

MINUTES
CITY COMMISSION MEETING
TUESDAY, APRIL 2, 2013
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Loren J. Pepperd and Commissioners John Matta, Wynn Butler, Richard B. Jankovich, and James E. Sherow were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, Assistant City Manager Lauren Palmer, City Attorney Bill Raymond, City Clerk Gary S. Fees, 8 staff, and approximately 30 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Pepperd led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Pepperd proclaimed April 7-13, 2013, ***Barbershop Harmony Week***. Mike Shepherd, President, Little Apple Chorus Chapter of the Barbershop Society, and members of the Little Apple Chorus Chapter were present to receive the proclamation and the quartet sang a song.

Mayor Pepperd proclaimed April 9, 2013, ***National Service Recognition Day***. Lori Bishop, Executive Director, RSVP of the Flint Hills, Inc., and Candice McIntosh, RSVP Schools of Hope Coordinator, were present to receive the proclamation. Commissioner Rich Jankovich, Volunteer for the Schools of Hope, extended his appreciation to his reading partner, Conner, and talked about his experience with the volunteer reading program.

Mayor Pepperd proclaimed April 2013, ***Fair Housing Month***. Karen Davis, Director of Community Development, City of Manhattan, and JoAnn Sutton, Executive Director, Manhattan Housing Authority, were present to receive the proclamation.

PROCLAMATIONS (CONTINUED)

Mayor Pro Tem Matta on behalf of Mayor Pepperd proclaimed April 2013, **Poetry Month**. Elizabeth Dodd, Professor, Kansas State University English Department; John Pecoraro, Assistant Director, Manhattan Public Library; Richard Prudenti, Membership/Special Events Coordinator, Flint Hills Discovery Center; and Penny Senften, Executive Director, Manhattan Arts Center, were present to receive the proclamation.

Mayor Pro Tem Matta on behalf of Mayor Pepperd proclaimed May 4, 2013, **Poppy Day**. Cindy Sicard, Chairperson, Poppy Day Committee, American Legion Post 17, and Megan Stubbings, Poppy Princess, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Pepperd opened the public comments.

Dave Misra, resident of Vattier Street apartment complex and Kansas State University student, informed the Commission of an issue regarding the calculation of his water bill and stated that the current usage based on a previous three month average is unfair. He stated that he uses about one unit of water a month and is being charge for seven units because of the usage by previous renters. He requested that the Commission provide him with a waiver and offer a solution to his concerns. He then responded to questions from the Commission.

Mayor Pepperd stated that he lives alone and used two units of water last month. He said this item may need to be re-examined and stated that the City is low on the charges applied for water turn on and off fees.

Commissioner Butler stated that the issue is for sewer rates and not water charges. He said the way the City computes the sewer fee is the use of seven units in the absence of any data. He expressed appreciation on the presentation and concerns expressed.

Ron Fehr, City Manager, provided clarification on the item regarding the calculation of sewer rates established based on the City's current policy using a winter quarter average of water usage. He stated that if the Commission desires to revisit the current policy and explore other thresholds, that can be done.

Commissioner Sherow stated that part of the overall goal and objective in setting utility rates was to have people pay for what they actually use in order to best serve the community.

PUBLIC COMMENTS (CONTINUED)

Dave Misra, resident of Vattier Street apartment complex and Kansas State University student, informed the Commission that he appreciated their consideration and stated that the majority of students prefer to live by themselves in either one or two bedroom apartments. He asked that the Commission consider this issue and help provide some relief in the coming months.

Mayor Pepperd said this is an item to work on and needs additional discussion.

Commissioner Matta stated that the Commission needs to take another look at this and that he has received complaints from others regarding the calculation of rates. He said that it was becoming harder and harder to defend the current system.

Hearing no other comments, Mayor Pepperd closed the public comments.

COMMISSIONER COMMENTS

Commissioner Jankovich thanked JoAnn Sutton, Executive Director, and her crew at the Manhattan Housing Authority for doing an outstanding job in managing public housing.

Mayor Pepperd thanked Lori Bishop, Executive Director, RSVP of the Flint Hills, for the National Service Recognition Day and expressed his appreciation to Commissioner Jankovich for his involvement as a tutor with the Schools of Hope reading program.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, March 26, 2013.

CLAIMS REGISTER NOS. 2728 and 2729

The Commission approved Claims Register Nos. 2728 and 2729 authorizing and approving the payment of claims from March 20, 2013, to March 26, 2013, in the amounts of \$15,369.65 and \$923,128.57, respectively.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 6995 – ANNEX – CONGRESSIONAL ADDITION

The Commission approved Ordinance No. 6995 annexing the proposed Congressional Addition, approximately 20.25 acres, generally located along the west side of Grand Mere Parkway and northwest of the intersection of Grand Mere Parkway and Players Terrace, based on conformance with the Comprehensive Plan, the Growth Vision, and the Capital Improvements Program.

ORDINANCE NO. 6996 – REZONE – CONGRESSIONAL ADDITION

The Commission approved Ordinance No. 6996 rezoning the Congressional Addition, from County R-PUD, Residential Planned Unit Development District, to R-M, Four-Family Residential District, and, R-1, Single-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 1*).

ORDINANCE NO. 6997 – INSTALL STOP SIGN – SOUTH 10TH STREET AND POTTAWATOMIE AVENUE

The Commission approved Ordinance No. 6997 authorizing the replacement of the westbound stop sign with a southbound stop sign at the intersection of South 10th Street and Pottawatomie Avenue.

ORDINANCE NO. 6998 – REPLACE YIELD SIGN WITH STOP SIGN – VIRGINIA DRIVE AND NEVADA STREET

The Commission approved Ordinance No. 6998 authorizing the replacement of the north and southbound yield signs with stop signs at the intersection of Virginia Drive and Nevada Street.

ORDINANCE NO. 6999 – AMEND FIREWORKS – BAN AERIAL LUMINARIES/EMERGENCY BAN

The Commission approved Ordinance No. 6999 amending Sections 13-51 and 13-54 and adding Sections 13-64, 13-65, and 13-66 to the Code of Ordinances of the City of Manhattan, banning the sale and use of aerial luminaries, and allowing for the declaration of an emergency ban on the discharge of fireworks or a rare extension of discharge time under rare and special circumstances.

ORDINANCE NO. 7000 – DISSOLVE – MUNICIPAL BAND ADVISORY BOARD

The Commission approved Ordinance No. 7000 dissolving the Municipal Band Advisory Board and directed the Parks and Recreation Advisory Board to provide guidance to the City Commission on future policy matters involving the municipal band.

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 040213-A – ESTABLISH – COMMERCIAL CARD ACCOUNTS**

Commissioner Jankovich stated that he would abstain from this item due to a conflict of interest with his employer Commerce Bank.

The Commission approved Resolution No. 040213-A authorizing the Director of Finance to establish City commercial card accounts with Commerce Bank.

AWARD CONTRACT – CURED-IN-PLACE-PIPE SEWER LINING (SS1302)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$427,098.00 with Layne InLiner, LLC., of Kiowa, Colorado, for the Cured-in-Place-Pipe Sewer Lining Project (SS1302).

AWARD CONTRACT – SANITARY SEWER MANHOLE REHABILITATION PROJECT (SS1301)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$51,900.00 with Ace Pipe Cleaning, Inc., of Kansas City, Missouri, for the Sanitary Sewer Manhole Rehabilitation Project (SS1301).

AWARD CONTRACT – WELL REHABILITATION PROJECT (WA1302)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$50,772.00 with Layne Christensen Company, of Wichita, Kansas, for the 2013 Well Rehabilitation Project (WA1302).

RESOLUTION NO. 040213-B – ISSUE GENERAL OBLIGATION BONDS – BLUEMONT CORRIDOR IMPROVEMENTS, 11TH STREET TO NORTH MANHATTAN AVENUE (ST1103)

The Commission approved Resolution No. 040213-B, authorizing the Mayor and City Clerk to execute the Authority to Award Contract and Commitment of City Funds and authorizing the issuance of General Obligation Bonds for the Bluemont Corridor Improvements (ST1103) project.

CONTRACT AMENDMENT NO. 1 – ENGINEERING SERVICES – BLUEMONT CORRIDOR IMPROVEMENTS, 11TH STREET TO NORTH MANHATTAN AVENUE (ST1103)

The Commission authorized the Mayor and City Clerk to execute Contract Amendment No. 1 to the Professional Engineering Services Contract with Bartlett and West Inc., of Manhattan, Kansas, for additional Engineering Services Bluemont Avenue from 11th Street to N. Manhattan Avenue (ST1103).

CONSENT AGENDA (CONTINUED)

AGREEMENT – CONSTRUCTION ENGINEERING SERVICES - BLUEMONT CORRIDOR IMPROVEMENTS, 11TH STREET TO NORTH MANHATTAN AVENUE (ST1103)

The Commission authorized City Administration to finalize and execute a three party agreement among KDOT, the City, and Bartlett and West Inc. for Construction Engineering Services for the Bluemont Avenue from 11th Street to N. Manhattan Avenue project(ST1103).

MEMORANDUM OF UNDERSTANDING – FACILITIES USE – USD 383

The Commission approved the Facilities Memorandum of Understanding with USD 383 Board of Education and authorized the Mayor and City Clerk to execute.

EMPLOYMENT AGREEMENT – CITY MANAGER RONALD R. FEHR

The Commission authorized the Mayor and City Clerk to execute the modified Employment Agreement between the City of Manhattan and City Manager Ronald R. Fehr.

After comments from the Commission, Commissioner Sherow moved to approve the consent agenda, as read. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item G, RESOLUTION NO. 040213-A – ESTABLISH – COMMERCIAL CARD ACCOUNTS, which carried 4-0-1 with Commissioner Jankovich abstaining on the item.

GENERAL AGENDA

ECONOMIC DEVELOPMENT AGREEMENT - CONTINENTAL MILLS

Lauren Palmer, Assistant City Manager, presented an overview of the item including the funding criteria and scoring, proposed incentives package, annual accountability and clawback provisions, and the action for the Commission to consider.

After discussion and comments from the Commission, Commissioner Sherow moved to authorize the Mayor and City Clerk to execute the Economic Development Incentives Agreement with Continental Mills. Commissioner Jankovich seconded the motion.

Commissioner Sherow stated the Agreement and the way it's structured is well done. He requested that there be a renewed look at how wages are assessed, ranked, and what the return on wage investment is to help strengthen job creation and community investment.

After additional comments from the Commission, on a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

REQUEST FOR TIME EXTENSION - NOBLE HOSPITALITY, INC. (HOLIDAY INN EXPRESS HOTEL)

Jason Hilgers, Assistant City Manager, presented an overview of the item. He then responded to questions from the Commission regarding the request for the extension of time, completion and timeline for Candlewood Suites, and provided information on the payment of the bonds.

Derrick Roberson, Arthur-Green, LLP Law Firm, representing Colin Noble, informed the Commission that Candlewood Suites is open and receiving good feedback. He provided an update on the progress being made for the Holiday Inn Express, project funding, and highlighted details of the Agreement. He asked the Commission to act favorably on the extension request.

After additional discussion and comments from the Commission, Jason Hilgers, Assistant City Manager, responded to questions from the Commission regarding the Agreement and measures if construction is not completed on schedule.

Colin Noble, owner of Noble Hospitality, provided additional information on the request and project. He informed the Commission that negotiations with the bank are going just fine, but was notified by his banker that sequestration might hold up approval and this extension request is a precautionary measure.

Roy Head, 728 Ridgewood Drive, voiced concerns with the transfer of ownership of the land, the amount of money being paid for the land, and asked if taxpayers would see the \$500,000.00 owed to the City.

Jason Hilgers, Assistant City Manager, responded to questions and provided additional information on the Agreement, payments received, and ownership of the lots in question.

Ron Fehr, City Manager, provided clarification regarding the item and the \$500,000.00 mentioned for the purchase of three tracts of land.

Richard Hill, 3513 Stagecoach Circle, voiced support for the proposed hotel and amendment to extend the Agreement. He stated that the hotels will be a definite improvement for Manhattan. He informed the Commission that Mr. Noble is asking for a contract extension that will create jobs in Manhattan and is not asking for grants or loans for these new jobs being created.

Jason Hilgers, Assistant City Manager, provided clarification on the transient guest tax.

GENERAL AGENDA (CONTINUED)

REQUEST FOR TIME EXTENSION - NOBLE HOSPITALITY, INC. (HOLIDAY INN EXPRESS HOTEL) (CONTINUED)

After discussion and comments from the Commission, Commissioner Sherow moved to approve the request from Noble Hospitality to extend the closing date by six months and authorize City Administration to finalize and the Mayor and City Clerk to execute an amended agreement. Commissioner Jankovich seconded the motion.

Mayor Pepperd stated that he could not support the extension and was opposed to how the entire deal was negotiated without other proposals being accepted. He said that this was not an arm's length transaction and that he would vote no on the request.

After additional discussion and comments from the Commission, on a roll call vote, motion carried 4-1, with Mayor Pepperd voting against the motion.

NEGOTIATE AGREEMENT - MIDWEST ATC - AIR TRAFFIC CONTROL SERVICES AT MANHATTAN REGIONAL AIRPORT

Peter VanKuren, Airport Director, presented an overview of the item. He then responded to questions from the Commission.

Ron Fehr, City Manager, provided additional information regarding the item. He stated that the funding for air traffic control services is proposed to come from a surplus in the general fund reserves for unanticipated expenses. He informed the Commission that this item will be brought back after negotiations are made with Midwest ATC in an effort to be more aligned with the Airport's needs. He stated that several airports have filed legal challenges with the Federal Aviation Administration (FAA). He then responded to questions from the Commission regarding potential opportunities with Fort Riley, discussed a possible cost share program, and provided additional funding and revenue generating considerations to pay for the air traffic control services.

Jerry Kramer, Tower Chief, Midwest Air Traffic Control Service Inc., informed the Commission that approval of this request is in the best interest of Manhattan. He provided additional information regarding the item.

After discussion and comments from the Commission, Commissioner Sherow moved to authorize City Administration to negotiate an Agreement with Midwest Air Traffic Control Services, Inc., of Overland Park, Kansas, for air traffic control services at Manhattan Regional Airport using General Fund Reserves up to an amount not to exceed \$162,000.00. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 5-0.

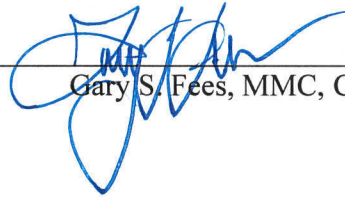
EXECUTIVE SESSION

At 8:36 p.m., Commissioner Jankovich moved to recess into Executive Session until 8:45 p.m. for the purpose of discussions with the Attorney for the City regarding pending legal matters that need to be confidential and that are deemed privileged in the attorney-client relationship. Commissioner Sherow seconded the motion. On a vote, motion carried 5-0.

At 8:45 p.m., the Commission reconvened with Mayor Pepperd and Commissioners Matta, Butler, Jankovich, and Sherow in attendance.

ADJOURNMENT

At 8:46 p.m., the Commission adjourned.

A handwritten signature in blue ink, appearing to read "Gary S. Fees", is written over a horizontal line.

Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: REZONE two (2) tracts of land in the proposed Congressional Addition.

Tract 1: An approximate six and four tenths (6.4) acre tract of land.

Tract 2: An approximate thirteen and eight tenths (13.8) acre tract of land.

THE PRESENT ZONING DISTRICT CLASSIFICATION OF TRACT 1 AND TRACT 2 IS: County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT.**

THE PROPOSED ZONING DISTRICT CHANGES ARE:

Tract 1: R-M, Four-Family Residential District.

Tract 2: R-1, Single-Family Residential District.

APPLICANTS: SMH Consultants – Jeffrey Hancock, on behalf of the owner, Grand Mere Development Inc. – Mary Vanier, and developer, Fieldhouse Development Inc. – Zachary J. Burton.

ADDRESSES: 4201B Anderson Avenue, Suite 2, Manhattan, KS 66503; 2021 Vanesta Drive, Suite A, Manhattan, KS 66503; 3720 Seth Child Road, Manhattan, KS 66503.

OWNER: Grand Mere Development Inc. – Mary Vanier.

ADDRESS: 2021 Vanesta Drive, Suite A, Manhattan, KS 66503.

LOCATION: Tract 1 and Tract 2 are generally located along the west side of Grand Mere Parkway and northwest of the intersection of Grand Mere Parkway and Players Terrace.

AREA: 20.2 acres (Tract 1: 6.4 acres and Tract 2: 13.8 acres).

DATE OF PUBLIC NOTICE PUBLICATION: Monday, February 11, 2013.

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, March 4, 2013.

CITY COMMISSION: Tuesday, March 26, 2013.

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Open and undeveloped tract of land in Grand Mere, a master planned golf course community.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: Open range land with native grass cover is an “L” shaped tract with the shorter leg along the southern boundary of the tract and the longer leg extending to the northwest. The site slopes to the southwest and drains in the same direction, eventually to Wildcat Creek. The western side of the site is tree covered with the balance native filed grass.

3. SURROUNDING LAND USE AND ZONING:

(a) **NORTH:** Undeveloped land in future Grand Mere apartment neighborhood and open space; County R-PUD.

(b) **SOUTH:** Apartment and single-family attached dwellings in developing Bellerive Addition; R-3, Multiple-Family Residential District and Two-Family Residential District.

(c) **EAST:** Grand Mere Parkway (divided four lane collector street), undeveloped land in future Grand Mere villas and townhomes, single-family homes, and Colbert Hills Golf Course; County R-PUD, and R District.

(d) **WEST:** Colbert Hills Golf Course; R-S District.

4. GENERAL NEIGHBORHOOD CHARACTER: Currently, the general character of the neighborhood is a mix of recently constructed multiple-family apartment, single-family attached dwellings, single-family residential dwellings, and golf course, all developing within a comprehensively planned neighborhood.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to County R-PUD in 1997. At the time of the rezoning, the golf course developer wanted assurance that when the golf course was annexed that a zoning, specifically the County R-PUD for the golf course, was attached. The rezoning to R-PUD was done primarily for the benefit of the golf course development. Those portions of Grand Mere that are not annexed remain County R-PUD. The current County R-PUD predated the Grand Mere Master Plan and Comprehensive Plan, which currently recommends “Apartments”, and medium density residential, respectively. Development in Grand Mere is progressing to ensure attractive and orderly neighborhoods in response to market demand. The Congressional Addition is suitable for the proposed rezoning to R-1 and R-M Districts.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezoning to R-1 and R-M Districts are compatible with the surrounding neighborhood. Access to the site is proposed off an extension of Bellerive Drive, which intersects with Players Terrace and, in turn, connects to Grand Mere Parkway. All of the Grand Mere Parkway intersections were planned, designed and constructed to be consistent with the master plan for Grand Mere.

An increase in light, noise and traffic can be expected but with minimal impact on the surrounding area. The site is intended to be developed as “Apartments”, but will instead be largely single-family homes with six four-plex buildings, both of which have been planned for and are consistent with the Grand Mere Master Plan and Comprehensive Plan.

To ensure compatibility within Grand Mere, architectural guidelines and design standards provide for building review and approval. A design review committee is responsible for enforcement of guidelines and standards (*see policy statement below under Comprehensive Plan, part III.*) The guidelines and standards are private and are not part of the rezoning. The policy statements are mentioned because they are part of the Grand Mere Master Plan policies.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

COMPREHENSIVE PLAN

TRACT 1 AND TRACT 2 IN THE PROPOSED CONGRESSIONAL ADDITION ARE SHOWN ON THE FUTURE LAND USE MAP IN THE NORTHWEST PLANNING AREA AS RESIDENTIAL MEDIUM HIGH DENSITY (RMH).

Grand Mere Community Master Plan

The Grand Mere Community Master Plan was originally adopted in April 2000, and is included as a specific Land Use Element of the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the site, which notes the tract as, Apartments (RMH), described in the written document on page 10, and on the Grand Mere Master Plan map as Apartments # 2, 18.4 AC (RMH.)

Applicable policies of the Comprehensive Plan and Grand Mere, a Master Planned Golf Course Community, are set out below in italics and bold italics.

COMPREHENSIVE PLAN

Residential Medium/High Density (RMH)

RMH 1: Characteristics

The Residential Medium/High Density designation shall incorporate a mix of housing types in a neighborhood setting in combination with compatible non-residential land uses, such as retail, service commercial, and office uses, developed at a neighborhood scale that is in harmony with the area's residential characteristics and in conformance with the policies for Neighborhood Commercial Centers. Appropriate housing types may include a combination of small lot single-family, duplexes, townhomes, or fourplexes on individual lots. However, under a planned unit development concept, or when subject to design and site plan standards (design review process), larger apartment or condominium buildings may be permissible as well, provided the density range is complied with.

RMH 2: Appropriate Density Range

Densities within a Residential Medium/High neighborhood range from 11 to 19 dwelling units per net acre.

RMH 3: Location

Residential Medium/High Density neighborhoods should be located close to arterial streets and be bounded by collector streets where possible, with a direct connection to work, shopping, and leisure activities.

RMH 4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of housing models and sizes is strongly encouraged.

Grand Mere, a Master Planned Golf Course Community

I. INTRODUCTION

A. PURPOSE OF SUBMITTAL

This Grand Mere submittal is a proposed amendment to the 1991 City of Manhattan Comprehensive Land Use Plan. It is intended to be the guide for future zoning requests as the Grand Mere Community develops.

B. PROJECT INTENT

The overall Land Use Amendment is intended to create a community designed within a park. By responding to the natural terrain, preserving natural corridors, protecting the slopes and riparian environment, a harmonious relationship with the land can be created for the community.

Grand Mere is envisioned as an upscale residential community, with the University's Colbert Hills Golf Course and preserved open space interwoven throughout the development. The community is made up of individual neighborhoods defined by open space features, topography, connection to the Grand Mere Parkway, and the golf course. A strong joint effort has integrated the golf course design (Colbert Hills) and the overall community design (Grand Mere Development). The interconnectivity of automobile circulation, pedestrian/bicycles, and open space, as well as residential neighborhood placement and overall community utility location, has created a well integrated community with both future residences and community recreation as the main focus. Flexibility is built into the land use plan to allow the development to respond to market demand.

Specific types of residential product may subtly change in the future due to market demand as the development pattern becomes clearer and as the community matures. The community will offer a high level of design quality, architectural variety, and a wide range of housing types to address the potential markets appropriate for an upscale development.

5 KEY DESIGN CONCEPTS

1. Create a high quality residential community

Create a community of villages, residential neighborhoods, and neighborhood commercial areas centered along the projects' spine, Grand Mere Parkway. Through the use of architectural design guidelines and development reviews the quality of building construction will be maintained at the highest level.

2. Integrate the Natural Environment

Preserve the natural slopes and open space features. Provide a visual connection to the natural beauty of the development: the golf course in the valleys, the long vistas/views, and the prairie environment.

3. Offer a Variety of Residential Living

Offer a wide range of residential products and lot types to address the market demands of the well informed and upscale consumer. An integrated community of many housing types will help to provide an interesting streetscape, a quality neighborhood texture, and a sustainable development.

4. Create a Pedestrian/Bicycle System

*Provide pedestrian/bicycle connections throughout the development, following the Grand Mere Parkway, open space corridors and the linear park connections provided as part of the Master Plan along Little Kitten Creek and the continuation of the Hudson trail.
Grand Mere Community Overall Development Plan*

5. Establish a 'heart' to the community

Provide a central community feature for the residents of Grand Mere. Utilizing the golf clubhouse access as a link between the east and west parts of the property, a private community recreation complex would be provided at the intersection of Grand Mere Parkway and Colbert Hills Drive. This central location along the bike trail and pedestrian sidewalk connections to all the neighborhoods would provide an accessible 'recreational heart' for the community.

III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY

Grand Mere is proposed as a Master Planned Community consisting of a wide range of residential housing types and densities and will be utilizing both Planned Unit Development and Conventional Zoning Development standards based on specific sites and development types.

The overall Grand Mere Project consists of 1,054 (estimated) acres, including the Colbert Hills Golf Course. Rather than dispersing development throughout the entire property, the project purposes to "concentrate" neighborhood development within residential and commercial villages on approximately 543 acres preserving almost 50% of the land as natural open space or golf course. This concept, while proposing a variety of home types and densities, provides large natural open spaces, golf course amenity for the general public, and peripheral residential villages as large lot or low density residential products that create an overall density (1.5 du/ac) for the site, consistent with the surrounding neighborhoods. All housing types shall belong to the Master Homes Association, which will be responsible for enforcing the covenants and restrictions, and maintaining the common grounds.

Attachment No. 1

Within the community, residential neighborhoods are supported by neighborhood commercial services, which provide a focus and entry element for the development. These neighborhood office and retail villages are envisioned as community services located at the development entries along the Little Kitten Creek entry and Kimball Ave. and the future northern entry on Marlatt.

Throughout the plan, connecting open space systems, sidewalks and bike trails provide pedestrian connections between residential neighborhoods, public amenities and the neighborhood services. These are planned connections to occur in a variety of types and locations. As each phase of development is planned in detail, the specific pedestrian connections will be part of each village plat and relate back to the overall Circulation Parks & Open Space Plan.

Grand Mere Community Architectural Guidelines and Design Standards will provide for the review and approval of all site and building plans for the Grand Mere property. The Design Review Committee of Grand Mere will be responsible for enforcement of these guidelines and standards. The Developer believes that careful planning and enforcement of design and development standards will ensure orderly, attractive, and lasting development, all of which will preserve and enhance the value of the community.

A. Residential Neighborhoods

The planning concept proposes a wide range of residential uses, with densities ranging from 1 to 20 dwelling units per acre (du/ac) within individual parcels. Generally, individual neighborhoods are envisioned as small enclaves in order to promote a mix of different product types, create intimate neighborhoods, and to build a strong community image from the project's onset. The key to a sustainable successful development is quality design and construction, and a variety of housing price points to attract a wide spectrum of residential consumers. Higher density residential, as well as small lot single-family opportunities are integrated into the community along Grand Mere Parkway, rather than isolated or located along the site's edges. While building a stronger new community, this concept also reduces impact on existing adjacent neighborhoods by focusing the traffic and circulation internally.

Residential Types:

Apartments (RMH)

The apartment villages are located on two parcels of ground, 17.0 and 18.4 acres, along the parkway in areas where the architecture can take advantage of and incorporate the topography, soil conditions and golf course buffering. The buildings would be 2 to 3 stories with individual entries. Attached, detached garages, carports and open air parking

Attachment No. 1

would be provided for the residents. Slab on grade construction along the parkway would avoid much of the underlying rock and 2 story uphill side and 3 story downhill side architecture, behind the preserved open space and landform ridge, would minimize the grading necessary to incorporate housing along the 6th fairway. The architecture would be designed to provide an overall theme and consistent material quality throughout the neighborhood.

C. Streets and Circulation System

Residential streets within Grand Mere are envisioned as a key element of “neighborhood quality,” offering a place to walk and play, as well as to drive and park. The streetscape in and along the roads will reflect the quality of the community through the use of signage monumentation and landscaping depending on the location and natural conditions of the space providing strong visual “cues” to better orient drivers to their locations and destinations.

When utilizing the approved Manhattan street system standards the hierarchy, street-widths, design speeds, and travel/parking lanes are consistent and will not compromise auto on-street parking, or bike and pedestrian access. The street layout will frame important views and vistas, including buildings, golf course, and natural features. On-street parking is available on all local streets.

The Master Planned Community will be accessed from Kimball Avenue and Marlatt Avenue. Additional access points into the Community from surrounding residential streets are shown on the Master Plan.

D. Pedestrian and Bicycle Circulation System

Connectivity with the City of Manhattan Linear Park Master Plan is our main focus for the overall trails system. A comprehensive pedestrian and bicycle system is proposed for the community to provide access to individual neighborhoods, the Club Facility and Hotel site, commercial services, and open space amenities~ Elements include both off-street and on street bike paths, natural unimproved trails, and a 17.2 acre linear park along Little Kitten Creek. An easement shall be provided for the extension of the Hudson trail northward, along the east property line to northeast corner section 3-10-7. All trail/path systems will be site- specifically designed at the time of construction. Each will be reviewed on a site-by-site basis to ensure sensitive placement and minimum disturbance. This will be coordinated with the Park & Recreation Board and the Parks and Recreation Department.

G. Golf Course Development

The Grand Mere development drainage and detention system shall be designed to work in concert with the golf course drainage and detention system. The course was designed to meet the environmental goals of the Audubon International Signature Status Program.

Bike Paths, Trails and Sidewalks

Bike paths, trails and sidewalks are provided along the internal streets and open spaces to provide internal connections between the villages where possible. See the Circulation Parks & Open Space Plan

M. Current School District Boundaries

The school district boundary between Manhattan U.S.D. 383 and Riley County U.S.D. 378 divides Grand Mere into east and west jurisdictions crossing the property beginning at the S.W. Corner of Section 3-10-7 and continuing north to the N.W. Corner of Section 3-10-7.

The Comprehensive Plan suggests up to 19 dwelling units per net acre is appropriate in the RMH category and the Grand Mere Plan suggests a range of one up to 20 dwelling units per net acre. As noted on the proposed Preliminary Plat, the R-1 density is 1.29 dwelling units per net acre and the R-M density is 4.62 dwelling units per net acre, which assumes a total of 24 dwelling units or a four-family dwelling on each of the six lots.

The proposed rezoning of Tract 1 and Tract 2, in the Congressional Addition, conform to the Comprehensive Plan and Grand Mere Community Master Plan.

8. ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED:

August 7, 1997	Riley County Commission approved Preliminary Development Plan of Colbert Hills and the Wildcat PUD.
August 14, 1997	Riley County Commission approved Final Development Plan.
February 7, 2000	Planning Board approves resolution adopting Grand Mere Community Master Plan and amendment of Comprehensive Land Use Plan.
March 7, 2000	City Commission approved first reading of an ordinance adopting the Grand Mere Community Master Plan.

Attachment No. 1

April 2003 Comprehensive Plan adopted. Grand Mere Community Master Plan adopted as a related plan and implementation document.

The tract has remained vacant to date and was range land prior to development of the adjoining golf course and surrounding Grand Mere.

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the Manhattan Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values.

The proposed rezoning is consistent with the intent and purpose of the Manhattan Zoning Regulations and R-1 and R-M Districts because proposed lot sizes conform to the minimum requirements of the R-1 and R-M Districts. In addition, the proposed Preliminary Plat dedicates easements and rights-of-way to serve the subdivision consistent with the requirements of the Manhattan Urban Area Subdivision Regulations.

Tract 1

The R-M District is designed to provide a dwelling zone at a density no greater than four dwelling units per 9,000 square feet of lot area. Minimum lot size for single-family detached dwellings is 6,000 square feet in area; 7,500 square feet for single-family attached; and, 7,500 square feet for a two-family dwelling unit.

The proposed R-M District portion of the Congressional Addition consists of lots ranging from approximately 28,525 square feet in area to 48,485 square feet in area. The proposed lots conform to the requirements of the proposed R-M District.

Tract 2

The R-1, Single-Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 6,500 square feet, with lots ranging from approximately 11,309 square feet in area up to 210,357 square feet in area, with the majority of lot sizes between 11,309 square feet in area to 38,746 square feet in area. The proposed lots conform to the requirements of the proposed R-M District.

The R-1 and R-M Districts are consistent with the Manhattan Zoning Regulations, with lot sizes reflected on the Preliminary Plat of the Congressional Addition.

Attachment No. 1

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There appears to be no gain to the public that denial of the rezoning of Tract 1 and Tract 2 would accomplish. No expected adverse affects on the public health, safety and welfare as a result of the rezoning. Development of the site cannot proceed until the proposed Preliminary Plat is approved. A separate application was submitted for approval of a Preliminary Plat. It may be a hardship upon the owner if the rezoning is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street, sanitary sewer and water services are available to serve Tract 1 and Tract 2.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Tract 1 and Tract 2 in the Congressional Addition, consisting of:

Tract 1: from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R-M, Four- Family Residential District, based on the findings in the Staff Report; and

Tract 2 from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Congressional Addition, consisting of:

Tract 1 from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R-M, Four- Family Residential District, stating the basis for such recommendation; and,

Tract 2 from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R-1, Single-Family Residential District, stating the basis for such recommendation.

2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.

3. Table the proposed rezonings to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Tract 1 and Tract 2 in the Congressional Addition, consisting of:

Tract 1 from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R-M, Four- Family Residential District, based on the findings in the Staff Report; and,

Tract 2 from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

PREPARED BY: Steve Zilkie, AICP, Senior Planner.

DATE: February 27, 2013.