

ORDINANCE NO. 3032-2025

AN ORDINANCE APPROVING THE REZONING OF CERTAIN REAL PROPERTY CONSISTING OF MULTIPLE TRACTS IN THE CORPORATE LIMITS OF GARDEN CITY, KANSAS FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "C-2" GENERAL COMMERCIAL DISTRICT THAT IS GENERALLY LOCATED NEAR THE NORTHEAST CORNER OF THE INTERSECTION OF EAST MARY STREET AND NORTH JENNIE BARKER ROAD PURSUANT TO THE APPLICATION OF SCSF2 LLC, A KANSAS LIMITED LIABILITY COMPANY, AND O'BRATE REALTY, L.L.C., A KANSAS LIMITED LIABILITY COMPANY; AMENDING THE ZONING ORDINANCE, ZONING REGULATIONS, AND DISTRICT ZONING MAP OF THE CITY OF GARDEN CITY, KANSAS; AND REPEALING THE CURRENT ZONING ORDINANCE, ZONING REGULATIONS, AND DISTRICT ZONING MAP OF THE SAME; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Garden City, Kansas:

SECTION 1. PURPOSE. The purpose of this ordinance is to rezone certain real property consisting of multiple tracts pursuant to K.S.A. 12-757 in response to the application of **SCSF2 LLC**, a Kansas limited liability company, and **O'BRATE REALTY, L.L.C.**, a Kansas limited liability company, seeking to rezone the property to allow for its conversion from a vacant lot to a commercial development.

SECTION 2. PLANNING COMMISSION PROCEEDINGS. The Holcomb-Garden City-Finney County Area Planning Commission, having given due and legal notice as required by subsection (b) of K.S.A. 12-757, conducted a public hearing on October 16, 2025 on the proposed rezoning, prepared an accurate written summary of the proceedings, and forwarded its recommendation of approval to the Governing Body in compliance with K.S.A. 12-757.

SECTION 3. NO PROTEST PETITION. No protest petition was filed with the City Clerk within the time and in the manner provided by subsection (f) of K.S.A. 12-757.

SECTION 4. AMENDMENT TO ZONING ORDINANCE. The Zoning Ordinance of the City of Garden City, Kansas, adopted by Ordinance No. 2813-2018, with all amendments thereto, is hereby amended to rezone the below described real property situated in Garden City, FINNEY County, KANSAS, from "R-3" Multiple Family Residential District to "C-2" General Commercial District:

A tract of land located in the Southeast Quarter of Section 4 and the Northeast Quarter of Section 9, Township 24 South, Range 32 West of the 6th P.M., Finney County, Kansas, as described by Allen D. Lowry, Professional Land Surveyor Number 755, on August 6, 2025, said tract of land being more particularly described as follows: Commencing at the Southeast corner of Southeast Quarter of said Section 4, thence north along the east line of said Southeast Quarter on a Kansas Coordinate System 1983 South Zone bearing of N0°40'50"E, 388.65'; thence N89°19'10"W, 40.00' to the intersection of the Jennie Barker Road and Highway K-156 Right of Ways (said K-156 Right of Way being 60' from the Centerline) and the Point of Beginning; thence S44°44'40"W, 725.46' along the Highway K-156 Right of Way line to a Right of Way corner described in Book 353, Page 498; thence N46°05'25"W, 48.30' along said Right of Way; thence S44°45'07"W, 27.45' along said Right of Way to the Mary Street Right of Way line as described as Parcel 1 in Deed Book 266, Page 211; thence N59°52'46"W, 49.41' along said Right of Way to a point on a curve to the left; thence along said Right of Way, and along Jennie Barker Right of Way described as Tract 1 in Book 274, Page 10 and said curve 332.45', said curve having a central angle of 35°16'27", a

[LEGAL DESCRIPTION CONTINUED ON NEXT PAGE]

radius of 540.00', and a long chord of 327.23' bearing N62°51'10"W to a Right of Way corner described as Parcel 3 in Book 294 Page 429; thence N26°32'20"W, 70.89' along said Road Right of Way to the Jennie Barker Road Right of Way described in Book 274, Page 10; thence N01°39'37"E, 34.32' along said Right of Way to a point on a curve to the right; thence along said Right of Way and said curve 779.58', said curve having a central angle of 79°45'41", a radius of 560.00', and a long chord of 718.13' bearing N41°32'27"E to a point on a reverse curve; thence along said Jennie Barker Road Right of Way and said curve 257.59', said curve having a central angle of 23°03'38", a radius of 640.00', and a long chord of 255.85' bearing N69°53'29"E to the west line of a tract described in Book 352, Page 479; thence S00°41'41"W, 393.65' along west line of said tract; thence S89°21'42"E, 217.70' along the south line of said tract to the Point of Beginning. Containing: 464,249 square feet or 10.66 acres of land more or less.

SECTION 5. AMENDMENT TO ZONING MAP. The District Zoning Map of the City of Garden City, Kansas, referred to in Article 3, Section 3.020 of the Zoning Regulations of the City of Garden City, Kansas, adopted by Ordinance No. 2813-2018, as previously existing and amended, be and the same is hereby amended, to be consistent with the amendments set forth herein.

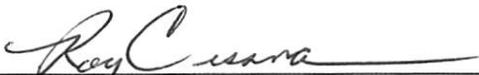
SECTION 6. REPEAL AND AMENDMENT. The current Zoning Ordinance, Zoning Regulations, and District Zoning Map of the City of Garden City, Kansas, as previously existing and amended, be and the same are hereby repealed, to be replaced as specified in this ordinance. All sections of said Zoning Ordinance, Zoning Regulations, District Zoning Map not specifically amended herein, shall remain in full force and effect.

SECTION 7. HEADINGS; SECTION REFERENCES. The headings used in this Ordinance are intended for convenience of reference only and shall not affect the interpretation or construction of this Ordinance or any part hereof.

SECTION 8. EFFECTIVE DATE; SUMMARY PUBLICATION. This Ordinance shall take effect and be in full force and effect from and after the occurrence of all of the following: (a) its passage and signature; (b) publication of a summary of this Ordinance in The Garden City Telegram, the official city newspaper; and (c) publication of the full text of this Ordinance on the City's official website in accordance with subsection (b) of K.S.A. 12-3007.

PASSED AND APPROVED by the Governing Body of the City of Garden City, Kansas, this 4th day of November, 2025.

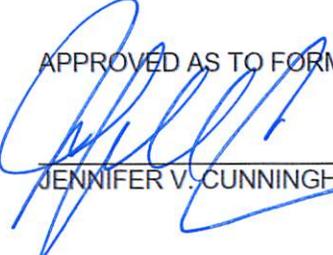




ROY CESSNA, Mayor

ATTEST:


CELYN N. HURTADO, City Clerk
KORI A. LONGORIA, Deputy City Clerk

APPROVED AS TO FORM AND CONTENT:


JENNIFER V. CUNNINGHAM, City Attorney

ORDINANCE NO. 3032-2025

ORDINANCE SUMMARY

On November 4, 2025, the Governing Body of the City of Garden City, Kansas adopted Ordinance No. 3032-2025 approving the rezoning of certain real property consisting of multiple tracts in the corporate limits of Garden City, Kansas from "R-3" Multiple Family Residential District to "C-2" General Commercial District that is generally located near the northeast corner of the intersection of East Mary Street and North Jennie Barker Road pursuant to the application of SCSF2 LLC, a Kansas limited liability company, and O'BRATE REALTY, L.L.C., a Kansas limited liability company; amending the zoning ordinance, zoning regulations, and district zoning map of the City of Garden City, Kansas; and repealing the current zoning ordinance, zoning regulations, and district zoning map of the same; all to the Code of Ordinances of the City of Garden City, Kansas.

A complete copy of the ordinance may be viewed free of charge at www.garden-city.org or may be obtained from the City Clerk, at the City Administrative Center, 301 North Eighth Street, Garden City, Kansas 67846. This Ordinance Summary is certified that it is legally accurate and sufficient, by Jennifer V. Cunningham, City Attorney.