



MINUTES
CITY COMMISSION MEETING
TUESDAY, AUGUST 15, 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, Assistant City Manager Kiel Mangus, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 9 staff, and approximately 40 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Reddi led the Commission in the Pledge of Allegiance.

RECOGNITIONS

Mayor Reddi recognized Richard Pitts, Wonder Workshop, for his exemplary service and dedication to the youth and families in the community.

Mayor Reddi recognized Alka Kapil for her commitment and dedication to the community.

PROCLAMATIONS

Mayor Reddi proclaimed August 19, 2017, ***100th Anniversary of the 1st Infantry Division***. Major General Joseph Martin, Commanding General for the 1st Infantry Division, and his wife Leann, were present to receive the proclamation.

Mayor Reddi proclaimed September 2017, ***Childhood Cancer Awareness Month***. Katy Mortimer, Philanthropist/Childhood Cancer Advocate, members of her immediate family, and other families impacted by childhood cancer were present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner McCulloh reminded citizens of the eclipse occurring on August 21, 2017, and encouraged everyone to enjoy the event.

Commissioner Dodson informed the community that the Just Tri It! Youth and Adult Triathlon was held on Saturday, August 12, 2017. He stated this was a great community effort and thanked the Parks and Recreation Department, volunteers and sponsors.

Commissioner Morse read a letter of recognition and appreciation received from Mayor Phyllis Fitzgerald, City of Junction City, recognizing Mayor Usha Reddi as she completes her present term as Mayor of Manhattan. (*See Attachment No. 1*)

Mayor Reddi expressed her appreciation for the letter from Junction City Mayor Phyllis Fitzgerald. She stated communities together accomplish much more when there is cooperation and a great partnership has developed between Manhattan and Junction City. She provided additional information regarding Victory Fest on Saturday, August 19, 2017, at Marshall Army Airfield. She stated the City is providing transportation from the north parking lot at CiCo Park to Marshall Army Airfield for the concert from 10:30 a.m. to 11:00 p.m. She encouraged the community to take part in the events associated with the 100th Anniversary of the 1st Infantry Division. She said Wednesday, August 16, 2017, will be the first day of school for USD 383 and asked everyone to drive careful. She stated the Flint Hills Discovery Center will host a ribbon cutting on August 25, 2017, for the opening of the Duty First: 100 Years of the Big Red One exhibit. She also reminded the community that Kansas State University students are coming back too.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, August 1, 2017.

CLAIMS REGISTER NO. 2858

The Commission approved Claims Register No. 2858 authorizing and approving the payment of claims from July 26, 2017, to August 8, 2017, in the amount of \$4,465,145.10.

CONSENT AGENDA (CONTINUED)

FINAL PLAT – 12TH & BLUEMONT LOFTS RESIDENTIAL PUD

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of 12th & Bluemont Lofts Residential Planned Unit Development, generally located at the northeast corner of the intersection of 12th Street and Bluemont Avenue, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7305 – REZONE – LOTS 1 AND 3, MANHATTAN MEDICAL CENTER PUD, PHASE 1

The Commission approved Ordinance No. 7305 rezoning a 0.88 acre tract consisting of a portion of Lots 1 and 3, Manhattan Medical Center PUD, Phase 1, from Commercial Planned Unit Development to C-1, Restricted Business District, and amending Ordinance Nos. 3999, 6451 and 7111 based on findings in the Staff Reports (*See Attachment Nos. 2 and 3*), as recommended by the Manhattan Urban Area Planning Board.

ORDINANCE NO. 7306 – MUNICIPAL FACILITY REVIEW – SOUTHEAST NEIGHBORHOOD RECREATION CENTER/MODIFICATION TO FLINT HILLS BREADBASKET

The Commission found that the public interests to be served by the proposed Southeast Neighborhood Recreation Center and modifications to the Flint Hills Breadbasket outweigh the impacts upon legitimate community interests; and approved Ordinance No. 7306 authorizing the proposed Municipal Facility for the proposed Southeast Neighborhood Recreation Center and modifications to the Flint Hills Breadbasket, generally located to the southeast of the intersection of S. 10th Street and Yuma Street and S. 9th Street and Yuma Street, based on the findings in the Staff Report (*See Attachment No. 4*), with the five condition of approval.

ORDINANCE NO. 7307 – MUNICIPAL FACILITY REVIEW – TRAFFIC OPERATIONS FACILITY EXPANSION

The Commission found that the public interests to be served by the proposed expansion of the Traffic Operations Facility grounds and fencing outweigh the impacts upon legitimate community interests; and approved Ordinance No. 7307 authorizing the expansion of the Traffic Operations Facility, generally located north of Fort Riley Boulevard, south of El Paso Lane, west of S. 10th Street and on both sides of S. 11th Street, based on the findings in the Staff Report (*See Attachment No. 5*).

FIRST READING – ADOPT – 2017 STANDARD TRAFFIC ORDINANCE

The Commission approved first reading of an ordinance incorporating by reference the Standard Traffic Ordinance for Kansas Cities, Edition of 2017, with amendments as set forth in the ordinance.

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 081517-A – ISSUE – TEMPORARY NOTE SERIES 2017-03**

Ron Fehr, City Manager, presented an overview on results of the Temporary Note Series No. 2017-03 sale held earlier today.

The Commission approved accepting the best bid for selling the notes; and approved Resolution No. 081517-A issuing Temporary Note Series No. 2017-03 in the amount of \$3,270,000.00 to finance: *The Highlands at Grand Mere, Unit One/Prairie Village at The Highlands, Unit One - Sanitary Sewer Improvements (SS1714), Sanitary Sewer Improvements (SS1715), Street Improvements (ST1705), and Water Improvements (WA1710); Wells Landing Sanitary Sewer Improvements (SS1629); Allen Road Sanitary Sewer Improvements (SS1613); College Heights Stormwater Improvements (SM1616); and West Anderson Avenue Interceptor Sanitary Sewer Improvements (SS1620).*

AGREEMENT – PROFESSIONAL SERVICES – CAMPUS PERIMETER TRAFFIC FLOW AND PEDESTRIAN CROSSWALK IMPROVEMENTS STUDY (CIP #CU038P)

The Commission authorized the Mayor and City Clerk to execute a professional services agreement, in an amount not to exceed \$37,925.00, with Olsson Associates, of Manhattan, Kansas, for the Campus Perimeter Traffic Flow and Pedestrian Crosswalk Improvements Study (CIP #CU038P).

* **AGREEMENT – PROFESSIONAL SERVICES – SUNSET ZOO PARKING LOT EXPANSION (CIP #SZ032P)**

Ron Fehr, City Manager, responded to questions from the Commission. He provided additional information on the Sunset Zoo parking lot project and funding source.

Eddie Eastes, Director of Parks and Recreation, provided an update on the Expedition Asia exhibit fundraising efforts and highlighted funding sources and anticipated cost estimates.

The Commission authorized the Mayor and City Clerk to execute an Agreement for professional services, in an amount not to exceed \$45,579.00, with BG Consultants, of Manhattan, Kansas, for the Sunset Zoo Parking Lot Expansion Project (CIP #SZ032P).

CONSENT AGENDA (CONTINUED)

DEVELOPMENT AGREEMENT – KSU FOUNDATION OFFICE PARK, PHASE II – WATER (WA1712) AND STORMWATER (SM1713) IMPROVEMENTS

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an Agreement for the Construction of the Public Infrastructure by Owner/Developer, the KSU Foundation, for water (WA1712) and stormwater (SM1713) and improvements for the KSU Foundation Office Park, Phase II.

AWARD CONTRACT - HERITAGE SQUARE NORTH, UNIT 2, STREET (ST1701), WATER (WA1701), AND SANITARY SEWER (SS1701) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$1,482,390.50; and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$999,777.09 to Bayer Construction, Inc., of Manhattan, Kansas, for the Heritage Square North, Unit 2, Street (ST1701), Water (WA1701), and Sanitary Sewer (SS1701) Improvements.

AWARD CONTRACT - JULIETTE AVENUE WATERLINE IMPROVEMENTS (WA1709)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$145,934.00, and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$119,836.05 to Pavers, Inc., of Salina, Kansas, for the Juliette Avenue Waterline Improvements (WA1709).

PURCHASE – WASTEWATER AERATION BASIN DIFFUSER REPLACEMENT (SS1709, CIP #WW146P)

The Commission authorized a sole source purchase for the WWTP Aeration Basin Diffuser Replacement Project (SS1709, CIP # WW146P), from JCI Industries, Inc., of Lee's Summit, Missouri, in the amount of \$48,510.83, to be paid from the Wastewater Fund.

IN-KIND TRANSFER - 1990 E-ONE CYCLONE 75 FOOT QUINT FIRE TRUCK

The Commission authorized the in-kind transfer of the Title and Ownership of the 1990 E-ONE Cyclone 75 foot Quint Fire Truck to the Riley County Fire Department.

BOARD APPOINTMENTS

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

CONSENT AGENDA (*CONTINUED*)

BOARD APPOINTMENTS (*CONTINUED*)

Arts and Humanities Advisory Board

Appointment of Dr. Michaeline Chance-Reay, 3026 Cherry Hill Road, to fill the unexpired term of Livie Olsen. Dr. Chance-Reay's term begins immediately and will expire March 31, 2018.

City-University Special Projects Fund Committee

Appointment of P. J. Hopfinger, 1632 McCain Lane, to fill a one-year Student term. Mr. Hopfinger's term begins immediately and will expire June 30, 2018.

Appointment of Glen Buickerood, 2051 Kerr Drive, to fill a one-year Student term. Mr. Buickerood's term begins immediately and will expire June 30, 2018.

Human Rights and Services Board

Appointment of Stan Morgan, 2112 Buckner Drive, to fill the unexpired term of Stephanie Morris. Mr. Morgan's term begins immediately and will expire March 9, 2018.

Parks and Recreation Advisory Board

Appointment of Curt Herrman, 3405 Woodduck Way, to fill the unexpired USD 383 term of Leah Fliter. Mr. Herrman's term begins immediately and will expire June 30, 2019.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

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

GENERAL AGENDA

ORDINANCE NO. 7308 - ADOPT - 2018 BUDGET; ORDINANCE NO. 7309 - AMEND - 2017 BUDGET; RESOLUTION NO. 081517-B - APPROVE - 2018-2022 CAPITAL IMPROVEMENTS PROGRAM (CIP); FIRST READING - INCREASE - TRANSIENT GUEST TAX; FIRST READING - 2018 SALARY ORDINANCE; AND RESOLUTION NO. 081517-C - MEMORANDUM OF AGREEMENT - LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS

Hillary Badger, Assistant Director of Finance, presented an overview of the item. She highlighted the 2018 published mill levies; the 2018 Budget summary for the General Fund, the Special Revenue Funds, the Bond and Interest Fund, and the Enterprise Funds; highlighted the General Fund Budget for 2017 and 2018; discussed the Conference Center debt payment and proposed funding sources; presented the Tourism & Convention Promotion (Transient Guest Tax) Budget and the proposed mill levy increase; provided the 2018 CIP funding summary and map of CIP requests; presented the 2017 Budget amendments for the Special Street & Highway Fund, the General Improvement Fund, and the Special Street Maintenance Fund; and highlighted six action items for the Commission to consider. She then responded to questions from the Commission.

Mayor Reddi opened the public comments on the 2018 Budget and related Budget items.

Hearing no comments, Mayor Reddi closed the public comments.

Commissioner Morse stated that she hoped the increase in the transient guest tax from six percent to seven percent would be put aside for the future expansion of the Convention Center. She discussed several items in the 2018 Budget and stated that she wanted to ensure that the Convention and Visitors Bureau (CVB) is funded appropriately to bring people to Manhattan and to promote the community.

Hillary Badger, Assistant Director of Finance, responded to questions from the Commission regarding the Convention and Visitors Bureau (CVB) budget and funding support for 2018.

Lyle Butler, President/Chief Executive Officer (CEO), Manhattan Area Chamber of Commerce, provided additional information and clarification on the CVB budget and request. He informed the Commission that the budget amount is correct. He provided additional information and an update on the Conference Center expansion study. He stated that in an ideal world, the Chamber and the Advisory Board would like to see the one percent set aside for capital improvements to bring more visitors to the community and not spent on operational costs.

Commissioner Dodson stated that everyone has worked hard on this budget and trade-offs have been made. He commented about reductions to the Capital Improvements Program and the challenges to invest and keep ahead of the game. He also highlighted items that have impacted the budget. He voiced support with the budget as proposed.

GENERAL AGENDA (*CONTINUED*)

ORDINANCE NO. 7308 - ADOPT - 2018 BUDGET; ORDINANCE NO. 7309 - AMEND - 2017 BUDGET; RESOLUTION NO. 081517-B - APPROVE - 2018-2022 CAPITAL IMPROVEMENTS PROGRAM (CIP); FIRST READING - INCREASE - TRANSIENT GUEST TAX; FIRST READING - 2018 SALARY ORDINANCE; AND RESOLUTION NO. 081517-C - MEMORANDUM OF AGREEMENT - LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (*CONTINUED*)

Commissioner McCulloh also voiced concern with reductions to the Capital Improvements Program and provided clarification on revenue sources received for projects that do not increase the mill levy. She stated that she was ready to approve the proposed budget.

Commissioner Butler stated that the additional use of the Economic Development Fund for debt payment on the Conference Center is appropriate because the Conference Center is an economic development project. He said that he did not want to see funds from property taxes used to fund the Conference Center. He also stated that he could not support the additional funding increase requested by the Flint Hills Area Transportation Agency (aTa) for its fixed-route bus service. He said the City could have reached a flat mill levy increase by not using the Bond and Interest Fund for the Conference Center debt payments and by not funding the additional request from aTa. He stated that he could not support the entire budget because of these two items.

Mayor Reddi voiced her support for the proposed 0.350 mill levy increase and highlighted the reductions that were made from the initial budget. She discussed the mandates the City has responded to, the associated expenses for additional security, and the importance to provide funding for the Flint Hills Area Transportation Agency (aTa) multi-route public transportation. She stated that she was comfortable supporting the six action items as proposed and stated the items removed from the budget will come up again in the future.

Commissioner McCulloh stated this is her 17th budget and her last. She commented that she is very supportive of growth, but growth brings more expenses and difficult to know what the happy medium is to make the budget work.

Commissioner Butler stated that people riding the Flint Hills Area Transportation Agency (aTa) should pay for the expanded bus service and the service should not be subsidized. He reiterated his concern that the Conference Center debt should not be funded by property taxes, but by economic development funds. He voiced support to reduce the proposed budget further by reducing the use of property tax funded items.

After further discussion and additional comments from the Commission, the Commission desired to have six separate motions made for each respective item.

GENERAL AGENDA (CONTINUED)

ORDINANCE NO. 7308 - ADOPT - 2018 BUDGET; ORDINANCE NO. 7309 - AMEND - 2017 BUDGET; RESOLUTION NO. 081517-B - APPROVE - 2018-2022 CAPITAL IMPROVEMENTS PROGRAM (CIP); FIRST READING - INCREASE - TRANSIENT GUEST TAX; FIRST READING - 2018 SALARY ORDINANCE; AND RESOLUTION NO. 081517-C - MEMORANDUM OF AGREEMENT - LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (CONTINUED)

ORDINANCE NO. 7308 - ADOPT - 2018 BUDGET

Commissioner McCulloh moved to approve Ordinance No. 7308 adopting the 2018 City Budget. Commissioner Dodson second the motion. On a roll call vote, motion carried 3-2, with Commissioners Morse and Butler voting against the motion.

ORDINANCE NO. 7309 - AMEND - 2017 BUDGET

Commissioner McCulloh moved to approve Ordinance No. 7309 amending the 2017 Budget for the Special Street and Highway, the General Improvement, and the Special Street Maintenance Funds. Commissioner Dodson second the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 081517-B - APPROVE - 2018-2022 CAPITAL IMPROVEMENTS PROGRAM

Commissioner McCulloh moved to approve Resolution No. 081517-B approving the 2018-2022 Capital Improvement Program. Commissioner Dodson second the motion. On a roll call vote, motion carried 4-1, with Commissioner Morse voting against the motion.

FIRST READING - INCREASE - TRANSIENT GUEST TAX

After discussion, Commissioner McCulloh moved to approve first reading of an ordinance amending the transient guest tax. Commissioner Dodson second the motion. On a roll call vote, motion carried 4-1, with Commissioner Morse voting against the motion.

FIRST READING - 2018 SALARY ORDINANCE

After discussion, Commissioner McCulloh moved to approve first reading of the Salary Ordinance establishing a new range of salaries for 2018 for City employees. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

ORDINANCE NO. 7308 - ADOPT - 2018 BUDGET; ORDINANCE NO. 7309 - AMEND - 2017 BUDGET; RESOLUTION NO. 081517-B - APPROVE - 2018-2022 CAPITAL IMPROVEMENTS PROGRAM (CIP); FIRST READING - INCREASE - TRANSIENT GUEST TAX; FIRST READING - 2018 SALARY ORDINANCE; AND RESOLUTION NO. 081517-C - MEMORANDUM OF AGREEMENT - LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (CONTINUED)

RESOLUTION NO. 081517-C – MEMORANDUM OF AGREEMENT – LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS

Commissioner McCulloh moved to approve Resolution No. 081517-C adopting changes to the Memorandum of Agreement with Local 2275 of the International Association of Firefighters for January 1, 2018, through December 31, 2020. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

Ron Fehr, City Manager, thanked the City Commission, the City Finance Department and the Department Heads for their work on the budget and related items.

RECOVERABLE GRANT - REPAIR SEWER AND REPLACEMENT OF WINDOWS - MANHATTAN HOUSING AUTHORITY APARTMENT TOWERS

Jason Hilgers, Deputy City Manager, presented an overview of the item. He highlighted components in the draft Recoverable Advance Agreement, discussed the process and timeline to make the improvements, and highlighted the possible motion. He then responded to questions from the Commission regarding the sprinkler improvements and the request received from the Manhattan Housing Authority.

JoAnn Sutton, Executive Director, Manhattan Housing Authority, thanked the City Commission for considering their request and addressing the immediate concerns with the sewer and the windows. She stated the preliminary numbers are coming in quite high for the sprinkler system, but informed the Commission that there still is not enough information and additional research is needed before a good plan can be made for the water sprinklers.

Commissioner Dodson provided additional information on the financing and terms of the proposed Agreement. He stated after examination of the facility, there could be savings achieved in other aspects of the project, including the sewer and windows, in order to install the sprinkler system before reopening the facility. He stated that there is concern with the people living in the building that may not be as mobile as others, that need additional time in the event of a fire.

GENERAL AGENDA (*CONTINUED*)

RECOVERABLE GRANT - REPAIR SEWER AND REPLACEMENT OF WINDOWS - MANHATTAN HOUSING AUTHORITY APARTMENT TOWERS (*CONTINUED*)

Mayor Reddi said that it is important to get the sprinkler system installed at some point, if not right away, especially, for the safety of the tenants. She asked if the Housing Authority conducts fire drills, like the schools.

JoAnn Sutton, Executive Director, Manhattan Housing Authority, responded to further questions from the Commission. She provided information regarding accessibility, emergency services and response, and tenant preference to be on the lower floor levels.

Commissioner Butler concurred with Commissioner Dodson on the evaluation to address the immediate issues and if savings are achieved, to address the sprinkler system at the same time. He voiced a preference for a 20-year term and stated that he understood the need to resurrect the high-rise apartment towers.

JoAnn Sutton, Executive Director, Manhattan Housing Authority, responded to questions from the Commission about the proposed improvements and accessibility. She provided an update on additional costs associated with a sprinkler system.

Commissioner McCulloh stated that the Manhattan Housing Authority has a maintenance budget to some degree and has not addressed the issue to fix the building over the years. She voiced her displeasure in having limited options. She stated that the building should be sprinkled, especially with the elderly and the difficulty in using the stairs when the elevator is not working in the event of a fire. She suggested that it might be time to re-evaluate the relationship and oversight between the City and the Manhattan Housing Authority.

Commissioner Morse stated that she would support the proposal for the windows and sewer as well as voiced support for the sprinklers in the future. She mentioned her commitment to affordable housing and need to get these units back to an active status.

Joann Sutton, Executive Director, Manhattan Housing Authority, provided additional information on the proposed windows and sewer improvements needed. She thanked the Commission for their comments and those that took the tour of the Housing Authority facility. She stated that the Housing Authority has a professional staff and will work through and address these issues and continue to work with City staff.

Mayor Reddi opened the public comments.

Hearing no comments, Mayor Reddi closed the public comments.

GENERAL AGENDA (CONTINUED)

RECOVERABLE GRANT - REPAIR SEWER AND REPLACEMENT OF WINDOWS - MANHATTAN HOUSING AUTHORITY APARTMENT TOWERS (CONTINUED)

Mayor Reddi stated that we have to do this and said there is a tremendous need for affordable housing in the community. She stated the sprinkler system needs a closer look and did not want to put it off if it needs to be done now.

Jason Hilgers, Deputy City Manager, responded to additional questions from the Commission regarding the City's relationship with the Manhattan Housing Authority, project oversight, and disbursements as highlighted in the draft Agreement. He informed the Commission that if there were adjustments to the scope for the sewer and windows that are beyond the original scope and fee, the item would come back to the Commission for approval.

Scott French, Director of Fire Services, responded to questions from the Commission regarding a fire response and rescue in a high-rise building. He highlighted the advantages of a sprinkler system in the facility and for the safety of the tenants and the firefighters.

After additional comments from the Commission, Commissioner Morse moved to authorize City Administration to finalize and the Mayor and City Clerk to execute a recoverable grant for \$1,000,000.00 with the Manhattan Housing Authority to repair the sewer and replace windows at the Apartment Towers in the 400 block of Leavenworth Street. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 8:40 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

Attachment No. 1



August 11, 2017

Letter of Recognition and Appreciation
USHA REDDI

It is my pleasure as Mayor of Junction City to recognize and show appreciation to Usha Reddi as she completes her present term as Mayor of Manhattan, Kansas.

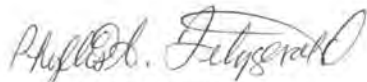
During the time we have both served as mayors of neighboring communities we have not only grown together as friends, but we have shown a partnership that has spread on to the cities we have the privilege to serve.

The collaboration we have had with Fort Riley emphasizes the efforts both cities, along with the entire Flint Hills region, to embrace Fort Riley and the First Infantry as the "shining star" of the United States Army.

Partnerships between our two cities are not only beneficial for both cities but for the entire region as we establish this area for future growth and economic vitality.

As Mayor Reddi ends her present term as Mayor I know she will continue to serve the City of Manhattan on the City Commission and her efforts and energy will continue to benefit the City of Manhattan and the cooperation between our two wonderful cities.

Sincerely,


Phyllis Fitzgerald
Mayor
Junction City

REVISED STAFF REPORT

The Staff Report has been revised to reflect the withdrawal of the request to rezone 2408 Buena Vista Drive, following the Manhattan Urban Area Planning Board's recommendation to deny the request for this property. The revised Staff Report is only for the rezoning request for the portion of the Manhattan Medical Center.

ON AN APPLICATION TO REZONE PROPERTY A 0.88 acre tract within the Manhattan Medical Center

FROM: PUD, Manhattan Medical Center Commercial Planned Unit Development

TO: C-1, Restricted Business District

APPLICANT: WDM Architects, P.A., Les Mock

ADDRESS: 105 N. Washington Wichita, KS 67202

OWNERS: Manhattan Medical Center, Bob Dieball

ADDRESS: 1133 College Avenue, Manhattan, KS 66502

LOCATION: A sixty-three (63) foot wide portion in the center of the Manhattan Medical Center PUD.

AREA: 0.88 acres

DATE OF PUBLIC NOTICE PUBLICATION: May 15, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: July 17, 2017

CITY COMMISSION: August 1, 2017

EXISTING USE: The part of the Manhattan Medical Center to be rezoned is a portion of the off-street parking lot and accompanying landscaped island that is shared by the medical complex.

The rezoning request is to accommodate a proposed building expansion of Building E in the medical center. No specific plans for the building or this area of the center has been proposed yet.

Attachment No. 2

The applicant will need to submit a replat of Lot 1, Manhattan Medical Center, Unit II and Lots 1 and 3, Manhattan Medical Center PUD, Phase I to reflect the changed zoning districts. A replat was originally proposed with the request to rezone the Manhattan Medical Center site and the property at 2408 Buena Vista Drive. This plat is no longer applicable because of the applicant's withdrawal of the rezoning request for the residential lot on Buena Vista.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The portion of the Manhattan Medical Center PUD to be rezoned is a mix of paved parking lot and a relatively large landscape island associated with the parking lot.

The sites generally direct stormwater runoff to the south towards Anderson Avenue through a natural wooded ravine on the southern portion of the site.

SURROUNDING LAND USE AND ZONING:

- (1) **NORTH:** An approximate 70 foot wide collector street right-of-way (Claflin Road), commercial office, Kansas State University Forestry property, and multi-family residential units; C-1, U and PUD Districts.
- (2) **SOUTH:** An approximate 60 foot wide local, residential street right-of-way (Buena Vista Drive), single-family dwelling units; R District.
- (3) **EAST:** Medical office complex set out in individual buildings in a campus setting; C-1 and PUD Districts.
- (4) **WEST:** Single-Family residential dwelling units and religious center/church; R District.

GENERAL NEIGHBORHOOD CHARACTER: The neighborhood is characterized by a mixture of low density, single-family and high density, multi-family residential uses, a mosque and church, commercial and medical offices and university uses. The high density residential uses are to the northwest in a residential PUD consisting of apartments that was approved in May, 1990. The low density, single-family dwellings are concentrated to the south and southwest of the subject area. These dwellings are a mixture of single-story and two-story homes built in the 1960's. The commercial office uses in the neighborhood include the Manhattan Medical Center complex to the east and a real estate office to the north. The Kansas Forest Service is located to the north of the subject area. The existing uses within the rezoning site and surrounding neighborhood have been present for many years.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The portion of the Manhattan Medical Center PUD provides for off-street parking for the entire complex. This is suitable for the approved PUD. The Manhattan Medical Center Commercial PUD is being amended to address changes in the PUD boundary associated with the rezoning and platting requests.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The C-1, Restricted Commercial District is intended to be compatible with adjacent residential districts. Any increase in traffic, light and noise created by the proposed rezoning would be limited to Manhattan Medical Center site and would be consistent with the character of the Claflin Road corridor.

The applicant held a neighborhood meeting on May 15, 2017. Questions raised at the neighborhood meeting revolved around the proposed rezoning request of 2408 Buena Vista Drive, which included restricting both vehicle and pedestrian access to Buena Vista, screening of the parking lot for the neighborhood and lighting of the off-street parking lot. The complete meeting summary is attached.

CONFORMANCE WITH COMPREHENSIVE PLAN: The portion of the Manhattan Medical Center PUD proposed to be rezoned to C-1 is designated as Office Research Park (OR) on the Future Land Use Map for the Northwest Planning Area. This designation also aligns with the proposed C-1 District rezoning. The OR category policies include the following:

OR-1: Characteristics

The Office/Research designation is intended to provide concentrated areas of high quality employment facilities, such as corporate office headquarters, research and development facilities, educational facilities, or supporting services in a planned setting. Ancillary commercial services and medium to high density residential may be incorporated in appropriate settings. Office/Research developments may be incorporated into a master planned neighborhood, as part of the KSU Campus, or located in close proximity to residential areas. Activities within an employment area typically take place indoors, and outdoor storage or other more industrial types of uses are typically not permitted. Some specialized research parks may include limited prototype production, or bioscience or agricultural research, such as in the K-State Research Park. This category may also include smaller office complexes consisting of a single building or several buildings that are not located within a typical office park setting. These smaller office complexes shall meet the intent of the policies within this

section, to the extent that they apply. The Poyntz Avenue Corridor, located between 17th Street and Juliette Avenue, is another designated office district with some unique characteristics and issues that are addressed more specifically in the adopted Poyntz Avenue Corridor District Plan.

OR-2: Location

Office/Research facilities should have direct access to existing or planned arterial and collector streets and should not rely on local or residential streets for access. Multimodal access should be considered in the location of employment areas.

OR-3: Site Layout and Design

Integrate Office/Research developments into the surrounding context, whether multiple buildings as part of a planned campus, or stand-alone buildings integrated as part of the urban or suburban fabric.

OR-4: Unified Character

Encourage a unified character for larger Office/Research developments achieved through the use of similar or complementary elements, such as materials, signage, landscaping and screening, and other site layout details.

OR-5: Common Areas

Provide plazas, courtyards, patios, quads, and other common outdoor gathering spaces for employees and visitors as part of standalone Office/Research developments. Provide access to adjacent trails or parks where applicable.

OR-6: Multimodal Connectivity

Ensure Office/Research development areas are served by a system of collector and local streets, as well as sidewalks and pedestrian and bicycle pathways, which provide connectivity to surrounding neighborhoods, adjacent services, and existing or planned transit.

Provide clear, direct pedestrian linkages to and between building entrances, outdoor gathering spaces, parking areas, and transit stops.

OR-7: Outdoor Storage

Contain the functions of Office/Research facilities within buildings to the extent feasible. Accessory outdoor storage facilities typically should be of a limited nature and completely screened.

The proposed rezoning generally conforms to the Comprehensive Plan.

ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED:

Manhattan Medical Center PUD

- | | |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 19, 1982 | City Commission approves Ordinance No. 3999 establishing the Manhattan Medical Center PUD. |
| December 6, 2004 | Manhattan Urban Area Planning Board recommends approval of an amendment of the PUD on a vote of 5-0. |
| December 21, 2004 | City Commission approves first reading of an amendment of the PUD. |
| January 4, 2005 | City Commission approves Ordinance No. 6451 amending the PUD to add the new physical therapy building and an addition to the maintenance shop. |
| November 3, 2014 | Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance No. 6451 and the Preliminary Development Plan of the Manhattan Medical Center Commercial PUD, for additional directional signage, subject to the one (1) condition of approval. |
| November 18, 2014 | City Commission approves first reading of an ordinance approving the proposed amendment. |
| December 2, 2014 | City Commission approves Ordinance No. 7111 amending Ordinance No. 6451 and the Preliminary Development Plan of the Manhattan Medical Center Commercial PUD, generally located southwest of the intersection of College Avenue and Claflin Road, to allow the proposed signage, based on the findings in the Staff Report with the one condition. |

Manhattan Medical Center, Unit II

- | | |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1962 | Current Medical Center campus was annexed into the City of Manhattan as an unplatted tract (Ord. No. 2258) and zoned "A" First Dwelling House District. |
| 1969 – 1976 | The entire subject area was rezoned to R, Single-Family Residential District. |
| 1976 – Present | The unplatted tract of land was rezoned to C-1, Restricted Business District. |

Attachment No. 2

- March 3, 2008 Manhattan Urban Area Planning Board recommends approval of rezoning Lots 3, 4, 9, 10 and 11, University Acres Addition and Lot 6, North Timberlane Addition from R, Single-Family Residential District, to C-1, Restricted Business District; and approved the Final Plat of Lot 1, Manhattan Medical Center Addition, Unit II, conditioned on approval of the rezoning.
- March 18, 2008 City Commission approves first reading of an ordinance rezoning Lots 3, 4, 9, 10 and 11, University Acres Addition and Lot 6 to C-1, Restricted Business District.
- April 1, 2008 City Commission approves Ordinance No. 6690 rezoning Lots 3, 4, 9, 10 and 11, University Acres Addition and Lot 6, North Timberlane Addition to C-1, Restricted Business District, and accepts easements and right -of-way as shown on the Final Plat of Lot 1, Manhattan Medical Center Addition, Unit II.

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 C-1, Restricted Business District is designed to provide for non-retail commercial, and business and professional activities adjacent to arterial and collector streets. This district is intended to be compatible with adjacent residential districts.

The proposed rezoning is consistent with the intent and purpose of the C-1 District.

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 health, safety and welfare that denial would accomplish, compared to the hardship to the applicant if the request to rezone was denied.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: The site can be adequately served with existing public utilities and services.

SUCH ADDITIONAL MATTERS AS MAY APPLY IN INDIVIDUAL CIRCUMSTANCES: None

STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of a 0.88 acre tract of land within the Manhattan Medical Center PUD from Commercial Planned Unit Development to C-1, Restricted Business District, based on the finding in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of a 0.88 acre tract of land within the Manhattan Medical Center PUD from Commercial Planned Unit Development to C-1, Restricted Business 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 a 0.88 acre tract of land within the Manhattan Medical Center PUD from Commercial Planned Unit Development to C-1, Restricted Business District, based on the findings in the Staff Report.

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

DATE: Revised on July 20, 2017.

STAFF REPORT

AN AMENDMENT OF ORDINANCE NOS. 3999, 6451 AND 7111 AND THE APPROVED FINAL DEVELOPMENT PLAN OF THE MANHATTAN MEDICAL CENTER PLANNED UNIT DEVELOPMENT.

REQUEST: This is a request to amend Ordinance Nos. 3999, 6451 and 7111 and the Final Development Plan to allow for the proposed rezoning from PUD to C-1, Restricted Business District and the Final Plat of Manhattan Medical Center, Unit III. No changes to the uses, buildings or signage are proposed. Only the boundary of the PUD site is proposed.

The proposed area to be rezoned is the west sixty-three (63) feet of Lots 1 and 3, Manhattan Medical Center PUD, Phase 1. This area totals approximately 38,682 square feet (0.88 acres).

In addition, the Manhattan Medical Center has proposed to rezone the residential property at 2408 Buena Vista Drive from R, Single-Family Residential District to C-1, Restricted Business District. This is to allow for an expansion of the off-street parking area for the medical center (See Rezoning Staff Report for more information).

BACKGROUND

APPLICANT: WDM Architects, P.A., Les Mock

ADDRESS: 105 N. Washington Wichita, KS 67202

OWNERS: Manhattan Medical Center, Bob Dieball

ADDRESS: 1133 College Avenue, Manhattan, KS 66502

LOCATION: Lots 1, 2 and 3 Final Plat Phase 1 for Manhattan Medical Center PUD

AREA: 364,298 square feet (8.36 acres) before the proposed Final Plat

DATE OF PUBLIC NOTICE PUBLICATION: May 15, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: July 17, 2017

CITY COMMISSION: August 1, 2017

EXISTING PUD

Ordinance No. 3999, Ordinance No. 6451 and Ordinance No. 7111, Permitted Uses and Conditions of Approval

Ordinance No. 3999 rezoned the site from C-1, Restricted Business District to the Manhattan Medical Center PUD in August, 1982. The Ordinance references the application documents for permitted uses and development plans. The permitted uses are “medical center complex, pharmacy and optical dispensary.”

Internal documents show that an amendment to Ordinance No. 3999 was initiated to allow several directional signs throughout the PUD to direct patrons to various buildings in 1984. The signs were to be approximately 4 feet tall and 4 feet wide. Eight (8) signs in total were to be installed in various locations on the site. No records of the amendment every being approved can be found. The signs have generally been installed on the site as proposed in 1984

In January, 2005, Ordinance No. 6451 was approved, amending Ordinance No. 3999 and the Final Development Plan was amended to allow for two (2) buildings on the site, a physical therapy clinic and a maintenance building expansion along with new parking lot areas and landscaping associated with the new development. The ordinance was approved with the following conditions of approval:

1. Construction shall be limited to the new physical therapy building and maintenance building expansion and modification to the off-street parking lot.
2. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
3. All landscaping and irrigation shall be maintained in good condition.
4. The building exterior of the physical therapy building shall include at least fifty (50) percent brick.

On December 2, 2014, the City Commission approved Ordinance No. 7111, which amended the two (2) previous ordinances associated with the PUD to allow new, larger monument signs within the medical center. Ordinance No. 7111 included the following condition:

1. Signs shall be provided as proposed in the application documents, and shall allow for exempt signage described in Article VI, Section 6-104 (A)(1),(2),(3), (4),(5), (7), and (9); and, Section 6-104 (B)(2) and B(5), of the Manhattan Zoning Regulations.

PROPOSED AMENDMENT

The proposed amendment is to reduce the overall area of the PUD through the proposed Final Plat of Manhattan Medical Center, Unit III and the request to rezone a 0.88 acre area from the PUD to C-1, Restricted Business District (*See Final Plat Memorandum and Rezoning Staff Report*).

The request is related to a proposed addition to Building E. The proposed addition would reach towards the east across the property line that divides the site from C-1 District to PUD. The request is to allow the addition to occur within one (1) zoning district and avoid any confusion between the PUD and the C-1 District.

No changes to the buildings associated with the PUD are proposed. The proposed rezoning, Final Plat and PUD Amendment will be in an area that consists of off-street parking and a landscape island.

MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. WHETHER THE PROPOSED AMENDMENT IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPROVED PUD, AND WILL PROMOTE THE EFFICIENT DEVELOPMENT AND PRESERVATION OF THE ENTIRE PUD:

The proposed amendment is consistent with the intent and purpose of the approved PUD. The entire Manhattan Medical Center is divided into two (2) zoning districts, Commercial PUD and the C-1, Restricted Business District. The request is to increase the C-1 District portion of the medical center to allow for an addition to a building entirely in this district. No changes to the PUD's uses, existing buildings or signage are proposed. A decrease in the total parking for the PUD will occur with the changes in the lots lines. However, parking is shared amongst the entire medical center.

2. WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN OR AROUND THE PUD, AND THE NATURE OF SUCH CONDITIONS:

The proposed amendment is necessary because of the proposed changes in the lots size and district boundaries of the PUD. This is due to the proposed addition to Building E in the portion of the Manhattan Medical Center that is zoned C-1 District. Although no building plans have been provided, the proposed addition will most likely encroach into PUD site. The requests are in part to avoid confusion on what zoning district the building would need to comply with. Additionally, the requests are to avoid the building crossing over lot lines, which requires a number of additional building codes to be applied to the building addition.

3. WHETHER THE PROPOSED AMENDMENT WILL RESULT IN A RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE OR GENERAL WELFARE, AND IS NOT GRANTED SOLELY TO CONFER A SPECIAL BENEFIT UPON ANY PERSON: The proposed amendment will neither improve nor degrade the public health, safety and convenience to the general public. The amendment is to accommodate a rezoning and replatting request that decreases the size of the PUD district. No other substantial changes to the PUD are proposed. Parking within the PUD is anticipated to be decreased, however, the medical center shares parking across the entire development. Adequate parking is provided for the medical center.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. LANDSCAPING: The site has mature landscaping throughout, including manicured lawns, trees, bushes and foundation plantings. No significant changes are proposed with this development.

2. SCREENING: The site currently screens itself from the adjacent residential property to the south by a tall row of bushes and shrubs. The vegetation is dense and adequately screens the adjacent property from the site. No changes to the screening are proposed.

3. DRAINAGE: The site generally drains to the southwest towards a large ravine that ultimately drains into Wildcat Creek. No changes are proposed to the site that would impact the drainage on the site or in the immediate area.

4. CIRCULATION: The circulation patterns throughout the Manhattan Medical Center and the off-street parking lots are established. It is anticipated that off-street parking within the area to be rezoned will be removed to make way for the building addition. As previously mentioned, the entire medical center shares off-street parking. Off-street parking and circulation is adequate for the medical center when considered in its entirety.

5. OPEN SPACE/LANDSCAPED AND COMMON AREA: No significant changes to the open space or commons are proposed.

6. CHARACTER OF THE NEIGHBORHOOD: The character of the surrounding neighborhood is a mix of residential uses to the south, east and west and multiple-family residential and offices to the north. A portion of the Manhattan Medical Center is located to the west in the C-1 District.

Single-family homes, some of which are rental units, are located to the east, south and west. The Trinity United Presbyterian Church is located to the east. To the north are several multiple-family apartment complexes, a bank with drive-thru, the Kansas Forestry Department and a professional office building.

MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Manhattan Medical Center, including a variety of doctor offices, health professional offices and support services.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site generally slopes from the north to the southwest towards a steep ravine that ultimately ends near Anderson Avenue. The steep ravine, which is heavily wooded, drains the site and adjacent properties to Wildcat Creek. The site is generally built out with structures, parking lots and mature landscaping. No significant changes are proposed with the proposed amendment.

3. SURROUNDING LAND USE AND ZONING:

(a.) **NORTH:** Multiple-family apartment complexes, bank with drive-thru, Kansas State Forestry Department; Southwind Capital PUD, Chase Manhattan PUD, University District

(b.) **SOUTH:** Single-family homes; R, Single-Family Residential District.

(c.) **EAST:** Single-family homes and a church; R, District and Hummel Estates PUD

(d.) **WEST:** Manhattan Medical Center Complex, single-family homes; C-1, Restricted Business District and R District.

4. GENERAL NEIGHBORHOOD CHARACTER: See above under **6, CHARACTER OF THE NEIGHBORHOOD.**

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is currently zoned PUD for the Manhattan Medical Center. No changes to the permitted uses are proposed. The need for the PUD amendment is due to the proposed change in lot dimensions and boundary of the PUD District. The existing use and site improvements comply with the PUD.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed amendment should not adversely impact adjacent properties. The changes to the boundary of the PUD District only impacts internal elements of the Manhattan Medical Center.

As part of the application process for the proposed rezoning, the applicants held a neighborhood meeting on May 15, 2017. According to the neighborhood meeting report, questions were raised at the neighborhood meeting revolved around elements of the request to rezone the residential lot at 2408 Buena Vista Drive. These questions included restriction to both vehicle and pedestrian access to Buena Vista, screening of the parking lot for the neighborhood and lighting of the off-street parking lot. The complete meeting summary is attached.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Northwest Planning Area Future Land Use Map shows the site as Office-Research Park designation. This is compatible with the current zoning and use of the Manhattan Medical Center site. The proposed amendment conforms to the Comprehensive Plan.

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

- | | |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| October 19, 1982 | City Commission approves Ordinance No. 3999 establishing the Manhattan Medical Center PUD. |
| December 6, 2004 | Manhattan Urban Area Planning Board recommends approval of an amendment of the PUD on a vote of 5-0. |
| December 21, 2004 | City Commission approves first reading of an amendment of the PUD. |
| January 4, 2005 | City Commission approves Ordinance No. 6451 amending the PUD to add the new physical therapy building and an addition to the maintenance shop. |
| November 3, 2014 | Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance No. 6451 and the Preliminary Development Plan of the Manhattan Medical Center Commercial PUD, for additional directional signage, subject to the one (1) condition of approval. |
| November 18, 2014 | City Commission approves first reading of an ordinance approving the proposed amendment. |

Attachment No. 3

December 2, 2014 City Commission approves Ordinance No. 7111 amending Ordinance No. 6451 and the Preliminary Development Plan of the Manhattan Medical Center Commercial PUD, generally located southwest of the intersection of College Avenue and Claflin Road, to allow the proposed signage, based on the findings in the Staff Report with the one condition.

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

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

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There appears to be no relative gain to the public, which denial would accomplish. The proposed amendment is required because of the change of the lots and district boundaries of the Manhattan Medical Center PUD.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Public facilities currently serve the site. No changes to the buildings or site plans are proposed that will alter the existing public utility services.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the proposed amendment of Ordinance Nos. 3999, 6451 and 7111 and the approved Final Development Plan of the Manhattan Medical Center Commercial PUD, with one condition of approval:

1. Lot 5, University Acres Addition and the portion of the Manhattan Medical Center PUD, shall be rezoned, as proposed, from R, Single-Family Residential District and Commercial PUD, Planned Unit Development, to C-1, Restricted Business District.

ALTERNATIVES:

1. Recommend approval of the proposed amendment of Ordinance Nos. 3999, 6451 and 7111 and the approved Final Development Plan of the Manhattan Medical Center Commercial PUD, stating the basis for such recommendation.
2. Recommend denial of the proposed amendment of Ordinance Nos. 3999, 6451 and 7111 and the approved Final Development Plan of the Manhattan Medical Center Commercial PUD, stating the specific reasons for denial.
3. Table the proposed Amendment to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed amendment of Ordinance Nos. 3999, 6451 and 7111 and the approved Final Development Plan of the Manhattan Medical Center Commercial PUD, based on the findings in the Staff Report, with the one (1) condition of approval, as recommended by City Administration.

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

DATE: July 11, 2017

**STAFF REPORT
STATE OR MUNICIPAL FACILITY REVIEW**

APPLICANT: City of Manhattan

ADDRESS: 1101 Poyntz Avenue

LEGAL DESCRIPTION: Lots 281-296, Ward 5

LOCATION: Douglass Park, generally located to the southeast of the intersection of S. 10th Street and Yuma Street

AREA: 122,403 square feet (2.81 acres)

DATE OF NEIGHBORHOOD MEETING: May 4, 2017

DATE OF PUBLIC NOTICE PUBLICATION: June 15, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: July 6, 2017
CITY COMMISSION: August 1, 2017

At the conclusion of the hearing, the Manhattan Urban Area Planning Board shall forward its recommendation to the Governing Body. Such recommendation shall include all factors and reasons the Board relies upon to support such recommendation. In arriving at such recommendation, the Planning Board shall balance the public interests to be served by the construction or expansion of the utility or facility, as opposed to the impact upon interests intended to be protected by the Zoning Regulations. In balancing such interests, the Planning Board shall consider factors, such as:

MUNICIPAL FACILITY PROCESS:

The Municipal Facility Review process is outlined in Section 3-412 of the Manhattan Zoning Regulations (attached), which indicates, in part, that: "Any public utility, or facility, owned and operated by either the State or a Municipality is hereby authorized as a permitted use in any zoning district, subject to the remaining provisions of this section."

Attachment No. 4

If a utility or facility is specifically listed in a zoning district as a permitted or conditional use, the municipality can follow the requirements set out in Article IV, District Regulations, or follow the provisions of Section 3-412. If the utility or facility is not set out in a zoning district in which it is proposed, the utility or facility must follow the provisions of Section 3-412.

The process requires that both the Manhattan Urban Area Planning Board and the City Commission hold public hearings on the proposal. This process is not a rezoning action, but a process whereby the Planning Board and the City Commission consider the proposal by balancing the public interests to be served by a proposed Municipal Utility or Facility, as opposed to the impact upon public interests intended to be protected by the Zoning Regulations. In performing this balancing test and evaluating a proposed facility, the Planning Board and City Commission must consider the factors listed under the Staff Report headings.

The City Commission is not bound by the recommendations of the Planning Board, nor is it obligated to return the matter to the Planning Board for reconsideration, unless the City Commission chooses to do so. If the City Commission approves the request, it does so by adoption of an ordinance, following a public hearing.

EXISTING USE:

The existing use of the site is the Douglass Park. Within the City parkland is the following buildings or recreation uses:

- Douglass Center Annex, a multi-use building used as recreational instruction space on the northeast side of the site,
- A metal workshop and storage building for the City's Park and Recreation Department that is located generally in the center of the site,
- The Flint Hills Breadbasket food pantry in the southeast corner of the site,
- Off-street parking on the east side of the site,
- A multi-use concrete court for basketball and tennis on the northwest corner of the site,
- Outdoor playground on the north side of the site, and
- Landscaped open space throughout the site.

PROPOSED USE:

The City is proposing to construct a new 17,000 square foot indoor neighborhood recreation center, renovate the Flint Hills Breadbasket site, construct new on-street and off-street parking and make landscape and open space improvements throughout the site.

Southeast Neighborhood Recreation Center

The Southeast Neighborhood Recreation Center (SENREC) is proposed to be constructed on the site. The SENREC name will most likely change in the future with the final design of the building. Detailed final site and building designs have not been started for the proposed recreation center. The City is in the middle of the process to select the consulting firm to design the site and facility.

However, the City does have conceptual designs for the building size, proposed uses and location of the site improvements. As stated, the new building will have a footprint of approximately 17,000 square feet. The building will be located approximately zero (0) feet from the S. 10th Street front property line and the Fort Riley Boulevard front property line. The front door of the building will be on the north side, facing the basketball/tennis court on the site. The building will be comprised of a full-size multi-purpose court that runs east/west. The full-size court can also be converted to two (2) non-regulation sized multi-purpose courts that run cross-wise (north/south). The recreation space will also include an interior walking track. Restrooms and locker rooms will be provided, as well as office space. A multi-purpose classroom is also proposed to allow for Park and Recreation sponsored classes and activities, as well as neighborhood meetings.

No final architectural designs for the exterior of the building have been submitted. The building will be less than forty (40) feet tall and will mostly consist of a metal skinned steel structure building. Architectural design elements, such as brick or limestone, will most likely be included in the final design to make the building visually appealing to the neighborhood and the community.

An approximately 7,300 square foot building expansion is proposed for sometime in the future. This building expansion would occur to the east of the main building. No specific details of the building expansion have been provided at this time. It is the intent of City Administration to include this building expansion in the Municipal Review procedure to allow it to occur in the future without a separate process. The Community Development Department has proposed the following condition of approval for the future addition:

- The building addition shall be designed with the same architectural style as the original building and shall use similar exterior materials.

Flint Hills Breadbasket

The vast majority of the Flint Hills Breadbasket site or building is to be unchanged with the development project. An existing walk-in freezer is located to the north of the building, where the redesigned off-street parking lot is proposed. The freezer is to be re-located to one of two places, depending on final design of the site and determination by the manager of the Breadbasket. One location is to the south of the existing building, approximately zero (0) feet from the Fort Riley Boulevard property line. The second location is to the west of the building. Both of these locations have pros and cons for access and needs to renovate the building.

As part of the Municipal Review process, City Administration is requesting that the building setbacks for the proposed SENREC building and the Flint Hills Breadbasket freezer be reduced to zero (0) feet.

On-street and Off-street Parking

The existing off-street parking lot is proposed to be restriped and expanded to the west to allow for more off-street parking. The redesigned and expanded off-street parking lot will have a total of sixty-eight (68) spaces. The existing metal building used by the City's Park and Recreation Maintenance staff will be removed for the parking lot expansion.

On-street parking is proposed on S. 10th Street and Yuma Street. At least thirty-eight (38) angled parking spaces are proposed along the street. These spaces have been reviewed by the Public Works Department to ensure conflicts at the street intersections are avoided.

A total of one hundred and six (106) spaces will be available on or adjacent to the site to serve the new building, the Flint Hills Breadbasket and the Douglas Center Annex building.

Based on the conceptual design occupancy of the SENREC building, 120 parking spaces would be required for the gymnasium (design occupancy of 360 people; 1 space per 3 occupants). Additionally, the Douglass Center Annex has a design occupancy of approximately 170 people, which would require a minimum of 57 spaces. The Flint Hills Breadbasket is classified as part business and office use (approximately 1,500 square feet) and part warehouse use (approximately 6,000 square feet). The Breadbasket has a minimum of 8 off-street parking required for its mix of uses. The total off-street required for the uses within Douglass Park is 185. As part of the Municipal Review process, City Administration is requesting that the minimum number of off-street parking required for the proposed development at Douglass Park be reduced to 108 spaces.

Site Landscaping

Site landscaping will be completed with the final design of the project. Generally, the project will include landscape beds and plantings at the entrance to the building and around the foundation.

The northwest portion of the site will remain as a park area, with open space, the playground area and the multi-use concrete court.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:

The site is the Douglass Park, which has been used for many different public uses in the past, including a neighborhood school, swimming pool, and the current use as park, as described above.

The site is relatively flat and is bounded by Fort Riley Boulevard to the south, S. 10th Street to the west, S. 9th Street to the east and Yuma Street to the north. The mid-block alley dissects the site in half, however, the alley travelway does not exist. The alley will most likely be vacated as public right-of-way in the near future with the final design of the SENREC building.

THE NATURE AND SCOPE OF THE MUNICIPALITY OR STATE AGENCY:

The City of Manhattan is a city of the first class with a population of approximately 58,000. The Parks and Recreation Department provides a broad range of services related to parks, trails, facilities, attractions, and recreational programming, which includes Douglass Park, the Existing Douglass Community Recreation Center and Annex, as well as the proposed South East Neighborhood Recreation Center (SENRC).

THE FUNCTION OF THE UTILITY OR FACILITY:

The SENRC will be located in Douglass Park and provide a new indoor recreational facility for the neighborhoods in the southeast portion of Manhattan and the larger Manhattan community. As described above, the proposed uses for the facility will provide the City and the surrounding neighborhoods space for indoor recreation, such as basketball and volleyball, exercise space and classroom and meeting room space.

An application was prepared by the City to request a \$3,304,000 Loan Guarantee from the U.S. Department of Housing and Urban Development (HUD), which will be repaid with proceeds from the City's future annual CDBG entitlement allocations. HUD approved the loan in February 2017.

THE EXTENT OF THE PUBLIC INTEREST TO BE SERVED BY THE UTILITY OR FACILITY:

City undertook an analysis of its current and future needs for parks and recreation facilities improvements through the Strategic Facility Improvement Plan (SFIP). The SFIP identified the highly unmet need for neighborhood recreation facilities to serve residents throughout the community. Douglass Park, a City-owned, 1.53-acre site, consisting of recreation facilities that currently serve the surrounding neighborhoods, was identified as a potential site for a new indoor facility. The proposed SENRC will provide members of the community and the Downtown Core Neighborhoods with dependable access to gym space for drop-in and scheduled use of basketball, volleyball and other recreation activities, healthy lifestyle classes, and family events that are minimally and inconsistently available in the current geographic area due to lack of indoor spaces available to the public.

THE EFFECT THAT REGULATION OF THE CONSTRUCTION, OR EXPANSION, EITHER BY THE IMPOSITION OF REQUIREMENTS NECESSARY TO MITIGATE IMPACTS OR BY A COMPLETE DENIAL, WILL HAVE UPON THE MUNICIPALITY'S, OR STATE AGENCY'S, ABILITY TO EFFICIENTLY, ECONOMICALLY AND PRUDENTLY MEET THE PUBLIC INTERESTS THEY ARE SERVING:

The application of the building setbacks and minimum off-street parking requirements would significantly alter the overall use of the site, to the point where several outdoor spaces would be altered or removed.

Requiring the minimum twenty-five (25) foot building setbacks from S. 10th Street would require the building to be decreased in size to where it could not be used for its intended use or move the building to the north and east, encroaching into planned off-street parking and open green space in the park. The location of the building has been reviewed by the Public Works Department to determine that it will not impact the intersection at S. 10th Street and Fort Riley Boulevard.

Likewise, requiring the minimum off-street parking for the space proposed in the SENREC building would either decrease the overall size of the building or require additional parking on the site that would reduce green space in the park or remove outdoor recreational space.

The SENREC is proposed to be a neighborhood recreational building, so a number of visitors to the building are envisioned to walk or bike to Douglass Park and the new building. Additionally, there are twenty-four (24) off-street parking spaces at the Douglass Activity Center, located to the north of Yuma Street and the site.

Considering these factors, requiring the minimum off-street parking and the building setbacks would have a detrimental on the municipality and its ability to service the public.

THE IMPACT THAT CONSTRUCTION OR EXPANSION OF THE UTILITY OR FACILITY WILL HAVE UPON THE LEGITIMATE INTERESTS OF THAT PORTION OF THE COMMUNITY IN WHICH IT IS PROPOSED TO BE LOCATED:

Minimal adverse impacts on neighboring property should be seen. The location of the building is the southwest of the site, where no residential property are adjacent. The City of Manhattan Traffic Shop is located immediately to the west. The eighty (80) foot wide Fort Riley Boulevard right-of-way separates the proposed SENREC building from the commercial properties to the south. The use of the facility is anticipated to be from 8:00 am to 9:00 pm, similar to that of the Douglass Activity Center.

The construction of the proposed building may cause minor disruption to area residents. However, once the project is complete, the use of the facility will be beneficial to the neighborhood.

The City of Manhattan held a neighborhood meeting on April 24, 2017. Six (6) neighbors attended the meeting. The meeting summary states that those in attendance were generally in favor of the proposed recreation facility. Questions about the size, design, use and operation of the new recreation facility were asked. A complete summary of the neighborhood meeting is provided.

IF THE OWNER OF THE UTILITY OR FACILITY IS THE CITY OF MANHATTAN, AND IF THE FACILITY OR UTILITY IS OF A TYPE EMBRACED WITHIN THE COMPREHENSIVE PLAN, WHETHER OR NOT IT IS IN CONFORMITY WITH THAT PLAN:

The City of Manhattan is the owner of the proposed facility and its future expansions. The Future Land Use Map for the Core Area Neighborhoods shows the site as Park and Recreation and Public/Semi-Public land uses. The proposed municipal facility conforms to the Comprehensive Plan.

OTHER FACTORS AS THE PLANNING BOARD DEEMS APPROPRIATE AND RELEVANT:

In addition to the factors addressed above, the Manhattan Urban Area Planning Board may consider any other factors which it deems appropriate and relevant to its consideration of the proposed expansion of City Hall.

STAFF RECOMMENDATION: City Administration recommend approval of the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park at the intersection of Yuma Street and S. 10th Street and S. 10th Street and Fort Riley Boulevard, with the following conditions of approval:

1. The building addition shall be designed with the same architectural style as the original building and shall use similar exterior materials.
2. Exterior lighting shall be shielded to minimize glare on adjacent properties.

The Planning Board shall not recommend approval of the request unless it determines, by a preponderance of the evidence, that the public interests to be served by the construction or expansion of the utility or facility outweigh any impact upon legitimate community interests, as such impact is mitigated by any requirements of the Planning Board.

If the Planning Board recommends approval, they shall also recommend any requirements or conditions they deem necessary to mitigate impacts caused by such use. Such requirements or conditions may include, but are not limited to, any bulk, or other requirements, which would have otherwise been applicable within the zoning district in which the proposed use is to be placed.

ALTERNATIVES

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

1. Hold a public hearing on the proposal and, following the hearing, recommend approval of the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park, based on the findings in the staff report, with the two (2) conditions of approval recommended by City Administration.
2. Hold a public hearing on the proposal and, following the hearing, recommend denial of the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park for specifically stated reasons.
3. Hold a public hearing on the proposal and, following the hearing, modify the site plan and/or conditions of approval, to meet the needs as perceived by the Planning Board, and establish such conditions, if any, as deemed necessary to mitigate any impacts created by the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park.
4. Table the public hearing of a proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park, for specifically stated reasons and provide further direction to City Administration.

RECOMMENDATION

City Administration recommends that the Planning Board:

1. Hold a public hearing on the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park;

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2. Determine by a preponderance of the evidence, that the public interests to be served by the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park, outweigh the impacts upon the legitimate community interests, as mitigated by requirements of the Planning Board; and,
3. Recommend approval of the proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park with the two (2) conditions of approval recommended by City Administration. This recommendation is based on the findings in the Staff Report.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board finds that the public interests to be served by the proposed Municipal Facility, outweigh the impacts upon the legitimate community interests and recommends approval of a proposed SENREC Building, modifications to the Flint Hills Breadbasket and site improvements to the Douglass Park, based on the findings in the Staff Report, with the two (2) conditions of approval recommended by City Administration.

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

DATE: June 23, 2017

MUAPB_ SENREC_ MunicipalFacilityReview

**STAFF REPORT
STATE OR MUNICIPAL FACILITY REVIEW**

APPLICANT: City of Manhattan and Public Works Department.

ADDRESS: 1101 Poyntz Avenue.

LOCATIONS:

Lots 433-438, the south 120 feet of Lots 439 and 430, Lots 504 and 505, Ward 5 and that portion of 11th Street right-of-way laying north of the north right-of-way line of Fort Riley Boulevard and south of the south right-of-way line of El Paso lane, except the east half of said 11th Street right-of-way lying south of the south right-of-way line of El Paso Lane and North of the south line of the north 20 feet of Lots 439 and 440, Ward 5, extended west.

AREA: 84,700 square feet (1.94 acres)

DATE OF NEIGHBORHOOD MEETING: May 4, 2017

DATE OF PUBLIC NOTICE PUBLICATION: June 15, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: July 6, 2017
CITY COMMISSION: August 1, 2017

At the conclusion of the hearing, the Manhattan Urban Area Planning Board shall forward its recommendation to the Governing Body. Such recommendation shall include all factors and reasons the Board relies upon to support such recommendation. In arriving at such recommendation, the Planning Board shall balance the public interests to be served by the construction or expansion of the utility or facility, as opposed to the impact upon interests intended to be protected by the Zoning Regulations. In balancing such interests, the Planning Board shall consider factors, such as:

MUNICIPAL FACILITY PROCESS:

The Municipal Facility Review process is outlined in Section 3-412 of the Manhattan Zoning Regulations (attached), which indicates, in part, that: "Any public utility, or facility, owned and operated by either the State or a Municipality is hereby authorized as a permitted use in any zoning district, subject to the remaining provisions of this section."

If a utility or facility is specifically listed in a zoning district as a permitted or conditional use, the municipality can follow the requirements set out in Article IV, District Regulations, or follow the provisions of Section 3-412. If the utility or facility is not set out in a zoning district in which it is proposed, the utility or facility must follow the provisions of Section 3-412.

The process requires that both the Manhattan Urban Area Planning Board and the City Commission hold public hearings on the proposal. This process is not a rezoning action, but a process whereby the Planning Board and the City Commission consider the proposal by balancing the public interests to be served by a proposed Municipal Utility or Facility, as opposed to the impact upon public interests intended to be protected by the Zoning Regulations. In performing this balancing test and evaluating a proposed facility, the Planning Board and City Commission must consider the factors listed under the Staff Report headings.

The City Commission is not bound by the recommendations of the Planning Board, nor is it obligated to return the matter to the Planning Board for reconsideration, unless the City Commission chooses to do so. If the City Commission approves the request, it does so by adoption of an ordinance, following a public hearing.

EXISTING USE:

The site is the City of Manhattan Traffic Operations Shop, which was approved by a Municipal Facility Review in 2011. The site consists of an 8,000 square foot one-story building with office space, technician space and storage and maintenance space for equipment and vehicles for the City's Traffic Operation Department. A seventy-five (75) foot tall monopole tower with antenna for the City's Intelligent Transportation System (ITS) is located on the northeast side of the building. The monopole provides wireless line-of-sight to the Bluemont Water Tower to link to individual traffic signals.

The approved building plan for the site is designed to accommodate future eastern and western building expansions totaling 4,400 square feet in floor area. The future eastern 2,600 square foot expansion is for a mirror image of the proposed eastern bay and work space for storage, and the future western 1,800 square foot expansion towards S. 11th Street would be for additional office space that could be used as a consolidated dispatch center and also serve as back-up Emergency Operations Center (EOC). The architectural design of the expansions will be consistent with the existing building.

Off-Street Parking

The site also provides fleet vehicle parking for the City and the Manhattan Traffic Operations Shop. Sixty (60) concrete parking spaces are on the site. Up to fourteen (14) city employees occupy the facility. Twenty-eight (28) spaces are provided to the immediate

south of the building for Traffic Operation Shop vehicles and employees. The remaining parking spaces are located to the west of the building in an area that includes the formally vacated S. 11th Street right-of-way, which was vacated in 2017. This area provides for fleet vehicle storage for the City. This area was paved in 2017.

PROPOSED USES:

The City acquired two (2) single-family lots in 2012. The homes were removed and the site has remained vacant since that time. The vacant land has been used as a storage yard for various public projects.

The City of Manhattan would like to enclose this area and the fleet vehicle parking lot with a six (6) foot tall chain link fence with sight obscuring screening inserts. The fence would be located approximately zero (0) feet from the front property lines of Fort Riley Boulevard, S.10th Street, El Paso Lane and the edge of S. 11th Street. The new fence will connect to existing fencing around the Traffic Operations Shop site and will be similar in character. A proposed swing gate will be located at an existing curb cut on S. 10th Street. A rolling gate will be located at the access off of S. 11th Street to access both the fleet vehicle parking lot and the main entrance to the Manhattan Traffic Operations Shop. The fence will be angled away from the intersection of S. 10th Street and Fort Riley Boulevard to ensure a clear line of sight.

The location of the fence along the front yards does not conform to the minimum front yard setbacks of the R-2/TNO, Two-Family Residential District and Traditional Neighborhood Overlay District.

PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:

As previously described, the site is relatively built out for the City's Manhattan Traffic Operations Shop. The site is relatively flat.

The area used to be a gas manufacturing plant that resulted in hazardous chemicals contaminating the soil on the western portion of the site. The majority of the area is a brown field site, which requires restrictions and monitoring of the site by the Kansas Department of Health and Environment. The proposed fence of the site does not violate these restrictions.

THE FOLLOWING SEVEN (7) FACTORS SHALL BE CONSIDERED WHEN BALANCING THE PUBLIC INTERESTS TO BE SERVED BY THE CONSTRUCTION OR EXPANSION OF THE UTILITY OR FACILITY, AS OPPOSED TO THE IMPACT UPON THE INTERESTS INTENDED TO BE PROTECTED BY THE ZONING REGULATIONS:

1. THE NATURE AND SCOPE OF THE MUNICIPALITY OR STATE AGENCY:

The City of Manhattan is a municipality, which provides a full range of services to its population of approximately 58,000 citizens. The Public Works Department provides a broad range of services related to public improvements and maintenance including the Traffic Operations Facility and the existing parking and storage site.

2. THE FUNCTION OF THE UTILITY OR FACILITY: The function of the Manhattan Traffic Operations Shop is a facility that houses the Traffic Division of the Public Works Department, which is responsible for the maintenance of all traffic signals, traffic signs, and pavement markings throughout the City of Manhattan. The future office space may accommodate a consolidated dispatch center that could serve as a back-up EOC.

The site also provides for fleet vehicle parking and employee parking for various departments within the City.

3. THE EXTENT OF THE PUBLIC INTEREST TO BE SERVED BY THE UTILITY OR FACILITY: The extent of the public served by the Traffic Operations Facility, future expansions and the fleet vehicle parking lot is the entirety of the public street system in the City of Manhattan and a consolidated back-up dispatch center. The storage and parking area are for overflow traffic and storage as needed.

4. THE EFFECT THAT REGULATION OF THE CONSTRUCTION, OR EXPANSION, EITHER BY THE IMPOSITION OF REQUIREMENTS NECESSARY TO MITIGATE IMPACTS OR BY A COMPLETE DENIAL, WILL HAVE UPON THE MUNICIPALITY'S, OR STATE AGENCY'S, ABILITY TO EFFICIENTLY, ECONOMICALLY AND PRUDENTLY MEET THE PUBLIC INTERESTS THEY ARE SERVING: The property is currently zoned R-2 District with TNO District. Municipal facilities and/or government buildings are not listed as a permitted or conditional use in R-2/TNO District. The site is restricted by KDHE from being used for residential purposes and is further limited to how deep excavations can be made in order to prevent contact with potential contaminants and/or transport of contaminants. Denial of the request would adversely affect the City's ability to securely storage of the City's fleet vehicles and a screened storage area.

5. THE IMPACT THAT CONSTRUCTION OR EXPANSION OF THE UTILITY OR FACILITY WILL HAVE UPON THE LEGITIMATE INTERESTS OF THAT PORTION OF THE COMMUNITY IN WHICH IT IS PROPOSED TO BE LOCATED: There should be a minimal impact as a result of installation of the proposed screening fence for the Traffic Operations Facility upon the legitimate interests of that portion of the community in which the facility is proposed. The facility will be screened by a six (6) foot tall chain link fence with slats. Access to the site will remain from S.

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11th Street which connects to Yuma Street and the surrounding streets system in a manner consistent with traffic activity in the area, with some traffic related to the facilities using S. 10th Street. Minimal impact is expected on the local street system including the public alley, El Paso Lane. Traffic volumes are consistent with residential uses as the hours of operation are consistent with normal operating work hours, 8 AM to 5 PM.

The fence has been designed to reduce any line of sight issues at El Paso Lane and the intersection of S. 10th Street and Fort Riley Boulevard.

The proposed facilities immediate neighborhood is characterized as a combination of highway commercial and industrial uses to the south of Fort Riley Boulevard and low density residential to the north, east and west. No adverse affects or impacts are expected due to light, noise, and traffic generated by the proposed facilities.

In addition, the proposed fence of the facility and its future expansions are consistent with city municipal facilities along Fort Riley Boulevard generally between S. 14th Street and S. Juliette Avenue including Parks Forestry Horticulture Maintenance Shop facilities south of El Paso Lane and north of Fort Riley Boulevard in the 1400 block of El Paso lane, Douglas Center Park facilities in the 900 block of Yuma Street between Yuma Street and Fort Riley Boulevard; the City Public Works Maintenance Division facilities south of Fort Riley Boulevard and on either side of S. Juliette Avenue, between Fair Lane and the railroad line; and, the Douglas Park facilities in a residential neighborhood to the east of the proposed facility between Fort Riley Boulevard and Yuma Street.

The Public Works Department held a neighborhood meeting for the fencing project on May 4, 2017. Seven (7) neighbors attended the meeting. Questions asked at the meeting focused on the appearance of the site and the use of the off-street parking lot for City fleet vehicles. A complete summary of the meeting is attached.

- 6. IF THE OWNER OF THE UTILITY OR FACILITY IS THE CITY OF MANHATTAN, AND IF THE FACILITY OR UTILITY IS OF A TYPE EMBRACED WITHIN THE COMPREHENSIVE PLAN, WHETHER OR NOT IT IS IN CONFORMITY WITH THAT PLAN:** The City of Manhattan is the owner of the proposed facility and its future expansions.

Municipal facilities, such as those proposed, would be designated in the Comprehensive Plan as a Public/Semi-Public use, or possibly Industrial. The proposed facilities are shown on the Downtown Core Neighborhoods Future Land Use map and designated Parks and Recreation and Low/Medium Density residential (RLM), which means the tracts were envisioned to develop with neighborhood park or recreational facilities and

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residential dwelling units or other types of uses in residential neighborhoods, such as parks, schools, churches, group day care centers or similar uses. The RLM category might also accommodate neighborhood commercial activities in a master planned setting.

Residential dwelling units, day care and parks are prohibited by an agreement with KDHE, due to the hazardous chemicals under the Traffic Operations Facility site. KDHE has agreed to the use of the Eastern Tract for the Traffic Operations Facility and future western expansion.

The existing parking and storage area is adjacent to Fort Riley Boulevard will serve its current use as parking and storage. The site has limited capacity for residential development due to its location on Fort Riley Boulevard.

The Comprehensive Plan's recommended land uses for the site are generally inconsistent and unrealistic with the Plan's recommendations due to environmental limitations and proximity to Fort Riley Boulevard. The existing land uses are appropriate due to location and environmental limitations of the tracts and are consistent with other City municipal facilities along Fort Riley Boulevard.

- 7. OTHER FACTORS AS THE PLANNING BOARD DEEMS APPROPRIATE AND RELEVANT:** If the Planning Board believes there are other factors to consider, the Board should determine those factors it deems appropriate and relevant and clearly articulate the factors.

STAFF RECOMMENDATION: City Administration recommends approval of the proposed fencing project of Traffic Operations Facility, the expansion area, and the existing parking and storage area.

The Planning Board shall not recommend approval of the request unless it determines, by a preponderance of the evidence, that the public interests to be served by the construction or expansion of the utility or facility outweigh any impact upon legitimate community interests, as such impact is mitigated by any requirements of the Planning Board.

If the Planning Board recommends approval, they shall also recommend any requirements or conditions they deem necessary to mitigate impacts caused by such use. Such requirements or conditions may include, but are not limited to, any bulk, or other requirements, which would have otherwise been applicable within the zoning district in which the proposed use is to be placed.

ALTERNATIVES

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

1. Hold a public hearing on the proposal and, following the hearing, recommend approval of the fencing project of the Traffic Operations Facility, the expansion area, and the existing parking and storage area, based on the findings in the staff report.
2. Hold a public hearing on the proposal and, following the hearing, recommend denial of the proposed municipal facilities, for specifically stated reasons.
3. Hold a public hearing on the proposal and, following the hearing, modify the site plan and/or conditions of approval, to meet the needs as perceived by the Planning Board, and establish such conditions, if any, as deemed necessary to mitigate any impacts created by the proposed fencing project of Traffic Operations Facility, the expansion area, and the existing parking and storage area.
4. Table the public hearing of the proposed municipal facilities, for specifically stated reasons and provide further direction to City Administration.

RECOMMENDATION

City Administration recommends that the Planning Board:

1. Hold a public hearing on the proposed and future municipal facilities;
2. Determine by a preponderance of the evidence that the public interests to be served by the fencing project of Traffic Operations Facility, the expansion area, and the existing parking and storage area, outweigh the impacts upon the legitimate community interests, as mitigated by requirements of the Planning Board; and,
3. Recommend approval of the proposed fencing project of Traffic Operations Facility, the expansion area, and the existing parking and storage area. This recommendation is based on the findings in the Staff Report.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board finds that the public interests to be served by the proposed Municipal Facility, outweigh the impacts upon the legitimate community interests and recommends approval of the proposed fencing project of Traffic Operations Facility, the expansion area, and the existing parking and storage area, based on the findings in the Staff Report.

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

DATE: June 25, 2017

MuniFac_CityPWDeptTrafficOp Fence