



MINUTES
CITY COMMISSION MEETING
TUESDAY, FEBRUARY 16, 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, Legal Counsel Bill Frost, City Clerk Gary S. Fees, 8 staff, and approximately 25 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor McCulloh led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner Butler informed the community that he was not fundamentally opposed to the tax lid, but was opposed to legislators forcing us to do it and the way it was enacted. He stated that his preference was to see local government scrutinize their own budgets closer to keep property tax levels at a more reasonable rate. He said that his appraisal from Riley County on a vacant lot that he owns next to his home was a significant increase at 45 percent in value.

Commissioner Reddi stated that the Riley County Police Department (RCPD) held their annual awards ceremony to recognize the police department and its officers. She thanked the police officers for their great work and for doing their duties so well. She stated that RCPD is one of the major agencies that is primarily funded by property taxes.

Mayor McCulloh provided additional information on the importance of RCPD and an award received at a recent Law Board meeting. She recognized Annamary M. Hosler who recently passed away and who was the first woman to serve on the police force from 1963 to 1986. She stated that a delegation from RCPD attended her funeral service. She stated the tax lid for growing cities, like Manhattan, will make it very difficult to appropriately fund RCPD, the Manhattan Fire Department, and other agencies and services that are needed to respond to the growth and demands on our community.

COMMISSIONER COMMENTS (*CONTINUED*)

Ron Fehr, City Manager, stated that he was pleased to announce the appointment of Susan Adams as new director of the Flint Hills Discovery Center.

CONSENT AGENDA (* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, February 2, 2016.

CLAIMS REGISTER NOS. 2812 and 2813

The Commission approved Claims Register Nos. 2812 and 2813 authorizing and approving the payment of claims from January 27, 2016, to February 9, 2016, in the amounts of \$309,416.00 and \$2,681,447.33, respectively.

LICENSE

The Commission approved an annual Cereal Malt Beverages Off-Premises License for Wal-Mart #35, 101 Bluemont Avenue.

FINAL PLAT – LANSDOWNE ADDITION, UNIT THREE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Lansdowne Addition, Unit Three, generally located to the northwest of the intersection of Anderson Avenue and Christy Drive, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7197 – ISSUE GENERAL OBLIGATION BONDS – WILDCAT CREEK LIFT STATION, PHASE 3-BANK STABILIZATION (SS1424, CIP #WW016P)

The Commission approved Ordinance No. 7197 authorizing the issuance of general obligation bonds to finance the Wildcat Creek Lift Station, PH 3, Bank Stabilization Project (SS1424, CIP #WW016P).

ORDINANCE NO. 7198 – REZONE – 2600 EUREKA TERRACE

The Commission approved Ordinance No. 7198 rezoning 2600 Eureka Terrace (Lots 19 and 20, Eureka Addition) from I-3/AO, Light Industrial District with Airport Overlay District, to C-6/AO, Heavy Commercial District with Airport Overlay District, based on the findings in the Staff Report (*See Attachment No. 1*) and the recommendation of the Planning Board.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7199 – LEVY SPECIAL ASSESSMENTS (GOB 2016-A)

The Commission approved Ordinance No. 7199 levying special assessments against the benefiting properties in the following 17 public improvement districts: ***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).

RESOLUTION NO. 021616-A – ISSUE – TEMPORARY NOTE SERIES 2016-01

The Commission approved accepting the best bid for selling the notes from Hutchinson, Shockey, Erley & Co., of Chicago, Illinois; and approved Resolution No. 021616-A issuing Temporary Note Series No. 2016-01 in the amount of \$2,495,000.00 to finance: ***Lee Mill Heights, Unit Ten*** – Sanitary Sewer (SS1512), Street (ST1509), Water (WA1512), and; Stormwater (SM1513); ***Airport Road Improvements*** – Street (ST1408) and Stormwater (SM1403); ***General Aviation/Fixed Base Operator Improvements*** – Street (AP1401) and Stormwater (SM1408); and ***Poyntz Pump Station Inlet RCB Extension*** – Stormwater (SM1309).

RESOLUTION NO. 021616-B – TRANSFER IRB PROPERTY TO GTM – 1200 KRETSCHMER DRIVE

The Commission approved Resolution No. 021616-B authorizing the Mayor and City Clerk to execute documents transferring title to and releasing the lease with Dreiling Real Estate, LLC, for the property located at 1200 Kretschmer Drive.

RESOLUTION NO. 021616-C – AMENDED PETITION – GRAND MERE PARKWAY EXTENSION STREET IMPROVEMENTS (ST1411)

The Commission found the amended petition sufficient, and approved Resolution No. 021616-C, rescinding Resolution No. 102114-C and finding the project advisable and authorizing construction for the Grand Mere Parkway Extension Street Improvements (ST1411).

CONSENT AGENDA (CONTINUED)

REJECT BID – AIRPORT MILITARY ENTRANCE PROJECT (SM1407)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$564,331.50; rejected the only bid in the amount of \$672,014.35 from Ebert Construction, of Wamego, Kansas; and authorized City Administration to rebid the Airport Military Entrance Project (SM1407) at a later date.

AWARD CONTRACT – BALTUSROL ADDITION – SANITARY SEWER (SS1514), WATER (WA1516), AND STREET (ST1514) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$1,055,765.75; awarded a construction contract in the amount of \$837,497.85 to Bayer Construction, of Manhattan, Kansas; and authorized the Mayor and City Clerk to execute the construction contract for the Baltusrol Addition Sanitary Sewer (SS1514), Water (WA1516), and Street (ST1514) Improvements.

PURCHASE – UNIT 73 – PARKS DIVISION – ONE-TON FOUR-WHEEL DRIVE TRUCK WITH BED (CIP #CP166E)

The Commission authorized City Administration to purchase a one-ton four-wheel drive truck with bed for the Parks Division (CIP #CP166E) in the amount of \$51,913.00 from Shawnee Mission Ford, of Shawnee, Kansas, to be paid from the General Fund, and to dispose of as excess property at a later date.

PURCHASE – UNIT 137 – PARKS DIVISION – ONE-TON FOUR-WHEEL DRIVE TRUCK WITH BED (CIP #CP046E)

The Commission authorized City Administration to purchase a one-ton four-wheel drive truck with beds for the Parks Division (CIP #CP046E) in the amount of \$49,657.00 from Shawnee Mission Ford, of Shawnee, Kansas, to be paid from the General Fund, and to dispose of as excess property at a later date.

PURCHASE – UNIT #5 – ENGINEERING DIVISION – ¾-TON FOUR-WHEEL DRIVE CREW CAB PICKUP (CIP #EN070E)

The Commission authorized City Administration to purchase, utilizing State vehicle bids, a ¾-ton four-wheel drive crew cab pickup for the Engineering Division (Unit #5, CIP #EN070E), in the amount of \$27,472.11 from Shawnee Mission Ford, of Shawnee, Kansas, to be paid from the General Fund, and to dispose of as excess property once the replacement vehicle is received.

CONSENT AGENDA (CONTINUED)

PURCHASE – UNIT #6 – ENGINEERING DIVISION – 1/2-TON EXTENDED CAB PICKUP (CIP #EN057E)

The Commission authorized City Administration to purchase, utilizing State vehicle bids, a ½-ton extended cab pickup for the Engineering Division (Unit #6, CIP #EN057E), in the amount of \$19,323.00 from Shawnee Mission Ford, of Shawnee, Kansas, to be paid from the General Fund, and to dispose of as excess property once the replacement vehicle is received.

PURCHASE – UNIT #59 – WASTEWATER DIVISION – 1/2-TON PICKUP (CIP #WW116E)

The Commission authorized City Administration to purchase, utilizing State vehicle bids, a ½-ton pickup for the Wastewater Division (Unit #59, CIP #WW116E), in the amount of \$18,530.00 from Shawnee Mission Ford, of Shawnee, Kansas, to be paid from the Wastewater Fund, and to dispose of as excess property once the replacement vehicle is received.

PURCHASE – UNIT #295 – STORMWATER DIVISION – 1/2-TON EXTENDED CAB PICKUP (CIP #SW074E)

The Commission authorized City Administration to purchase, utilizing State vehicle bids, a ½-ton extended cab pickup for the Stormwater Division (Unit #295, CIP #SW074E) in the amount of \$19,873.00 from Shawnee Mission Ford, of Shawnee, Kansas, to be paid 25% from the General Fund, 25% from the Stormwater Fund, 25% from the Wastewater Fund, and 25% from the Water Fund.

PURCHASE – UNIT #4 – ENGINEERING DIVISION – COMPACT SUV (CIP #EN058E)

The Commission authorized City Administration to purchase a compact SUV for the Engineering Division (Unit #4, CIP #EN058E) in the amount of \$21,777.00 from Davis Moore Auto, of Wichita, Kansas, to be paid from the General Fund, and to dispose of as excess property once the replacement vehicle is received.

BOARD APPOINTMENTS

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

Aggieville Business Improvement District Advisory Board

Appointment of Scott Bauer, 1811 Browning Avenue, to a three-year term. Mr. Bauer's term begins immediately, and will expire December 31, 2018.

CONSENT AGENDA (*CONTINUED*)

BOARD APPOINTMENTS (*CONTINUED*)

Arts and Humanities Advisory Board

Appointment of Wayne Goins, 544 Oakdale Drive, to a three-year term. Mr. Goins' term will begin April 1, 2016, and will expire March 31, 2019.

Downtown Business Improvement District Advisory Board

Appointment of Joe Stock, 411 Edgerton Avenue, to a two-year term. Mr. Stock's term begins immediately, and will expire December 31, 2017.

Housing Authority Board of Commissioners

Re-appointment of Janis Galitzer, 1504 Humboldt Street, to a four-year term. Ms. Galitzer's term will begin March 4, 2016, and will expire March 3, 2020.

Municipal Audit Committee

Re-appointment of Jane Bloodgood, 3100 Willowood Circle, to a three-year Citizen At-Large term. Ms. Bloodgood's term will begin April 1, 2016, and will expire March 31, 2019.

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

GENERAL AGENDA

AGREEMENTS - CONSULTANT - PARKS AND RECREATION FACILITY FEASIBILITY STUDY

Eddie Eastes, Director of Parks and Recreation, presented an overview of the item. He highlighted the scope of the project with Bruce McMillan Architects, AIA; discussed the project timeline; and provided information on the appointment process for the steering committee. He then responded to questions from the Commission regarding the size and scope of the steering committee, discussed the feasibility study needed to evaluate Douglass Park as a potential indoor recreation center site, and stated that a Joint Work Session with the City Commission and the Parks and Recreation Advisory Board would be scheduled for Tuesday, April 26, 2016.

After comments and questions from the Commission, Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission regarding the steering committee and the process. He stated that a professional study is critical to understanding capital costs and operational costs, especially for the indoor facilities component.

GENERAL AGENDA (CONTINUED)

AGREEMENTS - CONSULTANT - PARKS AND RECREATION FACILITY FEASIBILITY STUDY (CONTINUED)

Ron Fehr, City Manager, informed the Commission that the City would seek federal funds for a potential Douglass Community Center project. He stated there will need to be a lot of information gathered to demonstrate why the Community Center is needed for that neighborhood.

Eddie Eastes, Director of Parks and Recreation, provided additional information on the item and the evaluation of operational costs. He stressed the importance to develop private and public partnerships.

After comments and suggestions were expressed by the Commission, Bruce McMillan, Bruce McMillan Architects, AIA, thanked the Commission for the opportunity and consideration of the proposal. He highlighted additional professional firms that have been identified to bring their unique expertise into the engagement process.

Eddie Eastes, Director of Parks and Recreation, provided additional information on the item and responded to questions from the Commission regarding the Unified School District (USD) 383 Board of Education and the need to create strong partnerships with both the public and private sectors.

Mayor McCulloh opened the public comments.

Joe Knopp, 620 Humboldt Street, informed the Commission that it seems backward to talk with USD 383 school district tomorrow and a bit presumptuous to commit to the feasibility study tonight. He voiced concern with the initial costs and ongoing operational and programming costs, and the additional staffing expenses to operate new facilities. He encouraged the Commission to utilize existing facilities and gyms in the community that are already owned by the City and the school district.

Ron Fehr, City Manager, responded to questions from the Commission. He stated that the costs for the feasibility study would come out of the Parks and Recreation Fund.

Eddie Eastes, Director of Parks and Recreation, provided additional information on the item and the timeline of the feasibility study. He responded to additional questions from the Commission and stated that this is a phased approach and that additional information and findings in the feasibility study will be brought before the City Commission and the Parks and Recreation Advisory Board at a Joint Work Session on April 26, 2016.

Joe Knopp, 620 Humboldt Street, informed the Commission that working with the school district will be very important and reiterated his concern in spending money on a feasibility study.

GENERAL AGENDA (CONTINUED)

AGREEMENTS - CONSULTANT - PARKS AND RECREATION FACILITY FEASIBILITY STUDY (CONTINUED)

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

After additional comments and discussion of the Commission, Commissioner Reddi moved to authorize City Administration to finalize and the Mayor and City Clerk to execute an agreement in an amount not to exceed \$126,055.00 with Bruce McMillan Architects, AIA, P.A., of Manhattan, Kansas, for the Parks and Recreation Facility Feasibility Study and a separate agreement in an amount not to exceed \$34,955.00 for the Douglass Park Southeast Neighborhood Recreation Center Feasibility Study, and appoint Steering Committee members (*See Attachment No. 2*) to work with Bruce McMillan Architects AIA, P.A. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - FINAL DEVELOPMENT PLAN - LOT 2, HERITAGE SQUARE SOUTH, UNIT FOUR, COMMERCIAL PLANNED UNIT DEVELOPMENT (HYPERSPACE)

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then responded to questions from the Commission regarding traffic speeds on US-24 Highway and access points.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

After discussion, Commissioner Butler moved to approve first reading of an ordinance amending Ordinance Nos. 6607, 7062, and 7139 and the Preliminary Development Plan for Lot 2, Heritage Square South Unit Four, Commercial Planned Unit Development, generally located southeast of the intersection of South Port Drive and US-24 Highway, to be known as the Final Development Plan Lot 2, Heritage Square South, Unit Four, Commercial Planned Unit Development, based on the findings in the Staff Report (*See Attachment No. 3*). Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READINGS - AMEND MANHATTAN ZONING REGULATIONS and AMEND PENNYS CONCRETE PUD - TRI-VISION OFF-PREMISE ADVERTISING SIGNS

Eric Cattell, Assistant Director for Planning, presented background information and an overview of the item. He highlighted the proposed text amendment to the Manhattan Zoning Regulations and the recommendation of approval from the Manhattan Urban Area Planning Board regarding the item.

GENERAL AGENDA (*CONTINUED*)

FIRST READINGS - AMEND MANHATTAN ZONING REGULATIONS and AMEND PENNYS CONCRETE PUD - TRI-VISION OFF-PREMISE ADVERTISING SIGNS (*CONTINUED*)

Commissioner Dodson voiced his displeasure with the item. He stated the City spent a long time on the sign ordinance regulations, which do not allow for this sign. He provided additional background information, highlighted the initial position of City staff, and stated that everyone was fully aware of the requirements in advance.

Commissioner Reddi said that she agreed with Commissioner Dodson. She stated that the adopted signage regulations are not that difficult to follow and was disappointed in the method pursued to get to where we are today.

Commissioner Morse asked for further clarification about the sign regulations.

Ron Fehr, City Manager, provided clarification on the signage regulations and the provision to grandfather specific signs for a certain number of years.

Eric Cattell, Assistant Director for Planning, stated that the grandfather provision called for a period of five years in the new signage regulations. He provided additional information on the item and responded to questions from the Commission regarding the size of the sign that was constructed and the sign permitting process.

Commissioner Butler stated that he did not want to change the sign regulations because that opens the door for more tri-vision signs. He said this appears to be an oversight and he hated to see people in business getting tripped up by regulations because they did not do their due diligence; however, he stated the sign does not conform.

Mayor McCulloh opened the public comments.

Bart Thomas, Thomas Outdoor Advertising, Inc., informed the Commission that their company lost 29 structures and 56 clients with the new roadway. He stated they looked through the ordinances to see if it was outlawed and stated that it was not in there at all. He said the bordering trim made the sign too large and the actual advertising facing is within the parameters. He stated that it was not a blatant thing that we went out of our way to make a sign a lot larger than what the law had on the books. He also informed the Commission that there are two tri-vision signs further east on the south side of K-18 on the properties in rural Riley County. He stated that they made a mistake and asked the Commission to allow this sign.

Ron Fehr, City Manager, responded to questions from the Commission regarding the process to grant an exception and allow a change to the ordinance.

GENERAL AGENDA (*CONTINUED*)

FIRST READINGS - AMEND MANHATTAN ZONING REGULATIONS and AMEND PENNYS CONCRETE PUD - TRI-VISION OFF-PREMISE ADVERTISING SIGNS (*CONTINUED*)

Mayor McCulloh stated her concern is with the significant amount of time spent with the sign ordinance and that she did not want to start changing the ordinance to fit varying possibilities.

Eric Cattell, Assistant Director for Planning, responded to additional questions from the Commission regarding the sign regulations.

Bart Thomas, Thomas Outdoor Advertising, Inc., informed the Commission that when the new sign ordinance was written, he was not in favor of digital billboards. He provided additional information on digital signs and asked the Commission to look favorably on making an amendment to the sign regulations for the requested item.

Blaine Thomas, Thomas Outdoor Advertising, Inc., informed the Commission that with all the different rules, there is bound to be an oversight. He provided additional information on their outdoor advertising business and the customers they serve. He asked that the Commission consider opportunities to come to terms with the amendment or consider a grandfathering initiative.

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

Mayor McCulloh informed the Commission that to override the Manhattan Urban Area Planning Board requires four affirmative votes. She provided additional information and suggested the item be further evaluated and tabled.

FIRST READING - AMEND MANHATTAN ZONING REGULATIONS - ALLOW TRI-VISION OFF-PREMISE ADVERTISING SIGNS

After additional discussion and comments from the Commission, Commissioner Butler moved to table the Tri-Vision signs agenda item until City staff can gather further information and recommendations. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - ANNEX AND REZONE - THE HARTFORD

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then responded to questions from the Commission regarding noise notifications on the plat.

Rob Ott, Director of Public Works, responded to questions from the Commission regarding the site map.

GENERAL AGENDA (CONTINUED)

FIRST READING - ANNEX AND REZONE - THE HARTFORD (CONTINUED)

Eric Cattell, Assistant Director for Planning, provided additional information regarding noise notifications for Fort Riley and the Manhattan Regional Airport on notes for final and preliminary plats. He then responded to questions from the Commission regarding a desire to change the subdivision regulations to make it mandatory for noise notifications.

Mayor McCulloh opened the public comments.

Wanda McVey, 1419 Hartford Road, voiced her concern with the name Hartford Hill and the confusion with those living on Hartford Road.

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

After discussion and comments from the Commission, Commissioner Dodson moved to approve first reading of an ordinance annexing The Hartford, an approximate 25.7 acre tract of land generally located 1,300 feet north 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 Comprehensive Plan, the Growth Vision, and the Capital Improvements Program; and approve first reading of an ordinance rezoning The Hartford from County AG, General Agriculture District, to R-1, Single-Family Residential District, and R-3, Multiple-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 4*) and the recommendation of the Planning Board. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 9:26 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: I-3, Light Industrial District with Airport Overlay District.

TO: C-6, Heavy Commercial District with Airport Overlay District.

APPLICANT/OWNER: William Butler

ADDRESS: 2600 Eureka Terrace, Manhattan, KS 66503.

LOCATION: Lot 19 & 20, Eureka Addition

AREA: 43,000 square feet (0.98 acres).

DATE OF PUBLIC NOTICE PUBLICATION: Monday, December 14, 2015.

DATE OF PUBLIC HEARING: PLANNING BOARD: Monday, January 4, 2016.

CITY COMMISSION: Tuesday, January 19, 2016.

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: The lot is developed with an approximately 8,100 square foot building and accessory off-street parking lot built in 2011. The lot is accessed by two (2) curb cuts located off of Eureka Terrace. The current use on the site is an auto detailing shop and associated services.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is a rectangular shaped lot at the corner of Eureka Terrace and Eureka Drive. The site is generally flat and is shown on the effective Flood Insurance Rate Map (FIRMs) panel number 0344G as being located in the AE, 1% Annual Chance Floodplain. When the site was developed in 2011, the area was mapped in the 0.2% Annual Chance Floodplain. All floodplain regulations were complied with at the time of build. The site is entirely within the Horizontal and Conical Zones of Manhattan's Regional Airport.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Flint Hills Job Corps, and agricultural fields; U/AO, University District with Airport Overlay, and Riley County G-1, General Agricultural District.

Attachment No. 1

SOUTH: Undeveloped Light Industrial Lots, Penny's Concrete PUD, K-18 Highway; I-3/AO, Light Industrial District with Airport Overlay, PUD/AO.

EAST: Star Lumber, Skyway Drive and K-18 Highway; C-6/AO, Heavy Commercial District with Airport Overlay, County AG, Agricultural District

WEST: Self-Storage units, undeveloped light industrial lots, single-family residential; I-3/AO, Light Industrial District, I-2/AO, Industrial Park District with Airport Overlay, Riley County SF-1 District.

4. GENERAL NEIGHBORHOOD CHARACTER: The character of the neighborhood in the Eureka and Penny's subdivisions is characterized by the batch plant and a developing light industrial/industrial park consisting of Star Lumber & Supply, a contractor's business, a self-storage site and auto related service. The property further north of Eureka Drive is the Flint Hills Job Corps Center and agricultural fields. The neighborhood to the immediate south and west of the site is undeveloped heavy commercial and industrial park lots and agricultural fields. To the southwest is the Manhattan Regional Airport. Residential neighborhoods are to the west of the Eureka Addition. The neighborhood to the east is the realigned K-18 Highway Corridor and Skyway Drive.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site meets the minimum lot size and area requirements for the I-3, Light Industrial District with Airport Overlay District. The applicant has proposed Automobile Sales as a part of the current use on the site. The Automobile Sales use is not permitted in the I-3, Light Industrial District, thus the need for the proposed rezoning to C-6, Heavy Commercial District with Airport Overlay District.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezoning from I-3, Light Industrial District with Airport Overlay District to C-6, Heavy Commercial District with Airport Overlay District is compatible with the surrounding properties. The C-6 District is designed to provide for commercial uses which allow for the sale and/or service of heavy equipment or products. The lot immediately to the east of the site is zoned C-6 District. The current uses found in the C-6 District in the area are wholesale warehouse for construction materials associated with Star Lumber's builder & contractor lumberyard. The current and proposed uses are of auto-oriented services and are compatible with both the surrounding C-6 and I-3 Districts, since similar auto related uses are allowed in each district.

Attachment No. 1

The proposed rezoning should not result in any detrimental effects related to traffic, light or noise when compared to the permitted uses allowed in the I-3 District, which the site is currently zoned. The intent of the applicant is to utilize a small area of the lot for the sale of automobiles; however, any of the permitted or conditional uses of the C-6 District would be allowed. Since the C-6 District is predominantly designed to provide for the sale of automobiles and other heavy equipment or products, the proposed district is compatible with the surrounding properties.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:** The site is shown on the future land use map in the southwest planning area as Industrial (IND). In addition, the Future Land Use Map identifies the area to the northeast of the subject site as a future Community Commercial Center node. It is reasonable to assume that a high concentration of commercial activities will be greater near the intersection of Fort Riley Boulevard Off-Ramp and Scenic Drive and transition to less concentrated commercial environments farther away from the commercial node.

The IND policies are set out below in *italics* and ***bold italics***.

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.

The IND policies provide for secondary service commercial land uses to serve employees and residents of the immediate area. The area to the east of the subject site along Skyway Drive and K18 Highway is identified for future Community Commercial Land Uses associated with the Community Commercial Center node. It is reasonable to allow for small areas of secondary service commercial within the Eureka Addition, due to its proximity to a high concentration of future commercial activity.

The proposed C-6 District is in general conformance to the Comprehensive Plan.

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

- February 6, 2006: Manhattan Urban Area Planning Board considers annexation of the 53-acre site and conducts the public hearings on the proposed rezoning of three tracts of land from County G-1, General Agricultural District, and N-1, Airport Noise Hazard District, to I-2, Industrial Park District; C-6, Heavy Commercial District; and I-3, Light Industrial District, all with AO, Airport Overlay District. The Planning Board recommends approval of the annexation on a vote of 5-1; and recommended approval of the rezoning of three tracts of land on a vote of 5-1. The Board tabled the Preliminary Plat to the February 23, 2006, Planning Board meeting, on a vote of 6-0.
- February 21, 2006 City Commission, on a vote of 5-0, approves Resolution No 022106-A, requesting that the Board of Riley County Commissioners make positive findings regarding the island annexation of the proposed Eureka Addition.
- February 23, 2006 Manhattan Urban Area Planning Board approves Preliminary Plat 6-0, with three conditions.
- March 16, 2006 Board of Riley County Commissioners considers island annexation request, as per K.S.A. 12-520c and tables for additional information.
- March 30, 2006 Board of Riley County Commissioners continues consideration of island annexation request, as per K.S.A. 12-520c, and approves Resolution No. 03006-13, finding that the annexation will not hinder development or prevent proper growth.

Attachment No. 1

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| April 18, 2006 | City Commission approves first reading of ordinances annexing and rezoning the proposed Eureka Addition. |
| May 2, 2006 | City Commission approves Ordinance Nos. 6537 and 6538 annexing and rezoning the proposed Eureka Addition. |
| August 7, 2006 | Manhattan Urban Area Planning Board approves Final Plat Eureka Addition. |
| September 5, 2006 | City Commission accepts easements and rights-of-way as shown on the Final Plat Eureka Addition. |
| February 1, 2010, | Manhattan Urban Area Planning Board approves Final Plat of the Eureka Addition, Unit Two. |
| February 16, 2010 | City Commission accepts easements and rights-of-way as shown on the Final Plat Eureka Addition, Unit Two. |
| April 19, 2010 | Manhattan Urban Area Planning Board approves Final Plat of the Eureka Addition, Unit Three. |
| May 4, 2010 | City Commission accepts easements and rights-of-way as shown on the Final Plat Eureka Addition, Unit Three. |

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 Airport Overlay 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 C-6, Heavy Commercial District is designed to provide for commercial uses which allow for the sale and/or service of heavy equipment or products. The C-6 District's minimum lot size is 10,000 square feet; minimum lot width is seventy-five (75) feet; and a minimum lot depth is one-hundred (100) feet. The subject lot meets and exceeds the minimum requirements of the C-6 District.

The proposed rezoning is consistent with the Manhattan 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 relative gain to the public that denial would accomplish compared to the hardship of denial upon the applicant. The applicant's client is proposing to expand their business associated with an automobile detailing shop to allow for the sale of automobiles. It would be a hardship upon the applicant to deny the proposed rezoning in an area which has developed with a mix of commercial and industrial uses.
- 11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** There are adequate public facilities and services to serve the site.
- 12. OTHER APPLICABLE FACTORS:** Fort Riley was notified of this rezoning, due to it being located in the Critical Area and has no objections to the request.
- 13. STAFF COMMENTS:** City Administration recommends approval of the proposed rezoning of Lots 19 & 20, Eureka Addition, from I-3, Light Industrial District with Airport Overlay District to C-6, Heavy Commercial District with Airport Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Lots 19 & 20, Eureka Addition, from I-3, Light Industrial District with Airport Overlay District to C-6, Heavy Commercial District with 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 Lot 19 & 20, Eureka Addition, from I-3, Light Industrial District with Airport Overlay District to C-6, Heavy Commercial District with Airport Overlay District, based on the findings in the Staff Report.

PREPARED BY: Chase Johnson, CFM, Planner

DATE: February 24, 2016

CJ/vr
13039

Current Steering Committee Members that expressed interest in continuing with the Facility Feasibility Study:

Yasche Glass – Girl Scouts
Kelly Carmody – Elementary school educator
Diane Dennison – Youth Sports
Catie Kendrick – MWR – Youth Sports
Susan Religa – New Boston – Fieldhouse – Youth Sports
Steve Martini – KSU Rec Services
Gail Urban – Fieldhouse
Ed Klimek – PRAB
Bruce Snead – KSU
Mike Marsh – USD
Mike Gassmann – Social Services Advisory Board – Riley County Park Board
Kayla Savage – UFM
Vern Henricks – Greater Manhattan Community Foundation

The Parks and Recreation Department received indication of interest in participating on the Steering Committee from several community members:

Mike Dillon - retired educator and coach
Chris McClead – Senior Director of Mission Integration; Via Christi Hospital
Tracy Anderson – local businessman
Katrina Alexander – small business owner
Randy Martin – local businessman
John Currie – KSU athletics
Dave Nohls – local businessman

AN AMENDMENT OF ORDINANCE NOS. 6607, 7062 AND 7139 AND THE PRELIMINARY DEVELOPMENT PLAN FOR LOT 2, HERITAGE SQUARE SOUTH, UNIT FOUR, PROPOSED AS A FINAL DEVELOPMENT PLAN.

BACKGROUND

The proposed amendment is required because:

- Condition No. 2, Ordinance No. 7139, states, “An amendment(s) of the PUD shall be submitted for review and approval, prior to issuance of any necessary permits for development on Lots 1, 2, 3 and 4 Heritage Square South, Unit Four.”

Note: The Final Development Plan is for Lots 2, Heritage Square South, Unit Four.

APPLICANT: Stacey Niedfeldt

ADDRESS: 4668 Meadow Lane, Wamego, KS 66547

OWNER:

ADDRESS: 4345 Rory Road, Manhattan, KS 66502

LEGAL DESCRIPTION: Lot 2, Heritage Square South Unit Four P.U.D.

LOCATION: Generally located to the southeast of the intersection of U.S. Highway 24 and South Port Road.

AREA: 86,355 square feet (1.98 acres)

DATE OF NEIGHBORHOOD MEETING: November 4, 2015.

DATE OF PUBLIC NOTICE PUBLICATION: December 14, 2015

An error occurred in the original legal notice to property owners. The item was re-advertised on December 30, 2015 for the January 21, 2016 Planning Board meeting.

DATE OF PUBLIC HEARING: PLANNING BOARD: January 21, 2016.

CITY COMMISSION: February 16, 2016.

EXISTING PUD:

EXISTING PUD AFFECTING LOT 2, HERITAGE SQUARE SOUTH, UNIT 4

Ordinance No. 6607

The Heritage Square South Commercial Planned Unit Development, and Ordinance No. 6607, approved February 6, 2007, is subject to the following conditions of approval:

1. Permitted uses shall include all of the Permitted Uses and Conditional Uses allowed in the C-5, Highway Service Commercial District, except for Adult Businesses and Commercial off-street parking lots as a Principal Use. Additional Permitted Uses include: Antique shops; Apparel stores; Blueprinting, desktop publishing, and photocopying establishments; Book stores; Camera and photographic supply stores; Carpet and rug stores; China and glassware stores; Department stores; Farm and ranch supply stores; Florist shops; Furrier shops; Governmental buildings; Hardware stores; Hobby shops; Motel; Medical clinic; Outdoor seating for restaurants; and Tavern.
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. Exterior building lighting shall be provided as proposed and be of a cut-off design, so as to not cast direct light or glare onto streets or adjacent property.
5. Ground Signs shall be permitted and constructed as proposed.
6. Wall signs shall be permitted as proposed.
7. One (1) pole sign shall be permitted per lot on Lots 6, 7, 8 and 10, and no pole signs shall be permitted on Lots 1, 2, 3, 4, 5 and 9. Pole signs shall have a maximum total height of 50 feet above the ground; shall not exceed a maximum total 120 square feet in area; and shall include skirting of the pole. The skirting and the base of pole signs shall include materials and architectural quality similar to those of the associated principal building such as brick, stone and/or stucco; and, pole signs shall include an enhanced landscaped area around the base.
8. Exempt signage shall be permitted as 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. *See Article VI, Section 6 -102 (A)(2) under the amended sign regulations for exempt signage.*
9. Traffic and drainage improvements to US-24 shall be provided as required by the Kansas Department of Transportation, and the applicant shall submit with the Final Plat either the approved access permit, or a letter from a KDOT representative authorizing the project based on the approved concept.
10. Drainage improvements shall be provided as proposed in the application documents and as per the City Engineer's requirements.
11. An amendment(s) of the PUD shall be submitted for review and approval, prior to issuance of any necessary permits for development on Lots 2, 3, 4, 5, 7, 8 and 10.

Ordinance No. 7062

The Heritage Square South Commercial Planned Unit Development, and Ordinance No. 7062, approved February 14, 2014, is subject to the following conditions of approval:

1. The Final Plat of Heritage Square South, Unit Three shall be approved.
2. An amendment(s) of the PUD shall be submitted for review and approval, prior to issuance of any necessary permits for development on Lot 2, Heritage Square South, Unit Three.

Ordinance No. 7139

The Heritage Square South Commercial Planned Unit Development, and Ordinance No. 7139, approved May 19, 2015, is subject to the following conditions of approval:

1. The Final Plat of Heritage Square South, Unit Four, shall be approved.
2. An amendment(s) of the PUD shall be submitted for review and approval, prior to issuance of any necessary permits for development on Lots 1, 2, 3 and 4 Heritage Square South, Unit Four.

Permitted Uses

Permitted uses shall include all of the Permitted Uses and Conditional Uses allowed in the C-5, Highway Service Commercial District, except for Adult Businesses and Commercial off-street parking lots as a Principal Use. Additional Permitted Uses include: Antique shops; Apparel stores; Blueprinting, desktop publishing, and photocopying establishments; Book stores; Camera and photographic supply stores; Carpet and rug stores; China and glassware stores; Department stores; Farm and ranch supply stores; Florist shops; Furrier shops; Governmental buildings; Hardware stores; Hobby shops; Motel; Medical clinic; Outdoor seating for restaurants; and Tavern.

PUD AMENDMENT AND PROPOSED IMPROVEMNTS

Proposed Use and Building: The applicant has proposed to establish an indoor family entertainment center, complete with a laser tag area, “Ballocity” indoor play area, arcade, party rooms, commercial kitchen and dining area and business offices. “Ballocity” is a shoes off, multi-level, enclosed play area for all ages.

The proposed use will be in a new 120 foot by 125 foot metal building located near the rear of the lot. The exterior of the building will have a contemporary design using smooth architectural siding, smooth limestone masonry and vertical architectural metal siding. The building will be approximately 31 feet tall to the room peak.

The building will be setback approximately 200 feet from the front property line along South Port Drive. In front of the building will be the off-street parking lot with 86 spaces and landscape areas.

Proposed Signs: The applicant materials shows a representation of where a large internally illuminated wall sign will be located on the proposed building. The area for the wall sign is approximately 7 feet tall and 39 feet wide. Additionally, 2 smaller projecting signs (approximately 5 foot by 5 foot) are proposed on the east and west building facades.

The Heritage Square PUD is generally based on the C-5, Highway Service Commercial District. Comparing the proposed signage of the PUD Amendment to the C-5 District Regulations, the wall signs are permitted, with no limitation of number signs. The C-5 District would allow up to 1,044 square feet of surface area (4 square feet of signage for each linear foot of street frontage (80.25 feet), provided no sign is to exceed 260 square feet in surface area. The wall sign location area is approximately 260 square feet. However the final design of the wall sign has not been completed.

Proposed Lighting: The application materials show 25 foot tall LED light poles to be installed in the off-street parking lot. A wall mounted light will be installed on the east wall of the proposed building to illuminate the off-street parking lot in that area. Per the Manhattan Zoning Regulations, all lights are required to be shielded and fully cut off at the property line.

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 proposed amendment is consistent with the intent and purpose of the approved commercial PUD to consist of a broad range of highway service and retail uses. The approved Preliminary PUD shows a large, “anchor” commercial building footprint (approximately 87,000 square feet of floor/lot area and 21,000 square feet of outdoor storage) and a large parking to the north of the proposed building. The general area where the proposed development on Lots 2, Heritage Square South, Unit Four is shown on the Preliminary Development Plans as the off-street parking lot associated with the “anchor” commercial building.

The proposed PUD Amendment should not limit the original use PUD or the commercial center and will promote the efficient development of the site, and PUD, by allowing construction of uses intended to be part of the commercial shopping area.

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 amendment is made necessary because Condition No. 2 of Ordinance No. 7139, requires an amendment of the PUD prior to issuance of any permits for development. Lots 1, 2, 3 and 4, Heritage Square South, Unit Four are the only vacant land left in the commercial development.

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 amendment will result in a gain to the public by allowing development of a vacant tract of land. The amendment is necessary because of the condition of the approval of the Ordinance creating the PUD and not because the amendment will confer a special benefit to any person.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. LANDSCAPING: Landscaping will consist of deciduous and evergreen trees, shrubs, perennials flowers, ornamental grasses, and irrigated lawn areas.

2. SCREENING: A six (6) foot tall wood picket screening fence with gate enclosure will surround the trash dumpster that is to be located on the southeast corner of the site.

3. DRAINAGE: The site will drain towards the northeast corner of the lot and be collected by an area inlet then directed, via underground infrastructure, towards South Port Drive where it will enter the public stormwater system. The site is not located within a regulated floodplain (*see Physical & Environmental Characteristics below*).

4. CIRCULATION: The existing street system provides an internal circulation plan which is safe, convenient and efficient for movement of goods, motorists, and pedestrians. Conflicts between motorists and pedestrians are minimized. Both proposed Lots 4, Heritage Square South, Unit Four will gain access from the internal street system.

Pedestrian Access. Pedestrians will be accommodated by sidewalks that will be constructed throughout the development located along one side of all streets as the area develops.

A public sidewalk will be constructed in South Port Drive right-of-way along both lots of the proposed subdivision. A sidewalk from South Port Drive will lead to the building.

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Traffic. A Traffic Report was submitted and accepted by the City Engineer in 2006. Access to the development is from U.S.-24 Highway onto a main entry drive to the internal streets of the development, which connect to the east and west of the PUD. Major highway improvements including left turning lanes, a traffic signal and closure of two existing median crossings, were constructed with the original PUD.

Off-Street Parking. Eighty-six (86) off-street parking spaces are shown on the Final Development Plans for Family Entertainment Center. The Zoning Regulations does not have a specific off-street parking requirement for this use. In these situations, research can be done by City Administration for parking standards for comparable uses or a minimum standard of 1 space for each 200 square feet of floor area can be applied to the commercial use. Considering the unique commercial use, the 1 parking space per 200 square foot minimum standard was applied. The 15,000 square foot building would require a minimum of 75 off-street parking spaces. It appears that adequate parking will be provided for the commercial use.

5. OPEN SPACE/LANDSCAPED AND COMMON AREA: Landscaping and lawn areas identified on the lot for Family Entertainment Center.

6. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is generally characterized as a major highway service commercial street corridor with retail uses near, and along both sides, of US 24 Highway.

MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: The site is currently a vacant lot.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is relatively flat, irregular shaped lot to the south of South Port Drive. The effective Flood Insurance Rate Map (FIRM) Panel 359 of 500 dated March 16, 2015, shows the site to be within the 0.2% annual chance flood plain (500-year).

3. SURROUNDING LAND USE AND ZONING:

(a.) NORTH: U.S.-24 Highway, Dollar General, Aarons, Fastenal; PUD, and undeveloped tract (future Heritage Square North); Pottawatomie County CH, Highway & Commercial Corridor District.

(b.) SOUTH: Leiszler Oil Company corporate office and warehouse and Midland Exterior showroom and office buildings under construction, Railroad, agricultural fields, Kansas River; PUD, Heritage Square South PUD, Pottawatomie County A-1, General Agriculture District.

(c.) **EAST:** Vacant Lot in the Heritage Square South PUD, furniture sales, storage units, and similar highway service commercial and retail uses, livestock sales; PUD, Heritage Square South PUD, Pottawatomie County CH, Highway & Commercial Corridor District.

(d.) **WEST:** Vacant Lot in the Heritage Square South PUD, Commercial strip center with restaurant, offices and retail, Convenience store; PUD, Heritage Square South PUD.

4. GENERAL NEIGHBORHOOD CHARACTER: See above under **No. 6, CHARACTER OF THE NEIGHBORHOOD.**

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable for commercial development for the uses under the current zoning, as approved with the Preliminary Development Plan, subject to Condition No. 11, Ordinance No. 6607, Condition No. 2, Ordinance 7062, and Condition No. 2, Ordinance 7139.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: Minimal impact on adjacent commercial property in the Heritage Square South PUD with respect to light, noise, and traffic is anticipated. The original Lot 10, Heritage Square South PUD was intended to develop as a large, “anchor” commercial lot. A previous Final Plat divided the platted lot into five (5) separate lots. The proposed Final Development Plan for Lots 2, Heritage Square South, Unit Four creates a commercial use that is in a manner similar to other commercial sites in the PUD.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Future Land Use Map of the Manhattan Urban Area Comprehensive Plan designates the site as Community Commercial (CC). The Comprehensive Plan also reflects the land use designation of the US 24 Corridor Plan developed by Pottawatomie County. The site is also subject to the US 24 Corridor Special Planning Area Policies in the Comprehensive Plan.

The existing PUD was found to conform to the Comprehensive Plan in 2006. The proposed PUD amendment conforms to the Manhattan Urban Area Comprehensive Plan.

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

June 29, 2006: City of Manhattan receives requests for island annexation of the proposed Heritage Square North and Heritage Square South tracts from Roger Schultz and Rob Eichman.

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- July 11, 2006: City Commission approves Resolution Nos. 071106-H & I, requesting the Board of Pottawatomie County Commissioners to make positive findings regarding the requested island annexation of Heritage Square North and Heritage Square South.
- July 27, 2006: Board of Pottawatomie County Commissioners makes positive findings regarding the island annexations of Heritage Square North and Heritage Square South.
- August 15, 2006: City Commission approves first reading of ordinances annexing Heritage Square North and Heritage Square South; and, approves Resolution No. 081506-A, requesting the Board of Pottawatomie County Commissioners to make positive findings regarding the island annexation of that portion of the US 24 Right-of-way that adjoins Heritage Square.
- August 18, 2006: City of Manhattan receives Consent To Annexation from the Kansas Department of Transportation for that portion of the US Highway 24 right-of-way that adjoins Heritage Square South, consisting of 6.791 acres.
- August 21, 2006: Board of Pottawatomie County Commissioners makes positive findings regarding the island annexation of that portion of the US Highway 24 right-of-way that adjoins Heritage Square South.
- October 16, 2006; Manhattan Urban Area Planning Board holds public hearing and recommends approval (7-0), of the rezoning the proposed Heritage Square South and the adjoining US Highway 24 right-of-way from County - CH, Highway & Commercial Corridor District, to PUD, Commercial Planned Unit Development District.
- November 7, 2006 City Commission approved first reading of an ordinance annexing the 6.8-acre portion of the US Highway 24 right-of-way that adjoins the Heritage Square South development; and, approved first reading of an ordinance rezoning the proposed Heritage Square South development and the adjoining portion of US Highway 24 right-of-way, to PUD, Planned Unit Development District.
- February 6, 2007 City Commission approves Ordinance No. 6606 annexing proposed Heritage Square North, proposed Heritage Square South and the 6.8-acre portion of the US Highway 24 right-of-way that adjoins Heritage Square South; and, approved Ordinance No.6607 rezoning

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the Heritage Square South and the adjoining portion of US Highway 24 right-of-way, to PUD, Commercial Planned Unit Development District.

March 5, 2007 Manhattan Urban Area Planning Board approves the Final Development Plan (Lots 1, 6, and 9) and Final Plat of the Heritage Square South Addition (Lots 1-10).

March 15, 2007 City Commission accepts the easements and rights-of-way as shown on the Final Plat of Heritage Square South Addition.

July 17, 2007 City Commission approves first reading of an ordinance renaming Heritage South Road to South Port Road, and Heritage Square Drive to South Port Drive, in Heritage Square South P.U.D. Addition.

August 14, 2007 City Commission approves Ordinance No. 6651 renaming Heritage South Road to South Port Road, and Heritage Square Drive to South Port Drive, in Heritage Square South P.U.D. Addition.

January 24, 2013 Manhattan Urban Area Planning Board recommends approval of proposed amendment of Ordinance No. 6607 and the Preliminary Development Plan of Lot 3, Heritage Square South Commercial Planned Unit Development, to be known as the Final Development Plan of Lot 3, Heritage Square South Commercial Planned Unit Development, based on the findings in the Staff Report.

February 19, 2013 City Commission approves first reading of an ordinance amending Ordinance No. 6607 and the Preliminary Development Plan of Lot 3, Heritage Square South Commercial Planned Unit Development, to be known as the Final Development Plan of Lot 3, Heritage Square South Commercial Planned Unit Development.

March 5, 2013 City Commission approves Ordinance No. 6991 amending the Preliminary Development Plan of Lot 3, Heritage Square South Commercial Planned Unit Development and Ordinance No. 6607, as proposed, based on the findings in the Staff Report.

June 3, 2013 Manhattan Urban Area Planning Board recommends approval of a proposed amendment of Ordinance No. 6607 and the Preliminary Development Plan of Lot 2, and Lots 7 and 8, Heritage Square South Commercial Planned Unit Development, to be known as the

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Final Development Plan of Lot 2, Heritage Square South Commercial Planned Unit Development, and the Final Development Plan of Lots 7 and 8, Heritage Square South Commercial Planned Unit Development, based on the findings in the Staff Report; and approves the Final Plat of Heritage square South Unit Two PUD.

- June 18, 2013 City Commission approves first reading of an ordinance amending Ordinance No. 6607 and the Preliminary Development Plan of Lot 2, and Lots 7 and 8, Heritage Square South Commercial Planned Unit Development, to be known as the Final Development Plan of Lot 2, Heritage Square South Commercial Planned Unit Development, and the Final Development Plan of Lots 7 and 8, Heritage Square South Commercial Planned Unit Development.
- July 2, 2013 City Commission approves Ordinance No. 7010 amending Ordinance No. 6607 and the Preliminary Development Plan of Lot 2, and Lots 7 and 8, Heritage Square South Commercial Planned Unit Development, to be known as the Final Development Plan of Lot 2, Heritage Square South Commercial Planned Unit Development, and the Final Development Plan of Lots 7 and 8, Heritage Square South Commercial Planned Unit Development; and, accepts the easements associated with Lot 2 and Lot 3, Heritage Square South Unit two PUD.
- July 2, 2013 City Commission accepts the easements as, as shown on the Final Plat of Heritage Square South, Unit Two PUD.
- July 15, 2013 Manhattan Urban Area Planning Board recommends approval of an amendment of Ordinance No. 6607 and the Preliminary Development Plan of Lots 4 and 5, Heritage Square South Commercial Planned Unit Development, to be known as the Final Development Plan of Lot 4 and Lot 5, Heritage Square South Commercial Planned Unit Development, based on the findings in the Staff Report
- August 6, 2013 City Commission approves first reading of an Ordinance amending the Preliminary Development Plan of Lot 4, and Lot 5, Heritage Square South Commercial Planned Unit Development (PUD), and Ordinance No. 6607, to be known as the Final Development Plan of Lot 4 and Lot 5, Heritage Square South Commercial PUD.

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- August 20, 2013 City Commission approves Ordinance No. 7035 amending the Preliminary Development Plan of Lot 4, and Lot 5, Heritage Square South Commercial Planned Unit Development (PUD), and Ordinance No. 6607, to be known as the Final Development Plan of Lot 4 and Lot 5, Heritage Square South Commercial PUD.
- January 6, 2014 Manhattan Urban Area Planning Board recommends approval of an amendment of Ordinance No. 6607 and the Preliminary Development Plan of Lot 10, Heritage Square South Commercial Planned Unit Development, to be known as the Final Development Plan of Salisbury Supply, Lot 1, Heritage Square South, Unit Three, Commercial Planned Unit Development; and approves the Final Plat of Heritage square South Unit Three PUD.
- January 21, 2014 City Commission approves first reading of an ordinance amending Ordinance No. 6607 and the Preliminary Development Plan of Lot 10, Heritage Square South Commercial as proposed.
- February 4, 2014 City Commission approves Ordinance No. 7062 amending Ordinance No. 6607 and the Preliminary Development Plan of Lot 10, Heritage Square South Commercial as proposed, to allow construction of the proposed Salisbury Supply store on proposed Lot 1, Heritage Square South, Unit Three, Commercial Planned Unit Development; and accepts the easements and rights-of-way as shown on the Final Plat of Heritage Square South, Unit Three, Commercial Planned Unit Development.
- April 20, 2015 Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance No. 6607 and Ordinance No. 7062, and the Preliminary Development Plan for Lot 2, Heritage Square South Unit Three, Commercial Planned Unit Development, to be known as the Final Development Plan of Leiszler Oil Company, Lot 5, Heritage Square South, Unit Four, Commercial Planned Unit Development, with two conditions of approval.
- May 5, 2015 City Commission approves first reading of an ordinance amendment of Ordinance No. 6607 and Ordinance No. 7062, and the Preliminary Development Plan for Lot 2, Heritage Square South Unit Three, Commercial Planned Unit Development, to be known as the Final Development Plan of Leiszler Oil Company, Lot 5, Heritage Square South, Unit Four, Commercial Planned Unit Development.

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- May 19, 2015 City Commission approves Ordinance No. 7139 amending Ordinance Nos. 6607 and 7062, and the Preliminary Development Plan for Lot 2, Heritage Square South, Unit Three, Commercial Planned Unit Development, to be known as the Final Development Plan of Leiszler Oil Company, Lot 5, Heritage Square South, Unit Four, Commercial Planned Unit Development.
- May 19, 2015 City Commission accepts the easements and rights-of-way as shown on the Final Plat of Heritage Square South, Unit Four, Commercial Planned Unit Development.
- August 17, 2015 Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance Nos. 6607, 7062 and 7139, and the Preliminary Development Plan for Lot 4, Heritage Square South Unit Four, Commercial PUD, to be known as the Final Development Plan of Midland Exteriors, Lot 4, Heritage Square South, Unit Four, Commercial PUD, based on the findings in the Staff Report.
- September 1, 2015 City Commission approves first reading of an ordinance amending the PUD as proposed.
- September 15, 2015 City Commission approves Ordinance No. 7166 amending Ordinance Nos. 6607, 7062, and 7139 and the Preliminary Development Plan for Lot 4, Heritage Square South Unit Four, Commercial Planned Unit Development, generally located southeast of the intersection of South Port Drive and US-24 Highway, to be known as the Final Development Plan of Midland Exteriors, Lot 4, Heritage Square South, Unit Four, Commercial 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 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.

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The proposed PUD amendment is consistent with Ordinance No. 6607, Ordinance No. 7062, Ordinance No. 7139, and the approved PUD, the Manhattan Zoning Regulations, and PUD requirements of the Manhattan Zoning Regulations. The amendment process is required before development of the site can proceed. The amendment process insures the PUD conforms to the requirements of all 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 would accomplish. No adverse affects on the public are anticipated as a result of the amendment. Denial of the rezoning may be a hardship to the owner.

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

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: All provisions of Ordinance No. 6607, Ordinance No. 7062, and Ordinance No. 7139 that are not in conflict with this amendment shall remain in force.

City Administration recommends approval of the proposed amendment of Ordinance No. 6607 Ordinance No. 7062, and Ordinance No. 7139, and the approved Preliminary Development Plan for Lot 2, Heritage Square South Unit Four, Commercial Planned Unit Development, to be known as the Final Development Plan of Family Entertainment Center, Lot 2, Heritage Square South, Unit Four, Commercial Planned Unit Development, based on the findings in the staff report.

ALTERNATIVES:

1. Recommend approval of the proposed amendment of Ordinance No. 6607, Ordinance No. 7062, and Ordinance No. 7139, and the approved Preliminary Development Plan for Lot 2, Heritage Square South Unit Four, Commercial Planned Unit Development, to be known as the Final Development Plan of Family Entertainment Center, Lot 2, Heritage Square South, Unit Four, Commercial Planned Unit Development, stating the basis for such recommendation.
2. Recommend approval of the proposed amendment 6607 Ordinance No. 7062, and Ordinance No. 7139, and the approved Preliminary Development Plan for Lot 2, Heritage Square South Unit Four, Commercial Planned Unit Development, to be known as the Final Development Plan of Family Entertainment Center, Lot 2, Heritage

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Square South, Unit Four, Commercial Planned Unit Development 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.

3. Recommend denial of the proposed amendment of Ordinance No. 6607 Ordinance, No. 7062, and Ordinance No. 7139, and the approved Preliminary Development Plan for Lot 2, Heritage Square South Unit Four, Commercial Planned Unit Development, to be known as the Final Development Plan of Family Entertainment Center, Lot 2, Heritage Square South, Unit Four, Commercial Planned Unit Development, stating the basis for such recommendation.
4. 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 Nos. 6607, 7062, and 7139, and the approved Preliminary Development Plan for Lot 2, Heritage Square South Unit Four, Commercial Planned Unit Development, to be known as the Final Development Plan of Family Entertainment Center, Lot 2, Heritage Square South, Unit Four, Commercial Planned Unit Development, based on the findings in the Staff Report.

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

DATE: December 16, 2015

16005}SR}PUDAmendment}Lot2HerSqSo_Unit4_FamilyFunCenter

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: To rezone The Hartford subdivision for single-family homes and multiple-family homes. The multiple-family homes are proposed to be four-family dwelling units.

FROM: Ag, Riley County General Agriculture

TO: Tract 1: R-1, Single-Family Residential District
Tract 2: R-3, Multiple-Family Residential District

APPLICANT: SMH Consultants, Ashley Jaderborg

OWNER: Burton Land Company, Zac Burton

LEGAL DESCRIPTION: Unplatted tract of land in the Southeast Quarter of Section 33, Township 9 South, Range 7 East.

LOCATION: Generally located 1,300 feet north of the intersection of Colbert Hills Drive and Grand Mere Parkway, on the west side of the future extension of Grand Mere Parkway

AREA: THE TOTAL AREA OF REZONING IS 25.7 ACRES.

Tract 1: 21.2 acres - Rezone from County AG to R-1 District
Tract 2: 4.5 acres - Rezone from County AG to R-3 District

DATE OF NEIGHBORHOOD MEETING: December 3, 2015

DATE OF PUBLIC NOTICE PUBLICATION: December 30, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: January 21, 2016
CITY COMMISSION: February 16, 2016

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Open rangeland.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is typical Flinthills landform consisting of open range land and wooded ravines. The site generally on a ridgeline to the northeast of the Grand Mere neighborhood and drains generally to the east, southeast towards Little Kitten Creek.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Rangeland associated with Kansas State University; County AG, General Agriculture

SOUTH: Agricultural and range land that is planned as a future residential neighborhood of Grand Mere and the Colbert Hills Golf Course; Riley County Residential Planned Unit Development, R-S, Single-Family Residential Suburban.

EAST: Grand Mere Parkway right-of-way, Baltusrol Addition, and Colbert Hills Golf Course; R-1, Single-Family Residential District and R-S District.

WEST: Rangeland associated with the remainder of The Hartford Hills Master Plan Community.

4. GENERAL NEIGHBORHOOD CHARACTER: The general area is a mixture of undeveloped land, land recently platted and in the early stages of development, Colbert Hills Golf Course and rural range land.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is zoned Riley County AG, General Agriculture and is currently open rangeland. In October, 2015, the site and land to the west and north was included in The Hartford Hills Master Plan Community Plan. The site is envisioned to be annexed into the City and rezoned for residential uses. Although the site is suitable to remain as agriculture/range land, the area is intended to be developed to City standards as an identified growth area.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezoning request is compatible to surrounding properties. An increase in light, noise and traffic is expected, however these increases should cause minimal impact on the adjacent golf course and residential properties. The proposed Preliminary Plat of The Hartford subdivision shows single-family lots that range from 0.68 acres to 0.2.84 acres in lot area. The proposed lots are similar to the single-family lots found in the adjacent Grand Mere Development and are proposed to have homes similar in character to the existing homes in that neighborhood. The lots to be zoned R-3 District are for four-family dwellings and are all approximately 0.50 acres in area. Similar uses are found in the general area in the Grand Mere Development. These multiple-family dwellings are

proposed to be of similar architectural character as other residential uses in the surrounding areas.

The applicant held a neighborhood meeting on December 3, 2015. According to the meeting report, two neighbors attended the meeting. Their questions were relative to the time of the project and construction types proposed.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The proposed annexation site is shown on the Future Land Use map in the Northwest Planning Area. The annexation area is designated as Residential Low Medium (RLM) in a Growth Area and Master Plan Area. The Hartford Hill Master Plan was adopted by the City on October 20, 2015 to provide a land use, stormwater and infrastructure master plan for the annexation site.

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, particularly when a single housing type (e.g. detached single-family) is prevalent.

Hartford Hill Master Plan

The Hartford Hill Master Plan was approved in October, 2015 and developed site concepts for the residential neighborhood as well as stormwater, transportation and infrastructure master plan elements to accompany the proposed land uses.

The annexation site is in Development Area “A”, which is designated as Low/Medium Density Residential. The residential density range for this land use is 0 – 11 dwelling units per net acres.

The Site Concepts section describes the policies set forth for future land uses in the neighborhood master plan.

A range of land use designations are proposed throughout the 320 acres of Hartford Hill as shown on Figure 2. Most will be associated in some fashion with “residential” uses of varying densities. However, a small component of other land uses such as “commercial” for professional offices are included. A small parcel is also shown for the inclusion of a “research park”. As previously mentioned, the potential for a “school” site is also included, even though under current zoning regulations a school is a permitted use within all residential zones.

Other areas will include open spaces that are just that, open and undisturbed. Or there may also be open spaces that are developed with amenities like hiking and biking trails. The overall development approach is to begin with Development Area A and proceed westward through Development Area E.

Areas with steep slopes, generally defined as greater than 20%, will be avoided except for the occasional crossing of a buried utility, or roadway, or nature trail. Areas that contain steep, natural ravines will generally be maintained as riparian open spaces to help with stormwater management and quality of stormwater runoff. Most of these areas will be privately owned.

The proposed vision for development of Hartford Hill is shown in Figure 2. Flexibility is the key to any master plan that involves a 320 acre parcel that will take years to develop. As development evolves over the years, market and other conditions may change and minor adjustments to the proposed land use designations in Figure 2 may become necessary.

Residential land uses are shown on the Development Diagram in shades of yellow consistent with the color codes used in the MUACP. Densities with the yellow shading are consistent with the low to medium (0 to 11 dwelling units per acre) category.

All other potential land uses are also depicted in colors consistent with the MUACP.

Attachment No. 4

If the future market conditions eliminate any of the potential uses shown on the Development Diagram that are not “residential”, it is probable the back-up land use will be low to medium density residential.

It should be understood that even though the City’s residential density categories include large ranges, it is highly likely the residential areas within Hartford hill will develop at much less dense coverage. The actual number will be very close to the lower end of each of the categories. History has proven that even when efforts are made to create more dense settings within residential plats in hilly terrain, the resulting density ratio is about 1.6 dwelling units per gross acre. Assuming Hartford Hill develops in a similar manner, which is the plan, a likely number of total dwelling units for the entire 320 acres will be between 500 and 600.

There is no desire on the part of the developer to incorporate a commercial, retail component in this master plan. There are two such commercial nodes within Grand Mere just east of Hartford Hill. One is less than ½ mile east, and the other is approximately 1 ½ miles south.

The developer of Hartford Hill plans to establish master homeowner’s association that will be governed by private covenants. This association will include a private design review committee that will be involved in the review and approval of individual site/structure designs to be constructed within Hartford Hill.

The Preliminary Plat of The Hartford shows a net density of 1.87 dwelling units per net acre. The area to be rezoned to R-1 District has a net density of 1.03 dwelling units per net acre. The R-3 District rezoning area has a residential density of 6.90 dwelling units per net acre. As a way to ensure that the Comprehensive Plan is followed, even with high density residential rezoning requests, the developer has filed a restrictive covenant limiting the development potential for the entire Hartford Hills Master Plan area to no more than 11 dwelling units per net acre (see attached). The proposed rezoning conforms to the Comprehensive Plan and The Hartford Hills Master Plan.

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

The site is undeveloped rangeland located in rural Riley County. On September 10, 2015, the Manhattan Urban Area Planning Board approved Resolution No. 091015-A amended the Manhattan Urban Area Comprehensive Plan to include The Hartford Hills Master Planned Community plan. On October 20, 2015, the City Commission approved Ordinance No. 7170 to amend the Comprehensive Plan to include The Hartford Hills Master Planned Community plan.

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 proposed rezoning is consistent with the intent and purpose of the Manhattan Zoning Regulations because proposed lot sizes conform to the minimum requirements of the R-1 and R-3 Districts. In addition, the proposed Preliminary Plat dedicates easements and rights-of-way to serve the subdivision consistent with the requirements of the Manhattan Urban Area Subdivision Regulations.

The R-1, Single-Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 7,500 square feet. The Preliminary Plat shows the single-family lots (Lots 1 – 14) ranging from approximately 29,708 square feet (0.68 acres) in area up to 123,760 square feet (2.84 acres) in area, with the majority of lot sizes being approximately 43,000 square feet in area. The proposed lots conform to the requirements of the proposed R-1 District.

The R-3 District is designed to provide for multiple-family development at a density no greater than one (1) dwelling unit per 1,000 square feet. The proposed rezoning requests are consistent with the purpose and intent of the Zoning Regulations. The Preliminary Plat shows the multiple-family lots (Lots 15 - 21) ranging from approximately 23,000 square feet (0.50 acres) in area up. The proposed lots conform to the requirements of the proposed R-3 District.

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 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. The Hartford Hill Master Plan outlines additional measure the developer will utilize, including providing noise disclosure

to home buyers through notes on plats, statements files on the deed of each lot, and in marketing materials. In addition, the developer is establishing best management practices for builders including lot by lot analysis of the placement and orientation of structures to minimize noise impacts.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of The Hartford from Riley County AG, General Agriculture, to R-1, Single-Family Residential District and R-3, Multiple-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of The Hartford from Riley County AG, General Agriculture, to R-1, Single-Family Residential District and R-3, Multiple-Family Residential 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 The Hartford, generally located in the southeast corner of the Hartford Hills Master Plan area, from Riley County AG, General Agriculture, to R-1, Single-Family Residential District and R-3, Multiple-Family Residential District, based on the findings in the Staff Report.

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

DATE: January 13, 2016

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