



MINUTES
CITY COMMISSION MEETING
TUESDAY, JUNE 2, 2015
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Karen McCulloh and Commissioners Usha Reddi, Linda Morse, Michael L. Dodson, and Wynn Butler were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Kiel Mangus, City Attorney Bill Raymond, City Clerk Gary S. Fees, 7 staff, and approximately 8 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor McCulloh led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor McCulloh proclaimed June 19-20, 2015, ***Juneteenth***. Don Slater and Yasche Glass, Co-Chairs, Juneteenth Committee, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

COMMISSIONER COMMENTS

Commissioner Butler informed the community that Saturday, June 6, 2015, is the annual Wine in the Wild event at Sunset Zoo. He encouraged those interested to purchase their tickets online at SunsetZoo.com and enjoy a fun evening and help support the Zoo.

COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Dodson reminded everyone that on June 15, 2015, will be the celebration of the 800th anniversary of the Magna Carta. He stated this is an exceptional document and encouraged people to renew their understanding of the relationship between the people and its government.

Commissioner Reddi stated that the National Bio and Agro-Defense Facility (NBAF) groundbreaking was held on Wednesday, May 27, 2015, and that Mayor McCulloh did a great job. She informed the community that she attended an event at Meadowlark Hills on Monday, June 1, 2015, as they are celebrating their 35th anniversary with activities planned over the week. She said the First Congregational Church, 700 Poyntz Avenue, would be hosting a Freedom Sings event on Saturday, June 6, 2015, with sing-a-longs and a potluck. Finally, she encouraged citizens to sign-up for the many events offered by the Manhattan Parks and Recreation Department this summer and encouraged those interested in being a lifeguard to contact the Parks and Recreation office.

Mayor McCulloh informed the community that she attended the Manhattan Public Library Board meeting on Monday, June 1, 2015, and thanked court services for providing plants for the new children's section and the Manhattan Town and Country Garden Club for planting the plants. She encouraged citizens to use the e-reader books online that are available from the Manhattan Public Library.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 19, 2015.

CLAIMS REGISTER NO. 2793

The Commission approved Claims Register No. 2793 authorizing and approving the payment of claims from May 13, 2015, to May 26, 2015, in the amount of \$1,786,776.93.

LICENSE

The Commission approved an annual Cereal Malt Beverages Off-Premises License for Short Stop #12, 2010 Tuttle Creek Boulevard.

CONSENT AGENDA (CONTINUED)

FINAL PLAT – BALTUSROL ADDITION

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Baltusrol Addition, generally located 1,500 feet north of the intersection of Grand Mere Parkway and Colbert Hills Drive, on the west side of the future extension of Grand Mere Parkway, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7140 – MANHATTAN REGISTER OF HISTORIC PLACES – 1724 FAIRCHILD AVENUE

The Commission accepted the recommendation from the Historic Resources Board and approved Ordinance No. 7140 designating the Jesse Ingraham House, located at 1724 Fairchild Avenue, as a historic structure for placement on the Manhattan Register of Historic Places.

AWARD CONTRACT – WATER TREATMENT PLANT LIME FEED TUBE REPLACEMENT (WA1507, CIP #WA126E)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$49,000.00; awarded a construction contract in the amount of \$62,000 to the lowest bidder, Walters Morgan Construction, Inc., of Manhattan, Kansas; and authorized the Mayor and City Clerk to execute the construction contract for the Water Treatment Plant Lime Feed Tube Replacement Project (WA1507, CIP #WA126E), with the project to be paid from the Water Fund.

AWARD CONTRACT – CENTRAL BASIN SANITARY SEWER IMPROVEMENTS – DENISON AVENUE SEWER UPSIZE/ANDERSON AVENUE AND 17TH STREET DIVERSION MANHOLE (SS1509)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$835,005.00 and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$694,610.50 with Nowak Construction Co., Inc. of Goddard, Kansas, for the Denison Avenue/Anderson Avenue Sanitary Sewer Improvements (SS1509).

AWARD CONTRACT – CENTRAL BASIN SANITARY SEWER IMPROVEMENTS – 14TH STREET DIVERSION (SS1510)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$389,196.00 and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$239,445.00 with J&K Contracting, LC, of Junction City, Kansas, for the 14th Street Sanitary Sewer Improvements (SS1510).

CONSENT AGENDA (CONTINUED)

CONTRACT – CENTRAL BASIN SANITARY SEWER IMPROVEMENTS – LOVER’S LANE SANITARY SEWER DIVERSION (SS1511)

The Commission authorized City Administration to negotiate and the Mayor and City Clerk to execute a contract within fair market prices for the Lover’s Lane sanitary sewer diversion project (SS1511).

RESOLUTION NO. 060215-A – ISSUE GENERAL OBLIGATION BONDS – CENTRAL BASIN SANITARY SEWER IMPROVEMENTS - DENISON AVENUE SEWER UPSIZE/ANDERSON AVENUE AND 17TH STREET DIVERSION MANHOLE (SS1509); 14TH STREET DIVERSION (SS1510); AND LOVER’S LANE DIVERSION (SS1511)

The Commission approved Resolution No. 060215-A authorizing and providing for payment of the three (3) Central Basin Sanitary Sewer Improvements (CIP #WW010P) projects [Denison Avenue/Anderson Avenue Sanitary Sewer Improvements (SS1509), and 14th Street Sanitary Sewer Improvements (SS1510)], including the Lover’s Lane Diversion, to be paid from the Wastewater Fund.

BOARD APPOINTMENTS – CODE APPEALS

The Commission approved the following appointments by Mayor McCulloh to the Code Appeals Board.

Re-appointment of Pat Cox, 7228 Deer Trail Road, to a three-year Engineer term. Mr. Cox’s term begins immediately, and will expire May 31, 2018.

Re-appointment of Todd Olson, 629 Pecan Circle, to a three-year Electrician term. Mr. Olson’s term begins immediately, and will expire May 31, 2018.

Re-appointment of Tony Reid, 8964 Green Valley Drive, to a three-year Plumber term. Mr. Reid’s term begins immediately, and will expire May 31, 2018.

Commissioner Reddi moved to approve the consent agenda. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

FIRST READING - ANNEX AND REZONE - LEE MILL HEIGHTS, UNIT TEN, AND CITY PARKLAND

Eric Cattell, Assistant Director for Planning, presented an overview of the proposed annexation and rezoning. He highlighted the site map, the proposed park site, and informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the annexation and proposed rezoning on a vote of 6-0. He then responded to questions from the Commission regarding the park site, the proposed use of the park, and the topography in the area adjacent to the site.

Rob Ott, Director of Public Works, provided additional information on the item regarding access to the parkland, pedestrian connectivity, and considerations in relationship with the Airport Overlay District.

Mayor McCulloh opened the public comments.

Tim Schultz, Schultz Real Estate Development, provided additional information on the item and explained the proposed plans to develop this area as a natural park. He stated that the idea of a natural type park was considered after visits to his daughters in Colorado with several trailhead type parks. He discussed the land swap and donation to the Parks and Recreation Department to help develop plans for this park. He informed the Commission that he would like to see the parkland eventually named after his father, if possible.

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

After discussion and comments from the Commission, Commissioner Reddi moved to approve first reading of an ordinance annexing the proposed Lee Mill Heights, Unit Ten and City park site, an approximate 92-acre tract of land generally located west of the end of Miller Parkway on the south side of the arterial roadway, based on conformance with the Comprehensive Plan, the Growth Vision, and the Capital Improvements Program, and approve first reading of an ordinance rezoning the proposed Lee Mill Heights, Unit Ten, and City park site, from County AG, General Agriculture District, to R-1, Single-Family Residential District with AO, Airport Overlay District, based on the findings in the Staff Report and the recommendation of the Planning Board (*See Attachment No. 1*). Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – AMEND - ABBOTT’S LANDING SHOPPING CENTER COMMERCIAL PLANNED UNIT DEVELOPMENT

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then responded to questions from the Commission regarding the location of the subject property and signage regulations.

GENERAL AGENDA (CONTINUED)

FIRST READING – AMEND - ABBOTT’S LANDING SHOPPING CENTER COMMERCIAL PLANNED UNIT DEVELOPMENT (CONTINUED)

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

After discussion, Commissioner Morse moved to approve first reading of an ordinance amending Ordinance No. 7104 and the Preliminary Development Plan of Abbott’s Landing Shopping Center Commercial Planned Unit Development, generally located 350 feet east of the intersection of Hayes Drive and McCall Road, and approval of the Final Development Plan, to be known as Abbott’s Landing PUD, Unit Two, Commercial Planned Unit Development, based on the findings in the Staff Report, subject to three (3) conditions of approval (*See Attachment No. 2*). Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

AGREEMENT - AIRPORT FIXED BASE OPERATIONS (FBO) FACILITY - DESIGN-BUILD, PHASE 1, SERVICES (AP1501)

Jesse Romo, Airport Director, presented background information on the item and award for Phase I Design-Build services to replace the City’s current FBO facility. He responded to questions from the Commission regarding the Guaranteed Maximum Price (GMP) and stated that this will be presented to the Commission with the Phase II agreement.

Ron Fehr, City Manager, provided additional information and clarification on the Phase I agreement and anticipated process for Phase II.

Kiel Magnus, Assistant City Manager, and Bill Raymond, City Attorney, provided additional information regarding the design-build process and the GMP.

After comments from the Commission, Ron Fehr, City Manager, provided additional information on the item and explained the revenue stream that would be provided by the FBO provider to meet the annual debt service obligation.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

After discussion and comments from the Commission, Commissioner Dodson moved to accept the recommendation of the Selection Committee and authorize the Mayor and City Clerk to execute an Agreement in the amount of \$70,000.00 with Schultz Construction, of Manhattan, Kansas, for the Manhattan Regional Airport Fixed Base Operator (FBO) Facility (AP1501). Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

FIRST READING - REORGANIZE AND CONSOLIDATE - VARIOUS PARKING ORDINANCES

Bill Raymond, City Attorney, presented an overview of the proposed ordinance to reorganize and consolidate various parking ordinance within Chapter 31, Article III of the Code of Ordinances. He highlighted past discussions with stakeholders in Aggieville and Downtown areas that supported the proposed fee increase from \$5.00 to \$15.00. He also provided information on the process of issuing parking citations and highlighted other aspects of the proposed ordinance.

Jason Hilgers, Deputy City Manager, responded to questions from the Commission and stated that the proposed fines are still lower than parking citations issued on the campus of Kansas State University.

Bill Raymond, City Attorney, and Jason Hilgers, Deputy City Manager, responded to questions from the Commission regarding the capability to pay parking fines online and the opportunity to educate the public on the new parking fees. They informed the Commission that the implementation date may be delayed until new parking tickets are available and would explore the capabilities of the Tyler Technology system for paying fines online.

After comments and questions from the Commission, Jason Hilgers, Deputy City Manager, provided additional information on the City's parking officer and hours of public parking enforcement. He informed the Commission that the Riley County Police Department also issues a variety of parking citations in the city.

Bill Raymond, City Attorney, responded to additional questions from the Commission regarding electronic tracking of repeat parking offenders, the ability for the Municipal Court Judge to assess parking tickets and violations, and the need to address older ordinances that are no longer being enforced.

Mayor McCulloh opened the public comments.

Captain Josh Kyle, Riley County Police Department (RCPD), provided additional information to the Commission regarding the proposed parking ordinance and situations relating to Sections 31-34 and 31-35 requesting a vehicle to be towed. He provided background information on business practices experienced for vehicle towing and provided data on the number of citations issued on private property from 2006 to 2014. He asked the Commission to help lessen the burden on police resources when dealing with parking violations and responded to questions from the Commission.

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

GENERAL AGENDA (CONTINUED)

FIRST READING - REORGANIZE AND CONSOLIDATE - VARIOUS PARKING ORDINANCES (CONTINUED)

Bill Raymond, City Attorney, responded to additional questions from the Commission regarding a greater emphasis on repeat parking offenders and request to pursue electronic ticketing. He also stated that the discretion is with the police officer to make a judgment on what is best.

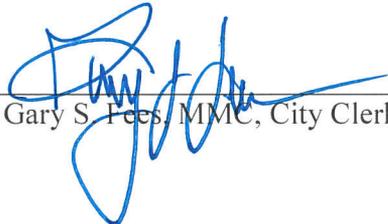
Jason Hilgers, Deputy City Manager, provided additional information and clarification on the proposed ordinance and public versus private parking areas.

After further discussion and comments from the Commission, Commissioner Butler moved to approve first reading of an ordinance reorganizing and consolidating various parking ordinances within Chapter 31, Article III - Parking, Stopping and Standing, of the Code of Ordinances. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

Mayor McCulloh thanked Tom Reust with KMAN Radio for his work covering City Commission meetings and wished him well as this was his last meeting.

ADJOURNMENT

At 8:28 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: To rezone two (2) general areas to be the single-family residential subdivision, Lee Mill Heights, Unit 10 and an area to be dedicated as a City Park.

FROM: County AG, General Agriculture District

TO: R-1, Single-Family Residential District and AO, Airport Overlay District.

APPLICANT/OWNER: **MILL POINTE LANE COMPANY, LLC – TIM SCHULTZ**
1213 HYLTON HEIGHTS ROAD, MANHATTAN, KS 66502

CITY OF MANHATTAN – RON FEHR, CITY MANAGER
1101 Poyntz Avenue, Manhattan, KS 66502

LEGAL DESCRIPTION: Tracts of land in Section 22, Township 10 South, Range 7 East (*specific legal description is attached*)

LOCATION: Generally located **TO THE WEST OF THE DEAD-END OF MILLER PARKWAY ON THE SOUTH SIDE OF THE ARTERIAL ROADWAY**

AREA: **91.96 ACRES IN AREA, INCLUDING THE DEDICATION OF THE MILLER PARKWAY RIGHT-OF-WAY (3.83 ACRES).**

DATE OF NEIGHBORHOOD MEETING: March 18, 2015

DATE OF PUBLIC NOTICE PUBLICATION: April 27, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: May 18, 2015
CITY COMMISSION: June 2, 2015

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Open rangeland

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is covered with native grasses, scattered evergreen trees and dense deciduous tree coverage in natural drainage ravines. The site drains to the south towards the Eureka Tributary of the Kansas River. The entire site is entirely within the Conical Zone of Manhattan's Regional Airport, which requires that the AO, Airport Overlay District, be added to site. Future uses (structures and trees), which are within the limits of the Conical Zone may be required to obtain, and be granted, an Airport Compatible Use Permit prior to construction, planting or change to the structure or tree (see below under CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE for further information concerning the AO District).

3. SURROUNDING LAND USE AND ZONING:

NORTH: Future location Miller Parkway right-of-way, a major collector roadway, and rangeland: County AG, General Agriculture District

SOUTH: Developing single-family residential neighborhoods: R-1, Single-Family Residential District with AO, Airport Overlay District

EAST: Developing single-family residential neighborhoods: R-1, Single-Family Residential District with AO, Airport Overlay District and the Courtyards at LMH Residential Planned

WEST: Rangeland: County AG, General Agriculture District

4. GENERAL NEIGHBORHOOD CHARACTER: Developing single-family residential neighborhoods to the east, south and northwest. To the immediate north and west the property is rangeland and sparse rural residential homes.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable as open rangeland for pasture or grazing uses. The City owned site could be used for the proposed parkland under the current zoning district. **THE CITY HAS PROPOSED TO KEEP THE PARKLAND MOSTLY IN ITS CURRENT, NATURAL STATE AND WILL PROVIDE WALKING/HIKING TRAILS FOR ADJACENT NEIGHBORHOODS AS WELL AS THE MANHATTAN REGION.** The site is bounded by urban development on the east, south and northwest, and a steep hillside on the south. The suitability of the site for County AG uses is limited by surrounding uses and steep topography. The current County AG District would not allow for the single-family development, as proposed.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The adjoining neighborhoods are low density single-family residential subdivisions. While an increase in traffic, light, and noise will occur with the change from open rangeland to single-family dwelling units, the proposed affects are consistent with the character of the neighborhoods in which the development is proposed. The proposed rezoning is compatible with nearby properties of the same zoning and no adverse affects are expected.

The proposed parkland will be an amenity to the surrounding properties and the region. The parkland may increase traffic and noise when compared to the open rangeland, but it will be consistent with the character of the surrounding neighborhoods.

The applicants held separate meetings for the residential subdivision and the future City Park. Two (2) neighbors attended the meeting for the proposed subdivision. According to the meeting summary, no concerns were raised by those in attendance.

The neighborhood meeting for the proposed City Park had 13 neighbors attend. According to the City's notes of the meeting, the questions asked at the meeting revolved around the planning of the future park and its use. No negative issues were raised at the meeting.

**7. CONFORMANCE WITH COMPREHENSIVE PLAN:
THE PROPOSED REZONING SITE IS SHOWN ON THE FUTURE LAND USE MAP IN THE SOUTHWEST PLANNING AREA. THE RESIDENTIAL PORTION OF THE REZONING AREA IS DESIGNATED AS RESIDENTIAL LOW MEDIUM (RLM). THE FUTURE LAND USE SHOWS THE CITY PARKLAND AS THE PARK AND RECREATION DESIGNATION. THE SITE IS IN THE CONICAL ZONE OF THE MANHATTAN REGIONAL AIRPORT. THE AO DISTRICT WILL BE ADDED AS AN OVERLAY DISTRICT WITH THE REZONING TO THOSE PARTS WITHIN THE CONICAL ZONE.**

RLM policies include:

RLM-1: Characteristics

The Residential Low to Medium Density designation incorporates a range of single-family, single-family attached, duplex, and town homes, and in appropriate cases include complementary neighborhood-scale supporting land uses, such as retail, service commercial, and office uses in a planned neighborhood setting, provided they conform with policies for Neighborhood Commercial Centers. Small-scale multiple-family buildings and condominiums may be permissible as part of a planned unit development, or special mixed-use district, provided open space requirements are adequate to stay within desired densities.

RLM-2: Appropriate Density Range

Densities in the Residential Low to Medium Density designation range between less than one dwelling unit/acre up to 11 dwelling units per net acre.

RLM-3: Location

Residential Low to Medium Density neighborhoods typically should be located where they have convenient access to and are within walking distance to community facilities and services that will be needed by residents of the neighborhood, including parks, schools, shopping areas, transit and other community facilities. Where topographically feasible, neighborhoods should be bounded by major streets (arterials and/or collectors) with a direct connection to work, shopping, and recreational activities. The Residential Low to Medium Density designation includes most established neighborhoods outside of the core area as well as future residential growth areas to the west and east.

RLM-4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of architectural styles is strongly encouraged in all new development.

Miller Parkway Corridor (MPC)

Background and Intent

The Miller Parkway Corridor will continue to develop as a series of mixed-use neighborhoods. Development should be focused around an open space network created by the area's many natural drainages, preserving existing trees and vegetation and providing pedestrian and bicycle linkages between neighborhoods and Warner Park, Anneberg park and the new city park near the west end of Miller Parkway. The Miller Parkway Corridor will contain a variety of housing types and densities, including some higher density residential use, and will include a neighborhood commercial center.

Policies

MPC-1: Mixture of Housing Types

Include a mix of housing types and densities within the Miller Ranch residential neighborhoods.

MPC-2: Preservation of Drainage Areas

Incorporate drainage ways, wetlands, and other sensitive natural features into the overall design of neighborhoods as buffers and open space amenities.

MPC-3: Future ROW Preservation

Identify and preserve right-of-way for the future extension of Miller Parkway and Wreath Avenue on development proposals and through platting and other tools.

Attachment No. 1

MPC-4: Establish a Neighborhood Commercial Center

Encourage the development of a neighborhood center at the planned intersection of Miller Parkway and Scenic Drive to provide a range of services for residents of Miller Ranch and surrounding neighborhoods, and to minimize the need for cross-town trips to meet day-to-day needs.

MPC-5: Airport Air space Regulations

Ensure development is consistent with established airspace regulations for the Manhattan Regional Airport and the Airport Master Plan.

MPC-6: Multi-modal Connectivity

Continue to explore and implement opportunities to enhance multi-modal connections both within the Miller Parkway Corridor and to the rest of the Planning Area.

BASED ON A NOTE ON THE PRELIMINARY PLAT, THE PROPOSED RESIDENTIAL PORTION OF THE REZONING AREA HAS A NET DENSITY OF 1.58 DWELLING UNITS PER NET ACRE. THE DEVELOPMENT WILL PROVIDE SIDEWALK ON ONE SIDE OF ALL STREETS AND STREET ACCESS TO THE NORTH FOR CONNECTION TO PUBLIC SIDEWALKS AND STREETS, AREA CITY PARKLAND AND OTHER PARTS OF THE CITY. STEEP SLOPES ARE WITHIN CONSERVATION EASEMENTS TO PROTECT HILLSIDES FROM DEVELOPMENT. THE PROPOSED SITE IS WITHIN THE CONICAL ZONE OF THE MANHATTAN REGIONAL AIRPORT. THE AO DISTRICT WILL BE ADDED AS AN OVERLAY DISTRICT TO THE R-1 DISTRICT.

PARK LAND POLICIES:

CHAPTER 9: AN ACTIVE COMMUNITY RECOGNIZED FOR ITS QUALITY OF LIFE AND STRONG SENSE OF PLACE ADDRESSES PUBLIC AND PRIVATE PARK, TRAILS AND RECREATIONAL FACILITIES. SPECIFICALLY, THE GUIDING PRINCIPLE QL-1 AND ITS SUBSET OF GOALS AND OBJECTIVES DISCUSS THE TOPIC OF PARK LAND.

GUIDING PRINCIPLE QL-1: A variety of high-quality recreational opportunities in the form of interconnected parks, trails, recreation facilities, public spaces, and natural areas to serve existing development and planned growth

QL-1.1A: Parks and Recreation Guidelines

Ensure that park and recreation facilities provide an adequate range of recreational opportunities based on guidelines from the National Recreation and Park Association (or others developed as part of a comprehensive park planning process). Design facilities in a manner that responds to the needs of the intended users.

QL-1.1B: Park Types/Level of Service Targets

Provide a hierarchy of park types to satisfy the diverse needs of our changing community. Seek to achieve and/or maintain level of service targets established by the City's Parks and Recreation Strategic Facility Improvement Plan (to be completed early 2015) and other plans as adopted for different types of parks and recreational facilities as the community grows over time.

QL-1.1C: Distribution of Facilities

Maintain and enhance an efficient and accessible distribution of parks and recreation facilities throughout the community by encouraging development of new parks and walkable/bikeable linkages from existing parks to surrounding neighborhoods in areas experiencing high growth, targeted for future growth, or identified as having a deficiency in park facilities.

QL-1.1D: Coordinated Planning and Development

Coordinate planning and development of park improvements with other City or County Plans and public improvement projects to maximize public benefit.

QL-1.1E: Parkland Dedication

Provide for adequate open space and recreational parks, using the Parks and Recreation Service Areas Map as a guide.

QL-1.1F: Advisory Boards

Continue to support the work of the City's Parks and Recreation Advisory Board, the Douglass Center Advisory Board, and the Cemetery Board in their efforts to consider and recommend improvements to parks and recreation facilities, lands, and programs; the Douglass Center; and Sunrise and Sunset.

The City of Manhattan Comprehensive Parks Master Plan (1992) designated this site as a future site for a regional park. The Manhattan Parks and Recreation Department and the Park and Recreation Advisory Board have been working with the developer of Lee Mills Heights, Unit Ten and the area residents to create the regional park.

THE PROPOSED REZONING CONFORMS TO THE COMPREHENSIVE PLAN.

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

The site has remained undeveloped to date and zoned County AG District.

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the 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 R-1 District is designed to provide a single-family dwelling zone at a density no greater than one dwelling unit per 6,500 square feet. Lots shown on the R-1 District portion of the proposed Preliminary Plat of the Grand Bluffs at Mill Pointe Addition, exceed 6,500 square feet in area.

The R-1 District allows parks and playgrounds. No specific use limitations are listed for parkland in the -1 District.

The AO District “is intended to promote the use and development of land in a manner that is compatible with the continued operation and utility of the Manhattan Municipal Airport so as to protect the public investment in, and benefit provided by the facility to the region. The district also protects the public health, safety, convenience, and general welfare of citizens who utilize the facility or live and work in the vicinity by preventing the creation or establishment of obstructions or incompatible land uses that are hazardous to the airport's operation or the public welfare.”

The site is within the Conical Zone, which is, in general terms, established as an airspace that extends outward and upward in relationship to the Airport and is an approach zone height limitation on the underlying land. Future uses (structures and trees, existing and proposed) in the AO District may be required to obtain an Airport Compatible Use Permit, unless circumstances indicate that the structure or tree has less than 75 vertical feet of height above the ground and does not extend above the height limits prescribed for the Conical Zone (pages 6-9 of the AO District regulations attached).

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 would accomplish. The AO District requires that future uses be reviewed in order to protect airspace. The proposed Preliminary Plat conforms to the Manhattan Urban Area Subdivision Regulations. It may be a hardship to the applicant if the rezoning is denied.

Attachment No. 1

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public services, sanitary sewer, water, and public streets can be extended to serve the development.

12. OTHER APPLICABLE FACTORS: Fort Riley was notified of this rezoning, due to it being located in the Critical Area. The Fort encourages use of noise disclosure and noise reduction measures in homes, and to take into account potential effects of operational noise of the Fort on activities in the park. City Administration will provide the “Notice of Potential Impact” on building permits for this subdivision.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Lee Mills Heights, Unit 10 and the City parkland from County AG, General Agriculture, to R-1, Single-Family Residential District, with AO, Airport Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Lee Mills Heights, Unit 10 and the City parkland from County AG, General Agriculture, to R-1, Single-Family Residential District, with AO, Airport Overlay District stating the basis for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Lee Mills Heights, Unit 10 and the City parkland from County AG, General Agriculture, to R-1, Single-Family Residential District, with AO, Airport Overlay District, based on the findings in the Staff Report .

PREPARED BY: Chad Bunger, AICP, CFM, Senior Planner

DATE: May 6, 2015

STAFF REPORT

AN AMENDMENT OF ORDINANCE NO. 7104 AND THE APPROVED PRELIMINARY DEVELOPMENT PLAN FOR LOT 5, ABBOTT'S LANDING SHOPPING CENTER COMMERCIAL PLANNED UNIT DEVELOPMENT.

BACKGROUND

APPLICANT: Chip Corcoran, Renaissance Infrastructure Consulting

OWNER: Orscheln Farm and Home, LLC

LOCATION: Generally located approximately 350 feet to the east of the intersection of Hayes Drive and McCall Road.

AREA: 82,855 square feet (1.9 acres).

DATE OF NEIGHBORHOOD MEETING: April 2, 2015

DATE OF PUBLIC NOTICE PUBLICATION: April 23, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: May 18, 2015

CITY COMMISSION: June 2, 2015

EXISTING PUD

Ordinance

Ordinance No. 7104 was adopted by the City Commission on November 4, 2014 and rezoned the Abbott's Landing Shopping Center Commercial Planned Unit Development from I-2, Industrial Park District to PUD, Commercial Planned Unit Development.

Conditions of Approval

1. Permitted uses shall include permitted uses in the C-2, Neighborhood Shopping District, and C-5, Highway Service Commercial District, except that Convenience Stores with gasoline sales, and Sexually-Oriented Businesses shall be prohibited.
2. Outdoor display, storage, and sales on Lot 1 shall be limited to the outside sidewalk area along the south side of the Orscheln's building, the landscape space on the southwest corner of the lot, the parking field in front of the building and in the fenced enclosure, as shown on the application documents.

Attachment No. 2

3. The 5,400 square foot temporary outdoor seasonal storage/display area as shown on Lot 1 shall be permitted from March 1st to October 31st of each year, and shall be limited to seasonal products such as plants and landscaping materials.
4. Sidewalks shall be provided internally to the PUD site and connect to adjacent sidewalks in the McCall Road and Hayes Drive rights-of-way.
5. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
6. All landscaping and irrigation shall be maintained in good condition.
7. Light poles shall be provided as described in the application documents and shall be full cutoff design. Building lighting shall not cast direct light onto public or private streets or adjacent property and shall be full cut-off design.
8. Signage shall be constructed as proposed, consisting of wall signs and pylon signs.
9. The digital portion of the Arby's pylon sign proposed on McCall Road shall be limited to a Digital Graphic Sign, as follows:
 - a. Digital Graphic Sign. A sign utilizing LED (light emitting diode), LCD (liquid crystal display), plasma, projected images, or any functionally equivalent technology, and which is capable of automated, remote, or computer control to change a static image only as a "slide show" (series of images).
 - b. Duration of Message and Transitions. The sign message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects including but not limited to, dissolving, fading, scrolling, starbursts, and wiping, which shall be prohibited.
 - c. Image Characteristics. Digital Graphic Signs shall have a pitch of not greater than 20 millimeters between each pixel.
 - d. Luminance. Between sunrise and sunset the maximum luminance shall be 5,000 nits and between sunset and sunrise the maximum luminance shall be 500 nits. All signs with a digital display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement.

10. Temporary banner signs should be limited to no more than two (2) banner signs per lot. Exempt signage shall include signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5),(7) and (8); and Section 6-104 (B)(2), of the Manhattan Zoning Regulations. Temporary sales aids and portable signs, as described in Article VI, Signs, of the Manhattan Zoning Regulations, shall be prohibited.
11. Prior to the development of Lots 4 and 5, an amendment of the PUD shall be submitted and approved, prior to issuance of any necessary permits.
12. Names of the Travel Easements shall be approved by City and Pottawatomie County Administration with the application for the Final Development Plan.
13. The existing curb cut on Lot 5 shall be eliminated.
14. No access shall be provided along McCall Road and Hayes Drive, with the exception of the proposed travel easement areas.
15. An analysis of post-construction best management practices for stormwater quality shall be conducted by the applicant at the time of application for the Final Development Plan.

PROPOSED AMENDMENT

The PUD's Preliminary Plat was approved with no development proposed on Lot 5. Condition 11 required an amendment to the PUD be submitted and approved, prior to issuance of any necessary permits for future developments.

The applicant has proposed to subdivide the recently created Lot 5 into two (2) separate lots (Lots 6 & 7, Abbott's Land, Unit Two) and construct a Dunkin Donuts drive-thru restaurant on the proposed Lot 6. No development has been proposed for Lot 7.

PROPOSED BUILDINGS, AND STRUCTURES

The PUD amendment is for an approximately 2,100 square foot Dunkin Donut drive-thru restaurant. The main entrance to the building will be on the south side. The drive-thru window will be on the west side. The building will be 17 feet to the roof line and will have an approximately 21 foot tall architectural parapets at the building entrance and drive-thru window. The exterior building materials will consist of cement board lap siding and EIFS. Corporate signage is proposed on the north, west and east walls. See the "Proposed Sign" section below.

PROPOSED SIGN:

The signage for the proposed development on Lot 6 consists of wall signs, wall mounted projecting site, a menu board, a pylon sign and directional ground signs. The direction signs, menu boards are generally exempt from the sign regulation requirements.

Building Signs			
Sign Type	Location	Dimensions	Area
Wall Sign	South Elevation	3' 10" x 8' 7"	34 sq ft
Wall Sign	South Elevation	3' 7" x 5' 6"	19 sq ft
Wall Sign	West Elevation	7' 3" x 13'	82 sq ft
Projecting Sign	West Elevation	6' x 4'	24 sq ft

Freestanding Signs			
Sign Type	Location	Dimensions	Area
Monument Sign	Southwest Entrance	4' x 8'	48 sq ft
Pylon Sign	Southeast Corner	24' tall	90 sq. ft

The pylon sign will be located on the southeast corner of the lot. The sign will be 24 feet tall and have 3 signs on it, totally 90 square feet in area.

- a 5.5 foot by 10 foot corporate sign (55 square feet),
- a 5 foot by 5 foot digital graphic sign (25 square feet),
- and a 2 foot by 5 foot sign for the drive thru (10 square feet)

Exempt sign requirements set out in Condition 10 above changed since approval of the PUD in 2014. Updated with this amendment are those exempt signs described in Article VI, Section 6-102 (A)(2)(a),(b),(c),(e),(h),(i),(j),(l), and (m) (*attached*).

PROPOSED LIGHTING:

LED lights on twenty-five (25) foot tall light poles are proposed to illuminate the site. Exterior lights on the building are also proposed to illuminate the area and to accent architectural features on the buildings. The lighting will be fully shaded and cut off at the property lines.

**MATTERS TO BE CONSIDERED WHEN AMENDING A
 PLANNED UNIT DEVELOPMENT**

1. WHETHER THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPROVED PUD, AND WILL PROMOTE THE EFFICIENT DEVELOPMENT AND PRESERVATION OF THE ENTIRE PUD: The permitted uses of the Commercial PUD was the permitted uses in the C-2, Neighborhood Shopping District, and C-5, Highway Service Commercial District, except that Convenience Stores with gasoline sales, and Sexually-Oriented Businesses shall be prohibited. The proposed drive-thru restaurant is consistent with the intent and purpose of the Commercial PUD.

2. WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN OR AROUND THE PUD, AND THE NATURE OF SUCH CONDITIONS: The proposed PUD is necessary because plans for the area of the PUD was not provided at the time of the Preliminary Development Plan. Condition #11 of the PUD required that an amendment of the PUD be submitted and approved for existing Lot 5 before development of the site can occur.

3. WHETHER THE PROPOSED AMENDMENT WILL RESULT IN A RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE OR GENERAL WELFARE, AND IS NOT GRANTED SOLELY TO CONFER A SPECIAL BENEFIT UPON ANY PERSON. The proposed PUD Amendment will result in a relative gain to the public health, safety, convenience or general welfare by providing addition retail and dining option for Manhattan. No special benefit is conferred by the proposed amendment as the public at large will benefit from the additional retail and dining options.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. LANDSCAPING: The Landscape Plan for the proposed development consists of deciduous trees on the edge of the off-street parking areas, shrubs and grasses, and lawn areas. Underground irrigation will be provided to maintain these areas.

2. SCREENING: Trash dumpster enclosures for the proposed development are shown on the application site plans. The application materials state that the trash dumpster enclosures will be constructed with masonry walls and a metal gate, and will be a minimum of six (6) feet in height. The trash enclosures will be painted to compliment the structures the enclosure is associated with.

3. DRAINAGE: The proposal development will use curb and gutters to direct stormwater runoff to area inlets in the off-street parking lots and travelways. The stormwater sewer system will then direct the stormwater to existing stormwater infrastructure along McCall Road. The City's Stormwater Engineer has reviewed the proposed development plan, accepts the design of the stormwater sewer system and has no additional comments.

The updated Flood Insurance Rate Map, effective on March 16, 2015, shows the site as being located in Zone X, Protected by Levee. The new flood zone for the site and surrounding area removes any regulatory requirement to elevate the site to protect the site from the base flood.

4. CIRCULATION: The Abbott's Landing Commercial PUD gains access from McCall Road to the south, Hayes Drive to the west and Landing Place to the east, a dedicated travel easement platted with the McCall Landing PUD. Thirty-six (36) foot wide travel easements cross the development site to connect to these adjacent roads and travel easement. The actual road way within these travel easements will be thirty (30) feet wide. The Dunkin Donut site will gain access from Alvin's Place and Hummel's Place.

The circulation pattern for the drive-thru will be for cars to travel to the north of the building and enter the single drive-thru lane with a "pass-through" lane on the west side of the building. The drive-thru lane will be able to be accessed from both curb cut on Hummel's Place and Alvin's Place.

Condition of Approval #13 of the PUD required that the curb cut on Lot 5 be eliminated. The curb cut is not proposed with the PUD Amendment.

Traffic. A traffic study was conducted with the PUD in 2014. The traffic study considered the traffic generated for the 2 drive-thru restaurants on Lots 2 & 3 and the farm and home retail store and assumed that a bank with drive-up window and a small retail shop would be located on Lot 5. The traffic study (*summary attached*) found that McCall and Hayes Drive would function at an acceptable level of service in the area with the added traffic from the proposed development. The intersection of Alvin's Place & McCall Road was projected to have an level of service F because of the issues with a vehicle leaving the site onto McCall Road and trying to attempt a left turning movement to go east on McCall Road. This poor level of service for the turning movement was accepted by the City because options exist for motorist leaving the site and wanting to go east on McCall Road.

Although the traffic study did not analysis a drive-thru restaurant on the site, the use is similar to the drive-thru bank. The City's Traffic Engineer has waived the need for an updated traffic study. The Traffic Engineer has reviewed and accepts the development plans and has no further comments.

Off-Street Parking.

The site plan for the Dunkin Donut development shows 20 off-street parking spaces. Based on the design occupancy of the building (29 occupants) and the number of full-time employees per shift (5 employees), the Manhattan Zoning Regulations would require a minimum of 15 off-street parking spaces (1 space per 3 occupants and 1 space for each employee on a single shift). The proposed site plan shows adequate off-street parking for the proposed use.

Pedestrian and Bicycle

A sidewalk is present along McCall Road, immediately to the south of the site. The Final Development Plan shows a sidewalk on the north side of the site along Hummel's Place and sidewalks connecting the proposed and existing sidewalks to the proposed building. Open space consists of lawn areas. Bicycle racks shall be provided near the proposed buildings.

5. OPEN SPACE/LANDSCAPED AND COMMON AREA: Open space consists of lawn areas and landscape areas.

6. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is a mixture of highway commercial and industrial uses. The areas along McCall Road are transitioning from a historically industrial area, to a retail commercial corridor. Large box retail stores are located to east and southwest. Drive-thru restaurants are located along the five (5) lane minor arterial. There are also a number of strip mall type retail centers in the immediate area. To the north of the site, along Hayes Drive and Levee Drive and predominately industrial and office uses.

MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Vacant land following the razing of the former self-storage buildings and offices.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is relatively flat and gradually slopes to the south towards McCall Road. Before demolition of the self-storage buildings, the current site is nearly 100% developed with impervious surfaces, including buildings and concrete and gravel off-street parking lots.

3. SURROUNDING LAND USE AND ZONING:

NORTH: The proposed Orscheln Farm and Home store in the PUD, USD 383 busing facility and district kitchen, industrial business; I-2, Industrial Park District.

SOUTH: McCall Road, a 5-lane minor arterial road, Wal-mart retail store, automotive repair shop and retail strip center, industrial machine shop, fitness center, car wash, drive-thru restaurant, self-storage units and industrial research office; Wal-Mart Super Center PUD, C-5, Highway Service Commercial District and I-2 District.

EAST: Vacant commercial lot, restaurant, Menards home improvement store and retail strip center; McCall Landing PUD, Commercial Planned Unit Development.

WEST: The proposed restaurant developments in the PUD, Hayes Drive, a 2-lane local street, drive-thru restaurants, industrial research office, hotel, industrial businesses; McCall Cats PUD; C-6, Heavy Commercial District, I-2

4. CHARACTER OF THE NEIGHBORHOOD: See above under “6. CHARACTER OF THE NEIGHBORHOOD”.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to Commercial PUD in 2014. The proposed use is suitable for the current zoning district.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The surrounding area is transiting from an industrial area to an area concentrated with drive-thru restaurants and retail stores, some of which are big box type retail stores. The proposed development will be consistent with surrounding uses and should not adversely impact adjacent properties.

The applicant held a neighborhood meeting on August 13, 2014. According to the meeting notes, no one attended the meeting.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Future Land Use (Northeast) map of the 2015 Manhattan Urban Area Comprehensive Plan shows the site to be Community Commercial (CC). The **PROPOSED AMENDMENT CONFORMS TO THE COMPREHENSIVE PLAN.**

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

1968	Annexation and rezoning to I-3, Light Industrial District.
1969-Present	Rezoned from I-3 District, to I-2, Industrial Park District.
October 6, 2014	Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Abbott Landing Shopping Center from I-2, Industrial Park District, to PUD, Commercial Planned Unit District, based on the findings in the Staff Report with the fifteen (15) conditions of approval.
October 21, 2014	City Commission approves first reading of an ordinance rezoning the Abbott Landing Shopping Center from I-2, Industrial Park District, to PUD, Commercial Planned Unit District.

Attachment No. 2

- November 4, 2014 City Commission approves Ordinance No. 7104 rezoning the Abbott Landing Shopping Center from I-2, Industrial Park District, to PUD, Commercial Planned Unit District.
- January 5, 2015 Manhattan Urban Area Planning Board approves Final Plat of Abbott Landing Addition.
- January 20, 2015 City Commission accepts easements and rights-of-way as shown on the Final Plat of Abbott Landing Addition.

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the 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 PUD Regulations are intended to provide a maximum choice of living environments by allowing a variety of housing and building types; a more efficient land use than is generally achieved through conventional development; a development pattern that is in harmony with land use density, transportation facilities and community facilities; and a development plan which addresses specific needs and unique conditions of the site which may require changes in bulk regulations or layout. The proposed PUD is consistent with the intent and purposes of the Zoning Regulations, and the intent of the PUD Regulations, subject to the conditions of approval.

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 relative gain to the public, which denial would accomplish. No adverse impacts to the public are expected, subject to conditions of approval. Therefore, there may be a hardship to the applicant if the rezoning is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: The Public Works Department – Utilities and Traffic Divisions have reviewed the proposal. Public utilities and the street network are sufficient to service the site.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the proposed amendment of Ordinance NO. 7104 and the Preliminary Development Plan of Abbott's Landing Commercial Planned Unit Development and approval of the Final Development Plan for Lot 6, Abbott's Landing Shopping Center Commercial Planned Unit Development, based on the findings in the Staff Report, subject to the following conditions of approval:

Attachment No. 2

1. Signage for shall be constructed as proposed consisting of wall signs and pylon signs.
2. The digital portion of the Dunkin Donuts pylon sign proposed on McCall Road shall be limited to a Digital Graphic Sign, as follows:
 - a. Digital Graphic Sign. A sign utilizing LED (light emitting diode), LCD (liquid crystal display), plasma, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change a static image only as a “slide show” (series of images).
 - b. Duration of Message and Transitions. The sign message shall remain static for a period of not less than sixty (60) seconds. The transition from one (1) message to the next shall be direct and immediate, without any special effects including but not limited to, dissolving, fading, scrolling, starbursts and wiping, which shall be prohibited.
 - c. Image Characteristics. Digital Graphic Signs shall have a pitch of not greater than twenty (20) millimeters between each pixel.
 - d. Luminance. Between sunrise and sunset the maximum luminance shall be five thousand (5,000) nits and between sunset and sunrise the maximum luminance shall be five hundred (500) nits. All signs with a digital display having illumination by means other than natural light must be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness to comply with this requirement.
3. Signs shall be provided as proposed in the application documents, and shall allow for exempt signage described in Article VI, Article VI, Section 6-102 (A)(2)(a),(b),(c),(e),(h),(i),(j),(l), and (m) of the Manhattan Zoning Regulations.

ALTERNATIVES:

1. Recommend approval of the proposed amendment of Ordinance No. 7104 and the Preliminary Development Plan of Abbott’s Landing Commercial Planned Unit Development and approval of the Final Development Plan for Lot 6, Abbott’s Landing Shopping Center Commercial Planned Unit Development, based on the findings in the Staff Report, subject to the three (3) conditions of approval.
2. Recommend denial of the proposed amendment of Ordinance No. 7104 and the Preliminary Plan of Abbott’s Landing Commercial Planned Unit Development, stating the specific reasons for denial.
3. Table the proposed Amendment to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance No. 7104 and the Preliminary Development Plan of Abbott's Landing Commercial Planned Unit Development and approval of the Final Development Plan for Lot 6, Abbott's Landing Shopping Center Commercial Planned Unit Development, based on the findings in the Staff Report, subject to the three (3) conditions of approval recommended by City Administration.

PREPARED BY: Chad Bunger, AICP, CFM, Senior Planner

DATE: May 8, 2015

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