



AGENDA

GARDEN PLAIN PLANNING COMMISSION/BOARD OF ZONING APPEALS

507 N Main, Garden Plain, KS 67050

May 14, 2026 at 6:00 pm

1. Call to order: Chairman Keith Hansen
2. Approval of the May 14, 2026 Regular Meeting Agenda
3. Approval of the April 9, 2026 Regular Meeting Minutes
4. Annual Election of Planning Commission Officers
 - a. Chairman
 - b. Vice Chairman
 - c. Secretary
5. Consider, and conduct a Public Hearing on, a proposed Zoning Amendment (rezoning) for seven lots owned by the Garden Plain Land Bank in Bentwood Addition.
6. Adjourn



Planning Commission/Board of Zoning Appeals

City Council Chambers - 507 N. Main St.

April 9, 2026, 6:00pm

1. **Call to Order:** Planning Commission Chair Keith Hansen called the meeting to order at 6:01 PM. Commissioners present: Keith Hansen; Rick Heimerman; Gene Garcia; Zak Blakley, Chris Wilson, Brian Henry and Braden Cox. Also present, Kimberly McCormick – Clerk, Kelly McElroy – City Administrator, Morgan Koon – City Attorney, Savannah Shelite – Administrative Assistant, Jessica Lyman, and Jenny Zoglman.
2. **Oaths of Office:** The Clerk administered the oath of office to Commissioners Zak Blakley, Braden Cox, Rick Heimerman, Brian Henry and Chris Wilson
3. **Approval of the April 9, 2026, Regular Meeting Agenda:** *Gene Garcia made a motion to approve the April 9, 2026, Agenda, 2nd by Rick Heimerman. Vote: 7-0 motion carries.*
4. **Approval of the June 19, 2025, Regular Meeting Minutes:** *Zak Blakley made a motion to approve the June 19, 2025, Regular Meeting Minutes, 2nd by Braden Cox. Vote: 7-0 motion carries.*
5. **Consider and conduct a Public Hearing on proposed amendments to the City of Garden Plain Comprehensive Plan and corresponding Urban Area of Influence (UAOI):** Chairman Hansen opened the public hearing at 6:03. Discussion ensued. Morgan Koon gave background on UAOI and how it has changed for the City of Garden Plain over the past 10 years. He also went over the current area and what the proposed change is. Chairman Hansen opened public comment. No one spoke for public comment. The commission has no further comments. *Chris Wilson made a motion to close the public hearing, 2nd by Gene Garcia. Vote: 7-0 motion carries.*

Zak Blakley made a motion to approve the extension of the UAOI outlined on the map on page 6 of the agenda packet with the proposed change from the City of Cheney to move back ½ mile from 343rd St West on the west edge, 2nd by Brian Henry. Vote: 7-0 motion carries
This item will move back to the City Council for action at their May 6, 2026, Council Meeting.
6. **Consider the 2026 Planning Commission/Board of Zoning Appeals 2026 Meeting Schedule and Application deadlines:** Kelly McElroy explained that we need to get this published as we have several potential developments coming and the deadlines need to be in place so that the projects will flow smoothly. *Gene Garcia made a motion to approve the schedule outlined in the packet, 2nd by Chris Wilson. Vote: 7-0 motion carries.*
7. **Adjourn:** *Zak Blakley made a motion to adjourn, 2nd by Gene Garcia. Vote: 7-0 motion carries.*

Respectfully submitted by Kimberly McCormick, MMC – City Clerk

TO: Garden Plain Planning Commission/Board of Zoning Appeals
FR: Kimberly McCormick, City Clerk
RE: Annual Election of Chairman, Vice- Chairman and Secretary

Background:

In accordance with the Planning Commission Bylaws, Article II- Officers, Elections, and Duties; Section 2. Elections: At the regular Commission meeting in May of each year, a Chairperson, Vice-Chairperson, and a Secretary shall be elected. The officers shall be nominated and those persons receiving the highest number of votes shall be deemed elected. Officers shall take office following the meeting and serve until their successor is elected. Officers may serve for more than one term.

The Secretary position and duties may be designated to a staff member (recommended).

The full Article from the Bylaws is below.

ARTICLE II - - OFFICERS, ELECTIONS AND DUTIES

Section 1. Officers. The officers of the Commission shall consist of a Chairperson, Vice-Chairperson and Secretary. The Chairperson and Vice-Chairperson shall be members of the Commission; however, the Secretary may or may not be a member of the Commission. When the Secretary is a member of the Commission, a Recording Secretary may also be elected. (K.S.A. 12-745)

Section 2. Elections. At the regular Commission meeting in May of each year, the officers shall be nominated and those persons receiving the highest number of votes shall be deemed elected. Officers shall take office following the meeting and serve for one year or until their successor has been elected. Officers may serve for more than one term.

Section 3. Duties. The Chairperson shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both the Chairperson and the Vice-Chairperson, the Secretary shall preside to select a temporary Chairperson and the Secretary shall forthwith relinquish the chair after selection of a temporary Chairperson. The Chairperson shall sign all minutes and other official papers and documents to represent the Commission at all meetings with other groups unless another member is designated to perform that function. The Chairperson shall also be responsible to oversee the preparation and distribution of agendas for each Commission meeting.

The Vice-Chairperson shall act in the manner and capacity as the Chairperson in the absence of the Chairperson.

The Secretary or designee shall perform the following duties:

1. To prepare the minutes of each Commission meeting and submit them to the Commission for approval;
2. To maintain an official file or record book of the minutes as approved and signed by the Chairperson and the Secretary; and to provide the Governing Body, City Clerk, Zoning and Subdivision Administrator(s) and other officials with copies on a continuing basis;
3. To attest to resolutions and certificates adopting the Comprehensive Plan and amendments thereto and to maintain an official file of Comprehensive Plan documents and accompanying adoption materials and ordinances;
4. To distribute to each Commission member all current materials relating to the Comprehensive Plan and Zoning and Subdivision Regulations and to distribute three sets of Zoning and Subdivision Regulations, including amendments thereto, to the City Clerk as the official City copies; and
5. To prepare and distribute agendas for each Commission meeting under the direction of the Chairperson. (See Article III, Section 7 on Agendas.)

Recommend Action:

The Planning Commission is asked to nominate individuals for the Chairperson and Vice-Chairperson and designate the Secretary duties to City Clerk Kimberly McCormick.

TO: Garden Plain Planning Commission/Board of Zoning Appeals
FR: Morgan Koon, City Attorney
RE: Consider, and conduct a Public Hearing on, a proposed Zoning Amendment (rezoning) for seven lots owned by the Garden Plain Land Bank in Bentwood Addition.

Background:

On April 14, 2026, the City of Garden Plain received an application from the Garden Plain Land Bank for a Zoning Amendment (ZA), also known as a rezoning for Lots 1-7, Block A, in Bentwood Addition. The lots are located on the west side of 295th Street, north of Garnett Street, south of Northern Street. A map showing the location and zoning of surrounding properties is included following this report as Attachment E.

In June of 2018 the City of Garden Plain Land Bank obtained the lots from the Kansas Department of Revenue (KDOR). In December of 2020 the Garden Plain Planning Commission/Board of Zoning Appeals held a public hearing to rezone the lots from an R-1, Single-Family Dwelling District, to C-O, Commercial Office District. The Planning Commission approved the change in zoning classification.

In April 2026 the City Council directed staff to release a Request for Proposals (RFP) for a commercial development partner to build a shopping center or buildings to house businesses such as dentists or doctors' offices, insurance agencies, engineering firms, retail establishments that might offer shopping or dining options, etc. During that process staff discovered that the 2020 change in zoning by the Planning Commission had not been forwarded to the City Council for ratification, and therefore the rezoning process was not completed and must be done again.

City of Garden Plain Zoning Ordinances, Article XXXIII – Amendments, specify the requirements to change a zoning classification of any specific property. It is important to note that applications cannot be approved or denied based on the personal opinions of citizens, Commissioners, or Council Members, or whether they know or like the developer or applicant; or whether they “like” or “dislike” the proposed project. If the Commission or the Council approves or denies the application based on such, the City could be subject to legal challenges in courts of law.

The action taken by the Planning Commission following conclusion of the public hearing will take the form of a recommendation to the Garden Plain City Council, who have final authority to act upon the request.

The factors that the decision must be based on are as follows. It is not necessary for Commissioners to find that all factors lead to the same conclusion, or even that a majority of factors indicate one way or another. It is possible one or more factors may be deemed so significant that they outweigh all others.

- **The present zoning classification of the properties:** R-1, Single-Family Dwelling District
- **The zoning classification under the proposed amendment:** C-S, Commercial Service District
- **The character of the neighborhood and zoning and land uses of the properties nearby:** Properties to the west in Bentwood Addition are one- and two-family residential homes, R-1 and R-2. The property to the north is KDOT Right-of-Way and contains the off-ramp from US 54/400/Kellogg to 295th Street. The property to the east, across 295th Street, is currently greenfields and for sale and is zoned C-S and I-1; the properties to the south are currently greenfields and for sale, and are zoned C-S.
- **Whether the change in classification would be consistent with the intent and purpose of the zoning regulations, with the City's adopted Comprehensive Plan, and other adopted City policies, programs, ordinances, rules, and regulations:** Yes, the zoning amendment is consistent with the intent and purpose of the zoning regulations, with the Comprehensive Plan, the [City Council 2026-2030 strategic plan](#), and adopted City policies, programs, ordinances, rules, and regulations. As noted earlier in the report, the City has planned commercial development of these properties since they were received from KDOR in 2018. The change in zoning is also consistent with the properties to the east and south along 295th Street that are commercial in nature.
- **Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity; and whether the subject property is suitable for the uses to which it has been restricted:** Yes, the permitted uses of C-S zoning are compatible with the properties, and the same as those in the immediate vicinity, to the south and east. As a reminder, zoning code requires landscaping and barriers, such as fencing, between commercial and residential properties.
- **Whether adequate sewer and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on the property if it were reclassified:** Yes. The properties have water, wastewater (sewer) and natural gas services on site. Development will require private drive entrances from Northern Street and Garnett Street to access the parking areas and businesses and will require a continuation of the sidewalk along 295th Street to serve Bentwood Addition.

- **Whether the proposed amendment would correct an error in the application of the zoning regulations:** Yes. The proposed amendment will correct an error in the application of the zoning regulations that occurred in late 2020 when the initial rezoning process was not completed.
- **Whether the proposed zoning amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions; and whether the proposed amendment provides a disproportionately great loss to the individual landowners relative to the public gain:** Yes, the proposed zoning amendment is necessary to correct the incomplete rezoning in 2020, comply with the City's Comprehensive Plan, City Council Strategic Plan, community and developer requests and demands for additional retails and professional office spaces. There are very limited existing opportunities for these types of businesses within the Garden Plain community, and the City receives requests for them on an ongoing basis. The City Council directed staff to issue an RFP in early 2026 for a development partner to construct such buildings to offer for sale or lease. Because the property was already thought to be commercially zoned, and regulations requiring landscaping and barriers (i.e. fencing, walls, etc.) are required along the west side of the property where it adjoins residential properties, there is not a disproportionate loss vs. the large community gain. The northern area of town is growing and developing, and these properties are situated in the heart of that area, and are part of the "gateway" to the Garden Plain community.

Recommended Action: The Planning Commission/Board of Zoning Appeals is asked to:

- A. Conduct the required public hearing regarding the zoning amendment request
- B. Issue a decision to approve or deny the requested zoning amendment, which will be forwarded in the form of a recommendation to the Garden Plain City Council for consideration. That recommendation will be heard at the June 3, 2026 City Council meeting.

Attachments:

- A. Zoning Amendment Application
- B. Certified Property Ownership List for Notification Area
- C. Notice of Public Hearing
- D. Affidavit of Publication
- E. Current Zoning Map of the Area
- F. Future Land Use Map – Comprehensive Plan

Attachment A – Zoning Amendment Application

City of Garden Plain Zoning Amendment Application



Applicant(s) Name: City of Garden Plain KS Land Bank
Information Address: 505 N. Main St. Garden Plain KS 67050
 Email: kelly.mcelroy@gardenplain.com
 Phone: 316-531-2321

Property Name: Same
Owner(s) Address: _____
[if different] Email: _____
 Phone: _____

Street address of property: _____
 Legal description of property: LOTS 1, 2, 3, 4, 5, 6, and 7 AND VACATED STREET ADJACENT ON EAST SIDE OF
PROPERTIES; BLOCK A, BENTWOOD ADDITION, CITY OF GARDEN PLAIN,
SEDGWICK COUNTY, KANSAS.

Present zoning of subject property: R-1 Requested zoning: C-S

Please submit the completed application along with the following items:

- ◆ Copy of certified property ownership list provided by a professional abstract or title company. List must have been drawn within the last 60 calendar days.
 - List must include property owners within 200' of the property boundaries within the City limit and 1,000' for any portion of the property that adjoins the County.
- ◆ A filing fee of \$300. Checks must be made payable to "Garden Plain City Clerk".

Additional Notes and Information for reference:

- ◆ Once an application, all supporting and required documentation, and an application fee has been paid, the City will publish the required public notice and notify the persons listed on the certified property ownership list of the date and time of the public hearing.
- ◆ The Garden Plain Planning Commission/Board of Zoning Appeals will hold the required public hearing allowing input from all in attendance. The applicant or their representative should be present at the hearing to comment and answer questions.
- ◆ The Planning Commission/Board of Zoning Appeals will consider and make findings and decide on the appeal. The decision of the Planning Commission is final.

Kimberly McCormick 04/14/26
 Signature(s) of Applicant(s) Date

Kimberly McCormick 04/14/26
 Signature(s) of Owner(s) Date

 Signature(s) of Applicant(s) Date

 Signature(s) of Owner(s) Date

Signature of owner, if other than applicant, is required for consent to the application.

Attachment B - Certified Property Ownership List for Notification Area



OWNERSHIP LIST

PROPERTY DESCRIPTION	PROPERTY OWNER	
Lots 1 thru 7 inclusive, Blk A; & the vacated street adjacent on the E Subject Property	Bentwood Addition to Garden Plain	City of Garden Plain Land Bank PO Box 336 Garden Plain, KS 67050
Lot 8, Blk A	"	Audra L. & James P. Baker 654 N. 279th St. N. Garden Plain, KS 67050
Lot 9, Blk A	"	James J. & Stephanie A. Scharzt Revocable Trust 1308 N. Sedgwick St. Garden Plain, KS 67050
Lot 10, Blk A	"	Jacob & Melissa Puetz 1316 N. Sedgwick St. Garden Plain, KS 67050
Lot 11, Blk A	"	J. Brian Foster Trust 405 N. Cleveland Ave. Wichita, KS 67214
Lot 12, Blk A	"	Jason & Robin Cameron 1404 N. Sedgwick St. Garden Plain, KS 67050
Lots 1 & 2, Blk B; & the vacated street adjacent on the E	"	Creekwood Resources, LLC 11629 Binter Ct. Wichita, KS 67212
All of Lot 8, Blk B; & Lot 9, Blk B, EXC the N 40' thereof	"	Lawrence L. & Nickie L. Woodard 1216 N. Sedgwick St. Garden Plain, KS 67050
Lot 10, Blk B; & The N 40' of Lot 9, Blk B	"	William J. & Billie Jo Robben 1218 N. Sedgwick St. Garden Plain, KS 67050
Lot 1, Blk E; & The N 40' of Lot 2, Blk E	"	Molly Zoglman 1217 N. Sedgwick St. Garden Plain, KS 67050

Title Insurance | Closings | 1031 Exchange | Contract Servicing

727 N. Waco, Ste. 300, Wichita, KS 67203

Attachment B - Certified Property Ownership List for Notification Area (Cont'd)

Security 1st Title

All of Lot 1, Blk F; & Lot 2, Blk F, EXC the S 38' thereof	"	Michael R. & Barbara J. Ast 203 W. Irene Ln. Garden Plain, KS 67050
Lot 3, Blk F; & The S 38' of Lot 2, Blk F	"	Joshua M. Stuhlsatz 204 W. Garnett Ave. Garden Plain, KS 67050
Lot 1, Blk G; & Lot 2, Blk G, EXC the S/2 thereof	"	Stacy E. & Selena L. Catlin PO Box 202 Garden Plain, KS 67050
Lot 3, Blk G; & The S/2 of Lot 2, Blk G	"	Dustin L. Vieselmeyer 200 W. Irene Ln. Garden Plain, KS 67050
Lot 1, Blk H; & The N 20.70' of Lot 2, Blk H	"	Mark Lett 1501 N. Sedgwick St. Garden Plain, KS 67050
Lot 2, Blk H, EXC the N 20.70' thereof; & All of Lot 3, Blk H	"	Nathaniel Eugene Johnson & Natasha Brianne Johnson 202 W. Lavern Ln. Garden Plain, KS 67050
The SW/4, EXC 20.17 Acres deeded to State for Hwy, 29-27-3W		Ternes Farm and Ranch, LLC 1331 S. Monument Cir. Wichita, KS 67235
Lots 16 thru 21 inclusive	Replat of Bentwood Addition to Garden Plain	James & Audra Baker 654 N. 279th St. N. Garden Plain, KS 67050
Lot 28	"	Rebecca & Jeffrey Becker 1408 N. Sedgwick St. Garden Plain, KS 67050
Lot 29	"	Katherine Eaton 1412 N. Sedgwick St. Garden Plain, KS 67050
Lots 30 & 31	"	Liberty Communities, LLC 305 S. Laura Ave. Wichita, KS 67211

Attachment B - Certified Property Ownership List for Notification Area (Cont'd)

Security 1st Title

Lot 32	"	Jeffrey & Kayla M. Seiler 1506 N. Sedgwick St. Garden Plain, KS 67050
Lot 33	"	Ally Siemiller 1510 N. Sedgwick St. Garden Plain, KS 67050
Reserve A	"	Gilbert Properties, LLC 305 S. Laura Ave. Wichita, KS 67211

We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described tracts and lots within a 200 foot radius of:

Lots 1 through 7 inclusive, Block A, Bentwood Addition to Garden Plain, Sedgwick County, Kansas, and the vacated street adjacent on the East side.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 15th day of April, 2026, at 7:00 A.M.

SECURITY 1ST TITLE

By: 
 LICENSED ABSTRACTER

Order: 3191527
 KJK

**** Staff note: upon review of the list and cross referencing utility billing, it was discovered that both lots 30 and 31 listed as Liberty Communities have sold and are now owned by the following individuals, who were notified:**

Lot 30: 1416 N. Sedgwick: Kenzie Williams

Lot 31: 1502 N. Sedgwick: Judy Hunter

Attachment C - Notice of Public Hearing



First published on the City of Garden Plain website (www.gardenplain.com) on April 24, 2026.

NOTICE OF HEARING

Notice is hereby given that an Application for a Zoning Amendment District Classification (rezoning) has been filed with the City of Garden Plain, Sedgwick County, Kansas, requesting the issuance of a zoning amendment pursuant to the City of Garden Plain Zoning Ordinances. The property is legally described as:

LOTS 1, 2, 3, 4, 5, 6, and 7 AND VACATED STREET ADJACENT ON EAST SIDE OF PROPERTIES; BLOCK A, BENTWOOD ADDITION, CITY OF GARDEN PLAIN, SEDGWICK COUNTY, KANSAS.

The Applicant requests that the above-described property be rezoned from R-1 (Single-Family Dwelling District) zoning classification to C-S (Commercial Service District), City of Garden Plain zoning classification.

The application will be presented to, and a public hearing held by, the Garden Plain Planning Commission/Board of Zoning Appeals in the Garden Plain City Council chambers at City Hall, 507 N. Main Street, Garden Plain, Kansas on Thursday, May 14, 2026, at 6:00 p.m., or as soon thereafter as the matter may be heard. All persons interested may appear and be heard as to the application.

Copies of the application and other related materials are available for inspection at the office of the City Clerk at Garden Plain City Hall, 505 N. Main Street, Garden Plain KS, 67050 during normal business hours. Please inquire of the City Clerk for further information: 316-531-2321 or cityclerk@gardenplain.com.

/s/Kelly McElroy
City Administrator
City of Garden Plain, Kansas

Attachment D - Affidavit of Publication



AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Kimberly McCormick, City Clerk

Being first duly sworn, deposes and says:

That I, Kimberly McCormick, City Clerk of the City of Garden Plain, Kansas has published the attached notice on the City of Garden Plain website, www.gardenplain.com, which website is designated as the official City News Outlet Publication Site for the City of Garden Plain, Kansas by Charter Ordinance No. 31 effective August 19, 2025.

That the attached Notice of Public Hearing is a true copy thereof and was published on such website beginning on the 24th day of April, 2026.

Kimberly McCormick
Signature

SUBSCRIBED AND SWORN to before me this 24 day of April, 2026.

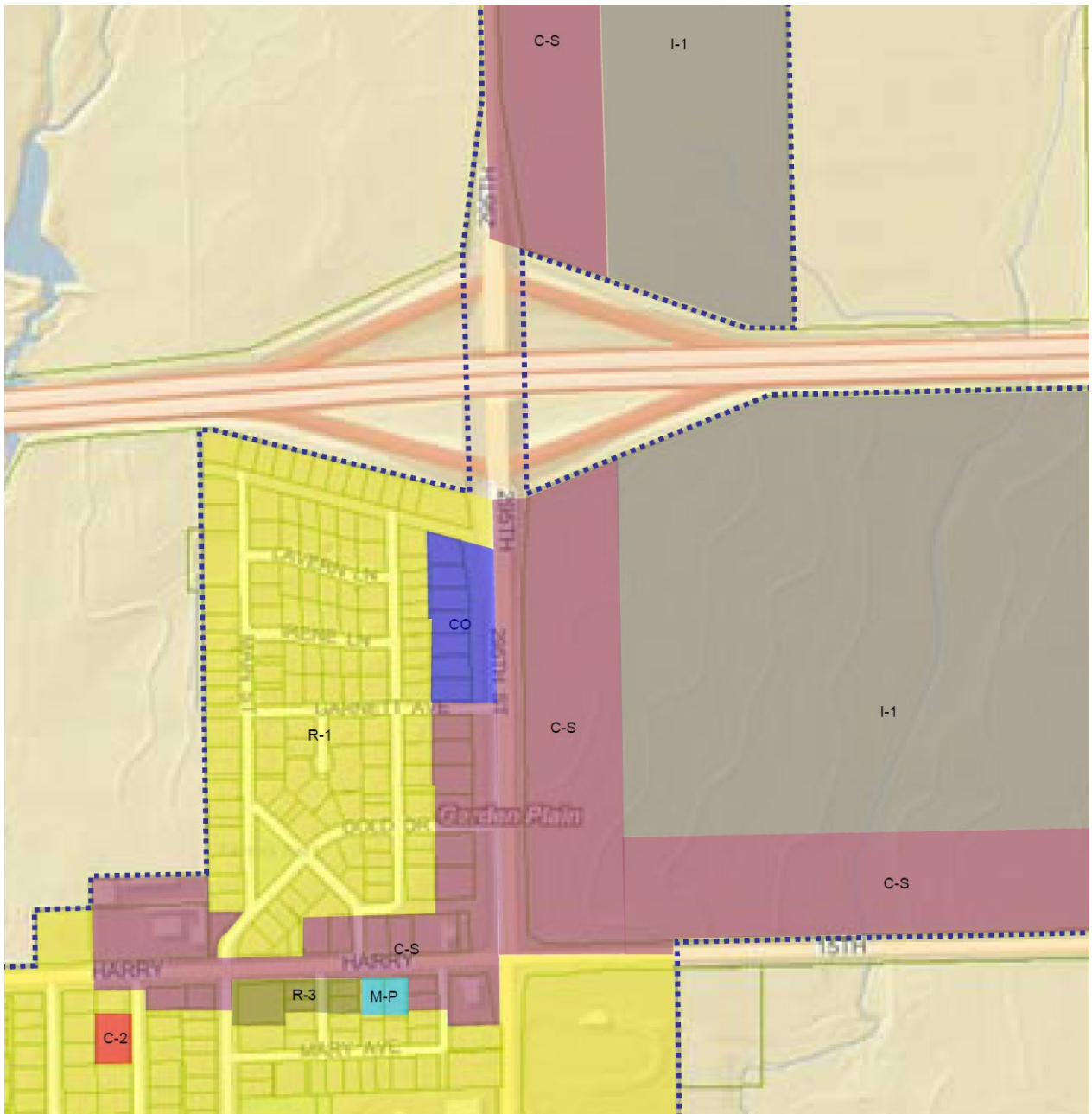
(Seal)  SAVANNAH SHELITE
NOTARY PUBLIC
STATE OF KANSAS

[Signature]
Notary Public
My Commission expires 9/16/29

City Clerk's Office
505 N Main, Garden Plain, KS 67050
316.531.2321
www.gardenplain.com

Attachment E - Zoning Map of the Area

The following zoning map shows the seven (7) lots included in the zoning amendment request area in dark blue (CO), as well as the zoning designations for properties surrounding them.



Attachment F - Future Land Use Map – Comprehensive Plan

2021-3-23
NTS

FUTURE LAND USE

City of Garden Plain

Sedgwick County, KS



Land Use Legend

 Residential	 Parks	 Commercial
 Future Residential	 Future Park	 Future Commercial
 Institutional	 Utilities	 Industrial
 Current City Limits		 Future Industrial

