

MINUTES
CITY COMMISSION MEETING
TUESDAY, MARCH 4, 2014
7:00 P.M.

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Pro-Tem Wynn Butler and Commissioners Karen McCulloh, Usha Reddi, and Richard B. Jankovich were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, City Attorney Bill Raymond, City Clerk Gary S. Fees, 8 staff, and approximately 90 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Butler led the Commission in the Pledge of Allegiance.

RECOGNITION

Mayor Pro-Tem Butler recognized the Falcons, a Third and Fourth Grade Flag Football Team coached by Travis Bender, recipients of the Kansas Recreation & Parks Association Sports Branch Outstanding Sportsmanship Award for Youth Sports Teams. Mike Buchanan, Recreation Superintendent, Manhattan Parks and Recreation Department, presented individual awards to the football player recipients.

PROCLAMATIONS

Mayor Pro-Tem Butler proclaimed March 10-16, 2014, ***Brain Awareness Week***. Marcia Hornung, President, Little Apple Pilot Club; Jan Cooper, Member, Manhattan Pilot Club; and Judy Wells, Member, Sunflower Pilot Club, were present to receive the proclamation.

Mayor Pro-Tem Butler proclaimed March 2014, ***American Red Cross Month***. Jo Ann Long, Community Chapter Executive, and Wally Pope, Board Member, American Red Cross-Kansas Capital Area Chapter, were present to receive the proclamation.

Mayor Pro-Tem Butler proclaimed March 2014, ***March for Meals Month***. Karen Mayse, Supervisor, Senior Opportunities and Community Services, North Central-Flint Hills Area Agency on Aging, and Linda Morse, North Central-Flint Hills Area Agency on Aging Board of Directors, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Pro-Tem Butler opened the public comments.

Chris Elsey, 2430 Heartland Drive, informed the Commission that he has received letters from the City of Manhattan's Community Development Department indicating that the signage used for their apartment facilities are in violation and needed to be removed. He provided photographs of similar size signs in the community and stated the importance for his business to be able to advertise their properties sufficiently to potential tenants in Manhattan. He asked that the City Commission take into consideration his request and discuss this topic in the future, so that he can continue to use the current signs to advertise their properties.

Richard Hill, representing Landlords of Manhattan, 3513 Stagecoach Circle, informed the Commission that he was concerned with the timing of the code enforcement plans on Sunday for the Fake Patty's Day event and asked that the landlords and property owners have sufficient time to clean-up their properties. He informed the Commission that he met earlier with City Manager Ron Fehr and Director of Fire Services Scott French and appreciated the additional time in order for landlords to clean-up their properties, if necessary, and to reduce the cost of posting violations.

Ron Fehr, City Manager, provided additional information on the item and provided an overview regarding the timing of inspections on Sunday, March 9, 2014.

Katy Oestman, Health Education Coordinator, Riley County Health Department, representing the Flint Hills Wellness Coalition, provided an update on the healthy products available in the vending machines at City Hall and encouraged everyone to use healthy snack options.

Commissioner McCulloh appreciated the efforts of the Flint Hills Wellness Coalition. She expressed her appreciation to Five Star Vending for providing healthy vending snack options and to Brad Streeter who is working with the Wellness Coalition to provide a few more healthy choices for the concessions this summer.

Hearing no other comments, Mayor Pro-Tem Butler closed the public comments.

COMMISSIONER COMMENTS

Commissioner Jankovich wished Commissioner McCulloh a Happy Birthday. He congratulated the Manhattan Public Library on a successful book sale over the weekend and extended his wishes to the Boys and Girls Club of Manhattan for their fundraising efforts for Casino Night. He also thanked Lyle Butler, President, Manhattan Area Chamber of Commerce, and his staff for a successful Chamber Annual Banquet. He extended congratulations to Fred Willich as recipient of the Chamber's Volunteer of the Year and to Linda Weis as recipient for Citizen of the Year.

Commissioner Reddi informed the community that a mental health illness forum was held at Kansas State Alumni Center on Monday, March 3, 2014. She encouraged citizens to learn more about mental illness and its stigma. She expressed appreciation in receiving no snow this past weekend and reminded those participating in Fake Patty's Day to be safe and responsible.

Commissioner McCulloh said the Manhattan Public Library raised \$11,000.00 for their annual book sale and that it was a fantastic event. She stated that the City Commission will be challenging the Riley County Commission for Walk Kansas and informed the community that if you are interested in forming a team, to go to the K-State Research and Extension site or the Riley County Extension website for additional information.

Mayor Pro-Tem Butler encouraged the social service agencies to continue to promote the City's utility donation program for social services funding. He encouraged citizens to donate an additional \$1.00 to their monthly utility bill to help make a huge difference to support social service programs.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, February 11, 2014, and the Regular City Commission Meeting held Tuesday, February 18, 2014.

CLAIMS REGISTER NOS. 2754 AND 2755

The Commission approved Claims Register Nos. 2754 and 2755 authorizing and approving the payment of claims from February 12, 2014, to February 25, 2014, in the amount of \$243,424.00 and \$2,095,246.53, respectively.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7064 – REZONE – LOTS 152A – 161B AND TRACT D, PRAIRIE LAKES ADDITION, UNIT 6

The Commission approved Ordinance No. 7064 rezoning the Lots 152A – 161B and Tract D, Prairie Lakes Addition, Unit 6, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District, generally located along the north side of Northfield Road and east of T Dowling Court, based on the findings in the Staff Report (*See Attachment No. 1*).

AMEND – MANHATTAN LEVEE FEASIBILITY STUDY

The Commission authorized the Mayor to sign a letter amending the Levee Feasibility Study from \$1,915,441.00 to \$2,057,441.00, an increase of \$142,000.00, with the City's share in the amount of \$71,000.00 to be paid from the Stormwater Fund.

AMENDMENT – PROFESSIONAL SERVICES – WATER STORAGE TANK ASSET MANAGEMENT PROGRAM (SP1002)

The Commission authorized the Mayor and City Clerk to execute an amendment to the professional services agreement with Utility Service Co., Inc., of Perry, Georgia, for the addition of the Water Treatment Plant Backwash Tank (CIP #WA116P), to the Water Storage Tank Asset Management Program (SP1002).

AWARD CONTRACT – 2014 WELL REHABILITATION PROJECT (WA1402)

The Commission awarded a contract and authorized the Mayor and City Clerk to execute the contract in the amount of \$48,050.00 with Layne Christensen Company, of Wichita, Kansas, for the 2014 Well Rehabilitation Project (WA1402).

EMPLOYMENT AGREEMENT – CITY MANAGER

The Commission authorized the Mayor and City Clerk to execute the modified Employment Agreement between the City of Manhattan and City Manager Ronald R. Fehr.

* INTERLOCAL AGREEMENT – MUTUAL TRAINING

Commissioner Jankovich stated that this is a great first step in intergovernmental cooperation to join forces and find cost savings.

The Commission approved the Interlocal Mutual Training Agreement and authorized the Mayor to execute the agreement at a public signing ceremony arranged to accommodate Fort Riley and the participating entities (Geary County, Riley County, and Junction City).

CONSENT AGENDA (CONTINUED)

PURCHASE – WASTEWATER TREATMENT PLANT – UNIT #3 (CIP #WW078E)

The Commission authorized the purchase of a 2014 Compact Sport Utility Vehicle for the Wastewater Treatment Plant (Unit #3, CIP #WW078E) in the amount of \$18,139.00, from Schram Chrysler Dodge, of Manhattan, Kansas, to be paid from the Wastewater Fund, and the sale of the existing vehicle as excess property once the replacement vehicle is delivered.

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PURCHASE – COMMUNITY DEVELOPMENT – UNIT #7 (CIP #CD001E)

Commissioner Jankovich requested that vehicle Unit # 7 be awarded to Briggs Auto Group, of Manhattan, Kansas, versus awarding the item to an outside dealership.

Ron Fehr, City Manager, provided clarification on the item and stated that the request is already reflected in the recommended motion.

The Commission authorized the purchase of a 2014 Four (4) Door compact Sedan for Community Development (Unit #7, CIP #CD001E) in the amount of \$14,635.00 from Briggs Auto Group, of Manhattan, Kansas, to be paid from the General Fund, and the sale of the existing vehicle as excess property once the replacement vehicle is delivered.

PURCHASE – TRAFFIC DIVISION – UNIT #17 (CIP #TR034E)

The Commission authorized the purchase of a 2014 half-ton pickup truck for the Traffic Division (Unit #17, CIP #TR034E) from the State Contract in the amount of \$16,163.00, to be paid from the General Fund, and the sale of the existing vehicle as excess property once the replacement vehicle is delivered.

PURCHASE – PARKS AND RECREATION DEPARTMENT - UNIT #72, (CIP #CP030E)

The Commission authorized the purchase of a 2014 half-ton pickup truck for the Parks and Recreation Department (Unit #72, CIP #CP030E) from the State Contract in the amount of \$16,163.00 for the base bid, \$853.00 for Option A, \$20.00 for Option B, and \$320.00 for Option C, for a total amount of \$17,356.00, to be paid from the General Fund, and the sale of the existing vehicle as excess property once the replacement vehicle is delivered.

CONSENT AGENDA (CONTINUED)

PURCHASE – SUNSET ZOO – UNIT #88 (CIP #SZ005E)

The Commission authorized the purchase of a 2014 12 passenger van for Sunset Zoo (Unit #88, CIP #SZ005E) from Roberts Chevrolet, of Platte City, Missouri, in the amount of \$22,160.00 for the base bid, \$395.00 for Option A, \$1,020.00 for Option B, \$50.00 for Option C, \$40.00 for Option D, and \$40.00 for Option E, for a total amount of \$23,705.00, to be paid from the General Fund, and the sale of the existing vehicle as excess property once the replacement vehicle is delivered.

PURCHASE – FIRE DEPARTMENT – UNIT #124 (CIP #FR017E)

The Commission authorized the purchase of a 2014 full-size sport utility vehicle for the Fire Department (Unit #124, CIP #FR017E) from the State Contract in the amount of \$32,238.00, to be paid from the Fire Equipment Reserve Fund, and the sale of the existing vehicle as excess property once the replacement vehicle is delivered.

BOARD APPOINTMENT – ARTS AND HUMANITIES ADVISORY BOARD

The Commission approved the re-appointment of Todd Holmberg, 3621 Hawthorne Woods Terrace, to a three-year term on the Arts and Humanities Advisory Board. Mr. Holmberg's term will begin April 1, 2014, and will expire March 31, 2017.

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

GENERAL AGENDA

AGREEMENT - AUDIT SERVICES

Bernie Hayen, Director of Finance, presented an overview of the item.

Commissioner Jankovich provided an overview of the process and recommendation of the Municipal Audit Committee's unanimous decision to select Varney & Associates. He then responded to questions from the Commission on the Committee's process and rationale for making a recommendation with Varney & Associates.

Bernie Hayen, Director of Finance, responded to questions from the Commission regarding the process and recommendation. He stated that this is a one-year audit contract with an extension of annual renewals for a four-year period.

GENERAL AGENDA (CONTINUED)

AGREEMENT - AUDIT SERVICES (CONTINUED)

After discussion and comments from the Commission, Commissioner Jankovich moved to authorize City Administration to finalize and the Mayor and City Clerk to execute a one-year audit contract with the firm of Varney & Associates, of Manhattan, Kansas, and the extension of annual renewals to this contract for a four-year period of time. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 4-0.

REQUEST - ALLOW TEMPORARY BEER GARDEN ADJACENT TO CITY PARK PAVILION

Jason Hilgers, Deputy City Manager, presented background information on a request to allow the consumption of alcohol in City Park, in a secured area that will function as an extension of the Wefald Pavilion. He stated the request is for the Rhythm and Brews event that is to take place in the City Park Pavilion on Friday, August 1 and Saturday, August 2, 2014, which combines two events that currently take place in the community, a road race known as the Brew to Shoe and the Little Apple Music Festival, with a new event proposed for a Home Brew Competition. He then responded to questions from the Commission regarding the proposed time of the events, number of Arts in the Park events planned, and the associated budget for the Arts in the Park series.

After discussion and comments from the Commission, Jason Hilgers, Deputy City Manager, responded to additional questions from the Commission. He stated that the request to allow for the consumption of alcohol comes with a pledge to donate profits to the Manhattan Arts in the Park program.

Commissioner Reddi voiced concern with the request. She stated that the Arts in the Park series is a family event and felt that this event with alcohol could be held at another time.

After discussion and comments from the Commission, Commissioner Jankovich moved to approve Resolution No. 030414-A authorizing the consumption of alcohol in City Park, within a restricted area, for the Rhythm and Brews Special Event on August 1 and August 2, 2014. Commissioner McCulloh seconded the motion.

On a roll call vote, motion carried 3-1, with Commissioner Reddi voting against the motion.

Mayor Pro-Tem Butler requested that this event be separate from advertising with other Arts in the Park events.

GENERAL AGENDA (CONTINUED)

DISCUSSION - K-18/K-113 INTERSECTION DESIGN

Peter Clark, Civil Design/Traffic Engineer, presented background information on the item. He also provided an overview of the project and highlighted aspects of the project regarding public involvement, alternative comparisons, proposal development, diverging diamond operations, and similar intersection designs in Kansas, bicycle and pedestrian facilities, demonstrated vehicular movements through the interchange, and feedback received at the public meetings. He then responded to questions from the Commission.

Rob Ott, Director of Public Works, presented information on the coordination with the Kansas Department of Transportation (KDOT) on this project and the preference for a diverging diamond at this intersection. He highlighted the revised grant offer from KDOT, project costs and coordination with KDOT, and the City of Manhattan financing share. He then responded to questions from the Commission regarding connecting links for pedestrians and bicyclists, connectivity with the bridge, and highlighted the five diverging diamond intersections under design in the state of Kansas.

Peter Clark, Civil Design/Traffic Engineer, responded to questions from the Commission regarding experiences with traffic back-ups and discussions with KDOT officials.

Rob Ott, Director of Public Works, informed the Commission that KDOT has expressed that they are not interested in using grant funds for an interim fix for this intersection. He also stated that there are capacity and pedestrian safety issues with the bridge on K-18. He responded to additional questions about connectivity and timeframe for the project to be designed and bid, based on the terms of the grant from KDOT.

After further discussion regarding project involvement with the Kansas Department of Transportation and comments from the Commission, there was a desire to proceed forward with the K-18/K-113 diverging diamond interchange design.

Ron Fehr, City Manager, provided clarification on the item.

This was a discussion item only and no formal action was taken.

DISCUSSION - BLUE EARTH PLAZA OPTIONS FROM DR. COATES' CLASS

Gary Coates, Professor of Architecture, Kansas State University, provided a historical perspective on ideas for the South Redevelopment area. He informed the Commission that eight third-year architecture studio student groups have worked on designs that advance the master plan for the Blue Earth Plaza for everyone in the community to enjoy and are on display in the City Commission Room lobby. He stated that three student groups will present to the Commission their design visions with the anticipation that a budget framework and future request for proposal process can be developed and implemented for local architects and students to participate.

GENERAL AGENDA (CONTINUED)

DISCUSSION - BLUE EARTH PLAZA OPTIONS FROM DR. COATES' CLASS (CONTINUED)

The three architecture student groups presenting their designs to the Commission were Nico Rallo and Shannon Hush; Anthony Pandino and Kelly Weckman; and Cody Anderson and Noah Volz. Following their presentations, the student groups responded to questions from the Commission.

Brad Everett, representing Hilton Garden Inn, responded to questions from the Commission regarding noise concerns with a few of the hotel guests. He provided additional information on events and activities held at the Blue Earth Plaza.

George LeRoux, President, Downtown Farmers Market, stated that there are logistical issues with a Saturday Farmer's Market at this location. He informed the Commission that it may work for the Wednesday Farmer's Market, but could not make a decision on the location without discussing this with the Farmer's Market membership. He stated that vendors will need to be able to use their trailers and pickups and, indicated that they are not too noisy for surrounding neighbors.

After discussion, the Commission thanked the student groups and Dr. Gary Coates for presenting their great designs and unique ideas.

This was a discussion item only and no formal action was taken.

ADJOURNMENT

At 9:35 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: R-3, Multiple-Family Residential District.

TO: R-2, Two-Family Residential District.

APPLICANT: Jeff Hancock – SMH Consultants

ADDRESS: 4201B Anderson Avenue, Suite 2, Manhattan, KS 66503

OWNER: MANKAN, LLC – Brandt J. Rudzinski

ADDRESS: 1812 Fair Lane, Manhattan, KS 66502.

LOCATION: Generally located 150 feet east of the intersection of Donnas Way and Northfield Road, along the north side of Northfield Road and east of T Dowling Court.

AREA: 2.56 acres

DATE OF PUBLIC NOTICE PUBLICATION: December 26, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: January 23, 2014
CITY COMMISSION: February 18, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. **EXISTING USE:** Developing, residential neighborhood. The site is currently an undeveloped tract.
2. **PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The site is generally flat and drains to the south towards Prairie Lake. The area is developing with new streets and utilities for residential developments.
3. **SURROUNDING LAND USE AND ZONING:**
 - (1) **NORTH:** Brookfield Residences' apartments, Walters Drive, Eisenhower Middle School and City of Manhattan ball fields and single-family dwellings ; Residential PUD, and R-1, Single-Family Residential Districts,.

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- (2) **SOUTH:** Prairie Lakes and developing residential neighborhood of two family dwellings; R-2 District.
- (3) **EAST:** Northlake Addition single-family subdivisions; R-2 Districts.
- (4) **WEST:** Developing single-family and two-family portion of Prairie Lakes, Units 6 and 3, single-family and two-family homes in the Northfield Additions, and Butterfield Road; R-3, Multiple-Family Residential District and R-2 District.

4. GENERAL NEIGHBORHOOD CHARACTER: The surrounding neighborhood can be generally characterized as a developing low-density residential neighborhood. An existing multiple-family apartment complex is located immediately to the north. Eisenhower Middle School and the baseball complex are located to the northwest and is part of the established residential neighborhood. Areas of Prairie Lakes to the immediate west and to the south are under development as single-family, single-family attached and two-family dwellings.

The area to be rezoned is currently undeveloped and was platted for single-family attached or two-family dwellings as Prairie Lake Addition, Unit 6.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is suitable under its current zoning district regulations. The R-3 District allows for a wide variety of residential uses, including single-family, two-family and multiple-family dwellings.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The surrounding properties consist of low-density residential uses with single-family, single-family attached and two-family dwellings in the Brookfield, Prairie Lakes, Butterfield and Northlake neighborhoods. The lone exception is the Brookfield Residents apartment complex immediately to the north of the site. The Final Plat of Prairie Lake Addition, Unit 6, shows twenty-eight (28) single-family attached residential lots. The rezoning may reduce the impacts of traffic, light and noise compared to the high density uses allowed in the R-3 District. The proposed rezoning will be compatible with existing R-2 Districts in the nearby low-density residential neighborhoods.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN: THE NORTHEAST PLANNING AREA FUTURE LAND USE MAP OF THE MANHATTAN URBAN AREA COMPREHENSIVE PLAN SHOWS THE REZONING SITE AS RESIDENTIAL LOW/MEDIUM DENSITY (RLM). THE DENSITY RANGE FOR THE RLM DESIGNATION IS ONE-DWELLING UNIT UP TO ELEVEN DWELLING UNITS PER NET ACRE. THE EXISTING R-3 DISTRICT ALLOWS MORE THAN 19 DWELLING UNITS PER NET ACRE. (NOTE: AS A PART OF THE ANNEXATION, REZONING TO R-3 DISTRICT AND PLATTING, THE OWNER FILED A RESTRICTIVE COVENANT WITH THE RILEY COUNTY REGISTER OF DEEDS (BOOK 817, PAGE 4154 – 4156), WHICH LIMITS DENSITY TO NO MORE THAN 18 DWELLING UNITS PER NET ACRE. THE SITE IS ADJACENT TO AN AREA IN THE NORTHEAST PLANNING AREA FUTURE LAND USE MAP THAT IS SHOWN AS BEING IN THE RMH CATEGORY, WHICH RECOMMENDS A DENSITY RANGE OF ELEVEN TO 19 UNITS PER ACRE. THE PROPOSED R-2 DISTRICT IS MORE RESTRICTIVE THAN THE COVENANT.)**

APPLICABLE RLM POLICIES (IN ITALICS) OF THE COMPREHENSIVE PLAN INCLUDE:

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 3: 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 area of Prairie Lake Addition, Unit 6 that is proposed to be rezoned to R-2 District would have a residential density of 7.95 dwelling unit per net acre. The entire Prairie Lake Addition, Unit 6 has a density of 7.80 dwelling unit per net acre.

The proposed rezoning conforms to the Comprehensive Plan.

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

- | | |
|-----------------|---|
| April 4, 2005 | Manhattan Urban Area Planning Board recommends approval 5-0 of annexation and rezoning of Prairie Lakes from G-1, General Agricultural District, and PDD, Planned Development District, to R-2, Two-Family Residential District, and from G-1, General Agricultural District, to R-3, Multiple-Family Residential District. |
| April 18, 2005 | Manhattan Urban Area Planning Board considers the Preliminary Plat of Prairie Lakes |
| April 19, 2005 | City Commission approves first reading of annexation and rezoning of Prairie Lakes on a vote of 5-0. |
| May 3, 2005 | City Commission approves Ordinance No. 6471 annexing and Ordinance Nos. 6472 & 6473 rezoning Prairie Lakes. |
| June 6, 2005 | Manhattan Urban Area Planning Board approves the Final Plats of Prairie Lakes Addition, Units 1 and Unit 2. |
| June 21, 2005 | City Commission accepts the easements and rights-of-ways as shown on the Final Plats of Prairie Lakes Addition, Units 1 and Unit 2. |
| August 7, 2006 | Manhattan Urban Area Planning Board approves the Final Plat of Prairie Lakes Addition, Unit 3. |
| October 3, 2006 | City Commission accepts the easements and rights-of-way as shown on the Final Plat of Prairie Lakes Addition, Unit 3. |

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- January 18, 2007 Manhattan Urban Area Planning Board approves Final Plat of Prairie Lakes Addition, Unit 4.
- February 6, 2007 City Commission considers consent to Replat, accepts revised restrictive covenant and accepts easements and rights-of-way on Final Plat of Prairie Lakes Addition, Unit 4.
- June 1, 2009 Manhattan Urban Area Planning Board recommends approval 6-0 of the rezoning of the eastern portion of Prairie Lakes Addition, Unit 3, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District; and, approves reinstatement and extension of the effective period of approval of the previously approved Preliminary Plat of the Prairie Lakes Addition.
- June 16, 2009 City Commission approves first reading of rezoning of the eastern portion of Prairie Lakes Addition, Unit 3, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District.
- July 7, 2009 City Commission approves Ordinance No. 6767 rezoning the eastern portion of Prairie Lakes Addition, Unit 3, from R-3, Multiple-Family Residential District, to R-2, Two-Family Residential District.
- November 15, 2010 Manhattan Urban Area Planning Board approves Final Plat of Prairie Lakes Addition, Unit 5.
- December 7, 2010 City Commission accepts easements and rights-of-way on Final Plat of Prairie Lakes Addition, Unit 5.
- July 2, 2012 Manhattan Urban Area Planning Board approves Final Plat of Prairie Lakes Addition, Unit 6.
- July 17, 2012 City Commission accepts easements and rights-of-way on Final Plat of Prairie Lakes Addition, Unit 6.

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 R-2, Two-Family Residential District, is designed to provide a dwelling zone at a density no greater than two (2) attached dwelling units per 7,500 square feet. Minimum lot area for single-family lot is 6,000 square feet. The minimum lot area for a single-family attached lot is 3,750 square feet per lot. The Final Plat of Prairie Lake Addition, Unit 6, provides for single-family attached lots that are sufficient in area to conform to the R-2 District requirements. Lot sizes will allow single-family attached dwelling and two-family dwellings.

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT:

There appears to be no gain to the public that denial would accomplish. No adverse affects on the public health, safety and welfare are known. It may be a hardship upon the owner if the rezoning is denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street, sanitary sewer and water services are available to serve the rezoning site.

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Lots 152A – 161B, and Tract D, Prairie Lake Addition, Unit 6, from R-3, Multiple-Family Residential District to R-2, Two-Family Residential District based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Lots 152A – 161B, and Tract D, Prairie Lake Addition, Unit 6, from R-3, Multiple-Family Residential District to R-2, Two-Family Residential 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.

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POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of Lots 152A – 161B, and Tract D, Prairie Lake Addition, Unit 6, from R-3, Multiple-Family Residential District to R-2, Two-Family Residential District, based on the findings in the Staff Report.

PREPARED BY: Chad Bunger, AICP, CFM, Senior Planner

DATE: January 6, 2014

CB/vr
14010