



City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
July 21, 2026

DATE:	July 21, 2026		
CONTACT PERSON:	Dan Warner, AICP Planning Director	DOCUMENT #:	CU26/03
SECOND PARTY/SUBJECT:	Frank Meade, Kanza OZ LLC	PROJECT #:	
CIP PROJECT:	No		
ACTION OF COUNCIL:		JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by City Manager Dr. Robert M. Perez, in accordance with Section 18.60.010 of the Topeka Municipal Code, approving a Conditional Use Permit to allow for up to 20 enclosed garages for the storage of personal vehicles and light duty trucks on property zoned "D-1" Downtown District and located near the southwest corner of the intersection of SE Madison and SE 11th Street, all being within the City of Topeka, Shawnee County, Kansas. (CU26/03) (Council District No. 3)

Voting Option Requirements: (1) Approve Planning Commission's recommendation, 6 votes are required of the Governing Body (2) Reject or Amend Planning Commission's recommendation, 7 votes are required of the Governing Body; or (3) Remand back to Planning Commission, 6 votes are required of the Governing Body.

(The Conditional Use Permit will allow the construction of up to 20 garages for the storage of personal vehicles and light duty trucks.)

VOTING REQUIREMENTS:

The Governing Body has the following voting options:

1. Approve the Planning Commission's recommendation by adopting the ordinance. A minimum of 6 votes are required of the Governing Body.
2. Amend or Reject the Planning Commission's recommendation by amending the ordinance. A minimum of 7 votes is required of the Governing Body.
3. Remand to the Planning Commission for further consideration, with a statement specifying the basis for the governing body's failure to approve or disapprove. A minimum of 6 votes are required of the Governing Body.

POLICY ISSUE:

Whether to adopt the Planning Commission's recommendation to approve the Conditional Use Permit.

STAFF RECOMMENDATION:

Based on new information provided by the applicant, staff supports the applicant's request for a front setback of 20 feet.

Staff recommends the Governing Body move to amend the resolution to support a front setback of 20 feet. Action requires at least seven (7) votes of the Governing Body.

BACKGROUND:

CU26/03 is a request by Kanza OZ LLC for a Conditional Use Permit to construct enclosed single-story garages for up to 20 personal vehicles on property located near the southwest corner of the intersection of SE Madison and SE 11th Street on property presently "D-1" Downtown District. Use of the garages is limited only to the storage and parking of vehicles which the owner intends primarily for residents of the adjacent Union at Tower apartments currently under construction. The CUP prohibits use of the garages for general self-storage.

The applicant is not in agreement with the front (east) building setback recommended by the Planning Commission. The site plan presented to the Planning Commission includes a front setback of 22 feet. Based on the building footprint shown in that site plan for the adjoining lot north of the property, staff recommended the setback be increased to 25 feet, and the Planning Commission incorporated staff's recommended setback in their recommendation.

In the days following the Planning Commission meeting, the applicant discussed it with staff and sent two emails (attached) to staff requesting that the required front building setback be reduced to 20 feet. The applicant's request is based on engineering challenges related to the slope of the site and the actual setback of the existing house north of the property (erroneously depicted on the site plan presented to the Planning Commission).

The applicant conducted a neighborhood information meeting at 5:30 pm on Thursday, May 28, 2026. In addition to the applicant and Planning staff, three representatives of the Shawnee County Historical Society attended the meeting. (The Historical Society occupies the Ritchie House east of the subject property on the east side of Madison.) The attendees asked questions and expressed concerns about traffic, drainage, and aesthetics regarding the applicant's project and the Union at Tower apartments under construction.

Planning Commission recommended approval by a vote of 6-0-0 per the attached minutes on June 15, 2026. Planning staff recommended approval per the attached staff report.

BUDGETARY IMPACT:

Approval will have no impact on the City's adopted budget.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

[Resolution - CU26/03](#)
[Proposed Amendment: Resolution Kanza OZ LLC \(CU26/03\)](#)
[Planning Commission Case Minutes \(June 15, 2026\)](#)
[F Meade Email #2 regarding required setback](#)
[F Meade email #1 after Planning Commission Meeting](#)
[REVISED SITE PLANS 11th St Garages \(June 24, 2026\)](#)
[CUP site plan presented at Planning Commission \(June 15, 2026\)](#)
[Staff Report \(June 15, 2026\)](#)
[Aerial Map \(CU26/03\)](#)
[Zoning Map \(CU26/03\)](#)
[Tower District Current Zoning Map](#)
[Tower District Future Zoning Map](#)
[Water Tower District Future Land Use Map](#)
[Neighborhood Meeting Attendance List](#)

