



STAFF REPORT

City of Arkansas City Neighborhood Services Division
Josh White, Principal Planner
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CASE NUMBER
RZ-2024-121

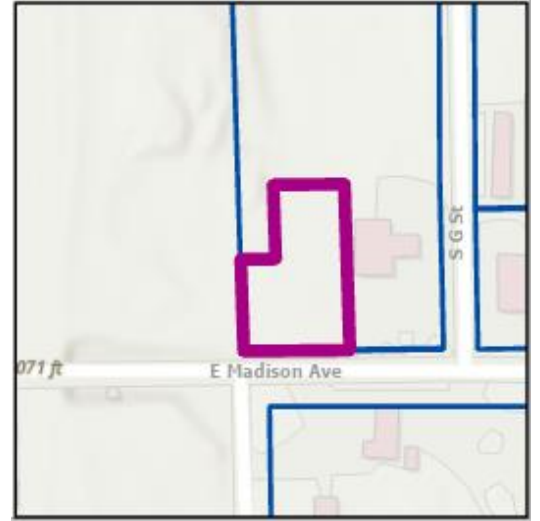
APPLICANT/PROPERTY OWNER
Brad & Deborah Kimmell

PUBLIC HEARING DATE
December 9, 2025

PROPERTY ADDRESS/LOCATION
706 E Madison Ave

SUMMARY OF REQUEST

The subject property is located at 706 E Madison Ave. The surrounding area is comprised of commercial uses. The property consists of approximately 0.71 acres. The project will involve the construction of a new building to park equipment for the neighboring business at 708 also owned by the applicants. The applicant is requesting a rezone from the R-2, Medium Density Residential District to a C-3, General Commercial District. Staff recommend approval of the rezone.



Map data ©2025 Esri World Topographic map

EXISTING ZONING R-2, Medium Density Residential District	EXISTING LAND USE Vacant	SURROUNDING ZONING & LAND USE North: A; Vacant South: C-3; Commercial (gas station) East: C-3; Commercial (Auto shop) West: Unzoned; Railroad Right of way	SITE IMPROVEMENTS None	SIZE OF PROPERTY 0.71 acres
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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 this property as residential as that was the proposed use in 2014 when the maps were originally drawn. The use remained residential in 2022 when the maps were updated. The properties to the south are commercial. The East Madison Ave Corridor is largely a mix of commercial and industrial. There is a goal in Chapter 4 of the Plan to "Attract new industries and businesses that complement our economy and labor force." This expansion could add jobs to the local economy and will allow this local business to expand operations.

PROPERTY HISTORY

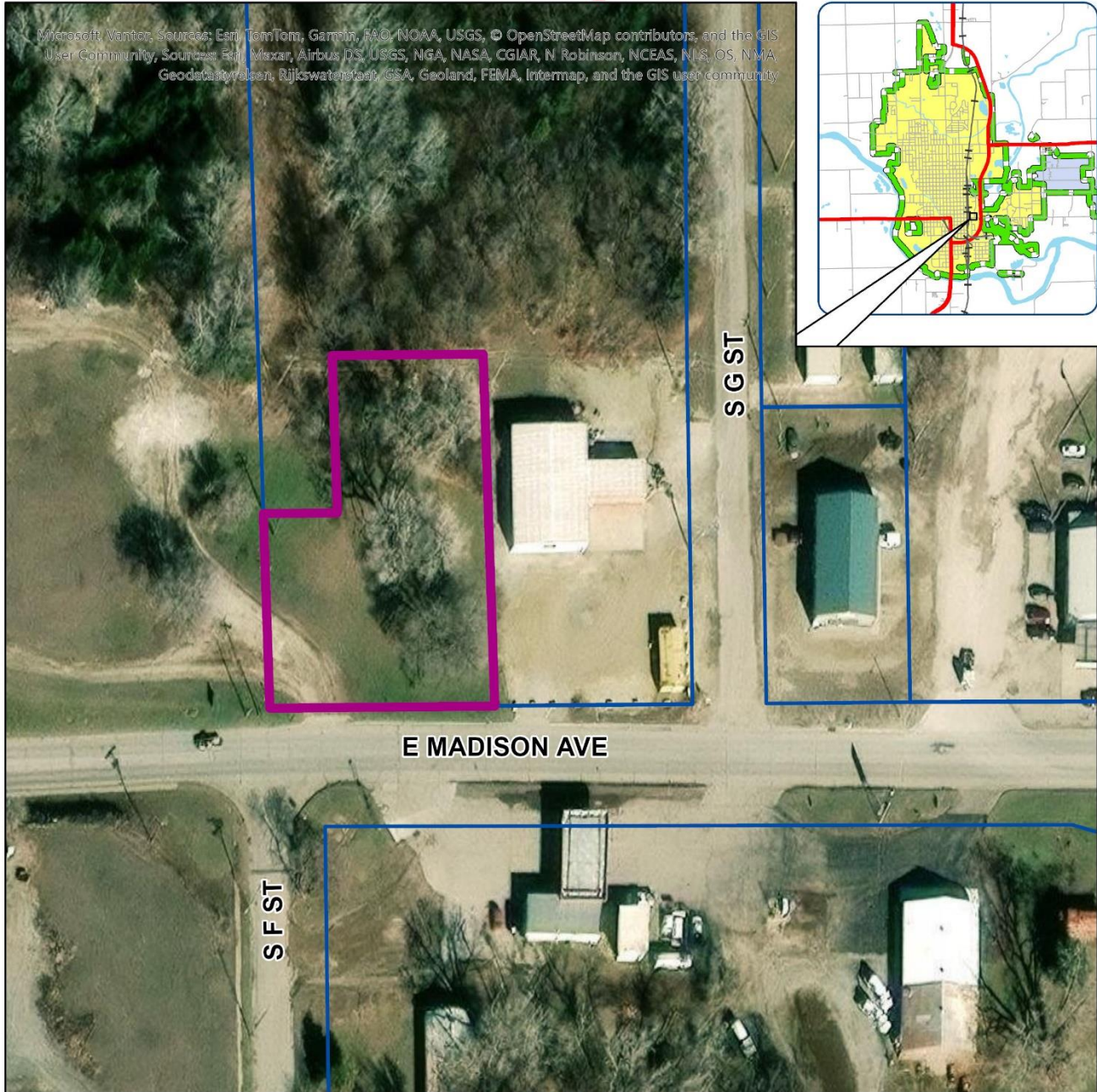
This property was flooded in 1999 and was part of the FEMA buyout program. The flood damaged structure was removed. The property was placed in the city land bank. An attempt was made to sell this property as residential, but the plans didn't pan out, and it was returned to the land bank. It was sold to the applicant in March 2025. The property remains vacant. There are no other land use cases.

COMPATIBILITY with the ZONING ORDINANCE

The surrounding area is comprised of commercial uses. It is the intent of the commercial districts to provide for areas of compatible commercial and service businesses. The change in classification would be consistent with the intent and purpose of these regulations.

Area map

Rezone Request



A request to rezone 706 E Madison Ave from
R-2, Medium Density Residential District to
C-3, General Commercial District

-  Rezone
-  Property Lines

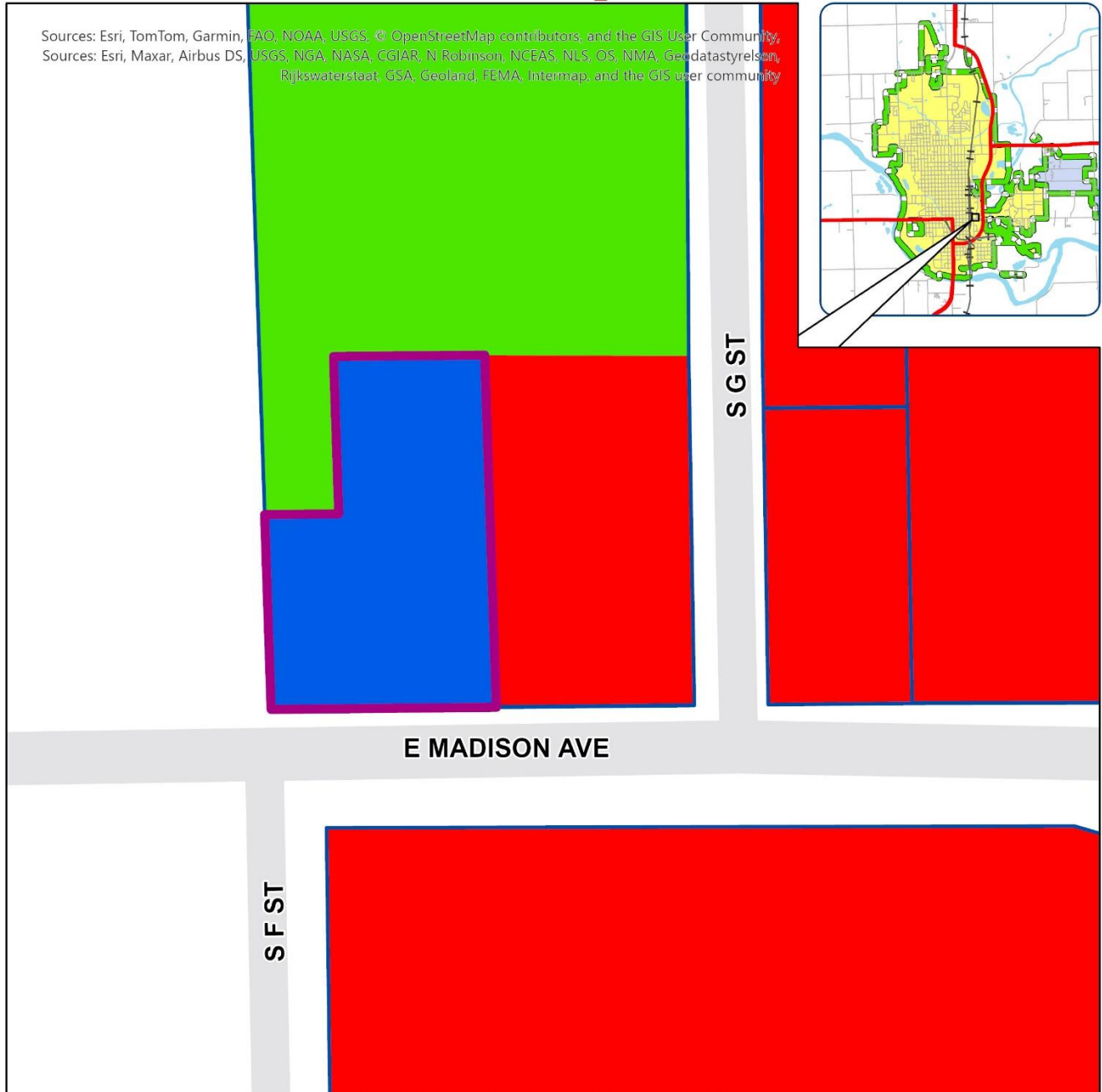
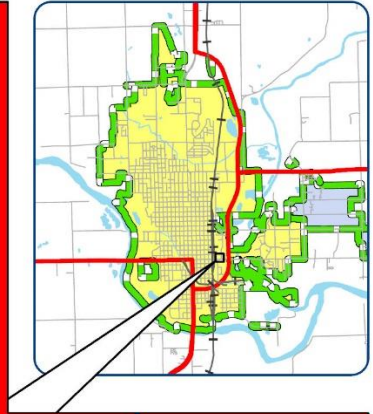
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Created: November 13, 2025



Future Land Use map

Rezone Request

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community
Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



A request to rezone 706 E Madison Ave from
R-2, Medium Density Residential District to
C-3, General Commercial District

-  Rezone
-  Property Lines
- Future Land Use**
 -  Agriculture
 -  Residential
 -  Commercial

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Zoning map

Rezone Request

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community,
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A request to rezone 706 E Madison Ave from
R-2, Medium Density Residential District to
C-3, General Commercial District

Rezoning

Property Lines

Zoning Districts

A, Agricultural District

R-2, Medium Density Residential District

C-3, General Commercial District

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Arkansas City
KANSAS

Site Plan

No site plan was provided and was not required for the 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.

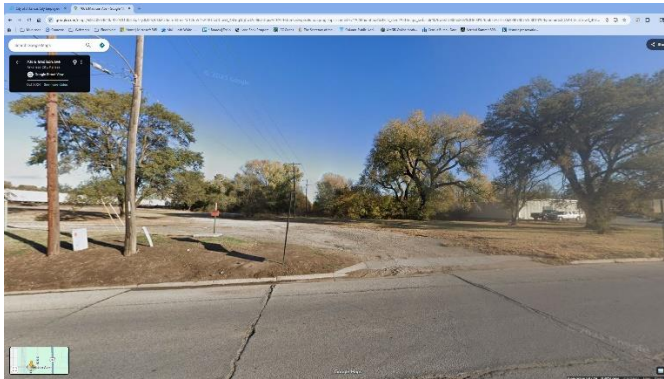
1. Whether the change in classification would be consistent with the intent and purpose of these regulations.

The surrounding area is comprised of commercial uses. It is the intent of the commercial districts to provide for areas of compatible commercial and service businesses. 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 commercial uses.

Neighborhood Photos



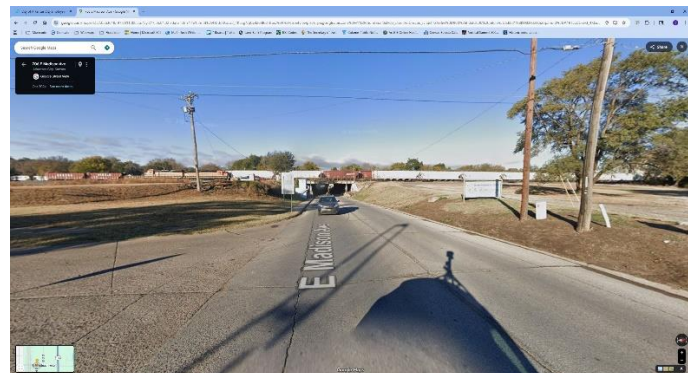
Subject Property 706 E Madison Ave. Google Streetview from October 2024



Adjacent business 708 E Madison Ave. Google Streetview from October 2024.



Looking East along Madison Ave. Google Streetview from September 2023.



Looking West along Madison Ave. Google Streetview from October 2024.

- 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 District does not allow the proposed use. The proposed C-3 district allows commercial use as proposed. The conditions of the area are not changing outside of this property. This property was zoned residential in the past as it had a single-family residence on site. This site is not very conducive to residential development due to the proximity of commercial businesses and the railroad.

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

The properties surrounding the site are commercial. There is an agriculture zone to the north, but it is undeveloped and owned by the applicant. The proposed use is generally the same intensity as the surrounding uses. The change in classification would be compatible with the nearby properties.

- 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 is compatible with the properties in the immediate vicinity.

- 6. The suitability of the applicant's property for the uses to which it has been restricted.**

The property is currently zoned for residential use. It is not very conducive to residential development due to its proximity to commercial businesses as well as the railroad. The proposed zoning district would be more suitable for the property.

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

The property has been vacant since the 1999 flood.

- 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.**

No additional infrastructure will be required.

- 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 commercial land available in the city but not immediately adjacent to the neighboring business which is trying to expand onto this property.

- 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 this property as residential as that was the proposed use in 2014 when the maps were originally drawn. The use remained residential in 2022 when the maps were updated. The properties to the south are commercial. The East Madison Ave Corridor is largely a mix of commercial and industrial. There is a goal in Chapter 4 of the Plan to "Attract new industries and businesses that complement our economy and labor force." This expansion could add jobs to the local economy and will allow this local business to expand operations.

- 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 relative gain to the public health, safety, and general welfare should not be negatively affected by this reclassification. The property is better suited for commercial use.

- 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-2 to C-3 be approved based on the following conclusions:

- The property has not been developed as residential since 1999.
 - No additional infrastructure will be needed.
 - The property is within a commercial neighborhood and adjacent to the railroad.
 - The project will allow a local business to expand.
 - The public health, safety and general welfare of the community will not be negatively affected.
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