



MINUTES
CITY COMMISSION MEETING
TUESDAY, JANUARY 6, 2015
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, 6 staff, and approximately 35 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Butler led the Commission in the Pledge of Allegiance.

PROCLAMATION

Mayor Butler proclaimed January 17-19, 2015, ***Dr. Martin Luther King Junior, Community Celebration and Day of Service***. Bishop Darryl Martin, Member, Manhattan Martin Luther King Junior Committee, was present to receive the proclamation.

PUBLIC COMMENTS

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

COMMISSIONER COMMENTS

Commissioner Reddi informed citizens that the deadline for the Martin Luther King Junior essay and artwork contest for students and community members is January 12, 2015, at 6:00 p.m., with entries being displayed January 19, 2015, at the Manhattan Town Center Mall. She encouraged the community to attend and enjoy the grand opening celebration

COMMISSIONER COMMENTS (*CONTINUED*)

for the new Children's Library at the Manhattan Public Library from 1:00 p.m. to 4:00 p.m. on January 17, 2015. Finally, she stated that the deadline to file for the office of City Commission and School Board is 12:00 noon on January 27, 2015, and encouraged those interested to review the election forms on the Riley County website.

Commissioner McCulloh wished everyone a Happy New Year. She encouraged those that have not viewed the current exhibit at the Flint Hills Discovery Center to do so. She also encouraged everyone to stay warm.

Mayor Butler commented that he was pleased to see that the City debt is \$1 million dollars lower beginning of 2015 than it was at the beginning of 2014. He wished everyone a Happy New Year.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Regular City Commission Meeting held Tuesday, December 16, 2014.

CLAIMS REGISTER NO. 2777

The Commission approved Claims Register No. 2777 authorizing and approving the payment of claims from December 10, 2014, to December 30, 2014, in the amount of \$4,680,641.21.

LICENSE – MERCHANT GUARD AGENCY

The Commission approved a Merchant Guard Agency License for calendar year 2015 for Securitas Security Services USA, Inc., 2942 B Southwest Wanamaker Drive, Topeka, Kansas, and VendTech-SGI, LLC, 250 N Rock Road # 360, Wichita, Kansas.

FINAL PLAT – AMERICAN INSTITUTE OF BAKING ADDITION, UNIT

2

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of American Institute of Baking Addition, Unit 2, generally located on the east side of N. Manhattan Avenue at 1213 Baker's Way, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CONSENT AGENDA

ORDINANCE NO. 7120 – ANNEX – PINEHURST ADDITION

The Commission approved Ordinance No. 7120 annexing the proposed Pinehurst Addition, an approximate seven acre tract of land, generally located to the west 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. 7121 – REZONE – PINEHURST ADDITION

The Commission approved Ordinance No. 7121 rezoning the proposed Pinehurst Addition from County R-PUD, Residential Planned Unit Development District, to R-2, Two-Family Residential District, based on the findings in the Staff Report (*See Attachment No. 1*).

* **ORDINANCE NO. 7122 – LEASE PURCHASE – FIRE PUMPER TRUCK (CIP #FR007E)**

The Commission approved Ordinance No. 7122 authorizing the Mayor and the City Clerk to enter into a lease purchase agreement with Clayton Holdings, LLC, for the purpose of acquiring a pumper (CIP #FR007E).

* **AGREEMENT – LEASE PURCHASE – FIRE PUMPER TRUCK (CIP #FR007E)**

The Commission authorized the Mayor or City Clerk to execute the lease purchase agreement for the purpose of acquiring a pumper (CIP #FR007E).

AWARD CONTRACT – TURNBERRY ADDITION – SANITARY SEWER (SS1416), STREET (ST1419), AND WATER (WA1414) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$878,044.20; awarded a construction contract in the amount of \$767,075.00 to Bayer Construction, Inc., of Manhattan, Kansas; and authorized the Mayor and City Clerk to execute the contract for the Turnberry Addition Sanitary Sewer (SS1416), Street (ST1419), and Water (WA1414) Improvements.

OUTSIDE CITY SEWER AGREEMENT – 5815 MARLATT AVENUE (FLINTHILLS AREA TRANSPORTATION AGENCY)

The Commission authorized the Mayor and City Clerk to execute an agreement with the Flint Hills Area Transportation Agency authorizing the outside city limits sanitary sewer service connection for the bus terminal and offices located at 5815 Marlatt Avenue, Manhattan, Kansas, Riley County.

CONSENT AGENDA

PAYMENT – FLINT HILLS METROPOLITAN PLANNING ORGANIZATION

The Commission authorized City Administration to finalize payment in the amount of \$51,974.25 to the Flint Hills Metropolitan Planning Organization for the City's semi-annual payment contribution.

MEMBERSHIP DUES – FLINT HILLS REGIONAL COUNCIL

The Commission authorized City Administration to finalize the 2015 membership payment in the amount of \$26,140.50 to the Flint Hills Regional Council for the City's annual membership contribution.

BOARD APPOINTMENTS – AGGIEVILLE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD

The Commission approved the following appointments by Mayor Butler to the Aggieville Business Improvement District Advisory Board.

Re-appointment of Krista Bramhall, 4408 Leone Circle, to a three-year term. Ms. Bramhall's term begins immediately, and will expire December 31, 2017.

Appointment of David Sauter, 1912 Stratton Circle, to a three-year term. Mr. Sauter's term begins immediately, and will expire December 31, 2017.

After discussion, Commissioner McCulloh moved to approve the consent agenda. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 5-0, with the exception of Item F, ORDINANCE NO. 7122/AGREEMENT – LEASE PURCHASE – FIRE PUMPER TRUCK (CIP #FR007E), which carried 4-0-1, with Commissioner Jankovich abstaining on the item.

GENERAL AGENDA

RESOLUTION NO. 010615-A – PETITION - 1500 BLOCK ALLEY IMPROVEMENT BETWEEN HOUSTON STREET AND PIERRE STREET (ST1504)

Brian Johnson, City Engineer, presented background information on the submitted petition; map of the petition boundaries; estimated construction, financing, bonding, and engineering costs; and advisability of the petition.

GENERAL AGENDA (CONTINUED)

RESOLUTION NO. 010615-A – PETITION - 1500 BLOCK ALLEY IMPROVEMENT BETWEEN HOUSTON STREET AND PIERRE STREET (ST1504) (CONTINUED)

John Selfridge, 1509 Houston Street, provided additional background information on the item and informed the Commission that he circulated a petition to his neighbors requesting support for a benefit district to pave the alley. He then responded to questions from the Commission and asked that the Commission approve the petition request.

Brian Johnson, City Engineer, provided additional information on the petition boundary map and property owners.

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

Rob Ott, Director of Public Works, responded to questions from the Commission regarding the location of the sewer line. He also addressed the coordination that may be needed to occur between the contractor and the property owners.

Brian Johnson, City Engineer, provided additional information on the item. He informed the Commission that there would not be any City-At-Large participation on this project.

Commissioner Matta stated that he would not support the petition because he wanted to see a super majority of property owners supporting the petition.

Ron Fehr, City Manager, informed the Commission that the final amount may be more or less, depending on the bid amount for the project. He responded to questions from the Commission and stated that the action tonight would be the final action on the petition.

Bill Raymond, City Attorney, provided additional information and clarification on the item.

After discussion and comments from the Commission, Commissioner McCulloh moved to find the petition advisable and sufficient, and approve Resolution No. 010615-A making appropriate findings and authorizing construction for the 1500 block alley improvement between Houston Street and Pierre Street (ST1504). Commissioner Jankovich seconded the motion.

After additional comments from the Commission, on a roll call vote, motion carried 4-1, with Commissioner Matta voting against the motion.

GENERAL AGENDA (CONTINUED)

REQUEST - MODIFY INTERLACHEN ADDITION BENEFIT DISTRICT AND PLAT

Jason Hilgers, Deputy City Manager, presented an overview of the item. He highlighted the request from the developer, the cost share amounts under the original and proposed project petitions, and provided information on the next steps if the Commission approves proceeding forward with the modifications.

Rob Ott, Director of Public Works, informed the Commission that a change order would be likely. He stated that the change order should be under the City Manager's authority and would not exceed the petition amount. He then responded to questions from the Commission.

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 approve proceeding with the Interlachen Addition modified plat and the creation of two new benefit districts. Commissioner McCulloh seconded the motion. On a roll call vote, motion carried 5-0.

DISCUSSION ITEMS: PARKING GARAGE STUDIES IN DOWNTOWN AND AGGIEVILLE – PRELIMINARY DESIGN; PARKING FINE RATES; REQUEST TO EXPAND TWO HOUR RESTRICTED PARKING ZONE TO BLUE EARTH PLACE; REVIEW FOOD TRUCK REGULATIONS

Jason Hilgers, Deputy City Manager, presented an overview of the parking garage study for Downtown with two possible options at Third Street and Houston Street; the number of existing and proposed parking stalls; the estimated costs for options one and two; the opportunity to create a partnership with AJ's Pizza renovation for option two; and discussed increasing the parking fines from \$5.00 to \$15.00 per violation in the Downtown area. He also presented an overview of the parking garage study for Aggieville with proposed parking structures at Manhattan Avenue and Laramie Street and 12th Street and Laramie Street; the number of existing and proposed parking stalls; and the estimated costs for options one and two; and informed the Commission that Aggieville Business Association was continuing to discuss several public/private improvements and would be developing priorities for future recommendations for the Commission.

GENERAL AGENDA (CONTINUED)

DISCUSSION ITEMS: PARKING GARAGE STUDIES IN DOWNTOWN AND AGGIEVILLE – PRELIMINARY DESIGN; PARKING FINE RATES; REQUEST TO EXPAND TWO HOUR RESTRICTED PARKING ZONE TO BLUE EARTH PLACE; REVIEW FOOD TRUCK REGULATIONS (CONTINUED)

After comments from the Commission, Jason Hilgers, Deputy City Manager, provided an overview of the parking request from property owners at Blue Earth Place. The proposal would be to designate 42 parking stalls with two hour parking limits, from 8:00 a.m. to 5:00 p.m., Monday through Friday. He also presented the history and an update on food trucks in the community and the current regulations and uses. He asked the Commission to provide feedback if the City should allow food trucks on public property.

After additional discussion and comments from the Commission regarding parking structures, Jason Hilgers, Deputy City Manager, responded to questions regarding possible funding sources including the potential use of Transportation Development District (TDD) funds, additional sales tax from Manhattan Town Center, sales tax funds, debt service, or a combination of revenue sources to pay for the parking structures.

Jason Hilgers, Deputy City Manager, responded to questions and provided additional information on the Blue Earth Place parking request and current enforcement measures. He informed the Commission that there is only one person currently writing parking tickets for both the Downtown and Aggieville areas. He then responded to additional questions from the Commission regarding the parking fees and the potential use of technology to issue parking tickets.

Mayor Butler opened the public comments.

Gina Scroggs, Executive Director, Downtown Manhattan Inc., informed the Commission that they have talked about a computerized parking ticket system instead of the current chalk wand and written citations. She stated that there was a compromise to increase parking fines from \$5.00 to \$15.00 in Downtown and provided additional information on the discussions to-date regarding increased parking fines. She also discussed wayfinding signage and wanted to see additional signage developed to make it easier for customers and visitors to find their destinations.

Rod Harms, Executive Director, Aggieville Business Association, informed the Commission that there should be consistency for parking between Downtown and Aggieville.

Vince Tracey, 304 Knoxberry Drive, informed the Commission that he was in favor of increasing the parking fines and agreed with the need for additional wayfinding signage.

GENERAL AGENDA (CONTINUED)

DISCUSSION ITEMS: PARKING GARAGE STUDIES IN DOWNTOWN AND AGGIEVILLE – PRELIMINARY DESIGN; PARKING FINE RATES; REQUEST TO EXPAND TWO HOUR RESTRICTED PARKING ZONE TO BLUE EARTH PLACE; REVIEW FOOD TRUCK REGULATIONS (CONTINUED)

After discussion and comments from the Commission regarding the two hour restricted parking zone request at Blue Earth Place, there was a consensus to proceed forward on the parking regulation request at Blue Earth Place and increase parking fines downtown and to bring the items back to the Commission for action.

The Commission also discussed the idea to allow food trucks on public property.

Gina Scroggs, Executive Director, Downtown Manhattan Inc., informed the Commission that some of the local restaurant owners are upset the food truck topic is coming up again and some are more flexible. She stated that Downtown is not on board with this idea and if the issue were to come to fruition, she requested that the local restaurants be able to participate on how the ordinance would be created.

Vince Tracey, 304 Knoxberry Drive, stated that it is difficult for him to have a half-hour lunch and then get back to his workplace. He said that food trucks could be very useful in places that are difficult to get to for lunch and could pay a licensing fee and sales tax. He asked that the Commission consider the food trucks as an asset to the whole city.

Adam Peyton, owner, AJ's Pizza, informed the Commission that he originally wanted a food truck in Aggieville, but moved into his Aggieville store on 11th Street instead. He stated if food trucks are in areas where brick and mortar restaurants are that it would create unfair competition; however, he stated that he has been on both sides of the issue. He encouraged the Commission to look at food trucks in Topeka and the issues that would need to be addressed.

Jeff Levin, co-owner, Varney's Book Store and owner of other business interests in Aggieville, stated that this is a matter of fairness and food trucks would be utilizing the marketing of Aggieville Business Association without paying for it. He said that there are some restaurants struggling; however, informed the Commission that he was all for it if you can equate all that out and provide the same level of fairness.

Wade Radina, owner, Radina's, informed the Commission that he has four locations and would not have considered making the investments that he has made if the idea of a food truck could be in front of his business. He stated that this is not fair for locally-owned brick and mortar businesses. He said the topic of food trucks and fairness is very complicated, in addition with compliance and inspection issues. He encouraged the Commission to get the local restaurant owners involved if they plan to proceed forward.

GENERAL AGENDA (*CONTINUED*)

DISCUSSION ITEMS: PARKING GARAGE STUDIES IN DOWNTOWN AND AGGIEVILLE – PRELIMINARY DESIGN; PARKING FINE RATES; REQUEST TO EXPAND TWO HOUR RESTRICTED PARKING ZONE TO BLUE EARTH PLACE; REVIEW FOOD TRUCK REGULATIONS (*CONTINUED*)

After additional discussion and comments from the Commission, there were suggestions that further discussion and information were needed. There was also discussion that food trucks may be a possibility at the Corporate Technology Park near the Airport.

Jason Hilgers, Deputy City Manager, responded to questions from the Commission regarding vendors and mobile food units currently allowed through the use of special permits by the Director of Parks and Recreation in public parks.

Eddie Eastes, Director of Parks and Recreation, informed the Commission that food vendors are allowed in the parks through the approval of a special event permit.

The Commission continued discussion of the proposed parking garages for Downtown and Aggieville and asked for comment from the public.

Gina Scroggs, Executive Director, Downtown Manhattan Inc., informed the Commission that there is good consensus from the Downtown leadership and business owners that would like to go forward with a parking garage structure. She stated that the corner of Third Street and Poyntz Avenue is an excellent idea and would need to figure out how to fund this project.

Ward Morgan, Chief Executive Officer, CivicPlus, owner, restaurants and multiple buildings downtown, informed the Commission that this is a parking convenience problem. He stated that he was not worried about parking currently, but was concerned with the parking pressure coming up in the next couple of years and stated that if something is not done now, Downtown will be behind the curve. He also mentioned that tenants were filling in the space vacated as a result of the move to the new CivicPlus facility and with the Tallgrass Taphouse restaurant to open in May or June 2015, additional parking will be needed.

Rod Harms, Executive Director, Aggieville Business Association, voiced the growing issues in Aggieville for parking and the need to plan for the future. He said there is a consensus for two parking garages with a focus on the long term for the second garage. He stated this is an opportunity to take the district to the level the membership desires and planned to continue efforts and outreach. He encouraged the Commission to discuss the financial equation to progress the initiative forward.

GENERAL AGENDA (CONTINUED)

DISCUSSION ITEMS: PARKING GARAGE STUDIES IN DOWNTOWN AND AGGIEVILLE – PRELIMINARY DESIGN; PARKING FINE RATES; REQUEST TO EXPAND TWO HOUR RESTRICTED PARKING ZONE TO BLUE EARTH PLACE; REVIEW FOOD TRUCK REGULATIONS (CONTINUED)

Brian Elsey, developer, Elsey Partners, informed the Commission that parking garages in Downtown and Aggieville would be an asset and could include private partnership opportunities. He stated that his company recently completed a 550 stall parking garage in Stillwater, Oklahoma. He asked that a request for proposals for the parking garages be put out to encourage a private developer to participate and help bridge the revenue gap.

Jeff Levin, co-owner, Varney's Book Store and owner of other business interests in Aggieville, informed the Commission of the Campus Edge Project that was discussed years ago. He stated there would be an opportunity for private business and that a public/private approach would be feasible if done correctly.

Vince Tracey, 304 Knoxberry Drive, representing the Masonic Lodge Association, informed the Commission that the Masonic Lodge does not own the building they occupy. He encouraged the Commission to get away from the idea of free parking for a parking garage and stated the merchants could validate parking fees for their customers. He voiced support for moving ahead with the parking garage.

Hearing no further comments on the discussion items, Mayor Butler closed the public comment.

After additional discussion and comments from the Commission regarding the proposed parking garages in Downtown and Aggieville, Jason Hilgers, Deputy City Manager, responded to questions regarding exempt bonds and taxable bonds. He also provided additional information on potential revenue streams that could be considered to fund the proposed parking garages.

Ron Fehr, City Manager, reiterated the comments expressed by the Commission to continue to engage the stakeholders, to look at public/private opportunities, and to evaluate and come up with potential funding options to be considered for the Commission. He thanked everyone for their participation in the discussions and for their input.

As this was a discussion item, no formal action was taken on the items.

MISCELLANEOUS

Commissioner Jankovich extended his congratulations to City Manager Ron Fehr for receiving the Buford M. Watson Jr. award for Managerial Excellence from the Kansas Association of City/County Management and thanked those that attended the reception held prior to tonight's meeting in his honor.

GENERAL AGENDA (CONTINUED)

MISCELLANEOUS (CONTINUED)

Ron Fehr, City Manager, informed the Commission that it was truly an honor and pleasure to be recognized and to serve the Manhattan community. He also thanked resident Helen Roser for providing him with the beautiful boutonniere.

ADJOURNMENT

At 9:15 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

ON AN APPLICATION TO REZONE PROPERTY

The proposed Pinehurst Addition is to consist of twelve (12) single-family attached lots (A & B lots) and four (4) single-family detached lots.

FROM: County Residential Planned Unit Development (PUD) District

TO: R-2, Two-Family Residential District

APPLICANT: SMH Consultants – Jeff Hancock on behalf of the owners

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

OWNERS: The Carson Company – Andrew Carson

ADDRESS: 2805 Claflin Road, Manhattan, KS 66502

LEGAL DESCRIPTION: An unplatted tract in Section 4, Township 10, Range 7 East

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

AREA: 7.05 acres

DATE OF NEIGHBORHOOD MEETING: October 8, 2014

DATE OF PUBLIC NOTICE PUBLICATION: November 10, 2014

DATE OF PUBLIC HEARING: PLANNING BOARD: December 1, 2014

CITY COMMISSION: December 16, 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 east towards the Grand Mere Parkway. The western edge of the proposed subdivision is adjacent to a prominent hill top in the area. The site generally drains eastward 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 Grand Mere Parkway, a two-lane, collector street; County Residential Planned Unit Development, R-S Single-Family Residential District.

EAST: Grand Mere Parkway, Turnberry Addition, a single-family neighborhood and Vacant land within Grand Mere Master Planned Community; R-1, Single-Family Residential District 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 developing residential neighborhoods within the comprehensively planned neighborhood in the City.

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 the 2003 Manhattan Urban Area Comprehensive Plan, which currently designates the proposed development as a Hotel (General Commercial (GC)) and Single-Family #4 (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.

6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS: The proposed rezoning to R-2 District is compatible with the surrounding neighborhood with twelve (12) single-family attached lots (A & B Lots), ranging in size from approximately 0.33 acres to 0.50 acres, and four (4) single-family detached lots, ranging in size from .41 acres to 1.20 acres. A minimal increase in light, noise and traffic can be expected, with minimal impact on the surrounding area by the residential lots in the Pinehurst Addition. The proposed subdivision will

Attachment No. 1

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. To the west and south is undeveloped land within the master planned community. There are currently no existing residential homes in the immediate area. Turnberry Addition and Muirfield Addition are to the east and have been recently approved and will most likely begin infrastructure construction soon. Because of similar types of proposed residential uses in Pinehurst Addition, 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 Pinehurst Addition is shown on the Future Land Use Map as Community Commercial, CC, and Residential Low/Medium Density, RLM. The northern third of the rezoning site is designated as CC and the southern two-third as the RLM designation. The CC area is a direct reflection of the Grand Mere Master Plan designating this area for a destination hotel. The developer has chosen to develop the site as residential. The adjacent RLM designation is the appropriate set of land use policies to consider. Applicable RLM policies (*in italics*) in the Comprehensive Plan include:

Residential Low/Medium Density (RLM)

RLM 1: Characteristics

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

RLM 2: Appropriate Density Range

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

RLM 3: Location

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

Grand Mere Community Master Plan

The Grand Mere Community Master Plan was originally adopted in April 2000 and is included as a specific Land Use Element of the current Comprehensive Plan adopted in 2003. The Grand Mere Plan is a more detailed level neighborhood plan for the entirety of Grand Mere, which notes the area to be Hotel (GC) and a portion of Single-Family #4 45.1 acres (RLM). A significant portion of the Single-Family #4 area is outside of the proposed development. 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). See below under Residential Types for the Single Family 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.

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

Attachment No. 1

main focus. Flexibility is built into the land use plan to allow the development to respond to market demand.

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

5 KEY DESIGN CONCEPTS

1. Create a high quality residential community

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

2. Integrate the Natural Environment

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

3. Offer a Variety of Residential Living

Offer a wide range of residential products and lot types to address the market demands of the well informed and upscale consumer. An integrated community of many housing types will help to provide an interesting streetscape, a quality neighborhood texture, and a sustainable development.

4. Create a Pedestrian/Bicycle System

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

Grand Mere Community Overall Development Plan

III. COMMUNITY CONCEPTS AND DEVELOPMENT STRATEGY

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

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

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

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

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

A. Residential Neighborhoods

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

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

Single Family RLM

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

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.

Attachment No. 1

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.

Attachment No. 1

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

The density in the Pinehurst Addition is 0.53 dwelling units per net acre. The Comprehensive Plan suggests a density range from 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 Pinehurst 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 Riley County Commission approved Preliminary Development Plan of Colbert Hills and the Wildcat PUD.
- August 14, 1997 Riley County Commission approved Final Development Plan.
- February 7, 2000 Planning Board approves resolution adopting Grand Mere Community Master Plan and amendment of Comprehensive Land Use Plan.
- March 7, 2000 City Commission approved first reading of an ordinance adopting the Grand Mere Community Master Plan.
- April, 2003 Comprehensive Plan adopted. Grand Mere Community Master Plan adopted as a related plan and implementation document.

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

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

The intent and purpose of the Manhattan Zoning Regulations is to protect the public health, safety, and general welfare; regulate the use of land and buildings within zoning districts to assure compatibility; and to protect property values.

The proposed rezoning is consistent with the intent and purpose of the Manhattan Zoning Regulations and R-2 District because proposed lot sizes shown on the Preliminary Plat of the Pinehurst Addition conform to the minimum requirements of the R-2 District. The R-2 District is designed to provide a dwelling zone at a density no greater than two (2) attached dwelling units per 7,500 square feet. The proposed R-2 District consists of twelve (12) single-family attached lots (A & B lots), which range from approximately 14,138 square feet to 21,858 square feet in area. The proposed development also includes four (4) single-family detached lots (Lots 7 – 10). These lots range from 21,783 to 53,959 square feet in area. All lots conform to the requirements of the R-2 District.

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

There appears to be no gain to the public that denial would accomplish. No adverse impacts on the public health, safety and welfare are expected as a result of the rezoning. Development of the site cannot proceed until the proposed Preliminary Plat and Final Plats are approved. A separate application was submitted for approval of a Preliminary Plat. It may be a hardship upon the owner if the rezoning is denied.

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

12. OTHER APPLICABLE FACTORS: None

13. STAFF COMMENTS: City Administration recommends approval of the proposed rezoning of the Pinehurst Addition, approximate 7-acre tract of land, generally located west of the intersection of Grand Mere Parkway and Colbert Hills Drive, from County, Residential Planned Unit Development District, to R-2, Two-Family Residential District, based on the findings in the Staff Report.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of the Pinehurst Addition from County R-PUD, Residential Planned Unit Development District, to R-2, Two-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 Pinehurst Addition, an approximate 7-acre tract of land, generally located west of the intersection of Grand Mere Parkway and Colbert Hills Drive from County R-PUD, Residential Planned Unit Development District, to R-2, Two-Family Residential District based on the findings in the Staff Report.

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

DATE: November 10, 2014