



701 Washington P.O. Box 603  
Concordia, KS 66901  
785-243-2670 • Fax: 785-243-3328

**To:** Planning Commission  
**From:** Bruno Rehbein, Zoning Administrator  
**Date:** April 23, 2024  
**Re:** April 23, 2024, Planning Commission meeting

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Attached are the Planning Commission meeting materials for the Tuesday April 23, 2024, Planning Commission meeting. We have three public hearings. One for the school district and two for Bruce Sicard. Also attached is the lot split request from the school district FYI, of which you will be asked to comment on since we received a letter against it.

Eryn Ebach of PEC Engineering will be sending me information on the comprehensive Plan update. I will be distributing copies of these materials at the meeting. This gives you almost three weeks to review the material and have any comments or questions ready for the May 14<sup>th</sup> meeting. This meeting will be at 5:30 P.M. We'll have pizza.

Let me know if you have any questions.  
Thank you for your volunteer service to the community.

Bruno

**CONCORDIA PLANNING COMMISSION  
AGENDA  
CITY HALL, 701 WASHINGTON  
MEETING  
April 23, 2024 7:00 P.M.  
Meeting also available via ZOOM format  
Link available on City's website at:  
<http://concordiaaks.org/>**

If you require an accommodation for this public meeting, please contact Bruno Rehbein, Planning & Zoning Secretary, at 243-2670. Please give advance notice of at least two (2) working days (Kansas Relay Service - 1-800-766-3777).

**ROLL CALL/ OPEN MEETING:**

Hill \_\_\_\_\_ Gallagher \_\_\_\_\_ Thoman \_\_\_\_\_ Lanoue \_\_\_\_\_ Tuggle \_\_\_\_\_ Leduc \_\_\_\_\_ Conner \_\_\_\_\_

**GENERAL BUSINESS:** March 26, 2024, meeting minutes.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

- 1. Public Hearing, Rezoning request; USD 333.**
  - a. Entering of the record by zoning administrator Rehbein.
  - b. Open Public Hearing.
  - c. Hear applicant and public comments.
  - d. Close public hearing
  - e. Further discussion on rezoning request.
  - f. Vote on recommendation for approval or disapproval to the City Commission.
  - g. Explanation of following procedure and required protest period based on vote results.
  
- 2. Lot Split review; USD 333.**
  
- 3. Public Hearing, Rezoning request: Bruce Sicard**
  - a. Entering of the record by zoning administrator Rehbein.
  - b. Open Public Hearing.
  - c. Hear applicant and public comments.
  - d. Close public hearing
  - e. Further discussion on rezoning request.
  - f. Vote on recommendation for approval or disapproval to the City Commission.
  - g. Explanation of following procedure and required protest period based on vote results.
  
- 4. Public Hearing, vacation of portion of alley way; Bruce Sicard**
  - a. Entering of the record by zoning administrator Rehbein.
  - b. Open Public Hearing.
  - c. Hear applicant and public comments.
  - d. Close public hearing
  - e. Further discussion on rezoning request.
  - f. Vote on recommendation for approval or disapproval to the City Commission.
  - g. Explanation of following procedure and required protest period based on vote results.

**STUDY SESSION ITEMS:** Distribution of materials related to the Comprehensive Plan Update.

## **PLANNING COMMISSIONER'S COMMENTS**

### **CALENDAR:**

1. Next meeting will be Tuesday, May 14, 2024, at 5:30 p.m. This meeting will be a Comprehensive Plan Steering Committee meeting to hear comments on the materials provided by PEC Engineering to be distributed at this April 14<sup>th</sup> meeting.

### **ADJOURNMENT:**

**MINUTES OF THE PLANNING COMMISSION MEETING HELD**  
**March 26, 2024**  
**DRAFT**

**CALL TO ORDER:**

The Planning Commission met on Tuesday, March 26, 2024 at 7:00 p.m. in the Commission Room at City Hall. Building Inspector Rehbein acting as Chairperson determined a quorum to be present and called the meeting to order at 7:00 p.m. Members present and participating to-wit were; Members Hill, Gallagher, Lanoue, and Thoman.

Absent; Members Tuggle, LeDuc, and Conner.

Bruno Rehbein, City Building Inspector; Megan Murdock Deputy City Clerk.

Guests present Shane Haug, Shari Haug, Max Abercrombie, Marilouise Breault.

**GENERAL BUSINESS:**

Member Thoman made a motion to approve the November 28, 2023 meeting minutes, seconded by member Hill. Motion carried 4-0.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**1. Conditional Use Permit Request – 233 E 16<sup>th</sup> St.**

Chairperson Rehbein presented official maps, the application, an impact statement for the area, a list of those neighbors receiving the mailing of the public hearing, and his staff report for the project.

Chairperson Rehbein opened the public hearing.

Public Comments: Several questions were asked about the appearance of the storage containers.

Chairperson Rehbein closed the public hearing.

**Planning Commission Recommendations and Findings:**

Based on the assessment and evaluation of the foregoing, the goals of the community, and recognized planning principles, the following FINDINGS AND CONCLUSIONS are made:

1. Applicant is requesting a Conditional Use Permit to place storage units for mini storage/self-storage.
2. The area around the site is a mixture of residential as well as commercial.
3. Based on the ongoing and past commercial activity in the area and the separation of the residential areas by right-of-way's, there appears to be no detrimental effect on the area if the proposed use is well managed and maintained as a condition of the CUP.

Therefore, the Planning Commission adopts these Findings of Fact and recommends approval of this application for a Conditional Use Permit, all subject to the conditions required under Article 9-11 through 9-12 of the Concordia Zoning Regulations, adopted July 23, 2001.

The site must be maintained to be safe and secure and in compliance with the City's nuisance, zoning and building code regulations.

Based on the above, the Planning Commission, by a vote of 4-0 at its meeting on March 26, 2024 recommends APPROVAL of this application for a conditional use permit.

**CALENDAR:**

Next meeting will be Tuesday April 23, 2024, at 7:00 p.m.

Next study session will be Tuesday April 12,2024, at 5:30 p.m. if needed.

**ADJOURNMENT:**

Member Gallagher made a motion to adjourn the meeting, seconded by member Hill Motion carried 4-0. Meeting adjourned at 7:29 p.m.

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Megan Murdock/ Deputy City Clerk



701 Washington • P.O. Box 603  
Concordia, KS 66901  
785-243-2670 • Fax: 785-243-3328

REZONING APPLICATION

Return Form to:  
Community Development Director, City of Concordia  
701 Washington Street  
Concordia, KS 66901  
(785) 243-2670  
(785) 243-3328 (fax)

For Office Use Only  
Case No.: 337/339 w/11<sup>th</sup>  
Filing Fee: 100<sup>00</sup>  
Deposit: 100<sup>00</sup>  
Date Advertised: April 1  
Date Notices Sent: April 1  
Public Hearing Date: April 23  
Receipt # R00061709

APPLICANT INFORMATION:

Applicant: Concordia Public Schools, USD333 Phone: 785-243-3518  
Address: 217 W 7<sup>th</sup> St Zip: 66901  
Owner: Kelly Struebing Phone: 785-243-3518  
Address: 217 W 7<sup>th</sup> St Zip: 66901  
Email: Kelly.Struebing@USD333.com

PROPERTY INFORMATION:

Address or General Location of Property: 337 11<sup>th</sup> Street  
Legal Description: concordia, original town, S33, T05, R03, Block 87, Lot 11+12, Lots 11+12 Block  
Present Zoning R2 - Low Density Residential District  
Requested Zoning: R2 - Medium Density Residential Area: 11,616 ft<sup>2</sup>  
Present Use of Property: Vacant lot  
Proposed Use of Property: Develop into <sup>split lot</sup> 2 attached single-family dwellings  
Character of the Neighborhood: Residential Low-medium density

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>dwelling</u>	<u>R-1</u>
South	<u>City Park</u>	<u>P</u>
East	<u>dwelling</u>	<u>R-1</u>
West	<u>School</u>	<u>P</u>

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would the proposed change create a small, isolated district unrelated to surrounding districts? Yes \_\_\_\_\_ No X

If yes, explain: \_\_\_\_\_

2. Are there substantial reasons why the property cannot be used in accordance with existing zoning? Yes \_\_\_\_\_ No X

If yes, explain: \_\_\_\_\_

**CONFORMANCE WITH COMPREHENSIVE PLAN:**

1. Is the proposed change consistent with the goals, objectives and policies set forth in the Comprehensive Plan? Yes X No \_\_\_\_\_

2. Is the proposed change consistent with the Future Land Use Map?

Yes X No \_\_\_\_\_

**TRAFFIC CONDITIONS:**

1. Identify the street(s) with access to the property: 11th + Cedar

2. Identify the classification of those street(s) as Arterial, Collector or Local and each Right-of-Way width:

Street Name	Classification	Right-of-Way Width
<u>Cedar</u>	<u>Local</u>	<u>80'</u>
<u>11th</u>	<u>Collector</u>	<u>80'</u>

3. Will turning movements caused by the proposed use create an undue traffic hazard?

Yes \_\_\_\_\_ No X

**IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:**

- |  |                      |             |
|--|----------------------|-------------|
| 1. Appropriately Sized Lots?           | Yes <del>_____</del> | No <u>X</u> |
| 2. Properly Sized Street Right-of-Way? | Yes <del>_____</del> | No <u>X</u> |
| 3. Drainage Easements?                 | Yes _____            | No <u>X</u> |
| 4. Utility Easements:                  |                      |             |
| Electricity?                           | Yes _____            | No <u>X</u> |
| Gas?                                   | Yes _____            | No <u>X</u> |
| Sewers?                                | Yes _____            | No <u>X</u> |
| Water?                                 | Yes _____            | No <u>X</u> |

5. Additional Comments: \_\_\_\_\_

**UNIQUE CHARACTERISTICS OF PROPERTY AND ADDITIONAL COMMENTS:**

50' setback from Major Collector Street

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**THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:**

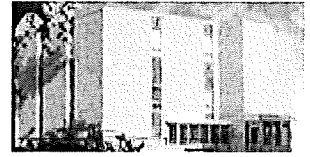
1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Concordia.
3. List of property owners within:
  - A. 200 feet of the property if the proposed property is located within the city's municipal boundaries;
  - B. 1,000 feet of the property if the proposed property is adjacent to the city's corporate limits.
4. If the proposed zoning requires a conditional use permit, the rezoning application shall be accompanied by a conditional use permit application defining the specifically requested use or list of uses.

Kelly Struebing  
(Signature)

Kelly Struebing  
(Printed Name)

3/29/2024  
(Date)





This database was last updated on 4/1/2024 at 7:31 AM

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[New Search](#) | [Back to Results](#)

### Parcel Details for 015-038-33-0-30-33-008.00-0

Quick Reference #: R2124

[View GIS Map](#) | [View Tax Detail](#)

Page 1 of 1




<b>Owner Information</b>	<b>Property Address</b>
<b>Owner's Name (Primary):</b> USD 333 <b>Mailing Address:</b> 217 W 7th St Concordia, KS 66901	<b>Address:</b> 337 W 11th St Concordia, KS 66901


<b>General Property Information</b>	<b>Deed Information</b>
<b>Property Class:</b> Exempt - E <b>Living Units:</b> 1 <b>Zoning:</b> <b>Neighborhood:</b> 113.A <b>Taxing Unit:</b> CONCORDIA CITY 003	<b>Document Link #</b> <a href="#">D167-781 View Deed Information</a> <a href="#">D162-932 View Deed Information</a>

<b>Neighborhood / Tract Information</b>
<b>Neighborhood:</b> 113.A Block: 87 Lot: 11 & 12 <b>Tract:</b> Section: 33 Township: 05 Range: 03 <b>Tract Description:</b> CONCORDIA, ORIGINAL TOWN, S33, T05, R03, BLOCK 87, Lot 11 & 12, LOTS 11 & 12, BLOCK 87 SECTION 33 TOWNSHIP 05 RANGE 03 <b>Acres:</b> 0.27 <b>Market Acres:</b> 0.27

<b>Land Based Classification System</b>
<b>Function:</b> Education / public admin / health care / other institutions <b>Activity:</b> Classroom-type activities <b>Ownership:</b> Private-fee simple <b>Site:</b> Developed site - no buildings and no improvements

<b>Property Factors</b>
<b>Topography:</b> Above Street - 2 <b>Utilities:</b> All Public - 1 <b>Access:</b> Paved Road - 1; Alley - 7 <b>Fronting:</b> Residential Street - 4 <b>Location:</b> Neighborhood or Spot - 6 <b>Parking Type:</b> On and Off Street - 3 <b>Parking Quantity:</b> Adequate - 2 <b>Parking Proximity:</b> On Site - 3 <b>Parking Covered:</b> <b>Parking Uncovered:</b>


Appraised Values 				
Tax Year	Property Class	Land	Building	Total
2024	Exempt - E	4,330	00	4,330

Market Land Information 					
Type	Method	Area or Acres	Eff. Frontage	Eff. Depth	Est. Value
Regular Lot - 1	Frontage and Depth	88	132		4,330
Influence #1: Factor:	Influence #2: Factor:	Influence Override: Depth Factor: 1.0100			

Residential Information [Information Not Available] 

Commercial Information [Information Not Available] 

Other Building Improvement Information [Information Not Available] 

Agricultural Information [Information Not Available] 

Page 1 of 1

This parcel record was last updated on 4/1/2024 at 6 am.

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Version: 3.0.0.11 : 03/09/2020



701 Washington P.O. Box 603  
Concordia, KS 66901  
785-243-2670 Fax: 785-243-3328

April 1, 2024

RE: zoning change request

To property owner,

You have been identified as the owner of record of property within 200 feet (1000 feet if in the County) of the subject property in Block 87, Concordia, Kansas. USD 333 has applied for a zoning change.

They seek to develop the lot with two attached single-family dwellings which will require a lot split which they have also applied for.

Enclosed is the public hearing notice on the rezoning application.

You have 10 days to respond to the lot split.

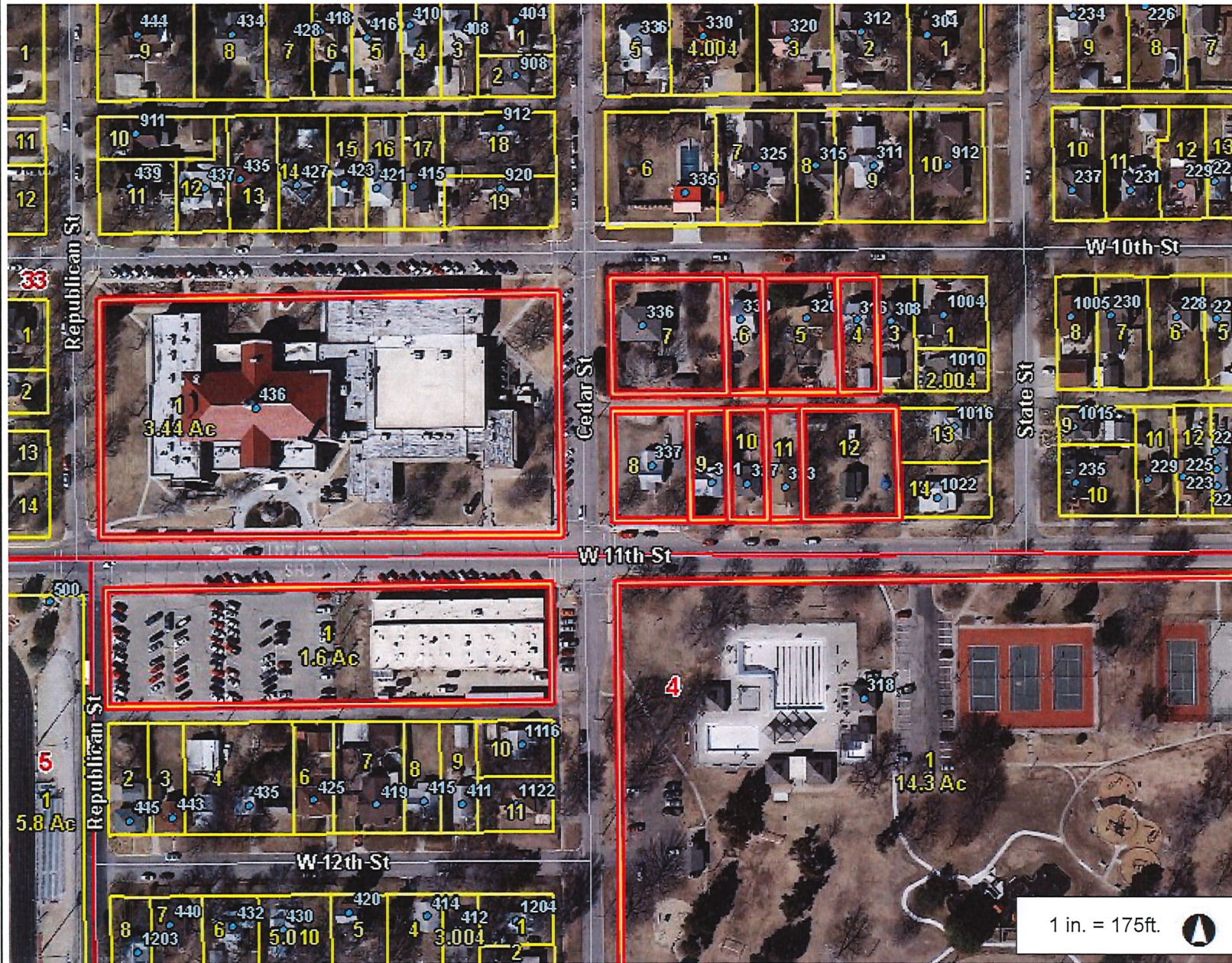
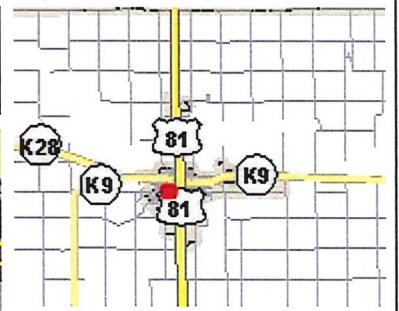
If you have any questions, you may contact me at 785-243-2672.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Rehbein", written over a horizontal line.

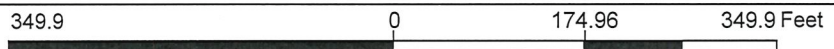
Bruno Rehbein  
Planning and Zoning

# Concordia, KS



- Legend**
- Major Highway
    - US Highway
    - State Highway
  - E911 Road
  - E911 Address Point
  - Parcel
  - Parcel Number/Acres
  - Corporate Limit
  - Section
  - County Boundary

1 in. = 175ft.



This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**Notes**

## NOTICE OF PUBLIC HEARING

### THE CONCORDIA PLANNING COMMISSION

Notice is hereby given that a public hearing will be held by the Concordia Planning Commission to consider rezoning of property as follows:

Applicant: USD 333 seeks to rezone the following described Tract from "R-1" Low Density Residential District to "R-2" Medium Density Residential District. Bruce would like to develop this location for a single-family dwelling.

Said tract of land is approximately 11,616 square feet. located at the northwest corner of 11<sup>th</sup> and Cedar Streets.

#### LEGAL DESCRIPTION

*Lots 11 and 12, Block 87, Concordia Original Town Site, Cloud County, Kansas.*

The public hearing on the above-described tract will be held in the City Commission Room, City Hall, 701 Washington St., Concordia, KS. on April 23, 2024, at 7:00 p.m.

All people desiring to be heard on this request regarding the above-described properties shall have the opportunity to be heard at this time.

Reasonable accommodation is available for people needing assistance. Requests for accommodation should be submitted to the Director of Community Development (785-243-2670) by 4:30 p.m., Friday April 19, 2024.

Bruno Rehbein /Zoning Administrator

# Staff Report

**To:** Planning Commission  
**From:** Bruno Rehbein  
**Date:** April 23, 2024  
**Re:** Rezone: 337 West 11<sup>th</sup> Street

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Kelly Strubring, Representing USD 333 seeks to have the property at 337 West 11th Street rezoned from “R-1” Low Density Residential to “R-2” Medium Density Residential District. The request comes from the desire to have the two attached single-family dwellings like duplexes at this location to be a legal conforming use. The lot was cleared and prepared for new construction last year with the original intent being a single-family dwelling.

USD 333 has also applied to have the lot split. Letters were sent to the notice area property owners with a 10-day window to provide any written protest of the split. There was one written statement against the lot split and the rezoning over concerns of increased traffic congestion with the higher density residential. If the zoning request is approved, the lot split may be approved based on the 7 terms in Article 11 of the Concordia subdivision regulations. The request for a lot split meets all the terms unless the zoning change is not approved.

According to Section 26-108 of the Concordia Zoning Regulations the Planning Commission must use the following guidelines in their consideration of a rezoning classification:

1. **Whether the change in classification would be consistent with the intent and purpose of these regulations;** Article 1, Section 1-102 lists 13 items of purpose and intent of the zoning regulations. I do not believe this request, if approved would be inconstant with any of these.
2. **Character and condition of the surrounding neighborhood and its affects on the proposed change;** the surrounding neighborhood has long been a mixture of residential dwellings with a mixture of conditions from well-maintained to uninhabitable, dilapidated and blighted.
3. **Whether the proposed amendment is made necessary because of changed or changing conditions in the affected area, and, if so the nature of such changed or changing conditions;** the need for housing in Concordia has been on the increase in the past several years. The proposed development will help with our housing shortage.
4. **The current zoning uses of nearby properties, and the effect on existing nearby land uses upon such a change in classification;** the effect on existing nearby land use will most likely go unnoticed. The property has had a single-family dwelling on it for years. The traffic in this area can become congested at times around the schools’ schedules and events. One more single-family dwelling’s perceived addition to this congestion will most likely go unnoticed.
5. **Whether every use that would be allowed on the property as reclassified would be compatible with the uses permitted on the other property in the immediate vicinity;** The current allowed use is compatible with the surrounding area as it is residential in nature. All allowed uses in a Medium Density Residential zoning district would appear to be compatible with the surrounding uses as the area has been a mixture of residential uses for years.

6. **The suitability of the applicant's property for the uses to which it has been restricted;** this property is suitable for the proposed zoning and existing zoning. There is a required 50 feet setback from the 11<sup>th</sup> street property line due to the major collector street classification. Due to the topography of the lot and this setback requirements, the building size is greatly restricted. Parking is intended to be in a single attached garage for each living unit accesses from the alley way.
7. **The length of time the subject property has been vacant or undeveloped as zoned;** As stated above the property has only been vacant for a couple of years. USD 333 purchased the lot and removed the structure and prepared the lot for future development residential in nature.
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;** adequate facilities exist for the proposed use and zoning.
9. **The general amount of vacant land that currently has the 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 land available or not available for development;** there are some areas of R-1 zoning with vacant lots but very little R-2 lots, especially in the immediate vicinity.
10. **The recommendations of professional staff;** staff recommends the change to R-2 Medium Density Residential District.
11. **Whether the proposed amendment would be in confidence to and further enhance the implementation of the City's comprehensive plan;** the current comprehensive plan has this area targeted as medium/low density residential. This is in confidence with the comprehensive plan and if approved would allow development of a vacant lot.
12. **Whether the relative gain to public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification;** I believe the public gain in this case is a developed property with habitable structures on it.
13. **Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application.**

**Conclusion:**

This proposed zoning classification and use are a good fit for the proposed development. The proposed development will help with our housing stock shortage and make very efficient use of the land. I believe the density will appear minimal based on the south 50 feet of the lot being restricted to no buildings.

**Recommendation:**

I recommend the Planning Commission adopt these findings as their own and recommend the City Commission change from R-1 Low Density Residential District to R-2 Medium Density Residential District.

Any recommendation will be presented to the City Commission in the form of an ordinance after the required 14-day protest period, ending May 8, 2024 at 4:30 P.M., placing it on the agenda for the regularly scheduled City Commission meeting on Wednesday, May 15, 2024.

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Bruno Rehbein -Planning/Zoning

# LOT SPLIT APPLICATION

## CITY OF CONCORDIA, KS. AS REQUIRED BY ARTICLE 11 of the Concordia Subdivision Regulations

FOR OFFICIAL USE ONLY  
 FILE #: 337/339 W11<sup>th</sup>  
 DATE: 3-29-14  
 FILING FEE: \$50.00  
 RECEIPT #: R000 61709  
 ALL REQUIRED DOCUMENTS  
 ATTACHED: Yes

1. Applicant or Agent/Representative Kelly Struebing / USD 333  
217 W 7<sup>th</sup> St Concordia KS 66901  
 Street address City State Zip code

Phone: 785-243-3518 E-mail: Kelly.Struebing@USD333.com

2. Applicant's interest in the property (owner, tenant, other) 2 build two  
attached single family dwellings & split lot

3. Present use of lot Vacant

4. Proposed use of lots after splitting \_\_\_\_\_

5. Property location address 337 W 11th St

6. \*Current legal description Concordia, Original Town, S33, T05, R03, Block 87  
Lot 11+12, Lots 11+12, Block 87 section 33 Township 05 Range 03

7. \*Legal description after splitting \_\_\_\_\_

8. Dimensions of each lot after splitting (frontage and depth) \_\_\_\_\_

9. Current zoning classification \_\_\_\_\_

Adjacent:	zoning	land use
North	"R-1" Low Density Residential	Single family dwelling
South	"P" - Public Use	City Park
East	"R-1"	Single-family dwelling
West	"ap"	CHS + C-SAS

11. Will the lot split result in? YES NO

	YES	NO
1. Need for new streets, alleys, or other public improvements?		X
2. Vacation of streets, alleys, setback lines, access control or easements?		X
3. Significant increases in requirements for public services?		X
4. Substandard Street right-of-way?		X
5. All easements being satisfied?	X	
6. A tract without direct access to a public street?		X
7. Substandard lot size, building setbacks or open yard for the zoning district?		X
8. has the lot been previously split?		X



# LOT SPLIT APPLICATION

## CITY OF CONCORDIA, KS.

### ARTICLE 11, Concordia Subdivision Regulations

14. Surveyor's name\*\* \_\_\_\_\_

Street address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

15. Additional comments R-2 zoning is residential in nature  
& required for the proposed development

Applicant

Authorized Agent

Kelly Struck  
Signature

\_\_\_\_\_  
Signature

3/29/2024  
Date

\_\_\_\_\_  
Date

\*May be required to be certified by a registered land surveyor

\*\*Two (2) copies of a scale drawing of the lots involved if there are no structures thereon or, if structures are located on any part of the lot being split, two (2) copies of a survey of the lot and the location of the structures thereon together with the precise nature, location and dimensions of the proposed lot split shall accompany this application

#### APPLICATION CHECK LIST:

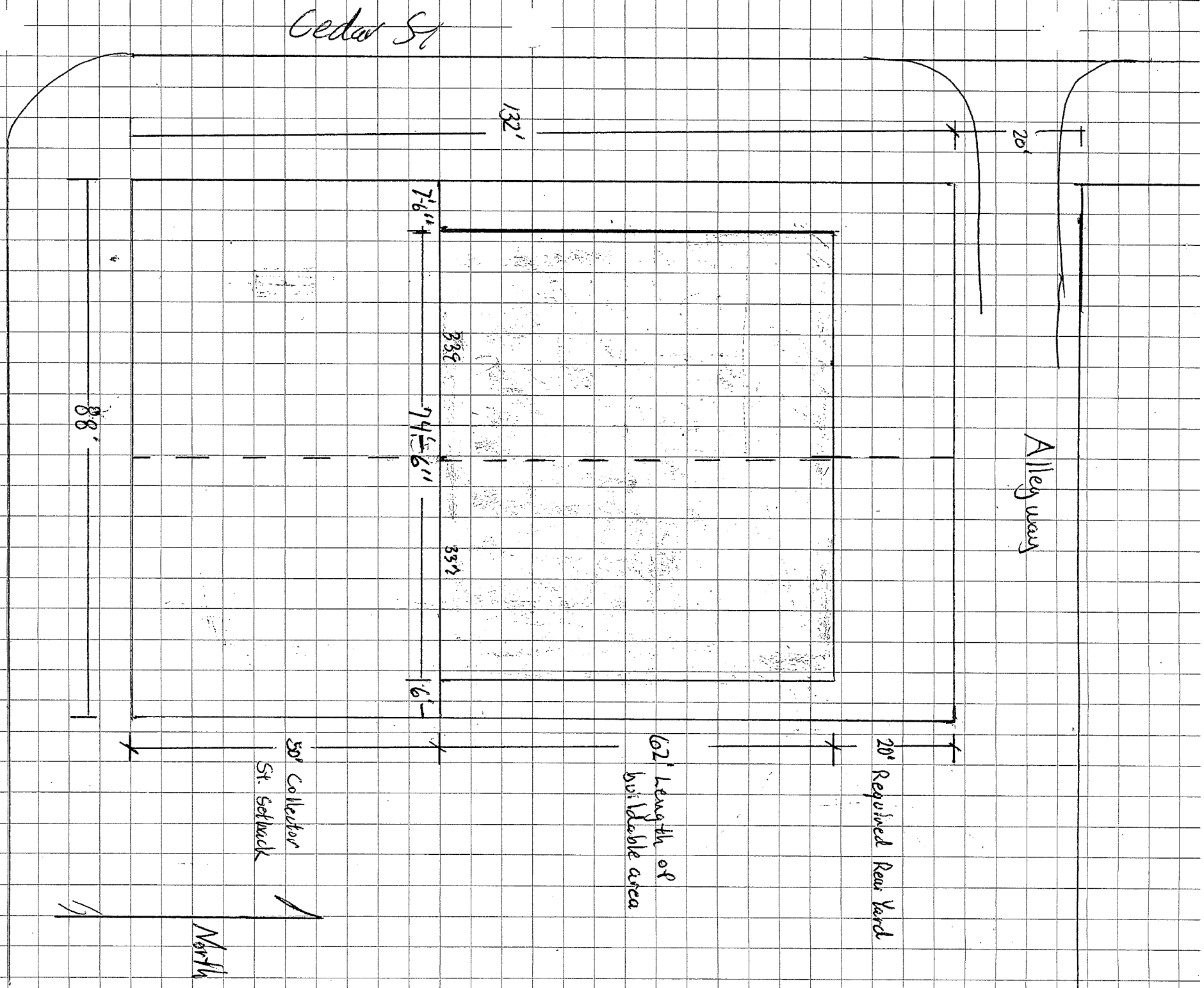
1.  Completed application form.
2.  Scale drawings or survey if structure(s) on lot.
3.  \$50.00 filing fee.
4.  List of property owners within 200 feet of the subject property, (may be required to be prepared by a registered abstractor).

**STAFF REVIEW AND ACTION:** The Zoning Administrator shall, in writing, either approve with or without conditions or disapprove the lot split within thirty (30) days of application. If approved, and after all conditions have been met, the Zoning Administrator shall sign and furnish a certificate of approval to be affixed to the lot split survey, and a certified copy thereof shall be filed with the Cloud County Register of Deeds, the official designated to issue building or occupancy permits, and a copy shall be furnished to the applicant.

$88 \times 132 = 11,616 \text{ ft}^2$   
 $44 \times 132 = 5,808 \text{ ft}^2$   
 R-2 zoning 35000 required

11th St.

Scale 1"=20'



To Planning & Zoning,

I am opposed to the 2011/12 rezoning plan due to the fact that this is ~~borderline~~ and not in need of what might be called a 'Doppel' Attenuated just raise more traffic, noise, then likely only college kids running them raise property tax's which are more than high enough as is! So I vote no on a Doppel! Plus that would also add to the sewer problems in that area also. You lot is already pushing our lot fence over from traffic during near the fence and pushing the soil at the fence causing the walkway on the west side To the point you cant walk along the horse row if need dug up on your City side & fence strengthened up.

Step 2 Report



701 Washington P.O. Box 603  
Concordia, KS 66901  
785-243-2670 Fax: 785-243-3328

REZONING APPLICATION

Return Form to:  
Community Development Director, City of Concordia  
701 Washington Street  
Concordia, KS 66901  
(785) 243-2670  
(785) 243-3328 (fax)

For Office Use Only  
Case No.: \_\_\_\_\_  
Filing Fee: \$100.00  
Deposit: \$100.00  
Date Advertised: 4/06/2024  
Date Notices Sent: 4/01/2024  
Public Hearing Date: 4/23/2024

Receipt #  
20061201

3rd/4th + Spruce

APPLICANT INFORMATION:

Applicant: Bruce Sicard Phone: 785-275-2719  
Address: 202 W 18th Zip: 66901  
Owner: Same Phone: Same  
Address: Same Zip: \_\_\_\_\_  
Email: bksicard@nckcn.com

PROPERTY INFORMATION:

Address or General Location of Property: Corner of E 4th + Spruce Streets

Legal Description: \_\_\_\_\_

Present Zoning I-1 light industrial

Requested Zoning: MHS Area: 85,712 ft<sup>2</sup>

Present Use of Property: Vacant undeveloped lot including Alley portion proposed to be vacated

Proposed Use of Property: Single family dwelling

Character of the Neighborhood: \_\_\_\_\_

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>Residential</u>	<u>"MHS" - Manufactured Home Subdivision</u>
South	<u>Railroad tracks</u>	<u>"I-1" Light Industrial</u>
East	<u>Vacant Lots/dwelling</u>	<u>"I-1"</u>
West	<u>Auto repair shop/dwelling</u>	<u>"I-2" Heavy Industrial</u>

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would the proposed change create a small, isolated district unrelated to surrounding districts? Yes \_\_\_\_\_ No X

If yes, explain: No extending MHS district

2. Are there substantial reasons why the property cannot be used in accordance with existing zoning? Yes \_\_\_\_\_ No X

If yes, explain: \_\_\_\_\_

**CONFORMANCE WITH COMPREHENSIVE PLAN:**

1. Is the proposed change consistent with the goals, objectives and policies set forth in the Comprehensive Plan? Yes X No \_\_\_\_\_

2. Is the proposed change consistent with the Future Land Use Map?

Yes X No \_\_\_\_\_

**TRAFFIC CONDITIONS:**

1. Identify the street(s) with access to the property: Spruce / 3rd / 4<sup>th</sup> Streets

2. Identify the classification of those street(s) as Arterial, Collector or Local and each Right-of-Way width:

Street Name	Classification	Right-of-Way Width
<u>Valley</u>	<u>local</u>	<u>80'</u>
<u>3rd</u>	<u>local</u>	<u>80'</u>
<u>Ancher</u>	<u>local</u>	<u>80'</u>

3. Will turning movements caused by the proposed use create an undue traffic hazard?

Yes \_\_\_\_\_ No X

**IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:**

1. Appropriately Sized Lots? Yes X No \_\_\_\_\_

2. Properly Sized Street Right-of-Way? Yes X No \_\_\_\_\_

3. Drainage Easements? Yes \_\_\_\_\_ No X

4. Utility Easements:

Electricity? Yes \_\_\_\_\_ No X

Gas? Yes \_\_\_\_\_ No X

Sewers? Yes \_\_\_\_\_ No X

Water? Yes \_\_\_\_\_ No X

5. Additional Comments: Undeveloped / natural vegetated parcel


used as Salvage yard / junk processing yard since rail road removed tracks through the parcel decades ago.

**UNIQUE CHARACTERISTICS OF PROPERTY AND ADDITIONAL COMMENTS:**

4<sup>th</sup> St. is a railroad right-of-way. Spruce, Archer & the Alley way between Spruce & Valley are all undeveloped with no utilities. 525 E 4<sup>th</sup> & 316 Valley are on city water but private septic systems. 525 is a scrap yard.

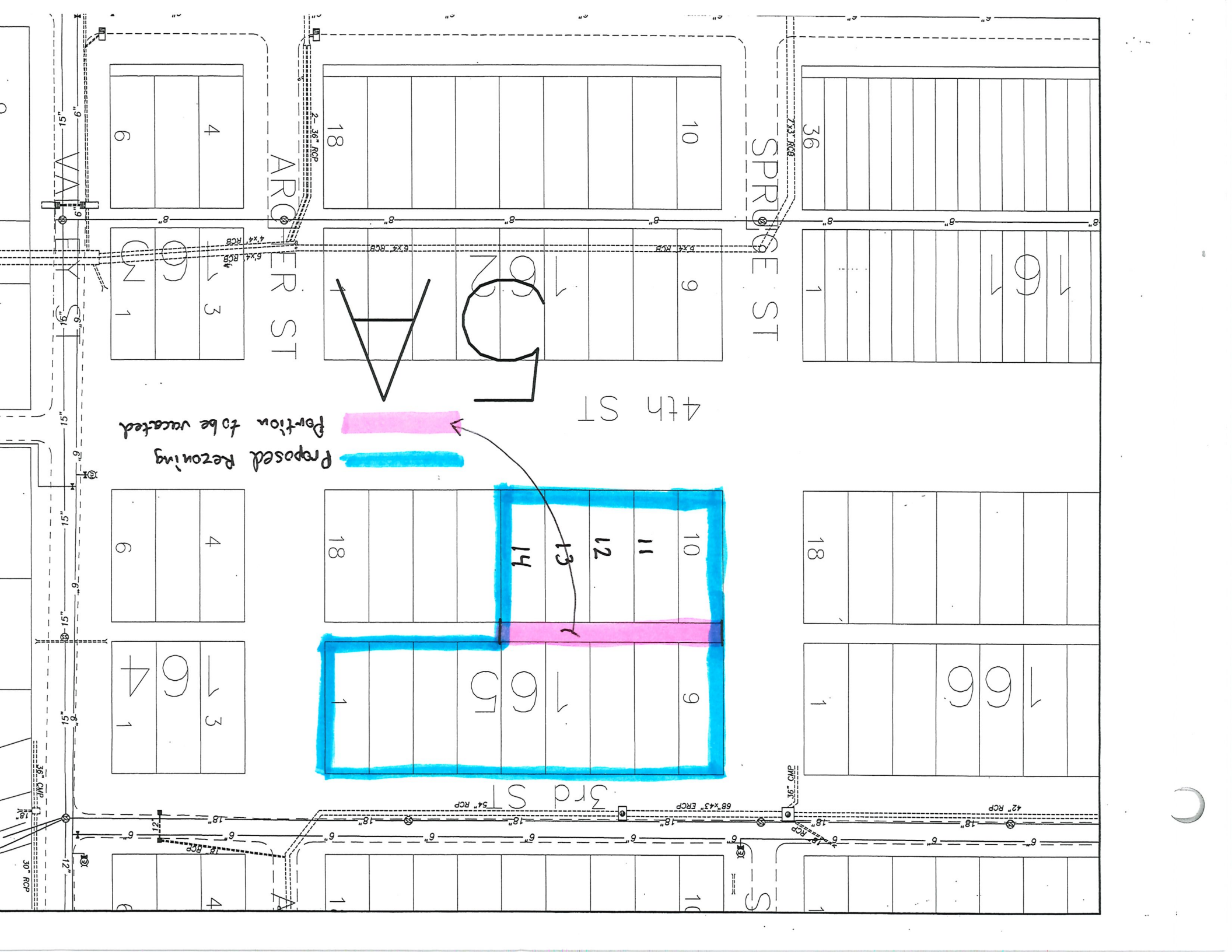
**THE FOLLOWING MUST ACCOMPANY YOUR APPLICATION:**

1. One copy of a legal description of the property proposed to be rezoned.
2. One copy of a statement describing the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Concordia.
3. List of property owners within:
  - A. 200 feet of the property if the proposed property is located within the city's municipal boundaries;
  - B. 1,000 feet of the property if the proposed property is adjacent to the city's corporate limits.
4. If the proposed zoning requires a conditional use permit, the rezoning application shall be accompanied by a conditional use permit application defining the specifically requested use or list of uses.

  
(Signature)

Bruce E Sicard  
(Printed Name)

3-18-24  
(Date)



4th ST

3rd ST

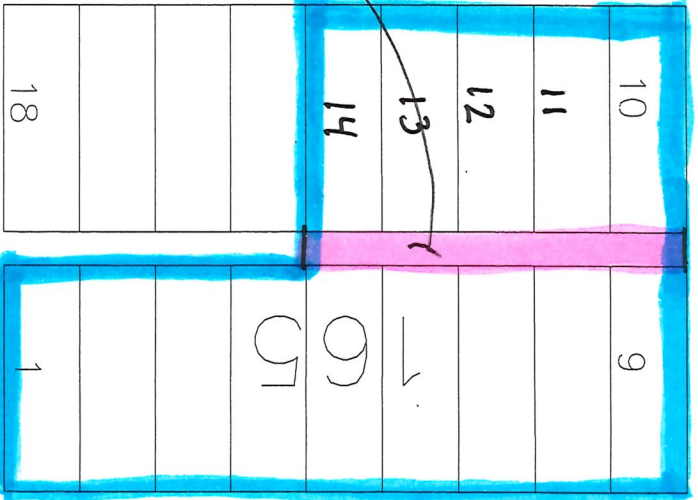
SPRUCE ST

ARCHER ST

VALLEY ST

Proposed Rezoning

Portion to be vacated





701 Washington P.O. Box 603  
Concordia, KS 66901  
785-243-2670 Fax: 785-243-3328

April 1, 2024

RE: zoning change request

To property owner,

You have been identified as the owner of record of property within 200 feet (1000 feet if in the County) of the subject property in Block 165, Concordia, Kansas. Bruce Sicard has applied for a zoning change, as well as a partial alleyway vacation.

Enclosed is the public hearing notices on these proposals.

If you have any questions, you may contact me at 785-243-2672.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruno Rehbein", written over a horizontal line.

Bruno Rehbein  
Planning and Zoning



## NOTICE OF PUBLIC HEARING

### THE CONCORDIA PLANNING COMMISSION

Notice is hereby given that a public hearing will be held by the Concordia Planning Commission to consider rezoning of property as follows:

Applicant: Bruce Sicard seeks to rezone the following described Tract from "I-1" Light Industrial District to "MHS" Manufactured Home Subdivision. Bruce would like to develop this location for a single-family dwelling.

Said tract of land is approximately 81,312 square feet. located between Spruce and Archer Streets, East to West, between 3<sup>rd</sup> and 4<sup>th</sup> streets North to South.

#### LEGAL DESCRIPTION

*Lots 1- 14, Block 165, Concordia Original Town Site, Cloud County, Kansas.*

The public hearing on the above-described tract will be held in the City Commission Room, City Hall, 701 Washington St., Concordia, KS. on April 23, 2024, at 7:00 p.m.

All people desiring to be heard on this request regarding the above-described properties shall have the opportunity to be heard at this time.

Reasonable accommodation is available for people needing assistance. Requests for accommodation should be submitted to the Director of Community Development (785-243-2670) by 4:30 p.m., Friday April 19, 2024.

Bruno Rehbein /Zoning Administrator

**NOTICE OF HEARING BY  
THE CONCORDIA PLANNING COMMISSION**

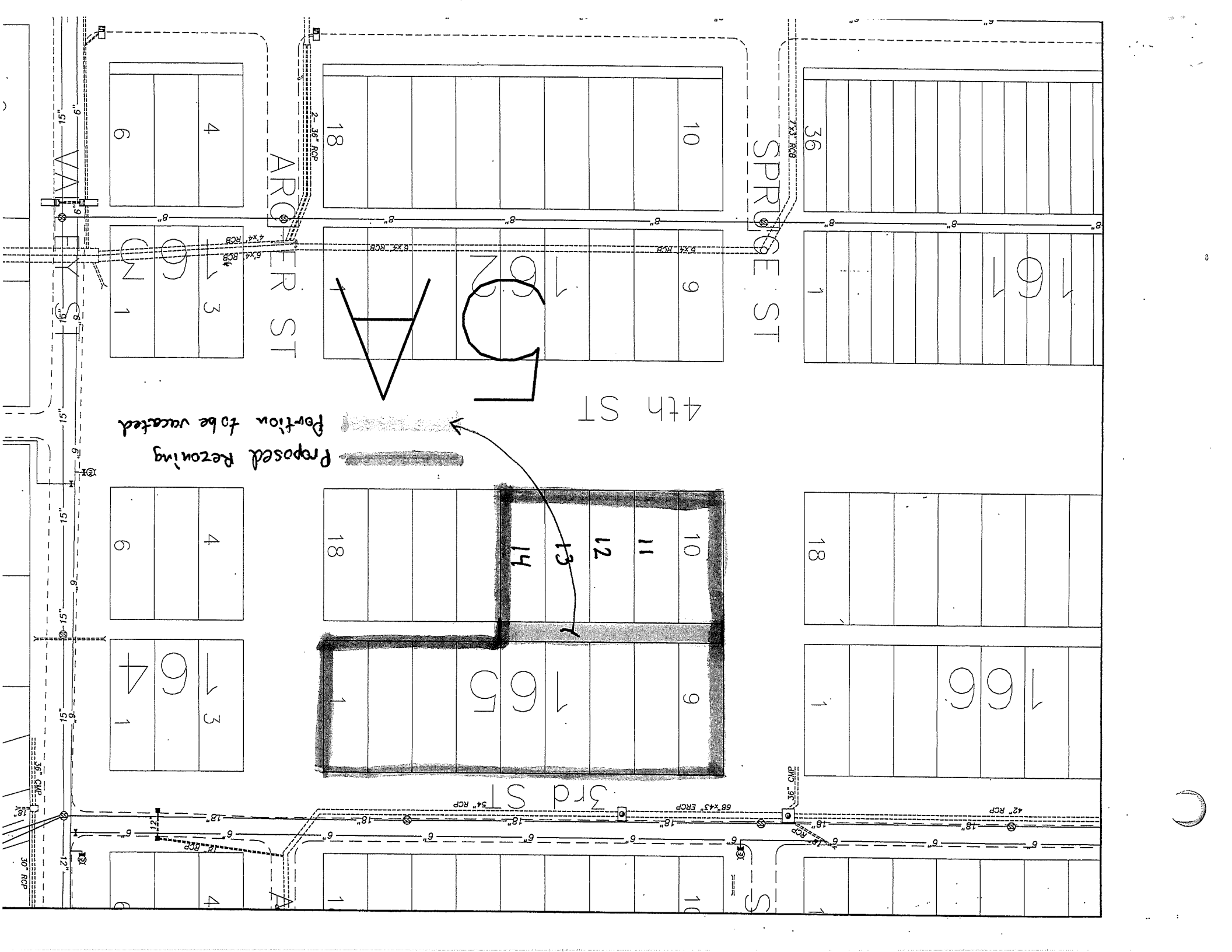
Notice is hereby given that a public hearing will be held by the Concordia Planning Commission to consider a street vacation. A petition has been filed in the office of the City Clerk praying for vacation of a portion of the alley way in Block 165. the right-of-way lying between and immediately adjacent to Lots 5 through 9, and Lots 10 through 15, Block 165, Concordia Original Town Site, all in the City of Concordia, Cloud County, KS.

The public hearing will be held in the City Commission Room, City Hall, 701 Washington, Concordia, Kansas on **Tuesday, April 23, 2024, at 7:00 p.m.**

All people desiring to be heard on the proposed vacation shall have the opportunity to be heard.

Reasonable accommodation is available for persons needing assistance. Requests for accommodation should be submitted to the Director of Community Development, 785-243-2672 (TDD 785-243-2336) by 5:00 p.m., Friday, April 19, 2024.

Bruno Rehbein  
Planning & Zoning



Proposed Rezoning  
Portion to be vacated

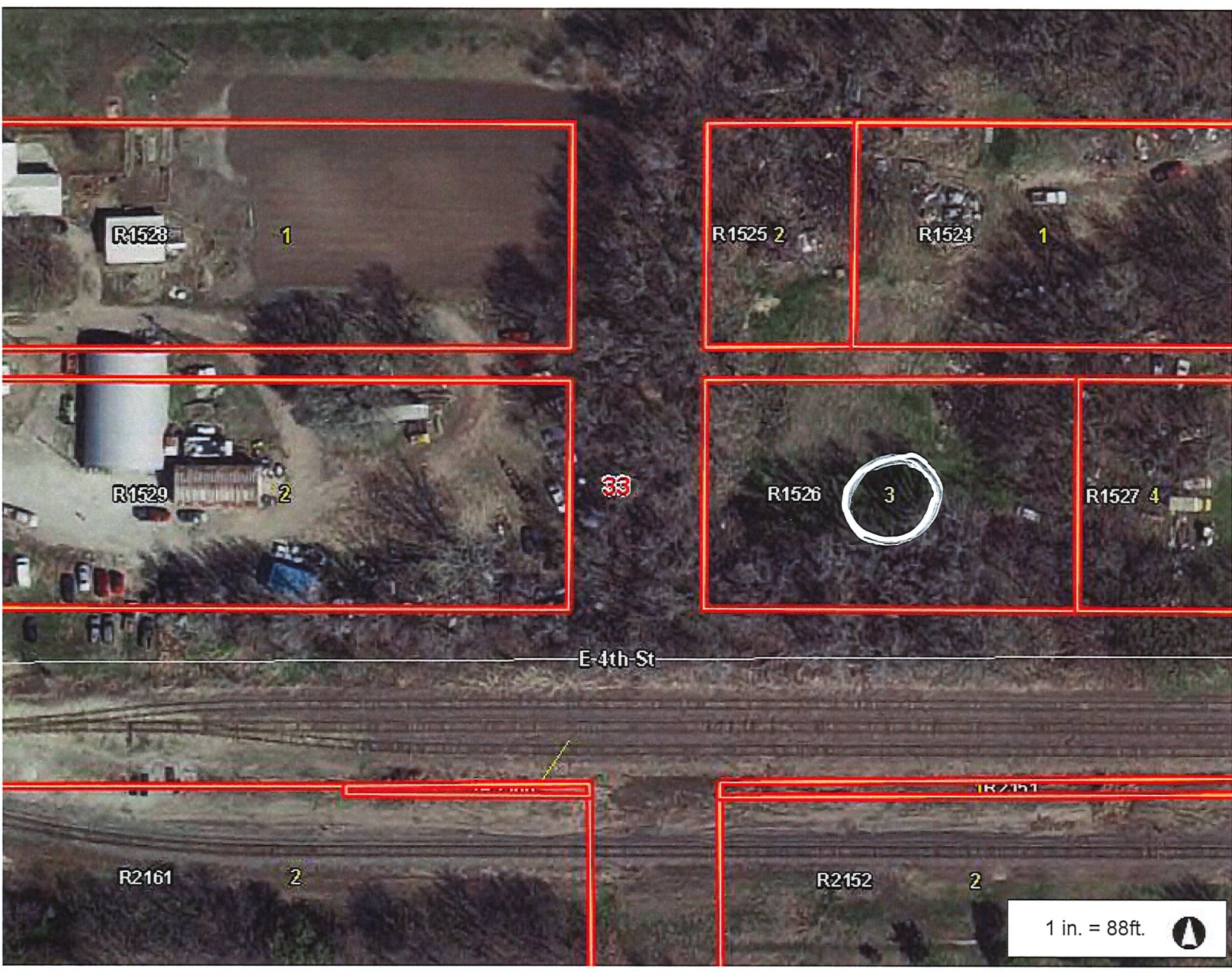
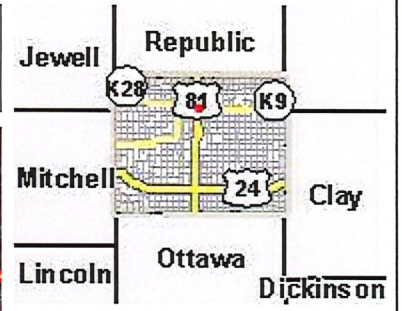
4th ST

SPRUCE ST

ARCHER ST

3rd ST

# Cloud County, KS



- Legend**
- Major Highway
    - US Highway
    - State Highway
  - E911 Roads
  - Parcel
  - Parcel Number/Acres
  - Quick Ref ID
  - Corporate Limit
  - Land Hook
    - Land Hook
    - S LandHook
    - Leader
  - Section
  - County Boundary

**Notes**  
*Notice area Parcels*

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

# Staff Report

**To:** Planning Commission  
**From:** Bruno Rehbein  
**Date:** April 23, 2024  
**Re:** Rezone: East 4<sup>th</sup> Street/Block 165, Original Town Site.

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Bruce Sicard seeks to have lots 1-14 in Block 165 rezoned from "I-1" Light Industrial District to MHS- Manufactured Home Subdivision District. The request comes from the desire to develop the property with a single-family dwelling. The lot has been in use as a conforming salvage yard for years with no significant development.

As part of this plan, Bruce has also applied to have a portion of the alley vacated to bring his water and sewer lines from East 3<sup>rd</sup> street across the platted alley way without having to have a license from the City for private utilities across a public right of way.

According to Section 26-108 of the Concordia Zoning Regulations the Planning Commission must use the following guidelines in their consideration of a rezoning classification:

1. **Whether the change in classification would be consistent with the intent and purpose of these regulations;** Article 1, Section 1-102 lists 13 items of purpose and intent of the zoning regulations. I do not believe this request, if approved would be inconstant with any of these.
2. **Character and condition of the surrounding neighborhood and its affects on the proposed change;** the surrounding neighborhood has long been a mixture of residential dwellings with a mixture of conditions from well-maintained to uninhabitable, dilapidated and blighted. There is an automotive repair shop to the West. Railroad to the South running east and west.
3. **Whether the proposed amendment is made necessary because of changed or changing conditions in the affected area, and, if so the nature of such changed or changing conditions;** this parcel of land has long been a salvage yard. It is in the mapped floodplain, but the flood control dams which were built in 2013-2014 are changing the flood levels in this area. The City of Concordia is in the process of getting our floodplain maps redrawn to reflect this change, making this property more desirable for other than its industrial use.
4. **The current zoning uses of nearby properties, and the effect on existing nearby land uses upon such a change in classification;** The zoning to the north is MHS and this would be an extension of this zoning. MHS allows for single-family dwellings as well as manufactured homes. The effect on the nearby properties will be minimal.
5. **Whether every use that would be allowed on the property as reclassified would be compatible with the uses permitted on the other property in the immediate vicinity;** The current allowed use can be considered compatible with the surrounding area as it has been used as a salvage yard for years with proper screening from the public rights-of-way. All allowed uses in a Manufactured Home Subdivision District zoning would appear to be compatible with the surrounding uses as the area has been a mixture of residential uses for years.

6. **The suitability of the applicant's property for the uses to which it has been restricted; this property is suitable for the existing use and zoning.**
7. **The length of time the subject property has been vacant or undeveloped as zoned; this property has been developed as a salvage yard after the railroad removed their equipment and tracks from the area several years ago. Since then, the property has evolved into a legal salvage yard. As far as buildings are concerned the property has basically been undeveloped.**
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; adequate facilities exist for the proposed use and zoning. All utilities are on 3rd Street and based on Bruce's intended location for a house on that parcel the building sewer and water service lines will be approaching 200 feet long and cross an undeveloped alley way.**
9. **The general amount of vacant land that currently has the 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 land available or not available for development; there is a large amount of MHS zoning in the area that is undeveloped. Mostly due to the current floodplain designation. From my experience of trying to help people find a place for a mobile home in the MHS district over the years there is very little MHS zoned land available for development.**
10. **The recommendations of professional staff; staff recommends the change to "MHS" manufactured Home Subdivision District.**
11. **Whether the proposed amendment would be in confidence to and further enhance the implementation of the City's comprehensive plan; the current comprehensive plan has this area projected as heavy industrial. There are many more industrial zoned lots in the area and in other areas that are undeveloped. Changing the zoning on this parcel will provide for the development of this parcel for residential purposes. This should increase revenue for the city with a new development.**
12. **Whether the relative gain to public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification; I believe the public gain in this case is a developed property with habitable structure on it. Bruce intends to remove all the salvage material and clean up the property. Once the salvage use goes away it shall not return as it would now be considered a non-conforming use.**
13. **Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application.**

**Conclusion:**

This proposed zoning classification and use are a good fit for the proposed development of basically a raw piece of land in the floodplain. The proposed development will help with our housing stock shortage and make very efficient use of the land. The land is expected to have the floodplain designation reduced to where this area is more desirable for development.

**Recommendation:**

I recommend the Planning Commission adopt these findings as their own and recommend the City Commission change from I-1 Light Industrial District to MHS- Manufactured Home Subdivision District.

Any recommendation will be presented to the City Commission in the form of an ordinance after the required 14-day protest period, ending May 8, 2024, at 4:30 P.M., placing it on the agenda for the regularly scheduled City Commission meeting on Wednesday, May 15, 2024.

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Bruno Rehbein -Planning/Zoning

## APPLICATION FOR VACATION OF STREET, ALLEY, UTILITY EASEMENT OR SUBDIVISION

ARTICLE 12 of the Concordia Subdivision Regulations

Applicant/agent: Bruce Sicard

Address: 202 W 18<sup>th</sup>

Contact phone: 785-275-2719 Fax: \_\_\_\_\_

Email: bksicard@ncken.com

Application to vacate:

Public right-of-way \_\_\_\_\_ Street \_\_\_\_\_ Alley  Partial  
Easement \_\_\_\_\_ Set back \_\_\_\_\_ Access control \_\_\_\_\_  
Recorded plat \_\_\_\_\_ Unrecorded plat \_\_\_\_\_

Approximate location of the area to be vacated: Alley between 3 & 4<sup>th</sup> + Archer + Spruce

Describe location (nearest street, landmarks, etc.) Spruce + 3rd Street

Reason for vacation: utility access for residential development

The following non-conformities exist on this property: none known

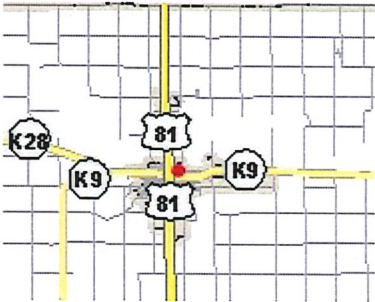
Names and mailing addresses of all property owners abutting area requested to be vacated: attached

Bruce Sicard  
Applicant's Signature

3-29-2024  
Date

<b>FOR OFFICIAL USE ONLY</b>
FILE #: <u>Block 165</u>
DATE: <u>3-29-2024</u>
FILING FEE: <u>\$50.00</u>
RECEIPT #: <u>R00061764</u>
ALL REQUIRED DOCUMENTS ATTACHED: <u>Yes</u>
PUBLIC HEARING DATE: <u>April 23/2024</u>

# Concordia, KS



### Legend

- Major Highway
  - US Highway
  - State Highway
- E911 Road
- E911 Address Point
- Parcel
- Parcel Number/Acres
- Corporate Limit
- Section
- County Boundary



### Notes

1 in. = 82ft.

164.4 0 82.19 164.4 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



# Staff report

## Alley way in Block 165 Vacation Request

**To:** Planning Commission  
**From:** Bruno Rehbein  
**Date:** April 23, 2024  
**Re:** Staff report; vacation request; portion of alley way in Block 165, Original Town.

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Bruce Sicard has filed a petition for the vacation of a portion of the alley way in Block 165 between 3<sup>rd</sup> and 4<sup>th</sup> streets. The request comes from the desire to build a single-family dwelling on lots 10-14 in Block 165. The utilities for this proposal have to come for 3<sup>rd</sup> Street and cross the area of concern. The vacating of this portion allows the utilities to cross this alley way without a license form the City.

All property owners within 200 feet were notified of the request. Only the portion adjacent to lots 5-14 in block 165 is required for this proposal. The portion adjacent to lots 1-4 and 15-18 is not part of this proposal and will remain ass access to the adjacent property for egress as well as any potential future utility's needs.

Article 12, Section 12-401 states that three things must be determined by the Planning Commission before it can make a recommendation.

- a. due and legal notice has been given;
- b. no private rights will be injured or endangered; and
- c. the public will suffer no loss or inconvenience.

In conclusion the requested vacation does not appear to have an adverse impact to the public interest. No abutting or affected property owner opposes the vacation request, and there are no utilities in this portion or in any of the nearby easements except Mathew and 3<sup>rd</sup> streets, therefor;

**I recommend:**

The Planning Commission recommends the vacation of the portion requested to the City Commission for approval in the form of an ordinance.

---

Bruno Rehbein  
Zoning Administrator