 28535 W. 215th St., Gardner, KS 66030
Signature — Owner's Name (Printed) — Owner's Address

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E. England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marlee Haig

My Commission Expires: 12/01/2023

MARLEE HAIG
Notary Public-State of Kansas
My Appt. Expires 12/01/23

RECEIVED
JAN 21 2021
2:09 pm

ZA2020-07

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.

RECEIVED

JAN 21 2021

10:17 am

Zoning/Special Use Protest Petition

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-02, ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06, ZA 2020-07, ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0

Property Address:
019880 GARDNER RD GARDNER KS

Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1:

Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2:

Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@sunflower.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas }
County of Johnson } ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

Updated 10/29/2020

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23rd day of January, 2021, before me came Thomas and Diana Harlow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-07

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.

RECEIVED
JAN 19 2021
1:56 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Cherry L. Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of Jan, 2021 before me came Clifford E Hunt Cherry L Hunt to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye Denham

My Commission Expires: 5/11/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/11/2024

ZA2020-07

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.

RECEIVED
JAN 19 2021
MR 4:08 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cottingham

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

ZA2020-07

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.

RECEIVED
JAN 22 2021
11:59 Am MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St, Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021 before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 8-24-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-07

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.

RECEIVED
JAN 21 2021
9:24 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20th day of January, 2021, before me came Curtis & Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: [signature]

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-07

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.

RECEIVED
JAN 22 2021
11:59 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St, Gardner, KS 66030
Signature	Owner's Name (Printed)	Owner's Address
	Reva R Matthews	28720 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G Matthews and Reva R. Matthews

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-07

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.

RECEIVED
JAN 22 2021
12:48pm MLC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie L Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

NOTARY PUBLIC STATE OF KANSAS SARA FOLAND My Appt. Exp. 1/22/24

ZA2020-07

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R. McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L McGuire Robyn R. McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-07

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-07

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-07

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-07

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public Heather Hollingshead

My Commission Expires: 12/7/2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-07

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rockel	Ronald & Marilyn Rockel Joint Revocable Trust Settlor: Ronald A Rockel	28920 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

The South 732.1 feet of the West 297.5 feet of the East 792.5 feet of the southwest quarter of Section 1, Township 15 S, Range 22 E, Johnson County, Kansas, except that part in roads or streets.

Lot 2014 28920 W. 199th St. Gardner, KS 66030

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rockel to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

ZA2020-07

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.

RECEIVED
JAN 22 2021
11:59AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Rachelle B Slyter	Rachelle B Slyter	28600 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public

My Commission Expires: 8-24-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-07

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Karen Smith Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A

KUPN 046-194-18-0-30-01-009.01-0

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16th day of January, 2021, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: _____

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021
11:15 am

ZA2020-07

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

STATE OF KANSAS NOTARY PUBLIC
KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-07

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.

RECEIVED
JAN 25 2021
8:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-07, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name(Printed)	Owner's Address
	Jace R Troutman	20185 S Gardner Rd., Gardner, KS 66030
	Stacy R Troutman	20185 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12, Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R Troutman | Stacy R Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Courtney James

My Commission Expires: 12/18/23

NOTARY PUBLIC - State of Kansas
Courtney James
My Appt. Expires 12/18/23

ZA2020-07

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.

EDGERTON
global routes. local roots.

404 East Nelson
Edgerton, KS 66021
P: 913.893.6231
EDGERTONKS.ORG

City Council Action Item

Council Meeting Date: March 11, 2021

Department: Community Development

Agenda Item: Consider A Recommendation By The City Planning Commission To Deny Rezoning Application ZA2020-08 Comprising Approximately 215.94 Acres Of Land Generally Located Northeast of the Intersection of West 215th Street and South Gardner Road In Edgerton, Kansas From Johnson County "RUR" (Rural District) Zoning To City Of Edgerton "L-P" (Logistics Park) Zoning District.

Background/Description of Item: On December 11, 2020 the City of Edgerton received rezoning Application ZA2020-08 from South JOCO Farms LLC requesting the rezoning of a 215.94 acre parcel generally located southwest of the intersection of West 207th Street and South Gardner Road in Edgerton, Kansas from Johnson County "RUR" zoning to City of Edgerton "L-P" Logistics Park zoning.

The parcel is located adjacent to Gardner Road and 215th Street, and south of the parcel requesting rezoning in Application ZA2020-07. Current access to the parcel is currently from Gardner Road and 213th Street. The parcel was annexed into the City of Edgerton on December 17, 2020. The current zoning designation of RUR is considered a holding designation and thus an appropriate zoning designation is required under the City of Edgerton Unified Development Code. This request is to rezone the parcels to L-P, Logistics Park District (L-P) to accommodate a future intermodal related development. The city has not received a Site Plan for development on the property.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, the Edgerton Unified Development Code Zoning and Subdivision Regulations, and the laws of the State of Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The Planning Commission held a Public Hearing on January 12, 2021regarding this rezoning request. At the conclusion of the public hearing, the Planning Commission voted to continue the item to the February 9, 2021 meeting and requested staff provide an Economic Impact Analysis using Golden Criteria 15 – "the economic impact on the community from the uses allowed in the proposed rezoning" as a guide. That memo is attached for your review.

Upon conclusion of the presentation of the Economic Impact Analysis by staff, the Planning Commission voted 4-0 to deny the application for rezoning.

Copies of the staff report and draft minutes are included with the packet. Staff received additional written public comment for this application, submitted both directly to City Staff and to City Council members. Staff has prepared a response to public comments for the Governing Body to review. This memo addresses recuring themes and has been included in the packet.

Both the City of Edgerton Unified Development Code (UDC) and Kansas State Statute 12-757 allow for the filing of a Protest Petition when actions related to the rezoning of a parcel are considered.

After the Public Hearing on January 12, 2021, the City received the following Protest Petitions related to Application ZA2020-02:

- 33 total Protest Petitions received
    - 11 Petitions were received from INSIDE the statutory notification area
    - 22 Petitions were received from OUTSIDE the statutory notification area
- Of those 11 received within the notification area, 16.26% are within the buffer area around the parcel requesting rezoning. This falls short of the 20% amount that requires passage by a three-fourths (3/4) vote of all members of the Governing Body. This information was calculated using the buffer tool provided by Johnson County AIMS.
- Spreadsheet of the notification area and copies of the protest petitions have been included with the packet.

Typically for any rezoning applications (zoning amendments) presented to the City Council for consideration, the City Attorney would prepare a draft ordinance based on findings presented in the Planning Commission staff report and any additional discussions held by the Planning Commission. For this application and the related rezoning applications, the recommendation for denial from the Planning Commission did not include any findings or information to provide the context for recommendation for denial. This information is a critical and necessary component for the City Attorney to properly prepare the ordinance for consideration by the City Council.

The Edgerton UDC states that upon receiving an advisory vote from the Planning Commission related to a proposed zoning amendment, the Governing Body may "(1) approve by resolution such recommendation, (2) override the recommendation by a 2/3 majority vote, (3) return the recommendation for study and/or a new hearing, together with a statement which specifies the Governing Body's reasons for refusal to approve or disapprove. If the Governing Body returns a recommendation, the Planning Commission may resubmit the original recommendation or submit a new or amended recommendations without reconvening the Public Hearing."

Staff would recommend the Governing Body return the recommendation to the Planning Commission for study, without any additional public hearing, to provide the findings and context for recommendation for denial.

Related Ordinance(s) or Statue(s): K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code; 12-757 – Zoning Amendments

Funding Source: N/A

Budget Allocated: N/A

Finance Director Approval: N/A

Recommendation: Return The Recommendation To The Planning Commission For Study, Without Any Additional Public Hearing, To Provide The Findings And Context For Recommendation For Denial

Enclosed:

- Staff Report from January 12, 2021 Planning Commission Meeting including Application ZA2020-08
- Approved minutes of the January 12, 2021 Planning Commission Meeting – included with the report for Application ZA2020-02
- Economic Impact Analysis Staff Memo dated February 5, 2020 – included with the report for Application ZA2020-02
- Draft minutes from the February 9, 2021 Planning Commission Meeting – included with the report for Application ZA2020-02
- Public comment received following close of Public Hearing – included with the report for Application ZA2020-02
- Staff response to public comments – included with the report for Application ZA2020-02
- Notification Area Spreadsheet with calculation from Johnson County AIMS
- Protest Petitions Inside the Statutory Notification Area received related to Application ZA2020-08
- Protest Petitions Outside the Statutory Notification Area received related to Application ZA2020-08

Prepared by: Katy Crow, Development Services Director

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

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

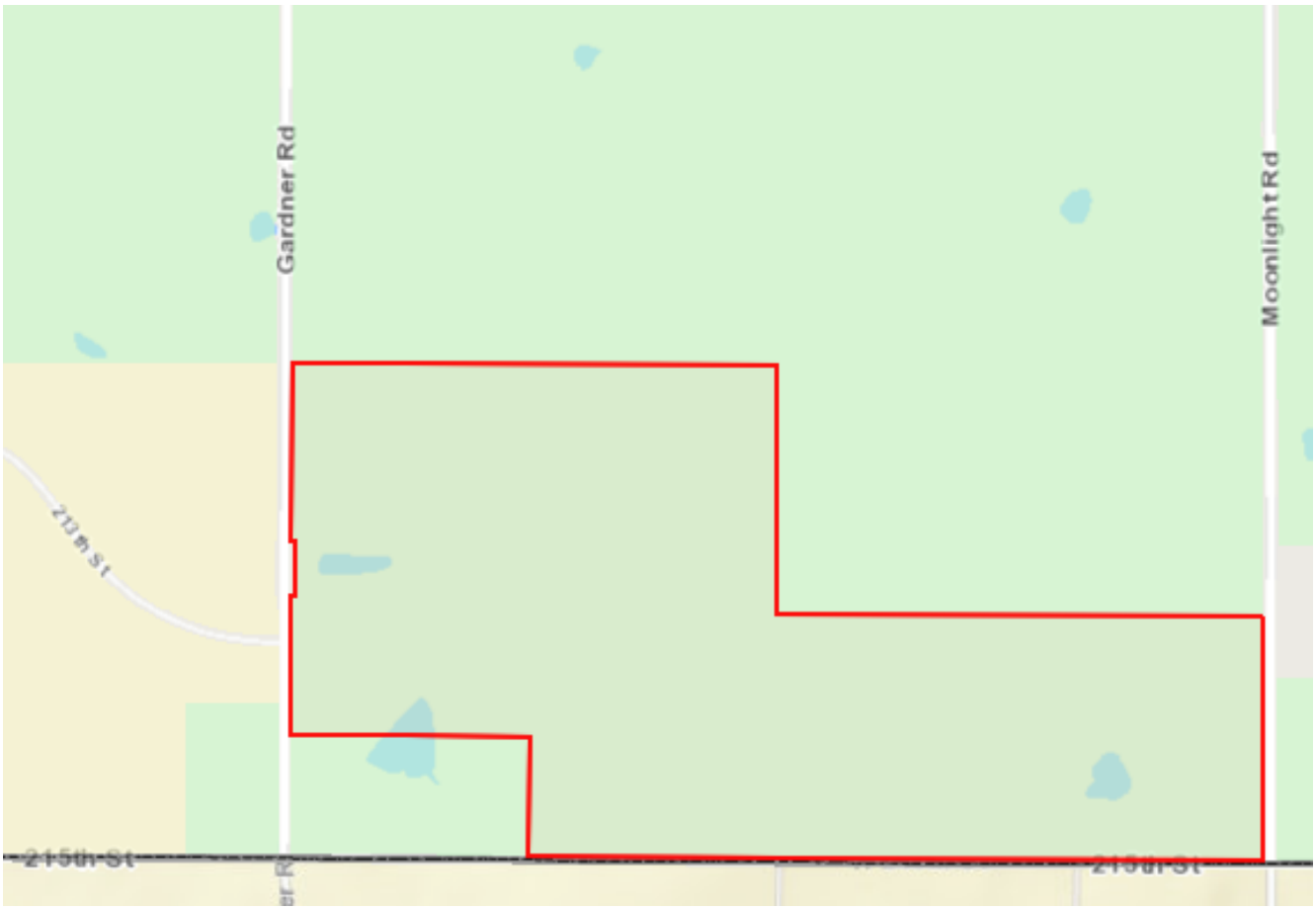


Figure 2 is a closer look at the adjacent parcels and their zoning designations. The subject parcel is outlined in red.

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

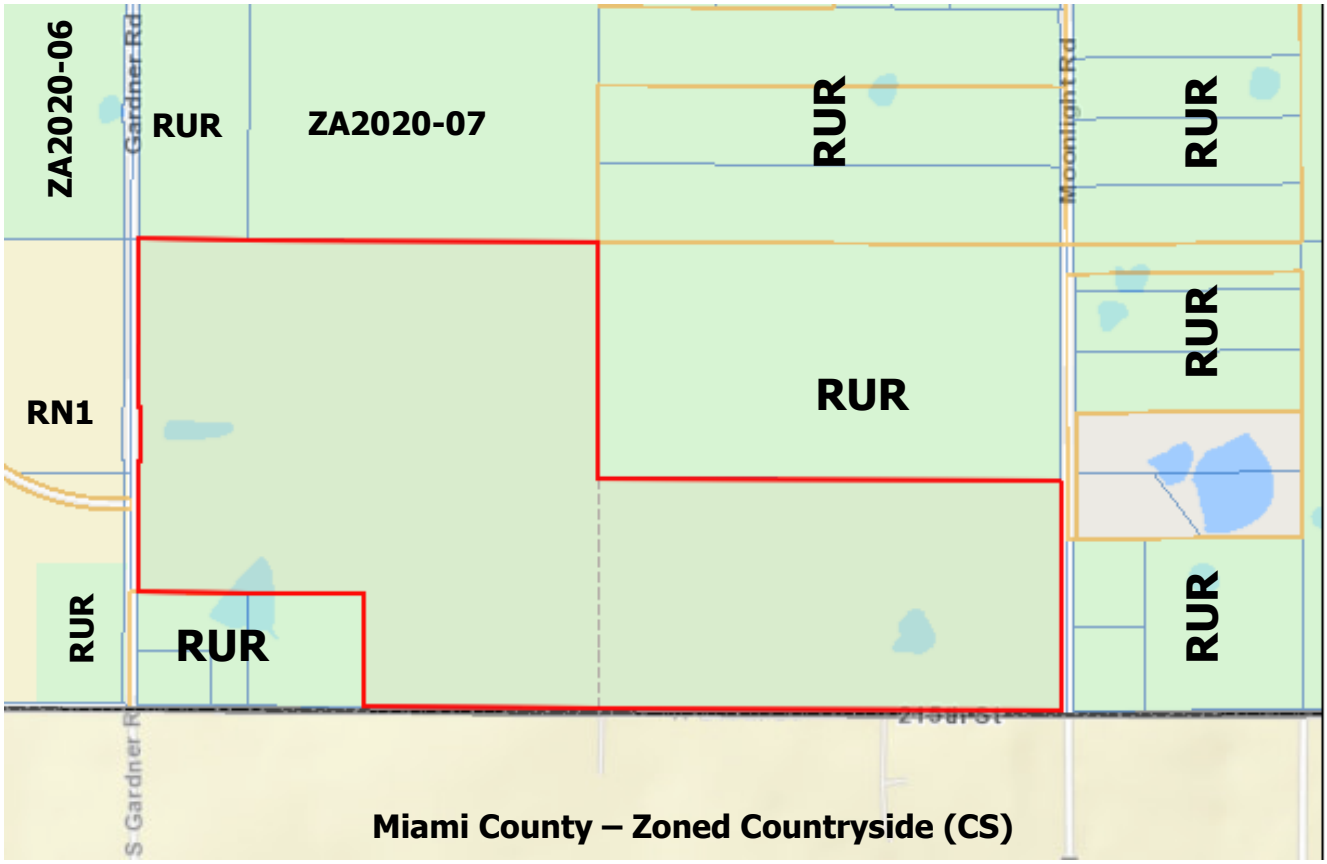


Figure 3 shows the relation of the subject property to other L-P zoned parcels in LPKC on both sides of Interstate 35 (I-35). Per Johnson County AIMS, the subject property is approximately 0.73 miles from the property line of the Hostess Distribution Center located at the northeast corner of Waverly Road and 207th Street. This parcel is located 1.9 miles from I-35.

Figure 3

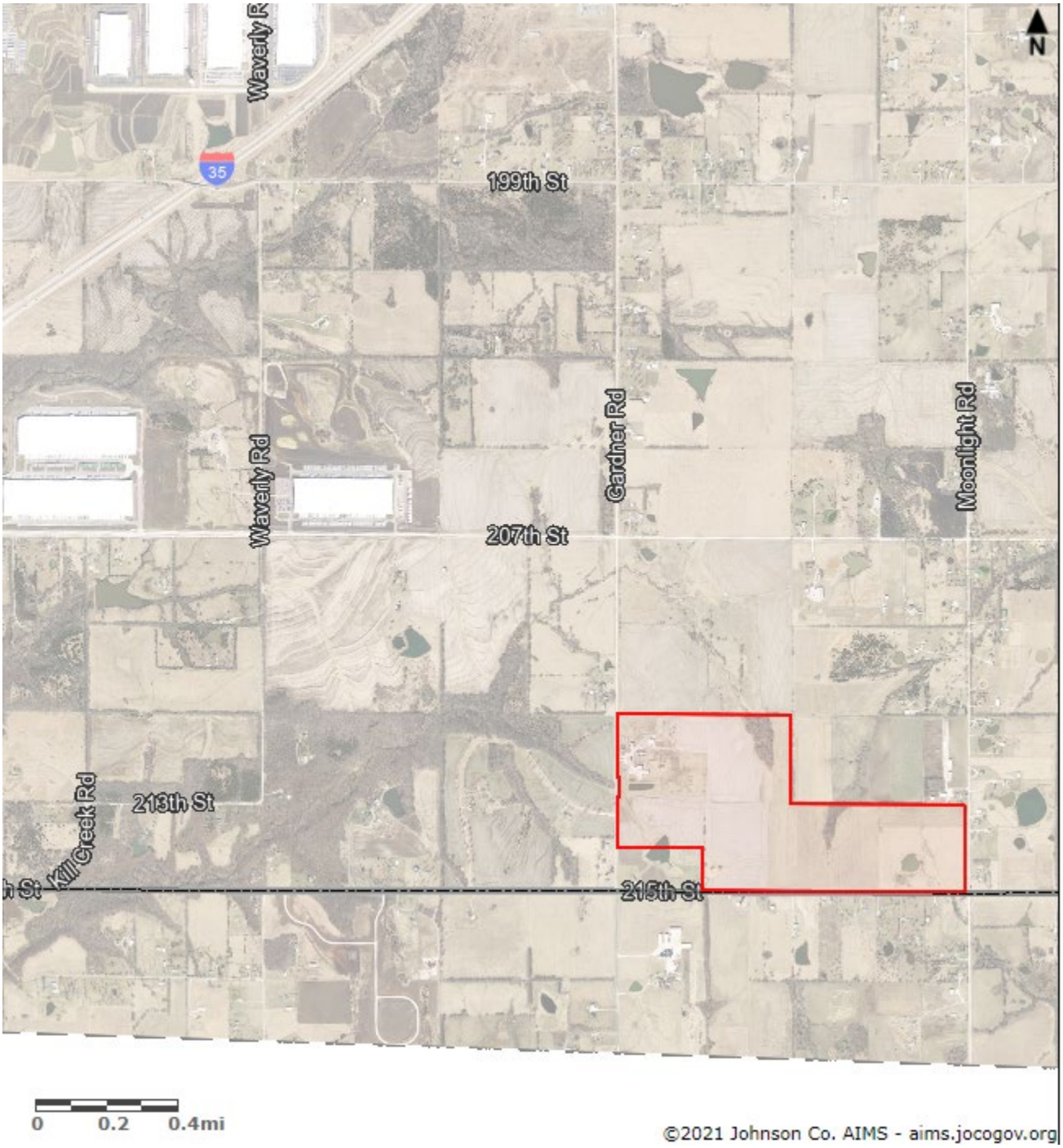
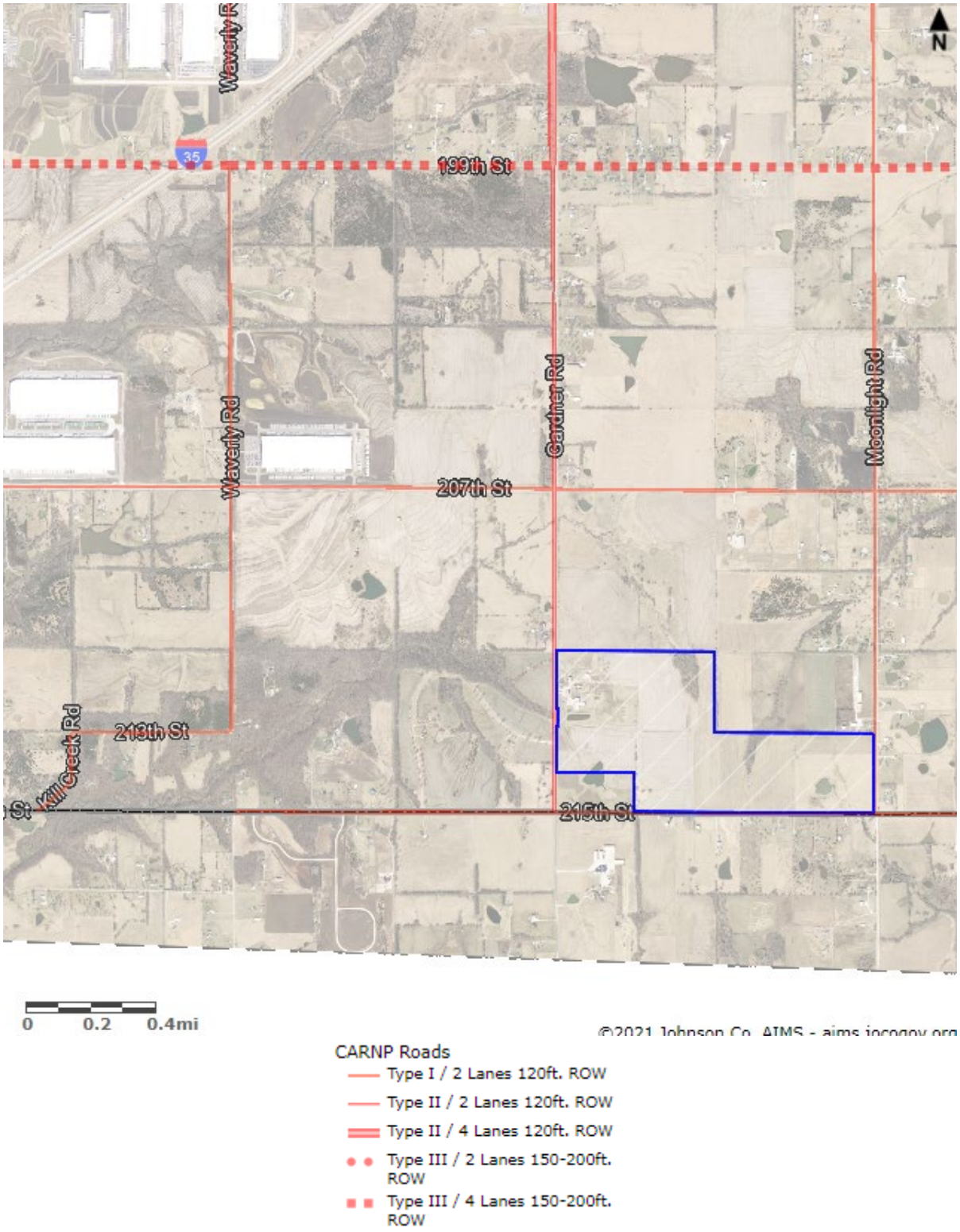


Figure 4 shows the relation of the subject property, outlined in blue, to the transportation network with the Johnson County Comprehensive Arterial Road Network Plan (CARNP) routes highlighted.

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

EDGERTON
global routes. local roots.

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

404 East Nelson • Edgerton, KS 66021 • P: 913.893.6231 • F: 913.893.6232
EDGERTONKS.ORG

EDGERTON™
global routes. local roots.

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

EDGERTON
global routes. local roots.

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

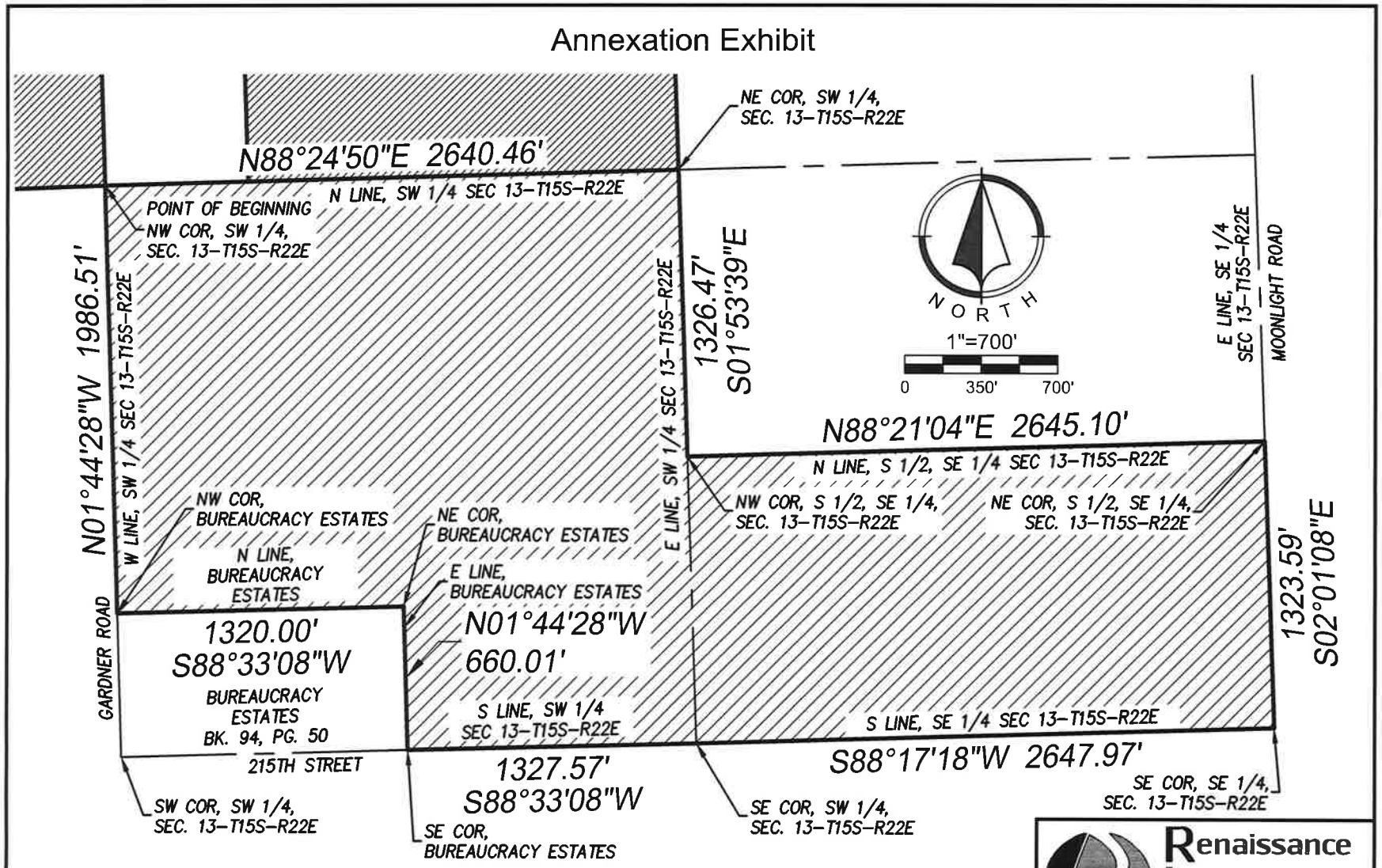


Property Description:

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:

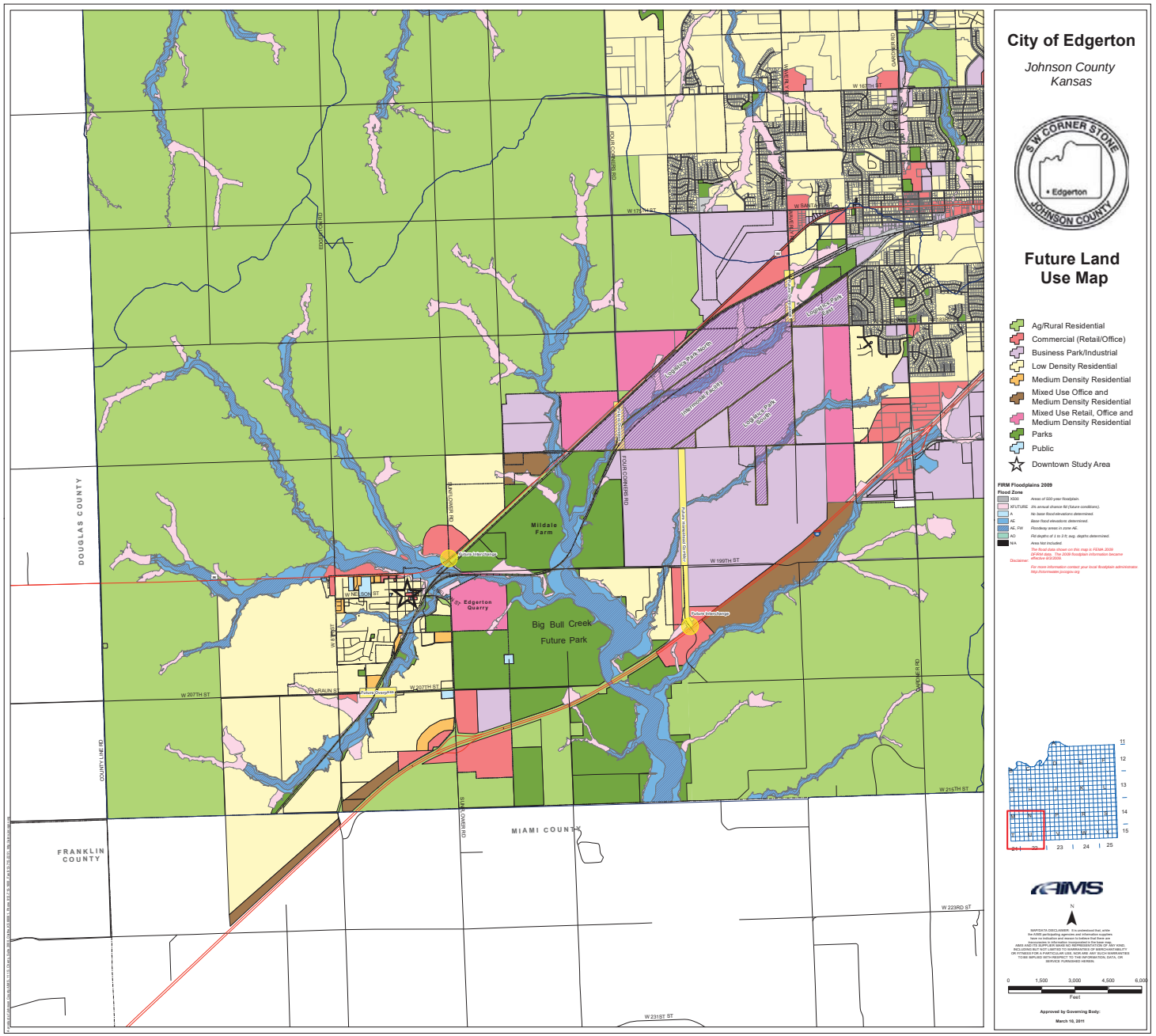
Beginning at the Northwest Corner of the Southwest Quarter of said Section 13; thence North 88°24'50" East, along the North line of said Southwest Quarter, a distance of 2,640.46 feet to the Northeast Corner of said Southwest Quarter; thence South 01°53'39" East, along the East line of said Southwest 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

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 maps, ALL DATA IS PROVIDED "AS IS" WITHOUT WARRANTIES OF ANY KIND, INCLUDING NO EXPRESS OR IMPLIED 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

Notification Area for Application ZA2020-08

Property ID	Area (ft^2)	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Zoning	Area In Buffer (ft^2)	Acres In Buffer	% of Parcel	% of Buffer	Protest Petition Received?
2F221513-1001	1,620,868	37.21	29425 W 207TH ST	BILLOME, LLC		PO BOX 417	GARDNER, KS 66030	RUR	619,983	14.23	38.30%	3.36%	No
	344,396	7.91	28415 W 215TH ST	BOYDSTON, ANDRE AND KREAN		28415 W 215TH ST		CS	255,914	5.87	74.31%	1.39%	Yes
2F221513-3011	1,144,757	26.28	20950 MOONLIGHT RD	COMBS, MATTHEW	COMBS, HEATHER	20950 MOONLIGHT RD	GARDNER, KS 66030	RUR	38,012	0.87	3.30%	0.21%	Yes
	479,777	11.02	28065 W 215TH ST	DOUGAN II, CONWAY		28065 W 215TH ST		CS	479,777	11.02	100.00%	2.60%	Yes
BF221513-1002	5,170,572	118.7	0 NS NT	EAST KANSAS LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	1,974,722	45.33	38.20%	10.71%	No
	435,090	9.98	28535 W 215TH ST	ENGLAND, MARLA		28535 W 215TH ST		CS	323,923	7.43	74.45%	1.76%	Yes
2P31400000 0001	1,155,211	26.52	0 NS NT	GAY, RICHARD G		7066 SW 156TH AVE	BEAVERTON, OR 97007	RUR	323,338	7.42	28.00%	1.75%	No
2P36010000 0005A	258,746	5.94	0 NS NT	HARLOW FAMILY INVESTMENT TRUST		21365 MOONLIGHT RD	GARDNER, KS 66030	UNK	124,676	2.86	48.20%	0.68%	No
2P36010000 0005	436,471	10.02	21285 MOONLIGHT RD	HARLOW, KIRK A.	HARLOW, LORI J.	21285 MOONLIGHT RD	GARDNER, KS 66030	UNK	303,149	6.96	69.50%	1.64%	No
2P36000000 0002	436,036	10.01	21225 MOONLIGHT RD	HARLOW, T. KENT	HARLOW, DIANA A.	21225 MOONLIGHT RD	GARDNER, KS 66030	RUR	252,488	5.8	57.90%	1.37%	Yes
BF221514-3004	1,697,969	38.98	21050 GARDNER RD	HILLSDALE LAND & CATTLE LLC		4825 NW 41ST ST STE 500	RIVERSIDE, MO 64150	RUR	705,880	16.2	41.60%	3.83%	No
2F231518-2005	190,357	4.37	21455 MOONLIGHT RD	HUMBLE, ROBERT D		21455 MOONLIGHT RD	GARDNER, KS 66030	RUR	190,349	4.37	100.00%	1.03%	No
2F231518-2004	201,683	4.63	21355 MOONLIGHT RD	HUNT, CLIFFORD E.	HUNT, CHERRY L.	21355 MOONLIGHT RD	GARDNER, KS 66030	RUR	201,812	4.63	100.00%	1.09%	Yes
2P06000000 0002	419,047	9.62	29220 W 215TH ST	HUTTON, TRAVIS		29220 W 215TH ST	GARDNER, KS 66030	RUR	419,105	9.62	100.00%	2.27%	No
	429,968	9.87	28255 W 215TH ST	INGLE, JOHN AND TARA		28255 W 215TH ST		CS	314,082	7.21	73.05%	1.70%	Yes
2P36010000 0006	211,266	4.85	21365 MOONLIGHT RD	JOHNSON, BENJAMINE C	JOHNSON, KATERINA J	21365 S MOONLIGHT RD	GARDNER, KS 66030	UNK	211,267	4.85	100.00%	1.15%	Yes
	516,987	11.86	28155 W 215TH ST	KENNON, CURTIS AND DEBRA		28155 W 215TH ST		CS	386,852	8.88	74.83%	2.10%	Yes
2F221513-4001	3,461,713	79.47	21280 MOONLIGHT RD	MACKEY, DAVID P.	VIRGINIA A MACKEY TRUST	21280 MOONLIGHT RD	GARDNER, KS 66030	RUR	2,938,328	67.45	84.90%	15.93%	No
2P31400000 0002	1,146,935	26.33	21070 MOONLIGHT RD	MORGAN, DANIEL R	MORGAN, KELLY	21070 S MOONLIGHT RD	GARDNER, KS 66030	RUR	425,676	9.77	37.10%	2.31%	Yes
2P06000000 0001	264,845	6.08	0 NS NT	NELLOR, LINDA B.	NELLOR, RUSSELL D.	21195 S GARDNER RD	GARDNER, KS 66030	RUR	264,987	6.08	100.00%	1.44%	No
2P06000000 0001A	128,502	2.95	29440 W 215TH ST	NELLOR, RUSSELL D.	NELLOR, LINDA B.	21195 S GARDNER RD	GARDNER, KS 66030	RUR	128,708	2.95	100.00%	0.70%	No
2F231518-2006	861,181	19.77	0 NS NT	PATRICIA M BURBRIDGE TRUST		8106 SAGAMORE RD	LEAWOOD, KS 66206	RUR	509,199	11.69	59.10%	2.76%	No
2P36000000 0001A	436,036	10.01	21175 MOONLIGHT RD	SMITH, TIMOTHY	SMITH, KAREN	21175 MOONLIGHT RD	GARDNER, KS 66030	RUR	109,074	2.5	25.00%	0.59%	Yes
2F221514-4002	58,370	1.34	21410 GARDNER RD	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	SPLIT	58,232	1.34	100.00%	0.32%	No
2F221514-4001	2,310,858	53.05	0 NS NT	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	RN1	1,176,100	27	50.90%	6.38%	No
2F221514-4001	927,828	21.3	0 NS NT	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	RN1	15,658	0.36	1.70%	0.08%	No
2F221514-4002	2,380,554	54.65	21410 GARDNER RD	STOCKLEY FARMS		6049 MARION ST	SHAWNEE, KS 66218	RN1,RUR	1,044,826	23.99	43.90%	5.66%	No
								Totals:	18,444,594	423.43		16.26%	11

Not all Miami County Property Owners Listed

PROTEST PETITIONS INSIDE STATUTORY NOTIFICATION AREA

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Andre L R	Andre L Boydston	28415 W 215th St, Gardner, KS 66030
Karen L Boydston	Karen L Boydston	28145 W 215th St, Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the North Half of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point 725.50 feet Fast of the Northeast corner of the Northeast Quarter of said Section 24, Said point being on the North line of the Northeast Quarter of said Section 24; thence South parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322.62 feet to a point on the South line of the North Half of the Northeast Quarter of said Section 24; thence East along the South line of the North Half of the Northeast Quarter of said Section 24, a distance of 266.85 feet; thence North parallel with the West line of the Northeast Quarter of said Section 24, a distance of 1322. 27 feet to a point on the North line of the Northeast Quarter of said Section 24; thence West along the North line of the Northeast Quarter of said Section 24, a distance of 266.85 feet to the Point of Beginning, in Miami County, Kansas.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25 day of January, 2021, before me came Karen L. + Andre L. Boydston

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tammy R Daulton

My Commission Expires: 09-18-2023

NOTARY PUBLIC - State of Kansas
TAMMY R DAULTON
My Appt. Exp. 09-18-2023

ZA2020-08

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.

RECEIVED
JAN 28 2021
3:39 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

1/26/21
Signature | Matthew Combs (Owner's Name (Printed)) | 20950 Moonlight Rd.,Gardner, KS 66030 (Owner's Address)

1/26/21
Signature | Heather Combs (Owner's Name (Printed)) | 20950 Moonlight Rd.,Gardner, KS 66030 (Owner's Address)

Legal Description of Protestor's Property:

The North 440 feet of the South 1/2 of the Northeast 1/4 of Section 13, Township 15, Section 22,

Johnson County, Kansas, subject to any part in public roads.

ACKNOWLEDGMENT

STATE OF KANSAS)
ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of January, 2021, before me came Matthew + Heather Combs to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

My Commission Expires: June 28, 2021

ZA2020-08

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.

RECEIVED
JAN 25 2021
3:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
C E Dougan II	C E Dougan II	28065 W. 215th St., Gardner, KS 66030
	Shirley Y Dugan	28065 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

S24, T15, R22, Acres 11.02, E2 NE4 NE4 EXC TR BEG 792S & 30W NE/C NE4 W630 S528 E630 N528 to POB LESS RD ROW

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Conway E Dougan II to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Marcia Springer

My Commission Expires: 6/20/2023

NOTARY PUBLIC - State of Kansas
MARCIA SPRINGER
My Appt. Exp. 6/20/2023

ZA2020-08

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Marla E. England	Marla E. England	28535 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 395.50 feet East of the Northwest corner of the Northeast Quarter of Section 24, Township 15 South, Range 22 East, Miami County, Kansas said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence East 330.00; feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence West 330.00 feet and along the North line of said Quarter Section to the point of beginning.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Marla E. England to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/01/2023

RECEIVED
JAN 21 2021
2:09 pm

ZA2020-08

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.

RECEIVED
JAN 25 2021
2:01 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
T. Kent Harlow	T. Kent Harlow	21225 Moonlight Rd, Gardner, KS 66030
Diana A. Harlow	Diana A. Harlow	21225 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS LT 2 GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23rd day of January, 2021, before me came Thomas and Diana Harlow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Karlee Ranz

My Commission Expires: 8/15/2022

NOTARY PUBLIC - - State of Kansas
KARLEE RANZ
My Appt. Exp. 8/15/2022

ZA2020-08

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.

RECEIVED
JAN 19 2021
1:56 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Clifford E. Hunt	Clifford E Hunt	21355 S. Moonlight Rd, Gardner, KS 66030
Cherry L. Hunt	Cherry L Hunt	21355 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:
18-15-23 BG 495' N SW COR SW 1/4 N 495' E 440' S 495' W 440' TO BEG EX W 35' IN RD

4.60 ACS M/L GA 377 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of Jan, 2021, before me came Clifford E Hunt Cherry L Hunt

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Faye Denham

My Commission Expires: 5/11/2024

NOTARY PUBLIC - State of Kansas
FAYE DENHAM
My Appt. Expires 5/11/2024

ZA2020-08

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.

RECEIVED
JAN 19 2021
mh 4:08PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
John M Ingle	John M Ingle	28255 W. 215th St., Gardner, KS 66030
Tara M Ingle	Tara M Ingle	28255 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

Beginning at a point 1056.00 feet West of the Northeast (NE) corner of the Northeast Quarter (NE 1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas, said point being on the North line of said Quarter Section; thence South 1320.00 feet; thence West 330.00 feet; thence North 1320.00 feet to a point on the North line of said Quarter Section; thence East 330.00 feet and along the North line of said Quarter Section to the point of beginning, all being a part of the North one-half of the Northeast Quarter (N1/2 NE1/4) of Section 24, Township 15 South, Range 22 East, Miami County, Kansas· Subject to any part thereof in roads.

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 16 day of January, 2021, before me came John and Tara Ingle to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public Lauren Cottingham

My Commission Expires: 09/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

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.

RECEIVED
JAN 22 2021
2:17 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Benjamine C Johnson	21365 Moonlight Rd, Gardner, KS 66030
	Katerina J Johnson	21365 Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

HARLOW FARMS II, Lot 6

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Benjamine Johnson and Katerina Johnson to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Lauren Cotting

My Commission Expires: 9/24/2024

NOTARY PUBLIC
STATE OF KANSAS
LAUREN COTTINGHAM
My Appointment Expires: 9/24/2024

ZA2020-08

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.

RECEIVED
JAN 21 2021
9:24 Am MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Curtis Walter Kennon	Curtis Walter Kennon	28155 W. 215th St, Gardner, KS 66030
Debra Janann Kennon	Debra Janann Kennon	28155 W. 215th St., Gardner, KS 66030

Legal Description of Protestor's Property:

All that part of the Northeast Quarter of Section 24, Township 15, Range 22, Miami County, Kansas, described as follows: Beginning at a point on the North line of the Northeast Quarter of said Section 24, said point being 660.00 feet West of the Northeast corner of the Northeast Quarter of said Section 24; thence South parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet; thence West, parallel to the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet; thence North, parallel to the East line of the Northeast Quarter of said Section 24, a distance of 618.12 feet, to a point on the North line of the Northeast Quarter of said Section 24; thence East, along the North line of the Northeast Quarter of said Section 24, a distance of 396.00 feet to the point of beginning, containing 5.62 acres more or less.

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20th day of January, 2021, before me came Curtis & Debra Kennon

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-08

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.

RECEIVED
JAN 25 2021
1:18 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. _____, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Daniel R Morgan	Daniel R Morgan	21070 S. Moonlight Rd, Gardner, KS 66030
Kelly Morgan	Kelly Morgan	21070 S. Moonlight Rd, Gardner, KS 66030

Legal Description of Protestor's Property:

GAY FAMILY FARM LT 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Daniel Morgan & Kelly Morgan to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Tonia Borgelt

My Commission Expires: 2-15-22

TONIA BORGELT
My Appointment Expires
February 15, 2022

ZA2020-08

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Timothy Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address
Karen Smith Signature	Karen Smith Owner's Name (Printed)	21175 Moonlight Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

HARLOW FARMS S 342' LT 1 GA 377 1A

KUPN 046-194-18-0-30-01-003.01-0

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 16th day of January, 2021, before me came Timothy and Karen Smith to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

DOUGLAS J. CHRISTY
Notary Public - State of Kansas
My Appt. Expires 2-29-2024

My Commission Expires: 2-29-2024

RECEIVED
JAN 19 2021
10:30am

ZA2020-08

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.

Protest Petitions Received Outside of the Notification Area of Application ZA2020-08

Count	Protestor(s)	Address	City
1	Bannister, Frank and Karen	19815 Gardner Rd	Gardner, KS
2	Bettge Living Trust, Christopher Bettge for	20275 Gardner Rd	Gardner, KS
3	Brown, Shane and Tara	29445 W 199th St	Gardner, KS
4	Brown, Shane and Tara	2F221512-1002	Gardner, KS
5	Calder, William	19885 Gardner Rd	Gardner, KS
6	Calder, William	19885 Gardner Rd	Gardner, KS
7	Calvin, Joanne and Dustin	29000 W 199th St	Gardner, KS
8	Davis, Wayne and Constance	29080 W 199th St	Gardner, KS
9	Freund, Ronald and Mary	19880 Gardner Rd	Gardner, KS
10	Keaton, Michael Stewart and Alyssa	28620 W 199th St	Gardner, KS
11	Matthews, Sidney and Reva	28720 W 199th St	Gardner, KS
12	Mayberry, Connie	20365 Gardner Rd	Gardner, KS
13	McGuire, Michael and Robyn	20260 Gardner Rd	Gardner, KS
14	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
15	Murrow, Juanita	20225 Gardner Rd	Gardner, KS
16	Pearce, Larry and Donna	20315 Gardner Rd	Gardner, KS
17	Pearce, Larry and Donna	20465 Gardner Rd	Gardner, KS
18	Rockel, Ronald	28920 199th St	Gardner, KS
19	Slyter, Rachelle	28600 W 199th St	Gardner, KS
20	Stephens, Richard and Joy	20005 Gardner Rd	Gardner, KS
21	Troutman, Jace and Stacy	20185 Gardner Rd	Gardner, KS
22	Winslow, Shawn and Lora	28640 W 207th St	Gardner, KS

PROTEST PETITIONS OUTSIDE STATUTORY NOTIFICATION AREA

RECEIVED
JAN 19 2021
3:09 PM

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located
(Legal Description Attached)

as Case No. ZA2020-08, from RUR (Current Zoning) to LP (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Frank T. Bannister	Frank T. Bannister	19815 Gardner Rd Gardner, KS 66030
Karen S Bannister	Karen S. Bannister	19815 Gardner, Rd Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 N 330' S 660' W 660' S ½ SW1/4 EX .341 IN RD 4.659 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19th day of January, 2021, before me came Frank + Karen Bannister to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead
My Commission Expires: December 7th 2024

STATE OF KANSAS NOTARY PUBLIC
HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-08

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.

RECEIVED
JAN 25 2021
3:02 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Bettge Living Trust	20275 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 W 660' NW1/4 EX N 2330' 4.697 ACS M/L GA -0214 0004

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 23 day of January, 20 21, before me came Christopher Bettge to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Jessica Spalding

My Commission Expires: June 28, 2021

NOTARY PUBLIC - State of Kansas
JESSICA SPALDING
My Appt. Exp. 6/28/21

ZA2020-08

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	29445 W 199th St, Gardner, KS 66030
Tara L Brown	Tara L Brown	29445 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 N 330' W 610' NW1/4 EX1.8 AC EX .069 AC IN RD & EX .27 AC IN RD2.461 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 26 day of Jan, 2021 before me came Shane & Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

STATE OF KANSAS NOTARY PUBLIC
MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-08

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.

RECEIVED
JAN 25 2021
10:57 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shane B Brown	2F221512-1002
	Tara L Brown	2F221512-1002

Legal Description of Protestor's Property:

12-15-22 N 630' W 660' NW 1/4 EX N330' & EX .320 AC 4.23 ACS M/LGA 214 1

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 26th day of Jan., 2021 before me came Shane + Tara Brown to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Mellissa Marie Brown

My Commission Expires: 10/15/2024

MELLISSA MARIE BROWN
My Appointment Expires
October 15, 2024

ZA2020-08

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A. Calder	PO Box 73 19885 S. Gardner Rd Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 BG 242' E SW CR SW1/4 N 180' X E 121'
EX .11 IN ST .39 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) ss

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-08

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.

RECEIVED
JAN 25 2021
1:30 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
William A. Calder	William A Calder	PO Box 73 19985 S. Gardner Rd Gardner KS 66030

Legal Description of Protestor's Property:

1-15-22 S 180' W 242' S ½ SW ¼ EX .344 AC IN RD & EX .023 AC IN ST .633 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came William A. Calder to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-08

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.

PROTEST PETITION

VED
JAN 25 2021

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Joanne Calvin	Joanne Calvin	29000 W. 199th St. Gardner, KS 66030
Dustin Calvin	Dustin Calvin	29000 W. 199th St Gardner, KS 66030

Legal Description of Protestor's Property:

1-15-22 S 732.10' W 297.5' E 1090' S 1/2 SW1/4 EX .273 AC IN ST 4.727 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Joanne & Dustin Calvin to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Wendy Howell Regehr

My Commission Expires: 10-15-2024

WENDY HOWELL REGEHR
Notary Public - State of Kansas
My Appt. Expires 10-15-2024

ZA2020-08

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.

RECEIVED
JAN 21 2021
12:30 pm TW

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Wayne A Davis	Wayne A Davis	29080 W 199th St, Gardner, KS 66030
Constance R Davis	Constance R Davis	29080 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

The south 968 feet of the west 225 feet of the East 1315 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, subject to road in the south 30 feet, and The west 595 feet of the East 1090 feet of the south 1/2 of the southwest 1/4 of section 1, Township 15, Range 22, in Johnson County, Kansas, except the south 732.1 feet thereof

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of Jan, 2021, before me came Wayne A Davis and Constance R Davis to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Michelle Lybarger

My Commission Expires: 3/14/2021

NOTARY PUBLIC STATE OF KANSAS MICHELLE LYBARGER My Appt. Exp. 3/14/21

ZA2020-08

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.

RECEIVED
JAN 21 2021

Zoning/Special Use Protest Petition

10:17 am

SECTION I.

The undersigned property owners protest the proposed change of Zoning or Special Use Permit for property described in Case No. ZA 2020-02, ZA 2020-03, ZA 2020-04, ZA 2020-05, ZA 2020-06, ZA 2020-07, ZA 2020-08

Legal description of property included in Protest Petition for above case:

SECTION II. -- Protester(s)

PROPERTY OWNED

009725

FREUND, RONALD H.
FREUND, MARY T.
19880 S GARDNER RD
GARDNER, KS 66030-9513

Kansas Uniform Parcel Number:
046-201-02-0-40-01-006.00-0

Property Address:
019880 GARDNER RD GARDNER KS

Legal Description:
2-15-22 BG SE CR SE1/4 W 660' X N 330' EX 1.219 IN ST 3.781 ACS M/L

Owner #1:

Ronald H Freund
Signature

Ronald H Freund
Typed or Printed Name

913 908 1432
Phone number

None
E-mail

Owner #2:

Mary T. Freund
Signature

MARY T. FREUND
Typed or Printed Name

913-908-1432
Phone number

mtfreund@embarqmail.com
E-mail

If you are signing as a Trustee or HOA representative, documentation of your authorization to represent the property ownership must be submitted with the petition.

ACKNOWLEDGMENT

State of Kansas)
County of Johnson) ss

Be it remembered that on this 21st day of January, 2021, before me, a notary public in and for said County and State, came Ronald & Mary Freund, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Heather Hollingshead
Notary Public

My Commission expires December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ALL SIGNATURES MUST BE ACKNOWLEDGED
Additional statements of acknowledgment may be attached as necessary.

RECEIVED
JAN 22 2021
11:59 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Michael A Stewart	28620 W 199th St. Gardner, KS 66030
	Alyssa Keaton	28620 W 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2A

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21 day of January, 2021, before me came Michael A Stewart and Alyssa Keaton to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 6-24-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 6-24-21

ZA2020-08

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.

RECEIVED
JAN 22 2021
11:59 am ALICE

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Sidney G Matthews	28720 W 199th St, Gardner, KS 66030
	Reva R Matthews	28720 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES, Lot 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Sidney G Matthews and Reva R. Matthews to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: 12/09/22

KRISTEN ANDERSEN
State of Kansas
My Appt. Exp. 12/09/22

ZA2020-08

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.

RECEIVED
JAN 22 2021
12:48 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Connie L Mayberry	Connie L Mayberry	20365 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
2-15-22 BG 375' S NW CR N1/2 SW1/4 S 174' E 375' N 174' W 375' TO BG 1.5 ACS M/L GA 215 2

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22 day of January, 2021, before me came Connie L. Mayberry to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Sara Foland

My Commission Expires: January 22, 2024

NOTARY PUBLIC STATE OF KANSAS SARA FOLAND My Appt. Exp. 1/22/24

ZA2020-08

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Michael L McGuire	Michael L. McGuire	20260 S. Gardner Rd
Robyn R McGuire	Robyn R. McGuire	20260 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 410' E 532' S 1/2 NE1/4 EX PT IN RD 4.447 ACS M/L GA 204 3

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Michael L McGuire Robyn L McGuire to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
App't Exp. 4-15-22

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.

RECEIVED
JAN 25 2021
12:55 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita M. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

12-15-22 S 330' N 2300' W 660' NW 1/4 5 ACS M/L GA -0214 0007

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M. Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

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.

RECEIVED
JAN 25 2021
12:55 pm T

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Juanita B. Murrow	Juanita M. Murrow	20225 S. Gardner Rd

Legal Description of Protestor's Property:

11-15-22 S 1/2 NE 1/4 EX 16.47 AC TRACT FOR NIKE BASE EX .56 AC IN RD & EX 4.447 AC

58.523 ACS M/L GA 204

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 24th day of January, 2021, before me came Juanita M Murrow to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Merle A Schick

My Commission Expires: 4-15-22

MERLE A. SCHICK
NOTARY PUBLIC
STATE OF KANSAS
My App't Exp. 4-15-22

ZA2020-08

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20315 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
The North 1/2 of the Southwest 1/4 of Section 12, Township 15 South, Range 22 East, in Johnson County, Kansas, except the following tracts:
Commencing at the Northwest corner of the North One-Half(Nl/2) of the Southwest Quarter (SWl/4) of Section Twelve (12), Township Fifteen (15), Range Twenty-Two (22), as a point of beginning; thence South a distance of 150 feet; thence East a distance of 435 feet; thence North a distance of 150'; thence West a distance of 435 feet, to the point of beginning; containing 1.5 acres more or less, located in Johnson County, Kansas

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry Pearce & Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-08

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.

RECEIVED
JAN 22 2021
2:40 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Larry L Pearce	Larry L Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030
Donna D Pearce	Donna D Pearce, Co-Trustee	20465 Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:
12-15-22 N 1/2 SW1/4 EX 1.5 ACS IN NW CR EX BG 375' S NW COR S 174' X E 375' & EX 59.52 AC 17.48 ACS M/L

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 22nd day of January, 2021, before me came Larry and Donna Pearce to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Heather Hollingshead

My Commission Expires: 12/7/2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-08

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.

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA 2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Ronald A. Rockel	Ronald & Marilyn Rockel Joint Revocable Trust Settlor: Ronald A. Rockel	28920 W. 199th St. Gardner, KS 66030

Legal Description of Protestor's Property:

The South 732.1 feet of the west 297.5 feet of the southwest quarter of Section 1, Township 15, Range 22E, Johnson County, Kansas, except that part in roads or streets.

Lot 2014 28920 W. 199th St. Gardner KS 66030

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 19 day of January, 2021, before me came Ronald Rockel to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Danielle Stine

My Commission Expires: 11-23-2024

DANIELLE STINE
Notary Public-State of Kansas
My Appt. Expires 11-23-24

RECEIVED
JAN 20 2021
CD 1039

ZA2020-08

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.

RECEIVED
JAN 22 2021
11:59 AM MKC

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property ~~generally located at or~~ legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Rachelle B Slyter	28600 W 199th St, Gardner, KS 66030

Legal Description of Protestor's Property:

HADLE ACRES 2ND PLAT, Lot 2B

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 20 day of January, 2021, before me came Rachelle B Slyter to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public

My Commission Expires: 8-24-21

NICK CUNNINGHAM
State of Kansas
My Appt. Exp. 8-24-21

ZA2020-08

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.

RECEIVED
JAN 25 2021
10:30 am

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
Richard N Stephens	Richard N Stephens	20005 S Gardner Rd., Gardner, KS 66030
Joy A Stephens	Joy A Stephens	20005 S Gardner Rd., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 S 350' N 980' W 610' NW 1/4 4.91 ACS M/L GA -0214 0003

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Richard N Stephens and Joy A Stephens to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Katie Thomas

My Commission Expires: October 26, 2021

STATE OF KANSAS NOTARY PUBLIC
KATIE THOMAS
My Appointment Expires
October 26, 2021

ZA2020-08

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.

RECEIVED

JAN 25 2021

8:54 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Jace R Troutman Owner's Name(Printed)	20185 S Gardner Rd., Gardner, KS 66030 Owner's Address
Signature	Stacy R Troutman Owner's Name (Printed)	20185 S Gardner Rd., Gardner, KS 66030 Owner's Address

Legal Description of Protestor's Property:

The South 330 feet of the North 1970 feet of the West 660 feet of the Northwest Quarter of Section 12, Township 15, Range 22, in Johnson County, Kansas, except that part taken or used for road purposes.

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 25th day of January, 2021, before me came Jace R Troutman/Stacy R. Troutman to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public: Courtney James

My Commission Expires: 12/18/23

NOTARY PUBLIC - State of Kansas
Courtney James
My Appt. Expires 12/18/23

ZA2020-08

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.

RECEIVED
JAN 22 2021
2:35 pm

PROTEST PETITION

SECTION I.

The undersigned property owner(s), protest the proposed change of zoning for property generally located at or legally described as:

SEE ATTACHMENT
(Address or Legal Description)

as Case No. ZA2020-08, from RUR (Current Zoning) to L-P Logistics Park (Proposed Zoning)

SECTION II. Protestor(s)

Signature	Owner's Name (Printed)	Owner's Address
	Shawn M Winslow	28640 W 207th St., Gardner, KS 66030
	Lora M Winslow	28640 W 207th St., Gardner, KS 66030

Legal Description of Protestor's Property:

12-15-22 BG SW CR SW1/4 SE1/4 E 300' N 726' W 300' S 726' TOBG 5 ACS M/L GA 213 1

ACKNOWLEDGMENT

STATE OF KANSAS) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this 21st day of January, 2021, before me came Shawn Winslow & Lora Winslow

to me personally known to be the same person(s) who executed the foregoing instrument and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year above written.

Notary Public:

My Commission Expires: December 7th 2024

HEATHER HOLLINGSHEAD
My Appointment Expires
December 7, 2024

ZA2020-08

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.