



# STAFF REPORT

City of Arkansas City Neighborhood Services Division

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CASE NUMBER  
RZ-2022-114

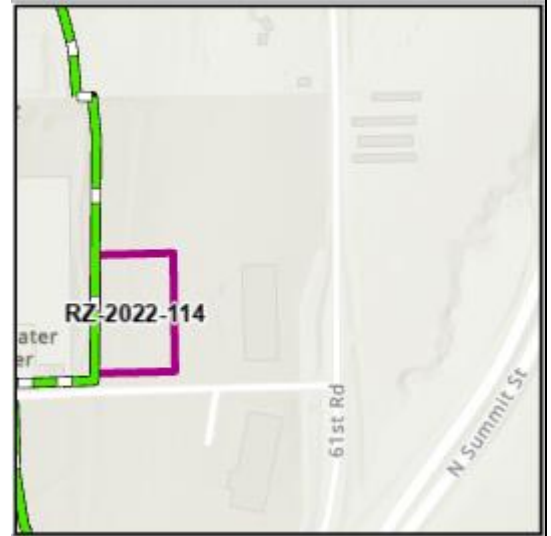
APPLICANT/PROPERTY OWNER  
Creekstone Farms Premium Beef LLC

PUBLIC HEARING DATE  
December 13, 2022

PROPERTY ADDRESS/LOCATION  
300 Goff Industrial Park Rd

### SUMMARY OF REQUEST

The subject property is located at 300 Goff Industrial Park Rd. The surrounding area is comprised of agricultural, industrial and residential uses. An industrial site is to the north. A warehouse facility is to the east. Creekstone Farms' main plant is to the west. A warehouse and agricultural land is to the south. The property consists of approximately 3.51 acres. The site already has a warehouse building that is a proposed child daycare center. 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 a C-3, General Commercial District. Staff recommends approval of the rezone request.



Map data ©2022 Esri World Topographic map

<p><b>EXISTING ZONING</b> R-1 (Low Density Residential District)</p>	<p><b>EXISTING LAND USE</b> Industrial/Commercial</p>	<p><b>SURROUNDING ZONING &amp; LAND USE</b> North-Unzoned County; Industrial East-Unzoned County; Industrial South-Unzoned County; Ag/Industrial West-1-2; Industrial</p>	<p><b>SITE IMPROVEMENTS</b> Warehouse building</p>	<p><b>SIZE OF PROPERTY</b> 3.51 acres</p>
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### STAFF RECOMMENDATION

**APPROVE**

**APPROVE WITH CONDITIONS**

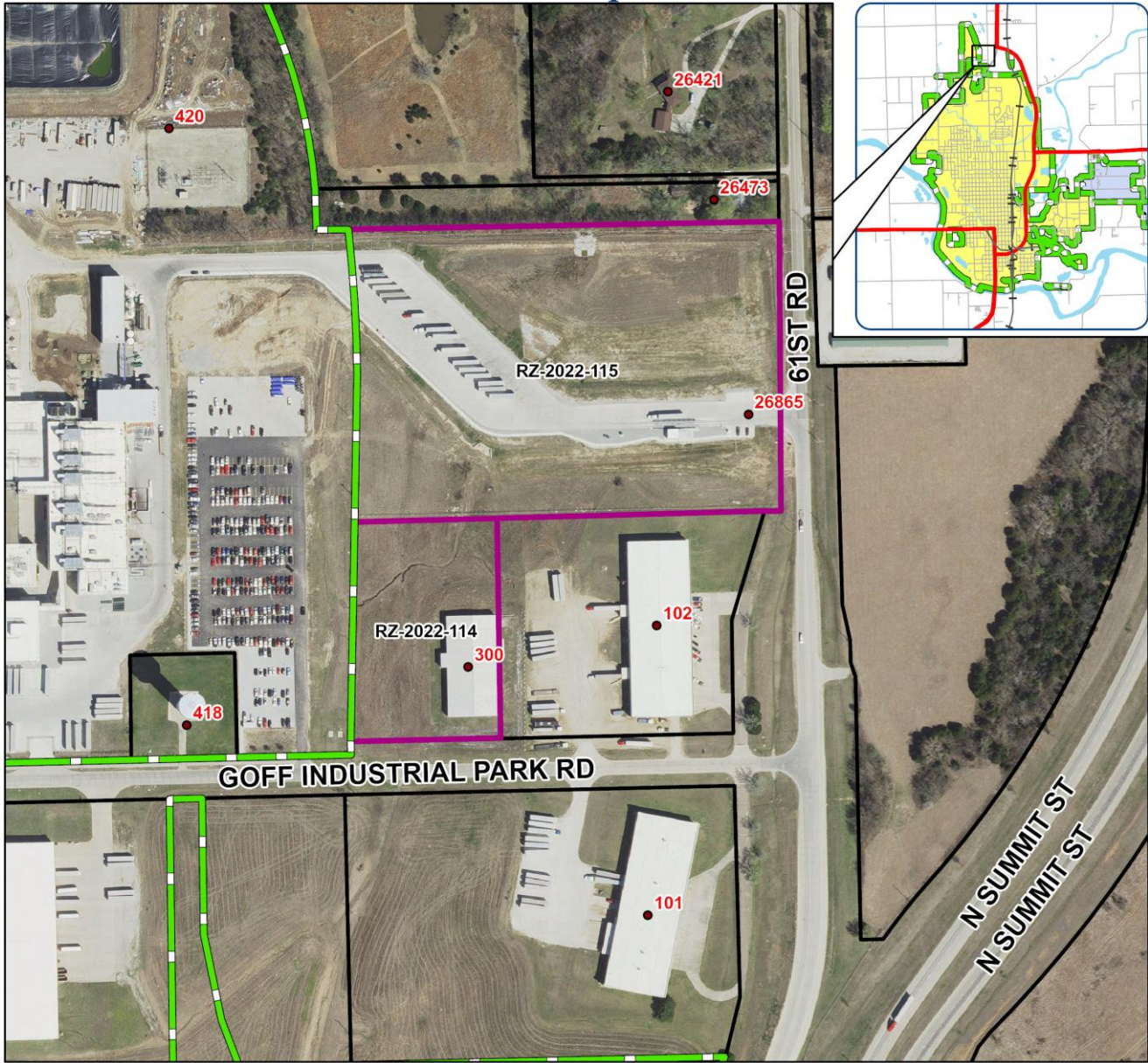
**DENY**

<p><b>COMPATIBILITY with the COMPREHENSIVE PLAN</b> The Future Land Use portion of the Comprehensive Plan designates the subject property as commercial use. The proposed use is commercial. This will also help to meet the goal from Chapter 4 to "retain existing businesses and support their expansion".</p>	<p><b>PROPERTY HISTORY</b> The property was developed with an industrial spec building by Arkansas City Industries around 2017. It was recently transferred to Creekstone Farms Premium Beef LLC. In 2022, a request for annexation was submitted to the City.</p>
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<p><b>COMPATIBILITY with the ZONING ORDINANCE</b> The surrounding area is comprised of agricultural, industrial and residential uses. It is the intent of the C-3 District to allow basic retail, service and office uses located at specific points on major streets outside the central and neighborhood business districts. This district is also intended to provide locations for commercial activities that do not require a central location downtown, but do require a location easily accessible to downtown shoppers; therefore it is particularly appropriate adjoining a major highway. Business uses needing large floor areas, particular those of a service nature, not compatible with Central Business District uses, are included in this district. The change in classification would be consistent with the intent and purpose of these regulations.</p>
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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).

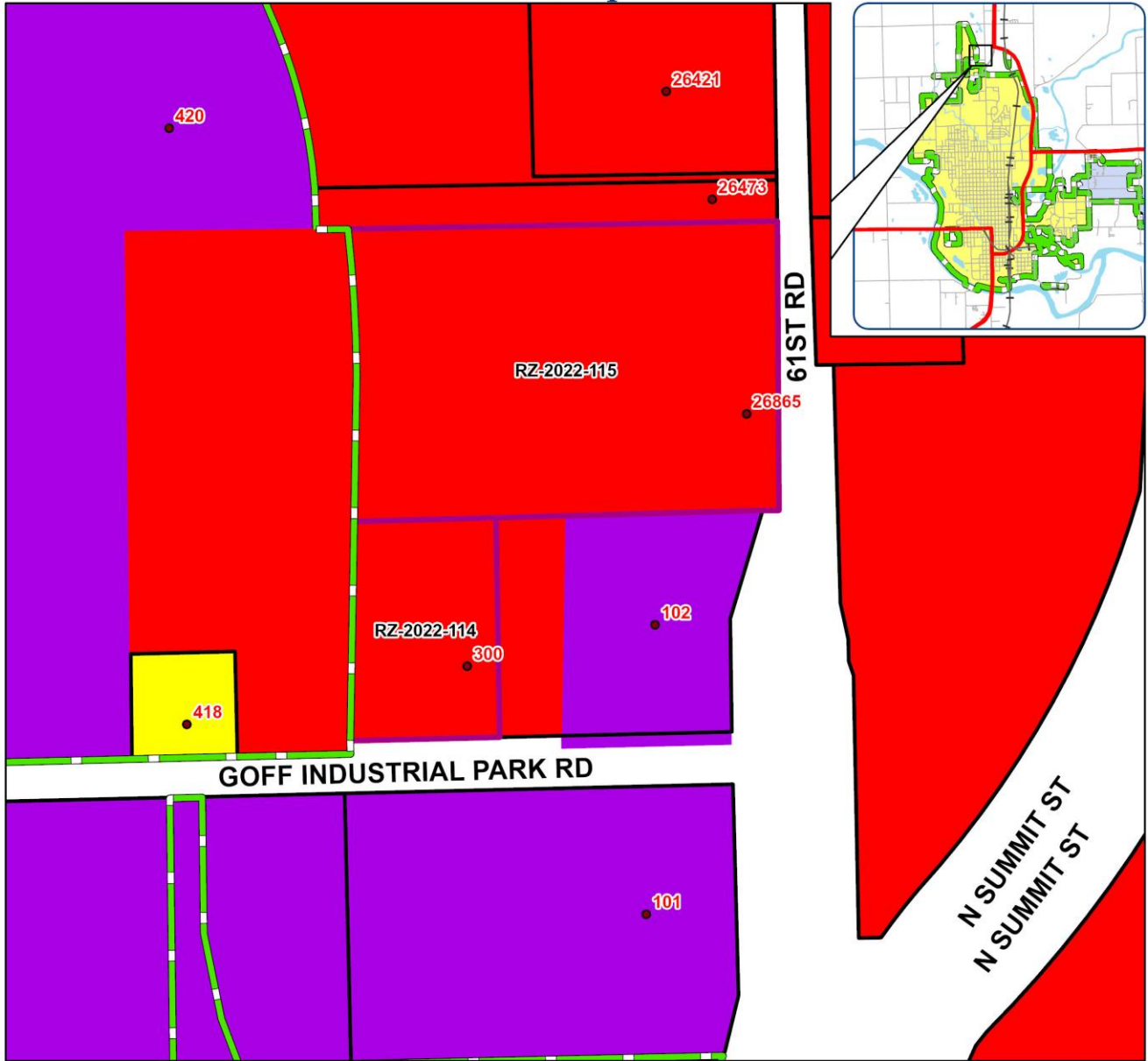
-  City Limits
-  Rezone
-  Property Lines

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
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- Property Lines

### Future Land Use

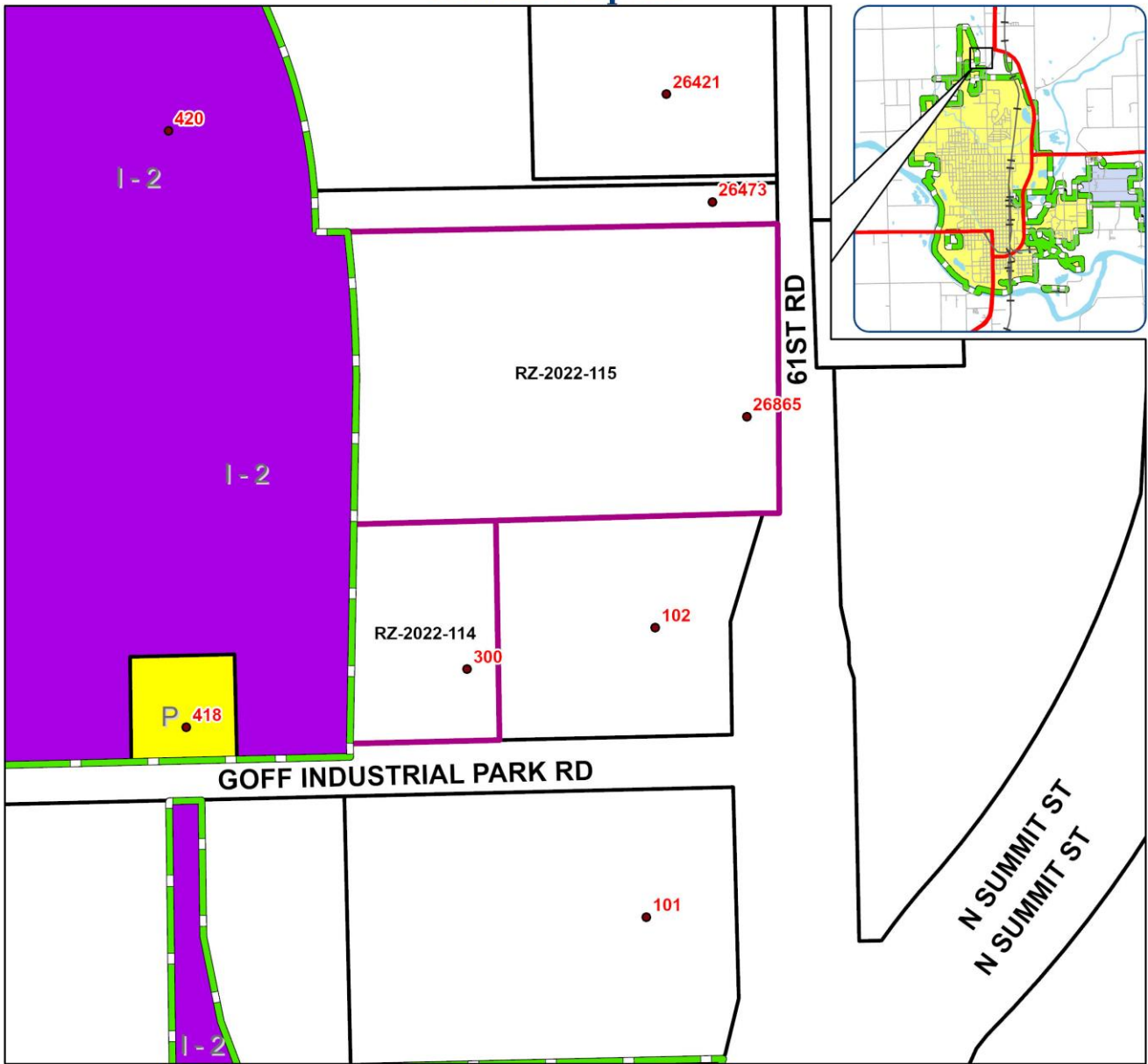
- Commercial
- Industrial
- Public

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

Rezone

Property Lines

### Zoning

I-2, Heavy Industrial District

P, Public Use District

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## Site Plan

No site plan was provided as part of 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 and residential uses. It is the intent of the C-3 District to allow basic retail, service and office uses located at specific points on major streets outside the central and neighborhood business districts. This district is also intended to provide locations for commercial activities that do not require a central location downtown, but do require a location easily accessible to downtown shoppers; therefore it is particularly appropriate adjoining a major highway. Business uses needing large floor areas, particular those of a service nature, not compatible with Central Business District uses, are included in this district. The change in classification would be consistent with the intent and purpose of these regulations.

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

The surrounding area is comprised of agricultural, industrial and residential uses. An industrial site is to the north. A warehouse facility is to the east. Creekstone Farms main plant is the west. A warehouse and agricultural land is to the south. The property consists of approximately 3.51 acres. The site already has a warehouse building that is a proposed child daycare center.

## Neighborhood Photos



The subject property



Drainage/Open Area west of the daycare facility



Looking to the east along Goff Industrial Park Rd



Looking to the west along Goff Industrial Park Rd

All pictures 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 industrial. This area is not zoned as it is outside the city limits (at the time of this report). To the west is industrial and the zoning is also industrial to match the uses. To the east is a warehouse facility, 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. The proposed use is commercial and the proposed zoning is commercial. The area is trending industrial as it is within the established Goff Industrial Park. While the proposed use is commercial rather than industrial, it directly serves the industrial uses in the area as a shortage of childcare facilities has become a major issue in the area.

**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 child daycare center would be permitted under the C-3, General Commercial District. While a slightly more restrictive district would permit this use, the scope of this project makes this zoning district more appropriate and allows for additional flexibility in the use of the site. This less restrictive zoning district would also be surrounded by industrial uses which will not be negatively affected by an increased intensity commercial use and in fact, this proposed use complements the industrial uses.

**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 warehouse 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.

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

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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 use Goff Industrial Park Road to access 61<sup>st</sup> Road to the east and beyond or 8<sup>th</sup> Street to the west. Both streets can already handle heavy truck traffic and can handle any additional traffic related to this project. In fact, the majority of the traffic related to this project will already be in the area due to their employment at Creekstone Farms.

**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 other land that could be used for such a use but not necessarily in a place conducive to business for this particular use. This area strongly needs childcare as there is a shortage throughout the city. This proposed use is immediately adjacent to a major childcare demand driver.

**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 commercial. 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. In fact, there should be a relative gain due to the project the need for additional childcare opportunities.

**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 C-3 be approved based on the following conclusions:

- The development appears compatible with the area.
  - The property was developed prior to annexation.
  - The use is compatible with uses in the area.
  - The project should not adversely affect the neighboring properties.
  - The project brings childcare services which are in great demand in the city.
  - The public health, safety and general welfare should not be negatively impacted by this rezoning.
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