

ORDINANCE NO. 1091

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE THE REZONING OF APPROXIMATELY 30 ACRES OF LAND [GENERALLY LOCATED DIRECTLY NORTH OF 31800 W. 196TH ST AND EAST OF 32285 W. 191ST STREET] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT

WHEREAS, the Planning Commission of the City of Edgerton, Kansas received a request from the owner(s) of approximately 30 acres of land, generally located directly north of 31800 W. 196th Street and east of 32285 W. 191st Street in Edgerton, Kansas to rezone that property from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District; and

WHEREAS, following a public hearing in front of the Planning Commission on October 9, 2018 the Planning Commission has recommended that the rezoning request for that property – from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District -- be approved subject to certain conditions; and

WHEREAS, all required newspaper and mailing notifications were performed.

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

Section 1. That the following legally described property (generally located directly north of 31800 W. 196th Street and east of 32285 W. 191st Street) is hereby rezoned from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park Zoning District, and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

A tract of land in the Northeast Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, and described as follows:

Beginning at the Northwest corner of said Northeast Quarter;
thence S 01°31'42" E, along the West line, a distance of 2661.98 feet to the Southwest corner of said Northeast Quarter;
thence N 88°20'30" E along the South line of said Northeast Quarter, a distance of 768.18 feet to a point on the West line of Lot 2, LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT, an addition to the City of Edgerton, Johnson County, Kansas, and recorded in Book 201705 at Page 004226;
thence N 01°43'42" W, along the said West line, a distance of 1444.90 feet to the Northwest corner of Tract B, of said LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT;
thence departing said West line, N 01°43'42" W a distance of 224.64 feet;
thence N 88°21'30" E a distance of 6.05 feet to a point on a line 768.40 feet east of and parallel with the West line of said Northeast Quarter;
thence N 01°31'42" W a distance of 70.00 feet to a point on a line 925.00 feet south of

and parallel with the North line of said Northeast Quarter;

thence S 88°09'02" W and parallel with the North line of said Northeast Quarter, a distance of 388.40 feet;

thence N 72°27'05" W, a distance of 370.98 feet, more or less, to a point on a line 30.00 foot east of and parallel with said West line, said point being 802.00 feet south of said North line;

thence N 01°31'42" W and parallel with said West line, 802.00 feet to a point on said North line;

thence S 88°09'02" W, along said North line, a distance of 30.00 feet to the Point of Beginning.

Said tract contains 1,379,724 square feet, or 31.674 acres, more or less.

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

- a) All infrastructure requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- b) All platting requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- c) All Site Plan application requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- d) Prior to issuance of building permits, the property shall have a Site Plan which has been reviewed and approved by the City.

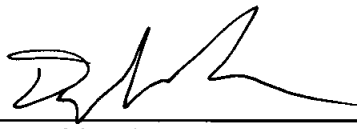
Section 3. That the Governing Body, in making its decision on the rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

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


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

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 25th DAY OF OCTOBER 2018.

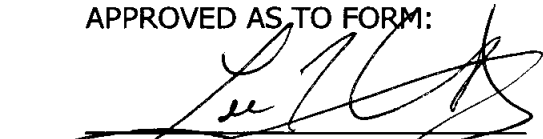
CITY OF EDGERTON, KANSAS

By: 
Donald Roberts, Mayor

ATTEST:


Rachel James, City Clerk

APPROVED AS TO FORM:


Lee Hendricks, City Attorney