

MINUTES
CITY COMMISSION MEETING
TUESDAY, OCTOBER 19, 2004
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Brad Everett and Commissioners Ed Klimek, Bruce Snead, Mark Hatesohl, and Mark Taussig were present. Also present were the Director of Finance Bernie Hayen, City Attorney Bill Frost, City Clerk Gary S. Fees, 9 staff, and approximately 20 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Everett led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Everett proclaimed October 2004, ***Breast Cancer Awareness Month***. Janet Kiser and Kay Farley, Facilitators, Breast Cancer Support Group, were present to receive the proclamation.

COMMISSIONER COMMENTS

There were no comments from the Commission.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, October 5, 2004.

CLAIMS REGISTER NO. 2515

The Commission approved Claims Register No. 2515 authorizing and approving the payment of claims from September 29, 2004, to October 12, 2004, in the amount of \$965,409.56.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 6432 – LEVY BUSINESS IMPROVEMENT SERVICE FEES – AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT

The Commission approved Ordinance No. 6432 levying Business Improvement Service Fees, for the year 2005, on businesses located within the Aggieville Business Improvement District.

ORDINANCE NO. 6433 – LEVY BUSINESS IMPROVEMENT SERVICE FEES – DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

The Commission approved Ordinance No. 6433 levying Business Improvement Service Fees, for the year 2005, on businesses located within the Downtown Business Improvement District.

ORDINANCE NO. 6434 – NO PARKING – WILDWOOD LANE

The Commission approved Ordinance No. 6434 establishing a “No Parking” zone on both sides of Wildwood Lane.

CHANGE ORDER NO. 1-FINAL – DENISON AVENUE SIDEWALK PROJECT (SW0301)

The Commission approved Change Order No. 1-Final for The Denison Avenue Sidewalk Project (SW0301) resulting in a net increase in the amount of \$8,626.50 (+11.94%) to the contract with Larson Construction Company, Inc., of Manhattan, Kansas.

CHANGE ORDER NO. 1-FINAL – 2004 STREET MAINTENANCE PROJECT, PHASE II (ST0408)

The Commission approved Change Order No. 1-Final for The 2004 Street Maintenance Project, Phase II, (ST0408) resulting in net increase in the amount of \$10,284.50 (+6.04%) to the contract with Ritchie Paving Inc., of Manhattan, Kansas.

AWARD CONTRACT - REHABILITATION OF WELLHOUSES

The Commission accepted the Engineer’s Estimate in the amount of \$58,500.00 and awarded a construction contract in the amount of \$27,562.00 to DJ Carpenter Building Systems, Inc., of Manhattan, Kansas.

AWARD CONTRACT – SALT SPREADERS

The Commission awarded the purchase of two salt spreaders to Knapheide, of Kansas City, Missouri, with a net bid of \$15,802.00 to replace two existing salt spreaders.

CONSENT AGENDA (CONTINUED)

RELEASE OF RESTRICTIVE COVENANT – FAMOUS DAVES

The Commission authorized the Mayor to execute the Release of Restrictive Covenant, pertaining to Lot 1A, Seth Child Commons, Unit Two, City of Manhattan, Riley County, Kansas.

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

GENERAL AGENDA

FIRST READING – REZONE - PROPOSED CAMPUS BRIDGE LOFTS

Eric Cattell, Assistant Director for Planning, presented the item and answered questions from the Commission.

Andrew Suber, applicant, 15264 254th Street, Lawrence, Kansas, provided additional information to the Commission. He then answered questions from the Commission.

Kate Watson, 2035 Rockhill Circle, asked the Commission to send the item back to the Manhattan Urban Area Planning Board to further examine the scale and design of the project.

Brett Esry, 407 Ehlers Road, informed the Commission that he was concerned with the height of the building in the proposed area.

Ruth Schrum, 720 Midland Avenue, spoke in opposition to the development and was concerned with the architecture, size of building, and lack of parking spaces.

Greg Hastings, 3200 Willowood Circle; Stan Hoerman, 1000 North Manhattan Avenue; and Harry Ketchner, adjacent property owner, spoke in support of the project.

Andrew Suber, applicant; 15264 254th Street; Vic Olson, 2208 Browning Avenue; and Stan Hoerman, 1000 North Manhattan Avenue, answered additional questions from the Commission.

GENERAL AGENDA (CONTINUED)

FIRST READING – REZONE - PROPOSED CAMPUS BRIDGE LOFTS

Ruth Schrum, 720 Midland, expressed her concern for parking in the area.

After discussion, Commissioner Hatesohl moved to approve first reading of an ordinance rezoning the proposed Campus Bridge Lofts, located generally at the southeast corner of North Manhattan Avenue and Vattier Street, from R-M, Four-Family Residential District, and UO, University Overlay District, to PUD, Residential Planned Unit Development District, based on the findings in the Staff Report, with the ten (10) conditions as recommended by the Manhattan Urban Area Planning Board. *(See Attachment No. 1)* Commissioner Snead seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – ADOPT - STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2004; AMEND - SECTIONS 4-3 AND 22-26 OF THE CODE OF ORDINANCES

Katie Jackson, Assistant City Attorney, presented the item. She then answered questions from the Commission.

After discussion, Commissioner Snead moved to approve first readings of ordinances incorporating the 2004 STO by reference, and amending the sections relating to theft and minor in possession in the Code of Ordinances. Mayor Everett seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - PROHIBITING ACCUMULATION OF DEBRIS ON PUBLIC PROPERTY

Jeff Hancock, City Engineer, presented the item and answered questions from the Commission.

Bill Frost, City Attorney, provided clarification on the item and answered questions from the Commission.

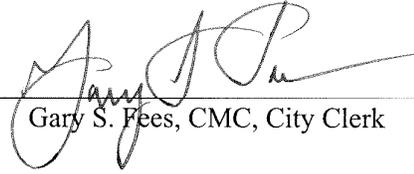
Chuck Williams, Director of Public Works; Jeff Hancock, City Engineer; and Bill Frost, City Attorney, answered questions from the Commission.

After discussion, Commissioner Snead moved to approve first reading of an ordinance prohibiting the obstruction of any street, alley, sidewalk, or public place. Commissioner Hatesohl seconded the motion. On a roll call vote, motion carried 5-0.

Commissioner Taussig asked that the minutes reflect that leaves naturally falling on the streets would not be considered an obstruction.

ADJOURNMENT

At 9:00 p.m. the Commission adjourned.



Gary S. Fees, CMC, City Clerk

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STAFF REPORT

APPLICATION TO REZONE PROPERTY TO PLANNED UNIT DEVELOPMENT DISTRICT

BACKGROUND

FROM: R-M, Four-Family Residential District, and UO, University Overlay District

TO: PUD, Residential Planned Unit Development District

OWNER/APPLICANT: Andrew H. Suber

ADDRESS: 15264 254th Street, Lawrence, KS 66044

DATE OF PUBLIC NOTICE PUBLICATION: Thursday, August 19, 2004

DATE OF PUBLIC HEARING: PLANNING BOARD: Thursday, September 9, 2004
CITY COMMISSION: Tuesday, October 5, 2004

LOCATION: generally located on the southeast corner of Vattier Street and N. Manhattan Avenue, more specifically 1217 Vattier Street, 822 N. Manhattan Avenue/1231 Vattier Street, and 812 and 820 N. Manhattan Avenue.

LEGAL DESCRIPTION: Lots 781-784, Ward 3

AREA: approximately 0.7 acres (30,376 square feet)

PROPOSED USES: Multiple-family residential proposed to consist of an eight (8)-story 26-dwelling unit apartment building.

In addition to the multiple-family use, the applicant has proposed the possibility of leasing roof top space on the building to providers of telecommunications facilities. The height of the building may be an opportunity for providers having capacity or overload problems in the area. Any antennas or equipment will need to be shielded from view or architecturally blended with the building to minimize its appearance. The method of architecturally integrating telecommunications facilities is commonly referred to as "stealth".

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Telecommunications facilities include any cables, wires, lines, wave guides, antennas and any other equipment or facilities, including buildings, shelters or cabinets that house telecommunications providers' equipment, associated with the transmission or reception of communications which a provider would locate or install on the apartment building.

Stealth telecommunications facilities include a method of designing, constructing, and/or locating any telecommunications facility to blend in with the character and environment of the area in which it is located, and to enhance compatibility with adjacent land uses by minimizing visual impacts by either: (1) being concealed and virtually invisible to the observer, such as an antenna located behind louvers or architectural screening on a building, or placed inside the building; or (2) camouflaged through design, placement and coloration to blend in with its surroundings, or integrated into architectural elements of the building, to such an extent that it is indistinguishable by the casual observer from the structure on which it is located or the surroundings in which it is placed, such as panel antennas that are colored and located to match the architecture of the building.

PROPOSED BUILDINGS AND STRUCTURES: The PUD is called Campus Bridge Lofts, but will more likely be commonly known as 820. N. Manhattan Avenue.

A single, eight (8) story, apartment building, which will be 86-feet in height to the peak of the roof. The building will be constructed of reinforced concrete, limestone veneers and standing seam metal roof. The building will be constructed with a middle entry stairwell and elevator, which will separate the living spaces.

The first (ground) floor is a parking level accessed from the alley. Floors two (2) through four (4) are proposed as the main living occupancy with an established floor plan consisting of 16 three (3)-bedroom dwellings, four (4) units per floor. Floors five (5) through (8) will be build-to-suit or the standard three (3)-bedroom unit. Floors five (5) through seven (7) will have four (4) units per floor and the eight (8th), or penthouse/roof level, will have two (2) units. Total bedroom count will not exceed 74-bedrooms, and may be less than 74-bedrooms. Typical floor areas are 1,160 square feet, with each unit having a balcony. Telecommunications facilities may also be located on the roof level or mounted to the exterior building facade.

The remainder of the site consists of an off-street parking lot, signage, landscaping, and, other improvements.

The applicant indicates a property manager, at an off-site office, will be responsible for all leasing and maintenance.

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Sited demolition is expected around May 2005, with construction completed by June 2006.

(For more specific information see application documents, site and building plans and elevations.)

PROPOSED LOT COVERAGE

<i>USE</i>	<u>Square Feet</u>	<u>Percentage</u>
Building	5,824	19%
Paving	18,703	62%
Landscaping	5,849	19%

PROPOSED SIGNS

<u>Type</u>	<u>Dimensions</u>	<u>Lighting</u>
One (1) ground sign	6-feet by 2.5-feet	Ground lit

The 15-square foot limestone ground sign will be placed on 1.5-foot steel posts and located parallel to N. Manhattan Avenue, adjacent to the front entrance sidewalk.

PROPOSED LIGHTING: The parking lot will be lit by a single 24-foot light pole, which will be shielded and downcast.

REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: landscaping is functional for the site consisting and consists primarily of perimeter low level shrubs and foundation plantings, with two on-site trees on the N. Manhattan Avenue frontage. A limestone knee-wall is proposed along the N. Manhattan Avenue frontage to mirror the limestone wall on the KSU campus to the west. Additional landscaping should be provided in parking lot entry islands, which were expanded, but not shown on the landscape plan. Three (3) street trees in the Vattier Street right-of-way are shown on the demolition plan. Two (2) are noted as remaining and to be protected by the contractor. One (1) will be removed for driveway access to the site. The applicant and City Forester should coordinate the preservation and replacement of the three 930 street trees.

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Additional landscaping should be provided in the area along Vattier Street to soften, or buffer, the large off-street parking lot.

2. SCREENING: Six (6) foot screening fence will be provided around the trash receptacle off the alley and along the eastern boundary of the proposed PUD's off-street parking lot. The garage level parking will be screened from N. Manhattan Avenue frontage by a building wall.

3. DRAINAGE: The site will be graded to drain to the streets and alley. The applicant's consultant, Kaw Valley Engineering, prepared a Storm Drainage Report, which has been reviewed and accepted by the City Engineer (memo attached). A slight increase in storm water runoff will occur as a result of the increase in impervious surface, with the increase considered insignificant.

4. CIRCULATION: Access is from two, two-way, parking lot drives, which intersect with Vattier Street, and from the alley, which connects to the east with N. 12th Street and to the west with N. Manhattan Avenue. The parking area under the building is accessed from the alley. Internal circulation provides for safe and efficient driving conditions. Vision sight triangles at the driveway intersections along Vattier Street are met, as well as along the alley, although vision triangles are not technically required at driveway alley intersections.

The applicant's consultant, Kaw Valley Engineering, prepared a Traffic Impact Analysis, which has been reviewed and accepted by the City Engineer (memo attached). Minimal impacts on the surrounding street network are expected. There is an expected increase of 3.0 seconds/vehicle at the stop sign controlled intersection of Vattier Street and N. Manhattan Avenue, and basically no change at the signalized intersection of Bluemont Avenue and N. Manhattan Avenue, as a result of the proposed development.

Sidewalk exists along abutting street frontages and a proposed sidewalk extends to the building's entrance off N. Manhattan Avenue.

Off-street parking is based on a ratio of one (1) parking space per bedroom. A maximum of 74- bedrooms is proposed and 75-parking spaces are proposed. Several of the parking spaces under the building are compact spaces, meaning they are shorter in depth than commonly provided. All parking will be managed and assigned to ensure the parking arrangement is functional. The proposed 75-parking spaces should be sufficient to serve the use. If the tenant occupancy were less than the maximum bedroom count, a surplus of spaces would be available for guests.

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Parking may include controlled access if it is determined to be necessary. Controlled access may include a mechanical sway bar or its equivalent. Prior to installation of any access control, City Administration and emergency providers must review and approve the control.

5. OPEN SPACE AND COMMON AREA: Approximately 19-percent of the site is landscaped space, primarily in the yards adjacent to the building and along both streets.

6. CHARACTER OF THE NEIGHBORHOOD: The site is adjacent to a major north-south street, N. Manhattan Avenue, which separates a densely populated, student dominated, neighborhood from the KSU campus. The Aggieville Business District is in close proximity to the site, as well as Bluemont Avenue, a major east-west street.

The site is within the older, established residential neighborhood with mature trees and tree-lined streets. It is located directly east of K-State Campus along N. Manhattan Avenue. The area consists predominantly of converted single-family structures, two-family structures, and apartment buildings and some university related activities such as the Leadership House, Brockman House and UFM. Most of the lots have alley access.

MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. EXISTING USE: The existing use is four (4) contiguous residential lots:

1217 Vattier Street: One story, two-family dwelling with alley access to a gravel parking area.

822 N. Manhattan Ave/1231 Vattier Street: Two-story, three family dwelling and detached garage with access from a curb cut off Vattier Street to a gravel parking area.

812 N. Manhattan Ave.: Two-story, three dwelling units and detached garage with alley access to a gravel parking area.

820 N. Manhattan Ave.: Two-story, one dwelling unit, with access from a concrete driveway off N. Manhattan Avenue leading to a gravel parking area.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: A flat site located at the corner of N. Manhattan Avenue and Vattier Street. There are houses and detached garages on the site with scattered mature trees. Parking areas are gravel.

3. SURROUNDING LAND USE AND ZONING:

(a.) NORTH: Vattier Street and a variety of uses ranging from single-family homes and duplexes to multiple-family structures and apartment buildings; R-M/UO Districts

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(b.) SOUTH: Public alley and a variety of uses ranging from single-family homes and duplexes to multiple-family structures and apartment buildings; R-M/UO Districts

(c.) EAST: A variety of uses ranging from single-family homes and duplexes to multiple-family structures and apartment buildings; R-M/UO Districts, and R-3, Multiple-Family Residential District, and M-FRO, Multiple-Family Redevelopment Overlay District.

(d.) WEST: N. Manhattan Avenue and KSU Campus; U, University District.

4. CHARACTER OF THE NEIGHBORHOOD: See above.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The individual R-M District lots could be developed with single-family or two-family dwellings, or could be combined to allow for three and four-family dwellings. The UO District would allow, subject to an approved Conditional Use Permit, among other uses, fraternities and sororities; offices, meeting rooms, or laboratories for educational organizations; public or private parking garages; art galleries; and other uses which would normally be adjacent to a University.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed PUD site is within part of the older established residential neighborhoods with mature trees and tree-lined streets. It is located directly east of K-State Campus along N. Manhattan Avenue. The area consists predominantly of converted single-family structures, two-family structures, and several apartment buildings and some university related activities such as the Leadership House, Brockman House and UFM. Minimal adverse affects are anticipated on adjacent properties. Further to the east is the R-3/M-FRO District, which is intended to be redeveloped with residential high-density uses, such as proposed.

For the purpose of this application, compatibility is considered based on the intent of the Comprehensive Plan, which indicates the site should be residential high density, as well as the fact that the site was previously proposed to be rezoned to R-3/M-FRO District.

The site is a corner lot and generally reflects the height and setback requirements of the R-3 District/M-FRO District. On corner lots, yards along streets are front yards and the yard opposite the front yard is a side yard. There is no restriction on building height in the R-3 District; however, an additional one (1) foot of side yard setback is required for each two (2) feet in building height over 40-feet.

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Front yard building setbacks in the M-FRO are 14-feet along streets. Side yard setbacks are six (6) feet. The proposed front yard setback along N. Manhattan Avenue is 14-feet and along Vattier Street is 18.3 feet. The east side yard is approximately 127-feet and the south side yard is 18.5-feet. Based on the side yard and height of the building, the standard south side yard would be 29-feet and the proposed setback is 11-feet less than required. However, the PUD process incorporates flexibility to accommodate such deviations from the standard requirement.

The front yard setback of the off-street parking along Vattier Street is ten (10) feet. The parking is generally to the rear of the building. Off-street parking areas for other apartments buildings in the neighborhood are at the front lot line along Vattier Street.

The proposed building is consistent with some of the building design standards of the M-FRO District, such as its primary façade is parallel to and faces N. Manhattan Avenue, a major street; the exterior façade has variations in façade depth, due to balconies; its overall shape/footprint and middle access stairwell does not present a flat façade and provides visual interest, unlike any other apartment building in the neighborhood. Rooflines are sloped and provide variation in design.

The height of the building is generally a function of its proximity to the KSU core campus, its classroom and dormitories, which are to the west and north of the site. The building's scale is not consistent, however, with the neighborhood to the east, northeast or south, which is typically two-story residential and part of the established older neighborhood. However, redevelopment of these same established areas may occur in the near future. Redevelopment is beginning to occur to the east in the R-3 District/M-FRO District, but is not comparable to the scale of the proposed PUD.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Comprehensive Plan identifies the site as RHD, Residential High Density, which is designated as such to create opportunities for higher density neighborhoods in an urban downtown and suburban setting.

Chapter 4, page 4-4 which deals with Land Use and Growth Management, provides the policy framework for considering the rezoning proposals:

Policy 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

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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."

The proposed PUD incorporates design elements that strive to implement the Community Design goal and guiding principle as stated in Chapter 11 page 11-1 of the Comprehensive Plan:

"Guide the quality of development with building and site design guidelines as appropriate.

Encourage infill redevelopment that is compatible with and enhances the surrounding neighborhood character."

Chapter 4 page 4-6, Policy UR 6: Design of Infill and Redevelopment, provides the policy support for this goal and guiding principle.

"Infill and redevelopment shall be designed in a manner that is sensitive to and reflects the character of the surrounding neighborhood. Important design considerations include building scale, mass, roof form, height, and orientation, parking location, lot coverage, architectural character, and landscape elements."

Chapter 4 page 4-7, Policy RHD 2: Appropriate Density Range

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

Chapter 4 page 4-8, Policy RHD 3: Location

"Residential High Density uses are typically located near intersections of arterials and collector streets, sometimes providing a transition between commercial or employment centers and lower density neighborhoods. High-density neighborhoods should not be located in settings where the only access provided consists of local streets passing through lower density neighborhoods. In a

more urban or downtown setting, residential high density may be combined with active non-residential uses in a vertically mixed-use building."

Chapter 4 page 4-8 RHD 4: Building Massing and Form

"Plain, monolithic structures shall be avoided. Infill projects should be compatible with the established mass and scale of other buildings along the block. In a planned apartment community context, large buildings shall be designed with a variety of wall planes and roof forms to create visual interest."

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The proposed development is in an area that has been identified for redevelopment and intensification as an apartment community to serve the housing needs of the student population in the immediate proximity of the K-State Campus. As such, it represents a larger multiple-family residential building that has been designed to address the policy requirements as stated in RHD 4.

The proposed density is 37-dwelling units per acre (26-dwelling units/.70-acres).

The proposed PUD is generally consistent with the Comprehensive Plan, as well as the Traditional Neighborhood Study, which also identified the area for high density residential redevelopment.

8. ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED: The site is part of the original town plat. Houses have been on the lots for an undetermined period.

1926-1965: B, Second Dwelling House District
1965-1969: B-1, Multiple Family Dwelling district
1969-1987: R-3, Multiple Family Residential District and UO District
1986-Present: R-M District and UO District

On September 4, 2003, the Manhattan Urban Area Planning Board conducted the public hearing on the advertised Phase 4 Expanded Redevelopment Area, consisting of Sub Areas A-E. The proposed PUD site was within the area designated as Sub Area A, and was proposed to be rezoned from R-M/UO, Four-Family Residential District with University Overlay, to R-3/UO/M-FRO, Multiple-Family Residential District with University Overlay and Multi-Family Redevelopment Overlay District. The Planning Board recommended approval of the rezoning on a vote of 5-2.

On October 7, 2003, the City Commission overrode the Planning Board, and accepted the request from the Aggieville Business Association to not rezone five of the blocks that were under consideration. The proposed PUD site is within the five-block area. The site has remained R-M District, and UO District, to date. (*Note: the site is within the "Aggieville-Campus Edge" area, which is currently undergoing a conceptual master plan by a consultant working for the Aggieville Business Association.*)

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values. The PUD Regulations are intended to provide a maximum choice of living environments by allowing a variety of

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housing and building types; a more efficient land use than is generally achieved through conventional development; a development pattern that is in harmony with land use density, transportation facilities and community facilities; and a development plan which addresses specific needs and unique conditions of the site which may require changes in bulk regulations or layout. The proposed PUD is consistent with the intent and purpose of the Zoning Regulations.

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE INDIVIDUAL OWNER: There appears to be no relative gain to the public that denial would accomplish, compared to the hardship to the owner. The site is within an area that was previously proposed to be rezoned to R-3/M-FRO District and would have allowed high-density residential uses. A further delay, as described above in the Zoning History, may be a hardship on the owner.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public facilities are available to serve the site.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS AND RECOMMENDATION:

City Administration recommends approval of the proposed rezoning of Campus Bridge Lofts Planned Unit Development, from R-M, Four-Family Residential District, and UO, University Overlay District, to PUD, Residential Planned Unit Development District, with the following conditions:

1. Permitted uses shall include a multiple-family residential building and telecommunications facilities.
2. A maximum of seventy-four (74) bedrooms shall be permitted.
3. Telecommunications facilities may include any cables, wires, lines, wave guides, antennas and any other equipment or facilities, including cabinets that house telecommunications providers' equipment, associated with the transmission or reception of communications which a provider would locate or install on the apartment building.
4. Telecommunications facilities shall be of a stealth design, which includes a method of designing, constructing, and/or locating any telecommunications facility to blend in with the character and environment of the area in which it is located, and to enhance compatibility with adjacent land uses by minimizing visual impacts by either: (1) being concealed and virtually invisible to the observer, such as an antenna located behind louvers or architectural screening on a building, or placed

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inside the building; or (2) camouflaged through design, placement and coloration to blend in with its surroundings, or integrated into architectural elements of the building, to such an extent that it is indistinguishable by the casual observer from the building or the surroundings in which it is placed, such as panel antennas that are colored and located to match the architecture of the building.

5. The off-street parking areas may include controlled access if determined to be necessary. Prior to installation of any access control, City Administration and emergency providers shall review and approve the controlled access.
6. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
7. All landscaping and irrigation shall be maintained in good condition.
8. Street trees located in the public right-of-way adjacent to the site shall be preserved or replaced, as per requirements of the City Forester.
9. Additional landscaping shall be provided in parking lot entry islands.
10. Signs shall include a ground sign and exempt signage described in Article VI, Section 6-104 (A)(1), (2), (4), (5), (7) and (8); and, Section 6-104 (B)(2).

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Campus Bridge Lofts Planned Unit Development, from R-M, Four-Family Residential District, and UO, University Overlay District, to PUD, Residential Planned Unit Development District, based on the findings in the Staff Report, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of Campus Bridge Lofts Planned Unit Development, from R-M, Four-Family Residential District, and UO, University Overlay District, to PUD, Residential Planned Unit Development District, and modify the conditions, and any other portions of the proposed PUD, to meet the needs of the community as perceived by the Manhattan Urban Area Planning Board, stating the basis for such recommendation, and indicating the conditions of approval.
3. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
4. Table the proposed rezoning to a specific date, for specifically stated reasons, and provide direction to the applicant and City Administration.

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POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Campus Bridge Lofts Planned Unit Development, from R-M, Four-Family Residential District, and UO, University Overlay District, to PUD, Residential Planned Unit Development District, based on the findings in the Staff Report, with the conditions recommended by City Administration.

PREPARED BY: Steve Zilkie, AICP, Senior Planner

DATE: September 3, 2004

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