



MINUTES
CITY COMMISSION MEETING
TUESDAY, JANUARY 19, 2016
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 Katharine Jackson, City Clerk Gary S. Fees, 6 staff, and approximately 8 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor McCulloh led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner Butler voiced concern with the number of local government employees attending the Chamber Leaders' Retreat in Overland Park using taxpayer funds. He stated the Chamber of Commerce can have their retreat wherever they want, but asked that the Chamber reconsider the location to cut travel expenses. He commended Commissioner Dodson for attending the Retreat and paying for his own expenses.

Commissioner Dodson informed the community that it is fitting to recognize the Riley County Police Department (RCPD) members that often times go unnoticed. He thanked RCPD officers for being on duty and taking care of us.

Commissioner Morse thanked all those that participated in the recent Martin Luther King Jr. (MLK) celebration and activities in Manhattan.

Commissioner Reddi congratulated Commissioner Morse on her recognition as recipient of the Spirit of Dr. Martin Luther King Jr. Community Service Award during the activities at the Manhattan Town Center. She highlighted the Kansas Humanities Council speaker, Phil Dixon, a co-founder of the Negro Baseball Museum and his presentation about the history of the Kansas City Monarchs. She also thanked those that entered their wonderful poetry, artwork, and essays on peace as part of the MLK celebration.

COMMISSIONER COMMENTS (*CONTINUED*)

Mayor McCulloh congratulated Commissioner Morse on her recognition as recipient of the Community Service Award. She encouraged citizens to utilize the videos and wonderful resources available at the Manhattan Public Library.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, January 5, 2016.

CLAIMS REGISTER NOS. 2808 and 2809

The Commission approved Claims Register Nos. 2808 and 2809 authorizing and approving the payment of claims from December 30, 2015, to January 12, 2016, in the amounts of \$882,226.84 and \$2,685,824.65, respectively.

LICENSES

The Commission approved a Merchant Guard Agency License for calendar year 2016 for Vendtech-SGI, LLC, 250 North Rock Road, Suite 360, Wichita, Kansas; and a Tree Maintenance License for calendar year 2016 for Asplundh Tree Expert Company, 708 Blair Mill Rd, Willow Grove, Pennsylvania; Capital City Tree Care, Inc., PO Box 750047, Topeka Kansas; and Randy's Tree Service, 110 Castle Street, Grandview Plaza, Kansas.

FINAL PLAT – SHERLEY PLACE ADDITION

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Sherley Place Addition, generally located at the northwest corner of Anderson Avenue and Meadowbrook Lane, based on conformance with the Manhattan Urban Area Subdivision Regulations.

FINAL PLAT – INTERLACHEN ADDITION, UNIT THREE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Interlachen Addition, Unit Three, generally located along the west side of Vanesta Drive and is approximately 700 feet north of the intersection of Vanesta Place and Vanesta Drive, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CONSENT AGENDA (CONTINUED)

FINAL PLAT – GRANDE BLUFFS AT MILL POINTE ADDITION, UNIT FOUR

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Grande Bluffs at Mill Pointe Addition, Unit Four, generally located 165 feet southeast of the intersection of Leone Ridge Drive and Grande Bluffs Court, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7187 – REZONE – K-STATE FEDERAL CREDIT UNION PUD

The Commission approved Ordinance No. 7187 rezoning the K-State Federal Credit Union PUD, generally located east of the intersection of McCullough Place and McCall Road, from I-2, Industrial Park District, to PUD, Commercial Planned Unit Development District, based on the findings in the Staff Report (*See Attachment No. 1*) with the eight conditions of approval recommended by the Manhattan Urban Area Planning Board.

ORDINANCE NO. 7188 – REZONE – LEDGESTONE RIDGE ADDITION

The Commission approved Ordinance No. 7188 rezoning Ledgestone Ridge Addition, generally located 550 feet to the east of the intersection of Scenic Drive and the future extension of Miller Parkway, from Independence Place Residential Planned Unit Development with Airport Overlay District, and R-3/AO, Multiple-Family Residential District with Airport Overlay District, to C-2/AO, Neighborhood Shopping District with Airport Overlay District, and R/AO, Single-Family Residential District with Airport Overlay District, based on the findings in the Staff Report (*See Attachment No. 2*) and the recommendation of the Planning Board.

ORDINANCE NO. 7189 - RESTRICT CERTAIN CITY SERVICES WHEN OUTSTANDING PROPERTY TAXES ARE OWED

The Commission approved Ordinance No. 7189 amending Chapter 11 of the Code of Ordinances requiring all ad valorem property taxes and special assessments be paid prior to receiving certain City services.

ORDINANCE NO. 7190 – NO PARKING ON SCHOOL DAYS – CANFIELD DRIVE

The Commission approved Ordinance No. 7190 amending Section 31-33 of the Code of Ordinances to include additional “No Parking on School Days” zone along Canfield Drive at Lee Elementary School.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7191 – NO PARKING ANY TIME – NORTH 11TH STREET/FREMONT STREET

The Commission approved Ordinance No. 7191 amending Chapter 31 of the Code of Ordinances adding the north side of Fremont Street beginning at the west back-of-curb of its intersection with North 11th Street and a point 150 feet west of said west back-of-curb of 11th Street to the “No Parking Any Time” zones.

ORDINANCE NO. 7192 - LEASE PURCHASE - PIERCE PUC VELOCITY QUINT FIRE TRUCK (CIP #FR002E)

The Commission approved Ordinance No. 7192 authorizing the Mayor and/or the City Clerk to enter into a lease purchase agreement with U.S. Bank/U.S. Bancorp Government Finance and Leasing, Inc., for the purpose of acquiring a Pierce Ultimate Configuration (PUC) Velocity Quint Fire Truck (CIP #FR002E), and authorized the Mayor and/or City Clerk to execute the lease purchase agreement.

FIRST READING – FRANCHISE AGREEMENT – KANSAS FIBER NETWORK, LLC

The Commission approved first reading of an ordinance authorizing a competitive infrastructure provider franchise with Kansas Fiber Network, LLC.

SET PUBLIC HEARING DATE – SPECIAL ASSESSMENTS (GOB 2016-A)

The Commission set February 2, 2016, as the date to hold a public hearing levying special assessments against the benefiting properties in the following 17 projects, which have been completed: ***Congressional Addition*** – Sanitary Sewer (SS1309), Street (ST1311), and Water (WA1310); ***Grand Vista Addition, Unit Three*** – Sanitary Sewer (SS1304), Street (ST1304), and Water (WA1304); ***Highland Meadows Addition, Unit Seven*** – Sanitary Sewer (SS1303), Street (ST1303), and Water (WA1303); ***K-State Research Park, Phase II*** – Sanitary Sewer (SS1310), Street (ST1312), and Water (WA1311); ***Lee Mill Heights Addition, Unit Four and Unit Five*** - Sanitary Sewer (SS1313), Street (ST1317), and Water (WA1315); and ***Scenic Meadows Addition, Unit Three, Phase Two*** – Stormwater (SM1303) and Street (ST1006).

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REQUEST FOR QUALIFICATIONS – CONSULTANT – JOINT MAINTENANCE FACILITY FEASIBILITY STUDY (SP1601, CIP #ST063P)

Ron Fehr, City Manager, provided clarification on the item. He stated that Commissioners Morse and Dodson have agreed to serve on the Selection Committee.

CONSENT AGENDA (CONTINUED)

* **REQUEST FOR QUALIFICATIONS – CONSULTANT – JOINT MAINTENANCE FACILITY FEASIBILITY STUDY (SP1601, CIP #ST063P) (CONTINUED)**

The Commission authorized City Administration to seek qualifications for professional services to develop a Feasibility Study for a Joint Maintenance Facility for Water, Wastewater, Street, Fleet, Forestry, and Park Maintenance crews (CIP #ST063P), and appointed Commissioners Morse and Dodson to serve on the Selection Committee.

RESOLUTION NO. 011916-A – PETITION – GRANDE BLUFFS AT MILL POINTE, UNIT 4 – STREET IMPROVEMENTS (ST1516)

The Commission found the petition sufficient, and approved Resolution No. 011916-A, finding the Grande Bluffs at Mill Pointe, Unit 4, Street (ST1516) improvements project advisable and authorizing construction.

RESOLUTION NO. 011916-B – PETITION – GRANDE BLUFFS AT MILL POINTE, UNIT 4 – SANITARY SEWER IMPROVEMENTS (SS1517)

The Commission found the petition sufficient, and approved Resolution No. 011916-B, finding the Grande Bluffs at Mill Pointe, Unit 4, Sanitary Sewer (SS1517) improvements project advisable and authorizing construction.

RESOLUTION NO. 011916-C – PETITION – GRANDE BLUFFS AT MILL POINTE, UNIT 4 – WATER IMPROVEMENTS (WA1520)

The Commission found the petition sufficient, and approved Resolution No. 011916-C, finding the Grande Bluffs at Mill Pointe, Unit 4, Water (WA1520) improvements project advisable and authorizing construction.

AGREEMENT – ENGINEERING SERVICES – GRANDE BLUFFS AT MILL POINTE, UNIT 4 – STREET (ST1516), SANITARY SEWER (SS1517), AND WATER (WA1520) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement in an amount not to exceed \$70,818.00 with Schwab-Eaton Consultants, of Manhattan, Kansas, to perform professional services for the Grande Bluffs at Mill Pointe, Unit 4, Street (ST1516), Sanitary Sewer (SS1517), and Water (WA1520) improvements.

RESOLUTION NO. 011916-D – KDOT AGREEMENT – 11TH STREET/POYNTZ AVENUE (ST1502)

The Commission authorized the City Commission to accept the grant offer from the Kansas Department of Transportation (KDOT) up to \$300,000.00; approved Resolution No. 011916-D authorizing the Mayor and City Clerk to execute the

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 011916-D – KDOT AGREEMENT – 11TH STREET/POYNTZ AVENUE (ST1502) (CONTINUED)

City-State Agreement No. 304-15 from KDOT; and directed the Public Works Department to proceed in a manner that will facilitate construction of the 11th Street and Poyntz Avenue Intersection Improvements Project (ST1502) once KDOT informs the City to proceed.

AWARD CONTRACT – TRIANGLE PARK BRICK SIDEWALK REPLACEMENT, PHASE 2 (CIP #CU029P)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$34,820.00; and approved and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$3,215.00, with RM Baril General Contractors, Inc., of Manhattan, Kansas, in the total amount of \$31,514.20 for the Triangle Park Brick Sidewalk Replacement, Phase 2, Project (CIP #CU029P), including Alternate 1 in the amount of \$3,215.00.

AWARD CONTRACT – LEE MILL HEIGHTS, UNIT 10 – STREET (ST1509), SANITARY SEWER (SS1512), AND WATER (WA1520) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$568,400.00; awarded a construction contract in the total amount of \$437,827.04 to J&K Contracting LC, of Junction City, Kansas; and authorized the Mayor and City Clerk to execute the construction contract for the Lee Mill Heights, Unit 10, Street (ST1509), Sanitary Sewer (SS1512), and Water (WA1520) improvements.

AWARD CONTRACT – ELECTRICAL ON-CALL (SP1602)

The Commission awarded and authorized the Mayor and City Clerk to execute an Electrical On-Call Services contract for 2016 with Heineken Electric, of Manhattan, Kansas.

AGREEMENT – CITY/UNIVERSITY FUND 2016 PROJECTS

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an Agreement between the City of Manhattan and Kansas State University to administer City-University Funds in the amount of \$629,283.00 for 2016 projects (*See Attachment No. 3*).

* CONTRACT – LEGAL SERVICES

The Commission approved and authorized the Mayor to execute a legal services contract with Morrison, Frost, Olsen, Irvine and Schartz, LLP, of Manhattan, Kansas.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS

The Commission approved appointments by Mayor McCulloh to various boards and committees of the City.

Cemetery Board

Appointment of Albert Hamscher, 2910 Tatarax Drive, to a three-year term. Mr. Hamscher's term begins immediately, and will expire December 31, 2018.

City/University Special Projects Fund Committee

Appointment of Gloria Holcombe, 2903 Wayne Drive, to a one-year Faculty term. Ms. Holcombe's term begins immediately, and will expire June 30, 2016.

Appointment of Jonathan Peuchen, 1830 College Heights, to a one-year Student term. Mr. Peuchen's term begins immediately, and will expire June 30, 2016.

Appointment of Jessica Van Ranken, 1106 Pomeroy Street, to a one-year Student term. Ms. Van Ranken's term begins immediately, and will expire June 30, 2016.

Downtown Business Improvement District Advisory Board

Appointment of Marcus Fischer, 4418 Nature Avenue, to a two-year term. Mr. Fischer's term begins immediately, and will expire December 31, 2017.

Flint Hills Discovery Center Advisory Board

Re-appointment of Larie Schoap, 1903 Plymouth Landing, to a three-year Resident term. Ms. Schoap's term will begin February 1, 2016, and will expire January 31, 2019.

Housing Authority Board of Commissioners

Re-appointment of Phil Anderson, 1719 Fairchild Avenue, to a four-year term. Mr. Anderson's term will begin March 4, 2016, and will expire March 3, 2020.

After discussion and comments from the Commission, Commissioner Reddi moved to approve the consent agenda. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

FIRST READING - REZONE - 801 MORO STREET

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He highlighted a site map of the subject area and stated the Manhattan Urban Area Planning Board recommended approval of the item, based on the findings in the Staff Report and conformance with the Comprehensive Plan. He then responded to questions from the Commission regarding the proposed number of lots being rezoned.

Mayor McCulloh opened the public comments.

Phil Anderson, 1719 Fairchild Avenue, owner of the Anderson Bed and Breakfast, spoke about the historical significance of several of the properties in the area. He voiced concern that as we rezone and expand, we need to be careful to maintain, restore and cherish our historic past. He also wanted to ensure that the infrastructure could handle the additional housing units. He responded to questions from the Commission regarding the importance to remind owners and neighbors of their properties historical significance.

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

Rob Ott, Director of Public Works, responded to questions from the Commission regarding infrastructure in this area for stormwater, sanitary sewer and water.

After discussion and comments from the Commission, Commissioner Butler moved to approve first reading of an ordinance rezoning 801 Moro Street, from R-M/TNO, Four-Family Residential District with Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report (*See Attachment No. 4*) and the recommendation of the Planning Board. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - REZONE - 917, 919 AND 923 THURSTON STREET

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He highlighted the area proposed to be rezoned and presented a map east of the campus with the expanded M-FRO boundary. He informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the item, based on the findings in the Staff Report and conformance with the Comprehensive Plan. He then responded to questions from the Commission.

Amber Burton, 2917 Tobacco Road, Fieldhouse Development, responded to questions from the Commission regarding participating in paving the alley and provided additional information on the item.

GENERAL AGENDA (*CONTINUED*)

FIRST READING - REZONE - 917, 919 AND 923 THURSTON STREET (*CONTINUED*)

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

After discussion and comments from the Commission, Commissioner Reddi moved to approve first reading of an ordinance rezoning 917, 919 and 923 Thurston Street, from R-1/TNO, Single-Family Residential District with Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report (*See Attachment No. 5*) and the recommendation of the Planning Board. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - STATE LAW CHANGES TO CITY ELECTIONS AND GOVERNING BODY SERVICE TERMS

Kiel Mangus, Assistant City Manager, presented background information and an overview of the item. He highlighted items affected by State law election changes and presented prior practices and ordinance changes that include timing of elections and term commencement, nomination petitions, governing body vacancies, mayoral terms, and meeting date following an election. He then responded to questions from the Commission.

Commissioner Reddi informed the public that these changes reflect the election changes made by the state officials. She stated the changes are consistent and very reasonable.

Commissioner Morse thanked City staff for the time invested on this item. She stated the changes are reasonable and as fair as they can be.

Commissioner Butler voiced his approval with the increments and consistency as presented.

Mayor McCulloh voiced her displeasure with what the state has done and said that local government knows how to run their business very well. She stated that the City has historically held local elections in April and did not see the benefit holding local elections in November, nor a real benefit in having a lapse before people take their positions.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

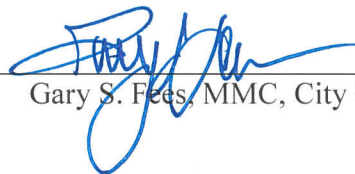
GENERAL AGENDA (CONTINUED)

FIRST READING - STATE LAW CHANGES TO CITY ELECTIONS AND GOVERNING BODY SERVICE TERMS (CONTINUED)

After discussion and comments from the Commission, Commissioner Butler moved to approve first reading of an ordinance amending Section 2-12 of the Code of Ordinances relating to the election of members of the governing body and establishing terms therefore. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 7:47 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

**APPLICATION TO REZONE PROPERTY TO PLANNED UNIT
DEVELOPMENT DISTRICT**

BACKGROUND

FROM: I-2, Industrial Park District

TO: PUD, Commercial Planned Unit Development

OWNERS: The McCall Pattern Company, Vince Placek, CFO

APPLICANT: SMH Consultants, Jeff Hancock on behalf of their client

DATE OF NEIGHBORHOOD MEETING: September 9, 2015

DATE OF PUBLIC NOTICE PUBLICATION: October 23, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: December 7, 2015

CITY COMMISSION: December 22, 2015

LEGAL DESCRIPTION: a 1.33 acre tract in the Southeast Quarter of Section 8, Township 10 South, Range 08 East.

LOCATION: The site is generally located to the east of the intersection of McCullough Place and McCall Road.

AREA: 57,980 square feet (1.33 acres)

PROPOSED USES: Drive-thru bank and a drive-thru coffee shop within 1 building

PROPOSED BUILDINGS AND STRUCTURES:

The applicant has proposed to construct a two-story bank building with a drive-thru teller area and a drive-thru coffee shop. The building footprint will be approximately 4,950 square feet with 2 porticoes covering the driveways to the teller windows and coffee shop that total 1,875 square feet. The total floor area for the building is approximately 4,900 square feet.

The building will be approximately 32 feet tall to the tallest parapet. The roofline will be roughly 26 feet in height. The building materials will be limestone façade, cement fiber board siding and rectangular cement fiber board panels.

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	4,970	8.6%
Paved Area (Parking & Driveways)	36,798	63.5%
Landscaped Areas	16,213	27.9%
Total Impervious	41,768	72.1%

PROPOSED SIGNS

Proposed signage will consist of a wall signs for the bank and coffee shop on the south and west building facades and a monument sign located at the southwest corner of the development site.

Type	Location	Dimensions	Lighting
Wall	South Wall – Bank	8’10” x 4’1” (36 sq. ft.)	Internally illuminated
Wall	West Wall - Bank	8’10” x 4’1” (36 sq. ft.)	Internally illuminated
Wall	West Wall – Coffee shop	8’10” x 4’1” (36 sq. ft.)	Internally illuminated
Wall	South Wall – Coffee shop	4’5” x 4’1” (18 sq. ft.)	Internally illuminated
Monument	Southwest corner of the site	4’ x 12’ (48 sq. ft.)	Internally illuminated

The monument sign will be approximately 6 feet tall on a 2 foot tall limestone monument located within a landscaped area.

PROPOSED LIGHTING: Lighting for the development will consist of 20 foot tall pole and wall mounted lights to illuminate the parking lot. Per the Manhattan Zoning Regulations, all lights are required to be shielded and fully cut off at the property line.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: The site is proposed to be landscaped with deciduous trees, evergreen and deciduous shrubs, and ornamental grasses around the building, at entrances to the site, along the west property line and in front of the trash dumpster screening. The remaining open, landscaped areas will grass areas

An area of native grasses along McCall Road will be planted in a shallow swale to be used for stormwater detention and best management practices for stormwater runoff quality.

Attachment No. 1

A condition of approval is proposed to require a landscape performance agreement for the installation of the proposed landscape materials.

2. SCREENING: The trash dumpster and power generator proposed on the northeast corner of the development site is proposed by concrete screening walls. The dumpster is to be enclosed by a 6 foot tall wall and the generator will be enclosed with a 9 foot tall wall.

Heating and air conditioning ground equipment is proposed to be screened using ornamental grasses.

3. DRAINAGE: Because of the relative small size of the proposed development and the site's location of the levee and Kansas River, the City's Stormwater Engineer did not require a full drainage study. The Stormwater Engineer did require a Best Management Practices (BMP) for Post-Construction Water Quality analysis. The analysis was conducted by SMH Consultants, dated September 17, 2015, and determined that 1 post-construction BMP is required. SMH Consultants has designed an approximately 110 foot long vegetative swale that is 8 feet deep to be located along McCall Road. This swale will collect the stormwater runoff from the site, filter any pollutants (i.e. road salts, gravel, oils from vehicles) from the stormwater and then discharge the filtered water into the existing stormwater sewer that is located along McCall Road.

The City's Stormwater Engineer has reviewed the Post-Construction BMP Analysis and accepts the findings. The Stormwater Engineer did not that annual maintenance for the swale will be a requirement of property owner.

4. CIRCULATION: The development site gains access from the McCullough Place Travel Easement to the west and a travel easement proposed on the McCall Pattern property to the east. The western travel easement intersects with McCall Road and is a right in/right out only intersection. The proposed east travel easement is to be 25 feet wide and run crosses the parking lot in front of McCall Pattern Company. This travel easement will intersect with Kretschmer Drive, which intersects with McCall Drive.

The circulation pattern for the development is for vehicles to enter from the travel easements from the west or east and gain access to the proposed off-street parking lot or drive-thrus associated with the coffee shop or bank. Exiting the site will follow the same circular pattern through the parking lot into the travel easements. Vehicles leaving the site to the west will either turn right onto McCall Road at the intersection of McCullough Place or travel the existing travel easements in the McCall Place development to the fully directional traffic signal at Carlson Drive. Vehicles leaving the site to the east will have access to McCall Road via the fully functional intersection at Kretschmer Drive.

Attachment No. 1

SMH Consultants provided a traffic analysis, dated September 16, 2015, determined that an additional 182 vehicle trips in the A.M. Peak Hour and 249 vehicle trips in the P.M. Peak Hour will be generated from the proposed development. The road network surrounding the site was improved into 2010 to a 5-lane urban section. Generally speaking, the design of the minor arterial and intersecting local commercial streets took into account new commercial development in the area. The traffic analysis determined that the traffic generated from the development site will not adversely impact the existing or future functions of the road network in the area. The City Engineer has reviewed the traffic analysis and accepts its findings with no comments (see attached memo). The City Engineer did not that a future expansion on McCall Road is anticipated to incorporate a dedicated right turn lane into the McCall Place Development for west bound traffic.

Off-Street Parking

Fifty-nine (59) off-street parking spaces are proposed on the development site. The off-street parking requirement for bank and financial institution is 1 parking space per 450 sq. ft. of building area. City Administration is considering the drive-thru coffee shop as an accessory use associated with the K-State Credit Union, and is including the use within the financial institutions parking calculation total. Based on gross floor area of the proposed building (9,800 square feet), 22 off-street parking spaces are required. The amount of off-street parking proposed on the development site is adequate.

Bicycle & Pedestrian

A 10 foot wide multi-use concrete path is located on McCall Road, in front of the development site. A 5 foot sidewalk is proposed to provide pedestrian access from the McCall Road sidewalk to the proposed building.

The site plan does not show locations for parking bicycles on the site. Although not a requirement of the Zoning Regulations, bicycle rack(s) should be considered in the Final Development Plan phase for customers and employees.

5. OPEN SPACE AND COMMON AREA: Open space on the site is limited to manicured grass lawn areas around the parking lot and along the roadways.

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 west 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 is predominately industrial and office uses.

**THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING
ZONING DISTRICTS**

1. EXISTING USE: Vacant land associated with McCall Pattern.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is currently an open-space area associated with the McCall Pattern Company. The development site is relatively flat and gradually slopes to the south towards McCall Road. The development site is nearly 100% pervious surfaces consisting of manicured lawn and landscape beds.

3. SURROUNDING LAND USE AND ZONING:

NORTH: I-2, Industrial Park District; Food manufacturing plant

SOUTH: I-2 District and C-5, Highway Service Commercial District; McCall Road right-of-way; New and used vehicle sales lot and vacant retail store.

EAST: I-2 District; Professional dance studio, wholesale building supply store and commercial warehouse space.

WEST: McCall Landing PUD, Commercial Planned Unit Development; McCullough Place travel easement, vacant commercially zoned land, big box home improvement store and retail strip center.

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

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The development site is the front yard area for McCall Pattern Company. The current zoning district is I-2, Industrial Park District, which the current use is permitted.

The proposed use for banks and financial institutions and the accessory coffee shop are not allowed as primary permitted or conditional uses in the I-2 District. The proposed development requires a rezoning to a retail commercial zoning district, such as the proposed PUD.

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 September 9, 2015. According to the meeting notes, no one from the public attended the meeting.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:** The site is in the Northeast Planning Area of the Future Land Use Map of the Comprehensive Plan. The site is shown as Industrial (IND) on the map. The proposed rezoning would implement a development generally consistent with the policies applicable to all commercial development, as well as policies applicable to the Community Commercial category, set out below after the policies of the IND category.

Policies of the IND category include:

Employment: Industrial and Office

BACKGROUND AND INTENT

Employment uses within the Urban Area are intended to provide concentrated areas of high quality employment facilities for uses such as office headquarters, research and development facilities, and educational facilities, as well as locations for light and heavy manufacturing, warehousing and distribution, indoor and screened outdoor storage, and a wide range of other industrial services and operations.

INDUSTRIAL (IND)

I 1: Characteristics

The Industrial designation is intended to provide locations for light and heavy manufacturing, warehousing and distribution, indoor and screened outdoor storage, and a wide range of other industrial services and operations. Typically, heavy industrial uses involve more intensive work processes, and may involve manufacturing or basic resource handling and/or extraction. Design controls within an Industrial area are not as extensive as in the Office/Research Park category and a broader range of uses is permitted.

I 2: Location

Because of their potential environmental impacts, Industrial uses should generally be located away from population centers or must be adequately buffered. Traffic generated by industrial uses should not pass through residential areas. Sites should have access to one or more major arterials or highways capable of handling heavy truck traffic. Railroad access is also beneficial to certain types of heavy industrial uses. Light industrial uses can typically be located in areas that also contain some highway-oriented commercial uses, and might benefit from close proximity and better access to their local customer base.

I 3: Screening

Storage, loading and work operations should be screened from view along all industrial area boundaries (when adjacent to non-industrial uses) and along all public streets.

Commercial policies include:

Commercial

BACKGROUND AND INTENT

The City contains numerous commercial areas that provide the necessary goods and services for residents of the community and region as well as visitors. Commercial developments must be located and designed to balance market opportunities with access and location. In addition, the location and design of commercial areas must be incorporated into surrounding areas, rather than altering the character of surrounding neighborhoods. While the Downtown, or Central Core District, will remain the primary focus of regional commercial activity for the community and region, a variety of other community and neighborhood scale commercial centers will be distributed throughout the community to provide for the day-to-day needs of residents.

COMMERCIAL- ALL CATEGORIES

C 1: Designate Commercial Areas According to Their Role and Function in the Region

To provide a variety of commercial services to the community, three commercial designations are provided, depending on the center's scale, purpose, location, and intensity of use. These include the Central Core District, Community Commercial, and Neighborhood Commercial.

C 2: Distribution of Commercial Services

Commercial centers should be distributed throughout the community to provide ease of access for all residents and minimize the need for cross-town vehicle trips.

C 3: Locate All Commercial Uses in Activity Centers

Commercial services should be concentrated and contained within planned activity centers, or nodes, throughout the community. Development of distinct commercial nodes will help preserve the residential character of many of the major street corridors throughout the community and help prevent the negative impacts caused by multiple access points along a corridor. Commercial activities, when grouped in cohesive centers or nodes, result in more viable areas compared to scattered or isolated single use commercial sites. Activity centers, or nodes, provide a variety of services in a

Attachment No. 1

concentrated location to promote “one-stop shopping” and minimize the need for multiple vehicle trips. Each center has a limited number of vehicle access points to minimize impacts on surrounding uses and maintain an efficient traffic flow to and from the site. Uses are typically clustered on larger sites near the intersection of two major streets rather than being developed in linear, “strip” configurations along major street corridors. Linear development patterns, particularly when parcels provide a single use and are developed independently, can require multiple access points and lead to disruption of traffic flow on adjacent streets. Although lot sizes and/or configurations in some areas may warrant the use of a more linear development pattern, it is generally discouraged.

C4: Include a Mix of Uses in New and Redeveloped Commercial Areas

New development and redevelopment should include a mix of uses of different types and sizes, creating a diversity of activity and avoiding large, single-use buildings and dominating parking areas.

C5: Promote a High Quality Urban Environment

The physical design of commercial development areas shall promote a high quality urban environment, as expressed by site layout, building materials and design, landscaping, parking area design, and pedestrian-oriented facilities, such as through use of design guidelines.

COMMUNITY COMMERCIAL (CC)

CC 1: Characteristics

Community Commercial Centers provide a mix of retail and commercial services in a concentrated and unified setting that serves the local community and may also provide a limited draw for the surrounding region. These centers are typically anchored by a larger national chain, between 120,000 and 250,000 square feet, which may provide sales of a variety of general merchandise, grocery, apparel, appliances, hardware, lumber, and other household goods. Centers may also be anchored by smaller uses, such as a grocery store, and may include a variety of smaller, complementary uses, such as restaurants, specialty stores (such as books, furniture, computers, audio, office supplies, or clothing stores), professional offices and health services. The concentrated, unified design of a community commercial center allows it to meet a variety of community needs in a “one-stop shop” setting, minimizing the need for multiple vehicle trips to various commercial areas around the community. Although some single use highway-oriented commercial activities will continue to occur in some areas, this pattern of development is generally not encouraged.

CC 2: Location

Community Commercial Centers should be located at the intersection of one or more major arterial streets. They may be located adjacent to urban residential neighborhoods and may occur along major highway corridors as existing uses become obsolete and are phased out and redeveloped over time. Large footprint retail buildings (often known as “big-box” stores) shall only be permitted in areas of the City where adequate access and services can be provided.

CC 3: Size

Typically require a site of between 10 and 30 acres.

CC 4: Unified Site Design

A unified site layout and design character (buildings, landscaping, signage, pedestrian and vehicular circulation) shall be required and established for the center to guide current and future phases of development. Building and site design should be used to create visual interest and establish a more pedestrian-oriented scale for the center and between out lots.

CC 5: Building Design and Character

Require Community Commercial Centers to meet a basic level of architectural detailing, compatibility of scale with surrounding areas, pedestrian and bicycle access, and mitigation of negative visual impacts such as large building walls, parking areas, and service and loading areas. While these requirements apply to all community commercial development, they are particularly important to consider for larger footprint retail buildings, or “big-box” stores. A basic level of architectural detailing shall include, but not be limited to, the following:

- *Façade and exterior wall plane projections or recesses;*
 - *Arcades, display windows, entry areas, awnings, or other features along facades facing public streets;*
 - *Building facades with a variety of detail features (materials, colors, and patterns);*
- and*
- *High quality building materials.*

CC 6: Organization of Uses

Concentrate Community Commercial services within planned activity centers, or commercial nodes, through the community. Cluster complementary uses within walking distances of each other to facilitate efficient, “one-stop shopping”, and minimize the need to drive between multiple areas of the center. Large footprint retail buildings, or “big-box” stores should be incorporated as part of an activity center or node along with complementary uses, such as high density residential, where feasible. Linear development patterns, particularly when parcels provide a single use and are

Attachment No. 1

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 AND RECOMMENDATION: City Administration recommends approval of the proposed rezoning of K-State Credit Union Commercial PUD from I-2, Industrial Park District, to PUD, Commercial Planned Unit Development District, with the conditions:

1. Permitted uses shall include banks, financial institutions, professional offices and the accessory coffee shop.
2. 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.
3. All landscaping and irrigation shall be maintained in good condition.
4. 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.
5. Signage for shall be constructed as proposed consisting of wall signs and pylon signs.
6. Temporary banner signs should be limited to no more than two (2) banner signs. Exempt signage shall include signage described in Article VI, Section 6-102 (A)(2)(a), (b), (c), (e), (h), (i), (j), (k), (l), and (m) of the Manhattan Zoning Regulations.
7. The proposed travel easement through the McCall Pattern Company parking lot shall be created with the Final Development Plan and Final Plat.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of K-State Credit Union Commercial PUD from I-2, Industrial Park District, to PUD, Commercial Planned Unit Development District, stating the basis for such recommendation, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of K-State Credit Union Commercial PUD from I-2, Industrial Park District, to PUD, Commercial Planned Unit Development District, and modify the conditions, and any other portions of the proposed PUD, to meet the needs of the community as perceived by the Manhattan Urban Area Planning Board, stating the basis for such recommendation, and indicating the conditions of approval.

Attachment No. 1

3. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
4. 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 K-State Credit Union Commercial PUD from I-2, Industrial Park District, to PUD, Commercial Planned Unit Development District, based on the findings in the staff report, with the seven (7) conditions recommended by City Administration.

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

DATE: November 30, 2015

CB/VR
15025

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: To rezone the Ledge Stone Ridge subdivision for single-family homes and 2 commercial lots to be associated with the Ledge Stone Commercial area.

FROM: Independence Place Residential Planned Unit Development and R-3, Multiple-Family Residential District, both with AO, Airport Overlay

TO: Tract 1: C-2/AO, Neighborhood Shopping District and Airport Overlay District.
Tract 2: R/AO, Single-Family Residential District and Airport Overlay District.
Tract 3: R/AO, Single-Family Residential District and Airport Overlay District.

APPLICANT/OWNER: Stone Pointe Land Co, LLC – Tim Schultz

LEGAL DESCRIPTION: Lot 1, Independence Place Addition and 0.314 acres from the vacant tract of land to the east in the West half of the Southwest Quarter of Section 15, Township 10 South, Range 7 East.

LOCATION: Generally located 550 feet to the east of the intersection Scenic Drive and the future expansion of Miller Parkway.

AREA: THE TOTAL AREA OF REZONING IS 38.11 ACRES.

Tract 1: 3.92 acres - Rezone from PUD/AO to C-2 District/AO Districts:

Tract 2: 33.88 acres - Rezone from PUD/AO to R/AO Districts:

Tract 3: 0.314 acres - Rezone from R-3/AO to R/AO District:

DATE OF NEIGHBORHOOD MEETING: September 29, 2015 and October 8, 2015

DATE OF PUBLIC NOTICE PUBLICATION: November 16, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: December 7, 2015

CITY COMMISSION: January 5, 2016

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Open rangeland. A majority of the site was approved for the Independence Place Apartment Complex.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is typical Flinthills landform consisting of open range land, wooded ravines on the east and west sides of the proposed site. The site is reasonably steep with slopes approximately 20% and drains generally to the north-northeast to Wildcat Creek.

The site is 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: Single-family residential; R, Single-Family Residential District with AO District.

SOUTH: Future extension of Miller Parkway, agricultural and range land; G-1 District.

EAST: Agricultural and range land, R-3/AO, Multiple-Family Residential District with Airport Overlay District and G-1 District.

WEST: Future neighborhood commercial area and multiple-family dwellings; C-2, Neighborhood Shopping District/AO District, and Stone Pointe Townhomes PUD.

4. GENERAL NEIGHBORHOOD CHARACTER: The area is characterized as a developing growth corridor of the City with single-family, two-family and multiple-family residential development to the immediate north and west. Highland Meadows Additions, Scenic Woods and the Stone Pointe Townhomes are to the north and northwest. Development is occurring in the Lee Mill Heights and Miller Ranch areas to the east, which is growing towards the site. The extension of Miller Parkway along the southern boundary of the proposed subdivision and the Miller Parkway's connection at Scenic Drive will occur in the near future. The street connection of Miller Parkway will serve the immediate neighborhood and accommodate future access to other parts of the City.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The majority of the site was rezoned to the Independence Place PUD in 2010. The approved Final Development Plan showed 13 apartment buildings on 1 lot. A total of 312 dwelling units were proposed for the PUD. The development was never constructed and is considered to be abandoned as regulated in Section 9-107 Abandonment or Failure to Proceed.

Attachment No. 2

The 0.31 acre section of the vacant land to the east of the Independence Place PUD was annexed and rezoned to R-3 District in 2006 as part of the Stone Pointe Addition. This tract has remained vacant ever since.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The site is in a growth corridor of the City. To the north are single-family homes. To the west are multiple-family dwellings as townhomes or apartment buildings and vacant commercial land. To the east and south is vacant agriculture land. The site was previously approved for an apartment complex. An increase in light, noise and traffic are expected with the single-family development, but is anticipated to be less when compared to the apartment complex. These increases should be similar to the same affects generated by the single-family developments in Stone Pointe and Lee Mill Heights subdivisions.

The proposed rezoning of the site to C-2, Neighborhood Shopping District, is identical to the property to the west and is proposed to expand the commercial area to include the western side of the natural ravine. This natural ravine in large part contains a detention basin and steep grades. There should be minimal impacts from this rezoning request.

Two (2) neighborhood meetings were held for the proposed Rezoning and Preliminary Plat. The first meeting was held on September 29, 2015. Seven (7) neighbors attended the meeting. According to the application information, the meeting conversation focused on drainage issues and preservation of the existing trees. The second meeting was held on October 8th, with 2 meeting attendees. The meeting summary stated that the topics of drainage and site grading for the development, as well as future developments in the surrounding area and how the Airport Overlay District restrictions would impact the proposed development were discussed.

It appears that the proposed single-family and commercial rezoning should have minimal impacts on adjacent properties. The rezoning requests will be similar to existing developments in the area and will be less intensive compared to the apartment complex that was originally proposed for the site.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The proposed Preliminary Plat is shown on the Future Land Use map in the Southwest Planning Area. The site is designated as Residential Medium to High (RMH). The site is within the Miller Parkway Corridor planning area. The site is also 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.

RMH policies include:

RMH-1: Characteristics

The Residential Medium to High Density designation should 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 compatible with the area's residential characteristics and in conformance with 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 to High Density neighborhood range from 11 to 19 dwelling units per net acre.

RMH-3: Location

Locate Residential Medium to High Density neighborhoods close to an arterial street and bounded by collector streets where possible, with a direct connection to work, shopping, transit, and recreational activities. The Residential Medium to High Density designation includes some of the older neighborhoods in the core area of the City as well as portions of newer planned neighborhoods outside of the core area.

RMH-4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of housing models and sizes is strongly encouraged in all new development, particularly when a single housing type (e.g., small-lot single-family or duplexes) is prevalent.

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.

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.

The Preliminary Plat shows that the proposed residential portion of the area has a net density of 1.08 dwelling units per net acre. Although the proposed residential density is less than the density range for the Residential Medium to High designation, which is 11 – 19 dwelling units per net acre, the proposed Preliminary Plat meets the policy statements for characteristics, location, housing types of the residential designation.

The commercial portion of the Rezoning request is extension of the previously approved C-2 District rezoning completed in 2013.

The proposal conforms to the policies of the Miller Parkway Corridor Special Planning Area. The proposed rezoning generally conforms to the Comprehensive Plan.

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

July 17, 2006

Manhattan Urban Area Planning Board recommends approval of annexation and rezoning of the Stone Pointe Addition, Unit Two, from G-1, General Agricultural District, to R, Single-Family Residential District with AO, Airport Overlay District; and R-3, Multiple-Family Residential District with AO, Airport Overlay District; and C-2, Neighborhood Shopping District with AO, Airport Overlay District.

Attachment No. 2

- August 15, 2006 City Commission approves first reading of annexation and rezoning to R, Single-Family Residential District with AO, Airport Overlay District; and R-3, Multiple-Family Residential District with AO, Airport Overlay District; and C-2, Neighborhood Shopping District with AO, Airport Overlay District.
- September 5, 2006 City Commission approves Ordinance Nos. 6564 and 6564 annexing and rezoning Stone Pointe Unit Two, to R, Single-Family Residential District with AO, Airport Overlay District; and R-3, Multiple-Family Residential District with AO, Airport Overlay District; and C-2, Neighborhood Shopping District with AO, Airport Overlay District.
- November 6, 2006 Manhattan Urban Area Planning Board approves Preliminary Plat of Stone Pointe Addition, Unit Two.
- October 18, 2010 Manhattan Urban Area Planning Board recommends approval of Independence Place PUD (former Lot 169 of the approved Preliminary Plat) from R-3, Multiple-Family Residential District and AO, Airport Overlay District, to PUD, Residential Planned Unit Development District and AO, Airport Overlay District with nine conditions.
- November 16, 2010 City Commission overrides Planning Board to add Condition 10 and approves first reading of an ordinance rezoning Independence Place PUD from R-3, Multiple-Family Residential District and AO, Airport Overlay District, to PUD, Residential Planned Unit Development District and AO, Airport Overlay District with ten conditions of approval.
- December 7, 2010 City Commission overrides Planning Board and approves Ordinance No. 6867 rezoning the proposed Independence Place PUD with AO, Airport Overlay District, based on the findings in the Staff Report with the nine conditions of approval recommended by the Planning Board, and adding Condition 10.
- January 20, 2011 Manhattan Urban Area Planning Board approves the Final Development Plan and Final Plat of Independence Place, Residential Planned Unit Development.
- March 1, 2011 City Commission accepts easements and rights-of-ways as shown on the Final Plat of Independence Place Addition, Residential Planned Unit Development.

Attachment No. 2

- April 16, 2012 Manhattan Urban Area Planning Board reapproves the Final Development Plan and Final Plat of Independence Place, Residential Planned Unit Development, because the Final Plat had not been filed within one year of its original approval.
- May 1, 2012 City Commission accepts easements and rights-of-ways as shown on the Final Plat of Independence Place Addition, Residential Planned Unit Development.

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 District is designed to provide a single-family dwelling zone at a density no greater than one dwelling unit per 10,000 square feet. Lots shown on the R District portion of the proposed Preliminary Plat of the Ledgestone Ridge, exceed 10,000 square feet in area.

The C-2 District is designed to provide a broad range of retail shopping facilities and services located to serve one or more residential areas.

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).

The proposed rezoning requests are consistent with the purpose and intent of the Zoning Regulations.

Attachment No. 2

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.

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 Ledgestone Ridge from Independence Place PUD, Residential Planned Unit Development and R-3, Multiple-Family Residential District to R, Single-Family Residential District, with AO, Airport Overlay District and C-2, Neighborhood Shopping District with AO, Airport Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Ledgestone Ridge from Independence Place PUD, Residential Planned Unit Development and R-3, Multiple-Family Residential District to R, Single-Family Residential District, with AO, Airport Overlay District and C-2, Neighborhood Shopping 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 Ledgestone Ridge from Independence Place PUD, Residential Planned Unit Development and R-3, Multiple-Family Residential District to R, Single-Family Residential District, with AO, Airport Overlay District and C-2, Neighborhood Shopping District with AO, Airport Overlay District, based on the findings in the Staff Report.

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

DATE: December 1, 2015

CB/vr
15026}SR}LedgestoneRezoning_PUD&R3toR&C2

University

Realignment of Intersection at Thurston Street and Lover's Lane (\$149,283.00) (First of 2-year request)

The University will use a maximum of \$149,283.00 on intersection improvements at Lover's Lane and Thurston Street. This project shifts Lover's Lane to the north in order to align directly across from Thurston Street. Two new crosswalks will be constructed with lights, street lighting, and Americans with Disability Act (ADA) curb cuts. Also included is a bicycle contraflow lane. Stormwater improvements are also included in this project.

Student Union Forum Hall Accessibility Renovations (\$200,000.00)

The University will use a maximum of \$200,000.00 on accessibility renovations to the Student Union Forum Hall. This project provides accessibility renovations and improvements to K-State Forum Hall. Forum Hall was built in 1970 and lacks adequate ADA accessibility items due to its age.

The total amount proposed for University projects in 2016 is \$349,283.00.

City

North Manhattan Avenue Improvements (\$200,000.00) (First of 3-year request)

The City shall use a maximum of \$200,000.00 to construct curb and gutter, storm sewer, sidewalk, grading, retaining wall, signal, and road improvements to North Manhattan Avenue adjacent to K-State Research Park.

Sidewalk Construction at Sunset Avenue (\$50,000.00)

The City shall use a maximum of \$50,000.00 of the Grant Funds to assist with sidewalk improvements on the east side of Sunset Avenue between College Heights Road and Montgomery Drive. The project will provide improvements for pedestrian traffic in area, which is expected to increase with opening of new K-State Dorm, Wefald Hall.

Colbert Hills Special Assessment Support (\$30,000.00) (First of 3-year request)

The City shall use a maximum of \$30,000.00 to assist in payment of special assessment tax funding associated with the construction of Grand Mere Parkway. Support payment will be contingent on Colbert Hills providing a profit-loss statement to City staff that shows no profit was made year prior.

The total amount for the City is \$280,000.00, with total funding for projects out of the City-University Fund set at \$629,283.00.

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: R-M, Four-Family Residential District with TNO, Traditional Neighborhood Overlay District.

TO: R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District.

APPLICANT: SMH Consultants, Jeff Hancock on behalf of the Property Owner

ADDRESS: 2017 Vanesta Place, Suite 110, Manhattan, KS 66503

OWNERS: Fieldhouse Development, Zac Burton

ADDRESS: 2917 Tobacco Road, Manhattan, KS 66503

LEGAL DESCRIPTION: Lot 129 and the East Half of Lot 130, Ward 4

LOCATION: The rezoning site 801 Moro Street. Which is generally located to the southeast of the intersection of N. 8th Street and Moro Street.

AREA: 11,210 square feet (.26 acres)

DATE OF NEIGHBORHOOD MEETING: November 4, 2015

DATE OF PUBLIC NOTICE PUBLICATION: December 14, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: January 4, 2016
CITY COMMISSION: February 2, 2016

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

- 1. EXISTING USE:** The site is currently vacant. The structure was demolished in November, 2015. The structure was 2-stories tall and contained 6 dwelling units.
- 2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The rezoning site is generally flat. The site drains to the alley and/or street.

The site did have a residential structure and open yard area along Moro Street and N. 8th Street. Off-street parking for the house was accessed from the alley.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Moro Street, a mix of single-family, two-family, and multiple-family dwellings; The Moro Residential PUD and R-M/TNO District.

SOUTH: Paved public alley, a mix of single-family, two-family, and multiple-family dwelling units, Laramie Street; R-M/TNO District.

EAST: N. 8th Street, a mix of single-family and two-family and multiple-family dwelling units, R-M/TNO District.

WEST: A mix of single-family, two-family, multiple-family dwelling units, including newer apartment buildings to the west of N. 9th Street, R-M/TNO and R-3, Multiple-Family Residential District and M-FRO, Multi-Family Redevelopment Overlay District.

4. GENERAL NEIGHBORHOOD CHARACTER: The surrounding neighborhood is a mix of single-family, two-family and multiple-family dwellings, the majority of which are renter occupied units. To the north of the site is The Moro Residential PUD, a 16-unit apartment complex. To the west of N. 9th Street and north of the mid-block alley between Laramie Street and Moro Street are properties zoned R-3/M-FRO District and consists of mostly large-scale apartment buildings

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is an approximately 11,200 square foot vacant tract. The previously structure was razed in November, 2015. According to the Riley County appraiser, the previous structure had 6 dwelling units within it. The 6 dwelling units were nonconforming to the current zoning district, which would allow as many as 4 dwelling units on the site. Because the property owner razed the structure, the current zoning regulations apply. Any previous legal nonconforming status is lost.

The site is suitable for development under the current zoning regulations.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: An increase in noise, light and traffic can be expected if the proposed rezoning is approved, however this should not be inconsistent with the surrounding area. As previously mentioned above in the “General Neighborhood Character” standard, the area is a mixture of single-family, two-family, and multiple-family

dwelling units. The majority of the residential properties in the area are rental properties. To the north of the site is a 16-unit apartment building constructed in 2005. To the west of N. 9th Street and north of the mid-block alley between Moro Street and Laramie Street are properties zoned R-3/M-FRO containing a number of multiple-family apartment buildings.

The applicants have proposed to construct a new apartment building on the site. The proposed rezoning will permit construction of an apartment building with as many as 11 dwelling units, but will be required to follow the current M-FRO site and design standards.

The applicant held a neighborhood meeting on November 4, 2015. According to the applicant's meeting summary, no one attended the meeting.

The proposed rezoning should be compatible with the surrounding properties.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:** The Core Area Neighborhoods Future Land Use Map of the recently updated and adopted 2015 Comprehensive Plan Update shows the site designated as RHD, Residential High Density. The 2003 Comprehensive Plan showed this area as RLM, Residential Medium to High Density. Policies of the RHD categories are below:

RHD-1: Characteristics

The Residential High Density designation is designed to create opportunities for higher density neighborhoods adjacent to the KSU campus and in other more urban parts of the core area of the community, and in a suburban setting. Within the core area or in Downtown, the designation accommodates higher-intensity residential housing, such as mid-rise apartments, townhomes and condominiums, combined with complementary non-residential land uses, such as retail, service commercial, and office uses, often within the same building. In other areas of the community, Residential High Density neighborhoods can be accommodated in a less vertical or urban fashion, such as in planned apartment communities with complimentary neighborhood service commercial, office, and recreational facilities. These neighborhoods could be implemented through a Planned Unit Development or by following design and site plan standards during the design review process.

RHD-2: Appropriate Density Range

Possible densities under this designation are 19-50 dwelling units per net acre and greater.

Attachment No. 4

RHD-3: Location

Residential High Density uses are typically located near intersections of arterials and collector streets, sometimes providing a transition between commercial or employment centers and lower density neighborhoods. Concentrations of Residential High Density are designated west and east of the KSU campus and in the Aggieville vicinity to promote expanded student housing options within walking distance of campus. In a more urban setting or in Downtown, Residential High Density may be combined with active non-residential uses in a vertically mixed-use building. Outside of the core area, Residential High Density uses should not be located in settings where the only access provided consists of local streets passing through lower density neighborhoods.

RHD-4: Building Massing and Form

Avoid plain, monolithic structures or blank walls on the backs or sides of buildings. In a planned apartment community context, large buildings should incorporate a variety of design elements to create visual interest. Infill projects should be consistent with area-specific design standards or guidelines, as adopted.

RHD-5: Mix of Uses

Encourage the integration of neighborhood serving retail uses (e.g., drycleaners, coffee shop) on the ground level of high density residential buildings where viable, typically in areas with high visibility and/or pedestrian activity. Nonresidential uses should generally not exceed twenty-five percent of the total floor area in a mixed-use structure; however, actual percentages will be driven by market demand and the surrounding site context.

RHD-6: Parking Location and Design

Locate off-street surface parking behind buildings, tucked under buildings (e.g., podium parking), or within parking structures in established core area neighborhoods and the Downtown to maintain a pedestrian-oriented street frontage. Integrate structured parking garages and tuck-under parking with the overall design of the building they are intended to serve. The incorporation of active uses, such as retail, into the ground floor of freestanding parking structures included as part of multi-block developments.

The R-3/M-FRO Districts allow for 1 dwelling unit per 1,000 square feet of lot area. Based on the maximum number of dwelling units allowed for the site (11 dwelling units), the maximum residential density could be as high as 42 dwelling units per net acre, provided they could meet all the other requirements, including parking.

The proposed rezoning of the site to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District conforms to the policies of the 2015 Manhattan Urban Area Comprehensive Plan and the M-FRO expansion area identified on the Future Land Use map.

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

1925:	A, First Dwelling House: One and Two Family Dwellings
1937 - 1969:	B, Second Dwelling House: One and Two Family Dwellings, Apartment Houses
1969 - 1987:	R-3, Multiple-Family Residential District
1987 - 2004:	R-M, Four-Family Residential District
February 19, 2004	Manhattan Urban Area Planning Board holds public hearings to consider Phase 3 rezonings of Sub Area D, and recommends approval, on vote of 6-0, based on the Traditional Neighborhood Study. (NOTE: The site is located in Sub Area D.)
March 16, 2004	City Commission, on a vote of 5-0, approves, first reading of an ordinance rezoning the Phase 3 Sub Area D, as recommended by City Administration and the Planning Board.
April 6, 2004	City Commission approves Ordinance Nos. 6395 rezoning the Phase 3 Sub Area D, as recommended by City Administration and the Planning Board.

The house on the site was constructed in 1920s, according.

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 R-3 District is designed to provide for multiple-family dwellings at a density no greater than 1 dwelling unit per 1,000 square feet. The M-FRO District is designed to ensure that multiple-family infill development is functionally integrated into surrounding areas and compatible with the traditional character of the older neighborhoods of Manhattan. The intent is to provide a framework within which higher density housing can be built, while being sensitive to surrounding neighborhoods and the public streetscape with regard to design and site layout.

Attachment No. 4

The site is 11,210 square feet in area and conforms to the minimum R-3 District requirements. The M-FRO District has specific site and building design standards that ensure that redevelopment meets the intent of the overlay district. These standards will be required to be met during the building permit review and construction inspection processes on the site. The proposed rezoning conforms to the intent of the Zoning Regulations.

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 would accomplish. No expected adverse impacts on the public health, safety and welfare are anticipated as a result of the rezoning. The M-FRO District requirements will be handled with the building permit and construction processes.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street, sanitary sewer and water services are available to serve the site. An existing sidewalk is located to the north of the site along Moro Street. The existing mid-block alley south of the site is paved.

12. OTHER APPLICABLE FACTORS: The gravel public alleyways throughout the M-FRO District are a known issue due to the deteriorated condition of these alleys from which most apartment buildings access their off-street parking lots. The City is researching a variety of alternatives to address this issue throughout the redevelopment overlay district. City Administration will be scheduling a work session with the City Commission to discuss this issue in the near future.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of 801 Moro Street from R-M, Four-Family Residential District with TNO, Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of 801 Moro Street from R-M, Four-Family Residential District with TNO, Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.

Attachment No. 4

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 801 Moro Street from R-M, Four-Family Residential District with TNO, Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report.

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

DATE: December 14, 2015

CB/VR
16001}SR}801Moro_RMTNO_R3MFRO

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: R-1, Single-Family Residential District with TNO, Traditional Neighborhood Overlay District.

TO: R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District.

APPLICANT: SMH Consultants, Jeff Hancock on behalf of the Property Owner

ADDRESS: 2017 Vanesta Place, Suite 110, Manhattan, KS 66503

OWNERS: Fieldhouse Development, Zac Burton

ADDRESS: 2917 Tobacco Road, Manhattan, KS 66503

LEGAL DESCRIPTION: The legal descriptions of the rezoning site are:

917 Thurston Street: Lot 504, Ward 3, City of Manhattan, Riley County, Kansas.

919 Thurston Street: Lot 505, Ward 3, City of Manhattan, Riley County, Kansas.

923 Thurston Street: Lot 506, Ward 3, City of Manhattan, Riley County, Kansas.

LOCATION: The rezoning site is located approximately 100 feet east of the intersection of N. 10th Street and Thurston Street along the south side of Thurston Street.

AREA: The total area of the rezoning site is approximately 22,500 square feet in area, having a total dimensioned area of 150 feet in width by 150 feet in depth consisting of:

- Lot 504 is 50 feet in width and 150 feet in depth, or 7,500 square feet in area.
- Lot 505 is 50 feet in width and 150 feet in depth, or 7,500 square feet in area.
- Lot 505 is 50 feet in width and 150 feet in depth, or 7,500 square feet in area.

DATE OF NEIGHBORHOOD MEETING: November 4, 2015

DATE OF PUBLIC NOTICE PUBLICATION: December 14, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: January 4, 2016
CITY COMMISSION: February 2, 2016

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: (Note: Existing use information was obtained from the Riley County GIS web page):

The existing use of 917 Thurston Street is a 1½ story full basement, 4 bedroom, 1 bathroom, single-family bungalow style dwelling unit structure constructed in 1948.

The existing use of 919 Thurston Street is a 2 story full basement, 5 bedroom, 2 bathroom, bungalow style, single-family dwelling unit structure constructed in 1930.

The existing use of 923 Thurston Street is a 1½ story full basement, 4 bedroom, 2 bathrooms, bungalow style, single-family dwelling unit structure constructed in 1927.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The rezoning site is generally flat with existing residential structures, open yards, and mature trees. The site drains to the alley and/or street.

919 Thurston Street has off-street parking accessed off the alley. 917 Thurston Street and 923 Thurston Street have existing driveways on the side of the structures leading off-street parking at the side and rear of the lots. These parking areas are also accessible from the alley.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Thurston Street, single-family and two-family dwelling units, Bertrand Street; R-1/TNO District.

SOUTH: Public alley, recently constructed twelve-unit apartment building, mix of single-family, two-family, a three-family, and four-family dwellings, and Kearney Street; R-3/M-FRO District.

WEST: Two-family dwelling units, R-2/TNO District; N. 10th Street; two-family dwellings and recently constructed 18-unit and 12-unit apartment buildings, R-2, Two-Family Residential District with TNO, Traditional Neighborhood Overlay District and R-3/M-FRO District.

EAST: mix of single-family and two-family dwelling units, N. 9th Street; R-1/TNO District.

4. **GENERAL NEIGHBORHOOD CHARACTER:** The surrounding neighborhood is a mix of single-family, two-family and multiple-family dwellings, the majority of which are renter occupied units. The immediate area is at the convergence of three different zoning districts as noted above. To the west and south of the rezoning site are predominately multiple-family dwellings in the R-3/M-FRO District. To the northwest, north, and east and southeast of the site, the land use is predominately single-family and two-family dwellings (R-2/TNO and R-1/TNO).
5. **SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The rezoning site consists of three 7,500 square foot lots, which individually, conform to the minimum lot size requirements for a single-family detached dwelling. The 3 lots are suitable for the uses under the current R-1/TNO Districts.
6. **COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** An increase in noise, light and traffic can be expected if the proposed rezoning is approved, however this should not be inconsistent with the surrounding area. As previously mentioned above in the “General Neighborhood Character” standard, the area is a mixture of single-family, two-family, and multiple-family dwelling units. The majority of the residential properties in the area are rental properties. To the west of N. 11th Street and south of site along Kearney Street are properties zoned R-3/M-FRO containing a number of multiple-family apartment buildings. In 2013 and July, 2015, five (5) Ward lots in the 1000 block of Thurston were rezoned from R-2/TNO District to R-3/M-FRO District.

The proposed rezoning will permit construction of an apartment building up to 22 dwelling units. However, the new apartment building will be required to follow the current M-FRO site and design standards, as well as minimum off-street parking requirements.

The applicant held a neighborhood meeting on November 4, 2015. According to the applicant’s meeting summary, 2 neighbors attended the meeting. The 2 attendees voiced concerns about impacted their property values and their property taxes.

The proposed rezoning should be compatible with the surrounding properties.

7. **CONFORMANCE WITH COMPREHENSIVE PLAN:** The Core Area Neighborhoods Future Land Use Map of the recently updated and adopted 2015 Comprehensive Plan Update shows the site designated as RHD, Residential High Density. The 2003 Comprehensive Plan showed this area as RLM, Residential Low to Medium Density. Policies of the RHD categories are below:

RHD-1: Characteristics

The Residential High Density designation is designed to create opportunities for higher density neighborhoods adjacent to the KSU campus and in other more urban parts of the core area of the community, and in a suburban setting. Within the core area or in Downtown, the designation accommodates higher-intensity residential housing, such as mid-rise apartments, townhomes and condominiums, combined with complementary non-residential land uses, such as retail, service commercial, and office uses, often within the same building. In other areas of the community, Residential High Density neighborhoods can be accommodated in a less vertical or urban fashion, such as in planned apartment communities with complimentary neighborhood service commercial, office, and recreational facilities. These neighborhoods could be implemented through a Planned Unit Development or by following design and site plan standards during the design review process.

RHD-2: Appropriate Density Range

Possible densities under this designation are 19-50 dwelling units per net acre and greater.

RHD-3: Location

Residential High Density uses are typically located near intersections of arterials and collector streets, sometimes providing a transition between commercial or employment centers and lower density neighborhoods. Concentrations of Residential High Density are designated west and east of the KSU campus and in the Aggieville vicinity to promote expanded student housing options within walking distance of campus. In a more urban setting or in Downtown, Residential High Density may be combined with active non-residential uses in a vertically mixed-use building. Outside of the core area, Residential High Density uses should not be located in settings where the only access provided consists of local streets passing through lower density neighborhoods.

RHD-4: Building Massing and Form

Avoid plain, monolithic structures or blank walls on the backs or sides of buildings. In a planned apartment community context, large buildings should incorporate a variety of design elements to create visual interest. Infill projects should be consistent with area-specific design standards or guidelines, as adopted.

RHD-5: Mix of Uses

Encourage the integration of neighborhood serving retail uses (e.g., drycleaners, coffee shop) on the ground level of high density residential buildings where viable, typically in areas with high visibility and/or pedestrian activity. Nonresidential uses should generally not exceed twenty-five percent of the total floor area in a mixed-use structure; however, actual percentages will be driven by market demand and the surrounding site context.

RHD-6: Parking Location and Design

Locate off-street surface parking behind buildings, tucked under buildings (e.g., podium parking), or within parking structures in established core area neighborhoods and the Downtown to maintain a pedestrian-oriented street frontage. Integrate structured parking garages and tuck-under parking with the overall design of the building they are intended to serve. The incorporation of active uses, such as retail, into the ground floor of freestanding parking structures included as part of multi-block developments.

The R-3/M-FRO Districts allow for 1 dwelling unit per 1,000 square feet of lot area. An apartment building with as many as 22 dwelling units could be constructed on the approximate 22,500 square foot site. Based on the maximum number of dwelling units allowed for the site the maximum residential density could be as high as 44 dwelling units per net acre, provided they could meet all the other requirements including parking.

The proposed rezoning of the site to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District conforms to the policies of the 2015 Manhattan Urban Area Comprehensive Plan and the M-FRO expansion area identified on the Future Land Use map.

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

1925:	A, First Dwelling House: One and Two Family Dwellings
1937 - 1965:	B, Second Dwelling House: One and Two Family Dwellings, Apartment Houses
1969 - 1987:	R-3, Multiple-Family Residential District
1987 - 2004:	R-2, Two-Family Residential District
February 19, 2004	Manhattan Urban Area Planning Board holds public hearings to consider Phase 3 rezonings of Sub Area C, and recommends approval, on vote of 6-0, based on the Traditional Neighborhood Study. (NOTE: The three lots are located in Sub Area C.)
March 16, 2004	City Commission, on a vote of 5-0, approves, first reading of an ordinance rezoning the Phase 3 Sub Area C, as recommended by City Administration and the Planning Board.

April 6, 2004 City Commission approves Ordinance Nos. 6394 rezoning the Phase 3 Sub Area C, as recommended by City Administration and the Planning Board.

The house at 917 Thurston Street was built in 1948, the house at 919 Thurston Street was built in 1930 and the house at 923 Thurston Street was built in 1927.

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 R-3 District is designed to provide for multiple-family dwellings at a density no greater than 1 dwelling unit per 1,000 square feet. The M-FRO District is designed to ensure that multiple-family infill development is functionally integrated into surrounding areas and compatible with the traditional character of the older neighborhoods of Manhattan. The intent is to provide a framework within which higher density housing can be built, while being sensitive to surrounding neighborhoods and the public streetscape with regard to design and site layout.

The site is 22,500 square feet in area and conforms to the minimum R-3 District requirements. The M-FRO District has specific site and building design standards that ensure that redevelopment meets the intent of the overlay district. These standards will be required to be met during the building permit review and construction inspection processes on the site. The proposed rezoning conforms to the intent of the Zoning Regulations.

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 would accomplish. No expected adverse impacts on the public health, safety and welfare are anticipated as a result of the rezoning. The M-FRO District requirements will be handled with the building permit and construction processes.
11. **ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** Adequate street, sanitary sewer and water services are available to serve the site. An existing sidewalk is located to the north of the site along Thurston Street. The existing mid-block alley south of the site is not currently paved.

12. OTHER APPLICABLE FACTORS: The gravel public alleyways throughout the M-FRO District are a known issue due to the deteriorated condition of these alleys from which most apartment buildings access their off-street parking lots. The City is researching a variety of alternatives to address this issue throughout the redevelopment overlay district. City Administration will be scheduling a work session with the City Commission to discuss this issue in the near future.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of 917, 919 and 923 Thurston Street from R-1, Single-Family Residential District with TNO, Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of 917, 919 and 923 Thurston Street from R-1, Single-Family Residential District with TNO, Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report.
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 917, 919 and 923 Thurston Street from R-1, Single-Family Residential District with TNO, Traditional Neighborhood Overlay District, to R-3/M-FRO, Multiple-Family Residential District with Multi-Family Redevelopment Overlay District, based on the findings in the Staff Report.

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

DATE: December 15, 2015