



MINUTES
CITY COMMISSION MEETING
TUESDAY, APRIL 7, 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, 7 staff, and approximately 50 interested citizens.

PLEDGE OF ALLEGIANCE

Mayor Butler led the Commission in the Pledge of Allegiance.

PROCLAMATIONS

Mayor Butler proclaimed April 7, 2015, ***National Service Recognition Day***. Lori Bishop, Executive Director; Celeste Snyder, Volunteer Coordinator; and Candice McIntosh, Schools of Hope Coordinator, Flint Hills Volunteer Center, were present to receive the proclamation.

Mayor Butler proclaimed April 12-18, 2015, ***Week of the Young Child***. Kasey Kile, President, Heartland Association for the Education of Young Children, and 11 interested participants were present to receive the proclamation.

Mayor Butler proclaimed April 2015, ***Fair Housing Month***. Karen Davis, Director of Community Development, and Christina L'Ecuyer, Community Development Grant Administrator, City of Manhattan, were present to receive the proclamation.

Mayor Butler proclaimed April 2015, ***Manhattan Area Community and Technical College Month***. Marilyn Mahan, Interim President, Manhattan Area Technical College was present to receive the proclamation.

PROCLAMATIONS (CONTINUED)

Mayor Butler proclaimed May 2, 2015, ***Poppy Day***. Emily Stubbings, Poppy Princess, and Susan Bergsten, President, American Legion Ladies Auxiliary, were 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 encouraged the public to log onto the City's Parks and Recreation website and get involved in the many activities offered this spring and summer.

Commissioner McCulloh informed the community that there would be poetry readings in City Park on April 18, 2015, to honor and celebrate a dear friend, Enid Stover, that is no longer with us. She stated that in case of inclement weather, the poetry readings would be held at the Manhattan Public Library. She also acknowledged the boy scout troop in attendance as part of their citizenship community badge requirements.

CONSENT AGENDA

(* denotes those items discussed)

MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, March 24, 2015.

CLAIMS REGISTER NOS. 2788 AND 2787

The Commission approved Claims Register Nos. 2788 and 2787 authorizing and approving the payment of claims from March 18, 2015, to March 31, 2015, in the amount of \$55,607.32 and \$2,188,835.11, respectively.

FINAL PLAT – WESTPORT COMMONS, UNIT FOUR

The Commission accepted the easements and rights-of-way, as shown on the Final Plat of Westport Commons, Unit Four, generally located southeast of the intersection of Dickens Avenue and Browning Avenue, based on conformance with the Manhattan Urban Area Subdivision Regulations.

CONSENT AGENDA (CONTINUED)

ORDINANCE NO. 7131 – AMEND MANHATTAN URBAN AREA COMPREHENSIVE PLAN

The Commission approved Ordinance No. 7131 updating, amending, and superseding the current comprehensive plan for the development or redevelopment of the Manhattan Urban Area and the city of Manhattan, Kansas, by the adoption, by reference, of that certain document known as the Manhattan Urban Area Comprehensive Plan, dated March 2015, as presented, with the List of Known Corrections being made and with any additional typographical corrections.

ORDINANCE NO. 7132 – RENAME SOCIETY CIRCLE TO PALMER CIRCLE

The Commission approved Ordinance No. 7132 renaming “Society Circle” in Interlachen Addition and designating it “Palmer Circle”.

RESOLUTION NO. 040715-A – PETITION – GRAND ESTATES ADDITION – STREET IMPROVEMENTS (ST1508)

The Commission found the petition sufficient and approved Resolution No. 040715-A, finding the project advisable and authorizing construction for Grand Estates Addition Street (ST1508) Improvements.

RESOLUTION NO. 040715-B – PETITION – GRAND ESTATES ADDITION – SANITARY SEWER IMPROVEMENTS (SS1508)

The Commission found the petition sufficient and approved Resolution No. 040715-B, finding the project advisable and authorizing construction for Grand Estates Addition Sanitary Sewer (SS1508) Improvements.

RESOLUTION NO. 040715-C – PETITION – GRAND ESTATES ADDITION – WATER IMPROVEMENTS (WA1508)

The Commission found the petition sufficient and approved Resolution No. 040715-C, finding the project advisable and authorizing construction for Grand Estates Addition Water (WA1508) Improvements.

AGREEMENT – ENGINEERING SERVICES – GRAND ESTATES ADDITION – STREET (ST1508), SANITARY SEWER (SS1508), AND WATER (WA1508) IMPROVEMENTS

The Commission authorized the Mayor and City Clerk to execute an agreement in an amount not to exceed \$36,345.00 with SMH Consultants, of Manhattan, Kansas, to perform professional services for Grand Estates Addition Street (ST1508), Sanitary Sewer (SS1508), and Water (WA1508) Improvements.

CONSENT AGENDA (CONTINUED)

* **AGREEMENT – DESIGN SERVICES – COMMUNITY HOUSE
CONVERSION PLANNING STUDY (CD1416)**

Mayor Butler provided additional information on the item. He stated that a planning study will evaluate if the Community House can be repurposed for social service agencies or other purposes so that we can make good use of a city-owned property.

The Commission accepted the recommendation from the Selection Committee and authorized City Administration to finalize and the Mayor and City Clerk to execute a contract in an amount not to exceed \$23,825.00, with Bruce McMillan AIA, Architects, of Manhattan, Kansas, for professional design services for the Community House Conversion Planning Study (CD1416).

**CONTRACT AMENDMENT NO. 2 – ENGINEERING SERVICES –
CENTRAL BASIN SANITARY SEWER IMPROVEMENTS (SS1113, CIP
#WW010P)**

The Commission authorized the Mayor and City Clerk to execute Contract Amendment No. 2 to the Professional Engineering Service Contract in an amount not to exceed \$19,214.00 with Bartlett & West Engineers, Inc., of Manhattan, Kansas, for the Central Basin Sanitary Sewer Improvements Project (SS1113, CIP #WW010P).

**CHANGE ORDER NO. 1 – PARKS AND RECREATION OFFICE
EXPANSION (SP1206)**

The Commission approved and authorized the Mayor to execute Change Order No. 1 for the Parks and Recreation Office Expansion and HVAC (heating/ventilation/air conditioning) Renovations to City Auditorium (SP1206), resulting in a net increase in the amount of \$94,787.00 (+4.19%) to the contract with Cheney Construction, of Manhattan, Kansas, for soil remediation and compaction on site.

**SUPPLEMENTAL AGREEMENT NO. 1 – BLUEMONT CORRIDOR, 11TH
STREET TO N. MANHATTAN AVENUE (ST1103)**

The Commission concurred with the Kansas Department of Transportation (KDOT) and accepted the additional scope and fee in the amount of \$33,654.46 for the additional Construction Engineering Services for Bartlett & West Engineers, of Manhattan, Kansas, and authorized the Mayor and City Clerk to execute Supplemental No. 1 to Original Three-Party Agreement No. 78-13 for the Bluemont Corridor Improvements Project (ST1103).

CONSENT AGENDA (CONTINUED)

AGREEMENT – DOWNTOWN FARMER’S MARKET

The Commission authorized the Mayor and City Clerk to execute an agreement with the Downtown Farmer’s Market, Inc., for use of the City’s public parking lot at the southeast quadrant of North Fourth Street and Leavenworth Street, in Lot 3, Manhattan Town Center 5 for the 2015 season (April 18, 2015 – October 31, 2015).

AGREEMENT – PERMANENT EASEMENT – MANHATTAN AREA TECHNICAL COLLEGE

The Commission accepted a permanent easement granted to the City by the Manhattan Area Technical College (MATC) and authorized the Mayor and City Clerk to execute the permanent easement agreement.

AGREEMENT – SEWER TRANSFER AGREEMENT – MANHATTAN AREA TECHNICAL COLLEGE

The Commission authorized the Mayor and City Clerk to execute a sewer transfer agreement with the Manhattan Area Technical College.

AGREEMENT – HOUSE AMBULANCES – HEADQUARTERS AND AIRPORT FIRE STATION NO. 4

The Commission authorized City Administration to enter into and the Mayor and City Clerk to execute an agreement with Mercy Regional Health Center to house one (1) Riley County Emergency Medical Services (RCEMS) emergency medical ambulance vehicle along with necessary equipment and house two (2) RCEMS personnel at Fire Station 2, located at 1101 Poyntz Avenue, and Fire Station 4, located at 1715 South Airport Road, Manhattan, Kansas, pursuant to the terms of the agreement.

AGREEMENT – OUTSIDE CITY WATER SERVICE – 2620 TUTTLE CREEK BOULEVARD

The Commission authorized the Mayor and City Clerk to execute an outside city limits water service connection agreement with Martha Catherine Abbott, Trustee of the Martha Catherine Abbott Trust dated February 12, 1993, and Ruth Abbott, for the property at 2620 Tuttle Creek Boulevard, Riley County, Kansas.

AMENDMENT NO. 1 – CONTRACT EXTENSION – MOWING SERVICES

The Commission authorized the Mayor and City Clerk to execute a contract extension Amendment No. 1 in the amount of \$36,165.00 with Little Apple Lawn and Landscape, of Manhattan, Kansas, for a term to terminate October 31, 2015.

CONSENT AGENDA (CONTINUED)

APPLICATION – 2015 EMERGENCY SOLUTIONS GRANT FUNDS

The Commission authorized the Mayor and City Clerk to sign an application for 2015 Emergency Solutions Grant funds.

PURCHASE – AIRPORT DEPARTMENT – UTILITY TERRAIN VEHICLE (CIP #AP044E)

The Commission authorized City Administration to purchase in the amount of \$34,210.00 a 2015 Utility Terrain Vehicle with attachments for the Manhattan Regional Airport from KanEquip, Inc., of Wamego, Kansas, as budgeted in the 2015 Capital Improvements Program (CIP #AP044E).

PURCHASE – SWIMMING POOL CHEMICALS

The Commission authorized City Administration to purchase muriatic acid for the amount of \$.2458 per pound, sodium bicarbonate for the amount of \$.257 per pound, calcium chloride for the amount of \$.237 per pound, sodium thiosulfate for the amount of \$.69 per pound, soda ash for the amount of \$.26 per pound, and sodium hypochlorite for the amount of \$1.42 per gallon for treatment of the City pools for the 2015 season from Edwards Chemicals, Inc., of Elwood, Kansas, to be paid from the Parks and Recreation Swimming Pool Division General Operation Budget General Fund.

BOARD APPOINTMENTS

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

Aggieville Business Improvement District Advisory Board

Appointment of Jarrod Laudemann, 120 E. J. Frick Drive, to fill the unexpired term of Megan Curtin. Mr. Laudemann's term begins immediately and will expire December 31, 2016.

Municipal Audit Committee

Re-appointment of Eric Higgins, 3316 Woods Drive, to a three-year Citizen-At-Large term. Mr. Higgins' term begins immediately, and will expire March 31, 2018.

Appointment of Richard Jankovich, 2021 Somerset Square, to fill the unexpired Citizen-At-Large term of Adam Glendening. Mr. Jankovich's term will begin April 22, 2015, and will expire March 31, 2017.

CONSENT AGENDA (CONTINUED)

After discussion and comments from the Commission, 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 I, CHANGE ORDER NO. 1 – PARKS AND RECREATION OFFICE EXPANSION (SP1206), which carried 4-1, with Commissioner Matta voting against the item.

GENERAL AGENDA

FIRST READING - REZONE - COURTYARDS AT LMH PUD (R-3/AO TO PUD/AO)

Eric Cattell, Assistant Director for Planning, presented an overview of the item. He responded to questions from the Commission regarding the proposed range in sizes from 1,170 square feet in area up to 3,300 square feet in area, depending on design options.

Jason Gish, MKEC Engineering, Inc., provided information about Perfection Signature Properties, LLC, and highlighted the proposed development. He also responded to questions regarding the proposed square footage ranges and provided additional information on design options and optional living spaces available.

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 the first reading of an ordinance rezoning the Courtyard at LMH PUD, generally located southwest of the intersection of Miller Parkway and Loma Ridge Drive, from R-3/AO, Multiple-Family Residential District with Airport Overlay District, to PUD/AO, Residential Planned Unit Development with Airport Overlay District, based on the findings in the Staff Report (*See Attachment No. 1*) with the seven (7) conditions of approval recommended by the Manhattan Urban Area Planning Board. Mayor Butler seconded the motion. On a roll call vote, motion carried 5-0.

RESOLUTION NO. 040715-D - DESIGNATE - LANDMARK WATER TOWER PROPERTY AS PARK LAND

Kiel Mangus, Assistant City Manager, provided background information and an overview of the item. He also presented the recommendations received from the Parks and Recreation Advisory Board and the Historic Resources Board that were in support of moving forward with the designation of this property as park land.

GENERAL AGENDA (CONTINUED)

RESOLUTION NO. 040715-D - DESIGNATE - LANDMARK WATER TOWER PROPERTY AS PARK LAND (CONTINUED)

Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After discussion and comments from the Commission, Commissioner McCulloh moved to approve Resolution No. 040715-D (Delta), designating the Landmark Water Tower property as park land. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

REQUEST FOR PROPOSALS/DEVELOPMENT PLAN - FIXED BASE OPERATIONS (FBO)

Peter VanKuren, Airport Director, presented background information and provided an overview of prior discussions and the process regarding the item. He highlighted the general aviation (GA) development and existing conditions; the GA development and Fixed Base Operations (FBO) facility layout option 1; the GA development FBO facility layout option 3; and the conceptual design layout and space plan. He informed the Commission that the Airport Advisory Board recommended moving forward with layout option 1 (*See Attachment No. 2*) on a vote of 6-2. He then responded to questions from the Commission regarding the process and future plans to include the FBO in the design process.

After comments from the Commission, Peter VanKuren, Airport Director, responded to questions from the Commission regarding the location of the FBO. He informed the Commission that he spoke with the Federal Aviation Administration (FAA) about plans to relocate the FBO and discussed funding possibilities. He highlighted the general steps involved with the development plan, the design-build process, and the future actions needed by the Commission.

Kiel Mangus, Assistant City Manager, stated that City staff will finalize the draft development plan, explained the process, and clarified that most likely a City Commissioner would be involved in the Request for Proposals (RFP) selection process. He also provided a proposed timeline to have the FBO facility completed and operational.

Ron Fehr, City Manager, provided additional information on the item and highlighted prior discussions with Ron Nordt, current FBO, Kansas Air Center, regarding the facility, location of the facility, and financing and timing considerations. He stated that it would be difficult to go out with two options for a design-build proposal.

GENERAL AGENDA (CONTINUED)

REQUEST FOR PROPOSALS/DEVELOPMENT PLAN - FIXED BASE OPERATIONS (FBO) (CONTINUED)

After discussion and comments from the Commission regarding the FBO facility options and discussion of sites, there was general support expressed on the Request for Proposals process and on the proposed development plan.

Peter Van Kuren, Airport Director, provided clarification on the construction of the facility and discussed the future apron area. He stated that there is room and a plan for future expansion to meet the future needs and challenges at the Airport.

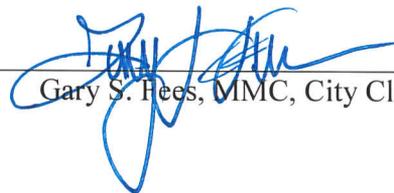
Mayor Butler opened the public comments.

Hearing no comments, Mayor Butler closed the public comments.

After further comments from the Commission, Commissioner Jankovich moved to approve the development plan as outlined in the documents prepared by City Administration and authorize City Administration to finalize a Request for Proposals and solicit proposals and qualifications for a new FBO Facility. Commissioner Reddi seconded the motion. On a roll call vote, motion carried 5-0.

ADJOURNMENT

At 8:03 p.m., the Commission adjourned.



Gary S. Fees, MMC, City Clerk

STAFF REPORT

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

BACKGROUND

FROM: R-3/AO, Multiple-Family Residential District and Airport Overlay District

TO: The Courtyard at LMH PUD, Residential Planned Unit Development and AO, Airport Overlay District.

OWNERS: Perfection Signature Properties, LLC

APPLICANT: MKEC Engineering

DATE OF NEIGHBORHOOD MEETING: January 14, 2015

DATE OF PUBLIC NOTICE PUBLICATION: March 2, 2015

DATE OF PUBLIC HEARING: PLANNING BOARD: March 23, 2015

CITY COMMISSION: April 6, 2015

LEGAL DESCRIPTION: Lots 13 – 28, Lee Mill Heights, Unit 8 and the rights-of-way of Laussac Circle and Leyden Circle.

LOCATION: Generally located to the southwest of the intersection of Miller Parkway and Loma Ridge Drive, or 150 northwest of the intersection of Lochenshire Drive and Miller Parkway.

AREA: 8.78 acres (382,456 square feet)

PROPOSED USES: Twenty-four (24) single-family detached dwellings on individual lots. The development is described as a “zero lot line patio home development.” Zero lot line developments are laid out so that homes are spaced closer than typical, in this case at least ten (10) feet from each home (a minimum of 5 feet from the side property line), and designed so that each home has a private courtyard located near the rear of the home. See Figure 1 for a visual example of the development’s design.



Figure 1

PROPOSED BUILDINGS AND STRUCTURES: As previously mentioned, the proposed development is designed as “zero lot line patio homes.” The premise of the development design is to have narrow side yard setbacks (5 feet from the side property line) to maximize developable areas. Near the rear of each house is a private courtyard, including indoor, covered and outdoor space that is adjacent to a blank wall of the adjoining home.

The proposed develop is created to allow individual property owners the ability to select one (1) of seven (7) home designs. The applicant describes the home designs as “European County theme.” Each design has variations of the entry way to the home and exterior materials and floor plans. The exterior material pallet ranges from limestone veneer, lap siding and/or vinyl rough split shake siding.

The homes range in size from approximately 1,170 square feet in area up to approximately 3,300 square feet in area, depending on home design options, such as den/office, covered patio or a 4-season sitting room. Each home is a two-bedroom, two-bathroom, and 2-car design with variations of the size and location of kitchen, living rooms, courtyard area and the optional living spaces, such as the den/office area. Depending on the lot configuration, some homes may have a 3-car garage.

Attachment No. 1

The proposed lots range in size from 7,316 square feet (0.17 acres) to 41,866 square feet (0.96 acres). The lots backing onto Miller Parkway will be slab on grade construction, with the option of an above ground storm shelter. The lots to the south of the proposed Lichen Lane may have walkout basements to take advantage of the existing grades in that area.

The proposed Residential PUD is being designed to provide home buyers the maximum flexibility possible to pick a home model and create the outdoor space to their liking.

PROPOSED LOT COVERAGE

Use	Square Feet	Percentage
Building	83,402	24.89%
Lots 1 – 12		36.9%
Lots 13 – 24		18.7%
Street ROW	45,422	11.9 %
Private Yard Area	252,136	65.9%
Open Space (Reserve A, B, & C)	1,496	0.39%

PROPOSED SIGNS

The proposed development will have 2 sign at the main entrance at the intersection of Lichen Lane and Miller Parkway. A 16 foot x 3 foot (48 square foot) externally illuminated sign consisting of pin mounted lettering on a limestone slab measured at approximately 20 foot by 10 foot (200 square feet) is proposed in Tract B. This sign will be in a landscape area with a low stone planter wall and surrounded by landscaping.

The second sign will be in Tract A and will consist of a 1.5 foot x 1.5 foot (3 square foot) externally illuminated sign hanging from a limestone column. The column will be approximately 8 feet tall. According to the application documents, the sign and column is to be landscaped with native grasses. The location of the sign has been reviewed to ensure that it will not cause any traffic issues due created by obstructing the line of sight for vehicles, bicycles and pedestrians.

In addition to the proposed signs, the City Administration is recommending that the signage allowed for low density residential districts in Section 6-201 and the applicable exempt signage listed in Section 6-102(A)(2) be permitted (see attached). The proposed PUD essentially consists of single-family detached homes, so City Administration proposes to regulate signage accordingly.

PROPOSED LIGHTING: The application documents state that “The PUD proposes similar street lighting fixtures as implemented by surrounding single-family developments. It is anticipated that there will be only one street light along Lichen Lane. In addition to the street light, the proposed signage at the entrance to the development will use external lighting.

SIX REVIEW CRITERIA FOR PLANNED UNIT DEVELOPMENTS

- 1. LANDSCAPING:** Landscaping will consist of trees and shrubs along Miller Parkway to screen the development from the adjacent collector street and the adjacent neighborhoods from the proposed development. The landscape screening will consist of deciduous shade trees, ornamental deciduous, evergreen trees and bushes. The City’s Park and Recreation Department has reviewed the landscape plan and finds its design and proposed plant materials acceptable.

The proposed development is to consist of owner-occupied single-family detached homes. The design of the lot and the home, with the private courtyard area allows for home owners to landscape their property to their preferences. Considering this unique factor of the development, City Administration has not requested landscaping plans for these private areas. The application materials show sample designs, but they should not be considered as the final landscaping plan.

A Condition of Approval is that a landscape performance will be required at the time development. Because of the unique conditions of the owner-occupied areas, the landscape agreement will be only for the areas along Miller Parkway and the landscape areas in Tract A, B & C at the intersection of Miller Parkway and Lichen Lane.

- 2. SCREENING:** As previously described, a mix of deciduous and evergreen trees and bushes will be used to screen the proposed development from the traffic along Miller Parkway and provide a landscape buffer from the adjacent homes in the area.

Screening of the private courtyards for individual homes will occur through the design of the zero-lot line development. The blank wall of the adjacent property will define and screen the private courtyard from the neighbor and the rest of the area.

The storing or screening of individual trash containers will be done in a manner similar to other single-family homes throughout the City.

Attachment No. 1

- 3. DRAINAGE:** The subject site drains to the south into the Eureka Valley Floodplain, which in turn drains to the Kansas River.

The subject site was originally Lot 24, Lee Mill Heights Addition, Unit Four, which was preliminary platted in 2007 as part of Lee Mills Heights, Phase Two preliminary plat. Most recently the development area was replatted to be Lots 13 – 28, Lee Mill Heights, Unit Eight.

Schwab-Eaton, P.A. conducted a drainage study for the approved preliminary plat of Lee Mill Heights, Phase Two (2007 document attached). The area associated with the preliminary plat was included in the original and revised drainage study of Lee Mill Heights, Phase Two. The drainage plan for this area was to collect stormwater runoff in a detention basin to the southeast that was created with the Grand Bluff at Mill Pointe subdivision.

The originally plat Lot 24 was intended for a multiple-family development, but no development plans was ever publicly presented. The developer did create a restricted covenant that limited the number of dwelling on the original lot to be no more than 11 dwelling units per net acre. The final plat of Lee Mill Heights Addition, Unit Eight created 16 single-family lots and 2 cul-de-sacs in this area, with an overall residential density of 2.35 dwelling units per net acre. The proposed development creates 24 single-family detached homes in a development pattern that is new to Manhattan. The net density of the proposed development is 3.1 dwelling units per net acre.

The proposed development and modifications to the layout of the streets, lots and easements do not alter the findings of the initial drainage studies. The stormwater runoff will still go to the existing detention basin to the southeast. The City Stormwater Engineer (memo attached dated March 18, 2015) has reviewed the proposed development and accepts the findings in the drainage report and proposed stormwater drainage plan. The Stormwater Engineer has commented that existing storm sewer pipes within the development will need to be approved to reduce the effects of erosion. Water quality best management practice requirements will be required to be addressed at the time of the Final Development Plan of the PUD.

- 4. CIRCULATION:** Access to the proposed development will occur on a new local residential street, Lichen Lane. Lichen Lane is shown to be a 31 foot wide street within a 50 foot wide right-of-way. The new local residential street will intersect with Miller Parkway to the east and Loma Ridge Drive to the west. Both street intersections are aligned with adjacent streets. Access onto Miller Parkway will be prohibited.

Off-street Parking: The building plans for the proposed single-family development shows two-car wide driveway leading to two-car attached garages for each home. The Off-street parking requirements of the Zoning Regulations for single-family dwellings require at least 2 off-street parking spaces for each dwelling. The proposed development meets the minimum parking requirements for the development type.

Pedestrian and Bicycle Access: A 5 foot wide sidewalk is proposed on the south side of Lichen Lane. The preliminary development plans also shows a 5 foot wide sidewalk along the east side of Loma Ridge Drive. This sidewalk will provide a pedestrian connection to the new City park area to the southwest of the development. A sidewalk exists on both sides of Miller Parkway. The sidewalks proposed with the development will connect to the existing sidewalks on Miller Parkway.

Bicycle lanes are present along both sides of Miller Parkway. Bicycle facilities are not required along local residential streets. No bicycle lanes are proposed along Lichen Lane or Loma Ridge Drive.

The applicant has submitted a traffic analysis comparing the traffic anticipated to be generated from the site based on a multiple-family development with the limit of 11 dwelling units per net acre (as originally envisioned and planned for the development) to the proposed development of 24 single-family homes. The applicant's analysis found that the original multiple-family development would generate 645 trips ends per average weekday and 39 trip ends in the peak P.M. hour. The proposed single-family development would generate 6.63 trip ends per average weekday and 15 trips during the peak P.M. hour. The analysis concluded that "the proposed development would have much less traffic impact than a higher density multi-family development that could be built under the existing zoning."

The Director of Public Works has reviewed the development plans and the traffic analysis and accepts its findings (*see attached memo*). The Director is not requiring any additional development requirements or restrictions.

- 5. OPEN SPACE AND COMMON AREA:** Three reserved areas are proposed at the intersection of Miller Parkway and Lichen Lane. These reserved areas are common areas dedicated to landing and signage for the development. The improvements in these areas will be the responsibility of the Home Owners Association of the development.

- 6. CHARACTER OF THE NEIGHBORHOOD:** The neighborhood can be characterized as a developing residential area of the city with a majority of the property being single-family detached homes. There are single-family attached dwelling and multiple-family dwellings designed as townhomes to the north and east of the subject site. The single-family residential lots range from 8,700 square feet to 29,000 square feet in area, with the average lot size being around 20,000 square feet.

**THIRTEEN MATTERS TO BE CONSIDERED WHEN CHANGING
ZONING DISTRICTS**

1. **EXISTING USE:** Undeveloped land that has been platted for 16 single-family detached homes.
2. **PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS:** The subject site is typical Flint Hills land form, with native grasses. The subject site is to the southwest of Miller Parkway. The area immediately adjacent to the Miller Parkway significantly slopes to the southwest to a natural ravine where it drains to the Eureka Valley floodplain. The site is in the Conical Zone of the Manhattan Airport.
3. **SURROUNDING LAND USE AND ZONING:**

NORTH: Miller Parkway right-of-way, Single-family homes in Lee Mill Heights Additions, Units Four, Seven and Eight; R-1, Single-Family Residential District

SOUTH: Agricultural and steep slope; AG, Agricultural District.

EAST: Single-family homes in Lee Mill Heights Additions, Units Four; R-1, Single-Family Residential District

WEST: Single-family homes in Lee Mill Heights Additions, Units Seven; R-1, Single-Family Residential District
4. **CHARACTER OF THE NEIGHBORHOOD:** See above under Review Criteria for Planned Unit Development, number 6.
5. **SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The subject site is currently zoned R-3, Multiple-Family Residential District and was platted into 16 single-family residential lots in 2012. The current lot configuration complies with the R-3 District.

- 6. COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY PROPERTIES AND EXTENT TO WHICH IT MAY HAVE DETRIMENTAL AFFECTS:** The subject site is in a growth area of the City. Increase in light, noise and traffic are expected, which will be similar to that generated by the surrounding single-family residents.

The proposed PUD creates a single-family detached development with design characteristics currently unique to Manhattan, but has been created in other areas of Kansas. The design of each home creates narrow side yard setbacks (5 feet from the side property line) to maximize developable areas. Near the rear of each house is a private courtyard, including indoor, covered and outdoor space that is adjacent to a blank wall of the adjoining home. The purpose of the rezoning request to Residential Planned Unit Development is to allow for an efficient way to approve the development design. The PUD also provides assurance that the public landscaping will be installed as proposed. The alternative to the PUD process would be to have each property apply to the Board of Zoning Appeals to reduce the minimum side yard setback of the Zoning District.

The proposed use of the rezoning request is identical the surrounding neighborhood. The unique development characteristics of the single-family development should not be detrimental to the surrounding residential properties.

- 7. CONFORMANCE WITH COMPREHENSIVE PLAN:** The subject site is shown on the March, 2015 Manhattan Urban Area Comprehensive Plan Future Land Use Map in the Southwest Planning Area as Residential Low to Medium (RLM) Density. A large portion of the site is in the conical zone of the Manhattan Regional Airport. The AO District will be added as an Overlay District with the rezoning to those parts within the conical zone. (note: the 2003 Comprehensive Plan shows the subject site as RLM density also)

RLM policies include:

RLM-1: Characteristics

The Residential Low to 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 policies for 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 to Medium Density designation range between less than one dwelling unit/acre up to 11 dwelling units per net acre.

RLM-3: Location

Residential Low to Medium Density neighborhoods typically should be located where they have convenient access to and are within walking distance to community facilities and services that will be needed by residents of the neighborhood, including parks, schools, shopping areas, transit 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 recreational activities. The Residential Low to Medium Density designation includes most established neighborhoods outside of the core area as well as future residential growth areas to the west and east.

RLM-4: Variety of Housing Styles

To avoid monotonous streetscapes, the incorporation of a variety of architectural styles is strongly encouraged in all new development, particularly when a single housing type (e.g., detached single-family) is prevalent.

The proposed development creates 24 single-family detached lots on the 8.78 acre subject site. The net residential density is 3.1 dwelling units per net acres. The proposed development reaches RLM policy #4 by creating a new style of single-family residential development to the predominately traditional single-family detached homes. The proposed rezoning conforms to the Comprehensive Plan.

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

- | | |
|---------------|---|
| May 21, 2007 | MUAPB holds public hearing and considers annexation, rezoning and Preliminary Plat of Lee Mill Heights Addition Unit Four. MUAPB recommends approval of annexation and rezonings (R-1/AO, R-3/AO and R-3), and approves Preliminary Plat with conditions. |
| June 19, 2007 | City Commission approves first reading of ordinances annexing and rezoning Lee Mill Heights, Unit Four. |
| July 3, 2007 | City Commission approves Ordinance No. 6629 and 6630 annexing and rezoning Lee Mill Heights, Unit Four. |
| July 16, 2007 | MUAPB approves the Final Plat of Lee Mill Heights Addition, Unit Four, on a vote of 5-0. |

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- October 16, 2007 City Commission accepts the easements and rights-of-ways as shown on the Final Plat of Lee Mill Heights Addition, Unit Four.
- February 23, 2012 MUAPB holds public hearing approves the Preliminary Plat of Lee Mill Heights Addition Unit Eight, which consists of Lots 1 and 24, Lee Mill Heights, Unit Four.
- April 16, 2012 MUAPB approves the Final Plat of Lee Mill Heights Addition, Unit Eight, on a vote of 5-0.
- May 1, 2012 City Commission accepts the easements and rights-of-ways as shown on the Final Plat of Lee Mill Heights Addition, Unit Eight.

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.

Through the PUD rezoning process, the intent and purpose of the Zoning Regulations are met. The PUD provides for the efficient land use that is also in harmony with the area's residential density. The PUD process also offers conditions to the development that will protect the health, safety and general welfare of the community and protect property values. 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.

12. OTHER APPLICABLE FACTORS:

13. STAFF COMMENTS AND RECOMMENDATION: City Administration recommends approval of the proposed rezoning of The Courtyards at LMH Residential Planned Unit Development from R-3/AO, Multiple-Family Residential District and Airport Overlay District to PUD/AO, Residential Planned Unit Development and Airport Overlay District, with the following conditions of approval:

- 1) The Permitted Use shall be Single-Family Residential.
- 2) A maximum of 24 total single-family detached dwelling units shall be allowed.
- 3) Signage on Tracts A, B and C as proposed in the application documents shall be allowed.
- 4) Signage for low to medium density residential districts as described in Article VI, Section 6-201 shall be permitted.
- 5) Exempt signage shall include signage described in Article VI, Section 6-102(A)(2)(a), (b), (c), (e), (i), (k), and (l).
- 6) 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.
- 7) All landscaping and irrigation shall be maintained in good condition.

ALTERNATIVES:

1. Recommend approval of the proposed rezoning of The Courtyards at LMH Residential Planned Unit Development from R-3/AO, Multiple-Family Residential District and Airport Overlay District to PUD/AO, Residential Planned Unit Development and Airport Overlay District, stating the basis for such recommendation, with the conditions listed in the Staff Report.
2. Recommend approval of the proposed rezoning of The Courtyards at LMH Residential Planned Unit Development from R-3/AO, Multiple-Family Residential District and Airport Overlay District to PUD/AO, Residential Planned Unit Development and Airport Overlay 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.

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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.

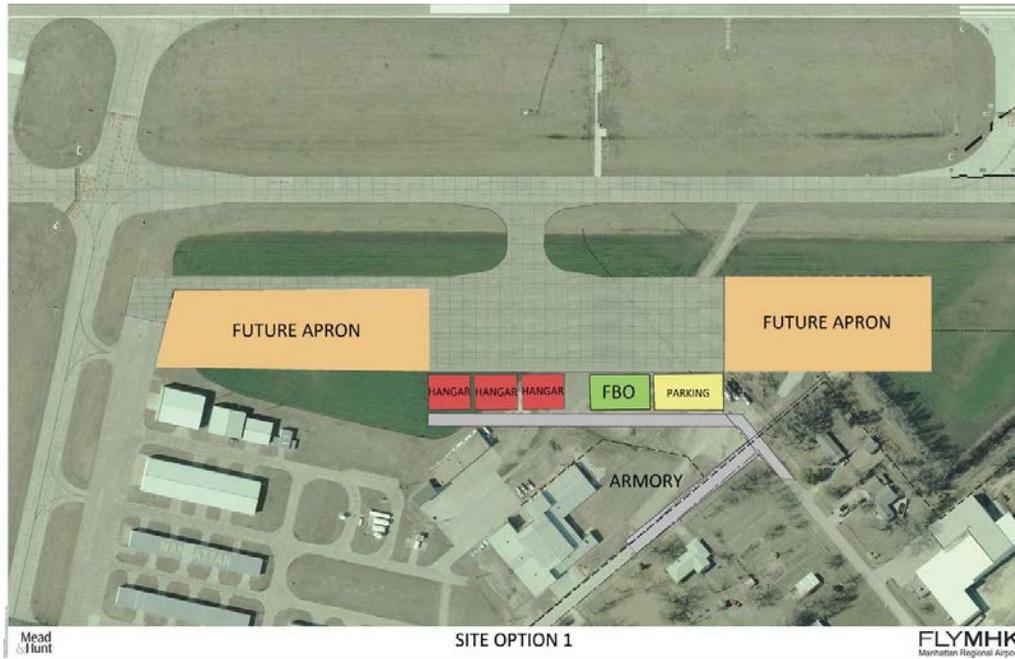
POSSIBLE MOTION:

The Manhattan Urban Area Planning Board recommends approval of the proposed rezoning of The Courtyards at LMH Residential Planned Unit Development from R-3/AO, Multiple-Family Residential District and Airport Overlay District to PUD/AO, Residential Planned Unit Development and Airport Overlay District, based on the findings in the staff report, with the seven (7) conditions recommended by City Administration.

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

DATE: March 11, 2015

Option 1



Option 2

