



MINUTES
CITY COMMISSION MEETING
TUESDAY, JUNE 19, 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, Deputy City Manager Jason Hilgers, Assistant City Manager Kiel Mangus, Assistant City Attorney Rachel Zenger, City Clerk Gary S. Fees, 8 staff, and approximately 45 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Morse led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Morse proclaimed June 21, 2018, ***National Dump the Pump Day***. Anne Smith, Executive Director; Terry Umscheid-McAfee and Charlyn Clauson, Administrative Assistants, and Mike Paz Torres, Dispatch Operations Supervisor, Flint Hills aTa Bus; DJ Johnson, Flint Hills Metropolitan Planning Organization/Flint Hills aTa Intern, and Jared Tremblay, Flint Hills Metropolitan Planning Organization, were present to receive the proclamation.

Mayor Morse proclaimed July 2018, ***General Aviation Appreciation Month***. Dave Rogers, Chair, Airport Advisory Board, and Patti Robyler, General Manager, Kansas Jet Center, were present to receive the proclamation.

Mayor Morse proclaimed July 28, 2018, ***Kansas All-Star Football Shrine Bowl Day***. Nik Grubbs, Kansas Shrine Bowl Football participant from Manhattan, and family members; Ike Bartles, Director, Kansas Shrine Bowl; and Mike Rogers, President; Mike Carlson, Secretary; Rod Kalivoda, Treasurer; and Dick Dunham, Communications Director, Manhattan Shrine Club, were present to receive the proclamation.

COMMISSIONER COMMENTS

Commissioner McKee informed the community that the City of Manhattan is accepting applications for the Food and Farm Council. He stated the Food and Farm Council will advocate for and sustain an accessible, healthy and local food system. He voiced concern for residents in the Northview area that do not have access to transportation to a grocery store to buy affordable and healthy foods. He encouraged those interested to apply on the City's website.

Commissioner Reddi provided data highlighting the activities of the co-responders that was presented during the Riley County Law Board meeting on Monday, June 18, 2018. She explained the role of the co-responders with Pawnee Mental Health that work with Riley County Police Department when dispatched regarding mental illness. She stated that Country Stampede is June 21-23, 2018, and asked everyone to be cautious and patient.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, June 5, 2018.

CLAIMS REGISTER NO. 2885

The Commission approved Claims Register No. 2885 authorizing and approving the payment of claims from May 30, 2018 - June 12, 2018, in the amount of \$3,888,834.04.

LICENSES

The Commission approved a Fireworks Display License for Manhattan Country Club, 1531 North 10th Street, for July 3, 2018, and an annual Cereal Malt Beverages On-Premises License for La Hacienda, 3003 Anderson Avenue, Suite 945.

FINAL PLAT – SCENIC MEADOWS ADDITION, UNIT FIVE

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Scenic Meadows Addition, Unit Five, generally located along Fossilridge Circle, east of Scenic Drive and north of Fort Riley Boulevard, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7356 – ANNEX – HESPENHIDE HILLS

The Commission approved Ordinance No. 7356 annexing Hesperhide Hills, a 7.51 acre tract, generally located near the intersection of Marlatt Avenue and Tatarax Drive, to the east of Marlatt Avenue and to the north and south of Tatarax Drive, based on conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and the Capital Improvements Program, and based on the recommendation of the Planning Board.

ORDINANCE NO. 7357 – REZONE – HESPENHIDE HILLS (RILEY COUNTY AG TO R)

The Commission approved Ordinance No. 7357 rezoning the Hesperhide Hills, a 7.51 acre tract, generally located near the intersection of Marlatt Avenue and Tatarax Drive, to the east of Marlatt Avenue and to the north and south of Tatarax Drive from Riley County AG, Agricultural District, to R, Single-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 1*), and the recommendation of the Manhattan Urban Area Planning Board.

FINAL PLAT – HESPENHIDE HILLS

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Hesperhide Hills, generally located near the intersection of Marlatt Avenue and Tatarax Drive, to the east of Marlatt Avenue and to the north and south of Tatarax Drive, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7358 – FRANCHISE AGREEMENT – COX WIRELESS ACCESS, LLC

The Commission approved Ordinance No. 7358 authorizing a competitive infrastructure provider and telecommunications services franchise with Cox Wireless Access, LLC, and authorized the Mayor and City Clerk to execute the Franchise Agreement.

ORDINANCE NO. 7359 – AMEND – NO PARKING AT ANY TIME – WESTVIEW DRIVE AND GRANDVIEW DRIVE

The Commission approved Ordinance No. 7359 amending Section 31-54 of the Code of Ordinances establishing “No Parking At Any Time” on both sides of Westview Drive from Anderson Avenue south 60 feet and on the north side of Grandview Drive beginning at the west back-of-curb of its intersection with Sunset Avenue to its intersection with Wickham Road.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7360 – AMEND – YELLOW PARKING PERMIT ZONE – SOUTH OF LEE ELEMENTARY SCHOOL

The Commission approved Ordinance No. 7360 amending Section 31-129 of the Code of Ordinances prohibiting parking 2 a.m. – 9 .am. in the “Yellow Zone” at specific locations on Westview Drive, Oakdale Drive, Edgerton Avenue, Wickham Drive, Grandview Drive, and Meadowmere Court.

ORDINANCE NO. 7361 – INSTALL YIELD SIGNS – WINNE DRIVE AT RANSER ROAD INTERSECTION

The Commission approved Ordinance No. 7361 authorizing the installation of “Yield” signs on Winne Drive at the east and westbound intersection of Ranser Road.

ORDINANCE NO. 7362 – INSTALL STOP SIGNS – BELLERIVE DRIVE AT PLAYERS TERRACE INTERSECTION

The Commission approved Ordinance No. 7362 authorizing the installation of “Stop” signs on Bellerive Drive at the north and southbound intersection of Players Terrace.

FIRST READING – AMEND SPECIAL EVENTS – SERIES OF SPECIAL EVENTS ON ONE APPLICATION

This item was moved to the end of the General Agenda at the request of Mayor Morse.

* FIRST READING – INCREASE – MUNICIPAL COURT COSTS AND TECHNOLOGY FEE

Commissioner Butler asked about the proposed charter ordinance increasing court costs and technology fee at Municipal Court. He asked if it is possible when an individual does not contest the ticket, to pay the technology and state fees, but do not pay the full court cost amount. He stated this would reduce the amount of time an attorney is prosecuting in Municipal Court and could save money indirectly.

Rachel Zenger, Assistant City Attorney, stated that court costs are incurred immediately with certain offenses. She said if an individual does not go to court, they still pay court costs and those costs are also covering administrative tasks. She stated when the case is fully prosecuted; it is the same court costs as other cases and is consistent. She stated that she has not heard of eliminating court costs but can see what options may be available.

Commissioner Butler stated that this is a charter ordinance and would not support the item. He commented that other states have done this for individuals that do not contest the ticket and do not pay the full court costs.

CONSENT AGENDA (CONTINUED)

* **FIRST READING – INCREASE – MUNICIPAL COURT COSTS AND TECHNOLOGY FEE (CONTINUED)**

Ron Fehr, City Manager, responded to questions from Commissioner Butler. He stated that this is first reading of the charter ordinance and staff can investigate his issue and see if there is a way to segment this as opposed to lumping this in court costs prior to next reading.

The Commission approved first reading of a Charter Ordinance increasing Municipal Court costs and technology fee.

RESOLUTION NO. 061918-A – KDHE APPLICATION AND AUTHORIZED REPRESENTATIVE- 2018 WASTEWATER TREATMENT PLANT IMPROVEMENTS-MECHANICAL, ELECTRICAL, AND PLUMBING (SS1712, CIP #WW179E) AND THE HEADWORKS PUMP STATION PUMP REPLACEMENT (SS1713, CIP #WW178E) PROJECTS

The Commission approved Resolution No. 061918-A authorizing the filing of an application with the Kansas Department of Health and Environment for a loan under the Kansas Water Pollution Control Revolving Fund to fund the 2018 Wastewater Treatment Plant Improvements-Mechanical, Electrical, and Plumbing (SS1712, CIP #WW179E) and the Headworks Pump Station Pump Replacement (SS1713, CIP #WW178E) projects and designating Randy D. DeWitt, Assistant Director of Public Works for Water and Wastewater, as the Authorized Representative for the City of Manhattan for the loan.

OUTSIDE CITY WATER AGREEMENT – 1412 AND 1413 PENROSE PLACE (WELLS LANDING, LLC)

The Commission authorized the Mayor and City Clerk to execute agreements with Well Landing, LLC, for the outside city limits water service connections for the properties located at 1412 and 1413 Penrose Place, Riley County, Kansas.

COMMUNITY DEVELOPMENT BLOCK GRANT - 2018 PROGRAM YEAR ANNUAL ACTION PLAN, SUB-RECIPIENT GRANT AGREEMENTS AND GRANT AGREEMENT

The Commission authorized submission of the Community Development Block Grant 2018 Annual Action Plan and supporting documents.

* **COMMUNITY DEVELOPMENT BLOCK GRANT - 2018 SUB-RECIPIENT GRANT AGREEMENTS AND GRANT AGREEMENT**

Commissioner McKee highlighted the item and provided additional information on the funds provided to support important services and programs in the community.

CONSENT AGENDA (CONTINUED)

* **COMMUNITY DEVELOPMENT BLOCK GRANT - 2018 SUB-RECIPIENT GRANT AGREEMENTS AND GRANT AGREEMENT (CONTINUED)**

The Commission authorized the Mayor and City Clerk to execute the Sub-Recipient Agreements (*Housing and Credit Counseling, Inc.*; *Sunflower CASA Project, Inc.*, *Stepping Stones Child Advocacy Center*; *Kansas Legal Services, Inc.*; *Pawnee Mental Health Services, Inc.*; and *Manhattan Emergency Shelter, Inc.*) and the CDBG 2018 Program Year Grant Contract upon receipt from the U.S. Department of Housing and Urban Development (HUD).

BOARD APPOINTMENTS

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

Airport Advisory Board

Re-appointment of Robert Boyd, 6601 Mill Cove Drive, to a three-year At-Large Pilot term. Mr. Boyd's term will begin June 27, 2018, and will expire June 26, 2021.

City/University Fund Advisory Board

Appointment of Julie Gibbs, 2216 Butternut Lane, to a two-year Citizen term. Ms. Gibbs' term will begin July 1, 2018, and will expire on June 30, 2020.

Human Rights and Services Board

Appointment of Laura Thacker, 2433 Himes Road, to a three-year term. Ms. Thacker's term begins immediately and will expire March 9, 2021.

Social Services Advisory Board

Re-appointment of Sarah Barrett, 302 Grant Street, St. George, to a three-year term. Ms. Barrett's term will begin July 1, 2018, and will expire June 30, 2021.

Re-appointment of Alexandria Puderbaugh, 1710 Bel Air Drive, Junction City, to a three-year term. Ms. Puderbaugh's term will begin July 1, 2018, and will expire June 30, 2021.

Re-appointment of Linda Thurston, 822 Pierre Street, to a three-year term. Ms. Thurston's term will begin July 1, 2018, and will expire June 30, 2021.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

CONSENT AGENDA (CONTINUED)

After clarification and additional comments from the Commission, Commissioner Dodson moved to approve the consent agenda, with the exception of Item I, FIRST READING – AMEND SPECIAL EVENTS – SERIES OF SPECIAL EVENTS ON ONE APPLICATION, which was moved to the end of the General Agenda. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

SECOND CONSIDERATION/AGREEMENT - ECONOMIC DEVELOPMENT APPLICATION - ULTRA ELECTRONICS ICE, INC.

Jason Hilgers, Deputy City Manager, presented an overview of the item. He highlighted the history of the company, the proposed incentives package, the performance grant, the capital investment requirements, job projections, the cost/benefit analysis, and the future location of the business to be located at the Manhattan Business Park.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

After discussion and comments of support expressed from the Commission, Commissioner McKee moved to authorize City Administration to finalize and the Mayor and City Clerk to execute an economic development agreement with Ultra Electronics Ice, Inc. Commissioner Dodson seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – REZONE - 1321 LARAMIE STREET (R-3/UO AND R-M/UO TO C-3 AND R-M/UO)

Chad Bunger, Assistant Director of Community Development, presented the item. He highlighted the subject site, the surrounding zoning area map, conformance with the Comprehensive Plan, and conformance with Aggieville Community Vision Plan, and stated that the Manhattan Urban Area Planning Board and City Administration recommends approval of the rezoning request.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

GENERAL AGENDA (CONTINUED)

FIRST READING – REZONE - 1321 LARAMIE STREET (R-3/UO AND R-M/UO TO C-3 AND R-M/UO) (CONTINUED)

After discussion and comments from the Commission, Commissioner Dodson moved to approve first reading of an ordinance rezoning 1321 Laramie Street, a 0.15 acre site, from R-3/UO, Multiple-Family Residential with University Overlay, and R-M/UO, Four-Family Residential District with the University Overlay, to C-3, Aggieville Business District, and R-M/UO, Four-Family Residential District with the University Overlay, based on the findings in the Staff Report (*See Attachment No. 2*), and the recommendation of the Manhattan Urban Area Planning Board Planning Board. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

DISCUSSION - UNIFIED DEVELOPMENT ORDINANCE (UDO) MODULE 2 - UPDATED SUBDIVISION REGULATIONS, REVISED OFF-STREET AND BICYCLE PARKING, AND NEW LANDSCAPE REQUIREMENTS

Chad Bunger, Assistant Director of Community Development, presented an overview of the item. He highlighted the General Subdivision Standards for open space, access management for street spacing, corner clearance, and discussed sidewalks and the benefits sidewalks provide for health, economic, safety and placemaking. He responded to questions from the Commission regarding the street types and definition of an expressway, arterial, collector, and local streets.

Rob Ott, Director of Public Works, provided clarification on the designation of streets and responded to questions from the Commission regarding associated costs. He provided additional information on the construction and timing of building sidewalks.

Chad Bunger, Assistant Director of Community Development, highlighted the proposed changes to the minimum and maximum parking ratios, change of use policy, and the three principles guiding the proposed adjustments. He then responded to questions from the Commission regarding the proposed principles guiding adjustments.

Mayor Morse voiced concern with the proposed decrease to parking minimums that may result in pushing patrons to park in residential areas, further impacting parking concerns.

Commissioner Dodson provided comments on the item and stated that he was not convinced that principle one is true regarding the City's role in determining minimum parking requirements should be minimal and not overburden the developer.

Commissioner McKee asked if there was consideration to setting no parking minimums for other retail areas. He questioned if opportunities are being missed to create additional districts like Aggieville and Downtown in places like Seth Child and Westloop Shopping Center.

GENERAL AGENDA (*CONTINUED*)

DISCUSSION - UNIFIED DEVELOPMENT ORDINANCE (UDO) MODULE 2 - UPDATED SUBDIVISION REGULATIONS, REVISED OFF-STREET AND BICYCLE PARKING, AND NEW LANDSCAPE REQUIREMENTS (*CONTINUED*)

Chad Bunger, Assistant Director of Community Development, stated that he initially championed doing away with the parking minimum considering the success in other cities who do not have minimums. He said the neighborhoods are concerned with parking and discussed parking around campus and Aggieville. He stated that efficient land use and water runoff from larger parking lots are reasons for setting a maximum. He also said that when land is used more efficiently, the result is more buildings, more taxes generated and more services provided to the community.

Commissioner Reddi stated that she wanted involvement from the developers and the community throughout the process of the UDO. She stated the intent is to make things easier, be less confusing and provide a vision for consistency across the board.

Chad Bunger, Assistant Director of Community Development, provided additional information on the proposed goals of the UDO. He then responded to questions from the Commission.

Commissioner Butler said the goal of the UDO is to have a minimum and upper control limit and businesses can operate in-between the guiding principles.

After comments from the Commission, Eric Cattell, Director of Community Development, and Chad Bunger, Assistant Director of Community Development, responded to questions from the Commission and provided clarification on the principles guiding adjustments.

Chad Bunger, Assistant Director for Community Development, presented the environmental impacts, placelessness, value density, social impacts, principle 4 of the guiding adjustments, and proposed minimum and maximum parking ratios.

Ron Fehr, City Manager, provided additional information on the proposed minimum and maximum parking ratios.

Chad Bunger, Assistant Director for Community Development, responded to questions from the Commission regarding the proposed parking minimum and maximum ratios. He provided information on the proposed change of use policy to make building repurposing easier and to give businesses and developers more flexibility. He then responded to questions from the Commission regarding the minimum parking ratios and uses.

GENERAL AGENDA (*CONTINUED*)

DISCUSSION - UNIFIED DEVELOPMENT ORDINANCE (UDO) MODULE 2 - UPDATED SUBDIVISION REGULATIONS, REVISED OFF-STREET AND BICYCLE PARKING, AND NEW LANDSCAPE REQUIREMENTS (*CONTINUED*)

After further discussion, Chad Bunger, Assistant Director of Community Development, presented information on the Manhattan bike culture, activity, benefits of a bike friendly community, and bike parking. He highlighted use types, minimum requirements, and bike rack design standards. He also presented landscaping requirements being proposed and three buffer types.

Commissioner McKee voiced concern with regulations and landscaping requirements that would increase the costs of housing. He requested more detail on the associated costs for developers and encouraged City staff to talk with developers and stakeholders throughout the UDO process and to provide feedback to the Commission.

Commissioner Reddi highlighted the presentation provided to the Small Business Council and provided feedback on the proposed landscaping requirements. She requested that additional information be provided for each module to the Commission.

Commissioner Butler voiced support for the proposed landscaping requirements.

Commissioner Dodson provided feedback on the proposed design of the bike racks and wanted to ensure that this is compatible with the Green Apple Bikes.

Mayor Morse voiced concern with encroachment of the vision triangle and with utilities in the public right-of-way. She wanted to see stronger enforcement with landscaping requirements and to lesson concerns in the traditional neighborhoods regarding repurposing.

Chad Bunger, Assistant Director of Community Development; Ron Fehr, City Manager; and Rob Ott, Director of Public Works, responded to additional questions from the Commission regarding utilities, sight vision, public right-of-way areas, and the goal of the UDO and the process to reach out to the developers and stakeholders for their feedback.

After further comments from the Commission, Chad Bunger, Assistant Director of Community Development, responded to questions regarding the Board of Zoning Appeals (BZA) and the process used by City staff and the BZA when granting exceptions.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

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

GENERAL AGENDA (CONTINUED)

DISCUSSION - SPECIAL EVENTS WITH ALCOHOL

Jared Wasinger, Assistant to the City Manager, presented an overview of the item. He provided the current laws relating to alcohol in public places, the current special event processes, and the request from the Manhattan Community Foundation Young Trustee's to use the Blue Earth Plaza for a special event with alcohol.

Jason Hilgers, Deputy City Manager, and Jared Wasinger, Assistant to the City Manager, responded to questions from the Commission and provided additional information regarding common consumption areas (CCA), the permitting process with the state, and events with alcohol currently occurring on City property.

Ron Fehr, City Manager, provided additional information on the process involved when using the Blue Earth Plaza and considerations when using a public street and obtaining a liquor license. He then responded to questions from the Commission.

Rachel Zenger, Assistant City Attorney, provided additional information on consuming and selling alcohol as well as the licensing requirements through the state.

Jared Wasinger, Assistant to the City Manager, discussed the Young Trustee's request and highlighted three options to consider from a broader perspective with special events with alcohol. He asked the Commission to provide feedback on the three options presented.

Jason Hilgers, Deputy City Manager, responded to questions from the Commission and explained the special event permit application process and coordination between City staff and the Riley County Police Department. He stated that if Aggieville would apply for a special event with alcohol, the City Commission would need to provide approval.

Jared Wasinger, Assistant to the City Manager, provided additional information on the item and licensing and permitting process involving the state and the City of Manhattan. He responded to questions regarding common consumption areas, the application process, and the state licensing requirements and restrictions.

ITEM REMOVED FROM CONSENT AGENDA

FIRST READING – AMEND SPECIAL EVENTS – SERIES OF SPECIAL EVENTS ON ONE APPLICATION

Jason Hilgers, Deputy City Manager, provided an overview of the item and responded to questions from the Commission.

ITEM REMOVED FROM CONSENT AGENDA (CONTINUED)

FIRST READING – AMEND SPECIAL EVENTS – SERIES OF SPECIAL EVENTS ON ONE APPLICATION (CONTINUED)

After discussion, Commissioner Butler moved to approve first reading of an ordinance amending Section 31-141 of the Code of Ordinances relating to special events, block parties and assemblies to allow for a series of special events on a single permit application. Commissioner Dodson seconded the motion.

Mayor Morse opened the public comments.

Hearing no comments, Mayor Morse closed the public comments.

On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

DISCUSSION - SPECIAL EVENTS WITH ALCOHOL (CONTINUED)

Commissioner Butler voiced support for option 3 and allow alcohol to be consumed throughout the special event area accessed by all ages. He said that he considers the concept similar to tailgating at K-State football games. He stated that routinely there are people drinking, there are no wristbands, and there are kids present, so why should other events be any different.

Commissioner Dodson provided additional input and voiced support for option 3.

Jared Wasinger, Assistant to the City Manager, and Jason Hilgers, Deputy City Manager, responded to questions from the Commission and provided additional information on the requirement for a fenced area and common consumption areas. They reiterated that all special event applications with alcohol would come to the City Commission and concerns would be addressed at that time.

Commissioner Reddi stated the current concept keeps parents away from their children. She voiced support to eliminate limitations that prevent families from being together at an event.

Brad Schoen, Director, Riley County Police Department (RCPD), provided comments on the item and asked the Commission to consider the potential frequency and location of special events with alcohol. He encouraged the Commission to think about the methodology to discriminate between applicants, intent and likely outcomes of events. He voiced concern that when August arrives, there is not a festival sponsored by fraternities and sororities.

GENERAL AGENDA (CONTINUED)

DISCUSSION - SPECIAL EVENTS WITH ALCOHOL (CONTINUED)

He also asked that the Commission consider additional resources that would be required.

Commissioner Dodson stated that when the applicant comes to the City Commission, those are controls that the Commission could put into place. He stated the Commission can review the probability that this is going to get out of control and require a lot of resources, or is this envisioned to be similar to events held in Germany that can be easily handled, particularly with kids and families

Mayor Morse asked about street closures by Blue Earth Plaza and parking.

After further discussion, Jason Hilgers, Deputy City Manager, and Rachel Zenger, Assistant City Attorney, responded to questions from the Commission regarding street closures and parking near the Blue Earth Plaza, working with Downtown and Aggieville Districts for special event permits for races, and coordination that would be required between the applicant and the licensed alcohol vendor.

Mayor Morse opened the public comments.

Gavin Schmidt, 155 South Dartmouth Drive, co-chair, Greater Manhattan Community Foundation Young Trustees, informed the Commission that the Chili Cook-Off at Blue Earth Plaza was a great event in November 2017 and raised over \$17,000.00 for local charities. He voiced appreciation for the item being considered and stated this would provide the ability for families to stay together at events with alcohol.

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

Commissioner Reddi stated her preference is to be more accessible to events that serve alcohol and supported working on option 3.

Jared Wasinger, Assistant to the City Manager, informed the Commission that City staff can come back to the Commission at a future meeting with a draft ordinance similar to option 3 and address the discussion points provided. He then responded to additional questions from the Commission.

Commissioner McKee stated he could see the new policy to help with Fake Patty's Day and encourage more density in Aggieville. He said that currently, the event drives people into the neighborhoods and becomes a nuisance for the residents. He said that he was leaning towards option 3 and providing guiding principles for the Commission and applicant. He stated that if the Riley County Police Department is not supportive due to the level of enforcement needed, then it puts the City in a tough spot and likely to say no to the request if RCPD is unwilling to dedicate officers for the event.

GENERAL AGENDA (CONTINUED)

DISCUSSION - SPECIAL EVENTS WITH ALCOHOL (CONTINUED)

Jared Wasinger, Assistant to the City Manager, responded to additional questions from the Commission.

After additional discussion, Ron Fehr, City Manager, responded to questions from the Commission and stated that ultimately, the decision will be made by the Commission to issue special events with alcohol. He provided additional information and issues to consider.

Mayor Morse encouraged the Commission to give this item more thought. She voiced concern that the City not have any liability and approach this item carefully.

As this was a discussion item, no action was taken.

At 10:30 p.m., the Commission took a brief recess

EXECUTIVE SESSIONS

At 10:40 p.m., Commissioner Butler moved to recess into Executive Session until 11:00 p.m. for the purpose of discussing matters, pursuant to KSA 75-4319(b)(3), related to employer-employee negotiations with Local 2275, International Association of Fire Fighters, the union representing certain members of the Manhattan Fire Department. Commissioner McKee seconded the motion. On a roll call vote, motion carried 5-0.

At 11:00 p.m., the Commission reconvened with Mayor Morse and Commissioners Dodson, Reddi, Butler, and McKee in attendance. Mayor Morse announced that no action would be taken on the item.

At 11:01 p.m., Commissioner Reddi moved to recess into Executive Session until 11:25 p.m. for the purpose of matters, pursuant to KSA 75-4319(b)(6), related to preliminary discussions related to the acquisition of real estate and pursuant to K.S.A. 75-4319(b)(2), for consultation with an attorney for the City on matters which would be deemed privileged in an attorney-client relationship. Commissioner McKee seconded the motion. On a roll call vote, motion carried 5-0.

At 11:25 p.m., the Commission reconvened with Mayor Morse and Commissioners Dodson, Reddi, Butler, and McKee in attendance. Mayor Morse stated that no action would be taken on the item and announced that the Commission meeting was adjourned.

ADJOURNMENT

At 11:25 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

Staff Report

Community Development

REZONING AMENDMENT

To: Manhattan Urban Area Planning Board

From: Carol Davidson, CFM, CPM, Senior Planner

Hearing Date: May 7, 2018

Re: To rezone Lots 1-3 of the Hespenside Hills final plat from Riley County AG, Agricultural District to R, Single Family Residential District in the City of Manhattan.

Applicant: Doug and Ruth Parker

Property Owner: Doug and Ruth Parker

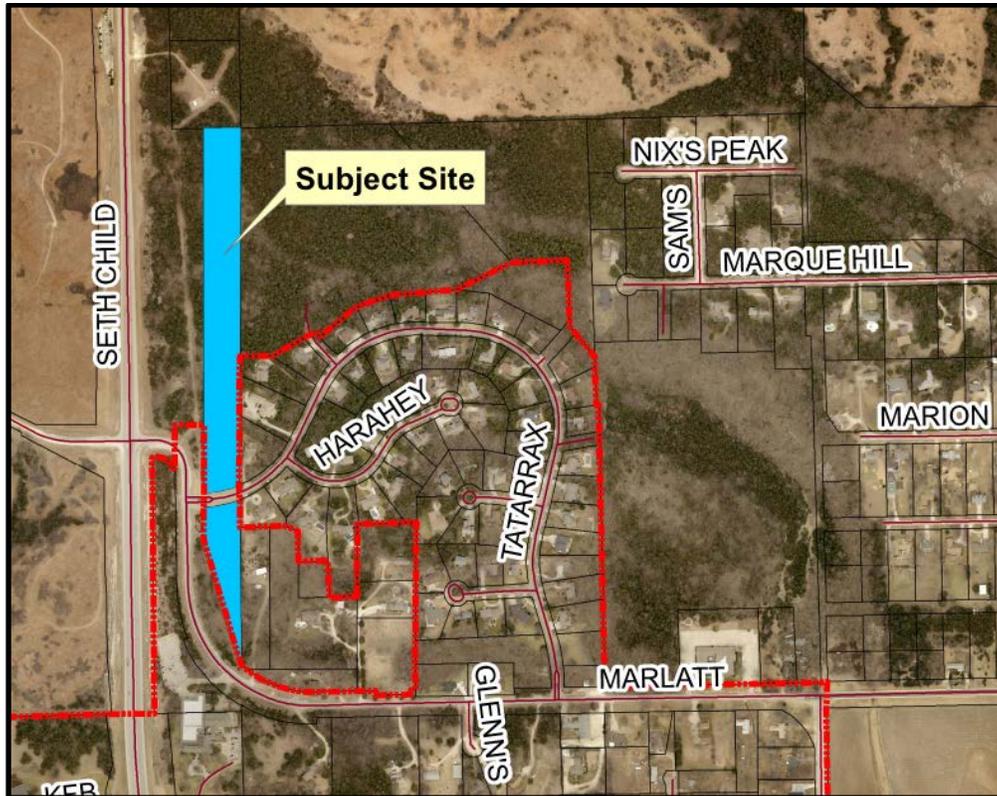
Property Address: Generally located near the intersection of Marlatt Avenue and Tatarax Drive, to the east of Marlatt and to the north and south of Tatarax.

Total Area: 7.51 acres

Date of Neighborhood Meeting: February 13, 2018

Date of Public Notice Publication: April 16, 2018

Date of City Commission: First Reading: June 5, 2018



BACKGROUND

Doug and Ruth Parker have recently purchased an unplatted 7.51 acre strip of land from Kansas State University, located along the eastside of the intersection of Marlatt Road and Tattarrax Drive. This piece of land is currently part of Riley County, but the Parkers would like to annex this land into the City, and rezone it to a proper City zoning designation and subdivide the land.

The Parkers would like to develop the land as follows. For Lot 1, which is located to the north of Tatarrax Drive, the Parkers do not have plans to develop on this land. This lot is contiguous to the Parker's lot at 2920 Tatarrax Drive, and they would like to keep it in its natural state. The Parkers would also like to keep Lot 2, which is located to the south of Tatarrax Drive, in its natural state. There is a landscaped entrance into the Tatarrax Hills Subdivision, and the Parkers would like to keep this landscaped area as it is now, uninterrupted by driveways. Lot 3 is south of Lot 2, and the Parkers would like to sell this lot for the purpose of developing a single-family home.



Refer to case ANX-18-015 for the proposed annexation of this property. Refer to case SUB-18-016 for the concurrent preliminary and final plat of this property.

REVIEW OF MATTERS TO BE CONSIDERED AND STAFF FINDINGS

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. The Existing Use of the Property

The property is vacant undeveloped land.

Staff Finding

The property is vacant and undeveloped; therefore, there is no current use on these properties.

2. The Physical and Environmental Characteristics of the Property

The overall land area is quite rugged with many elevation changes over the course of the land running north to south, with the flattest area located around Tatarrax Drive.

The land is also heavily wooded with deciduous and evergreen trees and shrubs. Despite the elevation changes, none of the area are located within the Special Flood Hazard Area and therefore do not require any extra floodplain measures.

Staff Finding

The land is rugged and heavily wooded.

3. The Zoning and Land Uses of Nearby Properties

North	County: D-2, Light Industrial District	
South	City: R, Single-Family Residential District	
East	City: R, Single-Family Residential District County: SF-1, Single Family Residential District	
West	City: R, Single-Family Residential District County: AG, Agricultural District	

The surrounding land uses are either single-family homes or vacant.

Staff Finding

The surrounding zoning is comprised of residential and agriculture zones, including one light industrial zone. The existing land uses of nearby properties are residential or vacant.

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

The existing zoning of the property is the Riley County zoning designation of AG, Agricultural District. This zoning designation is not valid as a Manhattan designation and must be rezoned to a suitable zone. The applicants have chosen the R, Single-Family Residential District. This district is suitable for this property and its intended use as open space and a single-family residence.

Staff Findings

The property is suitable for land uses within the existing County designation of AG, Agricultural District, as long as the land remains in Riley County. However if the proposed annexation is approved, rezoning the site to the R, Single-Family Residential District is the most suitable for the intended use of open space and a single-family dwelling.

5. The Character of the Neighborhood

The neighborhood consists of single-family residential development. To the north, northeast and west, the area is rural by nature with much of the land undeveloped.

Staff Findings

The neighborhood is characterized by rural single-family residential development with undeveloped land surrounding the northern portion of the property.

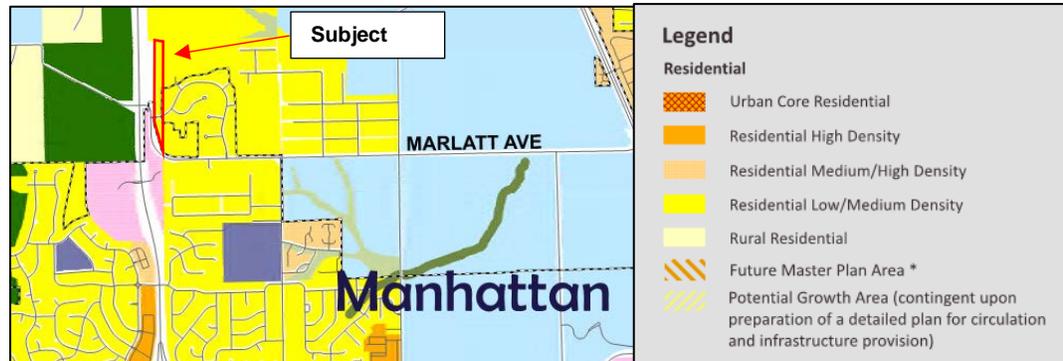
6. The Compatibility of the Proposed Zoning District with Nearby Properties and the Extent to which it may Detrimentially Affect Those Properties

The R District is a single-family residential district with the requirement of no less than 10,000 square foot lots. This rezoning request will add three lots to this residential district. The R, Single-family Residential District is compatible with the surrounding properties and this rezoning request should not detrimentally affect these nearby properties.

Staff Findings

The proposed R District is compatible with the nearby properties, and there should be no detrimental effects on these properties.

7. The Conformance of the requested change to the adopted Comprehensive Plan for the City of Manhattan (If the Proposed Amendment is in Accordance with said Comprehensive Plan, it shall be Presumed to be Reasonable.)



The Future Land Use map of the Manhattan Area Comprehensive Plan shows this area as Residential Low to Medium Density. *Chapter 3: A Coordinated and Efficient Pattern of Growth* provides land use policies for this designation. The location, circulation and access of this property does align with the policy guidance for the Residential Low to Medium Density land use.

Staff Findings

The proposed amendment to rezone the three properties conforms to the Future Land Use Map and the Land Use Policies of the Comprehensive Plan.

8. The Zoning History of the Subject Property and Length of Time it has Remained Vacant as Zoned

This land area is currently vacant and in Riley County. It is zoned Agricultural, and there is no project history for this plat.

Staff Findings

There is no zoning history for this plat. It is zoned Agricultural and is in Riley County. The land is vacant, and appears to never have been developed.

9. Whether the Proposed District would be Consistent with the Intent and Purpose of these Regulations

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.

Rezoning these parcels to the R, Single-Family Residential District will not harm the public health, safety, and general welfare. And the proposed district is consistent with these stated intents and purposes.

Staff Findings

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

10. The Relative Gain to the Public Health, Safety and Welfare that a Denial of the Proposed Amendment Would Accomplish, Compared with the Hardship Imposed upon the Individual Owner that would result from such Denial

There would be no gain to public health, safety and welfare if this request is denied; the public health, safety and welfare would remain the same as it is now. However, if this request is denied, these properties will not be able to be developed to their full potential. As a county agricultural zoning district, they would not be able to be developed due to the substandard size of the land; therefore, it would deny the owner the use of these properties.

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

Public utilities currently are available to this site. In addition, there are existing streets and other public services that are sufficient to serve this location.

Staff Findings

Adequate sewer and water facilities, streets and other necessary public services currently exist to serve all permitted uses within the proposed district that could be developed on the site.

12. Such Additional Matters as may Apply in Individual Circumstances

There are no other applicable factors.

13. The Recommendation of Permanent or Professional Staff

For this rezoning request, staff finds the properties are suited for the proposed R District. This project is located at the northern limits of the City, and due to the rural character of the neighborhood, it is appropriate for the R, Single-Family Residential District.

Staff's Conclusion

Based on the findings found in this Staff Report, City Administration recommends approval of the proposed rezoning of the Hespenhide Hills Subdivision from Riley County AG, Agricultural District to the R, Single-Family Residential District.

ALTERNATIVES

1. Recommend approval of the proposed rezoning of the Hespenhide Hills Subdivision from Riley County AG, Agricultural District to the R, Single-Family Residential District stating the findings for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific findings for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of the Hespenhide Hills Subdivision from Riley County AG, Agricultural District to the R, Single-Family Residential District based on the findings in the Staff Report.

Prepared by: Carol Davidson, CFM, CPM, Senior Planner of the Community Development Department

Date: April 30, 2018

Enclosures:

Application Packet

Future Land Use Map

R Zoning Regulations

Staff Report

Community Development

REZONING AMENDMENT

To: Manhattan Urban Area Planning Board

From: Carol Davidson, AICP, CFM, CPM, Senior Planner

Hearing Date: June 4, 2018

Re: To rezone 1321 Laramie Street from R-3/UO, Multiple Family Residential with University Overlay and R-M/UO, Four-Family Residential District with the University Overlay, to C-3, Aggieville Business District, and R-M/UO, Four-Family Residential District, with the University Overlay

Applicant: Virginia Propp

Property Owner: Virginia Propp

Property Address: 1321 Laramie Street

Total Area: .15 acres

Date of Neighborhood Meeting: March 22, 2018

Date of Public Notice Publication: May 14, 2018

Date of City Commission: First Reading: June 19, 2018

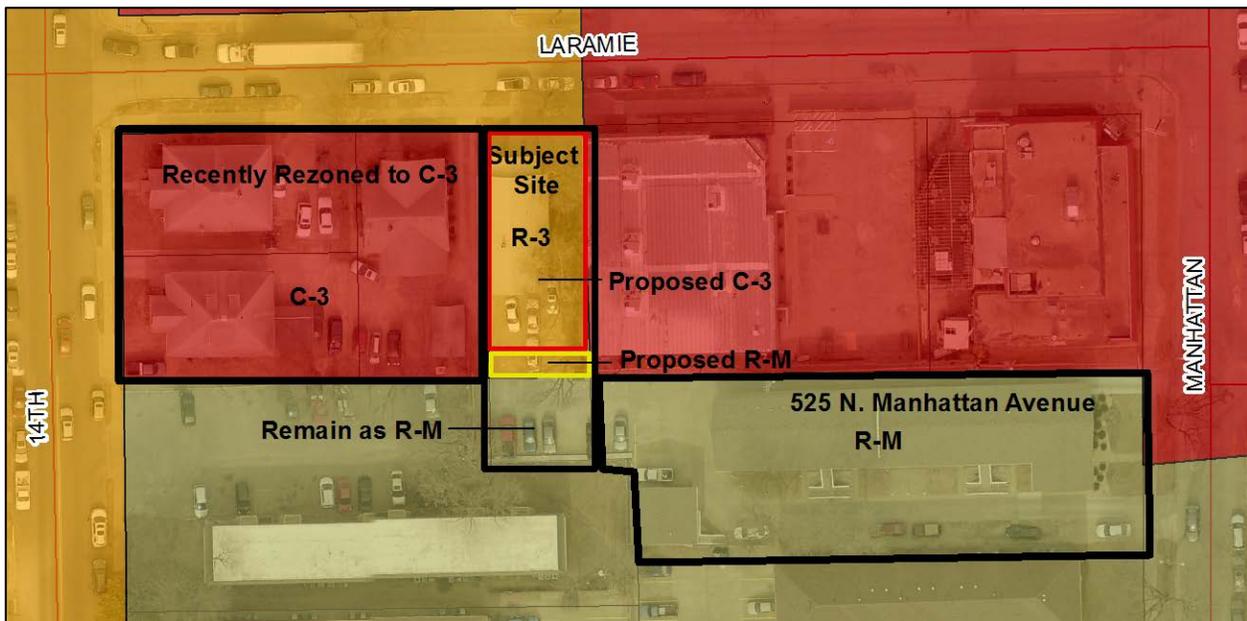


BACKGROUND

Virginia Propp, the applicant, is requesting the rezoning of her property located at 1321 Laramie Street. The property is currently zoned R-3/UE, Multiple Family Residential District with the University Overlay on the northern portion of the parcel and R-M/UE, Four-Family Residential District with the University Overlay on the southern portion of the parcel. The applicant would like to rezone the R-3/UE portion of the parcel to C-3, Aggieville Business District reserving a small portion to be rezoned to R-M/UE, Four-Family Residential District, with the University Overlay.

Attachment No. 2

The three lots to the west of this parcel were recently rezoned from the R-3, Multiple-Family District to the C-3, Aggieville Business District, leaving this parcel as an island R-3 district. The applicant would like to rezone this parcel to the C-3 District in the hopes of eventual redevelopment of this area. The hopes are to raze the existing home on this lot along with the homes on the three lots to the west for the development of a new mixed-use building. The new building would have commercial on the main floor with residential



on the upper floors.

In addition to the C-3 zoning request, the applicant is also requesting a small portion of the property be rezoned to R-M/UO, Four-Family Residential District, with the University Overlay. There is a small parking area in the rear of the subject site that is being used by the apartment complex located to the southeast of the subject site. The applicant owns this apartment complex, addressed 525 N. Manhattan Avenue. Since the applicant owns both properties, there is not a problem with this parking area being used by the residents of the apartment complex; however, if the applicant were to sell one or both of the properties, the residents from the apartment complex would not be able to use the parking area. To alleviate this problem the applicant is proposing to adjust the property lines of both parcels in a final plat. (Please refer to the Kimball Place Addition, Unit Four plat.) To give ample room for entering and exiting this parking area, the property line will be placed a little to the north of the existing R-M zone. It is for this reason that the applicant would like to rezone this portion of their property to the R-M District, so that it is compatible with the apartment complex.

REVIEW OF MATTERS TO BE CONSIDERED AND STAFF FINDINGS

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)).

7. The Existing Use of the Property

There is an existing single-family home on the property. The house is a rental unit, and is occupied at this time.

Staff Finding

The property contains one single-family structure; therefore, the use is residential on this property.

8. The Physical and Environmental Characteristics of the Property

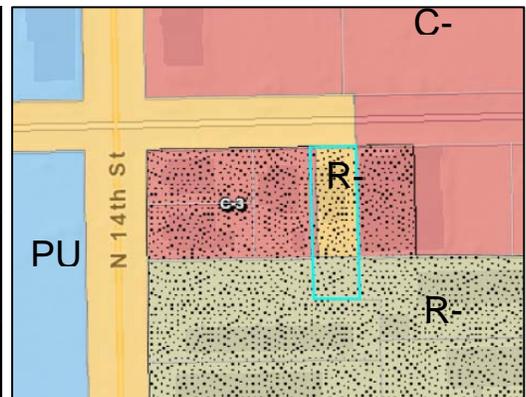
This lot is about .15 acres and has one residential building on the lot. It is a relatively flat lot and is not within the Special Flood Hazard Area and therefore does not require any extra floodplain measures.

Staff Finding

The property is a flat, developed city lot with one existing residential building on the lot.

9. The Zoning and Land Uses of Nearby Properties

North	C-3, Aggieville Business District
South	R-M/UO, Four-Family Residential District with University Overlay
East	C-3, Aggieville Business District
West	C-3, Aggieville Business District



The surrounding land uses include retail (Burger King) to the north, a residential apartment building to the south, an event center/music hall to the east, and residential buildings to the west.

Staff Finding

The surrounding zoning is comprised of mixed-use and residential zones. The existing land uses of nearby properties are commercial, and residential.

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

The existing use of this property is compliant with the current zoning classification which is R-3, Multiple Family Residential District. This use is also compliant with the C-3, Aggieville Business District. The C-3 District allows a variety of stand-alone commercial and residential uses, and it also allows mixed-use buildings. However, the current R-3, Multiple Family Residential District does not allow any commercial development. The approval of the rezoning would allow for redevelopment of the site to a commercial use or for a mix of uses. This type of development is envisioned by the Aggieville Community Vision Plan. And, this type of development would be suitable to the surrounding properties.

Staff Findings

The property is suitable for land uses within the existing R-3/UO, Multiple Family Residential and R-M/UO Four-Family Residential District with University Overlay. The site is also suitable for a mix of uses permitted in the C-3 District and therefore, make it suitable for the requested rezone.

11. The Character of the Neighborhood

The neighborhood consists of multi-family residential development to the south and west, along with the Manhattan Christian College campus further to the west, and commercial development associated with Aggieville to the north and east.

Staff Findings

The character of the neighborhood is a mix of commercial, residential, and educational uses.

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

The C-3 District allows a range of retail, restaurant, office and commercial services as well as residential uses, in stand-alone or mixed use configurations. The proposed C-3 District is the same zoning classification found on nearby properties to the north, east and west of the site and is therefore compatible. The proposed R-M District is compatible to the property to the south.

Staff Findings

The proposed C-3 and R-M Districts are compatible with the nearby properties, and there should be no detrimental effects.

13. Conformance of the requested change to the adopted Comprehensive Plan for the City of Manhattan (If the Proposed Amendment is in Accordance with said Comprehensive Plan, it shall be Presumed to be Reasonable.)

The Future Land Use map of the Manhattan Area Comprehensive Plan shows this area as Central Core District. The characteristics of this District include a variety of mixed uses including high density residential. There is also encouragement to redevelop underutilized areas within the District to allow the District to reach its full potential.

In addition, the Aggieville Community Vision Plan shows this area located within the Laramie Corridor of the Aggieville planning area. In this corridor the Plan encourages a good definition of visual space which is enhanced by the enclosure of buildings. Allowing this rezone with the potential for a larger mixed-use building to be located on this lot will give the area a visual definition and could enhance the walking, biking, and driving experience. The applicable land use policies for both the Comprehensive Plan and the Aggieville Community Vision Plan are found below.

a. The Manhattan Area 2035 Comprehensive Plan

CCD-1: Characteristics

The Central Core District is a special purpose designation for the Downtown core and Aggieville, both of which have a unique historical character and importance to the broader community. Although the two areas are not physically connected, they both consist of a variety of civic, cultural, retail, commercial, business, professional offices, and financial institutions, and residential uses in a compact, vibrant setting. This setting is enhanced by a large inventory of older and/or historic structures and a pedestrian-friendly scale. Identified redevelopment areas in the Downtown core provide opportunities for a range of uses—including high density residential—provided they are designed as part of a master planned development that is compatible with and complimentary to the design and pedestrian-oriented character of the traditional urban fabric in Downtown. (Note: “Master planned” refers to the process of developing an overall concept or neighborhood level plan for an area, prior to development, that takes into consideration the relationships between land uses, buildings, access and site characteristics, in order to establish a more unified and compatible development. It can apply to a large single site, a whole neighborhood, or series of neighborhoods.)

CCD-2: In fill and Redevelopment

Encourage targeted infill development and/or redevelopment to take advantage of underutilized areas such as large surface parking lots, help enhance the overall mix of uses, and enhance the continued revitalization of the Central Core District. Encourage infill and redevelopment that is in keeping with the historic character and scale of the Downtown Historic District.

CCD-3: Rehabilitation and Adaptive Reuse

Encourage the rehabilitation and adaptive reuse of existing underutilized structures, particularly along Poyntz Avenue in the Downtown core. Support the continued adaptation and reconfiguration of existing spaces in the Manhattan Town Center and on surrounding pad sites to meet changing market preferences and the needs of the community.

CCD-4: Housing

Promote an expanded range of housing options in the Central Core to reinforce the variety and vitality of the environment. Encourage the conversion of upper floors above existing retail storefronts to office or residential uses, the integration of Residential High Density or Urban Core Residential type uses at the fringe of the Central Core District, and the conversion of obsolete uses or surface parking lots to housing over time.

CCD-5: Outdoor Seating

Support the provision of outdoor dining and seating areas along the sidewalk edge, particularly in the Downtown core, to create activity along the street.

CCD-6: Mix of Uses

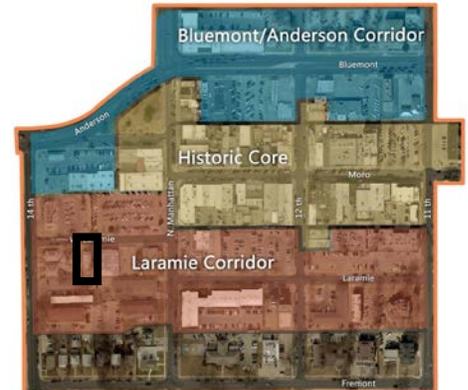
Support a vibrant mix of residential and non-residential uses within the Central Core. Concentrate active, visible uses that encourage pedestrian activity, such as restaurants or retail storefronts, on the first floor of buildings along Poyntz Avenue and the other retail-oriented streets, and in Aggieville. In these locations, encourage offices, residential or other uses that typically are “closed off” from the street as upper floor uses; however, single use buildings (e.g. office or residential) are appropriate on secondary streets in Downtown where retail may not be viable and contribute to the overall vitality of the Central Core District. 52

b. The Aggieville Community Vision Plan

Land Use Issues

Commercial development has historically been mixed with residential development on the south side of Laramie, with the north side being strictly commercial, though it is mostly comprised of parking lots.

The commercial development along the north side of the Laramie Corridor has taken on a strip commercial character with retail buildings located at the rear of the site and unattractive parking dominating the area between the building and the street. Valuable retail and residential space in close proximity to the Historic Core of Aggieville is being taken up by surface parking, a large portion of which is land owned by the city. Raising the allowed height of buildings in this area would incentivize redevelopment. However, the difference in building heights between this area and the Historic Core along Moro Street would need to transition sensitively.



Recommendations

- ***Character:*** Strengthen the pedestrian retail character of the Laramie Corridor as a southern edge and gateway to the Aggieville District, while prohibiting future highway/strip commercial development. Create commercial and residential uses designed to be a high-density extension of the Historic Core.
- ***Building Design:*** Incorporate pedestrian-scale architectural detailing and interest in new building design, such as visually dividing the façade, entrances that open to the sidewalk, and providing more human scale to its design.
- ***Parking Garages:*** Design parking garages to incorporate a veneer of residential and/or commercial uses as appropriate to the site along with landscaping, to help buffer and visually mask the garage from public view from the street. Public garages must be located on the edge of the district with ingress and egress from non-local streets such as N. 11th and N. 14th Streets. They must also have direct pedestrian connection to the interior of the district.

Attachment No. 2

- **Building Height:** *Permit structures up to 5 stories along Laramie and West Laramie with consideration to develop stepped-back buildings on the north side of Laramie where the buildings are lowered to 3 or 4 stories at the back of the lot abutting the alley to transition to the lower heights in the Historic Core on Moro Street.*
- **Separation:** *Incorporate pocket parks to visually and spatially separate new, multi-story construction from older, historic construction and to create unique and attractive gathering spaces.*
- **Corner Lots:** *Incorporate special corner treatment of buildings to create a safer pedestrian environment and wider sidewalks.*
- **Redevelopment:** *Redevelop city-owned lots with mixed-use developments and/or parking garages that enhance the pedestrian-retail character of the district.*
- **Parking:** *Address parking requirements through public-private garages, shared parking, unbundled parking for residential developments, reverse-angle parking, active parking management, metering, and revised parking enforcement and fee policies. Integration of pedestrian, bicycle and transit infrastructure to encourage transportation other than personal vehicle should also be part of this strategy.*

Street Space & Public Realm Issues

The Laramie Corridor has the advantage of a low level of vehicular traffic, contributing to the comfort of pedestrians walking in this area. However, this area lacks the visual definition and enclosure of space by buildings specifically designed to contribute to the comfort and interest of the experience of walking, biking, and driving down this street.

Recommendations

- **Walkability:** *Increase the width of the sidewalk surface and create safe, well-lit pedestrian connections to and from this area to accommodate pedestrian movement and commercial uses throughout the area. In addition, incorporate traffic-calming features, mid-block crossings, raised crossings, colored crosswalks, and accessibility features on interior streets to improve safety and comfort. Redesign intersections across N. 14th Street and Fremont Street to make crossing on foot and bike safer and more comfortable.*

Attachment No. 2

- **Streetscape:** *The streetscape, landscape and design elements should help define the character of the public realm. Future development and design should include gateway features, sidewalks, paving, landscaping, street trees, bike racks, lighting, public art, and street furniture consistent throughout the district.*
- **Access:** *Minimize and consolidate curb cuts and provide access to parking from alleys.*
- **Gateways:** *Design the streetscape and landscaping to define the character of the public realm and gateway entrances along Laramie Street at North 14th Street, North Manhattan Avenue, North 12th Street, and North 11th Street. Future development and design should include streetscape elements mentioned previously.*
- **Bicycles:** *Integrate on-street facilities to best suit routing needs in and around Aggieville, including bike boulevards and lanes. Improve crossings at intersections to make them safer and more comfortable for cyclists along North 11th, North 14th, and Fremont Streets. Provide well-designed and well-distributed racks throughout the area.*

Staff Findings

The proposed amendment to rezone the subject property conforms to the Future Land Use Map and the Land Use Policies of the Comprehensive Plan and conforms to the Aggieville Community Vision Plan.

14. The Zoning History of the Subject Property and Length of Time it has Remained Vacant as Zoned

October 20, 1915	Kimball Place Addition is platted into the City of Manhattan
1925:	Property zoned B, Residence District – Allowed single and multiple family dwellings.
1965:	Property zoned B-1, Multiple-Family Dwelling District – Allowed single and multiple family dwellings.
1970	Property zoned R-3, Multiple-Family Residential District – Allows single and multiple family dwellings.

Staff Findings

The existing home was built in 1920 and the zoning of this property has allowed single and multiple family dwellings since 1925.

15. Whether the Proposed District would be Consistent with the Intent and Purpose of these Regulations

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.

Rezoning this parcel to the C-3 and R-M Districts, will not harm the public health, safety, and general welfare. And, rezoning this parcel to C-3 and R-M will be compatible and should protect the values of the surrounding properties.

Staff Findings

The proposed C-3 and R-M districts are consistent with the intent and purpose of the zoning ordinance.

16. The Relative Gain to the Public Health, Safety and Welfare that a Denial of the Proposed Amendment Would Accomplish, Compared with the Hardship Imposed upon the Individual Owner that would result from such Denial

There would be no gain to public health, safety and welfare if this request is denied, the public health, safety and welfare would remain the same as it is now. However, if this request is denied, this property will not be able to be redeveloped to its full potential, as identified in the adopted Comprehensive Plan and Aggieville Community Vision Plan, and therefore would not contribute as fully to the economic vitality of Aggieville.

Staff Findings

There would be no relative gain to the public if this request is denied.

17. 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

Public utilities currently are available and used on this site. The streets, sidewalks and other public services are sufficient to serve this location.

Staff Findings

Adequate sewer and water facilities, streets and other necessary public services currently exist to serve all permitted uses within the proposed district that could be developed on the site.

18. Such Additional Matters as may Apply in Individual Circumstances

There are no other applicable factors.

19. The Recommendation of Permanent or Professional Staff

For this rezoning request, staff finds the property is suited for the proposed C-3 District. This location is at the western gateway into Aggieville, and the Comprehensive Plan along with the Aggieville Community Vision Plan identify this property as part of the Aggieville District. A neighborhood meeting was held on March 22, 2018, and there were no comments made for or against this proposed rezone. The purpose of this rezone request is to allow the applicant the ability to redevelop this lot into a mixed-use building which is suitable for this neighborhood if the opportunity arises.

Staff's Conclusion

Based on the findings found in this Staff Report, City Administration recommends approval of the proposed rezoning of 1321 Laramie Street from R-3/UO, Multiple Family Residential with University Overlay, to C-3, Aggieville Business District, and R-M/UO, Four-Family Residential District, with the University Overlay.

ALTERNATIVES

1. Recommend approval of the proposed rezoning of 1321 Laramie Street from R-3/UO, Multiple Family Residential District with University Overlay, to C-3, Aggieville Business District, and R-M/UO, Four-Family Residential District, with the University Overlay stating the findings for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific findings 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 1321 Laramie Street from R-3/UO, Multiple Family Residential District with University Overlay, to C-3, Aggieville Business District, and R-M/UO, Four-Family Residential District, with the University Overlay based on the findings in the Staff Report.

Prepared by: Carol Davidson, AICP, CFM, CPM, Senior Planner of the Community Development Department

Date: May 25, 2018

Enclosures: Map, Responses, Neighborhood Meeting Report, Future Land Use Map, R-3, R-M, UO, and C-3 Zoning Regulations