

MINUTES
SPECIAL CITY COMMISSION MEETING
TUESDAY, MARCH 25, 2014
7:00 P.M.

The Special Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor John E. Matta and Commissioners Wynn Butler, 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 18 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Matta led the Commission in the Pledge of Allegiance.

COMMISSIONER COMMENTS

Commissioner Jankovich stated that the calls reported were down significantly for Fake Patty's Day this year and expressed his appreciation to the law enforcement, fire, and emergency medical services personnel. He also informed the community that the K-State Cycling Club were hosting a road race next weekend and are seeking homes for some of the athletes. He asked that if citizens are willing to host an athlete(s), to please contact him.

Commissioner Reddi stated that it was great to see all the runners and walkers this past weekend for the St. Patrick's Day events. She also provided information on her trip with Mayor Matta and City Manager Ron Fehr to the National League of Cities (NLC) Congressional City Conference in Washington, D.C. and meetings attended.

Commissioner McCulloh highlighted the City's annual Spring Clean-Up Program. She expressed concerns with the binge drinking that occurs during the Fake Patty's Day event and the associated property damage and negative activities that occurred near her neighborhood. She also voiced appreciation for the St. Patrick's Day parade and race for individuals and families to enjoy.

COMMISSIONER COMMENTS (*CONTINUED*)

Commissioner Butler informed the community that the City recently recouped costs on several odds and ends sold at the Purple Wave Auction. He also highlighted the CiCo Park Detention Basin Project and plans to utilize dirt from the project to improve the safety of the sledding hill in CiCo Park and to save money in collaboration with Riley County.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, March 4, 2014.

CLAIM REGISTER NOS. 2756 and 2757

The Commission approved Claims Register Nos. 2756 and 2757 authorizing and approving the payment of claims from February 26, 2014, to March 18, 2014, in the amount of \$157,937.77 and \$5,508,576.88, respectively.

LICENSE

The Commission approved a Tree Maintenance License for calendar year 2014 for Carnahan Creek Tree Service, Inc., 12415 Carnahan Road, Olsburg, Kansas.

FINAL PLAT – MANHATTAN CROSSING COMMERCIAL PLANNED UNIT DEVELOPMENT

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Manhattan Crossing Commercial Planned Unit Development, generally located 450 feet south of the intersection of Bluemont Avenue and Tuttle Creek Boulevard Frontage Road, to the east of the Frontage Road, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CHANGE ORDER NO. 3 – THE CONGRESSIONAL ADDITION – STREET IMPROVEMENTS (ST1311)

The Commission approved Change Order No. 3 for The Congressional Addition Street Improvements (ST1311) project, resulting in a net increase in the amount of \$36,146.50 (+3.80%) to the contract with Bayer Construction Company Inc., of Manhattan, Kansas, for the retaining wall system.

CONSENT AGENDA (CONTINUED)

CONTRACT AMENDMENT NO. 2 – WILDCAT CREEK LIFT STATION, PHASE II, IMPROVEMENTS (SS1211, CIP #WW016P)

The Commission authorized the Mayor and City Clerk to execute Contract Amendment No. 2 in the amount of \$17,300.00, with Olsson Associates, of Manhattan, Kansas, for the Wildcat Creek Lift Station, Phase II, Improvements Project (SS1211).

AGREEMENT – ENGINEERING SERVICES – EUREKA VALLEY COMMERCIAL WATER (WA1401) AND SANITARY SEWER (SS1401) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement in the amount of \$29,190.00 with Olsson Associates, Inc., of Manhattan, Kansas, for professional services for the Eureka Valley Commercial Water (WA1401) and Sanitary Sewer (SS1401) Improvements Project.

* AWARD CONTRACT – 17TH STREET TRANSPORTATION IMPROVEMENTS (ST0824)

Commissioner Butler stated that the street transportation improvements will also benefit Kansas State University and should be considered for City/University funding. He also reiterated the need to revisit the process and allocation of future City/University Funds.

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$220,394.00; awarded a construction contract in the amount of \$218,743.63 to Pavers, Inc., of Salina, Kansas; and authorized the Mayor and City Clerk to execute the contract for the 17th Street Transportation Improvements project (ST0824).

AWARD CONTRACT – 2012 WATER SYSTEM (WA1202) AND 2013 WATER (WA1308, WA1309) AND SANITARY SEWER (SS1307, SS1308) SYSTEMS IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$2,315,677.50; awarded a construction contract in the amount of \$1,827,036.75 to J&K Contracting Company, Inc., of Junction City, Kansas; and authorized the Mayor and City Clerk to execute the contract with J&K Contracting Company, Inc., for the 2012 Water System (WA1202) and 2013 Water Systems (WA1308, WA1309) and Sanitary Sewer Systems (SS1307, SS1308) Improvements.

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 032514-A – ISSUE GENERAL OBLIGATION BONDS – 2012 WATER SYSTEM (WA1202) AND 2013 WATER SYSTEMS (WA1308, WA1309) IMPROVEMENTS

The Commission approved Resolution No. 032514-A issuing bonds to pay for the 2012 Water System (WA1202) and 2013 Water Systems (WA1308, WA1309) Improvements.

RESOLUTION NO. 032514-B – ISSUE GENERAL OBLIGATION BONDS – 2013 SANITARY SEWER SYSTEMS IMPROVEMENTS (SS1307, SS1308)

The Commission approved Resolution No. 032514-B issuing bonds to pay for the 2013 Sanitary Sewer Systems Improvements (SS1307, SS1308).

AWARD CONTRACT – 2014 SANITARY SEWER MANHOLE REHABILITATION PROJECT (SS1403)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$51,900.00 with Ace Pipe Cleaning, Inc., of Kansas City, Missouri, for the Sanitary Sewer Manhole Rehabilitation Project (SS1403).

AWARD CONTRACT – 2014 CURED-IN-PLACE-PIPE SEWER LINING PROJECT (SS1404)

The Commission authorized the Mayor and City Clerk to execute a construction contract in the amount of \$519,588.50 with SAK Construction, LLC, of O'Fallon, Missouri, for the 2014 Cured-in-Place-Pipe Sewer Lining Project (SS1404).

CHANGE ORDER NO. 1 - 2014 CURED-IN-PLACE-PIPE SEWER LINING PROJECT (SS1404)

The Commission authorized the Mayor to execute Change Order No. 1 resulting in a decrease in the amount of \$101,805.00 (-19.6%) to the contract with SAK Construction, LLC, of O'Fallon, Missouri, for the 2014 Cured-in-Place-Pipe Sewer Lining Project (SS1404).

AWARD CONTRACT – WATER METER AUTOMATION AND REPLACEMENT PROJECT (WA1114)

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$1,085,737.00; awarded a contract in the amount of \$555,123.00 (base bid in the amount of \$585,123.00 less the bid alternate in the amount of \$30,000.00 for salvage of removed equipment), subject to the approval of KDHE, to US Bronco Services, Inc., of Fairfield, Ohio; and authorized the Mayor and City Clerk to execute the contract for the Water Meter Automation and Replacement Project (WA1114).

CONSENT AGENDA (CONTINUED)

CONTRACT – CITY’S RIGHT-OF-WAY - MOWING SERVICES (PR1401)

The Commission authorized the Mayor and City Clerk to execute a contract in the amount of \$27,555.00 with Little Apple Lawn and Landscape, of Manhattan, Kansas, for mowing services of the City’s right-of-way, for a term to terminate October 31, 2014, with the option of renewal for four (4) consecutive years.

AWARD CONTRACT – PAINT CITY PARK POOL (PR1402)

The Commission awarded a contract in the amount of \$75,862.50 with R.M. Baril Construction, of Manhattan, Kansas, and authorized the Mayor and City Clerk to execute the contract to paint City Park Pool (PR1402).

APPLICATION – PASSENGER FACILITY CHARGE

The Commission authorized the Mayor to sign the Passenger Facility Charge Application to impose and use a Passenger Facility Charge at the Manhattan Regional Airport from May 1, 2014, to May 1, 2025.

PURCHASE – WATER DISTRIBUTION DIVISION - UNIT #47 (CIP #WA033E) AND UNIT #42 (CIP #WA034E) - 2014 ONE-TON PICKUP TRUCKS

The Commission authorized City Administration to purchase two (2) 2014 One-Ton Pickup Trucks from Roberts Chevrolet, of Platte City, Missouri, in the amount of \$47,811.00 each, or a total of \$95,622.00 (to be paid from the Water Fund) to replace Units #42 (CIP# WA034E) and #47 (CIP# WA033E) in the Water Distribution Division, and authorized the sale of existing vehicles as excess property once replacement vehicles are delivered.

PURCHASE –WATER DISTRIBUTION DIVISION - ALL-PURPOSE SERVICE BODY POWER PACK UPGRADES (UNIT #47- CIP# WA049E, UNIT #42- CIP#WA079E)

The Commission rejected the bid in the amount of \$82,469.20 from Mobile Hydraulics Equipment and authorized the purchase of two (2) All-Purpose Service Body Power Pack Upgrades (Unit #47 - CIP# WA049E, Unit #42 - CIP#WA079E) for the Water Distribution Division from Mobile Hydraulics Equipment Co., of Riverside, Missouri, for a negotiated amount of \$70,000.00 (to be paid from the Water Fund).

PURCHASE – AIRPORT DEPARTMENT – UNIT #94 CIP #AP042E - ONE-TON PICKUP TRUCK – 4WD W/BED

The Commission authorized City Administration to purchase a One-Ton Pickup Truck – 4WD w/Bed (Unit #94) for the Manhattan Regional Airport, in the amount of \$51,694.00 (to be paid from the General Fund) from Shawnee Mission Ford, Shawnee, Kansas, based on the bids submitted, prices specified, and as recommended.

CONSENT AGENDA (CONTINUED)

REJECT BID – TRAFFIC DIVISION - DUAL PURPOSE SIGN/STENCIL MARKING TRUCK (CIP #TR028E)

The Commission rejected the sole bid for the Dual Purpose Sign/Stencil Marking Truck (CIP #TR028E) for the Traffic Division in the amount of \$109,075.62 from Flannegan Western, of Emmetsburg, Iowa.

PURCHASE – STREET DIVISION – UNIT #139 (CIP #ST015E) - TANDEM AXLE TEN YARD DUMP TRUCK

The Commission authorized City Administration to purchase a tandem axle, ten yard dump truck to replace Unit #139 (CIP# ST015E) in the Street Division, and accepted the low bid with trade-in in the amount of \$82,328.00 from Midway Freightliner, of Palmyra, Missouri.

AGREEMENT – LEASE PURCHASE - STREET DIVISION – UNIT #139 (CIP #ST015E) - TANDEM AXLE TEN YARD DUMP TRUCK

The Commission authorized the Mayor and City Clerk to execute the lease purchase agreement for the tandem axle, ten yard dump truck (Street Division Unit #139).

BOARD APPOINTMENTS

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

Bicycle Advisory Board

Appointment of Jeff Koenig, 203 North 14th Street, to a three-year At-Large term. Mr. Koenig's term begins immediately, and will expire October 31, 2016.

Human Rights and Services Board

Appointment of Deloyce McKee, 4196 McMillin Lane, to a three-year term. Ms. McKee's term begins immediately, and will expire March 9, 2017.

Social Services Advisory Board

Appointment of Nicholas Dyer, 1113 South Mill Point Circle, to fill the unexpired term of Andrew Rickel. Mr. Dyer's term begins immediately, and will expire June 30, 2014.

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

GENERAL AGENDA

FIRST READING – REZONE - LOT 28, MANHATTAN CORPORATE TECHNOLOGY PARK, UNIT 3 (TALLGRASS BREWING COMPANY)

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then responded to questions from the Commission regarding the rezoning.

Rob Ott, Director of Public Works, responded to questions from the Commission regarding the potential need for pretreatment facilities on site and permit requirements.

Ron Fehr, City Manager, provided additional information on the facility and the site. He stated the advantage at this location is that the long distance between the site and the wastewater treatment facility will allow the waste to dilute in the waste stream.

After discussion, Commissioner Jankovich moved to approve first reading of an ordinance rezoning Lot 28, Manhattan Corporate Technology Park, Unit 3, generally located at 5960 Technology Circle, from I-5/CTPO/AO, Business Park District with Corporate Technology Park Overlay District and Airport Overlay District, to I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District, based on the findings in the Staff Report (*See Attachment No. 1*). Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

ECONOMIC DEVELOPMENT APPLICATION - TALLGRASS BREWING COMPANY, INC.

Trent Armbrust, representing the Manhattan Area Chamber of Commerce, presented an overview of the company's history. He also provided information on Tallgrass Brewing Company's current product portfolio, a summary of future plans, the proposed site and floor plans, the craft brewing industry, the community economic development goals, and the Manhattan Corporate Technology Park property values from 2007 to 2014 for occupied and unoccupied buildings.

Jason Hilgers, Deputy City Manager, presented the proposed economic development proposal including funding criteria of the base wage structure; community investment; and analysis of community fit based on employee benefits, environmental soundness, job training/advancement, and history of community involvement. He highlighted the final scoring with a total score received of 11.2 out of a maximum score of 15. He then presented an overview of the proposed incentives package; forgivable loan; performance grant; capital investment requirements; job projections; wage structure; employee benefits; annual accountability provisions; clawback provision; financial review performed by Springsted, Inc.; Corporate Technology Park zoning and covenants; cost/benefit analysis for the City of Manhattan, Riley County, Unified School District (USD) 383, and the State of Kansas; and action to consider scheduling April 1, 2014, as the date for a final determination of an economic development incentive package for Tallgrass Brewing Company, Inc.

GENERAL AGENDA (*CONTINUED*)

ECONOMIC DEVELOPMENT APPLICATION - TALLGRASS BREWING COMPANY, INC. (*CONTINUED*)

After comments and general support of the item expressed from the Commission, City Manager Ron Fehr responded to questions about covenants for each zoning district in the Manhattan Corporate Technology Park.

Scott French, Director of Fire Services, provided additional information on having adequate fire protection services for this facility. He also highlighted communications between the inspectors and the company's personnel.

After additional discussion and comments from the Commission, Commissioner Jankovich moved to schedule April 1, 2014, as the date for a final determination on an economic development incentive package for Tallgrass Brewing Company, Inc. Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – REZONE - 1107 WATERS STREET (ED SHRAM DODGE)

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then responded to questions from the Commission regarding concerns with the intersection from Waters Street onto Anderson Avenue.

After discussion and comments from the Commission, Commissioner Jankovich moved to approve first reading of an ordinance rezoning 1107 Waters Street, generally located northeast of the existing Ed Schram auto dealership, from C-2, Neighborhood Shopping District, to C-5, Highway Service Commercial District, based on the findings in the Staff Report (*See Attachment No. 2*). Commissioner Butler seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING - ANNEX AND REZONE - PROPOSED OLYMPIC ADDITION

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then provided additional information on the detention basin and responded to questions from the Commission on Grand Mere's trail system.

Eddie Eastes, Director of Parks and Recreation, provided clarification on the long-standing arrangement for public access to the public trails at Fire Station Number 5, to the water tower, and to promote access to the Grand Mere trails.

GENERAL AGENDA (CONTINUED)

FIRST READING - ANNEX AND REZONE - PROPOSED OLYMPIC ADDITION

After discussion, Commissioner Jankovich moved to approve first reading of an ordinance annexing the proposed Olympic Addition, an approximate 33.32 acre tract of land generally located east of the Colbert Hills Clubhouse, based on conformance with the Comprehensive Plan, the Growth Vision, and the Capital Improvements Program; and, approve first reading of an ordinance rezoning the Olympic Addition, from County R-PUD, Residential Planned Unit Development District, to R-1, Single-Family Residential District, and R-3, Multiple-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 3*). Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 8:07 p.m., the City Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

FROM: I-5/CTPO/AO, Business Park District with Corporate Technology Park Overlay District and Airport Overlay District.

TO: I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District.

APPLICANT: The Neenan Company – Matt Brooksmith on behalf of their client, Tallgrass Brewing Company – Jeff Gill, President

ADDRESS: 2607 Midpoint Drive, Ft. Collins, CO

OWNERS: Western Wireless Corporation, LLC

ADDRESS: P.O. Box 26088 Plano, TX

LEGAL DESCRIPTION: Lot 28, Manhattan Corporate Technology Park, Unit 3

LOCATION: Western Wireless Call Center at 5960 Technology Circle. 5960 Technology Circle is more generally located to the northeast of the end of Technology Circle.

AREA: 396,396 sq. ft. (9.10 Acres)

DATE OF NEIGHBORHOOD MEETING: November 18, 2013

DATE OF PUBLIC NOTICE PUBLICATION: February 10, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: March 3, 2014
CITY COMMISSION: March 25, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Vacant corporate offices and call center

Attachment No. 1

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is the former location of the Western Wireless office and service call center. On the site is a 58,000 square foot building, off-street parking lot with approximately 350 stalls and landscaping. The site generally slopes from west to east. The site is not within FEMA's 1% Annual Chance Floodplain.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Vacant Land, KSU library storage facility; I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District.

SOUTH: Flint Hills Beverage distribution center, Covan Moving Company, Vacant Land; I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District.

EAST: Auth-Florence Mailbox manufacturing, Manhattan Regional Airport; I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District.

WEST: Fort Riley Military Reservation and Kansas Veteran Cemetery; C-1, Restricted Business District.

4. GENERAL NEIGHBORHOOD CHARACTER: The surrounding neighborhood can be characterized as rural single-family residential development, farm fields, a developing business park, a municipal airport, and Kansas Veteran Cemetery, and rural grass lands associated with the Fort Riley Military Reservation.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is zoned I-5/CTPO/AO, Business Park District with Corporate Technology Park Overlay District and Airport Overlay District. The I-5 District is intended to provide for research and final product assembly activities. The CTPO District is intended to broaden the permitted uses of the underlying industrial zoning district to provide for uses that would customarily be used in a large business park or corporate business park, such as restaurants and health and fitness clubs.

The site is developed with a 58,000 commercial building that was formerly used as a corporate business office and call center. The former use of the site meets the permitted uses and requirements of the I-5 and CTPO Districts.

The AO, Airport Overlay District is intended to promote the use and development of land that is compatible with the continued operation of the Manhattan Regional Airport.

Attachment No. 1

The existing development on the site conforms to the requirements of the AO District.

The application is proposing to convert the use of the site from a corporate headquarters to “regional craft brewery.” This type of manufacturing use is not permitted in the I-5 District and is necessitating the rezoning request to I-3 District.

- 6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The application documents state that the new use of the site will be a regional craft brewery that will employ up to 50 people, host tours to view the brewing process and will have receiving and shipping trips utilizing various trucks. The application materials also state that only minor modifications to the existing building will be made, to include the construction of a loading dock and installation of grain silo for storage of raw materials.

The proposed rezoning from I-5 District to I-3 District might increase the amount of traffic, light and noise. However, the increase should have a minimal adverse impact on nearby properties. The majority of the lots within the Corporate Technology Park are currently undeveloped. The properties surrounding the site on Corporate Drive are zoned I-3/CTPO/AO District. The uses in this district include a moving company, a printing business, a manufacturing business and a beverage distribution center. These uses are similar to what is being proposed on the site that is necessitating the rezoning. The regional craft brewery should not increase the amount of traffic or noise above what is occurring on the surrounding properties. The total amount of daily traffic for employees, shipping and visitors for the brewery will most likely not exceed the traffic generated by the former call center.

A restrictive covenant was also created by the City for the Corporate Technology Park to further regulate the uses, building appearance and landscaping. This covenant will provide additional assurance that the proposed rezoning and use will not be adversely affect surrounding properties. The rezoning necessitates that the covenant be amended so that the lot can be used under the I-3 District designation to reflect the land use change to the site.

No adverse impacts are anticipated on the on properties in the vicinity that are outside of the Corporate Technology Park. The site is an interior lot in the Technology Park. Properties to the west of the Corporate Technology Park consist of range land associated with Fort Riley Military Reservation and the Veteran’s Cemetery. There are single family homes to the south of the Corporate Technology Park. The largest impact to these properties will be from traffic. As previously described, the level of traffic generated by the brewery should be less than what was generated by the previous use on the site and will be similar to that of the existing businesses in the surrounding I-3 District.

Attachment No. 1

Impacts to the Manhattan Regional Airport should be minimal as the AO District is intended to limit any adverse impacts on the function of the airport by regulating the types of uses and heights of structures that would decrease the functionality of the airport.

As part of the application process, the applicant held a neighborhood meeting on November 18, 2013. According to the meeting report, no one attended the meeting other than the applicant's representatives.

Considering these factors, the proposed rezoning is compatible with surrounding properties and should have minimal adverse impacts on these properties.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:** The site is shown on the Southwest Future Land Use Plan map of the Comprehensive Plan as Office-Research Park (OFF/RP). Policies from the Comprehensive Plan are noted in italics.

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.

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

- January 4, 1999: MUAPB approved Land Use Plan Amendment
- January 19, 1999: City Commission approved 1st reading ordinance to amend Land Use Plan
- February 1, 1999: MUAPB recommended approval of annexation
- February 2, 1999: City Commission approved 2nd reading ordinance to amend Land Use Plan

Attachment No. 1

- February 16, 1999: City Commission adopted Resolution asking consent from Riley Co., as owner, to annex South airport Road & to make certain findings on annexing business park/airport.
- March 22, 1999: Riley Co. Commission makes findings and adopts Resolution to annex
- April 6, 1999: City Commission approved 1st reading annexation
- May 3, 1999: MUAPB recommended approval of rezoning Tracts II and III, and approved Preliminary Plat Corp. Tech Park, Unit 3, Lots 6-9, and 11-29
- May 17, 1999: MUAPB considers Final Plat Corp. Tech Park, Unit 3
- May 18, 1999: City Commission considers 1st reading rezoning of the southern 2/3rds of the Technology Park, and acceptance of easements and r-o-w's on Final Plat of Unit 3.
- May 19, 1999: City Commission approves 2nd reading annexation & rezoning of the southern 2/3rds of the Technology Park, and acceptance of easements and r-o-w's on Final Plat of Unit 3.
- June 7, 1999: Manhattan Urban Area Planning Board recommends rezoning the northern portion of the Technology Park : MCTP, Unit 1; Lot 4, MCTP, Unit 2; and proposed Lot 10 MCTP, Unit 4, to I-5/AO, and approves the concurrent Preliminary and Final Plats of MCTP, Unit 4.
- July 6, 1999: City Commission approves first reading of rezoning of the northern portion of the Technology Park, to I-5/AO.
- July 20, 1999: City Commission considers second reading to annex and rezone the northern portion of the Technology Park.
- May 2, 2005: MUAPB recommends approval of rezoning to add the Corporate Technology Park Overlay District.
- June 7, 2005: City Commission approves first reading of an ordinance rezoning the Corporate Technology Park to add the CTPO District, and amends the Covenants, Conditions and Restrictions.
- June 21, 2005: City Commission approves Ordinance No. 6480 rezoning to add the CTPO District.

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 I-3 District is designed to allow manufacturing, processing, assembly, and nonretail service activities (*regulations attached*). The proposed rezoning of the site will expand the existing I-3 District in the area. As previously stated, the proposed rezoning should not be detrimental to the surrounding area and will be consistent with the intent and purpose of the Manhattan Zoning Ordinance.

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 adverse impact on the public health, safety and welfare that the rezoning will create. The proposed rezoning is identical to surrounding properties along Corporate Drive. The proposed use, which necessitates the rezoning request, is also similar in nature to the surrounding uses. It may be a hardship on the applicant if the rezoning is denied as no adverse affect on the public is anticipated.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:

Public utilities currently service the site. These utilities are adequate to serve the proposed use, as well as other permitted uses of the I-3/CTPO/AO Districts.

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Lot 28, Manhattan Corporate Park, Unit 3, from I-5/CTPO/AO, Business Park District with Corporate Technology Park Overlay District and Airport Overlay District, to I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning Lot 28, Manhattan Corporate Park, Unit 3, from I-5/CTPO/AO, Business Park District with Corporate Technology Park Overlay District and Airport Overlay District, to I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District, based on the findings in the Staff Report.
2. Recommend denial of the proposed rezoning, stating the specific reasons for denial.

Attachment No. 1

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 Lot 28, Manhattan Corporate Park, Unit 3, from I-5/CTPO/AO, Business Park District with Corporate Technology Park Overlay District and Airport Overlay District, to I-3/CTPO/AO, Light Industrial District with Corporate Technology Park Overlay District and Airport Overlay District, based on the findings in the Staff Report.

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

DATE: February 20, 2014

CB/vr
14019

**STAFF REPORT
ON AN APPLICATION TO REZONE PROPERTY**

FROM: C-2, Neighborhood Shopping District

TO: C-5, Highway Service Commercial District

APPLICANT: Schwab-Eaton, P.A.

ADDRESS: 1125 Garden Way, Manhattan, KS 66502

OWNERS: Charles and Debra Schram

ADDRESS: 2510 Bent Tree Road, Manhattan, KS 66502

LOCATION: Generally located at 1107 Waters Street, to the northeast of the existing Ed Schram auto dealership.

AREA: .64-acre tract of land

DATE OF NEIGHBORHOOD MEETING: January 14, 2014

DATE OF PUBLIC NOTICE PUBLICATION: February 10, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: March 3, 2014
CITY COMMISSION: March 25, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: The rezoning site currently consists of a two-story office building, Waters Professional Center, with space for several professional offices and an off-street parking lot to the west in the rear.

The office building is proposed to be removed and the site combined with the existing Ed Schram dealership to accommodate expansion and redevelopment of the existing maintenance building immediately to the south into a new 24,000 square foot showroom, offices and maintenance facility, which will replace the showroom/maintenance facility that fronts onto Anderson Avenue. This southernmost building will also be removed to accommodate an updated display lot.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site slopes generally to the south and southeast and currently has a large landscaped front yard with mature trees. The entire side and rear yards are paved for access drives and off-street parking for the office building. The site is not located in a flood plain. Drainage consists of surface sheet-flows generally towards Waters Street and the storm water inlets along Anderson Avenue, that eventually flow to Wildcat Creek.

3. SURROUNDING LAND USE AND ZONING:

NORTH: (R, Single-Family Residential District) consisting of a former commercial building converted to a residence, a duplex and additional single family homes throughout the low density residential neighborhood generally to the north.

SOUTH: (C-5, Highway Commercial District) Ed Schram auto dealership, a small retail strip center with convenience store and gas island, and the Anderson Avenue arterial corridor.

EAST: (C-2, Neighborhood Shopping District) Dance Studio, Eye Doctors and Auto parts store; (Commercial PUD) Precision Auto Repair; (C-5 Highway Service Commercial District) Two fast food drive-up restaurants; Seth Child Road corridor.

WEST: (C-5, Highway Commercial District) Ed Schram auto dealership storage lot, drive-up restaurant, and Veterinary clinic; (R, Single-Family Residential District) single family homes throughout the low density residential neighborhood generally to the west.

4. GENERAL NEIGHBORHOOD CHARACTER: The neighborhood is characterized by the more intensive highway oriented retail commercial uses along the Anderson Avenue corridor, intermixed with neighborhood commercial offices and the dance studio, and the low density single-family neighborhood to the north and northwest. The site is located in a transition area, between the highway oriented uses along Anderson Avenue and the low density residential neighborhood to the north.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is currently zoned C-2, Neighborhood Shopping District which allows for lower intensity retail, professional and commercial services. The site is suitable for these types of uses, as reflected by the professional office building which currently occupies the site. As noted below under "Zoning History", the site has been zoned for lower intensity neighborhood commercial uses, as well as more intensive highway commercial uses in the past.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed C-5, Highway Commercial District allows a range of highway oriented uses including accommodations, supplies, or services to motorists, and for certain specialized activities which require access to major streets and highways. The site is proposed to be combined with the existing auto dealership to allow for expansion and upgrading of the dealership to replace the existing showroom/maintenance building with a new building containing the showroom, offices and maintenance facility. The combined site adjoins the Anderson Avenue arterial corridor, as well as Waters Street, a local street that serves commercial uses and residential uses.

The proposed redevelopment will be required to meet the Use Limitations of the C-5 District which require sight obscuring screening of not less than six (6) feet in height along the entire length of all property lines that share a common boundary with a residential district. In addition, outdoor storage areas, with the exception of the sales lot for motor vehicles, must be enclosed by sight obscuring screening of not less than six (6) feet in height. Exterior lighting fixtures must be shaded so that no direct light is cast upon any property located in a residential district and so that no glare is visible to traffic on any public street.

The proposed rezoning converts the site back to the previous C-5, District classification, which was on the site from 1969 until 1978; however, it does not expand the C-5 District as far north as the current dealership rear storage lot extends. While some increase in noise, light and traffic might be anticipated with this expansion compared to the current office building, it is not anticipated to have a detrimental effect on surrounding nearby commercial or residential properties. The expansion should provide more room for on-site circulation of vehicles, as well as off-loading of vehicles from transport trucks, and will accommodate elimination of the southernmost curb-cut on Waters Street.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: The Future Land Use Map of the Manhattan Urban Area Comprehensive Plan designates the rezoning site as (CC) Community Commercial. The applicable policy statements are provided in italics.

Community Commercial (CC)

CC 1: Characteristics

Community Commercial Centers provide a mix of retail and commercial services in a concentrated and unified setting that serves the local community and may also provide a limited draw for the surrounding region. These centers are typically anchored by a larger national chain, between 120,000 and 250,000 square feet, which may provide sales of a variety of general merchandise, grocery, apparel, appliances, hardware, lumber, and other household goods. Centers may also be anchored by smaller uses, such as a grocery store, and may include a variety of smaller, complementary uses, such as restaurants,

specialty stores (such as books, furniture, computers, audio, office supplies, or clothing stores), professional offices and health services. The concentrated, unified design of a community commercial center allows it to meet a variety of community needs in a “one-stop shop” setting, minimizing the need for multiple vehicle trips to various commercial areas around the community. Although some single use highway-oriented commercial activities will continue to occur in some areas, this pattern of development is generally not encouraged.

CC 2: Location

Community Commercial Centers should be located at the intersection of one or more major arterial streets. They may be located adjacent to urban residential neighborhoods and may occur along major highway corridors as existing uses become obsolete and are phased out and redeveloped over time. Large footprint retail buildings (often known as “big-box” stores) shall only be permitted in areas of the City where adequate access and services can be provided.

CC 8: Circulation and Access

Clear, direct pedestrian connections should be provided through parking areas to building entrances and to surrounding neighborhoods or streets. Integrate main entrances or driveways with the surrounding street network to provide clear connections between uses for vehicles, pedestrians, and bicycles.

The proposed rezoning is to facilitate the expansion, redevelopment and upgrade of an existing auto dealership, which is more of a “single use” activity that is recognized in the Plan. The dealership site is located along a major arterial corridor and the rezoning will facilitate reconfiguration of driveway entrances to improve integration with the surrounding street system. The proposed rezoning and resulting proposed dealership redevelopment conform to the Comprehensive Plan.

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

1962: Annexed and rezoned to C - Local Business District.

1969: Rezoned to C-5, Highway Service Commercial District.

1978: Rezoned to C-2, Neighborhood Shopping District.

The site is not vacant and has a small office building that is proposed to be removed for the expansion and redevelopment of the existing auto dealership.

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-5, Highway Service Commercial District (*regulations attached*) is designed to provide for businesses offering accommodations, supplies, or services to motorists, and for certain specialized activities which may require access to major streets and highways.

The proposed rezoning will expand the existing C-5 District consistent with the intent of 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 APPLICANT:

There does not appear to be an adverse impact on the public health, safety and general welfare as a result of the rezoning. The rezoning will facilitate the existing auto dealership to expand, redevelop and upgrade its operation, which should have a positive impact on the community, including elimination of a driveway on Waters Street. It may be a hardship on the applicant if the rezoning is denied as no adverse affect on the public is anticipated.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES:

Adequate public facilities and services are available to serve the site. The applicant is investigating on-site storm water improvements to tie directly into the City's storm water collection system along Anderson Avenue. Reconfiguration of driveway locations will help improve traffic safety along Waters Street.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of the .64 acre tract of land located generally at 1107 Waters Street from C-2, Neighborhood Shopping District, to C-5, Highway Service Commercial District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning the .64 acre tract of land located generally at 1107 Waters Street from C-2, Neighborhood Shopping District, to C-5, Highway Service Commercial District, based on the findings in the Staff Report.

Attachment No. 2

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 and provide further direction to the applicant and City Administration.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of a .64 acre tract of land generally located at 1107 Waters Street from C-2, Neighborhood Shopping District, to C-5, Highway Service Commercial District, based on the findings in the Staff Report.

PREPARED BY: Eric Cattell, AICP, Assistant Director for Planning

DATE: 2-12-14

EC
14018

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

APPLICATION: Rezone two (2) tracts of land in the proposed Olympic Addition

Tract 1: An approximate 25.4 acre tract of land; and,

Tract 2: An approximate 7.92 acre tract of land.

FROM: County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT.**

TO:

Tract 1: R-1, Single-Family Residential District.

Tract 2: R-3, Multiple-Family Residential District

APPLICANT: SMH Consultants – Jeffrey Hancock

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

OWNERS: Fieldhouse Development Inc. – Zachary J. Burton

ADDRESS: 3720 Seth Child Road, Manhattan, KS 66503

LOCATION: Generally located east of the Colbert Hills Clubhouse or 650 feet east of the intersection of Colbert Hills Drive and Colbert Hills Place

AREA: 33.32 acres (Tract 1 – 25.4 acres, Tract 2 – 7.92 acres)

DATE OF NEIGHBORHOOD MEETING: January 14, 2014

DATE OF PUBLIC NOTICE PUBLICATION: February 10, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: March 3, 2014
CITY COMMISSION: March 25, 2014

The applicant is also requesting annexation into the City of Manhattan and has proposed a Preliminary Plat of the Olympic Addition, which will create a total of thirty-nine (39) lots, specifically thirty-five (35) single-family lots and four (4) multiple-family lots.

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

- 1. EXISTING USE:** Open and undeveloped tract of land in Grand Mere, a master planned golf course community.
- 2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** Open range land with native grass cover. The site is an irregular shaped tract that slopes to the center of the tract where a natural ravine is present. The site drains to the southeast to Little Kitten Creek. The site is mostly native grass with tree cover along the natural ravine.
- 3. SURROUNDING LAND USE AND ZONING:**
 - NORTH:** Colbert Hills Golf Course; R-S District.
 - SOUTH:** Colbert Hills Golf Course, including the Colbert Hills Clubhouse; R-S District.
 - EAST:** Colbert Hills Golf Course and undeveloped land in a future Grand Mere neighborhood and open space; County R-PUD and R-S District.
 - WEST:** Colbert Hills Golf Course and undeveloped land in a future Grand Mere neighborhood and open space; County R-PUD and R-S District.
- 4. GENERAL NEIGHBORHOOD CHARACTER:** The general area is a mix of undeveloped land, land recently platted and in the early stages of development, Colbert Hills Golf Course, the Colbert Hills Clubhouse and the Founder's Village gated community.
- 5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The site was rezoned to County R-PUD in 1997. At the time of the rezoning, the golf course developer wanted assurance that when the golf course was annexed that a zoning, specifically the County R-PUD for the golf course, was attached. The rezoning to R-PUD was done primarily for the benefit of the golf course development. Those portions of Grand Mere that are not annexed remain County R-PUD. The current County R-PUD predated the Grand Mere Master Plan and Manhattan Urban Area Comprehensive Plan, which currently recommend "Villas" and "Single-Family" and low to medium residential density, respectively. Development in Grand Mere is progressing to ensure attractive and orderly neighborhoods in response to market demand. The Olympic Addition site is suitable for the proposed rezonings to the R-1 and R-3 Districts.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezonings to R-1 and R-3 Districts are compatible with surrounding properties. An increase in light, noise and traffic can be expected, but should cause minimal impacts on adjacent residential properties or the golf course. The R-1 District lots (Lots 1 – 11 and 16 – 39) are located closest to existing and recently proposed single-family homes. The lots are similar in size to other residential lots in the area and are proposed to have homes similar in character to those already present.

The R-3 District lots (Lots 12 – 15) are located in the northeast corner of the site, farthest from any existing developments, other than the golf course and large lot rural homes located outside of the City limits to the north. The applicant and owner have stated in its neighborhood meeting and in meetings with City Administration that the R-3 District lots will be developed as “townhomes,” which have been developed in other locations in Grand Mere Master Planned Community. These housing types are currently defined by the Zoning Regulations as multiple-family dwellings, but have single-family attached appearances, including street facing front doors and attached garages. The design of these dwelling units (4 – 6 single-family attached townhomes in a building) should mitigate any adverse impacts that a traditional apartment building may have on surrounding properties.

To ensure compatibility within Grand Mere, architectural guidelines and design standards provide for building review and approval. A private design review committee is responsible for enforcement of guidelines and standards (*see policy statement below under Grand Mere Community Master Plan, Part III.*) The guidelines and standards are private and are not part of the rezoning. The policy statements are mentioned because they are part of the Grand Mere Master Plan policies.

The applicant held a neighborhood meeting on January 14, 2014. According to the meeting report, five (5) neighbors attended the meeting and raised general questions regarding the project, Grand Mere Architectural Standards and other issues not related to the proposed project.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

MANHATTAN URBAN AREA COMPREHENSIVE PLAN

The Olympic Addition is shown on The Future Land Use Map in the Northwest Planning Area as Residential Low/Medium Density, RLM. 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 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.

GRAND MERE COMMUNITY MASTER PLAN

The Grand Mere Community Master Plan was originally adopted in April 2000 and is included as a specific Land Use Element of the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the entirety of Grand Mere. The Master Plan map shows the site to include Villa #6, a 18.6 acre tract designated RLM (Residential Low to Medium) and Single-Family #8, a 15.8 acre tract also designated as RLM (see below under Residential Types for the RLM description).

Applicable policies (*in italics*) from the Grand Mere Community Master Plan include:

PROJECT INTENT

The overall Land Use Amendment is intended to create a community designed within a park. By responding to the natural terrain, preserving natural corridors, protecting the slopes and riparian environment, a harmonious relationship with the land can be created for the community.

Grand Mere is envisioned as an upscale residential community, with the University's Colbert Hills Golf Course and preserved open space interwoven throughout the development. The community is made up of individual neighborhoods defined by open space features, topography, connection to the Grand Mere Parkway, and the golf course. A strong joint effort has integrated the golf course design (Colbert Hills) and the overall community design (Grand Mere Development). The interconnectivity of automobile circulation, pedestrian/bicycles, and open space, as well as residential neighborhood placement and overall community utility location, has created a well integrated community with both future residences and community recreation as the main focus. Flexibility is built into the land use plan to allow the development to respond to market demand.

Specific types of residential product may subtly change in the future due to market demand as the development pattern becomes clearer and as the community matures. The community will offer a high level of design quality, architectural variety, and a wide range of housing types to address the potential markets appropriate for an upscale development.

5 KEY DESIGN CONCEPTS

1. Create a high quality residential community

Create a community of villages, residential neighborhoods, and neighborhood commercial areas centered along the projects' spine, Grand Mere Parkway. Through the use of architectural design guidelines and development reviews the quality of building construction will be maintained at the highest level.

2. Integrate the Natural Environment

Preserve the natural slopes and open space features. Provide a visual connection to the natural beauty of the development: the golf course in the valleys, the long vistas/views, and the prairie environment.

3. Offer a Variety of Residential Living

Offer a wide range of residential products and lot types to address the market demands of the well informed and upscale consumer. An integrated community of many housing

types will help to provide an interesting streetscape, a quality neighborhood texture, and a sustainable development.

4. Create a Pedestrian/Bicycle System

Provide pedestrian/bicycle connections throughout the development, following the Grand Mere Parkway, open space corridors and the linear park connections provided as part of the Master Plan along Little Kitten Creek and the continuation of the Hudson trail.

Grand Mere Community Overall Development Plan

III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY

Grand Mere is proposed as a Master Planned Community consisting of a wide range of residential housing types and densities and will be utilizing both Planned Unit Development and Conventional Zoning Development standards based on specific sites and development types.

The overall Grand Mere Project consists of 1,054 (estimated) acres, including the Colbert Hills Golf Course. Rather than dispersing development throughout the entire property, the project purposes to “concentrate” neighborhood development within residential and commercial villages on approximately 543 acres preserving almost 50% of the land as natural open space or golf course. This concept, while proposing a variety of home types and densities, provides large natural open spaces, golf course amenity for the general public, and peripheral residential villages as large lot or low density residential products that create an overall density (1.5 du/ac) for the site, consistent with the surrounding neighborhoods. All housing types shall belong to the Master Homes Association, which will be responsible for enforcing the covenants and restrictions, and maintaining the common grounds.

Within the community, residential neighborhoods are supported by neighborhood commercial services, which provide a focus and entry element for the development. These neighborhood office and retail villages are envisioned as community services located at the development entries along the Little Kitten Creek entry and Kimball Ave. and the future northern entry on Marlatt.

Throughout the plan, connecting open space systems, sidewalks and bike trails provide pedestrian connections between residential neighborhoods, public amenities and the neighborhood services. These are planned connections to occur in a variety of types and locations. As each phase of development is planned in detail, the specific pedestrian connections will be part of each village plat and relate back to the overall Circulation Parks & Open Space Plan.

Grand Mere Community Architectural Guidelines and Design Standards will provide for the review and approval of all site and building plans for the Grand Mere property. The Design Review Committee of Grand Mere will be responsible for enforcement of these guidelines and standards. The Developer believes that careful planning and enforcement of design and development standards will ensure orderly, attractive, and lasting development, all of which will preserve and enhance the value of the community.

A. Residential Neighborhoods

The planning concept proposes a wide range of residential uses, with densities ranging from 1 to 20 dwelling units per acre (du/ac) within individual parcels. Generally, individual neighborhoods are envisioned as small enclaves in order to promote a mix of different product types, create intimate neighborhoods, and to build a strong community image from the project's onset. The key to a sustainable successful development is quality design and construction, and a variety of housing price points to attract a wide spectrum of residential consumers. Higher density residential, as well as small lot single-family opportunities are integrated into the community along Grand Mere Parkway, rather than isolated or located along the site's edges. While building a stronger new community, this concept also reduces impact on existing adjacent neighborhoods by focusing the traffic and circulation internally.

Approximately half of the Olympic Addition is designated as Single Family # 8. The other half is designated as Villas #6, Single Family (RLM). The different residential types are described as:

Residential Types:

Single Family RLM

The 273.4 acres of single family proposed for grand Mere represents 50% of the total proposed residential acreage. The detached single family products will range in size and density. The village of single family will be developed as parcels and each will be controlled to maximize views, walkouts, and architectural design quality. The Grand Mere Architectural Review Committee will provide design review of the homes and general site development guidance. Each single family village will be signed and themed as a unique part to the overall Grand Mere development and developed as the market demands. Each parcel will provide internal open space, storm drainage controls, and pedestrian linkages between the villages in addition to the designated Grand Mere Circulation Park & Open Space Plan.

Villas (RLM)

The villa parcels are located in niches and high quality view areas along the parkway and within the development along the golf course. Villas are single family homes that

provide an alternative to the maintenance requirements needed for a typical single family home. The villa concept is an upscale residential product that generally provides master bedroom on the first floor and expansion space either up or down for additional bedrooms or entertainment. Villa Homes Association dues create the revenue to provide maintenance for landscape, snow removal, and in some cases, maintenance of the home.

Golf Course Villas

As part of the Colbert Hills Golf Course Clubhouse complex, villas are planned along the 9th fairway. The villas would occur in a cluster of 10 units in one phase. These homes may be two attached single family dwellings with strong architectural theme and design controls in concert with the proposed golf clubhouse architecture. Private auto courts with off street parking will access the homes.

Grand Mere Villas

These villas will be attached and detached depending on the parcel and market demands. Two and three car garages would be provided. Each village will have its own theme signage and architectural design controls. The villages would be developed in phases of 5 – 15 acres.

C. Streets and Circulation System

Residential streets within Grand Mere are envisioned as a key element of “neighborhood quality,” offering a place to walk and play, as well as to drive and park. The streetscape in and along the roads will reflect the quality of the community through the use of signage monumentation and landscaping depending on the location and natural conditions of the space providing strong visual “cues” to better orient drivers to their locations and destinations.

When utilizing the approved Manhattan street system standards the hierarchy, street-widths, design speeds, and travel/parking lanes are consistent and will not compromise auto on-street parking, or bike and pedestrian access. The street layout will frame important views and vistas, including buildings, golf course, and natural features. On-street parking is available on all local streets.

The Master Planned Community will be accessed from Kimball Avenue and Marlatt Avenue. Additional access points into the Community from surrounding residential streets are shown on the Master Plan.

D. Pedestrian and Bicycle Circulation System

Connectivity with the City of Manhattan Linear Park Master Plan is our main focus for the overall trails system. A comprehensive pedestrian and bicycle system is proposed

Attachment No. 3

for the community to provide access to individual neighborhoods, the Club Facility and Hotel site, commercial services, and open space amenities~ Elements include both off-street and on street bike paths, natural unimproved trails, and a 17.2 acre linear park along Little Kitten Creek. An easement shall be provided for the extension of the Hudson trail northward, along the east property line to northeast corner section 3-10-7. All trail/path systems will be site- specifically designed at the time of construction. Each will be reviewed on a site-by-site basis to ensure sensitive placement and minimum disturbance. This will be coordinated with the Park & Recreation Board and the Parks and Recreation Department.

G. Golf Course Development

The Grand Mere development drainage and detention system shall be designed to work in concert with the golf course drainage and detention system. The course was designed to meet the environmental goals of the Audubon International Signature Status Program.

Bike Paths, Trails and Sidewalks

Bike paths, trails and sidewalks are provided along the internal streets and open spaces to provide internal connections between the villages where possible. See the Circulation Parks & Open Space Plan

The proposed townhome model appears to conform to the Grand Mere Master Plan description of “Grand Mere Villas,” as they most generally appear like an attached single-family home.

It is apparent that the applicant and owner have made an effort to locate the townhome dwellings farthest away from the existing homes in Founders Village. This essentially switches the designation of land uses in the Grand Mere Master Plan so that the townhomes are now farther away from Founders Village and the single-family lots are closer.

The total residential density in the Olympic Addition is 1.77 dwelling units per net acre (assuming 6-unit townhomes on the 4 proposed R-3 lots). The density for the R-1 District area will be 1.38 dwelling units per acre. The proposed density for the R-3 District area (assuming 6-unit townhomes on the 4 lots) will be 3.03 dwelling units per net acres. Comprehensive Plan suggests less than 1 - 11 dwelling units per net acre is appropriate in the RLM category and the Grand Mere Plan suggests a range of 1-20 dwelling units per acre in individual parcels and an overall density in all of Grand Mere of 1.5 units per acre.

Attachment No. 3

The proposed rezoning of the Olympic Addition conforms to the policies of the Grand Mere Community Master Plan, and the Manhattan Urban Area Comprehensive Plan.

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

August 7, 1997 Riley County Commission approved Preliminary Development Plan of Colbert Hills and the Wildcat PUD.

August 14, 1997 Riley County Commission approved Final Development Plan.

February 7, 2000 Planning Board approves resolution adopting Grand Mere Community Master Plan and amendment of Comprehensive Land Use Plan.

March 7, 2000 City Commission approved first reading of an ordinance adopting the Grand Mere Community Master Plan.

April, 2003 Comprehensive Plan adopted. Grand Mere Community Master Plan adopted as a related plan and implementation document.

The tract has remained vacant to date and was range land prior to development of the adjoining golf course and surrounding Grand Mere.

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

The intent and purpose of the Manhattan 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 proposed rezoning is consistent with the intent and purpose of the Manhattan Zoning Regulations and R-1 and R-3 Districts because proposed lot sizes conform to the minimum requirements of the R-1 and R-3 Districts. In addition, the proposed Preliminary Plat dedicates easements and rights-of-way to serve the subdivision consistent with the requirements of the Manhattan Urban Area Subdivision Regulations.

Tract 1

The R-1, Single-Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 6,500 square feet. The Preliminary Plat shows lots ranging from approximately 14,717 square feet in area up to 67,103 square feet in area, with the majority of lot sizes between 14,717 square feet in area to 30,283 square feet in area. The proposed lots conform to the requirements of the proposed R-1 District.

Tract 2

The R-3 District is designed to provide for multiple-family development at a density no greater than one (1) dwelling unit per 1,000 square feet. Minimum lot size for single-family detached dwellings is 5,000 square feet in area; 3,750 square feet for single-family attached; 7,500 square feet for a two-family dwelling unit; and, 1,000 square feet per family, but not less than 6,000 square feet for multiple-family dwellings.

The proposed R-3 District portion of the Olympic Addition consists of lots ranging from approximately 65,139 square feet in area to 86,534 square feet in area. The proposed lots conform to the requirements of the proposed R-3 District.

The R-1 and R-3 Districts are consistent with the Manhattan Zoning Regulations, with lot sizes reflected on the Preliminary Plat of the Olympic Addition.

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 of the rezoning of Tract 1 and Tract 2 would accomplish. No expected adverse affects on the public health, safety and welfare as a result of the rezonings. Development of the site cannot proceed until the proposed Preliminary Plat is approved. A separate application was submitted for approval of a Preliminary Plat. It may be a hardship upon the owner if the rezonings are denied.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate street, sanitary sewer and water services are available to serve Tract 1 and Tract 2.

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Tract 1 and Tract 2 in the Olympic Addition, consisting of:

Tract 1: from County R-PUD, Residential Planned Unit Development District, to R-1, Single- Family Residential District, based on the findings in the Staff Report; and

Tract 2: from County R-PUD, Residential Planned Unit Development District, to R-3, Multiple-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Olympic Addition consisting of:

Tract 1: An approximate 25.4 acre tract of land from County R-PUD, Residential Planned Unit Development District, to R-1, Single- Family Residential District; and,

Tract 2: An approximate 7.92 acre tract of land from County R-PUD, Residential Planned Unit Development District, to R-3, Multiple-Family Residential District, based on the findings in the Staff Report.

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 the proposed Olympic Addition, consisting of:

Tract 1: An approximate 25.4 acre tract of land from County R-PUD, Residential Planned Unit Development District, to R-1, Single- Family Residential District, based on the findings in the Staff Report; and

Tract 2: An approximate 7.92 acre tract of land from County R-PUD, Residential Planned Unit Development District, to R-3, Multiple-Family Residential District, based on the findings in the Staff Report.

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

DATE: February 21, 2014