AGENDA
HOLCOMB - GARDEN CITY - FINNEY COUNTY AREA PLANNING COMMISSION
THURSDAY, SEPTEMBER 19, 2024
9:00 AM
CITY COMMISSION CHAMBERS - GARDEN CITY, KANSAS

Note: If you require any accommodation (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify this office at (620) 276-1170 no later than 48 hours prior to the scheduled commencement of the meeting.

Workshop

I. Chairman calls regular meeting to order

II. Approval of Minutes

a. Planning Commission Minutes-August 15, 2024
Planning Commission Minutes, August 15, 2024

III. PUBLIC COMMENT - Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)

IV. General Staff Report and Update

a. General Staff Report- September 19, 2024
General Staff Report-September 19, 2024

V. Submittal of Exhibits for the Record

A. Finney County Zoning Regulations, Garden City Zoning Regulations and City of Holcomb Zoning Regulations all as amended
B. Finney County, City of Garden City, and City of Holcomb Subdivision Regulations all as amended
C. Finney County, City of Garden City, and City of Holcomb Comprehensive Plans all as amended
D. All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats
E. All application files in their entirety including Staff Reports

VI. New Business

a. FC2024-18: Parcel Plat - LNC Addition
FC2024-18 PARCEL PLAT
FC2024-18 VICINITY MAP

b. GC2024-37 Preliminary Plat – Stone Creek Station Addition

GC2024-37 Preliminary Plat - Stone Creek Station Addition
GC2024-37 Vicinity Map

c. GC2024-38 Final Plat – Stone Creek Station Addition
GC2024-38 Final Plat - Stone Creek Addition
GC2024-38 Vicinity Map

d. GC2024-34: Rezoning from "I-3" Heavy Industrial District to "C-2" General Commercial District for the property generally located at 804 E. Fulton Street, Garden City, Kansas.
GC2024-34 VICINITY MAP
GC2024-34 DRAFT FLOOR PLAN
GC2024-34 GENERAL INFO

e. FC2024-35: Rezoning from "R-R" Rural Residential District to "I-1", "I-2" Light - Medium Industrial District for the property generally located at 3095 Mason Court, Finney County, Kansas.
FC2024-35 VICINITY MAP
FC2024-35 GENERAL INFO
FC2024-35 APPLICANT'S REQUEST LETTER
FC2024-35 APPLICANT PROVIDE FIGURES
FC2024-35 APPLICANT PROVIDED PICTURES

f. GC2024-36: Rezoning from “G-C” General Commercial District (County zoning) to “C-2” General Commercial District (City zoning) for the property generally located at 3208 E. Mary Street, Garden City, Kansas.
GC2024-36 Vicinity Map
GC2024-36 General Information

g. GC2024-39: Rezoning from "C-2" General Commercial District, "R-2" Single Family Residential District and "R-C" Condominium-Townhouse District to "C-2" General Commercial District for the property generally located at 900 Lareu and E. Schulman Avenue, Garden City, Kansas.
GC2024-39 Vicinity Map
GC2024-39 General Information

VII. Adjourn

MINUTES

HOLCOMB - GARDEN CITY - FINNEY COUNTY AREA
PLANNING COMMISSION

August 15, 2024

The Holcomb-Garden City-Finney County Area Wide Planning Commission scheduled a Public Hearing at 9:00 a.m. Thursday, August 15, 2024, in the City Commission Chambers at the City of Garden City Administrative Center located at 301 N 8th Street, Garden City, Kansas.

1. CALL TO ORDER

Chair Germann called to order the Area Wide Planning Commission meeting at 9:00 a.m. The following Commission members were present: Member Collins, Member Crist, Member Crockett, Member Glass, Member Michel, and Member Randall. Also present were Staff Charles, Staff Presisto, and Staff Thompson.

2. APPROVAL OF MINUTES – July 18, 2024

Member Randall made a motion to approve the minutes from July 18, 2024. *Member Crist* seconded the motion. Votes were taken by yeas and nays and recorded as follows:

Anliker	Collins	Crockett	Crist	Germann	Glass	Michel	Randall	Rupp
Not Present	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present

Motion passed.

3. PUBLIC COMMENT- Agenda Schedule Allowance: 30 minutes (5 minutes per spokesperson)

OPEN PUBLIC COMMENT for items not on agenda.
CLOSED PUBLIC COMMENT

4. GENERAL STAFF REPORT AND UPDATE

Staff Charles presented the General Staff Report, copies of which are available through the Neighborhood & Development Services office.

5. SUBMITTAL OF EXHIBITS FOR THE RECORD

a. **Finney County Zoning Regulations, Garden City Zoning Regulations and City of Holcomb Zoning Regulations all as amended.**
b. **Finney County, City of Garden City, and City of Holcomb Subdivision Regulations all as amended**
c. **Finney County, City of Garden City, and City of Holcomb Comprehensive Plans all as amended**
d. **All Visual Aid Presentations with Aerial Maps, Site Plans, and Plats**
e. **All application files in their entirety including Staff Reports**

6. NEW BUSINESS

FC2024-32: Parcel Plat- Lightner Second Addition

Staff Thompson- Presented staff report.

Member Crist- Prior to 2006 you had to have 40 acres to sell if you were going to sell a residence.

Staff Thompson- Prior to 2006 I am not sure.

Member Crist- My understanding was in those years when we went to county wide zoning the forty-acre applied period whether there was a dwelling, a building, ancillary building or something on it. That is for my curiosity. I wondered was it 2006 and if that was the delineation of that is when it changed.

Staff Charles- That would be my assumption based on the zoning regs. We passed an ordinance or resolution in 2006, which is resolution 2019-2006 that allows them to have non-conforming agricultural parcels. So as long as a house was there before they could split it out less than the forty acres. Typically, the rule is for new ag properties it needs to be forty acres to remain ag. If it is completely vacant with nothing on it and they start parceling it out that is when they will have to rezoning it to something different, but this is kind of an exemption that they have written in the zoning regs to allow for that.

Member Crist- I would guess that is an exemption to allow people to sell dwellings.

Staff Charles- Yes.

Member Crist- Does that forty acres have to be continuous?

Staff Charles- For forty acres yes it does.

MEMBER RANDALL MADE A MOTION TO RECOMMEND APPROVAL OF THE LIGHTNER SECOND ADDITION PARCEL PLAT PER STAFF RECOMMENDATION ALTERNATIVE 1. MEMBER COLLINS SECONDED THE MOTION.

Votes were taken by yeas and nays and recorded as follows:

Anliker	Collins	Crockett	Crist	Germann	Glass	Michel	Randall	Rupp
Not Present	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present

Motion passed.

GC2024-32: Parcel Plat- Pena's Schulman Avenue Addition

Staff Thompson- Presented staff report.

MEMBER COLLINS MADE A MOTION TO RECOMMEND APPROVAL OF PENA'S SCHULMAN AVENUE ADDITION PARCEL PLAT PER STAFF RECOMMENDATION ALTERNATIVE 1. MEMBER GLASS SECONDED THE MOTION.

Votes were taken by yeas and nays and recorded as follows:

Anliker	Collins	Crockett	Crist	Germann	Glass	Michel	Randall	Rupp
Not Present	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present

Motion passed.

7. COMMISSION MEMBER REPORTS

Chairman Germann notified the members that on the County Commission meeting agenda there will be discussion regarding a new underground pedestrian tunnel project that KDOT is proposing in the Southwind area that will cross under Highway 83 and encouraged members to attend the County Commission meeting for further information.

Kara Schartz, Finney County Counselor, gave a description of the proposed underground tunnel and answered questions that the board members had regarding the tunnel project.

8. ADJOURN

MEMBER GLASS MADE A MOTION TO ADJOURN. MEMBER COLLINS SECONDED THE MOTION. VOTES WERE TAKEN BY YEAS AND NAYS AND RECORDED AS FOLLOW:

Anliker	Collins	Crockett	Crist	Germann	Glass	Michel	Randall	Rupp
Not Present	Yea	Yea	Yea	Yea	Yea	Yea	Yea	Not Present

Motion passed.

The meeting was adjourned at 9:17 A.M.

Trent Maxwell	Secretary
Aleecya Charles	Staff

Vicki Germann	Chairman
Sean Collins	Vice-Chairman

GENERAL STAFF REPORT AND UPDATE
September 19, 2024

City of Garden City, Kansas
Neighborhood & Development Services Department

Site Plans Approved: August 6, 2024 – September 11, 2024

Site Plan	SP#	Landscape	Address	Project
New Building & Fuel Pumps	SPG23-47	Y	2601 E Mary Street	Maverick Convenience Store

Lot Splits & Parcel Plats Approved Administratively: August 6, 2024 – September 11, 2024

Jurisdiction	Request	Description	Applicant/Surveyor
County	Lot Split	Klotz Addition	Palmberg Land Surveying Services

Commercial Certificate of Occupancies Issued: August 6, 2024 – September 11, 2024

Project	Address
New Frito Lay Distribution Warehouse	345 Chloe Avenue
Kingdom Hall Church Renovations	210 E Prospect Avenue
Holcomb High School Concessions Stand	600 N Jones Avenue
New Bruckners Building	3795 Solar Avenue

Discussion:

GARDEN CITY
KANSAS

MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Daunte Thompson, Planner
DATE: September 19, 2024
RE: FC2024-18 Parcel Plat - LNC Addition

ISSUE:
The Planning Commission is asked to consider and provide a recommendation for the LNC Addition Parcel Plat.

BACKGROUND:
The Livestock Nutrition Center is requesting to plat the LNC Addition generally located at 3680 W. Jones Avenue, Finney County, Kansas. The property contains +/- 4.97 acres and is zoned "I-1", "I-2" Light - Medium Industrial District. The property is currently used as an agricultural truck and rail terminal, including a new grain bin approved by the site plan process in May 2024. Although the new grain bin site plan was approved and a building permit was issued, the project will not receive the Certificate of Occupancy (CO), which finalizes the project, until the LNC Addition plat is approved and recorded at the Register of Deeds.

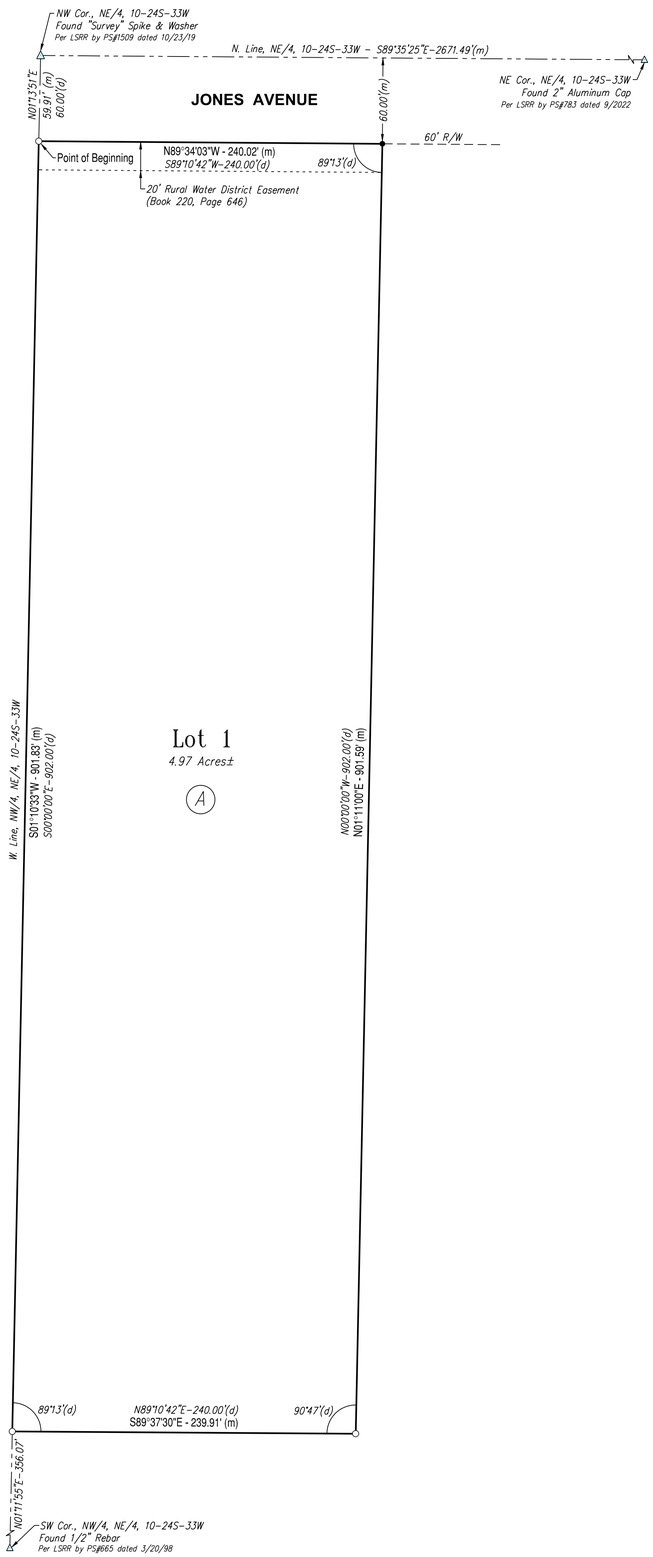
The LNC Addition plat was presented for review on August 14, 2024, and no major concerns were declared.

ALTERNATIVES:
1. The Planning Commission may recommend approval contingent on the plat meeting the minimum requirements of the zoning and subdivision regulations.
2. The Planning Commission may not recommend approval of the plat.

RECOMMENDATION:
Staff recommends the Planning Commission recommend approval of the plat contingent on the plat meeting the minimum requirements of the zoning and subdivision regulations.

FISCAL NOTE:
none.

ATTACHMENTS:
FC2024-18 PARCEL PLAT
FC2024-18 VICINITY MAP



LNC ADDITION

FINNEY COUNTY, KANSAS

0 1"

SCALE: 1"=50'

△ Section Corner
○ 3/4" Pipe Found (origin unknown)
● 1/2" Rebar-CLS#85 Set
(d) Described Distance & Bearing or Angle
(m) Measured Distance & Bearing
Note: All other Distances & Bearings are as recorded

LEGAL DESCRIPTION

PER SECURITY 1ST TITLE REPORT NO. 3070244 DATED APRIL 05, 2023 AT 7:00 A.M.

A TRACT OF LAND BEGINNING AT A POINT ON THE NORTH-SOUTH HALF SECTION LINE OF SECTION TEN (10), TOWNSHIP TWENTY-FOUR (24) SOUTH, RANGE THIRTY-THREE (33) WEST OF THE 6TH P.M., IN FINNEY COUNTY, KANSAS, SAID POINT BEING 60.00 FEET SOUTH OF THE NORTH QUARTER CORNER OF SAID SECTION 10, THENCE SOUTH ALONG THE NORTH-SOUTH HALF SECTION LINE A DISTANCE OF 902.00 FEET, THENCE EAST AT AN INTERIOR ANGLE OF 89°13' A DISTANCE OF 240.00 FEET, THENCE NORTH AT AN INTERIOR ANGLE OF 90°47' A DISTANCE OF 902.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF JONES AVENUE (FORMERLY U.S. HIGHWAY NO. 50), THENCE WEST ALONG SAID RIGHT OF WAY LINE AT AN INTERIOR ANGLE OF 89°13' A DISTANCE OF 240.00 FEET TO THE POINT OF BEGINNING.
BEING AND INTENDED TO BE THE SAME PREMISES CONVEYED TO W.R. GRACE & CO., NOW KNOWN AS W.R. GRACE & CO.-CONN., BY DEED DATED APRIL 25, 1966 AND RECORDED IN THE TRANSFER RECORDS OF FINNEY COUNTY, KANSAS IN DEED BOOK 268, PAGE 463.
THE FOREGOING PREMISES ARE ALSO DESCRIBED ON A SURVEY PREPARED BY WILLIAM TIM CAMPBELL DATED AUGUST 7 AND 8, 1991 AS FOLLOWS:
SITUATED IN THE STATE OF KANSAS, COUNTY OF FINNEY, BEING A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SECTION 10, T24S-R33W OF THE 6TH PRINCIPAL MERIDIAN, FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT A P.K. NAIL AT THE NORTHWEST CORNER OF THE NE 1/4 OF SEC. 10, T24S-R33W OF THE 6TH PRINCIPAL MERIDIAN, FINNEY COUNTY, KANSAS; THENCE SOUTH 00°00'00" EAST ALONG THE WEST LINE OF SAID NE 1/4 A DISTANCE OF 60.00 FEET TO A 3/4" I.D. IRON PIPE ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 50, SAID IRON PIPE BEING THE TRUE POINT OF BEGINNING FOR THIS SURVEY; THENCE CONTINUE SOUTH 00°00'00" EAST ALONG THE WEST LINE OF SAID NE 1/4 A DISTANCE OF 902.00 FEET TO A 3/4" I.D. IRON PIPE; THENCE NORTH 89°10'42" EAST PARALLELING THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 240.00 FEET TO A 3/4" I.D. IRON PIPE; THENCE NORTH 00°00'00" WEST PARALLELING THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 902.00 FEET TO A 3/4" I.D. IRON PIPE ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 50; THENCE SOUTH 89°10'42" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 50 PARALLELING THE NORTH LINE OF SAID NE 1/4 A DISTANCE OF 240.00 FEET TO THE TRUE POINT OF BEGINNING AND CONTAINING 4.9697 ACRES MORE OR LESS AS CALCULATED BY THE ABOVE COURSES WHICH WERE DETERMINED WITHIN THE PRECISION REQUIREMENTS OF A CLASS A ALTA/ACSM LAND TITLE SURVEY OF 1988.

SURVEYOR'S CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF FINNEY)

I, the undersigned, do hereby certify that I am a registered land surveyor in the State of Kansas, that the heretofore described property of land was surveyed and subdivided by me, or under my supervision on April 4, 2024; that all of the monuments shown herein actualy exist and their positions are correctly shown to the best of my knowledge and belief, and that this plat meets or exceeds the minimum technical standards as adopted by the Kansas State Board of Technical Professions.

Existing public easements, dedications, building setbacks, and access controls, if any, being vacated by virtue of K.S.A. 12-512b, as amended.

_____
Chris A. Meinen
KANSAS P.S. NO. 1489

CHRIS A. MEINEN LICENSED 1489 KANSAS PROFESSIONAL SURVEYOR

COUNTY SURVEYOR'S CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF FINNEY)

This map has been examined on this ____ day of _____, 20____, for compliance with the requirements of the Act Concerning Land Surveys in the State of Kansas.

_____
Date Signed

NOTES:

- Bearings for this plat are based on an assumed S89°35'25"E for the North Line, Northeast Quarter of Section 10, Township 24 South, Range 33 West of the 6th P.M.

OWNER'S CERTIFICATION AND DEDICATION

STATE OF KANSAS)
) ss
COUNTY OF FINNEY)

This is to certify that the undersigned owner(s) of the land described in the Survey Certificate; have caused the same to be surveyed and subdivided on the accompanying plat into lots under the name of "LNC Addition", and further that the land contained herein is held and shall be conveyed subject to and restrictions, reservations, and covenants on file or hereafter filed in the Office of the Register of Deeds of Finney County, Kansas.

_____
Justin Meyers
Livestock Nutrition Center LLC

STATE OF KANSAS)
) ss
COUNTY OF FINNEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024 by Justin Meyers.

_____, Notary Public

My appointment expires: _____

PLANNING COMMISSION CERTIFICATE

STATE OF KANSAS)
) ss
COUNTY OF FINNEY)

This plat has been checked for conformance to Article 3.3.5 of the Finney County Subdivision Regulations and appears to comply with all the requirements.

Dated this ____ day of _____, 20___.

_____
Secretary to the Planning Commission

_____
Chairman, Board of County Commsioners

REGISTER OF DEEDS CERTIFICATE

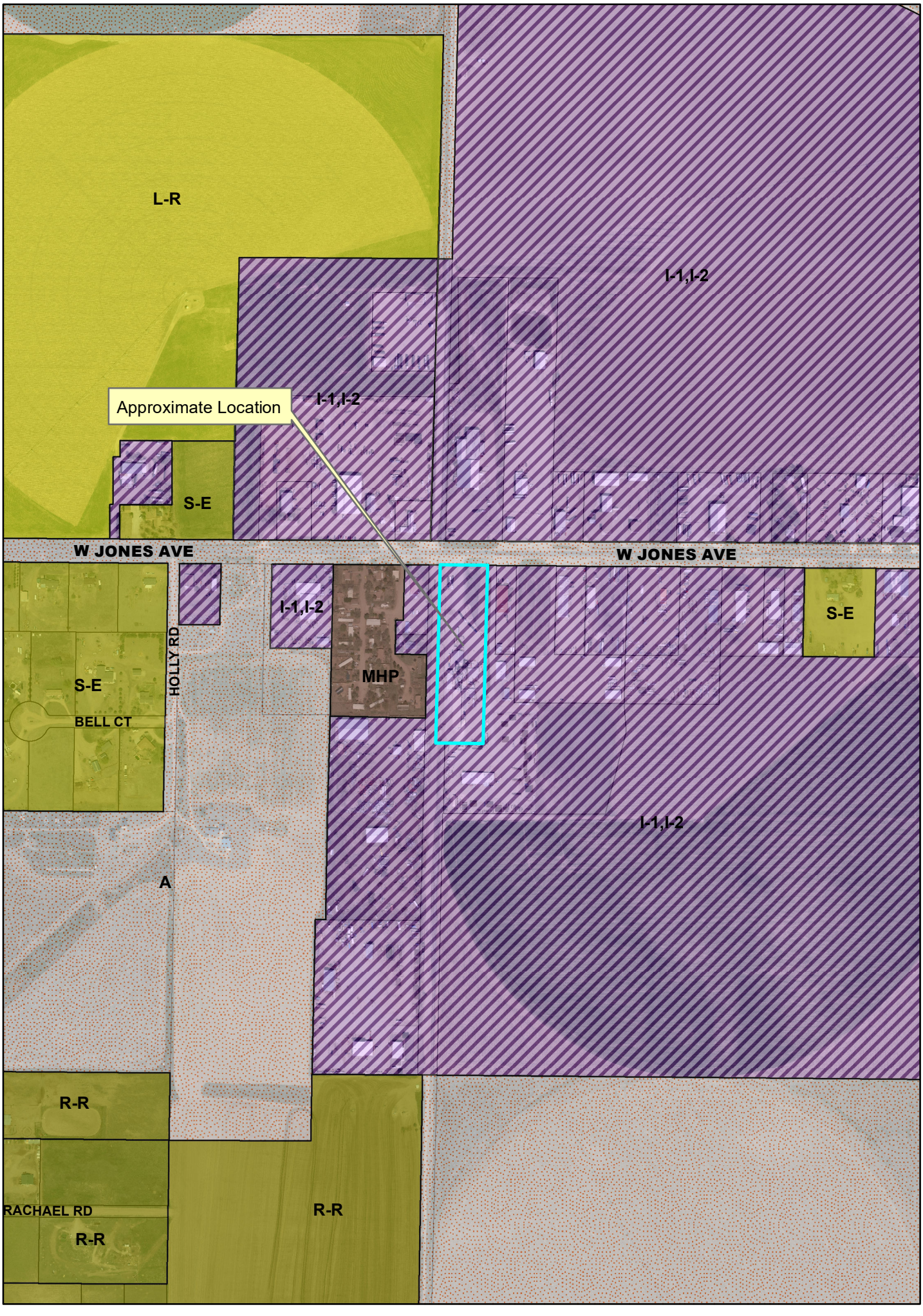
STATE OF KANSAS)
) ss
COUNTY OF FINNEY)

File and Recorded in envelope number _____ at the Finney County Register of Deeds office in Garden City, Finney County, Kansas.

_____
Stephanie Shockley, Register of Deeds

SMITH + OAKES
P.O. BOX 696 / 110 W BRYANT RD, ARKANSAS CITY, KS 67005
PHONE / 620-442-4756 / INFO@SMITHANDOAKES.COM

DATE: 6/19/2024	DRAWN BY: CAM	SHEET: 1 OF 1	PROJECT # 44-032


L-R
I-1,I-2
Approximate Location
I-1,I-2
S-E
W JONES AVE
W JONES AVE
I-1,I-2
S-E
HOLLY RD
S-E
MHP
BELL CT
I-1,I-2
A
R-R
RACHAEL RD
R-R
R-R
N
W
E
S

GARDEN CITY
— KANSAS —

MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: John Presisto, Planner
DATE: September 19, 2024
RE: GC2024-37 Preliminary Plat – Stone Creek Station Addition

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ISSUE:
The Planning Commission is asked to consider and provide a recommendation for the Stone Creek Station Addition preliminary plat.

BACKGROUND:
SMH Consultants, is requesting approval of the Preliminary Plat for the Stone Creek Station Addition. The property is generally located at the 900 Block of Lareu Road, Garden City, KS and is currently zoned “R-C” Condominium-Townhouse District, "C-2" General Commercial District, and "R-2" Single-Family Residential District and is currently going through the rezone process. There will three lots, Lot 1, Block 1 contains +/-25.5 acres, Lot 2, Block 1 contains +/-3.2 acres, and Lot 3, Block 1 contains 3.6 acres for a total of +/-32.3 acres. The proposed plat is for a commercial development within the Sales and Tax Revenue (STAR) Bond that include recreation venues, restaurant and surface parking.

The first submittal of the Preliminary Plat was presented for review on August 28, 2024, and the following concerns were declared:

NDS:
1. DEED: Please provide the book and page number for the most recent deed for each of the properties.
2. OWNERS: Please update the owners of the property and include the address of the property owners as well of the preliminary plat does not imply approval of a future site plan with this layout.

Comments were also provided by engineering and public utilities.

ALTERNATIVES:
1. The Planning Commission may recommend approval of the plat contingent on the above-listed requirements and meeting the minimum requirements of the subdivision and zoning regulations.
2. The Planning Commission may not recommend approval of the plat contingent on the above-listed requirements and meeting the minimum requirements of the subdivision and zoning regulations.

RECOMMENDATION:
Staff recommends the Planning Commission recommend approval of the plat contingent on the

above-listed requirements and meeting the minimum requirements of the subdivision and zoning regulations.

FISCAL NOTE:
None.

ATTACHMENTS:
GC2024-37 Preliminary Plat - Stone Creek Station Addition
GC2024-37 Vicinity Map

DESCRIPTION:
Lot Thirty-eight (38), Block Two (2), Heritage Place Second Addition, located in the NE/4 of Section Sixteen (16), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6th P.M., in Finney County, Kansas.

AND

Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10) and Eleven (11), Block Two (2) and Lots One (1), Two (2), Three (3), Four (4), Five (Five), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Three (3), and Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), Block Four (4), and Lots Seven (7), Eight (8), Nine (9) and Ten (10), Block Five (5), all located in Heritage Place Second Addition, located in the Northeast Quarter (NE/4) of Section Sixteen (16), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6th P.M., in Finney County, Kansas. EXCEPT
That portion sold to the City of Garden City in Deed recorded in Book 307, Page 85 described as follows:
A tract of land lying in the NE/4 of Section 16, Township 24 South, Range 32 West of the 6th P.M., in Finney County, Kansas for the use of Permanent Road Right of Way described as follows: The North Ten Feet of Lot 5, Block 2, Heritage Place Second Addition, and the North Ten Feet of Lot 6, Block 3, Heritage Place Second Addition; and the North Ten Feet of Lot 7, Block 3, Heritage Place Second Addition; and the North Ten Feet of Lot 6, Block 4, Heritage Place Second Addition

AND

A tract of land in Northeast Quarter of Section 16, Township 24 South, Range 32 West of the Sixth Principal Meridian, Finney County, Kansas described as follows:

Beginning at the Southeast Corner of Lot 10, Block 5, Heritage Place Second Addition, City of Garden City, Finney County, Kansas; thence
S 01°43'30" W 478.30 feet to the Southwest Corner of Lot 54, Block 6, Heritage Place First Addition, City of Garden City, Finney County, Kansas; thence
S 88°13'13" E 15.00 feet along the South Line of said Lot 54, Block 6, Heritage Place First Addition; thence
S 01°43'30" W 150.01 feet to the Southwest Corner of Lot 14, Block 7, Heritage Place First Addition, City of Garden City, Finney County, Kansas; thence
N 88°13'13" W 667.97 feet; thence
N 88°13'55" W 355.18 feet to the Southeast Corner of Lot 38, Block 2, Heritage Place Second Addition, Finney County, Kansas; thence
N 01°34'38" E 671.48 feet to the Northeast Corner of said Lot 38, Block 2, Heritage Place Second Addition; thence
S 88°13'26" E 69.74 feet to the Southeast Corner of Lot 2, Block 2, Heritage Place Second Addition; thence
N 01°43'30" E 110.00 feet to the Southwest Corner of Lot 3, Block 2, Heritage Place Second Addition; thence
S 88°16'30" E 499.06 feet to the Southeast Corner of Lot 4, Block 2, Heritage Place Second Addition; thence
S 21°43'30" W 75.00 feet to the Southwest Corner of Lot 11, Block 2, Heritage Place Second Addition; thence
S 68°16'30" E 110.00 feet to the Southeast Corner of said Lot 11; thence
S 21°43'30" W 15.78 feet; thence
S 68°16'30" E 145.80 feet to the Southeasterly Corner of Lot 7, Block 5, Heritage Place Second Addition; thence
N 21°43'30" E 20.00 feet to the Southwest Corner of Lot 8, Block 5, Heritage Place Second Addition;
S 88°16'30" E 224.93 feet to the point of beginning, said described tract containing 16.53 acres.

Subject to easements and restrictions of record.

FOR REFERENCE ONLY

Preliminary Plat of Stone Creek Station Closure Table

POINT ID	ANG RT	BEARING	DISTANCE	POINT ID	NORTHING	EASTING
209		N 01-34-05 E	819.16	200	1796965.963	639065.523
200	89-50-35	S 88-16-30 E	249.25	202	1796958.190	639314.660
202	89-58-47	S 01-44-43 W	147.85	204	1796810.409	639310.157
204	269-58-09	S 88-13-26 E	285.00	5000	1796801.576	639595.020
5000	270-03-04	N 01-43-30 E	110.00	5001	1796911.526	639598.331
5001	90-00-00	S 88-16-30 E	499.06	5002	1796896.503	640097.165
5002	250-00-00	N 21-43-30 E	102.16	5013	1796991.406	640134.980
5013	200-00-00	N 01-43-30 E	395.34	5014	1797386.567	640146.880
5014	90-00-42	S 88-17-12 E	550.15	5015	1797370.118	640696.784
5015	89-59-18	S 01-43-30 W	545.09	5016	1796825.275	640680.376
5016	90-00-00	N 88-16-30 W	144.00	211	1796829.610	640536.441
211	270-00-00	S 01-43-30 W	578.66	5009	1796251.212	640519.022
5009	269-56-42	S 88-13-13 E	15.00	5010	1796250.747	640534.015
5010	90-03-18	S 01-43-30 W	150.01	5011	1796100.805	640529.499
5011	89-56-43	N 88-13-13 W	667.97	5012	1796121.550	639861.852
5012	180-00-42	N 88-13-55 W	355.18	210	1796132.508	639506.841
210	179-59-54	N 88-13-49 W	463.94	209	1796146.836	639043.122
209	90-12-06					

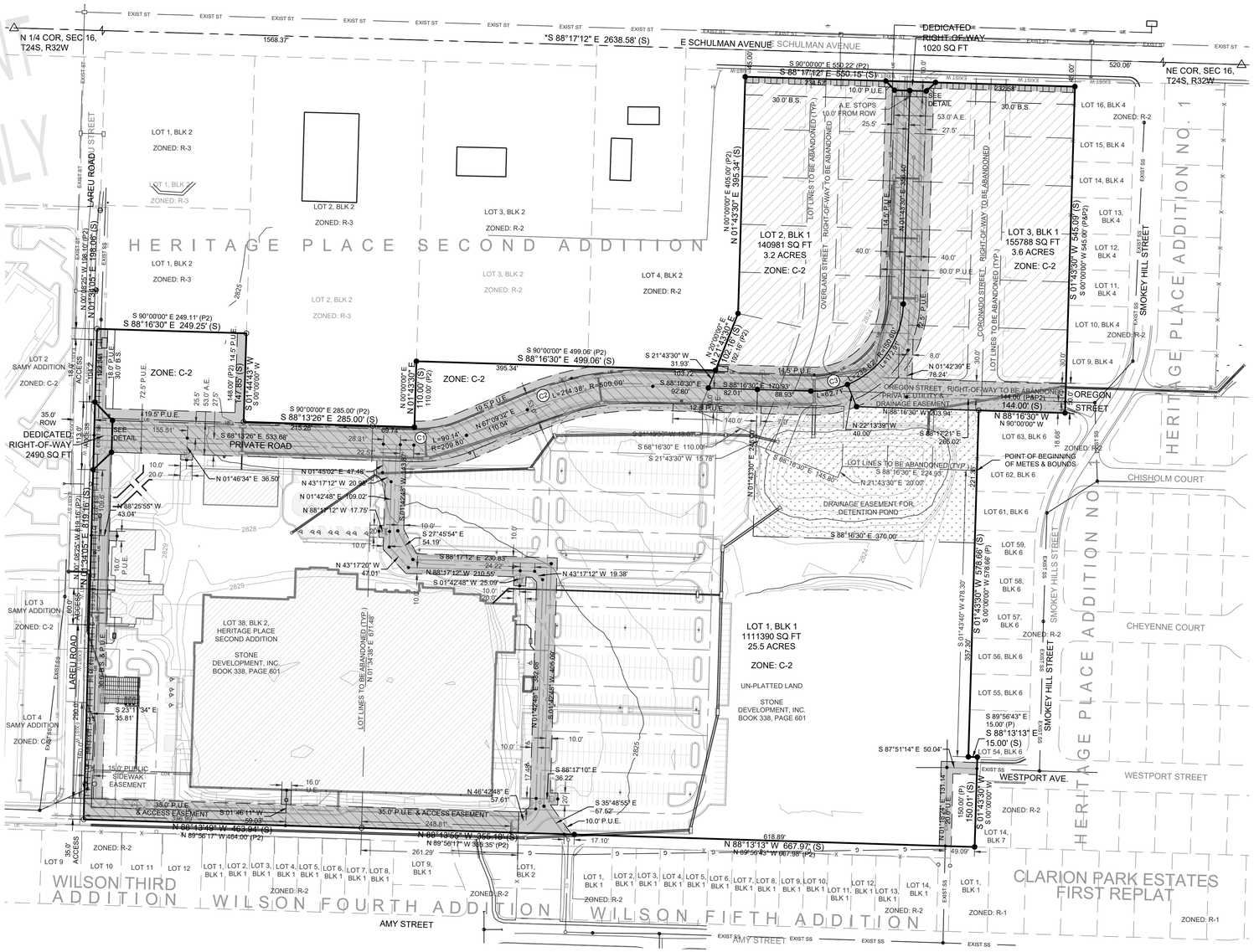
PERIMETER: 6077.82 CUMULATIVE PERIMETER: 6077.82

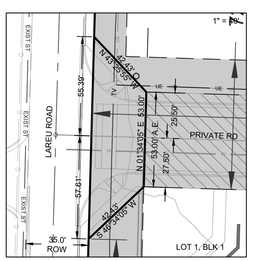
APPROX. SQ. FEET: 1411682 ACRES: 32.41
APPROX. TOTAL - SQ. FEET: 1411682 ACRES: 32.41

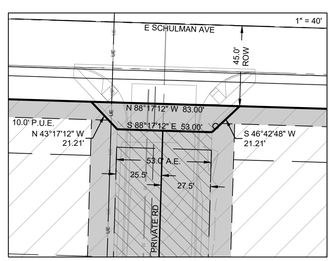
CORRECT ENDING COORDINATES, NORTH: 1796146.840 EAST: 639043.107
CALCULATED ENDING COORDINATES, NORTH: 179.6146.836 EAST: 639043.122
ERROR: N: -0.00 E: -0.01 TOTAL: 0.02 BRG: N 74°31'02" W
DISTANCE TRAVERSED: 6077.82 CLOSURE: 392826

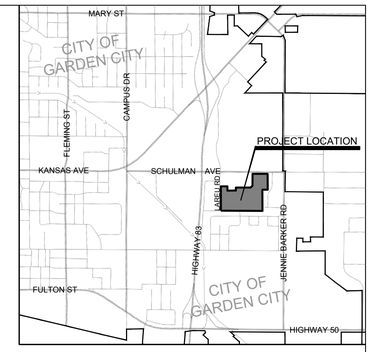
Curve Table

Curve #	Radius	Length	Chord	Delta	Tangent	Bearing
C1	209.80	90.14	89.45	24°37'03"	45.78'	N 79°28'03" E
C2	500.00	214.38	212.74	24°33'58"	108.86'	S 79°26'31" W
C3	150.00	235.62	212.13	90°00'00"	150.00'	N 46°43'30" E









VICINITY MAP
(NOT TO SCALE)

Notes:
No easements, restrictions, reservations, setbacks, or other matter of record, if any, affecting the Title of this property are shown, except as platted, as per agreement with the landowner.

No gaps or overlaps exist.

There are no lines of possession that affect this survey.

Parent Tract is recorded in Book 338, Page 601, Register of Deeds Office, Finney County, Kansas.

There are no buildings on the subject property.

All building setback requirements shall be determined by the zoning district, unless otherwise noted.

Basis of bearing is the East Right-of-way line of Lareu Road, marked with an *.

* No part of any Drainage Easement or Access Easement - Private shall be dedicated to nor maintained by the City of Garden City, Kansas.

FLOODPLAIN NOTE:
Flood Plain: Flood Zone X, an area determined to be outside the 0.2% annual chance floodplain, FEMA FIRM (Flood Insurance Rate Map) not adopted by the City of Garden City, effective date, 2009.

UTILITY NOTES:
Any utility company that locates facilities in any easement shall have the right to prune, remove, eradicate, cut and clear away any trees, limbs, vines and brush on the utility easement now or at any future time and prune and clear away any tree limbs, vines, and brush on lands adjacent to the utility easement whenever, in the utility companies judgment, such may interfere with or endanger the construction, operation, or maintenance of its facilities, together with the right of ingress to and egress from the utility easement and contiguous land subject to this plat for the purpose of surveying, erecting, constructing, maintaining, inspecting, rebuilding, replacing, and operation of said facilities.

LEGEND

- O - Monument Found (1/2" Rebar), Origin - Heritage Place Second Addition
- ● - 1/2"x24" Rebar w/CLS66 Cap Set
- △ - Section Corner, NOTE: All section corner monument origins are unknown unless otherwise noted.
- * - Assumed Bearing
- (P) - Plat Dimension Origin - Heritage Place Addition No. 1
- (P2)- Plat Dimension Origin - Heritage Place Second Addition
- (S) - Surveyed Dimension
- B.S. - Building Setback
- D.E. - Drainage Easement*
- ——— - Drainage Easement*
- ——— - Drainage Easement Hatch
- P.U.E. - Public Utility Easement
- ——— - Public Utility Easement
- ——— - Public Utility Easement Hatch
- A.E. - Access Easement-Private*
- ——— - Access Easement-Private Hatch
- - Property Lines, Right-of-Way, Pedestrian and Utility Easements to be Abandoned with this plat
- ● - PI in Centerline of Easements

NORTH

100' 50' 0' 100'
SCALE: 1" = 100'

RECEIVED
City of Garden City, KS
Project Number: SPGC23-05 REV1
Received by: SR
Date: 22Aug2024
No. of Pages: 1(PRELIM PLAT)
1st Submittal

Preliminary Plat

STONE CREEK STATION ADDITION

An Addition to the City of Garden City, Finney County, Kansas

SMH CONSULTANTS
Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com
Manhattan, KS - HQ P: (785) 776-0541 • **Dodge City, KS** P: (620) 255-1952
Kansas City P: (913) 444-9615 • **Colorado Springs, CO** P: (719) 465-2145

Drawn By:ASJ Project #2205-0204 TDS #92

AUGUST 2024

PROGRESS DOCUMENT FOR REFERENCE ONLY



Case Number: GC2024-37
Applicant: SMH Consultants
Address: Generally located at 900 Lareu and E. Schulman
Request: Approval of the Preliminary Plat.



MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: John Presisto, Planner
DATE: September 19, 2024
RE: GC2024-38 Final Plat – Stone Creek Station Addition

ISSUE:
The Planning Commission is asked to consider and provide a recommendation for the Stone Creek Station Addition final plat.

BACKGROUND:
SMH Consultants, is requesting approval of the Final Plat for the Stone Creek Station Addition. The property is generally located at the 900 Block of Lareu Road, Garden City, KS and is currently zoned "R-C" Condominium-Townhouse District, "C-2" General Commercial District, and "R-2" Single-Family Residential District and is currently going through the rezone process. There will three lots, Lot 1, Block 1 contains +/-25.5 acres, Lot 2, Block 1 contains +/-3.2 acres, and Lot 3, Block 1 contains 3.6 acres for a total of +/-32.3 acres.

The proposed plat is for a commercial development within the Sales and Tax Revenue (STAR) Bond that include recreation venues, restaurant and surface parking.

The first submittal of the Final Plat was presented for review on August 28, 2024, and the following concerns were declared:

N&DS:
1. SUBTITLE: Please include the section, township and range and a reference to the previously platted
   property in the subtitle of the Final Plat.
    1. "All of Lot 38, Block 2 of the Heritage Place Second Addition and a tract of a land in Section 16, Township 24, Range 32 West
2. SIGNATURE LINES: Please update signature lines
    1. Planning Commission
        a. Vicki Germann, Chair
    2. City Commission
        a. Manuel F. Ortiz
3. SETBACKS: Please remove all building setback lines on the plat.

Additional comments from engineering and public utilities were also provided.

ALTERNATIVES:
1. The Planning Commission may recommend approval of the plat contingent on the above-listed

requirements and meeting the minimum requirements of the subdivision and zoning regulations.

2. The Planning Commission may not recommend approval of the plat contingent on the above-listed requirements and meeting the minimum requirements of the subdivision and zoning regulations.

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval of the plat contingent on the above-listed requirements and meeting the minimum requirements of the subdivision and zoning regulations.

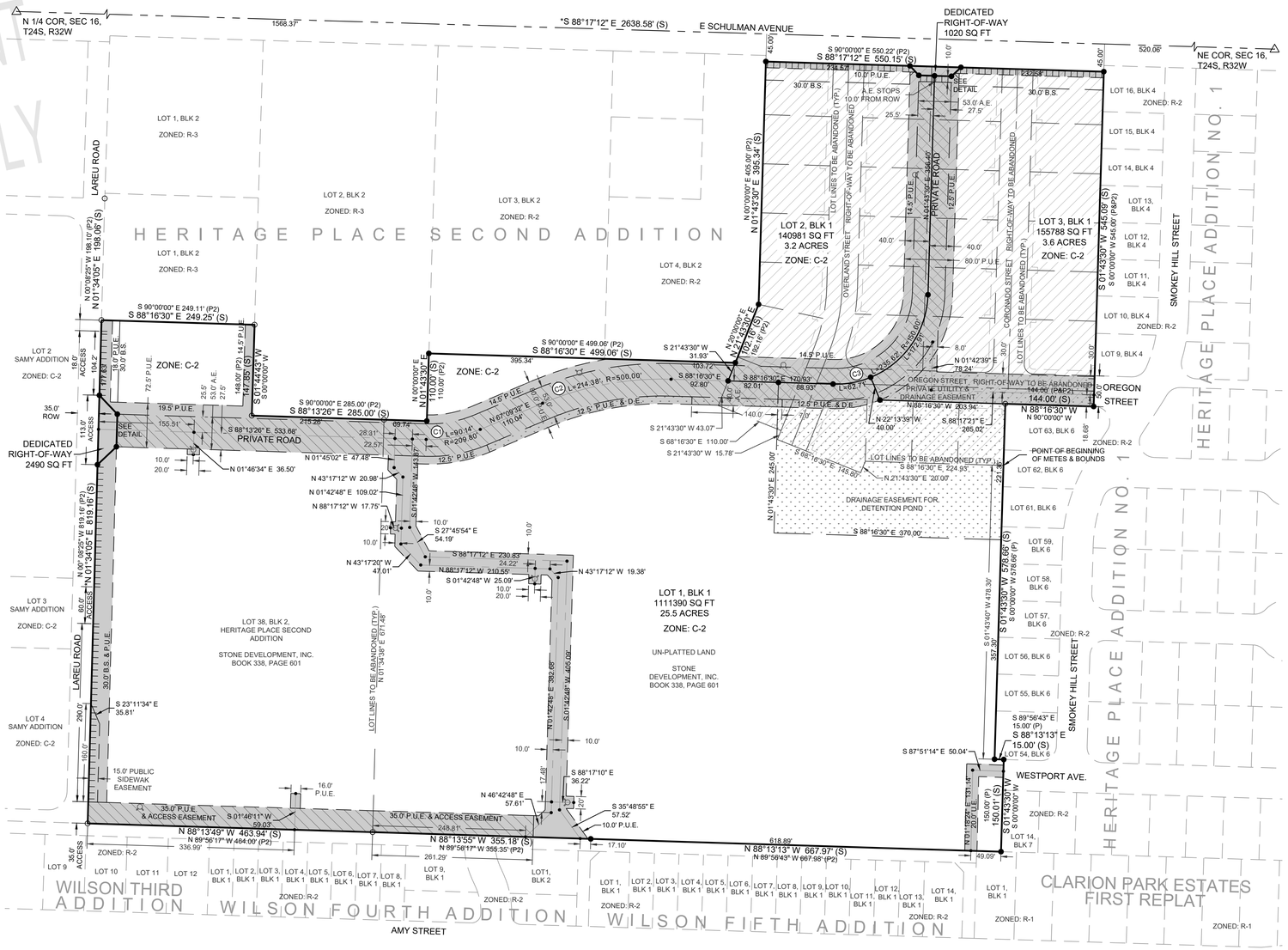
FISCAL NOTE:

None.

ATTACHMENTS:

GC2024-38 Final Plat - Stone Creek Addition
GC2024-38 Vicinity Map

PROGRESS DOCUMENT
FOR REFERENCE ONLY


N 1/4 COR, SEC 16, T24S, R32W
1568.37'
*S 88°17'12" E 2638.58' (S)
E SCHULMAN AVENUE
DEDICATED RIGHT-OF-WAY 1020 SQ FT
S 90°00'00" E 550.22' (P2)
S 88°17'12" E 550.15' (S)
520.06'
NE COR, SEC 16, T24S, R32W
LAREU ROAD
HERITAGE PLACE SECOND ADDITION
LOT 1, BLK 2 ZONED: R-3
LOT 2, BLK 2 ZONED: R-3
LOT 3, BLK 2 ZONED: R-2
LOT 4, BLK 2 ZONED: R-2
LOT 2, BLK 1 140981 SQ FT 3.2 ACRES ZONE: C-2
LOT 3, BLK 1 155788 SQ FT 3.6 ACRES ZONE: C-2
LOT 1, BLK 1 1111390 SQ FT 25.5 ACRES ZONE: C-2
UN-PLATTED LAND
STONE DEVELOPMENT, INC. BOOK 338, PAGE 601
LOT 38, BLK 2, HERITAGE PLACE SECOND ADDITION
STONE DEVELOPMENT, INC. BOOK 338, PAGE 601
LOT 2 SAMY ADDITION ZONED: C-2
LOT 3 SAMY ADDITION ZONED: C-2
LOT 4 SAMY ADDITION ZONED: C-2
N 00°09'25" W 198.10' (P2)
N 01°34'05" E 198.06' (S)
S 90°00'00" E 249.11' (P2)
S 88°16'30" E 249.25' (S)
S 90°00'00" E 285.00' (P2)
S 88°13'26" E 285.00' (S)
S 88°13'26" E 533.66'
PRIVATE ROAD
S 90°00'00" E 499.06' (P2)
S 88°16'30" E 499.06' (S)
N 00°00'00" E 110.00' (P2)
N 01°43'30" E 110.00' (S)
S 21°43'30" W 31.93'
103.72'
S 88°16'30" E 120.93'
88.93'
S 88°18'30" E 82.80'
82.01'
N 01°42'39" E 78.24'
OREGON STREET, RIGHT-OF-WAY TO BE ABANDONED PRIVATE UTILITY & DRAINAGE EASEMENT
144.00' (P&F2) 144.00' (S)
N 88°16'30" W 203.94'
N 22°13'39" W 40.00'
S 88°17'21" E 265.02'
OREGON STREET
N 88°16'30" W
N 90°00'00" W
LOT 63, BLK 6
POINT OF BEGINNING OF METES & BOUNDS
LOT 62, BLK 6
LOT 61, BLK 6
LOT 59, BLK 6
LOT 58, BLK 6
LOT 57, BLK 6
LOT 56, BLK 6
LOT 55, BLK 6
LOT 54, BLK 6
LOT 16, BLK 4 ZONED: R-2
LOT 15, BLK 4
LOT 14, BLK 4
LOT 13, BLK 4
LOT 12, BLK 4
LOT 11, BLK 4
LOT 10, BLK 4 ZONED: R-2
LOT 9, BLK 4
ZONED: R-2
SMOKEY HILL STREET
HERITAGE PLACE ADDITION NO. 1
S 01°43'30" W 545.09' (S) S 00°00'00" W 545.00' (P&F2)
S 01°43'30" W 578.66' (S) S 00°00'00" W 578.66' (P)
S 01°43'40" W 478.30'
357.90'
S 89°56'43" E 15.00' (P)
S 88°13'13" E 15.00' (S)
S 87°51'14" E 50.04'
WESTPORT AVE.
ZONED: R-2
S 01°43'30" W 150.01' (S) S 00°00'00" W 150.00' (P)
N 01°43'30" E 131.14'
49.09'
S 88°13'13" W 667.97' (S)
N 89°56'43" W 667.88' (P2)
618.89'
WILSON THIRD ADDITION
WILSON FOURTH ADDITION
WILSON FIFTH ADDITION
CLARION PARK ESTATES FIRST REPLAT
ZONED: R-1
AMY STREET
DRAINAGE EASEMENT FOR DETENTION POND
LOT LINES TO BE ABANDONED (TYP.)
RIGHT-OF-WAY TO BE ABANDONED
OVERLAND STREET
CORONADO STREET
PRIVATE ROAD
DEDICATED RIGHT-OF-WAY 2490 SQ FT
SEE DETAIL
A.E. STOPS 10.0' FROM ROW
53.0' A.E.
27.5'
30.0' B.S.
10.0' P.U.E.
14.5' P.U.E.
12.5' P.U.E. & D.E.
35.0' P.U.E. & ACCESS EASEMENT
80.0' P.U.E.
ACCESS
ROW
ZONE: C-2
LOT LINES TO BE ABANDONED (TYP.) N 01°34'38" E 671.48'
S 23°11'34" E 35.81'
15.0' PUBLIC SIDEWAK EASEMENT
16.0' P.U.E.
N 46°42'48" E 57.61'
S 35°48'55" E 57.52'
10.0' P.U.E.
17.10'
N 88°13'49" W 463.94' (S)
N 89°56'17" W 464.00' (P2)
N 88°13'55" W 355.18' (S)
N 89°56'17" W 355.35' (P2)
248.81'
261.29'
336.99'
59.03'
S 01°46'11" W
S 01°42'48" W 382.65'
S 01°42'48" W 405.06'
S 88°17'10" E 36.22'
S 43°17'12" W 19.38'
N 43°17'20" W 47.01'
N 88°17'12" W 230.83'
24.22'
N 88°17'12" W 210.55'
S 01°42'48" W 25.00'
S 27°45'54" E 54.19'
N 43°17'12" W 20.98'
N 01°42'48" E 109.02'
N 88°17'12" W 17.75'
N 01°45'02" E 47.48'
N 01°46'34" E 36.50'
S 21°43'30" W 43.07'
S 68°16'30" E 110.00'
S 21°43'30" W 15.78'
S 68°16'30" E 165.80'
N 21°43'30" E 20.00'
S 88°16'30" E 224.95'
S 88°16'30" E 370.00'
N 01°43'30" E 245.00'
S 88°16'30" E 140.00'
N 67°09'32" E 110.04'
S 01°42'48" W 143.87'
N 01°34'05" W 198.10' (S)
N 00°09'25" W 198.10' (P2)
N 01°34'05" E 819.16' (S)
N 00°09'25" W 819.16' (P2)
S 01°34'05" E 819.16' (S)
S 00°09'25" E 819.16' (P2)
S 01°43'30" W 545.09' (S)
S 00°00'00" W 545.00' (P&F2)
S 01°43'30" W 578.66' (S)
S 00°00'00" W 578.66' (P)
S 01°43'40" W 478.30'
S 01°43'30" W 150.01' (S)
S 00°00'00" W 150.00' (P)
N 01°43'30" E 131.14'
S 88°13'13" E 15.00' (S)
S 89°56'43" E 15.00' (P)
S 87°51'14" E 50.04'
N 01°43'30" E 405.00' (P2)
N 01°43'30" E 395.34' (S)
N 01°43'30" E 410.16' (P2)
N 01°43'30" E 400.16' (S)
N 01°43'30" E 395.40'
S 01°43'30" W 395.34'
S 01°43'30" W 405.00'
S 01°43'30" W 410.16'
S 01°43'30" W 400.16'
S 01°43'30" W 245.00'
S 01°43'30" W 357.90'
S 01°43'30" W 478.30'
S 01°43'30" W 395.40

DESCRIPTION:
Lot Thirty-eight (38), Block Two (2), Heritage Place Second Addition, located in the NE/4 of Section Sixteen (16), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6th P.M., in Finney County, Kansas.

AND

A tract of land in Northeast Quarter of Section 16, Township 24 South, Range 32 West of the Sixth Principal Meridian, Finney County, Kansas described as follows:

Beginning at the Southeast Corner of Lot 10, Block 5, Heritage Place Second Addition, City of Garden City, Finney County, Kansas; thence
S 01°43'30" W 478.30 feet to the Southwest Corner of Lot 54, Block 6, Heritage Place First Addition, City of Garden City, Finney County, Kansas; thence
S 88°13'13" E 15.00 feet along the South Line of said Lot 54, Block 6, Heritage Place First Addition; thence
S 01°43'30" W 150.01 feet to the Southwest Corner of Lot 14, Block 7, Heritage Place First Addition, City of Garden City, Finney County, Kansas; thence
N 88°13'13" W 667.97 feet; thence
N 88°13'55" W 355.18 feet to the Southeast Corner of Lot 38, Block 2, Heritage Place Second Addition, Finney County, Kansas; thence
N 01°34'38" E 671.48 feet to the Northeast Corner of said Lot 38, Block 2, Heritage Place Second Addition; thence
S 88°13'26" E 69.74 feet to the Southeast Corner of Lot 2, Block 2, Heritage Place Second Addition; thence
N 01°43'30" E 110.00 feet to the Southwest Corner of Lot 3, Block 2, Heritage Place Second Addition; thence
S 88°16'30" E 499.06 feet to the Southeast Corner of Lot 4, Block 2, Heritage Place Second Addition; thence
S 21°43'30" W 75.00 feet to the Southwest Corner of Lot 11, Block 2, Heritage Place Second Addition; thence
S 68°16'30" E 110.00 feet to the Southeast Corner of said Lot 11; thence
S 21°43'30" W 15.78 feet; thence
S 68°16'30" E 145.80 feet to the Southeasterly Corner of Lot 7, Block 5, Heritage Place Second Addition; thence
N 21°43'30" E 20.00 feet to the Southwest Corner of Lot 8, Block 5, Heritage Place Second Addition;
S 88°16'30" E 224.93 feet to the point of beginning, said described tract containing 16.53 acres.

Subject to easements and restrictions of record.

OWNER'S CONSENTS AND DEDICATIONS

STATE OF KANSAS)
FINNEY COUNTY) SS

KNOW ALL MEN BY THESE PRESENTS that We, the undersigned, being the sole proprietors and owners of the land included within the plat shown hereon, are the only persons whose consents are necessary to pass clear title to said land and We hereby consent to the making and recording of said plat. The public right-of-ways and public utility easements are hereby dedicated to the public for such public uses.

IN WITNESS WHEREOF this consent is executed this _____ day of _____, 2024.

SCSF1 LLC

_____
HJ Swender, President

STATE OF KANSAS)
FINNEY COUNTY) SS

This consent and dedication was acknowledged before me, the undersigned officer, by

_____ HJ Swender, President of SCSF1 LLC _____

this _____ day of _____, 2024.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public

My commission expires:_____

IN WITNESS WHEREOF this consent is executed this _____ day of_____, 2024.

DESCRIPTION:
Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10) and Eleven (11), Block Two (2) and Lots One (1), Two (2), Three (3), Four (4), Five (Five), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Three (3), and Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), Block Four (4), and Lots Seven (7), Eight (8), Nine (9) and Ten (10), Block Five (5), all located in Heritage Place Second Addition, located in the Northeast Quarter (NE/4) of Section Sixteen (16), Township Twenty-four (24) South, Range Thirty-two (32) West of the 6th P.M., in Finney County, Kansas. EXCEPT
That portion sold to the City of Garden City in Deed recorded in Book 307, Page 85 described as follows:
A tract of land lying in the NE/4 of Section 16, Township 24 South, Range 32 West of the 6th P.M., in Finney County, Kansas for the use of Permanent Road Right of Way described as follows: The North Ten Feet of Lot 5, Block 2, Heritage Place Second Addition, and the North Ten Feet of Lot 6, Block 3, Heritage Place Second Addition; and the North Ten Feet of Lot 7, Block 3, Heritage Place Second Addition; and the North Ten Feet of Lot 6, Block 4, Heritage Place Second Addition.

OWNER'S CONSENTS AND DEDICATIONS

STATE OF KANSAS)
FINNEY COUNTY) SS

KNOW ALL MEN BY THESE PRESENTS that We, the undersigned, being the sole proprietors and owners of the land included within the plat shown hereon, are the only persons whose consents are necessary to pass clear title to said land and We hereby consent to the making and recording of said plat. The public right-of-ways and public utility easements are hereby dedicated to the public for such public uses.

IN WITNESS WHEREOF this consent is executed this _____ day of _____, 2024.

Stone Development, Inc.

_____
HJ Swender, President

STATE OF KANSAS)
FINNEY COUNTY) SS

This consent and dedication was acknowledged before me, the undersigned officer, by

_____ HJ Swender, President of Stone Development, Inc. _____

this _____ day of _____, 2024.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public

My commission expires:_____

IN WITNESS WHEREOF this consent is executed this _____ day of_____, 2024.

HOLCOMB-GARDEN CITY-FINNEY COUNTY AREA PLANNING COMMISSION

STATE OF KANSAS)
FINNEY COUNTY) SS

This plat has been reviewed and is hereby approved this _____ day of _____, 2024.

_____ _____
Nathaniel Haeck, Chairman Trent Maxwell, Secretary

THE CITY OF GARDEN CITY, KANSAS

STATE OF KANSAS)
FINNEY COUNTY) SS

These public rights-of-ways and public easements accepted by the Governing Body of the City of Garden City, Kansas, as shown on this plat, are hereby dedicated this _____ day of _____, 2024.

_____ ATTEST: _____
Deborah Oyler, Mayor Celyn N. Hurtado, City Clerk

CERTIFICATE OF THE REGISTER OF DEEDS

STATE OF KANSAS)
FINNEY COUNTY) SS

This instrument was filed for record on the _____ day of _____ A.D. 2024, at _____ 0'clock ____,M. and duly recorded in Envelope _____.

_____
Ulrike Lappin, Finney County Register of Deeds

COUNTY SURVEYOR'S CERTIFICATION

STATE OF KANSAS)
FINNEY COUNTY) SS

I, hereby certify, that this survey plat was reviewed by me and that it is in compliance with K.S.A. 58-2005 and the Kansas Minimum Standards for Boundary Survey on this _____ day of _____ , 2024.

_____
David J. Matthews, P.S. #1114

SURVEYOR'S CERTIFICATE

STATE OF KANSAS)
FINNEY COUNTY) SS

This is to certify that the survey and monumentation of the above described land division was made under my direction and supervision and is accurately represented on this plat.

Field survey date: _____

SMH Consultants
By: Tim Sloan

_____
Tim Sloan, P.S.
Vice-President

TIM SLOAN REGISTERED LS-783 KANSAS LAND SURVEYOR

PROGRESS DOCUMENT FOR REFERENCE ONLY

Final Plat

STONE CREEK STATION ADDITION

An Addition to the City of Garden City, Finney County, Kansas

SMH CONSULTANTS
Civil Engineering • Land Surveying • Landscape Architecture
www.smhconsultants.com
Manhattan, KS - HQ P: (785) 776-0541 • **Dodge City, KS** P: (620) 255-1952
Kansas City P: (913) 444-9615 • **Colorado Springs, CO** P: (719) 465-2145

Drawn By:ASJ Project #2205-0204 TDS #92

AUGUST 2024



Case Number: GC2024-38
Applicant: SMH Consultants
Address: Generally located at 900 Lareu and E. Schulman
Request: Approval of the Final Plat.



GARDEN CITY
KANSAS

MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Daunte Thompson, Planner
DATE: September 19, 2024
RE: GC2024-34: Rezoning from "I-3" Heavy Industrial District to "C-2" General Commercial District for the property generally located at 804 E. Fulton Street, Garden City, Kansas.

ISSUE:

The Planning Commission is asked to consider and provide a recommendation for the rezoning request at 804 E. Fulton Street, Garden City, Kansas.

BACKGROUND:

On behalf of Compass Behavioral Health, Jamie Warren requests to rezone the property generally located at 804 E. Fulton Street from "I-3" Heavy Industrial District to "C-2" General Commercial District. The property was recently vacant but previously was owned by several businesses, including auto sales and auto repair. The applicant intends to use the property as office space for Compass Behavioral Health, which is a permitted use within the "C-2" General Commercial District but not within the "I-3" Heavy Industrial District.

STAFF ANALYSIS:

The proposed use conforms with the Garden City Comprehensive Plan's Future Land Use Map, which identifies this property as mixed-use potential that generally consists of commercial and residential uses. The surrounding properties' zoning districts include the "C-2" General Commercial District, "I-1" Light Industrial District, and "I-3" Heavy Industrial District. Given the commercial and industrial districts and uses surrounding the property, the proposed use conforms with the neighborhood and will have no adverse effects on the nearby properties. If approved, the rezone and change of use would require a site plan review to ensure the property complies with the Zoning Regulations, including but not limited to a review of the parking calculations, parking lot layout, and landscaping. While any interior remodeling will require a building review to ensure compliance with the Building Code.

The Planning Commission may make its recommendation and state its findings according to the criteria in Section 27.040. Below is the complete list of these criteria:

27.040. AMENDMENT EVALUATION CRITERIA. Prior to taking any action on a request for an amendment which is not a general revision of the Zoning Regulations and which will affect specific property, the Planning Commission shall give consideration to the following evaluation criteria:

(A) The physical character of the neighborhood surrounding the property under consideration.
(B) The existing zoning and land uses of properties both adjacent and near the property under consideration,

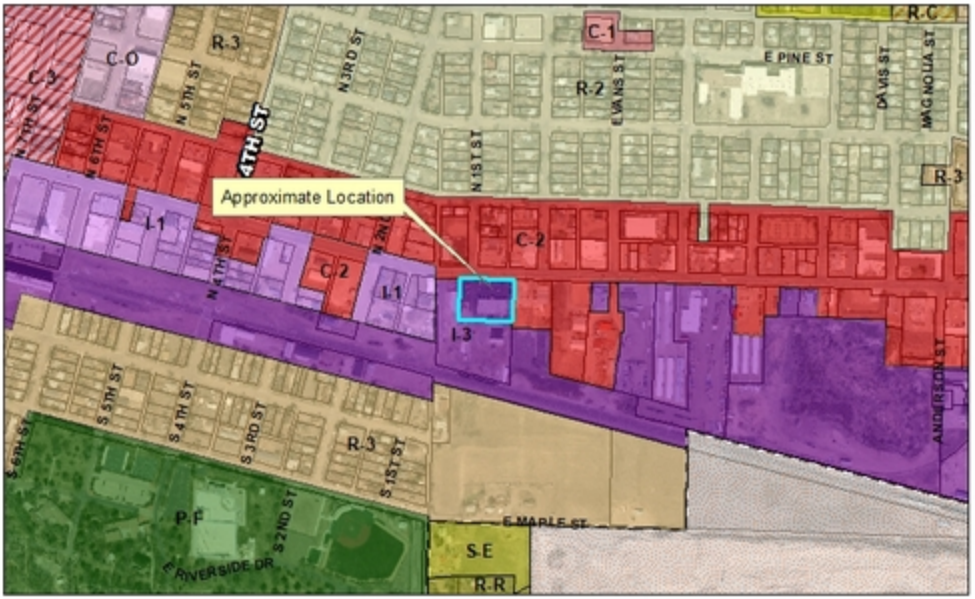
(C) The suitability under existing conditions of the subject property for the land uses to which it has been zoned
(D) The extent to which removal or alteration of the existing zoning classification will affect nearby properties (outlined in (B) above),
(E) The length of time the subject property has remained vacant as zoned (if applicable),
(F) The relative gain to the public health, safety and welfare by the change of value of tthe landowner's property compared to any hardship that may be imposed upon the landowner,
(G) The consideration of recommendations of permanent or professional staff (if applicable),
(H) The conformance of a proposed zoning change to the adopted or recognized Comprehensive Plan being utilized by the City of Garden City, Kansas, and
(I) Other factors relevant or specific to a particular proposed zoning amendment. (Ord. #1770, 11/2/91)

ALTERNATIVES:
1. The Planning Commission may recommend approval of the rezoning request.
2. The Planning Commission may not recommend approval of the request.

RECOMMENDATION:
Staff recommends the Planning Commission Recommend approval of the rezoning request.

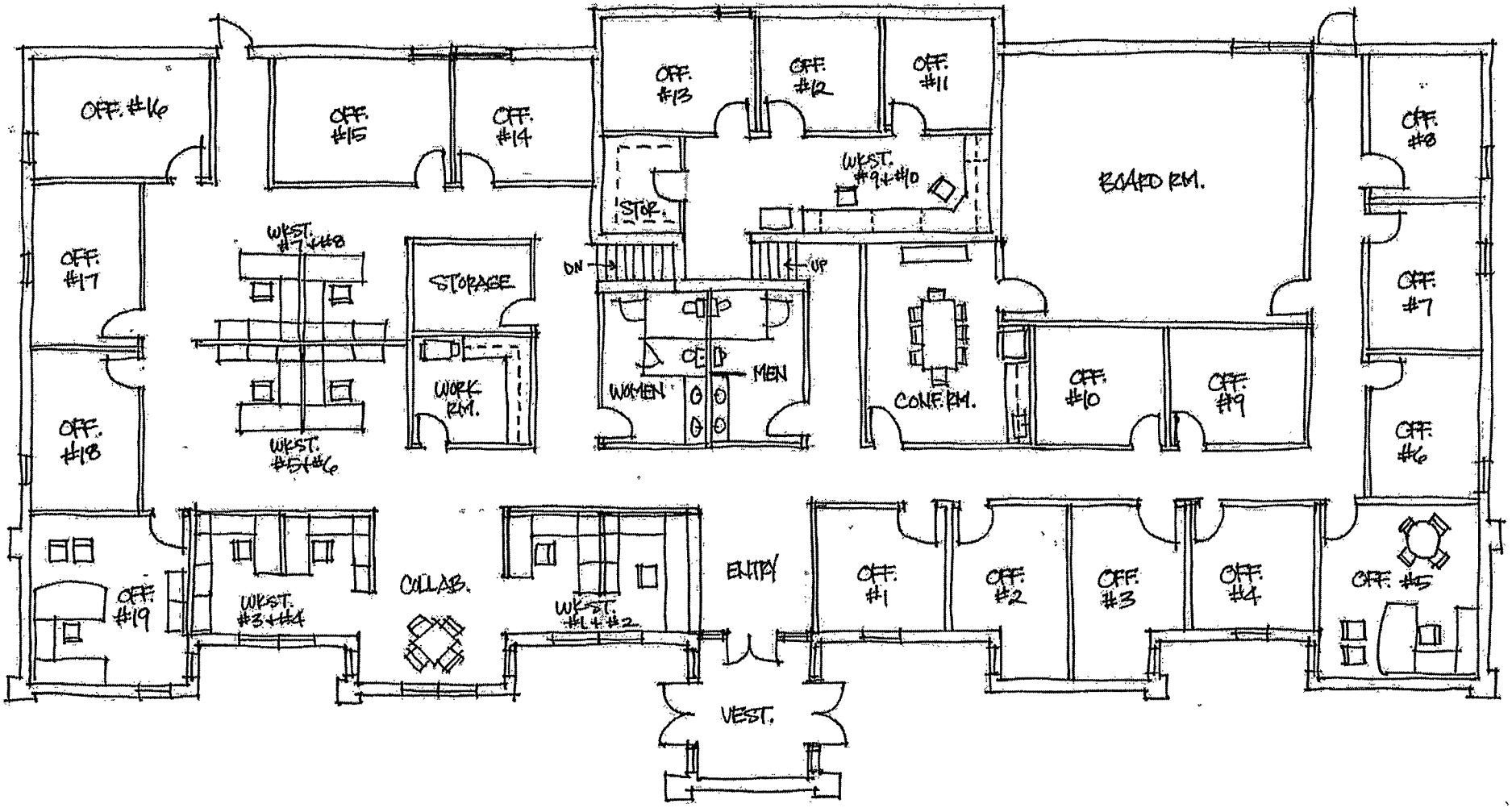
FISCAL NOTE:
none.

ATTACHMENTS:
GC2024-34 VICINITY MAP
GC2024-34 DRAFT FLOOR PLAN
GC2024-34 GENERAL INFO



Case Number: GC2024-34
Applicant: Jamie Warren
Address: 804 E. Fulton Street
Request: Rezone request from "I-3" Heavy Industrial District to "C-2" General Commercial District.





Early draft, not finalized,

GC2024-34: Rezoning from "I-3" Heavy Industrial District to "C-2" General Commercial District for property generally located at 804 E. Fulton Street, Garden City, Kansas

GENERAL INFORMATION

Date:	September 19, 2024	**Jurisdiction:**	Garden City
Owner:	Compass Behavioral Health		
Applicant:	Jamie Warren		
Requested Action:	Rezone from "I-3" Heavy Industrial District to "C-2" General Commercial District		
Purpose:	To use the property as office space.		
Location address:	The property is generally located at 804 E. Fulton Street		
Comprehensive Plan:	The proposed land use is consistent with the Comprehensive Plan.		
Sites Existing Zoning:	"I-3" Heavy Industrial District		
Surrounding Zoning:	North "C-2" General Commercial District South "I-3" Heavy Industrial District East "C-2" General Commercial District West "I-3" Heavy Industrial District		
Land Area:	Contains 0.34 +/- acres		
Notice Date:	This project was published and noticed by mail as required by code.		

GARDEN CITY
KANSAS

MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Daunte Thompson, Planner
DATE: September 19, 2024
RE: FC2024-35: Rezoning from "R-R" Rural Residential District to "I-1", "I-2" Light - Medium Industrial District for the property generally located at 3095 Mason Court, Finney County, Kansas.

ISSUE:
The Planning Commission is asked to consider and provide a recommendation for the rezoning request at 3095 Mason Court, Finney County, Kansas.

BACKGROUND:
Marilyn Ollarzabal is requesting to rezone the property generally located at 3095 Mason Court from "R-R" Rural Residential District to "I-1", "I-2" Light - Medium Industrial District. The property is currently used for residential purposes as there is one home on the lot in addition to a conditional use permit to park one semi-truck and one trailer that was approved by the Finney County Board of Zoning Appeals on August 16, 2023. The applicant is requesting to rezone the property to allow for more than one semi-truck and trailer to be parked on the property.

At the request of the Finney County Board of Zoning Appeals (FCBZA), staff completed a survey of all semi-truck and trailer parking conditional use permits in the county to verify status and conformity. An on-site inspection completed on August 2, 2024, determined that the property at 3095 Mason Court had more than one semi-truck and trailer parked on the property; therefore violating their conditional use permit and the Finney County Zoning Regulations. A violation letter was sent to the applicant on August 6, 2024, notifying them of the violation and to remove all additional semi-trucks and trailers from the property.

After receiving the letter, the applicant contacted staff to discuss if there are alternative options to keep more than one truck and trailer. However, the "R-R" Rural Residential District does not allow more than one semi-truck and trailer on the property as a permitted or a condition use. As a result, staff determined that the applicant could have more than one semi-truck and trailer if the property was rezoned to "I-1", I-2" Light - Medium Industrial District, which includes the truck and rail terminal permitted use.

STAFF ANALYSIS:
The Finney County Comprehensive Plan's Future Land Use Map designates the property as mixed-use potential, which includes residential, commercial, and light industrial uses. The adjacent properties are zoned "R-R" Rural Residential or "G-C" General Commercial. The uses of these surrounding lots are primarily residential but also include a variety of commercial and light industrial uses, including self-storage buildings, warehouses, and auto repair and services. Mason Court, the

road providing access for the property, is an unimproved road (dirt surface). All properties that access Mason Court are residential and no commercial or industrial lots use Mason Court for access. The increased use of the additional semi-truck and trailers may require improvements to the road, which would be at the property owner's expense.

If the rezone request is approved, the applicant will need to obtain a conditional use permit for a night watchmans quarters as residential uses are not permitted within the "I-1, I-2" Light-Medium Industrial District. Without conditional use permit approval, the home and all accessory residential uses would be considered non-conforming, which will limit any expansions or modifications to the home and any residential accessory structures. While there are no plans for any renovations, additional structures, and any construction, the industrial zoning district would require plans from a licensed design professional and completed by a licensed contractor.

The Planning Commission may make its recommendation and state its findings according to the criteria in Section 27.040. Below is the complete list of these criteria:

27.040. AMENDMENT EVALUATION CRITERIA. Prior to taking any action on a request for an amendment which is not a general revision of the Zoning Regulations and which will affect specific property, the Planning Commission shall give consideration to the following evaluation criteria:

A. The physical character of the neighborhood surrounding the property under consideration,
B. The existing zoning and land uses of properties both adjacent and near the property under consideration,
C. The suitability under existing conditions of the subject property for the land uses to which it has been zoned,
D. The extent to which removal or alteration of the existing zoning classification will affect nearby properties (outlined in (B) above),
E. The length of time the subject property has remained vacant as zoned (if applicable),
F. The relative gain to the public health, safety and welfare by the change of value of the landowner's property compared to any hardship that may be imposed upon the landowner,
G. The consideration of recommendations of permanent or professional staff (if applicable),
H. The conformance of a proposed zoning change to the adopted or recognized Comprehensive Plan being utilized by the County of Finney County, Kansas, and
I. Other factors relevant or specific to a particular proposed zoning amendment.

ALTERNATIVES:

1. The Planning Commission may recommend approval of the rezoning request.
2. The Planning Commission may not recommend approval of the rezoning request.

RECOMMENDATION:

Staff is unable to recommend approval of the rezoning request.

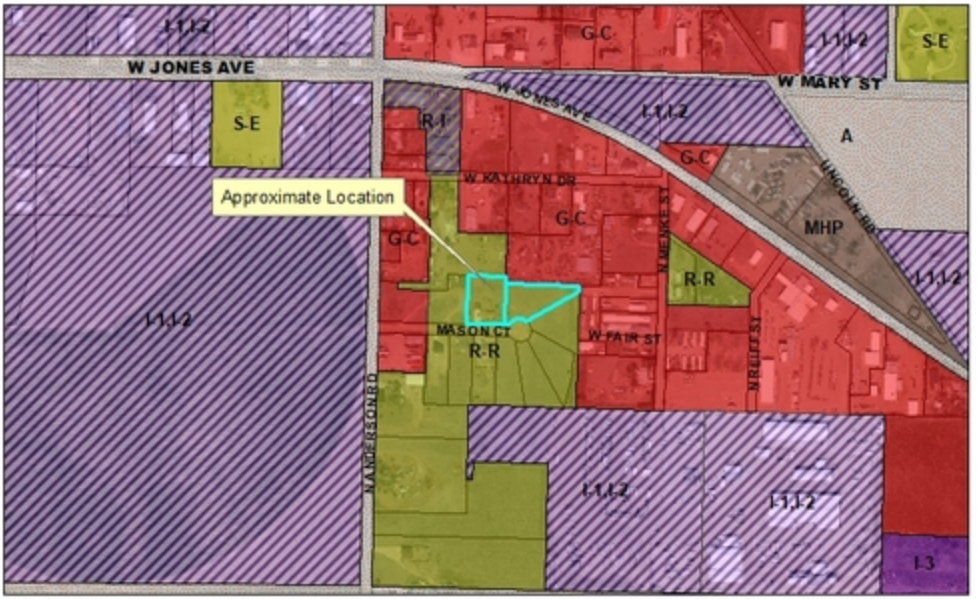
FISCAL NOTE:

None.

ATTACHMENTS:

FC2024-35 VICINITY MAP
FC2024-35 GENERAL INFO
FC2024-35 APPLICANT'S REQUEST LETTER

FC2024-35 APPLICANT PROVIDE FIGURES
FC2024-35 APPLICANT PROVIDED PICTURES



Case Number: FC2024-35
Applicant: Marilyn Ollarzabal
Address: 3095 Mason Court
Request: Rezone request from "R-R" Rural Residential to "I-1", "I-2" Light - Medium Industrial District.



FC2024-35: Rezoning from "R-R" Rural Residential District to "I-1", "I-2" Light – Medium Industrial District for property located at 3095 Mason Court, Finney County, Kansas.

GENERAL INFORMATION

Date:	September 19, 2024	**Jurisdiction:**	Finney County
Owner:	Marilyn and Hector Ollarzabal		
Applicant:	Marilyn and Hector Ollarzabal		
Requested Action:	"R-R" Rural Residential District to "I-1", "I-2" Light – Medium Industrial District		
Purpose:	To allow for semi-truck and trailer parking		
Location address:	The property is generally located at 3095 Mason Court		
Comprehensive Plan:	The proposed land use is consistent with the Comprehensive Plan.		
Sites Existing Zoning:	"R-R" Rural Residential District		
Surrounding Zoning:	North "R-R" Rural Residential District South "R-R" Rural Residential District East "G-C" General Commercial District West "R-R" Rural Residential District		
Land Area:	Contains 2.25 +/- acres		
Notice Date:	This project was published and noticed by mail as required by code.		

8/19/24

Letter Requesting Amendment to Land Use Plan

This is requested due to we are trying to get either an amended permit or different zoning. We were previously granted a Conditional Use permit for one semi-truck and one trailer for owner operated only.

I am trying to get it amended for two additional semi-trucks and three trailers one of which is a flat bed and one loader (the flat bed for transporting the loader). We are not making money from this owner it is understood he will help with road and the drive ways. These trucks are out 8 to nine months only parked a little over three months out of the year (depending on weather) as they are out in the fields working silage. The loader is used to keep Mason Ct. free of pot holes from the cars/motorcycles and pickups which race up and down the road with disregard for the road being wet or snowy. One neighbor has vehicles going up and down non-stop day and night. I counted one day was 55 times, not counting late into the evening or early morning. Looking presently into the driveways and in front of mailboxes will show the deep holes. The semi-trucks when leaving or returning drive slow as not to destroy the road.

There are no tires or other parts piled up. When new tires are bought and delivered the used tires are picked up.

The neighbors on the road (three other homes, one with multiple families) benefits from the loader. The snow is removed right away. I have had to call our district commissioner to get the road cleared of snow. It is now done by the county when they can get to it. The residents do not have to wait for days anymore.

We keep all of our lots and the cult-ta-sac mowed and free of trash.

I have pictures to show all the semi-trucks surrounding us. The is cattle haulers country and grain haulers. Looking out my kitchen window and bedroom window are at least ten semi-trucks and trailers (according to the zoning map – residential). From our front porch we see 10 or more semi-trucks for cattle hauling (again residential), also trucks which appear to have been in accidents that can no longer be repaired. We have several lots going around the cult-da-sac, the neighbors have undriveable cars, pile high of sand, broken playground equipment and junk.

When Dwayne Palburg of PLSS Land Survey was nice enough to sit in for me to get the Conditional Use Permit, he knew the other trucks parked here, I did not know the permit was not including these trucks. He did not say. I never received the letter that was sent which is not un-common for the mail to not make it here. I understand ignorance is no excuse on my part. But I am literary begging for the change to be granted as I have shown we are surrounded by the same type of semi-trucks and swear there will be no other semi-trucks parked.

Thank You for your Consideration,

Marilyn Ollarzabal

Marilyn Ollarzabal



3095 Mason Ct.
Hector & Marilyn Ollarzabal



Legend

3095 Mason Ct.
Hector + Marilyn Ollarzabal

Zoning

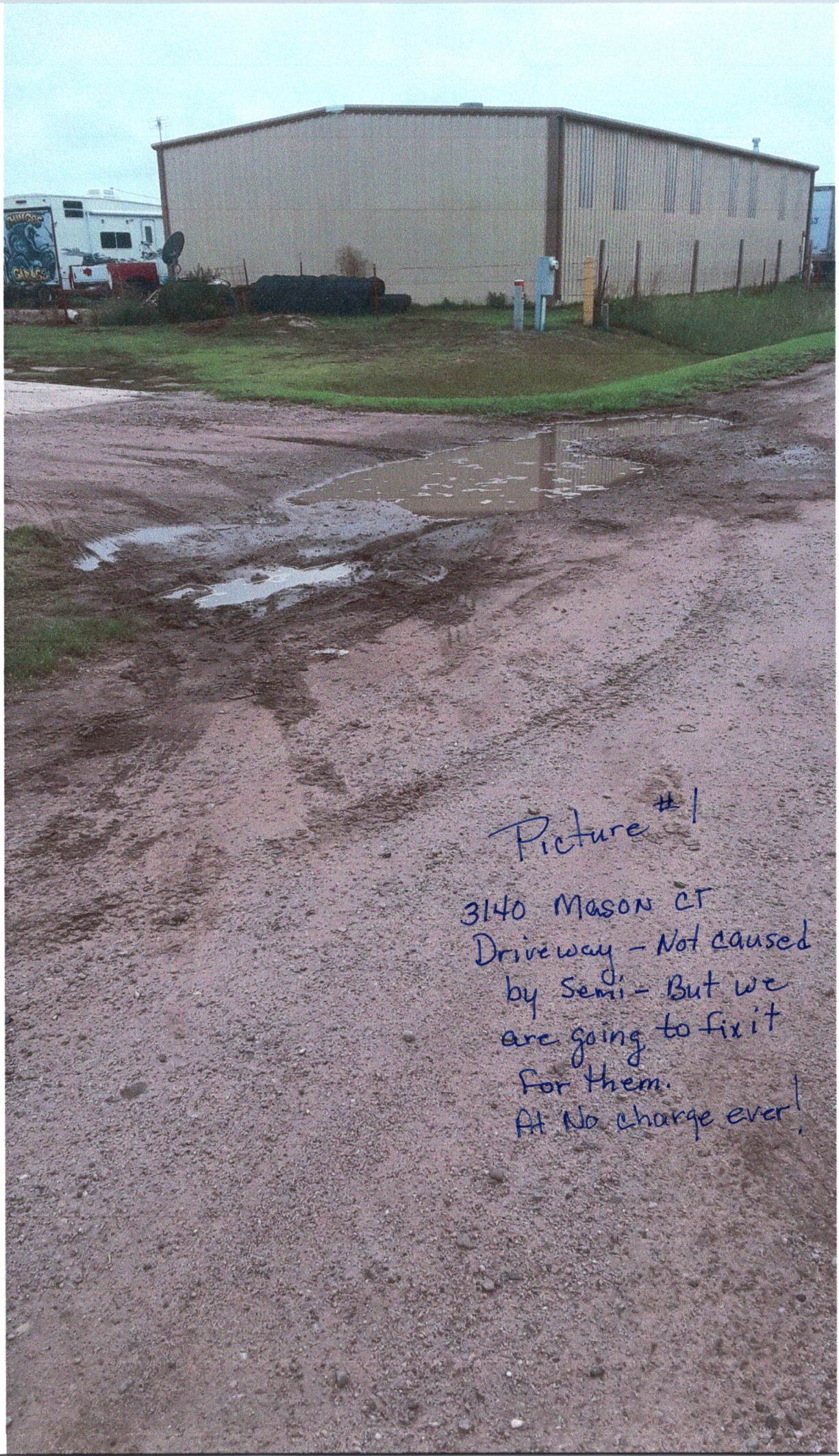
Planned Unit Development

Airport Overlay Districts

- AIO
- AOO
- FSO

Finney County Zoning

- A
- C-R
- G-C
- I-1,I-2
- I-3
- L-R
- M-R
- MHP
- MHS
- N-C
- P-F
- P-L
- P-P
- R-I
- R-R
- RRP



Picture #1

3140 Mason CT
Driveway - Not caused by Semi - But we are going to fix it for them.
At No charge ever!



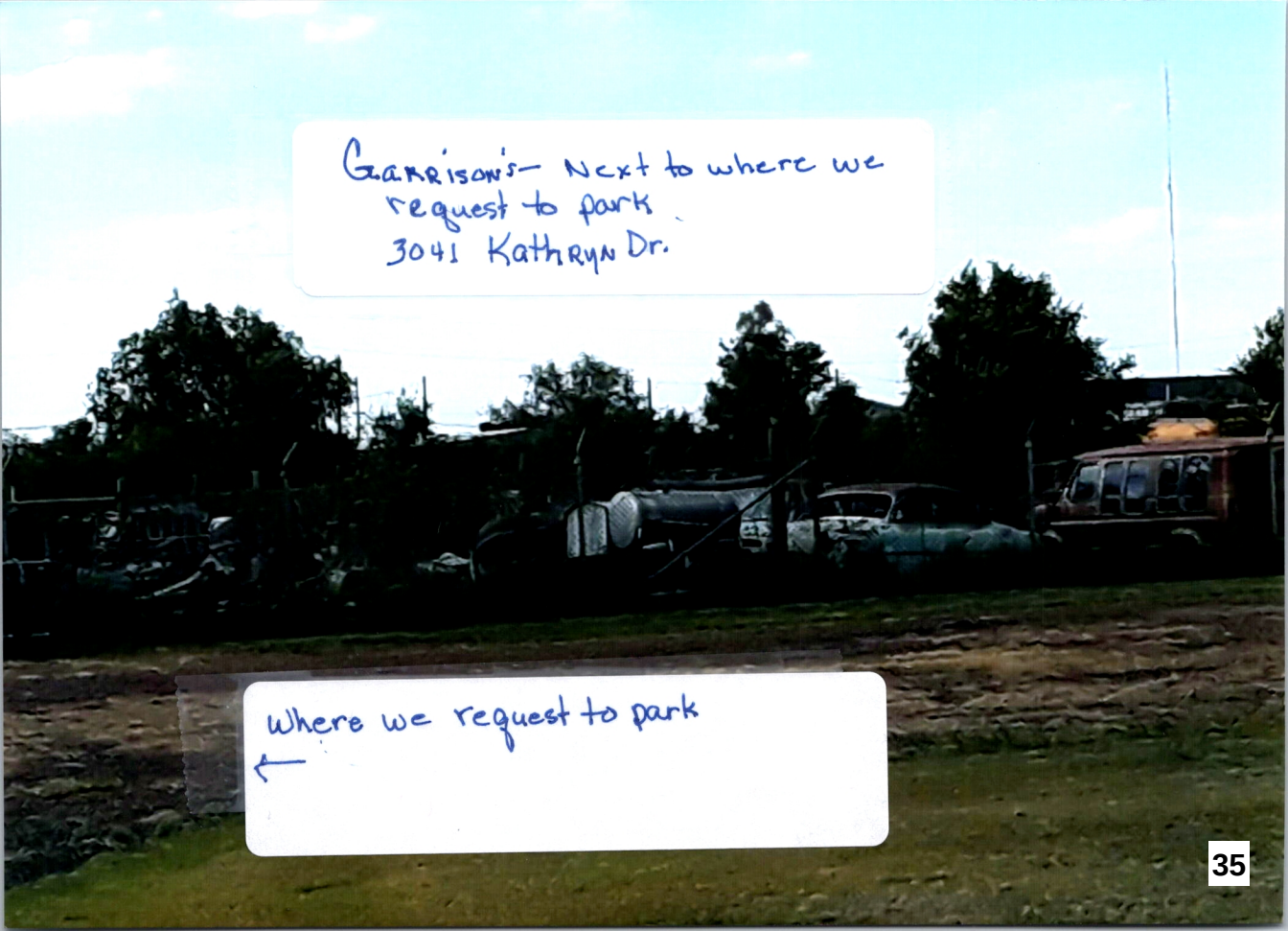
Picture #2

3140 Mason CT.
Driveway showing No
Semi tracks - only
owner's tracks coming
out.
We are fixing it
For them.



3100 Mason Ct.
Note the deep hole - We are Fixing that For them also. No charge.

3120 Mason Ct.
Deep hole by mailbox
Not made by Semi - made
By Owner and mail Carrier
We are fixing this for them.
at No charge ever!

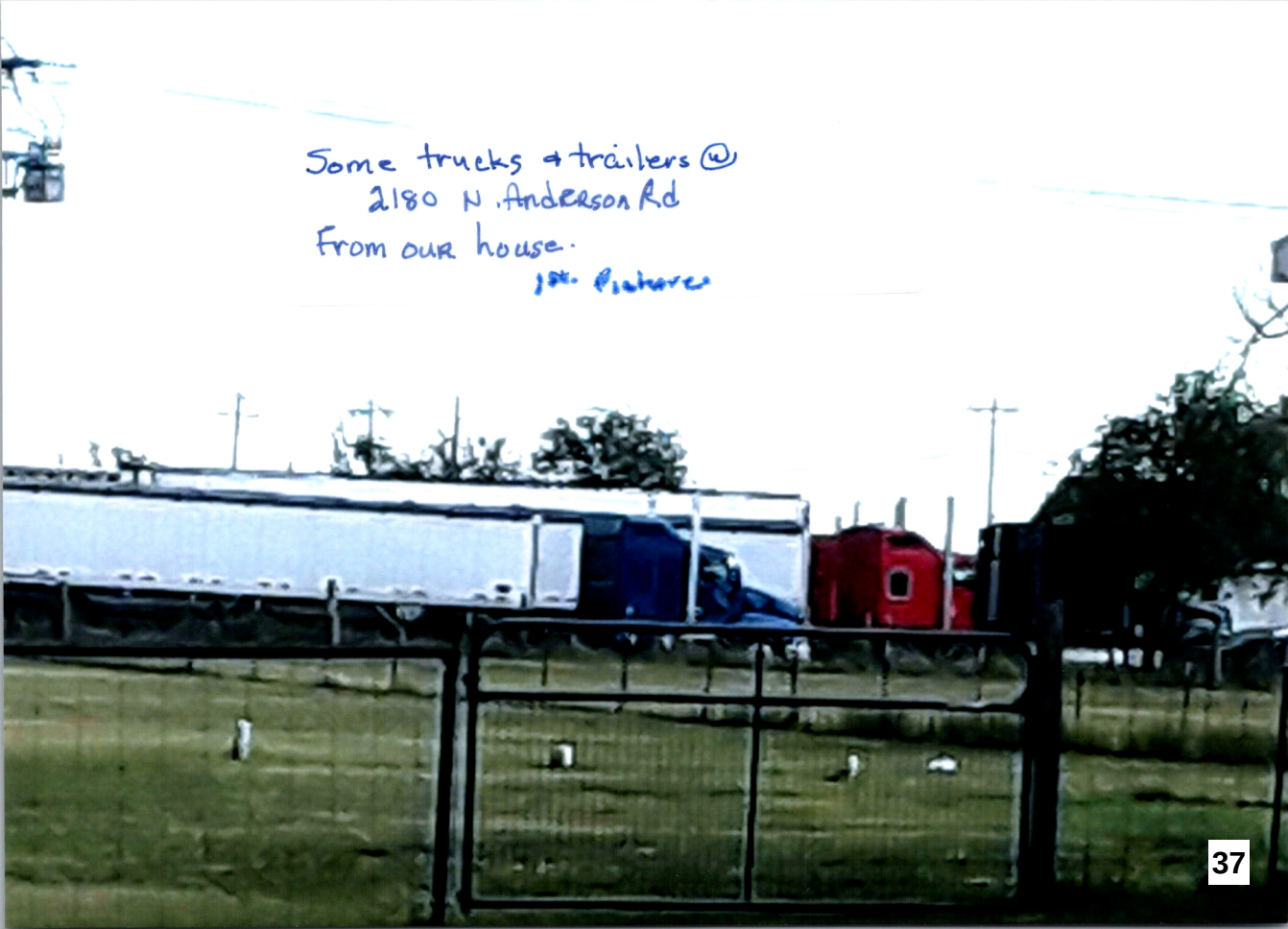

Garrison's – Next to where we request to park.
3041 Kathryn Dr.
Where we request to park
←

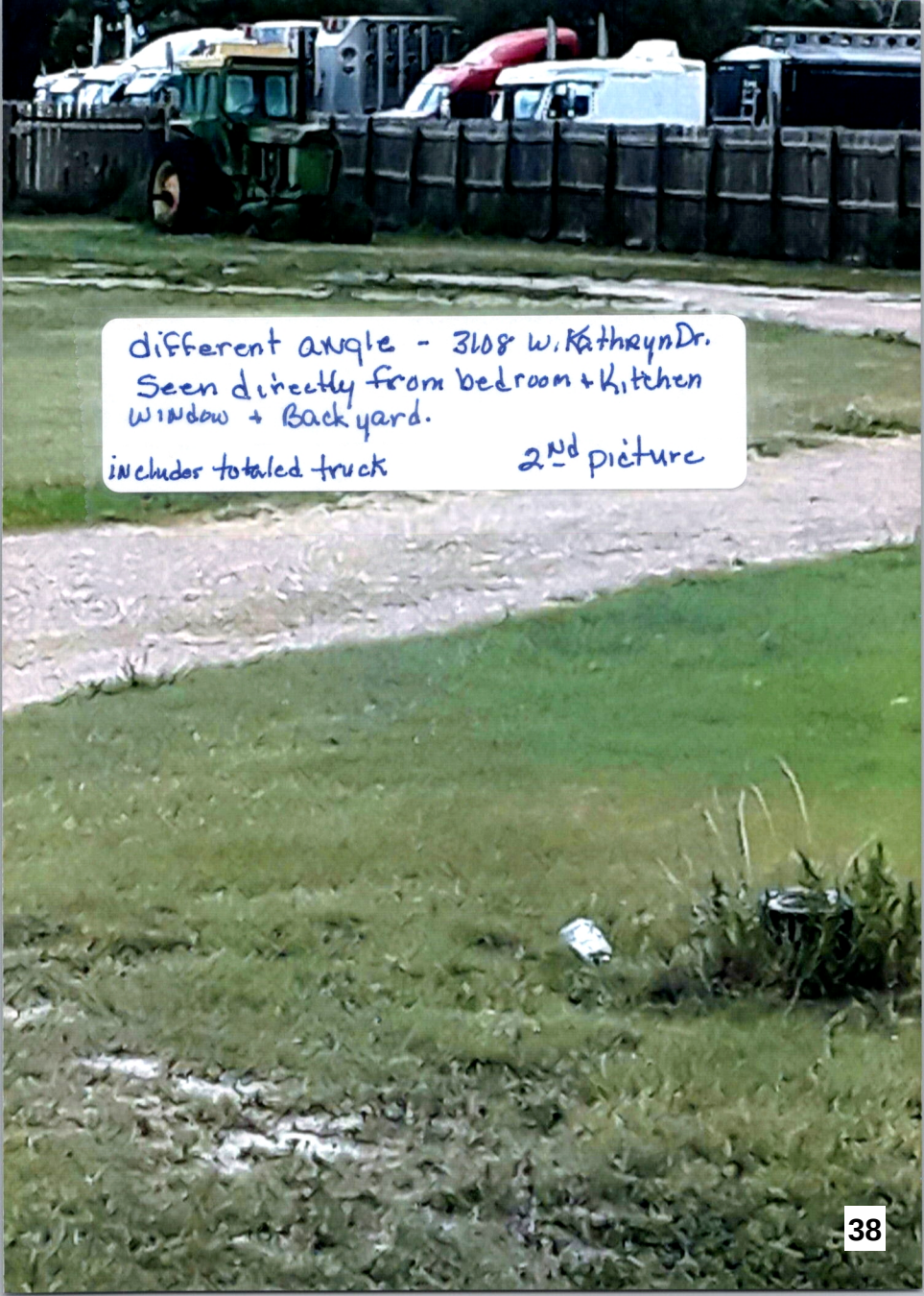
2180 N. Anderson Rd
As seen by our driveway & porch area

2ND picture.

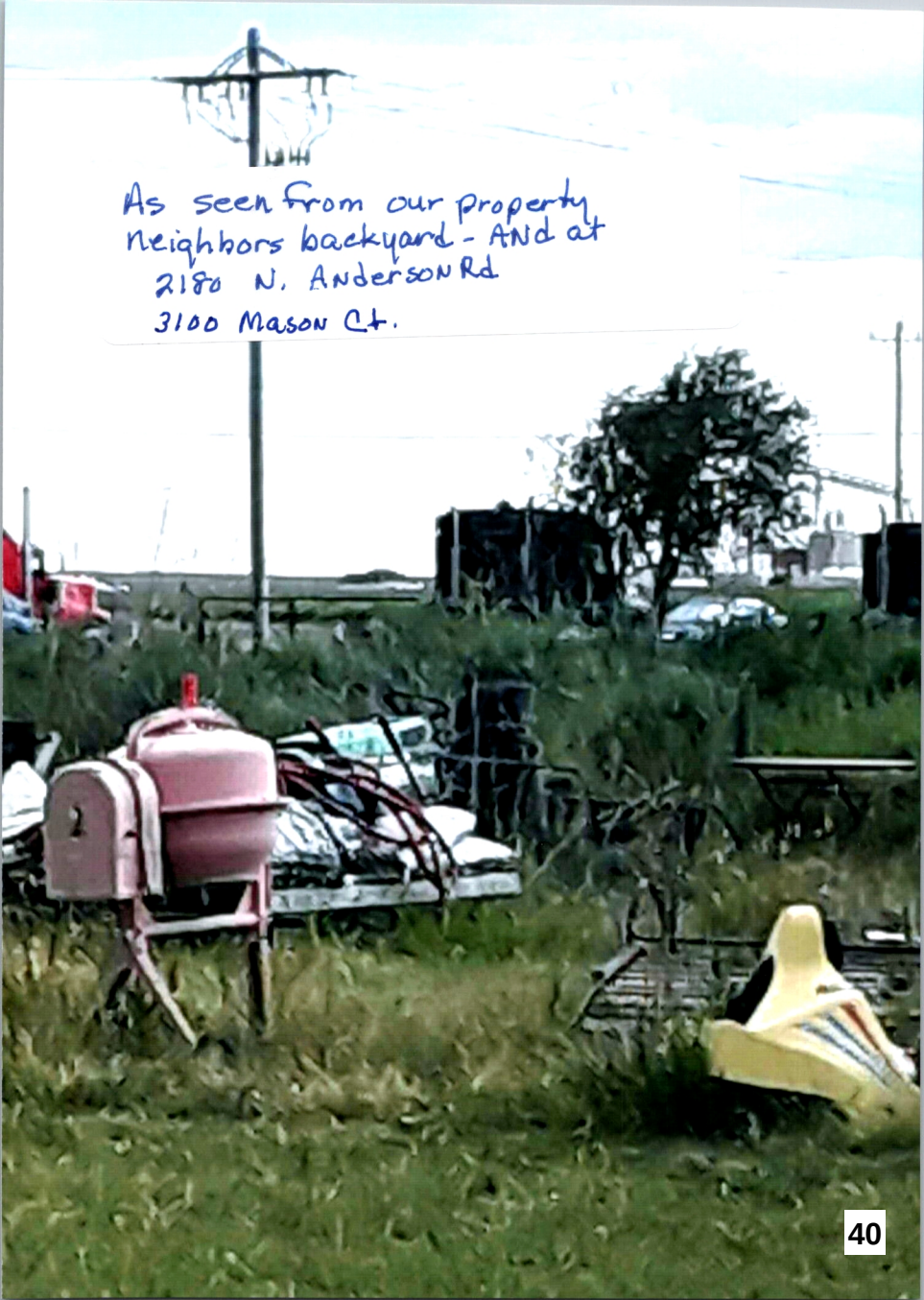


Some trucks & trailers @
2180 N. Anderson Rd
From our house.
1st. Picture




different angle - 3108 W. Kathryn Dr.
Seen directly from bedroom + Kitchen
window + Back yard.
includes totaled truck
2nd picture


As seen in our back yard & From
bedroom window & kitchen window
3108 W. Kathryn Dr. 1st picture



As seen from our property
neighbors backyard - AND at
2180 N. Anderson Rd
3100 Mason Ct.

MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: John Presisto, Planner
DATE: September 19, 2024
RE: GC2024-36: Rezone for the property generally located at 3208 E. Mary Street, Garden City, Kansas.

ISSUE:
The Planning Commission is asked to consider and provide a recommendation for the rezoning request generally located at 3208 E. Mary Street, Garden City, Kansas.

BACKGROUND:
O'Reilly Auto Enterprises LLC is requesting to rezone the property generally located at 3208 E. Mary Street, Garden City, Kansas from "G-C" General Commercial District (County) to "C-2" General Commercial District (City Zoning), (Figure 1). The property contains +/-0.88 acres and is currently vacant. The property was recently annexed into city limits and the final plat was approved by the Governing Body on August 6, 2024. . The property owner intends develop this property for a new auto supply store.

STAFF ANALYSIS
The proposed land use is consistent with the Comprehensive Plan. The current Comprehensive Plan/Future Land Use map has this property categorized as commercial potential. "C-2" General Commercial district (City Zoning) will be the most appropriate zoning district for an auto supply store as they are a permitted use within this zoning district. Rezoning the property will not affect any of the surrounding properties.

The Planning Commission may make its recommendation and state their findings according to the criteria in Section 27.040. Below is the complete list of these criteria:

27.040. AMENDMENT EVALUATION CRITERIA. Prior to taking any action on a request for ar amendment which is not a general revision of the Zoning Regulations and which will affect specific property, the Planning Commission shall give consideration to the following evaluation criteria:

A. The physical character of the neighborhood surrounding the property under consideration.
B. The existing zoning and land uses of properties both adjacent and near the property under consideration,
C. The suitability under existing conditions of the subject property for the land uses to which it has been zoned
D. The extent to which removal or alteration of the existing zoning classification will affect

nearby properties (outlined in (B) above),

E. The length of time the subject property has remained vacant as zoned (if applicable),
F. The relative gain to the public health, safety and welfare by the change of value of the landowner's property compared to any hardship that may be imposed upon the landowner,
G. The consideration of recommendations of permanent or professional staff (if applicable),
H. The conformance of a proposed zoning change to the adopted or recognized Comprehensive Plan being utilized by the City of Garden City, Kansas, and
I. Other factors relevant or specific to a particular proposed zoning amendment. (Ord. #1770, 11/2/91)

ALTERNATIVES:

1. The Planning Commission may recommend approval of the rezoning request.
2. The Planning Commission may not recommend approval of the request.

RECOMMENDATION:

Staff recommends the Planning Commission recommend approval of the rezoning request.

FISCAL NOTE:

None.

ATTACHMENTS:

GC2024-36 Vicinity Map
GC2024-36 General Information



Case Number: GC2024-36
Applicant: O'Reilly Auto Enterprise
Address: 3208 E Mary Street, Garden City, Kansas
Request: A rezone from "G-C" General Commercial District (County zoning) to "C-2" General Commercial District (City zoning)



STAFF REPORT

GC2024-36: Rezoning from "G-C" General Commercial District (County Zoning) to "C-2" General Commercial District (City Zoning) for property generally located at 3208 E. Mary Street, Garden City, Kansas

GENERAL INFORMATION

Date:	September 19, 2024	**Jurisdiction:**	Garden City
Owner:	O'Reilly Auto Enterprises LLC		
Applicant:	O'Reilly Auto Enterprises LLC		
Requested Action:	Rezone from "G-C" General Commercial District (County Zoning) to "C-2" General Commercial District (City Zoning)		
Purpose:	To develop the property for an auto supply store.		
Location address:	3208 E. Mary Street, Garden City, KS		
Comprehensive Plan:	The proposed land use is consistent with the Comprehensive Plan.		
Sites Existing Zoning:	"G-C" General Commercial District (County Zoning)		
Surrounding Zoning:	North "G-C" General Commercial District (County Zoning) South "G-C" General Commercial District (County Zoning) East "G-C" General Commercial District (County Zoning) West "C-2" General Commercial District (City Zoning)		
Land Area:	Contains +/-0.88 acres		
Notice Date:	This project was published and noticed by mail as required by code.		

GARDEN CITY
KANSAS

MEMORANDUM

TO: Holcomb - Garden City - Finney County Area Planning Commission Agenda
THRU: Trent Maxwell, Neighborhood and Development Services Director
FROM: Aleecya Charles, Assistant Neighborhood & Development Services Director
DATE: September 19, 2024
RE: GC2024-39: Rezoning from "C-2" General Commercial District, "R-2" Single Family Residential District and "R-C" Condominium-Townhouse District to "C-2" General Commercial District for the property generally located at 900 Lareu Road and E. Schulman Avenue, Garden City, Kansas.

ISSUE:
The Planning Commission is asked to consider and provide a recommendation for the rezoning request for the property generally located at 900 Lareu Road and E. Schulman Avenue, Garden City, Kansas.

BACKGROUND:
SMH Consultants is requesting to rezone the property generally located at 900 Lareu Road and E. Schulman Avenue, Garden City, Kansas from "C-2" General Commercial District, "R-2" Single Family Residential District and "R-C" Condominium-Townhouse District to "C-2" General Commercial District. The property is part of the Sales and Tax Revenue (STAR) Bond for the development of recreation venues, restaurant and surface parking.

A portion of this property went before the Planning Commission and City Commission in 2019 and was approved to rezone to "C-2" General Commercial District, however, there was a legal description discrepancy. The applicants are now requesting to rezone +/- 32.41 acres for the full development.

STAFF ANAYLSIS:
Garden City Comprehensive Plan and Future Land Use Map designates the property as medium density residential. The adjacent properties are a mix of commercial, single family and multiple family residential. The property is currently going through the platting process and site plan review for revisions of the development.

ALTERNATIVES:
1. The Planning Commission may recommend approval of the rezoning request.
2. The Planning Commission may not recommend approval of the rezoning request.

RECOMMENDATION:
Staff recommends the Planning Commission recommend approval of the rezoning request.

FISCAL NOTE:
N/A

ATTACHMENTS:

GC2024-39 Vicinity Map
GC2024-39 General Information



Case Number: GC2024-39
Applicant: SMH Consultants
Address: 900 Lareu & E. Schulman Avenue, Garden City, Kansas
Request: A rezone from "C-2" Generral Commercial, "R-2" Single Family Residential District & "R-C" Condominium Townhouse District to "C-2" General Commercial District



STAFF REPORT

GC2024-39: Rezoning from "C-2" General Commercial District, "R-2" Single Family Residential District and "R-C" Condominium-Townhouse District to "C-2" General Commercial District for the property generally located at 900 Lareu Road and E. Schulman Avenue, Garden City, Kansas.

GENERAL INFORMATION

Date:	September 19, 2024	**Jurisdiction:**	Garden City
Owner:	SCSF1 LLC and Stone Development Inc		
Applicant:	SCSF1 LLC and Stone Development Inc		
Requested Action:	Rezone to “C-2” General Commercial District		
Purpose:	To use the property as commercial.		
Location address:	The property is generally located at 900 Lareu Road and E. Schulman Avenue.		
Comprehensive Plan:	The proposed land use is not consistent with the Comprehensive Plan.		
Sites Existing Zoning:	"C-2" General Commercial District, "R-2" Single Family Residential District and "R-C" Condominium-Townhouse District		
Surrounding Zoning:	North: “R-2” Single Family Residential District & “R-3” Multiple Family Residential District South: “R-2” Single Family Residential District East: “R-2” Single Family Residential District West: “C-2” General Commercial District		
Land Area:	Contains +/- 32.3 acres		
Notice Date:	This project was published and noticed by mail as required by code.		