



City of Arkansas City

PLANNING COMMISSION MEETING

AGENDA

Tuesday, June 11, 2024 at 5:30 PM – 400 W Madison Ave, Arkansas City, KS

GoTo Meeting: <https://meet.goto.com/659969597> or call +1 (408) 650-3123 **Access Code:** 659-969-597

Call to Order

Roll Call

Mike Bergagnini
 Duane Oestman

Lloyd Colston
 Cody Richardson

Brandon Jellings
 Dotty Smith

Chris Johnson

Declaration

At this time, Planning Commission members are asked to make a declaration of any conflict of interest or of any Ex parte or outside communication that might influence their ability to hear all sides on any item on the agenda so they might come to a fair decision.

Consent Agenda

1. Meeting Minutes, **May 14, 2024 meeting.**

Consideration

2. Appoint Vice-Chair for 2024.

Public Hearings

3. Hold a public hearing to consider the advisability of granting a conditional use permit to allow an off-premises billboard sign in a C-3, General Commercial District located at 2113 N Summit Street.
4. Hold a public hearing to consider the advisability of rezoning 1640 N 15th Street from an I-1 (Light Industrial District) to an R-1 (Low Density Residential District).

Public Comments

Persons who wish to address the Planning Commission regarding items not on the agenda. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only. No action will be taken.

Other Items

Adjournment



City of Arkansas City

PLANNING COMMISSION MEETING

AGENDA

Tuesday, May 14, 2024 at 5:30 PM – 400 W Madison Ave, Arkansas City, KS

Call to Order: Meeting was called to order at 5:36 PM

Lloyd Colston
 Cody Richardson

Brandon Jellings
 Dotty Smith

Chris Johnson
 Tom Wheatley

Duane Oestman

Declaration

At this time, Planning Commission members are asked to make a declaration of any conflict of interest or of any Ex parte or outside communication that might influence their ability to hear all sides on any item on the agenda so they might come to a fair decision.

Consent Agenda

1. Meeting Minutes, **Month 12, 2024 meeting**. Tom Wheatley made the motion to approve the minutes as recorded and Chris Johnson made the second. Voice vote carried the motion.

Public Hearings

2. Hold a public hearing to consider the preliminary plat of Fugate Commercial Addition: Tom Wheatley made the motion to open the public hearing at 5:39 pm to consider the preliminary plat of Fugate Commercial Addition and Duane Oestman made the second motion. Voice vote carried the motion. Josh White went on to explain the application. Discussions included that there was a shared driveway, who owned the strip mall, if there were utilities; Josh showed the planning commission pictures of the area. Dotty asked if Taco Bell actually owned the driveway and if in the future the strip mall would be able to add another driveway. Duane Oestman made the motion to close the public hearing at 5:44 PM and Tom Wheatley made the second, voice vote carried the motion. Roll Call Vote carried the motion unanimously.

Consideration

3. Consider the final plat of Fugate Commercial Addition: This is a minor plat with no changes from the preliminary plat. Duane made the motion to approve the final plat and Tom Wheatley made the second motion Roll Call Vote carried the motion unanimously.

Public Comments

Persons who wish to address the Planning Commission regarding items not on the agenda. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only. No action will be taken. There were no public comments.

Other Items: Josh stated that this would be Tom Wheatley's last meeting, and what that would mean is to focus on getting new members. Josh also stated that Tom was also on the Historic Preservation Board. Dotty stated she would serve on the board, and Duane Oestman also stated that he would also serve on the board. Josh stated that there would be a meeting in June. The company that owns the property that Billy Sims sits on; a company wants to install a billboard on the property. The meeting could be controversial. Dotty asked if that would be typical billboard size and Josh said yes, it would be big, Duane asked about the size, and Josh said that is still in the works. He also talked about the Master Plan for the 101 Acres.

Adjournment: Dotty Smith made the motion to adjourn the meeting at 5:52 PM and Tom Wheatley made the second. Voice vote carried the motion.



Planning Commission Agenda Item

Meeting Date: 6/11/24
From: Josh White, Principal Planner
Item: Elect a chair and vice-chair for 2024

Purpose: Elect a vice-chair for 2024

Background:

With the departure of Tom Wheatley from the Planning Commission, a new Vice-Chair needs to be appointed that can serve as Chair in the absence of the designated Chair.

The next time we hold a Board of Zoning Appeals meeting, we will also appoint Chair/Vice Chair for that board.

Action:

Make a motion to appoint a vice-chair for 2024. Make a motion to appoint a vice-chair for 2024.

Attachments:

None



Planning Commission Agenda Item

Meeting Date: 6/11/24
From: Josh White, Principal Planner
Item: 2113 N Summit Conditional Use Permit

Purpose: Hold a public hearing to consider the advisability of granting a conditional use permit to allow an off-premises billboard sign in a C-3, General Commercial District located at 2113 N Summit Street.

Background:

The subject property is located at 2113 N Summit Street. The surrounding area is comprised of commercial uses. The property consists of approximately 0.36 acres. The applicant has submitted the request for a conditional use permit for an off-premises billboard sign. In the C-3 District this use is only permitted with a conditional use permit. Staff do have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of the concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit be approved based on the following conclusions:

- The sign is in a commercial area that would allow this use with conditions.
- The sign is not near any residential uses.
- The sign does not require any additional infrastructure.

Recommended Conditions:

- The sign must meet the requirements of Zoning Regulations Section 27-13 (attached).
- The base of the sign shall be protected with bollards or other high visibility barriers at its base.

Action:

Hold a public hearing. After the public hearing is closed, make a motion to recommend the City Commission approve/disapprove the request for a conditional use permit to allow an off-premises billboard sign in a C-3, General Commercial District located at 2113 N Summit Street.

Attachments:

Staff report

Presentation Link: <https://arcg.is/0G99Sr>



STAFF REPORT

City of Arkansas City Neighborhood Services Division
 Josh White, Principal Planner
 118 W Central Ave, Arkansas City, KS 67005

Phone: 620-441-4420 Fax: 620-441-4403 Email: jwhite@arkansascityks.gov Website: www.arkcity.org

CASE NUMBER
 CU-2024-025

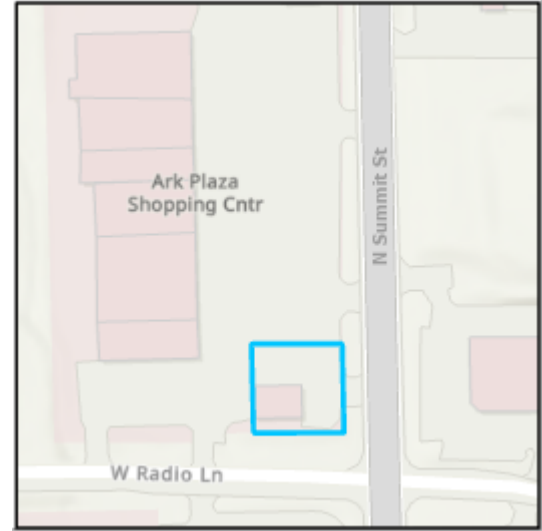
APPLICANT/PROPERTY OWNER
 Summit Locations LLC/DOCO LLC

PUBLIC HEARING DATE
 June 11, 2024

PROPERTY ADDRESS/LOCATION
 2113 N Summit Street

BRIEF SUMMARY OF REQUEST

The subject property is located at 2113 N Summit Street. The surrounding area is comprised of commercial uses. The property consists of approximately 0.36 acres. The applicant has submitted the request for a conditional use permit for an off-premises billboard sign. In the C-3 District this use is only permitted with a conditional use permit. Staff do have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of the concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit be approved.



Map data ©2024 Esri World Topographic map

<p>EXISTING ZONING C-3 General Commercial District</p>	<p>EXISTING LAND USE Commercial</p>	<p>SURROUNDING ZONING & LAND USE Surrounded by C-3 and Commercial Land Use</p>	<p>SITE IMPROVEMENTS Restaurant/paved parking</p>	<p>SIZE OF PROPERTY 0.36 acres</p>
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

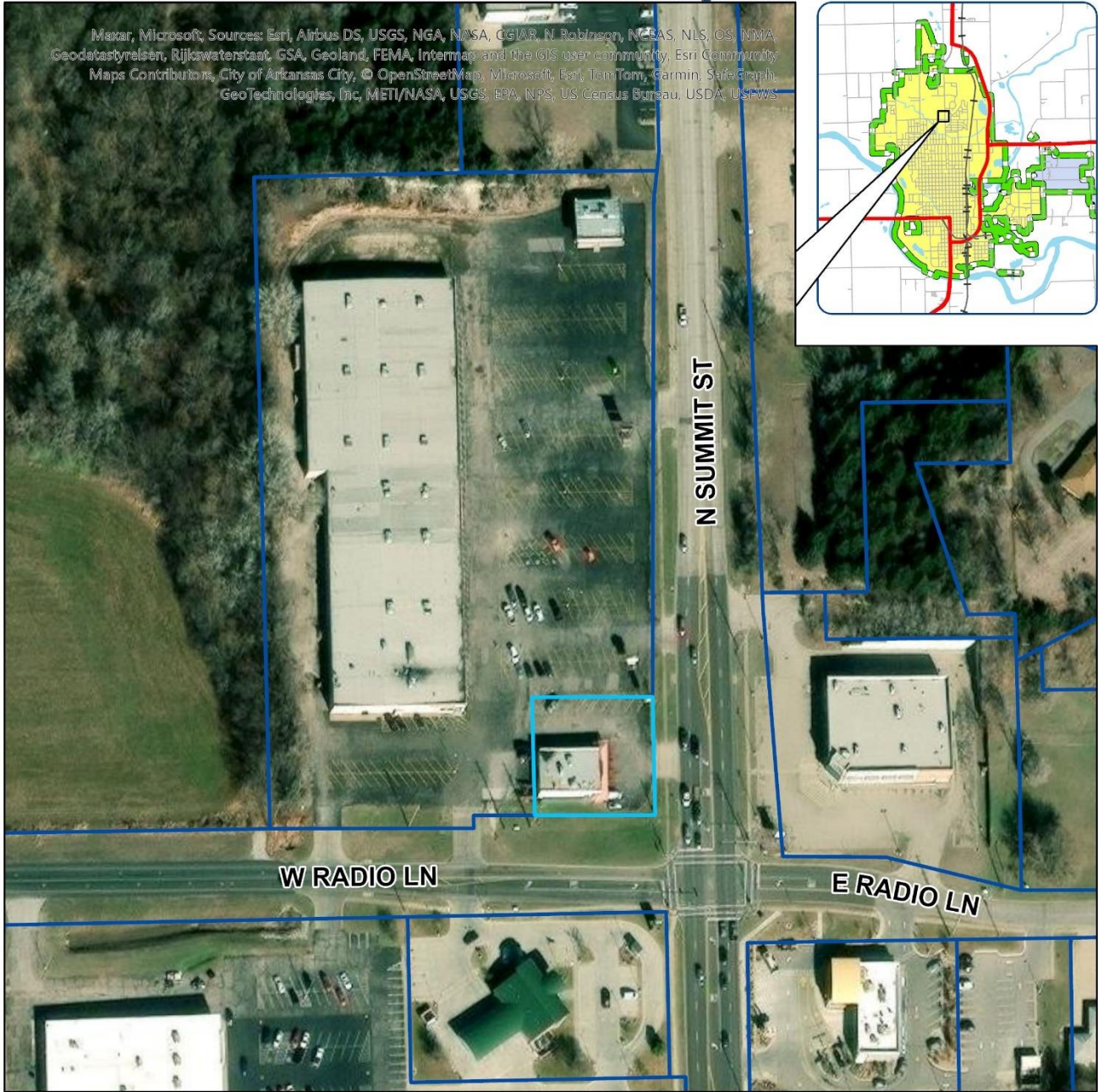
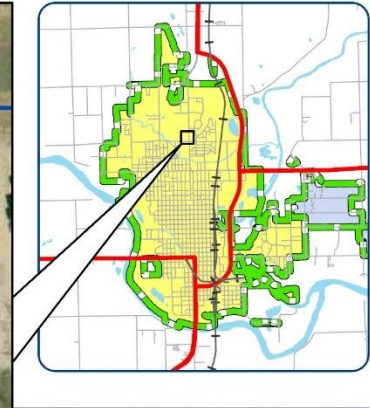
DENY

<p>COMPATIBILITY with the COMPREHENSIVE PLAN The Future Land Use portion of the Comprehensive Plan designates this area as commercial. There isn't a specific goal related to the placement of off-premises signs other than to provide an advertising outlet for businesses to promote themselves.</p>	<p>PROPERTY HISTORY According to County Records the Restaurant was built in 1975. The property was annexed into the City in 1960. In RZ-1974-053, it along with several other properties were rezoned from R-1 to B-2. In 2014 when the city was rezoned it was assigned C-3 based on that B-2 zoning. In BZA-1976-013, the restaurant in business at the time requested a variance to increase the size of their sign beyond the maximum allowed. The variance was granted.</p>
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COMPATIBILITY with the ZONING ORDINANCE
 The surrounding area is comprised of commercial uses. It is the intent of the commercial zoning districts to provide areas of compatible commercial and service businesses. The change in classification would be consistent with the intent and purpose of these regulations.

Conditional Use Permit Request

Maxar, Microsoft, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N. Robinson, NCEAS, NLS, OS, NMA, Geodatasysteisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, City of Arkansas City, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



A request for a conditional use permit to place a off-premises/billboard sign

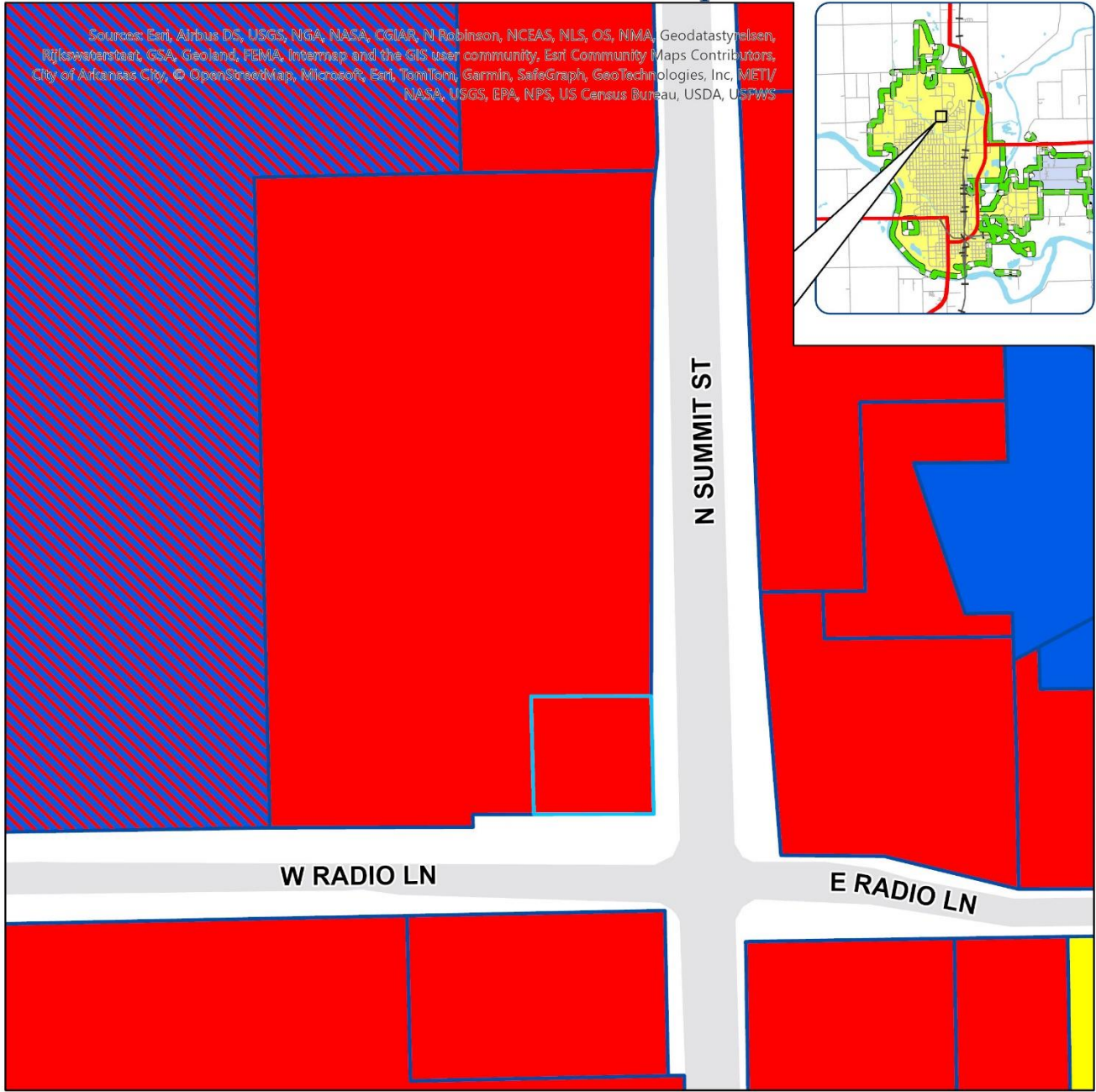
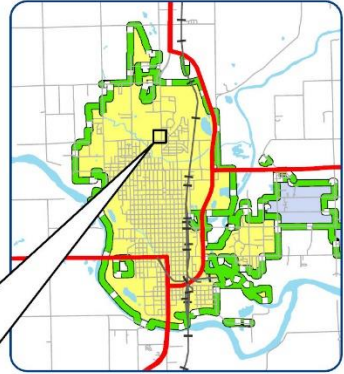
-  Conditional Use
-  Property Lines

Produced by the City of Arkansas City GIS using the best available data to date. Created: May 09, 2024



Conditional Use Permit Request

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastynelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, City of Arkansas City, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METV, NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



A request for a conditional use permit to place a off-premises/billboard sign

- Conditional Use
- Property Lines

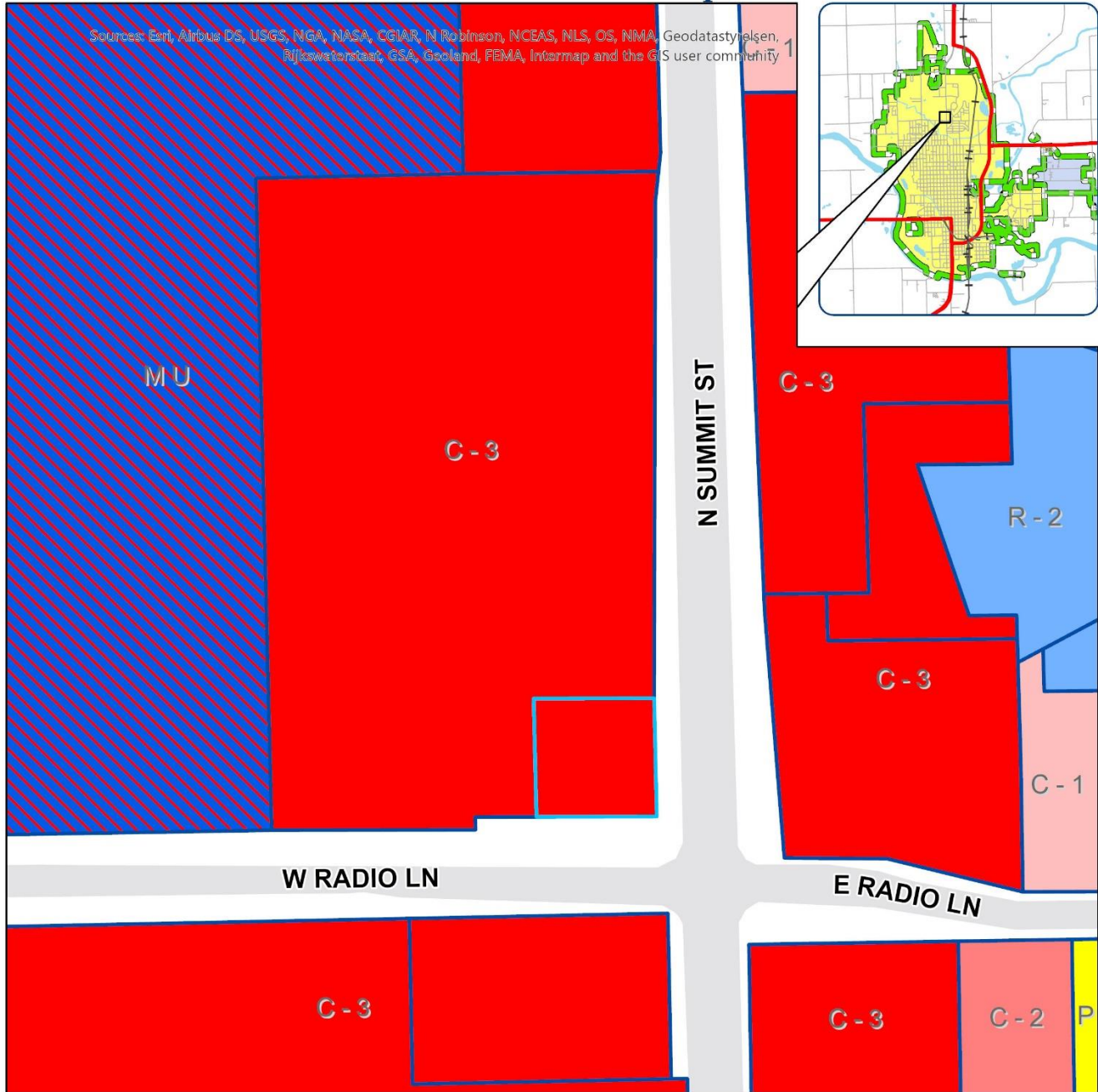
- Future Land Use**
- Residential
 - Commercial
 - Mixed Use
 - Public

Produced by the City of Arkansas City GIS using the best available data to date. Created: May 09, 2024



Conditional Use Permit Request

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastypelsen, Bfjksweitzerstat, GSA, Geoland, FEMA, Intermap and the GIS user community



A request for a conditional use permit to place a off-premises/billboard sign

-  Conditional Use
-  Property Lines
-  PavedAreas

-  R-2, Medium Density Residential District
-  C-1, Office and Service Business District
-  C-2, Restricted Commercial District
-  C-3, General Commercial District
-  P, Public Use District
-  MU, Mixed Use District

Produced by the City of Arkansas City GIS using the best available data to date. Created: May 10, 2024



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 approval of the conditional use 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 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. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood;

The proposed use of an off-premises/billboard sign would be permitted under the C-3, General Commercial District with this conditional use permit. This area surrounding the property is commercial. The sign must certain requirements in the Zoning Regulations which include size, height, and location requirements.

Neighborhood Photos



Subject Property Google StreetView from September 2023.



Neighborhood along Summit Street. Google StreetView from September 2023



Neighborhood along Radio Lane. Google StreetView from September 2023



3. **Whether the proposed use places an undue burden on the existing public infrastructure in the area affected and, if so, whether additional infrastructure can be provided;**
 No additional infrastructure would be required for the placement of this sign.
4. **Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected;**
 The conditions of the area are not changing. This property is within a commercial area that is stable.
5. **The length of time the subject property has remained vacant or undeveloped as zoned;**
 The property is not currently vacant.
6. **Whether the applicant's property is suitable for the proposed conditional use;**
 The property is a suitable location for the proposed conditional use if the requirements for such signs are met. It is also recommended that bollards be placed around the base of the sign to prevent cars from running into it.
7. **Whether the proposed conditional use 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 area as commercial. There isn't a specific goal related to the placement of off-premises signs other than to provide an advertising outlet for businesses to promote themselves.

8. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected;

With the proposed conditions, the project should not adversely affect the area affected. The biggest issue at this site is the proximity to parking. Care will need to be taken to protect the base of the sign and point out its location with high visibility barriers or bollards around the base.

9. For such uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent with any adopted Solid Waste Management Plan of Cowley County, and amendments thereto; and

The proposed project does not require special disposal of solid waste.

10. The recommendations of professional staff and advisors

Staff do have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of these concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit for a off-premises billboard sign be approved based on the following conclusions:

- The sign is in a commercial area that would allow this use with conditions
- The sign is not near any residential uses
- The sign does not require any additional infrastructure

Conditions:

- The sign must meet the requirements of Zoning Regulations Section 27-13 (attached).
- The base of the sign shall be protected with bollards or other high visibility barriers at its base.

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

Additional conditions may be recommended by the Planning Commission

SECTION 27-13 BILLBOARDS/OFF-PREMISES SIGNS

27-1301. Off-premises billboard signs are allowed in the C-3, I-1 and I-2 Districts upon the issuance of a conditional use permit, and subject to the requirements of this section.

27-1302. Location:

- a. Billboard signs shall not be located within 300 feet of any structure occupied as a residential or other non-commercial or non-industrial use.
- b. Billboard signs shall not be located within fifty (50) feet of any state or federal highway, as measured from the edge of the right-of-way.
- c. Billboard signs shall not be attached to the roof or wall of any building.

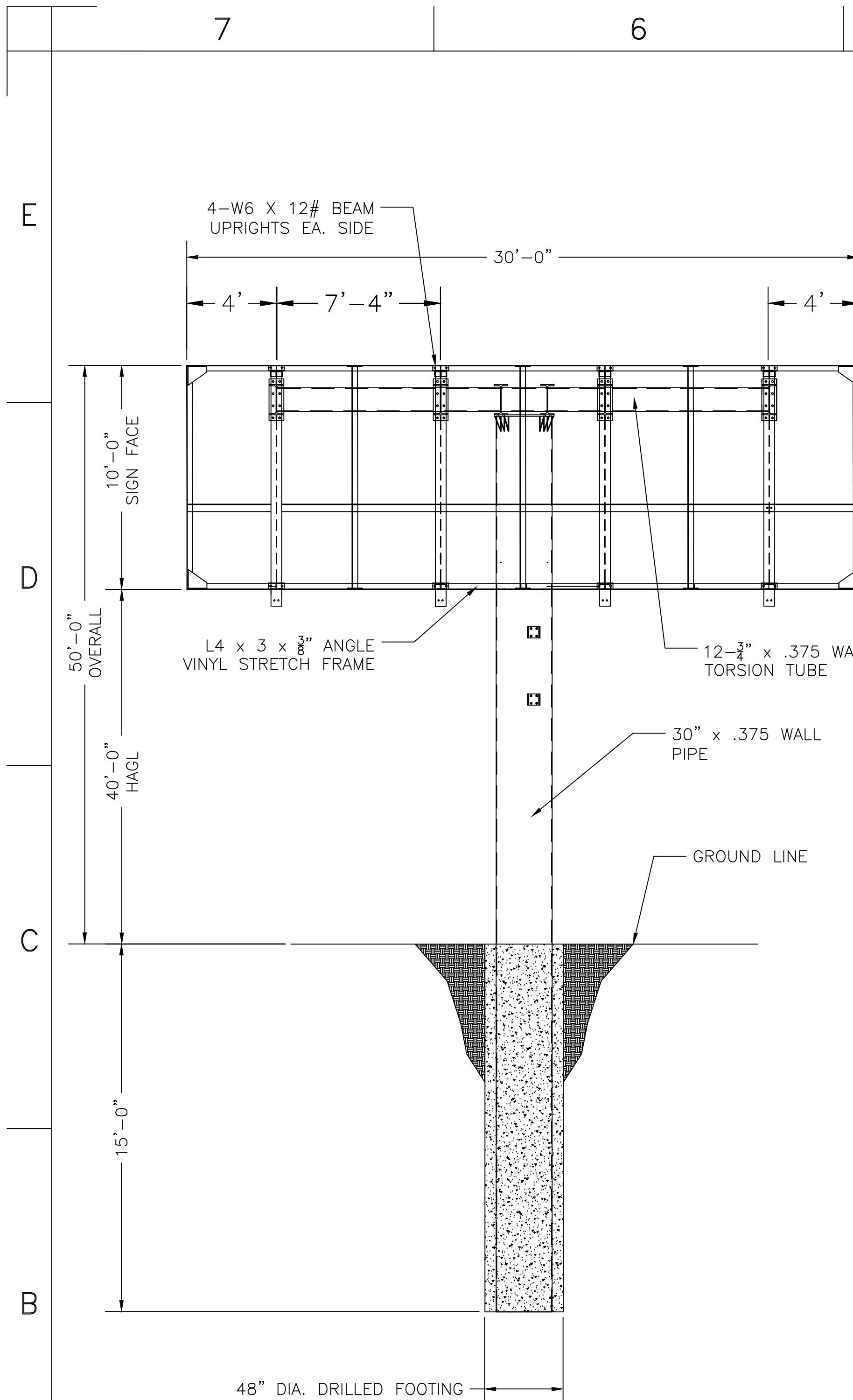
27-1303. Maximum Height: The top edge of any billboard sign shall not exceed fifty (50) feet above average grade.

27-1304. Maximum Sign Area:

- a. The maximum sign area of any billboard sign shall not exceed a total of 750 square feet.
- b. For purposes of this subsection, each face of a billboard sign, whether back-to-back, V-shaped, or some other configuration, shall be considered a separate sign.

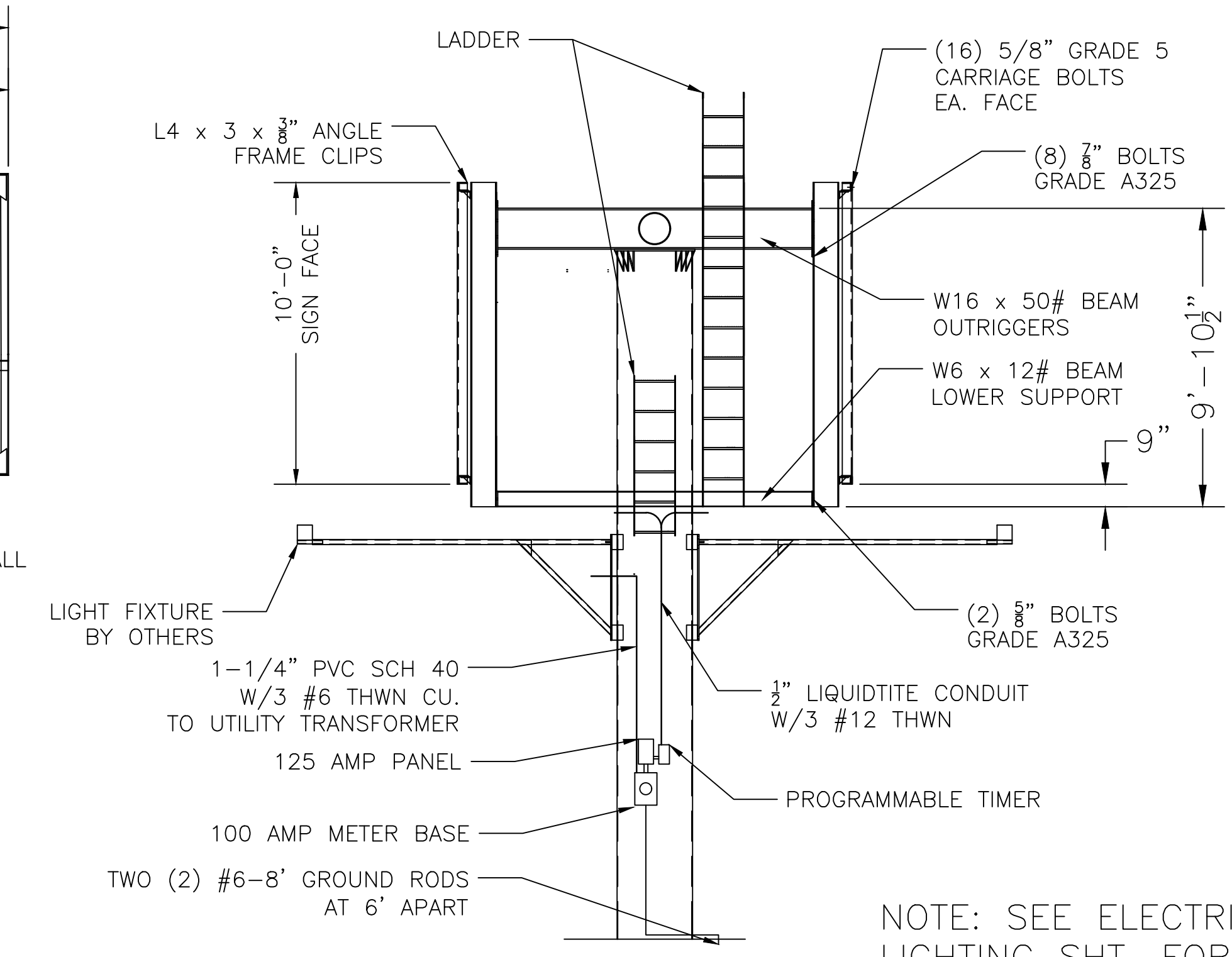
27-1305. Lighting: Billboard signs may be indirectly illuminated but shall not cast glare upon any adjacent highway so as to pose a hazard to vehicular traffic.

27-1306. Minimum Spacing Requirements: No billboard sign hereafter erected shall be less than 300 feet from any other existing billboard sign on the same side of the street. Such minimum spacing distance shall be measured along the center line of the frontage street or highway from a point opposite any edge of a billboard sign and perpendicular to the center line of each street or highway.

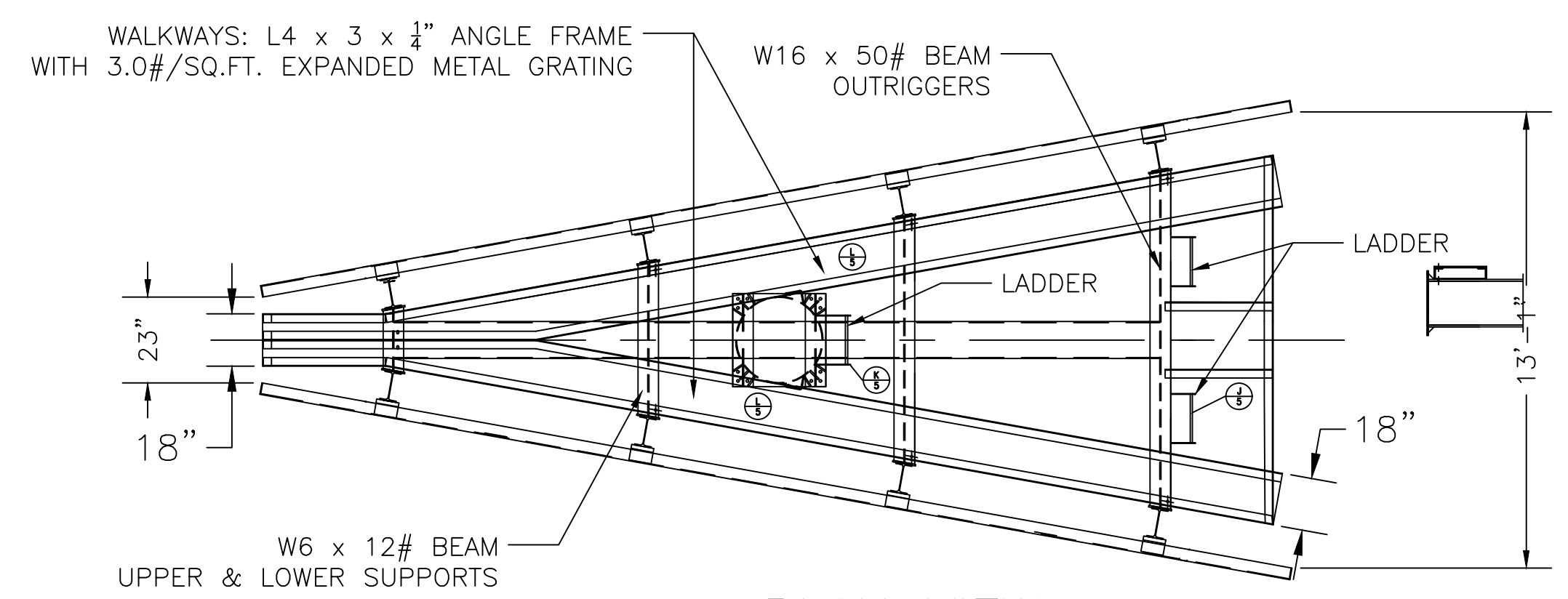


FRONT ELEVATION

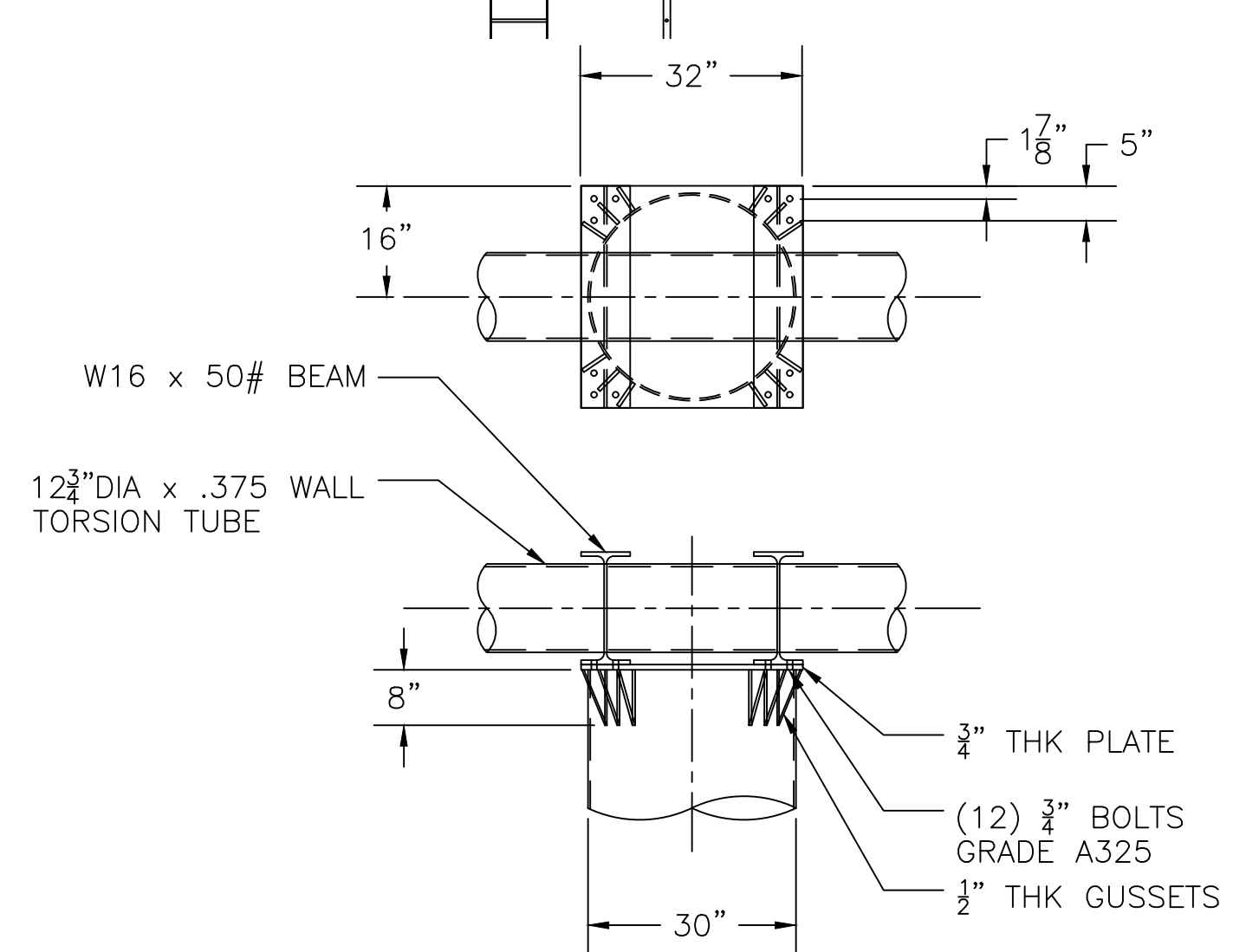
NOTE: ALL STRUCTURAL CONNECTIONS SHALL BE WELDED 3/8" ALL AROUND UNLESS OTHERWISE NOTED.



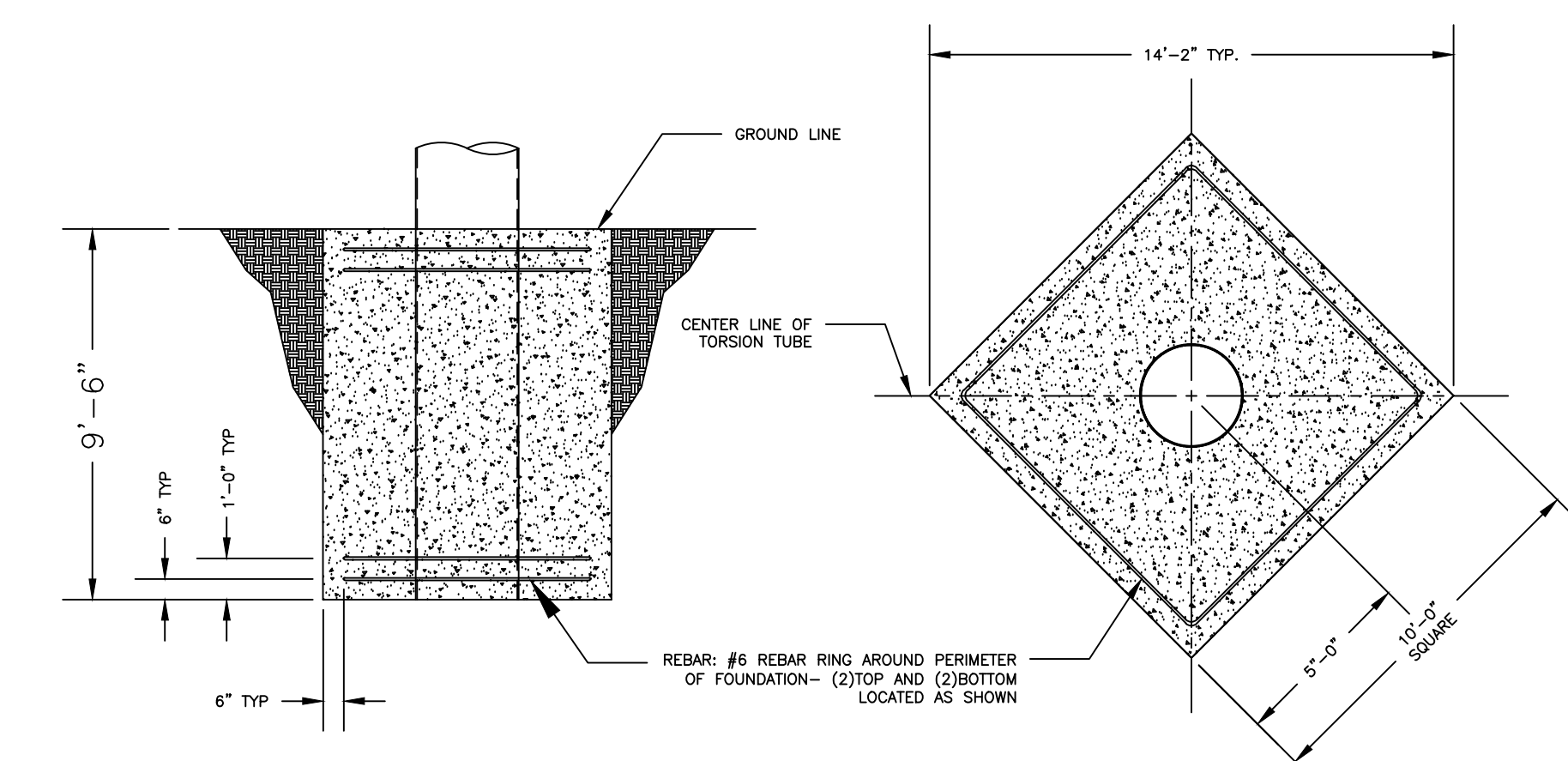
SIDE ELEVATION



PLAN VIEW



TORSION TUBE CONNECTION



ALTERNATIVE BACKHOE FOOTING

FOUNDATION-PLAN VIEW

SPECIFICATIONS	CODE DATA
<ol style="list-style-type: none"> STEEL ROLLED W BEAM SECTIONS: ASTM A992 ALL OTHER ROLLED SECTIONS: ASTM A36 PIPE SECTIONS: A.P.I. 5L X 42 BOLTS: 5/8" MINIMUM DIAMETER-GRADE A325 ASSUMED LATERAL SOIL PRESSURE 150 PSF/FT. SOIL BEARING PRESSURE ASSUMED 1500 LBS./S.F. PER IBC TABLE 1806.2 DESIGNED WIND LOAD 24.44 P.S.F. THE DESIGNED WIND LOAD HAS BEEN FOUND TO EXCEED THE SEISMIC LOADING OF EARTH QUAKES. DEAD LOAD: TOTAL SIGN WEIGHT 9000# LIVE LOAD: WALKWAYS - 60#/SQ. FT. CONCRETE: 3000 PSI AT 28 DAYS DESIGN-2500 PSI AT 28 DAYS ALL WELDS TO CONFORM TO AWS D1.1-98 SPECIFICATION DESIGNED IN ACCORDANCE WITH 2018 KANSAS BUILDING CODE BASED ON 2018 INTERNATIONAL BUILDING CODE. STEEL TO RECEIVE RUST INHIBITIVE PRIMER AND TOP COAT OF COLOR CHOICE REINFORCING BAR: ASTM A-615 GRADE 60 (REBAR IS NOT REQUIRED IF FIBER REINFORCED CONCRETE IS USED.) STRUCTURAL COMPONENTS ARE CAPABLE OF RESISTING HYDROSTATIC AND HYDRODYNAMIC LOADS AND THE EFFECTS OF BUOYANCY ALL STRUCTURAL CONNECTIONS SHALL BE WELDED 3/8" ALL AROUND UNLESS OTHERWISE NOTED. 	2018 KANSAS BLDG. CODE-2018 IBC USE GROUP: U TYPE OF CONSTRUCTION: IIB ULTIMATE DESIGN SPEED: 120 MPH NOMINAL WIND SPEED: 93 MPH WIND EXPOSURE: B RISK CATEGORY: II SIGN HEIGHT: 50 FEET SPECIAL INSPECTIONS: REQUIRED
	SUMMIT LOCATIONS
	TITLE: MONOPOLE 10' x 30' LOCATION: DOCO LLC 2113 N. SUMMIT ST. ARKANSAS CITY, KS 67005 J. STEPHEN SIMMONS 304 FUDGE AVE. EATON, OH 45320 PHONE: 937-733-9643 EMAIL: j.stephen.simmons@gmail.com
	DRAWN BY: J. Milyard TR. BY: CHECKER: - APPROVED BY: JSS SCALE: NONE DATE: 12/02/2022 SHEET: 1 OF 2



Planning Commission Agenda Item

Meeting Date: 6/11/24
From: Josh White, Principal Planner
Item: 1640 N 15th Rezone

Purpose: Hold a public hearing to consider the advisability of rezoning 1640 N 15th Street from an I-1 (Light Industrial District) to an R-1 (Low Density Residential District).

Background:

The subject property is located at 1640 N 15th Street. The surrounding area is comprised of residential and public uses. The property consists of approximately 0.9 acres. The project will be to redevelop the LiftCo site for residential use. The applicant is requesting a rezone from the I-1, Light Industrial District to an R-1, Low Density Residential District. It is the recommendation of staff that the requested rezoning I-1 to R-1 be approved based on the following conclusions:

- The project will make the property more compatible with the surrounding area.
- No additional infrastructure will be needed.
- The project will add a housing unit to the city's supply, albeit with the loss of a few jobs.

Action:

Hold a public hearing. After the public hearing is closed, make a motion to recommend the City Commission approve/disapprove the request to rezone 1640 N 15th Street from an I-1 (Light Industrial District) to an R-1 (Low Density Residential District).

Attachments:

Staff report

Presentation Link: <https://arcg.is/1PH1Tj>



STAFF REPORT

City of Arkansas City Neighborhood Services Division

Josh White, Principal Planner

118 W Central Ave, Arkansas City, KS 67005

Phone: 620-441-4420 Fax: 620-441-4403 Email: jwhite@arkansascityks.gov Website: www.arkcity.org

CASE NUMBER
RZ-2024-119

APPLICANT/PROPERTY OWNER
LiftCo LLC

PUBLIC HEARING DATE
June 11, 2024

PROPERTY ADDRESS/LOCATION
1640 N 15th Street

SUMMARY OF REQUEST

The subject property is located at 1640 N 15th Street. The surrounding area is comprised of residential and public uses. The property consists of approximately 0.9 acres. The project will be to redevelop the LiftCo site for residential use. The applicant is requesting a rezone from the I-1, Light Industrial District to an R-1, Low Density Residential District. Staff recommend approval of the rezone.



<p>EXISTING ZONING I-1 Light Industrial District</p>	<p>EXISTING LAND USE Industrial</p>	<p>SURROUNDING ZONING & LAND USE North: P; Public (ballfields) South: R-1; Residential East: R-1; Residential West: P; Public (Cemetery)</p>	<p>SITE IMPROVEMENTS Industrial facility and parking</p>	<p>SIZE OF PROPERTY 137 ft X 310 ft 0.9 acres</p>
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

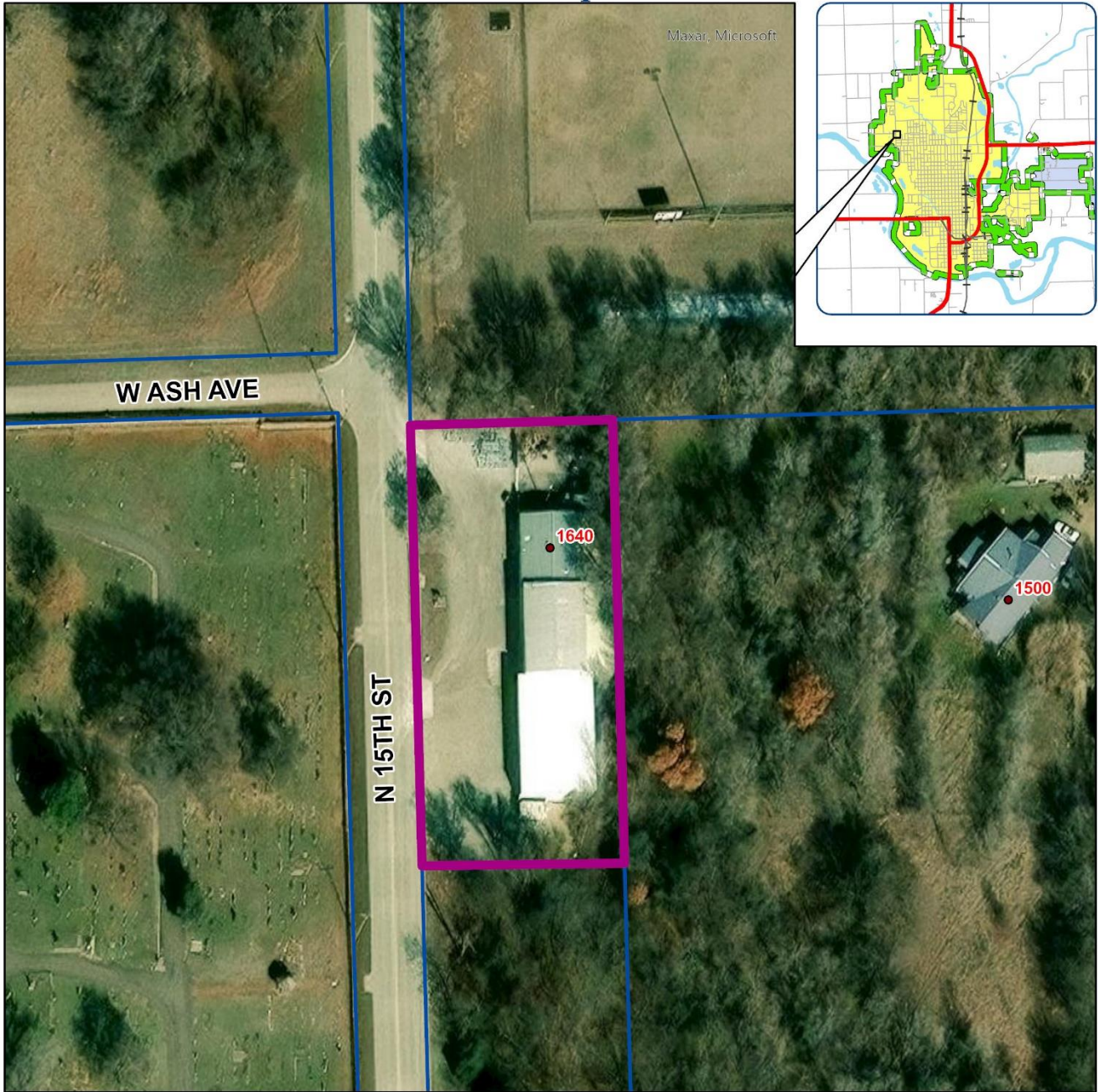
DENY

COMPATIBILITY with the COMPREHENSIVE PLAN
The Future Land Use portion of the Comprehensive Plan designates this property as industrial since it has long been an industrial site. The surrounding properties are designated as either public or residential though. The city needs additional housing as noted in the Plan and this conversion will add a housing unit to the city supply which helps to "Encourage the availability of housing for all ages and income groups."

PROPERTY HISTORY
According to County Records the original building was built in 1965 (accuracy questionable) with additional improvements in 2009, 2011 and 2014. In 1971, the property was rezoned from R-2 to B-2 (similar to C-3) for the purpose of constructing a metal building 40 x 60 for a fruit market. This was for the entirety of Lot 1. The property at some point was split but no records were found as to when this occurred other than it was split prior to 1981. In 1981, a conditional use permit was granted for the placement of a mobile home. On the application, it was noted that the present use of the property was a pawn shop, body shop and 2 mobile homes. In 2014, the property was rezoned to I-1 along with the city-wide rezoning.

COMPATIBILITY with the ZONING ORDINANCE
The surrounding area is comprised of residential 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 and would remove what might be considered a spot zone.

Rezone Request



A request to rezone 1640 N 15th Street
 from an
 I-1 Light Industrial District
 to an
 R-1 Low Density Residential District

-  Rezone
-  Property Lines

Produced by the
 City of Arkansas City GIS
 using the best available
 data to date.
 Created: May 23, 2024



Rezone Request



A request to rezone 1640 N 15th Street
 from an
 I-1 Light Industrial District
 to an
 R-1 Low Density Residential District

 Rezone

 Property Lines

Future Land Use

 Residential

 Industrial

 Public

Produced by the
 City of Arkansas City GIS
 using the best available
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 Created: May 23, 2024



Zoning map

Rezone Request



A request to rezone 1640 N 15th Street
 from an
 I-1 Light Industrial District
 to an
 R-1 Low Density Residential District

-  Rezone
-  Property Lines

- Zoning**
-  R-1, Low Density Residential District
 -  I-1, Light Industrial District
 -  P, Public Use District

Produced by the
 City of Arkansas City GIS
 using the best available
 data to date.
 Created: May 23, 2024



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 residential 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 and would remove what might be considered a spot zone.

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

The surrounding area is comprised of residential and public uses.

Neighborhood Photos

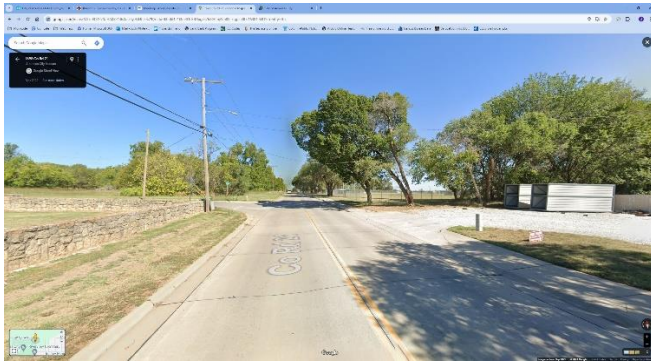


Subject Property Google Streetview from September 2023

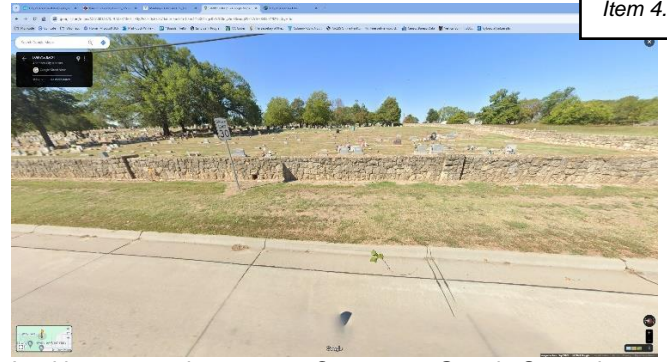


*N Mobile Home
Sawn Shop, body shop*

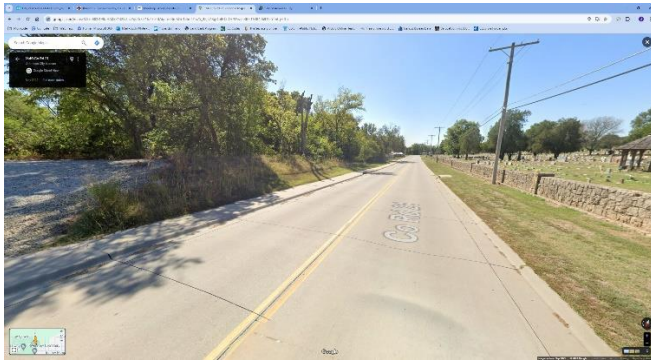
Site condition in 1981 taken from MH-1981-042 case file.



Looking North along 15th Street Google Streetview from September 2023. Ballfields are on the right in the background.



Looking across the street at Cemetery. Google Streetview from September 2023.



Looking South along 15th Street. Google Streetview from September 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 Light Industrial District does not allow the proposed use. The proposed R-1 district allows residential uses as proposed. The conditions of the area are not changing outside of this property. This property was a long-established industrial facility, but the business is closing, and the proposal is to change the building to residential use.

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 residential and public. The proposed use is generally the same intensity as the surrounding uses. The change in classification would be more 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 district is more compatible and more restrictive with the surrounding properties than the current district.

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

The property is currently zoned for light industrial use. The site has long been an industrial site and has become an integrated part of this neighborhood, but the business has closed, and the buyer of the property wishes to use the building as a residential use. By restricting the allowed use of this property, it will be more compatible with the area.

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.

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 land available with residential zoning. The use of the property is changing, and this is an appropriate time to make the zoning of this property more compatible with the surrounding area.

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 industrial since it has long been an industrial site. The surrounding properties are designated as either public or residential though. The city needs additional housing as noted in the Plan and this conversion will add a housing unit to the city supply which helps to “Encourage the availability of housing for all ages and income groups.”

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. In fact, public health may be improved by this reclassification as it will lower the intensity of use and reduce the occurrences of noise from the property.

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 I-1 to R-1 be approved based on the following conclusions:

- The project will make the property more compatible with the surrounding area.
- No additional infrastructure will be needed.
- The project will add a housing unit to the city’s supply, albeit with the loss of a few jobs.