



STAFF REPORT

City of Arkansas City Neighborhood Services Division
 Josh White, Principal Planner
 118 W Central Ave, Arkansas City, KS 67005
 Phone: 620-441-4420 Fax: 620-441-4403 Email: jwhite@arkansascityks.gov Website: www.arkcity.org

CASE NUMBER
RZ-2022-115

APPLICANT/PROPERTY OWNER
Creekstone Farms Premium Beef LLC

PUBLIC HEARING DATE
December 13, 2022

PROPERTY ADDRESS/LOCATION
26865 61st Rd

SUMMARY OF REQUEST

The subject property is located at 26865 61st Rd. The surrounding area is comprised of agricultural, industrial, commercial and residential uses. Large lot single family homes are to the north. A self-storage facility and agricultural land is to the east. Creekstone Farms main plant is the west. A warehouse and a future child daycare facility is to the south. The property consists of approximately 11.66 acres. The site already has a truck gate and trailer parking for Creekstone Farms. Due to the recent annexation of this property, the property is currently zoned R-1, Low Density Residential District. This zoning district is inappropriate based on the existing and continuing use. The applicants are requesting a rezone from R-1, Low Density Residential District to an I-2, Heavy Industrial District. This would be in line with the rest of the Creekstone Farms property that is to the west of this site. Staff recommends approval of the rezone request.



Map data ©2022 Esri World Topographic map

<p>EXISTING ZONING R-1 (Low Density Residential District)</p>	<p>EXISTING LAND USE Industrial</p>	<p>SURROUNDING ZONING & LAND USE North-Unzoned County; Residential/Ag East-Unzoned County; Ag/Industrial South-Unzoned County; Industrial/Commercial West-I-2; Industrial</p>	<p>SITE IMPROVEMENTS Truck Gate/Trailer Parking</p>	<p>SIZE OF PROPERTY 11.66 acres</p>
---	---	---	---	---

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

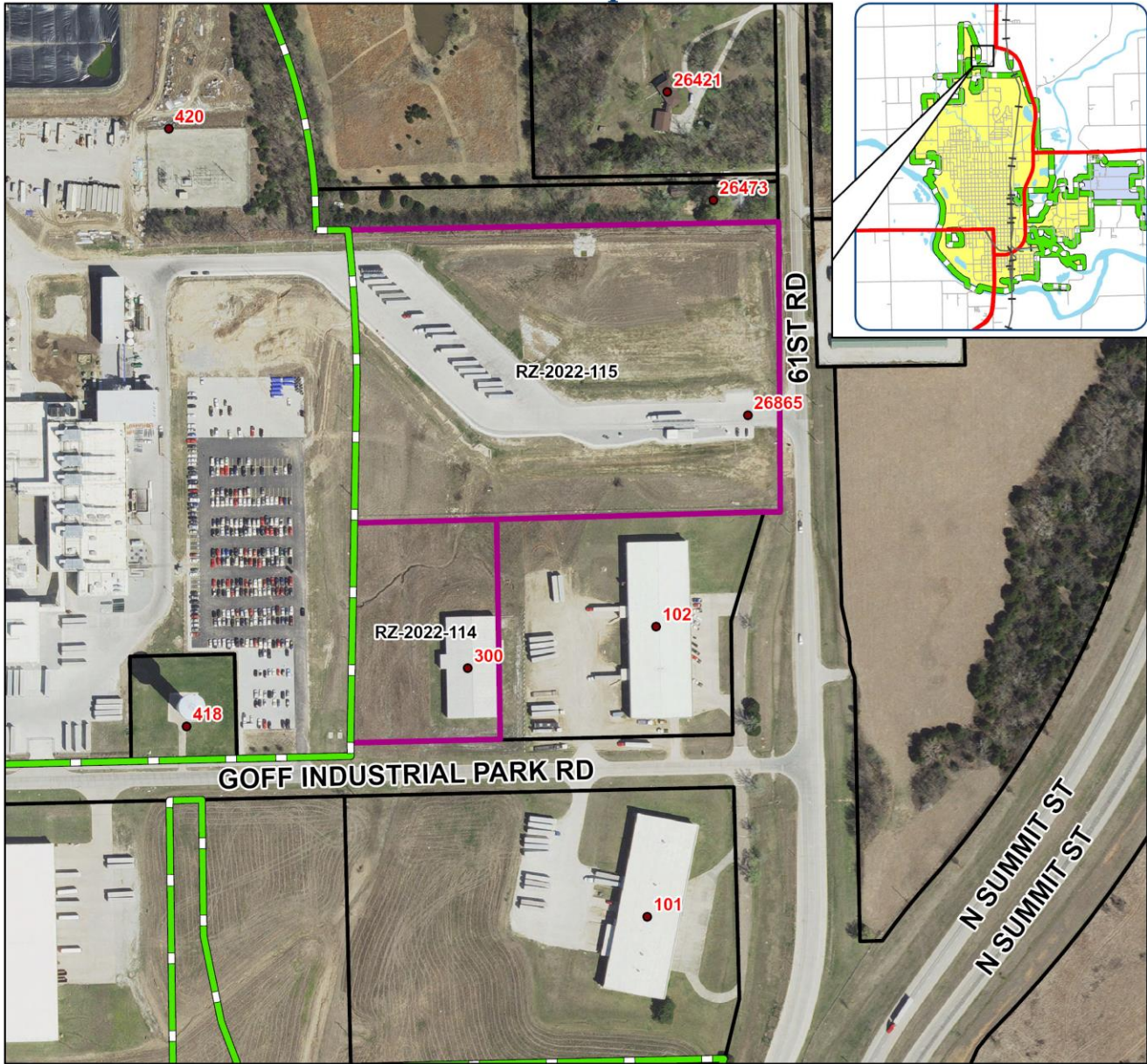
COMPATIBILITY with the COMPREHENSIVE PLAN
 The Future Land Use portion of the Comprehensive Plan designates the subject property as commercial use. The proposed use is industrial. As mentioned previously, the Plan in this area may be out of date. It was derived from the 2007 US 77 Corridor Management Plan. In 2007, it was not known how the packing plant would expand or that it would expand east to 61st Road. The corridor is capable of handling either commercial or industrial in this area. This will also help to meet the goal from Chapter 4 to "retain existing businesses and support their expansion".

PROPERTY HISTORY
 The property was long owned by Arkansas City Industries. In recent years, it was sold to Creekstone Farms Premium Beef LLC. In 2021, a truck gate and trailer parking area was built to support operations of the plant to the west. In 2022, a request for annexation was submitted to the City.

COMPATIBILITY with the ZONING ORDINANCE
 The surrounding area is comprised of agricultural, industrial, commercial and residential uses. It is the intent of the I-2 District to provide locations for basic or primary industries and related industrial activities. Many of these industries characteristically store bulk quantities of raw or scrap materials for processing to semi-finished products. Commercial uses permitted in this district are generally those which serve the convenience of industrial establishments and their employees. Certain obnoxious or hazardous uses are allowed only upon the issuance of a conditional use permit. The proposed use is consistent with the intent and purpose of the I-2 District.

Area map

Rezone Request



A request to rezone 300 Goff Industrial Park Road from R-1 (Low Density Residential District to C-3 (General Commercial District).

A request to rezone 26865 61st Road from R-1 (Low Density Residential District to I-2 (Heavy Industrial District).

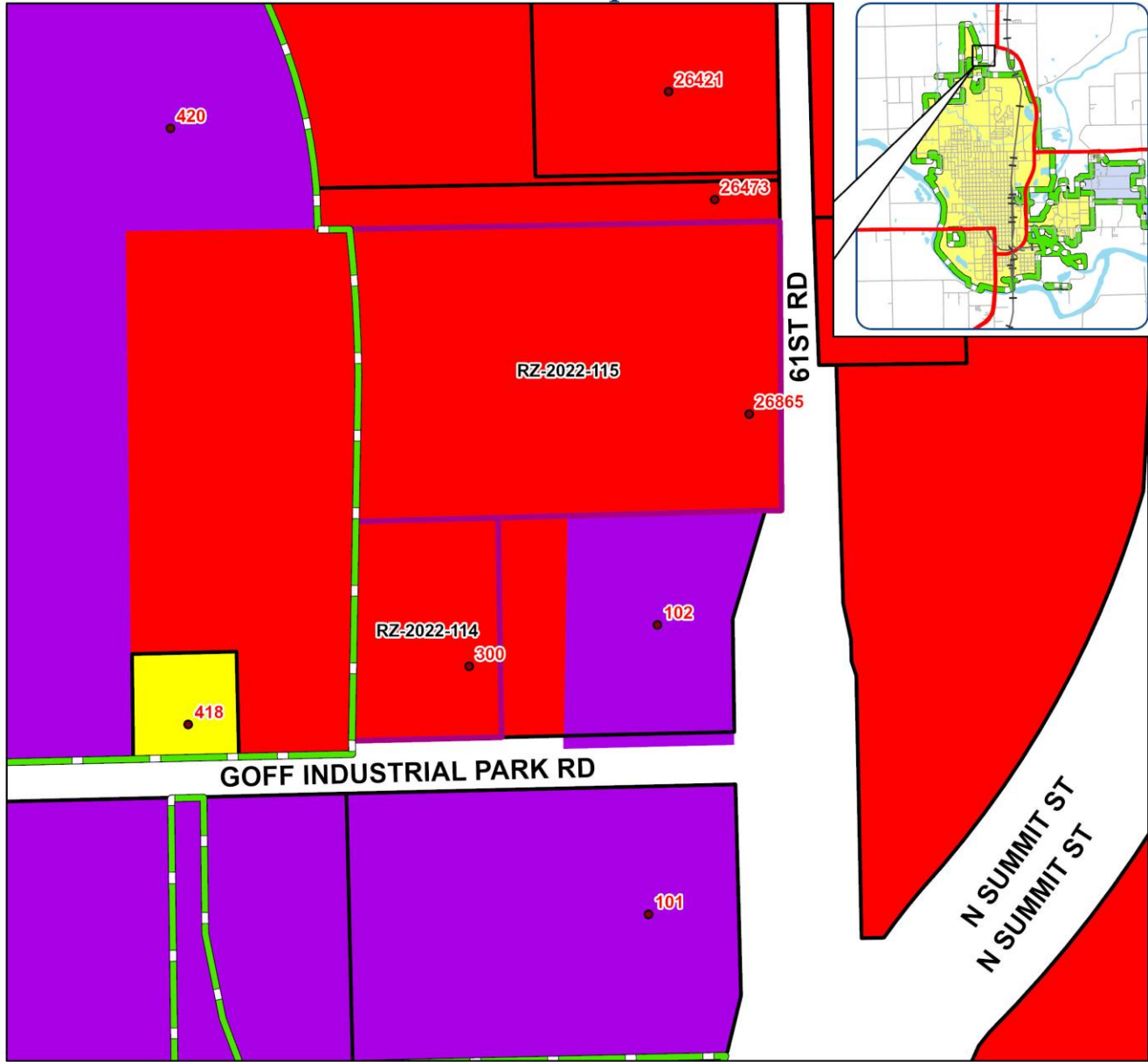
-  City Limits
-  Rezone
-  Property Lines

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: November 07, 2022



Future Land Use map

Rezone Request



A request to rezone 300 Goff Industrial Park Road from R-1 (Low Density Residential District) to C-3 (General Commercial District).
A request to rezone 26865 61st Road from R-1 (Low Density Residential District) to I-2 (Heavy Industrial District).

- City Limits
- Rezone
- Property Lines

Future Land Use

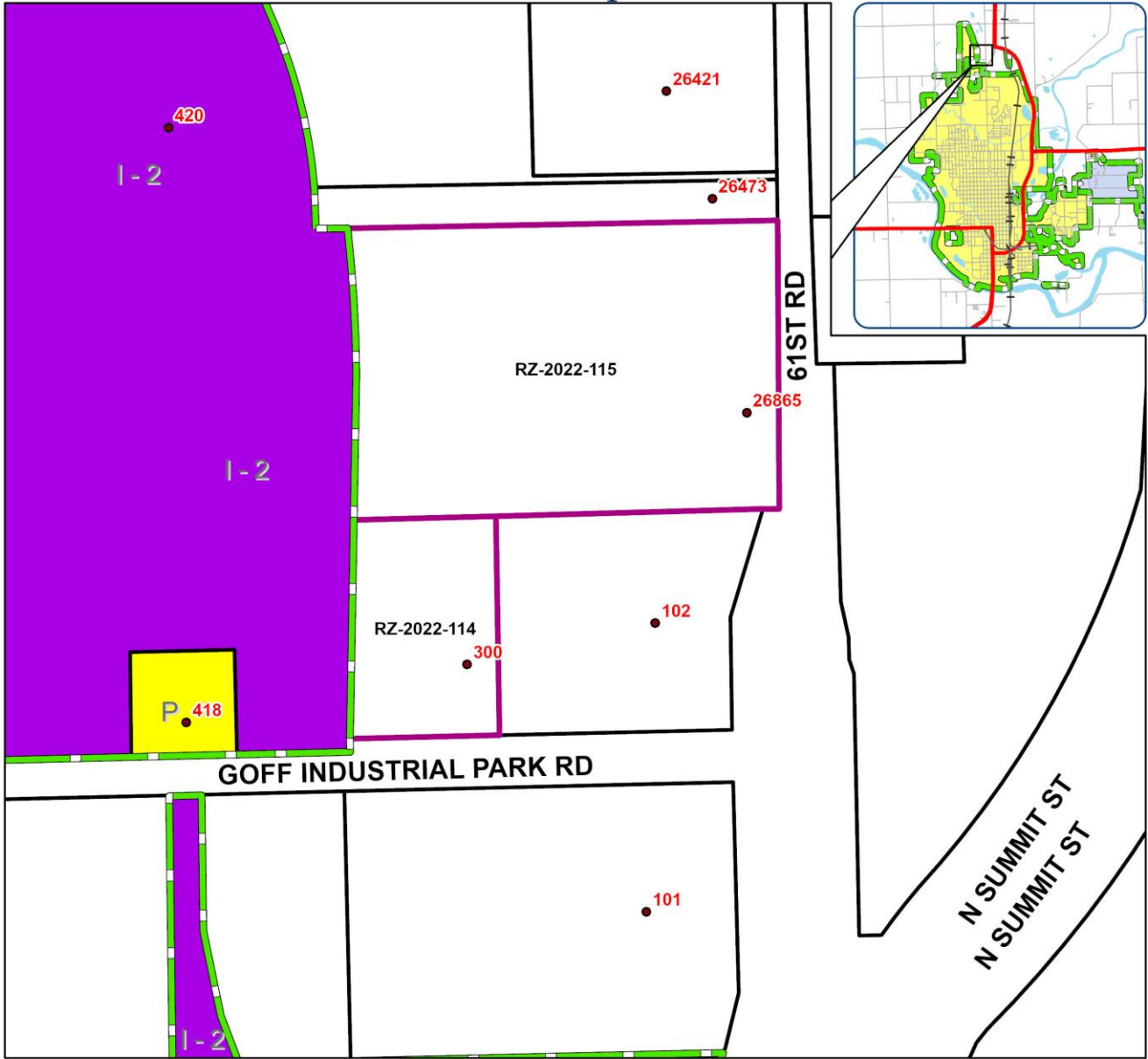
- Commercial
- Industrial
- Public

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: October 26, 2022



Zoning map

Rezone Request



A request to rezone 300 Goff Industrial Park Road from R-1 (Low Density Residential District) to C-3 (General Commercial District).

A request to rezone 26865 61st Road from R-1 (Low Density Residential District) to I-2 (Heavy Industrial District).

NOTE: These properties, when annexed, will automatically be designated as an R-1 (Low Density Residential District).

City Limits

Rezoning

Property Lines

Zoning

I-2, Heavy Industrial District

P, Public Use District

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: October 26, 2022



Site Plan

No site plan was provided with this application.

Findings

When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission, accompanied by a copy of the record of the hearing, shall contain statements as to the present classification, the classification under the proposed amendment, the reasons for seeking such reclassification, a summary of the facts presented, and a statement of the factors upon which the recommendation of the Planning Commission is based, using the following guidelines. Note that all references to agriculture in this report also include associated residential uses.

1. Whether the change in classification would be consistent with the intent and purpose of these regulations;

The surrounding area is comprised of agricultural, industrial, commercial and residential uses. It is the intent of the I-2 District to provide locations for basic or primary industries and related industrial activities. Many of these industries characteristically store bulk quantities of raw or scrap materials for processing to semi-finished products. Commercial uses permitted in this district are generally those which serve the convenience of industrial establishments and their employees. Certain obnoxious or hazardous uses are allowed only upon the issuance of a conditional use permit. The proposed use is consistent with the intent and purpose of the I-2 District.

2. The character and condition of the surrounding neighborhood and its effect on the proposed change;

Large lot single family homes are to the north. A self-storage facility and agricultural land is to the east. Creekstone Farms main plant is the west. A warehouse and a future child daycare facility is to the south. The use is already present as it was developed prior to being annexed into the City and so the proposed change will have little to no further effect on the neighborhood.

Neighborhood Photos



The subject property



Looking to the north along 61st Rd



Looking to the south along 61st Rd

All photos taken by Josh White on 11/30/2022

3. Whether the proposed 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;

The current Residential Zoning District does not allow the proposed use. The area was developed before the City was annexed. Upon annexation, the initial zoning is R-1, Low Density Residential District. The proposed amendment would allow the zoning district to match the existing use.

4. The current zoning and uses of nearby properties, and the effect on existing nearby land uses upon such a change in classification;

North of the site is low density residential. This area is not zoned as it is outside the city limits. To the west is industrial and the zoning is also industrial to match the uses. To the east is a self-storage facility and agricultural land, the area is not zoned as it is outside the city limits. To the south is industrial and is not zoned as it is outside the city limits. There is a portion of land to the south which is the subject of another rezoning that will also be annexed. The proposed use is industrial and the proposed zoning is industrial. The area is trending industrial as it is within the established Goff Industrial Park. It may not be compatible with the residential uses to the north but again the property was developed as industrial prior to being annexed into the City.

5. Whether every use that would be permitted on the property as reclassified would be compatible with the uses permitted on other property in the immediate vicinity;

The proposed use of truck gate and trailer parking would be permitted under the I-2, Heavy Industrial District. The area is trending industrial as it is within the established Goff Industrial Park. It may not be compatible with the residential uses to the north but again the property was developed as industrial prior to being annexed into the City.

6. The suitability of the applicants property for the uses to which it has been restricted;

The property is currently zoned for residential use; the property has been previously developed (prior to annexation) as a truck gate and trailer parking area which would not be suitable for residential zoning. The proposed use is not a residential use. The 2013 Comprehensive Plan called for this area to be commercial but is becoming out of date as it was associated with the 2007 US 77 Corridor plan. In 2007, it was not known that the packing plant would expand this much to the east. However, industrial and commercial uses can both be handled by the corridor in this area.

7. The length of time the subject property has remained vacant or undeveloped as zoned;

The subject property is not currently vacant but was developed prior to annexation.

8. 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;

All sewer, water and other utilities are readily available at or near the site. Police and Fire should be able to serve the building without any changes to services. Traffic will utilize 61st Road to access US 77 via either Skyline Road or 252nd Road.

9. The general amount of vacant land that currently has the same zoning classification proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances that make a substantial part of such vacant land available or not available for development;

There is little other vacant land that current has the same zoning classification proposed for the subject property. The subject property is within the Goff Industrial Park.

10. Whether the proposed amendment would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;

The Future Land Use portion of the Comprehensive Plan designates the subject property as commercial use. The proposed use is industrial. As mentioned previously, the Plan in this area may be out of date. It was derived from the 2007 US 77 Corridor Management Plan. In 2007, it was not known how the packing plant would expand or that it would expand east to 61st Road. The corridor is capable of handling either commercial or industrial in this area. This will also help to meet the goal from Chapter 4 to "retain existing businesses and support their expansion".

11. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification; and,

The public health, safety and general welfare should not be negatively impacted by this rezoning. Creekstone Farms has previously indicated they are willing to deal with any issues that the surrounding neighbors may encounter as a result of their operations.

12. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application

13. The recommendations of professional staff;

It is the recommendation of staff that the requested rezoning R-1 to I-2 be approved based on the following conclusions:

- The development appears compatible with the area.
 - The property was developed as an industrial site prior to annexation.
 - The use is compatible with uses in the area.
 - The project should not adversely affect the neighboring properties.
 - The project continues to expand local industry and workforce
 - The public health, safety and general welfare should not be negatively impacted by this rezoning.
-