



***MINUTES  
CITY COMMISSION MEETING  
TUESDAY, DECEMBER 6, 2011  
7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor James E. Sherow and Commissioners Loren J. Pepperd, Wynn Butler, and Richard B. Jankovich were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, Assistant City Manager Lauren Palmer, Assistant City Attorney Katie Jackson, City Clerk Gary S. Fees, 8 staff, and approximately 17 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Sherow led the Commission in the Pledge of Allegiance.

**MAYOR'S COMMUNITY SERVICE AWARDS**

Mayor Sherow recognized Lynn Blecha and Cathy Harmes, Director of Human Resources, City of Manhattan, recipients of the Mayor's Community Service Award.

**PROCLAMATION**

Mayor Sherow proclaimed November 2, 2011, through December 16, 2011, ***Fort Riley Operation Santa Claus Month***. Bill Shea, Association of the United State Army (AUSA) Project Officer, Operation Santa Claus, and Sergeant Johnson, Fort Riley Operation Santa Claus, were present to receive the proclamation.

**PUBLIC COMMENTS**

Mayor Sherow opened the public comments.

Hearing no comments, Mayor Sherow closed the public comments.

## COMMISSIONER COMMENTS

Commissioner Pepperd thanked everyone involved for a great Mayor's Spirit of the Holidays Lighted Parade and Tree Lighting Ceremony. He also congratulated the Kansas State University football team on being selected to play in the Cotton Bowl and the volleyball team for their victory over the University of Nebraska at Lincoln.

Mayor Sherow voiced his appreciation for a successful Mayor's Spirit of the Holidays Lighted Parade and Tree Lighting Ceremony. He thanked Maribeth Kieffer, Executive Director, Flint Hills Breadbasket, and community members for their efforts with the Holiday Food and Fund Drive. He also reminded citizens that the City Commission would not be conducting meetings on December 13, 2011; December 27, 2011; and January 3, 2012. He stated that the City Commission Legislative meeting dates would be on January 10, 2012, and January 24, 2012, and Work Session meeting dates would be on January 17, 2012, and January 31, 2012. He then provided an overview of items mentioned during the Discussion/Briefing Session held prior to the City Commission Legislative Meeting. The Commission updated calendar items; discussed items for the Joint City/Riley County/Pottawatomie County meeting; received an update on the bridge piers; received an update on the Community Gardens; received an update on the Aggieville Business Association meeting discussing the Fake Patty's Day event; received an update on the City's website redesign with a targeted launch date of January 12, 2012; and discussed upcoming meetings for a Legislative breakfast at a date to be determined, the Chambers' Leaders Retreat scheduled for January 13-14, 2012, in Overland Park, and invitations to attend the Douglass Center Open House on December 8, 2011, and the Transportation Security Administration (TSA) 9-11 Commemoration Memorial Ceremony at the Manhattan Regional Airport on December 15, 2011.

Commissioner Jankovich informed the community that the Wildcat Creek Watershed Working Group would not be meeting in December. Its next meeting would be on January 12, 2012. He stated that the Working Group is working on potential recommendations that will come forward to the respective City and Riley County Commissions at a later time.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, November 15, 2011.

\* **CLAIMS REGISTER NO. 2685**

Bernie Hayen, Director of Finance, responded to questions regarding the item for Kansas One Call in the Claims Register.

## CONSENT AGENDA (CONTINUED)

\* **CLAIMS REGISTER NO. 2685 (CONTINUED)**

Ron Fehr, City Manager, provided additional information regarding the Kansas One Call system.

The Commission approved Claims Register No. 2685 authorizing and approving the payment of claims from November 9, 2011, to November 29, 2011, in the amount of \$8,547,920.53.

### **LICENSES**

The Commission approved a *Merchant Guard Agency* License for the calendar year 2012 for VendTech Enterprise, LLC, 260 North Rock Road, Suite 218, Wichita, Kansas; *Tree Maintenance* Licenses for the calendar year 2012 for Asplundh Tree Expert Co., 2901 Princeton Place; Salina Tree, Inc., 2681 West State Street Road, Salina, Kansas; Three Men, Tree Service, 225 Ridge Drive; 2 Big Feet Tree Pruning, 405 North 5<sup>th</sup> Street; a *Fireworks Display* License for Manhattan Festivals, LLC, 623 North Manhattan Avenue, for January 1, 2012 at midnight; and annual *Cereal Malt Beverage Off-Premises* Licenses for Dillons #15, 130 Sarber Lane; Dillons #46, 1000 Westloop Place; and Walgreens #7060, 325 Bluemont Avenue.

### **ORDINANCE NO. 6931 – KDHE LOAN AGREEMENT – KONZA WATER MAIN EXTENSION (WA 1006)**

The Commission approved Ordinance No. 6931 authorizing the execution of a loan agreement between the City of Manhattan, Kansas, and the State of Kansas for the purpose of obtaining a loan from the Kansas Public Water Supply Loan Fund in order to finance the Konza Water Main Extension Project and authorized construction of the project using proceeds of the loan upon adoption of the ordinance.

\* **RESOLUTION NO. 120611-A – LEE MILL HEIGHTS, UNIT SEVEN - STREET IMPROVEMENTS (ST1110)**

The Commission found the petition sufficient and approved Resolution No. 120611-A finding the project advisable and authorizing construction for Lee Mill Heights, Unit Seven, street improvements (ST1110).

\* **RESOLUTION NO. 120611-B – LEE MILL HEIGHTS, UNIT SEVEN – SANITARY SEWER IMPROVEMENTS (SS1117)**

The Commission found the petition sufficient and approved Resolution No. 120611-B finding the project advisable and authorizing construction for Lee Mill Heights, Unit Seven, sanitary sewer improvements (SS1117).

## CONSENT AGENDA (CONTINUED)

\* **RESOLUTION NO. 120611-C – LEE MILL HEIGHTS, UNIT SEVEN – WATER IMPROVEMENTS (WA1112)**

The Commission found the petition sufficient and approved Resolution No. 120611-C, finding the project advisable and authorizing construction for Lee Mill Heights, Unit Seven, water improvements (WA1112).

\* **AGREEMENT – ENGINEERING SERVICES – LEE MILL HEIGHTS, UNIT SEVEN, IMPROVEMENTS (ST1110, SS1117, WA1112)**

The Commission authorized the Mayor and City Clerk to execute an agreement with Schwab Eaton, PA, of Manhattan, Kansas, to perform professional services for Lee Mill Heights, Unit Seven, street (ST1110), sanitary sewer (SS1117), and water (WA1112) improvements.

**AWARD CONTRACT – SHUSS ROAD STREET IMPROVEMENT (ST1111)**

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$693,572.00 and awarded a construction contract in the amount of \$475,477.90 to Middlecreek Corporation, of Peabody, Kansas, for the Shuss Road Street (ST1111) Improvements.

**AWARD CONTRACT – 2012-2013 UTILITY CUT STREET REPAIRS (WA1115, SS1120)**

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$352,439.00 and awarded a contract in the amount of \$314,990.00 to Manhattan Trenching, Inc., of Manhattan, Kansas, for the 2012-2013 Utility Cut Street Repairs project (WA1115, SS1120).

**REQUEST FOR QUALIFICATIONS – 2012-2017 AIRPORT CONSULTANT**

The Commission authorized City Administration to issue a Request for Qualifications for architectural, engineering, and planning services for the Manhattan Regional Airport improvement projects programmed between 2012 and 2017 and appointed Commissioner Jankovich to serve on the Selection Committee.

\* **APPROVE – CICO PARK SHADE/SHELTER**

Curt Loupe, Director of Parks and Recreation, provided an overview of the item.

## CONSENT AGENDA (CONTINUED)

\* **APPROVE – CICO PARK SHADE/SHELTER (CONTINUED)**

The Commission approved the shade/shelter project at CiCo as recommended by the Parks and Recreation Advisory Board and allocated Community Park Matching Funds, approximately \$5,000.00, from the 2012 Special Parks and Recreation budget to match the private dollars raised for this project by the Friends of Brett Bolton.

**BOARD APPOINTMENT**

The Commission approved the re-appointment of Connie Hamilton, 120 Longview Drive, to a three-year term on the Board of Zoning Appeals. Ms. Hamilton's term will begin January 1, 2012, and will expire December 31, 2014.

After discussion, Commissioner Jankovich moved to approve the consent agenda, as read. Commissioner Pepperd seconded the motion. On a roll call vote, motion carried 4-0.

## GENERAL AGENDA

**FIRST READING – REZONE - PART OF LOT 10, ROCKHILL ESTATES ADDITION, FROM R, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO C-1, RESTRICTED BUSINESS DISTRICT**

Eric Cattell, Assistant Director for Planning, presented the item. He then responded to questions from the Commission regarding comments from the Manhattan Urban Area Planning Board and presented an aerial view of the site.

After discussion, Commissioner Jankovich moved to approve first reading of an ordinance rezoning a 0.7 acre portion of Lot 10, Rockhill Estates Addition, generally located in the rear yard of 2035 Rockhill Road, from R, Single-Family Residential District, to C-1, Restricted Business District, based on the findings in the Staff Report (*See Attachment No. 1*). Commissioner Pepperd seconded the motion. On a roll call vote, motion carried 4-0.

**PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - 2011 SECOND PROGRAM YEAR ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT**

Shelley Carver, Grant Administrator, presented an overview of the CDBG 2011 Substantial Amendment. She stated that funds are provided to the City through the U.S. Department of Housing and Urban Development Community Development Block Grant and cover all costs related to the Program. She then responded to questions from the Commission regarding the revised distribution funding amounts for the Manhattan Emergency Shelter and Sunflower CASA, and, provided additional information on the Housing Rehabilitation Program.

## GENERAL AGENDA (CONTINUED)

### PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - 2011 SECOND PROGRAM YEAR ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT (CONTINUED)

Mayor Sherow opened the public hearing.

Hearing no comments, Mayor Sherow closed the public hearing.

### COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) - 2011 SECOND PROGRAM YEAR ANNUAL ACTION PLAN SUBSTANTIAL AMENDMENT

After discussion, Commissioner Jankovich moved to approve the CDBG 2011 Second Program Year substantial amendment to delete the Parks and Recreation Scholarship project and to redistribute the funding to the remaining two Public Services projects. Commissioner Pepperd seconded the motion. On a roll call vote, motion carried 4-0.

### DISCUSSION ITEM: USE OF REMAINING ECONOMIC DEVELOPMENT FUNDS

Lauren Palmer, Assistant City Manager, provided an update on the economic development goals, status of the Economic Development Funds, recent changes to the Fund forecast and assumptions, and discussed items not included in the projections. She provided the recommendations from City Administration to include: preserve the remaining economic development funds for pending economic development prospects; do not commit the remaining funds for alternative projects until the outcome of the August 2012 sales tax renewal election is known; and, as part of the 2013 Budget process, establish and promote a strategy for use of new sales tax funds if the election is successful. She then responded to questions from the Commission.

Ron Fehr, City Manager, provided additional information on the proposed Poyntz Avenue improvements, timing of the project, and financing considerations. He then responded to questions from the Commission regarding a potential new air service and possible funding needed from the State to attract the service, the Downtown Fund, the proposed economic development application with Prathista International. He informed the Commission that the original purpose of the half-cent sales tax was to bring in and to expand companies within the community to create jobs.

Lauren Palmer, Assistant City Manager, informed the Commission that the Prathista International item is scheduled to be on the City Commission agenda December 20, 2011. She said the company will provide additional information and respond to questions from the Commission at that time.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION ITEM: USE OF REMAINING ECONOMIC DEVELOPMENT FUNDS (CONTINUED)

Ron Fehr, City Manager, provided additional information on the Prathista International economic development application and responded to questions from the Commission.

Lauren Palmer, Assistant City Manager, presented an overview of the Economic Development Summary for the 2002 – 2012 Roads and Jobs Sales Tax revenues, expenses, and cash balances.

After discussion of the Commission, Ron Fehr, City Manager, responded to questions from the Commission regarding the City debt; items that have been bonded, the repayment schedule, and funding source paying the debt; City-owned properties; proposed renovation of the former National Guard Armory building at the Manhattan Regional Airport; and revenue streams and potential repayment for the Economic Development Fund.

Lyle Butler, President, Manhattan Area Chamber of Commerce, provided additional information on the process for Prathista International. He informed the Commission that it may take 18 months to two years when working with an economic development prospect. He asked that the Commission look at the merits of Prathista International and other economic development prospects. However, if the Commission has decided to change direction with the use of economic development funds, then make the decision before meeting with representatives of Prathista International a second time. He then informed the Commission that the Chamber supports the Poyntz Avenue improvements project; however, the use of economic development dollars should be used for job creation. He encouraged the Commission to work to get the existing sales tax renewal passed and stated that successful passage of the renewal is important for the continued health and growth of the community. Finally, he provided an update on the two empty buildings in the Corporate Technology Park and the opportunity to improve the investment of a City building at the Airport.

Neil Horton, Past Chair, Manhattan Area Chamber of Commerce Board of Directors, informed the Commission that the Poyntz Avenue improvements are important and should occur, but should not be confused with economic development. He asked the Commission to follow through on the process and expectation with the current economic development prospect. He stated that there have been many positives with the use of public dollars to leverage private funds. He provided an update on Advantage Manhattan and asked the Commission to work with Riley County and to move forward with the existing half-cent sales tax renewal initiative with the public.

## GENERAL AGENDA (CONTINUED)

### DISCUSSION ITEM: USE OF REMAINING ECONOMIC DEVELOPMENT FUNDS (CONTINUED)

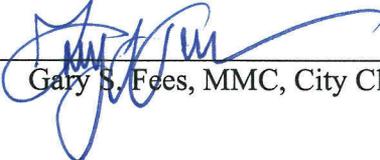
Fred Willich, Chair, Manhattan Area Chamber of Commerce Board of Directors, voiced support for the Poyntz Avenue infrastructure improvements, but stated that this project is a maintenance issue and is not part of economic development and job creation. He stated that it is in the best interest of the community to renew the half-cent sales tax and asked that the Commission work harder with Riley County officials to ensure the successful passage of the sales tax. He encouraged the Commission to continue the process with Prathista International.

Ron Fehr, City Manager, and Jason Hilgers, Assistant City Manager, provided additional information on the item and responded to questions from the Commission regarding fund balances, revenue projections, and commitment of future revenues.

After additional discussion and comments from the Commission, there was a consensus to have Prathista International representative's present additional information for City Commission consideration and respond to questions regarding the proposed economic development application and agreement at the December 20, 2011, City Commission Meeting, and to review alternate funding options and considerations for the proposed Poyntz Avenue improvements.

### ADJOURNMENT

At 9:15 p.m., the Commission adjourned.

  
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Gary S. Fees, MMC, City Clerk

## **STAFF REPORT**

### **ON AN APPLICATION TO REZONE PROPERTY**

**FROM:** R, Single-Family Residential District.

**TO:** C-1, Restricted Business District.

**APPLICANT/ OWNERS:** Steve R. and Mary K. Springer.

**ADDRESS:** 281 Johnson Road, Manhattan, KS.

**LOCATION:** Generally located at 2035 Rockhill Road, which is located at the end of the Rockhill Road cul-de-sac.

**AREA:** 30,491 square feet (.70 acres).

**DATE OF PUBLIC NOTICE PUBLICATION:** October 31, 2011.

**DATE OF PUBLIC HEARING: PLANNING BOARD:** November 21, 2011.

**CITY COMMISSION:** December 6, 2011.

### **THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING**

- 1. EXISTING USE:** Single-family home.
- 2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The area to be rezoned is a portion of the rear yard of the single-family lot. The single-family lot is approximately 61,337 square feet (1.40 acres). The portion to be rezoned is 30,491 square foot area (.70 acres) and consists mostly of a heavily wooded, steep slope. The area proposed to be rezoned will be combined with an adjacent C-1 commercial lot to the west (existing Lot 2, Rockhill Estates, Unit Four) to be known as Lot 1 of the Final Plat of Rockhill Estates Addition, Unit Five. As stated by the applicant, the initial development plan for the C-1 District lot is to sell the land to the adjacent property owner to the south to create one (1) large zoning lot. No proposal for future development of this zoning lot has been provided.

### **3. SURROUNDING LAND USE AND ZONING:**

**NORTH:** Mostly single-family homes. Some two-family dwellings are present; R, Single-Family Residential District.

**SOUTH:** vacant lot, landscaping business office, Ft. Riley Boulevard, a state highway with varying width of road right-of-way, a variety of office and highway service commercial uses; C-1, Restricted Business District, and C-5, Highway Service Commercial District.

**EAST:** Mostly single-family homes. Some two-family dwellings are present; R District and R-1 Single-Family Residential District.

**WEST:** Westwood Road, a two-lane collector street, multiple-family apartment building, the Westwood Motel, single-family, two-family and four-family dwellings; 2104 Elm Lane PUD, Residential Planned Unit Development; R District, C-5 District, and R-2, Two-Family Residential District.

**4. GENERAL NEIGHBORHOOD CHARACTER:** The general character is a mix of single-family, two-family, and multiple-family residential uses, and business and commercial uses. The area generally to the north, east and west consists of residential uses. The majority of the uses in this area are single-family homes, most of which are owner occupied. There are a number of two-family dwellings in the area that are nonconforming to the uses permitted in R District and R-1 District. To the south along Ft. Riley Boulevard are highway service commercial uses. A vacant commercial business lot and lot with a landscape business office are located at the northeast corner of Westwood Drive and Ft. Riley Boulevard. Both of these existing lots are zoned C-1 District. The area of the subject site being rezoned is proposed to be replatted with the vacant commercial business land to the west to create Lot 1, Rockhill Estates, Unit Five. To the south of Ft. Riley Boulevard are a variety of highway service commercial businesses.

**5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The area proposed to be rezoned is currently zoned R, Single-Family Residential District. The wooded, steep sloped area is the rear yard of the single-family house at the terminus of Rockhill Road cul-de-sac. The area to be rezoned is suitable for the existing R, Single-Family Residential District.

**6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The C-1, Restricted Business District is designed to provide for non-retail commercial, and business and professional activities adjacent to arterial and collector streets. The district is intended to be compatible with adjacent residential districts.

The proposed rezoning would combine the area with the existing Lot 2, Rockhill Estates Addition, Unit Four through the proposed Final Plat of Rockhill Estate Addition, Unit Five, to be considered concurrently by the Manhattan Urban Area Planning Board. The initial development plan for the proposed Lot 2 is to sell the land to the adjacent property owner to the south, existing Lot 1 Rockhill Estates Addition, Unit Four to create one (1) large zoning lot. No proposal for future development of this zoning lot has been provided. Access would be provided off of Westwood Road, a collector street. No access will be provided off of Ft. Riley Boulevard. Because of the layout of the proposed Final Plat, no access to the commercial property would be provided from Rockhill Road.

An increase in noise, light and traffic is anticipated with the rezoning of the subject site from a residential to commercial district. The properties to the north of the subject site are residential homes with large rear lots comprised of steep slopes and dense wooded areas. Considering the terrain of the area and the use limitations of the C-1 District, which are intended to limit the commercial use's impacts on adjacent residential properties (*see attached C-1 District regulations*), the proposed rezoning from R, Single-Family Residential District to C-1, Restricted Business District is compatible with nearby properties.

**7. CONFORMANCE WITH COMPREHENSIVE PLAN: THE FUTURE LAND USE MAP FOR THE SOUTHWEST PLANNING AREA DESIGNATES THE SITE AS RESIDENTIAL LOW/MEDIUM DENSITY (RLM). THE RLM CATEGORY POLICIES INCLUDE THE FOLLOWING:**

***RESIDENTIAL LOW/MEDIUM DENSITY (RLM)***

***RLM 1: Characteristics***

*The Residential Low/Medium Density designation incorporates a range of single-family, single-family attached, duplex, and town homes, and in appropriate cases include complementary neighborhood-scale supporting land uses, such as retail, service commercial, and office uses in a planned neighborhood setting, provided they conform with the policies on Neighborhood Commercial Centers. Small-scale multiple-family buildings and condominiums may be permissible as part of a planned unit development, or special mixed-use district, provided open space requirements are adequate to stay within desired densities.*

***RLM 2: Appropriate Density Range***

*Densities in the Residential Low/Medium designation range between less than one dwelling unit/acre up to 11 dwelling units per net acre.*

***RLM 3: Location***

*Residential Low/Medium Density neighborhoods typically should be located where they have convenient access and are within walking distance to community facilities and services that will be needed by residents of the neighborhood, including schools, shopping areas, and other community facilities. Where topographically feasible, neighborhoods should be bounded by major streets (arterials and/or collectors) with a direct connection to work, shopping and leisure activities.*

***RLM 4: Variety of Housing Styles***

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

The portion of the single-family lot that is being rezoned to C-1 District will be combined with Lot 2, Rockhill Estates Addition, Unit Four. This lot is currently vacant. The policies of the Land Use and Growth Management Chapter of the Comprehensive Plan on Infill and Redevelopment apply to this proposal.

***GM 9: Infill and Redevelopment***

*Infill and redevelopment within established areas of the City is generally encouraged where deteriorated or obsolete structures have become detrimental to an area, where new uses can be accommodated on vacant properties, and in areas that have been specifically identified for redevelopment. Projects may range in size from a single residential lot to the redevelopment of multiple contiguous blocks within a neighborhood or commercial area. Regardless of its scale, infill and redevelopment shall be designed in a manner that is sensitive to and reflects the character of the surrounding area. Important design considerations include building scale, mass, roof form, height, and orientation, parking location, lot coverage, architectural character, and landscape elements. These design considerations are particularly important when infill or redevelopment occurs within or adjacent to an established residential neighborhood, or when a change in use or intensity would otherwise negatively impact the established character of the surrounding area. For additional policies related to infill and redevelopment, refer to the Land Use Policies below and to Chapter 9, Housing and Neighborhoods.*

*Attachment No. 1*

The C-1, Restricted Business District, limits the permitted and conditional use to generally non-retail, professional business offices. The Land Use and Growth Management chapter of the Comprehensive Plan provides the following policies regarding the Office/Research Park (OFF/RP) category, which most closely matches the proposed C-1 District:

***OR 1: Characteristics***

*The Office/Research Park land use designation is intended to provide concentrated areas of high quality employment facilities, such as corporate office headquarters, research and development, and educational facilities in a planned, “campus-like” setting. Office/Research Park developments may be incorporated into a master planned neighborhood, or located in close proximity to residential areas. Activities within an employment area typically take place indoors, and outdoor storage or other more industrial types of uses are typically not permitted. Some specialized research parks may include limited prototype production, such as in the K-State Research Park. This category may also include smaller office complexes consisting of a single building or several buildings that are not located within a typical office park setting. These smaller office complexes shall meet the intent of the policies within this section, to the extent that they apply (i.e., Policy OR5 will not apply to single-building facilities). The Poyntz Avenue Corridor, located between 17th Street and Juliette Avenue, is another designated office district with some unique characteristics and issues that are addressed more specifically in the adopted Poyntz Avenue Corridor District Plan.*

***OR 2: Location***

*Office/Research Park facilities should have direct access to existing or planned arterial and collector streets and should not rely on local or residential streets for access.*

***OR 3: Site Layout and Design***

*Office/Research Park developments should be organized in a planned, “campus-like” setting that is heavily landscaped. Each development will vary based on site configuration and topographical or other constraints; however, in a “campus-like” setting, buildings should typically be arranged to form outdoor gathering spaces.*

***OR 5: Unified Architectural Character***

*Buildings within an Office/Research Park setting should have a unified architectural character achieved through the use of similar elements, such as rooflines, materials, colors, signage, landscaping and screening and other architectural and site layout details.*

**OR 6: Common Areas**

*Plazas and other common outdoor gathering spaces should be provided as part of the “campus” environment. Each development will vary based on site configuration and topographical or other constraints; however, in a “campus-like” setting, buildings should typically be arranged to form outdoor gathering spaces, such as quads, courtyards, patios, or seating areas for employees and visitors.*

**OR 7: Circulation and Access**

*Building entrances, outdoor gathering spaces, and parking areas shall be linked with clear, direct pedestrian walkways.*

**OR 8: Outdoor Storage**

*The functions of an Office/Research Park facility should generally be completely contained within buildings. Accessory outdoor storage facilities typically should be of a limited nature and completely screened.*

The proposed rezoning generally conforms to the Comprehensive Plan.

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

September 21, 1965	<b>CITY COMMISSION ACCEPTS EASEMENTS AND RIGHTS-OF-WAY AS SHOWN ON THE FINAL PLAT OF ROCKHILL ESTATE ADDITION.</b>
<b>1965 – 1969</b>	<b>“A” SINGLE AND TWO FAMILY DWELLING</b>
<b>1969 – PRESENT</b>	<b>R, SINGLE-FAMILY RESIDENTIAL DISTRICT</b>

**9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:**

The intent and purpose of the Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values. The C-1, Restricted Business District is designed to provide for non-retail commercial, and business and professional activities adjacent to arterial and collector streets. This district is intended to be compatible with adjacent residential districts.

*Attachment No. 1*

The area to be rezoned is proposed to be replatted with Lot 2, Rockhill Estates Addition, Unit Four, which is zoned C-1 District, to create one (1) lot that will gain access off of Westwood Road. The proposed Lot 1, Rockhill Estates Addition, Unit Five, will be 45,561 square feet (1.05 acres) in area. If the Final Plat is approved, the proposed rezoning of the entire subject area will be consistent with the intent and purpose of the C-1 District.

**10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT:** There appears to be no relative gain to the public that denial would accomplish compared to the hardship to the applicant.

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

**12. OTHER APPLICABLE FACTORS:** The applicant is proposing the Final Plat of Rockhill Estates Addition, Unit Five, to enlarge the lot and the C-1, Restricted Business District. Approval of the Final Plat will be considered concurrently with the approval of the proposed rezoning. The Final Plat is conditioned on approval of the rezoning.

**13. STAFF COMMENTS:** City Administration recommends approval of the proposed rezoning of a 30,491 square foot portion of Lot 10, Rockhill Estates Addition, from R, Single-Family Residential District, to C-1, Restricted Business District, based on the findings in the Staff Report.

**ALTERNATIVES:**

1. Recommend approval of the proposed rezoning of a 30,491 square foot portion of Lot 10, Rockhill Estates Addition, from R, Single-Family Residential District, to C-1, Restricted Business District, stating the basis for such recommendation.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
3. Table the proposed rezoning to a specific date, for specifically stated reasons.

**POSSIBLE MOTION:**

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of a 30,491 square foot portion of Lot 10, Rockhill Estates Addition, from R, Single-Family Residential District, to C-1, Restricted Business District, based on the findings in the Staff Report.

**PREPARED BY:** Chad Bunger, AICP, CFM, Planner II

**DATE:** November 16, 2011