

ORDINANCE NO. 1092

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE THE REZONING OF APPROXIMATELY 30 ACRES OF LAND [GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 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 south of the intersection of Waverly Road and 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 south of the intersection of Waverly Road and 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:

Parcel I – Legal Description BF221503-3010 (R173523) (abbreviated):

3-15-22 BG 660' S NE CR NE1/4 W 1319.2' S 330' E 1319.3' N 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189F

Parcel II – Legal Description BF221503-3009 (R173522) (abbreviated):

3-15-22 BG 990' S NE CR NE1/4 W 1319.3' S 358' E 1319.4' N 358' TO POB EX 1 AC & EX .331 AC IN RD 9.519 ACS M/L GA 189E

Parcel III – Legal Description BF221503-3012 (R173525) (abbreviated):

3-15-22 BG 990' S & 1022.30' WNE COR NE1/4 W 120' X S 358' 1AC M/L GA 189H

Parcel IV – Legal Description BF221503-3011 (R173524) (abbreviated):

3-15-22 BG 990' N SE CR NE1/4 W 1319.6' N 330' E 1319.4' S 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189G

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 request and recommendation for 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.

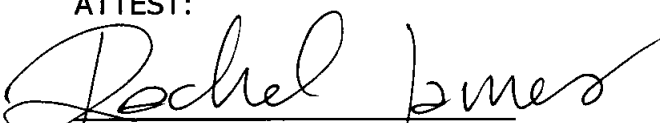
Section 4. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

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

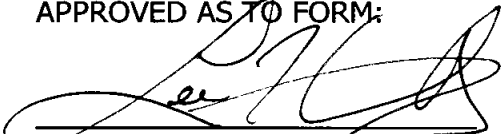
CITY OF EDGERTON, KANSAS

By: 
Donald Roberts, Mayor

ATTEST:


Rachel James, City Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read 'Lee Hendricks', written over a horizontal line.

Lee Hendricks, City Attorney