



***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, JUNE 7, 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, 11 staff, and approximately 30 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor McCulloh led the Commission in the Pledge of Allegiance.

**PROCLAMATION**

Mayor McCulloh proclaimed June 18, 2016, ***Juneteenth***. Eric Martin, Chair, and Allen Nesbitt, member, Juneteenth Committee, were present to receive the proclamation.

**PUBLIC COMMENTS**

Mayor McCulloh opened the public comments.

Stan Hoerman, 2021 Bluehills Road, informed the Commission that his west property line fence was impacted during the widening of North Manhattan Avenue and he contacted the Public Works Department regarding his fence. He asked that his property be reviewed and that his fence be replaced by the City of Manhattan. He also asked if the reserved parking signs that were removed several months ago at the Douglass Center parking lot would be replaced or not.

Ron Fehr, City Manager, informed Mr. Hoerman that City staff is looking into the history relative to the parking issue and planned to have a meeting to discuss the subject.

## PUBLIC COMMENTS (CONTINUED)

Katie Jordan, 2415 Timberlane Drive, Chair, Flint Hills Human Rights Project, informed the Commission that their leadership is aware of the allegations of a LGBT (Lesbian, Gay, Bisexual, and Transgender) individual being denied access to public accommodations at a business in Aggieville over the weekend. She stated that due to recent discussions with the Commission, she was contacted by two separate media outlets. She said that if this alleged incident was a case of discrimination based on gender identity, the proposed non-discrimination ordinance being discussed before the Commission would provide a process to investigate the discriminatory complaint and to keep this kind of event from escalating on social media in the future. She stated that all LGBT citizens and visitors should live freely without discrimination, making Manhattan a more inclusive and accepting community for all residents.

Joyce Todd, 401 Poplar Place, stated that she has been dealing with an animal cruelty situation since November 2015 with neighbors that are not taking care of their dog. She provided background information regarding the neglect and treatment of the dog and measures that she has taken. She asked for assistance and requested that the City allow the Animal Control staff to be able to get out of the vehicle to check the welfare of neglected animals, to make it illegal to have a dogs vocal chords cut, to make the owner release the animal to the T. Russell Reitz Animal Shelter after receiving a violation, and to limit the amount of time a dog is tied up outside. She then responded to questions from the Commission and stated that she has left messages with the Humane Society and had not heard back from them.

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

## COMMISSIONER COMMENTS

Commissioner Dodson informed the community that on Monday, June 6, 2016, the 1st Infantry Division celebrated the 100<sup>th</sup> Year Anniversary Committee Charter Signing Ceremony at Fort Riley with a proclamation signing event. He discussed the significance of D-Day on June 6, 1944, and the casualty's suffered on the beaches of Normandy. He also talked about maneuvering through the roundabouts in the city and the need to provide additional educational materials on the City's website and local cable Channel 3, especially with the new roundabout planned at the intersection of Kimball and Anderson Avenues and Scenic Drive.

Commissioner Morse stated that the Juneteenth celebration will be held on June 18, 2016, at City Park and called attention to the many sponsors and volunteers. She also highlighted upcoming Arts in the Park events that will be held in City Park.

## COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Reddi informed the community that there are many wonderful events and local, national and international programs to attend during Arts in the Park, at the Manhattan Arts Center, and at McCain Auditorium on the campus of Kansas State University. She also provided an update on the activities of the Flint Hills Regional Transit. Finally, she stated that the League of Women Voters of Manhattan/Riley County were hosting a legislative wrap-up to learn more from local representatives on Saturday, June 11, 2016, from 9:30 a.m. to 11:30 a.m., at the Meadowlark Hills Community Room and encouraged those interested to attend.

Mayor McCulloh reiterated the Arts in the Park activities available to the public and thanked everyone for celebrating Manhattan Day on Saturday, June 4, 2016. She also thanked Mel Borst for putting the decorative bunting around the Landmark Water Tower for Memorial Day.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 17, 2016.

### CLAIMS REGISTER NO. 2823

The Commission approved Claims Register No. 2823 authorizing and approving the payment of claims from May 11, 2016, to May 31, 2016, in the amount of \$4,219,956.09.

### LICENSES

The Commission approved a Tree Maintenance License for calendar year 2016 for Grogg's Stump Grinding Service, 5007 Vista Acres Drive; an annual Cereal Malt Beverages On-Premises License for La Hacienda, 3003 Anderson Avenue, Suite 945; and an annual Cereal Malt Beverages Off-Premises License for Short Stop #12, 2010 Tuttle Creek Boulevard.

### FINAL PLAT – LEDGESTONE RIDGE, UNIT ONE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of the Ledgestone Ridge, Unit One, generally located 550 feet east of the intersection Scenic Drive and the future expansion of Miller Parkway, based on conformance with the Manhattan Urban Area Subdivision Regulations.

## CONSENT AGENDA (CONTINUED)

### ORDINANCE NO. 7217 – AMEND – SIGN ORDINANCE

The Commission approved Ordinance No. 7217 amending Section 30-112 of the Code of Ordinances, as proposed relating to the allowed size and height of a sidewalk sign.

### PUBLIC HEARING – VACATE UTILITY EASEMENT – LOT ONE, FLINT HILLS JOB CORPS CENTER

Mayor McCulloh opened the public hearing.

Hearing no comments, Mayor McCulloh closed the public hearing.

### FIRST READING – VACATE UTILITY EASEMENT – LOT ONE, FLINT HILLS JOB CORPS CENTER

The Commission approved first reading of an ordinance vacating a portion of a utility easement on Lot One (1) of Flint Hills Job Corps Center, an Addition to the city of Manhattan.

### RESOLUTION NO. 060716-A – CONSENT – TRANSFER OF MANAGEMENT OF MANHATTAN TOWN CENTER MALL

The Commission approved Resolution No. 060716-A, consenting to the transfer of Manhattan Town Center and authorized CBRE, Inc., as the property management company.

### CHANGE ORDER NO. 1 – 2016 STREET MAINTENANCE ASPHALT MILL AND OVERLAY (ST1606)

The Commission approved Change Order No. 1 for the 2016 Street Maintenance Asphalt Mill and Overlay (ST1606) project, resulting in a net increase in the amount of \$191,768.50 (+45.8%) to the contract with Shilling Construction Co., Inc., of Manhattan, Kansas, adding North Manhattan Avenue from Claflin Road to Research Park Drive (\$83,651.00) and Taxiway Echo along with the East Ramp at the Manhattan Regional Airport (\$108,117.50).

### CHANGE ORDER NO. 18 – AIRPORT TERMINAL, PHASE II (AIP 46, CIP #AP035P)

The Commission approved and authorized the Mayor and City Clerk to execute Change Order No. 18 for the Airport Terminal, Phase II, project (AIP46, CIP #AP035P), resulting in a net increase in the amount of \$230,203.00 to the contract with The Weitz Company, LLC, of Lenexa, Kansas.

## CONSENT AGENDA (CONTINUED)

\* **AWARD CONTRACT – AIRPORT MILITARY ENTRANCE (SM1407, AP1402)**

Ron Fehr, City Manager, responded to questions from the Commission and provided additional information on the funding sources targeted to pay for the project.

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$699,673.10; awarded a construction contract in the amount of \$539,631.88 to Ebert Construction Company, Inc., of Wamego, Kansas; and authorized the Mayor and City Clerk to execute the construction for the Airport Military Entrance project (SM1407, AP1402).

**AWARD CONTRACT – UTILITY MAINTENANCE FACILITY HOSE TOWER DEMOLITION PROJECT (SS1609, CIP #WW149P)**

The Commission awarded a construction contract in the amount of \$26,700.00 to McPherson Wrecking, Inc., of Grantville, Kansas, and authorized the Mayor and City Clerk to execute the construction contract for the Utility Maintenance Facility Hose Tower Demolition Project (SS1609, CIP #WW149P), to be paid equally from the Water and Wastewater Funds.

**AWARD CONTRACT – 2016 HYDRANT AND VALVE REPLACEMENT PROJECT (WA1604)**

The Commission awarded a construction contract in the amount of \$144,365.00 to J&K Contracting, LC, of Junction City, Kansas, and authorized the Mayor and City Clerk to execute the construction contract for the 2016 Hydrant and Valve Replacement project (WA1604), to be paid from the Water Fund.

**SUPPLEMENTAL AGREEMENT NO. 1 – 11<sup>TH</sup> STREET AND POYNTZ AVENUE INTERSECTION IMPROVEMENT PROJECT (ST1502)**

The Commission authorized the Mayor and City Clerk to execute a Supplemental Agreement No. 1 with the Kansas Department of Transportation for the 11<sup>th</sup> Street and Poyntz Avenue Intersection Improvement project (ST1502), increasing the amount of state aid from \$300,000.00 to \$500,000.00 to replace all four traffic signal assemblies versus two.

**BOARD APPOINTMENT – SOCIAL SERVICES ADVISORY BOARD**

The Commission approved the appointment by Mayor McCulloh of Levi Smith, 1209 Bertrand Street, Apt. 3, to the Social Services Advisory Board to fill the unexpired term of Patrick McLaughlin. Mr. Smith's term begins immediately and will expire on June 30, 2017.

## CONSENT AGENDA (CONTINUED)

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

## GENERAL AGENDA

### ORDINANCE NO. 7218 - AMEND MANHATTAN ZONING REGULATIONS - DAYCARES

Eric Cattell, Assistant Director for Planning, presented an overview of the item.

Breva Spencer, Child Care Licensing Coordinator/Surveyor, Riley County Health Department, responded to questions from the Commission and provided additional information on the item.

Eric Cattell, Assistant Director for Planning, responded to questions from the Commission regarding the definition for the number of children in the proposed ordinance for Day Care Homes and the process necessary to override the Manhattan Urban Area Planning Board.

Breva Spencer, Child Care Licensing Coordinator/Surveyor, Riley County Health Department, provided additional information on the item. She responded to questions from the Commission regarding square footage requirements based on the number of children and applicable State and local laws.

After comments from the Commission, Eric Cattell, Assistant Director for Planning, provided clarification regarding the zoning definitions.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

Bill Frost, Legal Counsel, and Eric Cattell, Assistant Director for Planning, provided additional information and clarification regarding the language in the proposed ordinance.

After discussion and comments from the Commission, Commissioner Dodson moved to eliminate the wording, "not related to the operator by blood, marriage, or legal adoption" from the definition. Commissioner Morse seconded the motion. After clarification on the motion, on a roll call vote, motion carried 5-0.

## GENERAL AGENDA (*CONTINUED*)

### **ORDINANCE NO. 7218 - AMEND MANHATTAN ZONING REGULATIONS - DAYCARES (*CONTINUED*)**

After additional discussion, Commissioner Dodson moved to approve, as amended, Ordinance No. 7218 amending the Manhattan Zoning Regulations Article XVI, Section 16-201 to define day care home, group day care centers, and nursery school; and to amend Article V, Use Limitations, as proposed, based on the findings in the Staff Memorandum (*See Attachment No. 1*) and the recommendation of the Manhattan Urban Area Planning Board. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

### **ORDINANCE NO. 7218 - AMEND MANHATTAN ZONING REGULATIONS - SIGNS**

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

Commissioner Morse moved to approve Ordinance No. 7218 amending Article VI – Signs, and Article V – Home Occupations, of the Manhattan Zoning Regulations, to address the identified follow-up items, based on the findings in the Staff Memorandum (*See Attachment No. 2*) and the recommendation of the Planning Board. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

### **FIRST READING - ADOPT - 2015 INTERNATIONAL CODES AND THE 2014 NATIONAL ELECTRICAL CODE; MODIFY - LICENSING OF CONTRACTORS**

Brad Claussen, Building Official, introduced City employees Rick Stillwagon, Fire Marshal; Ryan Courtright, Senior Plans Examiner; and Darren Emery, Senior Code Services Officer. He presented background information on the item and highlighted how International Codes are developed, the history of the Manhattan construction codes, the proposed 2015 Codes, the meetings held with various stakeholder groups, the national and local support for the proposed Code adoptions, examples of Code changes, and the proposed changes to contractor licensing. He then responded to questions from the Commission regarding the International Property Maintenance Code and provided clarification on the requirements for egress windows.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

## GENERAL AGENDA (*CONTINUED*)

### **FIRST READING - ADOPT - 2015 INTERNATIONAL CODES AND THE 2014 NATIONAL ELECTRICAL CODE; MODIFY - LICENSING OF CONTRACTORS (*CONTINUED*)**

After discussion and comments from the Commission, Commissioner Dodson moved to approve first reading of Ordinances adopting the 2015 editions of the International Code package and 2014 National Electrical Code and amending sections of the Code of Ordinances, City of Manhattan, Kansas, relating to Buildings, Building Regulations and Fire Prevention. Commissioner Morse seconded the motion.

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

### **FIRST READING - REZONE - INTERLACHEN VILLAS (FROM R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT)**

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He highlighted the proposed site map and phases planned for the project, area zoning map, exterior furnishings, floorplans, and landscape plan. He informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the rezoning and also recommended the Commission to consider eliminating parking along Colbert Hills Drive, which would require a separate ordinance. He then responded to questions from the Commission regarding the location of sidewalks, proposed drainage, traffic circulation, parking requirements, and parking along Colbert Hills Drive.

Jeff Hancock, SMH Consultants, responded to questions from the Commission regarding the challenges with the slope of the street. He provided information on the underground drainage improvements that would be necessary.

Ryan Almes, Deputy Fire Chief, responded to questions from the Commission regarding the length of the cul-de-sac and space requirements needed for the fire department apparatus.

TJ Vilkanskas, Applicant/Developer, provided background information on the project and discussed the grade and plans to incorporate retaining walls and tiered systems. He then responded to questions from the Commission regarding the use of design guidelines to fit in with the character of the neighborhood.

Mayor McCulloh opened the public comments.

Hearing no comments, Mayor McCulloh closed the public comments.

## GENERAL AGENDA (CONTINUED)

### FIRST READING - REZONE - INTERLACHEN VILLAS (FROM R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT, TO PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT) (CONTINUED)

After discussion and comments from the Commission, Commissioner Morse moved to approve first reading of an ordinance rezoning the Interlachen Villas PUD, generally located on the west side of Vanesta Drive, along both sides of Colbert Hills Drive from R-3, Multiple-Family Residential District, to PUD, Residential Planned Unit Development, based on the findings in the Staff Report (*See Attachment No. 3*) with the seven (7) conditions of approval recommended by the Manhattan Urban Area Planning Board. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

Mayor McCulloh asked that City staff consider parking restrictions along Colbert Hills Drive as requested by the Manhattan Urban Area Planning Board.

### DISCUSSION - PROPOSED DEVELOPMENT AND USE OF CITY PARKING LOT - SOUTHWEST CORNER OF 12<sup>TH</sup> STREET AND BLUEMONT AVENUE INTERSECTION IN AGGIEVILLE

Jason Hilgers, Deputy City Manager, presented an overview of the history, the proposal, the potential agreement, the financial impact, and the decisions and feedback being sought from the Commission. He then responded to questions from the Commission regarding the height and set-back of the proposed building, the process available through the Board of Zoning Appeals, access from and to Bluemont Avenue, current valuation of the City-owned parking lot, and the proposed number of parking stalls that would be available in the parking garage.

After discussion and comments from the Commission, Jason Hilgers, Deputy City Manager, highlighted a seven year history of Manhattan hotels that showed the revenue per available room data. He stated that as the number of rooms has increased, the revenue per room basically has stayed the same or climbed and that is an important statistic from the revenue side. He then responded to additional questions from the Commission regarding the net gain in public parking stalls and discussed the vision for the highest and best use for this City-owned parking lot.

Rob Ott, Director of Public Works, and Jason Hilgers, Deputy City Manager, responded to questions from the Commission regarding the capacity of the sanitary sewer, stormwater, and water main infrastructure in the area and design of the proposed parking garage.

Mayor McCulloh opened the public comments.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION - PROPOSED DEVELOPMENT AND USE OF CITY PARKING LOT - SOUTHWEST CORNER OF 12<sup>TH</sup> STREET AND BLUEMONT AVENUE INTERSECTION IN AGGIEVILLE (CONTINUED)

Brent Bowman, BBN Architects, informed the Commission that his firm was part of the planning team for the Aggieville Master Edge Project and provided information on the proposed project. He stated that he was in attendance to listen to the comments and any concerns expressed from the Commission regarding the proposed development.

Charlie Busch, representing McCullough Development, informed the Commission that his company owns the Chinese Grocery building in the immediate area and views the proposal as an opportunity for the City to leverage their property. He stated that the area would receive additional parking and was bullish on Aggieville.

Traci Taylor, Economic Development Consultant, Aggieville Business Association, informed the Commission that the Aggieville Board of Directors appreciated the interest and focus in the Aggieville District. She addressed concerns with the proposal and asked about the adequacy of the infrastructure, the entry and exit points on Bluemont Avenue, and the traffic flow in the alley. She also asked about the designation of the public parking spots, how the hotel would monitor parking and if there would be consideration for leased parking spaces for Aggieville business owners, and if the proposal would impact the future Aggieville planning process and ongoing work being conducted. She stated that Aggieville looked forward to being a supportive partner in the planning process.

Andy Suber, co-owner, Bluemont Hotel, stated that he is a champion for the free market even if he doesn't want the competition across from his hotel. He voiced concerns that this proposal is not on a level playing field and the City is basically giving public property to a competitor, McNeill Hotel Company, and letting them run with it. He encouraged the Commission to complete the Aggieville Master Plan first and then consider other proposals for this property if that is the direction of the Commission. He stated this proposal does not address circulation and public parking issues. He also informed the Commission that it would not be a fair process to use the Board of Zoning Appeals and the project proposal should go through a complete Planned Unit Development process.

Colin Noble, Noble Hospitality, reiterated the report provided from Julie Randall with the Convention and Visitors Bureau and stated the hotel market in Manhattan was completely saturated. He provided information on the current occupancy rate and voiced concern with the proposed parking availability. He stated that the proposed hotel will not help Manhattan and that there are more than enough hotel rooms in Manhattan.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION - PROPOSED DEVELOPMENT AND USE OF CITY PARKING LOT - SOUTHWEST CORNER OF 12<sup>TH</sup> STREET AND BLUEMONT AVENUE INTERSECTION IN AGGIEVILLE (CONTINUED)

Brad Everett, representing Hilton Garden Inn and owner of the Fairfield Inn, informed the Commission that this proposal will negatively impact all hotel businesses. He stated the Randall Report stated that Manhattan is overbuilt for hotels and asked the Commission to shelve this proposal for a while until the Convention and Visitors Bureau generates enough business and the hotel industry is healthy.

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

Commissioner Butler stated that he liked the basic premise of a public/private partnership; however, he said that the proposal does not meet the vision. He stated that the City needs to get a net plus of 100 parking slots and the current parking lot owned by the City would provide leverage to achieve the vision with another developer.

Jason Hilgers, Deputy City Manager, responded to questions from the Commission regarding the highest and best use for this lot and potentially other lots owned by the City in Aggieville. He highlighted the South End Redevelopment project decisions made for the hotels and parking lot.

Commissioner Dodson stated the idea of making sure this is consistent with the Aggieville business plan and the future of Aggieville is important. He stated that he believed in the free market and economic development in Manhattan, but voiced concern that another hotel would negatively impact other hotels as indicated in the report provided by Judy Randall, Randall Travel Marketing. He stated this is an economic decision, but worried a little bit about how we sustain all of this and what should the City receive for its current property. He was in support of the applicant going through the normal zoning process.

Commissioner Morse stated that she was not in support of routing the proposal through the Board of Zoning Appeals process. She expressed concerns about the imposing nature of the structure and in boxing in Aggieville by large structures. She voiced support for a public/private partnership, but stated the proposed location for this structure is a problem.

Commissioner Reddi stated that she was not in favor of the project if it doesn't make a dent in the parking concerns, especially since the selling point is increasing the capacity for parking availability in the parking garage. She stated that the Commission is not in a rush to make a decision on this because the developer may go elsewhere. She wanted to maintain the character of Aggieville.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION - PROPOSED DEVELOPMENT AND USE OF CITY PARKING LOT - SOUTHWEST CORNER OF 12<sup>TH</sup> STREET AND BLUEMONT AVENUE INTERSECTION IN AGGIEVILLE (CONTINUED)

Karen Davis, Director of Community Development, responded to questions from the Commission about the Aggieville Community Vision Plan and stated it would be finished in 2017.

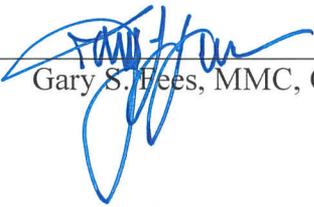
Mayor McCulloh stated that she views the proposed hotel as providing what Aggieville should have as an urban area and preferred this proposal much more than a strip mall. She voiced concern about the limited public parking stalls being provided and questioned if there would be any real gain in public parking spaces or not. She stated that this development would need to go through the Planned Unit Development process.

Ron Fehr, City Manager, thanked the Commission for their feedback on the proposal. He then responded to additional questions from the Commission.

As this was a discussion item only, no formal action was taken on the item.

### ADJOURNMENT

At 9:50 p.m., the Commission adjourned.

  
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Gary S. Fees, MMC, City Clerk



## **INTER-OFFICE MEMORANDUM**

**DATE:** May 2, 2016

**TO:** Manhattan Urban Area Planning Board

**MEETING DATE:** March 21, 2016

**FROM:** Amelia Lewis, Planning Intern

**RE:** Amend Article XVI, Construction AND Definitions, Part 2, Definitions, Section 16 201 to define Day Care Home, Group Day Care Centers (Nursery School), and Nursery School; and Article V, Accessory Uses, Temporary Uses, Home Occupations, Part 3, Home Occupations, Section 5-303, Use Limitations.

### **BACKGROUND**

The proposed amendments would change the definition of Day Care Home, Group Day Care Center, and the Use Limitation regarding employees for a Home Occupation.

Manhattan Zoning Regulations prohibit home occupations, a business operated entirely within a residential building or structure, from having employees that do not reside in the dwelling unit, manufactured home or mobile home.

The Zoning Regulations currently permit Day Care Homes with six (6) children or less to occur as an accessory home occupation. Home occupations are allowed in all residential zoning districts and only require authorization if located in a Planned Unit Development. Day Care Centers with seven (7) or more kids require a Conditional Use to be approved.

Day Care Centers are conditional uses in the following districts; RS, R, R-1, R-2, R-M, R-3, R-4, C-1, C-3, C-4, I-1, I-2 and PUD. Conditional uses require a public hearing and determination by the Board of Zoning Appeals. In R-5 and I-5 they are permitted uses, requiring no application with the City.

*Attachment No. 1*

The regulation of these child care uses were generally was in line with the State's requirements for many years.

In 2012, the State of Kansas changed their licensing requirements to make all in home day cares to be licensed. There are 2 different types of licenses for day cares in homes: Day Care Homes and Group Day Care Homes. The most significant differences are the number of kids in attendance and employees that are required. A Day Care Home requires one (1) child supervisor and have no more than the (10) kids under 16 years of age. The Group Day Care Home is required to have a minimum of two (2) child supervisors and have no more than twelve (12) kids. The purpose of the amendments is to align City Regulations with State Regulations regarding Day Care and Group Day Care Homes.

Today, there are approximately eighty-four (84) in home day care facilities located in Manhattan according to information from the Kansas Department of Health and Environment (KDHE). City staff conducted research to understand how six other Kansas cities regulate in home day care operations and if their regulations align with the State's. Olathe and Hutchinson both followed the same limitations on the number of kids, with all six cities allowing no more than twelve (12) children. Facilities in Hutchinson, Olathe and Topeka were allowed to operate as home occupations.

**AMENDMENTS TO THE TEXT OF THE ZONING REGULATIONS**

The intent of the amendments is to align City Regulations with State Regulations regarding Day Care and Group Day Care Homes. The following amendments would include the changes:

Article XVI, Construction and Definitions, Part 2, Definitions, Section 16-201 to define Day Care Home, Group Day Care Centers (Nursery School), and Nursery School;

**DAY CARE HOME:** A home occupation in which care is given to ~~six (6)~~ **twelve (12)** or fewer children, not related to the operator by blood, marriage, or legal adoption.

**GROUP DAY CARE CENTERS (NURSERY SCHOOL):** A facility which is primarily designed, intended, or used for the providing of care for ~~seven (7)~~ **thirteen (13)** or more children, for part or all of a day, away from the home of the parent or legal guardian.

**NURSERY SCHOOL: SEE GROUP DAY CARE CENTER**

Article V, Accessory Uses, Temporary Uses, Home Occupations, Part 3, Home Occupations, Section 5-303, Use Limitations.

*Attachment No. 1*

Section 5-303(e): No person shall be employed by the home occupation, unless they reside in the dwelling unit, manufactured home or mobile home, **with the exception of one (1) additional employee for a Day Care Home who does not reside in the dwelling unit, manufactured home or mobile home.**

Current zoning regulations do not allow for an additional employee associated with home occupations. This change accommodates the state requirement for two (2) supervisors in Group Day Care Home.

**WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING REGULATIONS**

The intent of the Manhattan Zoning Regulations is to protect the public health, safety and general welfare and to protect property values. All in home day care facilities are required to be licensed by the Kansas Department of Health and Environment (KDHE) to ensure the property is up to code. The change in the zoning regulations further advances the State's commitment to protecting the health, safety and welfare of day care establishments while reducing the amount of City staff time that would need to be spent reviewing each property. The eighty-four (84) existing day care homes are and have been operating in Manhattan without any known issues.

**AREAS WHICH ARE MOST LIKELY TO BE DIRECTLY AFFECTED BY SUCH CHANGE AND IN WHAT WAY THEY WILL BE AFFECTED**

The amendment removes the conditional use process from in home day care operations as it currently exists in Manhattan Zoning Regulations. The new licensing requirements by the State require a site visit by a member of KDHE and that the home be up to City code standards, ensuring the health and safety of the children. The proposed changes would apply to all residential areas throughout the city including the eighty-four (84) existing in home day cares located in Manhattan.

**WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN THE AREAS AND ZONING DISTRICTS AFFECTED, OR IN THE CITY PLANNING AREA, GENERALLY, AND IF SO, THE NATURE OF SUCH CHANGED OR CHANGING CONDITIONS**

The proposed amendment is made necessary because of changed conditions in the licensing requirements made by the State of Kansas. These changes were made to further advance and protect the health and safety of residents, especially those in home day care facilities.

**WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE POLICY AND GOALS AS OUTLINED IN THE ADOPTED COMPREHENSIVE PLAN OF THE CITY**

The Zoning Regulations implement the Comprehensive Plan, its goals, objectives, and policies. The Comprehensive Plan is more general in nature and does not specify Zoning Regulations that should be changed in regard to these issues. However, the proposed amendments ensure that the City is acting to provide and protect for the residents of Manhattan.

**ALTERNATIVES**

It appears the MUAPB has the following alternatives concerning the issue at hand. The Board may:

1. Recommend approval of the proposed amendment to the City Commission.
2. Recommend denial of the proposed amendment to the City Commission.
3. Modify the proposed amendment and forward the modifications, along with an explanation, to the City Commission.
4. Table the public hearing to a specific date, and provide further direction to City Administration.

**RECOMMENDATION**

City Administration recommends approval of the amendment to the Manhattan Zoning Regulations to amend Article XVI, Construction and Definitions, Part 2, Definitions, Section 16-201 to define Day Care Home, Group Day Care Centers, and Nursery School; and to amend Article V, Accessory Uses, Temporary Uses, Home Occupations, Part 3, Home Occupations, Section 5-303, Use Limitations.

**POSSIBLE MOTION**

The Manhattan Urban Area Planning Board recommends approval of the amendment to the Manhattan Zoning Regulations to amend Article XVI, Construction and Definitions, Part 2, Definitions, Section 16-201 to define Day Care Home, Group Day Care Centers, and Nursery School; and to amend Article V, Accessory Uses, Temporary Uses, Home Occupations, Part 3, Home Occupations, Section 5-303, Use Limitations based on the findings in the Staff Memorandum.

## INTER-OFFICE MEMORANDUM



**DATE:** April 12, 2016

**TO:** Manhattan Urban Area Planning Board

**MEETING:** May 2, 2016

**FROM:** Eric Cattell, AICP, Assistant Director For Planning

**RE:** Amend Manhattan Zoning Regulations, Article VI – Signs: Follow-Up Revisions Involving Corrections, Clarification, and Modifications

### **BACKGROUND**

Article VI of the Manhattan Zoning Regulations addresses all types of signs and commercial speech on private property within the city. The sign regulations were extensively rewritten through a two-year community wide process consisting of multiple internal meetings, two separate rounds of community stakeholder meetings, and work sessions conducted by the Manhattan Urban Area Planning Board and City Commission. On December 2, 2014, the City Commission adopted Ordinance No. 7114 amending Article VI and establishing extensively revised definitions and signage provisions designed to modernize the Sign Regulations to address freedom of speech and content neutral issues, incorporating digital technology, streamlining the sign application and permitting process, as well as improving the enforcement process.

Follow-up Revisions. City Administration was aware that follow-up revisions would be necessary to address any oversights, unintended consequences, corrections and/or need for clarification, following adoption of new sign regulations that so extensively revised the previous provisions. Now that the new regulations have been in effect for about 16 months, several “clean-up” items have been identified. There are six (6) proposed amendments as to the Zoning Regulations outlined below to address the identified issues. The first involves revision of the “Nonconforming Signs” section and is a major revision, based on the City Commissions direction following a work session held a year ago. The other revisions are more minor clean-up items. The proposed revisions to Article VI are attached with the proposed language bold underlined, and language that is being eliminated shown as bold struck-through.

Amortization of Nonconforming Signs. In developing the new Sign Regulations in 2013 - 2014, City Administration's intent was to try to minimize the number of nonconforming signs resulting from the new provisions. The majority of permitted sign types, sizes, heights and locations were unchanged or were increased in commercial and industrial districts. As a result, the new regulations also established a five (5) year amortization period for nonconforming signs to be brought into compliance (i.e. Section 6-107 Nonconforming Signs). This amortization provision applies to existing permanent signs that do not conform to the new regulations; signs located on property that was annexed into the city and do not conform; and signs located on property that is rezoned and become nonconforming as a result of the rezoning.

The previous sign regulations were somewhat silent on nonconforming signs, which meant they generally fell under the "nonconforming use" provisions of the Zoning Regulations. If a sign was legally installed under previously applicable rules, it was considered legally nonconforming or "grandfathered" and was allowed to remain as long as the sign was not significantly changed in size, location or other characteristics, or significantly damaged. This is similar to how most legally nonconforming land uses throughout the city are permitted to remain under a "grandfather status" and be maintained indefinitely, as long as they are not expanded or substantially altered or destroyed. Under this "grandfathered" approach, nonconforming signs are eventually removed voluntarily when a new business moves in, the site is redeveloped, or through some other form of attrition.

Following adoption of the new Sign Regulations in December 2014, concerns were expressed by a number of business and property owners specifically about the five (5) year amortization provision. On March 3, 2015, the City Commission held a work session and received extensive community input and discussion about the amortization provision. Based on community input, the majority of the City Commission determined that it would be better to allow nonconforming signs to remain, as was permitted in the previous regulations, and directed City Administration to eliminate the five (5) year amortization period for nonconforming signs when the other follow-up revisions are made.

## **PROPOSED AMENDMENTS**

1. **Section 6-107 Nonconforming Signs:** The proposed revision of Section 6-107 Nonconforming Signs was drafted by the Legal Department and Community Development Department based on the City Commission's direction from the work session (*see pages 11 and 12 of attached revisions*). Under the revised provisions, a legally nonconforming sign may remain indefinitely and can be repaired and maintained in good condition, provided it does not change the sign's dimensions, structure, type of illumination or operational characteristics, or otherwise increase its area. If a legally nonconforming sign is destroyed by an act of God or action not

attributed to the owner, it can be replaced provided the new sign does not change in dimension, structure, type of illumination or operational characteristics, or otherwise increase in area.

Other Revisions: The other proposed revisions are more minor and consist of the following:

2. **Section 6-103 Definitions:** Added definitions for “**Halo Lit and Reverse Channel Lit Signs**” and for “**Institutional Uses Located in Residential Districts**” to address the issue of internally illuminated wall signs for institutional uses (i.e. schools, government, and religious institutions) and Greek Houses and Scholarship Halls associated with Kansas State University and Manhattan Christian College, which are located in residential districts (*see pages 4 and 5 of attached revisions*).

**Halo Lit Signs and Reverse Channel Lit Signs.** Signs with a hidden internal illumination source located behind individually mounted letters and/or logos having opaque front faces and sides, and clear or no back faces, whereby the illumination is projected onto the mounting surface resulting in a halo effect.

**Institutional Uses Located in Residential Districts.** A use or uses related to government, schools, and/or religion that are a permitted or conditional use customarily found in residential districts, including Fraternities, Sororities and Scholarship Halls associated with Kansas State University or Manhattan Christian College.

A related revision is also necessary in Section 6-203 (G) (*see page 27 of attached revisions*) under residential districts to allow for these types of internally lit wall signs for institutional uses. Over the years many of the local schools, churches and Greek Houses have been granted exceptions by the Board of Zoning Appeals to allow internally illuminated monument and in some cases wall signs. Halo Lit and Reverse Channel Lit signs are a type of internally illuminated sign that, due to their design are less intrusive in a residential setting. With these signs the light is reflected out of the back of the sign off the wall on which the sign is mounted, instead of illuminating a translucent front face of the sign.

**Section 6-110 Specific Standards for Specific Types of Signs:** Added back in a provision addressing **Subdivision Identification Signs located on private property** at entrances to developments (*see page 20 of attached revisions*). Larger developments may have identification signs located at their entrance, and due to the street configuration the sign cannot be located within the street right-of-way, such as in an entrance island. This was inadvertently left out of the revised Sign Regulations when the City Code of Ordinances was revised concurrently with the Sign Regulations

in 2014 regarding the process for review and approval of subdivision entrance signs located in the public right-of-way, which are reviewed and approved by the City Engineer.

3. **Section 6-111 Prohibited Signs**: Added some language clarifying that moving signs are not permitted, except for the specific sign types that are listed in the exemptions, based on the recent issue involving Tri-Vision Signs and comments that this section needed clarification (*see page 20 of attached revisions*).
4. **Section 6-212 LM-SC, Light Manufacturing – Service Commercial District**: Clarified that the setback for wall signs in the LM-SC District would follow the setback of the buildings on which they are located (*see page 43 of attached revisions*). The LM-SC District is located along portions of Fort Riley Boulevard between the downtown and approximately 16<sup>th</sup> Street.
5. **Article V, Section 5-303 Home Occupations**: A correction to the cross reference for signage in Article V for Home Occupations is also necessary as follows, because Nameplate Signs are no longer a defined sign type within the new regulations:

**(G) Signage for home occupations shall follow the regulations for Single-Family and Two-Family Dwellings described in Article VI. ~~No sign shall be permitted other than a nameplate sign, as permitted by the applicable regulations in article VI.~~**

City Code of Ordinances, Section 30-112 - Temporary Use Permit for Sidewalk Signs: The regulations for sidewalk signs located on public sidewalks in the downtown and Aggieville are in the City Code of Ordinances, not the Zoning Regulations. While modifications to the Code of Ordinances do not fall within the same public hearing process as amendments to the Zoning Regulations, City Administration is also proposing to simplify the sidewalk sign provision to replace the current 28 inch wide by 48 inch tall limitation on the overall dimensions of a sidewalk sign, with a maximum 9 square foot surface area, to provide more flexibility in the dimensions/proportions, while keeping the sign face to a maximum of nine (9) square feet. The signs must still be sized and located to not interfere with ADA (Americans with Disabilities) requirements for access along the sidewalk and ingress and egress from buildings.

The draft amendments were developed over the past 16 months following adoption and implementation of the new regulations and keeping track of issues that arose, and based on the direction provided by the City Commission following its work session regarding the 5-year amortization provision. City Administration has also discussed revision of the sidewalk sign provision in the Code of Ordinances with business representatives. The

proposed revisions were also sent to sign contractors, the Aggieville and Downtown Business Associations, and the Manhattan Area Chamber of Commerce.

**AMENDMENTS TO THE TEXT OF THE ZONING REGULATIONS**

When a proposed amendment results in a change to the text of the Zoning Regulations, the report from the Planning Staff shall contain a statement as to the nature and effect of the proposed amendment, and determinations as to the following issues.

**WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING REGULATIONS**

The intent of the Manhattan Zoning Regulations is to protect the public health, safety and general welfare and to protect property values. Article VI is designed to provide for protected free speech and to regulate the time, place and manner of commercial speech, (i.e. the location, size, placement and certain features and characteristics of signs), to ensure that the public can identify businesses and services, avoid traffic hazards, reduce visual clutter and confusion along roadways, prevent hazards to life and property, protect property values, and to ensure continued attractiveness of Manhattan.

The proposed amendments are consistent with the intent and purpose of the Manhattan Zoning Regulations and are to address specifically identified issues, as explained above, following adoption of the new regulations in December 2014, and to modify the Nonconforming Sign section to remove the 5-year amortization provision, as directed by the City Commission.

**AREAS WHICH ARE MOST LIKELY TO BE DIRECTLY AFFECTED BY SUCH CHANGE AND IN WHAT WAY THEY WILL BE AFFECTED**

The proposed amendments generally apply throughout the city to residential, commercial, and industrial districts, Planned Unit Developments, and University Districts, with the exception of Kansas State University due to the annexation agreement.

As noted above, the amendments are clean-up provisions to address specific issues that were identified following approximately 16 months of implementing the new sign regulations. The amendments address oversights, provide clarification and corrections, and modify nonconforming signs as directed by the City Commission.

**WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN THE AREAS AND ZONING DISTRICTS AFFECTED, OR IN THE CITY PLANNING AREA, GENERALLY, AND IF SO, THE NATURE OF SUCH CHANGED OR CHANGING CONDITIONS**

*Attachment No. 2*

The proposed amendments were drafted to address the identified issues following the adoption of new regulations in 2014 that were a complete revision of Article VI – Signs. It was recognized at the time of their adoption that there would likely be a need for some follow-up revisions to address any oversights, unintended consequences and need for corrections and/or clarification. In addition the amendment to the Nonconforming Sign section is in response to direction from the City Commission regarding elimination of the 5-year amortization provision for nonconforming signs following its work session in 2015.

**WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE POLICY AND GOALS AS OUTLINED IN THE ADOPTED COMPREHENSIVE PLAN OF THE CITY**

The Zoning Regulations implement the Comprehensive Plan, its goals, objectives, and policies. The Comprehensive Plan is more general in nature and does not specify administrative site planning and construction details such as those addressed by the proposed amendments. However, the proposed amendments help ensure that the general policies in the Comprehensive Plan are implemented consistent with legal requirements.

**ALTERNATIVES**

It appears the MUAPB has the following alternatives concerning the issue at hand. The Board may:

1. Recommend approval of the proposed amendments to the City Commission based on the findings in the Staff Memorandum.
2. Recommend denial of the proposed amendments to the City Commission, based on specific reasons.
3. Modify the proposed amendments and forward the modifications, along with an explanation, to the City Commission.
4. Table the public hearing to a specific date, and provide further direction to City Administration.

**RECOMMENDATION**

City Administration recommends approval of the proposed amendments to Article VI Signs, and the correction to Article V Home Occupations, of the Manhattan Zoning Regulations, to address the identified follow-up items, based on the findings in the Staff Memorandum.

**POSSIBLE MOTION**

The Manhattan Urban Area Planning Board recommends approval of the proposed amendments to Article VI Signs, and the correction to Article V Home Occupations, of the Manhattan Zoning Regulations, to address the identified follow-up items, based on the findings in the Staff Memorandum.

EC

16075}MUAPB}AMEND}ZO}ART-VI-SIGNS

Attachments:

1. Proposed Amendments Article VI Signs

**STAFF REPORT**

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

**BACKGROUND**

**FROM:** R-3, Multiple-Family Residential District

**TO:** Interlachen Villas, Residential Planned Unit Development District

**OWNERS/APPLICANT:** PMG Properties, LLC, TJ Vilkanskas

**DATE OF NEIGHBORHOOD MEETING:** March 22, 2016

**DATE OF PUBLIC NOTICE PUBLICATION:** April 11, 2016

**DATE OF PUBLIC HEARING: PLANNING BOARD:** May 2, 2016  
**CITY COMMISSION:** May 17, 2016

**LEGAL DESCRIPTION:** Lots 1 – 21, Interlachen Addition, Unit Two

**LOCATION:** Generally located on the west side of Vanesta Drive, along both sides of Colbert Hills Drive, as far west as Palmer Circle and Fieldhouse Circle.

**AREA:** 316,873 square feet (7.27 acres)

**PROPOSED USES:** The applicant has proposed a single-family detached and single-family attached development that is somewhat unique to the City of Manhattan. The proposed development will consist of a total 62 dwelling units, consisting of single-family detached and single-family attached dwellings (ranging from 2 to 5 dwellings in a building), designed within 9 separate clusters. The clusters will be located near the existing streets of Colbert Hills Drive, Fieldhouse Circle and Palmer Circle. The dwellings will be designed as 2-bedroom, 3-bedroom or 4-bedroom townhomes to be individually owned. The applicant states that the homes will be “ideal for primary, secondary, retirement and game day homes. The remaining land in the development will be open landscape areas that are maintained by a home owners association created for the development. The home’s exterior will also be maintained by the home owners association.

**PROPOSED BUILDINGS AND STRUCTURES:** The proposed develop is created to allow individual property owners the ability to select their home designs. The home designs will be based on the bedroom count and situation within the grade of the development. The development is to consist of 2-bedroom, 3-bedroom and 4-bedroom units. The site has significant drop in grade from the west to the east.

The homes design will be 3-floors with varying heights due to the change in grade. The lowest floor will be for an attached garage with room for 2 – 3 cars, golf cart parking, and storage/utility rooms. The lowest floor could also include a bedroom, bathroom and other living space on the lowest floor. The 2<sup>nd</sup> floor will be the living room, kitchen, an office and dining room areas. The 4-bedroom units will also 2 bedrooms on this floor. The 3<sup>rd</sup> floor will be reserved from the master bedroom, master bathroom and a 2<sup>nd</sup> bedroom room. Each floor plan also includes an optional elevator to service all 3 floors of the dwelling.

The exterior plans have a pitched roof. The front door of most units will be towards the adjacent street with the garage and secondary access from the rear via a travel easement. The exterior material pallet ranges from stone veneer, wood lap siding, stucco or paneled siding and architectural shingles.

The homes range in size from approximately 2,700 square feet in floor area up to approximately 3,700 square feet in floor area, depending on home design options and bedroom count. Each townhome is proposed to be a separate platted lot. These lots will gain access from the travel easement within each of the 9 clusters.

The proposed Residential PUD is being designed to provide home buyers the maximum flexibility possible to pick a home model.

The proposed development is to occur in 5 phases, with the first phase occurring at the intersection of Fieldhouse Circle and Colbert Hills Drive. See the phase plan for the location of the subsequent phase.

**PROPOSED LOT COVERAGE**

Use	Square Feet	Percentage
Building	75,964	24.0%
Paved Area (Parking & Driveways)	67,995	21.5%
Active Recreation Areas	6,976	2.2%
Total Open Space	240,480	76.0%
Total Impervious	150,935	47.7%

## **PROPOSED SIGNS**

The application documents states that “Signs will be in keeping with the neighborhood standards and provided as needed. Since no specific signage is being proposed, City Administration that the PUD allows signage, as listed in Section 6-201, Signs for Residential Uses Located in Low and Medium Density Residential District. The permitted signage would generally be small, residential scaled wall and monument signs and real estate signs pertaining to subdivisions.

City Administration is recommending exempt signage described in Section 6-102(A)(2)(a), (b), (c), (e), (i), (k), and (l).

**PROPOSED LIGHTING:** According to the application materials, the lighting will consist of “on-building residential lighting to minimize light pollution. No light poles are proposed.

## **SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS**

- 1. LANDSCAPING:** Landscape for the proposed development will consist of deciduous and evergreen trees and shrubs and ornamental grasses and open lawn areas. The landscaping will be distributed throughout the site, including adjacent to the homes, in the landscape islands in the travel easements and the common open space. The common open space is intended to be enjoyed by the residents of the development and could include picnic areas and other recreations amenities for the home owners. The final details of the common open space will be provided with the Final Development Plan.
- 2. SCREENING:** No specific screening is proposed for the development. The location of the homes is intended to screen the vehicular traffic and adjacent single-family homes from the off-street parking areas. Trash receptacles will be for individual properties and intended to be stored within the garage.
- 3. DRAINAGE:** The applicant’s consultant, SMH Consultant provided a letter, dated May 3, 2016, addressing the stormwater management of the site (*see attached*). The City Engineer and Stormwater Engineer did not require a full drainage study, as the development is similar in residential intensity to the current zoning of R-3, Multiple-Family Residential District. Stormwater runoff will be directed to existing storm sewer infrastructure along the street systems and directed to the existing detention basin north of Vanesta Drive. This existing basin drains into Little Kitten Creek.

*Attachment No. 3*

The applicant's consultant states that the proposed drainage characteristics "are consistent with conclusions and recommendations for development as described by the Grand Mere Master Plan and with the original intent of the Interlachen plat which zoned this area R-3."

The City Engineer and Stormwater Engineer have reviewed the preliminary development plans and letter and have stated no comments or concerns.

**4. CIRCULATION:**

The site gains access from the existing streets. Lots 1 – 3, and 27 – 62 will gain access from Colbert Hills Drive, via private travel easements within the residential cluster. Lots 4-26 will gain access from Fieldhouse Circle. Travel Easements are public access that is owned by the property owner or home owners association and is privately maintained. These travel easements will be required to be named, with the approval of the Riley County Emergency Management Department and the Manhattan Fire Department. A restrictive covenant defining the on-going maintenance of these travel easements and procedure to ensure they are adequately maintained will be required at the time of the Final Development Plan approval.

Traffic Study

The applicant's consultant, SMH Consultant provided a letter, dated May 3, 2016, addressing the traffic analysis (*see attached*). The City Engineer and Stormwater Engineer did not require a full traffic study, as the development is similar in residential intensity allowed for the current zoning of R-3, Multiple-Family Residential District.

The consultant determined that an additional 17 vehicle trips in the P.M. peak hour would be generated by the proposed development compared to the original Interlachen development plans for 9 six-unit dwelling units that were going to be designed as townhomes. According to the consultant, "these additional trips are well within the number trips envisioned by the Grand Mere Master Plan for the area.

The City Engineer and Stormwater Engineer have reviewed the preliminary development plans and letter and accepts the consultants findings that the added 17 vehicle trips in the P.M. peak hour is a minimal addition to the traffic volumes and are within the traffic planned with the Grand Mere Master Plan for the surrounding area.

Off-street Parking

Off-street parking is proposed in attached garages and parallel parking spaces along the travel easements. Most dwelling units will have 2-car garages and space for golf cart parking. A few dwelling designs have space for 3 or 4 cars. The Preliminary Development Plan shows 130 off-street parking within the garages, 77 off-street parking in the travel easements, for a total of 207 parking spaces. The off-street parking ratio for the development would be 3.23 spaces per dwelling unit.

*Attachment No. 3*

The dwelling units will be built and marketed as single-family homes and not apartment units. The parking regulations for single-family homes (2 parking spaces per dwelling unit) would require a minimum of 124 parking spaces. The applicant has provided parking spaces within the travel easements to accommodate guests and visitors. No parking will be allowed on one side of Colbert Hills Drive, Fieldhouse Circle and Palmer Circle.

*Bicycle and Pedestrian Access*

Sidewalks are proposed on both sides of Colbert Hills Drive and the south side of Fieldhouse Circle. A sidewalk will be provided along Palmer Circle as part of that single-family development. The applicant has stated that individual front porches/entryways will be provided with the dwellings, increasing the pedestrian friendly environment of the area.

No specific bicycle facilities will be provided with the development. Because of the individual dwelling design, bicycle racks or other bicycle facilities are not recommended.

5. **OPEN SPACE AND COMMON AREA:** As previously mentioned, the Preliminary Development plans show large common and open space in the middle of the development. The common open space is intended to be enjoyed by the residents of the development and could include picnic areas and other recreations amenities, such as fire pits and seating areas for the home owners. The final details of the common open space will be provided with the Final Development Plan.
6. **CHARACTER OF THE NEIGHBORHOOD:** Currently, the general character of the neighborhood is a mix of low density residential and golf course uses under various stages of development. To the north, south and west are properties within the Grand Mere Master Planned Golf Course Community. To the east are single-family homes that are not associated with Grand Mere.

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

1. **EXISTING USE:** Vacant, platted lots and road right-of-way with infrastructure in place.
2. **PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The subject site is irregular shaped bound by Fieldhouse Circle and Palmer Circle. Colbert Hills Drive dissects the site into 2 parts. The site is being served by public and private utilities and is ready to be developed. The site drains towards the southeast.

**3. SURROUNDING LAND USE AND ZONING:**

**NORTH:** Fieldhouse Circle ROW, Platted single-family detached lots in the initial phases of construction, Colbert Hills Golf Course, and undeveloped land (future Grand Mere villas, single-family dwellings); R-1, Single-Family Residential District.

**SOUTH:** Palmer Circle ROW, Platted single-family detached lots in the initial phases of construction, Colbert Hills Golf Course, and undeveloped land (future Grand Mere villas, single-family dwellings); R-1, Single-Family Residential District and R-S, Single-Family Residential Suburban District.

**EAST:** Vanesta Drive, commercial land in the initial stages of construction for a professional office and restaurant, Homecare and Hospice House, vacant tract, single-family homes in various stages of development; C-2, Neighborhood Commercial District, R, Single-Family Residential District and R-2 Two-Family Residential District

**WEST:** Palmer Circle and Fieldhouse Circle ROWs, Platted single-family detached lots in the initial phases of construction, Colbert Hills Golf Course, and undeveloped land (future Grand Mere villas, single-family dwellings); R-1, Single-Family Residential District and R-S, Single-Family Residential Suburban District.

**4. CHARACTER OF THE NEIGHBORHOOD:** See above under **6, Character of the Neighborhood.**

**5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The current zoning of the site R-3, Multiple-Family Residential District and consists of 21 platted lots, totaling 316,873 square feet. The R-3 District allows for multiple-family dwellings with a maximum density of 1 dwelling unit per 1,000 square feet of lot area. Theoretically, 316 dwelling units in apartment buildings could be built on the rezoning site, depending on the grade, building design(s) and off-street parking requirements. The most recent development plan for the site was to develop single-family homes on the 21 lots. Infrastructure is currently in place to development the area into the 21 homes. The site is suitable for the current zoning.

**6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The proposed development will create an increase in noise, light and traffic in the area compared to the single-family homes that was planned for with the latest replat of the rezoning area in Interlachen Addition, Unit Three. Originally, the site was planned to be developed on 8 lots with a total of 38 dwelling units (7 lots with 5 dwelling units on each lot and 1 lot with 3 dwelling units).

*Attachment No. 3*

The proposed PUD creates a residential development with design characteristics that are currently unique to Manhattan. The homes will be constructed as townhomes for single-family dwellings. Each dwelling unit will be on separate platted lots and is intended to be owner occupied. The proposed dwellings will clustered around 9 travel easements that will provide the vehicular access and off-street parking to the dwelling units.

According to the applicant, the front yards will have trees and traditional landscaping similar to the surrounding neighborhoods. In between the clusters of dwelling units, shared open space with amenities, such as fire pits, trails and seating areas will be provided. The landscaping and open space will be owned and maintained by the home owner's association.

The area will also be required to conform to the Grand Mere architectural guidelines and design standards. A private design review committee is responsible for enforcement of the Grande Mere guidelines and standards (*see policy statement below under Comprehensive Plan, part III.*) The guidelines and standards are private and are not part of the rezoning. The policy statements are mentioned because they are part of the Grand Mere Community Master Plan policies, which was adopted as a part of the Manhattan Urban Area Comprehensive Plan.

As required by the rezoning application process, a neighborhood meeting was conducted by the applicant on March 22, 2016. The meeting summary stated that 6 people were in attendance. The meeting report stated that the neighbors were satisfied with the proposed housing product (i.e. building design, materials and landscaping), but had concerns with the proposed density. Other concerns were the sight lines and parking on Colbert Hills Drive and if the dwelling units would be rental units or owner occupied.

Although the design of the proposed residential PUD is unique to the Grand Mere neighborhood and the City, it is being proposed to have similar characteristics of the surrounding neighborhood. Also, the proposed use of single-family dwellings designed as townhomes are present throughout the Grand Mere neighborhood. The proposed rezoning to Residential PUD is compatible with the surrounding area.

**7. CONFORMANCE WITH COMPREHENSIVE PLAN:** Northwest Future Land Use of the Manhattan Area 2035 Comprehensive Plan as Residential High Density (RHD). The applicable land use policies found in the Comprehensive Plan are below.

Residential High Density (RHD)

***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. Non-residential 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 is strongly encouraged where viable based on market demand and visibility.*

**Grand Mere, a Master Planned Golf Course Community**

***B. PROJECT INTENT***

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

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

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

## **5 KEY DESIGN CONCEPTS**

### **1. Create a high quality residential community**

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

### **2. Integrate the Natural Environment**

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

### **3. Offer a Variety of Residential Living**

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

### **4. Create a Pedestrian/Bicycle System**

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

*Grand Mere Community Overall Development Plan*

### **5. Establish a 'heart' to the community**

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

### **III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY**

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

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

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

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

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

### **A. Residential Neighborhoods**

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

#### **Residential Types:**

##### **Single Family (RLM)**

*The 273.4 acres of single family proposed for Grand Mere represents 50% of the total proposed residential acreage. The detached single family products will range in size and density. The villages of single family will be developed as parcels and each will be controlled to maximize views, walkouts, and architectural design quality. The Grand Mere Architectural Review Committee will provide design review of the homes and general site development guidance. Each single family village will be signed and themed as a unique part to the overall Grand Mere development and developed as the market demands. Each parcel will provide internal open space, storm drainage controls, and pedestrian linkages between the villages in addition to the designated Grand Mere Circulation Park & Open Space Plan.*

##### **Townhomes (RMH)**

*The townhomes proposed for Grand Mere are located along the parkway or the golf course for direct access to the recreation center, open space, and bike trail systems. These homes would offer a two and three bedroom configuration in groups of two to six homes per buildings, depending on site conditions and planning. The homes association would provide maintenance for the common areas within the neighborhood. The architecture would be designed to provide an overall theme and consistent material quality throughout the neighborhood. Attached garages and individual entries for each home would be provided. Depending on the market demands an amenity center might be planned for the various townhome parcels.*

### ***C. Streets and Circulation System***

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

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

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

### ***D. Pedestrian and Bicycle Circulation System***

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

### ***G. Golf Course Development***

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

***Bike Paths, Trails and Sidewalks***

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

The site was rezoned to R-3, Multiple-Family Residential District in 2013. Since that time, the Manhattan Urban Area Comprehensive Plan has been updated and now the Northwest Area Future Land Use Map shows the site as Residential High Density. The possible density range in the RHD is 19 – 50 dwelling units per net acre and greater. The proposed density for the Interlachen Villas PUD is 8.52 dwelling units per net acre.

The Grand Mere Master Plan was not updated to reflect the zoning and land use change in 2013. It was determined at that time that rezoning was in general conformance to the Grand Mere Master Plan.

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

- |                   |   |
|-------------------|---|
| August 7, 1997    | Board of County Commissioners approved Preliminary Development Plan of The Wildcat ( <i>Grand Mere</i> ) and Colbert Hills R-PUD. |
| August 14, 1997   | Board of County Commissioners approved Final Development Plan.  |
| April 6, 1998     | Manhattan Urban Area Planning Board recommended approval of annexation.   |
| April 21, 1998    | City Commission approved first reading of annexation.   |
| June 1, 1998      | Manhattan Urban Area Planning Board recommended approval of rezoning to R District.   |
| June 16, 1998     | City Commission approved first reading of rezoning Tract II of Grand Mere to R District.  |
| September 3, 2008 | Manhattan Urban Area Planning Board approves Preliminary Plat of Grand Mere Addition Unit Three.                                  |
| November 17, 2008 | Manhattan Urban Area Planning Board approves Final Plat of Grand Mere Addition Unit Three.  |

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- December 2, 2008 City Commission accepts rights-of-ways and easements as shown on the Final Plat of Grand Mere Addition, Unit Three
- November 18, 2013 Manhattan Urban Area Planning Board tables rezoning of the proposed Interlachen Addition.
- December 2, 2013 Manhattan Urban Area Planning Board recommends approval of rezoning of the proposed Interlachen Addition to: (Tract 1) R-1; (Tract 2) R-3; and (Tract 3) C-2; and approves Final Plat of Interlachen Addition, a replat of Grand Mere Addition, Unit Three.
- December 17, 2013 City Commission approves first reading of an ordinance rezoning the proposed Interlachen Addition from R, Single-Family Residential District to: (Tract 1) R-1; (Tract 2) R-3; and (Tract 3) C-2.
- January 7, 2014 City Commission Approves Ordinance No. 7059 rezoning the Interlachen Addition, from R, Single-Family Residential District to: (Tract 1) R-1; (Tract 2) R-3; and (Tract 3) C-2, and accepts rights-of-ways and easements as shown on the Final Plat of Interlachen Addition.
- January 22, 2015 Manhattan Urban Area Planning Board approves Final Plat of Interlachen Addition, Unit Two.
- February 3, 2015 City Commission accepts rights-of-ways and easements as shown on the Final Plat of Interlachen Addition, Unit Two.
- January 4, 2016 Manhattan Urban Area Planning Board approves Final Plat of Interlachen Addition, Unit Three.
- January 19, 2016 City Commission accepts rights-of-ways and easements as shown on the Final Plat of Interlachen Addition, Unit Three.

**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.

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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.

Through the PUD rezoning process, the intent and purpose of the Zoning Regulations are met. The PUD provides for the efficient land use that is also in harmony with the area's residential density. The PUD process also offers conditions to the development that will protect the health, safety and general welfare of the community and protect property values. Subject to the conditions of approval, the proposed amendment is consistent with 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 INDIVIDUAL OWNER:**

There appears to be no gain to the public that denial would accomplish. Traffic increases can be adequately handled by Marlatt Avenue and pedestrian safety is accommodated. Public utilities and facilities can be extended to adequately serve the subdivision, and most importantly, fire and emergency service protection. Denial of the request may be a hardship to the owner.

**10. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:**

Adequate public water, sanitary sewer, streets and pedestrian sidewalks are currently available to serve the development. Public and private infrastructure is currently in place to service the site for single-family homes. The existing infrastructure will need to be altered to manage the increase in dwelling units. The developer has been in contact with the Public Works Department.

**11. 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 noise sensitive land uses which includes offices providing nursing services and/or overnight stays, 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.

**12. STAFF COMMENTS AND RECOMMENDATION:**

City Administration recommends approval of the proposed rezoning of the Interlachen Villas Residential Planned Unit Development from R-3, Multiple-Family Residential District to Residential Planned Unit Development, with the following conditions of approval:

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1. The Permitted Use shall be single-family detached and single-family attached dwelling units.
2. A maximum of 62 total single-family townhome units shall be allowed.
3. Signage for low to medium density residential districts as described in Article VI, Section 6-201 shall be permitted.
4. Exempt signage shall include signage described in Article VI, Section 6-102(A)(2)(a), (b), (c), (e), (i), (k), and (l).
5. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
6. All landscaping and irrigation shall be maintained in good condition.
7. The names of the travel easements shall be approved by the Riley County Emergency Management Department and Manhattan Fire Department prior to the application for the Final Development Plan and Final Plat for Phase 1.

**ALTERNATIVES:**

1. Recommend approval of the proposed rezoning of the Interlachen Villas Residential Planned Unit Development from R-3, Multiple-Family Residential District to Residential Planned Unit Development, stating the basis for such recommendation, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of the Interlachen Villas Residential Planned Unit Development from R-3, Multiple-Family Residential District to Residential 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 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 the Interlachen Villas Residential Planned Unit Development from R-3, Multiple-Family Residential District to Residential Planned Unit Development, based on the findings in the staff report, with the seven (7) conditions recommended by City Administration.

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

**DATE:** May 9, 2016

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