**AGENDA**
**GARDEN CITY BOARD OF ZONING APPEALS**
**TUESDAY, APRIL 8, 2025**
**9:00 AM**
**CITY COMMISSION CHAMBER - GARDEN CITY, KS**

**Note: If you require any additional 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.**

**The agenda for the meeting is as follows:**

**I. Chairman calls regular meeting to order**

**II. Approval of Minutes**

II.A. Garden City Board of Zoning Appeals Minutes March 11, 2025
GCBZA Minutes-March 11, 2025

**III. Submittal of Exhibits for the Record**
A. City of Garden City Zoning Regulations as amended.
B. City of Garden City Subdivision Regulations as amended.
C. City of Garden City Comprehensive Plan 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

**IV. New Business**

IV.A. GCBZA2025-04: Conditional use permit request to construct apartment buildings within the "C-2" General Commercial District generally located north of 2601 Schulman Avenue.
GCBZA2025-04 Vicinity Map
GCBZA2025-04 Proposed Layout

IV.B. GCBZA2025-05: Height variance to construct a sign within the "C-2" General Commercial District for the property generally located at 801 Campus Drive.
GCBZA2025-05 Vicinity Map
GCBZA2025-05 Sign Design

**V. Adjourn**

GARDEN CITY
KANSAS

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Rachel Asebedo
**DATE:**
**RE:** Garden City Board of Zoning Appeals Minutes March 11, 2025

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**ISSUE:**

**BACKGROUND:**

**ALTERNATIVES:**

**RECOMMENDATION:**

**FISCAL NOTE:**

**ATTACHMENTS:**
GCBZA Minutes-March 11, 2025

**MINUTES**
**BOARD OF ZONING APPEALS**
**GARDEN CITY, KANSAS**

March 11, 2025

The Garden City Board of Zoning Appeals scheduled a Public Hearing at 9:00 a.m. Tuesday, March 11, 2025, in the City Commission Chambers at the City of Garden City Administrative Center located at 301 North 8th Street, Garden City, Kansas.

## I. CALL TO ORDER

Meeting called to order at 9:00 a.m. Present were Chairman Acosta, Member Dick, and Member Mesa. Also in attendance were Staff Presisto and Staff Thompson.

## II. APPROVAL OF MINUTES

Member Mesa made a motion to approve the minutes from February 11, 2025. Member Dick seconded the motion. Votes were taken by yeas and nays and recorded as follows:

| Mesa | Dick | Acosta | Karhoff | Madrid |
|---|---|---|---|---|
| Yea | Yea | Yea | Not Present | Not Present |

Motion passed.

## III. SUBMITTAL OF EXHIBITS FOR THE RECORD

- **A. City of Garden City Zoning Regulations as amended**
- **B. City of Garden City Subdivision Regulations of 1996 as amended**
- **C. City of Garden City 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**

## IV. NEW BUSINESS

**GCBZA2025-02:** Michael Thummel has applied for a front yard setback variance in the "R-3" Multiple Family Residential District for the property generally located at 2519 and 2523 N. Main Street, Garden City, Kansas.

*Staff Thummel*- Presented staff report.

*Member Mesa*- Off Mary Street, are those driveways?

*Staff Thompson*- No, off of Mary Street those are front doors and the sidewalks that lead to the sidewalk along Mary Street.

*Member Mesa*- The parking will be on the south?

*Staff Thompson*- Correct, the parking will be south of the building, and they will have one driveway that is accessed off of Main Street.

*Member Dick*- The building is scooted so far to the east because of those utility easements on the west side.

*Staff Thompson*- Correct. The City Engineer actually pointed out the utility easement along the west property line will actually need to go further east. He said not any further east that it will push the building further east, but he said that it's not big enough how it is proposed on here.

*Member Mesa*- It appears that as far as the City Engineer and Public Works are concerned, they don't have any issues with that.

*Member Dick*- It's tight. I drove out there to check it out.

*Member Mesa*- It is certainly going to change that.

*Member Dick*- I appreciate the density.

*OPEN PUBLIC COMMENT*

*Michael Thummel, Applicant*- I don't have any questions. I think that everything that Daunte said is basically what I am looking to do. I think it will improve the property.

*Member Mesa*- Six units?

*Michael Thummel*-Six units.

*Member Mesa*- How many bedrooms?

*Michael Thummel*- Some of them will be two bedrooms and two of them will be three if I remember right. We are hoping to start out with eight, or hoping to get seven, but with the easements and stuff. I've got to meet with the architect, if you guys approve this, we'll nail it down all the way. I was going to build houses on that property, but who wants to buy a house on Main and Mary. There are apartments around the area.

*Member Mesa*- It makes more sense. I appreciate it. I think it is going to make that part of the area nice and the space used appropriately, and we need the apartments. What is your time frame?

*Michael Thummel*- We stay pretty booked up. I kind of want to build it myself because I want to keep it, so I want to make sure it is right. Realistically I'll probably have to hire someone to frame and side it. I'm hoping within a year.

*CLOSE PUBLIC COMMENT*

*Member Dick*- I think it's a good project. It's unfortunate that the setbacks are where they are, but I mean like the findings find, it is the same for all the other units in that area so it's nothing out of character so it is not like we are intentionally squeezing out a sidewalk or we would have had the ability to put in a nicer sidewalk. It really does conform to that neighborhood, which was really my concern about that. There would be no sense in having one nice piece of sidewalk when nothing else can connect to it. Especially on that Main Street side because that Main sidewalk is on the east side of the road, and I don't think there are any sidewalks on that west side.

*MEMBER DICK MADE A MOTION TO APPROVE THE VARIANCE PER STAFF ALTERNATIVE ONE. MEMBER MESA SECONDED THE MOTION.*

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

| **Mesa** | **Dick** | **Acosta** | **Karhoff** | **Madrid** |
|---|---|---|---|---|
| Yea | Yea | Yea | Not Present | Not Present |

Motion passed.

## V. ADJOURN

*Member Mesa made a motion to adjourn. Member Dick seconded the motion. Votes were taken by yeas and nays and recorded as follows:*

| **Mesa** | **Dick** | **Acosta** | **Karhoff** | **Madrid** |
|---|---|---|---|---|
| Yea | Yea | Yea | Not Present | Not Present |

Motion passed.

The meeting was adjourned at 9:10 A.M.

| | |
|---|---|
| Trent Maxwell | Secretary |
| Aleecya Charles | |
| John Presisto | |
| Daunte Thompson | |

| | |
|---|---|
| Isaac Acosta | Chairman |
| Elva Madrid | Vice-Chair |

GARDEN CITY
KANSAS

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Daunte Thompson, Planner
**DATE:** April 8, 2025
**RE:** GCBZA2025-04: Conditional use permit request to construct apartment buildings within the "C-2" General Commercial District generally located north of 2601 Schulman Avenue.

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**ISSUE:**

The Garden City Board of Zoning Appeals is asked to consider and approve a conditional use permit to allow apartments in the "C-2" General Commercial district for the property generally located north of 2601 Schulman Avenue.

**BACKGROUND:**

On behalf of The Prime Company, Josh Adrian is requesting a conditional use permit to construct apartment buildings on the lot north of the property at 2601 Schulman Avenue. The property is zoned "C-2" General Commercial district and is vacant. It is surrounded by Garden City Plaza to the north and west, while there is single-family residential to the south.

In preliminary layouts, the applicant intends to construct eight apartment buildings, one amenity office building, and open space throughout the development. The development of this lot will require it to be platted and go through the site plan review process. During these review processes, several City departments will be involved to ensure increased building safety, fire protection, traffic safety, and efficient public utility layout.

**STAFF ANALYSIS**

The Garden City Comprehensive Plan's Future Land Use Map designates this area as Mixed-use potential. Given their proximity to commercial property, the proposed apartment buildings would be consistent, and granting the proposed conditional use permit would provide the most appropriate transition between the single-family and commercial activities that abut this property.

Apartments are a conditional use within the "C-2" General Commercial District, as Section 15.030 of the Zoning Regulations outlines. The requirements for approval of a conditional use permit are found in Section 29.050 of the Zoning Regulations, which are as follows:

**29.050 CONSIDERATION OF A CONDITIONAL USE .** In considering an application for a conditional use permit hereunder, the Board of Appeals shall give consideration to the Comprehensive Zoning Plan of the City, the health, safety, morals, comfort, and general welfare of the inhabitants of the City, including but not limited to the following factors:

A. The stability and integrity of the various zoning districts.
    1. Conservation of property values.
    2. Protection against fire and casualties.

3. Observation of general police regulations.
4. Prevention of traffic congestion.
5. Promotion of traffic safety and the orderly parking of motor vehicles.
6. Promotion of the safety of individuals and property.
7. Provision for adequate light and air.
8. Prevention of over-crowding and excessive intensity of land uses.
9. Provision for public utilities and schools.
10. Invasion by inappropriate uses.
11. Value, type, and character of existing or authorized improvements and land uses.
12. Encouragement of improvements and land uses in keeping with overall planning.
13. Provisions for orderly and proper urban renewal, development, and growth.

B. The Board of Appeals shall impose such restrictions, terms, time limitations, landscaping, and other appropriate safeguards to protect adjoining property.

**ALTERNATIVES:**

1. The Board may approve the conditional use permit, allowing the construction of the apartment buildings.
2. The Board may not approve the conditional use permit.

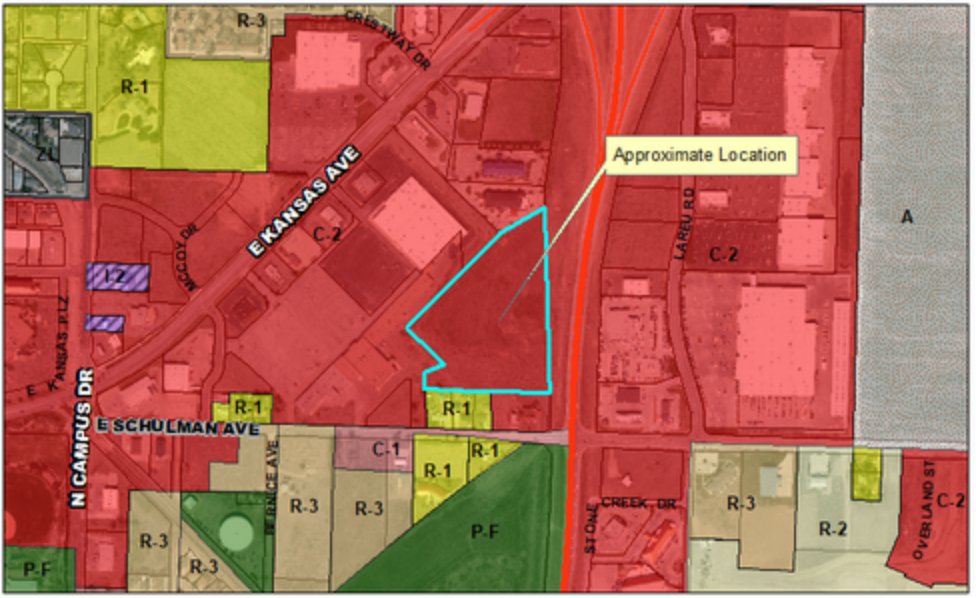
**RECOMMENDATION:**

Staff recommends approval of the conditional use permit.

**FISCAL NOTE:**

**ATTACHMENTS:**

GCBZA2025-04 Vicinity Map
GCBZA2025-04 Proposed Layout




**Case Number:** GCBZA2025-04
**Applicant:** Prime Company
**Address:** Property north of 2601 E. Schulman Avenue
**Request:** Conditional use permit to construct apartment buildings.






**2601 E Schulman Ave - Garden City** — 01/31/25

Site Area : 472,198 SF
10.84 ACRES

| HEIGHT | UNIT TYPE | APARTMENT UNITS A1 | B1 | C1 | TOTALS TOTAL UNITS | NET RENTABLE | BALCONIES | LEASING | GFA (INC BALCONY & GARAGE SF) | Net EFFICIENCY |
|---|---|---|---|---|---|---|---|---|---|---|
| | AREA (SF) | 818 | 1,055 | 1,249 | | | | | | |
| | BALCONY (SF) | 40 | 40 | 40 | | | | | | |
| | BLDG B | | | | | | | | | |
| 9 | 1 | 2 | 4 | 2 | 8 | 8,354 | - | - | 9,422 | 88.66% |
| 9 | 2 | 2 | 4 | 2 | 8 | 8,354 | 320 | - | 9,422 | 88.66% |
| 9 | 3 | 2 | 4 | 2 | 8 | 8,354 | 320 | - | 9,422 | 88.66% |
| 27 | SUBTOTAL | 6 | 12 | 6 | 24 | 25,062 | 640 | 0 | 28,266 | 88.66% |
| | COUNT | | 8 | | | | | | | |
| | TOTAL | 48 | 96 | 48 | 192 | 200,496 | | | 226,128 | 88.66% |
| | AMENITY BUILDING | | | | | | | | | |
| 14 | SUBTOTAL | - | - | - | - | - | - | - | 4,300 | N/A |
| 14 | TOTAL | - | - | - | - | - | - | 5,000 | 4,300 | N/A |
| | PROJECT TOTAL | 48 | 96 | 48 | 192 | 200,496 | | 5,000 | 230,428 | #REF! |
| | TOTAL SF/TYPE | 39,264 | 101,280 | 59,952 | | | | | | |
| | % OF PROJECT | 25.0% | 50.0% | 25.0% | | | | | | |
| | TOTAL BALC./TYPE | | | | | | | | | |

Avg. Apt. 1,044 SF

**PARKING CALCULATIONS**

| PER UNIT TYPE | 1.5 PER UNIT | 1.75 PER UNIT | 1.75 PER UNIT |
|---|---|---|---|
| SPACES REQUIRED | 72 | 168 | 84 |
| TOTAL | 324 | | |

**PARKING TOTALS**

| | SURFACE PARKING |
|---|---|
| STANDARD (9'-0" x 20'-0") | 317 |
| HANDICAP | 6 |
| HC VAN | 2 |
| COMPACT | - |
| TOTAL | 325 |
| PARKING PER UNIT | 1.69 |

1 / A1.2 FIRST LEVEL FLOOR PLAN
1 : 1440

**MEMORANDUM**

**TO:** Garden City Board of Zoning Appeals
**THRU:** Trent Maxwell, Neighborhood and Development Services Director
**FROM:** Daunte Thompson, Planner
**DATE:** April 8, 2025
**RE:** GCBZA2025-05: Height variance to construct a sign within the "C-2" General Commercial District for the property generally located at 801 Campus Drive.

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**ISSUE:**
The Garden City Board of Zoning Appeals is asked to consider a sign height variance request for the property generally located at 801 Campus Drive.

**BACKGROUND:**
Garden City Community College is requesting to construct a 26-foot sign at the Williams Baseball Stadium located at 801 Campus Drive. The proposed sign will be constructed parallel to the existing scoreboard at the stadium. The proposed pylon sign, which will sit on two poles, will be approximately 480 square feet and sit approximately 160 feet south of the property along Kansas.

**STAFF ANALYSIS:**
The property is zoned "C-2" General Commercial district, which limits sign heights to a maximum of 20 feet. Other signs along Kansas within the vicinity of the stadium have an overall height that ranges from 20 feet to 30 feet. However, Staff is unaware of any previously approved variances for a sign within this area. As proposed, the sign will sit approximately 160 feet from the property line along Kansas Avenue, reducing traffic vision concerns.

The scoreboard that the proposed sign may be next to is exempt from sign regulations and is not required to follow the typical sign regulations for the "C-2" General Commercial District. However, unlike the scoreboard, the proposed sign will face toward Kansas Avenue and include the logo of a private business, making it commercial in nature. As a result, the sign cannot exceed 20 feet in height without a variance.

The Board may make their determination and state their findings according to the conditions in Section 29.040 of the Garden City Zoning Regulations. Below is the section and the list of these conditions:

**29.010 VARIANCE - PROCEDURE.** An application for a variance may only be granted upon a finding by the Board of Zoning Appeals that the applicant has shown by clear and convincing evidence that all of the following conditions have been met:

A. The strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the applicant.
B. The granting of the variance will not adversely affect the rights of adjacent landowners or residents.

C. The granting of the variance will not be opposed to the general spirit and intent of these regulations.
D. The variance desired will not adversely affect the public health, safety or general welfare.
E. The variance requested arises from a condition that is unique to the property in question, is not ordinarily found in the same zoning district, and is not created by an action or actions of the landowner or the applicant.

**ALTERNATIVES:**

1. The Board may approve the 6-foot height variance.
2. The Board may not approve the 6-foot height variance.

**RECOMMENDATION:**

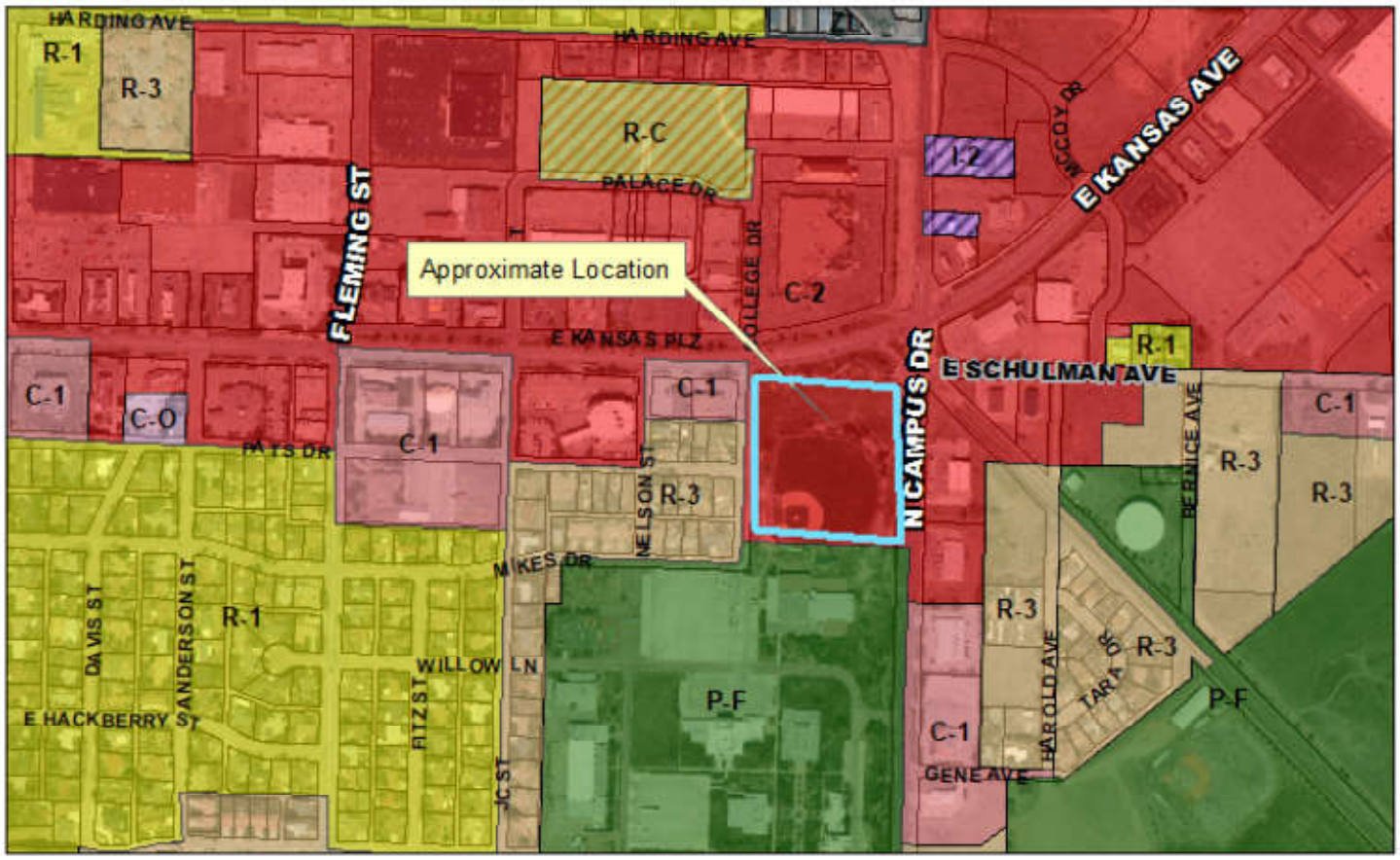
Staff is unable to recommend approval.

**FISCAL NOTE:**

There is no fiscal note.

**ATTACHMENTS:**

GCBZA2025-05 Vicinity Map
GCBZA2025-05 Sign Design




**Case Number:** GCBZA2025-05
**Applicant:** Garden City Community College
**Address:** 801 Campus Drive
**Request:** height variance to construct a new sign.



ART LAYOUT
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BY: LEON VOLK
785.443.3187

COMMERCIAL SIGN COMPANY

1185 ZELFER AVE.; COLBY, KS 67701 785.462.3361 (B) 785.443.3187 (C)

APPROVED: _____ DATE: _____

Garden City Community College
Adam Shrimplin
Mike Pilosof

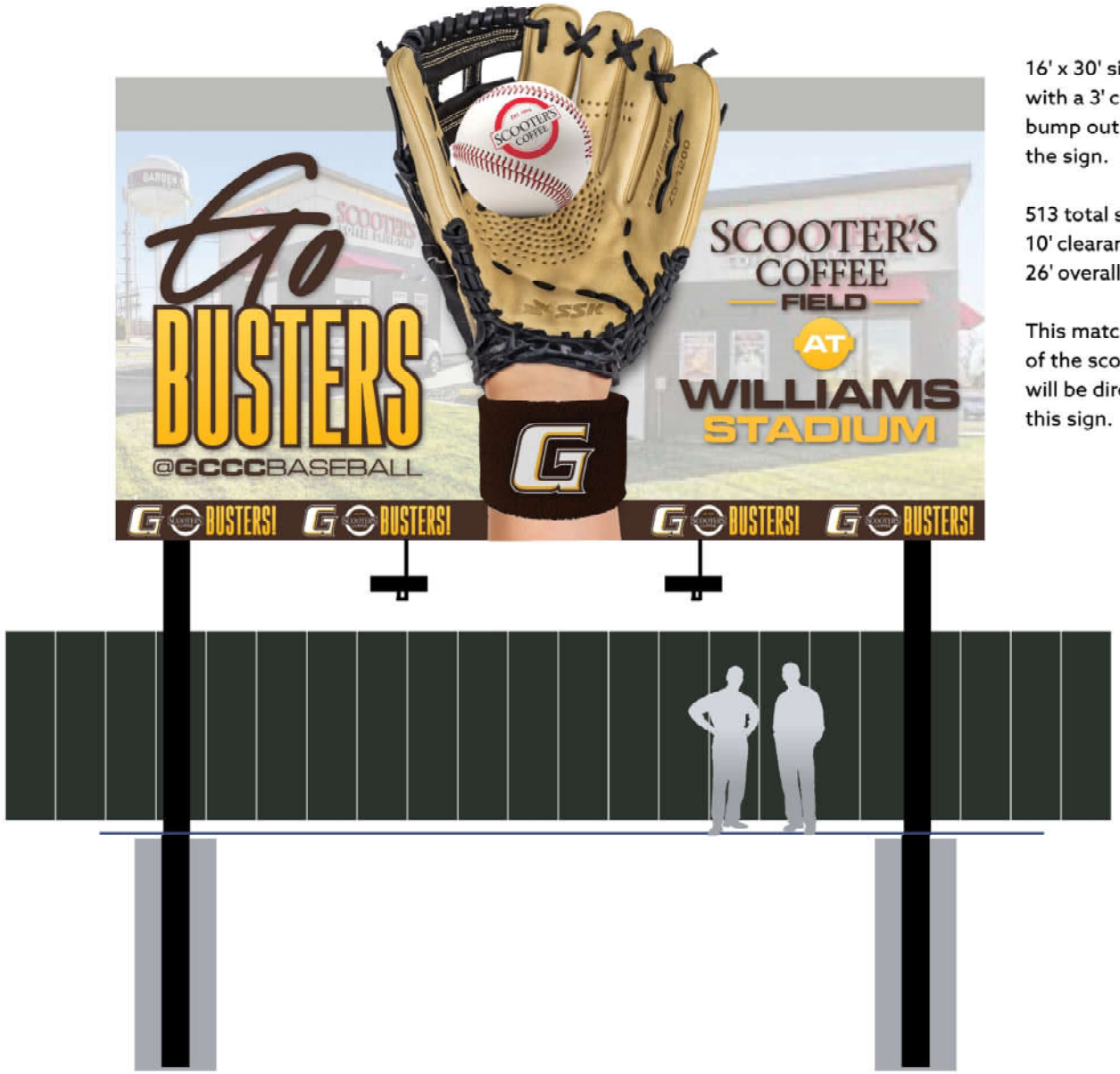
**Baseball Complex**
**Sponsor Display**

As per the discussion in the last meeting, the sign has been reconfigured as a double pole, pylon sign.

The sign is set up to match the size of the scoreboard which will be directly behind it.



The sign will be set back off the street at the back of the green space between the street intersection and the baseball complex.




16' x 30' sign face with a 3' custom shape bump out at the top of the sign.

513 total square feet.
10' clearance to grade
26' overall height.

This matches the size of the scoreboard which will be directly behind this sign.