



MINUTES
CITY COMMISSION MEETING
TUESDAY, SEPTEMBER 2, 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, 7 staff, and approximately 25 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Butler led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Butler proclaimed September 17-23, 2014, *Constitution Week*. Linda Weis, National Commemorative Events Chair, and Ila Morrill, Regent, Polly Odgen Chapter, National Society Daughters of the American Revolution, were present to receive the proclamation.

PUBLIC COMMENTS

Mayor Butler opened the public comments.

Dick Hayter, representing the Flint Hills Area Transportation Agency Inc., ATA Bus, Board of Directors, Nominating Committee, distributed a letter to the City Commission requesting that the Manhattan City Commission consider appointing a representative to sit on the ATA Board.

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

COMMISSIONER COMMENTS

Commissioner Jankovich recognized Casey Culbertson, Chair, Manhattan Water Matters Day, Member, Manhattan Konza Rotary Club, as being selected to attend a fully paid leadership conference for Rotary.

Commissioner Reddi informed the community that on September 19, 2014, there will be an event at The Wonder Workshop for 10 Billion Beats for Global Peace around 6:30 p.m. or 7:00 p.m., and encouraged those interested to bring their drums to help promote peace for one hour around the world. She stated that Sunflower CASA is having their Comedy Club fundraiser on Friday, September 19, 2014, at the Wareham Opera House, and encouraged everyone to attend or volunteer their time for CASA. Finally, she said that the last day to register to vote is October 14, 2014, and for additional information visit the Riley County election website.

Commissioner McCulloh stated that there are only a couple of weeks left to see the Ice Age exhibit at the Flint Hills Discovery Center, and encouraged individuals and families to attend. She encouraged everyone to watch out for the kids going back to school.

Mayor Butler informed the community that the holiday season is approaching and private individuals and businesses are working on the Festival of Lights in the Blue Earth Plaza again this holiday season. He encouraged those interested in helping to make this a bigger and better event, to make financial contributions to the Whoville Fund with the Greater Manhattan Community Foundation. He also stated the annual Mayor's Christmas Spirit of the Holidays Lighted Parade will have two new entries this year and encouraged those interested to start thinking about your lighted float and entry designs.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, August 19, 2014.

CLAIMS REGISTER NO. 2769

The Commission approved Claims Register No. 2769 authorizing and approving the payment of claims from August 13, 2014, to August 26, 2014, in the amount of \$1,945,620.57.

CONSENT AGENDA (CONTINUED)

LICENSES

The Commission approved annual Cereal Malt Beverages Off-Premises Licenses for Ray's Apple Market #448, 3007 Anderson Avenue, and Short Stop #26, 8207 South Port Drive.

FINAL PLAT – K.F.C. ADDITION

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of K.F.C. Addition, located at 901 N. 3rd Street, based on conformance with the Manhattan Urban Area Subdivision Regulations.

ORDINANCE NO. 7082 – REZONE – TURNBERRY ADDITION

The Commission approved Ordinance No. 7082 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. 1*).

ORDINANCE NO. 7083 – ANNEX – TRACT 8, COLBERT HILLS ADDITION, UNIT FOUR

The Commission approved Ordinance No. 7083 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.

ORDINANCE NO. 7084 – REZONE – TRACT 8, COLBERT HILLS ADDITION, UNIT FOUR

The Commission approved Ordinance No. 7084 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. 2*) and the recommendation of the Planning Board.

FINAL PLAT – COLBERT HILLS ADDITION, UNIT FOUR

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Colbert Hills Addition, Unit Four, generally located north of the intersection of Grand Mere Parkway and Kimball Avenue and includes the entire Colbert Hills Golf Course, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7085 – ANNEX – MUIRFIELD ADDITION

The Commission approved Ordinance No. 7085 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.

ORDINANCE NO. 7086 – REZONE – MUIRFIELD ADDITION

The Commission approved Ordinance No. 7086 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. 3*) and the recommendation of the Planning Board.

ORDINANCE NO. 7087 – 2015 SALARIES

The Commission approved Ordinance No. 7087 establishing salaries for 2015 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.

ORDINANCE NO. 7088 – SPECIAL EVENT WITH ALCOHOL – AGGIEVILLE 125TH BIRTHDAY STREET FAIR AND DANCE

The Commission approved Ordinance No. 7088 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.

FIRST READING – NO PARKING – LITTLE KITTEN AVENUE

The Commission approved first reading of an ordinance designating a “No Parking Zone” along the east side of Little Kitten Avenue from the intersection of Kimball Avenue thence north to the intersection of Everett Drive.

FIRST READING – NO PARKING – CONGRESSIONAL ADDITION, GRAND LUXE ADDITION, INTERLACHEN ADDITION, AND NORTHLAKE, UNITS 1 AND 2

The Commission approved first reading of an ordinance designating a “No Parking Zone” along:

- **Tobacco Circle** – south side beginning at the Bellerive Drive intersection thence east 104 feet;
- **Tobacco Road** – south side beginning at the intersection of Bellerive Drive thence west 302 feet, north side beginning 302 feet west of Bellerive Drive thence north and west 1100 feet to the end;
- **Players Terrace** – north side beginning at the intersection of Grand Mere Parkway proceeding west to Bellerive Drive;

CONSENT AGENDA (CONTINUED)

FIRST READING – NO PARKING – CONGRESSIONAL ADDITION, GRAND LUXE ADDITION, INTERLACHEN ADDITION, AND NORTHLAKE, UNITS 1 AND 2 (CONTINUED)

- **Bellerive Drive** – west side in those portions of roadway that are 27-feet-wide from back of curb to back of curb;
- **Grand Luxe Drive** beginning at the intersection of Mackintosh Court thence west 100 feet;
- **Mackintosh Court** beginning at a the intersection of Grand Luxe Drive thence south 100 feet;
- **Back Nine Circle** – west side beginning at the intersection of Vanesta Drive to cul-de-sac;
- **Fieldhouse Drive** – south side beginning at the intersection of Colbert Hills Drive thence east to cul-de-sac;
- **Society Circle** – east side beginning at the intersection of Colbert Hills Drive thence southeast to cul-de-sac;
- **Colbert Hills Drive** – north side beginning at the intersection of Merced Drive thence southeast to the intersection of Vanesta Drive;
- **Half Full Drive** – west side beginning at the east intersection of Northfield Drive proceeding north thence west on the south side thence south on the east side to the west intersection of Northfield Drive;
- **Northfield Drive** – north side beginning at the east intersection of Optimist Drive thence east to end; and
- **Optimist Drive** – west side beginning at the east intersection of Northfield Drive proceeding north thence west on the south side thence south on the east side to the west intersection of Northfield Drive.

FIRST READING – NO PARKING – BUTTONWOOD DRIVE AND BLUELINE CIRCLE

The Commission approved first reading of an ordinance designating a “No Parking Zone” along:

- **Blueline Circle** – east side of Blueline Circle from the intersection with Buttonwood Drive thence south 220 feet; and
- **Buttonwood Drive** – south side of Buttonwood Drive beginning at the west intersection with Butterfield Road proceeding northeasterly thence south, ending 230 feet north of the east intersection with Butterfield Road.

PUBLIC HEARING – VACATE EASEMENT – LOT 101, LEE MILL HEIGHTS ADDITION, UNIT THREE

Mayor Butler conducted a public hearing.

Hearing no comments, Mayor Butler closed the public hearing.

CONSENT AGENDA (CONTINUED)

FIRST READING – VACATE EASEMENT – LOT 101, LEE MILL HEIGHTS ADDITION, UNIT THREE

The Commission approved first reading of an ordinance vacating a drainage easement on Lot 101 in Lee Mill Height Addition, Unit Three.

* REQUEST FOR PROPOSALS – FRANK ANNEBERG PARK IMPROVEMENTS (CP1405, CIP #RC031P, RC033P, CP157P)

Commissioner Jankovich provided clarification regarding the item.

The Commission authorized City Administration to solicit proposals for the design and bidding of sports turf and lighting improvements at Frank Anneberg Park [synthetic turf on two infields at Twin Oaks Complex (CIP #RC031P); synthetic turf on one soccer field (CIP #RC033P); and sports field lighting at Twin Oaks 1-4 and soccer fields 1 and 2 (CIP #CP157P)], and appointed Commissioner McCulloh to serve on the Selection Committee.

* AGREEMENT – CONSULTANT SERVICES – PARKS AND RECREATION STRATEGIC FACILITY IMPROVEMENT PLAN

Commissioner Reddi requested that the Steering Committee for the Parks and Recreation Strategic Facility Improvement Plan be increased from the suggested nine members to 15 members. She stated that this will ensure greater demographics and provide more community members to be represented. She asked that additional names could be provided from the City Commission to the Mayor.

Commissioner McCulloh concurred with the addition of six more members to the Steering Committee.

Mayor Butler stated that six more individuals could be added to the Steering Committee members listed and stated that if citizens are interested in serving, to contact the City Commission. He reiterated that the long-term plan is to improve parks and recreation and that the City needs all the input it can receive.

Commissioner Jankovich provided clarification regarding the item.

The Commission authorized City Administration to finalize and the Mayor and City Clerk to execute an agreement in an amount not to exceed \$145,006.00 with RDG Planning and Design, of Des Moines, Iowa, to define improvements desired to enhance recreation facilities and to help determine the general make up of a new indoor facility/facilities as part of the Parks and Recreation Strategic Facility Improvement Plan, and appointed the following community members to the Steering Committee to work with RDG Planning and Design:

CONSENT AGENDA (CONTINUED)

* **AGREEMENT – CONSULTANT SERVICES – PARKS AND RECREATION STRATEGIC FACILITY IMPROVEMENT PLAN (CONTINUED)**

- Gail Urban – Fieldhouse Project Chair
 - Yasche Glass – Girls Scouts of Northeast Kansas
 - Ed Klimek – Parks and Recreation Advisory Board Chair
 - Bruce McMillan – Parks and Recreation Advisory Board member
 - Mike Marsh – USD 383 Administration
 - Susan Religa – Youth Sports
 - Kelly Carmody – Boys and Girls Club Director
 - Diane Dennison – Adult Sports
 - Bruce Snead – Citizen-At-Large
 - Vern Hendricks (#) – Youth Sports Advocate
 - Katie Kendrick (#) – MWR – Youth Sports
 - Mike Gassmann (#) – Social Services Advisory Board
 - Kayla Savage (#) – University for Mankind (UFM)
 - Reagan Kays (#) – KSU Student Body President
 - Steve Martini (#) – KSU Rec Services
- (# represents members added after the Commission Meeting)*

AGREEMENT – IN THE DARK EXHIBIT – FLINT HILLS DISCOVERY CENTER

The Commission authorized the Mayor and City Clerk to execute an agreement in the amount of \$39,500.00 with Cincinnati Museum Center, of Cincinnati, Ohio, for the period of May 23, 2015, through September 20, 2015, for the exhibition of *In the Dark* at the Flint Hills Discovery Center.

BOARD APPOINTMENT – BICYCLE ADVISORY COMMITTEE

The Commission approved the appointment of Cydney Alexis, 728 Poyntz Avenue Apt. #1, to fill the unexpired KSU term of Ben Champion on the Bicycle Advisory Committee. Ms. Alexis' term begins immediately, and will expire October 31, 2014.

After discussion and comments from the Commission, Commissioner McCulloh moved to approve the consent agenda, with Commissioner McCulloh serving on the selection committee for Item M, REQUEST FOR PROPOSALS – FRANK ANNEBERG PARK IMPROVEMENTS (CP1405; CIP #RC031P, RC033P, CP157P); and, to add six additional people to the Steering Committee for Item N, AGREEMENT – CONSULTANT SERVICES – PARKS AND RECREATION STRATEGIC FACILITY IMPROVEMENT PLAN, appointing in total 15 people to the Steering Committee. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 5-0.

GENERAL AGENDA

FIRST READING - ANNEX AND REZONE - TRAILS AT MANHATTAN PUD

Eric Cattell, Assistant Director for Planning, presented an overview of the item and highlighted the proposed annexation and rezoning requests. He then responded to questions from the Commission regarding the floodplain maps, flood elevation levels, and the amount of fill required on the site.

Rob Ott, Director of Public Works, responded to questions from the Commission and stated that the project consultant would need to answer questions regarding the engineering study submitted for the project.

Eric Cattell, Assistant Director for Planning, provided additional information on the parking requirements, parking ratios, and parking requirements for other Planned Unit Developments. He then responded to concerns expressed from the Commission regarding potential flooding, flood insurance, and adequate resident parking.

Rob Ott, Director of Public Works, responded to questions from the Commission regarding pedestrian connectivity, sidewalks, and attaining right-of-way along Marlatt Avenue.

Kim Fugitt, Architect and Planner, Lindsey Management Co., Inc., provided background information about their company and properties that they own. He informed the Commission that their business model is to develop and retain ownership in their properties. He responded to questions from the Commission regarding the proposed parking ratio, flood elevation levels, grading plan, proposed rents for the one and two bedroom units, and provided additional information on the project and the ornamental fence that would be constructed as part of the negotiation with the seller.

Hugh Jarratt, Attorney, representing the Lindsey Management Co., Inc., provided additional information on the proposed development, target audience, vacancy rates, and on the demographics of the community and the need for one and two bedroom units.

Buckley Blew, Civil Engineer, Blew and Associates, provided additional information on the development and water drainage. He then responded to questions from the Commission regarding drainage, water flow, the site plan, and stated that the development is not increasing risk to flooding in other areas.

Rob Ott, Director of Public Works, informed the Commission that the drainage report indicates that the post condition will be less than what the runoff rate is currently.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

GENERAL AGENDA (*CONTINUED*)

FIRST READING - ANNEX AND REZONE - TRAILS AT MANHATTAN PUD (*CONTINUED*)

After discussion and additional comments from the Commission, Commissioner Jankovich moved to approve the first reading of an ordinance annexing the proposed Trails at Manhattan, an approximate 37.6 acre tract of land located 1,000 feet west of the intersection of Casement Road and Marlatt Avenue on the north side of Marlatt Avenue, based on conformance with the Comprehensive Plan, the Growth Vision, and the Capital Improvements Program, and based on the recommendation of the Planning Board; and approve the first reading of an ordinance rezoning the Trails at Manhattan, from County AG, General Agriculture, and SF-2, Single-Family Residential District, to PUD, Residential Planned Unit Development, based on the findings in the Staff Report with the 15 conditions of approval (*See Attachment No. 4*) as modified and recommended by the Planning Board. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

ADDENDUM – AIRPORT PASSENGER TERMINAL, PHASE ONE (AIP 44, CIP #AP040P)

Peter Van Kuren, Airport Director, presented background information and an overview of the item. He informed the Commission that Mead & Hunt, Inc., the City's Architectural and Engineering firm, received a letter from the U.S. Department of Labor explaining that the wage determinations being placed in the bid and contract documents with a reference to an online link was not enough to satisfy federal funding requirements and requested that the contract be modified to include the correct Davis-Bacon wage decisions in attached paper format. He then responded to questions from the Commission and stated that the City will not know for sure if there is a misapplication of a portion of the wages by the contractor until the Department of Labor completes its investigation.

Ron Fehr, City Manager, responded to questions from the Commission. He stated that if the wages were properly identified at the beginning of the project, the wages would have probably been higher, and said there could be increased costs to the City based on the sharing of the project.

Bill Raymond, City Attorney, provided additional information on the item and compliance to be in conformance with the Davis-Bacon Act for prevailing wage rates within classifications by the Department of Labor. He discussed the web link provided on the bidding and contract documents by Mead & Hunt, Inc., and highlighted the draft addendum to the construction contract with The Weitz Company, LLC, for phase one of the Passenger Terminal at the Manhattan Regional Airport. He then responded to questions from the Commission and stated that they have had conversations with the general contractor and need to incorporate the addendum before there is a ruling from the U.S. Department of Labor.

GENERAL AGENDA (CONTINUED)

ADDENDUM – AIRPORT PASSENGER TERMINAL, PHASE ONE (AIP 44, CIP #AP040P) (CONTINUED)

Peter Van Kuren, Airport Director, informed the Commission that prevailing rates and wages were posted as the project commenced. He reiterated that the City will not know for sure if there is a misapplication of a portion of the wages by the contractor or the amount of restitution until the addendum is approved and the Department of Labor finishes its investigation.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion and comments from the Commission, Commissioner Jankovich moved to authorize City Administration to finalize and the Mayor and City Clerk to execute an Addendum to the construction contract with The Weitz Company, LLC, of Lenexa, Kansas, for Phase One of the Passenger Terminal (AIP 44, CIP #AP040P) at the Manhattan Regional Airport. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

AWARD CONTRACT – AIRPORT TERMINAL EXPANSION, PHASE 2; TASK ORDER NO. 15 – CONSTRUCTION ADMINISTRATION SERVICES; RESOLUTION NO. 090214-A – ISSUE GENERAL OBLIGATION BONDS

Peter Van Kuren, Airport Director, presented an overview of the item. He informed the Commission that they authorized acceptance of the federal grant for construction of Phase Two of the terminal expansion at the Manhattan Regional Airport. He also provided an overview of the Phase Two construction contract with The Weitz Company, LLC, and the Phase Two construction administration contract with Mead & Hunt, Inc. He stated that if more than 90 days passes from the project bid until the contract award, then the wage determinations current at time of the contract must be used. He then responded to questions from the Commission regarding cost estimates and Task Order No. 15 provided by Mead & Hunt, Inc.

Jason Hilgers, Deputy City Manager, responded to questions from the Commission regarding the submittal of the contractor bid. He stated that if it costs the contractor more than the \$6.68 million contract amount, it is really none of the City's responsibility, and, if the costs are less than this amount, the contractor has savings.

Ron Fehr, City Manager, responded to questions from the Commission regarding potential change orders. He also highlighted the projected revenue growth to be generated with Passenger Facility Charges (PFC) and the potential for larger planes at the Airport.

GENERAL AGENDA (CONTINUED)

AWARD CONTRACT – AIRPORT TERMINAL EXPANSION, PHASE 2; TASK ORDER NO. 15 – CONSTRUCTION ADMINISTRATION SERVICES; RESOLUTION NO. 090214-A – ISSUE GENERAL OBLIGATION BONDS (CONTINUED)

Peter Van Kuren, Airport Director, provided information on the funding share with the Federal Aviation Administration (FAA).

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion, Commissioner Jankovich moved to authorize the Mayor and City Clerk to execute a construction contract in the amount of \$6,680,000.00 with The Weitz Company, LLC, of Lenexa, Kansas, and Task Order No. 15 in the amount of \$586,660.00 with Mead & Hunt, Inc., of Madison, Wisconsin, for construction administration, for Phase Two of the Passenger Terminal expansion at the Manhattan Regional Airport; and approve Resolution No. 090214-A, authorizing the issuance of temporary notes and/or general obligation bonds to pay for the Airport Terminal Expansion project (AIP46, CIP #AP035P). Mayor Butler seconded the motion. On a roll call vote, motion carried 5-0.

PURCHASE – FURNITURE, FIXTURES, AND EQUIPMENT – MANHATTAN REGIONAL AIRPORT TERMINAL BUILDING, PHASES 1 (AIP 44, CIP #AP040P) AND 2 (AIP 46, CIP #AP035P)

Peter Van Kuren, Airport Director, introduced the item.

Stacey Utech, Director of Design, BA designs, LLC, presented background information on the company, past performance with the Kansas Army National Guard and Heartland Readiness Center, information on the selection and warranty of the furniture, and information on the State of Kansas Furniture Contract.

Lyndsi Cox, Interior Designer, BA designs, LLC, presented additional information on the selection of furniture products to be used in the entry area seating, lounge area seating, family area seating, dining area seating and tables, re-cushioned existing use of beam seating, and auxiliary items.

Stacey Utech, Director of Design, BA designs, LLC, responded to questions from the Commission regarding the selection process and durability.

Peter Van Kuren, Airport Director, provided additional information on the request to purchase miscellaneous cleaning and maintenance equipment. He then responded to questions from the Commission regarding the vacuum cleaner at the Airport.

GENERAL AGENDA (CONTINUED)

PURCHASE – FURNITURE, FIXTURES, AND EQUIPMENT – MANHATTAN REGIONAL AIRPORT TERMINAL BUILDING, PHASES 1 (AIP 44, CIP #AP040P) AND 2 (AIP 46, CIP #AP035P) (CONTINUED)

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion and comments from the Commission, Commissioner Jankovich moved to authorize City Administration to purchase furniture, fixtures, and equipment (FF&E) for Manhattan Regional Airport Terminal Building project, Phases 1 (AIP 44, CIP #AP040P) and 2 (AIP 46, CIP #AP035P), in the amount of \$289,471.00, assigning BA Designs, LLC, of Topeka, Kansas, as the Dealer of Record; and to purchase the remaining miscellaneous cleaning and maintenance equipment in an amount not to exceed \$10,000.00 for a total FFE purchase of \$299,471.00; and, to ensure the purchase of a new vacuum for the Airport Terminal. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 9:21 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

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

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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

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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. 1

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.

Attachment No. 1

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.

Attachment No. 1

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. 1

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

Attachment No. 1

- 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.

Attachment No. 2

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. 2

- 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. 3

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

14028}SR}MuirfieldAddition}CPUDtoR.docx

STAFF REPORT

**APPLICATION TO REZONE PROPERTY TO PLANNED UNIT
DEVELOPMENT DISTRICT**

BACKGROUND

FROM: County AG, Agriculture District and SF-2, Single-Family District

TO: PUD, Residential Planned Unit Development

OWNERS: Lynda & Ronnie Phillips
700 Marlatt Avenue, Manhattan, Kansas

Jason Huff
698 E. Marlatt Avenue, Manhattan, Kansas

K R & C S McKay Trust
265 Flicker Circle
Carson City, Nevada

Mary Beth Irvine
3370 Casement Road, Manhattan, Kansas

APPLICANT: The Trails at Manhattan, a Limited Partnership (to be formed)
1200 E. Joyce Blvd, Fayetteville, Arkansas

DATE OF NEIGHBORHOOD MEETING: June 26, 2014

DATE OF PUBLIC NOTICE PUBLICATION: July 28, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: August 18, 2014
CITY COMMISSION: September 2, 2014

LEGAL DESCRIPTION: Portions of four (4) unplatted tracts in Section 31, Township 9 South, Range 8 East (*see attached location map and legal description for boundary of proposed development*)

LOCATION: Generally located 1,000 feet to the west of the intersection of Casement Road and Marlatt Avenue on the north side of Marlatt Avenue.

AREA: Approximately 37.60 acres. 1.36 acres of the area is proposed to be dedicated as Marlatt Avenue right-of-way.

PROPOSED USES: The proposed use is multiple-family residential. The applicant indicates they are planning “to serve the housing market of Manhattan, KS including the community of students, teaches, and support staff from Kansas State University, military personnel at Fort Riley and the general public at large.”

PROPOSED BUILDINGS AND STRUCTURES: An apartment complex consisting of forty (40), 18-unit apartment buildings with a mixture of one-bedroom and two-bedroom units for a total of 720 dwelling units (240 one-bedroom units and 480 two-bedroom units) and a two-story clubhouse, with fitness room, office space, meeting space and other related amenities on the first floor and a two-bedroom and a three-bedroom dwelling unit on the second floor. Additional improvements include an outdoor swimming pool and accessory building for mechanical equipment and restrooms, recreation area, signage, surface parking, and landscaping. Other structures that are tentatively proposed are a mailbox pavilion for the housing of the mailboxes for the entire development, storage buildings and cabana.

The application materials state the development will occur in two (2) phases, with the second phase to begin once the first phase is at capacity, which is anticipated in 5 – 10 years. Twenty-eight (28) apartment buildings, the clubhouse, recreation area, parking for those structures and the proposed retention basin will be constructed in the first phase. The remaining twelve (12) apartment buildings and associated parking will be constructed in the second phase.

Apartment Buildings

Two (2) different building models are proposed for the development. The site plan references them as “Custom” or “Classic. There are to be twenty-four (24) “Custom” buildings and sixteen (16) “Classic” buildings in the development.

“Custom” Building Design

The “Custom” building plans are 3-stories, approximately thirty-five (35) feet in height. Each building will have a footprint of approximately 5,900 square feet. The building will house twelve (12) two-bedroom units and six (6) one-bedroom units. The one-bedroom units will have a kitchen, one (1) bathroom and living room. The two-bedroom units will have a kitchen, two (2) bathrooms and a living room. Stairwells on both the front and rear of the building will provide access to the upper floors of the development. The upper floors will have a balcony. The first floors will have a patio. The exterior materials of the building will be brick and hardi-board lap siding and composite material roofing.

“Classic” Building Design

The “Classic” building plans are 3-stories, approximately thirty-three (33) feet in height. Each building will have a footprint of approximately 4,800 square feet. The building type will house twelve (12) two-bedroom units and six (6) one-bedroom units. All units will have a kitchen, one (1) bathroom and living room. Stairwells on both the front and rear of the building will provide access to the upper floors of the development. The exterior materials of the building will be brick and hardi-board lap siding and composite material roofing.

Clubhouse

The clubhouse is two (2) stories tall (approximately 26 feet in height), with a footprint of approximately 4,500 square feet in area. The first floor will include a fitness room, business center, office and meeting spaces, a kitchen, two (2) tanning bedrooms and four (4) bathrooms. The second floor will consist of a two-bedroom dwelling unit, with a kitchen, two (2) bathrooms and a living room, and a three-bedroom dwelling unit with a kitchen, master bathroom, and a second bathroom and utility room. Both of these units will have balconies at the rear of the building.

Other Buildings

Other buildings proposed in the development include a mailbox pavilion, storage building, cabana and pool building, which include the mechanical equipment for the pools, restrooms and vending machines for the pool and recreation area. The site plan does not specifically show the location of these various structures. The details of these other structures are below.

Building	Height	Footprint	Materials
Mailbox pavilion	~17.5 feet	~ 270 sq. ft.	Brick, EIFS and composition roofing
Storage building	~ 18 feet	~ 1870 sq. ft.	Brick and composition roofing
Cabana	~ 15.5 feet	~ 620 sq. ft.	Brick, EIFS and composition roofing
Pool building	~ 14.5 feet	~ 1100 sq. ft.	Brick, EIFS and composition roofing

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	219,886.5	13.93%
Paved Area (Parking & Driveways)	428,681.1	27.16%
Sidewalks	36,575	2.32%
Active Recreation Areas	50,640	3.21%
Total Open Space	842,832.1	53.4%
Total Impervious	685,145.6	46.6%

PROPOSED SIGNS:

The application materials show two (2) permanent signs on curved brick veneer walls are proposed near the entrances to the development on Marlatt Avenue. The signs are to be identical and be approximately four (4) feet tall by twenty-three (23) feet wide (total of 92 square feet in area) and include the development name and phone number. The application materials show the signs to be externally illuminated. The brick walls where the signs are to be located are approximately forty (40) feet long and five (5) feet tall. The end caps of the walls will be approximately seven (7) feet tall and have decorative lights located on top of the caps.

Exempt signs for addressing and similar exempt signs will be permitted.

PROPOSED LIGHTING:

The site plan shows light poles along the parking lots throughout the development. There will be typical residential building lighting. The Zoning Regulations requires that all lighting be shielded and fully cut off.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

1. LANDSCAPING: Landscaping is functional for the site and consists of deciduous trees, bushes and shrubs and grass yard areas. The trees, shrubs and bushes are dispersed throughout the development. Significant plant materials are proposed along Marlatt Avenue and the west property line to buffer the development from the roadway and screen/buffer the development, including its parking lot from the adjacent single-family homes to the west. The application materials state that the proposed landscaping will be irrigated by underground sprinklers. The applicant will be responsible for maintenance of landscaped areas.

2. SCREENING: Deciduous trees, shrubs and bushes are proposed to be planted along Marlatt Avenue and west property line to buffer the parking. No screening on the north or east property lines is proposed. The trash dumpsters shown throughout the development are shown to be screened by a six (6) foot tall brick enclosure with solid screening gates.

The proposed swimming pool is to be enclosed by a five (5) foot tall wrought iron looking fence. This area is also to be buffered by deciduous shrubs and bushes.

Due to the size of development, including the number of off-street parking spaces and driveways, additional screening in the form of sight-obscuring fencing should be provided. City Administration recommends that a six (6) foot tall sight-obscuring fence be constructed at the perimeter of the entire site, except along Marlatt Avenue, to reduce any potential negative impacts on existing and future adjacent residential properties.

3. DRAINAGE: The northern portion of the development is a natural drainage area from properties to the west. The proposed development plan shows an underground storm sewer that will collect the stormwater coming into the site and direct it towards a large wet detention basin proposed at the western side of the development.

The stormwater runoff from the development will be collected by curb and gutter along the parking lots and directed to area inlets, where underground storm sewers will take the stormwater to the proposed detention basin. Area inlets and underground storm sewer is also proposed along the rear yards of the buildings to collect those area's runoff.

The wet detention basin will drain to an underground storm sewer that will empty into the Marlatt Ditch to the south of Marlatt Avenue, where it will then drain to the Big Blue River. The wet detention basin is shown to be within a drainage easement.

On the east side of the development is a drainage swale that will collect the stormwater and empty the eastern area's storm water runoff to the Marlatt Ditch.

A Storm Water Management Report was provided by the applicant's consultant, Blew & Associates, P.A., dated July 23, 2014 (*see attachment*). The Report outlines the proposed stormwater infrastructure improvements and calculates the pre-development conditions vs. post-development conditions rates of runoff. According to the Report, the post-development rate of runoff is decreased by approximately 6 cfs to 8 cfs across the 2-year, 10-year and 100-year storms. The consulting engineer has stated that the proposed drainage plan "is not deemed to increase existing risk to downstream life or property."

The preliminary FEMA Flood Insurance Rate Maps show the northern area, where the natural drainage area is located to be within the 1% Annual Chance Floodplain. The boundary of the future conditions flood model is present on the outer edge of this mapped floodplain. The FEMA base flood elevation (BFE) is shown to range from 1019 feet in the southeast to 1020 feet in the northwest area of this mapped floodplain. City Administration has requested that the lowest enclosed floors of all structures in the development be at least 1022 feet, to ensure that the FEMA and future conditions flood model are met.

IT APPEARS THAT A SIGNIFICANT AMOUNT OF THE FILL REQUIRED TO ELEVATE THE SITE WILL COME FROM THE PROPOSED WET DETENTION BASIN ON THE WESTERN BORDER OF THE SITE. THIS ON-SITE CUT AND FILL PROPOSAL SHOULD MITIGATE ADVERSE IMPACTS, FROM THE REQUIRED ELEVATION OF THE BUILDINGS, ON ADJACENT PROPERTIES, AS IT PARTIALLY COMPENSATES FOR THE FILL NEEDED TO ELEVATE THE SITE ABOVE THE MAPPED BASE FLOOD ELEVATION.

Attachment No. 4

The City Storm Water Engineer reviewed the proposed development and the drainage study and finds that the development meets the detention requirements of the Storm Water Management Master Plan (SWMMP). The Storm Water Engineer also reviewed the post construction BMP analysis conducted by the consultant and determined that the requirements have been met.

THE PUD IS CONDITIONED UPON THE SUBMITTAL OF AN AGREEMENT, WHICH WILL NEED TO BE REVIEWED AND APPROVED BY THE CITY. THE AGREEMENT WILL SET OUT RESPONSIBILITIES OF THE OWNERS OF PUD REGARDING MAINTENANCE OF STORM WATER IMPROVEMENTS, DRAINAGE EASEMENTS AND THE DETENTION AREAS. THE AGREEMENT GIVES THE CITY THE ABILITY TO ASSESS THE OWNERS FOR MAINTENANCE COSTS, IF NECESSARY.

4. CIRCULATION: The internal circulation plan provides for safe, convenient and efficient movement of motorists and pedestrians. Two curb cuts are proposed onto Marlatt Avenue to provide access to the site. A shared driveway is proposed at the western entrance. The apartment complex will share a driveway with the two (2) adjacent single-family homes. The two (2) homes already share a driveway onto Marlatt Avenue. This existing driveway leading to the homes will be removed to avoid any conflict with the two access points. City Administration recommends a condition of approval that a long-term agreement between the applicant and these property owners shall be provided at the time of the application for the Final Development Plan and Final Plat. Conflicts between motorists and pedestrians are minimized. Internal access is by parking drives, which are maintained by the applicant.

The Traffic Study for the proposed PUD was prepared by Peters & Associates Engineers, Inc., dated July 14, 2014 (*see attachment*). The study determined that a total of approximately 358 new vehicle trips would be generated by the proposed development in the AM peak hour and approximately 435 new vehicle trips would be generated in the PM peak hour.

The Study also considered the projected traffic conditions for twenty (20) years in the future. Using the complete build-out of the PUD project and a two (2%) percent per year growth rate, the traffic study found that the current road network, including intersections would be adequate to handle the proposed development and community growth.

The Study concluded that the proposed development in its initial completion would not degrade the existing level of service at the existing intersections at Marlatt Avenue and Tuttle Creek Boulevard or Marlatt Avenue and Casement Road. The traffic study stated that although it was not warranted, a left-turn lane on Marlatt Avenue into the site is recommended at the western intersection to provide a safe turning movement into the development and to not impede eastbound through traffic on Marlatt Avenue.

Attachment No. 4

The proposed Preliminary Development Plan shows approximately 70 feet of additional right-of-way on the north side of Marlatt Avenue to be dedicated to the City to construct such street improvements.

The City Engineer has reviewed the development plan and traffic study and accepts the finding of the traffic study, which concludes that trips generated by the development will not negatively impact the level of service of the roadway and area interactions. The City Engineer also accepts the recommendation that a left-turn lane be provided for the east board traffic at the western access into the site.

Pedestrian and Bicycle Access

Pedestrian traffic is accommodated within the proposed development by sidewalks from the parking lots to the various apartments and accessory buildings. An eight (8) foot paved walking trail is also shown throughout the development to provide pedestrian and bicycle travel outside of the parking lots. This trail provides a pedestrian access to the south side of Marlatt Avenue, where a sidewalk exists.

The proposed walking trail mentioned above is located along Marlatt Avenue, but does not connect to the edges of the development. No sidewalk is currently located on the north side of Marlatt Avenue. At the time of the approval of the Preliminary and Final Plats of the Northwing Addition to the west, it was assumed that the street improvements of Marlatt Avenue by Riley County would include a sidewalk along the north side of Marlatt Avenue. However, that sidewalk was not constructed. To being the pedestrian infrastructure on the north side of the street, City Administration is recommending that the proposed trail or other type of ADA accessible sidewalk be extended to the edges of the development so that future developments can connect to it and complete the sidewalk network along Marlatt Avenue in the area. Other existing sidewalk gaps in the area will be completed when new development or redevelopment occurs.

Bike racks are not shown on the Preliminary Development Plans. Bike racks should be provided and shown on the Final Development Plan.

Off-Street Parking

The Manhattan Zoning Regulations for multiple-family dwellings base the required number of parking spaces on bedrooms per dwelling unit (one bedroom units – 2 spaces per unit; two bedroom units – 3 spaces per unit; and three bedroom units - 3.5 spaces per unit). Based on these requirements, the proposed PUD would need to provide a minimum of 1,927 off-street parking spaces (240-one bedroom units (480 spaces); 481-two bedroom units (1443 spaces); 1-three bedroom units (3.5 spaces)). The applicant has proposed 1,212 total off-street parking spaces, equivalent to 1.01 parking spaces per bedroom, which appears to be adequate to serve the mixture of bedroom types and tenant mix in the proposed PUD.

5. OPEN SPACE AND COMMON AREA: The applicant has made provisions for the continuity, preservation, care, conservation and maintenance of all open space within the PUD. Upon installation of landscaping, it will be maintained by the owner and watered by an underground sprinkling system.

A large active recreation area is proposed on the southern portion of the development, which includes a swimming pool, playground, tennis court, basketball court and putting green. A schematic of the playground and pool structure is provided (*see attached*). This active recreation area will be controlled and maintained by the owner.

6. CHARACTER OF THE NEIGHBORHOOD: The area can be characterized as a growth corridor of the City with single-family, two-family and multiple-family residential developments to the west of the site and south of Marlatt Avenue. Nelson's Landing subdivision, a Riley County development, consists of small-lot mobile home, modular, and single-family residential structures, located immediately to the west. Farther to the west is the Northwing Addition, a City single-family development in its early stages of being constructed. Further to the west are the Tuttle Creek Residences PUD apartment complex development, and the Colonial Gardens Manufactured Home Park. To the south of Marlatt Avenue is the Brookfield Neighborhood, which consists of single-family and two-family homes. The Eisenhower Middle School and sports complex is located to the southeast.

THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING ZONING DISTRICTS

1. EXISTING USE: Undeveloped row crop land. The site currently is planted with summer crops. The western portion of the site consists of two very deep single-family home lots. Both of the unplatted lots are over 1,000 feet in depth. The western lot is over 2,000 feet deep. The single-family homes are not included in the rezoning site and will remain.

2. PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS: The site is typical Big Blue River Valley agriculture land, which is generally flat. The irregular shaped site has a natural drainage channel collecting stormwater from the northwest and directing the runoff to the southeast corner of site, where it empties into the Marlatt Ditch to the south, and eventually drains to the Big Blue River.

A portion of the site, generally along the natural drainage channel, is shown on the preliminary FEMA Flood Insurance Rate Maps as the 1% Annual Chance Floodplain. The City's Future Condition Flood Model is also present along the natural channel. The FEMA base flood elevation is 1019 feet in the southeast and 1020 in the northwest.

3. SURROUNDING LAND USE AND ZONING:

NORTH: Agricultural land; County Ag, General Agriculture District

SOUTH: Marlatt Avenue, a minor arterial road with varying right-of-way width, the Brookfield neighborhood, consisting of single-family detached, single-family attached and two-family dwellings; R-2, Two-Family Residential District; and R-1, Single-Family Residential District.

EAST: Row crop agricultural land and single-family homes in rural Riley County; County Ag District and SF-2, Single-Family District, and SF-4, Single-Family District

WEST: Single-family homes in the Nelson's Landing Neighborhood, vacant industrial land and the Northwing Neighborhood; County SF-2 District, D-2, Light Industrial District and City R-1, Single-Family Residential District.

4. CHARACTER OF THE NEIGHBORHOOD: See above under PUD Criteria Number 6, CHARACTER OF THE NEIGHBORHOOD.

5. SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The site is currently in rural Riley County and zoned AG, Agricultural District and SF-2, Single-Family Residential District. The rezoning site is entirely being used for agriculture production.

The southern third of the SF-2 District tracts include single-family detached homes. These homes are not proposed to be within the rezoning site and will remain as they currently are. The remaining area of these tracts is used for row crop agriculture production.

The site's current use is suitable under its current zoning districts.

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

The site is in a growth corridor of the City. Increases in light, noise and traffic are expected. The applicant has taken appropriate measures to mitigate any potential adverse impacts on the adjacent properties, particularly the single-family residences to the west. The applicant is proposing a mixture of trees and shrubs along the west and southern property line to buffer the multiple-family development from the existing neighbors. City Administration is recommending a sight-obscuring fence, at least six (6) feet in height be located along the east, north and west property lines to further mitigate any light and noise impacting the existing and future neighbors of the development.

Attachment No. 4

Parking lot lighting shall be fully shielded and cutoff at all property lines to minimize adverse impacts on the adjacent properties. City Administration recommends that a complete illumination study be provided with the Final Development Plan of the proposed PUD to ensure that no lighting will extend beyond the development boundaries.

The applicant's traffic study shows that while a significant traffic increase will occur with the proposed development, Marlatt Avenue is designed and constructed as a minor arterial corridor, which is intended to accommodate such traffic volumes. The traffic study recommends that an eastbound left turn lane be constructed for traffic movements into western entrance to the development for the safety and convenience of travelers on Marlatt Avenue and the residents and visitors to the development.

The applicant held a neighborhood meeting on June 26, 2014. According to the meeting summary, approximately 10 citizens from the area, mostly from Nelson's Landing attended. The summary states that the concerns raised in the meeting were:

1. Current drainage issues with the existing ditch that flows through the site.
2. The effect of the development would have on their access to potable water and sewer.
3. The negative effect that the development would have on their view across the site.
4. The neighbors in Nelson's Crossing (*Nelson's Landing*) did not want traffic on their street.

7. CONFORMANCE WITH COMPREHENSIVE PLAN: THE PROPOSED SITE IS SHOWN ON THE FUTURE LAND USE MAP AS A COMBINATION OF RESIDENTIAL LOW/MEDIUM DENSITY (RLM) AND ENVIRONMENTALLY SENSITIVE AREA/FLOOD HAZARD AREA. THE APPLICABLE POLICY STATEMENTS FOR THE RLM DESIGNATION ARE:

Residential Low/Medium Density (RLM)

RLM 1: Characteristics

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

RLM 2: Appropriate Density Range

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

RLM 3: Location

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

RLM 4: Variety of Housing Styles

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

The Preliminary Development Plan shows 722 dwelling units within the 41 buildings. The net density, based on the application materials is 19.9 dwelling units per net acre. The most applicable policy statements for the proposed development are Residential High Density (RHD). The policy statements are:

Residential High Density (RHD)

RHD 1: Characteristics

The Residential High Density designation is designed to create opportunities for higher density neighborhoods in both an urban downtown setting and a suburban setting. Within an urban or downtown setting, the designation accommodates higher-intensity residential housing products, such as mid to high-rise apartments, townhomes and condominiums, combined with complementary non-residential land uses, such as retail, service commercial, and office uses, often within the same building. In other areas of the community, Residential High Density neighborhoods can be accommodated in a less vertical or urban fashion, such as in planned apartment communities with complimentary neighborhood service commercial, office and recreational facilities. These neighborhoods could be implemented through a Planned Unit Development or by following design and site plan standards (design review process).

RHD 2: Appropriate Density Range

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

RHD 3: Location

Residential High Density uses are typically located near intersections of arterials and collector streets, sometimes providing a transition between commercial or employment centers and lower density neighborhoods. High-density neighborhoods should not be located in settings where the only access provided consists of local streets passing through lower density neighborhoods. In a more urban or downtown setting, residential high density may be combined with active non-residential uses in a vertically mixed-use building.

RHD 4: Building Massing and Form

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

RHD 5: Mix of Uses

Non-residential uses should generally not exceed 25% of the total floor area in a mixed-use structure.

RHD 6: Parking Location and Design

Within an established urban neighborhood, such as the downtown core, adequate off-street parking should be located behind buildings or within mixed-use parking structures.

RHD 7: Structured Parking

Structured parking garages, often necessary for this type of development intensity, should be designed with a similar level of architectural detail as the main building. Incorporating active uses, such as retail spaces, into the ground floor is strongly encouraged, particularly in downtown settings.

The Comprehensive Plan's Future Land Use Map designates the site for RLM Low to Medium density residential development with a net density of up to eleven (11) dwelling units per net acre. The proposed development has a net density of slightly over 19 dwelling unit per net acre, at 19.9 dwelling units per net acre. However, the site location and proposed PUD do conform to the policies of the Residential Medium to High Density (RHD) classification, as the complex is located along a minor arterial street and is being designed through the Planned Unit Development process with attention paid to the massing and design of the apartment buildings, location of parking and providing a variety of on-site amenities for the complex's residents and visitors.

The Comprehensive Plan's Future Land Use Map shows higher density residential development in the neighborhood directly south of the site and Marlatt Avenue and to the northeast of the site along the west side of Casement Road, and is designated as Residential Medium/High Density (RMH) from eleven (11) dwelling units to nineteen (19) dwelling units per net acre. The PUD proposal shifts the higher density residential development envisioned for the neighborhood from the south side of Marlatt Avenue, which was built out as a low to medium density neighborhood, and from along the unimproved rural section of Casement Road which is not in the City, to the proposed site along the north side of the Marlatt Avenue arterial corridor which has already been improved to urban standards and annexed in 2011.

A portion of the rezoning site is also designated as **ENVIRONMENTALLY SENSITIVE AREA/FLOOD HAZARD AREA. THE APPLICABLE POLICIES ARE AS FOLLOWS:**

CHAPTER 5: NATURAL RESOURCES AND ENVIRONMENT

NRE 1: Corridors, Buffers, and Linkages and Preserved Open Space

The City and County should use a variety of methods (both public and private) to facilitate the creation of a continuous, permanent, system of open space corridors using natural features such as preserved open space areas, drainages, streams, and rivers to the extent possible. Corridors should be identified during the subdivision or master planning process and should be used to provide linkages within and between non-contiguous parks, environmentally sensitive and preserved open space areas, as well as neighborhoods and other development areas. Buffers can also be used to provide a transition between different intensities of uses. The current width and shape and other features of a naturally occurring corridor (such as a drainageway) should be preserved, in order to maintain its environmental integrity and avoid creating an "engineered" appearance.

NRE 4: Environmentally Sensitive Areas: Wildlife Habitat and Corridors, Wetlands, Riparian Areas and Prairie Ecosystems

The Urban Area is home to a variety of environmentally sensitive areas, including: Wildcat Creek, the Big Blue and Kansas Rivers, numerous secondary stream corridors, drainage areas, and wetlands, as well as prairie ecosystems. In addition to their scenic quality, these areas provide other benefits, such as water quality enhancement and flood control, potential ecotourism, and also serve as important wildlife habitat. The City and County shall work to ensure that development impacts upon these areas are minimized.

NRE 5: Environmentally Sensitive Site Design

The City and County shall ensure that environmentally sensitive site design practices are used in new development. Sensitive site design practices can minimize unnecessary physical and visual impacts upon the surrounding landscape, caused by excessive removal of existing vegetation or severe roadway cuts, and excessive grading of natural topography.

NRE 6: Natural Hazards

Development shall be prohibited in areas where natural hazards have been identified which have the potential to endanger life, resources, and property. Within the Manhattan Urban Area, these hazards include steep slopes (20% or greater, floodways, and other special flood hazard areas.

The portion of the rezoning site is shown in the **ENVIRONMENTALLY SENSITIVE AREA/FLOOD HAZARD AREA AND IS RELATED TO THE 1993 FLOOD EVENT. THAT FLOOD EVENT FOLLOWED THE NATURAL DRAINAGE CHANNEL ON THE SITE AND WAS THE EXTREME UPSTREAM EXTENT OF THE BACKWATER FROM THE BIG BLUE RIVER FLOOD. THIS AREA WAS MODELED IN THE PRELIMINARY FLOOD INSURANCE RATE MAPS AND IS REPRESENTED AS THE 1% ANNUAL CHANCE FLOODPLAIN (100-YEAR FLOOD). THE NEW MAPPED FLOODPLAIN SHOWS A LARGER AREA OF THE 1% ANNUAL CHANCE FLOODPLAIN, AS IT WAS DETERMINED THAT THE 1993 FLOOD EVENT WAS RECENTLY ESTIMATED TO BE SLIGHTLY GREATER THAN A 75-YEAR STORM (1.5% ANNUAL CHANCE STORM).**

AT THE REQUEST OF CITY ADMINISTRATION, THE APPLICANT HAS ESTABLISHED A LOWEST ENCLOSED FLOOR ELEVATION OF 1022 FEET TO ENSURE BUILDINGS ARE AT LEAST TWO (2) FEET HIGHER IN ELEVATION THAN THE FEMA BASE FLOOD ELEVATION OF 1020 FEET THAT IS PRESENT IN THE NORTHWEST AREA OF THE MAPPED FLOODPLAIN. IT APPEARS THAT A SIGNIFICANT AMOUNT OF FILL REQUIRED TO ELEVATE THE SITE WILL COME FROM THE PROPOSED WET DETENTION BASIN ON THE SITE. THIS ON-SITE CUT AND FILL SHOULD MITIGATE IMPACTS ON ADJACENT PROPERTIES, AS IT COMPENSATES FOR THE FILL NEEDED TO ELEVATE THE SITE ABOVE THE MAPPED BASE FLOOD ELEVATION.

THE PROPOSED ANNEXATION GENERALLY CONFORMS TO THE MANHATTAN URBAN AREA COMPREHENSIVE PLAN.

8. ZONING HISTORY AND LENGTH OF TIME VACANT AS ZONED: The majority of the site has remained vacant to date as agricultural land in rural Riley County. The western portion of the site is part of two (2) single-family residential tracts in Riley County. The northern portions of these two (2) tracts have been used for agricultural purposes and are included in the rezoning site. The location of the single-family homes is not proposed to be included in the rezoning site and will remain in their current condition.

9. CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent and purpose of the Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values.

The PUD Regulations are intended to provide a maximum choice of living environments by allowing a variety of housing and building types; a more efficient land use than is generally achieved through conventional development; a development pattern that is in harmony with land use density, transportation facilities and community facilities; and a development plan which addresses specific needs and unique conditions of the site which may require changes in bulk regulations or layout.

Subject to the conditions of approval, the proposed amendment is consistent with the Zoning Regulations.

10. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE THAT DENIAL OF THE REQUEST WOULD ACCOMPLISH, COMPARED WITH THE HARDSHIP IMPOSED UPON THE INDIVIDUAL OWNER: There appears to be no gain to the public that denial would accomplish. Traffic increases can be adequately handled by Marlatt Avenue and pedestrian safety is accommodated. Public utilities and facilities can be extended to adequately serve the subdivision, and most importantly, fire and emergency service protection. Denial of the request may be a hardship to the owner.

11. ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Adequate public water, sanitary sewer, streets and pedestrian sidewalks are currently available to serve the development.

Assistant Director of Public Works for Water and Wastewater has reviewed the preliminary development plans and has provided a memo (*see attached*) on the availability of sanitary sewer capacity in the Casement Interceptor Sewer that will serve the site. The Casement Interceptor Sewer is a large capacity sewer line that collects sewer from the “area roughly north of Kimball Avenue from Seth Child Avenue to Tuttle Creek Boulevard, as well as all areas east of Tuttle Creek Boulevard north of McCall Road.” Through a preliminary sanitary sewer analysis, using the best data available of existing

conditions and the assumptions for proposed development, it was determined that adequate capacity is available downstream to serve the proposed development.

The memo states that “the Public Works Department does not reserve system capacity for proposed developments. When future phases of this development are planned to be constructed, the downstream sewer system capacity must be reconsidered.” City Administration recommends a condition of approval be made that the downstream sanitary sewer shall be further studied for capacity constraints prior to the beginning of the second phase of the development, which is shown on the Preliminary Development Plan as the construction of the 30th apartment building.

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS AND RECOMMENDATION: City Administration recommends approval of the proposed rezoning of the Trails at Manhattan Planned Unit Development from County AG, General Agriculture and SF-2, Single-Family Residential District, to PUD, Residential Planned Unit Development District, with the following conditions of approval:

1. The Permitted Use shall be Multiple-Family Residential.
2. A maximum of 722 total dwelling units shall be allowed.
3. A maximum of 480, one bedroom; 241, two-bedroom; and 1, three bedroom dwelling units shall be allowed.
4. The lowest enclosed floors of all structures in the development shall be at least 1022 feet.
5. A private cross access easement shall be filed between the applicant and the two (2) adjacent single-family residential property owners before the application of the Final Development Plan and Final Plat that outlines the long term agreement for the shared driveway on the western side of the development.
6. An agreement outlining the on-going maintenance responsibility and enforcement rights of the City for the drainage easements and detention areas shall be created and approved by the City prior to completion the Final Development Plan and Final Plat.
7. A minimum six (6) foot tall sight-obscuring fence shall be constructed along the perimeter of the entire site, except along Marlatt Avenue.
8. Prior to issuance of a building permit for the 30th building of the proposed development, a study of the downstream capacity constraints of the Casement Interceptor Sanitary Sewer shall be provided by the property owner and approved by City Administration.
9. Additional bike racks shall be provided in areas adjacent to apartment buildings and shall be shown on Final Development Plans.

Attachment No. 4

10. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
11. All landscaping and irrigation shall be maintained in good condition.
12. The proposed walking trail or other type of ADA accessible sidewalk shall be extended to the edges of the development along Marlatt Avenue.
13. An eastbound left turn lane on Marlatt Avenue shall be provided at the western entrance and the design shall be submitted with the Final Development Plan for review and approval by the City.
14. The design of the pedestrian/bicycle crossing of Marlatt Avenue shall be submitted with the Final Development Plan for review and approval by the City.
15. A complete site illumination study shall be provided with the Final Development Plan.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of The Trails at Manhattan Planned Unit Development from AG, General Agriculture and SF-2, Single-Family Residential District to PUD, Residential Planned Unit Development District, stating the basis for such recommendation, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of The Trails at Manhattan Planned Unit Development from AG, General Agriculture and SF-2, Single-Family Residential District to PUD, Residential Planned Unit Development District, and modify the conditions, and any other portions of the proposed PUD, to meet the needs of the community as perceived by the Manhattan Urban Area Planning Board, stating the basis for such recommendation, and indicating the conditions of approval.
3. Recommend denial of the proposed rezoning, stating the specific reasons for denial.
4. Table the proposed rezoning to a specific date, for specifically stated reasons.

POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of The Trails at Manhattan Planned Unit Development from County AG, General Agriculture and SF-2, Single-Family Residential District, to PUD, Residential Planned Unit Development District, based on the findings in the Staff Report, with the fifteen (15) conditions recommended by City Administration.

Attachment No. 4

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

DATE: August 13, 2014

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