



***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, JUNE 1, 2021***  
***7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Wynn Butler and Commissioners Linda Morse, Mark J. Hatesohl, Aaron Estabrook, and Usha Reddi were present. Also present were City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Dennis Marstall, Assistant to the City Manager Jared Wasinger, City Attorney Katharine Jackson, City Clerk Brenda K. Wolf, Assistant City Clerk Chelsea Johnson, 5 staff, and approximately 23 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Butler led the Commission in the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Butler opened the public comments and highlighted the process.

Hearing no comments, Mayor Butler closed the public comments.

**COMMISSIONER COMMENTS**

Commissioner Reddi commented that City pools opened for a short period of time over the Memorial Day weekend due to weather. She stated that in order for the pools to be open, it needs to be 70 degrees if sunny, 75 degrees if cloudy, and the water temperature has to be higher than 60 degrees. She also stated that the Splash Park was open.

Commissioner Morse mentioned the International Town and Gown conference was held May 24-26, 2021, virtually. She stated it was an opportunity to share and learn from other communities and universities what they've done during COVID-19 and what she learned was not to forget to talk with students in the University and in the town.

## COMMISSIONER COMMENTS

Mayor Butler congratulated the Parks and Recreation staff for opening the City pools and for the few attendees that showed up. He mentioned that on Monday, May 31, 2021, the City Municipal Band performed in City Park and celebrated its 100-year anniversary.

## CONSENT AGENDA (\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, May 18, 2021.

### CLAIMS REGISTER NO. 2975

The Commission approved Claims Register No. 2975 authorizing and approving the payment of claims from May 12, 2021 – May 25, 2021, in the amount of \$2,207,911.10.

### LICENSES

The Commission approved a Tree Maintenance License for calendar year 2021 for Flint Hills Tree Care LLC, 10555 Wheaton Road, Westmoreland, and an annual Cereal Malt Beverages Off-Premises License for Short Stop #12, 2010 Tuttle Creek Boulevard.

### ORDINANCE NO. 7537 – REZONE – LOT 35, EUREKA ADDITION, UNIT TWO

The Commission accepted the Manhattan Urban Area Planning Board's recommendation and approved Ordinance No. 7537 rezoning Lot 35, Eureka Addition, Unit Two, an approximately 2.84-acre lot, generally located on the south end of Eureka Terrace, from C-6/AO, Heavy Commercial District with Airport Overlay District, to I-3/AO, Light Industrial District with Airport Overlay District, based on the findings in the Staff Report (*See Attachment No. 1*).

### FIRST READING – CONDEMNATION – SAFE ROUTES TO SCHOOL PROJECT, PHASE IIC (PD2001)

The Commission approved first reading of an ordinance authorizing the commencement of eminent domain proceedings to acquire the subject property interests for the Safe Routes to School Project, Phase IIC (PD2001).

## CONSENT AGENDA (CONTINUED)

### FIRST READING – CONDEMNATION – UTILITY RELOCATIONS – MANHATTAN LEVEE FLOOD RISK MANAGEMENT PROJECT (SM1813/SP1908)

The Commission approved first reading of an ordinance authorizing the commencement of eminent domain proceedings to acquire the subject property interests for Utility Relocations necessitated by the Manhattan Levee Flood Risk Management Project (SM1813/SP1908).

### AGREEMENT - PROFESSIONAL ENGINEERING SERVICES - CASEMENT ROAD FROM ALLEN ROAD/KNOX LANE TO BROOKMONT DRIVE (ST2105)

The Commission authorized the Mayor and City Clerk to execute an Agreement for Professional Engineering Services, in an amount not to exceed \$178,761.00, with Alfred Benesch & Company, of Manhattan, Kansas, for the development of 30% plans for the corridor on Casement Road from Allen Road/Knox Lane to Brookmont Drive (ST2105).

### CONTRACT AMENDMENT NO. 1 - PROFESSIONAL SERVICES - WATER DISTRIBUTION MAINTENANCE PROGRAM ASSESSMENT FOR THE WATER AND SEWER MASTER PLAN UPDATE (SP1909, CIP #WA186P)

The Commission authorized the Mayor and City Clerk to execute Contract Amendment No. 1 to the Agreement for Professional Engineering Services, in an amount not to exceed \$37,684.00, with Olsson, of Manhattan, Kansas, to complete the Water Distribution Maintenance Program Assessment for the Water and Sewer Master Plan Update (SP1909, CIP #WA186P).

### AWARD CONTRACT – STONEHAVEN PARK TRAIL IMPROVEMENTS (PR2105, CIP #CP371P)

The Commission utilized an alternative selection process of direct negotiations, pursuant to Section 3 of Charter Ordinance No. 62, to award; and authorized the Mayor and City Clerk to execute a construction contract with Bayer Construction Co., Inc., of Manhattan, Kansas, in the amount of \$73,398.10, for the project.

### LEASE PURCHASE – TRUCK-MOUNTED SEWER JET (CIP #WW188E)

The Commission authorized the purchase of a new 2022 Truck-Mounted Sewer Jet for the Sewer Maintenance Division from Elliot Equipment Company, of Grandview, Missouri, in the total amount of \$234,767.00, and authorized the Mayor and/or City Clerk to execute a lease purchase agreement and all documents necessary with Commerce Bank/Clayton Holdings, LLC., at a 1.26% interest rate, to be paid from the Wastewater Fund.

## CONSENT AGENDA (*CONTINUED*)

### **BOARD APPOINTMENTS**

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

#### *Airport Advisory Board*

Appointment of Troy Wilt, 1021 South Wreath Avenue, to a three-year Fort Riley term, which will begin on June 27, 2021, and will expire on June 26, 2024.

Re-appointment of Carl Reed, 430 McCall Rd., to a three-year Pottawatomie County term, which will begin on June 27, 2021, and will expire on June 26, 2024.

#### *Historic Resources Board*

Appointment of Phil Anderson, 1719 Fairchild Avenue, to a three-year term, which begins immediately, and will expire on April 30, 2024.

#### *Housing Appeals Board*

Re-appointment of Eric Nielson, 1709 Little Kitten Avenue, to a three-year term, which will begin July 1, 2021, and will expire on June 30, 2024.

#### *Human Rights and Services Board*

Appointment of Lakesha James, 1044 Burton Place, to fill the unexpired term of James Callahan, which begins immediately, and will expire March 9, 2022.

#### *Parks and Recreation Advisory Board*

Re-appointment of Dave Schafer, 2104 Fox Meadows, to a four-year term, which will begin July 1, 2021, and will expire on June 30, 2025.

#### *Special Alcohol Funds Advisory Committee*

Re-appointment of Chris Bailey, 217 Starlight Lane, to a three-year term, which will begin July 1, 2021, and will expire on June 30, 2024.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

Commissioner Morse moved to approve the consent agenda as distributed. Commissioner Estabrook seconded the motion. On a roll call vote, motion carried 5-0.

## PUBLIC HEARING

### PUBLIC HEARING - AMENDMENT TO THE SOUTH PROJECT AREA REDEVELOPMENT PROJECT PLAN AND SPECIAL BOND PROJECT PLAN FOR THE MANHATTAN DOWNTOWN REDEVELOPMENT DISTRICT – MANHATTAN MUSEUM OF ART AND LIGHT

Jason Hilgers, Deputy City Manager, presented the item. He answered questions from the Commission.

Marc Abbott, Polsinelli PC, Legal Counsel for Bob and Tracey DeBruyn, provided an overview of the purpose of the STAR Bond Act, and highlighted the project and benefits to the city.

Mayor Butler opened the public hearing.

Mary Beth Reese, 2008 Ivy Drive, questioned why the new art museum did not have to go through Arts and Humanities Advisory Board and suggested using the mall parking lot for the loss of parking that would result due to the project. She stated she was concerned the effect this art museum would have on all the other non-profits in the community.

Karen Hibbard, Vice President, Manhattan Area Chamber of Commerce, and Director, Convention and Visitors Bureau (CVB), stated that Manhattan is a destination, provided reasons why visitors come to Manhattan and the region, and what they do and how much they spend on average per day in the community during their stay. She stated the Manhattan Area Chamber of Commerce Board of Directors supported the DeBruyn's vision and the use of STAR Bond proceeds for the Art and Light museum.

Monica MacFarlane, 213 Parker Drive, spoke in support of the museum.

Brad Everett, General Manager, Hilton Garden Inn, and part owner, Fairfield Inn; Gwyn Riffle, Owner/Developer, Blue Earth Mixed-Use Building; Wade Radina, Owner, Radina's Bakehouse; and Colin Noble, Owner, Holiday Inn Express at the Campus and Candlewood Inn Suites; spoke in support of the museum but were concerned about loss of parking. They suggested other possible locations for the museum.

Dr. Roger Reitz, 1332 Sharingbrook Drive, spoke in support of project and what a benefit it would be to the city.

Hearing no other comments, Mayor Butler closed the public hearing.

### FIRST READING - AMENDMENT TO THE SOUTH PROJECT AREA REDEVELOPMENT PROJECT PLAN AND SPECIAL BOND PROJECT PLAN FOR THE MANHATTAN DOWNTOWN REDEVELOPMENT DISTRICT – MANHATTAN MUSEUM OF ART AND LIGHT

Jason Hilgers, Deputy City Manager, answered questions from the Commission.

## PUBLIC HEARING (CONTINUED)

### FIRST READING - AMENDMENT TO THE SOUTH PROJECT AREA REDEVELOPMENT PROJECT PLAN AND SPECIAL BOND PROJECT PLAN FOR THE MANHATTAN DOWNTOWN REDEVELOPMENT DISTRICT – MANHATTAN MUSEUM OF ART AND LIGHT (CONTINUED)

Garth Herrman, Gilmore & Bell, City's Bond Counsel, answered questions from the Commission regarding current and new STAR Bond legislation that would take effect July 1, 2021.

After discussion, Commissioner Hatesohl moved to approve first reading of an ordinance approving a Project Plan Amendment to the South Project Area Redevelopment Project Plan and Special Bond Project Plan for the Manhattan Downtown Redevelopment District for the Manhattan Museum of Art and Light. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

## GENERAL AGENDA

### AGREEMENT - PROFESSIONAL ENGINEERING SERVICES - INDOOR AQUATIC FACILITY CONCEPT AND FEASIBILITY STUDY

Jason Hilgers, Deputy City Manager, presented the item. He answered questions from the Commission.

Mayor Butler opened the public comments.

Tracy Anderson, Anderson Knight Architects, and Jason Hilgers, Deputy City Manager, answered questions from the Commission.

Chad Bunger, 3228 Ella Lane, stated that The Aquatics Group were committed to creating an aquatic center that would be inclusive of everyone.

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

After discussion, Commissioner Estabrook moved to authorize City Administration to finalize and the Mayor and City Clerk to execute an Agreement for Professional Engineering Services with Anderson Knight Architects, of Manhattan, Kansas, in the amount of \$15,000.00, for an Indoor Aquatic Center. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

**ADJOURNMENT**

At 8:49 p.m., the Commission adjourned.

  
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Brenda K. Wolf, CMC, City Clerk



# Staff Report

Community Development Department

<b>Rezoning</b>	<b>Eureka Terrace (Lot 35)</b>	REZ-21-034
To:	Manhattan Urban Area Planning Board	
From:	Barry Beagle, AICP, Senior Planner	
Meeting Date:	May 3, 2021	
Applicant/Owner:	Larson Construction, Inc. / BATA, LLC	
Property Description:	Lot 35, Eureka Addition, Unit Two	
Total Area:	2.84-acres	
Current Zoning:	C-6/AO, Heavy Commercial District with Airport Overlay	
Requested Zoning:	I-3/AO, Light Industrial District with Airport Overlay	
Neighborhood zoning:	North: I-3, Light Industrial District South: C-4, Highway Business District (County) East: Penny's Concrete Industrial PUD West: I-2, Industrial Park District	

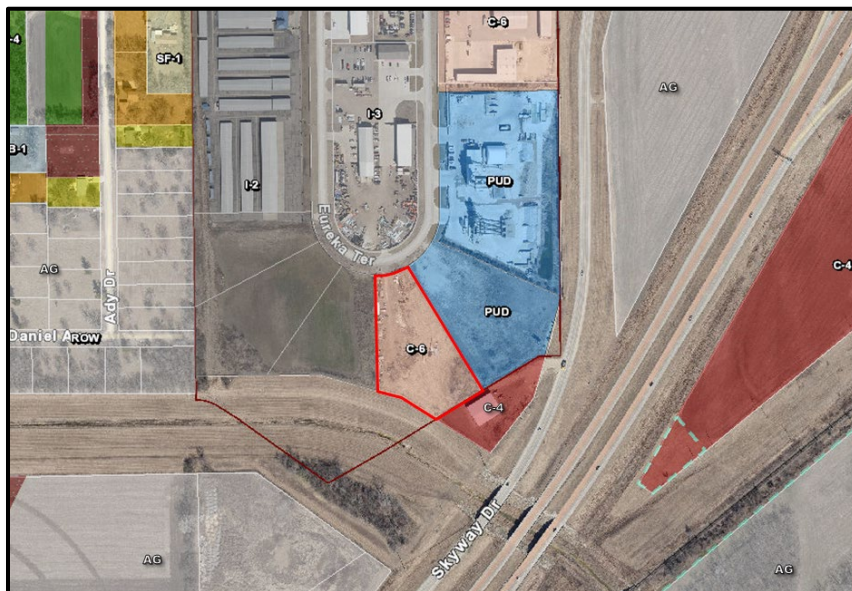


Figure 1. Vicinity / Zoning Map



## **REQUEST**

The applicant seeks to reclassify the unimproved parcel to the I-3 District to permit its continued use as an accessory storage lot in conjunction with Larson Construction's main facilities to the north across Eureka Terrace. The proposed reclassification will bring the present use of the property into compliance with the Zoning Regulations as the I-3 District permits the open storage of equipment and supplies whereas the C-6 District, as presently zoned, does not.

## **QUALIFICATIONS FOR REZONING**

Section 15-103(B) indicates no application for rezoning shall be filed unless such land has 100-feet of frontage on a public street; or has 10,000 square feet of area; or abuts land that has the same zoning classification as that which is proposed for the subject property. The subject property meets the qualifications for rezoning as it has 120-feet of frontage on Eureka Terrace, is 2.84-acres in size, and is located across Eureka Terrace from the I-3 District.

## **ANALYSIS**

Section 15-403(A) of the Zoning Regulations identifies 13 factors that should be considered when evaluating the suitability of a rezoning request affecting specific property. The factors are in bold print, followed by findings of fact and staff evaluations, when applicable.

1. **The Existing Use of Property.** Unimproved tract of land presently used for storage of equipment and supplies in conjunction with Larson Construction immediately north at 2616 Eureka Terrace.

*Evaluation:* The site has remained undeveloped since initially annexed, rezoned and platted as part of Eureka Addition in 2006. The applicant acquired the property in 2014.

2. **The Physical and Environmental Characteristics of the Property.** The subject property is a trapezoidal shape lot extending approximately 520-feet south of Eureka Terrace to the south boundary of Eureka Addition. The lot is essentially flat and currently unimproved. The site lies entirely within the Horizontal and Conical Zones of Manhattan's Regional Airport that requires the AO, Airport Overlay District be added to the site. The site is shown to be within Flood Zone X, the 0.2% annual chance flood hazard area as shown on Flood Insurance Rate Map Community Panel No. 20161C0344G with an effective date of March 16, 2015.

**Evaluation:** There are no physical and environmental characteristics associated with the property that would deter its improvement. The site's location within the Airport Overlay District may require the applicant obtain an Airport Compatible Use Permit prior to any improvement of the property. Given the site's location within Zone X, it will not be subject to special flood elevation requirements for any improvement.

**3. The Zoning and Land Uses of Nearby Properties.**

- North I-3, Light Industrial District – Larson Construction company.
- South C-4, Highway Business District – Redline Auto Consulting.
- East Penny's Concrete Industrial PUD – Penny's Concrete, Inc.
- West I-2, Industrial Park District – Vacant.

See Figure 1 for zoning context.

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

The subject property is part of Eureka Addition, a 53-acre heavy commercial/light industrial subdivision annexed to the City of Manhattan and rezoned in 2006. The eastern portion of the subdivision was rezoned to the C-6, Heavy Commercial District, including the subject property; the central portion rezoned to the I-3, Light Industrial District; and, the western portion rezoned to the I-2, Industrial Park District. In 2008, the lots immediately east and north of the subject property were rezoned to an industrial PUD for Penny's Concrete, Inc. (See Figure 1)

**Evaluation:** Based on the established pattern of zoning and land use, the subject property remains suitable for heavy commercial uses as presently restricted by the C-6 District.

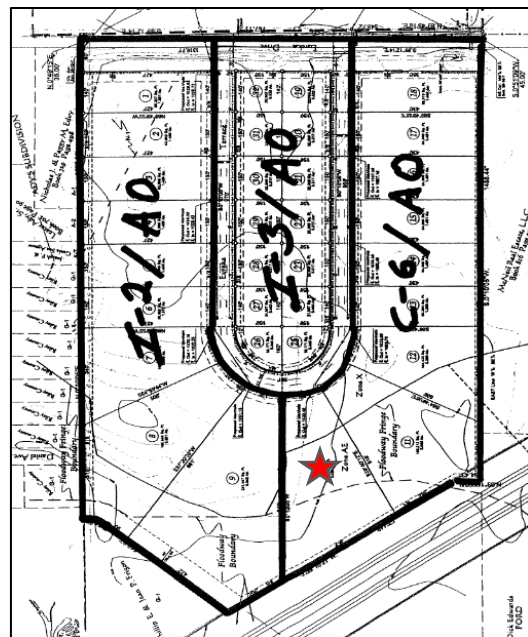


Figure 2. Zoning at Annexation

*Attachment No. 1*

5. **The Character of the Neighborhood.** The subject property is located at the south end of Eureka Addition, a heavy commercial and light industrial subdivision extending south of Eureka Drive and west of K-18 Highway. Roughly three-quarters of Eureka Addition has been developed consistent with existing zoning and includes Landmark Self Storage, Star Lumber & Supply, Larson Construction, Penny's Concrete and multi-tenant commercial/industrial buildings. In a broader context is the Flint Hills Job Corps Center and Eureka Drive Storage to the north across Eureka Drive; the Manhattan Regional Airport to the south along with heavy commercial and industrial land use along the west side of Highway K-18.

*Evaluation:* The subject property is part of an established and developing heavy commercial/light industrial subdivision. It is anticipated over time, this area will continue to develop for commercial and industrial land use consistent with the future land use recommendations of the Manhattan Urban Area Comprehensive Plan and Eureka Valley – Highway K-18 Corridor Plan.

6. **The Compatibility of the Proposed Zoning District with Nearby Properties and the Extent to which it may Detrimentially Affect those Properties.** As noted, the subject property is part of a developing commercial/industrial corridor along Highway K-18. The proposed reclassification would permit the subject property to develop for light industrial land use excluding salvage yards and basic industrial manufacturing. Within Eureka Addition of which it is a part, the proposed reclassification would be consistent with the I-3 District immediately to the north. The land use characteristics of the I-3 District is compatible with neighboring property including Penny's Concrete to which adjacent

*Evaluation:* The proposed reclassification is consistent and compatible with established heavy commercial/light industrial character of the area and will not create impacts incompatible with neighboring property.

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 (FLUM) of the 2035 Manhattan Urban Area Comprehensive Plan identifies the subject property as part of an area designated for *Industrial (IND)* land use.

Policies of the IND designation are as follows:

**I-1: Characteristics**

*The Industrial designation is intended to provide locations for light and heavy manufacturing, research, warehousing and distribution, indoor and screened outdoor storage, a wide range of other industrial services and operations, and supporting accessory uses. Typically, heavy industrial uses involve more intensive work processes, and may involve manufacturing or basic resource handling and/or extraction. Design controls within an Industrial area are not as extensive as in the Office/Research category and a broader range of uses is permitted.*

**Evaluation:** The proposed reclassification to the I-3 District is consistent with the Industrial (IND) land use designation for this area.

**I-2: Location**

*Because of their potential environmental impacts, Industrial uses should generally be located away from population centers or must be adequately buffered. Traffic generated by industrial uses should not pass-through residential areas. Sites should have access to one or more major arterials or highways capable of handling heavy truck traffic. Railroad access is also beneficial to certain types of heavy industrial uses. Light industrial uses can typically be located in areas that also contain some highway-oriented commercial uses, and might benefit from close proximity and better access to their local customer base.*

**Evaluation:** The subject property is part of an established heavy commercial/light industrial subdivision. The proposed reclassification is consistent with the IND designation of this area and established land use patterns.

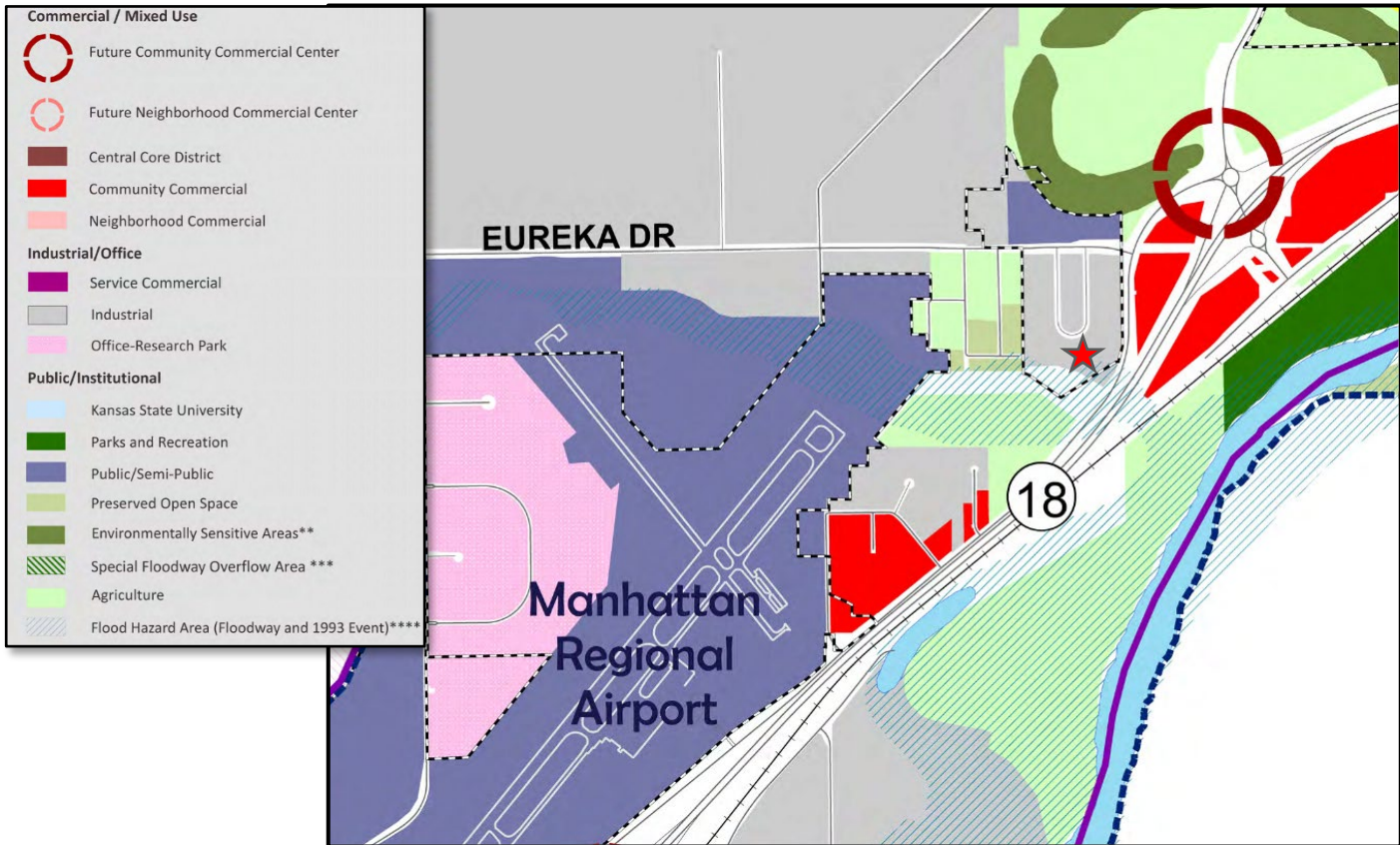


Figure 3. Future Land Use Map

### ***I-3: Screening***

*Screen storage, loading, and work operations from view along all industrial area boundaries (when adjacent to non-industrial uses) and along all public streets.*

**Evaluation:** Consistent with the screening policy of the IND land use designation, the I-3 District, as is being sought, contains a limitation that *“all operations, activities and storage shall be conducted inside a building, or buildings except that storage may be maintained outside the building, provided that it is enclosed by sight obscuring screening of not less than six (6) feet in height, and provided that it is not located within a required front, side or rear yard.”* Given the applicant’s intent to utilize the site for outdoor storage of equipment and supplies, a six (6) screen will be required to be erected around the perimeter of the site.

Eureka Valley – Highway K-18 Corridor Plan: Based on expansion of the Manhattan Regional Airport and the new alignment of Highway K-18, a corridor plan was envisioned to address anticipated growth of the Eureka Valley area. A component of the Corridor Plan is a Future Land Use Map that identifies recommended land use designations throughout the plan area. The Future Land Use Map of the Corridor Plan similarly designates Industrial land use extending west of Highway K-18 along Eureka Drive. The Corridor Plan indicates *“these areas are intended to address the anticipated long term need for a broad range of industrial uses and sites, including: manufacturing and business parks, and light industry; industrial services that could be generated by the presence of Fort Riley; as well as research facilities and specialized service activities that could be generated by the proximity of Kansas State University and the future National Bio and Agro Defense Facility (NBAF).*

8. **The Zoning History of the Subject Property and the Length of Time it has Remained Vacant as Zoned.** The subject property is part of a 53-acre island annexation that was approved by the City Commission on May 2, 2006 with the adoption of Ord. No. 6537. In conjunction with the annexation, the City Commission adopted Ord. No. 6538 rezoning the 53-acre tract into the C-6, I-2 and I-3 Districts. On September 5, 2006, the City Commission accepted public dedications appearing on the Final Plat of Eureka Addition dividing the 53-acre tract into 32-lots. On February 17, 2010, Lots 8-11 were replatted as Lots 33-36, Eureka Addition, Unit Two. The replat was the proposed as a result of additional right-of-way being acquired by KDOT in conjunction with the new alignment of Highway K-18. The subject property exists as Lot 35, Eureka Addition, Unit Two and is currently undeveloped. Prior to its annexation and rezoning, the 53-acre tract of land existed as a farm field zoned the G-1, General Agricultural District and N-1, Airport Noise Hazard District in the County.
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.

*Evaluation:* The I-3, Light Industrial District, as sought by the applicant, is consistent and compatible with the established pattern of zoning and land use encompassing the subject property. The proposed reclassification will not compromise the use and integrity of neighboring property for heavy commercial and light industrial land use. Accordingly, the proposed reclassification is consistent with the intent and purpose of these regulations.

*Attachment No. 1*

10. **The 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.** As noted above, the proposed reclassification is consistent with the established pattern of development and the projected land use of the Manhattan Urban Area Comprehensive Plan and the Eureka Valley – Highway K-18 Corridor Plan.

*Evaluation:* There would be no public gain to health, safety, and welfare by denying this request compared to the hardship to the applicant by its denial.

11. **Whether Adequate Sewer and Water Facilities, Streets, and other Needed Public Services exist, or can be Provided, or Serve the Uses that would be Permitted by the Proposed Zoning District.** The lot has available public sewer and water facilities, streets and other needed public services.

*Evaluation:* Public services are presently available and adequate to serve the property.

12. **Such Additional Matters as may Apply in Individual Circumstances.** This request is located within the Land Use Planning Zone (LUPZ) identified in the 2017 Flint Hills/Fort Riley Joint Land Use Study (JLUS) and therefore, the City contacted Fort Riley for its review and comment, as per the Memorandum of Understanding (MOU) adopted in 2015. Fort Riley indicated that noise sensitive land uses are generally acceptable within the LUPZ; however, communities and individuals have different views regarding what level of noise is acceptable or desirable.

To address this issue and the need for noise disclosure to contractors, realtors and buyers, Riley County, Ogden, Riley and Manhattan adopted a Notice of Potential Noise Impact (NOPNI) process in late 2019. The NOPNI provides disclosure of potential noise impacts from Fort Riley and directs the public to where they can find information on how to mitigate this noise, if they so choose, through use of the voluntary Noise Attenuation Construction Guidelines. In August 2020, the Riley County Register of Deeds Office filed the NOPNI on all properties located within the identified Fort Riley Noise Disclosure Boundary, stipulating that the notice will appear with the legal descriptions of unplatted tracts, platted lots, and on any subsequent new subdivision plats that may occur in the future within the notification area. This process does not rely on a seller or realtor to provide notice and will automatically appear through the title search. The notice recommends that when undertaking new construction, building additions, or remodeling of a structure located within the area of notice, that noise attenuation construction methods be

*Attachment No. 1*

considered, to reduce potential noise impacts on the occupants. In addition, the City requires a similar notice be placed on all subdivision plats and building permits for properties located within the notification area.

*Evaluation:* Fort Riley has been notified of this request and expressed no opposition in accordance with compliance with the Noise of Potential Noise Impact requirements.

**12. The Recommendations of Permanent or Professional Staff**

City administration recommends approval of the proposed rezoning from C-6/AO, Heavy Commercial District with Airport Overlay to I-3/AO, Light Industrial District with Airport Overlay.

*Staff Conclusion:* The proposed reclassification is consistent with the established pattern of development and, therefore, no detrimental off-site impacts are anticipated. Further, the proposed reclassification is consistent with the Future Land Use designation of this area for Industrial land use.

**ALTERNATIVES**

The MUAPB has the following alternatives concerning the **rezoning**. The Board may:

1. Recommend **approval** of the rezoning based on finding that it is suitable when measured against Section 15-403 of the Zoning Regulations.
2. Recommend **denial** of the rezoning based on finding that it is not suitable when measured against Section 15-403 of the Zoning Regulations.
3. **Table** a recommendation on the rezoning to a specific date, indicating the reasons for tabling.

**RECOMMENDATION**

City Administration recommends **approval** of the request to rezone Lot 35, Eureka Addition, Unit Two, from C-6/AO, Heavy Commercial District with Airport Overlay to I-3/AO, Light Industrial District with Airport Overlay, based on the findings in this staff report.



*Attachment No. 1*

## **POSSIBLE MOTIONS**

Recommend **approval** of the request to rezone Lot 35, Eureka Addition, Unit Two, from C-6/AO, Heavy Commercial District with Airport Overlay to I-3/AO, Light Industrial District with Airport Overlay, based on the findings in the staff report.

**Dated:** April 19, 2021

**Attachments:** Application Packet