



***MINUTES
CITY COMMISSION MEETING
TUESDAY, AUGUST 19, 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 Wynn Butler and Commissioners Karen McCulloh, Usha Reddi, Richard B. Jankovich, and John Matta were present. Also present were the City Manager Ron R. Fehr, Deputy City Manager Jason Hilgers, Assistant City Manager Kiel Mangus, City Attorney Bill Raymond, City Clerk Gary S. Fees, 12 staff, and approximately 35 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Butler led the Commission in the Pledge of Allegiance.

PRESENTATIONS

Phil Anderson and Bart Thomas updated the Commission on the fundraising efforts for the bridge pier sign project and stated that their goal was surpassed and that \$53,000.00 had been raised for this effort. They stated that a more defined concept would be completed, and discussed the proposed timeframe for installation of the sign and donor recognition monument.

The Mayor and City Commission thanked and congratulated Phil Anderson and Bart Thomas for their efforts to make the bridge pier sign project happen.

Members representing the Manhattan Konza Rotary Club presented a check in the amount of \$3,000.00 to the City of Manhattan from the Fourth Annual Manhattan Water Matters Day to Mayor Wynn Butler and City Manager Ron Fehr to be used to purchase another water level gauge.

COMMISSIONER COMMENTS

Commissioner Jankovich extended his appreciation to Casey Culbertson, Chair, Manhattan Water Matters Day; Lisa Sisley, President; Manhattan Konza Rotary Club; and Chad Bunger, Senior Planner, City of Manhattan; and to others for their work and thanked those that participated in the Fourth Annual Manhattan Water Matters Day at City Pool.

Ron Fehr, City Manager, thanked the Konza Rotary Club members for their contribution to the swimming pool.

Commissioner Reddi encouraged everyone to be safe when driving with students back in school. She also wished all students a good academic year.

Commissioner McCulloh informed the community that her grandchildren were recently in Manhattan and that they enjoyed the pools, parks, the Flint Hills Discovery Center (FHDC), the Sunset Zoo, and the K-State Insect Zoo. She encouraged citizens to enjoy the many activities in Manhattan and to consider memberships to the FHDC and Sunset Zoo to take advantage of the reciprocal places you can attend.

Mayor Butler stated that the annual Petpoolooza event at CiCo Pool was a terrific event and raised funds for the T. Russell Reitz Animal Shelter.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, August 5, 2014.

CLAIMS REGISTER NO. 2768

The Commission approved Claims Register No. 2768 authorizing and approving the payment of claims from July 30, 2014, to August 12, 2014, in the amount of \$5,096,458.43.

LICENSE – FIREWORKS DISPLAY

The Commission approved a Fireworks Display License for Friday, August 29, 2014, at the Miller Ballfield in City Park, for Purple Power Play, Inc.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7079 – REZONE – MERION ADDITION

The Commission approved Ordinance No. 7079 rezoning the Merion Addition, generally located west of the end of Players Terrace, from R-S, Single-Family Residential Suburban District, to R-3, Multiple-Family Residential District, and R-1, Single-Family Residential District, based on the findings in the Staff Reports (*See Attachment Nos. 1 and 2*).

ORDINANCE NO. 7080 – AMEND ZONING REGULATIONS – ADD HOSPITALS AS CONDITIONAL USE IN C-1, RESTRICTED BUSINESS DISTRICT

The Commission approved Ordinance No. 7080 amending Article IV, Section 4-201 (B) of the Manhattan Zoning Regulations, to add Hospitals as a Conditional Use in the C-1, Restricted Business District, based on the findings in the Staff Memorandum (*See Attachment No. 3*).

RESOLUTION NO. 081914-A - ISSUE - TEMPORARY NOTE SERIES NO. 2014-04

Ron Fehr, City Manager, provided an update on the Temporary Note Sale in the amount of \$950,000.00 held earlier in the day. He stated that three bids were received, with the low bidder being Oppenheimer & Company, Inc. with a true interest cost at 1.116 percent.

The Commission approved accepting the best bid for selling the notes from Oppenheimer & Company, Inc., of Philadelphia, Pennsylvania, and approved Resolution No. 081914-A issuing Temporary Note Series No. 2014-04 in the amount of \$950,000.00 to finance *Northlake Addition, Unit Two – Sanitary Sewer (SS1321), Street (ST1326), and Water (WA1322); and Eureka Valley Waterline (WA1401) and Sanitary Sewer (SS1401)*.

RESOLUTION NO. 081914-B - PETITION - LEE MILL HEIGHTS, UNIT 9 - SANITARY SEWER IMPROVEMENTS (SS1412)

The Commission found the petition sufficient and approved Resolution No. 081914-B finding the project advisable and authorizing construction for Lee Mill Heights, Unit 9, Sanitary Sewer (SS1412) Improvements.

RESOLUTION NO. 081914-C - PETITION - LEE MILL HEIGHTS, UNIT 9 - WATER IMPROVEMENTS (WA1410)

The Commission found the petition sufficient and approved Resolution No. 081914-C finding the project advisable and authorizing construction for Lee Mill Heights, Unit 9, Water (WA1410) Improvements.

CONSENT AGENDA (CONTINUED)

RESOLUTION NO. 081914-D - PETITION - LEE MILL HEIGHTS, UNIT 9 - STREET IMPROVEMENTS (ST1412)

The Commission found the petition sufficient; and approved Resolution No. 081914-D finding the project advisable and authorizing construction for Lee Mill Heights, Unit 9, Street (ST1412) Improvements.

AGREEMENT - ENGINEERING SERVICES - LEE MILL HEIGHTS, UNIT 9, SANITARY SEWER (SS1412), WATER (WA1410), AND STREET (ST1412) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement in an amount not to exceed \$87,700.00 with Schwab-Eaton, P.A., of Manhattan, Kansas, to perform professional services for Lee Mill Heights, Unit 9, Sanitary Sewer (SS1412), Water (WA1410), and Street (ST1412) improvements.

RESOLUTION NO. 081914-E - PETITION - ENCLAVE ADDITION, UNIT 1 - SANITARY SEWER (SS1411) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 081914-E finding the project advisable and authorizing construction for Enclave Addition, Unit 1, Sanitary Sewer (SS1411) Improvements.

RESOLUTION NO. 081914-F - PETITION - ENCLAVE ADDITION, UNIT 1 - STREET (ST1412) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 081914-F finding the project advisable and authorizing construction for Enclave Addition, Unit 1, Street (ST1412) Improvements.

RESOLUTION NO. 081914-G - PETITION - ENCLAVE ADDITION, UNIT 1 - WATER (WA1409) IMPROVEMENTS

The Commission found the petition sufficient and approved Resolution No. 081914-G finding the project advisable and authorizing construction for Enclave Addition, Unit 1, Water (WA1409) Improvements.

AGREEMENT - ENCLAVE ADDITION, UNIT 1 - SANITARY SEWER (SS1411), STREET (ST1412), AND WATER (WA1409) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement in an amount not to exceed \$73,870.00 with SMH Consultants, of Manhattan, Kansas, to perform professional services for Enclave Addition, Unit 1, Sanitary Sewer (SS1411), Street (ST1412), and Water (WA1409) Improvements.

CONSENT AGENDA (CONTINUED)

* **RESOLUTION NO. 081914-H – PETITION – STONE VALLEY, UNIT 2 –
SANITARY SEWER (SS1413) IMPROVEMENTS**

Commissioner Jankovich announced that he had a conflict of interest and would abstain on the item.

The Commission found the petition sufficient and approved Resolution No. 081914-H finding the project advisable and authorizing construction for Stone Valley, Unit 2, Sanitary Sewer (SS1413) Improvements.

* **RESOLUTION NO. 081914-I – PETITION – STONE VALLEY, UNIT 2 –
STREET (ST1413) IMPROVEMENTS**

Commissioner Jankovich announced that he had a conflict of interest and would abstain on the item.

The Commission found the petition sufficient and approved Resolution No. 081914-I finding the project advisable and authorizing construction for Stone Valley, Unit 2, Street (ST1413) Improvements.

* **RESOLUTION NO. 081914-J – PETITION – STONE VALLEY, UNIT 2 –
WATER (WA1411) IMPROVEMENTS**

Commissioner Jankovich announced that he had a conflict of interest and would abstain on the item.

The Commission found the petition sufficient and approved Resolution No. 081914-J finding the project advisable and authorizing construction for Stone Valley, Unit 2, Water (WA1411) Improvements.

* **AGREEMENT - ENGINEERING SERVICES - STONE VALLEY, UNIT 2,
SANITARY SEWER (SS1413), STREET (ST1413), AND WATER (WA1411)
IMPROVEMENTS**

Commissioner Jankovich announced that he had a conflict of interest and would abstain on the item.

The Commission authorized the Mayor and City Clerk to execute an agreement in an amount not to exceed \$16,945.00 with Schwab-Eaton, P.A., of Manhattan, Kansas, to perform professional services for the Stone Valley, Unit 2, Sanitary Sewer (SS1413), Street (ST1413), and Water (WA1411) Improvements.

CONSENT AGENDA (CONTINUED)

AGREEMENT - ENGINEERING SERVICES - WATER TREATMENT PLANT CLEARWELL AND PUMP STATION IMPROVEMENTS (WA1403, CIP #WA015P)

The Commission authorized the Mayor and City Clerk to execute an agreement in the amount of \$74,519.00 with Carollo Engineers, of Kansas City, Missouri, for engineering services related to the Water Treatment Plant Clearwell and Pump Station Improvements project (WA1403, CIP #WA015P).

AWARD CONTRACT – CICO POOL (CP1402) AND NORTHVIEW POOL (CP1403) PAINTING

The Commission awarded a contract in the amount of \$38,400.00 with Wildcat Painting, Inc., of Wichita, Kansas, and authorized the Mayor and City Clerk to execute the contract for the painting and crack repair of CiCo Pool (CP1402) and Northview Pool (CP1403) Painting projects.

After discussion, Commissioner Jankovich moved to approve the consent agenda. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item H, RESOLUTION NO. 081914-H – PETITION – STONE VALLEY, UNIT 2 – SANITARY SEWER (SS1413) IMPROVEMENTS; RESOLUTION NO. 081914-I – PETITION – STONE VALLEY, UNIT 2 – STREET (ST1413) IMPROVEMENTS; RESOLUTION NO. 081914-J – PETITION – STONE VALLEY, UNIT 2 – WATER (WA1411) IMPROVEMENTS; and AGREEMENT – ENGINEERING SERVICES - STONE VALLEY, UNIT 2, SANITARY SEWER (SS1413), STREET (ST1413), AND WATER (WA1411) IMPROVEMENTS, which carried 4-0-1 with Commissioner Jankovich abstaining on the item.

GENERAL AGENDA

CHARTER ORDINANCE NO. 54 – INCREASE – STORMWATER RATES

Ron Fehr, City Manager, introduced the item and outlined the presentation format and required actions for the Commission related to the budget items.

Hillary Badger, Assistant Director of Finance, presented an overview of the proposed charter ordinance for stormwater rate increases for 2015.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

GENERAL AGENDA (*CONTINUED*)

CHARTER ORDINANCE NO. 54 – INCREASE – STORMWATER RATES (*CONTINUED*)

After discussion, Commissioner McCulloh moved to approve Charter Ordinance No. 54 increasing stormwater rates effective January 1, 2015. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 081914-K – MEMORANDUM OF AGREEMENT – LOCAL 2275 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF)

Hillary Badger, Assistant Director of Finance, presented an overview of the item.

Jason Hilgers, Deputy City Manager, presented additional background information on the Memorandum of Agreement and provided clarification on the item.

Tim Davenport, President, IAFF Local 2275, thanked City Administration and representatives of the Local 2275 Union and firefighters for working together on the Memorandum of Agreement.

After discussion and comments from the Commission, Commissioner Jankovich moved to approve Resolution No. 081914-K adopting changes to the Memorandum of Agreement with Local 2275 of the International Association of Firefighters. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – 2015 SALARY ORDINANCE

Hillary Badger, Assistant Director of Finance, presented an overview of the item.

After discussion, Commissioner Jankovich moved to approve first reading of the 2015 Salary Ordinance with a 1.7% cost-of-living adjustment for established pay grades and salary ranges and a 2% overall salary adjustment based on employees' anniversary dates of employment. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 081914-L – FLINT HILLS DISCOVERY CENTER PROGRAM AND MEMBERSHIP FEES

Hillary Badger, Assistant Director of Finance, presented an overview of the proposed Flint Hills Discovery Center program and membership fees.

Fred Goss, Director, Flint Hills Discovery Center, responded to questions from the Commission regarding the proposed giving levels and the number of annual pass memberships provided.

GENERAL AGENDA (CONTINUED)

RESOLUTION NO. 081914-L – FLINT HILLS DISCOVERY CENTER PROGRAM AND MEMBERSHIP FEES (CONTINUED)

After discussion, Commissioner Jankovich moved to approve Resolution No. 081914-L setting program and membership fees for the Flint Hills Discovery Center. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 081914-M – SUNSET ZOO PROGRAM FEES; RESOLUTION NO. 081914-N – SUNSET ZOO ADMISSION FEES

Hillary Badger, Assistant Director of Finance, presented an overview of the proposed Sunset Zoo program and admission fees.

After discussion, Commissioner Jankovich moved to approve Resolution No. 081914-M setting program fees for the Sunset Zoo and Resolution No. 081914-N setting admission fees for Sunset Zoo. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

ORDINANCE NO. 7081 – ADOPT – 2015 BUDGET; RESOLUTION NO. 081914-O – 2015-2020 CAPITAL IMPROVEMENT PROGRAM

Hillary Badger, Assistant Director of Finance, presented the proposed 2015 City Budget, the proposed mill levy for 2015, mill levy reductions since first reading of the 2015 Budget ordinance, forecasted and distribution planning of Economic Development Funds, and recommended actions for the City Commission.

After discussion and comments from the Commission regarding the 2015 City Budget, Ron Fehr, City Manager, responded to questions from the Commission regarding the timeline to submit the final 2015 Budget.

Hillary Badger, Assistant Director of Finance, provided additional information on the certification process and deadline requirements for Riley County and Pottawatomie County.

Mayor Butler and Commissioner Matta expressed a desire to make further reductions to the 2015 Budget, which would result in a flat mill levy. There was also discussion to table the item and have the City Manager pare this budget down further to see what the remaining priority list is and conduct a special meeting on the 2015 Budget.

Ron Fehr, City Manager, responded to additional questions from the Commission. He stated that a special meeting on the 2015 Budget could be held next week if a majority of the Commission wanted to do so in order to further reduce the mill levy.

Mayor Butler opened the public comments.

GENERAL AGENDA (CONTINUED)

ORDINANCE NO. 7081 – ADOPT – 2015 BUDGET; RESOLUTION NO. 081914-O – 2015-2020 CAPITAL IMPROVEMENT PROGRAM (CONTINUED)

Chuck Sexton, 3664 Everett Drive, informed the Commission that he appreciated the efforts of Mayor Butler and Commissioner Matta to further look at the level of detail in the budget and to consider an extension of time before approving the item.

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

After additional discussion and comments from the Commission regarding the 2015 City Budget, Ron Fehr, City Manager, and Bernie Hayen, Director of Finance, responded to additional questions from the Commission regarding the City Budget. They also discussed the process and statutory deadline required to submit the approved budget to Riley and Pottawatomie Counties.

After additional discussion and comments from the Commission, Commissioner Reddi moved to approve Ordinance No. 7081 adopting the budget for 2015 and Resolution No. 081914-O approving the 2015-2020 Capital Improvement Program. Commissioner McCulloh seconded the motion.

After additional discussion and comments from the Commission, on a roll call vote, motion carried 3-2, with Mayor Butler and Commissioner Matta voting against the motion.

At 8:00 p.m., the Commission took a brief recess.

FIRST READING – REZONE – TURNBERRY ADDITION

Eric Cattell, Assistant Director for Planning, presented an overview of the item.

Rob Ott, Director of Public Works, responded to questions from the Commission and provided additional information on the item.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion, Commissioner Jankovich moved to approve first reading of an ordinance rezoning the Turnberry Addition, generally located northeast of the intersection of Grand Mere Parkway and Colbert Hills Drive, from R-S, Single-Family Residential Suburban District, to R-1, Single-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 4*). Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

FIRST READING – ANNEX/REZONE – TRACT 8, COLBERT HILLS ADDITION, UNIT FOUR

Eric Cattell, Assistant Director for Planning, provided background information and presented an overview of the item.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion, Commissioner Jankovich moved to approve first reading of an ordinance annexing the 19.68-acre portion of the proposed Tract 8, Colbert Hills Addition, Unit Four, generally located 600 feet west of the intersection of Kauffman Drive and Vanesta Drive, based on conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and the Capital Improvements Program; and, approve first reading of an ordinance rezoning the proposed 22.99 acre Tract 8, Colbert Hills Addition, Unit Four, from County R-PUD, Residential Planned Unit Development District, and R-S, Single-Family Residential Suburban District, to R, Single-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 5*) and the recommendation of the Planning Board. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

FIRST READING – ANNEX/REZONE – MUIRFIELD ADDITION

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He then responded to questions from the Commission regarding the site and the Grand Mere Master Plan.

Rob Ott, Director of Public Works, provided additional information and clarification on the site plan.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion, Commissioner Reddi moved to approve first reading of an ordinance annexing the proposed Muirfield Addition, an approximate 41 acre tract of land, generally located 1,300 feet northeast of the intersection of Grand Mere Parkway and Colbert Hills Drive, based on conformance with the Manhattan Urban Area Comprehensive Plan, the Growth Vision, and the Capital Improvements Program; and approve first reading of an ordinance rezoning the proposed Muirfield Addition, from County R-PUD, Residential Planned Unit Development District, to R, Single-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 6*) and the recommendation of the Planning Board. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

RESOLUTION NO. 081914-P – PETITION – 1200 BLOCK ALLEY BETWEEN BLUEMONT AVENUE AND VATTIER STREET (ST1324)

Rob Ott, Director of Public Works presented an overview of the request from the developers, the proposed benefit district breakdown, the site map, and the possible motion for the Commission to consider. He then responded to questions from the Commission regarding the map and those in support of the project and those not signing the petition.

Ron Fehr, City Manager, provided additional information and clarification of the map indicating those in favor of the petition and those unknown.

Bill Raymond, City Attorney, responded to questions from the Commission and provided clarification of the item.

Rob Ott, Director of Public Works, provided additional information regarding the total number of units and the calculations used for those in favor of the petition.

Mayor Butler opened the public comments.

Bernard Irvine, Attorney, representing Victor and Pat Olson, informed the Commission that the Olson's were owners of four lots in the proposed benefit district. He requested that the Commission consider the creation of the hotel site and the conditions imposed that require the developer to repave the alley before a certificate of occupancy is issued. He provided information on the Olson's properties and informed the Commission that the Olson's have not seen the petition and were not given an opportunity to sign in opposition of the petition. He stated that the alley improvement does not benefit the Olson's, and asked that the Commission reject the proposed benefit district petition. He then responded to questions from the Commission regarding the proposed petition process, associated costs, and use of the alley.

Andrew Suber, Developer, Excel Group, LLC, 15264 254th Street, Lawrence, Kansas, provided additional information on the development and the proposed benefit district petition for the alley improvement. He informed the Commission that the alley is a vast improvement to what was there before and provided additional information on the petition process. He then responded to questions from the Commission regarding the signatures collected and those signatures not collected for the petition and provided information on the properties benefitting from the alley improvement.

Rob Ott, Director of Public Works, provided additional information on the condition of the alley before and after the construction of the Bluemont Hotel. He also provided information on the downtown alley construction project with the use of stormwater funds.

GENERAL AGENDA (CONTINUED)

RESOLUTION NO. 081914-P – PETITION – 1200 BLOCK ALLEY BETWEEN BLUEMONT AVENUE AND VATTIER STREET (ST1324) (CONTINUED)

Ron Fehr, City Manager, responded to questions from the Commission regarding historical City participation, if any, for commercial and residential alley improvement benefit districts.

Rob Ott, Director of Public Works, provided additional information on the benefit district petition process and the change in use of the alley.

Andrew Suber, Developer, Excel Group, LLC, 15264 254th Street, Lawrence, Kansas, provided additional information on the condition of the alley before and after the hotel construction. He stated that the total cost of the alley improvement is down to around \$90,000.00.

Delbert Smith, 1921 Casement Road, property owner of Lot 785, informed the Commission that he did not receive a petition and did not support the item. He stated that the alley was workable before construction of the hotel and did not want to pay for any of the improvement or be assessed specials on his property.

Lee Svatos, 1911 Bluestem Terrace, S & N Rentals, LLC, partner of Lot 786, voiced opposition to the proposed assessment portion for the alley improvement. He stated that the improvement was to benefit Bluemont Hotel and that the Excel Group needs to repair the damage done to the alley and pay the entire cost of the alley.

Ron Fehr, City Manager, provided additional information on the petition process. He informed the Commission that there is not a legal requirement to gather opposition signatures and the developer is not obligated to do so.

Bill Raymond, City Attorney, cited the state statute referencing the requirements for petitions and reiterated that the statute only requires signatures from those that sign in favor of the petition and those opposed are not required to sign the petition.

Victor Olson, 804 Juniper Drive, informed the Commission that he has fought with traffic in his parking lot for years and does not need to use the alley. He stated that his next step is to make it so they cannot drive on his property. He said the hotel is a great thing, but a lot of traffic created will be strictly for the hotel. He stated that the alley needs to be fixed back to the way it was before construction of the hotel so that everyone can use it.

GENERAL AGENDA (CONTINUED)

RESOLUTION NO. 081914-P – PETITION – 1200 BLOCK ALLEY BETWEEN BLUEMONT AVENUE AND VATTIER STREET (ST1324) (CONTINUED)

Rose Buser, 3414 Treemill Circle, daughter of Victor and Pat Olson, informed the Commission that her parents have owned those houses for 26 years and have never had a problem with the alley until the construction of the hotel. She informed the Commission of the difficulty with people parking on her parent's property and voiced concern with who would pay for future alley repairs. She asked the Commission to consider that her parents did not ask for this improvement, are not in favor of the petition submitted, and that this public alley was never intended for delivery trucks.

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

Commissioner Matta stated that this is a difficult situation. However, considering that the alley was serviceable before construction, that there was a requirement to reconstruct the alley, and that there will be increased traffic and heavier vehicles on the alley as a result of the hotel, he did not see this as advisable.

Commissioner Jankovich discussed the benefits of the alley and understood the concerns expressed by the property owners. He said that the alley was serviceable and was probably not in great shape, but is now significantly better and improved. He stated that he was not in favor of going forward with this petition.

Commissioner Reddi stated that she was uncomfortable with a simple majority and preferred to know who was in opposition instead of being listed as unknown. She stated that she was leaning against the benefit district.

Commissioner McCulloh stated that there is some benefit to all properties, but understood the challenges and concerns expressed since the alley improvement is already constructed.

Bill Raymond, City Attorney, cited K.S.A. 12-6a04 regarding petitions and provided additional information regarding the advisability, or not, of the public improvement. He then responded to additional questions from the Commission and provided clarification on a possible motion.

Mayor Butler stated that this benefit district is not advisable and the petition to rebuild a new alley should have been done at the same time as the agreement. He voiced concern in receiving the petition after-the-fact and stated that based on the information, it is not advisable to support this petition.

After further discussion and comments from the Commission, Mayor Butler moved to find the benefit district not advisable. Commissioner Matta seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA (CONTINUED)

FIRST READING – SPECIAL EVENT PERMIT WITH ALCOHOL –
AGGIEVILLE 125TH BIRTHDAY STREET FAIR AND DANCE

Kiel Mangus, Assistant City Manager, presented the item. He then responded to questions from the Commission regarding the beer tent, hours of operation, and special events planned for the day.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

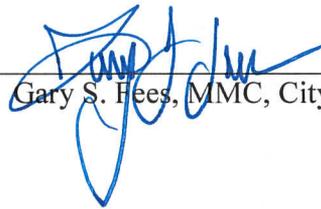
After discussion, Commissioner McCulloh moved to approve first reading of an ordinance authorizing the consumption of alcohol on City Property, within a restricted area, for the Aggieville 125th Birthday Street Fair and Dance on September 20, 2014. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

APPEAL HEARING – MERCHANT GUARD LICENSE

Mayor Butler announced that the applicant requesting the public appeal hearing for refusal of a merchant guard license has decided not to pursue the appeal hearing.

ADJOURNMENT

At 9:34 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

The proposed Merion Addition is to consist of thirty (30) single-family lots and three (3) multiple-family lots.

FROM: R-S, Single-Family Residential Suburban District

TO: R-3, Multiple-Family Residential District

APPLICANT: SMH Consultants – Jeff Hancock on behalf of the owners; Fieldhouse Development, Inc. – Zac Burton

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

OWNERS: Fieldhouse Development, Inc. – Zac Burton

ADDRESS: 3120 Seth Child Road, Manhattan, KS 66503

LEGAL DESCRIPTION: Generally a tract of land consisting of Lots 6 and 7, The Reserve Addition (*see attached legal description for full details*). For the purpose of the request, the subject site shall be referred to as Tract I. (Tract II will refer to a request to rezone an area to R-1, Single-Family Residential District)

LOCATION: Generally located southwest of the intersection of Player's Terrace and Bellerive Drive, along the west side of Colbert Hills Golf Course.

AREA: 6.57 acres

DATE OF NEIGHBORHOOD MEETING: May 8, 2014

DATE OF PUBLIC NOTICE PUBLICATION: June 16, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: July 7, 2014

CITY COMMISSION: August 5, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Vacant land rezoned to R-S, Single-Family Residential Suburban District and proposed to be developed as multi-family residential lots for three apartment buildings.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: Open pasture with native grass cover on the flatter portions and heavily wooded steeply sloped ravines, at up to a 30 percent grade. Tract I is an irregular shaped area bounded on the east and north by the Colbert Hills Golf Course. Open range land and pasture in Riley County adjoins the west sides of Tract I. To the south of Tract I is the remaining area of the proposed Merion Addition, which will consist of single-family lots. Tract I naturally drains to the west and south, and eventually to Wildcat Creek. Please refer to the Preliminary Plat of Merion Addition for the proposed drainage plan.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Colbert Hills Golf Course and Riley County range land; R-S District and County G-1, General Agriculture District.

SOUTH: The Reserve Addition, a low density single-family development. Lots 4 and 5 are proposed to be rezoned to R-1, Single-Family Residential District and developed into single-family homes), R-S District.

EAST: Colbert Hills Golf Course and developing multiple-family and two-family dwellings; R-S District, R-3, Multiple-Family Residential District, and R-2, Two-Family Residential District.

WEST: Riley County range land: G-1 District.

4. GENERAL NEIGHBORHOOD CHARACTER: Tract I abuts the western edge of the Colbert Hills Golf Course. To the south of Tract I, will be single-family homes proposed with the concurrent R-1 zoning request for Tract II of the Merion Addition. The general character of the neighborhood is a mixture of the golf course and a developing multiple-family, two-family and single-family density residential neighborhoods within the Grand Mere Master Community.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to R-S District and preliminary platted in September, 2012. The Final Plat of The Reserve was approved in December, 2012 to create seven (7) large lot, single-family homes. Tract I is suitable under its current zoning district of R-S, Single-Family Residential Suburban District.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The current zoning district is R-S, Single-Family Residential Suburban District, which allows for single-family detached dwellings on a minimum lot area of 20,000 square feet.

Attachment No. 1

The applicant has proposed to replat Lots 4 – 7, The Reserve to be known as Merion Addition. The proposed replat will redesign the layout of the lots and public rights-of-way. The proposed rezoning to R-3, Multiple-Family Residential District will occur on the northern edge of the proposed development. The remaining area is to be concurrently rezoned to R-1, Single-Family Residential District.

The proposed rezoning to R-3 District permits single-family detached, single-family attached and multiple-family residential uses. The minimum lot area for a multiple-family dwelling is 1,000 square feet per dwelling unit, but not less than 6,000 square feet in area. Details of the R-3 District's requirements can be found in the Zoning Regulations (*See attached*). The proposed lots in the Preliminary Plat of Merion Addition that are to be rezoned to the R-3 District range in lot area from 1.77 acres to 2.25 acres. The application materials states that each of the proposed lots will be developed with an 18-unit apartment building. The note on the Preliminary Plat states that the net density of this area will be approximately 2.05 dwelling units per net acre.

The surrounding neighborhood is a mixture of the rural range land, Colbert Hills Golf Course, multiple-family dwellings, including two (2) apartment buildings, four-family dwellings, single-family attached and single-family detached homes, some of which are on large, estate lots. The large estate lots are located to the south of the proposed Merion Addition and will be separated from the R-3 District area by the area to be rezoned to R-1 District, as well as steep ravines. The R-1 District is to consist of single-family detached homes.

The area will also be required to conform to the private Grand Mere architectural guidelines and design standards. A private design review committee is responsible for enforcement of the Grande Mere guidelines and standards (*see policy statement below under Comprehensive 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 Community Master Plan policies, which was adopted as a part of the Manhattan Urban Area Comprehensive Plan.

As required by the rezoning application process, a neighborhood meeting was conducted by the applicant on May 18, 2014. The meeting summary stated that one (1) person was in attendance and “expressed concerns about the integrity and existing barbed wire fence that abuts the proposed project and making sure the fence remains intact to control livestock.” The meeting attendee also “expressed concerns about the potential for property owners to trespass on his property and ‘throw things over the fence’ like grass clippings” as well his plan to continue burning the pasture as needed to control the health of his pastures. Please see the meeting minutes for complete details.

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As with any new greenfield urban development, an increase in traffic, noise and light can be expected; however it will be similar in nature to the development directly to the east. Drainage is being addressed through the Grand Mere master drainage plan. The proposed development will have no vehicular access to the properties to the west.

The proposed rezoning for the area from R-S District to R-3 District will be generally compatible with nearby properties and should not have any detrimental effects on these nearby properties.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The proposed Merion Addition is shown on the future land use map in the northwest planning area of the Manhattan Urban Area Comprehensive Plan 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.

Grand Mere Community Master Plan

The Grand Mere Community Master Plan was originally adopted in April 2000 and was incorporated into the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the entirety of Grand Mere, which identifies Tract I as Single Family #3, 20.3 acres, see below under Residential Types for the RLM description.

Applicable policies (*in italics*) for Grand Mere, a Master Planned Golf Course Community include:

Grand Mere, a Master Planned Golf Course Community

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

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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.

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Residential Types: The Merion Addition, including the site to be rezoned to R-3 District is designated as Single Family # 3, Single Family (RLM), in the Grand Mere Master Plan. RLM is described as:

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.

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 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

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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

M. Current School District Boundaries

The school district boundary between Manhattan U.S.D. 383 and Riley County U.S.D. 378 divides Grand Mere into east and west jurisdictions crossing the property beginning at the S.W. Corner of Section 3-10-7 and continuing north to the N.W. Corner of Section 3-10-7.

THE DESIGNATION OF THE SITE ON THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IS SIMILAR TO THE GRAND MERE COMMUNITY MASTER PLAN, CREATED IN 2000. THE AREA WAS ANNEXED AND ZONED TO R-S DISTRICT AND PLATTED FOR LARGE LOT SINGLE-FAMILY HOMES IN 2012.

TRACT I OF THE PROPOSED PRELIMINARY PLAT OF THE MERION ADDITION THAT IS TO BE REZONED TO R-3 DISTRICT HAS A NET DENSITY OF 2.05 DWELLING UNITS PER NET ACRE. THE OVERALL DENSITY OF THE PROPOSED RESIDENTIAL DEVELOPMENT IS TO BE 0.80 DWELLING UNITS PER NET ACRE (SEE R-1 DISTRICT REZONING FOR DETAILS OF THAT REQUEST).

THE GRAND MERE MASTER PLAN ENVISIONS A MIX OF HOUSING TYPES WITHIN THE MASTER PLANNED COMMUNITY. THE DENSITY RANGE FOR THE NEIGHBORHOOD MASTER PLAN IS 1 – 20 DWELLING UNITS PER NET ACRE. THE MASTER PLAN STATES THAT “Higher density residential, as well as small lot single-family opportunities are integrated into the community along

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Grand Mere Parkway, rather than isolated or located along the site's edges." The proposed R-3 area is located near the edge of Grand Mere, but is adjacent to other R-3 District zoned areas and is in relative proximity to Grand Mere Parkway. As stated in the Grand Mere Master Plan and implemented throughout the existing developments, a high quality architectural design that is implemented through the master neighborhood association, which reviews the design of each home and apartment building.

The Manhattan Urban Area Comprehensive Plan states in RLM Policy #1 "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." Although this development is not being implemented using a planned unit development zoning, it is accomplishing a mixture of residential uses that provides significant open space to remain consistent within the RLM density range of 1 – 11 dwelling units per net acre. In addition, the proposed R-3 District is in close proximity to existing multiple family apartment buildings that were constructed in the Bellerive Addition to the east, in an area that was identified in both the Comprehensive Plan and the Grand Mere Master Plan as an appropriate area for higher density multi-family uses.

The proposed rezoning of Tract 1 in the Merion Addition to the R-3 District generally **CONFORMS TO THE POLICIES OF** 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 (<i>Grand Mere</i>), County R-PUD. |
| August 14, 1997 | Riley County Commission approved Final Development Plan. |
| August 6, 2012 | Manhattan Urban Area Planning Board considered annexation and held the public hearings to consider the rezoning of the PROPOSED THE RESERVE ADDITION, FROM County R-PUD, Residential Planned Unit Development District, to R-S, Single-Family Residential Suburban District, and recommended approval of annexation and rezoning as proposed. The Board also held a public hearing on the Preliminary Plat of The Reserve Addition and approved the Plat. |

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- August 21, 2012 City Commission approves first reading of ordinances annexing and rezoning **THE RESERVE ADDITION, FROM** County R-PUD, Residential Planned Unit Development District, to R-S, Single-Family Residential Suburban District.
- September 4, 2012 City Commission approves Ordinance Nos. 6963 and 6964 annexing and rezoning **THE RESERVE ADDITION, FROM** County R-PUD, Residential Planned Unit Development District, to R-S, Single-Family Residential Suburban District.
- October 15, 2012 Manhattan Urban Area Planning Board approves the Final Plat of The Reserve Addition.
- December 18, 2012 City Commission accepts easements and rights-of-way as shown on The Reserve Addition and authorizes execution of restrictive covenant on the travel easements.

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 because the proposed lot sizes conform to the minimum requirements of the R-3 District. 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. Tract I of the Merion Addition consists of three (3) multiple-family lots, proposed to have 18-unit apartment buildings constructed on them. These lots will range from approximately 1.77 acres (77,239 square feet) to 2.5 acres (97,923 square feet) in size. The net density of these lots is to be 2.05 dwelling units per net acre.

In addition, the proposed Preliminary Plat of the Merion Addition identifies easements and rights-of-way to serve the subdivision consistent with the requirements of the Manhattan Urban Area Subdivision Regulations. These easements will be implemented through the Final Plat process proceeding after the rezoning and Preliminary Plat process is complete.

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 the subject site would accomplish. There is no adverse affects expected on the public health, safety and welfare as a result of

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the rezoning. A separate application was submitted for approval of a Preliminary Plat of the Merion Addition, which is a replat of a portion of The Reserve Addition. The Plat will conform to the proposed rezoning request. 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. These factors along with the storm water drainage plan for the area are specifically addressed in the Preliminary Plat of the Merion Addition (*See Preliminary Plat staff report*).

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Tract I from R-S, Single-Family Residential Suburban 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 Tract I from R-S, Single-Family Residential Suburban District to R-3, Multiple-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.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of the 6.57 acre Tract I in the proposed Merion Addition from R-S, Single-Family Residential Suburban 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: June 18, 2014

CB/vr
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STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

The proposed Merion Addition is to consist of thirty (30) single-family lots and three (3) multiple-family lots.

FROM: R-S, Single-Family Residential Suburban District

TO: R-1, Single-Family Residential District

APPLICANT: SMH Consultants – Jeff Hancock on behalf of the owners; Fieldhouse Development, Inc. – Zac Burton

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

OWNERS: Fieldhouse Development, Inc. – Zac Burton

ADDRESS: 3120 Seth Child Road, Manhattan, KS 66503

LEGAL DESCRIPTION: Generally, a tract of land consisting of Lots 4 and 5, The Reserve Addition (*see attached legal description for full details*). For the purpose of the request, the subject site shall be referred to as Tract II. (Tract I will refer to a concurrent request to rezone an area to R-3, Multiple-Family Residential District)

LOCATION: Generally located southwest of the intersection of Player's Terrace and Bellerive Drive, along the west side of Colbert Hills Golf Course.

AREA: 22.83 acres

DATE OF NEIGHBORHOOD MEETING: May 8, 2014

DATE OF PUBLIC NOTICE PUBLICATION: June 16, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: July 7, 2014
CITY COMMISSION: August 5, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

1. EXISTING USE: Vacant land originally rezoned to R-S, Single-Family Residential Suburban District and proposed to be developed as large, single-family residential lots.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: Open pasture with native grass cover on the flatter portions and heavily wooded steeply sloped ravines, at up to a 30 percent grade. Tract II is an irregular shaped area bounded on the north by land within the proposed development and on the east by the Colbert Hills Golf Course. Open range land and pasture in Riley County adjoins the west sides of Tract II. To the south of Tract II are the portions of the approved Reserve Addition, which will remain unchanged from the original rezoning and Final Plat, consisting of three (3) large single family lots gaining access from Purple Astor Place, off Grand Mere Parkway. Tract II naturally drains to the west and south, eventually to Wildcat Creek. Please refer to the Preliminary Plat of Merion Addition for the proposed drainage plan.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Vacant land within the proposed development, Colbert Hills Golf Course and Riley County range land; R-S District and County G-1, General Agriculture District.

SOUTH: The Reserve Addition, a low density single-family development (Lots 1-3) and Riley County range land; R-S District and County G-1, District.

EAST: Colbert Hills Golf Course and developing multiple-family, two-family and single-family dwellings; R-S District and R-3, Multiple-Family Residential District, and R-2, Two-Family Residential District.

WEST: Riley County range land: County G-1, District.

4. GENERAL NEIGHBORHOOD CHARACTER: Tract II abuts the western edge of the Colbert Hills Golf Course. The general character of the neighborhood is a mixture of golf course and a developing multiple-family, two-family and single-family density residential neighborhood within a comprehensively planned neighborhood in the City.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site was rezoned to R-S District and preliminary platted in September, 2012. The Final Plat of The Reserve was approved in December, 2012 to create seven (7) large lot, single-family homes. Tract II is suitable under its current zoning district of R-S, Single-Family Residential Suburban District.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The current zoning district is R-S, Single-Family Residential Suburban District, which allows for single-family detached dwellings on a minimum lot area of 20,000 square feet.

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The applicant has proposed to replat Lots 4 – 7, The Reserve, to be known as Merion Addition. The proposed replat will redesign the layout of the lots and public rights-of-way, and is proposed to be rezoned to R-1, Single-Family Residential District. The proposed concurrent rezoning to R-3, Multiple-Family Residential District will occur on the northern edge of the proposed development.

The proposed rezoning to R-1 District permits single-family detached homes. The minimum lot area for a single-family dwelling is 6,500 square feet per dwelling unit. Details of the R-1 District's requirements can be found in the Zoning Regulations (*See attached*). The proposed lots in the Preliminary Plat of Merion Addition that are to be rezoned to the R-1 District range in lot area from 0.35 acres to 2.38 acres. The note on the Preliminary Plat states that the net density of this area will be approximately 0.675 dwelling units per net acre.

The surrounding neighborhood is a mixture of the rural range land, Colbert Hills Golf Course, multiple-family dwellings, including two (2) apartment buildings, four-family dwellings, single-family attached and single-family detached homes, some of which are on large, estate lots. The large estate lots are located to the south of the proposed Merion Addition.

The area will also be required to conform to the private Grand Mere architectural guidelines and design standards. A private design review committee is responsible for enforcement of the Grande Mere guidelines and standards (*see policy statement below under Comprehensive 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 Community Master Plan policies, which was adopted as a part of the Manhattan Urban Area Comprehensive Plan.

As required by the rezoning application process, a neighborhood meeting was conducted by the applicant on May 18, 2014. The meeting summary stated that one (1) person was in attendance and “expressed concerns about the integrity and existing barbed wire fence that abuts the proposed project and making sure the fence remains intact to control livestock.” The meeting attendee also “expressed concerns about the potential for property owners to trespass on his property and ‘throw things over the fence’ like grass clippings” and his plan to continue burning the pasture as needed to control the health of his pastures.

As with any new greenfield urban development, an increase in traffic, noise and light can be expected; however it will be similar in nature to the development directly to the east. Drainage is being addressed through the Grand Mere master drainage plan. The proposed development will have no vehicular access to the properties to the west.

The proposed rezoning for the area from R-S District to R-1 District will be compatible with nearby properties and should not have any detrimental effects on these nearby properties.

7. CONFORMANCE WITH COMPREHENSIVE PLAN:

The Merion 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:

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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

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The Grand Mere Community Master Plan was originally adopted in April 2000 and was incorporated into the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the entirety of Grand Mere, which identifies Tract II as Single Family #3, 20.3 acres, see below under Residential Types for the RLM description.

Applicable policies (*in italics*) for Grand Mere, a Master Planned Golf Course Community include:

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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*

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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

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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.

Residential Types: The Merion Addition, including the site to be rezoned to R-3 District is designated as Single Family # 3, Single Family (RLM), in the Grand Mere Master Plan. RLM is described as:

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.

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 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

M. Current School District Boundaries

The school district boundary between Manhattan U.S.D. 383 and Riley County U.S.D. 378 divides Grand Mere into east and west jurisdictions crossing the property beginning at the S.W. Corner of Section 3-10-7 and continuing north to the N.W. Corner of Section 3-10-7.

The designation of the site on the Future Land Use map of the Comprehensive Plan is similar to the Grand Mere Community Master Plan, created in 2000. The area was annexed and zoned to R-S District and platted for large lot single-family homes in 2012.

Tract II of the proposed preliminary plat of the Merion Addition has a net density of 0.675 dwelling units per net acre. The overall density of the proposed residential development is to be 0.80 dwelling units per net acre (*See concurrent R-3 District rezoning staff report for details of that request*). The Comprehensive Plan suggests that less than one, up to eleven 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.

The proposed rezoning of the Merion 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 (<i>Grand Mere</i>), County R-PUD. |
| August 14, 1997 | Riley County Commission approved Final Development Plan. |
| August 6, 2012 | Manhattan Urban Area Planning Board considered annexation and held the public hearings to consider the rezoning of the |

Attachment No. 2

proposed The Reserve Addition, from County R-PUD, Residential Planned Unit Development District, to R-S, Single-Family Residential Suburban District, and recommended approval of annexation and rezoning as proposed. The Board also held a public hearing on the Preliminary Plat of The Reserve Addition and approved the Plat.

- August 21, 2012 City Commission approves first reading of ordinances annexing and rezoning The Reserve Addition, from County R-PUD, Residential Planned Unit Development District, to R-S, Single-Family Residential Suburban District.
- September 4, 2012 City Commission approves Ordinance Nos. 6963 and 6964 annexing and rezoning The Reserve Addition, from County R-PUD, Residential Planned Unit Development District, to R-S, Single-Family Residential Suburban District.
- October 15, 2012 Manhattan Urban Area Planning Board approves the Final Plat of The Reserve Addition.
- December 18, 2012 City Commission accepts easements and rights-of-way as shown on The Reserve Addition and authorizes execution of restrictive covenant on the travel easements.

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 because the proposed lot sizes conform to the minimum requirements of the R-1 District. The R-1 District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 6,500 square feet.

Tract II of the Merion Addition consists of thirty (30) single-family lots. These lots will range from approximately 0.35 acres (15,421 square feet) to 2.38 acres (103,575 square feet) in size. The net density of these lots is to be 0.675 dwelling units per net acre.

In addition, the proposed Preliminary Plat of the Merion Addition identifies easements and rights-of-way to serve the subdivision consistent with the requirements of the Manhattan Urban Area Subdivision Regulations. These easements will be implemented through the Final Plat process proceeding after the rezoning and Preliminary Plat process is complete.

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 the subject site would accomplish. No expected adverse affects on the public health, safety and welfare as a result of the rezoning. A separate application was submitted for approval of a Preliminary Plat of the Merion Addition, which is a replat of The Reserve. The Plat will conform to the proposed rezoning request. 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. These factors along with the storm water drainage plan for the area are specifically addressed in the Preliminary Plat of the Merion Addition (*See Preliminary Plat staff report*).

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of Tract II from R-S, Single-Family Residential Suburban District, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of Tract II from R-S, Single-Family Residential Suburban District, to R-1, Single-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.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of the 22.83 acre Tract II in the proposed Merion Addition from R-S, Single-Family Residential Suburban District, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

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

DATE: June 25, 2014

CB/vr
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INTER-OFFICE MEMORANDUM

DATE: July 9, 2014

TO: Manhattan Urban Area Planning Board

MEETING DATE: July 21, 2014

FROM: Chad Bunger, AICP, CFM, Senior Planner

RE: Amend Manhattan Zoning Regulations, Article IV, District Regulations, to Add Hospital as a Conditional Use in the C-1, Restricted Business District.

BACKGROUND

Action Pact Design, on behalf of Jeff Mathis, contacted City Administration about establishing a hospital at 720 Poyntz Avenue, devoted to inpatient care of young adults with mental health issues (*see attached letter and application information*). According to the application documents, the proposal is to renovate/rehabilitate the existing structures at the property to establish an outpatient professional office for psychiatrists and psychologist in the main house (nearest Poyntz Avenue) and an inpatient treatment facility that would be a licensed hospital for up to three patients on a short-term basis in the carriage house (northeast structure). The existing garage (northwest structure) would remain for storage.

An outpatient doctor's office is a Permitted Use in the C-1 District as a Business and Professional Office. However, a Hospital, with inpatient care is not a Permitted or Conditional Use in the C-1 District. City Administration recommended a text amendment to add Hospitals as a Conditional Use in the C-1 District.

The term Hospital is defined in the Manhattan Zoning Regulations as follows:

“HOSPITAL: A public or private institution primarily designed, intended or used for inpatient health services, including medical or surgical care to persons suffering illness, and injury and disease.”

Hospitals are a Permitted Use in the I-5, Business Park District and a Conditional Use in the R-1, Single-Family Residential District; R-2, Two-Family Residential District; R-3, Multiple-Family Residential District; and the R-4, General Residential District. Currently, the two hospitals in Manhattan are located in the R-1 District (Via Christi) and the R-3 District (Lafene Student Health at Mercy Health Center).

As noted above, hospitals are not a permitted in the C-1, Restricted Business District; however, outpatient medical offices are permitted under the term Business and Professional Offices which are defined as: “The office of an engineer, dentist, doctor, attorney, real-estate broker, insurance broker, architect, or other similar professional person, and any office used primarily for accounting, correspondence, research, editing or administration.”

AMENDMENTS TO THE TEXT OF THE ZONING REGULATIONS

When a proposed amendment results in a change to the text of the Zoning Regulations, the report from the Planning Staff shall contain a statement as to the nature and effect of the proposed amendment, and determinations as to the following issues.

1. WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING REGULATIONS

The general 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 protect property values.

The intent of the C-1 District is to provide for non-retail commercial, and business and professional activities adjacent to arterial and collector streets. This district is intended to be compatible with adjacent residential districts (*C-1 District regulations attached*).

The proposed text amendment is consistent with the intent and purpose of the C-1 District. Both of the existing hospitals are located within a residential district through a Conditional Use Permit. The C-1 District is intended to be compatible with adjacent residential districts. Logically, if a hospital is appropriate through the Conditional Use process in a residential district, it would be similarly appropriate to occur through a Conditional Use process in the adjacent C-1 District, which already allows doctors offices.

There does not appear to be any essential characteristic about a hospital, which would adversely affect Permitted or Conditional Uses or property values within the C-1 District. The Conditional Use process will require a site specific review of a specific hospital proposal, through a public hearing process in which nearby property owners are noticed of

Attachment No. 3

the hearing, so that their concerns can be heard. The Board of Zoning Appeals must make written findings of fact regarding the following seven (7) standards when considering a Condition Use:

- (A) The proposed conditional use complies with all applicable provisions of these regulations, including lot size requirements, bulk regulations, use limitations, and performance standards.
- (B) The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.
- (C) The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - (1) The location, nature and height of buildings, structures, walls and fences on the site, and
 - (2) The nature and extent of landscaping and screening on the site.
- (D) Off-street parking and loading areas will be provided in accordance with the standards set forth in Article VII of these regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.
- (E) Adequate utility, drainage, and other such necessary facilities have been or will be provided.
- (F) Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
- (G) Any other standards for conditional uses that are specifically identified in these regulations.

In granting a Conditional Use, the Board of Zoning Appeals may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards, and to carry out the general purpose and intent of the Zoning Regulations. Failure to comply with all of the conditions, safeguards and restrictions placed on a Conditional Use constitutes a violation of the Zoning Regulation and the Conditional Use Permit.

2. AREAS WHICH ARE MOST LIKELY TO BE DIRECTLY AFFECTED BY SUCH CHANGE AND IN WHAT WAY THEY WILL BE AFFECTED

The C-1 District is found throughout the city. The largest C-1 District is found along Poyntz Avenue, generally from 6th Street, to 17th Street. Other C-1 Districts can be found sporadically along arterial and collector streets.

In addition to the properties being affected by the proposed text amendment to the C-1 District, adjacent residential districts could be affected. The review and approval process of the Conditional Use by the Board of Zoning Appeals should mitigate any adverse impacts that may affect adjacent residential and commercial properties. Generally the Board of Zoning Appeals evaluates the impact on adjacent properties by reviewing the size and location of the proposed use, parking requirements, landscaping and screening as per the Conditional Use standards noted above.

No adverse impacts are anticipated on any of the C-1 Districts that will not be fully evaluated through the Conditional Use process.

3. WHETHER THE PROPOSED AMENDMENT IS MADE NECESSARY BECAUSE OF CHANGED OR CHANGING CONDITIONS IN THE AREAS AND ZONING DISTRICTS AFFECTED, OR IN THE CITY PLANNING AREA, GENERALLY, AND IF SO, THE NATURE OF SUCH CHANGED OR CHANGING CONDITIONS

The proposed location of the applicant's mental health hospital cannot be accommodated by the C-1 District because it is not currently listed as a Permitted or Conditional Use in the District. Generally, there have not been changes in the zoning district and surrounding areas, but rather the desire of the applicant to utilize a specific property in the proposed manner to address a community need.

4. WHETHER SUCH CHANGE IS CONSISTENT WITH THE INTENT AND PURPOSE OF THE POLICY AND GOALS AS OUTLINED IN THE ADOPTED COMPREHENSIVE PLAN OF THE CITY

Attachment No. 3

The Comprehensive Plan identifies areas zoned C-1 District as the Office-Research Park (OFF/RP) category, which is generally located along arterial and collector streets. The land uses in the OFF/RP category are described as “high quality employment facilities for uses such as office headquarters, research and development facilities, and educational facilities, as well as locations for light and heavy manufacturing, warehousing and distribution, indoor and screened outdoor storage, and a wide range of other industrial services and operations.” The policies of the OFF/RP designation generally refer to campus like settings with open spaces and common spaces. The policies do recognize that the C-1 District in the Poyntz Avenue Corridor from 17th Street to Juliette Avenue has special characteristics for business uses.

A hospital would match the land uses intended for the OFF/RP designation and the location of all current C-1 Districts are along arterial or collector streets. The proposed text amendment to add Hospitals as a Conditional Use to the C-1 District is in conformance with the policies of the Comprehensive Plan.

ALTERNATIVES

It appears the MUAPB has the following alternatives concerning the issue at hand. The board may:

1. Recommend approval of the proposed amendment to the City Commission, based on the reasons in the Staff Memorandum.
2. Recommend denial of the proposed amendment to the City Commission, based on specific reasons.
3. Modify the proposed amendment and forward the modifications, along with an explanation, to the City Commission.
4. Table the public hearing to a specific date, and provide further direction to City Administration and the applicant.

RECOMMENDATION

City Administration recommends approval of the amendment to the Manhattan Zoning Regulations to amend Article IV, District Regulations, to add hospitals as a Conditional Use to the C-1, Restricted Business District, based on the reasons in the Staff Memorandum.

POSSIBLE MOTION

The Manhattan Urban Area Planning Board recommends approval of the amendment to the Manhattan Zoning Regulations to amend Article IV, District Regulations, to add hospitals as a Conditional Use to the C-1, Restricted Business District, based on the findings in the Staff Memorandum.

CB
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STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

The proposed Turnberry Addition is to consist of twenty-two (22) single-family lots.

FROM: R-S, Single-Family Residential Suburban District

TO: R-1, Single-Family Residential District

APPLICANT: SMH Consultants – Ben Gasper on behalf of the owners; Switchgrass Development – Ben Burton

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

OWNERS: Switchgrass Development – Ben Burton

ADDRESS: 3539 Everett Drive, Manhattan, KS 66503

LEGAL DESCRIPTION: An unplatted tract in Section 3, Township 10, Range 7 East

LOCATION: Generally located immediately to the northeast of the intersection of Grand Mere Parkway and Colbert Hills Drive (*see attached legal description for full details*).

AREA: 14.36 acres (1.37 acres is to be dedicated as Grand Mere Parkway right-of-way).

DATE OF NEIGHBORHOOD MEETING: May 29, 2014

DATE OF PUBLIC NOTICE PUBLICATION: June 30, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: July 21, 2014
CITY COMMISSION: August 5, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

- 1. EXISTING USE:** The unplatted tract is currently native grass land.
- 2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The irregularly shaped tract is gently sloped and drains to the north towards the Colbert Hills Golf Course. The site drains towards an existing retention basin used for irrigation by the golf course. The basin is at the upper reach of Little Kitten Creek.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Colbert Hills Golf Course; R-S Single-Family Residential District.

SOUTH: Vacant land within Grand Mere Master Planned Community and Colbert Hills Golf Course; County Residential Planned Unit Development, R-S Single-Family Residential District.

EAST: Founders Village PUD, a single-family development and Colbert Hills Clubhouse; Residential PUD and R-S District.

WEST: Vacant land within Grand Mere Master Planned Community and Colbert Hills Golf Course; County Residential Planned Unit Development, R-S Single-Family Residential District.

4. GENERAL NEIGHBORHOOD CHARACTER: The general character of the neighborhood is a mixture of the golf course, including the club house, established single-family homes and multiple-family apartments and developing residential neighborhoods within the comprehensively planned neighborhood in the City.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site of the proposed Turnberry Addition was annexed and rezoned to R-S District in June, 1999 to accommodate the construction of Grand Mere Parkway and Colbert Hills Drive. The annexation and rezoning pre-date the current Manhattan Urban Area Comprehensive Plan and the adopted Grand Mere Master Plan. The Grand Mere Master Plan designates the area a Hotel (General Commercial (GC)) and Villa #5 (RLM). The Comprehensive Plan reflects that Grand Mere Master Plan's proposed land use. Development in Grand Mere is progressing to ensure attractive and orderly neighborhoods in response to changing market demand.

The site is suitable under the current zoning district to develop a single-family residential subdivision. The proposed Turnberry Addition would need to be altered to increase the lot area and lot depths of several lots to meet the minimum requirements of the R-S District.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:

The proposed rezoning to R-1 District is compatible with the surrounding neighborhood with twenty-two (22) single-family lots ranging in size from approximately 0.31 acres to 0.82 acres. A minimal increase in light, noise and traffic can be expected, with minimal impact on the surrounding area by the residential lots

in the Turnberry Addition. The proposed subdivision will be similar in size and character to other single-family developments in the Grand Mere Master Plan Community. The Golf Course is located immediately to the north and south. To the west and south is undeveloped land within the master planned community. The only existing neighbors to the proposed development are the single-family attached homes in the Founders Village and the Colbert Hill Clubhouse. Because of distance and similar types of residential uses, these existing developments should not be adversely impacted.

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 below III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY below in Grand Mere Master Plan*). 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.

As part of the application process, the applicant held a neighborhood meeting. According to the meeting summary, no one attended the meeting.

7. **CONFORMANCE WITH COMPREHENSIVE PLAN:**
THE SITE WAS ORIGINALLY ANNEXED AND REZONED IN 1999, PRIOR TO THE ADOPTION OF THE GRAND MERE MASTER PLAN AND THE CURRENT MANHATTAN URBAN AREA COMPREHENSIVE PLAN. THE TURNBERRY ADDITION IS SHOWN ON THE FUTURE LAND USE MAP AS COMMUNITY COMMERCIAL, CC, AND RESIDENTIAL LOW/MEDIUM DENSITY, RLM. THE WESTERN HALF OF THE REZONING SITE IS DESIGNATED AS CC AND THE EASTERN HALF AS THE RLM DESIGNATION. THE CC AREA IS A DIRECT REFLECTION OF THE GRAND MERE MASTER PLAN DESIGNATING THIS AREA FOR A DESTINATION HOTEL. THE DEVELOPER HAS CHOSEN TO DEVELOP THE SITE AS RESIDENTIAL. THE ADJACENT RLM DESIGNATION IS THE APPROPRIATE SET OF LAND USE POLICIES TO CONSIDER. APPLICABLE RLM POLICIES (*IN ITALICS*) IN 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.

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, which notes the area to be Hotel 8.3 acres (GC) and a portion of Villas #5 4.4 acres (RLM). The eastern half of Villas #5 has already been developed as the Founders Village PUD. As mentioned above, it is apparent that the market does not support a destination hotel at this location. The applicant has proposed to develop the site within policies of the Single Family (RLM), rather than the Villas description. See below under Residential Types for the Single Family and Villas RLM description.

Applicable policies (*in italics*) from the Grand Mere 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.

Attachment No. 4

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.

Residential Types: The developer has proposed a subdivision that meets the description of Single Family RLM, rather than the Villas designation, although both can be considered as single-family developments.

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 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

M. Current School District Boundaries

The school district boundary between Manhattan U.S.D. 383 and Riley County U.S.D. 378 divides Grand Mere into east and west jurisdictions crossing the property beginning at the S.W. Corner of Section 3-10-7 and continuing north to the N.W. Corner of Section 3-10-7.

Approximately half of the site is designated as Community Commercial (CC) by the Manhattan Urban Area Comprehensive Plan and Hotel (GC) by the Grand Mere Master Plan. It was envisioned that a destination hotel would be developed at this site. The developer has determined that the market for such a development is not present and has proposed a single-family residential subdivision. The most appropriate future land use designation in the Comprehensive Plan is Residential Low to Medium Density and Single Family (RLM) in the Grand Mere Master Plan.

The density in the Turnberry Addition is 0.53 dwelling units per net acre. The Comprehensive Plan suggests a density of less than one, to eleven (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.

THE PROPOSED REZONING OF THE TURNBERRY ADDITION CONFORMS TO THE POLICIES OF THE Grand Mere Master Plan and the Manhattan Urban Area Comprehensive Plan, based on the current market realities.

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

August 7, 1997	Board of County Commissioners approve Preliminary Development Plan of the Wildcat and Colbert Hills PUD
August 14, 1997	Board of County Commissioners approve Final Development Plan of the PUD
September 10, 1998	Manhattan Urban Area Planning Board recommends of the annexation of Tract IX.
October 6, 1998	City Commission approves first reading of annexation of Tract IX.
April 5, 1999	Applicant revises annexation boundaries for Tract IX and submits new application and Planning Board recommends approval of annexation of Tract IX and Tract X.
April 20, 1999	City Commission approves first reading of annexation of Tract IX and Tract X.
May 3, 1999	Planning Board recommends approval of rezoning of Tract IX and Tract X, to RS District.
May 18, 1999	City Commission approves first reading of rezoning of Tract IX and Tract X, to RS District.
June 1, 1999	City Commission approves annexation and zoning of Tract IX and Tract X.
June 7, 1999	Manhattan Urban Area Planning Board approves Preliminary Plat of Colbert Hills Addition.

Attachment No. 4

- | | |
|-----------------|---|
| July 8, 1999 | Manhattan Urban Area Planning Board approves Final Plat of Colbert Hills Addition. |
| July 20, 1999 | City Commission considers acceptance of easements and rights-of-way. |
| July 6, 2000 | Planning Board recommends approval of annexation of 9 tracts of land, rezoning of 12 tracts to RS District and vacating the Final Plat; and approves a new Final Plat of the Colbert Hills Addition. |
| August 1, 2000 | City Commission approves first reading of ordinances annexing 9 tracts being traded to Colbert Hills, rezoning 12 tracts being traded to Colbert Hills, and vacating the Final Plat of Colbert Hills Addition. |
| August 15, 2000 | City Commission considers approval of Ordinance No. 6156 annexing 9 tracts, and Ordinance No. 6157 rezoning 12 tracts being traded to Colbert Hills; and Ordinance No. 6158 vacating the Final Plat of Colbert Hills; and considers accepting easements and r-o-w's on the new Final Plat of Colbert Hills. |

The land has remained vacant.

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 District because proposed lot sizes shown on the Preliminary Plat of the Turnberry Addition conform to the minimum requirements of the R-1 District, which is designed to provide for single-family dwellings, and compatible uses, at a density no greater than one dwelling unit per 6,500 square feet. The proposed R-1 District consists of twenty-two (22) lots, which range from approximately 13,479 square feet to 35,563 square feet in area. All lots conform to the requirements of the R-1 District.

- 10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT:** There appears to be no gain to the public that denial would accomplish. No adverse impacts on the public health, safety and welfare are expected as a result of the rezoning. Development of the site cannot proceed until the proposed Preliminary Plat and Final Plats are approved. A separate application was submitted for approval of a Preliminary Plat. 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.
- 12. OTHER APPLICABLE FACTORS:** None
- 13. STAFF COMMENTS:** City Administration recommends approval of the proposed rezoning of the Turnberry Addition from R-S, Single-Family Residential Suburban District, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Turnberry Addition from R-S, Single-Family Residential Suburban District, to R-1, Single-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 Turnberry Addition from R-S, Single-Family Residential Suburban District, to R-1, Single-Family Residential District, based on the findings in the Staff Report.

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

DATE: July 10, 2014

CB/vr
14027}SR}TurnberryAdd}RStoR1.docx

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

The proposed Final Plat of Colbert Hills Addition, Unit Four is to facilitate a “land swap” between the Colbert Hills Golf Course and Grand Mere Development. The area associated with the “land swap” needs to be annexed into the City and rezoned. No development is proposed at this time for the area being annexed and rezoned.

FROM: County R-PUD, **RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT AND R-S, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT.**

TO: R, Single-Family Residential District.

APPLICANT: Grand Mere Development – Jerry Petty

ADDRESS: 2012 Vanesta Place, Suite A, Manhattan, Kansas.

OWNERS: Grand Mere Development – Jerry Petty
KSU Golf Course Management and Research Foundation – Bernie Haney,
Executive Director.

ADDRESS: 2012 Vanesta Place, Suite A, Manhattan, Kansas.
5200 Colbert Hills Drive, Manhattan, Kansas.

LEGAL DESCRIPTION: See Attached

LOCATION: Generally located 600 feet west of the intersection of Kauffman Drive and Vanesta Drive.

AREA: 22.99 acres

DATE OF NEIGHBORHOOD MEETING: June 4, 2014

DATE OF PUBLIC NOTICE PUBLICATION: June 30, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: July 21, 2014
CITY COMMISSION: August 19, 2014

THIRTEEN MATTERS TO BE CONSIDERED WHEN REZONING

- 1. EXISTING USE:** Open and undeveloped tract of land, designated as Single-Family #9 in the Grand Mere Community Master Plan. Cart paths and maintenance vehicle trails associated with the golf course are present on the rezoning site.
- 2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** Open range land with native grass cover. The site is an irregular shaped tract with natural ravines present on the western side of the rezoning site. The site drains generally to the southeast to this ravine, and then to Vanesta Lake, which ultimately drains to Little Kitten Creek. The site is mostly native grass with tree cover along the natural ravines.
- 3. SURROUNDING LAND USE AND ZONING:**
 - NORTH:** Colbert Hills Golf Course; R-S District.
 - SOUTH:** Colbert Hills Golf Course; R-S District.
 - EAST:** Colbert Hills Golf Course and undeveloped land in a future Grand Mere neighborhood and open space; R-S District.
 - WEST:** Proposed Single-Family and Multiple-Family lots in the Olympic Addition and undeveloped land in a future Grand Mere neighborhood; R-1, Single-Family Residential District, R-3, Multiple-Family Residential District and County R-PUD.
- 4. GENERAL NEIGHBORHOOD CHARACTER:** The general area is a mixture 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 majority of the site was rezoned to its current zoning district, County R-PUD, in 1997. At that time, the developer of the golf course wanted assurance that when the golf course was annexed, a zoning district that could accommodate the golf course was applied, rather than a general agricultural classification. The rezoning was established primarily for the benefit of the golf course development. The County R-PUD was not intended to develop under the PUD classification. Additionally, the County R-PUD predated the Grand Mere Master Plan and Comprehensive Plan, which currently recommends single-family homes. Development in Grand Mere is progressing to ensure attractive and orderly neighborhoods in response to changing market demand.

Approximately 3.44 acres of the site was annexed and rezoned from County RPUD to R-S, Single-Family Residential Suburban District in 1999. The site is suitable for the proposed rezoning to R District and implements the more detailed policies of the Grand Mere Community Master Plan.

- 6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The immediate area surrounding the site consists of the Colbert Hills Golf Course; the recently approved and soon to be developing Olympic Addition, which includes lots for single-family and multiple-family dwellings; and the single-family homes in the Grand Mere Vanesta Development.

The proposed annexation and rezoning, along with the proposed replat of Colbert Hills, Unit Three, is to facilitate a “land swap” between the Colbert Hills Golf Course and Grand Mere Development. No developments are proposed at this time on the rezoning site. Any future developments will require the rezoning site to be Preliminary and Final Platted. At that time, any compatibility issues will be further evaluated.

To ensure compatibility within Grand Mere, private architectural guidelines and design standards provide for building review and approval. A private design review committee is responsible for enforcement of the 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. Any developments that could occur on the site would generally be required to follow these guidelines and standards.

The applicant held a neighborhood meeting on June 4, 2014. According to the meeting report, one (1) neighbor attended the meeting to learn about the proposed rezoning. No issues were reported in the meeting minutes.

The proposed rezoning to the R-District is compatible with the surrounding properties.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:
THE REZONING SITE IS SHOWN ON THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN 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.

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, which notes the site as Single Family #9 (RLM), see below under Residential Types for the RLM description.

Applicable policies (*in italics*) for Grand Mere, a Master Planned Golf Course Community 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.

Residential Types: The rezoning site is designated Single Family # 9, Single Family (RLM), in the Grand Mere Community Master Plan. RLM is described as:

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. Te 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.

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 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

M. Current School District Boundaries

The school district boundary between Manhattan U.S.D. 383 and Riley County U.S.D. 378 divides Grand Mere into east and west jurisdictions crossing the property beginning at the S.W. Corner of Section 3-10-7 and continuing north to the N.W. Corner of Section 3-10-7.

The Comprehensive Plan suggests less than one, to eleven (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. No developments are currently proposed on the rezoning site, thus there is no associated residential density. Any development other than one (1) dwelling unit on the large tract would require the Preliminary and Final Platting processes be approved.

THE PROPOSED REZONING 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:

Vacant 19.55 Acre Tract

- | | |
|------------------|--|
| 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. |

3.68 Acre Tract Zoned R-S District

Attachment No. 5

- August 7, 1997 Riley County Commission approved Preliminary Development Plan of Colbert Hills and The Wildcat PUD (*Grand Mere*), County R-PUD.
- August 14, 1997 Riley County Commission approved Final Development Plan.
- April 6, 1998 Manhattan Urban Area Planning Board recommended annexation of a 377.9 acre tract of land for Colbert Hills Golf Course and Grand Mere Heights (*Grand Mere Tracts I & II*).
- April 21, 1998 City Commission approved first reading of annexation of Colbert Hills.
- June 1, 1998 Manhattan Urban Area Planning Board recommended approval of rezoning Colbert Hills to RS District.
- June 16, 1998 City Commission approved first reading of annexation and rezoning of Colbert Hills to RS District.
- July 7, 1998 City Commission annexes (Ordinance No. 6014) and rezones (Ordinance No. 6015) Colbert Hills.
- June 7, 1999 Manhattan Urban Area Planning Board approves Preliminary Plat of the Colbert Hills Addition.
- July 8, 1999 Manhattan Urban Area Planning Board approves the Final Plat of the Colbert Hills Addition.
- July 20, 1999 City Commission accepts easements and rights-of-ways of the Colbert Hills Addition.
- July 6, 2000 Manhattan Urban Area Planning Board recommends the vacation of the Final Plat of the Colbert Hills Addition, and approves the Final Plat of Colbert Hills Addition, Unit Two.
- August 1, 2000 City Commission approves first reading of an ordinance vacating the Final Plat of the Colbert Hills Addition.
- August 15, 2000 City Commission approves Ordinance No. 6158 vacating the Final Plat of the Colbert Hills Addition; and accepts easements and rights-of-ways of the Final Plat of Colbert Hills Addition, Unit Two.

The site has remained vacant to date.

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. The R, Single-Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 10,000 square feet. Although the proposed rezoning is to facilitate a “land swap” between the two (2) entities, the twenty-three (23) acre site meets and exceeds the minimum district requirements. Prior to any future development of the site, Preliminary and Final Plats will be required to be approved, which will ensure that the Zoning Regulation’s minimum requirements are met.

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 expected adverse affects on the public health, safety and welfare are expected as a result of the rezoning. Generally development of the site cannot proceed until a Preliminary Plat and Final Plat are approved. An application for a Preliminary Plat has not been made. As previously mentioned, this rezoning is to facilitate a proposed “land swap” between Colbert Hills Golf Course and Grand Mere Development. 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.

12. OTHER APPLICABLE FACTORS: None.

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of a 22.99 acre site, generally known as Single Family #9 in the Grand Mere Master Plan from County Residential Planned Unit Development District to R, Single-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of a 22.99 acre site, generally known as Single Family #9 in the Grand Mere Master Plan from County Residential Planned Unit Development District to R, Single-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 a 22.99 acre site, generally known as Single Family #9 in the Grand Mere Master Plan from County Residential Planned Unit Development District, to R, Single-Family Residential District, based on the findings in the Staff Report.

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

DATE: July 7, 2014

CB/vr
14026}SR}ColbertHillsUnit4}CPUDtoR

STAFF REPORT

ON AN APPLICATION TO REZONE: An approximately 41 acre tract of land to be known as the Muirfield Addition, including 3.31 acres for right-of-way dedicated for the extension of Grand Mere Parkway.

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

TO: R, Single-Family Residential District.

APPLICANT: SMH Consultants – Ben Gasper

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

OWNERS: Back 9 Land Development, LLC – T.J. Vilkanskas

ADDRESS: 1216 S. Mill Point Circle, Manhattan, KS 66503

LOCATION: Generally located 1,300 feet northeast of the intersection of Grand Mere Parkway and Colbert Hills Drive. Specifically, the area is to the north Hole #18 at Colbert Hills Golf Course. The area proposed to be annexed is to be known as the Muirfield Addition.

AREA: Approximately 41 acres, including 3.31 acres for the right-of-way for the extension of Grand Mere Parkway.

DATE OF NEIGHBORHOOD MEETING: May 20, 2014

DATE OF PUBLIC NOTICE PUBLICATION: June 30, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: August 4, 2014

CITY COMMISSION: August 19, 2014

The item was tabled at the July 21st Planning Board meeting to the August 4th meeting due to issues with the proposed Preliminary Plat.

The applicant is also requesting annexation into the City of Manhattan and has proposed a Preliminary Plat of the Muirfield Addition, which will create a total of twenty-four (24) single-family lots and six (6) tracts.

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 with a prominent ridge line generally in the middle of the site. The site drains generally to the northeast and southeast, which ultimately drain to Little Kitten Creek. The site is mostly native grass with tree cover along the natural ravines.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Colbert Hills Golf Course and undeveloped land in the Grand Mere Master Plan Community; R-S, Single-Family Residential Suburban District and County Residential Planned Unit Development.

SOUTH: Colbert Hills Golf Course and the Turnberry Neighborhood of Grand Mere; R-S, Single-Family Residential Suburban District and R-1, Single-Family Residential District.

EAST: Single-family and multiple-family lots in the Olympic Neighborhood of Grand Mere; R-1, Single-Family Residential District and R-3, Multiple-Family Residential District.

WEST: Colbert Hills Golf Course and undeveloped land in the Grand Mere Master Plan Community; R-S, Single-Family Residential Suburban District and County Residential Planned Unit Development.

4. GENERAL NEIGHBORHOOD CHARACTER: The general area is a mixture of undeveloped land, land recently platted and in the early stages of development, and Colbert Hills Golf Course.

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 yet 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 “Single Family Homes” 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 Muirfield Addition, site is suitable for the proposed rezoning to the R District.

- 6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The proposed rezoning to R, Single-Family Residential District is compatible with surrounding properties. An increase in light, noise and traffic is expected, however these increases should cause minimal impact on the adjacent golf course and residential properties. The proposed Preliminary Plat of the Muirfield Addition shows single-family lots that range from 1.00 acres to 2.10 acres in lot area. The proposed lots are similar to the single-family lots found throughout the Grand Mere Development and are proposed to have homes similar in character to the existing homes in the neighborhood.

To ensure compatibility within Grand Mere, private 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 May 20, 2014. According to the meeting report, no one attended the meeting.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:
THE MUIRFIELD ADDITION IS SHOWN ON THE FUTURE LAND USE MAP IN THE NORTHWEST PLANNING AREA AS RESIDENTIAL LOW/MEDIUM DENSITY.**

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.

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

RMH 1: Characteristics

The Residential Medium/High Density designation shall incorporate a mix of housing types in a neighborhood setting in combination with compatible non-residential land uses, such as retail, service commercial, and office uses, developed at a neighborhood scale that is in harmony with the area's residential characteristics and in conformance with the policies for Neighborhood Commercial Centers. Appropriate housing types may include a combination of small lot single-family, duplexes, townhomes, or fourplexes on individual lots. However, under a planned unit development concept, or when subject to design and site plan standards (design review process), larger apartment or condominium buildings may be permissible as well, provided the density range is complied with.

RMH 2: Appropriate Density Range

Densities within a Residential Medium/High neighborhood range from 11 to 19 dwelling units per net acre.

RMH 3: Location

Residential Medium/High Density neighborhoods should be located close to arterial streets and be bounded by collector streets where possible, with a direct connection to work, shopping, and leisure activities.

RMH 4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of housing models and sizes is strongly encouraged.

Grand Mere Community Master Plan

The Grand Mere Community Master Plan was originally adopted in April 2000 and is included as a part 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 as Single Family #7, a 31.9 acre tract designated RLM (Residential Low to Medium density) (*see below under Residential Types for the RLM description*).

Applicable policies (*in italics*) for Grand Mere, a Master Planned Golf Course Community 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,

Attachment No. 6

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.

The Enclave Addition, Unit One, is designated as Villas #2. 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.

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 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.

Based on the proposed Preliminary Plat and the proposed single family homes, the density in the Muirfield Addition, would be 1.38 dwelling units per net acre. The Comprehensive Plan suggests that a density range of less than one (1) to eleven (11) dwelling units per net acre is appropriate in the RLM category, and the Grand Mere Plan suggests a range of one (1) to twenty (20) dwelling units per acre in individual parcels and an overall density in all of Grand Mere of 1.5 units per acre.

THE PROPOSED REZONING OF THE MUIRFIELD ADDITION, TO R, Single-Family Residential District 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 because proposed lot sizes conform to the minimum requirements of the R District. 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.

The R, Single-Family Residential District is designed to provide a dwelling zone at a density no greater than one dwelling unit per 10,000 square feet. The Preliminary Plat shows lots ranging from approximately 43,642 square feet in area up to 91,667 square feet in area, with the majority of lot sizes being approximately 47,000 square feet in area. The proposed lots conform to the requirements of the proposed R District.

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE APPLICANT: There appears to be no gain to the public that denial of the rezoning would accomplish. No expected adverse impacts on the public health, safety and welfare are anticipated as a result of the rezoning. 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 rezoning is denied, as it conforms to the adopted Comprehensive Plan.

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

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of the Muirfield Addition, an approximate 41-acre tract of land, including the right-of-way for the extension of Grand Mere Parkway, generally located 1,300 feet northeast of the intersection of Grand Mere Parkway and Colbert Hills Drive, from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R, Single-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Muirfield Addition, from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R, Single- 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 Muirfield Addition, an approximate 41-acre tract of land, including the right-of-way for the extension of Grand Mere Parkway, generally located 1,300 feet northeast of the intersection of Grand Mere Parkway and Colbert Hills Drive from County **R-PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**, to R, Single- Family Residential District based on the findings in the Staff Report.

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

DATE: July 29, 2014

CB/vr

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