



STAFF REPORT

City of Arkansas City Neighborhood Services Division
 Josh White, Principal Planner
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CASE NUMBER
 RZ-2023-117

APPLICANT/PROPERTY OWNER
 Alfredo Sampayo/City of Arkansas City

PUBLIC HEARING DATE
 October 10, 2023

PROPERTY ADDRESS/LOCATION
 Former Sleeth Ballpark

SUMMARY OF REQUEST

The subject property is located the former Sleeth Ballpark. The surrounding area is comprised of residential, commercial, and public uses. Single Family Residential is to the north and west of the site. The Wastewater Treatment Plant is to the south. To the east is the dance studio and a construction business and yard both outside the city limits. The property consists of approximately 7.87 acres. The project will be to develop a residential subdivision. The applicant is requesting a rezone from P, Public Use District to an R-3, High Density Residential District. The City has entered into a memorandum of understanding with Alfredo Sampayo and his partners to develop additional housing. Staff recommend approval of the rezone.



Map data ©2023 Esri World Topographic map

EXISTING ZONING P-Public Use District	EXISTING LAND USE Vacant	SURROUNDING ZONING & LAND USE North-R-2; Residential East-Unzoned County; Commercial South-P;Public West-R-2; Residential	SITE IMPROVEMENTS None	SIZE OF PROPERTY 7.87 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 the subject property as public use. When the Comprehensive Plan was developed, it was not clear whether a project would materialize so the public use designation was retained in 2022. The proposed use is residential. The project meets the goal to “encourage the availability of housing for all ages and income groups” by establishing additional housing and establishing a Rural (now Reinvestment) Housing Incentive District to pay for improvements. The city also meets to goal to “encourage more builders to invest in housing by finding ways to reduce the cost to build.” The City has done this by establishing the Rural (now Reinvestment) Housing Incentive District and waiving permit and utility connection fees. The City Commission also entered a memorandum of understanding with the developer on the donation of the land.

PROPERTY HISTORY
 Until approximately 2011, the property had been a ballpark. It is unclear when the ballpark was first established in this location. The ballpark was relocated to the high school in 2011 and shortly after the facility was removed. The property has remained vacant ever since. There is no record of any other land use cases for the property.

COMPATIBILITY with the ZONING ORDINANCE
 The surrounding area is comprised of residential, commercial, and public uses. 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.

Area map

Rezone Request



A request to rezone the former Sleeth Ball Park
from P (Public Use District) to R-3 (High Density Residential District)

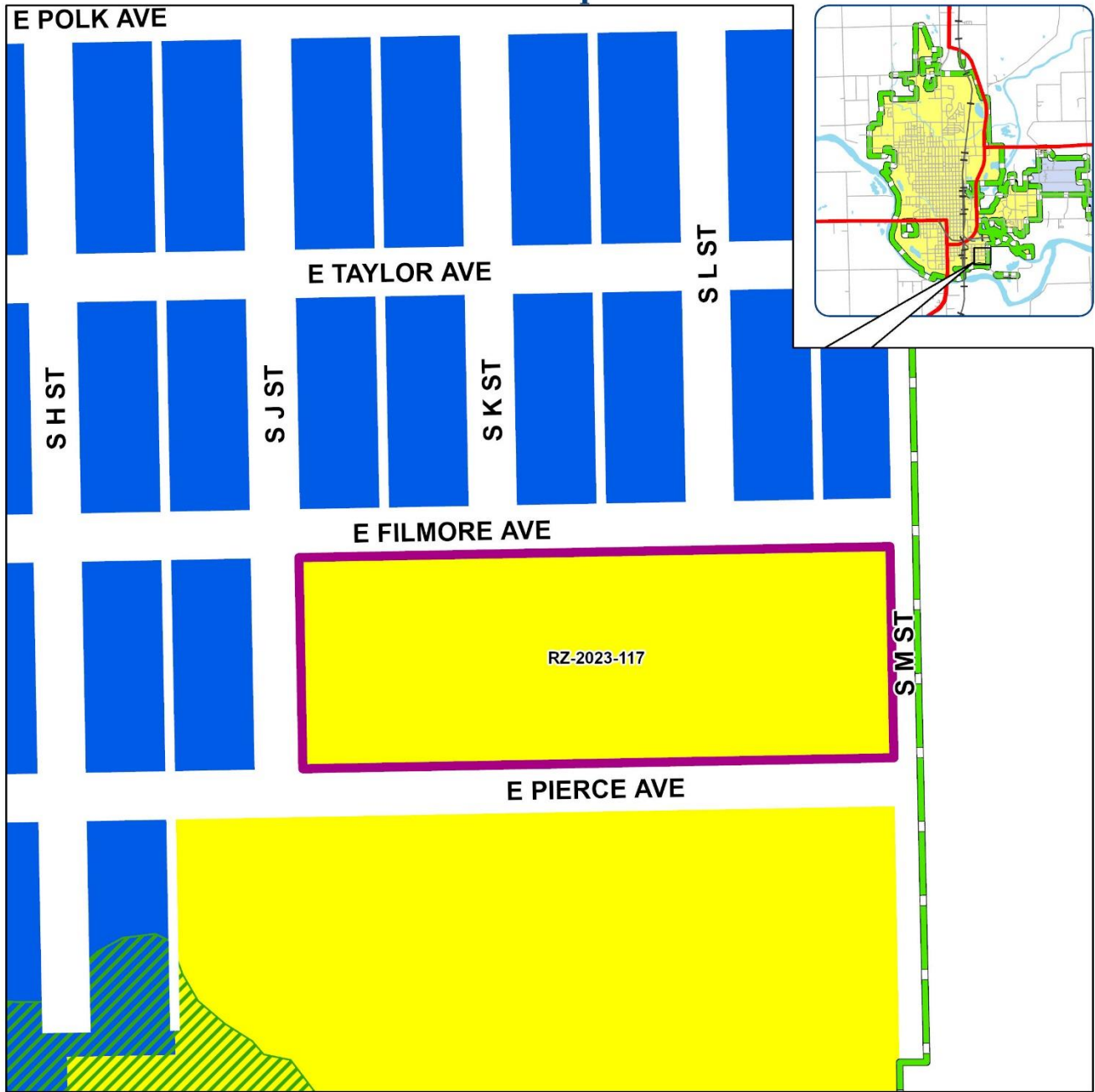
-  City Limits
-  Rezone

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: September 12, 2023



Future Land Use map

Rezone Request



A request to rezone the former Sleeth Ball Park from P (Public Use District) to R-3 (High Density Residential District)

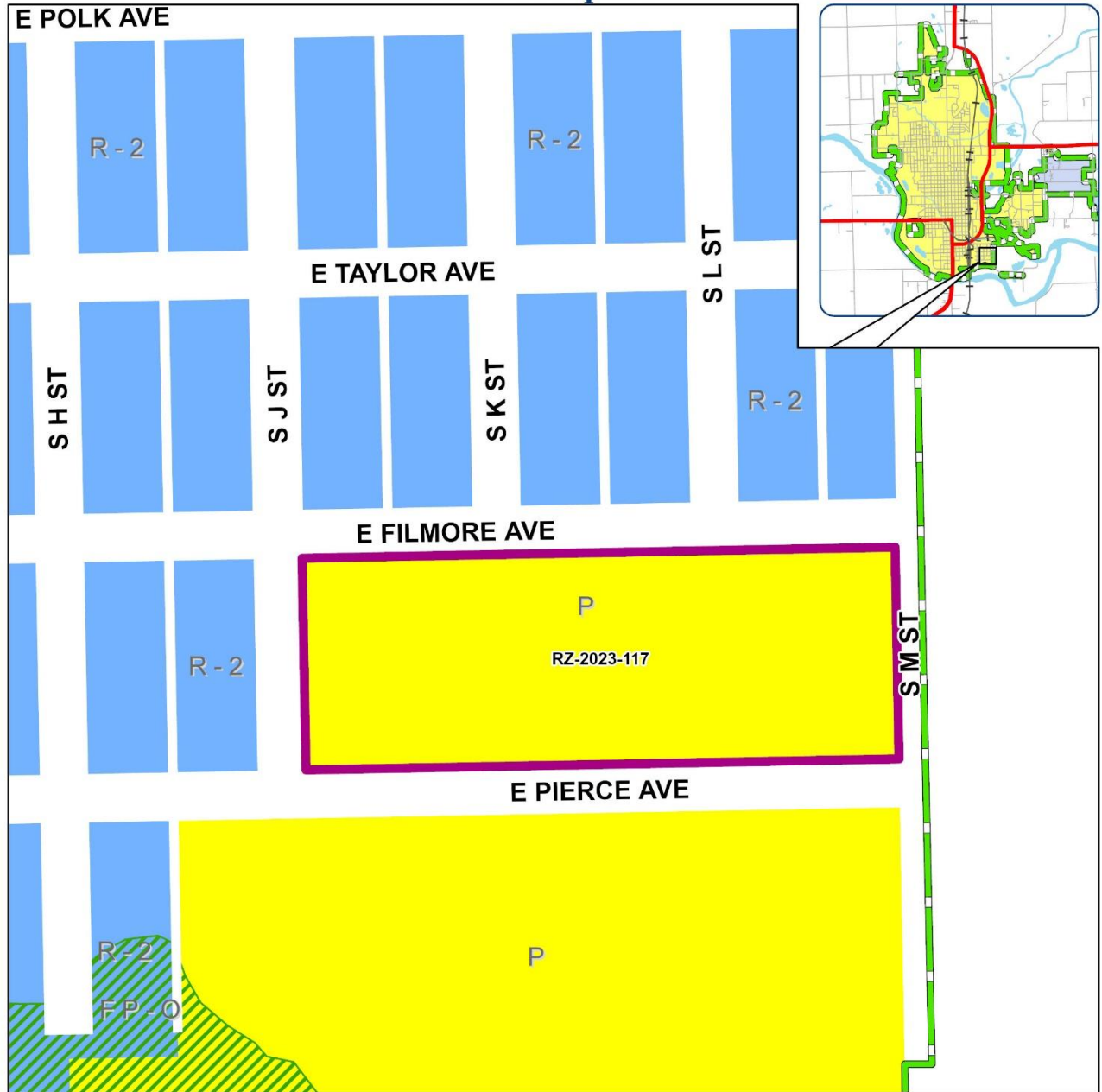
- City Limits
- Rezoning
- Future Land Use**
- Floodplain
- Residential
- Public

Produced by the City of Arkansas City GIS using the best available data to date. Created: September 29, 2023



Zoning map

Rezone Request



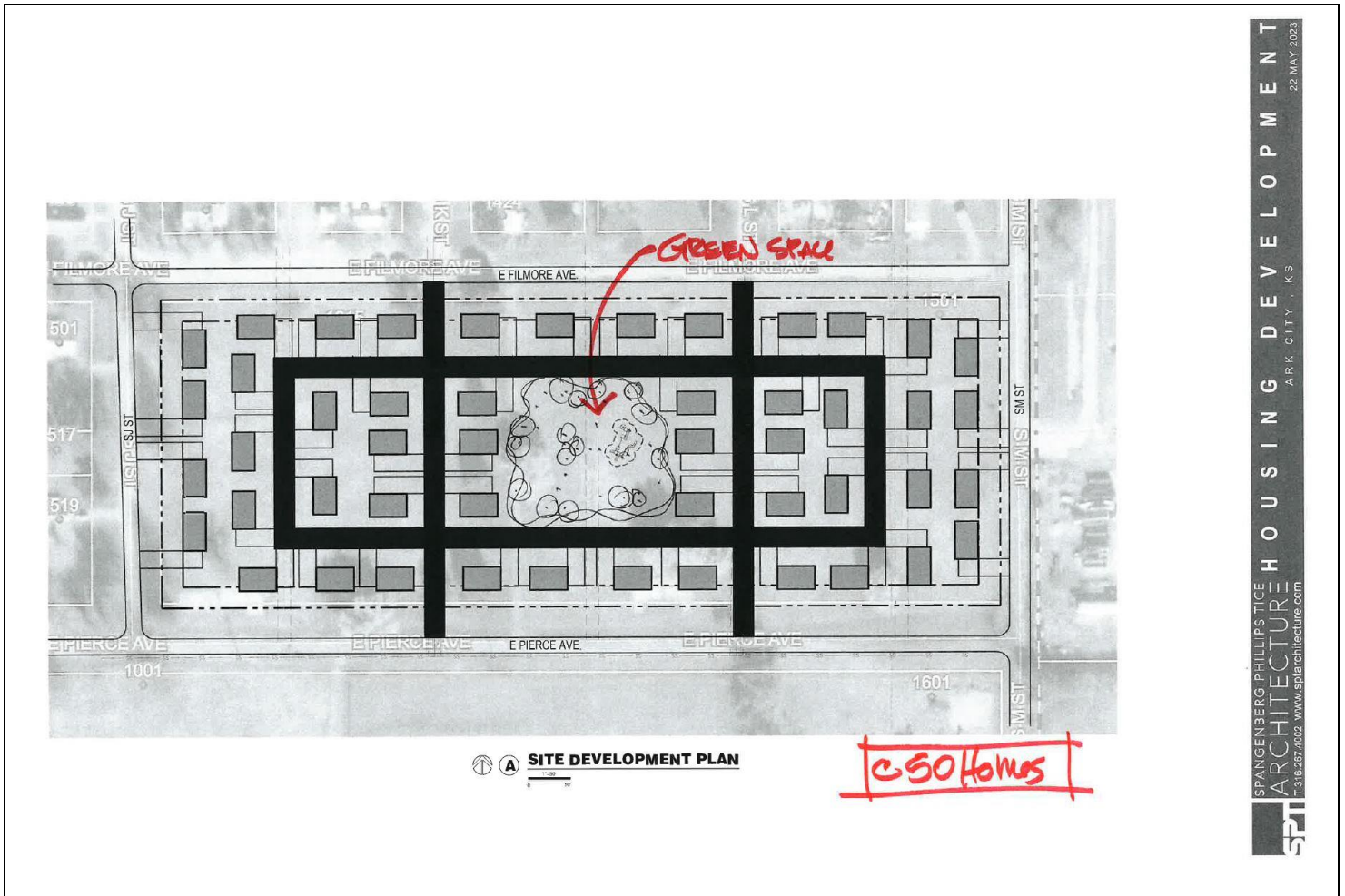
A request to rezone the former Sleeth Ball Park
from P (Public Use District) to R-3 (High Density Residential District)

- City Limits
- Rezone
- R-2, Medium Density Residential District
- P, Public Use District
- FP-0, Floodplain Management Overlay District

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Created: September 29, 2023



Site Plan



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.

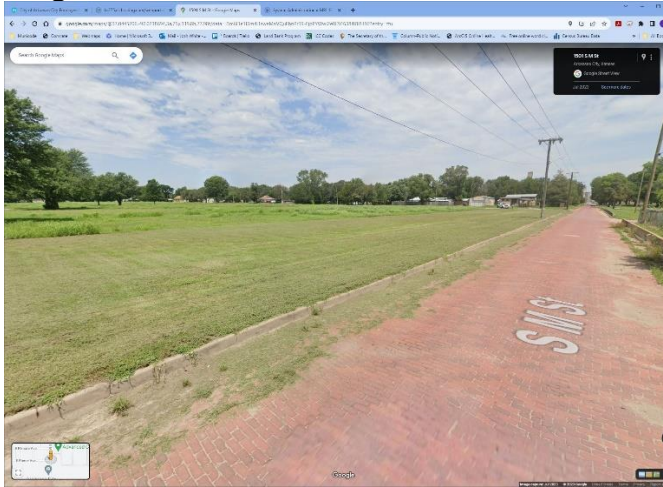
1. Whether the change in classification would be consistent with the intent and purpose of these regulations;

The surrounding area is comprised of residential, commercial, and public uses. 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.

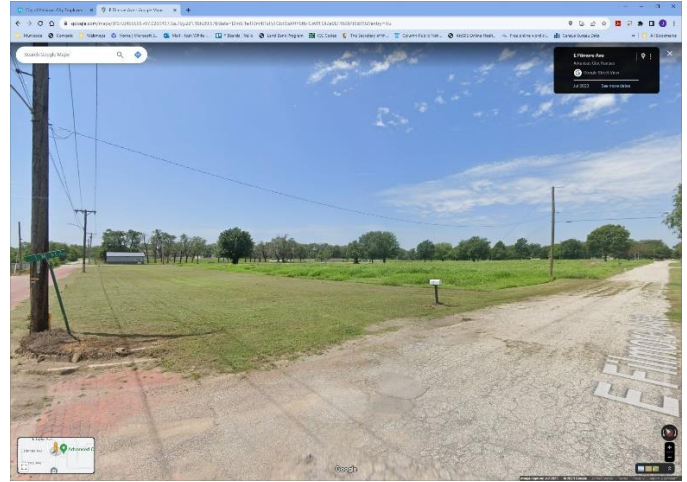
2. The character and condition of the surrounding neighborhood and its effect on the proposed change;

The surrounding area is comprised of residential, commercial, and public uses. Single Family Residential is to the north and west of the site. The Wastewater Treatment Plant is to the south. To the east is the dance studio and a construction business and yard both outside the city limits.

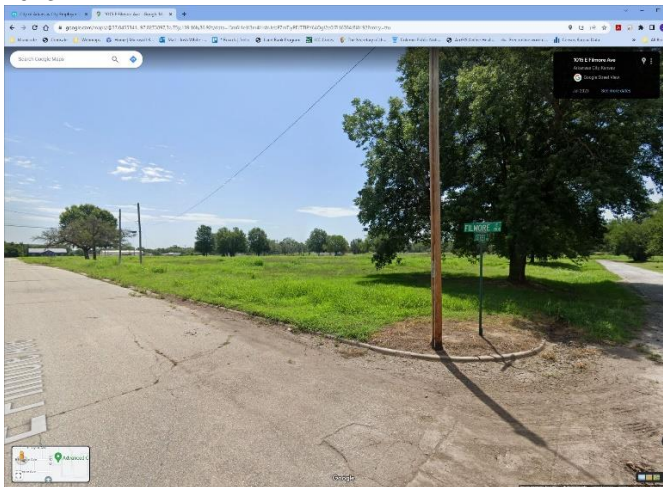
Neighborhood Photos



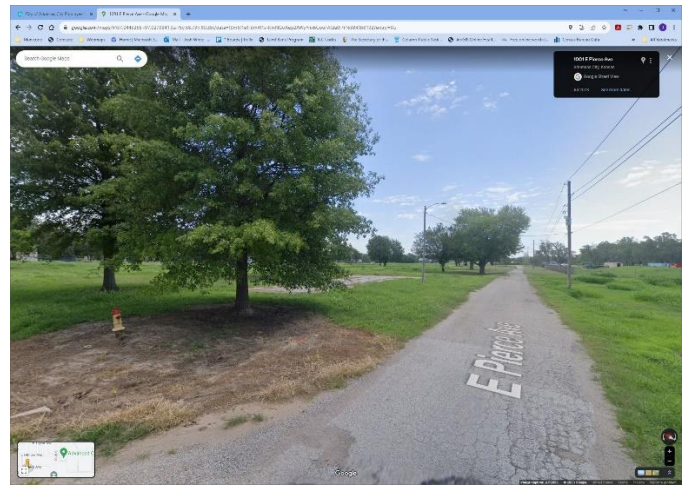
Looking NW from M & Pierce. Google StreetView from July 2023.



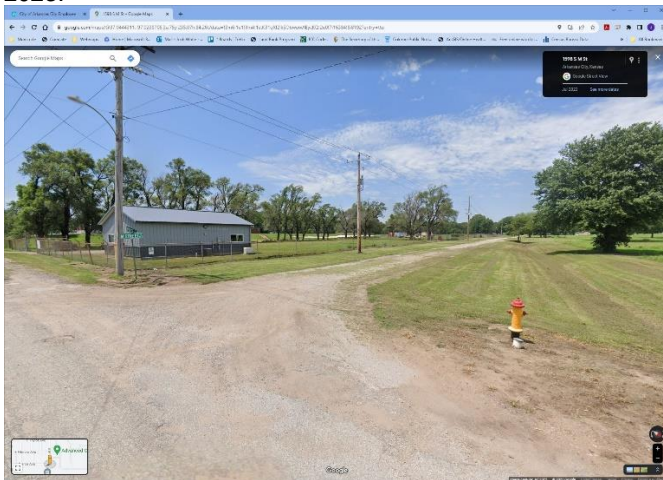
Looking SW from M & Filmore. Google StreetView from July 2023.



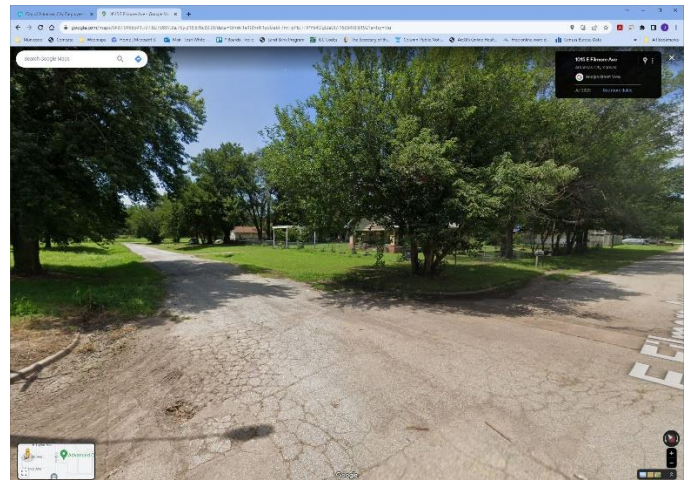
Looking SE from J & Filmore. Google StreetView from July 2023.



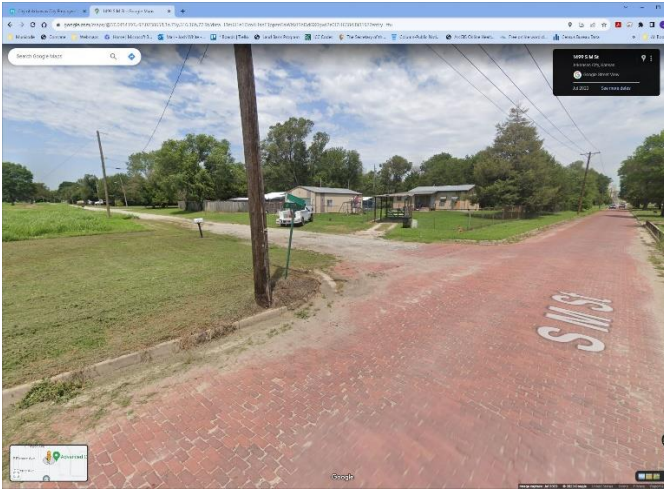
Looking NE from J & Pierce. Google StreetView from July 2023.



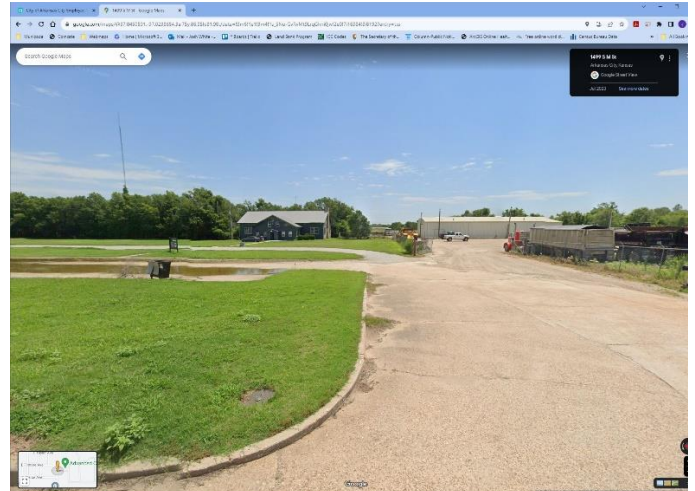
Looking SW from M & Pierce and Wastewater Treatment Facility. Google StreetView from July 2023.



Looking SW from J & Filmore at neighborhood West of site. Google StreetView from July 2023.



Looking NW from M & Filmore at neighborhood N of site. Google StreetView from July 2023.



Looking East of site across M St. Google StreetView from July 2023.

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 District does not allow the proposed use. The proposed R-3 district allows multi-family homes and institutional uses at greater intensities than the R-2 district. The R-3 district allows the most flexibility in design as well as ownership structure of the homes. The conditions of the area are not changing outside of this property, but this property is primed for additional residential development in this residential neighborhood.

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 to the north and west are zoned R-2, Medium Density Residential District. This matches the use. To the south is a P, Public Use District and is the site of the Wastewater Treatment Facility. To the east is commercial/industrial that is outside the city limits and unzoned. The proposed use matches the uses to the north and west of the site. With the departure of the ballpark, this area has changed, and residential development seems the best option for redevelopment of the site.

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 R-3 district allows multi-family homes and institutional uses at greater intensities than the R-2 district. The R-3 district allows the most flexibility in design as well as ownership structure of the homes. All permitted uses should be compatible with other property in the immediate vicinity of this project.

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

The property is currently zoned for public use. The property was formerly the Sleeth Ballpark, but the ballpark was relocated to the property south the High School. The 2013 Comprehensive Plan called for this area to be public because it was a ballpark at the time. When the 2022 Comprehensive Plan was developed it wasn't yet clear how the property would be used so the public use designation was kept. Public use or residential use would be appropriate for the area. The city has no plans to expand the Wastewater Treatment Facility footprint so residential use appears most appropriate for the site.

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

In 2010-11 a new ballpark south of Arkansas City High School was opened. Shortly after it moved, the

ballfields, fencing and concession stand were all removed. All that remains is the foundation and slab from the concession stand.

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. The area's streets are paved. Any required improvements can be offset with funds from the Reinvestment Housing Incentive District.

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 has the appropriate zoning, but this project aims to provide infill housing, a much desired development for the City. This also puts the property back on the tax rolls and eliminates city maintenance costs for the 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 the subject property as public use. When the Comprehensive Plan was developed, it was not clear whether a project would materialize so the public use designation was retained in 2022. The proposed use is residential. The project meets the goal to "encourage the availability of housing for all ages and income groups" by establishing additional housing and establishing a Rural (now Reinvestment) Housing Incentive District to pay for improvements. The city also meets to goal to "encourage more builders to invest in housing by finding ways to reduce the cost to build." The City has done this by establishing the Rural (now Reinvestment) Housing Incentive District and waiving permit and utility connection fees. The City Commission also entered a memorandum of understanding with the developer on the donation of the land.

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,

Public health, safety and general welfare should not be negatively impacted by this rezoning. There have been several environmental studies related to the Wastewater Treatment Facility and many of the negative effects of that facility have been mitigated over the years. The developer in cooperation with the City will also handle any additional required studies for this property prior to development.

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 R-2 be approved based on the following conclusions:

- The property has remained underutilized since 2011.
 - The public use of a ballpark no longer exists as the facility moved to the high school.
 - The project should not adversely affect the neighboring properties as it will match the residential uses in the neighborhood.
 - Public health, safety and general welfare should not be negatively impacted by this rezoning.
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