



MINUTES
CITY COMMISSION MEETING
TUESDAY, JUNE 20, 2017
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Usha Reddi and Commissioners Linda Morse, Michael L. Dodson, Wynn Butler, and Karen McCulloh were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 7 staff, and approximately 18 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Reddi proclaimed ***Community Supporting Breastfeeding***. Brenda Bandy, Executive Director, Kansas Breastfeeding Coalition, Inc.; Cathy Jones, WIC Dietician, and Jane Freyenberger, WIC Coordinator, Riley County Health Department; Molly Belin, Parents as Teachers Parent Educator, Unified School District 383; Karen Meek, RN, International Board Certified Lactation Consultant, Bosom Buddy Lactation Services; and other interested individuals were present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner McCulloh informed the community that buses would be going from the Flint Hills Discovery Center to Highland, Kansas (Highland Community College), to view the eclipse on August 21, 2017. She stated that if you are interested and want additional information on this educational experience, to contact the Flint Hills Discovery Center. She provided an update on the Mental Health Task Force and stated that Osawatomie State Hospital recently failed their inspection for accreditation and that the burden will be shifted locally to find a place to stabilize individuals that need services.

COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Morse praised the Juneteenth Celebration held at City Park on Saturday, June 17, 2017. She thanked the volunteers for providing a well-organized event.

Mayor Reddi reminded citizens about the Country Stampede from June 22 – June 24, 2017, and encouraged everyone to enjoy the events and to be careful. She stated that she and her spouse, Brian Niehoff, hosted family visiting from out of town with two young children and enjoyed the Sunset Zoo, the Wildwood Outdoor Adventure Park, the salt mines at Hutchinson, the pools, the Flint Hills Discovery Center, and the Manhattan Public Library. She said there is a lot to do in Manhattan and it is a destination place to enjoy. She informed the community that the National Festival of Breads event and barbeque held at the Blue Earth Plaza on Saturday, June 17, 2017, was a wonderful success, with over 3,000 people attending.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, June 6, 2017.

CLAIMS REGISTER NO. 2854

The Commission approved Claims Register No. 2854 authorizing and approving the payment of claims from May 31, 2017, to June 13, 2017, in the amount of \$3,248,609.94.

* LICENSE

Jason Hilgers, Deputy City Manager, responded to questions from the Commission and provided clarification that this item was for the Manhattan Country Club.

The Commission approved a Fireworks Display License for July 3, 2017, for the Manhattan Country Club, 1531 North 10th Street.

ORDINANCE NO. 7295 – REZONE – 12TH AND BLUEMONT LOFTS PUD

The Commission approved Ordinance No. 7295 rezoning the 12th & Bluemont Lofts PUD, generally located to the northeast of the intersection of Bluemont Avenue and North 12th Street, from R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to PUD, Residential Planned Unit Development, based on the findings in the Staff Report (*See Attachment No. 1*), with the six conditions of approval recommended by the Manhattan Urban Area Planning Board.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7296 – VACATE UTILITY EASEMENT – LOT 3, COLLEGE VIEW ADDITION (PHI KAPPA ALPHA)

The Commission approved Ordinance No. 7296 vacating a public utility easement on Lot 3 of College View Addition.

ORDINANCE NO. 7297 – ISSUE TEMPORARY NOTES – WEST ANDERSON AVENUE SANITARY SEWER IMPROVEMENTS (SS1620)

The Commission approved Ordinance No. 7297 authorizing the issuance of temporary notes to finance the West Anderson Avenue Sanitary Sewer Improvements (SS1620).

RESOLUTION NO. 062017-A – POLICY – MUNICIPAL COURT SECURITY

The Commission approved Resolution No. 062017-A prohibiting the carrying of firearms within the Municipal Courthouse and permitting security personnel to deny entry to, or eject, individuals who are carrying a firearm.

* **RESOLUTION NO. 062017-B – PETITION – NORTHWING ADDITION, UNIT TWO, STREET IMPROVEMENTS (ST1709)**

Chad Bunger, Assistant Director for Community Development, responded to questions from the Commission regarding the development. He provided information regarding building sites and the floodplain.

The Commission found the petition sufficient; approve Resolution No. 062017-B, finding the project advisable and authorizing construction for the Northwing Addition, Unit Two, Street Improvements (ST1709).

* **RESOLUTION NO. 062017-C – PETITION – NORTHWING ADDITION, UNIT TWO, WATER IMPROVEMENTS (WA1712)**

Chad Bunger, Assistant Director for Community Development, responded to questions from the Commission regarding the development. He provided information regarding building sites and the floodplain.

The Commission found the petition sufficient; approved Resolution No. 062017-C, finding the project advisable and authorizing construction for the Northwing Addition, Unit Two, Sanitary Sewer Improvements (SS1718).

* **RESOLUTION NO. 062017-D – PETITION – NORTHWING ADDITION, UNIT TWO, SANITARY SEWER IMPROVEMENTS (SS1718)**

Chad Bunger, Assistant Director for Community Development, responded to questions from the Commission regarding the development. He provided information regarding building sites and the floodplain.

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 062017-D – PETITION – NORTHWING ADDITION, UNIT TWO, SANITARY SEWER IMPROVEMENTS (SS1718) (CONTINUED)**

The Commission found the petition sufficient; approved Resolution No. 062017-D, finding the project advisable and authorizing construction for the Northwing Addition, Unit Two, Sanitary Sewer Improvements (SS1718).

* **RESOLUTION NO. 062017-E – PETITION – NORTHWING ADDITION, UNIT TWO, STORM SEWER IMPROVEMENTS (SM1709)**

Chad Bunger, Assistant Director for Community Development, responded to questions from the Commission regarding the development. He provided information regarding building sites and the floodplain.

The Commission Found the petition sufficient; approved Resolution No. 062017-E, finding the project advisable and authorizing construction for the Northwing Addition, Unit Two, Storm Sewer Improvements (SM1709).

AGREEMENT – PROFESSIONAL SERVICES – NORTHWING ADDITION, UNIT TWO, STREET (ST1709), WATER (WA1712), SANITARY SEWER (SS1718), AND STORM SEWER (SM1709) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement with Schwab-Eaton, of Manhattan, Kansas, in an amount not to exceed \$124,165.00 for professional services for the Northwing Addition, Unit Two, Street (ST1709), Water (WA1712), Sanitary Sewer (SS1718), and Storm Sewer (SM1709) Improvements.

AGREEMENT – PROFESSIONAL SERVICES – SUNNYSLOPE LANE SANITARY SEWER IMPROVEMENTS, PHASE 1 (SS1707)

The Commission authorized the Mayor and City Clerk to execute an agreement for professional services, in an amount not to exceed \$35,524.00, with Bartlett & West, Inc., of Manhattan, Kansas, for the Sunnyslope Lane Sanitary Sewer Improvements, Phase 1, project (SS1707).

* **CHANGE ORDER NO. 4-FINAL – POLISKA LANE STORM SEWER IMPROVEMENTS (SM1606)**

The Commission approved and authorized the Mayor to execute the final as-built Change Order No. 4, resulting in a net increase in the amount of \$38,154.68 (+15.7%) to the contract with J & K Contracting, L. C., of Junction City, Kansas, for the Poliska Lane Storm Sewer Improvement project (SM1606).

CONSENT AGENDA (CONTINUED)

* **CHANGE ORDER NO. 2 – LEGACY RIDGE ADDITION STREET IMPROVEMENTS (ST1616)**

The Commission approved and authorized the Mayor to execute Change Order No. 2, resulting in a net increase in the amount of \$48,720.00 (+13.2%) to the contract with J&K Contracting, of Junction City, Kansas, for the Legacy Ridge Addition Street Improvements project (ST1616).

RESOLUTION NO. 062017-F – KDOT TRANSPORTATION ALTERNATIVES PROGRAM APPLICATIONS

The Commission approved Resolution No. 062017-F authorizing City Administration to complete and submit to the Kansas Department of Transportation the necessary application forms for the Transportation Alternatives Program for the following two (2) projects: *USD 383-MHK Safe Routes to School, Phase II* (SRTS Category), and the *Juliette Avenue Brick Street Rehabilitation, Phase III, Osage Street to Poyntz Avenue* (Historic and Archeological Category).

IN LIEU OF FEE – OLD BIG BLUE STORMWATER IMPROVEMENTS, PHASE V (SM1605)

The Commission authorized the City Engineer to obtain and execute a United States Army Corps of Engineers (USACE) Section 404 Permit for the project, and authorized In-Lieu of Fee payment in the amount of \$64,000.00 for the Old Big Blue Stormwater Improvements, Phase V, Project (SM1605).

CONCURRENCE – AWARD CONSTRUCTION CONTRACT – MARLATT AVENUE/DENISON AVENUE ROADWAY EXPANSION, PHASE I, RCB (ST1612)

The Commission concurred with Riley County on the award of a construction contract in the amount of \$296,691.55 to Ebert Construction, of Wamego, Kansas, for the Marlatt Avenue/Denison Avenue Roadway Expansion Project, Phase I, Reinforced Concrete Box (RCB) improvements (ST1612). *[NOTE: The actual bid amount for Ebert Construction read at the bid opening was \$296,691.55. Due to a mathematical error in the bid submitted by Ebert Construction, the actual construction contract amount will be \$296,757.13.]*

* **GRANT AGREEMENT/PURCHASE – HAZARD MITIGATION – 100 DIX DRIVE (CIP #SM073P)**

The Commission awarded and authorized the Community Development Director to execute the Grant Agreement, and authorized City Administration to finalize the purchase of 100 Dix Drive (CIP #SM073P).

CONSENT AGENDA (CONTINUED)

- * **AWARD CONTRACT – DEMOLITION – 100 DIX DRIVE (SM1708)**
The Commission accepted the base bid and the two alternatives (entirely removing the concrete driveway, and removing existing deciduous and evergreen trees on the site); awarded a contract in the amount of \$7,780.00 for the base bid and two bid alternatives to Howie’s Recycling, of Manhattan, Kansas; and authorized the City Manager and City Clerk to execute the contract for the demolition project at 100 Dix Drive (SM1708).

- * **GRANT AGREEMENT/PURCHASE – HAZARD MITIGATION – 921 VILLAGE DRIVE (CIP #SM073P)**
The Commission awarded and authorized the Community Development Director to execute the Grant Agreement, and authorized City Administration to finalize the purchase of 921 Village Drive (CIP #SM073P).

- * **GRANT AGREEMENT/PURCHASE – HAZARD MITIGATION – 933 VILLAGE DRIVE (CIP #SM073P)**
The Commission awarded and authorized the Community Development Director to execute the Grant Agreement, and authorized City Administration to finalize the purchase of 939 Village Drive (CIP #SM073P).

- * **INTERLOCAL AGREEMENT – ANTHONY MIDDLE SCHOOL AND EISENHOWER MIDDLE SCHOOL RECREATIONAL FACILITIES**
The Commission authorized the Mayor and City Clerk to execute an Interlocal Agreement with the Board of Education of the Unified School District #383, to obtain a license, and authority, from the District to use the Anthony Middle School site and the Eisenhower Middle School site for the public purpose of constructing, reconstructing, maintaining, repairing and operating Indoor Recreation Facilities. *[NOTE: Based upon input from the Legal Department, the Interlocal Agreement and the Operation/Use Agreement were combined into one document as an Interlocal Agreement.]*

- OPERATION/USE AGREEMENT – ANTHONY MIDDLE SCHOOL AND EISENHOWER MIDDLE SCHOOL RECREATIONAL FACILITIES**
The Commission authorized the Mayor and City Clerk to execute an Operation/Use Agreement for the joint use of the Anthony Middle School site and the Eisenhower Middle School site Recreational Facilities. *[NOTE: Based upon input from the Legal Department, the Interlocal Agreement and the Operation/Use Agreement were combined into one document as an Interlocal Agreement.]*

CONSENT AGENDA (CONTINUED)

RENEWAL – SOFTWARE UPGRADE, MAINTENANCE, SUPPORT

The Commission authorized the renewal of the software upgrade, maintenance, and support services agreement for a term of July 1, 2017, to June 30, 2018, in the amount of \$46,727.00 with Superior Public Sector, Inc., of Lake Mary, Florida.

BOARD APPOINTMENTS

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

Airport Advisory Board

Re-appointment of Jackie Hartman, 1412 Penrose Place, to a three-year Kansas State University term. Ms. Hartman's term will begin June 27, 2017, and will expire June 26, 2020.

Special Alcohol Funds Advisory Committee

Re-appointment of Bryce Swanson, 3134 Lundin Dr. Apartment 8, to a three-year term. Mr. Swanson's term will begin July 1, 2017, and will expire June 30, 2020.

Appointment of Chad Broadway, 3442 Chimney Rock Road, to fill a three-year term. Mr. Broadway's term will begin immediately, and will expire June 30, 2020.

FINAL PLAT – TOWNHOMES AT MILLER RANCH, UNIT 7

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Townhomes at Miller Ranch, Unit 7, generally located to the west of the intersection Brianna Court and Miller Parkway, based on conformance with the Manhattan Urban Area Subdivision Regulations.

Ron Fehr, City Manager, stated that the resolution number for General Agenda Item D, Consider Setting a Public Hearing Date for Creation of Benefit District For The 1100 Block Alley Between Ratone Street And Bertrand Street Improvement, has been corrected to Resolution No. 062017-G.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

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

GENERAL AGENDA

FIRST CONSIDERATION - ECONOMIC DEVELOPMENT APPLICATION - BRIGGS AUTO GROUP

Ron Fehr, City Manager, stated the item was removed at the request of the applicant.

FIRST READING - ANNEX AND REZONE - FIRST CHRISTIAN CHURCH PROPERTY (RILEY COUNTY RESIDENTIAL PUD TO R-1)

Chad Bunger, Assistant Director of Community Development, presented an overview of the item. He highlighted the annexation and rezoning request and stated the Manhattan Urban Area Planning Board recommended approval. He then responded to questions from the Commission regarding the proposed daycare center and stated that Fort Riley was notified of this annexation and rezoning due to it being located in the Critical Area and would provide a notice on building permits and the plat.

Richard Gallagher, representing the applicant, 1900 Grand Vista Lane, provided additional information on the item. He responded to questions from the Commission and stated the daycare is planning to have a capacity of 49.

Mayor Reddi opened the public comments.

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

After discussion, Commissioner Dodson moved to approve first reading of an ordinance annexing the First Christian Church property in Grand Mere, a 6.96-acre tract of land generally located to the west of Grand Mere Parkway at the intersection of Grand Mere Parkway and Grand Champion Drive, 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 First Christian Church property in Grand Mere from Riley County Residential Planned Unit Development District to R-1, Single-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 2*) and the recommendation of the Planning Board. Commissioner Morse seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – REZONE - PORTION OF 1320 SHARINGBROOK DRIVE (R TO BODY FIRST WELLNESS AND RECREATION CENTER PUD) - and - AMEND BODY FIRST WELLNESS AND RECREATION CENTER PUD

Chad Bunger, Assistant Director of Community Development, presented background information and an overview of the item. He highlighted the Planned Unit Development (PUD) amendment request and provided information on the site improvements, drainage, and traffic analysis. He then responded to questions from the Commission regarding the pedestrian easements, the status of the pedestrian bridge, and the portion of 1320 Sharingbrook Drive lot to Body First PUD.

GENERAL AGENDA (*CONTINUED*)

FIRST READING – REZONE - PORTION OF 1320 SHARINGBROOK DRIVE (R TO BODY FIRST WELLNESS AND RECREATION CENTER PUD) - and - AMEND BODY FIRST WELLNESS AND RECREATION CENTER PUD (*CONTINUED*)

After comments from the Commission, Chad Bunger, Assistant Director of Community Development, responded to questions regarding pedestrian easements, ownership of the property, and timeline for the project. He provided additional information on the stormwater runoff, parking, landscaping and screening, and highlighted a map of the Future Land Use (Northwest). He informed the Commission that the Manhattan Urban Area Planning Board recommended approval of the item.

Eddie Eastes, Director of Parks and Recreation, responded to questions from the Commission regarding the inventory of tennis courts in the community. He stated the proposed tennis courts for CiCo Park would be for public access.

Ron Fehr, City Manager, responded to questions from the Commission concerning pedestrian access from the Sharingbrook neighborhood to the Amanda Arnold Elementary School.

Eddie Eastes, Director of Parks and Recreation, and Rob Ott, Director of Public Works, provided background information and addressed concerns with the pedestrian bridge.

Chad Bunger, Assistant Director of Community Development, provided clarification on the pedestrian easements, presented additional information on the proposed landscaping, and responded to questions about vehicular activity associated with drop-off and pick-up of children attending Amanda Arnold Elementary School.

Mayor Reddi opened the public comments.

Doug Sellers, Applicant, Body First Wellness and Recreation Center, responded to questions from the Commission and stated that they anticipate starting construction the end of July and will be ongoing for eight months to one year for completion. He stated they have a good relationship with the principal at Amanda Arnold Elementary School.

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

GENERAL AGENDA (CONTINUED)

FIRST READING – REZONE - PORTION OF 1320 SHARINGBROOK DRIVE (R TO BODY FIRST WELLNESS AND RECREATION CENTER PUD) - and - AMEND BODY FIRST WELLNESS AND RECREATION CENTER PUD (CONTINUED)

After discussion and comments from the Commission, Commissioner Morse moved to approve first reading of an ordinance rezoning a tract of land including a portion of 1320 Sharingbrook Drive and an unplatted tract directly to the north of the PUD site from R, Single-Family Residential District, to Body First Wellness and Recreation Center Commercial Planned Unit Development, and amending Ordinance No. 7060, based on the revised site plan of the Body First Wellness and Recreation Center PUD and findings in the Staff Report (*See Attachment No. 3*), with the six (6) conditions recommended by City Administration. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 062017-G - SET PUBLIC HEARING DATE – CREATE - 1100 BLOCK ALLEY BETWEEN RATONE STREET AND BERTRAND STREET IMPROVEMENT BENEFIT DISTRICT

Rob Ott, Director of Public Works, presented background information and an overview of the item. He highlighted the proposed resolution and presented information on the date of the public hearing, the general nature of the improvement, the estimated cost, the method of assessment, and the apportionment of costs. He then responded to questions from the Commission regarding the current condition of the alley and stated that letters were sent to all the property owners as well as presented a map of the subject area.

After comments from the Commission, Rob Ott, Director of Public Works, responded to questions regarding the neighborhood meeting held, feedback received for the project, and provided the estimated specials for the alley improvements and cost distribution between the benefit district and the City-At-Large. He provided additional information on the condition of the alley and the need to upgrade the alley infrastructure.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

After discussion and comments from the Commission, Commissioner Morse moved to approve Resolution No. 062017- G setting July 11, 2017, as the public hearing date in order to consider a resolution finding the project advisable, creating a 1100 Block Alley located between Ratone Street and Bertrand Street Improvement Benefit District, and authorizing construction. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

PRESENTATION - SPORTS MARKETING ANALYSIS

Karen Hibbard, Director, Manhattan Convention and Visitors Bureau, introduced the item.

Mark Jackson, Visibility Sports Marketing, presented an overview of the business of sports. He highlighted the sports marketing industry and assumptions; Manhattan's competitive venues and outdoor and indoor facilities; sports segments and current sports trends; operational analysis and site and accommodation selection; and a summary and recommendations. He then responded to questions from the Commission regarding other types of recreational and sport activities.

After comments from the Commission, Mark Jackson, Visibility Sports Marketing, responded to additional questions from the Commission. He provided additional information on sporting events, discussed different types of operations and venues, and elaborated on his recommendations for operations.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

As this is a discussion item, no formal motion was taken by the Commission.

ADJOURNMENT

At 9:05 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

APPLICATION TO REZONE PROPERTY TO PLANNED UNIT DEVELOPMENT DISTRICT

BACKGROUND

FROM: R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District

TO: 12th & Bluemont Lofts Planned Unit Development District

OWNERS: TJ Vilkanskas

APPLICANT: 12th & Bluemont, LLC (TJ Vilkanskas)

DATE OF NEIGHBORHOOD MEETING: May 20, 2017

DATE OF PUBLIC NOTICE PUBLICATION: April 25, 2017

DATE OF PUBLIC HEARING: **Planning Board:** May 15, 2017
City Commission: June 6, 2017

LEGAL DESCRIPTION

All of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas.

LOCATION: 1112, 1116, 1122, 1126, and 1130 Bluemont Avenue; and 808 North 12th Street.

AREA: 37,952 square feet or 0.871 acres.

PROPOSED USES: The applicant has proposed a 37-unit loft apartment building.

PROPOSED BUILDINGS AND STRUCTURES: The proposed building is a single four-story, L-shaped, loft apartment building fronting both Bluemont Avenue and North 12th Street with automobile parking behind and partially under the building. Bicycle parking is also proposed throughout the site. The building footprint is approximately 16,824 square feet. It will be 50 feet tall to the tallest parapet with a roof line at 46 feet. The front façade consists of stone as the principle material, with metal paneling as a secondary material. The façade also features extensive fenestration and walkout balconies for most street-facing units.

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	16,618	43.8
Paved Area (Parking & Driveways)	18,315	48.3
Total Open Space (hardscaping and landscaping)	3,019	8.0
Total Impervious	32,374	85.3

PROPOSED SIGNS

Type	Dimensions	Lighting
1 Wall Mounted	3'7" x 20'7" (73.76 square feet in area)	Internally lit channel lettering above the common entrance of the building, which faces Bluemont Avenue.

PROPOSED LIGHTING

Full cut-off, wall-mounted lighting is proposed throughout the site including parking lot and ground spaces between the building façade and public sidewalk. The public sidewalk is adequately illuminated from a combination of existing street lights and proposed fixtures mounted on the building. Illumination of the sidewalk generally maintains an ideal intensity between 0.5 and 5 footcandles (FCs). Parking facilities are adequately illuminated, generally maintaining an ideal intensity between 0.5 and 12 FCs.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: A mixture of shade trees, ornamental trees, ornamental grasses, and evergreen and deciduous shrubs are proposed on site. These plantings are almost entirely in the front courtyard space between the building and the proposed knee-wall running the perimeter of the site. There is no landscaping proposed within the parking lot area open to the sky.

2. SCREENING: A dumpster on the alley is adequately screened by a 6-foot-tall wall composed of stone or cast stone veneer or integral color concrete masonry unit with perforated metal panel gate. The portion of the parking lot on the east side of the property abutting an adjacent property that is not underneath and screened by the building veneer is proposed to be screened by a 6-foot-tall wall composed of stone/concrete masonry units, metal fence, or landscaping. The portion of the parking lot on the west side of the site is largely screened from the street and sidewalk by the building veneer, except for the opening in the building where automobile access is proposed to go under and through the building

Attachment No. 1

to reach the parking lot. There is no screening of the parking lot from the rear of the lot abutting the alley, though a 30-inch-tall knee wall is proposed along the alley for purpose of restricting automobile access to the alley. A 30-inch-tall knee wall is also proposed around the remaining perimeter of the site if cost permits. This knee wall as well as the one on the alley would be composed of stone/concrete masonry units or metal fencing.

3. DRAINAGE: The existing site consists of five structures and accessory off-street parking lots. The existing conditions are roughly 67% impervious (structures, paved parking and hard packed gravel parking areas. As proposed, the apartment building and a parking lot will create a site where a majority of it is impermeable (85% of the site).

The applicant's consultants, SMH Consultants, P.A., have created a drainage study for the project, dated March 2017, revised April 2017. The drainage study shows that the proposed development would create an increase in the rate of runoff of approximately 5.62 cfs for the 1% Annual Chance storm without structural interventions. However, the consultant has proposed (1) landscaped open space in the front yard area, (2) pervious pavement for the parking lot, and (3) an infiltration trench with an underdrain pipe to mitigate runoff by capturing up to 100% of the stormwater runoff from the site.

The purpose of the permeable paving and infiltration trench is to allow the stormwater runoff to seep into the earth rather than be channeled to an underground pipe and sent into the public infrastructure. The underdrain pipe in the proposed internal system connects to an existing storm sewer inlet south of the site on Bluemont Avenue to handle storms larger than what the system is designed for. The City Stormwater Engineer has reviewed this proposal and finds it to be an acceptable treatment provided the porous pavement is maintained and cleaned regularly to prevent clogging and ensure the system's effectiveness over time. The Public Works Department has proposed a condition of approval to ensure proper design, installation and long-term maintenance (*see attached memo, dated March 4, 2017*), which is included with the list of conditions in the staff recommendation.

4. CIRCULATION

Access and Traffic Analysis

The site gains access solely from 12th Street with a two-way drive way of 24.5 feet in width at the property line. The driveway is located about halfway between the alley to the north and Bluemont Avenue to the south. This driveway may or may not be gated. The City Engineer has reviewed these conditions and find them acceptable for the location and nature of the access described above (*see attached memo, dated March 4, 2017*). Internal circulation allows two-way traffic in a circular pattern around the lot.

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SMH Consultants provided a traffic analysis dated April 2017 and determined that the proposed development's projected peak-hour trip generation is 35 trips in the a.m. peak hour and 45 trips in the p.m. peak hour. This was established by utilizing ITE's Land Use Code 223 (Mid-Rise Apartment); average vehicle trip ends versus dwelling units on a weekday, for the a.m. peak hour of generator and the p.m. peak hour of generator. Based off the ITE Land Use Code 221, the existing site generates approximately 16 a.m. peak hour trips and 20 p.m. peak hour trips. This equates to a net increase of 19 a.m. peak hour trips and 25 p.m. peak hour trips. Based on the Level 1 study, the proposed development will have minimal impacts on the surrounding transportation network. The City Engineer has reviewed these findings and accepts them with no comment.

Off-Street Parking

Eighty off-street parking spaces are proposed on the development site. With 105 bedrooms proposed in the development, this equates to 0.76 parking spaces per bedroom. The off-street parking requirements for the current zoning of the site (R-3/M-FRO) is 1 space per bedroom. However, the area of the proposed development falls into the Bluemont/Anderson Corridor Sub-Area of the Aggieville Community Vision Plan, which specifically recommends addressing parking issues through the use of shared parking strategies or *reduced parking requirements* for both residential and commercial uses. Moreover, the future Urban Core Residential District, to eventually be implemented north of the alley of this project, is has a parking requirement ratio of 0.75 parking spaces per bedroom for residential developments. As well, the site is within close proximity to Kansas State University and the Aggieville Commercial District, two major activity centers, and is generally in a walkable and bike-friendly part of Manhattan. The applicant has also proposed pedestrian-oriented design features and has provided bicycle parking to further encourage use of walking and biking as a mode of transportation for tenants. Given these circumstances City Administration supports the number of parking spaces proposed.

Bicycle and Pedestrian Access

The site is already endowed with sidewalks along North 12th Street and Bluemont Avenue connecting to adequate crossing facilities in both directions. All ground-floor dwellings have direct access to a public sidewalk on Bluemont Avenue and all upper floor dwellings have access to a public sidewalk on Bluemont via a sidewalk leading to a common entrance of the building. Pedestrian access to North 12th Street is also granted via a swing gate leading from a rear common entrance that also opens to the parking lot at the back of the building.

There are 29 bike racks clustered throughout the site. These racks are of an inverse U-shaped rack anchored to concrete pads (a recommended design) that count toward two spaces for each rack for a total of 58 bicycle parking spaces and a ratio of 0.55 spaces per bedroom. Racks are generally placed two feet apart from each other with acceptable clearance from obstructions surrounding them. Of the 29 racks proposed, 18 of them are covered by the

building overhanging portions of the parking lot. Bicycles have adequate access from these facilities to Bluemont Avenue via a swing gate at the southeast corner of the site and to North 12th Street via a swing gate at the west end of the site.

5. OPEN SPACE AND COMMON AREA: Open space is generally limited in this development proposal due to the urban nature of the design, with high lot coverage and small setbacks. Open space in the front yard has a more private feel due to enclosure of courtyards and pockets of landscaping, though these are mainly dominated by vegetation.

6. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is a mixture of mid-rise apartment buildings, single-family dwellings converted to apartments, highway-commercial development, and a five-story hotel. The proposed developments will be consistent with surrounding uses and will enhance the Bluemont/Anderson Avenue Corridor as envisioned in the Aggieville Community Vision Plan adopted in April 2017: “A mixed-use commercial corridor with a limited range of neighborhood commercial uses and high-density residential on the north side of Bluemont [Avenue] up to the alley between Bluemont Avenue and Vattier Street with increased height and massing on both sides of the corridor up to five stories. This plan promotes dense, urban development along this corridor while discouraging highway commercial and strip-style development.”

THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. EXISTING USE: The existing land use consists of six single-family homes built in the early to mid-20th century that were all converted to apartments at some point in their existence. The number of dwelling units in these subdivided houses range from two to six.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The area, being located in the original town plat is generally flat. The area has been built out with low to medium density urban development since the 1940s.

3. SURROUNDING LAND USE AND ZONING:

NORTH: The area to the north (across the alley) consists of single family homes converted to apartments, ranging from two to four dwelling units and one 18-unit apartment building. This area is zoned R-3 (Multiple Family Residential with an M-FRO (Multi-Family Redevelopment Overlay).

SOUTH: The area to the south (across Bluemont Avenue) consists of highway commercial uses, including a gas station/convenient store and a drive-through restaurant. This area is zoned C-3 (Aggieville Business District).

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EAST: The area to the east consists of one 12-unit apartment building and single-family homes converted to apartments ranging from 1 to 4 dwelling units. This area is zoned R-3 (Multiple Family Residential) with an M-FRO (Multi-Family Redevelopment Overlay).

WEST: The area to the west consists of single-family homes converted to apartments ranging from 1 to 3 dwelling units and a hotel. This area is zoned R-3 (Multiple Family Residential with an M-FRO (Multi-Family Redevelopment Overlay) and Bluemont and N. Manhattan Hotel PUD (Planned Unit Development).

4. CHARACTER OF THE NEIGHBORHOOD: The neighborhood is a mixture of mid-rise apartment buildings, single-family dwellings converted to apartments, highway-commercial development, and a five-story hotel. The proposed development will be consistent with surrounding uses and will enhance Bluemont/Anderson Corridor as envisioned in the Aggieville Community Vision Plan adopted in April 2017: “A mixed-use commercial corridor with a limited range of neighborhood commercial uses and high-density residential on the north side of Bluemont [Avenue] up to the alley between Bluemont Avenue and Vattier Street with increased height and massing on both sides of the corridor up to five stories. This plan promotes dense, urban development along this corridor while discouraging highway commercial and strip-style development.”

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: Current zoning, though suitable, limits the development potential of a highest and best use, given the special location in relation to Aggieville and Kansas State University. The proposed development is suitable under the current zoning as a multiple-family development at a density of about 43 dwelling units per acre. Physical design of the structure however requires a PUD for construction; namely due to reduced setbacks, number of stories, the use of structured parking, a reduced parking ratio, and reduced greenspace.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL EFFECTS: The proposal is compatible with nearby properties as a multiple-family residential building on the periphery of a commercial district. The proposed PUD and surrounding area is currently zoned for multiple-family residential. The subject site already contains 19 dwelling units, compared to the 37 proposed, for a net gain of 18 dwelling units. This gain is comparable to other recent redevelopment projects in the area. Furthermore, future redevelopment is reasonably expected and encouraged in this area as currently zoned.

The proposed development is not expected to have any detrimental affects to nearby properties. Furthermore, the applicant has fairly mitigated for any potential detrimental effects through proper screening, landscaping, lighting, and access management.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The proposal is in conformance with the Manhattan Urban Area Comprehensive Plan (MUACP) as described in *Chapter 3: Land Use Policy*. The subject site is designated as Central Core District (CCD) in the Future Land Use Map, which according to section CCD-2 “Encourage[s] targeted infill redevelopment to take advantage of underutilized areas...to enhance the continued revitalization of the Central Core District” and in Section CCD-4 “Promote[s] an expanded range of housing options in the Central Core to reinforce the variety and vitality of the environment” and “encourage[s]...the integration of Residential High Density or Urban Core Residential type uses at the fringe of the Central Core District.”

This area is further covered as a Special Planning Area as described in Chapter 11 of the MUACP, referencing and designating the Aggieville Community Vision (ACV) Plan as the adopted area plan for the subject site. The subject site in the ACV Plan is within the Bluemont/Anderson Corridor Sub-Area, envisioned in *Section I. Introduction & Summary, Sub-Areas* as “A mixed-use commercial corridor with a limited range of neighborhood commercial uses and high-density residential on the north side of Bluemont [Avenue] up to the alley between Bluemont Avenue and Vattier Street with increased height and massing on both sides of the corridor up to five stories. This plan promotes dense, urban development along this corridor while discouraging highway commercial and strip-style development.” The plan vision for this sub-area is described in greater detail in *Section V. Bluemont/Anderson Corridor*. The area north of Bluemont is specifically addressed under *Conceptual Framework, Recommendations* where it states that “Although mixed-use is encouraged, single-use, high-density residential development and hotels are acceptable.” In this same section, reduced parking requirements for residential uses is recommended and building form “creat[ing] a continuous wall of building façade along both sides of Bluemont Avenue...with new buildings built to the sidewalk...parking behind, transparent ground floors, landscaping, entrances facing the street, and outdoor gathering and seating areas” are encouraged. Also in this section under *Land Use*, the Planned Unit Development is encouraged as the means to accomplish the vision for the corridor. This same section allows structures up to five stories tall, with “density that would allow for diversity and affordability of housing stock”.

The ACV Plan also establishes design guidelines for redevelopments in the area covering the subject site, described in Appendix A: Design Guidelines. These guidelines are intended to be utilized when considering developments in the Bluemont/Anderson Corridor that meet the general goals and principles of the ACV Plan, but must utilize the Planned Unit Development process to overcome zoning regulation constraints that have not been fully updated to align with the vision of the plan. The proposal meets nearly all of the guidelines established in this section. The proposal is thus in conformance with the Manhattan Urban Area Comprehensive Plan as well as the Aggieville Community Vision Plan.

8. ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED

1925: "B" Residence
1965: "B-1" Multiple Family Dwelling
1970: R-3 Multi Family Residential
1987: R-M Four-Family
2005: R-3/M-FRO

The area is currently not vacant.

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Manhattan Zoning Regulations is to protect the public health, safety and general welfare and to protect property values. The proposed PUD is consistent with the intent and purpose of the Manhattan Zoning Regulations, meeting many standards of the existing R-3/MFRO zoning district. The proposal also meets many standards of the Urban Core Residential (UCR) District as was considered for adoption in the Manhattan Zoning Regulations by the City Commission on June 6, 2017. The UCR District is expected to be implemented just north of the subject site, as depicted in the Future Land Use Map in Chapter 3 of the Comprehensive Plan.

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 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.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public water, sanitary sewer, storm drainage, fire protection, streets and pedestrian/bicycle sidewalks are, or will be, available to serve the development.

12. OTHER APPLICABLE FACTORS: Not applicable.

13. STAFF COMMENTS AND RECOMMENDATION: City Administration recommends approval of the area from R-3 Multiple Family Residential with Multi-Family Residential Overlay to Residential PUD (Planned Unit Development), based on the findings in the Staff Report with the six conditions of approval recommended by City Administration:

Conditions of Approval

1. The Permitted Use shall include a residential multiple-family dwelling structure consisting of thirty-seven (37) dwelling units.

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2. Landscaping 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. A 30-inch tall knee wall shall be installed at the time of construction at the north edge of the property, spanning to the full length of the parking lot with the purpose of preventing automobile access between the public alley and the parking lot.
5. A 6-foot tall wall or landscaping berm, spanning the length of the parking lot and abutting the east property line, shall be installed at the time of construction and be properly maintained by the property owner to continually serve as parking lot screening as required in Article VII, Section 102(E)(5), of the Manhattan Zoning Regulations.
6. Final drainage infrastructure design will require approval of Public Works staff prior to issuance of a building permit, and the appropriate easements and maintenance covenants will have to be developed for these features upon completion of the final design.

ALTERNATIVES

1. Recommend approval of the proposed rezoning of all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from: R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to 12th & Bluemont Lofts Planned Unit Development District, stating the basis for such recommendation, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from : R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to 12th & Bluemont Lofts Planned Unit Development District, and modify the conditions, and any other portions of the proposed PUD, to meet the needs of the community as perceived by the Manhattan Urban Area Planning Board, stating the basis for such recommendation, and indicating the conditions of approval.
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 all of Lot Six Hundred Thirty (630) through Lot Six Hundred Thirty-four (634) of Ward Three (3), City of Manhattan, Riley County, Kansas from R-3, Multiple-Family Residential District with M-FRO, Multi-Family Redevelopment Overlay District, to 12th & Bluemont Lofts Planned Unit Development District, based on the findings in the staff report, with the six conditions of approval recommended by City Administration.

ATTACHMENTS

1. Location map
2. Application submittals
 - a. Written responses to 9-106 (PUD criteria)
 - b. Written responses to 15-403 (Rezoning criteria)
 - c. Report on public meeting
3. Preliminary Development Plan (revised), dated 5/10/2017
4. Drainage Report (revised), dated April 2017
5. Traffic Report (revised), dated April 2017
6. Memo from Brian Johnson, P.E., City Engineer, and B.J. Edmonston, P.E., Stormwater Engineer, dated 5/11/2017

PREPARED BY: Ben Chmiel, Planner

DATE: 5/10/2017

MUAPB}12th&Bluemont_PUD_Staff_Report

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: County PUD, Residential Planned Unit Development

TO: R-1, Single-Family Residential District

APPLICANT/OWNERS: First Christian Church (Disciples of Chris), Ben Duerfeldt

ADDRESS: 115 Courthouse Plaza

LEGAL DESCRIPTION: An unplatted tract of land in the Northeast Quarter of Section 4, Township 10 South, Range 7 East

LOCATION: generally located to the west of Grand Mere Parkway at the intersection of Grand Mere Parkway and Grand Champion Drive

AREA: 303,177 square feet (6.96 acres)

DATE OF NEIGHBORHOOD MEETING: April 6, 2017

DATE OF PUBLIC NOTICE PUBLICATION: May 15, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: June 5, 2017

CITY COMMISSION: June 20, 2017

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. A ravine that runs from the west to the east dissects the site nearly in half. The area drains to the east toward the Colbert Hills Golf Course, which generally drains to Little Kitten Creek.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Vacant land within Grand Mere Master Planned Community and Pinehurst Addition, a single-family and two-family neighborhood; County Residential Planned Unit Development and R-2, Two-Family Residential District.

SOUTH: Vacant land within Grand Mere Master Planned Community, Congressional Addition, a single-family and multiple-family neighborhood, Bellerive Addition, a single-family, two-family and multiple-family neighborhood; County Residential Planned Unit Development, R-1, Single-Family Residential District, R-M, Four-Family Residential District, R-2 District and R-3, Multiple-Family Residential District.

EAST: Grand Mere Parkway, Grand Champions Addition, a single-family and multiple-family neighborhood, Vacant land within Grand Mere Master Planned Community and Colbert Hills Golf Course; R-3 District and R-S District.

WEST: Vacant land within Grand Mere Master Planned Community, Congressional Addition, a single-family and multiple-family neighborhood and Colbert Hills Golf Course; County Residential Planned Unit Development, R-1 District, R-M District and R-S District.

4. GENERAL NEIGHBORHOOD CHARACTER: The general character of the neighborhood is a mixture of the golf course, including the club house, established single-family homes and developing residential neighborhoods within the comprehensively planned neighborhood in the City.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to County R-PUD in 1997. At the time of the rezoning, the golf course developer wanted assurance that when the golf course was annexed that a zoning, specifically the County R-PUD for the golf course, was attached. The rezoning to R-PUD was done primarily for the benefit of the golf course development. Those portions of Grand Mere that are not yet annexed remain County R-PUD. The current County R-PUD predated the Grand Mere Master Plan and the 2003 Manhattan Urban Area Comprehensive Plan, which currently designates the proposed development as Villas #3 (RLM). The Comprehensive Plan reflects that Grand Mere Master Plan's proposed land use. Development in Grand Mere is progressing to ensure attractive and orderly neighborhoods in response to changing market demand.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: Regardless of the proposed use by the applicant, the proposed rezoning request is compatible to surrounding properties. Other properties within the immediate area are zoned similarly or have a more intensive residential zoning classification that what is being proposed for the site. An increase in light, noise and traffic is expected, however these increases should cause minimal impact on the adjacent golf course, residential properties and open space within the Grand Mere Master Planned Community.

The applicant held a neighborhood meeting on April 6, 2017. According to the meeting report, one neighbor attended the meeting. Their questions revolved around the exterior look of the proposed buildings.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The site is shown on the Northwest Future Land Use of the Manhattan Area 2035 Comprehensive Plan as Residential Low/Medium Density. Applicable policies for the RLM designations (*in italics*) of the Comprehensive Plan 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.

Grand Mere Community Master Plan

The Grand Mere Community Master Plan was originally adopted in April 2000 and is included as a specific Land Use Element of the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the entirety of Grand Mere. The Master Plan map shows the site to be Villas #3 (RLM).

Applicable policies (*in italics*) for Grand Mere, a Master Planned Golf Course Community include:

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.

Villas (RLM)

The villa parcels are located in niches and high quality view areas along the parkway and within the development along the golf course. Villas are single family homes that provide an alternative to the maintenance requirements needed for a typical single family home. The villa concept is an upscale residential product that generally provides master bedroom on the first floor and expansion space either up or down for additional bedrooms or entertainment. Villa Homes Association dues create the revenue to provide maintenance for landscape, snow removal, and in some cases, maintenance of the home.

Golf Course Villas

As part of the Colbert Hills Golf Course Clubhouse complex, villas are planned along the 9th fairway. The villas would occur in a cluster of 10 units in one phase. These homes may be two attached single family dwellings with strong architectural theme and design controls in concert with the proposed golf clubhouse architecture. Private auto courts with off street parking will access the homes.

Grand Mere Villas

These villas will be attached and detached depending on the parcel and market demands. Two and three car garages would be provided. Each village will have its own theme signage and architectural design controls. The villages would be developed in phases of 5 – 15 acres.

As stated, the propose use is a church and a separate group day care center. The Grand Mere Community Master Plan does not describe these uses, in the “Community Concepts and Development Strategy” chapter of the master plan. By in large, the Master Plan focuses attention on residential neighborhoods, the golf course amenities, and the commercial nodes at Kimball Avenue/Grand Mere Parkway, Vanesta Drive/Kimball Avenue and the future northern section of the development near Marlatt Avenue.

The 2035 Comprehensive Plan RLM policies does allow for “*complementary neighborhood-scale supporting land uses,*” which would include a place of worship and a group day care center.

The proposed annexation of the Highlands at Grand Mere conforms to the policies of the Grand Mere Community Master Plan, and the Manhattan Urban Area Comprehensive Plan.

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

August 7, 1997	Riley County Commission approved Preliminary Development Plan of Colbert Hills and the Wildcat PUD.
August 14, 1997	Riley County Commission approved Final Development Plan.
February 7, 2000	Planning Board approves resolution adopting Grand Mere Community Master Plan and amendment of Comprehensive Land Use Plan.
March 7, 2000	City Commission approved first reading of an ordinance adopting the Grand Mere Community Master Plan.
April, 2003	Comprehensive Plan adopted. Grand Mere Community Master Plan adopted as a related plan and implementation document.

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

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

The R-1, 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. A church is a permitted use in the R-1 District, provided that the minimum lot area and setbacks are proposed for the non-residential use. Group day care centers are a Conditional Use, which requires approval by the Board of Zoning Appeals, following a public hearing.

No Preliminary Plat has been submitted at this time to subdivide the land. The proposed uses may not require subdivision of land. However, the established Zoning District regulations will be applied to any future Preliminary Plat.

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 rezoning conforms to the Comprehensive Plan and should not adversely impact adjacent property owners. 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. The details of public infrastructure needed to serve the site will be reviewed during future building permits or future Preliminary Plats if the land is subdivided.

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

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of First Christian Church site in Grand Mere from Riley County PUD, Residential Planned Unit Development, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of First Christian Church site in Grand Mere from Riley County PUD, Residential Planned Unit Development, to R-1, Single-Family Residential District, stating the basis for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of First Christian Church site in Grand Mere, generally located to the west of Grand Mere Parkway at the intersection of Grand Mere Parkway and Grand Champion Drive from Riley County PUD, Residential Planned Unit Development, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

PREPARED BY: Chad Bunger, AICP, CFM, Assistant Director of Community Development

DATE: May 19, 2017

STAFF REPORT

APPLICATION TO REZONE PROPERTY TO PLANNED UNIT DEVELOPMENT DISTRICT AND AMEND ORDINANCE NO. 7060. THE AMENDMENT TO THE PLANNED UNIT DEVELOPMENT IS IN THE FORM OF A FINAL DEVELOPMENT PLAN.

BACKGROUND

FROM: R, Single-Family Residential District

TO: Body First PUD, Commercial Planned Unit Development

OWNERS: Body First Wellness and Recreation Center, Doug Sellers

APPLICANTS: Body First Wellness and Recreation Center, Doug Sellers
Karen Wall Trust, Karen Wall
Sharingbrook Homeowners Association

DATE OF NEIGHBORHOOD MEETING: March 16, 2017

DATE OF PUBLIC NOTICE PUBLICATION: May 15, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: June 5, 2017
CITY COMMISSION: June 20, 2017

This item was tabled at the May 15, 2017 Manhattan Urban Area Planning Board meeting due to an error in the legal notice to property owners. The rezoning and PUD Amendment request was re-advertised for the June 5, 2017 meeting.

LEGAL DESCRIPTION: Lot 9, Sharingbrook Residential Addition, Unit Two and a two unplatted tracts in Section 10, Township 10 South, Range 07 East.

LOCATION: Rezoning is generally located at the rear of the property at 1320 Sharingbrook Drive and an unplatted tract of land dedicated as a private pedestrian easement. This unplatted tract is generally located to the north of the PUD site. The PUD Amendment is for the property at 3615 Hudson Avenue.

AREA: 0.95 acres is to be rezoned. The entire site will be 6.53 acres following the PUD Amendment and Final Plat.

PROPOSED USES: Existing single-family dwelling at 1320 Sharingbrook Drive
Existing health and fitness center with a proposed building addition

EXISTING PUD

Ordinance No. 7060 established the Body First Wellness and Recreation Center Commercial Planned Unit Development on January 7, 2014. The conditions of approval for the PUD are:

1. Permitted Uses shall include a Health and Fitness Club and its associated accessory sales of health and fitness items and equipment; and, accessory uses that are subordinate to and serve the principal Health and Fitness Club that shall be limited to a Beauty Shop, and Professional Services oriented towards health and wellness including chiropractic, acupuncture, massage therapy, physical therapy, and psychology and their associated accessory sales.
2. An amendment of the PUD shall be approved prior to the construction of any building additions or significant changes to the site plan as defined by Section 9-108(C).
3. Signage shall be limited to signs proposed in the application documents.
4. Exempt signage shall include signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5), (6) and (7); and, Section 6-104 (B)(2) and B(5).
5. Landscaping and irrigation shall be maintained in good condition.
6. No lighting shall be added to the outdoor tennis courts.
7. Additional landscape screening shall be added to screen the expanded parking lot from the property to the east.

PROPOSED BUILDINGS AND STRUCTURES: No changes are proposed to the existing single-family dwelling at 1320 Sharingbrook Drive. The extreme rear yard of this property is being severed off and rezoned to PUD, to accommodate proposed site improvements related to a building addition at the Body First Health and Recreation Center, 3615 Hudson Avenue.

The existing Body First Health and Recreation Center building is a 27,633 square foot health and fitness club consisting of:

- Three (3) outdoor tennis courts,
- Three (3) indoor tennis courts,
- Two (2) racquet ball courts,
- A fitness gym, locker rooms,
- Massage therapy rooms,
- Beauty shop
- Business and professional offices devoted to the practice of chiropractic, physical therapy, acupuncture and/or psychology
- Retail shop, and
- Offices and reception area for the center

The proposed building addition is for three (3) additional indoor tennis courts, new reception area and team room, conference room and remodel of the existing building to expand the fitness gym. The application materials state that this building addition will be to house the Kansas State University Tennis team. The proposed building addition will be approximately 24,960 square feet in area.

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	55,584	20.0
Parking, Driveways & Sidewalks	53,345	19.2
Outdoor Tennis Courts	19,579	7.0
Landscape & Manicured Lawn Area	149,706	53.8
Total Impervious	128,508	46.2

SIGNS: An existing monument sign is located to the north of the driveway off of Hudson Avenue. This sign is approximately 4 feet tall by 6 feet wide (24 total square feet) on “H-Frame” support structure.

Two (2) new wall signs are proposed on the building addition. The first wall sign will be a Body First business sign to be located on the west façade of the building addition. This wall sign will be 4 feet tall and 18 feet wide (72 total square feet in area). The second wall sign will be on the north façade of the building addition and will be to identify the building as the home for Kansas State University Tennis Team. This sign will be approximately 5.5 feet tall and 12 feet wide (66 square feet in area). These signs will be individual channel cut signs that will be internally illuminated.

PROPOSED LIGHTING: New site lighting is proposed in the new off-street parking lot and on the north and west sides of the building for building and parking lot security. The parking lot lights will be located on 20 tall poles dispersed throughout the parking lot. The photometric analysis submitted with the application documents shows the new lights will not directly shine onto adjacent properties.

Section 7-102(E)(6) states that any lighting used to illuminate off-street parking areas shall be directed away from residential properties and adjacent public rights-of-way in such a way so as not to interfere with the residential use or public rights-of-way.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: The landscape plan for the PUD Amendment shows large grass, open space areas, foundation plantings around the building addition and the existing building and deciduous trees and shrubs within the parking lot in landscape islands and as screening on the east property line.

2. SCREENING: Mature trees and an earthen berm currently screen the adjacent properties from the existing fitness center and off-street parking areas. This earthen berm is to be re-graded to make way for the building addition, a required fire lane on the east side of the building and added off-street parking. A dense row of deciduous trees (viburnum and smokebush) are proposed to be planted on the east property line. The species proposed on the dense row of vegetative screening is supposed to grow to be 10 – 15 tall, once mature. A landscape performance agreement will be required at the time of the building permit application to ensure that the vegetative screening and other proposed landscape is installed as shown.

3. DRAINAGE: SMH Consultants has conducted a drainage study for the proposed rezoning and PUD Amendment.

No changes to the stormwater management for the home at 1320 Sharingbrook Drive are proposed to change. The residential site sheet flow drains to Little Kitten Creek to the east over manicured lawns or to the west to public stormwater infrastructure along Sharingbrook Drive.

Substantial changes are proposed for the PUD site. The site currently sheet flows stormwater runoff to the east to Little Kitten Creek. This stormwater runoff is directed with earthen berms and open channels. A large volume of water enters the site from the north and northeast from the Amanda Arnold Elementary site and Hudson/Clafin Avenue.

To manage the increase rate of stormwater runoff from the proposed building expansion and site improvements, the applicant is proposing to construct a detention basin on the piece of land being acquired from 1320 Sharingbrook Drive. A vegetative swale on the west side of the parking lot will direct stormwater to the basin. Likewise, the landscape island in the center of the parking lot will collect stormwater from the parking lot and send it to the basin. A majority of the site will be collected in the proposed dry detention basin. The large amount of stormwater runoff that enters the site from Hudson Avenue right-of-way and Amanda Arnold will be directed to Little Kitten Creek via an earthen berm. This off-site stormwater entering the site will largely by-pass the detention basin, as the basin is not designed to be large enough to be a regional detention basin for the surrounding neighborhood. With the inclusion of the vegetative swale, landscape island area and detention basin, the pre- vs. post-development rate of runoff requirement is met.

Storm (Flow rate, CFS)	Pre Development	Post Development	Post Development Detention
50%-Year Storm	13.54	19.17	4.66
10%-Year Storm	19.97	28.25	9.48
1%-Year Storm	31.20	44.08	14.94

The detention basin, vegetative swale and landscape island collection area will also meet the post-construction water quality requirements.

The City's Stormwater Engineer has reviewed the drainage study and accepts its findings. A condition of approval is proposed for the creation of restrictive covenants to define the on-going maintenance of the stormwater infrastructure prior to the filing of the Final Plat.

4. CIRCULATION:

Access to the single-family home on Sharingbrook Drive is not proposed to change.

Access to the site is from a single curb cut onto Hudson Avenue, directly across from the terminus of Claflin Road. No changes to the access to the site are proposed.

The Manhattan Fire Department has required a paved fire lane on the east side of the building to gain access to the rear of the proposed and existing buildings. The 21-foot fire lane meets the Fire Department's requirements.

Pedestrian and Bicycle Access

Pedestrian trails within dedicated private pedestrian easements are located to the west and north of the site to provide access from Windsong Circle to Amanda Arnold Elementary School. Although a dedicated private pedestrian easement is located to the north of the site in a separate tract, the walk path has been abandoned long ago, and the neighborhood has historically walked across the subject site in the driving aisle of the parking lot to gain access to the school via gravel pathways and a small bridge over a drainage channel.

Through the proposed Final Development Plan and Final Plat, the applicant is proposing to acquire the northern tract that includes the pedestrian easement. The walk way will be re-routed to this area for neighborhood access to the school, rather than using the driving aisles of the parking lot. This area is being dedicated as a public pedestrian easement.

In addition to this public walk way, concrete sidewalks are proposed to lead from the building to the off-street parking lot and to Hudson Avenue at an existing crossing.

A bike rack is proposed near the entrance of the building addition.

Off-Street Parking One hundred fifteen (115) off-street parking spaces are proposed for the site to serve the existing health and fitness club and the proposed building addition. Based on the original PUD Ordinance and the proposed floor plan, the following minimum number of off-street parking is required:

- 4 spaces per court (9 total indoor/outdoor tennis courts) = 36 spaces
- 1 space per 300 square feet of office space = 2 space
- 1 space per 3 persons of the design occupancy of the exercise area = 15 spaces
- 5.5 spaces per 1000 square feet of business and professional service areas (massage therapy, chiropractic, physical therapy, acupuncture and psychology) = 5 spaces.

The minimum number of off-street parking is 58 spaces. Adequate off-street parking is provided.

Traffic Analysis

SMH Consultants created a Traffic Impact Study for the proposed PUD Amendment. The existing use generates 15 trips in the a.m. peak hour and 26 trips in the p.m. peak hour. The proposed building addition and expanded use is anticipated to generate 21 trips in the a.m. peak hour and 40 trips in the p.m. peak hour. The increase in trips for both peak time periods are minimal and should have limited impacts on the adjacent roadways and surrounding neighborhoods. The City Engineer has reviewed and accepts the traffic impact study with no comments.

5. OPEN SPACE AND COMMON AREA: No open space or common area is proposed to be dedicated with the proposed PUD. There are several open landscape areas throughout the site.

6. CHARACTER OF THE NEIGHBORHOOD: The character of the neighborhood would be a low-density single-family area. The neighborhood to the west across Little Kitten Creek is a large lot, single-family area. Amanda Arnold Elementary school adjoins the site to the north.

THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. EXISTING USE: Single-Family Home at 1320 Sharingbrook Drive and Body First, a health and fitness club, including tennis and racquet ball courts, exercise room, massage therapy, retail pro-shop and accessory facilities.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: 1320 Sharingbrook Drive is a large single-family home on a large lot. The eastern part of the property that lies to the east of Little Kitten Creek is proposed to be severed from the parent tract, rezoned and included into the PUD. This property generally drains to Little Kitten Creek, with the exception of the front yard area, which drains towards Sharingbrook Drive to the public stormwater infrastructure.

The PUD site is a large, irregular shaped flag lot to the west of Hudson Avenue and northeast of Windsong Lane cul-de-sac. On the subject site are a 27,779 square foot health and fitness club, outdoor tennis courts and an off-street parking lot with forty-nine (49) spaces. A long driveway extends from Hudson Avenue to the parking lot.

The PUD site has large grass areas, several large earthen berms and mature trees screening the building and off-street parking lot to the adjacent properties to the south, east and west. The outdoor tennis courts extend to a private pedestrian trail off of Windsong Lane cul-de-sac to the west. The tennis courts are surrounded by a mesh sun/wind net, but it does not entirely screen the courts from the adjacent neighborhood.

The PUD site drains to the west towards Little Kitten Creek.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Amanda Arnold Elementary School, Single-Family homes. R, Single-Family Residential District.

SOUTH: Single-family homes, Windsong Lane right-of-way (ROW), business and professional offices. R District, and C-1, Restricted Business District.

EAST: Single-family and two-family dwellings, Hudson Avenue ROW and single-family neighborhood. R District and R-1, Single-Family Residential District.

WEST: Single-family homes. R District.

4. CHARACTER OF THE NEIGHBORHOOD: See #6 of the Review Criteria For Planned Unit Developments above.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: Both the residential property on Sharingbrook Drive and the health and fitness club are suitable under the current zoning districts. 1320 Sharingbrook Drive will still meet the minimum lot and bulk requirements of the R District following the proposed subdivision and rezoning of eastern portion of the lot.

Attachment No. 3

The proposed amendment to the PUD is to expand the tennis facility within the health and fitness center. The proposed addition conforms to the use and character of the approved PUD.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The Health and Fitness Club has existed on the subject site since 1978 when it was first constructed. Prior to the applicant purchasing the subject site, it was owned and operated as the Cottonwood Racquet Club.

It is apparent that the existing use has not adversely affected the surrounding neighborhood. The proposed PUD would allow for the expansion of the tennis court space of the facility, off-street parking and site improvements to reduce the impacts on stormwater runoff.

The area most impacted by the proposed building and site additions is to the east. The applicant has focused attention on adequately screening the adjacent residential properties to the east from the site and the building expansion through vegetative screening. The installation and maintenance of this landscape screening will be guaranteed through a landscape performance agreement. Parking lot and building lights are proposed to be shielded to prevent glare into adjacent properties, as required by the Zoning Regulations.

The applicant also made efforts to maintain and enhance the pedestrian connectivity from the neighborhoods to the west to the nearby elementary school. The increase in traffic will have minimal impacts on the traffic on Hudson Avenue and the nearby neighborhoods.

Improvements to the site will include stormwater infrastructure that will decrease the rate of runoff from the site. The flooding concerns on Little Kitten Creek are beyond the confines of the site, but the applicant has taken measures to mitigate increases in stormwater runoff created by the existing and proposed site improvements.

The applicant held a neighborhood meeting on March 16, 2017. Seven neighbors attended the meeting. According to the meeting summary, there was general support of the project. Questions were asked of the building addition appearance and use and concerns of the stormwater runoff issue throughout the area. One neighbor spoke with the consultant voicing opposition to the project, stating that the increase in vehicular and pedestrian traffic and noise would negatively impact the neighborhood. This neighbor also voiced concerns of the site lines from their nearby home.

7. CONFORMANCE WITH THE COMPREHENSIVE PLAN: The rezoning and PUD Amendment site is shown on the Northwest Future Land Use Map as a Residential Low/Medium designation.

Applicable RLM policies (*in italics*) of the Comprehensive Plan include:

Residential Low/Medium Density (RLM)

RLM 1: Characteristics

The Residential Low/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 the policies on 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/Medium designation range between less than one dwelling unit/acre up to 11 dwelling units per net acre.

RLM 3: Location

Residential Low/Medium Density neighborhoods typically should be located where they have convenient access and are within walking distance to community facilities and services that will be needed by residents of the neighborhood, including schools, shopping areas, 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 leisure activities.

RLM 4: Variety of Housing Styles

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

The rezoning of the eastern portion of 1320 Sharingbrook Drive conforms to the Comprehensive Plan.

The proposed PUD Amendment generally conforms to the Comprehensive Plan. The use has been in existence on the site since 1978 and provides a fitness service to the surrounding neighborhood. The approved PUD creates the planned neighborhood setting described in the RLM policy.

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

1320 Sharingbrook Drive

February 18, 1979 Manhattan Urban Area Planning Board recommended approval of the annexation and rezoning a 126 acre tract to the west of Hudson Avenue and north of Anderson Avenue from County Agriculture to R, Single-Family Residential District and C-1, Restricted Business District.

March 6, 1979 City Commission approves first reading of an ordinance to annex and rezone a 126 acre tract to the west of Hudson Avenue and north of Anderson Avenue from County Agriculture to R, Single-Family Residential District and C-1, Restricted Business District.

June 12, 1979 City Commission approves Ordinance No. 3695 to annex and rezone a 126 acre tract to the west of Hudson Avenue and north of Anderson Avenue from County Agriculture to R, Single-Family Residential District and C-1, Restricted Business District.

September 9, 1981 Manhattan Urban Area Planning Board approves the Preliminary Plat of the Sharingbrook Residential Addition.

October 12, 1981 Manhattan Urban Area Planning Board approves the Final Plat of the Sharingbrook Residential Addition.

October 20, 1981 City Commission accepts easements and rights-of-way of the Final Plat of the Sharingbrook Residential Addition.

Body First Wellness and Recreation

1978 Health and Fitness Club established in Riley County.

September 4, 1979 Annexation (Ord. No. 3723) and rezoned to R, Single-Family Residential District

July 19, 2010 Rezoning request from R District to Commercial Planned Unit Development submitted and withdrawn by owner.

June 13, 2012 Manhattan Board of Zoning Appeals approves Conditional Use Permit for Body First to bring the property into conformance with Manhattan Zoning Regulations, and for an expansion of the existing building.

Attachment No. 3

- September 5, 2013 Manhattan Urban Area Planning Board recommends denial of a request to rezone the site from R District to C-2, Neighborhood Shopping District on a vote of 4-0. Owner withdraws application.
- December 2, 2013 Manhattan Urban Area Planning Board recommends approval of a request to rezone Body First PUD from R District to PUD, Commercial Planned Unit Development District, with seven conditions of approval.
- December 17, 2013 City Commission approves first reading of an ordinance rezoning Body First from R District, to PUD, Commercial Planned Unit Development District.
- January 7, 2014 City Commission approves Ordinance No. 7060 rezoning the proposed Body First Wellness and Recreation Center PUD, generally located at 3615 Claflin Road, from R, Single-Family Residential District, to PUD, Commercial Planned Unit Development District.
- February 3, 2014 Manhattan Urban Area Planning Board approves Final Development Plan and the Final Plat of Body First – Wellness & Recreation Center, Commercial Planned Unit Development (PUD), based on conformance with the Manhattan Urban Area Subdivision Regulations.
- February 18, 2014 City Commission accepts easements and rights-of-way as shown on the Final Plat of Body First – Wellness & Recreation Center, Commercial Planned Unit Development (PUD).

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 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.

Subject to the conditions of approval, the proposed PUD 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. Public utilities and fire and emergency service protection can adequately serve the site. Through the use of adequate landscape screen, the proposed PUD should not cause adverse impacts on nearby properties. Denial of the request may be a hardship to the owner.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public water, sanitary sewer, streets and pedestrian sidewalks are, or will be, available to serve the development.

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS AND RECOMMENDATION: City Administration recommends approval of the proposed rezoning of 1320 Sharingbrook Drive and the unplatted tract directly to the north of the PUD site from R, Single-Family Residential District to Body First Wellness and Recreation Center Commercial Planned Unit Development, and amending Ordinance No. 7060 and the approved Final Development Plan of the Body First Wellness and Recreation Center, with the following conditions of approval:

1. Permitted Uses shall include a Health and Fitness Club and its associated accessory sales of health and fitness items and equipment; and, accessory uses that are subordinate to and serve the principal Health and Fitness Club that shall be limited to a Beauty Shop, and Professional Services oriented towards health and wellness including chiropractic, acupuncture, massage therapy, physical therapy, and psychology and their associated accessory sales
2. Signage shall be limited to signs proposed in the application documents.
3. Exempt signage shall include signage described in Article VI, Section 6-104 (A)(1),(2),(4),(5), (6) and (7); and, Section 6-104 (B)(2) and B(5).
4. Landscaping and irrigation shall be maintained in good condition.
5. No lighting shall be added to the outdoor tennis courts.
6. Restrictive covenants for the construction and maintenance of the stormwater infrastructure shall be approved prior to the filing of the Final Plat with the Register of Deeds.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of 1320 Sharingbrook Drive and the unplatted tract directly to the north of the PUD site from R, Single-Family Residential District to Body First Wellness and Recreation Center Commercial Planned Unit Development, and amending Ordinance No. 7060 and the approved Final Development Plan of the Body First Wellness and Recreation Center PUD stating the basis for such recommendation, with the six (6) conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of the proposed rezoning of 1320 Sharingbrook Drive and the unplatted tract directly to the north of the PUD site from R, Single-Family Residential District to Body First Wellness and Recreation Center Commercial Planned Unit Development, and amending Ordinance No. 7060 and the approved Final Development Plan of the Body First Wellness and Recreation Center PUD, 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 1320 Sharingbrook Drive and the unplatted tract directly to the north of the PUD site from R, Single-Family Residential District to Body First Wellness and Recreation Center Commercial Planned Unit Development, and amending Ordinance No. 7060 and the approved Final Development Plan of the Body First Wellness and Recreation Center PUD, based on the findings in the staff report, with the six (6) conditions recommended by City Administration.

PREPARED BY: Chad Bunger, AICP, CFM, Assistant Director of Community Development Department

DATE: May 26, 2017