



***MINUTES
CITY COMMISSION MEETING
TUESDAY, FEBRUARY 20, 2018
7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Linda Morse and Commissioners Michael L. Dodson, Usha Reddi, Wynn Butler, and Jerred McKee were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Kiel Mangus, City Attorney Katharine Jackson, City Clerk Gary S. Fees, 8 staff, and approximately 16 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Morse led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Morse proclaimed February 26, 2018 – March 3, 2018, ***America and Military Saves Week***. Robin Burchett, Soldier Care Representative, Armed Forces Bank, and Janet Nichols, Military Community Liaison, Manhattan Area Chamber of Commerce, were present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner McKee discussed the recent shooting events at Marjory Stoneman Douglas High School, in Parkland, Florida. He informed the community that he has requested a meeting with the Director of the Riley County Police Department to see how the community can support them and stay safe.

Commissioner Reddi stated that the Riley County Police Department held its annual awards banquet Sunday, February 18, 2018, and thanked the police officers for their service. She discussed the shootings that occurred in Florida and highlighted the need for mental health and social work professionals. She also noted the security measures in the local schools.

COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Dodson expressed his appreciation to the City and County public works staffs for dealing with the challenging rain and ice earlier in the day. He highlighted the City of Manhattan's Spring Clean Up campaign scheduled for April 2-6, 2018, and discussed the private efforts of the Polish The Apple campaign during the month of April to help those needing assistance with cleanup efforts in neighborhoods and downtown areas.

Mayor Morse thanked City crews for their work clearing snow and ice from the streets.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, February 6, 2018.

CLAIMS REGISTER NOS. 2872 AND 2873

The Commission approved Claims Register Nos. 2872 and 2873 authorizing and approving the payment of claims from January 31, 2018 - February 13, 2018, in the amounts of \$236,722.42 and \$5,318,557.60, respectively.

ORDINANCE NO. 7340 – AMEND – NO PARKING AT ANYTIME

The Commission approved Ordinance No. 7340 amending Section 31-54 of the Code of Ordinances to include additional “No Parking At Anytime” for the Flint Hills aTa bus stop locations.

ORDINANCE NO. 7341 – AMEND – LOT 3, DOWNTOWN ENTERTAINMENT DISTRICT PUD (SIGNAGE)

The Commission approved Ordinance No. 7341 amending Ordinance Nos. 6804, 6936 and 7053 and the Final Development Plan of Lot 3, Downtown Entertainment District Planned Unit Development, generally located northeast of the intersection of Fort Riley Boulevard and South 3rd Street, based on the findings in the Staff Report (*See Attachment No. 1*) with two conditions of approval, and the recommendation of the Manhattan Urban Area Planning Board.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7342 – AMEND – INTERLACHEN VILLAS RESIDENTIAL PUD

The Commission approved Ordinance No. 7342 amending Ordinance No. 7219 and the Final Development Plan of the Interlachen Villas Residential Planned Unit Development, generally located on the west side of Vanesta Drive, along both sides of Colbert Hills Drive, as far west as Palmer Circle and Fieldhouse Circle, based on the findings in the Staff Report (*See Attachment No. 2*) with 10 conditions of approval, and the recommendation of the Manhattan Urban Area Planning Board.

FINAL PLAT – INTERLACHEN VILLAS, UNIT TWO, RESIDENTIAL PUD

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Interlachen Villas, Unit Two, Residential Planned Unit Development, generally located on the west side of Vanesta Drive, along both sides of Colbert Hills Drive, as far west as Palmer Circle and Fieldhouse Circle, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7343 – LEVY SPECIAL ASSESSMENTS (GOB 2018-A)

The Commission approved Ordinance No. 7343 levying special assessments against the benefiting properties in the following 29 public improvement districts: *Enclave Addition, Unit 1 – Sanitary Sewer (SS1411), Street (ST1410), and Water (WA1409); Grand Estates Addition – Sanitary Sewer (SS1508), Street (ST1508), and Water (WA1508); Grand Luxe Addition – Sanitary Sewer (SS1408), Street (ST1407), and Water (WA1407); Grand Mere Parkway, Phase 1 – Street (ST1411); The Highlands at Grand Mere, Unit One and Prairie Village at the Highlands, Unit One – Sanitary Sewer (SS1417); Interlachen Addition – Sanitary Sewer (SS1318), Street (ST1325), and Water (WA1321); Interlachen Villas Addition, Unit 1 – Sanitary Sewer (SS1318), Street (ST1325), and Water (WA1321); Lee Mill Heights Addition, Unit Nine – Sanitary Sewer (SS1412), Street (ST1412), and Water (WA1410); Lot 2, Downtown Entertainment District, Unit Three – Street (ST1318); Merion Addition – Sanitary Sewer (SS1414), Street (ST1417), and Water (WA1412); Muirfield Addition – Sanitary Sewer Phase 1 (SS1417); Scenic Meadows Addition, Unit 3, Phase 3 – Street (ST1421); Stone Valley Addition, Unit 2 – Sanitary Sewer (SS1413), Street (ST1413), and Water (WA1411); and Turnberry Addition – Sanitary Sewer (SS1416), Street (ST1419), and Water (WA1414).*

FIRST READING – AMEND – MANAGEMENT AND CONTROL AT MANHATTAN REGIONAL AIRPORT

The Commission approved first reading of an ordinance amending Section 7-37 of the Code of Ordinances relating to management and control at Manhattan Regional Airport.

CONSENT AGENDA (CONTINUED)

FIRST READING – AMEND – MANHATTAN REGIONAL AIRPORT PARKING REGULATIONS

The Commission approved first reading of an ordinance amending Section 7-82 of the Code of Ordinances relating to parking regulations at Manhattan Regional Airport.

* **RESOLUTION NO. 022018-A – ISSUE – TEMPORARY NOTE SERIES 2018-01**

Ron Fehr, City Manager, provided information on the results of the Temporary Note Sale and informed the Commission that Country Club Bank offered the lowest bid of four bidders at a true interest cost at 1.85 percent.

The Commission approved accepting the best bid for selling the notes from Country Club Bank, of Prairie Village, Kansas, and approved Resolution No. 022018-A issuing Temporary Note Series No. 2018-01 in the amount of \$3,390,000.00 to finance: *The Highlands at Grand Mere, Unit One/Prairie Village at the Highlands, Unit One (ST1705); Old Big Blue Beautification Phase V, Stormwater Improvements and Multi-Use Trail Project (SM1605); Denison Avenue and Marlatt Avenue Roadway Expansion (ST1612); and Manhattan Housing Authority Sanitary Sewer Improvements and Replacement of Windows (SP1706.)*

REQUEST FOR QUALIFICATIONS – PROFESSIONAL SERVICES – NORTHEAST COMMUNITY PARK IRRIGATION (CP1801, CIP #CP273P)

The Commission authorized City Administration to solicit professional design services for the Northeast Community Park Irrigation Design project (CP1801, CIP# CP273P) through the Request for Qualifications process.

AGREEMENT – PROFESSIONAL SERVICES – PAVEMENT MANAGEMENT SURVEY (ST1717)

The Commission authorized the Mayor and City Clerk to execute a professional services agreement, in an amount not to exceed \$64,835.00, with Gorrondona and Associates, Inc., of Austin, Texas, for the Pavement Management Survey (ST1717) project.

DEDICATE UTILITY EASEMENTS – SUNSET ZOO PARKING LOT EXPANSION (SZ1703)

The Commission authorized the Mayor and City Clerk to dedicate three Utility Easements at the Sunset Zoo for relocation of utilities due to construction of the Sunset Zoo Parking Lot and North Service Road Improvements Project (SZ1703).

CONSENT AGENDA (CONTINUED)

AWARD CONTRACT – SUNSET ZOO PARKING LOT EXPANSION AND NORTH SERVICE ROAD IMPROVEMENTS (SZ1703)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$535,922.00, and awarded and authorized the Mayor and City Clerk to execute a construction contract in the amount of \$432,161.55 (Base Bid in the amount of \$404,544.65, Bid Alternate No. 1 in the amount of \$7,333.75, Bid Alternate No. 2 in the amount of \$15,283.15, and Bid Alternate 3 in the amount of \$5,000.00) to Josh Connet Excavation, LLC, of Manhattan, Kansas, for the Sunset Zoo Parking Lot and North Service Road Improvements Project (SZ1703).

AGREEMENT – USE OF PUBLIC PARKING LOT – THE SALVATION ARMY

The Commission authorized the Mayor and City Clerk to execute an agreement with The Salvation Army for use of the City's public parking lot at the southeast quadrant of North Fourth Street and Leavenworth Street, in Lot 3, Manhattan Town Center 5, on the fourth Tuesday of every month from January through November in 2018.

AIRPORT LEASE AGREEMENT – GENERAL SERVICES ADMINISTRATION

The Commission authorized the Mayor and City Clerk to execute Lease Agreement No. GS-06P-LKS61033 with the General Services Administration for office space at the Manhattan Regional Airport, for the term of January 1, 2018 - December 31, 2027.

AGREEMENT – PROFESSIONAL SERVICES – GWALTNEY ADDITION WATERLINE IMPROVEMENTS (WA1804)

The Commission authorized the Mayor and City Clerk to execute an agreement with Driggs Design Group, P.A., of Manhattan, Kansas, in an amount not to exceed \$13,122.00, for professional services for the Gwaltney Addition Waterline Improvements project (WA1804).

OUTSIDE CITY WATER SERVICE CONNECTION AGREEMENT – LOT 1, GWALTNEY ADDITION (C. MARK ROBBINS AND SHEILA L. ROBBINS)

The Commission authorized the Mayor and City Clerk to execute an agreement with C. Mark Robbins and Sheila L. Robbins for outside city limits water service connection for real estate located on Lot 1, Gwaltney Addition, Manhattan, Pottawatomie County, Kansas.

CONSENT AGENDA (CONTINUED)

OUTSIDE CITY WATER SERVICE CONNECTION AGREEMENT – LOT 2, GWALTNEY ADDITION (GERALD L. STALLBAUMER AND JANET L. STALLBAUMER)

The Commission authorized the Mayor and City Clerk to execute an agreement with Gerald L. Stallbaumer and Janet L. Stallbaumer for outside city limits water service connection for real estate located on Lot 2, Gwaltney Addition, Manhattan, Pottawatomie County, Kansas.

OUTSIDE CITY WATER SERVICE CONNECTION AGREEMENT – LOT 3, GWALTNEY ADDITION (DIAMOND R RANCH, LLC)

The Commission authorized the Mayor and City Clerk to execute an agreement with Diamond R Ranch, LLC, for outside city limits water service connection for real estate located on Lot 3, Gwaltney Addition, Manhattan, Pottawatomie County, Kansas.

OUTSIDE CITY WATER SERVICE CONNECTION AGREEMENT – 1604 GREEN VALLEY CIRCLE (ST. PETER & EYESTONE, LLC)

The Commission authorized the Mayor and City Clerk to execute an outside city limits water service connection agreement with St. Peter & Eyestone, LLC, for the property located at 1604 Green Valley Circle, Riley County, Kansas.

PURCHASE – UNINTERRUPTED POWER SOURCE UNITS (CIP #TR051P)

The Commission authorized a sole source purchase of nine Uninterrupted Power Source units (CIP #TR051P) from Gades Sales Co., Inc., of Wichita, Kansas, in the amount of \$39,600.00, to be paid from the Surface Transportation Program Fund.

PURCHASE – M62 TRAFFIC CONTROLLER UNITS (CIP #TR058E)

The Commission authorized a sole source purchase of 10, M62 traffic controller units (CIP #TR058E) from Gades Sales Co., Inc., of Wichita, Kansas, in the amount of \$27,800.00, to be paid from the Surface Transportation Program Fund.

BOARD APPOINTMENTS

The Commission approved the following appointments by Mayor Morse to various boards of the City:

Flint Hills Discovery Center Advisory Board

Appointment of Stephanie Imthurn, 33578 Vera Road, to a three-year term. Ms. Imthurn's term begins immediately and will expire January 31, 2021.

CONSENT AGENDA (CONTINUED)

BOARD APPOINTMENTS (CONTINUED)

Human Rights and Services Board

Re-appointment of Thomas Kerrigan, 2125 Sloan Street, to a three-year term. Mr. Kerrigan's term begins March 10, 2018, and will expire March 9, 2021.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

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

GENERAL AGENDA

TASK ORDER NO. 3 - DESIGN; RESOLUTION NO. 022018-B - ISSUE - GENERAL OBLIGATION BONDS - MANHATTAN REGIONAL AIRPORT TERMINAL PARKING LOT IMPROVEMENTS (AP1801)

Jesse Romo, Airport Director, presented an overview of the item. He highlighted the terminal parking and parking forecast from the Terminal Area Master Plan. He provided background information on the current parking configuration and the number of current parking stalls, and showed photographs of the current parking lot conditions and the proposed parking with the existing loop road. He presented information on the proposed phasing options, the estimated construction costs, the assumptions for bond payments, and the options for parking rates. He also presented parking rates for the Wichita Eisenhower Airport, the Kansas City International Airport, and comparison airports. He then responded to questions from the Commission.

Mark Bachamp, Olsson Associates, provided additional information on the design contract and bid alternates. He informed the Commission that the entire project will be designed, but the Commission can choose the scope of the project to be completed.

Jesse Romo, Airport Director, responded to questions from the Commission regarding travelers using the Manhattan Regional Airport and zip code information. He stated that Walker Parking Consultants would study the transition from free parking to paid parking and review parking rates for peer and competition airports.

Kiel Mangus, Assistant City Manager, informed the Commission that the Manhattan Regional Airport may be able to charge the transportation network companies a fee to recoup parking revenue, similar to the fee charged at the Wichita airport.

GENERAL AGENDA (CONTINUED)

TASK ORDER NO. 3 - DESIGN; RESOLUTION NO. 022018-B - ISSUE - GENERAL OBLIGATION BONDS - MANHATTAN REGIONAL AIRPORT TERMINAL PARKING LOT IMPROVEMENTS (AP1801) (CONTINUED)

Mark Bachamp, Olsson Associates, and Jesse Romo, Airport Director, responded to additional questions from the Commission regarding the difference between the \$3.28 million and the \$4.5 million estimated construction costs and phasing options.

Kiel Mangus, Assistant City Manager, and Ron Fehr, City Manager, responded to questions from the Commission regarding security and cameras at the Manhattan Regional Airport parking lot.

Jesse Romo, Airport Director, provided additional information on the current parking capacity at the Manhattan Regional Airport and peak periods for parking.

Ron Fehr, City Manager, and Mark Bachamp, Olsson Associates, responded to questions from the Commission regarding parking counts, zip code data, and statistical information that would be generated by Walker Parking Consultants.

Mark Bachamp, Olsson Associates, responded to additional questions from the Commission. He provided information on the current condition of parking pavement and deterioration of pavement joints that will need to be replaced or repaired.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

Commissioner Butler stated his main concern was the project cost and that it clearly needed to be paid with user fees. He voiced support to have the parking fees cover the temporary notes and bonding fees. He stated that there will need to be paid parking at some point to pay for these improvements.

Commissioner McKee stated that whatever plan the Commission chooses is based on estimates and if parking revenue fell short of requirement payments, where would those funds come from. He said people could opt to use a ride-sharing service rather than park, but potential use may not drop off as much if there are more business travelers.

Commissioner Reddi was hesitant on a parking fee and wanted to be on the conservative side. She stated that with a parking fee, people would be more likely to have someone drop them off if they are going on a trip that is longer than a week. She said this is particularly something that could happen for people living closer to the Airport.

GENERAL AGENDA (*CONTINUED*)

TASK ORDER NO. 3 - DESIGN; RESOLUTION NO. 022018-B - ISSUE - GENERAL OBLIGATION BONDS - MANHATTAN REGIONAL AIRPORT TERMINAL PARKING LOT IMPROVEMENTS (AP1801) (*CONTINUED*)

Commissioner Dodson voiced support of the motion and to bring the item back to the Commission with a plan that will detail what the costs would be. He stated that if you expect a behavioral change, then perhaps you do not need as many parking stalls in the future as you thought you might even if we have growth at the Airport.

Jesse Romo, Airport Director, and Ron Fehr, City Manager, provided additional information on the project timeline and funding.

Mayor Morse voiced concern on the proposed parking lot improvements. She stated that she was concerned with charging a parking fee at the Airport and that free parking is a draw for the Airport.

After discussion and additional comments from the Commission, Commissioner Dodson moved to authorize the Mayor and City Clerk to execute Task Order No. 3 with Olsson Associates, of Manhattan, Kansas, in the amount of \$410,474.00, for the design of the Manhattan Regional Airport Terminal Parking Lot, and approve Resolution No. 022018-B authorizing the issuance of General Obligation Bonds to finance the Manhattan Regional Airport Terminal Parking Lot Project (AP1801). Commissioner Butler seconded the motion.

Ron Fehr, City Manager, provided additional information and clarification on the motion.

After further discussion, on a roll call vote, motion carried 4-1, with Mayor Morse voting against the motion.

FRIENDS OF PEACE MEMORIAL AUDITORIUM - EDUCATIONAL PROGRAM KIOSK PRESENTATION

Jim Sharp, Honorary Chair, Friends of Peace Memorial Auditorium, introduced the educational kiosk information that will be in the lobby of Peace Memorial Auditorium. He informed the Commission that the kiosk will remember and honor those 101 boys that did not come back and provide information about the boys and their families. He provided an overview on the history of the Peace Memorial Auditorium and highlighted the work that has been completed on the kiosk and database that has been developed.

GENERAL AGENDA (CONTINUED)

FRIENDS OF PEACE MEMORIAL AUDITORIUM - EDUCATIONAL PROGRAM KIOSK PRESENTATION (CONTINUED)

Tom Parish, Parish Photography and Design, informed the Commission he grew up in Manhattan and currently lives in Emporia. He stated that he has been working with the Friends of Peace Memorial Auditorium Committee on the design and content of the kiosk. He highlighted components, feature elements and historical information on the site. He then responded to questions from the Commission about the kiosk, mobile phone capability, navigation of the site, and opportunities to donate on the site.

Mayor Morse opened the public comments.

Kathy Dzewaltowski, 100 South Delaware Avenue, provided additional information on the historical significance of the Peace Memorial Auditorium. She highlighted the memorial wall that was recently completed and ribbon-cutting ceremony that was held November 2017. She stated the kiosk provides an opportunity to remember these men in the community and their profiles. She informed the Commission that we need to make sure that we do not forget who these people are and their sacrifice.

After comments from the Commission, Tom Parish, Parish Photography and Design, responded to additional questions from the Commission. He discussed the site, kiosk and challenges with the quality of the photographs and background research that was required.

Joel Meyers, Volunteer, Friends of Peace Memorial Auditorium, informed the Commission that the research was a labor of love and he spent thousands of hours working on this project.

Jim Sharp, Honorary Chair, Friends of Peace Memorial Auditorium, and Tom Parish, Parish Photography and Design, provided additional information on opportunities for the public to donate to this project.

Dave Fiser, President, Friends of Peace Memorial Auditorium, thanked those that have contributed and recognized the Friends of Peace Memorial Auditorium Committee and the City Commission for their support. He stated many people are interested in this project and are continuing to raise funds for the Peace Memorial Auditorium project.

Mayor Morse and the Commission expressed their appreciation to the Friends of Peace Memorial Auditorium Committee for their work.

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

As this was a discussion item, the Commission took no formal action.

ADJOURNMENT

At 8:47 p.m., the Commission adjourned.

A handwritten signature in blue ink, appearing to read "Gary S. Fees", is written over a horizontal line.

Gary S. Fees, MMC, City Clerk

STAFF REPORT

AN AMENDMENT OF ORDINANCE NO. 6804, 6936, and 7053, AND THE APPROVED FINAL DEVELOPMENT PLAN OF LOT 3, DOWNTOWN ENTERTAINMENT DISTRICT PLANNED UNIT DEVELOPMENT.

REQUEST: This is a request to amend Ordinance Nos. 6804, 6936, and 7053, and the Final Development Plan of Lot 3, Downtown Entertainment District Planned Unit Development. No changes to the uses or buildings are proposed. The only proposed change is increased signage on the Blue Earth Place building.

BACKGROUND

APPLICANT: Clint Hibbs, AIA – BG Consultants, Inc.

ADDRESS: 4806 Vue Du Lac Place

OWNER: GJL Real Estate Limited Partnership

ADDRESS: 227 Blue Earth Place

LOCATION: Downtown Entertainment District #3, Lot 3

AREA: 0.47 acres, 20,473.2 square feet

DATE OF PUBLIC NOTICE PUBLICATION: Thursday, December 14, 2017

DATE OF PUBLIC HEARING: PLANNING BOARD: Thursday, January 18, 2018
CITY COMMISSION: Tuesday, February 6, 2018

EXISTING PUD

EXISTING PUD AFFECTING LOT 3

Ordinance: 6804, 6936, and 7053

Current Zoning and Project History

Lot 3 is zoned PUD, Commercial Planned Unit Development District.

Ordinance No. 6804.

All provisions of Ordinance No. 6804, which established zoning of the Downtown Entertainment District PUD on December 15, 2009, and which were not in conflict with the amendment of Lot 9, remained in force. The conditions of approval of Ordinance No. 6804 include:

1. Permitted uses shall include all of the Permitted Uses of the C-4, Central Business District, City Park, Museum, Conference Center, and Parking Garage.
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. Except that, if the City is also the owner of the property, landscaping, and irrigation shall be provided in compliance with the process established by the governing body to develop the property.
3. All landscaping and irrigation shall be maintained in good condition.
4. Signage 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),(4),(5),(7) and (8); and Section 6-104 (B)(2), of the Manhattan Zoning Regulations.
5. Signage for Lot 5 and Lot 6 shall conform to the requirements of the C-4, Central Business District, of the Manhattan Zoning Regulations.
6. The hotel's canopy, which extends over South 3rd Street right-of-way, shall be permitted subject to the Uniform Building Code, as adopted by the City of Manhattan.
7. A dense hedge row shall be planted at a minimum height of 30-inches at the time of planting along the hotel's South 4th Street and Colorado Street parking lot frontages.
8. Provide landscape trees and vegetated screen along Fort Riley Boulevard on the south side of the parking garage.

PUD AMENDMENT AND PROPOSED IMPROVEMENTS ON LOT 3

Proposed Buildings, Structures, and Phasing

Phasing: No new buildings, structures or phasing is proposed as part of this PUD Amendment. The site features one three-story mixed use building which currently seven businesses in the first two floors as well as seven apartments on the top two floors. Other than the proposed signage, this building is not proposed to change.

Attachment No. 1

Proposed Signs: The primary intent of the proposed sign plan is to create greater flexibility in adding tenant signs to the building while still maintaining a level of control. The current approved sign plan prescribes specific locations and sizes for tenant signs, which range from thirty-five (35) square feet to fifty (50) square feet. The applicants wish to better serve the tenants of the building who desire visible signage for their businesses.

According to the application, the Blue Earth Place mixed-use building was originally designed to be a “landmark” building, which would be self-identifiable and require limited signage. However, in practice, tenants have desired their own signage to identify their business on the building. The current sign plan limits this in terms of total sign area allowed and the areas on the building permitted to have signs. According to the application, the proposed amendment is intended to “create a clearly defined area within which signs may be located on building facades”, while still limiting the total square footage of signs on each façade. This creates more flexibility for the property owner and the tenants in terms of adding signage for their business. The amendment also develops signage standards that are generally compatible with the downtown C-4 sign regulations.

The proposed sign plan identifies “placement areas” on each façade of the building. These are the areas on the building facades where signs can be placed. However, the total square footage of signs on each façade cannot exceed 10% of the total area of that façade. However, this does not include the two building name signs and the directory sign. The maximum sign area per façade in the C-4 District is 20%.

The following outlines the proposed sign plan:

North façade:

1. Total façade area – 8,875 square feet
2. Total permitted placement area – 862 square feet
3. Total allowable signage area – 862 square feet (approximately 10% of total façade area)

South façade:

1. Total façade area – 8,875 square feet
2. Total permitted placement area – 1,483 square feet
3. Total allowable signage area – 887.5 square feet (10% of total façade area)

West façade:

1. Total façade area – 5,175 square feet
2. Total permitted placement area – 616 square feet
3. Total allowable signage area – 517.5 square feet (10% of total façade area)

East façade:

1. Total façade area – 5,175 square feet
2. Total permitted placement area – 506 square feet
3. Total allowable signage area – 506 square feet (approximately 10% of total façade area)

The applicants are also proposing a set of regulations for the proposed sign plan. The plan would allow the following types of signs: awning, canopy, and marquee signs; electronic changeable copy signs, manual changeable copy signs, projecting signs, wall signs, sidewalk signs, temporary signs, and window signs. Electronic changeable copy signs are not permitted to be more than sixteen (16) square feet in area. Window signs cannot exceed twenty-five (25) percent of the window area to which they are attached. The projecting signs are permitted at the northwest and southeast corners of the building and are to be part of the facades it is attached to for calculation of the total permitted sign area. The directory sign cannot exceed 125 square feet. The building name signs cannot exceed forty-five (45) square feet. No individual sign can exceed 200 square feet. No sign can project above the building façade to which it is attached. Permanent signs may be internally or externally illuminated. Temporary signs may be externally illuminated.

PROPOSED LIGHTING: The lighting is not proposed to change from what was approved in the lighting plan that was submitted to the Manhattan Urban Area Planning Board with the original PUD in April of 2012.

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 intention of the amendment is to more effectively communicate which businesses are located in the Blue Earth Place mixed-use building as well as to provide more flexibility for the property owner and any current and future tenants to install signs for their business while still maintaining a level of control. The proposed sign plan is generally consistent with C-4 sign regulations, which govern most of the Downtown Manhattan area. The maximum sign area for each façade is ten percent (10%) of the total façade area.

Attachment No. 1

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 not made necessary because of changed or changing conditions in or around the PUD. The amendment is simply a result of the property owner wishing to create a more effective and flexible sign plan, which would ideally eliminate the need for any future PUD amendments.

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 applicant states that the proposed amendment will result in a limited relative gain to the public health, safety, convenience, and general welfare since the intention of the increased signage is to clarify the location of the businesses located within the subject building of the PUD.

ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. LANDSCAPING: The existing landscaping, which was approved as part of the Downtown Entertainment District Planned Unit Development is not proposed to change as part of this amendment. The originally approved landscape plan consisted of a deciduous street trees and small shrubs planted around the perimeter of the building.

2. SCREENING: Screening is not proposed to change as part of this amendment. The dumpster enclosure on the southeast corner of the building is adequately screened by a masonry wall.

3. DRAINAGE: Drainage is not proposed to change from the existing approved Planned Unit Development.

4. CIRCULATION: The circulation patterns are based on the Final Development Plan that was approved by the Manhattan Urban Area Planning Board in April of 2012. This proposed PUD Amendment will not change the circulation patterns within or around the site.

Attachment No. 1

Public Access. The site is currently accessed primarily from 3rd Street, which runs along the west side of the building. Blue Earth Place, a private street that intersects with 3rd Street, runs along the north side of the building. The south and east sides of the building are surrounded by Lot 9 of the Downtown Entertainment District PUD, which is a parking lot intended to serve the customers, residents, and employees of the Blue Earth Place building.

Traffic. The proposed PUD Amendment will not increase the number of vehicle trips to and from the site.

Off-Street Parking. The parking lot on Lot 9 contains seventy (70) parking spaces, which are intended to serve the subject property. The proposed amendment is not likely to have any impact on parking.

5. OPEN SPACE/LANDSCAPED AND COMMON AREA: The site is almost entirely covered by either the Blue Earth Place mixed-use building or the drive-through lane that serves Radina's Bakehouse, or the sidewalks that surround the south, west, and north sides of the building. The north side of the building features two patio areas for outdoor dining.

6. CHARACTER OF THE NEIGHBORHOOD: The character of the neighborhood is an urban mixed-use district, which includes mixed-use buildings, hotels, a conference center, a park, and the Flint Hills Discovery Center. The applicants held the required neighborhood meeting on November 14, 2017. However, no one besides the applicants attended.

MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Mixed-use building with restaurant, retail, services, and residential uses.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The property is completely built upon as permitted according to the Final Development Plan for Lot 3 of the approved Planned Unit Development.

3. SURROUNDING LAND USE AND ZONING:

- (a.) **NORTH:** A portion of the Downtown Entertainment District Planned Unit Development consisting of a small park as well as a Candlewood Suites Hotel.
- (b.) **SOUTH:** Lot 9 of the Downtown Entertainment District PUD containing a surface parking lot intended to serve the parking demands of the subject property.

Attachment No. 1

- (c.) **EAST:** Lot 9 of the Downtown Entertainment District PUD containing a surface parking lot intended to serve the parking demands of the subject property.
- (d.) **WEST:** 3rd Street ROW and a portion of the Downtown Entertainment District Planned Unit Development consisting of the Hilton Garden Inn Hotel and Conference Center as well as a public parking garage containing a real estate office on the first floor.

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

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is completely built as approved through the PUD process, apart from the proposed sign plan described in this staff report.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: This additional signage which is described in this staff report is not anticipated to have any detrimental effects to the approved PUD or to the surrounding neighborhood. The immediate surroundings are mostly commercial in nature.

7. CONFORMANCE WITH COMPREHENSIVE PLAN

The proposed amendment conforms to the Comprehensive Plan. The uses of the approved final development plan of this Planned Unit Development will not change as part of this Amendment.

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

November 6, 2009: Manhattan Urban Area Planning Board conducts the public hearing on the proposed Downtown Entertainment District from C-4, Central Business District; C-5, Highway Service Commercial District with RDO, Redevelopment District Overlay; and, LM-SC, Light Manufacturing-Service Commercial District, to PUD, Commercial Planned Unit Development District, with eight conditions of approval. The Planning Board recommended approval of the rezoning on a vote of 7-0. In a separate action, the Planning Board approved the Final Plat of the Downtown Entertainment District Addition on a vote of 7-0.

Attachment No. 1

- December 1, 2009 City Commission approves first reading of an ordinance rezoning the proposed Downtown Entertainment District from C-4, Central Business District; C-5, Highway Service Commercial District with RDO, Redevelopment District Overlay; and, LM-SC, Light Manufacturing-Service Commercial District, to PUD, Commercial Planned Unit Development District.
- December 15, 2009 City Commission approves Ordinance No. 6804 rezoning the proposed Downtown Entertainment District from C-4, Central Business District; C-5, Highway Service Commercial District with RDO, Redevelopment District Overlay; and, LM-SC, Light Manufacturing-Service Commercial District, to PUD, Commercial Planned Unit Development District; and accepts the easements and rights-of-way as shown on the Final Plat of the Downtown Entertainment District Addition.
- January 20, 2010 Manhattan Urban Area Planning Board approves the Final Development Plan for Lots 1-4 of the Downtown Entertainment District Commercial PUD on a vote of 4-0.
- February 18, 2010 Manhattan Urban Area Planning Board sets aside the Final Plat approved on November 6, 2009, and approves the revised Final Plat of the Downtown Entertainment District Addition.
- February 23, 2010 City Commission accepts the rights-of-ways and easements of the Downtown Entertainment District Addition.
- September 20, 2010 Manhattan Urban Area Planning Board approves the Final Development Plan for proposed Lot 2, in the Downtown Entertainment District Addition, Commercial PUD, on a vote of 7-0, and approves the Final Plat of Lots 1-3, Downtown Entertainment District Addition, Unit Two, Commercial PUD, on a vote of 7-0.
- October 5, 2010 City Commission accepts the rights-of-ways and easements of the Downtown Entertainment District Addition, Unit Two, Commercial PUD.
- January 5, 2012 Manhattan Urban Area Planning Board recommends approval, on a vote of 3-1, of an amendment of the approved Preliminary Development Plan of Lot 9, Downtown Entertainment District Commercial PUD and Ordinance No. 6804 for Proposed Lots 1-6, the Final Development Plan for Proposed Lots 1 and 4, and to deny adding Drive-In Restaurants as a Permitted Use in the PUD.

Attachment No. 1

- January 24, 2012 City Commission overrides the Manhattan Urban Area Planning Board and approves first reading of an ordinance amending the Preliminary Development Plan of Lot 9, Downtown Entertainment District Commercial PUD and Ordinance No. 6804, for Proposed Lots 1-6, the Final Development Plan for proposed Lots 1 and 4, and adds Drive-In Restaurants as a Permitted Use in the PUD.
- February 7, 2012 City Commission overrides the Manhattan Urban Area Planning Board and approves Ordinance No. 6936 amending the Preliminary Development Plan of Lot 9, Downtown Entertainment District Commercial PUD and Ordinance No. 6804, and approves the Final Development Plan for proposed Lots 1 and 4, and adds Drive-In Restaurants as a Permitted Use in the PUD.
- February 7, 2012 City Commission accepts the easement and rights-of-way as shown on the Final Plat of Downtown Entertainment District Addition, Unit Three, Commercial Planned Unit Development.
- May 7, 2012 Manhattan Urban Area Planning Board recommends approval, on a vote of 7-0, of proposed amendments of Ordinance No. 6804 and the Final Development Plan of Lot 4 for modifications to the existing Hilton Garden Inn's off-street parking lot including reduction of the number of off-street parking spaces and landscape plan and the addition of a proposed four-story mixed use building.
- June 5, 2012 City Commission approves first reading of an ordinance amending Ordinance No. 6804 and the Final Development Plan of Lot 4 for modifications to the existing Hilton Garden Inn's off-street parking lot including reduction of the number of off-street parking spaces and landscape plan and the addition of a proposed four-story mixed use building.
- June 19, 2012 City Commission approves Ordinance No. 6951 amending Ordinance No. 6804 and the Final Development Plan of Lot 4, Downtown Entertainment District Commercial Planned Unit Development District, based on the findings in the Staff Report, with the one condition recommended by the Manhattan Urban Area Planning Board.

Attachment No. 1

- February 4, 2013 Manhattan Urban Area Planning Board, on a vote of 5-1, recommends approval of the proposed amendment of Ordinance No. 6951 and the Final Development Plan of Lot 4, Downtown Entertainment District Commercial Planned Unit Development District, to be known as the Final Development Plan of Lot 1 and Lot 2, Hilton Garden Inn, Downtown Entertainment District Commercial Planned Unit Development, to convert the ground floor of the proposed mixed use building to eight apartment units.
- February 19, 2013 City Commission approves first reading of an ordinance amending Ordinance No. 6951 and the Final Development Plan of Lot 4, Downtown Entertainment District Commercial Planned Unit Development District, to be known as the Final Development Plan of Lot 1 and Lot 2, Hilton Garden Inn, Downtown Entertainment District Commercial Planned Unit Development, as proposed.
- March 5, 2013 City Commission approves Ordinance No. 6993 amending Ordinance No. 6951 and the Final Development Plan of Lot 4, Downtown Entertainment District Commercial Planned Unit Development District, generally located on the southeast corner of S. 4th Street and Colorado Street, based on the findings in the Staff Report.
- September 5, 2013 Manhattan Urban Area Planning Board approves the Final Development Plan for proposed Lots 2 (Holiday Inn Express) and 6 (city owned parking lot), in the Downtown Entertainment District Addition, Unit Three, Commercial PUD.
- November 4, 2013 Manhattan Urban Area Planning Board, on a vote of 7-0, recommends approval of the proposed amendment of Ordinance No. 6936 and the approved Final Development Plan of Lot 3, Downtown Entertainment District, Unit Three, Commercial Planned Unit Development (PUD) for a projecting sign on the southeast corner of the Blue Earth Place mixed use building associated with a proposed Radina's Bakehouse.
- November 19, 2013 City Commission approves first reading of an ordinance amending Ordinance No. 6936 and the approved Final Development Plan of Lot 3, Downtown Entertainment District, Unit Three, Commercial Planned Unit Development (PUD) for a projecting sign on the southeast corner of the Blue Earth Place mixed use building associated with a proposed Radina's Bakehouse.

Attachment No. 1

December 3, 2013 City Commission approves Ordinance No. 7053 amending Ordinance No. 6936 and the approved Final Development Plan of Lot 3, Downtown Entertainment District, Unit Three, Commercial Planned Unit Development (PUD) for a projecting sign on the southeast corner of the Blue Earth Place mixed use building associated with a proposed Radina's Bakehouse.

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 Amendment 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 gain to the public that denial of the request would accomplish compared to the hardship imposed to the applicant. The proposed sign plan described in this staff report does not overwhelm the current structure nor does it cause any adverse impacts upon the neighborhood or adjacent properties, and it is generally consistent with the C-4 sign regulations of the Manhattan Zoning Regulations.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public facilities and services are provided.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval subject to the following conditions:

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),(4),(5),and (7), and (8); and, Section 6-104 (B)(2), of the Manhattan Zoning Regulations.

Attachment No. 1

2. Any new signs shall be constructed and maintained as permitted in the proposed sign plan.

ALTERNATIVES:

1. Recommend approval of the proposed amendment of Ordinance Nos. 6804, 6936, and 7053, and the Final Development Plan of Lot 3, Downtown Entertainment District Planned Unit Development stating the basis for such recommendation.
2. Recommend denial of the proposed amendment of Ordinance Nos. 6804, 6936, and 7053, and the Final Development Plan of Lot 3, Downtown Entertainment District Planned Unit Development, 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. 6804, 6936, and 7053, and the Final Development Plan of Lot 3 Downtown Entertainment District Planned Unit Development, based on the findings in the Staff Report, subject to the two (2) conditions of approval recommended by City Administration.

PREPARED BY: Doug May, CFM, Planner

DATE January 9, 2018

MUAPB_SR_Downtown Entertainment Dist_Lot3_PUD Amendment

Staff Report

Community Development

PUD AMENDMENT AND FINAL DEVELOPMENT PLAN

Hearing Date:	January 18, 2018
Re:	Amend Ordinance No. 7219 and the approved Final Development Plan of the Interlachen Villas PUD to allow for the development of 27 single-family detached homes. The Amendment is proposed as a Final Development Plan.
Applicant:	PMG Properties, LLC (TJ Vilkanskas)
Property Owner:	PMG Properties, LLC (TJ Vilkanskas)
Property Address:	Interlachen Villas, Unit 1; generally located at the intersections of Colbert Hills Drive and Fieldhouse Circle and Colbert Hills Drive and Palmer Circle.
Total Area:	7.28 acres
Date of Neighborhood Meeting:	December 28, 2017
Date of Public Notice Publication:	December 29, 2017
Date of City Commission:	February 6, 2018



BACKGROUND

The existing Interlachen Villas Residential Planned Unit Development (PUD), Ordinance No. 7219, was approved on June 21, 2016 and is subject to the following conditions of approval:

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

This PUD depicted the development of 62 single-family attached and detached homes. The homes were proposed to be designed as nine separate clusters. The first phase was presented as the Final Development Plan of Interlachen Villas, Unit One. It consisted of 14 attached and detached cluster homes. On August 1, 2016, this first phase was approved.

Since the approval of the Final Development Plan, the developer has modified his plans for development within this PUD. His new plans are reflected in this PUD Amendment. The Amendment is proposed as a Final Development Plan. The Developer is also presenting a Final Plat for this PUD. (Please refer to the Inter-Office Memorandum on this item.)

PROPOSED AMENDMENT AND FINAL DEVELOPMENT PLAN

This amendment and Final Development Plan, if approved, will allow the first phase to include the development of 27 single-family two-story homes. All of the homes will be detached and they will face public right-of-ways but have access via a private alley in the rear. The first phase will also include a tract, Tract A, which will be reserved for the common area, utility easements, drainage easements, and a travel easement. The common area will also include a pool and pool house for the residents only. The pool house will also serve as the community storm shelter.



Building and Structures: The Final Development Plan is for the first phase of the development, which will be located north of Colbert Hills Drive and south of Fieldhouse Circle. The first phase includes the development of 27 single-family two-story homes ranging from 2,361 to 2,558 square feet. All of the homes will be built slab-on-grade. They will all have rear-facing attached two car garages with access provided via a private interior alley. The alley is proposed to be one way and will be located in Tract A. For this phase, there will be 4 different house plans, ranging from 3-bedroom to 4-bedroom

designs, as shown in the final development plan.

Proposed Signs: Signage for the development will be located at the access point to the alley. The applicant would also like to install temporary signs announcing construction, ownership, projected opening date, and other major milestones may be used. These signs would be removed upon completion of the project. No specific signage has been proposed for the new use.

Proposed Lighting: There will be no new street lighting associated with this project, but there is proposed lighting for the pool house.

REVIEW OF MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

Attachment No. 2

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 approved PUD was designed to allow up to 62 single-family detached and attached homes. These homes were to be 3-story units ranging from 2,700 to 3,700 square feet. All units were to be individually owned, and these homes were designed to attract primary, secondary, retirement, and game day homeowners.

The proposed amendment will allow for single-family detached homes. They will be two-story homes with up to 2,558 square feet. These homes will also be designed to attract primary, secondary, retirement, and game day home owners. While the configuration of the lots and the size of the units will change, the intent and purpose will remain compatible with the approved PUD.

Staff has found the proposed PUD Amendment consistent with the intent and purpose of the approved PUD and will promote the efficient development and preservation of the entire PUD.

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: Due to the influence of the economic market, the developer has decided to change the type, configuration, and size of the units. The developer feels the market will better support the sale of single-family detached units as opposed to attached units. In addition, to make these homes more marketable the developer will be reducing the square footage of each unit, but increasing the amenities of this PUD by providing a neighborhood pool.

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 or general welfare. The approved Final Plan of this PUD is relatively similar to the proposed amendment; therefore, whether the developer follows the already approved plan, or uses this amended plan, the end result should be about the same.

This amendment will not solely benefit any one person as the prices of these homes in this amendment will start out at a lower price point which will make it a more viable economic option, thus becoming a benefit to many in the community.

REVIEW OF ADDITIONAL MATTERS TO BE CONSIDERED WHEN AMENDING A PLANNED UNIT DEVELOPMENT

1. Landscaping: Landscape for the proposed development will consist of deciduous and evergreen trees, shrubs, ornamental grasses, and open lawn areas. The individual lots and common areas will be landscaped and maintained by the HOA. A landscape plan for the frontage and common areas has been included in your packet. There is not a landscape plan provided for each home, as the specific landscape plan for each lot will be determined at a later date and will depend on the chosen house plan and topography of the lot. But the landscaping for each lot will be similar to the common areas depicted in the included landscape plan.

Underground public infrastructure is to be located in the common area/utility easement where the landscaping and gathering areas are planned. City Administration has placed a note on the Final Development Plan and Final Plat that notes that the City and other public utility companies have the right to access this area and “prune, remove, eradicate, cut and clear away any trees, limbs, vines and brush” within the easement. Replacement of this vegetation and landscape area will be at the expense of the home owners or home owners association.

Trash receptacles will be for individual properties and will be stored within the garage.

2. Screening: For Phase One, no screening will be required.

3. Drainage: The site currently drains east towards Vanesta Drive. The stormwater runoff will be directed to existing infrastructure along Vanesta Drive and finally be directed to the existing detention basin north of Vanesta Drive. The existing detention basin drains into Little Kitten Creek. The site is not located within a regulated floodplain (*see Physical & Environmental Characteristics below*).

4. Circulation: The homes will not have direct vehicle access to the existing street system. They will have a sidewalk leading from their front door to the street sidewalks. For the first phase, the developer will be installing public sidewalks on the north side of Colbert Hills Drive and on the south side of Fieldhouse Circle.

There will be a one-way alley to provide vehicle access to each lot. The alley will have one entrance located off of Fieldhouse Circle. The alley will make a loop around the common area in the rear of the homes which will provide an internal circulation pattern for the development which is safe, convenient and efficient for the homeowners. There are no pedestrian pathways provided within the common areas in the rear of the development.

Attachment No. 2

Off-Street Parking. Each house built on lots 1-27 will have a two-car garage along with an accompanying driveway. There will also be two parking stalls located next to the pool. There will be no permitted off-street parking along the alley. The proposed parking does meet the parking regulations found in the Zoning Regulations.

5. Open Space/Landscaped and Common Area: The common area will be landscaped and will include a lawn area and a pool and pool house that is intended to be enjoyed by the residents of the development. The pool house will also serve as the community storm shelter. There will be a fence surrounding the pool for safety. All of the landscaped areas will be maintained by the HOA.

6. Character of The Neighborhood: The general character of the neighborhood is a mix of low density residential and golf course uses under various stages of development.

REVIEW OF THIRTEEN MATTERS TO BE CONSIDERED

The following items will help to determine if the specific property is suitable for the rezoning request. (These are the 13 matters to consider when rezoning as found in Article 15-403 (A)).

1. Existing Use of Property

Vacant, previously platted land, with infrastructure in place.

Staff Finding

The property is vacant; therefore, there is no use on these existing properties.

2. Physical and Environmental Characteristics of the Property

The subject site is irregular shaped bound by Fieldhouse Circle and Palmer Circle. Colbert Hills Drive dissects the site into 2 parts. The site is being served by public and private utilities and is ready to be developed. The site drains towards the southeast. It is not located within a regulated floodplain.

Staff Finding

The property is cleared and ready to be developed.

3. Surrounding Zoning and Land Uses of Nearby Properties

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

Attachment No. 2

- SOUTH:** Palmer Circle ROW, platted single-family detached lots in the initial phases of construction, R-1, Single-Family Residential District. Vanesta Drive, commercial land in the initial stages of construction for a professional office and restaurant, Homecare and Hospice House; C-2, Neighborhood Commercial District
- EAST:** Vacant land zoned R, Single-Family Residential District; and existing homes in a R-2 Two-Family Residential District.
- WEST:** Palmer Circle and Fieldhouse Circle ROWs, Platted single-family detached lots in the initial phases of construction, Colbert Hills Golf Course, and undeveloped land (future Grand Mere villas, single-family dwellings); R-1, Single-Family Residential District and R-S, Single-Family Residential Suburban District.

Staff Finding

The surrounding zoning is composed of residential and commercial zones and the existing surrounding land uses are residential and vacant land.

4. The Suitability of the Property for Land Uses to which it is Restricted Under Current Zoning

The subject site is currently zoned Residential PUD.

Staff Findings

The subject site is suitable for residential development within the City of Manhattan with the current Residential PUD zoning designation.

5. The Character of the Neighborhood

Currently, the general character of the neighborhood is a mix of low density residential and golf course uses under various stages of development. To the north, south and west are properties within the Grand Mere Master Planned Golf Course Community. To the east are single-family homes that are not associated with Grand Mere.

Staff Findings

The character of the neighborhood is a mix of low density residential along with golf course uses.

6. The Compatibility of the Proposed Zoning District with Nearby Properties and the Extent to which it may Detrimentally Affect Those Properties

The proposed development will create single-family detached homes at a higher density rate than the immediate surrounding single-family detached homes. However, this proposed use is compatible with the surrounding properties.

Staff Findings

The proposed rezoning is compatible and will not have any detrimental effects on nearby properties.

7. Conformance of the requested change to the adopted Comprehensive Plan

Northwest Future Land Use of the Manhattan Area 2035 Comprehensive Plan shows this area as Residential High Density (RHD). The applicable land use policies found in the Comprehensive Plan are below.

Residential High Density (RHD)

RHD-1: Characteristics

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

RHD-2: Appropriate Density Range

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

RHD-3: Location

Residential High Density uses are typically located near intersections of arterials and collector streets, sometimes providing a transition between commercial or employment centers and lower density neighborhoods. Concentrations of Residential High Density

Attachment No. 2

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

RHD-4: Building Massing and Form

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

RHD-5: Mix of Uses

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

RHD-6: Parking Location and Design

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

Grand Mere, a Master Planned Golf Course Community

B. PROJECT INTENT

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

Attachment No. 2

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

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

5 KEY DESIGN CONCEPTS

1. Create a high quality residential community

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

2. Integrate the Natural Environment

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

3. Offer a Variety of Residential Living

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

4. Create a Pedestrian/Bicycle System

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

Grand Mere Community Overall Development Plan

5. Establish a 'heart' to the community

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

III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY

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

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

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

Attachment No. 2

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

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

A. Residential Neighborhoods

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

Residential Types:

Single Family (RLM)

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

Townhomes (RMH)

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

C. Streets and Circulation System

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

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

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

D. Pedestrian and Bicycle Circulation System

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

reviewed on a site-by-site basis to ensure sensitive placement and minimum disturbance. This will be coordinated with the Park & Recreation Board and the Parks and Recreation Department.

G. Golf Course Development

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

Bike Paths, Trails and Sidewalks

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

The Manhattan Urban Area Comprehensive Plan has been updated and now the Northwest Area Future Land Use Map shows the site as Residential High Density. The possible density range in the RHD is 19 – 50 dwelling units per net acre and greater. The proposed density for the Interlachen Villas PUD is approximately 7 dwelling units per net acre.

The proposed amendment does align with the Grand Mere Master Plan. It is in general conformance to the description of a Residential Neighborhood.

Staff Findings

The proposed rezoning does not conform to the Future Land Use Map and the Land Use Policies of the Comprehensive Plan. However, it does conform with the Grand Mere Master Plan.

8. Zoning History and Length of Time Vacant as Zoned

August 7, 1997	Board of County Commissioners approved Preliminary Development Plan of The Wildcat (<i>Grand Mere</i>) and Colbert Hills R-PUD.
August 14, 1997	Board of County Commissioners approved Final Development Plan.

Attachment No. 2

April 6, 1998	Manhattan Urban Area Planning Board recommended approval of annexation.
April 21, 1998	City Commission approved first reading of annexation.
June 1, 1998	Manhattan Urban Area Planning Board recommended approval of rezoning to R District.
June 16, 1998	City Commission approved first reading of rezoning Tract II of Grand Mere to R District.
September 3, 2008	Manhattan Urban Area Planning Board approves Preliminary Plat of Grand Mere Addition Unit Three.
November 17, 2008	Manhattan Urban Area Planning Board approves Final Plat of Grand Mere Addition Unit Three.
December 2, 2008	City Commission accepts rights-of-ways and easements as shown on the Final Plat of Grand Mere Addition, Unit Three
November 18, 2013	Manhattan Urban Area Planning Board tables rezoning of the proposed Interlachen Addition.
December 2, 2013	Manhattan Urban Area Planning Board recommends approval of rezoning of the proposed Interlachen Addition to: (Tract 1) R-1; (Tract 2) R-3; and (Tract 3) C-2; and approves Final Plat of Interlachen Addition, a replat of Grand Mere Addition, Unit Three.
December 17, 2013	City Commission approves first reading of an ordinance rezoning the proposed Interlachen Addition from R, Single-Family Residential District to: (Tract 1) R-1; (Tract 2) R-3; and (Tract 3) C-2.
January 7, 2014	City Commission Approves Ordinance No. 7059 rezoning the Interlachen Addition, from R, Single-Family Residential District to: (Tract 1) R-1; (Tract 2) R-3; and (Tract 3) C-2, and accepts rights-of-ways and easements as shown on the Final Plat of Interlachen Addition.
January 22, 2015	Manhattan Urban Area Planning Board approves Final Plat of Interlachen Addition, Unit Two.

Attachment No. 2

- February 3, 2015 City Commission accepts rights-of-ways and easements as shown on the Final Plat of Interlachen Addition, Unit Two.
- May 16, 2016 Manhattan Urban Area Planning Board recommends approval of rezoning the proposed Interlachen Villas PUD from R-3, Multiple-Family Residential District, to PUD, Residential Planned Unit Development, based on the findings in the Staff Report with the seven (7) conditions of approval.
- June 7, 2016 City Commission approves first reading of an ordinance rezoning the proposed Interlachen Villas PUD.
- June 21, 2016 City Commission approves Ordinance No. 7219 rezoning the proposed Interlachen Villas PUD with seven (7) conditions of approval recommended by the Manhattan Urban Area Planning Board.
- August 1, 2016 Manhattan Urban Area Planning Board approves the Final Development Plan and Final Plat of Interlachen Villas PUD, Unit One.
- August 16, 2016 City Commission accepts the easements and rights-of-way, as shown on the Final Plat of Interlachen Villas Addition, Unit One.

Staff Findings

The subject property is vacant. And has been zoned Residential PUD since 2016.

9. Whether the Proposed District would be Consistent with the 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.

Staff Findings

The proposed zoning district is consistent with the intent and purpose of the zoning ordinance.

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 that would result from Denial

There appears to be no gain to the public health, safety and general welfare if this amendment is denied.

Staff Findings

There would be no relative gain to the public if this request is denied, and the owner would be denied use of their property.

11. Whether Adequate Sewer and Water Facilities, Streets and other Needed Public Services Exist, or can be Provided, to Serve the Uses that would be Permitted by the Proposed Zoning District

Adequate public water, sanitary sewer, and streets are currently available to serve the development. Public and private infrastructure is currently in place to service the site for single-family homes. The developer has been in contact with the Public Works Department to coordinate the installation of the required infrastructure for each unit.

Staff Findings

Adequate sewer and water facilities, streets and other needed public services currently exist to serve all permitted uses, and the applicant is working with our Public Works Department to coordinate the final steps of the installation.

12. Other Applicable Factors

Fort Riley was notified of this rezoning, due to it being located in the Critical Area. The Fort encourages use of noise disclosure and noise reduction measures in noise sensitive land uses which includes offices providing nursing services and/or overnight stays, and to take into account potential effects of operational noise of the Fort on activities in the park. City Administration will provide the "Notice of Potential Impact" on building permits for this subdivision.

13. Staff Recommendation

For this rezoning request, staff finds the property is suited for the proposed Residential PUD amendment and Final Development Plan based on several factors. First of all, this proposed district is compatible with nearby properties and the character of the neighborhood and should not have any detrimental effects. Furthermore, while it is not compatible with the Future Land Use map and land use policies of the Comprehensive Plan, it is compatible with the Grand Mere Master Plan. And finally, staff finds that this proposed zoning district is consistent with the intent and purpose of the Zoning Ordinance.

However, due to the significant deviation to the Preliminary Development Plan, staff recommends the restrictions, conditions, or limitations listed in Ordinance 7219 be replaced with new conditions based on this proposed Amendment and Final Development Plan.

Staff's Conclusion

Based on the findings found in this Staff Report, City Administration recommends approval of the proposed Residential PUD amendment and the Final Development Plan for the Interlachen Villas Addition, Unit Two with the following conditions.

1. The restrictions, conditions, or limitations found in Section 4 of Ordinance 7219 will no longer be valid, and the following restrictions, conditions, or limitations will take its place.
2. The permitted Use shall be single-family detached and single-family attached dwelling units.
3. A maximum of 48 total single-family units shall be allowed.
4. Signage for low to medium density residential districts as described in Article VI, Section 6-201 shall be permitted, as well as signage for subdivision identification as described in Article VI, Section 6-110(H), and temporary construction signage as described in Article VI, Section 6-110(G).
5. Exempt signage shall include signage described in Article VI, Section 6-102(A)(2)(a), (b), (c), (e), (i), (k), and (l).
6. 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.
7. All landscaping and irrigation shall be maintained in good condition.
8. The pool and pool house shall be completed during the first phase and shall be guaranteed by the owner pursuant to a performance agreement that will be required between the City and the owner, which shall be enter into prior to issuance of a building permit.
9. For development on Lot 28, if the Final Development Plan and Final Plat are not in conformity with the original approved Preliminary Development Plan, then an amendment to this PUD will be required.

ALTERNATIVES

1. Recommend approval of the proposed amendment of Ordinance No. 7219 and the Final Development Plan of Interlachen Villas Addition, Unit Two, Residential Planned Unit Development with conditions listed in the staff report, stating the basis for such recommendation.
2. Recommend approval of the proposed amendment of Ordinance No. 7219 and the Final Development Plan of Interlachen Villas Addition, Unit Two, Residential Planned Unit Development, and modify the conditions, and any other portions of the proposed

Attachment No. 2

PUD amendment, to meet the needs of the community as perceived by the Manhattan Urban Area Planning Board, stating the basis for such recommendation, and indicating the conditions of approval.

3. Recommend denial of the proposed amendment of Ordinance No. 7219 and the Final Development Plan of Interlachen Villas Addition, Unit Two, Residential Planned Unit Development stating the basis for such recommendation.
4. Table the proposed Amendment to a specific date, for specifically stated reasons.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board Recommends approval of the proposed amendment of Ordinance No. 7219, and the Final Development Plan of Interlachen Villas Addition, Unit Two based upon the findings in the staff report with nine conditions recommended by City Administration.

Prepared by: Carol Davidson, CFM, CPM, Senior Planner

Date: December 11, 2017