

EDGERTON PLANNING COMMISSION
REGULAR SESSION AGENDA
Edgerton City Hall
September 8, 2020
7:00 P.M.

Executive Order 20-52 issued by Governor Kelly requires any person in Kansas to cover their mouth and nose with a mask or other face covering when they are in inside any public space such as City Hall. Executive Order 20-52 includes a number of exemptions, including children 5 and younger and those with medical conditions that prevent mask use. The entire executive order may be found here: <https://governor.kansas.gov/executive-order-no-20-52/>

1. Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

4. **CONSENT AGENDA**

(Consent Agenda items will be acted upon by one motion unless a Planning Commissioner requests an item be removed for discussion and separate action.)

A. MINUTES

Consideration of the Planning Commission meeting minutes for August 11, 2020.

5. **NEW BUSINESS**

A. PUBLIC HEARING – REZONING FOR 33364 W. 191ST STREET – APPLICATION ZA2020-01

Hold a public hearing in consideration of Application ZA2020-01 for rezoning the parcels located at 33364 W. 191st Street.

Applicant: Johnson County Fire District #1

Agent: Deputy Chief Dennis Meyers

6. Future Meetings

- Regular Session – October 13, 2020 at 7:00 PM

7. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
August 11, 2020

The Edgerton Planning Commission met in regular session with Commissioner Jeremy Little calling the meeting to order at 7:01 PM.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Commissioner Jeremy Little, Commissioner Deb Lebakken, and Commissioner Charlie Crooks. Commissioner Tim Berger and Chair John Daley were absent from the meeting. Also present were Development Services Director Katy Crow and Planning and Zoning Coordinator/City Clerk Chris Clinton.

The Planning and Zoning Coordinator/City Clerk announced a quorum was present.

CONSENT AGENDA

MINUTES

The approval of the minutes from the Regular Session held on July 14, 2020 were considered.

Commissioner Crooks motioned to approve the consent agenda. Commissioner Lebakken seconded the motion. The consent agenda was approved, 3-0.

NEW BUSINESS

PUBLIC HEARING – PRELIMINARY PLAT FOR 321 E. MARTIN ST – APPLICATION PP2020-02

Commissioner Little introduced the project. Ms. Katy Crow, Development Services Director, stated this application is to replat Lots one (1) through five (5) in Block eleven (11) in the City and is located at 321 E. Martin Street. She explained a plat is for the division of land and not vertical construction. The Unified Development Code (UDC) calls for a public hearing at the Preliminary Plat stage of development. Ms. Crow explained the original plat was filed in 1870 and the existing lots are too narrow to build a single-family home on per the current UDC. Ms. Crow explained the applicant wishes to construct a new single-family dwelling on the proposed single lot. Ms. Crow explained the utility service providers and stated the parcels are located in the Bull Creek watershed. She said the found monuments supporting the set monuments need to be shown and there are no proposed restrictive covenants provided.

Commissioner Crooks motioned to open the public hearing. The motion was seconded by Commissioner Lebakken. The public hearing was opened, 3-0.

Mr. Lee Hermreck, agent with McClure Engineering, spoke before the Commission. He inquired about the comment regarding the monuments. Ms. Crow answered that the referenced comment was made by the City Engineer. City Staff will provide the contact information for the City Engineer so the comment can appropriately be addressed. Commissioner Little stated the request is to combine the small lots into a larger lot. Ms. Crow stated that is correct and in recent discussions related to updating the code, the Planning Commission has discussed what the best lot width would be. She explained if

only three (3) of the lots were platted together, there would still be two (2) nonconforming lots next to the applicant's property. Platting all the lots into one at makes the most sense in this case.

There were no further public comments made at this time. Commissioner Little closed the public hearing.

Commissioner Crooks motioned to approve Preliminary Plat Application PP2020-02 with the stipulations that the supporting monuments be provided and the Preliminary Plat will be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the Preliminary Plat within one year, the Preliminary Plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the Preliminary Plat. Commissioner Lebakken seconded the motion. Preliminary Plat PP2020-02 was approved, 3-0.

FINAL PLAT FOR 321 E. MARTIN ST – APPLICATION FP2020-02

Commissioner Little announced an application for a Final Plat for the same parcels as the Preliminary Plat PP2020-02 which was just approved by the Planning Commission. Ms. Crow stated that the Final Plat has some different requirements than the Preliminary Plat when filing with Johnson County and the City of Edgerton. She said the new lot would have frontage along the south side of E. Martin Street right-of-way and the west side of E. Fourth Street. The Final Plat request is being in preparation of construction of a new single-family dwelling. Ms. Crow explained the Final Plat join four (4) existing parcels into 1. The existing lot sizes are too narrow to construct a house on and the applicant wishes to bring the parcels into compliance of the UDC. The new lot will be 125 feet wide by 130 feet deep.

Ms. Crow stated that per the City Engineer, the provided Final Plat does not appear to meet the State's minimums for a boundary survey as there are no found monument supporting the set monuments. The methodology needs to be shown and that can be addressed with the City Engineer. These are used to indicate how the boundary lines were established. She added the signature line for the City Clerk is missing and the certificate of the Register of Deeds will be added upon filing the plat with Johnson County Records and Tax Administration.

Commissioner Crooks motioned to approve Final Plat Application FP2020-02 with the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat by the Governing Body. The property owners and/or developer shall work with City Staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the Final Plat.
2. The applicant shall meet all requirements for Recording a Final Plat as defined in Section 13.5 of the Edgerton UDC, including payment of excise tax.
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 Plan must be addressed.
5. All Final Plat requirements of the City stated before 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 Plats.

Commission Lebakken seconded the motion. Final Plat FP2020-02 was approved, 3-0. Ms. Crow stated the Final Plat will be presented to the Governing Body on August 27, 2020.

FUTURE MEETING

The next Planning Commission meeting is scheduled for September 8, 2020 at 7:00 PM. Ms. Crow explained there is an application for rezoning that will be presented to the Planning Commission.

ADJOURNMENT

Motion by Commissioner Crooks to adjourn the meeting, Commissioner Lebakken seconded. Motion was approved, 3-0. The meeting was adjourned at 7:22 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator/City Clerk



EDGERTON
global routes. local roots.

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

STAFF REPORT

September 8, 2020

To: Edgerton Planning Commission
Fr: Katy Crow, Development Services Director
Re: Application **ZA-2020-01** Rezoning for two (2) parcels of land generally located at 33364 W. 191st Street, Edgerton, Kansas (north of 191st street and east of four Corners Road)

APPLICATION INFORMATION

Applicant:

Dennis Meyers, Agent
Fire District #1 Johnson County
490 New Century Parkway
New Century, KS 66031

Property Owner:

Fire District #1 Johnson County
490 New Century Parkway
New Century, KS 66031

Requested Action:

Rezoning from Johnson County RUR (Rural) to City of Edgerton L-P (Logistics Park) Zoning District.

Legal Description:

The northeast quarter of Section 4, Township 15, Range 22; see attached exhibits for complete description.

Site Address/Location:

33364 W. 191st Generally located south and west of the intersection of Waverly Road and 191st Street.

Existing Zoning and Land Uses:

Johnson County RUR (Rural)

Existing Improvements:

None

Site Size:

Approximately 11.2 acres.

REASON FOR REZONING REQUEST:

This property was annexed into the City of Edgerton on March 27, 2014. This rezoning is being requested for a future fire station with truck bays, a bunk house for the fire crew, administrative offices and meeting rooms. This fire station will serve logistics park development along with any residences or commercial developments in the response area. The Burlington Northern Santa Fe Railway (BNSF) intermodal facility is located adjacent to the subject site. Phase I of Logistics Park Kansas City (LPKC), is a 1,700-acre master-planned distribution and warehouse development anchored by the BNSF Railway intermodal facility,

which opened in late 2013. The location of a fire station adjacent to LPKC is to provide service delivery in that area of Edgerton along with south east Johnson County.

The subject property is surrounded by BNSF operations to the north and east, a developed L-P zoned parcel to the south which contains IP 21 (UPS), and Johnson County RUR also to the south and west. The parcel requesting rezoning is located between the existing 191st Street and the old vacated 191st Street. The parcel has frontage along 191st Street. The subject property is outlined in red and shown in Figures 1 and 2 below.

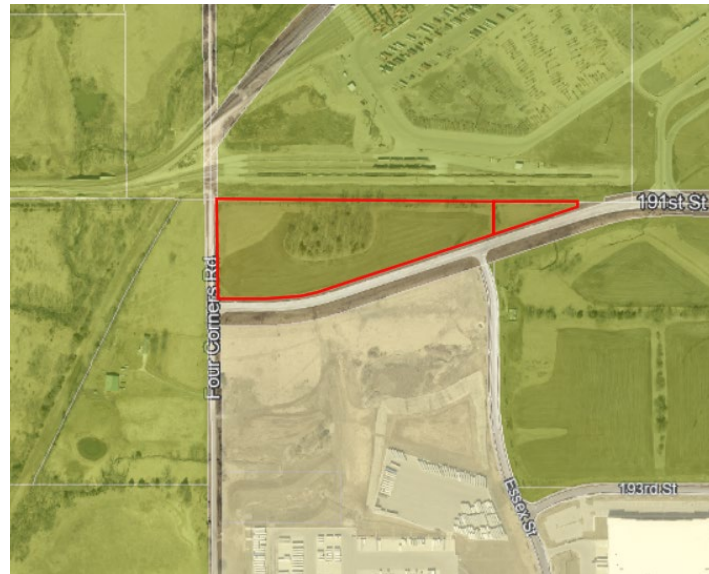


Figure 1



Figure 2

PROJECT DESCRIPTION

The rezoning request is to support a project which will build a fire station facility with ancillary administrative office uses.

INFRASTRUCTURE AND SERVICES

1. Access to the property would be from 191st Street.
2. Utilities and service providers.
 - a. Water - Johnson County Water District #7
 - b. Sanitary Sewer - City of Edgerton
 - c. Electrical Service - Kansas City Power & Light
 - d. Gas Service – Kansas Gas Service
 - e. Police service is 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 March 27, 2014. Prior to that, the property was in unincorporated Johnson County and as of this application it remains zoned Johnson County RUR.

STAFF ANALYSIS

The applicant has requested rezoning to L-P, Logistics Park. 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. Any activities conducted outside should be screened and buffered, and 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; and other permitted uses. A fire station would be an appropriate use as it is a support function for the tenants at LPKC, nearby commercial developments and residential housing.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** - The applicant has requested L-P Zoning District designation to support construction of the project. Given the property's proximity to LPKC, the BNSF Railway intermodal facility and I-35, L-P Zoning District zoning is the most compatible designation for this use.
2. **Magnitude of the Change** - The existing RUR zoning is considered a holding designation. The Future Land Use Map contained in the Comprehensive Plan has the property designated as appropriate and acceptable for Business Park/Industrial uses. The proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan and depicted by the Future Land Use Map. Due to

the property's proximity to LPKC, the BNSF Railway intermodal facility and interstate highway, the magnitude of the change is not considered extreme or rare when property is being developed for its designated and planned end use, in this case a fire station facility.

3. **Whether or not the change will bring harm to established property rights** - The subject property is adjacent to parcels containing L-P and Johnson County RUR zoning designations. If rezoned L-P as requested, a separate Site Plan review and approval will be required before building permits can be issued. Part of a Site Plan review will include attention to buffering and setbacks, stormwater management and transition of uses between adjoining uses and any proposed industrial use. This Site Plan review will help mitigate impacts that might occur to adjacent properties.
4. **Effective use of Land** – The L-P zoning designation at this location provides for a permitted use which is an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the interstate where new commercial development is occurring at the Homestead interchange. A fire station will provide a necessary public service to the surrounding community.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of a fire station in this area allows for increased service delivery to the warehouses at LPKC, commercial development along the Homestead Lane interchange corridor, Big Bull Creek Park and nearby residences.
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** – Continued development of the area will continue to include intermodal related uses and functions which support them. With the extensive, recently completed road improvements and the interchange at I-35 and Homestead Lane, the character of the area has changed from rural to industrial. The parcel to the north contains the BNSF intermodal facility and the parcel to the south contains Inland Port 21 where UPS is located. An undeveloped parcel also to the south contains an RUR designation. However, all development occurring in the immediate area has occurred on parcels containing an L-P zoning designation.
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 existing development to the north, south and east. The undeveloped parcels to the south and west contain a RUR zoning designation. As is noted in the Future Land Use Map for this area, this area is designated as appropriate and acceptable for Business Park/Industrial uses. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Johnson County RUR zoning of the applicant property is not suitable for the proposed fire station facility use sought by the applicant. The Johnson County RUR zoning is primarily for single family rural residential. This type of use on a property annexed by the City, but zoned for agriculture, would not be

compatible or appropriate. Therefore, a rezoning to the L-P district is the most appropriate designation for the proposed use.

9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property was vacant land with a possible agricultural use in unincorporated Johnson County, prior to its annexation into the City of Edgerton in 2014.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - A fire station facility is a public service entity which provides a much-needed emergency response function to the community. The proposed zoning is compatible with the uses occurring on the surrounding properties. 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** - The subject property is located on 191st Street. 191st Street is a heavyweight corridor roadway which has the capacity to support development of the property. Utilities will be provided by the developer or the City in conjunction with 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** - 191st Street is designated as a heavyweight corridor roadway and it is improved to a standard which can accommodate industrial development traffic in the area including large fire apparatus and emergency equipment. There are no known functional or safety issues occurring with the surrounding transportation network.
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** - A fire station provides a much-needed public service to the community and will benefit the residents and community in a positive way. Emergency

response times will be diminished with a fire station in the area and this in turn positively impacts the community.

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 this zoning application. However, the City would be adversely impacted due to the loss of a valuable community service related to emergency and fire response activities.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - The Comprehensive Plan for the City of Edgerton has the area which the property is in designated as appropriate for zoning and uses associated with business park and industrial zoning. City staff believes that the requested rezoning is compatible with the spirit and intent of future development outlined in the Comprehensive Plan and Future Land Use Map.
18. **The recommendation of professional staff** - See Recommendation below.

Recommendation:

City staff recommends **approval** of the proposed rezoning of the subject property from Johnson County 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 ZA2020-01
- Johnson County AIMS Map of Property
- City of Edgerton Future Land Use Map

LOCATION OR ADDRESS OF SUBJECT PROPERTY: Northeast corner of Four Corners Rd and 191st StreetPURPOSE FOR REZONING: To construct a fire station for JCFD 1REQUESTED REZONING CHANGE: FROM RUR TO LP
(Current Zoning) (Proposed Zoning)LEGAL DESCRIPTION: See attached Survey 33364 W. 191st St.CURRENT LAND USE: Farming / Ranch LandPROPERTY OWNER'S NAME(S): Fire District #1 Johnson County PHONE: 913-764-7635COMPANY: Fire District #1 Johnson County FAX: N/AMAILING ADDRESS: 490 New Century Pkwy New Century KS 66031
Street City State ZipAPPLICANT/AGENTS NAME(S): Dennis Meyers PHONE: 816-392-5003COMPANY: Fire District #1 Johnson County FAX: N/AMAILING ADDRESS: 490 New Century Pkwy New Century KS 66031
Street City State ZipENGINEER/ARCHITECT'S NAME(S): Kile Morrison PHONE: 913-378-9533COMPANY: Archimages, Inc. FAX: _____MAILING ADDRESS: 14205 W 95th Street Lenexa KS 66215
Street City State ZipSIGNATURE OF OWNER OR AGENT: 

If not signed by owner, authorization of agent must accompany this application.

FOR OFFICE USE ONLYCase No.: RZ-2A2020-01 Amount of Fee Paid: \$ 250⁰⁰ Receipt # 96041650 Date Fee Paid: 7/29/2020Received By: Kathy Crow Date of Hearing: 9/08/2020**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

Rezoning letters

BNSF

Po Box 961089

Fortworth, Tx 76131

ELHC

4825 NW 41st Apt 500

Riverside, Mo. 64150

William Shelton

19200 Four Corners

Edgerton, Ks 66021

Widmer Farms LLC

10841 Beverley St.

Overland Park, Ks. 66212

Johnson County Parks and Recreation

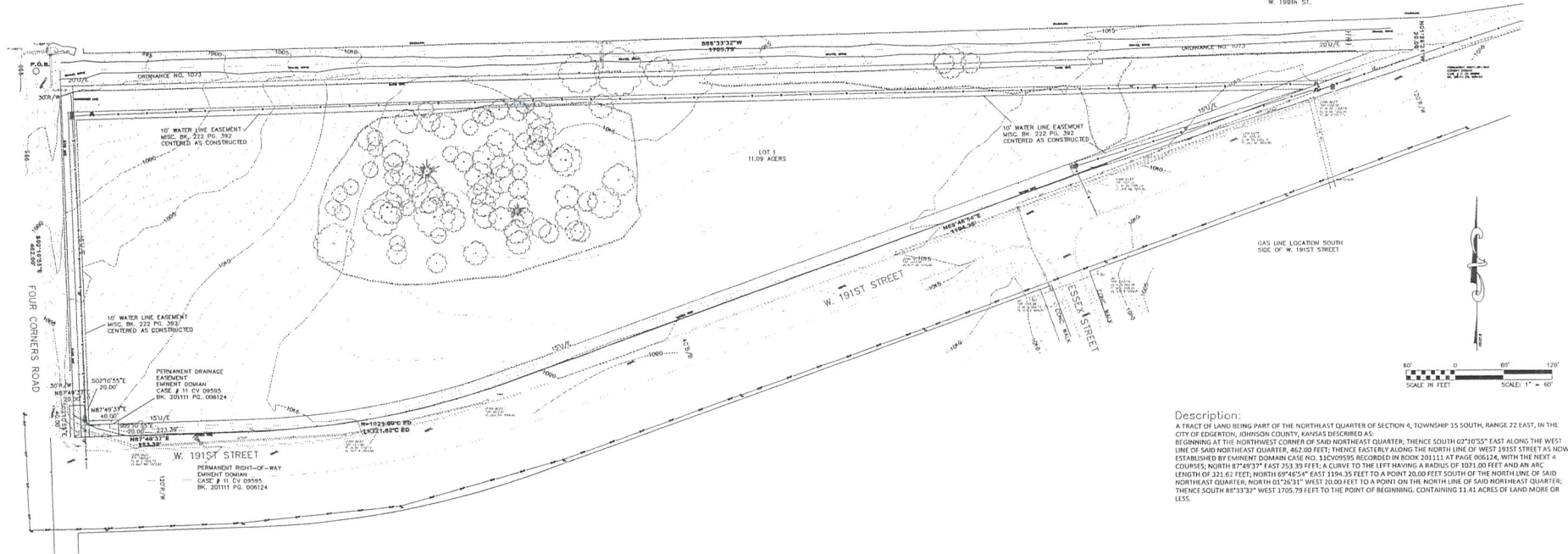
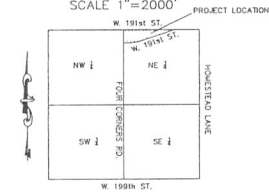
7900 Renner Rd

Shawnee, Ks 66219

PRELIMINARY PLAT
JOCO FIRE STATION #123

PART OF THE NE 1/4 OF SECTION 4-15-22
IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

LOCATION MAP
SEC. 4-15-22
SCALE 1"=2000'



SCALE 1" = 80'

Description:
A TRACT OF LAND BEING PART OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 22 EAST, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS DESCRIBED AS:
BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 03°10'55" EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 462.00 FEET; THENCE EASTERLY ALONG THE NORTH LINE OF WEST 191ST STREET AS NOW ESTABLISHED BY EMINENT DOMAIN CASE NO. 11200995 RECORDED IN BOOK 201111 AT PAGE 006124, WITH THE NEXT 4 CORNERS, NORTH 87°49'37" EAST 233.39 FEET; A CURVE TO THE LEFT HAVING A RADIUS OF 1021.00 FEET AND AN ARC LENGTH OF 323.62 FEET; NORTH 69°45'54" EAST 1194.35 FEET TO A POINT 20.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST QUARTER, NORTH 01°20'31" WEST 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'37" WEST 1705.79 FEET TO THE POINT OF BEGINNING, CONTAINING 11.41 ACRES OF LAND MORE OR LESS.

OWNER:
WENNER FARMS LLC, 10841 BEVERLY ST., OVERLAND PARK, KANSAS

APPLICANT:
FIRE DISTRICT #1-JOHNSON COUNTY, KANSAS

ZONING:
RURAL DISTRICT (RUR)

PROPOSED USE:
FIRE STATION

LAND AREA:
11.41 ACRES TOTAL
11.09 ACRES NET
0.32 ACRES STREET RIGHT-OF-WAY

FLOOD PLAIN:
THE SUBJECT PROPERTY IS LOCATED IN "ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) ACCORDING TO THE JOHNSON COUNTY, KANSAS FLOOD INSURANCE RATE MAP (FIRM), MAP NUMBER 2009101180, 2009101180, 2009101330 MAP REVISED DATE: AUGUST 3, 2009.

UTILITY SERVICE NOTE:
THE SUBJECT PROPERTY IS SERVICED BY RURAL WATER DISTRICT #7, KANSAS GAS SERVICE, CENTURYLINK, EVERGY, CITY OF EDGERTON, MEDACOM

CERTIFICATION
RECEIVED AND PLACED ON RECORD THIS ____ DAY OF _____, 2020.

BY
KATY CROW, ZONING ADMINISTRATOR

REVIEW BY THE EDGERTON CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2020.

BY
JOHN DAILY, CHAIR OF PLANNING COMMISSION

APPLICANT SIGNATURE:

REVIEWED BY:
CITY ENGINEER

DATE:

	DECIDUOUS TREE		WATER VALVE
	CONIFEROUS TREE		FIRE HYDRANT
	BUSH		ELECTRIC METER
	SHRUB		GAS VALVE
	BOLLARD		CENTERLINE
	GRATE INLET ROUND		PROPERTY LINE
	GRATE INLET SQUARE		SECTION LINE
	LIGHT POLE		BENCH MARK
	GAS METER		FOUND MONUMENT AS NOTED
	MANHOLE		SET 1/2" BAR & CAP
	TELEPHONE POLE		CHISELED \"
	POWER POLE		YARD LIGHT
	GUY WIRE		SINGLE POST SIGN
	TELEPHONE SPLICE BOX		DOUBLE POST SIGN
	CURB INLET		DEED
	RAILROAD		MEASURED
	FENCE		RADIALLY MEASURED
	CONTINUING LINE		CALCULATED
			POWER/PLAT
			FOUND
			RIGHT-OF-WAY
			GAS

LEGEND

	TRAFFIC SIGNAL POLE		SANITARY SEWER
	TV SPLICE BOX		STORM SEWER
	ELECTRIC METER		WATER
	POWER SPLICE BOX		TELEPHONE
	POST		UNDERGROUND
	MAIL BOX		OVERHEAD
	WATCH POINT		CAST IRON PIPE
	CP (CONTROL POINT)		CORRUGATED METAL PIPE
	GAS TEST		REINFORCED CONCRETE PIPE
	GAS REGULATOR		VITRIFIED CLAY PIPE
	SLAM VALVE		PLASTIC CORRUGATED PIPE
	WATER FAUCET		CABLE TELEVISION
	DRAIN		ELECTRIC
	FLAG POLE		EAVES DRAIN
	TEST HOLE		ROOF DRAIN
	FIBER OPTIC TELEPHONE MARKER		MARSH AREA
	AIR CONDITIONER		POST INDICATOR VALVE
	CLEAN OUT		PLASTIC
	UTILITY POLE		STREAM
	WATER BOX		AREA INLET
			GRATE INLET
			CORRUGATED METAL ARCH PIPE
			FIBER OPTIC
			FIBER OPTIC
			FIBER OPTIC
			FIBER OPTIC

Fire Station 123

Legal Description

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 02°10'55" EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER, 462.00 FEET; THENCE EASTERLY ALONG THE NORTH LINE OF WEST 191ST STREET AS NOW ESTABLISHED BY EMINENT DOMAIN CASE NO. 11CV09595 RECORDED IN BOOK 201111 AT PAGE 006124, WITH THE NEXT 4 COURSES; NORTH 87°49'37" EAST 253.39 FEET; A CURVE TO THE LEFT HAVING A RADIUS OF 1021.00 FEET AND AN ARC LENGTH OF 321.62 FEET; NORTH 69°46'54" EAST 1194.35 FEET TO A POINT 20.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST QUARTER; NORTH 01°26'31" WEST 20.00 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88°33'32" WEST 1705.79 FEET TO THE POINT OF BEGINNING. CONTAINING 11.41 ACRES OF LAND MORE OR LESS.

COPY

RESOLUTION 20-0002
of the
Board of Directors

The undersigned Directors of Fire District #1 – Johnson County, Kansas (the “Fire District”), hereby certify that the following Resolutions were duly adopted by them at a meeting held on July 14, 2020.

BE IT RESOLVED, pursuant to K.S.A. 19-3616(a) and (b), the Fire District is authorized to enter into contracts and acquire, lease, purchase and dispose of real property.

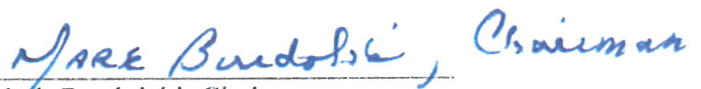
BE IT FURTHER RESOLVED, that the Fire District is hereby authorized to purchase the property located at the NEC 191st & Four Corners Road, Edgerton, Johnson County, Kansas (the “Property”), from Widmer Farms, L.L.C., a Kansas limited liability company, for the sum of \$900,000.00 plus closing cost. The Property is presently described as follows:

The Northeast Quarter of Section 4, Township 15, Range 22, lying North of 191st Street, in the City of Edgerton, Johnson County, Kansas; except that part in road.

Said legal description to be further defined by an ALTA Survey, which shall be completed prior to closing.

The Property is located within Tax Parcel ID Nos. BF221504-3005 and BF221504-3002 (contains other property).

BE IT FURTHER RESOLVED that Rob Kirk, as Fire Chief or Dennis Meyers as Deputy Fire Chief of said Fire District is authorized and directed to take such actions and execute such documents as necessary to carry out the above and foregoing Resolutions.


Mark Burdolski, Chairman


Keith Johnson, Director


Dr. Brian Cook, Director



Dennis Meyers <dennis.meyers@jocofd1.org>

FW: Rezoning request for approval and support

3 messages

Kim Bartalos <kbartalos@blockllc.com>

Tue, Jul 21, 2020 at 11:25 AM

To: Dennis Meyers <dennis.meyers@jocofd1.org>

Hi Dennis, will this work for your meeting tomorrow? Thank you for your email last night. I'll do my best to stay in touch. Thank you for extending your patience with me! - Kim

-----Original Message-----

From: bobdelta@netzero.net <bobdelta@netzero.net>

Sent: Friday, July 17, 2020 10:13 AM

To: Kim Bartalos <kbartalos@blockllc.com>Cc: haskinlawoffice@aol.com

Subject: Re: Rezoning request for approval and support

To whom it may concern,

Widmer Farms, LLC is supportive of the rezoning of the property at 191st street and Four Corners road that is under contract and being sold to Johnson County Fire District #1 provided that the rezoning does not take place until after the completion of the sale of the property.

Sincerely,
Robert S. Widmer
Widmer Farms, LLC

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Anti-Mask Crowd Packs Utah Hearing on Masks

<http://thirdpartyoffers.netzero.net/TGL3241/5f11c00971c4540092e11st02vuc1>

NM Cop in Fatal Video: 'I'm Going to ... Choke You Out, Bro'

<http://thirdpartyoffers.netzero.net/TGL3241/5f11c009949f740092e11st02vuc2>

'Hey, Karen. Watch Your Mouth'

<http://thirdpartyoffers.netzero.net/TGL3241/5f11c009b608340092e11st02vuc3>

Dennis Meyers <dennis.meyers@jocofd1.org>

Wed, Jul 22, 2020 at 6:52 AM

To: Kim Bartalos <kbartalos@blockllc.com>

We will check today thanks

[Quoted text hidden]

--

Dennis Meyers
Deputy Chief
Fire District #1 Johnson County
913 764 7635
dennis.meyers@jocofd1.org

Kim Bartalos <kbartalos@blockllc.com>

Wed, Jul 22, 2020 at 11:51 AM

To: Dennis Meyers <dennis.meyers@jocofd1.org>

Thanks Dennis! Please let me know how it goes. I'll call the title company when I get back to town and get a closing date set.

[Quoted text hidden]



Payment Confirmation

Payer Information:

Payment Made By: Dennis Meyers
Payment Made For: Fire District #1 Johnson County
Email:
Address: 490 New Century Pwy
New Century, KS 66031
Payment Description: Building Permit
Payment Date: 7/29/2020 9:48:55 AM

Auto-Pay

Save time and pay your bill automatically.

[>> Sign up now](#)

Business Name	Payment Method	Payment Account	Confirmation Number	Amount
City of Edgerton, KS (Misc. Payments)	MC	****5282	96041650	\$250.00

This notice confirms that the above payment was successfully submitted to our payment processor, PSN, and is currently being processed. Thank you for using PSN.

NOTE: While credit and debit cards generally are immediately approved, the transaction is not considered "paid" until the credit or debit card company has "settled" the payment which occurs most often within 24 hours. If there are any issues with your payment, PSN will send an email to the address you provided. To check on the progress of your payment, you can [log into your profile](#). Thanks for using PSN.

Contact Us

[PSN Customer Support](#) Submit your question and get a response within one business day.

Payment Processing Powered by Payment Service Network (PSN)

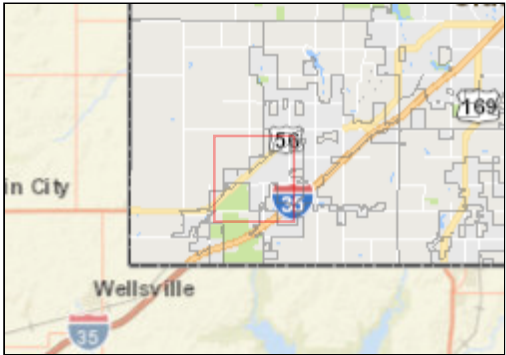
THIS COMMUNICATION IS INTENDED ONLY FOR THE ADDRESSEE(S) AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. YOU ARE HEREBY NOTIFIED THAT, IF YOU ARE NOT AN INTENDED RECIPIENT LISTED ABOVE, OR AN AUTHORIZED EMPLOYEE, OR AGENT OF AN ADDRESSEE OF THIS COMMUNICATION RESPONSIBLE FOR DELIVERING E-MAIL MESSAGES TO AN INTENDED RECIPIENT, ANY DISSEMINATION, DISTRIBUTION, OR REPRODUCTION OF THIS COMMUNICATION (INCLUDING ANY ATTACHMENTS HERETO) IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY A REPLY E-MAIL ADDRESSED TO THE SENDER AND PERMANENTLY DELETE THE ORIGINAL E-MAIL COMMUNICATION AND ANY ATTACHMENTS FROM ALL STORAGE DEVICES WITHOUT MAKING OR OTHERWISE RETAINING A COPY.



Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2019)



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JOHNSON COUNTY
KANSAS
AIMS GIS & Mapping

9/2/2020

