



STAFF REPORT

City of Arkansas City Neighborhood Services Division

Josh White, Principal Planner

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CASE NUMBER
RZ-2022-112

APPLICANT/PROPERTY OWNER
Jose Paz-Ontiveros

PUBLIC HEARING DATE
May 10, 2022

PROPERTY ADDRESS/LOCATION
1118 Key Largo Ln

SUMMARY OF REQUEST

The subject property is located at 1118 Key Largo Lane. The surrounding area is comprised of residential, public and religious uses. Forrest Glenn Subdivision is to the north, Residential is east of the site. The school district owns property to the west of the site and a church owns the property south of the site. The property consists of approximately 4.4 acres. The project will be to develop a duplex. The applicants are requesting a rezone from R-1, Low Density Residential District to an R-3, High Density Residential District.



Map data ©2022 Esri World Topographic map

<p>EXISTING ZONING R-1-Low Density Residential</p>	<p>EXISTING LAND USE Residential</p>	<p>SURROUNDING ZONING & LAND USE North-R-2; Residential East-R-1; Residential South-R-1; Residential West-P; Public</p>	<p>SITE IMPROVEMENTS Single Family Dwelling and Accessory structures</p>	<p>SIZE OF PROPERTY 4.4 acres</p>
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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 residential use. The proposed use is also residential. The Plan did not differentiate in terms of residential density. This will also help to meet the goal from Chapter 3 to "encourage the availability of housing in Arkansas City for all ages and income groups" Recent studies of our current housing situation also suggests that the City work to create greater housing options with greater density.

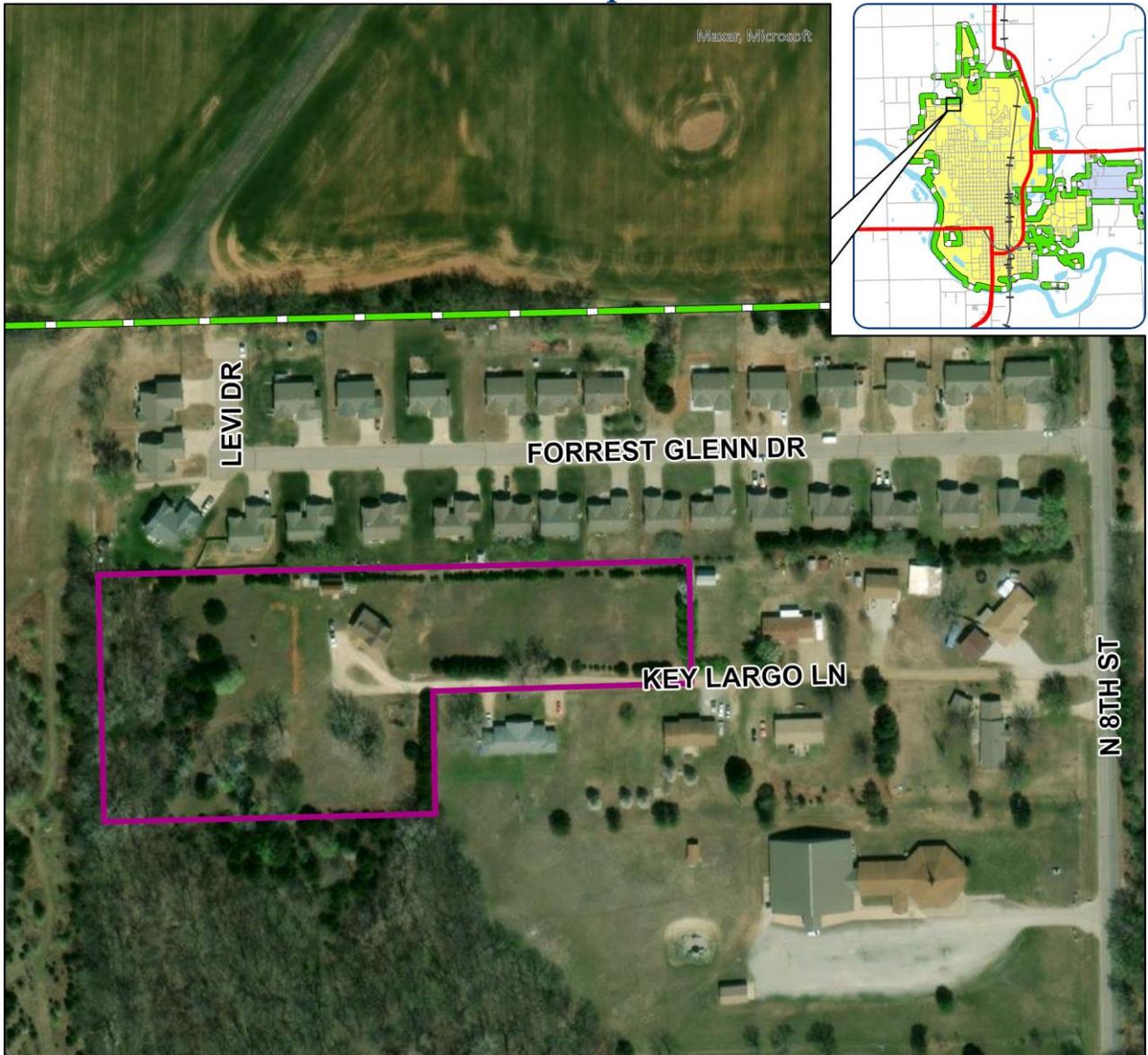
PROPERTY HISTORY
The property was developed with a single family dwelling unit in 1900 according to County records. Additional site improvements have been made in the years since. It is believed this is the original property and that later the properties closer to what is now 8th Street were split off and developed in the late 1970s and early 1980s. The property was annexed into the City in 1986. The area annexed included all of the neighborhood along Key Largo Lane and the area that would later be developed into Forrest Glenn Subdivision. This annexation was part of a larger phased annexation plan the City was undertaking at that time. Upon annexation the area received the default zoning district of the time R-1 (Single Family Residential) District; not to be confused with the current R-1 district.

COMPATIBILITY with the ZONING ORDINANCE

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Area map

Rezone Request



A request for a rezone at 1118 Key Largo Ln from a R-1 Low Density Residential District to a R-3 High Density Residential District

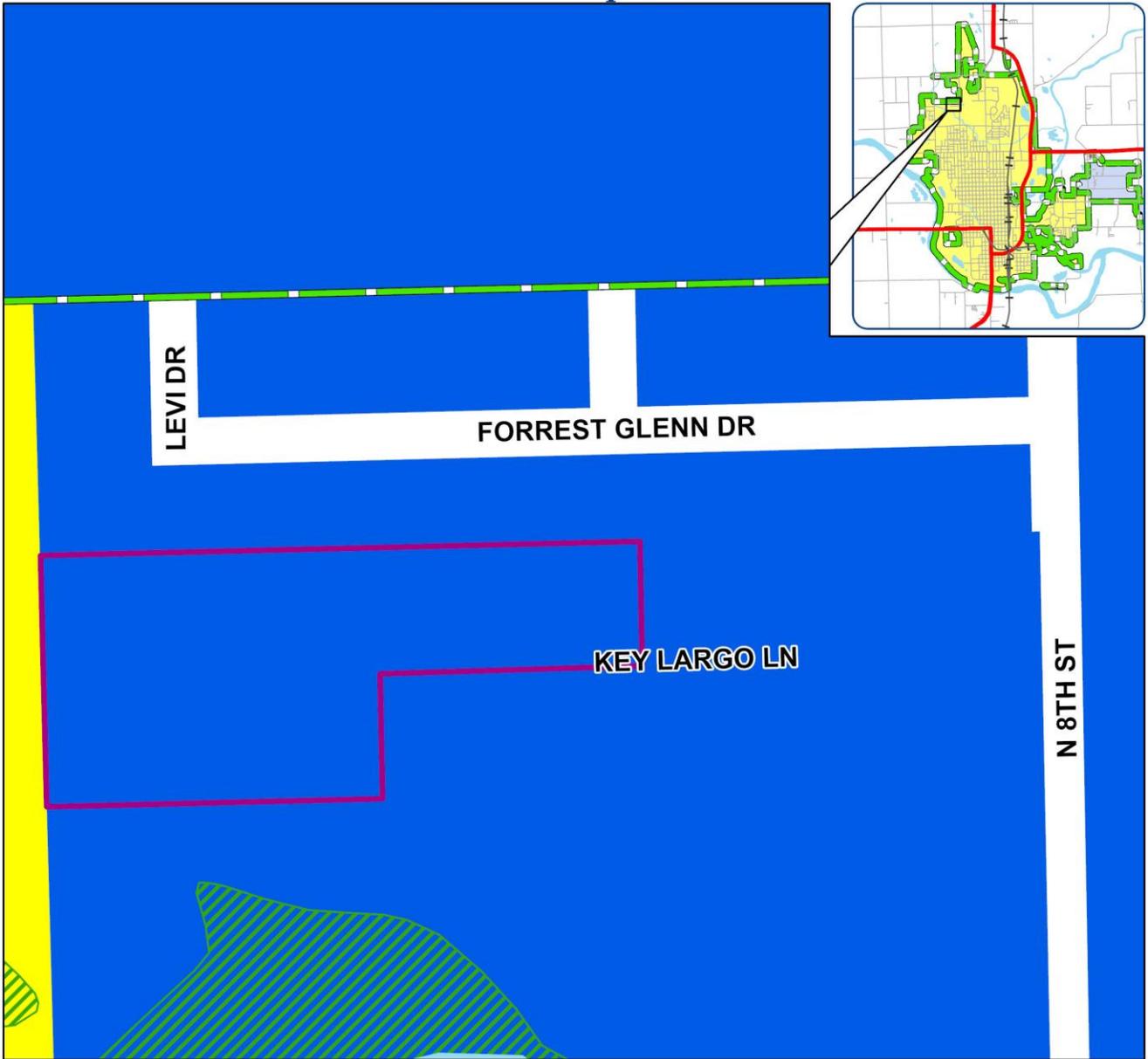
-  City Limits
-  Rezone

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: April 11, 2022



Future Land Use map

Rezone Request



A request for a rezone at 1118 Key Largo Ln from a R-1 Low Density Residential District to a R-3 High Density Residential District

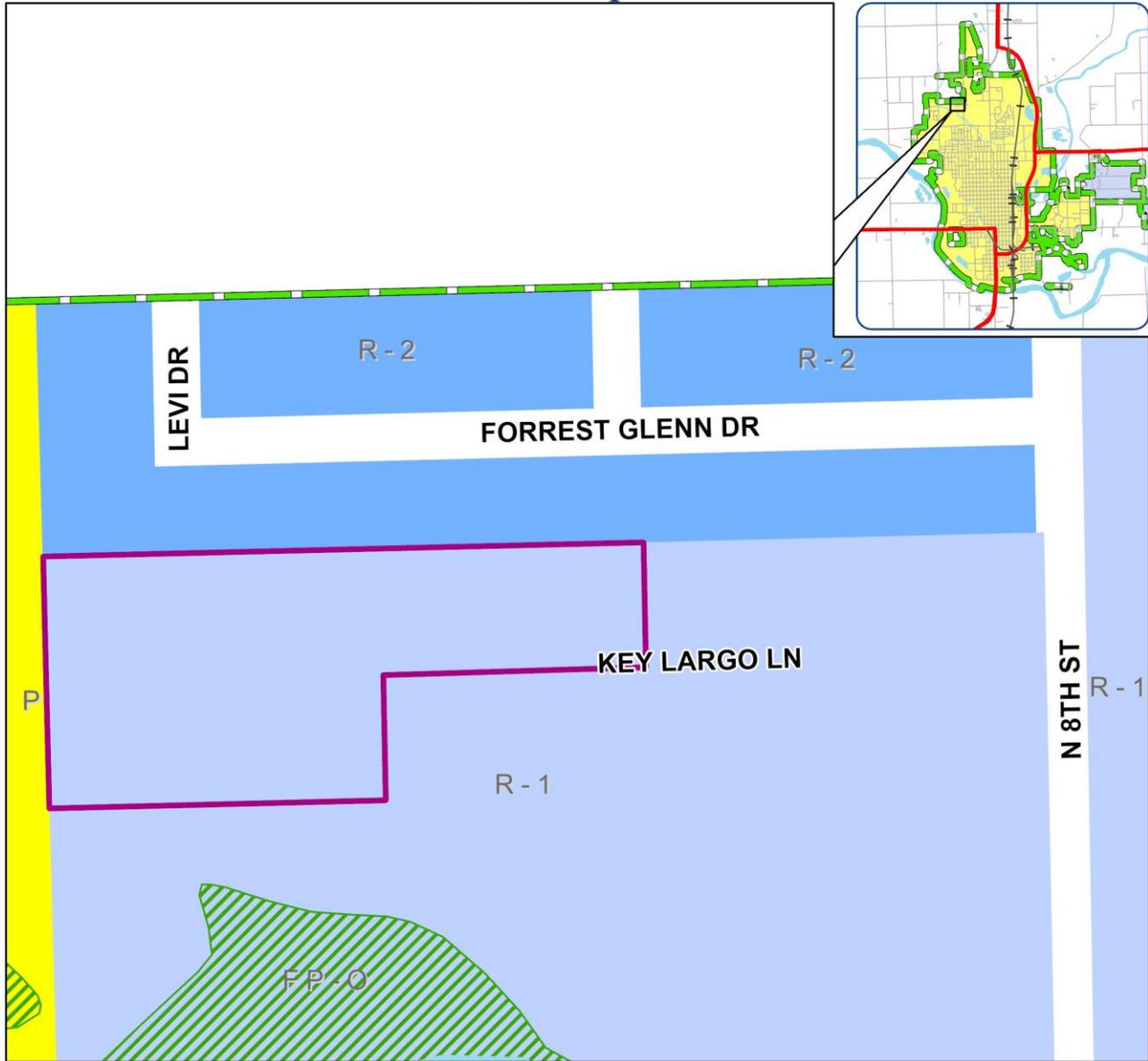
- City Limits
- Rezone
- Future Land Use**
- Floodplain
- Residential
- Public

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Zoning map

Rezone Request



A request for a rezone at 1118 Key Largo Ln from a R-1 Low Density Residential District to a R-3 High Density Residential District

- City Limits
- Rezone
- Zoning**
- R-1, Low Density Residential District
- R-2, Medium Density Residential District
- P, Public Use District
- FP-O, Floodplain Management Overlay District

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Site Plan

A site plan was not provided for this application and was not required.

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;

It is the intent of the residential zoning districts to provide for areas of low, medium and high density residential development including certain public or private uses which are compatible with residential development. 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 residential, religious and public uses. Forrest Glenn Subdivision is to the north, Residential is east of the site. The school district owns property to the west of the site and a church owns the property south of the site.

Neighborhood Photos



The subject property-4/25/22



Existing home-4/25/22



South portion of property-4/25/22



Key Largo Ln looking east from property-4/25/22



Google StreetView from August 2021 of intersection of 8th Street & Key Largo Ln

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 current district allows single family dwellings and Two Family dwellings are allowed with a conditional use permit. The proposed use is to add two dwelling units for a total of three units. An alternative to the proposal would be to rezone the property to R-2 and a conditional use permit would then be needed to allow three or more families. It is for the reason of simplicity that R-3 was chosen as the most appropriate district for this project. R-3 would also permit additional dwelling units to be added in the future. The general area around this site has seen increased housing demand.

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 residential. This area is zoned residential. To the west is public use and the zoning district is also Public use. To the east is residential which is also zoned residential. There is one pre-existing non-conforming duplex immediately adjacent to the site. To the south is a church and it is zoned residential. The general area around the site is seeing an increase in housing demand and increasing density of residential uses.

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;

R-3 zoning does allow increased housing density. Due to some concerns brought by area residents, staff believes the amount of increased density would need to be limited due to the narrowness of Key Largo Lane and the lack of city sanitary sewer. All development is currently served by septic tanks for sewage disposal.

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

The property is currently zoned for residential use and is large enough to sustain additional residential density. The proposed use is an increase in residential density that is not allowed in an R-1 district.

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

The property is not currently vacant.

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;

With the exception of sewer, all water and other utilities are readily available at or near the site. The site would have to be serviced by a septic tank. The property is capable of handling additional septic tanks. Police and Fire should be able to serve the proposed use without any changes to existing services but it is acknowledged by staff that access to the existing homes is a challenge for emergency responders and school buses due to the narrowness of Key Largo Lane.

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 within the City but it is not owned by the applicant.

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 residential use. The proposed use is also residential. The Plan did not differentiate in terms of residential density. This will also help to meet the goal from Chapter 3 to "encourage the availability of housing in Arkansas City for all ages and income groups." Recent studies of our current housing situation also suggests that the City work to create greater housing options with greater density.

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. However, it is acknowledged by staff that additional traffic on Key Largo Lane could cause the road to deteriorate which could make it inaccessible to emergency vehicles and other residents.

12. Public Comments

Staff received numerous phone calls from area residents in opposition to the request citing the lack of additional capacity of the road serving the site to be a hindrance to further development. A letter was also sent from multiple residents which will be included in the record opposing the request. The consensus from residents on Key Largo Lane was that improvement to the infrastructure was also undesirable as the existing homes are not setback far enough to allow those improvements.

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

14. The recommendations of professional staff;

It is the recommendation of staff that the requested rezoning R-1 to R-3 be approved, with some reservation, based on the following conclusions:

- The development appears compatible with the area.
- The lot is large enough to handle additional dwelling units
- The use helps to alleviate the current housing shortage
- The general area around the site is seeing an increase in housing demand and density

That being said, staff does acknowledge the amount of public opposition to the request and agrees with the sentiment that without further improvements to the infrastructure serving the area, any further increase in development would be inadvisable.
