LEAVENWORTH COUNTY

PLANNED UNIT DEVELOPMENT DISTRICT

PUD DESIGN STATEMENT

FOR

Project Bluestem

August 18, 2026

PREPARED FOR:

Western Meadowlark ProjectCo LLC
Aaron Bilyeu
712 Main St., Ste 3100
Houston, Texas 77002

(602) 338-7662
abilyeu@cloverleafinfra.com

TABLE OF CONTENTS

INTRODUCTION 1.0

LEGAL DESCRIPTION 2.0

OWNER/APPLICANT 3.0

SITE AND SURROUNDING AREA 4.0

PHYSICAL CHARACTERISTICS 5.0

CONCEPT 6.0

SERVICE AVAILABILITY 7.0

- STREETS 7.1
- SANITARY SEWER 7.2
- WATER 7.3
- FIRE PROTECTION 7.4
- GAS, ELECTRICAL, AND TELPHONE SERVICE 7.5
- PUBLIC TRANSPORTATION 7.6
- DRAINAGE 7.7
- COMPREHENSIVE PLAN 7.8

DATA CENTER PRELIMINARY DEVELOPMENT PLAN REGULATIONS 8.0

- DATA CENTER PRELIMINARY DEVELOPMENT PLAN - USE AND DEVELOPMENT REGULATIONS 8.1

CONDITIONS OF APPROVAL 9.0

- FAÇADE REGULATIONS 9.1
- LANDSCAPING REGULATIONS 9.2
- LIGHTING REGULATIONS 9.3
- SCREENING REGULATIONS 9.4
- PLATTING REGULATIONS 9.5
- DRAINAGE REGULATIONS 9.6

DUMPSTER REGULATIONS 9.7

SITE ACCESS REGULATIONS 9.8

PARKING REGULATIONS 9.9

SIGNAGE REGULATIONS 9.10

ROOFING REGULATIONS 9.11

SIDEWALK REGULATIONS 9.12

HEIGHT REGULATIONS 9.13

SETBACK REGULATIONS 9.14

PUBLIC IMPROVEMENTS 9.15

COMMON AREAS 9.16

DATA CENTER DESIGN TECHNOLOGY 9.17

AMBIENT SOUND MONITORING 9.18

TRAFFIC IMPACT ANALYSIS 9.19

DEVELOPMENT AGREEMENT 9.20

JOB CREATION 9.21

TAX REVENUE AND OTHER COMMUNITY BENEFITS 9.22

COMMUNITY CONSERVATION LAND 9.23

DEVELOPMENT SEQUENCE 10.0

EXHIBITS 11.0

SECTION 1.0 ..... INTRODUCTION

The Planned Unit Development (PUD) of Project Bluestem Data Center Campus, consisting of approximately 630.39 acres, is located within Section 21 and 28, Township 11 South, Range 21 East, Leavenworth County, Kansas.

Project Bluestem Data Center Campus and the Project Bluestem Power Generation are **complementary components of one coordinated project and are intended to be reviewed holistically.** While the components are being submitted separately to accommodate distinct parcels, real estate transactions, and related administrative requirements, they have been planned together as part of a unified development. This coordinated approach allows the County and community to evaluate the project comprehensively, including its overall land use, infrastructure, environmental considerations, and community benefits, while maintaining clear and transparent approvals for each project component.

SECTION 2.0 ..... LEGAL DESCRIPTION

The legal description of the property comprising this PUD is described in Exhibit A, attached, and is made a part of this Design Statement.

SECTION 3.0 ..... OWNER/APPLICANT

The applicant for this property is Aaron Bilyeu of Western Meadowlark ProjectCo LLC. The property owners are as follows:

Tailgate Ranch Company (Tract 2 – 620.70 acres)
8235 Nall Ave
Prairie Village, KS 66208-4948

Heather Nicole Reisig (Parcel: 195-21-0-00-00-004.01-0 – 9.69 acres)
16408 222nd St
Tonganoxie, Kansas 66086-5034

SECTION 4.0 ..... SITE AND SURROUNDING AREA

The subject property is presently zoned under PC – Planned Commercial District, PR-2 – Planned Medium Density Residential District, and PR-3 – Planned High Density Residential District. Surrounding properties are zoned for:

North: RR-5 – Rural - Agricultural and Residential (5 acre minimum), BP – Business Park District (City of Tonganoxie Zoning)
East: RR-5 – Rural - Agricultural and Residential District (5 acre minimum)
Note: This property is part of a separate package to be rezoned to PUD concurrently.
South: MXD – Planned Mixed Use District
West: MXD – Planned Mixed Use District, PC – Planned Commercial District, R-R – Rural District (City of Tonganoxie Zoning)

The relationship between the proposed use of this parcel and the above adjoining land uses is compatible. The proposed use is compatible with the surrounding mix of industrial, commercial, utility, energy, and rural land uses and is consistent with the area's existing zoning designations.

SECTION 5.0 PHYSICAL CHARACTERISTICS

The property is mostly undeveloped with few residential structures. The property contains minimal wetlands in the core developable area and consists of a contiguous tract of land, allowing for more efficient development. This site is adjacent to the Tonganoxie Business Park and the Hills Pet Nutrition plant to the south and adjacent to County Road 1. The site is located in unincorporated Leavenworth County with the possibility to annex into the City of Tonganoxie. The property's large size is in line with the current comprehensive plan, which places this parcel in the future County 1 Land Use Corridor, supports compliance with the local zoning ordinances while providing flexibility for thoughtful and creative development.

SECTION 6.0 .....CONCEPT

The purpose of this application is to rezone the Property to a Planned Unit Development (PUD) base zoning district and establish a Preliminary Development Plan to support the development of data center facilities, technology research and development facilities, public utilities and services, and associated accessory and supporting uses.

Project Bluestem is envisioned as a discreet, secure, state-of-the-art technology and energy campus. The development will utilize the site's existing topography and areas of dense vegetation to provide natural screening, supplemented by enhanced landscape buffers and other screening measures consistent with applicable landscaping requirements. The site design will prioritize visual screening, environmental value, and compatibility with surrounding properties through strategic site planning, landscaping, and adherence to applicable County design standards.

The proposed development is consistent with the Leavenworth County Comprehensive Plan by supporting high-value employment opportunities, expanding the County's tax base, facilitating investment in critical infrastructure, and promoting compatibility with adjacent land uses through appropriate mitigation measures, including generous setbacks, landscape buffering, screening, and master-planned development controls.

The proposed development also advances the goals identified for this character area, including:

- Protecting and preserving natural resources as future development occurs;
- Aligning roadway and public utility infrastructure with proposed development;
- Maintaining and enhancing the corridor's scenic and rural residential character;
- Concentrating commercial, industrial, and mixed uses within targeted activity centers, including areas near primary roadway intersections and interchanges; and
- Generating economic development interest and investment within the study area.

Refer to Exhibit C for the site concept plan and cross-section details. These materials illustrate the Preliminary Development Plan and depict a potential layout for the data center campus.

The Preliminary Development Plan reflects the Applicant's current development vision but is conceptual in nature. The layout is expected to evolve as the Project advances through final

engineering, equipment selection, utility coordination, permitting, and construction design. Development of the Property will proceed in accordance with the applicable planned district process, including Preliminary Development Plan approval, applicable pre-development and related agreements, Final Development Plan approval, a Final Development Agreement, and Final Plat approval, if applicable.

Preliminary and Final Development Plans:

The PUD Preliminary Development Plan establishes the overall development framework for the Project. As the Project advances, the operator will prepare and submit a Final Development Plan incorporating the results of final engineering, equipment selection, utility coordination, permitting, and construction design.

Accordingly, the Final Development Plan may differ from the Preliminary Development Plan with respect to certain design details, including the number, size, configuration, and location of buildings and equipment; internal roadways and circulation; utilities; drainage and stormwater facilities; parking; landscaping; and other site improvements.

Notwithstanding these refinements, the Final Development Plan will remain subject to the development framework, standards, and parameters established by the PUD and Exhibit N. The principal elements of the Project are therefore expected to remain substantially consistent with the approved PUD, including the following:

- **Land Uses.** Data center facilities, technology research and development facilities, public utilities and services, and associated accessory and supporting uses will remain consistent with the uses authorized by the approved PUD.
- **Setbacks and Buffers.** Buildings, equipment, and other improvements may shift within the site as part of final engineering and design but will remain subject to the setbacks, buffers, and development areas established by the PUD and Exhibit N.
- **Parking.** The Preliminary Development Plan does not establish a specific number or configuration of parking spaces. Final parking quantities and configurations will be determined based on the operator's final design and applicable requirements.
- **Landscaping and Screening.** The final landscape design may be refined based on the operator's final site design but will remain subject to the applicable landscaping, screening, and buffer requirements established by the PUD and Exhibit N.
- **Lighting.** Final lighting locations and design may be refined through final engineering and will comply with the applicable standards and performance requirements established by the PUD and Exhibit N.
- **Buildings, Equipment, and Site Improvements.** The number, size, configuration, and location of buildings and equipment, together with internal circulation, utilities, drainage, stormwater facilities, and other site improvements, may be refined through final engineering and design, provided that such improvements remain consistent with the applicable requirements and development parameters established by the PUD and Exhibit N.

Final Development Plan Review:

Consistent with Article 27(A), Section 8 – Approved Site Plan Change, proposed modifications resulting in a revised site plan that is "substantially similar to the approved site plan" may be approved by the Director of Planning. Changes determined to substantially rearrange uses, parking, landscaping, drainage, lighting, the location of structures, or other material elements will be subject to the applicable County review and approval process.

The Regulations do not establish a specific dimensional, distance, or percentage threshold for determining whether a revised site plan is substantially similar to an approved site plan. Accordingly, the PUD and Exhibit N are intended to establish the overall development framework and parameters within which the Project may be refined as final engineering and design progress.

The Applicant and operator will coordinate the Final Development Plan, including any necessary design refinements, with the Planning Department in accordance with Article 27(A), Section 8. This process will allow the Project to accommodate final engineering and operational requirements while maintaining consistency with the overall development framework, standards, and protections established through the approved PUD.

SECTION 7.0..... **SERVICE AVAILABILITY**

7.1 ..... STREETS

The nearest streets to the north are Honey Creek Rd and Kansas Ave. The nearest street to the east is 214th Street. The nearest street to the south is Hemphill Rd. The nearest street to the west is 222nd Street. The project will fully fund any roadway improvements recommended by the attached Traffic Impact Analysis (Exhibit J) via a future Development Agreement and Road Maintenance Agreement with Leavenworth County.

7.2 ..... SANITARY SEWER

The Project is projected to generate less than 10,000 gallons per day of sanitary wastewater at full buildout, derived from domestic use by on-site personnel. Because the Project employs a closed-loop cooling system as (refer Section 9.17 for more information), it would not generate continuous process wastewater from cooling operations. Periodic cooling system flush and fill events will generate a non-routine volume, which shall be managed under a separate disposal plan approved as part of the final development plan and shall not be discharged to a public sanitary sewer without the written consent of the receiving utility.

Sanitary sewer service is proposed to be provided through connection to the City of Tonganoxie collection system, located approximately 2.5 miles from the site. Service from the City requires one of two separate arrangements, each at the discretion of the City. Under the first, the Project remains in unincorporated Leavenworth County and the City provides sewer service beyond its corporate limits under a negotiated extraterritorial service agreement. Under the second, the Project is annexed into the City of Tonganoxie and is served as an in-city customer, subject to the statutory requirements applicable to annexation. The operator of the data center shall be responsible for evaluating these alternatives and determining whether to proceed with development of the Project within Leavenworth County or to pursue annexation by filing a separate application with the City of Tonganoxie. Approval of this PUD does not require or constitute annexation of

the Project site. Under either arrangement, extension of the collection system to the site requires a sanitary sewer extension permit issued by the Kansas Department of Health and Environment under K.S.A. 65-165. The operator shall fund the collection and conveyance improvements required to reach the City system, including the collection system, a lift station, and a force main.

The Applicant has engaged with the City and its engineering consultant to discuss anticipated sanitary demand, existing sewer treatment plant capacity, the plant expansion now under construction, and the improvements that may be required to serve the Project. At the Applicant's request, the City's engineering consultant has prepared a preliminary opinion of probable cost covering a further increment of treatment capacity at the plant and the conveyance facilities required to reach it.

Should a service agreement with the City of Tonganoxie not be reached, or should the timing of City system improvements not align with the Project schedule, the operator shall pursue an on-site wastewater treatment facility. Any such facility shall be designed and constructed under a permit issued by the Kansas Department of Health and Environment, shall be operated by an operator certified by the State of Kansas, and shall dispose the treated effluent by one of the following methods. Each method shall be fully permitted before any wastewater is discharged.

a. Discharge of treated effluent to surface water under an individual National Pollutant Discharge Elimination System permit. A receiving stream assessment has been completed for the Project. The assessment identifies the Kansas River as the evaluated receiving water with sufficient low-flow capacity to accept a discharge of the magnitude contemplated, having a seven-day, ten-year low flow substantially greater than the one cubic foot per second minimum used for permit development under K.A.R. 28-16-28e. Smaller streams nearer the site carry lower low-flow volumes and existing water quality impairments, which would produce more stringent effluent limits. Final effluent limits, the outfall location, and the conveyance route shall be established through the permitting process.

b. Disposal without discharge to surface water, by land application of treated effluent, by total retention, or by beneficial reuse for landscape irrigation, under a KDHE water pollution control permit. This method is contingent on a hydrogeologic investigation confirming the vertical separation to groundwater required by KDHE, and on dedication of sufficient land area and seasonal storage.

c. Conveyance to a wastewater district organized by Leavenworth County, or to a rural district willing and able to accept the Project's flow, under the same KDHE sanitary sewer extension authority described above.

The Project shall not discharge industrial, process, or cooling wastewater to any soil absorption system. The Applicant acknowledges that KDHE Bulletin 4-2 and the Leavenworth County Sanitary Code restrict on-site soil absorption systems and that a development of this type is not eligible for such a system. Any interim on-site handling of domestic wastewater prior to public sewer availability shall use a permitted holding tank with removal to a permitted treatment facility. Sanitary facilities during construction shall be provided by portable units serviced by a licensed hauler, with no discharge to the ground or to surface water.

The Applicant has engaged the County and City engineering teams regarding anticipated sewer and water demand, existing infrastructure capacity, proposed data center technologies, and

potential water and sewer line extensions, in order to evaluate the feasibility of the campus and to identify infrastructure upgrades that may be required. The operator of the data center will ultimately determine whether to develop and operate the Project within Leavenworth County or pursue annexation into the City of Tonganoxie through a separate annexation process. The final jurisdictional and utility service approach, points of connection, required infrastructure improvements, and applicable cost allocation shall be documented through the appropriate agreements and approvals, including the Development Agreement required under Section 9.20.

7.3 ..... WATER

The Project is projected to require approximately 60,000 gallons per day of water at full buildout. Projected demand consists of domestic use by on-site personnel of less than 10,000 gallons per day, with the balance consisting of landscape irrigation and periodic make-up water for the closed-loop cooling system. The allocation of demand between domestic, irrigation and cooling make-up shall be confirmed in the final development plan.

Temporary construction, commissioning, dust control, and cooling system fill and flush demands are non-routine, shall be identified separately in the final development plan, and shall be delivered under a schedule agreed with the serving utility that protects service pressure and available fire flow for existing customers.

Section 9.17 requires the operator to design, construct, and operate the data center using a closed-loop cooling system. A closed-loop system circulates a sealed coolant and rejects heat to the atmosphere without continuous evaporation, so it consumes water for periodic make-up rather than continuously. Closed-loop design typically use an order of magnitude less water than those relying on evaporative cooling.

The projected demand is comparable to ordinary development already served in the area. For further comparison, the Hill’s Pet Nutrition manufacturing facility in Tonganoxie has a committed minimum of 100,000 gallons per day from the City of Tonganoxie water system. The Project's demand is within the range of loads the public water suppliers in this area already serve.

Water service is proposed from public mains owned and operated by Suburban Water, Inc., a public utility regulated by the Kansas Corporation Commission. The Project site lies wholly within Suburban's service area. Suburban holds an appropriation from the Kansas Department of Agriculture, Division of Water Resources under File No. 49,537, with a priority date of January 13, 2016, authorizing diversion of groundwater from main stem alluvium up to 2,000 acre-feet per year (AF/yr), at a maximum rate of 2,000 gallons per minute for municipal use. That authorization expressly includes municipal use within the City of Tonganoxie, Kansas and immediate vicinity. No amendment to the place of use of that right is required to serve the Project. Suburban is also a benefiting water right holder in Kansas River Water Assurance District No. 1, which provides supplemental reservoir storage from Milford, Tuttle Creek, and Perry Reservoirs to support member water rights during low flow periods. The Project's projected annual volume of approximately 22 million gallons (68 AF) is small percent (less than 5 percent) of the 2000 AF/yr annual quantity authorized from that source of supply under File No. 49,537.

Suburban has commissioned an engineering feasibility study of service to the Project, addressing operational demand, required fire flow, and the water main improvements needed to serve the site.

The Applicant or Operator shall fund the on-site and off-site water system improvements required to serve the Project, including main extensions, looping, metering, and required upsizing, in accordance with Suburban's design standards and its tariff approved by the Kansas Corporation Commission. Cost responsibility for improvements that provide capacity or benefit beyond the requirements of the Project shall be allocated in the Development Agreement required under Section 9.20.

If the Project is annexed into the City of Tonganoxie, water service may instead be provided by the City through applicant-funded improvements, subject to a negotiated service agreement. The City of Tonganoxie operates a public water supply system separate from Suburban's, with its own sources of supply and its own water rights.

The Applicant has engaged with the City and its engineering consultant to discuss anticipated water demand, existing system capacity, the improvements that may be required to serve the Project, and a preliminary opinion of probable cost for those improvements. The improvements are for water transmission; including a pump station and 12-inch water main extending from the City system to the site. The supply available to the Project, and the schedule on which it becomes available, remain to be determined as design work continues. The Applicant or Operator shall fund pumping facilities required to serve the Project from the City system.

The Project shall be served by public water supply. The Operator shall not seek a Division of Water Resources permit to appropriate groundwater from the Project site for data center cooling. The existing domestic water wells located on the Project site shall be plugged and abandoned by a licensed Kansas water well contractor in accordance with K.A.R. 28-30, or retained for non-potable or emergency purposes only, as documented in the final development plan.

The Project shall provide fire protection water in accordance with the fire code adopted by Leavenworth County and the requirements of the applicable fire district. Required fire flow, duration, and residual pressure shall be established in the final development plan. Where the required fire flow exceeds the delivery capability of the public distribution system, the Operator shall provide fire water storage and fire pumps sufficient to meet the required flow and duration, so that fire protection for the Project does not reduce available fire flow or service pressure for existing utility customers. On-site water storage structures are accessory structures under Section 9.13.

The data center would be directly connected to Evergy’s grid, which is served by a diverse set of off-site generation technology including renewable and fossil resources, including the Western Meadowlark DevCo LLC power generation project. The renewable resources do not directly use water for electric generation. The fossil resources have a range of water consumptive use and water withdraws. The main water use at power plants is cooling. Some plants use water and return it to source water body with no consumptive (evaporative) use. This is termed once-through cooling. Other plants do have consumptive water use, as water evaporates from cooling towers. Flows in once-through cooling systems are much higher than at sites that consume water via evaporation, therefore, approximately 95% of the water withdrawn by Evergy, for electric generation, is returned for downstream use.

7.4 ..... FIRE PROTECTION

The site is located within two fire districts. The parcels to the north belong to Tonganoxie Township Fire District with the nearest fire station located at 19009 McLouth Rd. It is approximately 4.9 miles from this development.

The parcels to the south belong to the Reno Fire District. The nearest fire station is station 2 located at 12755 238th St. It is approximately 6.6 miles from this development.

If the development is to be annexed into the City of Tonganoxie, the fire protection will be served by the City of Tonganoxie Fire Department.

The Operator shall comply with the safety, security, and emergency management requirements set forth in the base zoning district. The Operator shall coordinate with the County to evaluate fire protection and emergency response needs associated with the Project. The Operator agrees to support the County's emergency response capabilities, which may include funding or providing training, equipment, or other resources reasonably necessary to address life safety issues and operational characteristics, as mutually agreed upon in a Development Agreement.

7.5 .....GAS, ELECTRICAL, AND TELEPHONE SERVICE

Proper coordination with various utility companies will be made in conjunction with this development.

7.6 ..... PUBLIC TRANSPORTATION

Public Transportation is currently unavailable adjacent to this site.

7.7 ..... DRAINAGE

The property is not within a FEMA floodplain as illustrated in Exhibit B and Exhibit C. Onsite drainage from the proposed development is to be captured by stormwater management practices including inlet structures, piping, and directed to stormwater detention ponds. Post development conditions shall not to exceed predevelopment conditions.

7.8 .....COMPREHENSIVE PLAN

The Future Land Use Concept A Plan projects this parcel to be in the Commercial land use category. Future Land Use Concept B Plan projects this parcel to be in the Rural Residential category.

SECTION 8.0.....DATA CENTER PRELIMINARY DEVELOPMENT PLAN REGULATIONS

The Property shall be rezoned and developed as a Planned Unit Development (PUD) District. The PUD shall utilize the Planned Industrial Technology (PIT) District Regulations set forth in Exhibit N as the underlying base district regulations, together with the project-specific use and development standards established in Section 8.1 of this PUD.

If the PIT District Regulations are adopted prior to approval of the PUD and contain provisions that materially differ from Exhibit N, the Applicant and County shall work collaboratively to

address those differences as part of the PUD review without causing unnecessary delay to the Project or the PUD approval process. Any agreed-upon modifications or requirements shall be identified in Section 9, Conditions of Approval. Any matters that cannot be fully addressed or resolved by the Applicant during the PUD process shall be addressed by the future Operator, as applicable, through the Development Agreement required under Section 9.0, without delaying approval or advancement of the Project.

All applicable building, fire, health, and safety requirements shall be satisfied at the time of development.

8.1.....DATA CENTER PRELIMINARY DEVELOPMENT PLAN - USE AND DEVELOPMENT REGULATIONS

The Property shall be rezoned and developed as a Planned Unit Development (PUD) District, utilizing the Planned Industrial Technology (PIT) District Regulations set forth in Exhibit N as the underlying base district regulations. The use and development regulations of the PIT District shall serve as the applicable development standards for the Property and shall guide the Preliminary and Final Development Plan process, together with the project-specific use and development standards set forth below.

Parking.

- There are no established minimum or maximum number of off-street parking spaces required. The number of spaces required shall be determined based upon the number of employees associated with the actual use of the property and determined in conjunction with the final development plan.

Screening of roof mounted equipment and ground-level mechanical equipment.

- Screening must be provided for the mechanical equipment from public frontages and to buffer sound generated by such equipment by buildings, walls, fencing, roof elements or landscaping.
- Ground level mechanical units must be fully screened from public frontages using architectural elements and dense vegetation.
- Screening of substation not required from internal property lines.

Landscaping and screening.

- A minimum 300-foot buffer yard shall be provided along the entire length of any public street frontage of any property and an existing residential property line or zone, school, daycare center, hospital, place of worship, designated park, or public open space.
- Buffers shall include earthen berms with a minimum height of 6 feet.
- Buffer area shall be protected and memorialized in accordance with site plan approval.

- The property owner or developer may submit an alternative landscaping and screening plan prepared and sealed by a licensed landscape architect. Such plan shall demonstrate, to the satisfaction of the Planning Department, that the proposed design meets or exceeds the intent of this section by providing equivalent or superior visual screening, buffering, environmental integration, and streetscape enhancement. Approval of an alternative landscaping plan may allow flexibility in buffer width, plant quantities, berm configuration, wall placement, and other design elements, provided the overall performance and objectives of this section are achieved.
- The plantings shall be arranged to provide a complete visual screen of the property at least 12 feet in height, measured in addition to the height of any required berm, within three (3) years.
- No buffer or setback shall be required along a shared property line with an adjacent PUD that permits data centers and / or data center accessory uses.

Fence Height.

- No fence may exceed 12 feet in height.
- Property owners may only use decorative metal fencing with no barbed or razor wire within setback areas.

9.0.....CONDITIONS OF APPROVAL

The following special conditions shall be made a part of this rezoning application:

Rezoning approval is contingent upon transfer of title to the subject property to the Applicant or its assigns. In the event the Applicant or its assigns do not obtain title to the subject property, this rezoning application shall be null, void, and of no force or effect.

9.1.....FAÇADE REGULATIONS

Façade regulations shall be in accordance with the base zoning district regulations and adopted building code.

9.2 ..... LANDSCAPING REGULATIONS

The landscaping regulations shall be in accordance with the base zoning district and modified in Section 8.1.

9.3 ..... LIGHTING REGULATIONS

Lighting regulations shall be in accordance with the base zoning district.

9.4 ..... SCREENING REGULATIONS

The screening regulations shall be in accordance with the base zoning district and modified in Section 8.1.

9.5 ..... PLATTING REGULATIONS

Platting shall be in accordance with applicable Code requirements.

9.6 ..... DRAINAGE REGULATIONS

Development of this parcel will comply with the state and local stormwater ordinances.

Stormwater ponds are sized based on the drainage area contributing runoff to the site and the applicable local, state, and watershed regulatory requirements. For this conceptual plan, it was estimated that 12% of the proposed impervious area in square feet will be designated to stormwater ponds. As the development is refined, more stormwater studies will be conducted.

9.7 ..... DUMPSTER REGULATIONS

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences.

9.8 ..... SITE ACCESS REGULATIONS

Based on the current site plan, primary access to the main data center campus is anticipated from County Road 1, with a secondary emergency access point from 222nd Street. For the substation, primary access is expected from 214th Street.

The site will include private internal driveways located within a secured perimeter fence.

Please note that the Final Development Plan and site access design will be developed in coordination with the operator and refined with the county through the permitting process.

9.9 ..... PARKING REGULATIONS

There is no established minimum or maximum number of off-street parking spaces required. The number of spaces required shall be determined based upon the number of employees associated with the actual use of the property and determined in conjunction with building permit review.

9.10 ..... SIGNAGE REGULATIONS

The signage regulations shall be in accordance with the industrial district regulations.

9.11 ..... ROOFING REGULATIONS

All structures shall have Class C roofing or better.

9.12 ..... SIDEWALK REGULATIONS

Sidewalks shall not be required within this rezoning application. Sidewalk requirements, if any, shall be determined in a Development Agreement between the County and the Operator.

9.13 ..... HEIGHT REGULATIONS

Height regulations shall be in accordance with the base zoning district

9.14 ..... SETBACK REGULATIONS

Setback regulations shall be in accordance with the base zoning district and modified in Section 8.1.

9.15 ..... PUBLIC IMPROVEMENTS

Public improvements shall be provided by the property owner as required by the applicable governing jurisdiction and any local, County, State, or federal department or agency having jurisdiction over the Property. All applicable local, County, State, and federal laws, regulations, and ordinances shall be complied with in connection with development of the Property.

9.16 ..... COMMON AREAS

Maintenance of the common areas within the development shall be the responsibility of the property owner or applicable Property Owners Association. Given the nature of a data center campus, common areas will be very limited, as the facility is designed as a secured, access-controlled environment with 24/7 operations, monitoring, and security. Any areas designated for stormwater conveyance, drainage, or related easements shall remain free of structures, material storage, grading, fill, fencing, or other temporary or permanent obstructions that could block flow or adversely affect the functioning of the stormwater facilities. All such areas will be maintained to ensure continued operational integrity and compliance with applicable drainage requirements.

9.17 ..... DATA CENTER DESIGN TECHNOLOGY

The Operator shall design, construct, and operate the data center using a closed-loop cooling system. Notwithstanding the foregoing, the City may, in its sole discretion, elect to provide municipal water service to the Project for cooling or other operational purposes. Any such service shall be subject to a mutually agreed-upon development agreement or utility services agreement.

9.18 ..... AMBIENT SOUND MONITORING

An ambient noise study shall be provided in accordance with the requirements of the base zoning district, as set forth in Exhibit K.

9.19 ..... TRAFFIC IMPACT ANALYSIS

A traffic impact analysis has been provided in accordance with the requirements of the base zoning district, as set forth in Exhibit J. The Operator shall provide a full Traffic Impact Study (TIS) based on the Final Development Plan in accordance with applicable County requirements, and any required off-site improvements shall be addressed in a Development Agreement between the County and the Operator.

The operator will coordinate with the County to establish approved hauling routes and address road maintenance needs, with a focus on minimizing construction traffic impacts. This will include

implementing temporary mitigation measures—such as traffic control plans, signage, dust suppression, and interim road repairs—to manage impacts during construction.

9.20 ..... DEVELOPMENT AGREEMENT

The Operator shall enter into a development agreement with the County prior to commencing construction of the Project.

9.21 ..... JOB CREATION

The Applicant estimates that 1000-1500 construction jobs will be created during the build out of the project and there will be an emphasis on local hiring. The project will create a minimum of 50 high paying local jobs once operational, scaling to 200+ at full build out. Specific operational details — such as staffing levels, support functions, and specialized requirements — will ultimately be determined by the operator based on their unique data center design. On-site personnel could include, but are not limited to, technical specialists, security teams, maintenance crews, and administrative staff, ensuring efficient and secure operations.

9.22 ..... TAX REVENUE AND OTHER COMMUNITY BENEFITS

Upon rezoning approval, Bluestem is committed to making an immediate investment in Leavenworth County through $1 million in charitable contributions in partnership with local community organizations. In addition, Cloverleaf has committed to donate $100,000 to the United Way of Leavenworth County to support programs and services that benefit local residents. Together, these commitments demonstrate our dedication to being a long-term community partner from the very beginning of the project.

Beyond these initial commitments, Project Bluestem is expected to provide substantial and lasting economic benefits to Leavenworth County. Data centers can contribute millions of dollars annually in property taxes, helping fund schools, public safety, and other essential local services. In addition to real property taxes, data center equipment is regularly purchased and replaced, generating significant additional tax revenue through taxes on infrastructure and equipment.

Other community benefits include:

- Stable, long-term tax base – Data centers typically provide consistent, long-term tax contributions, offering communities a reliable revenue stream to support future planning and capital improvements.
- Infrastructure investment – Development often includes major upgrades to power, water and sewer systems, roads, broadband networks, and other critical infrastructure that benefit both the project and the surrounding community.
- Road and transportation improvements – Construction and operations frequently require improvements to local roadways, intersections, and signage to support safe and efficient access. Once completed, these upgrades benefit residents and businesses while supporting future development along improved corridors.

- Local spending impact – Construction workers and long-term employees contribute to the local economy by supporting nearby restaurants, retailers, hotels, and other local businesses.
- Economic multiplier effect – Beyond direct employment, data centers support a broad network of local contractors, vendors, service providers, and suppliers, creating economic activity that extends well beyond the project site.

In addition, Leavenworth County can expect to receive sales tax revenue from construction materials and equipment purchases. Based on an assumed initial phase representing a minimum capital investment of more than $7 billion and at least 50 high-paying jobs, Project Bluestem is projected to increase Tonganoxie School District 464's annual property tax revenue by an average of 42% over a 30-year period, expanding the district's tax base to approximately 1.4 times its current size.

Overall, Project Bluestem represents a significant long-term investment in Leavenworth County—strengthening the local tax base, supporting critical infrastructure and public services, creating high-quality jobs, and providing meaningful community investment while maintaining a minimal demand on local public services.

9.23 ..... COMMUNITY CONSERVATION LAND

As part of the project's commitment to responsible development and long-term community benefit, the Project has limited its development boundary and identified approximately 330 acres for preservation as community conservation land and open space.

The preserved acreage would be a flexible community asset with several potential end uses including:

- Native prairie restoration, pollinator habitat enhancement, and wildlife preservation;
- Passive recreation, including walking trails, open space, and other community-oriented uses;
- Managed agricultural uses, including grazing and other compatible farming activities;
- Environmental education and conservation programming; and
- Other low-impact conservation, agricultural, recreational, or community-serving uses consistent with the objectives of Project Bluestem.

The proposed conservation area is intended to further the objectives of Article 50, Section 60 of the Leavenworth County Zoning and Subdivision Regulations – Dedication or Reservation of Public Sites & Open Spaces, which encourages the dedication or reservation of land for parks, public recreational areas, and open space as part of the subdivision process. Beyond preserving open space, the approximately 330-acre conservation area provides an opportunity to enhance environmental stewardship, preserve the natural character of the region, and create an enduring community asset. Project Bluestem looks forward to working with Leavenworth County, local leaders, community organizations, conservation partners, and residents to evaluate appropriate future uses and ensure the land provides meaningful long-term benefits to the community.

10.0 ..... **DEVELOPMENT SEQUENCE**

Developmental phasing shall be allowed as a part of the development of Project Bluestem. Development of this scale is anticipated to occur over an approximately four (4) to seven (7) year period, in coordinated phases beginning with site preparation and infrastructure installation, followed by construction of data center facilities, accessory buildings, and supporting energy infrastructure. Sequencing and timing will be aligned with the planned power load ramp, equipment availability, supply chain conditions, and other operational considerations. The timing and availability of power delivery to the site will be a critical factor in determining the number and pace of buildings constructed, to ensure that building development is appropriately matched with available electrical capacity. A more detailed phasing and power delivery plan shall be provided by the Operator at a later stage, prior to building permit issuance or as set forth in the Development Agreement.

11.0 ..... **EXHIBITS**

The following exhibits are hereby attached and incorporated into this design statement. These exhibits are:

Exhibit A	Legal Descriptions & Proposed Certified Survey Map
Exhibit B	Existing Conditions Map
Exhibit C	Conceptual Site Plan & Cross Section Details
Exhibit D	ALTA Survey (Heather Nicole Reisig Trust & Tailgate Ranch)
Exhibit E	Geotechnical Investigation
Exhibit F	Wetlands Delineation (Heather Nicole Reisig Trust & Tailgate Ranch)
Exhibit G	Phase I ESA (Heather Nicole Reisig Trust & Tailgate Ranch)
Exhibit H	Water Quality Sampling
Exhibit I	Threatened & Endangered Species Survey
Exhibit J	Traffic Impact Analysis
Exhibit K	Ambient Sound Monitoring
Exhibit L	Narrow Band Frequency Analysis and Tonal Analysis Pre and Post Developed Condition(s)
Exhibit M	Utility Will-Serve Letters (City of Tonganoxie, Evergy, and Suburban Water)
Exhibit N	Planned Industrial Technology District Regulations