



# City Commission Meeting

July 02, 2024 at 5:30 PM

118 W Central Ave, Arkansas City, KS

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Please join our meeting <https://global.gotomeeting.com/join/187610709>  
Or dial in using your phone: United States: +1 (408) 650-3123 Access Code: 187 610 709

## I. Routine Business

1. Roll Call
2. Opening Prayer and Pledge of Allegiance
3. Additions or Deletions (**Voice Vote**)
4. Approval of the Agenda (**Voice Vote**)

## II. Consent Agenda (Voice Vote)

Note: All matters listed below on the Consent Agenda are considered under one motion and enacted by one motion. There should be no separate discussion. If such discussion is desired, any item may be removed from the Consent Agenda and then considered separately under Section VI: New Business.

1. Approve the June 18, 2024, regular meeting minutes as written.
2. End date extension request for Community Development Block Grant (CDBG) Program Home Rehabilitation Grant. Currently, the initial grant extension is scheduled to expire on July 14, 2024. We are seeking an extension of the award date to August 14, 2024.

## III. New Business

### City Manager Department

1. An Ordinance authorizing the rezoning of 1640 N 15th Street, from "I-1" (Low Industrial District) to "R-1" (Low Density Residential District). (**Roll Call Vote**)

## IV. City Manager Reminders & Updates

## V. Items for Discussion by City Commissioners

## VI. Comments from the Audience for Items not on the Agenda

*The public will be allowed to speak on issues or items that are not scheduled for discussion on the agenda. Individuals should address all comments and questions to the Commission. Comments should be limited to issues and items relevant to the business of the Governing Body. The Commission will not discuss or debate these items, nor will the Commission make decisions on items presented during this time. Each person will be limited to five (5) minutes.*

## VII. Adjournment



# City Commission Agenda Item

**Meeting Date:** July 2, 2024  
**From:** Tiffany Parsons, City Clerk  
**Item:** Approve the June 18, 2024, Regular Meeting Minutes

**Purpose:** Approve the June 18, 2024, regular meeting minutes as written.

**Background:**

Each meeting, the City Commission reviews and approves the minutes of its prior meeting(s).

**Commission Options:**

1. Approve with consent agenda.
2. Remove item from consent agenda for further consideration.

**Approved for Agenda by:**

A handwritten signature in black ink, appearing to read "Randy Frazer", is written over a horizontal line.

Randy Frazer, City Manager



Tuesday, June 18, 2024  
 Regular Meeting Minutes  
 118 W Central Ave, Arkansas City, KS

### Routine Business

1. Opening Prayer led by City Attorney Larry Schwartz and Pledge of Allegiance led by Mayor Warren.
2. Roll Call

#### **PRESENT**

Commissioner Chad Beeson  
 Commissioner Diana Spielman  
 Commissioner Tad Stover  
 Commissioner Charles Tweedy  
 Mayor Jay Warren

**Also present from staff:** City Attorney Larry Schwartz, City Manager Randy Frazer, City Clerk Tiffany Parsons, Communications Director Shana Adkisson, Assistant Environmental Services Superintendent Kyle Blubaugh, Police Chief Jim Holloway, Police Officers: Jason Legleiter, Matt Mayo, Ivan Velasquez, Michael Yzquierdo, Partick Shook, Dylan Hettenbach, Jeff Wilson, Travis Stroud, Adam Utt, Kesley Horinek and Eric Gross, Principal Planner Josh White.

3. There were two additions and no deletions.

#### **Additions:**

- **New Business, City Manager Department, Add Item No. 2.** – A Resolution authorizing the City of Arkansas City to accept a proposal from Elliott Equipment Company, to replace the current Aries Sewer Inspection Camera for an amount of \$25,185.61, not including freight. **(Voice Vote)**
- **Section X. Executive Session, Item No. 1.** Recess into Executive Session regarding tax abatement payments to Diversified Acquisitions, LLC, pursuant to K.S.A. 75-4319(b)(2), for consultation with attorney for the public body or agency which would be deemed privileged in the attorney-client relationship. **(Voice Vote)**

*Motion made by Commissioner Tweedy, Seconded by Commissioner Beeson to approve the amendments to the agenda.*

*Voice Voting Yea: Commissioner Beeson, Commissioner Stover, Commissioner Spielman, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved.*

4. Approval of the Agenda

*Motion made by Commissioner Spielman, Seconded by Commissioner Stover, to approve the agenda.*

*Voice Voting Yea: Commissioner Beeson, Commissioner Stover, Commissioner Spielman, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved.*

**Awards and Proclamations**

- 1. Proclaim June 2024 as Archaeology and Historic Preservation Month in Arkansas City as read by Mayor Warren.

**Recognition of Visitors/Staff**

- 1. Recognize and appreciate the Arkansas City Early Lions Club for their invaluable contributions, continued involvement, and outstanding dedication in our community.

Over the years the Arkansas City Early Bird Lions Club has been an exemplary organization in our community, consistently demonstrating their commitment to service and support. Their efforts have a significant impact on the well-being and quality of life for many of our residents. They have provided transportation services for hospital and clinic patients, ensuring those in need can get home safely. Supported education by generously paying for all student meals in the USD 470 School District, ensuring that no child goes hungry and supporting their academic success and overall well-being. Organized and hosted fundraising & Benefit Dinners to raise funds for various community projects and initiatives, demonstrating their dedication to fostering a supportive thriving community. And worked diligently to maintain the Lions Club Park, providing a clean, safe, and enjoyable environment for all community members and guests to enjoy. The list goes on as City Commissioner Spielman spoke that these are just a few of the many acts of kindness the Early Bird Lyons Clubs displays for the betterment our community, further thanking and presenting club members with a Certificate of Appreciation on behalf of the city commission and staff.

- 2. Police Department promotions and recognition of officers Legleiter, Mayo, Velasquez and Wilson.

Police Chief Holloway personally recognized each of the four officers, speaking highly of their dedication to the workforce and newfound roles, noting the following:

With over 18 years of service, Lt. Jason Legleiter has been promoted to Police Captain. Legleiter has completed numerous training programs, including the FBI Executive Leadership Institute. He has experience serving in several roles within the department including school resource officer, detective and investigation sergeant. Legleiter has overseen the field training unit and holds an associate’s degree in criminal justice. He will now oversee the Support Services Division. His promotion was effective April 20.

St. Matt Mayo has served ACPD for nearly eight years and was promoted to Patrol Lieutenant and will oversee nighty 1 Patrol Shift. Officer Mayo has served as a school resource officer and field training officer completing several certification trainings over the years. Has a background working with the Cowley County Sheriff’s Office and private security. His promotion was effective June 1.

MPO Ivan Velasquez has served ACPD for seven years and has been promoted to Patrol Sergeant. Ivan’s dedication to training new officers is commendable, with his completion of several leadership programs, he is well-prepared to lead the Day 2 Patrol Shift. His promotion was effective June 1.

Officer Jeff Wilson began his career with ACPD in March 2021, and since then Officer Wilson has distinguished himself through his daily work and reliability. He is certified as an advanced roadside impaired driving enforcement trainer and defensive tactics instructor. His experience will be a valuable addition to the Field Training Team. His promotion became effective June 1.

**Consent Agenda**

Note: All matters listed below on the Consent Agenda are considered under one motion and enacted by one motion. There should be no separate discussion. If such discussion is desired, any item may be removed from the Consent Agenda and then considered separately under Section VI: New Business.

- 1. Approve the May 21, 2024, and June 4, 2024, regular meeting minutes as written.

*Motion made by Commissioner Spielman, Seconded by Commissioner Tweedy to approve the consent agenda as written.*

*Voice Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved.*

**New Business**

City Clerk Parsons offered the following items for consideration:

City Manager Department

- 1. Hold a Public Hearing and consider a Resolution declaring structures located at: 408 N. 7th St., 512 S. A St., 319 S. B St., 221 S. D St., 717 S. B St., 405 S. D St., 401 N. E St., 1420 S. K St., and 609 N. Summit St. as unsafe and dangerous, and directing that said structures be repaired shored, or otherwise made safe, or, in the alternative, demolished.

Director of Neighborhood Services Mike Bellis presented a review of slide show presentation during the public hearing. All owners have been properly notified through certified letters and pervious resolution publications and have not made appropriate corrections to date.

*Mayor Warren moved, Seconded by Commission Beeson to open the Public Hearing.*

Mayor Warren asked for public comment. Several homeowners came forward to express their concerns and desire to remodel the homes in their current state. Mayor Warren closed the floor for public comment.

*Commissioner Spielman moved, Seconded by Commissioner Tweedy to close the Public Hearing.*

Discussion continued among commission and staff. Bellis stated that he will work with the homeowners and guide them through the permitting process and next steps to preserve the homes. Owners have 30 days to begin repair or demolition and are responsible for meeting with Bellis to obtain a valid permit and then 90 days to complete the permitted work.

*Motion made by Mayor Warren, Seconded by Commissioner Stover to approve the item as written.*

*Voice Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-06-3618**.*

Environmental Services Department

- 1. A Resolution authorizing the City of Arkansas City to accept a proposal from R.E. Pedrotti, Company, Inc., to procure materials and install new equipment for rehabilitation of the Country Club Lift Station RTU, in the amount of \$25,173.00.

Assistant Environmental Services Superintendent Blubaugh explained this the existing Lift Station Remote Telemetry Unit (RTU) situated at Country Club Estates has deteriorated to such an extent that its maintenance has become increasingly financially burdensome and has significantly exceeded its intended operational lifespan. The original lift station, commissioned in 1997, presently operates on antiquated SCADA (Supervisory Control and Data Acquisition) equipment. While approval exists for updating the lift station equipment, it is advisable to upgrade the system governing the lift station's operations concurrently. Another pertinent concern pertains to using outdated software and radios for integration with the new water plant, for alarm signaling and control functions. The continued operation of such antiquated equipment poses a vulnerability within the system, potentially granting unauthorized access to the entire SCADA infrastructure managing the water and sewer systems.

*Motion made by Commissioner Beeson, Seconded by Commissioner Stover to approve the item as written.*

Voice Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-06-3619**.

2. **A Resolution authorizing the City of Arkansas City to accept a proposal from Elliott Equipment Company, to replace the current Aries Sewer Inspection Camera for an amount of \$25,185.61, not including freight.**

Assistant Environmental Services Superintendent Blubaugh reported that the initial camera and tractor were submitted for repair; while the tractor remained in good condition, the camera was assessed as irreparable. It should be noted that the camera is proprietary to our equipment and needs to be replaced. Blubaugh further noted that we are receiving an approved \$8,377.66 discount from the vendor for our current Aries camera as trade in allowance, further recommending to procure a replacement Aires Sewer Inspection Camera with Pathfinder Lens-Cleaning Pan Tilt Zoom, Vertical, NTSC & Components Kit from Elliot Equipment, who serves as the local representative for Aries camera components. The total cost with trade in is \$25,185.61, which does not include asset freight.

Motion made by Commissioner Stover, Seconded by Commissioner Spielman to approve the item as written.

Voice Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-06-3620**.

**City Manager Updates & Reminders**

City Manager Frazer provided the following reminders and updates before the commission.

1. June 10<sup>th</sup> City Clerk Tiffany Parsons, Communications Director Shana Adkisson and City Manager Randy Frazer met with representatives from the American Legion to finalize planning of the upcoming Purple Heart City Ceremony. The event will be held in front of City Hall on Friday, July 12<sup>th</sup> at 11:00 am, to honor our veterans and recognize Arkansas City’s destination as a Purple Heart City, the very first in Cowley County.
2. Also, on June 10<sup>th</sup> Environmental Superintendent Rod Philo and City Manager Frazer met with Creekstone to discuss design placement and payment details for their new logo. This collaboration will help ensure the new logo aligns with the city’s branding and placement requirements.
3. June 12<sup>th</sup> marked the productive kick off meeting with Schaefer Architecture, the Recreation Commission, USD 470, Cowley College and city staff. Discussion surrounded the upcoming study of the community recreation and aquatics facility and potential collaboration between the entities.
4. Also on June 12<sup>th</sup>, Wilson Park Master Plan Preparation begin as Principal Planner Nick Rizzio and City Manager Frazer met with LK Architect Jeff Best to prepare for grant applications necessary to implement portions of the Wilson Park Master Plan. This planning in crucial to secure funding and move forward with the park’s enhancements.
5. June 13<sup>th</sup> Environmental Services Rod Philo, Kyle Blubaugh and City Manager Frazer met with Carl Brown to work on the Water Rate Analysis. This analysis is vital for determining fair and sustainable water rates for our residents and ensuring long-term viability of our water infrastructure. Creekstone is by far our largest customer, consuming approximately 50% of all water produced so we are working to identify true costs of providing water to them at a marginal rate structure, so rate adjustments are distributed fairly.
6. June 18<sup>th</sup> staff met with the Wilson Park Master Plan grant team, as we plan to apply for a CDBG grant, VJ Wilkens grant and LWCF grant from Wildlife Parks.
7. June 19<sup>th</sup> City Manager Frazer will meet with Everygy to go over our franchise agreement renewal.
8. June 20<sup>th</sup> staff will be meeting with the IdeaTek staff to discuss the franchise agreement and the premises for the fiber project in Arkansas City. The project aims to enhance internet connectivity and infrastructure within the city.

- 9. The Kansas League of Municipalities Conference is Oct. 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> in Wichita, KS. More information to come.
- 10. Juneteenth Celebration and ribbon cutting for the recent rehabilitation of Lovie Watson Park starts at 6:00 pm Wednesday, June 19<sup>th</sup>.
- 11. Merchant In Motion has been established and will be hosting several First Thursday Special Events in our downtown area. Each event will host different themes and vendors. Follow their new Facebook and other social media platforms for more detail. Their next event will be Thursday, August 1<sup>st</sup> with a back-to-school carnival theme.
- 12. The May 2024 Financial Summary is available in the back of the packet.

**Executive Session**

- 1. Recess into Executive Session regarding tax abatement payments to Diversified Acquisitions, LLC, pursuant to K.S.A. 75-4319(b)(2), for consultation with attorney for the public body or agency which would be deemed privileged in the attorney-client relationship

*Motion made by Mayor Warren, seconded by Commissioner Tweedy to Recess into Executive Session regarding tax abatement payments to Diversified Acquisitions, LLC, pursuant to K.S.A. 75-4319(b)(2), for consultation with attorney for the public body or agency which would be deemed privileged in the attorney-client relationship, for 5 minutes. The voice vote was unanimous in favor of the motion.*

City Attorney Larry Schwartz and City Manager Randy Frazer were included in the closed meeting.

Mayor Warren called the regular commission meeting back into session at 6:48 PM.

*Motion made by Commissioner Stover, seconded by Mayor Warren to approve a Resolution authorizing the City of Arkansas City Kansas to pay a tax abatement payment in the amount of \$39,535.64 and attorney fees in the amount of \$11,000.00 to Diversified Acquisitions, LLC.*

*Voice Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-06-3621.***

**Adjournment**

*Motion made by Mayor Warren, seconded by Commissioner Beeson to adjourn the meeting.*

*The voice vote was unanimous in favor of the motion. Mayor Warren declared the meeting adjourned.*

**THE CITY OF ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS**

(Seal)

\_\_\_\_\_  
Jay Warren, Mayor

**ATTEST:**

\_\_\_\_\_  
Tiffany Parsons, City Clerk

**Prepared by:**

\_\_\_\_\_  
Tiffany Parsons, City Clerk



# City Commission Agenda Item

**Meeting Date:** July 2, 2024  
**From:** Nick Rizzio, Municipal Project Manager  
**Item:** CDBG Housing Rehabilitation Grant No. 21-HR-001 (1047)  
Extension Request No. 2

**Purpose:** End date extension request for Community Development Block Grant (CDBG) Program Home Rehabilitation Grant. Currently, the initial grant extension is scheduled to expire on July 14, 2024. We are seeking an extension of the award date to August 14, 2024. **(Voice Vote)**

**Background:**

Arkansas City respectfully requests a second end-date extension for our CDBG Home Rehabilitation Grant No. 21-HR-001 that is scheduled to expire on July 14, 2024. The new extension of the award date would be August 14, 2024. Our city is currently completing the final home rehabilitation under this grant. While we anticipate meeting the current deadline, we find that a short extension will ensure all remaining funding and grant compliance can be completed before the grant’s expiration.

We firmly believe that this extension will allow us to adhere to guidelines set forth in this program, and successfully comply with grant closeout procedures. We greatly appreciate your understanding and support.

**Commission Options:**

- 1. Approve the Resolution
- 2. Disapprove the Resolution
- 3. Table the Resolution for further discussion

**Fiscal Impact:**

Amount: \$0

Fund: Department: Expense Code:

Included in budget       Grant       Bonds       Other Not Budgeted

**Attachments:** Letter to KS Dept. of Commerce & Contract Amendment Request Form

**Approved for Agenda by:**

\_\_\_\_\_  
Randy Frazer, City Manager





# CITY OF ARKANSAS CITY, KANSAS

Office of Randy Frazer, City Manager  
City Hall | 118 W. Central Avenue | Arkansas City, Kansas | 67005-0778  
(620) 441-4415 | Fax (620) 441-4426 | rfrazier@arkansascityks.gov

July 2, 2024

Kansas Department of Commerce  
Tim Parks  
1000 S.W. Jackson St., Suite 100  
Topeka, Kansas 66612-1354

Re: Award Date Time Extension  
CDBG Grant # 21-HR-001  
Arkansas City CDBG Commercial Rehabilitation Program

Dear Mr. Parks,

Arkansas City respectfully requests an award end-date extension for our CDBG Home Rehabilitation Grant. Currently, the grant is scheduled to expire on July 14, 2024. We are seeking an extension of the award date until August 14, 2024.

Our city is currently completing the final home rehabilitation under this grant. While we anticipate meeting the current deadline, we find that a short extension will ensure all remaining funding and grant compliance can be completed before the grant’s expiration.

We firmly believe that this extension will allow us to adhere to guidelines set forth in this program, and successfully comply with grant closeout procedures. We greatly appreciate your understanding and support.

Sincerely,

Jay Warren  
Mayor, City of Arkansas City





# City Commission Agenda Item

**Meeting Date:** July 2, 2024  
**From:** Josh White, Principal Planner  
**Item:** 1640 N 15<sup>th</sup> Street Rezone

**Purpose:** An Ordinance authorizing the rezoning of 1640 N 15<sup>th</sup> Street, from “I-1” (Low Industrial District) to “R-1” (Low Density Residential District). ***(Roll Call Vote)***

**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. Staff recommend approval of the rezone.

The Planning Commission held a public hearing on Tuesday, June 11, 2024 and voted unanimously to recommend that the City Commission approve the request.

**Commission Options:**

1. Approve ordinance on the first reading
2. Table and approve on second reading
3. Dissapprove ordinance with 2/3 majority
4. Table and send back to Planning Commission for further consideration

**Fiscal Impact:** Cost of publication

**Attachments:** Staff report, ordinance

**Approved for Agenda by:**

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Randy Frazer, City Manager

**ORDINANCE NO. 2024-07-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE RE-ZONING OF 1640 N 15<sup>TH</sup> STREET, FROM "I-1" (LIGHT INDUSTRIAL DISTRICT) TO "R-1" (LOW DENSITY RESIDENTIAL DISTRICT).**

**WHEREAS**, the City of Arkansas City Planning Commission, after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757, has considered the proposed request to re-zone property, and recommended the City grant the Petition to re-zone; and

**WHEREAS**, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the re-zoning of the property at issue; and

**NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:**

**SECTION ONE:** The property legally described as:

The North 310 feet of Lot 1, Prospect Tracts No 1, Arkansas City, Cowley County, Kansas, more commonly known as 1640 N 15<sup>th</sup> Street.

**IS HEREBY RE-ZONED** from an I-1 (Light Industrial District) to an R-1 (Low Density Residential District).

**SECTION TWO:** This ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

**SECTION THREE:** A certified copy of this ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

**PASSED AND ORDAINED** by the Governing Body of the City of Arkansas City, Kansas this 2<sup>nd</sup> day of July 2024.

(Seal)

\_\_\_\_\_  
Jay Warren, Mayor

ATTEST:

\_\_\_\_\_  
Tiffany Parsons, Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Larry Schwartz, City Attorney

**CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2024-07-\_\_\_\_\_ of the City of Arkansas City, Kansas adopted by the governing body on July 2, 2024 as the same appears of record in my office.

DATED: \_\_\_\_\_.

\_\_\_\_\_  
Tiffany Parsons, Clerk



# 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](mailto:jwhite@arkansascityks.gov) Website: [www.arkcity.org](http://www.arkcity.org)

CASE NUMBER  
 RZ-2024-119

APPLICANT/PROPERTY OWNER  
 LiftCo LLC

PUBLIC HEARING DATE  
 June 11, 2024

PROPERTY ADDRESS/LOCATION  
 1640 N 15<sup>th</sup> Street

**SUMMARY OF REQUEST**

The subject property is located at 1640 N 15<sup>th</sup> 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><b>EXISTING ZONING</b>                  I-1 Light Industrial District</p>	<p><b>EXISTING LAND USE</b>                  Industrial</p>	<p><b>SURROUNDING ZONING &amp; LAND USE</b>                  North: P; Public (ballfields)                  South: R-1; Residential                  East: R-1; Residential                  West: P; Public (Cemetery)</p>	<p><b>SITE IMPROVEMENTS</b>                  Industrial facility and parking</p>	<p><b>SIZE OF PROPERTY</b>                  137 ft X 310 ft                  0.9 acres</p>
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STAFF RECOMMENDATION

**APPROVE**

**APPROVE WITH CONDITIONS**

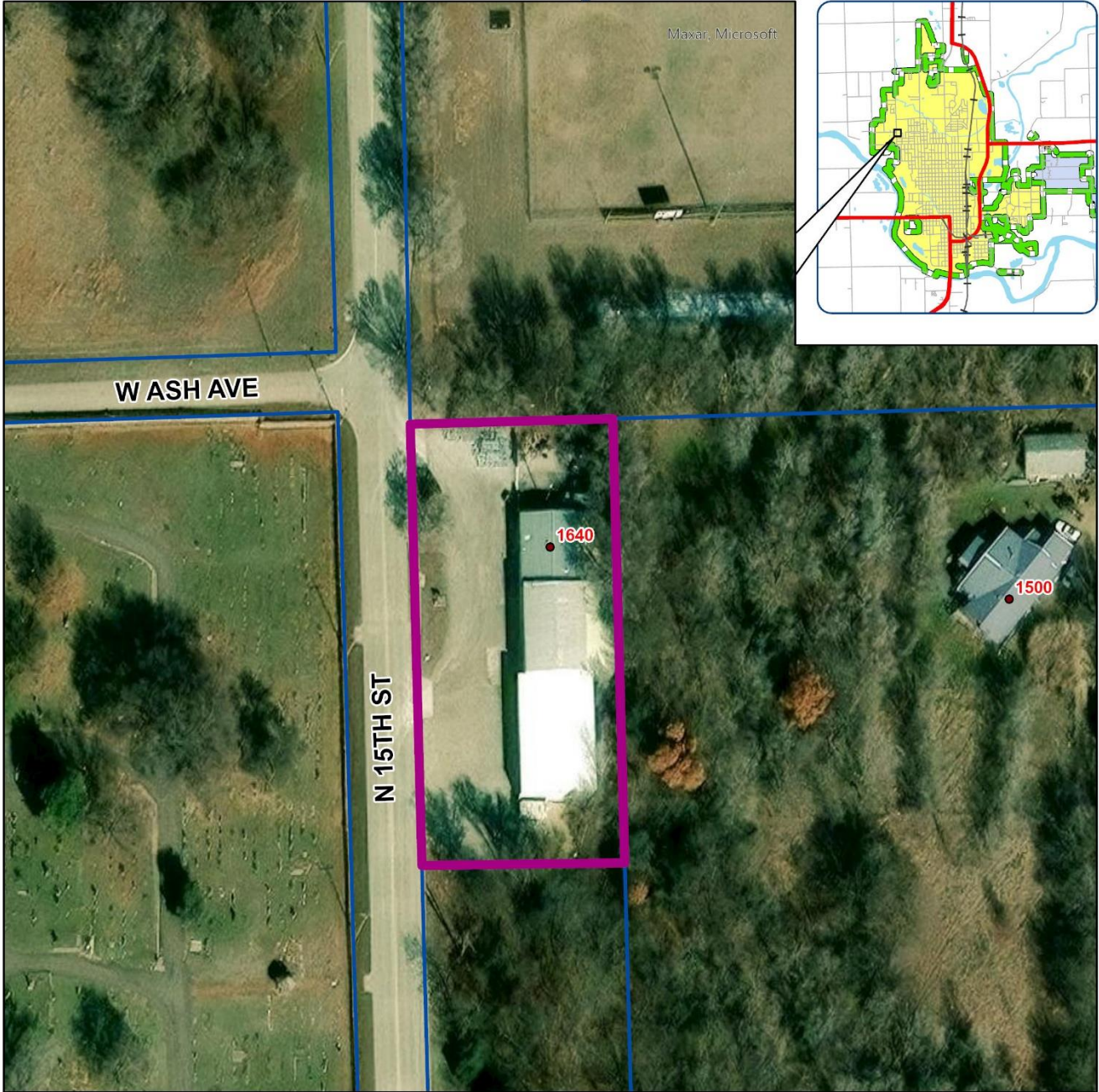
**DENY**

**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

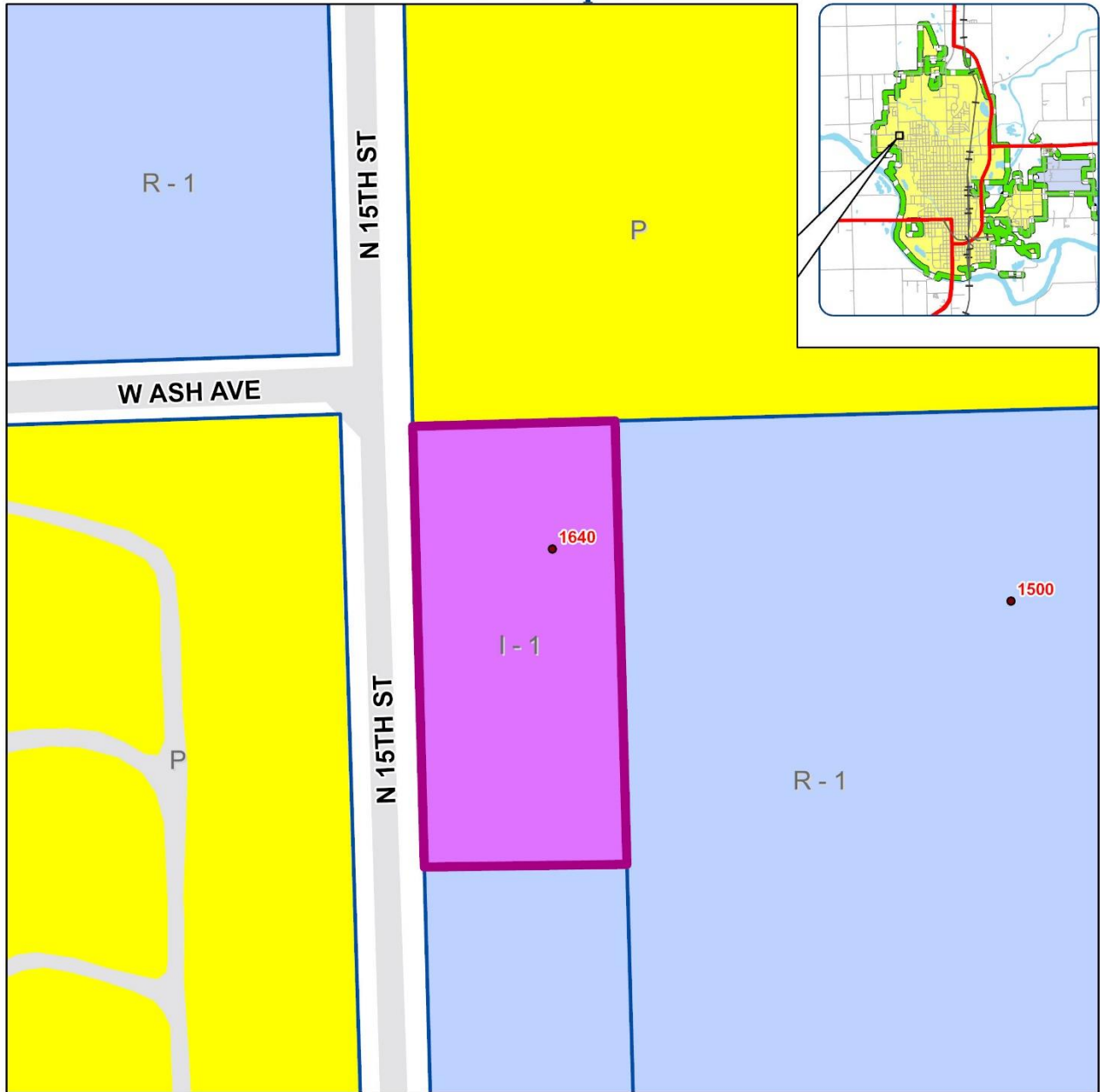
- Future Land Use**
-  Residential
  -  Industrial
  -  Public

Produced by the  
 City of Arkansas City GIS  
 using the best available  
 data to date.  
 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**

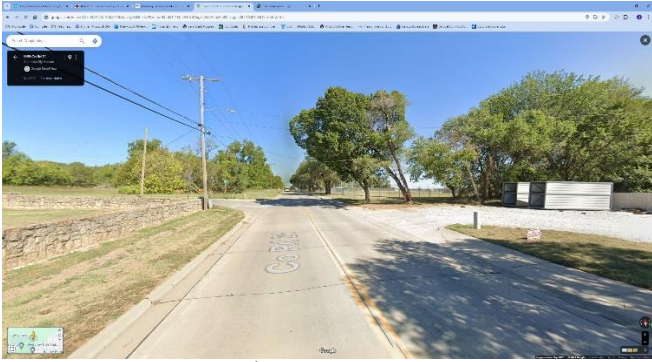


Subject Property Google Streetview from September 2023



*N Mobile Home  
Sawn Shop, body shop*

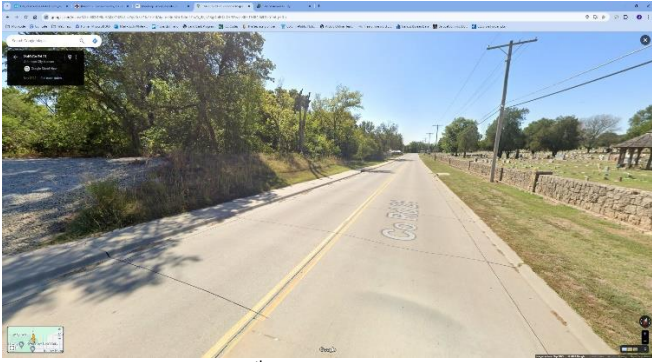
Site condition in 1981 taken from MH-1981-042 case file.



Looking North along 15<sup>th</sup> 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 15<sup>th</sup> 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 zone**

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.