



STAFF REPORT

City of Arkansas City Neighborhood Services Division

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CASE NUMBER
RZ-2021-109

APPLICANT/PROPERTY OWNER
USD 470

PUBLIC HEARING DATE
January 11, 2022

PROPERTY ADDRESS/LOCATION
600 S B Street

BRIEF SUMMARY OF REQUEST

The subject property is located at 600 S B Street. The surrounding area is comprised of commercial and residential uses. A vacant commercial site is northwest of the site. Residential is found to the north, south west and east. The property consists of approximately 0.9 acres and is 300'X131'. The project will be to develop a medical clinic. The applicants are requesting a rezone from P, Public Use District to a C-1, Office and Service Business District. A sale of the property to the Community Health Center in Cowley County is contingent upon approval of this request. Staff recommends approval of the rezone request.



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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the ZONING ORDINANCE

The surrounding area is comprised of residential and commercial uses. It is the intent of the commercial zoning 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.

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 residential and commercial uses. It is the intent of the commercial zoning 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 residential and commercial uses. A vacant commercial site is northwest of the site. Residential is found to the north, south west and east. Commercial development in this area should not negatively affect the neighborhood as the use will be similar to what it was before when it was a school and it is generally accepted that the Madison Ave corridor is a mix of commercial and residential uses.

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 Public Use Zoning District does not allow the proposed use. The proposed owner is not a publicly owned entity. The school district has been looking for a way to repurpose the building for a number of years.

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. To the west is commercial and residential. The zoning of these areas is Residential and Commercial. The 2013 Comprehensive Plan designated this area as public use because the property was operated by the school district at the time of the plan. To the south is residential. The zoning to the south is R-3. The uses are residential. The surrounding area is comprised of residential and commercial uses. To the east is residential. The zoning to the east is R-3 which matches the use. The proposed use is a medical clinic which is compatible with the existing commercial uses and residential land 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 a medical clinic would be permitted under the C-1, Office and Service Business District. The area along Madison Ave is a mix of commercial and residential. The proposed use is very similar to the previous use of a school. The C-1 district does allow other small commercial uses and due to the restricted list of uses, any other uses should remain compatible with the area.

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

The property is currently zoned for public use; the property has a former school building on it. The proposed use is not a public use but is still a commercial use. Non-public uses are not permitted in the P district. The 2013 Comprehensive Plan called for this area to be public use because it was being used as a school facility at that time.

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

The building was decommissioned by the school district in 2016 and has remained vacant ever since.

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;

As there is already a building present on the site, all sewer, water and other utilities are already present at the site. Police and Fire should be able to serve the building without any changes to services.

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 very little of it is C-1. This proposed use is also very specialized and its siting is a very important consideration. Such a facility could be also be sited near the Ark City Clinic or South Central Kansas Medical Center but some of their services would duplicate what is already available at those facilities. There are also no medical facilities south of Vine Avenue.

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 public use. The proposed use is commercial. Public use does allow for uses that are not public. When the plan was written, this facility still operated as a school district facility. This will also help to meet the goal from Chapter 7 to "Support efforts to improve access to health services" This clinic will aid low income residents in getting proper medical care and also provides a walkable solution to medical care for many citizens on the south side of town.

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, it will likely improve public health for this area and for the city at-large.

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 P to C-1 be approved based on the following conclusions:

- The development appears compatible with the area.
 - The building has remained vacant since 2016.
 - The use is similar to the previous use in intensity
 - The project should not adversely affect the neighboring properties.
 - The project promotes an affordable health care option for many residents.
 - The public health, safety and general welfare should not be negatively impacted by this rezoning.
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